

CITY PLANNING COMMISSION

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

APPLICANT GERMAN ENGINEERING, 3000 Franklin Blvd., Sacramento, CA 95818
OWNER Shannon Morgan, 2565 Franklin Blvd., Sacramento, CA 95818
PLANS BY GERMAN ENGINEERING, 3000 Franklin Blvd., Sacramento, CA 95818
FILING DATE 8/11/87 **ENVIR. DET.** EX 15305 a & 15305 e **REPORT BY** FG/v6
ASSESSOR'S-PCL. NO. 010-0247-022,035,038; 010-0294-029

- APPLICATION:**
- A. Variance to locate 35 required parking spaces off-site
 - B. Variance to waive the six ft. high masonry wall
 - C. Variance to reduce the five ft. rear yard setback to 0 ft.
 - D. Variance to allow an eight ft. high wood fence along an interior property line.

LOCATION: 2565 Franklin Boulevard

PROPOSAL: The applicant is requesting the necessary entitlements to add a deck and seating area onto an existing bar/lounge.

PROJECT INFORMATION:

1974 General Plan Designation:	Residential
1963 Oak Park:	Shopping or Commercial
Existing Zoning of Site:	C-2
Existing Land Use of Site:	Bar/Lounge

Surrounding Land Use and Zoning:	Setbacks:	Required	Provided
North: U-Haul rental; C-2	Front:	0'	0'
South: Residential; R-4	Side(Int):	0'	0'
East : Vacant, Highway 99; R-4, TC	Side(St):	0'	0'
West : Commercial; C-2, R-4	Rear:	5'	0'

Parking Required:	35 spaces
Parking Provided:	35 spaces
Property Dimensions:	Irregular
Property Area:	0.73± acres
Square Footage of Building:	2,365 sq. ft.
Height of Building:	one story
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
Exterior Building Materials:	Brick, wood

BACKGROUND INFORMATION: On January 14, 1982, the Planning Commission approved a lot line adjustment to merge four lots (parking lot site) (P9631).

PROJECT EVALUATION: Staff has the following comments:

A. The subject site consists of four lots. A bar/lounge, (Once in a Blue Moon), is located on two of the lots, an adjacent lot to the east, is vacant and the remaining lot on the south side of First Avenue would be developed with a 35 space parking lot. The bar and parking lot sites are zoned General Commercial (C-2) and the remaining lot to the east is zoned Multiple Family (R-4). The 1974 General Plan designates the site for residential uses. Surrounding uses include commercial, residential and Highway 99.

B. The applicant is proposing to add a deck and seating area at the rear of the bar. The deck, seating area, and fences have all been constructed without a building permit. As presently constructed, the deck would not provide a rear yard setback where five feet is required. A five foot setback must be provided when the rear yard of a C-2 lot abuts the side yard of an R-4 lot. The R-4 lot is a remnant lot left over when Highway 99 was constructed. The dimensions of the lot make it infeasible to construct a residential dwelling. The R-4 lot and the bar are owned by the same person, so it is unlikely that the lot will be developed.

In addition, a six foot high solid masonry wall is required along the property line between the R-4 and C-2 lots. The applicant is requesting a variance to allow an eight foot high wood fence in place of the masonry wall. The fence would enclose the bar's outdoor deck and seating area. The deck/seating area is located adjacent to a U-Haul storage, a vacant residential lot and First Street. The proposed eight foot high fence would provide a privacy and visual barrier to the adjacent uses. Staff would have no objection to the eight foot high wood fence.

C. The applicant proposes to locate 35 required parking spaces off-site on a lot south of the bar across First Street. The lot is presently vacant, but is used as a parking lot for the bar. The lot is not improved and does not meet City standards. The lot is owned by the owner of the bar. It is proposed that the parking lot be developed with angel parking and planters to comply with the City's 50 percent shading requirement. The applicant must apply for a parking facilities permit to develop the parking lot. Staff would recommend approval of the off-site parking since it is preferable to provide required parking off-site if no parking is available on-site. Developing the off-site lot would provide an alternative to the bar patron's parking on the street.

D. The project has been reviewed by Traffic Engineering, Building Inspections, Fire and Police. The following comments were received.

Traffic Engineering

Improve driveway for proposed parking lot to City standards. Obtain Driveway permits.

