

CITY PLANNING COMMISSION
1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT <u>Majeeden Bibi, 1481 Meadowview Road, Sacramento, CA 95823</u>		
OWNER <u>Tom & Penny Pantelopoulou, 5021 Moddison Avenue, Sacramento, CA 95819</u>		
PLANS BY <u>Delta Design Development, 1101 Fulton Avenue, Ste. 204, Sacramento, CA 95825</u>		
FILING DATE <u>February 11, 1992</u>	ENVIR. DET. <u>Exempt 15301</u>	REPORT BY <u>SLY</u>
ASSESSOR'S PCL. NO. <u>048-0250-007</u>		

APPLICATION: Special Permit to sell beer and wine from 6AM-8PM in an existing 1,290 square foot convenience market on 0.52 \pm developed acres in the General Commercial (C-2) zone.

LOCATION: 1481 Meadowview Road

PROPOSAL: The applicant is requesting the necessary entitlements to sell beer and wine from 6AM-8PM in an existing 1,290 square foot convenience market in the General Commercial (C-2) zone.

PROJECT INFORMATION:

General Plan Designation: Community Neighborhood Commercial and Offices
1984 Airport Meadowview
Community Plan Designation: Commercial
Existing Zoning of Site: C-2
Existing Land Use of Site: Gas station and convenience store

Surrounding Land Use and Zoning:

North: Vacant, C-2
South: Vacant, R-2A
East: Vacant, R-2A
West: Vacant, C-2

Property Dimensions: 150 feet X 150 feet
Property Area: 0.52 \pm acres
Square Footage of Building: 1,290 square feet
Height of Building: 13 feet
Topography: Flat
Street Improvements: Existing
Utilities: Existing
Exterior Building Materials: Metal
Exterior Color: Off white
Roof Material: Metal

APPLC. NO. P92-038

MEETING DATE April 23, 1992
~~April 16, 1992~~

ITEM NO. 13

001287

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site is a 150 foot by 150 foot corner lot totaling 0.52± developed acres in the General Commercial (C-2) zone. The site is developed with a 1,290 square foot gas station with a convenience market. The General Plan and the 1984 Airport Meadowview Community Plan designate the subject site as Community Neighborhood Commercial and Offices and Commercial respectively. The surrounding land use and zoning for the subject site are vacant, zoned (C-2) to the north and west, and vacant, zoned Multi-Family (R-2A) to the south and east.

B. Applicant's Proposal

The applicant is proposing to sell beer and wine in an existing 1,290 square foot gas station and convenience market on 0.52± developed acres in the General Commercial (C-2) zone. The applicant proposes to sell the beer and wine between the hours of 6AM and 8PM. The existing store operates from 6AM to 10PM, Monday through Saturday, and 8AM to 9PM on Sunday. A special permit is required for alcoholic beverage sales for off-premises consumption.

C. Policy Considerations

The site is located within the Airport Meadowview Community Plan area. The proposal is consistent with the General Plan and Airport Meadowview Community Plan land use designations which designate the site as Community/ Neighborhood Commercial and Offices and Commercial respectively. The proposed use to sell beer and wine is not consistent with the General Plan policies relating to Quality of Life. Specifically, the General Plan states "Crime, physical hazards and debilitating influences detract from the well-being of the neighborhood environment. Some neighborhoods in the City are experiencing the adverse effects of blighting influences, crime, and problems associated with homeless individuals. Efforts to correct these problems will be necessary to ensure the protection of the public's health, safety and general welfare." The proposed site is located in an area that has previously had a high crime rate when a similar use occupied the site across the street. Once the sale of alcohol was terminated and the area was targeted for redevelopment monies and redevelopment projects the crime statistics have been dramatically reduced. Allowing the sale of alcoholic beverages at the proposed site will reverse the revitalizing efforts for the area contrary to the Quality of Life policies of the General Plan.

D. Staff Analysis

The site consists of one corner commercial parcel totaling 0.52± developed acres in the General Commercial (C-2) zone. The site is located at the intersection of Meadowview Road and Amherst Street. There is an existing 1,290 square foot single story commercial building and gasoline pumps on the site (see Exhibit A). The building was previously used as a full service gas station. The service bays have been converted to a convenience market and a take-out hamburger stand. The applicant is seeking a special permit to allow the sale of beer and wine for off-site consumption in the convenience market.

