



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

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

Project Name: New Commercial Building
Project Number: DR06-171
Project Location: 1017 25th Street
Assessor's Parcel No.: 007-0103-021
Applicant: Paul Almond
Action Status: Approved with amended conditions Action Date: 09/20/2006

REQUESTED ENTITLEMENT(S): 1017 25th Street. A request to construct a four-story mixed-use building with a two-level art gallery, two levels of apartments and a rooftop sculpture garden.

A. Environmental Determination: The project is exempt as infill development pursuant to CEQA Section 15332.

B. Design Review of the proposed mixed-use project

ACTIONS TAKEN: On 09/20/06, 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: Heard. Moved, seconded, carried (Fuller/ Hope, 5:0:0; Absent-Elliot, LaBarge, Febbo), to Approve.

Action certified by:


Luis R. Sanchez, AIA, Design Review Director

Sent to Applicant: 09/21/06

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 (SCC 18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC 18.28.150); 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.

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 09/30/06. 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: This project will not have a significant effect on the environment, and is categorically exempt from environmental review pursuant to the California Environmental Quality Act Guidelines, Section 15332.

B. The Design Review request to remove the existing building and erect a new four-story mixed-use structure 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 Commercial (C-2) zone and includes conditions addressing building and site design.
2. The proposed use will be consistent with the objectives of the City of Sacramento General Plan.
3. The project, as conditioned, enhances the surrounding neighborhood.
4. 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 building and erect a new four-story mixed-use structure 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 building shall be sited as indicated in the report and exhibits. The Applicant shall coordinate with the appropriate agencies regarding alley improvements, sidewalk or parkway strip improvements, and existing tree preservation associated with the overall project.
2. The project shall have building heights as indicated in the report and exhibits.
3. The project shall have building setbacks, step-backs and parkway strips as indicated in the report and exhibits.
4. The project shall not include parking as indicated on the reports and exhibits.
5. The project shall include new landscaping and one street tree, and shall preserve existing trees as indicated on the reports and exhibits.
6. The project shall include signage as indicated on the reports and exhibits. The Applicant shall work with the City Sign Coordinator regarding all project signs.
7. The trash area shall be as indicated on the reports and exhibits. Provide enclosed trash area.
8. 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 and screened from any pedestrian view. The Applicant shall submit final mechanical locations and screening to staff for review and approval.
9. The Applicant shall submit final site lighting locations and product cut sheets to Staff for review and approval.

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

10. The building design shall be as indicated in the report and the exhibits.
11. Final heights and massing shall be as indicated on the plans.
12. Final colors, materials and details shall be as indicated on the plans and the color/material board. Coordinate with staff.
13. The building elevations shall have a consistency of detail and quality as indicated on the plans, with any revisions requested by Board or as reviewed by Staff. Provide treatment at south and east walls, coordinate with staff on solutions.
14. The building elevations shall be articulated as indicated on the plans, with any revisions requested by Board or as reviewed by Staff.
15. Final colors and materials shall be as indicated on the plans and the color/material board.
16. 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.

17. 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.

18. Final occupancy shall be subject to approval by Design Review staff and shall involve an on-site inspection.

19. 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.