

## RESOLUTION NO. 2010-220

Adopted by the Sacramento City Council

April 27, 2010

### ADOPTING FINDINGS OF FACT AND APPROVING THE SPECIAL PERMIT FOR THE TACO BELL RESTAURANT WITH DRIVE-THROUGH SERVICE (P09-037) (APN: 025-0121-019)

#### BACKGROUND

- A. On February 11, 2010, the City Planning Commission conducted a public hearing on, and approved with conditions the Freeport Taco Bell Restaurant with Drive-through Service (P09-037). Within the time limits specified in the Zoning Code, the project entitlements approved by the Planning Commission were appealed by a third party.
- B. On April 27, 2010, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(2)(a) and (c), and received and considered evidence concerning the Freeport Taco Bell Restaurant with Drive-through Service (P09-037).

#### BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. Based on the verbal and documentary evidence received at the hearing on the Freeport Taco Bell Restaurant with Drive-through Service project, the City Council approves the Special Permit based on the findings of fact and subject to the conditions of approval as set forth below.
- Section 2. The City Council approves the Special Permit to construct a new restaurant with drive-through service facility within in the General Commercial Executive Airport Overlay (C-2-EA-4) zone based on the following findings of fact:
  1. Granting the Special Permit is based upon sound principles of land use in that the proposed drive-through service facility would be incidental to the underlying restaurant use and shall adhere to all development standards as set forth by the City's Zoning Ordinance.
  2. Granting the Special Permit will not be detrimental to the public health, safety, or welfare, nor result in the creation of a nuisance in that the proposed drive-through service facility is not expected to result in significant effects on the environment as specified by the California Environmental Quality Act. Additionally, the proposed project is a compatible use in the General Commercial Executive Airport Overlay (C-2-EA-4) zone, and compatible with the commercial uses to the north, south, and west of the site. Furthermore, the project site is of sufficient size and shape to accommodate standard setbacks,

landscaping, and lighting which will protect the privacy of neighbors and ensure adequate open space and access to light and air.

3. The proposed project is consistent with the Urban Corridor Low land use policies of the General Plan and Zoning Ordinance.
4. The design and location of the drive-through service facility will not contribute to increased congestion on public or private streets or alleys adjacent to the subject property, as the project site is an existing development surrounded by similarly developed commercial land uses.
5. The design and location of the facility will not impede access to or exit from the parking lot serving the business, impair normal circulation within the parking lot or impede pedestrian movement, as the drive-through service facility has been located to ensure maximum vehicular and pedestrian access to and from the project site.
6. The design and location of the facility will not create a nuisance for adjacent properties, as the site has an existing 6' high CMU wall to separate the commercial and residential land uses, the project has been conditioned so that the operating hours of the drive-through service facility shall be 7 a.m. to 10 p.m. seven days a week, and the proposed lighting standards and lighting plan shall not present a disabling glare hazard to drivers or pedestrians, or a nuisance glare concern to neighboring residents.

Section 3. The City Council approves the Special Permit to construct a new restaurant with drive-through service facility within in the General Commercial Executive Airport Overlay (C-2-EA-4) zone subject to the following conditions of approval:

Planning:

1. Applicant shall obtain all necessary building and/or encroachment permits prior to commencing construction of the drive-through window.
2. The building design and the color scheme shall be consistent with the submitted plans. The architecture shall consist of precast stone veneer, stucco exterior walls, and an aluminum store front window system. Any modification to the project shall be subject to review and approval by Planning Department staff prior to the issuance of building permits.
3. The applicant shall remove the existing pole sign, and shall construct a new monument sign, maximum of 8' in height. The new monument sign shall be constructed in accordance with the City Sign Ordinance, and shall be subject to review and approval by Planning Department staff prior to the issuance of building permits.
4. The applicant, or any other occupant of this building shall be prohibited from hanging any banners from or on the exterior of the building.

5. The applicant shall construct all other attached signs as required by the City Sign Ordinance.
6. Handicap parking spaces shall be constructed according to design standards found in the California State Accessibility Standards. All other parking spaces shall be constructed according to dimensions found in Section 17.64.010 of the City's Zoning Ordinance.
7. The project is required to meet the City's Zoning Ordinance regulations regarding bicycle parking (Section 17.64.050). Bicycle parking shall be located in a secure area located in close proximity to public view.
8. All mechanical equipment shall be screened. All rooftop mechanical equipment and communications equipment shall be completely screened from view from public streets by the use of building parapets, screen walls, and architectural projections which are integral to the project design.
9. Prior to issuance of any building permits, the applicant shall provide a lighting plan to be approved by Planning. The parking lot lights shall not exceed a maximum height of 25 feet, including base.
10. The applicant shall install shielding on all overhead lighting such that lighting shall reflect away from residential areas and public streets.
11. The applicant shall maintain illumination in the parking lot between the hours of dusk and one hour after sunrise at a minimum of 1.5 foot candles per square foot of parking lot, except during hours when the business is closed, wherein parking lot lighting shall be maintained at a minimum of 1.0 foot candles per square foot as confirmed on a photometric exhibit to be reviewed and approved by Planning staff prior to issuance of any building permits.
12. The applicant shall maintain a minimum of 0.25 foot candles of illumination at the surface of any walkway, alcove, or passage way related to the building between the hours of dusk and one hour after sunrise.
13. The trash enclosures shall meet all requirements of the City's Zoning Ordinance, Chapter 17.22 (Recycling and Solid Waste Disposal Regulations), including but not limited to, perimeter landscaping, solid metal gate, concrete apron, overhead clearance and signs.
14. Tree shading (50% of paved parking and maneuvering areas) shall be provided in accordance with Zoning Ordinance requirements.
15. The hours of operation for the proposed drive-through service facility shall be 7 a.m. to 10 p.m. seven days a week.
16. Prior to the issuance of a building permit, the applicant shall propose and submit for review and approval by the Planning Manager a "Good Neighbor Policy" including but not limited to the following:

- a) Establish a process for neighbors to communicate directly with management staff of the Taco Bell Restaurant.
  - b) Provide an emergency contact person and phone number on-site, in a clearly identified place.
17. The applicant shall install a small sign (maximum of 2' x 2') at the entrance of the drive-through which requests that persons in the vehicles reduce the volume of their car stereos in consideration of the nearby residents.
  18. Prior to the issuance of a building permit, the applicant shall add an additional two-foot in height to the existing masonry wall along the eastern property line, so that an eight-foot high solid masonry wall separates the commercial use from the residential use.
  19. The owner/applicant shall provide a security guard (unarmed) on site from 6 p.m. to closing (10 p.m.), seven days a week.
  20. The applicant/owner shall install a closed-circuit video camera to monitor the drive-through lane.
  21. The applicant/owner shall install an audio microphone/recorder at the entrance of the drive-through to monitor the sound level of radios within the customer's vehicles. If the level of sound is inappropriately high, an employee of the restaurant shall verbally state to the occupant(s) of the vehicle that the volume shall be decreased or the occupant(s) will be refused service.
  22. The applicant/owner shall relocate a total of four (4) seats within the restaurant to the outdoor patio area at the front of the restaurant, such that the total number of seats indoor/outdoor do not exceed fifty-one (51).

Department of Transportation:

23. Construct standard improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. Improvements shall be designed and constructed to City standards in place at the time that the Building Permit is issued. All improvements shall be designed and constructed to the satisfaction of the Department of Transportation. Any public improvement not specifically noted in these conditions shall be designed and constructed to City Standards. This condition includes any needed street lights along the frontage;
24. Repair or replace/reconstruct any existing deteriorated curb, gutter and sidewalk fronting the property along Freeport Boulevard per City standards and to the satisfaction of the Department of Transportation;
25. All new driveways shall be designed and constructed to City Standards to the satisfaction of the Department of Transportation. The existing shared driveway (W/ Jumbo Seafood) along Freeport Boulevard may need to be reconstructed if it does not meet City standards and/or ADA standards;
26. The site plan shall conform to A.D.A. requirements in all respects;

27. The site plan shall conform to the parking requirements set forth in chapter 17 of City Code (Zoning Ordinance);

28. The design of walls fences and signage near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height at maturity. The area of exclusion shall be determined by the Department of Transportation.

Fire:

29. Provide a water flow test. (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95814). CFC 508.4

Transportation – Electrical Section:

30. This project shall require street lighting. There is an existing street lighting system around this project area. Improvements of right-of-way may require modification to the existing system. Electrical equipment shall be protected and remain functional during construction.

Police:

31. The main cashier counter shall be equipped with at least one central station silent robbery alarm system and a telephone.

32. The drive-up window cashier shall be equipped with at least once central station silent robbery alarm system and a telephone.

33. The applicant shall install a drop safe and post a sign indicating that employees do not have access to the safe. It is also required that the cashier area be provided with a time delay drop type safe so that the cashier can make frequent drops to reduce the amount of cash on hand.

34. Safes shall have a minimum rating of TI-15 or class "C".

35. No beer, ale, malt beverages, wine, wine coolers and/or distilled spirits shall be sold.

36. Any rear door used to admit employees or deliveries shall be equipped with a 180 degree viewing device to screen persons before allowing entry.

37. Height markers which display height measures are required on the interior doorway of the business.

38. All exterior lighting fixtures shall be maintained and operational. Lighting shall be coordinated with the landscaping plan to ensure proper illumination and visibility is maintained through the maturity of the trees and shrubs.

39. No public telephone/pay phone shall be allowed on the premises.
40. All exterior signs shall comply with PUD Guidelines, City of Sacramento Codes, and Ordinances.
41. Window signage is a barrier to security because it prevents officers and citizens who are passing by from seeing inside the business. Interior window signage shall comply with PUD Guidelines, City of Sacramento Codes, and Ordinances.
42. The applicant shall post the property No Trespassing / No Loitering in accordance with section 602(k) of the California Penal Code, and sign an enforcement agreement with the police department to prosecute all violators.
43. All dumpsters must be kept locked.
44. The applicant shall be responsible for the daily removal of all litter generated by the business, from the subject site, adjacent properties and streets.
45. Closed-circuit color video cameras shall be employed to monitor high risk areas such as the cash registers, safes, entrances, and parking lot. Additional cameras should also be placed to monitor the dining areas, restroom doors, and drive-thru.
46. The recording device shall be a digital video recorder (DVR) capable of storing a minimum of 7 days worth of activity. (A DVR capable of storing 30 days worth of activity is preferable.)
47. The DVR must be kept in a secured area that is accessible only to management.
48. Whenever the business is operating between the hours of 11:00pm and 5:00am:
  - Two employees shall be on the premises at all times.
  - The premises shall be locked and customers shall not be allowed inside.
  - Business shall only be conducted through an indirect pass-through, trapdoor, or drive-thru window.
49. The applicant shall assure that the perimeter of the site is fenced during construction. If a general contractor is assigned this responsibility, it shall be the applicant's responsibility to assure compliance. Security lighting and guard patrols are strongly recommended, but not required.

