



REPORT TO PLANNING COMMISSION City of Sacramento

4

915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
March 8, 2012

To: Members of the Planning Commission

Subject: 16th and J streets Parking Lot (P11-080)

A request to retain a parking lot use for an existing surface parking lot located at the northeast corner of 16th and J Streets in the General Commercial (C-2) and General Commercial Urban Neighborhood Overlay (C-2 and C-2-UN) zones.

- A. Environmental Determination:** Categorical Exemption pursuant to CEQA Guidelines Section 15301 (Existing Facilities);
- B. Special Permit** for a 0.42 acre stand alone parking lot in the General Commercial (C-2) and the General Commercial Urban Neighborhood (C-2-UN) zones.

Location/Council District:

925 16th Street and 1611 J Street

Assessor's Parcel Numbers: 006-0064-011 and 012

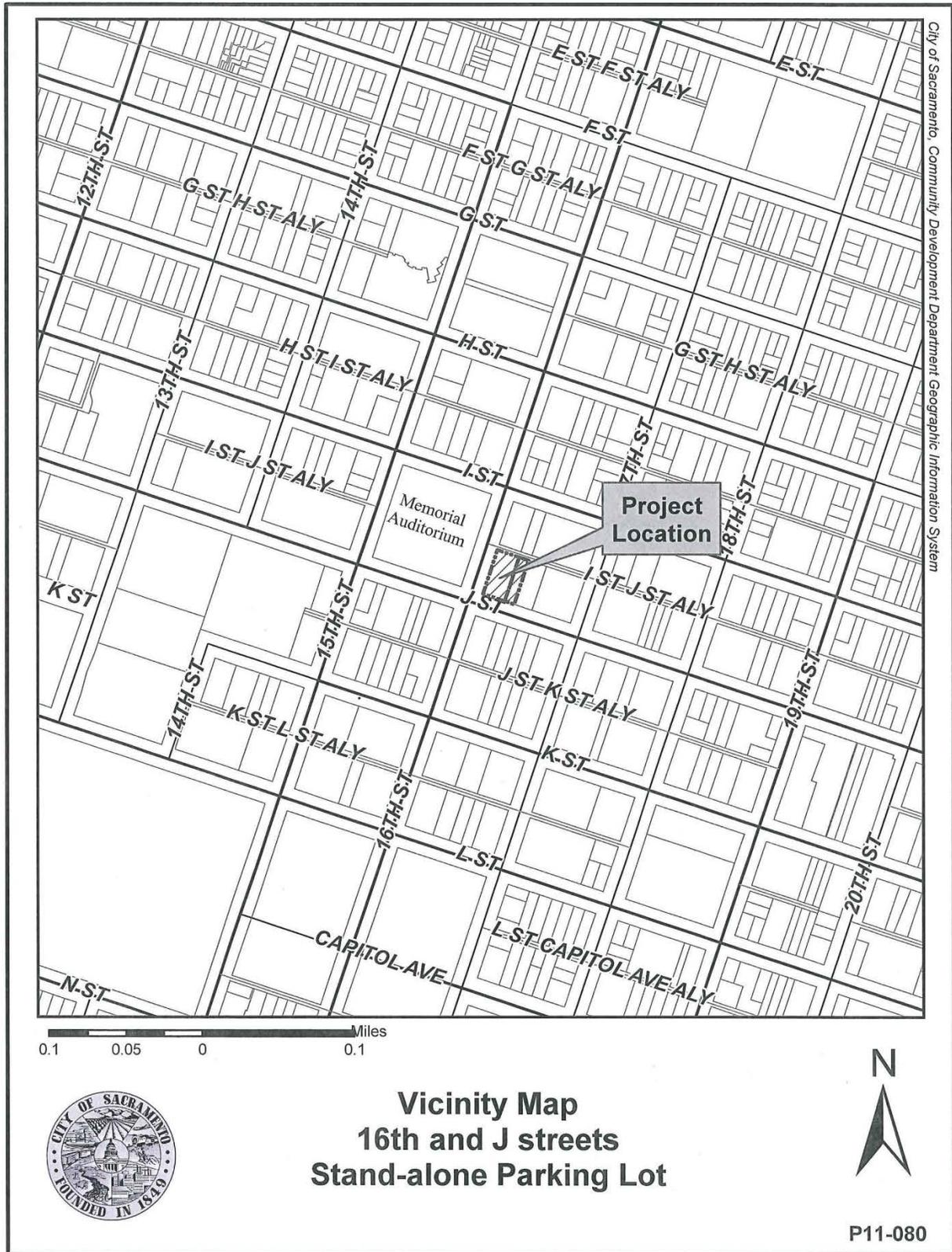
Council District 4

Recommendation: Staff recommends the Commission approve the request based on the findings and subject to the conditions listed in Attachment 1. The Commission has final approval authority over items A and B above and its decision may be appealed to the City Council.

Contact: Kimberly Kaufmann-Brisby, Associate Planner, 916-808-5590; Stacia Cosgrove, Senior Planner, 916-808-7110

Applicant: Jerry Pollard-Priority Parking, 830 L Street, Sacramento, CA 95814, (916) 813-5401, jerrypollard@yahoo.com

Owner: Robert Lehe-Lehe Family Trust, 1331 41st Street, Sacramento, CA 95819, (916) 457-7730



Summary: The application request is for a new special permit for a stand-alone parking lot. There is already a surface parking lot at the project site that was approved in 1998; the Special Permit entitlement was conditioned to expire on November 24, 2010. No substantial changes are proposed for the property, although the special permit conditions will require the applicant to improve the site's landscaping and tree shading, which have diminished markedly since the lot was originally constructed in 1998, to meet City's current shading and landscape standards. The applicant has provided a conceptual landscape plan (Exhibit B-2) to illustrate how the landscaping will be improved.

The project is consistent with all applicable policies and staff supports the request. Staff notified all property owners within a 500-foot radius of the project site regarding this public hearing and has received no opposition regarding the proposal. **The project is not considered to be controversial.**

Table 1: Project Information
General Plan designation: Urban Corridor High Floor Area Ratio (FAR): 0.3-6.0
Existing zoning: General Commercial, and General Commercial Urban Neighborhood Overlay, (C-2 and C-2-UN)
