

ITEM 6.2: GENERAL PLAN AMENDMENT, SPECIFIC PLAN AMENDMENT, REZONE, MODIFICATION OF A MAJOR PROJECT PERMIT, TENTATIVE SUBDIVISION MAP, AND TREE PERMIT – 1550 PARKSIDE WAY – NRSP PCL DC-30 AND DC-33–DIAMOND CREEK RESIDENTIAL – PL18-0106

REQUEST

The proposed project includes a General Plan Amendment, North Roseville Specific Plan (NRSP) Amendment, and Rezone of 4.4 acres from Community Commercial to High Density Residential (13 units/acre). This land use change also requires amending the text of the NRSP, to remove mention of Parcel DC-33 from sections dealing with commercial development, and make other text and table changes related to the change in residential and commercial acreage. A Modification of a Major Project Permit Stage 1 and 2 is requested to change the approved commercial site plan, reduce the approved commercial buildings from 124,188 square feet to 62,000 square feet, and review the design for a proposed 57-unit single-family subdivision. The applicant also proposes a tentative subdivision map to create one parcel to maintain the existing commercial and office uses and to create the 57 single-family lots. Finally, a Tree Permit is required to authorize the removal of up to 12 native oak trees.

Applicant/Owner – Stephen Des Jardins, BBC Diamond Creek, LLC

SUMMARY RECOMMENDATION

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

- A. Consider the Addendum to the North Roseville Specific Plan and Diamond Creek Commercial Mitigated Negative Declaration;
- B. Recommend the City Council approve the General Plan Amendment;
- C. Recommend the City Council approve the Specific Plan Amendment;
- D. Recommend the City Council adopt the two (2) findings of fact and approve the Rezone;
- E. Adopt the two (2) findings of fact and approve the Modification of a Major Project Permit Stage 1 and adopt the two (2) findings of fact and approve the Modification of a Major Project Permit Stage 2 subject to four (4) conditions of approval;
- F. Adopt the three (3) findings of fact and approve the Tentative Subdivision Map subject to seventy-four (74) conditions of approval; and
- G. Adopt the two (2) findings of fact and approve the Tree Permit subject to twenty-one (21) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

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

BACKGROUND

The project site is located at 1550 Parkside Way, and includes all of the undeveloped property surrounding the existing Diamond Creek Place commercial and office center (see Figure 1). The property has a zoning designation of Community Commercial/Special Area-North Roseville Specific Plan (CC/SA-NR) and a land use designation of Community Commercial. A site plan and building designs for the commercial development of the project site (Parcel DC-30) and the adjacent commercial center (Parcel DC-33) were approved in 1999 through a Design Review Permit and Tree Permit (DRP 99-41 and TP

99-38). The site plan was changed as part of DRP Modification 00-65 (approved in 2001) and also in 2005 as part of a Major Project Permit (MPP) Stage 1 and Stage 2 (2005PL-161).

The approved MPP included four commercial buildings on DC-33 and four commercial buildings on the project site. Three of the buildings on Parcel DC-33—the La Provence restaurant and two office buildings—are complete, while the location for the fourth building was graded into a prepared pad but is undeveloped at this time. The remaining portion of the property was approved for a retail building, two office buildings, and a health club/spa, but the only development is a small equipment yard which includes a geothermal pumping facility serving the commercial buildings. The applicant indicates there has been very little interest in completing the commercial development of the project site. The City is also currently processing a large commercial development nearby, at the corner of Woodcreek Oaks and Blue Oaks Boulevard, which includes a proposed health club. For these reasons, the applicant has requested to convert the undeveloped portion of the site from commercial to residential uses (see Figure 2).

Figure 1: Project Location



Figure 2: Residential Project Site



SITE INFORMATION

Location: 1550 Parkside Way

Total Size: 10 acres

Topography and Setting: A portion of the site is developed with an existing commercial and office complex, including buildings, parking, lighting, and landscaping. The undeveloped portion of the site supports low-growing non-native grasses and annual plants, and some native oak trees. The undeveloped area is mostly level, due to past grading activities, but there are slopes alongside the northern and western boundaries which drain to a small tributary of Pleasant Grove Creek within William “Bill” Hughes Park. The southern side of the site is bordered by Parkside Drive, a two-lane roadway with angled parking on either side. The eastern side of the site is bordered by McCloud Way, a residential street. The property across Parkside Way is developing with compact, small-lot, single-family residential subdivision (typical lot size of 2,600 square feet), while the property across McCloud Way is developed with larger single-family residential (typical lot size of 7,500 square feet) homes.