ADVISORY NOTES:

Building:

50. Show path of travel from public transportation stops, & accessible parking spaces to entrances of building, & display with international symbol of accessibility along or leading to an accessible route of travel, & entrance of building per CBC sections 1127B.1 & 1127B.3, respectively.
51. Change building construction type from V-N to V-B per current code, & specify occupancy

group as A-2.

52. Provide occupant load in dining area using a factor of 15 sf/person, & post maximum seating capacity per CBC section 1004.3 where occupant load of 50 or more.
53. Provide each dining, banquet & bar area with one wheelchair seating for each 20 seats, with at least one minimum wheelchair seating per each functional area per CBC section 1104B.5, item 4.
54. Provide panic hardware @ all required exit doors from assembly occupancy per CBC section 1008.1.9.
55. Provide cashier wrap table & condiment counter height per CBC section 1122B.
56. Provide illuminated exit sign & tactile exit sign @ all required exit doors per CBC section 1011.3.

Utilities:

57. There is existing City water and sanitary sewer mains adjacent to the east property line (rear yard) of the subject parcel. Prior to design the applicant shall field verify the exact location of all City water and sanitary sewer and show these utilities with the distances dimensioned from the property line on the construction plans. The Department of Utilities Field Services will assist the applicant in field verifying the location of City Utilities. The applicant should call the following for assistance: Customer Service at (916) 808-5454.
58. Per City Code section 13.04.230, no permanent structure (including without limitation garages, patios, concrete slabs, tool shed and similar structures) shall be constructed on top of water, sewer or drainage pipelines or anywhere within the associated utility easements, unless approved by the director upon execution of a hold harmless agreement approved by the city attorney.
59. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance.

Police:

60. A cash management policy should be implemented to limit the cash on hand at all times after 9:00pm.
61. If the landscaping overwhelms the lighting and reduces visibility in and out of the restaurant, it will create an environment for crime to occur. In order to preserve visibility shrubs that mature around 2-3' tall and bushes or trees with canopy no lower than 8' tall should be used.
62. Hostile vegetation, such as shrubs with thorns or leaf shapes that make them very undesirable for people to walk through, should be used. For example, hostile shrubbery is recommended around dumpster enclosures to help prevent undesirable access to the

dumpster.

63. Masonry walls and tall shrub liners should not be used as they are inconsistent with crime prevention by environmental design strategies. However, if they are essential and cannot be avoided, masonry walls should incorporate graffiti reducing art. Tall shrubs should be a hostile variety to reduce habitation by transients. Incorporating these principles early in the design process is highly recommended.
64. Benches, trash cans, and bicycle racks should be constructed in a manner consistent with crime prevention strategies and placed in highly visible locations. Exterior benches should be designed to discourage loitering and sleeping by utilizing partitions or circular designs that wrap around trees poles. Wrought iron benches are desirable because they provide a fireproof design that is difficult to damage and is easily secured to the ground
65. Parking areas should be laid out to allow a high degree of observation. There shall be sufficient lighting, which minimally meets IESNA standards.
66. Television style monitors should be mounted in a visible location near the entrance so that patrons can clearly see their activities are being monitored when they come through the front door.
67. Closed-circuit color video cameras should also be used in the parking lot area to create comprehensive coverage. Parking lot cameras often make an immense difference during the investigation of a crime.
68. Members of the managerial staff should have the knowledge to operate, access, and burn copies of surveillance images at the site for the system utilized. Camera recording system shall be secured and locked at all times or maintained off site.

Parks:

69. As per City Code, the applicant will be responsible to meet his/her obligations regarding:
  - a) Title 18, 18.44 Park Development Impact Fee (PIF), due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at \$428. This is based on 2,517 square feet of Retail/ Commercial Services square footage at the Specified Infill Rate of \$0.17 per sq. ft. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit.

**Table of Contents:**

Exhibits A-K – Various Plans and Photos

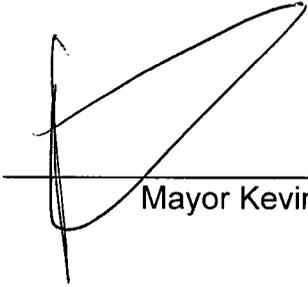
Adopted by the City of Sacramento City Council on April 27, 2010 by the following vote:

Ayes: Councilmembers Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Johnson.

Noes: Councilmember Cohn.

Abstain: None.

Absent: None.

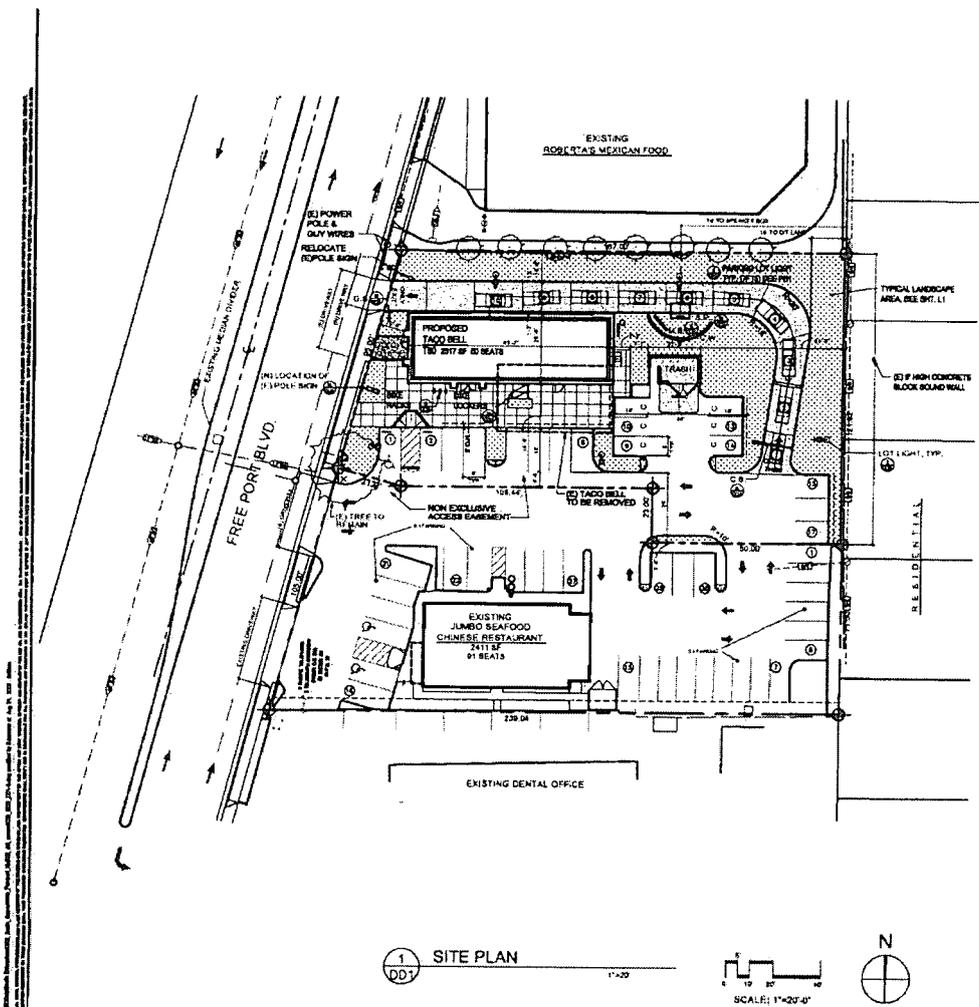


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Mayor Kevin Johnson

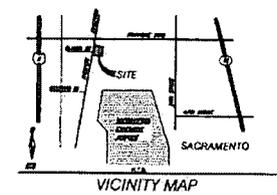
Attest:



\_\_\_\_\_  
Shirley Concolino, City Clerk



P09-037  
 SEPTEMBER 1, 2009



**PROPERTY OWNER**  
 THE FANELLI TRUST  
 C/O JOAQUIN BASSO, TRUSTEE  
 1003 BEL AIR AVENUE  
 SAN JOSE, CA 95128

**APPLICANT**  
 D. G. SMITH ENTERPRISES  
 CONTACT: DAVE SMITH  
 6433 MADISON AVE.  
 SACRAMENTO, CA 95841  
 PHONE: (916) 538-7770

**ARCHITECT**  
 VMI ARCHITECTURE, INC.  
 CONTACT: ROBERT HUNTSBERRY  
 627 8TH AVENUE SAN RAFAEL, CA 94903  
 PHONE: (415) 451-2900

**UTILITIES**

WATER SANITARY	CITY OF SACRAMENTO U. D.	916-266-1423
SEWER	COUNTY OF SACRAMENTO	916-875-9012
STORM DRAINAGE	SACRAMENTO U. D.	916-266-1423
FIRE	CITY OF SACRAMENTO F. D.	916-400-1020
POLICE	CITY OF SACRAMENTO P. D.	916-266-5471
GAS	PG&E	916-389-1271
ELECTRIC	SMUD	916-732-5750
TELEPHONE	55C	916-453-7130
SCHOOL DISTRICT	SACRAMENTO UNIF. ED.	916-294-4060

**PARKING DATA**

TACO BELL  
 REQUIRED: 1 STALL PER 8 SEATS = 9 STALLS + 17 STALLS PROVIDED

DRIVE THRU STACKING = 10 STALLS, 168 FEET LENGTH

**BUILDING DATA**

BLDG. AREA: 1,517 S.F.  
 COVERAGE: 19.7%  
 BUILDING TYPE: TYPE V-N, WOOD FRAME, STUCCO (NON SPRINKLERED)

**LOT DATA**

A.P.N.: 023-0121-015-0000 GENERAL  
 ZONING: COMMERCIAL(C-2 BA 4)  
 USE: COMMERCIAL (RESTAURANT W/ DRIVE THRU)  
 AREA: 21,563 S.F.  
 LANDSCAPE: 7,962 S.F. (37.2%)

**LIST OF DRAWINGS**

DD1 0	SITE PLAN / VICINITY MAP / PROJECT DATA
DD1 1	SITE DETAILS & SIGNAGE
DD1 2	SITE DETAILS
1 of 1	DESIGN SURVEY
DD3 0	FLOOR PLAN / ROOF PLAN / SECTION
DD3 4	EXTERIOR ELEVATIONS
DD3 4	EXTERIOR ELEVATIONS
L1	PRELIMINARY PLANTING PLAN
L2.1	PLANTING DETAILS
PH1	PRELIMINARY PHOTOMETRICS PLAN

P09-037  
 SEPTEMBER 1, 2009

**VMI architecture**  
 Design - Planning - Construction  
 1410 K STREET, SUITE 100, SACRAMENTO, CA 95811  
 (916) 442-1000 FAX (916) 442-1001  
 www.vmiarch.com

