

24



CITY OF SACRAMENTO

CITY PLANNING DEPARTMENT
927 TENTH STREET
SUITE 300
SACRAMENTO, CA 95814
TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

February 18, 1982

APPROVED *intent to*
BY THE CITY COUNCIL *grant subject*
to condition;
FEB 23 1982 *F. of F. due*
OFFICE OF THE *3-9-82*
CITY CLERK

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Appeal of the Planning Commission's denial of a special permit to allow a drive-thru facility in conjunction with a bank building. (P-9638)

LOCATION: 380 Florin Road

SUMMARY:

This is a request to develop a drive-thru facility in conjunction with a bank building. The Planning Commission denied the special permit for the drive-thru facility and the Commission's action was subsequently appealed to the City Council.

BACKGROUND INFORMATION:

The applicant proposes to remove an existing temporary banking facility and construct a new 7,300+ square foot bank with two drive-up windows. In addition, the applicant proposes to reduce the front building setback and eliminate the required 6-foot high masonry wall.

In reviewing the overall impact of the project, the majority of the Commissioners had concerns that the drive-thru element would have adverse impacts on the adjacent residential use by creating noise and exhaust fumes. However, the Commission had no objection to the reduction of the setback or waiver of the masonry wall. Two of the Commissioners concurred with staff's analysis of the project. Staff had no objection to the overall site development plans or the drive-thru element. Staff felt there was no traffic conflict between the proposed drive-thru element and the shopping center. Also, adequate access and stacking space is provided for the drive-thru element. However, staff believed the six-foot high masonry wall is necessary to mitigate the potential noise and fumes from the drive-thru area.

The owner of the subject property subsequently appealed the Commission's action. The owner states that the existing Bank of America temporary

building has had 2 drive-up windows since 1973. The new banking facility (Sacramento Valley Bank) needs the two drive-up windows for its operations.

VOTE OF COMMISSION

On January 14, 1982, the Planning Commission by a vote of six ayes, two noes, and one absent recommended denial of the special permit.

RECOMMENDATION:

The staff and Planning Commission recommend that the appeal be denied.

If the Council concurs with the appellant, the proper action would be to grant the appeal subject to findings of fact due on March 2, 1982.

Respectfully submitted,


Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

MVD:WW:cp
Attachments
P-9638

February 23, 1982
District No. 8

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

DATE: January 29, 1982

TO THE PLANNING DIRECTOR:

I do hereby make application to appeal the decision of the City
Planning Commission of January 14, 1982 when:
(Date)

Rezoning Application Variance Application
 Special Permit Application _____

was: Granted Denied by the Commission

GROUND FOR APPEAL: This Special Permit Application was for two drive-up
windows on the new Sacramento Valley Bank Branch facility. The existing Bank
of America temporary building has had two drive-up windows since 1973. We received
approval for site development plans and project approval but were denied drive-up
windows. This Bank Branch needs the two drive-up windows for its operation.

We are requesting the City Council to consider this a reasonable request.

PROPERTY LOCATION: 388 Florin Road, Sacramento, CA located in Greenhaven
Shopping Center

PROPERTY DESCRIPTION: _____
See attached sheet.

ASSESSOR'S PARCEL NO. 030- - 042 - 64

PROPERTY OWNER: Mr. George Tsakopoulos

ADDRESS: 300 Florin Road, Sacramento, CA 95831

APPLICANT: William J. Hughes, Jr., President, HAVLICK-HUGHES-GILLILAND

ADDRESS: 1990 Third Street, Sacramento, California 95814

APPELLANT: *Georgopoulos*
(SIGNATURE)

ADDRESS: 300 Florin Road, Sacramento, California 95831

FILING FEE: ~~\$50.00~~ ^{\$}105.⁰⁰ RECEIPT NO. 51

FORWARDED TO CITY CLERK ON DATE OF: _____

P-9638

7/80

(4 COPIES REQUIRED)

DESCRIPTION:

The land referred to herein is situated in the State of CALIFORNIA, County of SACRAMENTO, City of SACRAMENTO, and is described as follows:

PARCEL 2, AS SAID PARCELS ARE SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED, "A PORTION OF SWAMP LAND SURVEY NO. 160, THE MAP OF WHICH IS RECORDED IN SACRAMENTO COUNTY IN BOOK 25 OF SURVEYS AT PAGE 4", RECORDED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 9 OF PARCEL MAPS, PAGE 31.

