

P95-076 LINCOLN LAW OFFICES

- REQUEST:
- A. Variance to waive the 10% retail requirement for an office conversion in the General Commercial (C-2(SPD)) zone; and
 - B. Variance to reduce the required backout maneuvering area for on-site parking from 24 feet to 22 feet.

LOCATION: 3200 J Street
Assessor's Parcel Number: 007-0123-010
Council District 3

APPLICANT:	Lionakis-Beaumont Design Gr. (Mike Dossa), 558-1900 1919 19th Street, Sacramento, CA 95814
OWNER:	Andrew and Marilyn Smolich, 443-2988 P.O. Box 160347, Sacramento, CA 95816-0347
APPLICATION FILED:	July 31, 1995
STAFF CONTACT:	Mike Dale, Planner, 264-8309

SUMMARY: The applicant is seeking the necessary entitlements to establish 100% office space within a vacated, 4,615 square-foot, commercial building with no distinguished on-site parking area. The building is within the Alhambra Corridor Special Planning District which requires that a minimum of ten percent of the space be for retail commercial use. The applicant is also seeking a variance from the City's parking standards which require a minimum of 24 feet of backout maneuvering area.

RECOMMENDATION: The project's primary issues relate to land use, parking, and aesthetics. The demand for new or additional commercial space appears to be low in the project area. Establishment of 100% office space in the existing building would support existing local commercial areas as well as enhance the character of the local neighborhood commercial district. Though insufficient space exists on-site to meet all of the City's parking standards, the proposal will adequately meet the parking and maneuvering needs of the future office tenants. The proposal has been reviewed and approved by the Design Review Board. Staff therefore **supports** the requested variances subject to the conditions in the attached resolution (Attachment C).



PROJECT INFORMATION:

General Plan Designation:	Community / Neighborhood Commercial & Offices
Special Planning District:	Alhambra Corridor
Existing Zoning of Site:	General Commercial (C-2-SPD)
Existing Land Use of Site:	Vacant commercial structure

Surrounding Land Use and Zoning: (see Attachment B)

North: Sutter Middle School, residential; R-1 (SPD)
 South: City Water Tower; C-1 (SPD)
 East: Strip Commercial Center; C-2 (SPD)
 West: Law School and Eye Care Center; C-2 (SPD)

Property Dimensions:	86' x 160'
Property Area:	13,760 square feet (0.316 acres)
Height of Building:	One Story (27 feet)
Height Limit:	45 feet
Size of Building:	4,615 square feet
Standard Parking Requirement:	12 spaces
Parking Proposed:	11 spaces
Proposed Materials:	White aluminum window framing; red brick; glass tower element; galvanized metal roofing; brushed aluminum raised letters

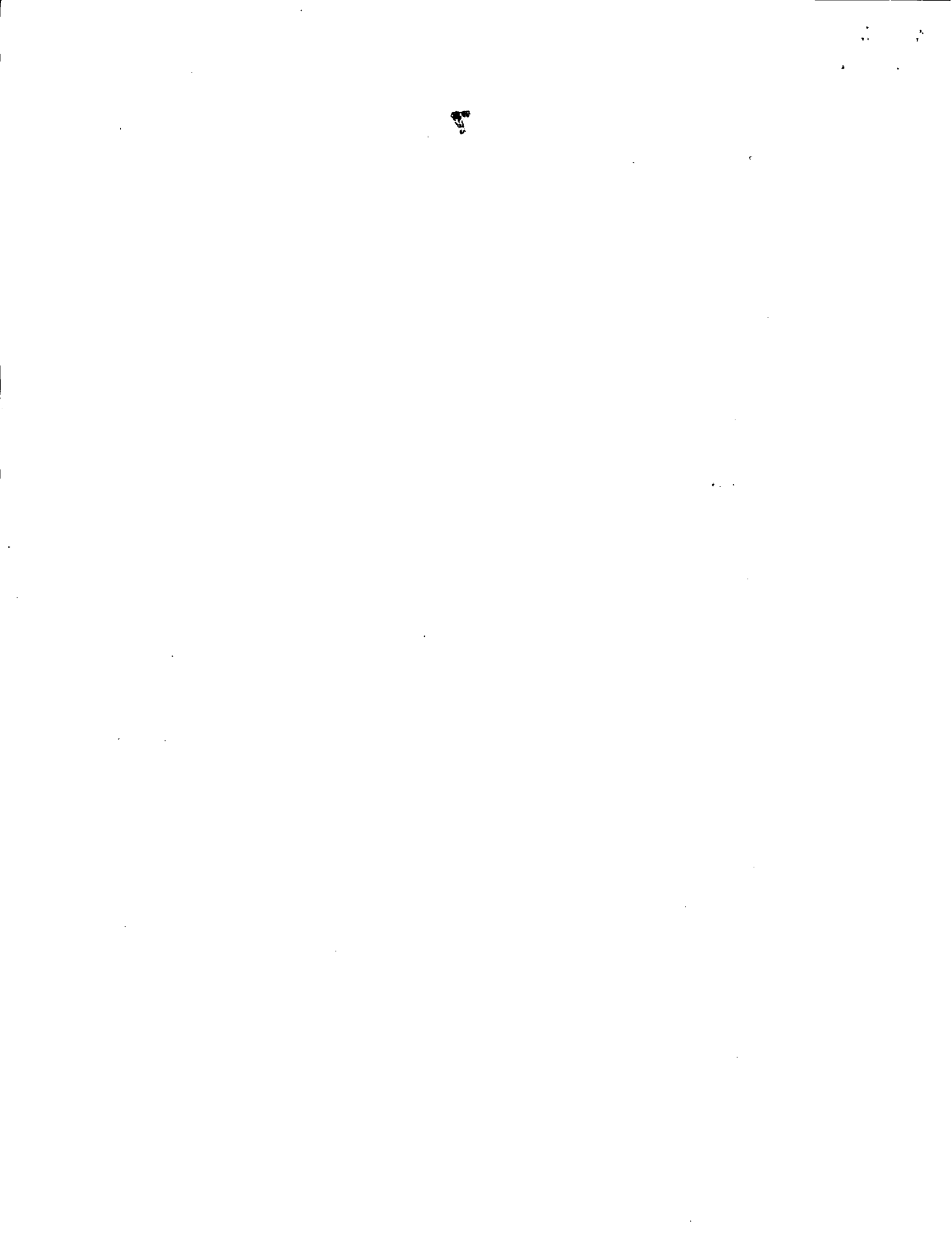
OTHER APPROVALS REQUIRED: In addition to the requested entitlements, the project will require building and sign permits from the Department of Planning and Development.

BACKGROUND INFORMATION: In 1952, a 1,600 square-foot steel annex was attached to the rear of the 3,200 square-foot commercial building identified as "Feils Motor Sales." The building most recently supported retail commercial space for "Del's Barber and Beauty Supply Company." The building has remained vacant for the last three years and is now classified by the City as a "Dangerous Building."

The subject site is located adjacent to a commercial center which supports twelve suites. The tenants include hair, skin, and nail salons; office space for travel and insurance; a flower shop; and a bar. Three of the suites are vacant including a 1,020 square-foot suite on the southwest corner of J Street and 33rd Street.

STAFF EVALUATION:**A. Policy Considerations**

General Plan. The "Community/Neighborhood Commercial & Offices" designation of the General Plan is intended to support shopping centers and smaller office



developments which offer goods and services for the daily needs of local area residents. The General Plan encourages the re-use and renovation of existing commercial buildings to strengthen and maintain the quality of local businesses and neighborhoods. The proposed office development is consistent with the land use designation and policies of the General Plan.

Special Planning District. The subject site is located between J Street and Folsom Boulevard on the east side of Alhambra Boulevard. This area is one of four "retail nodes" in the Alhambra Corridor Special Planning District which are subject to a minimum ten percent retail commercial space requirement. The applicant is requesting a variance from this requirement. The project is also subject to Design Review Board approval.

