

ITEM V-C: ADMINISTRATIVE PERMIT – 1490 EUREKA RD – NERSP PARCEL 13, EUREKA RIDGE PLAZA PARKING REDUCTION –FILE# 2006PL-038, PROJECT# AP-000104

REQUEST

The applicant requests approval of an Administrative Permit to authorize a reduction in the number of parking stalls required at the Eureka Ridge Plaza. The applicant proposes a mix of tenant types that would require 252 parking stalls where only 218 parking stalls are provided on the property.

Applicant & Owner – Abe Alizadeh, Kobra Properties

SUMMARY RECOMMENDATION

The Planning Department recommends that the Planning Commission take the following actions:

- A. Adopt the three findings of fact for denial of the Administrative Permit; and
- B. Deny the Administrative Permit.

SUMMARY OF OUTSTANDING ISSUES

This present application asks for a further reduction in parking required for this commercial center. The documentation submitted in support of this request is a survey of other jurisdictions' parking standards. Staff cannot support this request without evidence that the existing parking supply is sufficient for the proposed uses and is consistent with the conditions of the previous parking reduction approved for the site.

BACKGROUND

On June 20, 2002 the Design Committee approved a Design Review Permit (DRP 01-54) for the property at the southwest corner of Eureka Road and Rocky Ridge Drive. The plans proposed construction of 28,550 square feet of retail space, 8,595 square feet of restaurant space, and site improvements including 218 parking stalls. Permits were subsequently issued for three buildings containing the approved square footage. The site improvements have been completed and two wing buildings are occupied with a mix of tenants. The third building, Crush 29 restaurant, is still under construction.

As construction of the two wing buildings was underway, tenants were lined up for the space. Restaurant uses exceeded the original floor area to the extent that 245 parking stalls would be required. As a result, the 218 parking stalls constructed would be 27 stalls short of the requirement for the combined uses. The property owner requested a 27 stall parking reduction, and on March 24, 2005 the Planning Commission approved an Administrative Permit to authorize that reduction. The conditions of approval require a parking management plan to be approved by the Planning & Redevelopment Director prior to the opening of the Crush 29 restaurant. The restaurant is still under construction and the parking plan is nearing completion, but has not been approved.

EVALUATION

The applicant now proposes to add a bank to the tenant mix sharing the 218 parking stalls. Banks, like medical services and restaurants, have a higher parking requirement than retail uses. In support of this

request, the applicant submitted a survey of other jurisdictions' parking requirements that indicates they do not require more parking for a bank use than retail (Attachment 2). He also provided a tabulation of the existing and proposed tenants by floor area, parking ratio and business hours (Attachment 3). He further suggests that that the limited hours of the bank will reduce its need for parking.

Table 1: Parking Supply

Tenant Type	Floor Area	Ratio	Parking Stalls
Restaurant	16,903	1/100	169.03
Retail / Personal Services	14,894	1/300	49.65
Bank	1,936	1/150	12.91
Medical Services	3,008	1/150	20.05
Total required			251.64
Existing			218
Shortfall			34

FINDINGS

Section 19.78.060.A of the City of Roseville Zoning Ordinance requires that three (3) findings be made in order to approve an Administrative Permit. The required findings are listed below in italicized bold print and are followed by an evaluation.

- 1. The proposed use or development is consistent with the City of Roseville General Plan and the Northeast Roseville Specific Plan.***

The request is not supported by the information submitted. The proposed tenant mix would result in more customers on the site during peak hours than the parking lot can accommodate, resulting in conflicts over parking. This is not consistent with General Plan policies to promote a positive business climate and to comply with the development standards of the Zoning Ordinance.

- 2. The proposed use or development conforms with all applicable standards and requirements of the City of Roseville Zoning Ordinance.***

The number of parking stalls does not meet the requirements for the proposed mix of uses. Zoning Ordinance Section 19.26.030.C.2 stipulates that the number of parking spaces actually provided for a building complex may be reduced upon approval of an Administrative Permit where the hours of operation of the various uses do not coincide or overlap to the extent that the parking demand would exceed the supply. Such a parking reduction may be approved if:

- a. A sufficient number of spaces are provided to meet the greatest parking demand of the participating uses.*

The 218 parking stalls will not be sufficient during weekday hours when the bank, restaurants and shops are all open for business. The Zoning Ordinance requirement for 252 parking stalls for the proposed mix of uses assumes the expected levels of activity for these uses, typically customers coming and going throughout the day. The daily peak is expected to occur during the lunch hour when all users will be competing for parking.

The applicant has provided a survey of other jurisdictions' parking requirements for a bank, suggesting that the City's requirements are unreasonably high. However, no information is provided to indicate the

standards work well for those jurisdictions or would be appropriate for Roseville. The Planning Commission has periodically asked staff to review the City's parking standards. These requests reflect the Commission's desire to see more parking, larger parking stalls, and wider drive aisles. The conclusion of each of these reviews has been that our existing standards are appropriate for Roseville.

