



City of Firebaugh

Special Planning Commission Agenda

May 29, 2024 • 6:00 p.m.

1. Call to Order

2. Roll Call:

Chairperson:	Ivan Garcia
Vice Chairperson:	Dennis Vasquez
Commissioners:	Nicole Molina
	Martha Sandoval
	Wendy Ozburn
	Dillion Knight

3. Pledge of Allegiance

4. Approval of Minutes: March 19, 2024

5. Public Comments

Any person or persons wishing to address the Planning Commission on any matter that is not listed on the agenda may do so at this time. Individuals must limit their comments to three minutes. Issues raised during Public Comments are informational only and the Planning Commission cannot take action at this time. All comments should be directed at the chairperson and not at individual Commissioners or staff members.

6. Public Hearings

7. Other Business:

- A. **Site Plan Review Map 2024-02 (Quick Service Coffee Restaurant)**. A request to approve a Site Plan Review for a 2,154 square foot restaurant building with a drive-through lane, a parking lot with 21 parking spaces, including two electric vehicle capable stalls and one ADA compliant stall as well as bicycle parking spaces, along the west side of N Street and Highway 33 between 11th Street and 12th Street, APN 008-010-24 (Resolution PZ 24-03).

8. City Planner's Comments

9. Planning Commissioner Comments

10. Adjournment

Next Resolution Number PZ 24-04

Next Planning Commission Meeting: Scheduled for June 10, 2024.

Public Notification: Agenda posted 72 hours prior to meeting date.

Date/Time posted: May 28, 2024, 5:00 p.m.

Verified by Rita Lozano, Deputy City Clerk



City of Firebaugh

Planning Commission Special Minutes

March 19, 2024, • 6:00 p.m.

1. Call to Order: 5:30 p.m., by City Planner Karl Schoettler

2. Roll Call:

Commissioners	Nicole Molina
	Wendy Ozburn
	Dillion Knight
	City Planner Karl Schoettler
	City Manager Ben Gallegos
Absent	Ivan Garcia, Dennis Vasquez

3. Pledge of Allegiance *Planning Commissioner Molina led the pledge of Allegiance.*

4. Approval of Minutes: November 13, 2023

Motion to approve minutes by Commissioner Molina, second by Commissioner Torres motion passes by 4-0 vote.

5. Public Comments: None

6. Public Hearings:
 - A. None

7. Other Business:
 - A. Site Plan Review 2024-01 (La Joya Commons (Fresno Housing Authority)). A request to approve a density bonus and a Site Plan Review for Phase 2 of the La Joya Commons project (28 new multi-family dwellings on a 1.7±acre site on the west side of P Street south of Clyde Fannon Road. (Resolution PZ 24-01 (Density Bonus) and Resolution PZ 24-02 (Site Plan Review))).

Motion to approve Res. PZ 24-01 by Commissioner Knight, second by Commissioner Ozburn, motion passes by 4-0 vote.

Motion to approve Res. PZ 24-02 by Commissioner Ozburn, second by Commissioner Knight, motion passes by 4-0 vote.

8. City Planner's Comments:

9. Planning Commissioner Comments:

10. Adjournment

Motion to adjourn by Commissioner Knight, second by Commissioner Ozburn; motion passes by 4-0 vote; meeting adjourned at 6:09 pm.

FIREBAUGH PLANNING COMMISSION

STAFF REPORT

Date: May 29, 2024 – Special Hearing
To: Firebaugh Planning Commission
From: Kelsey George, Planning Consultant
Subject: Site Plan Review 2024-02 (Quick Serve Restaurant) Request for approval to construct and operate a new freestanding quick serve restaurant with drive-through

Summary/Recommendation

The applicant is proposing to construct a new freestanding quick serve coffee restaurant with drive-through on a vacant site on the west side of N Street (State Highway 33) between the alignments of 11th Street and 12th Street, north of the existing Gulf service station. It is recommended the Planning Commission take the following actions:

1. Ask for the City Planner to deliver the staff report;
2. Ask any questions of staff regarding the project;
3. Ask the applicant for a statement regarding the project;
4. Ask for a motion to approve the project by adopting Resolution PZ24-03.

