

# CITY PLANNING COMMISSION

927 - 10th Street, Suite 300 - SACRAMENTO, CALIFORNIA 95814

APPLICANT	Gene S. Porter, Inc., 800 Howe Ave., Sacramento, CA 95825		
OWNER	Alicia Marie/Marie Alice Abels, 6500 Fordham Way, Sacramento, CA 95831		
PLANS BY	Gene S. Porter, Inc., 800 Howe Ave., Sacramento, CA 95825		
FILING DATE	9-7-83	50 DAY CPC ACTION DATE	REPORT BY: SD:bw
NEGATIVE DEC.	Exempt 15103(c) / 15105(a)	ASSESSOR'S PCL. NO.	025-033-20

APPLICATION: Variance to encroach into the 50 foot setback established on Freeport Boulevard (Sec. 3-E-9) (P83-296)

LOCATION: 5610 Freeport Boulevard

PROPOSAL: The applicant is requesting the necessary entitlement to construct an overhead trellis for an outdoor eating area.

PROJECT INFORMATION:

1974 General Plan Designation: Commercial and Offices  
1965 Sutterville Heights  
Community Plan Designation: Shopping/Commercial  
Existing Zoning of Site: C-2  
Existing Land Use of Site: Fast food restaurant

Surrounding Land Use and Zoning:

North: Service Station; C-2  
South: Bank; C-2  
East: General Commercial; C-2  
West: Residential; R-1

Parking Required: 33 spaces  
Parking Provided: 39 spaces  
Parking Ratio: 1 space/3 seats  
Property Dimensions: 165' x 434'  
Property Area: 1.6± acres  
Significant Feature of Site: 50 foot setback established on Freeport Boulevard  
Topography: Flat  
Street Improvements/Utilities: Existing  
Exterior Building Colors: Redwood trellis  
Exterior Building Materials: Redwood

STAFF EVALUATION: Staff has the following comments:

1. The subject site is currently zoned C-2, General Commercial, and is developed with a fast food restaurant. The site is located near the intersection of Freeport Boulevard and Fruitridge Road. At the time this area was annexed into the City, a 50-foot setback for commercial structures was required by the County. The existing structure maintains the 50 foot setback requirement. The applicant proposes to establish an outdoor eating area for 14 seats on a patio in front of the restaurant. To provide the patio eating area with shade, the applicant wishes to construct a trellis within the 50-foot setback. A variance must, therefore, be granted to encroach into the setback.

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2. The site to the north is developed with a gas station which has an existing pump island canopy located in the established setback. In addition, a variance was granted to a restaurant across the street from the subject site in March 1971 (P-4567). This request was to encroach into the setback to construct a canopy also. Staff, therefore, has no objection to the request. Adequate on-site parking is provided for the additional 14 seats.
3. In order to screen the structure, staff suggests that the proposed landscaped areas be planted with climbing vine plants and small shrubs. The applicant should submit landscaping and irrigation plans for these planter areas. These plans will be reviewed and approved by the Planning Director prior to issuance of building permits.
4. The subject site is located within Executive Airport Overflight zone (EA-4). The restaurant use is allowed in the zone. Staff contacted a representative of the Airport Land Use Commission who indicated no objection to the project.
5. Approval is based on the plans as submitted. Enclosure of the structure at a future date will not be permitted.

ENVIRONMENTAL DETERMINATION: The project is exempt from environmental review pursuant to State EIR Guidelines (CEQA, Section 15103(c) and 15105(a).

STAFF RECOMMENDATION: Staff recommends the following:

Approval of the variance subject to conditions and based on Findings of Fact which follow.

Conditions

- a. Prior to issuance of building permits, the applicant shall submit detailed landscaping and irrigation plans for review and approval of the Planning Director. Landscaping shall consist of climbing vines, plants and small shrubs.
- b. Approval is for plans as submitted. The trellis shall not be enclosed at a future date.

Findings of Fact

- a. Granting the variance does not constitute a special privilege extended an individual property owner in that precedence has been set for encroachment into the 50 foot setback, both to the north and east of the subject site.
- b. The request does not constitute a use variance in that restaurants are allowed in the C-2 zone;
- c. Granting the variance will not constitute a disservice to surrounding property in that:
  - 1) adequate on-site parking is provided;
  - 2) the trellis will be screened with climbing vine-type landscaping.
- d. The variance does not conflict with the 1974 General Plan or the 1965 Sutterville Heights Community Plan which designate the site for commercial and office and shopping/commercial uses.

