

**APPROVED**  
BY THE CITY COUNCIL

**FEB 10 1998**

OFFICE OF THE  
CITY CLERK  
DEPARTMENT OF  
PLANNING AND DEVELOPMENT



10.1

**CITY OF SACRAMENTO**  
CALIFORNIA

1231 I STREET  
ROOM 200  
SACRAMENTO, CA  
95814-2998

PLANNING  
916-264-5604  
FAX 916-264-7046

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT:** Appeal of the Decision of the Sacramento City Planning Commission Action Denying entitlements to allow the development of a stand-alone parking lot, containing 35 spaces, at 1600 J Street. **16th & J Parking Lot (P97-002).**

**LOCATION:** 1600 J Street  
APN 006-0123-001

**COUNCIL DISTRICT:** Council District #3

**RECOMMENDATION**

Planning Staff recommends that the City Council:

- A. Approve the Special Permit to establish a stand alone parking lot on .29 acres in the General Commercial (C-2) zone.

**CONTACT PERSONS:** Mark Kraft, Associate Planner, 264-8116

**FOR COUNCIL MEETING OF:** February 10, 1998 (Evening)

**SUMMARY**

On October 23, 1997 the City Planning Commission adopted a Notice of Decision denying the request for a Special permit to establish a stand alone parking lot at 1600 J Street. At that time, the applicant was proposing to meet tree shading and landscaping

requirements for parking lots, but was requesting that no time limit be placed on the term of the Special Permit. Staff recommended denial of the project, because a permanent surface parking lot at this location is inconsistent with the long term vision for this location, as expressed in the draft 16th Street Design Study and the draft Central City Neighborhood Design Guidelines, and City Policy promoting transit and other alternative means of transportation. After the Planning Commission action, Councilmember Cohn, staff and neighborhood representatives met with the applicant (Allright Parking) to determine if a compromise was possible. As a result of these discussions, the applicant has since amended the proposal to include landscaping and tree shading, street lighting and other improvements which exceed City Standards and has agreed to a 7 year limit on the duration of the Special Permit. Based on these modifications, staff supports the proposed project.

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COMMISSION ACTION:

On October 23, 1997 the Planning Commission voted 7 ayes, 0 noes, 1 absent, to adopt a Notice of Decision denying the proposed project. In denying the request, the Planning Commission concurred with staff's position that surface parking lots should be interim uses in the downtown area. The Commission emphasized that this was an important corner in the Central City and that surface parking was not an appropriate long term use. Individual commissioners stated that they might approve a parking lot use for a maximum of 5 years. Commissioners expressed a lack of inclination to approve any Special Permit for parking on this site, due to a history of lack of compliance with conditions imposed on

previous entitlements at the site. Also, the Commission expressed concern that the establishment of surface parking, particularly in this area, would have serious Urban Design implications in that, as parking prices increase, the incentive for appropriate redevelopment would be reduced, given the large capital expenditures required for development projects.

#### BACKGROUND INFORMATION:

##### *Site History*

The property was occupied by a two story commercial building until 1989. At that time, the building was demolished and the property was repaved. A Planning Director's Special Permit for a two-year term was issued for temporary use of the property as an auto sales lot and parking lot. In 1991, a variance to waive the planter for an auto sales lot was denied by the Planning Commission. The applicant appealed the City Planning Commission denial to the City Council. The Council approved the variance for a 24 month period, which ended in March of 1994.

The auto sales lot closed in 1995, and the owner began operating a monthly parking lot. The necessary entitlements were not obtained to commence this use. On November 18, 1996 the owner was issued a Notice of Violation for operating an off-street parking lot without the necessary Special Permit and without meeting proper development standards. The owner was directed to cease operation of the property as a parking lot until the necessary Special Permit was obtained and all necessary development standards were met.

##### *Special Permit Request*

In response to this action, the owner submitted an application for the Special Permit in January 1997, which included a request to waive the tree shading requirements. The original application proposed a 4 planter strip where the property abuts a public street (along 16th and J Streets), but did not propose the planting of any trees in the lot.

