

**CITY PLANNING COMMISSION**  
1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

<b>APPLICANT</b> John McCarthy and Barbara Anania, 2100 Capitol Avenue, Sacramento, CA 95816		
<b>OWNER</b> John McCarthy and Randall Stenson, 2100 Capitol Avenue, Sacramento, CA 95816		
<b>PLANS BY</b> John McCarthy, 2100 Capitol Avenue, Sacramento, CA 95816		
<b>FILING DATE</b> 8-3-90	<b>ENVIR. DET.</b> Negative Declaration	<b>REPORT BY</b> CAS
<b>ASSESSOR'S PCL. NO.</b> 007-0152-022		

**APPLICATION:**

- A. Negative Declaration
- B. Special Permit Modification to allow an existing, out-patient, methadone, drug treatment center, currently serving 450 clients per an approved limited term special permit modification to continue to serve 450 clients on 0.14± developed acres in the General Commercial (C-2) zone.

**LOCATION:** 2100 Capitol Avenue

**PROPOSAL:** The applicant is requesting the necessary entitlements to continue to serve 450 clients at an existing, out-patient, methadone, drug treatment center at 2100 Capitol Avenue in the General Commercial, C-2, zone.

**PROJECT INFORMATION:**

General Plan Designation:	Community/ Neighborhood Commercial and Offices
1980 Central City	
Community Plan Designation:	General Commercial
Existing Zoning of Site:	General Commercial, C-2
Existing Land Use of Site:	Bi-Valley Medical Clinic

**Surrounding Land Use and Zoning:**

North:	Commercial and office, C-2
South:	Commercial, C-2
East:	Apartments, C-2
West:	Savings and Loan, C-2

Parking Required:	Determined by the Commission
Parking Provided:	None on site, 30 spaces leased off-site in a parking lot
Property Dimensions:	80 feet by 80 feet
Property Area:	0.14± acres
Square Footage of Building:	8,000 square feet
Height of Building:	Two stories
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

**BACKGROUND INFORMATION:** The Bi-Valley Medical Clinic has been providing drug treatment services at 2100 Capitol Avenue since 1973. A Special Permit was not required for the facility initially as it was established prior to the adoption of the non-residential care facility regulations in 1982.

In 1985, Bi-Valley requested a Special Permit to expand their client load from 205 to 400 clients (P85-443). The Planning Commission denied the request. In response to an appeal to the City Council, the Council approved an increase to 303 clients. At that time, Bi-Valley was informed that if they wished to increase their client load they should look for a second site outside of the Central City area. In November 1988, Bi-Valley Medical Clinic filed a request to allow the expansion of the capacity of the Capitol Avenue clinic from 303 to 450 patients (P88-474). The request was approved by the Planning Commission and the City Council with a condition that the expansion be limited to one and a half years, ending August 14, 1990, during which the clinic was to locate a second site. The clinic client load was to be reduced to 303 after the term expired or within 30 days of occupying a second clinic facility.

In January 1990, the Bi-Valley Medical Clinic requested a Special Permit to operate a second clinic at 310 Harris Avenue in the North Sacramento area (P90-102). Originally, the clinic proposed to treat 450 opiate (heroin) abusers. Eventually, the proposed clinic's client load was decreased to 375 and the program was revised to include stimulant (cocaine) as well as opiate abuse treatment. The Planning Commission approved the Special Permit request. The Commission's action was appealed to the City Council. On September 25, 1990, the City Council denied the appeal of the Commission decision and allowed the operation of a comprehensive drug treatment clinic, in coordination with the Sacramento Black Alcoholism Center, to serve approximately 250 methadone maintenance patients, 50 detoxification patients, and 75 patients addicted to stimulants, for a total of 375 clients. The approved clinic at Harris Avenue is now in operation.

This Special Permit Modification is a request to allow the Capitol Avenue clinic to continue to serve 450 clients even with the second clinic in operation in North Sacramento.

**PROJECT EVALUATION:** Staff has the following comments:

A. Land Use and Zoning

The subject site is a 0.14 ± acre lot located on the southeast corner of 21st Street and Capitol Avenue in the General Commercial (C-2) zone. The General Plan designates the subject site as Community/ Neighborhood Commercial and Offices and the 1980 Central City Community Plan designates the site as General Commercial. The surrounding land use and zoning for the subject site are commercial and office, zoned C-2 to the north; commercial, zoned C-2 to the south; apartments, zoned C-2 to the east; and a savings and loan, zoned C-2 to the west.

B. Applicant's Proposal

The applicant is proposing to continue to serve 450 clients at an existing, out-patient, methadone, drug treatment center at 2100 Capitol Avenue in the General Commercial, C-2, zone. A limited term Special Permit Modification (P88-474) was approved to allow 450 clients at the clinic for one and a half years, ending August 14, 1990. This Special Permit Modification, submitted prior to August 14, 1990, is being requested to allow the clinic to continue to serve 450 clients.

Bi-Valley Medical Clinic- Capitol Avenue currently offers methadone maintenance treatment, detoxification treatment, general medical and counseling services. The existing clinic occupies an 8,000 square foot building at the southeast corner of 21st Street and Capitol Avenue (see Exhibit A and B). No parking is available on-site but the clinic leases 30 spaces off-site for employees and clients. A security guard is provided at the clinic on the weekends and holidays.

A second clinic at 310 Harris Avenue has been opened and is now accepting clients. A remodel of the facility to accomodate 375 clients is in progress and is expected to be completed within 4 months. The applicant indicates that there is a sufficient number of drug addicts seeking treatment in the area to fill both the 375 client Harris Avenue clinic and the 450 client Capitol Avenue clinic.

