

Amended
RESOLUTION NO. 2004-358

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON THE DATE OF MAY 11, 2004

RESOLUTION DENYING THE APPEAL OF THE DECISION OF THE PLANNING COMMISSION AND APPROVING THE DEVELOPMENT OF A 200 STUDENT, K-8 PRIVATE SCHOOL KNOWN AS THE COURTYARD SCHOOL LOCATED AT THE TERMINUS OF 24th STREET, NORTH OF C STREET. (APN: 003-0091-004, -022; 003-0085-014, -017) (P02-104)

WHEREAS, the Environmental Coordinator has prepared a Negative Declaration for the above identified project; the proposed Negative Declaration and comments received during the public review process were considered prior to action being taken on the project; and, on the basis of the whole record before it, the City has determined that there is no substantial evidence that the project, with mitigation measures as identified in the Initial Study, will have a significant effect on the environment;

WHEREAS, at the public hearing on April 8, 2004, the City Planning Commission heard and considered evidence on the request for approval of various entitlements for the project known as Courtyard Private School;

WHEREAS, on April 8, 2004, the City Planning Commission approved the requested entitlements, with conditions;

WHEREAS, on April 16, 2004, the decision of the City Planning Commission approval to allow establishment of a 200 student K-8 private school on 1.5± acres in the Heavy Commercial (C-4) zone was appealed by a third party; and

WHEREAS, the City Council conducted a public hearing on May 11, 2004 concerning the above project and based on documentary and oral evidence submitted at the public hearing, the Council hereby adopts the Notice of Decision and Findings of Fact, as set forth herein.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Sacramento that subject to the findings of fact and conditions of approval set forth below, the applicants appeals are denied, and the requested project is approved by the City Council.

Findings of Fact

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A. Environmental Determination: Negative Declaration

1. The Negative Declaration was prepared and circulated for the above-identified project pursuant to the requirements of CEQA;
2. The proposed Negative Declaration and comments received during the public review process were considered prior to action being taken on the project;
3. Based upon the Initial Study and the comments received during the public review process, there is no substantial evidence that the project will have a significant effect on the environment;

B. Mitigation Monitoring Plan:

1. One or more mitigation measures have been added to the above-identified project;
2. A Mitigation Monitoring Plan has been prepared to ensure compliance and implementation of the mitigation measures for the above-identified project, a copy of which is attached as Exhibit 1;
3. The Mitigation Monitoring Plan meets the requirements of Public Resources Code Sec 21081.6;
4. The Mitigation Monitoring Plan is approved, and the mitigation measures shall be implemented and monitored as set forth in the plan.

C. Special Permits to establish a 200 student K-8 private school, off-site parking, and to allow a gated entrance are approved based upon the following findings:

1. The project will utilize an existing vacant lot and an existing unused warehouse building;
2. The project is a viable alternative use for an area and zone that may no longer be appropriate for industrial uses;
3. The project will provide a more compatible use to the surrounding neighborhood;
4. The modular classroom buildings will be designed to enhance and blend in with the existing industrial nature of the area;
5. The project will not adversely affect the surrounding land uses in that the school is being located in an area with a mix of uses including residential;

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6. The project will provide a quality educational facility that can serve the central city neighborhood;
7. The proposed project will eliminate the potential for nuisance activities such as illegal dumping on a vacant lot;
8. The project will provide an egress on 25th street to limit impacts on 24th street;
9. The proposed project supports redevelopment and rehabilitation efforts to eliminate neighborhood blight;
10. The project as conditioned will be limited to events that may impact street parking;
11. The project will maintain adequate right-of-way to accommodate the existing commercial/industrial uses in the area;
12. The gates will provide school personnel ability to monitor and prohibit access of the school for the security and safety of the students;
13. The proposed gates will be open during peak hours of drop-off and pick-up;
14. The gates will be constructed to current regulations and provided with emergency hardware for emergency vehicle access;
15. The gates will be a minimum 20 feet back from the property line; and
16. The project is consistent with the objectives of the general plan and central city community plan.

