

P96-018 - Sacramento Auto Fair

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

LOCATION: 20th-22nd Streets, W and X Streets  
APN 010-0150-, 010-0160-  
Central City Community Plan Area  
Council District 4

APPLICANT:	Richard Worrall 2940 Ridgeview Drive El Dorado Hills, CA 95762
OWNER:	State of California/Dept of Transportation P.O. Box 911 Marysville, CA 95902
APPLIC. FILED:	February 12, 1996
STAFF CONTACT:	Mark Kraft, 264-8116

SUMMARY:

The applicant is requesting the necessary entitlements to operate an Auto Fair on ±4.8 acres in the Transportation Corridor (TC) zone. The Auto Fair would operate on weekends only on leased CalTrans property, provide a forum for prospective sellers to park and display privately owned vehicles for sale, and for prospective buyers to view numerous vehicles for sale in one location.

RECOMMENDATION:

Staff recommends approval of the project, subject to conditions. This recommendation is based on the project's consistency with General Plan, Community Plan and zoning designations and consistency with General Plan policy regarding the use of existing

developed area for commercial uses.

**PROJECT INFORMATION:**

General Plan Designation:	Freeway (Business 80)
Community Plan Designation:	Freeway (Business 80)
Existing Land Use of Site:	Weekday Parking-State of California
Existing Zoning of Site:	Transportation Corridor (TC)

**Surrounding Land Use and Zoning:**

North:	YMCA, Residential; C-2, RO, R-1B
South:	Residential, Commercial; RO, C-2
East:	Cal Trans Parking Lot; TC
West:	Cal Trans Parking Lot; TC

Property Area:	4.8± gross acres
Building Square Footage:	0
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

**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:

<u>Requirement</u>	<u>Agency</u>
Sign Permit	Development Services

**BACKGROUND INFORMATION:**

The applicant is proposing to operate a weekend only Car Fair; a situation where people park and display privately owned vehicles for sale, and where members of the public wishing to purchase a used vehicle can park and inspect the vehicles that are for sale. The operator intends to provide a legal off road location for private persons wishing to buy or sell, and has no intention of becoming involved in the purchase or sale of vehicles.

The site is used Monday through Friday as a parking lot for State employees. The site is fully fenced, has four access locations and contains 616 designated parking spaces per block). The initial program is proposed to be a Saturday 10am-2pm session, on one lot, with an estimated 25-50 units for sale. As attendance increases, the second lot will be utilized and additional sessions can be added (subject to conditions).

The applicant originally proposed as many as six sessions per weekend with a capacity of as many as 3000 units for sale per weekend, stating that attendance figures would likely peak around 30-35% of available parking capacity. However, the conditions proposed for the project would allow only three sessions per weekend (two on Saturday and one on Sunday). The hours of operation would be restricted to 9am-4pm on Saturday and 9am-12 noon on Sunday. As a result, the Auto Fair would have a total capacity of approximately 1290 vehicles for sale each weekend.

The reason for the "session" method rather than an all day open car fair is to avoid traffic congestion by evening the flow of traffic throughout the weekend rather than have maximum use at any one time. One example of the session method could be that vehicles priced under \$5,000 would be sold 9-12am and vehicles over \$5000 would be sold 1-4pm. Each session would have a total capacity of approximately 430 vehicles for sale.

STAFF EVALUATION: Staff has the following comments:

#### Policy Considerations

The project is consistent with the General Plan and Central City Community Plan designations for the site. The site is designated simply as the Business 80 freeway in both the General Plan and the Central City Community Plan. This designation is consistent with the Transportation Corridor (TC) zoning of the site. According to the City's zoning ordinance, uses other than freeways, highways, bridges, interchanges and public streets are considered "special uses" which are permitted subject to the granting of a Special Permit by the Planning Commission.

The project is consistent with the General Plan goal to "promote the re-use and revitalization of existing developed areas" in that the project proposes an active use in an area which is currently abandoned during weekends. The proposed active use is also consistent with City policy encouraging development which enhances pedestrian friendly streets, as the project would provide an active use under the freeway, thereby eliminating or reducing the unfriendly pedestrian environment which an abandoned area produces, and softening the barrier which the W/X freeway has produced between the neighborhoods to the north and south of the freeway.

#### Zoning Considerations

##### 1. Zoning Consistency

As explained above, the project is consistent with the zoning designation of Transportation Corridor (TC) in that the City's Zoning Ordinance states that the Planning

Commission may issue a Special Permit to allow uses other than freeways, highways, interchanges and bridges in this zone. In granting the Special Permit, the Commission must make the finding that the project 1) is based on sound principles of land use, 2) is not detrimental to public health safety or welfare, 3) is consistent with the General Plan and Central City Community Plan. With the conditions proposed for the project, staff believes that the Commission can make these findings.

## 2. Site Plan Design/Zoning Requirements

The project proposes to utilize an existing parking lot, and does not propose to construct any permanent structures on the site. Therefore no height or setback provisions of the City's zoning Ordinance apply to this project.