C. Policy Considerations

The General Plan and the 1980 Central City Community Plan designate the site for Community/ Neighborhood Commercial and Offices and General Commercial, respectively, and the site is zoned General Commercial, C-2. A drug treatment medical clinic is allowed in this zone with an approved Special Permit. Bi-Valley was operating a clinic at the site prior to the requirement for a Special Permit. Two requests have been made to allow the increase in the number of clients (P85-443 Special Permit and P88-474 Special Permit Modification).

During a study regarding the locations of social services (M87-122) submitted to the City Council October 15, 1987, the number of care facilities located in each community plan area was cited. The areas of the City that have the highest number of care facilities are the Central City, the Airport Meadowview Community, and the Oak Park neighborhood. This request does not add to the number of care facilities in the Central City but seeks to extend the number of clients approved by the 1988 special permit modification past the expiration date. According to the applicant, the Bi-Valley Medical Clinics are the only providers of methadone drug treatment for opiate addiction in the state of California, north of Stockton. And the Capitol Avenue clinic is the only such provider in the Central City. See Exhibit C for a list of other alcoholism and drug treatment centers in the Central City.

D. Staff Analysis

1. Bi-Valley Medical Clinic Operation

Bi-Valley Medical Clinic dispenses methadone to persons addicted to opiates, primarily heroin, in an attempt to control their addiction. Individual and group counseling is also provided at the subject site. Two types of clients are served by the clinic: detoxification clients and methadone maintenance clients. Detoxification clients receive methadone daily and are in the program for a maximum of 21 days. Methadone maintenance clients are in the treatment program an average of two years. Maintenance clients take methadone daily; however, some patients are not required to visit the clinic daily if they have take home privileges. A minimum of two counseling sessions per month are also required of maintenance patients.

Current hours of operation of the clinic are as follows:

Clinic and Counseling:	6:00 A.M. to 2:30 P.M.
Administrative Offices:	8:00 A.M. to 4:30 P.M.
Methadone Dispensing:	
Monday through Friday:	6:20 A.M. to 11:00 A.M.
Saturday and Sunday:	7:45 A.M. to 10:00 A.M.
Evening Support Groups:	6:00 P.M. to 8:00 P.M.

An appointment is made for each client in order to distribute the arrival of clients throughout the clinic's operating hours.

The clinic has 18 staff members when operating at full capacity. A maximum of fifteen staff members will be on duty per shift.

2. Access to the Clinic

Access to the clinic is provided by public transit and automobile, bicycle, and pedestrian ways. Bus Lines 30, 31, 32, and 34 run along L Street and Capitol Avenue and tie in with the downtown and light rail transit systems. Parking required for a non-residential care facility is to be determined by the Planning Commission. No parking spaces are provided on-site. However, thirty parking spaces are leased off-site in a parking lot on the south side of Capitol Avenue, 40 feet east of the clinic to provide employee and client parking. Also, on-street, one-hour metered parking is available along Capitol Avenue and 21st Street. Staff finds that the parking provided is adequate to meet the needs of the clinic's employees and clients.

3. Client Residency Profile

During the Special Permit Modification (P88-474), Planning staff asked the applicant to provide a profile of client residency. The following information was provided:

61% lived in the City:	4% north of American River
	20% in the Central City
	37% in the south area
33% lived in the County but not in the City:	28% northeast section of the County
	5% south of American River
6% lived outside the County and City (primarily Yolo County)	
<hr/>	
100%	

Since the Special Permit Modification was approved in 1988, a Special Permit to operate a second clinic for 375 clients at 310 Harris Avenue was approved and the new clinic was recently opened. The second clinic is being remodeled to accommodate the 375 clients. No specific information is available about the effect of the second clinic on the residency profile of the Capitol Avenue clinic provided in 1988. However, the applicant noted that clients were given their choice to receive services at the Harris Avenue or Capitol Avenue clinics, so logically, the clients served by the Capitol Avenue clinic are likely to reside in the Central City or south area. See Exhibit D for Client Service Information and Data for the two clinics.

4. Clinic Licensure and Operations Monitoring

The Bi-Valley Medical Clinic is licensed and monitored by the State Department of Alcohol and Drug Programs and operates with the approval of the Federal Food and Drug Administration (FDA), Drug Enforcement Administration (DEA), and the County Health Department Division of Alcohol and Drug Programs. The State Department of Alcohol and Drug Programs allows a maximum of 450 clients in methadone programs, with an additional ten percent to allow emergency admissions and transfer patients. The applicant has agreed to serve a maximum of 450 clients at the Capitol Avenue clinic and not exceed that number with emergency admissions.

5. Neighborhood Involvement and Problem Resolution

In order to keep the neighborhood informed about the clinic and to resolve any problem that surfaces from the clinic's operation, the applicant has agreed to have the name and phone number of a contact person available for the nearby businesses and residences. Also, a security guard is provided by the clinic on weekend days and holidays to resolve any problems that arise at the clinic.

Planning staff has inspected the clinic site several times during weekday and weekend mornings and has found the clinic to be operating smoothly during each inspection. All activity is confined to within the building and there is no evidence of loitering outside. Sufficient on-street and off-street parking has been available during each inspection. The increase in the number of clients to 450 does not appear to have had a negative impact on the surrounding neighborhood. The clinic has complied with the conditions in the 1988 Special Permit Modification including the establishment of a second clinic outside the Central City.

Staff supports the approval of the Special Permit Modification to allow the existing clinic to continue to serve 450 clients in that adequate parking is provided, the existing clinic is operating smoothly at this client load, the Bi-Valley Medical Clinic is an established, reputable provider of drug treatment services, the proposed client load is the same as the maximum client load allowed by the State Department of Health Services, and the subject site is located in an area of mixed commercial, office, and residential uses with plentiful public transit opportunities.