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ASHLAND

MICHAEL

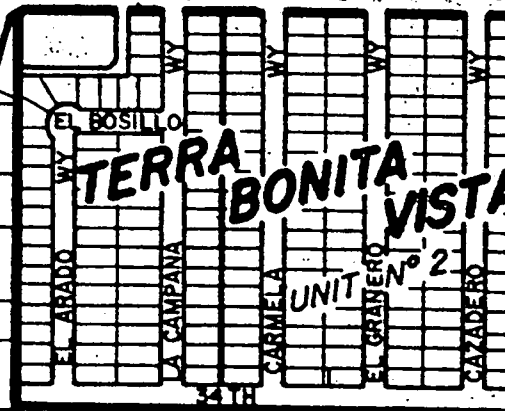
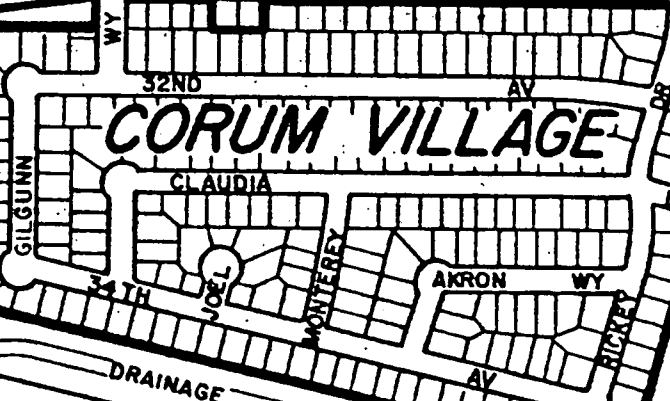
CARMELA