Staff negotiated with the applicant in an attempt to develop a revised proposal which provided adequate landscaping, while limiting the proposal to an interim use (5 year time limit). A site plan was developed which was acceptable to all interested parties, however, agreement could not be reached regarding the time limit on the Special Permit. The applicant elected to propose a project which met City development standards for parking lots, and which established the parking lot as a permanent use. This proposal went to hearing on October 23, 1997, with a recommendation of denial by staff, for the following reasons.

- 1) A stand alone parking facility not intended to meet requirements of an associated building, which primarily serves office users during the daytime hours, is inconsistent with the General Plan Goals and policies encouraging the reduction of peak hour trips, the use of light rail transit and other alternative methods of transportation to facilitate attainment of air quality goals and reduction in traffic congestion in the downtown core.
- 2) Parking as a permanent use for this location is inconsistent with the long term vision for the 16th Street Corridor and the downtown area. The draft 16th Street Public Improvements Design Study commissioned by CADA, SHRA, State Department of General Services, and the City, recommends enhancement of the 16th Street streetscape through the de-emphasis of auto related uses. This study suggests that parking impacts along 16th Street be mitigated by consolidating and screening parking, and minimizing curb cuts, to minimize visual impacts and erosion of the pedestrian street edge. Further, the study envisions the Memorial Auditorium area as a mixed use commercial and entertainment district.
- 3) The Draft Central City Neighborhood Design Plan discourages surface parking fronting on lettered streets (i.e. J Street), and also states that on numbered streets parking should not be located within 40 feet of street corners and should not front on more than 50% of the street frontage. Also, 16th and J is a major intersection and a development opportunity for more intensive uses.

*Revised Proposal/Staff Analysis*

After numerous meetings between Councilman Cohn, neighborhood groups, staff and the applicant, the applicant has made several revisions to the proposal to comply with City policies. First, the applicant has submitted a revised plan which exceeds City standards for tree shading (providing 55%), and which provides historic acorn lighting, compatible with lighting currently located along J Street. The plan also increases the planter width along 16th Street to 7 feet (from the required 4 feet), and provides corner landscaping at the northeast and northwest corners of the lot. Second, the applicant has agreed to limit the term of the Special Permit to seven years, making surface parking an interim use for the site.

Staff supports the amended proposal for the following reasons:

- 1) By exceeding City shading and landscaping standards and providing historic lighting the project is consistent with General Plan policy which encourages existing and new commercial and office establishments to develop and enhance pedestrian

pathways using planting and trees and Central City Community Plan policy which states that future parking facilities should reflect the locational and design guidelines which will enhance the character and environment of the Central City.

- 2) Although the proposed project does not serve to consolidate parking along 16th Street, it does conform to the design recommendations of the 16th Street Public Improvements Design Study in that it proposes trees and screening shrubs on the perimeter of the lot, and proposes no new curb cuts. As a result, the improvements will vastly improve the pedestrian friendliness of the site, and the image of the Memorial Auditorium area, consistent with the objectives of the study.
- 3) Interim parking uses are consistent with City Policy if the parking is made available to use on a daily basis to address parking shortages associated with the Memorial Auditorium and Convention Center activities. The project applicant has indicated a willingness to charge for parking on a daily, rather than a monthly basis, and to enter into an agreement, with the Convention Center, making the lot available for exclusive use by Convention Center/Memorial Auditorium patrons during periods of peak usage. A time limit (7 years) on the Special Permit will help to ensure that the use of the property as a surface parking lot is viewed as an interim rather than a permanent use.

#### FINANCIAL CONSIDERATIONS

None.

#### ENVIRONMENTAL CONSIDERATIONS

The City Environmental Coordinator has determined that the proposed project is exempt from environmental review pursuant to CEQA, Section 15303(b).

#### POLICY CONSIDERATIONS

The project is consistent with the General Plan and Community Plan land use designation for the site, in that the General Plan and the Community Plan designations are consistent with the site's General Commercial zoning which conditionally allows stand alone parking lots subject to granting of a Special Permit .

