

PLANNING & REDEVELOPMENT DEPARTMENT STAFF REPORT PLANNING COMMISSION MEETING AUGUST 24, 2006

Prepared by: Joanna Cucchi, Associate Planner

ITEM V-A: DESIGN REVIEW PERMIT, CONDITIONAL USE PERMIT, TENTATIVE

CONDOMINIUM MAP, TREE PERMIT, AND ADMINISTRATIVE PERMIT – MIXED-USE OFFICE AND RESIDENTIAL – 1828 SOUTH CIRBY WAY - FILE#: 2006PL-008, DRP-

000094, CUP-000020, SUB-000045, TP-000062, AND AP-000097.

REQUEST

The applicant requests approval of a Design Review Permit to construct a 9,771-square foot mixed-use building consisting of four (4) residential units and two (2) office suites. A Conditional Use Permit is required to allow residential (multi-family) units in a Neighborhood Commercial zone. A Tentative Condominium Map is requested to subdivide the building into two office and four residential airspace condominium units. A Tree Permit is requested for the removal of fourteen (14) native oak trees and encroachment into the protected zone radius of one (1) native oak tree. Lastly, an Administrative Permit is requested for a parking reduction for the site from twenty (20) to fourteen (14) spaces.

Applicant – Erin Evans, KMB Architecture Owner – Gary Martin

SUMMARY RECOMMENDATION

The Planning Department recommends that the Planning Commission:

- A. Adopt the four (4) findings of fact for the Design Review Permit;
- B. Approve the Design Review Permit with ninety-eight (98) conditions of approval;
- C. Adopt the three (3) findings of fact for the Conditional Use Permit;
- D. Approve the Conditional Use Permit with one (1) condition of approval:
- E. Adopt the three (3) findings of fact for the Tentative Condominium Map;
- F. Approve the Tentative Condominium Map subject to forty-five (45) conditions of approval;
- G. Adopt the two (2) findings of fact for the Tree Permit;
- H. Approve the Tree Permit with twenty-one (21) conditions of approval;
- I. Adopt the three (3) findings of fact for the Administrative Permit and;
- J. Approve the Administrative Permit with one (1) condition of approval.

SUMMARY OF OUTSTANDING ISSUES

The applicant is in agreement with the recommended conditions of approval. There are no outstanding issues.

BACKGROUND

The project site is located at 1828 South Cirby Way at the southwest corner of South Cirby Way and Piedmont Way (see Attachment 1). The property is zoned Neighborhood Commercial and is bordered by residential land uses including low and medium density. No developments have been proposed for this property in the past.

The applicant is proposing a three story mixed-use structure with 2 office condominiums and 4 residential condominiums. The ground floor has one office and one residential unit. The second story has one office and two residential units. The third story has one residential unit. The parking for the project is located behind the building and will be accessed by a driveway off Piedmont Way.

The building architecture is Traditional Spanish and the colors of the building range from cream to brown. The building elevations are shown in Exhibit C.

The property has fifteen (15) native oak trees. Fourteen (14) of the trees will have to be removed as part of the project and the project will encroach into the protected zone of one (1) other.

LOCATION	ZONING	GENERAL PLAN LAND USE	CURRENT USE OF PROPERTY	
Site	Neighborhood Commercial (NC)	Medium Density Residential (MDR-8)	Vacant	
North	Small Lot Residential (RS)	Medium Density Residential (MDR-10)	Single Family Residences	
South	Attached Housing (R3)	High Density Residential (HDR-15 and HDR-19)	Apartments	
East	Attached Housing (R3) and Small Lot Residential (RS)	Medium Density Residential (MDR-10)	Apartments and Single Family Residences	
West	Single Family Residential (R1)	Low Density Residential (LDR-5)	Single Family Residences	

The proposed project is consistent with the land uses contemplated by the City's General Plan, and the Zoning Ordinance.

Development Standard	Required	Proposed	
Building Setbacks	None	8' from Cirby, 8' from Piedmont	
Landscape Setbacks	20'	8'*	
Building Height Limit	35' (max)	39.5'*	
Floor Area Ratio	20%-40%	77%*	
Parking Spaces (Total)	20 (7.5 for the residential + 3090 s.f. of office @ 1:250)	17 (14 plus 3 on street)	
% of compact spaces	up to 30% max.	15% (29% as conditioned)*	
# of handicapped spaces	1	1	
% of shaded parking	50% min.	57%	
Bicycle Spaces	1	4	

^{*}See Design Review Permit evaluation below concerning landscape setbacks, building height limits, floor area ratio, and parking.

PROJECT DESIGN FEATURES

See attached Site Plan (Exhibit A); Floor Plans (Exhibit B); Building Elevations (Exhibit C); Landscape Plan (Exhibit D), Tentative Condominium Plan (Exhibit E); Arborist Report (Exhibit F); and Utility Plan (Exhibit G)

EVALUATION

DESIGN REVIEW PERMIT

The evaluation of the Design Review Permit for the proposed project has been based on the applicable development standards within the City's Zoning Ordinance and the design standards of the City's Community Design Guidelines.

As proposed and conditioned, the project complies with the applicable guidelines identified in the Community Design Guidelines (CDG) document. The remainder of the Design Review Permit

evaluation section will focus on design guidelines that warrant additional review and consideration by the Planning Commission.

Site Design

Building siting: The Community Design Guidelines recommends that "buildings on a site should be located to contribute to and strengthen the streetscape and present a pedestrian scale frontage." The design of the project helps to strengthen the streetscape by providing parking in the rear of the lot and siting the building on the street frontages. This orientation creates a strong architectural presence for pedestrians and vehicular traffic.

Streetscape Design: The proposed landscape setback on South Cirby Way and Piedmont Way is 8 feet, consistent with the existing Public Utilities Easement. The Community Design Guidelines calls for a minimum 20 foot setback from the ultimate back of curb where practical given existing conditions. The site dimensions are approximately 100 feet by 130 feet. A 20 foot landscape setback would reduce the developable area to 80' x 110. Due to the small size of the lot and the placement of the building a wider landscape setback is not practical and is not recommended in this case. Furthermore, application of the 20 foot landscape setback would require the building to be backed up to the existing residences with the parking located in front. This is contrary to the design objective that the City is trying to achieve on this corner and would result in a greater impacts to existing residents.

Site Amenities and Features: All public services on the site are screened using construction materials, colors, and landscaping that is harmonious with the site and building design. The trash receptacles are located under the porte cochere. The bins will be moved out to the curb for trash pickup. The site will be screened from neighbors with a seven (7) foot enhanced wood fence.

Floor Area Ratio (FAR): The FAR for this site is 77%. The General Plan provides a floor area ratio range of 20% to 40%. However, the FARs identified in the General Plan are not absolute. Higher FARs can be considered on a case by case basis, as is being done in this case. In this case the lot coverage proposed for this project is appropriate for this site due to the relatively small size of the parcel and its mixed-use nature.

Building Design and Height

The building will be finished with painted stucco and stone accents. The building will be three stories at the corner of Piedmont Way and South Cirby Way and will step down to two stories along both the Cirby Way and Piedmont Way frontages.

The Zoning Ordinance limits the height of buildings in the Neighborhood Commercial zone to 35 feet. However, this limit can be modified by a Design Review Permit. The tallest part of the proposed building will be 39.5 feet tall exceeding the Zoning Ordinance limit by 4.5 feet. The 39.5 foot height is at the corner of South Cirby Way and Piedmont Way and is needed to allow for a three story building. Excluding the corner elevation, the elevations along South Cirby Way and Piedmont Way do not exceed the Neighborhood Commercial height maximum (see Building Elevations, Exhibit C). The 39.5 foot portion of the building does not abut any of the surrounding residential units and is consistent with the mass of the apartments across Piedmont Way. Therefore, staff is supportive of the height exception.

Landscaping

The proposed landscaping includes a landscaped frontage along South Cirby Way and Piedmont Way. The remaining Valley Oak and a new Chinese Hackberry will create an outdoor seating area for residents and employees in the South West corner of the site. Other proposed trees include Italian Cypress, Purple Leaf Plum, and Chinese Evergreen Elm. See Exhibit D for the Landscape Plan.

As part of this project, a Tree Permit is being requested for the removal of 14 of the 15 native oaks on the site. The remaining oak tree will provide shade for a small outdoor seating area for employees and residents of the project (see Exhibit A). The small size of the property and the centralized location of the oaks preclude options for tree preservation while allowing development of the property. More details are provided in the Tree Permit Evaluation.

Parking

Staff is recommending that parking spaces 5 and 6 on the site plan be converted to compact spaces. This allows for an additional 2 feet between the native oak and the parking curb consistent with the arborist's recommendation. Converting these two parking spaces to compact spaces complies with the development standards requirement for no more then 30% compact spaces. With the addition of 2 compact spaces the total number of compact spaces on the site is 4, or 29%. This recommendation is incorporated as Condition 8 of the Design Review Permit

Design Review Permit Conclusion

Section 19.78.060(B) of the Zoning Ordinance requires that four findings be made in order to approve a Design Review Permit. Based on the analysis contained in this staff report and with the project conditions, the required findings (as stated in the recommendation section of this report) can be made for approval of the proposed Design Review Permit.

