

**ITEM IV-B. TENTATIVE PARCEL MAP & DEVELOPMENT AGREEMENT AMENDMENT – 7950  
FOOTHILLS BL – NWRSP PCL 9 BRIDGES AT WOODCREEK OAKS – FILE #2008PL-  
048 (PROJECT #'S SUB-000125, DA-000041)**

**REQUEST**

The applicant requests approval of a Tentative Parcel Map to rescind the previous 185-unit condominium map approval for the Bridges at Woodcreek Oaks, returning the development to a for-rent apartment development. The applicant also requests approval of a Development Agreement Amendment to eliminate the obligations associated with the previous condominium project approval. Approval of the Tentative Parcel Map and Development Agreement Amendment effectively rescinds all previously approved entitlements for the Bridges at Woodcreek Oaks to convert to for-sale condominiums.

Applicant/Property Owner – Ralph Tilley, ConAm Bridges, LLC

**SUMMARY RECOMMENDATION**

The Planning & Redevelopment Department recommends that the Planning Commission take the following actions:

- A. Adopt the three (3) findings of fact and approve the Tentative Subdivision Map; and
- B. Recommend that the City Council adopt the five (5) findings of fact and approve the Development Agreement Amendment.

**SUMMARY OF OUTSTANDING ISSUES**

There are no outstanding issues associated with this request. The applicant has reviewed and is in agreement with the recommended conditions of approval.

**BACKGROUND**

The project site is located on Parcel 9 of the Northwest Roseville Specific Plan (NWRSP) at 7950 Foothills Boulevard. The property is zoned Attached Housing (R3) and has a General Plan land use designation of High Density Residential, 13.4 units per acre (HDR 13.4). As shown in Figure 1, the site is currently developed with an apartment complex. The site is adjacent to Hewlett Packard (HP) to the north, NEC Electronics Inc. to the east, single-family residential to the south, and Woodcreek Oaks Golf course to the west.

On March 26, 1998, the Planning Commission approved the Design Review Permit (DRP 97-37) and Tree Permit (TP 97-41) to allow the construction of the 185-unit apartment complex, which was completed in 2001. A condominium map to convert the 185-unit for-rent apartments to for-sale units was approved by Planning Commission on April 28, 2005. In conjunction with the condominium map, an Affordable Purchase Housing Development Agreement (APHDA) and a Development Agreement Amendment (DAA) were adopted by Council on July 20, 2005. The APHDA required 10% of the condominium units to be sold as affordable units (very low, low, and middle income). The Development Agreement required, among other items, a \$5,000 per unit Community Benefit Fee (CBF) and a Tenant Relocation Assistance Plan. The CBF is to be paid at the close of escrow, for each unit, or within one

year from recordation of the Final Map. The Final Map recorded in April 2007; payment of the CBF was required by April 2008.

Conversion of the Bridges at Woodcreek Oaks to for-sale condominiums was never finalized with the Department of Real Estate, and remains a for-rent apartment complex. Due to market conditions, and the pending CBF payment obligation, the applicant no longer desires to create condominium units and is currently requesting to rescind the condominium map. Approval of the Tentative Parcel Map would rescind the condominium map for the Bridges at Woodcreek Oaks and approval of the Development Agreement Amendment (DAA) would eliminate the obligations associated with the sale of the condominium units established in the DA. The City and ConAm will also terminate the APHDA through the City's standard Satisfaction and Release of Agreement. Should the property owner wish to pursue the conversion of the apartments to for-sale condominium units in the future, approval of a new APHDA, DAA and condominium map would be required, provided the criteria for conversion outlined in the Condominium Conversion Ordinance could be met (vacancy rate, 15% multi-family rental threshold, etc.).

Figure 1: Aerial Photo with Land Use and Zoning



## **EVALUATION**

### **DEVELOPMENT AGREEMENT AMENDMENT**

The City and ConAm seek to amend the Development Agreement to eliminate the obligations associated with the previous condominium map. The request would create a fourth amendment to the original development agreement (Exhibit A). The DAA requires recordation of a new Final Map and obligates the City and ConAm to agree to rescind the APHDA.

The Development Agreements will remain consistent with the General Plan and Zoning Ordinance and will not adversely affect the existing development of the parcel. The DA Amendment has been reviewed by all affected departments and the terms have been found to be acceptable to all parties. Staff therefore concludes that the required findings can be made to approve the Development Agreement Amendment.

## TENTATIVE PARCEL MAP

The Tentative Parcel Map for the Bridges at Woodcreek Oaks is to eliminate the condominium lots and return the parcel to one 13.8-acre parcel (Exhibit B). The parcel boundaries will not be modified.

Section 18.06.180 of the City of Roseville Subdivision Ordinance requires that three findings be made in order to approve or conditionally approve a Tentative Map. The three findings are listed below in *italics* and are followed by an evaluation of the map in relation to each finding.

- 1. The size, design, character, grading, location, orientation and configuration of lots, roads and all improvements for the tentative subdivision map are consistent with the density, uses, circulation and open space systems, applicable policies and standards of the General Plan or any applicable specific plan for the area, whichever is more restrictive, and the design standards of this Title.***

PARCEL SIZE, DESIGN, and CONFIGURATION: The proposed map will result in one (1) 13.8-acre parcel. The Tentative Map will not result in any modification to the overall parcel size, design or configuration. The parcel size, design and configuration is adequate to support an attached housing development, consistent with the General Plan.

