



## **AGENDA**

August 13, 2020

### **PLANNING COMMISSION MEETING**

6:30 p.m.

311 Vernon Street  
Roseville, California  
[www.roseville.ca.us](http://www.roseville.ca.us)

Commissioners may teleconference pursuant to Executive Order N-29-20.

Members of the public may view the meeting on Comcast channel 14, Consolidated Communications channel 73 and AT&T U-verse. Meetings are also video streamed live and are available on the City's website and YouTube channel.

Members of the public may offer public comment by the following means:

Dial in Phone Number: 916-774-5353

Email: [publiccomment@roseville.ca.us](mailto:publiccomment@roseville.ca.us)

If you need a disability-related modification or accommodation to participate in this meeting, please contact Voice: 916-774-5200, TDD: 916-774-5220. Requests must be made as early as possible.

#### **THE CITY OF ROSEVILLE WELCOMES YOUR PARTICIPATION**

If an agenda item is open to public comment, such public comment shall be addressed to the chair of the meeting.

**Public Comment** - Speakers have three minutes under Public Comment to speak on issues that are not listed on the agenda and are within the City's jurisdiction. The Brown Act does not permit any action or discussion on items not listed on the agenda.

**Consent Calendar** - If applicable, the Consent Calendar consists of routine items that may be approved by one motion. Any person can remove an item from the Consent Calendar to be discussed separately.

**Agenda Items** - Speakers have five minutes to address items that are listed on the agenda.

**Americans with Disabilities Act** - Notify the City Clerk or Secretary at least 72 hours in advance if special assistance is required to participate in a meeting including the need of auxiliary aids or services.

**Audio/Visual Presentations** - If making a presentation regarding an agenda item, audio/visual materials must be submitted to the City Clerk or Secretary at least 72 hours in advance.

Roseville City Clerk 311 Vernon Street, Roseville, CA 916-774-5200 TDD 916-774-5220

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PLEDGE OF ALLEGIANCE**

**4. PUBLIC COMMENTS**

**5. CONSENT CALENDAR**

5.1. Minutes of June 25, 2020 Planning Commission Meeting

5.2. Third Amendment to the Westpark Federico Development Agreement, 1701 Westbrook Bl, File # PL20-0105

**REQUEST**

The applicant requests approval of the Third Amendment to the Westpark Federico Development Agreement for the Sierra Vista Specific Plan area to revise sections relating to development fees.

*Applicant:* John Tallman, Westpark Sierra Vista, LLC

*Owners:* Westpark Federico, LLC; Solaire Community Builders, LLC; Taylor Morrison of California, LLC

**RECOMMENDATION**

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

- A. Recommend the City Council approve the Development Agreement Amendment.

5.3. NIPA PCL 45 – Tarbiya Institute, 10021 Foothills Bl and 10031 Foothills Bl, File # PL19-0349

**REQUEST**

The applicant requests approval of a Conditional Use Permit to allow a community assembly use within the Light Industrial (M1) zone district for the Tarbiya Institute. A Design Review Permit Modification is also requested to allow construction of a 300' x 150' soccer field for Tarbiya Institute members on the western portion of the property at 10021 Foothills Blvd.

*Applicant:* Tarbiya Institute

*Owner:* Robert Krantz, Union Pacific Railroad

**RECOMMENDATION**

The Planning Division recommends that the Planning Commission take the following action:

- A. Adopt the three (3) findings of fact for the Conditional Use Permit and approve the Conditional Use Permit subject to four (4) conditions of

approval.

- B. Adopt the two (2) findings of fact for the Design Review Permit Modification and approve the Design Review Permit Modification subject to three (3) conditions of approval.

## **6. REQUESTS/PRESENTATIONS**

- 6.1. RGSP PCL RG-6 - Riverside Parking, 212 Riverside Av, File # PL19-0167

### **REQUEST**

The applicant requests an Administrative Permit to improve a vacant parcel with off-street commercial parking and landscaping.

*Applicant:* Kourosh Sadeghi  
*Property Owner:* Sylvia Slade

### **RECOMMENDATION**

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

- A. Adopt the three (3) findings of fact for the Administrative Permit and approve the Administrative Permit subject to five (5) conditions of approval

- 6.2. SERSP PCL 81 – Johnson Ranch Storage, 1851 E. Roseville Pw, File # PL18-0355

### **RECOMMENDATION**

The Planning Division recommends that the Planning Commission take the following action: *Continue the item to the September 10, 2020 Planning Commission meeting.*

## **7. BOARD MEMBER / COMMISSIONER / STAFF REPORT**

- 7.1. Election of the Planning Commission Chair
- 7.2. Election of the Planning Commission Vice-Chair
- 7.3. Election of Design Committee Chair
- 7.4. Election of the Design Committee Alternate

## **8. ADJOURNMENT**



## PLANNING COMMISSION COMMUNICATION

**Title:** Minutes of June 25, 2020 Planning Commission Meeting

**Contact:** Lupe Nelson, lnelson@roseville.ca.us, 916-774-5281

**Meeting Date:** 8/13/2020

**Item #:** 5.1.

### ATTACHMENTS:

Description

Minutes of 6.25.2020



## **MINUTES**

June 25, 2020

### **PLANNING COMMISSION MEETING**

6:30 p.m.

311 Vernon Street  
Roseville, California  
[www.roseville.ca.us](http://www.roseville.ca.us)

Commissioners teleconferenced pursuant to Executive Order N-29-20. Members of the public viewed the meeting on Comcast channel 14, Consolidated Communications channel 73 and AT&T U-verse. The meeting was video streamed live and was available on the City's website and YouTube channel.

Members of the public were able to offer public comment by phone or email.

#### **1. CALL TO ORDER**

Vice-Chair Brashears called the meeting to order at 6:30 p.m.

#### **2. ROLL CALL**

Present: Jensen, Librea, Martin, Mendonsa, Brashears

Absent: Krafka, Caporusso

#### **3. PLEDGE OF ALLEGIANCE**

Vice-Chair Brashears led those in attendance in the Pledge of Allegiance.

#### **4. PUBLIC COMMENTS**

Vice-Chair Brashears opened the Public Comment period. Hearing none, Vice-Brashears closed the Public Comment period.

#### **5. CONSENT CALENDAR**

Commissioner Martin made the motion, seconded by Commissioner Mendonsa, to approve the Consent Calendar.

Motion passed.

Roll call vote:

Ayes: Jensen, Mendonsa, Martin, Librea, Brashears

Noes: None

##### **5.1. Minutes of May 28, 2020**

## **6. REQUESTS/PRESENTATIONS**

### **6.1. Citywide General Plan Update - 311 Vernon St - File # PL16-0336 REQUEST**

Staff requests the Planning Commission consider the Draft Environmental Impact Report (DEIR) and review and make a recommendation to City Council on the proposed draft General Plan. The purpose of the update to the City's General Plan is to comply with new State planning laws, the 2017 General Plan Guidelines, and updates to the CEQA Guidelines and case law; revise outdated information; improve and clarify policy language; and make the General Plan more readable and user-friendly. The City is not proposing changes to the Land Use Map or Sphere of Influence as a part of this update. The complete description of changes can be found in the Project Description chapter of the DEIR.

*Applicant:* City of Roseville, Development Services Planning Division

### **RECOMMENDATION**

The Planning Division is recommending the Planning Commission take the following actions:

- A. Forward all public comments received on the Draft EIR for inclusion in the Final EIR for City Council review, and
- B. Recommend City Council approve the updated 2035 General Plan.

Associate Planner, Gina McColl, presented the staff report.

Vice-Chair Brashears opened the public hearing and invited comments.

No public comments were received.

Commissioner Discussion:

- Well-done report.
- In regards to Land Use 5.1 "facilitate a match between the number and types of jobs" what is the intent of this language?
- In regards to Land Use 5.4. and 9.5, does these conflict?
- In regards to Air Quality 1.6. will "greatest degree feasible" create burden or issue later?
- Who determines if a building has historic value?
- Greenhouse gas threshold clarification.

Vice-Chair Brashears closed the public hearing.

Commissioner Jensen made the motion, seconded by Commissioner Martin to:

- A. Forward all public comments received on the Draft EIR for inclusion in the Final EIR for City Council review, and
- B. Recommend City Council approve the updated 2035 General Plan.

The Motion passed.

Roll call vote:

Ayes: Martin, Jensen, Mendonsa, Librea, Brashears

Noes: None

## **7. BOARD MEMBER / COMMISSIONER / STAFF REPORT**

### Staff Report

- There will not be a Planning Commission meeting on July 9, 2020.
- A Planning Commission is planned for July 23, 2020 at Maidu Community Center.
- The election of the Planning Commission Chair and Vice-Chair and the Design Committee Chair and Alternate will be agendized for the July 23, 2020 Planning Commission meeting.
- The appeal of the decision by the Planning Commission on the Plaza at Blue Oaks project is scheduled to be heard at the July 1, 2020 City Council meeting.
- The Tribal Guidelines will be heard at the July 15, 2020 City Council meeting.
- Thank you to Commissioner Mendonsa for his commitment to the Planning Commission and service to the City of Roseville.

### Commissioner Report

- Commissioner Mendonsa expressed his thanks to staff and Commissioners. He is grateful to the City Council for his appointment to the Planning Commission.

## **8. ADJOURNMENT**

Motion by Commissioner Mendonsa, seconded by Commissioner Jensen, to adjourn the meeting. The Motion passed unanimously at 7:09 p.m. with a voice vote.



## PLANNING COMMISSION COMMUNICATION

**Title:** Third Amendment to the Westpark Federico Development Agreement, 1701 Westbrook Bl, File # PL20-0105

**Contact:** Shelby Vockel, svockel@roseville.ca.us, 916-746-1347

**Meeting Date:** 8/13/2020

**Item #:** 5.2.

### ATTACHMENTS:

#### Description

Staff Report

Attachment 1 Sierra Vista Large Lot Map

Exhibit A Third Amendment to Federico DA

**ITEM 5.2:**      **Development Agreement Amendment – 1701 Westbrook Bl. – Third Amendment to the Westpark Federico Development Agreement – PL20-0105**

**REQUEST**

The applicant requests approval of the Third Amendment to the Westpark Federico Development Agreement for the Sierra Vista Specific Plan area to revise sections relating to development fees.

Applicant – John Tallman, Westpark Sierra Vista, LLC

Owner – Westpark Federico, LLC; Solaire Community Builders, LLC; Taylor Morrison of California, LLC

**SUMMARY RECOMMENDATION**

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

- A. Recommend the City Council approve the Development Agreement Amendment.

**SUMMARY OF OUTSTANDING ISSUES**

There are no outstanding issues associated with this request.

**BACKGROUND**

The project area is located within the Sierra Vista Specific Plan (SVSP). The SVSP is the guiding document for development of the plan area and established the land use designations for parcels within the SVSP. The SVSP was adopted in 2010 and amended in 2012 to include the Westbrook land use amendments. The proposed project includes an amendment to the Westpark Federico Development Agreement (DA), which is one of nine DAs governing development in the SVSP plan area. The Westpark Federico DA was originally entered into by the City of Roseville, and the Federico-Tyler Family (original landowners), Westpark-Federico, LLC (Westpark Communities) and Mourier Investments, LLC (JMC Homes). Westpark and JMC were to each develop different portions of the property covered by the DA.

The proposed project is the third amendment to the Westpark Federico DA. The first amendment to the Westpark Federico DA was approved by the City Council on December 20, 2017 as part of the SVSP Federico project (File #PL17-0024), which included a General Plan Amendment, Specific Plan Amendment, Rezone, and Tentative Subdivision Map in addition to the Development Agreement Amendment (DAA). The DAA included amendments to reflect the land use changes requested by that project, as well as to eliminate the landowner's ability to defer development fees, with the exception of 50-percent of the SPRTA Tier II Traffic fee. This amendment allowed the Westpark Federico DA to be consistent with other DAA requests in recent years regarding fee deferrals. The second amendment of the Westpark Federico DA was approved by City Council on February 19, 2020 as part of the SVSP Parcel JM-1, JM-20, JM-21, FD-6, FD-7, FD-24 – JMC Tentative Map 2 Project (File #17-0204). Similar to the first amendment, the project removed fee deferrals, with the exception of the SPRTA Tier II Traffic Fee and the City-wide Park Fee for the affected parcels.

