

# CITY PLANNING COMMISSION

1231 'I' STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT	HERBERT FURTKIN, 3000 Sunrise Boulevard, Rancho Cordova, CA 95670				
OWNER	RAHIM TALAI, 166 Fleetwood Drive, San Carlos, CA 94070				
PLANS BY	BUD GOLDBERG, 8920 Sunset Avenue, Fair Oaks, CA 95628				
FILING DATE	2/23/87	ENVIR. DET.	3/13/87	REPORT BY	EG/vf
ASSESSOR'S-PCL. NO.	007-152-23				

- APPLICATION:
- A. Negative Declaration.
  - B. Variance to locate 22 required parking spaces off-site.

LOCATION: 1311 - 21st Street

PROPOSAL: The applicant is requesting the necessary entitlements to locate the required parking for a proposed 90 seat restaurant off-site.

PROJECT INFORMATION:

1974 General Plan Designation:	Commercial and Offices
1980 Central City Community Plan Designation:	General Commercial
Existing Zoning of Site:	C-2
Existing Land Use of Site:	Vacant Building
Surrounding Land Use and Zoning:	Setbacks: Required Provided
North: Office; C-2	Front: Existing Building
South: Restaurant; C-2	Side(Int.):
East : Apartment; C-2	Side(St):
West : Office; C-2	Rear:
Parking Required:	22 Spaces (30 minus previous variance for 8 spaces)
Parking Provided:	22 Spaces off-site
Property Dimensions:	41' x 80'
Property Area:	0.06+ acres
Square Footage of Building:	3,077 Square Feet
Height of Building:	22 Feet
Topography:	Flat
Street Improvements & Utilities:	Existing
Exterior Building Materials:	Slump block, plywood fascia

BACKGROUND INFORMATION:

On February 12, 1981, the Planning Commission denied a special permit to establish a methadone treatment facility/heroin detoxification center and a variance to locate 16 parking spaces off-site (P9251). In May of 1980 after, the Commission denied the variance, the City Council approved the variance to waive

eight required parking spaces (P8978) for the subject site. The proposed variance is to locate the required parking off-site, on a month to month rental basis and for evening use only.

PROJECT EVALUATION: Staff has the following comments regarding this project:

- A. The subject site consists of a vacant 3,077 square foot building which is zoned General Commercial (C-2). The General Plan and 1980 Central City Community Plan designate the site for commercial uses. The site is surrounded by office, restaurant and residential uses.
- B. The applicant is proposing to establish a 90 seat restaurant. The restaurant is proposed to operate only during evening hours (5:00 p.m. to 10:30 p.m.). Approximately 10 people would be employed in the restaurant.

Since the existing building nearly covers the entire lot, the applicant is requesting a variance to locate all required parking off-site. A credit of eight spaces has been given based on the previous office requirements, which would require the applicant to provide 22 spaces. The applicant has arranged to lease the required parking spaces from Great Western Bank. The spaces are located in two locations adjacent to and across the street from the proposed restaurant (see land use map). Great Western Bank has placed the following limitations on the lease:

- 1. Month-to-month lease with 30 day written notice of cancellation.
  - 2. Use of spaces on a daily basis from 5:00 p.m. to 7:00 a.m., except Friday, 7:00 p.m. to 7:00 a.m.
- C. The proposed lease arrangement is not without its problems. Although, the applicant has indicated that the restaurant will only be open during the evening hours, staff feels it is difficult to insure that the restaurant would not open for breakfast or lunch, in which case, the Great Western parking would be available for use by restaurant patrons.

Second, bank hours are 9:00 a.m. to 4:00 p.m. daily, except Fridays (9:00 a.m. to 6:00 p.m.). Employees remain after normal business hours on a daily basis for one to two hours. Given the business hours and employee work hours it appears that a conflict between restaurant operating hours and the bank operations could be created. If the restaurant opens at 5:00 p.m., restaurant employees will be arriving early while bank employees will still be using the parking lots. Coupled with patrons arriving early, a parking problem will be created. Third, and most important, the bank will not guarantee that banking hours will not be extended nor will they enter into a long-term lease agreement. Conflicts could arise if the bank hours are extended and restaurant hours were not modified. Also, in other instances,

the Commission has approved off-site variances which have offered lease agreements which were long-term (5-15 years minimum). If the bank, for whatever reason, decides to cancel the month-to-month rental agreement, a tremendous parking shortage will exist.

