

CITY PLANNING COMMISSION

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

APPLICANT: <u>98 Cent Clearance Center, 1760 Enterprise Blvd., West Sacramento, CA 95691</u>
OWNER: <u>Stockridge Partners, 369 San Miguel Dr., #100, Newport Beach, CA 92660</u>
PLANS BY: <u>N/A</u>
FILING DATE: <u>5-18-92</u> ENVIR. DET.: <u>Cat. Ex. 15301(a)</u> REPORT BY: <u>Mike Dale</u>
ASSESSOR'S PCL. NO.: <u>022-0280-033</u>

APPLICATION: **Special Permit Modification** to relocate an existing retail use that sells beer and wine for off-premises consumption from a 3,000± square foot location to a 10,000± square foot location in an existing 153,483 square foot shopping center located on 14.8± developed acres in the General Commercial (C-2) zone.

LOCATION: 5101 Fruitridge Road
(City Council District #5)

PROPOSAL: The applicant wishes to transfer the special permit that was granted for 5221 Fruitridge Road to 5101 Fruitridge Road.

PROJECT INFORMATION:

General Plan Designation:	Community/Neighborhood Commercial & Offices
Existing Zoning of Site:	General Commercial (C-2)
Existing Land Use of Site:	Shopping Center

Surrounding Land Use and Zoning:

North:	Shopping Center (C-2)
South:	Fruitridge Road; General Commercial (C-2)
East:	Shopping Center (C-2); Stockton Boulevard
West:	Standard Single Family (R-1)

Parking Required (@ 1/250):	40 spaces
Parking Provided:	40 spaces
Property Dimensions:	Irregular
Property Area:	14.8± acres
Square Footage of Building:	10,000
Height of Building:	15'
Topography:	Flat
Street Improvements & Utilities:	Existing
Exterior Building Materials:	Stucco
Roof Material:	Flat, hot mop

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PROJECT EVALUATION: Staff has the following comments:A. Land Use and Zoning

The project site is located on 14.8± acres at the north-west corner of Fruitridge Road and Stockton Boulevard - known as the Stockridge Shopping Center. The site is developed with numerous retail stores including a drug store, grocery store, restaurants, liquor store, rental center, cleaners, law office, hair salon, and parking. The site is surrounded by commercial land uses zoned C-2 to the north, east, and south, and single-family residences zoned R-1 to the west. The site is located in the General Commercial (C-2) zone and is designated as Community/ Neighborhood Commercial & Offices according to the General Plan.

B. Applicant's Proposal

The applicant is proposing to relocate an existing retail use (98 Cent Clearance Center) from a 3,000± square foot location to a 10,000± square foot location within the same shopping center. The applicant wishes to transfer the special permit to the new site located at 5101 Fruitridge Road.

C. Staff Evaluation

On July 28, 1988, the City Planning Commission approved a special permit, with conditions, to allow the sale of beer and wine for off-site consumption in a 3,000 square foot retail store located at 5221 Fruitridge Road within the Stockridge Shopping Center. Then, as now, a high concentration of businesses which dispense alcoholic beverages exists within the project vicinity (see Exhibit C - Concentration Map). In areas with a high concentration of alcoholic sales, problems with public drunkenness and loitering often emerge. In order to reduce the likelihood of problems arising from nearby off-premises consumption, staff recommends that the same conditions which were applied to the original special permit be applied to the new location. These conditions are as follows:

1. Beer and wine shall not be refrigerated on-site.
2. The sale of wine shall be in bottles or containers no smaller than 750 ml. except for wine coolers in original factory purchased four (4) packs.
3. The petitioners shall not allow any loitering and/or consumption of alcoholic beverages in any exterior premises under the control of the petitioners. Appropriate signs shall be posted in the rear of the premises which prohibit loitering and/or consumption of alcoholic beverages.

If the requested entitlement is approved, staff will place a notice in the former file (P88-260) indicating that the special permit for the former site has become invalid.

The original special permit for 5221 Fruitridge Road was approved by the Planning Commission on July 28, 1988. No objections to granting the special permit were expressed during that hearing. The Stockton Boulevard Business Improvement Association has reviewed this current application, and no comments or concerns were expressed. Similarly, the City Police Department has stated that no adverse impacts have occurred as a result of the existing special permit.