E. Agency Comments

The proposed project was reviewed by City Traffic Engineering, Engineering, Building Inspections, and Police departments, as well as Midtown Business Association and Sacramento Old City Association. The following comment was received from the Police Department:

Police staff will not oppose the request in that the Police department is not experiencing any problems with this organization.

The applicant has been working closely with the Midtown Business Association and the Sacramento Old City Association to resolve possible problems of the clinic client load on the neighborhood. Letters and/or testimony may be presented during the Planning Commission hearing.

ENVIRONMENTAL DETERMINATION: The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact on the environment and has filed a negative declaration with no mitigation measures.

RECOMMENDATION: Staff recommends the following actions:

- A. Ratify the Negative Declaration; and
- B. Approve the Special Permit Modification to allow the Bi-Valley Medical Clinic to continue to serve 450 clients at the existing clinic at 2100 Capitol Avenue subject to the conditions and based upon the findings of fact which follow.

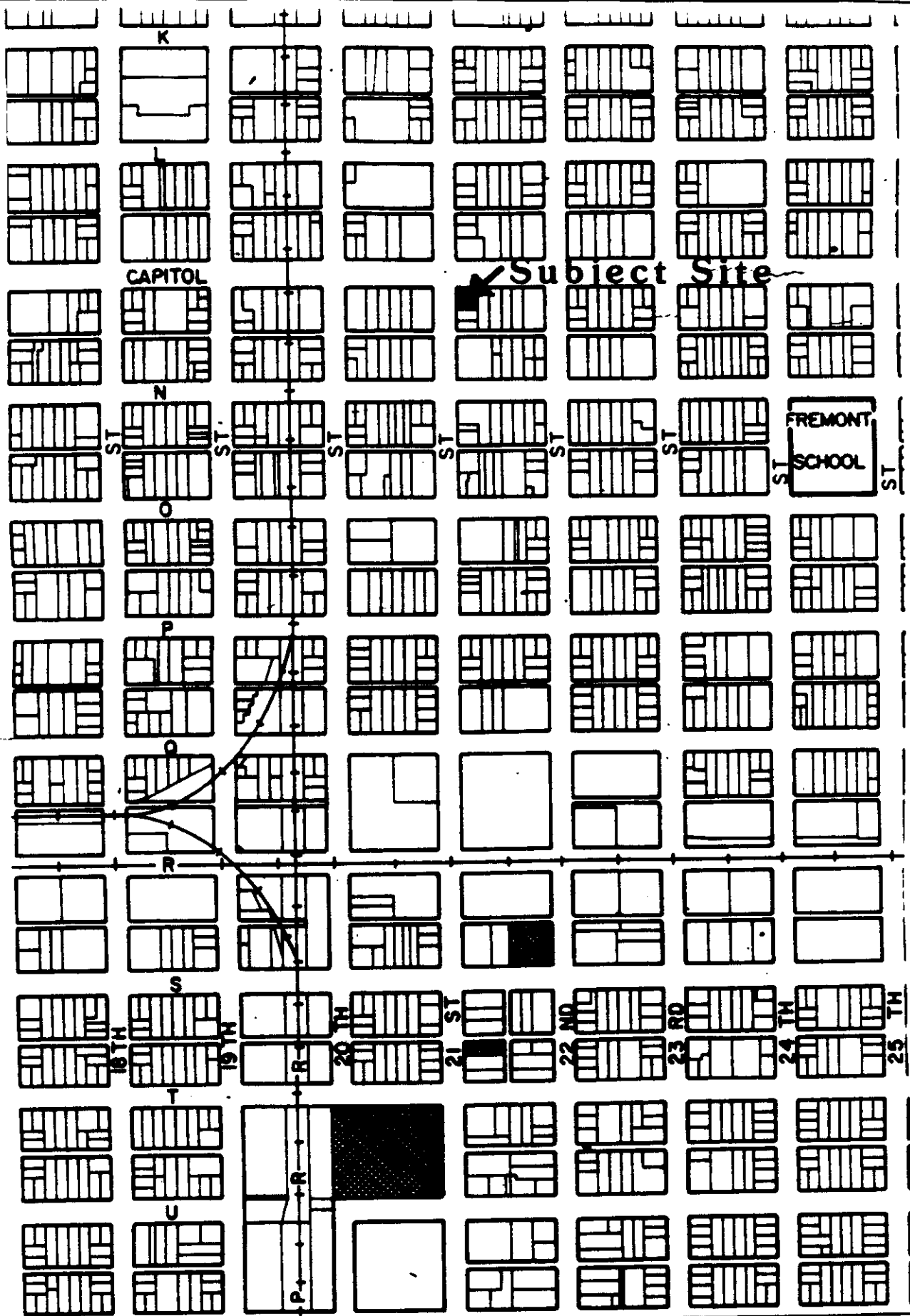
Conditions:

1. The Bi-Valley Medical Clinic shall be permitted to serve a maximum of 300 methadone maintenance clients and 150 detoxification clients for a total of 450 clients at the subject site.
2. A security guard shall be provided during clinic hours each weekend day and holidays.
3. Thirty off-street parking spaces shall continue to be leased and clearly marked for use by Bi-Valley Medical Clinic in order to provide adequate parking for employees and clients.
4. Any trash dumpster or bin shall be enclosed inside the building or within a locked trash enclosure to prevent the contamination of humans by toxic medical waste.

