

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

**ACTION OF THE ZONING ADMINISTRATOR**

On Tuesday, June 14, 2005, the Zoning Administrator approved with conditions a special permit to waive eleven parking spaces for a 47-seat restaurant in the General Commercial, Urban Neighborhood Overlay (C-2-UN) zone for the project known as (File Z04-173). Findings of Fact and conditions of approval for the project are listed on pages 2-4.

**Project Information**

Request: **Zoning Administrator Special Permit** to waive eleven (11) parking spaces for a 47-seat restaurant on 0.07± developed acres in the General Commercial, Urban Neighborhood Overlay (C-2-UN) zone.

Location: 1830 J Street (D3, Area 1)

Assessor's Parcel Number: 007-0081-008

Applicant: Perry Yuen  
1830 J Street  
Sacramento, CA 95814

Property Owner: Same as Applicant

Project Planner: Lindsey Alagozian

General Plan Designation: Community/Neighborhood Commercial & Offices  
Central City  
Community Plan Designation: General Commercial  
Existing Land Use of Site: Restaurant

Surrounding Land Use and Zoning:  
North: C-2-UN; Commercial  
South: C-2-UN; Commercial  
East: C-2-UN; Commercial  
West: C-2-UN; Commercial

Property Dimensions: 40 feet x 80 feet  
Property Area: 0.07± acres  
Square Footage of Restaurant: 2,380 square feet  
Height of Building: One Story, 15.5 feet (to parapet)  
Topography: Flat  
Street Improvements: Existing  
Utilities: Existing

Project Plans: See Exhibit A thru D

Previous Files: None

Additional Information The applicant is requesting to expand an existing 23-seat restaurant located at the corner of 19<sup>th</sup> and J Streets in the General Commercial zone. Currently the restaurant holds 23 seats inside. The applicant is proposing to add 24 additional seats outside of the restaurant in the space directly in front of the building along J Street. This area is located on the property of the restaurant and is not within the public right-of-way. A restaurant use is allowed by right in this zone. However, the site does not contain adequate parking for the proposal. The previous use at this site was an auto related use and provided five parking spaces on-site. During the remodel of this building into a restaurant, the Development Engineering and Finance staff determined that the five parking spaces could not remain on-site due to safety concerns and exiting onto J Street. The five parking spaces were eliminated in the remodel of the restaurant and therefore the site contains the five parking space credit. According to the Zoning Ordinance a 47-seat restaurant requires a total of 16 parking spaces. Including the parking space credit of five, a total of 11 parking spaces are required for this restaurant expansion.

The applicant is requesting a Zoning Administrator Special Permit to waive the 11 required parking spaces for the restaurant. Staff requested the restaurant owner to conduct a survey to determine the modes of transportation commonly used by patrons of the restaurant. The survey was conducted and submitted to staff for review. The results indicate that the majority of patrons during the lunch and evening hours arrive at the restaurant by walking as opposed to cars. During the evening hours, more patrons used cars as a mode of transportation than during the morning or lunch hours. The applicant submitted information to staff regarding the availability of on-street parking within the immediate vicinity of the restaurant.

Early project notification was sent to the Winn Park / Capitol Avenue Neighborhood Association, the Midtown Business Association and the Marshall School Neighborhood Association. The Midtown Business Association had no objection to the project. Staff received one letter of concern from the Winn Park / Capitol Avenue Neighborhood Association. The letter indicates a growing concern for the cumulative impact of parking waivers for businesses within the midtown area. 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 June 8, 2005. In addition to staff, the applicant and the Chair of the Winn Park / Capitol Avenue Neighborhood Association attended the hearing. The Zoning Administrator heard from the applicant and the neighbor. Concerns surrounding the overall lack of parking in the midtown area were expressed to the Zoning Administrator. It was revealed that there is less on-street parking available during the evening hours. The Zoning Administrator listened to the concerns and closed the public hearing. Given the growing concerns for the lack of parking in the midtown area, the Zoning Administrator granted the Special Permit subject to conditions of approval including the time limit of two years. The applicant is required to submit the parking waiver request two years from the date of this approval for the purposes of reevaluating the need for parking.

