



**CITY OF SACRAMENTO PLANNING COMMISSION
RECORD OF DECISION**

300 Richards Blvd, 3rd Floor, Sacramento, CA 95811

Project Name: Greer Duplex
Project Number: P08-069
Project Location: 4414 4th Avenue
Assessor's Parcel No.: 014-0123-007-0000
Applicant: Robert Greer
Action Status: Recommended approval with amended Conditions
Action Date: 8/14/2008

REQUESTED ENTITLEMENT(S): A request to construct a duplex on an approximately 0.13 acre vacant parcel in the General Commercial (C-2-SPD) zone within the Broadway/Stockton Special Planning District.

- A. **Environmental Determination:** Categorical Exemption pursuant to CEQA Section 15303.
- B. **Special Permit:** to construct a duplex in the General Commercial (C-2-SPD) zone within the Broadway/Stockton Special Planning District.

ACTIONS TAKEN: On 8/14/2008, the Planning Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval:

Recommended Approval of Item A to B with amended conditions

Action certified by:


David Kwong, Planning Manager

Sent to Applicant: 8/15/2008

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 (SCC 18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC 18.28.150); 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 Planning Commission decision of this item to the City Council must be filed at 300 Richards Blvd, 3rd Floor, within 10 calendar days of this meeting, on or before 8/25/08. 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: Exemption

1. The Planning Commission of the City of Sacramento finds as follows:

The City of Sacramento's Environmental Planning Services has reviewed the **Greer Duplex (P08-069)** and has determined the Project is exempt from review under the California Environmental Quality Act as follows:

- a. The Project is exempt under the following provisions of the California Environmental Quality Act and/or Guidelines: **CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures.**

b. The factual basis for the finding of exemption is as follows:

This project consists of a request to construct a new duplex on an approximately 0.13 acre vacant parcel in the General Commercial(C-2-SPD) zone within the Broadway/Stockton Special Planning District.

2. The Planning Commission has reviewed and considered the Environmental Planning Services determination of exemption and the comments received at the hearing on the Project and has determined that the Project is exempt from review under the California Environmental Quality Act for the reasons stated above.

B. Special Permit to construct a duplex in the General Commercial (C-2) zone is approved subject to the following Findings of Fact and Conditions of Approval:

1. The project, as conditioned, is based upon sound principles of land use in that the proposed duplex is compatible with the existing land uses in the neighborhood and the size of the lot is insufficient for a viable commercial project.
2. The project, as conditioned, will not be detrimental to the public welfare, safety, or and result in the creation of a public nuisance in that the proposed residential development provides adequate setback to the adjacent streets and adjacent properties and that adequate open spaces and access to light and air are provided.
3. The project, as conditioned, is consistent with the City of Sacramento General Plan policies in that the project promotes infill development, supports redevelopment efforts that add new units to the housing stock, and develop a duplex in a manner which is efficient and utilizes existing and planned urban resources.

Conditions Of Approval

B. Special Permit to construct a duplex in the General Commercial (C-2) zone.

PLANNING:

- C1. The project shall be constructed in conformance with the approved revised site plan and house plans included as Exhibits to this Record of Decision. Any modification to the project shall be subject to review and approval by Planning Division prior to the issuance of any building permits. Any significant modification to the project may require subsequent entitlements.
- C2. Raised panel front doors shall be provided for both units as shown on the Elevation (Exhibit C).
- C3. Front yard landscaping and an irrigation system shall be provided. Rear yard landscaping adjacent to the driveway shall be provided as shown on the Site Plan (Exhibit A).
- C4. Applicant/owner shall obtain all necessary building permits prior to construction.
- C5. The project shall comply with Design Review conditions of DR07-155.

DEVELOPMENT ENGINEERING:

- C6. *Construct standard improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Development Engineering Division. Improvements required shall be determined by the city. Any public improvement not specifically noted in these conditions shall be designed and constructed to City standards. This shall include street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk fronting along 4th Avenue per City standards to the satisfaction of the Development Engineering Division;*
- C7. *All new driveways shall be designed and constructed to City Standards to the satisfaction of the Development Engineering Division;*
- C8. *The design of walls fences and signage near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height at maturity. The area of exclusion shall be determined by the Development Engineering Division;*

CITY ARBORIST:

- C9. The applicant will be responsible for improvements to the sidewalk and planter area which fronts the property along 4th avenue.
- C10. The applicant has been approved by Urban Forest Services to remove a 15-inch diameter London plane tree (*Platanus acerifolia*) located in the city planting strip. The applicant will be responsible for submitting a tree removal application prior to removal. Once received, the application will be processed and a permit will be issued to the applicant. The applicant will be responsible for all cost associated with tree and stump removal.
- C11. The applicant will be responsible for the reconstruction and maintenance of the planting strip. Irrigation will be supplied to the planter by means of spray heads. Buried or bubbler type irrigation heads will not be permitted. Irrigation heads will be positioned along the outer ends and edges of the planter. The applicant will be responsible for the installation of two (2) columnar type tree plantings in the city planting strip. The applicant will get tree species approval from the city arborist prior to planting. Michael Butcher (city arborist) can be reached at 808-6370 during normal office hours. Irrigation will be positioned no less than four (4) feet from tree stems. The addition of wood mulch/chips to a layer of 3-4 inches will cover the entire planting strip. The planting strip will be free of any other planting material.
- C12. The applicant will be responsible for the installation of two large canopy shade trees located in the rear of the project. These trees will be situated from the back of the driveway and located approximately five (5) feet into the planter and placed on center to balance the landscape. The shade trees will be approved by the city arborist prior to planting. Species such as oak, elm, zelkova, and maple can be used. Non-flowering pears or ornamental trees will not be permitted. The applicant has proposed the installation of a barrier planting in the rear of the driveway planter. Planted eight (8) feet on center and approximately three (3) feet from the rear property line, we agree and

strongly suggest the use of six (6) podocarpus gracilior. Irrigation will be installed and provided by spray heads located at the edges of the planter. Spray heads are not permitted within four (4) feet of tree stems. Wood chips/mulch will be utilized as a ground cover and installed 3-4 inches in depth. Planting material or turf is not permitted in this planter.

DEPARTMENT OF UTILITIES:

- C13. Only one domestic water service is allowed per parcel. Any existing or new water service shall be metered. (Note: Utilities' records show that there is an existing 6" water main in 4th Ave and an existing 1" water service to the parcel.)
- C14. There is an existing 6" sewer main that is currently running along the north property line of the subject property. Per City Code section 13.04.230, no permanent structure (including without limitation garages, patios, concrete slabs, tool shed and similar structures) shall be constructed on top of water, sewer or drainage pipelines or anywhere within the associated utility easements, unless approved by the director upon execution of a hold harmless agreement approved by the city attorney.
- C15. This project is served by the Combined Sewer System (CSS). Therefore, the developer/property owner will be required to pay the Combined Sewer System Development Fee prior to the issuance of building permit. The impact to the CSS due to this project is estimated to be 2 ESD (Equivalent Single-Family Dwelling). The Combined Sewer System fee at time of building permit is estimated to be \$105 per ESD plus any increases to the fee due to inflation. The fee will be used for improvements to the CSS.
- C16. The lot shall be graded so that drainage does not cross property lines.

