



*CITY OF ROSEVILLE*

*PLANNING DEPARTMENT STAFF REPORT*

*PLANNING COMMISSION MEETING*

*April 7, 2005*

Prepared by: Michael Isom, Project Planner

**ITEM VII-A. MAJOR PROJECT PERMIT MODIFICATION (STAGE ONE) & ADMINISTRATIVE TREE PERMIT – 10000 DIAMOND CREEK BOULEVARD (NRSP PARCELS DC-30, 31, & 33 - DIAMOND CREEK COMMERCIAL) -- FILE# MPPMOD 01-01B & ATP 05-02.**

**REQUEST**

The applicant requests approval to modify the approved Stage One site development plan for the Diamond Creek Commercial Center. The proposed modifications would eliminate three office buildings totaling 52,027 square feet, which would be replaced by a 42,700 square foot health club, including an outdoor pool. An Administrative Tree Permit is also requested to encroach into the protected zone radius of two native oak trees.

Applicant: Jack Remington, A.R. Associates  
Owner: Stephen L. Des Jardins, Diamond Creek Partners, Ltd.

**SUMMARY RECOMMENDATION**

The Planning Department recommends that the Planning Commission:

- A. Adopt the two (2) findings of fact for the Stage 1 Major Project Permit Modification;
- B. Approve the Stage 1 Major Project Permit Modification with 3 conditions of approval;
- C. Adopt the two (2) findings of fact for the Administrative Tree Permit; and,
- D. Approve the Administrative Tree Permit with 2 conditions of approval.

**SUMMARY OF OUTSTANDING ISSUES**

There are no outstanding issues associated with this request.

**BACKGROUND**

The project site is located on the northeast corner of Blue Oaks Boulevard and Diamond Creek Boulevard. The project site encompasses Parcels DC-30, 31 & 33 of the North Roseville Specific Plan (NRSP, Phase 1), with a combined total of approximately 28 acres. On July 11, 2002, the Planning Commission approved Stage 1 of the Diamond Creek Commercial project's Major Project Permit application for the construction of a mixed-use commercial / office project totaling 360,500 square feet. The approved project includes 28 buildings ranging in size from 1,500 square feet to 56,000 square feet to be constructed in multiple phases.

On May 27, 2004, the Planning Commission approved a modification to the approved development plan to delete one 5,500 square-foot office building at the north end of the project (Office D). In place of Office D, the size of Office C and Office E increased from 9,000 square feet each to 13,473 square feet and 10,027 square feet, respectively. The project remained at 360,500 square feet as previously approved. At the May 27<sup>th</sup> hearing, the Planning Commission also approved Stage Two of the Major Project Permit, which finalized architectural and landscape design intent for the project. The Stage Two approval established architectural design guidelines for future buildings to be evaluated against during Stage Three review.

**MAJOR PROJECT PERMIT REVIEW PROCESS**

The intent of the Major Project Permit (MPP) process is to streamline the review of large and diverse projects that could be constructed over a period of several years. The MPP process allows for the resolution of site issues prior to the review of more detailed architectural and landscape issues that may not be finalized at the time the site plan is ready. In accordance with the City's MPP Ordinance, the MPP review process is segregated into three separate stages. Provided below is a summary of each Stage:

- Stage One: Stage One of the MPP application consists of the approval of a preliminary development plan. The preliminary development plan establishes the configuration of the buildings, parking areas and ratios, landscaping and open space locations, rough grading and drainage on and off-site, vehicular and pedestrian circulation, and development phasing. The complete environmental review of the project is also performed at this stage. Stage One review and approval is performed by the Planning Commission.
- Stage Two: Stage 2 encompasses the review of the final architectural design and landscape treatments. Stage 2 review and approval is also conducted by the Planning Commission.
- Stage Three: Stage Three is an administrative review of the improvement and building plans for compliance with the conditions of the Stage One and Two approvals.

