

Planning Director's Special Permit
1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT Michael Miyasaki, DDS, c/o Bonnie Marx, CB Commercial, 5 Sierragate Plaza #150, Roseville, CA
OWNER M.O.N.Y (Mutual of NY), Heather Estay-Ray Stone, Inc., 2401 American River Dr., Sacramento, CA
PLANS BY JTS Engineering, Consultants, 1808 J Street, Sacramento, CA 95814
FILING DATE 03-5-93 ENVIR DET Exempt 15301(a) REPORT BY Jeanne Corcoran
ASSESSOR'S PCL. NO. 006-0112-022

APPLICATION: A. Planning Director's Special Permit to allow a dental office, a non-retail oriented establishment, to locate within a block designated to have 50 percent retail frontage on 3.3± developed acres in the Central Business District - Special Planning District (C-3 (SPD)) zone.

LOCATION: 1115 12th Street

PROPOSAL: The applicant proposes to lease 2,300± square feet of ground floor tenant space of the Hyatt Regency Hotel.

PROJECT INFORMATION:

General Plan Designation: Community/Neighborhood Commercial and Offices
1980 Central City
Community Plan Designation: General Commercial - Multi Use
Existing Zoning of Site: C-3(SPD)
Existing Land Use of Site: Hotel

Surrounding Land Use and Zoning:

North: Office, Retail; C-3(SPD)
South: Capitol, Park; R-5
East: Community Center; C-3(SPD)
West: Bank, Office, Retail; C-3(SPD)

Parking Required: 0 (Less than 20,000 sq. ft. in C-3 zone)
Parking Provided: 0
Property Dimensions: 400' X 340'
Property Area: 3.3± acres
Square Footage of
Lease Space: 2,300± sq. ft.
Topography: Flat
Street Improvements: Existing
Utilities: Existing

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Project Evaluation: Staff has the following comments:

A. Land Use and Zoning

The subject site consists of one lot totaling 3.3± acres in the Central Business District - Special Planning District (C-3(SPD)). The site is developed with a hotel and parking garage with ground floor retail along K and 12th Street. The retail uses include restaurants, furniture store, jewelry store and others. The General Plan designates the site as Community/Neighborhood Commercial and Offices. The 1980 Central City Plan designates the site General Commercial Multi Use. The surrounding land uses and zones are office, restaurants, retail commercial, C-3(SPD) to the north; Community Center, C-3(SPD) to the east; and bank, office, restaurants and church, C-3(SPD) to the west; and, the State Capitol and park, R-5 to the south.

B. Applicant's Request

The applicant is proposing to lease 2,300± square feet of tenant space in order to operate a dental office. The applicant is proposing to be open six days a week from 7 A.M. to 7 P.M. He proposes to target downtown workers and their families.

C. Staff Analysis

Section 2.98 of the Zoning Ordinance requires ground floor retail uses on designated streets in the Central Business District. The intent of the ground floor retail uses is to ensure that pedestrian oriented uses are established. Pedestrian oriented uses create street life which add to an active vital Central Business District. With this provision, office uses that have no significant contribution to street life are limited to the amount of street frontage that can be occupied within these areas.

The Ordinance requires that selected streets devote 50 or 75 percent of a block face to retail commercial, personal service or pedestrian oriented uses. A "block face" is defined in Section 2.98 as a contiguous row of buildings or spaces located on a City block bordered on each side by a public street or public alley. The proposed project is located in a block face requiring 50 percent retail commercial uses.

The proposed dental office use is listed as a non-retail and non-pedestrian establishment per the Zoning Ordinance Section 2.98, Table 2, and requires a special permit to locate on the ground floor along 12th Street. Financial institutions and uses listed in Table 2, cannot occupy more than 50 percent of the ground floor area of a Major Project on designated streets in the Central Business District.

The potential retail frontage within the block-face of 12th Street between K and L Streets is a total of 163 feet. (For the purpose of these calculations, parking ramp, stairway, service entrance and hotel entrance were not counted, since this space provides access to the parking garage and hotel and does not constitute actual retail, commercial or office use.) Fifty percent of the block-face would be 81.5 feet that is required to be devoted to ground floor retail space. The dental office will occupy 24 feet or 29% of frontage allowing the remaining 57.5 feet of required frontage to be devoted to retail or personal services. Currently, Evans furniture occupies

61 feet (37%) of the frontage for its retail use while 78 feet (47%) remains as vacant leasable space. Therefore, allowing the proposed use to occupy the tenant space does not prohibit 50 percent of the street frontage from being utilized by retail and personal service uses.

Staff has no objections to the applicant's request to locate the dental office at the proposed location since the use does not occupy the entire 50 percent of the frontage and the use does not preclude other retail uses from locating on 12th Street. Furthermore, the dental office will provide a service which is lacking in the downtown area.

