



AGENDA
June 22, 2017
VIDEO

PLANNING COMMISSION MEETING

7:00 p.m.

City Council Chambers
311 Vernon Street
Roseville, California

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **ORAL COMMUNICATIONS**
4. **CONSENT CALENDAR**

4.1. MINUTES OF MAY 25, 2017

4.2. DEVELOPMENT AGREEMENT AMENDMENT - WEST ROSEVILLE SPECIFIC PLAN (WRSP) FIDDYMENT RANCH DA AMENDMENT #7 - 4270 CRAWFORD PW - FILE# PL16-0442

Request: Approval of a Development Agreement Amendment (DAA) to modify the sequence of residential lots subject to the Placer County Traffic Mitigation Fee and Downtown Benefit Fee. The fees will continue to be applicable to the final 1,661 dwelling units within Fiddymment Ranch Phases 2 & 3. This DAA will be the seventh (7th) amendment to the Fiddymment Land Venture Development Agreement and is necessary due to changes in subdivision construction phasing.

Recommendation: Pass a motion to:

A. Recommend that the City Council adopt the five findings of fact and approve the SEVENTH AMENDMENT OF DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF ROSEVILLE AND ROSEVILLE FIDDYMENT LAND VENTURE, LLC.

Applicant: Stephen Hicks, Signature Management Company

Owner: David Ash, ATC Realty One, LLC (*Miller*)

5. **NEW BUSINESS**

5.1. INFILL PCL 326 - VERIZON WIRELESS MONOPOLE CUP EXTENSION - 1550 MAIDU DRIVE - FILE #PL17-0027

Request: Approval of a one-year extension of the Verizon Wireless Monopole

Conditional Use Permit (CUP). The CUP was originally approved on January 22, 2015, and authorized; 1) construction of a 92' monopole to replace existing stadium light standard; 2) installation of 8 telecommunications antennas above stadium lights on the pole; and 3) installation of ground-mounted equipment within a 30' x 30' lease area enclosed by a chain link fence with slats, 8 feet in height.

Recommendation: Pass a motion to:

A. Adopt the two (2) findings of fact for the Conditional Use Permit Extension; and approve the Conditional Use Permit Extension subject to seven (7) conditions of approval.

Applicant: Michelle Thompson, Jacobs, for Verizon

Property Owner: Tara Gee, City of Roseville (*Miller*)

5.2. DESIGN REVIEW PERMIT MODIFICATION & TREE PERMIT - 1
SIERRAGATE PLAZA - INFILL PCL 241 - JOHN ADAMS ACADEMY
MULTI-PURPOSE BUILDING - FILE# PL15-0283

Request: John Adams Academy Charter School proposes to construct an 11,600 square foot multi-purpose building (MPR) within an existing paved parking lot at the eastern edge of the school campus. The project site is located between Harding Boulevard and the Interstate 80 freeway, approximately 400 feet north of Lead Hill Boulevard. The project entitlements requested include a Design Review Permit Modification (DRPMOD) and a Tree Permit (TP) for construction of the MPR and associated site improvements, including a new concrete plaza area, landscaping, and lighting. Exterior improvements to the site consist of a parking lot conversion to accommodate construction of the new MPR. A new courtyard will be added to the north of the MPR building.

Recommendation: Pass a motion to:

A. Adopt the Negative Declaration;

B. Adopt the two findings of fact for the Design Review Permit Modification; and approve the Design Review Permit Modification subject to seventy-six (76) conditions of approval;

C. Adopt the two findings of fact for the Tree Permit; and approve the Tree Permit subject to twenty-one (21) conditions of approval.

Applicant/Owner: Dean Forman, John Adams Academy (*Miller*)

6. **REPORTS: COMMISSION/STAFF**

7. **ADJOURNMENT**



PLANNING COMMISSION

Title: MINUTES OF MAY 25, 2017

Meeting Date: 6/22/2017
Item #: 4.1.

ATTACHMENTS:

Description

Minutes of May 25, 2017 - Draft



Planning Commission Meeting May 25, 2017 – 7:00 p.m. Draft Minutes

I. ROLL CALL

Planning Commissioners Present

Krista Bernasconi, Chair
Bruce Houdesheldt, Vice-Chair
Erich Brashears
Charles Krafka
Joseph McCaslin
Tracy Mendonsa

Staff Present

Greg Bitter, Planning Manager
Derek Ogden, Senior Planner
Ron Miller, Associate Planner
Marc Stout, City Engineer
Michelle Sheidenberger, Assistant City Attorney
Joe Speaker, Deputy City Attorney II
Lupe Nelson, Recording Secretary

Planning Commissioners Absent

Justin Caporusso, *Excused*

II. PLEDGE OF ALLEGIANCE

Commissioner Mendonsa led those in attendance in the Pledge of Allegiance.

III. ORAL COMMUNICATION

Chair Bernasconi opened the Oral Communication. Hearing none, Chair Bernasconi closed the Oral Communication.

IV. CONSENT CALENDAR

Chair Bernasconi asked if anyone wished to remove any of the items from the Consent Calendar for discussion.

Hearing none, Chair Bernasconi asked for a motion to approve the Consent Calendar as listed below:

A. MINUTES OF MAY 11, 2017

MOTION

Commissioner Krafka made the motion, which was seconded by Commissioner Mendonsa, to approve the Consent Calendar item.

The motion passed with the following vote:

Ayes: Brashears, Krafka, Mendonsa, Bernasconi

Noes: None

Abstain: Houdesheldt, McCaslin

V. NEW BUSINESS

A. SVSP PCL DF-40, DF-41 & DF-42 – BASELINE MARKETPLACE MPP STAGE 1 & 2 EXTENSION – 5000 BASELINE ROAD – FILE # PL17-0056.

Associate Planner, Ron Miller, presented the staff report and responded to questions.

Chair Bernasconi opened the public hearing and invited comments from the applicant and/or audience.

Applicant, Nick Alexander, NG Alexander Real Estate Development, LLC, addressed the Commission and responded to questions. He stated he had received a copy of the staff report and was in agreement with staff's recommendations.

The following Placer County residents spoke regarding concerns with the project:

- Pete Kary and Cathy Vasquez

Public Comment:

- Increased traffic, possible traffic congestion.
- Will traffic light be installed?
- Increased noise.
- Lighting concerns. Will lighting from stores be angled as lights may shine into homes?
- Possible increases in HOA fees due to landscaping damage caused by vehicle accidents.
- Widening of roadway.
- Changes will impact neighbors.
- Values of homes may decrease due to construction of Baseline Marketplace.
- Will homeowners be compensated for loss of land easement?
- Who will maintain the roadway – Placer County or City of Roseville?

Commission Discussion:

- Photometric study.
- Widening of roadway.
- Placer County versus City of Roseville responsibilities.

Chair Bernasconi closed the public hearing and asked for a motion.

MOTION

Commissioner Houdesheldt made the motion, which was seconded by Commissioner McCaslin, to:

- A. Consider the previously approved Negative Declaration; and,
- B. Adopt the two (2) findings of fact for the Major Project Permit Extension and approve the Major Project Permit Extension subject to two (2) conditions of approval.

The motion passed with the following vote:

Ayes: Brashears, Houdesheldt, Krafka, McCaslin, Mendonsa, Bernasconi

Noes: None

Abstain: None

B. NWRSP PCL 46 SIKH TEMPLE DRP & VM – 1090 MAIN STRET – FILE # PL15-0338.

Associate Planner, Ron Miller, presented the staff report and responded to questions.

Chair Bernasconi opened the public hearing and invited comments from the applicant and/or audience.

Applicant, Dr. Gurinder Kanwar, addressed the Commission and responded to questions. He stated he had received a copy of the staff report and was in agreement with staff's recommendations.

Public Comment:

- None

Commission Discussion:

- Is traffic concentrated during peak periods?
- Traffic study discussion.
- Are there dedicated turn lanes into parking lot?
- Currently, lane striping on Main Street is faded.
- Are there one (1) story homes in the Foothill American Dream subdivision?
- What is the scale of the dome and finial? Is it in line with other sites of worship?
- What is the use of the second floor of the building?
- Will the site be rented out?
- Who stays in the dwelling units?
- Attractive design – nice aesthetic features – different but not out of place.
- What is the floor ratio?

Chair Bernasconi closed the public hearing and asked for a motion.

MOTION

Commissioner Houdesheldt, made the motion, which was seconded by Commissioner Brashears, to:

- A. Adopt the Negative Declaration;
- B. Adopt the two findings of fact for the Design Review Permit and approve the Design Review Permit subject to ninety-four (94) conditions of approval, with modification to condition 2 and the addition of condition 94 as stated below;
- C. Adopt the three findings of fact for the Variance and approve the Variance;
- D. Adopt the two findings of fact for the Tree Permit and approve the Tree Permit subject to twenty-one (21) conditions of approval; and,
- E. Adopt the four findings of fact for the Voluntary Merger and approve the Voluntary Merger subject to 11 conditions of approval.

DRP Condition 2. The project is approved as show in Exhibits A – J, and as conditioned or modified below. Building plans submitted for building permit plan check shall conform to Revised Exhibit D (Elevations), which are Sheet Nos. A3.0.0 and A3.1.0 dated 05/25/2017. (Planning)

DRP Condition 94. The developer shall continue to convey historic 100-year overland release flows from the subdivision to the west through the project site. A private overland drainage easement or a private agreement granting overland drainage release rights shall be recorded against the property and to the benefit of the subdivision to the west of the project site. (Engineering)

The motion passed with the following vote:

Ayes: Brashears, Houdesheldt, Krafka, McCaslin, Mendonsa, Bernasconi

Noes: None

Abstain: None

C. MARIJUANA REGULATIONS – CITY-WIDE ORDINANCE AMENDMENT– FILE # PL17-0127.

Planning Manager, Greg Bitter, presented the staff report and responded to questions. Deputy City Attorney Joe Speaker also responded to questions.

Chair Bernasconi opened the public hearing and invited comments from the audience.

Public Comment:

- None

Commission Discussion:

- How do these regulations line up with Federal laws?
- Any change in dispensaries?

Chair Bernasconi closed the public hearing and asked for a motion.

MOTION

Commissioner McCaslin, made the motion, which was seconded by Commissioner Krafka, to:

- A. Recommend that the City Council amend Title 19 – Zoning, of the Roseville Municipal Code, Chapters 19.62 (Marijuana Dispensaries) and 19.63 (Marijuana Cultivation) to provide regulations related to the non-medical use and cultivation of marijuana.

The motion passed with the following vote:

Ayes: Brashears, Houdesheldt, Krafka, McCaslin, Mendonsa, Bernasconi

Noes: None

Abstain: None

VI. REPORTS: COMMISSION/STAFF

Staff Reports

- The Planning Commission will not meet on June 8, 2017 or July 13, 2017.
- The Planning Commission Tour is set for Friday, September 22, 8:45 to 11:00 a.m.

Commissioner Reports

- Voting order discussion.
- Campus Oaks/HP Way left turn pocket and construction discussion.

VII. ADJOURNMENT

Commissioner Bernasconi asked for a motion to adjourn the meeting.

MOTION

Commissioner McCaslin made the motion, which was seconded by, Commissioner Mendonsa to adjourn to the meeting.

The motion passed unanimously at 8:16 p.m.



PLANNING COMMISSION

Title:

DEVELOPMENT AGREEMENT AMENDMENT - WEST ROSEVILLE
SPECIFIC PLAN (WRSP) FIDDYMENT RANCH DA AMENDMENT #7 - 4270
CRAWFORD PW - FILE# PL16-0442

Meeting Date: 6/22/2017

Item #: 4.2.

ATTACHMENTS:**Description**

Staff Report

Revised Staff Report-Attachments-Exhibits

Exhibit B to Exhibit A

Revised Exhibit A

Revised Exhibit A-1

ITEM IV-B: DEVELOPMENT AGREEMENT AMENDMENT – WEST ROSEVILLE SPECIFIC PLAN (WRSP) FIDDYMENT RANCH DA AMENDMENT #7 – 4270 CRAWFORD PW – FILE# PL16-0442

REQUEST

The applicant requests approval of a Development Agreement Amendment (DAA) to modify the sequence of residential lots subject to the Placer County Traffic Mitigation Fee and Downtown Benefit Fee. The fees will continue to be applicable to the final 1,661 dwelling units within Fiddymment Ranch Phases 2 & 3. This DAA will be the seventh (7th) amendment to the Fiddymment Land Venture Development Agreement and is necessary due to changes in subdivision construction phasing.

Owner: David Ash, ATC Realty One, LLC

Applicant: Stephen Hicks, Signature Management Company

SUMMARY RECOMMENDATION

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

- A. Recommend that the City Council adopt the five findings of fact and approve the SEVENTH AMENDMENT OF DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF ROSEVILLE AND ROSEVILLE FIDDYMENT LAND VENTURE, LLC.

SUMMARY OF OUTSTANDING ISSUES

There are no outstanding issues associated with this request. The applicant and all affected City Departments have reviewed and are in agreement with the proposed DAA.

BACKGROUND

The WRSP was approved by the Roseville City Council on February 4, 2004. The WRSP guides development on ±3,162 acres located west of Fiddymment Road in the City of Roseville. The WRSP area is comprised of two distinct large landholdings: the Westpark Property, which consists of ±1,413 acres in the southwest portion of the WRSP area, and the Fiddymment Ranch Property, which includes ±1,611 acres in the northwest portion of the WRSP area. The WRSP is planned as a residential community with a wide range of residential densities and housing types. Other land uses in the plan area include recreation, open space, public/quasi-public (including school sites), commercial, business professional, and industrial. Since the original WRSP approval in 2004, the City of Roseville has processed several amendments to the specific plan.

DAA #5 to the Development Agreement By and Between the City of Roseville and Roseville Fiddymment Land Venture, LLC Relative to the West Roseville Specific Plan was approved by City Council in May 2014 (Ordinance No. 5337), concurrently with the approval of the Fiddymment Ranch West Roseville Specific Plan Amendment #3 (SPA 3 – Planning File #2013PL-005). DAA #5 includes a provision that assesses a Placer County Mitigation Fee and Downtown Benefit Fee against the final 1,661 Residential Units to be constructed in the Fiddymment Ranch Phases 2 & 3 development area.

DAA #6 to the Development Agreement By and Between the City of Roseville and Roseville Fiddymment Land Venture, LLC Relative to the West Roseville Specific Plan was approved by City Council in August 2014 (Ordinance No. 5385). DAA #6 included changes to text and maps relating to zoning and land use changes associated with the Oakbriar residential subdivision project (WRSP Parcel F-23 –File #PL13-0241).

The terms of the DA stipulate that it must be amended to remain consistent with the legislative actions described above. Accordingly, DAA#6 includes revisions to the land use acreages and units.

The Fiddymment Development Agreement (DA) Amendment #7 was originally scheduled for the Planning Commission's March 23, 2017 meeting. However, subsequent to mailing of the Public Hearing Notice, it was determined that the DA Amendment text did not reflect multiple property owners within the DA Amendment #7 property, nor address necessary changes to DA Section 3.5.17.1, Placer County Traffic Mitigation Fee. Therefore, the proposed DA Amendment #7 was removed from the March 23, 2017 agenda and rescheduled for the June 22, 2017 Planning Commission Meeting.