CONDITIONAL USE PERMIT

As noted previously, a Conditional Use Permit is required by the zoning ordinance to allow residential units in a Neighborhood Commercial zone district. Conditional Use Permits are evaluated for consistency with the City's General Plan, conformance with the City's Zoning Ordinance, and potential for impacts to the health, safety, and welfare of persons who reside or work in the area. Specifically, the Planning Commission must make the three findings of fact listed below in **bold italics** to approve a CUP. An analysis of the request for residential units in a Neighborhood Commercial zone follows each finding:

1. The proposed use is consistent with the City of Roseville General Plan.

The land use designation for the subject property is Medium Density Residential (MDR-8). The MDR land use category is typically applied to lands characterized by small lot single family detached dwelling units and attached patio homes, half-plexes, townhouses, condominiums, and mobile home parks. Secondary uses anticipated by the General Plan for the MDR land use include limited office and neighborhood commercial. The MDR land use often serves as a transition or buffer between higher intensity land uses and low density residential land use. The mix of office and residential uses on this property are consistent with the primary and secondary uses anticipated in the General Plan.

2. The proposed use conforms with all applicable standards and requirements of the City of Roseville Zoning Ordinance.

The Neighborhood Commercial zone allows for residential uses upon approval of a Conditional Use Permit. The Conditional Use Permit allows the Commission to condition the project to assure compatibility with surrounding land uses. Typical concerns related to the existing residential include access and noise associated with both the new residential use and the commercial use. In this case, the project has been designed to minimize these types of impacts, consistent with the Community Design Guidelines.

The Zoning Ordinance contains development standards relating to parking, driveways, setbacks and height limitations. In addition, the Community Design Guidelines provide guidance on other design and layout issues. These issues have been addressed as part of the Design Review Permit for this project. Staff concludes that the project is consistent with the Zoning Ordinance and the Community Design Guidelines.

3. The location, size, design and operating characteristics of the proposed use is compatible with and shall not adversely affect or be materially detrimental to the health, safety, or welfare of persons residing or working in the area, or be detrimental or injurious to public or private property or improvements.

Existing residential land uses surround the proposed project to the south and west. Due to the small scale of the proposed office component none of the uses surrounding the site are expected to be adversely affected by the construction or operation of the mixed-use building. The office units will have employees and customers arriving during business hours and it is anticipated that some of the employees will live in the residential units, consistent with the mixed-use intent of the project. The proposed use will not be detrimental to the health, safety, or welfare of persons residing in the area or be detrimental to public or private property or improvements.

Conditional Use Permit Conclusion

Based on the analysis contained in this staff report, the required findings can be made for approval of the proposed Conditional Use Permit

TENTATIVE CONDOMINIUM MAP

The applicant requests approval of a Tentative Condominium Map to create six (6) condominium units on a common parcel. The Subdivision Map Act (G.C. §66424) defines a subdivision to include a condominium project¹. A tentative map depicts the design and improvements of a proposed subdivision with the existing conditions in and around the site. Where a Tentative Subdivision Map typically shows lot boundaries, street dimensions, utilities, grading and drainage, a Tentative Condominium Plan also shows building locations, recreational amenities and landscaping.

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 Condominium 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 design standards of Title 18 (Subdivision Ordinance) of the Roseville Municipal Code.

<u>CONDOMINIUM PLAN:</u> The applicant has submitted a Tentative Condominium Map (Exhibit E) as required by the City's Subdivision Ordinance and the Map Act. The map proposes to create 6 condominium units with the underlying land being a common parcel owned and maintained by a Business Owners/Homeowners Association. The project is proposed as a mixed-use office and residential project on a common parcel.

A condominium consists of an undivided interest in a **common parcel** coupled with a separate interest in space called a **unit**, the boundaries of which are described on a recorded final map, parcel map, or condominium plan in sufficient detail to locate all boundaries. The space/area of a unit may be filled with air, earth, or water, or any combination. A unit need not be physically attached to land except by easements for access and, if necessary, support.

The six (6) condominium units will be located in a single structure. As described in the Design Review Permit evaluation, two of the units are proposed as offices and four of the units as residential. All residential units will have a dedicated parking space.

<u>PARCEL SIZE, DESIGN, and CONFIGURATION</u>: The proposed map will result in one (1) lot. In general, the lot design associated with a Condominium Map is relatively unimportant, as the primary purpose is to allow the division of airspace for each individual unit. The design of condo maps varies from project to project, with a typical configuration being a single lot encompassing an entire project.

<u>GRADING:</u> The site is relatively flat; minimal site grading will be required to prepare the building pad and parking lot. The grading is consistent with that proposed for the DRP, which is appropriate for the development of the site.

ACCESS & CIRCULATION: The site is accessed primarily from a single driveway on Piedmont way. The main driveway permits full turning movements. 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.

<u>PARKING</u>: Parking required for the project is 20 spaces. The project provides 14 spaces on-site. Further discussion on the parking requirements can be found in the Administrative Permit section discussing the requested parking reduction.

AFFORDABLE HOUSING: There is no affordable housing requirement for this project.

<u>IMPROVEMENTS:</u> The existing parking, access, driveways, and utility infrastructure (water, sewer, electric, fire hydrants and other utility mains) will be maintained by the Building Owners/Homeowners Association. The Design Review Permit was conditioned to require that these site improvements be provided, and the project will be constructed in accordance with these conditions.

Based on the above information staff believes that the proposed parcel is suitable for the proposed condominium 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.

The Tentative Subdivision Map will create air-space lots and provide for individual office and residential condominium units. During staff review of the Tentative Subdivision Map application, it was determined that the creation of 6 condominium units will not create any impractical or unusable units (See floor plans, Exhibit B).

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. 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 and future development on the parcel proposed by the tentative map.

Tentative Condominium Map Conclusion

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

TREE PERMIT

The Tree Preservation Chapter of the Zoning Ordinance requires the City to consider the appropriateness of, and alternatives to, proposed tree removals and encroachments. In addition, when tree removal is requested, the City is required to review the proposed mitigation plan. An arborist report (tree inventory) has been prepared for 1828 South Cirby Way that identifies tree species, size, health, and current condition of the trees requested for removal. The report is provided as Exhibit F.

Tree Removals

The utility plan for 1828 South Cirby Way shows the location of the structure and existing trees and is included as Exhibit G. Fourteen (14) trees are in areas set to be paved for the parking lot, driveway or sidewalk. The parcel size for this project is 0.296 acres. Due to the small size of the property alternatives to avoid removal of the fourteen (14) trees are limited while allowing development of the property. A similar number of tree removals would be likely under any development scenario. The trees being removed are located throughout the parcel with a concentrated cluster on the south corner. Due to access limitations off of Piedmont Way (a driveway cut is not permitted on South Cirby Way) the driveway is required in its proposed location, which would require the removal of this cluster under any scenario. Staff has concluded that no viable alternatives are available to reduce tree removals.

Encroachments

Construction of the parking lot will encroach 30% into the protected zone radius of the remaining 24-inch Valley Oak (tree #4). Because of the small size of the lot, it is not possible to avoid encroachment into the oak tree's protected zone. (**Conditions 5, 7 and 8**). After working with the arborist the following recommendations have been included as a condition of the project (see Exhibit F-2). No curb or asphalt will be placed within 4 feet of the trunk. No grade cuts will be made within 20 feet of the trunk. An aeration system will be placed within this 20 ft. radius prior to any grading. This system should consist of aeration pipes placed in 4inch deep trenches; gravel at least 8 inches deep covering the entire area to be paved within this 20 ft. radius; a geotextile fabric placed over the gravel; road base placed over the fabric & compacted or the use of a "deep-lift" asphalt on its own, or some combination of the above (Condition 14). With the implementation of these recommendations the arborist is confident that the tree will survive.

Tree Mitigation

The mitigation total for the removal of Trees #1-3 and 6-15 is one hundred and twenty three inches (123"). The applicant is proposing to mitigate for the removals through a combination of on-site plantings and payment of in-lieu fees. **Condition 3** addresses the mitigation requirement.

Tree Permit Conclusion

The Planning Department has determined that the proposed tree removals are necessary to allow for development of the parcel. Staff recommends that the Planning Commission approve the requested removals.