Existing use of site: Stand-alone Parking lot (46 spaces)
Property area: 0.42 acres

Background Information: On July 9, 1998, the Planning Commission heard and considered public testimony regarding a request to operate a 46 space, stand-alone parking lot (P98-007). Staff recommended approval of the special permit, however, based on the verbal and documentary evidence presented, the Planning Commission approved an intent motion to deny the request and on July 23, 1998, the Planning Commission denied the special permit request. On August 3, 1998, the applicant filed an appeal of the special permit denial and on November 24, 1998, the City Council adopted a resolution granting the applicant's appeal of the Planning Commission's action and approved the special permit request to operate the stand-alone parking lot (Resolution No. 98-592).

The special permit was term-limited to a period of six (6) years, which expired on November 24, 2004. The purpose of the term limit was to afford the City the ability to re-evaluate the parking lot use and to determine whether the parking lot use was the most desirable use of the site given the area's anticipated future development.

Prior to the expiration of the 1998 special permit, an application to modify the terms of the special permit term limit condition was filed on October 19, 2004 (P04-206). Because of extensive restaurant and mixed-use development within walking distance of the parking lot since the first approval and the lack of short-term parking nearby, the Planning Commission approved a six (6) year extension of the special permit on March 10, 2005, which extended the special permit to November 24, 2010.

Public/Neighborhood Outreach and Comments: Early Project Notification packets were sent to the Marshall School-New Era Park Neighborhood Association, the Midtown Neighborhood Association, and the Boulevard Park Neighborhood Association. No responses to the Early Project Notification were received by staff. Prior to this public hearing, a public notice was sent notifying all property owners within a 500 foot radius of the project site regarding this public hearing and staff posted the site with a public notice. To date, staff has not received any inquiries regarding the public notice.

Environmental Considerations: The Community Development Department, Environmental Planning Services Division has reviewed this project and determined that it is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15301, Existing Facilities. The project is a request to renew an existing stand-alone parking lot use which involves negligible or no expansion of an existing use.