D. Lot Line Merger is approved based upon the following findings:

1. The lot line merger will not result in the elimination or reduction in size of the access way to any resulting lots;
2. The lot line merger will not result in the abandonment of any street or utility easement of record; and
3. The resulting lots conform to the requirements of the city's building code and the city's zoning ordinance. (Prior code § 40.04.404)

Conditions of Approval

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- C. The Special Permits to establish a 200 student K-8 private school, off-site parking, and to allow a gated entrance are hereby approved subject to the following conditions:
- C1. Remove and replace any deteriorated curb, gutter, and sidewalk to city standards, and to the satisfaction of the Department of Public Works.
 - C2. Prior to issuance of building permits the applicant shall construct alley to city standards and to the satisfaction of the Department of Public Works or enter into an agreement deferring the alley improvements; the alley shall be improved from the rolling gate access to the nearest alley entrance. Full improvement of the alley may be deferred by the agreement 18 months; interim improvements shall include a "V" gutter and asphalt patch.
 - C3. Prior to issuance of building permits the applicant must apply for and obtain City Council approval for the abandonment.
 - C4. Prior to issuance of occupancy permits the street abandonment shall be recorded and the applicant shall satisfy the conditions of approval of the abandonment, including providing a maneuvering easement to the owner at 215 24th Street.
 - C5. Construct all driveways (24th & 25th streets) to city standards, and to the satisfaction of the Department of Public Works.
 - C6. On-site private reciprocal ingress, egress, maneuvering and parking easements are required for future development of the area covered by this Project as a condition of the abandonment of 24th Street. The applicant shall enter into and record an Agreement For Conveyance of Easements with the City stating that a private reciprocal ingress/egress, maneuvering, and parking easement shall be conveyed to and reserved from the two merged parcels east of the abandonment, and the two merged parcels west of the abandonment, at no cost, at the time of sale or other conveyance of either parcel.
 - C7. The school shall provide a minimum of two monitors daily during the hours of 8:00am through 8:30am to assist in traffic flow.
 - C8. The applicant shall provide proper striping and signage for the school site to city standards and to the satisfaction of Public Works.
 - C9. Prior to issuance of building permit the street abandonment shall be recorded or a revocable encroachment permit shall be issued for any and all improvements in the public right-of-way.
 - C10. The maximum enrollment shall be 200 students.

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- C11. The design of the existing warehouse building and modular classroom buildings are subject to conditions of approval of DR03-055 approved February 18, 2004.
- C12. Prior to issuance of a building permit the applicant shall propose and submit for review and approval by the Planning Director a 'Good Neighbor Policy' including but not limited to the following:
- a) Establish a process for neighbors to communicate directly with the Courtyard School administrative staff.
 - b) Establish a policy and provide information to neighbors surrounding the school (23rd, 24th, 25th, and C Streets) of events, days and times that will occur at the school that could impact on-street parking.
 - c) Provide on-site, in a clearly identified place (e.g.entrance gate) an emergency contact person and number.
- C13. The school shall be limited to five events (day or night) during any one school year. Events are considered activities that are not daily school activities (back- to-school night, etc.). Community events (school provides premises for neighborhood/community meetings/activities) are exempt from this requirement. The Planning Director shall have the authority to approve additional events if the school has shown that the events do not impact the neighborhood. The school shall notify neighbors the days and times of these events two weeks prior to the event.
- C14. Any proposed detached signage shall be limited to one monument sign not to exceed five feet in height and 28 square feet of sign area.
- C15. Any proposed attached signage shall be limited to one attached sign not to exceed 20 square feet in sign area.
- C16. Prior to issuance of sign permit, signage shall be reviewed and approved by Design Review staff.
- C17. Prior to issuance of building permit a landscape plan shall be submitted complying with 50% shading requirement. All landscaping shall be irrigated and maintained.
- C18. Prior to issuance of building permit the site plan shall indicate a minimum of three bicycle parking spaces of which two spaces shall be class I facility.
- C19. An on-site surface drainage system is required and shall be connected to the street drainage system by means of a storm drain service tap. All on-site systems shall be designed to the standard for private storm drainage systems (per Section 11.12 of the Design and Procedures Manual).

