

P98-072- Popeye's Drive-Thru Restaurant

- REQUEST: A. **Environmental Determination: Exempt (Section 15301 (a))**  
California Environmental Quality Act
- B. **Special Permit** to operate a drive-up service facility for an existing 2,300± square foot, 38 seat restaurant on a 0.63 developed acre site in the General Commercial (C-2) zone.

LOCATION: 901 El Camino Avenue  
APN: 265-0321-025  
North Sacramento Planning Area  
North Sacramento, Grant Joint Union High School Districts  
Council District 2

APPLICANT	James Bonner, Telephone # (888) 341-3151 P.O. Box 2316 San Gabriel, CA 91778
OWNER	Fred Taylor, <i>3500 Sugar View Rd</i> <i>9672 Strawberry Way</i> <i>Meadow View, CA 95722</i> Telephone: <i>530-878-1458</i> <i>(408)-989-3607</i>
PLANS BY	Shimotsu Architecture 2705 K Street Sacramento, CA 95816
APPLICATION FILED	June 30, 1998
STAFF CONTACT	Doug Holmen, 264-8267

SUMMARY:

The applicant is proposing to provide a drive-up window at a fast food restaurant which is replacing another fast food restaurant that had been closed for four years. A new special permit is required for a drive-up facility since the previous drive-up facility it is replacing has been vacant for more than one year. There are no issues associated with the proposed project. The restaurant is currently open although the drive-thru operation is closed pending approval by the Planning Commission.

RECOMMENDATION:

Staff recommends approval of the proposed new drive-up facility. The proposed new drive-up restaurant is replacing a drive-up restaurant that had previously been located at the site. The owners of the new drive-up restaurant have remodeled the restaurant and have planted extensive landscaping throughout the site to help beautify what had once been an "eyesore" in the community.

PROJECT INFORMATION:

General Plan Designation:	Community/ Neighborhood Commercial and Offices
Community Plan Designation:	Special Planning District
Existing Land Use of Site:	Fast food restaurant
Existing Zoning of Site:	General Commercial (C-2)

## Surrounding Land Use and Zoning:

North: Storage yard; C-2  
 South: Trailer sales; C-2  
 East: Residential Court; C-2  
 West: Fast food restaurant; C-2

Property Dimensions:	182'± x 152'±
Property Area:	0.63± gross acres
Square Footage of Building:	2,300± square feet
Height of Building:	18±x feet, one story
Exterior Building Materials:	Stucco with wood trim
Roof Material:	Metal and asphalt
Parking Provided:	23 spaces
Parking Required:	13 spaces
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

OTHER APPROVALS REQUIRED: In addition to the entitlements requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

<u>Permit</u>	<u>Agency</u>
Building Permit	Building Division

BACKGROUND INFORMATION:

The site was previously used as a fast food restaurant by the same franchise. However, it has been vacant for the past four years. The special permit for the drive-up window is required when a use has vacated the site for more than one year. The proposed use would be substantially similar to the previous use.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

The North Sacramento Community Plan shows the proposed project site as being in the proposed El Camino Special Planning district. However, the goals and objectives of the Special Planning District have not been implemented in the form of a plan and a zoning ordinance addition.

The Economic subcommittee of the North Sacramento Project Area Committee (PAC) has recommended approval of the proposed project.

The proposed project sponsor has eliminated a blighted condition by remodeling and landscaping the restaurant and parking lot area.

B. Site Plan Design/Zoning Requirements

1. Setbacks

The proposed project meets all the required setbacks. The trash enclosure is situated in an area that is accessible and blends into the development.

2. Parking/Circulation

The proposed project would provide 38 seats inside the restaurant. The owner is providing 23 spaces. The zoning ordinance requires a minimum of one parking space for every three seats. The minimum number of parking spaces required is 13. Therefore, the owner is well within the parking requirements with 23 spaces.

The driveway off of Boxwood Street is not on the subject parcel even though it presently provides an entry way to and exit from the site. It can not be considered as a stacking area for automobiles entering the drive-up window area. The required stacking area can not block the driveway coming from Boxwood Street.

3. Landscaping

The owners of the proposed project have provided landscaping that would be able to shade 50% of the parking lot when it matures. There are some mature trees on the site. The owner has also provided lawn area along the El Camino Avenue frontage.

4. Signage

The restaurant has installed four signs- one each on the south, east and west walls of the restaurant and a pole sign on the corner of Boxwood Street and El Camino Avenue. These signs meet the sign ordinance.

D. Building Design

The project is an existing restaurant that has been remodeled. The square footage has not changed. The outside walls of the building are of stucco with wood trim. The roof is constructed of metal. The building is 18 and ½ feet tall. The building is compatible with other commercial buildings in the area. There are three other fast food restaurants in the block immediately to the west of the site.

