

In the matter of the decision of the City)
Planning Commission on an application for)
a variance to waive six required parking)
spaces for a 30-seat ice cream parlor at)
2728 'J' Street in the C-2 zone)

NOTICE OF DECISION
and
FINDINGS OF FACT

On April 26, 1984 the Planning Commission indicated an intent to approve the variance subject to the following conditions and based on Findings of Fact due May 8, 1984.

Conditions

- a. The ice cream parlor shall contain a maximum of 20 seats;
- b. The Variance shall be for a 18-month term, at which time the Commission shall review this project for possible time extension.

Based on documentary and oral evidence submitted on April 26, 1984, the Planning Commission approved the Variance and hereby finds:

Findings of Fact

- a. The proposal does not constitute a special privilege extended to one individual property owner in that approval of such a request for other property where substantially the same conditions exist would also be warranted;
- b. The waiver of the parking spaces will not be injurious to the general public or surrounding properties in that:
 - 1) the majority of the ice cream parlor customers would be walk-in trade from nearby offices and residents;
 - 2) the proposed 20-seat ice cream parlor would not significantly increase the on-street parking demand;
 - 3) meter parking is available on 'J' Street and around the park to the north.
- c. The project does not constitute a use variance in that ice cream parlors are allowed in the C-2 zone.
- d. The proposal conforms with the 1974 General Plan and the 1980 Central City Community Plan which designate the site for commercial uses.

Approved by the City Planning Commission
on May 8, 1984 for the April 26, 1984
City Planning Commission meeting

CHAIR



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