

CITY PLANNING COMMISSION

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

APPLICANT John Mc Carthy/Dennis Ding, 2100 Capitol Ave., Sacramento, CA 95816
OWNER John Mc Carthy/Randall Stenson, 2100 Capitol Ave., Sacramento, CA 95816
PLANS BY John Mc Carthy/Dennis Ding, 2100 Capitol Ave., Sacramento, CA 95816
FILING DATE 11/14/88 ENVIR. DET. Neq. Dec. 12/1/88 REPORT BY JP:pe
ASSESSOR'S PCL. NO. 007-0152-022

- APPLICATION:
- A. Negative Declaration
 - B. Special Permit Modification to increase the capacity of an existing drug abuse treatment facility (Bi-Valley Medical Clinic) from 303 patients to 450 patients located in a 8000+ square foot building in the General Commercial (C-2) Zone.

LOCATION: 2100 Capitol Avenue

PROJECT INFORMATION:

General Plan Designation: Community Neighborhood Commercial and Offices
Central City Community
Plan Designation: General Commercial
Existing Zoning of Site: C-2
Existing Land Use of Site: Bi-Valley Medical Clinic

Surrounding Land Use and Zoning:

North: Commercial Office; C-2
South: Commercial; C-2
East : Apartments: C-2
West : Savings and Loan: C-2

Parking Required: Determined by Commission
Parking Provided: None on-site, 21 spaces leased off-site in a parking lot
Property Dimensions: 80' x 80'
Property Area: .14+ acres
Square Footage of Building: 8000 square feet

PROJECT EVALUATION: Staff has the following comments regarding this proposal

A. Land Use and Zoning

The subject site is a 6,400 square foot lot located the southeast corner of 21st Street and Capitol Avenue in the General Commercial (C-2) zone. Two, two-story office buildings which are connected on the first floor by an enclosed hallway are located on the site. Each building contains approximately 4,000 square feet. Surrounding land uses include commercial and office uses to the north, south and west and an apartment and surface parking lot to the east. Surrounding land uses are located in the C-2 Zone. The General Plan designates the site for Community/Neighborhood Commercial and Offices and the Central City Community Plan designates the site for General Commercial uses.

01177

10

APPLC. NO. P88-474 MEETING DATE December 15, 1988 ITEM NO. 27

B. Background Information - Bi-Valley Medical Clinic

In 1973 a methadone maintenance clinic was established at the subject site under the direction of the University of California, Davis. In 1980, the clinic was taken over by Bi-Valley Medical Clinic and operated on the ground floors of the two buildings on the site (4,000 square feet). A Special Permit was not required for the facility at this time as it was established prior to the adoption of the non-residential care facility regulations in 1982.

In 1985 Bi-Valley requested a Special Permit to expand their client load from 165 methadone maintenance patients and 40 detoxification patients (205 clients) to 300 maintenance patients and 100 detoxification patients (400 clients) (P85-443). The Planning Commission denied the applicant's request to expand their client load. This action was appealed to the City Council and the Council approved an increase to 233 maintenance clients and 70 detox clients (303 clients). At that time, Bi-Valley was informed that if they wished to increase their client load they should look for a second site outside of the Central City area.

In April of 1987 the State of California granted Bi-Valley an emergency exception to increase their client load to 120 detox patients and 300 maintenance patients (420 clients). To accommodate this increased patient load the square footage of the facility was increased to include both floors of the two buildings on the subject site (8,000 square feet) and methadone dispensing hours were increased from 7:30 A.M. - 10:00 A.M. to 6:20 A.M. - 11:00 A.M. The applicant has indicated that they did not notify the City of the increase in clients as they intended to open up a second clinic in the County. Bi-Valley was close to signing leases for two sites located in industrial parks in North Highlands and Rancho Cordova. The opposition of property owners and residents of adjacent residential neighborhoods, however, prevented the owners of the subject properties from signing leases with Bi-Valley. Bi-Valley, therefore, is requesting a Special Permit modification to remain at the subject site and increase their patient load to the maximum number of clients the State will allow at one facility - 150 detox patients and 300 maintenance patients (450 clients).

