



PLANNING & REDEVELOPMENT

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ADMINISTRATIVE PERMIT STAFF REPORT

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ORIGINAL

Date: May 4, 2007

FILE**PROJECT DESCRIPTION****Project Applicant:** Christopher Wadleigh, Fancher Development Services**Property Owner:** ACF Property Management**Date Filed:** March 1, 2007**File Number:** 2007PL-031 (AP-000165)**Project Address and Location:** 1850 Douglas BL, TJ Maxx Center

REQUEST: The applicant requests approval of an Administrative Permit for a 44 parking space reduction in the TJ Maxx Shopping Center. The Center has shared parking and a parking reduction is requested to accommodate a new restaurant use within the existing tenant mix.

ENVIRONMENTAL DETERMINATION: This project is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) Guidelines per Section 15305 pertaining to minor alteration in land use limitations and pursuant to Section 305 of the City of Roseville CEQA Implementing Procedures.

LAND USE, ZONING AND APPLICABLE STANDARDS

Location	Zoning	General Plan Land Use Designation	Current Use
Subject Property:	Planned Development (PD 7)	Community Commercial (CC)	TJ Maxx Shopping Center
North:	Community Commercial (CC)	Community Commercial (CC)	Roseville Shopping Center
South:	Planned Development (PD 7)	Medium Density Residential (MDR-8)	Multi-Family Residential
East:	Planned Development (PD 7)	Community Commercial (CC)	Retail
West:	Attached Housing (R3)	High Density Residential (HDR-20)	Multi-Family Residential

BACKGROUND

The project site is located at 1850 Douglas Boulevard; which is also known as the TJ Maxx Shopping Center. The shopping center is located east of Sunrise Avenue and west of Rocky Ridge Drive (see Attachment 1). The 127,000 square foot shopping center was approved in January of 1987 by the Project Review Commission (a.k.a. Design Committee). The center was originally approved with a

parking requirement of 536 parking spaces, based on the recommendations of the Urban Land Institute (ULI) Shopping Center Study. The ULI recommendation was as follows:

ULI Use Type	ULI Parking Recommendation
Commercial Center	1 space for every 250 square feet
Restaurant	6 spaces per 1,000 square feet

All parking was to be shared by the tenants and customers of the center. The center was approved to have a mix of commercial uses and restaurant uses. The restaurant uses were proposed within the center's approximately 11,800 square foot "Food Court" and the pad building currently occupied by Sizzler.

The actual number of parking spaces that exist at the center today is 521 spaces. The parking regulations have also changed since the approval of the center. The current regulations are as follows*:

Commercial Use Type	Parking Requirement
Banks and Financial Institutions	1 space per 150 square feet
Eating and Drinking	1 space per 100 square feet
Office	1 space per 250 square feet
Personal Service	1 space per 300 square feet
Retail	1 space per 300 square feet

* Only regulations for the current uses within the center have been shown

The current request is to allow a restaurant use (Panera Bread) in 4,250 square feet of pad building 300. Since a restaurant use requires additional parking (one space per 100 square feet) the parking requirement for the center would be increased beyond the 521 spaces provided in the center. Based on the current regulations, the current use types/tenant mix within the center, and the inclusion of the Panera Bread restaurant, the parking requirement is 565 parking spaces. The applicant is therefore requesting an overall reduction of 44 parking spaces to the shared parking within the center to accommodate the new restaurant use.

EVALUATION

Section 19.26.030.C.3 of the City of Roseville Zoning Ordinance contains provisions for requesting and evaluating parking reductions. An applicant may apply for an Administrative Permit to allow a parking reduction for shared parking where they feel that the hours of operation for various tenants may differ to effectively allow for dual use of parking within the center. The applicant has the burden of proof for providing documentation substantiating their request. The approving authority shall only approve reduced parking if the following findings are made:

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

The applicant has provided a parking study/utilization study (see Attachment 2) that documents the number of parking spaces utilized by the existing tenants and the location of available parking spaces. The study was conducted over a 14 day period during the morning peak (7:30 to 8:30 am), midday peak (12:00 to 1:00 pm) and evening peak (5:30 to 6:30 pm). As noted in the parking study, the weekday midday peak hour has the highest demand and utilizes 303 parking spaces, which means that only 58% of the centers parking stalls are occupied during the highest demand time. The applicant has also provided a list of the current tenants within the center and indicated that several of the tenant spaces are unoccupied. The following table compares the parking utilization study to the zoning ordinance parking requirements:

	<i>Parking Spaces</i>
Current Available	521
Current Peak Parking Demand (weekday midday 12:00 to 1:00 pm)	303
Vacant Retail Parking Requirement (1 space per 300 square feet)	74
Panera Bread Parking Requirement (1 space per 100 square feet)	43
Total Remaining	101

The table shows that even with the center being fully occupied, there is an adequate number of parking spaces provided to meet the greatest parking demand. It is however, important to note that the existing vacant space within the center has been assumed to be occupied by retail uses. If uses with a higher parking requirement locate there, additional approvals may be required (Condition 2).