Presently, there is no establishment selling alcohol for off-site consumption within the immediate

vicinity. There is a special permit allowing the sale of beer and wine for the 7-Eleven Store located at 7601 Amherst Street which is located on the southeast corner of the Meadowview Road and Amherst Street. The 7-Eleven Store closed on September 23, 1991, and should the store reopen prior to September 23, 1992, the special permit will remain valid. During the nine months of 1991 that the 7-Eleven Store was open there was a total of 139 police calls to the area within a one block radius from the Meadowview Road and Amherst Street intersection (see Land Use and Zoning Exhibit). After the 7-Eleven Store closed in September, 1991, until March, 1992, there has been 51 police calls to the same area. The Police Department attributes the significant drop in police calls to the area to the elimination of the sale of alcoholic beverages for off-site consumption (see Exhibit G).

The Zoning Ordinance requires that in order for a special permit to be granted for the off-site sale of beer and wine the following findings of fact be made:

- 1) The proposed use will not adversely affect the peace or general welfare of the surrounding neighborhood.
- 2) The proposed use will not enlarge or encourage the development of a skid row or blighted area.
- 3) The proposed use will not be contrary to or adversely affect any program of redevelopment or neighborhood conservation.

Staff has met with members of the Police Department, the Sacramento Housing and Redevelopment Agency, the Economic Development Division, and Councilmember Robie's office to discuss this project and the proposed reopening of the 7-Eleven Store and the impact of these projects to the surrounding area. There has been extensive effort on the part of these agencies to turn the neighborhood around from its previous condition of blight, high crime, and drug and gang activity. The Sacramento Housing and Redevelopment Agency has been involved with revitalizing the apartment complex across from the proposed use. The Economic Development Division has been working with the 7-Eleven Store to encourage their relocation to a different site. Other City agencies have been working with Councilmember Robie and the neighborhood residents to bring the much needed changes to the area to recapture the area from the effect of crime, drugs, and gangs that have previously plagued the area. Their actions include the removal of pay phones, the installation of more street lights, and the installation of undulations. There has been a major improvement to the surrounding neighborhood area and much of the negative activity has been dramatically reduced. All agencies believe the single most significant factor in the revitalization of the neighborhood was the removal of off-site alcoholic beverage sales from the area.

The neighborhood residents in the area are in opposition to this project. Staff has also received a letter from Councilmember Lynn Robie stating her opposition to the project. The Police Department has sent a letter stating their opposition to the special permit.

Staff does not support the Special Permit to sell beer and wine from 6AM-8PM in an existing 1,290 square foot convenience market in that the use will significantly impact the adjacent properties by possibly reversing the revitalization of the neighborhood, promoting more alcohol related police calls to

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~~April 16, 1992~~

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the area, and jeopardizing the peace and safety that has been restored in the area.

G. Agency Comments

The proposed project was reviewed by City Traffic Engineering, Engineering Departments, Building Inspections, Police, and the Fire Department. The following comments were received:

1. Traffic Engineering staff comments:

Eliminate the two driveways adjacent to the corner of Meadowview Road and Amherst Street.

2. Police Department comments:

We are in opposition to the special permit request. The area of Amherst and Meadowview has been plagued with gang, alcohol and drug related problems for several years. We are now working with Councilperson Lynn Robie, the Sacramento Housing and Redevelopment Agency and area citizens to alleviate the crime problems in this area. Our combined efforts have resulted in a significant decrease in calls for police service in the area.

We feel that a major contributing factor to the improvement in the area was the closing of the 7-Eleven Store at Amherst and Meadowview, and the resulting elimination of beer and wine sales from the neighborhood. Until this neighborhood has been completely stabilized, we will oppose the reintroduction of alcoholic beverage sales in this area. We have made our feelings known to the applicant's representative.

