



# 603 Sutter Street Mixed-Use Building Appeal



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# Appeal Hearing Protocol



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1. Mayor Opens Hearing
2. City Staff Presentation
3. Appellant Presentation (10 minutes)
4. Project Applicant Presentation (10 minutes)
5. Public Comments (3 minutes per person)
6. Appellant Closing Remarks (5 minutes)
7. Project Applicant Closing Remarks (5 minutes)
8. City Staff Questions from Council
9. Mayor Closes Hearing
10. City Council Deliberation and Decision

# Key Project Details



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## 603 Sutter Street Mixed-Use Building Design Review

- Three-Story, 12,177-Square-Foot Mixed-Use Building
  - 2,716 Square Feet of Retail/Restaurant Uses on First Floor
  - 5,246 Square Feet of Office Uses on Second Floor
  - Two, Two-Bedroom Residential Units on Third Floor
- Outdoor Use Areas: Ground-Level Seating Second/Third Floor Balconies
- One Handicapped Parking Space on Sutter Street
- Encroachments into Public Right-of-Way



# Project Site



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# Aerial View of Sutter Street



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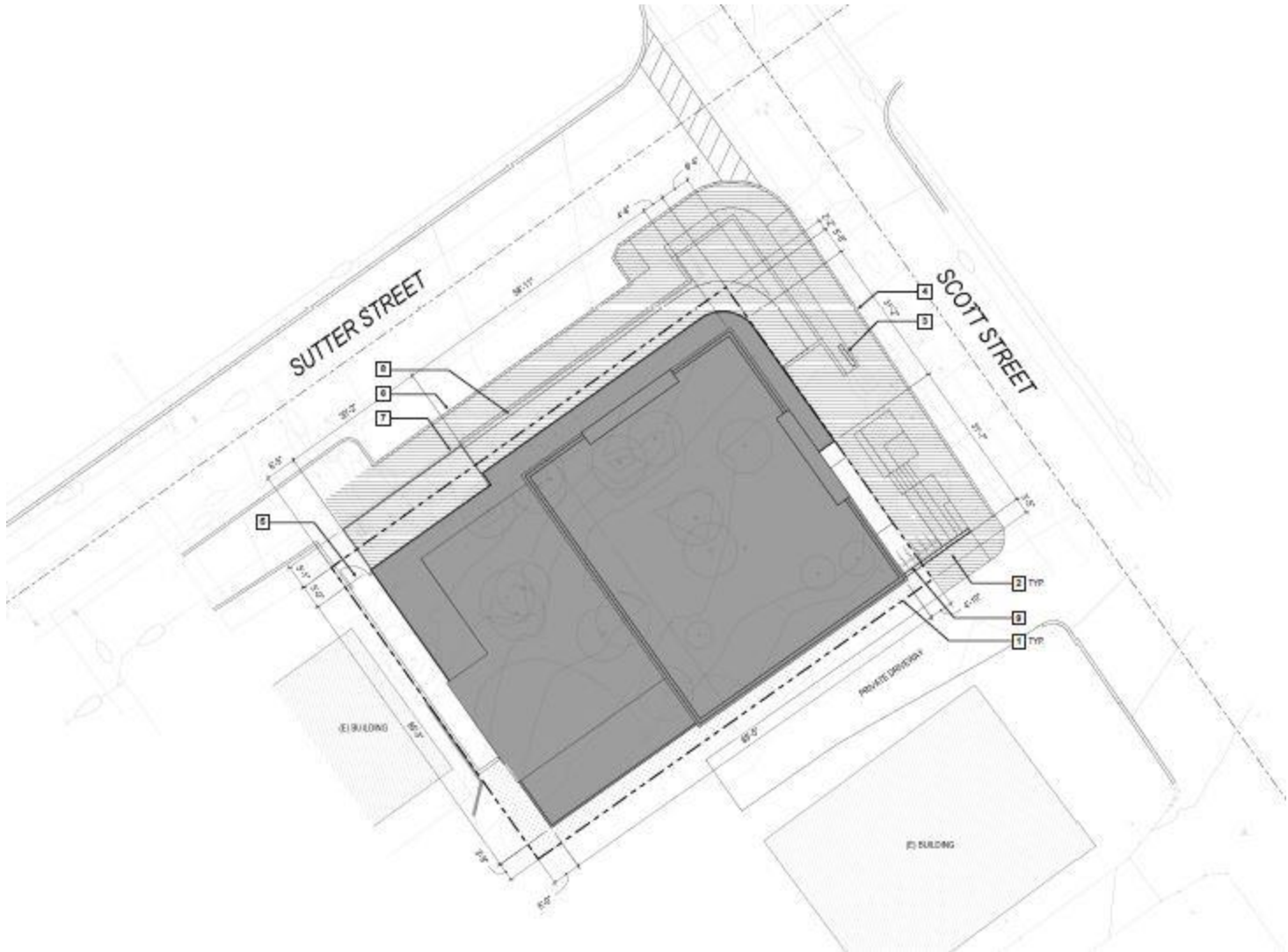




# Site Plan



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# Building Elevation (North)



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**1** NORTH ELEVATION

[H]



# Building Rendering



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# Historic District Commission



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## Historic District Commission Meeting (September 6, 2023):

- 2 Resident Expressed Support for Project/6 Residents Voiced Concerns Regarding Project
- Numerous Comment Letters Provided to Commission
- Commission Discussed Specific Aspects of Project
  - Building Design
  - Building Height
  - Parapet Wall as an Architectural Feature
  - Privacy Impacts
  - Oak Tree Impacts/Air Quality Impacts/Cultural Resource Impacts
- Commission Added/Modified Conditions of Approval
  - Modified Condition 28-6 (Corrugated Metal Patio Cover)
  - Modified Condition 28-7 (Window Glazing for Privacy)
  - Modified Condition 38 (Air Quality Dust Control Measure)
  - Modified Condition 42 (Cultural Sensitivity Training)
- Commission Voted Unanimously to Approved Project (5-0-2-0)

# City Council Appeal



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- City Received One Timely Appeal (Appeal by Bob Delp)
- Reasons for Appeal
  1. Historic District Commission Lack Authority to Approve the Project
  2. Applicant Submitted Inaccurate Project Renderings
  3. Impact to Oak Trees
  4. Historic District Commission Lack Authority to Grant Public Resources
  5. Project Exceeds Maximum Building Height and Deck/Patio Length Requirement
  6. Project Mass and Scale is Too Large for Location
  7. Construction Impacts to Adjacent Properties
  8. No Pedestrian Analysis Prepared for Project
  9. Inadequate Parking for Persons with Disabilities
  10. Rooftop Utilities not Shown or Described in Plans
  11. Project Retaining Wall Design Altered during HDC Meeting
  12. Project Uses Subject to Change
  13. Project Site Provides Swainson's Hawk Habitat
  14. Project does not Quality for CEQA Exemption (Section 15332 In-Fill Development)



# Appeal Analysis Item No. 1



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## 1. Historic District Commission Lack Authority to Approve the Project

- The Folsom Municipal Code limits the focus of project-related appeals to “any determination made by the historic district commission.” (Folsom Municipal Code § 17.52.700(A).) This portion of the appeal are not directed toward any determination made by the Historic District Commission and, as such, they are not a proper subject for appeal.
- Folsom Municipal Code (FMC Section 17.52.120 G) establishes the authority of the Historic District Commission to make decisions regarding the design and architecture of any structure, or alteration to any existing structure within the Historic District.

# Appeal Analysis Item No. 2



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## 2. Applicant Submitted Inaccurate Project Renderings

- Applicant provided building elevations, building floor plans, building renderings, and a color and materials board to the City for review as part of the Design Review Application submittal package. The aforementioned documents accurately reflect the design of the proposed building.
- Proportions on a panoramic street view rendering slightly distorted due to the wide angle of the photograph, a number of existing trees were inadvertently not taken out of the two panoramic street view renderings. Applicant provided the Commission with an updated street view rendering at the meeting to better illustrate the relationship between the proposed project and the surrounding properties.

