



REPORT TO PLANNING COMMISSION City of Sacramento

915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
September 14, 2006

Honorable Members of the Planning Commission

Subject: 1801 L & 1812 L Streets. A request to waive required parking spaces for restaurant and retail uses located within the ground floor retail space of buildings under construction on 2.3± acres in the Residential Mixed Use Urban Neighborhood (RMX-UN) zone; (P06-081 & P06-082).

P06-081(1801 L Street; APN: 007-0082-015)

- A. Environmental Determination: Prior Negative Declaration;
- B. Special Permit to waive the required parking for an 80-seat restaurant.
- C. Special Permit to waive the required parking for an 99-seat restaurant.
- D. Special Permit to waive the required parking for a 40-seat restaurant.
- E. Special Permit to waive the required parking for 3,350 square feet of retail.

P06-082 (1812 L Street; APN: 007-0141-005, -006, -007, -008)

- F. Environmental Determination: Exempt, Section 15332.
(withdrawn by applicant)
- G. Special Permit to waive the required parking for an 88-seat restaurant.
(withdrawn by applicant)
- H. Special Permit to waive the required parking for an 88-seat restaurant.
(withdrawn by applicant)

Location/Council District:

1801 L & 1812 L Streets, Sacramento, CA 95816

Assessor's Parcel Number: (P06-081) 007-0082-015; (P06-082) 007-0141-005, -006, -007, -008;

Council District 3

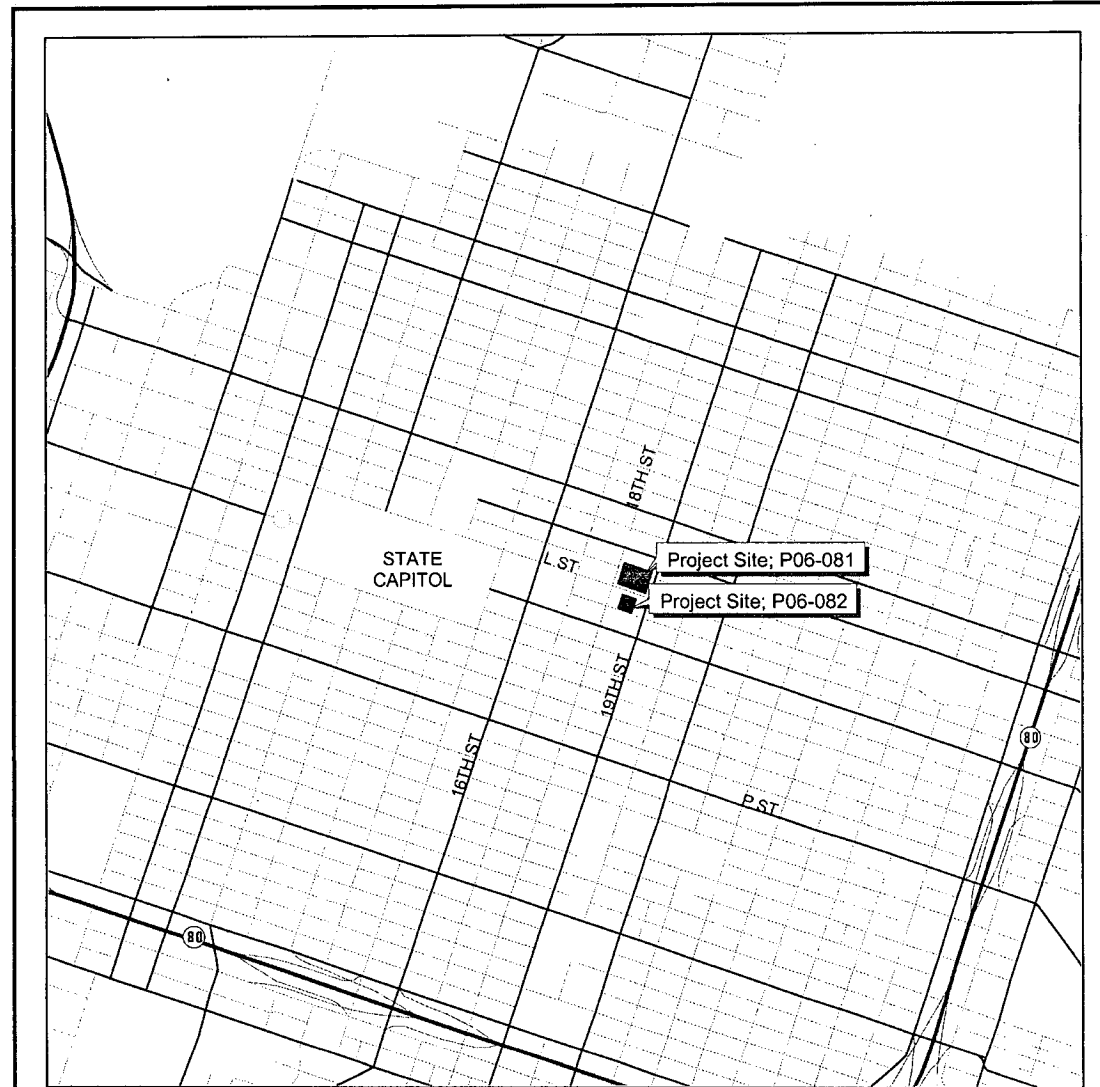
Recommendation: Staff recommends the Commission approve the request based on the Findings of Fact listed in **Attachment 1**. The Commission has final approval authority over items A-E above, and its decision is appealable to City Council. At the time of this report, **the outstanding issues are** the waiver of daytime parking for the proposed use.

Contact: Michael York, Associate Planner 808-8239

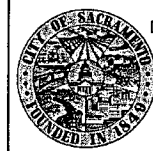
Applicant: Al Esquivel, Esquivel Real Estate Inc., (916) 730-9328 Alhambra Boulevard, Sacramento, CA 95816.

Owner: 1801 L Street Associates, 730 Alhambra Boulevard, Sacramento, CA 95816

Summary: The applicant is seeking entitlements to waive 58 on-site parking spaces that are required for 1801 L Street (P06-081). The requested waivers are for proposed restaurant and retail uses to be located within the mixed use building that is currently under construction. A total of 219 seats are anticipated between the three restaurants (73 spaces) and the 3,215 square feet of retail (8 spaces). Previously 23 spaces were waived for the proposed 9,600± square feet of retail space. Totalling the 23 spaces previously waived (PC August 28, 1999) and the current request of 58 spaces, a total of 81 on-site parking spaces would be waived for the project site. Parking for the residential units is being provided on-site. The waiver for parking is for the commercial component only. The request to waive parking at the 1812 L Street (P06-082) project site has been withdrawn. Several residents have expressed opposition to the requested parking waivers due to the limited on-street parking in the area.



0 0.2 0.4 0.6 Miles



Development Services
Department

Geographic
Information
Systems

June 1, 2006

Vicinity Map
P06-081 & 082



Table 1: Project Information (P06-081, 1801 L Street)
General Plan designation: Residential Mixed Use
Central City Community Plan designation: Residential Mixed Use
Existing zoning of site: Residential Mixed Use Urban Neighborhood (RMX-UN)
Existing use of site: Mixed use building under construction (176 residential units/10,634sf commercial space)
Property area: 1.7 ± acres

Background Information:

P06-081 – 1801 L Street

On August 28, 1999 (P98-123) the City Planning Commission approved a request to develop a four story 152 unit apartment complex with 163 subterranean parking spaces and 9,600± square feet of retail/commercial space. With this project, the Planning Commission approved a Special Permit to reduce the required onsite parking from 186 spaces to 163 spaces (a reduction of 23 spaces). On February 29, 2000 the City Council approved the associated General Plan and Community Plan Amendments and Rezone.