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- C20. 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.
- C21. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance will require the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
- C22. Post construction (permanent), stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Since the project is in an area served by a regional water quality control facility only source control measures are required. Refer to the "Guidance Manual for On-Site Stormwater Quality Control Measures" dated January 2000 for appropriate source control measures.
- C23. Shall provide fire sprinkler system for type E occupancy. On completion provide acceptance of fire sprinkler system.
- C24. Shall provide knox devices on all gates to provide fire department access.
- C25. Shall provide minimum manway gate with knox to alley fence for fire access.
- C26. Shall provide second means of egress from upstairs.
- C27. The applicant shall obtain all necessary building permits prior to construction.
- C28. The project shall substantially conform to the approved plans as shown on attached Exhibits 2-4. Any modification to the project shall be subject to review and approval by Planning Staff (and may require additional entitlements) prior to issuance of building permits.
- C29. The gate shall be open during peak drop-off (6-9am) and pick-up (3-6pm) times.
- C30. The gates on 24th and 25th Streets shall be recessed a minimum of 20 feet from the property lines.
- C31. 25th Street access restricted to teacher and staff only; no use by parents or public. Parking layout to be reviewed and approved by Engineering Section of Development Services.

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- C32. Asphalt surfacing will be installed in the entire alley between 24th Street and 25th Street in lieu of concrete on school half of alley only.
- C33. City Trans. Dept. is directed to evaluate and implement the following traffic mitigation measures, unless staff determines that such measures are unsafe or opposed by neighbors: four-way stop at 24th and C Streets.
- C34. Maintain access to garage for resident at 200 – 25th St, as long as driveway is used for access to school.
- D. The Lot Line Merger to merge four lots into two lots is approved subject to the following conditions:
- D1. The applicant shall file an application for a Certificate of Compliance with the Department of Public Works. The applicant must submit all documents required by the submittal requirements checklist and pay the necessary fees.
- D2. The applicant must file for a Waiver of Parcel Map.
- D3. The applicant shall pay off or segregate existing assessments.
- D4. A record of survey may be required pursuant to Section 8762 of the Business and Professions Code before issuing the Certificate of Compliance.
- D5. Only one domestic water service per parcel is allowed. Any excess domestic water services must be abandoned to the satisfaction of the Department of Utilities. The applicant should be advised that the tap record research and verification of tap locations by the field crews involved prior to sign-off of this condition may take a considerable amount of time, therefore, all requests should be submitted in a timely manner.
- D6. The Lot Line Merger shall be recorded prior to or concurrently with the street abandonment.

Advisory Notes – Special Permit

1. This project is served by the Combined Sewer System (CSS). However, based on the information found in the application, we do not anticipate any significant impacts to the CSS. Consequently no Impact Mitigation Agreement is required.
2. The proposed project is located in the 100-year floodplain, designated as an **A99** zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a Letter of Map Revision effective May 22, 2000. Within the A99 zone, there are no requirements to elevate or flood proof.

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3. The applicant shall explore providing a two lane drop off area to allow for more stacking of cars on-site.

Deanne Fargo
MAYOR

ATTEST:

P. Conedino
CITY CLERK

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**COURTYARD PRIVATE SCHOOL PROJECT (P02-104)
MITIGATION MONITORING PLAN**

FOR

**TYPE OF ENVIRONMENTAL DOCUMENT:
INITIAL STUDY/ NEGATIVE DECLARATION**

**PREPARED FOR:
CITY OF SACRAMENTO, PLANNING AND BUILDING DEPARTMENT**

**DATE:
December 9, 2003**

**ADOPTED BY:
CITY OF SACRAMENTO
DESIGN REVIEW BOARD**

DATE:

ATTEST:

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**COURTYARD PRIVATE SCHOOL PROJECT (P02-104)
MITIGATION MONITORING PLAN**

This Mitigation Monitoring Plan (MMP) has been required by and prepared for the City of Sacramento Planning and Building Department, Environmental Planning Services, 1231 I Street, Room 300, Sacramento, CA 95814, pursuant to CEQA Guidelines Section 21081.6.

