



REPORT TO PLANNING COMMISSION City of Sacramento

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915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
April 12, 2012

To: Members of the Planning Commission

Subject: Riverlake Shopping Center Parking Waiver (P11-086)

A request to waive required onsite parking for an existing 45,065 square foot shopping center where the parking lot is shared among three different property owners in the Limited Commercial (C-1 PUD) zone and located in the LPPT Planned Unit Development.

- A. Environmental Determination: Exempt (CEQA Guidelines Section 15301);
- B. Special Permit to waive 50 parking spaces for an existing shopping center on 4.96± acres in the Limited Commercial (C-1 PUD) zone and located in the L&P Pacific/Teichert (LPPT) Planned Unit Development.

Location/Council District:

7600 Greenhaven Drive, Sacramento, CA

Assessor's Parcel Number: 031-1030-017; 031-0070-077 and -078

Council District 7

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-B above, and its decision is appealable to City Council.

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Applicant(s) and Owner(s): Parcel 1 (Building C): Benjamin Warwick Revocable Trust, (510) 339-0348, 1909 Cortereal Avenue, Oakland, CA 94611; Parcel 2 (Building B): Bruce Goodman Family Trust, 26 Oak Ranch Court, Sacramento, CA 95831; Parcel 3 (Building A): 7600 Greenhaven Drive, LLC, Felicia Guess, 1712 Carnegie Way, El Dorado Hills, CA 95762



Summary: The site is currently developed with a 45,065 square foot shopping center which is comprised of three parcels, three buildings, and three different property owners who share a common parking lot. There is an open code enforcement case on the property because the current tenant mix does not meet the minimum parking requirements, which are based on use rather than zoning classification (see generally Zoning Code Chapter 17.64). The request is to waive 50 parking spaces onsite to allow the current tenant mix. **At the time of writing this report, the three property owners could not unanimously agree on the conditions of approval for the parking waiver.**

Table 1: Project Information
General Plan designation: Suburban Center (FAR: .25 to 2.0 and site is .21)
Existing zoning of site: C-1 PUD, Limited Commercial (LPPT Planned Unit Development)
Existing use of site: Multitenant Commercial
Size of buildings: 45,065 square feet
Property area: 215,883 square feet or 4.96± acres

Background and Entitlement History: On December 13, 1988 the City Council approved entitlements to develop a retail center with three buildings known as the Village at Riverlake Shopping Center. (P88-385) On September 18, 1990, the City Council approved a request to subdivide the shopping center from one parcel into three parcels. (P90-130) On September 26, 1991 the Planning Commission approved a Variance to allow reciprocal parking for the shopping center. (P91-231) On August 26, 1993, the Planning Commission approved a Variance to waive 67 parking spaces for a 15,044 square foot fitness center. (P92-289) On November 13, 2008, an application to waive an additional 8 parking spaces was submitted however, the application was later withdrawn after restaurant seats were removed to comply with city code parking requirements. (P08-103) On November 7, 2011 the applicants submitted a parking waiver request to comply with an open code enforcement case. (P11-086)

