



REPORT TO PLANNING COMMISSION City of Sacramento

915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
September 14, 2006

Honorable Members of the Planning Commission

Subject: **California Community Health Care, Inc.** A request to operate a non-residential care facility in a 6,338 square foot vacant building on 0.38± developed acres within the North Sacramento Community Plan Area in the Multi-Family Residential (R-2B) zone.

- A. **Environmental Determination:** Exempt pursuant to CEQA Section 15301(a) (d).
- B. **Planning Commission Special Permit:** to operate a non-residential care facility in a 6,338 square foot vacant building on 0.38± developed acres within the North Sacramento Community Plan Area in the Multi-Family Residential (R-2B) zone.
- C. **Planning Commission Special Permit:** to allow off-site parking on 0.38± developed acres in the Multi-Family Residential (R-2B) zone.

Location/Council District:

2531 Rio Linda Blvd, Sacramento, CA 95834
Assessor's Parcel Number: 265-0291-009 & 010
Council District 2

Recommendation:

Staff recommends the Commission approve the request based on the findings and subject to the conditions listed in Attachment 1. At the time of the writing the report, **all issued were resolved**. The Commission has final approval authority over items A-C above, and its decision is appealable to City Council.

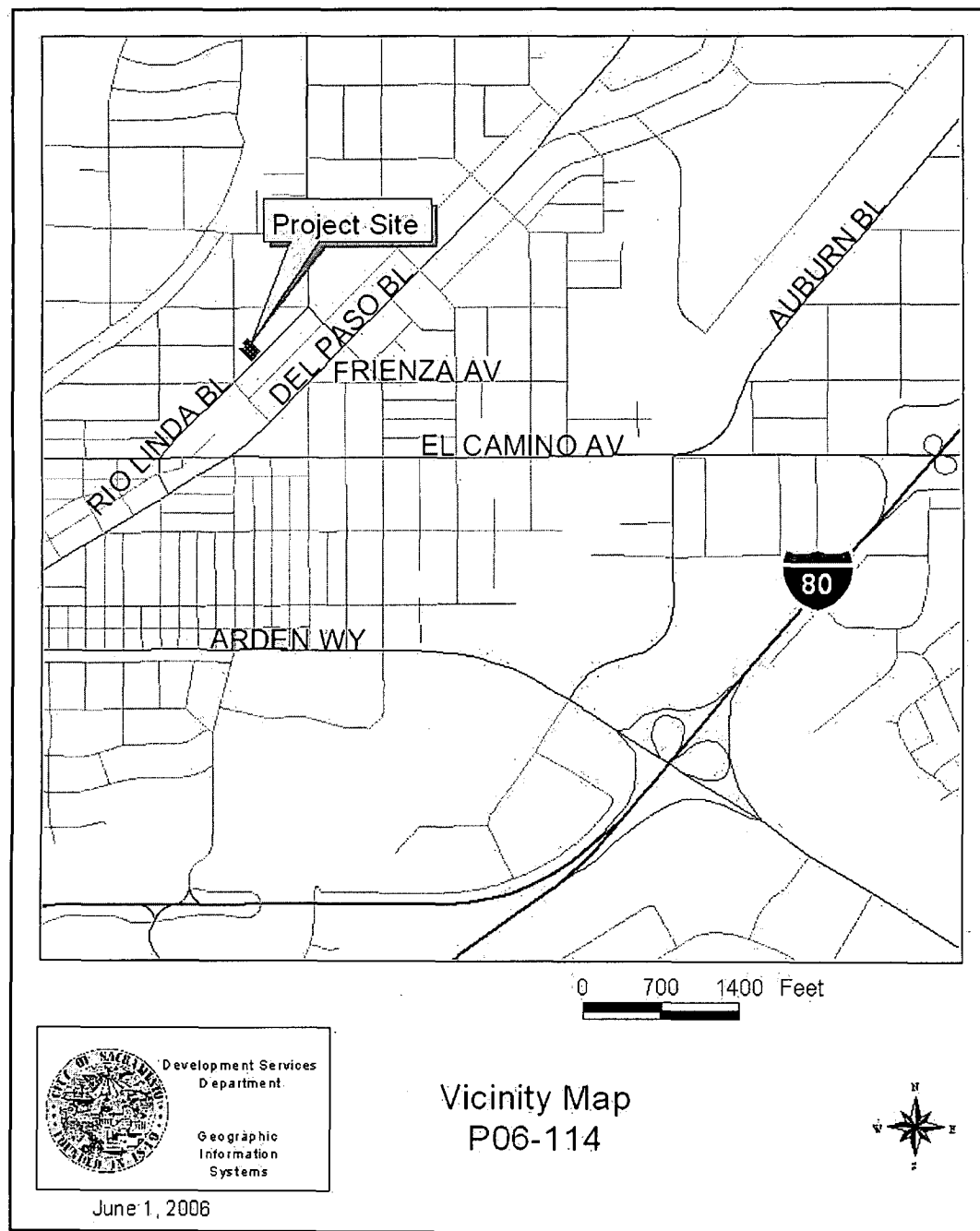
Staff Contact: Elise Gumm, Assistant Planner, (916) 808-1927