The goals of the SPD are: 1) maintain and improve the character, quality and vitality of individual neighborhoods, 2) maintain the diverse character and housing opportunities provided in these urban neighborhoods, 3) provide the opportunity for a balanced mixture of uses in neighborhoods adjacent to transit facilities and transportation corridors, 4) maintain the neighborhood character of existing commercial neighborhoods while allowing for limited office to serve the medical complex in the area, and 5) provide the opportunity for reuse and rehabilitation of heavy commercial and industrial neighborhoods to take advantage of close-in living while reducing the number of obsolete and under-utilized buildings and sites. A discussion of consistency with these goals is provided below (Section C.)

Zoning. Office uses are allowed in the "General Commercial (C-2(SPD))" zone subject to certain criteria affecting building and site layout and design. The existing building provides commercial space which is allowable in the C-2(SPD) zone.

B. Site Plan/Design

The applicant originally submitted plans which involved the placement of an outdoor patio area in the 7.5-foot front setback and the recordation of reciprocal easements to allow a drive-through parking lot. In addition to requiring a variance, the patio wall would have ignored any relationship to the streetscape and would have caused reduced visibility for motorists backing-out of the adjoining parking lot to the east. The applicant was also unable to obtain the reciprocal easement agreements with the adjoining property owners.

Patio Area. The revised proposal involves the partial demolition and replacement of the building's frontage with an outdoor patio area which would be setback 14 feet from the front property line. The applicant proposes a five-foot tall "garden" wall which will be partially surrounded by landscaping. Adequate visibility would now be available to motorists backing out of the adjoining parking lot to the east.

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In order to provide additional pedestrian orientation, staff considered reducing the wall height to four feet and requiring that the wall be 50% transparent per the sidewalk fence requirement of the Central City Neighborhood Design Plan. The applicant was opposed to the reduced wall height for security reasons. However, the applicant agreed to include transparent, masonry elements in the wall to promote pedestrian orientation. Staff believes that this reflects a good compromise and is supportive of the patio wall design subject to review and approval by the Design Review staff.

Parking Lot. The parking lot will provide a turn-around area at the rear of the building and lot. The Public Works Department strongly recommends against backout maneuvering onto J Street due to the existing and anticipated high volumes of traffic along J Street. *Staff therefore recommends that signage be placed at the driveway entrance informing motorists to use the turn-around area located at the back of the lot.*

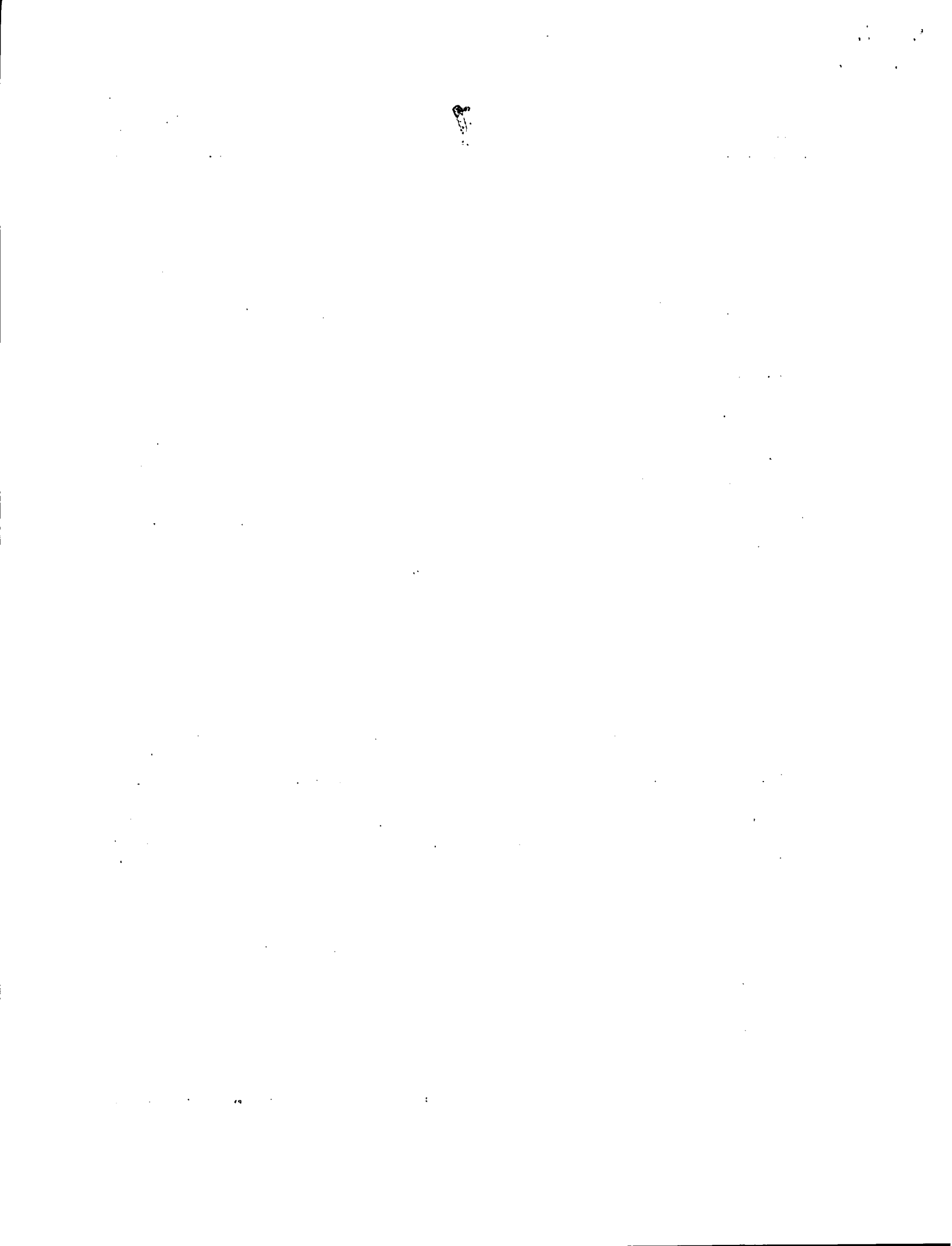
The proposed parking lot will provide 11 stalls. A new 4,615 square-foot office development would be required to provide 12 stalls. The previous 4,655 square-foot commercial use would have required 14 parking spaces. A parking credit of 14 parking spaces may therefore be applied to the site. The table in Section 6-E-3 of the zoning ordinance indicates that about 15 full-time employees would be expected to occupy the development. The applicant predicts that eight customers/visitors may be on-site at any one time.

The proposal will result in the establishment of a new landscaped parking lot which nearly meets the off-street parking requirement for new office development of 1:400. Staff is therefore supportive of the minor parking reduction.

C. Variance to Waive the 10% Retail Commercial Requirement

The applicant offers the following reasons to justify the requested variance: 1) the required 462 square-foot retail space would be too small to attract a retail tenant; 2) the owner intends to occupy the front half of the building (nearest the street); therefore the probability of finding a retail tenant to lease the back portion of the building is minimal; 3) several of the tenant spaces located in the retail center to the east of the project site have been vacant for long periods of time; and 4) there is a high amount of transient traffic in the area that is detrimental to retail success.

Staff concurs that the adjacent commercial strip is partially vacated and that the current demand for commercial space in the project area is currently low. The subject building has also remained vacant for an extended period of time and is having a blighting effect on the neighborhood. Conversion and enhancement of the commercial site for office use may generate new pedestrian activity along J



Street which may benefit the local economy.

Improvements to the property include demolishing the "low bay" structure located at the rear of the parcel; upgrading the building's facade; installing new and additional landscaping; providing on-site parking; constructing a new driveway and sidewalk per City standards; and establishing an outdoor patio area along J Street. The patio area will be surrounded by a five-foot-tall brick wall and would contain a trellis element and small courtyard area for use by the building's occupants. As mentioned above (Section B), the applicant has agreed to include transparent, masonry elements in the proposed wall to support pedestrian orientation.