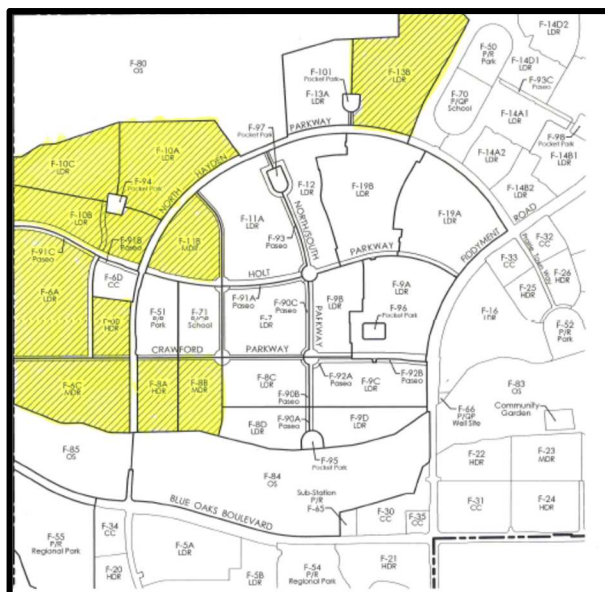
EVALUATION

The WRSP Development Agreements (DAs) are binding contracts with a 20-year term that address topics related to the development of the project area. The DAs also identify the various obligations of the landowners (i.e. dedications, improvements, financing) and obligations of the City. The Traffic Mitigation Fee and Downtown Benefit Fee obligations included in the Fiddymment Ranch DAA #5 were negotiated to offset traffic and fiscal impacts associated with the 1,661 unit increase within the plan area.

The Fiddymment Ranch SPA 3 project included a phasing plan that identified the order in which Fiddymment Ranch Phases 2 and 3 were anticipated to build out. This phasing plan identified the specific neighborhoods that the final 1,661 residential units were located. After the Fiddymment Ranch SPA 3 project and DAA #5 were approved, further engineering studies identified additional capacity in the Fiddymment Ranch east sewer crossing of Pleasant Grove Creek that allowed a portion of Village F-13 to be advanced earlier than anticipated in the SPA 3 phasing plan. This resulted in a modification to the Fiddymment Ranch phasing plan.

The proposed Development Agreement Amendment #7 (DAA #7) would modify the DA such that the Placer County Traffic Mitigation Fee and Downtown Benefit Fee would continue to be assessed on the final 1,661 Residential Units as originally anticipated (see Figures 1 & 2). In order to accomplish this adjustment, Sections 3.5.17.1 (Placer County Traffic Mitigation Fee) and 3.15.15 (Downtown Benefit Fee) have been modified to reflect phasing plan modifications that impacted the location of the final 1,661 residential units. The figures below reflect the parcels that were previously subject to these fees (Figure 1) and the proposed parcels that would be subject to the fees if proposed changes to the DA are adopted.

Figure 1 – Existing Placer County Traffic Mitigation & Downtown Benefit Fee Parcels



CONCLUSION

The proposed DAA does not change the number of dwelling units subject to the Placer County Traffic Mitigation Fee or Downtown Development Fee obligations, nor the Fee amounts. As a result, the City and Placer County will continue to receive the exact same fees once building permits are issued for these units. As discussed above, the proposed Amendment will solely modify the sequence of residential lots subject to the Fees. The Fees will continue to be applicable to the final 1,661 dwelling units within Fiddymment Ranch Phases 2 & 3. The proposed Amendment has been reviewed by all affected departments and the changes have been found to be acceptable to all parties and are consistent with the required findings.

Chapter 19.84 of the Zoning Ordinance requires the Planning Commission to make a recommendation to City Council on the Development Agreement Amendment following consideration of five findings. The required findings are listed below in ***bold italics***. As discussed above, staff finds that all five findings can be made and supports approval of the proposed DAA.

- 1. The Development Agreement is consistent with the objectives, policies, programs and land use designations of the City of Roseville General Plan and West Roseville Specific Plan;***
- 2. The Development Agreement is consistent with the provisions of the City of Roseville Zoning Ordinance;***
- 3. The Development Agreement is in conformance with the public health, safety and welfare;***
- 4. The Development Agreement will not adversely affect the orderly development of the property or the preservation of property values; and***
- 5. The provisions of the Development Agreement will provide sufficient benefit to the City to justify entering into the Agreement.***

ENVIRONMENTAL DETERMINATION

The project is exempt from environmental review pursuant to Section 15061(b) (3) (General Rule) of the California Environmental Quality Act (CEQA) and Section 305 of the City of Roseville CEQA Implementing Procedures.

RECOMMENDATION

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

Recommend that the City Council adopt the five findings of fact and approve the **DEVELOPMENT AGREEMENT AMENDMENT – WEST ROSEVILLE SPECIFIC PLAN (WRSP) FIDDYMENT RANCH DA AMENDMENT #7 – 4270 CRAWFORD PW – FILE# PL16-0442**

ATTACHMENTS

- Existing Downtown Benefit Fee Parcels – DAA #5
- Proposed Downtown Benefit Fee Parcels – DAA #7

EXHIBIT

- A. Seventh Amendment of Development Agreement (with Attachments and Exhibits) by and Between the City of Roseville and Roseville Fiddymment Land Venture, LLC, Relative to the West Roseville Specific Plan

Note to Applicant and/or Developer: 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.

ITEM IV-B: DEVELOPMENT AGREEMENT AMENDMENT – WEST ROSEVILLE SPECIFIC PLAN (WRSP) FIDDYMENT RANCH DA AMENDMENT #7 – 4270 CRAWFORD PW – FILE# PL16-0442

REQUEST

The applicant requests approval of a Development Agreement Amendment (DAA) to modify the sequence of residential lots subject to the Placer County Traffic Mitigation Fee and Downtown Benefit Fee. The fees will continue to be applicable to the final 1,661 dwelling units within Fiddymment Ranch Phases 2 & 3. This DAA will be the seventh (7th) amendment to the Fiddymment Land Venture Development Agreement and is necessary due to changes in subdivision construction phasing.

Owner: David Ash, ATC Realty One, LLC

Applicant: Stephen Hicks, Signature Management Company

SUMMARY RECOMMENDATION

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

- A. Recommend that the City Council adopt the five findings of fact and approve the SEVENTH AMENDMENT OF DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF ROSEVILLE AND ROSEVILLE FIDDYMENT LAND VENTURE, LLC.

SUMMARY OF OUTSTANDING ISSUES

There are no outstanding issues associated with this request. The applicant and all affected City Departments have reviewed and are in agreement with the proposed DAA.

BACKGROUND

The WRSP was approved by the Roseville City Council on February 4, 2004. The WRSP guides development on ±3,162 acres located west of Fiddymment Road in the City of Roseville. The WRSP area is comprised of two distinct large landholdings: the Westpark Property, which consists of ±1,413 acres in the southwest portion of the WRSP area, and the Fiddymment Ranch Property, which includes ±1,611 acres in the northwest portion of the WRSP area. The WRSP is planned as a residential community with a wide range of residential densities and housing types. Other land uses in the plan area include recreation, open space, public/quasi-public (including school sites), commercial, business professional, and industrial. Since the original WRSP approval in 2004, the City of Roseville has processed several amendments to the specific plan.

DAA #5 to the Development Agreement By and Between the City of Roseville and Roseville Fiddymment Land Venture, LLC Relative to the West Roseville Specific Plan was approved by City Council in May 2014 (Ordinance No. 5337), concurrently with the approval of the Fiddymment Ranch West Roseville Specific Plan Amendment #3 (SPA 3 – Planning File #2013PL-005). DAA #5 includes a provision that assesses a Placer County Mitigation Fee and Downtown Benefit Fee against the final 1,661 Residential Units to be constructed in the Fiddymment Ranch Phases 2 & 3 development area.

DAA #6 to the Development Agreement By and Between the City of Roseville and Roseville Fiddymment Land Venture, LLC Relative to the West Roseville Specific Plan was approved by City Council in August 2014 (Ordinance No. 5385). DAA #6 included changes to text and maps relating to zoning and land use changes associated with the Oakbriar residential subdivision project (WRSP Parcel F-23 –File #PL13-0241).

The terms of the DA stipulate that it must be amended to remain consistent with the legislative actions described above. Accordingly, DAA#6 includes revisions to the land use acreages and units.

The Fiddymment Development Agreement (DA) Amendment #7 was originally scheduled for the Planning Commission's March 23, 2017 meeting. However, subsequent to mailing of the Public Hearing Notice, it was determined that the DA Amendment text did not reflect multiple property owners within the DA Amendment #7 property, nor address necessary changes to DA Section 3.5.17.1, Placer County Traffic Mitigation Fee . Therefore, the proposed DA Amendment #7 was removed from the March 23, 2017 agenda and rescheduled for the June 22, 2017 Planning Commission Meeting.

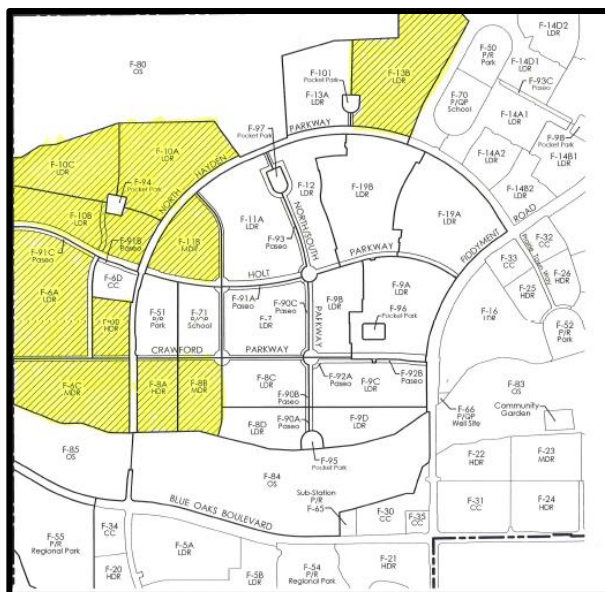
EVALUATION

The WRSP Development Agreements (DAs) are binding contracts with a 20-year term that address topics related to the development of the project area. The DAs also identify the various obligations of the landowners (i.e. dedications, improvements, financing) and obligations of the City. The Traffic Mitigation Fee and Downtown Benefit Fee obligations included in the Fiddymment Ranch DAA #5 were negotiated to offset traffic and fiscal impacts associated with the 1,661 unit increase within the plan area.

The Fiddymment Ranch SPA 3 project included a phasing plan that identified the order in which Fiddymment Ranch Phases 2 and 3 were anticipated to build out. This phasing plan identified the specific neighborhoods that the final 1,661 residential units were located. After the Fiddymment Ranch SPA 3 project and DAA #5 were approved, further engineering studies identified additional capacity in the Fiddymment Ranch east sewer crossing of Pleasant Grove Creek that allowed a portion of Village F-13 to be advanced earlier than anticipated in the SPA 3 phasing plan. This resulted in a modification to the Fiddymment Ranch phasing plan.

The proposed Development Agreement Amendment #7 (DAA #7) would modify the DA such that the Placer County Traffic Mitigation Fee and Downtown Benefit Fee would continue to be assessed on the final 1,661 Residential Units as originally anticipated (see Figures 1 & 2). In order to accomplish this adjustment, Sections 3.5.17.1 (Placer County Traffic Mitigation Fee) and 3.15.15 (Downtown Benefit Fee) have been modified to reflect phasing plan modifications that impacted the location of the final 1,661 residential units. The figures below reflect the parcels that were previously subject to these fees (Figure 1) and the proposed parcels that would be subject to the fees if proposed changes to the DA are adopted.

Figure 1 – Existing Placer County Traffic Mitigation & Downtown Benefit Fee Parcels



CONCLUSION

The proposed DAA does not change the number of dwelling units subject to the Placer County Traffic Mitigation Fee or Downtown Development Fee obligations, nor the Fee amounts. As a result, the City and Placer County will continue to receive the exact same fees once building permits are issued for these units. As discussed above, the proposed Amendment will solely modify the sequence of residential lots subject to the Fees. The Fees will continue to be applicable to the final 1,661 dwelling units within Fiddymment Ranch Phases 2 & 3. The proposed Amendment has been reviewed by all affected departments and the changes have been found to be acceptable to all parties and are consistent with the required findings.

Chapter 19.84 of the Zoning Ordinance requires the Planning Commission to make a recommendation to City Council on the Development Agreement Amendment following consideration of five findings. The required findings are listed below in ***bold italics***. As discussed above, staff finds that all five findings can be made and supports approval of the proposed DAA.

- 1. The Development Agreement is consistent with the objectives, policies, programs and land use designations of the City of Roseville General Plan and West Roseville Specific Plan;***
- 2. The Development Agreement is consistent with the provisions of the City of Roseville Zoning Ordinance;***
- 3. The Development Agreement is in conformance with the public health, safety and welfare;***
- 4. The Development Agreement will not adversely affect the orderly development of the property or the preservation of property values; and***
- 5. The provisions of the Development Agreement will provide sufficient benefit to the City to justify entering into the Agreement.***

ENVIRONMENTAL DETERMINATION

The project is exempt from environmental review pursuant to Section 15061(b) (3) (General Rule) of the California Environmental Quality Act (CEQA) and Section 305 of the City of Roseville CEQA Implementing Procedures.

RECOMMENDATION

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

Recommend that the City Council adopt the five findings of fact and approve the **DEVELOPMENT AGREEMENT AMENDMENT – WEST ROSEVILLE SPECIFIC PLAN (WRSP) FIDDYMENT RANCH DA AMENDMENT #7 – 4270 CRAWFORD PW – FILE# PL16-0442**

ATTACHMENTS

- Existing Downtown Benefit Fee Parcels – DAA #5
- Proposed Downtown Benefit Fee Parcels – DAA #7

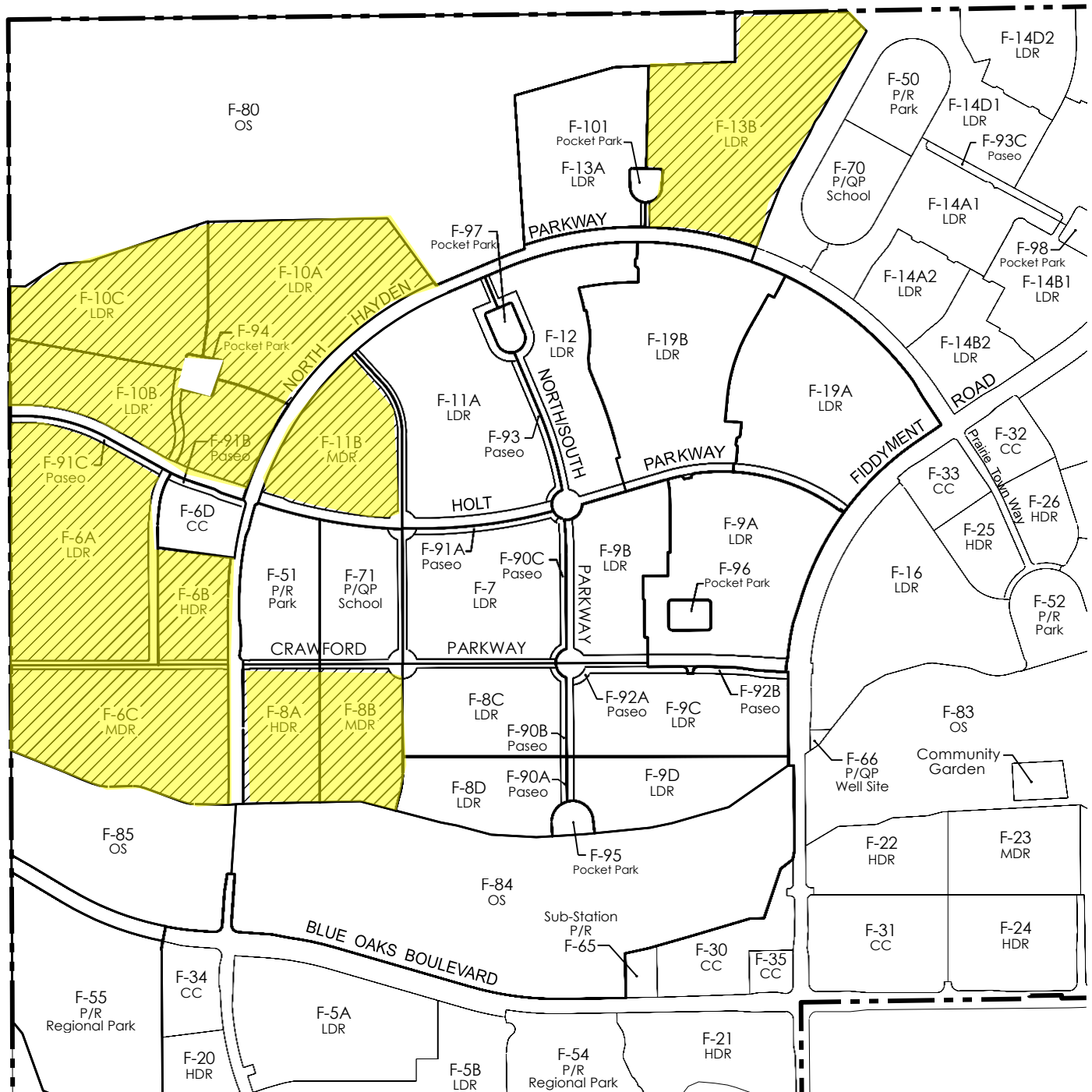
EXHIBIT

- A. Seventh Amendment of Development Agreement (with Attachments and Exhibits) by and Between the City of Roseville and Roseville Fiddymment Land Venture, LLC, Relative to the West Roseville Specific Plan

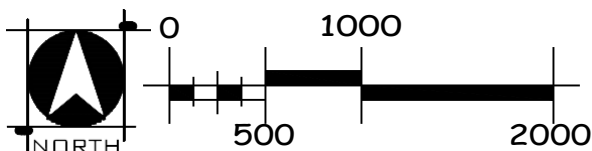
Note to Applicant and/or Developer: Please contact the Planning Division staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only 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.

