

RESOLUTION NO. 2011-459

Adopted by the Sacramento City Council

August 4, 2011

ADOPTING FINDINGS OF FACT AND APPROVING BURNETT WAY REZONE AND SPECIAL PERMIT PROJECT (P10-082) (APN: 009-0291-024)

BACKGROUND

- A. On June 9, 2011, the City Planning Commission conducted a public hearing on, and recommended approval of the Burnett Way Rezone and Special Permit project (P10-082).
- B. On August 4, 2011, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(2)(a), (b), and (c), and received and considered evidence concerning the Burnett Way Rezone and Special Permit project (P10-082).

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. Based on the verbal and documentary evidence received at the hearing on the Burnett Way Rezone and Special Permit project, the City Council approves the project entitlements based on the findings of fact and subject to the conditions of approval as set forth below.

Section 2. The City Council approves the project entitlements based on the following findings of fact:

A. Special Permit: The Special Permit to allow the conversion of an existing single family residence to an office use at 1341 Burnett Way is approved based on the following Findings of Fact:

- 1. Granting the Special Permit is based upon sound principles in land use in that the proposed office use of a single family home is consistent with the Traditional Low Density Residential land use designation. The office use is compatible with the adjacent residential and commercial uses and provides for a smooth land use transition from the commercial uses to the north and east to the residential uses to the south and west. Furthermore, the site is surrounded by existing development and infrastructure.

2. The proposed project, as conditioned, will not be detrimental to the public health, safety or welfare, and would not result in the creation of a nuisance in that the required number of parking spaces have been provided; the adjacent residential use will be physically shielded from the office use with the construction of a 6-foot tall stucco-clad masonry wall; the office hours will typically be between 8 a.m. and 5 p.m., Monday through Friday; and the applicant anticipates many of their clients will utilize public transportation to and from the law offices, minimizing the parking impacts in an already impacted area near the Tower Theater. Finally, the plans comply with City's development policies and standards.
3. The proposed project is consistent with the objectives of the General Plan goals and policies related to the Traditional Low Density Residential land use designation. By maintaining the building's residential appearance and relegating all required parking to the north side of the property, adjacent to an existing Golden 1 Credit Union, the urban form is respected and impacts to the adjacent residences on Burnett Way are minimized. Furthermore, the office use provides a sensitive transition from the commercial uses to the north and west to the residential uses to the south and west, thus protecting an established neighborhood. By design, the project meets the community's need for complete, sustainable, and high-quality living environments.

Section 3. The City Council approves the project entitlements subject to the following conditions of approval:

A. Special Permit: The Special Permit to establish an office use in the Residential Office (RO) zone is approved subject to the following conditions of approval:

PLANNING:

- A1. Development of this site shall be in compliance with the attached exhibits (Exhibits A through G), except as conditioned. Any modification to the project shall be subject to review by planning staff prior to the issuance of building permits. Any significant modifications to the project may require subsequent entitlements.
- A2. Obtain all necessary building permits prior to construction.
- A3. A total of three (3) parking spaces must be provided onsite.
- A4. The landscape planters for the parking area shade trees shall be revised and submitted to planning staff for review and approval prior to submitting for building plan check review. The planters shall be expanded to an inside dimension of 6' x 6' with an adjustable tree grate utilized as needed to protect the tree drip areas and root systems. Said planters shall be automatically irrigated with a drip irrigation system approved by Urban Forest Services.