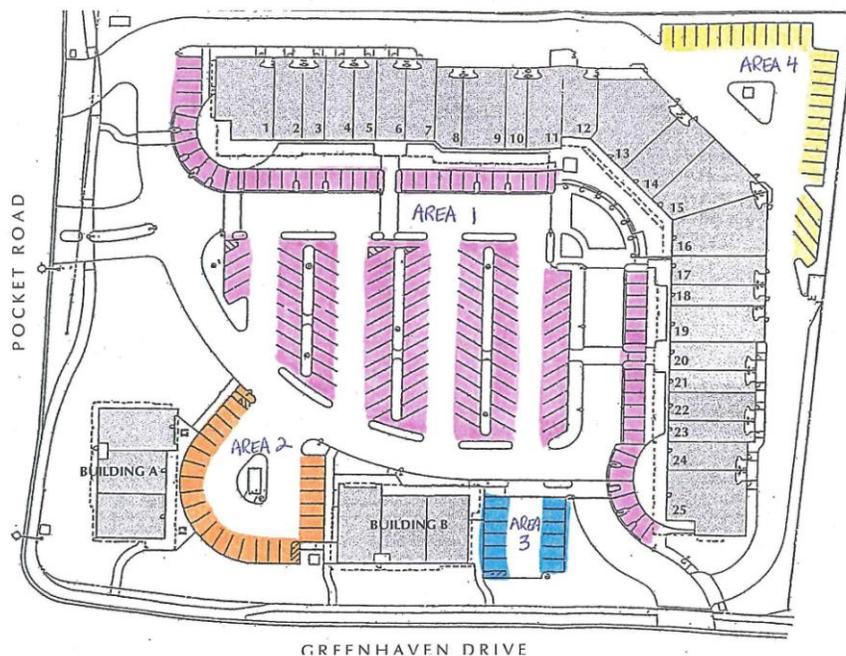
Project Overview: The property owners have collectively applied for a Special Permit to waive parking onsite to comply with an open code enforcement case. The Village at Riverlake Shopping Center site was originally constructed in 1990. Today the site is comprised of three separate parcels with three commercial buildings, and three different property owners. (See Table 2) Originally the site was three buildings on one parcel with one property owner. The site was subdivided, and property ownership has changed several times. In 1993, a waiver of 67 parking spaces was approved for a fitness center to locate in Building C. Since then, restaurants have also located in Building C, and a medical office has located in Building A, both of which have higher parking requirements and, therefore, have further exacerbated the parking situation. Per the zoning code and the PUD Guidelines, the current tenant mix would require a total of 316 parking spaces. (See Attachment 4) As noted above, a variance to waive 67 spaces was approved in

1993, reducing the required parking to 249 spaces. There are 199 spaces on the site, making a current deficit, per code, of 50 spaces.

Property Owner	Building Reference	Size of Building	Parcel Reference	Parcel Size
Guess	Building A	4,520 sq.ft.	Parcel 3	0.57 acres (24,742 sq.ft.)
Goodman	Building B	4,520 sq.ft.	Parcel 2	0.46 acres (20,038 sq.ft.)
Warwick	Building C	36,025 sq.ft.	Parcel 1	3.93 acres (171,104 sq.ft.)
Totals:		45,065 sq.ft.		4.96 acres (215,883 sq.ft.)

Parking Surveys Completed by Staff

Staff conducted a series of parking surveys to determine the total inventory of onsite parking and the amount of the spaces that were open during various days/times. The shopping center parking lot was divided into four areas for the purpose of the survey: Area 1 includes parking in front of Building C and central parking aisles; Area 2 includes parking adjacent to Building A; Area 3 includes parking adjacent to Building B; and Area 4 includes parking at the rear of Building C.



As shown in Table 3 below, the results of the survey indicate there is consistently parking available onsite however, the parking in Area 4 is the most underutilized. This area is at the rear of the shopping center and many customers are unaware of these parking spaces. Building C tenant spaces all have rear doors and drivers of cars that are parked in Area 4 could use these doors to access the tenant spaces. However, these doors currently are used by employees only and not available to the public. Customers using Area 4 now have to walk around the building to use the front entrances of the tenant spaces. There were requests for the fitness center to consider allowing their customers to use the rear entrance, however the tenant declined because it created security and staffing issues with having dual entrances and check in areas.