Discussion/Analysis

The applicant is requesting approval for a Site Plan Review to construct and operate a new freestanding quick serve coffee restaurant with drive-through on a vacant lot on the west side of N Street (State Highway 33) between 11th and 12th Streets. **Attachment “A”** shows the project location and **Attachment “B”** is an aerial photo of the site.

The site is zoned “C-3” (General Commercial) and the proposed use is permitted by the zoning, subject to approval of a Site Plan Review permit. This zone allows a wide variety of commercial uses including retail stores, restaurants, offices and similar activities.

The site is surrounded by C-3 zoning to the north, west and south which encompasses a variety of uses; to the east of the subject property is an existing grocery store (Firebaugh Super Market); to the north is an existing commercial use (Family Dollar); to the south is a fueling service station (Gulf gas station). The parcel to the west of the subject property is zoned M-1 and is currently utilized for equipment and truck storage. As such, the proposed restaurant is considered a compatible development with its surroundings.

Proposed Site Plan

Attachment “C” shows the proposed site plan for the restaurant. The building will be single story with a floor area of approximately 2,154 square feet and patio with outdoor seating area of approximately 400 square feet. The site layout also features a drive-through lane that wraps around the west side of the building.

Key features include:

- A drive-through lane along the west side of the site. The lane begins toward the north end of the site and wraps around the west side of the proposed building, exiting past the south end of the building. There are existing driveways on the north and south end of the site to accommodate vehicles entering and exiting. The drive-through lane provides adequate stacking space for 13 vehicles waiting in line. The drive-through lane will split near the entrance of the drive-through to provide two menu boards for expedited service.
- Vehicle parking. The parking lot features spaces for 21 vehicles, including two electric vehicle capable stalls and one ADA compliant stall. The parking requirement for this use is one parking stall per every 100 square feet of building area. The proposed 2,154 square foot building would required 22 parking stalls; however, the site is provided additional queuing and vehicle stacking in the drive thru lane which allots them a two stall credit resulting in a total of 23 parking stalls provided; therefore meeting the required parking for the type of use. The site also provides for both short and long term bicycle parking facilities as required by the California Building Code.
- Parking lot. The Firebaugh Municipal Code requires that parking lots be screened from adjacent roadways by low walls and hedges. The site’s parking lot will be behind the required sidewalk and a 5-foot landscaping buffer with appropriate hedges and plantings along the Highway 33 frontage to comply with the requirement.
- Driveways. There are two existing driveways that will provide access to the subject property, both on N Street. One of the driveways is situated toward the north end of the parcel and will be a shared access driveway with the existing Family Dollar. The second driveway is toward the south and will share access with the existing Gulf service station. A cross-access easement has been added to the conditions of approval to allow vehicles to legally cross the property lines and utilize both existing driveways to access the proposed restaurant. The driveways are currently 36-feet, which is adequate to provide for both ingress and egress to the site.

Other improvements will include:

- Landscaping, featuring shade trees, shrubs and groundcover. All landscaping must be drought-tolerant, designed to reduce water use and comply with all landscaping requirements of the Firebaugh Municipal Code.
- Utility connections, including connections to City water, sewer and storm drain systems.
- Light fixtures
- Trash enclosure. Note, a condition is provided requiring each enclosure be fitted with a decorative overhead arbor.
- Chain link fencing with climbing vines along the west boundary (to screen the railroad).

The City has received funding for a beautification project that will install and construct improvements along Highway 33 including sidewalk, street lighting, accessible path, and new driveway approaches, therefore the Applicant will not be required to construct those improvements.

Architectural Façade Design

Attachment “D” shows proposed façade designs for the building. The building façade will feature a Tuscan style design made of a combination of stucco and rock veneer accents. Additionally, the building will include a tile roof, metal awnings, and ornamental iron work along the drive-through area.

