

CPC Amended August 13, 1992
CITY PLANNING COMMISSION
1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT <u>New Dimension Learning Academy, 8011 Elsie Ave., Sacramento, CA 95828</u>		
OWNER <u>Confidential Bookkeeping Services, 8011 Elsie Ave., Sacramento, CA 95828</u>		
PLANS BY <u>Lamond Harrison, 8011 Elsie Ave., Sacramento, CA 95828</u>		
FILING DATE <u>March 26, 1992</u>	ENVIR. DET. <u>Negative Declaration</u>	REPORT BY <u>SLY</u>
ASSESSOR'S PCL. NO. <u>010-0383-009, 011</u>		

- APPLICATION:**
- A. Negative Declaration
 - B. Mitigation Monitoring Plan
 - C. Special Permit to operate a private vocation school for 55 students in an existing 7,170 square foot commercial building and three portable trailers totaling 480 square feet on 0.21± developed acres in the General Commercial (C-2) zone.
 - D. Lot Line Adjustment to merge two lots into one lot totaling 0.21± acres.

LOCATION: 2863 35th Street

PROPOSAL: The applicant is requesting the necessary entitlements to operate a private school in an existing commercial building for 55 students that specializes in education for the Special student with a learning disability.

PROJECT INFORMATION:

General Plan Designation: Community Neighborhood Commercial and Offices
Existing Zoning of Site: C-2
Existing Land Use of Site: Vacant commercial building

Surrounding Land Use and Zoning:

North: Commercial, C-2
South: Vacant, C-2
East: Commercial, C-2
West: Parking lot, C-2

Parking Required: To be determined by Planning Commission
Parking Provided: 0 on-site
Property Dimensions: 85 feet X 120 feet
Property Area: 0.21± acres
Square Footage of Buildings: Existing building- 7,170 square feet (School use- 5,210 square feet)
Portable trailers- 480 square feet
Total- 7,650 square feet
Height of Building: 16 feet

APPLC. NO. P92-074

MEETING DATE August 13, 1992

ITEM NO. 10

000732

Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
Exterior Building Materials:	Brick
Roof Material:	Rolled roof

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site consists of one 30 foot by 110 foot corner lot and one 55 foot by 120 irregularly shaped interior lot totaling 0.21 ± developed acres in the General Commercial (C-2) zone (see Exhibit A). The site is developed with a 7,170 square foot commercial building that crosses the common property line. The building has 5,210 vacant square feet and the remaining 1,960 square feet of the building is used for an existing barber shop that will remain. The General Plan designates the subject site as Community Neighborhood Commercial and Offices. The surrounding land use and zoning for the subject site are commercial, zoned (C-2) to the north and east, vacant, zoned (C-2) to the south, and a parking lot, zoned (C-2) to the west.

B. Applicant's Proposal

The applicant is proposing to operate a private school in the existing vacant portion of the 7,170 square foot commercial building spanning two lots (see Exhibits A, B, C, and D). There will be three portable trailers totaling 480 square feet located on the northeast corner of the site for additional meeting space and to provide additional viewing for staff of the recreation area. A special permit is required for a school located in any zone. A lot line adjustment to merge the properties is required in order for buildings to cross the common property line.

The purpose of the school is to provide education for students with learning disabilities. The curriculum is designed for students in the ninth through the twelfth grades and will stress academic courses as well as a vocational training program. The hours of operation are proposed to be Monday through Friday from 8AM to 9PM. There will be a maximum of 55 students and a staff of eight.

C. Policy Considerations

The proposed project is consistent with the General Plan which designates the site as Community Neighborhood Commercial and Offices. The project is also consistent with specific policies of the General Plan which include promoting the rehabilitation and revitalization of existing commercial centers and to actively promote the continued vitality and diversification of the local economy, and to expand employment opportunities for city residents. The proposed project would contribute positively to the revitalization of the neighborhood by occupying a vacant building with a school that provides educational opportunities for disadvantaged youth.

D. Site Plan and Building Design

The site consists of one interior and one corner commercial parcels totaling 0.21 ± developed

acres in the General Commercial (C-2) zone. The site is located on the corner of 35th Street and 4th Avenue. There is a single story 7,170 square foot brick building on the site with 5,210 vacant square feet that was previously used as the Crocker Bank. An existing barber shop occupies the remaining 1,960 square feet of the building. The property line divides the building and there are existing openings within the building across the property line. The applicant proposes to merge the two parcels in order to bring the entire site into conformance with the Zoning Ordinance and Building Code requirements.

The original application proposed six on-site parking spaces in the rear of the existing building (see Exhibit E). There is an existing ten foot wide area that connects the street to the proposed parking area. Traffic Engineering required the parking area be eliminated because the ten foot wide access could not meet City Code for driveway requirements. The applicant then resubmitted a proposed recreational area with three trailers for additional meeting area and staff office space. There are three eight foot by twenty foot trailers to be located along the northeast corner of the site. Staff recommends that the trailers be placed on a permanent foundation and that all mechanical equipment not be visible from the street.

The existing building is a single story brick building. The applicant does not propose any exterior modifications to the building. The site is located within the Oak Park Design Review District which requires review and approval by the Design Review/Preservation staff for any exterior modifications or additions to the site. The applicant was previously advised of this requirement, specifically regarding the addition of the trailers to the site, but has not filed a formal Design Review staff application.

E. Parking and Circulation

The original application indicated six parking spaces on the rear of the site with a ten foot driveway to the parking area off of 4th Avenue. The Traffic Engineering staff required the parking area be eliminated because the proposed driveway can not meet City Code requirements. The parking on-site was to serve the staff only. The majority of the students will be bussed to and from the school from their respective neighborhoods by school district buses. The others will be dropped off by parents. Staff recommends that the students not be allowed to drive themselves to school resulting in the need for a parking space.

There is a 24 minute parking zone along north side of 4th Avenue for the length of the property that will serve as a loading area for buses. There is a free public parking lot located across the street from the site off of 35th Street that is owned by the Sacramento Housing and Redevelopment Agency (SHRA). The parking lot was created to serve the uses in the area. Additionally, there is street parking available along the south side of 4th Avenue and along 35th Street. The Traffic Engineering staff and Planning staff find that the elimination of the parking on the site will not have an adverse parking impact on the area.

F. School Program

The New Dimension Learning Academy is a private school which offers an academic and vocational training curriculum geared to the student with a learning disability. The school serves students in the ninth to twelfth grades. Vocational training will consist of typing, word

processing, architectural drafting, and theatrical studies. The school uses the academic curriculum of the Elk Grove and Sacramento Unified School Districts and has the same graduation requirements.

The school hours are proposed to be Monday through Friday from 8AM to 9PM. There is a staff of eight and a maximum of 55 students. The school proposes only occasional night assemblies. Staff recommends that no more than one nightly assembly per month be permitted. If the school's programs or activities change or increase such that more than 63 people are regularly meeting on the site at a given time then staff recommends the applicant modify the special permit.

G. Signage

There was no signage proposed with the project. Any signage must meet all the requirements required by the Sign Ordinance and have a sign permit.

In conclusion, staff supports the approval of the Special Permit to operate a private vocation school for 55 students in an existing 7,170 square foot commercial building and in three portable trailers totaling 480 square feet in that the use will not significantly impact the adjacent properties and will provide a innovative education and training service for disadvantage youth. Staff supports the approval of the Lot Line Adjustment in that the merger of the two parcels will bring the entire site into conformance with the Zoning Ordinance and Building Code requirements.