Subject: California Community Health Care, Inc. (P06-114)

September 14, 2006

Applicant: California Community Health Care Inc. c/o: Patrick Masino
(818) 384-5612
1441 N. Edision Blvd, Suite A, Burbank CA, 91505

Owner: NEWKO LLC, (310) 407-5488
9701 Wilshire Blvd, 10th Floor, Beverly Hills Ca, 90212



Summary:

The applicant is requesting entitlements to operate a non-residential care facility within an existing 6,338± square foot one story building. The site was formerly used by the American Legion. The existing building is approximately 50 years old and was renovated by the American Legion two years ago. The building will be used by the California Community Health Care Inc. for a developmentally disabled adult day care program. The program consists of scheduled educational and fitness activities conducted indoors. The applicant will modify and renovate the interior by adding/reconfiguring the existing bathroom, demolishing the existing bar, and upgrade the building to comply with current California Building Codes. In addition, the applicant is also leasing the adjacent parking lot from the same owner of the building, for staff parking and transport vans. The applicant will repair and re-stripe the adjacent parking lot as required by the Development Engineering Division. Staff has no issues with this project.

Table 1: Project Information	
General Plan designation:	Community/Neighborhood Commercial & Offices
North Sacramento	
Community Plan designation:	Residential (11-21 du/na)
Existing zoning of site:	Multi Family Residential Zone (R-2B)
Existing use of site:	Vacant, former American Legion
Property area:	0.38± acres
Square Footage of the Existing Building:	6,338± Square Feet

Background Information:

The existing building on site was formerly a Moose Lodge and was vacant for several years before the American Legion occupied it in 2003 as a private social club. The American Legion moved out of the building at the beginning of this year, and it is currently vacant. The applicant, California Community Health Care Inc., is submitting the Special Use Permit application to occupy the building as a non-residential care facility for a developmentally disabled adult day care program.

Public/Neighborhood Outreach and Comments:

The project was routed to Del Paso Heights Improvement Association. City staff has not received any comments in writing from the Association.

Environmental Considerations:

The City of Sacramento's Environmental Planning Services determines that the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA 15301 (a) (b)) due to the minor nature of the activities proposed.

Policy Considerations:

The proposed project is consistent with the land use designations and applicable policies of the General Plan. Although the North Sacramento Community Plan designated the site for residential, the proposed use is permitted subject to discretionary entitlements.

In addition, while the City's General Plan is being updated, the City Council has adopted a vision for the future of the City as well as several guiding principles to help achieve this vision. This was done to ensure that new developments submitted during the ongoing update comply with the goals and policies that are being incorporated into the General Plan through the update. The applicable guiding principles this proposal complies with include:

1. Promote strategic development of vacant, underutilized, and infill land, especially along transportation and commercial corridors, to improve the city's economic outlook.
2. Promote designs for development that are compatible with the scale and character of Sacramento's existing neighborhoods.