Fire Department

1. Since wood deck extends to property line (south side), Building Department may have special requirements.
2. Any work done on existing buildings must have plans submitted to Building Department for review and approval.
3. The deck produces additional existing needs for the public and all existing requirements from UBC 1980 Chapter 33, must be met.
4. Fire Department (449-5480), Inspection Division shall have a preliminary review prior to approval. Contact Dennis Loheit.

Police Department

Recommends against expansion of bar.

ENVIRONMENTAL DETERMINATION: The project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15305 (a)), (15303 (e)).

RECOMMENDATION: Staff recommends the following actions:

- A. Approve the variance to locate 35 required parking spaces off-site subject to conditions and based on findings of fact which follow.
- B. Approve the variance to waive the six foot high masonry wall based on findings of fact which follow.
- C. Approve the variance to reduce the five foot rear yard setback to 0 feet based on findings of fact which follow.
- D. Approve the variance to allow an eight foot high wood fence along an interior property line subject to conditions and based on findings of fact which follow.

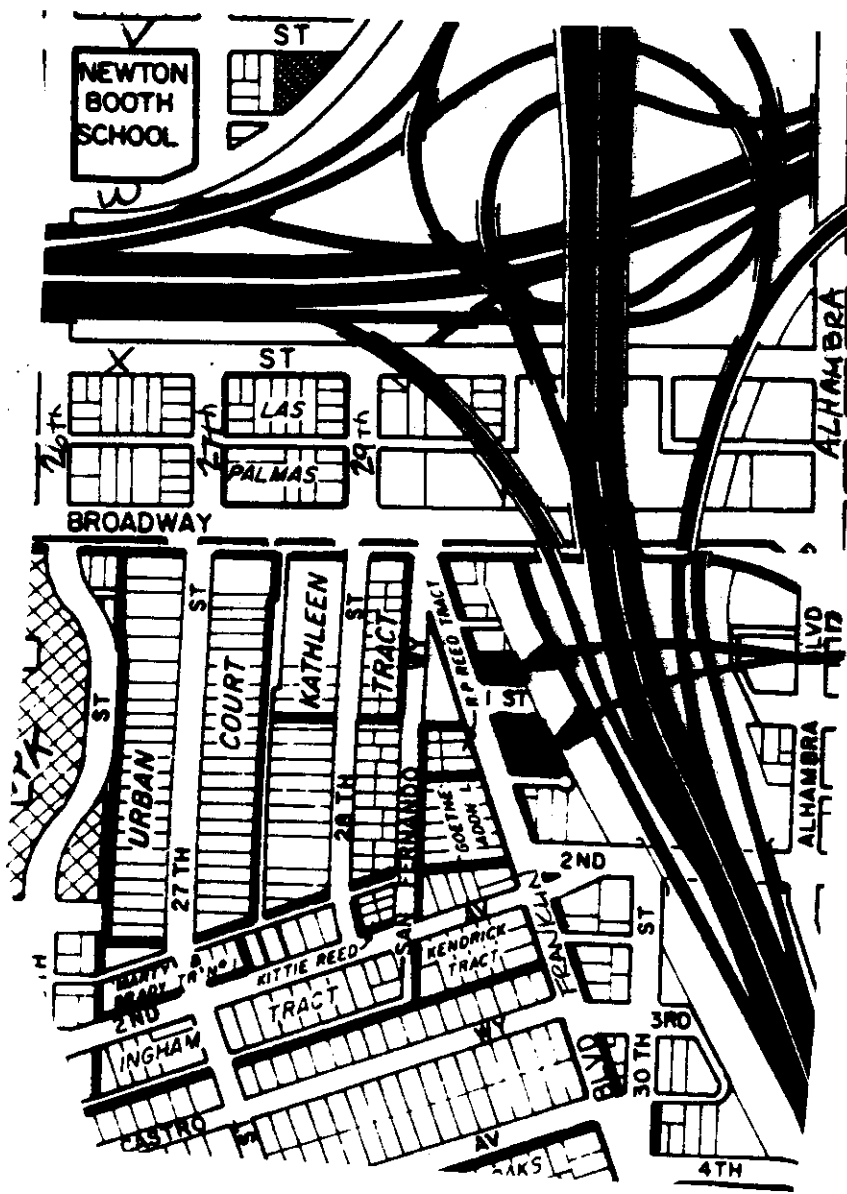
Conditions - Variances

1. The applicant shall obtain driveway permits for the proposed parking lot.

2. The applicant shall obtain a parking facilities permit for the proposed parking lot.
3. The proposed parking lot shall be developed to City standards including 50 percent parking lot shading.
4. All necessary building permits shall be obtained for the deck/fence addition.
5. Thirty-five spaces shall be provided on the off-site parking lot.
6. The property owner shall record on the deed of the parking lot (APN: 010-0294-029), a note indicating that the site shall be utilized for parking for the Once In A Blue Moon Bar. Said deed restriction shall be reviewed and approved by the Planning Director and City Attorney prior to recordation.

