

# CITY PLANNING COMMISSION

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

|                     |  |             |                  |           |       |
|---------------------|--|-------------|------------------|-----------|-------|
| APPLICANT           | Rawinderjit & Surjit Uppal, 2500 Northview Drive, Sac., CA 95833 |             |                  |           |       |
| OWNER               | Stan Hatfield, 5455 Bennett Valley road., Santa Rosa, CA.        |             |                  |           |       |
| PLANS BY            | Rawinderjit & Surjit Uppal, 2500 Northview Drive, Sac., CA 95833 |             |                  |           |       |
| FILING DATE         | 1/11/89  | ENVIR. DET. | Exempt 15301 (a) | REPORT BY | BW:vf |
| ASSESSOR'S PCL. NO. | 250-0160-028 and 029   |             |                  |           |       |

**APPLICATION:** Special Permit to sell beer and wine for off-site consumption in a 900+ sq. ft. mini-market on .9+ developed acres in the Special Planning District zone.

**LOCATION:** 521 Rimmer Avenue, Suite 3

**PROPOSAL:** The applicant is requesting the necessary entitlements to allow the sale of beer and wine in a portion of a 5,200 sq. ft. commercial building.

**PROJECT INFORMATION:**

|                              |                                 |
|------------------------------|---------------------------------|
| General Plan Designation:    | Special Planning District (SPD) |
| 1988 South-Natomas Community |                                 |
| Plan Designation:            | SPD                             |
| Existing Zoning of Site:     | SPD                             |
| Existing Land Use of Site:   | Neighborhood Shopping Center    |

**Surrounding Land Use and Zoning:**

North: Office & Commercial; C-2 SPD  
South: Mini-storage; SPD  
East: Residential; R-1  
West: Shopping Center; SC (PUD)

|                             |                                       |
|-----------------------------|---------------------------------------|
| Parking Required:           | 21 spaces (1:250)                     |
| Parking Provided:           | 35 spaces                             |
| Property Dimensions:        | 273' x 153.5'                         |
| Property Area:              | 0.9+ acres                            |
| Square Footage of Building: | 5,200 sq. ft. (900 sq. ft. mini-mart) |
| Height of Building:         | 1 story                               |
| Topography:                 | Flat                                  |
| Street Improvements:        | Existing                              |
| Utilities:                  | Existing                              |

**PROJECT EVALUATION:** Staff has the following comments:

**A. Land Use and Zoning**

The subject site consists of two parcels totaling .9+ developed acres in the Special Planning District zone. the 900 sq. ft. use is located within a 5,200 square foot neighborhood shopping center. The Special Planning District zone allows uses that are permitted in the C-1 and C-2 zones. In this instance,

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a mini-market is allowed in a C-1 and C-2 zone. A special permit, however, is required in a C-1 and C-2 zone to allow the sale of beer and wine for off-site consumption. The General Plan and the 1988 South Natomas Community Plan both designate the site for a Special Planning District use. Surrounding land uses and zoning include office and commercial to the north, zoned SPD; a mini-storage to the south, zoned SPD, residential to the east, zoned R-1; and a shopping center to the west, zoned SC (PUD).

B. Applicant's Proposal

The applicant is requesting a special permit to sell beer and wine for off-site consumption. The mini-market is currently open for business. The applicant has indicated to staff that the business is known as the King Food Market. The use consists of 96 sq. ft. of office area and 720 sq. ft. of sales area. A total of two employees per shift work at the subject site at any one time. The business's hours of operation are 9:00 a.m. to 9:00 p.m. daily.

C. Staff Analysis

Staff observed the surrounding land uses and found that there were only a few liquor markets which sell alcohol for off-site consumption. In addition, most of the liquor stores in the area are required to close at 11:00 p.m. Circle K mini-mart is the only business in the area that remains open 24 hours. The applicant is proposing to remain open and sell alcohol for off-site consumption until 9:00 p.m. The applicant circulates a petition supporting the sale of beer and wine in the neighborhood. A large majority of the neighbors in the immediate residential and commercial areas signed the petition in support of the applicant's request. Staff observed the market and found that the business is a well run store which discourages loitering and transients on the site.

The Police Department visited the subject site and found no substantial reasons to deny the applicant's request. In addition, the Police Department and staff feels the business hours of operation will not contribute to any police related problems in the neighborhood. The Police Department felt that the business shall be closed between the hours of 9:30 p.m. and 6:00 a.m. They feel that this condition is necessary to maintain a stable residential area adjacent to the subject site.

