



**ITEM IV-C: TENTATIVE PARCEL MAP – 5761 FIVE STAR BOULEVARD – HRNSP PCL 45B  
FAIRWAY COMMONS 1 – FILE# 2007PL-041 (SUB-000092)**

**REQUEST**

The applicant requests approval of a Tentative Parcel Map to create seven parcels within an existing retail shopping center. The proposed parcels range in size from 1.36 acres to 3.66 acres.

Owner/Applicant – Kobra Properties – Abe Alizadeh

**SUMMARY RECOMMENDATION**

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

- A. Adopt the three (3) findings of fact for the Tentative Parcel Map; and
- B. Approve the Tentative Parcel Map subject to seventeen (17) 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.

**BACKGROUND**

The project site is located on the southwest corner of Five Star Boulevard and Fairway Drive and is Parcel 45B of the Highland Reserve North Specific Plan (HRNSP). The project site totals approximately 14.4 acres. The site is surrounded by the Home Depot store on the west, Toys R Us on the east, Les Schwab Tires on the northeast, Fairway Creek Shopping Center on the north, and Highway 65 on the south. On September 28, 2000 the Planning Commission approved a Tentative Parcel Map to divide the 14.4 acres into six parcels. On March 13, 2003 the Planning Commission approved:

- A Design Review Permit to allow the applicant to construct a 155,790 square foot shopping center and associated site improvements, landscaping and lighting; and
- A Tentative Parcel Map to re-subdivide the six existing parcels into seven parcels.

The site has since been developed in accordance with the Design Review Permit. However, the approved tentative parcel map was never recorded. The applicant has proposed seven parcels with this application. The northerly parcel will be split in two as there are two separate buildings approved there. The remaining parcels will be slightly adjusted so that their lot lines coincide with the existing building lines. The Tentative Parcel Map (Exhibit A) submitted with this application is in substantial compliance with the map approved by the Planning Commission in 2003.

**SITE INFORMATION**

**Location:** 5761 Five Star Boulevard, HRNSP Parcel 45B, APN's 017-123-044, 017-123-049, 017-123-050, 017-123-051, 017-123-052, 017-123-053

**Roseville Coalition of Neighborhood Associations (RCONA):** This parcel is located within the Stanford Crossing neighborhood (#39), however, the association is currently inactive.

**Total Size:** 14.4 acres

**Topography:** Site grading was approved with the original Design Review Permit. The site is fully developed and fully graded. This request will not result in any changes to the site.

**Adjacent Zoning and Land Use**

<b>Location</b>	<b>Zoning</b>	<b>General Plan Land Use</b>	<b>Current Use</b>
<b>Subject Property</b>	Community Commercial/ Special Area/Highland Reserve (CC/SA - HR)	Community Commercial (CC)	Fairway Commons Shopping Center
<b>North</b>	CC/SA - HR	CC	Fairway Creek Shopping Center
<b>South</b>	Highway 65	Highway 65	Highway 65
<b>East</b>	CC/SA - HR	CC	Toys R' Us
<b>West</b>	CC/SA - HR	CC	Home Depot Shopping Center

**EVALUATION**

The current request is for a Tentative Parcel Map to merge and re-subdivide the existing six parcels located at 5761 Five Star Boulevard into seven parcels. No changes to the approved buildings or site improvements are proposed with this request. The proposed subdivision of the center is as follows:

<b>Parcel</b>	<b>Acreage</b>	<b>Tenant</b>
1	1.36 acres	Chuck E. Cheese Carpeteria
2	2.14 acres	Vacant
3	1.99 acres	Home Furnishings Consignment
4	1.89 acres	Golf Galaxy
5	1.67 acres	Guitar Center
6	1.72 acres	Vacant
7	3.66 acres	JoAnn Crafts & Fabrics

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 Parcel Map. The three findings are listed below in **bold 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 and the Highland Reserve North Specific Plan, and the design standards of Title 18 (Subdivision Ordinance) of the Roseville Municipal Code.***

The request is to subdivide the shopping center into seven parcels that can be sold to individual tenants. The configuration of the proposed seven parcels will have a negligible impact on the density, use, circulation, and all other applicable policies.

Parcel size, design, configuration, location, orientation and character: The property currently consists of six parcels totaling approximately 14.4 acres. The applicant proposes to merge and re-subdivide these six parcels into seven parcels, one for each building pad and five for the main retail building. The proposed parcels are consistent with and coincide with the improvements approved in 2003. The General Plan and Zoning Ordinance do not establish minimum lot sizes for parcels within the Community Commercial zone. Instead, the City reviews tentative maps on a case-by-case basis to ensure that the parcels are of adequate size for development. In this case, the parcels are fully developed and no improvements are required.

#### Setbacks

The proposed merger and re-subdivision will not affect conformance to setback requirements. The Highland Reserve Specific Plan requires buildings adjacent to the Highway 65 corridor to maintain specific setbacks from the highway. The required setbacks were met with the Design Review Permit and the proposed subdivision will not cause any parcel to encroach into the required setback.

