



ITEM IV-C: TENTATIVE SUBDIVISION MAP– 570 NORTH SUNRISE AVENUE – NORTH SUNRISE COMMERCIAL CENTER (BUILDING E) – FILE# SUB-000036

REQUEST

The applicant requests approval of a Tentative Subdivision Map to create eight (8) “for-sale” commercial condominiums ranging in size from 1,500 square feet to 2,600 square feet within a building located in an approved office complex at 570 North Sunrise Avenue.

Applicant – Michael P. Spencer, Bellecci & Associates, Inc.
Owner – Tim Gagnier, Granite Bay Ventures, LLC

SUMMARY RECOMMENDATION

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

- A. Adopt the three findings of fact for the Tentative Subdivision Map; and
- B. Approve the Tentative Subdivision Map subject to fifteen (15) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

There are no outstanding issues associated with this request. The applicant has reviewed and is in agreement with all recommended conditions of approval. To date, no comments have been received from adjacent property owners.

BACKGROUND

The project site is located at 570 North Sunrise Avenue, near the corner of North Sunrise Avenue and Eureka Road in the Northeast Roseville Specific Plan (NERSP) (Attachment1). The project shares parking with the U.A. Theatre and Black Angus Restaurant. On March 10, 2005 the Planning Commission approved a Design Review Permit, Tree Permit, Administrative Permit, and Tentative Parcel Map for 560, 570, and 580 North Sunrise Avenue. The request for the Tentative Parcel Map (PM 04-21) was to merge three existing parcels and re-subdivide them into five parcels. The request for the Design Review Permit (DRP 04-46) was to construct five medical office buildings totaling 73,107 square feet.

The current request is for a Tentative Subdivision Map to subdivide Building E (located on Parcel C) into eight (8) individual condominium units as described below (Exhibit A).

SITE INFORMATION

Location: 570 North Sunrise Avenue, Northeast Roseville Specific Plan Parcel 5B, APN 015-450-045

Roseville Coalition Of Neighborhood Associations (RCONA): This parcel is located within the East Roseville Parkway Neighborhood Association Area (34), where the neighborhood association is no longer active.

Total Size: 1.02 acres

Topography: Site grading was approved with the original Design Review Permit. This request will not result in any changes to the approved Grading Plan.

Adjacent Zoning and Land Use

Location	Zoning	General Plan Land Use	Actual Use Of Property
Site	Business Professional/ Special Area-Northeast (BP/SA-NE)	BP	Under Construction (Medical Office Building)
North	Open Space (OS)	OS	Creek
South	Regional Commercial/ Special Area-Northeast (RC/SA-NE)	Community Commercial (CC)	Parking Lot
East	BP/SA-NE	BP	Vacant (Approved Office Buildings)
West	RC/SA-NE	CC	Parking Lot

EVALUATION

The construction of the office park was approved on March 10, 2005. The Design Review Permit (DRP) analyzed and approved the site plan, grading, utilities, landscaping, building elevations and environmental impacts. The current request is for a Tentative Subdivision Map to subdivide Building E into eight (8) office condominium units. No changes to the approved buildings or site improvements are proposed with this request. Building E is currently under construction and is scheduled for completion in February 2006. The building is proposed to be subdivided as follows:

Suite	Square Footage
Suite 110	2,550
Suite 120	2,578
Suite 130	1,666
Suite 140	2,478
Suite 210	2,550
Suite 220	2,578
Suite 230	1,839
Suite 240	2,478

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 Subdivision Map. The three findings are listed below in ***bold italics text*** and are followed by an evaluation of the map in relation to each finding.

- 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 and the Community Design Guidelines, and the design standards of Title 18 (Subdivision Ordinance) of the Roseville Municipal Code.***

As noted above, a DRP was approved in March 2005 for this project. During the DRP process the project was analyzed for consistency with density, use, circulation, open space systems, applicable policies, standards of the General Plan, Community Design Guidelines, the North Roseville Specific Plan and the Title 18 Design Standards. The project was deemed consistent with these standards and considered an appropriate use for the site. Additionally, the Map Act and Subdivision Ordinance do not

contain any maximum or minimum lot/condo sizes, just as there are no restrictions on the number or size of lease spaces that may be created.

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.***

The Tentative Subdivision Map will create air-space units and provide for individual office condominiums. During staff review of the Tentative Subdivision Map application, it was determined that the creation of eight (8) office condominium units will not create any impracticable or unusable units.

In accordance with the Conditions of Approval, a Business Owners Association will be formed (Condition 3). The Business Owners Association will function much like a traditional Home Owners Association and will be the mechanism for ensuring that all common areas (landscape areas, drive aisles, parking lot, building, etc.) are maintained properly.

