

P95-081 VIRGA'S PIZZA CAFE

- REQUEST:
- A. Negative Declaration;
 - B. Special Permit for a 28-seat sidewalk cafe in the General Commercial (C-2) zone; and
 - C. Variance to waive 24 of 30 required parking spaces for a 90-seat restaurant on 0.14± developed acres in the General Commercial (C-2) zone.

LOCATION: 1806 Capitol Avenue
Assessor's Parcel Number: 007-0142-004
Central City
Sacramento Unified School District
Council District 3

APPLICANT:	Michael J. Virga, 916-391-3905 61 Moonlit Circle, Sacramento, CA 95831
OWNER:	Michael J. Virga, 916-391-3905 61 Moonlit Circle, Sacramento, CA 95831
APPLICATION FILED:	August 9, 1995
STAFF CONTACT:	Mike Dale, 264-8309

SUMMARY/RECOMMENDATION: The applicant is seeking the necessary entitlements to operate a sidewalk cafe and to waive parking for a 90-seat restaurant at the above location. The existing commercial building is credited with six parking spaces; the project is therefore required to provide a minimum of 24 off-street parking spaces.

The project's primary issues pertain to the layout of the proposed sidewalk cafe, the demand for parking, and the availability of on-street parking. The layout of the sidewalk cafe has been reviewed by various City agencies and is considered to be compatible with the adjacent land uses, protective of existing street trees, and safe for pedestrian traffic. Based upon parking surveys and the nature of the proposed business, staff believes that the waiver of parking spaces will not adversely affect the on-street parking supply in the project's vicinity. Staff therefore supports the applicant's request for the sidewalk cafe and to waive 24 parking spaces subject to conditions.

PROJECT INFORMATION:

General Plan Designation:	Community / Neighborhood Commercial & Offices
Community Plan Designation:	General Commercial
Existing Land Use of Site:	Single-Story Building
Existing Zoning of Site:	General Commercial (C-2)

Surrounding Land Use and Zoning: (see Attachment B)

North: Commercial Building: C-2
South: Parking Lot: C-2
East: Apartments: C-2
West: Coffee House: C-2

Site Dimensions:	40' x 80'
Property Area:	3,200± square feet
Square Footage of Building:	3,200 square feet
Proposed Seating:	90 seats indoor, 28 outdoor
Parking Provided:	0 spaces (6 credited)
Parking Required:	30 spaces (@ 1 space per 3 seats)

OTHER APPROVALS REQUIRED: In addition to the requested entitlement, the applicant will need to obtain encroachment and building permits from the Department of Planning and Development.

BACKGROUND INFORMATION: On August 9, 1984, the Planning Commission approved a variance (P84-238) to allow two required parking spaces to be located off-site for the conversion of the existing commercial building to office use. The report states that the existing building was originally an auto repair shop and that the building had been designated a "Priority Structure" on the City's Official Register of Significant Architectural or Historical Structures. The building was never converted to office use. On January 22, 1987, the Commission approved a special permit (P87-032) to allow a residential apartment and on-call limousine service at this location. The special permit was never implemented. On September 13, 1990, the Commission approved a variance (P90-244) to locate 5 of 11 required parking spaces off-site for a 28-seat restaurant / delicatessen. The restaurant opened and later ceased business operations at this location. The building is presently vacant.

STAFF EVALUATION:**A. Policy Considerations**

The proposed cafe is compatible with the "Community / Neighborhood Commercial & Offices" designation of the General Plan, the "General Commercial" designation of the Central City Community Plan, and the "General Commercial" zone. The proposal is also consistent with the City's policy to encourage and promote the use of existing commercial buildings in the Central City and mid-town areas where possible. Sidewalk cafes are allowable in the General Commercial zone subject to the granting of a Zoning Administrator's Special Permit. However, due to the need to concurrently process a parking variance, both the special permit and variance are subject to Planning Commission review and approval.

B. Special Permit - Sidewalk Cafe

Sidewalk cafes are permitted on any public right-of-way subject to review and approval of a special permit. Sidewalk cafes are subject to the criteria located in Section 2-E-55 of the zoning ordinance. The proposal has been reviewed against these criteria and is considered to meet these criteria subject to conditions.

Per staff's recommendation, the applicant submitted two options for the sidewalk cafe. The applicant's "preferred" option (Exhibit C-1) shows an enclosed sidewalk seating area which extends far into the public right-of-way. Though this option provides greater seating variation and capacity, this option also forces pedestrians close to Capitol Avenue and requires utilization of a portion of an existing planter area. Both the City Arborist and the Public Works Department opposed this proposal due to possible damage to the existing tree root system and the additional loss of public planter area. The applicant's "alternative" design option (Exhibit C-2) shows a smaller outdoor seating area but requires less pedestrian diversion and provides more space for pedestrian traffic. This design does not require utilization of the existing planter area. Both the City Arborist and the Public Works Department prefer this option due to the preservation of the existing planter area and the protection of existing City trees. Staff therefore recommends approval of the special permit for the alternative design shown in Exhibit C-2. The applicant has been informed of this recommendation and has agreed to the alternative design. A further discussion of agency comments is provided below.

C. Variance - Parking

Parking Demand. According to the zoning ordinance, a 90-seat restaurant should provide at least 30 parking spaces. Due to a parking credit of six spaces, the actual project parking requirement is 24 spaces. The project application indicates that a total of 12 employees are anticipated on-site per shift. Due to the nature and location of the proposed restaurant, the applicant intends to hire employees

from the surrounding neighborhood. The applicant has agreed to implement an "Employee Parking Policy" which encourages all employees to use some method other than the single-occupant automobile. The applicant will provide bicycle racks and reimburse employees for the costs incurred for using public transportation to get to work. The applicant will require employees which come from outside the neighborhood to carpool and/or take public transportation if possible. The parking policy will be enforced by the management as a condition of employment. Based on this parking policy, the actual employee parking demand is expected to be greatly reduced.