Policy Considerations:

The 2030 General Plan Update was adopted by the City Council in March of 2009. The 2030 General Plan's goals, policies, and implementation programs provide a roadmap for achieving Sacramento's vision of becoming the most livable city in America. The 2030 General Plan land use designation for the project site is Urban Corridor High. The Urban Corridor High designation provides for a mix of horizontal and vertical mixed-use development and single-use commercial and residential developments.

General Plan:

The project is consistent with the following General Plan Goals and Policies:

Growth and Change. Support sustainable growth and change through orderly and well-planned development that provides for the needs of existing and future residents and businesses, ensures the effective and equitable provision of public services, and makes efficient use of land and infrastructure (Goal LU 1.1).

City Sustained and Renewed. Promote sustainable development and land use practices in both new development and redevelopment that provide for the transformation of Sacramento into a sustainable urban city while preserving choices (e.g., where to live, work, and recreate) for future generations (Goal LU 2.6).

The stand-alone parking lot will continue to fulfill a need for short-term parking for nearby restaurants, Memorial Auditorium and Convention Center events, and area businesses. While adequate long-term and monthly parking is available in the City-owned parking structure at 14th and H streets, there are very few short-term parking lots for an area where the provision of parking is a great asset to the areas' small businesses and restaurants.

By retaining the existing parking lot, the short-term parking needs of the nearby businesses and the general public will be met and will allow for sustainable growth through orderly and well-planned development in that the parking lot already exists and

is developed to City standards. No additional resources will be required to construct a new parking lot to serve the area businesses, the parking lot landscaping will be improved to provide additional shading, and with the improved shade and landscaping the hardscape heat effect will be minimized helping to affect a more sustainable midtown area.

Managed Parking. Provide and manage parking such that it balances the citywide goals of economic development, livable neighborhoods, sustainability, and public safety with the compact multi-modal urban environment prescribed by the General Plan. (Goal M 6.1)

Reduce Minimum Parking Standards. The City shall reduce minimum parking standards over time to promote walkable neighborhoods and districts and to increase the use of transit and bicycles (M 6.1.2).

A balance is needed for the provision of sufficient parking for the visitor-at-large and supporting economic growth as the minimum parking standards are reduced. There will still be a demand for parking from surrounding event spaces and restaurants and the lot is well located to meet the demand. Also, the facility was constructed and landscaped so as to enhance the corner and to afford easy access, both for vehicles and pedestrians, to and from the facility.

Zoning and Urban Neighborhood Overlay:

The overall site is zoned General Commercial and the eastern parcel lies within the Urban Neighborhood Overlay zone (C-2 and C-2-UN). The stand-alone parking facility requires approval of a special permit in the General Commercial (C-2) zone per Section 17.64.070(A) of the Zoning Code. The General Commercial Urban Neighborhood (C-2-UN) Overlay zone also requires the approval of a special permit per Section 17.168.030(B)(13) of the Zoning Code.

The purpose of the Urban Neighborhood (UN) overlay zone is to encourage the development of new housing and mixed use development in the specified General Commercial (C-2) and Residential Mixed-use (RMX) zoned areas located southeast of the Memorial Auditorium between the Central Business District and the Central City's midtown and residential areas. This area would provide support services and housing for the Arts and Entertainment District and would serve as a transition area in terms of building scale and height between the lower and medium density midtown business and residential areas to the east and the high intensity Central Business District to the west.

The proposed project is consistent with the intent of the Urban Neighborhood overlay in that parking lot would continue to provide parking support for the existing and future area businesses, as well as for Memorial Auditorium events. It is also an interim use which would not prevent future development of this site.

Smart Growth Planning Principles:

“Smart Growth” is a term coined by the United States Environmental Protection Agency (USEPA) as an umbrella term for the many initiatives intended to address some of the negative consequences of urban sprawl. Smart Growth generally occurs when development patterns are sustainable and balanced in terms of economic objective, social goals, and use of environmental/natural resources. The following Smart Growth principle applies to the proposed project:

- Concentrate new development and target infrastructure investments within the urban core of the region to allow for efficient use of existing facilities, infill, and reuse areas.