SECTION 1: PROJECT IDENTIFICATION

Project Name / File Number: Courtyard Private School Project (P02-104)
Owner/Developer- Name: Courtyard Private School
Address: 2324 L Street
Sacramento, CA 95816

Project Location / Legal Description of Property (if recorded):

The project site is located at 205 and 206 24th Street in the Central City area. The Assessor's Parcel Numbers (APNs) are 003-0091-004 & -022 and 003-0085-014 & -017.

Project Description:

The proposed project consists of the entitlements to establish a K-8 school on 1.25± developed acres in the Heavy Commercial (C-4) zone. The project includes the following entitlements:

- SPECIAL PERMIT to establish K-8 private school for up to 200 students in an existing building on 1.25± developed acres in the Heavy Commercial (C-4) zone;
- SPECIAL PERMIT to located required parking off-site
- LOT LINE MERGER

SECTION 2: GENERAL INFORMATION

The Plan includes mitigation for Biological, Hazards, Noise, and Cultural Resources. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Initial Study for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the owner/developer identified above. This Mitigation Monitoring Plan (MMP) is designed to aid the City of Sacramento in its implementation and monitoring of mitigation measures adopted for the proposed project.

The mitigation measures have been taken verbatim from the Initial Study and are assigned the same number they have in the document. The MMP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions. The developer will be responsible for fully understanding and effectively implementing the mitigation measures contained with the MMP. The City of Sacramento will be responsible for ensuring compliance.

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Exhibit 1 – Mitigation Monitoring Plan

