

In the matter of the decision of the )  
City Planning Commission to approve )  
variances to reduce parking and setbacks )  
and to approve special permits to )  
increase height and reduce parking for )  
an office building on 0.15± vacant acres )  
in the General Commercial (C-2) zone )  
(P90-248) )

NOTICE OF DECISION  
AND  
FINDINGS OF FACT

On February 28, 1991, the Planning Commission heard and considered public testimony regarding the above entitlements. Based on verbal and documentary evidence at said hearing, the Planning Commission indicated its intent to take the following actions:

- A. Ratify the Negative Declaration;
- B. Approve the Special Permit to increase the maximum allowable height from 45 feet to 65 feet subject to conditions and based upon findings of fact which follow;
- C. Approve the Special Permit for a 60 percent (35 spaces) parking reduction subject to conditions and based upon findings of fact which follow;
- D. Approve the Variance to waive 22 of 59 required parking spaces subject to conditions and based upon findings of fact which follow; and
- E. Approve the Variance to reduce the minimum required front setback from 15 feet to zero feet subject to conditions and based upon findings of fact which follow.
- F. Approve the Variance to increase the allowable parking reduction measure "other" category from 10 percent to 20 percent in order to allow additional bike lockers as a measure subject to conditions and based on findings of fact which follow.

Conditions

1. The owner of the building shall notify prospective tenants that no parking is available on the subject site and that occupants of and visitors to the building will be required to utilize alternative forms of transit rather than a single occupant vehicle in commuting to and from work. The tenants and employees shall agree to comply with the proposed parking reduction measures. These restrictions shall be incorporated into lease agreements which are to be developed to the satisfaction of the Planning Director and City Attorney. The form and content of the lease agreements shall be submitted for review and approval prior to issuance of building permits.
2. The owner of the building shall notify users of the conference room that no parking is available on the site and that there are bicycle facilities which may be used. Public transit route information shall also be posted in the conference room.

3. The Transportation Management Plan shall be submitted for the review and approval of the City's Transportation Coordinator and Planning Director prior to issuance of building permits.
4. The design of the proposed building shall be subject to review and approval of the Design Review/Preservation Board.

Findings of Fact

1. The project, as conditioned, is based upon sound principles of land use in that the height of the office building is consistent with the surrounding area and adequate measures to reduce the parking impact are provided.
2. Granting the variances does not constitute a special privilege extended to an individual property owner in that variances would be granted to other property owners facing similar circumstances.
3. Granting the variances does not constitute a use variance in that office buildings are allowed in the General Commercial (C-2) zone.
4. The project, as conditioned, is not detrimental to the public welfare, nor results in the creation of a public nuisance in that adequate measures are proposed to reduce the impacts of the parking reductions and the setbacks and height are consistent with the surrounding blocks.
5. The proposed project is consistent with the General Plan and Central City Community Plan which designate the site Community/Neighborhood Commercial & Offices and Office respectively.

Approved by the Planning Commission  
on March 14, 1991 for the  
February 28, 1991 meeting

Chairperson