The proposed retention of the existing parking facility located in the urban core of the region supports the efficient use of the surrounding entertainment venues, restaurants, and facilitates their retention and expansion.

Cultural and Entertainment District:

The project site is located within the City’s Cultural and Entertainment District. The purpose of the District is to create a concentrated mix of cultural and entertainment facilities that will be capable of contributing to downtown’s night and weekend activity. To that end, this parking lot is well located to address the essential need and concern for safety, lighting of parking facilities and linkages to main activity areas.

Land Use:

Special Permit

The applicant proposes to operate the 0.42 acre, 46 space parking lot seven days a week, 24 hours a day. Because the previous term limited special permit expired, a new special permit for stand-alone parking lot, per Section 17.64.070(A) of the Zoning Code, is required.

The surface parking lot is fully improved to City standards with lighting, landscaping, and drainage; however, the existing plantings need to be upgraded to meet the 50% tree shading requirement. The 1998 parking lot Special Permit had a “sunset” provision to cause the Special Permit to expire after a prescribed period of time; staff is not proposing another sunset provision for this Special Permit. Staff believes that the property will redevelop to a retail, office, or residential use at such time as the market dictates that another use is the highest and best use of the property. The property owner has made a substantial investment in the property at this point, including ornamental lighting, landscape planters and landscaping, and the lot meets all accessibility requirements. The lot fulfills an existing need for short-term parking in the area to serve the adjacent restaurants and retail uses because street parking is not adequate to meet that demand.

The City’s Zoning Code Section 17.212.010, specifies the findings required for the approval of the special permit. In evaluating special permit proposals of this type, the Commission is required to make the following findings:

A. A special permit shall be granted upon sound principles of land use.

The project is based upon sound principles of land use in that the stand-alone parking lot will continue to fulfill a need for short-term parking for nearby restaurants, Memorial Auditorium events, and area businesses. While adequate long-term and monthly parking is available in the City-owned parking structure at 14th and H streets, there are very few short-term parking lots for an area where the provision of parking is a great asset to the areas' small businesses and restaurants which do not have on-site parking for their customers.

B. A special permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a nuisance.

The project, as conditioned, will not be detrimental to the public welfare nor result in the creation of a public nuisance in that:

- 1) The parking lot is fully developed to City standards, including lighting, drainage, and landscape areas, and landscape improvements will be required to meet the tree shading requirement.
- 2) By retaining the existing parking lot, the short-term parking needs of the nearby businesses and the general public will be met and will allow for the continued sustainable growth of the surrounding neighborhood.
- 3) No additional resources will be required to construct a new parking lot if use of this lot were to be discontinued, improving the landscaping and shading will help minimize the hardscape heat effect to create a more sustainable midtown area.
- 4) The facility was constructed and landscaped so as to enhance the corner and to afford easy access, both for vehicles and pedestrians, to and from the facility.

C. The special permit use must comply with the objectives of the general or specific plan for the area in which it is to be located.

The project complies with the objectives of the general or specific plan for the area in which it is to be located in that:

- 1) The stand-alone parking lot at this location is consistent with the General Plan in that it contributes to a balance between the provision of sufficient parking spaces for the visitor-at-large and supporting economic growth as the minimum parking standards are reduced. There is and will continue to be a demand for off-street parking in this area and the lot is well located to meet the demand.
- 2) The proposed project is consistent with the intent of the Urban Neighborhood overlay in that parking lot would provide parking support for existing and future businesses, as well as for Memorial Auditorium events.

- 3) The project is consistent with the goals of the Cultural and Entertainment District in that the well developed facility is capable of contributing positively to the downtown's night and weekend activity.

In addition to the findings noted above, the Planning Commission shall consider the potential impact the parking lot might have on commute patterns and the use of single-occupancy vehicles per Section 17.64.070-Stand-alone parking facilities.

Because the parking lot is existing and has been in use for more than 13 years, staff does not anticipate there would be any new impacts on either the existing commute patterns or the use of single-occupancy vehicles. Many of the people who currently use the lot for event parking are carpooling downtown, due to the understanding that parking is scarce, thereby reducing the number of single-occupancy vehicles.

