

STAFF REPORT AMENDED 10-11-84  
**CITY PLANNING COMMISSION**

927 10TH STREET, SUITE 300 - SACRAMENTO, CALIFORNIA 95814

APPLICANT HMR Architects, Inc., 2300 'P' Street, & JTS Engineering, 811 J St., Sacto.		
OWNER See* (multiple owners)		
PLANS BY HMR Architects, Inc., 2300 'P' St., & JTS Engineering, 811 'J' St., Sacramento		
FILING DATE 9/7/84	50 DAY CPC ACTION DATE	REPORT BY JP:bw
NEGATIVE DEC. Ex. 15301e EIR ASSESSOR'S PCL NO 010-223-13 thru 17		

- APPLICATION:**
- A. Special Permit to establish a drive-up service window for a proposed 160 seat restaurant (3-D-7)
  - B. Variance to locate 30 of 53 required parking spaces off site (6-A-12)
  - C. Lot Line Adjustment to merge four parcels (Subdivision Ord. 40.107)

**LOCATION:** 2331 Broadway

**PROPOSAL:** The applicant is requesting the necessary entitlements to construct a 160 seat 'Burger King' restaurant with a drive-up service window.

**PROJECT INFORMATION:**

1974 General Plan Designation: Commercial/Office  
 1980 Central City Community  
 Plan Designation: General Commercial  
 Existing Zoning of Site: C-2  
 Existing Land Use of Site: Drive in restaurant, bar and auto sales  
 (existing structures to be removed)

**Surrounding Land Use and Zoning:**

North: Auto Repair and Residential; C-2 and R-0  
 South: Bishop Manogue High School, Gen. Commercial; R-4 and C-2  
 East: Service Station, General Commercial; C-2  
 West: Office Building (under rehabilitation); C-2

Parking Required: 53 spaces  
 Parking Provided: 53 spaces  
 Parking Ratio: 1 space per 3 seats  
 Property Dimensions: Restaurant Site: 150' x 160'  
 Parking Lot Site: 80' x 150'  
 Property Area: .8± acre (restaurant and parking lot site)  
 Square Footage of Building: 3,331±  
 Topography: Flat  
 Street Improvements: Existing and to be provided  
 Utilities: Available to site  
 Exterior Building Colors: Earth tones  
 Exterior Building Materials: Brick, concrete roof tile, wood trellis and trim

*Name	Address	Parcel No.
Carl Jones	2048 Waterford Road, 95815	14,13
Mary Scordakis	150 Westcott Way, 95825	15
Agnes/James Fellos	1616-36th Street	16
Agnes Fellos/ Alaine Beers	1133 Brownwyk Drive, 95822	17

PROJECT EVALUATION: Staff has the following comments regarding this proposal:

- A. Land Use: The subject site consists of five parcels totaling 0.8± acres in the General Commercial (C-2) zone. The applicant proposes to merge the four parcels located at the northwest corner of Broadway and 24th Street, remove the existing restaurant and bar, and construct a 3,331± square foot Burger King restaurant with a drive-up service window. In order to provide the required parking for the 160 seat restaurant, the applicant proposes to convert an existing 12,000 square foot used car lot located at the northeast corner of 23rd Street and Broadway into a 30-space parking lot. The parking lot would remain a separate parcel from the restaurant site, necessitating a variance for off-site parking.
- B. Building and Site Plan Design: The subject parcels are located within the boundaries of the City's Design Review District, and the design of the proposed restaurant building and the restaurant and parking lot sites are subject to the review and approval of the City's Design Review Board. This review is tentatively scheduled for October 17, 1984.

All paved areas are required to comply with the 50% shading requirement. The preliminary landscaping plans submitted do not appear to meet this requirement. Revised landscape, shading and irrigation plans will need to be submitted for staff review and approval prior to issuance of building permits.

The applicant has indicated that if, in order to meet the shading requirements, it is necessary to reduce the number of parking spaces, the number of restaurant seats will be reduced accordingly.

Bicycle parking spaces, at a ratio of one space for every 50 off-street parking spaces, are required for the restaurant use. A minimum four-foot wide planter, excluding curbing, is also required adjacent to the property line abutting 23rd Street for the parking lot site. A revised site plan indicating these additions, shall be submitted for staff review and approval prior to issuance of building permits.

The proposed site plan has been reviewed by the City Traffic Engineering, Engineering and Fire Divisions. Traffic Engineering and Engineering require that the east half-section of 23rd Street be widened 20 feet and curbing be installed along Broadway west of 24th Street. These improvements should also be indicated on the revised site plan.

- C. Drive-up Service Window: The proposed site plan indicates a drive-up service window lane along the north and west property lines of the restaurant site. This lane appears to provide adequate stacking area for automobiles using the service window without interfering with the proposed parking areas and driveway entrances and exits. The required six-foot high solid masonry wall along the north property line should provide an adequate noise buffer between autos using the service window and the adjacent residential uses north of the alley. The Traffic Engineering Division recommends that the exit from the service window lane be moved farther north to insure that vehicles exiting the site are on the right side of the north/south alley when approaching Broadway. This may require relocating the restaurant farther to the north.

