

**Attachment 1**  
**Recommended Findings of Fact and Conditions of Approval**  
**The Creamery (DR07-283)**  
**1013 D Street, Sacramento, CA 95814**

**Findings Of Fact**

- A. Environmental Determination:** The Design Commission considered the Planning Commission's recommendation to City Council of the Mitigated Negative Declaration for the Creamery project (herein MND) has been completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
- B. Design Review** to develop a new mixed use project at the existing Crystal Cream and Butter Company site consisting of 5 residential loft buildings, 2 office buildings, 22 halfplexes, 35 row houses, and 18 artist lofts is subject to the following Findings of Fact and Conditions of Approval:
1. The project is based upon sound principles of land use, in that the proposed use is allowed in the General Commercial (C-2) and Multi-Family (R-3A) zones.
  2. The proposed use will be consistent with the objectives of the City of Sacramento General Plan.
  3. The project, as conditioned, will complement structures in the vicinity, and conforms to the Design Commission's criteria for projects within the Central City Design Review District.

**Conditions Of Approval**

**The Design Review request to develop a new mixed use project at the existing Crystal Cream and Butter Company site consisting of 5 residential loft buildings, 2 office buildings, 22 halfplexes, 35 row houses, and 18 artist lofts is hereby approved subject to the following conditions:**

- A. The design of the site (see plans attached) is hereby approved subject to the following conditions. These conditions must be met prior to the building permit submittal:**
1. The buildings shall be sited rehabilitated as indicated in the report and exhibits.

2. The project shall have building entries as indicated in the exhibits. Further development of all project entry elements, including building sign standards and lighting cut sheets, shall be reviewed and approved by Design Review staff prior to Building Permit submittal.
3. Auto access, loading access, and site layout shall be as indicated in the report and exhibits.
4. The project shall have building setbacks as indicated in the exhibits, and meet all Planning Commission Conditions of Approval.
5. The project shall include landscaping elements as indicated in the report and exhibits, and final landscape plans shall be reviewed and approved by Design Review staff prior to Building Permit submittal. **Applicant shall provide additional landscaping cross sections at public edges to further define edges of landscape for the hearing as well as detailing of planter areas, tree grates, and landscaping enhancements.** Applicant shall provide Design Review staff final Design Development level landscape and exterior furniture plans and details for review and approval prior to submitting for Building Permit. Final tree species shall be coordinated with Urban Forest staff. Automatic irrigation shall be provided for all planting and landscaping. **Street planters and sidewalk shall be provided per Development Engineering standards and reviewed by Development Engineering, Urban Forest, and Design Review staff prior to Building Permit submittal.**
5. **Rev:** The project shall include landscaping elements as indicated in the report and exhibits, and final landscape plans shall be reviewed and approved by Design Review staff prior to Building Permit submittal. **Applicant shall work with Staff to provide landscaping cross sections on a location-by-location basis to further define the relationships of the hardscape, appurtenances, and buildings with the planters, pathway and plant materials.** Applicant shall provide Design Review staff final Design Development level landscape and exterior furniture plans and details for review and approval prior to submitting for Building Permit. Final tree species shall be coordinated with Urban Forest staff. Automatic irrigation shall be provided for all planting and landscaping. Street planters and sidewalk shall be provided per Development Engineering standards and reviewed by Development Engineering, Urban Forest, and Design Review staff prior to Building Permit submittal.
6. Applicant shall work with Urban Forest and Design Review staff on removal of existing trees at 10<sup>th</sup> and 11<sup>th</sup> Streets. Existing trees shall not be removed from the site until authorization from Urban Forest has been granted.
7. Applicant shall provide final landscape plans to Urban Forest and Design Review staff for final review and approval prior to Building Permit submittal.

