

C. B. DAY REALTY OF CALIFORNIA



7750 College Town Drive, Suite 200 • Sacramento, CA 95826 • Phone (916) 381-4550

Max F. James
EXECUTIVE VICE PRESIDENT

November 17, 1980

Honorable Philip Isenberg, Mayor
and Sacramento City Council
City Hall
915 I Street
Sacramento, CA. 95814

FILED
BY THE CITY COUNCIL

NOV 18 1980

OFFICE OF THE
CITY CLERK

With drawn

Re: Days Inn Motel and Restaurant
Findings of Fact, P-9134, Day Realty

Dear Mayor Isenberg and Council Members:

We respectively withdraw our appeal application regarding the Planning Commission's decision to deny the incorporation of a back-lighted accent stripe on our DayBreak Restaurant at 200 Jibboom Street, Sacramento. The decision to do so was not an easy one. The accent stripe is part of the Days Inn logo, identifying our product to thousands of customers across the country. The Sacramento project is not only the first in California, but also in the West, and the proper identification of our motel and restaurant is most important.

However, when Days Inn decided to make Sacramento our West Coast headquarters, it also decided that every effort should be made to take part and cooperate with the Sacramento community and its civic leaders. It has been over two years since we initiated the approval process for our project. We have complied with every request placed upon us by the Planning Commission, City Council, Building Department and City Hall. Our motels are well run and maintained facilities that are welcome additions to most communities. The site on which we are building has a long history of crime, litter, transients and abandoned vehicles, all of which will be thwarted by our presence. Yet, Days Inn has been deterred every step of the way. City Hall has made no formal welcome to our company to Sacramento, no representative was sent to our groundbreaking ceremony, and now, a simple logo stripe on our restaurant must also be sacrificed.

Mayor Philip Isenberg and
Sacramento City Council
Page 2
November 17, 1980

Yes, we are tired of fighting the battle. In no way can the proposed accent stripe be construed as a detriment to the project's environment or in conflict with the "Old Town Corridor" sign ordinance. But, to demonstrate that Days Inn is willing to cooperate with Sacramento's desires we will once again submit to its wishes.

Sincerely,



Max F. James
Executive Vice President

kly

cc: Sacramento City Clerk
Mr. William Holliman
Mr. Will Wietman, Planning Commission
Mr. Bob Bush, Days Inns of America, Inc.
Mr. Jim Hansen, Day Realty of California

21



CITY OF SACRAMENTO

CITY PLANNING DEPARTMENT

725 "J" STREET

SACRAMENTO, CALIF. 95814

TELEPHONE (916) 449-5604

MARTY VAN DUYN

PLANNING DIRECTOR

November 12, 1980

FILED
BY THE CITY COUNCIL

Withdrawn

NOV 18 1980

OFFICE OF THE
CITY CLERK

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Appeal of the City Planning Commission's denial of a Special Permit to allow an illuminated accent stripe on a restaurant building (Sign Ordinance Section 3.105) (P-9134)

LOCATION: 100 Jibboom Street

SUMMARY

This is a request to allow a yellow illuminated accent stripe that will run along the front, two sides, and a portion of the rear elevations of a proposed restaurant facility. The Planning Commission, in concurrence with staff's recommendation denied the Special Permit request, and the applicant subsequently appealed the Planning Commission's action.

BACKGROUND INFORMATION

The subject site is located at the northwest corner of Jibboom Street and Richards Boulevard which is an area that has been developed for highway oriented uses such as service stations, restaurants, and motels. The site is presently being developed with a combination motel/restaurant use that will be occupied by Days Inn. The applicant is proposing to place an illuminated accent stripe around the restaurant building as indicated on the attached site plan and elevations.

The staff and Planning Commission's primary concern is that the proposal is not consistent with the American River Parkway Plan. The accent stripe would have a tendency to be more intrusive because it would be more visible from the top of the levee of the American River Parkway. Also, it is oftentimes used to attract passing motorists because it is more visible than a normal sign.

There was also a concern that the approval of this accent stripe would set a precedence for requests by other highway oriented uses in this vicinity. It would encourage each tenant to compete with one another by using signs and accent stripes to attract passing motorists along I-5 Freeway.

VOTE OF PLANNING COMMISSION

On September 11, 1980, the Planning Commission by a vote of six ayes, two noes, one vacancy, denied the Special Permit request.

RECOMMENDATION

The staff and Planring Commission recommend that the City Council deny the appeal subject to findings of fact due at a subsequent meeting.

