

P98-034 - MARILYN'S AT 12TH & K STREET

- REQUEST: A. Exempt 15301(a);
- B. Special Permit to operate a bar in the Central
 Business District (C-3) zone.

LOCATION: 1177 K Street, Northwest corner of 12th & K Streets
 006-0105-009
 Central Community Plan/Central Business District
 Council District 1

APPLICANT:	Virginia Paradigm Systems, Inc, Linda Swanigan, 455-7803 2020 29th Street, #204, Sacramento, CA 95817
OWNER:	Credit Idea Investment, Limited c/o Grubb & Ellis Prop Mgr, 770 L Street, #700 Sacramento, Ca 95814
PLANS BY:	Paradigm Systems, Inc
APPLICATION FILED:	4-3-98
STAFF CONTACT:	Jeanne Corcoran, 264-5317

SUMMARY: The applicant proposes to reopen the bar formerly known as the Quorum at 1177 K Street. Service will be provided from 10:00 am to 2:00 am Monday through Saturday and 9:00 am to 12:00 am, Sundays. Food service will be limited to accepting deliveries from neighboring food purveyors, as a convenience to the patrons, and which will encourage patrons to remain on the premises. Performance entertainment will not be offered, except on special occasions. Various games will be on site. No fixed seats are proposed, occupancy capacity will be determined by the Fire Marshall. The bar is intended to be an upscale, casual cocktail lounge catering to the clientele associated with the Downtown, Capitol, Convention Center, and theater environment.

RECOMMENDATION: Staff recommends approval of the project, subject to conditions. This recommendation is based on its consistency with the General Plan and the Cultural and Entertainment District policies to add night and weekend activity within the downtown area.

PROJECT INFORMATION:

General Plan Designation:	Community/Neighborhood commercial and Offices
Central City	
Community Plan Designation:	Multi-use
Existing Land Use of Site:	Retail/Commercial/Office
Existing Zoning of Site:	C-3 SPD

Surrounding Land Use and Zoning:

North: Commercial & Office; C-3 (SPD)
 South: Office, Commercial, Hotel; C-3(SPD)
 East: Office, Commercial & Convention Center; C-3(SPD)
 West: Office, Commercial & Cathedral of the Blessed Sacrament; C-3 (SPD)

Square Footage of Bar:	2,947± square feet
Parking Provided:	0 spaces
Parking Required:	0 spaces
Hours of Operation:	Monday - Saturday: 10:00 am to 2:00 am Sunday: 9:00 am to 12:00 am
Proposed Seats:	70
Number of Employees:	2-3 per shift

OTHER APPROVALS REQUIRED: In addition to the entitlements requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

PermitAgency

Design Review
Building Permit

Planning Division
Development Services Division

BACKGROUND INFORMATION: In December of 1989, the Planning Commission approved a Special Permit (P89-367) approving a 2,000± square foot bar at this location. No opposition to the use was presented at the hearing. The Zoning Ordinance requires a new special permit to be issued if a use has been vacant or abandoned for more than a year. The bar was closed in 1995 due to legal problems of the owners. In May 1990, the City Council adopted the Cultural and Entertainment District Master Plan (M89-011), which provides a plan to create an environment, where people in the downtown core can enjoy and experience an array of formal and informal activities, such as shopping, dining, movie and concerts. In August 1993, the City Council approved a Zoning Ordinance amendment (M93-013) allowing parking standards within the Arts and Entertainment District to be the same as Central Business District to provide incentives for arts and entertainment uses.

The current proposal, is similar to the previous approval, with the exception of the additional office space at the rear adjacent to the storage room. The usable bar area and game room will remain the same size as previously approved.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

The proposed project is consistent with General Plan policies to:

- "actively support the development of cultural and entertainment facilities and events in the downtown area" (Sec. 4-13).
- "actively support efforts to develop visitor and convention facilities in the downtown area" (Sec. 4-13).
- "Promote the successful development of mixed-use projects in the Central City" (Sec. 4-14)

Furthermore, the proposed project is consistent with the Cultural and Entertainment District Master Plan to create an "18 hour city" by creating a concentrated mix of cultural and entertainment facilities that will be capable of contributing to downtown's night and weekend activity. The business is proposed to remain open until 2:00 am long after the majority of the surrounding offices and lunch establishments, which close at 5:00 pm and usually are not open on weekends.