Table 3: Parking Survey							
Date	Day of Week	Time	Area 1 Open (Central) 135	Area 2 Open (Bldg A) 24	Area 3 Open (Bldg B) 11	Area 4 Open (Rear) 33*	Total Open 203*
11-30-11	Wed	12:30 PM	40	14	5	23	82
12-6-11	Tue	10:00 AM	2	0	0	14	16
12-6-11	Tue	2:30 PM	48	10	8	17	83
12-7-11	Wed	7:15 AM	65	24	8	29	126
12-7-11	Wed	10:15 AM	28	6	6	25	65
12-7-11	Wed	3:00 PM	47	17	7	23	94
12-8-11	Thu	9:00 AM	18	16	6	29	69
12-8-11	Thu	2:30 PM	54	19	10	25	108
12-8-11	Thu	5:00 PM	39	21	5	20	85
12-8-11	Thu	6:15 PM	23	24	1	20	68
12-12-11	Mon	7:55 AM	64	22	9	31	126
12-15-11	Thu	12:30 PM	11	7	2	22	42
12-19-11	Mon	8:00 AM	46	16	9	30	101
12-19-11	Mon	10:00 AM	15	9	1	28	53
12-19-11	Mon	12:20 PM	27	16	4	24	71
12-21-11	Wed	12:05 PM	15	12	5	24	56
12-28-11	Wed	12:05 PM	28	16	9	24	77
1-12-12	Thu	10:00 AM	14	8	5	25	52
1-13-12	Fri	10:00 AM	6	20	3	31	60
1-15-12	Sun	9:40 AM	2	8	1	31	42
1-21-12	Sat	5:30 PM	44	24	7	24	99

*When completing the parking surveys, there were four additional spaces stripped in the rear. After a site visit from the Fire Department, staff was informed the spaces were located in the fire lane and had to be removed. The property owner removed the four spaces so there are now only 29 spaces in the rear of the shopping center (Area 4) for a total of 199 spaces onsite. Staff considers this as a minor change and it does not change the overall analysis or conclusions.

Access, Circulation and Parking

There are multiple entrances to the site including one driveway on Greenhaven and two driveways on Pocket Road. The site has a total of approximately 199 parking spaces which are currently shared by Buildings A, B, and C.

In Table 4, there is a list of all the current tenants in the shopping center and the minimum parking requirements. The current mix of uses would require 316 parking spaces. The fitness center previously received a parking waiver of 67 spaces. With the restaurants in Building C and the medical office in Building A, there is a need for an additional waiver of 50 parking spaces. Based on the parking survey which shows the site has adequate parking for the current tenant mix, staff believes the parking waiver can be supported with conditions of approval in Attachment 1. The conditions allow designated parking spaces for the purpose of managing the onsite parking between the three property owners. The staff recommended conditions of approval also include a limit to the number of restaurants for the shopping center. Staff recommends that a maximum of four restaurants and one fitness center be allowed. If a restaurant in Building C closes, it is possible that a restaurant could be incorporated into Building A or B. The land uses for the shopping center will be reviewed on a first come, first served basis. For purposes of this condition, a restaurant is considered a food service establishment with more than 20 seats.

The property owner for Building B has requested designated parking during business hours because of the impact on their tenants from previous and current parking waiver requests. The property owner of Building A has also requested designated parking if it is granted to Building B. Staff believes designated parking spaces are appropriate for onsite parking management since the fitness center and restaurants appear to have impacted business operations for these tenants. In Exhibit B, staff has indicated the designated parking spaces for Buildings A and B during business hours, Monday through Friday. The entire shopping center parking lot would still be available for all customers in the evenings and on weekends which staff feels is an appropriate compromise.

The property owner for Building C wants to maintain flexibility for tenant changes and improvements in the future. The conditions allow this flexibility by limiting the number of "restaurants" in the shopping center to no more than four but not restricting the number of interior seats. The property owner of Building C has also requested that all employees, including those employees in Buildings A and B, park in Area 4 behind the shopping center. This is a private matter between the three property owners. The owners are not prohibited from further assigning parking spaces in order to manage the shopping center parking.

