

Mayor's Hispanic Advisory Committee) has indicated the neighbors are generally concerned about the following:

1. The bar is not a "r-neighborhood bar" in that the property owner does not take steps to deter drug and prostitution problems in the neighborhood.
2. Children attending Washington School, 2 blocks east of Joe's Corner are exposed to illegal and potentially unsafe activities when walking past the bar.
3. The expansion should not be allowed because of existing problems at Joe's Corner and the general vicinity.

Exhibit D is a letter from the City Police Department opposing the expansion. The letter generally indicates the two items below:

1. A severe crime problem exists in the area bounded by E and H Streets and 13th and 17th Streets. During the first six months of 1987, there were 270 criminal offense reports received and 192 arrests made within the boundaries mentioned above. Arrests were for crimes against persons, prostitution, drugs and driving under the influence.
2. The expansion of an alcohol beverage related business in the area will lead to an increase in existing problems and detract from efforts to combat them.

The applicant's attorney has submitted a letter in response to the neighborhood and police letters (see Exhibit I).

- D. The proposed project has been reviewed by Traffic Engineering, Engineering, Building Inspections, Sacramento Old City Association and the Midtown Business Association.

The following comments were received:

1. Midtown Business Association

The Association is opposed to any expansion of the bar due to strong neighborhood opposition.

2. Sacramento Old City Association

The Association is in support of the neighbors in recommending denial of the project.

E. Staff Analysis

City Ordinance 87-077 requires a special permit to establish a bar in the C-2 zone. Although the applicant is not establishing a new bar, this ordinance also applies to an existing bar that wants to expand. At the time the Ordinance was adopted (June 23, 1987) the applicant was midway into the process of getting review and approval from the State

Department of Alcoholic Beverage Control (ABC) for the bar expansion. The Planning Department informed ABC that the Ordinance requires Planning Commission approval prior to ABC approval. The City Attorney has indicated that because ABC'S final approval had not yet been issued, the applicant did not have a vested right to only undergo ABC review and approval.

Staff has done a field survey of other establishments that dispense alcohol within a 1.5 block radius of the subject site. Six establishments were identified between E and H Streets and 14th and 16th Streets as listed below:

1. Diamond Grocery - northeast corner of 14th and E Streets.
2. Capitol Grocery - northeast corner of 15th and E Streets.
3. McAnaw's Retail Store - northeast corner of 16th and F Streets.
4. Don's Bottle Shop - east side of 16th Street between F and G Streets.
5. Shopper's Mart - southeast corner of G and 14th Streets.
6. Post 61 (Bar) - southeast corner of 15th and H Streets.

The applicant is also requesting the waiver of one parking space. Parking requirements for a bar are one space per three e=seats. The additional space is necessary because four new seats are proposed. Because of limited on-street parking in the area, especially during evening hours when residents are more likely to be home, staff does not support the variance. Additionally, the parking area is already short 10 spaces because it is a legal non-conforming parking lot. The type of on-street parking in the area is either 2 hours posted or 10 hour meters as shown on the attached Land Use Map.

The proposed expansion will increase the occupancy load from 268 to 386 which could have a negative impact on the area (increased traffic, noise, and illegal activities).

Under the new City Ordinance which regulates the bar expansion, the Planning Commission is required to make specific findings of fact stating that the use will not adversely affect the neighborhood or encourage the development of a blighted area. Based on the strong neighborhood opposition and Police Department opposition (see letter, Exhibit D) staff finds that the expansion cannot meet the findings stated in the Ordinance and therefore, recommends against the expansion.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has determined that the project will not have a negative impact on the environment and has prepared a negative declaration.