H. Agency Comments

The proposed project was reviewed by City Traffic Engineering, Engineering Departments, Building Inspections, the Fire Department, the Air Quality Management District, the Oak Park Neighborhood Improvement Association, and the Oak Park PAC. The following comments were received:

1. Traffic Engineering staff comments:

The applicant proposed six parking spaces on-site to the rear of the site. The proposed driveway, based on site constraints, is only ten feet wide and does not meet City Code requirements for commercial driveways so the parking area should be eliminated. There is a public parking lot across the street that is owned by SHRA.

2. Engineering Development staff comments:

Applicant shall complete the following at the Public Works Department, Development Services Division, prior to a lot line adjustment being recorded:

- a. File a Certificate of Compliance, submit all required documents according to the submittal requirements checklist, and pay necessary fees.
- b. File a waiver of Parcel Map.
- c. Submit drawing showing location of existing sewer and water services.

- d. Properly abandon any excess water services to the satisfaction of the Water Division (one service per lot is permitted).

3. Building Department comments:

The applicant will have to submit plans for review and obtain a Change of Use permit. The trailers will require a building permit.

4. Fire Department comments:

- a. The existing building will be reviewed for compliance during the Change of Use permit review process.
- b. An additional fire hydrant may be needed.
- c. A foundation will be required for all portable trailers.

5. The Air Quality Management District comments:

Due to the limited number of parking spaces, the students for this proposed project will be forced to either obtain parking on surface streets (creating surface street congestion), or spend an undue amount of time searching for an adequate parking space, both of which create adverse emissions. To mitigate this impact, the District suggests increased reliance on Regional Transit (Route 38, at 34th and 2nd) which passes within one block of the project. The District also encourages the placement of bike lockers on the project site in order to facilitate use of bike transportation.

6. The Oak Park PAC comments:

The Oak Park PAC approved the project at their May 20, 1992, meeting.

ENVIRONMENTAL DETERMINATION: The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact on the environment; therefore, a Negative Declaration has been prepared. In compliance with Section 15070(B)1 of the California Environmental Quality Act Guidelines, the applicant has incorporated mandatory mitigation measures into the project plans to avoid identified effects or to mitigate such effects to a point where clearly no significant effects will occur. A Mitigation Monitoring Plan has been developed and is attached.

- A. The applicant agrees to pay such lawful fees, taxes or assessments imposed through the use of development fees, impact fees, fee districts, community facilities districts, assessment districts, or other fair, equitable, and appropriate mechanisms designed to address project impacts on the existing combined stormwater sewer system, and shall execute an agreement satisfactory to the City Attorney and suitable for recordation or related fees, impact fees or assessments or taxes as and when enacted, imposed, or levied.

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

- A. Ratify the Negative Declaration.
- B. Adopt the attached resolution approving the Mitigation Monitoring Plan.
- C. Approve the Special Permit to operate a private vocation school for 55 students in an existing 7,170 square foot commercial building and in three portable trailers totaling 480 square feet subject to the conditions and based upon the findings of fact which follow.
- D. Approve the Lot Line Adjustment by adopting the attached resolution.

Conditions:

- 1. The special permit for the school shall have the following requirements:
 - a. The hours of operation shall be 8AM to 9PM, Monday through Friday;
 - b. No more than 55 students shall be enrolled and no more than eight staff shall occupy the school;
 - c. The night assemblies shall be restricted to one activity per month;
 - d. The school shall not provide any type of day care service; and
 - e. No student shall be permitted to drive themselves requiring a parking space for their car.

Any changes or additions requires a modification of the special permit.
- 2. The applicant shall obtain a Certificate of Compliance prior to obtaining building permits.
- 3. The trailers shall be placed on a permanent foundation and all mechanical equipment shall not be visible from the street. A formal application shall be submitted for review by the Design Review/Preservation staff.
- 4. The applicant shall complete the following at the Public Works Department, Development Services Division, prior to a lot line adjustment being recorded:
 - a. File a Certificate of Compliance, submit all required documents according to the submittal requirements checklist, and pay necessary fees.
 - b. File a waiver of Parcel Map.
 - c. Submit drawing showing location of existing sewer and water services.
 - d. Properly abandon any excess water services to the satisfaction of the Water Division (one service per lot is permitted).

5. The applicant shall provide an additional fire hydrant or offer proof of existing compliance to the satisfaction of the Fire Department.
6. The applicant shall obtain a Change of Use permit from the Building Department and meet all Building Code requirements prior to operation of the school. The applicant shall obtain building permits for the trailers.
7. Any signage shall meet all the requirements required by the Sign Ordinance and shall have a sign permit.
8. The applicant shall comply with the mitigation measures of the Mitigation Monitoring Plan.
9. *Planters with trees shall be located in the recreation area and indicated on a revised site plan submitted for Planning review and approval prior to issuance of building permits. Additionally, bike lockers shall also be provided and indicated on the revised site plan. (CPC added 8-13-92)*

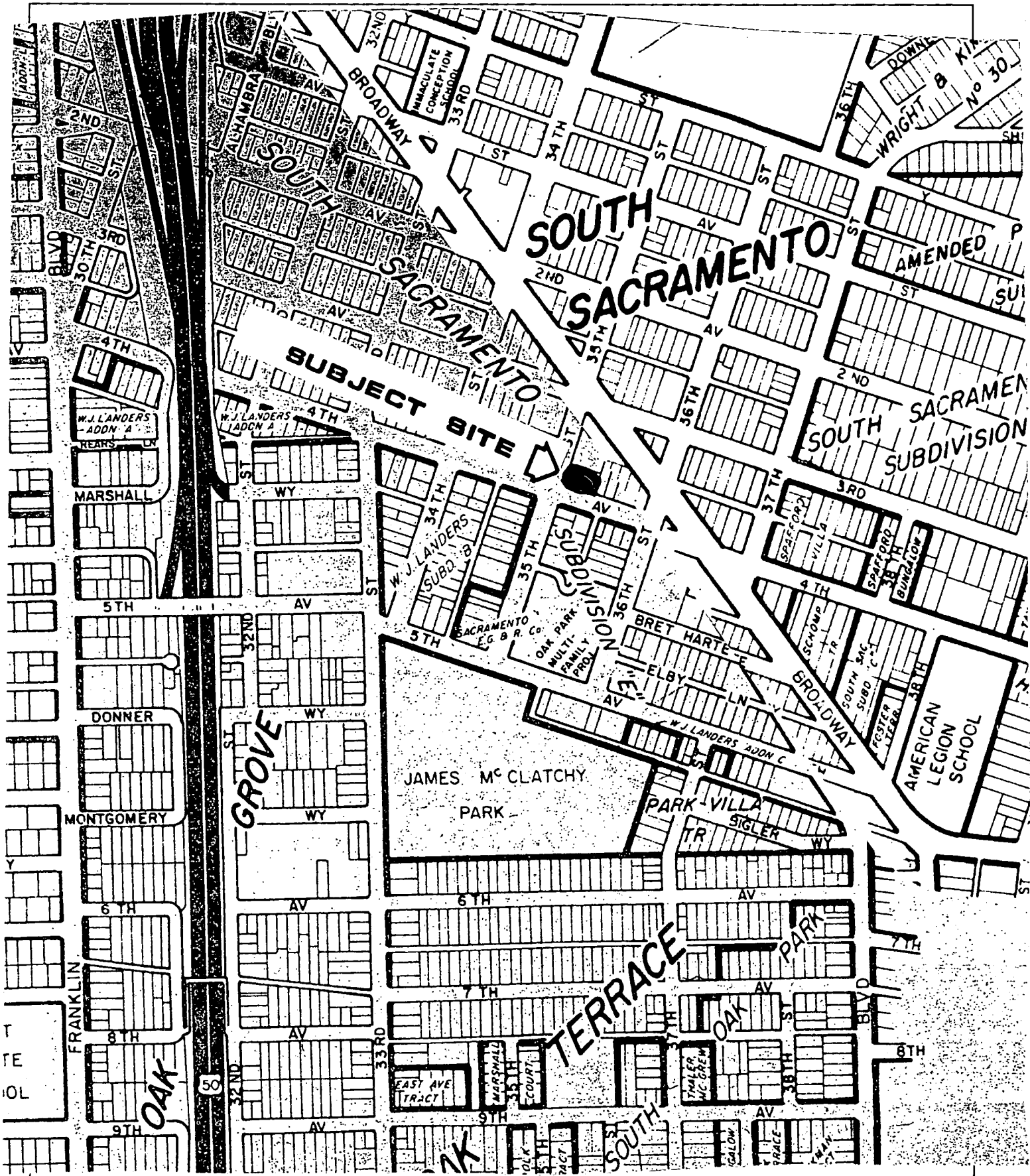
Findings of Fact:

1. The proposed project, as conditioned, is based upon sound principles of land use in that:
 - a. the school has a curriculum geared to meet the needs of disadvantaged youth with learning disabilities within the Sacramento and Elk Grove Unified School Districts;
 - b. adequate off-street parking is provided in that the public parking lot is available for staff parking and there is adequate street parking also available; and
 - c. the facility is an existing commercial building that will not be enlarged and is compatible with the surrounding commercial development.
2. The project will not be detrimental to the public health, safety, or welfare nor result in a nuisance in that:
 - a. the project, as conditioned, is compatible with the existing neighborhood;
 - b. adequate off-street and street parking is available;
 - c. students will not be permitted to drive;
 - d. night assemblies will be limited to one a month; and
 - d. a recreational area will be provided on-site that will be supervised.
3. The project is consistent with the General Plan which designates the site as Community Neighborhood Commercial and Offices. A private school is permitted in General Commercial (C-2) zone with a special permit.

5. The applicant shall provide an additional fire hydrant or offer proof of existing compliance to the satisfaction of the Fire Department.
6. The applicant shall obtain a Change of Use permit from the Building Department and meet all Building Code requirements prior to operation of the school. The applicant shall obtain building permits for the trailers.
7. Any signage shall meet all the requirements required by the Sign Ordinance and shall have a sign permit.
8. The applicant shall comply with the mitigation measures of the Mitigation Monitoring Plan.

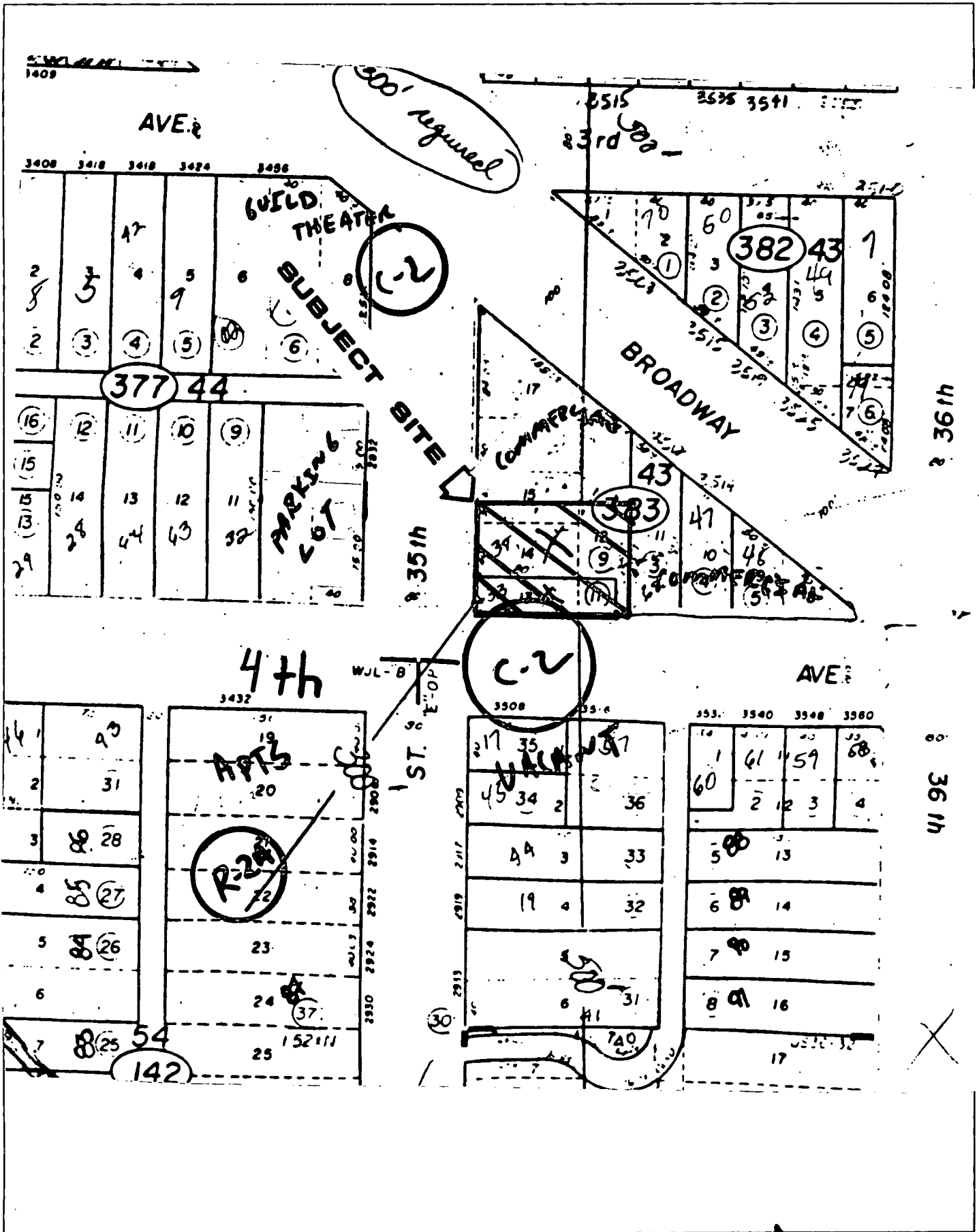
Findings of Fact:

1. The proposed project, as conditioned, is based upon sound principles of land use in that:
 - a. the school has a curriculum geared to meet the needs of disadvantaged youth with learning disabilities within the Sacramento and Elk Grove Unified School Districts;
 - b. adequate off-street parking is provided in that the public parking lot is available for staff parking and there is adequate street parking also available; and
 - c. the facility is an existing commercial building that will not be enlarged and is compatible with the surrounding commercial development.
2. The project will not be detrimental to the public health, safety, or welfare nor result in a nuisance in that:
 - a. the project, as conditioned, is compatible with the existing neighborhood;
 - b. adequate off-street and street parking is available;
 - c. students will not be permitted to drive;
 - d. night assemblies will be limited to one a month; and
 - d. a recreational area will be provided on-site that will be supervised.
3. The project is consistent with the General Plan which designates the site as Community Neighborhood Commercial and Offices. A private school is permitted in General Commercial (C-2) zone with a special permit.



VICINITY MAP

N 000740



LAND USE & ZONING MAP

N 000741

EXHIBIT B

PROPOSED
LEGAL DESCRIPTION

The North 55 feet of the South 85 feet; the East 10 feet of the South 30 feet of Lot 12; all of Lot 14 and the South 15 feet of Lot 15, as shown on the "Plan of Block 43 Oak Park Sacramento County", recorded in Book 3 of Maps, Map No. 31, records of said County.