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. Tables and chairs to be located in the patio area shall be as per submitted details (See Exhibits D & E).
3. The proposed fencing shall be constructed in accordance with submitted details.
4. This approval allows the total of twenty-four (24) seats to be added to the existing restaurant located at 1830 J Street and a waiver for 11 required parking spaces. The total maximum number of seats permitted at this restaurant shall not exceed forty-seven (47). The Special Permit shall be granted for two years only from the date of approval in an effort for city staff to reevaluate the potential need for additional parking in this area. The applicant shall submit an additional request to waive parking in two years from this approval date.
5. The applicant shall install automatic irrigation and landscaping (including shrubs and trees) in the planter strips adjacent to J and 19<sup>th</sup> Streets. Coordinate the installation of landscaping with the City Arborist, Duane Goosen at 808-4996.
6. A sidewalk café in the public right-of-way will not be permitted at this site.

#### **Development Engineering and Finance**

7. Repair or replace/reconstruct any existing deteriorated curb, gutter and sidewalk per City standards to the satisfaction of the Development Engineering and Finance Division.
8. The site plan shall conform to A.D.A. requirements in all respects.
9. The design of walls, fences, and signage near intersections and driveways shall allow stopping distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters.

#### **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 parking waiver is granted for a two year period whereupon city staff will reevaluate the potential need for additional parking; and
  - b. the site cannot accommodate additional outdoor seating within the public right-of-way.
3. The project is consistent with the General Plan which designates the site as Community/Neighborhood Commercial & Offices and General Commercial.

