



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

New City Hall, 915 I Street, 3<sup>rd</sup> Floor, Sacramento, CA 95814

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Project Name: Country Place Residential Care Facility  
Project Number: P08-011  
Project Location: 10 Country Place  
Assessor's Parcel No.: 030-0730-007, -008, -009, -010, -011, & -012  
Applicant: John Cimino, P.O. Box 1246, South San Francisco, CA 94083  
Action Status: Approved Project With Conditions Action Date: 5-8-2008

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**REQUESTED ENTITLEMENT(S):** A request to construct and operate a 32-bed secured Alzheimer's Residential Care Facility on approximately .56 acres, within the Multi-Family (R-2A) zone.

- A. Environmental Determination: Exempt per CEQA Guidelines Section 15332.
- B. Special Permit to construct and operate a Residential Care Facility within the Multi-Family (R-2A) zone.
- C. Variance to allow a street side setback of fifteen (15) feet within the Multi-Family (R-2A) zone.

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**ACTIONS TAKEN:** On 5/8/2008, the Planning Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval:

Recommended Approval of Items A - C with conditions

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**Action certified by:**

  
David Kwong, Planning Manager

Sent to Applicant: 5/8/2008

By:

  
Staff Signature

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**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 300 Richard Blvd, 3rd Floor, within 10 calendar days of this meeting, on or before 5/19/08. If the 10<sup>th</sup> day falls on a Sunday or holiday, the appeal may be filed on the following business day.

## **Findings Of Fact**

### **A. Environmental Determination: Exemption**

Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the Planning Commission finds that the Project is exempt from review under CEQA Guidelines Section 15332, Infill Exemption of the California Environmental Quality Act Guidelines as follows:

This project consists of a request to construct and operate a 32-bed secured Alzheimer's Residential Care Facility on approximately .56 acres, within the Multi-Family (R-2A) zone.

The proposed project is consistent with the General Plan and applicable zoning designations, is located within the City limits on a site that is not more than five (5) acres in size and is substantially surrounded by urban uses, is located at a site with no habitat value, and can be adequately served by utilities and public services. The project would not have significant effects relating to traffic, noise, air quality, or water quality.

### **B. The Special Permit to construct and operate a Residential Care Facility within the Multi-Family (R-2A) zone is **approved** subject to the following Findings of Fact and Conditions of Approval:**

1. Granting the Special Permit is based upon sound land use principles in that the proposed residential care facility use is appropriate due to compatibility of the proposed residential care facility with single family homes to the east, a church to the south, a skilled nursing facility to the north, and condominiums to the west. Furthermore, the site is surrounded by existing development and infrastructure.
2. Granting the Special Permit would not be detrimental to the public welfare nor result in the creation of a public nuisance in that the use is a low traffic generator, buffered from single family homes to the east by landscaping and a six-foot high solid masonry wall, the setbacks are appropriate for a residential care facility use, the project is in proportionate scale and size for the site, and the building design is compatible with the adjacent residences. Additionally, the residential care facility plans have been reviewed by all applicable internal and external departments, all of which have found that the plans comply with development policies and standards.
3. The proposed project is consistent with the General Plan and the General Plan policy for providing special needs housing.

### **C. The Variance to allow a street side setback of fifteen (15) feet within the Multi-Family (R-2A) zone is **approved** based upon the following findings or fact and Conditions of Approval:**

1. The Variance does not constitute a special privilege as a similar variance would be appropriate for any property owner in a similar situation. Because the project site is a corner parcel along Florin Road and Country Place, ingress/egress to the site is limited to Country Place and thus constraining the potential layout of a building on the project site. Furthermore, in order to provide greater privacy and adequate buffering between the proposed residential care facility and the single family homes to the east, a reduced street side setback is appropriate.

