

CITY PLANNING COMMISSION
1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT Tom O'Neill, 1401 Shore Street, West Sacramento, CA 95691
OWNER Lowell Benz, 3000 I Street, Suite 200, Sacramento, CA 95816
PLANS BY Tom O'Neill, 1401 Shore Street, West Sacramento, CA 95691
FILING DATE January 6, 1992 ENVIR DET. Cat Ex 15305 REPORT BY Don Smith
ASSESSOR'S PCL NO 007-0172-020

APPLICATION: Variance to waive eight required parking spaces for a 40 seat restaurant on 0.15± developed acres in the General Commercial (C-2) zone.

LOCATION: 2728 Capitol Avenue

PROPOSAL: The applicant is requesting the necessary entitlements to waive eight required parking spaces for a forty seat restaurant located at 2728 Capitol Avenue.

PROJECT INFORMATION:

General Plan Designation:	Community/ Neighborhood Commercial/ Office
Central City Community Plan:	General Commercial
Existing Zoning of Site:	C-2
Existing Land Use of Site:	Retail/ Apartments above

Surrounding Land Use and Zoning:

North:	Office/ Business School; C-2
South:	Medical Office and Parking; C-2
East:	Retail Space/ Regional Transit; C-2
West:	Office; C-2

Property Dimensions:	80'X 80' Total bldg., Restaurant occup: 20'X 80' ± space.
Property Area:	.15± developed acres
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
Parking Required:	8 spaces
Parking Provided:	None

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PROJECT EVALUATION: Staff has the following comments regarding this proposal.

A. Land Use and Zoning

The building in which the restaurant is proposed was built around 1930 and is 80'X 80'in size. The restaurant itself would be located in a 20'X 80±' suite at 2728 Capitol Avenue. The project site is designated Community/ Neighborhood Commercial/ Office in the General Plan. The Central City Community Plan and existing zoning designate the site General Commercial. The subject building is separated into five retail suites including: a chiropractor; a grocery store; hair salon; orthopedic surgeon; and, a fitting room for handicapped and rehabilitation equipment. There are also eleven apartments on the second floor. There are no parking spaces for any of the uses.

Surrounding properties are zoned General Commercial (C-2). To the north is a business school, retail space and offices. To the south is a medical office and surface parking. To the east are Regional Transit facilities. To the west is a 3 story office building. The subject property is located within the Central City design review area. The applicant is not, however, proposing any exterior alterations that would require design review.

B. Applicant's Proposal

The applicant is proposing to convert an existing retail space at 2728 Capitol Avenue into a forty seat restaurant in the General Commercial (C-2) zone. A variance is requested to waive the eight required parking spaces. In place of the required spaces, the applicant has agreed to provide six bus passes for the employees and four bicycle racks in front of the building.

C. Staff Analysis

The restaurant is proposed within an existing retail space at 2728 Capitol Avenue. The parking requirement for a restaurant is one parking space for every three seats. A forty seat restaurant would, therefore, require 13 parking spaces. In this case, the existing building in which the restaurant is proposed was constructed around 1930 without parking. Because the building is considered a non-conforming use, the building is given credit of five parking spaces, one space per every 400 square feet of retail area. Even with the credit, there is still a shortage of eight spaces.

The applicant has spent considerable time trying to locate off-site parking in the area. At one point the applicant had an agreement for eight spaces at the Old Taverne garage, one block west of the site. Final agreement was not reached as the land owner did not want to commit to a long term agreement. The applicant now agrees to provide six bus passes for the employees and four bicycle racks to encourage alternative transportation to the site.

The applicant indicates that the primary trade for the restaurant will be generated from the nearby business school and hospital. Students, hospital workers and others will primarily walk to the restaurant.

Planning and Transportation staff have reviewed the parking situation in the vicinity of the project site. It has been found that parking is congested in the area. Much of the surrounding neighborhood has unrestricted on-street parking which was found to be at capacity during the lunch hour and at near capacity at the dinner hour. Two hour metered parking is available one block west of the site during lunch and dinner time. In addition, the Old Taverne parking garage has available parking even at their busiest times. Since much of the available parking is short term, the applicant agreed to provide six bus passes for their employees. The bike racks will be available as well.

Staff concludes that most of the restaurant's clients will be walk-in business from the nearby hospital and business school. Customer parking is available less than one block from the site on-street and in the Old Taverne garage. With the bus passes and bicycle racks, there would be adequate parking available for both customers and employees.

D. Neighborhood Comments:

The Sacramento Old City Association and the Winn Park Neighborhood Association have been contacted. Both groups view the restaurant as an asset to the neighborhood and support the variance request.