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D. Agency Comments

Copies of the application were forwarded to City agencies including the Department of Public Works, Building Inspections, and the City Police Department. The following comments were received:

City Police:

No adverse impacts have resulted due to the special permit. However, we recommend that the following message be posted conspicuously outside and inside the building.

"Possession of open containers of alcohol is prohibited on these premises and adjacent public areas. (P.C. Section 647e)"

ENVIRONMENTAL DETERMINATION: The project is found to be categorically exempt from further environmental review pursuant to sections 15301(a) of the California Environmental Quality Act Guidelines.

RECOMMENDATION: Staff recommends approval of the Special Permit subject to Conditions and based on Findings of Fact which follow:

Conditions:

1. Alcoholic beverages shall not be refrigerated on-site.
2. The sale of wine shall be in bottles or containers no smaller than 750 ml. except for wine coolers in original factory purchased four (4) packs.
3. The petitioners shall not allow any loitering in any exterior premises under the control of the petitioners. Appropriate signs shall be posted in the rear of the premises which prohibit loitering.
4. The following sign shall be posted conspicuously outside and inside the building.

Possession of open containers of alcohol is prohibited on these premises and adjacent public areas. (Section 647e P.C.)

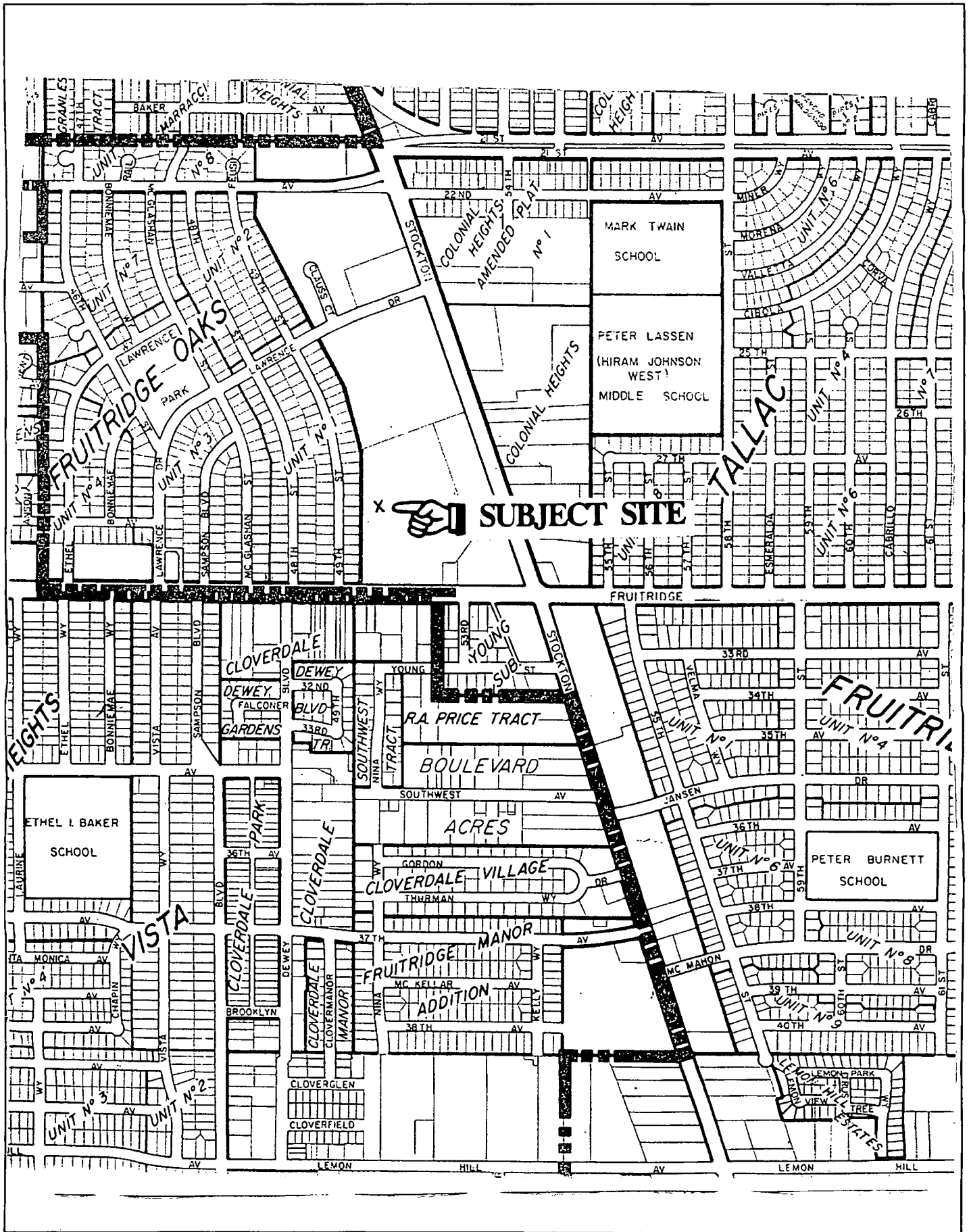
Findings of Fact:

1. The proposal, as conditioned, will not adversely affect the peace or general welfare of the surrounding neighborhood in that:
 - a) alcoholic beverages will not be refrigerated on-site, and
 - b) wine will be sold only in bottles or containers no smaller than 750 ml (except for wine-coolers in original factory purchased four (4) packs).

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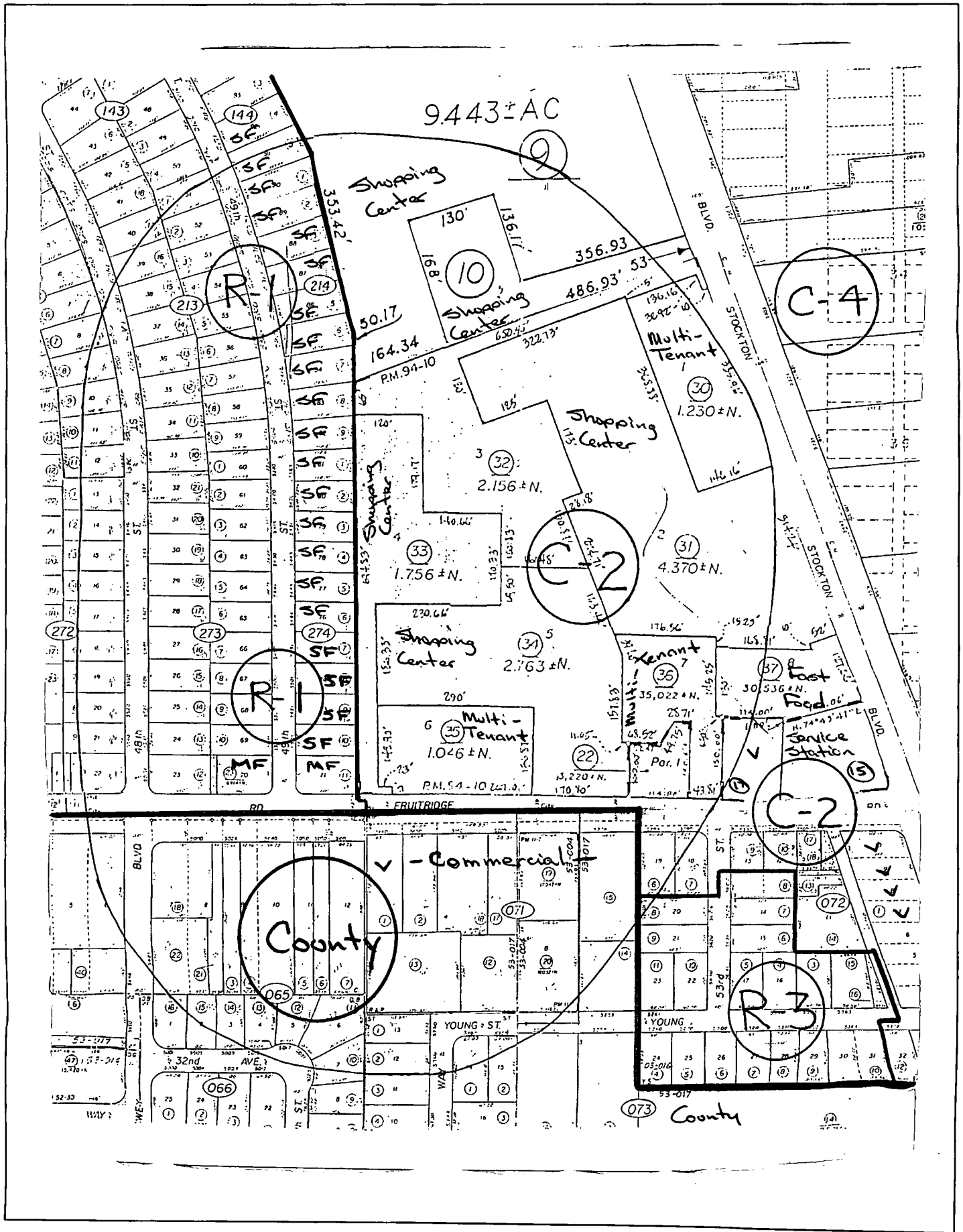
2. The proposal, as conditioned, will not result in an undue concentration of establishments dispensing alcoholic beverages in that the proposal is not an application for a new special permit but a modification of a previously granted permit. No additional establishments will be located in the area.
3. The proposed use, as conditioned, will not enlarge or encourage the development of a skid row or blighted area in that:
 - a) loitering and/or consumption of alcoholic beverages in any exterior premises under the control of the petitioners will not be permitted, and
 - b) signs will be posted in the rear of the premises which prohibit loitering and/or consumption of alcoholic beverages.
4. The proposed use, as conditioned, will not be contrary to or adversely affect any program of redevelopment or neighborhood conservation in that no such program is in effect at this time.

