



**CITY OF SACRAMENTO DESIGN COMMISSION  
RECORD OF DECISION**

**300 Richards Boulevard, 3<sup>rd</sup> Floor, Sacramento, CA 95811**

Project Name: The Metropolitan  
Project Number: DR05-402  
Project Location: 10<sup>th</sup> & J Street  
Assessor's Parcel No.: 006-0044-012; -011; -010; -009; -013  
Applicant: Eric Rasmusson  
Action Status: Approved with amended Conditions Action Date: 07-16-08

**REQUESTED ENTITLEMENT(S):** A request to develop a high-rise tower, consisting of 190 residential condominium units and 190 hotel rooms with ground floor commercial retail spaces on 0.96+/- acres in the Central Business District Special Planning District (C-3-SPD) zone.

- A. Environmental Determination: Environmental Impact Report (EIR)
- B. Mitigation Monitoring Plan.
- C. Design Review of proposed high rise building.

**ACTIONS TAKEN:** On 07/16/08, the Design Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval:  
Action: Approved with Amended Conditions.

**Action certified by:**

  
William Crouch, FRAIA, AIA, NCARB, Urban Design Manager

Sent to Applicant: 7/22/08

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 (SCC18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC18.28.150); 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.

**DESIGN REVIEW:** The approval shall be deemed automatically revoked unless required permits have been issued and construction begun within three years of the date of the approval. Prior to expiration, an extension of time may be granted by the Commission upon written request of the applicant.

**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 Design Commission decision of this item to the City Council must be filed at 915 I Street, New City Hall, 3rd Floor, within 10 calendar days of this meeting, on or before 07/28/08. If the 10<sup>th</sup> day falls on a Saturday, Sunday or holiday, the appeal may be filed on the following business day.

## **Findings Of Fact**

- A. Environmental Determination:** The Design Commission considered the Planning Commission's certification of the Environmental Impact Report for the Metropolitan Project (herein EIR) which consists of the Draft EIR and the Final EIR (Response to Comments (collectively the "EIR") has been completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
- B. Design Review** to develop a high-rise tower consisting of 190 residential condominium units and 190 hotel rooms with ground floor commercial retail spaces is approved, subject to the following Findings of Fact and Conditions of Approval:
1. The project is based upon sound principles of land use, in that the proposed use is allowed in the Central Business District Special Planning District (C 3-SPD) zone.
  2. The proposed use will be consistent with the objectives of the City of Sacramento General Plan.
  3. The project, as conditioned, will complement structures in the vicinity, and

conforms to the Design Commission's criteria for projects within the Central Business Design Review District.

### **Conditions Of Approval**

**The Design Review request to develop a high-rise tower consisting of 190 residential condominium units and 190 hotel rooms with ground floor commercial retail spaces is hereby approved subject to the following conditions:**

- A. The design of the site (see plans attached) is hereby approved subject to the following conditions. These conditions must be met prior to the building permit submittal:**
1. The building shall be sited as indicated in the report and exhibits.
  2. The project shall have building entries as indicated in the exhibits. Further development of all project entry elements, including building sign standards and lighting cut sheets, shall be reviewed and approved by Design Review staff prior to Building Permit submittal.
  3. Auto access and site layout shall be as indicated in the report and exhibits.
  4. The project shall have building setbacks as indicated in the exhibits, and meet all Planning Commission Conditions of Approval.
  5. The project shall include landscaping elements as indicated in the report and exhibits, and final landscape plans shall be reviewed and approved by Design Review staff prior to Building Permit submittal. ***Applicant shall work with Design Review staff to provide appropriate landscaping, including additional landscaping between columns to separate the motor court from the alley.*** Applicant shall provide Design Review staff final landscape and exterior furniture plans and details for review and approval prior to submitting for Building Permit. The design shall include an ornamental tube steel sidewalk café fences with perforated panels as indicated on the reports and exhibits. Final water feature and hardscaping shall be provided to Design Review staff for review and approval prior to Building Permit submittal. Final tree species shall be coordinated with Urban Forest staff. Automatic irrigation shall be provided for all planting and landscaping. **Street planters and sidewalk shall be provided per Development Engineering standards and reviewed by Development Engineering, Urban Forest, and Design Review staff prior to Building Permit submittal.**
  6. In ground planters are required at the podium level. Larger plantings are required on terraces along 10<sup>th</sup> and J Streets. ~~**Design Review staff shall**~~

~~review screening options of adjacent units at seventh level terrace residential only design as well as parapet wall design.~~ Landscaping at the pool level shall be more substantial and in scale with the design. **The applicant shall submit updated landscaping plans for review and approval by Design Review staff prior to submitting for Building Permit.**