MEETING DATE January 11, 1982
 ITEM NO. 3003 FILE NO. P-9632
 H-

- GENERAL PLAN AMENDMENT
- COMMUNITY PLAN AMENDMENT
- REZONING
- SPECIAL PERMIT
- VARIANCE
- TENTATIVE MAP
- SUBDIVISION MODIFICATION
- ENVIRONMENTAL DET.
- OTHER _____

Recommendation:
 Favorable
 Unfavorable

LOCATION: 380 Florin Road

Petition Correspondence

PROponents

NAME

ADDRESS

Wm. Hughes - 1990 3rd Street, Sacramento, CA 95814
George T.opoulos - 380 Florin Road, Sacramento

OPponents

NAME

ADDRESS

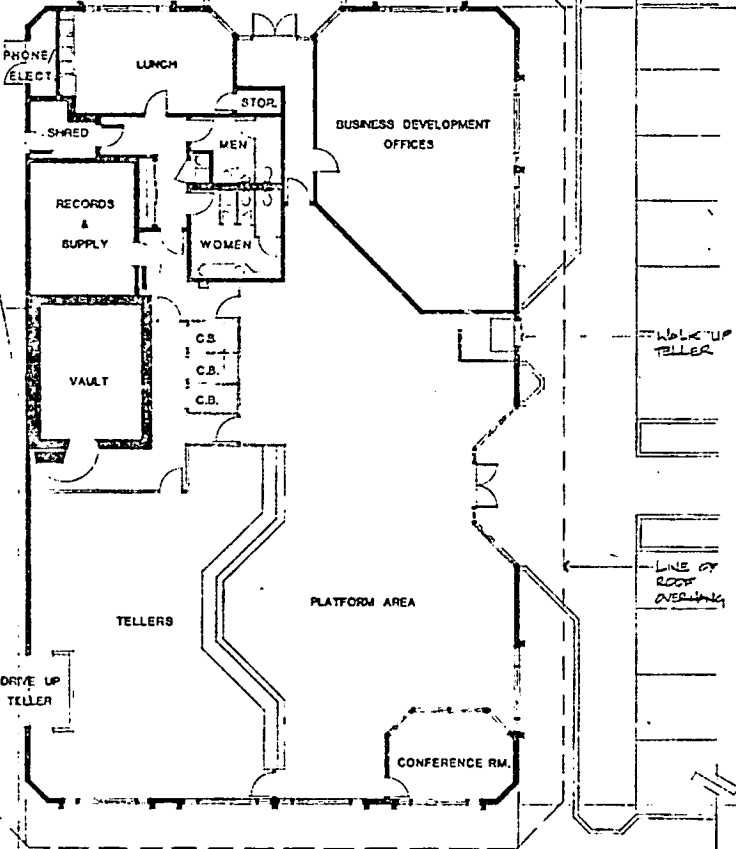
SECTION NO. _____

MOTION:

