

P94-132 - 3031 P STREET

NOTICE OF DECISION

- A. **Special Permit** to operate a 24 hour convenience market within 500+ feet of a residential zone or use on 0.58± developed acres in the General Commercial Alhambra Corridor Special Planning District (C-2{SPD}).
- B. **Special Permit Modification** to expand the gross floor area of an existing convenience market which sells beer and wine for off-site consumption in the General Commercial Alhambra Corridor Special Planning District (C-2{SPD}).

LOCATION:

3031 P Street (East Sacramento/Alhambra Corridor Special Planning District)  
007-0281-015  
Council District 3

**BACKGROUND:** On March 30, 1995, the Planning Commission heard and considered public testimony regarding the above entitlements. Based on verbal and documentary evidence at said hearing, the Planning Commission indicated their intent to approve the entitlements for the above referenced project.

**RECOMMENDATION:** Staff recommends the Planning Commission take the following actions:

- A. *Adopt the attach resolution approving* the Special Permit to operate a 24 hour convenience market within 500± feet of a residential use/zone, subject to conditions and based upon findings of fact which follow, and;
- B. *Adopt the attached resolution approving* the Special Permit Modification to expand the gross floor area of an existing convenience market which sells beer and wine for off-site consumption, subject to conditions and based upon findings of fact which follow.

Conditions:

1. The special permit for the proposed 24 hour convenience market is hereby approved, subject to the following conditions:
  - a. The special permit shall be reviewed by the Planning Commission one year after the issuance of an occupancy permit, if nuisance calls to the site increase by 25%, as determined by the Police Department.

- b. The two parking spaces adjacent to the alley shall be relocated adjacent to the proposed two spaces along the western boundary of the site or to the eastern side of the building.
- c. A landscaping plan shall be submitted for review and approval of the planning staff prior to issuance of building permits.
- d. The driveway closest to the intersection of Alhambra Boulevard shall be removed and replaced with standard curbs, gutters and sidewalks.
- e. A landscaped planter shall be installed along Alhambra Boulevard where the driveway was removed.
- f. A six foot wide landscaped planter shall be constructed along the northern property line (alley). The landscaped planter shall be planted and maintained with trees and dense foliage no higher than three feet in height.
- g. The trash enclosure shall be relocated to the north, abutting the proposed planter area along the northern property line.
- h. All parking and driveway areas shall be visible for internal monitoring. Where windows are not appropriate for this purpose, closed circuit television shall be used, *to the satisfaction of the Police Department.*

*A minimum of two cameras shall be placed on the outside of the building on the west and north side where windows are not available to observe outside activity. (Added by CPC)*

- i. Store windows shall be left unobstructed to all viewing of the interior of the business by patrolling police.
- j. The following security standards shall be incorporated into the interior design of the building, to the satisfaction of the Police Department:
  - i. The cashier stations shall be unobstructed by overhead or any other form of merchandise display to ensure complete visibility of the market.
  - ii. Mirrors or closed circuit television will be placed in such a manner as to provide employees with the ability to observe all hidden corners and blind spots.
  - iii. The convenience store shall be equipped with UL approved money safes. Signs shall be prominently posted stating that employees do not have access to the safe.
  - iv. The market shall be equipped with remote locking devices to enable public entry doorways to be locked from cashier station.

- k. Bicycle security racks shall be provided at the front of the business.
- l. All illegal activities observed on or around the business shall be promptly reported to the police.
- m. Pay phones maintained on the site will be for out going calls only and must comply with all city ordinances.
- n. The signs shall meet the requirements in the Sign Ordinance, and:
  - i. all illuminated striping is included in the total aggregate sign area; and
  - ii. any new signs, whether attached or detached, require review and approval of the Design Review staff prior to issuance of sign permit.
- o. *A "Good Neighbor Policy" shall be established by the applicant which will include the following:*
  - i. *Upon occupancy, or immediately thereafter, of the remodeled station the owner/operator shall conduct a "get acquainted" meeting with the neighbors. The property owners/neighbors between 30th and 32nd Street and Carly and P Street shall be informed of the meeting. The meeting will be conducted to introduce the operator/manager of the station to the neighbors and identify the contact person and phone number, neighbors will use if an emergency should arise. The owner/operator shall conduct the meeting at the site.*
  - ii. *For 18 months following the occupancy of the convenience/gas station, community meetings shall be held quarterly by the owner and/or operator of the convenience/gas station. The owner and/or operator shall work with the East Sacramento Improvement Association (ESIA) to arrange these meetings and notice the neighbors and association members. The purpose of these meetings is to receive comments and concerns from the neighbors and work towards possible solutions. The owner and/or operator shall advise City Planning staff of meeting date, time and place two weeks in advance. A list of attendees and minutes of the meeting shall be submitted to the Planning Department within one week following the meeting.*