2. The Variance does not constitute a use variance in that residential care facilities are allowed in the Multi-Family (R-2A) zone.
3. The Variance will not be injurious to public welfare, nor to property in the vicinity of the applicant. The reduced street side setback does not affect compliance with the rules and regulations of internal City Departments, including Development Engineering, Utilities, Building, and Fire. Compliance with the recommended conditions of approval would ensure that the project would not cause injury to public welfare or property within the vicinity of the site.
4. Although the setback would be reduced by ten feet along Florin Road, the setback will be landscaped with groundcover and trees, and contribute to the aesthetics of Florin Road. The proposed development is otherwise consistent with the zoning regulations and the proposal does not violate any applicable general plan policies.

#### **Conditions Of Approval**

- B.** The **Special Permit** to construct and operate a Residential Care Facility within the Multi-Family (R-2A) zone is **approved** subject to the following Conditions of Approval:

#### **PLANNING:**

- B1. Development of this site shall be in compliance with the attached exhibits (Exhibits A through H), except as conditioned. Any modification to the project shall be subject to review by Development Services staff prior to the issuance of building permits. Any significant modifications to the project may require subsequent entitlements.
- B2. Obtain all necessary building permits prior to construction.
- B3. A parcel merger shall be recorded prior to the issuance of building permits.
- B4. The number of beds shall not exceed thirty-two.
- B5. Landscaping plans shall be submitted to the Building Division - Site Conditions Unit for review and approval by the Site Conditions Unit and the Landscape Architecture Section. The scope of the review shall include plant species selection, landscape materials, irrigation system, and calculation to ensure that the 50% shading requirement is met. In order to provide adequate surveillance opportunities, all plants and shrubs are to be maintained at maximum height of thirty inches (30"). Decorative planting shall be maintained so as not to obstruct or diminish lighting level throughout the project.
- B6. The applicant shall construct a six foot high solid masonry wall consistent with Zoning Ordinance Section 17.76.030, along the eastern property line where the project abuts single family residences. The masonry wall shall be constructed of similar color and material to that of the wall detail per the attached Landscaping Plan (Exhibit F), except for the metal pickets.

- B7. Lighting:
- a. Lighting shall be designed so as not to produce hazardous and annoying glare to motorists, adjacent properties, or the general public. All fixtures should be placed in a manner that avoids glare when observed from the street or other public areas.
  - b. All open parking lots shall be provided with a minimum intensity of 1.5 foot-candles per square foot of lighting from one half-hour before sunset until one half-hour after sunrise. All lighting devices shall be equipped with weather and vandal resistant covers. Lighting shall be engineered so as not to produce direct glare or "stray light" on adjacent properties.
  - c. Aisles, passageways and recesses related to and within the building complex shall be illuminated with an intensity of at least seventy-five one-hundredths minimum maintained footcandle of light as measured at ground level during the hours of darkness. These lighting devices shall be protected by weather and vandal resistant covers.
  - d. Applicant shall submit a lighting plan to Current Planning for review prior to the issuance of building permits.
- B8. All mechanical equipment shall be screened. All rooftop mechanical and communications equipment shall be completely screened from view from public streets by the building parapet, screen wall, and architectural projections which are integral to the building design.
- B9. The proposal is required to meet the Sacramento City Code regulations, regarding bicycle parking (Section 17.64.050). Bicycle parking shall be located in a secure area located in close proximity to public view.
- B10. The applicant shall submit a sign program identifying all project signage for review and approval by the Development Services Department. Sign permits shall be required for all new signage.
- B11. All building numbers and street addresses shall be clearly visible from all public or private access streets. The street and building numbers shall be no less than four inches in height and of a contrasting color to their background.

**DEVELOPMENT ENGINEERING:**

- B12. The applicant will be required to repair or replace/reconstruct any existing deteriorated curb, gutter and sidewalk adjacent to the subject property.
- B13. The site driveway must be designed and constructed to City Standards to the satisfaction of the Development Engineering Division.
- B14. The minimum throat distance for the site driveway is 20-ft (throat distance is that distance a vehicle can move from the public right-of-way into a given site before encountering a conflict with parking stalls, aisles, etc).
- B15. The site plan must conform to A.D.A. requirements in all respects. This includes the replacement of any curb ramp that does not meet current A.D.A. standards. More specifically, the applicant will be required to reconstruct the round corner at the intersection of Florin Rd and Country Place Court adjacent to the subject site per City standards to the satisfaction of the Development Engineering Division.