A total of 15 neighbors in the immediate area were surveyed by the Police Department. Of the fifteen neighbors, only four were in opposition of the business selling beer and wine for off-site consumption.

Existing landscaping and adequate parking is provided on the site. There are two entrances onto the site; one off of Rimmer Avenue and the other off of Northgate Boulevard. Staff observed an illegal sign on the property. The applicant shall remove the sign and comply with the sign ordinance. The sign shall be reviewed and approved by the Planning Director prior to issuance of sign permits. All signage shall comply with the Sign Ordinance and be

reviewed and approved by the Planning Director prior to issuance of sign permits.

D. Agency Comments

The applicant's proposal was routed to the City's Traffic Engineer, Building Inspections, City Waste Removal, Police Department and South Natomas Advisory Committee. The following comments were received:

Police Department (see attached memo)

1. No signs or displays shall be positioned in such a manner as to block the interior visibility of the cash register area from the view of persons outside the store.
2. The interior and exterior of the property shall be posted as follows: "It is unlawful to enter, be, or remain on these premises, adjacent parking area, public sidewalks, or streets with an open alcoholic beverage container."

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26.24 S. C. C.

3. The business shall be closed between the hours of 9:30 p.m. and 6:00 a.m.

Waste Removal

No effect on Solid Waste Division. If applicant wants City service, the present system can accommodate them.

ENVIRONMENTAL DETERMINATION: This project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15301 (a)).

RECOMMENDATION: Staff recommends the Commission approve the special permit subject to conditions and based on findings of fact which follow:

Conditions - Special Permit

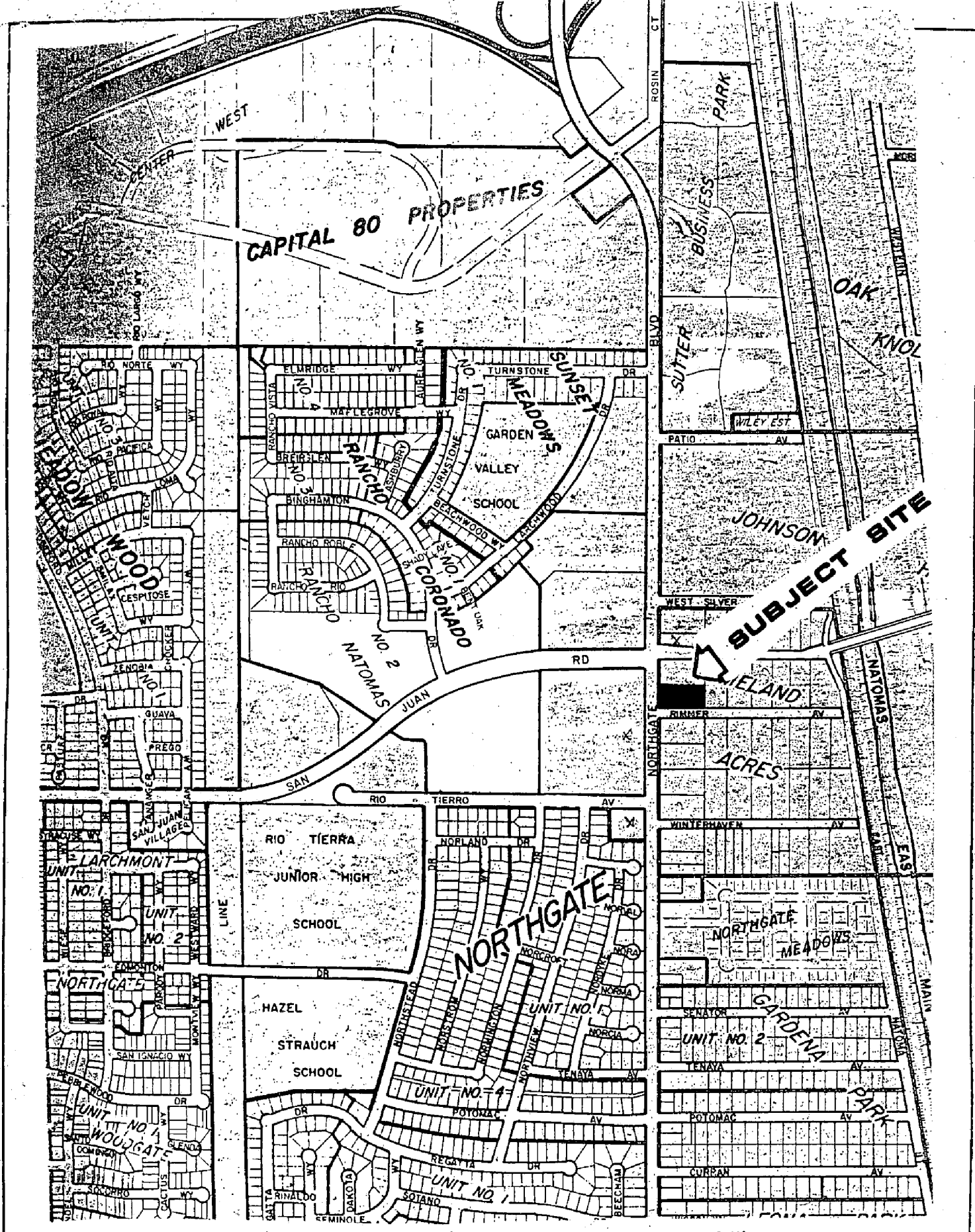
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2. The interior and exterior of the property shall be posted as follows: "It is unlawful to enter, be, or remain on these premises, adjacent parking area, public sidewalks, or streets with an open alcoholic beverage container."