8. Applicant shall provide a site lighting plan for review and approval by Design Review staff prior to submitting for Building Permit. Exterior lighting style and design shall be compatible and consistent with the building design, and the site should be adequately illuminated for safety and security with a minimum 1.0 foot candle throughout. Maximum pole height including fixture shall be no greater than 14'-0". Appropriate lighting should light up wall surfaces or landscape areas. **The applicant shall provided cutsheets of the proposed fixtures at the Design Commission Hearing. The applicant shall submit all site light fixtures cut sheets and plan locations for review and approval by Design Review staff prior to submitting for Building Permit.**

**8. Rev:** Applicant shall provide a site lighting plan for review and approval by Design Review staff prior to submitting for Building Permit. Exterior lighting style and design shall be compatible and consistent with the building design, and the site should be adequately illuminated for safety and security with a minimum 1.0 foot candle throughout. Maximum pole height including fixture shall be no greater than 14'-0". Appropriate lighting should light up wall surfaces or landscape areas. **Applicant shall work with Staff to develop and document to the appropriate level the light fixtures and locations so as to ensure proper execution of agreed design intent at time of construction. Such items shall be submitted to Design Review Staff for final review and approval prior to Building Permit submittal. Any major modifications to the approved materials will require review and approval at the appropriate jurisdictional level.**

9. Site mechanical equipment and utility vaults shall be incorporated into the project site. Backflow prevention devices, SMUD boxes, etc., shall be placed in vaults where not visible from street views, and screened from any pedestrian view. **The applicant shall submit final mechanical locations for review and approval by Design Review staff prior to Building Permit submittal.**
10. Trash enclosure details and construction shall be included as indicated on the plans. **Final trash enclosure details and location shall be reviewed and approved by Design Review staff prior to Building Permit submittal.**

**B. The design of the rehabilitated and new buildings (see plans attached) is hereby approved subject to the following conditions:**

**Office Buildings (2 buildings):**

11. The design of the two office buildings shall be as indicated in the report and exhibits. The building elevations shall have a consistency of detail and quality as indicated on the plans.
12. Final heights and massing shall be as indicated on the plans.

13. The materials shall be provided as follows, cast stone veneer shall be provided at the base of the building and pilasters; **authentic brick veneer and cornice is required rather than cultured stone brick veneer**, smooth finished cement plaster, brushed aluminum storefront system with clear glazing; brushed metal awnings, and brushed finish metal panels and screens at the roof shall be submitted to Design Review staff for final review and approval prior to Building Permit submittal. Final detail of metal awnings shall be provided to Design Review staff prior to Building Permit submittal. **A physical color and material board shall be provided at the Design Commission hearing. Final color and materials board shall be submitted to Design Review staff for final review and approval prior to Building Permit submittal. Any major modifications to the approved materials will require review and approval by the Design Commission.**

**13. Rev:** The materials shall be approved as follows: cast stone veneer shall be installed at the building base and pilaster bases; brick veneer at pilaster, capital and cornice (material properties, detailing and coursing to be developed further with Staff); smooth-finish cement plaster panels and scored cement plaster panels; metal awnings (detailing, material properties and finishes to be developed further with Staff); brushed aluminum storefront system with clear glazing; and metal equipment screen at rooftop (detailing, material properties and finishes to be developed further with Staff). Applicant shall work with Staff to develop and document to the appropriate level the properties and detailing of above materials and assemblies so as to ensure proper execution of agreed design intent at time of construction. Such items shall be submitted to Design Review Staff for final review and approval prior to Building Permit submittal. Any major modifications to the approved materials will require review and approval at the appropriate jurisdictional level.

14. Reveals, offsets, and insets shall be introduced at the glazing systems per approved plans. **Cross sections shall be provided for review and approval by the Design Commission at the hearing.**

**14. Rev:** Applicant shall work with Staff to develop and document to the appropriate level the glazing systems and related detailing so as to ensure proper execution of agreed design intent at time of construction. Such items shall be submitted to Design Review Staff for final review and approval prior to Building Permit submittal. Any major modifications to the approved materials will require review and approval at the appropriate jurisdictional level.

15. Exterior lighting style and design shall be compatible and complementary to the building design. **Final building lighting plans, night renderings, and light fixture cut sheets shall be reviewed and approved by Design Review staff prior to Building Permit submittal.**

16. Any roof top mechanical systems shall be integrated into the mechanical penthouse this includes but is not limited to HVAC, satellite dishes, etc. **Applicant**

shall provide to Design Review staff final details and elevations of final mechanical and building parapet prior to Building Permit submittal. Final roof plan with mechanical equipment locations shall be reviewed and approved by Design Review staff prior to Building Permit submittal.

