

Amended by Staff March 26, 1987

City Planning Commission
Sacramento, California

Members in Session

SUBJECT: Special Permit to expand on existing day care facility with a 2,860 square foot portable classroom.

LOCATION: 665 Park Riviera Way

BACKGROUND INFORMATION: This item was originally scheduled on the March 12, 1987 Commission hearing. After receiving a letter of opposition from a neighbor and inspecting the day care facility, staff suggested to the applicant that modifications to the site layout should be considered and that a meeting with the neighbors be held to determine concerns and problems with the facility. Subsequently, the applicant agreed to continue this item and have a neighborhood meeting. Therefore, this item was continued to the March 26, 1987 Commission hearing.

APPLICANTS PROPOSAL:

In 1984, the Planning Commission approved a special permit (P84-415) to establish a children's day care facility for 100 children in an existing church facility.

The current proposal is to install a 2,680+ square foot portable classroom for 80 children (K through third grade). The proposed structure would contain four classrooms with 20 children per classroom plus four staff. The facility would be open only weekdays from 6:30 A.M. to 6 P.M. In addition, the applicant also intends to construct the masonry wall as required by the original special permit.

NEIGHBORS CONCERNS:

On March 17, 1987 a neighborhood meeting was held at the day care facility with adjacent property owners, the facility owner, applicant and planning staff. The purpose of this meeting was to provide information on the proposed expansion and "air-out" any problems or concerns of the abutting neighbors.

Several of the residents expressed opposition to the proposed expansion because it would increase the noise and traffic in the area. The major concerns were related to the noise from the existing sandbox play area; the parking lot area; and the height and length of the wall. Should the Commission support the expansion, the residents suggested some possible solutions to the noise and wall issues.

1. Noise Issue:

The existing sandbox which is located on the easterly portion of the site and adjacent to residences (within 10 feet) contains several apparatus (swings, slide etc.) for children to play and climb on. One such apparatus is a small elevated tree house. Staff observed several children using these apparatus. Adjacent to the sandbox is an asphalt play area. According to the neighbors these are the areas which create excessive noise. A solution to the sandbox noise is to relocate the sandbox play area to the front of the site. The noise from the asphalt play area could be mitigated by installing a eight to ten foot high masonry wall along the north and east property line.

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2. Wall Issue:

Several of the residents suggested the masonry wall be constructed the entire length of the north and the east property line. This would provide for a better appearing wall rather than have a portion masonry and a portion wood material. Staff originally suggested a masonry wall along the north property line and a portion of the east property line adjacent to the parking lot. In addition, some residents suggested the wall height be increased to eight or ten feet.

STAFF COMMENT: Staff has re-evaluated the proposed expansion and the neighbors concerns and suggests the following alternative solutions to remedy the noise problem:

1. Since the sandbox seems to be the major noise source, staff suggests the sandbox including play apparatus be relocated towards the front of the site near the wrought iron fence. This would increase the distance away from the residences by 100 feet and would therefore reduce the noise (see Exhibit B).

The location of the proposed classroom will also provide a noise buffer between the relocated sandbox and residents.

2. Relative to the wall location, staff originally recommended a six foot high wall be installed along the northerly and easterly property line adjacent to the parking lot (see exhibit A). In light of the field inspection and neighbors concerns, staff suggest the easterly masonry wall be extended to line up with the new classroom. Since the easterly wall of the classroom does not have windows it would serve as a noise buffer, and therefor a wall would not be necessary. The six foot height of the wall is a standard used throughout the City for all non-residential developments when located adjacent to residential uses. A higher wall will create a fortress effect and could eliminate light and air to adjacent properties.

The applicant should be aware that SMUD transformers are located on the northerly property line. These cannot be enclosed with a wall. Applicant should contact SMUD for requirements.

3. The 15 foot strip behind the existing day care facility and the new classroom should be planted with Evergreen trees to provide for a visual buffer from the adjacent properties (see Exhibit B). This area should also be fenced off with gates to prevent access from children.
4. *The Sacramento County Noise Specialist conducted a noise meter reading of the subject site while children were in the sandbox and asphalt play area and reviewed staff's suggestions to mitigate the noise concerns. He indicated the relocation of the sandbox is a good solution while the construction of the classroom and masonry wall will buffer and mitigate the noise. Furthermore, he indicated that the asphalt play area is also a concentrated noise area due to the children riding tricycles with screeching wheels and children shouting. To reduce this noise source, it is suggested the existing asphalt play area be relocated towards the street and away from the proposed wall (see Exhibit B as amended). Also, the old asphalt play area should be restriped and used for parking. Added by staff.*

In conclusion, staff finds that the expanded use will not significantly increase the noise or traffic in the area. The suggested modification to the plan which includes relocation of the sandbox, a six foot masonry wall and trees will mitigate the noise concerns.

RECOMMENDATION: Staff recommends the following action:

Approve the special permit subject to Conditions and based on Findings of Fact which follow:


CONDITIONS:

1. The applicant shall construct a six foot high solid masonry block wall along the north property line and along 125 feet of east property line adjacent to the parking lot and residences (see Exhibit B.)
2. A trellis shall be constructed along the front of the proposed classroom. Vines shall be planted at the base of the trellis and trained to grow up the trellis. Design materials and location of the trellis shall be reviewed and approved by planning division staff.
3. No more than 80 children shall be allowed to occupy the proposed classrooms.
4. The applicant and/or operator shall be responsible for obtaining all necessary permits from the State of California for the operation of the day care facility and its expansion.
5. The existing sandbox and play apparatus shall be relocated to the front of the site as indicated in Exhibit B.
6. Evergreen trees shall be planted behind the structures and adjacent to the new wall as indicated in Exhibit B.
7. The area behind the structures shall be fenced off with a solid wood barrier and gates to prevent access to children. *The solid wall bench shall be eight feet in height and connect the old building with the new building to provide a noise barrier (see Exhibit B). Added by staff.*
8. When a future playground is installed in the southerly portion of the site (near the street) a six foot wall shall be installed along the easterly property line (60± foot length).
9. A revised site plan indicating the above items shall be submitted to the Planning Director for review and approval prior to issuance of building permits.
10. *The existing asphalt play area shall be relocated towards the street as shown on Exhibit B as amended. The existing asphalt play area shall be restripped for parking spaces. Added by staff.*

Findings of Fact

1. The project, as conditioned, is based upon sound principles of land use in that:
 - a. it provides a conveniently located community service;
 - b. the use will not alter the character of the neighborhood significantly.
2. The project, as conditioned, will not be detrimental to public health, safety, or welfare or result in the creation of a nuisance in that:
 - a. adequate on-site parking is provided;
 - b. site clearance on Park Riviera Way, will not be obstructed by fencing;
 - c. relocation of the sandbox and installation of a wall will reduce the noise problem.
3. The proposed project is consistent with the City's Discretionary Interim Land Use Policy, in that the site is designated for institutional uses by the 1976 North Pocket Community Plan and the day care facility use conforms with the land use designation.

Respectfully submitted,


Wilfred Weitman
Senior Planner

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