

P03-069 – Blue Sky Day Spa

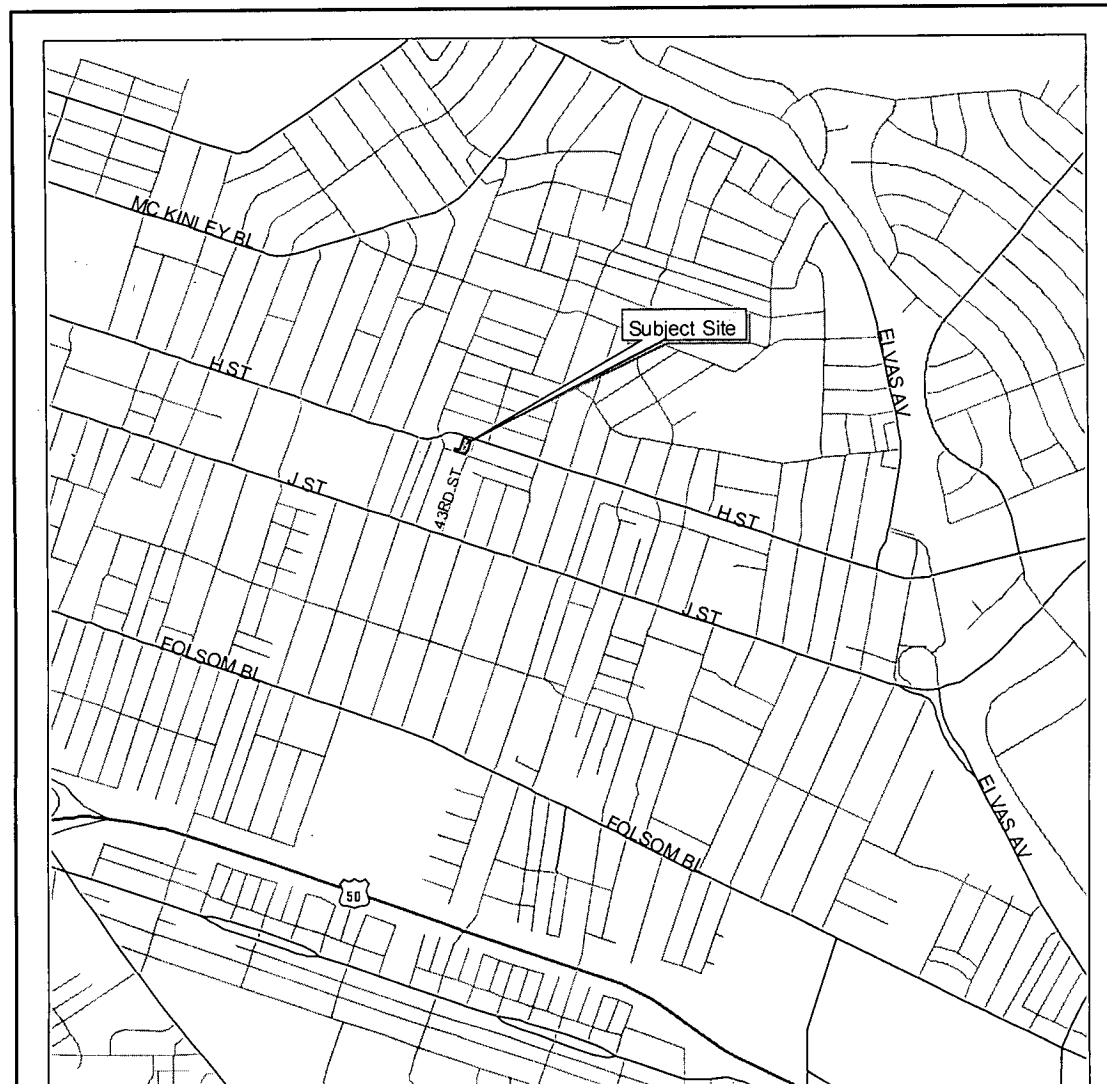
- REQUEST:
- A. **Environmental Determination:** Exempt (CEQA Section 15301a)
 - B. **Special Permit** to allow 1,032± square foot support commercial service use (day spa) within an existing 5,200 square foot medical office building on 0.33± developed acres in the Office Building (OB) zone; and
 - C. **Special Permit** for off-site parking for a support commercial service use (day spa) in the Office Building (OB) zone.