647 E (a) C.P.C.  
26.24 S. C. C.

3. The business shall be closed between the hours of 9:30 p.m. and 6:00 a.m.
4. All signage shall comply with the Sign Ordinance and be reviewed and approved by the Planning Director prior to issuance of sign permits. The illegal sign shall be removed prior to issuance of the special permit.

Findings of Fact - Special Permit

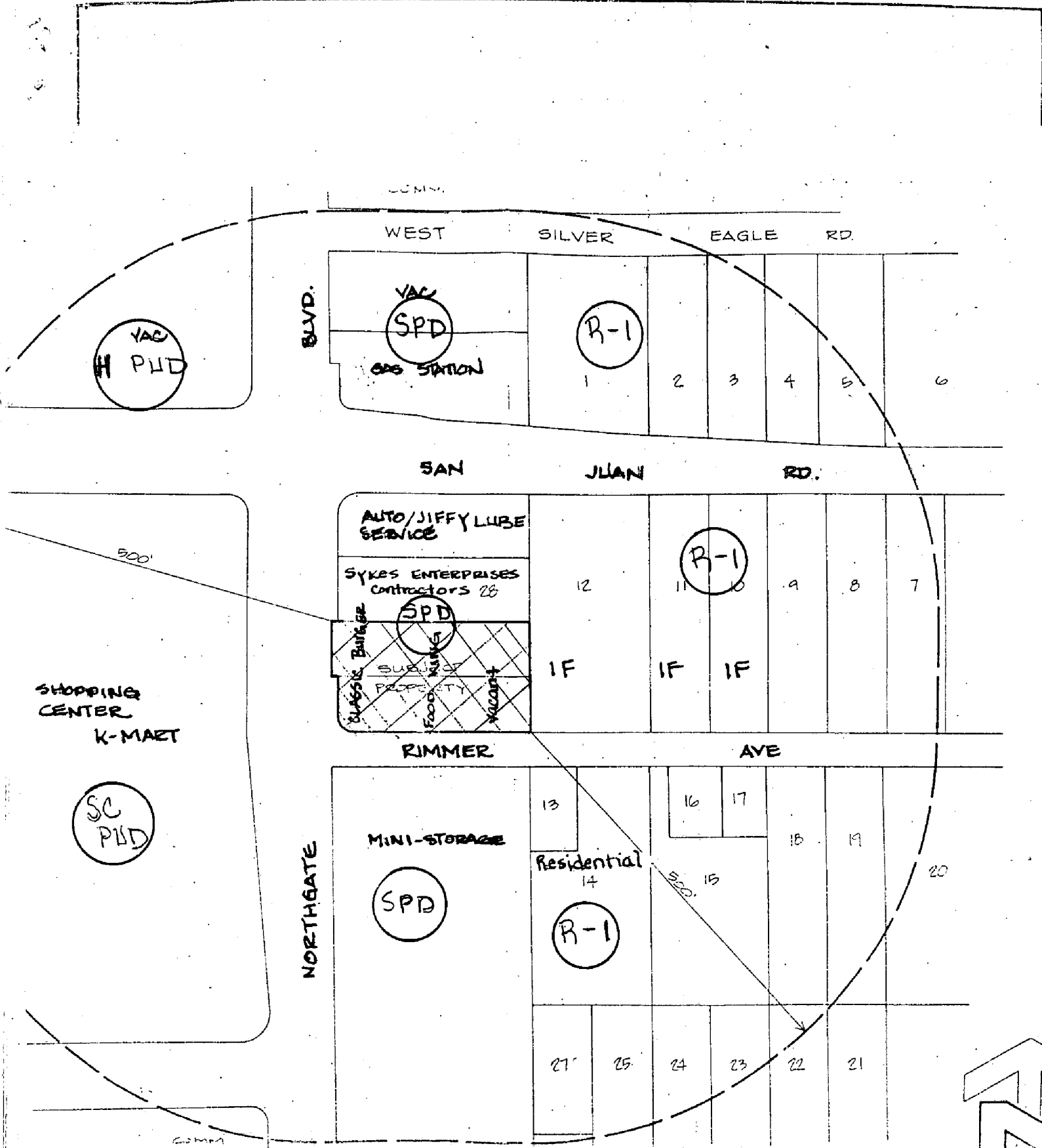
1. The proposed use, as conditioned, will not adversely affect the peace or general welfare of the surrounding neighborhood in that:
  - a. adequate on-site parking and landscaping has been provided.
  - b. the business will be closed between the hours of 9:30 p.m. and 6:00 a.m.
2. The proposed use, as conditioned, will not enlarge or encourage the development of a skid row or blighted area in that the establishment will post signs on the interior and exterior of the property prohibiting customers to remain on the premises with an open container.