#### Parking

The proposed Tentative Parcel Map will result in separate parcels for each building/major tenant space. The parcel boundaries are designed to include a sufficient number of parking stalls on each parcel to meet the parking demand associated with that parcel. As there is no change in use or tenants proposed the parking requirement will not be affected by the proposed subdivision. Currently there are 132 surplus parking spaces in the center. Nevertheless, a reciprocal access and parking agreement will be required to allow tenants and visitors to freely park anywhere in the shopping center. Staff has no objections to the parking configuration and parcel boundaries as shown and supports the proposed design.

#### Site Access

Access to the project site is provided at three points. There is an existing driveway from Fairway Drive along the west edge of the property that serves Home Depot and connects with the driveway across the subject parcels to Five Star Boulevard. Both of these access points are restricted to right turns in and out by the medians in Fairway Drive and Five Star Boulevard. There is a third driveway from Five Star Boulevard 250 feet east of the existing driveway that allows unrestricted turning movements. Staff believes that there is adequate access to each proposed parcel.

- 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 resultant parcels from the proposed subdivision are self-sufficient with regard to parking and access as discussed above. The fully developed site will not be affected by the proposed subdivision.

- 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, HRNSP Environmental Impact Reports (EIR's), and the Negative Declaration adopted with the Design Review Permit in 2003. In addition, the design of the sewer lines in the project area and treatment capacity at the City's sewage treatment plant has adequate conveyance and capacity to accommodate the existing development. Approval of the Tentative Parcel Map will not increase the development intensity beyond that approved with the Design Review Permit.

## **SUMMARY / CONCLUSION**

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 project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) Guidelines, Section 15315 pertaining to minor land divisions and pursuant to Section 305 of the City of Roseville CEQA Implementing Procedures.

## **RECOMMENDATION**

The Planning and Redevelopment 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 PARCEL MAP – 5671 FIVE STAR BOULEVARD – HRNSP PCL 45B FAIRWAY COMMONS I – PROJECT# 2007PL-041 (FILE# SUB-000092).
- B. Approve the TENTATIVE PARCEL MAP – 5671 FIVE STAR BOULEVARD – HRNSP PCL 45B FAIRWAY COMMONS I –FILE # 2007PL-041 (PROJECT # SUB-000092) with seventeen conditions of approval.

## **CONDITIONS OF APPROVAL FOR TENTATIVE SUBDIVISION MAP FILE # SUB-000092**

1. The project is approved as shown in Exhibit A, and 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 **June 14, 2009**. 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 (5) years from **June 14, 2009**. (Planning)
3. Proof of a reciprocal access and parking agreement within the Fairway Commons Shopping Center, recorded with the Placer County Recorder's Office, shall be provided to the City prior to recordation. (Engineering)
4. The building occupancy group and classification shall not change from its originally permitted use. (Building)
5. A declaration of Conditions, Covenants and Restrictions (CC&Rs) for each parcel shall be approved by the City Attorney prior to recordation of the Final Map. The CC&Rs shall include the following item(s):
  - a) A clause stating that the property owners within this subdivision shall agree to participate in a Transportation Systems Management (TSM) Plan and shall agree to enter into a Transportation Management Agreement with the City of Roseville. (Attorney, Transportation)
6. 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 and all on-site fire mains and hydrants. 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)

7. The following easements shall be provided and shown on the Final/Parcel Map or by separate instrument, unless otherwise provided for in these conditions:
  - a. A 12.5 foot wide public utilities easement along all road frontages;
  - b. Water and sewer easements; and,
  - c. A 10' wide public utilities easement will be required located on center of existing high voltage electrical facilities. (Electric)
8. Easement widths shall comply with the City's Improvement Standards and Construction Standards. (Environmental Utilities, Electric, Engineering)
9. All existing easements shall be maintained, unless otherwise provided for in these conditions. (Environmental Utilities, Electric, Engineering)
10. 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)
11. The words "traffic control appurtenances" shall be included in the list of utilities allowed in public utilities easements (PUE's) located along public roadways. (Engineering)
12. The approval of a Tentative Map and/or tentative site plan does not constitute approval of the construction of any improvements. (Engineering)
13. 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 "Being a merger and resubdivision of lots 1-6 of Book 30 of Parcel Maps, Page 94 to create 7 parcels".;
14. The 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)
15. 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)
16. The applicant shall pay all applicable water and sewer fees. (Environmental Utilities)
17. Exterior walls and openings shall be protected as required by Table 5A with regard to building location to property lines. Or must have a recorded restrictive covenant to ensure that the shared space will remain open and unoccupied so long as it is required by the Building Code. (Building)

**ATTACHMENT**

1. Vicinity Map

**EXHIBIT**

- A. Tentative Map

**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 Director at, or prior to, the public hearing.