- D. The proposed lot line merger for the restaurant site was reviewed by the City Real Estate, Engineering and Water and Sewer Divisions. They had no objections to the requested lot line adjustment.

The two existing commercial structures on the restaurant site have been examined by the City's Preservation Board. The structures are not considered to be historically or architecturally significant. Preservation and Planning staff, therefore, have no objections to their removal.

- E. Staff has no objection to the applicant's request. The off-site parking is adjacent to the restaurant site and the additional landscaping along Broadway will improve the appearance of the street. Adequate parking will be provided, and the drive-up lane designed in such a way so as not to interfere with vehicles and pedestrians not using the drive-up service window. The design of the proposed building will be reviewed and approved by the Design Review Board to insure compatibility with existing structures in the area. Staff, therefore, recommends approval of the requested entitlements.

ENVIRONMENTAL DETERMINATION: The proposal is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15301(e)).

STAFF RECOMMENDATION: Staff recommends the following:

- A. Approval of the Special Permit, subject to conditions and based upon Findings of Fact which follow;
- B. Approval of the Variance, subject to conditions and based upon Findings of Fact which follow;
- C. Approval of the Lot Line Adjustment by adopting the attached resolution.

Conditions - Special Permit

1. Revised landscape, shading and irrigation plans for the restaurant site shall be submitted for staff review and approval prior to issuance of building permits.
2. The drive-up window service lane (exit at alley) shall be relocated farther to the north to the satisfaction of the Traffic Engineering Division.
3. Curbing along Broadway west of 24th Street shall be installed to the satisfaction of the Traffic Engineering and Engineering Divisions.
4. A revised site plan for the restaurant site indicating the number of seats (both inside and outside) and the location of bicycle parking spaces shall be submitted for staff review and approval prior to issuance of building permits.
5. Site plan and building design is subject to the review and approval of the City's Design Review/Preservation Board.
6. *The emergency exit proposed for the drive-thru lane shall be removed. (CPC added)*
7. *A 'right turn only' sign shall be placed where the alley intersects with Broadway. (CPC added)*
8. *A 'minimum height clearance' sign shall be placed at the drive-thru entrance. (CPC added)*

Conditions - Variance

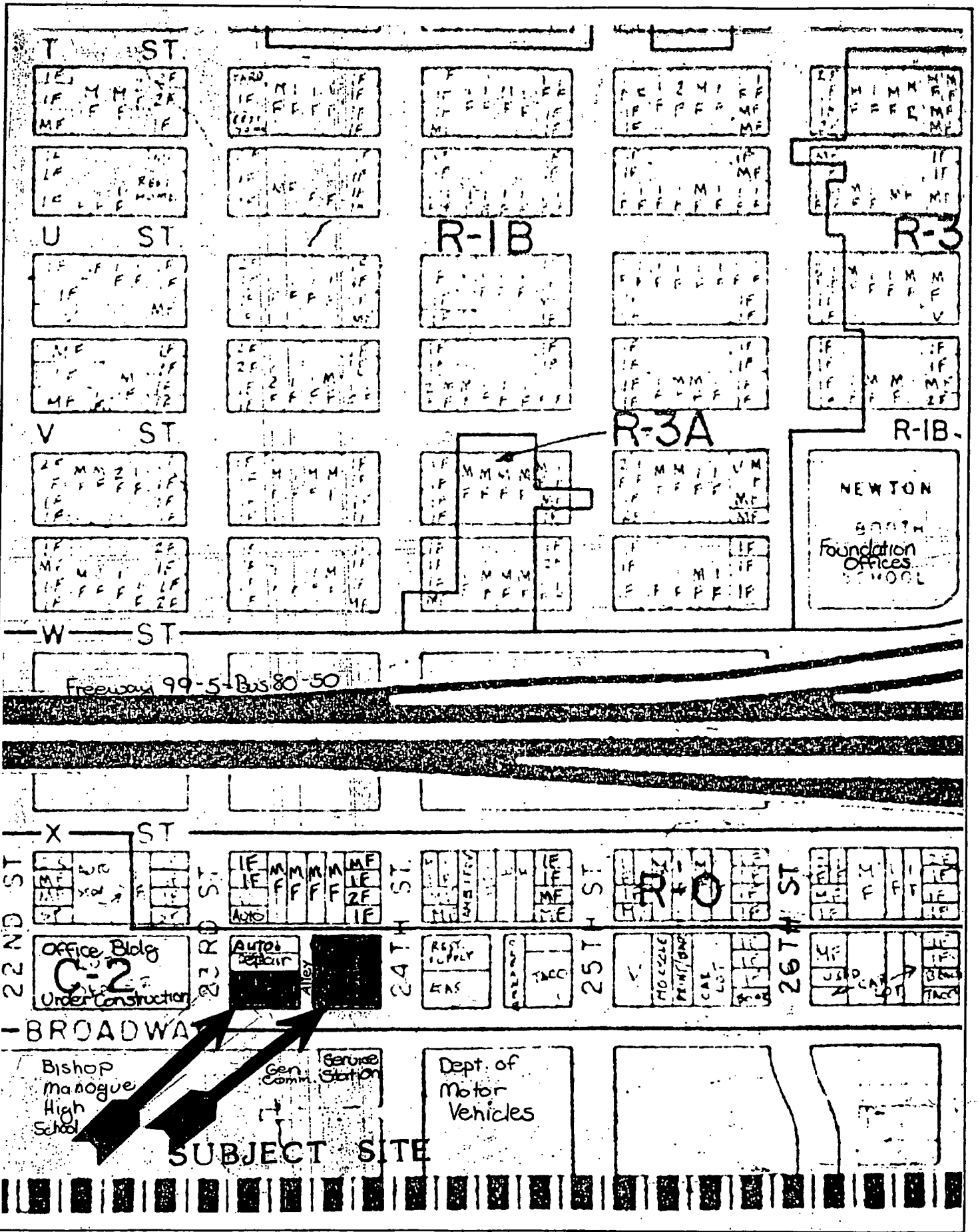
1. Revised landscape, shading and irrigation plans for the parking lot site shall be submitted for staff review and approval prior to issuance of building permits. Plans shall indicate a minimum four-foot wide planter along the property lines adjacent to 23rd Street frontage and the north/south alley.
2. The east half-section of 23rd Street shall be improved to the satisfaction of the Traffic Engineering and Engineering Divisions.