The conditions of approval recommended in this report are specific to this parking waiver and for this specific tenant mix. For example, if the fitness center were to leave the site and be replaced with one or more uses with a lower parking requirement that fell within the 199 spaces on the site, the parking waiver would no longer be necessary and the Special Permit conditions would no longer apply. The property owners should

confirm with staff, in the event of major changes to the tenant mix, whether the Special Permit conditions still apply. Should the conditions of approval, including the requirement for designated spaces, no longer apply due to changes in the tenant mix, the property owners, by agreement, may still utilize designated and timed parking spaces onsite to best manage parking for the commercial uses.

Public/Neighborhood Outreach and Comments: The project was routed to the Riverlake Community Association. A public hearing notice was sent to property owners within 500 feet and the Riverlake Community Association. The site was also posted 10 days in advance of the public hearing. No comments were received at the time of writing this report.

Environmental Considerations: The Environmental Services Manager has determined the project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines (Section 15301). Section 15301 consists of existing facilities involving negligible or no expansion of an existing use.

Policy Considerations: The 2030 General Plan Update was adopted by City Council on March 3, 2009. The 2030 General Plan's goals, policies, and implementation programs define a roadmap to achieving Sacramento's vision to be the most livable city in America. The 2030 General Plan Update designation of the subject site is Suburban Center which provides for retail, service, office and residential uses. The proposed monument sign is consistent with the 2030 General Plan policies in the Suburban Center designation.

2030 General Plan Development Standards

The minimum Floor Area Ratio (FAR) for the Suburban Center designation is .25. The site is currently developed with a 45,065 square feet on a 215,884 square foot parcel. Therefore, the FAR is .21 which is less than the General Plan Development Standards. The applicant is not proposing to make any changes to the footprint of the existing building with this proposal and the General Plan allows for renovations to existing development that fall below the allowed minimum FAR provided the existing structure is not demolished. (Infill: LU 1.1.6) Furthermore, the proposal is consistent with the following General Plan policies:

2030 General Plan Policies:

Diverse Centers. *The City shall encourage development of local, citywide, and regional mixed-use centers that address different community needs and market sectors, and complement and are well integrated with the surrounding neighborhoods. (LU 5.1.1)* Staff finds that the proposal allows for a mix of uses in the shopping center including retail, restaurant, fitness center, office and medical office to serve the surrounding neighborhood.

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) Staff finds the shopping center has adequate onsite parking and bicycle parking for the mix of uses in Buildings A, B, and C.

Land Use

Staff believes that the Planning Commission can make the required findings to approve the requested parking waiver.

In evaluating special permit proposals of this type, the Planning Commission is required to make the following findings:

- a. Granting the Special Permit is based upon sound principles of land use in that the fitness center, retail, office, medical office, and restaurant uses are allowed in the Limited Commercial (C-1) zone and there is adequate parking on the site to serve these land uses.
- b. Granting the Special Permit would not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
 1. Adequate onsite parking is available for the existing uses as documented by the staff parking survey;
 2. Reserved parking spaces for Buildings A and B have been provided during business hours;
 3. There is a mixture of land uses on the site with different peak hours and opportunities exist to share all onsite parking in the evenings and on weekends.
- c. The proposed project is consistent with the General Plan which designates the site as Suburban Center by encouraging diverse centers that share onsite parking.

Conclusion: Staff recommends approval of the project since the proposal: a) will allow the shopping center to become compliant with the city code parking requirements; b) provides designated parking spaces for Buildings A and B during business hours recognizing these tenants have been impacted by the intensification of land uses in Building C; and c) encourages transit use since the shopping center is located near bus stops.