- A5. Landscaping plans shall be submitted to the Landscape Architecture Section of the Parks and Recreation Department. The scope of the review shall include plant species selection, landscape materials, irrigation system, and calculation to ensure that the 50% shading requirement is met. In order to provide adequate surveillance opportunities, all plants and shrubs are to be maintained at maximum height of thirty inches (30"). Decorative planting shall be maintained so as not to obstruct or diminish lighting level throughout the project.
- A6. Lighting:
- a. Lighting shall be designed so as not to produce hazardous and annoying glare to motorists, adjacent properties, or the general public. All fixtures should be placed in a manner that avoids glare when observed from the street or other public areas.
 - b. The parking area shall be provided with a minimum intensity of 1.5 foot-candles per square foot of lighting from one half-hour before sunset until one half-hour after sunrise. All lighting devices shall be equipped with weather and vandal resistant covers. Lighting shall be engineered so as not to produce direct glare or "stray light" on adjacent properties.
 - c. Aisles, passageways and recesses related to and within the building complex shall be illuminated with an intensity of at least seventy-five one-hundredths (.75) minimum maintained footcandle of light as measured at ground level during the hours of darkness. These lighting devices shall be protected by weather and vandal resistant covers.
 - d. Applicant shall submit a lighting plan to Current Planning for review prior to the issuance of building permits.
- A7. The applicant shall provide copies of the Affidavit of Zoning, adopted Ordinance, and adopted Resolutions, including all project conditions of approval on a plan sheet(s) when submitting to the building division for plan check review.
- A8. The applicant shall construct a six-foot high, stucco clad, solid masonry wall along the west property line between the residence and the office. The 6-foot wall shall not extend beyond the front of the existing residential building on Burnett Way.
- A9. The proposed signage shall be submitted to planning staff for review and approval prior to submitting to the Building Division for the sign permit. The proposed signage design shall blend with the residential neighborhood and shall employ architectural elements of the building, shall be constructed of high-quality materials, be non-illuminated, shall only be attached to the building and located on the 14th Street elevation. No detached signage is allowed. One identification sign not exceeding an area of sixteen (16) square feet is allowed.
- A10. The applicant shall add decorative shutters to the façade as shown on the attached elevations.

A11. The applicant shall post, in a conspicuous location, pertinent contact information including a valid contact person, with telephone number, who may be contacted on weekends, holidays, and evenings should construction issues or business operations issues develop on site as a Good Neighbor Policy. The 24-hour emergency contact number and contact person shall be kept current for the duration of any business operations occurring on-site. Also, the applicant/developer shall make a good faith effort to meet, in a timely manner, with any concerned neighbor(s) regarding project issues and shall be responsible for coordinating with nearby residents to ensure there is no detrimental noise, light, or other project related issues that would affect the peace and welfare of the neighborhood.

A11a. Additional condition – Landscaping to be maintained any litter to be picked up daily on the 1341 Burnett Way property.

DEPARTMENT OF TRANSPORTATION-Development Services Division:

A12. The applicant shall repair/reconstruct any deteriorated portions of the sidewalk fronting the property along 14th Street and Burnett Way per City standards and to the satisfaction of the Department of Transportation;

A13. The site plan shall conform to the parking requirements set forth in chapter 17 of City Code (Zoning Ordinance);

A14. 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). 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 Department of Transportation;

Community Development Dept.-Building Division

A15. The building design shall meet the requirements of the 2010 CBC California Codes for a B-occupancy.

A16. The applicant shall obtain a building permit prior to construction.

Advisory Notes:

A17. Provide exterior wall and opening protection as required per the 2010 CBC (Tables 601, 602, and 705.8).

A18. Provide accessibility per chapter 11B of the 2010 CBC.

Dept of Parks and Recreation-Park Planning & Development Services

Advisory:

A19. As per City Code, the applicant shall be responsible to meet his/her obligations regarding:

- a) 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 \$378. This is based on 1,575 square feet of Commercial Offices at the Specified infill Rate of \$0.24 per square foot. 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.

A20. The land use change from residential to office triggers Park Impact Fees.

Table of Contents

- Exhibit A – Title Page
- Exhibit B – Plot Plan
- Exhibit C – Plot Demolition Plan
- Exhibit D – Structure Demolition Plan
- Exhibit E – Floor Plan
- Exhibit F – Elevations
- Exhibit G – Details

Adopted by the City of Sacramento City Council on August 4, 2011 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, R Fong, McCarty, Pannell, Schenirer, Sheedy, and Mayor Johnson.