The Planning Director has determined that the proposed Stage One modifications are significant enough to require Planning Commission review and approval.

## **EVALUATION**

### **MAJOR PROJECT PERMIT MODIFICATION- STAGE 1**

The proposed Stage One modification involves eliminating Office E (10,027 square feet), Office F (24,000 square feet), and Office G (18,000 square feet) for a combined total of 52,027 square feet. In place of these three buildings, a 42,700 square foot health club and day spa is proposed, including fitness classes, weight rooms, and indoor and outdoor swimming pools.

Staff has determined that the proposed building design is consistent with the design guidelines established with the Stage Two approval. Therefore, building architecture is not discussed in this report. However, reduced color elevations are included for the Commission's information (Attachment 3).

Discussion related to zoning, specific plan consistency, required parking, building orientation, and noise is provided below.

### **Zoning Determination**

The zoning of the site is Community Commercial/Special Area–North Roseville Specific Plan (CC/SA-NR). The Planning Department has determined that the proposed fitness center, including the outdoor pools and play area, are permitted in the CC/SA-NR zone as an Indoor Sports and Recreation use. This determination is made in consideration of the definitions for the Indoor Sports and Recreation and Outdoor Sports and Recreation use types, and the description of the use provided by the applicant. In particular, the Zoning Ordinance defines Indoor Sports and Recreation as uses that include “predominantly participant sports and health activities conducted within an enclosed building” (which specifically includes health clubs) and defines Outdoor Sports and Recreation as uses that include “*predominantly* participant sports.” The applicant's project description states that the outdoor pools will be used primarily for lap swimming and water aerobics, with occasional competitive swimming meets occurring 2 or 3 times throughout the year. The outdoor pools will be used predominantly for activities ancillary to the health club (water aerobics, lap swimming, etc.). A noise study was conducted for the proposed use and concluded that noise levels

emanating from the pool area would not exceed the City’s noise standards or impact adjacent residential properties (additional detail regarding the noise analysis is described below). Furthermore, adequate parking would be available during the weekend morning hours to support the occasional competitive swim meet.

Based on the discussion above, the Planning Department has determined that the outdoor activity areas are accessory and incidental to the primary use of the facility as an indoor health center, and the health club with an outdoor pool is therefore principally permitted within the CC/SA-NR zone district as an *Indoor Sports and Recreation* use.

**Consistency with the North Roseville Specific Plan**

As noted in the zoning discussion above, the parcel on which the health club is proposed is zoned CC/SA-NR. The Special Area overlay refers to the North Roseville Specific Plan (NRSP) and modifies the permitted uses for the property. In summary, all of the uses allowed within the CC zone (including Indoor Sports and Recreation) are permitted with the exception of gasoline sales, auto repair, auto sales, car wash and detailing, fast food with drive-through, personal storage facilities, building-materials stores, and transportation and communication use types. Therefore, the proposed Indoor Sports and Recreation use is consistent with the NRSP.

**Site and Building Design**

**Required Parking:** The original approval for the Diamond Creek Commercial center included a parking reduction for shared uses. The parking reduction was based on the reciprocal nature of the office and retail uses, the proximity of the project to residential neighborhoods, and a “captive market factor.” The captive market factor assumed a certain percentage of the retail patrons would work in the office buildings. The resulting approved parking ratios and square footage allocations are as follows:

**Table 1**

<b>Use Type</b>	<b>Area (s.f.)</b>	<b>Applicable Parking Ratio</b>	<b>Parking Required</b>
Office	110,170	1:330	334
Medical Office	36,300	1:150	242
Retail	103,200	1:355	291
Restaurant (confirmed tenant)	6,000	1:100	60
Potential Restaurant Space	25,800	1:100	258
Market	40,000	1:355	113
Warehouse	4,000	1:1000	4
			<b>1,302</b>
			<b>Total Provided = 1,302</b>

As indicated in Table 1, the approved parking ratios did not reflect uses such as a health club, which on average have a higher peak demand for parking. The parking standards in the Zoning Ordinance require the following for health clubs:

- 1 space per 150 square feet of weight room, pool and spa area.
- 1 space per 50 square feet of aerobics or martial arts area.
- 1 space per tanning or massage room.
- Additional spaces as required for other uses in the facility, excluding area for locker and dressing rooms.

