

REPORT AMENDED BY CPC 9-8-88  
CITY PLANNING COMMISSION

1231 'I' STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT	Father Madigan, 2549 32nd Street, Sacramento, CA 95817				
OWNER	Roman Catholic Bishop of Sacto., c/o Father Madigan, 2549 32nd St., Sacto, CA 95817				
PLANS BY	Father Madigan, 2549 32nd Street, Sacramento, CA 95817				
FILING DATE	7/22/88	ENVIR. DET.	Cat. Ex. 15301 (a)	REPORT BY	DH:pe
ASSESSOR'S PCL. NO.	010-306-003, 4,5,8,9,11				

APPLICATION: Special Permit to operate a non-profit meal service facility on Sunday afternoons in the gymnasium of an existing church/school. (Immaculate Conception Church) on 1.5+ developed acres in the Multiple Family (R-2A) Zone.

LOCATION: 2549 32nd Street.

PROPOSAL: The applicant is requesting the necessary entitlements to legally continue operation of a dining room providing meals to the needy.

PROJECT INFORMATION:

General Plan Designation:	Residential 4-15 du/acre
1985 Oak Park Redevelopment	
Area Plan Designation:	Residential 7-15 du/acre
Existing Zoning of Site:	R-2A
Existing Land Use of Site:	Church, Rectory, Private Elementary School, Elderly Housing

Surrounding Land Use and Zoning:

North:	Single Family; R-2A
South:	Commercial; C-2
East :	Single & Multi-Family; R-2A, R-2B
West :	Commercial; C-2

Parking Required:	To be determined by Commission
Parking Provided:	(None stated by applicant)
Property Dimensions:	300 ft. x 320 ft.
Property Area:	1.5+ acres
Square Footage of Building:	(None provided)
Height of Building:	School, 20+ ft, single story;
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
Exterior Building Materials:	Brick
Roof Material:	Concrete tile and tar
Seating Capacity:	250 seats
Average Number of Meals Served:	500 to 700 meals
Number of Volunteers:	Average 30
Hours of Operation:	Sunday Only, Meals Served from 1:30 - 3:00 PM Preparation of Meals starts at 9 AM

APPLC. NO. P88-324 MEETING DATE September 8, 1988 ITEM NO. 21

Background Information:

The Church of Immaculate Conception, located at 2549 32nd Street, began operating a food closet and food bank in 1978 as a service to local families and individuals of the Oak Park Neighborhood. This activity was started without benefit of a Planning Commission Special Permit.

In 1983, the church began offering hot meals in the elementary school cafeteria on Sundays from 1:30 to 3:00 PM. The operation of the soup kitchen was not approved by the Planning Commission.

The Church purchased property located at 3333 3rd Avenue in 1987 for the purpose of establishing a food bank, food closet and dining room. The Planning Commission approved Special Permits for limited operation of the food bank and soup kitchen on May 28, 1987. The Oak Park Neighborhood Improvement Association appealed the decision of the Commission to the City Council. Prior to action by the Council, the applicant, Church of Immaculate Conception, withdrew the request for the soup kitchen at 3333 3rd Avenue and decided to continue the Sunday only operation at the gymnasium. Staff advised the applicant that they required a special permit for the continued use of the gymnasium on Sundays as a soup kitchen.

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning:

The subject site contains 1.5+ developed acres in the Multiple Family (R-2A) zone. The area is designated on the 1985 Oak Park Redevelopment Area Plan for Residential uses. Adjacent land uses include a mixture of residential, commercial and vacant parcels as depicted on the land use map. The site contains an existing school, church, rectory, senior's housing, parking lot and playground.

B. Proposed Use:

The applicant proposes to establish the temporary use of a 3,500 sq. ft. gymnasium/multi-purpose room as a dining room which serves free meals to the needy on Sundays from 1:30 to 3:00 PM. The room serves as the elementary school cafeteria during weekdays and is used on Sundays to provide 250 seats for the serving of between 300 to 600 meals per afternoon. The existing program established in 1983 will not be expanded.

Labor to operate the dining room is provided by volunteers from the church and local businesses. The Church of the Immaculate Conception congregation is very supportive and offers the volunteer efforts of 800 to 1,000 individuals to operate the existing program.

Attached are tables shown as Exhibits F, G and H which indicate statistics on the number of people served by the food locker and dining room in 1986. Exhibit H presents a map and table showing where food locker recipients reside based on a three day sample from May 1, 2, and 3, 1987 with a total of 315 recipients. Locational information is not available for residents using the dining room on Sunday.

C. Locational Criteria Evaluation:

Staff conducted a survey in response to the locational criteria for non-residential care facilities, Exhibit B, and finds that there are numerous types of non-residential and residential care facilities within a one mile radius. However, no dining room facilities are located within the one mile radius of the proposed site. The proposed facility meets the criteria for client access, supportive services, distribution of services, facility access, concentration, parking, size of structure and compatibility adjacent to commercial uses of site design.