The restaurant is not designed to attract customers from outside the area which would drive their cars to the site. The proposed restaurant will cater to midtown residents and workers who are within walking distance of the restaurant. The restaurant's menu will include items such as pizza, pasta, sandwiches, and salads. "Tipping" will be discouraged. Based on the restaurant's intended patronage, the actual customer parking demand is expected to be significantly reduced.

Parking Supply. Staff conducted five surveys of available on-street parking spaces at the following times when customer patronage is expected to be highest: Wednesday between 12:05 PM and 12:25 PM, Friday between 12:45 PM and 1:05 PM, Wednesday between 5:40 PM and 6:00 PM, Saturday between 6:45 PM and 7:05 PM, and again Wednesday between 6:55 PM and 7:20 PM (Exhibit D-1). Of the days and times surveyed, the fewest available parking spaces within a one-block walking radius of the site occurred on a Friday early afternoon (31 spaces) and the most during a Saturday evening (92 spaces). These spaces are generally subject to a two-hour residential preferential parking program and weekly street cleaning between 8:00 AM and 12:00 PM. As part of the project application, the applicant submitted a parking survey which indicates that about 60 on-street parking spaces exist, on average, within a 500 foot radius of the site. Based on the surveys, it appears that 24 or more cars could reasonably find parking, if necessary, within a one-block radius of the site during peak hour.

As part of the project application, the applicant indicated that 10 off-street parking spaces located at the corner of 17th and Capitol Avenue are available for lease from the Capitol Area Development Authority (CADA). CADA is willing to enter into a five-year lease agreement with the applicant with the option to renew the lease for an additional five years for a total of ten years. Though the off-street parking lot may alleviate some of the demand for on-street parking, *required* use of the parking lot may discourage conversion of the parking lot to a different use in the future. The provision of additional parking spaces may also encourage employees to drive their cars to the site and region. Staff therefore does not recommend mandatory use of the parking lot. However, the applicant may still lease the parking spaces if desired.

PROJECT REVIEW PROCESS:**A. Environmental Determination**

Due to the increased utilization of the existing building and building frontage, staff prepared an Initial Study to identify and discuss potential environmental impacts associated with the project. In particular, staff was concerned that the proposal could adversely affect air quality, parking supply, vehicular circulation, and/or public safety. The Study concluded that no significant environmental impacts would occur due to the project. Staff has therefore prepared a Negative Declaration for the project with no mitigation measures.

B. Public / Neighborhood / Business Association Comments

Staff notified several neighborhood organizations regarding the proposal and followed up with phone calls. Two letters in favor of the proposal are included as Attachments E and F. Three letters in opposition to the proposal are included as Attachments G, H, and I. The Sacramento Old City Association, the Winn Park / Capitol Avenue Neighborhood Association, the Seventeenth Street Commons, and the Stanford Park Homeowners Association either indicated support for the proposal or no opposition via phone. A representative of the Fremont Park Neighborhood Association expressed opposition to the proposal via phone due to the shortage of on-street parking in the area - especially between the hours of 6:00 PM and 8:00 PM. The Midtown Business Association did not respond to either the early notice or staff's phone calls.

Concerns about litter pick-up and crime control have been expressed. Local residents also claim that it is difficult to find on-street parking in the project's vicinity. Edith and Peter Deuel of 1220 18th Street have registered strong objection to the parking variance for this reason. Other neighborhood representatives have commented that the shortage of on-street parking is an expected feature of living in the mid-town area. However, when possible, off-street parking should be provided.

C. Summary of Agency Comments

Staff received comments from the following agencies:

City Arborist: The City Arborist recommends approval of the "alternative" design (Exhibit C-2). This design would protect the existing planter area and provide more root space for the Heritage Camphor tree at 1800 Capitol Avenue. The Arborist also recommends the restoration of the paved-over planter area located across from the subject site along Capitol Avenue.

Public Works: The Parking Division states that the area around the proposed restaurant is regulated with two-hour parking time limits, and that there are 24 ten-hour parking meters on 17th Street between L and N Streets that are under utilized.

The Engineering/Transportation Division states that the "alternative" sidewalk cafe plan is acceptable. The existing sidewalk and planters in the right-of-way should be retained.

The Electrical Design Engineering Division has made specific recommendations regarding the location of electrical equipment, access to utilities, and the placement of signs and restaurant equipment. These comments are provided in the attached resolution.

Design Review: The Design Review staff recommended that the patio furniture and the decorative fencing be dark green.

PROJECT APPROVAL PROCESS: The Planning Commission has the authority to approve or deny the requested entitlements. The Planning 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 actions:

- A. Ratify the **Negative Declaration**;
- B. Adopt the Resolution approving a **Special Permit** for a 28-seat sidewalk cafe in the General Commercial (C-2) zone subject to conditions and findings of fact; and
- C. Adopt the Resolution approving a **Variance** to waive 24 of 30 required parking spaces for a 90-seat restaurant on 0.14± developed acres in the General Commercial (C-2) zone subject to conditions and findings of fact.