**VICINITY MAP**

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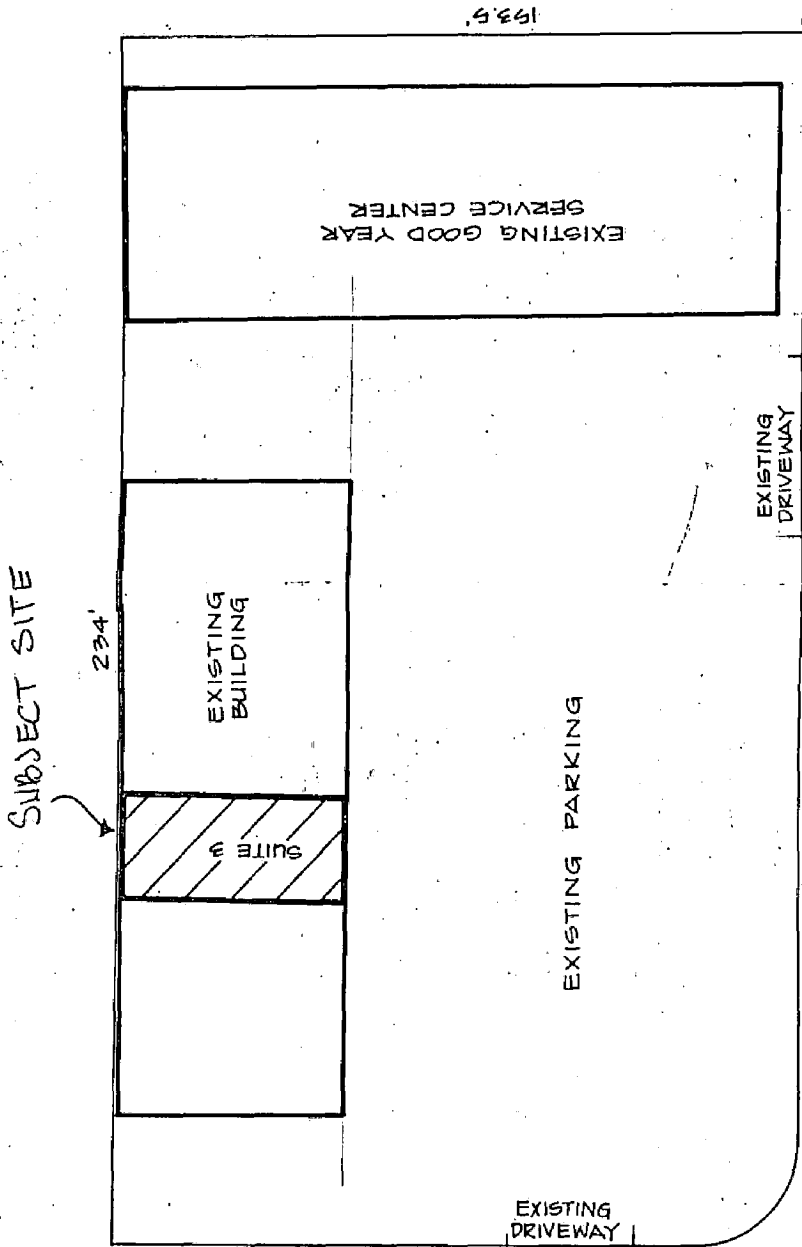
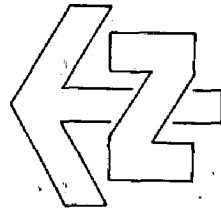