In 2002, the applicant proposed to modify the 1801 L Street development plans and increase the number of residential units from 152 to 176 units. The modification did not alter the footprint of the building, but did present additional onsite parking requirements. A total of 26 new parking spaces were required. On December 12, 2002, the Zoning Administrator approved a Special Permit to establish an off-site parking lot on the 1812-1820 L Street site (Z02-220). The proposed parking lot was to be constructed off of the alley so that a potential housing development could be developed along the street. Currently 26 parking spaces for use by the residents of the 1801 L Street building are provided off-site at 1812 L Street. Construction is nearing completion at 1801 L Street.

P06-082 – 1812 L Street (withdrawn by applicant)

On August 11, 2005 (P05-057) the City Planning Commission approved a request to develop a new mixed use project consisting of 92 loft-style condominium units and approximately 5,650 square feet of ground floor retail. Parking for the residential units and the 26 spaces for 1801 L Street are accommodated on-site. A waiver of 15 parking spaces for the retail uses within the building was approved. The building is currently under construction.

Public/Neighborhood Outreach and Comments: The project proposal was routed to all property owners within 500 feet of the project sites and to the Neighborhood Advisory Group (NAG).

The project was presented at the Neighborhood Advisory Group (NAG) meeting of June 19, 2006. The project was discussed briefly but no issues were raised during the meeting.

A letter from a resident on K Street concerned with parking during lunch hours and during the weekday evenings and as to whether the East End Complex Garage would be fully utilized by patrons, was received.

A number of e-mails have also been received opposed to the special permit requests citing parking problems in the area during those hours when residents are home. The e-mails are provided in attachment 3

The applicant has been unable to provide a parking plan to address the parking concern during the weekday hours of 11am to 4pm. The applicant proposes to utilize the East End Complex Garage during weeknights after 4pm and all day on weekends to address parking concerns during these hours. The State is unwilling to enter into a long term lease for the use of this garage, however the garage is open to the public during evenings and weekends at a cost of \$2.00 per car.

Environmental Considerations: Project P06-081 (1801 L Street) is a prior Negative Declaration.

Policy Considerations:

A. General Plan

The proposal is consistent with the following General Plan Policies to:

- "Enhance and maintain quality of life to ensure a rich vital urban experience" (Policy 1, 1-30).
- "Actively support the development of cultural and entertainment facilities and events in the downtown area" (Policy 2, 4-13).
- "Support development in the central city that promotes City's role as the regions commercial office, employment, and cultural center" (Policy 3A, 1-32).
- "Develop special parking standards with measures which can support the development of areas identified for revitalization" (Policy 2, 5-27).

The proposal is not consistent with the following General Plan Policies to:

- "Provide an adequate amount of parking to support continued downtown development" (Goal D, 5-20)
- "Provide additional parking as part of development projects and in free standing parking structures" (Policy 1, 5-21).
- "Continue to use parking standards which will provide adequate off-street parking" (Policy 1, 5-27).
- "Direct traffic in the Central City away from residential neighborhoods to the extent feasible (Goal B, 5-19).
- "Provide adequate off-street parking for new developments and reduce the impact of on-street parking in established areas" (Parking Goal A, 5-26).

- “Continue to use preferential parking program in residential areas where traffic and on-street parking generated from non-residential projects would otherwise have a major negative impact (Policy 3, 5-27)

B. Central City Community Plan

The proposal is consistent with the following Central City Community Plan Policies to:

- “Continue revitalization of the Central City as a viable living, working, shopping and cultural environment” (CCCP, pg 6).
- “Provide opportunity for mixture of housing with other uses in the same building or site to capitalize on the advantage of close-in living” (CCCP, pg 7).
- “Encourage mixed land uses to increase the economic vitality and livability of the area” (CCCP, pg 8).
- “Reduce the amount of land occupied by parking facilities” (CCCP, pg 39)
- “Restrain the use of parking, especially by employees, while encouraging the use of public transit or carpools” (CCCP, pg 39)

The proposal will provide additional dining opportunities to residents and employees in the area to create a more vibrant active center within the Central City.

The proposal is not consistent with the following Central City Community Plan Policies to:

- “Provide adequate off-street parking to meet the needs of shoppers, visitors and residents” (CCCP, pg 10).
- “Reduce the adverse impact of commuter parking on residential streets” (CCCP, pg10).

Project Proposal: There are three restaurants and 3,215 square feet of retail space being proposed in the 1801 L Street building. The three restaurants would be a steakhouse (Buckhorn), a wine bar, and a teahouse (Cosmo Tea). The three restaurants proposed at 1801 L Street site would contain 219 total seats within 10,634 square feet (Exhibit 2). The retail component would be comprised of an art gallery (1,497sf), pizza by the slice/ice cream (818sf), and a flower shop (900sf) totaling 3,215 square feet.

The parking requirement for the site is 81 parking spaces, 73 spaces for the 219 seats contained within the three restaurants and eight (8) spaces for the 3,215 square feet of retail uses. Adjusting for the previously approved parking waiver of 23 spaces (P98-123) the parking obligation is for 58 spaces. The current request is to waive the 58 parking spaces required. The table below identifies the parking requirement.

Table 3 – Parking Requirement for the restaurant and retail uses:

Special Permit/Building Space	Seats/Square feet	Parking Required	Parking Previously Waived	Required Parking requested to be waived
Special Permit B/1	80 seats/2,891sf	27 spaces	23 spaces	4 spaces
Special Permit C/3	99 seats/3,128sf	33 spaces	0 spaces	33 spaces
Special Permit D/6	40 seats/1,400sf	13 spaces	0 spaces	13 spaces
Special Permit E/2,4,5	3,215sf	9 spaces	0 spaces	9 spaces
1801 L St Totals	219 seats/10,634sf	81 spaces	23 spaces	58 spaces

Special Permits: The applicant is requesting to waive all of the parking required for the restaurant and retail uses of the 1801 L St building. As such, each proposed restaurant and the retail uses are requesting a Special Permit to waive parking for its use. The amount of parking to be waived is based on the number of seats in each restaurant and the square footage of retail uses. The required parking requested to be waived is shown in Table 3 above.

The proposed 80 seat Buckhorn restaurant (Special Permit B) is being credited with the entire 23 parking spaces previously waived in 1999 (P98-123). Therefore it is requesting a waiver of only four (4) additional parking spaces or additional seats. The Buckhorn restaurant could open today as a 69 seat restaurant based on the previous waiver. Because the Buckhorn (Special Permit B) is being credited with all of the previous parking waiver, the remaining tenant space cannot be occupied until additional parking is provided or waived.

The Central City Parking Strategy has identified this area as impacted. The 2005 parking study for the midtown area, confirmed the neighborhood around the proposed restaurants is a hot spot with on-street parking already at capacity. The parking spaces for the building under construction provide parking for the residential units only, and none for the commercial uses. Based upon the proposed Central City Master Parking Plan, the overall area is identified as a parking hot spot, however, the project itself is identified in the report in Figure 2 as an area where parking utilization is only utilized between 50 and 69 percent. That equates to 31 to 50 percent of the overall off and on site parking as underutilized.