Report Prepared By,


Mike Dale, Associate Planner

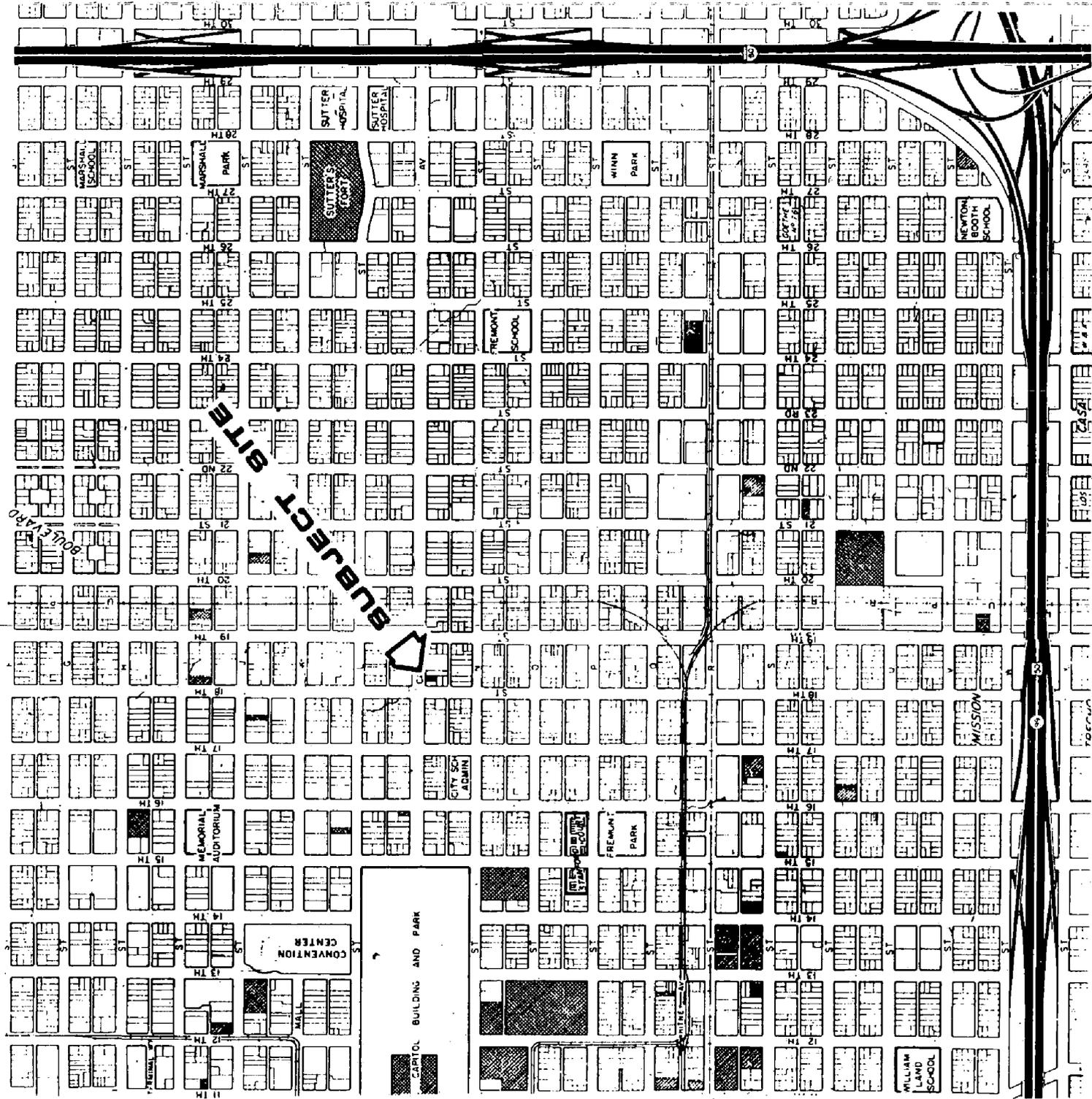
Report Reviewed By,


Steve Peterson, Senior Planner

Attachments

Attachment A	Vicinity Map
Attachment B	Land Use and Zoning Map
Attachment C	Resolution - Special Permit for Sidewalk Cafe
Exhibit C-1	Site Plan - Sidewalk Cafe "Preferred" Design
Exhibit C-2	Site Plan - Sidewalk Cafe "Alternative" Design
Exhibit C-3	Site Plan - Building Interior
Exhibit C-4	Building Front and Side Elevations
Attachment D	Resolution - Variance for Parking
Exhibit D-1	Parking Survey
Attachment E	Letter - CADA Tenants Council
Attachment F	Letter - Bob Wilson
Attachment G	Letter - John Dowdell
Attachment H	Letter - Eppie Johnson
Attachment I	Letter - Sharon Hartley

Attachment A Vicinity Map



Attachment C

Resolution - Special Permit for Sidewalk Cafe

RESOLUTION NO. 1883

ADOPTED BY THE SACRAMENTO PLANNING COMMISSION
ON DATE OF NOVEMBER 30, 1995.

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A
SPECIAL PERMIT FOR PROPERTY LOCATED AT 1806 CAPITOL AVENUE.

(P95-081) (APN: 007-0142-004)

WHEREAS, the City Planning Commission on November 30, 1995, held a public hearing on the request for approval of a Special Permit for a 28-seat sidewalk cafe in the General Commercial (C-2) zone at the above location;

WHEREAS, the Planning Department reviewed the proposal for potential environmental impacts and has prepared a Negative Declaration with no mitigation measures pursuant to the California Environmental Quality Act (CEQA) Guidelines;

WHEREAS, the Planning staff has submitted to the City Planning Commission its report and recommendations on the proposed development;

WHEREAS, the Planning Commission adopts the following findings of fact for the special permit:

1. The proposed project, as conditioned, is based upon sound principles of land use in that sidewalk cafes allow for more people and activity on the streets.
2. The project will not be detrimental to the public health, safety, or welfare nor result in a nuisance in that:
 - a. adequate sidewalk area will be provided for pedestrians; and
 - b. the surrounding area will be monitored for trash and kept clean.
3. The project is consistent with the General Plan and Central City Community Plan which designate the subject site as "Community / Neighborhood Commercial and Offices" and "General Commercial", respectively.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SACRAMENTO THAT:

The special permit is approved subject to the following conditions:

1. The main entrance (northern entrance) shall have a recessed fence entrance

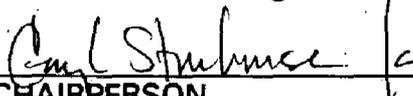
- a minimum of three feet long that shall remain open without a gate. (Elaine Clark, 264-5936). There shall be stripes painted on the sidewalk to match the fence color indicating the clear zone from the door to the exit in the fence.
2. The proposed gates shall be equipped with panic hardware. An area 36 inches minimum in length and the width of the gate shall be delineated with either color strips or color paving to indicate an area not to be obstructed.
 3. The applicant shall submit an exhibit of the proposed fence design for Design Review staff review and approval prior to the issuance of an encroachment permit. The fence height shall be no lower than three feet and no higher than four feet. The sidewalk cafe shall reflect the "alternative" design shown in Exhibit C-2 of this resolution.
 4. No lights or signs shall be attached to or hung from the trees located in the sidewalk area.
 5. A clear path way a minimum of 48 inches must be maintained at all times between the fence and all other structures or obstacles in the public right-of-way such as the edge of tree wells, parking meters, signs, etc. The area outside of the enclosed (fenced) area shall be kept free and clear of tables and chairs. The fence location shall conform to Exhibit C-2 of this resolution.
 6. No live music, amplified music or sound system shall be installed or be audible in the sidewalk area. No live entertainment or dancing shall be permitted on or within the premises of the sidewalk cafe.
 7. Restaurant windows shall be left unobstructed to all viewing of the interior of the business by patrolling police and so that the outdoor seating area is visible for monitoring from inside the restaurant. Where windows are not appropriate for this purpose, closed circuit television shall be used.
 8. Hours of operation of the sidewalk dining area shall be limited to 8:00 AM to 10:00 PM. When the sidewalk area is not in use for seating and service, all removable fixtures (i.e. chairs, planters, etc.) shall be stored on the restaurant property.
 9. None of the furniture shall block any exit.
 10. All illegal activities observed on or around the business shall be promptly reported to the police.
 11. If the applicant wishes to serve alcohol beverages, service is to be limited

to the fenced area immediately adjoining the northeast entrance of the building. Alcohol service shall be limited to this enclosed area only subject to the following: *(Amended by the Planning Commission on 11/30/95)*

- a. Sale of alcoholic beverages for consumption off of the premises is prohibited; and
 - b. Alcoholic beverages will be served in non-breakable containers.
12. Signs shall be clearly posted and maintained on the premises prohibiting consumption for alcoholic beverages in this non-permitted sidewalk area or adjacent public area. The signs shall be worded as follows:

**UNLAWFUL TO ENTER, BE OR REMAIN ON ADJACENT PUBLIC
SIDEWALK WITH AN OPEN ALCOHOLIC BEVERAGE CONTAINER.
C.P.C. 647E(A); S.C.C.26.24(c)**

13. The sidewalk area within 100 feet of the restaurant and sidewalk cafe shall be monitored for trash that may be produced by this establishment. The employees and owners of the establishment shall be responsible for keeping this area clean of trash generated by the restaurant/sidewalk cafe use.
14. A Certificate of Insurance shall be submitted to the Zoning Administrator for the review and approval of the Zoning Administrator and City Department of Risk Management prior to issuance of the Encroachment Permit for the sidewalk cafe. The public right-of-way cannot be used for a sidewalk cafe until the Encroachment Permit resolution is issued.
15. The applicant shall contact the Zoning Administrator's staff for a final inspection of the sidewalk cafe area to insure compliance with conditions of approval prior to operation of the sidewalk cafe area (contact Sandra Yope, 264-7158).
16. The applicant shall post a sign in the restaurant indicating the sidewalk outside of the striped area is to remain unobstructed with chairs.
17. The property owner/operator shall participate in a standing committee with community representatives to discuss and resolve neighborhood concerns.



CHAIRPERSON

ATTEST:



SECRETARY TO PLANNING COMMISSION P95-081

Exhibit C-1
Site Plan - Sidewalk Cafe "Preferred" Design

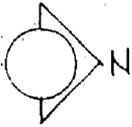
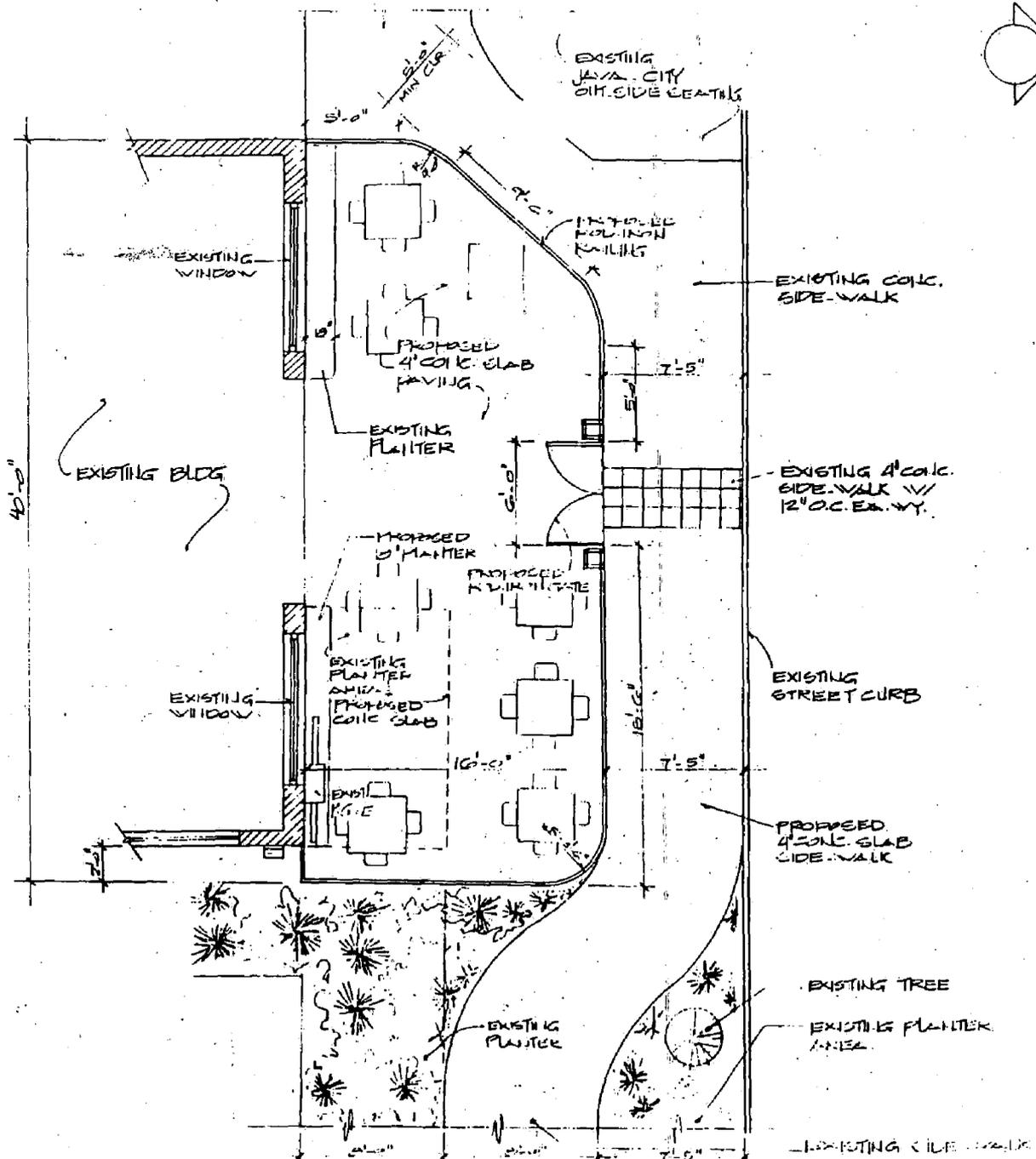