The proposed project complies with the above guiding principles and is not contrary to any of the proposed policies.

Land Use:

The proposed project is permitted use in residential zone, and the proposed use is supported by staff since it will not result in a nuisance to the public in the surrounding area, increase crime in the area, or contribute to deterioration of quality of life in the area.

Project Design:

1. Parking

Title 17, the Zoning Codes does not have a specific parking ratio for a non-residential care facility; therefore, the amount of parking required is determined by the Planning Commission. Typically, staff applies a parking ratio of one parking space for every 2 patients, which is the calculation used for a nursing home. The applicant estimates that up to 100 people would likely attend the program at one time. The applicant has indicated the program will need up to 15 staff and use 6 to 7 transport vans. Furthermore, the applicant states their clients are developmentally disabled adults, and all clients will be transported to and from the facility via transport vans. Thus, the parking lot will only serve employees and transport vans. Basing parking on how the facility is proposed to be used, staff believes the parking ratio would be more compatible to child day

care use since all clients will be transported by vans. Therefore, parking required for the project is anticipated to be closer to the 1 space per every 8 persons, totaling 13 required spaces.

The building currently has no dedicated parking. The Zoning Codes permits buildings to be credited with parking based on the initial use if constructed without parking. Since the existing building was constructed prior to annexation to the City of Sacramento in the 1960s, no records are available to determine if the 6,338 square foot building was constructed as a care facility or other type of use or if parking was provided. Therefore, staff is unable to determine if this building should be credited with parking.

However, the applicant is leasing the adjacent, existing 23-space off-site parking lot, located to the west of the building, from the same owner of the care facility. The parking lot is located in an area surrounded on the south, east, and west by commercial uses, and on the north by residential uses. Staff believes the minimum parking for the proposed use is 13 spaces based on the number of potential clients and using 1 space per every 8 persons. Since the existing building does not have any on-site parking, the reuse and rehabilitation of the building is an asset to the neighborhood, and the off-site parking lot can provide adequate parking spaces, staff supports the 23 parking spaces provided off-site.

2. Site Circulation

The proposed request, of operating a non-residential care facility and utilizing off-site parking, will not alter the existing site configuration or design. The Development Engineering Division has determined that the proposed request will not increase traffic to this location nor alter any circulation patterns of the Del Paso/Rio Linda Boulevard area since the project is to utilize existing developed properties. The existing off-site parking lot (APN: 265-0291-010) contains 23 parking spaces and is accessed by one driveway off Rio Linda Boulevard. The applicant proposes to repair and re-strip the lot to satisfy the requirement of the Development Engineering Division but will not reduce the number of provided spaces.

3. Landscaping

The parking lot will be repaired and re-striped, which will not impact the shading or landscaping that is currently provided at the lot. Existing parking areas constructed legally prior to the City's Shading Ordinance, do not require compliance with the City's Shading Ordinance if no new parking is required for the project or if the parking lot is only repaired and re-stripped.

4. Signage

The application does not propose signage. All signage associated with the project must conform to the City's Sign Ordinance and is subject to Design Review. The Sign Ordinance limits attached and detached sign area to be a total of 16 square feet and allow one monument sign in residential zones. The project is conditioned to allow one monument sign up to four feet in height.

Special Permit for Non-residential Care Facility & Off-site Parking:

The applicant proposes to operate a non-residential care facility in a 6,338 square foot vacant building on 0.38± developed acres within the North Sacramento Community Plan Area in the Multi-Family Residential (R-2B) zone.