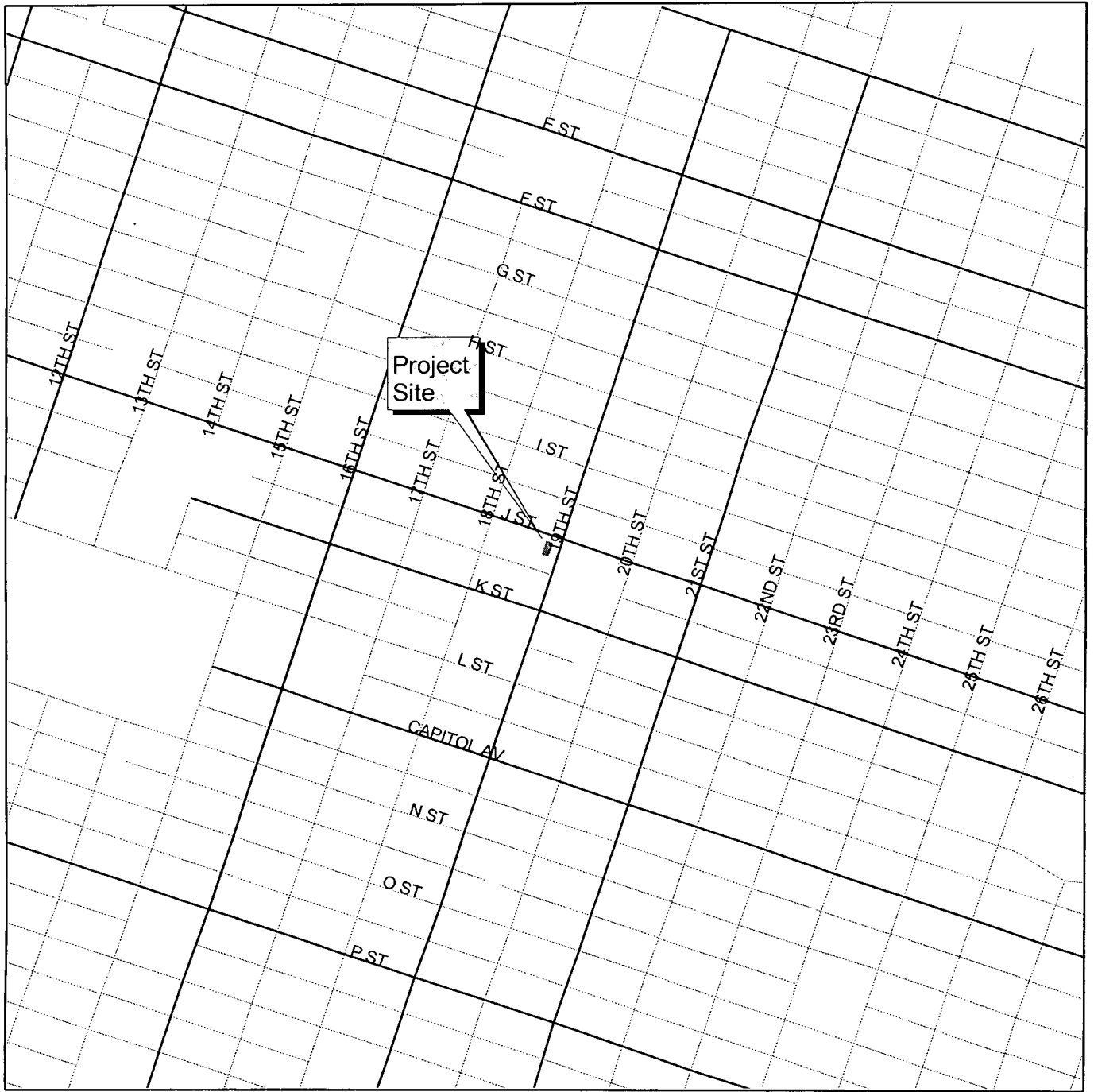



Joy D. Patterson  
Zoning Administrator

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.

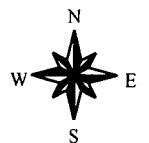
cc: File  
ZA Log Book (original)  
Applicant  
Bruce Holmes, Winn Park / Capitol Avenue NA, PO Box 162555, Sacramento, CA 95816  
Attorney Chris J. Barcellos, 9299 E. Stockton Blvd., Suite 40, Elk Grove, CA 95624

Development Services  
Department

Geographic  
Information  
Systems


# Vicinity Map



Z04-173

June 8, 2005

Item 6

Development Services  
Department

Geographic  
Information  
System

## Land Use & Zoning





DOOR SCHEDULE						
DOOR NO.	SIZE	FRAME	MATERIAL	HARDWARE	REMARKS	
1	2'-0" x 7'-0"	ALUM.	ALUM.	PANIC PUSH HARDWARE WITH KEAT RTY SENSORS	PROVIDE AUTOMATIC PUSH OPEN DEVICE	
2	2'-0" x 7'-0"	ALUM.	ALUM.	PANIC PUSH HARDWARE WITH H/O SELF CLOSER	DO NOT PRESS DOOR WITH LESS THAN 1/4" BOREHOLE GAP	
3	2'-0" x 7'-0"	WOOD	WOOD	LOCKABLE LEVER WITH PRIVATE THUMBLOCK	PROVIDE CLOSER	
4	2'-0" x 7'-0"	WOOD	WOOD	LOCKABLE LEVER WITH PRIVATE THUMBLOCK	PROVIDE CLOSER	
5	2'-0" x 7'-0"	WOOD	WOOD	LOCKABLE LEVER LOCKSET INCLUDED	INSET FROM ROOF WITH LESS THAN 1/4" BOREHOLE GAP	
6	2'-0" x 7'-0"	WOOD	WOOD	LOCKABLE LEVER LOCKSET INCLUDED	INSET FROM ROOF WITH LESS THAN 1/4" BOREHOLE GAP	
7	2'-0" x 7'-0"	WOOD	WOOD	LOCKABLE LEVER LOCKSET	DOOR TO SLIP ROOM	
8	6'-0" x 7'-0"	ALUM.	ALUM.	LOCKABLE LEVER LOCKSET W/ CLOSER		