**VMI JOB NUMBER**  
 0902

**LEGISLATIVE AGENCY**  
 CITY OF SACRAMENTO  
 OFFICE OF PLANNING

**RECORD DATES**

NO. DATE  
 000 08/11/09  
 001 08/11/09  
 002 08/11/09

**REVISIONS**

NO. DATE REVISION  
 1 08/11/09 SCHEMATIC  
 2 08/11/09 SCHEMATIC

**CLIENT**  
 D. G. SMITH ENTERPRISES  
 6433 MADISON AVE.  
 SACRAMENTO, CA 95841

**PROJECT**  
 TACO BELL  
 644 FREEPORT BLVD.  
 SACRAMENTO, CA 95822

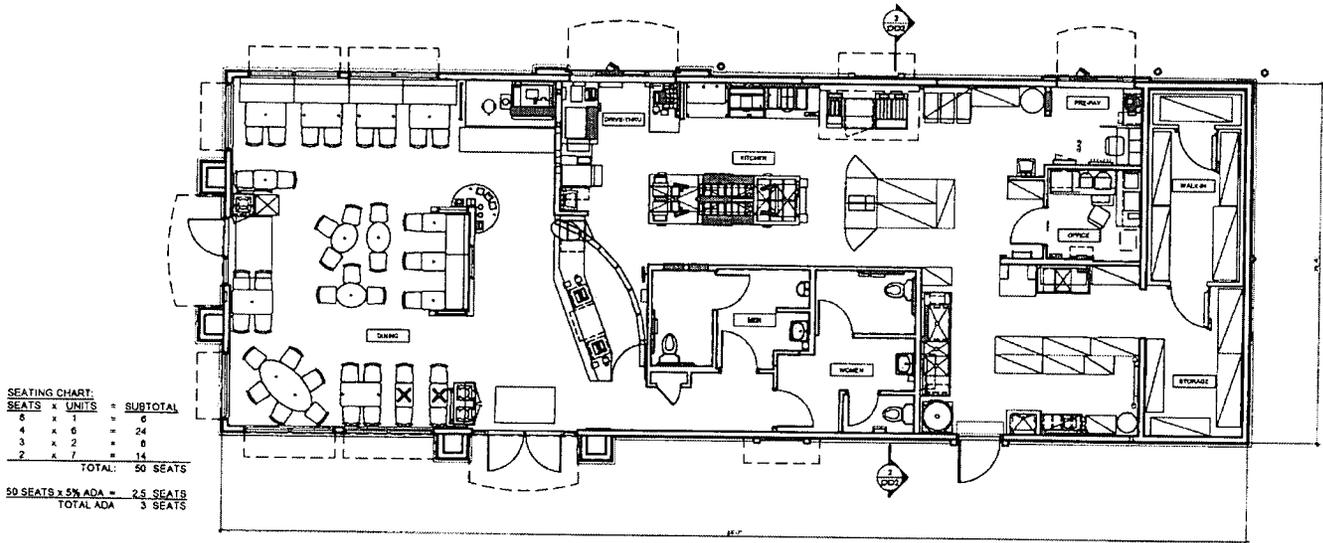
**T50**

**SITE PLAN  
 VICINITY MAP  
 PROJECT DATA**  
 DD1.0





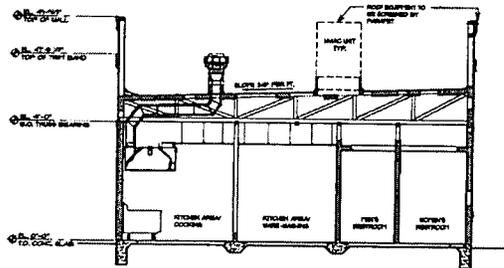




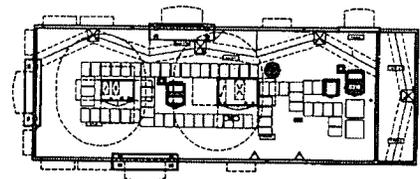
SEATING CHART:

SEATS	x	UNITS	=	SUBTOTAL
6	x	1	=	6
4	x	6	=	24
3	x	2	=	6
2	x	7	=	14
				<b>TOTAL: 50 SEATS</b>
50 SEATS x 5% ADA =				2.5 SEATS
<b>TOTAL ADA</b>				<b>3 SEATS</b>

1 FLOOR PLAN  
1/8" = 1'-0"



2 SECTION  
1/8" = 1'-0"



3 ROOF PLAN  
1/8" = 1'-0"

VMJ architecture  
 457 So. Broadway Ave., Suite 200  
 Los Angeles, CA 90013  
 VMJ JOB NUMBER  
 0902  
 LICENSED ARCHITECT  
 STATE OF CALIFORNIA  
 RECORD DATES  
 BY PERMIT NO. DATE  
 BY SUBMIT NO. DATE  
 BY REV. CONTRACT SET  
 REVISIONS  
 CLIENT  
 D. Q. SMITH ENTERPRISES  
 ONE SIXTY  
 ONE BROADWAY  
 SACRAMENTO, CA 95811  
 PROJECT  
 TRACO BELL  
 3941 FREEDOM BLVD.  
 SACRAMENTO, CA 95822  
 T50  
 FLOOR PLAN  
 ROOF PLAN  
 SECTION  
 DD2.0

Exhibit D: Floor Plan

P09-037  
 SEPTEMBER 1, 2009

Exhibit E: Exterior Elevations

VMJ Architecture  
1000 North 10th Street, Suite 100  
Virginia Beach, VA 23462  
Tel: 757-435-1100  
Fax: 757-435-1101  
www.vmj.com

PROJ. NO. 0902

STATE OF VIRGINIA  
REGISTERED ARCHITECT  
NO. 10000  
EXPIRES 12/31/10

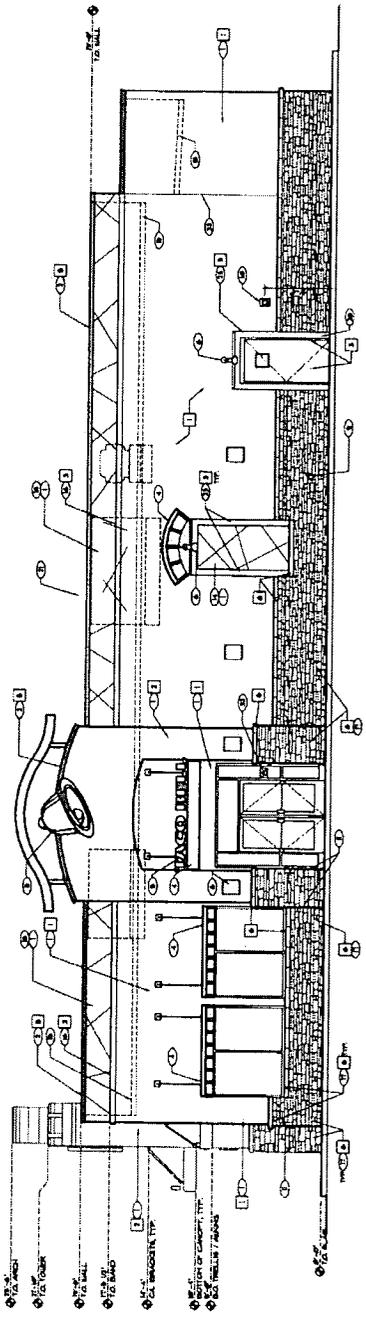
RECORD DATED: 09/01/09  
BY: VMJ  
SCALE: AS SHOWN

CLIENT: D. G. SMITH ENTERPRISES  
1000 BELLEVILLE BLVD.  
DUNEDON, VA 23046

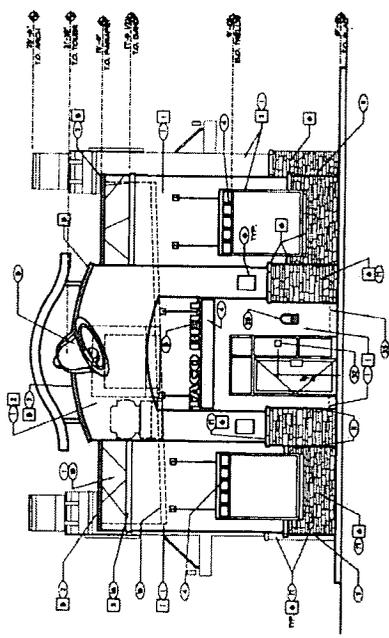
PROJECT: TACO BELL  
1000 BELLEVILLE BLVD.  
DUNEDON, VA 23046

150

EXTERIOR ELEVATION  
DD3.0



1 SOUTH ELEVATION  
1/4" = 1'-0"



2 WEST ELEVATION  
1/4" = 1'-0"

REVISIONS		DATE	
NO.	DESCRIPTION	BY	DATE
1	ISSUED FOR PERMITS	VMJ	08/20/09
2	ISSUED FOR PERMITS	VMJ	08/20/09
3	ISSUED FOR PERMITS	VMJ	08/20/09
4	ISSUED FOR PERMITS	VMJ	08/20/09
5	ISSUED FOR PERMITS	VMJ	08/20/09
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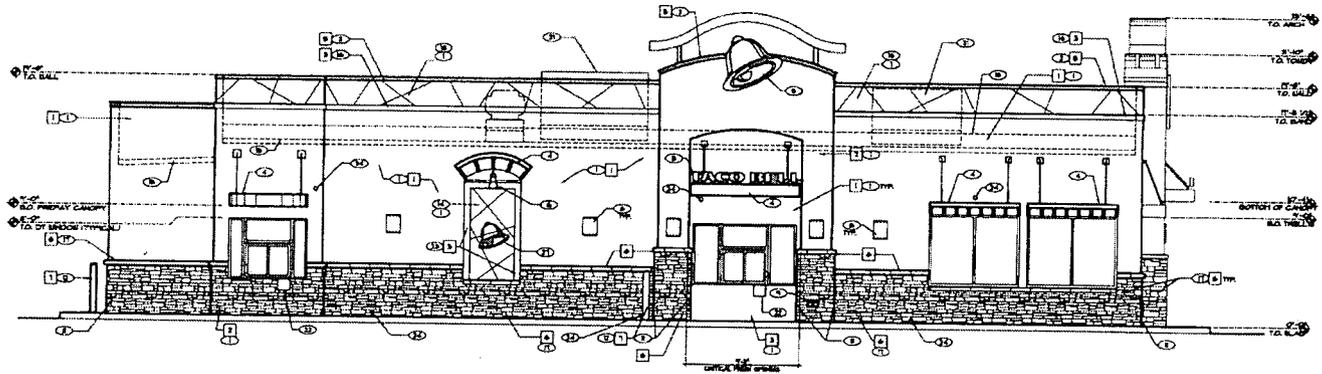
  

EXTERIOR FINISH SCHEDULE	
1	CONCRETE
2	BRICK
3	GLASS
4	PAINT
5	ROOFING
6	MECHANICAL
7	ELECTRICAL
8	PLUMBING
9	HEATING
10	Cooling
11	INSULATION
12	FOUNDATION
13	LANDSCAPE
14	Site Work
15	Other

