

CITY PLANNING COMMISSION

1231 "I" STREET, SUITE 200. SACRAMENTO, CA 95814

APPLICANT Barghausen Consulting Eng., 6625 S. 190th #102, Kent, WA 98032
OWNER Frank and Gloria Louie, 2833 Land Park Drive, Sacramento, CA 95818
PLANS BY Barghausen Consulting Engineers, 6625 S. 190th #102, Kent, WA 95818
FILING DATE 12/5/86 ENVIR. DET. Negative Declaration REPORT BY KNR:ec
ASSESSOR'S PCL. NO. 053-0021-008

- APPLICATION:
- A. Negative Declaration with Mitigation Measures
 - B. Special Permit to allow a 2,400 square foot 24-hour convenience store with gasoline pumps on a vacant 0.7+ acre lot in the General Commercial (C-2) Zone.
 - C. Variance to reduce the required front yard setback from 50 feet to 19 feet
 - D. Variance to reduce the required street side setback from 50 feet to 15 feet.

LOCATION: Southwest corner 24th Street and Meadowview Road

PROPOSAL: The applicant is requesting the necessary entitlements to construct a 24-hour, 2,400 square foot convenience store with a separate 30'x 53' double pump island gasoline canopy. The proposal includes three underground gasoline storage tanks.

PROJECT INFORMATION:

1974 General Plan Designation: Residential
1984 Airport Meadowview Community
Plan Designation: Commercial
Existing Zoning of Site: C-2
Existing Land Use of Site: Vacant

Surrounding Land Use and Zoning:	Setbacks	Required	Provided
North: R-1; Vacant then Multi-Family	Front:	50'	19'
South: R-2R; Vacant then Single-Family	Side (Int):	5'	5'
East: C-2; Boarded-up Commercial	Side (St):	50'	15'
West: R-1; Single Family Residential	Rear:	5'	5'

Parking Required: 10 spaces
Parking Provided: 24 spaces
Property Dimensions: Irregular
Property Area: 0.7+ acres
Square Footage of Building: 2,400 square feet
Height of Building: 13 feet, 1-story/28 foot pole sign
Topography: Flat
Street Improvements: Existing
Utilities: Existing
Exterior Building Materials: Stucco over Wood Frame
Roof Material: Flat, Built-up; Asphalt

PROJECT EVALUATION:

A. LAND USE AND ZONING

The subject site consists of a vacant lot which is zoned C-2 and designated "Residential" by the 1974 General Plan and "Commercial" by the 1984 Airport Meadowview Community Plan. Surrounding land uses include residential to the north and west, a vacant commercial shopping center to the east, and vacant residential land to the south.

B. PROJECT DESCRIPTION:

The applicant proposes to construct a 2,400 square foot Arco AM-PM Mini-Market with gasoline pumps, to be open 24-hours a day. Because the canopy over the gasoline pumps extends into the required 50 foot setbacks from both 24th Street and Meadowview Road, variances to reduce front and street-side setbacks are required.

C. 24-HOUR OPERATION:

Due to potential impacts on surrounding areas, a special permit is required to operate a convenience store for 24 hours a day within 500 feet of residential land uses. In determining the appropriateness of a proposal, consideration is given to the nature of the proposed operation, characteristics of the area, and sentiments of neighborhood residents.

The Meadowview area, especially the area around Meadowview Road and 24th Street, has experienced problems with loitering, drugs and alcohol, and other undesirable activities. City and resident concern has resulted in increased police patrol and community activism to try to better the situation. The subject proposal includes 24-hour beer and wine sales from the mini-market. The City and neighborhood residents feel that the proposed use at the subject location would be detrimental to the public health, safety and welfare. Twenty-four hour activity and alcohol sales would be counter-productive to efforts to reduce loitering and undesirable activity in the area.

Staff has contacted the applicant to discuss the possibility of a restriction on alcohol sales. The applicant feels that sale of alcohol is an integral component of the ARCO 24-hour AM-PM operation, and did not feel that deleting the sale of alcohol, or restricting the hours in which alcohol would be sold, was a viable option.

D. PROJECT DESIGN:

The site plan submitted has several features which the Planning Department feel are undesirable. The amount and location of landscaping could provide ample opportunity for "screened loitering".

The site should be landscaped in a manner that will not be conducive to loitering. The building should be located on the site so that there are no hidden areas that cannot be viewed from the front of the site. Due to the nature of adjacent development, staff would not oppose the variances to reduce the front and street-side setbacks. Increased width of the landscaped strips to about 10 feet along the

street frontages would be desirable. Conversion of the proposed pole sign to a monument sign would also be desirable.