Access, Circulation, and Parking

Vehicular access to the parking lot is off the alley which runs between 16th and 17th streets. Pedestrian access to the site is provided at the southwest corner of the facility which is also where the parking meter box is located. The east row of parking comprises only compact spaces with the associated 25 foot maneuvering width, as is allowed per Section 17.64.030(F)(2)(b) of the Zoning Code. The site has good access to local, arterial, and regional roadways.

Height, Bulk, and Setbacks

Table 2			
Height and Area Standards			
Standard	Allowed/Required	Existing/Proposed	Deviation
Height	45'	na	no
Front yard setback	0'	0'	no
Interior side yard setback	0'	0'	no
Street Side setback	0'	0'	no
Rear setback	0'	0'	no
Lot coverage	Na	na	na
Floor Area Ratio (FAR)	0.3-6.0	0	no

Staff finds the parking lot use meets the setback requirements, no changes are proposed to the facility or the nature of the use for a parking operation.

Conclusion:

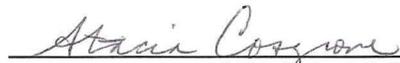
The special permit request is consistent with the 2030 General Plan and other applicable plans for the area. The project is based upon sound principles of land use because the stand-alone parking lot fulfills a need for short-term parking for nearby restaurants, Memorial Auditorium events, and area businesses. While adequate long-term and monthly parking is available in the City-owned parking structure at 14th and H streets, there are very few short-term parking lots for an area where the provision of parking is a great asset to the areas' small businesses and restaurants. Staff is in support of the proposal and recommends the Commission approve items A and B.

Respectfully submitted by:



KIMBERLY KAUFMANN-BRISBY
Associate Planner

Approved by:



STACIA COSGROVE
Senior Planner

Recommendation Approved:


GREGORY BITTER, AICP
Principal Planner

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Attachment 1
City Planning Commission Record of Decision
Recommended Findings of Fact
16th and J streets Special Permit
APNs: 006-0064-011 and 012
(P11-080)

Findings of Fact

A. Environmental Determination: Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received during the project hearing, the Planning Commission finds that the Project is exempt from review under **Section 15301, Existing Facilities** of the California Environmental Quality Act, as follows: The project is a request to renew an existing stand-alone parking lot use which involves negligible or no expansion of an existing use.

B. The **Special Permit** for a 0.42 acre stand alone parking lot in the General Commercial (C-2) and the General Commercial Urban Neighborhood (C-2-UN) zones is approved subject to the following Findings of Fact:

1. The project is based upon sound principles of land use in that the stand-alone parking lot will continue to fulfill a need for short-term parking for nearby restaurants, Memorial Auditorium events, and area businesses. While adequate long-term and monthly parking is available in the City-owned parking structure at 14th and H streets, there are very few short-term parking lots for an area where the provision of parking is a great asset to the areas' small businesses and restaurants.
2. The project, as conditioned, will not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
 - a. The parking lot is fully developed to City standards, including lighting, drainage, and landscape areas, and landscape improvements will be required to meet the tree shading requirement.
 - b. By retaining the existing parking lot, the short-term parking needs of the nearby businesses and the general public will be met and will allow for the continued sustainable growth of the surrounding neighborhood.
 - c. No additional resources will be required to construct a new parking lot if use of this lot were to be discontinued, and improving the landscaping and shading will help minimize the hardscape heat effect to create a more sustainable midtown area.