Agency Comments

Design Review has noted that an agreement was reached with the City Manager's Office regarding the doors which swing out into the public right-of-ways along the street frontages (K Street and 12th Street). Planters are to be placed adjacent to the doors to prevent people from walking into the doors as they are being opened. Planters similar to the ones presently located on K Street should be used. These planters must be irrigated.

Environmental Determination: The Environmental Services Manager has determined that the project is a categorical exemption in accordance with CEQA guidelines 15301(a).

Recommendation: Staff recommends the Planning Director approve the special permit allowing the dental office to locate within a block designated to have 50 percent retail frontage.

Conditions:

1. An irrigated planter shall be placed adjacent to the door.

Findings of Fact

1. The project, as conditioned, is based upon sound principles of land use in that:
 - a. the dental office will not preclude other retail uses from locating on 12th Street;
 - b. the dental office does not occupy more than 50% of the street frontage; and,
 - c. the dental office will provide a service which is lacking in the downtown area.
2. The project, as conditioned, is not detrimental to the public health, safety, or welfare nor result in the creation of a nuisance in that the predominate street frontage will remain retail.
3. The project is consistent with the General Plan and the 1980 Central City Plan which designate the site as Office and Multi-Use.

Report Prepared By:

Jeanne Corcoran
Jeanne Corcoran
Assistant Planner

3-25-93
Date

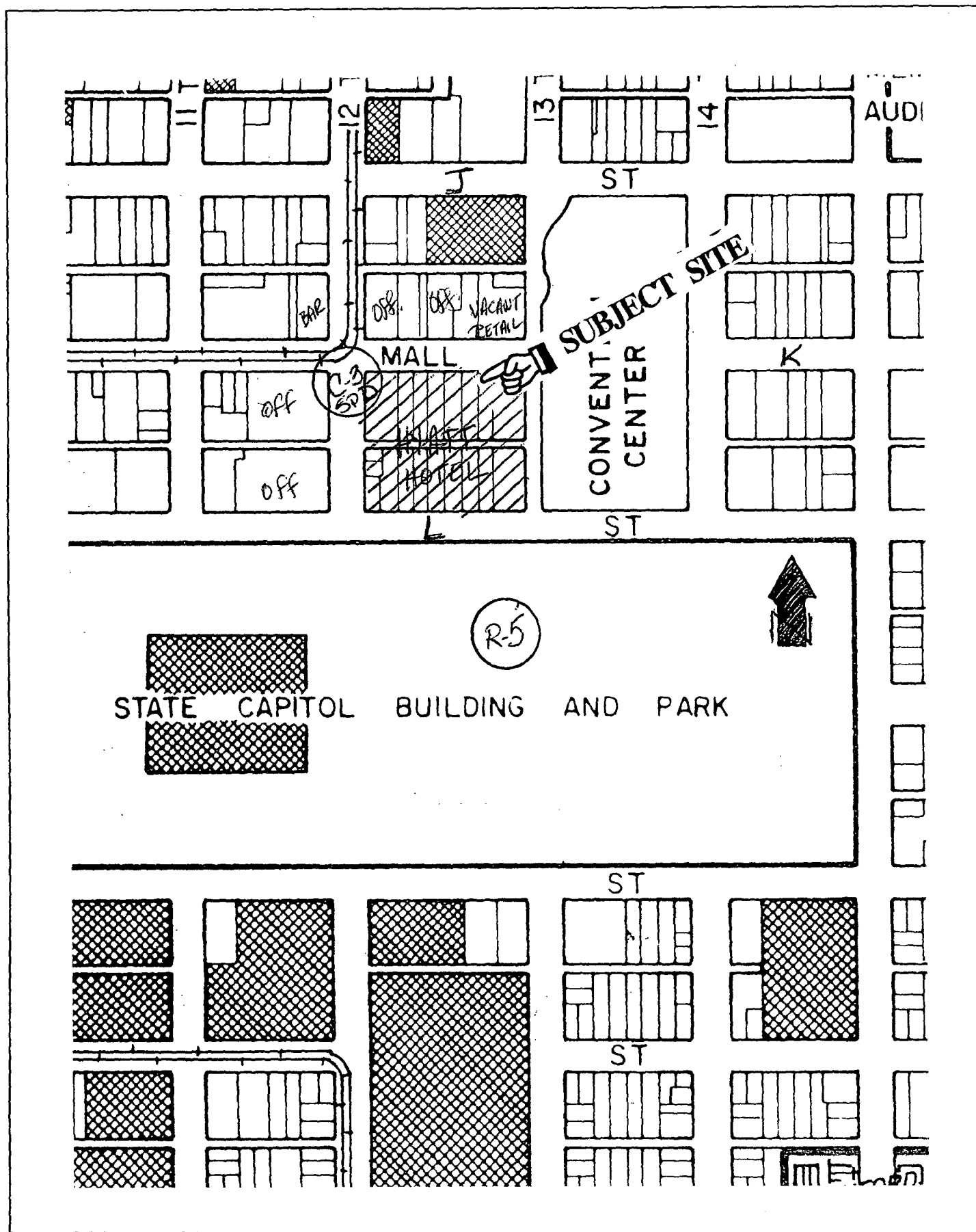
Recommendation Approved By:

Gary L Stonehouse
Gary Stonehouse
Planning Director

3-26-93
Date

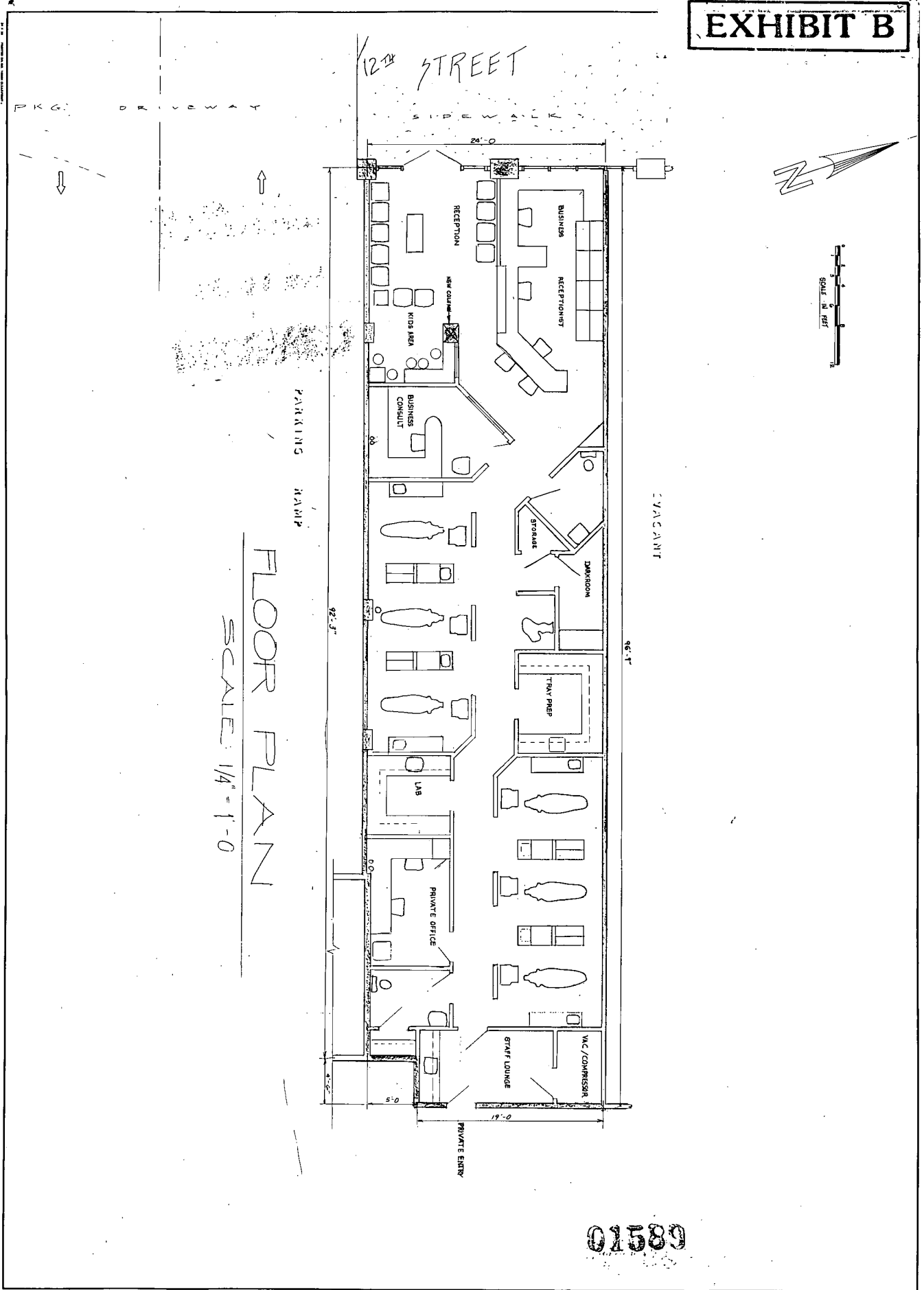
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VICINITY, LAND USE AND ZONING MAP

EXHIBIT B



FLOOR PLAN
SCALE: 1/4" = 1'-0"

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SPECIAL PERMIT APPLICATION EXHIBIT		FOR THE PROPOSED DENTAL OFFICES FOR DR. MICHAEL MIYASAKI AND DR. HAROLD HANEFIELD, D.D.S. SACTO, CA		DATE: 2-2-82		DRAWN BY: JMS		SCALE: 1/4" = 1'-0"		SHEET NO. 1 OF 1	
PROJECT NO. 715		JOB NO. 146		DATE: 10-13-82		DRAWN BY: JMS		SCALE: 1/4" = 1'-0"		SHEET NO. 1 OF 1	
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