With no parking being provided on-site for the restaurant uses, the only alternative is to make parking available off-site or to waive the required parking. Staff anticipates the restaurants will most likely impact the surrounding neighborhood during the weekends, and weeknights after 4pm, since this is the times that residents are typically at home. The hours of 11am through 2pm weekdays are also anticipated to be impacted. But

during these hours, Staff anticipates more people walking to the site than driving and residents are typically not home during these hours. Additionally "L Wine Bar" restaurant is more likely to be a weekend restaurant with parking activities more likely on the weekends.

To address weeknights after 4pm and weekends the applicant proposes to utilize the East End Complex Parking Garage which has approximately 594 parking spaces and is located two blocks west of the proposed restaurants. The spaces would become available after state employees leave work during the weekdays and all hours on the weekends. The State has been unwilling to enter into a lease agreement with the applicant for the necessary parking spaces. The State currently permits public parking during these times for a cost of \$2.00. Since the applicant was unable to secure a long term lease for the off-site parking the request is to waive parking.

However, the City's Parking Division is currently working on an agreement with the State to manage the garage. Currently the City is still negotiating with the State on details of this agreement. A draft agreement could be completed in about 90 days. The State, as part of the agreement will not permit long term leases. However, the City will be able to work with businesses in the area to assist these businesses in reducing on-street parking congestion.

Parking off-site during the daytime and in particular peak lunch hours of 11am through 2pm is not being provided. Staff has determined that on-street parking will continue to be impacted during the hours of 11am through 2pm weekdays. However, staff anticipates the majority of the patrons to these restaurants will already be in the area because they are employed downtown and will walk to the restaurants during the lunch hours. To help further alleviate parking congestion in the area the applicant is proposing to establish a bus shuttle program for employees in the area bounded by K St & Capitol Avenue and 17th to 21st Streets. The bus shuttle program would shuttle employees free of service to parking lots or parking structures around the City. The shuttle service would be available to all employees within the bounded area of the project site not just the employees of the commercial uses requesting the waiver. This program will be subject to review and approval of the City Parking Manager.

Staff and the applicant have no alternative solutions other than to waive the required parking. Staff has discussed with the applicant the use of transit passes for its employees to reduce the on-street parking impacts. The applicant has agreed in providing 10% of the employees with bus passes. The applicant anticipates 100 employees total between the restaurants and retail uses. Therefore, a condition has been added to provide 10 bus passes for employees.

Staff research has also determined that other waivers of parking for this area (K-N, 17th-21st streets) have been approved in the past. Since 1990, 17 waivers for parking have been approved with 239 spaces waived. All of the waivers were commercial uses and all but three provided some on-site parking. Since 1990 two requests to waive parking have been denied.

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

A. A special permit shall be granted upon sound principles of land use.

The restaurants provide additional dining options for residents and employees in the central city area.

The restaurant uses help create a vibrant active center within the central city.

B. A special permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a nuisance.

Adequate parking will be available for the restaurants during the weekdays after 4pm and all day on weekends with the use of the East End Complex parking garage.

Any inconvenience to locate on-street parking will mainly be limited to a few hours during lunch on the weekdays.

C. A special permit use must comply with the objectives of the General or Central City plans for the area in which it is to be located.

The proposed project is consistent with the General Plan and Central City Community Plan designations of Residential Mixed Use, which promotes a rich vital urban experience and provides for a mixture of land uses in the same building.

Respectfully submitted by: Michael York
MICHAEL YORK
Associate Planner

Recommendation Approved:

Jeanne Corcoran
JEANNE CORCORAN
Senior Planner

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Pg 15	Attachment 3 – Letters in Opposition of Project
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Attachment 1 – Recommended Findings and Conditions

Findings Of Fact

P06-081

- A. Environmental Determination:** Prior Negative Declaration. The City Planning Commission finds and determines that the proposed project is a Prior Negative Declaration pursuant to the California Environmental Quality Act.
- B-E.** The **Special Permits** for the proposed parking waivers are approved subject to the following Findings of Fact:
1. Granting the Special Permit is based upon sound principles of land use in that:
 - A. The restaurants provide additional dining options for residents and employees in the central city area.
 - B. The restaurant uses help create a vibrant active center within the central city; and
 2. Granting the Special Permit would not be detrimental to the public welfare nor result in the creation of a public nuisance in that adequate parking will be available for the restaurants during the weekdays after 4pm and all day on weekends with the use of the East End Complex parking garage.; and
 3. The proposed project is consistent with the General Plan and Central City Community Plan designations of Residential Mixed Use, which promotes a rich vital urban experience and provides for a mixture of land uses in the same building.

Conditions Of Approval

The **Special Permits (B-E)** to waive parking for restaurant and retail uses are hereby approved subject to the following conditions:

1. Applicant shall obtain all necessary building and/or encroachment permits prior to commencing construction.
2. Any modification to the project shall be subject to review and approval by Planning Department staff prior to the issuance of building permits.

3. The applicant shall work diligently towards and use their best efforts to establish a shuttle plan for shuttling a minimum of 100 employees within the area bounded by K St & Capitol Ave, 17th to 21st St. The plan shall identify where off-site parking will be provided, the timing of the shuttle, and the funding mechanism. This plan shall be reviewed and approved by the City Parking Manager.
4. Restaurants shall provide information regarding parking alternatives in a predominate area within each restaurant as well as a predominate place printed on the menus for customer notification.
5. Prior to occupancy permits, developer/applicant shall enter into an agreement with Regional Transit (RT) to provide bus passes for employees. The number of bus passes purchased from RT shall be a minimum of 10% of the number of employees for each restaurant.
6. The applicant shall work with the neighborhoods to implement a change to the residential parking permit program to reduce the time from 2 hour parking to 1 hour parking and extend the restriction of parking to 7pm.

Exhibit 1 - Site Plan (1801 L Street)