**Residential Lofts (5 buildings):**

17. The design of the buildings shall be as indicated in the report and exhibits. The building elevations shall have a consistency of detail and quality as indicated on the plans.
  18. Final heights and massing shall be as indicated on the plans.
  19. The materials shall be provided as follows; **stacked bond precision CMU with raked grout lines at the base**; smooth finished cement plaster panels and scored cement plaster panels; brushed finished metal pipe solar screens and awnings; brushed aluminum storefront system with clear glazing; overhead glass garage and entry doors; prefinished metal pipe railing; brushed metal awnings; and green screens at the ground level openings to the parking area shall be submitted to Design Review staff for final review and approval prior to Building Permit submittal. **A physical color and material board shall be provided at the Design Commission hearing. Final details of metal awnings shall be provided to Design Review staff prior to Building Permit submittal. Final color and material board shall be submitted to Design Review staff for final review and approval prior to Building Permit submittal. Any major modifications to the approved materials will require review and approval by the Design Commission.**
- 19. Rev:** The materials shall be approved as follows: Block masonry base (material properties, detailing and coursing to be developed further with Staff); smooth-finish cement plaster panels and scored cement plaster panels; metal pipe solar screens and awnings (detailing, material properties and finishes to be developed further with Staff); brushed aluminum storefront system with clear glazing; overhead glass garage and entry doors; metal railings (detailing, material properties and finishes to be developed further with Staff); and green screens at the ground level openings to the parking areas. Applicant shall work with Staff to develop and document to the appropriate level the properties and detailing of above materials and assemblies so as to ensure proper execution of agreed design intent at time of construction. Such items shall be submitted to Design Review Staff for final review and approval prior to Building Permit submittal. Any major modifications to the approved materials will require review and approval at the appropriate jurisdictional level.
20. Applicant shall work with staff to further refine the CMU building element in order to create greater visual interest for the pedestrian at the base. **Final detailing of**

**CMU base shall be provided to Design Review staff prior to Building Permit submittal.**

**20. Rev:** Applicant shall work with staff to further define the material properties, detailing and coursing/configuration of Ground Floor masonry. Applicant shall work with Staff to develop and document to the appropriate level the properties and detailing of above materials and assemblies so as to ensure proper execution of agreed design intent at time of construction. Such items shall be submitted to Design Review Staff for final review and approval prior to Building Permit submittal. Any major modifications to the approved materials will require review and approval at the appropriate jurisdictional level.

21. Exterior lighting style and design shall be compatible and complementary to the building design. **Final building lighting plans, night renderings, and light fixture cut sheets shall be reviewed and approved by Design Review staff prior to Building Permit submittal.**
22. Any roof top mechanical systems shall be integrated into the mechanical penthouse this includes but is not limited to HVAC, satellite dishes, etc. **Applicant shall provide to Design Review staff final details and elevations of final mechanical and building parapet prior to Building Permit submittal. Final roof plan with mechanical equipment locations shall be reviewed and approved by Design Review staff prior to Building Permit submittal.**

**Artisan Lofts (2 buildings):**

23. The design of the building shall be updated as indicated in the report and conditions of approval. The building elevations shall have a consistency of detail and quality as indicated on the plans.
24. Final heights and massing shall be as indicated on the plans.
25. The materials shall be provided as follows; **stacked bond precision CMU with raked grout lines at the base; smooth finished cement plaster; prefinished architectural panels (standing seam required not a standard galvanized corrugated s-curve panel), brushed aluminum storefront system with clear glazing; overhead brushed metal with clear glazing garage and entry doors; brushed metal awnings; and a prefinished standing seam metal roof shall be submitted to Design Review staff for final review and approval prior to Building Permit submittal. A physical color and material board shall be provided at the Design Commission hearing. Final details of metal awnings shall be provided to Design Review staff prior to Building Permit submittal. Final**

**color and material board shall be submitted to Design Review staff for final review and approval prior to Building Permit submittal. Any major modifications to the approved materials will require review and approval by the Design Commission.**

**25. Rev:** The materials shall be provided as follows; **Block masonry base (material properties, detailing and coursing to be developed further with Staff);** smooth finished cement plaster; pre-finished architectural **metal wall panels (material properties to be developed further with Staff);** brushed aluminum storefront system with clear glazing; overhead brushed metal with clear glazing garage and entry doors; metal awnings **(detailing, material properties and finishes to be developed further with Staff);** and a pre-finished standing seam metal roof. **Applicant shall work with Staff to develop and document to the appropriate level the properties and detailing of above materials and assemblies so as to ensure proper execution of agreed design intent at time of construction. Such items shall be submitted to Design Review Staff for final review and approval prior to Building Permit submittal. Any major modifications to the approved materials will require review and approval at the appropriate jurisdictional level.**