Conclusion

The project has been reviewed by City staff including Engineering, Public Works, Police, Fire and Building Departments who have contributed conditions of approval that are listed in the attached resolution. With these conditions in place it is recommended the Planning Commission approve the project.

BACKGROUND INFORMATION

Applicant/ Anthony Olivieri (Representative)
 9810 Brimhall Road
 Bakersfield, CA 93312

Staff Report to Firebaugh Planning Commission (06/10/24)
Site Plan Review 2024-02 (Quick Serve Restaurant)

Location: The subject property is located on the west side of N Street (State Highway 33) between the alignments of 11th Street and 12th Street, north of the existing Gulf service station. The Assessor Parcel Number (APN) is 008-010-24S.

Request: The applicant is requesting approval to construct and operate a freestanding quick serve coffee restaurant with drive-through containing 2,154 square feet building footprint, 400 square feet outdoor patio and dining area, a drive-through lane with space for 13 vehicles, a parking lot with 21 parking spaces, and other improvements, including landscaping, lighting, trash enclosures, fencing and utility connections, among other improvements.

Site: The subject site contains approximately 23,750 square feet (0.55± acres) and is currently vacant.

Surrounding land uses are as follows:

North: Grocery and general merchandise store (Family Dollar)
South: Fueling service station (Gulf gas station)
East: Grocery store (Firebaugh Super Market)
West: Railroad and equipment storage

Zone: The site is zoned C-3 (General Commercial). Key development standards for the C-3 zone are as follows:

Front yard setback: 10 feet, minimum (5-feet must be landscaped)
Rear yard setback: None required
Side yard setbacks:
Street side yard: No requirement
Interior side yard: No requirement
Lot coverage: No requirement
Building height: 35 feet/2 stories, maximum
Parking: For fast food restaurants the requirement is one parking space per every 100 square feet of building area.

Uses permitted in the C-3 zone include retail stores, restaurants, offices, personal services, auto repair and similar activities

Surrounding zone classifications are as follows:

North: C-3 (General Commercial)
South: C-3 (General Commercial)
West: M-1 (Light Industrial)

East: C-3 (General Commercial)

General Plan: The subject site is currently designated “General Commercial” by the Land Use Element of the Firebaugh General Plan. The C-3 zone is consistent with the land use designation.

Access: Access to the site is provided by N Street (State Highway 33). This roadway is designated an Arterial street by the Circulation Element of the Firebaugh General Plan. In the vicinity of the site this street features two travel lanes and a parking lane in each direction.

Infrastructure: There are existing water, sewer and storm drain lines that run past the site under N Street.

Services: Police and fire protection are provided by the City of Firebaugh.

Environmental: The project is categorically exempt from review under the Guidelines of the California Environmental Quality Act per Section 15332 (infill projects).