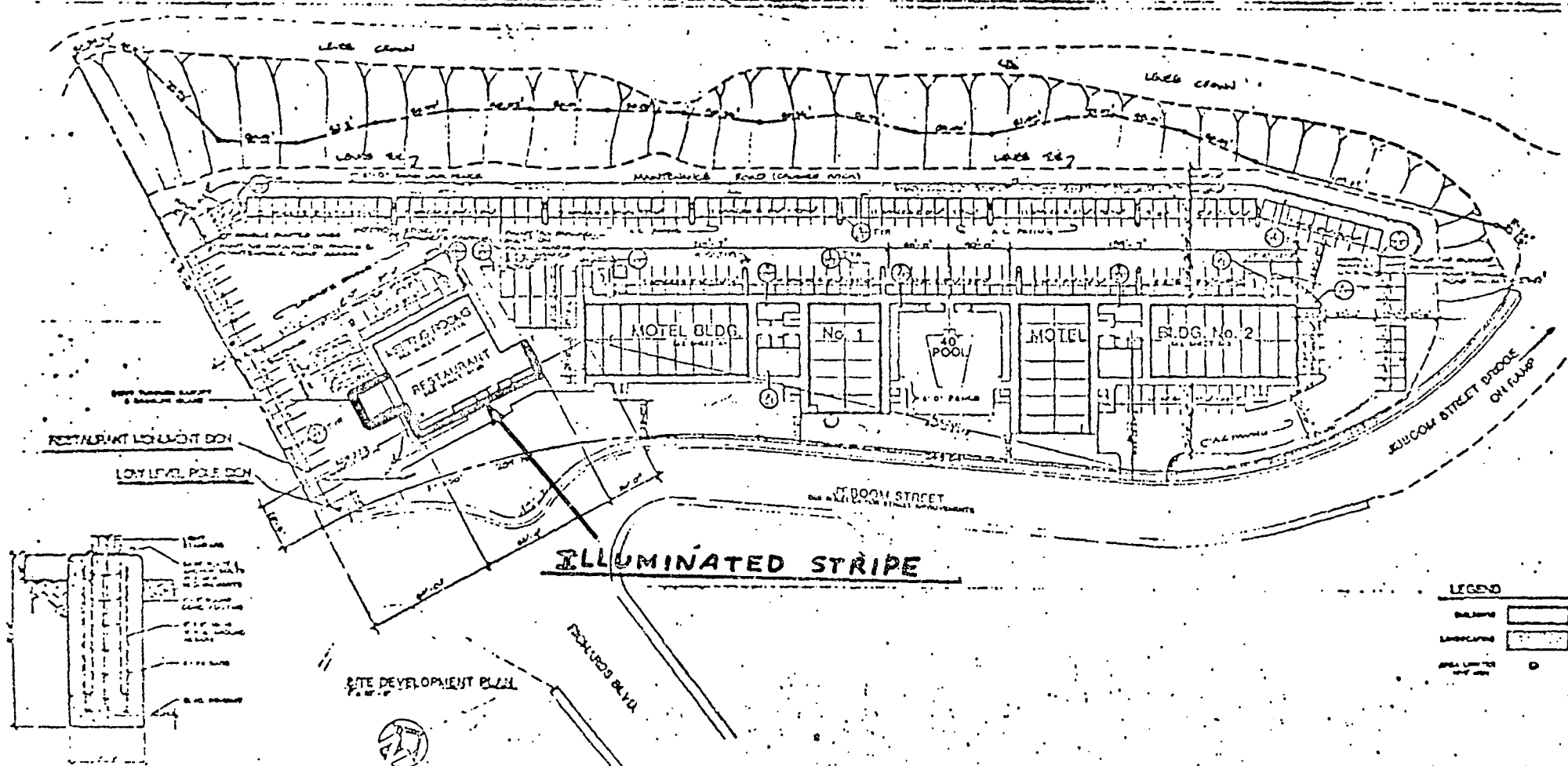
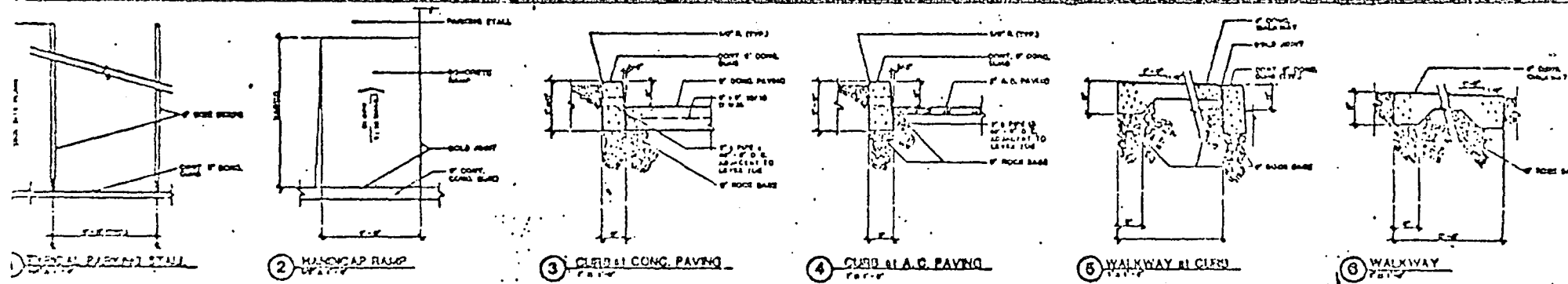
Respectfully submitted,


Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

MVD:HY:jm
Attachments
P-9134

November 18, 1980
District No. 1



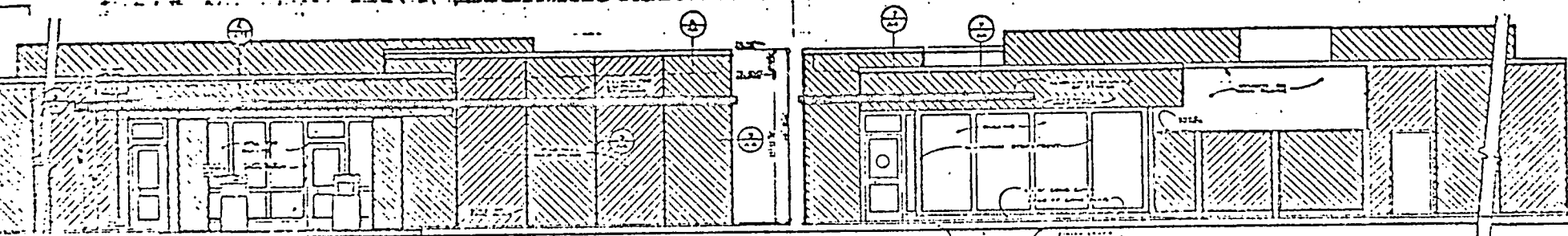
LEGEND

DRIVEWAY	[Symbol]
LANDSCAPE	[Symbol]
AREA UNDER CONSTRUCTION	[Symbol]

1781
NO.
CONG.

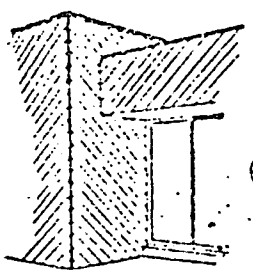
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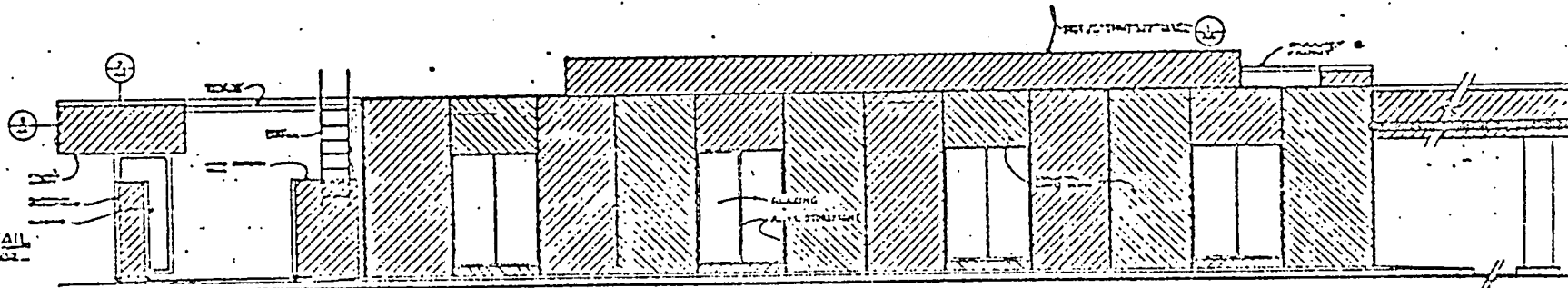