E. Agency Comments:

In addition to the Transportation Division of Public Works, whose comments are provided above, the project has been reviewed by Development Services and the City Building Divisions. There were no comments in opposition to the proposal.

ENVIRONMENTAL DETERMINATION: The Environmental Services Manager has determined that the project is exempt from environmental review pursuant to State EIR Guidelines (California Environmental Quality Act, Section 15305(a)).

RECOMMENDATION: Staff recommends that the Planning Commission approve the variance subject to conditions and findings of fact which follow:

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Conditions:

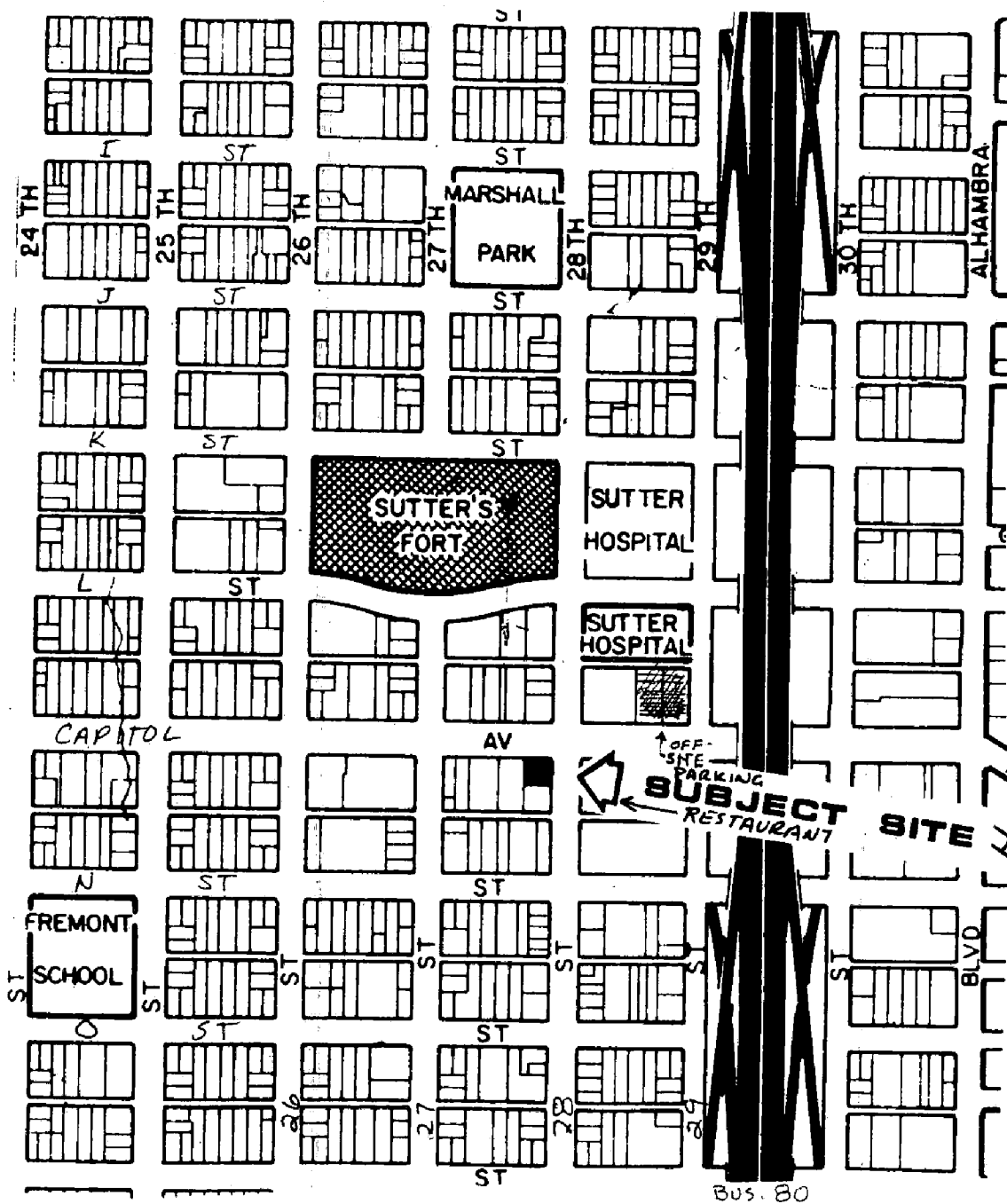
1. Prior to the issuance of any final building permit, applicant shall provide evidence of an agreement with Regional Transit providing for six monthly bus passes for employees. Bus passes shall be available to employees continuously. The applicant may terminate the agreement with Regional Transit upon providing proof of a long term (ten years or greater) agreement for eight parking spaces to the satisfaction of the Planning Director.
2. Four bicycle racks shall be provided to the satisfaction of the Transportation Division prior to the issuance of a final building permit. Any required encroachment permit shall be obtained through the Public Works Department.