26. Exterior lighting style and design shall be compatible and complementary to the building design. **Final building lighting plans, night renderings, and light fixture cut sheets shall be reviewed and approved by Design Review staff prior to Building Permit submittal.**

27. Any roof top mechanical systems shall be integrated into the mechanical penthouse this includes but is not limited to HVAC, satellite dishes, etc. **Applicant shall provide to Design Review staff final details and elevations of final mechanical and building parapet prior to Building Permit submittal. Final roof plan with mechanical equipment locations shall be reviewed and approved by Design Review staff prior to Building Permit submittal.**

**Halfplex (2 buildings – total 22 units):**

28. The design of the building shall be updated as indicated in the report and conditions of approval. The building elevations shall have a larger variety of detail and variation and higher attention to quality.

29. Final heights and massing shall be as indicated on the plans.

30. The materials shall be provided as follows; **authentic brick veneer and cornice is required rather than cultured stone brick veneer;** brick window sills and headers; smooth finished cement plaster; **red cedar horizontal lap siding with a maximum 4 inch exposure;** precision CMU patio walls with flush grout lines, vinyl casement and awning windows with clear glazing; fiberglass entry doors, **smooth panel red cedar garage doors with transom glazing;** red cedar horizontal

**balcony railings**; prefinished metal solar screens; and prefinished metal awnings shall be submitted to Design Review staff for final review and approval prior to Building Permit submittal. **A physical color and material board shall be provided at the Design Commission hearing. Final details of patio walls, railing, solar screens, and metal awnings shall be provided to Design Review staff prior to Building Permit submittal. Final color and material board shall be submitted to Design Review staff for final review and approval prior to Building Permit submittal. Any major modifications to the approved materials will require review and approval by the Design Commission.**

30. Rev: The materials shall be approved as follows: brick veneer as indicated (material properties, detailing and coursing to be developed further with Staff); smooth-finish cement plaster panels and scored cement plaster panels; brick and/or stucco sills and head trim (detailing, quantities, material properties and finishes to be developed further with Staff); vinyl windows/patio doors with clear glazing; overhead glass garage-style doors at D Street elevations; fiberglass entry doors with privacy glazing at primary entries; metal railings/fences (detailing, material properties and finishes to be developed further with Staff); red cedar siding/rain-screen (detailing, material properties and finishes to be developed further with Staff); red cedar horizontal balcony railings; red cedar garage doors with transom glazing (finish to match adjacent red cedar elements); red cedar solar/privacy screens; and block masonry site walls (material properties and coursing to be developed further with Staff);. Applicant shall work with Staff to develop and document to the appropriate level the properties and detailing of above materials and assemblies so as to ensure proper execution of agreed design intent at time of construction. Such items shall be submitted to Design Review Staff for final review and approval prior to Building Permit submittal. Any major modifications to the approved materials will require review and approval at the appropriate jurisdictional level.

31. Exterior lighting style and design shall be compatible and complementary to the building design. **Final building lighting plans, night renderings, and light fixture cut sheets shall be reviewed and approved by Design Review staff prior to Building Permit submittal.**

32. Any roof top mechanical systems shall be integrated into the mechanical penthouse this includes but is not limited to HVAC, satellite dishes, etc. **Applicant shall provide to Design Review staff final details and elevations of final mechanical and building parapet prior to Building Permit submittal. Final roof plan with mechanical equipment locations shall be reviewed and approved by Design Review staff prior to Building Permit submittal.**

**Row houses (35 houses):**

33. The design of the building shall be updated as indicated in the report and conditions of approval. The building elevations shall have a larger variety of detail and variation and higher attention to quality.

