

CITY PLANNING COMMISSION

927 - 10th Street, Suite 300 - SACRAMENTO, CALIFORNIA 95814

APPLICANT	Ronald E. & Shirley A. Watkins, 4740 Folsom Blvd., Ste. A, Sacto., CA 95819		
OWNER	Ronald E. & Shirley A. Watkins, 4740 Folsom Blvd., Ste. A., Sacto., CA 95819		
PLANS BY	Carissimi, Rohrer Associates, 1515 River Park Dr., Ste. 200, Sacramento, CA		
FILING DATE	5-11-84	50 DAY CPC ACTION DATE	REPORT BY: TM:bw
NEGATIVE DEC	6-4-84	EIR	ASSESSOR'S PCL. NO. 006-111-11 & 12

- APPLICATION:
1. Negative Declaration
 2. Special Permit to modify Special Permit P82-253
 3. Variance to exceed the 5% parking reduction allowable due to vanpool parking
 4. Variance to waive one required parking space
 5. Variance to allow tandem parking

LOCATION: 1215 and 1217 'K' Street

PROJECT INFORMATION

1974 General Plan Designation:	Commercial and Offices
1980 Central City Community Plan Designation:	Multi use
Existing Zoning of Site:	C-3
Existing Land Use of Site:	Esquire Theater-Office & ground floor commercial
Surrounding Land Use and Zoning:	
North:	Retail Commercial; C-3
South:	Retail Commercial; C-3
East:	Retail Commercial; C-3
West:	Retail Commercial; C-3
Parking Required:	13 spaces (100% of which may consist of in-lieu measures)
Parking Provided:	5 spaces (four of which will be carpool spaces)
Property Dimensions:	105' x 161'
Property Area:	16,914 square feet
Square Footage of Building:	35,429
Height of Structure:	46± feet
Significant Feature of Site:	Essential Structure on City's Official Register
Exterior Building Colors:	Red tile, white flat wall and soffits, and blue stripes
Exterior Building Materials:	Glazed tile, concrete, glass

BACKGROUND INFORMATION: On November 24, 1982, the Planning Commission approved the necessary entitlements (P82-253) to allow the conversion of the Esquire Theater into 35,000± square feet of office and commercial uses. These entitlements included a special permit which required the following parking related improvements to fulfill the parking requirements of the C-3 zone:

- two carpool spaces
- one undesignated space
- four secure bicycle spaces
- six transit pass purchases

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During October of 1983 staff inspected the site and found that the physical improvements mandated by the special permit had not been completed. Also, Regional Transit has indicated that the applicant has failed to abide by the terms of the transit pass agreement and is currently \$3,000 in arrears.

APPLC. NO. P84-180

MEETING DATE June 14, 1984
7-12-84

CPC ITEM NO. 264

After staff's inspection of the site, the applicant was notified that revocation proceedings would be initiated unless the conditions of the special permit were complied with. The current requests represent the applicant's attempt to remedy the situation.

This request consists of modifying the existing special permit conditions to allow tandem parking and a greater percentage of vanpool designated spaces beyond the Zoning Ordinance requirements. Even with these requests and assuming relocation of bicycle parking elsewhere, the applicant is still short by one of the required parking spaces.

STAFF EVALUATION: The staff has the following comments relative to this proposal:

1. The C-3 parking standards require a minimum of 13 on-site or in-lieu parking measures for the existing 35,000± square foot structure. The basis of this parking requirement is to provide for a minimal amount of parking in the Central Business District, as well as to encourage the use of alternative transportation measures. The allowable credits for each in-lieu measure are based upon a reasonable expectation of the utilization of that measure by the building's occupants.

As in this case, when the applicant proposes to increase the amount of vanpool/ carpool spaces, it does not necessarily result in an increase in such ridership. Therefore, staff sees no merit in the requested special permit modification and variances. In addition, staff inspection of the site has indicated that the existing parking spaces are utilized by single occupant cars and therefore staff has significant doubts as to whether an attempt has been made to encourage carpooling on the site.

2. The building permit issued for the rehab of the structure into office space included those transportation-related improvements as indicated on Exhibit 'A.' However, the applicant failed to abide by the building permit requirements and instead improved this area as indicated on Exhibit 'B'. Also, the applicant failed to rehab the neon signage on the front elevation as required by the Design Review Board.

