

## RESOLUTION NO. 2016-0339

Adopted by the Sacramento City Council

September 27, 2016

### ADOPTING FINDINGS OF FACT AND APPROVING THE 1717 34<sup>th</sup> STREET REZONE PROJECT (P16-035)

#### BACKGROUND

- A. On August 25, 2016, after conducting a public hearing, the City Planning and Design Commission forwarded to the City Council a recommendation to approve the 1717 34<sup>th</sup> Street Rezone (P16-035) project.
- B. On September 27, 2016, after giving notice as required by the Sacramento City Code section 17.812.010 (2)(b), the City Council conducted a public hearing on the Project, receiving and considering evidence concerning it.

#### 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 1717 34<sup>th</sup> Street Rezone 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 CEQA exemption for the Project has been adopted by Resolution No. 2016-0338.
- B. **Rezone:** The amendment of Title 17 to rezone 0.37± acres from the Office Business (OB-SPD) zone to the Limited Commercial (C-1-SPD) zone and located within the Alhambra Corridor Special Planning District has been approved by Ordinance No. 2016-0040.
- C. **Site Plan and Design Review** for exterior modifications and addition of a dining patio for a new restaurant use is **approved** based upon the following findings of fact:
  - 1. The design, layout, and physical characteristics of the proposed development are consistent with the General Plan Urban Corridor Low designation and are

consistent with the General Plan goals and policies related to infill development that encourage promoting the adaptive reuse of existing structures, requiring buildings to actively engage the street, and encouraging shared parking opportunities.

2. The design, layout, and physical characteristics of proposed development are consistent with all applicable design guidelines and with all applicable development standards in that the proposed façade enhancements will match the rest of the building, the dining patio and trellis will combine steel and wood elements, and mechanical units will be appropriately screened.
3. All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the proposed development and comply with all applicable design guidelines and development standards as the project provides onsite and offsite improvements to sufficiently serve the project and its users through appropriate stormwater management, extension of necessary public and private utility infrastructure, and parking and landscaping improvements.
4. The design, layout, and physical characteristics of the proposed development are visually and functionally compatible with the surrounding neighborhood as the surrounding neighborhood is a mix of commercial and residential uses and the facade of the building will be improved to match the north side of the building, and that the site meets the parking requirements as prescribed by the Planning and Development Code for the urban parking area. The onsite and offsite improvements will enhance the existing streetscape creating uniformity with development to the west and north.
5. The design, layout, and physical characteristics of the proposed development ensure energy consumption is minimized and use of renewable energy sources is encouraged. The addition of three street trees to the west of the property will help to provide shade for the building and surrounding surfaces, ultimately reducing energy consumption needed to condition or cool the interior of the building.
6. The design, layout, and physical characteristics of the proposed development are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance through appropriate site design measures such outdoor uses oriented towards 34<sup>th</sup> Street furthest from adjacent residences, and diagonal parking which exits through the alley.

**D. The 200-Year Flood Protection:**

1. The project site is within an area for which the local flood management agency has made adequate progress (as defined in California Government Code section 65007) on the construction of a flood protection system that will result in flood protection equal to or greater than the urban level of flood protection in urban areas for property located within a flood hazard zone, intended to be protected by the system, as demonstrated by the SAFCA Urban level of flood protection plan, adequate progress baseline report, and adequate progress toward an urban level of flood protection engineer's report accepted by City Council Resolution No. 2016-0226 on June 21, 2016.