Findings of Fact - Special Permit

1. The special permit, as conditioned, is based upon sound principles of land use, in that:
  - a. the project is compatible with surrounding land uses which consist of commercial, office and restaurant uses;
  - b. adequate off-street parking is provided;
  - c. the project is located on a major street.
2. The special permit, as conditioned, will not be detrimental to the public health, safety or welfare, nor result in the creation of a nuisance, in that:
  - a. adequate auto stacking distance is provided for the drive-up service window lane;
  - b. the required six-foot high masonry wall will act as a noise buffer between the drive-up service window lane and adjacent residential uses to the north.
3. The proposed project is compatible with the 1974 General Plan and 1980 Central City Plan which designate the site for commercial and office uses.

Findings of Fact - Variance

1. The variance, as conditioned, is not a special privilege extended to one individual property owner, in that:
  - a. off-street parking will be provided to restaurant patrons on a convenient site adjacent to the restaurant use;
  - b. a variance would be granted to other property owners facing similar circumstances.
2. The proposed variance does not constitute a use variance, in that parking facilities are allowed in the General Commercial (C-2) zone.
3. The variance, as conditioned, will not be detrimental to the public health, safety or welfare, nor result in the creation of a nuisance, in that adequate landscaping will be provided for the parking lot use.
4. The proposed project is compatible with the 1974 General Plan and 1980 Central City Plan which designate the site for commercial and office uses.



# VICINITY - LAND USE - ZONING

# LOT MERGER EXHIBIT

APN. 010-223-13,14,15,&16

CITY OF SACRAMENTO

CALIFORNIA

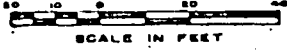
SEPTEMBER 1984



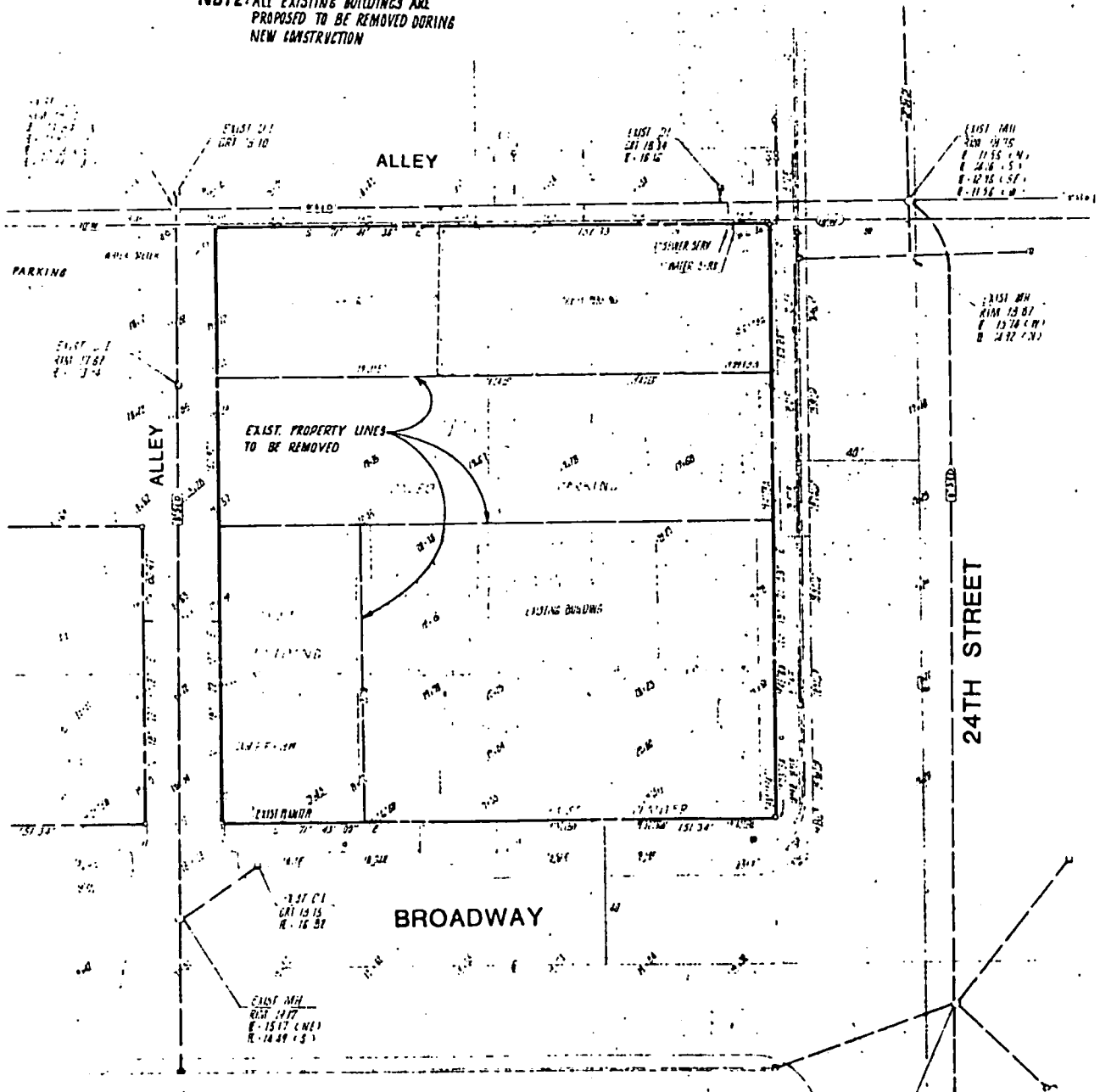
VICINITY MAP  
N.T.S.