The current request is a DAA affecting Lots, 1, 2, 4, 5, 6, 7, 10, 12, 14, 17 and 27 of the Sierra Vista Specific Plan area (Attachment 1). The following table identifies the lot numbers and their corresponding large lot parcel numbers as identified by the Specific Plan. Additionally, the table indicates the proposed modification to each lot as part of the proposed DAA. The intent of the DAA is to reinstate the landowner's ability to defer City-wide Park Fees, as well as remove the deferral for the Public Facilities Fee and Public Benefit Fee for all affected parcels. This DAA will result in equitable fees and fee deferrals on all of the large lot parcels within the Federico portion of the SVSP.

**Table 1 – Third Amendment Parcels and Proposed Modifications**

| <b>Final Map Lot Number</b> | <b>SVSP Parcel Number</b> | <b>Proposed Modification (Third DAA)</b>                      |
|-----------------------------|---------------------------|---------------------------------------------------------------|
| Lot 1                       | FD-1                      | Remove Public Facilities Fee and Public Benefit Fee deferral. |
| Lot 2                       | FD-20, FD-20B             | Reinstate City-wide Park Fee deferral.                        |
| Lot 4                       | FD-20, FD-20A             | Reinstate City-wide Park Fee deferral.                        |
| Lot 5                       | FD-22, FD-22A             | Reinstate City-wide Park Fee deferral.                        |
| Lot 6                       | FD-22, FD-22B             | Reinstate City-wide Park Fee deferral..                       |
| Lot 7                       | FD-3                      | Reinstate City-wide Park Fee deferral.                        |
| Lot 10                      | FD-4                      | Reinstate City-wide Park Fee deferral.                        |
| Lot 12                      | FD-5                      | Remove Public Facilities Fee and Public Benefit Fee deferral. |
| Lot 14                      | FD-60, FD-34              | Reinstate City-wide Park Fee deferral.                        |
| Lot 17                      | FD-2                      | Remove Public Facilities Fee and Public Benefit Fee deferral. |
| Lot 27                      | FD-9                      | Remove Public Facilities Fee and Public Benefit Fee deferral. |

## **EVALUATION**

Zoning Ordinance Section 19.84.040 specifies that the recommendations for approval or denial of a Development Agreement Amendment (DAA) shall include consideration of the following:

- 1. Consistency with the objectives, policies, programs, and land use designations of the City of Roseville General Plan.***
- 2. Consistency with the City of Roseville Zoning Ordinance.***
- 3. Conformity with the needs of public health, safety, and welfare.***
- 4. The effect on the orderly development of property or the preservation of property values.***
- 5. Whether the provisions of the Agreement shall provide sufficient benefit to the City to justify entering into the agreement.***

Development Agreements (DA) are binding contracts that set the terms, rules, conditions, regulations, entitlements, responsibilities, and other provisions relating to the development of the covered properties. If approved, the DAA alter the fee deferrals outlined in the current Agreement. City-wide park fee deferrals will be reinstituted for Parcels 2, 4, 5, 6, 7, 10, 14 (as identified in the Sierra Vista Large Lot

Final Map, Attachment 1). Deferrals for the Public Facilities Fee and Public Benefit Fee will be removed from Parcels 1, 12, 17, and 27, which were not modified by previous amendments (File #PL17-0024 and File #PL17-0204).

As proposed, the DAA would modify Section 3.17.1.2 (i) of the DA to allow fee deferrals, eligible to be paid with bond proceeds from future bond sales, for 50-percent of the SPRTA Tier II Traffic Fee, as well as 100-percent of the City-wide Park Fee that would otherwise be paid at the issuance of building permits for low, medium, and high density residential units. Additionally, the DAA adds language to Section 3.17.1.2 (i) of the DA to state that the deferral of payment until bond issuance is not applicable to the properties of the third DAA. In effect, this requires the Public Facilities and Public Benefit Fees be paid for each residential unit at the time of building permit issuance for all units within the parcels subject to this DAA.

A total of 953 residential units are impacted by the City-wide Park Fee deferral, including 583 low density lots (368 of which already have the deferral, as a part of a previous DAA), 198 medium density lots, and 172 high density lots. The deferrals for the Public Facilities Fee and Public Benefit Fee will be removed for an additional 368 units beyond what was approved by the previous DAAs. The proposed modification will allow the fee programs for the affected parcels in the Westpark Federico DA to be consistent with other DAs in the SVSP.

City staff has found the proposed DA to be consistent with the City's General Plan and the Zoning Ordinance. The DAA is in conformance with the needs of public health, safety, and welfare, and will not adversely affect the orderly development of the properties or the preservation of property values. Therefore, the proposed DAA is consistent with items 1-5 above.

### **PUBLIC OUTREACH**

The proposed project was distributed to the various agencies and departments which have requested notice of City applications, and all comments were considered and incorporated into the Conditions of Approval, as appropriate. Notice of the application was also distributed to the Roseville Coalition of Neighborhood Associations. No comments were received. A public notice of the Planning Commission hearing was published on July 10, 2020, and was distributed to all property owners within 300 feet of the project site. To date, no comments have been received.

### **ENVIRONMENTAL DETERMINATION**

The proposed project would modify text in an existing Development Agreement and amend fee sections to be consistent with previous agreements in the Specific Plan area. Therefore, the activity does not have the potential for causing a significant effect on the environment, and is not subject to the California Environmental Quality Act (CEQA) per Section 15061 (b)(3) of the CEQA Guidelines.

### **RECOMMENDATION**

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

- A. Recommend the City Council approve the Development Agreement.

**Attachments**

1. Final Map for Sierra Vista Specific Plan

**Exhibits**

- A. Third Amendment to Westpark Federico Development Agreement

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b><u>Note to Applicant and/or Developer:</u></b> Please contact the Planning Division 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 Manager at, or prior to, the public hearing.</p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



**THIRD AMENDMENT OF DEVELOPMENT AGREEMENT  
BY AND BETWEEN  
THE CITY OF ROSEVILLE AND WESTPARK SIERRA VISTA, LLC, AS  
ASSIGNEE OF WESTPARK FEDERICO, LLC, MOURIER INVESTMENTS,  
LLC, AND FEDERICO-TYLER FAMILY LIMITED PARTNERSHIP  
RELATIVE TO THE SIERRA VISTA SPECIFIC PLAN**

This Third Amendment of Development Agreement is entered into this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between the CITY OF ROSEVILLE, a municipal corporation ("City") and WESTPARK SIERRA VISTA, LLC, a California limited liability company ("Westpark Sierra Vista"), as Assignee of WESTPARK FEDERICO, LLC, a California limited liability company ("Westpark Federico"), SOLAIRE COMMUNITY BUILDERS, LLC, a California limited liability company ("Solaire"), TAYLOR MORRISON OF CALIFORNIA, LLC, a California limited liability company ("Taylor Morrison"), and TRI POINTE HOMES, INC., a Delaware corporation ("TRI Pointe") (collectively, "Landowner"), pursuant to Sections 65864 through 65869.5 of the Government Code of California.

**RECITALS**

A. Westpark Sierra Vista's predecessor in interest, Westpark Federico, along with Mourier Investments, LLC ("Mourier"), and the Federico-Tyler Family Limited Partnership ("Federico"), and City, entered into a Development Agreement (the "Original Development Agreement") which was approved by the City Council of City on May 19, 2010, and recorded on June 18, 2010, in the Official Records of Placer County as Document No. 2010-0045943-00. Westpark Federico assigned its interest in the Development Agreement to Westpark Sierra Vista pursuant to that certain Assignment and Assumption Agreement Relative to the Sierra Vista Specific Plan Development Agreement dated as of January 5, 2011, and recorded January 12, 2011, as Document No. 2011-0003089-00, in the Official Records of Placer County, California. Except as otherwise defined herein, all capitalized terms used herein shall have the meanings ascribed thereto in the Original Development Agreement.

B. Westpark Sierra Vista's predecessor in interest, Westpark Federico, along with Mourier, Federico, and City entered into the Original Development Agreement relative to development within a portion of the Sierra Vista Specific Plan Area ("Specific Plan", "SVSP" or "Plan Area"), as such is more precisely defined in Exhibits "A" and "B" of the Original Development Agreement (the "Property").

C. Westpark Sierra Vista, Mourier, Federico, and City entered into a First Amendment to the Original Development Agreement (the “First Amendment”) which was approved by the City Council of City on December 20, 2017, and recorded on February 21, 2018, in the Official Records of Placer County as Document No. 2018-0010796-00.

D. Westpark Sierra Vista, Mourier, Federico, and City entered into the First Amendment relative to development within certain portion of the Property, as such is more precisely defined in Exhibits “A” and “B” of the First Amendment.

E. Mourier and Federico assigned their interest in a portion of the Property to Westpark Sierra Vista in that certain Assignment and Assumption Agreement Relative to the Sierra Vista Development Agreement dated as of May 16, 2019, and recorded May 16, 2019, as Document No. 2019-0032322-00, in the Official Records of Placer County. The portion of the Property so assigned by Mourier and Federico to Westpark Sierra Vista was described in Exhibit A to that Assignment and Assumption Agreement Relative to the Sierra Vista Development Agreement.

F. Westpark Sierra Vista assigned its interest in the Development Agreement for a portion of the Property to Solaire pursuant to that certain Assignment and Assumption Agreement Relative to the Sierra Vista Specific Plan Development Agreement dated as of June 3, 2019, and recorded June 4, 2019, as Document No. 2019-0037499-00, in the Official Records of Placer County.

G. Solaire assigned its interest in the Development Agreement for a portion of the Property to Taylor Morrison pursuant to that certain Assignment and Assumption Agreement Relative to the Sierra Vista Specific Plan Development Agreement dated November 20, 2019, and recorded November 20, 2019, as Document No. 2019-0094029-00, in the Official Records of Placer County.

H. Solaire assigned its interest in the Development Agreement for a portion of the Property to TRI Pointe Homes, Inc. pursuant to that certain Assignment and Assumption Agreement Relative to the Sierra Vista Specific Plan Development Agreement dated July 1, 2020, and recorded July 2, 2020, as Document No. 2020-0066287-00, in the Official Records of Placer County.

I. On March 4, 2020, City approved the Second Amendment to the Development Agreement (the “Second Amendment”) for a portion of the Property owned by Mourier. The Second Amendment was recorded on April 13, 2020, as Document No. 2020-0032961-00, in the Official Records of Placer County. The Original Development Agreement, the First Amendment, and the Second

Amendment are hereinafter collectively referred to as the "Development Agreement."

J. This Third Amendment to the Development Agreement (the "Third Amendment") affects certain portions of the Property (the "Third Amendment Property"), as described in Exhibit "A" and shown in Exhibit "B" attached to this Third Amendment, and shall run with the land described in Exhibits "A" and "B" hereto. This Third Amendment does not affect or apply in any manner with respect to the remainder of the Property described in the Development Agreement.

K. City and Landowner wish to enter into this Third Amendment in order to amend a provision of the Development Agreement for the Third Amendment Property.

L. The Third Amendment is authorized by Section 1.4 of the Development Agreement.

NOW THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. AMENDMENT OF DEVELOPMENT AGREEMENT. The following section of the Development Agreement is hereby amended as it pertains the Third Amendment Property only, which incorporates the First Amendment Property:

a. REVISED SECTION 3.17.1.2. Section 3.17.1.2 of the Development Agreement is revised in its entirety for the Third Amendment Property, including adding a new final paragraph which is only applicable to the Third Amendment Property, to read as follows:

"3.17.1.2 If Landowner, by itself or in conjunction with Participating Owners, desires to pursue a Community Facilities District, City and Landowner (and Participating Owners, if applicable), agree that, with the consent of Landowner (and Participating Owners, if applicable), and to the extent permitted by law, City and Landowner (and Participating Owners, if applicable), shall use their best efforts to cause bonds to be issued and in amounts sufficient to affect the purposes of this section. City and Landowner (and Participating Owners, if applicable), further agree that, with the consent of Landowner (and Participating Owners, if applicable), or their successor(s) in interest, and to the extent permitted by law, the City agrees to the following:

- (a) Maximum Annual Taxes for residential units, when aggregated with all other existing or expected taxes

and assessments (excluding homeowners association assessments), shall not exceed 2.00% of the assessed valuation, net of the homeowner's exemption (2% Test).