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P92-074

AUGUST 13, 1992

ITEM 10

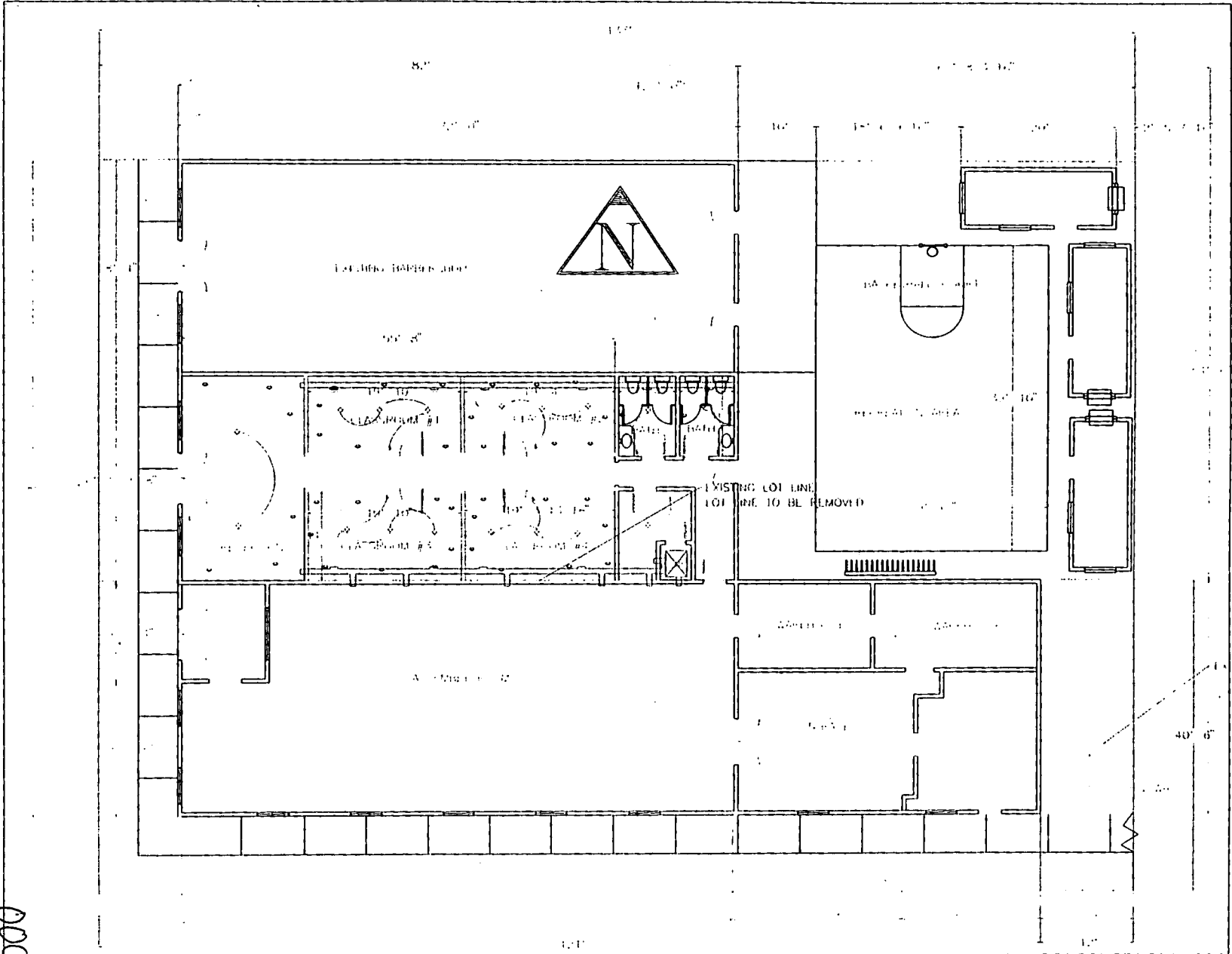
P 92-074

AUGUST 13, 1992

ITEM 10

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35TH STREET PROJECT
 LA MOND HARRISON, DEVELOPER

REVISION

EXHIBIT C

P92-074

AUGUST 13, 1952

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ITEM 10

35TH STREET

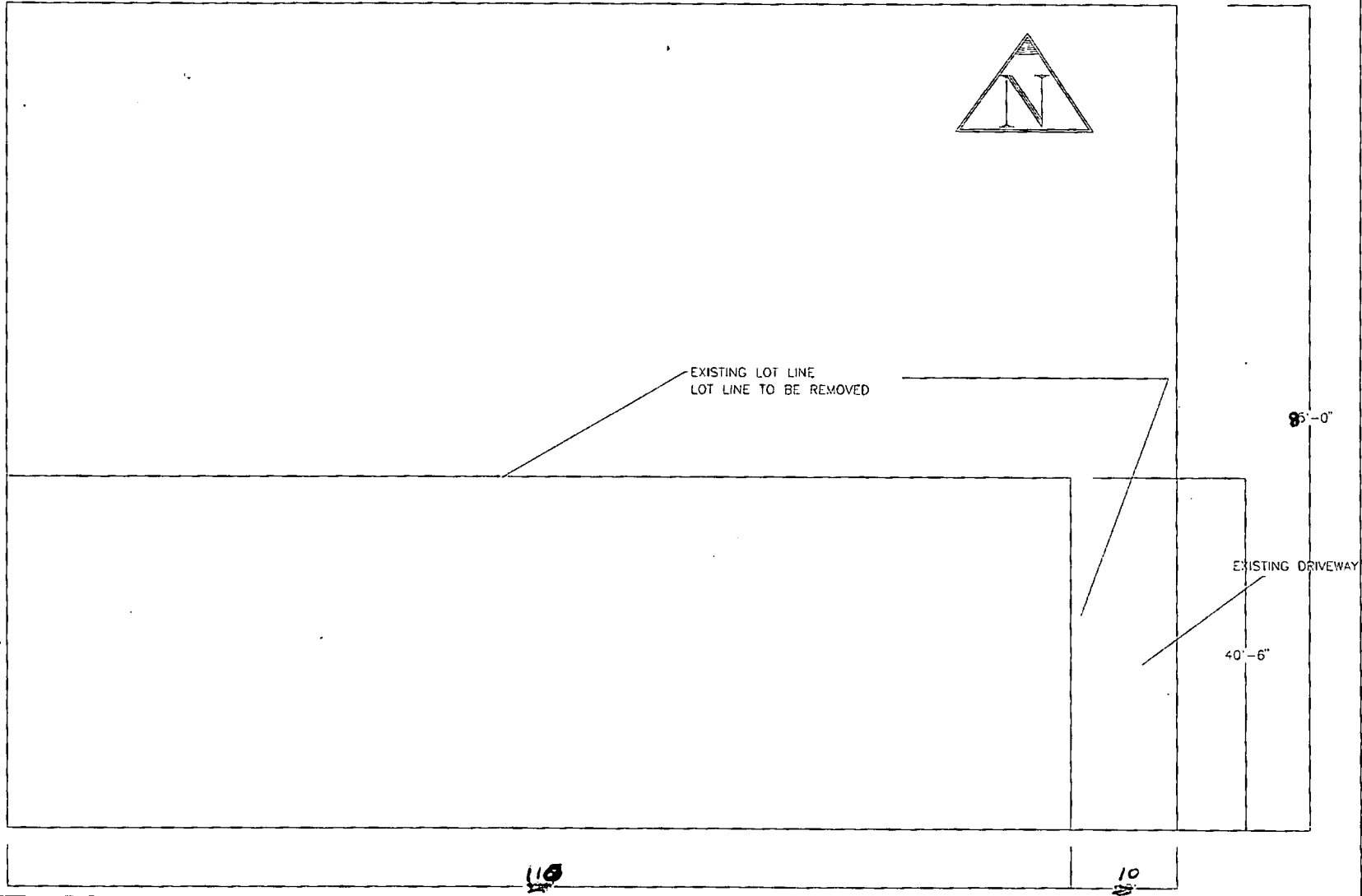
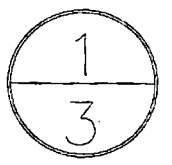


EXHIBIT A



1/4" = 1'

PLOT PLAN

4TH AVENUE

35TH STREET PROJECT

LA MOND HARRISON, DEVELOPER

EXHIBIT B

PROPOSED
LEGAL DESCRIPTION

The North 55 feet of the South 85 feet; the East 10 feet of the South 30 feet of Lot 12; all of Lot 14 and the South 15 feet of Lot 15, as shown on the "Plat of Block 43 Oak Park Sacramento County", recorded in Book 3 of Maps, Map No. 31, records of said County.