RD FRUITRIDGE RD

CORUM VILLAGE

TERRA BONITA VISTA

UNIT No 2



JAMES

DRAINAGE

DRAINAGE

35TH

LONDON

STERLING

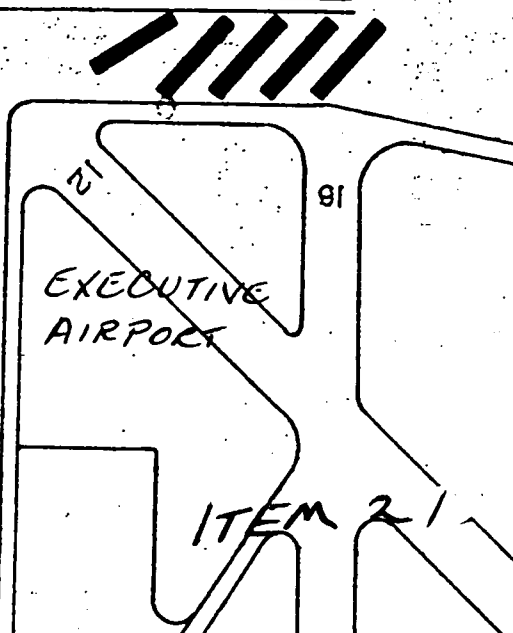
38TH

DICKSON

ARGONAUT SCHOOL

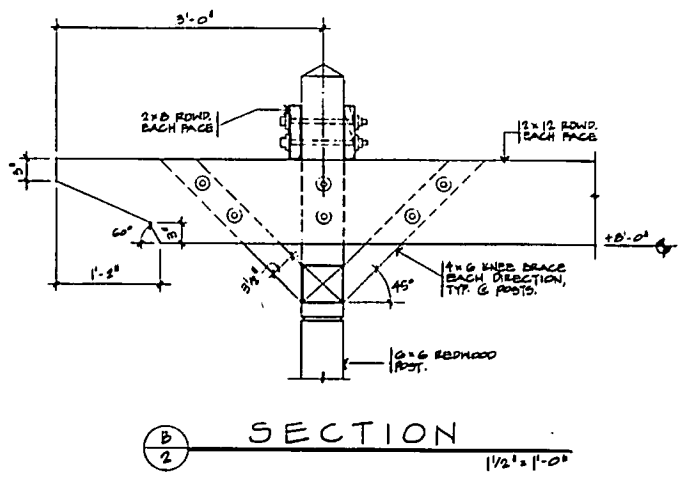
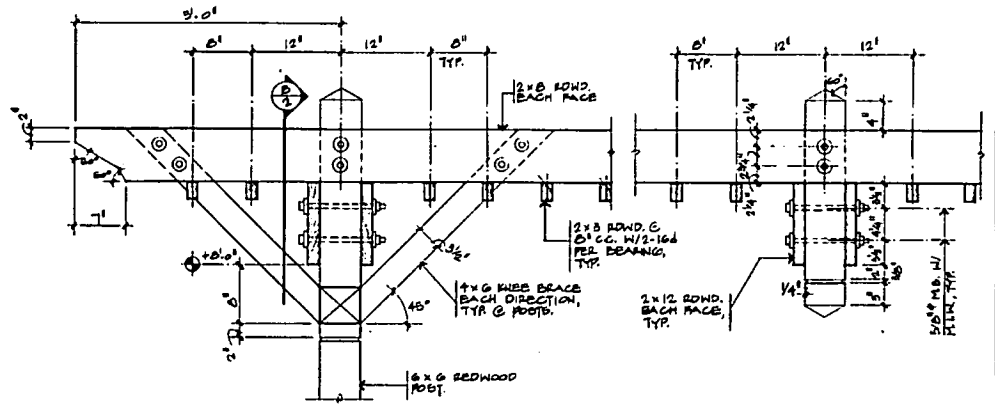
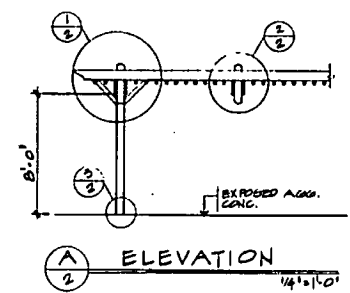
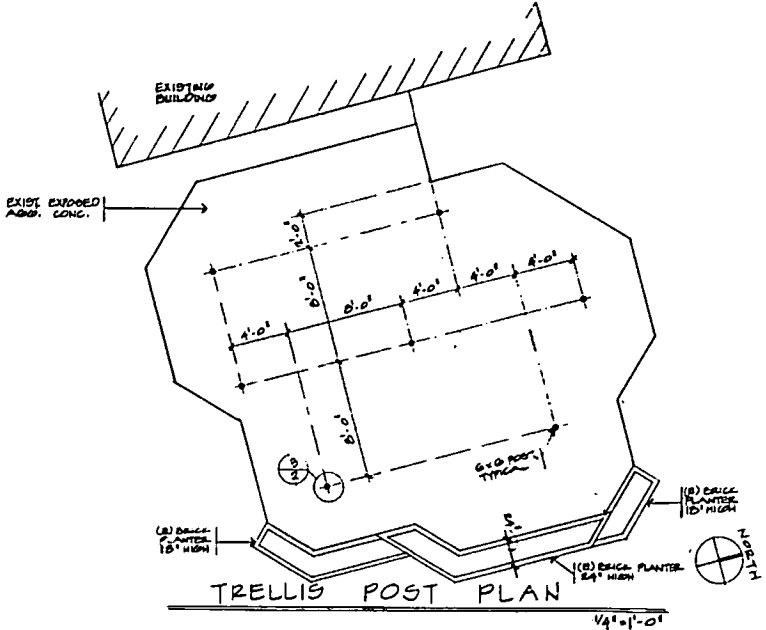
FREERPORT