Exhibit C-2 Site Plan - Sidewalk Cafe "Alternative" Design

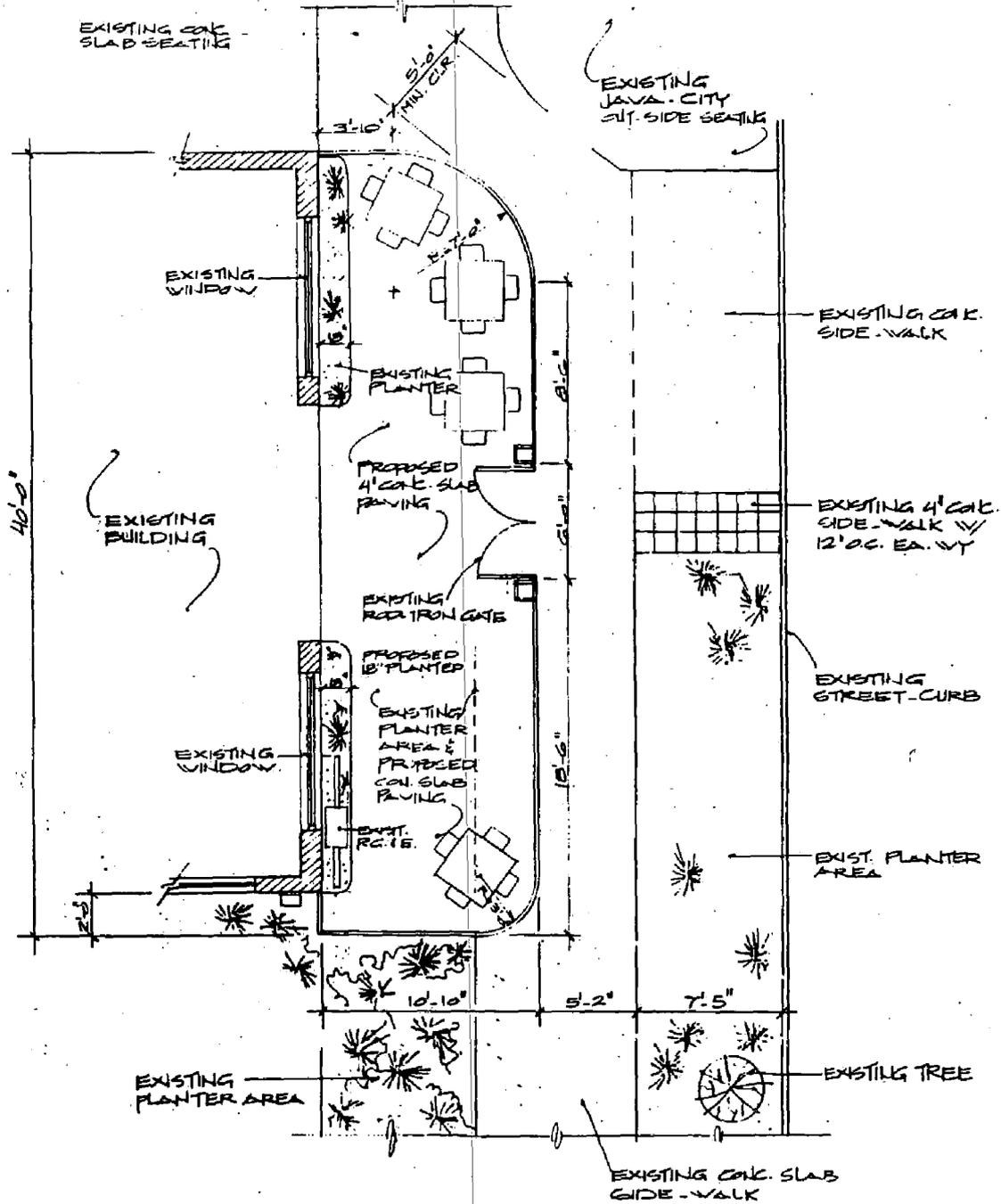


Exhibit C-4
Building Front and Side Elevations

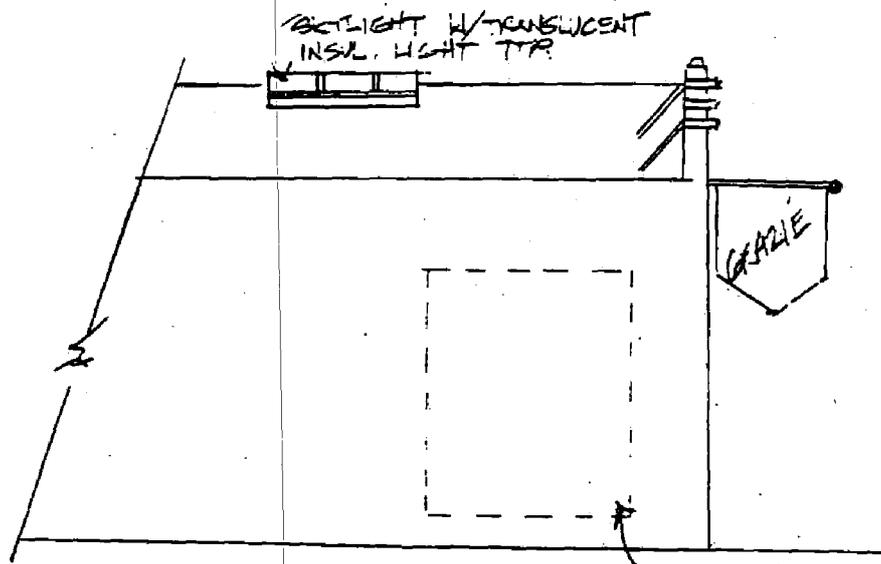


ROLL-UP
DOOR

NORTH: FRONT ELEVATION

1/8" = 1'-0"

7/20/95



SKYLIGHT W/ TRANSLUCENT
INSUL. LIGHT TR

GABLE

WINDOW

SIDE ELEVATION

1/8" = 1'-0"

7/20/95

**Attachment D
Resolution - Variance for Parking**

RESOLUTION NO. 1884

ADOPTED BY THE SACRAMENTO PLANNING COMMISSION
ON DATE OF NOVEMBER 30, 1995.

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A
VARIANCE FOR PROPERTY LOCATED AT 1806 CAPITOL AVENUE.

(P95-081) (APN: 007-0142-004)

WHEREAS, the City Planning Commission on November 30, 1995, held a public hearing on the request for approval of a Variance to waive 24 of 30 required parking spaces for a 90-seat restaurant on 0.14[±] developed acres in the General Commercial (C-2) zone at the above location;

WHEREAS, the Planning Department reviewed the proposal for potential environmental impacts and has prepared a Negative Declaration with no mitigation measures pursuant to the California Environmental Quality Act (CEQA) Guidelines;

WHEREAS, the Planning staff has submitted to the City Planning Commission its report and recommendations on the proposed development;

WHEREAS, the Planning Commission adopts the following findings of fact for the variance:

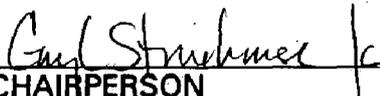
1. The variance does not constitute a special privilege extended to one individual property owner in that the same variance would be appropriate for any other property owner facing similar circumstances.
2. The proposal does not constitute a "use variance" in that the proposed restaurant and sidewalk cafe are allowable land uses in the C-2 zone.
3. The proposal, as conditioned, will not be injurious to the public welfare nor to property in the vicinity of the applicant in that:
 - a. The restaurant has been designed to attract both employees and customers from the local neighborhood; and
 - b. Sufficient on-street parking is available within the project's vicinity to accommodate 24 vehicles, if necessary, during the proposal's peak hours; and
4. The project is consistent with the General Plan and Central City Community Plan

which designate the site as "Community / Neighborhood Commercial & Offices" and "General Commercial", respectively.

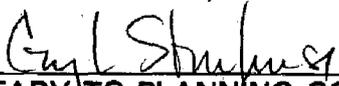
NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SACRAMENTO THAT:

The variance for the proposed project is approved subject to the following conditions:

1. Prior to issuance of building permits, the property owner/operator shall prepare and implement an "Employee Parking Policy" which:
 - a. **Requires *Encourages*** employees to either walk, bicycle, carpool, or use public transportation to get to the subject site when possible;
 - b. Places highest priority on hiring employees which reside within the surrounding area;
 - c. Provides bicycle racks for employees and customers;
 - d. Reimburses employees for the costs incurred for using public transportation to get to work;
 - ~~d. Requires employees to agree, in writing, with the provisions of the Policy as a condition of employment; and~~
 - ~~e. Is strictly enforced by the property owner/operator such that employment will be terminated if the terms of the policy are not complied with. (Amended by the Planning Commission 11/30/95)~~
2. The property owner/operator shall participate in a standing committee with community representatives to discuss and resolve neighborhood concerns.
3. **A sign shall be posted on the premises which states that patrons and employees shall not park their vehicles in the parking lot located immediately behind Java City. (Added by the Planning Commission 11/30/95)**

