

Community Plan Designation:	Offices
Existing Land Use of Site:	Neighborhood Commercial
Existing Zoning of Site:	Shopping Center
	Shopping Center- Review (SC-R)

Surrounding Land Use and Zoning:

North: Shopping Center- PUD (Stonecreek Plaza)
 South: Apartments, R3-R- PUD (Delta Pointe)
 East: Apartments, R3-R (Delta Ridge)
 West: Shopping Center, SC- PUD (Park Plaza)

Square Footage of Shopping Center	93,338 square feet
Square Footage of Existing leased area	703 square feet
Square Footage of Proposed leased area	1,885 square feet
Height of Building:	18 feet, one story
Exterior Building Materials:	Stucco
Parking Provided:	452 spaces (entire shopping center)
Parking Required:	373 spaces (entire shopping center)
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

OTHER APPROVALS REQUIRED: In addition to the entitlements requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

<u>Permit</u>	<u>Agency</u>
Off- premise Alcohol sales permit	State Alcohol Beverage Control Department
Letter of Necessity	Police Department
Building Permit	Building Division

BACKGROUND INFORMATION:

The applicant proposes to move the existing liquor store to a more central location within the Discovery Park Shopping Center three doors west of the South Natomas Community Center. The liquor store is a legal non-conforming use in that it was not required to get a Special Permit when it originally located at it's present location. The bar and restaurant known as Cheers- will be moving across the street to the Stonecreek Shopping Center.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

The proposed liquor store relocation is consistent with the General Plan and the

South Natomas Community Plan.

The proposed liquor store relocation is consistent with the General Plan Goal A for Neighborhood/ Community Commercial and Office Areas which states:

Ensure that all areas of the City are adequately served by neighborhood/ community shopping districts.

The proposed relocation conforms to the "Guiding Policies" and the "Implementing Policies" for Shopping Centers in the South Natomas Community Plan. The Guiding Policies are:

1. Designate shopping center sizes and locations to maximize convenience and shopper choice, balancing these attributes with protection of the viability of existing commercial development.
2. Avoid retail development of a regional nature that attracts out of area traffic.

The Implementing Policy is:

Limit designation of neighborhood and community commercial to a level that meets overall community demand for retail goods and services.

B. Site Plan Design/Zoning Requirements

1. Setbacks, Parking /Circulation, Landscaping, Building Design

Since the proposed location of the liquor store is in the Discovery Park Plaza Shopping Center; the setbacks, parking/ circulation, landscaping, and building design are associated with the shopping center requirements. No changes are proposed to the exterior walls. The Police Department has a number of proposed conditions, some of which are related to landscaping. The proposed Police conditions are listed in Section C under PROJECT REVIEW PROCESS.

4. Signage

The applicant will be taking the sign at his present location and mounting it at his new location. The applicant would need to comply with the police

restrictions against placing signs in the window and any other requirements placed by the shopping center owner which complies with the City sign ordinance.

PROJECT REVIEW PROCESS:

A. Environmental Determination

The proposed project is exempt from environmental review pursuant to Sections 15301 and 15305 of the State EIR Guidelines. Section 15301 (a) exempts interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances. Section 15305 exempts minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density.

B. Public/Neighborhood/Business Association Comments

The application for the proposed use was sent to the following neighborhood groups: Natomas Community Association, Natomas Journal, Natomas Community Service Center, Discovery Village Homeowners, South Natomas Business Association, South Natomas Against Crime. The Natomas Community Association expects that the present off-site liquor license will be transferred to the proposed relocated site.