# Appeal Analysis Item No. 3



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3. Project would destroy 11 "protected" oak trees, two of which are on City property, with no showing that the destruction of even one of these trees cannot be avoided.
- Property being development consistent with Folsom Municipal Code
  - Severe slope of the subject property would require the project site to be massed graded to install standard improvements (building foundation, underground utilities, retaining walls, sidewalks, etc.), not feasible or possible to save any of the 11 protected oak trees located on the project site.
  - Mitigation for loss of protected oak trees required, City Arborist will determine type and amount of mitigation required consistent with FMC, Section 12.16.150.



# Appeal Analysis Item No. 4



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## 4. Historic District Commission Lack Authority to Grant Public Resources

- Appeal is limited to “any determination made by the Historic District Commission.” (FMC Section 17.52.700(A)). This portion of the appeal is not directed toward any determination made by the Historic District Commission and, as such, it is not a proper subject for appeal.

# Appeal Analysis Item No. 5



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## 5. Project Exceeds Maximum Building Height and Deck Length Requirement

- Historic District Commission determined that the proposed project meets the maximum building height requirement of 35 feet established for the Sutter Street Subarea (FMC Section 17.52.510(C)), proposed building ranges from 29 feet to 35 feet in height as measured from the sidewalk adjacent to Sutter Street.
- Commission determined that the four-foot-tall parapet wall at the top of the building is considered an architectural feature and that this architectural feature may extend up to 15 feet above the maximum building height of 35 feet established by the Folsom Municipal Code for the Sutter Street Subarea.
- FMC Section 17.52.400 explains that while normally the standards in the FMC control when they conflict with the guidelines in the DDGs, exceptions to the FMC design standards may be permitted by the Historic District Commission when unique individual circumstances require the exception in order to comply with the purpose of this chapter. Commission determined that the exceptions are also necessary to enhance the overall appearance of the proposed mixed-use building.

# Appeal Analysis Item No. 6



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## 6. Project Mass and Scale is Too Large for Location

- Historic District Commission determined that the proposed project is consistent with the Historic District Design and Development Guidelines (DDG's) with respect to building design, building placement, and building materials and consistent with the Folsom Municipal Code with regard to preserving and enhancing historic, small-town atmosphere of historic district as developed between 1850 and 1950.
- Commission agreed with the assessment of Page & Turnbull that the design of the proposed building is compatible with the architecture and design of other commercial building located along Sutter Street and that the proposed project would not impact existing historic resources (Cohn House and former library building) in the project area.

# Appeal Analysis Item No. 7



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## 7. Construction Impacts to Adjacent Properties

- No blasting would be permitted to occur as part of the site improvement process to protect adjacent properties.
- Prior to the removal of any bedrock, the owner/applicant will be required to prepare a bedrock removal plan for review and approval by the Community Development Department. Plan must comply with vibration standards established by the FTA Transit Noise and Vibration Impact Assessment Manual.
- No impact on the former library building or adjacent single-family residence from the excavation and construction activity.



# Appeal Analysis Item No. 8



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## 8. No Pedestrian Analysis Prepared for Project

- Pedestrian circulation at the project site will be provided by an existing sidewalk located along the south side of Sutter Street and construction of a new sidewalk along the east side of Scott Street. The existing sidewalks, existing crosswalks, and proposed sidewalks will allow pedestrians associated with the proposed project to move easily up and down Sutter Street and Scott Street.
- Existing sidewalks on Sutter Street terminate slightly east of Scott Street and the existing sidewalk on the east side of Scott Street terminates at Peddlers Lane to the south, thus there is no practical benefit to providing an additional crosswalk on the south side of the intersection of Sutter Street and Scott Street.

# Appeal Analysis Item No. 9



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## 9. Inadequate Parking for Persons with Disabilities

- Proposed handicapped parking space is in substantial compliance with the City's requirement for handicapped parking spaces, particularly given the fact that the City cannot require the applicant to construct new parking facilities pursuant to AB 2097.
- Folsom Municipal Code does not currently have any on-street parking standards for handicapped accessible parking spaces. As a result, the City follows best practices when allocating available right of way for the intended purpose of parking or shared parking facilities with cyclists, that guidance includes the federal Public Right-Of-Way Accessibility Guidelines (PROWAG) for Pedestrian Facilities.

# Appeal Analysis Item No. 10



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## 10. Rooftop Utilities not Shown or Described in Plans

- As shown on the submitted development plans, the proposed project includes the placement of mechanical equipment in a mechanical equipment well located at the southwest corner of the building on the rooftop and also behind the parapet wall located at the northeastern corner of the building on the rooftop.
- Two Conditions of Approval (Conditions No. 28-4 and 28-5) are included with the project that require all roof-mounted mechanical equipment and other utility equipment to be screened by walls or landscaping to the satisfaction of the Community Development Department.

# Appeal Analysis Item No. 11



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## 11. Project Retaining Wall Design Altered during HDC Meeting

- As shown on the preliminary grading plan and the preliminary retaining wall exhibit, the applicant is proposing to utilize river rock stone retaining walls at various locations on the project site to retain soil.
- Historic District Commission did not recommend any changes to the design or materials of the proposed retaining walls at its September 6, 2023 meeting. It is also important to acknowledge that there is a Condition of Approval (Condition No. 31) on the project which requires the final location, design, height, materials, and colors of the retaining and stem walls to be reviewed and approved by the Community Development Department.



# Appeal Analysis Item No. 12



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## 12. Project Uses Subject to Change

- As shown on the submitted plans and described in the project narrative, the proposed project includes development of two, two-bedroom units on the third floor of the building. The applicant is not proposing any commercial uses on the third floor of the building at this time.

# Appeal Analysis Item No. 13



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## 13. Project Site Provides Swainson's Hawk Habitat

- Project site is an in-fill site located in a built urban environment
- Research conducted for the proposed project determined that there are no sensitive habitats identified by the California Natural Diversity Database (CNDDDB) and the California Native Plant Society (NCPS) on the project site nor in the immediate project area. The CNDDDB notes that the last documented sighting of a Swainson's Hawk in the project area was in 1962 near the intersection of Market Street and East Bidwell Street, approximately 0.6 miles southeast from the project site.
- No wetland features on the project site or in the immediate project area as shown on the United States Fish and Wildlife Service National Wetland Inventory Map.

# Appeal Analysis Item No. 14



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## 14. Project does not Quality for CEQA Exemption

- City staff determined that the proposed project was potentially eligible for a categorical exemption from environmental review under Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines.
- Categorical Exemption Supplemental Analysis prepared by Environmental Planning Partners, Inc. to evaluate whether the proposed project is eligible for a categorical exemption under Section 15332 (In-Fill Development Projects). Analysis determined that the proposed project meets all criteria to be eligible for a categorical exemption under Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act Guidelines.
- The Categorical Exemption Supplemental Analysis prepared by Environmental Planning Partners, Inc. determined that none of the exceptions to use of the categorical exemption for Infill Projects are applicable to the proposed project.



# Appeal Analysis Item No. 14



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## Eligibility Criteria for CEQA Exemption

- 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 proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c) The project site has no value as habitat for endangered, rare, or threatened species.
- d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- e) The site can be adequately served by all required utilities and public services.

# Applicant Response Letter



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- Applicant Response Letter (Attachment 5)
  - Historic District Commission’s authority regarding the 603 Sutter Street Mixed-Use Building project is clear as referenced in multiple section of the Folsom Municipal Code (FMC Sections 17.52.120, 17.52.300, and 17.52.700(A)).
  - Historic District Commissions findings regarding the architecture and design of the 603 Sutter Street Mixed-Use Building project are fully supported by the factual evidence in the record and presented to the Commission at their September 6, 2023 meeting.
  - Project clearly qualifies for the Class 32 CEQA In-Fill Exemption and Mr. Delp has not presented sufficient evidence to demonstrate that the project will have a significant impact on the environment due to unusual circumstances, including significant aesthetic impacts and vibrational impacts.
  - Historic District Commission thoroughly evaluated the 603 Sutter Street Mixed-Use Building project and Applicant requests that the City Council affirm the Commission’s approval of the project and deny the Appeal by Bob Delp.