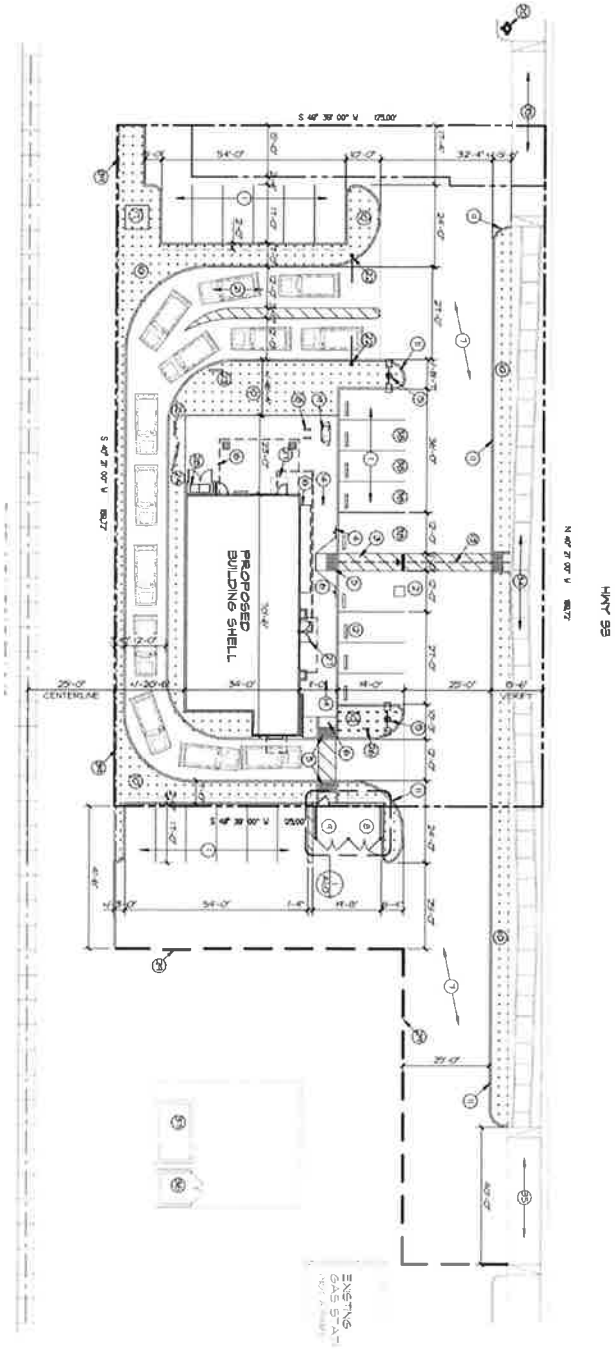
Attachment "A": Location Map



Attachment "B": Aerial Photo



Attachment "C": Proposed Site Plan



Attachment D: Exterior Elevation Exhibits



RESOLUTION PZ 24-03

**BEFORE THE PLANNING COMMISSION
CITY OF FIREBAUGH
COUNTY OF FRESNO, STATE OF CALIFORNIA**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FIREBAUGH APPROVING SITE PLAN REVIEW 2024-02 (QUICK SERVE COFFEE RESTAURANT) FOR THE CONSTRUCTION AND OPERATION OF A NEW FREESTANDING QUICK SERVE COFFEE RESTAURANT WITH DRIVE-THROUGH ALONG THE WEST SIDE OF N STREET (STATE HIGHWAY 33) BETWEEN THE ALIGNMENTS OF 11TH AND 12TH STREETS.

WHEREAS, a Site Plan Review application was submitted by Anthony Olivieri, 9810 Brimhall Road, Bakersfield, CA, 93312 for the construction and operation of a new quick serve restaurant with drive-through on a vacant site on the west side of N Street (State Highway 33) between the alignments of 11th Street and 12th Street. The Assessor Parcel Number (APN) of the site is 008-010-024, and

WHEREAS, the site is zoned “C-3” (General Commercial) and the project as designed complies with standards of this zone, and

WHEREAS, the project includes the following key components:

- A restaurant building containing 2,154 square feet.
- A drive-through lane along the west side of the site.
- A parking lot with 21 parking spaces, including two electric vehicle capable stalls and one ADA compliant stall as well as bicycle parking spaces.
- Landscaping, featuring shade trees, shrubs and groundcover. All landscaping must be drought-tolerant, designed to reduce water use.
- Utility connections, including connections to City water, sewer and storm drain systems.
- Light fixtures
- Fencing
- Trash enclosure, and

WHEREAS, the Planning Department has prepared a staff report and environmental finding, and

WHEREAS, the City has determined the project to be exempt from review under Section 15332 of the Guidelines of the California Environmental Quality Act (infill projects), and

Firebaugh Planning Commission
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Site Plan Review 2024-02 (Quick Serve Restaurant)

WHEREAS, the Planning Commission has considered the staff report and related materials and accepted testimony regarding the proposed project.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, after considering all the evidence presented, determined the following findings were relevant in evaluating this request:

1. The project as conditioned is consistent with the Firebaugh General Plan and the Firebaugh Zoning Ordinance.

2. The project will not have a significant impact on the environment and is exempt from review under Section 15332 of the Guidelines of the California Environmental Quality Act (infill projects).

