



REPORT TO PLANNING COMMISSION City of Sacramento

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915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
September 13, 2012

To: Members of the Planning Commission

Subject: Downtown and Vine (P12-029)

A request to establish wine tasting and retail alcohol sales in an existing building in the Central Business District Special Planning District (C-3 SPD) zone.

- A. Environmental Determination: Exempt per CEQA Guidelines Section 15301, Existing Facilities; and
- B. Special Permit to allow wine retail sales in conjunction with wine tasting in an existing 2,350 square foot tenant space on 3± acres in the Central Business District Special Planning District (C-3 SPD) zone.

Location/Council District:

1200 K Street #8, Sacramento, CA

Assessor's Parcel Number 006-0012-022-0001

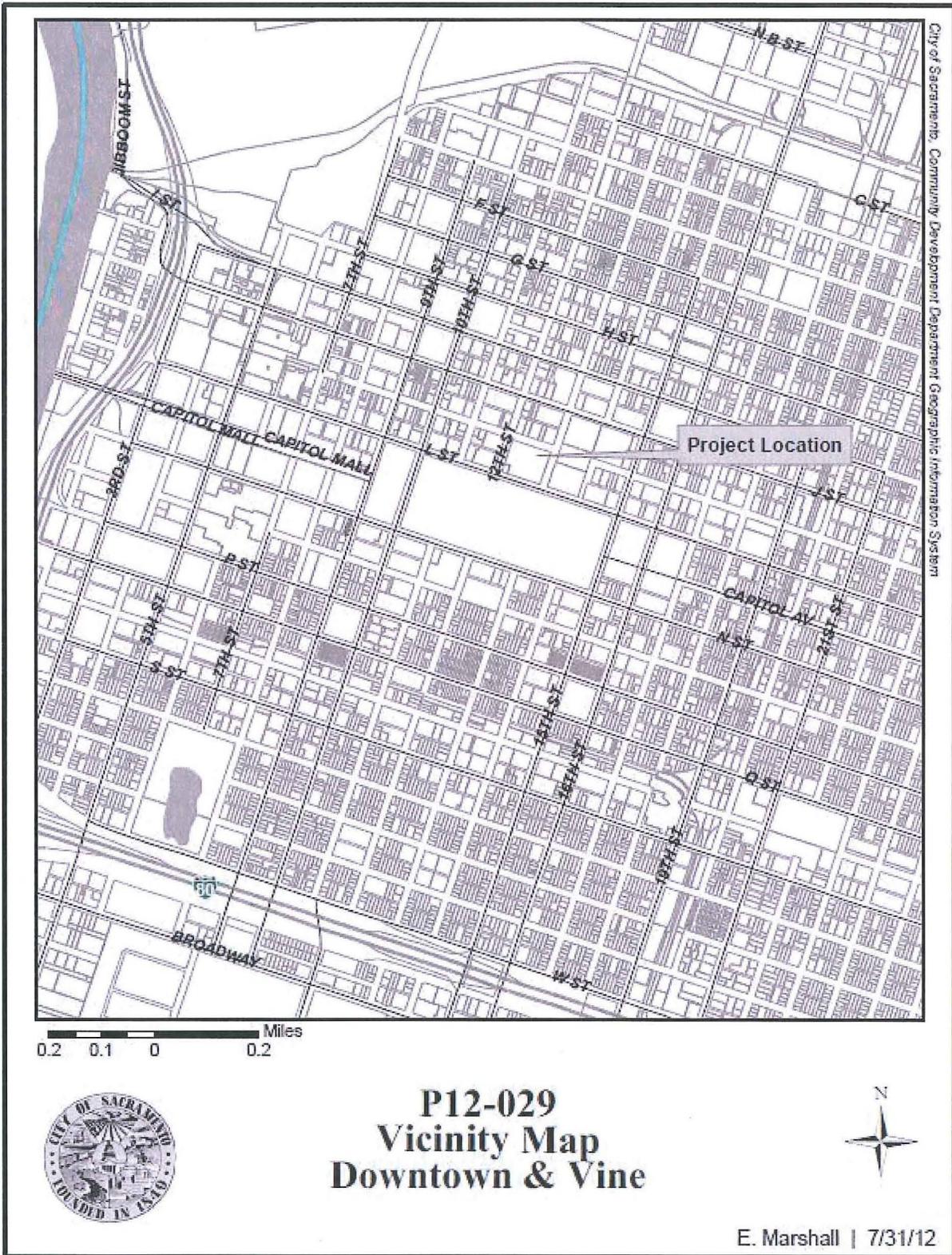
Council District 4

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

Contact: Ellen Marshall, Associate Planner, (916) 808-5851
Stacia Cosgrove, Senior Planner, (916) 808-7110