# Staff Recommendation



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Staff Respectfully Recommends  
the City Council Deny the Appeal by Bob  
Delp of Decisions by the Historic District  
Commission Approving the  
603 Sutter Street Mixed-Use Project

# Project Background



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- May 3, 2017: Application for Building Height Variance, Parking Variance, and Design Review Submitted for Development of 23,486-Square-Foot Mixed-Use Building at 603 Sutter Street
- September 6, 2017: 603 Sutter Street Mixed-Use Building Project Reviewed by Historic District Commission as Informational Item
- August 2, 2017 to September 6, 2017: Applicant Hosts Multiple Neighborhood Outreach Events to Discuss Proposed Project with Residents
- March 14, 2019: Applicant Submits Revised Development Application
  - Building Reduced from 23,486 Square Feet to 14,811 Square Feet
  - Height of Building Reduced from 57 Feet 6 Inches to 50 Feet 6 Inches
  - Building Footprint Modified
  - Underground Parking Garage Removed to Address Pedestrian Safety
  - Architecture and Design of Building Updated



# Project Background



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- July 15, 2020: Project Continued to Provide Residents Additional Time to Comment
- August 5, 2020: Project Continued Again to Provide Residents Additional Time to Comment
- Post August 5, 2020: Applicant Makes Project Modification to Address Public Comments and Concerns:
  - Provides 15-Space Underground Parking Garage
  - Relocates Trash/Recycling Enclosure Inside Building
  - Encloses Fire Escape Making it Internal to Building
  - Reduces Height and Massing of Third-Story
  - Makes Architectural Modifications (replaces stucco with brick, adds eyebrow detail, adds fascia elements)
- October 21, 2020: Design Alternatives Presented to Historic District Commission
- February 23, 2023: Applicant Submits Current Design Review Application to the City for Development of Three-Story, 12,177-Square-Foot Mixed-Use Building



# Key Project Details



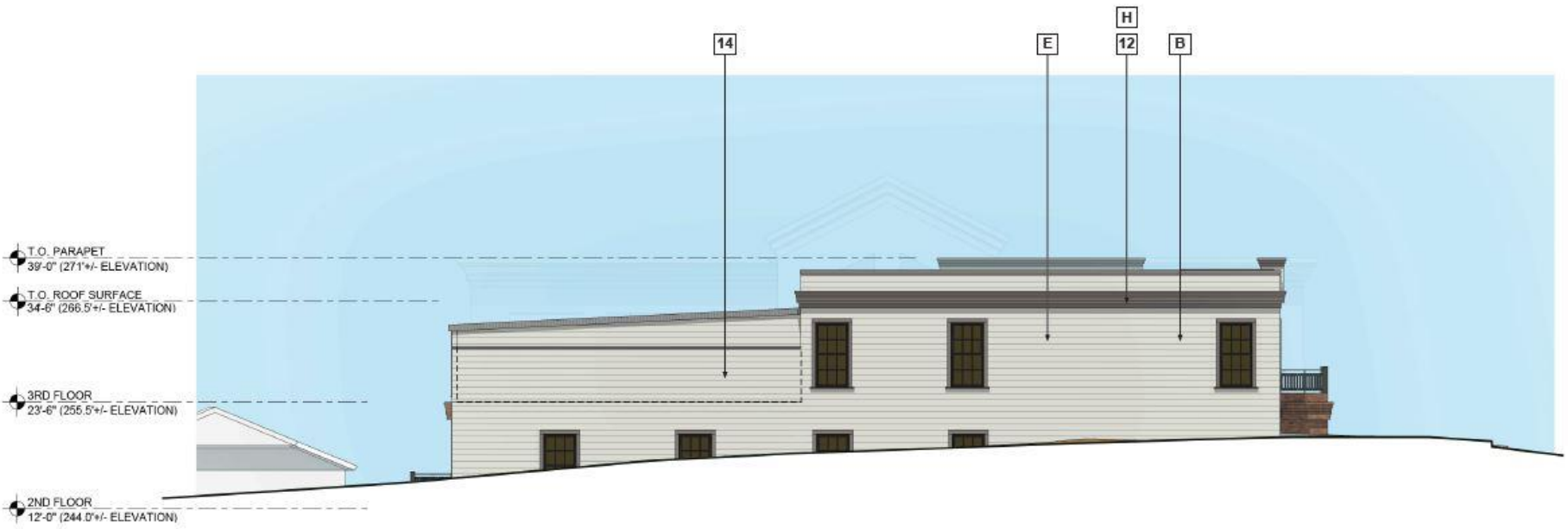
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- 603 Sutter Street Mixed-Use Building
  - 0.17-Acre Site at Southwest Corner of Sutter Street and Scott Street
  - Three-Story, 12,177-Square-Foot Building (Retail/Restaurant, Office, and Residential Uses)
  - 2,716 Square Feet of Retail/Restaurant Uses on First Floor
  - 5,246 Square Feet of Office Uses on Second Floor
  - Two, Two-Bedroom Residential Units on Third Floor
  - Outdoor Use Areas: Ground-Level Seating Second/Third Floor Balconies
  - One Handicapped Parking Space on Sutter Street
- Design Review
  - Design Review of Three-Story, 12,177-Square-Foot Mixed-Use Building
- Encroachments
  - Excavation and Construction-Related Activities in Public Right-of-Way
  - Architectural Encroachments into Public Right-of-Way
  - Improvement-Related Encroachments into Public Right-of-Way

# Building Elevation (South)

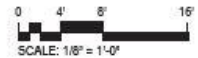


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**3**

**SOUTH ELEVATION**



# Building Elevation (East)



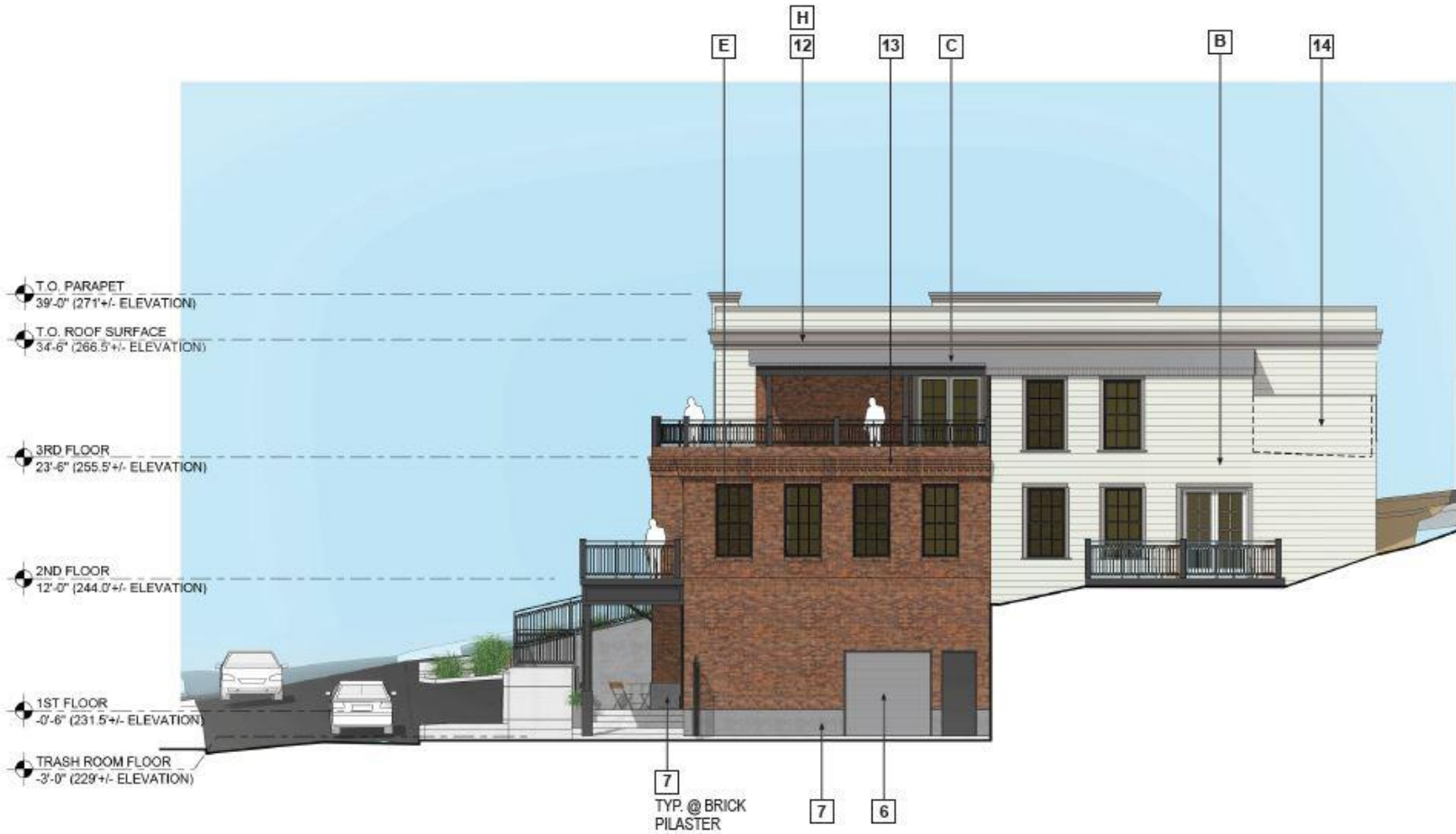
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# Building Elevation (West)