PROJECT REVIEW PROCESS:

A. Environmental Determination

The proposed project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15301 (a)).

B. Public/Neighborhood/Business Association Comments

The Economic Subcommittee of the North Sacramento PAC has recommended approval of the drive-thru facility. There were no neighborhood or business associations that disapproved of the drive-thru facility.

C. Summary of Agency Comments

The project has been reviewed by several City Departments and other agencies. The following summarizes the comments received:

1. Public Works Department- Technical Services- Electrical Section

The Electrical Services Section recommends that street lighting should be a requirement for this project.

2. Public Works- Engineering Transportation/ Development Division

The driveway on Boxwood Street shall be an exit only driveway. The applicant shall sign and stripe the driveway area to the satisfaction of the department of Public Works.

The driveway on Boxwood Street is too wide. City Code chapter 38 states that the maximum width of an exit only driveway shall be 25 feet. The applicant must either reconstruct the driveway to City Standards or apply to the Department of Public Works for a Driveway Variance.

The applicant shall comply with A.D.A. requirements in all respects. According to A.D.A. requirements one van accessible space is required for this site. The site plan shows a 9 foot wide handicap space, but only a 5 foot wide off loading area. A.D.A. requires an 8 foot wide off loading area on the passenger side of the vehicle in order to be considered van accessible. Also the round corner will need handicap ramps if they are not already in existence.

Based on the site plan submitted the driveway on Boxwood Street is not on the subject parcel. Both parcels are held under the same ownership at the present time so this does not present a problem. However, a reciprocal ingress/egress maneuvering and drainage easement will be required at the time of sale of either parcel. The assessor parcel numbers of the parcels in question are 265-0321-025-0000 and 265-0321-026-0000.

**PROJECT APPROVAL PROCESS:** Of the entitlements below, the Planning Commission has the authority to approve or deny the Special Permit to operate a drive-up service facility. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

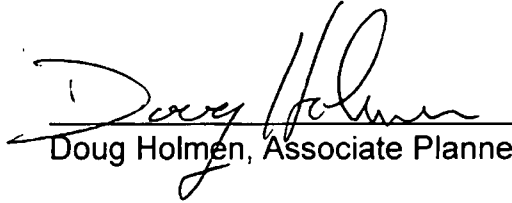
**RECOMMENDATION:**

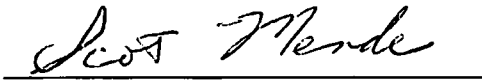
Staff recommends the Planning Commission take the following actions:

- A. Adopt the attached Notice of Decision and Findings of Fact which finds that the project is Exempt pursuant to CEQA Section 15301 (a);
- B. Adopt the attached Notice of Decision and Findings of Fact approving the Special Permit to operate a drive-up service facility for an existing 2,300± square foot, 38 seat restaurant on a 0.63 developed acre in the General Commercial (C-2) zone.

Report Prepared By,

Report Reviewed By,

  
Doug Holmen, Associate Planner

  
Scot Mende, Senior Planner

Attachments

Attachment 1	Notice of Decision & Findings of Fact
Exhibit 1A	Site Plan
Exhibit 1B	Elevations
Exhibit 1C	Floor Plan
Exhibit 1D	Signage Plan
Attachment 2	Vicinity Map
Attachment 3	Land Use & Zoning Map

## Attachment 1:

**NOTICE OF DECISION AND FINDINGS OF FACT FOR  
Popeye's Drive-Thru Restaurant  
@ 901 El Camino Avenue**

**Sacramento, California in the  
General Commercial (C-2) Zone  
APN: 265-0321-025  
(P98-072)**

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At the regular meeting of October 22, 1998, the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

- A. Environmental Determination (Exemption)
- B. Approved the Special Permit to operate a drive-up service facility for an existing 2,300± square foot, 38 seat restaurant on a 0.63 developed acre in the General Commercial (C-2) zone.

These actions were made based upon the following findings of fact and subject to the following conditions:

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**FINDINGS OF FACT**

- A. **Categorical Exemption:** The City Planning Commission finds and determines that the proposed project is **Exempt** from environmental review pursuant to Section 15301 (a) of the California Environmental Quality Act Guidelines.
- B. **Special Permit:** The Special Permit to operate a drive-up service facility for an existing 2,300± square foot, 38 seat restaurant on a 0.63 developed acre in the General Commercial (C-2) zone is **approved** subject to the following findings of fact:

- B. **Special Permit:**

The Special Permit, as conditioned, is granted upon sound principles of land use in that:

- a. Drive-up service facilities are permitted uses in the C-2 zone

subject to the granting of a Special Permit by the City Planning Commission;

- b. The design and location of the facility will not contribute to increased congestion on public streets or driveways adjacent to the subject property;
- c. The design and location of the facility will not create a nuisance for adjacent properties.