Applicant: Gregg Lamer, Downtown & Vine, (707) 260-5340, 3200 Soscol Ave #321
Napa, CA 94558

Owner: Troy Crosby, HCV Pacific Partners, LLC (Troy Crosby – VP Chief Financial Officer, Thomas Krehbiel – VP Manager Residential Division, M.T. Geoffrey Yeh – Managing Director International Holdings, Randall J. Verrue – President CEO), (415) 249-0800, 222 Kearny Street #310 Sand Francisco, CA 94108



Summary: The site is currently developed with the Hyatt Regency Hotel and parking structure. The applicant is requesting to establish retail alcohol sales in conjunction with wine tasting rooms within one of the multiple tenant spaces along 12th and K Streets. The proposal includes having multiple wineries showcased at the site to provide visitors the opportunity to taste and purchase wine from multiple wineries at one location. The applicant anticipates partnering with 12 wineries. **At the time of writing this report, there were no outstanding issues or concerns regarding the project.**

Table 1: Project Information
General Plan designation: Central Business District (FAR of 3.0 to 15.0)
Existing zoning of site: C-3 SPD, Central Business District
Existing use of site: Vacant – Formerly Men’s Salon and Day Spa
Property area: 132,341 square feet or 3± acres
Size of Tenant Space: 2,350

Background and Entitlement History: The Downtown and Vine project was formally submitted on July 27, 2012. There have been no other recent applications for this tenant space, which was last used as a men’s salon and day spa.

Public/Neighborhood Outreach and Comments: A public hearing notice was sent to property owners within 500 feet and neighborhood associations including the Downtown Sacramento Partnership and the Alkali/Mansion Flats Neighborhood Association. The site was also posted more than 10 days in advance of the public hearing. Staff received an email from Jennifer Caldwell supporting the project: “This is just what K Street needs.” No other 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 Existing Facilities consists of a project involving negligible or no expansion of the use.

Policy Considerations: The subject site is designated as Central Business District on the General Plan Land Use and Urban Form Diagram. The Central Business District designation provides for mixed use high-rise development and single use or mixed-use development within easy access to transit. Infill development in areas designated as Central Business District can create additional character and spatial definition. Residential and office uses can also be integrated into traditional centers to create a more balanced mix of uses and additional job opportunities for surrounding residents. Sidewalks integrated with pedestrian amenities can also provide an active pedestrian component and physical connections to adjoining neighborhoods.

2030 General Plan Policies:

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 placed conditions of approval on the project to address crime and safety issues.

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 proposed wine tasting tenants are locating into an existing building that was formerly used by a salon and day spa, thereby providing an adaptive reuse of the tenant space.

Alcohol Beverage Control (ABC) License:

The applicant is seeking a Type 2 Winegrower license. This license authorizes the sale of wine and brandy to consumers for consumption off the premises where sold. Wine tastings may be conducted.

Land Use

Downtown and Vine is requesting to utilize approximately 2,350 square feet of the existing tenant spaces within Hyatt Regency Hotel building. Downtown and Vine's space will have about 94 seats. The proposed hours of operation are 10 a.m. to 10 p.m. Downtown and Vine will offer education classes and wine tasting. They will also offer concierge services to people planning trips to any wine country.

The applicant proposes alcoholic beverage sales and this request requires a Planning Commission Special Permit. Per Section 17.24.050(40) of the zoning code, the Planning Commission is required to consider whether the proposed wine tasting room and retail sales will detrimentally affect nearby residentially zoned areas, and give consideration to the distance of the proposed use from residential buildings and from churches, schools, hospitals, public parks, playgrounds, day care centers, and social welfare institutions. The proposed project is north of Capitol Park and is east of the Cathedral of the Blessed Sacrament and the Cathedral Building Apartments. Both uses are within 500 feet of the project site. Staff is unaware of any other churches, schools, hospitals, playgrounds, day care centers or social welfare institutions within 500 feet of the subject site. Table 2 below provides information regarding uses in the general vicinity of the subject site.