The land use and site improvements are compatible with the policies of the Alhambra Corridor SPD in that they will: 1) improve the character and quality of development in the area, 2) maintain the diverse character provided in the urban neighborhood, 3) provide a further mixture of uses, 4) enhance the neighborhood character of the existing commercial neighborhood by generating more pedestrian activity and establishing an outdoor patio area, and 5) involve the reuse and rehabilitation of an obsolete and under-utilized building and site. Staff therefore supports the requested variance.

D. Variance To Allow 22 Feet of Backout Maneuvering Area For On-Site Parking

The zoning ordinance requires a minimum of 24 feet of backout maneuvering area for one aisle of parked vehicles. The subject site is currently developed without a standard parking lot.

The applicant's original proposal involved off-site maneuvering area. The proposal was revised to contain all maneuvering on-site. The applicant has continued to work with the City staff to achieve the currently proposed parking lot layout.

In order to maximize the number of stalls, the applicant is proposing 11-foot-wide vertical stalls with only 22 feet of backout maneuvering area. Standard stalls are typically eight feet wide. The proposal is acceptable to the Transportation Engineering Division of the Public Works Department. Based on the additional width of the stalls and the turn-around area provided at the back of the site, staff believes that adequate maneuvering area will exist for motorists entering and exiting the proposed parking lot. Staff therefore supports the requested variance.

PROJECT REVIEW PROCESS:

A. Environmental Determination

The project involves the conversion of an existing small structure from one use to another where only minor modifications are made to the exterior of the structure. The proposal therefore qualifies for a categorical exemption pursuant to Section



15303(c) of the California Environmental Quality Act (CEQA) Guidelines. This exemption is particularly applicable to offices and similar small commercial structures on commercially zoned sites when designed for an occupant load of 30 persons or less.

B. Public / Neighborhood / Business Association Comments

An early notice of the applicant's proposal was routed to the East Sacramento Improvements Association (ESIA) and the McKinley/Elvas Neighborhood Association (MENA). Staff subsequently followed-up with a phone call to ESIA. MENA responded with a letter in favor of the project (Attachment E). Staff has also received two letters of opposition to the project (Attachments F and G).

C. Summary of Agency Comments: Staff received the following comments:

Public Works. The driveway should be aligned with the west edge of the proposed walkway located adjacent to the building; the walkway should be made to be flush with the parking lot surface.

Fire. Sprinklers should be installed within the building.

City Arborist. The 25-inch Elm located along J Street should be protected. The remaining trees on-site may be saved or removed at the developer's discretion.

Design Review. On January 3, 1996, the proposal was approved, subject to conditions (Attachment D), by the Design Review Board (DR95-209).

PROJECT APPROVAL PROCESS: The Planning Commission has the authority to approve or deny the requested entitlements. The Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

STAFF RECOMMENDATION: Staff recommends that the Planning Commission take the following action:

Adopt the attached Resolution approving: A. **Variance** to waive the 10% retail requirement for an office conversion in the General Commercial (C-2) zone subject to conditions and findings of fact, and B. **Variance** to reduce the required backout maneuvering area for on-site parking from 24 feet to 22 feet.