LEFT SIDE ELEVATION

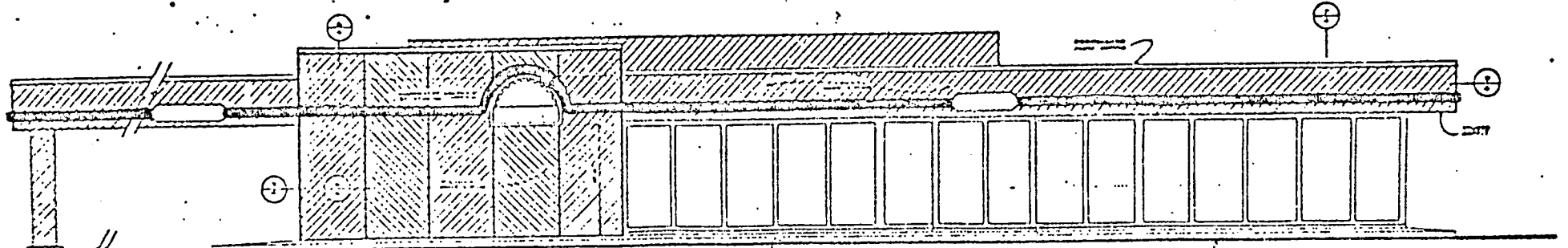
RIGHT SIDE ELEVATION



SIDING MATCHING DETAIL



REAR SIDE ELEVATION

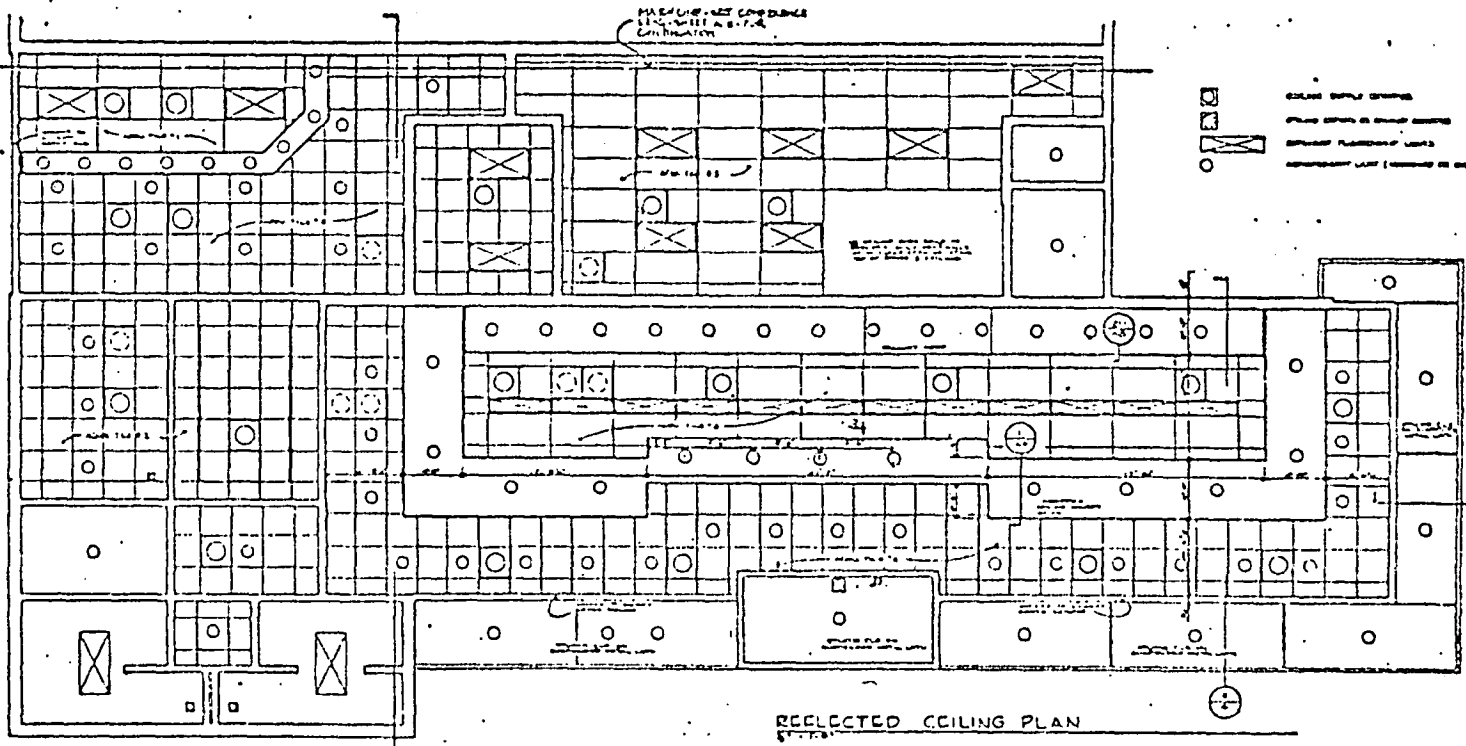


FRONT SIDE ELEVATION

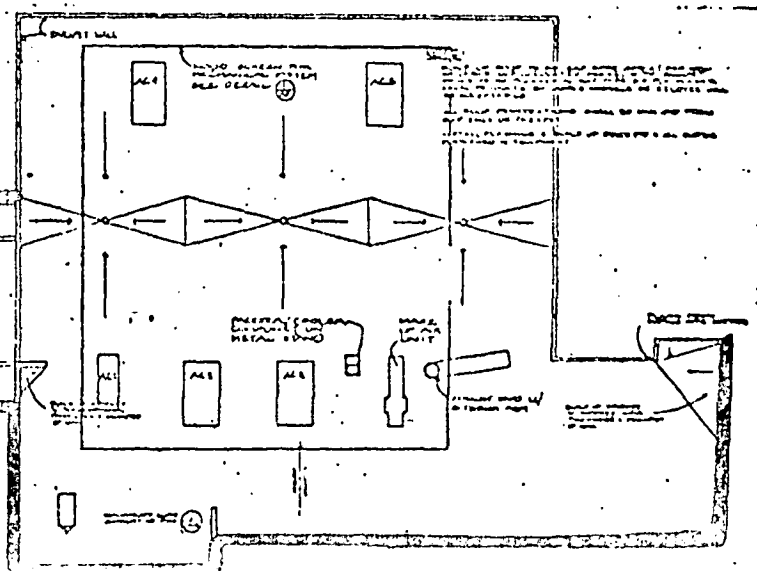
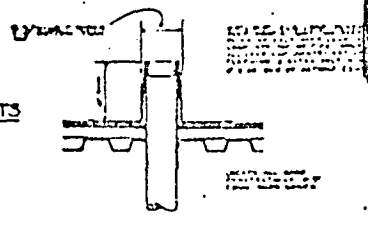
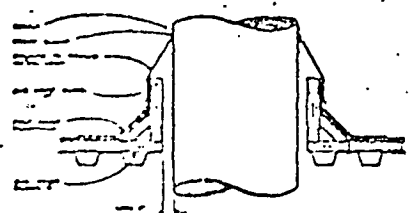
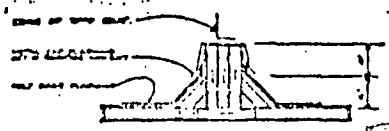
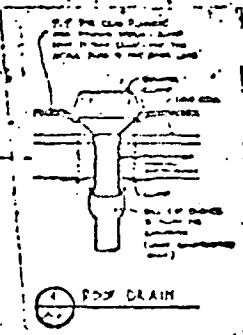
ASSOCIATES
ARCHITECTS
A.L.A.

176 UNIT
MOTEL
COMPLEX

DAY
REALTY OF
CALIFORNIA
INC.



REFLECTED CEILING PLAN



178 LAY
HOTEL
CONFL

DAY
POLY
CALFOR
PC

NOTICE OF APPEAL OF THE DECISION OF THE
SACRAMENTO CITY PLANNING COMMISSION

DATE: September 18, 1980

TO THE PLANNING DIRECTOR:

I do hereby make application to appeal the decision of the City
Planning Commission of September 11, 1980 when:
(Date)

Rezoning Application Variance Application
 Special Permit Application _____

was: Granted Denied by the Commission

GROUNDS FOR APPEAL: _____

1. No special permit is required by Section 3.66 of the Sign
Ordinance; and
2. Denial of the special permit constitutes an abuse of discretion,
unsupported by evidence or findings.

PROPERTY LOCATION: Jibboom Street and I-5.

PROPERTY DESCRIPTION: _____

ASSESSOR'S PARCEL NO. 001 - 012 - 03, 04, 05

PROPERTY OWNER: Tiscornia Estate, c/o Bunje Dowse & Co.

ADDRESS: P. O. Box 26309, San Francisco, CA

APPLICANT: William G. Holliman, Esq., on behalf of Day Realty

ADDRESS: 555 Capitol Mall, Suite 950, Sacramento, CA 95814

APPELLANT: William Holliman, Esq., on behalf of Day Realty

(SIGNATURE)

ADDRESS: 555 Capitol Mall, Suite 950, Sacramento, CA 95814