H. Neighborhood Comments

Staff has received numerous calls and letters in opposition to the project (see Exhibit D). Additionally, staff has received 99 letters from John Sloat Basic Elementary School parents (see Exhibit B) and a signed petition with 173 names from the surrounding neighborhood (see Exhibit C) all in opposition to the project.

ENVIRONMENTAL DETERMINATION: The Environmental Services Manager has determined that this project is exempt from environmental review pursuant to State EIR Guidelines (California Environmental Quality Act, Section 15301).

RECOMMENDATION: Staff recommends that the Planning Commission deny the Special Permit to sell beer and wine from 6AM-8PM in an existing 1,290 square foot convenience market based upon the findings of fact which follow.

Findings of Fact:

1. The proposed project is not based upon sound principles of land use in that allowing the use will have a significant impact on the surrounding area which is showing dramatic signs of recovery and stability since the removal of all alcoholic sales from the area. By reinstating off-site consumption of alcohol sales to an area that was previously plagued by high crime and problem activity directly related to alcohol sales the trend may be reversed.

2. The project will be detrimental to the public health, safety, and welfare and may result in a nuisance in that:
 - a. the project is not compatible with the existing revitalization neighborhood efforts;
 - b. the special permit for the use has the potential to create additional crime problems within the area;
 - c. allowing the sale of alcoholic beverages for off-site consumption may lead to loitering, and increased gang-related traffic on the site; and
 - d. the proposed use may encourage the development of a blighted area.
3. The proposed use will adversely affect the peace and general welfare of the surrounding area in that negative activities and crime-related problems associated with alcohol sales may return to an area that has been previously plagued by the same problems.
4. The proposed use will be contrary to and adversely affect the program of redevelopment and neighborhood conservation in the area in that allowing the sale of alcoholic beverages for off-site consumption is in direct opposition to the efforts of the community and Sacramento Redevelopment and Housing Agency to revitalize the neighborhood by potentially recreating many of the areas which contribute to criminal activities.
5. The project is not consistent with the policies of the General Plan and the Airport Meadowview Community Plan which discourage projects that will have an adverse effect on the quality of life by leading to an increase in blight or crime activity in an area.

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MEETING DATE April 16, 1992 *April 23, 1992*

ITEM NO. 13

001231

April 23, 1992

Planning Commission
City of Sacramento

I would like to withdraw my application P92-038.

PLEASE REFUND FEES

Sincerely,


Mohammed Latif



DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 200
SACRAMENTO, CA
95814-2998

April 17, 1992

Majeeden Bibi and Mohamed Latif
1481 Meadowview Road
Sacramento, Ca 95823

BUILDING INSPECTIONS
916-449-5716

PLANNING
ROOM 200, 95814-2998
(916) 264-5381

Dear Majeeden Bibi and Mohamed Latif,

This letter is to provide official notification and confirmation of our phone call today that your project (P92-038) will be heard by the Planning Commission on Thursday, April 23, 1992, at 5:30 PM. The Planning Commission continued your project at the April 16, 1992, hearing due to your absence. The Planning Commission has stated on record that this item will be heard on April 23, 1992, and will not be continued again if you are not present. If you have any further questions, please contact me at 264-5604.

Sincerely,

Sandra L. Yope
Assistant Planner

001293

EXHIBIT - G

CITY OF SACRAMENTO
CITY PLANNING DIVISION

MAR 26 1992

RECEIVED

DEPARTMENT OF
POLICE

CITY OF SACRAMENTO
CALIFORNIA

March 25, 1992

HALL OF JUSTICE
813 SIXTH STREET
SACRAMENTO, CA
95814-2495

REF: 3-12

916-449-5121

JOHN P. KEARNS
CHIEF OF POLICE

M E M O R A N D U M

TO: SANDRA YOPE, PLANNER
CITY PLANNING DIVISION

FROM: JERRY V. FINNEY
ASSISTANT CHIEF OF POLICE

SUBJECT: SPECIAL PERMIT REQUEST FOR UNITED FOOD AND GAS, 1481
MEADOWVIEW RD. (P92-038)

This memo will confirm your conversation with Officer Jim Barclay regarding our opposition to the above request. The area of Amherst and Meadowview has been plagued with gang, alcohol and drug related problems for several years. We are now working with Councilperson Lynn Robie, the Sacramento Housing and Redevelopment Agency and area citizens to alleviate the crime problems in this area. Our combined efforts have resulted in a significant decrease in calls for police service in the area.

