

CITY PLANNING COMMISSION

927 - 10th Street - SACRAMENTO, CALIFORNIA 95814

APPLICANT	Buzz Garcia & Associates, 1017 25th Street, Sacramento, CA 95816
OWNER	Mr. Richard J. Mendoza, 900 4th Avenue, Sacramento, CA
PLANS BY	Applicant
FILING DATE	3/20/84
NEGATIVE DEC	4/16/84
EIR	
ASSESSOR'S PCL. NO.	007-111-07
REPORT BY:	GM:lr

- APPLICATION:
1. Negative Declaration
  2. Variance to waive 6 required parking spaces for a proposed ice cream parlor in an existing commercial structure located on 0.2+ acres in the General Commercial (C-2) zone. (Zoning Ordinance Section 14-A)

LOCATION: 2728 J Street

PROPOSAL: The applicant is requesting the necessary entitlements to waive six required parking spaces to allow the establishment of Vic's Ice Cream Parlor with 30 seats in an existing commercial building.

PROJECT INFORMATION:

1974 General Plan Designation:	Commercial
1980 Central City Community Plan Designation:	General Commercial
Existing Zoning of Site:	C-2
Existing Land Use of Site:	Commercial Building

Surrounding Land Use and Zoning:

North: City Park and C-2  
South: Medical Office/Assembly Hall  
and C-2  
East: Retail and C-2  
West: Retail and C-2

Parking Required:	13 spaces
Parking Provided:	7 spaces
Property Dimensions:	161' x 40' and 40' x 80'
Property Area:	9,600 square feet
Square Footage of Building(s):	10,588 square feet
Height of Structure(s):	Two story/25'
Street Improvements:	Existing
Utilities:	Existing
Exterior Building Colors:	Red brick/off white stucco
Exterior Building Materials:	Red brick/black anodized window frames, clear glass windows
Number of Employees:	Four-two per shift with overlapping shifts during noon
Hours of Operation:	10:00 a.m. to 10:00 p.m. - 7 days/week

BACKGROUND INFORMATION: The subject site is developed with a two-story commercial building consisting of 10,588 square feet which formerly housed a pharmacy on the ground floor with office space on the second floor. The applicant is in the process of remodeling the ground floor space into a multi-tenant retail galleria. The applicant has redesigned the first floor by subdividing the former pharmacy into 5 separate retail units. The applicant has created a unique retail complex by installing large floor to ceiling windows, common corridors and recessed storefronts.

Offices will still be maintained on the second floor. The applicant is improving the on-site parking lot located behind the building adjacent to the alley. The parking lot originally was striped for 6 spaces. The new lot will provide 7 spaces.

VARIANCE REQUEST: The retail space designated as Unit B (1,055 square feet) is proposed to be leased to Vic's Ice Cream Parlor. The tenant plans on installing 30 fixed seats. The parking requirement based on 30 seats is 10 spaces.

The former pharmacy contained a soda fountain which provided 10 seats according to its owner. By giving credit to the pre-existing 10 seats and taking into account the 6 off-street spaces provided when the building was a pharmacy, the total parking requirement for the entire project including Vic's Ice Cream Parlor is 13 spaces. The applicant is able to provide 7 on-site spaces and is requesting a variance to waive the difference of 6 spaces.

STAFF EVALUATION: Staff has the following comments and concerns regarding this project:

1. The subject site is located in the area referred to as the Mid-town commercial area. The Mid-town area generally encompasses the J and K Street commercial corridors between 20th Street and Alhambra Boulevard. An adhoc committee consisting of members of the Planning Commission, merchants, property owners, and residents from the area have been studying the parking problems associated with the recent growth of new restaurants and retail shops in the Mid-town area.

The consensus of committee members and results of a Planning Department survey of Mid-town businesses indicates that the lack of adequate parking is one of the major problems in the area.

The vicinity of the subject site is particularly severe due to a number of popular bars and restaurants. Additional traffic and parking demand is expected with the completion of the new Sutter Hospital building and other medical office buildings nearby (CPC approved Special Permit for 84,000+ square foot medical office at 28th and K Streets).

