

**CITY OF SACRAMENTO
DEPARTMENT OF PLANNING & DEVELOPMENT
ZONING ADMINISTRATOR
1231 I Street, Sacramento, CA 95814**

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, March 18, 1998, the Zoning Administrator approved with conditions a special permit to allow a day care facility to operate in an existing commercial structure for the project known as Z98-019. Findings of Fact and conditions of approval for the project are listed on pages 3-4.

Project Information

Request: Zoning Administrator Special Permit to operate a day care facility for 50 children within a 2,985 square foot building on 0.265± developed acres in General Commercial (C-2) and Standard Single Family (R-1) zones.

Location: 5452 14th Avenue (D5, Area 3)

Assessor's Parcel Number: 021-0041-046

Applicant: Willie Jean Peck
8381 Yermo Way
Sacramento, CA 95828

Property Owner: Robert and Fanny Peterson
3576 Strolling Hill Road
Cameron Park, CA 95682

General Plan Designation: Low Density Residential (4-15 du/na)
Existing Land Use of Site: Vacant commercial building
Existing Zoning of Site: General Commercial (C-2) and Standard Single Family (R-1)

Surrounding Land Use and Zoning:

North: R-1; Church
South: R-1; Single Family
East: R-1; Single Family
West: C-2; Commercial

Parking Required: 6 spaces
Parking Provided: 3 spaces (Variance previously granted)
Property Dimensions: 96.27 feet by 120 feet
Property Area: 0.37± acres
Square Footage of Building: Existing vacant building- 2,985 square feet
Existing residential unit- 922 square feet

Height of Building: Total- 3,907 square feet
 One story
 Topography: Flat
 Street Improvements: Existing
 Utilities: Existing
 Exterior Building Materials: Stucco
 Roof Material: Composition asphalt shingles

Project Plans: See Exhibits A and B

Previous Files: P3763, P86-064, P91-112

Background Information: On July 8, 1969, the Planning Commission approved a special permit to establish an off-street parking lot in the R-1 zone to serve an existing grocery store. A total of seven spaces were provided which faced the market building (P-3763). A total of 42 feet of parking lot width was provided from the east property line to the wall of the market. This dimension does not meet the minimum requirement of 44 feet for 90 degree parking with 18 foot stall length and 26 foot back out maneuvering area.

On March 13, 1986, the Planning Commission approved a lot line adjustment to merge the two parcels containing the parking area and the store into one parcel (P86-064). The Commission also approved a variance to reduce the back out maneuvering area from 26 feet to 20 feet and a variance to reduce the required six foot walkway adjacent to a building and parking stalls to three feet. The Certificate of Compliance for the lot line adjustment was recorded on March 15, 1988. The required improvements were made without the benefit of Building Permits.

The Planning Commission approved several entitlements to allow a child care center and to waive parking on October 10, 1991 (P91-112). The site was improved and a child care center was operated for a period of time; however, the child care facility closed and has been closed for longer than one year. Once a business is vacant for over a year then the previously established special permit expires. Additionally, the Zoning Ordinance was changed and a child care center with any part within an R-1 zone requires a Zoning Administrator Special Permit instead of a Planning Commission Special Permit. The applicant is applying to reestablish the special permit for a child care center. The parking and maneuvering variances do not expire once established.

Additional Information: The applicant is requesting to operate a child care facility for 50 children within a 2,985 square foot commercial building. The parking lot is zoned R-1 and building area is zoned C-2. There are three existing parking spaces and the remainder of the area will be used for one of the playground areas (see Exhibit A). This play ground area is located on the east side of the building and totals 2,763 square feet. The other playground area is located on the west side of the building and totals 1,128 square feet. The existing 922 square foot residential unit is on the southwest corner of the lot and will continue to be used as a residential unit.

The State license for the proposed child care facility has been approved for 27 children with

a pending appeal to raise the number to approximately 40 children.

The site is located within the Tahoe Park Neighborhood Association area. Staff contacted the neighborhood association and they support the project. The project has been noticed and staff received a call for clarification.

Agency Comments

The proposed project has been reviewed by the Building Division. The comments received pertaining to the project have been included as conditions.

Environmental Determination: This project will not have a significant effect on the environment and is exempt from environmental review pursuant to State EIR Guidelines {California Environmental Quality Act, Section 15301}.

