



REPORT TO PLANNING COMMISSION City of Sacramento

6

915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
May 10, 2012

To: Members of the Planning Commission

Subject: Primo's Supper Club (P12-008)

A request to waive parking for a new ground floor restaurant and bakery.

- A. Environmental Determination: Exempt (CEQA Guidelines Section 15301);
- B. Special Permit to waive 17 parking spaces for a new 78 seat restaurant and bakery on approximately .08 acres in the General Commercial (C-2 SPD) zone and located in the Broadway Stockton Special Planning District.

Location/Council District:

3402 Broadway, Sacramento, CA

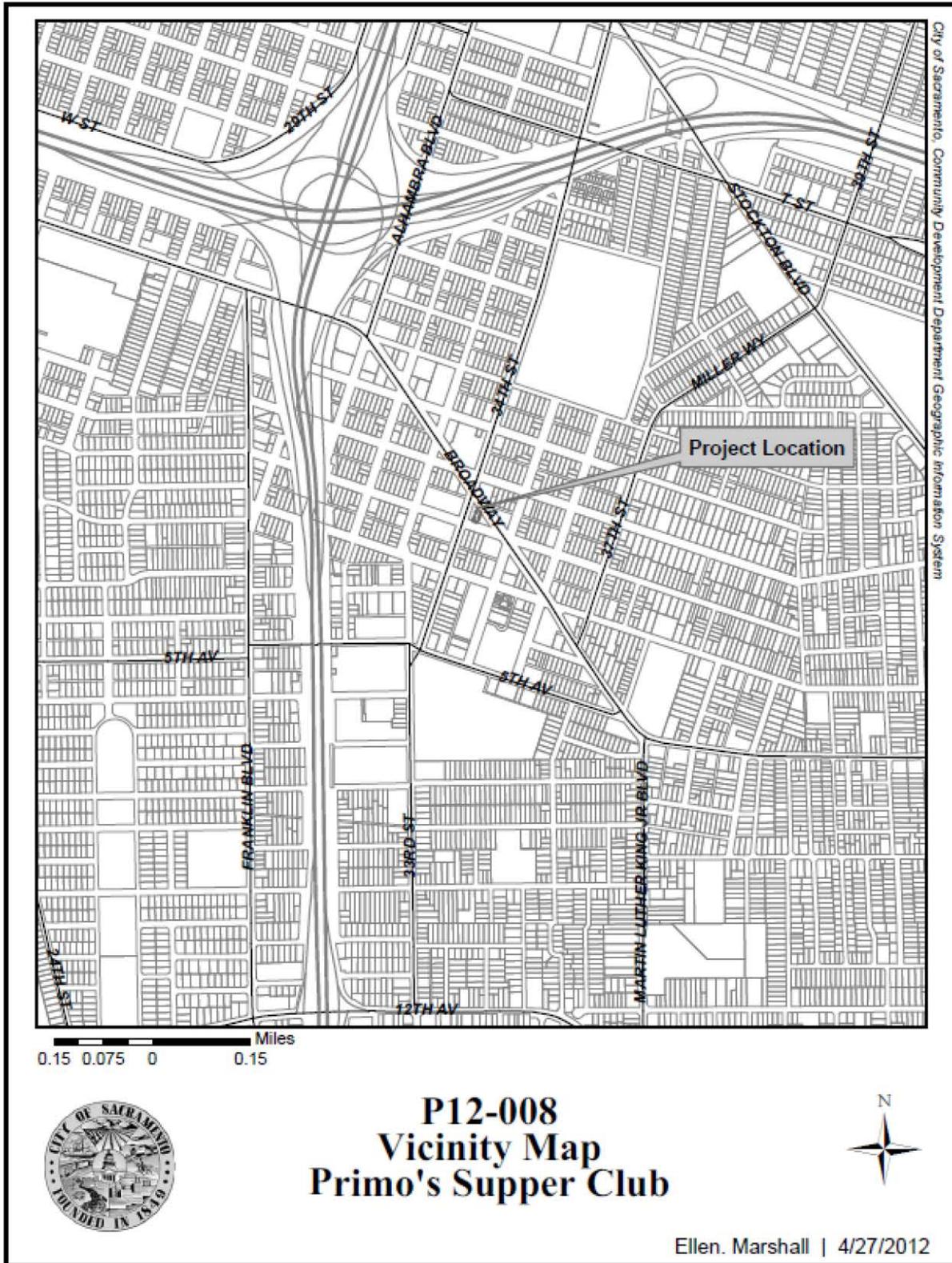
Assessor's Parcel Number 010-0376-002

Council District 5

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. **At the time of writing this report, staff is not aware of any opposition to this request and has deemed this project non-controversial.**

Contact: Ellen Marshall, Associate Planner, (916) 808-5851
Lindsey Alagozian, Senior Planner, (916) 808-2659

Applicant and Owner: Grant Gibson and Chris Pendarvis, (916) 807-4412, Oak Park Properties, LLC, (List of Partners: Grant Gibson and Chris Pendarvis) 401 Santa Ynez, Sacramento, CA 95816



Summary: The site is currently developed with a vacant 7,930 square foot building. The applicant is requesting approvals to allow a ground floor restaurant and bakery with a total of 78 seats. This project requires a parking waiver of 17 spaces. **At the time of writing this report, there were no outstanding issues regarding the project.**

Table 1: Project Information
General Plan designation: Urban Corridor Low (FAR: 0.3 to 3.0 and site is 2.13)
Existing zoning of site: C-2 SPD, General Commercial
Special Planning District: Broadway Stockton SPD
Historic District: Oak Park Historic District
Existing use of site: Existing unoccupied building (Previously Swiss Club and Arata Brothers Grocery)
Building Size: 7,930 square feet (Includes basement, ground floor, second floor)
Property area: 3,717 square feet or .08± acres

Background and Entitlement History: The ground floor of the structure was occupied by Arata Brothers Grocery from 1910 until 1927. The Swiss Club was the longest-lasting tenant in the building, occupying it from 1955 to 2005. Other uses in the building have included shoe repair, barbershop, and auto parts. The building was originally constructed without any onsite parking spaces. The Primo's Supper Club project was submitted on March 8, 2012.