7. Applicant shall provide a site lighting plan for review and approval by Design Review staff prior to submitting for Building Permit. Exterior lighting style and design shall be compatible and consistent with the building design, and the site should be adequately illuminated for safety and security with a minimum 1.0 foot candle throughout. Appropriate lighting should light up wall surfaces or landscape areas. **The applicant shall submit all site light fixtures cut sheets and plan locations for review and approval by Design Review staff prior to submitting for Building Permit.**
8. Site mechanical equipment and utility vaults shall be incorporated into the project site. Backflow prevention devices, SMUD boxes, etc., shall be placed in vaults where not visible from street views, and screened from any pedestrian view. **The applicant shall submit final mechanical locations for review and approval by Design Review staff prior to Building Permit submittal.**
9. Trash enclosure details and construction shall be included as indicated on the plans. **Final trash enclosure details and location shall be reviewed and approved by Design Review staff prior to Building Permit submittal.**

**B. The design of the new building (see plans attached) is hereby approved subject to the following conditions:**

10. The design of the building shall be as indicated in the report and exhibits.
11. Final heights and massing shall be as indicated on the plans.
12. The materials shall be provided as follows, granite base at the columns and as a sill material for ground floor storefront windows, clear anodized storefront system with clear glazing at street wall elevations, clear anodized storefront system with clear glazing and translucent spandrel panels at the tower elevations, clear anodized awnings with translucent glass infill panels, warm colored precast concrete panels, powder coated metal trellis, clear anodized aluminum screen at street wall balconies, clear glass balcony rails, and clear anodized metal lighting panels. **Applicant shall work with Design review staff on final clear anodized aluminum screen design on the parking structure along the alley. Final details of cement plaster expansion joints and finish on the east elevation shall be provided to staff prior to Building Permit submittal. Applicant shall provide additional articulation of ground level columns for introduction of light elements to Design Review staff prior to Building Permit submittal.** Final colors, materials and details shall be

as indicated on the plans and the color/material board as determined by the Design Commission. **Final color and material board shall be submitted to Design Review staff for final review and approval prior to Building Permit submittal. Any major modifications to the approved materials will require review and approval by the Design Commission.**

13. Reveals, offsets, and insets shall be introduced at the glazing systems per approved plans.
14. The building elevations shall have a consistency of detail and quality as indicated on the plans. ***Applicant shall provide Design Review staff final details of inset column on 10<sup>th</sup> and J Street elevations prior to Building Permit submittal. Applicant shall provide Design Review staff final details showing additional articulation of east elevation prior to Building Permit submittal. Applicant shall continue to soften the alley elevations, and provide final elevations to Design Review staff prior to Building Permit submittal.***
15. Exterior lighting style and design shall be compatible and complementary to the building design. **Final building lighting plans and light fixture cut sheets shall be reviewed and approved by Design Review staff prior to Building Permit submittal.**
16. Applicant shall work with staff on final articulation of building spire design. **Final spire design shall be reviewed and approved by Design Review staff prior to Building Permit submittal.**
17. Any roof top mechanical systems shall be integrated into the mechanical penthouse this includes but is not limited to HVAC, satellite dishes, etc. ***Applicant shall provided to Design Review staff final details and elevations of final mechanical grill and vent design prior to Building Permit submittal.*** Final roof plan with mechanical equipment locations shall be reviewed and approved by Design Review staff prior to Building Permit submittal.

**C. The design of the signage is hereby approved subject to the following conditions:**

18. High quality signage with a design and materials that complements the architecture is required and shall meet the sign ordinance. **Signage criteria for the project shall be submitted to Design Review staff and the City Sign Coordinator for review and approval prior to building permit submittal. Signage criteria requirements are locations of signage (elevations) including general size, potential illumination, and materials. Final sign designs shall be reviewed at time of tenant improvement Building Permit submittal.**

#### **D. General Conditions**

19. All final details affecting the exterior building design that are not determined at the time of the Design Commission's final review shall be reviewed and approved by Design Review staff prior to Building Permit submittal.
20. All other notes and drawings on the final plans as submitted by the applicant are deemed conditions of approval. Any changes to the final set of plans stamped by Design Review staff shall be subject to review and approval prior to Building Permit submittal. Applicant shall comply with all current building code requirements.
21. Any major revisions to the final approved design are subject to review and approval by the Design Commission.
- 22. All required new and revised plans shall be submitted for review and approval by Design Review staff prior to building permit submittal. A set of the appropriate plans (reduced to 11 x 17 set) along with a Letter of Compliance indicating how the project is in compliance with each Condition of Approval with detailed sheet references shall be submitted directly to Design Review Staff 1-2 weeks prior to Building Permit submittal. All necessary planning entitlements shall have been approved by the Planning Commission prior to final Design Review sign-off of plans.**
23. The approval shall be deemed automatically revoked unless required permits have been issued and construction begun within three years of the date of the approval. Prior to expiration, an extension of time may be granted by the Design Commission upon written request of the applicant.
- 24. The Design Commission decision may be appealed to City Council. Appeals must be filed within 10 calendar days of written notice of the Design Commission action.**
25. No building permit shall be issued until the expiration of the 10 day appeal period. If an appeal is filed, no permit shall be issued until final approval is received.
26. Final occupancy shall be subject to approval by Design Review Staff and shall involve an on-site inspection by Design Review Staff.
- 27. The Record of Decision shall be scanned and inserted into the final set as a general sheet to be submitted for building permit.**