Findings of Fact - Variance

1. The variance requests does not constitute a special privilege extended to one property owner in that:
 - a. the off-site parking lot site is the only location available to provide parking for the bar use.
 - b. the wood fence is not located adjacent to a residential use.
2. Granting the variance requests do not constitute a use variance in that a parking lot and fences are allowed in the C-2 zone.
3. The proposed project will not be injurious to the public welfare nor to surrounding properties in that adequate parking for the bar/lounge will be provided.
4. The proposed project is consistent with the City's Discretionary Interim Land Use Policy in that the site is designated for shopping or commercial uses by the 1963 Oak Park Community Plan and the proposed fence/parking lot/bar expansion conforms with the plan designation.



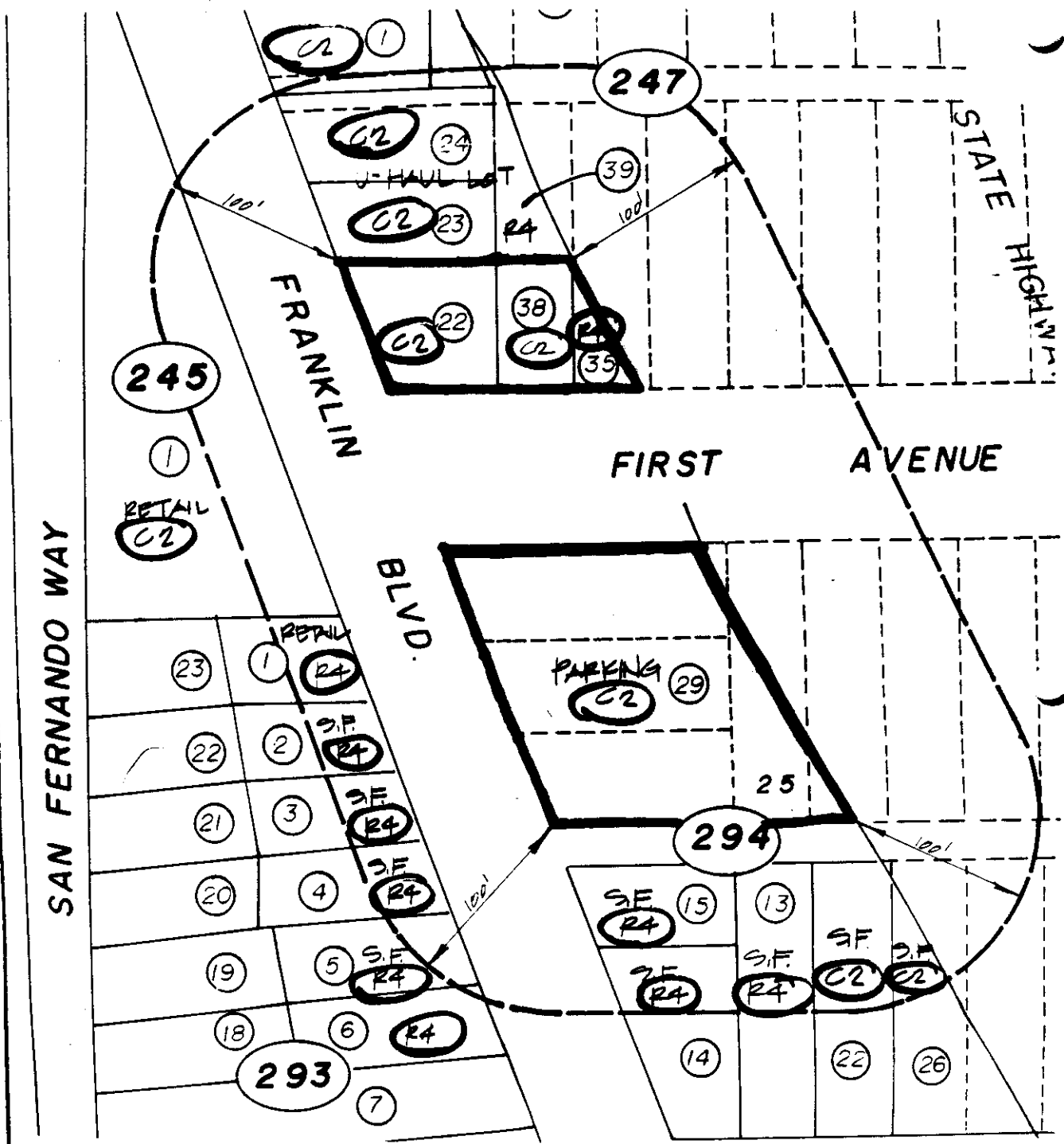
SUBJECT SITE

VICINITY MAP

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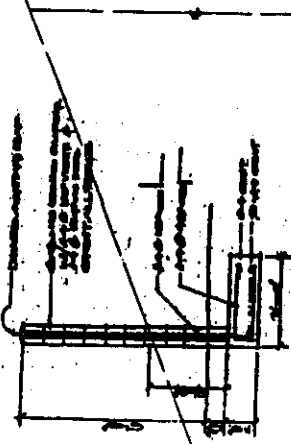


LAND USE & ZONING MAP

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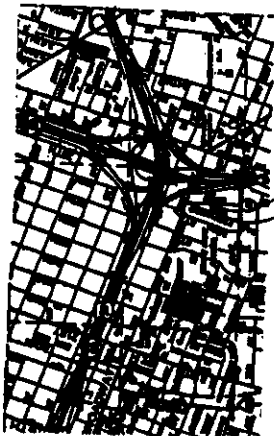
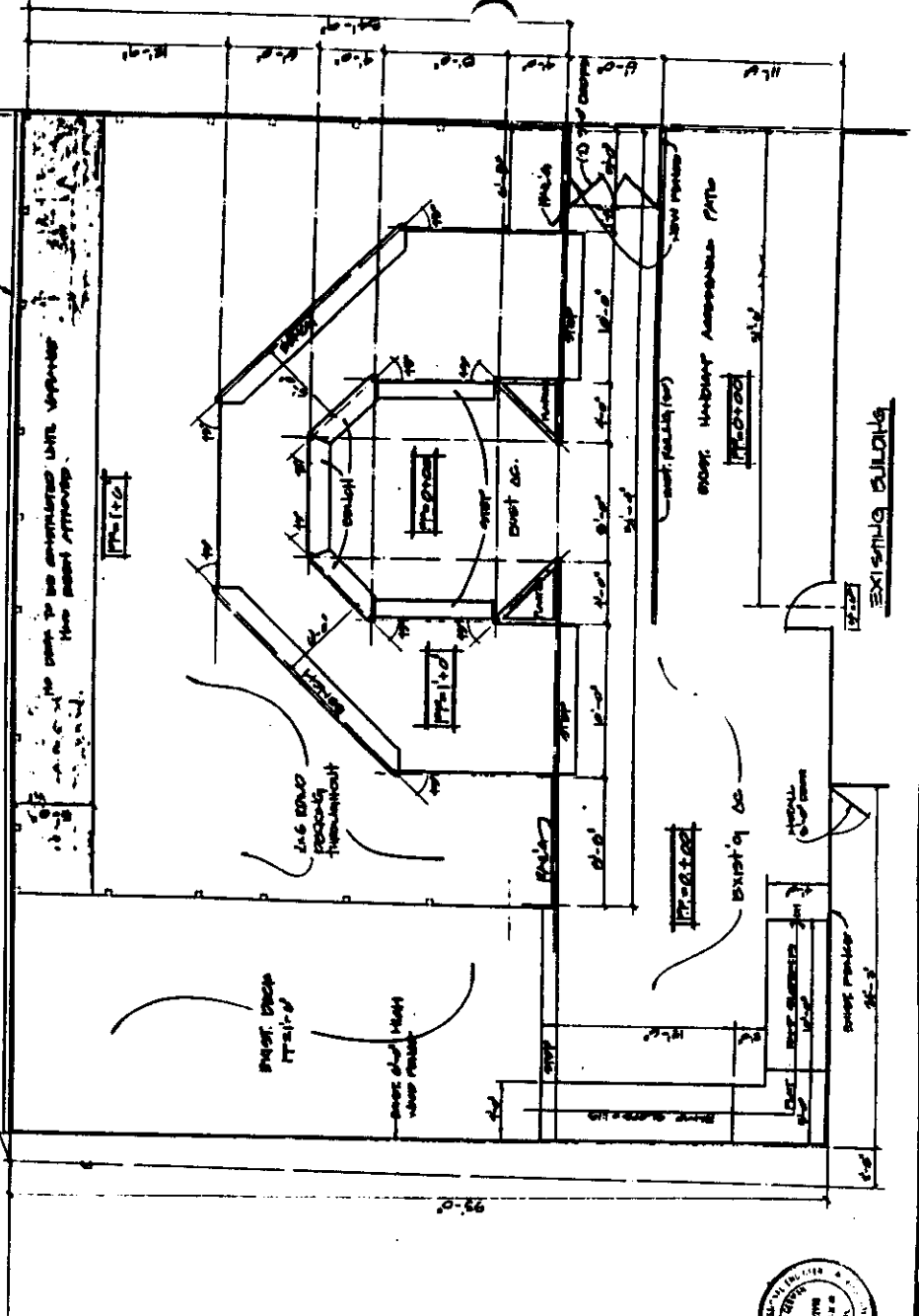
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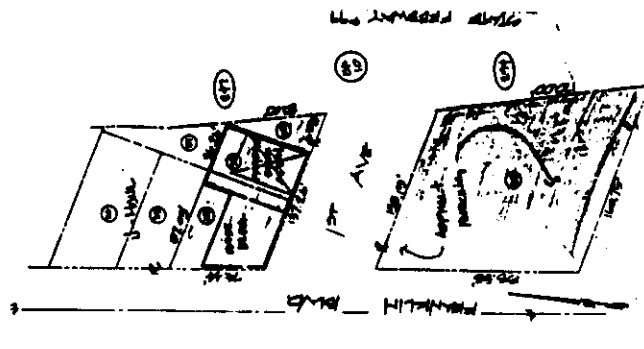
MASONRY FENCE