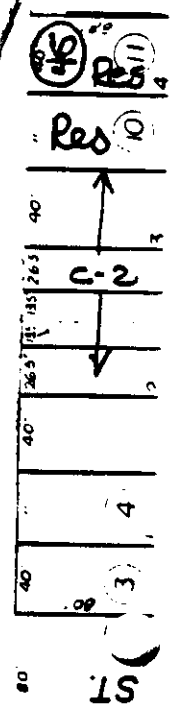
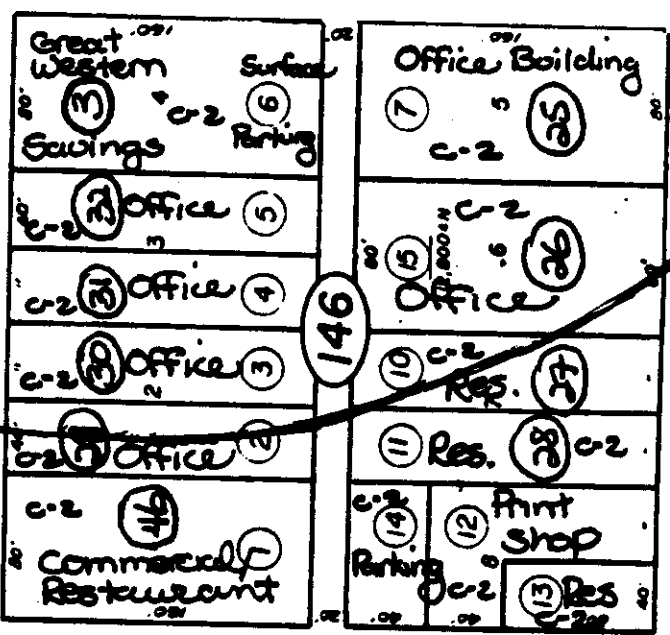
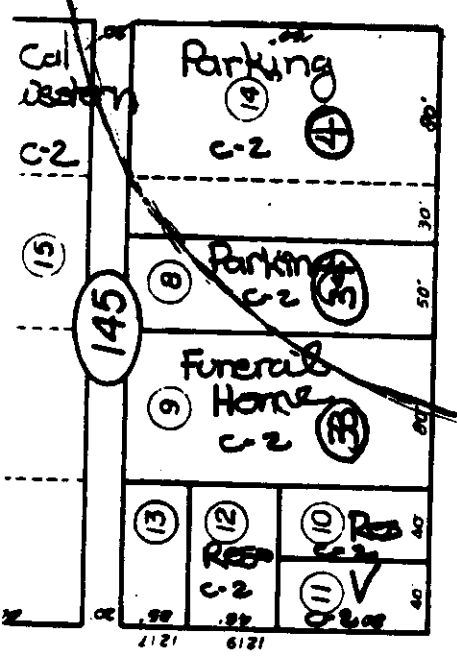
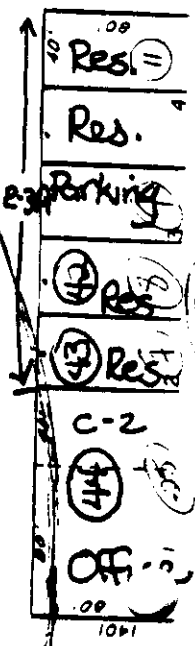
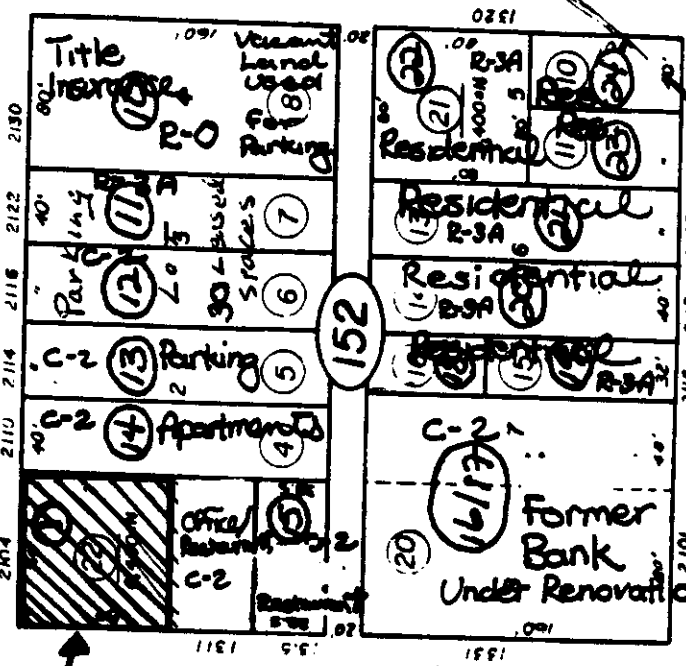
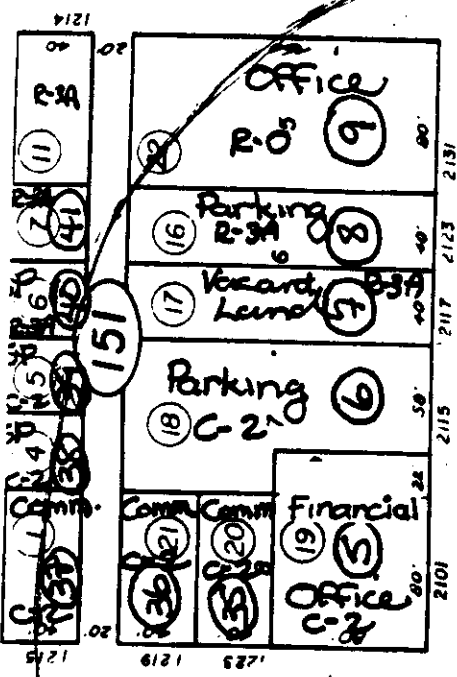
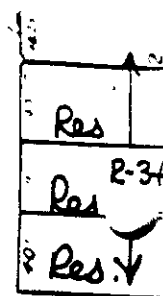
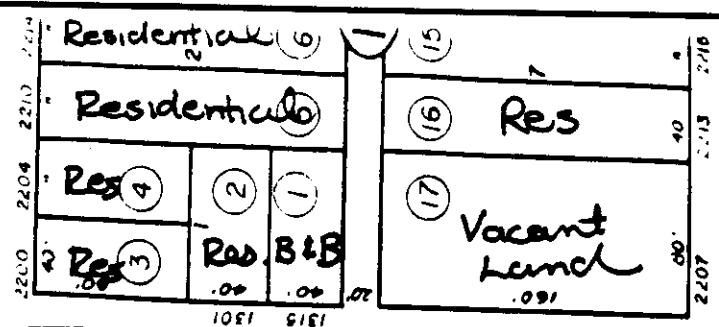
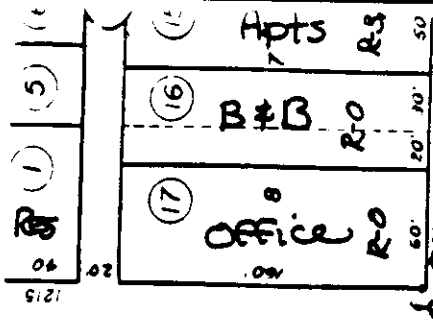
5. The applicant shall select a contact person to act as liaison between the clinic and the adjacent businesses and residences, City Councilmember, and Planning staff so that issues and problems relating to the clinic operation can be resolved. The contact person's name and phone number shall be available to neighbors.
6. Methadone dispensing hours shall be from 6:20 A.M. to 11:00 A.M. on weekdays and 7:45 A.M. to 10:00 A.M. on weekends. The setting of appointments shall be used to ensure the distribution of clients throughout the clinic's operating hours. Any change to these dispensing hours shall be reviewed and approved by the Planning Director.