C. Summary of Agency Comments

The project has been reviewed by several City Departments and other agencies. The following summarizes the comments received:

1. Police Department

The Police Department has submitted conditions for the proposed liquor store relocation. The police conditions will be a condition of approval of the Special Permit. The conditions are listed in their entirety in the Notice of Decision and Findings of Fact (Attachment 1). The conditions are summarized below:

- a. Appropriate lighting levels
- b. Visible parking area
- c. Unobstructed store windows
- d. Posting of no open alcoholic container signs
- e. Bike racks
- f. No video machines

- g. Minimum interior security standards
- h. Litter removal
- l. Report illegal activities to Police
- j. No public telephones
- k. Posting "no loitering" signs.
- l. Minimum of two employees per shift
- m. No Alcoholic beverages sold between 11 p.m. and 6 a.m.
- n. Beer and malt liquor sold only in six packs.
- o. Wine sold in containers of at least 750 ml.
- p. Wine not to contain more than 15% by volume.
- q. Wine coolers not sold in anything less than four packs.
- r. Distilled spirits sold in containers of at least 200 ml.
- s. Signs listing conditions n-r conspicuously posted.

2. Solid Waste Division of the Department of Public Works

The Solid Waste Division submitted the following comments:

- a. The cost of waste disposal will increase dramatically during the next several years. Therefore, recycling and waste reduction opportunities become important means of increasing profit through cost avoidance.
- b. The size of the trash enclosure needs to be adequate to accommodate several collection containers. Inadequate enclosure or storage space for the collection of solid waste and recyclable materials creates architectural barriers to resource recovery.
- c. The Solid Waste Division provides free waste audits to interested businesses. We are also able to incorporate recycling into solid waste collection. Subscribers to Solid Waste Division disposal service can receive cardboard recycling at no additional charge.
- d. Businesses that choose private sector service should inquire about the recycling opportunities that company offers. Recycling should still be cheaper than disposal.

PROJECT APPROVAL PROCESS: Of the entitlements below, the Planning Commission has the authority to approve or deny the Special Permit. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:


- A. Adopt the attached Notice of Decision and Findings of Fact which finds that the project is **Exempt** pursuant to CEQA Sections 15301 and 15305; and
- B. Adopt the attached Notice of Decision and Findings of Fact approving the **Special Permit** to allow general alcoholic beverage sales for off-premises consumption in a relocated liquor store in an existing shopping center in the Shopping Center-Review (SC-R) Zone.

Report Prepared By,

Report Reviewed By,



Doug Holmen
Associate Planner



Scot Mende
Senior Planner

Attachments

- Attachment 1 Notice of Decision & Findings of Fact
- Attachment 2 Vicinity Map
- Attachment 3 Land Use & Zoning Map
- Attachment 4 Convenience Store Conditions required by the Police Department

ATTACHMENT 1

AMENDED

NOTICE OF DECISION AND FINDINGS OF FACT FOR

**DISCOVERY PLAZA LIQUOR STORE, LOCATED AT 1508 W. EL CAMINO AVE.,
SACRAMENTO, CALIFORNIA IN THE
IN THE SHOPPING CENTER -REVIEW (SC-R) ZONE. (P97-071)**

At the regular meeting of October 9, 1997, the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

- A. Environmental Determination (exemption)
- B. Approved a Special Permit to allow general alcoholic beverage sales for off-premises consumption in a relocated liquor store in an existing shopping center in the Shopping Center- Review (SC-R) Zone.

These actions were made based upon the following findings of fact and subject to the following conditions:

FINDINGS OF FACT

- A. Categorical Exemption: The City Planning Commission finds and determines that the proposed project is exempt from environmental review pursuant to Sections 15301 and 15305 of the CEQA Guidelines.
- B. Special Permit to allow general alcoholic beverage sales for off-premises consumption in a relocated liquor store in an existing shopping center in the Shopping Center- Review (SC-R) Zone.
 - 1. The project is based upon sound principles of land use in that:
 - a. the proposed use will not adversely affect the peace and general welfare of the surrounding residential and commercial neighborhood;
 - b. the proposed use will not result in an undue concentration of establishments dispensing alcoholic beverages within a one mile

- radius of the site; and
- c. the proposed use does not have a potential to create the development of a crime problem in the area.
 - d. the proposed use will not be contrary to or adversely affect any program of redevelopment or neighborhood conservation in that it is part of an established shopping center development.
2. As conditioned, the project will not be detrimental to the public welfare and result in the creation of a public nuisance in that there is a potential for an increase in crime to the area.
 3. The project is consistent with the General Plan Goal A for Neighborhood/Community Commercial and Office Areas which states: "Ensure that all areas of the City are adequately served by neighborhood/ community shopping districts."

