



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

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

Project Name: New Restaurant and Retail Building
Project Number: DR06-151
Project Location: 3300 Rio Linda Blvd.
Assessor's Parcel No.: 251-0282-020
Applicant: Gary Roberts, GRA Architecture
Action Status: Approved with Amended Conditions Action Date: 11/15/2006


REQUESTED ENTITLEMENT(S): **3300 Rio Linda Boulevard (DR06-151);** a request to demolish an existing 842 sq. ft. restaurant and 238 sq. ft. shed and replace with **3,100 3,800** sq. ft. commercial building consisting of restaurant and grocery store in the C-1 zone.

A. ENVIRONMENTAL ACTION: The project is exempt per CEQA section 15303 (c). New Construction or Conversion of Small Structures.

B. PROJECT DESCRIPTION: The applicant proposes to construct a **3,100 3,800** sq. ft. commercial building consisting of a restaurant and grocery store. Parking will be provided on site. This project is located in the Del Paso Heights Design Review District.

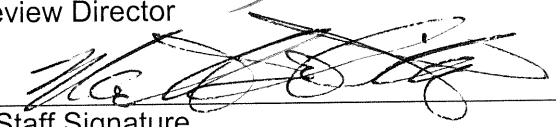
ACTIONS TAKEN: On 11/15/2006, the Design Review and Preservation Board took the following actions based on the attached findings of fact and subject to the attached conditions of approval:
Moved, seconded, carried (Booher/Hope, 5:0:0; Absent- Elliott, Marshack, Sehnert), to approve with amended conditions.

Action certified by:


Luis R. Sanchez, AIA, Design Review Director

Sent to Applicant: 11/16/2006

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 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 11/25/06. 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 15303(c).
- B. The **Design Review** request to construct a ~~3,100~~ **3,800** sq. ft. commercial building consisting of a restaurant and grocery store 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 Light 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 project, as conditioned, enhances the surrounding neighborhoods.

4. The project, as conditioned, will complement certain aspects of the structures in the vicinity, and conforms to the Board's design criteria.

Conditions Of Approval

The Design Review request to construct a ~~3,100~~ **3,800** sq. ft. commercial building consisting of a restaurant and grocery store 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 located as indicated in the report and exhibits.
2. Auto access and site layout shall be as indicated in the report and exhibits.
3. The streetscape design shall be as indicated in the reports and exhibits.
4. Applicant shall meet the 50% shading requirement. Applicant shall provide landscape screening for the electrical transformer along Rivera Drive. Final landscaping plans shall be reviewed and approved by staff prior to Building Permit submittal.
5. The project shall include vehicular and pedestrian entries at Rio Linda Boulevard and Rivera Drive. Applicant shall provide a building entry at the North or East façade for pedestrian service access.
6. The trash enclosure shall be relocated to the northeast corner of the building, or a finished wall be placed at the southeast façade so as not to have an irregular appearance. Final Trash Enclosure plans shall be reviewed and approved by staff prior to Building Permit submittal.
7. An integral color split-face CMU separation wall shall be provided at the north property line to match the field color of the main building. Final fence details shall be review and approval by staff prior to Building Permit submittal.
8. 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. Provide a lighting design that avoids the use of wall pack security lighting. Wall packs tend to throw a lot of light in one direction, and are not neighbor friendly. Appropriate lighting should light up wall surfaces or landscape areas. At the parking lot, staff recommends shielded pole mounted fixtures to be 14'-0" high. This shielding will also avoid glare to neighboring residential units. Parking lot lighting should complement the building design and colors. Final lighting plans shall be submitted for review and approval by staff prior to Building Permit submittal.
9. 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

electrical switchgear shall be relocated to the North away from any pedestrian view. The Applicant shall submit final mechanical locations and screening for review and approval by staff prior to Building Permit submittal.

10. Final signage shall be reviewed and approved by staff prior to Building Permit submittal.

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

11. 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 **3' brick wainscot** at the tower elements, **a 3' color band to match proposed brick wainscot**, smooth finished cement plaster, fabric awnings, and lightweight concrete tile roof at tower elements. Applicant shall work with staff on location of reveal lines **and paint colors** on north and east elevations.
12. Aluminum window and door storefront frames shall be clear anodized. **Applicant shall work with staff to modify height of lower window mullion to match height of wainscot.** All glazing shall be clear glass.
13. **Applicant shall work with staff on** a scaled down, simplified cornice ~~shall be~~ provided to cap and wrap all walls. **Applicant shall work with staff on the paint color of the simplified cornice and upper wall area.** Final plans with all required amendments shall be reviewed and approved by staff prior to Building Permit submittal.
14. Any roof mounted HVAC or mechanical equipment shall not be visible from any street and neighbor views by locating them towards the rear or alley side of structure. Any proposed mechanical equipment shall be screened by the raised parapet wall per the Board's guidelines. All mechanical equipment shall be placed as close to the center of the building rooftop to further assist in screening from any street views. Special attention shall be paid to views from above and the orientation and finish of equipment be taken into consideration. A roof plan showing equipment heights and locations along with a site line section shall be provided for review and approval by staff prior to Building Permit submittal.
15. Provide exterior lighting mounted on the building shall "complement the building design". Down lighting shall be utilized at the awnings and/or decorative wall sconces be utilized between window systems. Final building lighting and cut sheets shall be reviewed and approved by staff prior to Building Permit submittal.
16. All required new and revised plans shall be submitted for review and approval of staff **prior to submittal** for 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.
17. 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.

18. Final occupancy shall be subject to approval by Design Review staff and shall involve an on site inspection.