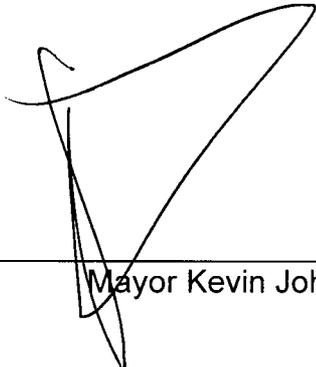
Noes: None.

Abstain: None.

Absent: None.

Attest:


Shirley Concolino, City Clerk



Mayor Kevin Johnson

<p>ABBREVIATIONS</p> <p>1. 1" = 1' SCALE 2. 1/2" = 1' SCALE 3. 1/4" = 1' SCALE 4. 1/8" = 1' SCALE 5. 1/16" = 1' SCALE 6. 1/32" = 1' SCALE 7. 1/64" = 1' SCALE 8. 1/128" = 1' SCALE 9. 1/256" = 1' SCALE 10. 1/512" = 1' SCALE 11. 1/1024" = 1' SCALE 12. 1/2048" = 1' SCALE 13. 1/4096" = 1' SCALE 14. 1/8192" = 1' SCALE 15. 1/16384" = 1' SCALE 16. 1/32768" = 1' SCALE 17. 1/65536" = 1' SCALE 18. 1/131072" = 1' SCALE 19. 1/262144" = 1' SCALE 20. 1/524288" = 1' SCALE 21. 1/1048576" = 1' SCALE 22. 1/2097152" = 1' SCALE 23. 1/4194304" = 1' SCALE 24. 1/8388608" = 1' SCALE 25. 1/16777216" = 1' SCALE 26. 1/33554432" = 1' SCALE 27. 1/67108864" = 1' SCALE 28. 1/134217728" = 1' SCALE 29. 1/268435456" = 1' SCALE 30. 1/536870912" = 1' SCALE 31. 1/1073741824" = 1' SCALE 32. 1/2147483648" = 1' SCALE 33. 1/4294967296" = 1' SCALE 34. 1/8589934592" = 1' SCALE 35. 1/17179869184" = 1' SCALE 36. 1/34359738368" = 1' SCALE 37. 1/68719476736" = 1' SCALE 38. 1/137438953472" = 1' SCALE 39. 1/274877906944" = 1' SCALE 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Exhibit B – Plot Plan