34. Final heights and massing shall be as indicated on the plans.
35. The materials shall be provided as follows; **authentic brick veneer and cornice is required rather than cultured stone brick veneer**; smooth finished cement plaster; **red cedar horizontal lap siding with a maximum 4 inch exposure**; smooth finished cement plaster over CMU patio walls with flush grout lines and cast concrete caps, vinyl casement and awning windows with clear glazing; fiberglass entry doors, **oversized cement plaster window sill and lintel**; **smooth panel metal garage doors with transom glazing**; and **prefinished suspended metal awnings/light shelves** shall be submitted to Design Review staff for final review and approval prior to Building Permit submittal. **A physical color and material board shall be provided at the Design Commission hearing. Final details of patio walls, stoops, and metal awnings/light shelves shall be provided to Design Review staff prior to Building Permit submittal. Final color and material board shall be submitted to Design Review staff for final review and approval prior to Building Permit submittal. Any major modifications to the approved materials will require review and approval by the Design Commission.**

**35. Rev: The materials shall be approved as follows:** smooth-finish cement plaster panels and scored cement plaster panels; **stucco sills and head trim (detailing, quantities, material properties and finishes to be developed further with Staff)**; vinyl windows/**patio doors** with clear glazing; fiberglass entry doors **with privacy glazing at primary entries**; smooth panel metal garage doors with transom glazing; pre-finished suspended metal awnings/light shelves; **and** smooth finished cement plaster over CMU patio walls with flush grout lines and cast concrete caps. **Applicant shall work with Staff to develop and document to the appropriate level the properties and detailing of above materials and assemblies so as to ensure proper execution of agreed design intent at time of construction. Such items shall be submitted to Design Review Staff for final review and approval prior to Building Permit submittal. Any major modifications to the approved materials will require review and approval at the appropriate jurisdictional level.**

36. Exterior lighting style and design shall be compatible and complementary to the building design. **Final building lighting plans, night renderings, and light fixture cut sheets shall be reviewed and approved by Design Review staff prior to Building Permit submittal.**
37. Any roof top mechanical systems shall be integrated into the mechanical penthouse this includes but is not limited to HVAC, satellite dishes, etc. **Applicant shall provide to Design Review staff final details and elevations of final mechanical and building parapet prior to Building Permit submittal. Final roof plan with mechanical equipment locations shall be reviewed and approved by Design Review staff prior to Building Permit submittal.**

C. The design of the signage is hereby approved subject to the following conditions:

38. High quality signage with a design and materials that complements the architecture is required and shall meet the sign ordinance. Applicant shall work with Design Review Staff to further enhance the signage proposed. Signage shall be well integrated and complementary to the structures design, and shall not have the appearance of being planted on the surface of the building. **Signage criteria for the project shall be submitted to Design Review staff and the City Sign Coordinator for review and approval prior to building permit submittal. Signage criteria requirements are locations of signage (elevations) including general size, potential illumination, and materials. Final sign designs shall be reviewed at time of tenant improvement Building Permit submittal.**

#### **D. General Conditions**

39. Applicant shall provide a Design Development (DD) level of detail for all phases to Design Review Staff for final review and approval prior to Building Permit Submittal.
40. All final details affecting the exterior building design that are not determined at the time of the Design Commission's final review shall be reviewed and approved by Design Review staff prior to Building Permit submittal.
41. All other notes and drawings on the final plans as submitted by the applicant are deemed conditions of approval. Any changes to the final set of plans stamped by Design Review staff shall be subject to review and approval prior to Building Permit submittal. Applicant shall comply with all current building code requirements.
42. Any major revisions to the final approved design are subject to review and approval by the Design Commission.
43. **All required new and revised plans shall be submitted for review and approval by Design Review staff prior to building permit submittal. A set of the appropriate plans (reduced to 11 x 17 set) along with a Letter of Compliance indicating how the project is in compliance with each Condition of Approval with detailed sheet references shall be submitted directly to Design Review Staff 1-2 weeks prior to Building Permit submittal. A final 3D model (Sketchup preferred) shall be provided to Design Review staff prior to building permit submittal. All necessary planning entitlements shall have been approved by the Planning Commission prior to final Design Review sign-off of plans.**
44. The approval shall be deemed automatically revoked unless required permits have been issued and construction begun within three years of the date of the approval. Prior to expiration, an extension of time may be granted by the Design Director upon written request of the applicant.

- 45. The Design Commission decision may be appealed to City Council. Appeals must be filed within 10 calendar days of written notice of the Design Commission action.**
46. No building permit shall be issued until the expiration of the 10 day appeal period. If an appeal is filed, no permit shall be issued until final approval is received.
47. Final occupancy shall be subject to approval by Design Review Staff and shall involve an on-site inspection by Design Review Staff.
- 48. The Record of Decision shall be scanned and inserted into the final set as a general sheet to be submitted for building permit.**

