



**CITY OF SACRAMENTO PLANNING COMMISSION
RECORD OF DECISION**

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

Project Name: Old Sac Lofts Parking Waiver
Project Number: P06-206
Project Location: 116-120 I St (Old Sacramento Historic District)
Assessor's Parcel No.: 006-0012-032
Applicant: Bay Miry, D & S Development, (916) 288-2104, 1329 H Street, Sacramento, CA 95814
Action Status: Approved Action Date: 02/08/07
REQUESTED ENTITLEMENT(S): A. Environmental Determination: Exempt, Section 15301;
B. Special Permit to waive the required parking for a nine unit condominium development on 0.11± acres within the Central Business District (C-3) zone.

ACTIONS TAKEN: On 02/08/07, the Planning Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval:
Approved the requested entitlements A & B.

Action certified by: 
David Kwong, Planning Manager

Sent to Applicant: 02/08/2007

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 Design Review Director 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 01/01/01. 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: Categorical Exemption. The City Planning Commission finds and determines that the proposed project is exempt from environmental review pursuant to Section 15301 of the California Environmental Quality Act (CEQA).

- B. The Special Permit to waive the required parking for a nine unit condominium development on 0.11± acres within the Central Business District (C-3) zone is approved subject to the following Findings of Fact:
 1. Granting the Special Permit is based upon sound principles of land use in that:
 - A. The location of the condominium development within Old Sacramento and downtown reduces the reliance on the automobile and the need for a parking space.
 - B. Additional parking facilities are not being created.
 2. Granting the Special Permit would not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
 - A. Adequate parking is available in one of the Old Sacramento parking garages.
 - B. Waiving the required parking is not anticipated to impact parking in the area of the condominium development because of the current on-street parking restrictions.
 3. The proposed project is consistent with the General Plan and Central City Community Plan designations of Community/Neighborhood Commercial & Offices and Multi Use of, which promotes a rich vital urban experience and continues revitalization of the Central City as a viable living, working, shopping and cultural environment.

Conditions Of Approval

1. Transit information shall be displayed in a prominent location in the residential sales office, through a homeowners association, or with real estate transactions.