Project Overview: The Primo's Supper Club project comprises of three components: a restaurant/bar, a bakery, and residential units on the second floor.

There will be a 2,987 square foot ground floor restaurant and bar with an entrance facing Broadway. A 730 square foot bakery will also be located on the ground floor with an entrance facing 3rd Avenue. The commercial spaces have a combined total of 3,717 square feet with a maximum of 78 seats. On the second floor, the proposal is to renovate the existing four residential units of 465 to 680 square feet in size. The entry for the apartments is located on Broadway.

Public/Neighborhood Outreach and Comments: The project was routed to the Oak Park Neighborhood Association, Oak Park Business Association, and the Oak Park Redevelopment Advisory Committee. A final public hearing notice was sent to property owners within 500 feet and the neighborhood associations. The site was also posted more than 10 days in advance of the public hearing. At the time of writing this report, staff had not received any comments.

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 the operation of existing facilities and there is no expansion of the 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 Urban Corridor Low which includes street corridors that have multistory structures and more intense uses at major intersections, lower-intensity uses adjacent to neighborhoods, and access to transit service throughout. At major intersections, nodes of intense mixed-use development are bordered by lower-intensity single-use residential, retail, service, and office uses. Street-level frontage of mixed-use projects is developed with pedestrian-oriented uses. The streetscape is appointed with landscaping, lighting, public art, and other pedestrian amenities.

2030 General Plan Policies:

Existing Structure Reuse. *The City shall encourage the retention of existing structures and promote their adaptive reuse and renovation with green building technologies to retain the structures' embodied energy, increase energy efficiency, make it more energy efficient, and limit the generation of waste. (LU 2.6.4)* Staff finds that the proposal will reuse an existing vacant structure.