CONDITIONS OF APPROVAL

- B. The Special Permit for the proposed general alcoholic beverage sales for off-premises consumption is **approved** subject to the following conditions:
 - B1. Lighting levels shall be as follows: 1.5 foot-candles of minimum maintained illumination per square foot of parking space between the hours of dusk and one hour after sunrise. A minimum .25 foot-candles of illumination shall be provided at the surface of any walkway, alcove, or passageway related to the project during the same hours.
 - B2. The parking area must be visible for internal monitoring. Where windows are not appropriate for this purpose, closed circuit television shall be used. The type and location of the cameras shall meet the satisfaction of the Police Department.
 - B3. Store windows shall be left unobstructed by either signage or/and display racks, shelving, merchandise to allow viewing of the interior of the business by patrolling police.
 - B4. Licensee shall post and maintain on the premises and in the parking lot used in conjunction therewith notices clearly visible to the patrons of the licensee and parking lot and to persons on the public sidewalk stating, in block lettering, the following:

UNLAWFUL TO ENTER, BE OR REMAIN ON
ADJACENT PARKING LOT OR ADJACENT PUBLIC
SIDEWALK WITH AN OPEN ALCOHOLIC BEVERAGE
CONTAINER.

B& P Code 25612.5; C.P.C. 647E (A); S.C.C. 26:24 (c).

- ~~B5. Applicant shall provide bicycle security racks at the front of the business.~~
- B65. There shall be no video machine maintained upon the premises at any time.
- B76. The following minimum security standards shall be incorporated into the interior design of the building:
- a) The cashier station shall be raised to provide a noticeable height advantage to employees.
 - b) Mirrors or closed circuit television will be placed in such a manner as to provide employees with the ability to observe all hidden corners and blind spots.
 - c) Cold boxes shall be equipped with an audible enunciator to alert employees when the doors are opened.
 - d) The facility shall be equipped with UL approved money safes. Signs shall be prominently posted stating that employees do not have access to the safe.
 - e) The facility shall be equipped with remote locking devices to enable public entry doorway to be locked from cashier station.
 - f) No over the counter sales racks for cigarette packages or other merchandise shall be permitted.
- B87. The applicant shall be responsible for the removal of all litter generated by the business in the area adjacent to the building.
- B98. All illegal activities observed on or around the business shall be promptly reported to the Police Department.
- B409. No public pay telephones shall be maintained on the interior or exterior of the premises.

- B1110. Applicant shall work with the Licensing Coordinator of the Police Department to ensure that the property is posted for "No Loitering" in accordance with 602 (k) P.C. An agreement is to be filed with the Police Department which will allow officers to remove loiterers and applicants agreement to prosecute.
- B1211. Two employees shall be working at the store from ~~opening~~ 6:00 p.m. to closing every day.
- B1312. Alcoholic beverages may not be sold between the hours of 11 p.m. and 6 a.m.
- B1413. Sales of beer and malt beverages shall be in quantities of not less than a six pack.
- B1514. Sales of wine shall be in containers of at least 750 ml.
- B1615. No wine shall be sold with an alcohol content greater than fifteen percent (15%) by volume.
- B1716. Wine coolers, whether made for wine or malt products, shall not be sold in quantities of less than factory packs of four.
- B1817. Distilled spirits shall be sold in containers of at least 200 ml.
- B1918. Signs listing conditions ~~14 13~~ through ~~18 17~~ shall be conspicuously posted inside the store.