### **CONDITIONS OF APPROVAL**

- B. The Special Permit to operate a drive-up service facility for an existing 2,300± square foot, 38 seat restaurant on a 0.63 developed acre in the General Commercial (C-2) zone is hereby approved subject to the following conditions:
  - B1. Street lighting shall be provided along El Camino Avenue to the satisfaction of the Electrical Division of the Public Works Department.
  - B2. The driveway onto Boxwood Avenue shall be chained off to drive-thru traffic.
  - B3. The driveway on Boxwood Street shall be an exit only driveway. The applicant shall sign and stripe the driveway area to the satisfaction of the department of Public Works.
  - B4. The driveway on Boxwood Street is too wide. City Code chapter 38 states that the maximum width of an exit only driveway shall be 25 feet. The applicant must either reconstruct the driveway to City Standards or apply to the Department of Public Works for a Driveway Variance.
  - B5. The applicant shall comply with A.D.A. requirements in all respects. According to A.D.A. requirements one van accessible space is required for this site. The site plan shows a 9 foot wide handicap space, but only a 5 foot wide off loading area. A.D.A. requires an 8 foot wide off loading area on the passenger side of the vehicle in order to be considered van accessible. Also the round corner will need handicap ramps if they are not already in existence.
  - B6. Based on the site plan submitted the driveway on Boxwood



Street is not on the subject parcel. Both parcels are held under the same ownership at the present time so this does not present a problem. However, a reciprocal ingress/egress maneuvering and drainage easement will be required at the time of sale of either parcel. The assessor parcel numbers of the parcels in question are 265-0321-025-0000 and 265-0321-026-0000.

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CHAIRPERSON

ATTEST:

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SECRETARY TO CITY PLANNING COMMISSION

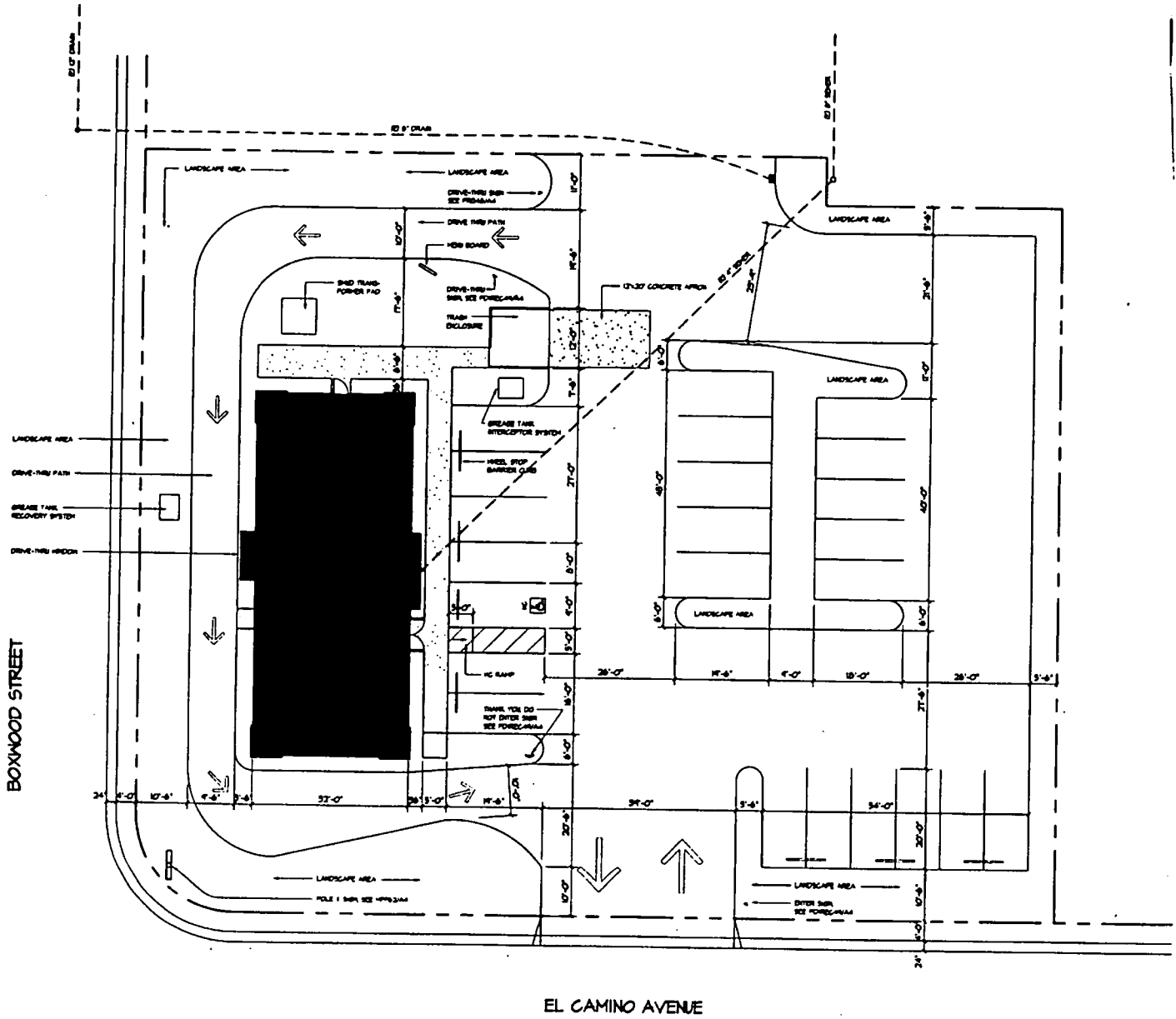
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October 22, 1998 (P98-072)