**Findings of Fact:**

1. The proposed project, as conditioned, is based upon sound principles of land use in that:
  - a. adequate on-street and off-street parking is provided;
  - b. the existing clinic is located in the Central City where public transit opportunities abound; and
  - c. the clinic is located in an area of mixed commercial, office, and residential uses.
2. The project will not be detrimental to the public health, safety, or welfare nor result in a nuisance in that:
  - a. appointments are set in order to distribute the clients through the clinic operating hours;
  - b. off-site parking spaces will be clearly marked for use by employees and clients of the Bi-Valley Medical Clinic;
  - c. the trash dumpster shall be secured within the building or outside in a locked trash enclosure;
  - d. the existing Bi-Valley Medical Clinic is a reputable drug treatment provider and has been operating smoothly at this facility since 1973; and
  - e. a contact person's name and phone number will be available to the neighbors to resolve any problems or negative impacts caused by the clinic.
3. The project is consistent with the General Plan and the 1980 Central City Community Plan which designate the site as Community/ Neighborhood Commercial and Offices and General Commercial, respectively. A drug treatment medical clinic is allowed in the General Commercial zone with an approved Special Permit.



# VICINITY MAP



← North

Subject Site

22nd St.

pu 22

21st St.

15 12

CAPITOL

AVE

20th St.