Table 2: Surrounding Uses		
Land Use	Location	Distance from Site
Cathedral Building Apartments	1020 12 th Street	270 feet

Cathedral of the Blessed Sacramento	1017 11 th Street	400 feet
Capitol Park	10 th and L Streets	425 feet

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

- a. The proposed use will not adversely affect the peace or general welfare of the surrounding neighborhood in that the proposed use will have limited hours of operation and the sale of alcohol will occur in conjunction with an onsite tasting room. The Police Department has reviewed the proposal and conditioned it accordingly.
- b. The proposed use will not result in undue concentration of establishments dispensing alcoholic beverages in that many of the businesses in the vicinity of K Street with liquor licenses are restaurants.
- c. The proposed use will not enlarge or encourage the development of a skid row or blighted area in that the establishment creates a unique multitenant wine tasting and retail sales project to contribute to the entertainment and tourism experience in the Central Business District.
- d. The proposed use will not be contrary to the General Plan which designates the site as Central Business District, allowing retail, service, and office uses.

Staff believes that the Planning and Design Commission can make adequate findings as required to approve the project. Staff does not have any objections to the requested entitlements.

Access, Circulation and Parking

The site is located at south of K Street between 12th and 13th Streets. The existing commercial space does not have onsite parking. The site is not required to provide parking for retail and restaurant uses because it is located in the Central Business District Special Planning District (C-3 SPD) zone. Public parking garages and onstreet metered parking are available in the Central Business District.

Table 3: Parking			
Use	Required Parking	Proposed Parking	Difference
Wine Tasting Area	0 spaces	0 spaces	No

Building design and signage

No exterior modifications or site improvements are proposed as a part of this project. No signage has been proposed at this time. Any future signage will require a sign permit.

Conclusion: Staff recommends approval of the project since the proposal: a) is consistent with the General Plan designation of Central Business District and the Central Business District Special Planning District (C-3 SPD) zone, b) contributes to the promotion of Sacramento as a major tourist and entertainment destination by providing a unique multitenant winetasting establishment, c) has been reviewed by the Police Department and is conditioned to ensure proper security, lighting, and good neighbor policies for the site.

Respectfully submitted by: Ellen Marshall
ELLEN MARSHALL
Associate Planner

Approved by:

Stacia Cosgrove
STACIA COSGROVE
Senior Planner

Recommendation Approved:

Gregory Bitter
GREGORY BITTER, AICP
Principal Planner

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**Attachment 1
Proposed Findings of Fact and Conditions of Approval
Downtown and Vine (P12-029)
1200 K Street #8 Street**

Findings Of Fact

1. **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 the use of existing facilities without an expansion of use.

- B. The **Special Permit** to allow alcohol retail sales in conjunction with wine tasting in an existing building on 3± acres in the Central Business District Special Planning District (C-3 SPD) zone is **approved** subject to the following Findings of Fact:
 1. The proposed use will not adversely affect the peace or general welfare of the surrounding neighborhood in that the proposed use will have limited hours of operation and the sale of alcohol will occur in conjunction with an onsite tasting room.
 2. The proposed use will not result in undue concentration of establishments dispensing alcoholic beverages in that many of the businesses in the vicinity of K Street with liquor licenses are restaurants.
 3. The proposed use will not enlarge or encourage the development of a skid row or blighted area in that the establishment creates a unique multitenant wine tasting and retail sales project to contribute to the entertainment and tourism experience in the Central Business District.
 4. The proposed use will not be contrary to the General Plan which designates the site as Central Business District because it allows retail, service, and office uses.

Conditions Of Approval

The **Special Permit** to allow alcohol retail sales in conjunction with wine tasting in an existing building on 3± acres in the Central Business District Special Planning District (C-3 SPD) zone is **approved** subject to the following conditions of approval:

Planning

1. The tasting room and lounge hours of operation shall be 10 am to 10 pm. Any requests to modify these hours shall require additional planning review and approval.

2. A sign indicating a 24-hour emergency phone number and contact person shall be kept current and posted on the building storefront as a Good Neighbor Policy measure. The contact person shall be responsible for coordinating with neighbors to ensure there is no detrimental noise, light, or other issues that would affect the peace and welfare of the neighbors.
3. 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.

Police

4. Whenever alcohol is sold, served, or consumed, there shall be an employee on site who has completed the California Department of Alcoholic Beverage Control Licensee Education On Alcohol and Drugs training course: <http://www.abc.ca.gov/programs/lead.html> (If California ABC ceases to offer the course, this condition is null.)

Public Works

5. 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 K Street per City standards and to the satisfaction of the Department of Public Works;

Advisory Notes:

Building

6. 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), and Part 9 (California Fire Code).