Report Prepared By,

Mike Dale
Mike Dale, Associate Planner

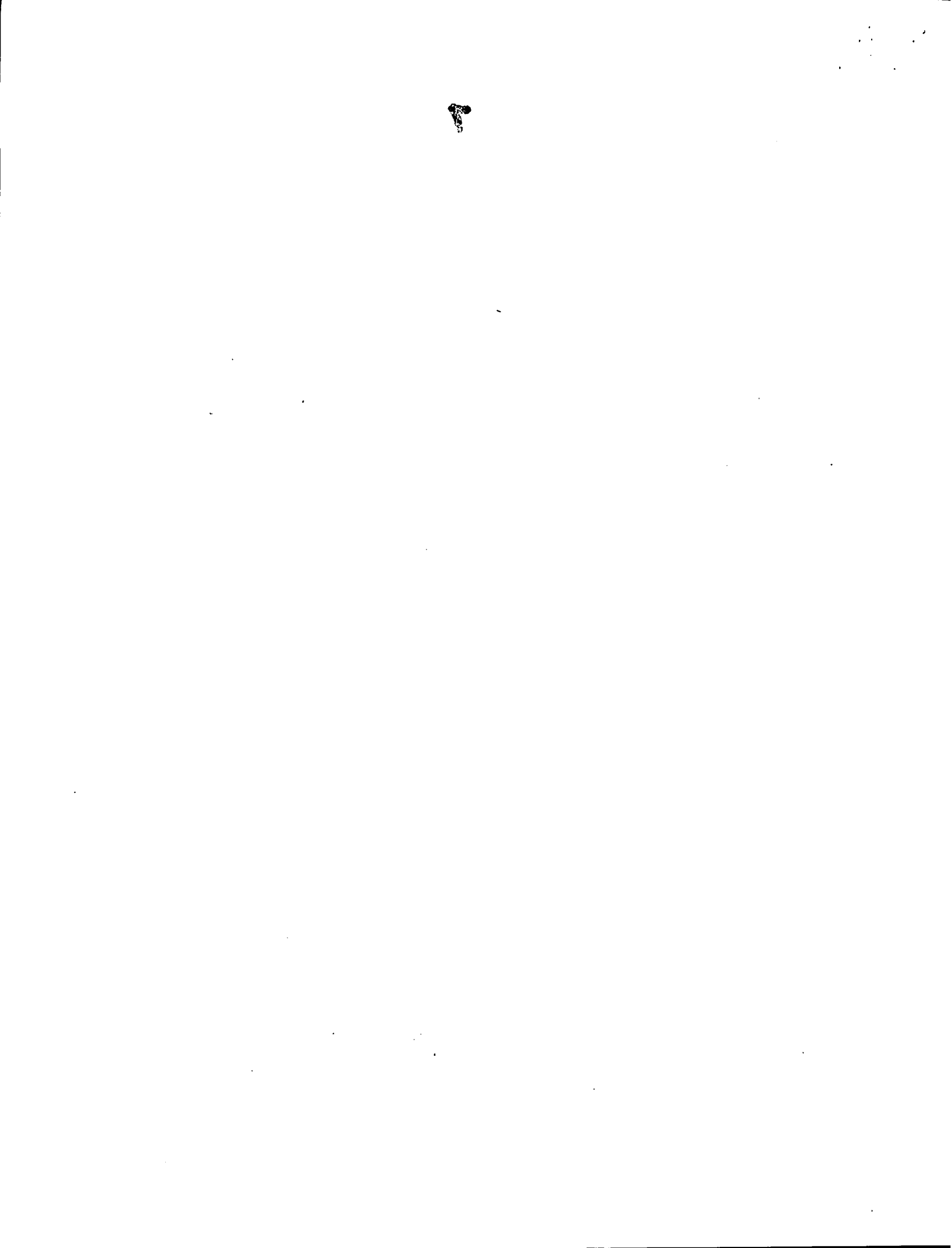
Report Reviewed By,

Steve Peterson
Steve Peterson, Senior Planner

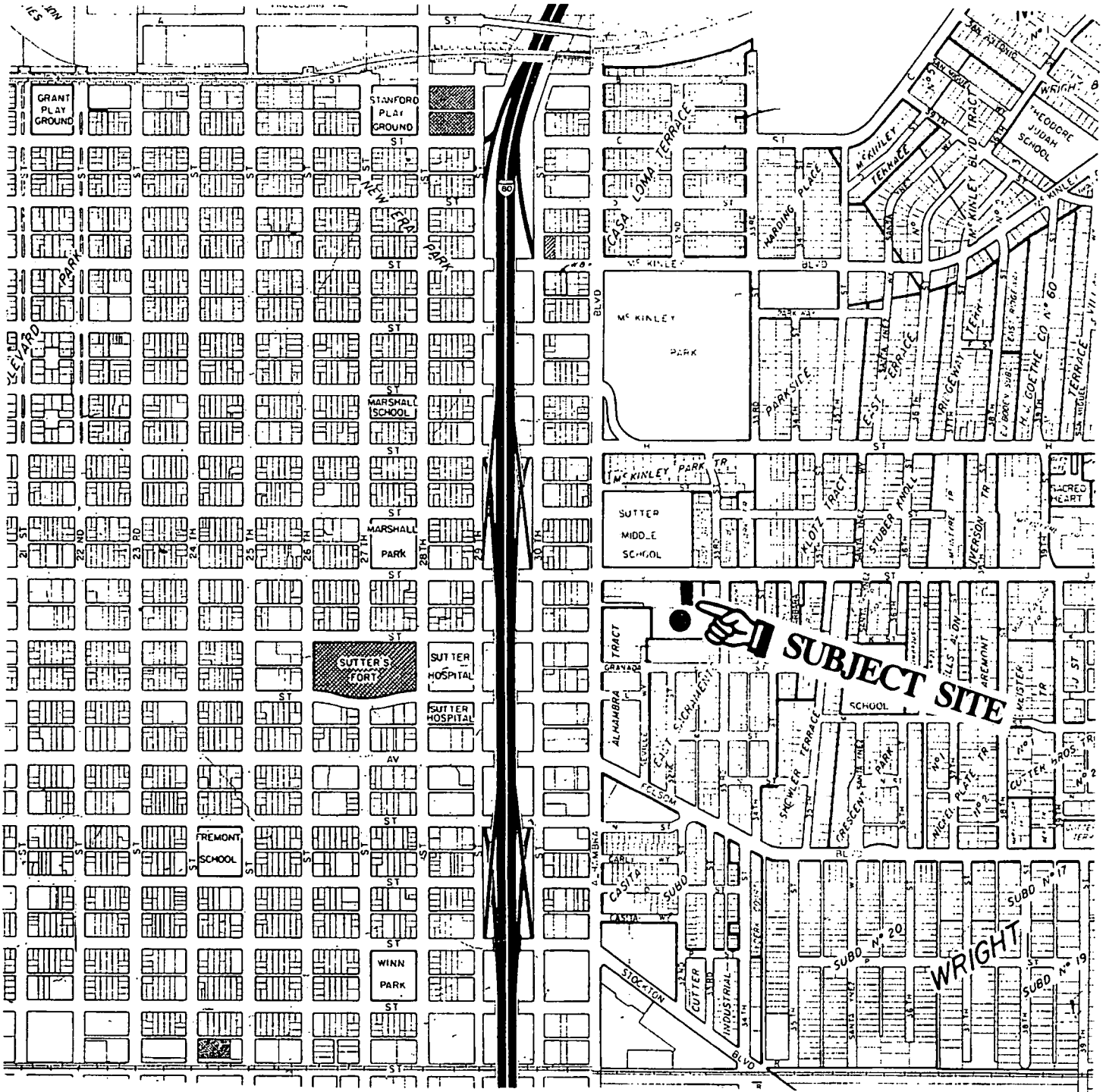


Attachments

Attachment A	Vicinity Map
Attachment B	Land Use and Zoning Map
Attachment C	Resolution - Variance
Exhibit C-1	Site Plan
Exhibit C-2	Floor Plan
Exhibit C-3	Elevations
Exhibit C-4	Artistic Rendering
Attachment D	Design Review Board Conditions of Approval
Attachment E	Letter in Favor of Project
Attachment F	Letter in Opposition to Project
Attachment G	Letter in Opposition to Project

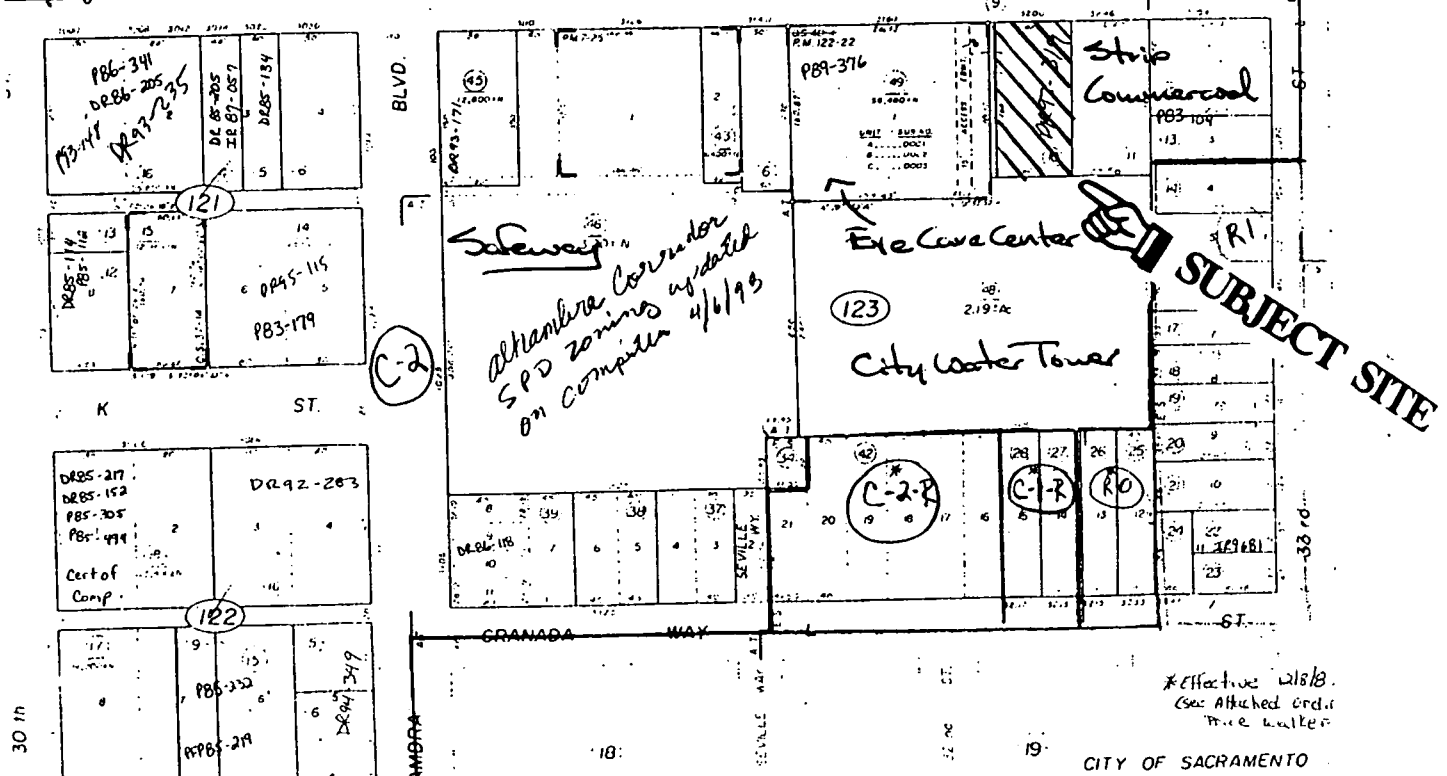
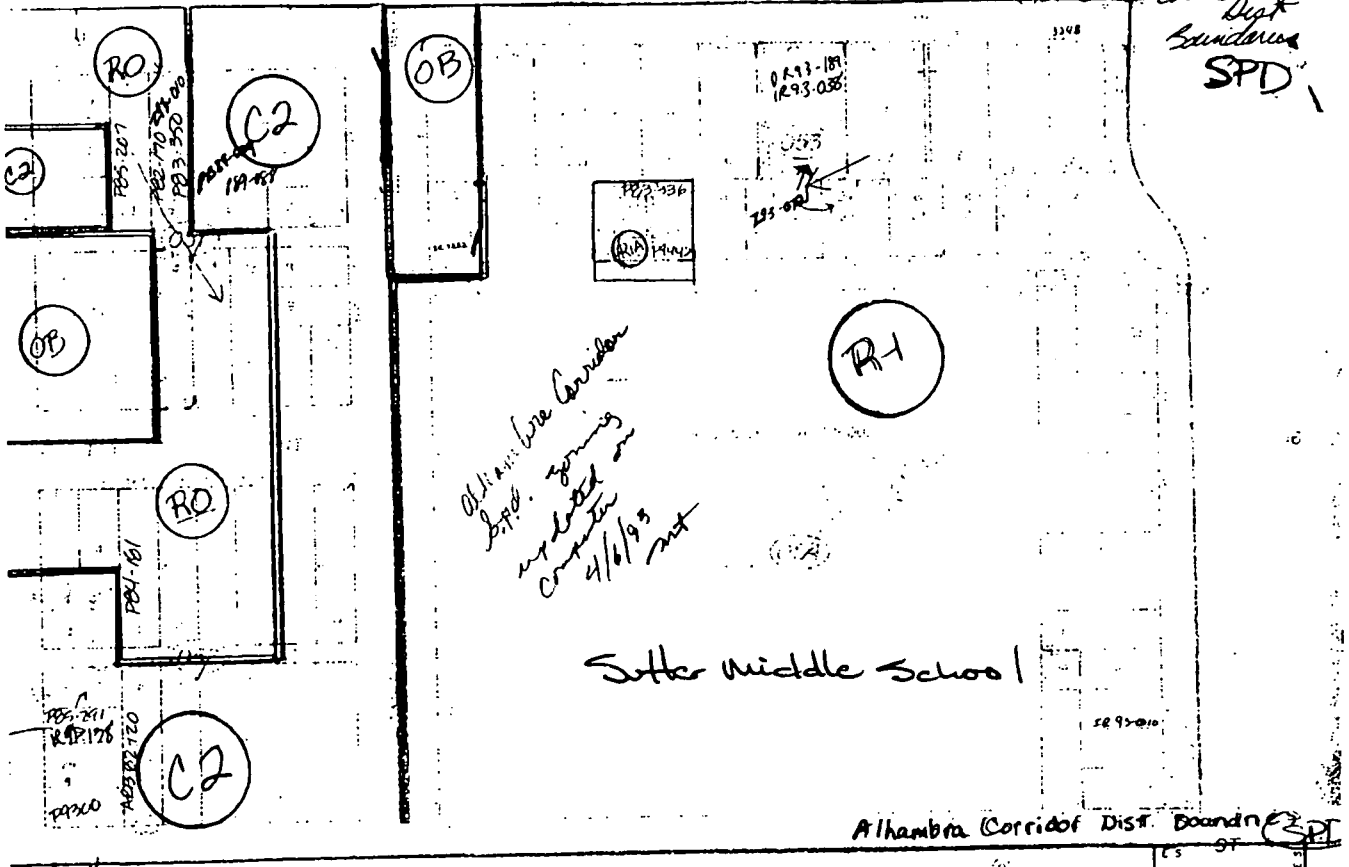