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Exhibit 4 – Elevations

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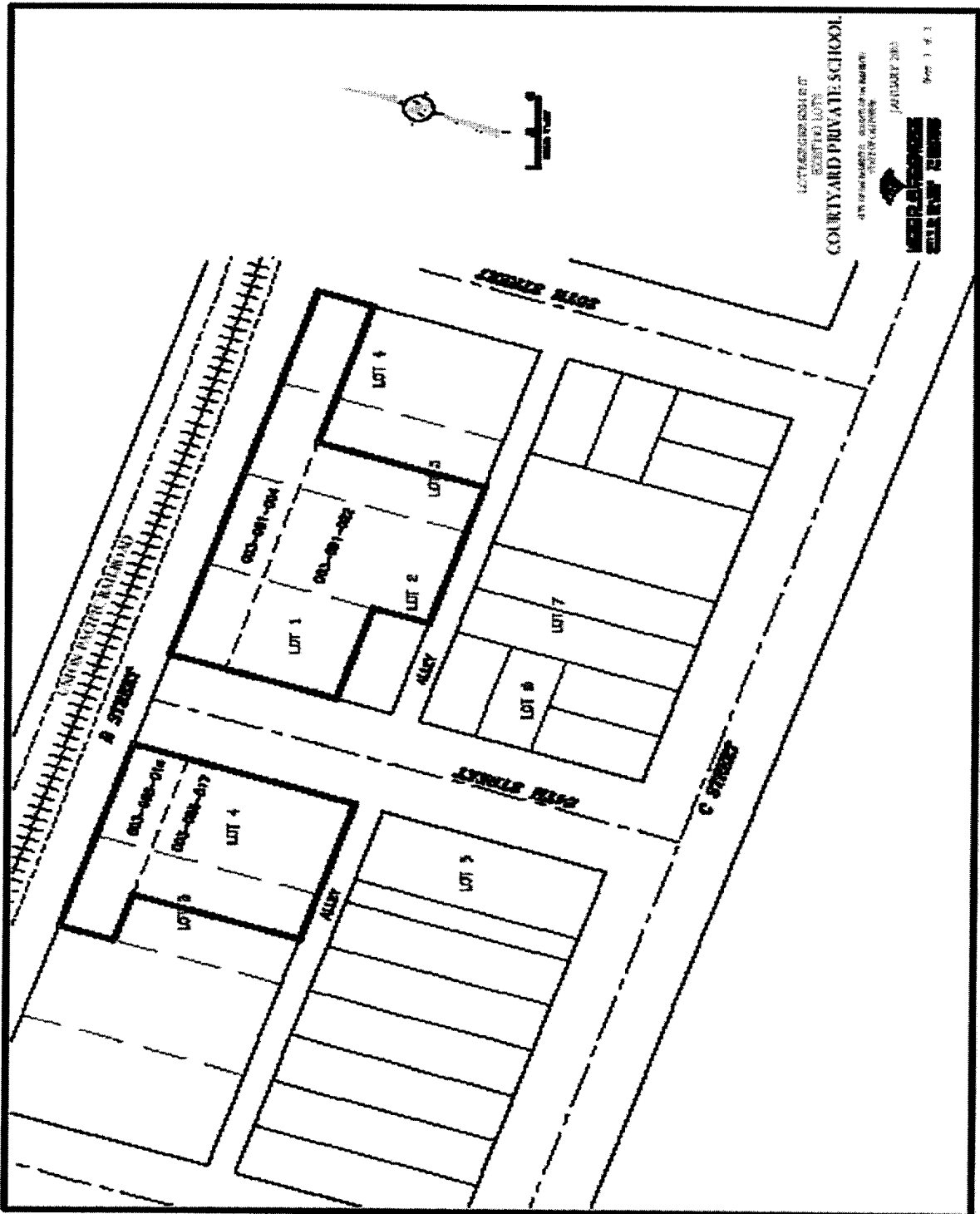
Exhibit 4 – Elevations

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Exhibit 5 – Lot Line Merger



LOT LINE MERGER
SUBJECT TO LOT
COURTYARD PRIVATE SCHOOL
CITY OF HOUSTON, DEPARTMENT OF PUBLIC WORKS
JANUARY 2004
Form 1 of 1

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Attachment 1 – Appeal Forms

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Attachment 2 – Planning Commission Voting Record

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Attachment 3 – Planning Commission Staff Report

CITY PLANNING COMMISSION
SACRAMENTO, CALIFORNIA
MEMBERS IN SESSION

ITEM # 5
APRIL 8, 2004
PAGE 1

P02-104 – Courtyard Private School

- REQUEST:
- A. Environmental Determination: Negative Declaration.
 - B. Mitigation Monitoring Plan.
 - C. Lot Line Merger to merge four lots totaling 1.50± acres into two lots in the Heavy Commercial (C-4) zone.
 - D. Special Permit to establish a K-8 private school for 200 students on 1.50± acres in the Heavy Commercial (C-4) zone.
 - E. Special Permit for off-site parking for a 200 student K-8 private school in the Heavy Commercial (C-4) zone;
 - F. Special Permit to allow a gated entrance.
 - G. Variance to reduce the 50% parking lot shading requirement. (withdrawn)
 - H. Variance to modify standard paving requirements for a portion of the parking lot. (withdrawn)
 - I. 65402 Review – General Plan consistency for abandonment of a portion of public right-of-way (24th St).

