



**CITY OF SACRAMENTO DESIGN REVIEW AND PRESERVATION BOARD
RECORD OF DECISION**

New City Hall, 915 I Street, 3rd Floor, Sacramento, CA 95814

Project Name: Mixed-use Condominium Building
Project Number: DR06-124
Project Location: 3201 S Street
Assessor's Parcel No.: 010-0063-006, -007, -012
Applicant: Peter Solar
Action Status: Approved with amended Conditions Action Date: 11/18/06

REQUESTED ENTITLEMENT(S): 1891 Alhambra Blvd. & 3201 S Street, Design Review of proposed 278 attached residential condominium units, 5,200 square feet of retail space, and a 5-level parking garage to replace the existing office building (to be removed).

- A. Environmental Determination: Mitigated Negative Declaration
- B. Mitigation Monitoring Plan
- C. Design Review of Mixed-Use Project

ACTIONS TAKEN: On 10/18/06, the Design Review and Preservation Board took the following actions based on the attached findings of fact and subject to the attached conditions of approval:

Action: Moved, seconded, carried (Fuller/Elliott, 5:2; Absent- Febbo), to approve.

Action certified by:


Luis R. Sanchez, AIA, Design Review Director

Sent to Applicant: 10/19/2006

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 two years of the date of the approval. Prior to expiration, an extension of time may be granted by the Board 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 Review and Preservation Board decision of this item to the Planning Commission must be filed at 915 I Street, New City Hall, 3rd Floor, within 10 calendar days of this meeting, on or before 10/28/06. If the 10th day falls on a Sunday or holiday, the appeal may be filed on the following business day.

Findings Of Fact

A. Environmental Determination: Mitigated Negative Declaration.

1. The City of Sacramento's Environmental Planning Services conducted or caused to be conducted an Initial Study on Alhambra at S Street (P06-076) ("Project") to determine if the Project may have a significant effect on the environment.
2. The Initial Study identified potentially significant effects of the Project. Revisions to the Project made by or agreed to by the Project applicant before the proposed Mitigated Negative Declaration and Initial Study were released for public review were determined by City's Environmental Planning Services to avoid or reduce the potentially significant effects to a less than significant level, and, therefore, there was no substantial evidence that the Project as revised and conditioned may have a significant effect on the environment. A Mitigated Negative Declaration (MND) for the Project was then completed, noticed and circulated in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures as follows:
 - a. On September 22, 2006 a Notice of Availability/Intent to Approve the MND

(NOI) dated September 20, 2006 was circulated for public comments for 20 days. The public comment period began on September 22, 2006 and ended on October 11, 2006. The NOI was sent to those public agencies that have jurisdiction by law with respect to the proposed project and to other interested parties and agencies, including property owners within 500 feet of the boundaries of the proposed project. The comments of such persons and agencies were sought.

- b. On September 22, 2006 the project site was posted with the NOI, the NOI was published in the Daily Recorder, a newspaper of general circulation, and the NOI was posted in the office of the Sacramento County Clerk.
3. The Design Review and Preservation Board has reviewed and considered the information contained in the MND, including the Initial Study, the revisions and conditions incorporated into the Project, and the comments received during the public review process and the hearing on the Project. The Design Review and Preservation Board has determined that the MND constitutes an adequate, accurate, objective and complete review of the environmental effects of the proposed project.

Based on its review of the MND and on the basis of the whole record, the Design Review and Preservation Board finds that the MND reflects the Design Review and Preservation Board's independent judgment and analysis and that there is no substantial evidence that the Project will have a significant effect on the environment, and there is no evidence that the proposed project has any potential for adverse effect on wildlife resources or the habitat upon which the wildlife depends. The Design Review and Preservation Board, therefore, adopts the MND for the Project.

Pursuant to CEQA Guidelines Section 15074, and in support of its approval of the Project, the Design Review and Preservation Board adopts a Mitigation Monitoring Program to require all reasonably feasible mitigation measures be implemented. ***The Board recommends that mitigation of combined sewer impacts be addressed in the document in Item 12 on page 49 of the Negative Declaration.***

The documents and other materials that constitute the record of proceedings upon which the Design Review and Preservation Board has based its decision are located in the City of Sacramento Development Services Department, Environmental Planning Services, 2101 Arena Boulevard, Suite 200, Sacramento, CA 95834. The custodian of these documents and other materials is the Development Services Department, Environmental Planning Services.