At the request of the Parking Committee, the City Traffic Engineering Office will be studying the feasibility of converting some streets in the Mid-town area from parallel parking to diagonal parking to gain additional on-street parking spaces. Other measures to be investigated to increase the number of parking spaces are permitting tandem parking and reduction in the 50% shading requirement under special circumstances for off-street parking lots.

2. The applicant and building owner have investigated several alternatives to satisfy the parking requirement. One of the options was to combine the individual parking lots behind each building adjacent to the subject site and develop one large common parking lot which would serve all the businesses. By combining parking lots, access and maneuvering aisles can be shared resulting in an increase in the total number of spaces over what currently exists. The applicant has approached the four adjacent property owners to the west with this plan. With the exception of the adjacent building owner, the other three property owners were willing to participate in this plan. However, this parking plan cannot be implemented without the participation of the adjacent property owner.
3. The applicant has also investigated the possibilities of securing off-site parking to meet the required parking. However, the applicant indicates that no one in the vicinity was willing to lease parking spaces on a long-term basis.

The adjacent property owner to the east however, would allow the applicant to use eight off-street spaces on an informal basis. The property owner will not commit to a minimum 5 year lease term which the Commission has required for off-site parking variances (see attached letter, Exhibit A).

4. The applicant indicates that a waiver of six spaces is justified on the basis that the vast majority of Vic's customers would be walk-in trade from nearby offices and residents. He estimates that approximately 80% of the patronage of Vic's Ice Cream Parlor on Riverside Boulevard either walk or bicycle from the surrounding neighborhood and anticipates a similar percentage at the subject site. As an in-lieu parking measure, the applicant proposes to install bicycle racks to accommodate twelve bicycles.
5. The staff, however, cannot support the applicant's variance request for primarily two reasons. First, the subject site is located in an area already impacted with parking problems. On-street parking is metered within a three-block radius of the subject site. The parking and congestion will worsen when the Sutter Hospital addition and other medical offices are completed in the near future. Second, the applicant's request to establish an ice cream parlor at the subject location is a self-imposed hardship. The subject tenant space could be leased to a non-food service business or a restaurant with fewer seats thereby eliminating the necessity of a parking variance.

Staff believes that 7 off-street spaces serving five retail tenants in addition to approximately 5,200 square feet of office space as inadequate. The waiver of six additional spaces would add to the parking problem that already exists in the area, particularly during the lunch hour.

STAFF RECOMMENDATION: Staff recommends the following actions:

1. Ratification of the Negative Declaration.
2. Denial of the Variance request to waive six off-street parking spaces based on the Findings of Fact which follow:

Findings of Fact

- a. The subject variance constitutes a special privilege extended to one individual property owner in that 1) the applicant has not presented any unusual circumstance to warrant justification for approval of the variance, and 2) the subject project is a self-imposed hardship in that the property could be leased to a business which does not require a parking variance.
- b. The subject project would be injurious to the public welfare and other properties in the vicinity in that approval of a parking variance would contribute to an existing critical parking problem in the surrounding area.

Richard J. Mendoza  
Doris Sutter Galleries

RE: Parking Lot Lease

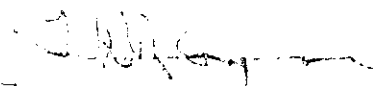
Dear Mr. Mendoza:

I represent William Doering the owner of Parcels 071109 and 071110. It is my understanding that you wish to lease a portion of these parcels for parking.

Mr. Doering has indicated that he is willing to lease to you approximately fifteen feet of the West side of Parcels 071109 and 071110 on the following terms and conditions. The lease would be for two years with three two year options at a rental of \$200.00 per month. This lease would be subject to cancellation by either party, at any time, by giving 60 days written notice. You would, of course, be responsible for maintenance of the area which is involved in this lease.

If this is satisfactory, you may instruct your attorney to prepare a lease based upon this letter of intent, if you desire.