Attachments

Exhibit 1A Site Plan  
Exhibit 1B Elevations  
Exhibit 1C Floor Plan  
Exhibit 1D Signage Plan  
Exhibit 1E Landscaping Plan

Exhibit 1A  
Site Plan



1 EXISTING SITE PLAN

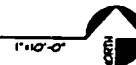
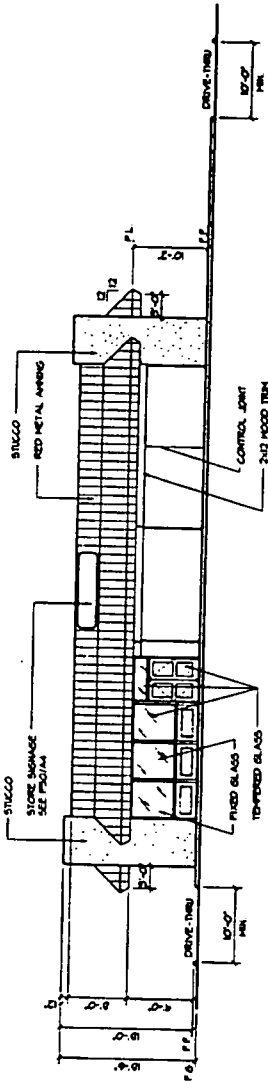
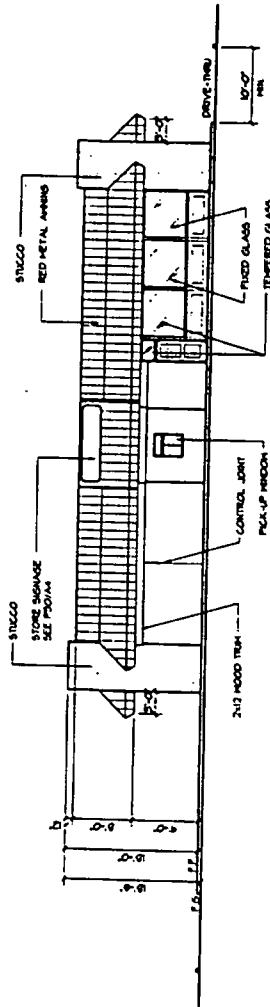


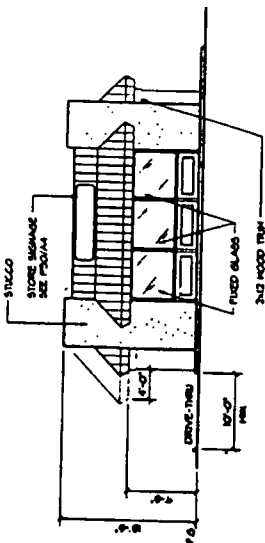
Exhibit 1B  
Elevations



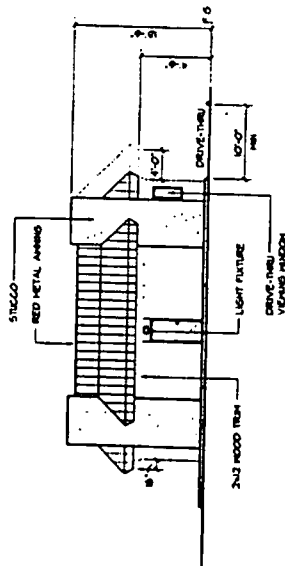
1 EAST ELEVATION  
1/8" = 1'-0"