We feel that a major contributing factor to the improvement in the area was the closing of the 7-11 Store at Amherst and Meadowview, and the resulting elimination of beer and wine sales from the neighborhood. Until this neighborhood has been completely stabilized, we will oppose the reintroduction of alcoholic beverage sales in this area. We have made our feelings known to the applicant's representative.

Jerry V. Finney
JERRY V. FINNEY
Assistant Chief of Police

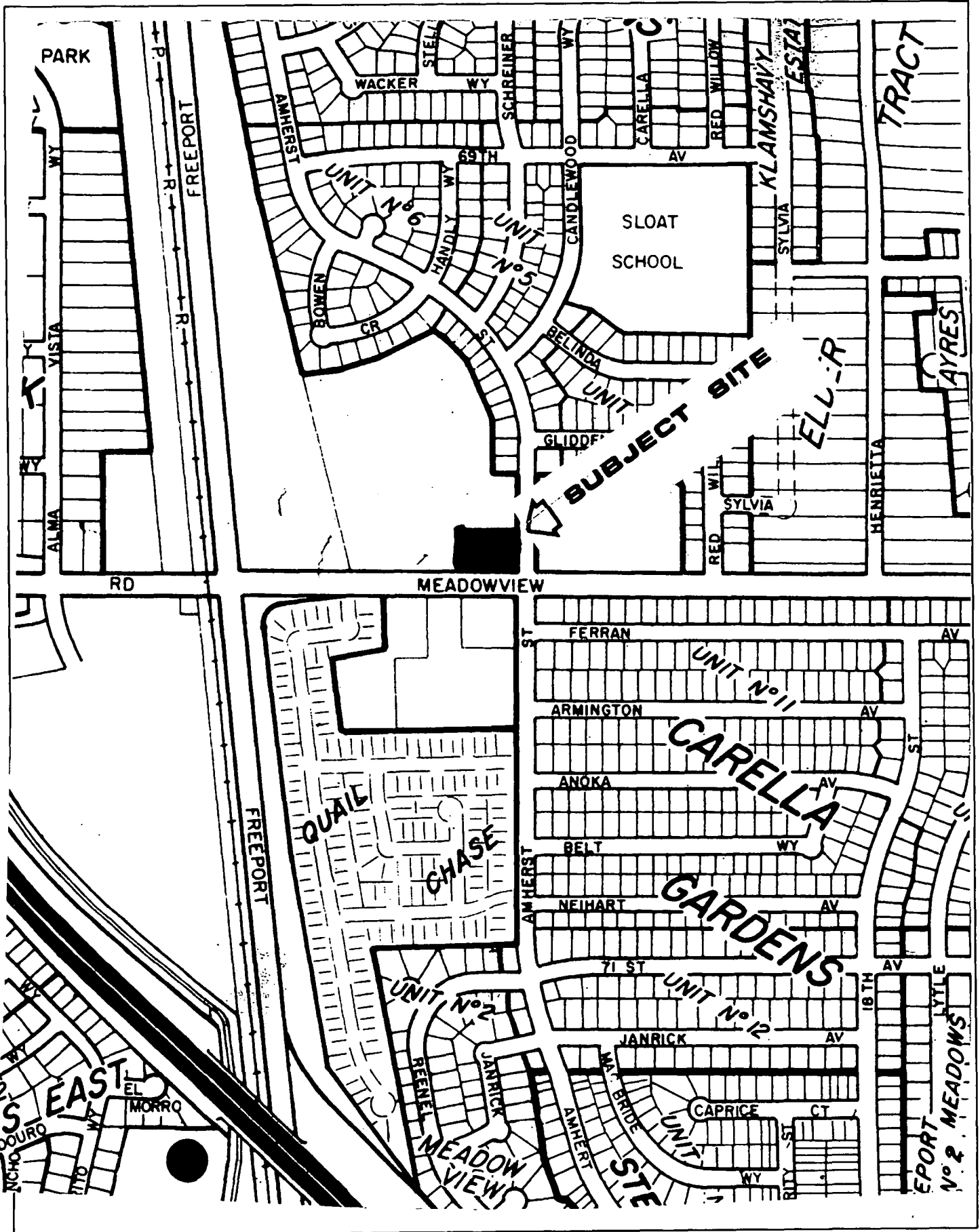
JVF:pg

001234

P92-038

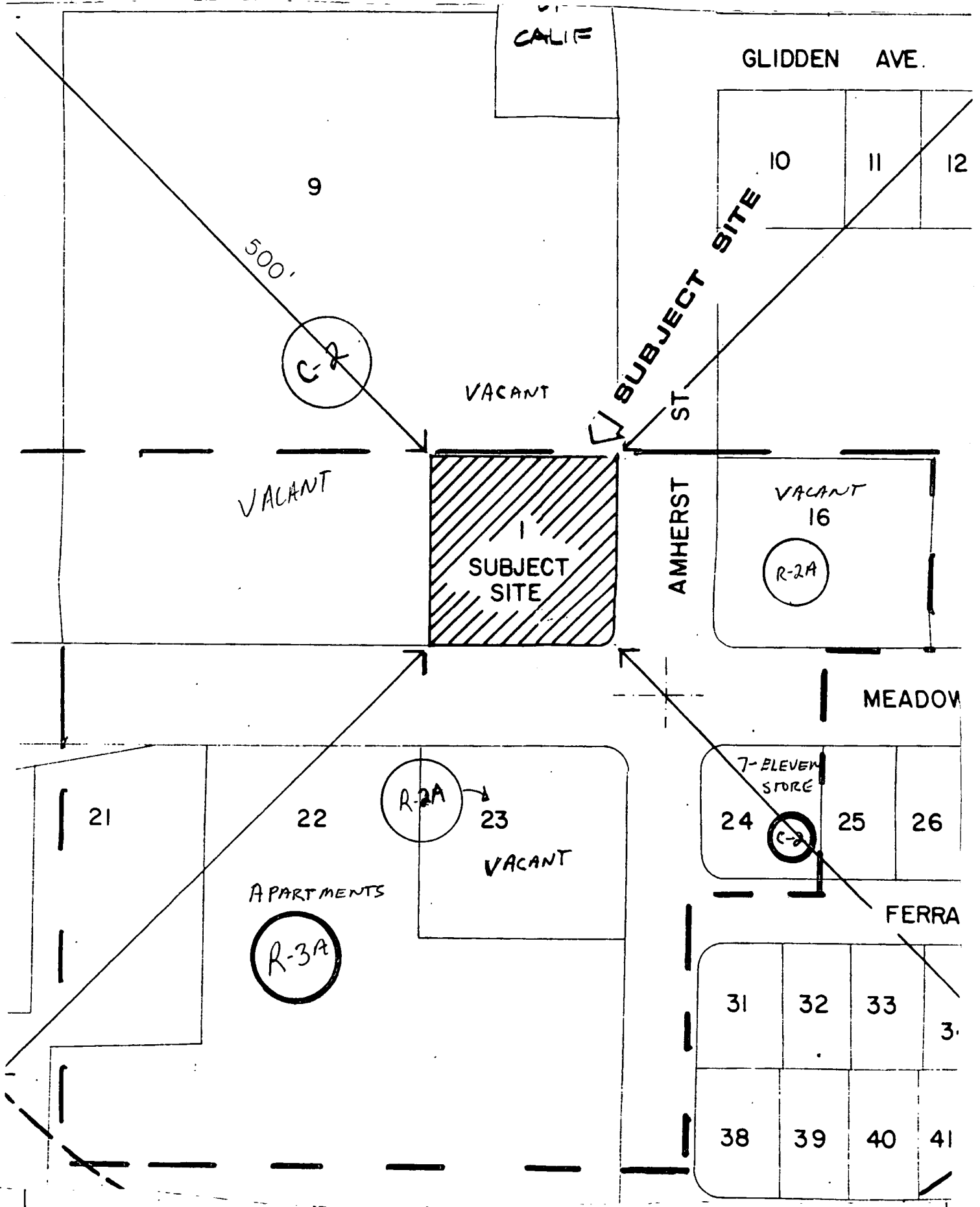
April 23, 1992
APRIL 16, 1992

ITEM 13



VICINITY MAP

001233



DASHED LINE AROUND AREA FOR POLICE CALL NUMBERS