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 that the project site is located adjacent to bus stops on Broadway and has adequate on street parking.

Development Review. *The City shall continue to include the Police Department in the review of development projects to adequately address crime and safety, and promote the implementation of Crime Prevention through Environmental Design principles. (PHS 1.1.7)* Staff finds that the Police Department reviewed the proposal and has no concerns with the project.

Surrounding Uses

On the north side of Broadway, there is a parking lot. On the west side of the property is a vacant lot. On the east side is the US Bank Building. On the south of the property, there is a commercial building.

Land Use

The applicant proposes to establish a restaurant and bakery on the ground floor, and to rehabilitate four residential units on the second floor. These land uses are allowed in the General Commercial (C-2 SPD) zone and located in the Broadway Stockton Special Planning District. The commercial uses require a Planning Commission Special Permit to waive 17 parking spaces. For mixed use projects which incorporate both residential and commercial or services uses, the zoning administrator may reduce or waive up to four spaces or fifty (50) percent, whichever is greater, of the required off-street parking requirement for the ground floor commercial retail or service uses. This project requires

26 parking spaces and is requesting a waiver of 17 spaces. Because the amount of parking proposed to be waived is greater than fifty percent of the required parking, a Special Permit approved by the Planning Commission is required.

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

1. Granting the Special Permit is based upon sound principles of land use in that the proposed restaurant, bakery, and residential units are allowed uses by right in the General Commercial (C-2 SPD) zone and the building is an existing structure without any available onsite parking.
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 on-street parking is available around the subject site (up to 30 spaces during the restaurant's hours of operation);
 - b. Bus stops are located on Broadway within close proximity of the subject site; and
 - c. The proposal will renovate and upgrade a vacant building in the Oak Park Historic District.
3. The proposed project is consistent with the General Plan which designates the site as Urban Corridor Low and encourages pedestrian-oriented uses with access to transit service.

Staff believes that the Planning Commission can make adequate findings as required to approve the parking waiver and staff supports the project.

Access, Circulation and Parking

The building is located on a parcel with frontages along Broadway and 3rd Avenue. The entrances to the proposed restaurant and apartments are located on Broadway and the entrance to the proposed bakery is located on 3rd Avenue. The existing building covers the entire parcel. There is no onsite parking but there are existing angled and parallel street parking spaces.

Since the building was originally constructed without onsite parking, there is a parking credit of 1 space per 400 square feet or 9 parking spaces based on the original use. Also, the four residential units were originally constructed without any onsite parking. The parking credit is deducted from the total when determining the number of parking spaces that the applicant is required to provide offsite or waive. As shown in Table 3, the project would have required 26 parking spaces, but the parking credit reduces this requirement to 17 parking spaces.

Table 3: Parking*			
Use	Required Parking	Proposed Parking	Difference
Restaurant/Bakery (78 seats)	26 spaces	0 spaces	-26 spaces
Parking Credit	1/400 square feet	n/a	+9 space credit
4 residential units	0 spaces	0 spaces	None
Totals		0 spaces	-17 spaces to be waived

*The parking calculation per seat does not include any potential sidewalk café. The applicant has stated they plan to seek sidewalk seating however these seats do not require onsite parking.

Parking Surveys Completed by Staff

Staff and the applicant conducted parking surveys to determine the total inventory of street parking spaces in the area and the percentage of the spaces that are open during various days/times. The results of the surveys showed that during Primo's operating hours, there are up to 30 on-street parking spaces available in immediate vicinity of the restaurant.

Staff believes that the Planning Commission can make adequate findings as required to approve the requested parking waiver because a) there is adequate on street parking surrounding Primo's; b) Primo's hours of operation are from 5pm to 3am, which is after the majority of the surrounding businesses close; and c) there is a bus stop located adjacent to the site and bus service runs until approximately 9:00pm.