The City's Zoning Ordinance does not provide parking standards for uses of this type. However, the County's Zoning Ordinance provides that for used car lots one visitor parking space shall be provided for every 1000 square feet of outdoor sales area. Using this standard as a guide, the project would need to provide 112 on-site visitor parking spaces. However, to insure that adequate on-site parking is provided, the project has been conditioned to provide 186 on-site visitor parking spaces.

### Compatibility with Surrounding Uses

The construction of an elevated freeway, particularly directly proximate to residential mixed uses, as is the case with this project site, can result in land use impacts in the areas of aesthetics, noise, traffic, and underutilized or abandoned land under the freeway.

However, given the existing conditions, and given the conditions proposed to be placed upon the project, negative impacts on surrounding land uses can be minimized. In addition, as discussed earlier, the project will have the positive impact of providing an active use during the weekend when the site is normally abandoned. As detailed in the attached Notice of Decision, the conditions intended to minimize impact on surrounding land uses include the following:

- ◆ Requirement of ample on-site visitor parking spaces
- ◆ Provision of on-site security personnel to guide visitors to the on-site parking spaces.
- ◆ Requirement to maintain the site litter free.
- ◆ Prohibition of a Public address system, along with amplified music, live or recorded
- ◆ Restricted hours of operation so as not to contribute to the "Broadway Cruise", as well as to eliminate the possibility of early morning or late night noise or other impacts associated with the Auto Fair

- ◆ Prohibition of sales or consumption of alcoholic beverages on site.
- ◆ Prohibition of auto repair on-site.

In addition to the above described conditions, staff also proposes that after one year from the date of approval of the Special Permit, the operator be required to apply for a Special Permit Time Extension through the Zoning Administrator, so that compliance with conditions and impact upon the surrounding neighborhood may be evaluated.

#### Sign Variance

The applicant is proposing that four permanent advertising signs be erected as part of the Auto Fair project. Staff has conditioned the project so that all permanent signage shall conform to the City's sign ordinance and that sign permits shall be obtained prior to commencement of the use. The applicant also proposes to use temporary (sandwichboard) directional signs and flags in conjunction with the use. This proposed signage is not in compliance with the City's Sign Ordinance and therefore requires a variance. Staff supports this variance request for the following reasons:

- 1) The temporary signage is appropriate due to the weekend only nature of the business. The project has been conditioned so that the flags will be removed each Sunday and the temporary signs will be removed each business day. The use of temporary signage for these purposes will preclude the existence of excessive signage as the site functions as a State parking lot, Monday through Friday.
- 2) The signs are designed to guide patrons onto the site and to the on-site visitor parking spaces. This is consistent with the objective of staff and neighbors that Auto Fair visitors park on site, and not on neighborhood streets.

#### PROJECT REVIEW PROCESS

##### A. Environmental Determination

The City Environmental Coordinator has determined that the proposed project is exempt from environmental determination pursuant to CEQA, Section 15301.

##### B. Public/Neighborhood Association Comments

The proposed project application was routed to the Broadway Task Force, the Land Park Community Association, the Broadway Business Association, the Sierra Curtis Neighborhood Association, and the Poverty Ridge Neighborhood Association. Land owners within a 500 foot radius of the project site were also notified of the project proposal. Several calls were received expressing opposition to the project mainly due to concerns about parking on neighborhood streets. No written comments have been received from

either the neighbors or the neighborhood advisory groups at the time of this writing. Staff and the applicant were requested by the Land Park Community Association to attend their June 19 meeting to discuss the project. At this meeting, the Association Board voted not to take a position on the project but recommended that the project be required to be conducted in sessions, that the hours of operation be no later than 4pm on Saturday and 12 noon on Sunday, and that auto repair not be allowed on site. During discussion of the project, concerns were also raised involving alcohol availability, noise, parking availability, and the ability to discontinue the use if conditions of approval were not met. The conditions proposed by staff were influenced greatly by the concerns expressed at this meeting. Nevertheless, at its August meeting, after receiving the proposed conditions, the Land Park Board voted 4-1 with one abstention to oppose the project. This was due to concerns over effects on on-street parking, increased traffic, and the possibility of "poachers", people who would park on the neighborhood streets with and put "for sale" signs on vehicles in an attempt to draw the attention of auto fair visitors. Staff was notified of this action by phone on August 29.

#### C. Summary of Agency Comments

The proposal was routed to several City Departments and other agencies. The only comments received were from the Police Department, and these have been incorporated into the conditions of approval for the project.

#### PROJECT APPROVAL PROCESS:

The Planning Commission has the authority to approve or deny items A and B. 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 actions:

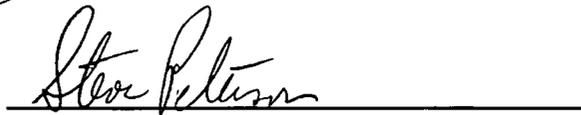
- A. Adopt the attached Notice of Decision and Findings of Fact approving the Special Permit to operate an Auto Fair on ±4.8 developed acres in the in the Transportation Corridor (TC) zone.
- B. Adopt the attached Notice of Decision and Findings of Fact approving the Variance to use removable sandwichboard signs and flags for directional signage.