Staff is reluctant to recommend for modification of the special permit or variances when the applicant has failed to abide by the existing special permit and Design Review Board requirements.

3. The Zoning Ordinance sets forth certain ground rules to base the granting of a variance. Basically, these rules require that the issuance of a variance not be a special privilege granted to one property owner, that the variance not be a use variance or a disservice to the public welfare nor contrary to the intent of the General Plan or Zoning Ordinance. The subject variances, if granted, would constitute a special privilege given to one property owner as well as being contrary to the purpose of the C-3 parking standards.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has determined that the proposed project will not have a significant adverse affect on the environment and has filed a Negative Declaration.

In conclusion, staff cannot find any justification which warrants the granting of the requested variances or modification of the existing special permit. In addition, staff is concerned about the failure of the applicant to abide by past special permit and Design Review Board requirements.

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Should the Commission concur with staff recommendation for denial, staff will follow up with a letter of intent notifying the applicant that revocation proceedings will be initiated within 90 days should the applicant fail to abide by the conditions of the existing special permit.

STAFF RECOMMENDATION: The staff recommends the following actions:

1. Ratification of the Negative Declaration;
2. Denial of the Special Permit modification, based upon Findings of Fact which follow;
3. Denial of the Variance to exceed the five percent parking reduction, due to vanpool parking, based upon Findings of Fact which follow;
4. Denial of the Variance to waive one of the required parking spaces, based upon Findings of Fact which follow;
5. Denial of the Variance to allow tandem parking, based upon Findings of Fact which follow.

Findings of Fact - Special Permit

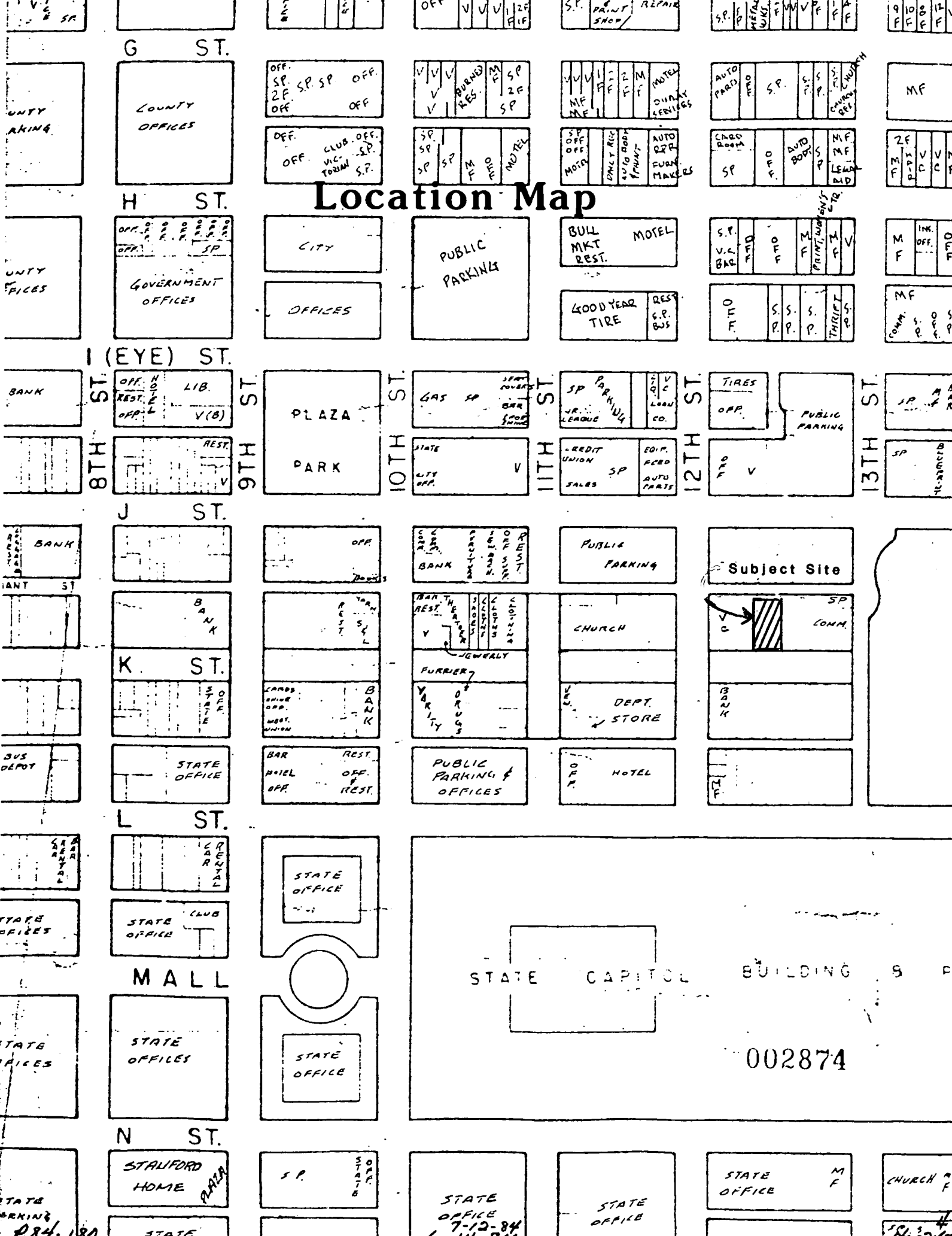
- a. The special permit, if granted, would be detrimental to the public welfare in that it would incrementally add to the demand for additional parking spaces downtown due to the failure to provide a more reasonable mix of on-site parking and achievable in-lieu parking measures;
- b. The special permit, if granted, would be contrary to the 1980 Central City Transportation Goal to "support programs aimed at significantly increasing transit riders", in that the applicant is indicating that the buspass purchase system will no longer be utilized.