Very truly yours,

  
F. DOUGLAS TAYLOR

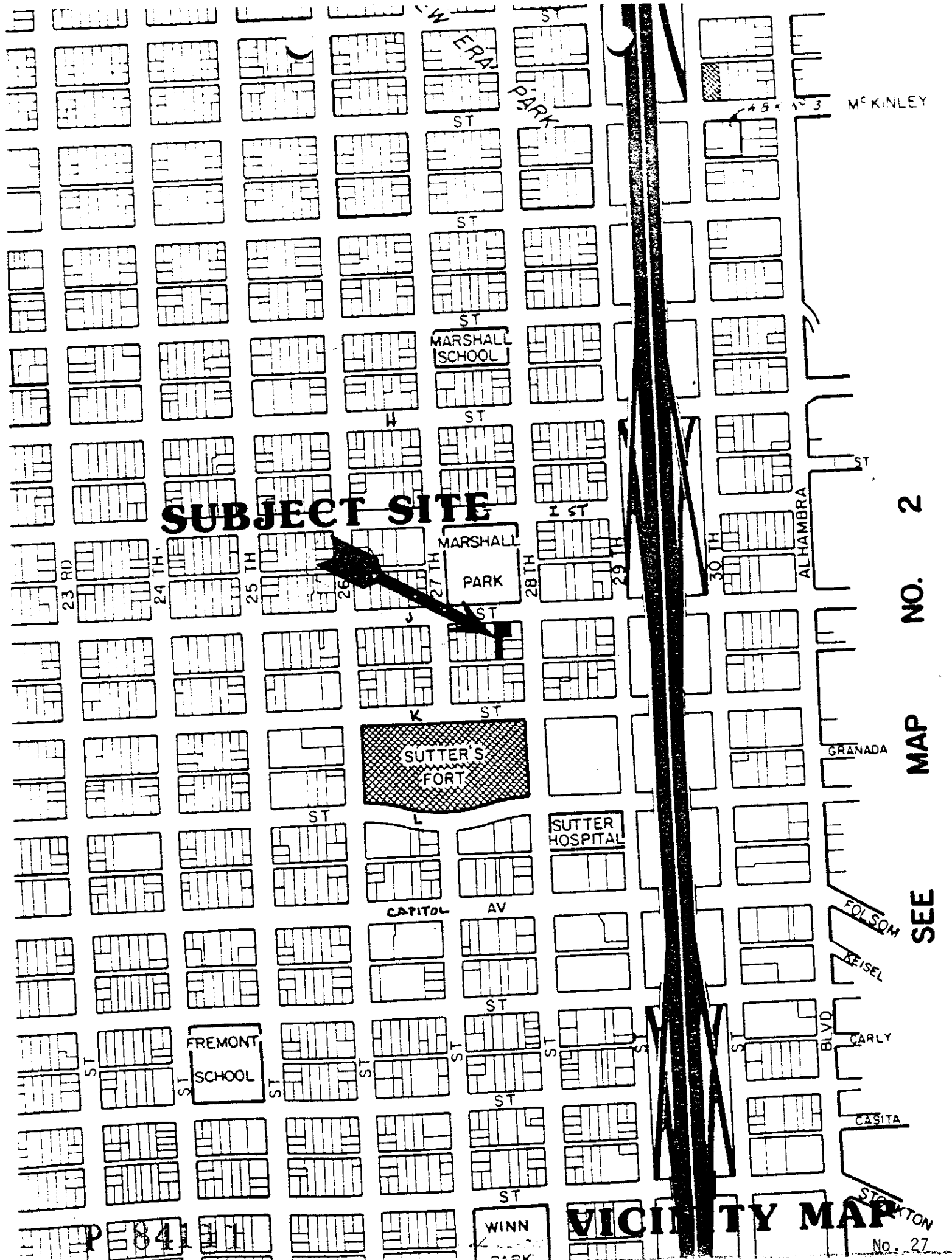
FDT/am

**P84-111**

**EXHIBIT A**

4-26-84

No. 27



**SUBJECT SITE**

SUTTER'S FORT

SUTTER HOSPITAL

FREMONT SCHOOL

MARSHALL SCHOOL

**VICINITY MAP**

SEE MAP NO. 2

MCKINLEY