4102

# LAND USE & ZONING MAP

P88-474

4-11-91

Item 5





P88-474

4-11-91

Item 5

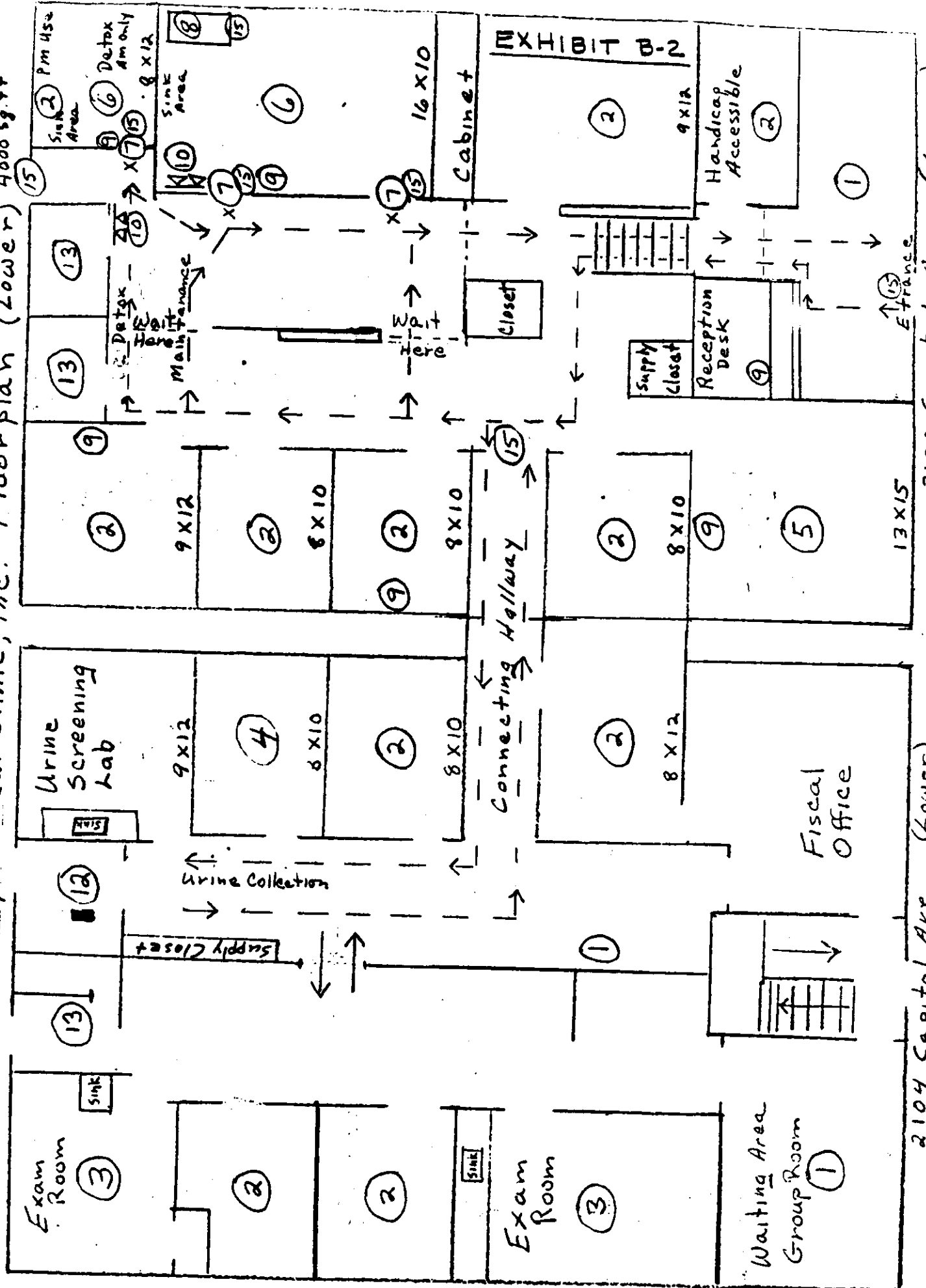
**EXHIBIT B-1**  
**FLOOR PLANS**

Bi-Valley Medical Clinic, Inc.

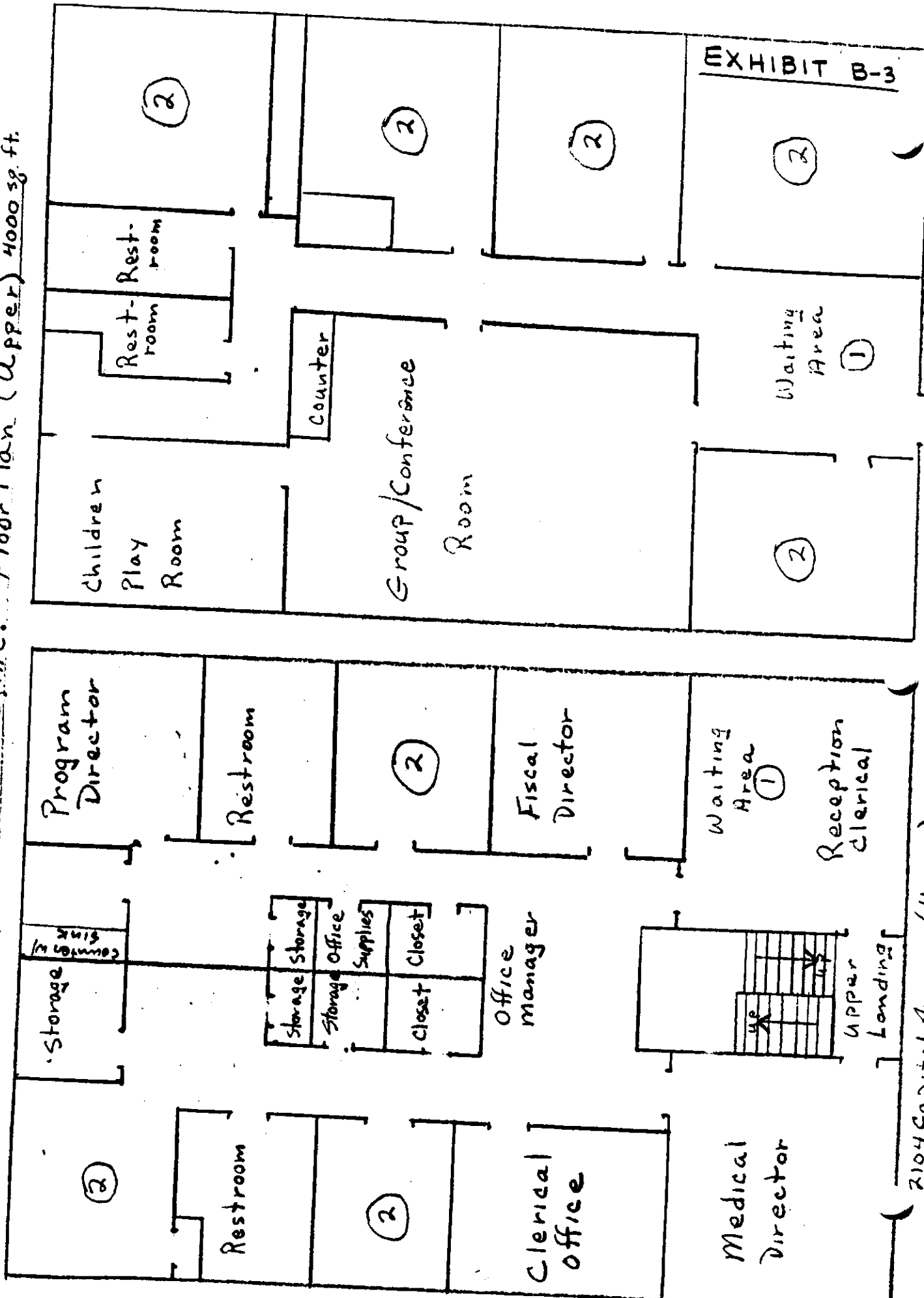
Floor Plan Key:

1. Waiting Area
2. Counseling Office
3. Physician's Office
4. Urine Collection Location
5. Record Storage Area
6. Dispensing Area
7. Dispensing Window
8. Safe
9. Panic Button
10. Motion Detector w/Director
11. See Through Mirrors
12. Urine Testing Restroom
13. Staff Restroom
14. Parking/Transportation Area
15. Magnetic Door Contact

B. Valley Medical Clinic, Inc. - Floor plan (Lower) 4000 sq. ft



BiValley Medical Clinic, Inc. - Floor Plan (Upper) 4000 sq. ft.