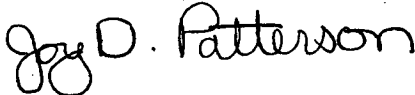
Conditions of Approval

1. The child care center shall not exceed 50 children. Hours of operation are limited to 6:00 a.m. to 12 a.m., Monday through Friday. There shall be no children outside prior to 8 a.m. or after 6 p.m.
2. Any signage shall meet the requirements of the Sign Ordinance for size and location and have a sign permit.
3. Size and location of the proposed child care center shall conform to the plans submitted.
4. The applicant shall paint over the handicap markings in the handicap parking space, leaving only the lines defining the size of the space and loading zone.
5. Any other changes or additions shall require additional Planning review and approval.

Findings of Fact:

1. The proposed project, as conditioned, is based upon sound principles of land use in that:
 - a. the child care facility is compatible with adjacent single family residential uses found in the area;
 - b. adequate off-street parking and parking alternatives are provided.
2. The project will not be detrimental to the public health, safety, or welfare nor result in a nuisance in that:
 - a. the proposed building and parking lot are existing;

- b. the child care facility is located on a collector street and provides an adequate loading area, and easy access for transit routes; and
 - c. the proposed use will not significantly alter the characteristics of the area.
3. The project is consistent with the General Plan which designates the site as Low Density Residential (4-15 du/na). Child care facilities are allowed in residential zones with a Special Permit.

