

CITY PLANNING COMMISSION

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

APPLICANT Sutton Construction, 805 J Street, Sacramento, CA 95819
OWNER (1) Mobile Oil Corp., P.O. Box 290, Dallas, Tx 75221 (2) National Life Insurance Co. National Life Drive, Montpelier, VT 05604
PLANS BY REGAL STATIONS, INC. 2765 Challenge Way, Sacramento, CA 95853
FILING DATE 10/7/86 **ENVIR. DET.** Cat. Ex. 15303 (c) **REPORT BY** DH/vf
ASSESSOR'S PCL. NO. 023-221-10.17

- APPLICATION:**
- A. Variance to allow a new gas station, convenience market canopy and pump islands to be located in the required 50 foot setback
 - B. Variance to allow backout maneuvering and parking on a separate parcel

LOCATION: 5597 Stockton Boulevard

PROPOSAL: The applicant is requesting the necessary entitlements to construct a convenience market and gas islands within the 50 foot required street setback area, including signs on two parcels.

PROJECT INFORMATION:

1974 General Plan Designation: Commercial /Office
 1965 Colonial Community Plan Designation: Shopping/Commercial
 Existing Zoning of Site: C-4
 Existing Land Use of Site: Vacant

Surrounding Land Use and Zoning:	Setbacks:	Required
North: Big O Tire Store; C-4	Front:	50'
South: Manor Drug-Shopping Center C-2	Side(Int):	0'
East: MacDonalds C-4	Side(St):	0'
West: Shopping Center and 24 hour convenience Market C-2	Rear:	0'

Parking Required: 8 spaces at 1 space per 250 square feet gross floor area
Parking Provided: 6 spaces, 1 handicapped
Property Dimensions: 120 feet x 170 feet
Property Area: 0.46+ acres
Square Footage of Building: 2,020 square feet
Height of Building: one story; 16 1/2 feet to top of canopy
Topography: Flat
Street Improvements: Existing
Utilities: Existing
Exterior Building Materials: Metal, Stucco, Masonite Trim
Roof Material: Metal
Sign Height: 9 feet, 4 inches
Sign Width: 9 feet, 2 inches

PROJECT BACKGROUND:

The applicant represents one of the owners of two parcels located at the northeast corner of Fruitridge Road and Stockton Boulevard. The owner of APN-023-221-17 is Mobile Oil,

who is seeking to sell to Wickland Oil, the parcel to construct a 24 hour Regal Plus Station which is a 24 hour Convenience Market and Gas Station. The owner of APN-023-221-10 is the National Life Insurance Company who have granted a lease until 2037 A.D. to the Mobile Oil Company. Mobile proposes to lease to Wickland Oil for 15 years, the use of the larger parcel for the station.

Building Code standards require that buildings, when constructed over property lines, requires specific fire wall and building construction standards. The City Building and Housing/Codes Appeal Board approved placement of the proposed building over the property line and did not require fire wall and construction standards for the two separate lots on November 18, 1986.

Staff revised the entitlements to allow backout maneuvering and parking on a separate parcel to reflect the approval by the Appeals Board.

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning:

The subject site consists of two parcels, under separate ownerships which total 0.46+ acres. The site is zoned Heavy Commercial (C-4) zone. Surrounding land uses include a drive-through restaurant to the east on Fruitridge Road; a tire dealership to the north; a 24 hour convenience market and gas station to the west (AM-PM Mini-Mart); and shopping center to the south. The 1965 Colonial Community Plan designates the site for Shopping Commercial. The 1974 City General Plan designates the site for Commercial/Office. The proposed use is consistent with the area and general plan.

B. Project Proposal:

The applicant seeks authority to construct a 2,020 square foot mini-market and gasoline pump island with encroach to within the 50 foot building setbacks from Stockton Boulevard and Fruitridge Road. The applicant is also requesting placement of signs within the 10 foot setback off a public right-of-way. Although the project is located within 500 feet of residentially zoned property, the use will not be operated between the hours of 11 P.M. and 6 A.M. If the use were a 24 hour facility, it would require a special permit from the Planning Commission.