000745

P92-074

AUGUST 13, 1992

ITEM 10

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PR92-074

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JUN 29 1990

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CITY PLANNING DIVISION

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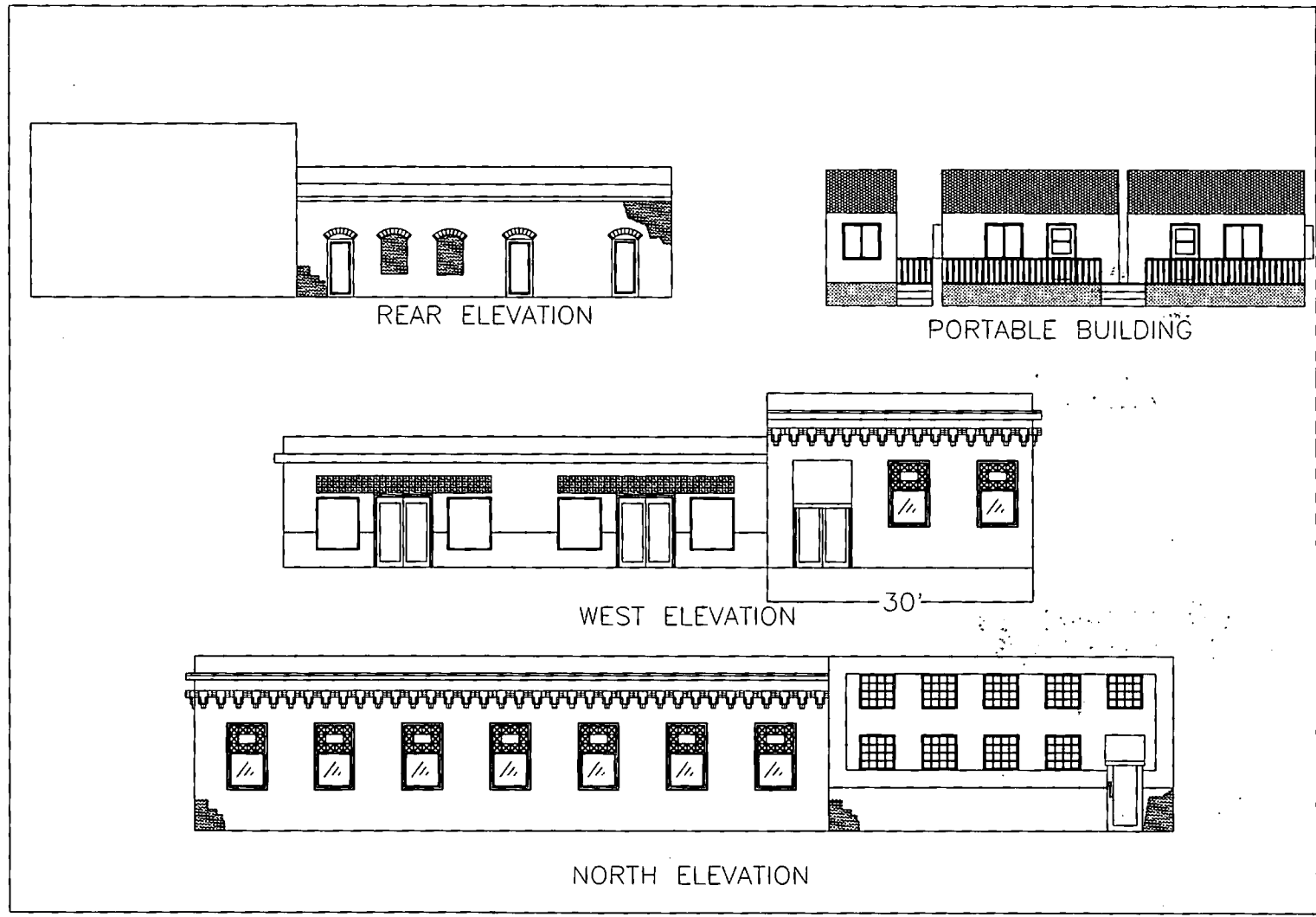
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CITY PLANNING DIVISION~~

P42-074

AUGUST 13, 1992

ITEM 10

CHANGE



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1/4" = 1'

35TH STREET PROJECT
LA MOND HARRISON, DEVELOPER
REVISED

EXHIBIT D

1992
JUN 29 10:00 AM
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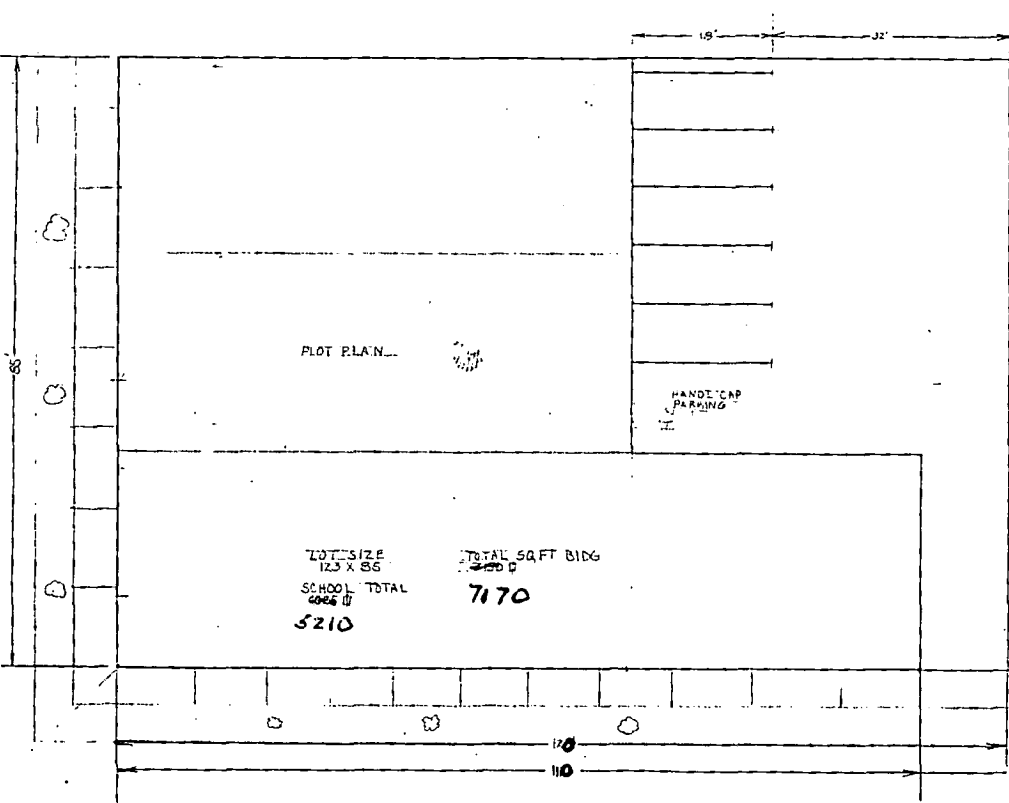
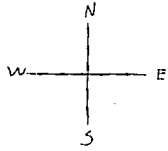
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CITY OF SACRAMENTO
CITY PLANNING DIVISION