E. AGENCY REVIEW:

This project was sent for review to Traffic Engineering, Police, Councilwoman Lynn Robie, and Meadowview Improvement Committee president Edward Elmore. The following comments were received:

TRAFFIC ENGINEERING

Reduce number of driveways to two, one each on Meadowview Road and 24th Street.

POLICE

The Police Department has concerns about the nature of the proposed use and about the proposed site plan and project design. More detailed input from the Police Department is attached as exhibit A.

ENVIRONMENTAL DETERMINATION:

The Environmental Coordinator has determined that with the following condition, there will be no significant adverse impact on the environment, and a Negative Declaration with Mitigation Measures has been filed:

The applicant's proposal would locate underground fuel storage tanks on the site. In order to avoid any significant environmental impacts that might result from these action, the applicant will proceed only under the authority of and to the satisfaction of the City Fire Chief.

STAFF RECOMMENDATION:

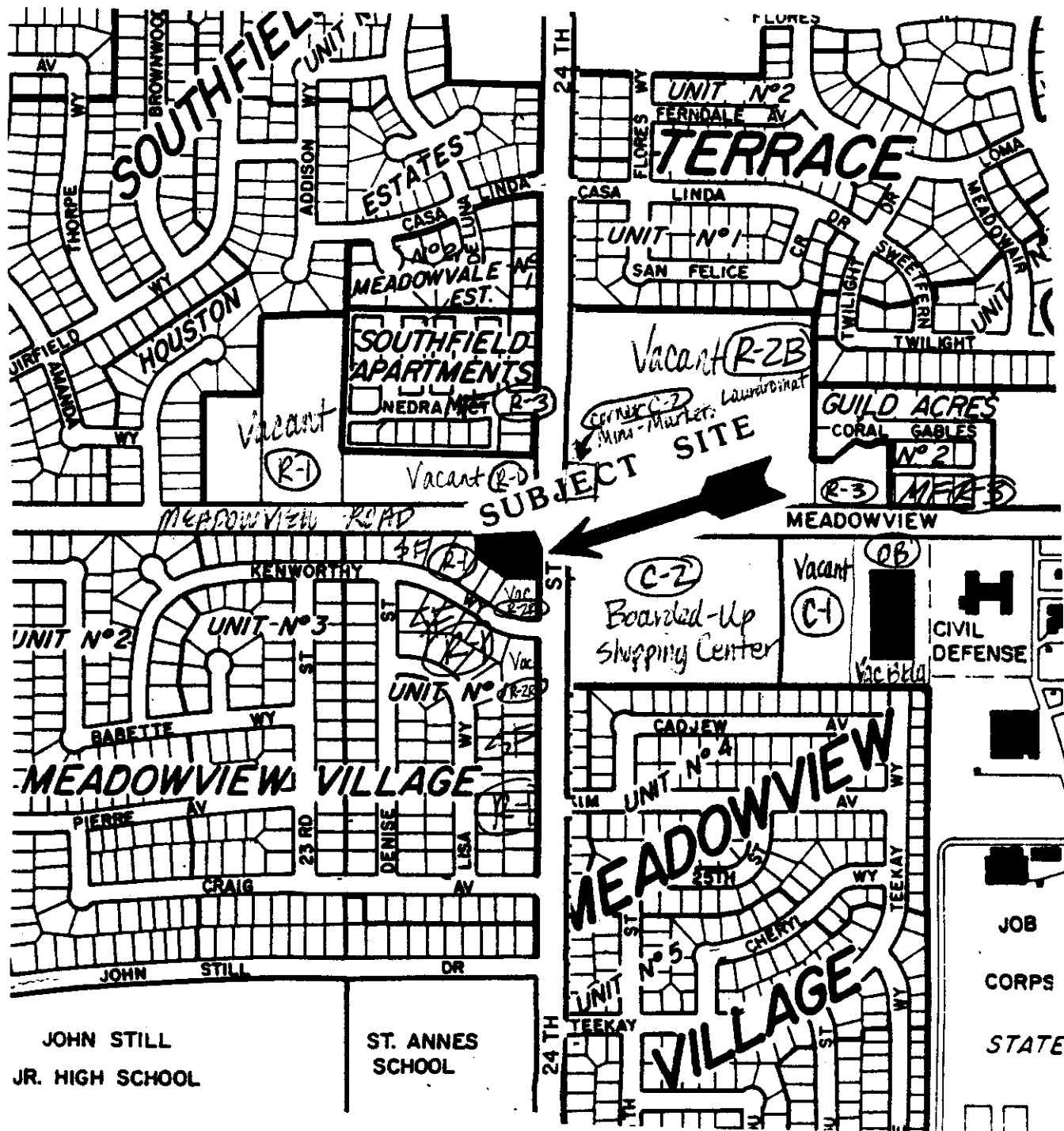
Staff recommends that the Planning Commission take the following actions:

- A. Ratify the Negative Declaration with Mitigation Measures;
- B. Deny the Special Permit based on Findings of Fact which follow;
- C. Deny the Variance based on Findings of Fact which follow:

FINDINGS OF FACT:

1. The project is not based on sound principles of land use in that:
 - a) The proposed use would exacerbate an existing problem situation in the Meadowview area;
 - b) The proposed use is located adjacent to residential uses.
2. The project would be detrimental to the public health, safety and welfare in that:

- a) The project, as proposed, would induce loitering on the site;
 - b) The project, as proposed, creates a security risk to adjacent residents and store patrons and employees.
3. Granting the variances would constitute a special privilege extended to an individual applicant, as a variance would not be granted to other property owners facing similar circumstances.

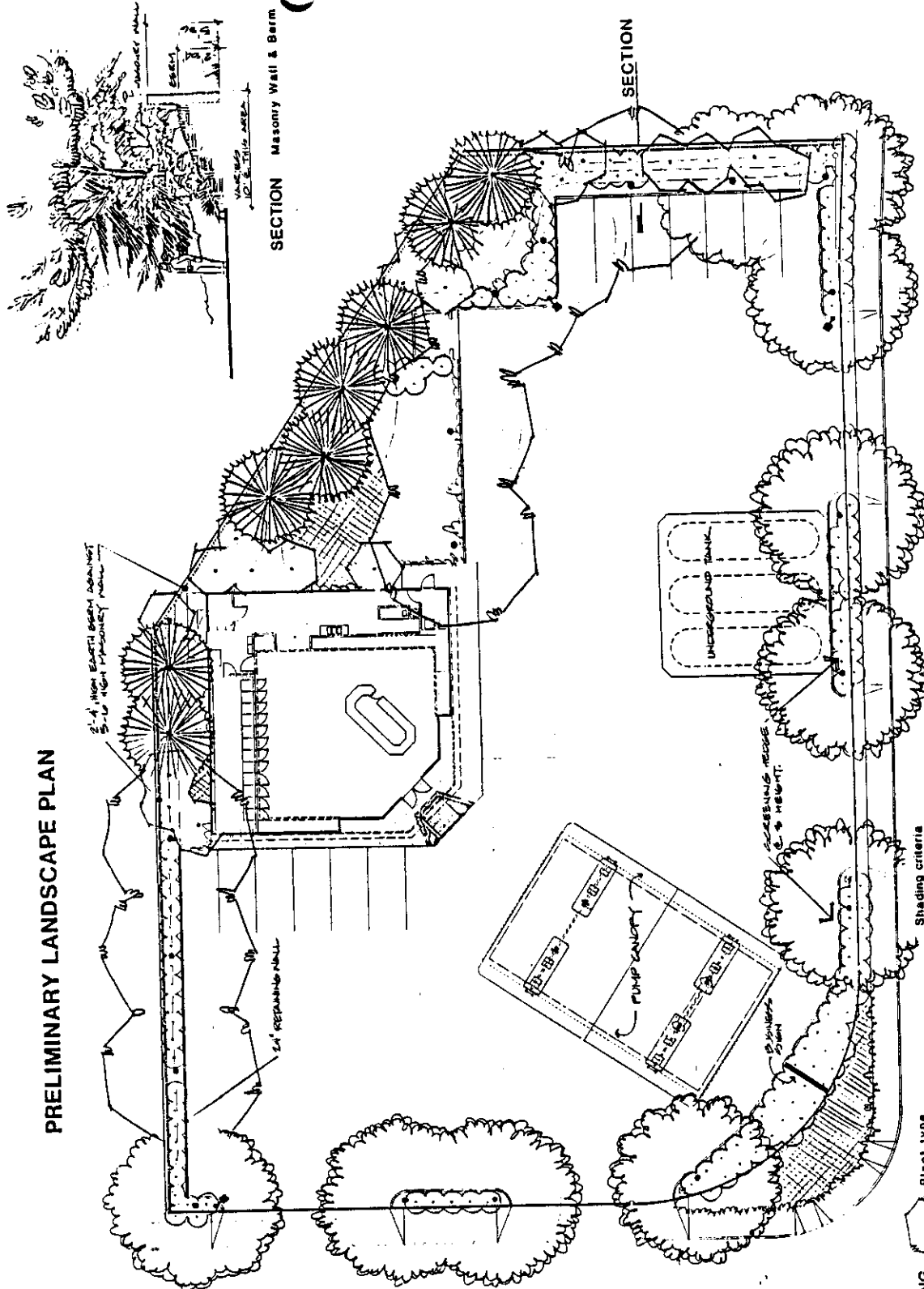


P87-007

January 8, 1987

Item 20

VICINITY - LAND USE - ZONING



PRELIMINARY LANDSCAPE PLAN

SECTION Masonry Wall & Berm

SECTION

2'-4" HIGH EARTH BERM AGAINST 5'-0" HIGH MASONRY WALL

24' retaining wall

UNDERGROUND TANK

PUMP STATION

Meadowview Road

24th St. SE

- PLANTING LEGEND
- Plant type
 - BROADLEAF EVERGREEN TREE
 - CONIFEROUS EVERGREEN TREE
 - DECIDUOUS TREE
 - LARGE SHRUB (DECIDUOUS EVERGREEN)
 - SMALL SHRUB (4'-6') EVERGREEN
 - EVERGREEN GROUNDCOVER
- Shading criteria
- 100% 4'-6' 100%
 - 100% 4'-6' 100%

LANDSCAPE PLANS

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CITY OF SACRAMENTO

CITY PLANNING DIVISION

JAN 02 1987

RECEIVED

DEPARTMENT OF POLICE

HALL OF JUSTICE
813 6TH STREET

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5121

JOHN P. KEARNS
CHIEF OF POLICE

December 30, 1986

Ref. 12-10

MEMORANDUM

TO: Kathy Barbaro, Associate Planner
Department of Planning and Development

FROM: Jerry Finney, Assistant Chief
Sacramento Police Department

SUBJECT: PROPOSED 24 HOUR AM/PM MINI MARKET AT 24th STREET AND MEADOWVIEW

In response to your memo of December 18, 1986, regarding the above proposal, we have reviewed the plans and asked for input from both the residents of the area and the two patrol sector sergeants most familiar with the area. As a result, the following are our answers to your questions:

1. QUESTION: There is an existing mini-market at the northeast corner of Meadowview and 24th. Have there been any problems related to this market? Does it sell alcohol?

ANSWER: The existing store at the northeast corner of 24th and Meadowview does sell alcohol and is the source of many police related problems. Also, the 7-11 store at Amherst and Meadowview also sells beer and wine and is the source of other police related problems.

2. QUESTION: Has the fencing off of the "Buyrite" shopping center on the southeast corner of 24th and Meadowview improved conditions at this intersection, or have problems simply been "pushed" elsewhere or put on hold?

ANSWER: The fencing off of the abandoned shopping center on the southeast corner has improved conditions in this area and decreased calls for service.

EXHIBIT A

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MEMORANDUM

December 30, 1986

Kathy Barbaro
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3. QUESTION: Do you think the 24 hour aspect of the mini-market would be detrimental to the surrounding area, especially to the residents to the west and south?

ANSWER: In regards to the 24 hour aspect of the mini-market and the sale of alcoholic beverages, we contacted several residents and community leaders in the area. The general feeling is that the business is needed in the area; however, the sale of alcohol would be very bad. This department contacted twenty-one residents in the immediate area to determine their feelings. Ten were strongly opposed, while five felt that the sale of alcohol would be all right. The remaining six had no opinion. One area resident, the Reverend Elder Alexander, has submitted an additional list of thirty-seven residents who are opposed to the sale of alcohol. Sector Sergeants Vaccero and Farnsworth are strongly opposed to the establishment of any business selling alcohol. Copies of their memo are attached for your information.

4. QUESTION: Should we restrict the sale of alcohol. If yes, then we need evidence and facts to support this restriction.

ANSWER: The sale of alcohol should be prohibited. Again, I refer you to the memos from Sergeants Farnsworth and Vaccero and the petitions from the neighbors.