C. Site Plan Review:

Staff has reviewed the applicant's revised site plan received November 19, 1986 and provides the following comments:

1. Additional Right-of-Way along Fruitridge Road:

The City Traffic Engineer informed the applicant that an additional 15 feet of right-of-way will be required along the Fruitridge Road frontage for a future right-hand turn lane. The site plan shows a 20 foot wide landscape planter adjacent to the existing right-of-way. The City does not know when the additional right-of-way will be acquired. Staff supports the proposed 20 foot landscape setback for the present and finds the five foot landscape setback after right-of-way dedication acceptable due to the reduced area of the lot. Staff recommends that the landscape curb on the inside of the five foot landscape strip be constructed parallel to the new right-of-way and include a 20 foot radius at the corner of Stockton Boulevard and Fruitridge Road.

2. Canopy:

The former Mobile gas station had 3 detached circular canopies located within the 50 foot setback as indicated on the Land Use and Zoning Map in 1979. The proposed project consists of one canopy measuring 65 feet in length and 36 feet in width, straddling two pump islands. Overall height will be 16 1/2 feet.

The variance request to locate the canopy within the 50 foot setback is supported by staff in that the previous canopies were not considered a main structure at the time of construction in the 1960's. The City Zoning Ordinance allowed canopies in the setback since they were not considered the principle structure. The former Mobile gas station building was setback behind the 50 foot setback. The demolition in 1985 of the canopy and gas station eliminated a structure that was legally non-conforming under our current zoning ordinance. In order to reconstruct the canopy, variances are required.

Staff notes that the canopy setback from Fruitridge Road's future right-of-way will be 28 feet. The former Mobile gas pump canopy was approximately 12 feet from the future right-of-way. Staff supports the setback off Fruitridge Road due to its increase from the previous canopy setback. The proposed canopy setback off Stockton Boulevard is 15 feet. The former canopy was setback 20 feet from Stockton Boulevard. Staff recommends that the length of the canopy be reduced by 5 feet to 60 feet so that a 20 foot setback would be established from the Stockton Boulevard right-of-way to edge of canopy. This would be consistent with setbacks of the previous Mobile gas pump canopy.

3. Mini-Market Structure:

The proposed Mini-mart will encroach approximately ten feet into the 50 foot building setback area. The actual portion of the building contains approximately 150 square feet of the 2,020 square foot building that protrudes into the setback area. Staff supports the variance to allow this structure in the setback area due to the 120 degree property line angle at the northeast corner of the site. Unless the building is skewed to fit as a parallelogram or the building reduced in area, the 2,020 square foot structure could not fit on the site.

Staff surveyed previously approved convenience markets and determined that buildings usually run in the 2,400 to 2,600 square foot range. The proposed mini-mart is smaller than those normally submitted for Commission action.

4. Proximity to an existing 24 hour Mini-Mart:

Located on the northwest corner of Stockton Boulevard and Fruitridge is an existing 24 hour AM-PM Mini Market.

Staff noted that the proposed project will be closed between the hours of 11 P.M. and 6 A.M. so that a special permit was not required due to the proximity of residential land uses and zoning within 500 feet of the subject site. The issue of over concentration of similar facilities cannot be addressed through a variance request. The proposed use is allowed by right in the Heavy Commercial Zone. If the applicant chooses to operate on a 24 hour bases or between the hours of 11 P.M. and 6 A.M., a special permit will be necessary.

5. Parking and Circulation:

The proposed parking plan shows six regular spaces; one handicapped and a trash enclosure. A driveway is shown connecting the MacDonalds' restaurant to the east of the site. Staff recommends that the driveway be eliminated and that two more spaces be provided to bring the parking up to eight regular spaces. Parking is not counted in front of trash enclosures nor the handicapped space. A total of eight spaces are required for a 2,020 square foot building at a ratio of one space per 250 square feet. A revised site plan showing additional parking shall be submitted for review and approval by the Planning Director prior to issuance of building permits.

The applicant proposes relocating and eliminating driveways on Fruitridge. Staff supports the proposed location and design.

