

SUBJECT: P96-018 Sacramento Auto Fair

SUMMARY: This item was continued from the September 12 meeting to the September 26 meeting to allow staff and the applicant time to meet with representatives of the Poverty Ridge Neighborhood Association and the YMCA to identify concerns associated with this proposal, and possible additional conditions to address these concerns. This meeting was held on September 18. At this meeting, staff and the applicant were presented, by Ms. Dagmar Brenner-Wickes of the Poverty Ridge Neighborhood Association, with the text of a petition signed by neighbors of the proposed project. This document is included as an attachment, but a summary of the concerns is as follows:

- ◆ The project will generate traffic, with accompanying noise and pollution.
- ◆ Auto Fair Patrons will test drive vehicles through the neighborhood.
- ◆ "Poachers" who wish to expose their vehicles to Auto Fair patrons will park on the street close to the Auto Fair.
- ◆ The Auto Fair will exacerbate the Broadway Cruise.

Although not discussed in the petition, an additional concern raised at the meeting was the impact on on-street parking which could be generated by the proposal.

Mr. Ed Lyons, of the YMCA, verbally expressed his concerns relative to the proposed Auto Fair. They were as follows:

- ◆ Impacts to parking availability in the YMCA parking lot.
- ◆ Impacts to traffic safety resulting from increased traffic in the area.
- ◆ Potential impacts to personal safety, particularly to the children utilizing the YMCA facility, resulting from the patrons drawn to the Auto Fair.

At the conclusion of initial discussion of the issues, Ms. Brenner-Wickes stated that the conditions proposed for the Auto Fair appeared to be as stringent as is legally possible, but expressed doubt that the conditions would be enforced to a point that would make the project acceptable to the neighborhood. Mr. Lyons expressed the view that the project was not acceptable, under any conditions, at the proposed site.

With the understanding that additional conditions would not result in support for the project by the surrounding neighborhoods, the following additional conditions were discussed with the meeting attendees, and have been included as conditions in the

revised Notice of Decision.

- ◆ In all advertising for the Sacramento Auto Fair, including, but not limited to newspaper advertising and the informational brochure to be provided on site, the availability of ample on-site parking shall be prominently advertised, as well as the discouragement of parking on neighborhood streets.
- ◆ In the informational brochure, as well as on the "detail sheet" to be displayed on all vehicles for sale, a suggested test drive route (with map) shall be included which directs test drivers to proceed directly to the freeway via the 15th Street on ramp and to return to the site directly from the freeway via the 15th Street off-ramp.
- ◆ If the on-site security personnel (required in condition A2) are off-duty police officers, these individuals shall immediately cite any vehicle advertised for sale and parked on a public street as being in violation of City Code 7.04.052(a).
- ◆ If the on-site security personnel (required in condition A2) are not off duty police officers, these individuals shall post a notice on any vehicle advertised for sale and parked on a public street informing the owner that the vehicle is in violation of City Code 7.04.052(a). If the vehicle is still parked on the street in 1 hour, the security personnel shall inform the police of the violation.
- ◆ A "Good Neighbor Policy" shall be established by the applicant which will include the following:

Prior to commencement of the use, the applicant shall become a member of the Poverty Ridge Neighborhood Association, and shall attend all meetings of this neighborhood association. The purpose of attendance at these meetings will be to receive comments and concerns from the neighbors and work toward possible solutions.

The applicant shall make available to the Poverty Ridge Neighborhood Association a 24 hour emergency phone number and contact and shall post this number on the permanent on-site signage for the use.

Since the distribution of the September 12 staff report, letters of opposition to the project have been received from the Winn Park-Capitol Avenue Neighborhood Association and the Land Park Community Association. These letters are included as attachments.

Prepared by:

A handwritten signature in black ink, appearing to read 'Mark Kraft', with a long horizontal flourish extending to the right.