CALL OUT FOR MASONRY BLOCK
SEE PLAN FOR LOCATION

BLOCK PLANK



SITE PLAN



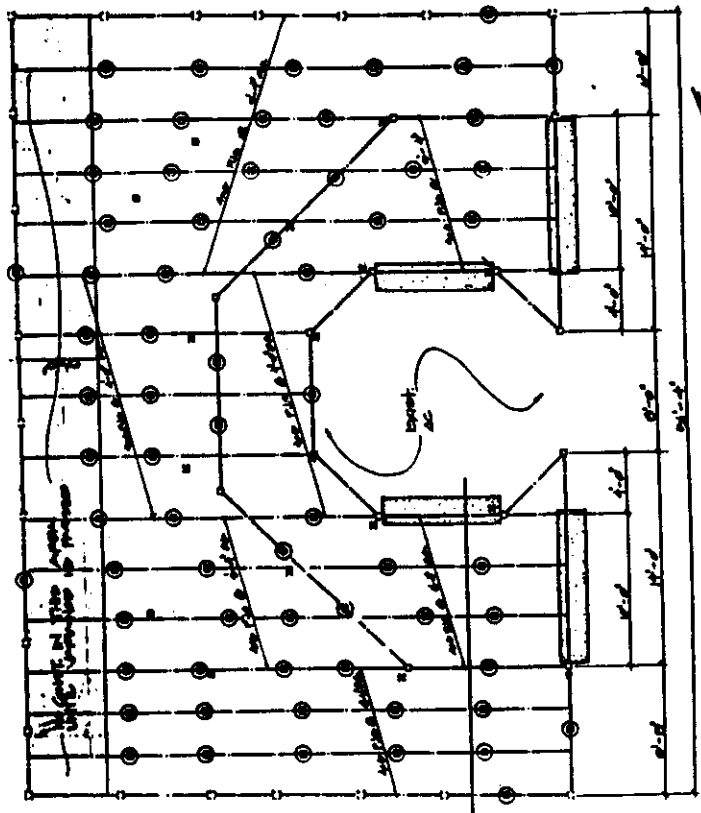
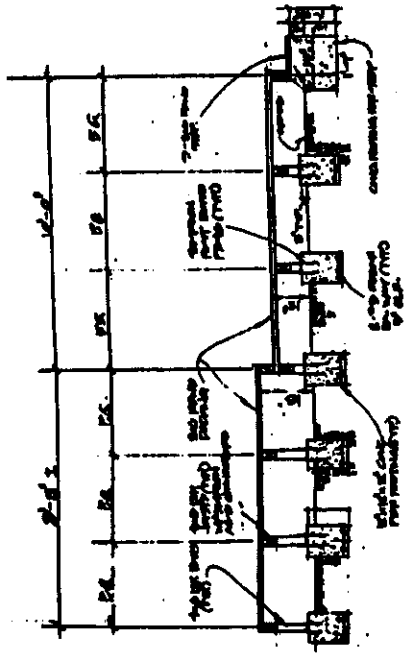
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10-294-03