EXHIBIT A

JTS ENGINEERING  
CONSULTANTS



NOTE: ALL EXISTING BUILDINGS ARE  
PROPOSED TO BE REMOVED DURING  
NEW CONSTRUCTION

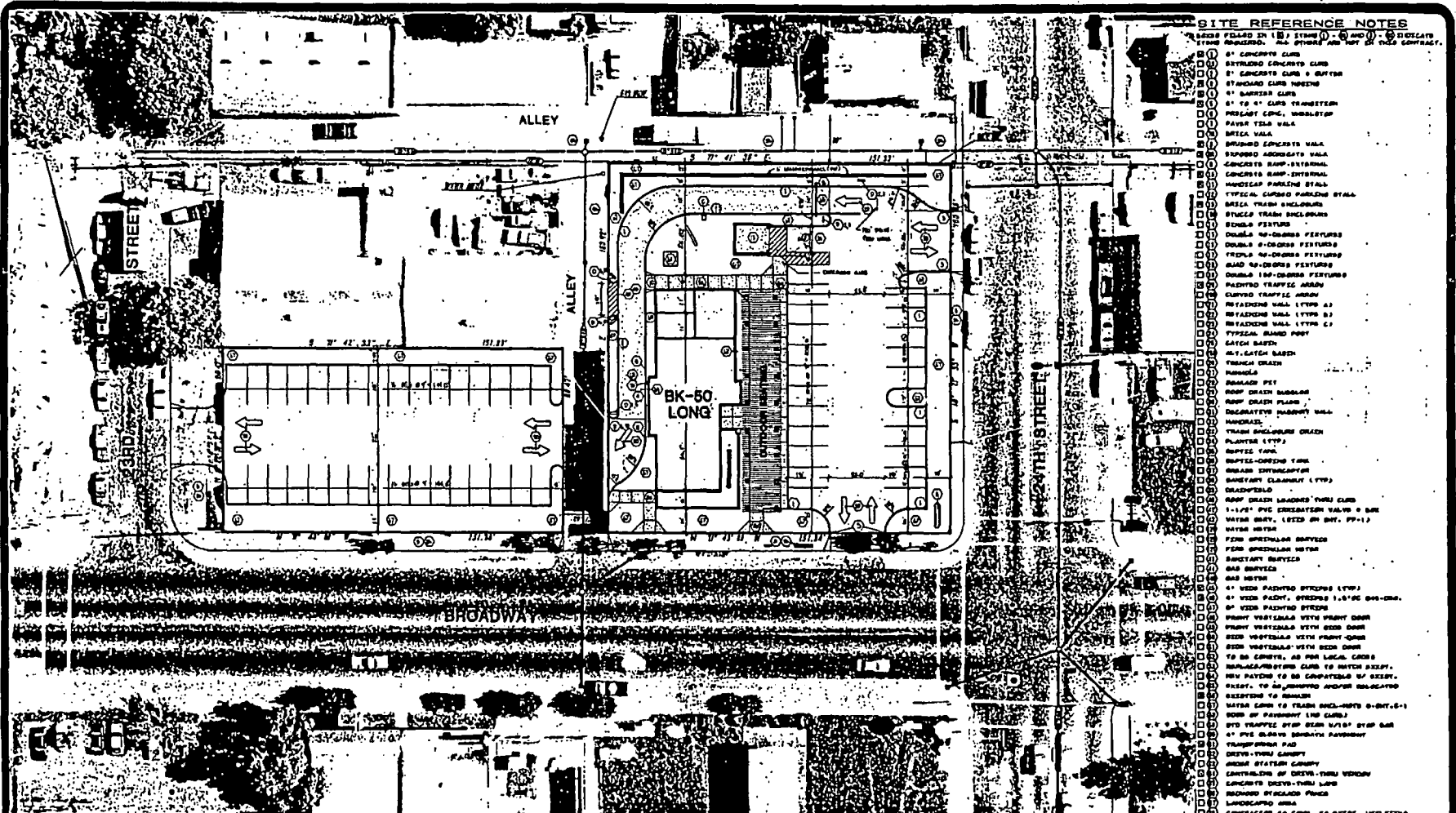


LEGAL DESCRIPTION  
PROPOSED PARCEL

ALL THAT REAL PROPERTY SITUATE IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