Mark Kraft, Associate Planner

Attachments:

Attachment A: Poverty Ridge Neighborhood Petition

Attachment B: Land Park Community Association Letter of Opposition

Attachment C: Winn Park-Capitol Avenue Neighborhood Association Letter of Opposition

Attachemnt D: Revised Notice of Decision

RE: "AUTO FAIR": Used car sales on Saturdays and Sundays in Parking
Lot under Freeway between 22nd and 20th Street
Project # P96-018

The undersigned residents of Poverty Ridge object strongly to the proposed project for the following reasons:

1. This Auto Fair will generate a lot of traffic in a residential neighborhood:
 - a. All cars that are to be sold will have to be brought to and removed from the location under the freeway on each and every weekend.
 - b. Prospective customers and curiosity seekers will have to travel to and from this area to look at vehicles.
 - c. It is not clear to us how people will test drive the cars they are interested in, but it is logical that they will traverse the neighborhood to check cars out.
 - d. People who want to sell their own cars will attempt to park their "for Sale" vehicles close to the "Auto Fair" to expose them to prospective buyers. They will drive to and from that location and create additional "test drives". We have experienced this behavior at vehicular sales events in that location numerous times in the past.
 - e. We have real concerns that the Broadway Cruise may be revived and inspired by this opportunity.
2. Traffic enforcement has to be considered as an expense that the City of Sacramento may have to carry. In our experience with toxic waste disposal days in that location, we have found a major traffic impact. (People cannot get out of their driveway, cannot traverse intersections etc).
The City furnishes police officers and/or parking control vehicles on those days.
3. Pollution is a factor in this operation:
 - a. Oil spills from used vehicles and from the additional parking of cars in the lot and surrounding neighborhood.
 - b. Carbon Monoxide and other noxious gases from running engines for prospective customers and all the car trips by sales cars and customers alike.
 - c. Noise, dust and toxic pollution by the same vehicles driving numerous times through a residential neighborhood.

4. General nuisance: This is still a residential neighborhood. Weekends are the only times we have some relief from the problems created by freeway and surface street business travel. We feel the impact from toxic waste days and swap meet sales acutely when they occur on weekends when it becomes difficult to cross the street and almost impossible to sit on a front porch. We do not find it appropriate for CalTrans to inflict this additional burden on this already hardpressed neighborhood.



LPCA

LAND PARK COMMUNITY ASSOCIATION

September 10, 1996

Mr. Ken Wemmer, Chair and Members
City of Sacramento Planning Commission
1231 I Street
Sacramento, CA 95814

Re: Sacramento Auto Fair
P96-018
September 12, 1996 Commission Meeting

Dear Mr. Wemmer and Commission Members:

The Land Park Community Association opposes the Special Permit to operate an Auto Fair and Variance to use Sandwichboard signs for the property located between 20th and 22nd, W and X Streets. We met with the applicant & although he has good intentions, this proposal will exacerbate existing problems with cruising and public congregation. We base our opposition on the following facts:

1. The applicant has no prior experience in operating this type of business. His only example of a similar business is a car fair operated by another business entity;
2. The project used by the applicant as a good example of a similar business use, is a car fair operated at a county fair grounds in a rural setting in Santa Rosa, CA. The proposed site is in an urban setting in a fragile residential and business corridor. It will be a magnet for others who want to sell their vehicles, but do not want to pay a fee. The applicant and police will have no control over the individuals who congregate outside of the proposed site in front of adjacent businesses and residences;
3. The proposed site is adjacent to an area heavily patrolled by multi-jurisdictional law enforcement agencies to control illegal cruising. The City Police discourages automobile oriented uses in this corridor. The car show which had been held in Miller Park, for example, has been stopped by City Police. The Council and Police Chief have requested Cal Expo to discontinue the car show on its grounds because of their contributory nature to the illegal cruising on Broadway. The proposed use will encourage automobile traffic on Broadway and will contribute to illegal cruising;
4. The Poverty Ridge Neighborhood Association is concerned with increased traffic in their neighborhood on weekends, the only time in which they now can enjoy a quiet neighborhood;

5. According to the applicant there are other sites which meet his needs. However, he has indicated that he has chosen this site as a "least cost alternative".

The Land Park Community Association has been working with the Sacramento Police Department to eliminate the Broadway Cruise. The approval of this project will negate these efforts. LPCA supports business development along the Broadway corridor which is compatible with the existing businesses and adjacent residential uses. We urge you to oppose this project as incompatible with the existing businesses and residential uses.