2104 Capitol Ave (Upper)

OTHER EXISTING DRUG TREATMENT FACILITIES IN THE CENTRAL CITY

EXHIBIT C

Non-Residential:

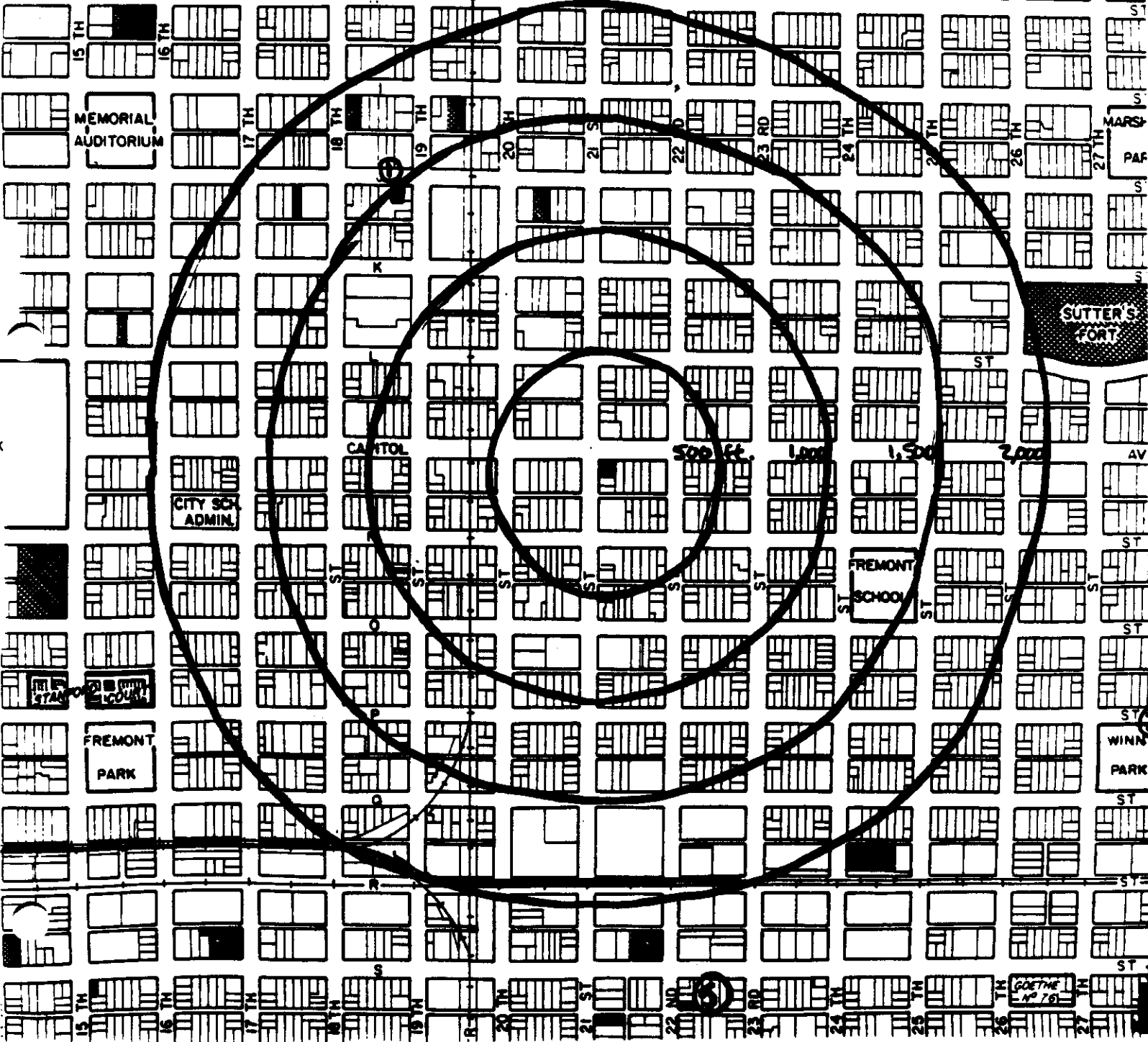
1- The Effort, Inc., 1820 J Street

Residential:

- 2- American Indian Substance Abuse Program, 2727 P Street
- 3- Myrtle's Alcoholism Recovery Homes, Inc., 2218 E Street
- 4- Myrtle's Alcoholism Recovery Homes, Inc., 2217 G Street
- 5- Sacramento Recovery House, Inc., 1914 22nd Street

Administration Only:

Alcoholics Anonymous, 2425 G Street



Proposal for Continuation of Bi-Valley Medical Clinic's  
Use Permit Approval for 450 Patients  
March 14, 1991

Since November 1988, Bi-Valley Medical Clinic on Capital Avenue has operated at a 450 patient capacity under a temporary use permit from the City of Sacramento. This proposal is a brief explanation of the current status of methadone services in the City and a request for a permanent continuation of the 450 patient capacity at Capitol Avenue.