EXISTING DOWNTOWN BENEFIT PARCELS ROSEVILLE, CALIFORNIA

MARCH 3, 2017



NOTE: PLANNING AREA F-13B, ONLY 95 UNITS ARE SUBJECT TO THE DOWNTOWN BENEFIT FEE.



[illegible]

Recording Requested by:

CITY OF ROSEVILLE

When Recorded Mail to:

City Clerk

City of Roseville

311 Vernon Street

Roseville, CA 95678

Exempt from Recording Fees Pursuant to

Cal. Gov. Code §27383

(This Space Reserved for Recorder's Use)

**SEVENTH AMENDMENT OF DEVELOPMENT AGREEMENT BY AND BETWEEN
THE CITY OF ROSEVILLE AND ROSEVILLE FIDDYMENT LAND
VENTURE, LLC, RELATIVE TO THE WEST ROSEVILLE SPECIFIC PLAN**

This Seventh Amendment of Development Agreement (this "Seventh Amendment") is entered into this ____ day of ____, 2017, by and among the CITY OF ROSEVILLE, a municipal corporation ("City") and ATC REALTY ONE, LLC, a Delaware limited liability company and FIDDYMENT 116 LOTS, LLC, a California limited liability company (collectively, "Developer"), pursuant to Sections 65864 through 65869.5 of the Government Code of California.

WITNESSETH:

A. Developer's predecessor in interest, Roseville/Fiddymment Land Venture, LLC ("RFLV") and City entered into a Development Agreement (the "Development Agreement") which was approved by the City Council of City on February 23, 2004, and recorded on June 21, 2004, in the Official Records of Placer County as Document No. 2004-0080708. The Development Agreement governs a portion of the West Roseville Specific Plan Area ("Specific Plan", "WRSP" or "Plan Area"). Except as otherwise defined herein, all capitalized terms used herein shall have the meanings ascribed thereto in the Development Agreement.

B. Certain terms of settlement agreements arising out of two lawsuits regarding the WRSP (Catalano v. Roseville and Defenders of Wildlife v. Norton) imposed additional conditions on the WRSP that require implementation through amendment of the Development Agreement.

C. On January 4, 2006, City and RFLV, by Ordinance No. 4324, entered into the First Amendment of the Development Agreement ("First Amendment"). The First

Amendment was recorded on March 2, 2006, in the Official Records of Placer County as Instrument No. 2006-0022488.

D. On June 18, 2008, City and RFLV, by Ordinance No. 4668, entered into the Second Amendment of the Development Agreement ("Second Amendment"). The Second Amendment was recorded on July 22, 2008, in the Official Records of Placer County as Instrument No. 2008-0059263.

E. On September 2, 2009, City and RFLV, by Ordinance No. 4767, entered into the Third Amendment of the Development Agreement ("Third Amendment"). The Third Amendment was recorded on September 10, 2009, in the Official Records of Placer County as Instrument No. 2009-0078876.

F. On July 17, 2013, City and ATC Realty One, LLC, by Ordinance No. 5211, entered into the Fourth Amendment of the Development Agreement ("Fourth Amendment"). The Fourth Amendment was recorded on August 20, 2013, in the Official Records of Placer County as Instrument No. 2013-0082174.

G. On May 7, 2014, City and ATC Realty One, LLC, by Ordinance No. 5337, entered into the Fifth Amendment of the Development Agreement ("Fifth Amendment"). The Fifth Amendment was recorded on June 18, 2014, in the Official Records of Placer County as Instrument No. 2014-0040699.

H. On August 6, 2014, City and West Roseville Development Company, Inc., by Ordinance No. 5385, entered into the Sixth Amendment of the Development Agreement ("Sixth Amendment"). The Sixth Amendment was recorded on August 14, 2014, in the Official Records of Placer County as Instrument No. 2014-0055752.

I. This Seventh Amendment affects portions of the property subject to the Development Agreement that is owned by each party comprising Developer within the Plan Area (the "Seventh Amendment Property"), which portions are described in Exhibit "A-1", and depicted in Exhibit "A-2" attached to this Seventh Amendment, and shall run with the land described therein.

J. This Seventh 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 sections of the Development Agreement are hereby amended as follows:

a. REVISED SECTION 3.5.17.1. Section 3.5.17.1 of the Development Agreement is hereby amended in its entirety to read as follows:

"3.5.17.1 Placer County Traffic Mitigation Fee. As more particularly described below, Developer agrees to pay to City at the time building permits are issued within the planning areas described below, a fee of \$125 per DUE (the "Placer County Traffic Mitigation Fee") to provide fair share funding to Placer County as full mitigation of impacts on the Placer County roadway circulation system for roadways in the adopted County Capital Improvement Program at the date of approval of this Agreement that are north of Interstate 80, west of Highway 65, and outside of County approved specific plan areas (excluding Watt Avenue (Santucci Boulevard) and the extension of Vista Grande Boulevard as provided in Section 3.5.15 above) for the additional 1,189 LDR and MDR units and the 472 HDR units. Once established, the Placer County Road Impact Fee shall be adjusted annually after the completion of annexation proceedings for the Specific Plan by the percentage of change in the CCI.

The Placer County Traffic Mitigation Fee will be collected within the following planning areas of the Seventh Amendment Property consistent with Large Lot Tentative Map PL16-0364, and as shown on attached Exhibit "B": F-6A1, F-6A2, F-6B, F-6C1, F-6C2, F-8A, F-8B, F-10A1, F-10A2, F-10B1, F-10B2, F-10C1, F-10C2, F-11B, F-13A-1, F-13A-2, and F-13B-3 (14 units). Planning area F-13B-3 is currently approved for 45 units. Concurrently with the City's approval of a small lot final subdivision map for planning area F-13B-3, lot numbers 1 through 14 within F-13B-3 will be subject to the Placer County Traffic Mitigation Fee."

b. REVISED SECTION 3.15.15. Section 3.15.15 of the Development Agreement is hereby amended in its entirety to read as follows:

"3.15.15 Downtown Benefit Fee. Developer acknowledges and agrees to pay to City at the time building permits are issued within the planning areas described below, the Downtown Benefit Fee, for the additional 1,189 LDR and MDR units and the 472 HDR units being added to the Fifth Amendment Property in connection with this Fifth Amendment. The Downtown Benefit Fee is \$5,000 per unit.

The Downtown Benefit Fee will be collected within the following planning areas of the Seventh Amendment Property consistent with Large Lot Tentative Map PL16-0364, and as shown on attached Exhibit "B": F-6A1, F-6A2, F-6B, F-6C1, F-6C2, F-8A, F-8B, F-10A1, F-10A2, F-10B1, F-10B2, F-10C1, F-10C2, F-11B, F-13A-1, F-13A-2, and F-13B-3 (14 units). Planning area F-13B-3 is currently approved for 45 units. Concurrently with the City's approval of a small lot final subdivision map for planning area F-13B-3, lot numbers 1 through 14 within F-13B-3 will be subject to the Downtown Benefit Fee."

2. **CONSISTENCY WITH GENERAL PLAN.** The City Council has found and determined that this Seventh Amendment of the Development Agreement is consistent with the General Plan and the West Roseville Specific Plan.

3. **AMENDMENT.** This Seventh Amendment amends, but does not replace or supersede, the Development Agreement, except as specified herein. As amended hereby, the Development Agreement remains in full force and effect.

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

[Signature Page Follows]

IN WITNESS WHEREOF, the City of Roseville, a municipal corporation, has authorized the execution of this Seventh 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 _____, 2017.

CITY OF ROSEVILLE,
a municipal corporation

ATC REALTY ONE, LLC,
a Delaware limited liability company

By: _____
Rob Jensen
City Manager

By: _____
Name: _____
Title: _____

ATTEST:

FIDDYMENT 116 LOTS, LLC, a
California limited liability company

By: _____
Sonia Orozco
City Clerk

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM:

By: _____
Robert R. Schmitt
City Attorney

APPROVED AS TO SUBSTANCE:

By: _____
Kevin Payne
Development Services Director

EXHIBIT 'A-1'
WRSP Fiddymment Ranch DAA No. 7
Description of Properties Subject to DAA No. 7

Properties owned by ATC Reality One, LLC:

All that real property located in the City of Roseville, County of Placer, State of California as shown on Exhibit A-2 attached and described as follows:

PARCEL 1

All of the Designated Remainder, as shown on that certain map titled "Final Map of Fiddymment Ranch Phase 2, Large Lot Subdivision", filed in Book BB of Maps, at Page 24, Official Records of Placer County.

EXCEPTING THEREFROM,

All of that certain map titled "Final Map of Fiddymment Ranch – Phase 2, F-13B1", filed in Book DD of Maps, at Page 73, Official Records of Placer County.

FURTHER EXCEPTING THEREFROM,

All of that certain parcel of land conveyed to the City of Roseville in a Grant Deed recorded September 16, 2015 as Document No. 2015-0081570, Official Records of Placer County.

APN: 492-010-080-000

PARCEL 2

All of the Designated Remainder, as shown on that certain map titled "Final Map of Fiddymment Ranch Phase 2, Villages F-9 & F-19", filed in Book DD of Maps, at Page 9, Official Records of Placer County.

APN: 492-010-057-000

Properties Owned by Fiddymment 116 Lots, LLC:

All that real property located in the City of Roseville, County of Placer, State of California as shown on Exhibit A-2 attached and described as follows:

Lots 1 through 75, inclusive, and Lot D, all as shown on that certain map titled "Final Map of Fiddymment Ranch – Phase 2, F-13B1", filed in Book DD of Maps, at Page 73, Official Records of Placer County.

APNs:

403-010-001-000 through 403-010-029-000;

403-020-001-000 through 403-020-046-000; 492-010-079-000

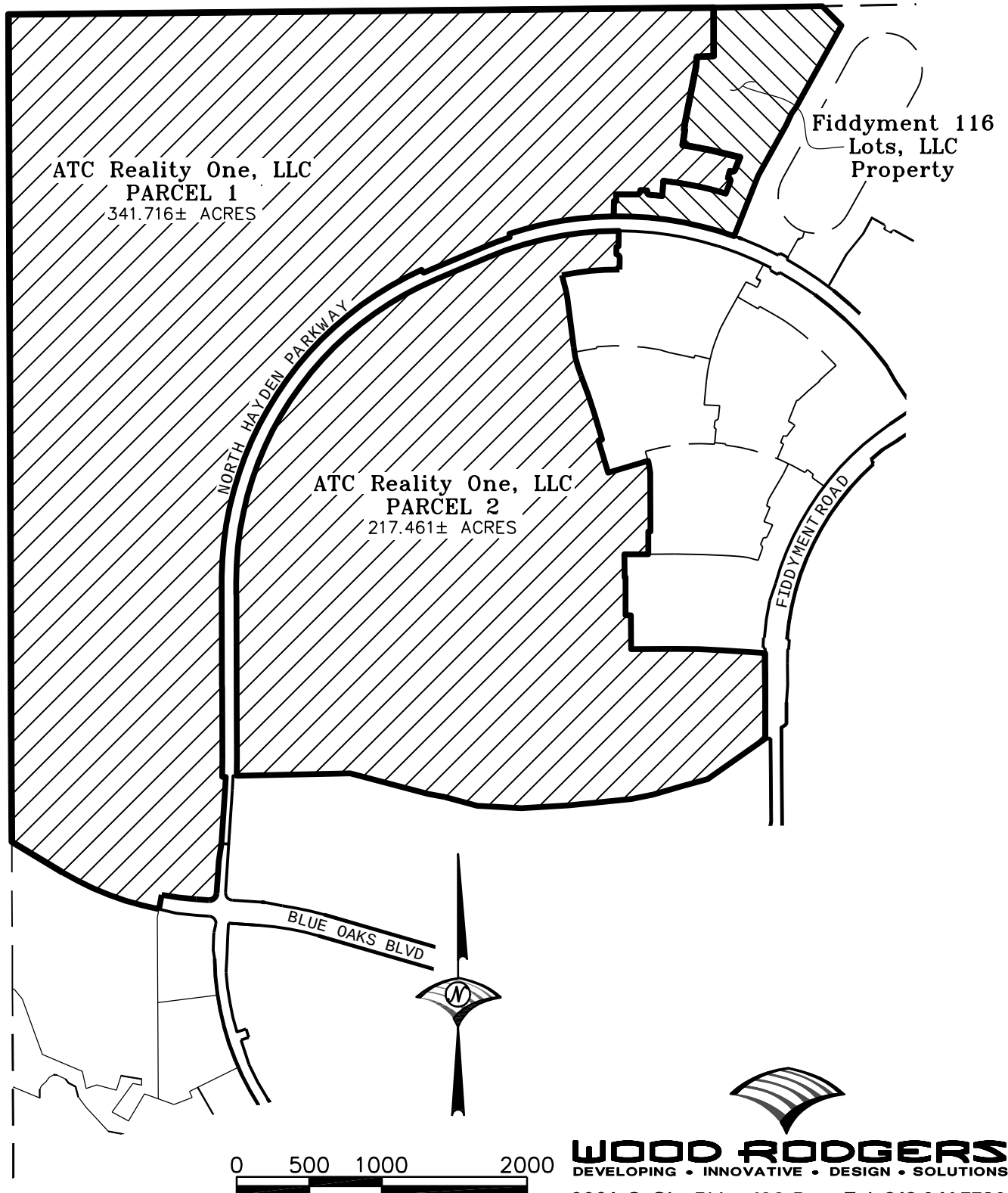
May 16, 2017

END OF DESCRIPTION

PREPARED BY WOOD RODGERS, INC
SACRAMENTO, CALIFORNIA

EXHIBIT 'A-2'