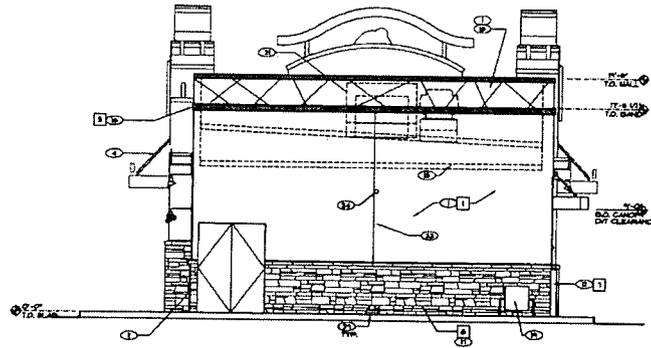
  

LET & NOTES	
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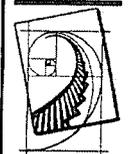
P09-037  
SEPTEMBER 1, 2009



3 NORTH ELEVATION  
1/4" = 1'-0"



4 EAST ELEVATION  
1/4" = 1'-0"



VMI architecture  
 CHRYST PARRISH LINDSEY  
 437 16 Avenue San Ramon, CA 94583  
 925.937.1000 925.937.1001 fax  
 www.vmi.com

VMI JOB NUMBER  
 0902



RECORD DATES  
 10/14/09 10:00 AM  
 04/16/10 10:00 AM  
 05/07/10 10:00 AM  
 CONTRACT SET

REVISIONS  
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CLIENT  
 D. G. SMITH ENTERPRISES  
 ONE ONE ONE  
 FORT BRUNNEN AVE.  
 SACRAMENTO, CA 95811

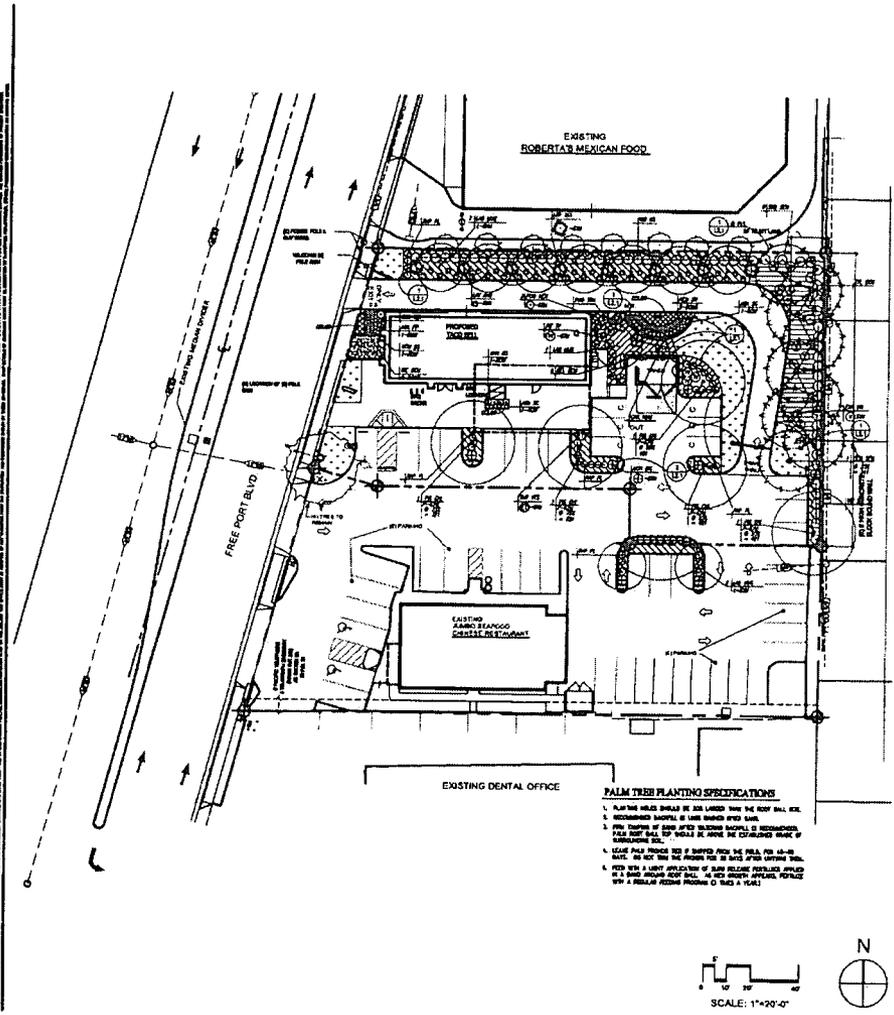
PROJECT  
 TACO BELL  
 2011 FREIGHT BLDG.  
 SACRAMENTO, CA 95822



EXTERIOR  
 ELEVATION

DD3.1

P09-037  
 SEPTEMBER 1, 2009



**P09-037**  
**SEPTEMBER 1, 2009**

NOTE:  
 UPON COMPLETION OF LANDSCAPING AND BRINGING THE  
 INSTALLATION SHALL BE THE PROJECT AND BE  
 TO THE STATE'S DEPARTMENT OF CONSUMER AFFAIRS  
 THE LANDSCAPING AND BRINGING SHALL BE COMPLIANT  
 WITH THE APPROVAL PLANS AND SPECIFICATIONS, CALL FOR NOTICES  
 TO BE PROVIDED FOR LANDSCAPE ARCHITECT'S INSPECTION AND  
 VERIFICATION OF COMPLETION LETTERS.

- NOTE:  
 1. NO PAINE ONES ON THIS SITE.  
 2. A THREE INCH (3") LAYER OF WOOD MULCH  
 IS REQUIRED IN ALL OPEN-TYPE PLANTERS.  
 ACCOMPANY THIS PLAN WITH A MULCH PLANT  
 FROM PLANS AND UNDER THE SITEPLAN.  
 3. ALL CURB OUTSLOPES SHALL NOT EXCEED 5:1 SLOPE.  
 4. EXISTING POWER LINES SHOWN ON THIS PLAN OR ON SITE.

PLANT NAME	COMMON NAME	QUANTITY	SIZE
1.000	ROSE OF SHARON	1	12"
1.000	FRAGRANT HYDRANGEA	1	12"
1.000	FRAGRANT HYDRANGEA	1	12"
1.000	FRAGRANT HYDRANGEA	1	12"

PLANT NAME	COMMON NAME	QUANTITY	SIZE
1.000	ROSE OF SHARON	1	12"
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1.000	FRAGRANT HYDRANGEA	1	12"
1.000	FRAGRANT HYDRANGEA	1	12"

PLANT NAME	COMMON NAME	QUANTITY	SIZE
1.000	ROSE OF SHARON	1	12"
1.000	FRAGRANT HYDRANGEA	1	12"
1.000	FRAGRANT HYDRANGEA	1	12"
1.000	FRAGRANT HYDRANGEA	1	12"



SACRAMENTO WATER CALCULATIONS  
 WATER USE CALCULATIONS  
 TOTAL LANDSCAPE SQUARE FEET = 7,244 SQ.FT.

WATER USE	PLANT KEY	SQ. FT. TOTAL	WATER USE FACTOR	SOFT USE VALUE
HIGH	ANNUAL COLOR	378	X 1.6 = 604	
HIGH	TURF	1,918	X 1.6 = 3,068	
MED.	DAY LILLY	747	X 1.0 = 747	
	CANDY TUFT			
	VARIANTEG HOCK ORANGE			
	CREAM DELIGHT NEW ZEALAND FLAX			
	YELLOW CATS CLAW	4,152	X 0.4 = 1,660	
LDV	OLEANDER			
	RAPHAEL OPIS			
	AGAPANTHUS			
	ELIOTOPIS			
	PERSEA			
	XYLISMA			
	VERBENUM TINUS			
	NEW ZEALAND TEA TREE			
	LAVENDER			
HDV	CON. PAVED TIPS	51	X 0.0 = 0	
	TOTAL WATER USE VALUE			6,679

SHADE CALCULATIONS  
 TOTAL SQ. FT. OF PARKING LOT 5,256

2 PISTACIO @ 782 EA.	875% = 1,444
3 PISTACIO @ 481 EA.	850% = 1,443
1 REDWOOD @ 123 EA.	820% = 123
TOTAL SHADE	3,010 SQ. FT. 57%

DATE: 8-31-09  
 DATE: REV 1: 8-23-09  
 DATE: REV 2: 8-28-09  
 DATE: REV 3: 8-25-09  
**PRELIMINARY PLAN**  
 1"=20'

VMI architecture  
 4110 S. MORTON ST. SACRAMENTO, CA 95822  
 916.442.1110  
 www.vmiarch.com

VMI JOB NUMBER  
**0902**

STATE OF CALIFORNIA  
 COUNTY OF SACRAMENTO  
 4110 S. MORTON ST.  
 SACRAMENTO, CA 95822

RECORD DATES  
 NO. REVISED  
 DATE  
 BY

REVISIONS  
 NO. REVISED  
 DATE  
 BY

CLIENT  
 D.G. SMITH ENTERPRISES  
 4110 S. MORTON ST.  
 SACRAMENTO, CA 95822

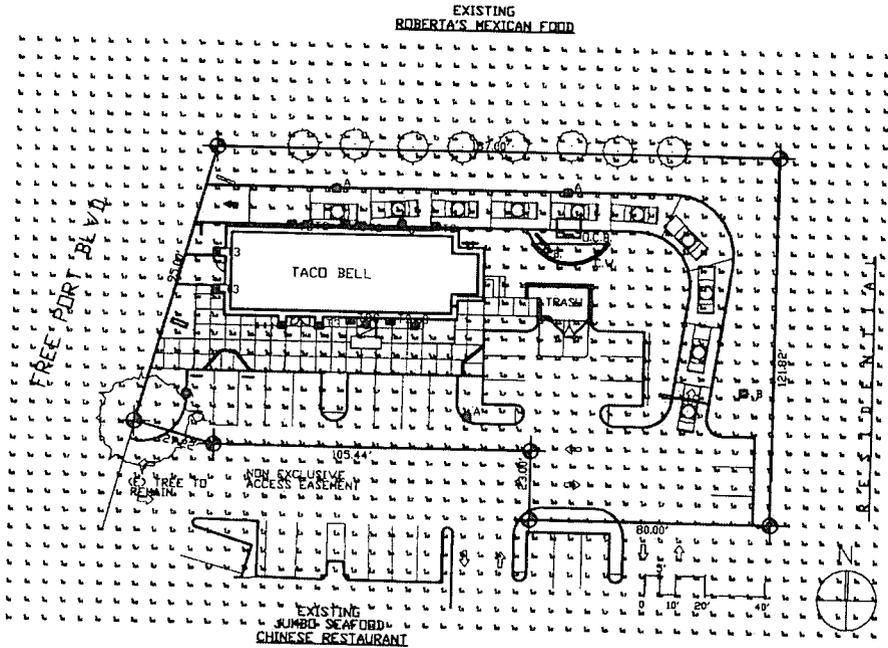
PROJECT  
 TACO BELL  
 801 FREEPORT BLVD.  
 SACRAMENTO, CA 95822