Based on the standards listed above for health clubs, and information provided by the applicant, the parking requirement for the proposed health club is 229 spaces. A breakdown of the area for each use within the building is contained on the project site plan (Exhibit B). The reduction of 52,027 square feet of office frees up approximately 158 parking spaces (at 1 space per 330 square feet as identified in Table 1). The health club will generate a higher demand (71 additional spaces) than what was anticipated for the office.

Parkside Way physically separates the Diamond Creek Commercial project, with a majority of office uses on the north side of the street. Approximately 404 parking spaces are available within the portion of the project north of Parkside Way (including on-street angled parking). The parking required for the sum of the uses, including the health club, is 429 spaces based on the following:

**Table 2**

<b>Building</b>	<b>Area (s.f.)</b>	<b>Applicable Parking Ratio</b>	<b>Parking Required</b>
Retail/Restaurant	6,000 s.f. (restaurant) 5,000 s.f. (retail) 4,000 s.f. (warehouse)	1:100 (restaurant) 1:355 (retail) 1:1000 (warehouse)	60 14 4
Office A	5,500	1:330	17
Office B	7,018	1:330	21
Retail B	7,000	1:355	20
Office C	13,580	1:330	41
Office H	7,500	1:330	23
<i>Health Club</i>	<i>42,700</i>	<i>Varies</i>	<i>229</i>
			Total Required = 429
			Total Provided = 404
			Deficit = 25

As indicated in Table 2, the sum of the proposed uses will exceed available parking within the northern portion of the center by 25 spaces. Since a 15% parking reduction has already been approved in association with the project for office and retail, staff does not believe a parking reduction is warranted for the health club until the actual operating characteristics of the club can be observed. Any further reduction without observed characteristics could potentially result in overflow parking that could impact the adjacent residential neighborhood (McCloud Way).

The master plan always anticipated reciprocal parking between the northern and southern components of the project site. While additional parking may be made available in the commercial component of the project south of Parkside Way, that portion of the project has yet to be constructed. Therefore, it is important that the northern portion of the project “self-park,” consistent with the Zoning Ordinance, until the southern portion of the project is constructed.

At this time, two buildings (Retail and Office) planned within the northern portion have yet to be constructed. Since these two buildings have not been constructed, they do not currently generate a demand for parking. Therefore, until these buildings are constructed, adequate parking will be available to support the existing uses plus the health club. While adequate parking will be available in the short-term, one of several options will need to be explored to make up the 25-space deficit when the remaining buildings are proposed for development:

- Reduce the square footage of the two remaining buildings to account for the 25 space deficit (square footage will depend on type of use proposed);
- Design future buildings with subterranean parking, similar to the office buildings proposed in the southern component of the project;

- Request an administrative parking reduction for shared uses.

While staff is not supportive of a parking reduction for the health club at this time, that is not to say that a parking reduction would not be warranted in the future once future tenants are known and the remaining buildings are constructed. Staff believes that some level of reciprocity exists between a health club use and an office use in that office workers within the project will walk to the health club facility. This is in line with the “captive market” factor applied to the original parking reduction for the master plan, where it was recognized that office workers would frequent the retail and restaurants within the project. The proximity of this club to residential neighborhoods is also expected to reduce parking demand, as some club members may reside nearby and will walk to the facility.

Once the health club is operational and all but the last remaining building is constructed and operational, actual parking counts can be conducted to determine actual observed parking usage. Only at that time should a parking reduction be considered. It is ultimately the applicant’s responsibility to secure tenants or uses that would not exceed the available parking supply. It would also be the applicant’s responsibility to request an Administrative Permit for a shared parking reduction in the future. The applicant is comfortable with this approach.