- D. Parking conditions on 21st Street is limited to one hour and is metered. Capitol Avenue and N Street both have two hour unmetered parking. Staff has made surveys of the area at various times during the workday and one evening survey. Day time parking (11:00 a.m. - 2:00 p.m.) is especially impacted due to the offices, commercial uses and residential dwellings which, in many cases, do not provide adequate on-site parking for both employees and customers. In addition, a parking lot at the corner of N and 21st Street (formerly Bank of America) is being used at the present to accommodate additional cars. When the subject lot is once again required for the parking needs of the on-site structure and its user, the persons using this lot at present will be forced to park elsewhere.

During the evening, the use which has the most impact on parking is Julep's Restaurant, which is next door to the proposed new restaurant. Staff visited Julep's on a Friday evening and found customers parking up and down 21st Street, as well as using the parking lots of the various offices in the immediate vicinity.

- E. The proposal has been reviewed by the Parking Division, Sacramento Old City Association, Midtown Business Association and Building Inspection. The following comments were received.

Parking Division

If parking is waived, applicant should submit Transportation System Management Plan.

Midtown Business Association

Will submit their comments at Commission meeting.

ENVIRONMENTAL DETERMINATION:

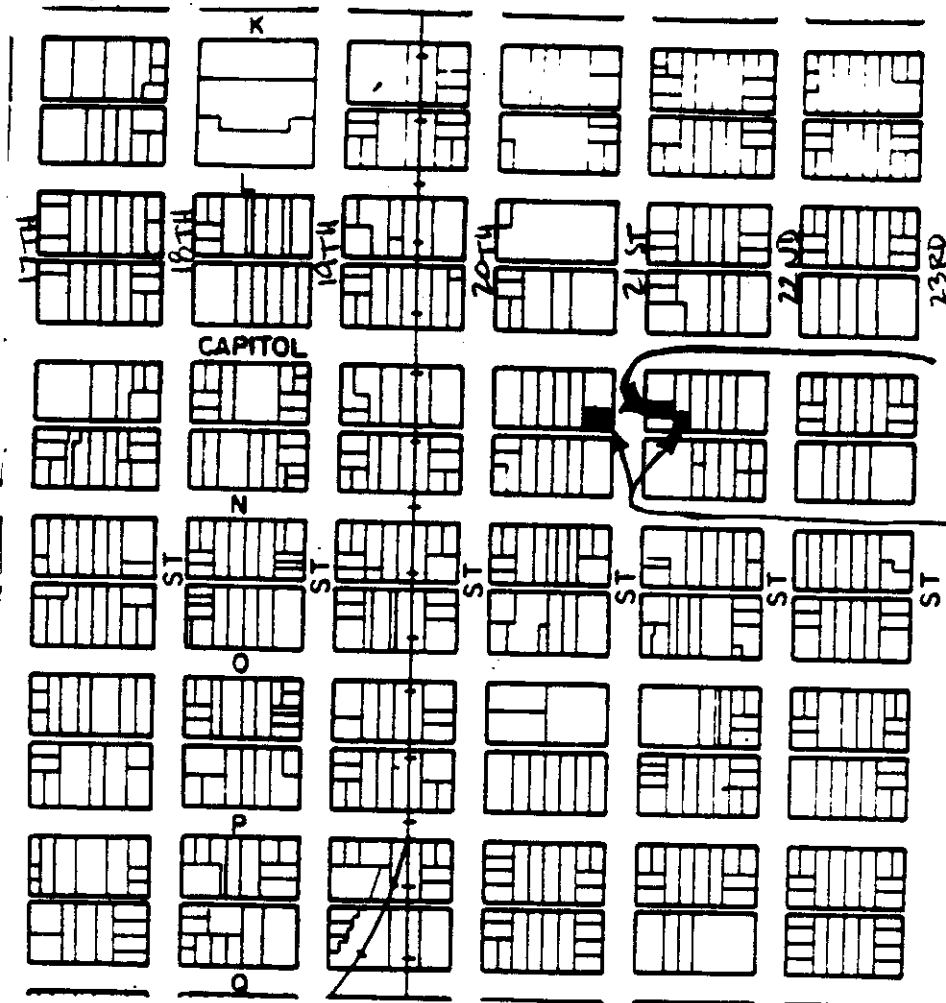
The Environmental Coordinator has determined that the proposal will not have significant impact on the environment and has filed a negative declaration.

RECOMMENDATION: Staff recommends the following action:

- A. Ratify the negative declaration;
- B. Deny the variance to locate 22 required parking spaces, off-site based upon Findings of Fact which follow.