6. Variance for Back-Out Maneuvering and Parking:

The variance for back-out maneuvering and parking over an adjacent parcel is supported by staff in that a unique hardship exists that prevents the merger of the two lots. The owner of the larger parcel, Parcel B, does not wish to sell the underlying fee title. The owner of Parcel A, Mobile Oil, wishes to sell to Wickland Oil, parent of Regal Gas Stations, the smaller Parcel B. Mobile Oil will also be transferring its lease on Parcel B, which is good until 2037 A.D. Due to this unique financial arrangement, and the willingness of Wickland Oil to invest substantial improvements on property they do not own, staff supports the variance.

Without allowing back-out maneuvering and parking on Parcel A, the use of Parcel B is severely limited. Staff urged the applicant to merge the parcels which were determined infeasible.

7. Landscaping:

The applicant shows general landscaping areas. Staff recommends the applicant submit detailed landscaping and irrigation plans for review and approval by the Planning Director. Staff recommends that living ground cover, shrubs and bushes be used along the public right-of-way. Ground cover, 15 gallon trees and shrubs are recommended along the east property line. All parking will be required to meet the 50 percent shading requirement.

8. Signage:

Internally illuminated, canned, plastic signs are proposed to be attached to the mini-market walls. A monument sign/price sign is proposed at the corner. Facia signs are proposed on the canopy. Staff supports the proposed monument sign, but has concerns over the possible duplication of price signs. Staff recommends that a sign program be submitted for review and approval by the Planning Director prior to issuance of sign permits, since the signs will be located on structures located within the 50 foot setback area.

9. Trash Enclosure: The proposed trash enclosure shall be designed in accordance with the Trash Enclosure Guidelines, Exhibit A.

AGENCY COMMENTS: The proposed project was reviewed by the City Traffic Engineer, Engineer, Fire Department and Building Inspections Divisions with the following comments received:

Traffic Engineer - Maximum driveway width is 35 feet;

City Engineer - Dedicate additional 15 feet of right-of-way along Fruitridge Road and round corner to include existing improvements.

ENVIRONMENTAL DETERMINATION: The proposal is exempt from environmental review pursuant to State EIR Guidelines (CEQA, Section 15303 (c)).

RECOMMENDATION: Staff recommends the following action:

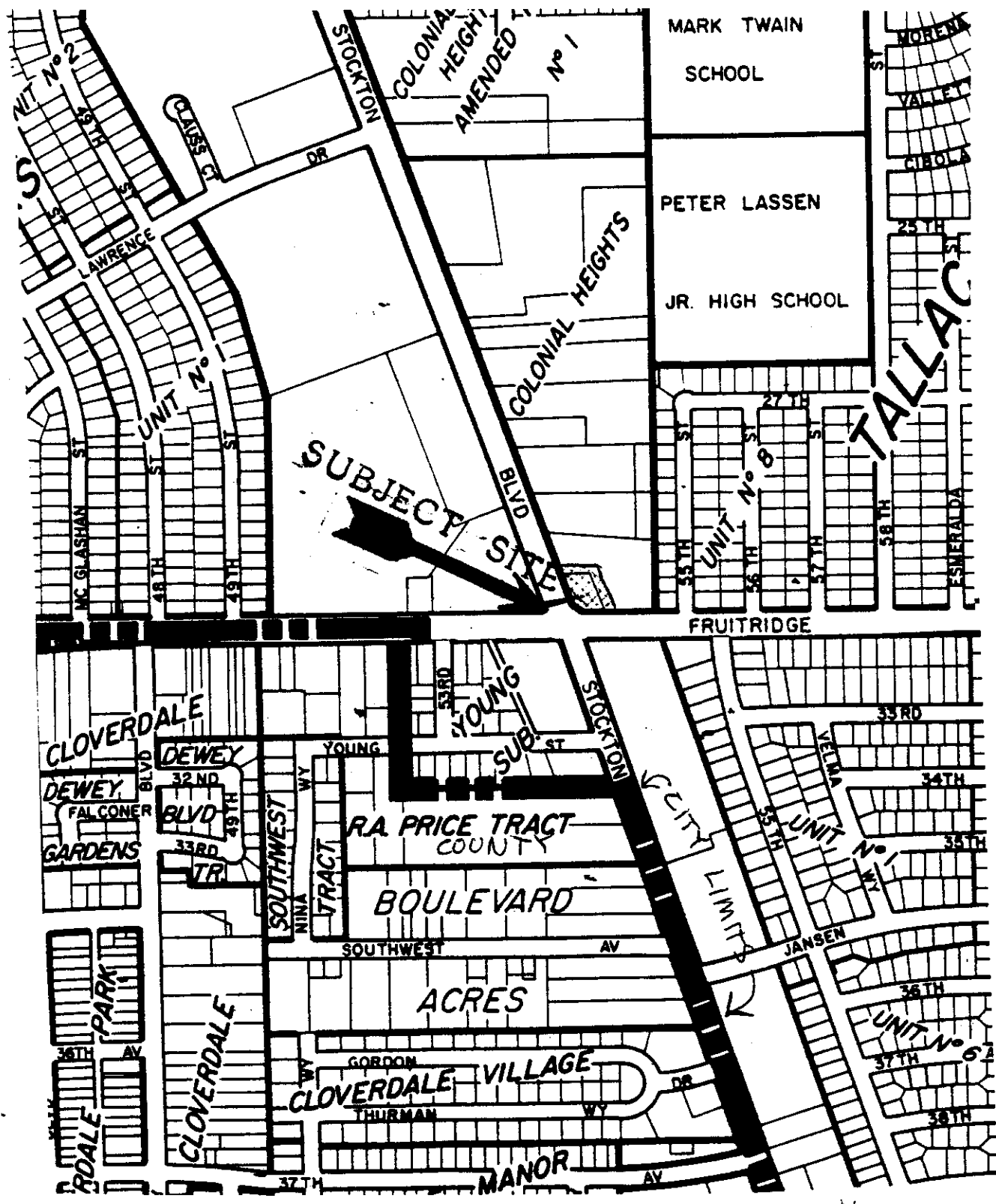
- A. Approve the variance from the 50 foot building setback subject to conditions and based upon Findings of Fact which follow:
- B. Approve the variance for back-out maneuvering and parking on a separate parcel, subject to conditions and based upon Findings of Fact which follow.

Conditions - Variances

1. The applicant shall submit a revised site plan, indicating the location of eight on-site parking spaces, for review and approval by the Planning Director prior to the issuance of any building permits. Site plan shall also indicate two parcel lines, additional Fruitridge right-of-way and canopy redesign;
2. The applicant shall obtain a revocable encroachment permit from the City for the planter areas which are to be located in the City right-of-way prior to the issuance of building permits;
3. The applicant shall prepare detailed landscaping and irrigation plans for review and approval by the Planning Director prior to issuance of building permits. Living ground cover and shrubs are required along the public right-of-way. Ground cover, 15 gallon size trees at a minimum and shrubbery are required along the east property line. All parking will be required to meet the 50 percent shading requirement. A minimum five foot landscape strip shall be shown along the future right-of-way along Fruitridge Road and Stockton Boulevard.
4. The canopy shall be reduced in width from 65 feet to 60 feet so that a minimum 20 foot setback is established to edge of canopy from the Stockton Boulevard right-of-way.
5. The applicant shall prepare a sign program for all signs for review and approval by the Planning Director prior to issuance of sign permits. A monument sign is preferred with limited numbers of price signs attached to the canopy or detached on the site.
6. Hours of operation shall not extend into the period of time from 11 P.M. to 6 A.M., unless a Special Permit has been issued by the Planning Commission.