- d. The facility was constructed and landscaped so as to enhance the corner and to afford easy access, both for vehicles and pedestrians, to and from the facility.
3. The project complies with the objectives of the general or specific plan for the area in which it is to be located in that:
- a. The stand-alone parking lot at this location is consistent with the General Plan in that it contributes to a balance between the provision of sufficient parking spaces for the visitor-at-large and supporting economic growth as the minimum parking standards are reduced. There is and will continue to be a demand for off-street parking in this area and the lot is well located to meet the demand.
 - b. The proposed project is consistent with the intent of the Urban Neighborhood overlay in that parking lot would provide parking support for existing and future businesses as well as for Memorial Auditorium events.
 - c. The project is consistent with the goals of the Cultural and Entertainment District in that the well developed facility is capable of contributing positively to the downtown's night and weekend activity.
4. The project will not have an appreciable impact on commute patterns and the use of single-occupancy vehicles in that:
- a. Because the parking lot is existing and has been in use for more than 13 years, staff does not anticipate there would be any new impacts on either the existing commute patterns or the use of single-occupancy vehicles.
 - b. Many of the people who currently use the lot for event parking are carpooling downtown, due to the understanding that parking is scarce, thereby reducing the number of single-occupancy vehicles.

Conditions of Approval

- B.** The **Special Permit** for a 0.42 acre stand alone parking lot in the General Commercial (C-2) and the General Commercial Urban Neighborhood (C-2-UN) zones is approved subject to the following conditions of approval:

Planning:

- B1. The parking lot landscaping shall be brought into compliance with City standards, including, but not limited to the provision of 50 percent tree shading, live shrubbery and ground cover throughout the landscape planter areas.
- B2. All parking lot landscaping shall be maintained in a healthy and well-groomed state.

- B3. The parking lot shall be kept in a litter free state and shall be policed for litter both in the parking lot as well as along the parking lot frontages of 16th and J Streets daily.
- B4. The lot shall be maintained for parking on an hourly or daily basis only, with the exception that up to five (5) spaces may be dedicated to monthly parking.
- B5. Any project modification is subject to review and approval by Planning Division staff and may result in the need for additional entitlements.
- B6. The parking lot shall have a Good Neighbor Policy which includes, but is not limited to the following:
 - a. The applicant shall post, in a conspicuous location, pertinent contact information including a valid contact person, with telephone number, who may be contacted on weekends, holidays, and evenings should issues develop. The 24-hour emergency contact number and contact person shall be kept current.
- B7. The applicant shall provide copies of the Affidavit of Zoning, including all project conditions of approval on a plan sheet(s) if submitting to the building division for plan check review.