EVALUATION: GENERAL PLAN AMENDMENT, SPECIFIC PLAN AMENDMENT, AND REZONE

Proposed amendments to the General Plan and Specific Plan are analyzed for consistency with the goals and policies of the respective plans. For the proposed rezone, Zoning Ordinance Section 19.86.050 specifies that recommendations for approval or denial of a rezone shall include consideration of the proposed amendment’s consistency with:

- 1. The public interest, health, safety, or welfare of the City, and**
- 2. The General Plan and any applicable Specific Plan.**

The existing General Plan, Specific Plan, and zoning designation of the property is Community Commercial (CC). The applicant proposes to retain the CC land use and zoning for the portion of the property already developed with commercial and office uses, but proposes to redesignate the undeveloped portion of the site to High Density Residential (HDR-13.0) to support single-family homes at a density of 13 units per acre. Exhibit A is the proposed amended General Plan Land Use figure and change pages and Exhibit B is the land use amendment and rezone plan, which shows that the commercial land would wrap around the residential site, so the angled parking and the equipment yard along Parkside Way would remain part of the commercial property. Exhibit C is the change pages for the NRSP. The change pages for both the General Plan and Specific Plan are minor, consisting of table and text changes to reflect the changes in total acreage of commercial and residential uses, and to remove reference to the project area as a commercial site.

The proposed residential development is consistent with surrounding uses; it has the same zoning density and overall design as the homes on the other side of Parkside Way. The subdivision design is discussed in more detail as part of the Major Project Permit analysis section, which concludes that the project is consistent with City standards. Therefore, the main policy requiring discussion for the land use amendments is the City’s Non-Residential Conversion Guidelines.

In 2004, in response to increased requests to rezone industrial properties to residential uses, the City Council adopted guidelines for the conversion of land from non-residential to residential uses. A copy of the guidelines is provided as Attachment 1. As stated in the guidelines, the purpose is to make clear the City’s expectations related to the loss of job-generating land uses. The overarching goal to be applied to land use changes outside of the infill portion of the City is to maintain the City’s fiscal balance and prevent the loss of jobs and existing job centers while maintaining a balanced community. The guidelines include

evaluating fiscal impacts, noise, park dedication, public services, affordable housing, schools, utilities, and traffic when contemplating residential land use allocations.

Below is summary of the provisions of the Non-Residential Rezone Guidelines, for areas within a Specific Plan:

1. A region-wide employment and land inventory study shall be required of each project that is equal to or greater than 50 acres.
2. Land use changes will not have a negative fiscal impact to the City. Each project shall be modeled individually for citywide impacts utilizing the City's fiscal model.
3. Projects that are 50 acres or greater in size shall maintain employment options and a favorable jobs-housing balance.
4. New housing development shall meet the City's 10% goal consistent with the Housing Element (4% affordable to very low, 4% affordable to low, and 2% affordable to middle income).
5. Projects shall provide a specific public benefit that may be in the form of a community benefit fee.
6. Increases in general fund service demands shall be mitigated by establishment of or annexation into a Community Facilities Mello Roos Assessment District to offset the costs of the project. The assessment may be utilized to offset the cost of the following: public safety; parks and open space maintenance; storm water management; and other costs identified by the City.
7. Parks obligation to include payment of citywide and neighborhood park fees. Active park needs shall be provided by the project. An in-lieu parkland dedication fee may be negotiated in lieu of land based on the project. For each acre of parkland dedication mitigated by an in-lieu fee a corresponding in-lieu fee shall be paid for park improvements. The in-lieu fees shall provide improvements of local benefit.
8. Place emphasis on the dedication of parklands within specific plan areas rather than acceptance of an in-lieu fee for land dedication.
9. Utilities (e.g. water, sewer, electric) shall not be impacted as to conveyance or capacity.
10. School impacts shall be mitigated through new impact agreements executed with the school districts to ensure that the project's student generation is accommodated.
11. Residential units not utilized within a specific plan area shall be reallocated within that plan area and school district. Otherwise, requests for units shall be considered as additive to the City's existing unit allocation.
12. Encourage higher density residential mixed-use projects with consideration to the relaxing of any one guideline or multiple guidelines to promote and provide incentives for innovative higher density residential mixed use projects.

A fiscal impact analysis was prepared for the project to examine the proposed change in land uses (see Attachment 2). This study determined that although expected revenues from the project would decline, the project would continue to provide a net annual surplus to the General Fund. The applicant and staff are currently discussing a mechanism to comply with the public benefit requirement. Although this could be in the form of a simple fee, staff and the applicant are exploring an alternative option, and will provide a final public benefit determination at the hearing.