D 192-074

EXHIBIT E

ORIGINAL SITE PLAN



TOTAL SIZE
123 X 56

SCHOOL TOTAL
5210

TOTAL SQFT BLDG
6900

7170

HANDICAP PARKING

PLOT PLAN

18' 32'

10' 110'

DRAWN BY: A.C. HARRISON	
DATE: 3/17/92	REVISION:

Pg 2-0 74

AUGUST 13, 1992

ITEM 10

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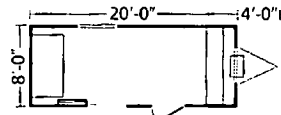
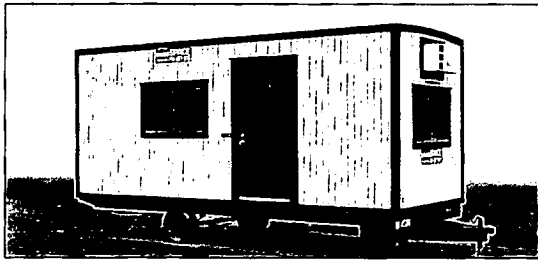
MAR 26 1992

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CITY PLANNING DIVISION

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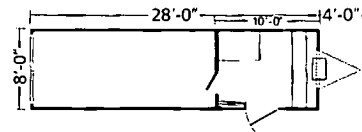
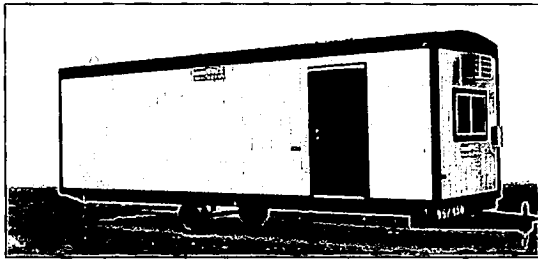
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GS-824

PROPOSED

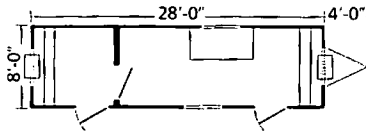
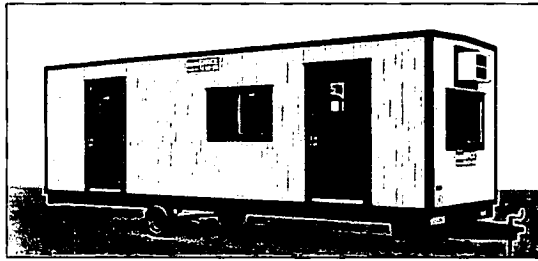
- Gelco Space** **Single Office Model 160 sq. ft.**
- (1) Built in desk with single file cabinet
 - (1) Overhead Shelf
 - (1) 36" x 72" plan table
 - (1) Room A/C with heat



GSV-832

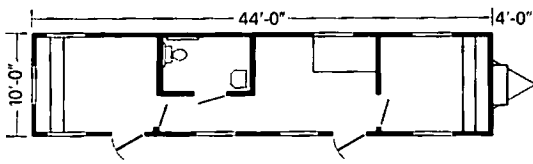
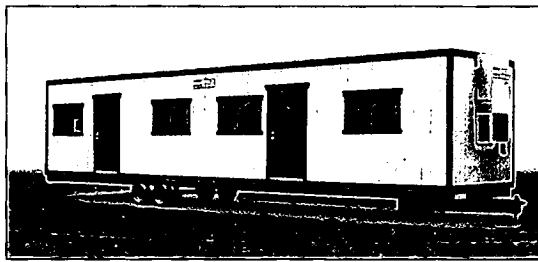
- Gelco Space** **Office/Storage Combo Model 72 sq. ft. Office-152 sq. ft. Storage**
- (1) Built in desk with single file cabinet
 - (1) Overhead Shelf
 - (1) 36" x 60" plan table
 - (1) Room A/C with heat

AUGUST 13, 1992



GS-832

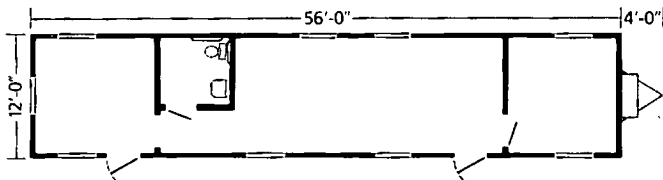
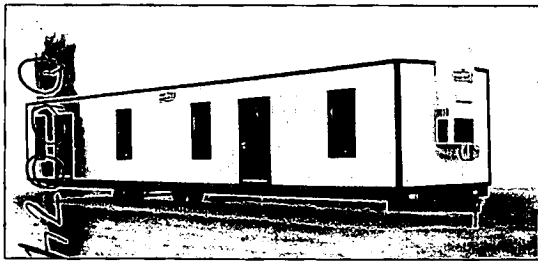
- Gelco Space** **Two Office Model 224 sq. ft. total**
- (2) Full width built-in desks with single file cabinet
 - (2) Overhead Shelves
 - (1) 36" x 72" plan table
 - (2) Room A/C with heat



GS-1048

- Gelco Space** **Three Office Model-440 sq. ft. total**
- (2) 10' x 11' private offices
 - (1) 10' x 22' general office
 - (1) Handicap half-bath-optional
 - (2) Full width desks with file cabinets
 - (2) Full width overhead shelves
 - (1) 36" x 72" plan table
 - (1) Central A/C system with heat

ITEM 10 6/2/92



GS-1260

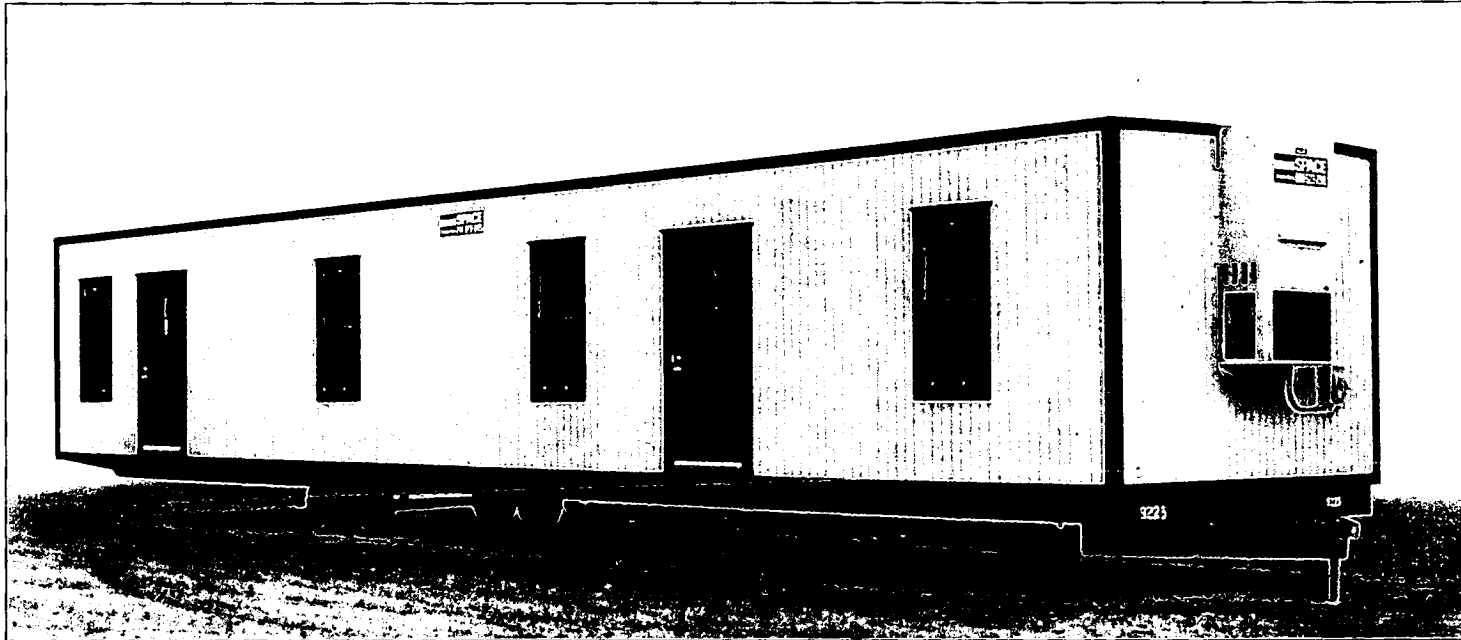
- Gelco Space** **Three Office Model 672 sq. ft.**
- (2) 12' x 12' private offices
 - (1) 12' x 32' general office
 - (1) Handicap half-bath
 - (1) Central A/C system with heat