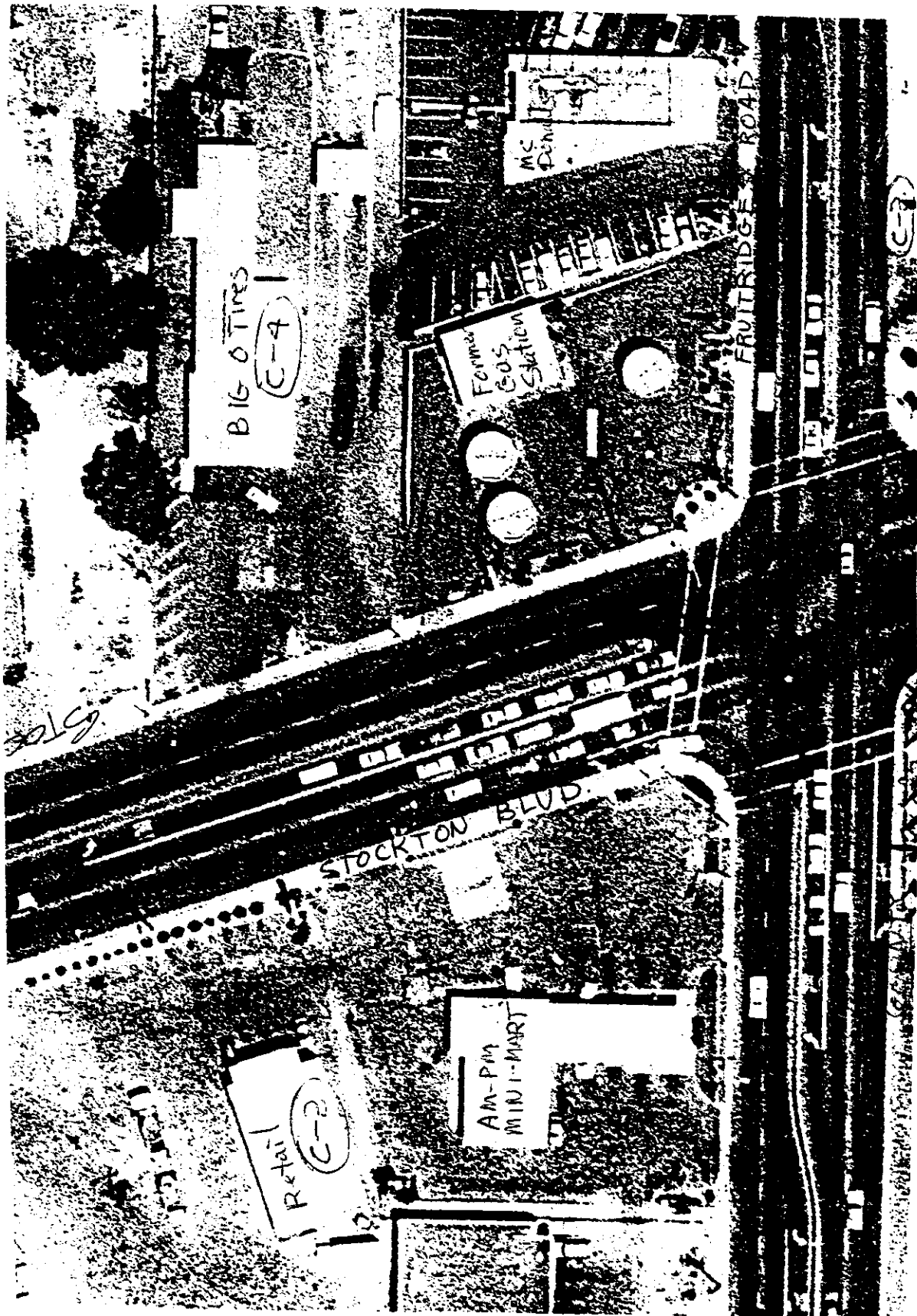
Findings of Fact - Variances

1. Granting the variances would not constitute a special privilege extended to an individual applicant in that under similar circumstances, parking and back-out maneuvering and canopy encroachment into similar setback area have been granted variance approval based upon specific circumstances similar to the subject site constraints.
2. Granting the variances would not be injurious to the public welfare, health or safety in that adequate vehicle maneuvering will be provided and setbacks from the roadway will be adequate to provide visibility.
3. Granting the variances does not constitute a use variance in that gas station-convenience markets are allowed in the Heavy Commercial Zone.
4. The proposed project is consistent with the City's Interim Discretionary Land Use Policy in that the site is designated for commercial uses by the 1974 City General Plan and the proposed convenience market/gas station conforms with the plan designation.