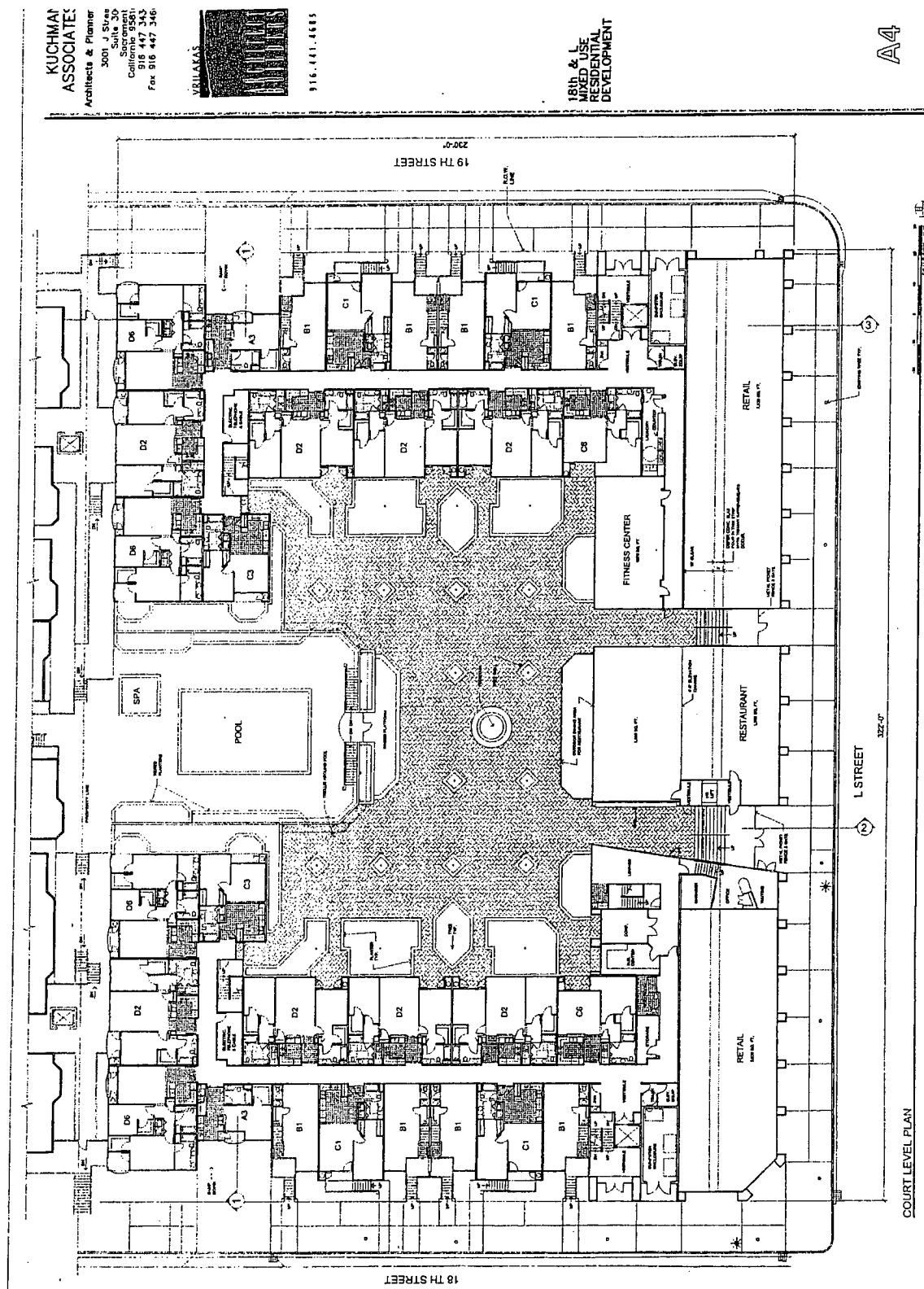
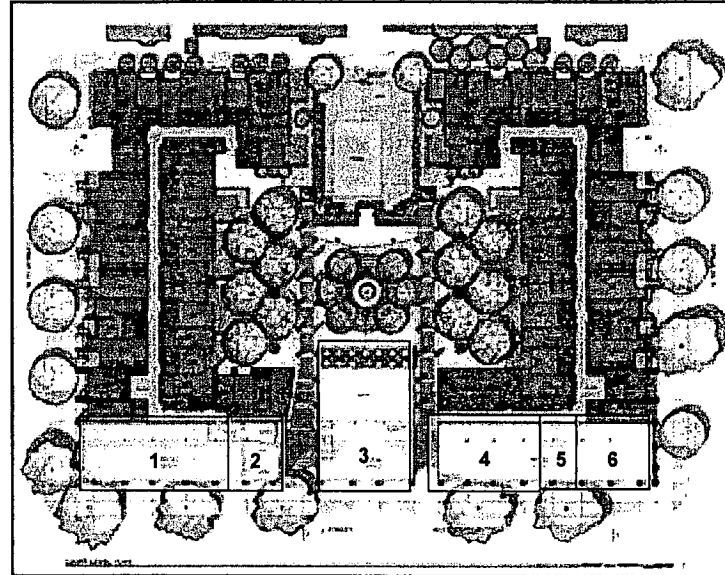


Exhibit 2 – Proposed Restaurant Uses (1801 L Street)**1801 L Street Retail Parking Analysis**

Zoning Code Parking Requirement			
1801 L St -Tenant List	Square Footage	Seats	Spaces Required by Code
1 Buckhorn Grill	2,891	80	27
2 Flower Shop	818	NA	2
3 L Wine Bar – Eating area	3,128	39	13
3 L Wine Bar – Lounge		60	20
4 NOLA Contemporary Art	1,497	NA	4
5 Gelato/Pizza by Slice???	900	NA	2
6 Cosmo Tea	1,400	40	13
	<u>10,634</u>	<u>219</u>	<u>81</u>
Previous Parking Waiver			-23
Off-Site Parking Required			<u>58</u>



Attachment 3 – Letters in Opposition of Project

Michael York - Fwd: RE: cpc 8-24-2006 parking waiver request 18th & L

Page 1

From: Fran Halbakken
To: Michael York
Date: 8/23/06 9:08AM
Subject: Fwd: RE: cpc 8-24-2006 parking waiver request 18th & L

In case these emails don't get forwarded by anyone else, here they are

Fran Halbakken, P.E.
City of Sacramento, Dept. of Transportation
(916) 808-7194

>>> "Barbara" <barbsbeez@sbcglobal.net> 8/23/2006 9:00 AM >>>
Since the Board will not have a chance to discuss this, do we want to do something by email & make a statement at the Planning Commission?

Though this is technically past our boundary, it's "just" past the boundary & ultimately will affect us as patrons look for places to park. We should have been notified by the city and the developer. Let's not forget the new residents, too, who will likely be doing some street parking. I am absolutely opposed to this waiver, especially given that the developer had previously asked about reducing parking for residents as well...or something to that effect.

That area is already completely impacted & this would be most unfair to the restaurants that have been doing business there for many years.

Barbara

-----Original Message-----

From: B & B [<mailto:zazzu@sbcglobal.net>]
Sent: Monday, August 21, 2006 11:13 PM
To: Kay & Gene Kneprath ; Brooks Truitt; Tim Schmelzer ; Barbara Steinberg Home ; Catherine Metz ; Celine Donaldson ; Deanna Marquart; Karen Jacques ; 'Kerstin Bandner'; Matt Piner ; Samara Palko ; Shawn Eldredge ; Terry Strike
Cc: William Thomas; 'Fran Halbakken'
Subject: cpc 8-24-2006 parking waiver request 18th & L

16. P06-081 1801 L St (Noticed on: 08/02/06)

Location: 1801 L St, D-3

Recommendation: Approve - Item A: Environmental Determination: Prior Negative Declaration; Item B: Special permit to waive the required parking for a 90-seat restaurant. Item C: Special permit to waive the required parking for a 98-seat restaurant. Item D: Special permit to waive the required parking for a 63-seat restaurant. Item E: Special permit to waive the required parking for a 56-seat restaurant.

Contact: Michael York, Associate Planner, 808-8239

From: Fran Halbakken
To: Michael York
Date: 8/23/06 9:10AM
Subject: Fwd: Re: cpc 8-24-2006 parking waiver request 18th & L

for your project

Fran Halbakken, P.E.
City of Sacramento, Dept. of Transportation
(916) 808-7194

>>> Karen Jacques <threegables@macnexus.org> 8/22/2006 9:15 AM >>>

Parking is becoming impossible for the neighbors of these projects many of whom have no off street parking and no possibility of ever getting any. As I said in my comments on the Central City Parking Master Plan, the priority should be protecting our residential neighborhoods by making time limits one hour not two hours and expanding it to evenings and weekends. This needs to be in place before, not after all these unending variances. Even if we can get people who live down here to use their cars much less and other modes of transportation much more, people still have cars and have to be able to store them somewhere and people still need to use cars to get places at night when alternatives are less safe or not available. Does the City just not look at the implications of these parking variances or does it want these neighborhoods to fail???? After our experience with trying to get parking protection from the Sutter project (you know, the protection that we started asking for as soon as we learned about the Sutter project, the protection that seems to have disappeared into a black hole at the City parking offices), I'm really beginning to wonder which it is. What the City and the businesses getting all these waivers seem to forget is that, if the neighborhoods go back to the way they were before so many of us fought to save them, the businesses really won't be worth much either.