3. The project will not have an adverse impact on the health, safety and welfare of residents in the neighborhood or community.

NOW, THEREFORE BE IT RESOLVED THAT Site Plan Review 2024-02 (consisting of Exhibits "A" (Site Plan), "B" (Architectural Elevations) (drawings are also on file with the City of Firebaugh) is approved subject to the following conditions:

1. Final architectural elevation drawings shall be submitted for review and approval by the City Planner and shall substantially comply with drawings submitted for this Site Plan Review.
2. Landscape plans shall be prepared by a licensed Landscape Architect and submitted for review by the City and incorporate an appropriate combination of shade trees, shrubs and ground cover. All landscaping shall comply with requirements of the City and State Model Water Efficient Landscape Ordinance for water savings.
3. Landscape plans shall further comply following conditions:
 - a. The tree planting shall consist of a mixture of evergreen, deciduous and flowering trees, with low to moderate water use. Use of high-water use species is subject to approval.
 - b. Root barrier shall be installed anywhere that a tree is within 10' of a hard surface.
 - c. Trees shall be a minimum 15-gallon container.
 - d. Trees must be a minimum of ten (10') from any light standard, fire hydrant and utility structures.
 - e. Shrubs shall be a minimum of eighty percent (80%) 5-gallon container and twenty percent (20%) 1-gallon containers.

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- f. The parking area and parked cars shall be adequately screened from view from the street frontage with landscape (minimum 3' hedge or fence screened with climbing vines).
 - g. The site plan shall be modified to show tree planters (a minimum of 4 feet x 4 feet) along the centerline of parking spaces in the northern parking lot to achieve shading required by City code. Planters shall be located at the centerline every two parking spaces.
 - h. There shall be a minimum of 50% of tree shade coverage of the parking area. This is determined at $\frac{3}{4}$ tree maturity or 15 years after installation. Provide Shade Calculations on Site Plan or Planting Plan as requested.
 - i. All landscape planters must contain shredded wood mulch to retain moisture, suppress weeds, and moderate soil temperature. The mulch depth, type, and maintenance frequency must be noted on the plans.
 - j. Voltage boxes, mailboxes, trash enclosures, maintenance structures, backflow devices, automatic controls, etc. shall be screened with landscaping.
 - k. Backflow preventers for landscaping irrigation and domestic water shall not be located at visually prominent locations (such as the end of drive aisles or site entries) and shall be well-screened with shrubs and/or low screen walls. Backflow prevents shall be painted dark green.
 - l. Landscaping (vines/shrubs) shall be provided to screen outdoor trash enclosures, transformers, generators, and other elements visible from public streets. Shrubs should be a minimum one gallon in size.
 - m. All landscaping and irrigation systems shall be installed prior to issuance of a certificate of occupancy and shall be permanently maintained in a healthy and weed free condition.
4. A cross access easement will be required for shared access for the driveways for both ends of the site. Additionally, an agreement between the Project site and adjacent property owner to the south (Gulf service station) allowing the trash enclosure and parking stalls on the adjacent property must be in place prior to issuance of any building permits.
5. All development must be outside of any easements unless an encroachment permit or other authorization is granted.
6. If located adjacent to buildings, all transformers and protective bollards shall be painted to match the building and all transformers shall be screened from public view by dense landscaping.