- B16. The site plan must conform to the parking requirements set forth in chapter 17 of City Code (Zoning Ordinance).
- B17. The design of walls fences and signage near intersections and driveways must allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls must 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 is limited to 3.5' in height at maturity. The area of exclusion will be determined by the Development Engineering Division.

**FIRE:**

- B18. All turning radii for fire access shall be designed as 35' inside and 55' outside.
- B19. Roads used for Fire Department access shall have an unobstructed width of not less than 20' and unobstructed vertical clearance of 13'6" or more.
- B20. Fire Apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus. (503.2.3)
- B21. Provide the required fire hydrants in accordance with CFC 508 and Appendix C, Section C105.
- B22. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.
- B23. Provide a water flow test. (Make arrangements at Permit Center: 300 Richards Blvd, Sacramento, CA 95814)
- B24. The furthest projection of the exterior wall of a building shall be accessible from within 150 ft of an approved Fire Department access road and water supply as measured by an unobstructed route around the exterior of the building. (CFC 503.1.1)
- B25. Provide appropriate Knox access for site.
- B26. An automatic fire sprinkler system shall be installed in any portion of a building when the floor area of the building exceeds 3,599 square feet. City Code that will provide Amendments to Article 9, Section 903, is forthcoming.
- B27. Locate and identify Fire Department Connections (FDCs) on address side of building no further than 50 feet and no closer than 15 feet from a fire hydrant.

**BUILDING:**

- B28. Parapets and be provided on exterior walls that are required to fire-resistance in accordance with CBC Table 602.
- B29. The wall opening in exterior walls that have a distance to the property line or 15 feet or less shall comply with CBC Table 904.8. If natural ventilation is being used the distance

between the building and the property line will need to be increased to comply with CBC Table 704.8 for unprotected wall opening.

#### **UTILITIES:**

- B30. Only one domestic water service is allowed per parcel. Any new domestic water service shall be metered. Excess services shall be abandoned to the satisfaction of the Department of Utilities. (Note: There is an existing 8" water main in Country Place and a 6" and 24" water main in Florin Road. No connection is allowed to the 24" transmission main.)
- B31. If the total paved area is greater than 6000 sq. ft., then an onsite surface drainage system is required and shall be connected to the street drainage system by means of a storm drain service tap. The onsite system shall be designed so the 10-year HGL is a minimum of 6-inches below the onsite drain inlets.
- B32. Lot pad elevations shall be a minimum of 1.5 feet above the controlling overland flow release elevation and a minimum of 1.2 feet above the highest adjoining back of sidewalk elevation. Finished lot pad elevations shall be accepted by the Department of Utilities.
- B33. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities.
- B34. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to show erosion and sediment methods on the improvement plans. These plans shall also show methods to control urban runoff pollution from the project site during construction.
- B35. All recorded and proposed easements shall be shown on a site plan and shall be part of the building permit submittal package.

#### **PARK PLANNING & DEVELOPMENT SERVICES:**

- B36. Maintenance District: The applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annex the project into an existing parks maintenance district. The applicant shall pay all city fees for formation of or annexation to a parks maintenance district. (Contact Planning Department, Special Districts, Project Manager. In assessment districts, the cost of neighborhood park maintenance is equitably spread on the basis of special benefit. In special tax districts, the cost of neighborhood park maintenance is spread based upon the hearing report, which specifies the tax rate and method of apportionment.)

#### **ADVISORY NOTES – PARKS PLANNING, DESIGN & DEVELOPMENT:**

- 1. As per City Code, the applicant will be responsible to meet his/her obligations regarding Title 18, 18.44 Park Development Impact Fee, due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at \$4,843. This is based on the construction of one single-family residential unit at the residential target infill rate of \$4,843 per unit. 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 building

permit.

**ADVISORY NOTES – BUILDING:**

2. Accessible strike side clearance shall be provided at each bedroom door.
3. Fire-rated partition shall be provided to separate different occupancies to comply with CBC Table 508.3.3.