WRSP FIDDYMENT RANCH DAA NO. 7
PROPERTIES SUBJECT TO DAA NO. 7



SCALE: 1" = 1000'

WOOD RODGERS
DEVELOPING • INNOVATIVE • DESIGN • SOLUTIONS

3301 C St., Bldg. 100-B Tel 916.341.7760
Sacramento, CA 95816 Fax 916.341.7767

MAY 16, 2017 1027.152 SHEET 1 OF 1

EXHIBIT 'B'

WRSP FIDDYMENT RANCH DAA NO. 7

PROPERTIES SUBJECT TO PLACER COUNTY

TRAFFIC MITIGATION FEE & DOWNTOWN BENEFIT FEE

MAY 17, 2017

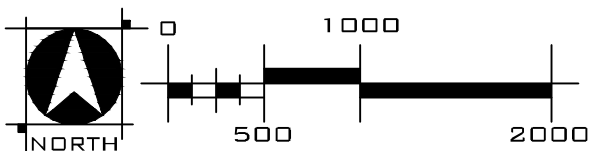
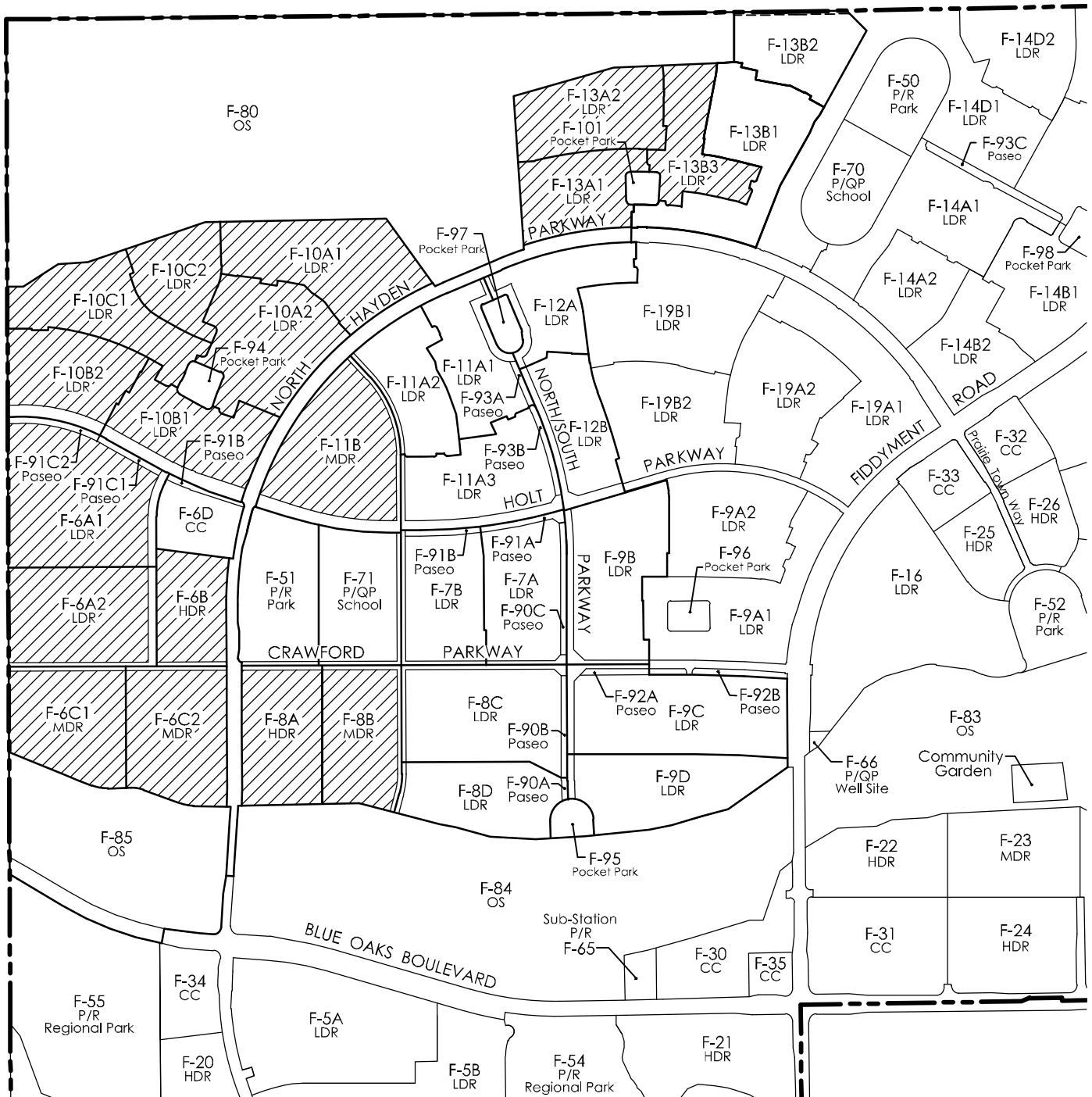
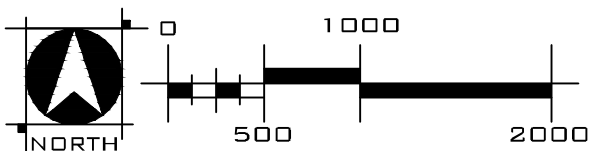
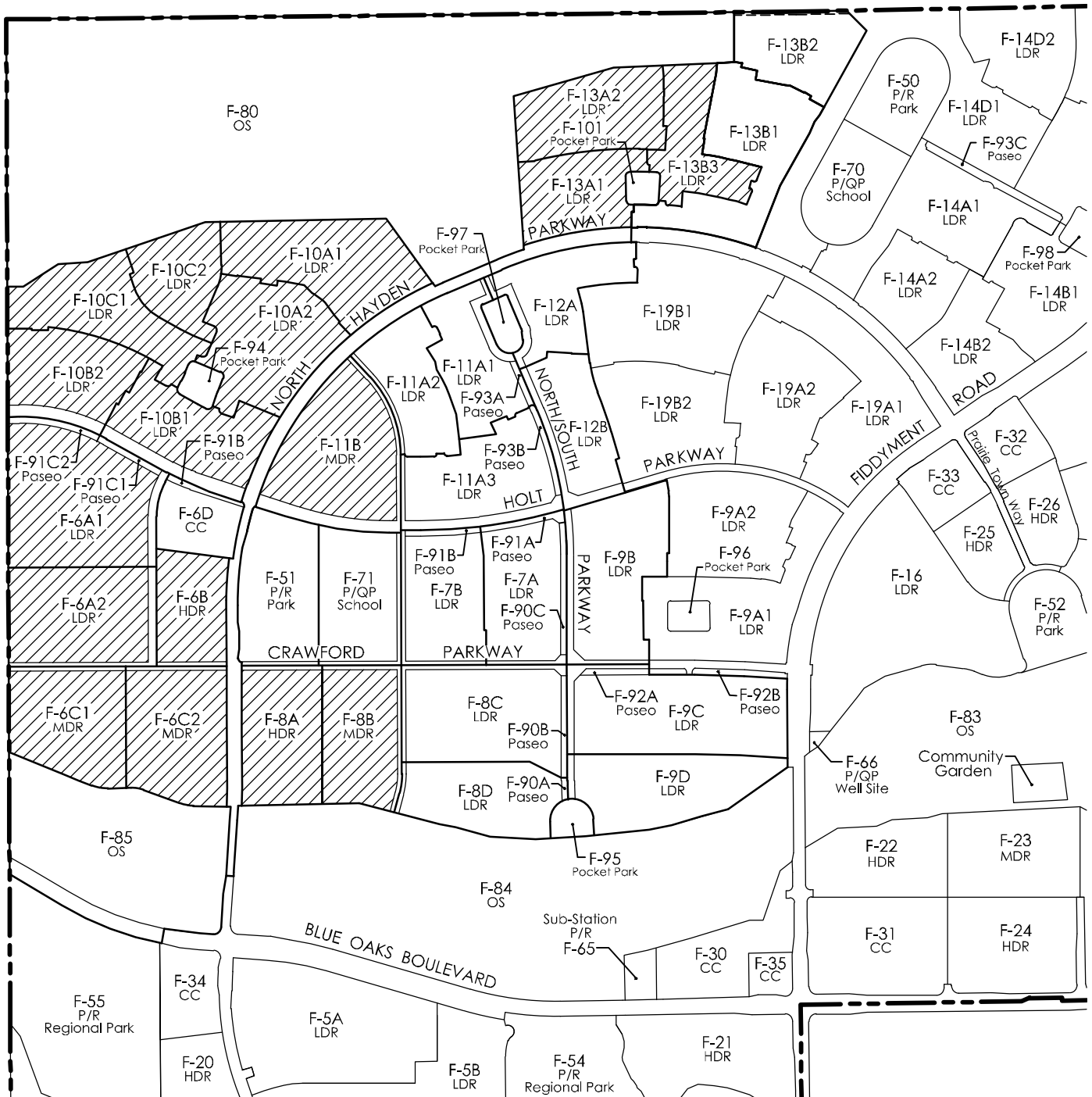


EXHIBIT 'B'
 WRSP FIDDYMENT RANCH DAA NO. 7
 PROPERTIES SUBJECT TO PLACER COUNTY
 TRAFFIC MITIGATION FEE & DOWNTOWN BENEFIT FEE
 MAY 17, 2017



Recording Requested by:

CITY OF ROSEVILLE

When Recorded Mail to:

City Clerk

City of Roseville

311 Vernon Street

Roseville, CA 95678

Exempt from Recording Fees Pursuant to

Cal. Gov. Code §27383

(This Space Reserved for Recorder's Use)

**SEVENTH AMENDMENT OF DEVELOPMENT AGREEMENT BY AND BETWEEN
THE CITY OF ROSEVILLE AND ROSEVILLE FIDDYMENT LAND
VENTURE, LLC, RELATIVE TO THE WEST ROSEVILLE SPECIFIC PLAN**

This Seventh Amendment of Development Agreement (this "Seventh Amendment") is entered into this ____ day of ____, 2017, by and among the CITY OF ROSEVILLE, a municipal corporation ("City") and ATC REALTY ONE, LLC, a Delaware limited liability company and FIDDYMENT 116 LOTS, LLC, a California limited liability company (collectively, "Developer"), pursuant to Sections 65864 through 65869.5 of the Government Code of California.

WITNESSETH:

A. Developer's predecessor in interest, Roseville/Fiddymment Land Venture, LLC ("RFLV") and City entered into a Development Agreement (the "Development Agreement") which was approved by the City Council of City on February 23, 2004, and recorded on June 21, 2004, in the Official Records of Placer County as Document No. 2004-0080708. The Development Agreement governs a portion of the West Roseville Specific Plan Area ("Specific Plan", "WRSP" or "Plan Area"). Except as otherwise defined herein, all capitalized terms used herein shall have the meanings ascribed thereto in the Development Agreement.

B. Certain terms of settlement agreements arising out of two lawsuits regarding the WRSP (Catalano v. Roseville and Defenders of Wildlife v. Norton) imposed additional conditions on the WRSP that require implementation through amendment of the Development Agreement.

C. On January 4, 2006, City and RFLV, by Ordinance No. 4324, entered into the First Amendment of the Development Agreement ("First Amendment"). The First

Amendment was recorded on March 2, 2006, in the Official Records of Placer County as Instrument No. 2006-0022488.

D. On June 18, 2008, City and RFLV, by Ordinance No. 4668, entered into the Second Amendment of the Development Agreement ("Second Amendment"). The Second Amendment was recorded on July 22, 2008, in the Official Records of Placer County as Instrument No. 2008-0059263.

E. On September 2, 2009, City and RFLV, by Ordinance No. 4767, entered into the Third Amendment of the Development Agreement ("Third Amendment"). The Third Amendment was recorded on September 10, 2009, in the Official Records of Placer County as Instrument No. 2009-0078876.

F. On July 17, 2013, City and ATC Realty One, LLC, by Ordinance No. 5211, entered into the Fourth Amendment of the Development Agreement ("Fourth Amendment"). The Fourth Amendment was recorded on August 20, 2013, in the Official Records of Placer County as Instrument No. 2013-0082174.

G. On May 7, 2014, City and ATC Realty One, LLC, by Ordinance No. 5337, entered into the Fifth Amendment of the Development Agreement ("Fifth Amendment"). The Fifth Amendment was recorded on June 18, 2014, in the Official Records of Placer County as Instrument No. 2014-0040699.

H. On August 6, 2014, City and West Roseville Development Company, Inc., by Ordinance No. 5385, entered into the Sixth Amendment of the Development Agreement ("Sixth Amendment"). The Sixth Amendment was recorded on August 14, 2014, in the Official Records of Placer County as Instrument No. 2014-0055752.

I. This Seventh Amendment affects portions of the property subject to the Development Agreement that is owned by each party comprising Developer within the Plan Area (the "Seventh Amendment Property"), which portions are described in Exhibit "A-1", and depicted in Exhibit "A-2" attached to this Seventh Amendment, and shall run with the land described therein.

J. This Seventh 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 sections of the Development Agreement are hereby amended as follows:

a. REVISED SECTION 3.5.17.1. Section 3.5.17.1 of the Development Agreement is hereby amended in its entirety to read as follows:

"3.5.17.1 Placer County Traffic Mitigation Fee. As more particularly described below, Developer agrees to pay to City at the time building permits are issued within the planning areas described below, a fee of \$125 per DUE (the "Placer County Traffic Mitigation Fee") to provide fair share funding to Placer County as full mitigation of impacts on the Placer County roadway circulation system for roadways in the adopted County Capital Improvement Program at the date of approval of this Agreement that are north of Interstate 80, west of Highway 65, and outside of County approved specific plan areas (excluding Watt Avenue (Santucci Boulevard) and the extension of Vista Grande Boulevard as provided in Section 3.5.15 above) for the additional 1,189 LDR and MDR units and the 472 HDR units. Once established, the Placer County Road Impact Fee shall be adjusted annually after the completion of annexation proceedings for the Specific Plan by the percentage of change in the CCI.

The Placer County Traffic Mitigation Fee will be collected within the following planning areas of the Seventh Amendment Property consistent with Large Lot Tentative Map PL16-0364, and as shown on attached Exhibit "B": F-6A1, F-6A2, F-6B, F-6C1, F-6C2, F-8A, F-8B, F-10A1, F-10A2, F-10B1, F-10B2, F-10C1, F-10C2, F-11B, F-13A-1, F-13A-2, and F-13B-3 (14 units). Planning area F-13B-3 is currently approved for 45 units. Concurrently with the City's approval of a small lot final subdivision map for planning area F-13B-3, lot numbers 1 through 14 within F-13B-3 will be subject to the Placer County Traffic Mitigation Fee."

b. REVISED SECTION 3.15.15. Section 3.15.15 of the Development Agreement is hereby amended in its entirety to read as follows:

"3.15.15 Downtown Benefit Fee. Developer acknowledges and agrees to pay to City at the time building permits are issued within the planning areas described below, the Downtown Benefit Fee, for the additional 1,189 LDR and MDR units and the 472 HDR units being added to the Fifth Amendment Property in connection with this Fifth Amendment. The Downtown Benefit Fee is \$5,000 per unit.