FILING FEE: \$60.00 Receipt No. _____

FORWARDED TO CITY CLERK ON DATE OF: _____

P- 9134

7/80

(4 COPIES REQUIRED)

McDONOUGH, HOLLAND & ALLEN

A PROFESSIONAL CORPORATION
ATTORNEYS

555 CAPITOL MALL, SUITE 950
SACRAMENTO, CALIFORNIA 95814
(916) 444-3900

FELIX S. WAHRHAFTIG
(1909-1969)

NEWPORT BEACH OFFICE
4041 MACARTHUR BOULEVARD, SUITE 190
NEWPORT BEACH, CALIFORNIA 92660
(714) 833-2304

IN REPLY REFER TO:

MARTH McDONOUGH
ALFRED E. HOLLAND
BRUCE F. ALLEN
V. BARLOW GOFF
JOSEPH E. COOMES, JR.
WILLIAM G. HOLLIMAN, JR.
DAVID J. SPOTTISWOOD
ELMER R. MALAKOFF
RICHARD W. NICHOLS
DONALD C. PODLE
RICHARD W. OSEN
RICHARD E. BRANDT
GARY F. LOVERIDGE
G. RICHARD BROWN

DENNIS D. O'NEIL
DAVID W. POST
SUSAN K. EDLING
BRUCE McDONOUGH
ALICE A. WOODYARD
MICHAEL T. FOGARTY
D. WILLIAM DENTHO
ANN H. MORRIS
DAVID F. BEATTY
HARRY E. HULL, JR.
RICHARD L. DECOSKY, JR.
JEFFRY R. JONES
WILLIAM L. OWEN

September 18, 1980

C
O
P
Y
Ms. Lorraine Magana
City Clerk
City of Sacramento
915 I Street
Sacramento, CA 95814

Dear Ms. Magana:

On behalf of Day Realty of California, we hereby appeal the decision of the City Planning Commission on September 11, 1980 denying a special permit under the Sign Ordinance to allow an illuminated accent strip in a proposed restaurant or to determine, in the alternative, that such an illuminated accent strip is not a violation of Section 3.66 of the Sign Ordinance.

Notice of hearing on said appeal should be given to the appellant in care of the undersigned.

Enclosed is a check for the filing fee in the amount of \$60.00.

Very truly yours,

William G. Holliman, Jr.