C. Bi-Valley Medical Clinic Operation

Bi-Valley Medical Clinic dispenses methadone to persons addicted to opiates, primarily heroin, in an attempt to control their addiction. Individual and group counseling is also provided at the subject site. As noted above, the clinic serves two types of clients, detoxification clients and methadone maintenance clients. Detoxification clients receive methadone daily and are in the program a maximum of 21 days. Methadone maintenance clients are in the treatment program an average of two years. Maintenance patients take methadone daily; however, some patients are not required to visit the clinic daily if they have take home privileges. A minimum of two counseling sessions per month are also required of maintenance patients. Current hours of operation are as follows:

Clinic and Counseling	6:00 A.M. - 2:30 P.M.
Administrative Offices	8:00 A.M. - 4:30 P.M.
Methadone Dispensing	M-F: 6:20 A.M. - 11 A.M.
	Weekend: 7:45 A.M. - 10 A.M.
Wednesday evening men's group, recovery group, and family support group	6:00 P.M. - 8:00 P.M.

Planning staff contacted two community organizations - the Midtown Business Association and the Sacramento Old City Association - regarding the proposed expansion. The Midtown Business Association indicated that they believe social services such as Bi-Valley Medical Clinic should be spread evenly throughout the community which they serve and are opposed to an expansion of the number of clients at this location (Exhibit D). Comments from SOCA have not been received by Planning staff.

E. Staff Evaluation

Planning staff has inspected the subject site several times in the early morning, mid-morning and afternoon hours and has found the facility to be operating smoothly. Patients appear to be evenly spaced during dispensing hours and there is on-street parking available. All activity is within the building and there is no evidence of loitering outside. The majority of commercial uses in the surrounding area open after 9:00 A.M. when methadone dispensing is over half completed. The increase in the number of clients from 303 to 420 does not appear to have had a negative impact on the surrounding neighborhood.

Planning staff, however, does share the concerns of the Police Department and the Midtown Business Association in that an increase in the number of clients that any treatment facility serves does have a negative impact on the downtown area. Increase in traffic in the community is another concern as 89% of Bi-Valley's clients use an automobile to come to the facility. The large concentration of clients that live in the south area of the City and the northeast area of the County appears to indicate that a second Bi-Valley facility at either one of these locations would be utilized by clients. Planning staff, therefore, recommends that the Special Permit modification to increase the number of clients at the subject site from 303 to 450 be granted for a period of one and a half years. During this one and one half year period Bi-Valley should work with the City Office of Economic Development, real estate companies and any other appropriate agencies to find a second clinic location for the increase in clients. Planning staff, if notified by the applicant, will be happy to attend any negotiation meetings for the second location. It is staff's hope that, if an intensified effort to find a new location made, a second clinic can be established outside of the Central City area to serve methadone patients within this one and a half year period.

Planning staff also recommends that the Planning Commission request that County staff of the Alcoholism and Drug Programs Division inform the Board of Supervisors of this condition at the upcoming hearing for funding of Bi-Valley Medical Clinic. The Board should be aware that a large number of clients live in the northeast section of the County and a second Bi-Valley location outside of the City limits would be desirable and appropriate.

ENVIRONMENTAL DETERMINATION: The City's Environmental Coordinator has determined that the proposed project will not have a significant adverse effect on the environment and has filed a negative declaration.

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

- A. Ratify the negative declaration.
- B. Approve the Special Permit to increase the capacity of an existing drug abuse treatment facility from 303 patients to 450 patients, subject to conditions and based upon findings of fact which follow.

Conditions

- 1. Bi-Valley Medical Clinic shall be permitted to serve 300 maintenance clients and 150 detoxification clients for a total of 450 clients at the subject site for a period of one and a half years from the date of Special Permit approval. During this one and a half year period the applicant shall work with the City Office of Economic Development, real estate companies and any other appropriate agencies to find a second clinic location to accommodate the additional 147 methadone clients. Within one year from date of Special Permit approval the applicant shall meet at least once with Planning Staff to discuss their progress in finding a second clinic location. It shall be the applicant's responsibility to arrange this meeting and any meetings they wish Planning staff to attend during the negation process for a second clinic location.
- 2. Methadone dispensing hours shall be from 6:20 A.M. to 11:00 A.M. on weekdays and 7:45 A.M. to 10:00 A.M. on weekends.
- 3. The 30 leased parking spaces shall be clearly marked for use by Bi-Valley Medical Clinic.