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4

**WEST ELEVATION**

# Building Rendering



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# Building Renderings



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1 ILLUSTRATIVE RENDERING - LOOKING SOUTHWEST



2 ILLUSTRATIVE RENDERING - LOOKING SOUTH



3 ILLUSTRATIVE RENDERING - AREIAL LOOKING SOUTHWEST



4 ILLUSTRATIVE RENDERING - LOOKING EAST

# Building Renderings



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1 ILLUSTRATIVE RENDERING - POTENTIAL PATIO DINING AREA



2 ILLUSTRATIVE RENDERING - SCOTT ST. OFFICE ENTRANCE



# Street View Perspective



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① STREET VIEW RENDERING - VIEW FROM SUTTER STREET LOOKING SOUTH



② STREET VIEW RENDERING - VIEW FROM SUTTER STREET LOOKING SOUTH



# Updated Street View Perspective



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williams + paddon

nineteensix  
ARCHITECTS 196

# Street View Perspective



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1 STREET VIEW RENDERING - VIEW FROM SUTTER ST. LOOKING SOUTHWEST



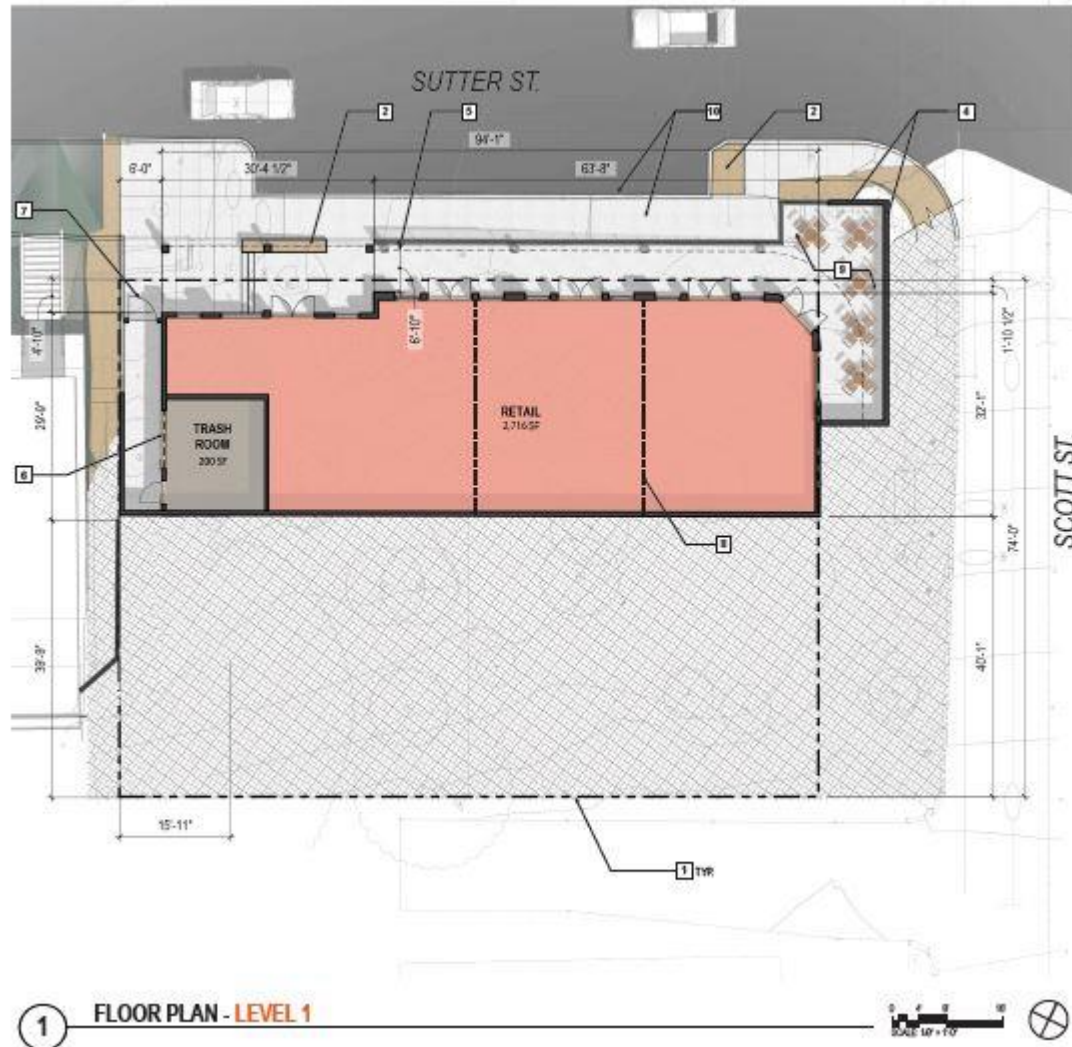
2 STREET VIEW RENDERING - VIEW FROM SCOTT ST. / RILEY ST. INTERSECTION



# Level 1 Floor Plan



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# Level 2 Floor Plan



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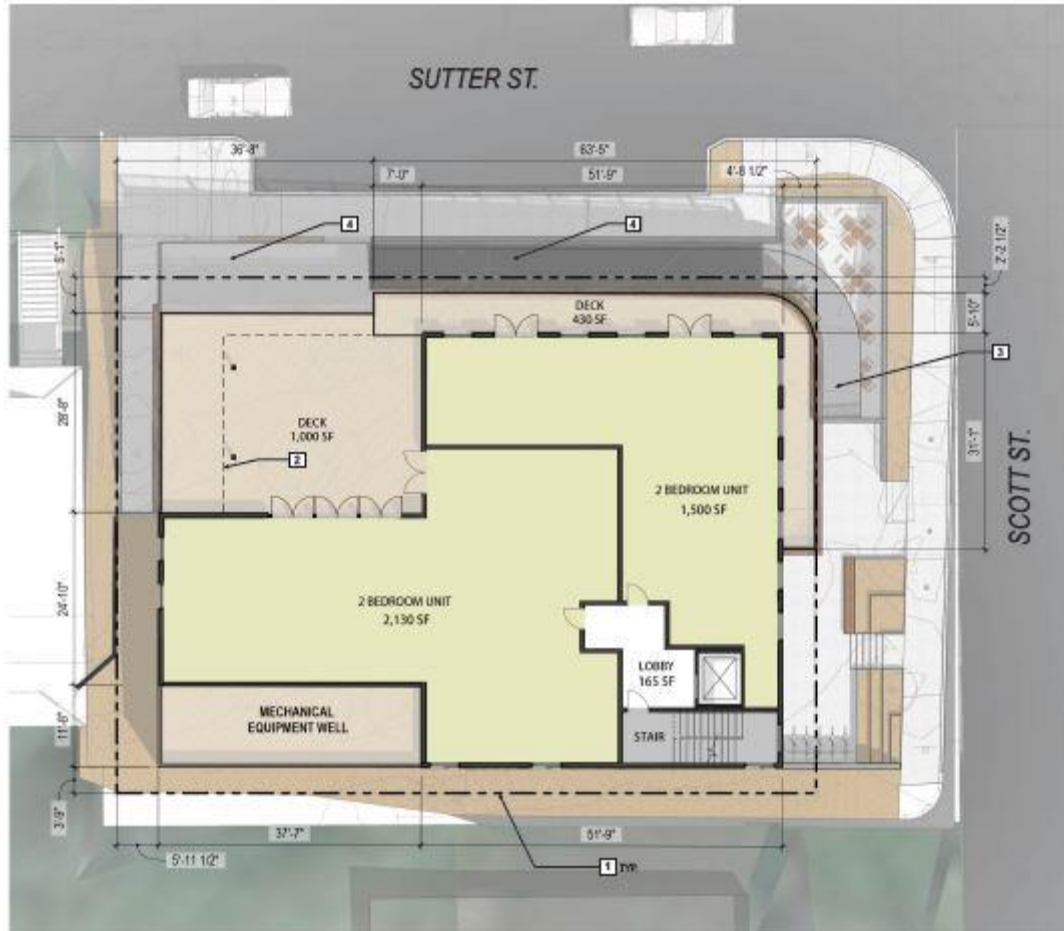
**2** FLOOR PLAN - LEVEL 2