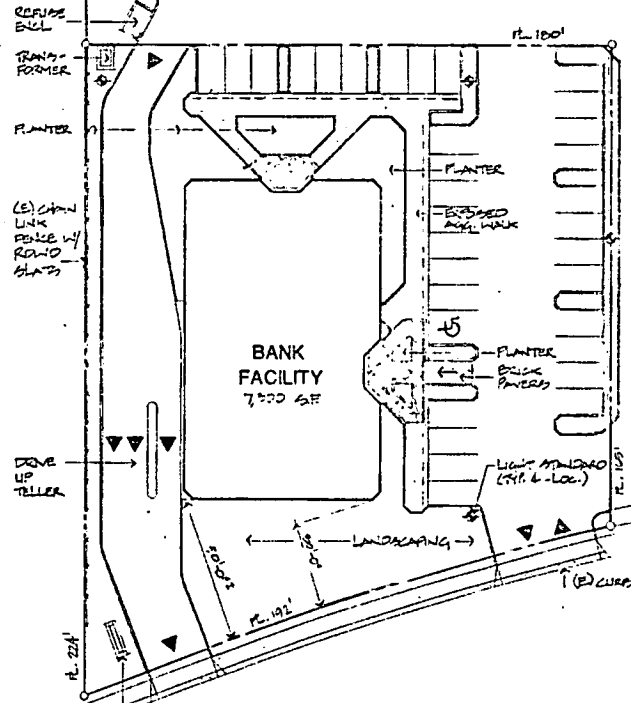
	YES	NO	MOTION	2ND
Augusta	✓			
ono		✓		
ppin		✓		
otloway	<u>absent</u>			
unter	✓			✓
arson	✓			
iraki	✓			
ilva	✓		✓	
obson	✓			

- TO APPROVE
- TO DENY
- TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
- INTEND TO APPROVE STAFF SUBJ. TO COND. & BASED ON FINDINGS OF FACT DUE 1-28-82
- TO RECOMMEND APPROVAL _____ & FORWARD TO CITY COUNCIL
- TO RATIFY NEGATIVE DECLARATION
- TO CONTINUE TO _____ MEETING
- OTHER _____

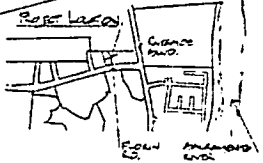
(5)



FLOOR PLAN



SITE PLAN



VICINITY MAP

NOTES
 REFER TO SHEET L1 FOR
 FACILITY BUILDING
 ANALYSIS & LANDSCAPING
 CONCEPT

SACRAMENTO VALLEY BANK
 SACRAMENTO, CALIFORNIA

ARCHITECT: CALIFORNIA CERTIFICATE NUMBER
 PROJECT NUMBER: 10-11-100
 1000 INDIAN STREET • SAN JOSE, CALIFORNIA 95128



DATE: 10-11-100
 SHEET: 10-11-100-1

In the matter of the decision)
of the Planning Commission on)
Special Permit, Variance and Plan)
Review application P-9638 to allow)
a drive-through facility, waive)
the six-foot high masonry wall and)
reduce the front building setback)
for a bank located at 380 Florin)
Road)

FINDINGS OF FACT

On January 14, 1982 the City Planning Commission indicated an intent to deny the special permit and approve the variances and plan review application based on findings of fact due January 28, 1982.

Based on documentary and oral evidence submitted at the public hearing on January 14, 1982, the Planning Commission denied the special permit to allow a drive-through facility in conjunction with a bank building and approved a variance to waive the six-foot masonry wall and reduced the front setback to 30 feet and approved the development plan based on the following findings of fact:

Special Permit Denial

1. The proposed facility is not based on sound principles of land use in that the drive-through facility is not compatible with the adjacent residential use.
2. The proposal would be injurious to the public welfare and surrounding properties in that:
 - a. The drive-through facility would create noise and exhaust fumes;
 - b. The existing wooden fence will not adequately buffer the drive-through facility from the adjacent two-story apartments.
3. The proposal is in conflict with the General Plan Land Use Element Goal to: "Preserve established residential areas from deteriorating influences."

P-9638

January 28, 1982

Item No. 1a

Variance Approval:

1. The requested variances would not be a special privilege extended to one individual property owner in that:
 - a. Adequate landscaping will be provided around the building;
 - b. Moving the building farther to the rear would eliminate the landscaped area at the rear entrance to the bank building;
 - c. The two existing fences on the southerly property line contain planters with trees and shrubs on both sides. The construction of the masonry wall would destroy a large portion of these trees and shrubs.

2. The requested variances would not be injurious to the public welfare or surrounding properties in that:
 - a. The reduced setback will not significantly alter the characteristics of the area;
 - b. The waiver of the masonry wall will not significantly impact the adjacent apartments because there is adequate distance between the proposed bank and apartments and the drive-through facility has been eliminated;
 - c. The existing trees and shrubs adjacent to the fences provide a visual screen between the uses.