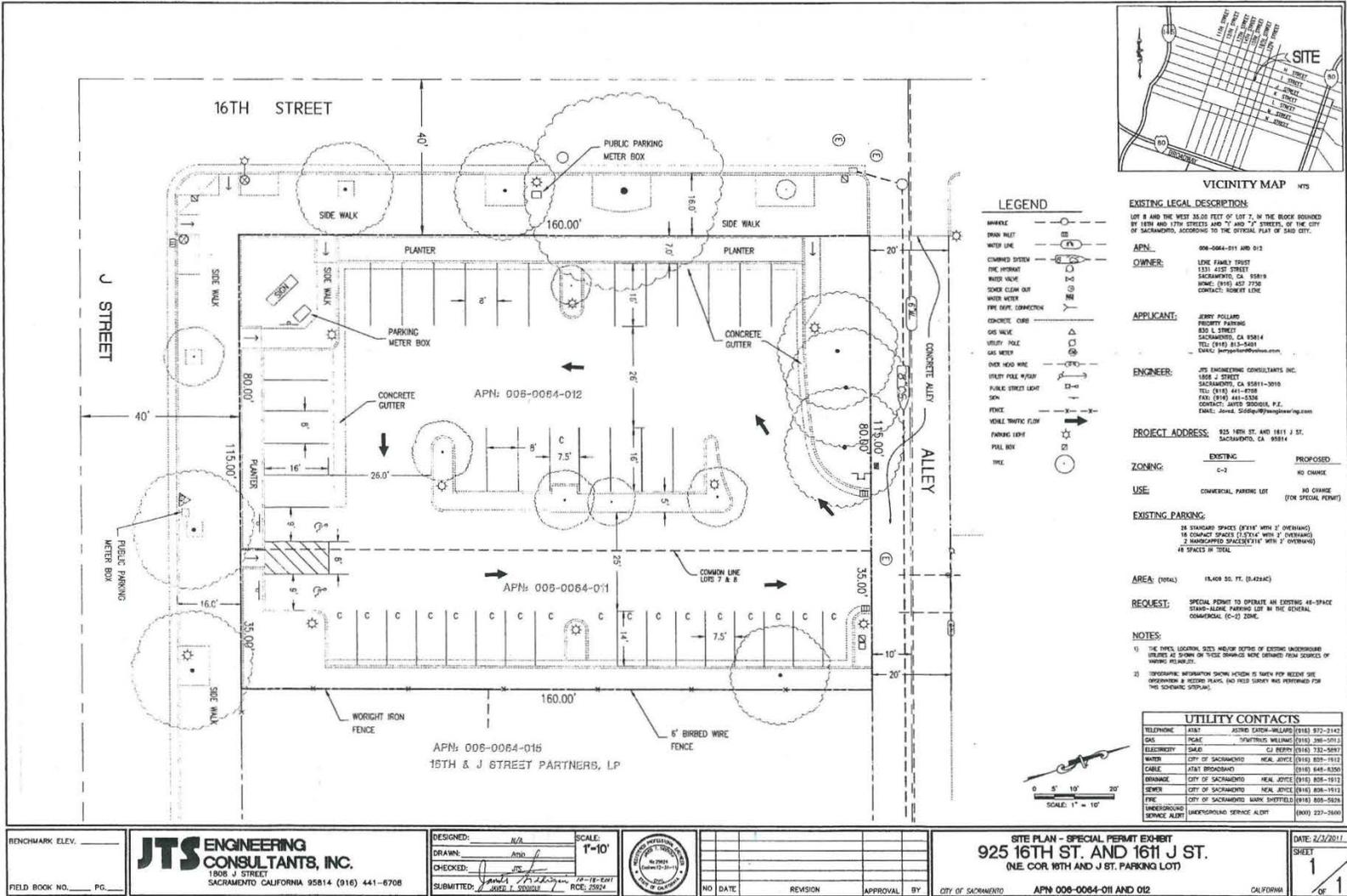
Department of Transportation

- B8. Construct standard improvements as noted in these conditions pursuant to chapter 18 of the City Code. Improvements shall be designed and constructed to City standards in place at the time that the Building Permit is issued. Any public improvement not specifically noted in these conditions shall be designed and constructed to City Standards. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk fronting the property along J Street and 16th Street per City standards and to the satisfaction of the Department of Transportation;
- B9. The applicant shall repair/reconstruct any deteriorated portions of the existing alley per City standards (In Concrete) and to the satisfaction of the Department of Transportation. The limit of work shall be along the parking lot frontage on the alley;
- B10. Private reciprocal ingress, egress, maneuvering and parking easements are required for development of the parking Lot .The applicant shall enter into and record an Agreement For Conveyance of Easements with the City stating that a private reciprocal ingress/egress, maneuvering, and parking easement shall be conveyed to and reserved from Parcels 7 and 8 (APN: 008-0064-011 and 12), at

no cost, at the time of sale or other conveyance of either parcel (If not already in place);

- B11. The site plan shall conform to A.D.A. requirements in all respects. This shall include the replacement of any curb ramp that does not meet current A.D.A. standards at the north-east corner of J street and 16th Street per City standards and to the satisfaction of the Department of Transportation;

Exhibit B-1 Site Plan



BENCHMARK ELEV. _____

JTS ENGINEERING CONSULTANTS, INC.
 1808 J STREET
 SACRAMENTO CALIFORNIA 95814 (916) 441-6708

DESIGNED: N/A
 DRAWN: ANH
 CHECKED: JAMES BROOKHUIS
 SUBMITTED: JAMES BROOKHUIS 11-16-2011 RCE: 25924

SCALE: 1"=10'

NO DATE REVISION APPROVAL BY

CITY OF SACRAMENTO APN 008-0064-011 AND 012 CALIFORNIA JOB NO. 2011-002

SITE PLAN - SPECIAL PERMIT EXHIBIT
 925 16TH ST. AND 1611 J ST.
 (NE. COR. WITH AND J ST. PARKING LOT)

DATE: 2/2/2011
 SHEET 1 OF 1

Exhibit B-2 Landscape Plan

To be Delivered

Attachment 2 – Land Use and Zoning Map