Given that the applicant has agreed to charge on a daily, rather than a monthly basis for parking, and that the Special Permit will be conditioned so that the use is a short term, rather than a permanent use, the proposal is consistent with General Plan Policy to provide an adequate amount of parking to support continued downtown prosperity, to support air

City Council-16th & J Parking Lot  
Appeal of Special Permit Denial  
February 10, 1998

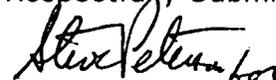
quality objectives through use of alternative modes of transportation, and to support the City's urban design goals. It is consistent with Central City Community Plan Goals to provide adequate parking to meet the needs of shoppers, visitors, and residents and to reduce the impact of commuter parking on residential streets.

The project is consistent with the short term parking policy developed by staff in 1995 to provide guidance for the evaluation of proposed surface parking lots in the Convention Center Area. The policy stated that surface parking lots may be desirable because they are conducive to short-term leases and require minimal improvement costs, can be viewed as interim land uses by both the City and the landowner, and can accommodate special uses or functions. The policy stated that a project should accommodate downtown patrons and/or special vehicles or activities relating specifically to the downtown area, and that only short-term (i.e. hourly, daily) parking permits should be issued.

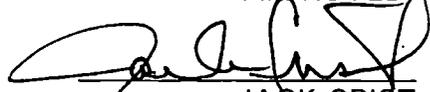
MBE/WBE

Not Applicable.

Respectfully Submitted

  
GARY L. STONEHOUSE  
Planning Director

APPROVED:

  
JACK CRIST  
Deputy City Manager

FOR CITY COUNCIL INFORMATION  
WILLIAM H. EDGAR  
CITY MANAGER

APPROVED  
BY THE CITY COUNCIL

FEB 10 1998

OFFICE OF THE  
CITY CLERK

## RESOLUTION NO. 98-047

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

A RESOLUTION GRANTING AN APPEAL OF THE PLANNING COMMISSION ACTION TO DENY A SPECIAL PERMIT AND APPROVING THE SPECIAL PERMIT TO OPERATE A STAND ALONE PARKING LOT IN THE C-2 ZONE ON PROPERTY LOCATED AT 1600 J STREET (P97-002) (APN 006-0123-001)

WHEREAS, at a public hearing on October 23, 1997 the City Planning Commission heard and considered evidence on the request for approval of a Special Permit for the project known as 16th & J Parking Lot:

WHEREAS, on October 23, 1997 the City Planning Commission denied the entitlements requested for this project;

WHEREAS, on November 3, 1997 an appeal was filed by the applicant appealing the decision of the City Planning Commission denying the Special Permit to develop the proposed project;

WHEREAS, on January 16, 1998 the applicant has substantially revised the proposal to comply with City policy and development standards;

WHEREAS, on February 10, 1998, the City Council heard and considered evidence in the above mentioned matter.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Sacramento that, subject to the findings and conditions of approval set forth below, the appeal is granted and the following entitlement is approved:

### FINDINGS OF FACT

A. The *Special Permit* to establish a stand alone parking lot on .29 acres in the General Commercial (C-2) zone is hereby approved based on the following findings of fact.

1. The City Environmental Coordinator has determined that the proposed project is exempt from environmental determination pursuant to CEQA, Section 15303(b).

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### FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_ 7

2. The project is based upon sound principles of land use in that the intended use is consistent with General Plan and Community Plan designations and City policy relating to provision of adequate off-street parking for Central City visitors, residents and patrons.
3. The project will be not be detrimental to the public health, safety and welfare.