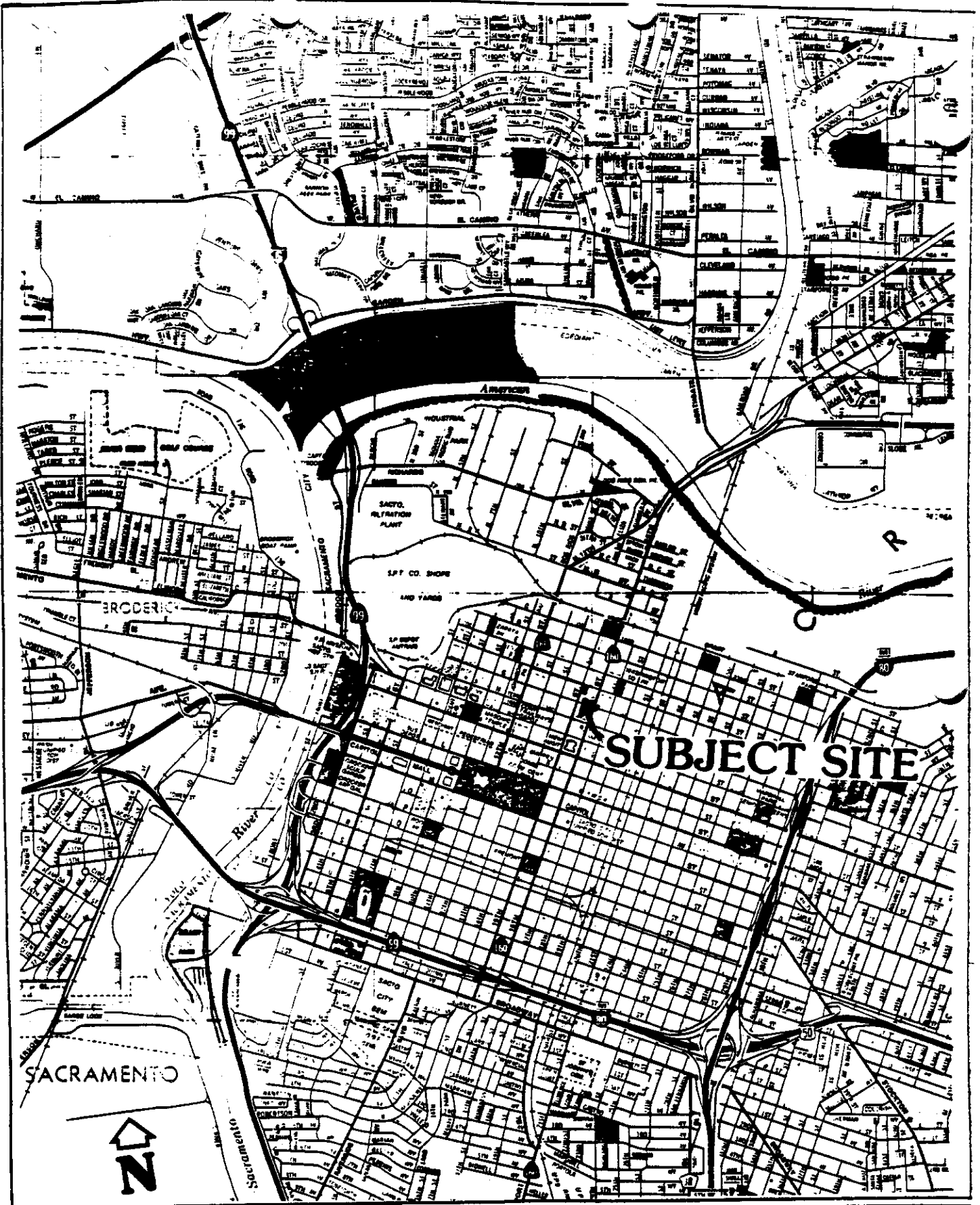
RECOMMENDATION: Staff recommends the Commission take the following actions:

- A. Ratify the Negative Declaration.
- B. Deny the special permit based upon findings of fact which follow.
- C. Deny the variance to waive one required parking space based upon findings of fact which follow:

Special Permit-Denial

1. The proposed land use is not based on sound principles of land use in that:
  - a. the proposed expansion encourages the development of a blighted area by adding to the existing concentration of establishments in the area dispensing alcoholic beverages.
  - b. the expansion is detrimental to current efforts by police, surrounding neighbors, and public officials to combat existing illegal activities.
  - c. adequate on-site parking is not provided.
2. The proposed expansion will result in the creation of a nuisance to surrounding properties in that:
  - a. the use is incompatible with surrounding residential uses.
  - b. parking cannot be waived unless a specific unique circumstance limiting on-site parking is established. No such circumstance exists to warrant the waiver of the parking space.
  - c. the variance would not be granted to other tenants facing similar circumstances.
3. The project, if granted, would be injurious to the public welfare and property in the area in that the waiver of required parking will congest on-street parking that is already in demand due to the existing shortage of on-site parking at the subject site.
4. The proposed project is not consistent with the following goal of the Central City Community Plan:

Conserve all viable residential neighborhood of non-compatible uses and excessive vehicular traffic.