WGH:jk

cc: Sacramento City Planning Director
City Attorney, City of Sacramento

SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE 9-11-80
 ITEM NO. 12c FILE NO. P-9134
 M-

- GENERAL PLAN AMENDMENT TENTATIVE MAP
 COMMUNITY PLAN AMENDMENT SUBDIVISION MODIFICATION
 REZONING EIR DETERMINATION
 SPECIAL PERMIT OTHER _____
 VARIANCE

Recommendation:

- Favorable
 Unfavorable Petition Correspondence

LOCATION: 100 Gibbon St.

PROPOSERS		
NAME	ADDRESS	
<u>Bill Holliman</u>		
<u>Max Jones</u>		
OPPOSERS		
NAME	ADDRESS	
<u>Karely Simon, COS</u>		
<u>Roger Dickson, SOCA</u>		
<u>al Caples</u>		

MOTION NO. _____

	YES	NO	MOTION	2ND
<u>Augusta</u>	<input checked="" type="checkbox"/>			
Goodin				
<u>Goodin</u>		<input checked="" type="checkbox"/>		
<u>Hunter</u>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
<u>Larson</u>	<input checked="" type="checkbox"/>			
<u>Muraki</u>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
<u>Simpson</u>	<input checked="" type="checkbox"/>			
<u>Silva</u>	<input checked="" type="checkbox"/>			
<u>Fong</u>		<input checked="" type="checkbox"/>		

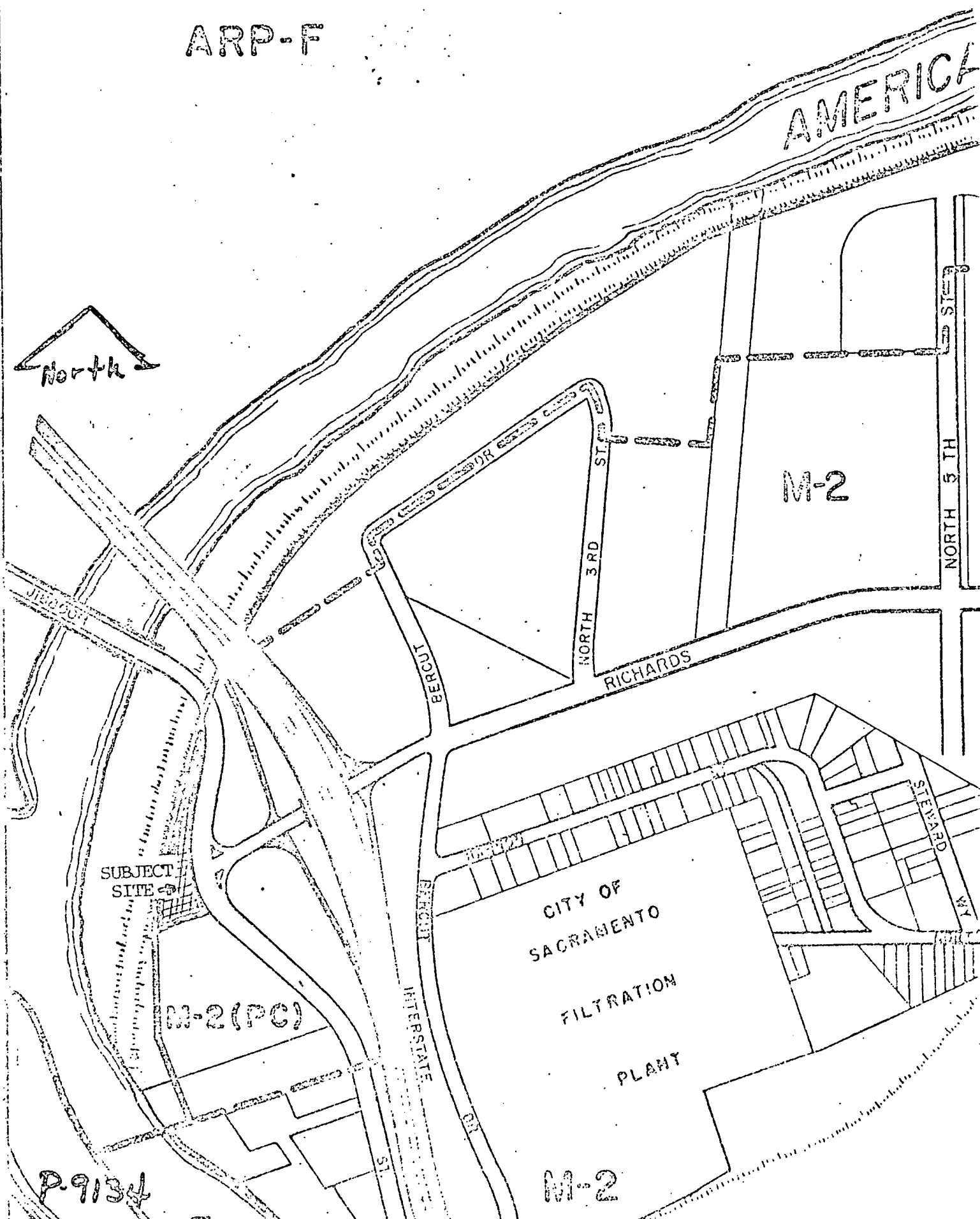
MOTION:

- TO APPROVE
 TO DENY
 TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
 INTENT TO APPROVE SUBJ. TO COND. & BASED ON FINDINGS OF FACT DUE _____
 TO RECOMMEND APPROVAL _____ & FORWARD TO CITY COUNCIL
 TO RATIFY NEGATIVE DECLARATION
 TO CONTINUE TO _____ MEETING
 OTHER _____

- EXHIBITS: A. Site Plan
 B. Floor Plan
 C. Elevation

ARP-F

AMERICA



SUBJECT SITE

M-2(PC)

M-2

CITY OF SACRAMENTO

FILTRATION

PLANT

M-2

P-9134

STAFF REPORT AMENDED 9-11-80
CITY PLANNING COMMISSION

915 "I" STREET - SACRAMENTO, CALIFORNIA 95814

APPLICANT <u>Day Realty of Calif., 601 University Av. Ste. 150, Sac., Calif.</u>		
OWNER <u>Tiscornia Estate, c/o Bunje Dewse & Co. P. O. Box 26309, San Francisco</u>		
PLANS BY <u>Blunk & Assoc. AIA, 533 Airport Blvd., Burlingame, Calif.</u>		
FILING DATE <u>8/7/80</u>	50 DAY CPC ACTION DATE _____	REPORT BY: <u>WW/jb</u>
Exempt <u>15111 (a)</u>	EIR _____	ASSESSOR'S PCL. NO. <u>001-012-03, 04, 05</u>

- PROPOSAL:
1. Special Permit to modify the attached sign height from 20 feet to 26 feet;
 2. Variance to allow three wall signs on the motel use (Sign Ordinance Section 3.66);
 3. Special Permit to allow the illuminated accent stripe on the restaurant building (Sign Ordinance Section 3.66).