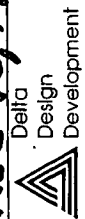
LAND USE & ZONING MAP



ITEM 13

001297

APRIL 16, 1992



Delta Design Development
101 Fulton Avenue, Suite 204
Sacramento, California 95825
(916) 973-8576
Telex: 860 973 8500

IMPROVEMENT PLANS FOR

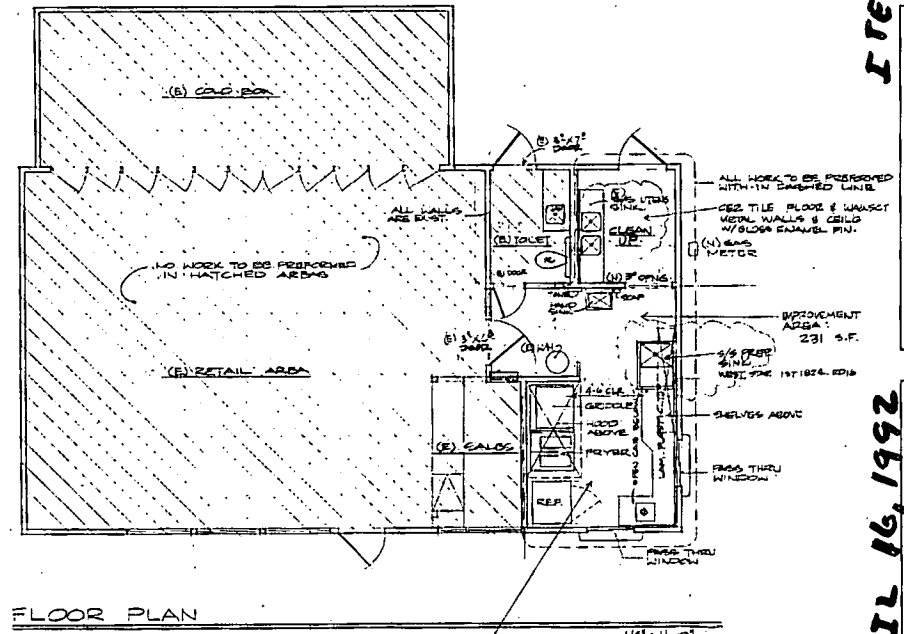
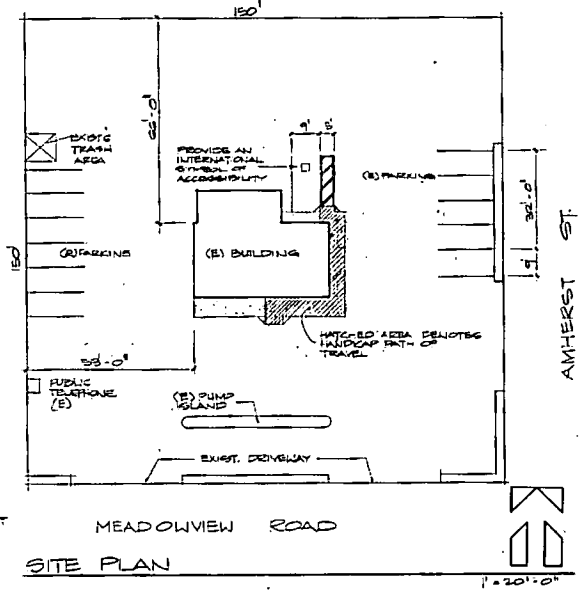
UNITED GAS & FOOD