I also view this as a preservation issue. Our wonderful stock of historic buildings are in these neighborhoods. We need more owner occupants, but owner occupants won't buy in neighborhoods where they can't park within blocks of their homes. And people like us won't dare take the risk of buying and rehabbing those buildings that are still in trouble. We have been buying and rehabbing for 22 years now. We have always planned to sell to owner occupants when we are ready to sell (something I now doubt we can do), but in the meantime we rent our rehabbed buildings. The first question almost all prospective renters ask is about parking. About a third of the people who inquire aren't interested unless there is off street parking and the rest want to know whether there will be problems parking close to or in front of their building. If owner occupants won't buy them and renters won't rent them, these buildings become non viable and there is no point in people like us spending money to rehab them. Perhaps in 20 years things will be different and people who live in the Central City will have given up their cars. I surely hope so for a whole variety of reasons. But our wonderful old buildings don't have the luxury of waiting 20 years. Walk around our neighborhood. Many, many of our old buildings remain in serious trouble. Without help they don't have 10 years, much less 20. And the way things are going, it would be bad financial judgement to put the huge amount of money and time that it takes to rehab into

an old building that doesn't have off street parking.
On Aug 22, 2006, at 12:13 AM, B & B wrote:

> 16 P06-081 1801 L St (Noticed on: 08/02/06)
>> Location: 1801 L St, D-3
>> Recommendation: Approve – Item A: Environmental Determination: Prior
>> Negative Declaration; Item B: Special permit to waive the required
>> parking for a 90-seat restaurant. Item C: Special permit to waive the
>> required parking for a 98-seat restaurant. Item D: Special permit to
>> waive the required parking for a 63-seat restaurant. Item E: Special
>> permit to waive the required parking for a 56-seat restaurant.
>>
>> Contact: Michael York, Associate Planner, 808-8239
>> 17 P06-082 L Street Lofts (Noticed on: 08/02/06)
>> Location: 1812 L St, D-3
>> Recommendation: Approve – Item A: Environmental Exemption (CEQA
>> Section 15332). Item B: Special permit to waive the required parking
>> for an 88-seat restaurant. Item C: Special permit to waive the
>> required parking for an 88-seat restaurant.
>>
>> Contact: Michael York, Associate Planner, 808-8239
>>
>> I just happened to be looking at the Planning Commission Agenda for
>> Thursday Night!! We did not get any notice for this as of last
>> Wednesday at yet itsays it was noticed on 8-2.
>>
>> At 1 space per three seats...thats about 170 spaces....and here we
>> are again just like we were with the MARRS project. Only we didn't
>> know about it.
>>
>> Bruce

CC: David Kwong; Jeanne Corcoran

From: Fran Halbakken
To: Michael York
Date: 8/23/06 2:36PM
Subject: Fwd: RE: cpc 8-24-2006 parking waiver request 18th & L

One more NAG Board member weighing in.

Fran Halbakken, P.E.
City of Sacramento, Dept. of Transportation
(916) 808-7194

>>> Samara Palko <samara_palko@yahoo.com> 8/23/2006 2:32 PM >>>
Do they have alternative parking planned? Garage usage somewhere close by? I can not attend the Planning meeting, but I do think it would be a good idea for the Board to share it's concerns.
Sam

Barbara <barbsbeez@sbcglobal.net> wrote: Message Since the Board will not have a chance to discuss this, do we want to do something by email & make a statement at the Planning Commission?

Though this is technically past our boundary, it's "just" past the boundary & ultimately will affect us as patrons look for places to park. We should have been notified by the city and the developer. Let's not forget the new residents, too, who will likely be doing some street parking. I am absolutely opposed to this waiver, especially given that the developer had previously asked about reducing parking for residents as well...or something to that effect.

That area is already completely impacted & this would be most unfair to the restaurants that have been doing business there for many years.

Barbara

-----Original Message-----

From: B & B [mailto:zazzu@sbcglobal.net]
Sent: Monday, August 21, 2006 11:13 PM
To: Kay & Gene Kneprath ; Brooks Truitt; Tim Schmelzer ; Barbara Steinberg Home ; Catherine Metz ; Celine Donaldson ; Deanna Marquart ; Karen Jacques ; Kerstin Bandner ; Matt Piner ; Samara Palko ; Shawn Eldredge ; Terry Strike
Cc: William Thomas ; Fran Halbakken
Subject: cpc 8-24-2006 parking waiver request 18th & L

P06-081 1801 L St (Noticed on: 08/02/06)
Location: 1801 L St, D-3

Recommendation: Approve – Item A: Environmental Determination: Prior Negative Declaration; Item B: Special permit to waive the required parking for a 90-seat restaurant. Item C: Special permit to waive the required parking for a 98-seat restaurant. Item D: Special permit to waive the required parking for a 63-seat restaurant. Item E: Special permit to waive the required parking for a 56-seat restaurant.
Contact: Michael York, Associate Planner, 808-8239

P06-082 L Street Lofts (Noticed on: 08/02/06)
Location: 1812 L St, D-3

Recommendation: Approve – Item A: Environmental Exemption (CEQA Section 15332). Item B: Special permit to waive the required parking for an 88-seat restaurant. Item C: Special permit to waive the required parking for an 88-seat restaurant.

From: Fran Halbakken
To: Michael York; Sue Brown
Date: 8/24/06 12:16PM
Subject: Fwd: FW: cpc 8-24-2006 parking waiver request 18th & L

More neighborhood opposition

Fran Halbakken, P.E.
City of Sacramento, Dept. of Transportation
(916) 808-7194

>>> "Philip K. Eyrich" <pkeyrich@yahoo.com> 8/23/2006 7:45 PM >>>
Please include my thoughts on this matter when considered before the Council, etc.

I oppose the waiving of any parking spaces on the basis that there is not enough parking already. People already are forced to drive in loops hoping for a space to open, or the MUST use a fee based valet parking system. When many of these people refuse to do either of those, they park at a distance, taking up spaces for local residences. This is NOT acceptable, and so all new businesses or expansions MUST be required to support their own parking requirements.

One of my favorite businesses was pushed out of business because the City would not allow more parking for their customers, "and" would not allow more seating for their customers. The City, for these other businesses, has permitted far too much seating for their customers, and, with the historic pattern of the City, they are being allowed to NOT provide adequate parking for their own customers.

As you already know, Sacramento is failing to enforce State laws regarding parking over the sidewalks, in positions other than parallel to the street, or between the diagonal lines designating the parking spaces to use. Turning their eyes to this, I'm not surprised that they also turn their eyes from other community needs for parking, etc. I raised the issue over a year ago and the City's response from the Mayor was that the City MUST continue to allow the illegal parking activities. Why?

Further, by passing waivers for parking, the City encourages and increases the crime rate for the downtown and midtown areas, both of which, any insurance company would tell you, ARE the WORST areas of crime offenses in all of the Sacramento region. The ZIPs 95814 and 95816 are many times found to be over 30% higher than in other areas.