LOCATION: 100 Jibboom Street
(Northwest corner of Jibboom Street and Richards Boulevard)

PROJECT INFORMATION:

General Plan Designation:	Commercial-offices
1965 Industrial Park Community	
Plan Designation:	Industrial
Existing Zoning of Site:	M-2(PC)
Existing Land Use of Site:	Vacant
Surrounding Land Use and Zoning:	
North:	American River Discovery Park, freeway; M-2(PC) ARP-F(W), ARP-F
South:	Commercial, motel; M-2(PC)
East:	Freeway, motel; M-2(PC)
West:	Park and American River; ARP-F(W), ARP-F
Parking Required:	196
Parking Provided:	198
Property Dimensions:	Irregular Area; 3.9+ acres
Building Height:	31 feet for motel (3 stories); 17 feet for restaurant (1 story)
Footage of Building:	61,280 square feet
Significant Features of Site:	Important site adjacent to Discovery Park, Tiscornia Park and the freeway
Topography:	Flat
Street Improvements:	Richard Boulevard improved; Jibboom Street partly improved
Size of Motel Wall Signs:	5' 8" X 12'
Height of wall signs:	26 feet
Type of Sign:	Interior illuminated
Width of Accent Stripe:	Approximately six inches

The applicant proposes to install a total of three wall mounted signs on the motel that would be 5' X 12' in size and 26 feet in height. The proposed restaurant would be highlighted with an illuminated accent stripe on the south, east and west elevations. The applicant is, therefore, requesting necessary variances for the additional third sign and the accent stripe; and a special permit modification to allow the motel sign height to be increased from 20 feet to 26 feet.

BACKGROUND INFORMATION:

On January 10, 1980 the Planning Commission approved special permit P-8798 to develop a restaurant, motel and gas dispensing facility. This approval was subject to the following conditions:

1. The applicant shall submit a new building design addressing the problem of bulk, height, and variation of building line (setback).
2. The project shall be subject to Architectural Review Board approval.
3. The applicant shall submit a revised color scheme to staff for approval and in conformance with parkway standards, which require earth tone colors.
4. All exterior lighting shall be directed away from the parkway and shall not be located in the 25-foot setback area.
5. The applicant shall submit a detailed landscaping and irrigation plan to staff for review and approval. These plans shall include berming in front of the motel and restaurant along Jibboom Street.
6. The project shall be subject to conditions of the City Engineer regarding improvement of Jibboom Street and Richards Boulevard.
7. The location of the pole sign shall be changed and the design of all signs shall be submitted to staff for approval. Signage shall not be visible from the parkway. Monument signs are encouraged; in addition, no signs shall exceed the freeway elevation or twenty feet.
8. The required fencing shall be placed in the private planter strip located along the westerly portion of the site bordering the parking area.

On February 6, 1980 the Architectural Review Board reviewed and approved the project subject to the following conditions.

1. The applicant shall redesign motel building designated as number one on the site plan to eliminate six units adjacent to Jibboom Street. In place of these units the applicant shall provide intensive landscaping and berming.
2. The applicant shall utilize anodized aluminum on the "storefront" systems proposed for the motel units.

3. The applicant shall utilize soldier coursing along the roof slab edges and along all wall edges.
4. The applicant shall provide a four-foot landscaped planter along the southern boundary line.
5. In addition, the applicant shall submit the following items to the Architectural Review Board for the Board's review and approval prior to the issuance of building permits:
 - a. A detailed landscape and irrigation plan;
 - b. A detailed signage program;
 - c. Alternative colors for the panels on the "storefront" systems proposed for the motel units;
 - d. Plans indicating the screening of the service and mechanical areas;
 - e. A detailed site lighting program.

On June 4, 1980 the Architectural Review Board reviewed the revised plans including landscaping, signage, panel colors, screening of mechanical equipment and a site lighting program. The Board approved the revised plans, but could not act on the sign or accent stripe issue.

STAFF EVALUATION:

The staff has the following comments and concerns:

1. The Commission approved the special permit with the condition that "Signage shall not be visible from the parkway and no signs shall exceed the freeway elevation or 20 feet". The applicant is proposing to raise the wall signs to 26 feet. (see exhibit A) The staff has inspected the site and has determined that the sign on motel building two is oriented towards the American River Parkway. However, the sign and buildings could only be visible when standing on top of the levee.

Originally the applicant proposed a pole sign 30 to 40 feet in height. However, since the site is located adjacent to the American River Parkway and adjacent to a major entrance to a regional park, the Commission required the pole sign location be changed and that all signs shall not exceed 20 feet in height.

The staff has no objection to the increase from 20 feet to 26 feet. The sign would appear to be more balanced in relationship to the building. The distance to the bottom of the sign is 20 feet.

The applicant is proposing to install a monument type sign for the restaurant that would be 15 feet in height and be located near the main entrance on Jibboom Street.

2. Number of Motel-Wall signs:

According to Section 3.66(b) of the City Sign Ordinance No. 2868, a total of two attached signs are allowed for each occupancy. The applicant is proposing to install three attached signs on the motel structures (see exhibit B). Each sign is approximately 5'8" X 12' in size.

Staff believes the request to install a third wall sign is a special privilege which is not expressly enjoyed by others in the area. Also, there is no circumstances that warrant any additional signs. Other property owners along Jibboom Street and Richards Boulevard have signs that comply with the Sign Ordinance. Additional signs would visually proliferate the I-5, Jibboom Street corridor and could have a detrimental effect on the parkway area.

3. Illuminated Accent Stripe:

According to Section 3.158 of the City Sign Ordinance "Outlining of a building by means of exposed neon tubing, exposed incandescent lighting, or other artificial lighting, or an equivalent effect is prohibited. The staff has determined the proposed illuminated accent stripe around the restaurant is a form of outlining the building with artificial lighting and, therefore, should not be allowed. Staff suggests the accent stripe be non-illuminated.