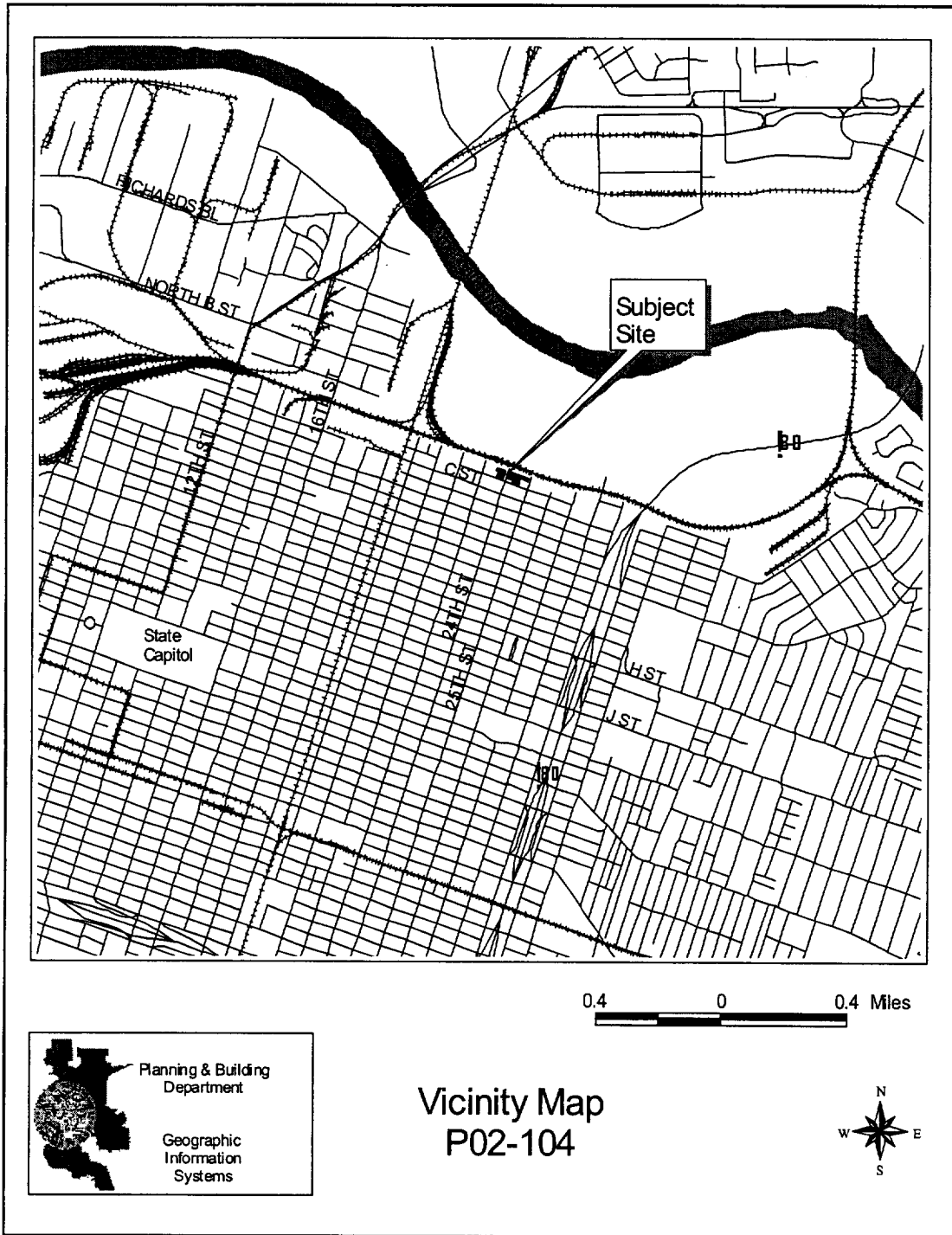
LOCATION: The terminus of 24th Street, North of C Street
APN: 003-0091-004, 022; 003-0085-014, 017
Sacramento City Unified School District
Council District 3

APPLICANT:	Anita Williams, (916) 558-1900 1919 Nineteenth St. Sacramento, CA 95814
OWNER:	Courtyard Private School, (916) 442-5395 2324 L Street Sacramento, CA 95816
APPLICATION FILED:	July 10, 2002
STAFF CONTACT:	Michael York, (916) 808-8239

