

APPROVED
BY THE CITY COUNCIL

13

JUL 30 1985

Appeal of J. Peter Haft vs. City,)
of Sacramento Planning Commission's)
Denial of a Variance to convert a)
non-conforming antique shop into a)
video tape rental store (P85-188))

OFFICE OF THE
CITY CLERK

NOTICE OF DECISION
AND
FINDINGS OF FACT

At its regular meeting of July 30, 1985, the City Council heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Council approved the appeal based on the following Conditions and Findings:

Conditions

1. The non-conforming use shall be restricted to the first floor of the structure.
2. The use shall be limited to the sale and rental of video tapes for home viewing and related equipment.
3. Store hours shall be limited to 10:00 A.M. through 9:00 P.M., seven days per week.
4. Posters shall be prohibited in the store windows.
5. A sign program shall be submitted to Planning staff for review and approval prior to issuance of sign permits. Any proposed signs shall follow the regulations of the City's Sign Ordinance.

Findings of Fact

1. The project, as conditioned, does not constitute a special privilege extended to one property owner in that approval of such a request for other property where substantially the same conditions exist would also be warranted.
2. The project, as conditioned, does not constitute a use variance in that the subject site had a previous non-conforming use.
3. The project, as conditioned, will not be injurious to the general public nor to surrounding properties in that adequate on-street parking is available for the proposed video rental store.

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- 4. The project, as conditioned, conforms with the 1974 General Plan and 1980 Central City Plan which designate the site for residential and multi-family residential uses, respectively. Changes to non-conforming uses are allowed in residential zones when it is determined that the "benefit to the public health, safety or welfare exceeds any detriment inherent in such change."

Aune Reeder
MAYOR

ATTEST:

Janie Baman
Deputy CITY CLERK

P85-188

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August 1, 1985

J. Peter Haft
1919 21st Street, Suite 212
Sacramento, CA 95814

Dear Mr. Haft:

On July 30, 1985, the City Council adopted Findings of Fact for the following matter:

Granting appeal regarding the Planning Commission's denial of a Variance to convert a non-conforming antique shop into a video tape rental store on 0.07± acres in the Light Density Multiple Family zone for property located at 2300 O Street. (P-85188)

Enclosed, for your records, is a certified copy of said Findings of Fact.

Sincerely,

Janice Beaman
Deputy City Clerk

JB/dbp/13

Enclosure(s)

cc: Planning Department