# Level 3 Floor Plan



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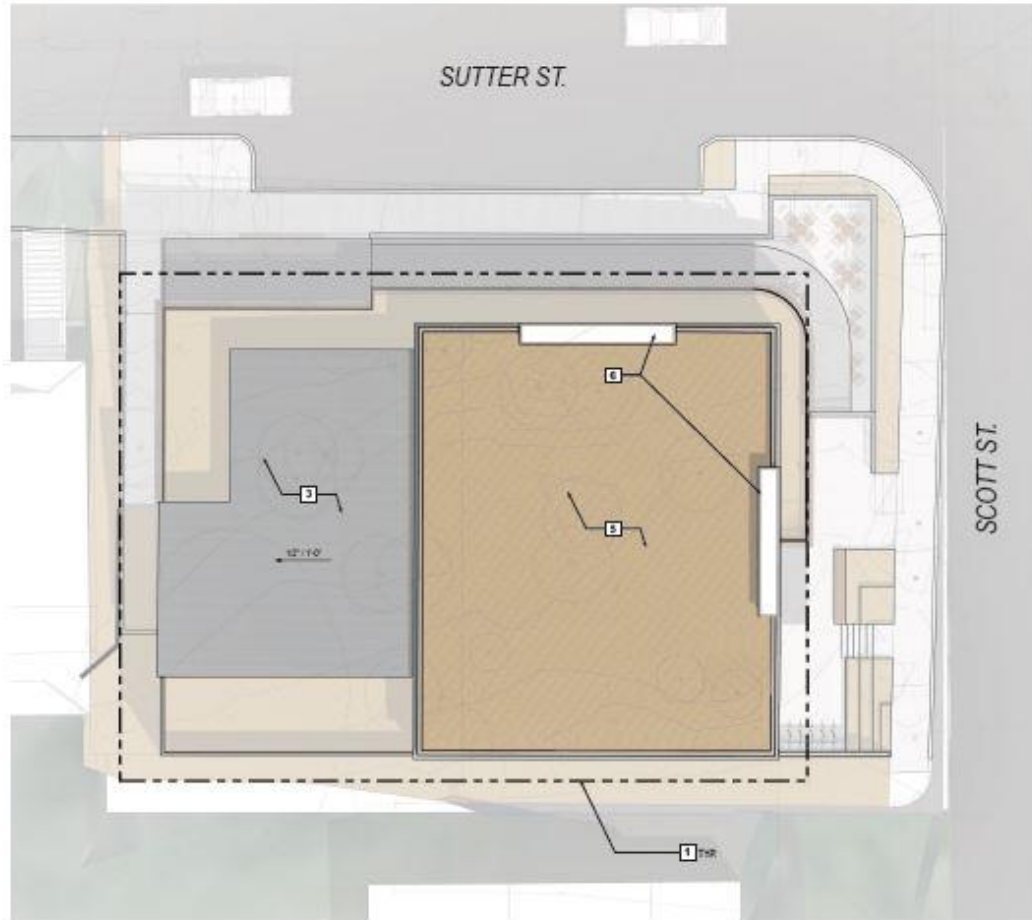
1 FLOOR PLAN - LEVEL 3



# Roof Plan



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2 ROOF PLAN



# Project Analysis Overview



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- General Plan/Zoning Consistency
- Design Review
- Encroachments
- Traffic/Access/Circulation
- Parking
- Noise Impacts
- Retaining/Stem Walls
- Building Lighting
- Trash/Recycling
- Signage
- Existing and Proposed Landscaping
- Biological Resources
- Cultural Resources
- Environmental Review
- Public Comments
- Public Outreach



# Project Analysis



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- General Plan/Zoning Consistency

- General Plan Land Use Designation (HF, Historic Folsom Mixed-Use District)
- Zoning Designation (HD, Historic District) Subarea (SUT, Sutter Street Subarea)
- Project is Consistent with General Plan and Zoning
- Retail, Restaurant, Office, and Residential Uses Permitted

- Development Standards

- Project Meeting Development Standards for Sutter Street Subarea (Setbacks, Building Height)
- Average Building Height Ranges from 29 Feet 1 Inch to 35 Feet Along Sutter Street Frontage as Measured from the Sidewalk (Building Parapet Extends 4 Feet Above Roof Line)
- Average Building Height is 28 Feet 9 Inches (Sloped Lot Calculation)
- Building Parapets are Considered a Rooftop Architectural Feature (Standard City Practice)
  - Architectural Features are Permitted to Extend up to 15 Feet Above the Maximum Height Limit (35 Feet)
  - Multiple Examples of Rooftop Parapets on Sutter Street (Fire and Rain Building, Sutter Court Building, (Historic Folsom Station)
  - Exceptions to the FMC design standards may be permitted by the Historic District Commission when unique individual circumstances require the exception in order to comply with the purpose of this chapter.

# Project Analysis



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- Architecture/Design

- Three-Story, 12,177-Square-Foot Building
- Historic Design Theme to Compliment Existing Buildings on Sutter Street (1850-1950)
  - Wide Horizontal Massing with Stepped Back Wall Planes and Balconies (Pedestrian Friendly)
  - Large Rectangular Doors and Windows
  - Recessed Windows and Transom Windows
  - Brick Cornice Elements, Ornamental Iron Railing, Steel Awning Structures
  - Materials (Brick Veneer, Horizontal Cement Fiber Siding to Emulate Wood Siding, Metal Clad Wood-Framed Windows, Concrete Windowsills, Iron Railing, Steel Canopies)
  - Colors (Red Brick, White Horizontal Siding, and Black, Gray, and Bronze Accent Colors)



# Historic References Exhibit

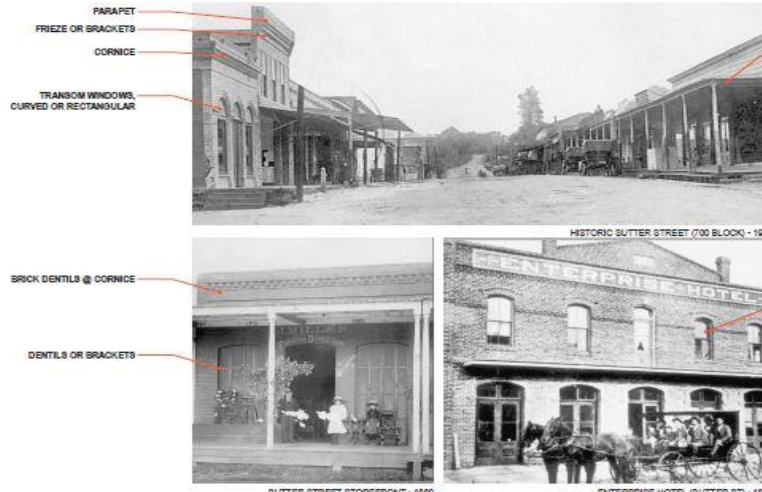


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## CALIFORNIA GOLD RUSH COMMERCIAL ARCHITECTURE (circa 1850-1900)