Findings of Fact

- 1. The proposal, if approved, would be a special privilege extended to one property owner in that:  
  
other uses with similar circumstances have not always been granted variance to locate all required parking off-site.
- 2. The proposal would be injurious to the public welfare and properties in the vicinity in that cars would be forced to park on the street or illegally on private parking lots in the area since a conflict could occur between bank employees and restaurant patrons.
- 3. The proposal does not comply with the 1980 Central City Plan goal to:  
  
"Provide sufficient parking to foster the continued revitalization of the Core area."

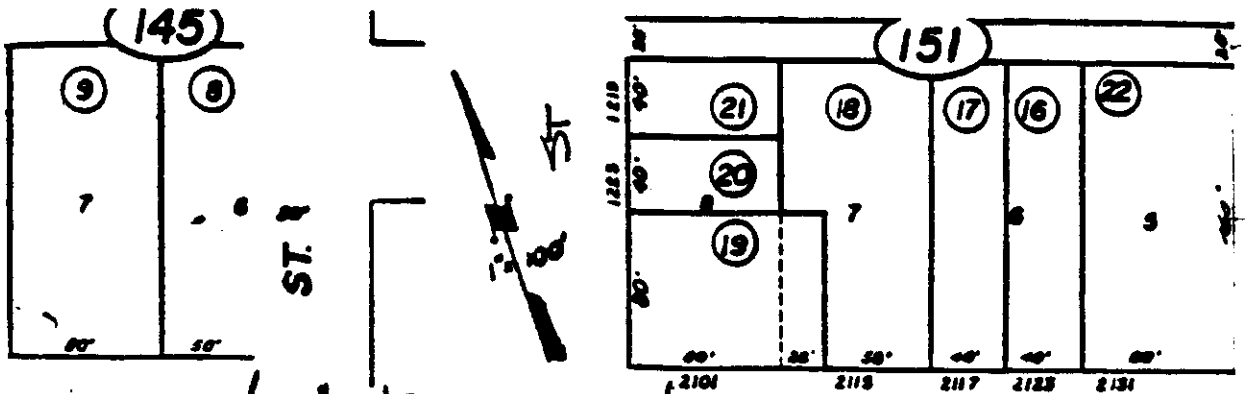