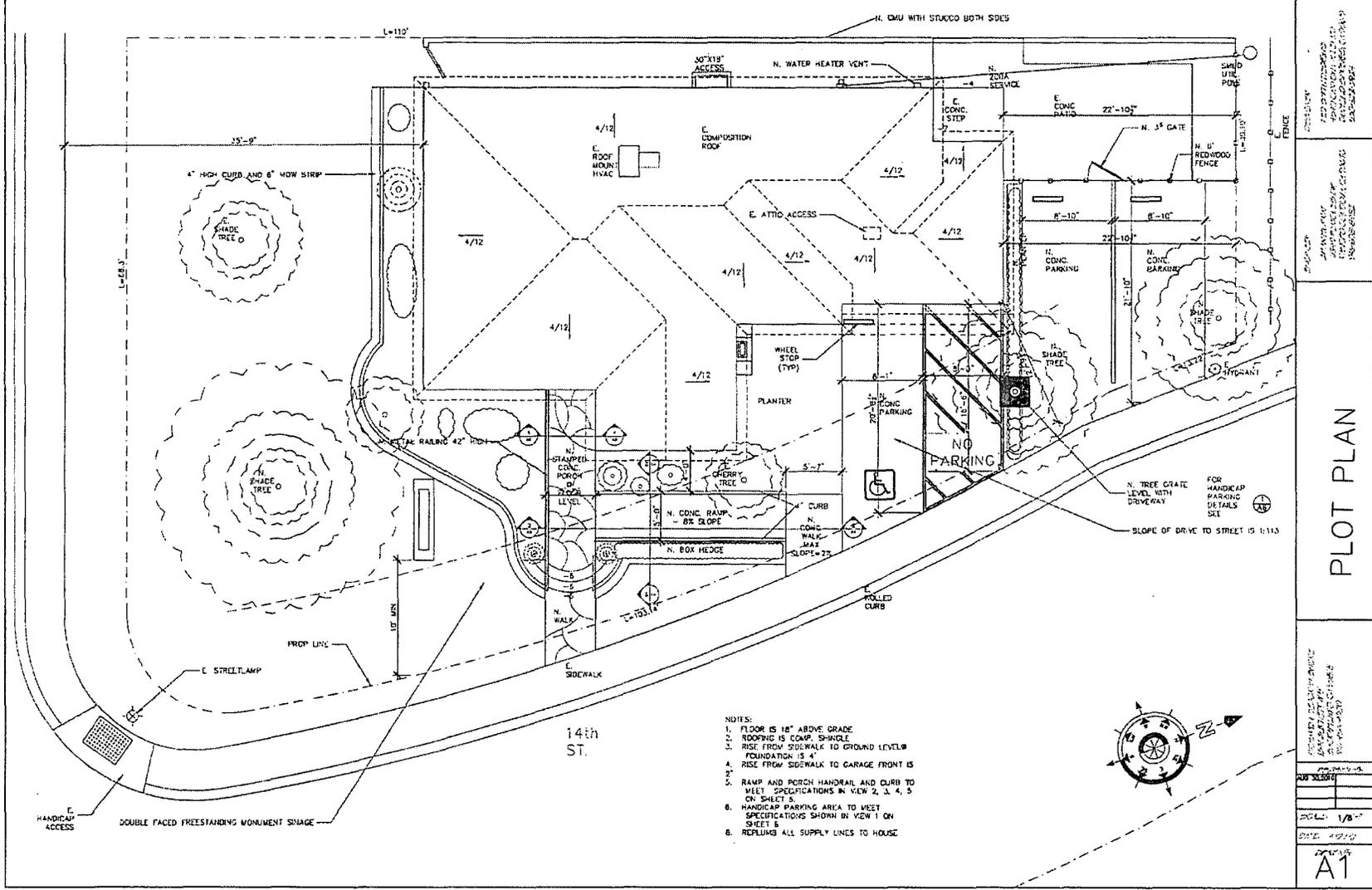


Exhibit C – Plot Demolition Plan

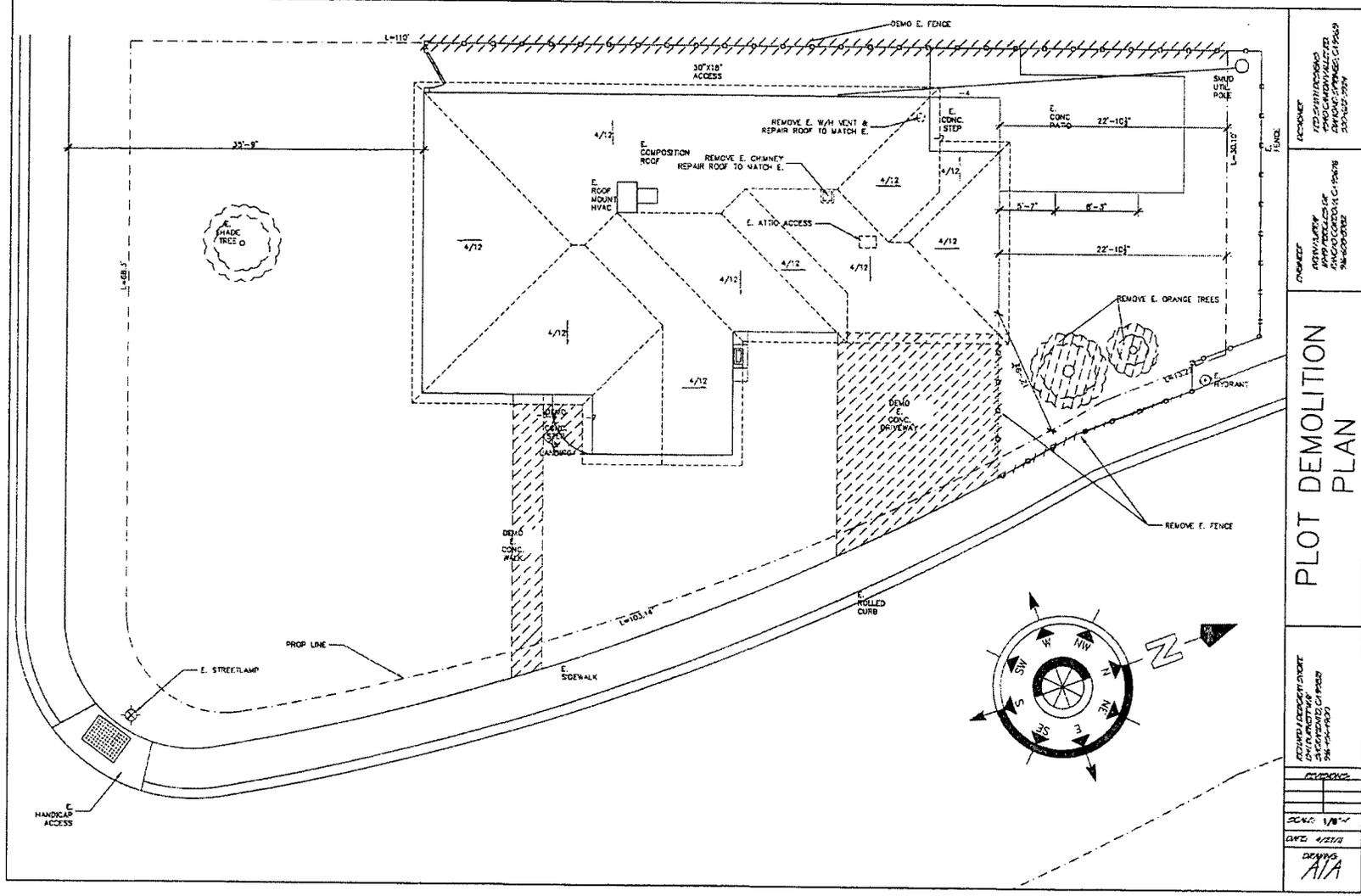


Exhibit D – Structure Demolition Plan

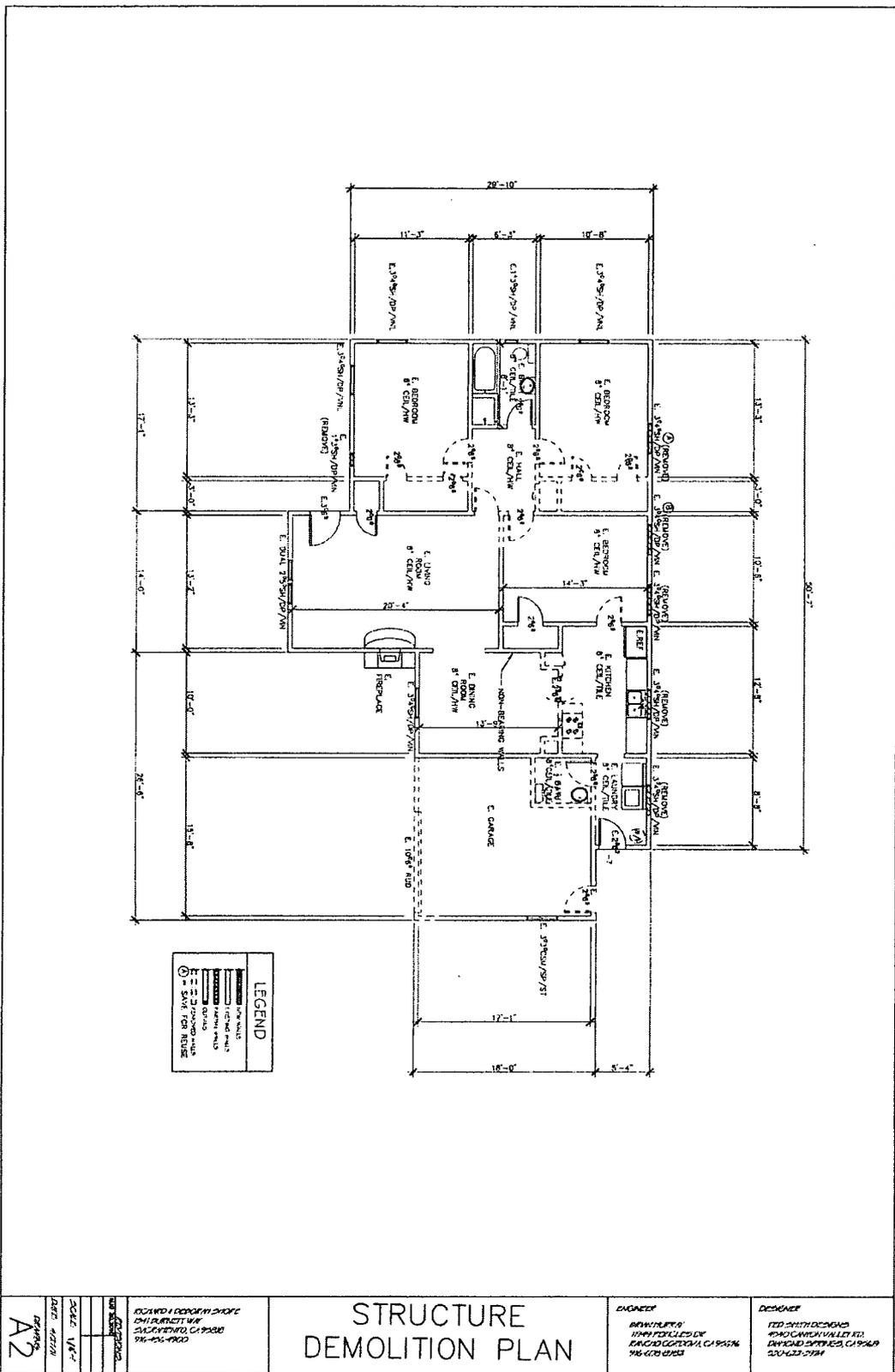


Exhibit F – Elevations

FRONT ELEVATION

- TREES ADDED
- PROVIDE NEW LANDSCAPING
- NEW SHUTTERS ADDED ON STREET SIDE
- NEW FRONT WALK & PORCH
- HEDGE TO HIDE HC RAMP
- NEW HC PARKING AREA
- REMOVE GARAGE DOOR & INSTALL WINDOW
- TREES ADDED FOR SHADE
- LOW FENCE
- UNUSED CHIMNEY REMOVED

LEFT SIDE ELEVATION

- NEW FENCE & GATE
- NEW SHUTTERS ADDED ON STREET SIDE
- PROVIDE NEW LANDSCAPING
- NEW CONCRETE STEPS AND WROUGHT IRON RAILING
- GRADE
- WALL FINISH: 1/2" BRICK, STONE

ELEVATIONS & SECTIONS

DESIGNED BY: [Name]
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 DATE: [Date]

NO. 50, 2000

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

DATE: 5/1/00

DATE: 5/1/00

A5