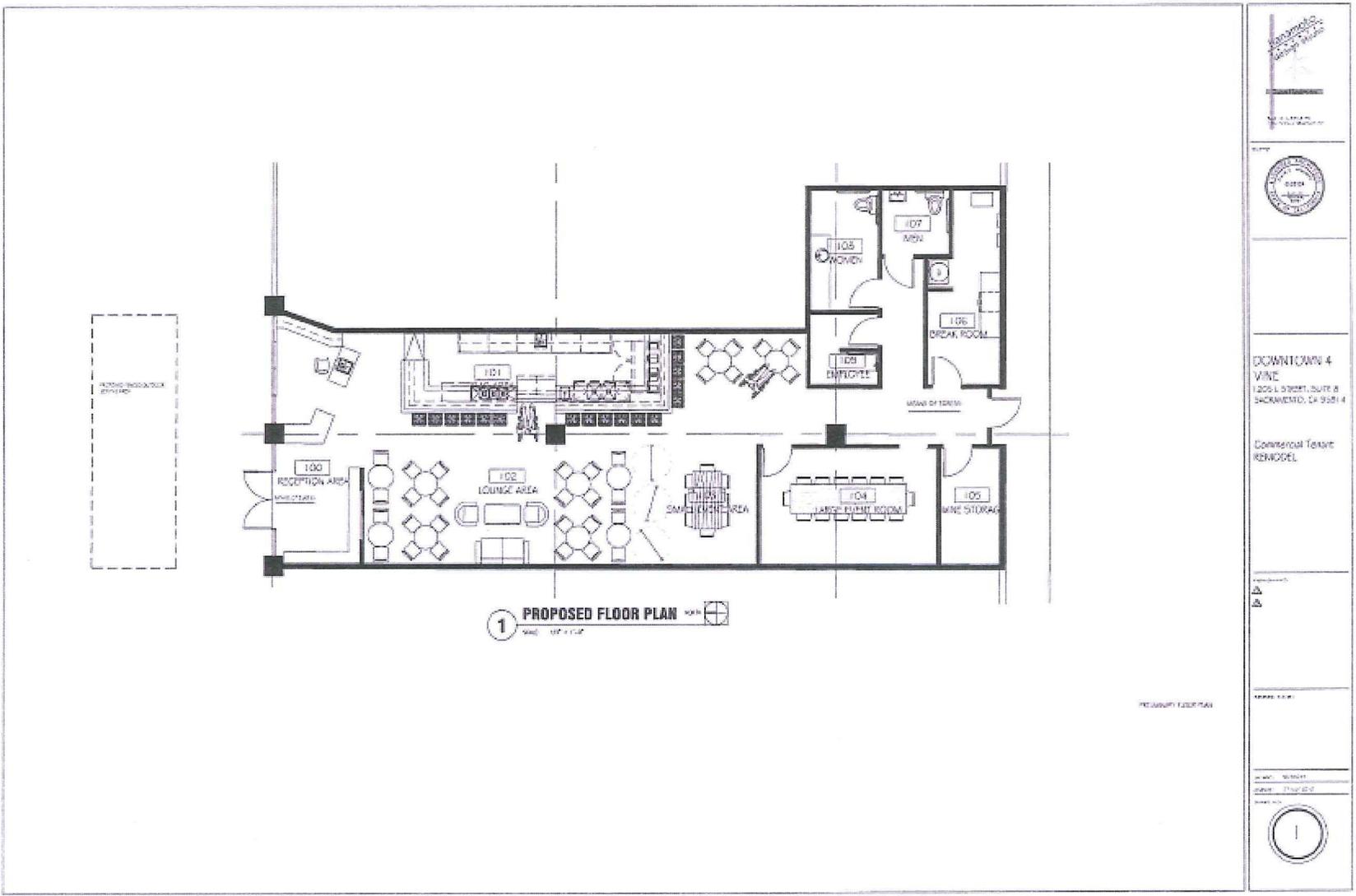
Fire

7. Comply with 2010 California Fire Code Chapter 10 Means of Egress pertaining to exiting requirements.

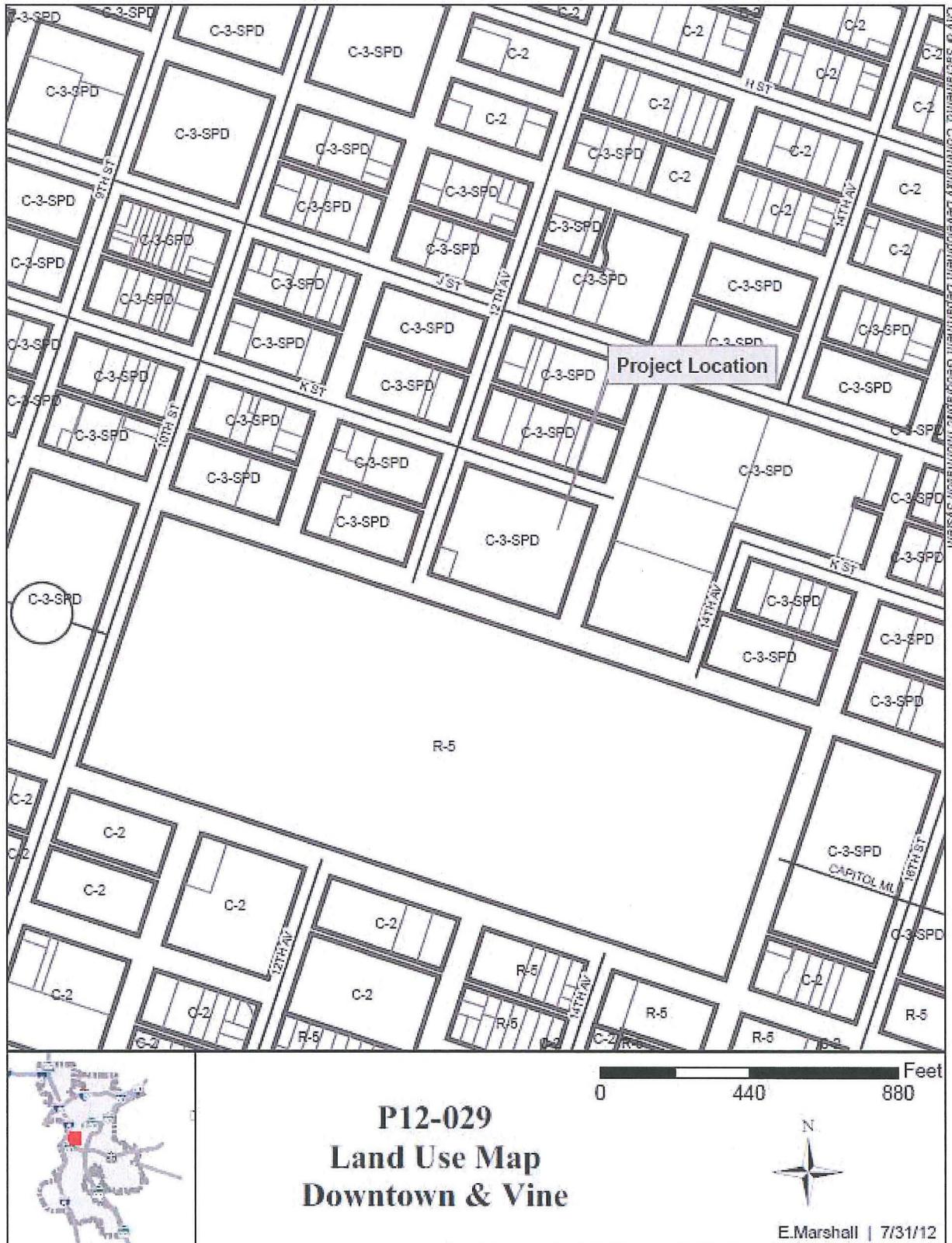
Public Works

- 8.** To accommodate the proposed outdoor seating, the applicant shall apply for and obtain approval from the Department of Public Works for both a revocable permit and an encroachment permit and must meet all requirements of those two permits.

Exhibit A: Floor Plan



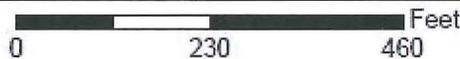
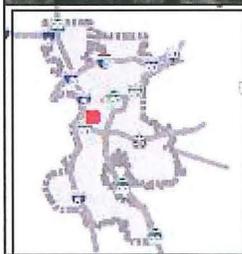
Attachment 2: Land Use and Zoning Map



Attachment 3: Aerial Map



City of Sacramento, Community Development Department Geographic Information System



**P12-029
Aerial Map
Downtown and Vine**



E.Marshall | 8/15/12

Attachment 4: Building Photos and Surrounding Neighborhood Photos

Looking West Toward 12th Street



Looking North Across K Street



Looking East Toward 13th Street