T50

PRELIMINARY PLAN  
**L-1**

Exhibit F: Preliminary Landscape Plan





Statistical Area Summary

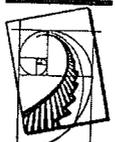
PROJECT: ALL PROJECTS					
Label	Avg	Max	Min	Avg/Min	Max/Min
PARKING LOT SURFACE	317	10.7	1.2	2.64	8.92

Luminaire Schedule

PROJECT: ALL PROJECTS						
Symbol	Qty	Label	Arrangement	Lumens	LLF	Description
3	5	S	SINGLE	8500	0.725	ACCU REZNSIBLK @ 11.7' AFG
11	13	T3	SINGLE	9500	0.800	ACCU REZNSIBLK @ 11.7' AFG
4	1	A	SINGLE	40000	0.760	95200-FP40PS / 95200-42SS @ 7.67' AFG
1	1	B	SINGLE	40000	0.760	95200-FP40PS / 95200-HSS / 95200-42SS

LIGHTING RESTRICTIONS: MINIMAL LIGHT TRESPASS BEYOND PROPERTY LINE ON RESIDENTIAL SIDE  
 LIGHT LEVELS ARE MAINTAINED FOOT-CANDLES. INITIAL LEVELS ARE SLIGHTLY HIGHER  
 POLE FIXTURES ARE 400V PULSE-START METAL HALIDE w/ SAG LENSES  
 FIXTURE B HAS HOUSE SIDE SHIELD  
 POLES ARE 25'-0" FOR AN OVERALL FIXTURE MOUNTING HEIGHT OF 27'-6"

TACO BELL  
 5641 FREEPORT BLVD.  
 SACRAMENTO, CA  
 PREPARED BY: JOHN BUJAKE  
 ACCUSERV LIGHTING & EQUIPMENT  
 877-707-7378  
 502-961-0357 FAX  
 jbujake@accu-serv.com  
 AUGUST 19, 2009



VMI architecture  
 417 26 Avenue 2nd Floor, CA 95811  
 916-441-1111

VMI JOB NUMBER  
 0902



RECORD DATES

DATE	BY
08/19/09	JB

REVISIONS

NO.	DATE	DESCRIPTION

CLIENT  
 D. G. SMITH ENTERPRISES  
 2841 14TH ST  
 SACRAMENTO, CA 95811

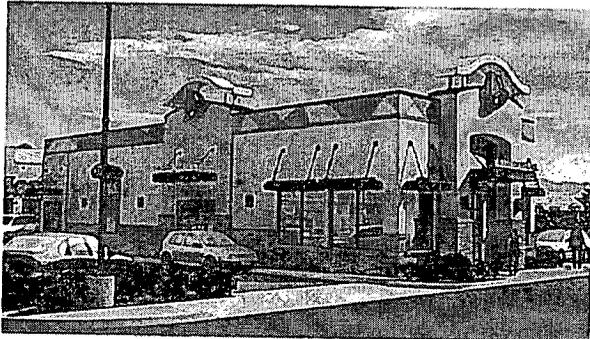
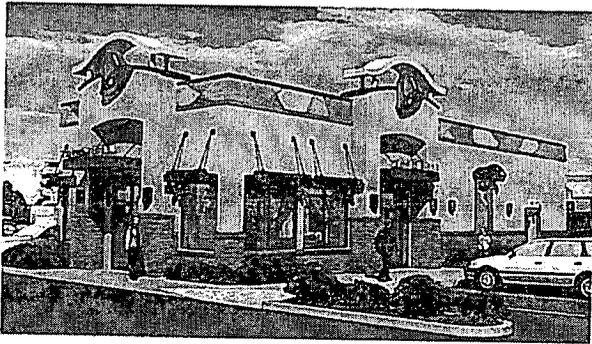
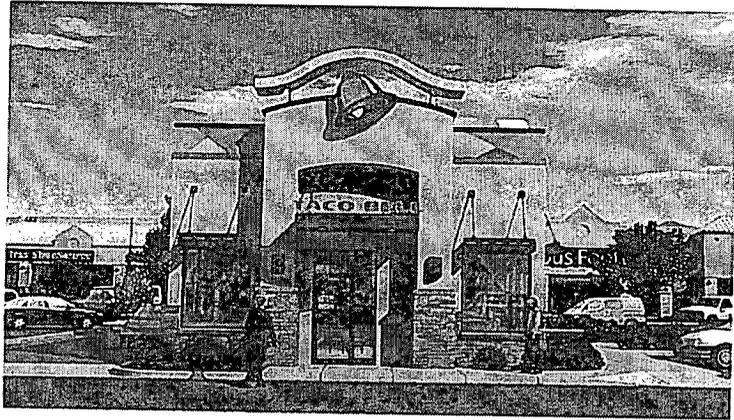
PROJECT  
 TACO BELL  
 5641 FREEPORT BLVD.  
 SACRAMENTO, CA 95822



SITE PHOTOMETRICS  
 PH-1

Exhibit H: Site Photometrics

P09-037  
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**TACO BELL RESTAURANT**

DATE 08/26/09

OWNER D.G. Smith Enterprises  
Sacramento, CA

5461 Freeport Boulevard  
Sacramento, CA



VMI architecture  
SAN RAFAEL, CA

**P09-037**  
**SEPTEMBER 1, 2009**

**Exhibit J: Environmental Noise Analysis Provided by Applicant**

*CITY*

**ROSEN  
GOLDBERG  
DER &  
LEWITZ, INC.**  
Acoustical and Audiovisual Consultants

**ENVIRONMENTAL NOISE ANALYSIS FOR:**

**Taco Bell Drive-Thru Restaurant  
5641 Freeport Blvd., Sacramento, CA 95822**

RGDL Project# 09-064

**PREPARED FOR:**

Robert Huntsberry  
Vincent + Murphy Inc.  
637 Fifth Avenue  
San Rafael, CA 94901  
RHuntsberry@vmarch.com

**PREPARED BY:**

Leonardo Cedolin, Ph.D.  
Harold S. Goldberg, P.E.

**DATE:**

27 August 2009

**P09-037  
SEPTEMBER 1, 2009**

arkspur CA 94939 • Tel 415 464 0150 • Fax 415 464 0155 • RGDLacoustics.com

## 1. Introduction

This report presents the results of a noise study of the proposed Taco Bell drive-thru restaurant at 5641 Freeport Boulevard, Sacramento, CA based on drawings dated 08/12/09. The Taco Bell restaurant and the drive-thru will be open from 10 AM to midnight. The neighboring properties are residential to the east and commercial to the north of the project site. Figure 1 shows a site plan with the locations of the speakerbox and the locations on the neighboring residential properties at which the calculations were performed (A and B). The noise levels generated at the neighboring non-commercial properties by the proposed drive-thru speakerbox were calculated based on measurements at similar facility.

The speakerbox generated noise levels are discussed with respect to the Exterior Noise Standards (Section 8.68.060) of the Sacramento City Code and the Exterior Incremental Noise Impact Standards of the Noise Element of the City of Sacramento General Plan.

In summary, speakerbox noise levels at the adjacent properties will comply with applicable noise standards of the City of Sacramento.

## 2. Environmental Noise Fundamentals

Noise can be defined as unwanted sound. It is commonly measured with an instrument called a sound level meter. The sound level meter captures the sound with a microphone and converts it into a number called a sound level. Sound levels are expressed in units of decibels. To correlate the microphone signal to a level that corresponds to the way humans perceive noise, the A-weighting filter is used. A-weighting de-emphasizes low-frequency and very high-frequency sound in a manner similar to human hearing. The use of A-weighting is required by most local General Plans as well as federal and state noise regulations (e.g. Caltrans, EPA, OSHA and HUD). The abbreviation dBA is often used when the A-weighted sound level is reported.

Because of the time-varying nature of environmental sound, many descriptors can be used to quantify the sound level. While one individual descriptor is not always sufficient to describe a particular noise environment, two or more descriptors taken together can represent more accurately some noise environments.

To express the average noise level over a length of time, the  $L_{eq}$  (equivalent noise level) is used. The  $L_{eq}$  can be measured over any length of time but is typically reported for periods of 15 minutes to 1 hour.

To quantify the noise level over a 24-hour period, the Day/Night Average Sound Level ( $L_{dn}$ ) is often used. The  $L_{dn}$  is a 24h noise energy average which includes a 10 dBA penalty during nighttime hours (10pm-7am) to account for people's increased sensitivity during these hours.



**3. Noise Level Criteria**

Table 1 shows the Exterior Noise Limits for noise levels generated by a commercial establishment on a receiving residential property of the Sacramento City Code (Section 8.68.060). The limits shown in Table 1 include the 5 dBA penalty that applies to noises consisting of speech (such as speakerbox noise).

All limits are expressed in terms of  $L_n$ , defined as the noise level not to be exceeded for more than n% of the time in any hour. For example, the Code states that the noise level not to be exceeded for a cumulative period of more than 15 minutes in any hour (or  $L_{25}$ ) is 55 dBA from 7 AM to 10 PM and 50 dBA from 10 PM to 7 AM.

**Table 1: Exterior Noise Standards – Sacramento City Code (Section 8.68.060)**

Min / hr.	Noise descriptor	Noise Limits	
		7 AM – 10 PM	10 PM – 7 AM
30	$L_{50}$	50 dBA	45 dBA
15	$L_{25}$	55 dBA	50 dBA
5	$L_{8.33}$	60 dBA	55 dBA
1	$L_{1.67}$	65 dBA	60 dBA
Any period of time	$L_{max}$	70 dBA	65 dBA

Table 2 shows the Exterior Incremental Noise Impact Standards of the Noise Element of the City of Sacramento General Plan.

**Table 2: Exterior Incremental Noise Impact Standards for Residential Uses – Noise Element of the City of Sacramento General Plan**

Existing $L_{dn}$	Allowable $L_{dn}$ Increment
45 dBA	8 dBA
50 dBA	5 dBA
55 dBA	3 dBA
60 dBA	2dBA
65 dBA	1 dBA
70 dBA	1 dBA
75 dBA	0 dBA

#### 4. Speakerbox Noise

Typical speakerbox noise levels were measured at a similar establishment (KFC, 555 2<sup>nd</sup> St., San Rafael, CA) for an earlier project. The data is included in Appendix 1.

As shown in Appendix 1, the speakerbox is a directional noise source, meaning that the emitted sound level varies depending on the angle between the face of the speakerbox and the receiver location.

Speakerbox noise will attenuate by 6 dBA with each doubling of distance.

There is a 6-foot tall masonry wall at the east property line which extends north and south of the project parcel. This wall will provide approximately 6 dBA speakerbox noise reduction.

By taking into account the distance of each receiver location from the speakerbox, the angle attenuation and the attenuation due to the masonry wall, we predict the noise levels shown in Table 3.