The more people are forced to drive in circles, pay for valet parking, or park at greater distances, the less patience they have with others around them, and so tempers flare more easily in that community. Notably, the further people are from their vehicles, the more likely of a target they are for on-the-route crimes like muggings and robberies.

Sacramento's policies need to change away from their historic trends of letting business owners have their way, to requiring that businesses provide 100% of their needs.

Sincerely,

Philip K. Eyrich
A resident of downtown Sacramento

CC: David Kwong; Jeanne Corcoran

From: Fran Halbakken
To: Michael York; Sue Brown
Date: 8/24/06 12:17PM
Subject: Fwd: RE: cpc 8-24-2006 parking waiver request 18th & L

More opposition

Fran Halbakken, P.E.
City of Sacramento, Dept. of Transportation
(916) 808-7194

>>> "vitosgromo" <vsgromo11@comcast.net> 8/23/2006 9:37 PM >>>

Fran

Please forward my comments to Michael York and all appropriate interested city staff. I strongly oppose granting these waivers for parking. Not only will this continue to add the growing traffic congestion in the central city that has caused frustrations for residents and businesses but this will set a dangerous precedent. With the tremendous expansion of the restaurant and entertainment district the older neighborhood are being destroyed. If this passes other restaurants will request similar waivers that will lead to the use of surrounding neighborhoods as parking lots for these restaurants. Residents will be forced to lose their parking or leave. We are already losing families around the 28th and J Street district.

Please do not grant these waivers!

Vito Sgromo
Cell 916 869-3486

-----Original Message-----

From: Fran Halbakken [<mailto:fhalbakken@cityofsacramento.org>]
Sent: Tuesday, August 22, 2006 9:33 AM
To: Brooks Truitt; Shawn Eldredge; Paul Harriman; Karen Jacques; B B
Subject: Re: cpc 8-24-2006 parking waiver request 18th & L

Hi everyone - I just checked with Michael York on the hearing date for 1801 and 1812 L Street project parking waiver requests. They will not be heard on August 24th, earliest date is September 14th and potentially later. It is not too late to talk with Development Services or send it written comments. I believe the waiver is for approx. 120 spaces between the two projects.

Fran Halbakken, P.E.
City of Sacramento, Dept. of Transportation
(916) 808-7194

>>> "B & B" <zazzu@sbcglobal.net> 8/22/2006 12:13 AM >>>
16. P06-081 1801 L St (Noticed on: 08/02/06)

From: Fran Halbakken
To: Michael York; Sue Brown
Date: 8/24/06 12:18PM
Subject: Fwd: Re: cpc 8-24-2006 parking waiver request 18th & L

Part 2 of Karen Jacques' concerns

Fran Halbakken, P.E.
 City of Sacramento, Dept. of Transportation
 (916) 808-7194

>>> Karen Jacques <threegables@macnexus.org> 8/23/2006 10:36 PM >>>
 I too am completely opposed to this waiver and would like to see WPCANA take a stand both on the waiver and on the proces. We are supposed to be in middle of the Central City Master Parking Plan. Part of the purpose of this plan was to develop an overall plan for parking throughout the Central City. What is the point of developing a plan if the City just continues to issue inappropriate waivers?
 On Aug 23, 2006, at 9:00 AM, Barbara wrote:

> Since the Board will not have a chance to discuss this, do we want to
 > do something by email & make a statement at the Planning Commission?
 >

> Though this is technically past our boundary, it's "just" past the
 > boundary & ultimately will affect us as patrons look for places to
 > park. We should have been notified by the city and the developer.
 > Let's not forget the new residents, too, who will likely be doing some
 > street parking. I am absolutely opposed to this waiver, especially
 > given that the developer had previously asked about reducing parking
 > for residents as well...or something to that effect.
 >

> That area is already completely impacted & this would be most unfair
 > to the restaurants that have been doing business there for many years.
 >

> Barbara

>> -----Original Message-----

>> From: B & B [<mailto:zazzu@sbcglobal.net>]

>> Sent: Monday, August 21, 2006 11:13 PM

>> To: Kay & Gene Kneprath ; Brooks Truitt; Tim Schmelzer ; Barbara

>> Steinberg Home ; Catherine Metz ; Celine Donaldson ; Deanna Marquart;

>> Karen Jacques ; 'Kerstin Bandner'; Matt Piner ; Samara Palko ; Shawn

>> Eldredge ; Terry Strike

>> Cc: William Thomas; 'Fran Halbakken'

>> Subject: cpc 8-24-2006 parking waiver request 18th & L

>>

>>

>> 16 P06-081 1801 L St (Noticed on: 08/02/06)

>>> Location: 1801 L St, D-3

>>> Recommendation: Approve - Item A: Environmental Determination: Prior

>>> Negative Declaration; Item B: Special permit to waive the required

>>> parking for a 90-seat restaurant. Item C: Special permit to waive

>>> the required parking for a 98-seat restaurant. Item D: Special

>>> permit to waive the required parking for a 63-seat restaurant. Item

>>> E: Special permit to waive the required parking for a 56-seat

>>> restaurant.

>>>

From: Fran Halbakken
To: Michael York; Sue Brown
Date: 8/24/06 2:57PM
Subject: Fwd: Re: Extremely disappointed in your decision

Fran Halbakken, P.E.
City of Sacramento, Dept. of Transportation
(916) 808-7194

>>> Dale Kooyman <dkdale@comcast.net> 8/24/2006 2:51 PM >>>
On Aug 23, 2006, at 2:36 PM, Dale Kooyman wrote:

I and obviously others are extremely disappointed in your modified decision to blanket L Street with unneeded restaurants and asking for variances which further complicate the central city's already severe parking problems and make it even more difficult for tenants of the buildings and nearby business customers to park.

This is a total reversal of what we heard Al Esquivel say when he spoke about parking when making your presentation at the NAG. Nearly a quote: "Let's say worst case scenario is that all the ground floor is filled with restaurants--which we have no intention of doing--we have" Your decision is also unfortunate because it is now seems to me that you have damaged severely your own credibility and that of other builders to the extent that how can we trust what we are being told?

You probably do not even remember my discussion and emails to you and Mike Heller which described the amenities that residents of dense urban projects need (based on my and other residents' needs when living in large cities) to reduce their dependency on autos and make it possible for them to live in an urban core without an auto. I asked you to put your and your wife in the place of owners/tenants to realistically assess what you would need to live in your projects without a car.

In contrast, what you are now proposing ensures that your tenants will need autos to access services. As I recall, you (or your staff) originally thanked me for that information agreeing those were important points that you would consider. I no longer have that original email so I have excerpted parts of a followup email to you (your staff):

>
> "1) the prior lengthy email that I sent you detailed the amenities
> needed for people who move to an urban core and enable them to give up
> their vehicles. Briefly, those amenities included shops, stores,
> cleaners, boutiques, shoe repair and other services on the ground
> floors of medium and high rises to which they can come home or walk a
> short distance to use.

> As one of the original downtown "pioneers" (30 years ago I bought my
> property in midtown) I hope that you and other builders will seriously
> consider and promote the development of these amenities that tenants
> need so that your projects will be successful and attract non-car
> dependent renters and buyers.