Alternate Modes

The project site is adjacent to a bus stop and the applicant is proposing to install bike racks north and south of the building.

Preservation Review for Modifications to the Contributing Resource

The building is considered a Contributing Resource to the Oak Park Historic District, therefore, all exterior changes, and interior work to publically accessible areas, require Preservation review and approval. The requested changes to the building are minor in nature and include replacing existing windows, installing new storefronts, awnings, doors, metal railing for the roof deck, and lighting. At the time of this report, the scope of work is being reviewed by Preservation staff and a draft Certificate of Appropriateness has been included as Attachment 4.

Conclusion: Staff recommends approval of the project since the proposal: a) has adequate on-street parking; b) bus stops located on Broadway on the site; and c) the proposal upgrades a vacant building in the Oak Park Historic District.

Respectfully submitted by: Ellen Marshall
ELLEN MARSHALL
Associate Planner

Approved by:

Lindsey Alagozian
LINDSEY ALAGOZIAN
Senior Planner

Recommendation Approved:

Gregory Bitter
GREGORY BITTER, AICP
Principal Planner

Table of Contents:

Attachment 1	Recommended Findings and Conditions	9
Exhibit A	Site Plan	13
Exhibit B	First and Second Floors	14
Exhibit C	Elevations	15
Attachment 2	Land Use & Zoning Map	16
Attachment 3	Aerial Map	17
Attachment 4	Preservation Certificate of Appropriateness	18

**Attachment 1
Proposed Findings of Fact and Conditions of Approval
Primo's Supper Club (P12-008)
3402 Broadway**

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 consists of the operation of existing facilities and there is no expansion of the existing use.
- B. The Special Permit** to waive 17 parking spaces for a restaurant and bakery 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 proposed restaurant, bakery, and residential units are allowed by right in the General Commercial (C-2 SPD) zone and the building is an existing structure without any available onsite parking.
 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 on-street parking is available around the subject site (up to 30 spaces during the restaurant's hours of operation);
 - b. Bus stops are located on Broadway within close proximity of the subject site; and
 - c. The proposal will renovate and upgrade a vacant building in the Oak Park Historic District.
 3. The proposed project is consistent with the General Plan which designates the site as Urban Corridor Low and encourages pedestrian-oriented uses with access to transit service.

Conditions Of Approval

- B. The Special Permit** to waive 17 parking spaces is **approved** subject to the following conditions of approval:

Planning

1. Any modification to the attached plans shall be subject to review and approval by Planning and Preservation staff prior to the issuance of building permits.
2. The business shall establish a "Good Neighbor" policy that includes but is not limited to the following:
 1. Provide a 24-hour emergency contact person and phone number on-site, in a clearly identified place easily accessible to residents of the neighborhood; and
 2. Establish a process for neighbors to communicate directly with the management staff should there be any problems or issues.
3. The interior seating for the restaurant and bakery shall not exceed a total of 78 seats.
4. The applicant shall meet all the conditions of approval in the Preservation Certificate of Appropriateness.

Building

5. All new work must comply with the applicable requirements of the 2010 California Code of Regulations Title 24, Part 2 (California Building Code), Part 3 (California Electrical Code), Part 4 (California Mechanical Code), Part 5 (California Plumbing Code), Part 6 (California Energy Code), Part 8 (California Historical Building Code), and Part 9 (California Fire Code).

Utilities

6. This project is served by the Combined Sewer System (CSS). Therefore, the developer/property owner will be required to pay the Combined Sewer System Development Fee prior to the issuance of building permit. The Combined Sewer System fee at the time of building permit is estimated to be \$471.96 plus any increases to the fee due to inflation. The fee will be used for improvements to the CSS.

Urban Forest Services

7. The applicant shall remove the bricks from the existing planter and plant a Shumard Oak along Broadway.
8. The existing trees along 3rd Avenue shall be protected with fencing during the construction process.

Department of Transportation

9. 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 Broadway and 3rd Avenue per City standards and to the satisfaction of the Department of Transportation.