*After the 18 month period community meetings shall be conducted as requested by the Neighborhood Association.*
  - iii. *A sign indicating a 24 hour emergency phone number and contact person shall be kept current and posted on the building.*
  - iv. *The owner/operator shall be responsible for the removal of all litter generated by this business. The area within a one block direction (all*

*directions) of this business shall be patrolled once a day for trash/litter.*

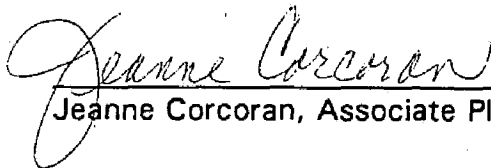
- v. *The owner/operator of the convenience store/gas station shall not allow non-customers to gather or loiter in or around the convenience store/gas station.*
- vi. *The owner/operator of the convenience store/gas station shall be responsible for abatement/removal of any and all graffiti on the property within 48 hours. Neighborhood Services Department is available to assist the operator by providing information for preventative measures to reduce the occurrence of graffiti.*

*Graffiti shall mean any unauthorized inscription, work, figure, or design that is marked, etched, scratched, drawn, or painted on or otherwise affixed to or on any surface.*

- vii. *The owner/operator of the convenience store/gas station shall maintain the grounds and landscaping areas in a clean, weed free and groomed manner. Landscaping shall be replaced with live, healthy plants, trees and grass as needed if original landscaping dies. (Added by CPC)*
  - p. *Prior to issuance of building permits the project shall be reviewed and approved by the Design Review Board/staff. (Amended by CPC 3-30-95)*
2. The special permit for the proposed expansion of the convenience store is hereby approved, subject to the following conditions:
- a. Signs shall be clearly posted prohibiting consumption of alcoholic beverages in the business or adjacent public areas. the signs shall be worded as follows: "It is unlawful to enter or remain on these premises, adjacent parking lot or adjacent sidewalks with an open container of alcoholic beverage. PC. 647e".
  - b. *Beer and wine sales shall not be allowed between the hours of 11:00 PM and 6:00 AM. (Added by CPC)*
  - c. *A sign indicating the prohibition of the sale of beer and wine between 11:00 PM and 6:00 AM shall be posted on the cold boxes. (Added by Staff)*
  - d. Cold boxes shall be equipped with an audible enunciator to alert employees when doors are opened.
  - e. Beer and wine shall be limited to 10% of the cold box storage (cooler area) and 5% of the shelf area.
  - f. No floor display of beer and wine shall be allowed.

- g. No signage advertising the sale of beer and wine shall be allowed.
- h. No sale of beer in quantities less than a six pack, no sale of wine coolers in quantities less than a four pack, and no sale of wine in quantities of less than 750 ml. shall be permitted. The operator shall post a notice to patrons indicating these sale restrictions.
- i. Video machines and magazine racks shall be prohibited.