- >
- > 2) the cities you mention have better and more public transit
- > services. Your and other builders' support is key there
- > too--especially the frequent runs of a network of mini-buses or
- > shuttles so central city residents, visitors and employees can
- > quickly, cheaply and easily meet their transportation needs to and
- > from services that range from medical to restaurant/entertainment.
- >
- > A dense, fun, vibrant urban core with the capability to serve everyone
- > has long been my dream as a central city resident where we can walk
- > and take frequent mini-buses from shop to shop and restaurant/bar to
- > restaurant/bar from 10 in the morning until 11 or 12 at night."

It seems, in my opinion, that instead of working with us to achieve that goal, you prefer to swirl in controversy and use your wealth and influence to steam roller us and city decision makers creating even greater hostility between residents, city staff and businesses. In fact, when you first described these projects you stated that there would be shops with owner/tenant needed products on the ground floor. Now you have changed it to restaurants as if those residents will be eating there all of the time. You are also creating an unrealistic living environment which will limit tenant appeal as well as over concentrating eateries in which many of the tenants will not be able to afford to eat regularly.

Perhaps, because you charge for parking in the 16th Street building and you said that people opt to park on the street instead (I've heard that they can't afford the rent AND parking charges), you feel that if you make street parking even harder to find it will force tenants to rent your spaces in the new buildings? If that is your strategy, that could backfire and cause you to experience high vacancy rates. Too many restaurants can also backfire with some closing, depressing the area in the long run. That serves the good of no one.

In public meetings and Planning Commission hearings you present yourself as an Urban Planner with only the city's best interests at heart. That is impressive. Ultimately, however, as this modification suggests, it looks like to me that you turn the projects around not to reflect those values but to end up where most of the dollars seem to come back to your side of the table.

Since meeting you, I have always gotten the impression that you are a very nice and personable man, very articulate and concerned. But are these projects now about good city planning or are they about maximizing your dollars??? Those two do not have to be mutually exclusive, but in this case it looks like to me--and perhaps others--that they are.

CC: David Kwong; Jeanne Corcoran

From: Fran Halbakken
To: Michael York
Date: 8/25/06 12:29PM
Subject: Fwd: Re: 18th and "L" Parking Variances ?

Fran Halbakken, P.E.
City of Sacramento, Dept. of Transportation
(916) 808-7194

>>> Dale Kooyman <dkdale@comcast.net> 8/25/2006 10:50:32 AM >>>
Karen is absolutely right! Folks, pay attention to what happened years ago to Old Town Chicago and the Gas Light District of St. Louis when private home owner investment revitalized those historic areas. Each of those city governments, anxious for tax revenues, turned their backs on residents' concerns to favor restaurant and entertainment interests eager to cash in on upscale residents, visitors from the suburbs and summer tourist patronage. In the end they "killed the goose that laid their golden eggs."

Karen, the late councilman John Roberts--part of the Gas Light District restoration--and I have for the last few years have repeatedly cautioned city officials that the same will happen here if city and businesses follow the same path.

Chicago and St. Louis governments and private businesses, ignoring the concerns and pleas of the very working residents that invested and restored the homes and area, chose to upset the original healthy balance of mixed use. They over concentrated restaurants, clubs and other visitor attractions to the extent that residents and friends could not park near their homes. Residents could not shut out late entertainment noise, nor avoid merry makers' fights and litter, nor tolerate screeching vehicles as they circulated around the blocks, often hitting residents' cars and homes.

It had become an unhealthy unsafe environment for those upper income working preservationists and their families. So they moved! The properties slowly fell into disrepair. The visitors and merry makers found other places to spend their \$\$\$\$. Businesses' income fell. One by one they folded. Both areas became slums. For over forty years both cities have sunk millions of Redevelopment monies into Old Town and the Gas Light District trying to recreate the vibrancy and lucrative investment that was destroyed. Their success has been but a mere shell of the grandeur of the days of preservation and restoration.

Think that can't happen here? Au contraire. As the old saying goes, "those who ignore history are doomed to repeat it." Portland is no guarantee as to what will happen in our central city. Just factor in a recession or other financial reversal here and watch the dominoes fall.

Vito Sgromo's experience in his neighborhood may be our early warning bell. Proportion and balance is the key--violate that principle, which now appears likely; and we've taken the first steps on that slow downward path!

On Aug 25, 2006, at 8:21 AM, Karen Jacques wrote:

> Like so many other, I remain opposed to these parking variances. Our
> historic residential neighborhoods cannot survive if they become
> parking lots for adjacent restaurants. Many of the buildings in these
> neighborhoods have no off street parking. If people can't park close
> to where they live, they simply won't live there. The buildings will
> then become economically non viable. As it is now, these
> neighborhoods are in trouble because of parking and desperately need
> evening and weekend residential permit parking restrictions. What
> makes the Central City wonderful is that it is mixed use, that its
> neighborhoods are reasonably healthy and safe and that they have
> character. They won't stay that way if the people who live there are
> driven out. My husband and I have lived in the Central City 22 years.
> I have been an activist for almost that entire time. I remember what
> these neighborhoods were back then. I know what it took to bring them
> back. Some of us, myself included, risked our lives to do it. I
> don't want them to revert to what they were, but, they will if the
> City continues to disregard the needs of their residents. And, if the
> neighborhoods go, the businesses won't be far behind. We need a
> solution to Central City parking problems, but it has to be a solution
> that protects neighborhoods, not one that destroys them. Shuttle
> services, after hours use of all office parking lots, valet parking
> and after hours protection of residential neighborhoods are part of
> the solution. Parking variances for restaurant after restaurant after
> restaurant is not. As Vito Sgromo said in a prior e-mail, his 28th
> and J district is already seeing families move out. Is that really
> what the city wants?

> On Aug 24, 2006, at 6:39 AM, Sotiris K. Kolokotronis wrote:

>> Bruce,

>>

>> Just for the record:

>>

>> 1) These items were presented, on June 19th, at the NAG meeting as
>> one project with all the mitigation measures. Subsequently, staff
>> has decided to break them in it's parts; no difference in the
>> cumulative numbers.

>> All the issues and proposed mitigation measures were presented and
>> discussed. It's exactly the same project presented to NAG !

>>

>> 2) As, I mentioned to my comments to Fran, the Project Hearing date
>> has been moved to September; that's the reason that there isn't staff
>> report attached.

>>

>> 3) The development team has been working for more than six months
>> with community and staff on this project and has participated
>> extensively for over a year in the Central City Master Parking Plan
>> Study.

>>

>> 4) The process has been respected by the project proponent and staff,
>> and the issues raised have been considered and addressed.

>>

>> Let's make good things happen !