The site is located in a residential area on the north side of Broadway. The potential for neighborhood disruption may occur due to operation of the dining room. Loitering before and after hours may affect adjacent areas. However, since the use only occurs on Sundays the impact on the area is not significant. Staff otherwise finds the proposed location compatible with the locational criteria for non-residential care facilities adopted by the City Council in 1982.

Staff notes that the Special Permit for use of 3333 3rd Avenue (Former Arata Brothers Market) use as a food bank and food closet expires on November 24, 1988. The applicant is directed to report back to Staff and the Planning Commission on the operation of the food bank and food closet. An evaluation on the compliance with conditions of approval will also be conducted.

D. Parking Requirements:

Parking for non-residential care facilities such as dining rooms are based upon a case by case evaluation of each project by the Planning Commission. Required parking for a 250 seat cafeteria would be 83 spaces based upon the City requirement for restaurants of one parking space per three seats. Parking for the Church and school is provided onsite in the playground area and on a triangular lot located on the abandoned 1st. Avenue frontage. No figures were provided regarding onsite parking. Staff estimates approximately 100 spaces are available onsite and on the triangular lot. The feeding program recipients do not generally drive automobiles so that parking has not been a problem in the past. With 30+ volunteers and church services over when the dining room opens, adequate onsite parking has been provided over the past five years. Staff does not anticipate parking problems.

E. Trash Enclosure:

The site plan does not show a trash enclosure, staff recommends that the revised site plan show a trash enclosure complying with the attached trash enclosure guidelines, Exhibit I. (Unless the trash is kept inside the building or the site has an existing trash enclosure)

F. Staff Evaluation:

Staff has not received comments from the Oak Park P.A.C., the Redevelopment Agency, Oak Park Business Association and Oak Park Neighborhood Improvement Association at the time of report preparation. PAC does not have any objections to this dining hall. Staff does not anticipate adverse comments. Comments are attached. The applicant was informed by staff of lessons learned from operation of Loaves and Fishes (P88-078). A major concern was the line established by the needy on the public sidewalk or in the public right-of-way. The visual and neighborhood impact was determined to be significant by the City. Loaves and Fishes subsequently established a courtyard area with a waiting area. They also issue numbers to be served and eliminate the need for long waiting lines.

Church of Immaculate Conception currently utilizes the sidewalk along Y Street and 33rd Street adjacent to the building as the waiting area. Staff has observed the waiting lane and recommends that the waiting line be relocated to the interior courtyard/playground area on the churches property. Staff does not support the continued use of the public sidewalk as a waiting area. The Church could use a series of measures to reduce the need for a line including issuing numbers and established roped aisles in a smaller area. It is also recommended that if the interior courtyard area is adjacent to the building, that some form of roof to protect the needy while waiting be provided. This suggestion is intended for winter rainy months when the program is heavily used.

G. Agency Comments:

The proposed project was reviewed by the City Traffic, Engineering, Police and Fire Departments. Comments were received from the Fire Marshall's Office advising staff that the use may require an upgrade of fire suppression systems for the building. Staff recommends that the applicant request a walk through by the City Fire Marshall's Office to determine if the use and structure meet applicable fire codes.

On August 18, 1988 the applicant conducted an open house at which staff and five neighborhood residents attended. During the one and a half hour meeting, issues raised included the over-concentration of care programs in Oak Park, why the Church had not requested the special permit sooner and comments on the impact of drawing people into the neighborhood. Many of the concerns were previously expressed during hearings on Wellsprings Women's Center and the Arata Brothers Food Bank Special Permits. Staff listened and provided comments on the previous permits and discussions heard before the Planning Commission.

The applicant presented responses to specific questions regarding the history of the program and operations. Members of the audience were advised to attend the Commission hearing.

ENVIRONMENTAL DETERMINATION: The project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15301(a)).

RECOMMENDATION: Staff recommends approval of the Special Permit subject to conditions and based upon findings of fact with follow:

Conditions-Special Permit

1. The applicant shall operate the dining facility with no waiting lines established along street frontages. ~~The entrance to the dining hall and the waiting line shall be relocated to the interior court yard area. The waiting line shall be relocated inside the gymnasium structure or outside along the interior court yard area.~~ (CPC amended)
2. The Church dining facility shall operate only on Sundays from 12:00 noon to 4:00 PM.
3. The applicant shall comply with all applicable building codes, fire codes, health departments permits, handicapped access, and food preparation standards in the designed interior spaces of the building. Staff notes fire sprinklers may be required for the dining area.
4. No loitering shall be allowed outside the building. Signs shall be affixed to the exterior of the building stating, "No Loitering". All lines shall be contained inside the church property for the dining facility.
5. ~~The applicant shall include one trash enclosure facility meeting the Trash Enclosure Guidelines of Exhibit V.~~ (CPC deleted)