B. Zoning Requirements

1. Special Permit

The Zoning Ordinance requires the Planning Commission to consider whether the proposed bar will detrimentally affect nearby residentially zoned areas, and give consideration to the distance of the proposed use from residential buildings and from churches, schools, hospitals, public parks, playgrounds, day care centers, and social welfare institutions.

The proposed project is not located near any residentially zoned property. The nearest residentially zoned property in the area is one block to the south which is the State Capitol property. Other residentially zoned property in the area is approximately four blocks north and south of the project site. Adequate distance is provided from this project and the residentially zoned property to the north and south. Therefore, the project will not detrimentally affect residentially zoned property.

The Cathedral of the Blessed Sacramento is located within a half block of the proposed bar. The applicant has provided a letter (Attachment) from Reverend Vincent Brady of the Cathedral indicating that the church is not opposed to the use and welcomes the re-opening of the Quorum.

Staff has provided a map (Attachment) siting the social services, parks and day cares, that staff is aware of within seven blocks of the site. No schools or hospitals are located within the area. Staff does not believe that locating this use at this site would adversely impact the social services or day cares located within this area. Nor should the social services and day care uses adversely impact the proposed use since there appears to be adequate distance (2 - 7 blocks) between these uses.

SOCIAL SERVICE	ADDRESS
Traveler's Aid	717 K Street
El Hogar	608 10th Street
Legal Services of Northern California	515 12th Street
Frances House	1214 17th Street
SHRA Elderly Housing	626 I Street
Chinatown Elderly Housing	499 I Street
Day Care	630 I Street
Day Care	1231 H Street
Westminister Counseling	1300 N Street

Staff does not have any objections to the requested special permit. The proposed bar is consistent with the goal of the Cultural and Entertainment District Master Plan. The site, which is located one block from the Convention Center, IMAX Theater, State Capitol, and adjacent to the Hyatt Hotel, is ideally located for the applicant's intended operations.

2. Building Design

The project site is located within the Central City Design Review area and is adjacent to the Cathedral Square Preservation area. The building known as the "Trust Building"

was remodeled in the late 1980's. Since the site is located within a design review area any exterior modifications to the building is subject to Design Review. At this time, the applicant does not propose any exterior modifications with this use, except for signage. Signage is subject to staff level design review.

C. Police Requirements

The project is located in a census tract deemed over concentrated by the State Department of Alcoholic Beverage Control. The tract is authorized under ABC's formula to allow one (1) on-sale license. At this date, 34 on-sale licenses exist in this census tract. Due to the over-concentration, the applicant applied to the Chief of Police for a letter of public convenience or necessity as required by ABC.

The Police Department conducted an investigation into the application as prescribed in the Sacramento City Code Chapter 30.05. The Department noticed residents and property owners within 1,000 feet of the outside boundaries of the property requesting comments to the Chief of Police regarding the issuances to the letter. Staff received one comment in opposition of this project. The opponent stated that the issuance of this license would contribute to the problem of public inebriation on the K Street Mall.

The Police Department has determined that the issuance of this licence will not increase the problem of public inebriation on the K Street Mall since this establishment will serve a different population than the population that adds to the public inebriation problem downtown. The Police Department also recognizes that this area is designated for clustering of cultural and entertainment facilities by City policy. Therefore a letter of public convenience or necessity has been issued.

PROJECT REVIEW PROCESS:

A. Environmental Review

The project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15301(a)). This determination was based upon the fact that the project involves a negligible expansion of a previously approved use.

B. Public/Neighborhood/Business Association Comments

The project was routed to the Downtown Partnership, Central City Alliance of Neighborhoods (CCAN) and Sacramento Old City Association (SOCA). The following comments were received:

1. NAAG - Appears to be consistent with City policy to concentrate entertainment to the Central Business District to enable mutual support.

2. Downtown Partnership - support the re-opening of this use.

C. Summary of Agency Comments

The project has been reviewed by several City Departments and other agencies. The following summarizes the comments received:

1. Fire - A KNOX box shall be provided for the Fire Department; occupancy above 100 will require emergency lighting within the business; lighted exit signage shall be reviewed and approved by the Fire Department.
2. Revenue - If video games or pool tables are provided in the game room, a special business use permit must be secured from the Revenue Division.
3. Building Division -
 - Provide complete floor plan showing all adjacent spaces and their occupancy uses, all public streets and alley for further review.
 - Exit corridor needs to be of a 1-hr construction as per UBC Sec 1005.7 & 1005.8
 - Number of restroom fixtures depends on occupant load in lounge and game area.