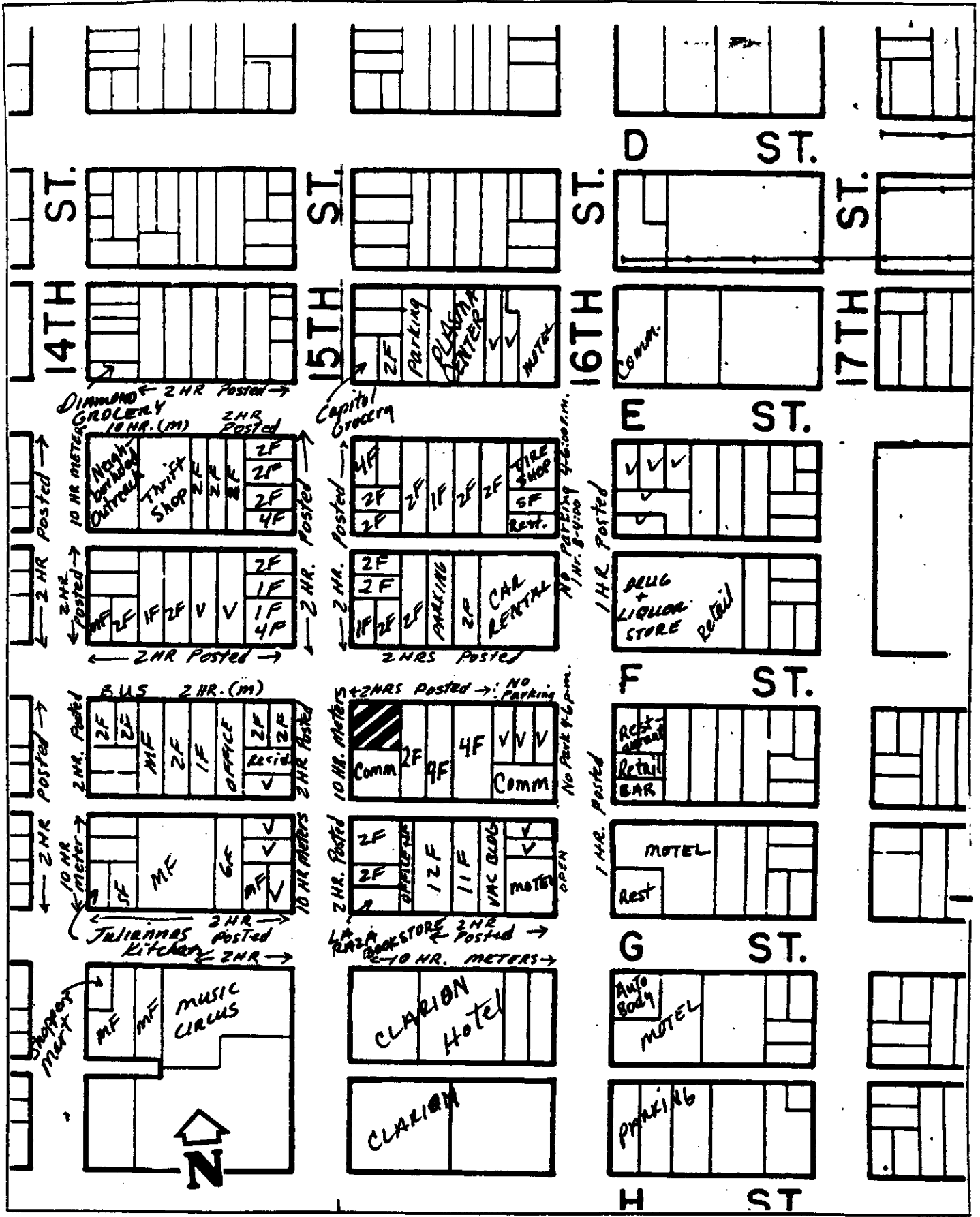


**VICINITY MAP**

pp. 465

12-17-87

IPR #12

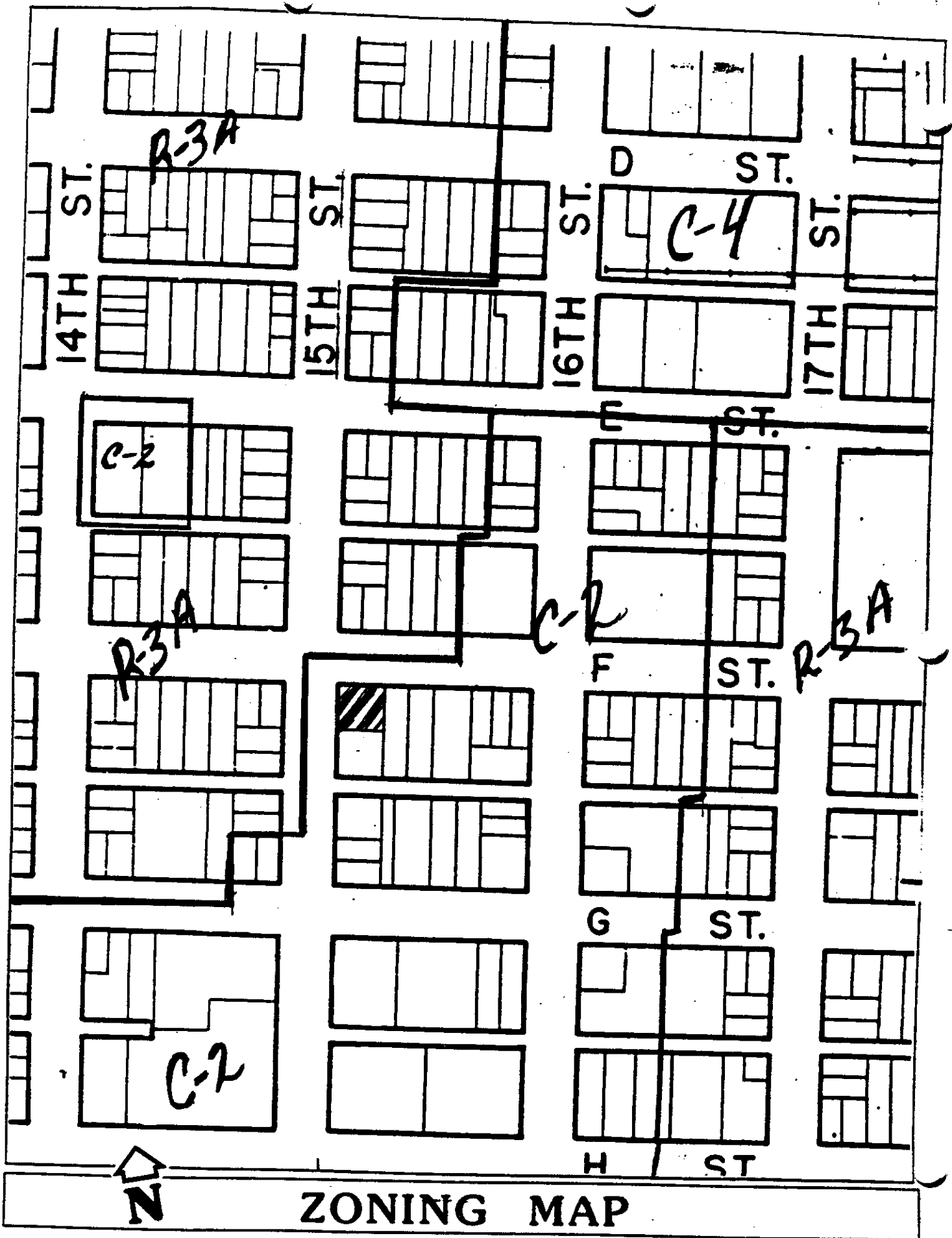


# LAND USE MAP

186-465

12-17-87

Item 15



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12-17-87

Item 15

# EXHIBIT A

Sheet A Index

NO.	DESCRIPTION
1	SITE PLAN
2	PROPOSED LAYOUT
3	SECTIONAL PLANS
4	SECTIONAL PLANS

Area Statistics

Lot Area	10,000 sq. ft.
Area to be occupied	10,000 sq. ft.
Area to be developed	10,000 sq. ft.