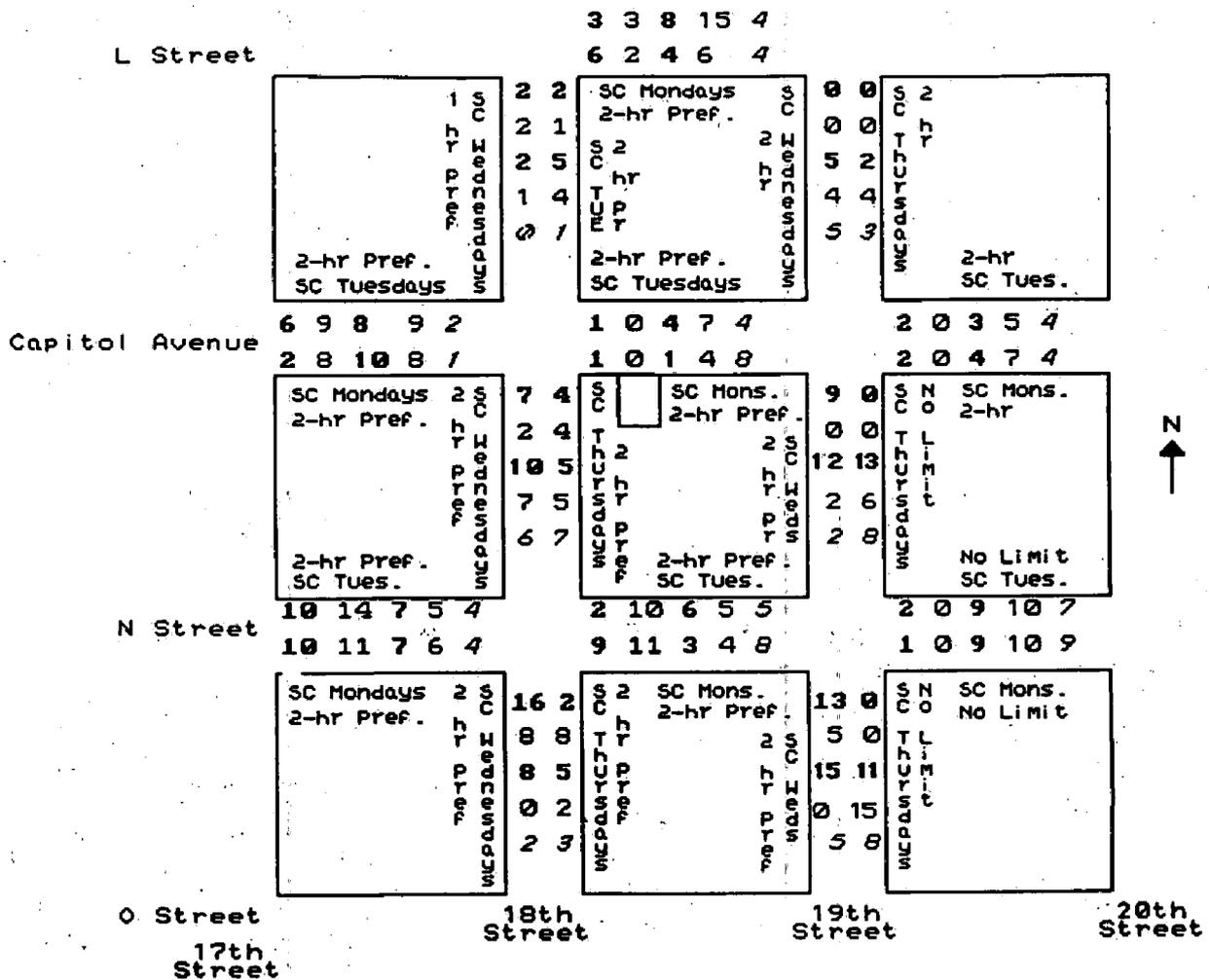

CHAIRPERSON

ATTEST:


SECRETARY TO PLANNING COMMISSION P95-081

**Exhibit D-1
Parking Survey**

Diagram Depicting the Number of Available On-Street Parking Spaces
Within the Vicinity of 1806 Capitol Avenue



Bold-1 = 10/18/95 between 12:05 PM and 12:25 PM
Normal-1 = 10/20/95 between 12:45 PM and 1:05 PM
Bold-2 = 10/25/95 between 5:40 PM and 6:00 PM
Normal-2 = 11/04/95 between 6:45 PM and 7:05 PM
Italic = 11/15/95 between 6:55 PM and 7:20 PM

- "2-hr Pref" = 2-Hour Parking is allowed between 8:00 AM and 6:00 PM except on Sundays or with F-Permit
- "2-hr" = 2-Hour Parking is allowed between 8:00 AM and 6:00 PM except on Sundays
- "SC" = Street Cleaning between 8:00 AM and 12:00 PM

**Attachment E
Letter - CADA Tenants Council**

BATES BOTTING
P.O. BOX 1465
SACRAMENTO, CA 95812
PH: (916) 441-5556

September 4, 1995

Project Mgr, Jeanne Corcoran
City Planning Division
1231 I Street, Room 300
Sacramento, CA 95814

Having read the enclosed permit request (Project # P95-081) I would like to make the following comments on behalf of the Somerset Parkside Homewoners Association and CADA Tenants. The proposed resteraunt is just what this area needs to keep it growing and thriving.

Having dedicated parking spaces for this resteraunt only feeds the desire for more cars downtown. We should be encouraging the use of other means of transportation to include public transportation, bicycles, walking etc.