**Conditions of Approval**

- C. Site Plan and Design Review** for exterior modifications and addition of a dining patio for a new restaurant use is **approved** based upon the following conditions of approval:

**Planning**

- C1. Mechanical equipment shall be screened from all street views, and placed to the rear of the building, per the final approved plans.
- C2. The project shall have building entry and setbacks per the final approved plans.
- C3. The design for the building shall be per the final approved plans.
- C4. The building and dining patio shall consist of materials as indicated on the final approved plans.
- C5. Bicycle parking shall be provided in the adjacent planter strip along 34<sup>th</sup> Street, and consist of a minimum of 6 spaces. Applicant shall coordinate with the Department of Public Works for a revocable encroachment permit for the bicycle parking rack.
- C6. Any changes to the final approved set of plans shall be subject to review and approval by Design Review prior to Building Permit submittal. Project shall comply with all current building code requirements.
- C7. Final occupancy shall be subject to planning approval and involve an on-site inspection by Planning staff.
- C8. Project lighting shall comply with all applicable Sacramento City Code lighting regulations. Fixtures shall be unobtrusive and complementary to the architectural design

of the building. Lighting shall be designed so as not to produce hazardous and annoying glare to motorists and building occupants, adjacent residents, or the general public from the street or other public areas.

- C9. All proposed signage is subject to a separate review and approval process through a sign permit and/or building permit.
- C10. The applicant shall work with their trash provider to limit pickup hours to Monday through Friday between 8 am and 6 pm.

### **Public Works**

- C11. The applicant shall repair, or replace/reconstruct (in concrete) any deteriorated portion of the alley adjacent to the subject property (from the subject property's northernmost property line to the subject property's southernmost property line) per City standards to the satisfaction of the Department of Public Works.
- C12. All new and existing driveways shall be designed and constructed to City Standards to the satisfaction of the Department of Public Works.
- C13. The applicant shall remove all site driveways on 34th Street not planned for use with this project. The sidewalk and planter shall be reconstructed in its place per City standards to the satisfaction of the Department of Public Works.
- C14. The site plan shall conform to the parking requirements set forth in City Code 17.608.040 (Development standards for off-street parking facilities, Zoning Ordinance).
- C15. The applicant shall apply for and obtain an encroachment permit from the Department of Public Works for the proposed bike racks located on the planter area along 34th Street adjacent to the subject property as shown on the site plan.
- C16. 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 Department of Public Works.
- C17. The applicant shall install signs and pavement markings at the exit driveway to direct vehicles to turn right at the alley when leaving the site to the satisfaction of the Department of Public Works and the Community Development Department.

## **Police**

- C18. Exterior lighting shall be white light using LED lamps with full cutoff fixtures to limit glare and light trespass. Color temperature shall be between 2700K and 4100K.
- C19. Parking and bicycle parking shall be illuminated to a maintained minimum of 1.5 foot candles per square foot of parking area at a 10:1 maximum to minimum ratio during business hours.
- C20. Exterior walkways, alcoves and passageways shall be illuminated to maintain a minimum of ¼ foot candles per square foot of surface area at a 2 foot candle average and a 4:1 average to minimum ratio from one-half hour before dusk to one-half hour after dawn.
- C21. Exterior lighting distribution and fixtures shall be approved by the Sacramento Police Department CPTED Sergeant (or designee) prior to issuance of a permit.
- C22. Exterior lighting shall be designed in coordination with the landscaping plan to minimize interference between the light standards and required illumination and the landscape trees and required shading.
- C23. Exterior lighting shall be shielded or otherwise designed to avoid spill-over illumination to adjacent streets and properties.
- C24. All mature landscaping shall follow the two-foot, six-foot rule. All landscaping shall be ground cover, two feet or less and lower tree canopies of mature trees shall be above six feet. This increases natural surveillance and eliminates hiding areas within the landscape.

## **SMUD**

- C25. There are existing underground facilities along the east property line running north/south and existing underground facilities on the south end running east/west. The developer will need to maintain GO 128 clearances. If requested to relocate, will 100% billable to the customer.
- C26. Developer to comply with SMUD requirements; i.e. panel size/location, clearances from SMUD equipment, transformer location and service conductors.
- C27. Structural setbacks less than 14-feet from Road R/W shall require the developer to conduct a pre-engineering meeting with all utilities to ensure proper clearances are maintained.