Specifications may vary

EXHIBIT - F

Gelco Space

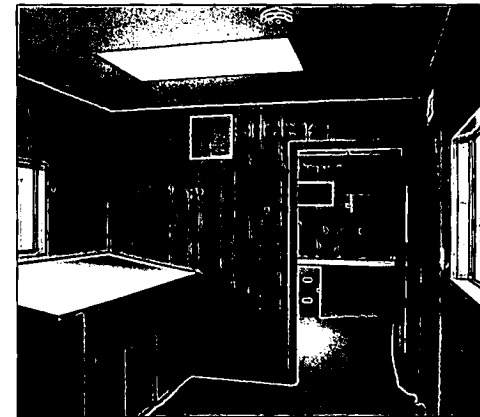
Mobile Offices from the Industry Leader



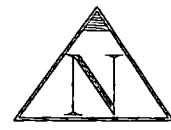
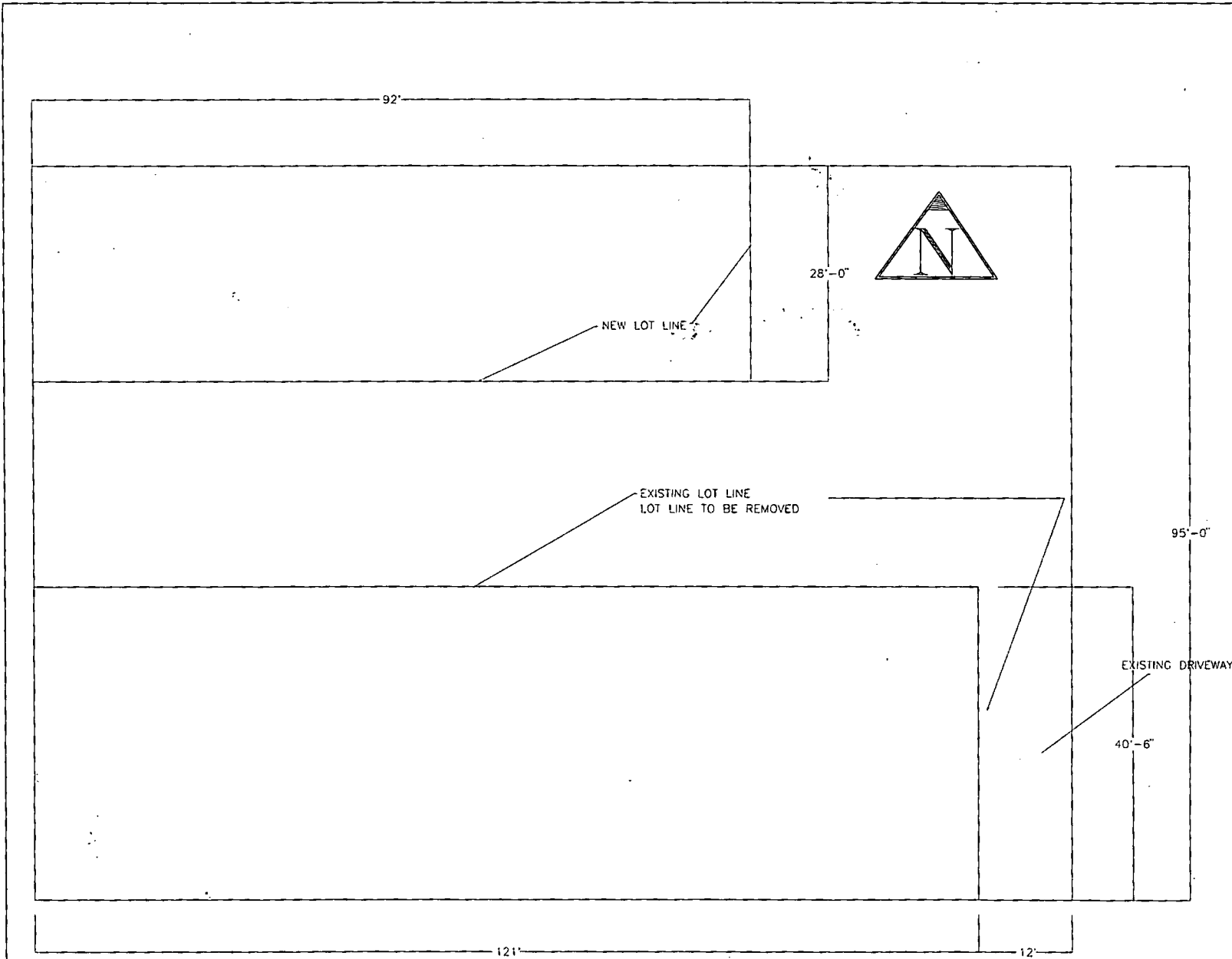
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Standard Office Features

- Heat and Air Conditioning
- 5/8" Fir Underlayment
- 1/8" Vinyl Tile
- 1/4" Woodgrain Paneling
- Attractive Wood Siding
- R-11 and R-19 Insulation
- 36" x 80" Metal Exterior Doors
- 8' Ceiling Height
- Suspended Ceiling
- Recessed Lighting
- Furniture and Steps Available



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1/4" = 1'