ADMINISTRATIVE PERMIT

EVALUATION

Section 19.26.030.C.3 of the Zoning Ordinance allows applicants to apply for an Administrative Permit to allow a parking reduction for a shared use. The applicant has the burden of proof of providing documentation substantiating the request. A parking reduction for a shared use shall only be approved by the Approving Authority if:

1. A sufficient number of spaces are provided to meet the greatest parking demand of the participating uses.

Based on the sum of the uses proposed, 20 parking spaces are required for the project and 14 spaces are being provided with the current design. Fourteen spaces are located in the parking lot and an additional three spaces are available in front of the building on Piedmont Way. The residential units will each have a full time assigned parking space and the remainder of the spaces will be shared between the residential units and the commercial offices. The intent of the mixed-use project is that some employees of the businesses on the site would also live in the residential units thus reducing the demand for parking.

2. Satisfactory evidence is provided describing the nature of the uses and the times when the uses operate so as to demonstrate the lack of potential conflict between them.

Due to the mixed-use nature of the project, the parking for the site will be used at different times throughout the day. The offices will require more parking during business hours and the residential units will have the highest parking demands in the evening and weekend hours. The residential tenants will have one space assigned to their unit at all times. The rest of the parking, ten (10) spaces, will be available for use by both the businesses and the residents. There are an additional three onstreet spaces in front of the proposed project on Piedmont, and additional on-street parking is available across Piedmont along the frontage of the apartment site.

3. Overflow parking will not impact any adjacent use.

Given the different peak hours of operation for the proposed uses in the project, staff believes that the proposed parking will be sufficient. While overflow parking is not anticipated additional on-street parking is available across Piedmont Way. Therefore, staff believes that overflow parking, if any, from this project would not impact adjacent uses.

4. Additional documents, covenants, deed restrictions, or other agreements as may be deemed necessary by the Planning Director are executed to assure that the required parking spaces provided are maintained and uses with similar hours and parking requirements as those uses sharing the parking facilities remain for the life of the project.

Condition 36 for the Tentative Condominium Map requires a reciprocal access and parking for the project. No additional documents or agreements are necessary.

FINDINGS

Section 19.78.060.A of the City of Roseville Zoning Ordinance requires adoption of three (3) findings to approve an Administrative Permit. The three findings are listed below:

1. The proposed use is consistent with the policies of the City of Roseville General Plan.

- 2. The proposed use conforms with all applicable standards and requirements of the City of Roseville Zoning Ordinance.
- 3. The location, size, design, and operating characteristics of the proposed use is compatible with and shall not adversely affect or be materially detrimental to the health, safety, or welfare of persons residing or working in the area, or be detrimental or injurious to public or private property or improvements.

Administrative Permit Conclusion

Based on the evaluation above, Staff believes that the Planning Commission can make the required findings and approve the Administrative Permit for a parking reduction of six (6) spaces.

SUMMARY

As proposed and conditioned, the proposed project is consistent with applicable City policies, standards, and guidelines. The project is good fit for the area and provides needed reinvestment into the neighborhood. Staff recommends approval of the project.

ENVIRONMENTAL DETERMINATION

This project is exempt from further environmental review in accordance with Section 15332 of the California Environmental Quality Act (CEQA) as an Infill Development Project that is consistent with the applicable General Plan and zoning designations. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses and can be adequately served by all required utilities and public services. Furthermore, the project site has no value as habitat for endangered, rare, or threatened species, and approval of the project would not result in any significant effects relating to traffic, noise, air, or water quality.

RECOMMENDATION

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

- A. Adopt the four (4) findings of fact as stated below for the DESIGN REVIEW PERMIT –1828 South Cirby Way – MIXED USE OFFICE & RESIDENTIAL - FILE # DRP-000091;
 - 1. The project as approved preserves and accentuates the natural features of the property, such as open space, topography, tress, wetlands and water courses, provides adequate drainage for the project, and allows beneficial use to be made of the site for development.
 - 2. The project site design as approved provides open spaces, access, vehicle parking, vehicle, pedestrian, and bicycle circulation, pedestrian walks and links to alternative modes of transportation, loading areas, landscaping and irrigation and lighting which results in a safe, efficient and harmonious development and which is consistent with the applicable goals, policies, and objectives set forth in the General Plan, the Community Design Guidelines and applicable Specific Plan.
 - 3. The building design, including material, colors, height, bulk, size and relief, and the arrangement of the structures on the site, as approved is harmonious with other development and buildings in the vicinity and which is consistent with the applicable goals, policies, and objectives set forth in the General Plan, the Community Design Guidelines, and the applicable Specific Plan.

- 4. The Design of the public services, as approved, including, but not limited to trash enclosures and service equipment are located so as not to detract from the appearance of the site, and are screened appropriately and effectively using construction materials, colors and landscaping that are harmonious with the site and the building designs.
- B. Approve the DESIGN REVIEW PERMIT 1828 South Cirby Way Mixed Use Office & Residential
 FILE # DRP-000094 subject to ninety-eight (98) conditions of approval;
- C. Adopt the three (3) findings of fact stated in the staff report for the CONDITIONAL USE PERMIT 1828 South Cirby Way – Mixed-Use Residential & Office - FILE # CUP-000020;
- D. Approve the CONDITIONAL USE PERMIT 10201 Foothills Boulevard 1828 South Cirby Way Mixed-Use Residential & Office - FILE # CUP-000020, subject to one (1) condition of approval;
- E. Adopt the three (3) findings of fact stated in the staff report for the TENTATIVE CONDOMINIUM MAP
 1828 South Cirby Way Mixed-Use Residential & Office FILE # SUB-000045;
- F. Approve the TENTATIVE CONDOMINIUM MAP 1828 South Cirby Way Mixed-Use Residential & Office FILE # SUB-000045 subject to forty-five (45) conditions of approval.
- G. Adopt the two (2) findings of fact below for the TREE PERMIT 1828 South Cirby Way Mixed-Use Residential & Office – FILE # TP-000062:
 - 1. Approval of the Tree Permit will not be detrimental to the public health, safety or welfare, and approval of the Tree Permit is consistent with the provisions of Chapter 19.66.
 - 2. Measures have been incorporated in the project or permit to mitigate impacts to remaining trees or to provide replacement for trees removed.
- H. Approve the TREE PERMIT 1828 South Cirby Way Mixed-Use Residential & Office FILE # TP-000062 with the twenty-one (21) conditions of approval;
- Adopt the three (3) findings of fact stated in the staff report for the ADMINISTRATIVE PERMIT 1828 South Cirby Way – Mixed-Use Residential & Office - FILE # AP-000097;
- J. Approve the ADMINISTRATIVE PERMIT 1828 South Cirby Way Mixed-Use Residential & Office
 FILE # TP-000097 subject to one (1) condition of approval.

CONDITIONS OF APPROVAL FOR DRP-000094:

- 1. This design review permit approval shall be effectuated within a period of two (2) years from this date and if not effectuated shall expire on **August 24**, **2008**. Prior to said expiration date, the applicant may apply for an extension of time, provided, however, this approval shall be extended for no more than a total of one year from **August 24**, **2008**.
- 2. The project is approved as shown in Exhibits A G and as conditioned or modified below. (Planning)
- 3. 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. (Engineering, Environmental Utilities, Finance)

- 4. The design and construction of all improvements shall conform to the Improvement Standards and Construction Standards of the City of Roseville, or as modified by these conditions of approval, or as directed by the City Engineer. (Engineering)
- 5. The applicant shall not commence with any on-site improvements until such time as grading and/or improvement plans are approved and grading and/or encroachment permits are issued by the Department of Public Works (Engineering)
- 6. The approval of this project does not constitute approval of proposed improvements as to size, design, materials, or location, unless specifically addressed in these conditions of approval. (Engineering)

PRIOR TO BUILDING PERMITS:

- 7. Parking stalls shall meet, or exceed, the following minimum standards:
 - a. All parking stalls shall be double-striped. Parking stalls adjacent to sidewalks, landscaped areas or light fixtures, and all Accessible stalls shall abut a 6" raised curb or concrete bumper. (Planning)
 - b. Standard -- 9 feet x 18 feet; Compact--8 feet x 16 feet; Accessible--14 feet x 18 feet (a 9 foot wide parking area plus a 5 foot wide loading area) and a minimum of one (1) parking space shall be Accessible van accessible--17 feet x 18 feet (9 foot wide parking area plus an 8 foot wide loading area). (Planning)
 - c. An 'exterior routes of travel' site accessibility plan incorporating slope, cross-slope, width, pedestrian ramps, curb ramps, handrails, signage, detectable warnings or speed limit signs or equivalent means shall comprise part of the site improvement plans submitted to City for review, prior to building plan check approvals. This site accessibility plan shall also include:
 - Handicapped parking stalls shall be dispersed and located closest to accessible entrances.
 The total number of accessible parking spaces shall be established by Table 11-B-6 of the CBC.
 - ii) Accessible Parking spaces and crosswalks shall be signed, marked and maintained as required by Chapter 11 of the CBC.
 - iii) Accessible parking and exterior route of travel shall comply with CBC, Sections 1127B and 1129B. (Building)
- 8. Parking spaces numbered 5 and 6 on the site plan (Exhibit A) shall be compact spaces. All parking spaces along west property line shall shift north to allow for additional room around preserved native oak (tree #4). (Planning)
- 9. Signs and/or striping shall be provided on-site as required by the Planning Department to control on-site traffic movements. (Planning)
- 10. The plans submitted to the Building Department for permits shall indicate all approved revisions/alterations as approved by the Commission including all conditions of approval. (Planning)
- 11. The Landscape plan shall comply with the City of Roseville Water Efficient Landscape Requirements Resolution No. 93-55. (Planning)
- 12. The tree plantings in the parking lot shall be designed to provide a minimum of 50% shade coverage after 15 years. (Planning)