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7. All meters, valves, pipes and any other mechanical /plumbing/electrical appurtenances on the building exterior shall be painted and/or textured to match the building color.
8. The building parapets for all buildings shall be of a design and height to effectively screen all roof top mechanical/HVAC equipment. All roof mounted mechanical equipment on the buildings shall be visually screened and acoustically shielded from public view and from adjacent properties. If additional design is needed, the design must be submitted and approved by the Director prior to occupancy of the building.
9. Trash enclosures shall be fitted with decorative overhead arbors consistent with that shown in detail included in the Exhibit "C" submitted.
10. Chain link (or similar) fencing at least four feet high shall be placed along the west side of the property (to screen the railroad) and shall be finished gloss black for improved appearance. Further, climbing vines shall be trained onto the fence for visual screening purposes.
11. All signs on the building must be consistent with the Firebaugh Sign Ordinance and Sign Design Guidelines. Cabinet (box type) signs are prohibited. All exterior wall-pack lights on the building shall be modified and/or replaced to reduce and/or prevent glare. Accent lighting on the east side of the building (facing N Street) shall be decorative goose-neck style light fixtures.
12. Per the Firebaugh sign ordinance, one free-standing monument sign (up to 10 feet high and containing up to 35 square feet of sign face per side) for business identification is allowed on the site. The design of the sign (base, framing, trim, etc.) shall relate in appearance to the architectural design of the building.
13. The developer/applicant shall prepare improvement plans (separate from the building plans) for all applicable site development including, but not limited to, topography and demolition, site civil, grading and drainage, utilities, erosion control, circulation striping and signage, landscape, site lighting, and offsite improvements.
14. Public improvements shall conform to the latest edition of the City of Firebaugh Improvement Standards and Specifications and any modifications thereto approved by the City Engineer. Improvements shall conform to other City adopted documents including the most recently updated version of the General Plan, Water Master Plan, Sewer Master Plan, and Storm Water Master Plan. The work shall comply with all applicable State, Federal, and local laws and regulations.
15. All existing and proposed dedications, easements, and rights-of-way shall be shown on the improvement plans. Easements and right of ways within or adjacent to the project site shall be identified as belonging either to Caltrans or the City of Firebaugh.

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16. Prepare an Erosion Control Plan as part of the improvement plans for storm water and construction BMPs pursuant to the California Water Resources Control Board Order No. 2022-0057-DWQ, NPDES No. CAS000002.
17. Applicant shall prepare a pre-project water balance calculation for storm water runoff pursuant to the California Water Resources Control Board Order No. 2022-0057-DWQ, NPDES No. CAS000002 for compliance with Post-Construction Standards for non-MS4 Phase I and Phase II agencies.
18. Unless exempt, prepare a Dust Control Plan (DCP) and file the Plan with the San Joaquin Valley Air Pollution Control District for construction activities pursuant to Regulation VIII (Rules 8011-8081).
19. A soils report prepared by a California registered geotechnical engineer shall be submitted to the City Engineer as part of the improvement plans. The soils report shall include recommendations for the structural sections for parking lots, excavation, compaction, clearing and grubbing requirements, etc.
20. Prepare grading and encroachment permits for the project. Applicant shall pay the permit fee, plan check and inspection fees, and furnish improvement securities pursuant to the City's improvement standards, municipal code, and ordinances.
21. Applicant shall pay all applicable development impact fees for Municipal Facilities, Police, Fire Protection, Streets, Water, Domestic Wastewater, Storm Drainage, and Parks.
22. The parcel shall be annexed to the City's Landscape and Lighting Maintenance District or any other required districts for all applicable project assessments.
23. The proposed project was referred to Caltrans by the City of Firebaugh and received a "no comments" response per the Caltrans' email dated May 2, 2024. Applicant shall address any other Caltrans requirements resulting from the parcel development.
24. Applicant shall cause the dedication of all necessary easements to the City of Firebaugh, public utility companies, and other affected agencies as follows:
25. Provide a blanket easement to the City of Firebaugh for access and maintenance of new water meters for the project.
26. Provide any applicable easements for electric, telephone or cableTV utilities for new services to the project site as required and approved by the affected utility companies.
27. Provide any truck delivery access for the project site as required by truck turning templates as approved by the City Engineer.
28. Any connections for dry utilities including electric, telephone and Cable TV shall be constructed underground and within required easements by the respective utilities.