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VICINITY MAP

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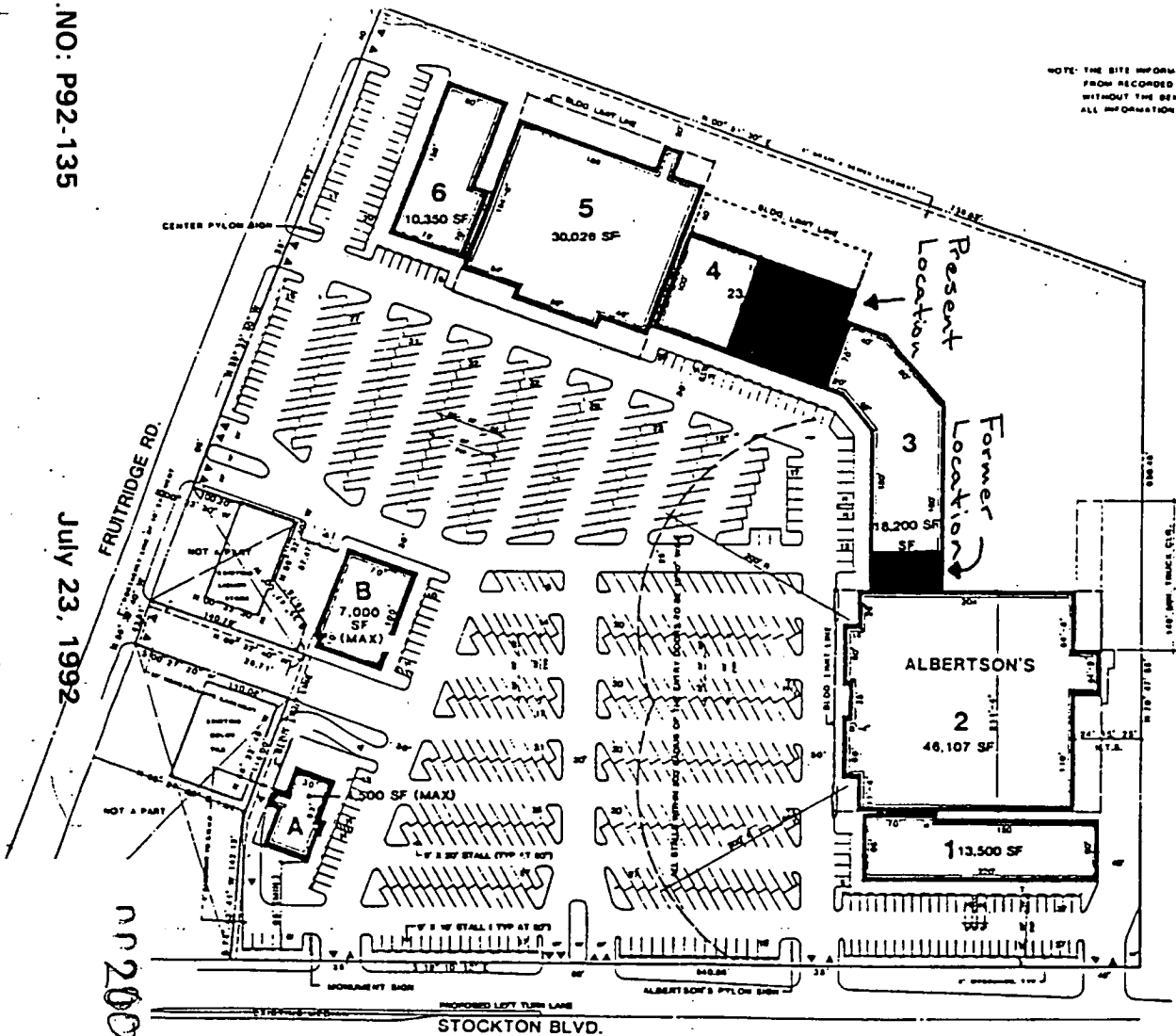