10. The applicant shall apply for an obtain approval for a revocable encroachment permit to all the proposed blade sign to be placed over the right of way, and also to allow any proposed awnings to protrude onto the right of way, and to allow the proposed bike racks to be placed within the right of way to the satisfaction of the Department of Transportation.

Regional Transit

11. Transit information shall be displayed in prominent locations within the businesses for both patrons and employees, and provided with rental agreements for residents. Please use the request form available on www.sacrt.com to order transit information materials.
12. Project construction shall not disrupt transit service or pedestrian access to transit stops.
13. Provide bicycle parking facilities per City of Sacramento requirements at business entrances.

Advisory Notes:

Planning

- ADV1. 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.
- ADV2. An encroachment permit will be required for any sidewalk cafés, blade signs, bike racks, and/or awnings. Any future railings for a sidewalk café will require Preservation review and approval.
- ADV3. All exterior work (and interior work to publically accessible spaces) requires Preservation review and approval.

Building

- ADV4. All sleeping room egress windows must comply with Section 8-503 of the California Historical Building Code.

Fire

- ADV5. Provide the required fire hydrants in accordance with CFC 507 and Appendix C, Section C105.
- ADV6. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction. CFC 501.4
- ADV7. Provide a water flow test. (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95814). CFC 508.4
- ADV8. Provide appropriate Knox access for site. CFC Section 506
- ADV9. An automatic fire sprinkler system shall be installed in any portion of a building when the floor area of the building exceeds 3,599 square feet.
- ADV10. Locate and identify Fire Department Connections (FDCs) on address side of building no further than 50 feet and no closer than 15 feet from a fire hydrant.
- ADV11. An approved fire control room shall be provided for all buildings protected by an automatic fire extinguishing system. Fire control rooms shall be located within the building at a location approved by the Chief, and shall be provided with a means to access the room directly from the exterior. Durable signage shall be provided on the exterior side of the access door to identify the fire control room. CFC 903.8

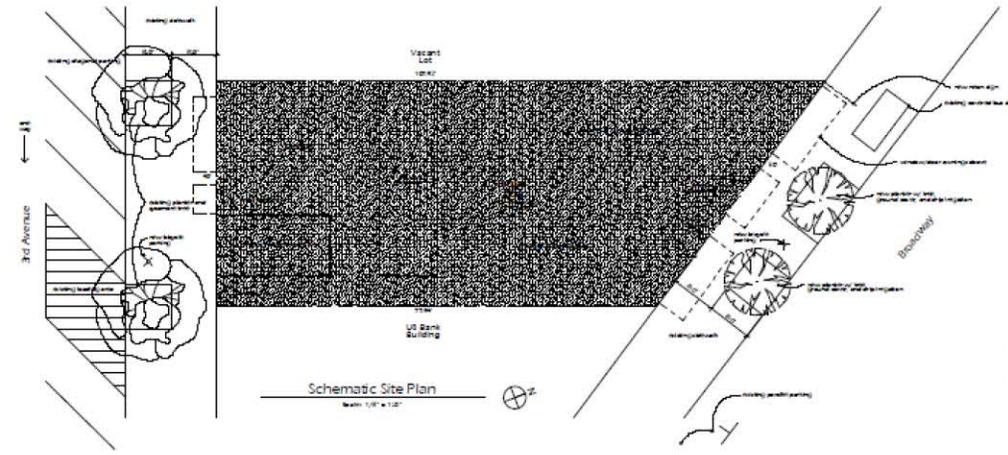
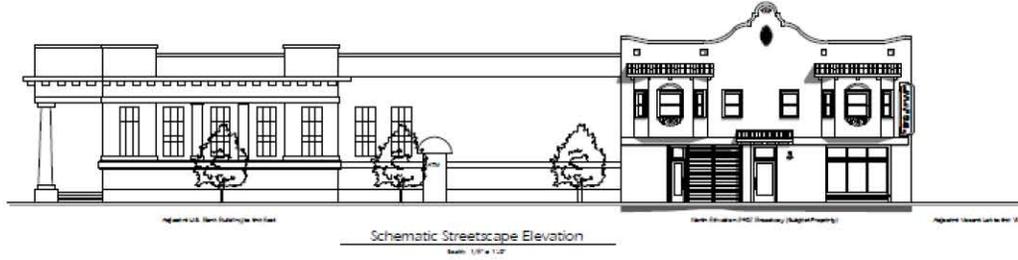
Exhibit A: Site Plan