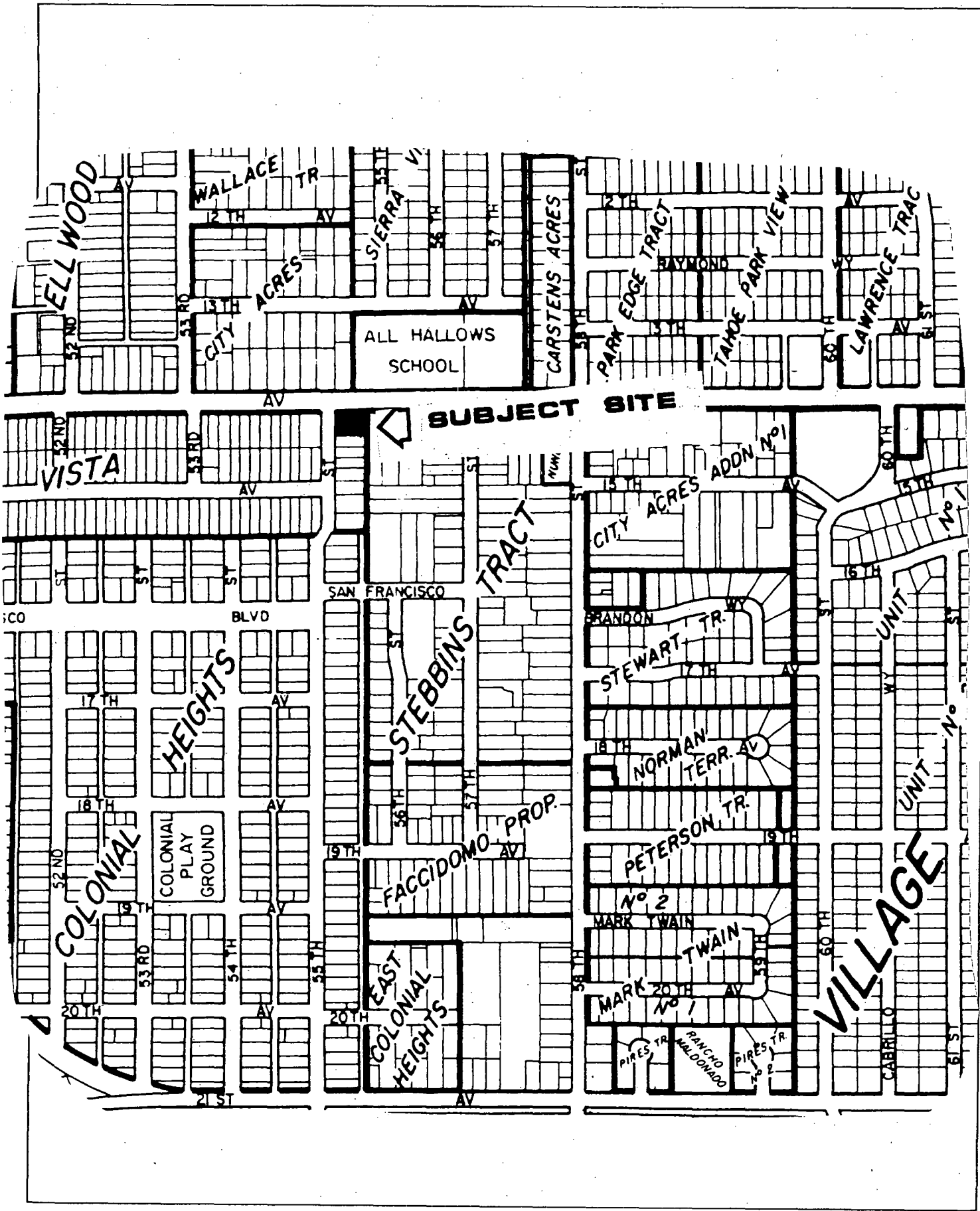


Joy D. Patterson
Zoning Administrator

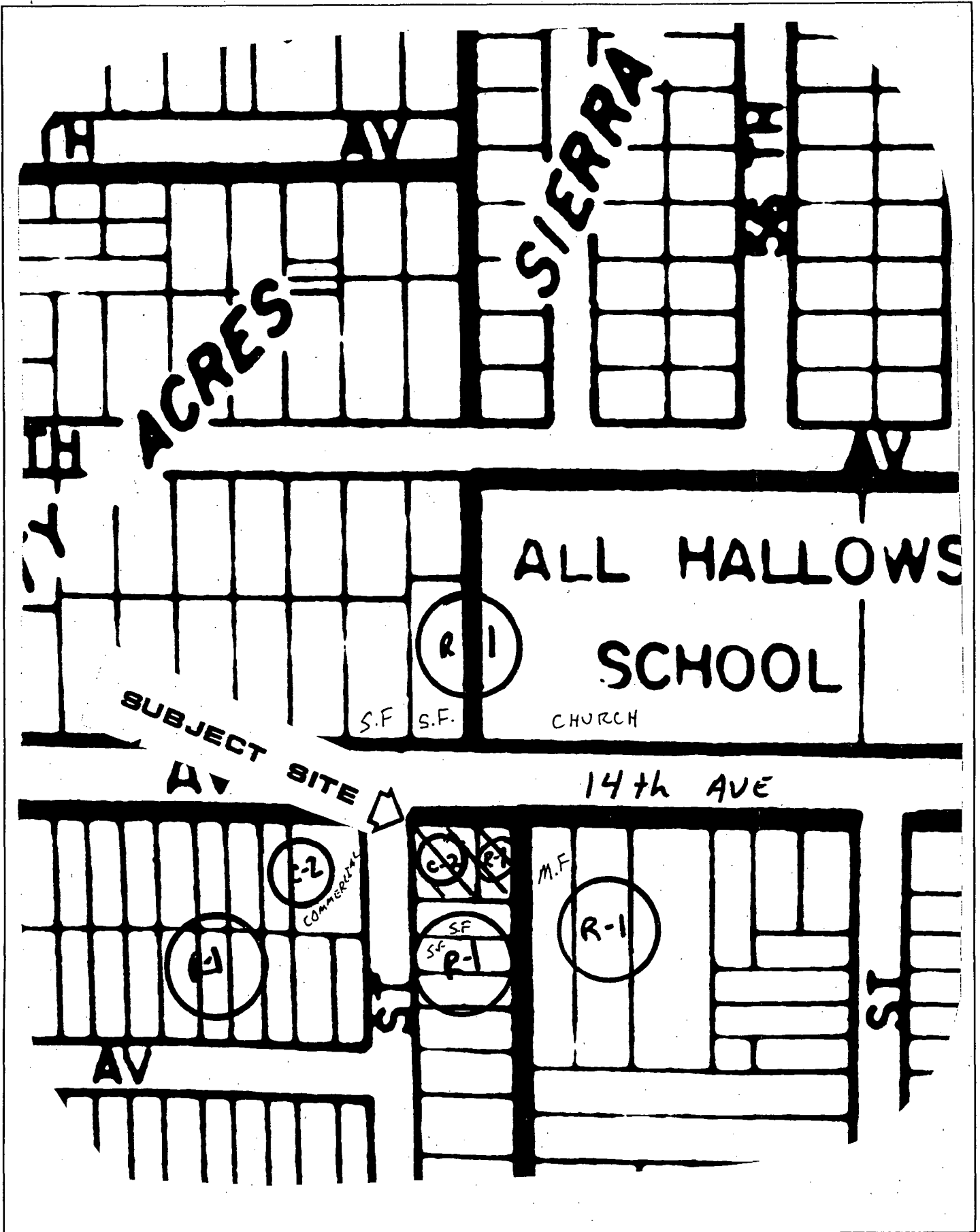
A use for which a Special Permit is granted must be established within two years after such permit is approved. If such use is not so established the Special Permit shall be deemed to have expired and shall be null and void. A Special Permit use which requires a Building Permit shall be deemed established when such Building Permit is secured and construction thereunder physically commenced. If no building permit is required, the use shall be deemed established when the activity permitted has been commenced.