Scale: 1" = 500' ^N ↑

VICINITY MAP



1979 Aerial Photo of Existing Mobile Gas Station - 6-2-79 Photo

N ↑
Scale: 1" = 50'

LAND USE & ZONING MAP

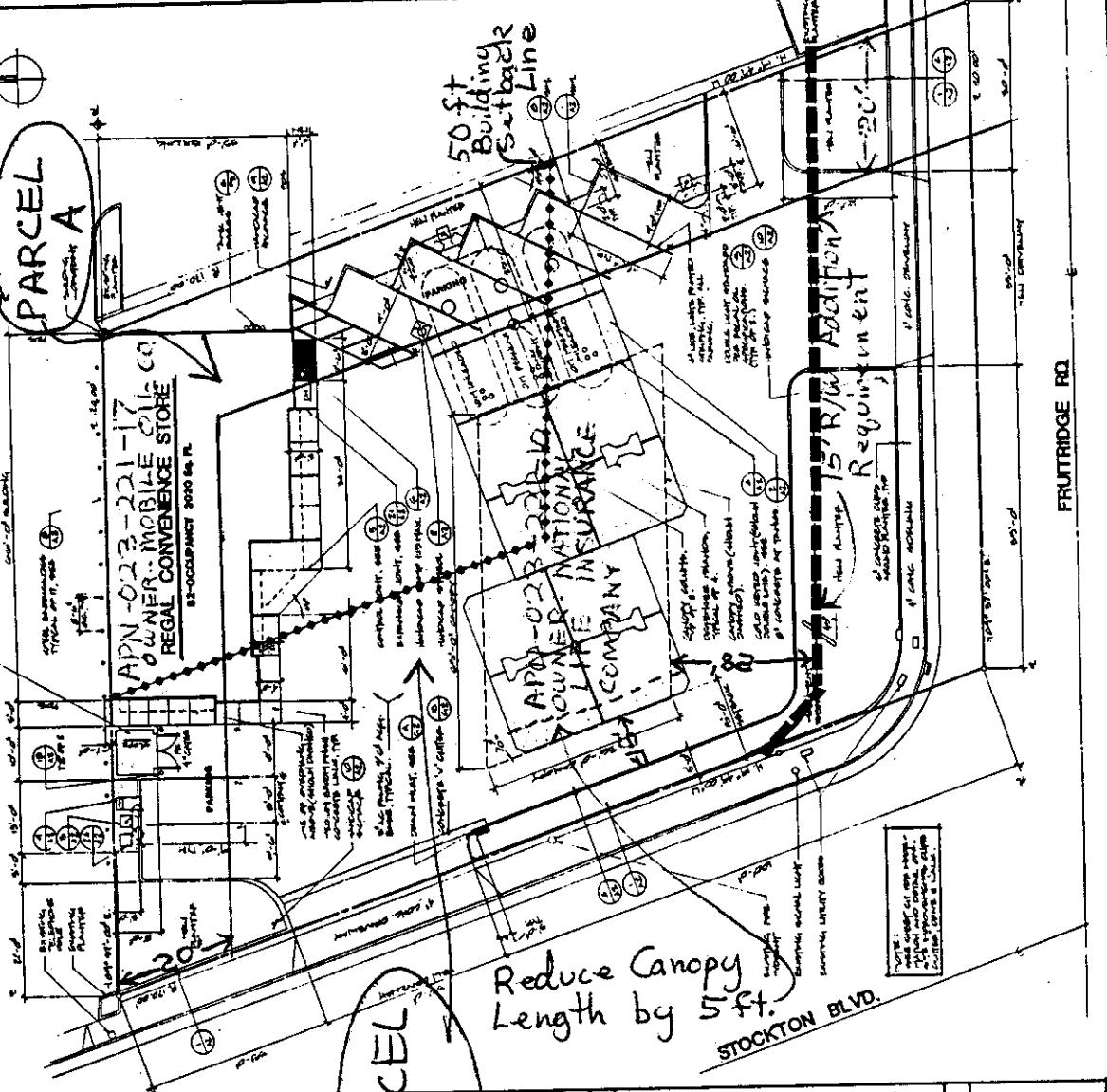
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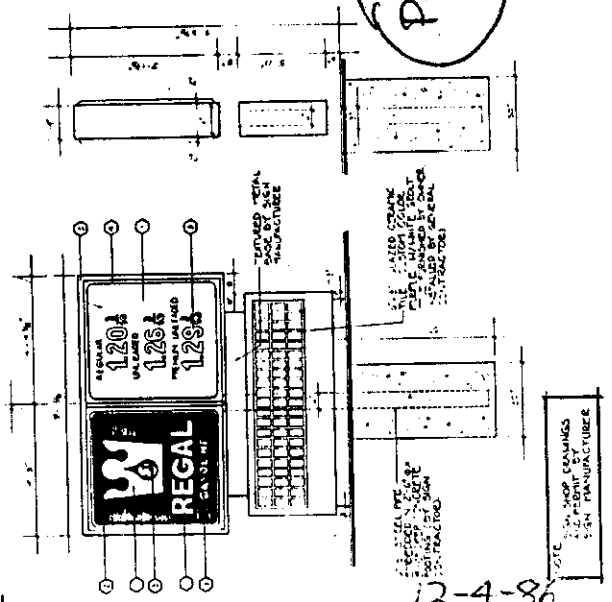


