



**CITY OF SACRAMENTO DESIGN COMMISSION  
RECORD OF DECISION**

**300 Richards Boulevard, 3<sup>rd</sup> Floor, Sacramento, CA 95814**

Project Name: La Valentina Station  
Project Number: DR08-278  
Project Location: 429 12<sup>th</sup> Street  
Assessor's Parcel No.: 002-0121-002, -027, -032, -034, -036, -038  
Applicant: Amelia Dolan, Domus Development  
Action Status: Approved with Conditions Action Date: 3/25/09

**REQUESTED ENTITLEMENT(S):** Located at the northeast corner of 12<sup>th</sup> and E Streets, and southeast corner of 12<sup>th</sup> and D Streets, a request to develop a four-story residential building totaling +/- 67,000 sq. ft. including ground floor retail space on .83 acres in the RMX (Residential Mixed Use) zone.

- A. Environmental Determination: Mitigated Negative Declaration
- B. Mitigation Monitoring Plan
- C. Design Review of proposed development of a four-story residential building with ground floor retail and on-grade parking.

**ACTIONS TAKEN:** On 03/25/09, the Design Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval:  
Action: Approved with Conditions.

**Action certified by:**   
William Crouch, FRAIA, AIA, NCARB, LEED AP, Urban Design Manager

Sent to Applicant: 3/26/09

By:   
Staff Signature

**NOTICE OF PROTEST RIGHTS**

The above conditions include the imposition of fees, dedications, reservations, or other exactions. Pursuant to California Government Code section 66020, this Notice of Decision serves as written notice to the project applicant of (1) the amount of any fees and a description of any dedications, reservations, or exactions imposed, and (2) that the applicant may file a protest against the imposition of those fees, dedications, reservations, or other exactions within 90 days of the date of this approval, which is deemed to be the date that the fees, dedications, reservations, or other exactions are imposed. If the payment of a fee is imposed as a condition of approval, but the amount of the fee is not stated in this Notice of Decision and is not otherwise available to the applicant on a fee schedule or otherwise, the 90 days protest period will begin to run when the applicant is notified of the amount of the fee.

For purposes of this notice, the following fees are deemed to be imposed upon approval of the first discretionary entitlement for the subject development project and are subject to the protest procedures set forth in Title 18 of the Sacramento City Code as indicated: North Natomas Public Facilities Fee, Transit Fee, and Drainage Fee (SCC)

18.24.160); North Natomas Land Acquisition Fee (SCC 18.24.340); North Natomas School Facilities Fee (SCC18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC18.28.150); Willow Creek Project Area Development Fee (SCC 18.32.150); Development Impact Fees for the Railyards, Richards Boulevard, and Downtown Areas (SCC 18.36.150); Habitat Conservation Fee for the North and South Natomas Community Plan Areas (18.40.090); and Park Development Impact Fee (18.44.140).

The time within which to challenge a condition of approval of a tentative subdivision map, including the imposition of fees, dedication, reservation, or other exaction, is governed by Government Code section 66499.37

### **EXPIRATION**

**TENTATIVE MAP:** Failure to record a final map within three years of the date of approval or conditional approval of a tentative map shall terminate all proceedings.

**SPECIAL PERMIT:** A use for which a Special Permit is granted must be established within three years after such permit is issued. If such use is not so established, the Special Permit shall be deemed to have expired.

**VARIANCE:** Any variance involving an action which requires a building permit shall expire at the end of three years unless a building permit is obtained within the variance term.

**PLAN REVIEW:** Any plan review shall expire at the end of three years unless a building permit is obtained within the plan review term.

**DESIGN REVIEW:** 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 Commission upon written request of the applicant.

**NOTE:** Violation of any of the foregoing conditions will constitute grounds for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions taken on rezoning, special permits and variances.

### **APPEALS**

Appeals of the Design Commission decision of this item to the City Council must be filed at 915 I Street, New City Hall, 3rd Floor, within 10 calendar days of this meeting, on or before 04/06/09. If the 10<sup>th</sup> day falls on a Saturday, Sunday or holiday, the appeal may be filed on the following business day.

## **Findings Of Fact**

- A. Environmental Determination:** The Design Commission considered the Planning Commission recommendation to City Council of the Mitigated Negative Declaration for the La Valentina Station 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** *request to develop a four-story residential building totaling +/- 67,000 sq. ft. including ground floor retail space is approved, 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 Central City Design District (C2) zone.
  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 criteria set forth by the Design Commission.