Findings of Fact - Variances

- a. The variances, if granted, would constitute a special privilege extended to one property owner in that other projects in the Central City area have abided by the parking requirements of the C-3 zone;
- b. The variances, if granted, would be inconsistent with the 1980 Central City Transportation sub-goal to utilize public policies to encourage public transit usage and carpooling, including publicly and privately paid transit passes in that only vanpooling, not public transit options, are utilized.

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Location Map



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P84-180

8/10/84

EXHIBIT-A

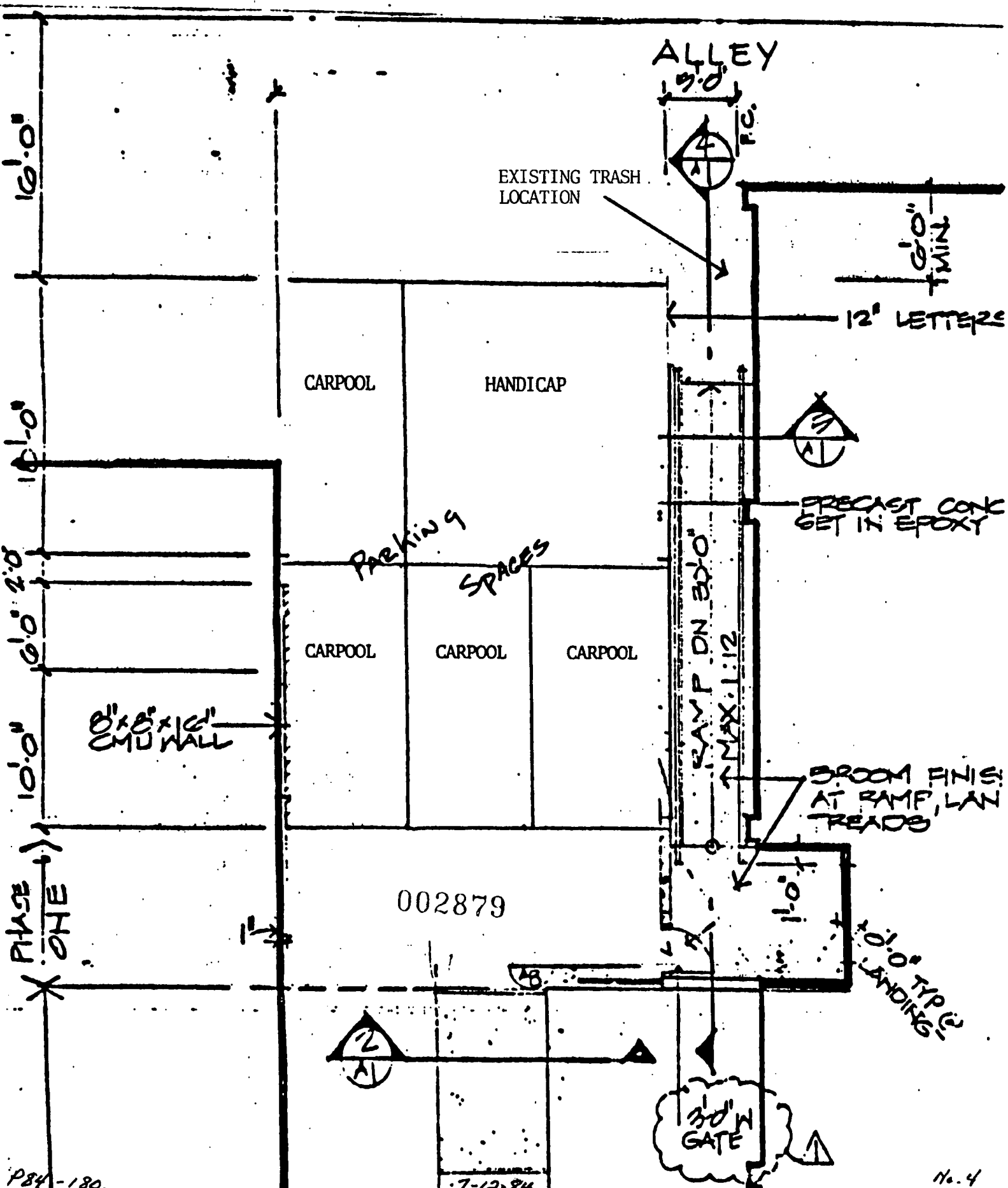
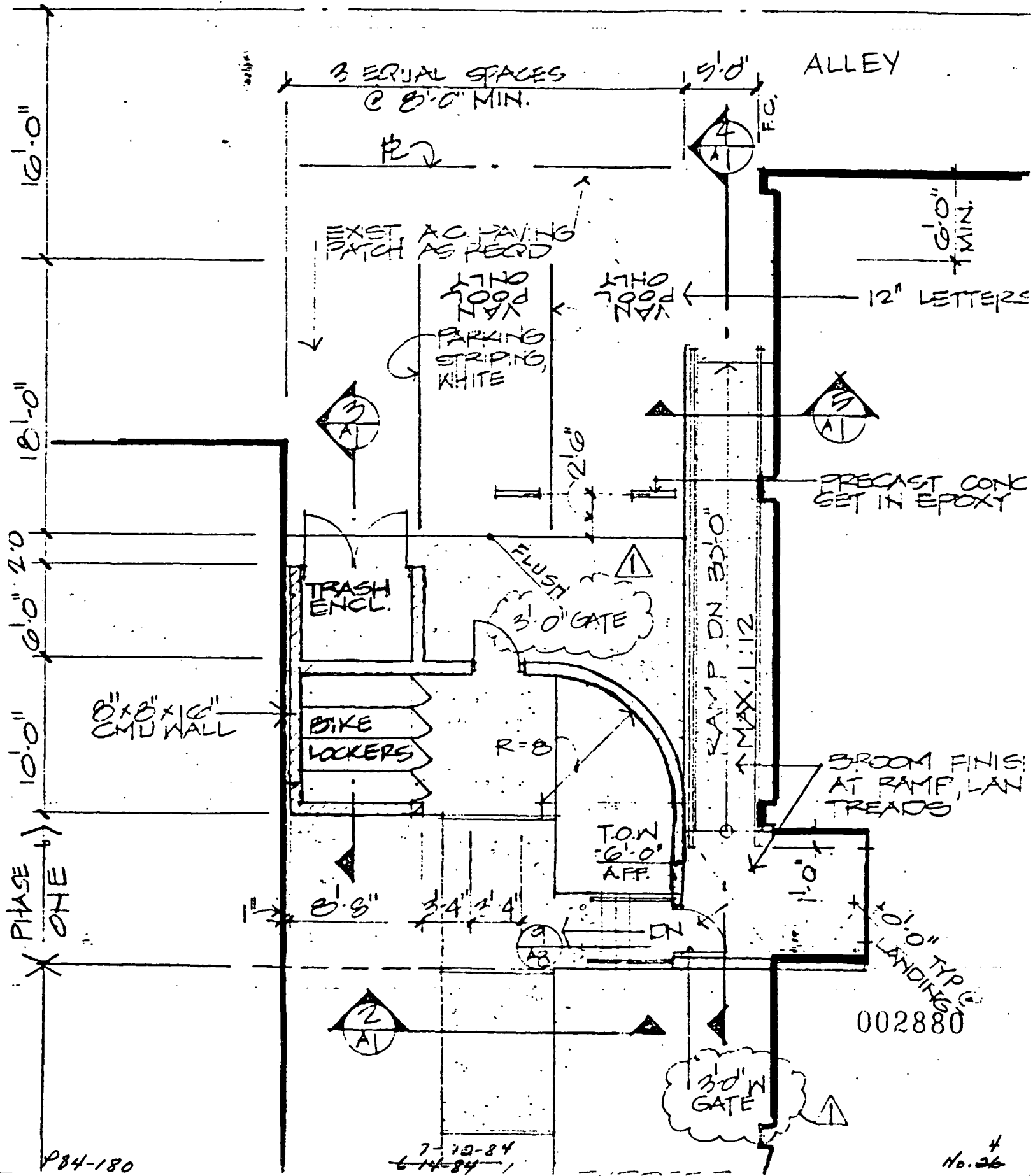