CHAIRPERSON

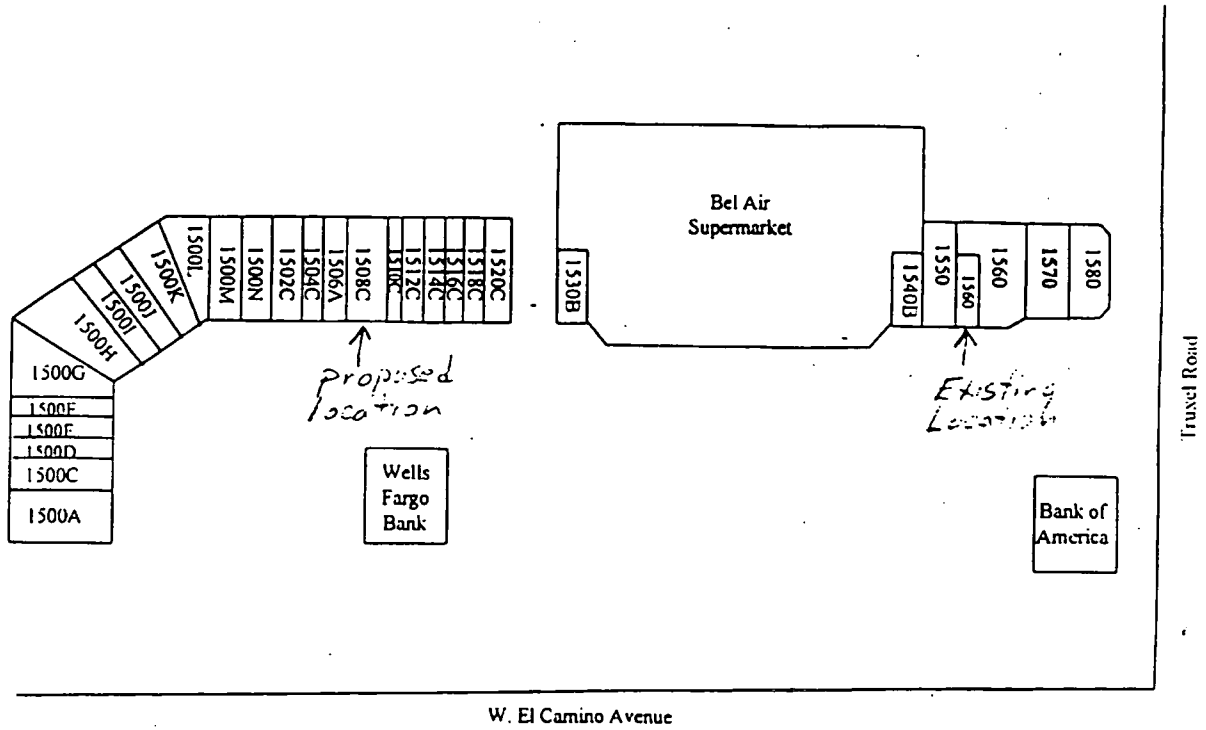
ATTEST:

SECRETARY TO CITY PLANNING COMMISSION

DATE (P97-071)

Exhibit 1a
Site Plan showing relocation of liquor store with the shopping center

Discovery Plaza



<u>Unit #</u>	<u>Tenant</u>	<u>Size</u>	<u>Unit #</u>	<u>Tenant</u>	<u>Size</u>
1500A	Jaspers Restaurant	3,688	1510C	Richard G. Leong, OD	1,005
1500C	Four Seasons Tanning	1,300	1512C	Health Choice	1,300
1500D	Frame-N-Lens	940	1514C	Pollo Oro	975
1500E	Donuts Plus	940	1516C	Teriyaki Express	975
1500F	Precision Six Hair	975	1518C	Discovery Point Travel	975
1500G	Value GM	2,070	1520C	Clifford A. Chow DDS	1,300
1500H	Omei Restaurant	2,170	1530B	Discovery Florist	1,199
1500I	Gift and Gab	1,575	1540A	Bel Air Market	40,325
1500J	Gift & Gab	1,575	1540B	Bel Air Deli	662
1500K	Sage Cleaners	2,420	1550	Natomas Chiropractic	1,077
1500L	P.W.S. Launderland	2,032	1560	Red Carpet Liquor	2,787
1500M	Mailboxes etc.	1,750	1560	Cheers Bar	-0-
1500N	Discovery Veterinarian	1,750	1570	Available*	1,914
1502C	Sheriffs Substation	975	1580	Taco Bell	1,961
1504C	Beauty Salon	975	Pad	Wells Fargo Bank	
1506A	Original Pete's Pizza	1,300	Pad	Bank of America	
1508C	Available	1,885			

* Former Ravioli Restaurant, Sub-lease,
Site Plan Not To Scale. Site Plan for Illustration purposes only.