LAND USE AND ZONING MAP 082004

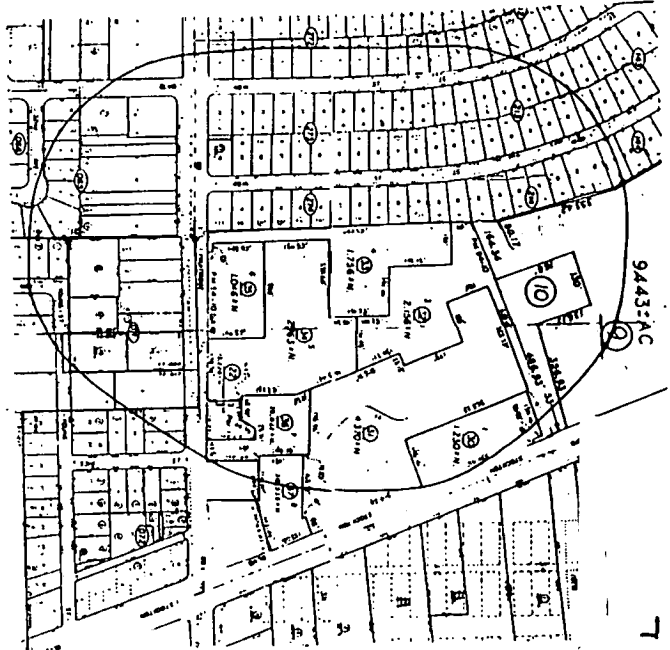
July 23, 1992

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NOTE: THE SITE INFORMATION HAS BEEN OBTAINED FROM RECORDED DATA AND WITHOUT THE BENEFIT OF A SURVEY. ALL INFORMATION SHOULD BE VERIFIED BY THE USER.



Neighborhood context map

SUMMARY

LAND AREA	BUILDING AREA	LAND/BLDG. RATIO	PARKING REQUIRED	PARKING PROVIDED

PARKING REQUIRED WAS BASED ON:
RETAIL - 1 SPACE PER 200 SF
RESTAURANT - 1 SPACE PER 50 SF

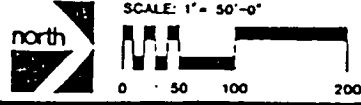
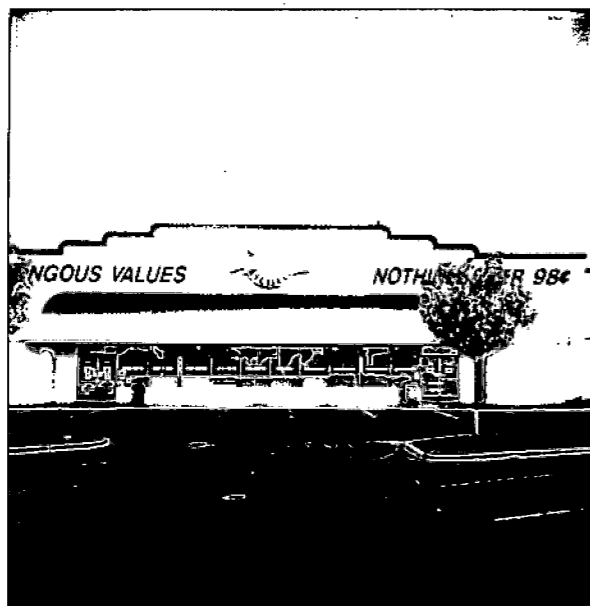