Sincerely



Steven A. Kahn, President
Land Park Community Association

cc: Councilmember Jimmie Yee

September 10, 1996

Steve Peterson
City of Sacramento
Department of Planning and
Development
1231 I Street
Sacramento, CA 95814



Re: Proposed Auto Mall under WX Freeway

Dear Steve

Our board wishes to go on record with our unanimous opposition to this proposal. We think that it is the last thing that our fragil Central City neighborhoods need and that it will negatively impact the efforts we have all been making to bring more residents to the Central City.

Sincerely,

Karen Jacques

Karen Jacques, President
Winn Park Capitol Avenue Neighborhood Association

cc: Poverty Ridge Neighborhood Association
CCAN
NAAG

PLANNING AND DEVELOPMENT

SEP 19 1996

RECEIVED

ATTACHMENT B
NOTICE OF DECISION AND FINDINGS OF FACT FOR
(SACRAMENTO AUTO FAIR),
LOCATED BETWEEN 20TH-22ND, W-X STREETS
SACRAMENTO, CALIFORNIA IN THE
TRANSPORTATION CORRIDOR ZONE. (P96-018)
(REVISED)

At the regular meeting of September 26, 1996 the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

- A. Approved the Special Permit to operate an Auto Fair on +4.8 developed acres in the in the Transportation Corridor (TC) zone.
- B. Approved the Variance to use removable sandwichboard signs and flags for directional signage.

These actions were made based upon the following findings of fact:

FINDINGS OF FACT

- A. The **Special Permit** to operate an Auto Fair on +4.8 developed acres in the in the Transportation Corridor (TC) zone is hereby approved, based on the following findings.
 - 1. The project, is based upon sound principles of land use in that:
 - a. The proposed use, subject to conditions, and given the existing environment, is compatible with existing surrounding development.
 - b. Adequate parking will be provided on-site.
 - 2. The project, will not be detrimental to the public welfare nor result in the creation of a public nuisance in that the project will be conditioned to:
 - a. Limit the hours of operation
 - b. Limit the noise generated by the use

-
- c. Prohibit the sale or consumption of alcoholic beverages on the site
 - d. Provide ample on-site parking and discourage on street parking.
 - e. Mandate litter cleanup.
 - f. Prohibit on site Auto Repair
3. The project is consistent with the General Plan, and Community Plan which designates the site as the Business 80 Freeway in that:
 - a. These designations are consistent with the Transportation Corridor (TC) zoning of the site, which permits the proposed use subject to granting of a Special Permit by the Planning Commission.
- B. The Variance to use removable sandwichboard signs and flags for directional signage is hereby approved, based on the following findings.
1. The variance does not constitute a special privilege extended to an individual property owner in that the same variance would be appropriate for other property owners facing similar circumstances.
 2. The proposal does not constitute a variance to use in that the proposed Auto Fair is an allowed use, subject to granting of a Special Permit, in the TC zone.
 3. The variance will not be detrimental to the public welfare or result in the creation of a public nuisance in that:
 - a. The temporary signs are appropriate for the weekend only operation.
 - b. The project is conditioned so that the temporary signage will be removed when the Auto Fair is not in operation. This will result in reduced signage clutter when the site is operating as a State Parking lot, Monday through Friday.
 - c. The temporary signage is intended to guide visitors to on-site parking which is consistent the objective of limiting on street parking by Auto Fair visitors.
 4. The variance is not inconsistent with the General Plan and Community Plan land uses designated for the site.