- 13. At a minimum, landscaped areas not covered with live material shall be covered with a rock, (2") bark (no shredded bark) or (2") mulch covering. (Planning)
- 14. Any roof-mounted equipment and satellite dishes proposed shall be shown on the building plans. The equipment shall be fully screened from public streets and the surrounding properties. (Planning)
- 14. At the time of building permit application and plan submittal, the project applicant shall submit a proposed plan which shows the suite addressing plan for individual tenant spaces within the building. The Chief Building Official, or the designate, shall approve said plan prior to building permit approval. (Building)
- 15. A separate **Site Accessibility Plan** which details the project's site accessibility information as required by California Title 24, Part 2 shall be submitted as part of the project Building Permit Plans. (Building)
- 16. Building permit plans shall comply with all applicable code requirements (Uniform Building Code UBC, Uniform Mechanical Code UMC, Uniform Plumbing Code UPC, Uniform Fire Codes UFC and National Electrical Code NEC), California Title 24 and the American with Disabilities Act ADA requirements, and all State and Federally mandated requirements in effect at the time of submittal for building permits (contact the Building Department for applicable Code editions). (Building)
- 17. **Restaurants or other food services.** The developer shall obtain all required approvals and permits from the Placer County Health Department. (Building)
- 18. Maintenance of copy of building plans. Health and Safety Code section 19850 requires the building department of every city or county to maintain an official copy of the building plans for the life of the building. As such, each individual building shall be submitted as a separate submittal package. Building plan review, permit issuance and archiving is based on each individual building address.
- 19. For all work to be performed off-site, permission to enter and construct shall be obtained from the property owner, in the form of a notarized right-of-entry. Said notarized right-of-entry shall be provided to Engineering prior to approval of any plans. (Engineering)
- 20. The grading and improvement plans shall be designed in accordance with the City's Improvement Standards and Construction Standards and shall reflect the following:
 - a. Street improvements including, but not limited to, curb, gutter, sidewalk, pavement, drainage systems, traffic striping, signing, medians and markings, etc. along all existing and proposed City streets, as required by Engineering.
 - b. Grading shall comply with the City grading ordinance. Erosion control devices (sediment traps, ditches, straw bales, etc.) shall be shown on the grading plans. All erosion control shall be installed prior to the onset of wet weather. Erosion control is installed to minimize silt discharge from the project site. It is incumbent upon the applicant to ensure that necessary measures are taken to minimize silt discharge from the site. Therefore modification of the erosion control plan may be warranted during wet weather conditions.
 - c. A rough grading permit may be approved by Engineering prior to approval of the improvement plans.
 - d. Standard Handicap ramps shall be installed at all curb returns per City Standards. (Engineering)

- 21. The applicant shall apply for and obtain an encroachment permit from the Engineering Department prior to any work conducted within the City right-of-way. (Engineering)
- 22. This site shall be accessed through a City standard Type "S" commercial driveway located on Peidmont Way. All existing driveways and sidewalk shall be removed and replaced with a 5-foot sidewalk. A standard Case C handicap ramp shall be constructed at the corner of S. Cirby and Peidmont. (Engineering).
- 23. The existing drain inlet at the corner of S. Cirby and Peidmont, shall be removed and replaced with a city standard Type "C" drain inlet. (Engineering).
- 24. Prior to the approval of the improvement plans, it will be the project proponents responsible to pay the standard City Trench Cut Recovery Fee for any cuts within the City streets that are required for the installation of underground utilities. (Engineering)
- 25. A note shall be added to the grading plans that states:
 - "Prior to the commencement of grading operations, the contractor shall identify the site where the (excess/import) earthen material shall be (deposited/borrowed). If the (deposit/borrow) site is within the City of Roseville, the contractor shall produce a report issued by a geotechnical engineer to verify that the (exported/imported) materials are suitable for the intended fill, and shall show proof of all approved grading plans. Haul routes to be used shall be specified." (Engineering)
- 26. All storm drainage, including roof drains, shall be collected on site and shall be routed to the nearest storm drain system or natural drainage facility. Prior to discharge from the site, the storm water shall be treated with a sand/oil separator. The storm drain system shall be a private system and shall be maintained by the property owner. (Engineering)
- 27. **Prior to the approval of the Improvement Plans**, the project proponent shall prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) to the City, as defined by the Regional Water Quality Control Board. The SWPPP shall be submitted in a single three ring binder. Upon approval, the SWPPP will be returned to the project proponent during the pre-construction meeting. (Engineering)
- 28. "Prior to the issuance of a grading permit or approval of Improvement Plans, the grading plans shall clearly identify all existing water, sewer and recycled water utilities within the boundaries of the project (including adjoining public right of way). Existing utilities shall be identified in plan view and in profile view where grading activities will modify existing site elevations over top of or within 15 feet of the utility. Any utilities that could potentially be impacted by the project shall be clearly identified along with the proposed protection measures. The developer shall be responsible for taking measures and incurring costs associated with protecting the existing water, sewer and recycled water utilities to the satisfaction of the Environmental Utilities Director. (Environmental Utilities)"
- 29. The applicant shall pay for all applicable water and sewer fees. (Environmental Utilities)
- 30. Water and sewer infrastructure shall be designed pursuant to the adopted City of Roseville Improvement Standards and the City of Roseville Construction Standards and shall include:
 - a. Utilities or permanent structures shall not be located within the area which would be disturbed by an open trench needed to expose sewer trunk mains deeper than 12' unless approved by Environmental Utilities in these conditions. The area needed to construct the trench is a sloped cone above the sewer main. The cone shall have 1:1 side slopes.

- b. Water, sewer and reclaimed mains shall not exceed a depth of 12' below finished grade, unless authorized in these conditions of approval.
- c. All sewer manholes shall have all weather 10-ton vehicle access unless authorized by these conditions of approval. (Environmental Utilities)
- 31. Separate domestic water meters shall be provided for each residential unit and the commercial building. Domestic, fire, and irrigation services may originate from a single manifold. The fire and irrigation services shall be private and maintained by an association. (Environmental Utilities)
- 32. Any unused water or sewer services to the site shall be abandoned per City Standards. (Environmental Utilities)
- 33. A 90-gallon refuse container may be used for each unit in lieu of a trash bin. The refuse containers shall be located along an accessible route for refuse vehicles on collection days without interruptions to other vehicle traffic.
- 34. Fire apparatus access roads shall be provided to within 150 feet of all structures and combustible storage piles. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. (Fire)
- 35. Vertical clearances or widths shall be increased when, in the opinion of the Fire Chief, vertical clearances or widths are not adequate to provide fire apparatus access. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (32 tons) and shall be provided with a surface so as to provide all-weather driving capabilities. Said access shall be provided prior to any construction or storage of combustible materials on site. (Fire)
- 36. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved provision for the turning around of fire apparatus. A minimum back of curb radii of not less than 48 feet shall be provided. (Fire)
- 37. The required fire flow for the protection of the proposed project is 1,500 gallons per minute with 20 pounds residual water pressure. This flow is based on the premise that the structure will be of Type VN rated construction with the installation of a full coverage automatic fire sprinkler system, and is reflective of the proposed square footage amounts. A change in any of the conditions may increase the required fire flow. (Fire)
- 38. Applicant shall provide a minimum of two (new or existing) fire hydrants within the complex in accordance with the Roseville Fire Code. The average spacing between fire hydrants within the complex shall not exceed 450 feet-on-center along proposed roadways. A fire hydrant shall be located within 40-feet of all fire department connections to fire sprinkler systems. The location, number and type of fire hydrants connected to the water supply shall be provided as required and approved by the Fire Department. (Fire)
- 39. Fire hydrants shall be operable and accessible to Fire Department apparatus by roads meeting the requirements of the Roseville Fire Code prior to bringing combustible materials onto the project site. (Fire)
- 40. A minimum clearance of 3-feet shall be provided between trees, shrubs and other landscape materials and all fire protection equipment (hydrants, fire sprinkler system connections, valves). Fire protection equipment shall not be located behind parking stalls or other obstructions to access. (Fire)