The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

cc: File Applicant ZA Log Book

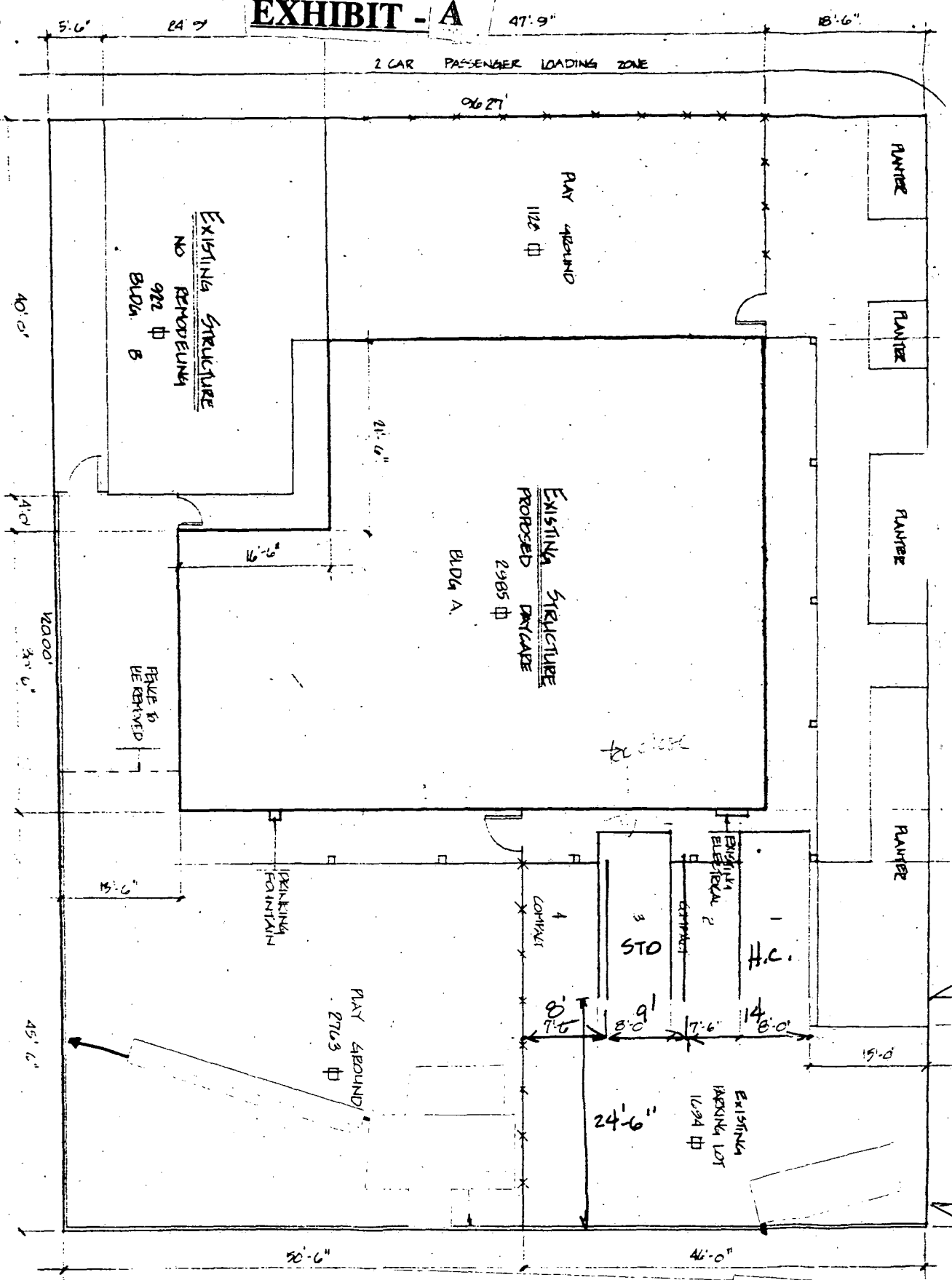


VICINITY MAP



LAND USE & ZONING MAP

EXHIBIT - A



SITE PLAN

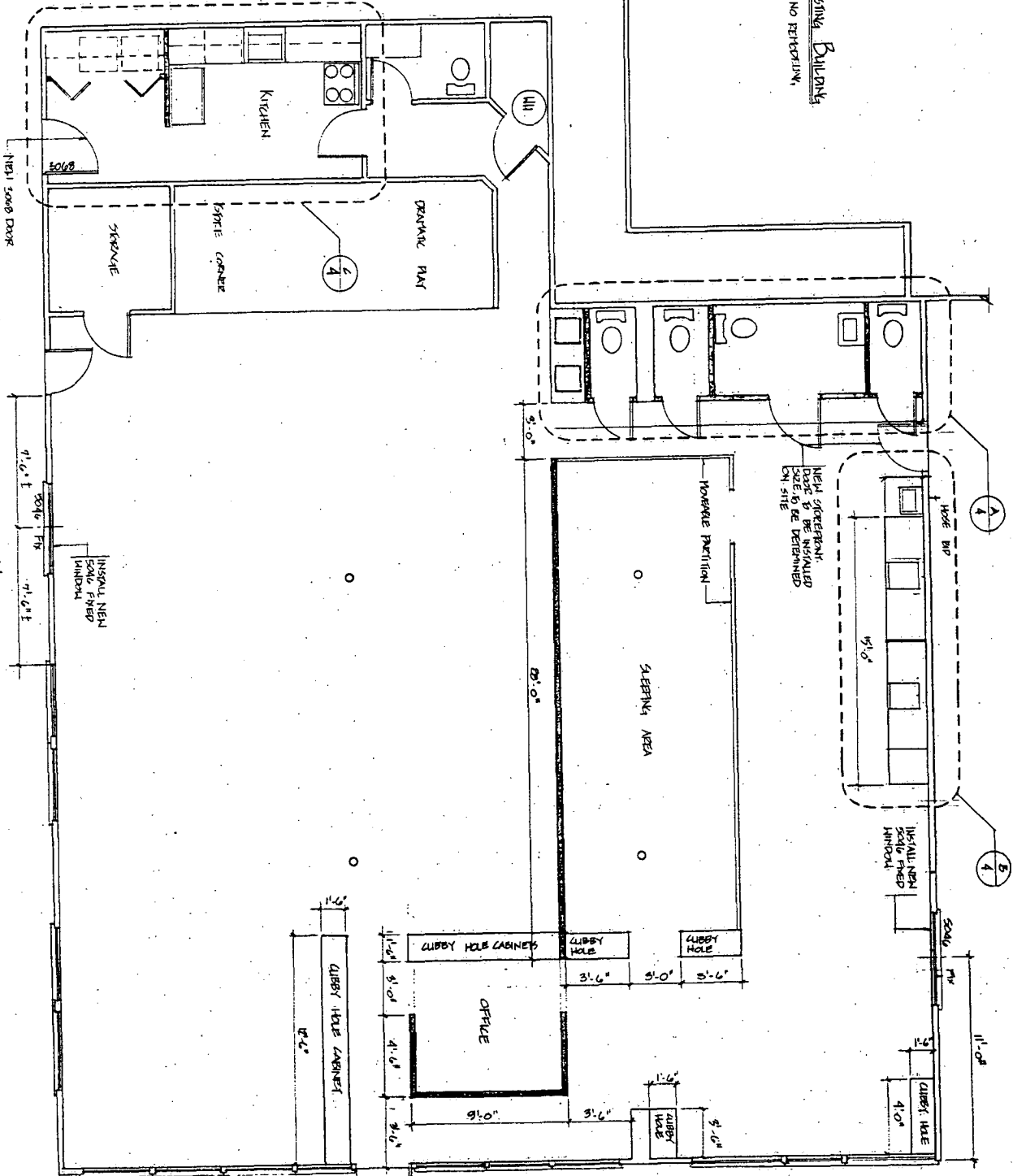
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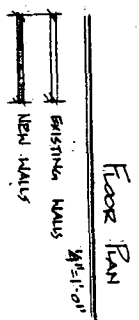
ITEM 2

ED
91
NTO
VISION

EXHIBIT - B



- NOTE**
1. ALL OBJECTS NOT DIMENSIONED TO REMAIN AS IS
 2. CONDITIONS & DIMENSIONS ON THE JOB SITE
 3. ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE LATEST UNIFORM BUILDING CODE & LOCAL ORDINANCES.
 4. ELECTRICAL & PLUMBING TO BE INTO EXISTING.



SHEET	SCALE	DATE	FLOOR PLAN	OWNER
1	1/4" = 1'-0"	JULY 51'		ROBER