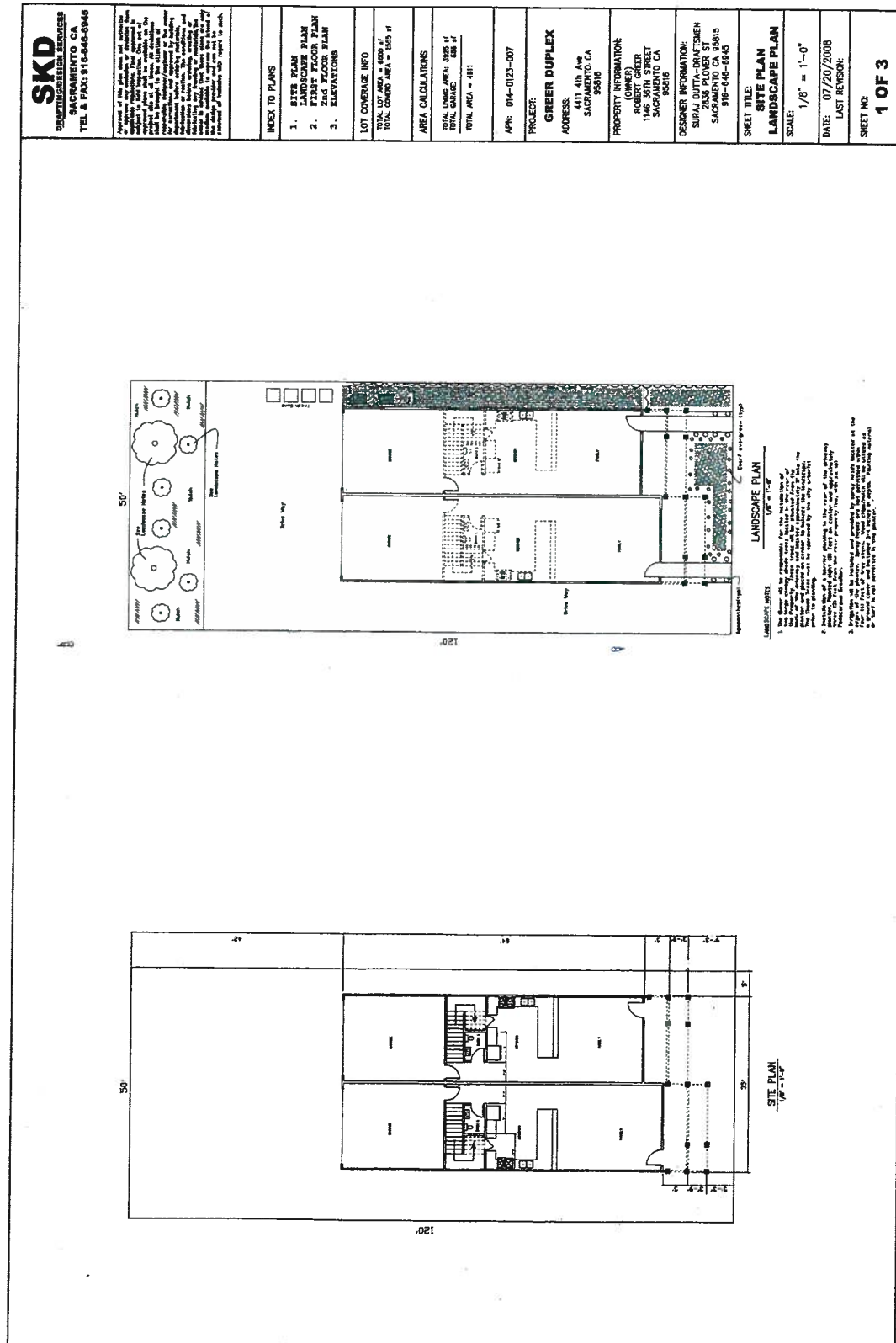
FIRE:

- C17. The furthest projection of the exterior wall of a building shall be accessible from within 150 ft of an approved Fire Department access road and water supply as measured by an unobstructed route around the exterior of the building. (CFC 503.1.1)
- C18. Provide at least 5' setback for second story bedroom windows to allow for fire ladder rescue operations. Provide clear access to buildings openings, free to landscaping and other obstructions. Exterior doors and openings required by this code or the Building Code shall be maintained readily accessible for emergency access by the Fire Department. CFC 504.1

Advisory Notes:

- 1. As per City Code, the applicant will be responsible to meet his/her obligations regarding Title 18, 18.44 Park Development Impact Fee, due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at \$1,698. This is based on 1 duplex at the duplex rate in the residential target infill area of East Broadway of \$1,698 per unit. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit.

Attached: Exhibits A-C



REVISED

SKD
 SKD ARCHITECTURE
 SACRAMENTO, CA
 TEL. & FAX: 916-446-6845

OWNER: GRIER DUPLEX
 4111 4th Ave
 SACRAMENTO CA
 95816

DESIGNER INFORMATION:
 SURAJ DUTTA - DRAFTSMAN
 1148 50TH STREET
 SACRAMENTO CA 95815
 916-446-6845

DATE: 07/08/2008
 LAST REVISION:
 SHEET NO: 2 OF 3

PROJECT: GRIER DUPLEX
ADDRESS: 4111 4th Ave
 SACRAMENTO CA
 95816

PROPERTY INFORMATION:
 OWNER:
 1148 50TH STREET
 SACRAMENTO CA

SHEET TITLE:
 FIRST FLOOR PLAN
 2ND FLOOR PLAN

SCALE: 1/4" = 1'-0"

**FLOOR PLAN
 2ND FLOOR**
 1/4" = 1'-0"

**FLOOR PLAN
 1ST FLOOR**
 1/4" = 1'-0"

REVISED