- 41. When the proposed project is to be provided with perimeter security fencing, fire apparatus access and occupant exiting shall be considered. All vehicular access gates shall comply with the Uniform Fire Code requirements and shall be equipped with approved Knox and Opticom emergency vehicle access devices. If pedestrian gates are designed as part of the overall exiting system, they shall comply with the exiting provisions of the Uniform Building Code. Plans shall be submitted to the Fire Department for review and approval prior to installation. (Fire)
- 42. An approved access walkway shall be provided to all exterior doors and openings required by either the Uniform Fire Code or the Uniform Building Code. A concrete sidewalk or other approved hard surface will meet the intent of the access walkway requirement. Adequate space adjacent to the access walkway, vertically and horizontally, shall be provided to allow firefighters to access required building openings in order to effectively perform rescue operations, to allow for equipment maneuverability, and to safely raise ground ladders. Any landscaping adjacent to the access walkway shall be such that it does not obstruct the functional purpose of the walkway upon maturity. (Fire)
- 43. The Electric Department requires the submittal of the following information in order to complete the final electric design for the project:
 - a. one (1) set of improvement plans
 - b. load calculations
 - c. electrical panel one-line drawings
- 44. All on-site external lighting shall be installed and directed to have no off-site glare. Lighting within the parking areas shall provide a maintained minimum of one (1) foot candle of light. All exterior light fixtures shall be vandal resistant. (Planning & Police)
- 45. The parking lot shall have properly posted signs that state the use of the parking area is for the exclusive use of employees and customers of this project. (See California Vehicle Code Sections 22507.8, 22511.5, 22511.8, 22658(a), and the City of Roseville Municipal Code Section 11.20.110). The location of the signs shall be shown on the approved site plan. (Planning & Police)
- 46. It is the developer's responsibility to notify PG&E of any work required on PG&E facilities. (PG&E)

DURING CONSTRUCTION & PRIOR TO ISSUANCE OF OCCUPANCY PERMITS:

- 47. Any backflow preventors visible from the street shall be painted green to blend in with the surrounding landscaping. The backflow preventors shall be screened with landscaping and shall comply with the following criteria:
 - a. There shall be a minimum clearance of four feet (4'), on all sides, from the backflow preventor to the landscaping.
 - b. For maintenance purposes, the landscaping shall only be installed on three sides and the plant material shall not have thorns.
 - c. The control valves and the water meter shall be physically unobstructed.
 - d. The backflow preventor shall be covered with a green cover that will provide insulation. (Planning, Environmental Utilities)
- 48. The following easements shall be provided by separate instrument and shown on the site plan, unless otherwise provided for in these conditions:

- a. An eight (8) foot wide public utilities easement along all road frontages. (Electric)
- b. Water and sewer easements. (Environmental Utilities)
- 49. 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. (Engineering, Environmental Utilities, Electric)
- 50. Easement widths shall comply with the City's Improvement Standards and Construction Standards. (Environmental Utilities, Electric, Engineering)
- 51. Inspection of the potable water supply system on new commercial/ industrial/ office projects shall be as follows:
 - a. The Environmental Utilities Inspector will inspect all potable water supply up to the downstream side of the backflow preventor.
 - b. The property owner/applicant shall be responsible for that portion of the water supply system from the backflow preventor to the building. The builder/contractor shall engage a qualified inspector to approve the installation of this portion of the water supply. The Building Division will require from the builder/ contractor, a written document certifying that this portion of the potable water supply has been installed per improvement plans and in accordance with the Uniform Plumbing Code. This certificate of compliance shall be submitted to the Building Division before a temporary occupancy or a building final is approved.
 - c. The building inspectors will exclusively inspect all potable water supply systems for the building from the shutoff valve at the building and downstream within the building. (Building, Environmental Utilities)
- 52. The following note shall be added to the improvement plans:

To minimize dust/ grading impacts during construction the applicant shall:

- a. Spray water on all exposed earth surfaces during clearing, grading, earth moving and other site preparation activities throughout the day to minimize dust.
- b. Use tarpaulins or other effective covers on all stockpiled earth material and on all haul trucks to minimize dust.
- c. Sweep the adjacent street frontages at least once a day or as needed to remove silt and other dirt which is evident from construction activities.
- d. Ensure that construction vehicles are cleaned prior to leaving the construction site to prevent dust and dirt from being tracked off-site.
- e. The City shall have the authority to stop all grading operations, if in opinion of city staff, inadequate dust control or excessive wind conditions contribute to fugitive dust emissions. (Engineering)

- 53. This project falls within the commercial land use category of the Dry Creek Watershed Flood Control Plan as determined by the Placer County Flood Control District and adopted by the City of Roseville. The project is therefore subject to a fee based on gross developed acres. (Engineering)
- 54. The applicant shall remove and reconstruct any existing damaged curb, gutter, and sidewalk along the property frontage. During plan check of the improvement plans and/or during inspection, Engineering will designate the exact areas to be reconstructed. (Engineering)
- 55. Existing public facilities damaged during the course of construction shall be repaired by the applicant, at the applicant's expense, to the satisfaction of the City. (Engineering)
- 56. All improvements being constructed in accordance with the approved grading and improvement plans shall be accepted as complete by the City. (Engineering)
- 57. 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)
- 58. Water and sewer shall be constructed pursuant to the adopted City of Roseville Improvement Standards and the City of Roseville Construction Standards. (Environmental Utilities)
- 59. All water backflow devices shall be tested and approved by the Environmental Utilities Department. (Environmental Utilities)
- 60. Restaurants **or other food services.** The developer shall install exterior grease interceptor if the proposed business could potentially discharge any grease type product. (Environmental Utilities)
- 61. An **approved** automatic fire extinguishing system shall be provided for all buildings where the total fire area is **3,600** square feet or greater, as required by Roseville Fire Code Section 1003.2.2. Fire extinguishing systems installed shall conform to the minimum design standards of the Roseville Fire Code Standard 10-3. Plans and specifications shall be submitted to the Fire Department prior to system installation. Plan review and field inspection fees associated with the installation of said systems shall be paid prior to plan submittal. (Fire)
- 62. Fire extinguishing systems installed as required by Section 1003.1.1 of the City Fire Code shall have control valves and activation switches electrically supervised and monitored by an approved central alarm monitoring company. Digital alarm communicator system panels shall be installed and maintained in accordance with National Fire Protection Association Standard # 72 (Fire Alarm Code). Plan review and field inspection fees associated with the installation of said systems shall be paid prior to plan submittal. (Fire)_
- 63. Fire extinguishing systems installed as required by Section 1003.1.1 of the City Fire Code shall be provided with an approved audible and visual alarm notification signal within the interior of the building to alert building occupants. Said alarm notification signal shall be provided throughout the building and shall be installed and maintained in accordance with National Fire Protection Association Standard #72 (Fire Alarm Code). Plan review and field inspection fees associated with the installation of said systems shall be paid prior to plan submittal. (Fire)
- 64. Every building three stories or more in height shall be provided with a Class 1 standpipe system in accordance with Roseville Fire Code Section 1004. Said system installation shall conform to the minimum standards of UBC Standard 9-2 and Roseville Fire Code Standard 10-3. Plan review and field inspection fees associated with the installation of said systems shall be paid prior to plan submittal. (Fire)

- 65. Every building three stories or more in height shall be provided with not less than one standpipe for use during construction as required by Roseville Fire Code Section 8704.4.3.1. Such standpipes shall be installed when the progress of construction is not more than 25-feet in height above the lowest level of fire department access. Such standpipes shall be provided with fire department hose connections at accessible locations adjacent to usable stairs, and the standpipe outlets shall be located adjacent to such usable stairs. Such standpipe systems shall be extended as construction progresses to within one floor of the highest point of construction having secure decking or flooring. On each floor there shall be provided a 2 ½-inch valve outlet for fire department use. (Fire)
- 66. All buildings and structures with one or more passenger service elevators shall be provided with not less than one elevator meeting the requirements of California Building Code Section 3003.5a for emergency medical service. (Fire)
- 67. An approved project sign shall be placed at vehicle access points into the project during construction to assist emergency responders. The sign shall identify the project name and address, as approved by the City of Roseville. Such signs shall be clearly visible and legible from the street fronting the project. (Fire)
- 68. Dumpsters and trash containers with an individual capacity of 1.5 cubic yards [40.5 cubic feet] or more shall not be stored in buildings or placed within 5-feet of combustible walls, openings or combustible roof eave lines unless said areas are protected by an approved automatic fire sprinkler system in accordance with the Roseville Fire Code. (Fire)
- 69. All shrubbery, trees and signs located within center medians adjacent to site access points shall be seven feet (7') in height or lower to allow access to the site by fire apparatus. (Fire)
- 70. The approved address numbers shall be placed on each building by the applicant in such a position as to be plainly visible and legible from the street fronting the property and shall be placed as to be seen from all entrances. Proposed address numbers shall be indicated on the elevation drawings contained within the building plan submittal. The address numbers shall be contrasting in color with their background and shall be illuminated. (Fire)
- 71. The applicant shall properly identify all required fire lanes in accordance with the Fire Department Fire Lane Standard. (Fire)
- 72. Barricades shall be provided to protect any natural gas meter, fire hydrant, or other fire department control device, which may be subject to vehicular damage. Approved signs may be required to identify the location of fire protection devices. (Fire)
- 73. Automatic fire extinguishing system risers, fire alarm system panels and digital alarm communicator system panels shall be located within an approved fire control room and shall be accessible from an adjacent fire apparatus roadway. Said fire control room shall be a minimum size of thirty-five (35) square feet in size and shall be openable from the exterior via an approved door opening. (Fire)
- 74. A Knox Company Model # 4400 key box shall be located adjacent to the door opening into the fire control room for each structure to provide access to fire protection system equipment. Said box shall be mounted at 6-feet above finished grade adjacent to the door opening. Contact the Fire Prevention Division for an approved Knox Company order form. The applicant shall pay a \$25 fee associated with the inspection of the key box prior to acceptance by the Fire Department at the time of receiving the Knox Company Order Form. (Fire)
- 75. A digitized copy of the approved of the approved drawings for the project shall be submitted to the Fire Department for pre-fire purposes. Said copy shall be submitted in an approved format. (Fire)