# LAND USE & ZONING MAP



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EXHIBIT A



SITE PLAN  
SCALE: 1" = 25'-0"  
721 RIMMER AVE, SUITE 3

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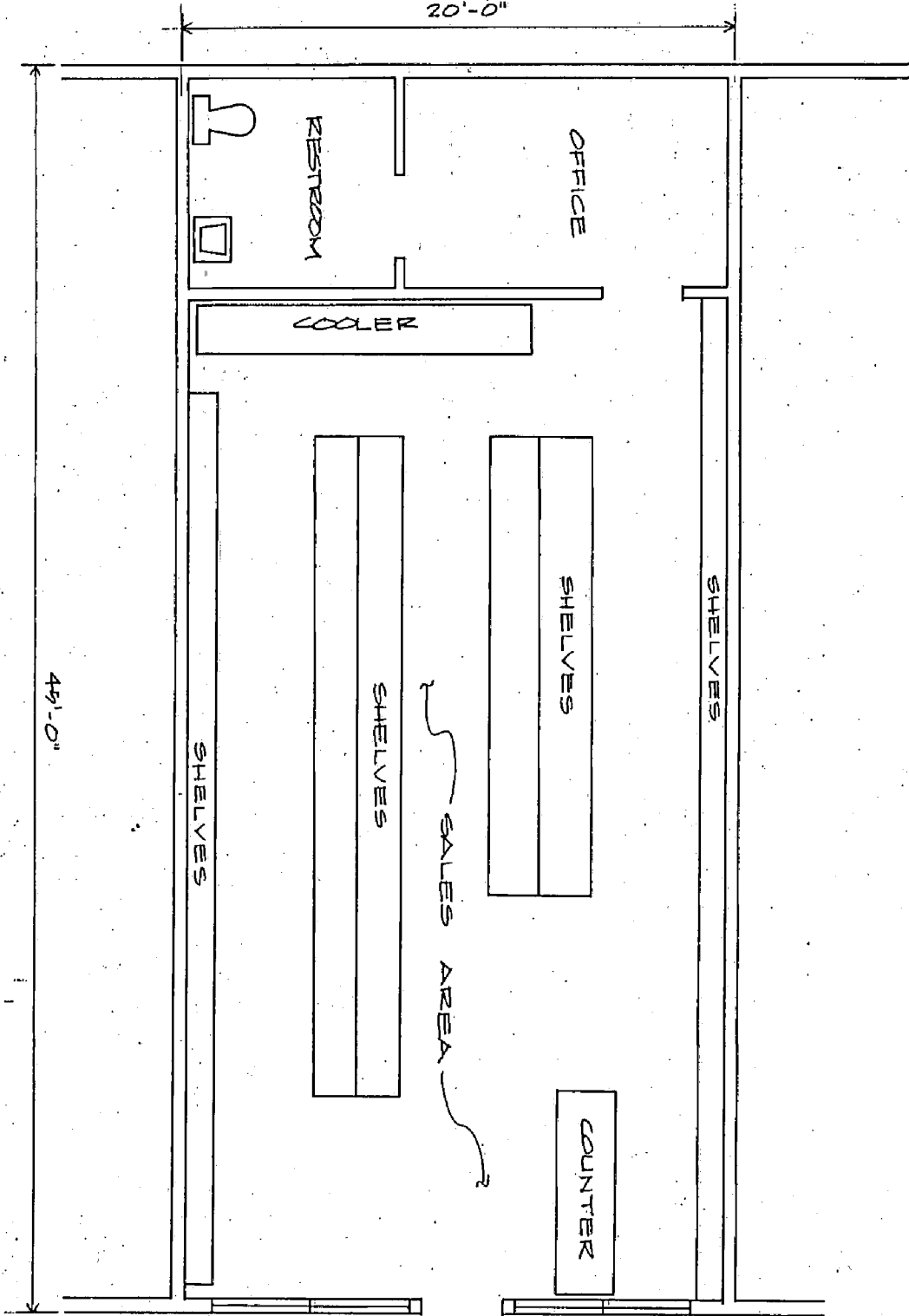
2-23-89

ITEM 21

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921 KIMMER AVE, SPACE 3

# FLOOR PLAN



SCALE 1/4" = 1'-0"

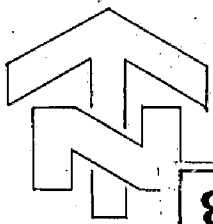


EXHIBIT B