**CONDITIONS**

- A1. The Special Permit shall be valid for a period of 7 years from the date of final approval of the project.
- A2. Planting, lighting, and irrigation shall occur according to the proposed planting plan, lighting plan and irrigation plan (attached). The planters shown shall be constructed and irrigated to City Standards. All trees and shrubs shown shall be planted, maintained, and irrigated. All improvements specified in this condition shall be completed within 120 days of final approval or the Special Permit shall be considered invalid. Landscaping shall be irrigated and maintained so as to be living and healthy in appearance. Landscaping or trees which die or become unhealthy shall be promptly replaced. Any violation of this condition shall be considered a lack of compliance with this condition and could be subject to Code Enforcement action.
- A3. The applicant shall charge for parking on a daily, rather than a monthly basis, and parking spaces shall be available to the general public.
- A4. Within 90 days of final approval of the project, the applicant shall enter into an agreement, to the satisfaction of the Community and Visitors Services Department, to make the lot available exclusively for Convention Center and Memorial Auditorium patrons and/or equipment trucks, during periods of peak usage.
- A5. All landscaping shall be maintained at a minimum plant and or shrub height of 30 inches, and trees maintained at a minimum distance of 6 feet from lowest branch to the ground. Landscaping must be uniformly placed throughout the site and not create potential camping or hiding spots.
- A6. Applicant shall post and maintain on the site notices clearly visible to the patrons of the site and to persons on the public sidewalk stating , in block lettering, the following:

UNLAWFUL TO ENTER, BE OR REMAIN ON SITE OR ADJACENT PUBLIC SIDEWALK WITH AN OPEN ALCOHOLIC BEVERAGE CONTAINER C.P.P 647E.(A);

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DATE ADOPTED: \_\_\_\_\_

S.C.C.26.01.24<sup>©</sup>

- A7. Applicant shall sign an agreement delegating the sworn employees of the Sacramento Police Department to act as applicant's agents for the sole purpose of enforcing Section 602(k) of the California Penal Code and that applicant agrees to properly post project property, aid in the investigation and prosecution of such cases. the posting shall consist of notices, in block lettering, with the wording. NO TRESPASSING: VIOLATORS WILL BE PROSECUTED UNDER 602(K) C.P.C.
- A8. Lighting levels shall be as follows: 1.0 footcandles of minimum maintained illumination per square foot of parking space between the hours of dusk and sunrise.
- A9. The lot must be steam cleaned quarterly with daily litter cleanup and disposal.
- A10. In the event that future development on the site changes the use of the site from a stand-alone parking facility to another use involving structures, and in the event that this future use involves removal of the trees planted as a condition of approval for this project, these trees may be removed without the necessity for mitigation, provided that the trees are not heritage trees, as defined by City Code, and provided that the future development complies with all City development standards.

Exhibit  
Planting Plan  
Shading Plan  
Layout Plan  
Lighting Plan  
Irrigation Plan

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK  
(P97-002)

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RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