- (b) The Special Tax shall be levied for as long as needed to service the principal and interest on bond debt, and to pay for any additional authorized facilities not reimbursed with bond proceeds as defined in the Funding, Construction, and Acquisition Agreement. However, the Special Tax shall be levied for a period that allows for at least two non-overlapping bond sales to cover deferred fees as set forth in (i) below. The Special Tax levied may exceed 50 years.
- (c) City shall not unreasonably deny the Maximum Annual Tax escalating at 2% per year.
- (d) Authorized facilities shall include, among other items, development impact fees for public improvements.
- (e) Annual Costs shall provide that special taxes not used for debt service and City administration be paid to Participating Owners, including Landowner, for any authorized facilities not reimbursed with bond proceeds (pay-as-you-go). City shall reasonably consider a reasonable interest component for any authorized facilities reimbursed with pay-as-you-go provided for in the Funding, Construction and Acquisition Agreement defined below.
- (f) Landowner and Participating Owners, if applicable, may utilize the Statewide Community Infrastructure Program ("SCIP") program and/or the Bond Opportunities for Land Development ("BOLD") program for any eligible impact fees.
- (g) Landowner, and Participating Owners, if applicable, may utilize a phased bond sale or sales.
- (h) Landowner, and Participating Owners, if applicable, may utilize private placement of bonds.

- (i) Bond proceeds from bond sales commencing in the year 31 timeframe shall include an amount no greater than \$5,600 per residential unit, adjusted as the SPRTA Tier II Traffic Fee may be subsequently adjusted, consisting of a portion or all of the following fees set forth in this Agreement or otherwise provided in the Roseville Municipal Code that would normally be paid at the time of issuance of building permits for low, medium or high density residential dwelling units:

(1) City-Wide Park Fee (Section 3.12.4)

(2) City Public Facilities Fee (Roseville Municipal Code Chapter 4.52)(Not applicable to the Third Amendment Property);

(3) Public Benefit Fee (Section 3.14.3)(Not applicable to the Third Amendment Property).

City reserves the discretion to determine which portions (amount) of each of the fees described in above subsections (1), (2), and (3) may be deferred to the bond sale. Notwithstanding any provision in this Agreement to the contrary, any amount exceeding \$5,600, adjusted as the SPRTA Tier II Traffic Fee may be subsequently adjusted (or exceeding such actual lesser amount for MDR or HDR units determined by City), per residential unit shall be due and payable to City upon issuance of a building permit commencing with the first applicable building permit for the SVSP. Notwithstanding any other provision in this Agreement to the contrary, if any of the fees described in above subsections (1), (2), and (3) are required by City for non-residential development then such fees shall be collected upon issuance of building permit commencing with the first applicable building permit.

Should SPRTA approve any portion or all of the Tier II Traffic Fee for portions of the Property being likewise deferred to payment from bond sale proceeds commencing in the year 31 timeframe, then such amount per residential unit deferred for the Tier

II Traffic Fee shall reduce dollar-for-dollar the above-referenced per residential unit fees otherwise deferred to future bond sale proceeds as provided for in this Section 3.17.1.2 (i). If SPRTA Tier II traffic fees cannot be so deferred to payment from bond sale proceeds commencing in the year 31 timeframe, City shall within the rate and method for Project CFD(s) provided for in Section 3.17 accommodate total additional pay-as-you-go revenue up to \$500 per residential unit for City-Wide park improvements from the pay-as-you-go financing over a period starting in year 10 of the Project CFD(s), up to \$100 per residential unit per year for 5 years, provided, however, that City constructs City-Wide park improvements in either the SVSP or WRSP within twenty-four (24) months of commencement of collection of such additional pay-as-you-go revenues. In the event that City does collect such additional pay-as-you-go revenues, and proceeds forward to construct such improvements, the City Public Facilities Fee (not for the Third Amendment Property, for which the reduction provided in this paragraph shall be in the City-Wide Park Fee) referenced herein to be deferred to payment from bond sale proceeds commencing in the year 31 timeframe shall be reduced by \$500 per unit to account for the additional pay-as-you-go revenues required by City.

Each Participating Owner shall only be responsible for its pro-rata share of special taxes as set forth in the rate and method for the Project CFD(s).

For the Third Amendment Property, the previous fee deferral provisions of this subsection are hereby deemed null and void and the only fee deferral eligible to be paid with bond proceeds from future bond sales commencing in the year 31 timeframe shall be fifty percent (50%) of the SPRTA Tier II Traffic Fee pursuant to the terms and conditions of the Tier II Development Fee Deferral Program and one hundred percent (100%) of the City-Wide Park Fee that would

otherwise be paid at the time of issuance of building permits for low, medium, and high density residential dwelling units. The amount of the SPRTA Tier II Traffic Fee deferral provided by this Section 3.17 shall be adjusted as the SPRTA Tier II Traffic Fee may be subsequently adjusted. The amount of the City-Wide Park Fee deferral provided by this Section 3.17 shall be adjusted as the City-Wide Park Fee may be subsequently adjusted pursuant to Section 3.12.4 of the Development Agreement.

Should the Project CFD(s) including the Property not be formed at the time that any particular building permit is issued within a large lot map parcel on the Property, or any property owner in the SVSP desires to pay such fees in this Section 3.17.1.1 (i) rather than defer payment to such future CFD bond proceeds, the fees set forth in this Section 3.17.1.2 (i) for such building permit(s) shall not be eligible to be paid in such CFD bond proceeds but, notwithstanding any provision in this Agreement to the contrary, shall be paid at the time of issuance of such building permit(s). Upon formation of the Project CFD(s) including the Property, the fees set forth in this Section 3.17.1.2 (i) for unbuilt residential units shall be paid from bond proceeds in such bond sales commencing in the year 31 timeframe, unless an SVSP property owner desires to pay such fees at the time of issuance of building permit(s).

b. EXHIBITS. The exhibits attached to this Third Amendment are for this Third Amendment only, as follows:

Exhibit A – Legal Description of Third Amendment Property  
Exhibit B -- Plat of Third Amendment Property

2. CONSISTENCY WITH GENERAL PLAN. The City Council has found and determined that this Third Amendment of the Development Agreement is consistent with the General Plan and the Sierra Vista Specific Plan.

3. AMENDMENT. This Third Amendment amends, but does not replace or supersede, the Development Agreement, except as specified herein, and is limited and applies only to development of the Third Amendment Property, and does not affect or apply in any manner with respect to the development of any other property within the Sierra Vista Specific Plan Area, including, without limitation, any other portion of the Property. As amended hereby, the Development Agreement remains in full force and effect.

4. FORM OF AMENDMENT. This Third Amendment is executed in two duplicate originals, each of which is deemed to be an original.

**IN WITNESS WHEREOF**, the City of Roseville, a municipal corporation, has authorized the execution of this Third Amendment in duplicate by its City Manager and attested to by its City Clerk under the authority of Ordinance No. \_\_\_\_\_, adopted by the Council of the City of Roseville on the \_\_\_\_ day of \_\_\_\_\_, 2020.

CITY OF ROSEVILLE,  
a municipal corporation

By: \_\_\_\_\_  
Dominick Casey  
City Manager

ATTEST:

By: \_\_\_\_\_  
Sonia Orozco  
City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Robert R. Schmitt  
City Attorney

APPROVED AS TO SUBSTANCE:

By: \_\_\_\_\_  
Mike Isom  
Development Services Director

LANDOWNER:

WESTPARK SIERRA VISTA, LLC,  
a California limited liability company

By: \_\_\_\_\_  
Jeff Jones  
Its: Manager

SOLAIRE COMMUNITY BUILDERS,  
LLC, a California limited liability  
company

By: \_\_\_\_\_  
Jeff Jones  
Its: Manager

TAYLOR MORRISON OF  
CALIFORNIA, LLC,  
a California limited liability company

By: \_\_\_\_\_  
Jay Pawlek  
Its: Vice President

By: \_\_\_\_\_  
Aren Bazzocco

Its: Vice President

TRI POINTE HOMES, INC.,  
a Delaware corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_



## PLANNING COMMISSION COMMUNICATION

**Title:** NIPA PCL 45 – Tarbiya Institute, 10021 Foothills Bl and 10031 Foothills Bl, File # PL19-0349  
**Contact:** Sean Morales, smorales@roseville.ca.us, 916-774-5282

**Meeting Date:** 8/13/2020  
**Item #:** 5.3.

### ATTACHMENTS:

#### Description

Staff Report

Exhibit A Project Plans

Exhibit B Tarbiya Institute Operations Plan

Environmental Determination Memo

**ITEM 5.3:**      **CONDITIONAL USE PERMIT AND DESIGN REVIEW PERMIT MODIFICATION – 10021 and 10031 Foothills Boulevard – NIPA PCL 45 - TARBIYA INSTITUTE – FILE # PL19-0349**

**REQUEST**

The applicant requests approval of a Conditional Use Permit to allow a community assembly use within the Light Industrial (M1) zone district for the Tarbiya Institute. A Design Review Permit Modification is also requested to allow construction of a 300' x 150' soccer field for Tarbiya Institute members on the western portion of the property at 10021 Foothills Blvd.

Applicant – Tarbiya Institute  
Property Owner – Robert M. Krantz, Union Pacific Railroad Company

**SUMMARY RECOMMENDATION**

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

- A. Adopt the three (3) findings of fact for the Conditional Use Permit and approve the Conditional Use Permit subject to four (4) conditions of approval.
- B. Adopt the two (2) findings of fact for the Design Review Permit Modification and approve the Design Review Permit Modification subject to three (3) conditions of approval.

**SUMMARY OF OUTSTANDING ISSUES**

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

**BACKGROUND**

The project is located on Parcel 7 of the Carlsberg Industrial Center, on Foothills Boulevard north of Blue Oaks Boulevard within the City's North Industrial Plan Area. The property is adjacent to light industrial uses to the north and west and undeveloped light industrial land to the south and east (see Figure 1). The Tarbiya Institute will be spread across two properties, 10021 Foothills Blvd. and 10031 Foothills Blvd. On February 23, 1984, both parcels were approved for construction of two light industrial buildings, one on each parcel, totaling 110,000 square feet (File #UP 83-102). Only one of the buildings, at 10031 Foothills Blvd., was constructed. The constructed building totals 30,724 square feet and until recently was occupied with offices for the Union Pacific Railroad.

The Tarbiya Institute requests a Conditional Use Permit to occupy the existing light industrial office building with a community assembly use. Tarbiya proposes to reconfigure the interior of the building to create a 4,350-square foot prayer room and 4,050-square foot community hall. The proposed project would be located in the building addressed 10031 Foothills Blvd. (see Figure 1). The purpose of the Conditional Use Permit is to evaluate the appropriateness of the use at the proposed location and minimize any potential conflicts between adjacent uses. Typically, one of the primary issues to address with community assembly uses is ensuring adequate parking is available to support the higher parking demand generated from the use. A Design Review Permit Modification is also requested to modify the approved development on 10021 Foothills. The property was approved for a 70,000 square foot light industrial building. The applicant proposes to develop a soccer field on a portion of the property.

**Figure 1: Project Location**



### **CONDITIONAL USE PERMIT EVALUATION**

Section 19.78.060 of the City of Roseville Zoning Ordinance requires that three findings be made in order to approve a CUP. The three findings are listed below in ***italicized, bold print*** and are followed by an evaluation of the proposal in relation to each finding.

***1. The proposed use or development is consistent with the City of Roseville General Plan and any applicable specific plan.***

The project site has a land use designation of Light Industrial (LI). The site is located within the North Industrial Plan Area of the City and not within a Specific Plan area. The LI land use designation is typically intended for office, industrial, and research and development uses that generate very limited noise, vibration, odor, dust, smoke, light, or other pollutants, and are either integrated or compatible with surrounding uses. The General Plan lists religious assembly as a secondary use that may be permitted in the LI zone. The General Plan relies on the Zoning Ordinance to determine the appropriate location and design of community assembly uses through the Conditional Use Permit process. As discussed below, the proposed use is consistent with the Zoning Ordinance; therefore, the proposed use is consistent with the General Plan.