Staff has visited the site during the peak demand period to verify the information provided in the parking study. The site visit revealed that more than 30% of the center's parking stalls were unoccupied. Staff has evaluated the parking availability for the proposed use and concluded that there is sufficient parking within the center to meet the greatest demand based on the existing tenant mix and differences in the hours of operations.

2. Satisfactory evidence is provided describing the nature of the use, the operation and data from other facilities or similar facilities so as to demonstrate that the required parking standards are excessive and the proposed parking standards are appropriate.

The TJ Maxx Center is within a Planned Development zone that restricts uses to commercial, professional office and residential use types. The proposed additional restaurant use (Panera Bread), is a permitted use within the zone and is typical of uses found in shopping centers.

As mentioned above, the applicant has provided a parking study that analyzed the parking provided, parking utilized and the anticipated parking demand. The proposed location for Panera Bread (Parking Supply Area 3) will allow for shared parking, as the peak hours of operation for the proposed business will not conflict with the peak hours of the existing businesses in the same parking supply area. Panera Bread's peak hours occur when other businesses are closed. For example, during Panera Bread's morning rush, the bank and art supply store are closed and the paint store is open. During the evening rush, only the paint store is open.

Based on the information provided by the applicant and a site visit, staff believes that the proposed parking reduction of 44 spaces is appropriate for the center and that the parking provided can adequately support the current tenant mix.

3. Overflow parking will not impact any adjacent use.

The center has a shared parking agreement. In the event there are no available parking spaces in the vicinity of the Panera Bread tenant space, employees and patrons can use any available stalls located on-site. Based on the information provided in the parking analysis and staff's observation of the site, it is not anticipated that the project will have overflow parking or impact adjacent properties.

4. 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 mentioned above, a shared parking agreement exists for the TJ Maxx Center. With the shared parking agreement and the conditions listed below, staff believes that adequate parking is being provided for all tenants within the center. No additional documents or agreements are necessary.

FINDINGS

Section 19.78.060.A of the City of Roseville Zoning Ordinance requires adoption of three (3) findings to approve an Administrative Permit. The three findings are listed below:

1. The proposed use is consistent with the policies of the City of Roseville General Plan.
2. The proposed use conforms with all applicable standards and requirements of the City of Roseville Zoning Ordinance.
3. The location, size design, and operating characteristics of the proposed use 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.

In addition to the required findings listed above:

- There were no additional comments or issues raised by other City departments not noted within.
- A Notice of Intent to Approve the proposed project was distributed to property owners within 300 feet of the subject site. To date, no comments or issues were raised by adjacent property owners or interested individuals.

NOTICE OF ACTION

The Administrative Permit is hereby approved as the required findings, noted above, can be made based on the analysis contained in this staff report and as conditioned below:

CONDITIONS FOR PROJECT # 2007PL-031

1. This permit shall be valid for a period of two (2) years from this date and shall expire on **May 4, 2009**. Prior to said expiration date, the applicant may apply for an extension of time, provided, however, that this approval shall be extended for no more than one year from **May 4, 2009**. (Planning & Redevelopment)
2. This Administrative Permit is approved based on the current mix and square footages of tenants in the center (Attachment 4) and the proposed size of the restaurant use (Suite 300). Uses that have parking requirements that are greater than those assumed in Attachment 4 may require additional approvals. (Planning & Redevelopment)

APPEAL AND PERMIT EXTENSION REQUIREMENTS:

Appeal Procedure: The decision of the Planning Director is final unless appealed. Persons dissatisfied with the Planning Director's decision may appeal it to the Planning Commission by filing a written appeal within 10 calendar days of the date of Administrative Permit approval. All appeals shall be filed with the Planning Department. You may be precluded from filing a lawsuit to challenge this decision unless you use this opportunity for administrative appeal and raise any issue you believe to be wrongly decided.