Attachment A
Vicinity Map





Attachment B
Land Use and Zoning Map



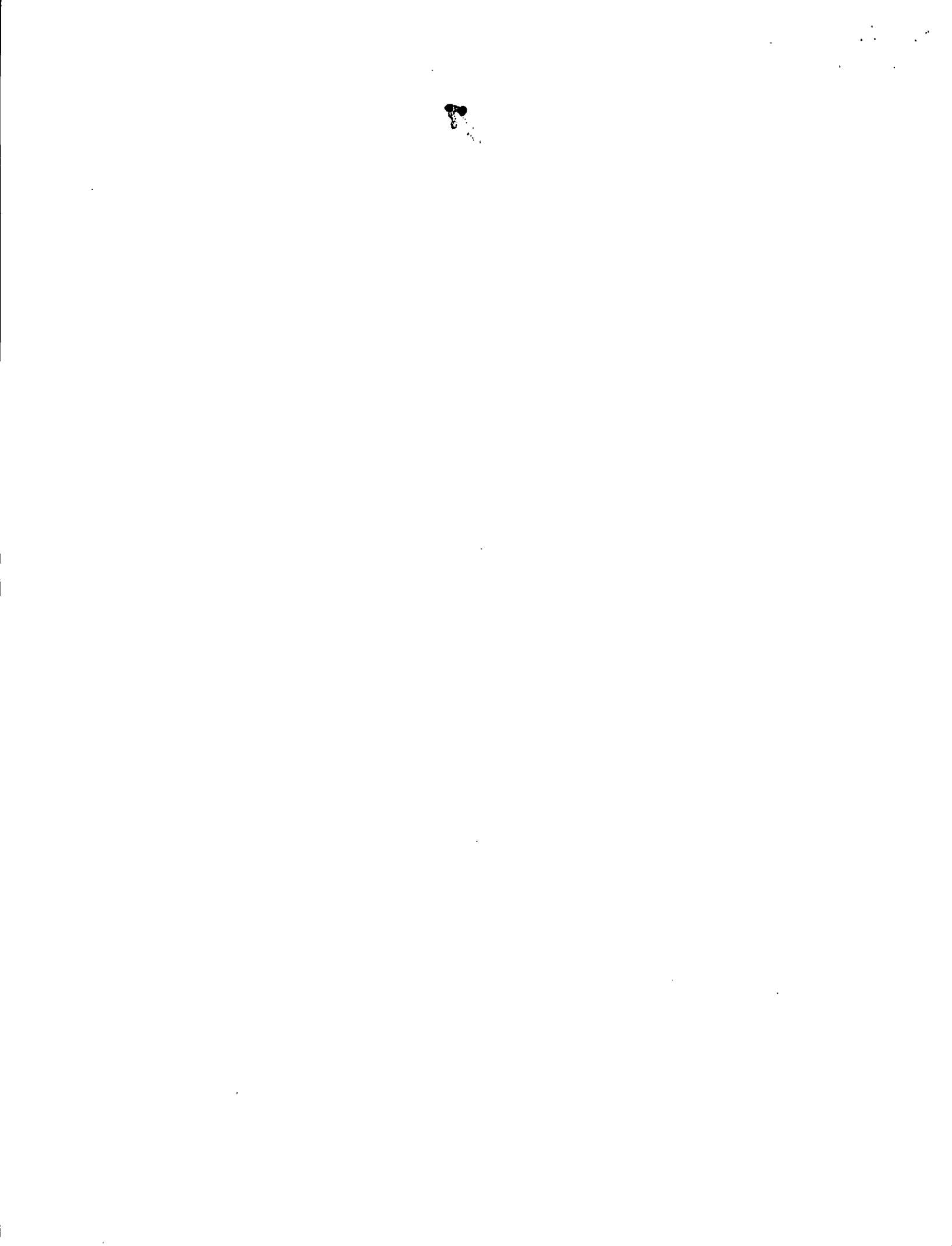
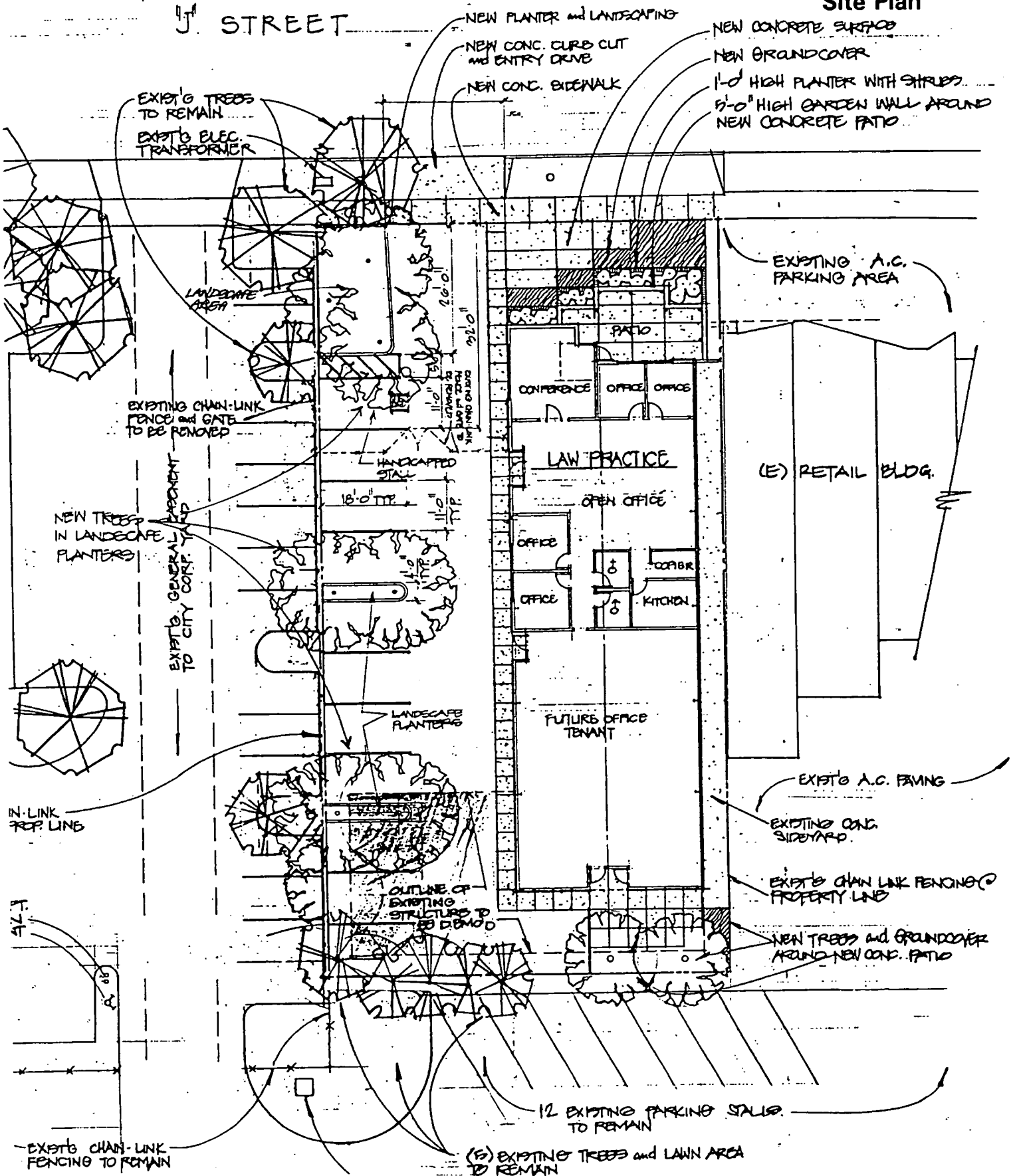