2 WEST ELEVATION  
1/8" = 1'-0"

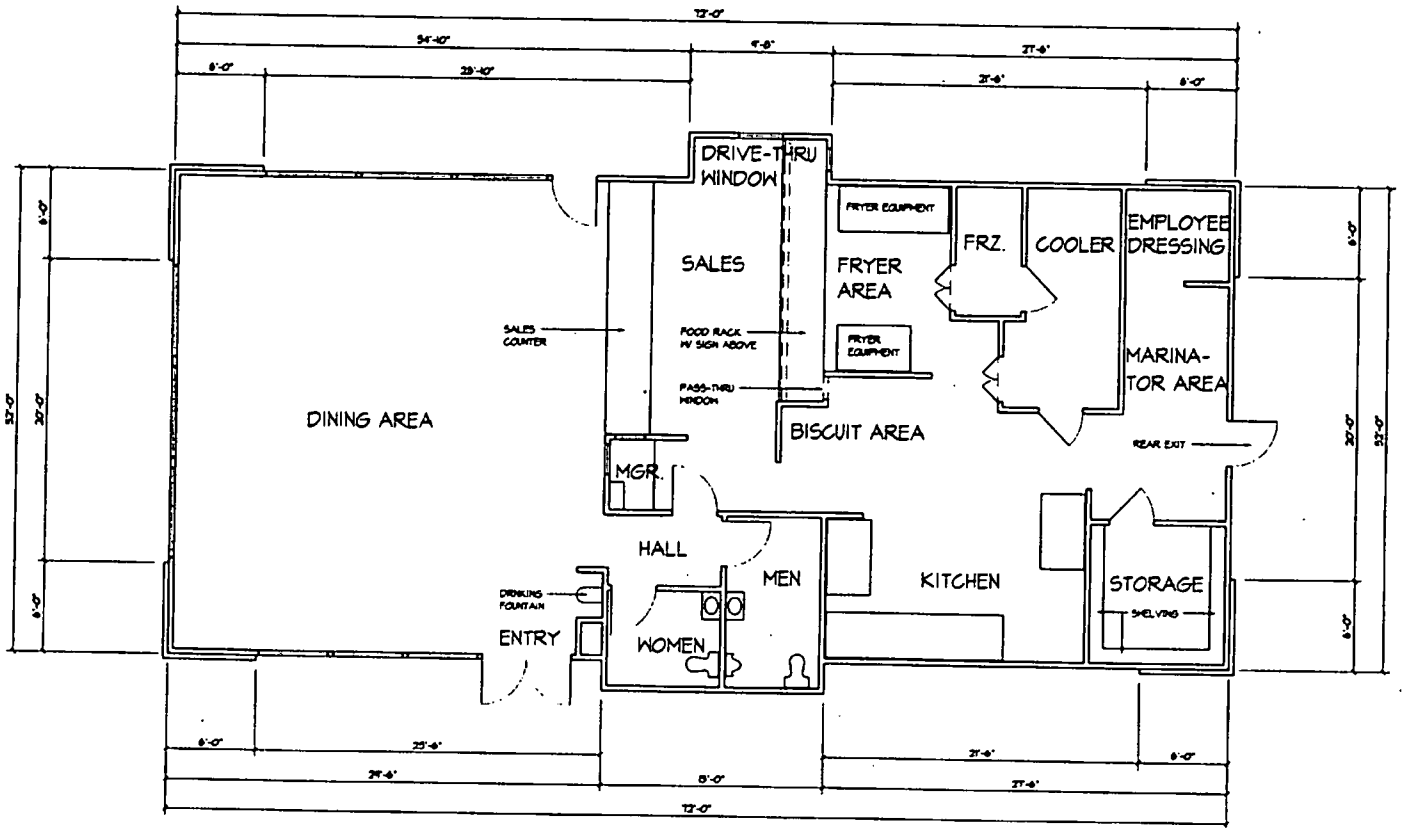


3 SOUTH ELEVATION  
1/8" = 1'-0"



4 NORTH ELEVATION  
1/8" = 1'-0"

Exhibit 1C  
Floor Plan



① EXISTING FLOOR PLAN


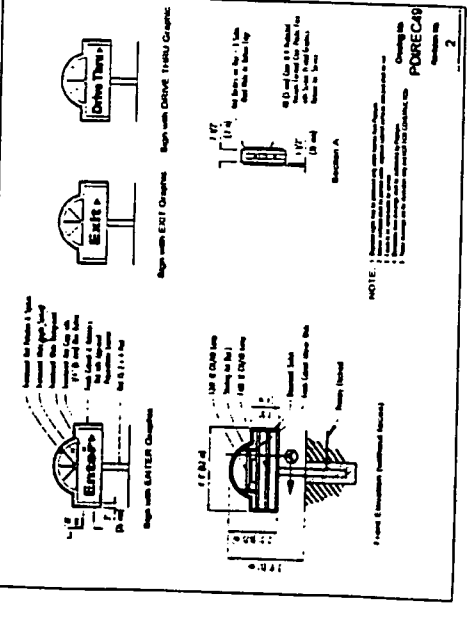