PROJECT APPROVAL PROCESS: The Planning Commission has the authority to approve or deny the special permit. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

RECOMMENDATION: Staff recommends the Planning Commission take the following action:


- A. Environmental Determination: Exempt
- B. Adopt the attached Notice of Decision approving the special permit to establish a bar in the Central Business District Special Planning District (C-3(SPD) zone.

Report Prepared By,



Jeanne Corcoran, Associate Planner

Report Reviewed By,



Steve Peterson, Senior Planner

Attachments

Attachment A	Notice of Decision
Exhibit A-1	Floor Plan
Exhibit A-2	Elevations
Attachment B	Vicinity Map
Attachment C	Land Use and Zoning Map
Attachment D	Social Service/Day Care Exhibit
Attachment E	Letter From Rev. Brady
Attachment F	Letter Downtown Partnership

P98-034.SR

**NOTICE OF DECISION AND FINDINGS OF FACT FOR
MARILYN'S AT 12TH & K, LOCATED AT 1177 K STREET,
SACRAMENTO, CALIFORNIA IN THE CENTRAL BUSINESS DISTRICT
SPECIAL PLANNING DISTRICT (C-3(SPD) ZONE. (P98-034)**

At the regular meeting of May 14, 1998, 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. **Environmental Determination: Project determined exempt pursuant to CEQA Section 15301(a);**
- B. **Approved the Special Permit to establish a bar in the Central Business District Special Planning District (C-3(SPD) zone;**

These actions were made based upon the following findings of fact and subject to the following conditions:

FINDINGS OF FACT


- A. Categorical Exemption: The City Planning Commission finds and determines that the proposed project is exempt from environmental review pursuant to Section #15301(a) of the CEQA Guidelines.
- B. Special Permit to establish a bar: The Special Permit to establish a bar in the C-3(SPD) zone is **approved** subject to the following findings of fact and conditions of approval:
 1. The project is based upon sound principles of land use in that:
 - a. the proposed use will not adversely affect the peace and general welfare of the surrounding commercial neighborhood, and;
 - b. the use will contribute to the Cultural and Entertainment Master Plan goal of an "18-hour city";
 2. The project will not be detrimental to the public welfare and result in the creation of a public nuisance in that the intended clientele is the downtown working professionals from adjacent and nearby offices and capitol and visitors to the entertainment venues of the theaters and convention center.
 3. The proposed use is consistent with the goals and policies of the General Plan and the Cultural and Entertainment District Master Plan that encourage uses that will be capable of contributing to downtown's night and weekend activity.

CONDITIONS OF APPROVAL

- B. The Special Permit for the establishment of a bar (Exhibit __) is hereby approved subject to the following conditions:
 - B1. The sale of alcohol shall be for on-sale only.
 - B2. No outside seating shall be allowed unless the establishment is a "bonafide" restaurant.
 - B3. The applicant shall submit detailed plans for signage to Design Review staff for review and approval prior to issuance of occupancy permit.
 - B4. Exit lighting shall be reviewed and approved by the Fire Department prior to issuance of occupancy permit.

