

**CITY OF SACRAMENTO  
DEPARTMENT OF DEVELOPMENT SERVICES  
ZONING ADMINISTRATOR  
1231 I Street, Sacramento, CA 95814**

**ACTION OF THE ZONING ADMINISTRATOR**

On Tuesday, November 23, 2004, the Zoning Administrator approved with conditions a special permit locate five required parking spaces off-site for a restaurant expansion in the General Commercial (C-2-MC) zone for the project known as (File Z04-233). Findings of Fact and conditions of approval for the project are listed on pages 3-4.

**Project Information**

Request: **Zoning Administrator Special Permit** to locate five required parking spaces off-site, under different ownership, for a 25-seat restaurant expansion on 0.07± developed acres in the General Commercial, Midtown Commercial Overlay (C-2-MC) zone.

Location: 2431 J Street and 2412 I Street (D3, Area 1)

Assessor's Parcel Number: 007-0032-016 and 007-0032-008

Applicant: Weitman and Associates Consulting {Contact: Will Weitman}  
10114 Sorenstam Drive  
Sacramento, CA 62506

Property Owner: Bahn Thai Inc. {Contact: Suleka Lindley}  
2431 J Street  
Sacramento, CA 95816

Project Planner: Lindsey Alagozian

General Plan Designation: Community/Neighborhood Commercial & Offices  
Central City

Community Plan Designation: General Commercial  
Existing Land Use of Site: Restaurant (007-0032-016)  
Existing Land Use of Site: Parking Lot (007-0032-008)  
Existing Zoning of Site: Restaurant (C-2-MC)  
Existing Zoning of Site: Parking Lot (R-3A)

**Surrounding Land Use and Zoning:**

North: C-2; Residential and Commercial  
South: C-2; Office  
East: C-2; Senior Housing  
West: C-2; Retail and Residential

Property Dimensions: 40 feet x 80 feet  
Property Area: 0.07± acres  
Square Footage of Restaurant: 2,600 square feet  
Height of Building: Three Stories, 37 feet  
Topography: Flat

Street Improvements: Existing  
 Utilities: Existing

Project Plans: See Exhibit A thru D

Previous Files: P402 (Parking lot at 2412 I Street)  
 Z93-061 (Sidewalk café for 2431 J Street)  
 Z02-064 (Sidewalk café permit is issued for new owners)

Additional Information The applicant is requesting to expand an existing 57-seat restaurant located in the General Commercial zone. The project involves remodeling the existing third floor of the structure and the installation of an elevator in order to accommodate the 25-seat restaurant expansion. The restaurant use is allowed by right in this zone. However, the site does not contain adequate parking for the proposal. The previous use in the third floor was an 800 square foot hair salon. According to the Zoning Ordinance, a hair salon of this size requires three parking spaces. A 25-seat restaurant requires eight parking spaces. Since the site contains no on-site parking, a credit of three parking spaces applies to the new use. Therefore, a total of five parking spaces are required for the restaurant expansion.

The applicant is requesting a Zoning Administrator Special Permit to locate five required parking spaces off-site at 2412 I Street. This site is currently developed as a parking lot. Staff analyzed this site to determine if the site has five additional parking spaces available for the restaurant to use. These spaces were originally constructed to serve the existing auto repair facility adjacent to the parking lot as additional parking. The parking spaces do not legally count toward required parking for the auto use and therefore are available for the restaurant. The owner has submitted a lease to utilize five parking spaces at 2412 I Street. In addition to the proposed off-site parking spaces, the applicant has an agreement with the owner of the parking lot located across from Thai Basil restaurant, at the corner of 25<sup>th</sup> and J Street. The 20 parking spaces at this parking lot are available for restaurant customers after 5:00 PM daily. The applicant has submitted a parking survey indicating available on-street parking within close proximity to the restaurant during the lunch time hours. The parking availability during the lunch time hours ranges between 32 to 89 parking spaces.

Early project notification was sent to the Midtown Business Association and the Marshall School Neighborhood Association. The Midtown Business Association had no objection to the project. The site was posted and property owners within 100 feet of the subject site were notified. Staff received two phone calls requesting additional information about the project but had no objection to the project.