- C28. Building foundations must have a minimum horizontal clearance of 5-feet from any SMUD trench. Developer to verify with other utilities (Gas, Telephone, etc.) for their specific clearance requirements.
- C29. Proposed SMUD facilities located on the customer's property outside of the existing or proposed PUE(s) may require additional PUE and/or a dedicated SMUD easement.
- C30. SMUD equipment shall be accessible to a 26,000-pound SMUD service vehicle in all weather. SMUD equipment shall be no further than 15-feet from a drivable surface. The drivable surface shall have a minimum width of 20-feet.

### **Regional Sanitation**

- C31. Developing this property will require the payment of Regional Sanitation sewer impact fees. Regional Sanitation sewer impact fees shall be paid at the time of building permit issuance. For questions pertaining to Regional Sanitation sewer impact fees, please contact the Sewer Fee Quote Desk at (916) 876-6100.

### **Urban Forestry**

- C32. The project shall provide and plant three new 15 gallon Pistacia Chinensis 'Keith Davey' trees at 33 feet on center in the city right of way planter per the final approved plans.
- C33. Irrigation for the new street trees shall be provided per the following specifications:
- 6" pop up head w/ a one half 6' radius micro spray nozzle.
  - 6" pop up head w/ a quarter strip micro spray nozzle.
  - 6" pop up head w/ a CST micro spray nozzle.
  - 3/4" or 1" sch. 40 PVC line
- C34. Remove 6" - 8 ' mound of sand and soil covering the trunk of existing city tree.

### **Utilities**

- C35. Per City Code Section, 13.04.070, multiple water service to a single lot or parcel may be allowed if approved by DOU Development Review and Operations and Maintenance staff. Any new water services (other than fire) shall be metered. Excess services shall be abandoned to the satisfaction of the DOU. (Note: City records indicate that there is an existing 1.5-inch water service serving this property. With the change of use, a backflow preventer will be required if one does not already exist.)

- C36. 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 Combined Sewer System fee at time of building permit is estimated to be \$703.67 plus any increases to the fee due to inflation. The fee will be used for improvements to the CSS.
- C37. The proposed project is located in a Zone X on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs). Accordingly, the project site lies in an area with no requirements to elevate or flood proof.

### **Advisory Notes**

- C38. If the proposed restaurant classified as an A-2 occupancy per the California Building Code and has an occupant load of 100 persons or more the building/fire area must be protected by an automatic fire sprinkling system. CFC 903.2.1.2, 2013 If an automatic fire sprinkler system is not currently present, one will be required to be installed in accordance with NFPA 13, 2013 and the California Building Code and the following will apply.
- C39. Provide a water flow test. (Make arrangements at the Permit Center walk-in counter: 300 Richards Blvd, Sacramento, CA 95814). CFC 507.4
- C40. Provide appropriate Knox access for site. CFC Section 506
- C41. Locate and identify Fire Department Connections (FDCs) on address side of building no further than 50 feet and no closer than 15 feet from a fire hydrant and not more than 30 feet from a paved roadway.
- C42. An approved fire control room shall be provided for all buildings protected by an automatic fire extinguishing system. The room shall contain all system control valves, fire alarm control panels and other fire equipment required by the Fire Code Official. Fire Control rooms shall be located within the building at a location approved by the Fire Code Official, and shall be provided with a means to access the room directly from the exterior. Durable signage shall be provided on the exterior side of the access door to identify the fire control room. Fire Control rooms shall not be less than 50 square feet. CFC Amendments 903.4.1.1
- C43. Construct standard public improvements as noted in these conditions pursuant to Title 18 of the City Code. Improvements shall be designed to City Standards and assured as set forth in Section 18.04.130 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Department of Public Works. Any public improvement not specifically noted in these conditions shall be designed and constructed to City Standards. This shall include the repair or

replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk adjacent to the subject property per City standards to the satisfaction of the Department of Public Works.

C44. This application does not trigger the need for additional street lighting.

C45. The City of Sacramento (City) is responsible for providing local sewer service to the proposed project site via their local sanitary sewer collection system. Regional Sanitation is responsible for the conveyance of wastewater from the City's collection system to the Sacramento Regional Wastewater Treatment Plant (SRWTP).

