

In the matter of the decision of the City Planning Commission to approve variances to reduce parking and setbacks and to approve special permits to increase height and reduce parking for an office building on 0.15± vacant acres in the General Commercial (C-2) zone (P90-248)

NOTICE OF DECISION AND FINDINGS OF FACT

On February 28, 1991, the Planning Commission heard and considered public testimony regarding the above entitlements. Based on verbal and documentary evidence at said hearing, the Planning Commission indicated its intent to take the following actions:

- A. Ratify the Negative Declaration;
B. Approve the Special Permit to increase the maximum allowable height from 45 feet to 65 feet subject to conditions and based upon findings of fact which follow;
C. Approve the Special Permit for a 60 percent (35 spaces) parking reduction subject to conditions and based upon findings of fact which follow;
D. Approve the Variance to waive 22 of 59 required parking spaces subject to conditions and based upon findings of fact which follow;
E. Approve the Variance to reduce the minimum required front setback from 15 feet to zero feet subject to conditions and based upon findings of fact which follow; and
F. Approve the Variance to increase the allowable parking reduction measure "other" category from 10 percent to 20 percent in order to allow additional bike lockers as a measure subject to conditions and based on findings of fact which follow.

Conditions - Special Permit

- 1. The owner of the building shall notify prospective tenants that no parking is available on the subject site and that occupants of and visitors to the building will be required to utilize alternative forms of transit rather than a single occupant vehicle in commuting to and from work. The tenants and employees shall agree to comply with the proposed parking reduction measures. These restrictions shall be incorporated into lease agreements which are to be developed to the satisfaction of the Planning Director and City Attorney. The form and content of the lease agreements shall be submitted for review and approval prior to issuance of Building Permits.



support this parking reduction program may be funded by an agreement with the tenants such as a condition of tenancy in leases of the premises, or may be provided by the building owner.

The lease agreements shall be developed for review and approval by the Planning Director and City Attorney. The form and content of the lease agreements shall be submitted for review and approval prior to the issuance of building permits.

2. The owner of the building shall notify users of the conference room that no parking is available on the site and that there are bicycle facilities which may be used. Public transit route information shall be posted in an accessible public space (i.e. lobby or corridor) adjacent to the conference room facility.
3. The applicant shall develop and implement a parking reduction program per the requirements of the City of Sacramento Zoning Ordinance. The parking reduction program shall be submitted for review and approval of the City's Transportation Coordinator and Planning Director prior to issuance of building permits.

At this time, the following measures are proposed to support the goal of significantly decreasing single occupancy vehicle commute trips by increasing utilization of alternative commute modes and decreasing parking. The building owner can request that these measures be reevaluated if it is determined that the goals may be met in an alternative manner or that the goals of the program have been exceeded. Any modification to the approved parking reduction program requires a Special Permit Modification to be reviewed for action by the Planning Commission.

The number of parking spaces provided is to be reduced by 60 percent per the Zoning Ordinance. The parking reduction program shall include the following:

- a. A minimum of thirty-eight (38) 50 percent subsidized transit passes or nineteen (19) 100 percent subsidized transit passes or a combination thereof shall be provided for employees. The 25 year contract with Regional Transit shall be provided for the review of the Planning Director prior to the issuance of Building Permits. Transit passes from other bus lines are acceptable (i.e. Roseville Commuter Bus) however, a 25 year contract similar to the contract with Regional Transit shall be provided.

The cost of these transit passes may be funded by the tenants through an agreement such as a condition of tenancy in the leases of the premises, or may be provided by the building owner.

- b. The applicant shall provide two shower room facilities and a total of 32 clothes lockers between the two shower rooms.
- c. The applicant shall provide a trained part time transportation

coordinator as part of the building management staff.

- d. Bicycle locker facilities to be provided at the building shall contain parking for 24 bicycles in a Class I facility and 3 bicycles in a Class II facility, and shall be designed to meet the requirements of the Zoning Ordinance to the satisfaction of the City Traffic Engineer.
4. An annual survey of transportation modes shall be conducted and submitted annually by April 1st for Planning Director review.

If over the course of a year, it is determined that over 10 percent of the building employee population home to work commute trips are made by single occupancy vehicles, alternative commute modes will need to be developed and funded. Any modifications necessary to the approved parking reduction plan will require a Planning Commission Special Permit Modification.