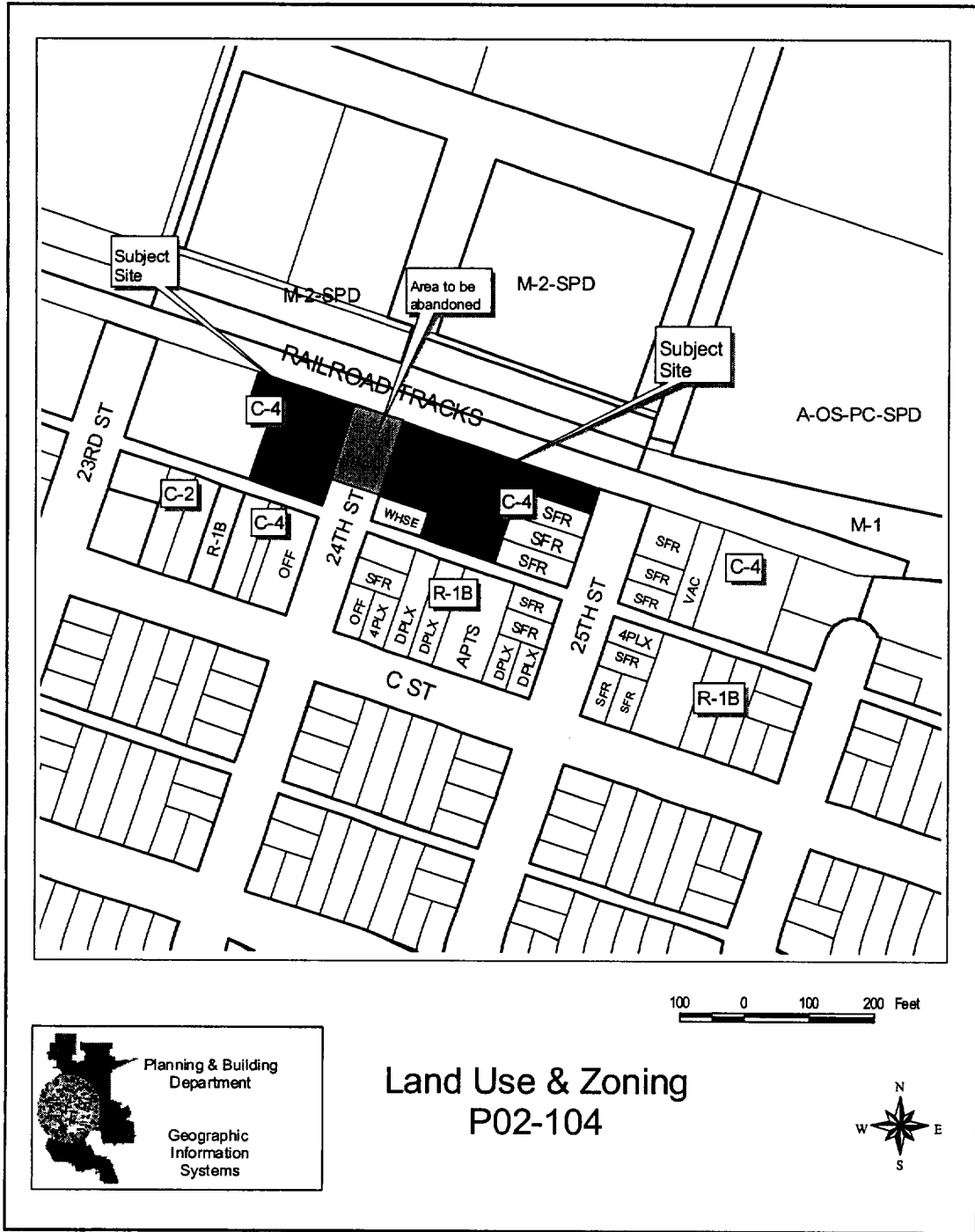
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Attachment 4 – Negative Declaration