***2. The proposed use or development conforms with all applicable standards and requirements of the Zoning Ordinance.***

Tarbiya Institute will be occupying an existing office building. Therefore, there are no specific development standards outlined in the Zoning Ordinance, other than parking requirements, for the community assembly use. The project site is a self-contained parcel with its own off-street parking lot. On-street overflow parking is also available on adjacent Foothills Bl. and Winding Creek Rd. The site was developed with 156 parking spaces. For community assembly uses, the Zoning Ordinance dictates the parking requirement be calculated based on the assembly area. Interior building area dedicated to restrooms, office space, and other ancillary uses are excluded from the parking calculation. The parking ratio for community assembly is one parking space per 50 square feet of assembly area (1:50). In this case, the assembly area is the prayer room. As shown in the proposed floor plan for the Tarbiya Institute (**Exhibit A**), the prayer room will be approximately 4,350 square feet. The Tarbiya Institute is therefore required to provide 87 spaces for the

assembly area. With the proposed change in use, the parking requirement for the building will be adjusted as shown in **Table 1**. A community room is also shown on the plans. However, by religious obligation, all attendees pause their activities and congregate in the prayer room during services. Therefore, only the prayer room is used to calculate assembly area, as that space will hold all attendees on-site during prayer service. In addition to assembly area, the zoning ordinance requires there be one parking space per classroom. The applicant proposes to use up to five of the existing office rooms for youth classes, therefore five additional spaces are required. In total, 92 parking spaces are required on-site for the Tarbiya Institute. The existing 156 spaces on-site can therefore accommodate this use.

**Table 1 - Parking Requirement for 10031 Foothills Boulevard**

| Tenant                 | Applicable Area | Use Type | Parking Ratio        | Parking Required | Parking Provided | Surplus Parking |
|------------------------|-----------------|----------|----------------------|------------------|------------------|-----------------|
| Union Pacific Railroad | 30,724          | Office   | 1:250                | 123              | 156              | 33              |
| Tarbiya Institute      | 4,350 sf        | Assembly | 1:50<br>+1/Classroom | 87<br>+5 = 92    | 156              | 64              |

As shown in the table above, the proposed change in use of the building from office to assembly will decrease the parking requirement for the site by 31 parking spaces. The center will have 64 additional parking spaces beyond what is required by the Zoning Ordinance. If the Tarbiya Institute were to expand their worship areas in the future the parking calculations will need to be revisited and a building permit will need to be obtained. As proposed, the project conforms to the Zoning Ordinance requirements.

**3. *The location, size, design and operating characteristics of the proposed use or development 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.***

The Carlsberg Industrial Center and the Foothills Commerce Center land to the north have Light Industrial zoning and land use designations. Many of the parcels are undeveloped, but the General Plan anticipates light industrial uses to include research and development (which may include manufacturing and assembly), electronics assembly, warehousing, intensive commercial uses (e.g. autobody repair, landscaping material sales, retail and wholesale lumberyards), and associated administrative offices. Typical hours of operation for such uses are Monday through Friday 8 am to 5 pm and often closed during the noon lunch hour. The Tarbiya Institute is a religious (community assembly) use. The operations plan is provided in **Exhibit B**. The operations of the institute will be busiest during non-typical business hours. The only time of conflict with surrounding business hours will be church services on Fridays from 12:15 - 12:45 pm, 1:30 - 2:00 pm, and 3:30-4:00 pm. The largest assembly of these services will be the 12:15 pm service with 150 attendees and 1:30 pm service with 200 attendees. The rest of the typical weekday business hours will be staff office hours. There will also be associated programs on weekday evenings and weekends that draw smaller crowds. Most of the events associated with the institute will occur inside the tenant space. The exception to this will be recreational soccer among members on the soccer field. It is estimated that the maximum 200 attendees of the Friday services will not generate the need for more than the 156 spaces located on-site. If overflow parking is required, there is an additional 350 lineal feet of frontage on either side of Winding Creek Rd. in front of the entrances that would yield an additional 35 spaces. As there are adequate parking spaces on-site, and only a limited overlap in hours is expected, no parking impacts are anticipated to adjacent businesses. Condition #3 has been added to require additional approval from the Planning Division prior to an expansion of the use. The project has also been reviewed by the applicable City Departments. With the proposed conditions, and based on the proposed operations, staff finds the proposed use will be compatible with and will not adversely impact adjacent uses.

## **DESIGN REVIEW PERMIT MODIFICATION EVALUATION**

Section 19.78.060(J) of the City of Roseville Zoning Ordinance requires adoption of two (2) findings to approve a Design Review Permit Modification. The evaluation of the Design Review Permit Modification for the project has been based on the applicable development standards within the City's Zoning Ordinance, the North Industrial Plan Area (NIPA) guidelines, and the design standards of the City's Community Design Guidelines (CDG). Staff reviewed the proposal for consistency with all applicable standards and found the project to be consistent with the requirements and guidelines in each. The following discussion is provided as clarification on areas of interest. In order to approve a Design Review Permit Modification, the following two findings must be made:

- 1. The proposed modification is in substantial compliance with the intent of the original approval, prior conditions of approval, and all applicable design, development and improvement standards in effect as of the date of application for the modification.***

The original Design Review Permit for the property at 10021 Foothills Blvd. approved construction of a 70,000-square foot light industrial building. The building was never constructed. A Design Review Permit Modification is required to modify this approval to allow construction of a soccer field. The soccer field will serve as an ancillary use to the Community Assembly use at 10031 Foothills Blvd. Soccer fields have been developed for other uses in light industrial zones such as at the Cokeva facility at 8800 Foothills Blvd. A soccer field would have been an acceptable ancillary use to the previously approved light industrial building, and is therefore in substantial compliance with the previous approval. Furthermore, the field will not use water for irrigation beyond what is allocated to the site. The site is allocated 25 acre feet of water per year. The applicant proposes to use 15 acre feet per year on the site including irrigation for the soccer field and existing landscape. Any future development on site that includes retaining the soccer field will be allowed an additional 10 acre feet per year of water beyond what is proposed with this application. Additionally, Condition #5 was added to the Design Review Permit Modification to require compliance with the City's Water Efficient Landscape Ordinance (WELO).

- 2. The proposed modification is in compliance with all standards and requirements of the City's Zoning Ordinance, with the applicable goals, policies and objectives set forth in the General Plan and the applicable Community Design Guidelines.***

**Access:** Access to the project site would be provided via existing driveway entrances off Foothills Bl. and Winding Creek Rd. There are existing pedestrian pathways leading from various points on the property to the soccer field area. The project has been reviewed by the Engineering Division who found that the project does not create the need for additional driveways or access points. Additionally, the project would not create additional trips because the soccer field is for Tarbiya members.

**Site Planning:** The project would include construction of one soccer field. The soccer field has been located to allow easy access from the existing building at 10031 Foothills Blvd. Consistent with the NIPA, the fields are not located within the 50-foot landscape corridor along Foothills Blvd. The project will not be visible from an existing public roadway due to the distance from the road and existing landscape screening. Additionally, the site layout would not require modifications to existing development.

**Parking:** As discussed above in the Conditional Use Permit evaluation, there is adequate parking on-site for the community assembly use. The soccer field will provide an ancillary use for members and will therefore not require any additional parking on-site.

**Landscaping:** The project does not propose any new landscaping beyond the sod used for the field. Landscaping is typically required to screen undesirable views, provide a buffer between uses, soften the transition between hardscape and buildings, provide shading for parking areas, and add visual interest to projects. For this project, shading is already provided in the parking areas. There are no additional

structures that need to be buffered by landscaping. Due to location of the fields and extensive amount of grass on the site, staff does not feel additional landscaping is needed. Existing landscaping within the landscape corridor of Foothills Blvd. provides adequate screening.

## **CONCLUSION**

Based on the analysis contained in this staff report and as conditioned, staff finds that the proposed project is consistent with the findings needed to approve the Conditional Use Permit and Design Review Permit Modification and meets the requirements of the General Plan and Zoning Ordinance; and therefore, the required findings to approve the entitlement can be made.

## **ENVIRONMENTAL DETERMINATION**

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, which exempts In-Fill Development Projects that meet the following criteria: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.(c) The project site has no value, as habitat for endangered, rare or threatened species.(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.(e) The site can be adequately served by all required utilities and public services.

The project meets these criteria for the following reasons and is therefore exempt. (a) The general plan designation of Light Industrial allows for religious assembly as a secondary use. (b) The total project site including the existing developed site and the proposed soccer field is 4.39 acres. (c) The project site contains an area that is developed with a building and parking as well as a portion that has been rough graded for future construction and does not contain habitat for endangered, rare or threatened species. (d) The proposed use is consistent with the existing use of the site and will not have significant effects on traffic, noise, air quality, or water quality. (e) The site can be adequately served by a required utilities and public services allocated to the site including irrigation of the proposed soccer field.

## **PUBLIC OUTREACH**

The proposed project was distributed to all internal and external agencies and departments who have requested such notice, and all comments or recommended conditions of approval have been incorporated into the project, as appropriate. A notice of the public hearing was published on July 10, 2020 and was also distributed to all property owners within 300 feet of the site, and to the Roseville Coalition of Neighborhood Associations. No comments were received at the time of publication of this report.

## **RECOMMENDATION**

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

- A. Adopt the three (3) findings of fact as listed in the staff report and approve the **CONDITIONAL USE PERMIT – 10031 FOOTHILLS BOULEVARD - NIPA PCL 45 - TARBIYA INSTITUTE – FILE # PL19-0349** subject to four (4) conditions of approval.
- B. Adopt the two (2) findings of fact for the **DESIGN REVIEW PERMIT MODIFICATION – 10031 FOOTHILLS BOULEVARD - NIPA PCL 45 - TARBIYA INSTITUTE – FILE # PL19-0349** subject to three (3) conditions of approval.

**CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT (FILE # PL19-0349)**

1. This Conditional Use Permit approval shall be effectuated within a period of two (2) years from this date and if not effectuated shall expire on **August 13, 2022**. 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 13, 2022**. (Planning)
2. The Conditional Use Permit shall be effectuated upon issuance of an occupancy permit by the Building Department. (Planning, Building)
3. The activities and services approved in conjunction with this Conditional Use Permit shall be as identified in **Exhibit A** and **Exhibit B**. No expansion of the use beyond what is outlined in these exhibits shall be permitted without prior approval from the Planning Division. (Planning)
4. A Building Permit will be required for any alteration or change in use of the approved building floor plan identified in **Exhibit A**. (Building)

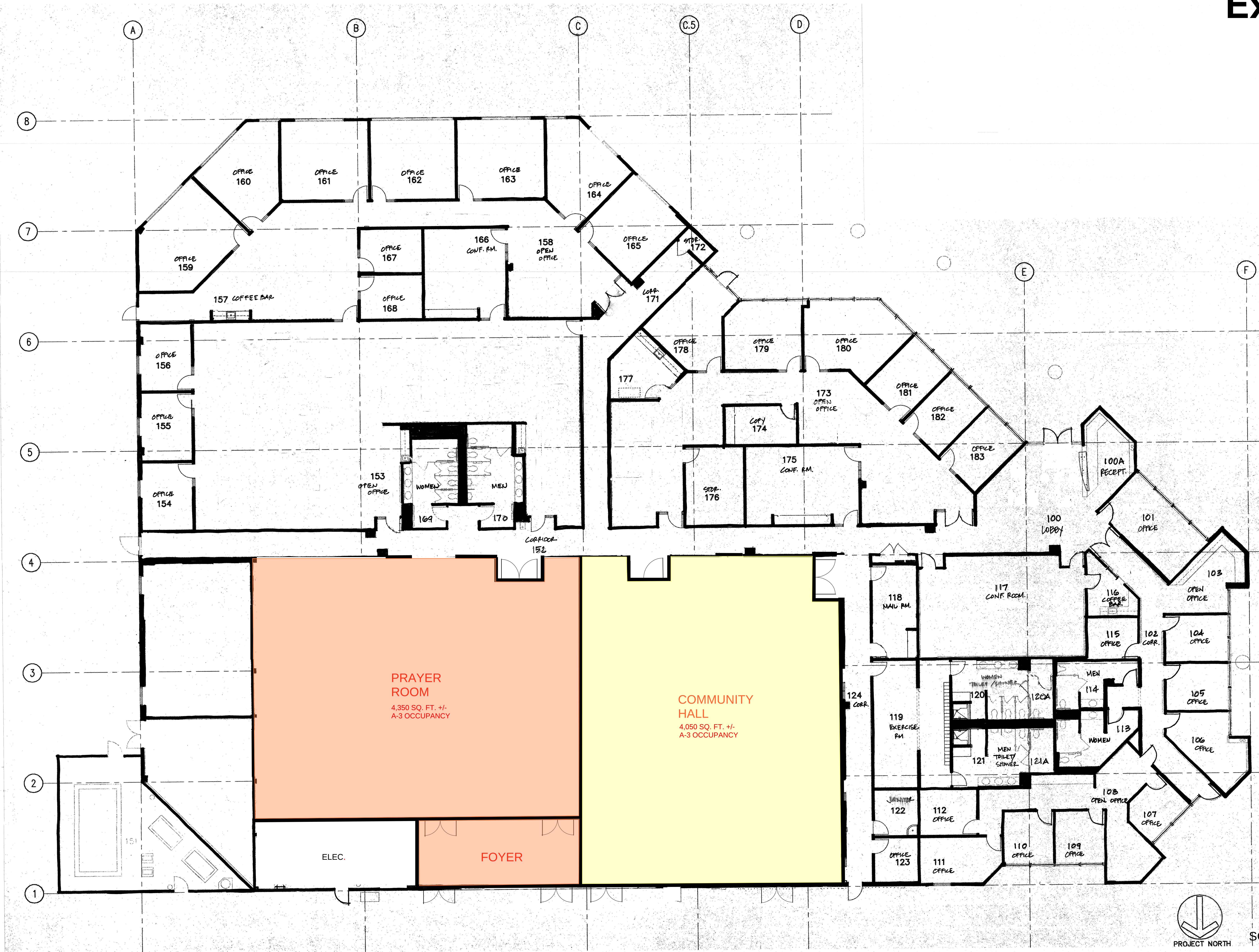
**CONDITIONS OF APPROVAL FOR DESIGN REVIEW PERMIT MODIFICATION (FILE # PL19-0349)**