3. The variances are not use variances in that banks are allowed in the SC zone.

4. The project is consistent with the 1974 General Plan and 1977 North Pocket Community Plan in that the plans designate the subject site for commercial development.

Augustine Ellmsted
Approved by the Commission on
January 28, 1982 for the January
14, 1982 City Planning Commission
meeting.

Sandra P. Simbawa
Chairman, City Planning
Commission

CITY PLANNING COMMISSION

915 "I" STREET - SACRAMENTO, CALIFORNIA 95814

APPLICANT	Havlick-Hughes-Gilliland, 1990-3rd Street, Sacramento, CA 95814		
OWNER	George Tsakopoulos, 300 Florin Road, Sacramento, CA 95831		
PLANS BY	Havlick-Hughes-Gilliland, 1990-3rd Street, Sacramento, CA 95814		
FILING DATE	12-11-81	50 DAY CPC ACTION DATE	REPORT BY: SD:bw
NEGATIVE DEC.	1-4-82	EIR	ASSESSOR'S PCL. NO. 030-042-64

- APPLICATION:
1. Environmental Determination
 2. Special Permit for a drive-thru facility in conjunction with the construction of a 7,300+ square foot banking facility in the Shopping Center-Review zone
 3. Variance to reduce the required 50-foot setback to 30 feet
 4. Variance to waive the required six-foot high masonry wall
 5. Plan Review of a proposed 7,300 square foot banking facility

LOCATION: 380 Florin Road

PROPOSAL: The applicant proposes to construct a 7,300+ square foot banking facility with drive-up window service to replace a similar temporary facility.

PROJECT INFORMATION:

1974 General Plan Designation: Commercial and office
 1977 North Pocket Community Plan Designation: Commercial uses
 Existing Zoning of Site: SC-R
 Existing Land Use of Site: Temporary bank facility

Surrounding Land Use and Zoning:

North: Agriculture; A
 South: Apartments; R-3
 East: Commercial and apartments; SC and R-3
 West: Agriculture; A

Parking Required: 18 spaces	Parking Provided: 33 spaces
Parking Ratio: 1:220 sq. ft.	Property Area: 36,000 sq. ft.
Square Footage of Building: 7,300	
Significant Features of Site: 50 foot required landscaped setback	
Topography: Flat	
Street Improvements/Utilities: Existing	
Exterior Building Colors: Earth tones	
Exterior Building Materials: Clay tile, masonry, redwood	
On-site Stacking Space: 10 cars	
No. of Drive-up Tellers: 2	

BACKGROUND INFORMATION: On September 27, 1979, the Commission considered a similar request to construct a two-story bank (Bank of America) with drive-thru facility and a 30-foot front setback.

APPLC. NO. P-9638

MEETING DATE January 14, 1982

CPC ITEM NO. 30

Staff recommended denial of the development plans and variance request. The commission, however, approved the variance to reduce the front setback to 40 feet.

STAFF EVALUATION: Staff has the following concerns and comments with regard to this project:

1. The applicant is requesting a variance to reduce the 50-foot setback required in the Shopping Center zone to 30 feet. The rest of the development in the surrounding shopping center complies with setback requirements. Furthermore, the subject site is not irregularly shaped nor are there other circumstances inhibiting development according to zoning ordinance standards. Staff believes the site plan can be modified to comply with the 50-foot required setback and therefore cannot support the variance request.
2. The City Traffic Engineering office has reviewed the applicant's project and sees no conflict between the proposed drive-up window and the existing shopping center. Adequate access and stacking space is provided for drive-up window service. Staff concurs with Traffic Engineering and has no objection to the proposed bank use.
3. Staff requests that revised plans be submitted which indicate the required 50-foot setback along Florin. This revision should have no significant affect on the overall design of the site.
4. The staff Energy Planner has reviewed the landscape shading plan for the project and notes that all planters must be six-feet wide and drawn to scale. An irrigation and revised landscaping plan will be necessary prior to issuance of building permits. These should be submitted to the Energy Planner for review and approval.
5. Staff believes the design of the building is acceptable. It appears to be a fairly typical contemporary suburban branch bank design. As such, it should be compatible with the shopping center and multi-family residences surrounding the site.
6. The applicant requests a waiver of the required six-foot high masonry wall. There is an existing fence along the western property line adjacent to multi-family residential. The intent of the masonry wall is to provide a solid, aesthetically pleasing buffer between commercial and residential uses. This is to reduce noise, light and fumes that can result from commercial uses. Staff cannot support this request since no hardship exists to prohibit the erection of such a wall. The design of the wall will be subject to approval of the Planning Director prior to issuance of building permits.