Findings of Fact

- 1. The project, as conditioned, is based upon sound principles of land use in that:
 - a. adequate on-street and off-street parking will be provided;
 - b. the project is located in an area of mixed commercial, office and residential uses.
- 2. The project, as conditioned, will not be detrimental to the public health, safety or welfare, nor result in the creation of a nuisance in that:
 - a. the applicant shall make a concentrated effort to find a location for a second clinic outside of the Central City area to serve the increased number of methadone patients;
 - b. methadone dispensing hours have been expanded to accommodate the increase in clients;
 - c. the off-site parking will be clearly marked for use by Bi-Valley Medical Clinic.
- 3. The project is in conformance with the General Plan which designates the site for Community Neighborhood Commercial and Offices and the Central City Community Plan which designates the site for General Commercial uses.

Item 28

12-15-88 17

P88-474

01197

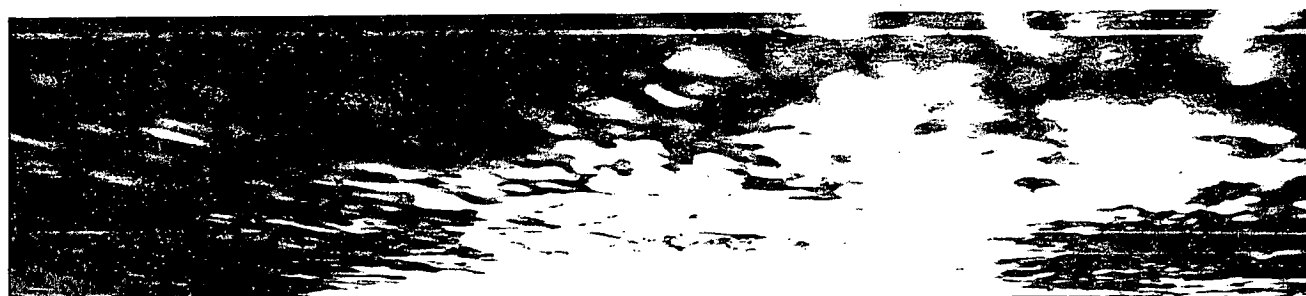
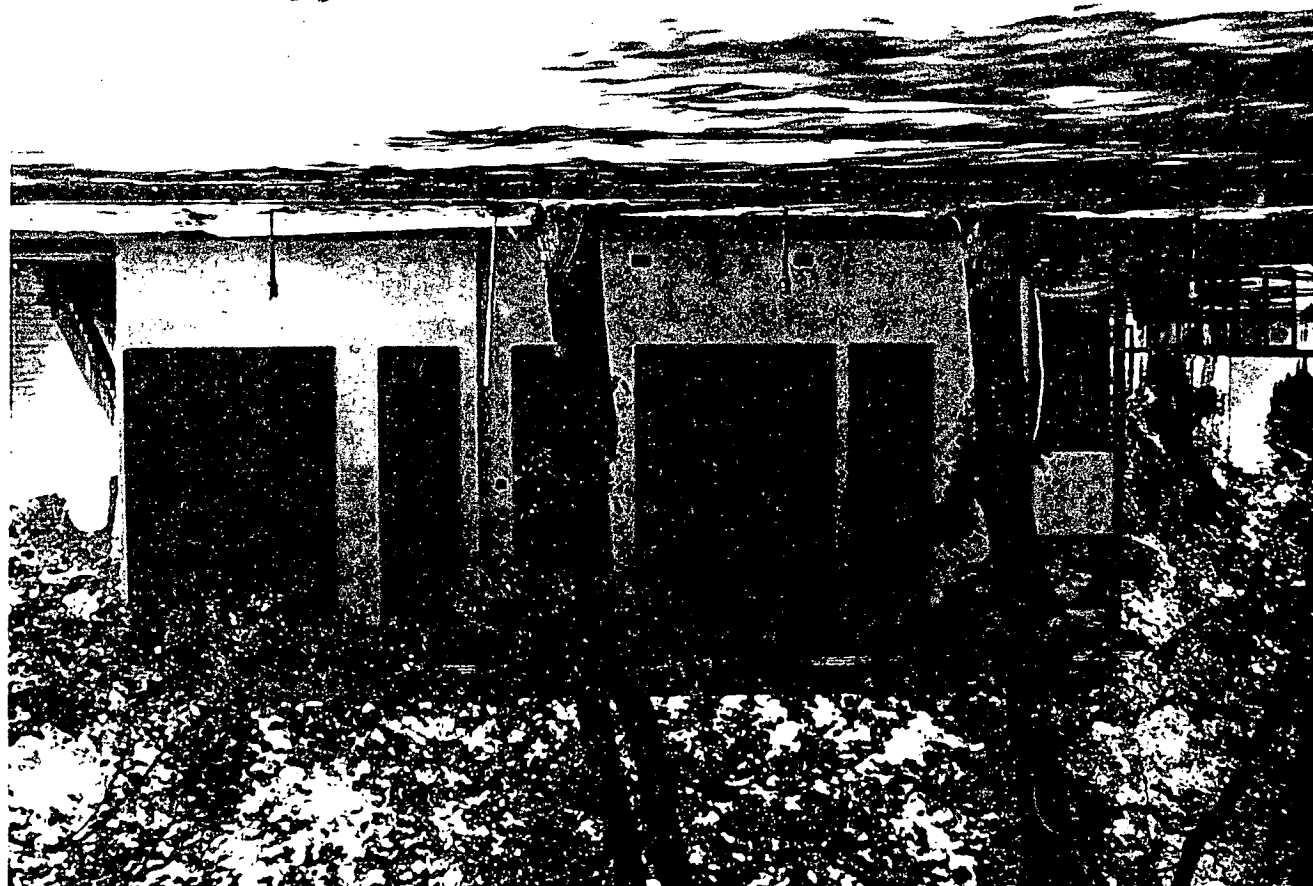