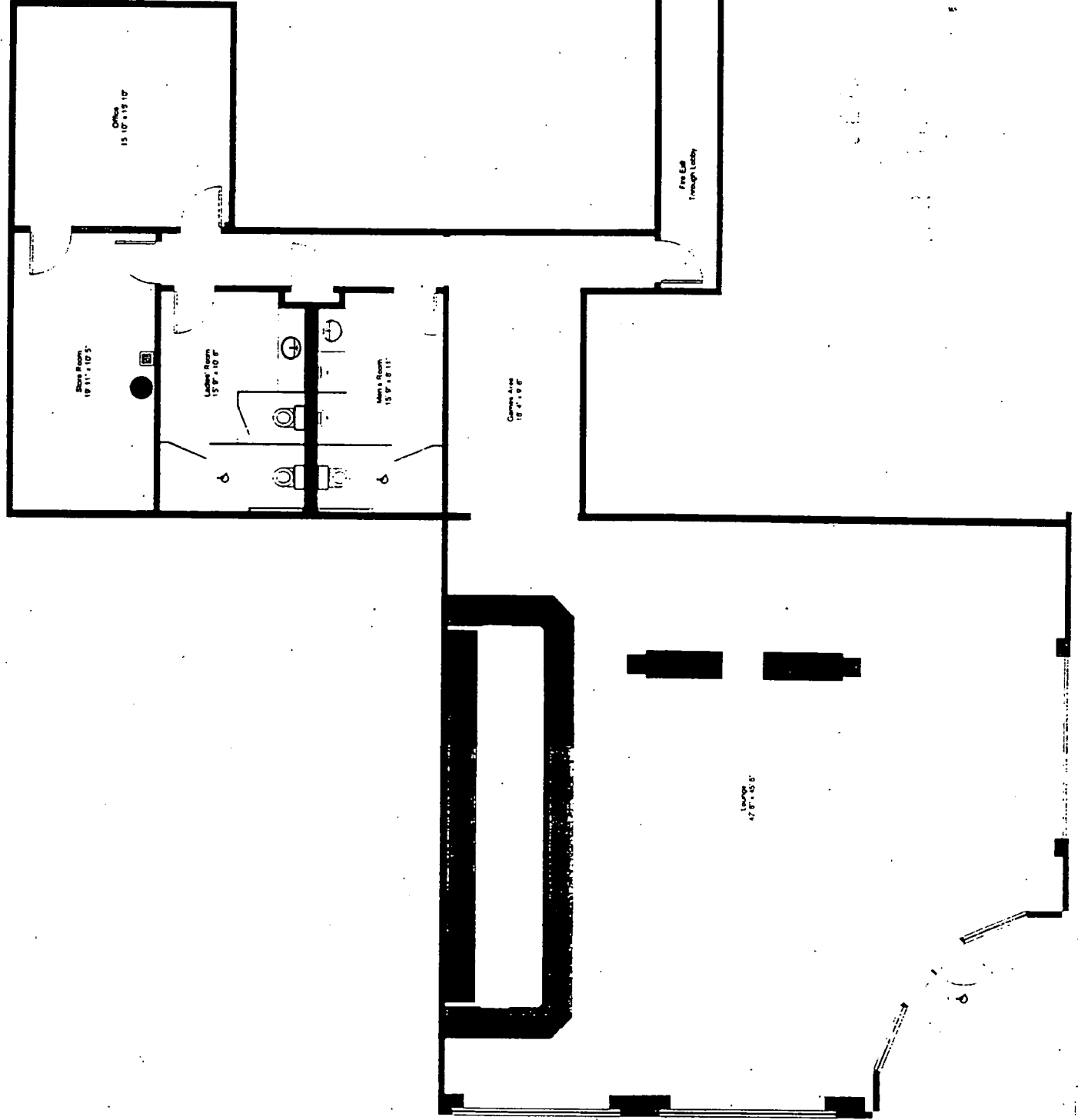

CHAIRPERSON

ATTEST:



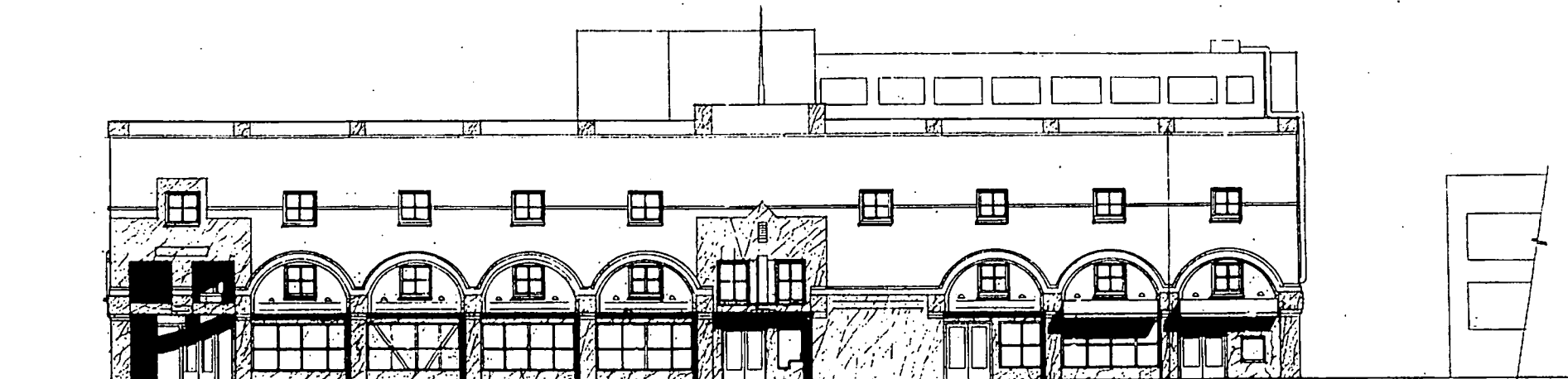
SECRETARY TO CITY PLANNING COMMISSION
5-14-98
DATE (P98-034)