LOCATION: 4250 H Street
APN: 008-0051-025, 004-0293-019
Sacramento Unified School District
Council District 3

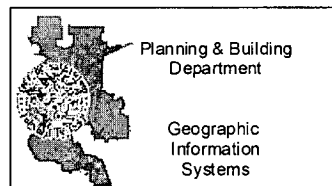
APPLICANT:	Cindy Ajay 4250 H Street #100 Sacramento, CA 95819 (916) 455-6200
OWNER:	Bradley Reardan 14402 Eel River Potter Valley, CA 95469
APPLICATION FILED:	June 16, 2003
STAFF CONTACT:	Michael York, (916) 808-8239

SUMMARY:

The applicant is requesting entitlements to allow a support commercial service use (1,032 square foot day spa) in the Office Building (OB) zone. Hours of operation are Monday, 11am-5pm; Tuesday through Thursday, 9am-8pm; and Friday & Saturday, 9am-5pm. The project will permit 1,032 sq ft of the 5,200 square foot medical office space to be used as a salon and massage therapy. The salon will provide services including therapeutic massage therapy; body treatments, holistic facials and natural nail services. The business has operated in the building for the last three years. A complaint was filed with Code Enforcement due to the lack of parking for the use. Staff has no issues with the proposed project, since required parking is being provided.



0 0.2 0.4 0.6 Miles



Vicinity Map
P03-069



July 1, 2003

RECOMMENDATION: Staff recommends approval of the project subject to conditions. This recommendation is based on the project's consistency with the General Plan land use designation of Community/Neighborhood Commercial & Offices. The support commercial use is allowed in the OB zone and is considered a less intense use than the other medical uses on site. Additionally, the day spa has operated at the site for almost three years with little or no problems, until the parking issue was brought forward to the City.

PROJECT INFORMATION:

General Plan Designation:	Community/Neighborhood Commercial & Offices
Community Plan Designation:	N/A
Existing Land Use of Site:	Medical Offices & Day Spa
Existing Zoning of Site:	Office Building (OB)

Surrounding Land Use and Zoning:

North: Residential; R-1
 South: Residential; R-1
 East: Residential; R-1
 West: Medical Office; C-1

Property Dimensions:	90' x 120'
Property Area:	14,439± square feet
Square Footage of Building:	5,200 square feet
Square Footage of Day Spa:	1,032 square feet
Hours of Operation:	11am-5pm (Mon), 9am-5pm (Tue-Thu), 9am-5pm (Fri-Sat)
Parking Provided:	13 spaces for entire building
Parking Required:	13 spaces
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

OTHER APPROVALS REQUIRED: In addition to the entitlements requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

<u>Permit</u>	<u>Agency</u>
Building Permit	Planning & Building Department
Off-Site Improvements	Public Works Plan Check

BACKGROUND INFORMATION:

In 1968 the building was constructed as a medical office complex with 13 parking spaces. The 5,200 square foot medical office building was required by zoning code, at the time, to provide 13 parking spaces based at one parking space per 400 gross square feet of

building area (1:400 ratio).

The Blue Sky Day Spa has occupied 1,032 square feet of the medical office building for approximately the last three years. The Zoning Ordinance requires a special permit for up to 20% of the building square footage to be devoted to support commercial uses. The Blue Sky Day Spa considers the service they offer to be a medical use since they provide therapeutic massage, therefore not requiring a special permit. Since that time their use has been determined to be a support commercial use by the zoning code, which requires a special permit.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

The project site is designated Community/Neighborhood Commercial & Offices in the General Plan. The proposed project is consistent with these land use designations.

General Plan:

"Promote the re-use and revitalization of existing developed areas" (Sec 4-1, Goal A).

"Encourage accessory uses in office centers" (Sec 4-16, Policy 1).

B. Zoning Requirements

1. Special Permit

The City's Zoning Ordinance requires a special permit for the establishment of support commercial services in the Office Building (OB) zone. The Blue Sky Day Spa is considered a support commercial service use under the City's Zoning Ordinance. The special permit requirement allows the Planning Commission to review and establish conditions on a project-by-project basis to ensure that projects will not have negative effects on surrounding areas.

Under the zoning ordinance support commercial services cannot exceed 20 percent of the overall building square footage. The 5,200 square foot building, which the Blue Sky Day Spa is located, would allow up to 1,040 square feet of support commercial service use. The Blue Sky Day Spa is currently occupying 1,032 square feet of the building and does not propose to add any additional space. Therefore, the Blue Sky Day Spa is within the square footage requirements to establish their use in the Office Building (OB) zone.

The proposed spa compliments the medical building since the spa offers therapeutic massage and receives referrals from doctors within the building.