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Exhibit A: Site Plan

Exhibit B: Elevations

Exhibit C: Streetscape and Rooftop Equipment

Exhibit D: Project Materials Board

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Adopted by the City of Sacramento City Council on September 27, 2016, by the following vote:

Ayes: Members Ashby, Carr, Guerra, Hansen, Harris, Jennings, Schenirer, and Mayor Johnson

Noes: None

Abstain: None

Absent: Member Warren

Attest:

**Shirley Concolino**

Digitally signed by Shirley Concolino  
DN: cn=Shirley Concolino, o=City of Sacramento, ou=City  
Clerk, email=sconcolino@cityofsacramento.org, c=US  
Date: 2016.10.21 15:27:28 -07'00'

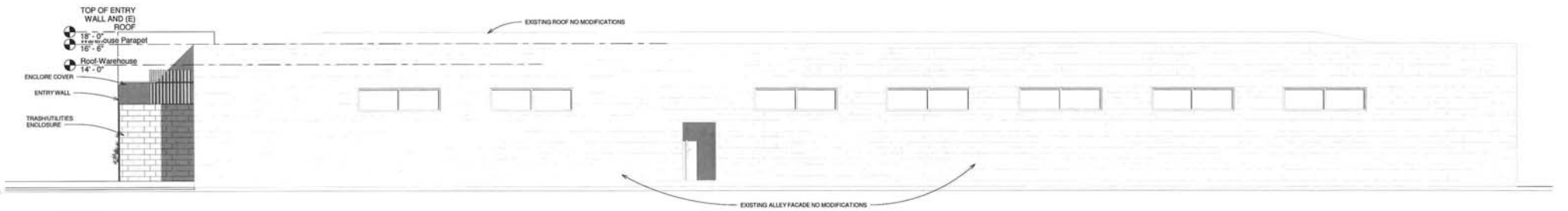
Shirley Concolino, City Clerk



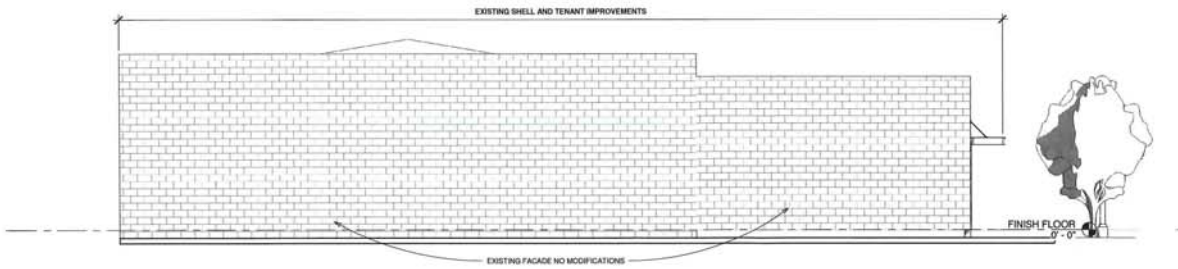




① WEST ELEVATION  
3/16" = 1'-0"



② EAST ELEVATION  
3/16" = 1'-0"