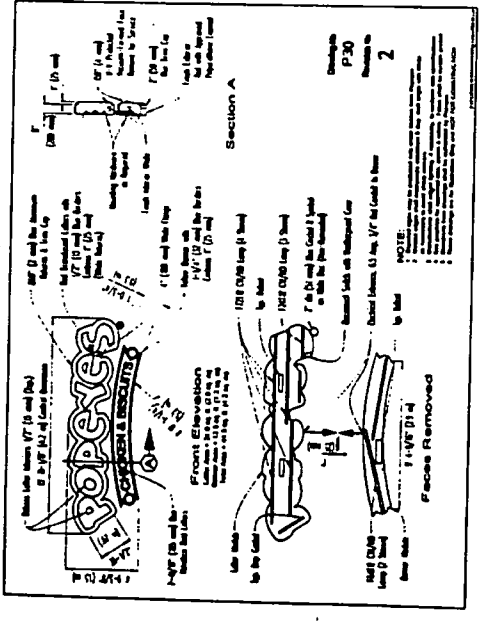
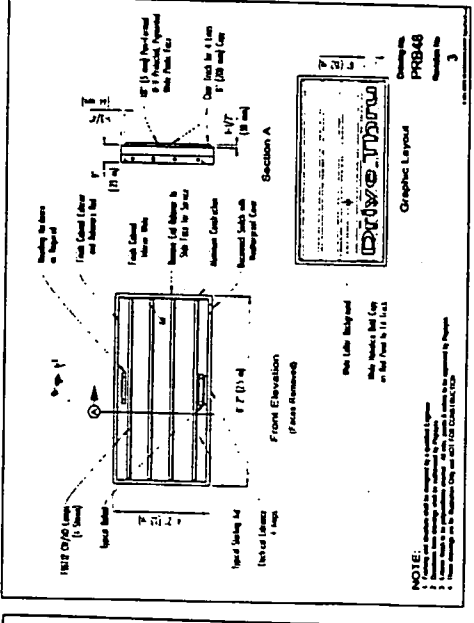
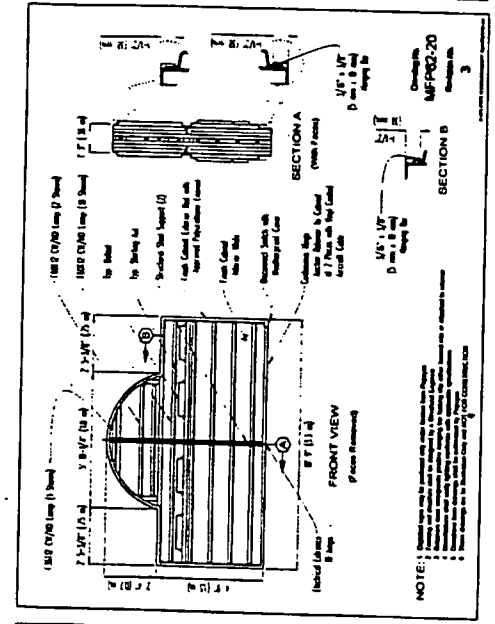
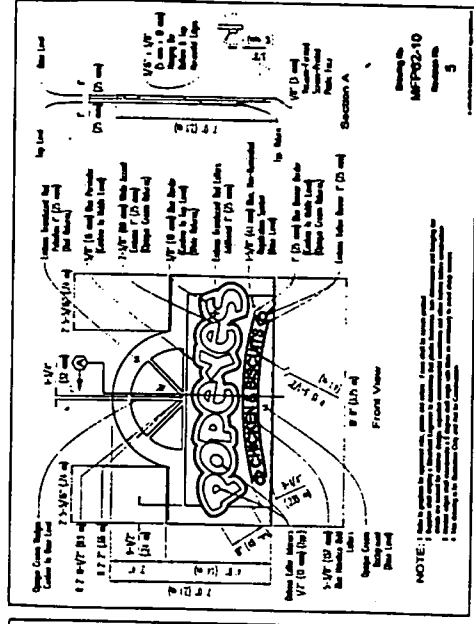
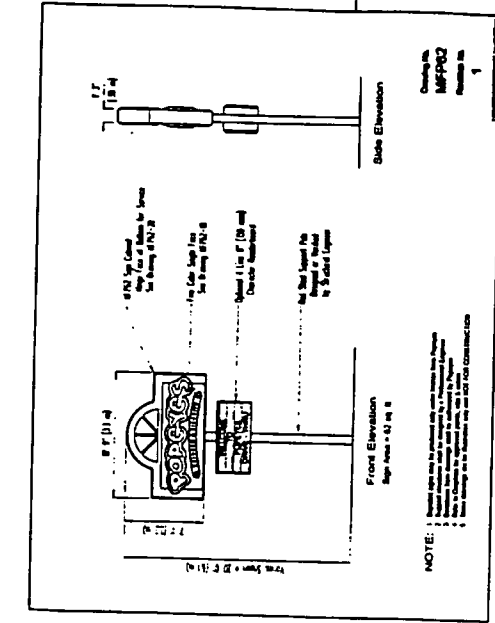
Scale: 1/4"=1'-0" 