The City's Zoning Ordinance requires a special permit for the establishment of a non-residential care facility in any zone, including residential zones. Previously, the American Legion operated a private social club at the same location with a Special Permit that was approved in 2003. California Community Health Care Inc. proposes to operate its adult day care program for developmentally disabled clients. Clients will be transferred to the site by transport vans from different locations. The program will operate from 9 AM to 3 PM for educational and fitness activities conducted within the building. Staff will occupy the building until 5 PM as office hours.

The project site does not have on-site parking spaces, and the applicant is leasing the existing building and the adjacent parking lot from the same land owner to serve the facility. The parking spaces are needed to provide off-street parking for the California Community Health Care, Inc. The City Code permits off-site parking under common ownership with the issuance of a special permit. The applicant requests a special permit to allow the off-site parking lot to serve the facility.

The applicant proposes to rehabilitate the building and improve the parking area, thereby cleaning up a blighted property in the North Sacramento Community Plan area. The activities of care facility are anticipated to provide additional activity in the area, resulting in greater safety in the area.

In evaluating special permit proposals of this type, the Commission is required to make the following findings:

- A. A special permit shall be granted upon sound principles of land use.

The proposed use is consistent with the General Plan Designation and compatible with the adjacent land uses.

- B. A special permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a nuisance.

The project, as conditioned, will not be detrimental to the public welfare nor result in the creation of a public nuisance in that the care facility will occupy this vacant property to provide additional activity in the area.

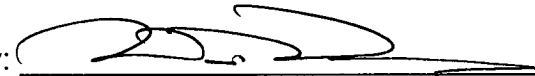
- C. A special permit use must comply with the objectives of the general or specific plan for the area in which it is to be located.

The proposed project is consistent with the land use policies of the General Plan and the North Sacramento Community Plan that the project develops special parking standards and other measures which can support the development of areas identified for revitalization.

Recommendation:

Staff recommends approval of the Special Permits with conditions as it is consistent with the policies of the General Plan, the North Sacramento Community Plan, and the General Plan Vision and Guiding Principles.

Respectfully submitted by:


Elise Gumm, Assistant Planner

Recommendation Approved:


Greg Bitter, Senior Planner

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Attachment 1: Recommended Findings and Conditions

Findings of Fact

- A. Environmental Determination:** The City Planning Commission finds and determines that the proposed project is **exempt** from environmental review pursuant to Section 15301 (a) (d) of the CEQA Guidelines.
- B. The Special Permit** to operate a non-residential care facility in a 6,338± square foot vacant Building on 0.38± developed acres in the Multi-Family Residential (R-2B) zone is approved subject to the following Findings of Fact and Conditional of Approval.
1. The project, as conditioned, is based upon sound principles of land use that the project is consistent with General Plan and Community Plan designations.
 2. The project will not be detrimental to the public health, safety or welfare, or if it results in the creation of a nuisance in that the project has been conditioned to avoid the potential negative effects of non-residential care facilities, and the proposed use will occupy a vacant building, clean-up an existing blighted property, and increase activity in the area.
 3. The project, as conditioned, complies with the objectives of the general or specific plan for the area to promote the rehabilitation, maintenance, and utilization of existing structures.
- C. The Special Permit** to allow off-site parking for a non-residential care facility on 0.38± developed acres in the Multi-Family Residential (R-2B) zone is approved subject to the following Findings of Fact and Conditional of Approval.
1. The project, as conditioned, is based upon sound principles of land use in that the intended use is consistent with General Plan and Community Plan designations and City policy relating to provision of adequate off-site parking for visitors, residents and patrons, promotion of infill development.
 2. The project will not be detrimental to the public welfare, safety, or result in the creation of a public nuisance in that:
 - a. Adequate off-site parking is being provided for the general use of the building;
 - b. The redevelopment of the site will reduce urban blight and improve the aesthetics of the subject street;
 - c. The off-site parking provides parking for an existing building constructed without parking.

3. The project is consistent with the General Plan in that the proposed use will provide an adequate amount of parking to support economic prosperity, and alternative modes of transportation.