GRANADA

FOLSOM

KEISEL

CARLY

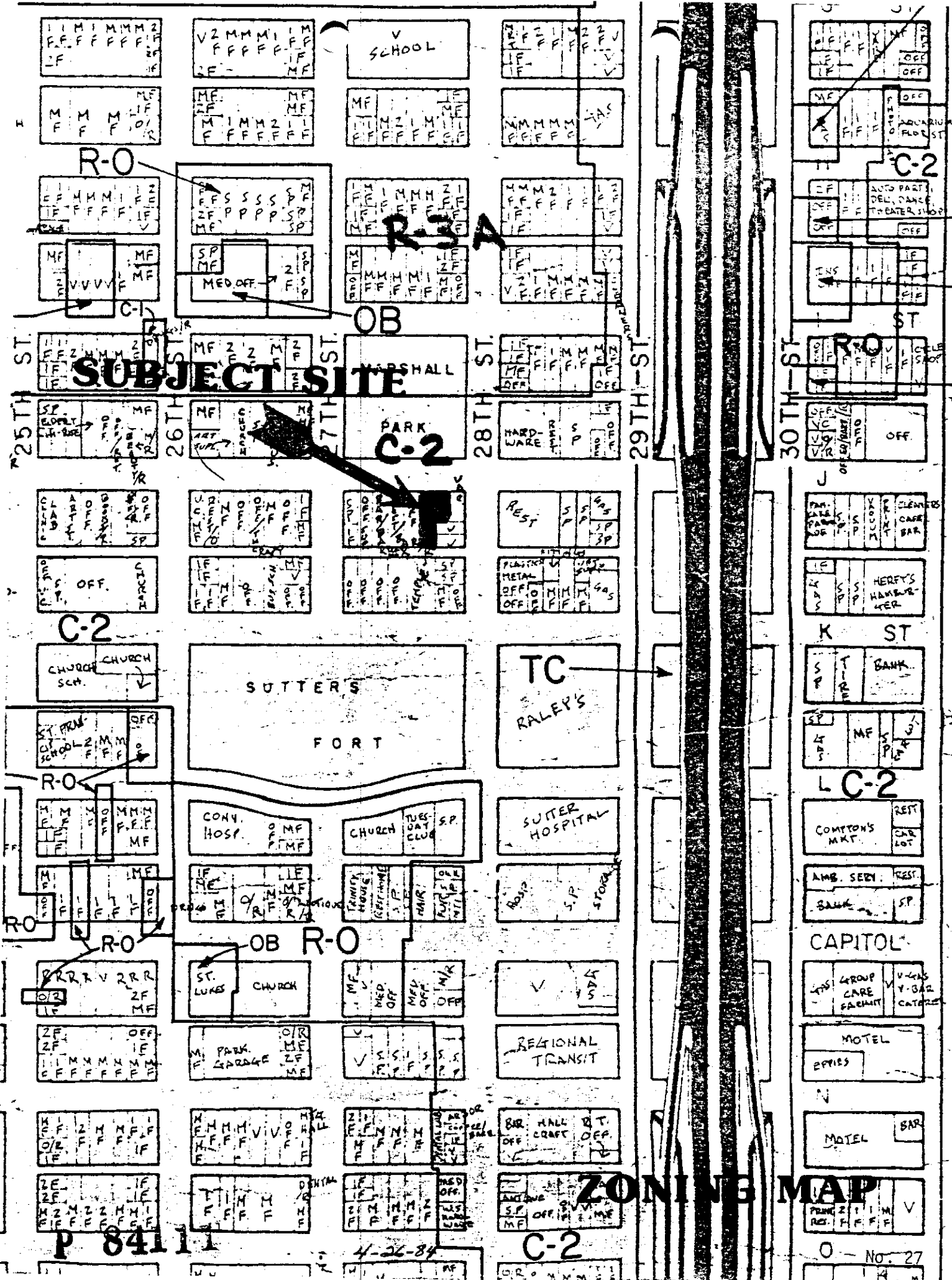
CASITA

STOCKTON

No. 27

P 841 H

WINN



**SUBJECT SITE**

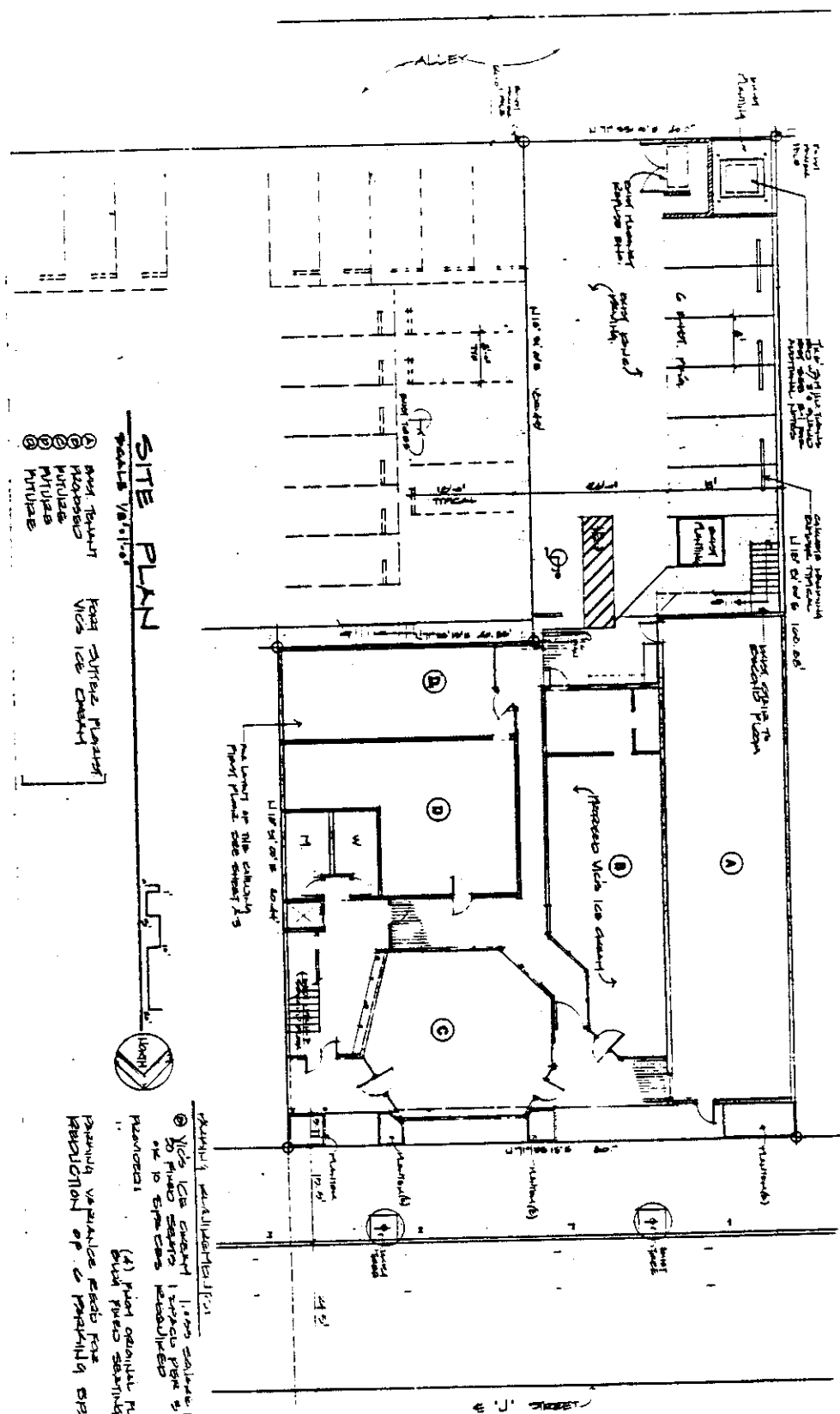
**ZONING MAP**

P 84111

4-26-84

C-2

O - No. 27



**SITE PLAN**

- ① Front Entrance
- ② Rear Entrance
- ③ Staircase
- ④ Elevator
- ⑤ Front Entrance
- ⑥ Rear Entrance
- ⑦ Staircase
- ⑧ Elevator



SITE LOCATION MAP

① View of site showing 1.000 sq. ft. of site area. 1.000 sq. ft. of site area. 1.000 sq. ft. of site area. 1.000 sq. ft. of site area.