Exhibit 1D  
Signage Plan



311077  
11/17/95  
11/17/95

APC Enterprises, Inc.  
Atlanta, Georgia

Sign Resources  
311077, P.E.  
Atlanta, Georgia

POPCORN  
SWEET & SWEET  
DRIVE THRU

Exhibit 1E  
Landscaping Plan

CONCEPT NOTES

**B** Existing landscape - showing approximate extent of existing site work. Existing Plant, Other Features and Other Notes. The work proposed in this plan will be used to improve visual appearance and health of existing landscape.

**P** The proposed landscape will consist of each lot, the surrounding streets and other work shown. Items will be added in plan view to show the visual appearance of each lot.

GENERAL DESIGN NOTES

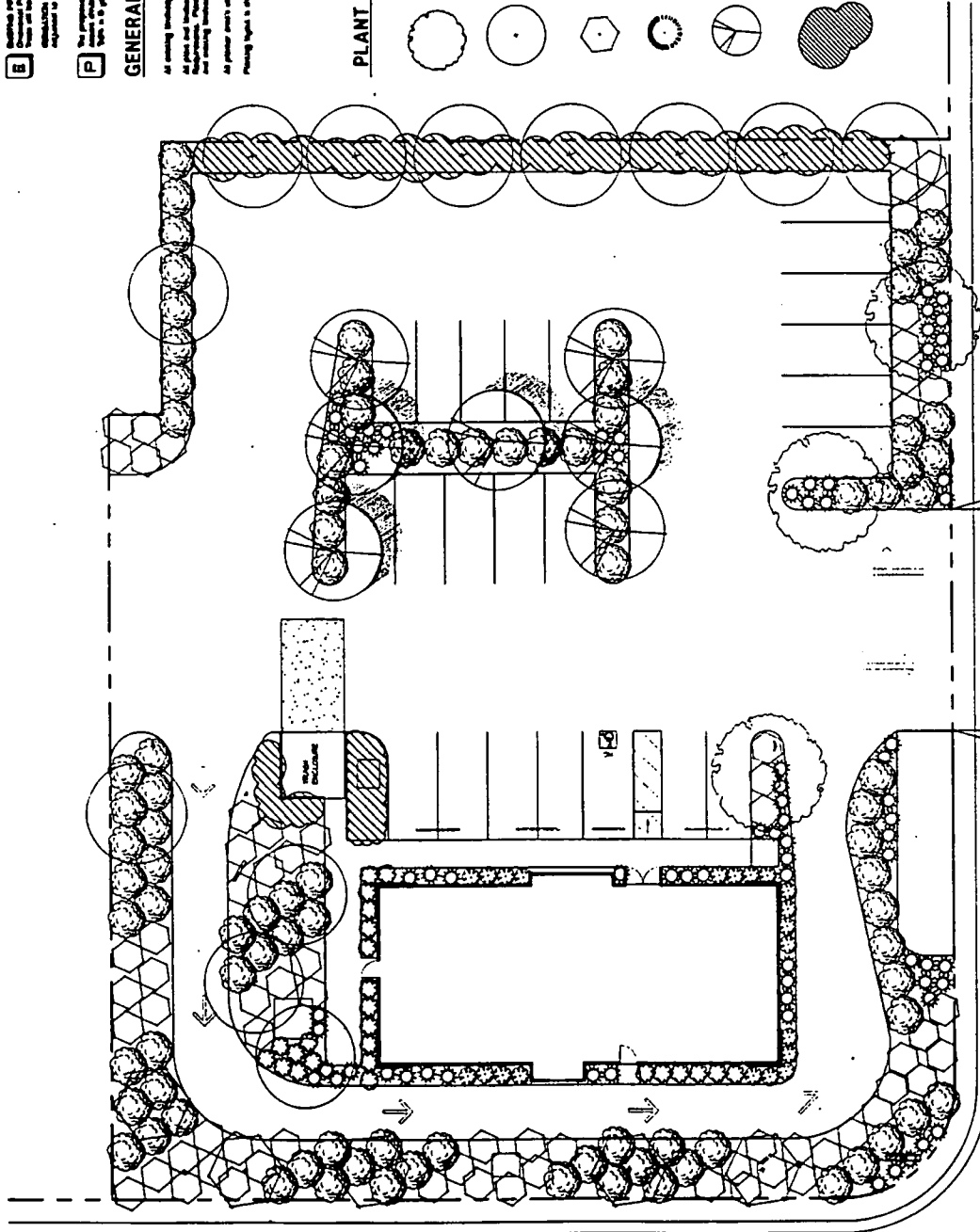
All existing landscape design and construction will be approved by the Planning Department. All plant and landscape materials will be approved by the City of Sacramento's Plant Selection Committee. Please refer to the City of Sacramento's Plant Selection Committee for a list of approved plants. The following landscape improvements are suggested for this site.