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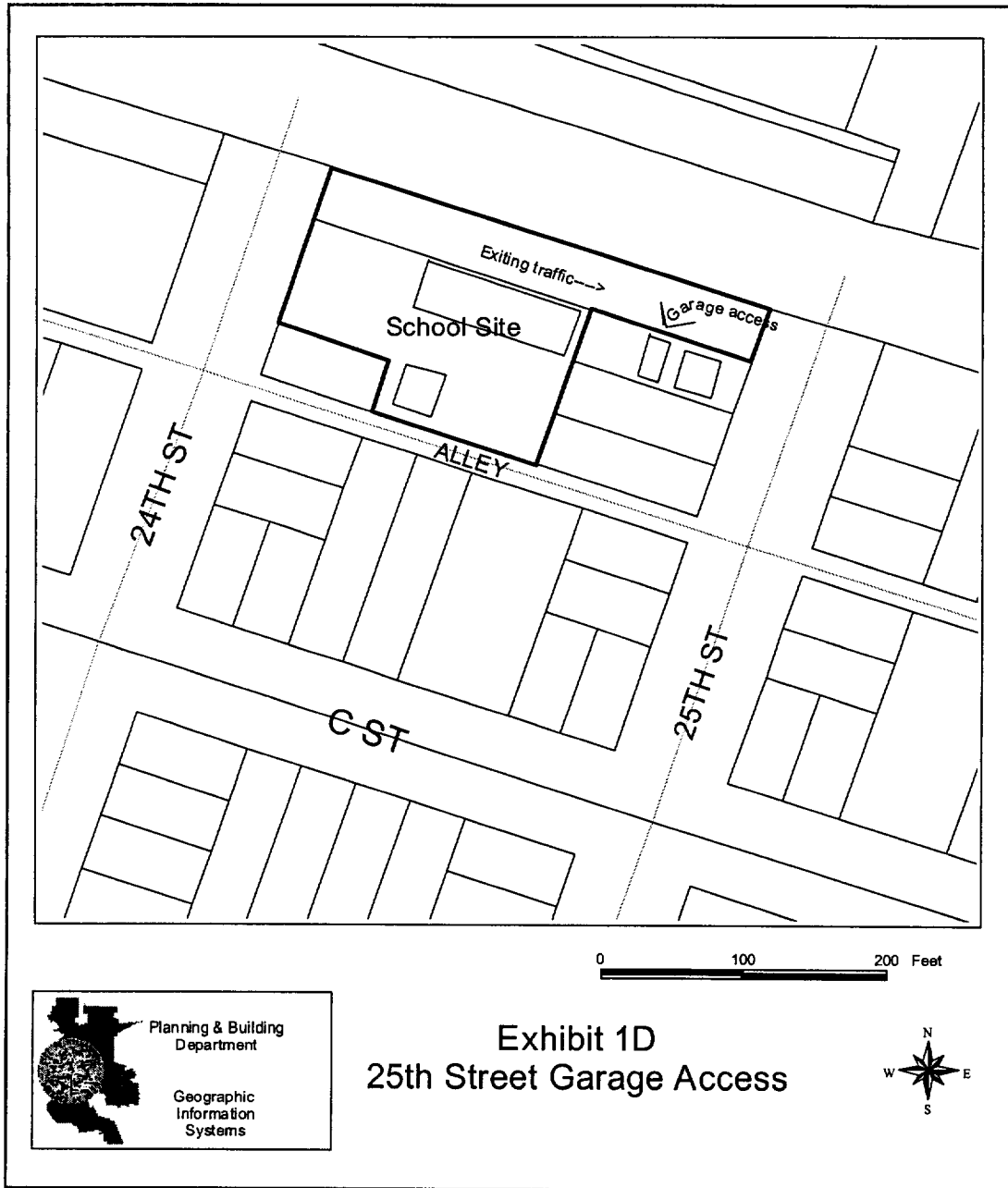
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Land Use & Zoning
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Attachment 7 – 25th Street Garage Access



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