Exhibit C-1
Site Plan



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Exhibit C-2 Floor Plan

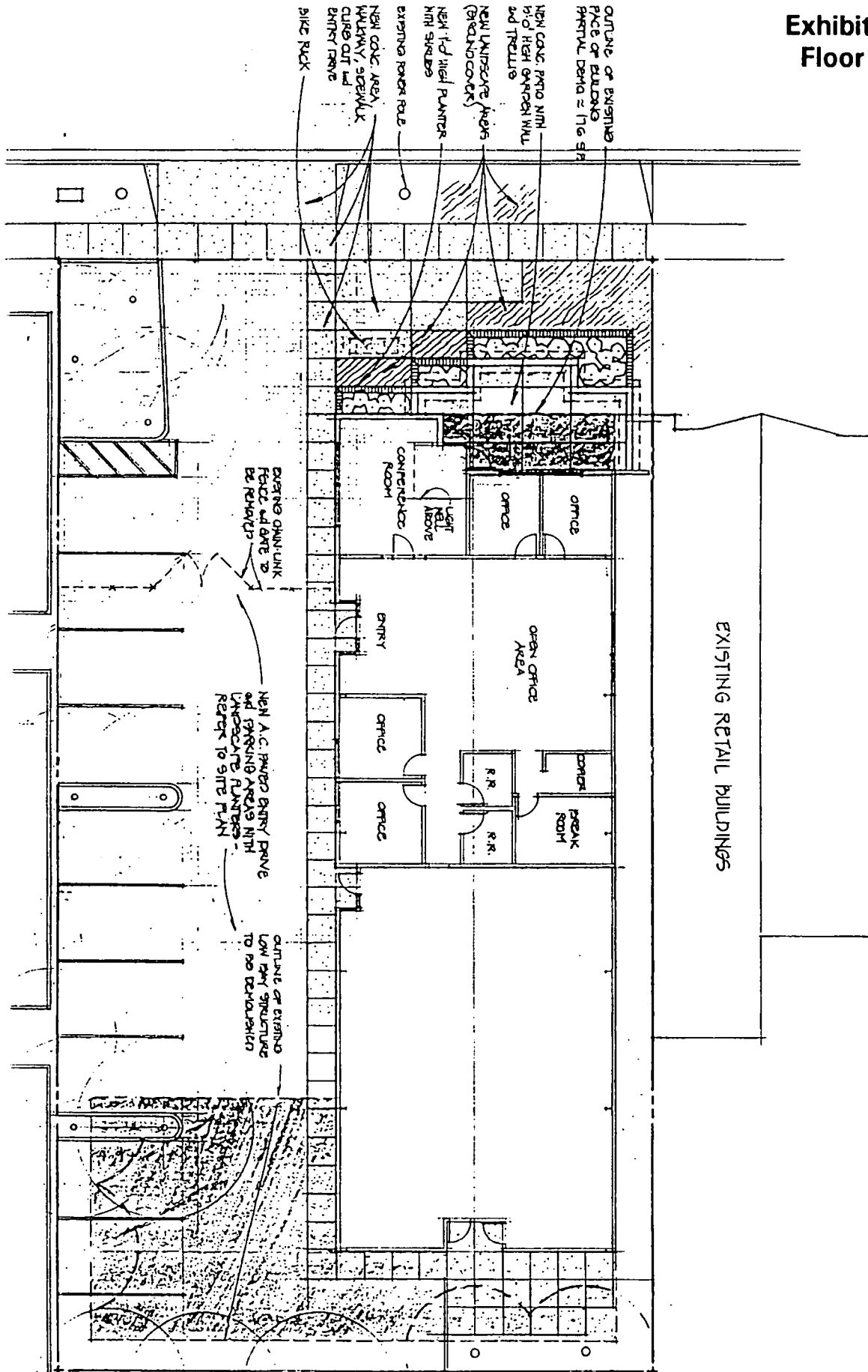
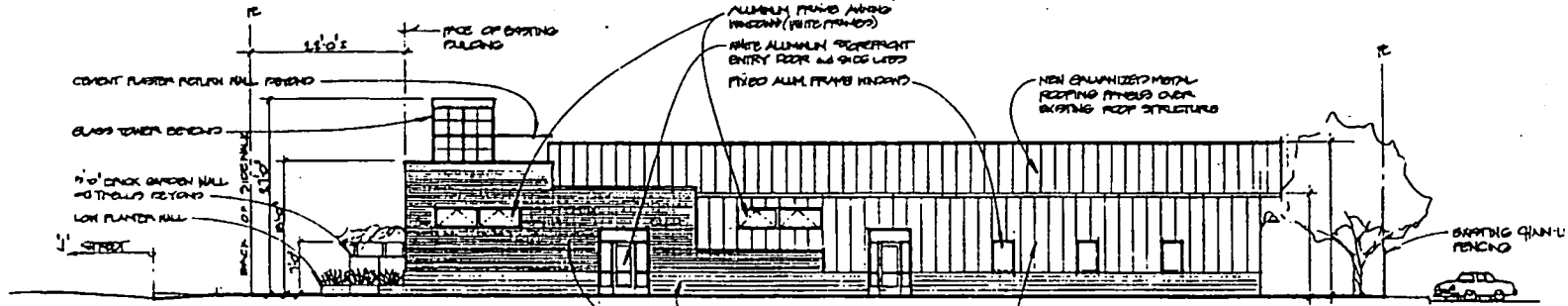