Zoning Administrator Hearing The project was scheduled for the Zoning Administrator hearing on October 13, 2004. There were six interested neighbors at the hearing for this project. The Zoning Administrator heard from neighbors and those involved with neighborhood associations in the midtown area. The comments were generally in favor of allowing the restaurant expansion, but expressed concerns for the location of available parking spaces for the restaurant. They also voiced concerns for how patrons will be informed of the proposed off-site parking lot and the availability of parking spaces at the 25<sup>th</sup> and J Street parking lot. The neighbors indicated that there is less on-street parking available during the evening hours. The Zoning Administrator decided to continue the item for one month in order to give the restaurant owner more time to implement a plan that would notify and encourage customers to park in the 25<sup>th</sup> and J Street parking lot after 5:00 PM.

On November 23, 2004 the Zoning Administrator held the second hearing for this project. The applicant presented various measures that had been implemented in order to encourage restaurant patrons to park in the available parking located at the J Street and 25<sup>th</sup> Street parking lot. Signs were made to encourage customers to park at the 25<sup>th</sup> and J Street parking lot after 5PM and not to park

along 25<sup>th</sup> Street. The signs are posted both inside and outside of the restaurant and a copy of the sign is attached to this report. Flyers were also made and handed out to customers. The owner of the restaurant also polled her customers to find out where they parked while dining at the restaurant. It was determined that most preferred to park on the streets as close to the restaurant as possible. Most were not aware of the available parking at the 25<sup>th</sup> and J Street parking lot. The neighbors reported that they were pleased of the progress the restaurant had made to encourage parking at the available parking lot and want the restaurant to continue informing patrons of the various parking options. One neighbor voiced concerns for overall parking problems in the midtown area. The Zoning Administrator closed the public hearing and approved the off-site parking request subject to conditions of approval, as listed below.

Environmental Determination This project will not have a significant effect on the environment and is exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Section 15301 (a), Existing Facilities.

### **Conditions of Approval:**

#### **General**

1. Size and location of the project shall conform to the plans submitted.
2. A building permit shall be obtained for the restaurant expansion.
3. This approval allows the addition of no more than twenty-five (25) seats to be added to the existing restaurant located at 2431 J Street. The total maximum number of seats permitted at this restaurant shall not exceed eighty-two (82) seats.
4. Restaurant staff shall encourage customers to park at the 25<sup>th</sup> and J Street parking lot after 5:00 PM while dining at the restaurant. This shall include posting signs inside and outside the restaurant and handing out flyers to customers.
5. The owner shall maintain a lease with the owner of 2412 I Street property.
6. The owner shall continue to participate in the midtown parking study.

### **Findings of Fact**

1. Granting the Special Permit is based upon sound principles of land use in that:
  - a. a restaurant is a permitted use in the General Commercial (C-2) zone; and
  - b. the project is compatible in design with the existing property and existing surrounding properties in the neighborhood.
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. the project is conditioned such that the use will not generate significant impacts to the nearby residential properties; and

