



**CITY OF SACRAMENTO PLANNING COMMISSION
RECORD OF DECISION**

New City Hall, 915 I Street, 3rd Floor, Sacramento, CA 95814

Project Name: California Community Health Care Inc.
Project Number: P06-114
Project Location: 2531 Rio Linda Blvd
Assessor's Parcel No.: 265-0291-009 & 010
Applicant: California Community Health Care Inc. c/o: Patrick Masino, (818) 384-5612
Action Status: Approved with Conditions Action Date: 09/14/2006

REQUESTED ENTITLEMENT(S): 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.

ACTIONS TAKEN: On 09/14/2006, the Planning Commission took the following actions on A-C based on the attached findings of fact and subject to the attached conditions of approval.

Action certified by: 
David Kwong, Planning Manager

Sent to Applicant: 09/15/2006

By: 
Staff Signature

NOTICE OF PROTEST RIGHTS

The above conditions include the imposition of fees, dedications, reservations, or other exactions. Pursuant to California Government Code section 66020, this Notice of Decision serves as written notice to the project applicant of (1) the amount of any fees and a description of any dedications, reservations, or exactions imposed, and (2) that the applicant may file a protest against the imposition of those fees, dedications, reservations, or other exactions within 90 days of the date of this approval, which is deemed to be the date that the fees, dedications, reservations, or other exactions are imposed. If the payment of a fee is imposed as a condition of approval, but the amount of the fee is not stated in this Notice of Decision and is not otherwise available to the applicant on a fee schedule or otherwise, the 90 days protest period will begin to run when the applicant is notified of the amount of the fee.

For purposes of this notice, the following fees are deemed to be imposed upon approval of the first discretionary entitlement for the subject development project and are subject to the protest procedures set forth in Title 18 of the Sacramento City Code as indicated: North Natomas Public Facilities Fee, Transit Fee, and Drainage Fee (SCC 18.24.160); North Natomas Land Acquisition Fee (SCC 18.24.340); North Natomas School Facilities Fee (SCC18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC18.28.150); Willow Creek Project Area Development Fee (SCC 18.32.150); Development Impact Fees for the Railyards, Richards Boulevard, and Downtown Areas (SCC 18.36.150); Habitat Conservation Fee for the North and South Natomas Community Plan Areas (18.40.090); and Park Development Impact Fee (18.44.140).

The time within which to challenge a condition of approval of a tentative subdivision map, including the imposition of fees, dedication, reservation, or other exaction, is governed by Government Code section 66499.37

EXPIRATION

TENTATIVE MAP: Failure to record a final map within three years of the date of approval or conditional approval of a tentative map shall terminate all proceedings.

SPECIAL PERMIT: A use for which a Special Permit is granted must be established within three years after such permit is issued. If such use is not so established, the Special Permit shall be deemed to have expired.

VARIANCE: Any variance involving an action which requires a building permit shall expire at the end of three years unless a building permit is obtained within the variance term.

PLAN REVIEW: Any plan review shall expire at the end of three years unless a building permit is obtained within the plan review term.

NOTE: Violation of any of the foregoing conditions will constitute grounds for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions taken on rezoning, special permits and variances.

APPEALS

Appeals of the Planning Commission decision of this item to the City Council must be filed at 915 I Street, New City Hall, 3rd Floor, within 10 calendar days of this meeting, on or before 09/25/2006. If the 10th day falls on a Sunday or holiday, the appeal may be filed on the following business day.

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.