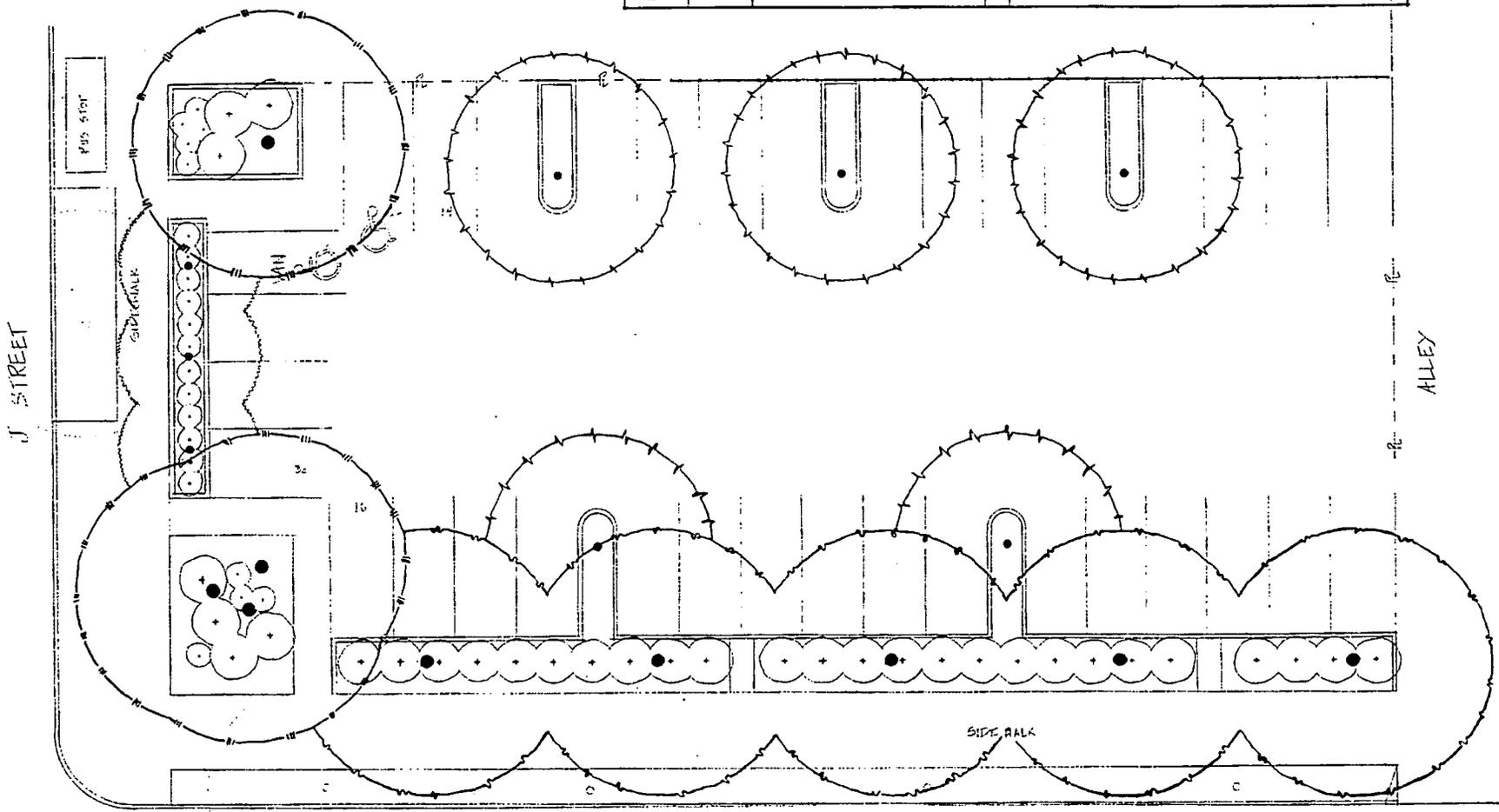
REVISIONS	BY

# PLANTING PLAN

ALLRIGHT PARKING  
 708 10<sup>TH</sup> STREET #104  
 SACRAMENTO CA. 95814

Date \_\_\_\_\_  
 Scale 1" = 10'-0"  
 Drawn J.B.  
 Job # 283-A97  
 Sheet \_\_\_\_\_  
 Of \_\_\_\_\_ Sheets

PLANTING			LEGEND		
	5 QTY.	CELTIS AUSTRALIS		32	COTONEASTER PANNOSA 'NANA'
	15 GALS.	EUROPEAN HACKBERRY		1	DWF. SILVERLEAF COTONEASTER
	4 QTY.	QUERCUS LOBATA		21	NANDINA DOMESTICA 'DWF.'
	15 GALS.	VALLEY OAK		5	DWF. HEAVENLY BAMBOO
	5 QTY.	KOELREUTERIA PANICULATA		26	GAZANIA RIGENS LUCOLAENA
	15 GALS.	GOLDENRAIN TREE		-	TRAILING GAZANIA
	3 QTY.	LAGERSTROEMIA INDICA	NOTE: ALL PLANTER AREAS SHALL BE PLANTED W/ GAZANIA 1 FT. O/C		
	15 GALS.	GRAPE MYRTLE			