In conclusion, the staff has no objection to the increase in height from 20 feet to 26 feet because the sign is more balanced in relationship to the building. Since the motel buildings are 28 feet in height (3-stories), the additional sign height would not substantially increase the visual impact.

The variance requests for the additional sign and the illuminated accent stripe are not allowed by the City Sign Ordinance. Other methods of advertising are available to attract people to the restaurant/motel site. The accent stripe and additional signage increases the visual clutter of signs along the American River Parkway and the I-5 Freeway, (Scenic corridor).

STAFF RECOMMENDATION:

The staff recommends the following:

1. Approval of the special permit modification based on findings of fact that follow. (CPC approved special permit modification to allow maximum height for attached signs of 22' on parcels 1 & 2 - CPC required that site be limited to 1 monument/pole sign indicated on exhibit B.)
2. Denial of the variance request for three signs based on findings of fact. (CPC required that no attached signs be allowed on the wall of building 1 facing the restaurant.)
3. Denial of the special permit request to allow the illuminated accent stripe based on findings of fact.

Findings of Fact - Special Permit:

1. The sign modification is based on sound principles of land use in that:
 - a. The increased height would be compatible to surrounding uses with pole signs;
 - b. The increased height and location of the sign would create a better balance in proportion with the end building walls.
2. The sign modification will not be injurious to the public welfare in that the new sign height would not be visible from the American River Parkway.
3. The sign modification is consistent with the intent of the American River Parkway Plan "to reduce the visual and aesthetic impacts of development near the river and in particular, visual intrusion into the American River Parkway.

Findings of Fact - Variance:

1. The granting of the variances will be a special privilege in that:
 - a. Other commercial uses along Jibboom Street have signs that comply with the Sign Ordinance;
 - b. There are no special circumstances that warrant the granting of the variance for the third sign and the accent stripe;
 - c. The variances are not in harmony with the General Plan in that it discourages signs along freeways. (Scenic Corridor)
2. The project is not consistent with the intent of the American River Parkway Plan to reduce the visual and aesthetic impacts of development near the river.
3. The project does not conform with the requirements of the City Sign Ordinance.

On October 9, 1980 the Planning Commission approved findings of fact as follows:

Denial of special permit to modify the original special permit to allow a 26' high wall sign.

Approval of special permit to modify original special permit to allow a 22' high wall sign.

Denial of illuminated accent stripe along the restaurant structure.



CITY OF SACRAMENTO

CITY CLERKS OFFICE
CITY OF SACRAMENTO

OCT 20 5 15 PM '80

P-9134
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SM

CITY PLANNING DEPARTMENT

725 "J" STREET

SACRAMENTO, CALIF. 95814
TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

AND SEE BELOW
EXCEPT #8
PFP: 11-5-80
7FP: 11-12-80
HRQ: 11-18-80
FCA DATE: 11-18-80
CC: VAN DUYN
Carstens
Miller
Yee

October 20, 1980

MEMORANDUM

TO: Lorraine Magana
FROM: Jan Mirrione
SUBJECT: Request to Set Public Hearings

Please schedule the following items for public hearings. All necessary support material is attached.

1. Various requests for property located at 330 Jefferson Avenue. (P-9118) (D1)
 - a. Rezone from R-2A to R-1A
 - b. Tentative Map to divide 0.3+ acre into two halfplex lots
 - c. Subdivision Modification to waive service connection.
2. Various requests for property located at the northeast corner of Lemon Hill and Belleview Avenues. (P-9119) (D5)
 - a. Tentative Map to divide 1+ acre into seven parcels
 - b. Subdivision Modification to create lots substandard in depth.
3. Various requests for property located at 1101 Frienza Avenue. (P-9153) (D2)
 - a. Tentative Map to divide 0.6+ acre into three parcels
 - b. Subdivision Modification to create lot substandard in width
 - c. Subdivision Modification to waive curbs, gutters, sidewalks, and street lights along Lexington Street.
4. Various requests for property located at the northeast corner of Morey and Western Avenues. (P-9156) (D2)
 - a. Tentative Map to divide 12+ acres into 57 single family lots
 - b. Subdivision Modification to waive sidewalks on west side of Western Avenue.

P-9169 #7
PFP: 10-28-80
HRQ: 11-5-80

5. Various requests for property located on various corner lots on Riverside Boulevard, Windward Way, Starboard Way, Steamboat Way, Gloria Drive, Riverboat Way, and Treasure Way. (P-9159) (D8)

- a. Rezone 6+ acres from R-1 to R-1A
- b. Tentative Map to divide 27 lots into 54 halfplex lots.

6. Various requests for property located at 556 Swanston Drive. (P-9163) (D4)

- a. Tentative Map to divide 0.4+ acre into three parcels
- b. Subdivision Modification to create two parcels substandard in width and area
- c. Subdivision Modification to waive service connections to two lots.

7. Various requests for property located on the west side of Stockton Boulevard, 600+ feet south of Timberlake Way. (P-9169) (D8)

- a. Amend Valley Hi Community Plan
- b. Rezone from A to OB

PPF: 10-28-80
HRG: 11-5-80

8. An appeal of the Planning Commission's denial of a Special Permit to modify condition of original Special Permit, P-8798, to allow an illuminated accent strip in a proposed restaurant. Location: 100 Jibboom Street (P-9134) (D1)

HRG
11-18-80

jm

Attachments

NOTICE OF APPEAL OF THE DECISION OF THE
SACRAMENTO CITY PLANNING COMMISSION

DATE: September 18, 1980

TO THE PLANNING DIRECTOR:

I do hereby make application to appeal the decision of the City
Planning Commission of September 11, 1980 when:
(Date)

 Rezoning Application Variance Application
XX Special Permit Application

was: Granted XX Denied by the Commission

GROUNDS FOR APPEAL: _____

1. No special permit is required by Section 3.66 of the Sign
Ordinance; and
2. Denial of the special permit constitutes an abuse of discretion,
unsupported by evidence or findings.

PROPERTY LOCATION: Jibboom Street and I-5.

