



APPROVED
BY THE CITY COUNCIL

JUL 22 1997

OFFICE OF THE
CITY CLERK

1.16

DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 300
SACRAMENTO, CA
95814-2998

DEVELOPMENT
SERVICES
DIVISION
916-264-5381
FAX 916-264-5328

July 10, 1997

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT

Appeal of the Planning Commission's decision to prohibit special meetings, including Alcoholics Anonymous and Narcotics Anonymous meetings, at the subject location. (P97-007)

LOCATION

2515 48th Avenue (APN: 036-0083-010)
Council District 5, Area 2

RECOMMENDATION

As directed by the City Council on July 1, 1997, Staff has prepared the appropriate documents to grant the applicant's appeal of the Planning Commission's decision. Staff recommends that the City Council adopt the attached Resolution.

CONTACT PERSON

Barbara L. Wendt, Senior Planner, 264-5935

FOR COUNCIL MEETING OF July 22, 1997 (Afternoon)

SUMMARY

On July 1, 1997, the City Council adopted an intent motion to grant an appeal of the Planning Commission's decision to prohibit special meetings, including Alcoholics Anonymous and Narcotics Anonymous meetings, at the subject location. Attached are the necessary Resolution and Notice of Decision to carry-out the decision of the City Council.

VOTE OF THE PLANNING COMMISSION

On May 8, 1997, the Planning Commission voted to approve the expansion of the Mi Casa Recovery Home with a prohibition on special evening meetings.

BACKGROUND

The Mi Casa Recovery Home is a residential care facility that provides treatment for drug and alcohol addiction. The Home currently accommodates 15 participants.

On May 8, 1997, the City Planning Commission approved a Special Permit Modification to allow the expansion of the existing residential care facility to accommodate 20 participants with the condition that the Alcoholics Anonymous and Narcotics Anonymous meetings cease at the location. The applicant appealed the condition of the Planning Commission to the City Council for purposes of allowing the special meetings to continue. On July 1, 1997, the City Council approved an intent motion to grant the appeal which allows the meetings to continue at the location.

FINANCIAL CONSIDERATIONS

None.

ENVIRONMENTAL CONSIDERATIONS

The project qualifies for a categorical exemption pursuant to Section 15303 of the California Environmental Quality Act (CEQA) Guidelines.

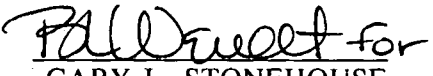
POLICY CONSIDERATIONS

The project is consistent with the General Plan and the Airport/Meadowview Community Plan land use designations for the project site.

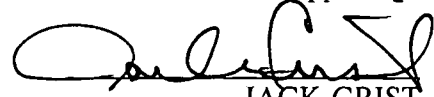
MBE/WBE CONSIDERATIONS

None.

Respectfully Submitted:


GARY L. STONEHOUSE
Planning Director
Planning Division

Approved:


JACK CRIST
Deputy City Manager

FOR CITY COUNCIL INFORMATION:
WILLIAM H. EDGAR
City Manager

APPROVED
BY THE CITY COUNCIL

JUL 22 1997

OFFICE OF THE
CITY CLERK

RESOLUTION NO. **97-417**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION GRANTING THE APPLICANT'S APPEAL OF THE PLANNING COMMISSION'S DECISION APPROVING A SPECIAL PERMIT MODIFICATION FOR PROPERTY LOCATED AT 2515 48TH AVENUE ON 0.47± DEVELOPED ACRES IN THE STANDARD SINGLE FAMILY EXECUTIVE AIRPORT OVERLAY (R-1{EA-4}) ZONE.