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 Environmental Impact Report (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 units proposed by the Tentative Subdivision Map.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the California Environmental Quality Act Guidelines Section 15315 pertaining to minor land divisions and pursuant to Section 305 of the City of Roseville CEQA Implementing Procedures. Although section 15315 pertains to the subdivision of four or fewer parcels, staff believes the impacts of the proposed project are comparable to those of the above mentioned classification.

RECOMMENDATION

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

- A. Adopt the three findings of fact as stated in the staff report for the Tentative Subdivision Map – 570 Sunrise Avenue – North Sunrise Commercial Center (Building E) – File # SUB-000036.
- B. Approve the Tentative Subdivision Map – Tentative Subdivision Map - 570 Sunrise Avenue – North Sunrise Commercial Center (Building E) – File # SUB-000036 with the fifteen (15) conditions listed below.

CONDITIONS OF APPROVAL FOR TENTATIVE SUBDIVISION MAP #SUB-000036

1. The project is approved as shown in Exhibit 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 **January 12, 2008**. 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 **January 12, 2008**.
(Planning)

3. The applicant shall establish a Business Owners Association, which shall be billed by the City for water consumption. At the request of the City additional information will be required of the Business Owners Association on an ongoing basis. The Business Owners Association will be required to submit a copy of their annual statement to the City every year. If the Business Owners Association is in arrears on the water bill three months in a row, the Business Owners Association must give the City access to their books for auditing purposes. If the Business Owners Association should become inactive, each individual condominium owner must sign in separately for water service. A notice to this effect shall be placed in the CC&R's for the condominium project.
(Environmental Utilities)
4. The subdividing of this project shall not reduce the responsibilities of the owners of this project from maintaining all on-site fire systems including all common adjoining fire sprinkler-piping penetrations. If an owners association is formed, there shall be a clear language regarding maintenance and common easements agreement for service. A service company shall be obtained to maintain all on-site fire protection systems. (Fire)
5. A 10 -foot wide Public Utilities Easement will be required centered on all high voltage electric runs.
6. The following easement shall be provided and shown on the Final/Parcel Map or by separate instrument, unless otherwise provided for in these conditions:
 - a) A 10-foot wide public utilities easement along all road frontages.
7. All existing easements shall be maintained, unless otherwise provided for in these conditions.
(Environmental Utilities, Electric, Engineering)
8. Separate document easements required by the City shall be prepared in accordance with the City's "Policy for Dedication of Easements to the City of Roseville". All legal descriptions shall be prepared by a licensed Land Surveyor (Environmental Utilities, Electric, Engineering)
9. Separate declaration of Conditions, Covenants and Restrictions (CC&Rs) for each parcel or condominium shall be approved by the City Attorney prior to recordation of the Final Map. The CC&Rs shall include the following items:
 - a) Creation of a Business Owners Association. (Attorney)
 - a) Business Owners Association shall be responsible for maintenance of all common areas including landscaping, parking areas, and drive aisles. (Attorney)
 - b) The common areas provide reciprocal access, parking and utilities (including drainage) for the mutual benefit of all condominium units.
 - c) Provisions for title to common areas to be held by the Business Owners Association for and on behalf of all owners of each condominium unit. (Attorney)
 - d) A clause shall be included within the CC&R's that prohibits changes to any of the items required by the City unless approved by the City. (Attorney)
10. In Accordance with section 66427 of the Subdivision Map Act, the following shall be added to the face of the Final Map:

- a) The Title of the project shall clearly state "An Office Condominium Project";
 - b) The number of approved condominium units is clearly displayed;
 - c) A separate information sheet shall be added to the final map that depicts each lot and business owners association, the footprint of each condominium building within each lot, and the number of units and unit number within each building; and
 - d) All common land within each phase of the project shall be owned and maintained by the separate Business Owners Association. The Business Owners Association shall operate and maintain all common land for the owners of the units. (Engineering)
- 11. The Final/Parcel Map shall include an irrevocable offer to dedicate public rights-of-way and public and/or private easements as required by the City. (Engineering)
 - 12. The words "traffic control appurtenances" shall be included in the list of utilities allowed in public utilities easements (PUEs) located along public roadways. (Engineering)
 - 13. The Final/Parcel Map shall be submitted per, "The Digital Submittal of Cadastral Surveys." A plot or print of the submittal shall accompany the electronic copy. The complete submittal shall occur after the Engineering Department approval but prior to City Council approval of the Final/Parcel Map. (Engineering)
 - 14. The applicant shall pay City's actual costs for providing plan check, installation and inspection services. This may be a combination of staff costs and direct billing for contract professional services. (Environmental Utilities, Engineering, Finance)
 - 15. Any relocation, rearrangement, or change to existing electric facilities due to this development shall be at the developer's expense. (Electric)

ATTACHMENTS

- 1. Vicinity Map

EXHIBITS

- A. Tentative Map

Note to Applicant and/or Developer: Please contact the Planning 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 Director at, or prior to, the public hearing.