



**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/Retail Building
Project Number: DR06-202
Project Location: 1228 & 1230 H Street
Assessor's Parcel No.: 006-0051-007
Applicant: Richard Graber
Action Status: Approved with amended Conditions Action Date: 11/18/06

REQUESTED ENTITLEMENT(S): Request to demolish an existing commercial building and replace with a 12,859 sq. ft. commercial/ retail building in the C-2 (Arts and Entertainment District.)


A. Environmental Determination: Exempt per CEQA 15302(b); Replacement or Reconstruction

B. Design Review request to construct a three-story 12,900 +/- sq. ft. mixed use building containing retail/restaurant, and office in the C-2 Arts and Entertainment District.

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 (Sehnert/Fuller, 6:0:0; Absent-LaBarge, 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 day 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:** 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 15302.
- B. The Design Review request to construct a three-story mixed use building containing retail/restaurant and office in the Arts and Entertainment District 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 (C-2) zone and includes conditions addressing building and site design and signage.
 2. The proposed use will be consistent with the objectives of the City of Sacramento General Plan.

Conditions Of Approval

The Design Review request to construct a three-story mixed use building containing retail/restaurant and office in the Arts and Entertainment District 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.
2. The project shall have setbacks as indicated in the report and exhibits.
3. The project shall include two entries from the H Street sidewalk. These entries shall be split, one for the retail/restaurant space, and the second for internal access to the office and parking areas.
4. Auto access and site layout shall be as indicated in the report and exhibits. Final landscape plans shall be reviewed and approved by staff prior to Building Permit submittal. Final landscape plans shall match final Architectural Site Plan.
5. Final fence and rolling gate details shall be review and approval by staff prior to Building Permit submittal.
6. The applicant shall submit all site light fixtures cut sheets and plan locations for review and approval by staff prior to Building Permit submittal.
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 for review and approval by staff prior to Building Permit submittal.
8. Final Service area plans shall be reviewed and approved by staff prior to Building Permit submittal.
9. Final Trash Enclosure plans shall be reviewed and approved by staff prior to Building Permit submittal.

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

10. The applicant shall construct the proposed project with color and materials palette as indicated on plans and conditions of approval. The building shall be constructed with brick to match existing adjacent building, and a dashed machine finish cement plaster at the third floor.
11. Aluminum storefront frames shall be medium anodized. All glazing shall be clear glass at the ground floor windows, and glazing to match the existing adjacent building for

upper levels. Spandrel glass shall match existing adjacent buildings spandrel glass.

12. Decorative lighting that “complements the building design” shall be provided. Final building lighting shall be reviewed and approved by staff prior to Building Permit submittal.
13. Special attention shall be paid to views from above of the orientation and finish of equipment. Final roof plan with mechanical equipment locations shall be reviewed and approved by staff prior to Building Permit submittal.
14. 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.
15. 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.
16. Final occupancy shall be subject to approval by Design Review staff and shall involve an on site inspection.
17. ***The Board recommends that the applicant participate in a construction waste management and recycling program for this project during the demolition process***