EXHIBIT B

Bi-Valley Medical Clinic, Inc.

Floor Plan Key:

1. Waiting Area
2. Counseling Office
3. Physician's Office
4. Urine Collection Location
5. Record Storage Area
6. Dispensing Area
7. Dispensing Window
8. Safe
9. Panic Button
10. Motion Detector w/Director
11. See Through Mirrors
12. Urine Testing Restroom
13. Staff Restroom
14. Parking/Transportation Area
15. Magnetic Door Contact

01206

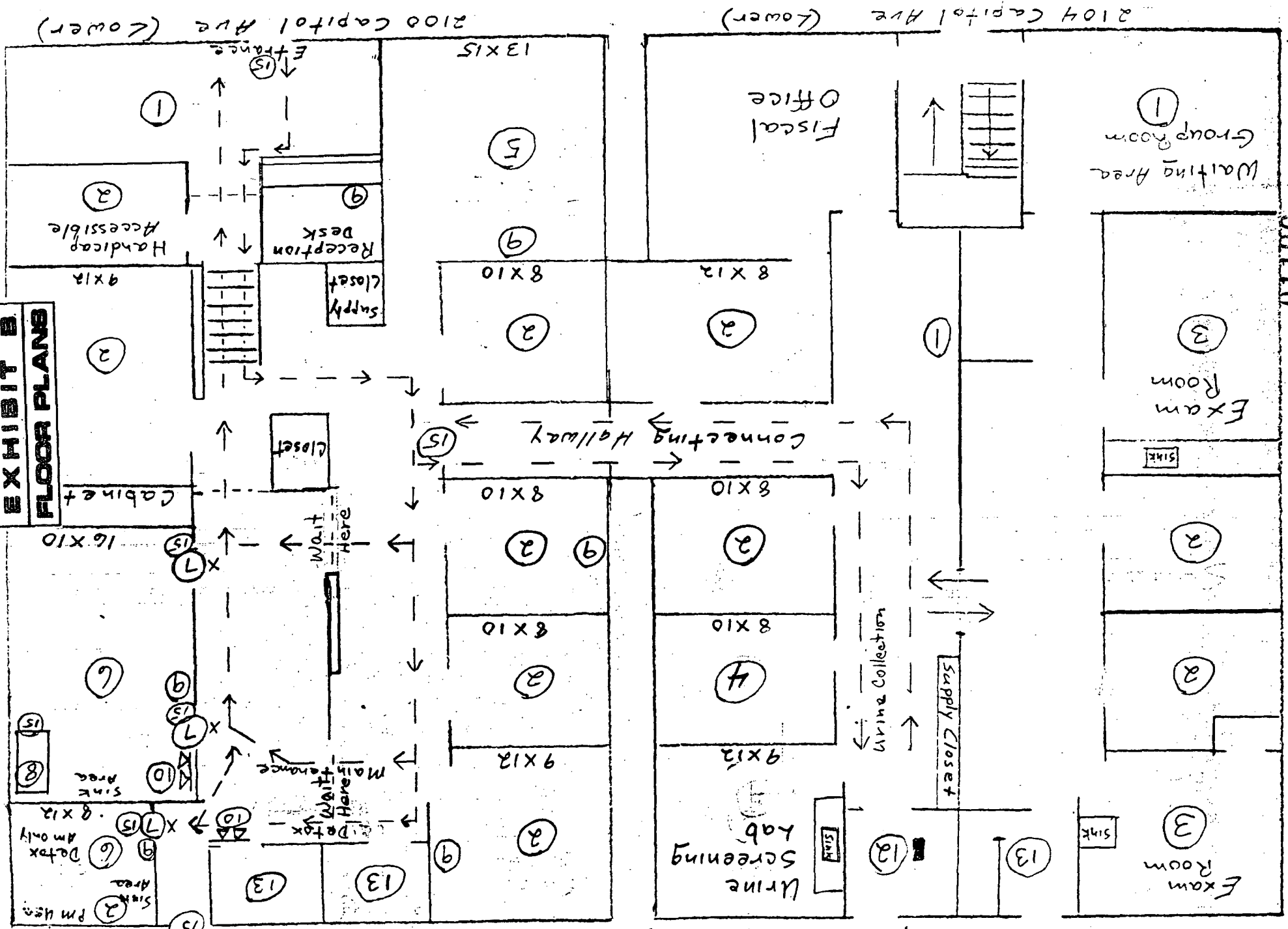
P88-474

12-15-²⁰88

Item 28

**EXHIBIT B
FLOOR PLANS**

B. Valley Medical Clinic, Inc. - Floor plan (Lower) 4000 sq. ft



2100 Capitol Ave (Lower)

2104 Capitol Ave (Lower)

Item 28

96110

12-15-88 18

HLH-884



CITY PLANNING DIVISION

NOV 21 1988

RECEIVED

EXHIBIT C

DEPARTMENT OF
POLICE

CITY OF SACRAMENTO
CALIFORNIA

HALL OF JUSTICE
813 SIXTH STREET
SACRAMENTO, CA
95814-2495

November 18, 1988
Ref: 11-39

916-449-5121

JOHN P. KEARNS
CHIEF OF POLICE

MEMORANDUM

TO: ANNE RUDIN
MAYOR OF SACRAMENTO

FROM: JOHN P. KEARNS
CHIEF OF POLICE

SUBJECT: BI-VALLEY MEDICAL CLINIC

It has come to my attention that Bi-Valley Medical Clinic located at 2100 Capitol Avenue is exceeding the treatment slots authorized under the special use permit issued by the City. The expansion was authorized by the State of California Department of Alcohol and Drug Program. Their application to the State of California was approved by the Sacramento County Drug Program's Administrator without advising or consulting the City of Sacramento.