**Table 3: Predicted Speakerbox Noise Levels (behind masonry wall)**

Receiver Location (Fig. 1)	Speakerbox noise level
A	46 dBA
B	48 dBA

During our monitoring of speakerbox operation at the San Rafael KFC, we noticed that a typical order lasted about 30 seconds at peak hour (5 PM). The speakerbox was emitting sound for approximately 15 of these 30 seconds. Because of the wait for food pickup, approximately one car per minute placed an order. Therefore, at peak hour, the speakerbox emits sound for approximately 15 of every 60 seconds, or 25% of time. Here, we make the conservative assumption that the speakerbox emits sound for 25% of the time not only at peak hours, but at all times between 10 AM and midnight.

Since we are making the assumption that the noise generated by the speakerbox is "on" 25% of the time during any hour between 10 AM and midnight, these levels need to be compared to the limits shown in Table 1 for the L<sub>25</sub>. These limits are 55 dBA from 7 AM to 10 PM and 50 dBA from 10 PM to 7 AM.

Therefore, we predict that the noise levels generated by the speakerbox will be at least 7 dBA below the exterior noise limits during the daytime and 2 dBA below the exterior noise limits during the nighttime.

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**SEPTEMBER 1, 2009**

RGDL Project# 09-064

ROSEN  
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DER &  
LEWITZ, Inc.

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We have not measured the existing noise levels at the neighboring residential properties. However, based on the predicted speakerbox noise levels, it is possible to calculate what the increment in  $L_{dn}$  due to the speakerbox noise **would be** if the existing  $L_{dn}$  were equal to any of the values listed in Table 2. This analysis is shown in Table 4.

**Table 4: Exterior Incremental Noise Impact Standards for Residential Uses – Noise Element of the City of Sacramento General Plan**

Existing $L_{dn}$ assumed equal to:	$L_{dn}$ Increment due to speakerbox noise	Allowable $L_{dn}$ Increment
45 dBA	2.3 dBA	8 dBA
50 dBA	0.9 dBA	5 dBA
55 dBA	0.3 dBA	3 dBA
60 dBA	0.1dBA	2dBA
65 dBA	0 dBA	1 dBA
70 dBA	0 dBA	1 dBA
75 dBA	0 dBA	0 dBA

Based on location of the project parcel (urban-suburban environment), we expect the existing  $L_{dn}$  to be in the range of 50 to 70 dBA. Table 4 shows that regardless of the exact value of the existing  $L_{dn}$ , the increase in  $L_{dn}$  due to speakerbox noise will be well below the maximum allowable increment established by the Noise Element of the City of Sacramento General Plan.

**P09-037**

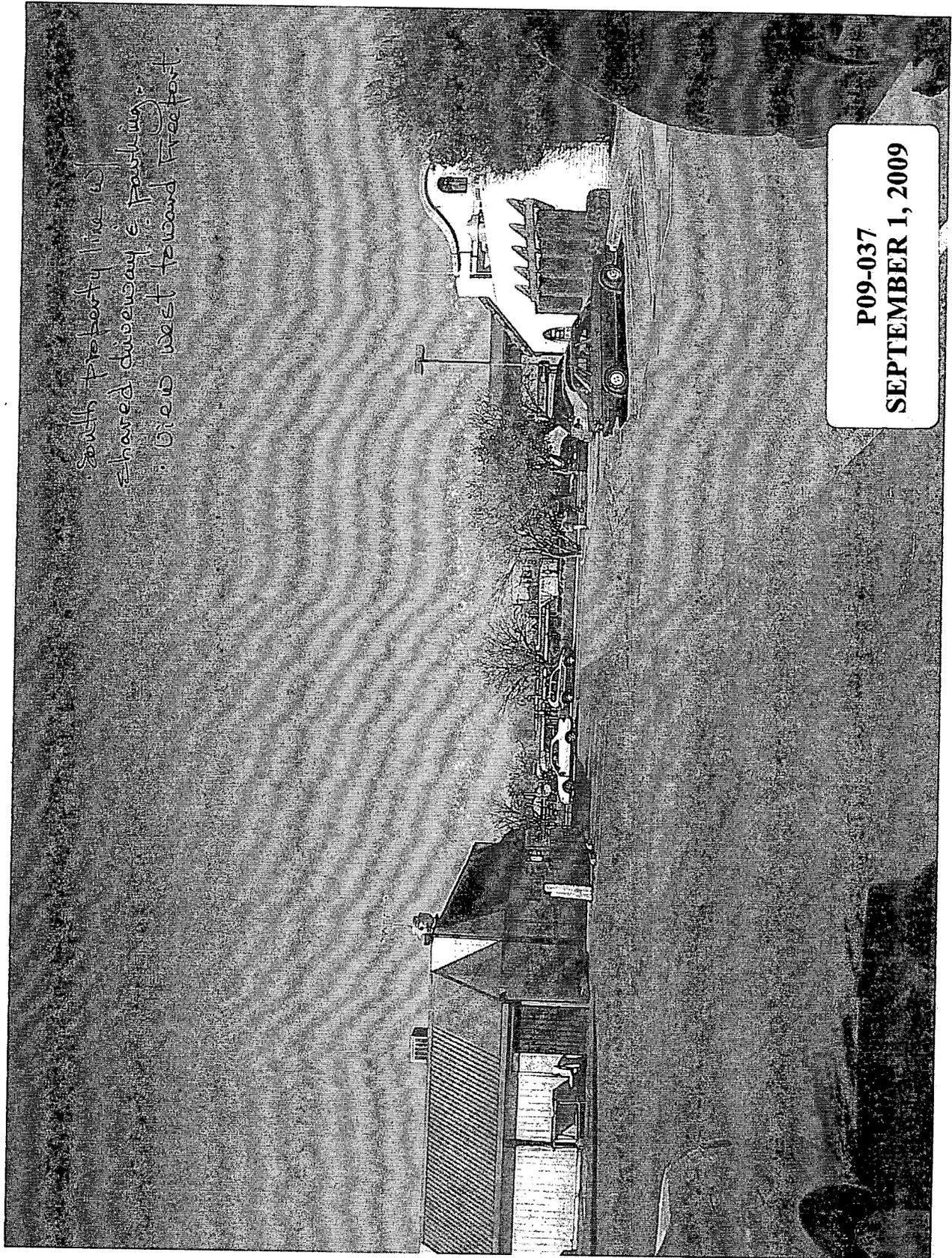
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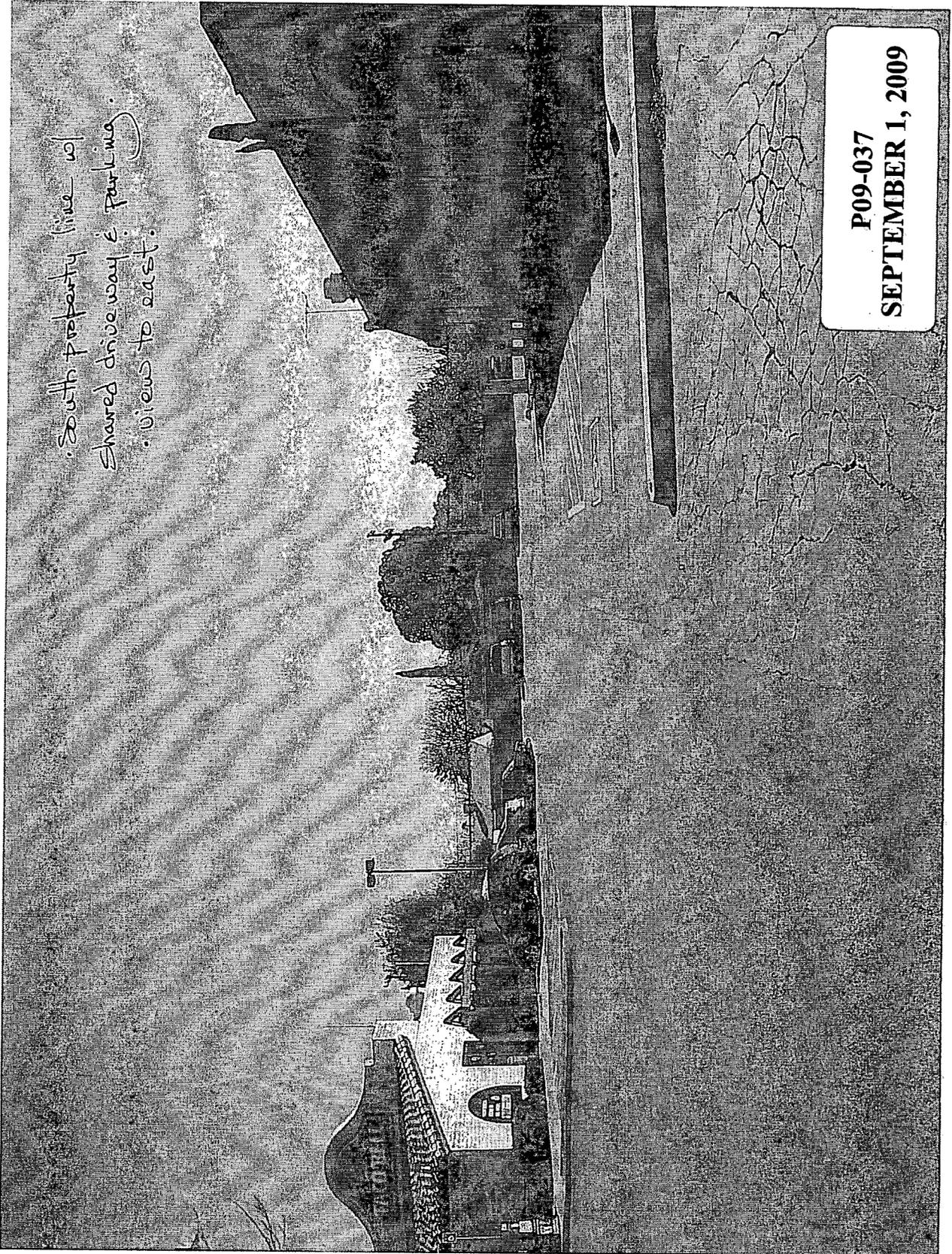
**SEPTEMBER 1, 2009**

RGDL Project# 09-064

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GOLDBERG  
DER &  
LEWITZ, INC.