REFERENCE - CORNICE DETAILS



SUTTER ST. COMMERCIAL ARCHITECTURE - HISTORICAL PHOTOS



REFERENCE - CORNER EMPHASIS



REFERENCE - 3 STORY BLDG. - OLD SACRAMENTO



SUTTER ST. COMMERCIAL ARCHITECTURE - CURRENT REFERENCE



REFERENCE - UPPER WINDOWS

**williams + paddon**

ARCHITECTS + PLANNERS  
222 Chicago Blvd., Ste. 100  
Folsom, CA 95630  
916.782.2121

2750 Sutter Blvd., Ste. 200  
Sacramento, CA 95811  
916.442.1111

603 SUTTER STREET  
CEDRUS HOLDINGS LLP.  
603 SUTTER ST., FOLSOM, CA

A-002  
**HISTORICAL REFERENCES**

DATE OF REVISION: 02/08/23

# Design Standards and Guidelines



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## Architecture/Design

The purpose and intent of Chapter 17.52 of the Folsom Municipal Code (Section 17.52.010(B)(1)(2)(3) is to:

- Preserve and enhance the historic, small-town atmosphere of the historic district as it developed between the years 1850 and 1950
- Encourage an active business climate which promotes the development of a diverse range of business compatible with the historic district (1850 to 1950)
- Ensure that new residential and commercial development is consistent with the historical character of the historic district (1850 to 1950)

## Historic District Design and Development Guidelines (DDG's)

The Historic District Design and Development Guidelines (Design Guidelines), which were adopted on October 1, 1998, provide guidance for development activity within the Sutter Street Subarea. DDG's provide guidance relative to Building Design, Building Placement, Storefront Windows and Entries, Balconies and Awnings, Cornices, Materials-Colors, and Rooftops



# Design Standards and Guidelines



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## Role of Folsom Municipal Code and Design Guidelines

Folsom Municipal Code section 17.52.400 explains that while normally the standards in the FMC control when they conflict with the guidelines in the DDGs, exceptions to the FMC design standards may be permitted by the Historic District Commission when unique individual circumstances require the exception in order to comply with the purpose of this chapter.

- Walkway Coverings on Sutter Street and Scott Street
- Balconies on Sutter Street and Scott Street

# Design Compatibility



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- Page & Turnbull Historic Assessment Report (2008): Created to Assist City with Sutter Street Revitalization and Streetscape Project. List of Character-Defining Features of the Sutter Street Subarea was Created (Massing and Form, Size-Scale-Proportion, Materials, Fenestration, Design Features, and Architectural Details)
- Page & Turnbull Historic Project Analysis Memorandums (2023): Evaluated the Architecture and Design Compatibility of Project Relative to Architecture and Design of Other Commercial Buildings within Sutter Street Subarea and also Relative to Historic Resources (Cohn House and Former Library) in the Immediate Project Area
  - Massing and Form
  - Size, Scale, and Proportion
  - Materials
  - Fenestration
  - Design Features and Architectural Detail
  - Streetscape and Other Features

# Building Elevations



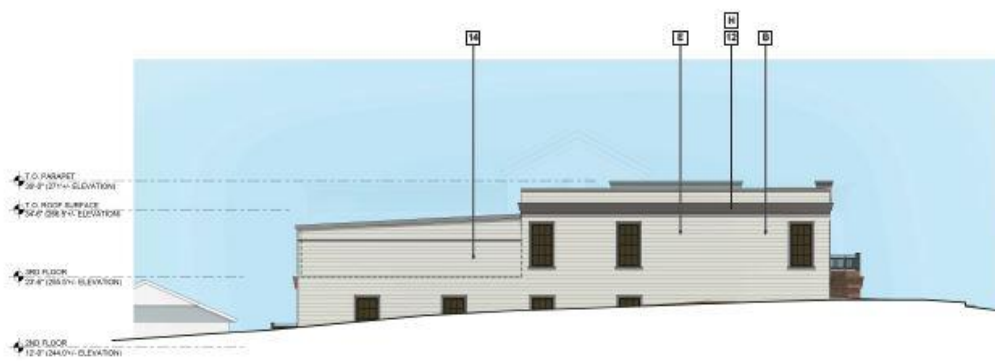
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**1 NORTH ELEVATION** SCALE 1/8" = 1'-0"



**2 EAST ELEVATION** SCALE 1/8" = 1'-0"



**3 SOUTH ELEVATION** SCALE 1/8" = 1'-0"



**4 WEST ELEVATION** SCALE 1/8" = 1'-0"



# Design Compatibility



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1 STREET VIEW RENDERING - VIEW FROM SUTTER STREET LOOKING SOUTH



2 STREET VIEW RENDERING - VIEW FROM SUTTER STREET LOOKING SOUTH



# Recent Sutter Street Projects



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# Encroachments



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- Construction of Improvements
  - Encroachment into Sutter Street and Scott Street Right-of-Way
  - Sidewalk, Handicapped Parking Space, Retaining Wall, Outdoor Patio, Etc.
- Construction of Architectural Features
  - Encroachment into Sutter Street Right-of-Way
  - Second Story Balcony (Extends Approximately Five Feet into Public Right-of-Way)
- Design and Development Guidelines (Section B.6 Walkway Coverings)
  - Walkway coverings in the Sutter Street Subarea is to create a pleasing pedestrian environment and Subarea continuity. Walkway coverings are also traditional to the Sutter Street Subarea and are intended to protect shoppers and window displays from sunlight and inclement weather
  - New construction on Sutter Street shall provide a walkway covering over the sidewalk
  - With an encroachment permit, sidewalk canopies and awnings in the Sutter Street Subarea are allowed to project a maximum of 9 feet 6 inches beyond the property line
- Folsom Municipal Code Section (Section 17.52.400)
  - While normally the standards in the FMC control when they conflict with the guidelines in the DDGs, exceptions to the FMC design standards may be permitted by the Historic District Commission when unique individual circumstances require the exception in order to comply with the purpose of this chapter. Staff has Determined that an Exception to the Design Standards Stated in FMC, Section 17.52.420 (Architectural Features Distance to Property Line Limited to 3 feet) is appropriate in Order to comply with the Purpose of Chapter 17.52 as Expressed in DDG's Section B.6

# Traffic/Access/Circulation



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- Traffic/Access/Circulation

- Traffic Impact Analysis (Kimley-Horn-2019)
- Trip Generation Memorandum (Kimley-Horn 2023)
- 214-359 Total Daily Vehicle Trips (15/33 AM Peak Hour Trips-26/34 PM Peak Hour Trips)
- No Impact to Level of Service (LOS) at Any Study Intersections
- Exempt from Vehicle Miles Traveled (VMT) Due to Proximity to Light Rail Station

# Parking



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- Assembly Bill 2097 (AB 2097)
  - Signed into Law September 22, 2022, Effective January 2, 2023
  - Prohibits Public Agencies from Imposing Minimum Parking Requirements on Residential, Commercial, or Other Projects Located within ½ Mile of a Major Transit Stop
  - Proposed Project is 0.3 Miles from Major Transit Stop (Historic District Light Rail Station)
  - Assembly Bill 2097 does not Reduce, Eliminate, or Preclude the Enforcement of any Existing Requirement to Provide Parking Spaces that are Accessible to Persons with Disabilities
  - Prohibits Public Agencies from Imposing Minimum Parking Requirements on Residential, Commercial, or Other Projects Located within ½ Mile of a Major Transit Stop
  - Applicant is Proposing to Provide One Handicapped Parking Space on Sutter Street in Front of the Proposed Building
    - Handicapped Space Would Have Direct Access to Building
    - Final Design of Handicapped Space Subject to Review by Community Development and Public Works Departments