Furthermore, the spa provides amenities that can be used by the surrounding neighborhood. Therefore, staff supports the request for a special permit.

2. Parking/Circulation

In 1968 when the building was constructed as a medical office, there was no differentiation of parking requirements between medical office and general office. Parking requirements were one parking space per 400 gross square feet of building area for office uses, requiring 13 parking spaces for the 5,200 square foot building. The 13 parking spaces were provided at the time the building was constructed. Parking requirements have changed since the building was originally constructed, so under current regulations the medical office would be under parked.

Since, the medical building was established legally with 13 parking spaces and the day spa is occupying 1,032 square feet of the building, they would be credited for three (3) parking spaces. However, the day spa is considered a new use in the building and under current zoning code, the day spa requires four (4) parking spaces, one space per 250 square feet of building area (1:250 ratio). Therefore, the project needs to provide one additional parking space.

The additional parking space will be provided through a special permit for off-site parking. The applicant has a lease agreement with Uncle Bill's TV Repair Shop located across the street at 4201 H Street for the additional space they must provide. The TV repair shop was required to provide nine (9) parking spaces at the time it was established in 1965, but has 10 spaces, a surplus of one space. The Blue Sky Day Spa will be utilizing the surplus parking space to meet their off-site parking requirement. Staff would recommend and therefore will condition that, the off-site parking space be utilized by an employee of the day spa.

The parking issue was brought to the attention of the City by a neighbor through the Code Enforcement Division. There may be a parking issue in the neighborhood near the building, although it is difficult to determine if the parking issue is fully attributed to the day spa or not. Staff noted that because there is no parking allowed on H street or 42nd and 43rd streets adjacent to the medical offices and with Mercy General Hospital located in the vicinity, these may also be contributing factors to the perceived parking issue. A permit parking program does exist in the neighborhood with two (2) hour on-street parking allowed on the residential side of 42nd and 43rd streets. Based on a few site visits there appears to be adequate on-street parking in the area, though a parking issue could exist for the few residents within 150 feet of the medical building, who wish to park on street. The neighborhood may want to explore with the Parking Division the possibility of changing the two (2) hour parking to one (1) to increase turnover of on street

parking. For this project the applicant is meeting the necessary requirements to provide adequate parking for their use. Therefore, although there is a perceived parking issue in the neighborhood, staff cannot make any findings that would not support the applicants request.

3. Signage

No signage is proposed at this time. However, any signage proposed in the future must conform to the City's Sign Ordinance for the Office Building (OB) zone.

C. Building Design

The existing wood one story building constructed in 1968 was designed as a complex to house small medical offices. No modifications are proposed to the exterior of the building as a result of this project. The site is not located within any design review area, but any exterior modifications to the building are subject to requirements of the Uniform Building Code (UBC).

PROJECT REVIEW PROCESS:

A. Environmental Determination

The proposed project is exempt from environmental review pursuant to CEQA Guidelines (CEQA Section 15301a).

B. Public/Neighborhood/Business Association Comments

The project application was routed to the following associations:

McKinley Elvas Neighborhood Alliance
Friends of H Street
East Sacramento Improvement Association

A response card was received from the McKinley Elvas Neighborhood Alliance stating no objection to the project. No other comments were received from these associations, or members of the public regarding the project.

C. Summary of Agency Comments

The project has been reviewed by several City Departments and other agencies. All applicable comments are addressed in the conditions.

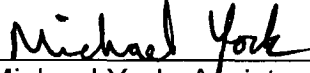
PROJECT APPROVAL PROCESS: Of the entitlements below, Planning Commission has the authority to approve or deny the special permit. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of

the Planning Commission action.

Staff recommends the Planning Commission take the following actions:

- A. Adopt the attached Notice of Decision and Findings of Fact which finds that the project is Exempt pursuant to CEQA Section 15301a;
- B. Adopt the attached Notice of Decision and Findings of Fact approving the Special Permit to allow 1,032± square foot support commercial service use (day spa) within existing 5,200 square foot medical office building on 0.33± developed acres in the Office Building (OB) zone; and
- C. Adopt the attached Notice of Decision and Findings of Fact approving the Special Permit for off-site parking for a support commercial service use (day spa) in the Office Building (OB) zone.

Report Prepared By,


Michael York, Assistant Planner

Report Reviewed By,


Jeanne Corcoran, Senior Planner

Attachments

Attachment 1	Notice of Decision & Findings of Fact
Exhibit 1A	Site Plan
Exhibit 1B	Floor Plan
Attachment 2	Land Use & Zoning Map

Attachment 2 - Land Use & Zoning Map