1481 MEADOWVIEW ROAD
SACRAMENTO, CA. 95825

REV 4/6/90

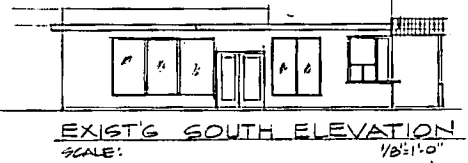
SHEET 3-10-90

A 1 OF 2 SHEET

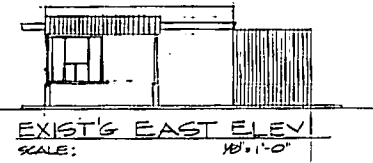


FLOOR PLAN

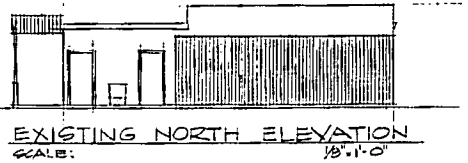
FLOOR: SEAMLESS VINYL 1/4" COV'D BASE.
WALLS: METAL & SMOOTH SURF. GYP. BO PAINT W/ GLOSS ENAMEL.
CEILING: EXPOSED METAL PANEL W/ GLOSS ENAMEL FINISH.



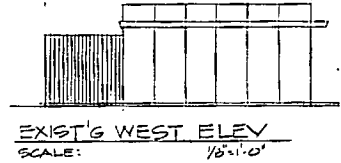
EXIST'G SOUTH ELEVATION
SCALE: 1/8"=1'-0"



EXIST'G EAST ELEV
SCALE: 1/8"=1'-0"



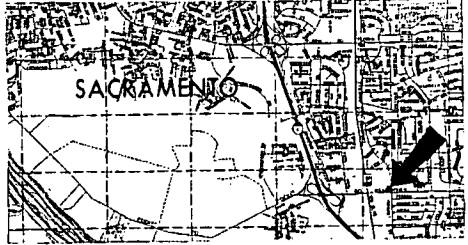
EXISTING NORTH ELEVATION
SCALE: 1/8"=1'-0"



EXIST'G WEST ELEV
SCALE: 1/8"=1'-0"

GENERAL NOTES

- 1. ROBERT & INSECT PROOF EXTERIOR DOORS & WINDOWS. SEAL ALL HOLES OR GAPS AROUND PIPES ENTERING PREMISES.
2. PROVIDE ADEQUATE FACILITIES TO STORE & DISPOSE OF WASTE AT ALL TIMES.
3. FOOD CONTACT SURFACES (TABLES, COUNTERTOPS, SHELVES, ETC.) OF HARDWOOD, METAL, LAM PLAS., OR APPROVED MATERIALS SHALL BE SMOOTH WITH EDGES SEALED AT VERT. SURFACES.
4. FOOD STORAGE SHELVES TO BE SIX(6) INCHES ABOVE FLOOR.
5. ALL CLEANING, INSECTICIDE, OR HAZARDOUS SUBSTANCES TO BE STORED IN METAL CABINET.
6. PROVIDE THERMOMETERS FOR ALL REFRIGERATION EQUIPMENT CONTAINING PERISHABLE FOOD.
7. ALL DOORS TO HAVE LEVER HANDLE HARDWARE ACCESSIBLE TO THE PHYSICALLY IMPAIRED, PER TITLE 24.
8. ALL KITCHEN EQUIPMENT TO MEET N.S.F. STANDARDS.



VICINITY MAP



RECEIVED

FEB 11 1992

CITY OF SACRAMENTO
CITY PLANNING DIVISION

P 92 038

RECEIVED

FEB 11 1992

CITY OF SACRAMENTO
CITY PLANNING DIVISION

EXHIBIT - B

Sacramento City Unified School District
John Sloat Basic Elementary School
7525 Candlewood Way
Sacramento, California 95822

Telephone (916) 399-5051

(SAMPLE)
1 of 99

(SAMPLE)
1 OF 99

OPPOSITION TO

THE APPROVAL OF THE APPLICATION FOR A BEER AND WINE LICENSE
BY THE UNITED GAS AND FOOD MART
NORTHWEST CORNER OF MEADOWVIEW ROAD AND AMHERST STREET
SACRAMENTO, CALIFORNIA

To: Sacramento City Council

I am opposed to the approval of the United Gas and Food Mart application
for a beer and wine license.