Respectfully Submitted By,

  
Jeanne Corcoran, Associate Planner

Report Reviewed By,

  
Steve Peterson, Senior Planner

Attachments

Attachment A	Resolution Approving Special Permit
Exhibit A-1	Site Plan
Exhibit A-2	Site Plan - Staff's Recommendation
Exhibit A-3	Floor/Elevation Plans
Exhibit A-4	Canopy Elevation Plans
Attachment B	Resolution Approving Special Permit Modification

**RESOLUTION NO. 1763A**

ADOPTED BY THE SACRAMENTO PLANNING COMMISSION

ON DATE OF April 13, 1995

A RESOLUTION ADOPTING FINDINGS OF FACT AND  
APPROVING A SPECIAL PERMIT FOR PROPERTY  
LOCATED AT 3031 P Street  
(P94-132) (APN: 007-0281-015)

WHEREAS, the City Planning Commission on March 30, 1995, held a public hearing on the request for approval of a special permit to allow a convenience market to operate 24 hours for property located at the above described location;

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

WHEREAS, the Planning staff has submitted to the City Planning Commission its report and recommendations on the proposed development;

WHEREAS, the Planning Commission adopts the following findings of fact for the special permit:

1. The project, as conditioned, is based upon sound principles of land use in that:
  - a. the proposed site at the corner of Alhambra Boulevard and P Street is in a primarily commercial area;
  - b. the proposed 24 hour gas station and convenience store is located within close proximity to a freeway;
  - c. additional landscape planters will be installed to buffer the site from the residential uses to the north, and;
  - d. adequate security measures are required.
2. The project, as conditioned, will not be detrimental to the public welfare nor result in the creation of a public nuisance in that review of the project will occur one year from occupancy if an increase in nuisance calls to the law enforcement agency occurs.

3. The project is consistent with the General Plan and Central City Community Plan which designate the site Community/Neighborhood Commercial & Offices and General Commercial - Multi-Use, respectively.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF SACRAMENTO THAT:

1. The special permit for the proposed 24 hour convenience market is hereby approved, subject to the following conditions:
  - a. The special permit shall be reviewed by the Planning Commission one year after the issuance of an occupancy permit, if nuisance calls to the site increase by 25%, as determined by the Police Department.
  - b. The two parking spaces adjacent to the alley shall be relocated adjacent to the proposed two spaces along the western boundary of the site or to the eastern side of the building.
  - c. A landscaping plan shall be submitted for review and approval of the planning staff prior to issuance of building permits.
  - d. The driveway closest to the intersection of Alhambra Boulevard shall be removed and replaced with standard curbs, gutters and sidewalks.
  - e. A landscaped planter shall be installed along Alhambra Boulevard where the driveway was removed.
  - f. A six foot wide landscaped planter shall be constructed along the northern property line (alley). The landscaped planter shall be planted and maintained with trees and dense foliage no higher than three feet in height.
  - g. The trash enclosure shall be relocated to the north, abutting the proposed planter area along the northern property line.
  - h. All parking and driveway areas shall be visible for internal monitoring. Where windows are not appropriate for this purpose, closed circuit television shall be used, to the satisfaction of the Police Department.  
  
A minimum of two cameras shall be placed on the outside of the building on the west and north side where windows are not available to observe outside activity.
  - i. Store windows shall be left unobstructed to all viewing of the interior of the business by patrolling police.
  - j. The following security standards shall be incorporated into the interior design of the building, to the satisfaction of the Police Department:

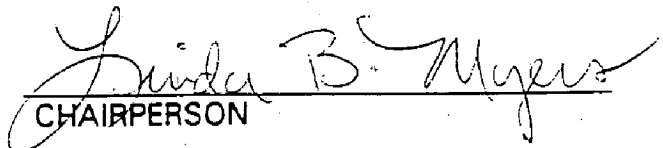
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  - ii. Mirrors or closed circuit television will be placed in such a manner as to provide employees with the ability to observe all hidden corners and blind spots.
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- n. The signs shall meet the requirements in the Sign Ordinance, and:
- i. all illuminated striping is included in the total aggregate sign area; and
  - ii. any new signs, whether attached or detached, require review and approval of the Design Review staff prior to issuance of sign permit.
- o. A "Good Neighbor Policy" shall be established by the applicant which include the following:
- i. Upon occupancy, or immediately thereafter, of the remodeled station the owner/operator shall conduct a "get acquainted" meeting with the neighbors. The property owners/neighbors between 30th and 32nd Street and Carly and P Street shall be informed of the meeting. The meeting will be conducted to introduce the operator/manager of the station to the neighbors and identify the contact person and phone number, neighbors will use if an emergency should arise. The owner/operator shall conduct the meeting at the site.
  - ii. For 18 months following the occupancy of the convenience/gas station, community meetings shall be held quarterly by the owner and/or operator of the convenience/gas station. The owner and/or operator shall work with the East Sacramento Improvement Association (ESIA) to arrange these meetings and notice the neighbors and association members. The purpose of these meetings is to receive comments and concerns from the neighbors and work towards possible solutions. The owner and/or operator shall advise