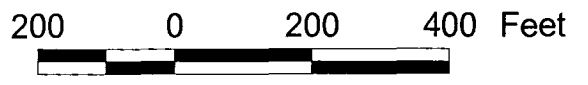
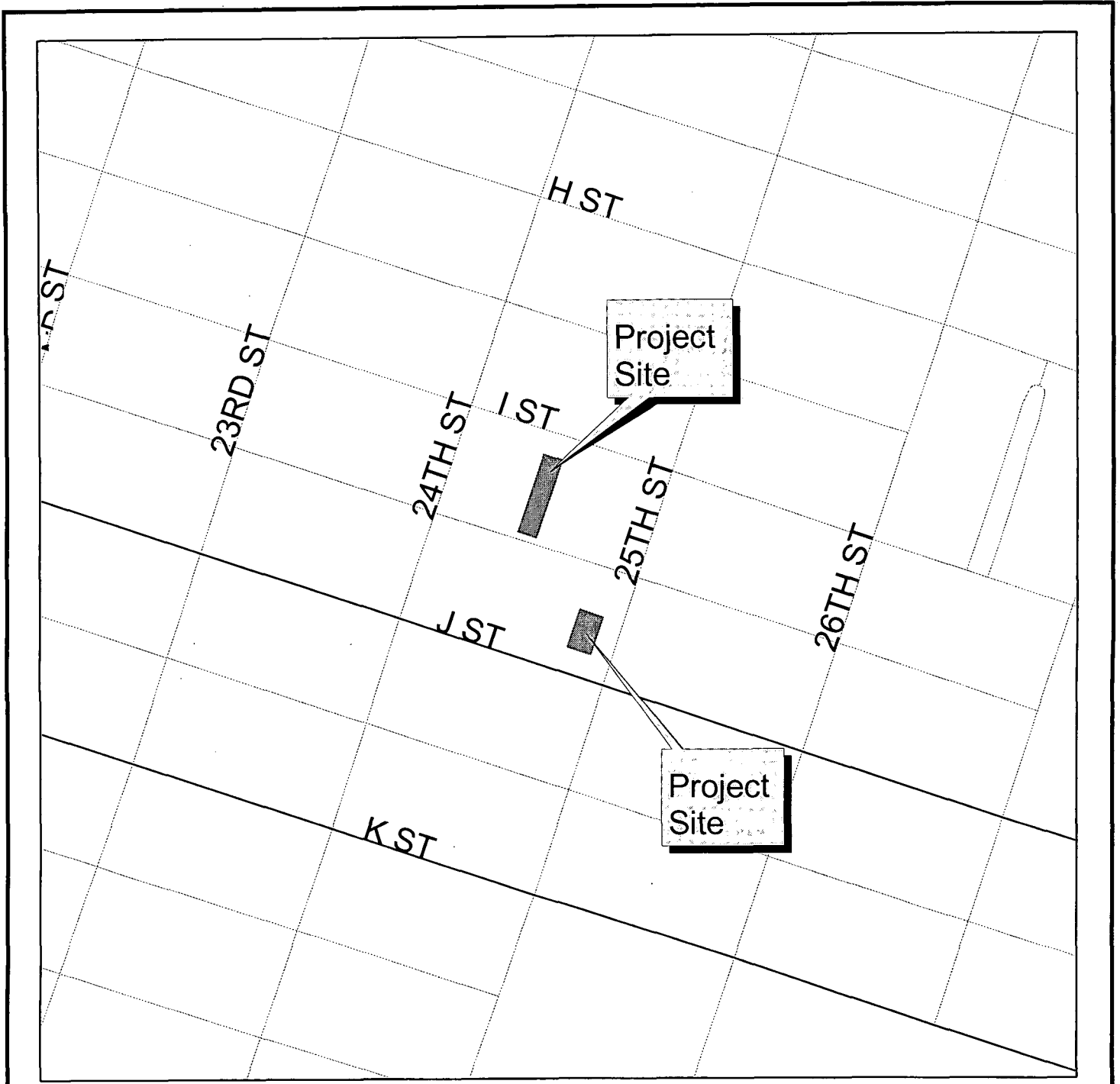

- b. adequate parking is provided off-site.
- 3. The project is consistent with the General Plan which designates the site as Community/Neighborhood Commercial & Offices and General Commercial.

  
\_\_\_\_\_  
Joy D. Patterson  
Zoning Administrator

A use for which a Special Permit is granted must be established within two years after such permit is approved. If such use is not so established the Special Permit shall be deemed to have expired and shall be null and void. A Special Permit use which requires a Building Permit shall be deemed established when such Building Permit is secured and construction thereunder physically commenced. If no building permit is required the use shall be deemed established when the activity permitted has been commenced.