16<sup>TH</sup> STREET

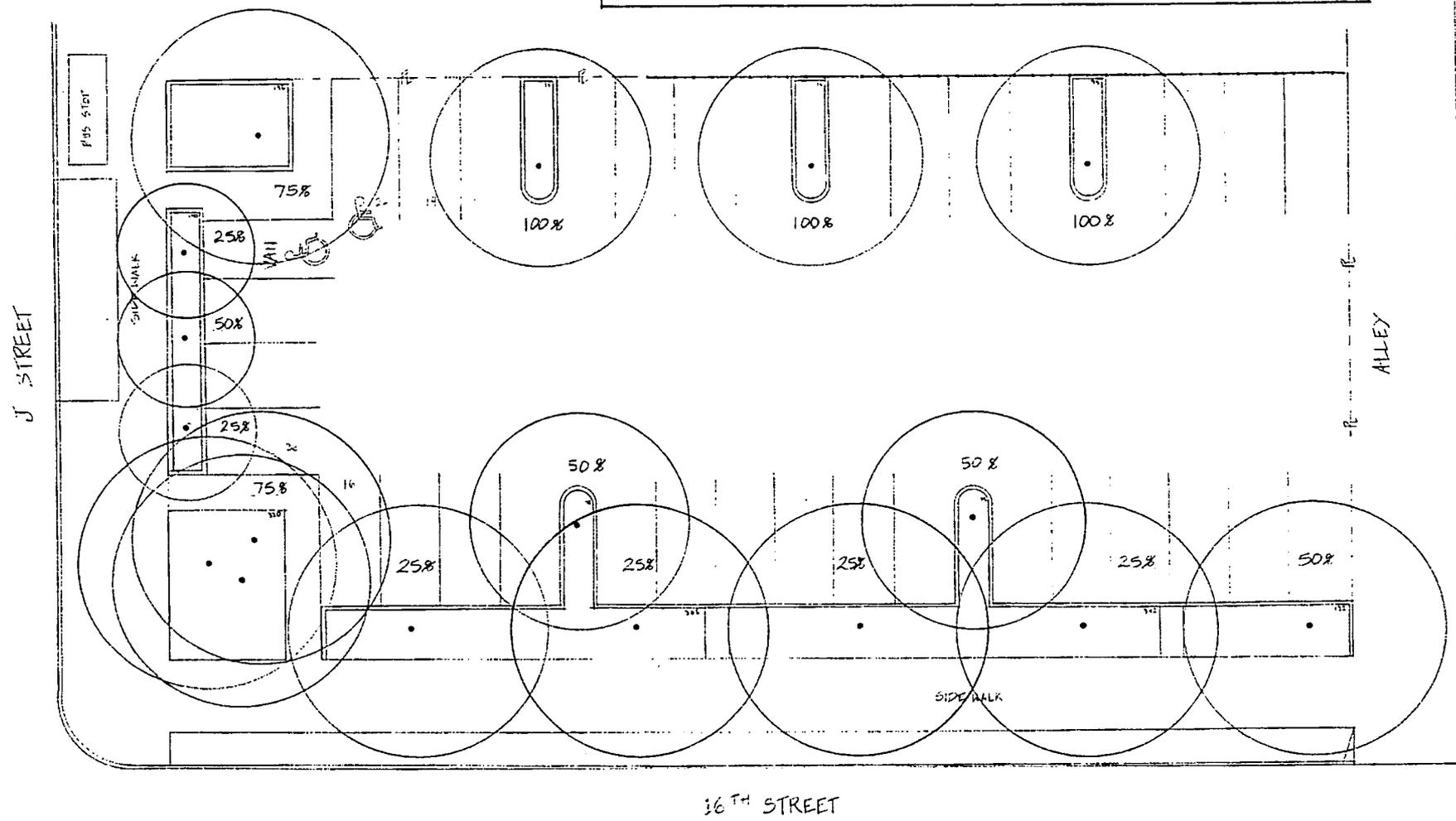
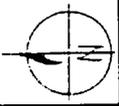
SHADING CALCULATIONS					
TREE SPECIES	DIA.	25%	50%	75%	100%
CELTUS AUSTRALIS	35'	4 @ 240 = 960	1 @ 481 = 481	-	-
QUERCUS LODONIA "NATIVE"	35'	-	-	2 @ 722 = 1444	-
KOELREUTERIA PANICULATA	30'	-	2 @ 354 = 708	-	3 @ 707 = 2121
LAGERSTROEMIA INDICA	20'	2 @ 79 = 158	1 @ 157 = 157	-	-
SHADING SUB TOTALS		1118	1346	1444	2121
TOTAL PLANTING AREA = 1791		TOTAL SHADE CREDIT = 6029		TOTAL PAVED AREA = 11009	
		PARKING LOT SHADING		6,029 ÷ 11,009 = 55% SHADE	

