



**CITY OF SACRAMENTO DESIGN REVIEW AND PRESERVATION BOARD
RECORD OF DECISION**

New City Hall, 915 I Street, 3rd Floor, Sacramento, CA 95814

Project Name: One-story office building
Project Number: DR06-127
Project Location: 3871 12th Avenue
Assessor's Parcel No.: 014-0231-049
Applicant: Greg Todd
Action Status: Approved with Amended Conditions Action Date: 10/04/06

REQUESTED ENTITLEMENT(S): A request to construct a new one-story 1,600 sq. ft. mixed use building on vacant 0.15 acres in the C-1 (Limited Commercial Review) zone. (DR06-127)

- A. Environmental Determination: Exempt per CEQA 15332; Infill development
- B. Design Review of proposed project to construct a new one-story 1,600 sq. ft. office building with on-site parking.

ACTIONS TAKEN: On 10/04/06, the Design Review and Preservation Board took the following actions based on the attached findings of fact and subject to the attached conditions of approval:

Action: Moved, seconded, carried (Hope/Elliott, 6:0:0; Absent - LaBarge, Febbo), to Approve.

Action certified by:

Math Sanchez FOR
Luis R. Sanchez, AIA, Design Review Director

Sent to Applicant: 10/05/2006

By: *Math Sanchez*
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 two years of the date of the approval. Prior to expiration, an extension of time may be granted by the Board 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 Review and Preservation Board decision of this item to the Planning Commission must be filed at 915 I Street, New City Hall, 3rd Floor, within 10 calendar days of this meeting, on or before 10/14/06. If the 10th day falls on a Sunday or holiday, the appeal may be filed on the following business day.

Findings Of Fact

- A. Environmental Determination:** This project will not have a significant effect on the environment and is categorically exempt from environmental review pursuant to the California Environmental Quality Act Guidelines, Section 15332(b) Infill development.
- B. The Design Review request to construct a new one-story 1,600 sq. ft. mixed use building with on-site parking 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 Limited Commercial (C-1) zone and includes conditions addressing building and site design and signage.
 2. The proposed use will be consistent with the objectives of the City of Sacramento General Plan.
 3. The proposed use would not be detrimental to the public health, safety and welfare, not result in a public nuisance in that it has been designed to allow vehicular access only and the building and landscaping have been designed so as to be compatible with the existing character of the general vicinity and shall not change the essential character of the project area.

4. The design and location of the facility will not contribute to increased congestion on Martin Luther King Boulevard or 12th Avenue in that Development Engineering has reviewed the project and has determined that the site will not generate enough traffic to impact adjacent streets.

Conditions Of Approval

The Design Review request to construct a new one-story 1,600 sq. ft. mixed use building with on-site parking 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 issuance of a building permit:**
 1. The building shall be sited as indicated in the report and exhibits.
 2. The project shall have setbacks as indicated in the report and exhibits.
 3. The project shall include a primary pedestrian entry point oriented to the intersection of Martin Luther King Blvd. and 12th Ave. with secondary pedestrian entries off of the parking area.
 4. Auto access and site layout shall be as indicated in the report and exhibits. Final landscape plans shall be reviewed and approved by staff prior to Building Permit submittal. **Shading shall meet 50% requirement for paved parking area.** Final landscape plans shall match final Architectural Site Plan.
 5. **Existing chain link fence shall be removed and replaced.** Final CMU walls **and fence** shall be reviewed and approved by staff prior to submitting for a Building Permit.
 6. 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. Parking lot lighting shall complement the building design and colors. Pole mounted fixtures shall be 14'-0" high max. Final fixture selections and design of lighting layout shall be reviewed and approved by staff prior to submitting for a Building Permit.
 7. Mechanical equipment proposed shall be screened as necessary to fit in with the design of the new building. Backflow prevention devices, SMUD boxes, etc., shall be placed where not visible from street views, screened from any pedestrian view. The Applicant shall submit final mechanical locations and screening to staff for review and approval prior to submitting for a Building Permit.
 8. Final Service area plans shall be reviewed and approved by staff prior to submitting for a Building Permit.
 9. Final Trash Enclosure plans shall be reviewed and approved by staff prior to submitting for a Building Permit.

- B. The design of the building (see plans attached) is hereby approved subject to the following conditions:**
10. The applicant shall construct the proposed project with color and materials palette as indicated on plans and conditions of approval. The building shall be constructed with a smooth acrylic finish cement plaster, and brick veneer. A maximum 8" cornice molding shall be provided to wrap and return the cap of the parapet.
 11. The parapet shall provide only one step up from 15' to 17' on the south and west elevations to allow a smoother transition between the two masses. ***Cornice molding shall wrap around the steps of the parapet to provide a finished look.***
 12. Pilasters shall be provided as indicated on approved plans.
 13. Aluminum storefront frames shall be clear anodized. All glazing shall be clear glass.
 14. ***Applicant shall work with staff on appropriate material (brick or cement plaster) for window trim.***
 15. ***Applicant shall work with staff on final design and material of the canopies. Final canopy details and locations shall be reviewed and approved by staff prior to submitting for a Building Permit.***
 16. Decorative lighting that complements the building design shall be provided. Final building lighting shall be reviewed and approved by staff prior to submitting for a Building Permit.
 17. Final roof plan with mechanical equipment locations shall be reviewed and approved by staff prior to submitting for a Building Permit.
 18. All required new and revised plans shall be submitted for review and approval of staff prior to issuance of building permits. **A set of the appropriate plans shall be submitted directly to Design Review staff.** Any necessary planning entitlements shall have been approved by the Planning Commission or the Zoning Administrator prior to final Design Review sign off of plans.
 19. The approval shall be deemed automatically revoked unless required permits have been issued and construction begun within two years of the date of the approval. Prior to expiration, an extension of time may be granted by the Board upon written request of the applicant.
 20. Final occupancy shall be subject to approval by Design Review staff and shall involve an on site inspection.