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29. Applicant would be responsible for clearing the public right of way and constructing street frontage improvements along SR 33 extending the length of the property line. However, these improvements including new decorative sidewalk and decorative street lighting, accessible path stub out and the replacement of existing driveway approaches are already scheduled for construction by the City of Firebaugh using separate funding sources. Therefore, these frontage improvements are not required to be completed by the Applicant.
30. The use of existing driveways for ingress and egress to the project site are subject to a cross access agreement as approved by the City Planner.
31. The construction of the proposed parking stalls and trash enclosure on the adjacent private property are subject to a “right of entry” or any other applicable agreements as determined and required by the City Planner.
32. The proposed site plan appears to show new parking stalls within the property/right of way owned by the railroad company along the project’s southerly property line. Applicant shall remove these stalls from the project unless they are approved for construction by the railroad company.
33. Provide on-site and off-site ADA accessible paths not to exceed a 5% directional slope unless handrails are provided and 2% cross slope.
34. Applicant shall remove and properly dispose of concrete foundations and any other existing site feature in conflict with the project improvements.
35. Storm runoff from on-site development shall be collected to an on-site underground detention system and pipe conveyed to the existing storm drain stub out near the project’s north entrance. Field verify the stub out connection or connect to the nearest storm drain manhole. Construct the underground storage system with a regulated discharge to the City’s existing 12-inch storm drain that was extended by Family Dollar adjacent to and parallel to SR 33 and traverses the parcels to the north within a 33-ft utility easement. The on-site storm drainage system shall be designed and constructed per the City’s Improvement Standards and any recommendations from the soils investigation report.
36. Connect to the existing 6-inch water line stub out near the project’s north entrance for all proposed domestic, irrigation, and fire connections. Field verify the stub out connection or connect to the nearest extension of the City’s 6-inch water line by Family Dollar that was completed adjacent to and parallel to SR 33 and traverses the parcels to the north within a 33-ft utility easement. Connections shall include shutoff valves, corporation stops, water meters, backflow preventers, post indicator valves, and fire department connections, as applicable. Provide separate metered connections for domestic and irrigation services.

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37. Connect to the existing 6-inch sewer line stub out near the project's north entrance for sanitary service and thrash enclosure floor drain. Field verify the stub out connection or connect to the nearest extension of the City's 6-inch sewer line by Family Dollar that was completed adjacent to and parallel to SR 33 and traverses the parcels to the north within a 33-ft utility easement. Provide a grease interceptor for the restaurant kitchen connections.
38. Construct fire suppression system(s) and provide fire hydrants as required and approved by the City's Fire Department.
39. The parking lot and drive isles shall be designed and constructed in accordance with the City's Improvement Standards and as approved by the City Engineer. The use of redwood headers for edge of pavement is not acceptable.
40. Provide site landscaping and lighting as required and approved by the City Planner. The use of City standard street lights is not suitable for onsite development.
41. Provide a trash enclosure pursuant to the City's Improvement Standards and as approved by the City Planner. Access to the enclosure shall be provided as approved by the City's waste management company.
42. Construct perimeter fencing as required and approved by the City Planner and the Building Department.
43. Repairs to any damaged City/Caltrans facilities such as roadway pavement, curb, gutter, sidewalk and driveways caused by construction and construction-related activities shall be completed at Developer's sole cost.

The foregoing resolution was adopted upon a motion of Commissioner _____ second by Commissioner _____, at a regular meeting of the Firebaugh Planning Commission on the 29th of May, 2024, by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Secretary, Firebaugh Planning Commission

Firebaugh Planning Commission
Resolution PZ24-03
Site Plan Review 2024-02 (Quick Serve Restaurant)