DOOR TYPES

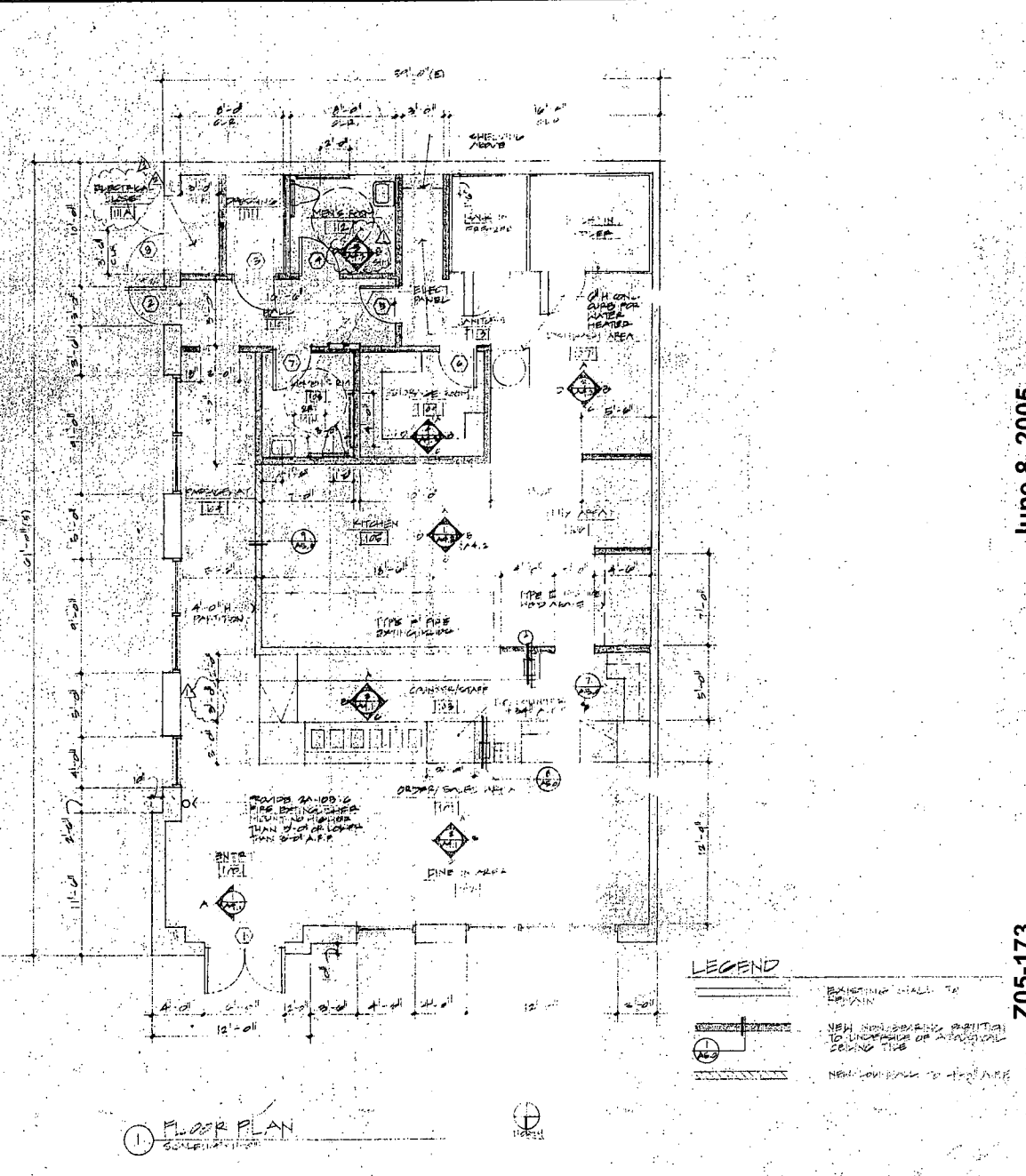
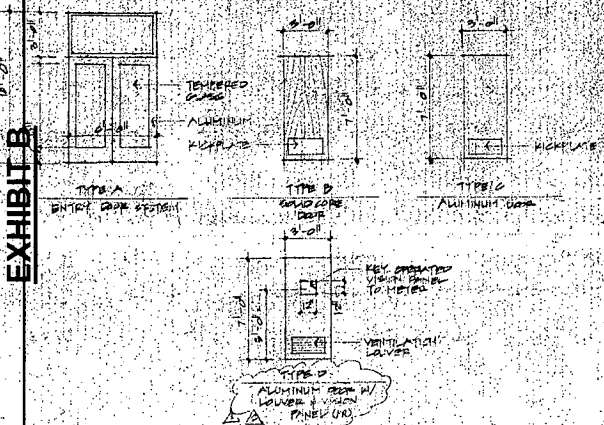