A condition of approval has been added requiring an affordable housing agreement for the project, to ensure six affordable units (a 10% obligation) are provided. Conditions have also been included to ensure the project annexes into the appropriate Community Facilities District, and other City fees will be collected at building permit issuance. School fees will also be collected as part of the building permits. The

applicant prepared a Water Demand Memorandum and a utility plan which has been reviewed by the City's Environmental Utilities Division, and it has been determined that the project will not negatively impact conveyance or capacity of water or sewer systems. Roseville Electric has also reviewed the application, and has noted that some onsite electrical facilities will require modification by the applicant, but there are no negative impacts to electric systems. The conversion policy also encourages higher density mixed-use projects, which this project provides. The site has been designed to integrate the residential lots with the commercial area, and provide pedestrian connections between them. Furthermore, a masonry wall will not be constructed between the residential and commercial uses, as the design instead relies on a grade change and landscaping to provide a buffer. In conclusion, staff has reviewed the project and found it to be consistent with the intent of the Non-Residential Rezone Guidelines.

EVALUATION: MODIFICATION TO A MAJOR PROJECT PERMIT

Section 19.82.040 of the City of Roseville Zoning Ordinance describes the procedures for amendments to a Major Project Permit. The procedures define minor and administrative modifications, and direct that all other types of Major Project Permit (MPP) modifications must be reviewed in the same manner as required for the initial approval. The project modifications do not meet the criteria for either a minor or administrative modification, and therefore are subject to the same process and findings as the original Stage 1 and Stage 2 MPP.

The findings for a Major Project Permit Stage 1 are as follows:

- 1. The Preliminary Development Plan is consistent with the General Plan, applicable Specific Plan, and adopted City design guidelines; and***
- 2. The design and installation of the Preliminary Development Plan shall not be detrimental to the public health and safety, or be materially detrimental to the public welfare.***

The findings for a Major Project Permit Stage 2 are as follows:

- 1. The Architecture and Landscaping is consistent with the General Plan, applicable Specific Plan, and adopted City design guidelines; and Phase 1 approval; and***
- 2. The design and installation of the Preliminary Development Plan shall not be detrimental to the public health and safety, or be materially detrimental to the public welfare.***

These findings are essentially the same, with the MPP 1 findings referring to the preliminary development plan, and the MPP 2 findings referring to the architecture and landscaping, as well as consistency with the Stage 1 project. Therefore, for the purposes of this evaluation, the modifications to both stages are examined together.