## Conditions Of Approval

The Design Review request to develop a four-story residential building totaling +/- 67,000 sq. ft. including ground floor retail space 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 as indicated in the report and exhibits. The Applicant shall coordinate with the appropriate agencies regarding alley improvements associated with the overall project.
  2. The project shall have building entries as indicated in the exhibits.
  3. Auto 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 per the Planning Commission Conditions of Approval.
  5. The project shall include landscaping elements as indicated on the reports and exhibits, and final landscape plans and details shall be reviewed and approved by Design Review staff prior to Building Permit submittal. Vine pockets shall be provided at column bases at the ground level colonnade. Existing street trees shall be retained and pruned per Urban Forest requirements. Additional street trees shall be provided along D and E Streets per approved plans and Urban Forest requirements. Final tree species shall be coordinated with Urban Forest staff. Automatic irrigation shall be provided for all planting and landscaping. Any street tree removal or pruning is subject to review and Approval by Urban Forest staff. Permeable concrete pavers shall be provided at the driveways and public courtyard areas per approved plans. Sidewalks shall be city standard concrete with a 2' by 2' grid pattern. **Applicant shall work with Design Review and Fire Department staff to provide fire access through the palm trees in the public court area. Street planters and sidewalks, 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 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. Pole lights shall not exceed 14'-0" in height. Appropriate lighting should light up wall surfaces or landscape areas. **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.**
  7. Site mechanical equipment and utility vaults shall be incorporated into the project site. SMUD boxes, etc., shall be placed above ground within a re-sawn wood fence to match the style and finish of the building. Backflow prevention devices shall be

placed closer to the alley to minimize street and pedestrian views, and a green backflow preventer cover shall be provided. **The applicant shall submit final site mechanical locations for review and approval by Design Review staff prior to Building Permit submittal.**

8. Trash enclosure shall be provided in the service area inside the building as indicated on the plans.
9. Any outdoor furniture proposed for the exterior seating shall be provided for review and approval by Design Review Staff prior to Building Permit issuance.

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

10. The design of the building shall be as indicated in the report and exhibits.
11. Final heights and massing shall be as indicated in the report and exhibits.
12. The materials provided shall be smooth finished cement plaster, a varied width fiber cement board rain screen in vertical and horizontal orientations over smooth finished cement plaster, clear anodized aluminum storefront systems and doors with clear glazing at the ground level, clear anodized aluminum roll-up garage doors at ground level, cast in place concrete columns at the ground level colonnade, perforated sealed rusted steel railings and screens, fiberglass casement windows and fiberglass sliding glass doors with clear glazing above the ground level, and fiber cement railings . Final colors, materials and details shall be as indicated on the plans and the color/material board. Final color and material board shall be submitted to Design Review staff for final review and approval prior to Building Permit submittal. Any modifications to the approved materials or color palette will require review and approval by the Design Director.
13. Reveals, offsets, and insets shall be introduced in the rain screen and at the glazing systems as indicated in the report and exhibits.
14. The building elevations shall have a consistency of detail and quality as indicated in the report and exhibits.
15. Exterior lighting style and design shall be compatible and complementary to the building design. **Final building lighting plans and light fixture cut sheets shall be reviewed and approved by Design Review staff prior to Building Permit submittal.**
16. The photovoltaic system shall be placed on the roof to minimize its appearance and visibility from any street views. The HVAC system has not yet been chosen for this project, but it shall be incorporated into the building design, so as not to be visible from any street views. **Final roof plan with mechanical equipment locations, a section through the HVAC unit and building, and cutsheets 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:**

17. High quality signage with a design and materials that complements the architecture is required and shall meet the sign ordinance. Staff suggests the use of internally illuminated individual channel letters or reverse pan channel letters with halo illumination with a maximum 24" in height and a maximum of 70% of retail frontage. **Final signs shall be submitted to Design Review staff and the City Sign Coordinator for review and approval prior to issuance of a Sign Permit.**

**D. General Conditions**

18. All final details affecting the exterior building design that are not determined at the time of the Design Commission final review shall be reviewed and approved by Design Review staff prior to Building Permit submittal.
19. 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.
20. Any major revisions to the final approved design are subject to review and approval by the Design Commission.
21. Any tenant improvement that would modify this approval shall be submitted to Design Review staff for review and approval prior to Building Permit submittal.
22. **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.**
23. 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 Commission upon written request of the applicant.
24. **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.**
25. 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.
26. Final occupancy shall be subject to approval and involve an on-site inspection by

Design Review Staff.

27. **The Record of Decision shall be scanned and inserted into the final set as a general sheet to be submitted for building permit.**