With respect to maintenance of the structures, common areas and other common facilities (drive aisles, parking, landscaping), the amended DA will return the responsibility to the property owner.

ACCESS & CIRCULATION: The site is accessed primarily from a single driveway on Foothills Boulevard. The main driveway permits full turning movements. In addition to the main driveway, a secondary emergency access is provided on the south end of the site that is accessed from Misty Wood Drive. The emergency access point is gated and is not used for general ingress and egress. On-site circulation was evaluated with the Design Review Permit for the project and was designed (and conditioned) to meet minimum City requirements for drive aisle widths, turning radius, etc.

PARKING: Parking required for the project is 361 spaces. The project provides 186 garage spaces and 175 uncovered parking spaces for a total of 361 spaces. Parking for the project meets the Zoning Ordinance requirements and modifications are not proposed with this Tentative Parcel Map.

AFFORDABLE HOUSING: The City and the property owner will terminate the APHDA associated with the condominium conversion. Consistent with the NWRSP, the Bridges at Woodcreek Oaks will not be required to provide affordable housing.

IMPROVEMENTS: The existing parking, access, driveways, and utility infrastructure (water, sewer, electric, fire hydrants and other utility mains) will be maintained by the property owner.

Based on the above information and the fact that the project is constructed and occupied, staff believes that the proposed parcel is suitable for development and therefore supports the proposed map.

- 2. The subdivision will result in lots which can be used or built upon. The subdivision will not create lots which are impractical for improvement or use due to: the steepness of terrain or location of watercourses in the area; the size or shape of the lots or inadequate building area; inadequate frontage or access; or, some other physical condition of the area.***

There are no natural features or physical conditions that would restrict development of the proposed parcel. The discussion in Section 1 concluded that the proposed parcel is consistent with the development that is already occurring on the site which has been determined to be in accordance with City standards.

**3. *The design and density of the subdivision will not violate the existing requirements prescribed by the Regional Water Quality Control Board for the discharge of waste into the sewage system, Pursuant to Division 7 of the Water Code.***

The water quality impacts associated with the project and the expected discharge of waste for this project are consistent with what has been anticipated by the General Plan EIR and the Northwest Roseville Specific Plan EIR. In addition, the design of the sewer lines in the project area and treatment capacity at the City's sewage treatment plant have adequate conveyance and capacity to accommodate the existing development on the parcel proposed by the tentative map.

Based on the evaluation above, staff believes that the Planning Commission can make the required findings and approve the Tentative Parcel Map.

**ENVIRONMENTAL DETERMINATION**

The application is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15305 of the CEQA Guidelines pertaining to minor alterations of land use limitations, and pursuant to Section 305 of the Roseville CEQA Implementing Procedures.

**RECOMMENDATION**

The Planning & Redevelopment Department recommends the Planning Commission take the following actions:

- A. Adopt the three findings of fact, as stated in the staff report, and approve the TENTATIVE PARCEL MAP – 7950 Foothills BI (NWRSP PCL 9 Bridges at Woodcreek Oaks); and
- B. Recommend that the City Council adopt the five findings of fact as listed below for the DEVELOPMENT AGREEMENT AMENDMENT for NWRSP Bridges at Woodcreek Oaks:
  1. The Development Agreement is consistent with the objectives, policies, programs and land use designations of the City of Roseville General Plan;
  2. The Development Agreement is consistent with the City of Roseville Zoning Ordinance;
  3. The Development Agreement is in conformance with the public health, safety and welfare;
  4. The Development Agreement will not adversely affect the orderly development of the property or the preservation of property values; and
  5. The provisions of the Development Agreement will provide sufficient benefit to the City to justify entering into the Agreement.

**CONDITIONS OF APPROVAL FOR TENTATIVE PARCEL MAP (SUB-000125)**

1. The project is approved as shown in Exhibits A and as conditioned or modified below. (Planning)
2. This map shall be valid for a period of two (2) years from this date and shall expire on **July 24, 2010**. Prior to said expiration date, the applicant may apply for an extension of time, provided, however, that this approval shall be extended for no more than five years from **July 24, 2010** (Planning)
3. The approval of a Tentative Parcel Map does not constitute approval of proposed improvements as to size, design, materials, or location, unless specifically addressed in these conditions of approval. (Public Works)

4. The applicant shall pay City's actual costs for providing plan check, mapping, GIS, and inspection services. This may be a combination of staff costs and direct billing for contract professional services. (Public Works, Environmental Utilities, Finance)
5. Clearly state on the face of the Map that the purpose of the map is to rescind the condominium conversion and final map entitled "Plat of the Bridges at Wood Creek Oaks Condominiums." (Public Works)
6. All existing easements shall remain in effect. (Public Works)
7. The existing CC&Rs shall be amended and submitted to the City for review that reflect the elimination of the condominium conversion. (Public Works)
8. Prior to recordation of the parcel map, the applicant shall pay the City's surveyor's processing and consulting fee of \$75. (Public Works)

#### **EXHIBITS**

- A. Development Agreement Amendment
- B. Tentative Parcel Map – Bridges at Woodcreek Oaks

**Note to Applicant and/or Developer:** Please contact the Planning & Redevelopment Department staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning & Redevelopment Director at, or prior to, the public hearing.