Exhibit A-1 Floor Plan
Exhibit A-2 Elevations

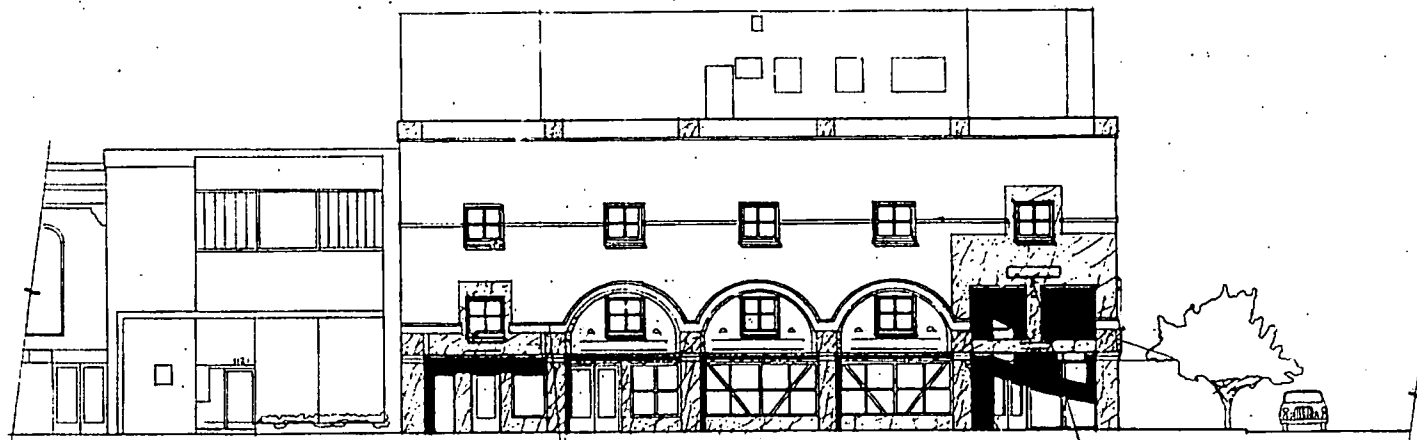


Revision Systems, Inc.		Company Floor Plan	
Rev	Date	Rev	Notes
	5/14/98		