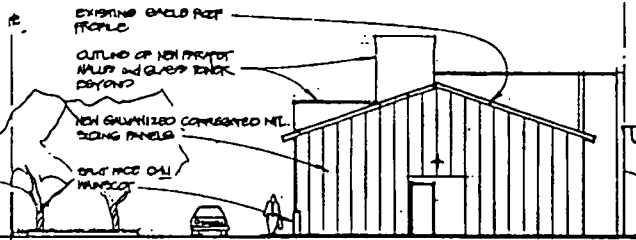


Exhibit C-3
Elevations



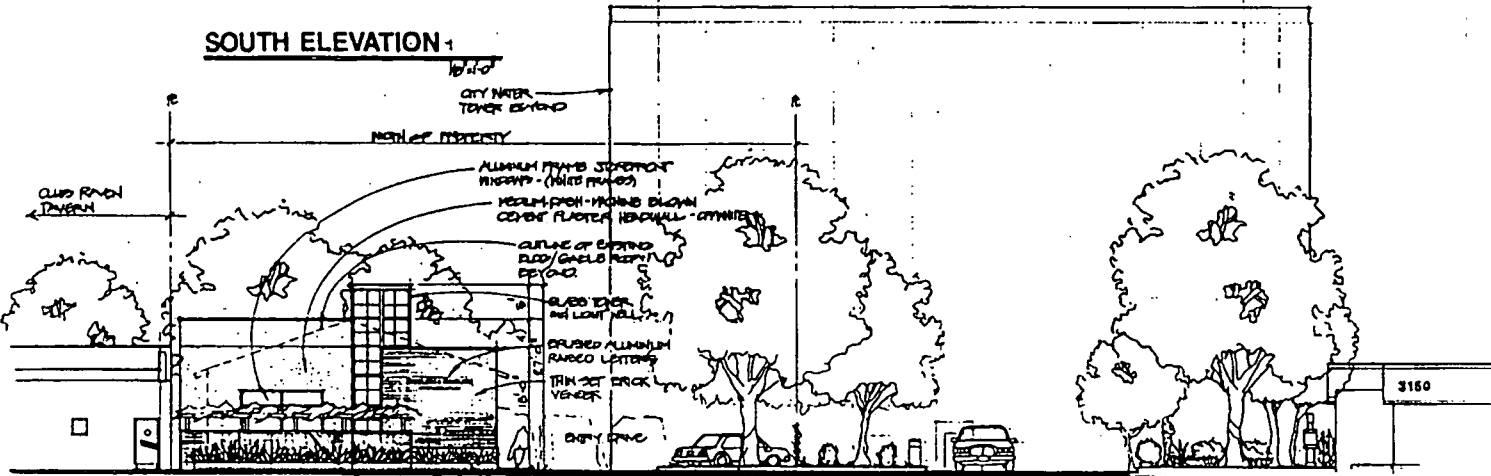
WEST ELEVATION

VB-1-d



SOUTH ELEVATION

VB-1-d



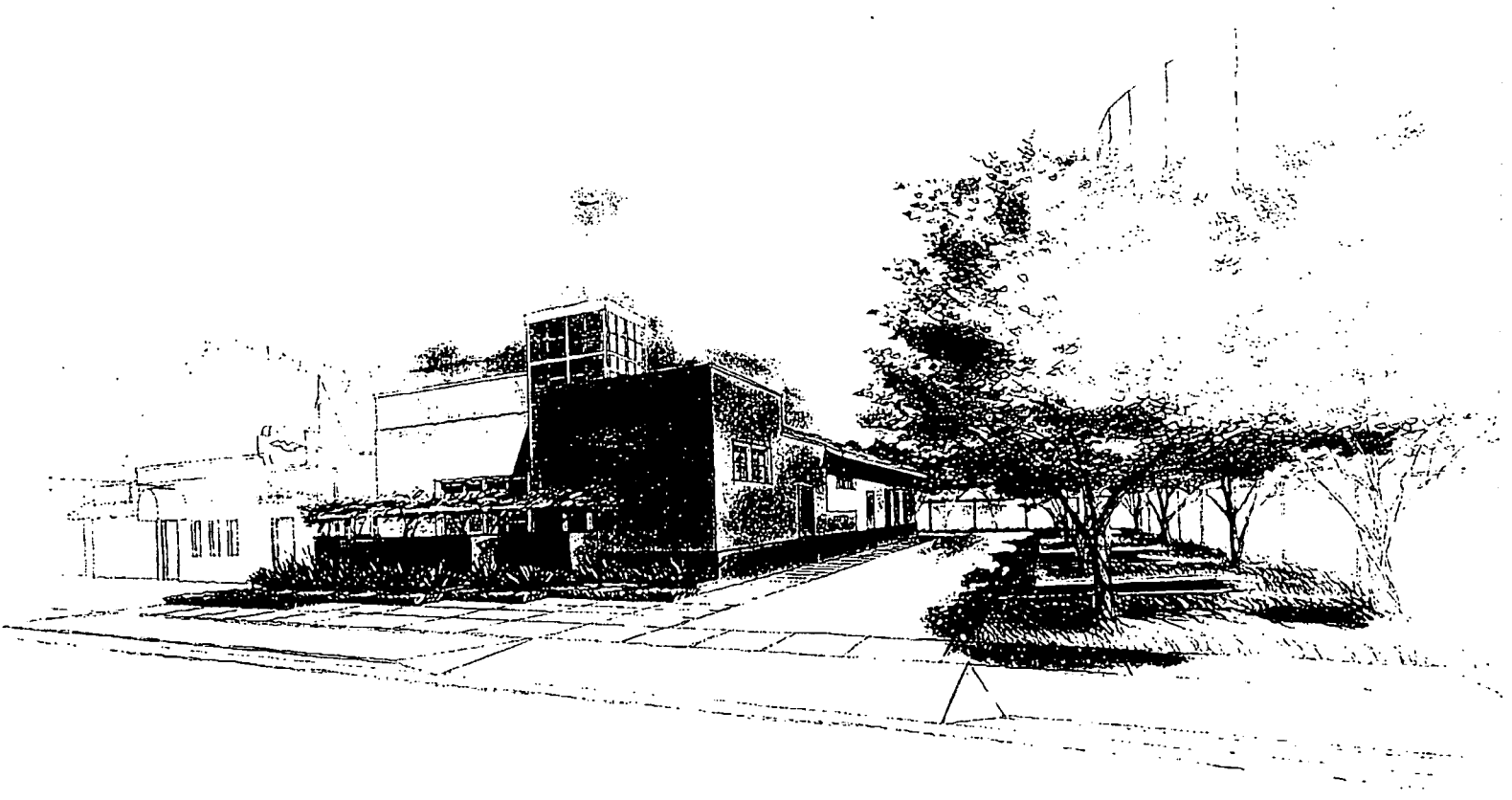
NORTH ELEVATION

VB-1-d

3150
CYS CLINIC

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Exhibit C-4
Artistic Rendering





Attachment D
Design Review Board Conditions of Approval

STAFF RECOMMENDATION: Staff recommends that the Board approve the proposed project subject to the following conditions:

1. The applicant shall receive Planning Commission approvals prior to preparation and submittal of plans for building permits.
2. The brickwork on the west elevation shall be increased in height for the portion located between the two exterior door openings to match the head height of the door and the sill height of the paired awning windows.
3. The final colors, if not approved by the Board, shall be submitted for review and approval of staff.
4. Final landscape and irrigation plans shall be submitted for review and approval of the Board landscape architect and staff, prior to issuance of building permits. A set of the plans, separate from those to be submitted to the Building Division, shall be submitted to the design review staff or directly to the Board landscape architect.
5. All HVAC equipment shall be ground mounted and attractively screened, or shall be located in the roof structure of the building.
6. Outside trash storage shall be attractively screened with an enclosure that conforms to City construction standards and is attractively designed with decorative masonry walls and durable heavy gauge metal gates. The design, or redesign, shall be submitted for review and approval of staff.
7. Final lighting plans that effectively serve aesthetic and public safety needs shall be submitted for review and approval of staff.
8. SMUD boxes and any necessary backflow devices shall be screened by landscaping or other design means.
9. All required new and revised plans shall be submitted for review and approval of design review staff prior to issuance of building permits. A set of the appropriate plans shall be submitted directly to Design Review staff.
10. The approval shall be deemed automatically revoked unless required permits have been issued and construction begun within two years of the date of the approval. Prior to expiration, an extension of time may be granted by the Board upon written request of the applicant.