- 76. Adequate radio coverage shall be provided within buildings for public safety agencies, as required by Roseville Municipal Code Section 16.16.210. A field test shall be provided by a person in possession of a current FCC License, or a current technician certification issued by the Associated Public-Safety Communications Officials International (APCO), or the National Association of Business and Educational Radio (NABER). The building owner shall retain all test records on the inspected premises and a copy shall be submitted to the Fire Department officials. Adequate radio coverage shall include all of the following:
 - a. A minimum signal strength of 95 dBM available in 90% of the area of each floor of the building when transmitted from the closest City of Roseville Radio Communication site.
 - b. A minimum signal strength of 95 dBM received at the closest City of Roseville Communication site when transmitted from 90% of the area of each floor of the building.
 - c. The frequency range that must be supported shall be 821-824 MHz and 866-869 MHz.
 - d. A 100 % reliability factor. (Fire, Police)
- 77. Additional internal easements will be required to cover primary electrical facilities to the project when the final electrical design is completed. (Electric)
- 78. All Electric Department facilities, including streetlights where applicable, shall be designed and built to the "City of Roseville Specifications for Commercial Construction." (Electric)
- 79. The City of Roseville Electric Department has electrical construction charges which are to be paid by the developer and which are explained in the City of Roseville "Specification for Commercial Construction." These charges will be determined upon completion of the final electrical design. (Electric)
- 80. Any relocation, rearrangement, or change of existing electric facilities due to this development shall be at the developer's expense. (Electric)
- 81. Any facilities proposed for placement within public/electric utility easements shall be subject to review and approval by the Electric Department before any work commences in these areas. This includes, but is not limited to, landscaping, lighting, paving, signs, trees, walls, and structures of any type. Clearance from building to overhead lines must meet the minimum requirement of 15 feet. The 8' PUE must be maintained around the property. (Electric)
- 82. All landscaping in areas containing electrical service equipment shall conform with the Electric Department's Landscape Requirements and Work Clearances as outlined in Section 10.00 of the Departments "Specification for Commercial Construction." (Electric)
- 83. All electric metering shall be directly outside accessible. This can be accomplished in any of the following ways:
 - a. Locate the metered service panel on the outside of the building.
 - b. Locate the metered service panel in a service room with a door that opens directly to the outside. The developer will be required to provide a key to the door for placement in a lock box to be installed on the outside of the door. Any doors leading from the service room to other areas of the building shall be secured to prohibit unauthorized entry.

- 84. One ³/₄" conduit with a 2-pair phone line shall be installed from the buildings telephone service panel to the meter section of the customer's electrical switchgear or panel. (Electric)
- 85. It is the responsibility of the developer to insure that all existing electric facilities remain free and clear of any obstruction during construction and when the project is complete. The minimum clearance from a building to overhead lines is 15'. Developer must verify that clearance is obtainable. Also, clearance for Roseville Electric vehicles and equipment to enter property to set and install equipment must be insured. (Electric)

OTHER CONDITIONS OF APPROVAL:

- 86. All existing public utility, electric, water, sewer and reclaimed water easements shall be maintained unless otherwise authorized by these conditions of approval. (Electric, Engineering, Environmental Utilities)
- 87. A Sign Permit is required for all project signs. (Planning)
- 88. The parking lot striping and signing shall be maintained in a visual and legible manner. (Planning)
- 89. Following the installation of the landscaping, all landscape material shall be maintained in a healthy and weed free condition; dead plant material shall be replaced immediately. All trees shall be maintained and pruned in accordance with the accepted practices of the International Society of Arboriculture (ISA). (Planning)
- 90. The City reserves the right to restrict vehicle turning movements within the public right-of-way in the future if deemed necessary by the City Engineer. (Engineering)
- 91. The required width of fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. Minimum required widths and vertical clearances established by the Fire Code shall be maintained at all times during construction. Closure of accesses for fire apparatus by gates, barricades and other devices shall be prohibited unless approved by the Fire Chief. (Fire)
- 92. Temporary aboveground storage tanks may be used at construction sites for diesel fuel only and shall not exceed 1,000 gallon capacity. Tanks shall comply with all provisions found within the Fire Code. A Fire Department Permit shall be obtained prior to tank installation. The permit shall expire after 90 days from the date of issuance, unless extended by the Fire Chief. (Fire)
- 93. If site survey or earth moving work results in the discovery of hazardous materials in containers or what appears to be hazardous wastes released into the ground, the contractor or person responsible for the building permit must notify the Roseville Fire Department immediately. A representative from the Fire Department will make a determination as to whether the incident is reportable of not and if site remediation is required. (Fire)
- 94. The location and design of the gas service shall be determined by PG&E. The design of the gas service for this project shall not begin until PG&E has received a full set of City approved improvement plans for the project. (PG&E)
- 95. The project is subject to the noise standards established in the City's Noise Ordinance. In accordance with the City's Noise Ordinance project construction is exempt between the hours of seven a.m. and seven p.m. Monday through Friday, and between the hours of eight a.m. and eight p.m. Saturday and Sunday. Provided, however, that all construction equipment shall be fitted with factory installed muffling devices and that all construction equipment shall be maintained in good

working order. (Building)

- 96. The developer (or designated consultant) shall certify that the building foundation location has been placed according to all approved setback requirements shown on the approved site plan. The developer shall prepare a written statement confirming building placement and provide an original copy to the City Building Department Field Inspector at the time of or prior to the foundation inspection. (Building)
- 97. Prior to Certificate of Occupancy, the applicant may apply for a Temporary Occupancy (TO) of the building. If a TO is desired, the applicant must submit a written request to the Building Division a minimum of thirty (30) days prior to the expected temporary occupancy date and shall include a schedule for occupancy and a description of the purpose for the Temporary Occupancy. (Building)
- 98. Concurrent with submittal for plan check and prior to a request for final building inspection, the applicant may request City approval of an occupancy phasing plan to allow individual or multiple building occupancies. This request shall be made in writing to the Building Department and shall include 10 copies of the following:
 - a. A description of measures that will be undertaken to minimize conflict between residents/ building occupants and construction traffic (e.g. fencing, etc.);
 - A phasing plan showing the proposed buildings, internal roads and access routes, landscaping, trash enclosure locations, and any other improvements planned for each phase; and
 - c. Estimated time frame for each phase and a specific date for the first phase. (Planning, Building)

CONDITIONS OF APPROVAL FOR CUP-000020:

1. The CUP will be effectuated upon the effectuation of the DRP-000094, and shall expire concurrent with DRP-000094.

CONDITIONS OF APPROVAL FOR SUB-000045:

- 1. The approval of a Tentative Map and/or tentative site plan does not constitute approval of proposed improvements as to size, design, materials, or location, unless specifically addressed in these conditions of approval. (Engineering)
- 2. The design and construction of all improvements shall conform to the Improvement Standards and Construction Standards of the City of Roseville, or as modified by these conditions of approval, or as directed by the City Engineer. (Engineering)
- 3. The developer shall not commence with any on-site improvements until such time as grading and/or improvement plans are approved and grading and/or encroachment permits are issued by the Department of Public Works. (Engineering)
- 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. (Engineering, Environmental Utilities, Finance)