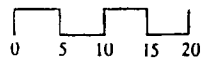





12TH STREET ELEVATION • EAST



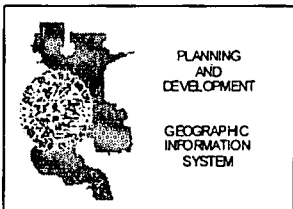
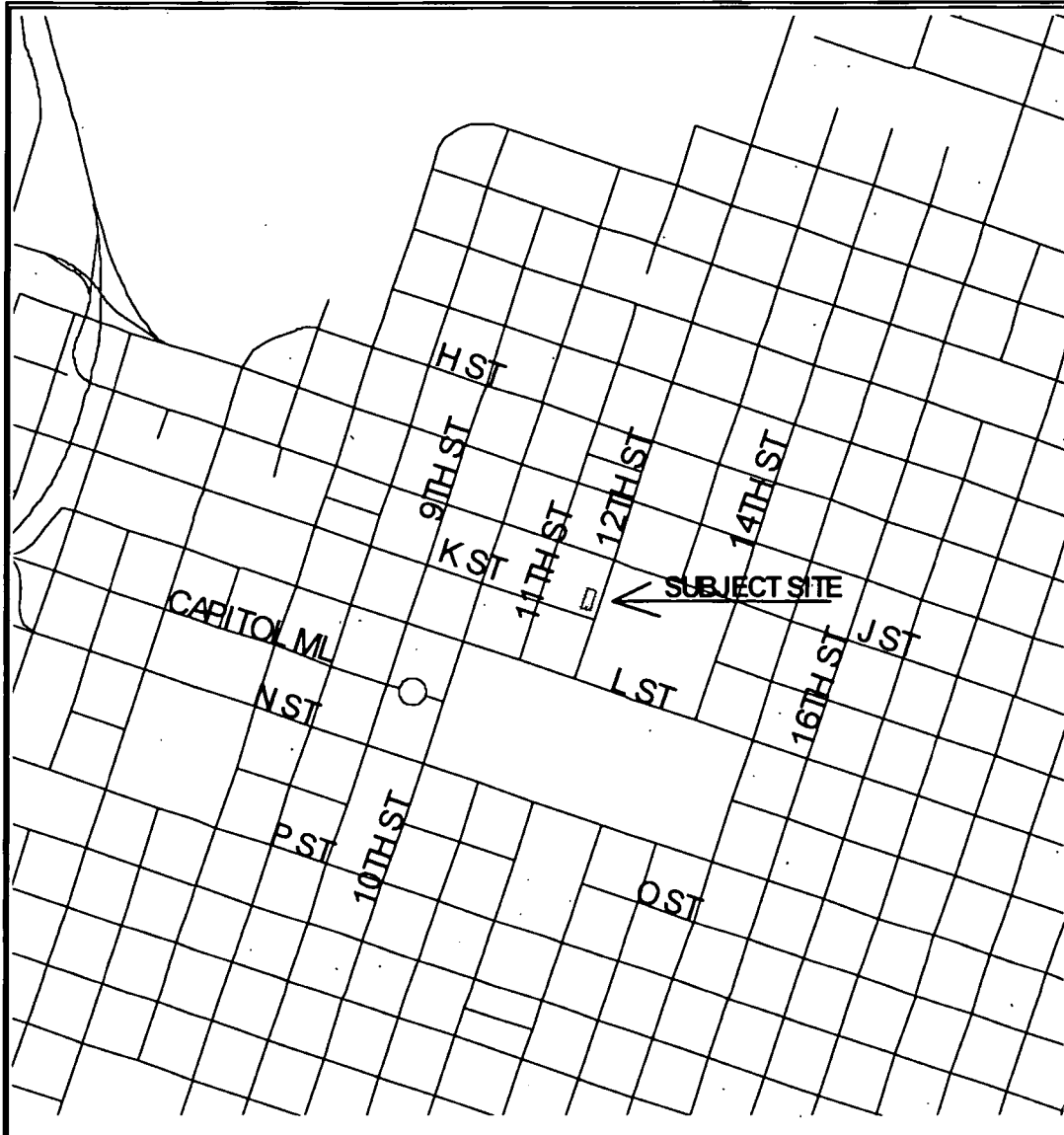
K STREET MALL ELEVATION • SOUTH