City Planning staff of meeting date, time and place two weeks in advance. A list of attendees and minutes of the meeting shall be submitted to the Planning Department within one week following the meeting.

After the 18 month period community meetings shall be conducted as requested by the Neighborhood Association.

- iii. A sign indicating a 24 hour emergency phone number and contact person shall be kept current and posted on the building.
- iv. The owner/operator shall be responsible for the removal of all litter generated by this business. The area within a one block direction (all directions) of this business shall be patrolled once a day for trash/litter.
- v. The owner/operator of the convenience store/gas station shall not allow non-customers to gather or loiter in or around the convenience store/gas station.
- vi. The owner/operator of the convenience store/gas station shall be responsible for abatement/removal of any and all graffiti on the property within 48 hours. Neighborhood Services Department is available to assist the operator by providing information for preventative measures to reduce the occurrence of graffiti.  
  
Graffiti shall mean any unauthorized inscription, work, figure, or design that is marked, etched, scratched, drawn, or painted on or otherwise affixed to or on any surface.
- vii. The owner/operator of the convenience store/gas station shall maintain the grounds and landscaping areas in a clean, weed free and groomed manner. Landscaping shall be replaced with live, healthy plants, trees and grass as needed if original landscaping dies.
- p. Prior to issuance of building permits the project shall be reviewed and approved by the Design Review Board.

  
CHAIRPERSON

ATTEST:

  
SECRETARY TO PLANNING COMMISSION



ALLEY

*Planter to be installed*

*Parking to be relocated*

*relocate to north*

*Planter to be installed*

*Driveway to be eliminated*

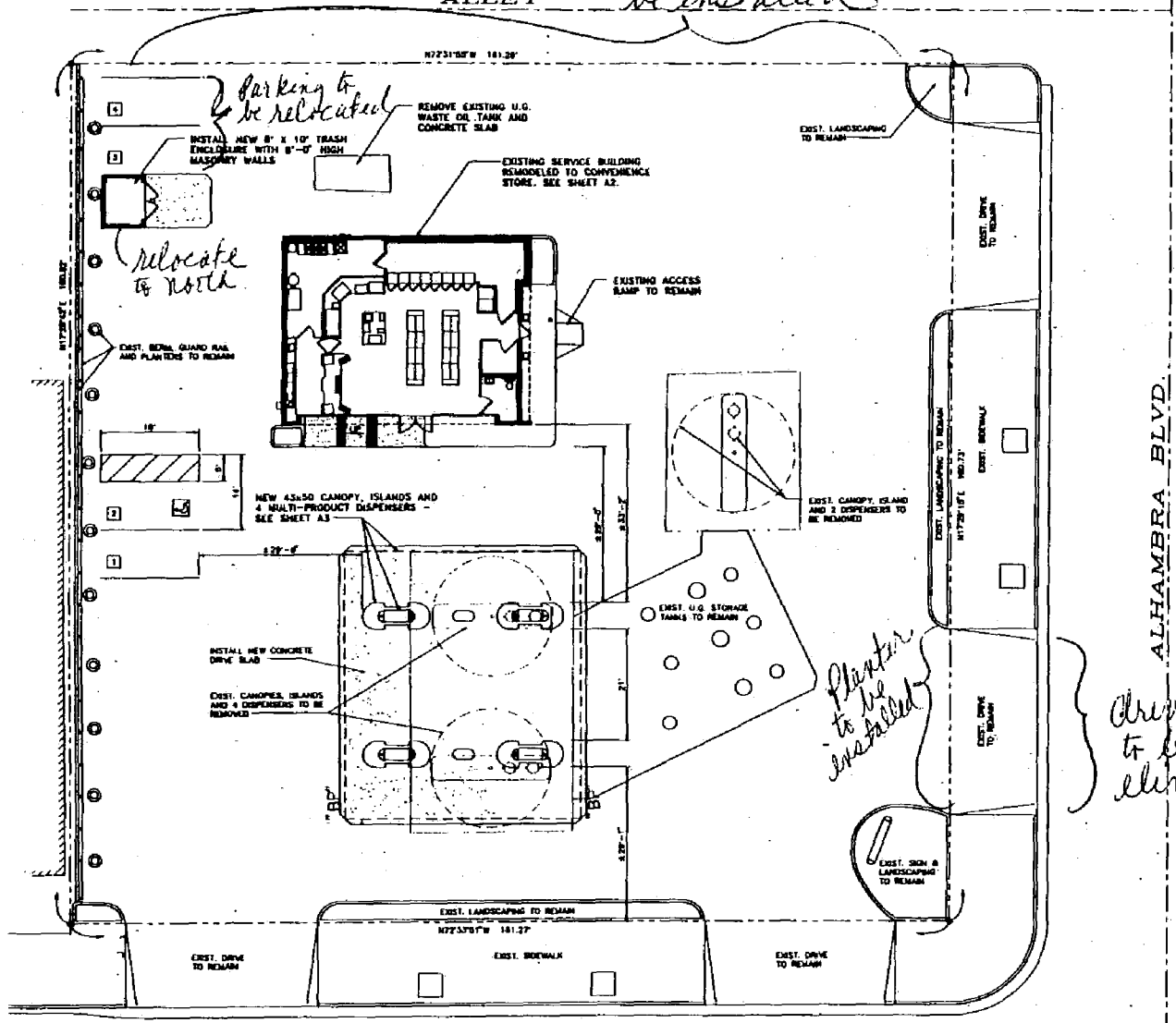


SITE DATA

SITE AREA:	25,929 SQ.FT.
BUILDING AREA:	1377 SQ.FT.
EXISTING LANDSCAPE AREA:	787.16 SQ.FT. 3.0
PROPOSED LANDSCAPE AREA:	787.16 SQ.FT. 3.0
REQUIRED PARKING:	4 SPACES ONE PER 400 SQ. FT.
PARKING PROVIDED:	4 SPACES INCLUDES ONE HANDICAP PARKING SPACE

NOTE: ALL SIGNAGE SHALL BE SUBMITTED AND APPROVED UNDER A SEPARATE APPLICATION.

STAFF RECOMMENDATIONS



"P" STREET (ONE-WAY WESTBOUND)

<b>TNT</b>		2880 Sunrise Boulevard Suite 209 Rancho Cordova, CA (916) 835-3666 (916) 835-3666 FAX TOLL FREE 1-800-870-0000
TOSCO NORTHWEST COMPANY A DIVISION OF TOSCO CORPORATION A LICENSEE OF BP OIL 2868 PROSPECT PARK DRIVE, STE. 360 RANCHO CORDOVA, CALIFORNIA 95670		
SITE PLAN PROPOSED TOSCO OIL FACILITY #11 3031 "P" STREET ALHAMBRA BOULEVARD SACRAMENTO, CALIFORNIA		
REVISIONS:	DATE	BY
DATE: 12-08-83	SCALE: 1" = 10'-0"	
DRAWN: P.D.	CHECKED: T.W.	SHEET: A1



# SACRAMENTO CITY PLANNING COMMISSION VOTING RECORD

Meeting Date
March 30, 1995
Item Number
10A
Permit Number
P94-132

ENTITLEMENTS	
<input type="checkbox"/> GENERAL PLAN AMENDMENT	<input type="checkbox"/> TENTATIVE MAP
<input type="checkbox"/> COMMUNITY PLAN AMENDMENT	<input type="checkbox"/> SUBDIVISION MODIFICATION
<input type="checkbox"/> REZONING	<input type="checkbox"/> LOT LINE ADJUSTMENT
<input checked="" type="checkbox"/> SPECIAL PERMIT	<input type="checkbox"/> ENVIRONMENTAL DETERMINATION
<input type="checkbox"/> VARIANCE	<input type="checkbox"/> OTHER _____