PROPERTY DESCRIPTION: _____

ASSESSOR'S PARCEL NO. 001 - 012 - 03, 04, 05

PROPERTY OWNER: Tiscornia Estate, c/o Bunje Dowse & Co.

ADDRESS: P. O. Box 26309, San Francisco, CA

APPLICANT: William G. Holliman, Esq., on behalf of Day Realty

ADDRESS: 555 Capitol Mall, Suite 950, Sacramento, CA 95814

APPELLANT: William Holliman Esq., on behalf of Day Realty
(SIGNATURE)

ADDRESS: 555 Capitol Mall, Suite 950, Sacramento, CA 95814

FILING FEE: \$60.00 Receipt No. _____.

FORWARDED TO CITY CLERK ON DATE OF: _____

P- P-9134

McDONOUGH, HOLLAND & ALLEN

A PROFESSIONAL CORPORATION
ATTORNEYS

555 CAPITOL MALL, SUITE 950
SACRAMENTO, CALIFORNIA 95814
(916) 444-3900

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NEWPORT BEACH OFFICE
4041 MACARTHUR BOULEVARD, SUITE 190
NEWPORT BEACH, CALIFORNIA 92660
(714) 833-2304

IN REPLY REFER TO:

MARTIN McDONOUGH
ALFRED E. HOLLAND
BRUCE F. ALLEN
V. BARLOW GOFF
JOSEPH E. COOMES, JR.
WILLIAM G. HOLLIMAN, JR.
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HARRY E. HULL, JR.
RICHARD L. DECOSKY, JR.
JEFFRY R. JONES
WILLIAM L. OWEN
DAVID R. BAADE

September 18, 1980

Ms. Lorraine Magana
City Clerk
City of Sacramento
915 I Street
Sacramento, CA 95814

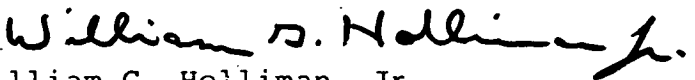
Dear Ms. Magana:

On behalf of Day Realty of California, we hereby appeal the decision of the City Planning Commission on September 11, 1980 denying a special permit under the Sign Ordinance to allow an illuminated accent strip in a proposed restaurant or to determine, in the alternative, that such an illuminated accent strip is not a violation of Section 3.66 of the Sign Ordinance.

Notice of hearing on said appeal should be given to the appellant in care of the undersigned.

Enclosed is a check for the filing fee in the amount of \$60.00.

Very truly yours,


William G. Holliman, Jr.

WGH:jk

cc: Sacramento City Planning Director
City Attorney, City of Sacramento

SACRAMENTO CITY PLANNING COMMISSION

APPLICATION INFORMATION

APPLICATION TAKEN BY: WW

- Gen. Plan Amend. (GPA)
 Comm. Plan Amend. (CPA)
 Rezone (RZ) from _____ to _____
 Special Permit (SP)
 Variance (V)
 Tentative Map (TM)
 Sbdvn. Modification (SM)

Other _____

Assessors Parcel No. 01 - 012 - 03,04,05 Address 100 Jibboom Street

Request(s) 1) Environmental Determination; 2) Special Permit to modify condition of original special permit (P-8798); 3) Variance to allow three wall signs; 4) Variance to allow an illuminated accent strip

Owner(s) Tiscornia Estate, P.O. Box 26309, San Francisco, CA Phone No. _____

Applicant Day Realty of Calif., 601 University Ave., Sacto., Phone No. 444-3900

Signature Arthur Hansen Filing Fee X Receipt No. 5366

C.P.C. Meeting Date September 11, 1980

X\$290+\$25+\$200+\$36 = 551

ACTION ON ENTITLEMENT TO USE

Planning Commission (Appeal Period is Ten (10) Consecutive Days From Date of Action).
Approved _____ Approved w/Conditions Special (Amended Staff Report) Permit Approved Based on Find. of Fact Due _____

Rec. Approval _____ Rec. Approval w/Conditions _____ Denied Variance & Special Permit

Findings of Fact Approved _____

Copy Sent to Applicant _____

Recommendations and Appeals are Forwarded to City Council for Final Action.

COUNCIL ACTION: (Appeal Period is Thirty (30) Consecutive Days From Date of Action).

Plan Amendment _____ Rezoning _____ Tentative Map _____ Subd. Modification _____ Appeal _____

Approved _____ Approved w/Conditions _____ Denied _____ Return to Planning Commission _____

ENTITLEMENT(S) TO USE: _____ is/are:

Approved _____ Denied _____ Approved w/Conditions _____

By: _____

SEC. TO PLANNING COMMISSION

NOTE: Action authorized by this document shall not be conducted in such a manner as to constitute a public nuisance. Violation of any of the foregoing conditions will constitute ground for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions taken on rezonings, special permits and variances.

Sent to Applicant: _____

DATE

P No 9134

SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE 9-11-80
 ITEM NO. 12c FILE NO. P-9134
 M-

- GENERAL PLAN AMENDMENT TENTATIVE MAP
 COMMUNITY PLAN AMENDMENT SUBDIVISION MODIFICATION
 REZONING EIR DETERMINATION
 SPECIAL PERMIT OTHER _____
 VARIANCE

Recommendation:

LOCATION: 100 Gibbon St.

- Favorable
 Unfavorable Petition Correspondence

PROponents

NAME

ADDRESS

Bill Hallinan, 555 Capitol Mall, Ste. 950 95814
Max James

OPponents

NAME

ADDRESS

Karshyn Simon, ECOS
Roger Dickson, SOCA
al Caples

MOTION NO. _____

MOTION:

	YES	NO	MOTION	2ND
Augusta	✓			
Augusta				
Goodin		✓		
Hunter	✓		✓	
Larson	✓			
Muraki	✓			✓
Simpson	✓			
Silva	✓			
Fong		✓		

- TO APPROVE
 TO DENY
 TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
 INTENT TO APPROVE SUBJ. TO COND. & BASED ON FINDINGS OF FACT DUE _____
 TO RECOMMEND APPROVAL _____ & FORWARD TO CITY COUNCIL
 TO RATIFY NEGATIVE DECLARATION
 TO CONTINUE TO _____ MEETING
 OTHER _____

- EXHIBITS: A. Site Plan
 B. Floor Plan
 C. Elevation
 D. Landscaping