STAFF RECOMMENDATION: Staff recommends the following actions be taken:

1. Ratification of the Negative Declaration;
2. Approval of the Special Permit subject to conditions and based on Findings of Fact to follow;
3. Denial of the Variance request to reduce the 50-foot setback to 30 feet, based on Findings of Fact to follow;
4. Denial of the Variance to waive the masonry wall, based on Findings of Fact to follow; and
5. Approval of the development plans.

Conditions - Special Permit

- a. Prior to issuance of building permits, the applicant shall submit the following:
 - 1) shading plans, including detailed landscape and irrigation plans for review and approval of the Planning Director;
 - 2) elevations of the six-foot high masonry wall required along the western property line for review and approval of the Planning Director;
 - 3) a revised site plan indicating the 50-foot required front setback.
- b. A sign program shall be submitted for review and approval of staff.

Findings of Fact - Special Permit Approval

- a. The project, as conditioned, is based on sound principles of land use in that:
 - 1) the project site is in an area designated for retail and commercial development;
 - 2) the project is compatible to surrounding land uses which consist of retail stores, auxiliary businesses, and multi-family residential.
- b. The project, as conditioned, is not injurious to the public welfare and safety or surrounding properties in that:
 - 1) adequate vehicular access stacking distance and parking will be provided by the project and surrounding shopping center;
 - 2) a decorative masonry wall with landscaping will be provided to screen the site from adjacent residential uses.

- c. The proposal conforms to the 1974 General Plan and 1977 North Pocket Community Plan in that: the plans designate the subject site for commercial development.

Findings of Fact - Setback Variance Denial

- a. The requested variance would be a special privilege extended to one individual owner in that:
 - 1) the applicant has not proven practical difficulty or unnecessary hardship in developing the site with the required setback;
 - 2) the existing temporary building and adjacent commercial structures have complied with the required setback.
- b. The setback variance would not be in harmony with the 1977 North Pocket Plan which encourages retention of mature trees, open space greenbelts and other attractive features within new private projects.

Findings of Fact - Wall Variance Denial

- a. Approval of the variance would be injurious to surrounding property in that:
 - 1) a substitute material would not be as durable and difficult to destroy as masonry or similar material;
 - 2) a substitute material would not buffer noise, light and fumes as well as masonry or a similar material.