REVISIONS	BY

# SHADING PLAN

ALLRIGHT PARKING  
 708 10<sup>TH</sup> STREET #104  
 SACRAMENTO CA. 95814

Date	
Scale 1" = 10'-0"	
Drawn J.B.	
Job #283-K97	
Sheet	
Of	Sheets







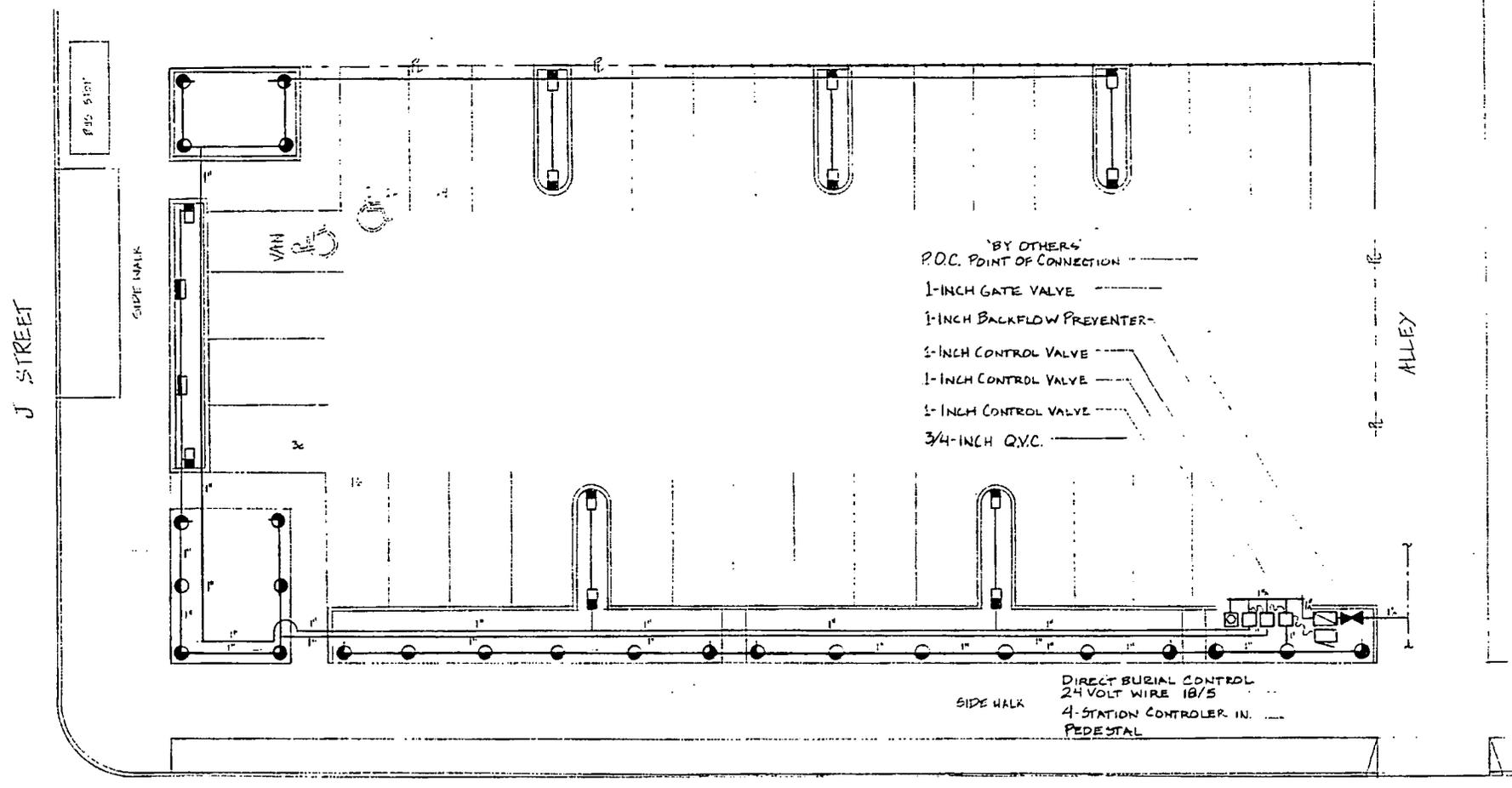
REVISIONS	BY

# IRRIGATION PLAN

ALLRIGHT PARKING  
 708 10<sup>TH</sup> STREET #104  
 SACRAMENTO CA. 95814

Date	
Scale	1" = 10'-0"
Drawn	J.B.
Job	#283-A97
Sheet	
Of	Sheets

IRRIGATION LEGEND	
	TORO 570-6" POP-UP W/ 4x15" NOZZLE
	TORO 570-6" POP-UP W/ 9x18" NOZZLE
	TORO 570-6" POP-UP W/ 10'-1/2" RAD. NOZZLE
	TORO 570-6" POP-UP W/ 10'-1/4" RAD. NOZZLE
	1" 1-INCH CLASS 200 PVC PIPE
	3/4" 3/4-INCH CLASS 200 PVC PIPE
	1" 1-INCH SCHEDULE 40 PVC BE PIPE
	APPROXIMATE LOCATION OF EX. WATER MAIN



16<sup>TH</sup> STREET



CITY OF SACRAMENTO

DEPARTMENT OF PLANNING & DEVELOPMENT  
1231 I Street, Sacramento, CA 95814

PLANNING DIVISION  
Rm. 200 (916) 264-5604

APPEAL OF THE DECISION OF THE  
SACRAMENTO CITY PLANNING COMMISSION

DATE: 11/3/97

TO THE PLANNING DIRECTOR:

I do hereby make application to appeal the decision of the City Planning Commission on  
OCTOBER 23, 1997 (hearing date), project number (P#) P97-002 when:

- Special Permit for STAND-ALONE PARKING LOT
- Variance for \_\_\_\_\_
- "R" Review for \_\_\_\_\_
- Other \_\_\_\_\_ for \_\_\_\_\_

- was:
- Granted by the City Planning Commission
  - Denied by the City Planning Commission

GROUND(S) FOR APPEAL: (Explain in detail - attach additional sheets if necessary)

SEE ATTACHED

- PROPERTY LOCATION: 1600 J STREET
- APPELLANT: (please print) ROY JESKE - AIRRIGHT PARKING PHONE #: 441-1074
- ADDRESS: 708 10TH STREET #140 SACRAMENTO, CA 95814
- APPELLANT'S SIGNATURE [Signature]

THIS BOX FOR OFFICE USE ONLY

Filing Fee: <input checked="" type="checkbox"/> \$110.00 by applicant	Received by: <u>HP</u>