Exhibit "A": Proposed Site Plan

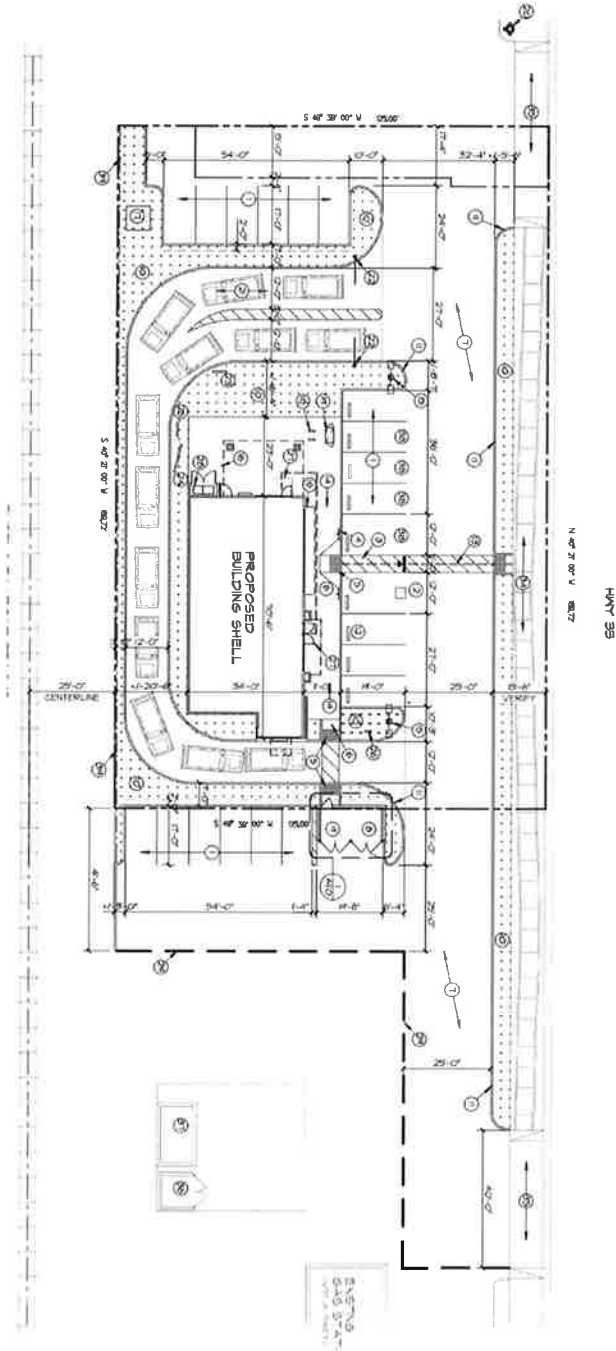


Exhibit "B" (Architectural Elevations)

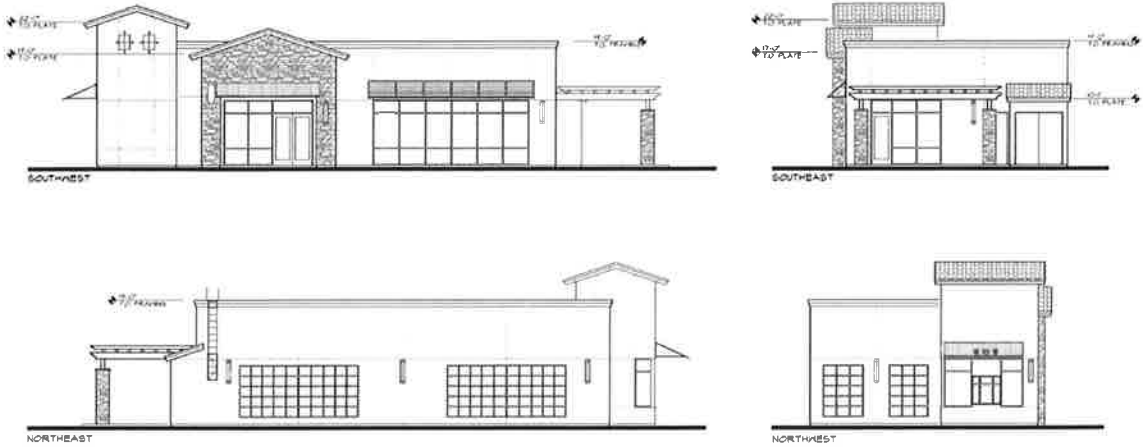


Exhibit "C": Sample Trash Enclosure Fitted with Decorative Overhead Arbor