The 450 patient capacity allowed for meeting the need of those patients with major medical problems in addition to their substance abuse. During the time of the use permit exception specialized programs were expanded or developed for the following populations:

1. Pregnant Addicts - This program continues to admit a large number of pregnant opiate-addicted women. It provides specialized counseling and group therapy and coordination of care with obstetrical and neo-natal services, especially at U.C.D. Medical Center. All pregnant addicts who applied have been admitted since the special use permit was granted.
2. HIV positive addicts - This program provides both individual and group counseling for those addicts infected with the AIDS virus. Intensive education about the virus, coordination of medical care with medical providers, and case work to help meet the complicated medical and social needs of these patients are the focus of this program. All HIV+ addicts who have applied here have been admitted.
3. Mental Health Services - These services have been developed to deal with those patients with major mental health problems in addition to their drug abuse. We have had space for only a small part of patient's with mental health problems.
4. Primary Medical Care - These services were developed to deal with addicts with major medical problems, such as heart disease, hepatitis, kidney failure, and brain diseases such as epilepsy. It supports and coordinates the medical care of community medical specialists. All medical emergency patients referred from community hospitals have been admitted to treatment.

5. Southeast Asian Services - The most dramatic change in services delivery since the special use permit exception has been in effect is the large number of Southeast Asian addicts now being admitted to our program. It has required the development of special staff expertise, hiring of staff with the needed language skills, and coordination with other community agencies helping this population. These efforts have resulted in a steady increase in admissions of these patients, which we expect to continue. We have admitted 86 Southeast Asian patients since 7-1-90.

#### Impact on the Local Community of these Increased Services.

There is no evidence, we are aware of, that the increase in services to the 450 patient level has been anything but positive for our community. We had no complaints of any problems and are not aware of anyone else hearing of such complaints.

Our capacity to meet the needs of these specialized populations is dependent on a 450 patient census. Since we have opened our new facility at Harris Avenue we have transferred 111 patients to that facility (see data sheet). The Harris Avenue facility has been designated for the treatment of uncomplicated opiate addiction with provisions for a special stimulant treatment program to be operated by the Sacramento Black Alcoholism Center for this serious community problem.

However, while we have transferred 111 patients out, we have admitted 83 new patients into our specialty programs, with Southeast Asians and pregnant women being the majority of admissions. It is clear that we continue to need this 450 patient capacity to meet the needs of these special populations. We cannot afford to duplicate these intensive and specialized services at another facility. The Capitol Avenue site is an ideal central location for specialized services. The pregnant patients are close to UCD Medical Center, the HIV+ patients are very close to the CARES Clinic, the Asian patients are mostly from South Sacramento, and Capitol Avenue is the closest facility. Out-lying clinic can the deal with uncomplicated addiction problems.

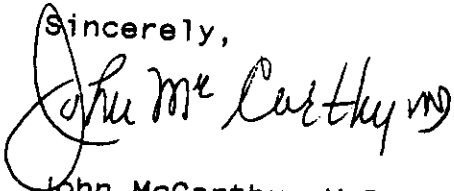
We wish to appeal to the Midtown Business Association and to the Sacramento Old City Association to support our proposal. We on our side wish to engage in an on-going dialogue with both organizations to assure that any problems or concerns about our use at a 450 patient capacity could be addressed immediately.

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To facilitate this, we would like to join both organizations as participating members. Our goals as a business operating in the old part of our City are quite consistent with the objectives of both organizations. The Aquarian Effort, as a drug treatment provider, has broken ground by joining the Midtown Business Association and we would like to follow their lead. Our buildings at 2100 and 2104 Capitol Avenue are old and prominent landmarks on one of our City's most beautiful streets. We have expended considerable resources renovating these two building and have long-term plans for continued improvements. We wish these buildings to add to the distinctive beauty of Capitol Avenue.

We are hopeful of a long and cooperative relationship with both SOCA and the Midtown Business Association.

Sincerely,



John McCarthy, M.D.

cc: Midtown Business Association  
Chief of Police, John Kearns  
City Councilman, Tom Chin  
City Planning Staff  
Sacramento Old City Association



RECEIVED  
MAR 25 1991

MAR 25 1991

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DATA OF ADMISSIONS TO CAPITOL AVENUE AND HARRIS AVENUE SITES

	CAPITOL AVENUE	HARRIS AVENUE
DECEMBER 17	431	0
	-111 HUNDRED TO HARRIS FROM CAPITOL AVE.	+111
	+ 83 NEW ADMISSIONS	+ 80 NEW ADMISSIONS
MARCH 12	404	191



MARK WHISLER, President  
KAY KNEPPRATH, Vice President, Planning  
LINDA WHITNEY, Vice President, Administration  
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BRUCE POMER, Treasurer  
JGER LATHE, Preservation Chair  
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MARK FLEMING, Newsletter Distribution  
MARY PRUD'HOMME, Membership Chair



SACRAMENTO OLD CITY ASSOCIATION  
Post Office Box 1022, Sacramento, CA 95812

ANTHONY PRUD'HOMME, Development Director  
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MARK RUSCONI, Architectural Chair  
KATHRYN TOBIAS, Legal Chair  
JOHN KERSS, Volunteer Coordinator  
ROBBIN WARE, Arts Chair  
TOM WINTER, Member-at-Large  
STEVE SANDERS, Past President

**EXHIBIT E**

April 4, 1991

Planning Commission  
City of Sacramento  
1201 I Street  
Sacramento, CA 95814

Dear Commissioners:

The Sacramento Old City Association (SOCA) has taken a neutral position on the Bi-Valley Medical Clinic's proposal to continue to operate at 450-person capacity at their 21st and Capitol address. We would, however, oppose any future proposals to increase the patient load beyond 450 persons at this clinic.

Our position on this matter does not in any way affect our longstanding opposition to the concentration of social services in the central city. We request that the Planning Commission and City Council anticipate future social service needs by proactively identifying suitable locations outside the central city.

Sincerely,

DAN FLYNN  
Vice-President/Planning Chair

cc. Bi-Valley Medical Clinic

CITY OF SACRAMENTO  
CITY PLANNING DIVISION

APR 08 1991

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P88-474

April 11, 1991

Item # 5