Conditions of Approval

- B.** The **Special Permit** to operate a non-residential care facility in the 6,338± square foot former American Legion Building and the Special Permit to allow off-site parking under same ownership, located on assessor's parcel 265-0291-010 on 0.38± developed acres in the Multi-Family Residential (R-2B) zone are hereby approved subject to the following conditions of approval:

Planning

- B1. The applicant shall obtain all necessary building permits prior to tenant improvement.
- B2. The hours of operation shall be limited to 8 AM to 7 PM, during regular business hours.
- B3. The project shall ensure a minimum 13 off-street parking spaces.
- B4. The applicant shall submit a sign application identifying all signage for the site. The sign program shall be consistent with the City Sign Ordinance and will be reviewed by Building departments for conformance and compatibility with the project.
- B5. Modification to the exterior of the building requires Design Review staff review and approval.

Development Engineer

- B6. The applicant shall repair/reconstruct any existing curb, gutter and sidewalk that becomes deteriorated or damaged as a result of the re-construction of the parking lot within the subject property to the satisfaction of the Development Engineering Division.
- B7. The site plan shall conform to A.D.A. requirements in all respects. This shall include the replacement of any curb ramp that does not meet current A.D.A. standards.
- B8. The site plan shall conform to the parking requirements set forth in chapter 17 of City Code (Zoning Ordinance).
- B9. The design of walls fences and signage near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code

Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height at maturity. The area of exclusion shall be determined by the Development Engineering Division.