EXHIBIT B

June 8, 2005

Z05-173

PLUM BLOSSOM CAFE  
1930 L STREET  
SAUCRAMENTO, CA 95601

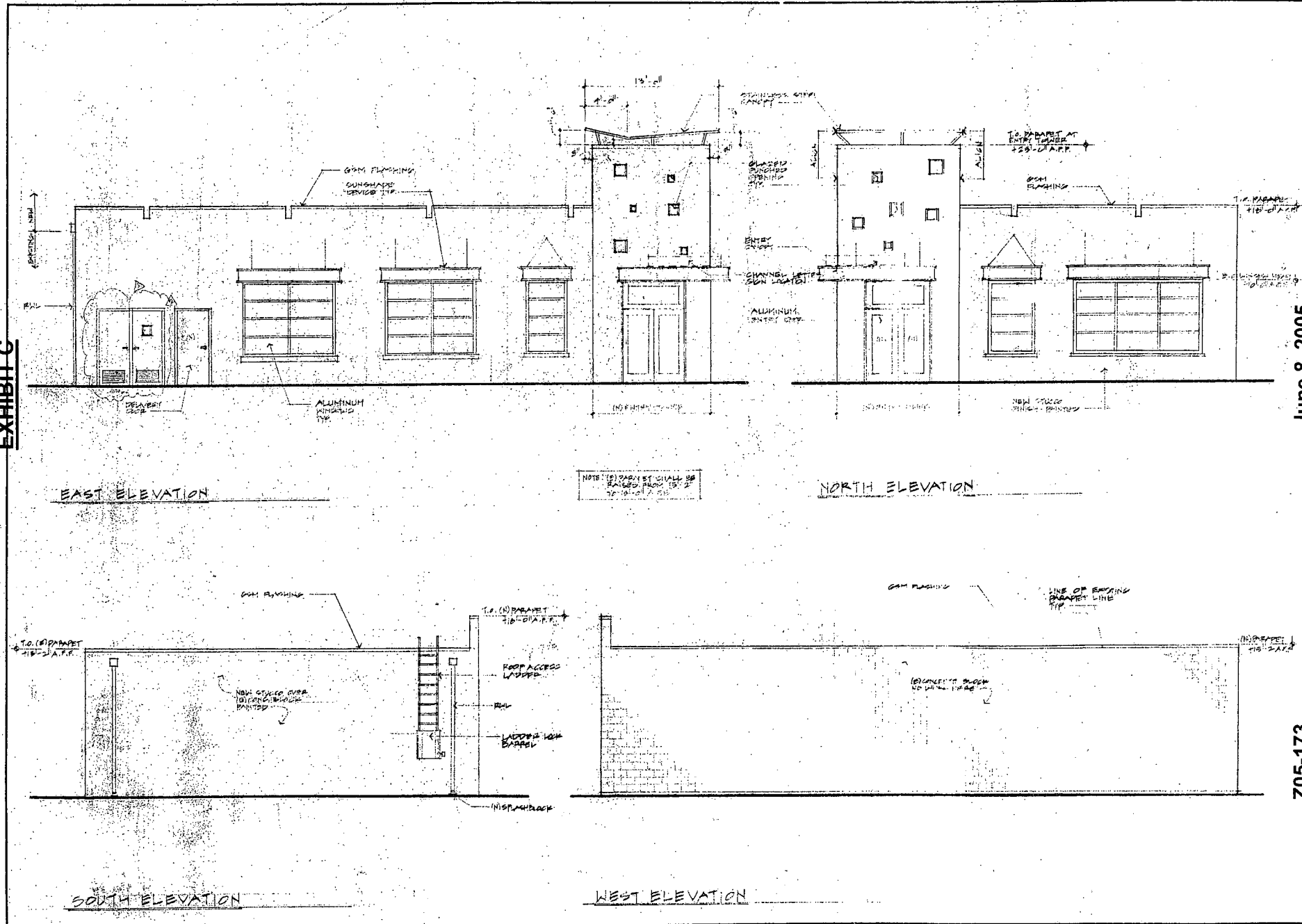
DATE: 2/20/03  
SCALE: 1/8" = 1'-0"  
DRAWN BY: [Signature]  
JOB NO: 0501  
SHEET: A-2.0