1. This Design Review Permit Modification approval shall be effectuated within a period of two (2) years from this date and if not effectuated shall expire on **August 13, 2022**. Prior to said expiration date, the applicant may apply for an extension of time, provided this approval does not extend the expiration beyond **August 13, 2023**.
2. The project is approved as shown in **Exhibit A** and as conditioned or modified below. (Planning)
3. The applicant shall receive approval from the Environmental Utilities Department to ensure the project will adhere to the City's Water Efficient Landscape Ordinance. (Planning)

**EXHIBIT**

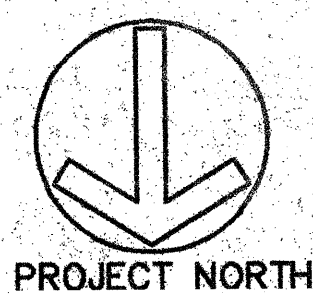
- A. Project Plans
- B. Tarbiya Institute Operations Plan

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



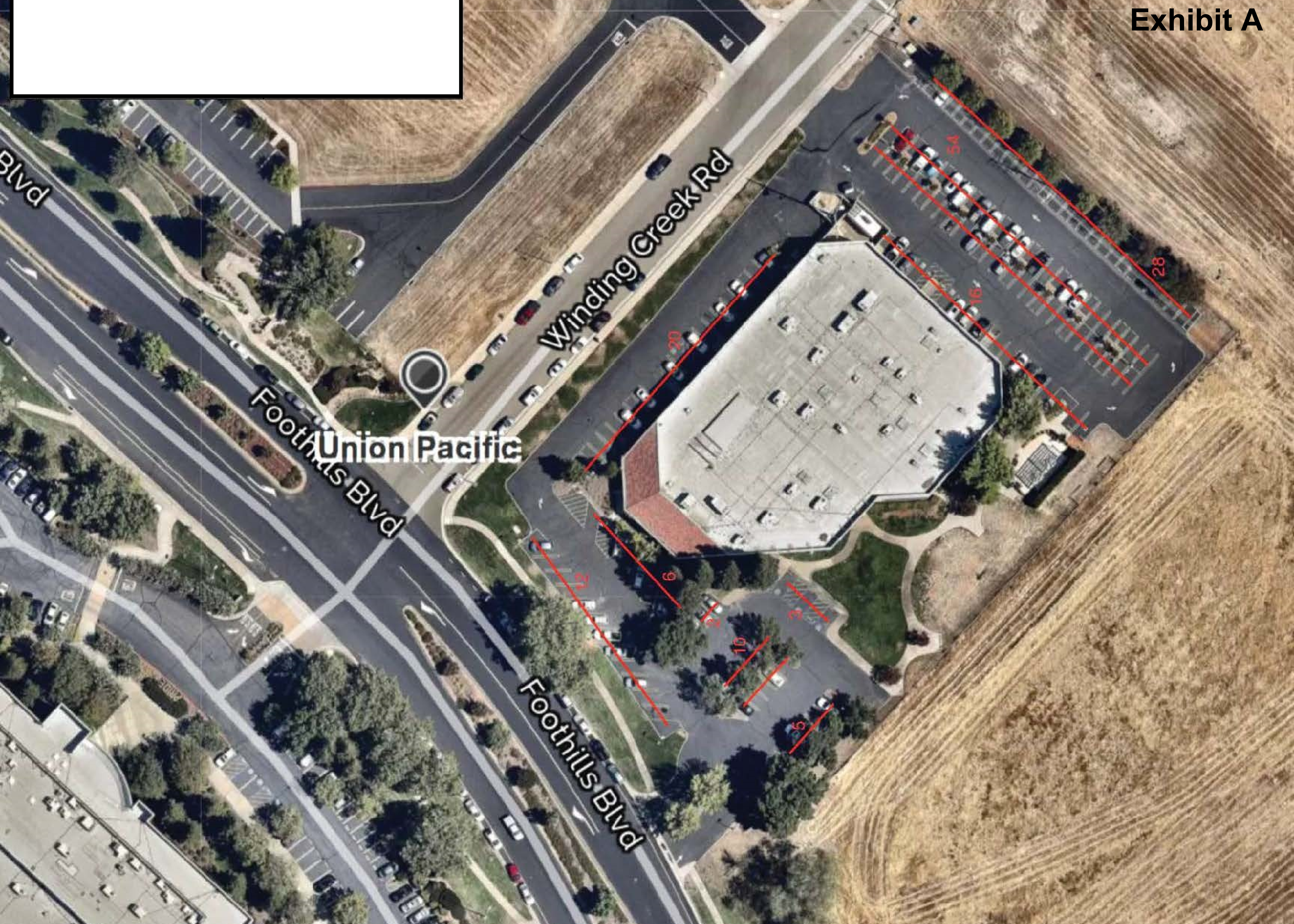
EXISTING FLOOR PLAN  
WITH NEW ASSEMBLY SPACES AS SHOWN ABOVE  
FOR PRAYER ROOM AND COMMUNITY HALL. ALL  
OTHER SPACES ARE EXISTING TO REMAIN AS IS.

TARBIYA INSTITUTE  
10031 FOOTHILLS BLVD.  
ROSEVILLE, CA



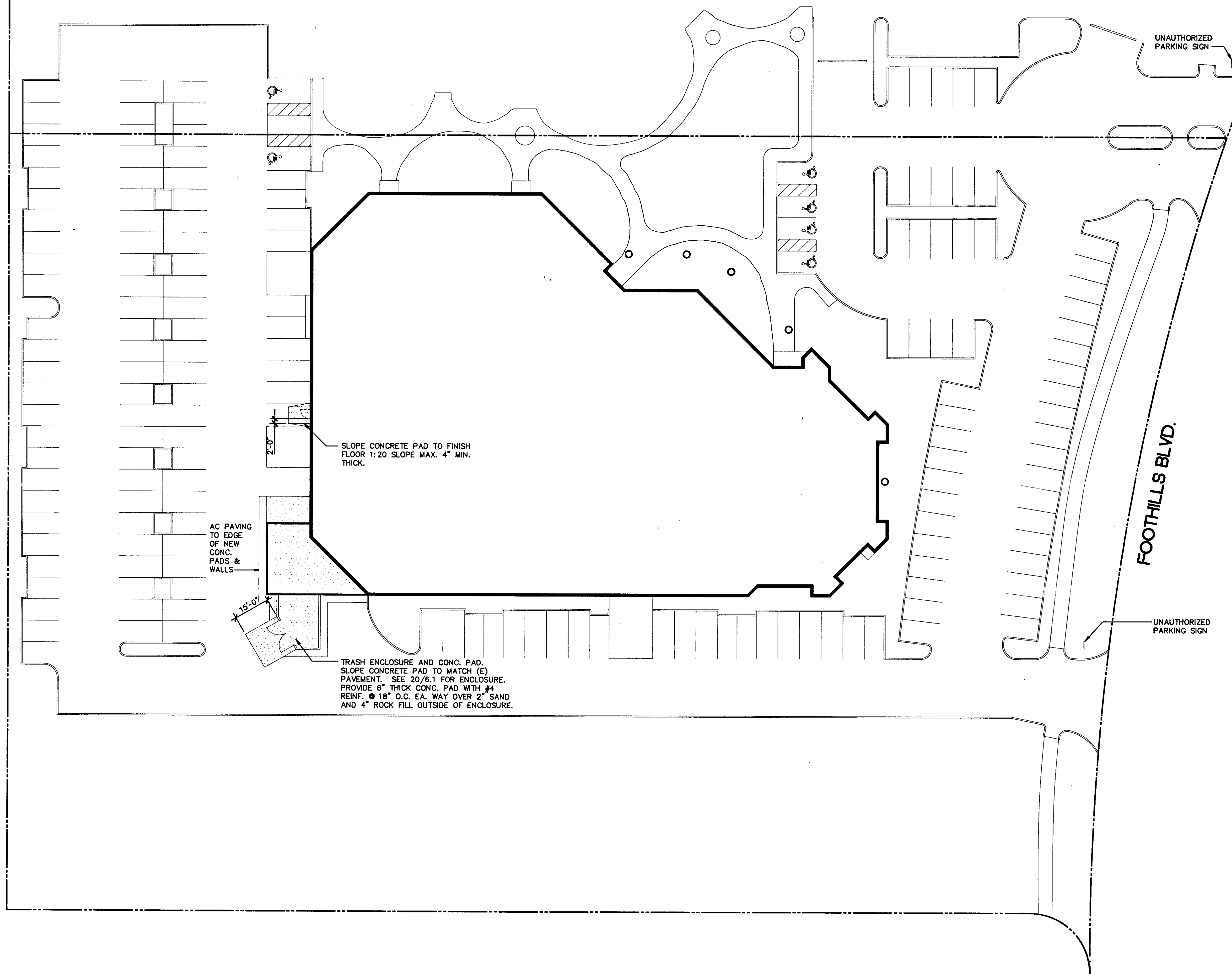
SCALE 1/8" = 1'-0"

