

CITY PLANNING COMMISSION
1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT	Bi-Valley Medical Clinic, Inc., 2100 Capitol Avenue, Sacramento, CA 95816				
OWNER	Pacific Group Limited, 3901 Norwood Avenue, Sacramento, CA 95838				
PLANS BY	Mogavero Associates, 2229 J Street, Sacramento, CA 95816				
FILING DATE	08/07/92	ENVIR. DET.	Negative Declaration	REPORT BY:	D. Holm
ASSESSOR'S PCL. NO.	250-0027-012-0000				

- APPLICATION:**
- A. Negative Declaration;
 - B. Special Permit Modification to allow the continued use of an existing drug abuse treatment facility (Bi-Valley Medical Clinic) totaling 5,700± square feet, located on 0.3± developed acres in the Industrial Park Planned Unit Development (M-1S PUD) zone.
 - C. Special Permit Modification to increase the capacity of an existing drug abuse treatment facility from 375 patients to 450 patients.

LOCATION: 310 Harris Avenue

PROPOSAL: The applicant is requesting the necessary entitlements to allow the continued operation of an existing drug abuse treatment facility and to increase the existing capacity by an additional 75 patients.

PROJECT INFORMATION:

General Plan Designation:	Industrial-Employee Intensive
1984 North Sacramento Community Plan Designation:	Industrial-Labor Intensive
Existing Zoning of Site:	M-1S (PUD)
Existing Land Use of Site:	Industrial/Office

Surrounding Land Use and Zoning:

North: Industrial & Office; M-1S (PUD)
South: Vacant & Multiple Family; R-3 & M1 (LI)
East: Industrial & Mercy Clinic; M-1S (PUD)
West: Industrial & Office; M-1S (PUD)

Property Dimensions: Irregular
Property Area: .30± acres

Required Parking:	To be determined by Commission
Proposed Parking:	25 spaces
Square Footage of Building:	5,700 square feet
Number of Employees:	21
Number of Clients:	450 (mix of methadone maintenance & detoxification)
Hours of Operation:	Clinic: 6:00 a.m. to 2:30 p.m. Counseling Sessions: 6 to 8 p.m., 2 days/week
Height of Proposed Building:	Single Story
Exterior Building Materials:	Concrete
Roof Material:	Plywood Felt System
Topography:	Flat
Street Improvements/Utilities:	Existing

BACKGROUND INFORMATION: On July 26, 1990, the City Planning Commission heard testimony and approved the requested special permit (P90-102), to allow a drug abuse treatment center to locate on the subject site. Subsequently on August 2, 1990, the decision of the Planning Commission regarding this special permit was appealed by a third party. On September 25, 1990, the City Council heard testimony regarding the appeal and denied the appeal thus approving the special permit to allow Bi-Valley Medical Clinic, an outpatient drug treatment center which dispenses methadone to a maximum of 375 patients, to operate on the subject site.

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site is 0.3± developed acres in the Light Industrial (M-1S {PUD}) zone. A non-residential care facility must obtain a Special Permit to locate in any zone within the City of Sacramento. The General Plan designates the site as Industrial-Employee Intensive and the 1984 North Sacramento Community Plan Designates the site as Industrial-Labor Intensive. The subject site is within the boundaries of the Del Paso Heights Redevelopment Area and the Norwood Tech Business Park Planned Unit Development. The surrounding land use and zoning for the subject site is industrial and office, zoned Light Industrial Park (M-1S PUD), to the north and west; industrial and the Mercy Clinic, zoned Light Industrial Park (M-1S PUD), to the east; and residential, zoned Multiple Family (R-3) and vacant, zoned Light Industrial Labor Intensive (M-1{LI}), to the south.

B. Applicant's Proposal

The applicant is requesting a special permit modification to allow the continued use of a 5,700± square foot drug abuse treatment facility that was approved on September 25, 1990 by the Sacramento City Council. In order to allow the drug abuse treatment facility the opportunity to establish a permanent and continued service to the surrounding community, the applicant is requesting that the use be able to continue at this site indefinitely. As the existing facility has received a large demand for service in this area, the applicant is also requesting to increase the existing client capacity from 375 clients to 450 clients.

C. Staff Analysis**Special Permit Modification**

The Bi-Valley Medical Clinic was approved on September 25, 1990, on appeal to the City Council, to locate at the subject site and operate a drug abuse treatment facility. One of the conditions that was placed on the clinic by the City Council, was that every six months they would need to have an open house and notify all of the property owners within 1,000 feet of the subject site. Since the clinic has been operating at this location, they have continued to have an open house every six months. An additional condition that was required as a part of the approval was that the Planning Division staff provide a status report to the City Planning Commission and the City Council, eighteen months after the approval. On June 22, 1992, a status report (See Exhibits D & E), was prepared by the Planning Division staff, informing the City Council and the City Planning Commission that the Bi-Valley Medical Clinic did not appear to be creating any unusual problems for the surrounding community. In addition, no complaints regarding the operation of the Bi-Valley Medical Clinic at this location have been received by the Planning Division.