The addition of another sidewalk cafe is another positive step in making Sacramento a vibrant city. We have found that these sidewalk cafes bring a positive response from office workers and visitors from other cities.

If you have any further questions, please do not hesitate to contact me regarding this matter.

Sincerely,



Bates Botting

Attachment F
Letter - Bob WilsonLAW OFFICE OF BOB WILSON
CIVIL LITIGATION - GOVERNMENTAL AFFAIRS
A PROFESSIONAL LAW ASSOCIATION
THE WILSON BUILDING
1725 CAPITOL AVENUE
SACRAMENTO, CALIFORNIA 95814

BOB WILSON, B.S., M.P.A., J.D.*†
*A Professional Law Corporation
†Senator, State of California 1976-1980
†Assemblyman, State of California 1972-1976

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BETTY KLEIN
Legislative Advocate

WADIE P. DEDDEH, B.S., M.Ed.†
Legislative Advocate
†Senator, State of California 1982-1993
†Assemblyman, State of California 1966-1982

November 8, 1995

P95-081

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

To Whom It May Concern:

This is in response to the notice by the Planning Division of Sacramento for entitlements to allow a sidewalk cafe and to waive parking for a 90-seat restaurant at 1806 Capitol Avenue.

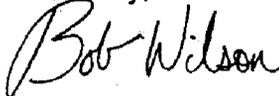
I have a law firm at 1725 Capitol Avenue and would welcome an eating establishment into the neighborhood for the following reasons:

1. There will be more activity, particularly in the evenings, thus creating a safer environment.
2. A quality eatery will upgrade the neighborhood.

It is my understanding that the Virga family will be opening this eatery. I know them and they have an outstanding reputation in the restaurant business. Therefore, I expect that they will open an upper class establishment offering excellent cuisine.

This project has my complete support. Please contact me if you have any questions or if I can help in any way to expedite this project.

Sincerely,



BOB WILSON

cc: Julie Virga (Virga's Restaurant)

NOVEMBER 30, 1995

Attachment G
Letter - John Dowdell

November 14, 1995

PLANNING AND DEVELOPMENT

NOV 14 1995

RECEIVED

VIA FAX 264-7185

Mr. Mike Dale
City Planning Division
Department of Planning and Development
City of Sacramento
1231 I Street, Room 300
Sacramento, CA 95814-2904

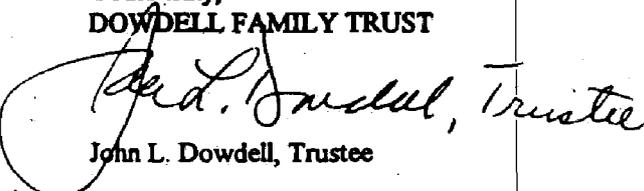
Re: P95-081

Dear Mr. Dale:

Our family trust, Dowdell Family Trust, is the owner of four (4) parcels on L Street approximately 1/2 block away from project P95-081. In your announcement dated October 31, 1995, you indicated that the City would propose to allow a sidewalk cafe and waive parking spaces at 1801 Capitol Avenue, (D3) APN: 007-0142-004. According to the owners of that location, they are not involved with the project and believe the address is 1802 Capitol Avenue. Regardless of the correct address, we are opposed to allowing the variance to waive 24 of the required 30 parking spots. We currently operate a parking lot at 1724 L Street and have been adversely affected by illegal parkers coming on to our property during the hours of surrounding restaurants. We would be happy to speak to the principals of the proposed project to see if we could work out parking arrangements for them in order to reduce the parking problem in our area.

To summarize our position once again, we are opposed to: (A.) the negative declaration, and (C.) approval of the variance for 24 parking spaces for the above project. If you have any questions, I would be happy to discuss them with you.

Yours truly,
DOWDELL FAMILY TRUST


John L. Dowdell, Trustee

**Attachment H
Letter - Eppie Johnson**

**EPPIE'S
RESTAURANTS**
Celebrating Our 30th Anniversary!

CITY OF SACRAMENTO
PERMIT ASSISTANCE

NOV 15 1995

RECEIVED

November 13, 1995

Department of Planning and Development
City of Sacramento
1231 I Street
Sacramento, CA 95814-2904

Project: P 95-081

Gentlemen:

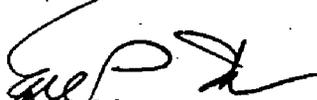
I oppose the Negative Declaration and the Special Permit as well as Variance to waive 24 of the required 30 parking spaces for a 90-seat restaurant at 1801 Capital Avenue.

Presently there is a total of five restaurants within a one block radius of this parcel; all of which have been granted side walk seating that does not require any parking.

The parking situation as it is; is very critical in this neighborhood and should the variance be granted; waiving 24 parking places, there will be a great impact upon that neighborhood including residential as well as businesses.

The parking in that neighborhood is very limited and such a variance would be very constrictive.

Very truly yours,


Eppie G. Johnson
Chairman

EGJ:dm

NOVEMBER 30, 1995

Attachment I
Letter - Sharon Hartley

11-16-95

To: City Planning Division
Attention: MIKE Dale

from: Sharon Hartley
1216 18th Street
Sacramento, Ca. 95814

Dear Mr. Dale,

I am writing this letter to state my concern for the proposed project P95-081, located at 1806 Capitol Ave.

The parking for my patrons has become a nightmare because of all the eating establishments in the 2 Block radius, i.e. City Treasures, Aiolis, Java City, law offices, carpet store, Gustai's, Graphic Stones, Apartments.

I urge this city to re-evaluate, or business will go out of business, especially mine. I will be forced to sell, and in this market, would cause me hardship.

Please take some responsibility for parking. 2 days a week, there is no parking from 8 to 12:00. This has alone caused me hardship. PLEASE