Upon approval of the Project, the City's Environmental Planning Services shall file or cause to be filed a Notice of Determination with the Sacramento County Clerk and, if the project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to section 21152(a) of the Public Resources Code and the State EIR Guidelines adopted pursuant thereto.

B. The Design Review request to remove the existing structure and construct the

residential mixed-use project with 278 attached residential condominium units, 4,485 square feet of retail space and a 5-level parking garage 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 General Commercial Alhambra Corridor Special Planning District (C2-SPD) zone, with the entitlements proposed.
2. The proposed use will be consistent with the objectives of the City of Sacramento General Plan.
3. The project, as conditioned, will complement certain aspects of the structures in the vicinity, and conforms to the Board's design criteria

Conditions Of Approval

The Design Review request to remove the existing structure and construct the residential mixed-use project with 278 attached residential condominium units, 4,485 square feet of retail space and a 5-level parking garage 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 issuance of a building permit:

1. The buildings shall be sited as indicated in the report and exhibits. The applicant shall coordinate with the appropriate agencies regarding alley improvements and the parking lot improvements associated with the overall project.
2. The project shall have building setbacks and step-backs as indicated in the report and exhibits.
3. The project shall have building entries as indicated in the report and exhibits. Further development of all project entry elements including canopies, signs, lighting and landscape elements shall be provided for Staff review prior to submission for permit.
4. The project shall include auto access and landscaping as indicated on the reports and exhibits. **Applicant shall look at orienting traffic as in-only from street and exit on Alhambra to prevent light glare from exiting cars impacting residences across the street. A recommendation shall be forwarded to the Planning Commission to reinforce the access agreement between property owners to ensure most cars going into garage come from Alhambra to help limit traffic from S Street. A cross walk is recommended at Alhambra and R Street.** The applicant shall provide a full landscape and pavements plan for review and approval by Staff.
5. The project shall include fences and walls with landscaping elements as indicated on the reports and exhibits, and final landscape plans shall be reviewed and approved by Staff.
6. The applicant shall submit final site lighting locations and cut sheets to Staff for review and approval. **Staff shall closely review lighting to ensure no light spillage to**

neighbors, and to avoid glare. Lighting at parking garage shall also be reviewed to hide light source and prevent light spillage and glare outside the garage. The applicant shall consider cut-off street light fixtures, if acceptable per City standards for street lighting.

7. Mechanical equipment proposed shall be screened as necessary to fit in with the design of the new building. Backflow prevention devices, SMUD boxes, etc., shall be placed where not visible from street views, screened from any pedestrian view. The Applicant shall submit final mechanical locations and screening to Staff for review and approval.
8. Service areas and trash rooms shall be included as indicated on the plans.
- B. The design of the three large separate building areas (see plans attached) is hereby approved subject to the following conditions:**
9. The design of the buildings shall be as indicated in the report and the exhibits.
10. Final heights and massing shall be as indicated on the plans. **Applicant shall work with staff to reduce visual massing at corner elements and at corner building, especially along S Street. Massing shall be diminished by use of step backs, setbacks, materials, etc. Internal elevations shall be more like east elevation. Garage entry on corner building facing S Street shall have an ornamental door in keeping with building character for times when closed after hours, applicant shall work with staff on design, materials, and color.** Final sign plans shall be reviewed and approved by Staff and the City Sign Coordinator.
11. Final colors, materials and details shall be as indicated on the plans and the color/material board.
12. The building elevations shall have a consistency of detail and quality as indicated on the plans. **Applicant shall work with staff to break the mass of plaster elements on the north elevation including the possible use of screeds and other materials.**
13. Final building lighting plans shall be reviewed and approved by Staff. **See added language at condition 6 above.**
14. Further development of all project entry elements including canopies, signs, lighting and landscape elements shall be provided for Staff review prior to submission for permit.
15. All required new and revised plans shall be submitted for review and approval of staff prior to issuance of building permits. **A set of the appropriate plans shall be submitted directly to Design Review Staff.** Any necessary planning entitlements shall have been approved by the Planning Commission or the Zoning Administrator prior to final Design Review sign-off of plans.
16. The approval shall be deemed automatically revoked unless required permits have been issued and construction begun within two years of the date of the approval. Prior to expiration, an extension of time may be granted by the Board upon written request of the applicant.

17. Final occupancy shall be subject to approval by Design Review Staff and shall involve an on-site inspection.
18. The approval shall be deemed automatically revoked unless required permits have been issued and construction begun within two years of the date of the approval. Prior to expiration, an extension of time may be granted by the Board upon written request of the applicant.