**Building Orientation:** As indicated in Exhibit A, the proposed health club building is set back a minimum of 25 feet from McCloud Way. The majority of activity areas are located on the western side of the building, which faces away from the adjacent residences. In particular, the pool areas and building entrance will face toward the west and will be shielded by the building from the residences on McCloud Way. To further reduce impacts to residential properties, a six-foot tall masonry screen wall with a smooth plaster finish will screen the facility from view and mitigate noise impacts. The screen/sound wall will be set back approximately 10 feet from the back of walk on McCloud Way. The ten-foot strip between the wall and the sidewalk will be landscaped, consistent with the Diamond Creek Commercial Landscape Design Guidelines, to soften the wall. Staff is satisfied with the building orientation and wall configuration.

**Noise Issues:** Use of the outdoor pool and children’s play area will generate noise as a result of splashing water, persons talking and the operation of pool equipment. The applicant has submitted a noise study (Attachment 6) prepared by Bollard & Brennan, acoustical engineers. The noise study concludes that the anticipated noise levels will not exceed established noise criteria on the adjacent sensitive receptors, which include single-family residential properties to the east. The following tables summarize the results:

**Table 1: Pool Noise**

Sensitive receptor	Distance from outdoor activity area to sensitive receptor	Predicted Hourly Noise Level (Leq)	Predicted Maximum Noise Level (Lmax)
Single Family Residences	200 feet to property line	38 dB	53 dB
	Noise Level Standards	45 dB	60 dB

**Table 2: Parking Lot Noise**

Sensitive receptor	Distance from outdoor activity area to sensitive receptor	Predicted Hourly Noise Level (Leq)	Predicted Maximum Noise Level (Lmax)
Single Family Residences	375 feet	37dB	58 dB
	Noise Level Standards	45 dB	65 dB

The noise level standards identified in Tables 1 & 2 are established by the General Plan. Assumptions used in the noise study include:

- The pool may be used prior to 7 a.m. and therefore nighttime standards are applied in Table 1.
- Tables 1 & 2 incorporate a 10dB reduction in predicted noise levels due to the proposed masonry sound wall and shielding provided by the proposed building.

As indicated in Tables 1 and 2, the proposed project, as designed, will comply with applicable General Plan noise standards.

### **Major Project Permit Modification Conclusion**

As indicated in the discussion above, the proposed health club use is permitted in the Community Commercial zone district and is consistent with the specific plan land use element. Adequate parking is available, based on the discussion above, to support the proposed use. Lastly, the applicant has designed the proposed building to minimize impacts to adjacent residential properties. As such, staff supports the proposed modification.

### **TREE PERMIT**

The proposed building and pool screen wall will result in the encroachment into the protected zone radius of two native oak trees. Tree #546 is a 24-inch Blue Oak with a Protected Zone Radius (PZR) of 27 feet and will incur minor (less than 4%) encroachment from the pool sound wall and decking. Tree #492 is a 78-inch Interior Live Oak that will incur minor encroachment (1%) as a result of foundation trenching and temporary construction impacts. It should be noted that the arborist report reflects greater encroachment to both trees than will actually occur; the building has been shifted in an effort to minimize impacts to the tree and to provide greater separation from the adjacent residences.

The previous building layout resulted in encroachment into the same two trees; however, the encroachment into the PZR of Tree #492 was significantly higher. The proposed modification will reduce encroachment within the PZR of Tree #492 from 42% to 1%. Though the amount of encroachment into the PZR of Tree #546 is relatively minor, the applicant indicates that measures will be taken to further minimize impacts to this tree. For example, the pool sound wall will incorporate pier footings rather than a continuous footing. This will eliminate the need to trench for a footing and will limit excavation to specific locations. Any roots encountered during excavation can be treated appropriately. Furthermore, a raised wood or synthetic deck will surround the pool, rather than a poured concrete deck. This will also limit the amount of excavation necessary for deck construction and will provide a permeable surface to allow air and water to reach the root zone.