Findings of Fact:

1. Granting of the variance does not constitute a special privilege extended to an individual applicant in that:
 - a) six bus passes and four bike racks shall be provided; and,
 - b) the variance may be granted to other property owners facing similar circumstances.
2. Granting the request will not be injurious to public welfare and to property in the vicinity in that:
 - a) clientele will be mostly walk-in from the nearby hospital and business school;
 - b) there is available short term parking in the vicinity; and,
 - b) six bus passes for employees and four bike racks will be provided.
3. The proposed project is consistent with the General Plan and Central City Community Plan policies which permit retail establishments in commercial designations.

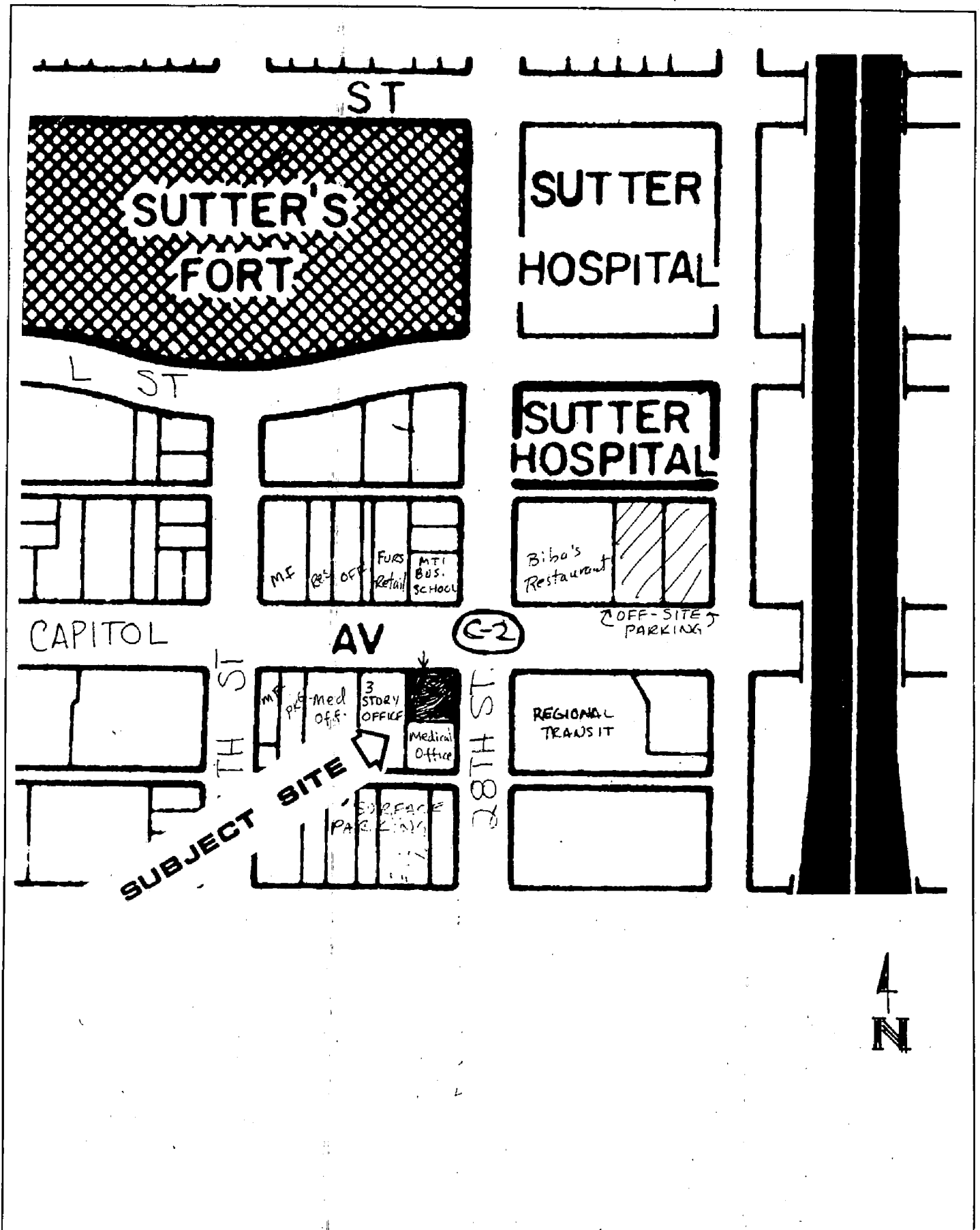
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VICINITY MAP