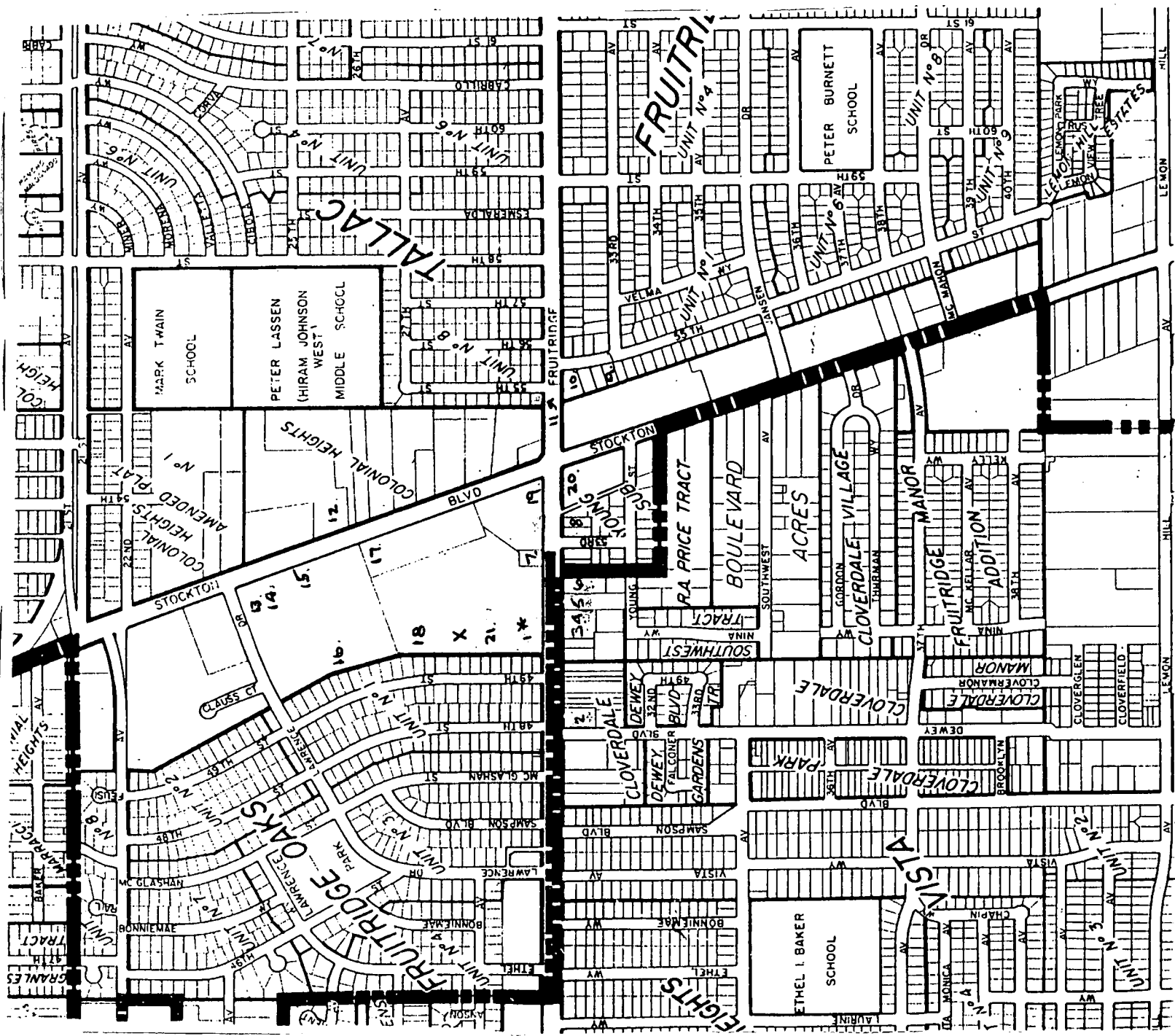
Exhibit B
Photograph of Exterior



New Location

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Exhibit C
Concentration Map



* See Exhibit D - Table

**Exhibit D
Concentration Map Table**

1. Restaurant
2. Gas Station Convenience Market
3. Restaurant
4. Market
5. Restaurant
6. Liquor Store
7. Liquor Store
8. Restaurant
9. Restaurant
10. Shopping Center
11. Gas Station Convenience Market
12. Restaurant
13. Restaurant
14. Restaurant
15. Restaurant
16. Discount Store
17. Restaurant
18. Albertson's (Grocery Store)
19. Gas Station Convenience Market
20. Silver Fox Card Room
Restaurant
21. Payless Drug Store (non-refrigerated beer)