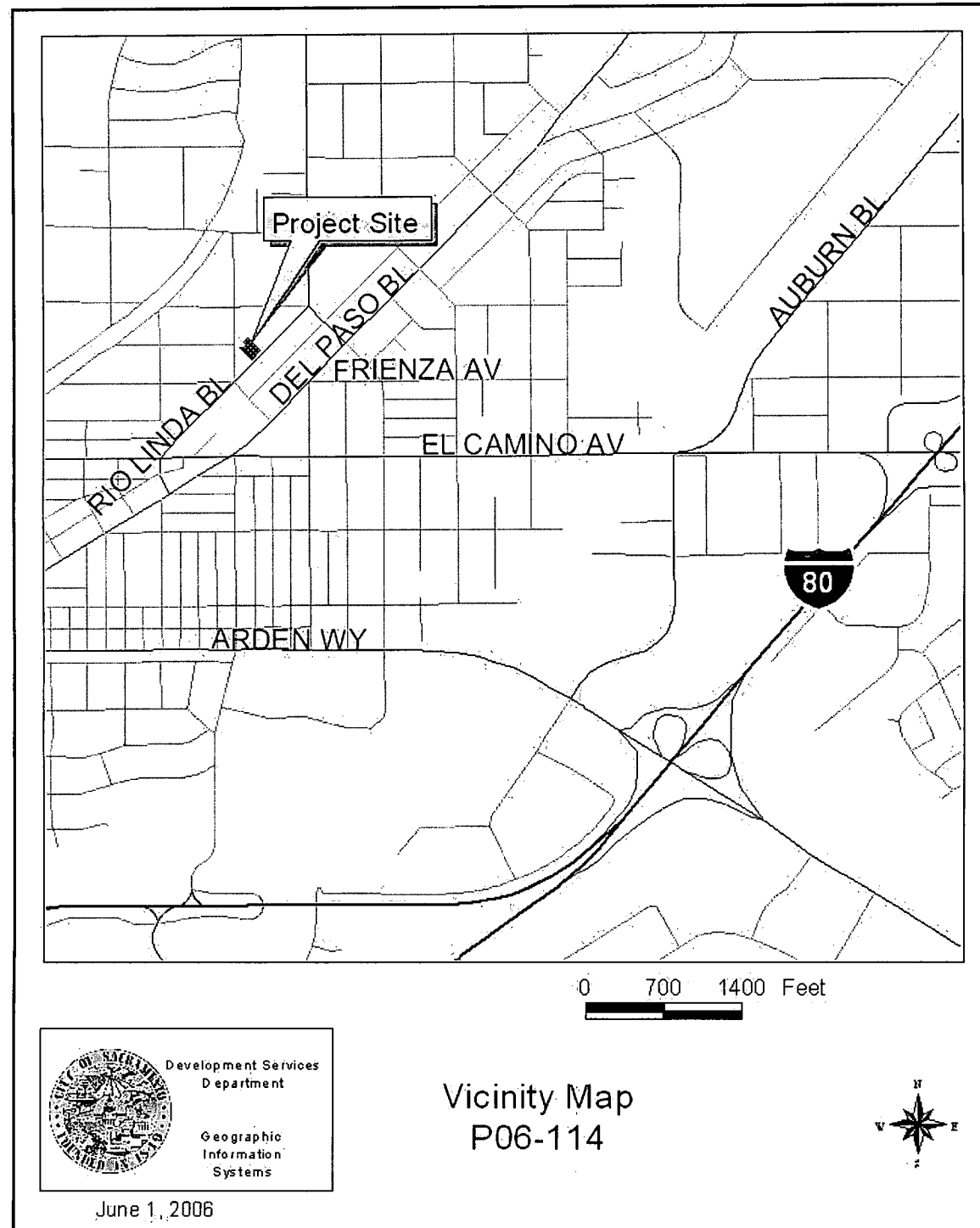
Solid Waste

- B10. Recycling capacity be met or exceeded.
- B11. A recycling program be established. The developer should send the name of the service provider, the frequency of service, and the processing facility to the Solid Waste Division to verify that service has been established.
- B12. This project be conditioned to divert construction waste. The project proponent should plan to target cardboard, wood waste, scrap metal, brick, concrete, asphalt, and dry wall for recovery. The developer should submit the following information to the Solid Waste Division:
- Method of recovery
 - Hauler information
 - Disposal facility
 - Diversion percentage
 - Weigh tickets documenting disposal and diversion

Advisory Notes

1. The applicant shall verify that the existing 3/4-inch water service tap is adequate for the proposed use.
2. Commercial water taps shall be sized per the City's Building Department on-site plumbing requirements (the existing water tap may need to be larger than 3/4-inch depending on the number of fixture units, fire sprinkler demands, etc).
3. As per City Code, the applicant will be responsible to meet his/her obligation regarding Title 18, 18.44 Park Development Impact Fee, due at the time of issuance of special permit. The Park Development Impact Fee due for this project is estimated at \$951. This is based on 6,338 square feet of retail/other space at the infill fee of \$0.15 per square foot. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for special permit.
4. Developing this property may require the payment of sewer impact fees. Applicant should contact the Fee Quote Desk at (916) 876-6100 for sewer impact fee information.

5. Existing SRCSD facilities serving this proposed project are capacity constrained. Ultimate capacity will be provided by construction of the Lower Northwest and Upper Northwest Interceptors, currently scheduled for completion in 2010. SRCSD is working to identify potential interim projects to provide additional capacity. SRCSD and CSD-1 will issue sewer permits to connect to the system if it is determined that the capacity is available and the property has met all other requirements for service. This process is "first come, first served." There is no guarantee that capacity will be available when actual request for sewer service are made. Once connected, the property has the entitlement to use the system. However, its entitlement is limited to the capacity accounted for by the payment of the appropriate SRCSD fees.
6. The Solid Waste Division provides free waste audits to interested businesses. City staff will then recommend a method of waste management to the businesses to increase waste diversion at the greatest cost avoidance.
7. Businesses that choose private sector service should ask about the recycling opportunities that company offers. Recycling should still be cheaper than disposal.
8. Businesses that subscribe to City solid waste collection and disposal services are also provided recycling services as a package. The Solid Waste Division provides a variety of commercial services. They include commercial solid waste collection and disposal, commercial recycling, in-office recycling, and debris box services.



Attachment 3: Land Use and Zoning Map

