



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

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

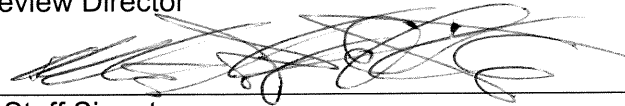
Project Name: 3619 4th Avenue
Project Number: DR06-197
Project Location: Broadway/Stockton
Assessor's Parcel No.: 010-0385-014
Applicant: Lincoln Mortenson
Action Status: Approved with amendments to staff conditions Action Date: 09/20/06

REQUESTED ENTITLEMENT(S): Broadway Artist Lofts. A request to develop a two-story 5,065 sq. ft. commercial building consisting of seven (7) artist lofts on 8,840 sq. ft. in the C2-SPD (Commercial & Offices) zone. (DR06-197)

- A. Environmental Determination: Exempt per CEQA 15332, In-Fill Development Projects;
- B. Design Review request to develop a two-story 5,065 sq. ft. commercial building consisting of seven (7) artist lofts in the C2-SPD zone.

ACTIONS TAKEN: On 9/20/06, the Design Review and Preservation Board took the following actions based on the attached findings of fact and subject to the attached amended conditions of approval:
Action: Heard. Moved, seconded, carried (Febbo/Hope, 6:0:0; Absent – Elliott, LaBarge), to Approve.

Action certified by: 
Luis R. Sanchez, AIA, Design Review Director

Sent to Applicant: 9/21/06 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.

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 9/30/06. 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:** Exempt per CEQA 15332(a), "The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations."
- B. The Design Review** request to construct a new commercial residential building 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 (C-2) 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.

Conditions Of Approval

The Design Review for proposed project to construct new two-story 5,065 +/- sq. ft. commercial residential 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~~ **architect shall work with staff on setbacks as necessary for compliance with all zoning ordinances and design guidelines.**
3. The project shall include an entry gateway and path from 4th Avenue at the front of parcel to the new rear units. This entry should be centrally located and immediately recognizable as the path to the rear units.
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. Final landscape plans shall match final Architectural Site Plan.
5. Final front fence design, new gateway entry to units, and CMU separation wall shall be reviewed and approved by staff prior to issuance of building permit.
6. The applicant shall submit all site light fixtures and plan locations to staff for review and approval prior to Building Permit submittal.
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.
8. Final Trash Enclosure plans 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:

9. The building design shall be constructed as indicated in the report and exhibits.
10. The materials shall be a smooth finished cement plaster, galvanized recessed panel shutters, galvanized metal infill panels at tower element, metal recessed panel doors with vision panels, and ~~steel sash or anodized aluminum storefront windows~~ **shall work with staff on window material.** Colors shall be submitted to staff prior to Building Permit submittal.
11. Decorative lighting that complements the building design shall be provided. Final

building lighting shall be reviewed and approved by staff prior to Building Permit submittal.

12. Final roof and mechanical room plans with mechanical equipment locations shall be reviewed and approved by staff prior to Building Permit submittal.
13. Attached signs on all building elevations shall meet minimum criteria of the sign ordinance, the Broadway/Stockton SPD ordinance, and shall complement the building design and colors. This includes graphic identity for the tenant, appropriate scale for the size of the building, and type of sign that is architecturally compatible with the building. Provide individual letters for signage with quality graphics, materials and design. A sign program shall be submitted to Design Review staff prior to issuance of a Sign Permit.
14. 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.
15. 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.
16. Final occupancy shall be subject to approval by Design Review staff and shall involve an on site inspection.