- b. Satisfactory evidence is provided describing the nature of the uses and the times when the uses operate so as to demonstrate the lack of potential conflict between them.*

The applicant has provided a parking survey that lists all of the tenant spaces by type of use and business hours (Attachment 3). The table shows that during the weekday hours, all businesses will be open and there will be a deficit of 34 parking stalls on-site. It is expected that peak parking demand will occur during the lunch hours and again in the early evening hours. Accordingly, at these times the parking lot will be congested, leading to conflict over parking stalls. Although the bank will not be open for business during evenings or on weekends, that does not reduce its parking usage on weekdays during the peak demand. People often do their banking at lunch or right after work. There is no evidence that there is something about this particular bank that would make it require less parking.

- c. Overflow parking will not impact any adjacent use.*

The applicant has not addressed the potential for overflow parking impacts. The site is located at the intersection of two arterial streets, where on-street parking is prohibited. There is no on-street parking within convenient walking distance that could absorb some overflow parking.

An existing interior driveway from the Eureka Ridge Plaza lot to the adjacent Carmax property allows direct access. (Reciprocal access and parking easements were required with the parcel map when the Eureka Ridge Plaza, Carmax and Carver's parcels were created.) However, an increase in parking demand on the Eureka Ridge Plaza could affect the Carmax property with overflow parking and become an enforcement issue for them.

- d. Additional documents, covenants, deed restrictions, or other agreements as may be deemed necessary by the Planning Director are executed to assure that the required parking spaces provided are maintained and uses with similar hours and parking requirements as those uses sharing the parking facilities remain for the life of the project.*

As a condition of the previous parking reduction, the owner must have a parking management plan approved by the Planning & Redevelopment Director prior to the opening of Crush 29.

In summary, the number of parking stalls does not meet the requirements for the proposed mix of uses and the request for a reduction has not demonstrated that it is appropriate. Therefore, the proposed parking reduction does not conform to the Zoning Ordinance.

- 3. *The location, size, design and operating characteristics of the use or development is compatible with and shall not adversely affect or be materially detrimental to the health, safety, or welfare of persons residing or working in the area, or be detrimental or injurious to public or private property or improvements.***

The proposed increase in the number of customers on-site during peak hours would result in increased demand on a limited and insufficient parking supply, leading to conflicts and impacts, both on-site and off-site. Therefore, the proposed parking reduction would be detrimental to health, safety and welfare.

SUMMARY / CONCLUSION

The parking supply does not meet the Zoning Ordinance requirements for the proposed tenant mix, which assume an occupied and successful shopping center. The requested parking reduction amounts

to a 34 parking stall shortfall during the weekday peak demand hours. Staff has concluded that there is not sufficient evidence to support the required findings for approval and therefore recommends that the Planning Commission make findings for denial of the request.

Staff advised the applicant that we could not support this request while the conditions for the previous parking reduction have not been met. We explained that it would be premature to consider a further parking reduction until an approved parking plan has been tested and proved effective. Even after the parking plan is approved and Crush 29 is in operation for a while, the parking plan needs to be reviewed for effectiveness and it may need to be modified. Given the concerns expressed over the initial parking reduction, staff does not support another increase in demand on the fixed parking supply.

ENVIRONMENTAL DETERMINATION

This application is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15301 of the CEQA Guidelines, which exempts the operation of existing facilities where the project involves negligible expansion of the existing use. Furthermore, CEQA does not apply to projects which are not approved.

RECOMMENDATION

The Planning Department recommends that the Planning Commission take the following actions:

- A. Adopt the three findings of fact as stated below for denial of the Administrative Permit for a parking reduction – NERSP Parcel 13, Eureka Ridge Parking Reduction – File#2006PL-038, Application AP-000104; and
 - 1. *The proposed parking reduction is not consistent with the City of Roseville General Plan and the Northeast Roseville Specific Plan;*
 - 2. *The proposed parking reduction does not conform with all applicable standards and requirements of the City of Roseville Zoning Ordinance; and*
 - 3. *The operating characteristics of the proposed parking reduction would be detrimental to the health, safety, or welfare of persons residing or working in the area.*
- B. Deny the Administrative Permit for a parking reduction – NERSP Parcel 13, Eureka Ridge Parking Reduction – File#2006PL-038, Application AP-000104.

Should the Planning Commission disagree with the staff recommendation, the following alternative actions are provided:

- C. Adopt the three findings of fact as stated below for the Administrative Permit for a parking reduction – NERSP Parcel 13, Eureka Ridge Parking Reduction – File#2006PL-038, Application AP-000104; and
 - 1. *The proposed parking reduction is consistent with the City of Roseville General Plan and the Northeast Roseville Specific Plan;*
 - 2. *The proposed parking reduction conforms with all applicable standards and requirements of the City of Roseville Zoning Ordinance; and*
 - 3. *The location, size, design and operating characteristics of the use or development is compatible with and shall not adversely affect or be materially detrimental to the health,*

safety, or welfare of persons residing or working in the area, or be detrimental or injurious to public or private property or improvements.

- D. Approve the Administrative Permit for a parking reduction – NERSP Parcel 13, Eureka Ridge Parking Reduction – File#2006PL-038, Application AP-000104 – subject to adding the bank use to the parking plan required by the conditions of the previous parking reduction, AP 04-71.

ATTACHMENTS

1. Vicinity Map
2. Letter dated March 3, 2006 from Jerry Aclass, Burrell Consulting
3. Table of Tenants, Floor Areas and Hours

EXHIBITS

- A. Site Plan

<p>Note to Applicant and/or Developer: Please contact the Planning Department staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning Director at, or prior to, the public hearing.</p>
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