

RESOLUTION NO. 2012-292

Adopted by the Sacramento City Council

July 31, 2012

ADOPTING FINDINGS OF FACT AND APPROVING THE E STREET MIXED- USE BUILDING PROJECT'S SPECIAL PERMIT TO ALLOW GROUND FLOOR COMMERCIAL SPACE IN THE R-4A ZONE (P12-010)

BACKGROUND

- A. On June 14, 2012, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the E Street Mixed-Use Building Project.
- B. On July 31, 2012, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(1) and (2)(a), (b), and (c) (publication, posting, and mail (500 feet)), and received and considered evidence concerning the E Street Mixed-Use Building Project.

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 E Street Mixed-Use Building 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. **Environmental Determination:** The Project is exempt from review under Section 15303, New Construction or Conversion, of the California Environmental Quality Act Guidelines.
 - B. **Special Permit:** The Special Permit to allow commercial use on the ground floor of a mixed-use building in the proposed Multi-Family (R-4A) zone is approved based on the following Findings of Fact:
 - 1. Granting the Special Permit is based upon sound principles of land use in that neighborhood-serving commercial uses can be provided in close proximity to residential uses, consistent with General Plan goals encouraging mixed use development. The site is located within the Washington Historic District, and granting of the special permit will reestablish the historic ground floor use of this building.
 - 2. Granting the Special Permit would not be detrimental to the public welfare nor

result in the creation of a public nuisance in that:

- a. Only limited uses permitted in the R-4A zone shall be allowed and such uses shall not exceed 50% of the building square footage;
- b. On-street parking is available directly adjacent to the site and the site is not identified as high impact parking area in the City's regular on-street parking survey.

3. The proposed project is consistent with the General Plan and Central City Community Plan policies to preserve historically significant structures and to provide the opportunity for mixture of housing with other uses in the same building or on the same site.

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

Planning

- B1. The building footprint and elevations shall be in conformance with the attached plans, except as conditioned. Any modifications in the design, materials, or colors from this approval shall be submitted to the Current Planning Division for review and determination for further actions.
- B2. The applicant shall obtain all necessary building permits prior to commencement of construction; any modification to the project shall be subject to review and approval by Planning staff (and may require additional entitlements) prior to the issuance of building permits.
- B3. Fencing locations, design and materials shall require Preservation staff review and approval. Fencing shall be set back six inches from the street faces of the building.
- B4. All mechanical equipment shall be located within enclosed cabinets or screened by landscaping and/or screening/fencing.
- B5. The applicant shall paint electrical meters/cabinets, telephone connection boxes and other utility appurtenances to match the building to which they are attached.

Building

- B6. All new work must comply with the applicable requirements of the 2010 California Code of Regulations Title 24, Part 2 (California Building Code), Part 3 (California Electrical Code), Part 4 (California Mechanical Code), Part 5 (California Plumbing Code), Part 6 (California Energy Code), Part 8 (California Historical Building Code), and Part 9 (California Fire Code).

Department of Transportation

- B7. The applicant shall repair/reconstruct any deteriorated portions of the existing curb, gutter and sidewalk fronting the property along E Street and 14th Street per City standards and to the satisfaction of the Department of Transportation.

Advisory Notes

Planning

1. The first full-sized sheet of the project's Building Permit plans set shall include: 1) A Zoning Affidavit signed by the applicant that affirms the plans submitted for building permit comply with all conditions of approval and approved exhibits; and 2) The project's record of decision including conditions of approval and approved exhibits.
2. Ground floor commercial use which does not meet parking requirements in the zoning code shall be subject to Planning entitlements.

Building

3. Per California Building Code Table 508.3.3, the required separation between the R and B occupancies is a minimum of a 2 hour fire barrier.

Solid Waste Division

4. Project must meet the requirements outlined in Sacramento City Code Chapter 17.72
5. Solid waste trucks must be able to safely move about the property, with minimum backing, and be able to empty the bins and cans safely. Since only cans will fit on the property, this requirement appears to be met.
6. Properties must accommodate trucks, as well as cans or bins, that are roughly the dimensions outlined in the attached file, "Truck, Bin, Can Dimensions".
7. The two second floor apartment units are required by City Code Chapter 13.10 to be served by City of Sacramento Solid Waste Services. This includes the residences of a mixed-use property.
8. All commercial units in this project (i.e., the first floor business spaces) must have solid waste services, but are not required to use City of Sacramento Solid Waste Services. This means the property manager may have the building served by a franchised hauler, or the City of Sacramento.
9. There must be a garbage and recycling can for each apartment unit, as well as for each business unit.
10. Statement of Recycling must be completed.

Urban Forestry

11. During all phases project must comply w/ Chapter 12 code requirements.
12. Applicant must obtain a UFS permit prior to pruning any limbs or roots of street trees.