### **Tree Permit Conclusion**

Overall, the proposed impacts to native oak trees as a result of the site plan modification are less than previously approved for the project. An updated arborist report has been prepared for the revised projects and is included as Exhibit E. The revised arborist report contains recommendations and mitigation measures to help reduce the impacts to the affected trees. Staff supports the proposed re-design and concurs with the arborist's recommendations for the impacted trees.

### **ENVIRONMENTAL DETERMINATION**

The Planning Commission previously adopted a Mitigated Negative Declaration for this project on July 11, 2002. The proposed modifications do not increase the permitted square footage beyond that approved by the Planning Commission for the master development plan. No new impacts have been identified; therefore, additional environmental review is not required.

### **RECOMMENDATION**

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

- A. Adopt the two findings of fact for the MAJOR PROJECT PERMIT MODIFICATION - STAGE ONE - 10000 DIAMOND CREEK BOULEVARD (NRSP PARCELS DC-30, 31, & 33 - DIAMOND CREEK COMMERCIAL) -- FILE# MPPMOD 01-01B:
  1. *The modifications to the approved Preliminary Development Plan for the Diamond Creek Commercial project are consistent with the intent of the original approval; and*
  2. *The proposed modifications comply with all applicable standards and requirements of the Zoning Ordinance, with the applicable goals, policies, and objectives set forth in the General Plan, the Community Design Guidelines, and the North Roseville Specific Plan.*
- B. Approve the MAJOR PROJECT PERMIT MODIFICATION - STAGE ONE - 10000 DIAMOND CREEK BOULEVARD (NRSP PARCELS DC-30, 31, & 33 - DIAMOND CREEK COMMERCIAL) -- FILE# MPPMOD 01-01B subject to the two (2) conditions of approval below.
- C. Adopt the two (2) findings of fact for the TREE PERMIT -- 10000 DIAMOND CREEK BOULEVARD (NRSP PARCELS DC-30, 31, & 33 - DIAMOND CREEK COMMERCIAL) -- FILE# TP 05-02:
  1. *Approval of the Tree Permit is consistent with the provisions of Chapter 19.66 of the Roseville Zoning Ordinance; and*
  2. *Mitigation measures have been incorporated in the project to mitigate the impacts to remaining trees.*
- D. Approve the TREE PERMIT – 10000 DIAMOND CREEK BOULEVARD (NRSP PARCELS DC-30, 31, & 33 - DIAMOND CREEK COMMERCIAL) -- FILE# TP 05-02 subject to the 2 conditions of approval below.

**CONDITIONS OF APPROVAL FOR THE STAGE ONE MAJOR PROJECT PERMIT MODIFICATION (MPP 01-01B):**

1. The Major Project Permit Modification (Stage 1) is approved as shown in Exhibits A-E. (Planning)
2. The project shall comply with the originally adopted conditions of approval for MPP 01-01, MPPMOD 01-01A, & MPPEXT 01-01A except as conditioned or modified below.

**CONDITIONS OF APPROVAL FOR THE TREE PERMIT (TP 05-02):**

1. The project shall comply with the originally adopted conditions of approval for TP 01-35 as shown in Exhibit A and as modified herein.
2. Encroachment into the protected zone of the affected Trees #492 & 546 shall be permitted as provided with Exhibit B. No activity is permitted within the protected zones of the affected trees beyond that identified within this report without approval from the Planning Department. (Planning)

**ATTACHMENTS**

1. Vicinity Map
2. Approved Site Plan (as modified May 27, 2004)

3. Reduced Elevations – Health Club
4. Noise Study

**EXHIBITS**

- A. Conditions of Approval (Stages 1 & 2, and Tree Permit) – Inclusive of Changes Noted Above
- B. Site Plan
- C. Grading & Utility Plan
- D. Phasing Plan
- E. Arborist Report

**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.

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