The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

cc: File (original)  
ZA Log Book  
Applicant  
Paul Harrman, 2322 I Street, Sacramento, CA 95816  
Richard Jansen, 916 25<sup>th</sup> Street, Sacramento, CA 95816





Development Services  
Department

Geographic  
Information  
Systems

# Vicinity Map

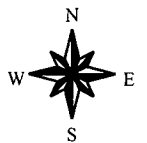


Development Services  
Department

Geographic  
Information  
System

# Land Use & Zoning



# Z04-233

8-2-04

Z04-233

November 23, 2004

PROJECT 11111111

Item 5

DRAWN BY TERRY BLACK  
TEL. 442-7666

## 2431 J STREET FIRST LEVEL

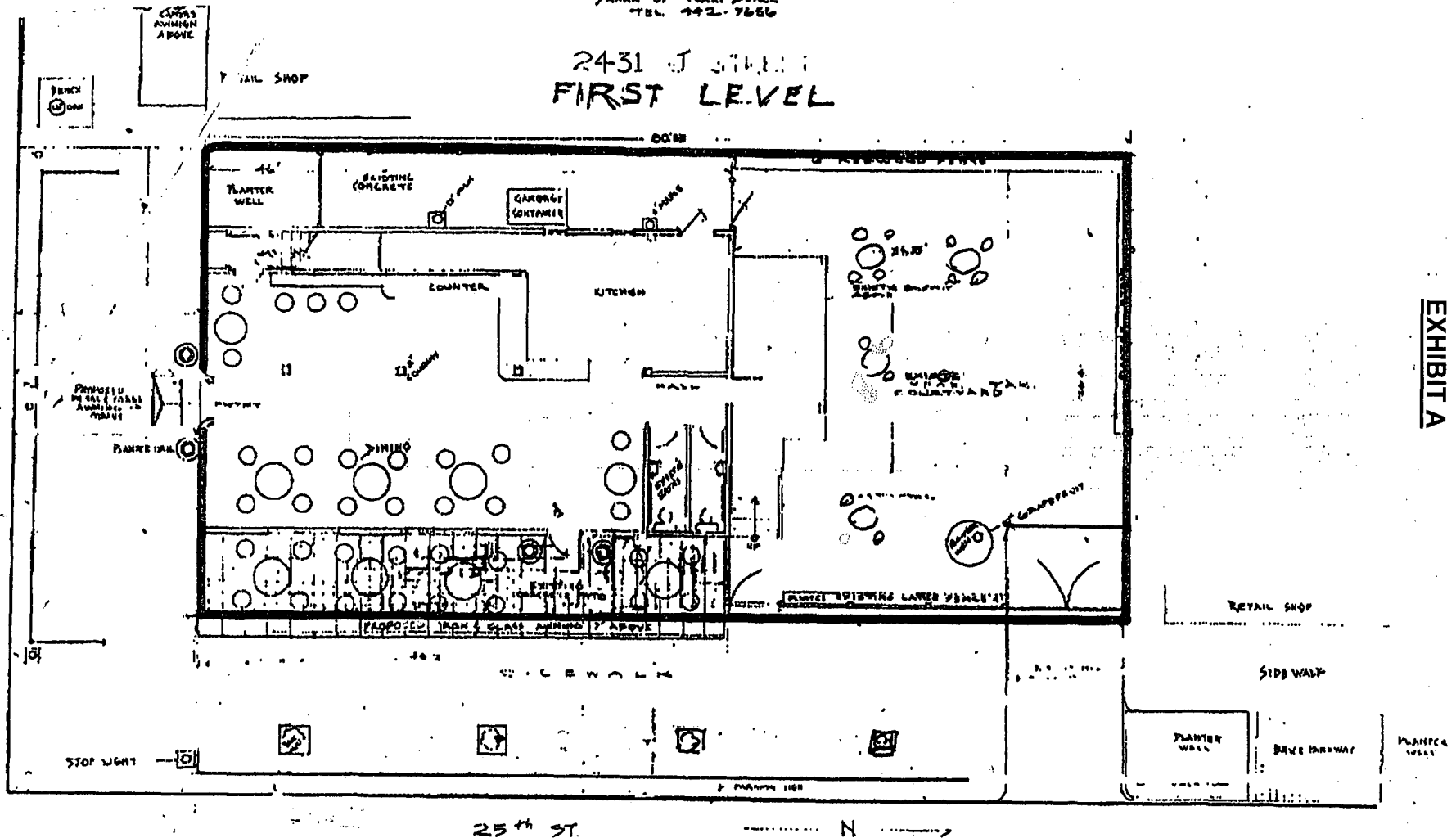
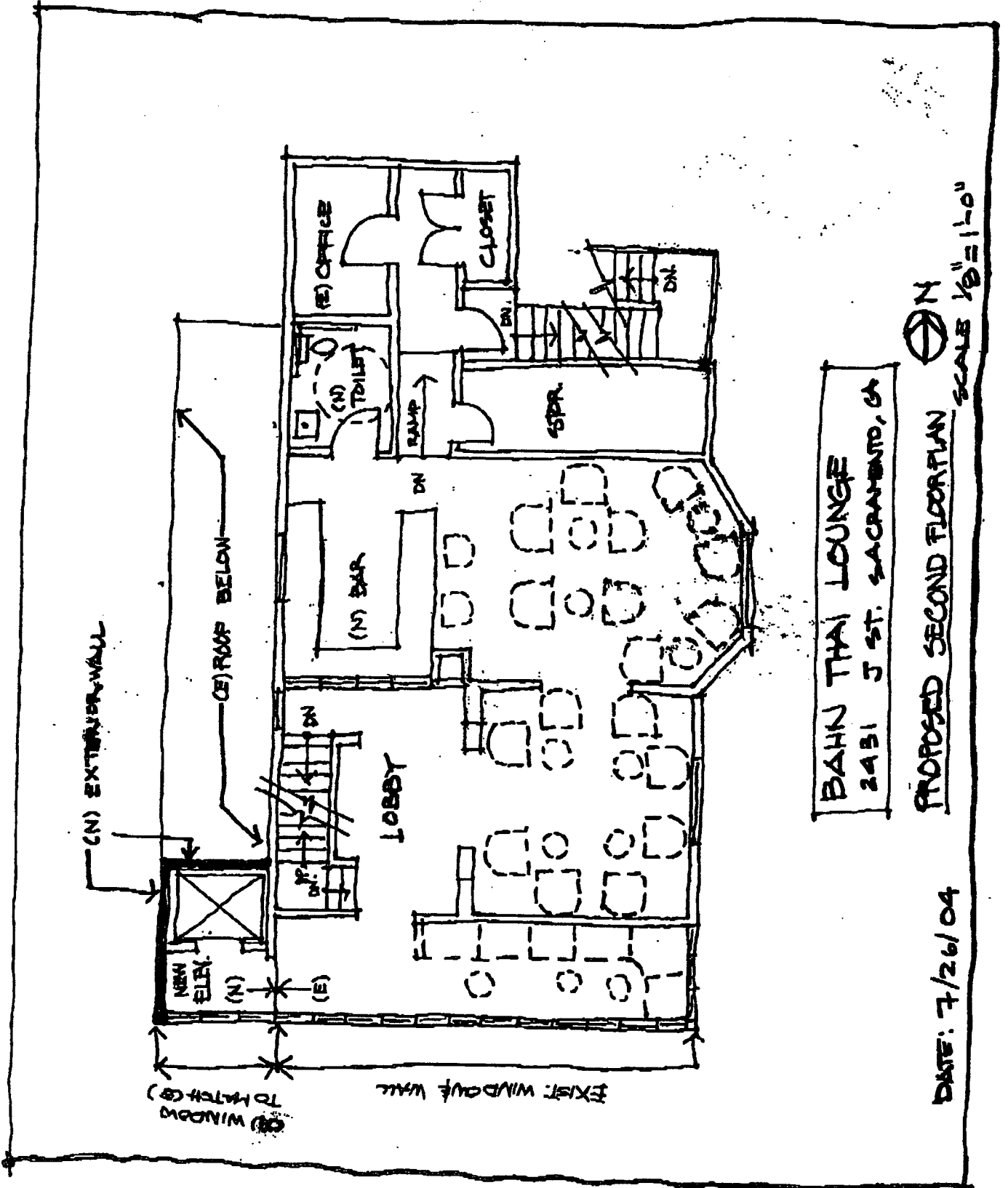