We have reviewed the plans for the proposed business and feel that the design is unacceptable. The landscaped area on the east side of the proposed market seems ideally suited to accommodate the loiters, drinkers and drug dealers who are the source of most of the problems in the area. In addition, the landscaping around the perimeter of the site would provide additional cover for these people as well as increasing the probability of armed robberies of the business.

In conclusion, we will support the proposed project, providing that the sale of alcohol is prohibited, the plans are redesigned to eliminate the landscaped area and provide better visibility from both 24th Street and Meadowview Road, and the property is properly posted to no trespassing or loitering.



JERRY V. FINNEY
ASSISTANT CHIEF OF POLICE

JVF:MW

Attachments

cc: Lynn Robie, Councilmember
Terry Kastanis, Councilmember

P87-007

1-8-87

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M E M O R A N D U M

SACRAMENTO POLICE DEPARTMENT

To : CARROLL JOHNSON, COMMANDER
SELECTIVE ENFORCEMENT DIVISION

ATTN : SAMUEL D. SOMERS, CAPTAIN
COMMANDER, THIRD WATCH

From : D. FARNSWORTH, SERGEANT
THIRD WATCH, SECTOR 2

Subject: PROPOSED AM/PM MART - 24th & MEADOWVIEW

Date: December 19, 1986

Ref. No: 86-530-3

I am thoroughly opposed to another off-sale or on-sale establishment in the area of 24th & Meadowview.

We have only recently been relieved of the problems (robberies, muggings, drinking and gang related activities), that presented themselves as a result of having a beer bar and small market located at 24th & Meadowview.

Whenever I had the manpower, I had to assign directed patrol to the area in order to curb major crimes, fights and public drunkenness. These activities were rampant on a daily basis. On any given day, the area took on a carnival atmosphere. Groups of juveniles and young adults looking for action, purchasing drugs and alcohol from pushers, cars screeching in and out of the parking lots, broken bottles and litter strewn about. Many residents were afraid to enter the area without a patrol car present. There are still two stores that present problems of a police nature in the area, the Meadowview Market, 24th & Meadowview and 7/11 located at Amherst & Meadowview.

Another alcohol outlet would only increase the neighborhood problems. Many residents expressed a sigh of relief with the closing and fencing off of the property that caused most of their problems. They don't mind having another store, but cringe at the thought of more alcohol sales.

Respectfully submitted,

D. Farnsworth
D. FARNSWORTH, SERGEANT
THIRD WATCH, SECTOR 2

DF:rl

897-007

M E M O R A N D U M

SACRAMENTO POLICE DEPARTMENT

To : CARROLL JOHNSON, COMMANDER
SELECTIVE ENFORCEMENT DIVISION

Date: December 19, 1986

Ref. No: 86-385-2

From : RICHARD VACCARO, SERGEANT
PATROL, SECOND WATCH

Subject: PROPOSED AM/PM MART, 24th and MEADOWVIEW

I am opposed to a off sale license being issued in this area. As you know, the narcotics and gang people are well entrenched in the area. The community has just gained success in closing 2 of the 3 businesses selling alcohol, as they had an extreme detrimental effect on the area. From the Police Departments perspective, I know that the alcohol related businesses were an attraction that drew the criminal element. Those areas of business had a much higher proportion of crime than similar type businesses in the other areas. It was also a drain on the Police Department manpower, as I was forced to assign one unit to that area, as there was a high amount of shootings, robberies, muggings, gang activity, and drinking. Transients, winos, gang members and ex-cons were the rule rather than the exception, drinking in public, playing dice, and in general, just being a nuisance. These activities were commonly viewed by children, on their way to and from the many schools in the area. Many community members told me they were afraid to patronize the store because of the high crime rate in the immediate area.

The only remaining alcohol sales outlet is the Meadowview Food Store on the NE corner of 24th and Meadowview. There are numerous problems in front of the store; mainly caused by people drinking. These problems exist even though the store is open limited hours, the owner is the operator, and he has a gun within reach at all times.

The fencing off of the previous businesses has had a very noticable affect on the area. The closing of the two businesses that sold liquor has caused a decrease in crime, major and petty. There have been very few robberies, purse snatches etc, while drinking in public and its related nuisances are now limited to the remaining store, which comprises a much smaller area. I have been able to reassign the car I used to have at this corner, to other, higher priority areas.

I can only see the opening of another alcohol sales establishment as a return to a corner of crime and problems. I have spoken to many residents of the area who don't want alcoholic beverages sold. They don't mind having a store or a gas station. This viewpoint is also evidenced by a survey of local residents.