② View of site showing 1.000 sq. ft. of site area. 1.000 sq. ft. of site area. 1.000 sq. ft. of site area. 1.000 sq. ft. of site area.

③ View of site showing 1.000 sq. ft. of site area. 1.000 sq. ft. of site area. 1.000 sq. ft. of site area. 1.000 sq. ft. of site area.

④ View of site showing 1.000 sq. ft. of site area. 1.000 sq. ft. of site area. 1.000 sq. ft. of site area. 1.000 sq. ft. of site area.

**P 841**

**A-1**

11.8.74  
12.1.74  
12.11.74  
1.11.75  
3.11.75

**FORT SUTTER GALLERIA**  
2728 "J" STREET  
SACRAMENTO, CALIFORNIA

DATE: 11.8.74  
REVISION: 12.1.74  
DRAWN BY: [Name]  
CHECKED BY: [Name]

**buzz garcia associates**  
ARCHITECTURE • PLANNING  
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SACRAMENTO • CALIFORNIA 95816

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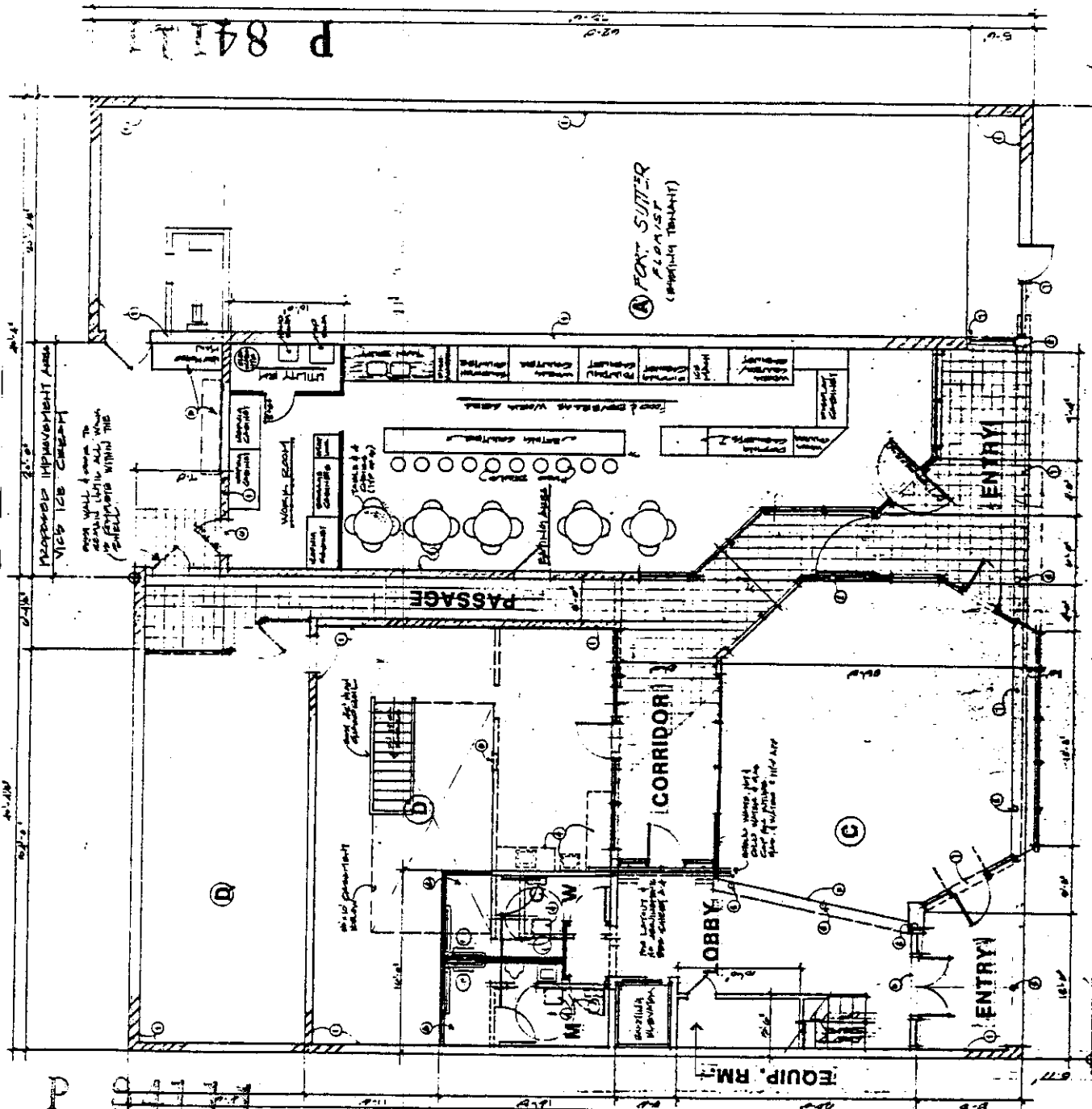