<input type="checkbox"/> \$ 60.00 by third party	Date: <u>11.3.97</u>
Distribute Copies To: GLS, AG, WW, SG, Project Planner, VR (original & receipt)	
P# <u>97-002</u>	Forwarded to City Clerk: _____

## Grounds for Appeal

The Downtown Parking Study, commissioned by the City and performed by DKS Associates, concluded that "planned development in the next five years will add demand around the Convention Center and Memorial Auditorium, creating a parking shortage (particularly midday) for short term parkers. The study predicted that, assuming the construction of the Cal EPA building, a shortage of midday parking will occur in the Convention Center/Memorial Auditorium area, even in the 100th highest day of use of these facilities."

The planning commission denied the Special Permit stating the project is not based upon sound principals of land use. I agree that this is not the best and highest use of this property. However, it does meet the needs of the Memorial Auditorium as referenced in the study done by DKS Associates. The proposed landscaping will provide the shading and visual break so as to make this corner much more appealing until such time as a project of greater potential is proposed. By meeting the more stringent conditions of landscaping for a permanent parking lot, we would request that there be no time limit placed on the Special Permit so as to amortize our capitol improvement costs over a longer term lease.

I agree however, that should a better use come along in the short term, the parking lot would be demolished and another project built. That is a risk I'm willing to take. But should that not happen, at least a neatly landscaped and maintained parking facility meets the needs of the Convention Center/Memorial Auditorium.

Vicinity Map