Exhibit 1b
Floor plans of existing location

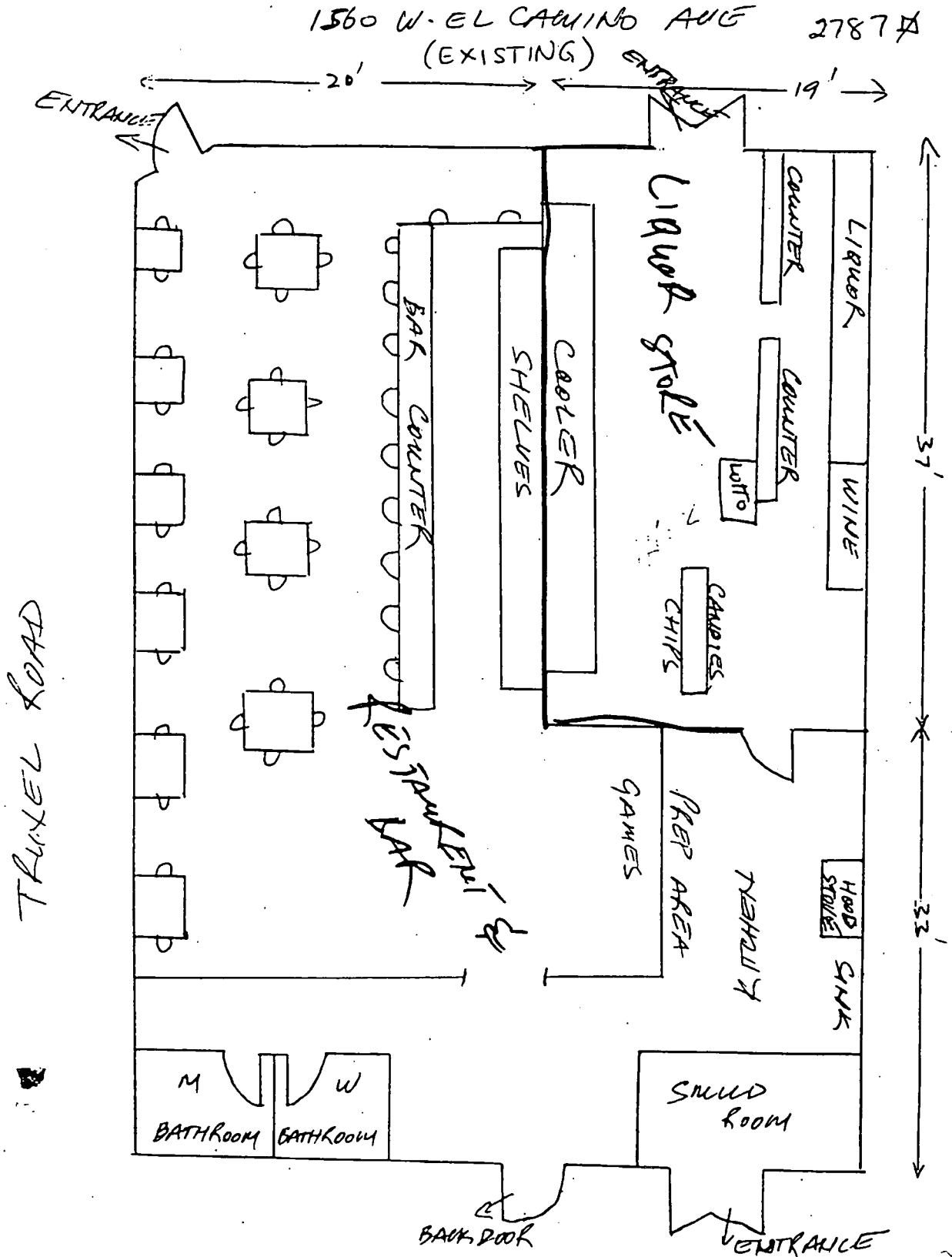


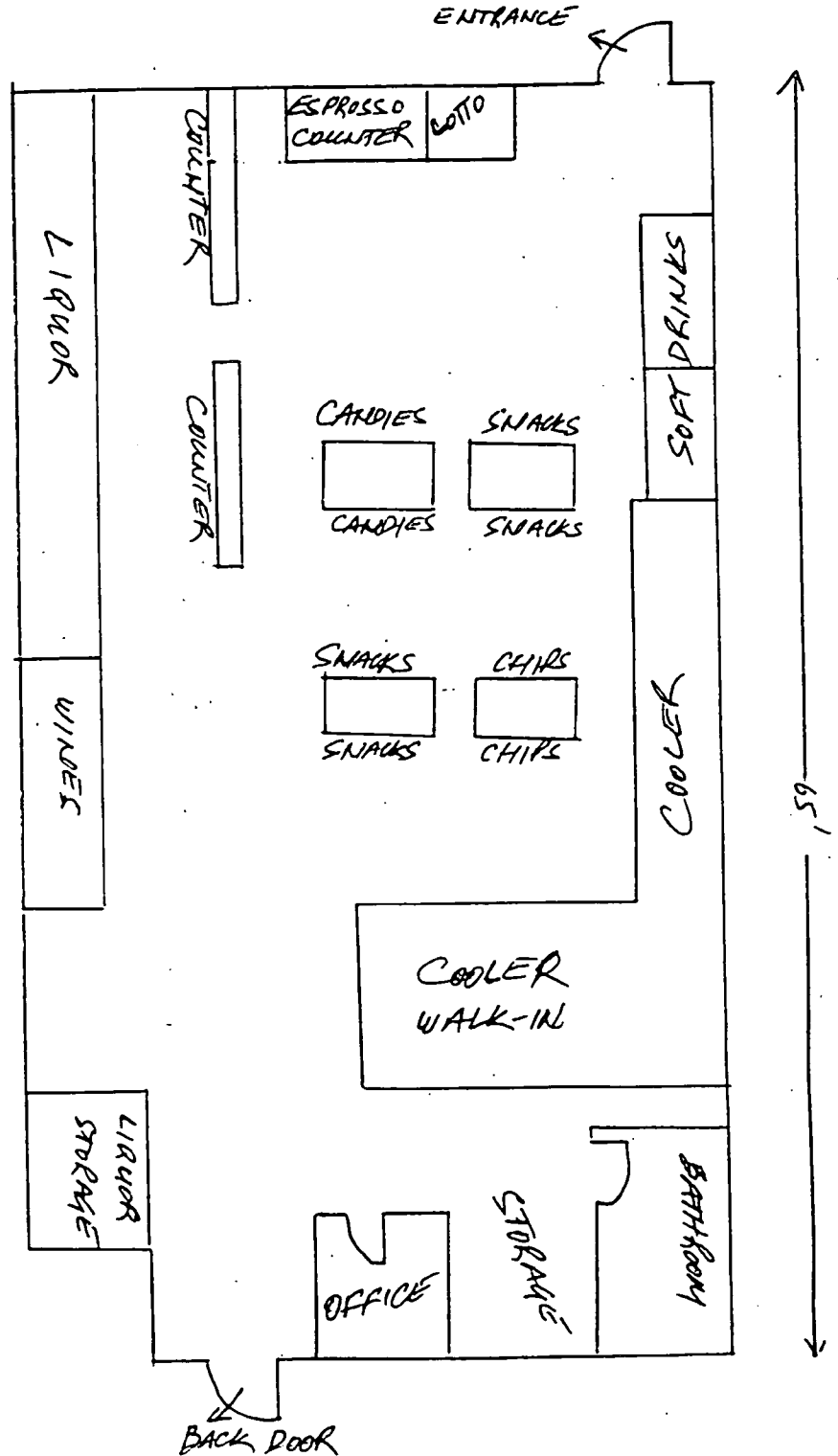
Exhibit 1c
Floor plans of proposed location

1508 WEST EL CAMINO AVE
(PROPOSED)

1885A

← 29' →

TRUYEL ROAD



Attachment 2
Vicinity Map



Attachment 3
Land Use and Zoning Map