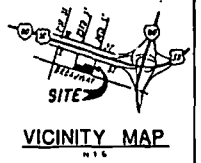
BEGINNING AT THE SOUTHEAST CORNER OF LOT 7336, AS SHOWN ON THE "PLAT OF CASA ALAMEDA TRACT;" RECORDED IN BOOK 7 OF MAPS, MAP NO. 6, RECORDS OF SAID COUNTY, SAID POINT OF BEGINNING BEING THE INTERSECTION OF THE NORTH LINE OF "Y" STREET WITH THE WEST LINE OF 24TH STREET, OF SAID CITY; THENCE FROM SAID POINT OF BEGINNING AND ALONG THE WEST LINE OF 24TH STREET NORTH  $18^{\circ}21'53''$  EAST, A DISTANCE OF 160.86 FEET; THENCE LEAVING SAID WEST LINE OF 24TH STREET NORTH  $71^{\circ}41'36''$  WEST, A DISTANCE OF 151.33 FEET; THENCE SOUTH  $18^{\circ}22'12''$  WEST, A DISTANCE OF 160.92 FEET TO THE NORTH LINE OF "Y" STREET; THENCE ALONG THE NORTH LINE OF "Y" STREET SOUTH  $71^{\circ}43'00''$  EAST, A DISTANCE OF 151.34 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING.

**P 84341**



**SITE REFERENCE NOTES**

- 1. SEE PLAN IN 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.



**LEGEND**

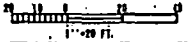
- 1. SITE IMPROVEMENT NOTES
- 2. UNCLE TOM'S
- 3. PROPOSED TRUCK LEAN
- 4. EXISTING CURB
- 5. PROPOSED CURB
- 6. EXISTING CURB/SURFACE
- 7. PROPOSED CURB/SURFACE
- 8. EXISTING SOBS OF PAVEMENT
- 9. PROPOSED SOBS OF PAVEMENT
- 10. EXISTING SPOT SIGNATURE
- 11. EXISTING CONTAIN

- 12. PROPOSED PAVEMENT SIGNATURE
- 13. PROPOSED CURB-PAVEMENT SIGNATURE
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**ON SITE SIGN NOTES**

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**GRAPHIC SCALE**



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APPROVER	
DATE	

RESTAURANT FOR:

**BURGER KING CORPORATION**

Mark D. Bachhaus  
Landscape Architect AIA

845 57th Avenue  
Suite 202, CA 95062  
408-487-1870



**SITE PLAN**

**EXHIBIT C**



# LANDSCAPE PLANS

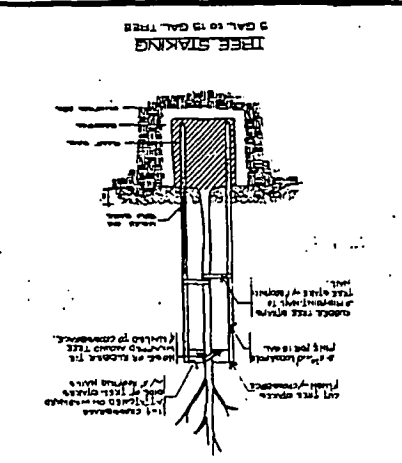
MARK D. BACKHAUS  
LANDSCAPE ARCHITECT

RESTAURANT FOR:

## BURGER KING CORPORATION

**NOTES**

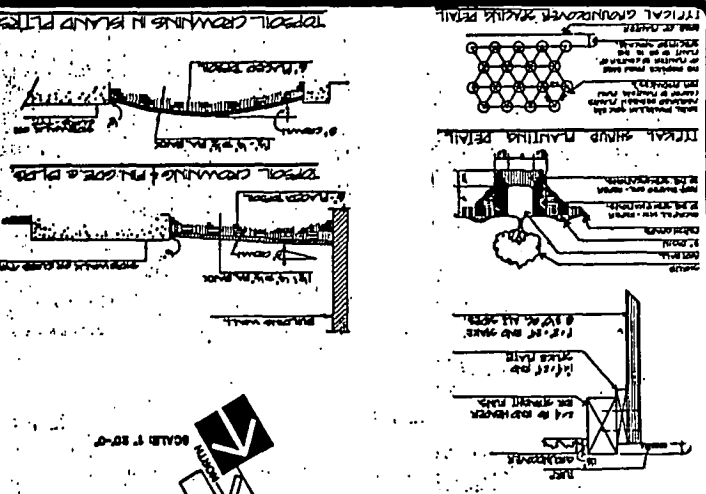
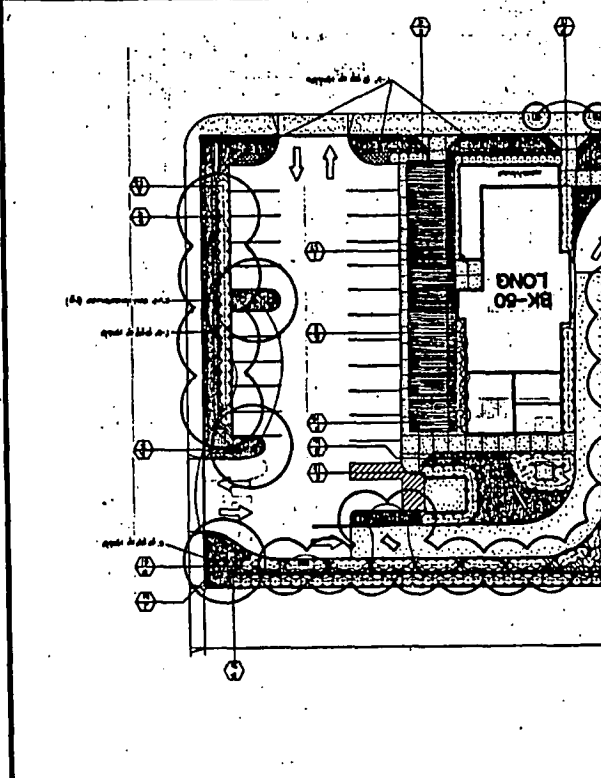
1. All plant material shall be installed in accordance with the specifications and quantities shown on the drawings.
2. All plants shall be installed in accordance with the specifications and quantities shown on the drawings.
3. All plants shall be installed in accordance with the specifications and quantities shown on the drawings.
4. All plants shall be installed in accordance with the specifications and quantities shown on the drawings.
5. All plants shall be installed in accordance with the specifications and quantities shown on the drawings.
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7. All plants shall be installed in accordance with the specifications and quantities shown on the drawings.
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9. All plants shall be installed in accordance with the specifications and quantities shown on the drawings.
10. All plants shall be installed in accordance with the specifications and quantities shown on the drawings.



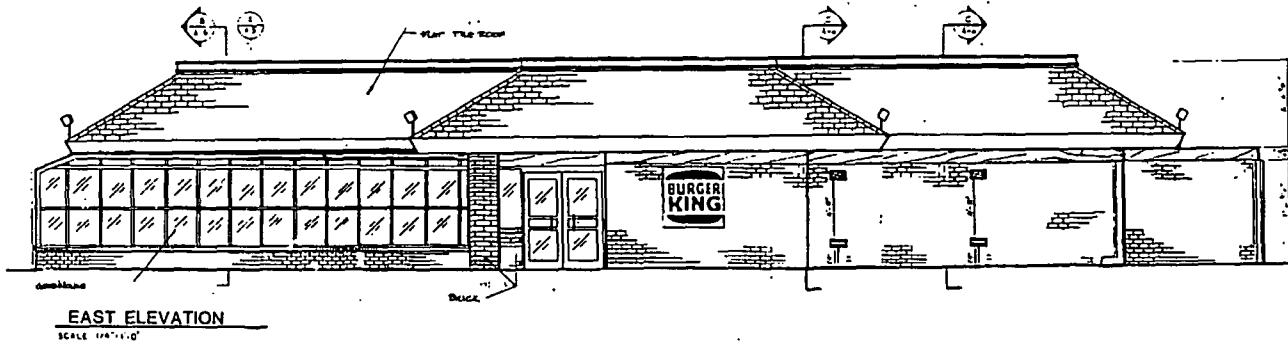
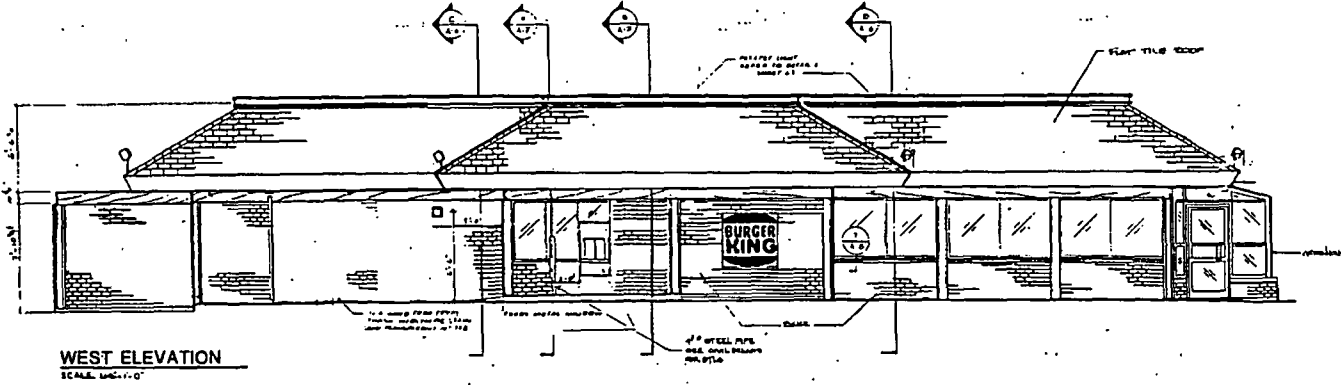
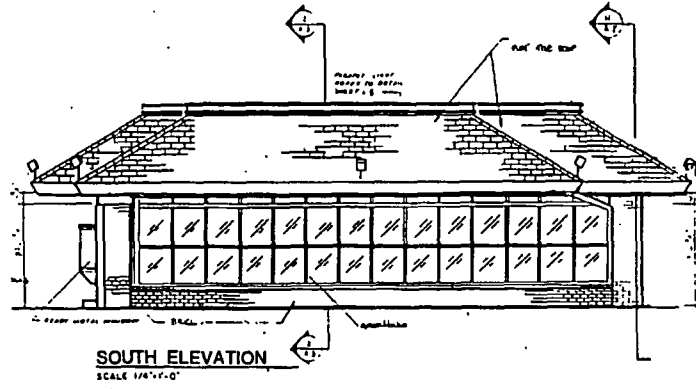
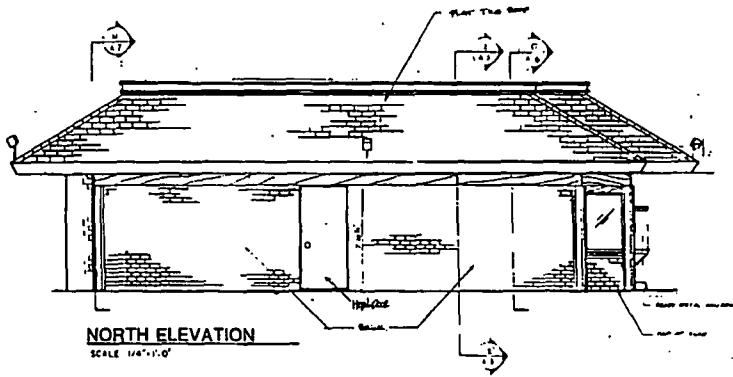
**LANDSCAPE SPECIFICATIONS**