>>

>> Sotiris
 >>
 >> From: B & B [mailto:zazzu@sbcglobal.net]
 >> Sent: Thu 8/24/2006 5:53 AM
 >> To: Sotiris K. Kolokotronis; 'Fran Halbakken'
 >> Cc: 'Paul Harriman'; 'Heather Fargo'; 'Howard Chan'; 'Ray Kerridge';
 >> 'Steve Cohn'; 'Ray Trethaway'; 'Robert Fong'; 'William Thomas'; 'Bill
 >> Crouch'; 'Red Banes'; 'Vincene Jones'; 'Sue Brown'; 'Seann Rooney';
 >> 'Liz Brenner'; 'Max Fernandez'; 'Wendy Hoyt'; 'Dale Kooyman'; 'Brooks
 >> Truitt'; 'Bill Burgua'; 'Shawn Eldredge'; 'Al Esquivel (E-mail)';
 >> 'David Kwong (E-mail)'; Brooks Truitt; Tim Schmelzer ; Barbara
 >> Steinberg Home ; Catherine Metz ; Celine Donaldson ; Deanna Marquart;
 >> Karen Jacques ; 'Kerstin Bandner'; Matt Piner ; Samara Palko ; Terry
 >> Strike
 >> Subject: RE: 18th and "L" Parking Variances ?
 >>
 >> As presented on the City Planning Commission's/ Meeting Agendas and
 >> Summary's for Thursday August 24:
 >>
 >> http://www.cityofsacramento.org/dsd/council/documents/CPC_Agenda_08-24-06.htm
 >>
 >> These two items are presented as Special Permits for Waiver of
 >> Parking Spaces with all the waived spaces being required for
 >> restaurant uses, arguably the most intensive permitted use for these
 >> sites with regards to the parking requirements that each of these
 >> sites would require, should they proceed to fruition. When the
 >> presentation came to NAG, I remember it in terms of the Buckhorn
 >> Restaurant situation, East End Garage evening use and not having the
 >> required daytime parking due to that garage not being available...not
 >> two separate buildings and multiple venues. In looking at the Agenda,
 >> one will notice how staff reports are attached to most of the items
 >> on this agenda...neither of these two proposals were accompanied by a
 >> staff report and no notification or staff report came to WPCANA or
 >> anyone else except for maybe MBA regarding these proposals. So how
 >> could anyone know that there were any conditions attached? How is
 >> it that over a year ago this very area was identified as a "HOT
 >> SPOT" for having a lack of parking ? MARRS helped bring that to a
 >> head with CPC's denial of waiver and an appeal was made to City
 >> Council. Parking Staff, led by Howard Chan, asked City Council to
 >> allow them to proceed with implementation of trial methods to
 >> address this situation...including increasing enforcement hours
 >> especially on Thurs-Sat evenings, non mitigated variances and waivers
 >> exasperating an already problematic area and inflicting impacts on
 >> the surrounding residential neighborhoods and here we are a year
 >> later with virtually nothing except the same tried and failed policy
 >> of asking for waivers or variances and the attitude of will take care
 >> of it later.
 >> It is simply unfathomable that this could have been allowed to
 >> go forward, to this point, prior to action by council with the CC
 >> Parking Study and with little regard for what the parking situation
 >> is going to be once those sites are occupied with residents.
 >> I believe last year the figure was \$25,000.00 that it cost the
 >> city to provide 1 off street parking space in a multistory structure
 >> and from a land use perspective, permanent surface parking lots in an
 >> medium to high density urban core are the worst land use decision.

>> So who ultimately has paid/ and will pay for these variances &
>> special permit waivers over the last 30 years? We all deserve a
>> better remedy!! Waivers and Variances are what got us to this point
>> in time and created the need for a better solution, Planning
>> Commission saw the abyss last year and denied MARRS, City Council
>> approved it with a realization by some council members that better
>> solutions are needed...CC Parking Study comes to council 9-19...Maybe
>> the final results of the study should come before any more waivers or
>> variances...remember that old saying about shutting the gate after
>> the horse has gotten away??

>>

>>

>> Bruce Holmes

>>

>>

>> -----Original

>> Message-----<http://www.cityofsacramento.org/dsd/council/documents/>

>> CPC_Agenda_08-24-06.htm

>> From: Sotiris K. Kolokotronis

>> [<mailto:sotiris@urbancapitalpartners.com>]

>> Sent: Tuesday, August 22, 2006 5:15 PM

>> To: Fran Halbakken

>> Cc: Paul Harriman; Heather Fargo; Howard Chan; Ray Kerridge; Steve

>> Cohn; Ray Trethaway; Robert Fong; William Thomas; Bill Crouch; Red

>> Banes; Vincene Jones; Sue Brown; Seann Rooney; Liz Brenner; Max

>> Fernandez; Wendy Hoyt; Dale Kooyman; Brooks Truitt; Bruce Holmes;

>> Bill Burgua; Shawn Eldredge; Al Esquivel (E-mail); David Kwong

>> (E-mail)

>> Subject: RE: 18th and "L" Parking Variances ?

>>

>>

>>> Fran,

>>>

>>> Perhaps I can help you respond to Paul's email.

>>>

>>> Al Esquivel on my behalf presented the parking variance requests at

>>> the NAG meeting on June 19th. I believe many community groups and

>>> residents received early notification about that time. At the NAG

>>> meeting, these applications were presented together as two

>>> applications--one for each building. Subsequently, staff thought

>>> it was best to break the two applications we submitted into 6 based

>>> on the anticipated number of tenants--one for each tenant. Paul's

>>> parking space requirement calculation does not reflect the 38

>>> parking spaces waived for the retail in the two projects when they

>>> were originally approved.

>>>

>>> Although the applications are described as "waivers", to address the

>>> parking demand off street parking is being provided within the East

>>> End Garage, one and one-half blocks west of the projects. The

>>> project are also providing valet parking. Independent of the Central

>>> City Parking Master Plan, we, in conjunction with the Midtown

>>> Business Association and the City, are working on implementing

>>> measures to address parking demand, including providing employee

>>> parking in public garages, providing incentives to employees to use

>>> public garages, and establishing a parking management district.

>>>

Attachment 3 – Letters in Support of Project



August 29, 2006

Mr. David Kwong
Planning Manager
City of Sacramento
915 I Street, 3rd Floor
Sacramento, CA 95814

Re: Application P06-081: 1801 L Street
Application P06-082: L Street Lofts

Dear Mr. Kwong:

On behalf of the Midtown Business Association Board, I am writing to express our support, in a unanimous vote, of the applicant's request for waivers of parking requirements for retail at 1801 L Street and the L Street Lofts. These two projects are key catalysts in the revitalization of Midtown as an 18- to 24-hour community, providing much-needed housing that will spark vibrant retail growth and improve the Midtown streetscape.

The City requires a total of 124 parking spaces for the restaurant retail uses at the two locations. We understand that the applicant is requesting City approval to count parking available in the State-owned garage approximately 1.5 blocks west of the properties after 4:00 pm on weekdays and all day weekends as off-site parking for the project. We also understand that the applicant intends to provide daytime weekday parking for restaurant retail through valet service to offsite parking locations.

The applicant's request meets the intent of The Draft Central City Parking Master Plan. Because many daytime restaurant customers in the immediate vicinity are State workers and employees from local businesses, we also believe that many patrons will walk to lunch. However, we recognize that there are significant parking constraints during certain hours in the area around 18th and L Streets; we believe that more efficient use of the nearby parking structures would ease much of the strain, freeing up on-street supply for short-term customers of local businesses. Therefore we support the use of these parking structures after hours and on weekends and the concept of valet services to outlying surface lots and structures.

In addition, we are actively working with the City, the applicant, and other Midtown developers and employers to find a better solution for our employees than on-street parking – through a shuttle system and discounted rates in nearby long-term garages. We believe that good planning and efficient management by the 1801 L and L Street Lofts project developers and managers will ensure that the valets, the new building residents, and the restaurant employees will be able to park safely in appropriate locations on- and off-site and avoid over-reliance on short-term on-street parking spaces.

We, therefore, strongly encourage approval of these applications.

Sincerely,

Connie Miottel
Executive Director

1716 L Street
Sacramento, CA 95814
t. 916.442.1500
f. 916.442.1535

www.mbasac.com
mba@mbasac.com