SITE PLAN
SCALE 1" = 10'-0"

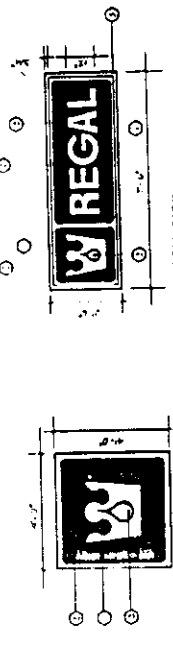


PARCEL B

SEE PAGE 120 OF 120 OF SET SUBJECT TO STREET



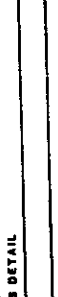
MONUMENT SIGN



CROWN SIGN



FASCIA SIGN



CANOPY FASCIA GRAPHICS DETAIL



SIGNAGE

- WHITE
- 2287 VIOLET
- 2255 MAGENTA
- 2110 ORANGE
- FLAT BLACK
- WHITE FORMED FACE
- 4" WHITE VINYL LETTER
- TEXTURED METAL PANEL
- COLOR TO MATCH BUILDING

COLOR SCHEDULE

P-86-391

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TRASH ENCLOSURE GUIDELINES

The walls of the trash enclosure structure shall be constructed of solid masonry material and the exterior surface finished in a manner compatible with the main structure(s).

The trash enclosure structure shall have heavy gauge metal gates and designed with cane bolts on the doors to secure the gates when in the open position. The hinges shall be sufficient in size, strength and number to adequately support the metal gates.

The trash enclosure facility shall be designed to allow walk-in access by janitors without having to open the main enclosure gates;

The walls shall be a minimum six feet in height, more if necessary for adequate screening.

The perimeter of the trash enclosure structure shall be screened with landscaping, including a combination of shrubs and/or climbing evergreen vines.

A concrete apron shall be constructed in front of the trash enclosure facility or at point of dumpster pickup by the waste removal truck. The location, size and orientation of the concrete apron shall depend on the design capacity of the trash enclosure facility (number of trash dumpsters provided) and the direction of the waste removal truck at the point of dumpster pickup;

The minimum dimensions of the concrete apron for a single, two cubic yard dumpster shall be: width 10 feet or width of enclosure facility; length 20 feet. Larger trash enclosure facilities shall require a larger concrete apron, subject to the approval of the City Building Inspections Division Building Technician (Plan Checker);

Paving material shall consist of 5" aggregate base rock and 6" portland cement paving.

~~A trellis structure covering the trash facility shall be constructed to screen these units from view from the upper floors of the office building.~~