Findings of Fact

1. The project is based upon sound principles of land use in that it complies with the locational criteria for non-residential care facilities, in that:
  - a. it does not represent an over-concentration of similar facilities in the one mile radius; and
  - b. it will not result in the disruption of the neighborhood significantly; and
  - c. adequate area and open space exists on the site to accommodate the project.
2. The proposed project, as conditioned, will not be injurious to the surrounding property or be detrimental to the public health, safety or welfare nor result in the creation of a nuisance in that:

- a. adequate on-site parking and onsite waiting area will be provided;
  - b. provision of a dining room has occurred since 1983 at the site with a minimum of disruption to the residential neighborhood.
3. The proposed project is consistent with the 1988 City General Plan in that the site is designated for residential uses and the 1985 Oak Park Redevelopment Plan and the project is allowed in residential zones subject to securing a special permit and showing compliance with the locational criteria for care facilities.

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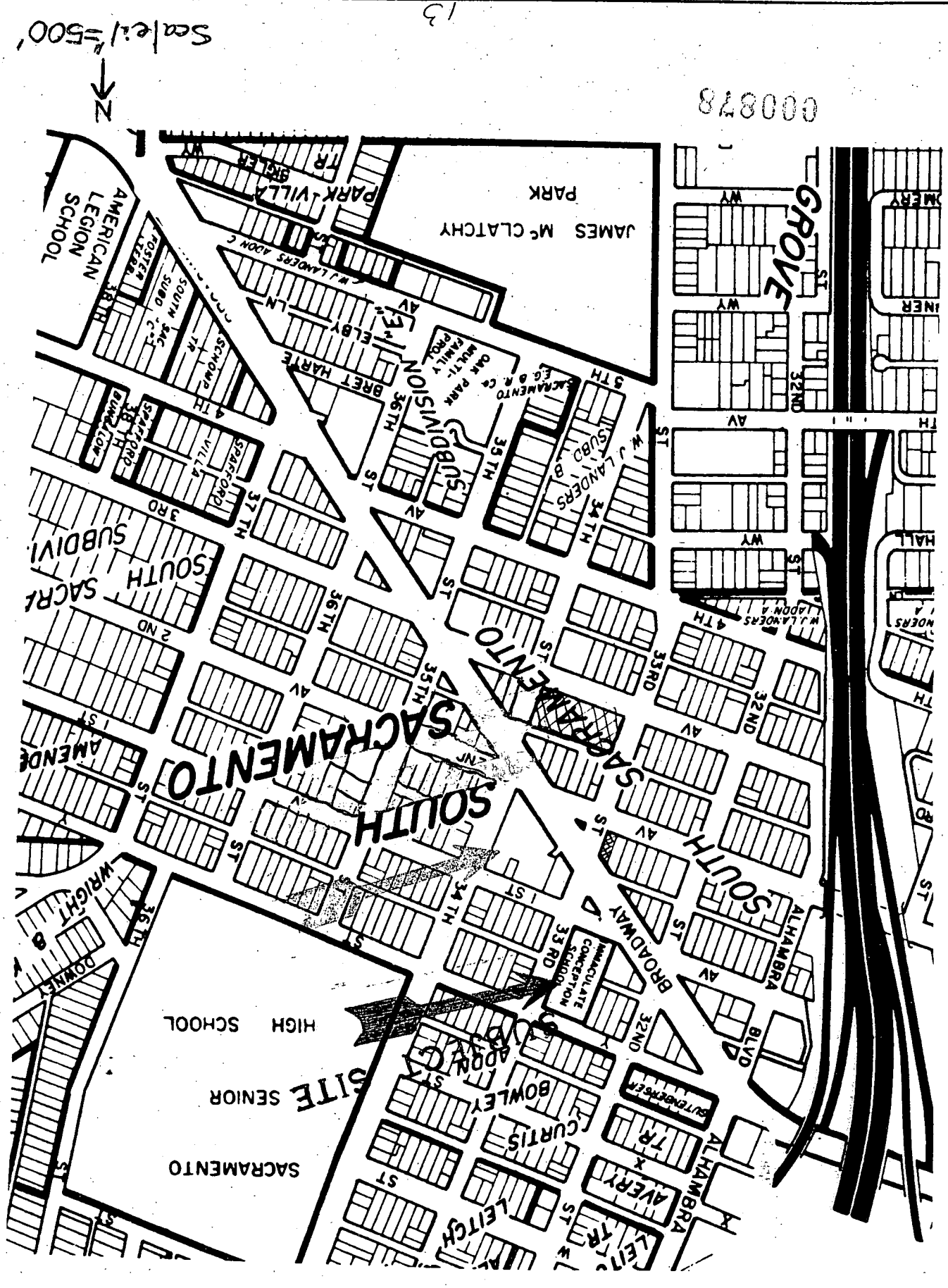
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# VICINITY MAP



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Scale: 1"=500'



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FACILITY MAP-ONE MILE RADIUS/IMMEDIATE NEIGHBORHOOD

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item 21