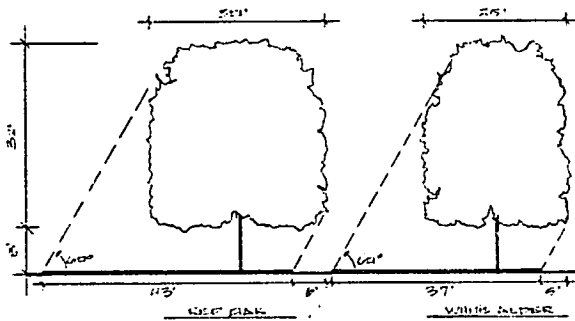


P-9638

1-14-82

NOTES

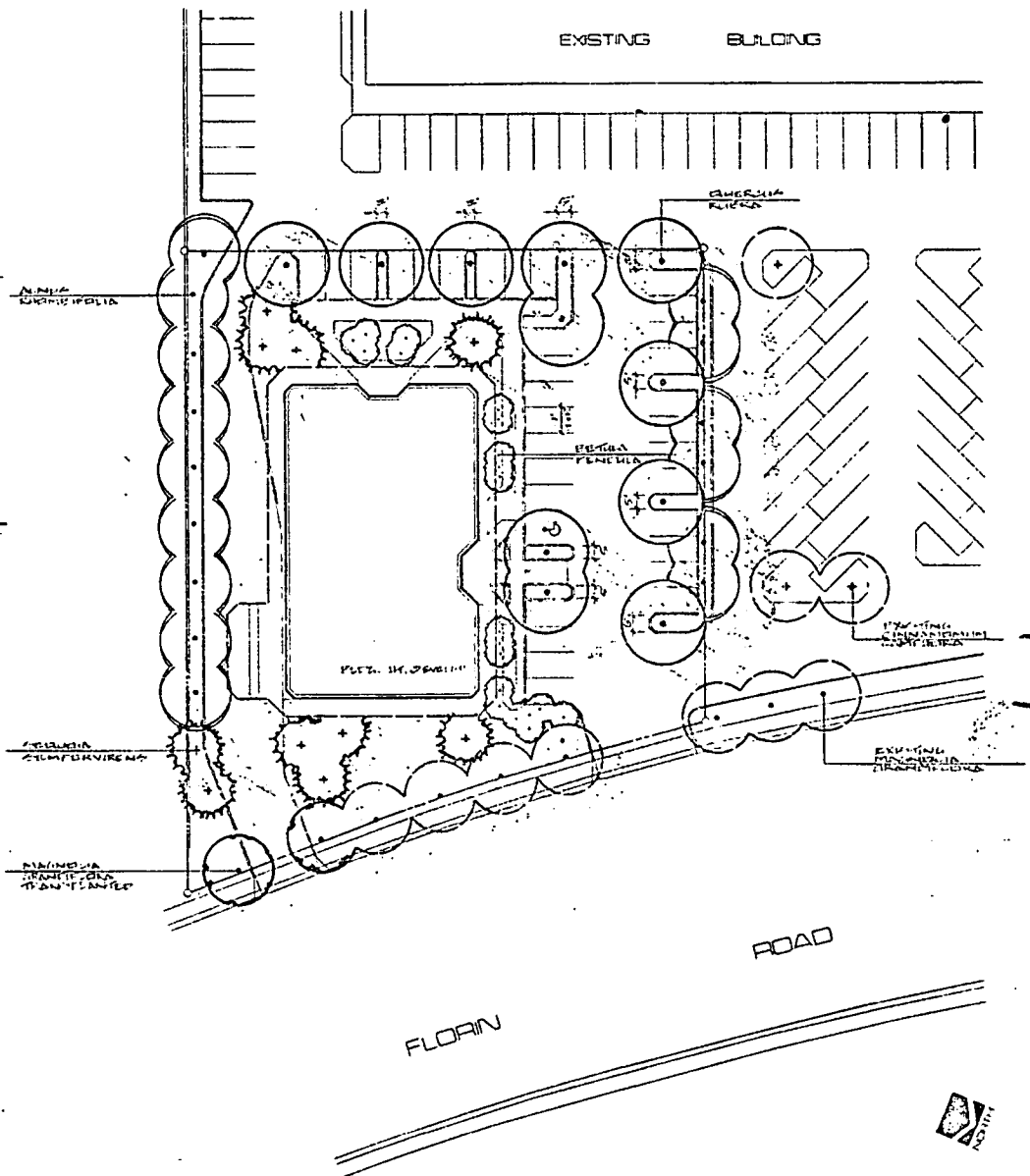
- 1) CONTACT ROBERT HANLITZEL (916) 971-1118 (FAX) 971-1113 REGARDING ANY QUESTIONS CONCERNING THIS PLAN.
- 2) ALL FLANGE DIMENSIONS SHOWN ARE INTERIOR DIMENSIONS.
- 3) LANDSCAPE AREA TO BE IRRIGATED BY AN AUTOMATIC IRRIGATION SYSTEM.