Sacramento Area Sewer District

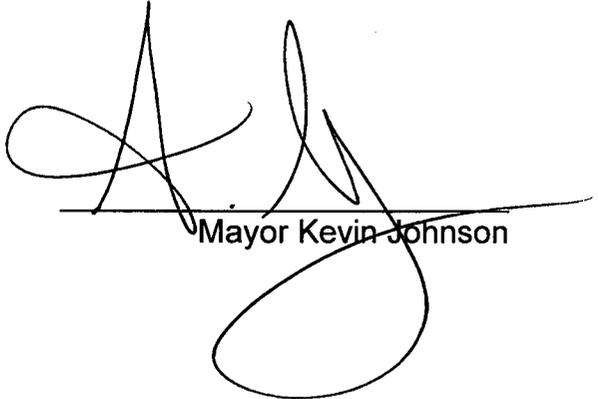
- 13. The subject property is outside the boundaries of the SASD but within the Urban Service Boundary and SRCSD shown on the Sacramento County General Plan. SRCSD will provide ultimate conveyance and treatment of the sewer generated from this site, but the Sacramento City Utilities Department's approval will be required for local sewage service.
- 14. Improvements to the property will require payment of SRCSD sewer impact fees. Impact fees shall be paid prior to issuance of Building Permits. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information.

Table of Contents:

- Exhibit A: Site Plan – 1 page
- Exhibit B: Floor Plans – 1 page
- Exhibit C: Building Elevations – 1 page

Adopted by the City of Sacramento City Council on July 31, 2012 by the following vote:

- Ayes: Councilmembers Ashby, Cohn, D Fong, R Fong, McCarty, Pannell, Sheedy, and Mayor Johnson.
- Noes: None.
- Abstain: None.
- Absent: Councilmember Schenirer.