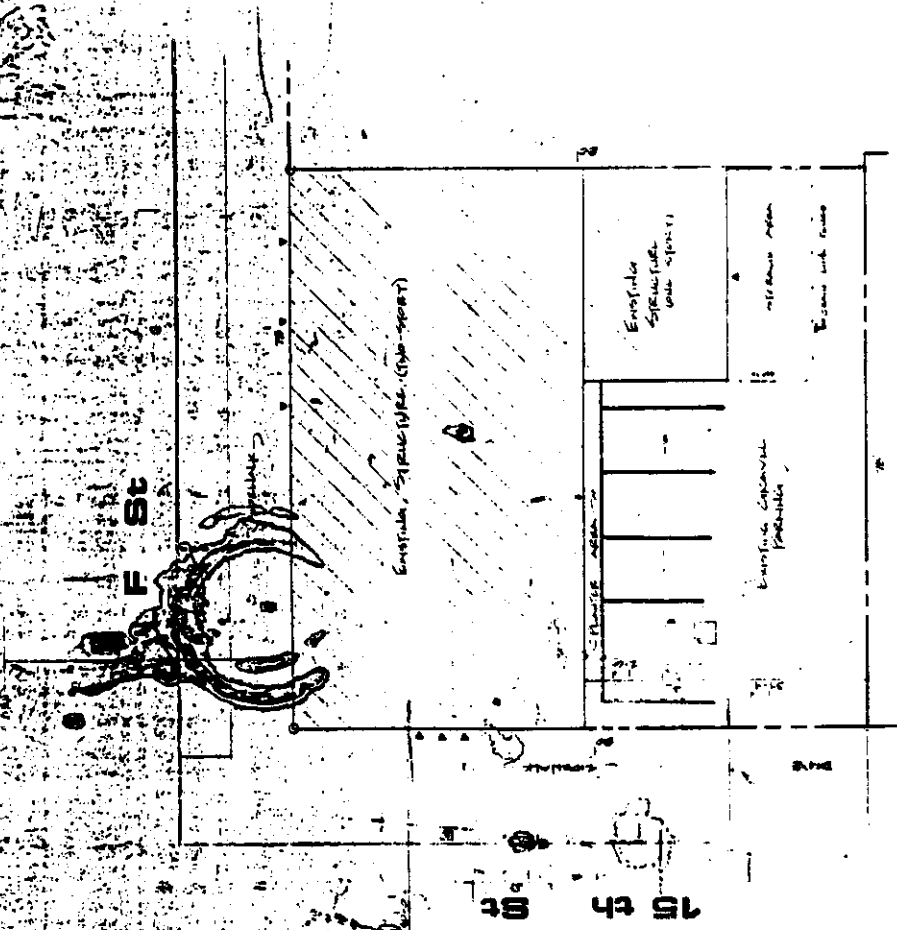
## General Notes

- All work, materials, equipment, and methods shall be subject to the approval of the City Engineer. The contractor shall be responsible for obtaining all necessary permits and approvals.
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# SITE PLAN



## SITE PLAN

JOE'S CORNER  
601 15th St  
SACRAMENTO, CA

Assessor's Parcel No. 2-171-02

Lot Area	10,000 sq. ft.
Area to be occupied	10,000 sq. ft.
Area to be developed	10,000 sq. ft.