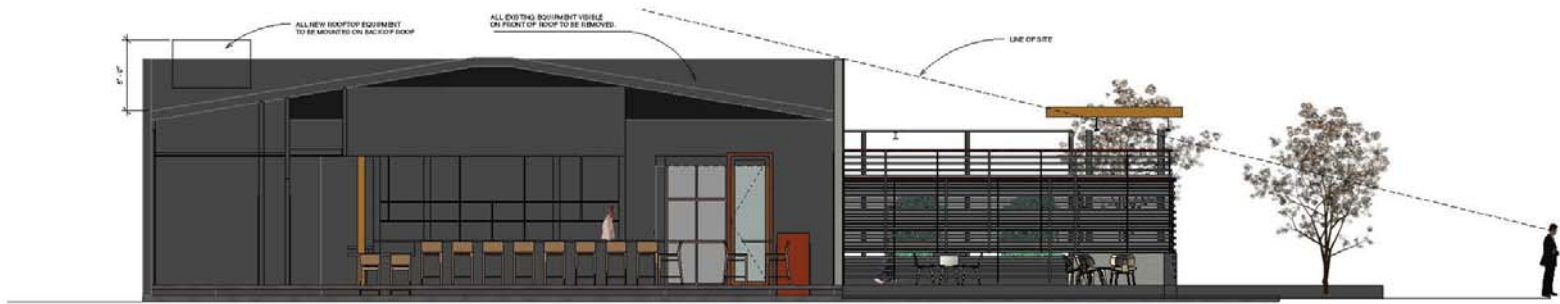


③ NORTH ELEVATION  
3/16" = 1'-0"



④ SOUTH ELEVATION  
3/16" = 1'-0"

<b>REZONE APPLICATION</b>	
<b>1717 34TH ST i</b>	
<b>Elevations</b>	
Project Number	Project Number
Date	JUNE 8 2016
Drawn By	Author
Checked By	Checker
<b>A 109</b>	
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Scale	3/16" = 1'-0"



① Line of Site for Roof Equipment  
1/4" = 1'-0"



② STREETSCAPE OF 34TH STREET  
1/16" = 1'-0"

REZONE  
APPLICATION  
1717 34TH ST  
STREETSCAPE  
AND ROOFTOP  
EQUIPMENT  
SECTION

Project Number	Project Number
Date	JUNE 8 2016
Drawn By	Author
Checked By	Checker
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Scale	As indicated