Since the treatment facility opened at this location, in December of 1990, there has been a continuing increase in the number of clients seen at this facility. The staff at Bi-Valley Medical Clinic, has researched the client lists and has determined that the majority of the clients being treated at this facility are from the 95838 and 95815 zip code areas which encompasses the surrounding North Sacramento and South Natomas communities. In order to continue to provide the services that are apparently needed in this area, the applicant is also requesting to modify the original condition that restricted the number of clients to 375. At the time the original application was made in 1990, the applicant requested approval for a total of 450 clients. Based upon the objections received by the community, the applicant agreed to a maximum of 375 clients, with the possibility to request an increase in the client capacity from the Planning Commission at a later date. As there has been a demand for this type of service in the surrounding community, the applicant is requesting to increase the capacity from the existing 375 clients maximum to 450 clients maximum. The original staff report considered the parking and building size for a total of 450 clients. In reviewing this information, Planning staff feels that there will be adequate parking and building area available at the subject site to accommodate the additional 75 clients at the treatment facility.

The applicant is also requesting a special permit modification to modify an original condition of approval that required a review by the Planning Commission two years after approval or the Special Permit would expire. In order to continue to provide the type of service and facility, that Bi-Valley Medical Clinic is operating on the subject site, the applicant is requesting approval of a special permit that would not have an expiration date. In reviewing the information received on the operation of this facility, Planning staff has considered the following information; 1) no complaints have been received from the community, 2) there has been no evidence that crime has increased in the area due to the operation of the clinic, and 3) the original conditions have been complied with. In consideration of this information, Planning staff has no objections to approving a special permit without an expiration date along with increasing the client capacity from 375 to 450 clients. In addition, Planning staff is recommending that the condition to have an open house every six months be eliminated.

Security

Upon approval of the original special permit, the applicant was required to provide two separate security measures for the treatment facility. The first required that a security guard be maintained at the facility to oversee the property and the parking lot. Planning staff has noted that a security guard has been present during all site inspections. Planning staff recommends that the condition requiring a security guard at the subject site, to provide security for the establishment as well as for the clients, be retained. In addition, the applicant was required to provide a secure place for the trash dumpster or bin in order to prevent accidental contamination of medical waste. The applicant has constructed a locking trash enclosure which will continue to provide a safeguard against accidental contamination.

Hours of Operation

The existing clinic is operating from 6:00 a.m. until 2:30 p.m., seven days a week. The hours for medication dispensing has previously been restricted to 6:20 a.m. until 11:00 a.m., the applicant is requesting to be able to start dispensing medication at 6:00 a.m., in order to accommodate their clients. In addition to the clinic hours evening counseling sessions have been and will continue to be provided from 6:00 p.m. until 8:00 p.m., two nights a week. The applicant has indicated that these hours accommodate clients that need to receive treatments before going to work. By expanding the dispensing hours by twenty minutes the staff will be able to set up for the day and start dispensing medication to the clients. The evening counseling sessions help support the recovery efforts of the clients.

D. Agency Comments

The proposed project was reviewed by Traffic Engineering, Engineering Development Services, Building, Police, Fire, Community Services, Air Quality Management District, and Waste Removal. The following comments have been received:

Police Department

No objection. This facility has not generated excess calls for service since locating at this site. This year the Police Department only had two calls for service to this facility which were:

1. A silent burglary alarm; and
2. A suspicious person; this was reported by the clinic staff.

E. Neighborhood/Community Comments

Planning staff sent the application request to the Del Paso Heights Redevelopment Advisory Committee (RAC), which is the only known neighborhood organization in this area. No comments have been received directly from this organization but the applicant did submit a copy of a letter they received from them on August 4, 1992 (See Exhibit F). The applicant also submitted additional letters (See Exhibits G, H & I), supporting the existing treatment facilities' operation.

In addition, the subject site was posted and the property owners within a 300 foot radius of the subject site were notified of the applicant's request. Staff has received no phone calls or comments.

ENVIRONMENTAL DETERMINATION: The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact on the environment; therefore, a Negative Declaration without mitigation measures has been prepared.

RECOMMENDATION: Staff recommends that the Planning Commission take the following actions:

- A. Ratify the Negative Declaration;
- B. Approve the Special Permit Modification to allow the continued use of an existing drug abuse treatment facility subject to conditions and based upon findings of fact which follow;
- C. Approve the Special Permit Modification to increase the capacity of an existing drug abuse treatment facility from 375 patients to 450 patients subject to conditions and based upon findings of fact which follow.