**williams + paddon**  
ARCHITECTS + PLANNERS



GENERAL NOTES

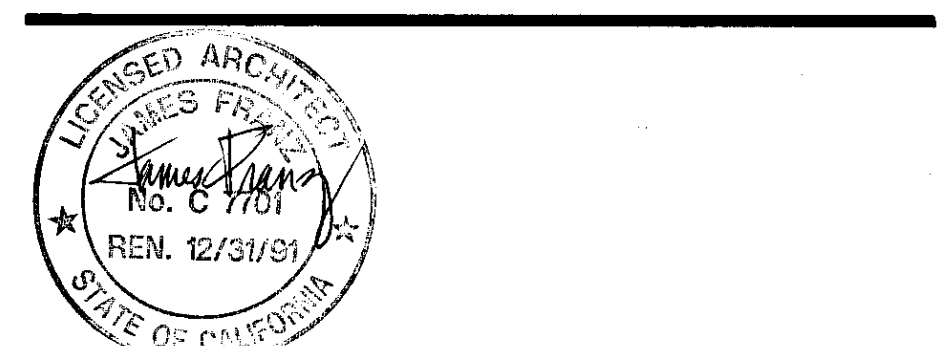
- SCHEDULES:
  - FOR DOOR SCHEDULE, SEE DRAWING A3.1.
  - FOR ROOM FINISH MATERIAL AND COLOR SCHEDULE, SEE DRAWING A3.1.
  - FOR WALL TYPE SCHEDULE, SEE DRAWING A3.2.
  - FOR FINISH MATERIAL SCHEDULE, SEE DRAWING A3.4.
  - FOR MOUNTING HEIGHT SCHEDULE, SEE DRAWING A3.2.
  - FOR INTERIOR WINDOW SCHEDULE, SEE DRAWING A3.4.
  - FOR CASEWORK SCHEDULE, SEE DRAWING A3.3.
- FOR ROOMS THAT HAVE INTERIOR ELEVATIONS, SEE ROOM FINISH MATERIAL AND COLOR SCHEDULE, DRAWING A3.1.
- FOR VERTICAL EXTENT OF WALLS, SEE WALL TYPE SCHEDULE, DRAWING A3.2.
- ALL DIMENSIONS ARE TO FACE OF STUD, FACE OF CONCRETE, TO CENTERLINES OF COLUMNS AND OTHER GRID POINTS, AND TO CENTERLINES OF DOORS AND OTHER SCHEDULED OPENINGS UNLESS OTHERWISE NOTED. REFER TO DETAILS FOR DIMENSION POINT LOCATIONS AND WALL LOCATIONS NOT DIMENSIONED ON PLANS.
- OFFSET STUDS WHERE NECESSARY TO ALIGN FINISH MATERIAL.
- COORDINATE ACCESS DOOR LOCATIONS (FOR CONCEALED ITEMS) WITH APPROPRIATE CONTRACTOR, WHETHER SPECIFICALLY SHOWN OR NOT. SEE SPECIFICATION SECTION 09290.
- FOR HOUSEKEEPING PAD AND CURB SIZE AND LOCATION, VERIFY WITH APPROPRIATE CONTRACTOR.
- ALL FLOOR DRAIN (F.D.) ELEVATIONS ARE 1/2" LOWER THAN FINISH FLOOR ELEVATION U.O.N. SEE PENETRATION SCHEDULE FOR TYPICAL FLOOR DRAIN DETAIL.
- ELEVATIONS ARE GIVEN WITH REFERENCE TO GROUND FLOOR LEVEL - FINISH FLOOR ELEVATION: 0'-0"
- WHERE UL, GA, OR UBC CONSTRUCTION ASSEMBLIES ARE DESIGNATED, THE COMPONENTS AND INSTALLATION DETAILS MUST CONFORM IN EVERY PARTICULAR WITH THE DESIGN NUMBER SPECIFIED.
- CEILING HEIGHTS ARE MEASURED TO BOTTOM OF FINISH OR CEILING TEE.
- ALL CEILING GRIDS ARE CENTERED IN ROOM U.O.N.
- SEE DETAIL 18/8.2 FOR TYPICAL CEILING TILE PENETRATION LOCATIONS.
- IN GYP. BD. OR PLASTER CEILINGS, LOCATE PENETRATION ITEMS (FIXTURES, SPRINKLERS, ETC.) IN PATTERNS AS SHOWN ON REFLECTED CEILING PLANS.
- SEE DETAIL 3/8.3 FOR TYPICAL SUSPENDED ACOUSTICAL CEILING SEISMIC BRACING.
- FOR TYPICAL CEILING ANGLE CONNECTION AT SUSPENDED ACOUSTICAL CEILING, SEE 4/8.3.
- PROVIDE CRICKETS AND/OR SADDLES OF TAPERED RIGID INSULATION AT ALL ROOF DRAINS TO PROVIDE POSITIVE DRAINAGE. SEE 22/6.1.
- CONFIRM ALL WALL MOUNTED FIRE EXTINGUISHER LOCATIONS WITH THE ROSEVILLE FIRE DEPARTMENT.
- CENTER TACK BOARDS (TB) ON WALL UNLESS OTHERWISE NOTED.
- ALL WALLS NOT PARALLEL TO GRID LINES ARE AT A 45° ANGLE TO GRID LINES.



CITY OF ROSEVILLE BUILDING DIVISION  
CONSTRUCTION PLANS MUST BE ON JOB SITE  
1-Approved  
2-Conditionally Approved  
See Notes  
Date 7-24-91 Signed [Signature]



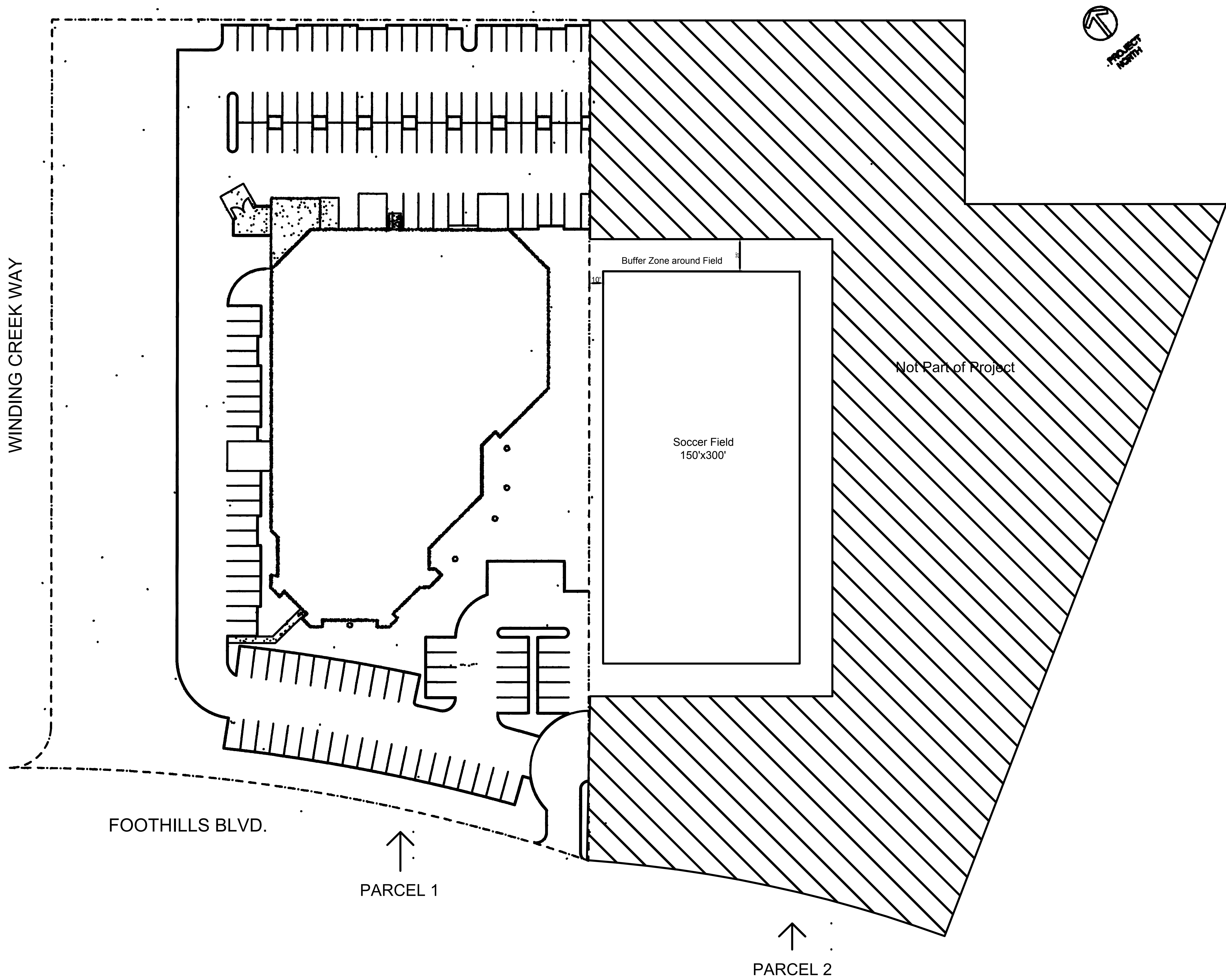
ISSUED FOR BID  
NO. DESCRIPTION DATE



PROJECT: SOUTHERN PACIFIC WESTERN REGION TRANSPORTATION CENTER

DWG. TITLE: SITE PLAN

JOB NO: 90173 DWG. NO:  
DATE:  
SCALE: 1/20" = 1'-0" A11  
0 10' 20' 30' 40'



TOTAL PROJECT AREA DESCRIPTION:

PARCEL 1: 2.9 ACRES

PARCEL 2 (SOCCER FIELD):

$$(150' + 10' + 25') \times (300' + 25' + 25') = 64,750 \text{ SQ FT}$$
$$= 1.49 \text{ ACRES}$$

TOTAL PROJECT AREA: 4.39 ACRES

PROPERTY ADDRESS:

TARBIYA HOUSE ROSEVILLE  
10031 FOOTHILLS BOULEVARD  
ROSEVILLE CA 95747

## Tarbiya Institute Description

Tarbiya Institute is a non-profit organization that has been established under the laws of California in the year of 2015. The Organization is led by the Board of Trustees. The mission is supported by the efforts of their Staff and Community Volunteers. The title given to the facility is called the Tarbiya House. The primary objective of this facility is to offer religious services required by the Islamic faith. Tarbiya House is a safe space for all Muslims to worship God in a mosque environment and get involved in their community at their own pace. At Tarbiya, men and women, youth and converts, natives and immigrants, refugees and professionals, all are welcome.

We at Tarbiya are humbled by the opportunity to offer a host of fundamental religious services for the convenience and spiritual growth of our community. In that, we try to keep our people connected to their faith and to resolve ongoing challenges through divine guidance, especially the younger generation. The programs that are offered by the Institute comprise of mentorship, youth classes, volunteer opportunities, weekly Friday services and much more. At Tarbiya Institute, we strive to cater to the needs of the family by paying attention to the needs of its building blocks. This is the purpose and description of the Organization as we envision it.

The Organization plans to use the 10031 Foothills Blvd location in order to continue all of the current existing programs.

The largest weekly event will occur during Friday afternoon prayer sessions with a maximum number of attendees of 200. The site provides 156 on-site parking spaces exceeding the City's parking requirement.

The Organization is not proposing alteration of the exterior of the building. All areas of the interior of the building will remain as-is aside from the proposed prayer space and multi-purpose room area.

| Program Schedule |                    |               |                     |
|------------------|--------------------|---------------|---------------------|
| Day              | Program            | Hours         | Number of Attendees |
| Monday           | Staff Office Hours | 10:00-5:00 PM | 6                   |
|                  | Youth Class        | 4:30-7:00 PM  | 15                  |
| Tuesday          | Staff Office Hours | 10:00-5:00 PM | 6                   |
|                  |                    |               |                     |
| Wednesday        | Staff Office Hours | 10:00-5:00 PM | 6                   |
|                  |                    |               |                     |
| Thursday         | Staff Office Hours | 10:00-5:00 PM | 6                   |

# Exhibit B

|          |                      |                |     |
|----------|----------------------|----------------|-----|
|          |                      |                |     |
| Friday   | Jumaa Prayer-Shift 1 | 12:15-12:45 PM | 150 |
|          | Jumaa Prayer-Shift 2 | 1:30-2:00 PM   | 200 |
|          | Jumaa Prayer-Shift 3 | 3:30-4:00 PM   | 50  |
|          | Evening Family Night | 7:00-10:00 PM  | 50  |
| Saturday | Closed               |                |     |
|          |                      |                |     |
| Sunday   | Sunday School        | 11:00-3:00 PM  | 50  |
|          | Youth Class          | 4:30-7:00 PM   | 15  |

## Prayer Area:

| Day of Use | Program              | Time of Use    | # of Attendees |
|------------|----------------------|----------------|----------------|
| Friday     | Jumaa Prayer-Shift 1 | 12:15-12:45 PM | 150            |
| Friday     | Jumaa Prayer-Shift 2 | 1:30-2:00 PM   | 200            |
| Friday     | Jumaa Prayer-Shift 3 | 3:30-4:00 PM   | 50             |

## Multi-Purpose Room:

| Day of Use                                | Program                     | Time of Use     | # of Attendees        |
|-------------------------------------------|-----------------------------|-----------------|-----------------------|
| Friday                                    | Friday Night Program        | 7:00-9:00 PM    | 50                    |
| Saturday                                  | Youth Lounge Activity/Area  | 4:00-7:00 PM    | 30                    |
| Sunday                                    | Youth Lounge Activity/ Area | 4:00-7:00 PM    | 30                    |
| Monday                                    | Youth class                 | 7:00 PM-9:00 PM | 25                    |
| Tuesday                                   | Women's Program             | 6:00 PM-8:00 PM | 30                    |
| Wednesday                                 | Youth class                 | 7:00 PM-9:00 PM | 25                    |
| Thursday                                  | Women's Program             | 6:00 PM-8:00 PM | 30                    |
| As needed (will vary throughout the year) | Seminars/Workshops          | TBD             | Maximum 120 attendees |

# MEMORANDUM

**To:** Planning Commission

**From:** Sean Morales, Assistant Planner

**Date:** August 13, 2020

**Re:** Item 5.3 NIPA PCL 45 - Tarbiya Institute (File #PL19-0349) Environmental Determination

This memorandum is to provide additional information on why using the In-Fill Development Projects exemption is an appropriate determination for this project.