FINAL CHECK SET

12-17-87

SI II





200-021

12-17-87

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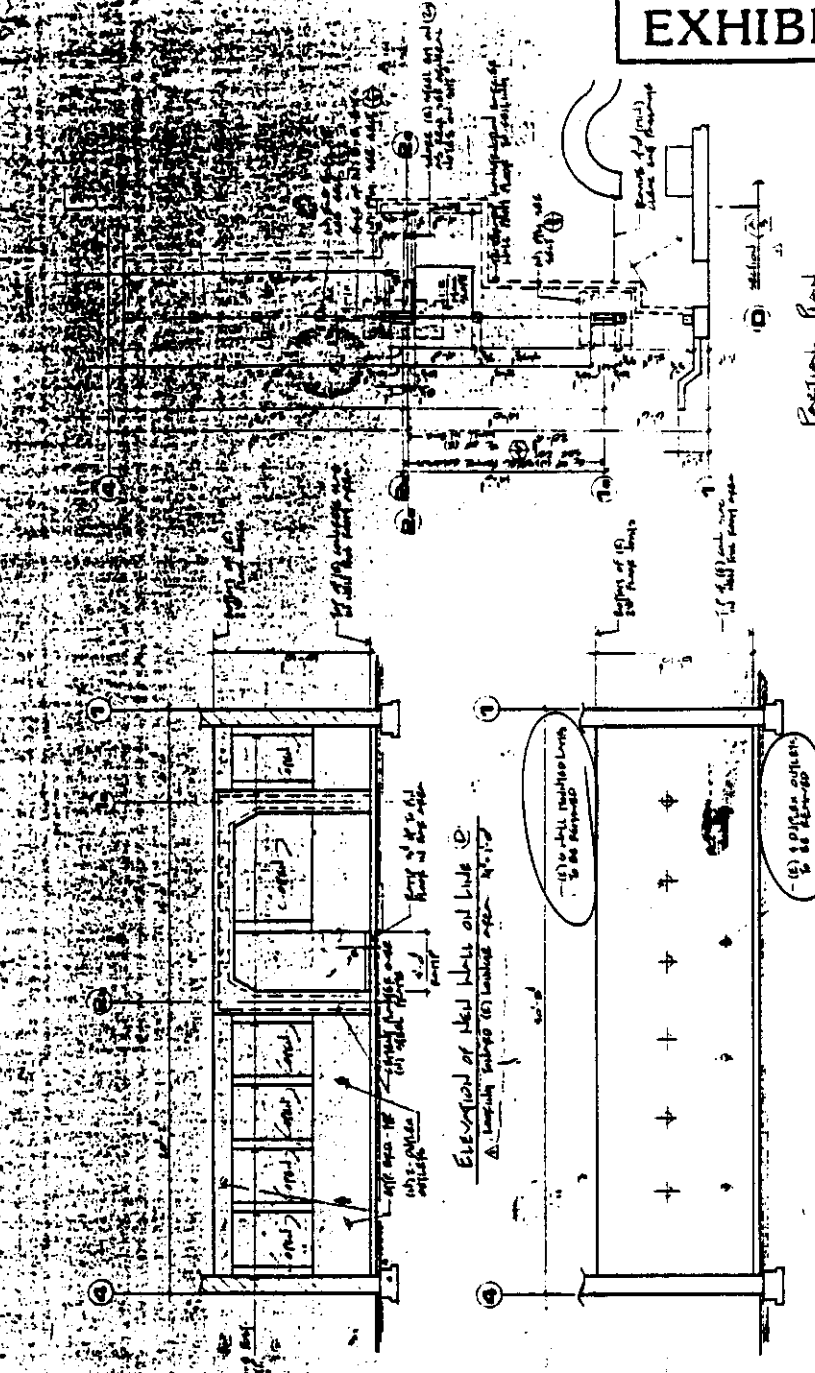
# EXHIBIT C

ARCHON ENGINEERING  
 1316 42nd Street, Suite 100  
 San Francisco, CA 94114  
 Tel: 415-774-1100  
 Fax: 415-774-1101