Respectfully submitted by: 
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Associate Planner

Approved by:


for LINDSEY ALAGOZIAN
Senior Planner

Recommendation Approved:


JOY PATTERSON
Principal Planner

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Attachment 1
Proposed Findings of Fact and Conditions of Approval
Riverlake Shopping Center (P11-086)
7600 Greenhaven Drive

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 at the hearing on the Project, the Planning Commission finds that the Project is exempt from review under **Section 15301 Existing Facilities** of the California Environmental Quality Act because it involves an existing shopping center involving negligible or no expansion of an existing use.
- B. The Special Permit** to waive 50 parking spaces for an existing shopping center is approved subject to the following Findings of Fact:
1. Granting the Special Permit is based upon sound principles of land use in that the fitness center, retail, office, medical office, and restaurant uses are allowed in the Limited Commercial (C-1) zone and there is adequate parking on the site to serve these land uses.
 2. Granting the Special Permit would not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
 - a. Adequate onsite parking is available for the existing uses as documented by the staff parking survey;
 - b. Reserved parking spaces for Buildings A and B have been provided during business hours;
 - c. There is a mixture of land uses on the site with different peak hours and opportunities exist to share all onsite parking in the evenings and on weekends.
 3. The proposed project is consistent with the General Plan which designates the site as Suburban Center by encouraging diverse centers that share onsite parking.