Print your name KIM L. FITZPATRICK

Sign your name *Kim L. Fitzpatrick*

Address 7494 GREENHAVEN DRIVE

Home Telephone 427-5095 Date 3.5.92

Print your name SEAN K. FITZPATRICK

Sign your name *Sean K. Fitzpatrick*

Address 7494 GREENHAVEN DRIVE

Home Telephone 427-5095 Date 3.5.92

Note: Complete form properly and fully
so that your feelings are counted!

RETURN THIS FORM TO: PRINCIPAL'S OFFICE
JOHN SLOAT BASIC ELEMENTARY SCHOOL

NO LATER THAN: TUESDAY AFTERNOON, MARCH 10, 1992

EXHIBIT - C

March 4, 1992

To whom it may concern:

We the homeowners in the Meadowview area strongly object to United Gas & Food located at 1481 Meadowview Road obtain a Beer & Liquor License. We believe this would contribute to more problems in this area.

Sara M. Miller	1749 Armington Ave
Curt Allen Barker	1749 Armington AVE
Sandy Parkhill	1761 Armington Ave
JAMES Brown	1732 ARMINGTON AVE.
Deborah Williams	1736 Armington Ave.
Curt Bully	1773 Armington Ave
Cheryl Peral	1773 Armington Ave
Karen Butler	1773, Armington, AVE
Jack O. Browne	7636-18 th str
Vernie Browne	7636-18 th str
Kathleen Browne	7636-18 th St.
Dorinda Berg	665-1476
John Sabar	665-1476
Rodney Jensen	391-1172
John Coleman	7652-18 th St
Hilde Coleview	TEL 665-1044
Robert Coleman	7652 18 th St.
Bruna J. McGeer	7652 18 th St.
Anthony Mann	7633-18 th Street
	7655 18 th St

EXHIBIT - D

March 4, 1992

Office of the City Council
Lynn Robie
Councilmember, District 8
City Hall Rm 205
Sacramento CA 95814-2672

Councilmember Robie

At our last N.A.G. meeting, I was informed of a proposed liquor license for an existing business at the corner of Amherst and Meadowview Road.

Location: North West Corner Amherst St and Meadowview Road.

Type of Business: Service Station & Walk-up Fast food Retail operation.

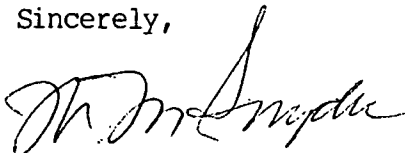
Presently at this location you are able to purchase numerous items from a: individual cigarette to an aspirin.

It is my belief that a liquor license would not enhance this corner in the eyes of the community.

I personally would recommend that the City Council not approve this proposal.

Thank you for any assistance your position may have in stopping this proposed license.

Sincerely,



William M. Snyder
2839 65th Ave.
Sacramento CA 95822.
427-5196

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P92-038

APRIL 16, 1992

ITEM 13

EXHIBIT - G



CITY OF SACRAMENTO
CITY PLANNING DIVISION

MAR 26 1992

RECEIVED

DEPARTMENT OF
POLICE

CITY OF SACRAMENTO
CALIFORNIA

March 25, 1992

REF: 3-12

HALL OF JUSTICE
813 SIXTH STREET
SACRAMENTO, CA
95814-2495

916-449-5121

JOHN P. KEARNS
CHIEF OF POLICE

M E M O R A N D U M

TO: SANDRA YOPE, PLANNER
CITY PLANNING DIVISION

FROM: JERRY V. FINNEY
ASSISTANT CHIEF OF POLICE

SUBJECT: SPECIAL PERMIT REQUEST FOR UNITED FOOD AND GAS, 1481
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We feel that a major contributing factor to the improvement in the area was the closing of the 7-11 Store at Amherst and Meadowview, and the resulting elimination of beer and wine sales from the neighborhood. Until this neighborhood has been completely stabilized, we will oppose the reintroduction of alcoholic beverage sales in this area. We have made our feelings known to the applicant's representative.

Jerry V. Finney

JERRY V. FINNEY
Assistant Chief of Police

JVF:pg

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P92-038

APRIL 16, 1992

ITEM 13