Eric N. Odom  
 ELECTRICAL ENGINEER  
 License No. 10000

L. O. Odom's Corner  
 1001 1st St.  
 San Francisco, CA 94104  
 (415) 497-0888

DATE	12-17-87
PROJECT	27th Street
DESCRIPTION	REVISIONS
NO.	4

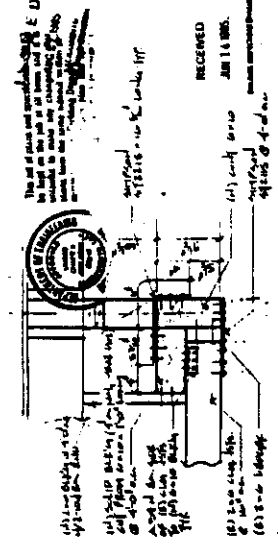


REMOVE RAIN CAP (CONDUIT AND CONDUITORS)  
 AT NEAT 3 BOX IN UNDISTURBED SOIL

**ELECTRICAL DIVISION**  
 Elevation of Existing walls on Link D  
 (Including Existing Reinforcement in Wall)  
 New Wall  
 Make as comply with the National Electrical Code  
 (NEC) and the California Electrical Code (CEC)  
 and the City of San Francisco Electrical Code (SFC)  
 and the City of San Francisco Building Code (SBC)  
 and the City of San Francisco Fire Code (SFC)  
 and the City of San Francisco Health Code (SFC)  
 and the City of San Francisco Safety Code (SFC)  
 and the City of San Francisco Utility Code (SFC)  
 and the City of San Francisco Transportation Code (SFC)  
 and the City of San Francisco Environmental Code (SFC)  
 and the City of San Francisco Cultural Code (SFC)  
 and the City of San Francisco Historical Code (SFC)  
 and the City of San Francisco Landmarks Code (SFC)  
 and the City of San Francisco Planning Code (SFC)  
 and the City of San Francisco Public Works Code (SFC)  
 and the City of San Francisco Police Code (SFC)  
 and the City of San Francisco Fire Department Code (SFC)  
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 and the City of San Francisco Fire Department Code (SFC)  
 and the City of San Francisco Public Health Code (SFC)  
 and the City of San Francisco Public Safety Code (SFC)  
 and the City of San Francisco Public Utilities Code (SFC)

*New Wall*

Approved electrical engineer  
 27 March 88  
 P.C. (AW)



RECEIVED  
 DATE  
 PROJECT NO.  
 DESCRIPTION  
 NO.



# EXHIBIT D

CITY OF SACRAMENTO CITY PLANNING DEPARTMENT

DEC 04 1987

RECEIVED

DEPARTMENT OF POLICE  
HALL OF JUSTICE  
813 6TH STREET

SACRAMENTO, CALIFORNIA 95814  
TELEPHONE (916) 449-5121

JOHN P. KEARNS  
CHIEF OF POLICE

December 3, 1987

Ref. 12-2

## MEMORANDUM

TO: WILL WEITMAN, SENIOR PLANNER  
CITY PLANNING DIVISION

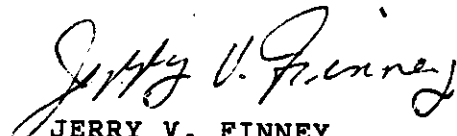
FROM: JERRY V. FINNEY, ASSISTANT CHIEF  
SACRAMENTO POLICE DEPARTMENT

SUBJECT: SPECIAL PERMIT FOR THE EXPANSION OF JOE'S CORNER BAR  
(P-87-465)

Due to the severe crime problem and the opposition of the surrounding neighbors, the Police Department is opposing the request for the expansion of Joe's Corner Bar, located at 601 15th Street. We have also expressed our opposition to the State Alcoholic Beverage Control Commission.

For your information, during the first six months of 1987, we have received 270 Criminal Offense Reports and made 192 arrests in that area bounded by E and H Streets, 13th and 17th Streets. The arrests included 51 which were drug related, 46 for crimes against persons, 35 for prostitution and 21 for driving under the influence.

We feel that any expansion of an alcoholic beverage related business in this area will only lead to an increase in the existing problems and detract from the efforts being made to combat them.

  
JERRY V. FINNEY  
Assistant Chief of Police

JVF/ks

P87-465

12-17-87

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# EXHIBIT E

December 9, 1987

Mr. Frank Ramirez, Chairman  
City Planning Commission  
1231 I Street  
Sacramento, California 95814

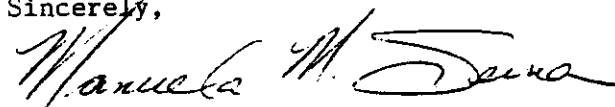
Dear Mr. Ramirez:

As a result of being contacted by one of your staff members, Ms Connie Spade, I have attached a packet of material submitted by a group of downtown residents to Alcoholic Beverage Control concerning Joe's Corner.

This group of downtown residents has been meeting since May of this year from a spin off of a community forum held by the Mayor's Hispanic Advisory Committee. This meeting was held as a result of residents complaining about the drugs, prostitution, and crime in the area. In attendance were a number of community based organizations, law enforcement agencies, and city officials, i.e. Mayor Rudin, District Attorney John Dougherty, Police Chief Kearns, Councilman Joe Serna. At this community forum residents signed up to form a group to deal with the problems in the area. The Mayor's Hispanic advisory Committee began to assist these residents with their concerns. There are many problems these residents have to face in this area. One of these problems is Joe's Corner and the illegal activity that goes on in and around this place. These concerns are reiterated on the attached protest forms submitted by the downtown residents to Alcoholic Beverage Control. It was this group of downtown residents who alerted the Alcoholic Beverage control of the illegal expansion activity going on in Joe's Corner.