The Downtown Benefit Fee will be collected within the following planning areas of the Seventh Amendment Property consistent with Large Lot Tentative Map PL16-0364, and as shown on attached Exhibit "B": F-6A1, F-6A2, F-6B, F-6C1, F-6C2, F-8A, F-8B, F-10A1, F-10A2, F-10B1, F-10B2, F-10C1, F-10C2, F-11B, F-13A-1, F-13A-2, and F-13B-3 (14 units). Planning area F-13B-3 is currently approved for 45 units. Concurrently with the City's approval of a small lot final subdivision map for planning area F-13B-3, lot numbers 1 through 14 within F-13B-3 will be subject to the Downtown Benefit Fee."

2. **CONSISTENCY WITH GENERAL PLAN.** The City Council has found and determined that this Seventh Amendment of the Development Agreement is consistent with the General Plan and the West Roseville Specific Plan.

3. **AMENDMENT.** This Seventh Amendment amends, but does not replace or supersede, the Development Agreement, except as specified herein. As amended hereby, the Development Agreement remains in full force and effect.

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

[Signature Page Follows]

IN WITNESS WHEREOF, the City of Roseville, a municipal corporation, has authorized the execution of this Seventh 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 _____, 2017.

CITY OF ROSEVILLE,
a municipal corporation

ATC REALTY ONE, LLC,
a Delaware limited liability company

By: _____
Rob Jensen
City Manager

By: _____
Name: _____
Title: _____

ATTEST:

FIDDYMENT 116 LOTS, LLC, a
California limited liability company

By: _____
Sonia Orozco
City Clerk

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM:

By: _____
Robert R. Schmitt
City Attorney

APPROVED AS TO SUBSTANCE:

By: _____
Kevin Payne
Development Services Director

EXHIBIT 'A-1'
WRSP Fiddymment Ranch DAA No. 7
Description of Properties Subject to DAA No. 7

Properties owned by ATC Reality One, LLC:

All that real property located in the City of Roseville, County of Placer, State of California as shown on Exhibit A-2 attached and described as follows:

PARCEL 1

All of the Designated Remainder, as shown on that certain map titled "Final Map of Fiddymment Ranch Phase 2, Large Lot Subdivision", filed in Book BB of Maps, at Page 24, Official Records of Placer County.

EXCEPTING THEREFROM,

All of that certain map titled "Final Map of Fiddymment Ranch – Phase 2, F-13B1", filed in Book DD of Maps, at Page 73, Official Records of Placer County.

FURTHER EXCEPTING THEREFROM,

All of that certain parcel of land conveyed to the City of Roseville in a Grant Deed recorded September 16, 2015 as Document No. 2015-0081570, Official Records of Placer County.

APN: 492-010-080-000

PARCEL 2

All of the Designated Remainder, as shown on that certain map titled "Final Map of Fiddymment Ranch Phase 2, Villages F-9 & F-19", filed in Book DD of Maps, at Page 9, Official Records of Placer County.

APN: 492-010-057-000

Properties Owned by Fiddymment 116 Lots, LLC:

All that real property located in the City of Roseville, County of Placer, State of California as shown on Exhibit A-2 attached and described as follows:

Lots 1 through 75, inclusive, and Lot D, all as shown on that certain map titled "Final Map of Fiddymment Ranch – Phase 2, F-13B1", filed in Book DD of Maps, at Page 73, Official Records of Placer County.

APNs:

403-010-001-000 through 403-010-029-000;

403-020-001-000 through 403-020-046-000; 492-010-079-000

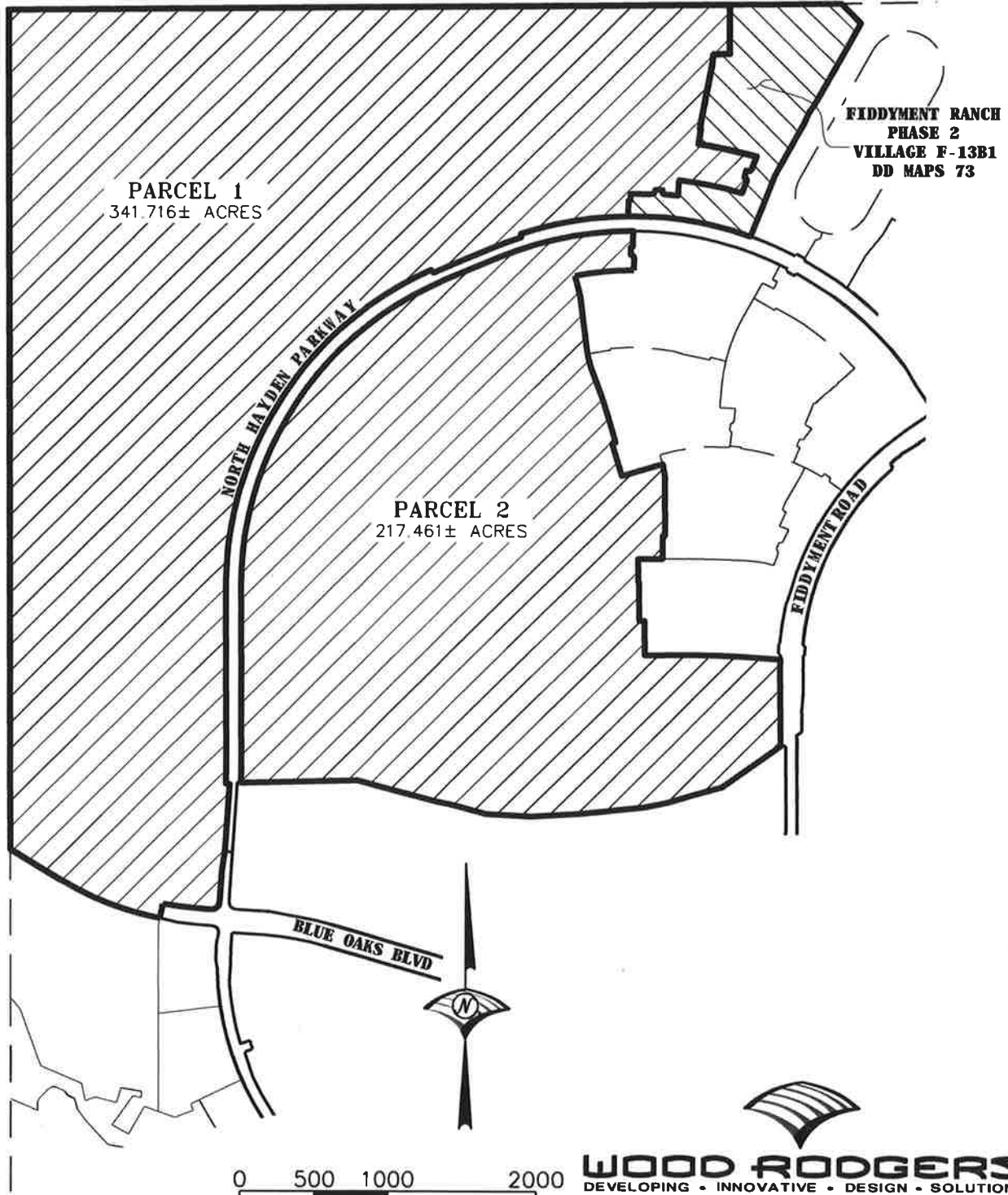
May 16, 2017

END OF DESCRIPTION

PREPARED BY WOOD RODGERS, INC
SACRAMENTO, CALIFORNIA

EXHIBIT 'A-2'

WRSP FIDDYMENT RANCH DAA NO. 7
PROPERTIES SUBJECT TO DAA NO. 7



0 500 1000 2000

SCALE: 1" = 1000'

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Sacramento, CA 95816 Fax 916.341.7767

MAY 16, 2017 1027.152 SHEET 1 OF 1

MAY 17, 2017



Tel 916.341.7760
Fax 916.341.7767



EXHIBIT 'A-1'
WRSP Fiddymment Ranch DAA No. 7
Description of Properties Subject to DAA No. 7

Properties owned by ATC Reality One, LLC:

All that real property located in the City of Roseville, County of Placer, State of California as shown on Exhibit A-2 attached and described as follows:

PARCEL 1

All of the Designated Remainder, as shown on that certain map titled "Final Map of Fiddymment Ranch Phase 2, Large Lot Subdivision", filed in Book BB of Maps, at Page 24, Official Records of Placer County.

EXCEPTING THEREFROM,

All of that certain map titled "Final Map of Fiddymment Ranch – Phase 2, F-13B1", filed in Book DD of Maps, at Page 73, Official Records of Placer County.

FURTHER EXCEPTING THEREFROM,

All of that certain parcel of land conveyed to the City of Roseville in a Grant Deed recorded September 16, 2015 as Document No. 2015-0081570, Official Records of Placer County.

APN: 492-010-080-000

PARCEL 2

All of the Designated Remainder, as shown on that certain map titled "Final Map of Fiddymment Ranch Phase 2, Villages F-9 & F-19", filed in Book DD of Maps, at Page 9, Official Records of Placer County.

APN: 492-010-057-000

Properties Owned by Fiddymment 116 Lots, LLC:

All that real property located in the City of Roseville, County of Placer, State of California as shown on Exhibit A-2 attached and described as follows:

Lots 1 through 75, inclusive, and Lot D, all as shown on that certain map titled "Final Map of Fiddymment Ranch – Phase 2, F-13B1", filed in Book DD of Maps, at Page 73, Official Records of Placer County.

APNs:

403-010-001-000 through 403-010-029-000;

403-020-001-000 through 403-020-046-000; 492-010-079-000

May 16, 2017

END OF DESCRIPTION

PREPARED BY WOOD RODGERS, INC
SACRAMENTO, CALIFORNIA



PLANNING COMMISSION

Title:

INFILL PCL 326 - VERIZON WIRELESS MONOPOLE CUP EXTENSION -
1550 MAIDU DRIVE - FILE #PL17-0027

Meeting Date: 6/22/2017

Item #: 5.1.

ATTACHMENTS:**Description**

Revised Staff Report and Exhibits

ITEM V-A: INFILL PCL 326 – VERIZON WIRELESS MONOPOLE CUP EXTENSION – 1550 MAIDU DRIVE – FILE #PL17-0027.

REQUEST

The applicant requests approval of a one-year extension of the Verizon Wireless Monopole Conditional Use Permit (CUP). The CUP was originally approved on January 22, 2015, and authorized; 1) construction of a 92' monopole to replace existing stadium light standard; 2) installation of 8 telecommunications antennas above stadium lights on the pole; and 3) installation of ground-mounted equipment within a 30' x 30' lease area enclosed by a chain link fence with slats, 8 feet in height.

Applicant – Jacobs, for Verizon, Michelle Thompson
Property Owner – City of Roseville, Tara Gee

SUMMARY RECOMMENDATION

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

- A. Adopt the two (2) findings of fact for the Conditional Use Permit Extension; and approve the Conditional Use Permit Extension subject to seven (7) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

A Notice of Intent to Approve the CUP extension was mailed to all property owners within 300 feet of Maidu Park. Prior to approving the CUP extension, staff received a letter (see Attachment 7) from a resident requesting a public hearing on this matter (see Public Outreach section of this report).

The applicant has reviewed the project conditions and is in agreement with the recommendation.

Figure 1: Vicinity Map



BACKGROUND

Maidu Regional Park is located within the City's Infill area, is 152 acres in size, and is developed with multiple amenities; including softball and soccer fields, skateboard park, batting cages, community center, Maidu Historic Site, and library. The park has a zoning and land use designation of Parks and Recreation (PR) and is bounded by McLaren Drive to the south, Johnson Ranch Drive to the north and east, and Rocky Ridge Drive to the west.

In January 2015, the Planning Commission approved a request for a Conditional Use Permit (PL14-0442) to construct a cellular monopole with stadium light fixtures to be located in an area between existing softball fields and soccer fields, approximately 610 feet north of McLaren Drive. The approved antenna site is ±510 feet south of Maidu Elementary School and ±700 north of the nearest residence on the south side of McLaren Drive. The approved equipment enclosure is to be located immediately adjacent to an existing telecommunications equipment enclosure at the site in an unimproved area between a pedestrian/bike path and graveled service road at the eastern edge of the park's softball fields (see Figure 1 and Attachments 2 – 6).

The expiration date of the Conditional Use Permit (CUP) was January 22, 2017; however, the applicant submitted the application for an extension of the CUP prior to the expiration date, on January 20, 2017. The current request is to grant a one-year extension of the CUP, which would provide a new expiration date of January 22, 2018.

Permit extensions are typically approved administratively by the Planning Manager. However, following the mailing of the Notice of Intent to Approve the CUP Extension request, staff was contacted by a resident who expressed concerns about use of City park land for telecommunications facilities (see Attachment 7). The neighbor's concerns are addressed further under Public Outreach below.

EVALUATION

Section 19.78.060.D of the City of Roseville Zoning Ordinance requires that two findings be made to approve a CUP Extension. The required findings are listed below in ***italicized bold print*** and are followed by an evaluation.

1. ***The proposed development is in compliance with all standards in effect as of the date of application for the extension, or there is no public benefit to the imposition of current standards comparable to the cost of imposing them.***

The Planning Division has forwarded the request to City Departments, utilities and other service providers. The reviewing parties have not identified any new standards that should be applied to this project.

2. ***No change has occurred in the circumstances or in the factual basis on which the approval was made since the date of original approval that results in the inability to make findings of approval for the extension consistent with those originally made.***

The Planning Division has not identified any circumstances that have changed which affect the project.

PUBLIC OUTREACH

On February 15, 2017, a letter was sent to the Maidu Neighborhood Association and the RCONA Board advising of the CUP Extension request. On March 24, 2017, the Notice of Intent to Approve the request

was sent to the Maidu Association and to properties within a 300-foot radius of the project site. Following that mailing, staff received a response from a resident who lives near Maidu Park, who expressed concerns about the use of City park land for telecommunications facilities. Staff provided information about the project and prior Planning Commission review and approval; however, the resident wanted to express his concerns to the Planning Commission; therefore, he requested a public hearing (see Attachment 7).

As discussed previously, the Planning Commission approved the original CUP request for construction of the monopole and associated ground-mounted equipment in January 2015. There have been no project modifications proposed since the January 2015 Planning Commission action.

The Parks, Recreation and Libraries Department has reviewed the project plans, and CUP extension request and does not foresee any negative impacts to Maidu Park, and supports the location of the proposed telecommunications facility ground equipment and monopole.

Additionally, Planning staff has reviewed the monopole project against Zoning Ordinance standards for telecommunications towers (RMC Chapter 19.34.030 A.). Chapter 19.34.030 A.3. states that in order to minimize overall visual impact, facilities should be designed to promote facility and site sharing. Staff's evaluation resulted in the conclusion that the proposed telecommunications facility (replacement of and modifying existing lighting standard) conforms to this standard and minimizes the overall visual impact to the area vs. construction of a new cellular tower in the vicinity.

ENVIRONMENTAL DETERMINATION

The application is Categorically Exempt from environmental review pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) and Section 305 of the City of Roseville CEQA Implementing Procedures.

RECOMMENDATIONS

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

- A. Adopt the two (2) findings of fact for the **INFILL PCL 326 – VERIZON WIRELESS MONOPOLE CUP EXTENSION – 1550 MAIDU DRIVE – FILE #PL17-0027** as stated in the staff report; and approve the **INFILL PCL 326 – VERIZON WIRELESS MONOPOLE CUP EXTENSION – 1550 MAIDU DRIVE – FILE #PL17-0027** subject to the seven (7) conditions of approval listed below.