Conditions Of Approval

B. The **Special Permit** to waive 50 parking spaces is **approved** subject to the following conditions of approval:

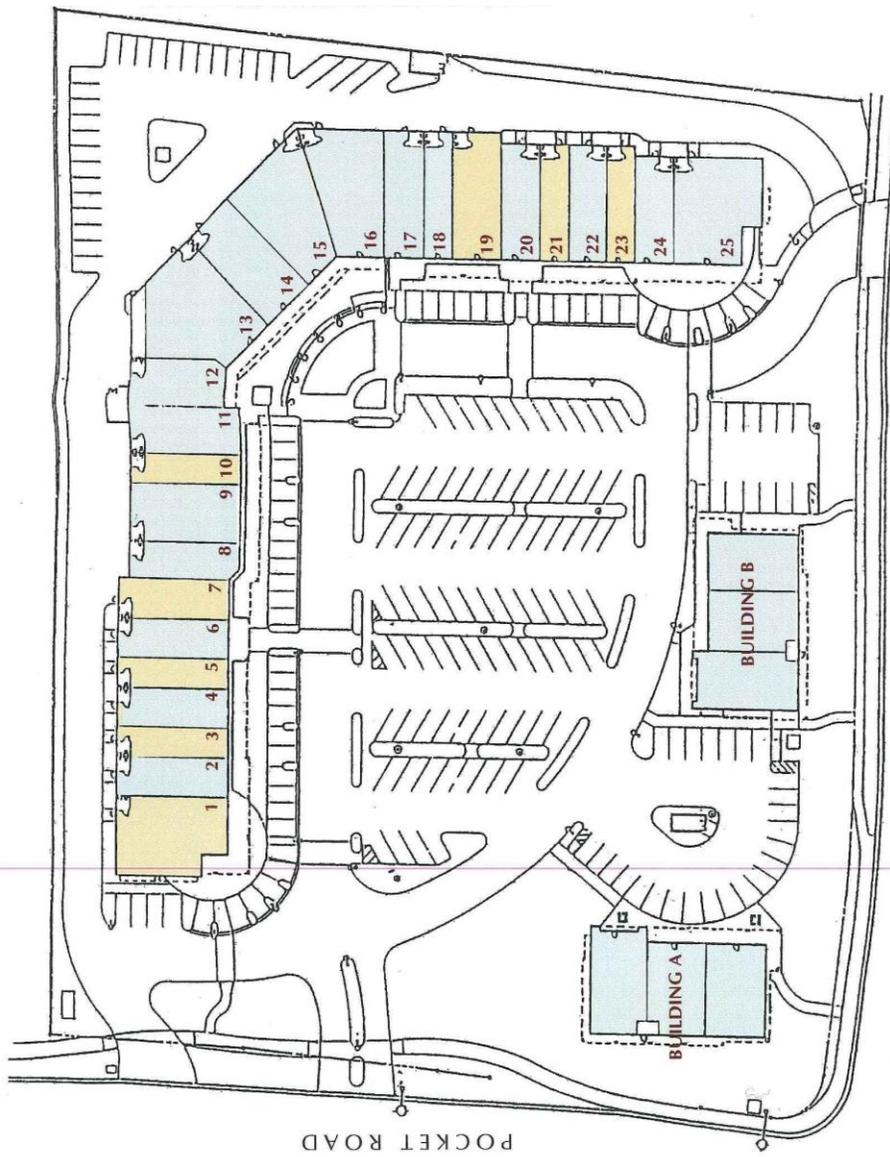
Planning

1. The Riverlake shopping center tenant mix shall be limited to a maximum of four restaurants and one fitness center. The remainder of the tenant spaces shall be office, medical office, retail, or other commercial services excluding additional restaurants and fitness clubs. For purposes of this condition, a restaurant is defined as a food service establishment with more than 20 seats.
2. Parking spaces labeled "A" as shown on Exhibit B shall be designated exclusively for Building A between 8:00 a.m. and 5:00 p.m. Monday through Friday.
3. Parking spaces labeled "B" as shown on Exhibit B shall be designated exclusively for Building B between 8:00 a.m. and 6:00 p.m. Monday through Friday.
4. The property owner for Building C shall have the authority to convert parking spaces in Areas 1 and 4 to restricted parking and/or to timed parking, if deemed appropriate for management of parking on the site. If the businesses want to utilize valet services in the future, this would also be allowed as long as the attendants use existing onsite parking spaces.
5. Directional signage shall be required to inform customers of the parking spaces available in the rear of the shopping center. The signage shall include "Parking In Rear" along with several arrows painted on the parking lot pavement.
6. During business hours, the lighting for the parking area in the rear shall be maintained at a minimum of 1 foot candle per square foot of parking area. Any new lighting installed shall be directed downward to avoid any glare to adjacent residential properties.
7. A signed copy of the Affidavit of Zoning Code Development Standards and each of the pages of this Record of Decision shall be scanned and inserted as a general sheet(s) in the plan set for any building permit submittal associated with this project.

Advisory Notes:

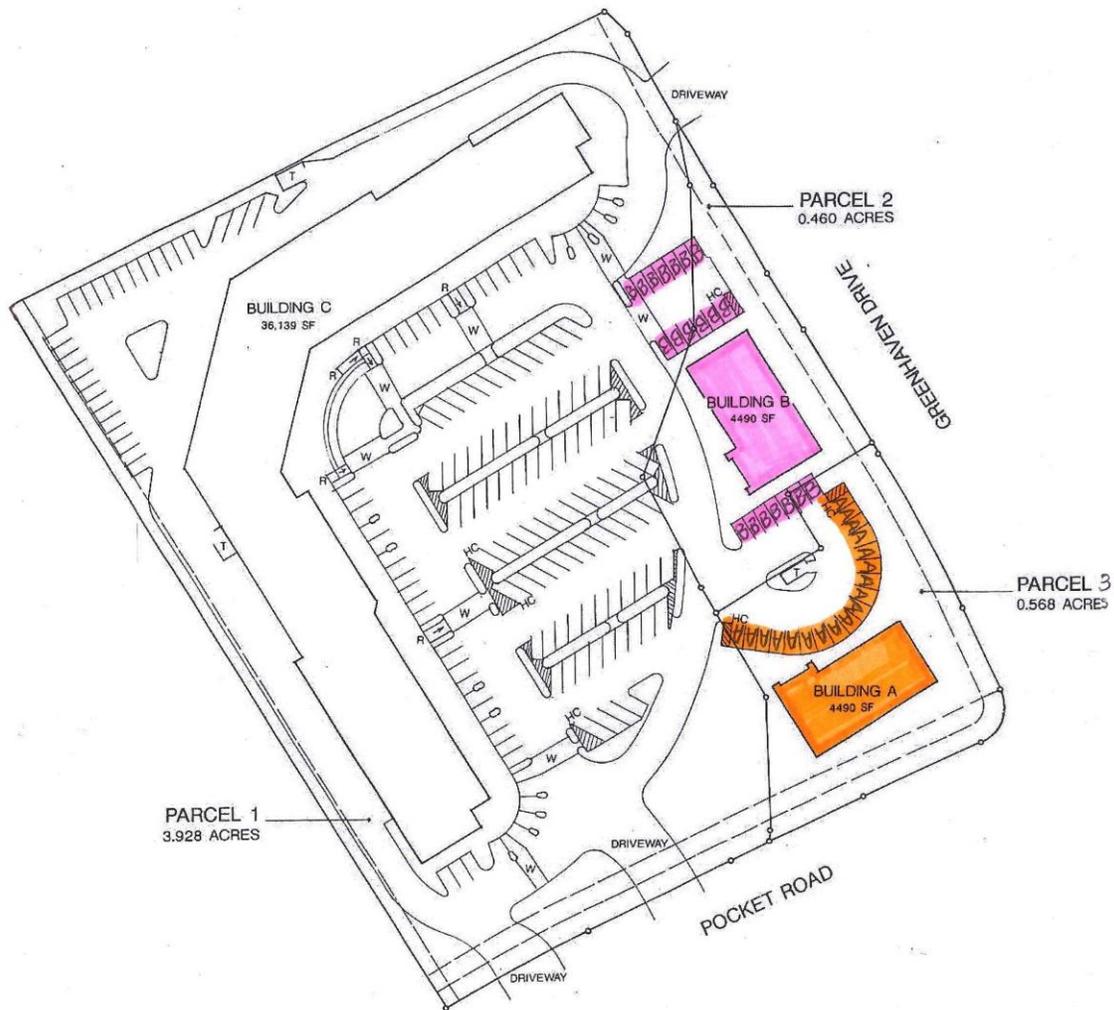
ADV1. Business owners in Building C should encourage their employees to park in the rear parking lot of the shopping center. (Planning)