(P97-007)

(APN: 036-0083-010)

WHEREAS, the City Planning Commission, at a public meeting on May 8, 1997, heard and considered evidence on the request for approval of a **Special Permit Modification** to increase the size of a 24-hour residential care facility from 15 to 20 beds (involving no physical expansion of the premises) for the Mi Casa Recovery Home located at 2515 48th Avenue on 0.47± developed acres in the Standard Single Family Executive Airport Overlay (R-1{EA-4}) zone;

WHEREAS, the project qualifies for a categorical exemption pursuant to Section 15303 of the California Environmental Quality Act (CEQA) Guidelines;

WHEREAS, on May 8, 1997, the City Planning Commission approved the proposed development subject to the condition to prohibit special meetings, including Alcoholics Anonymous and Narcotics Anonymous meetings, at the location;

WHEREAS, on May 15, 1997, the applicant appealed the decision of the City Planning Commission for purposes of allowing the special meetings to continue at the subject site;

WHEREAS, the City Council on July 1, 1997, heard and considered evidence in the above entitled matter;

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

WHEREAS, the City Council on July 1, 1997, adopted an intent motion to grant the appeal for purposes of allowing the special meetings to continue at the location;

NOW, THEREFORE, BE IT RESOLVED, by the Sacramento City Council, that:

1. The appeal of the Planning Commission's decision is granted for the reasons set forth in the attached Notice of Decision and Findings of Fact.
2. The condition of the Planning Commission to prohibit special meetings, including Alcoholics Anonymous and Narcotics Anonymous meetings, at the subject location is removed subject to the findings of fact and conditions of approval set forth in the attached Notice of Decision and Findings of Fact.

MAYOR

ATTEST:

CITY CLERK

(P97-007)

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

APPEAL OF THE MEXICAN-AMERICAN ALCOHOLISM PROGRAM v. THE CITY OF SACRAMENTO PLANNING COMMISSION'S DECISION TO PROHIBIT SPECIAL MEETINGS FOR PROPERTY LOCATED AT 2515 48TH AVENUE IN THE STANDARD SINGLE-FAMILY (R-1{EA-4}) ZONE (P97-007).

**NOTICE OF DECISION
AND
FINDINGS OF FACT**

At its regular meeting of _____, the City Council heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Council took the following actions:

1. **Granting of Appeal:** The appeal is granted for the following reasons:

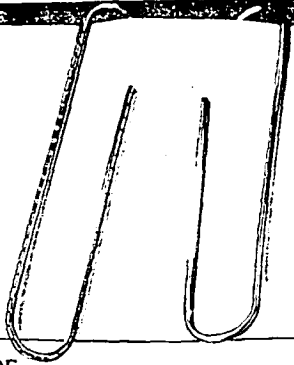
Findings of Fact Regarding Appeal:

- a. Allowing the special meetings would be consistent with sound principles of land use and would not be detrimental to the public health, safety and welfare because sufficient on-street parking exists in the project's vicinity.
2. **Approval of the Special Permit Modification:** The condition of the Planning Commission to prohibit special meetings, including Alcoholics Anonymous and Narcotics Anonymous meetings, at the subject location is removed. The Special Permit Modification is approved subject to the Findings of Fact and remaining Conditions of Approval adopted by the Planning Commission on May 8, 1997, incorporated by reference as if set forth fully herein.

MAYOR

ATTEST:

CITY CLERK
(P97-007)



APPROVED BY THE CITY COUNCIL

JUL 1 1997

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OFFICE OF THE CITY CLERK

DEPARTMENT OF PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO CALIFORNIA

1231 I STREET ROOM 300 SACRAMENTO, CA 95814-2998

DEVELOPMENT SERVICES DIVISION 916-264-5381 FAX 916-264-5328

June 13, 1997

Hearing Closed; Intent notice Appeal of the Applicant to return w/ 1/3 of 7 on 7.22.97, 5:00 PM

City Council Sacramento, California

Honorable Members in Session:

SUBJECT Appeal of the Planning Commission's decision to prohibit special meetings, including Alcoholics Anonymous and Narcotics Anonymous meetings, at the subject location. (P97-007)

LOCATION 2515 48th Avenue (APN: 036-0083-010) Council District 5, Area 2

RECOMMENDATION Staff recommends that the City Council adopt the attached Resolution denying the appeal of the Planning Commission's decision.