It goes without saying that these downtown residents are completely opposed to Joe's Corner request to waive the required variance for parking.

Sincerely,



Manuela M. Serna, Chairperson  
Mayor's Hispanic Advisory Committee

cc: Mayor Rudin.

87-465

12-17-87

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EXHIBIT F.

OFFICE OF THE  
MAYOR

CITY OF SACRAMENTO  
CALIFORNIA

CITY HALL  
ROOM 205  
915 I STREET  
SACRAMENTO, CA  
95814-2672

ANNE RUDIN  
MAYOR

916-449-5300

Mr. John Sauderlund  
Alcoholic Beverage Control  
83 Scripts Drive, Suite 301  
Sacramento, CA

Dear Mr. Sauderlund.

I have been kept informed by Manuella Serna, Chair of my Mayor's Hispanic Advisory Committee of the work they have been doing with our downtown residents. I am pleased that your agency has investigated the concerns of these residents regarding Joe's Corner. I understand that some violations were discovered and are in the process of being corrected.

At this time, I would like to express my support and concern for the downtown residents in cleaning up our community of illegal activity related to drugs, prostitution, and serving of alcoholic beverages to minors. I am in support of the downtown residents wanting reputable businesses that are compatible to the neighborhood and not businesses that are a nuisance and hinderance to residents and their families. Thank you once again for working with my committee.

Sincerely,

Anne Rudin  
Mayor

280-455

12-17-87

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**EXHIBIT G**



**BOARD OF SUPERVISORS  
COUNTY OF SACRAMENTO**  
700 H STREET, SUITE 2450 • SACRAMENTO, CA 95814

**GRANTLAND JOHNSON  
SUPERVISOR, FIRST DISTRICT  
(916) 440-5485**

June 9, 1987

Mr. John Sauderlund  
Alcoholic Beverage Control  
83 Scripps Drive, Suite 301  
Sacramento, CA 95825

Dear Mr. Sauderlund:

I would like to support the Mayor's Hispanic Advisory Committee's efforts in working with downtown residents to clean up the area of drugs and crime.

During my tenure with the City Council, the Mayor's Hispanic Advisory Committee was an invaluable resource in combating drugs and crime though the Sacramento area.

I am pleased that your agency is working with downtown residents in eradicating illegal activities related to drugs or crimes.

The downtown area is part of my Supervisorial District. I am very concerned that businesses are reputable and compatible to residents in this area. Therefore, I support the committee's and residents' concern for a clean and safe community.

Sincerely,

*Grantland Johnson*  
GRANTLAND JOHNSON, Supervisor  
First District

GJ:kj

44-465

12-17-87

Item # 12



## EXHIBIT H

Sacramento County  
The Community of Trees

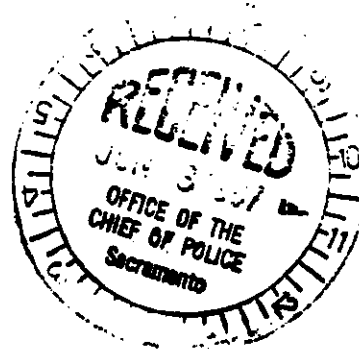


**BOARD OF SUPERVISORS  
COUNTY OF SACRAMENTO**  
700 H STREET, SUITE 2450 • SACRAMENTO, CA 95814  
(916) 440-5481

**ILLA COLLIN**  
SUPERVISOR, SECOND DISTRICT  
Joyce Mihanovich  
Administrative Assistant

May 29, 1987

John P. Kearns, Chief  
City Police Department  
813 6th Street  
Sacramento, California 95814



Dear Jack:

I am sorry I'm not able to join you and the Washington Neighborhood area residents to discuss problems in the area. I share the residents' concerns for the wonderful old area of our city which is currently experiencing a renaissance. There are many young families with small children in the area and they deserve the attention from the city and the police which will help them as they rebuild this section of our community.

There are three areas which have been reported to our office as problem sites by several sources.

- 1) Corner of 14th & E Streets on 14th St. side. Second house on the west side of the street across from a church.
- 2) Corner of D and 12th Streets. Second or third house on D Street, sits back in lot on north side (beyond empty lot behind rattan shop)
- 3) 624 14th Street

I'm quite concerned about the 624 14th Street address because there appears to be so many little children living in that building.

I hope the neighborhood discussion will lead to stricter police enforcement in the area. Our entire community needs to cleanse itself of the current drug scourge. However, in areas where the problem seems to be so rampant, I would like to encourage immediate action.

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12-17-87

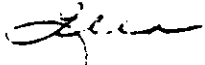
ILLI to 15

Exhibit H (Continued)

John P. Kearns  
May 28, 1987  
Page 2

Thank you for your invitation. I'm sorry my schedule will not allow me to be present. If you have further questions, please call my office.