## **ENVIRONMENTAL DETERMINATION**

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, which exempts In-Fill Development Projects that meet the following criteria: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. (c) The project site has no value, as habitat for endangered, rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services.

The project meets these criteria for the following reasons and is therefore exempt. (a) The general plan designation of Light Industrial allows for religious assembly as a secondary use. The General Plan relies on the Zoning Ordinance to ensure compatibility with surrounding land uses. With approval of the Conditional Use Permit the project is consistent with the General Plan. (b) The total project site including the existing developed site and the proposed soccer field is 4.39 acres. (c) The project site contains an area that is developed with a building and parking as well as a portion that has been rough graded for future construction and does not contain habitat for endangered, rare or threatened species. (d) The proposed use is consistent with the existing use of the site and; will not have significant traffic impacts as the proposed assembly use will not generate additional peak hour trips which are greater than those generated by the existing office use. In addition, the proposed assembly and worship times for the project are expected to occur outside of the peak hours identified in the City's traffic model, on Friday afternoons and on weekend hours. The proposed assembly use will not have impacts on ambient noise conditions as the use will occur primarily indoors and the existing setting is a Light Industrial zone; The project will not have significant impacts on air quality as the expected emissions of the use from the building will not exceed the emissions by the existing office use; and will not have significant impacts on water quality because the water discharge will not exceed the discharge of the existing office use of 10031 Foothills Blvd. or what is anticipated for the site at 10021 Foothills Blvd. where the soccer field will be located. (e) The site can be adequately served by required utilities and public services allocated to the site. The utility usage on 10031 Foothills Blvd. will not be greater than the existing office use. There will be a slight increase in water usage for the soccer field at 10021 Foothills Blvd. over the existing undeveloped parcel, however, as discussed in the staff report there is existing City water supplies to adequately serve the soccer field.



## PLANNING COMMISSION COMMUNICATION

**Title:** RGSP PCL RG-6 - Riverside Parking, 212 Riverside Av, File # PL19-0167

**Contact:** Sean Morales, smorales@roseville.ca.us, 916-774-5282

**Meeting Date:** 8/13/2020

**Item #:** 6.1.

### ATTACHMENTS:

#### Description

Staff Report

Attachment 1 RGSP 8.4.5

Exhibit A Project Plans

Environmental Determination Memo

**ITEM 6.1:**      **ADMINISTRATIVE PERMIT – 212 Riverside – RGSP PCL RG-6 - Riverside Parking – FILE # PL19-0167**

**REQUEST**

The applicant requests an Administrative Permit to improve a vacant parcel with off-street commercial parking and landscaping.

Applicant – Kourosh Sadeghi  
Property Owner – Sylvia Slade

**SUMMARY RECOMMENDATION**

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

- A. Adopt the three (3) findings of fact for the Administrative Permit and approve the Administrative Permit subject to five (5) conditions of approval.

**SUMMARY OF OUTSTANDING ISSUES**

The applicant does not agree with Planning Division staff on the required design elements for screening of the commercial parking area. The applicant has proposed a wrought iron fence with plantings in front of the fence. Planning staff, as discussed in the staff report, recommends a knee wall with fencing above to provide adequate screening as prescribed in the Riverside Gateway Specific Plan. The applicant believes this alternative is not financially viable.

**BACKGROUND**

The project is located on a .17-acre site within the Riverside Gateway Specific Plan (RGSP) area. The site is zoned Commercial Mixed-Use/Special Area Roseville Gateway (CMU/SA-RG) and has a General Plan land use designation of Community Commercial-3.9 Dwelling Units/Acre (CC-3.9). The project site is mid-block on the west side of Riverside Avenue between Second St. and Third St. The project site is currently developed with asphalt covering the western half of the parcel and is surrounded by developed commercial and residential uses. A single-family residence formerly occupied the site. In 2000, the residence was demolished to make way for a small warehouse that was never constructed.

The applicant is currently requesting an Administrative Permit to allow the development of a commercial parking lot and associated landscaping on the currently undeveloped 3,500 square feet on the eastern half of the site.

**Figure 1: Project Location**



### **ADMINISTRATIVE PERMIT EVALUATION**

Section 9.4.5 of the Riverside Gateway Specific Plan indicates that new construction and minor additions that are consistent with the provisions of the Design Guidelines and Development Standards (included in Chapter 8 of the plan) will be approved via the City's Administrative Permit process, as described in the City's Zoning Ordinance. Per Section 19.74.010, the Planning Manager may waive the requirement for a public hearing. The Planning Manager has forwarded this permit to the Planning Commission because of the outstanding design issue between the applicant and staff.

Section 19.78.060A of the City of Roseville Zoning Ordinance requires that three findings be made prior to the approval of an Administrative Permit. The required findings are listed below in italicized bold print and are followed by an evaluation.

***1. The proposed use or development is consistent with the City of Roseville General Plan and the Riverside Gateway Specific Plan (RGSP).***

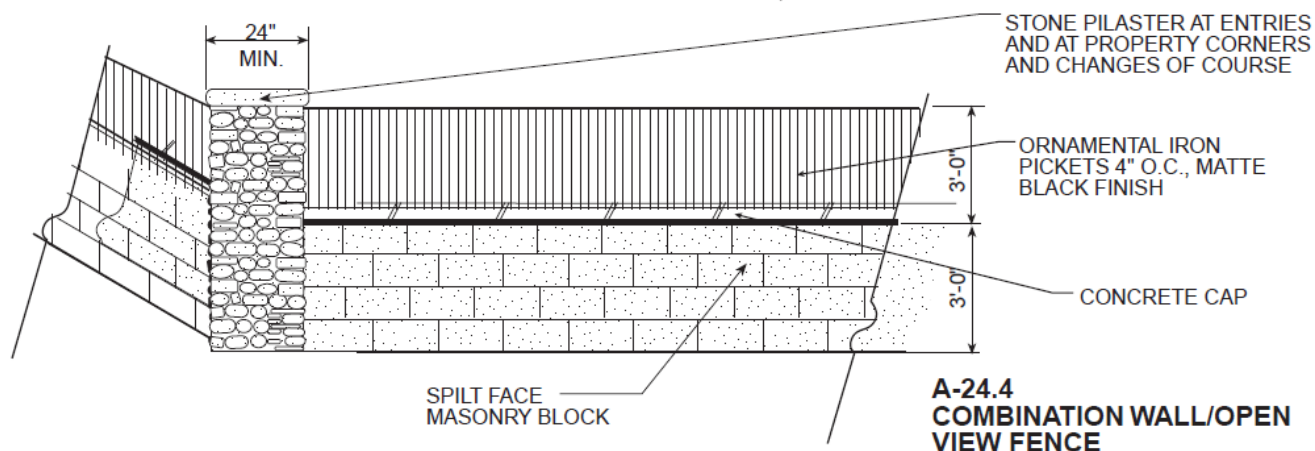
The proposed modifications to the site include developing a 3,500 square-foot expansion to an existing 4,000 square feet of asphalt as well as associated modifications to landscaping and fencing. The RGSP contains multiple guidelines related to the design of automobile related uses and parking within the plan area.

Section 7.4 of the RGSP contains a list of general parking policies for the plan area including policy nine that requires new development “apply design and development standards to parking areas, to ensure that they are designed to maximize pedestrian access and mobility, and also to enhance the appearance and character of the plan area.” The following evaluation is in response to this policy.

Section 7.6.1 contains design guidelines for parking areas, including guideline four which states, an existing commercial use with a surface parking lot adjacent to a public sidewalk should be screened

with appropriate design elements, such as fences, walls, and landscaping. Screening materials should not be opaque or block views of the parking lot from passing cars. The screening materials should maintain the visual continuity of the street wall adjacent to the sidewalk.” In keeping with this guideline, staff has requested that the applicant construct a knee wall with an attractive landscape area in front of the wall. This proposal allows visibility into the site over the wall, but also provides screening of the parking area. The applicant’s proposal to install a steel fence does not address the intent of the guidelines to provide screening of parking areas. Examples of this design can be found various City planning documents such as the Stoneridge Specific Plan design guidelines (Figure 2).

**Figure 2: Wall Example**



Section 8.4.5 of the Riverside Gateway Specific Plan contains Design Guidelines for Auto Sales and Services uses. The proposed use of the site is additional commercial parking for a nearby automotive dealership. Therefore, in addition to the parking design guidelines, the project was reviewed using these two criteria below as well as a graphic included in the RGSP (Attachment 1) relating to automobile sales uses:

- Design attractive street walls, using screens, lattices or trellises with creeping plants built to the edge of the sidewalk to reduce the prominence of expansive automobile sales lots and maintain visual continuity of the main street.
- Use of plant materials, low walls and fences, berms, and grade changes should also be considered for minimizing the visual impacts of automobile sales lots.

The proposed project does not conform to these two criteria. The proposed steel fence and green wall do not provide adequate screening to minimize the visual impact of the parking lot on the surrounding area. The tubular steel fence proposed by the applicant does not meet the intent of the guidelines in the RGSP. Staff worked with the applicant to develop a solution that enhanced screening of the parking lot from view such as a low wall or berm, as described in the specific plan. A low wall or berm allows visibility into the site, while also providing consistent screening. The applicant provided green wall examples with their proposal, but these do not appear to be compatible with the fence they are proposing and no details are given to adequately explain how the plants will be installed or maintained. The applicant did not follow staff guidance on providing screening for the site. Therefore, the proposed project is not consistent with the RGSP and the above finding cannot be made as proposed. Staff has added Condition #3 to the project to incorporate the low wall in order to make the finding for approval.

The General Plan relies on the Zoning Ordinance, through the Administrative Permit process, to evaluate the consistency of individual requests. As proposed, the minor addition to the site is not consistent with the City of Roseville General Plan because it is not consistent with the RGSP. With the added condition requiring the low wall, staff believes that the finding can be made.

**2. *The proposed use or development conforms with all applicable standards and requirements of the Zoning Ordinance.***

As discussed above, the project as proposed does not conform to the criteria in Section 9.4.5 of the Riverside Gateway Specific Plan that allows minor additions to be processed through an Administrative Permit. The project therefore does not meet the standards and requirements of the Zoning Ordinance. With Condition #3 added, the project will conform with the applicable standards of the Zoning Ordinance.

**3. *The location, size, design and operating characteristics of the proposed use or development 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.***

The project includes a low traffic generating use within an existing commercial area. There are many automotive-related uses along Riverside Avenue, and this commercial parking use could be compatible with those existing uses. However, the lack of screening of the use as required in the RGSP leads to the visual impact of the parking use being detrimental to the public. Therefore, as proposed, the third finding cannot be made. Implementation of Condition #3 will allow for this finding to be made.

**CONCLUSION**

Based on the analysis contained in this staff report staff finds that the proposed project is not consistent with the findings needed to approve the Administrative Permit. However, staff finds that with the addition of condition three the project meets the requirements of the General Plan and Zoning Ordinance; and therefore, the required findings to approve the entitlement can be made.

**ENVIRONMENTAL DETERMINATION**

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, which exempts In-Fill Development Projects that meet the following criteria: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.(c) The project site has no value, as habitat for endangered, rare or threatened species.(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.(e) The site can be adequately served by all required utilities and public services.

With the addition of Condition #3, the project meets these criteria for the following reasons and is therefore exempt. (a) The general plan designation of Community Commercial allows for commercial parking uses. (b) The total project site including the existing developed site and the proposed parking area is .17 acres. (c) The project site was previously developed as a single family residence and does not contain habitat for endangered, rare or threatened species. (d) The proposed use will not have significant effects on traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services allocated to the site.