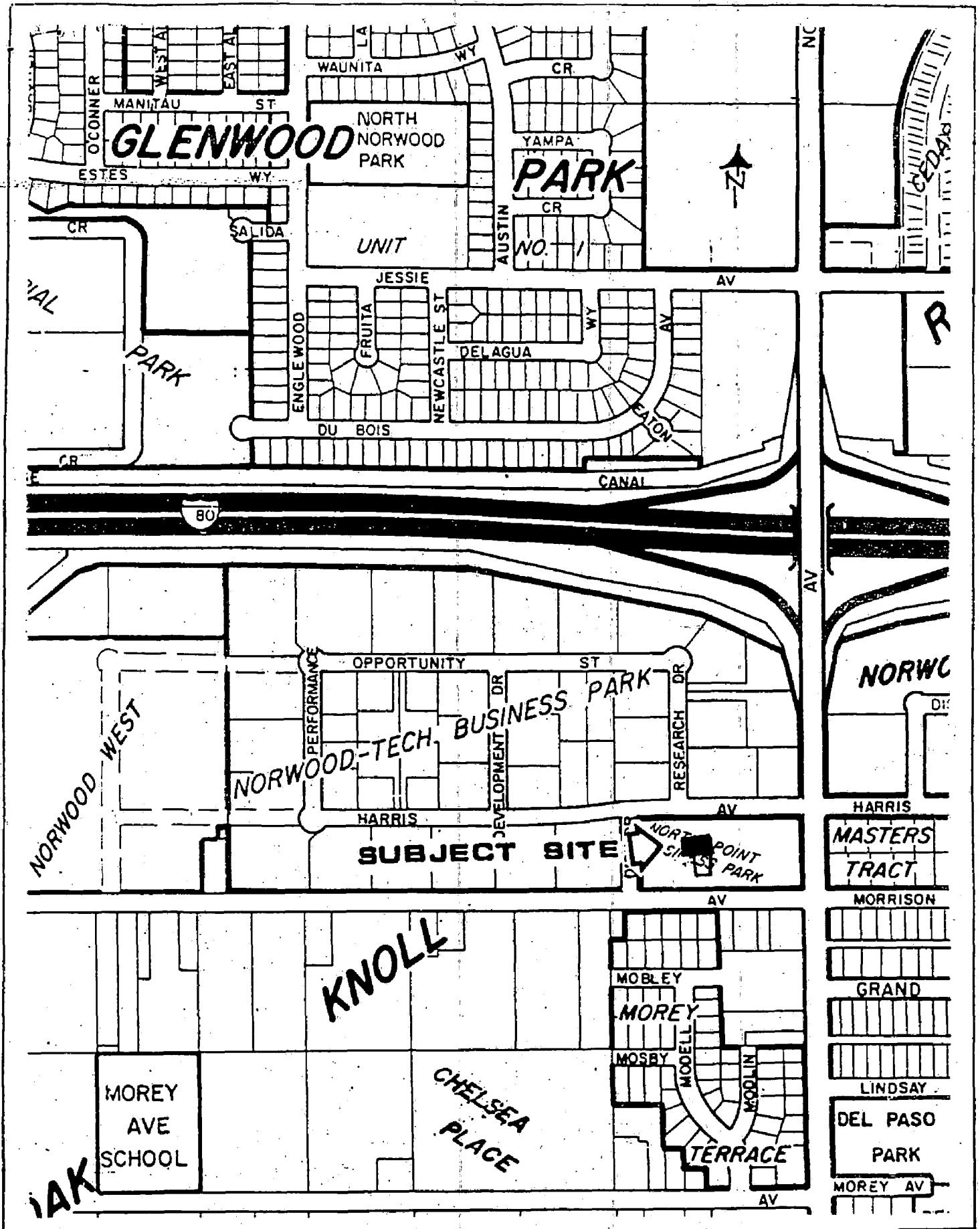
Special Permit Conditions

1. Any trash dumpster or bin shall be enclosed inside the building or within a locked trash enclosure to prevent the contamination of humans by toxic medical waste;
2. The clinic shall be limited to a maximum of 450 patients. Any increase in client load shall be subject to Planning Commission review and approval;
3. Methadone dispensing hours shall be limited to 6:00 a.m. to 11:00 a.m. and evening counseling sessions shall not be held past 8:00 p.m., two nights a week;
4. The applicant shall select a contact person to act as a liaison between the clinic, the adjacent businesses and residences, Planning staff, City Councilmember, and Del Paso Heights RAC so that issues and problems relating to the clinic operation can be heard and resolved. The clinic shall post a sign with the contact person's name and phone number on the door of the clinic;
5. The applicant shall provide security to watch the property and parking lot.

Findings of Fact

1. The proposed project, as conditioned, is based upon sound principles of land use in that the project is a non-residential care facility use in a Light Industrial (M-1S PUD) zone. A non-residential care facility is allowed in the M-1S zone with an approved special permit.
2. The project will not be detrimental to the public health, safety, or welfare nor result in a nuisance in that:

- a. adequate parking, lighting, landscaping, and setbacks are provided at the existing site,
 - b. an eight foot masonry wall is existing to buffer the business park from adjacent residential uses,
 - c. the trash dumpster shall be secured within the building or locked trash enclosure,
 - d. public transit is available to serve the clients, and
 - e. the proposed hours of operation will not have a negative impact on the surrounding neighbors, including the single family and multi-family residential to the south.
3. The project is consistent with the General Plan which designates the site as Industrial-Employee Intensive.
 4. The proposal conforms to the locational criteria for non-residential care facilities.



VICINITY MAP

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