SIGNAGE

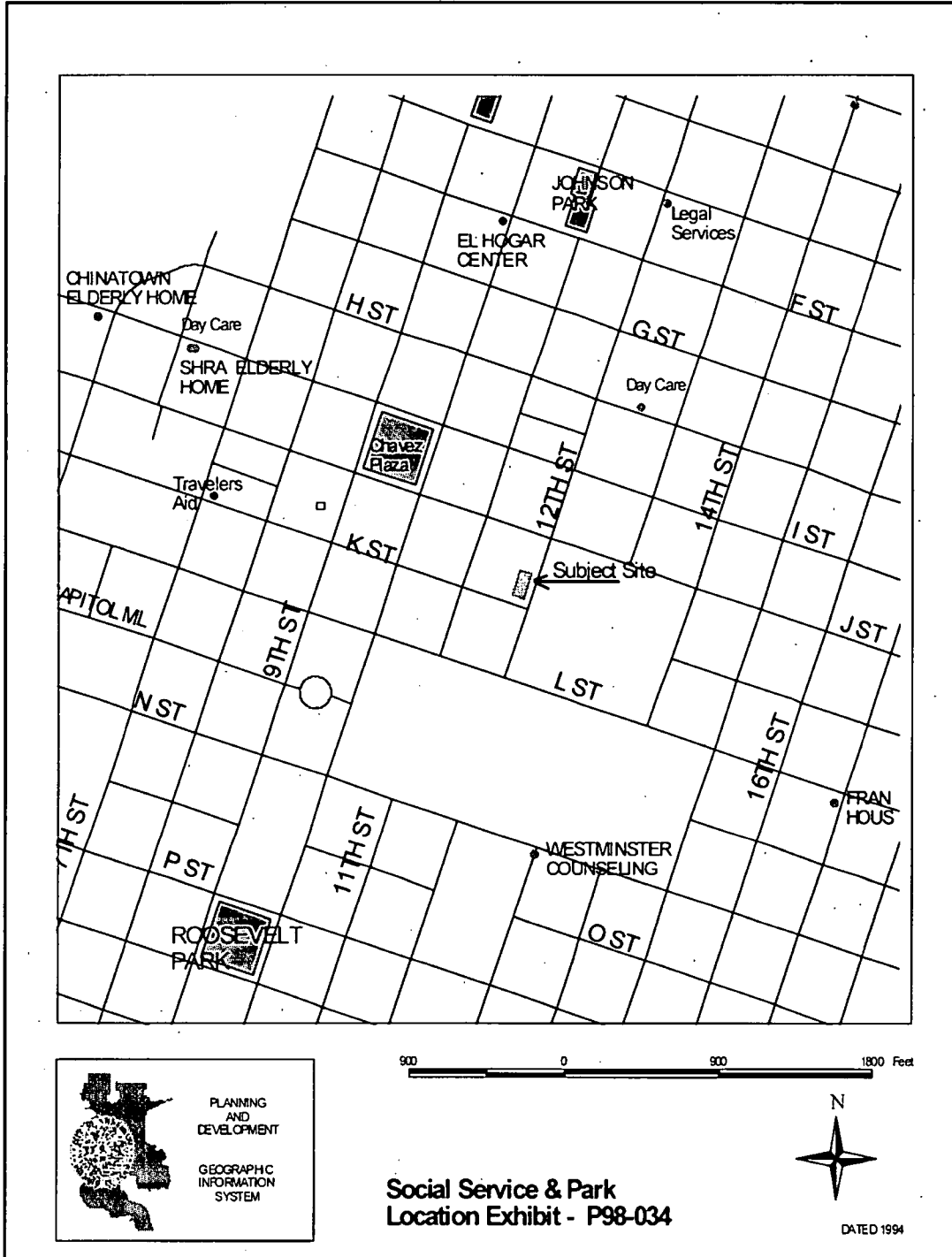
 Paradigm Systems, Inc.	Draw	Elevations
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	Author	crayton rad
	Page	2 of 2

ATTACHMENT B



VICINITY MAP - P98-034

ATTACHMENT D





Cathedral of the Blessed Sacrament

ITEM 5
pg. 15

ATTACHMENT E

APR 3 1998

February 20, 1998

To Whom it May Concern:

As neighbors who share the same block we welcome the planned re-opening of the Quorum. Vacant buildings and closed down businesses reflect a neighborhood in decline. We would hope that our Downtown area would be vibrant with a healthy mix of individuals and entities that promote the business, social, religious and recreational well being of our people.

As regards hours of opening we would trust the good judgement of the owners and managers of the Quorum. We would anticipate good neighborly relations and responsiveness to any concerns the Church might have. Also, we would appreciate keeping in place the original agreement that you would "give the Church seven (7) days notice prior to any applications to any governmental agency for licenses or permits that would in any way alter the scope of the current contemplated use of the premises at 12th and K Streets."

Should you have any further questions please do not hesitate to call.

Sincerely yours,

Rev. Vincent Brady
Rector

cc Bishop William Weigand

APR 3 1998

2/11/11
0.79



REC'D APR 29 1998

April 28, 1998

Jeanne Corcoran
Associate Planner
City of Sacramento Planning & Development
Development Services Division
Central Area Planning Team
1231 I Street, Room 300
Sacramento, CA 95814

Dear Jeanne:

As you know, the Downtown Sacramento Partnership (Partnership) is a non-profit organization dedicated to establishing Downtown Sacramento as the City's vibrant business, cultural and entertainment destination. An important element to successful Downtown revitalization is retail recruitment. After The Quorum shut its doors three years ago, much to the Partnership's disappointment, the property at 12th and K streets has remained vacant.

After reviewing the business plan for The Quorum and meeting with Linda Swanigan from Paradigm Systems, Inc., the Partnership would like to lend its support to the project. Although the Board of Directors has not made a formal motion on this issue, we look forward to the prospect of The Quorum re-opening under new management and fully endorse the undertaking of this endeavor.

Please feel free to contact us at any time if we can be of assistance.

Sincerely,

Michael T. Ault
Executive Director

c: DSP Board of Directors

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