The Bi-Valley Medical Clinic has recently sought to expand their operation into the North Highlands and Bradshaw areas but abandoned their efforts after receiving severe community opposition.

Under the City of Sacramento special use permit, Bi-Valley Medical Clinic is authorized 233 methadone maintenance and 120 detoxification treatment slots. Under the emergency permit authorized by the State, they are treating 300 methadone maintenance and 120 detoxification patients at 2100 Capitol Avenue.

I expressed concerns and opposed increases in Bi-Valley's treatment slots in 1985. At that time I stated that increasing the treatment slots could bring addicts from adjoining communities into our downtown core area resulting in a negative impact upon an area that is already saturated with halfway houses and treatment centers. At that time I suggested that any expansion of treatment slots should be at clinics located outside the City core area. I still oppose any increases and have the same concerns.

Apparently Bi-Valley Medical Clinic has attempted to follow my suggestions but abandoned their efforts due to intense community opposition. Failing their expansion into the unincorporated area of

P88-474

12-15-88 21

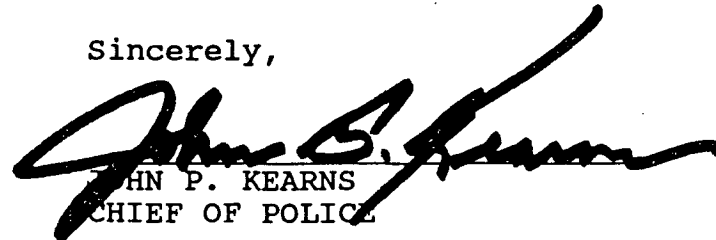
01400 Item 27

MAYOR ANNE RUDIN
Page-2

November 18, 1988

Sacramento County, Bi-Valley has been allowed by the State and the County to increase their treatment slots without formal application to the City of Sacramento.