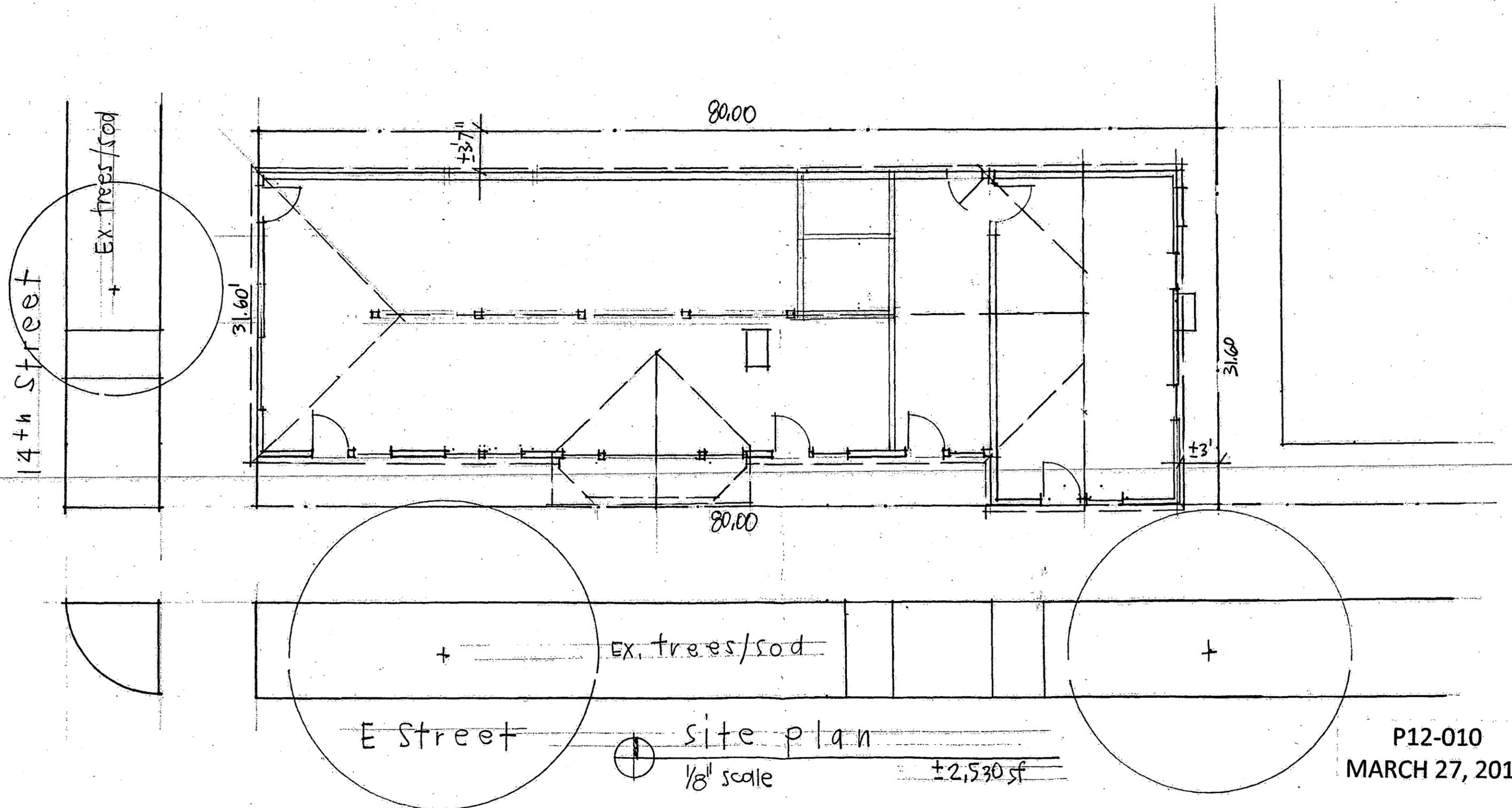
Mayor Kevin Johnson

Attest:



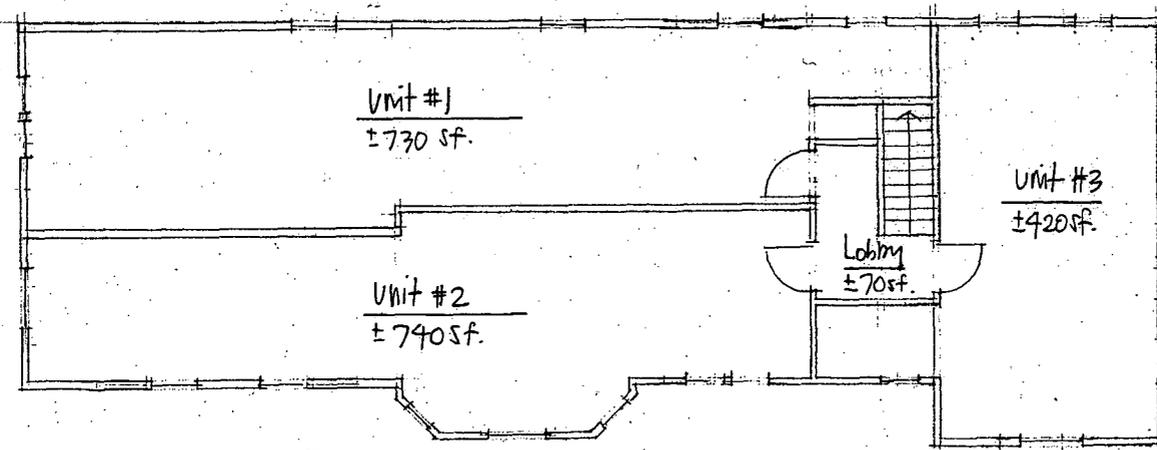
Shirley Concolino, City Clerk

Exhibit A: Site Plan



P12-010
MARCH 27, 2012

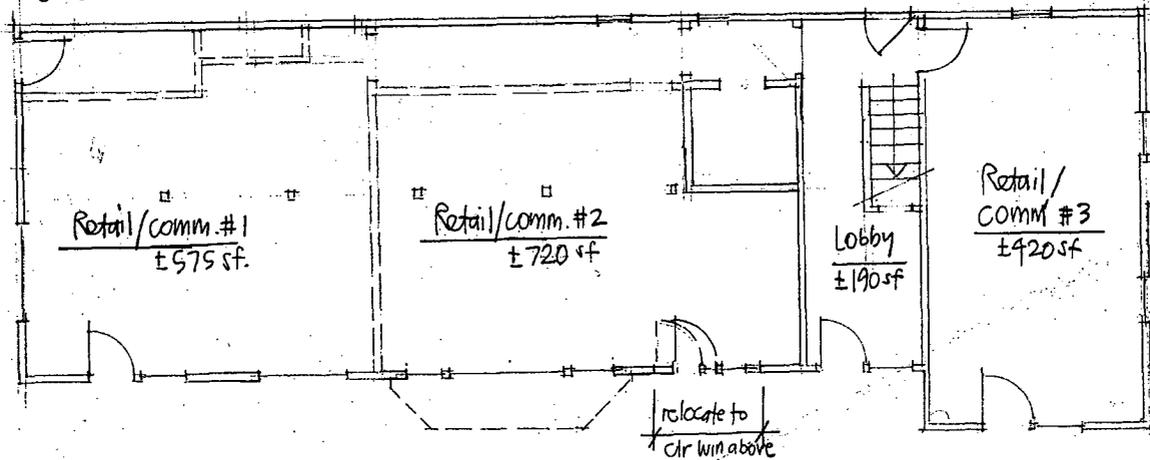
Exhibit B: Floor Plans



Second Floor Plan

1/8" scale

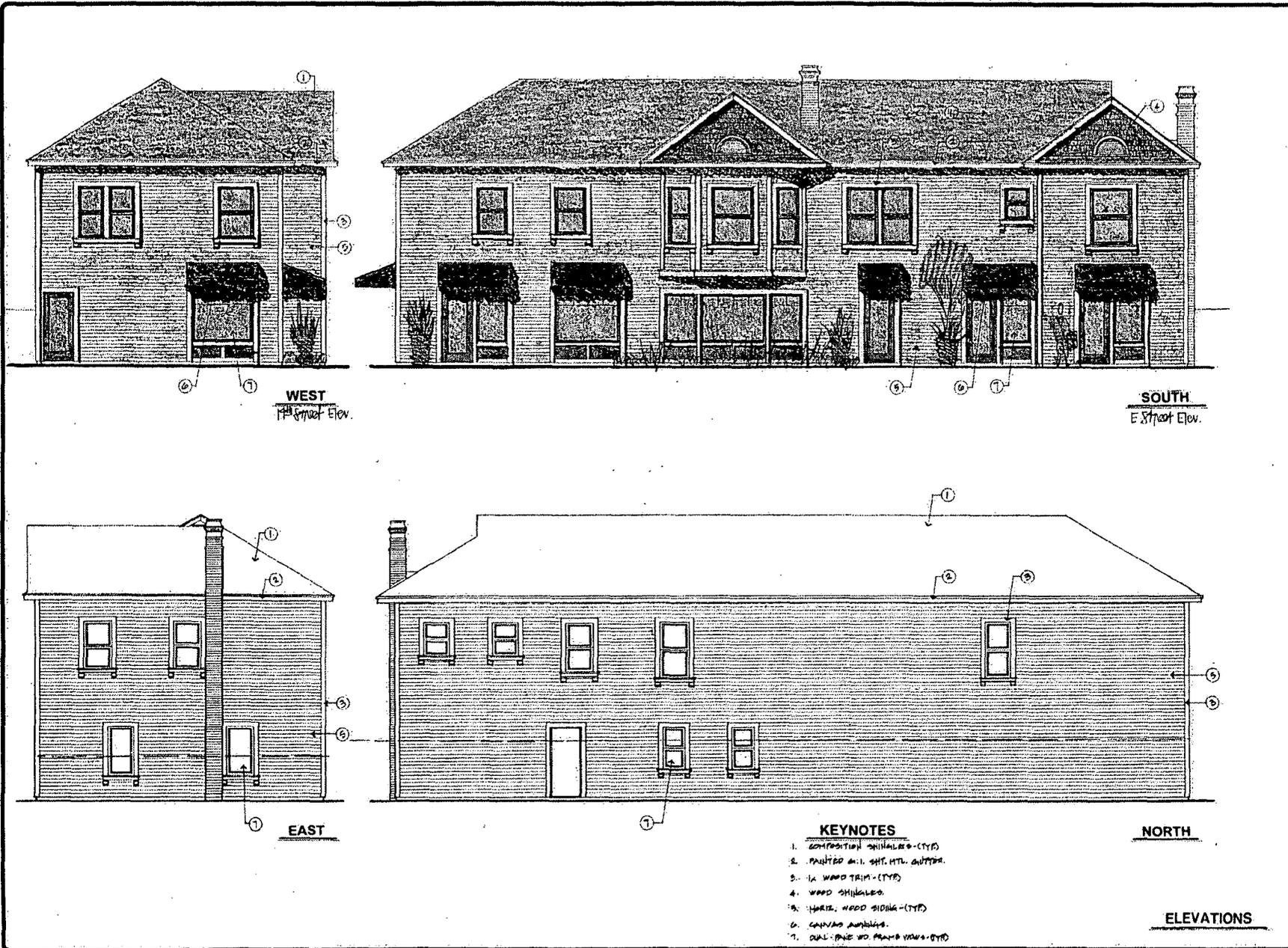
±1,960sf.



Ground Floor Plan

1/8" scale

±1,905 sf



WEST
14th Street Elev.

SOUTH
E Street Elev.

EAST

NORTH

ELEVATIONS

- KEYNOTES**
1. COMPOSITION SHINGLES - (TYP)
 2. PAINTED AL. SH. METL. GUTTERS
 3. 1/2" WOOD TRIM - (TYP)
 4. WOOD SHINGLES
 5. HORIZ. WOOD SIDING - (TYP)
 6. CANVAS AWNINGS
 7. DUAL-PANE WD. PRAMA UNOS - (TYP)

REVISIONS	BY

Japanese Building Design
630-885-6747

14th & E PROJECT
1401 E Street
Sacramento, CA

DRAWN BY	
CHECKED	
DATE	2-29-12
SCALE	1/4" = 1' - 0"
JOB NO	
SHEET	2
OF 2	