PLOT PLAN

35TH STREET PROJECT

LA MOND HARRISON, DEVELOPER

REVISED #1

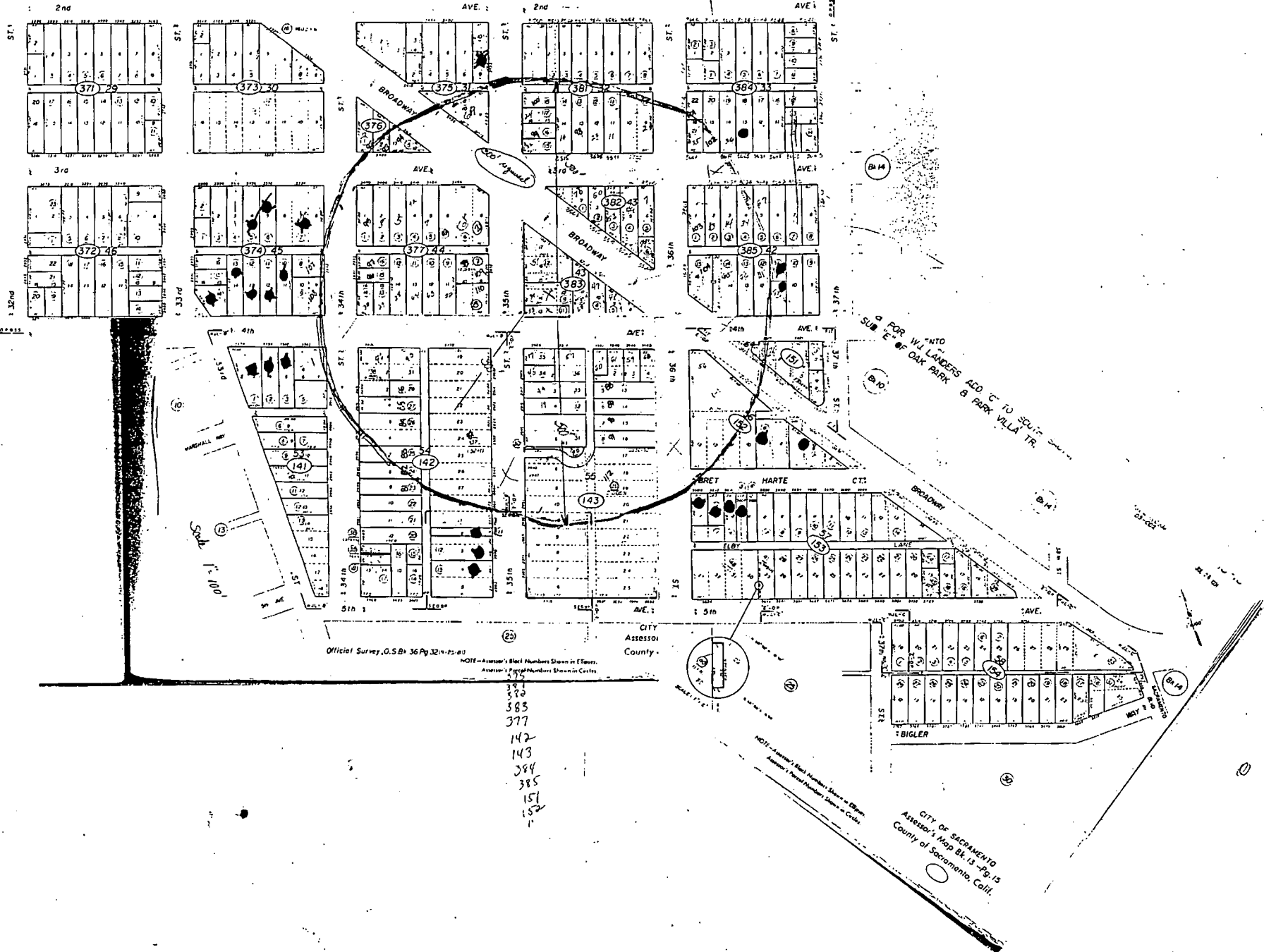
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JUN 29 1992

CITY OF SACRAMENTO
CITY PLANNING DIVISION

DR92-074



Official Survey, O.S.B. 36 Pg. 32, 33, 34

NOTE - Assessor's Block Numbers Shown in Boxes.
Assessor's Parcel Numbers Shown in Circles.

CITY
Assessor
County

- 370
- 373
- 377
- 142
- 143
- 384
- 385
- 152

FOR W. LANDERS ADD 'C' TO SOUTH SIDE
SUB 'C' OF OAK PARK & PARK VILLA TR.

CITY OF SACRAMENTO
Assessor's Map Bk. 13 Pg. 15
County of Sacramento, Calif.

000752

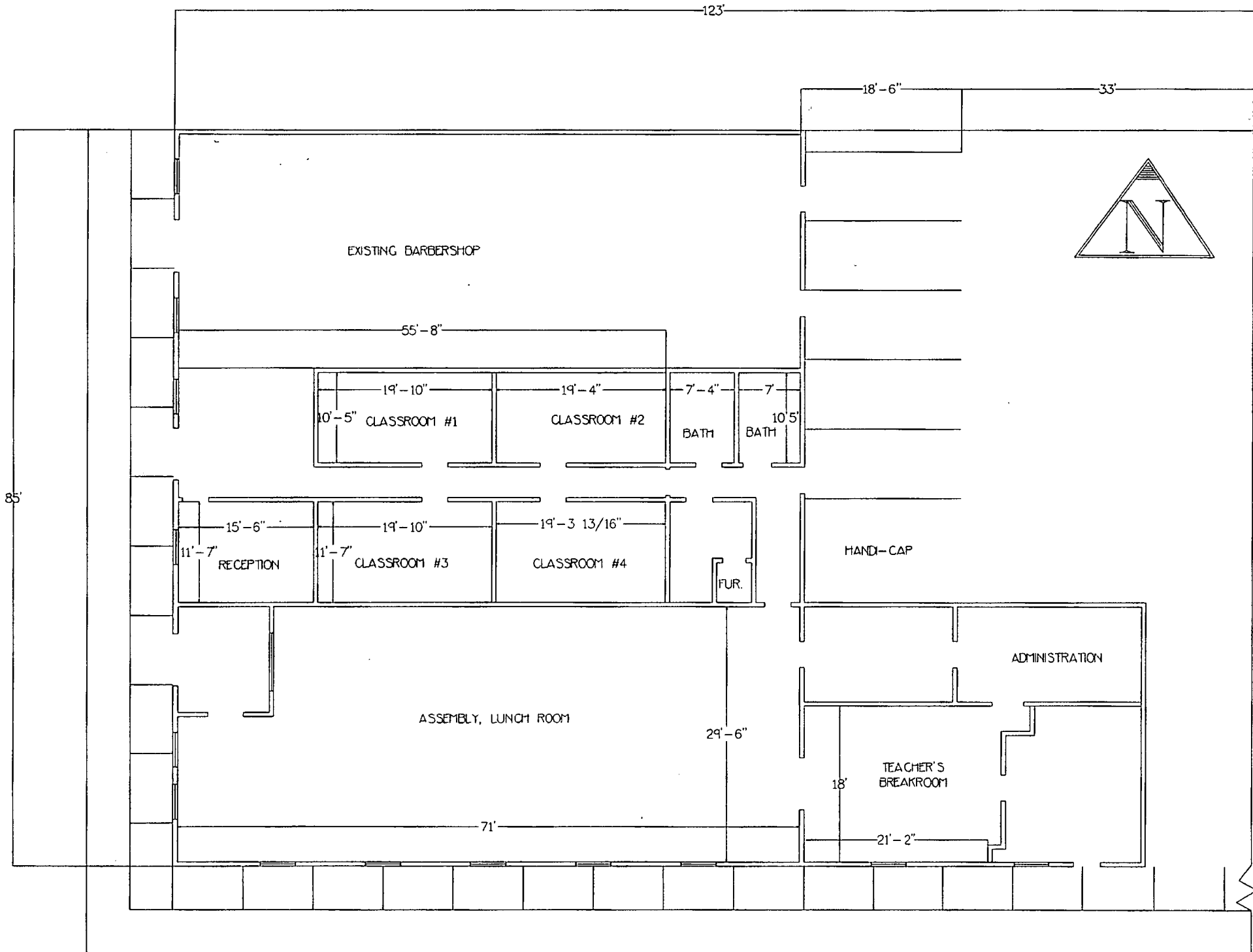
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MAR 26 1992

CITY OF SACRAMENTO
CITY PLANNING DIVISION

P 92 074

4/2/92



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APR 20 1962

STATE OF SACRAMENTO
DEPARTMENT OF REVENUE

DP92 074