CONDITIONS OF APPROVAL – CUP EXTENSION – PL17-0027

1. The project shall comply with all originally approved conditions of approval for PL14-0442 for construction of the cellular monopole and associated ground-mounted equipment, except as modified by the conditions below. (All Departments)
2. This Conditional Use Permit approval shall expire on January 22, 2018, unless effectuated. (Planning)
3. Use or storage of hazardous materials, liquids, gases and/or chemicals within the equipment enclosure will be subject to meeting the requirements of the Hazardous Materials Storage Policy set forth by the City of Roseville, the applicable sections of the California Fire Code, and the National Fire Codes. Submit names and amount of any hazardous materials, if they are to be stored or used, to the Fire and Life Safety Division for review and approval. (Fire)

4. Prior to start of work, contractor shall hold a pre-construction meeting on site and notify Parks, 72 hours minimum prior to the meeting. (Parks)
5. Schedule of work shall be coordinated with Parks in order to avoid conflicts with scheduled use of the fields. (Parks)
6. Contractor shall keep the bike trail clear of construction, debris, materials, equipment and vehicles. Any temporary closures of the bike trail shall be coordinated with Parks. Safe detours shall be provided and signage shall be erected one week prior to any closures. (Parks)
7. Damage to existing facilities or amenities shall be the responsibility of the project applicant. (Parks)

ATTACHMENTS

1. Conditional Use Permit Conditions of Approval (PL14-0442)
2. Approved Site Plan
3. Approved Antenna Plan
4. Approved Elevations - Complete Facility (Monopole & Equipment Shelter) – 2 Sheets
5. Approved Equipment Enclosure Elevations – 2 Sheets
6. Approved Monopole Elevations – 2 Sheets
7. Letter from Resident

<u>Note to Applicant and/or Developer:</u> 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.
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PLANNING COMMISSION

Title:

DESIGN REVIEW PERMIT MODIFICATION & TREE PERMIT - 1
SIERRAGATE PLAZA - INFILL PCL 241 - JOHN ADAMS ACADEMY MULTI-
PURPOSE BUILDING - FILE# PL15-0283

Meeting Date: 6/22/2017

Item #: 5.2.

ATTACHMENTS:

Description

Staff Report and Exhibits



**PLANNING DIVISION STAFF REPORT
PLANNING COMMISSION MEETING**

June 22, 2017

Prepared by: Ron Miller, Associate Planner

ITEM V-B: DESIGN REVIEW PERMIT MODIFICATION & TREE PERMIT – 1 SIERRAGATE PLAZA – INFILL PCL 241 – JOHN ADAMS ACADEMY MULTI-PURPOSE BUILDING – FILE# PL15-0283

REQUEST

John Adams Academy Charter School proposes to construct an 11,600 square foot multi-purpose building (MPR) within an existing paved parking lot at the eastern edge of the school campus. The project site is located between Harding Boulevard and the Interstate 80 freeway, approximately 400 feet north of Lead Hill Boulevard. The project entitlements requested include a Design Review Permit Modification (DRPMOD) and a Tree Permit (TP) for construction of the MPR and associated site improvements, including a new concrete plaza area, landscaping, and lighting. Exterior improvements to the site consist of a parking lot conversion to accommodate construction of the new MPR. A new courtyard will be added to the north of the MPR building.

Applicant/Owner: Dean Forman, John Adams Academy

SUMMARY RECOMMENDATION

The Planning Department recommends that the Planning Commission:

- A. Adopt the Negative Declaration;
- B. Adopt the two findings of fact for the Design Review Permit Modification; and approve the Design Review Permit Modification subject to seventy-six (76) conditions of approval;
- C. Adopt the two findings of fact for the Tree Permit; and approve the Tree Permit subject to twenty-one (21) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

Prior to and subsequent to submittal of the DRPMOD application for construction of the MPR, neighboring commercial property owners and tenants expressed concern about traffic congestion, and the inability of clients and patients to reach their businesses during John Adams Academy's peak student drop-off and pickup times. Staff and the applicant have had ongoing discussions and have met with the neighboring property owners/tenants on multiple occasions to address the traffic issue and explore potential remedies. Neighboring businesses also inquired as to why the Academy was allowed to locate at Sierragate Plaza, and why the City granted permits for them to do so.

Staff advised, during ongoing discussions and meetings, that a Public Charter School is a permitted use within the Business Professional (BP) zoning district, and no Planning entitlements were required for a permitted use to occupy the site. The applicant did obtain necessary building permits for conversion of the office buildings to classrooms. Additionally, in May 2011, the Academy received approval of a Design Review Permit Modification (DRPMOD) for construction of an outdoor play area within the north area of the campus parking lot (Planning File #2011PL-023 [DRP-000380]).

As a result of neighboring businesses concerns, the applicant completed multiple on-site and off-site (Lead Hill/Harding Boulevard Intersection) circulation improvements in an effort to mitigate traffic congestion during peak student drop-off and pickup times. It is staff's belief that the on-site improvements completed by the applicant have greatly reduced the traffic congestion issues on City streets that existed prior to submittal of this DRPMOD application. Many property owners have still identified on-site traffic and circulation as an ongoing concern with the public charter school. Additional detail regarding the traffic improvements is provided in the Evaluation section of this report.

The applicant has reviewed and is in agreement with the recommended conditions of approval.

BACKGROUND

The project site is located at 1 Sierragate Plaza, within the City's Infill area. Specifically, the project site is located between Harding Boulevard and the Interstate 80 freeway, approximately 400 feet north of Lead Hill Boulevard (see Figure 2). The subject property has General Plan Land Use and Zoning Designations of Business Professional (BP). John Adams Academy is a Public Charter School, with a Zoning Ordinance Use Type Classification of Schools, Elementary and Secondary, which is a permitted Use Type in the BP zoning district.

Figure 1: John Adams Academy – as seen from Harding Boulevard Entrance



The John Adams Academy (K-12 Elementary and Secondary School Use Type) site is 9.85 acres in size, and is currently developed with four buildings, associated paved parking, landscaping, lighting and a paved student playground area. All existing buildings will remain in place. The site also includes a paved ring road, which circles the entire campus. The ring road is shared by John Adams Academy and adjacent commercial properties. The ring road is accessed off Harding Boulevard and used for student drop-off and pickup, as well as access to adjacent businesses.

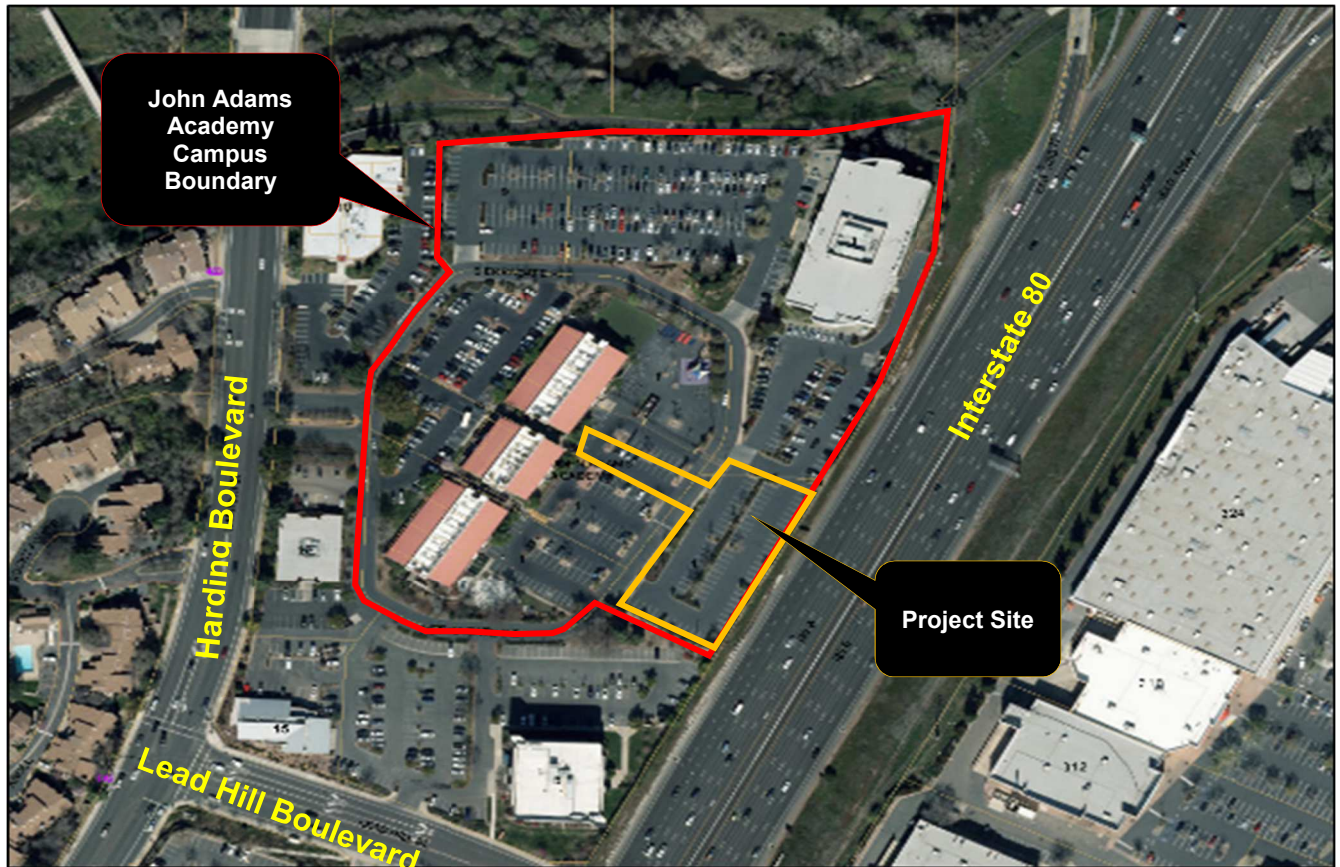
The project site is bordered by commercial properties (professional and medical offices) to the west and south, the Interstate 80 (I-80) freeway to the east, with open space and a bike trail to the north. The project site is approximately 600 feet south of the open space parcel; therefore, there will be no construction activities near the open space area.

The requested project entitlements include a Design Review Permit Modification (DRPMOD) and Tree Permit (TP) for construction of an MPR and associated site improvements, including parking, landscaping, and lighting.

The applicant proposes to construct an 11,600 square foot MPR within an existing paved parking lot at the eastern edge of the school campus. Exterior improvements to the site consist of parking lot demolition to accommodate construction of the proposed building. All landscape islands, curbs and landscaping within the building site will be removed prior to construction of the building. A new courtyard will be added north of the proposed building, which will include trees for shading and a turf area of approximately 600 square feet.

The building's setbacks will be approximately 44 feet north of the southern property boundary (420 feet north of Lead Hill Boulevard), 470 feet east of Harding Boulevard, 650 feet from the north property line (open space & bike trail), and approximately 40 feet west of the I-80 freeway. In comparison, the three-story office building south of the project site is approximately 36 feet west of the I-80 freeway.

Figure 2: Vicinity Map



SITE INFORMATION

- A. **Project Location:** 1 Sierragate Plaza
- B. **Applicable Plan Area:** Infill

C. Public Outreach/Roseville Coalition Of Neighborhood Associations (RCONA):

- November 4, 2015 – JAA Meeting with Neighboring Businesses
- February 1, 2016 – Planning Mtg – Neighboring Businesses – Traffic Study
- February 3, 2016 – Planning Mtg – Neighboring Businesses – Traffic Study/General Discussion
- RCONA Board, Enwood/Folsom Road Neighborhood Association. Staff mailed a letter to the RCONA Board members and the Enwood/Folsom Road Neighborhood Association on August 24, 2015, informing the Board and Association of the application on file.
- On June 8, 2017, a Public Hearing Notice was published in the Press Tribune and was distributed to the RCONA Board, Enwood/Folsom Road Neighborhood Association and property owners and tenants within a 300-foot radius of the project site. To date staff has not received any correspondence or comments.

D. Total Acreage: ±9.5 acres

E. Grading: The project site has been previously graded and improved as a paved parking area. The grading plan for the project indicates minor grading to remove the existing paving and grade for the building pad for the proposed MPR. The project site will be graded to allow drainage into a drainage swale on the west side of the building, and ultimately into the existing drainage system for the school campus.

F. Site Access: The John Adams Academy site is accessed via a driveway entrance off Harding Boulevard. The driveways currently allow for full turning movements and will continue to do so when the project is completed. During morning drop-off and afternoon pickup, the Academy utilizes personnel at the entry and exit drive(s) off Harding Boulevard and at strategic points along the ring road that circles the entire campus site. Traffic monitoring during these peak periods assists with traffic flow for student drop-off and pickup, and also assists customers and clients of neighboring businesses in reaching their desired destination(s). The applicant has completed multiple on-site circulation improvements, as described under Site Design/Circulation below.

The proposed project is consistent with the land uses contemplated by the City's General Plan, Zoning Ordinance and Northwest Roseville Specific Plan (NWRSP).

ZONING STANDARDS		
Development Standard	Required	Proposed
Building Setbacks	None required	±470' – Harding Boulevard ±650' - North property line (open space & bike trail) ±40-53' – Interstate 80 ±420' – Lead Hill Boulevard
Landscape Setbacks	20' – Harding Boulevard (per CDG)	±40' - ±53' – Interstate 80 Proposed building will be constructed within parking area on existing campus within office complex – not adjacent to nearby public streets.
Building Height Limit	50' – BP Zone District	36' to top of roof ridge
Building Coverage	No maximum per Zoning Ordinance	17.1% coverage - entire campus
Parking Spaces (Total)	443 spaces Grades K-8 classrooms = 54 spaces Grades 9-12 (classrooms + student parking requirement) = 196 spaces Multi-purpose building (classrooms + assembly) = 193 spaces	480 spaces

EVALUATION

DESIGN REVIEW PERMIT MODIFICATION

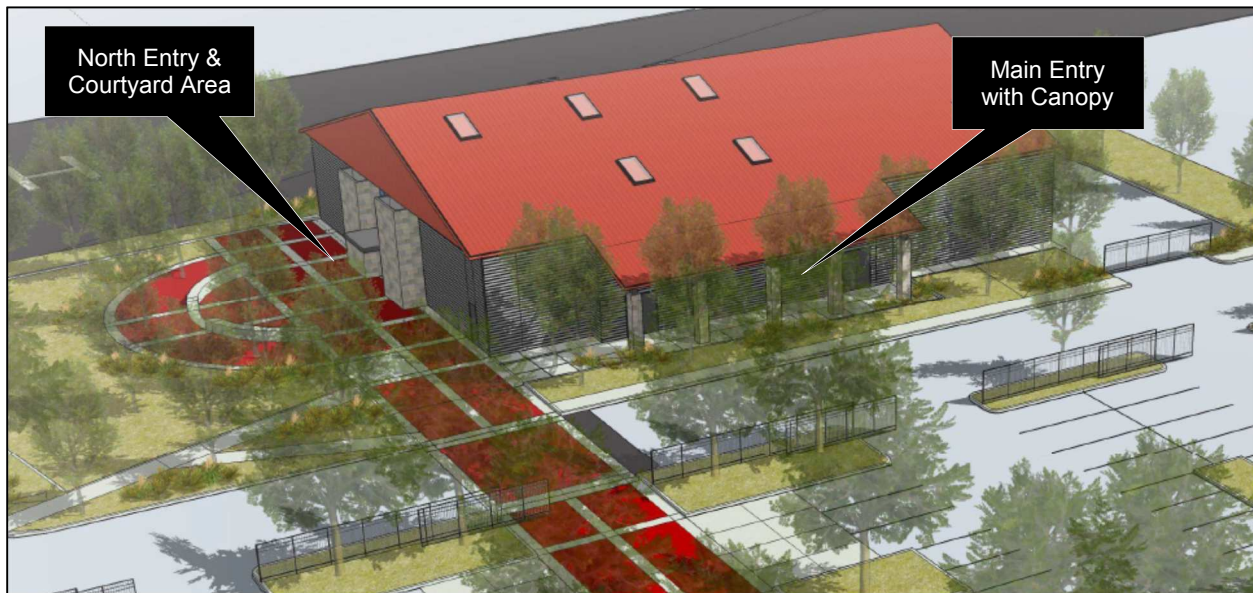
The evaluation of the DRPMOD for the proposed project has been based on the applicable development standards within the City's Zoning Ordinance, and the design standards of the City's Community Design Guidelines (CDG). Staff reviewed the proposal for consistency with all applicable standards and found the project to be consistent with the requirements and guidelines in each. The following discussion is provided as clarification on areas of interest.