EXHIBIT A

EXHIBIT B

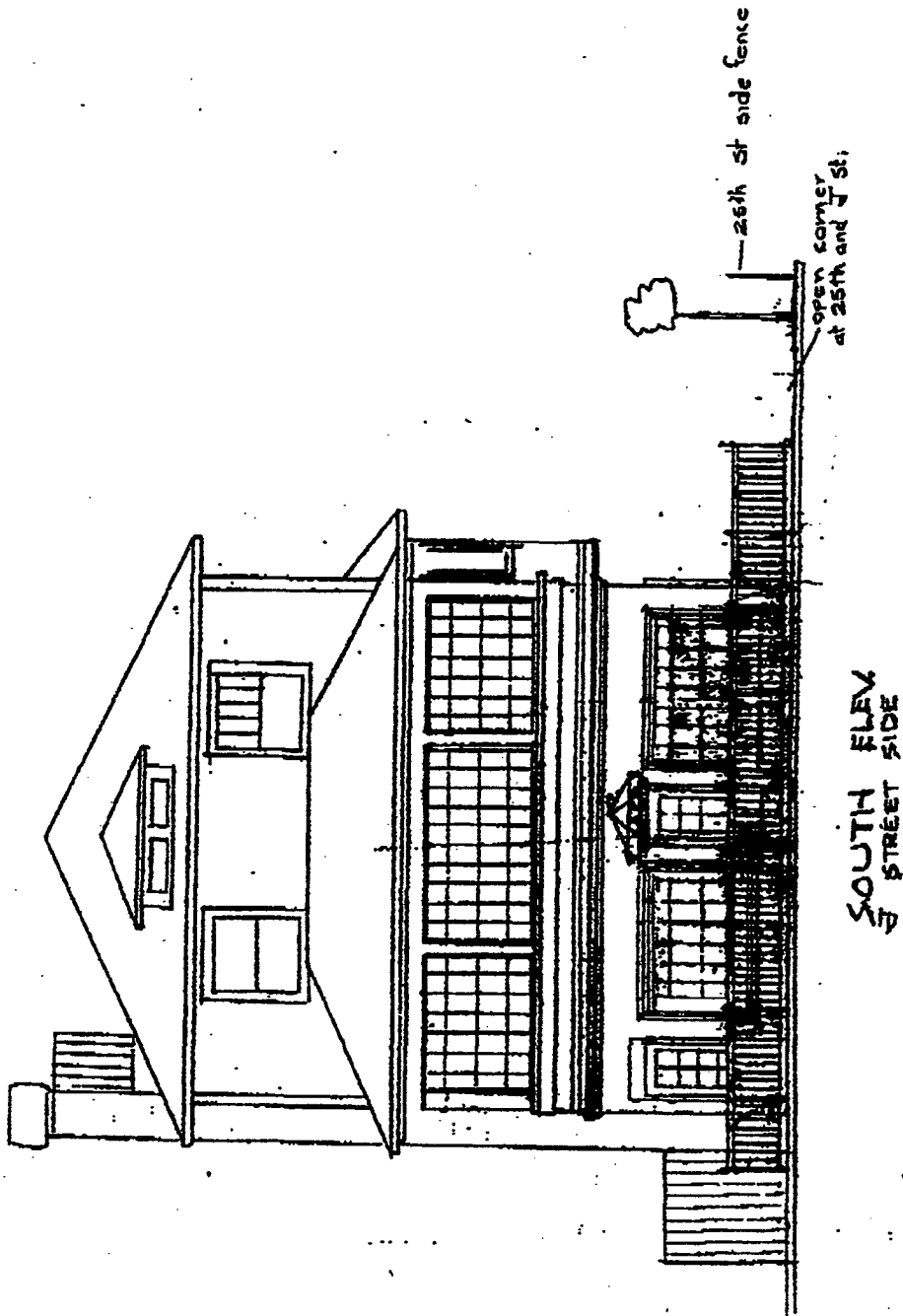


Z04-233  
Z04-233-2-04

November 23, 2004

Item 5

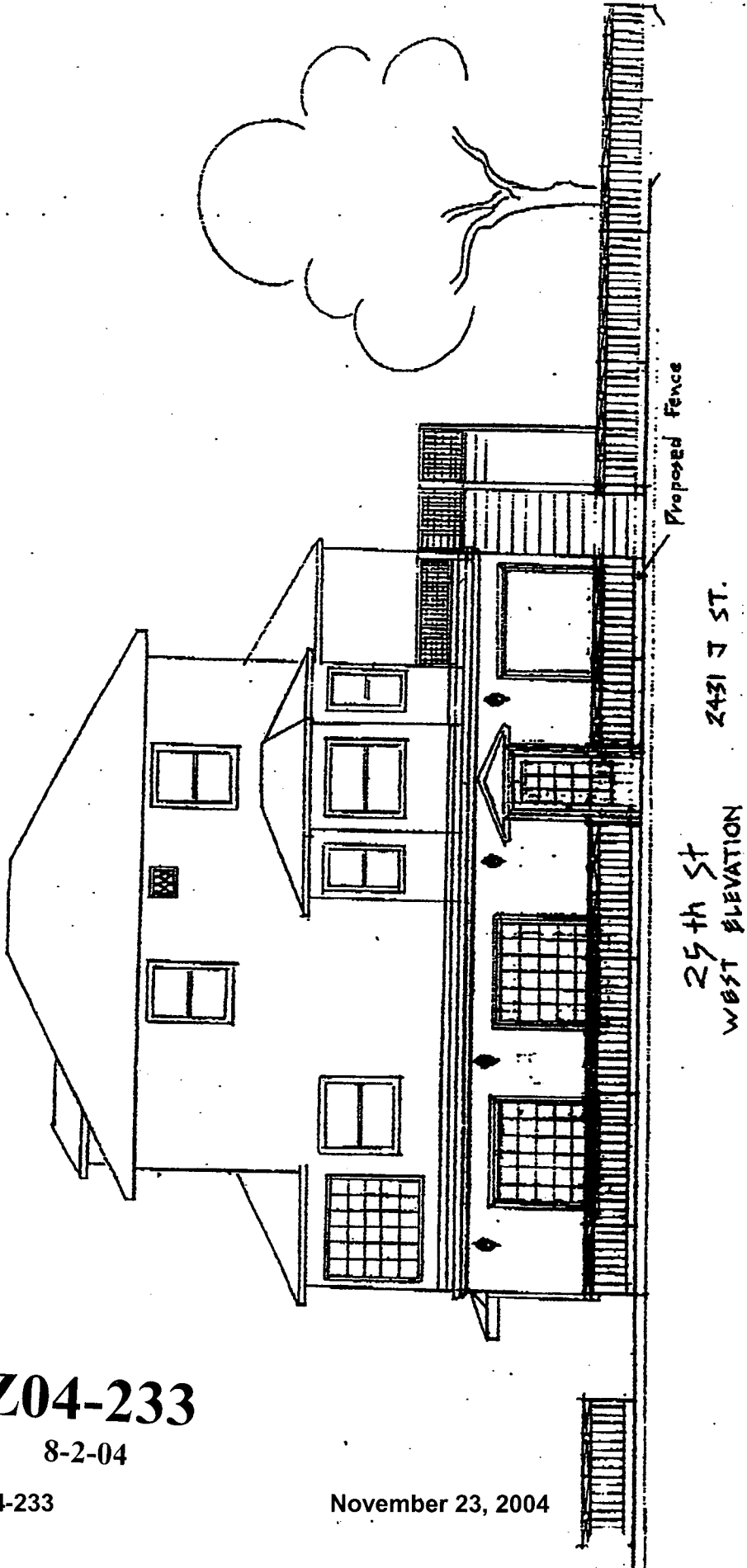
EXHIBIT C



**Z04-233**

8-2-04

**EXHIBIT D**



Proposed Fence

25th St  
WEST ELEVATION  
2431 J ST.

**Z04-233**

8-2-04

Z04-233

November 23, 2004

Item 5