5. The design of the proposed building shall be subject to review and approval for the Design Review/Preservation Board.

Condition - Variance

1. The number of parking spaces provided is to be further reduced by an additional 22 parking spaces. For this measure a minimum of eleven (11) 100 percent subsidized transit passes or twenty-two (22) 50 percent subsidized transit passes or a combination thereof shall be provided for employees. The 25 year contract with Regional Transit shall be provided for the review of the Planning Director prior to the issuance of Building Permits. Transit passes from other bus lines are acceptable (i.e. Roseville Commuter Bus) however, a 25 year contract similar to the contract with Regional Transit shall be provided.

The cost of these transit passes may be funded by the tenants through an agreement such as a condition of tenancy in the leases of the premises, or may be provided by the building owner.

Findings of Fact

1. The project, as conditioned, is based upon sound principles of land use in that the height of the office building is consistent with the surrounding area and adequate measures to reduce the parking impact are provided.
2. Granting the variances does not constitute a special privilege extended to an individual property owner in that variances would be granted to other property owners facing similar circumstances.
3. Granting the variances does not constitute a use variance in that office buildings are allowed in the General Commercial (C-2) zone.
4. The project, as conditioned, is not detrimental to the public

APPLC.NO. P90-248 MEETING DATE March 28, 1991

ITEM NO. 2
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welfare, nor results in the creation of a public nuisance in that adequate measures are proposed to reduce the impacts of the parking reductions and the setbacks and height are consistent with the surrounding blocks.

5. The proposed project is consistent with the General Plan and Central City Community Plan which designate the site Community/Neighborhood Commercial & Offices and Office, respectively.

Approved by the Planning Commission
on March 28, 1991 for the
February 28, 1991 meeting

Chairperson

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Conditions - Special Permit

1. The owner of the building shall notify prospective tenants that no parking is available on the subject site and that occupants of and visitors to the building will be required to utilize alternative forms of transit rather than a single occupant vehicle in commuting to and from work. The tenants and employees shall agree to comply with the proposed parking reduction measures. These restrictions shall be incorporated into lease agreements which are to be developed to the satisfaction of the Planning Director and City Attorney. The form and content of the lease agreements shall be submitted for review and approval prior to issuance of Building Permits.

SUPERCEDED REPORT - SEE AMENDED REPORT 8-28-91

2. The owner of the building shall notify users of the conference room that no parking is available on the site and that there are bicycle facilities which may be used. Public transit route information shall also be posted in the conference room.
3. The Transportation Management Plan shall be submitted for the review and approval of the City's Transportation Coordinator and Planning Director prior to issuance of building permits. This plan shall include an agreement with Regional Transit to purchase 38 bus passes at a 50 percent subsidy. The agreement with Regional Transit shall be provided for review of the Planning Director prior to the issuance of Building Permits. (staff amended)
4. The bicycle lockers shall contain parking for 24 bicycles in a Class I facility and 3 bicycles in a Class II facility, and shall be designed to meet the requirements of the Zoning Ordinance to the satisfaction of the Traffic Engineer. (staff added)
5. The owner of the building shall conduct annual polls of the tenant transit modes. If more than 10 percent of the tenants are using motor vehicles as a primary means of transportation to the building, the owner shall return to the Planning Commission for an off-site parking variance for leased parking spaces, or revocation of the Special Permit. The tenant poll shall be submitted annually by April 1st for Planning Director review (staff added).
6. The design of the proposed building shall be subject to review and approval of the Design Review/Preservation Board.

Condition - Variance

The owner of the building or the lessees shall provide additional bus passes for tenants of the building. There shall be 11 passes provided at a 100 percent subsidy or 22 passes provided at 50 percent subsidy. The agreement with Regional Transit shall be provided for review of the Planning Director prior to the issuance of Building Permits. (This number is in addition to the 38 passes at 50 percent subsidy required for the 60 percent parking reduction.) (staff added).

Findings of Fact

1. The project, as conditioned, is based upon sound principles of land use in that the height of the office building is consistent with the surrounding area and adequate measures to reduce the parking impact are provided.
2. Granting the variances does not constitute a special privilege extended to an individual property owner in that variances would be granted to other property owners facing similar circumstances.
3. Granting the variances does not constitute a use variance in that office buildings are allowed in the General Commercial (C-2) zone.

SUPERCEDED REPORT SEE AMENDED REPORT 3-28-91

4. The project, as conditioned, is not detrimental to the public welfare, nor results in the creation of a public nuisance in that adequate measures are proposed to reduce the impacts of the parking reductions and the setbacks and height are consistent with the surrounding blocks.
5. The proposed project is consistent with the General Plan and Central City Community Plan which designate the site Community/Neighborhood Commercial & Offices and Office, respectively.

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