As proposed and conditioned, the project complies with the applicable guidelines identified in the above listed documents. The remainder of the Design Review Permit evaluation section will focus on design guidelines that warrant additional review and consideration by the Planning Commission.

Architecture: The MPR building will incorporate dark red metal roofing and grey split-faced block pilasters (at the north and south ends of the building) which were used on the original Sierragate buildings. The grey horizontal metal siding ties in architecturally with the original buildings' use of grey horizontal wood siding.

The west elevation's main entry area will feature a canopy of the same material and color of the roof. The canopy's pitch will be a continuation of and match that of the gabled roof. Five CMU columns will support the canopy structure. The height of the building's eaves will be 20 feet, and roof's ridge height will be 36 feet. Skylights provide daylighting with internal louvers for occupant light control. Translucent glazing on the east façade provides daylight to the court and gathering areas. The entry plaza on the northeast end of the building will also serve as a student gathering area (see Figure 3 & Exhibit E)

Figure 3: 3-D Rendering – MPR West Elevation



Site Design/Circulation: As referenced above, access to the Academy site, and the proposed MPR building, is via a single driveway with median off Harding Boulevard. Once entering the campus off Harding Boulevard, parents are to make a counter-clockwise loop on the ring road to the rear area of the school for student drop off, then complete the loop to exit back onto Harding Boulevard. The

route of travel is depicted with red arrows on the campus circulation plan shown below (see Figure 4). As referenced previously, traffic monitors staff the site during peak drop-off (7:40 am – 8:00 am) and pickup times (2:50 pm – 3:15 pm) to assist in traffic flow.

Prior to, and subsequent to the application submittal, neighboring businesses expressed concern about traffic impacts of the existing school, and the proposed MPR. Specifically, neighboring business owners were receiving complaints from clients, patients and staff that the traffic from the Academy was making it difficult to access the site during drop off and pick up times. The neighboring business owners indicated there was a loss of business as a result of the traffic impacts from the Academy. Staff and the applicant met with neighboring businesses on multiple occasions (see Public Outreach above) to address their concerns and explore possible options for improving the flow of traffic and access to adjacent commercial properties.

As a result of these discussions, Kimley Horn conducted a Traffic Access and Circulation Evaluation (see IS/Neg Dec Attachment 2) in November 2015 to evaluate existing traffic patterns and impacts as well as potential traffic/circulation modifications that might be considered to improve traffic flow in and out of the Academy during peak drop-off and pickup times.

Based on the results of the traffic/circulation evaluation and meetings with neighboring businesses to discuss results of the evaluation, the applicant completed significant on-site improvements to the Sierragate internal circulation system. These improvements include the following:

- Creation of a third lane on the westerly half of Sierragate Plaza Drive to allow two ingress/egress lanes while still allowing opposite direction travel
- Creation of four “Keep Clear” zones to allow free ingress/egress movements at: 1.) Harding entry throat; 2.) 13 Sierragate parking entrance off Sierragate Plaza Drive; 3.) 10 Sierragate parking entrance off Sierragate Plaza Drive; and 4.) 5 Sierragate parking entrance off Sierragate Plaza Drive
- Signage to reinforce preferred vehicular movements
- Windshield signage identifying John Adams Academy (JAA) Roseville parent vehicles
- Operational protocols to monitor and control pedestrian traffic to and from the JAA Roseville campus
- Operational protocols to expedite passenger loading & unloading

Additionally, as a result of traffic studies done for the site, the City has made modifications to the signal timing and roadway striping at the intersection of Lead Hill and Harding Boulevards. The combination of on-site circulation and intersection improvements has greatly improved overall traffic circulation at the site during peak drop-off and pickup times, when compared to school years prior to the improvements being completed.

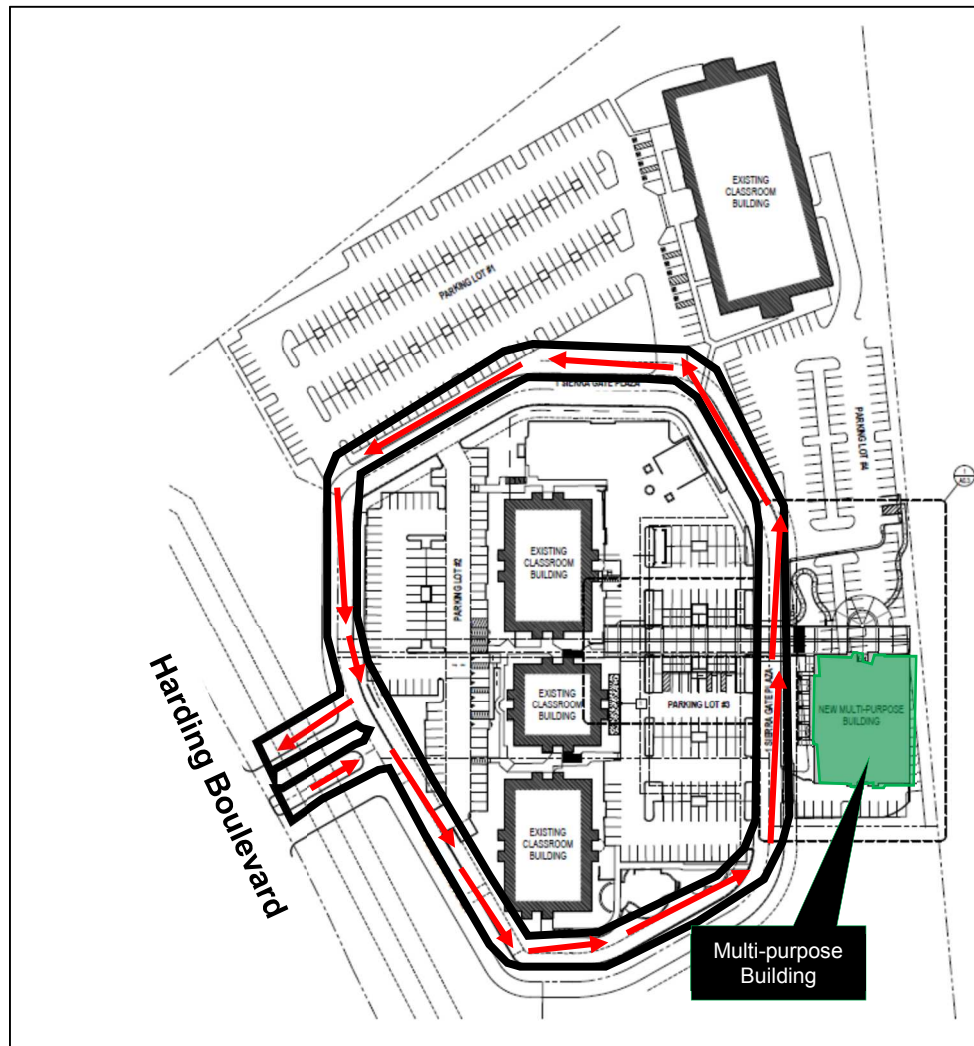
Following completion of the above-referenced improvements, Kimley Horn completed a Traffic Impact Study (see IS/Neg Dec Attachment 3) to re-evaluate traffic/circulation patterns at the Academy site and establish a base for preparation of the necessary environmental document (Initial Study/Negative Declaration).

MPR Access/Uses: Access to the proposed MPR will also utilize the same ring road circulation pattern around the campus to access the various parking areas (see Figure 4). The MPR will be used for activities during the normal daytime school hours, as well as before and after-school activities, such as indoor school athletics (practice and games), drama, choir, band, and other activities. It is anticipated that these before and after school activities will serve to decrease peak hour student drop-

off and pick up by allowing students to arrive prior to morning peak hour traffic to practice for various activities/events, and to stay on campus beyond the normal afternoon peak pickup times.

Other uses include daytime assemblies and parent/teacher conferences, which will not affect peak drop-off and pickup traffic. Occasional activities, such as graduations, evening sporting events, plays, choir concerts, etc., will occur after normal business hours or on weekends, outside of normal peak hour traffic periods. The Academy has prepared a Multi-purpose Room Program Document (see IS/Neg Dec Attachment 1) that details proposed MPR uses, time of day for various activities, and traffic information. Staff has reviewed this document and believes the impacts of activities occurring at the MPR are adequately addressed in the project's Initial Study/Negative Declaration.

Figure 4: Campus Circulation Plan



Parking: Staff analyzed the parking requirement for the Academy site and MPR against the Zoning Ordinance off-street parking standards for Elementary, Middle, and High School use. As shown in the Zoning Standards table on Page 4, the parking requirement for the Academy, including the new MPR, is 443 spaces. There are 480 spaces available, which exceeds the zoning standard by 37 spaces.

Landscaping: The proposed landscape plans shows landscape borders around the perimeter of the building and courtyard at the north end of the building. A landscaped drainage swale will be included

on the west side of the building that will be planted with a variety of shrubs and grasses that will accommodate runoff water prior to discharge from the site through the existing storm water drainage system (see Exhibits D & I).

The courtyard area at the north end of the building will be bounded with a planter area that includes a variety of large scale trees (London Plane, Chinese Pistache & Red Maple) that will serve to visually screen the courtyard area and northern portion the building from the freeway. Additional large scale trees and shrubs will be planted within the landscape border between the building and the east property line adjacent to the freeway right-of-way. All landscaped areas will include a variety of understory shrubbery and ground covers to add color, texture interest to the overall landscape design.

Plant material proposed for all planter areas is of low water use varieties. Landscape plans submitted as part of this project must comply with the City's Water Efficient Landscape Ordinance (see Condition 15).

DESIGN REVIEW PERMIT CONCLUSION

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

TREE PERMIT

An Arborist Report and Protected Tree Inventory were prepared for the project (provided as Exhibit J), which include recommendations for tree preservation guidelines. The table below identifies impacts to the native oak trees within the project area.

TREE #	SPECIES	DBH	CONDITION	MAINTENANCE RECOMMENDATIONS	IMPACT ASSESSMENT
1484	Quercus douglasii	7"	Good		Must be removed due to necessary grading for building pad
1485	Quercus douglasii	6"	Fair to Good	Pruning may be required for clearance. Project Arborist to be onsite during pruning. Install exclusionary fencing prior to grading/grubbing a minimum of 2' from the base to west and 15' to the north and south (Protection area = 444sf or 72%). Any trees to be removed onsite shall be chipped and the chips applied as mulch in the exclusionary fencing area to a depth of 6". Install and strap a straw bale on the west side of the tree trunk. Irrigate the soil to a depth of 18" four (4) days prior to removal of existing curb. Project arborist shall confirm irrigation depth on the day following irrigation. Roots encountered during removal of curb/pavement shall not be 'pulled' but shall be cut clean. Irrigation shall	Moderate - provided all Development restrictions are followed. Tree vigor is good and impact to the root zone is calculated as 28%.

TREE #	SPECIES	DBH	CONDITION	MAINTENANCE RECOMMENDATIONS	IMPACT ASSESSMENT
				be required according to general development guidelines. Follow all other general development guidelines. Prune for good structure over 3 years, do not remove more than 15% of leaf surface in any one year.	

The Tree Preservation Ordinance requires mitigation for the removal of native oak trees on an inch-per-inch basis, either through on-site plantings, in-lieu mitigation fees, or a combination thereof. For on-site plantings, the Zoning Ordinance requires that native oak trees comprise a minimum of 50% of the plantings. As shown in the above table, Tree #1484 is the only tree identified for removal, with a total mitigation requirement of seven inches (7"). Mitigation will be accomplished through a combination of on-site plantings and payment of in-lieu mitigation fees. As conditioned, the project meets the mitigation requirements of the Tree Ordinance.

Section 19.66.060 of the Zoning Ordinance identifies standard policies and procedures for approved work that is necessary to protect the health of protected trees. Subsection G requires the posting and maintenance of a minimum \$10,000 deposit (or an amount deemed necessary by the approving authority) to insure the preservation of protected trees during construction. Condition 5 has been included as a Tree Permit condition requiring that a \$10,000 deposit be submitted to the City in the form of a cash deposit or bond for the preservation of Tree #1485.

The recommended conditions of approval require that the project arborist perform the recommended mitigation measures and that the arborist be present when work is occurring within the protected zones of trees to be preserved and that, if needed, additional recommended mitigation measures be implemented. These measures and the standard conditions of approval will adequately mitigate the potential construction impacts to oak trees resulting from the project.

ENVIRONMENTAL DETERMINATION

The Planning Manager has determined that the above project will not have a significant effect on the environment and proposes that a Negative Declaration be adopted. This determination has been based upon an Initial Study, which has concluded that there will be no significant environmental impacts. At the Planning Commission meeting, the Approving Authority (Planning Commission) may adopt the proposed Negative Declaration. The Negative Declaration was circulated for a 20-day public review from June 1, 2017 through June 21, 2017.

In accordance with Assembly Bill 52 (AB 52) and Section 21080.3.1(d) of the California Public Resources Code (PRC), the United Auburn Indian Community (UAIC) was notified that the City would be initiating environmental review of the project under CEQA. This notification was provided on April 20, 2017. On May 12, 2017, staff received a letter from the United Auburn Indian Community (UAIC) requesting initiation of consultation under AB 52 and tribal participation in all cultural resource assessments.

Staff responded via email and advised that the City's General Plan EIR includes Mitigation Measures applicable to archeological features and artifacts, should any be found on site. Language included in the measure requires an immediate cessation of work, and the requirement to contact the appropriate agencies to address the resource before work can resume.

No Tribal Cultural Resources are known to exist on the project site, and construction will occur within an area that has been previously graded and is currently a paved parking area; however, the UAIC has requested that a condition be added to the project that provides for a tribal member to visit the site during the time of soil disturbance. Condition 4 has been added which includes this provision and outlines additional preservation measures, should any Tribal Cultural Resources be found on site.