# Z04-173

Rec'd June 21, 2004

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EXHIBIT C



REVISIONS	NO.	DATE	DESCRIPTION

June 8, 2005

PLUM BLOSSOM CAFE  
1800 J STREET  
SACRAMENTO, CA 95811

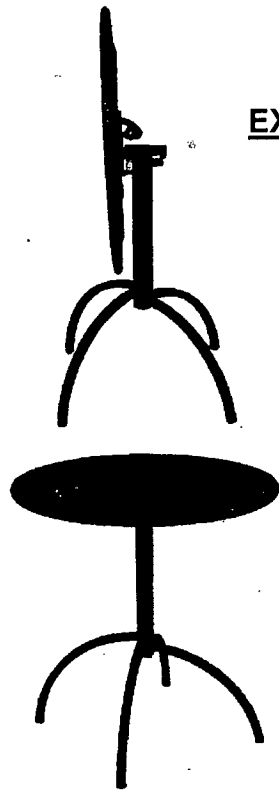


ELEVATIONS

Z05-173

Date	05/06/05
Scale	1/4" = 1'-0"
Drawn	NL
Job	0321
Sheet	A-4.0
Of	Sheet

**EXHIBIT D**



**Bijou**

Tilt Table

**Design: A. Ciabatti**

size: Diam.28" x H30"

Supplier Ref: #850

Base: Square Tubular Steel

Top: Flat Steel

Finish: e-coat pretreatment with textured bronze color powdercoat finish

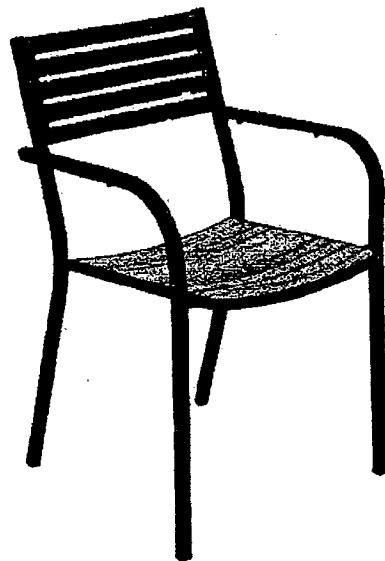
Feet: with 1 Adjustable Foot

Weight Each: 24.3 Lbs

Units per Box: 1

Box Dimensions: 5"x28"x30"

Box Volume: 2.5 Cubic Ft.



**Bijou**

Stacking Armchair with wood seat

**Design: A. Ciabatti**

**SZ05WZG 1/2" x D20 1/2" x H33", seat height 17 1/2"** June 8, 2005

**Item 6**

Supplier Ref.: #267

Frame: Tubular Steel