



**CITY OF SACRAMENTO DESIGN COMMISSION
RECORD OF DECISION**
New City Hall, 915 I Street, 3rd Floor, Sacramento, CA 95814

Project Name:	Freeport Marketplace	
Project Number:	P03-018	
Project Location:	SE corner at the intersection of Freeport Blvd. and Meadowview Rd.	
Assessor's Parcel No.:	052-0010-077 and 079	
Applicant:	Holloway, Rasamussen and Molodanoff	
Action Status:	Recommended approval and forwarded to the City Council	Action Date: Sept. 13, 2007

- REQUESTED ENTITLEMENT(S):**
- A. Environmental Determination: Mitigated Negative Declaration;
 - B. Mitigation Monitoring Plan;
 - C. General Plan Amendment of ± 6.1 acres from the Low Density Residential (4-15 du/na) to the Community/Neighborhood Commercial & Offices land use designation;
 - D. Community Plan Amendment of ± 6.1 acres from the Residential 7-15 du/na to the Commercial land use designation;
 - E. Rezone of ± 6.1 acres from the Single-family Alternative (R-1A) to the Shopping Center (SC) zone;
 - F. Tentative Map to merge two parcels comprising ± 6.1 acres and then subdividing same into four parcels;
 - G. Special Permit to construct and operate a drive-through facility;
 - H. Special Permit to construct and operate a drive-through facility;
 - I. Variance to modify the required vehicle stacking distance for a drive-through facility;
 - J. Special Permit to construct and operate a veterinarian clinic in the Shopping Center (SC) zone;
 - K. Variance to waive a portion of a required masonry wall separating commercial and residential uses;
 - L. Plan Review of a commercial mixed use development with an approximate building area of 52,200 square feet in the Shopping Center (SC) zone.

ACTIONS TAKEN: On 09/13/2007, the Planning Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval: Findings Of Fact

A&B. The Planning Commission has reviewed and considered the information contained in the Mitigated Negative Declaration for the Project in making the recommendations set forth below.

C. The Planning Commission recommends approval and forwards to the City Council the General Plan Amendment for the Project as set forth in Attachment 4.

D. The Planning Commission recommends approval and forwards to the City Council the Community Plan Amendment for the Project as set forth in Attachment 5.

E. The Planning Commission recommends approval and forwards to the City Council the Rezoning for the Project as set forth in Attachment 3.

F. The Planning Commission recommends approval and forwards to the City Council the Tentative Map merge two parcels comprising ±6.1 acres and then subdividing same into four parcels for the Project as shown in Attachment 6, Exhibit A, based on the findings and subject to the conditions of approval set forth in Attachment 6.

G. The Planning Commission recommends approval and forwards to the City Council the Special Permit to construct and operate a drive-through facility for the Project as shown in Attachment 6, Exhibit A, based on the findings and subject to the conditions of approval set forth in Attachment 6.

H. The Planning Commission recommends approval and forwards to the City Council the Special Permit to construct and operate a drive-through facility for the Project as shown in Attachment 6, Exhibit A, based on the findings and subject to the conditions of approval set forth in Attachment 6.

I. The Planning Commission recommends approval and forwards to the City Council the Variance to modify the required vehicle stacking distance for a drive-through facility for the Project as shown in Attachment 6, Exhibit A, based on the findings and subject to the conditions of approval set forth in Attachment 6.

J. The Planning Commission recommends approval and forwards to the City Council the Special Permit to construct and operate a veterinarian clinic in the Shopping Center (SC) zone for the Project as shown in Attachment 6, Exhibit A, based on the findings and subject to the conditions of approval set forth in Attachment 6.

K. The Planning Commission recommends approval and forwards to the City Council the Variance to waive a portion of a required masonry wall separating commercial and residential uses for the Project as shown in Attachment 6, Exhibit A, based on the findings and subject to the conditions of approval set forth in Attachment 6.

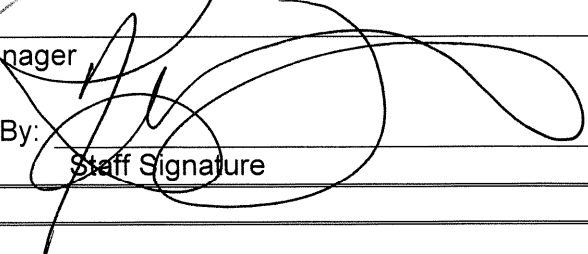
L. The Planning Commission recommends approval and forwards to the City Council the Plan Review of a commercial mixed use development with an approximate building area of 52,200 square feet in the Shopping Center (SC) zone for the Project as shown in Attachment 6, Exhibit A, based on the findings and subject to the conditions of approval set forth in Attachment 6.

Action certified by:


David Kwong, Planning Manager

Sent to Applicant: 09/14/2007

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.

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 Planning 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 09/24/2007. If the 10th day falls on a Sunday or holiday, the appeal may be filed on the following business day.