



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

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

Project Name: The Hamptons Alternative Roofing Option
Project Number: P07-149
Project Location: East of E. Commerce Way, north and south sides of Club Center Drive, Sacramento, CA 95834
Assessor's Parcel No.: 201-0300-152, 201-1160-027 through -044, -118 through -120, 201-1270-001 through -047, -125 through -148, -155 through -181, -205 through -222, -224 through -235
Applicant: Leo Pantoja, KB Home Sacramento Inc., (916) 576-5815
2420 Del Paso Road, Sacramento, CA 95834
Action Status: Denied request Action Date: 01/24/08

REQUESTED ENTITLEMENT(S): A. Environmental Determination: Previously Adopted Mitigated Negative Declaration;
B. Mitigation Monitoring Plan;
C. Special Permit Modification to allow an additional option for composition shingle roofing for 208 dwelling units within The Hamptons development.

ACTIONS TAKEN: On 01/24/08, the Planning Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval: Reviewed entitlements (A) and (B) and denied entitlement (C).

Action certified by: 
David Kwong, Planning Manager

Sent to Applicant: 01/25/2008

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.

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 02/04/08. If the 10th day falls on a Sunday or holiday, the appeal may be filed on the following business day.

Findings Of Fact

- C. The **Special Permit Modification** to allow an additional option for composition shingle roofing for 208 dwelling units within The Hamptons development is denied subject to the following Findings of Fact:
1. The proposed project does not comply with General Plan and North Natomas Community Plan goals to maintain quality and character in residential neighborhoods;
 2. The proposed roofing material does not conform to the current aesthetic quality of the neighborhood nor is it a desirable material for the neighborhood; and
 3. The proposed roofing material does not offer substantial cost savings to potential homeowners.