CONDITIONS OF APPROVAL (Sacramento Auto Fair Use Special Permit)

- A. The Special Permit to operate an Auto Fair on ±4.8 developed acres in the Transportation Corridor (TC) zone is hereby approved subject to the following conditions:
- A1. On-site Parking for Auto Fair Patrons must be reserved around the entire perimeter of both half blocks. (a total of 186 spaces) and must be clearly marked as parking for visitors.
 - A2. On-site security personnel must be provided to ensure that visitors park in designated on-site areas only. In addition to any personnel devoted to patrolling grounds on the project site, security personnel shall be provided whose sole responsibility shall be to patrol the area at the perimeter of the site. The duties of these perimeter patrol personnel shall include identifying Auto Fair visitors and informing them of the available on-site parking. If both blocks of the project site are open for Auto Fair activities, a minimum of four (4) security personnel shall be provided to patrol the perimeter of the site. If only one block of the project site is open for Auto Fair activities, a minimum of two (2) security personnel shall be provided to patrol the perimeter of the site. In the instance that only one block is open for Auto Fair activities, the entrance to the block not open for Auto Fair activities shall be closed off. On site security personnel shall also insure that only those persons seeking to use the service provided shall park at the site, and that loitering not occur. If at any time the Police Watch Commander or operator deem it necessary to require more security for perimeter patrol, additional security personnel may be required.
 - A3. If the on-site security personnel (required in condition A2) are off-duty police officers, these individuals shall immediately cite any vehicle advertised for sale and parked on a public street as being in violation of City Code 7.04.052(a).
 - A4. If the on-site security personnel (required in condition A2) are not off duty police officers, these individuals shall post a notice on any vehicle advertised for sale and parked on a public street informing the owner that the vehicle is in violation of City Code 7.04.052(a). If the vehicle is still parked on the street in 1 hour, the security personnel shall inform the police of the violation.
 - A5. In all advertising for the Sacramento Auto Fair, including, but not limited to newspaper advertising and the informational brochure to be provided on site, the availability of ample on-site parking shall be prominently advertised, as well as the discouragement of parking on neighborhood streets.
 - A6. In the informational brochure, as well as on the "detail sheet" to be

displayed on all vehicles for sale, a suggested test drive route (with map) shall be included which directs test drivers to proceed directly to the freeway via the 15th Street on ramp and to return to the site directly from the freeway via the 15th Street off-ramp.

- A7. A "Good Neighbor Policy" shall be established by the applicant which will include the following:

Prior to commencement of the use, the applicant shall become a member of the Poverty Ridge Neighborhood Association, and shall attend all meetings of this neighborhood association. The purpose of attendance at these meetings will be to receive comments and concerns from the neighbors and work toward possible solutions.

The applicant shall make available to the Poverty Ridge Neighborhood Association a 24 hour emergency phone number and contact, and shall post this number on the permanent on-site signage for the use.

- A8. Operator is required to maintain the site litter free.
- A9. Operator is required to steam clean the lot quarterly. The operator shall submit verification of completion of this condition to the Police Department.
- A10. No Public address system shall be used and no amplified music, live or recorded, shall be played on site.
- A11. All permanent signage shall comply with the City's Sign Ordinance, and Sign Permits shall be obtained prior to commencement of the use.
- A12. The hours of operation of the Auto Fair shall be no earlier than 9 am on Saturday or Sunday. The hours of operation of the Auto Fair shall be no later than 4pm on Saturday and no later than 12pm on Sunday.
- A13. The site shall be opened to the public no earlier than 8:30am on Saturday or Sunday.
- A14. The operations shall be conducted in sessions, with all vehicles cleared from the site between sessions. All vehicles must be cleared from the site by 5pm on Saturday and 1pm on Sunday.
- A15. No alcoholic beverages shall be served or consumed on the site.
- A16. No auto repair shall occur on-site.

A17. After one year from the date of approval of the Special Permit, the operator shall be required to apply for a Special Permit Time Extension through the Zoning Administrator. At this time, the operation shall be evaluated for conformance with the conditions of the Special Permit and impact upon surrounding neighborhood conditions, and conditions of the Special Permit may be modified. In addition, the Special Permit is subject to revocation at any time for failure to comply with any conditions of this Special Permit.

CONDITIONS OF APPROVAL (Signage Variance)

- B. The Variance to use removable sandwichboard signs and flags for directional signage is hereby approved subject to the following conditions:
- B1. All directional sandwichboard signs shall be removed from the site at the close of business each day.
 - B2. All flags shall be removed from the site at the close of business each Sunday.

CHAIRPERSON

ATTEST:

SECRETARY TO CITY PLANNING COMMISSION

DATE (P96-018)