PRIOR TO ISSUANCE OF A GRADING PERMIT AND/OR IMPROVEMENT PLANS

- 5. The grading and improvement plans shall be designed in accordance with the City's Improvement Standards and Construction Standards and shall reflect the following:
 - a. Street improvements including, but not limited to, curb, gutter, sidewalk, pavement, drainage systems, traffic striping, signing, medians and markings, etc. along all existing and proposed City streets, as required by Engineering.
 - b. Grading shall comply with the City grading ordinance. Erosion control devices (sediment traps, ditches, straw bales, etc.) shall be shown on the grading plans. All erosion control shall be installed prior to the onset of wet weather. Erosion control is installed to minimize silt discharge from the project site. It is incumbent upon the applicant to ensure that necessary measures are taken to minimize silt discharge from the site. Therefore modification of the erosion control plan may be warranted during wet weather conditions.
 - c. A rough grading permit may be approved by the Engineering Department prior to approval of the improvement plans.
 - d. Standard Handicap ramps shall be installed at all curb returns per City Standards. (Engineering)
- 6. For all work to be performed off-site, permission to enter and construct shall be obtained from the property owner, in the form of a notarized right-of-entry. Said notarized right-of-entry shall be provided to Engineering prior to approval of any plans. (Engineering)
- 7. The applicant shall apply for and obtain an encroachment permit from the Engineering Department prior to any work conducted within the City right-of-way. (Engineering)
- 8. The applicant shall remove and reconstruct any existing damaged curb, gutter, and sidewalk along the property frontage. During site inspection Engineering will designate the exact areas to be reconstructed. (Engineering)
- 9. The following note shall be added to the Grading and/or Improvement Plans:

To minimize dust/grading impacts during construction the applicant shall:

- a. Spray water on all exposed earth surfaces during clearing, grading, earth moving and other site preparation activities through out the day.
- b. Use tarpaulins or other affective covers on all stockpiled earth material and on all haul trucks.
- c. Sweep the adjacent streets frontages of Cirby Way and Piedmont Way at least once a day or as needed to remove silt and other dirt which is evident from construction activities.
- d. Ensure that construction vehicles are cleaned prior to leaving the construction site to prevent dust and dirt from being tracked off site.
- e. The City shall have the authority to stop all grading operations, if in the opinion of city staff, inadequate dust control measures are being practiced or excessive wind conditions contribute to fugitive dust emissions. (Engineering)
- 10. This site shall be accessed by a 20-foot wide, City standard Type "S" commercial driveway located on Peidmont Way. All existing driveways and sidewalk shall be removed and replaced with a 5-foot

- sidewalk on S. Cirby and 4-foot sidewalk on Peidmont. A standard Case C handicap ramp shall be constructed at the corner of S. Cirby and Peidmont. (Engineering).
- 11. The site's storm drainage shall be collected on site and piped to the existing drainpipe located at the corner of S. Cirby and Piedmont. The existing drain inlet at this corner shall be removed and replaced with a city standard Type "C" drain inlet. (Engineering).
- 12. Prior to the approval of the improvement plans, it will be the project proponents responsibility to pay the standard City Trench Cut Recovery Fee for any cuts within the City streets that are required for the installation of underground utilities. (Engineering)
- 13. A note shall be added to the grading plans that states:
 - "Prior to the commencement of grading operations, the contractor shall identify the site where the (excess/import) earthen material shall be (deposited/borrowed). If the (deposit/borrow) site is within the City of Roseville, the contractor shall produce a report issued by a geotechnical engineer to verify that the (exported/imported) materials are suitable for the intended fill, and shall show proof of all approved grading plans. Haul routes to be used shall be specified." (Engineering)
- 14. All storm drainage, including roof drains, shall be collected on site and shall be routed to the nearest storm drain system or natural drainage facility. Prior to discharge from the site, the storm water shall be treated with a sand/oil separator. The storm drain system shall be a private system and shall be maintained by the property owner. (Engineering)
- 15. Prior to the issuance of a grading permit or approval of Improvement Plans, the grading plans shall clearly identify all existing water, sewer and recycled water utilities within the boundaries of the project (including adjoining public right of way). Existing utilities shall be identified in plan view and in profile view where grading activities will modify existing site elevations over top of or within 15 feet of the utility. Any utilities that could potentially be impacted by the project shall be clearly identified along with the proposed protection measures. The developer shall be responsible for taking measures and incurring costs associated with protecting the existing water, sewer and recycled water utilities to the satisfaction of the Environmental Utilities Director. (Environmental Utilities)
- 16. Water and sewer infrastructure shall be designed and constructed pursuant to the adopted City of Roseville Improvement Standards and Construction Standards and shall reflect the following:
 - a. Sewer and water service laterals shall not be allowed off of water and sewer mains larger than 12 inches in diameter. (Environmental Utilities)
 - b. Utilities or permanent structures shall not be located within the area which would be disturbed by an open trench needed to expose sewer trunk mains deeper than 12' unless approved by Environmental Utilities in these conditions. The area needed to construct the trench is a sloped cone above the sewer main. The cone shall have 1:1 side slopes. (Environmental Utilities)
 - c. Water and sewer mains shall not exceed a depth of 12' below finished grade, unless authorized in these conditions. (Environmental Utilities)
 - d. All sewer manholes shall have all weather 10-ton vehicular access unless authorized by these conditions. (Environmental Utilities)
- 17. Separate domestic water meters shall be provided for each residential unit and the commercial building. Domestic, fire, and irrigation services may originate from a single manifold. The fire and irrigation services shall be private and maintained by and association. (Environmental Utilities)

- 18. Any backflow preventors visible from the street shall be painted green to blend in with the surrounding landscaping. The backflow preventors shall be screened with landscaping and shall comply with the following criteria:
 - a. There shall be a minimum clearance of four feet (4'), on all sides, from the backflow preventor to the landscaping.
 - b. For maintenance purposes, the landscaping shall be installed on a maximum of three sides and the plant material shall not have thorns.
 - c. The control valves and the water meter shall be physically unobstructed.
 - d. The backflow preventor shall be covered with a green cover that will provide insulation. (Environmental Utilities)
- 19. A note shall be added to the Improvement Plans stating that all water backflow devices shall be tested and approved by the Environmental Utilities Department prior to the Notice of Completion for the improvements. (Environmental Utilities)
- 20. Any unused water or sewer services to the site shall be abandoned per City Standards. (Environmental Utilities)
- 21. Fire hydrants shall be located as required by the Fire Department. The maximum distance between fire hydrants shall not exceed 450' on center. (Fire)
- 22. Minimum fire flow is 1,500 gallons per minute with 20 lbs. residual pressure. The fire flow and residual pressure may be increased, as determined by the Fire Marshall, where the project utility lines will serve non-residential uses. (Fire)
- 23. Any facilities proposed for placement within public/electric utility easements shall be subject to review and approval by the Electric Department before any work commences in these areas. This includes, but is not limited to, landscaping, lighting, paying, signs, trees, walls, and structures of any type. (Electric)
- 24. All Electrical Department facilities, including street lights where applicable, shall be designed and built to the "City of Roseville Specifications for Residential Trenching". (Electric)
- 25. The design for electrical service for this project will begin when the Electric Department has received a full set of improvement plans for the project. (Electric)
- 26. All landscaping in areas containing electrical service equipment shall conform with the "Electric Department Landscape Design Requirements" as outlined in Section 7.00 of the Electric Department's "Specifications for Residential Trenching" (Electric)
- 27. The location and design of the gas service shall be determined by PG&E. The design of gas service for this project shall not begin until PG&E has received a full set of City approved improvement plans for the project. (PG&E)
- 28. It is the developer's responsibility to notify PG&E of any work required on PG&E facilities. (PG&E)

PRIOR TO OR UPON RECORDATION OF FINAL/PARCEL MAP

- 29. 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. An eight (8) foot wide public utilities easement along all road frontages;
 - b. Water and sewer easements; and,
- 30. Easement widths shall comply with the City's Improvement Standards and Construction Standards. (Environmental Utilities, Electric, Engineering)
- 31. All existing easements shall be maintained, unless otherwise provided for in these conditions. (Environmental Utilities, Electric, Engineering)
- 32. 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)
- 33. Separate declaration of Conditions, Covenants and Restrictions (CC&Rs) for each parcel or condominium conversion 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 and/or Homeowners Association. (Attorney)
 - a) Business Owners and/or Homeowners 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. (Engineering)
 - c) Provisions for title to common areas to be held by the Business Owners and/or Homeowners Association for and on behalf of all owners of each condominium unit. (Attorney, Engineering, Fire, Environmental Utilities, Planning)
 - 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)
- 34. In Accordance to 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/Residential 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;
 - d. All common land within each phase of the project shall be owned and maintained by the separate Business Owners Associations The Business Owners Association shall operate and maintain all common land for the owners of the units. (Engineering)
- 35. 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)

- 36. The Final/Lot/Parcel/Parcel Map shall be submitted per, "The Digital Submittal of Cadastral Surveys". Submittal shall occur after Engineering approval but prior to Council approval (Engineering)
- 37. Electric construction costs incurred by the City of Roseville Electric Department for this project shall be paid for by the developer per the applicable policy. (Electric)
- 38. The Environmental Utilities Department shall make a determination that there is adequate conveyance and treatment capacity in the City sewer system to handle the newly created Lot/Parcels. (Environmental Utilities)
- 39. The applicant shall pay all applicable water and sewer fees. (Environmental Utilities)