Primo's Supper Club

3402 Broadway, Sacramento, CA 95817

DAVID BEEBEE | Architect
CONFLUENCE Design | Build
 A Joint Venture
 4715 43rd Street | Old Sacramento | Sacramento, CA 95817
 916.442.7291 | 916.442.7291 | david@beebearchitect.com

Project Details	Project Team	Site Details
City: SACRAMENTO County: SACRAMENTO Planning Zone: AU-2 Substantial Evidence/Contributing Resource in and/or Parklands Status:	Architect: David Beebee Architect Construction Manager Build Project Manager: David Beebee DAVID BEEBEE ARCHITECT 4000 J Street Sacramento, CA 95817 Phone: 916.442.7291 Email: david@beebearchitect.com Client: Oak Park Properties, LLC 4000 J Street Sacramento, CA 95817 Phone: 916.442.7291 Email: david@beebearchitect.com	No. of Units: 100 Lot Coverage: 45% Maximum Height: 35'00" Density: 100 Units/Acre Parking: 100 Other: 100 Total: 200 Other: 100 Total: 300 Other: 100 Total: 400

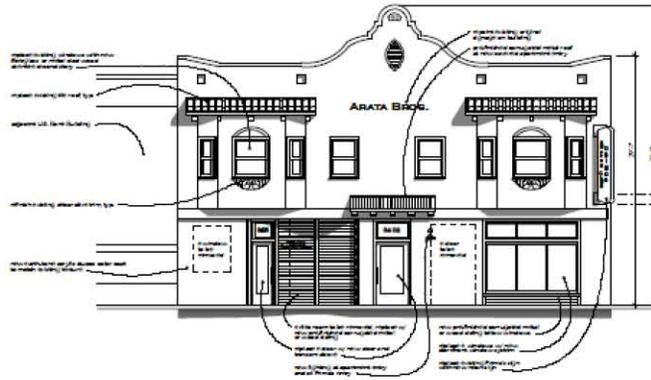


Project	Primo's Supper Club
Location	3402 Broadway, Sacramento, CA 95817
Sheet No.	1

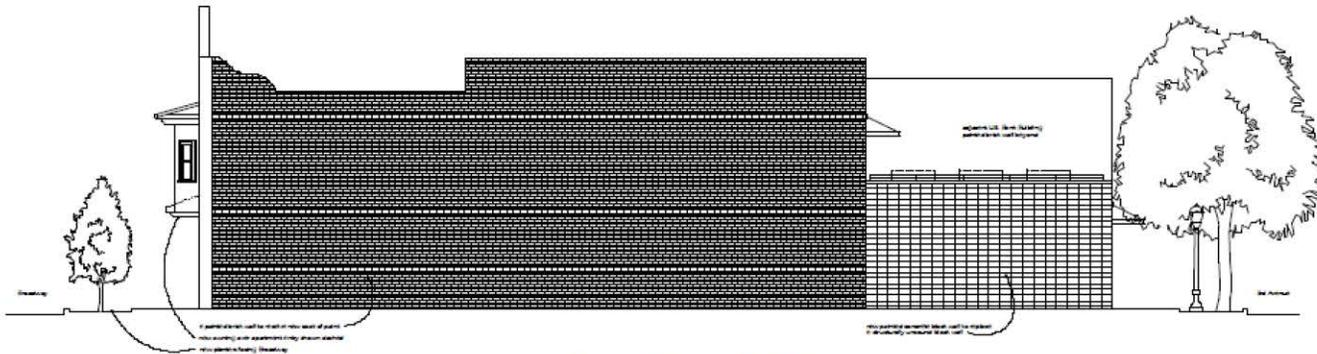
Exhibit C: Elevations



Schematic South Elevation (Facing 3rd Avenue)
Scale: 3/16" = 1'-0"