RICHARD VACCARO, SERGEANT
PATROL, SECOND WATCH

RV/sp

Elder h.l. Alexander
2319 John still
Sacto, CA 95832

Mr John p. Kearns,
Department of police
813 6th street
Sacramento , Ca 95816.

Dear Mr Kearns .

We the concern citizens and residents residing right behind the back yard of the proposed site for the establishing AM & PM mini market are undersigning the petition against the proposed site (2380 meadowview road).

We the residents of the meadowview area are appealing to the all related agencies and to the obedient civil servants for the necessary help to stop having another catastrophic situation by inviting the hoodlums, prostitution, dope dealers, criminals and beer and wine 24 hrs establishment in our neighbourhood.

yours earliest utmost cooperation will be highly appreciated .

thank you very much.

Elder h.l . Alexander.

refer the attached list of signatures .

Elder H.L. Alexander

12.25.1986

887-007 128-87

CONCERN CITIZENS SIGNING BELOW AGAINST ESTABLISHING
AM & PM MARKET ON 2380 MEADOWVIEW ROAD.

PETITIONERS

NAME	ADDRESS	SIGNATURES
Sharon Chestnut	7582 24th Street	Sharon Chestnut
Larry Temple Terry Temple	4475 Cardwood St	Larry Temple
Lettie PERSERS Lettie Persers	7630 24th St. SACO, CA. 95832	Lettie Persers
GEORGETTE PETERS	7640 24th ST SACTO CA 95832	Georgette Peters
JANET FERGUSON	7645 24th St SACO 95832	Janet Ferguson
Jimmie Taylor Jimmie	53 NEORA Ct # 4 SACTO CA 95822	Jimmie Taylor
* WILFRED W. REEL Wilfred W. Reel Sr.	7644-24th St Sacramento Calif 95832	Wilfred W. Reel
Gail M. Reel	7644-24th St. Sacto Ca. 95832	Gail M. Reel
Clifton Despanic	2319 John Still Dr. Sacto Ca. 95832	Clifton Despanic
BARBARA ALMOND	John Still DR SACTO CA 95832	Barbara Almond
Bobby Temple	7475 Cardwood St	Bobby Temple
HELEN HALL	1516 G St SACTO CA	Helen Hall
Clifton JACKSON	7342 65 Ave SACTO CA	Clifton Jackson

CONCERN CITIZEN SIGNING BELOW AGAINST ESTABLISHING
AM & PM MARKET ON 2380 MEADOWVIEW ROAD.

UNDER 300 FEET.

PETITIONERS.

NAME	ADDRESS under 50 feet	SIGNATURES
WILLIE GRIFFIN	2381 KENWORTHY WAY SACTO CA. 95832	Willie Griffin
ELLA Singleton	2371 Kenworthy way SACTO, CA 95832 under 50 feet	Ella Singleton
VICTOR OLIVER	2361 Kenworthy way SACTO CA 95832	Victor Oliver
AMELA F. BEWLEY NO NO	2351 KENWORTHY WAY SACTO CA 95832	Amela F. Bewley
E J GARRETT NO NO	2330 KENWORTHY WAY SACTO, CA 95832	E J Garrett
Richard Williams NO NO	2340 KENWORTHY WAY SACTO CA 95832	Richard Williams
ROSE SALAZAR JESUS SALAZAR	2370 Kenworthy way SACTO, CA 95832	Rose Salazar Jesus Salazar
Harold Diehl 2390 Kenworthy way	2390 Kenworthy way	Harold Diehl
JAMES R WALLACE	2360 KENWORTHY	James R. Wallace

THIS IS FOR **NO** **NO** NO!

HOW DO YOU FEEL ABOUT A.M.P.M

NAME	Addr	
Abdul HACKIM	7701-24th St.	HOME
Alice HACKIM	7701-24th St	HOME
Adeline I. Meier	7681-24th St	HOME
Don Howard	7622 24th St	HOME
Jan Stan	7665 24th St	HOME
Joseph J. Gray	7648 24th St	HOME
Paul Kesper	7628 24th St.	APP
Phanpha	7622 24th St.	APP
Al Dickson	2314 Kenworthy Way	HOME
Dorothy Finney	2295 Kenworthy Way	HOME
Bob Finney	2294 Kenworthy Wy.	HOME
Audrey Davis	2304 Kenworthy Way	HOME
Roberta Smith	2310 Kenworthy Way	HOME
Robert & Calene	2350 Kenworthy Way	300
James R. Wallace	2360 Kenworthy Way	300