OTHER CONDITIONS OF APPROVAL

- 40. 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)
- 41. Any relocation, rearrangement, or change to existing electric facilities due to this development shall be at the developer's expense. (Electric)
- 42. It is the responsibility of the developer to insure that all existing electric facilities remain free and clear of any obstructions during construction and when the project is complete. (Electric)
- 43. Existing public facilities damaged during the course of construction shall be repaired by the applicant, at the applicant's expense, to the satisfaction of the City. (Engineering)
- 44. The project is subject to the noise standards established in the City's Noise Ordinance. In accordance with the City's Noise Ordinance project construction is exempt between the hours of seven a.m. and seven p.m. Monday through Friday, and between the hours of eight a.m. and eight p.m. Saturday and Sunday. Provided, however, that all construction equipment shall be fitted with factory installed muffling devices and that all construction equipment shall be maintained in good working order. (Engineering)
- 45. If site survey or earth moving work results in the discovery of hazardous materials in containers or what appears to be hazardous wastes released into the ground, the contractor shall notify the Roseville Fire Department immediately. A representative from the Fire Department will make a determination as to whether the incident is reportable or not and if site remediation is required. Non emergency releases or notifications about the presence of containers found shall be reported to the Fire Department. (Fire)

CONDITIONS OF APPROVAL FOR TP-000062:

CONDITION	COMPLIANCE VERIFIED/ INSPECTED	COMMENTS
PRIOR TO ISSUANCE OF ANY PERMITS OR ANY CONSTRUCTION ON-SITE		
All recommendations contained in the Arborist Report(s) (Exhibit F) shall be incorporated as part of these conditions except as modified herein. (Planning)		

2.	Tree(s) # 1-3 and 5-15 are approved for removal with this tree permit. All other native oak trees shall remain in place. Trees to be removed shall be clearly marked in the field and inspected by Planning Staff prior to removal. Removal of the trees	
	shall be performed by or under the supervision of a certified arborist. (Planning)	
3.	The developer shall be responsible for the replacement of the total number of	
	inches proposed for removal prior to any tree removal. The total number of inches	
	for this project is 123. Mitigation must be provided prior to tree removal unless	
	otherwise approved in the tree replacement plan or in these conditions. (Planning)	
4.	No activity shall be permitted within the protected zone of any native oak tree	
	beyond those identified by this report. Encroachment into the protected zone of	
	Tree 4 as shown in Exhibit G and described in the staff report is permitted.	
	(Planning)	
5.	A \$10,000 cash deposit or bond (or other means of security provided to the	
٥.	satisfaction of the Planning Department) shall be posted to insure the preservation	
	of all remaining trees during construction. The cash deposit or bond shall be	
	posted in a form approved by the City Attorney. Each occurrence of a violation on	
	any condition regarding tree preservation shall result in forfeiture of all or a portion	
	of the cash deposit or bond. (Planning)	
6	A violation of any of the conditions of this Tree Permit is a violation of the Roseville	
6.	Municipal Code, the Zoning Ordinance (Chapter 19.74) and the Tree Preservation	
	Ordinance (Chapter 19.66). Penalties for violation of any of the conditions of	
	approval may include forfeiture of the bond, suspension or revocation of the permit,	
7	payment of restitution, and criminal penalties. (Planning)	
/.	A fencing plan shall be shown on the approved site plan and/or improvement plans	
	demonstrating the Protected Zone for the affected trees. A maximum of three feet	
	beyond the edge of the walls, driveway, or walkways will be allowed for	
	construction activity and shall be shown on the fencing plan. The fencing plan shall	
	be reviewed and approved by the Planning Department prior to the placement of	
0	the protective fencing. (Planning) The applicant shall install a minimum of a five-foot high chain link fence (or	
8.		
	acceptable alternative) at the outermost edge of the Protected Zone of the oak tree.	
	The fencing for encroachments shall be installed at the limit of construction activity.	
	The applicant shall install signs at two equidistant locations on the temporary fence	
	that are clearly visible from the front of the lot and where construction activity will	
	occur. The size of each sign shall be a minimum of two feet (2') by two feet (2')	
	and must contain the following language: "WARNING THIS FENCE SHALL NOT	
	BE REMOVED OR RELOCATED WITHOUT WRITTEN AUTHORIZATION FROM THE PLANNING DEPARTMENT". (Planning)	
9.	Once the fencing is installed, the applicant shall schedule an appointment with the	
	Planning Department to inspect and approve the temporary fencing before	
10	beginning any construction. (Planning) The applicant shall arrange with the arborist to perform, and certify in writing, the	
10.	completion of deadwooding, fertilization, and all other work recommended for	•
	•	
	completion prior to the approval of improvement plans. Pruning shall be done by	
	an Arborist or under the direct supervision of a Certified Arborist, in conformance	
	with International Society of Arboriculturalists (I.S.A.) standards. Any watering and	
	deep root fertilization which the arborist deems necessary to protect the health of	
	the trees as noted in the arborist report or as otherwise required by the arborist	
4.4	shall be completed by the applicant. (Planning)	
11.	A utility trenching pathway plan shall be submitted depicting all of the following	
	systems: storm drains, sewers, water mains, and underground utilities. The	
	trenching pathway plan shall show the proposed locations of all lateral lines.	
	(Planning)	

	12.	A Site Planning Meeting shall be neld with the applicant, the applicants primary	
		contractor, the Planning Department and the Engineering Department to review	
		this permit, the approved grading or improvement plans, and the tree fencing prior	
		to any grading on-site. The Developer shall call the Planning Department and	
		Engineering Division two weeks prior to the start of grading work to schedule the	
		meeting and fencing inspection. (Planning)	
	DU	RING CONSTRUCTION	
٠		The following information must be located on-site during construction activities:	
		Arborist Report; Approved site plan/improvement plans including fencing plan; and,	
		Conditions of approval for the Tree Permit. All construction must follow the	
		approved plans for this tree permit without exception. (Planning)	
	1/	All preservation devices (aeration systems, oak tree wells, drains, special paving,	
	17.	etc.) shall be designed and installed as required by these conditions and the	
		arborist's recommendations, and shall be shown on the improvement plans or	
		grading plans. For tree #4 the following requirements apply: no curb or asphalt	
		should be placed within 4 feet of the trunk. No grade cuts should be made	
		within 20 feet of the trunk and an aeration system will be placed within this 20 ft.	
		radius prior to any grading. This system should consist of aeration pipes placed	
		in 4inch deep trenches; gravel at least 8 inches deep covering the entire area to	
		be paved within this 20 ft. radius; a geotextile fabric placed over the gravel; road	
		base placed over the fabric & compacted or the use of a "deep-lift" asphalt on	
		its own, or some combination of the above. (Planning)	
	15.	If any native ground surface fabric within the Protected Zone must be removed for	
		any reason, it shall be replaced within forty-eight (48) hours. (Planning)	
	16.	Storage or parking of materials, equipment and vehicles is not permitted within the	
		protected zone of any oak tree. Vehicles and other heavy equipment shall not be	
		operated within the Protected Zone of any oak tree. (Planning)	
	17.	Where recommended by the arborist, portions of the foundation shall be hand dug	
		under the direct supervision of the project arborist. The certified arborist shall	
		immediately treat any severed or damaged roots. Minor roots less than one (1)	
		inch in diameter may be cut, but damaged roots shall be traced back and cleanly	
		cut behind any split, cracked or damaged area. Major roots over one (1) inch in	
		diameter may not be cut without approval of an arborist and any arborist	
		recommendations shall be implemented. (Planning)	
	18.	The temporary fencing shall remain in place throughout the entire construction	
		period and shall not be removed without obtaining written authorization from the	
		Planning Department. In no event shall the fencing be removed before the written	
		authorization is received from the Planning Department. (Planning)	
		OR TO ISSUANCE OF AN OCCUPANCY PERMIT	
	19.	Within 5 days of the completion of construction, a Certification Letter from a	
		certified arborist shall be submitted to and approved by the Planning Department.	
		The certification letter shall attest to all of the work (regulated activity) that was	
		conducted in the protected zone of the tree, either being in conformance with this	
		permit or of the required mitigation still needing to be performed. (Planning)	
	20.	A copy of this completed Tree Permit Compliance Verification/Inspection form	
		shall be submitted to the Planning Department. (Planning)	
	21.	The approval of this Tree Permit shall expire on the same date as DRP-000093.	

CONDITIONS OF APPROVAL FOR AP-000097:

1. The AP will be effectuated upon the effectuation of the DRP-000094, and shall expire concurrent with DRP-000094.

ATTACHMENTS

- 1. Vicinity Map
- 2. Aerial

EXHIBITS

- A. Site Plan
- B. Floor Plan
- C. Building Elevations
- D. Landscape Plan
- E. Tentative Condominium Map Plan
- F-1. Arborist Report
- F-2 Arborist Recommendation for Tree #4
- G. Utility plan

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.