MANOR



R. R.





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REVISIONS	BY

GENE S. PORTER, CIVIL ENGINEER  
WILLIAM L. JORCE, ARCHITECT

GENE S. PORTER, INC.  
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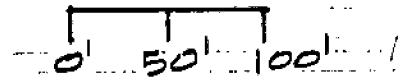
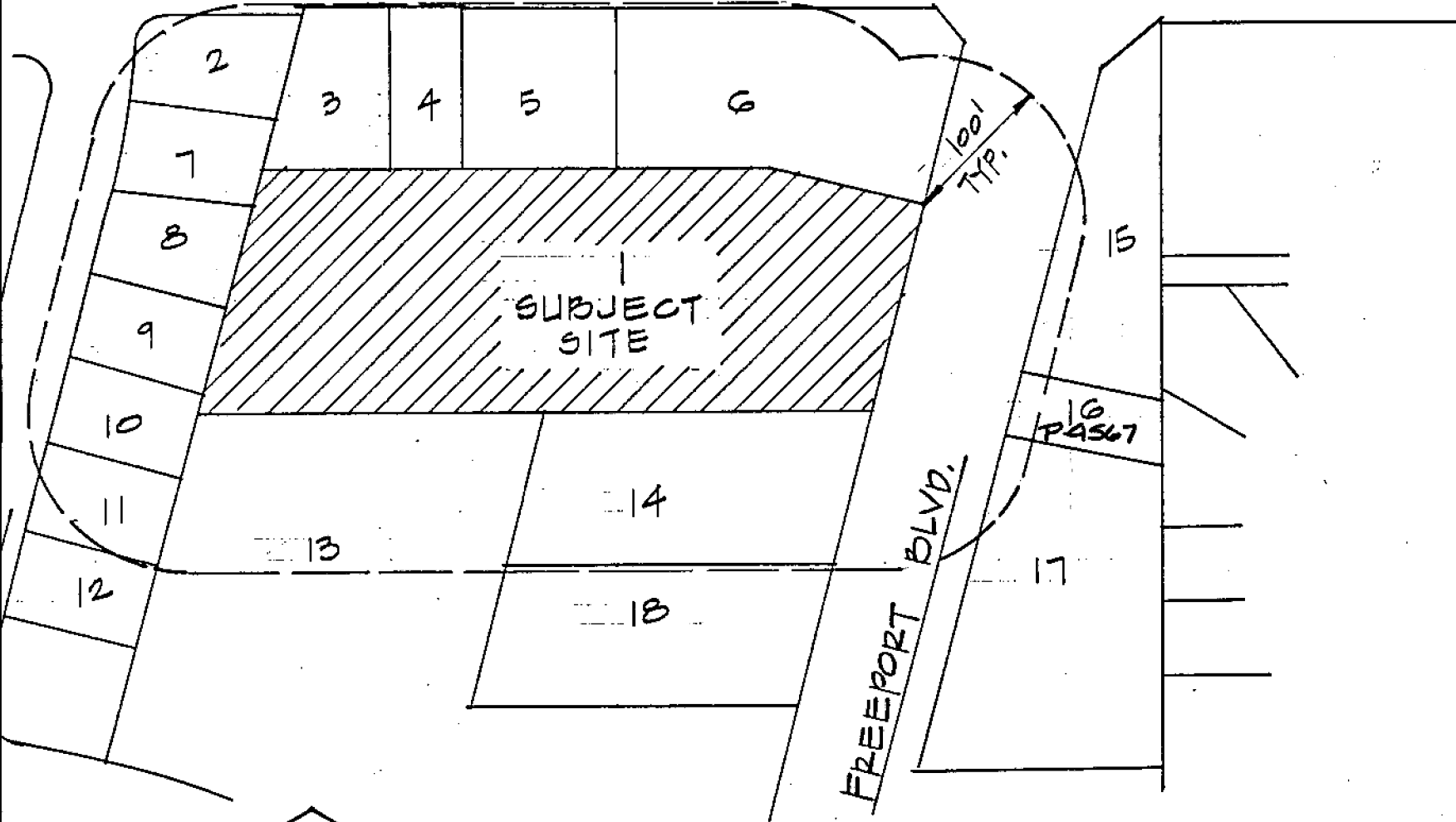
ENGINEERING & ARCHITECTURE

GENE S. PORTER, INC.  
100 HOME AVE., SUITE 300, SACRAMENTO, CA 95811

PROPOSED PATIO TRELLIS FOR:  
BULGEL KING RESTAURANT  
5000 SOUTH SACRAMENTO BOULEVARD  
SACRAMENTO, CA  
TRELLIS POST PLAN, SECTION & DETAILS

DATE	7-2-89
SCALE	AS SHOWN
DRAWN BY	DJR
CHECKED BY	DJR
PROJECT NO.	89-0187
SHEET NO.	2

FRUITRIDGE ROAD



PROPERTY OWNERSHIP MAP

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