Exhibit A: Existing Site Plan



 THE VILLAGE AT RIVERLAKE

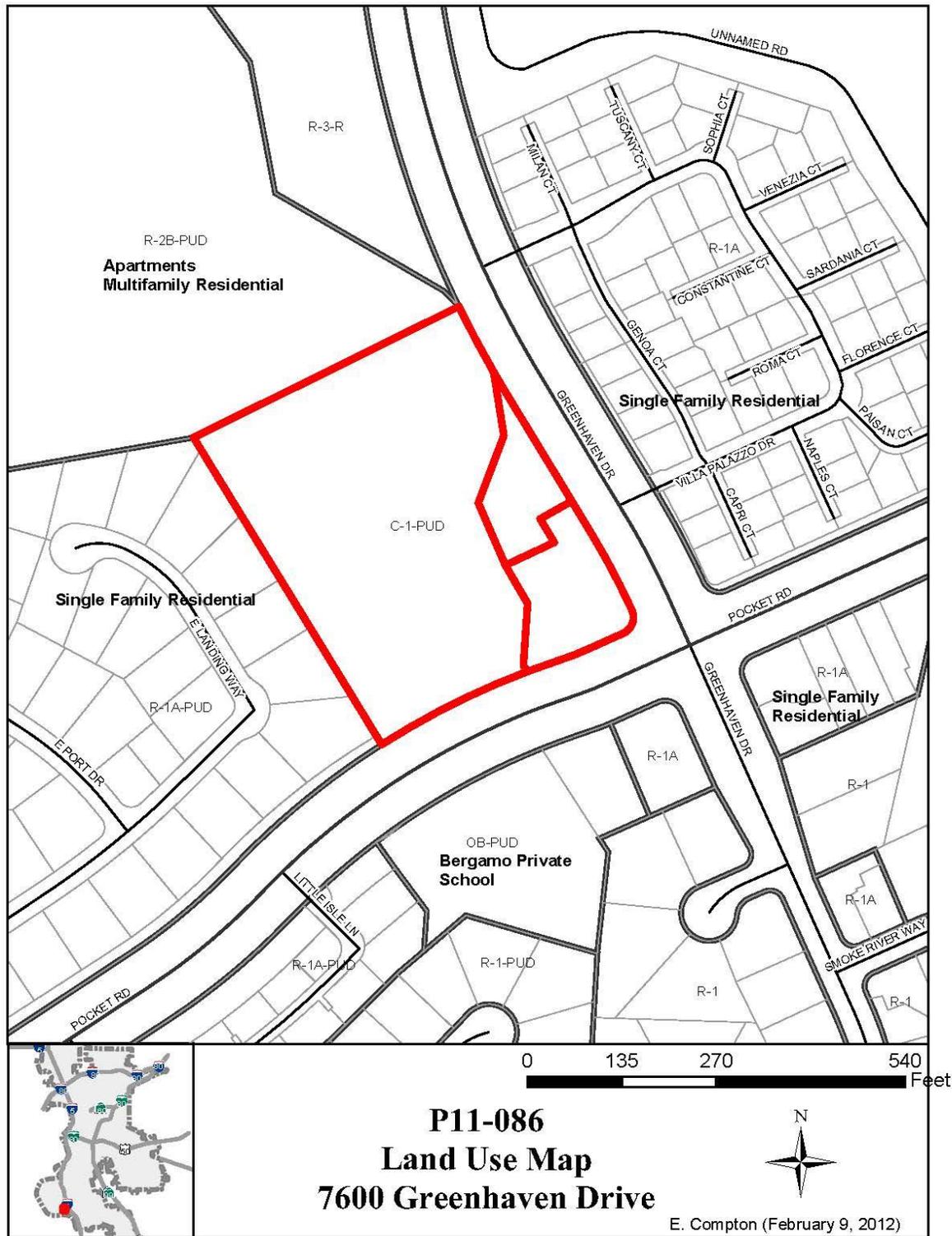
Exhibit B: Existing Property Lines and Designated Parking for Buildings A and B



Building A: The areas labeled “A” shall be designated for Building A between the hours of 8:00 am and 5:00 pm, Monday through Friday.

Building B: The areas labeled “B” shall be designated for Building B between the hours of 8:00 am and 6:00 pm, Monday through Friday.

Attachment 2: Land Use and Zoning Map



Attached 3: Aerial Map



Attachment 4: Existing Tenants and Parking

Existing Tenant Mix and Parking Requirements							
Building and Suite #	Business	Retail (SqFt)	Office (SqFt)	Restaurants (SqFt, Seats)	Medical (SqFt)	Athletic Club (SqFt)	Total Spaces Required
Bldg A	Dr. Guess				4520		23
Bldg B	Insurance		4520				11
Bldg C							
1	Café Latte			2298, 70			23
2	Pizza TO*	1200					5
3	Rosie Spa	900					4
4	DGH		1200				3
5	Nails	750					3
6	Vacant				1200		6
7	Cleaners	2100					8
8/9	Pho Bac			2400, 56			19
10	Hair	900					4
11-18	24 Hour Fitness					14,982	150
19	Dentist				1625		8
20	Nutrition	1200					5
21	Yogurt TO*			900, 12			4
22	Fitness Daycare			Included in Athletic Club calculation			-
23	Ravenous			900, 40			13
24/25	Vientos			3375, 82			27
TOTALS		7,050	5,720	9,873 (260)	7,345	14,982	316

*TO: Take Out

As required, the site has a reciprocal parking agreement. The conditions of approval in this report are consistent with the reciprocal parking agreement and the city does not interfere with other private matters in the agreement such as the allocation of landscape maintenance costs between each property owner.