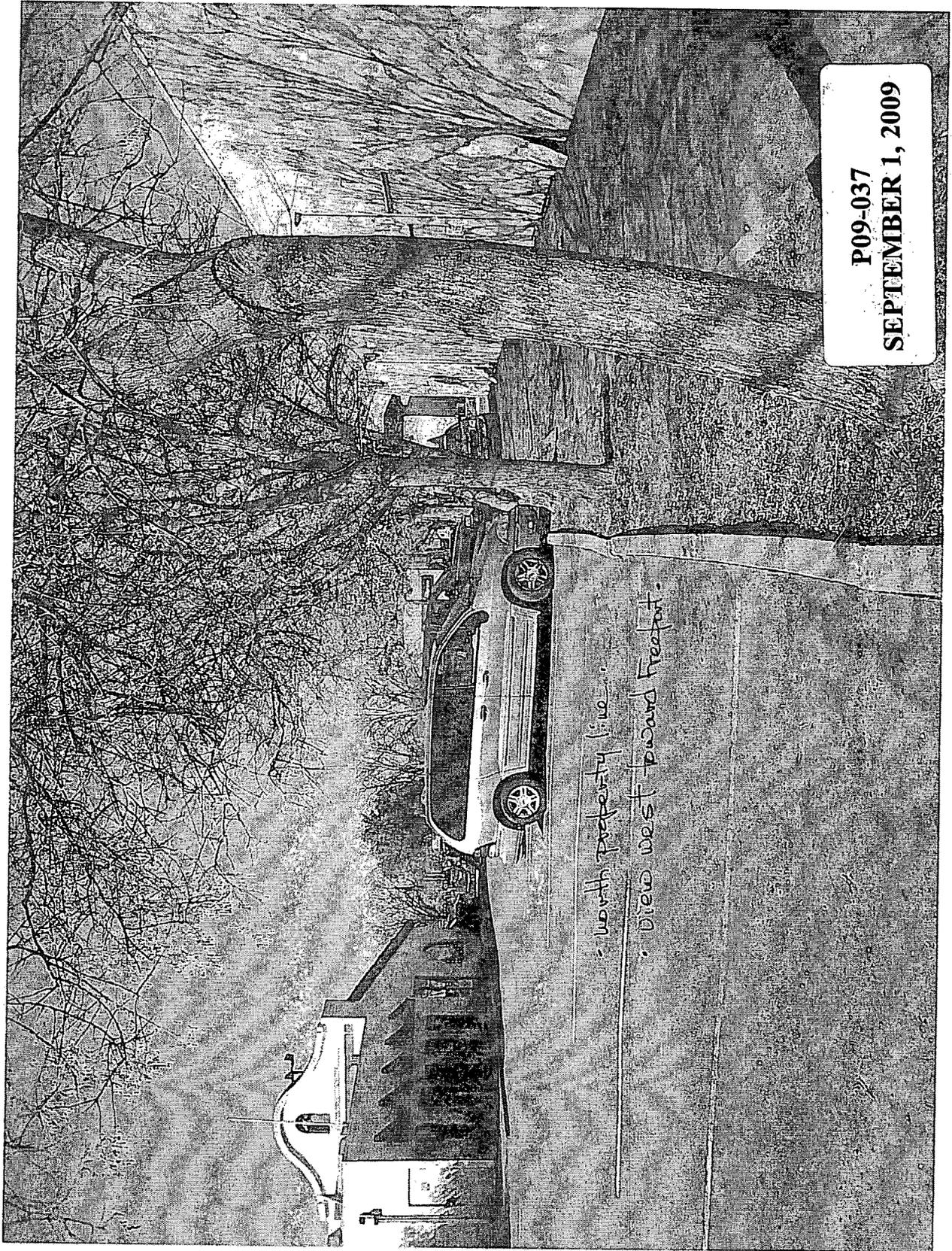
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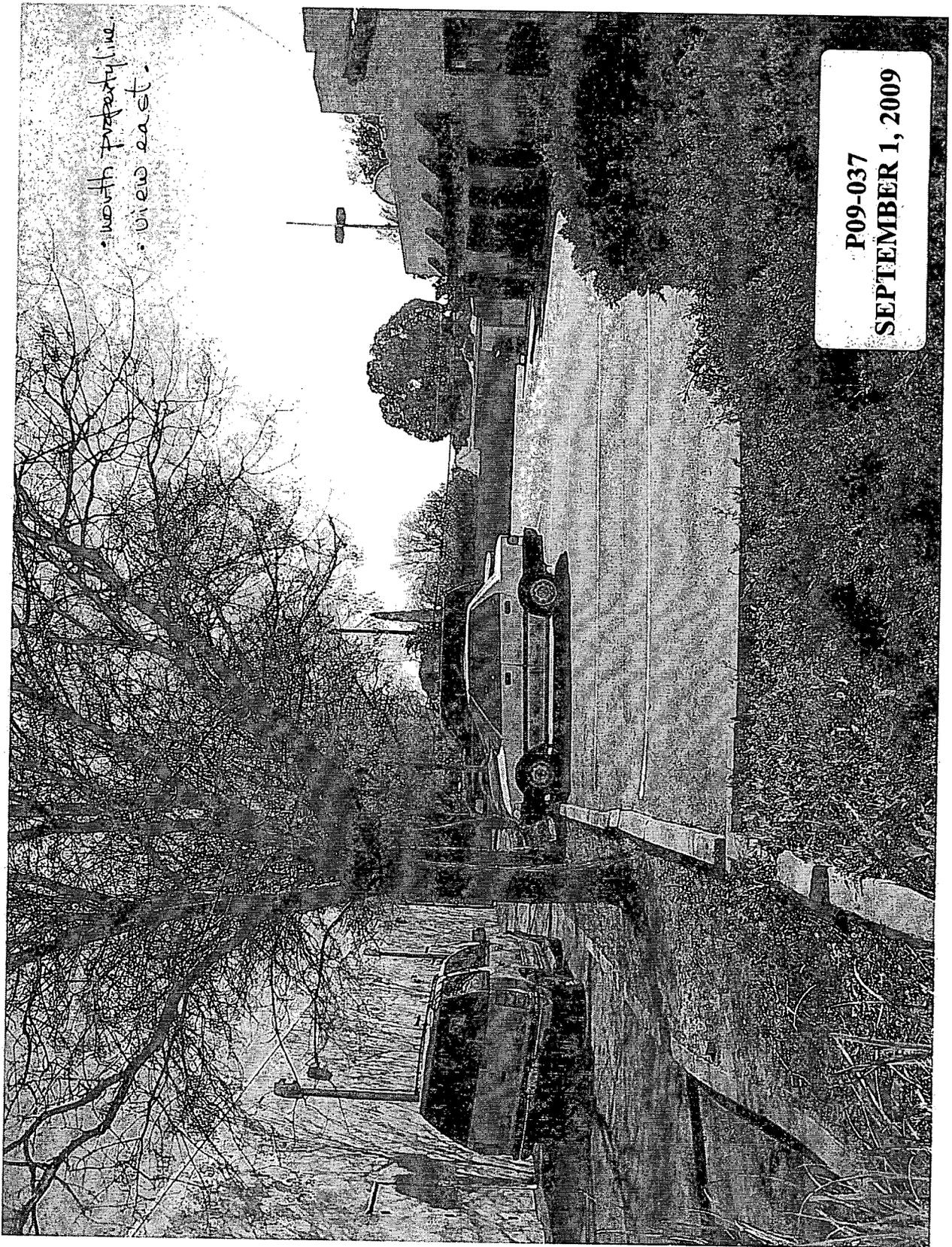




• South property line w/ shared driveway & parking.  
• Views to east.