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LAND USE & ZONING MAP

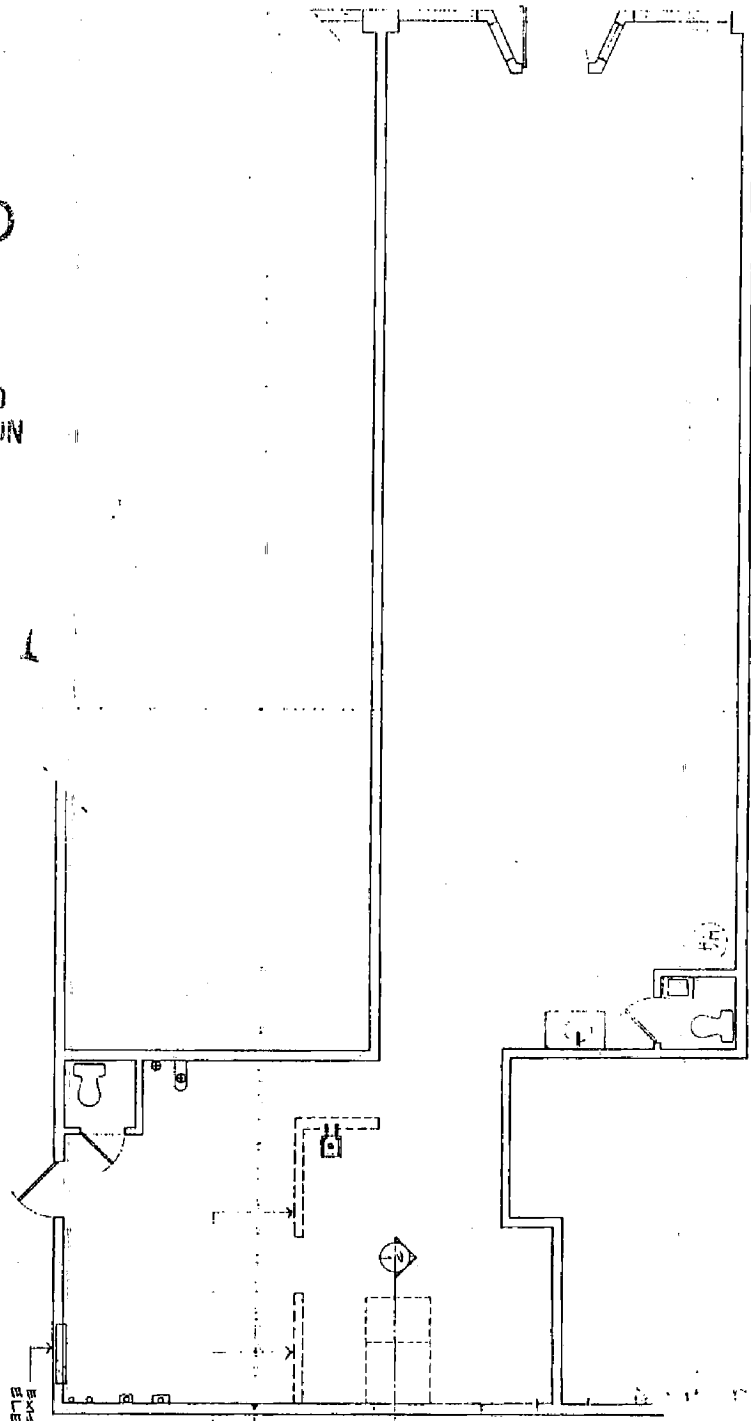
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CITY OF SACRAMENTO
CITY PLANNING DIVISION

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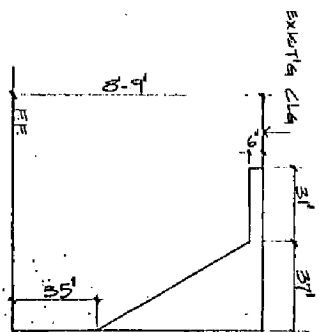
AS BUILT PLAN
SCALE
1/8" = 1'-0"



EXISTING ELECTRICAL PANEL (4 WIRES)

NON LOAD BEARING WALL TO BE REMOVED

SECTION 5-1
SCALE
3/8" = 1'-0"



PARAGARYS TADOREA
2720 "N" STREET
SACRAMENTO, CA
11-22-91
BY
S.E. RYKOFF CO.

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May 28, 1992

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