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Steel Fence Material



Stucco Color Palette



Wood Tones and Textures

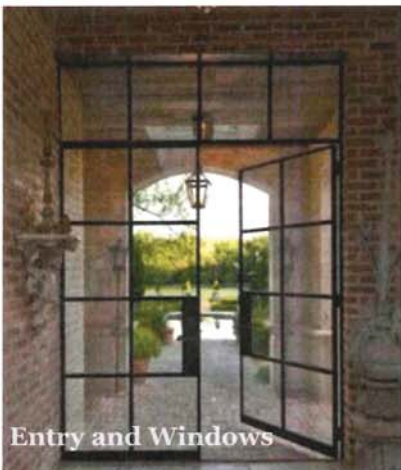


Plant Screens and Gates

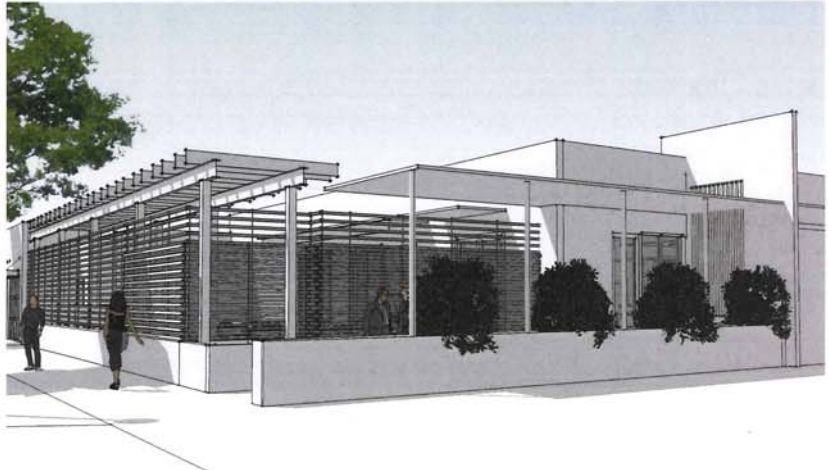


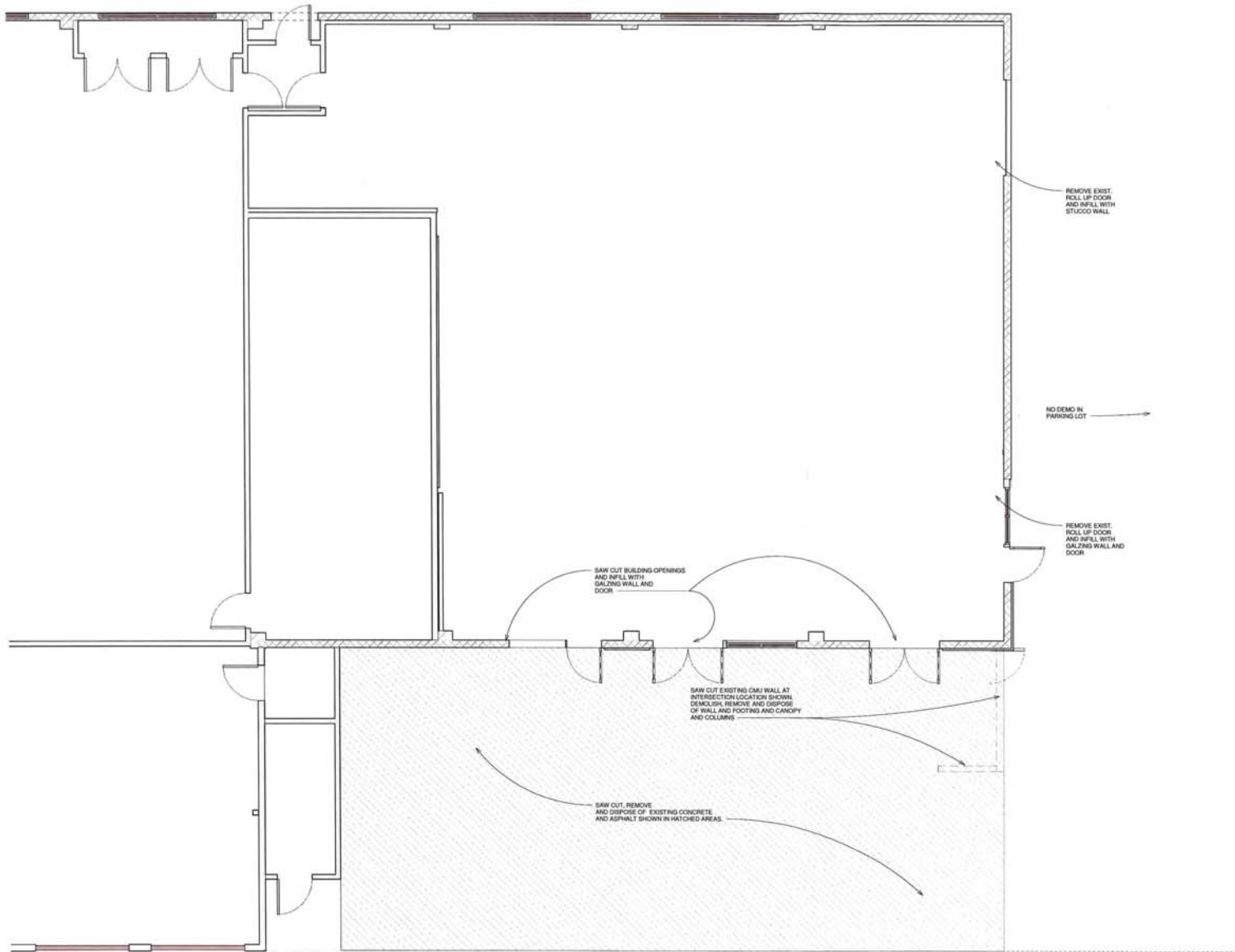
# 1717 34th Street Rezone Application

The Zilgud Company



Entry and Windows





**REZONE APPLICATION**  
**1717 34TH ST i**  
**DEMOLITION PLAN**

Project Number	Project Number
Date	JUNE 8 2016
Drawn By	Author
Checked By	Checker

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Scale 1/4" = 1'-0"

① DEMOLITION PLAN  
 1/4" = 1'-0"

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