TYPICAL SHADE SECTION

TREE LIST		
PRINCIPAL NAME - COMMON NAME	HEIGHT IN FEET	SPREAD IN FEET
ALNUS GLABRIFOLIA WHITE ALDER	40'	25'
QUERCUS TENNENSIS SOUTHERN WHITE OAK	55'	12'
MAGNOLIA GOMPELSONA CALIFORNIA MAGNOLIA	30'	24'
QUERCUS RUBRA RED OAK	40'	30'
QUERCUS TEMPERIFERA SOUTHERN REDWOOD	40'	20'

SHADING ANALYSIS	
SHADING LEFT SIDE OF ROAD	41.2% SHADING
SHADING RIGHT SIDE OF ROAD	61.7% SHADING
PERCENT SHADING	51.5%



LANDSCAPE SHADING PLAN

SCALE 1/4" = 20'

14

No. 30

1/16/82

P-9638

SACRAMENTO VALLEY BANK
 SACRAMENTO, CALIFORNIA
 PROJECT: LANDSCAPE SHADING ANALYSIS
 DRAWING NO.: P-9638
 DATE: 1-14-82
 SCALE: 1/4" = 20'
 SHEET NO.: 1-1

DESCRIPTION:

The land referred to herein is situated in the State of CALIFORNIA, County of SACRAMENTO, City of SACRAMENTO, and is described as follows:

PARCEL 2, AS SAID PARCELS ARE SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED, "A PORTION OF SWAMP LAND SURVEY NO. 160, THE MAP OF WHICH IS RECORDED IN SACRAMENTO COUNTY IN BOOK 25 OF SURVEYS AT PAGE 4", RECORDED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 9 OF PARCEL MAPS, PAGE 31.

SACRAMENTO CITY PLANNING DEPARTMENT

Application Information

Application taken by/date: _____

Project Location 380 Florin Road P No 9638

Assessor Parcel No. 030-042-64

Owners George Tsakopoulos Phone No. 422-6155

Address 300 Florin Road, Sacramento, CA

Applicant William J. Hughes, Jr. of Havlick-Hughes-Gilliland Phone No. 444-7422

Address 1990 Third Street, Sacramento, CA 95814

Signature *William J. Hughes, Jr.* C.P.C. Mtg. Date 1-14-82

REQUESTED ENTITLEMENTS

ACTION ON ENTITLEMENTS

Filing Fees

Environ. Determination Neg Dec Commission date _____ Council date _____ Fees \$ 90.00

General Plan Amend _____ Commission date _____ Council date _____ Fees \$ _____

Community Plan Amend _____ Commission date _____ Council date _____ Fees \$ _____

Rezone _____ Commission date _____ Council date _____ Fees \$ _____

Tentative Map _____ Commission date _____ Council date _____ Fees \$ _____

Special Permit to allow a drive-thru facility for banking facility on 1.0+ ac. in SC-R-zone Commission date _____ Council date _____ Fees \$ 290.00

Variances to reduce required setback from 50' to 30' Commission date _____ Council date _____ Fees \$ 200.00

Plan Review of proposed 7,300 sq. ft. banking facility Commission date _____ Council date _____ Fees \$ N/A

PUD _____ Commission date _____ Council date _____ Fees \$ _____

Other Posting & Notification _____ Commission date _____ Council date _____ Fees \$ 36.00

FEE TOTAL \$ 616.00

RECEIPT NO. 661

By/date TJM 12-11-81

Sent to Applicant: _____ Date _____ By: _____ Sec. to Planning Commission

Key to Entitlement Actions

- | | | |
|------------------------------------|---|--|
| R - Ratified | D - Denied | IAF - Intent to Approve based on Findings of Fact |
| Cd - Continued | RD - Recommend Denial | AFF - Approved based on Findings of Fact |
| A - Approved | RA - Recommend Approval | RPC - Return to Planning Commission |
| AC - Approved W/conditions | RAC - Recommend Approval W/conditions | CSR - Condition Indicated on attached Staff Report |
| AA - Approved W/amended conditions | RMC - Recommend Approval W/amended conditions | |

NOTE: There is a thirty (30) consecutive day appeal period from date of approval. 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 grounds 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.

Gold-applicant receipt White-applicant permit Green-expiration book Yellow-department file Pink-permit book

P No **9638**