RECOMMENDATION

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

- A. Adopt the Negative Declaration, as shown in Exhibit A.
- B. Adopt the two (2) findings of fact as stated below and approve the **DESIGN REVIEW PERMIT MODIFICATION – 1 SIERRAGATE PLAZA – INFILL PCL 241 – JOHN ADAMS ACADEMY MULTI-PURPOSE BUILDING – FILE# PL15-0283**, subject to seventy-six (76) conditions of approval.
 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.*
 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.*
- C. Adopt the two findings of fact as stated below and approve the **TREE PERMIT - 1 SIERRAGATE PLAZA – INFILL PCL 241 – JOHN ADAMS ACADEMY MULTI-PURPOSE BUILDING – FILE# PL15-0283**, subject to twenty-one (21) conditions of approval.
 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 of the Zoning Ordinance; and*
 2. *Measures have been incorporated into the project and the conditions of approval to provide replacement for the removal of trees and to mitigate impacts to and improve the health of the remaining trees.*

CONDITIONS OF APPROVAL FOR DESIGN REVIEW PERMIT – PL15-0283
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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 **June 22, 2019**. 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 **June 22, 2019**.
2. The project is approved as shown in Exhibits A - J, and as conditioned or modified below. (Planning)
3. The project shall comply with all required environmental mitigation identified in the City of Roseville 2035 General Plan. (Planning)

4. A minimum of seven days prior to beginning earthwork or other soil disturbance activities, the applicant shall notify the City of the proposed earthwork start-date, in order to provide the City with time to contact the United Auburn Indian Community (UAIC). A UAIC tribal representative shall be invited to perform a site visit to visually inspect the site within the first five days of initial earthwork to determine if there is any evidence that tribal cultural resources have been unearthed. If findings are negative, then the UAIC representative would have a site meeting with the contractors to discuss the need to remain observant, and to stop work and follow notification procedures if any resources are discovered during construction, consistent with existing mitigation. If artifacts or unusual amounts of charcoal, bone, or shell are uncovered during this initial inspection or during construction, work should be halted within 100 feet of the find, and the project applicant shall immediately notify the City of Roseville Development Services Director. A qualified archeologist approved by the City and Native American Monitor approved by UAIC should be consulted for an on-site evaluation as part of the site investigation and resource assessment. The archeologist and Native American Monitor shall consult with the UAIC and provide proper management recommendations should potential impacts to the resources be found by the City to be significant. A written report detailing the site assessment, coordination activities, and management recommendations shall be provided to the City by the qualified archaeologist. Possible management recommendations for historical or unique archaeological resources or tribal cultural resources could include resource avoidance or, where avoidance is infeasible in light of project design or layout or is unnecessary to avoid significant effects, preservation in place or other measures. The contractor shall implement any measures deemed by City staff to be necessary and feasible to avoid or minimize significant effects to the cultural resources. If bone is discovered and it appears to be human, California law requires that the County Coroner be contacted. If remains are found of Native American origin, the Native American Heritage Commission and UAIC should be informed so that they can assist in protecting such remains. (Planning)
5. 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)
6. 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)
7. For Multiple Building Complexes: As part of the required Site Accessibility Plan, the developer shall delineate the extent of the site accessibility improvements being installed as part of the initial improvements for the project, and those that are planned to be developed as part of subsequent phases (i.e. around future pad buildings). (Building)
8. The project shall be addressed as 1 Sierragate Plaza, Building E or 1E Sierragate Plaza. All projects with multi-tenants or buildings must submit a plot plan with building footprint(s) to the Development Services Department (Planning Division) for building/suite addressing. (Planning)
9. 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. Project billing may occur up to two months after end of warranty or Notice of Termination date for the SWPPP, whichever occurs later. (Engineering, Environmental Utilities, Electric, Finance)

10. The design and construction of all improvements shall conform to the Design and Construction Standards of the City of Roseville, or as modified by these conditions of approval, or as directed by the City Engineer. (Engineering)
11. The applicant shall not commence with any on-site improvements or improvements within the right-of-way until such time as grading and/or improvement plans are approved and grading and/or encroachment permits are issued by the Development Services Department – Engineering. (Engineering)
12. 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 ISSUANCE OF BUILDING PERMITS:

13. 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 have a 6" raised curb or concrete bumper. (Planning)
 - b. Standard -- 9 feet x 18 feet; Compact--9 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:
 - i) Accessible parking stalls shall be dispersed and located closest to accessible entrances. The total number of accessible parking spaces shall be established by Table 11B-208.2 of the CBC.
 - ii) Accessible Parking spaces and crosswalks shall be signed, marked and maintained as required by Chapter 11B of the CBC.
 - iii) Accessible parking and exterior route of travel shall comply with CBC, Section 11B-206. (Building)
14. Signs and/or striping shall be provided on-site as required by the Planning Department to control on-site traffic movements. Parking lot striping and signage shall be maintained in a visible and legible manner. (Planning)
15. 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)
16. The project Landscape Plans shall comply with the following:
 - a. The Landscape Plan shall indicate the location of, and be designed to avoid conflicts with, all pole-mounted light fixtures and utility equipment including (but not limited to) electric transformers, switchgear, and overhead lines, backflow preventors, fire department

- connections, and public water, sewer, and storm drain facilities. (Planning, Fire, EUD, Electric, Public Works)
- b. The tree plantings in the parking lot shall be designed to provide a minimum of 50% shade coverage after 15 years. (Planning)
 - c. At a minimum, landscaped areas not covered with live material shall be covered with a rock, (3") bark (no shredded bark) or (3") mulch covering. (Planning)
 - d. The landscape plan shall comply with the City of Roseville Water Efficient Landscape Ordinance WELO. (Planning)
 - e. 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)
17. 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)
 18. 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)
 19. For Multiple Building Complexes: As part of the required Site Accessibility Plan, the developer shall delineate the extent of the site accessibility improvements being installed as part of the initial improvements for the project, and those that are planned to be developed as part of subsequent phases (i.e. around future pad buildings). (Building)
 20. Building permit plans shall comply with all applicable code requirements (California Building Code – CBC – based on the International Building Code, California Green Building Standards Code – CGBSC, California Mechanical Code – CMC – based on the Uniform Mechanical Code, California Plumbing Code – CPC – based on the Uniform Plumbing Code, California Fire Code – CFC – based on the International Fire Code – with City of Roseville Amendments – RFC, California Electrical Code – CEC – based on the National Electrical Code, and California Energy Standards – CEC T-24 Part 6), 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 Division for applicable Code editions). (Building)
 21. Parapet/cornice construction shall support the weight of a ladder leaning against the parapet as well as a 330-pound vertical load applied to the **leading edge** of the horizontal projection of the cornice (a 250-pound firefighter carrying 80 pounds of equipment stepping off of a ladder onto the top of the cornice). (CFC Chapter 1) (Fire)
 22. Adequate radio coverage shall be provided within all buildings for public safety agencies, as required by Roseville Municipal Code and the California Fire Code. 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 in accordance with Section 510 of the California Fire Code. Adequate radio coverage shall include all of the following:

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.

- a. 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.
 - b. The frequency range that must be supported shall be 821-824 MHz and 866-869 MHz.
 - c. A 100 % reliability factor. (Fire, Police)
23. Developer shall provide an approved building address number on the upper section of the building, as required by CFC Section 901.4.4 as amended by the City of Roseville. Landscape planting shall not obstruct the building address. (Fire)
24. 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.
25. 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 Public Works prior to approval of any plans. (Engineering)
26. The Improvement Plans shall include a complete set of Landscape Plans. The Landscape Plans shall be approved with the Improvement Plans. (Planning, Engineering, Fire, Environmental Utilities, Electric)
27. 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/borrow** earthen material shall be imported/deposited. If the **borrow/deposit** site is within the City of Roseville, the contractor shall produce a report issued by a geotechnical engineer to verify that the exported 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)*
28. All storm drainage, including roof drains, shall be collected on site and treated with Best Management Practices (BMP's) per the West Placer Storm Water Quality Design Manual. All storm water shall be routed to the nearest existing storm drain system or natural drainage facility. Drain outfalls shall extend down to the receiving water and shall be constructed with adequate velocity attenuation devices. The grading/improvement plans for the site shall be accompanied with a shed map that defines that area tributary to this site and all drainage facilities shall be designed to accommodate the tributary flow. The storm drain system and proposed BMP's shall be privately owned and maintained by the property owner. Prior to the issuance of any permits, the owner shall provide a plan for the maintenance of the proposed BMP's. (Engineering)
29. Prior to the issuance of any permits, the property owner 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 property owner during the pre-construction meeting. (Engineering)
30. 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, Public

Works will designate the exact areas to be reconstructed. Any existing public facilities damaged during the course of construction shall be repaired by the property owner and at the property owner's expense, to the satisfaction of the City. (Engineering)

31. Prior to the approval of the improvement plans, it will be the project proponent's 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)
32. Prior to the issuance of building permits, the property owner shall pay into the following fee programs: Citywide Drainage Fee, Citywide Traffic Mitigation Fee (TMF), Highway 65 Joint Partners Association (JPA), South Placer Regional Transportation Authority (SPRTA), and City/County Fee. (Public Works)
33. Prior to the issuance of a grading permit or approval of Improvement Plans, the grading plans shall clearly identify all existing water and sewer 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)
34. The site plan shall identify trash enclosure location for this project. (Environmental Utilities)
35. The applicant shall pay all applicable water and sewer fees. (Environmental Utilities)
36. 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 that 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 recycled 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)
37. Trash enclosures, recycling areas, and enclosure approaches shall be designed to current Refuse Division specifications, the materials and colors shall match the building, and the location of such facilities shall be reviewed and approved by the Refuse Division, Planning and the Fire Department. The enclosure must have inside dimensions of 12 feet wide and 9 feet deep and be built to the specifications of the Solid Waste Department's Enclosure Description. (Refuse, Planning, Fire)
38. Access to trash enclosures shall have an inside turning radius of 25 feet and an outside turning radius of 45 feet must be maintained to allow the refuse truck access to and from the enclosure. Enclosures must have a clear approach of 65 feet in front of the enclosure to allow servicing bins. (Refuse)

39. A trash enclosure and recycling enclosure is required for each building and each tenant, otherwise, the building owner is responsible for the trash service. (Refuse)
40. The trash enclosure needs to be a double enclosure per city standards. (Environmental Utilities)
41. Existing domestic water service will require a backflow preventor if one does not exist. (Environmental Utilities)
42. The applicable codes and standards adopted by the City shall be enforced at the time construction plans have been submitted to the City for permitting (Fire)
43. The design and installation of all fire protection equipment shall conform to the California Fire Code and the amendments adopted by the City of Roseville, along with all standards and policies implemented by the Roseville Fire Department. All amendments, standards and policies can be found on the City's web site www.roseville.ca.us or contact Patrick Chew, Plan Check Engineer, at 916-774-5823 or pchew@roseville.ca.us with the Fire Prevention Division for information. (Fire)
44. All buildings with an Assembly Use type occupancy having an occupant load exceeding 1000 persons shall have a voice evacuation system installed throughout the entire structure in accordance with Section 907.1.3 of the California Building and Fire Code. Permit application for such system shall be submitted to the fire prevention division of the fire department for review and approval. (Fire)
45. The fire flow required, at a 50% reduction, due to the buildings being sprinklered, will be based on the largest single structure in accordance with the California Fire Code at the time detailed plans are submitted to the City of Roseville for review. The maximum fire flow will not exceed 4,000 gpm based on the Appendix III-AA of the California Fire Code. (Fire)
46. All buildings with an E-occupancy use and assembly shall have a voice evacuation system installed throughout the entire structure in accordance with Section 907 of the California Building and Fire Code. Permit application for such system shall be submitted to the fire prevention division of the fire department for review and approval.
47. 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 California Fire Code as adopted by this city for non-single family residential units. All amendments, standards and policies can be found on the City's web site www.roseville.ca.us or contact Patrick Chew, Senior Fire Inspector, at 916-774-5823 or pchew@roseville.ca.us with the Fire and Life Safety Division for information. (Fire)
48. 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)
49. The use and/or increased volume of hazardous materials or storage, liquids, gases and/or chemicals shall meet the requirements of the Chapter 6.95 of the Health and Safety Code, the Roseville Fire Department and the National Fire Codes. Submit a complete plan set and the Hazardous Materials Business Plan, including names and amount of any hazardous materials that will be stored or used, to the Fire and Life Safety Division for review and approval. A permit

application shall also be provided at the time of submittal. Contact Steve Anderson of our Hazardous Materials Division within the Fire Department at (916) 774-5821 to initiate the process. Satisfaction of storage and use shall be determined prior to requesting occupancy. (Fire)

50. 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 (Electric)
51. All on-site external lighting shall be installed and directed to have no off-site glare. Lighting within the parking areas and pedestrian walkways shall provide a maintained minimum of one (1) foot candle and 0.5 foot candle of light, respectively. All exterior light fixtures shall be vandal resistant. (Planning & Police)
52. 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)
53. 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:

54. 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 preventer shall be covered with a green cover that will provide insulation. (Planning, Environmental Utilities)
55. Easement widths shall comply with the City's Improvement Standards and Construction Standards. 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. All existing public utility, electric, water, sewer and reclaimed water easements shall be maintained unless otherwise authorized by these conditions of approval. (Public Works, Environmental Utilities, Electric)
56. 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)
57. All improvements being constructed in accordance with the approved grading and improvement plans shall be accepted as complete by the City. (Engineering)
58. The applicant/developer shall prepare a Transportation Systems Management (TSM) Agreement for John Adams Academy to be reviewed and approved by the City Manager. (Public Works, Alternative Transportation)
59. Water and sewer shall be constructed pursuant to the adopted City of Roseville Improvement Standards and the City of Roseville Construction Standards. (Environmental Utilities)
60. All water backflow devices shall be tested and approved by the Environmental Utilities Department. (Environmental Utilities)
61. All Electric Department facilities, including streetlights where applicable, shall be designed and built to the "City of Roseville Specifications for Commercial Construction." (Electric)
62. 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)
63. Any relocation, rearrangement, or change of existing electric facilities due to this development shall be at the developer's expense. (Electric)
64. 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. (Electric)
65. 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.
66. 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)

67. It is the responsibility of the developer to ensure that all existing electric facilities remain free and clear of any obstruction during construction and when the project is complete. (Electric)

OTHER CONDITIONS OF APPROVAL:

68. Signs shown on the elevations are not approved as part of the Design Review Permit. A Sign Permit is required for all project signs. (Planning)
69. 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)
70. 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)
71. 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)
72. 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 or not and if site remediation is required. (Fire)
73. 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)
74. 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)
75. 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)
76. 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)

CONDITIONS OF APPROVAL FOR TREE PERMIT – PL15-0283

TREE PERMIT CONDITIONS AND COMPLIANCE VERIFICATION/INSPECTION CHECKLIST	COMPLIANCE VERIFIED/ INSPECTED	COMMENTS
PRIOR TO ISSUANCE OF ANY PERMITS OR ANY CONSTRUCTION ON-SITE		
1. All recommendations contained in the Arborist Report (Exhibit J) shall be incorporated as part of these conditions except as modified herein. (Planning)		
2. Tree #1484 is 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 seven inches (7"). 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 #1485 , as shown in Exhibit J, 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 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 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, payment of restitution, and criminal penalties. (Planning)		
7. 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 the protective fencing. (Planning)		
8. The applicant shall install a minimum of a five-foot high chain link fence (or 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 beginning any construction. (Planning)		
10. The applicant shall arrange with the arborist to perform, and certify in writing, the 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 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 held with the applicant, the applicant's 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)		
DURING CONSTRUCTION		
13. 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)		
14. All preservation devices (aeration systems, oak tree wells, drains, special paving, 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. (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)		
PRIOR 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 the John Adams Academy DRPMOD (PL15-0283).		

ATTACHMENTS

1. CalEEMod – June 2017
2. Building Renderings

EXHIBITS

- A. CEQA Initial Study/Negative Declaration
- B. Site Plan
- C. Demolition Plan
- D. Grading Plan
- E. Elevations
- F. Floor Plans
- G. Utility Plan
- H. Lighting/Photometric Plan
- I. Landscape Plan
- J. Arborist Report/Protected Tree Inventory

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