All plant materials will require a 2' high of protection fence.

Planting signs to show for development purposes only. Plant signs and quantities to be determined.

PLANT PALETTE

	PLANT: CEREALIS (L287140)		PLANT: BIRCH (L287140)
	PLANT: CEREALIS (L287140)		PLANT: BIRCH (L287140)
	PLANT: CEREALIS (L287140)		PLANT: BIRCH (L287140)
	PLANT: CEREALIS (L287140)		PLANT: BIRCH (L287140)
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	PLANT: CEREALIS (L287140)		PLANT: BIRCH (L287140)



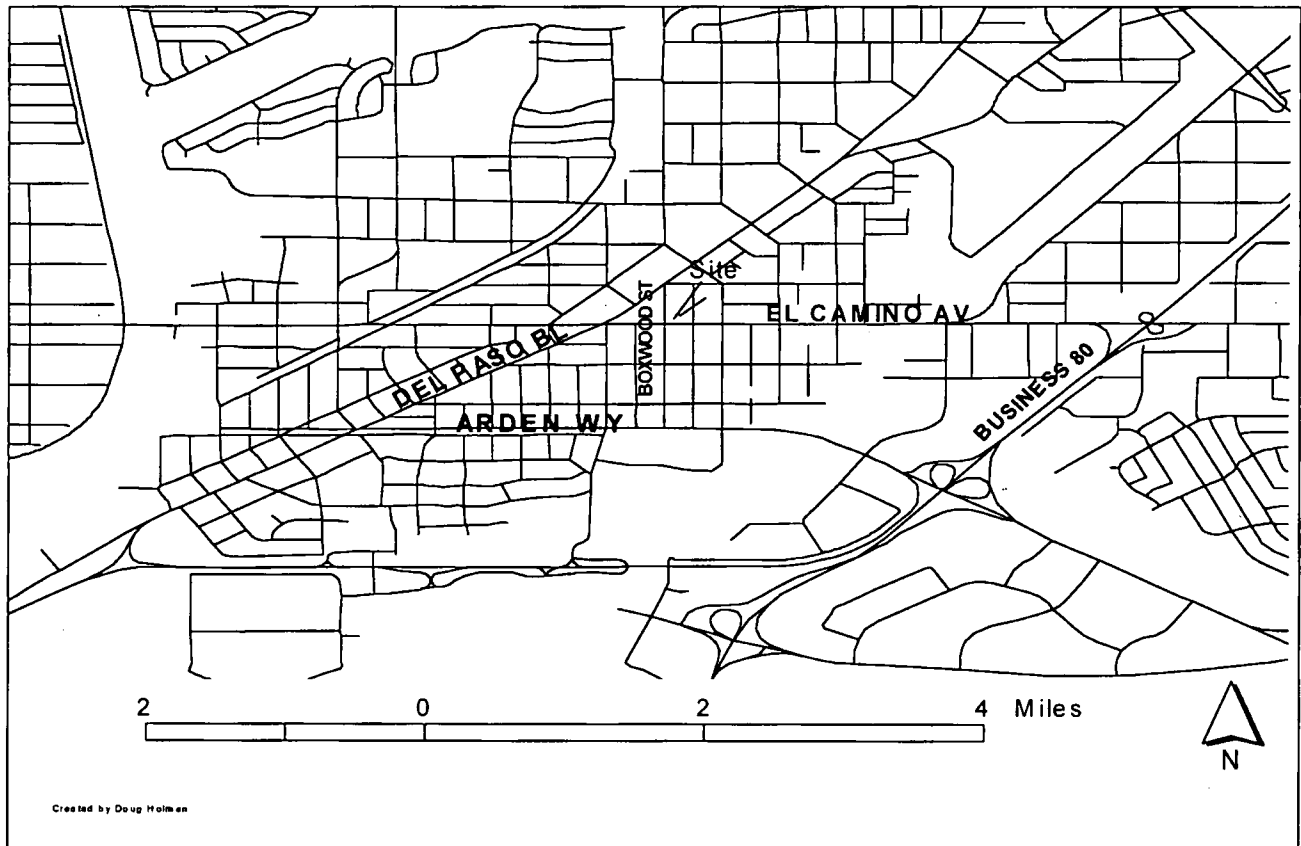
EL CAMINO AVENUE

BOXWOOD STREET



1 EXISTING LANDSCAPE CONDITIONS / PROPOSED IMPROVEMENTS

Attachment 2  
Vicinity Map



Attachment 3  
Land Use and Zoning Map