Exhibit A -as approved

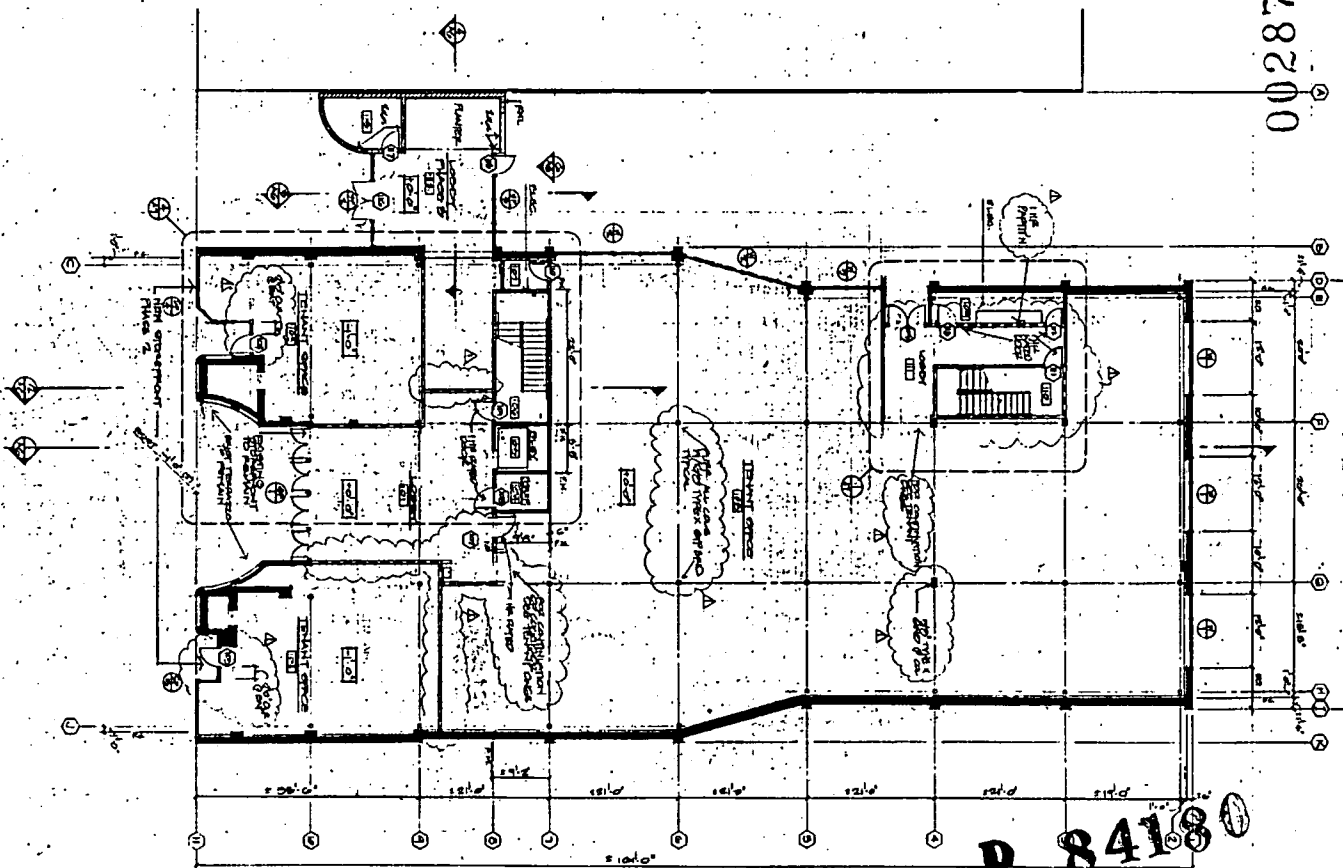
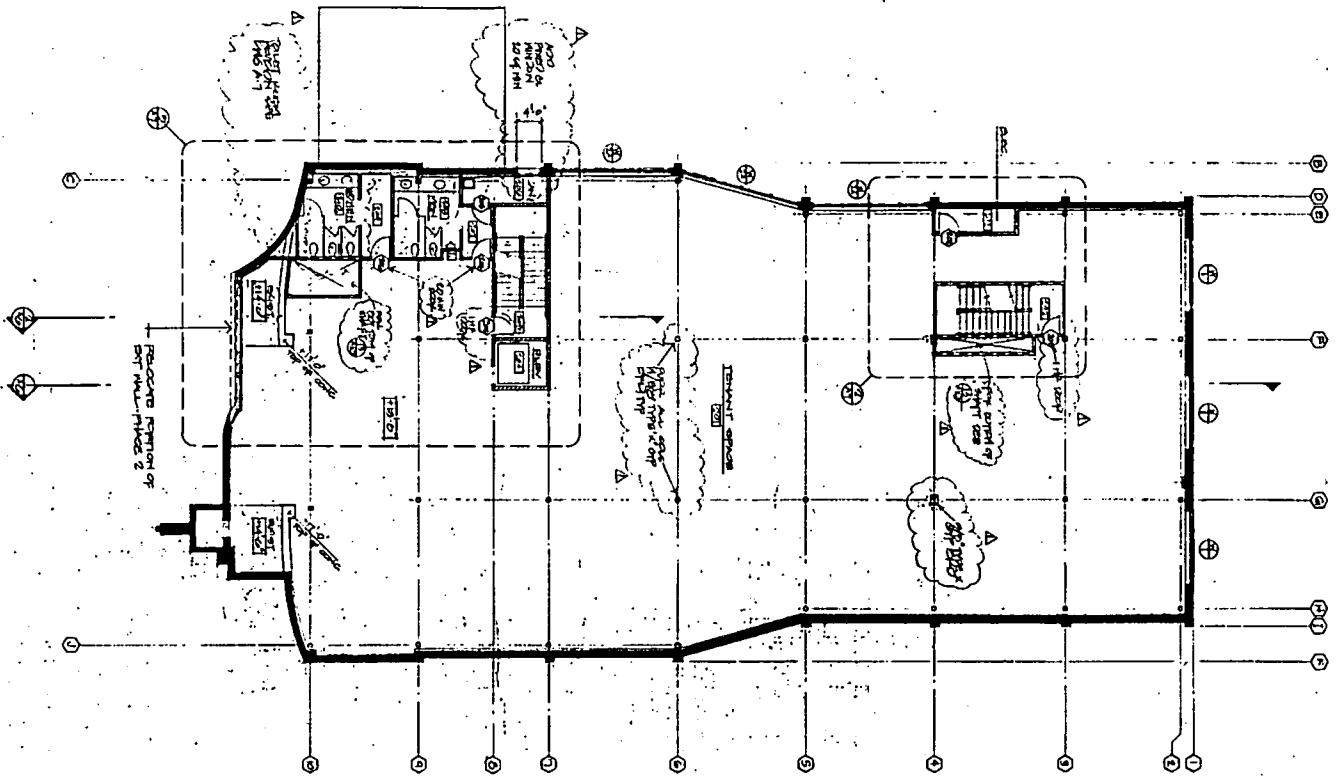


SECOND FLOOR PLAN

SCALE 1/8" = 1'-0"

GROUND FLOOR PLAN

SCALE 1/8" = 1'-0"



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P 8418

A 2

PROJECT: ESQUIRE THEATER REHABILITATION
 ARCHITECT: [unreadable]
 DATE: [unreadable]
 DRAWING NO.: [unreadable]

ESQUIRE THEATER REHABILITATION