- WALL LEGEND**
- 1. 1/2" Gypsum Board on 2x4 Studs
  - 2. 1/2" Gypsum Board on 2x4 Studs with Acoustic Treatment
  - 3. 1/2" Gypsum Board on 2x4 Studs with Acoustic Treatment and Sound Sealant
  - 4. 1/2" Gypsum Board on 2x4 Studs with Acoustic Treatment and Sound Sealant and Fiberglass Insulation
  - 5. 1/2" Gypsum Board on 2x4 Studs with Acoustic Treatment and Sound Sealant and Fiberglass Insulation and Acoustic Sealant
  - 6. 1/2" Gypsum Board on 2x4 Studs with Acoustic Treatment and Sound Sealant and Fiberglass Insulation and Acoustic Sealant and Acoustic Sealant
  - 7. 1/2" Gypsum Board on 2x4 Studs with Acoustic Treatment and Sound Sealant and Fiberglass Insulation and Acoustic Sealant and Acoustic Sealant and Acoustic Sealant
  - 8. 1/2" Gypsum Board on 2x4 Studs with Acoustic Treatment and Sound Sealant and Fiberglass Insulation and Acoustic Sealant and Acoustic Sealant and Acoustic Sealant and Acoustic Sealant
  - 9. 1/2" Gypsum Board on 2x4 Studs with Acoustic Treatment and Sound Sealant and Fiberglass Insulation and Acoustic Sealant and Acoustic Sealant and Acoustic Sealant and Acoustic Sealant and Acoustic Sealant
  - 10. 1/2" Gypsum Board on 2x4 Studs with Acoustic Treatment and Sound Sealant and Fiberglass Insulation and Acoustic Sealant and Acoustic Sealant and Acoustic Sealant and Acoustic Sealant and Acoustic Sealant and Acoustic Sealant

**GALLERIA STATISTICS:**

occupancy approx. one time III  
 retail floor area: 2,000 sq ft  
 total floor area: 11,740 sq ft

Primary Floor Area: 11,740 sq ft  
 1. 1,000 sq ft retail floor area  
 2. 1,000 sq ft retail floor area  
 3. 1,000 sq ft retail floor area  
 4. 1,000 sq ft retail floor area  
 5. 1,000 sq ft retail floor area  
 6. 1,000 sq ft retail floor area  
 7. 1,000 sq ft retail floor area  
 8. 1,000 sq ft retail floor area  
 9. 1,000 sq ft retail floor area  
 10. 1,000 sq ft retail floor area



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**FIRST FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"

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