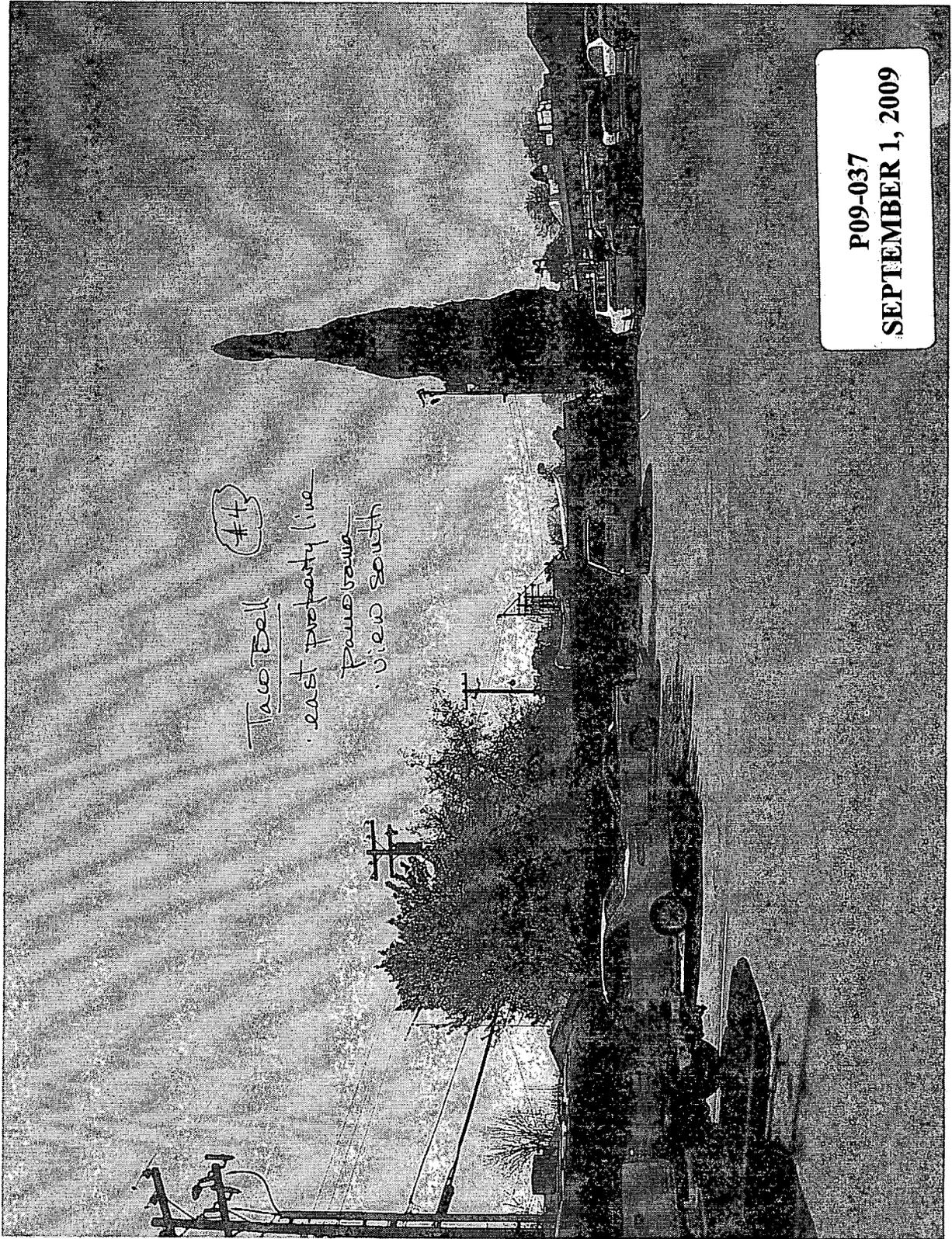
P09-037  
SEPTEMBER 1, 2009

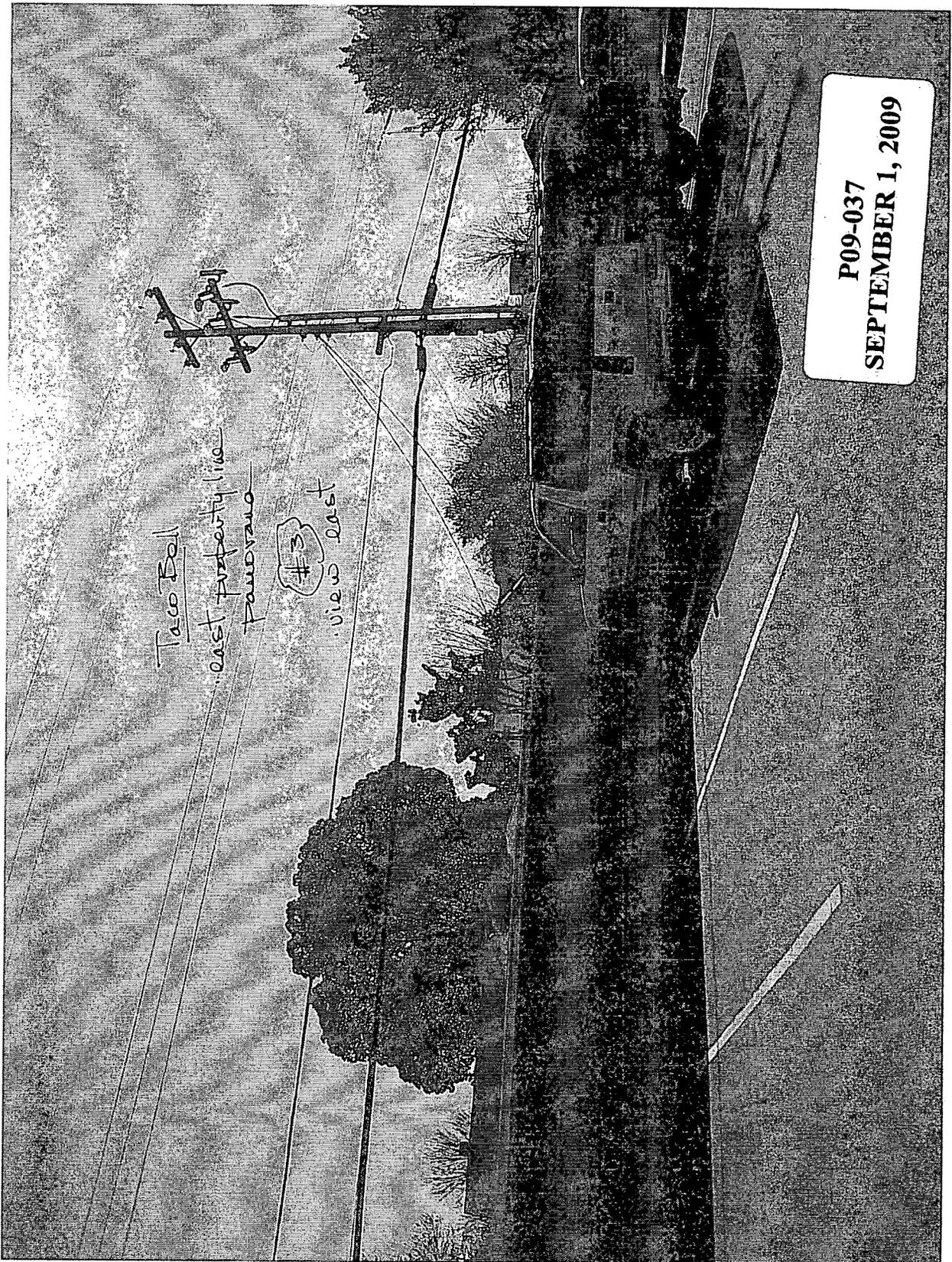


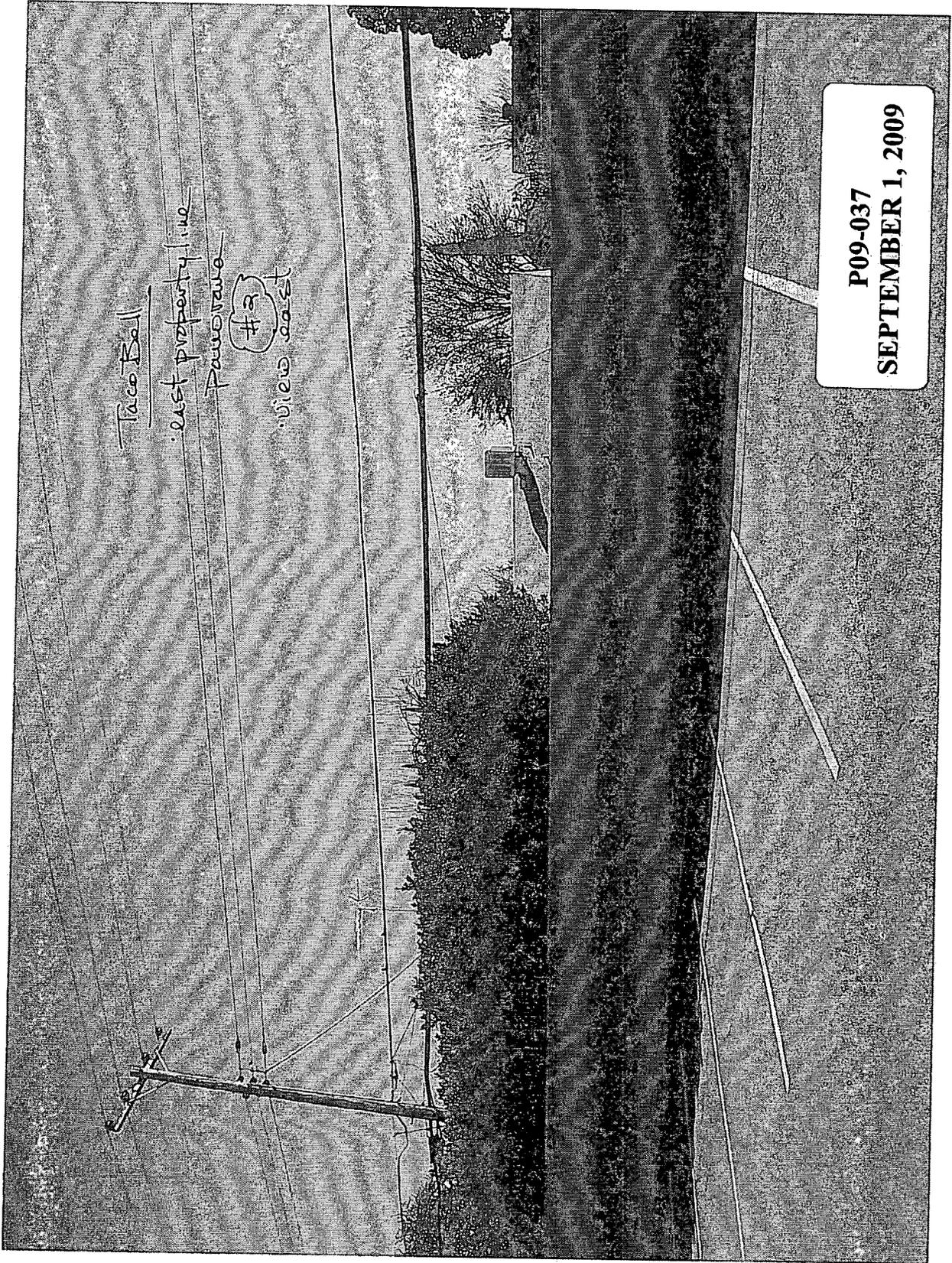


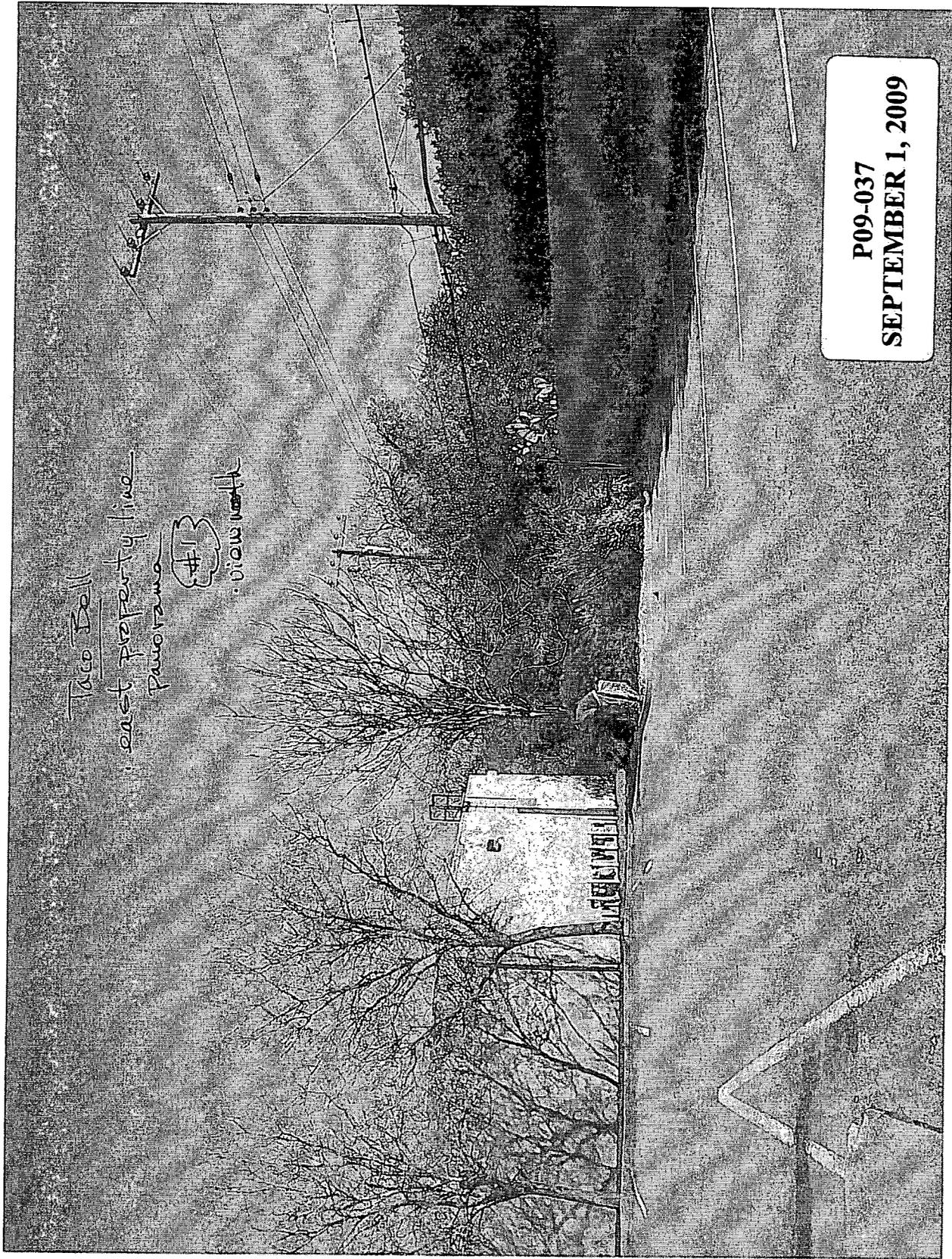
• north property line  
• view east.

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SEPTEMBER 1, 2009









P09-037  
SEPTEMBER 1, 2009