# VICINITY MAP

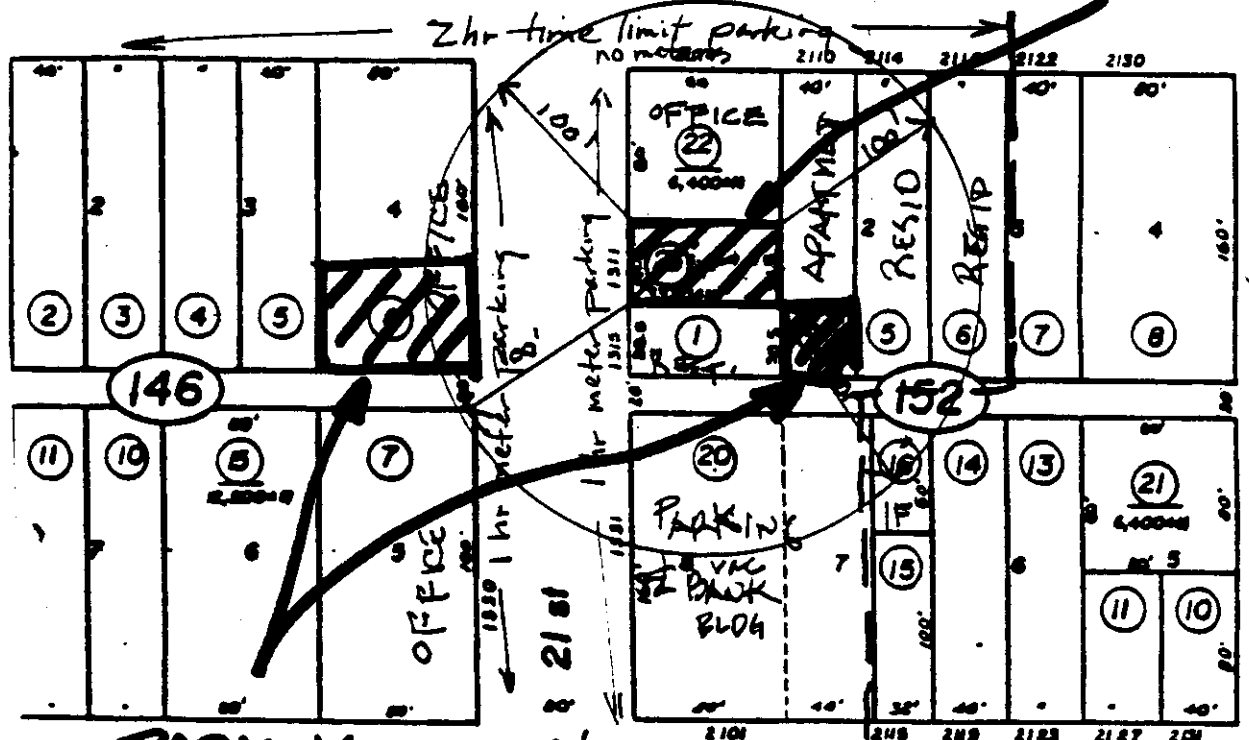
P87-104

~~4-9-87~~ ~~5-28-87~~ ~~6-25-87~~  
~~4-23-87~~ ~~5-14-87~~ ~~6-11-87~~  
 8-13-87

Ben  
 #3



**LAND USE & ZONING MAP**



**PARKING LOTS**  
ST. 1

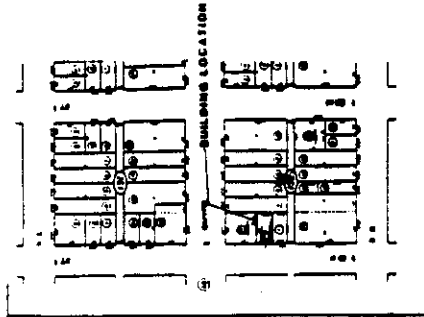
**C-2** ← **N** → **R-3A**  
2 hr time limit parking  
no meters

**LAND USE & ZONING MAP**

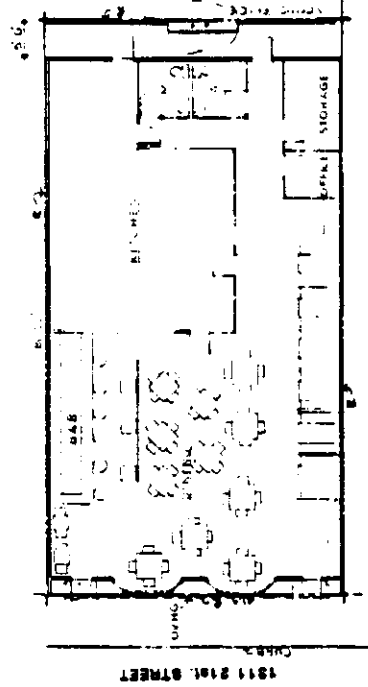
PS7-104

~~6-25-87~~  
4-9-87 6-11-87  
~~4-23-87~~ 5-26-87  
5-14-87  
8-13-87

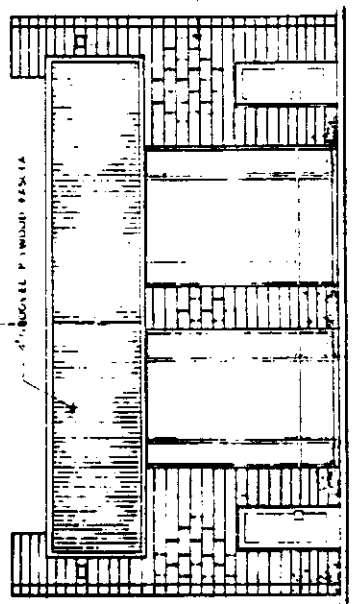
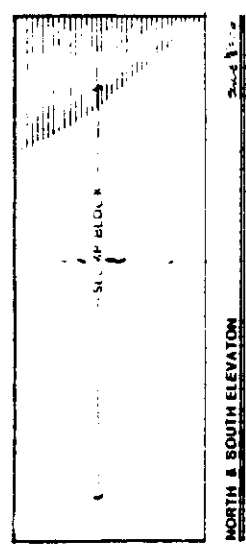
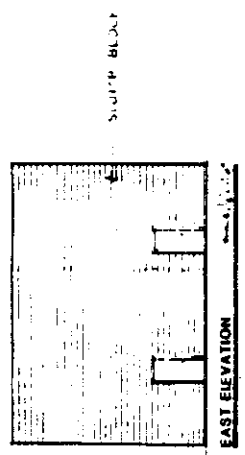
Item #  
18  
23



**LOCATION MAP**



**SITE & FLOOR PLAN** SCALE 1/8" = 1'-0"



P87-104

~~4-9-87~~ 5-28-87 6-25-87  
~~5-14-87~~ 6-24-87

8-13-87

#3 75