1. **PREPARATION & INSTALLATION:** The landscape contractor shall remove all existing plants, trees, and shrubs from the site by use of trench or similar methods. All trees and shrubs shall be removed from the site by use of trench or similar methods. All trees and shrubs shall be removed from the site by use of trench or similar methods. All trees and shrubs shall be removed from the site by use of trench or similar methods.
2. **SOIL PREPARATION:** All soil to be planted in shall be amended with a 50/50 mix of top soil and compost. All soil to be planted in shall be amended with a 50/50 mix of top soil and compost. All soil to be planted in shall be amended with a 50/50 mix of top soil and compost.
3. **PLANTING:** All plants shall be installed in accordance with the specifications and quantities shown on the drawings. All plants shall be installed in accordance with the specifications and quantities shown on the drawings. All plants shall be installed in accordance with the specifications and quantities shown on the drawings.
4. **PLANT MATERIAL:** All plants shall be installed in accordance with the specifications and quantities shown on the drawings. All plants shall be installed in accordance with the specifications and quantities shown on the drawings. All plants shall be installed in accordance with the specifications and quantities shown on the drawings.
5. **PLANTING & CARE:** All plants shall be installed in accordance with the specifications and quantities shown on the drawings. All plants shall be installed in accordance with the specifications and quantities shown on the drawings. All plants shall be installed in accordance with the specifications and quantities shown on the drawings.
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10. **PLANTING & CARE:** All plants shall be installed in accordance with the specifications and quantities shown on the drawings. All plants shall be installed in accordance with the specifications and quantities shown on the drawings. All plants shall be installed in accordance with the specifications and quantities shown on the drawings.

NO.	COMMON NAME	SIZE	QUANTITY	REMARKS
1	Maple	12"	1	
2	Redwood	12"	1	
3	Redwood	12"	1	
4	Redwood	12"	1	
5	Redwood	12"	1	
6	Redwood	12"	1	
7	Redwood	12"	1	
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100	Redwood	12"	1	



NO.	DATE	DESCRIPTION	BY	CHECKED
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NO.	1
DATE	
PROJECT	BURGER KING RESTAURANT
OWNER	BURGER KING CORPORATION
ARCHITECT	JACK LEE METER
SCALE	AS SHOWN
DATE	
BY	
CHECKED	
DATE	
APPROVED	
DATE	

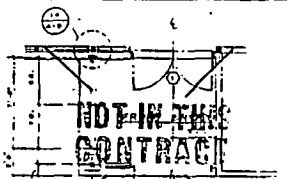
RESTAURANT FOR:  
**BURGER KING CORPORATION**  
 JACK LEE METER  
 PROFESSIONAL ENGINEER  
 P.O. BOX 820783  
 GENERAL MAIL BUILDING  
 MOBILE, ALA. 36682-0783  
 PHONE 205-182-1918 EXT. 220