Report Prepared By,

Report Reviewed By,



Mark Kraft  
Associate Planner



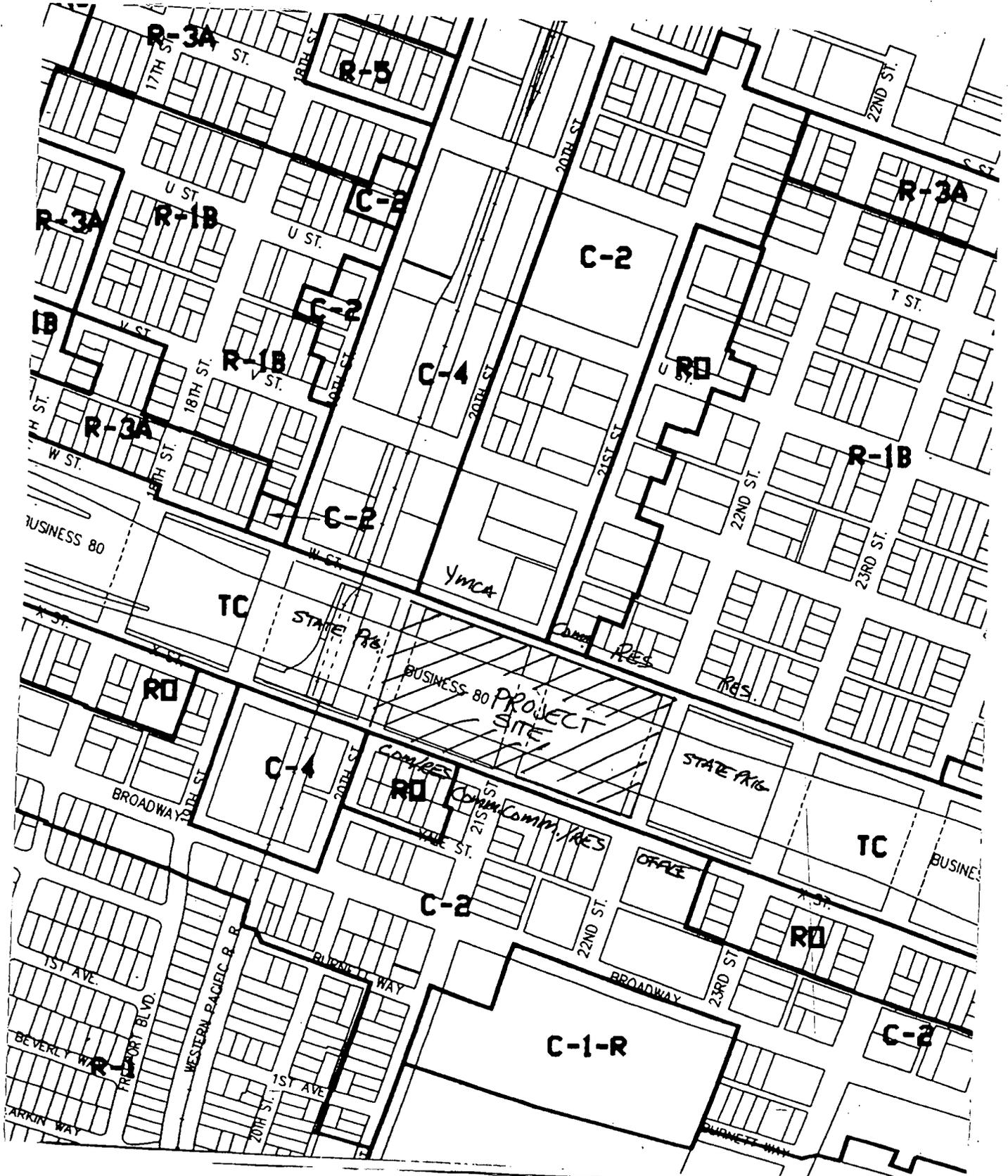
Steve Peterson  
Senior Planner

Attachments

Attachment A  
Attachment B  
Exhibit B-1

Vicinity, Land Use and Zoning Map  
Notice of Decision  
Site Plan

ATTACHMENT A-VICINITY LAND USE AND ZONING MAP



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**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)**

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At the regular meeting of September 12, 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:

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**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

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- 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. Operator is required to maintain the site litter free.
  - A4. Operator is required to steam clean the lot quarterly. The operator shall submit verification of completion of this condition to the Police Department.
  - A5. No Public address system shall be used and no amplified music, live or recorded, shall be played on site.
  - A6. All permanent signage shall comply with the City's Sign Ordinance, and Sign Permits shall be obtained prior to commencement of the use.
  - A7. 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.
  - A8. The site shall be opened to the public no earlier than 8:30am on Saturday or Sunday.

- A9. 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.
- A10. No alcoholic beverages shall be served or consumed on the site.
- A11. No auto repair shall occur on-site.
- A12. 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.

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CHAIRPERSON

ATTEST:

\_\_\_\_\_  
SECRETARY TO CITY PLANNING COMMISSION

\_\_\_\_\_  
DATE (P96-018)

SEPTEMBER 12, 1996

P96-018

Exhibit B-1