Sincerely,



JOHN P. KEARNS
CHIEF OF POLICE

JPK:cl

cc: Councilmembers, Sacramento City Council
Planning Commission ✓

P88-474

12-15-88
22

01401

Item 28

midtown
BUSINESS ASSOCIATION

P O BOX 161147

SACRAMENTO
CALIFORNIA
95816

EXHIBIT D

December 7, 1988

City Planning Commission
1231 I Street, Room 200
Sacramento, CA 95814
Attn: Joy Patterson

CITY PLANNING DEPARTMENT

DEC 07 1988

RECEIVED

Regarding:
Increase capacity of Bi-Valley Medical
Clinic from 303 patients to 450 patients

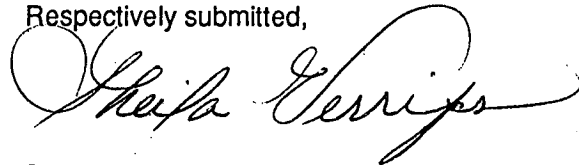
Dear Ms. ^{Joy}Patterson,

The Midtown Business Association has never required that an existing service move from our area. Our policy has been opposition to expansion and new services coming into the area.

We realize there is a need for this service as well as many other services. —but until the rest of Sacramento City and County take on their fair share of social services we are not willing to have and increase of any kind in Midtown. At a recent meeting between Mayor Rudin, Councilman Dave Shore, Dr Mc Carthy and another gentleman from Bi-Valley, Peter Keat and myself, I suggested to Bi-Valley that they look into renting from the State of California instead of a private individual. Another suggestion was to locate at the UC Med Clinic. Based on my participation at the state level [on behalf of Midtown] - a committee trying to smooth the relationship between cities/counties and the state regarding social service site locations - I believe the State will have a real understanding of their problem of finding a landlord and location for this type of service.

This programs problem in finding a facility should not become Midtowns problem. The law states the social services should be spread evenly throughout the community for which they are intended to serve. Continuing to increase this program in Midtown, is an unfair dumping of this community wide problem in Midtown.

Respectively submitted,



Sheila Verrips
1988 Midtown Planning Chairman

One board member was in disagreement

P88-474

12-15-88

23

Item 28

Sacramento County
Advisory Board on Drug Programs

EXHIBIT E

December 8, 1988

CITY PLANNING DEPARTMENT

DEC 08 1988

RECEIVED

Planning Commission
City of Sacramento
Department of Planning and Development
1231 I Street, Suite 200
Sacramento, CA 95814

Re: Application of Bi-Valley Medical Clinic
for expansion of services (12/15/88 Agenda)

Members of the Commission:

At its regularly scheduled December 5, 1988 meeting; Sacramento County's Advisory Board on Drug Programs voted to support the application of Bi-Valley Medical Clinic before your commission for an expansion of permitted services at its 2100 Capitol Avenue location.

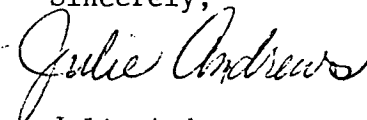
Methadone maintenance treatment is a recognized and medically supervised method of treatment for heroin and opiate addicts. Bi-Valley's program is approved by the Federal Drug Administration and Drug Enforcement Administration, licensed by the State of California, Department of Alcohol and Drug Programs and is a service provider for the County of Sacramento monitored by the Health Department's Alcohol and Drug Programs Division.

To the Advisory Boards' best knowledge, Bi-Valley has carried out its program without disruption of the surrounding neighborhood; and, in addition, has made sincere, well documented, efforts to transfer expanded services to areas outside of the Sacramento urban core area. There is no other methadone program in Sacramento county. Even with the expanded services requested by Bi-Valley Medical Clinic, there is a tremendous need for additional methadone services. Waiting lists for methadone services are no longer appropriate since there is little chance of being accepted into the program.

Not a day goes by but that Sacramento's daily newspapers headline some accident, crime, injury or death in our community involving drugs. One form of treatment for intravenous drug abusers, a group strongly at risk for AIDS, is methadone maintenance. It seems outrageous that, at this same time, Sacramento's drug treatment services have to fight for their right to exist within either the City or County of Sacramento.

Members of the Advisory Board will be in attendance at your Commission's scheduled hearing on this matter.

Sincerely,



Julie Andrews
Chairperson,
Sacramento County
Advisory Board on Drug Programs

P88-474

JA/ih

12-15-88 24

Item 27