Sincerely,



ILLA COLLIN, Supervisor  
Second District

IC:jt

cc: Dave Shore, City Councilman  
Linda Boudier  
Tim Quintero, Director, Alkali Flat PAC

87-132

87-132

12-22-87

Hearts

# EXHIBIT Y

LAW OFFICES OF  
DRIVER, DRIVER & HUNT  
A PROFESSIONAL ASSOCIATION  
101 DRIVER AND HUNT BUILDING  
1220 H STREET  
SACRAMENTO, CALIFORNIA 95814

TELEPHONE  
(916) 443-6725

PHILIP F. DRIVER  
THOMAS M. HUNT  
DAVID R. DRIVER  
THOMAS M. HUNT, JR.  
PHILIP S. DRIVER (1890-1923)  
B. F. DRIVER (1901-1951)  
ROBERT S. DRIVER (1924-1975)

December 10, 1987

Will Weitman, Senior Planner  
City Planning Division  
1231 I. Street  
Sacramento, California 95814

RE: Special permit for the expansion of Joe's Corner (P-87-465)

Dear Mr. Weitman:

Please be advised that we represent Mr. and Mrs. James C. Vogell, owners of "Joe's Corner" at 601 - 15th Street, Sacramento; and that this letter is in response to letters sent you in opposition to their pending application for permit to enlarge the interior of Joe's.

The first letter being responded to is that of Manuela M. Serna dated December 9, 1987. Ms. Serna's letter states:

1. Illegal activities go on in Joe's; and
2. A group of downtown residents alerted the Alcoholic Beverage Control of the illegal expansion activity going on in Joe's Corner.

These are statements based upon heresay, and they are vehemently denied by the Vogellis.

Ms. Serna attaches to her letter letters from Mayor Anne Rudin and Supervisor Grantland Johnson; both of which are addressed to Mr. John Sauderlund of the Alcoholic Beverage Control. Except for one statement of Mayor Rudin's letter, the Vogellis are 100% in accord with the contents of these letters. The statement is: "I understand that some violations were discovered and are in the process of being corrected". ABC has, as stated in Mayor Rudin's letter, investigated Joe's; and the Vogellis have not been advised of any violations and, in this respect, there have not been, nor are, any violations being corrected.

As to the remainder of Mayor Rudin's letter and as to whole of Supervisor Johnson's letter, the Vogellis take no exception. They are family oriented people and own the property at 601 - 15th Street; which not only houses Joe's Corner but, also, tenants who reside above the business. The Vogellis do not allow illegal activities in

87-465

12-17-87

Item # 15



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their premises, and do everything possible to keep such activities away from the immediate area of their property.

In reference to the letter of Police Chief John P. Kearns dated May 29, 1987, none of the properties described therein is that of our clients.

As to the memorandum from Assistant Chief of Police Jerry V. Finney dated December 3, 1987, please note that out of all the 270 criminal offense reports stated therein, there is no reference to any being at the premises of our clients.

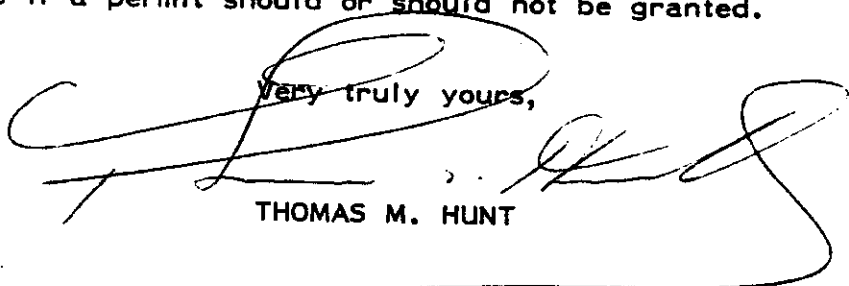
In sum and substance:

1. All agree, including the Vogelis, that the area in question needs cleaning up. The Vogelis have been, presently are, and will continue to support and work towards doing so. Not only are they personally opposed to the type of activities within and about the area, they have a business and property investment to protect.
2. The Vogelis desire to re-open the small restaurant section of the premises for fast food. The application for special permit is merely to allow the customers at Joe's to take their beverage from the bar section into the other section.
3. There is an application pending before ABC for the same type of permit being sought from the City. Such application was pending and about to be acted upon when the City ordinance was passed; and, of course, this ordinance was passed after the City had granted a building permit to the Vogelis for revision of the restaurant portion of the premises and after such revisions were substantially made. If the City grants the special permit, there will then be an evidentiary hearing at ABC. It will be at this hearing that evidence will be presented for and against the application for expansion; and there will be for the first time an opportunity by the Vogelis to examine persons under oath who testify as to any illegal activities at Joe's.

Based upon the background of this matter, it would appear that the City should not at this point deny the application. Let ABC, which has complete knowledge of the background and present status of Joe's, conduct an evidentiary hearing; and based upon evidence, determine if a permit should or should not be granted.

Thank you.

Very truly yours,



THOMAS M. HUNT

TMH/cl

102-465

12-17-87

J. Hunt 15