# Project Analysis



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- Noise/Vibration Impacts
  - Noise and Vibration Assessment
  - Construction-Related Noise
  - Operation-Related Noise
  - Compliance with City's Noise Ordinance Required (FMC, Chapter 8.42)(Condition No. 36)
  - Bedrock Removal Plan Required (Condition No. 37)
- Retaining/Stem Walls
  - 13 to 18-Foot Retaining/Stem Wall near Southern Property Boundary
  - 11-Foot Retaining Wall near Western Property Boundary
  - Freestanding 6 to 15-Foot Retaining Walls near Northeast Corner of Project Site
  - Final Location, Design, Height, and Materials Subject to CDD Approval (Condition No. 30)
- Building Lighting
  - Types of Wall-Mounted Lighting
    - Three Styles of Gooseneck Light Fixtures (Copper, Steel, and Aluminum Finishes)
    - Recessed LED Light Fixtures
  - Lighting Consistent with Design and Development Guidelines

# Project Analysis



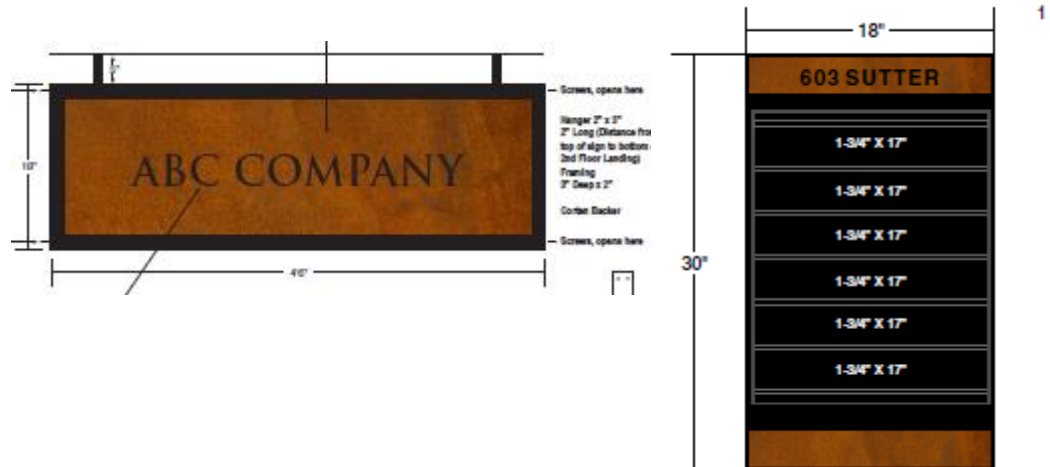
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- Trash/Recycling

- Trash/Recycling Enclosure within First Floor of Building
- Coordinate with Solid Waste Division on Collection Details (Condition No. 29)

- Signage

- Uniform Sign Program for Building
- Two Walls Signs (Sign Copy that Reads “603 Sutter”) on Sutter Street and Scott Street Respectively
- Four Under-Canopy Signs (Sutter Street)
- Wall-Mounted Directory Sign (Scott Street)
- Sign Program Consistent with the Design and Development Guidelines



# Project Analysis



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- Existing and Proposed Landscaping
  - Site Contains Mixture of Bamboo, Non-Native Grasses and 20 Trees (11 Native Oak Trees)
  - Due to Required Mass Grading all Existing Trees Removed
  - Proposed Landscaping Includes Street Trees, Shrubs, and Groundcover
- Biological Resources
  - No Sensitive Natural Habitats Identified by California Natural Diversity Database (CNDDDB) and California Native Plant Society (NCPS) in Project Area
  - No Wetland Features Identified in Project Area (USFWS National Wetland Inventory Map)
  - Applicant Proposes to Comply with Migratory Bird Treaty Act and California Fish and Game Code Provisions (Condition No. 40)
  - Multiple Arborist Reports Provided for Project
    - 11 Protected Oak Trees to be Removed
    - Project Subject to City's Tree Preservation Ordinance (Condition No. 34)
    - Mitigation Required for Loss of the 11 Protected Oak Trees
- Cultural Resources
  - Records Search of North Central Information Center (NCIC) Database
  - No Historic Resources Identified on the Project Site (Resources in Project Area)
  - Applicant Proposes Measures to Account for Unknown Historic Resources (Condition Nos. 39-40)

# Environmental Review



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- California Environmental Quality Act (CEQA)
- Project Eligible for Categorical Exemption from Environmental Review Under Section 15332 (In-Fill Development Projects) of CEQA Guidelines
  - 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 proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses
  - c) The project site has no value as habitat for endangered, rare, or threatened species
  - d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality
  - e) The site can be adequately served by all required utilities and public services
- Categorical Exemption Supplemental Analysis (Attachment 18)
  - Analysis Determined that Project Meets All Criteria to be Eligible for Exemption
  - City Staff Reviewed Analysis and Determined Project Meets Statutory Criteria for Exemption and that None of the Exceptions to Use the Categorical Exemption Apply to the Proposed Project



# Public Comments



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- Public Comments

- Comments on Original Project and Subsequent Iterations of Project (Attachment 21)
- Comments on Current Proposed Project (Attachment 22)
- Additional Public Comments

- Sample of Comments Received

- Project does not Provide any Handicapped Parking Spaces as Required by FMC
- Applicant has not Provided Necessary Submittal Materials for Proper Evaluation
- Project Exceeds that Maximum Height of 35 Feet Allowed by FMC
- Project is not Consistent with Objective Development Standards of FMC
- Project Should not be Considered Exempt from CEQA
- Concern Regarding Project's Vibration Impacts to Adjacent Properties
- Concern Regarding Design of Under Canopy Signs
- Concern Regarding Encroachments into Public Right-of-Way
- Concern Regarding Impact to Protected Oak Trees on City Property
- Concern Regarding Design Compatibility with Former Library Building
- Concern Regarding Lack of Parking

# Public Outreach



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- Recent Public Outreach Efforts
  - Public Notice Posted on Project Site (August 16<sup>th</sup> and August 24<sup>th</sup>)
  - Public Notice Published in Folsom Telegraph (August 24<sup>th</sup> and August 31<sup>st</sup>)
  - Public Notice Mailed to Property Owners Located within 300 Feet
  - Public Notice Emailed to Interested Residents (August 16<sup>th</sup> and August 23<sup>rd</sup>)
  - Public Notice Provided to Community Groups (HPL, HFRA, FHDA, etc.)
  - Project Information and Details Posted on City's Website in February-2023
  - Project Update Provided to HPL, HFRA, and FHDA on June 28, 2023

# Site Photographs



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# Site Photographs



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# Site Photographs



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# Conclusion



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- Conclusion
  - The Proposed Project Meets the Intent and Purpose of Chapter 17.52 of the Folsom Municipal Code
    - Project Enhances Historic, Small-Town Atmosphere of the Historic District
    - Project Promotes a Diverse Range of Businesses Compatible with the Historic District
    - Project is Consistent with the Historic Character of the Historic District
    - Project has High Quality Design that Reflects Pre-1900 Style Prevalent on Sutter Street
    - Project has Context Sensitive Design that will not Impact Nearby Historic Resources
    - Project has Undergone Significant Revisions to Respond to Community Input
  - The Proposed Project Meets the Intent and Purpose of the Historic District Design and Development Guidelines
    - Project Follows Patterns and Principles of Historic Architectural Design
    - Project Complimentary to Existing Buildings in the Sutter Street Subarea
    - Project Includes Significant Articulation and Fenestration Details
    - Project Includes Historically Appropriate Buildings Materials and Colors



# Staff Recommendation



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Staff Recommends  
Historic District Commission  
Approval of the  
603 Sutter Street Mixed-Use Project





# Folsom Municipal Code



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## FMC, Section 17.52.510 (Sutter Street Subarea Design Standards)

- B. **Design Concept.** The design concept for this subarea is to preserve existing pre1900 buildings, and require new or replacement structures to be of a pre1900 design, unless a post-1900 building is unique and/or representative of 1850-1950 architectural styles. The historic district commission may approve new construction of post-1900 design, on an exception basis, if it finds that the architecture is an outstanding design which represents a structure or use which formerly existed in historic Folsom or which represents a typical design and use extant in similar California towns between 1900 and 1950.
- C. **Height.** Building heights shall not exceed 35 feet adjacent to the sidewalk area on Sutter or Leidesdorff Street and 50 feet in other sections of the subarea. Towers, spires, or other similar architectural features may extend up to 15 feet above the building height.
- D. **Setbacks.** Contiguous shops on Sutter Street frontage shall maintain continuity of facades along public sidewalk.