Staff Recommendation	
<input checked="" type="checkbox"/> Favorable	<input type="checkbox"/> Unfavorable
<input checked="" type="checkbox"/> Correspondence	<input type="checkbox"/> Petition

Location: 3031 P Street

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NAME	ADDRESS
<del>Peter Johnson</del> Peter Johnson	2880 Sunrise Blvd., Rancho Cordova

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NAME	ADDRESS
Julie Helts	3160 O St. Sacto. 95816
Dick Batliff	1533 36 <sup>th</sup> St., " 95819

MOTION NUMBER: _____				
	Yes	No	Motion	Second
DONAHUE	✓			
HARVEY	✓			
KENNEDY		✓		
NOTESTINE	✓		✓	
WALKER	✓			
WEMMER	✓			✓
YEE	✓			
MYERS	✓			

MOTION	
<input type="checkbox"/> To approve	<input type="checkbox"/> To recommend approval & forward to City Council
<input type="checkbox"/> To deny	<input type="checkbox"/> To recommend approval subject to cond. & forward to City Council
<input type="checkbox"/> To approve subject to cond. & based on find. of fact in staff report	<input type="checkbox"/> To ratify negative declaration
<input type="checkbox"/> To approve/deny based on find. of fact in staff report	<input type="checkbox"/> To continue to _____ meeting
<input checked="" type="checkbox"/> Intent to approve/deny subject to cond. & based on find. of fact due <u>4-13-95</u>	<input type="checkbox"/> Other _____

# SACRAMENTO CITY PLANNING COMMISSION VOTING RECORD

Meeting Date
March 30, 1995
Item Number
10B
Permit Number
<b>P94-132</b>

ENTITLEMENTS	
<input type="checkbox"/> GENERAL PLAN AMENDMENT	<input type="checkbox"/> TENTATIVE MAP
<input type="checkbox"/> COMMUNITY PLAN AMENDMENT	<input type="checkbox"/> SUBDIVISION MODIFICATION
<input type="checkbox"/> REZONING	<input type="checkbox"/> LOT LINE ADJUSTMENT
<input checked="" type="checkbox"/> SPECIAL PERMIT MODIFICATION	<input type="checkbox"/> ENVIRONMENTAL DETERMINATION
<input type="checkbox"/> VARIANCE	<input type="checkbox"/> OTHER _____

<b>Staff Recommendation</b>	
<input checked="" type="checkbox"/> Favorable	<input type="checkbox"/> Unfavorable
<input checked="" type="checkbox"/> Correspondence	<input type="checkbox"/> Petition

<b>Location: 3031 P Street</b>

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NAME	ADDRESS
<i>Peter <del>F. Adams</del> Johnson</i>	<i>2880 Sunrise Blvd, Rancho Cordova</i>

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NAME	ADDRESS
<i>Julie Kelts</i>	<i>3160 O St., Sacto. 95816</i>
<i>Dick Batliff</i>	<i>1533 36<sup>th</sup> St., " 95819</i>

MOTION NUMBER: _____				
	Yes	No	Motion	Second
DONAHUE	✓			
HARVEY	✓			
KENNEDY		✓		
NOTESTINE	✓		✓	
WALKER	✓			
WEMMER	✓			✓
YEE	✓			
MYERS	✓			

MOTION	
<input type="checkbox"/> To approve	<input type="checkbox"/> To recommend approval & forward to City Council
<input type="checkbox"/> To deny	<input type="checkbox"/> To recommend approval subject to cond. & forward to City Council
<input type="checkbox"/> To approve subject to cond. & based on find. of fact in staff report	<input type="checkbox"/> To ratify negative declaration
<input type="checkbox"/> To approve/deny based on find. of fact in staff report	<input type="checkbox"/> To continue to _____
<input checked="" type="checkbox"/> Intent to approve/deny subject to cond. & based on find. of fact due <i>amended 4-13-95</i>	<input type="checkbox"/> Other _____