CONTACT PERSON Barbara L. Wendt, Senior Planner, 264-5935

FOR COUNCIL MEETING OF July 1, 1997 (Evening)

SUMMARY On May 8, 1997, the Planning Commission approved an expansion of the Mi Casa Recovery Home located at 2515 48th Avenue. The expansion involves the addition of five beds to the 15-bed facility for a total of 20 beds. As a condition of approval, the Commission prohibited the occurrence of special gatherings at the site, such as Alcoholics Anonymous and Narcotics Anonymous meetings, due to the shortage of on-site parking. The owner/operator has appealed this condition to the City Council.

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RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION DENYING THE APPLICANT'S APPEAL,
AND AFFIRMING THE PLANNING COMMISSION'S
DECISION APPROVING A SPECIAL PERMIT
MODIFICATION FOR PROPERTY LOCATED AT 2515
48TH AVENUE ON 0.47+ DEVELOPED ACRES IN
THE STANDARD SINGLE FAMILY EXECUTIVE
AIRPORT OVERLAY (R-1 {EA-4}) ZONE.
(P97-007) (APN: 036-0083-010)**

WHEREAS, the City Planning Commission, at a public meeting on May 8, 1997, heard and considered evidence on the request for approval of a **Special Permit Modification** to increase the size of a 24-hour residential care facility from 15 to 20 beds (involving no physical expansion of the premises) for the Mi Casa Recovery Home located at 2515 48th Avenue on 0.47+ developed acres in the Standard Single Family Executive Airport Overlay (R-1 {EA-4}) zone;

WHEREAS, the project qualifies for a categorical exemption pursuant to Section 15303 of the California Environmental Quality Act (CEQA) Guidelines;

WHEREAS, on May 8, 1997, the City Planning Commission approved the proposed development;

WHEREAS, on May 15, 1997, the applicant appealed the decision of the City Planning Commission to prohibit the occurrence of special meetings at the subject site;

WHEREAS, the City Council, on _____, heard and considered evidence in the above mentioned matter.

NOW, THEREFORE, BE IT RESOLVED, by the Sacramento City Council, that:

1. The appeal of the Planning Commission decision is denied for the reasons set forth in the attached Notice of Decision and Findings of Fact.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

2. The decision of the Planning Commission approving the Special Permit is affirmed, subject to the findings of fact and conditions of approval set forth in the attached Notice of Decision and Findings of Fact.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION DENYING THE APPLICANT'S APPEAL,
AND AFFIRMING THE PLANNING COMMISSION'S
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NOW, THEREFORE, BE IT RESOLVED, by the Sacramento City Council, that:

1. The appeal of the Planning Commission decision is denied for the reasons set forth in the attached Notice of Decision and Findings of Fact.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

2. The decision of the Planning Commission approving the Special Permit is affirmed, subject to the findings of fact and conditions of approval set forth in the attached Notice of Decision and Findings of Fact.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____



OFFICE OF THE
CITY CLERK

VALERIE A. BURROWES, CMC/AAE
CITY CLERK

CITY OF SACRAMENTO
CALIFORNIA

CITY HALL
ROOM 304
915 I STREET
SACRAMENTO, CA
95814-2671.

FAX 916-264-7672

OPERATIONAL SERVICES
PH 916-264-5426

SPECIALIZED SERVICES
916-264-7200

August 5, 1997

Mexican American Alcoholism Program
4241 Florin Road, Suite 110
Sacramento, CA 95823

SUBJECT: MI CASA RECOVERY HOME

Dear Sirs:

On July 22, 1997, the City Council granted your appeal from the City Planning Commission action regarding Mi Casa Recovery Home located at 2515 48th Avenue (P97-007).

The Council adopted Resolution 97-417 with attached Notice of Decision and Findings of Fact.

Enclosed, for your records, are certified copies of the above referenced documents.

Sincerely,

Kathy Howard
Typist Clerk, III

✓ kh/01.16

cc: Barbara Wendt, Planning Department

(H:\KATHY\CAL\015)