### **17.58.080 Height exceptions.**

Towers, spires, chimneys, machinery, penthouses, scenery lofts, cupolas, water tanks, radio aerials, television antennae and similar architectural and utility structures and necessary mechanical appurtenances may be built and used to a height not more than 25 feet above the height limit established for the district in which the structures are located; provided, however, that no such architectural or utility structure in excess of the allowable building height shall be used for sleeping or eating quarters or for any commercial advertising purposes. Additional heights for public utility structures may be permitted upon approval of the planning commission. Height limitations provided herein shall not apply to electrical transmission lines and towers.  
(Prior code § 3121.08)

# Folsom Municipal Code



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## FMC, Section 17.52.420 (Architectural Features)

Fireplaces, bay windows, attached porches and decks and patios higher than 30 inches above grade, may extend into a required setback area a maximum of 2 feet, but shall not be closer than 3 feet to a property line or closer than 6 feet to any portion of another structure. The combined length of all such features shall not account for more than 25 percent of the length of the wall surface on which the features are located. (Ord. 890 § 2 (part), 1998)

# Folsom Municipal Code



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## FMC, Section 17.52.400 (Design Standards)

D. Exceptions to the design standards stated herein or in any subsequently adopted design and development guidelines may be permitted by the historic district commission when unique individual circumstances require the exception in order to comply with the purposes of this chapter or when necessary to allow for historical reconstruction of a previously existing structure or feature. (Ord. 890 § 2 (part), 1998)



# Folsom Municipal Code



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## Design and Development Guidelines (3.03.02(c) Encroachments

### *3.03.02 (c) Encroachments*

Although most street rights-of-way are of uniform width, the City's need for the full right-of-way varies, depending on the street's function. Although the City maintains the pavement and constructs drainage and other facilities, property owners have historically used and maintained portions of unused rights-of-way for landscaping, parking, and the like. That practice is expected to continue unless the need for public use arises. When installation of street improvements is determined to be necessary or desirable, it may be necessary for property owners to remove or modify their use of right-of-way. More serious situations have been discovered from time to time, with portions of structures encroaching into the right-of-way. Such encroachments should be removed. If there is little likelihood that the affected right-of-way will be needed, the City may consider granting an encroachment permit, on the condition that the encroachment be removed promptly on the City's request, with the building remodeled or moved promptly in a manner consistent with the provisions stated herein.

# Folsom Municipal Code



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## Walkway Coverings in the Sutter Street Subarea

### a. *Intent*

*To create a pleasing pedestrian environment and Subarea continuity.* Walkway coverings are traditional to the Sutter Street Subarea of the Historic District. These are primarily intended to protect shoppers and window displays from sunlight, and they also provide protection from inclement weather. Distinctive design can further enhance the storefront.

### b. *Sidewalk canopies and awnings*

*Retain and restore original designs.* Canopies or other types of walkway coverings shall be retained or shall be replaced with new materials consistent with the original design of the building.

*New construction.* New construction on Sutter Street shall provide a walkway covering over the sidewalk.

*Maximum projection.* With an encroachment permit, sidewalk canopies and awnings in the Subarea are allowed to project a maximum of 9 feet 6 inches beyond the property line (so long as they do not project into the traffic lane), with a minimum of eight feet of clearance to the sidewalk below.



# Folsom Electric Building



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# Fire and Rain Building



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# Sutter Court Building



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# 603 Sutter Street



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## 603 Sutter Street Mixed-Use Project Design Review

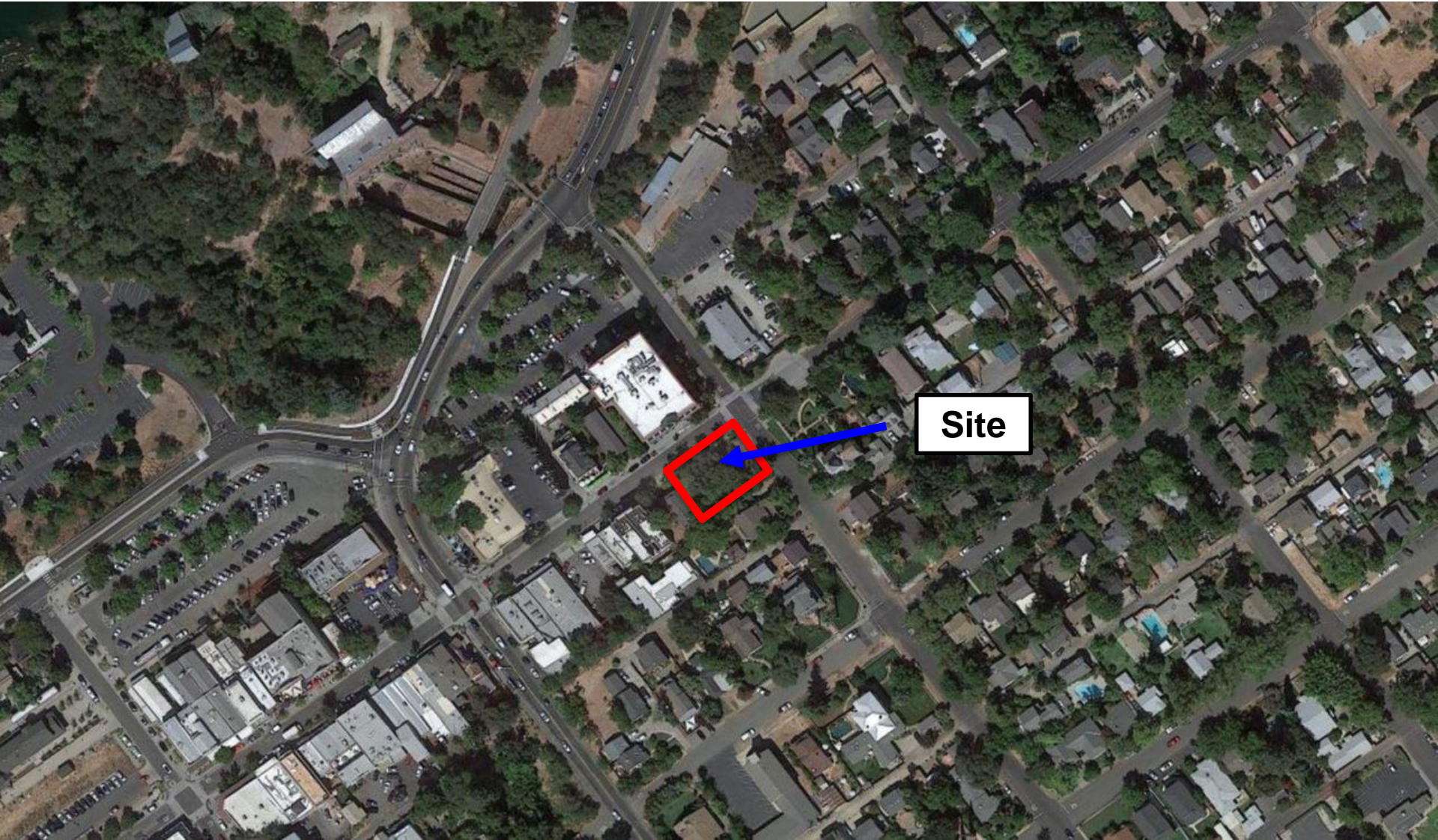




# Vicinity Map



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# Aerial View



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