**Attachment E
Letter in Favor of Project****McKinley Elvas Neighborhood Alliance**

Preserving The Valuable Qualities Of Our Neighborhood



September 27, 1995

Mike Dale, Planner
City Planning Division
1231 I Street, Room 300
Sacramento, CA 95814

Re: Project No. P95-076

Dear Mr. Dale:

I am writing in response to your "Early Project Notification" dated August 30, 1995 regarding the "3200 J Street Renovation Project." The MENA Land Use Committee has reviewed the proposal as outlined in the application and design documents. In general, we support the preservation and creation of neighborhood-oriented retail commercial within East Sacramento, as well as the 10% requirement in the Alhambra Corridor Special Planning District. However, we are not opposed to this particular application for a variance due to the unique location and circumstances.

We have talked informally to a number of the businesses in the immediate vicinity. The one specific concern raised is over the loss of any of the existing trees. MENA has always supported preservation of trees to maintain the unique quality of the area. We would recommend that the City require preservation of the existing trees, or at a minimum, replacement of any trees that absolutely have to be removed for the project.

Thank you for the opportunity of reviewing this "Early Project Notification." If you have any questions, please call me at 736-2268.

Sincerely,

Ward A. Tabor
Vice-President

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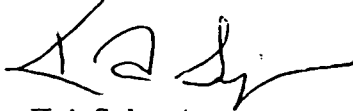
**Attachment F
Letter in Opposition to Project**

January 6, 1996

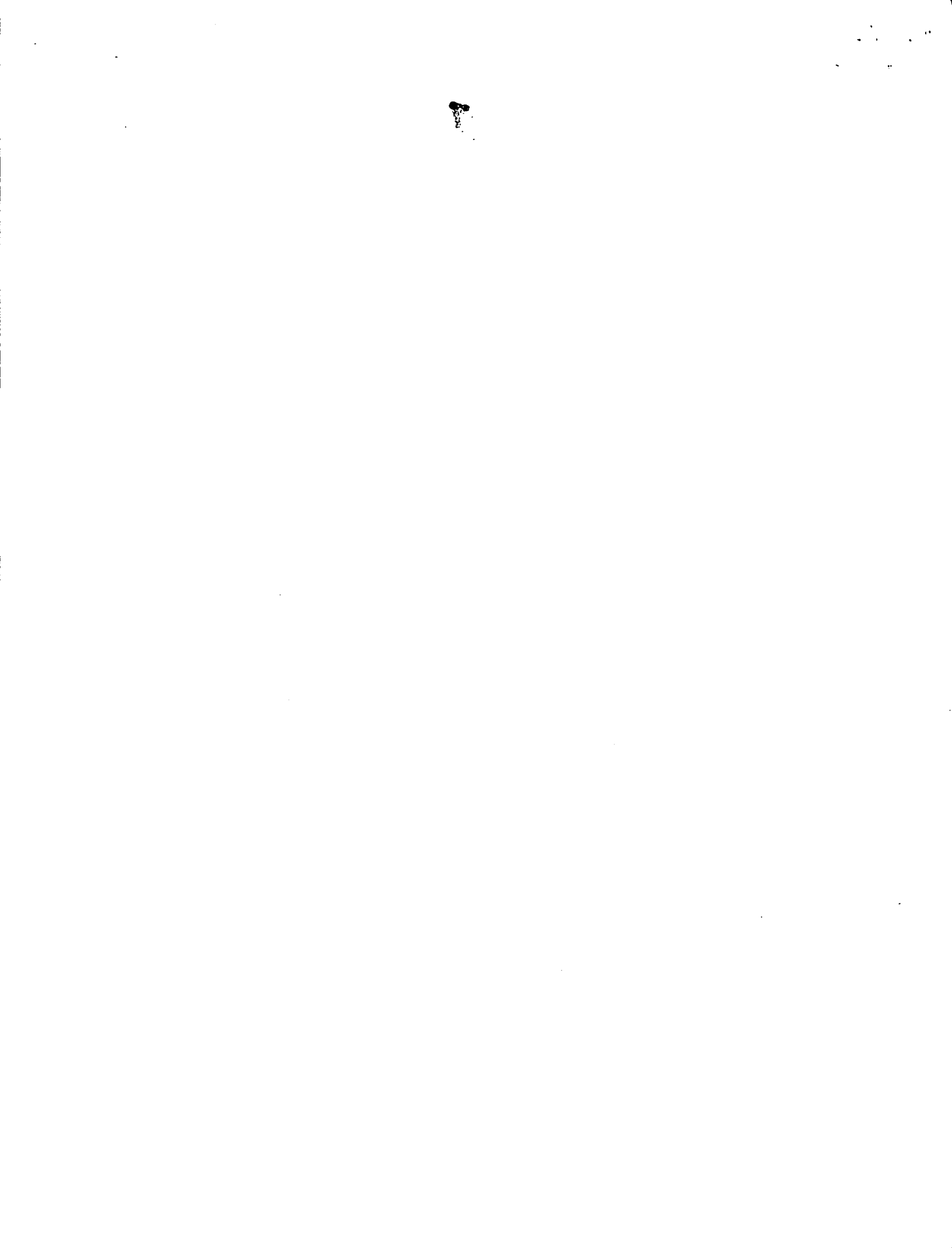
Planning and Development:

I do not feel there should be any deviations from the original Alhambra Corridor Special Planning District. The boundaries for building were put in place because of the area in which we live and the distruction of our style.

Thank You



K A Sylvester
1024 34th Street
Sacramento 95816



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MARCH 14, 1996**Attachment G
Letter in Opposition to Project**

KIN PROPERTIES, INC.
77 TARRYTOWN ROAD
SUITE 100
WHITE PLAINS, NEW YORK 10607-1620

HOWARD E. HELLER
GENERAL COUNSEL

TELEPHONE: (914) 683-6080
FAX: (914) 683-6088

January 15, 1996

BY MAIL & FAX 916-264-7185

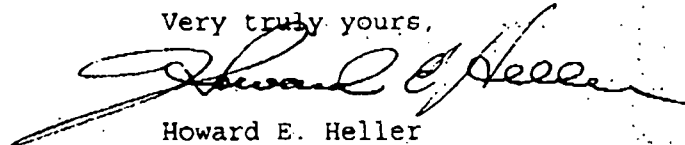
Mike Dale
City of Sacramento
Department of Planning & Development
1231 I Street, Room 300
Sacramento, CA 95814-2904

Re: Property #7034 - 1025 Alhambra Blvd., Sacramento, CA
Safeway Store #242

Dear Mr. Dale:

With reference to the above-captioned property, the owner of the same has received a notice concerning project no. P95-076 with respect to waiving the retail requirement of the Alhambra Corridor Special Planning District in order to allow for an office conversion in the general commercial zone. The above-captioned property is a retail property currently leased to Safeway Inc. As such we believe that surrounding properties also should remain retail properties in the interest of property values. Therefore, on behalf of the Hareff Trust, the owner of the above-captioned property, we hereby object to the proposal in proposal no. P95-076 and do not believe that the variance waiving the retail requirements should be allowed.

Very truly yours,



Howard E. Heller

HEH:dp