<p>BLUE MOON - DECK ADDITION 2808 FRANKLIN BLVD. CITY OF SACRAMENTO CALIFORNIA</p>		<p>SHEET NUMBER 3</p>
<p>FLOOR PLAN</p>		
<p>DATE</p>	<p>DESCRIPTION</p>	<p>BY</p>
<p>APPROVED (A.E.)</p>	<p>DESIGNED (A.E.)</p>	<p>CHECKED (A.E.)</p>

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NOTES

1. Check for all items that are not shown on this plan.
2. All work to be done in accordance with the specifications and drawings.
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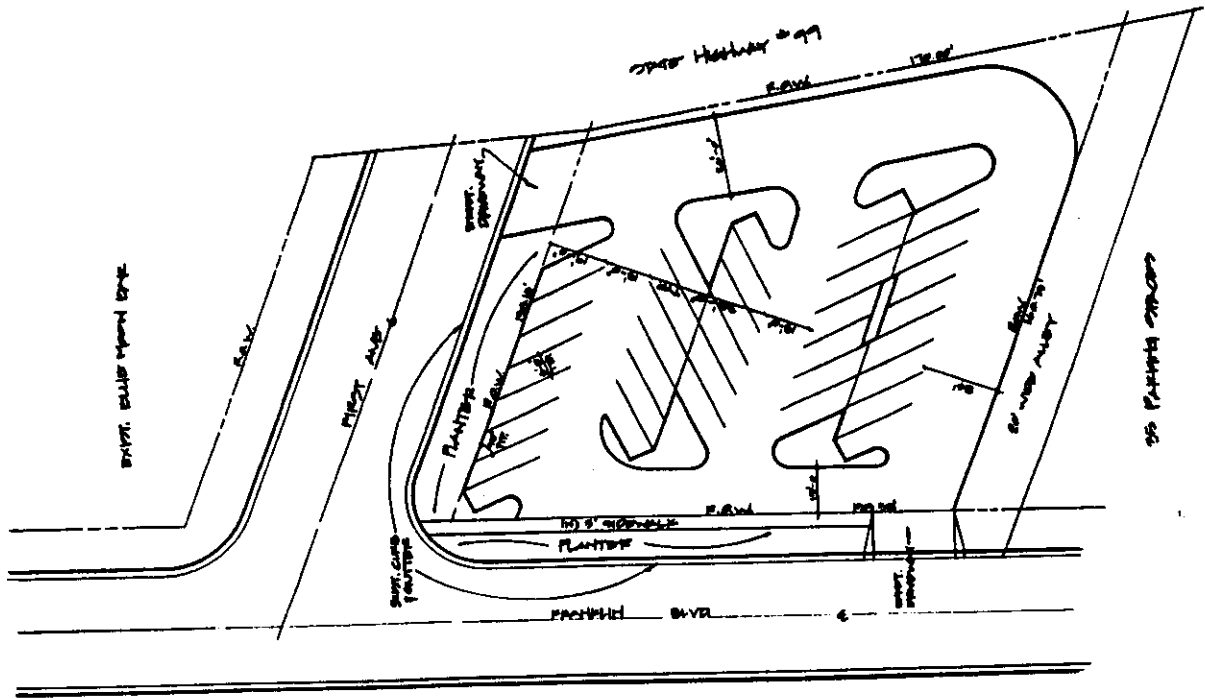
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BLUE MOON - DECK ADDITION 2808 FRANKLIN BLVD CITY OF SACRAMENTO CALIFORNIA			SHEET NUMBER 2 of 2
PARKING LOT PLAN			
DATE: _____ DRAWN BY: _____ CHECKED BY: _____ APPROVED BY: _____	SCALE: _____ PROJECT NO.: _____ CLIENT: _____	DESIGNER: _____ ADDRESS: _____ CITY: _____	SHEET NO.: _____ TOTAL SHEETS: _____

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