**PUBLIC OUTREACH**

The proposed project was distributed to all internal and external agencies and departments who have requested such notice, and all comments or recommended conditions of approval have been incorporated into the project, as appropriate. A notice of the public hearing was published on July 31, 2020 and was also distributed to all property owners within 300 feet of the site, and to the Roseville Coalition of Neighborhood Associations. No comments were received at the time of publication of this report.

## **RECOMMENDATION**

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

- A. Adopt the three (3) findings of fact as listed in the staff report and approve the **ADMINISTRATIVE PERMIT – 212 RIVERSIDE - RGSP PCL RG-6 – RIVERSIDE PARKING – FILE # PL19-0167** subject to five (5) conditions of approval.

## **CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT (FILE # PL19-0167)**

1. This Administrative Permit approval shall be effectuated within a period of two (2) years from this date and if not effectuated shall expire on **August 13, 2022**. 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 13, 2022**. (Planning)
2. The project is approved as shown in **Exhibit A** and as conditioned or modified below. (Planning)
3. The project shall incorporate a knee wall with decorative metal fencing above in a design to be approved by the Planning Division. The design shall be similar to the fencing example shown in Figure 2 above. (Planning)
4. The project is expected to create between 2500 and 5000 square feet of impervious surface. As such, the site is subject to the City's current storm water design manual and must provide one site design feature to help reduce storm water runoff. This feature can be a site tree, porous pavements, etc. (Engineering)
5. Fences and gates shall be located so that water meter and cleanout are not within gated area. Utility services shall be located off the alley at the rear of the property. (Environmental Utilities)

## **EXHIBIT**

- A. Project Plans

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



## MEMORANDUM

**To:** Planning Commission

**From:** Sean Morales, Assistant Planner

**Date:** August 11, 2020

**Re:** Item 6.1 RGSP PCL RG-6 – Riverside Parking (File #PL19-0167) Missing Attachment

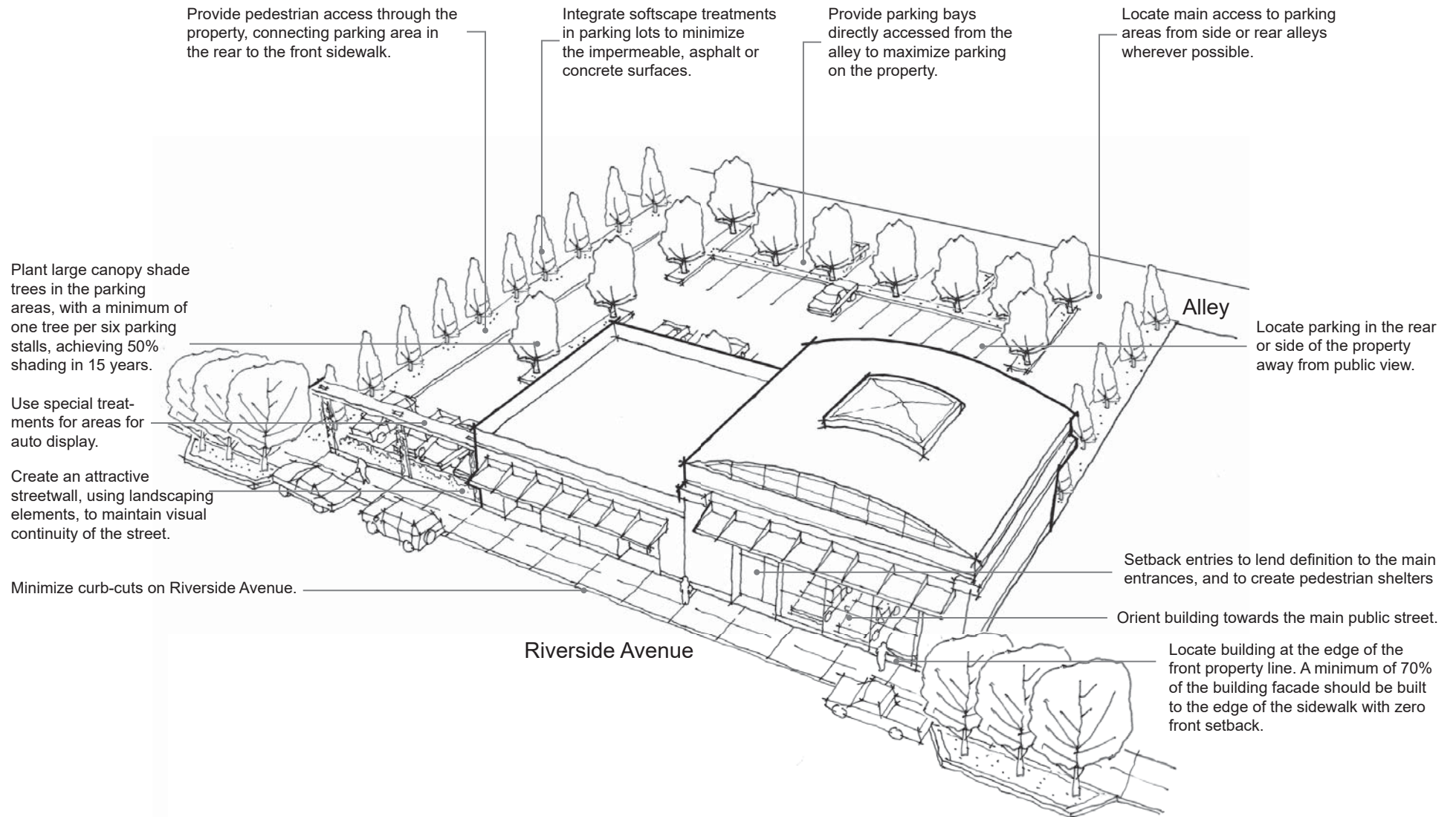
Attachment 1 is referenced in the staff report for this item but was inadvertently not attached to the published staff report. Please see Attachment 1 below.

**8.4.5 Auto Sales and Services**

The specific design guidelines for planning and design of buildings for Auto Sales and Services in the Riverside Gateway Plan Area include:

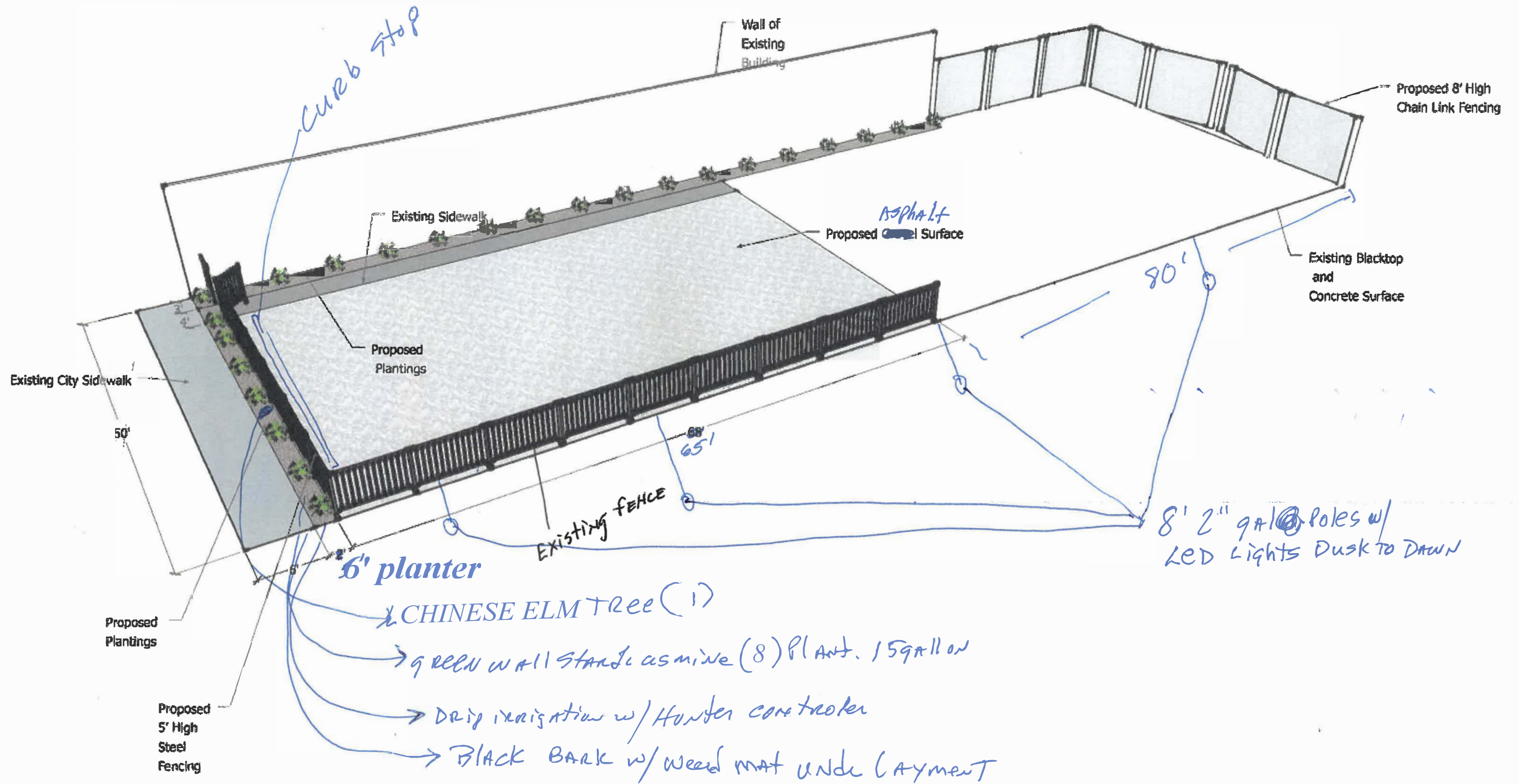
- Design attractive streetwalls, using screens, lattices or trellises with creeping plants built to the edge of the sidewalk to reduce the prominence of expansive automobile sales lots and maintain visual continuity of the main street.
- Use of plant materials, low walls and fences, berms, and grade changes should also be considered for minimizing the visual impacts of automobile sales lots.

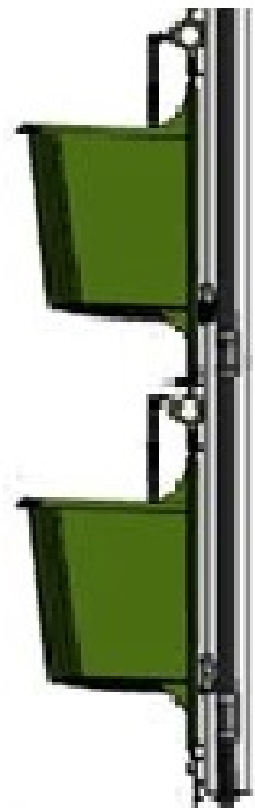
These elements are illustrated graphically on the following page.



### ***Auto Sales and Services related Use***

# Exhibit A





**Green Wall Examples**

# MEMORANDUM

**To:** Planning Commission

**From:** Sean Morales, Assistant Planner

**Date:** August 13, 2020

**Re:** Item 6.1 RGSP PCL RG-6 - Riverside Parking (File #PL19-0167) Environmental Determination

This memorandum is to provide additional information on why using the In-Fill Development Projects exemption is an appropriate determination for this project.

## **ENVIRONMENTAL DETERMINATION**

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, which exempts In-Fill Development Projects that meet the following criteria: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. (c) The project site has no value, as habitat for endangered, rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services.

With the addition of Condition #3, the project meets these criteria for the following reasons and is therefore exempt. (a) The general plan designation of Community Commercial allows for commercial parking uses. (b) The total project site including the existing developed site and the proposed parking area is .17 acres. (c) The project site was previously developed as a single family residence and does not contain habitat for endangered, rare or threatened species. (d) The proposed use is consistent with the allowed uses of the site and; will not have significant effects on traffic because the long-term parking use will not generate additional trips over what an average commercial use would generate; will not have significant impacts on noise because the parking use will only create small amounts of intermittent noise and will largely be silent and not create noise impacts greater than what is expected in a commercial zone; will not have significant impacts on air quality because the emissions of the cars on the site will not be often or great enough to exceed the emissions of an average commercial use; and will not have significant impacts on water quality because the water discharge from the small amount of landscaping proposed will be less than the discharge of the average commercial use. (e) The site can be adequately served by required utilities and public services allocated to the site. The small amount of water for landscaping and electricity for site lighting can be adequately served by the utilities serving the previous site.