Schematic North Elevation (Facing Broadway)
Scale: 3/16" = 1'-0"



Schematic West Elevation (Facing Vacant Lot)
Scale: 3/16" = 1'-0"

DAVID BEEBEE | Architect
 CONFLUENCE Design | Build
 A Joint Venture
 417.443.7291 | 414 Los Angeles | Pasadena, CA 91103
 info@confluencearchitect.com | David@beebearchitect.com

Project	Primo's Supper Club
Architect	CONFLUENCE Design Build
Date	04/20/12
Sheet	4

Attached 3: Aerial Map



Attachment 4: Preservation Certificate of Appropriateness



**CITY OF SACRAMENTO
CALIFORNIA**

COMMUNITY DEVELOPMENT
DEPARTMENT

PHONE 311

300 RICHARDS BOULEVARD
SACRAMENTO, CA 95811

CERTIFICATE OF APPROPRIATENESS

File Number: P12-008
Address: 3402 BROADWAY
Staff Contact: ELLEN MARSHALL, 808-5851

Owners: GRANT GIBSON/CHRIS PENDARVIS
APN: 010-0376-002
Date Approved: MAY 10, 2012
Classification: CONTRIBUTING RESOURCE,
OAK PARK HISTORIC DISTRICT

Description: REHABILITATION OF AN HISTORIC BUILDING, INCLUDING EXTERIOR ALTERATIONS TO NON-ORIGINAL STOREFRONTS AND REPLACEMENT OF NON-ORIGINAL WINDOWS AND DOORS, AND PUBLICALLY-ACCESSIBLE INTERIOR TENANT IMPROVEMENTS.

Findings of the Preservation Office: Preservation Staff has determined: that several alterations to the building have occurred over time, including alterations to the non-original storefronts/entries (both north and south elevations) and alterations to all the windows on the exterior of the building; that the project as approved is consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties and the goals and policies of Chapter 17.134 of Title 17 of the Sacramento City Code. This project is determined to be exempt per CEQA 15301-Existing Facilities.

Preservation Staff has reviewed the proposed project, and approves it with the following conditions of approval:

1. Two new storefront systems shall be installed on the North elevation as shown on the Preservation stamped-approved plans, including the elimination of the west-most existing entry door into the first floor commercial space.
2. Provide final materials/designs for the restaurant and bakery new entry and storefront siding and framing, on the north and south elevations, to Preservation Staff for review and approval prior to submittal for Building Permits.
3. All second story windows to be replaced with new fiberglass or metal clad wood, single- or double-hung, windows per the Preservation stamped-approved plans; provide cutsheets of window system design and material for Preservation Staff review and approval prior to submittal for Building Permits.
4. Provide cutsheets for all new doors designs and materials to Preservation Staff for review and approval prior to submittal for Building Permits.
5. Provide samples & color chips of all final exterior materials finishes and colors for

Preservation Staff review and approval prior to submittal for Building Permits.

6. Signs/Sign program for the entire building are subject to Preservation review and approval and will be reviewed under separate permit.
7. All other Preservation notes or redlines on the Preservation stamped-approved plans are considered conditions of approval.
8. NO OTHER WORK ON EXTERIOR OR PUBLICALLY-ACCESSIBLE INTERIORS IS ALLOWED AS PART OF THIS APPROVAL.
9. This approval shall expire in three years from the approval date.
10. The applicant or public may file a request for reconsideration of this approval/conditions of approval to the Preservation Director. Requests for reconsideration must be filed at the City Community Development Department within 10 days of this action.

Ellen Marshall
Community Development