**ELEVATIONS**

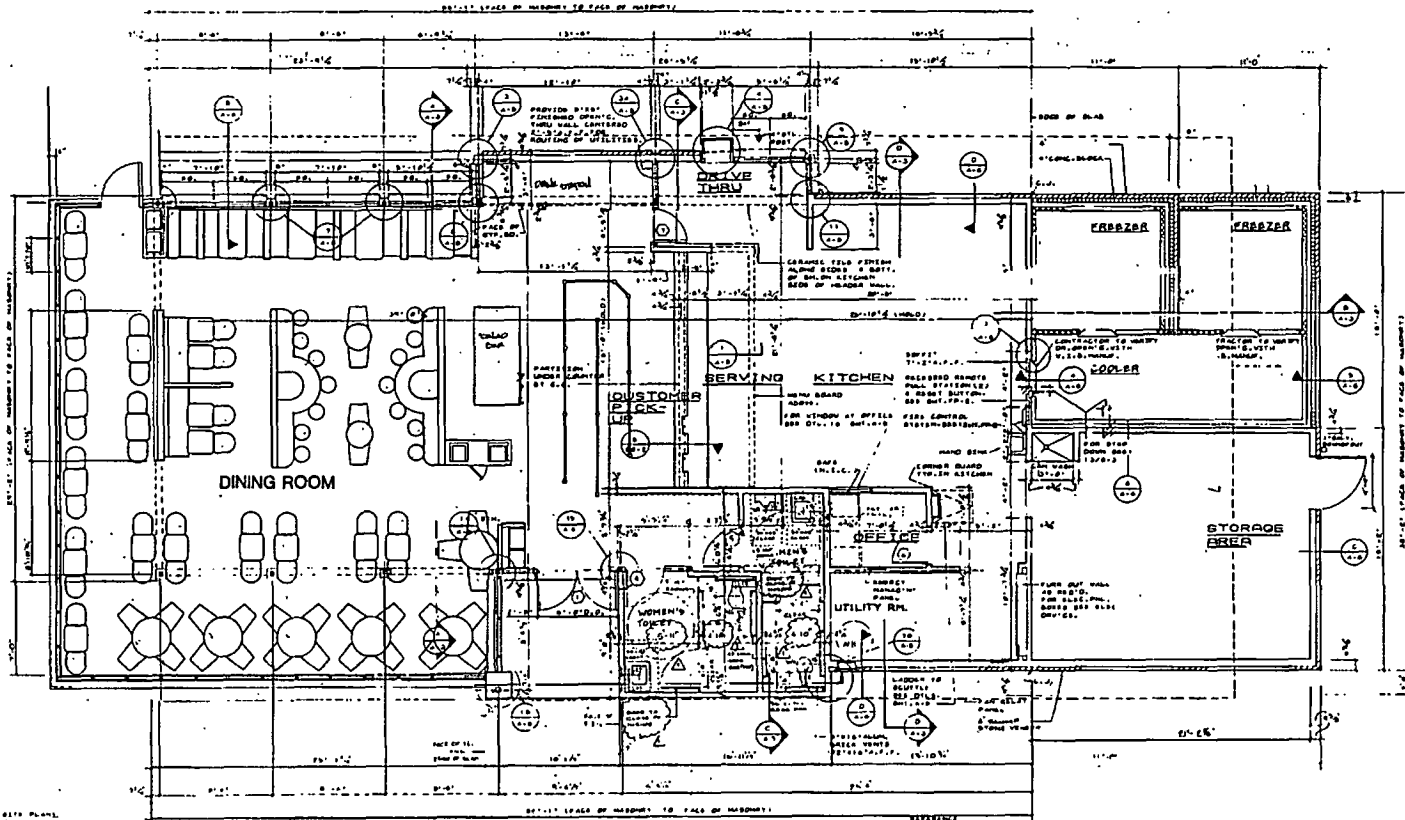
**EXHIBIT E**



FRONT ENTRY  
ALT. "B"



FRONT ENTRY  
ALT. "A"



FLOOR PLAN

SCALE: 1/4" = 1'-0" TOTAL GROSS AREA: 2887 SQ. FT.



**GENERAL NOTES**

- 1. FOR GENERAL NOTES AND DETAILS SEE SET PLANS.
- 2. FOR KITCHEN SEE PRELIMINARY AND DETAILS SEE SET.
- 3. FOR RESTROOM SEEN SUPERVISION AND EQUIPMENT SEE SET.
- 4. FOR SHOP SUPPLIES AND LADDER DETAILS SEE SET PLANS.
- 5. REFER TO EXHIBIT 'A' SUPPLY AND INSTALLATION.
- 6. SEE SET PLANS FOR ALL OTHER DETAILS.
- 7. ALL DIMENSIONS UNLESS OTHERWISE NOTED SHALL BE TO FACE UNLESS SPECIFICALLY NOTED OTHERWISE.
- 8. ALL DIMENSIONS UNLESS OTHERWISE NOTED SHALL BE TO FACE UNLESS SPECIFICALLY NOTED OTHERWISE.

DATE:	NOV. 1971
PROJECT:	BURGER KING RESTAURANT
NO.:	101
REVISED:	
BY:	JACK LEE MEYER
CHECKED:	
DATE:	

RESTAURANT FOR:  
**BURGER KING CORPORATION**

JACK LEE MEYER  
PROFESSIONAL ENGINEER  
P.O. BOX 51973  
MEMPHIS, TENNESSEE 38151  
PHONE 527-2941

**FLOOR PLANS**

**EXHIBIT F**