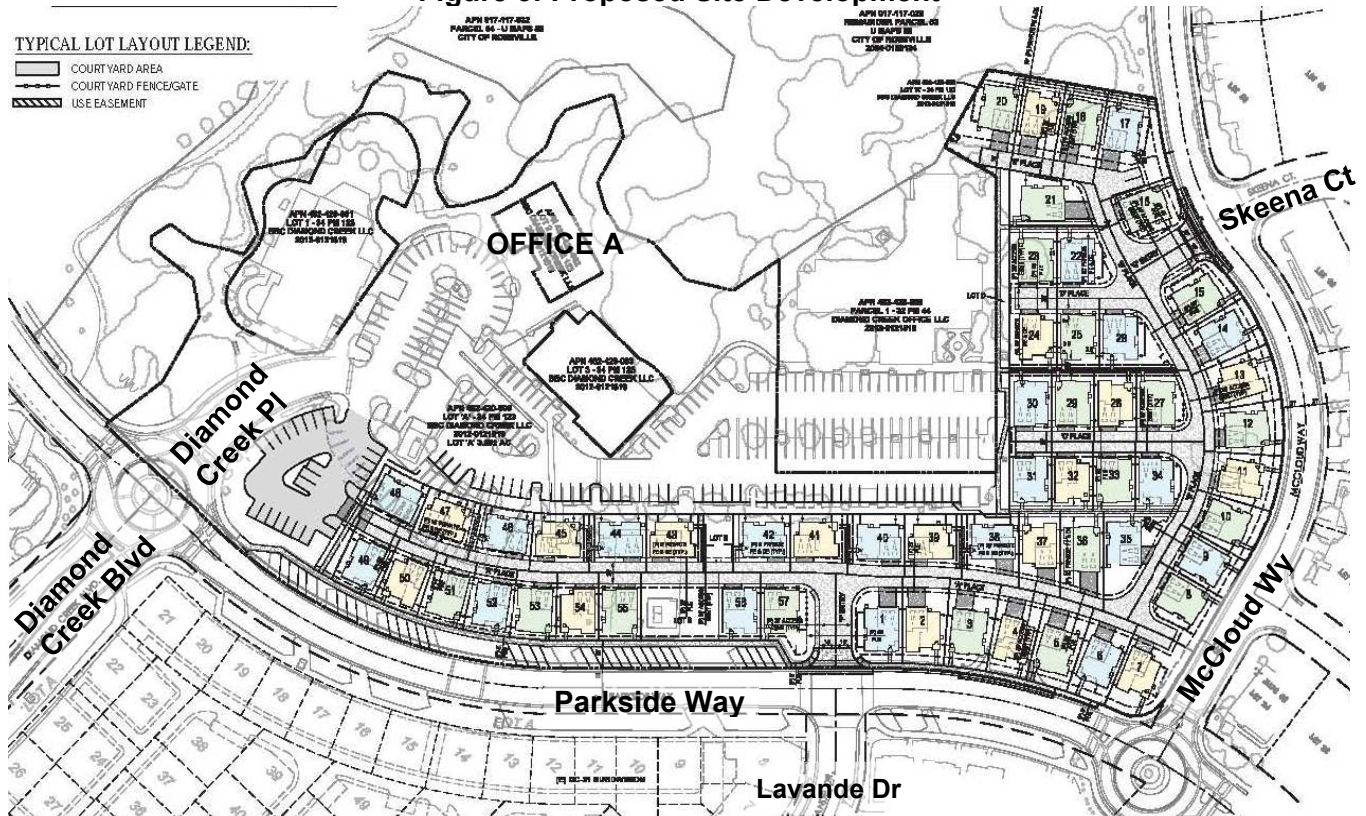
The adopted MPP included 124,188 square feet of approved commercial building space, along with 404 parking spaces and the associated lighting and landscaping. The proposed project would reduce the amount of commercial building space to 62,000 square feet, which includes the three constructed buildings plus the unbuilt Office A, which is planned for 5,500 square feet (see Figure 3). The project would also slightly reconfigure the existing parking lot, and add a new parking area adjacent to Diamond Creek Place. The remainder of the site would be developed with a 57-unit single-family housing development, landscaping, and roadways. The subdivision map, site development plan, grading plan, utility plan, and landscape plan are included as Exhibit D–H respectively.

Access and Circulation

The existing developed commercial site takes access from Diamond Creek Place, a short roadway which extends from the intersection of Diamond Creek Boulevard and Parkside Way. This access would remain unchanged. The proposed subdivision roads are proposed to be private alleys with garage access. Access to the proposed subdivision would be provided by a private road connection at the intersection of Parkside Way and Lavande Drive, and another private road connection at the intersection of McCloud Way and Skeena Court. A main spine alley will extend through the entire subdivision, with a few short courts on the eastern side of the subdivision. The main alley will also connect through to the new parking lot on the western side of the site, so that residents may easily access the commercial uses without driving onto the surrounding streets. This location for the connection was chosen because its location near the entrance on Diamond Creek Place makes it unlikely to be used as a cut-through by non-residents.

In addition to the roadway connections, multiple pedestrian pathways are proposed. The project will complete the sidewalks on Parkside Way (sidewalk on McCloud is existing), and there are paseos in between many of the homes (further discussed in the Architecture and Residential Design section), which provide internal pathways for residents of the project. In addition, the eastern interface of the commercial and residential project includes a sidewalk connected to the paseo systems, so that residents may directly enter the commercial site to access services.

Figure 3: Proposed Site Development



the project will provide 247 parking spaces for the commercial and office uses (see Attachment 3, Commercial Parking Analysis). Therefore, the project will provide a net surplus of parking.

Utilities and Infrastructure

There are existing water, sewer, and electrical facilities within the commercial development and the surrounding streets, which will need to be extended into the proposed subdivision. Some of the existing utility improvements on the site were designed to facilitate continued commercial development of the property, and therefore must be modified or abandoned—such as sewer line stubs and electrical junction boxes. None of these alterations are significant, and the proposed plans have been reviewed by Roseville Electric and Environmental Utilities, and have been found to conform to the City's design standards. In addition, a water demand memorandum (see Attachment 4) was prepared to verify that the proposed project water use would be equal or less than the approved project water use. The applicant has included the use of recycled water for landscaping irrigation, which results in an approximate 3-acre-foot reduction in annual water demand when compared to the approved commercial project.

The equipment yard is proposed to remain, though new fencing and landscaping will be added. Most of this yard is used for passive storage, but there is a small geothermal pumping station on the eastern boundary of the yard. This makes a small amount of noise, similar in nature and volume to a washing machine. Two homes are proposed on either side of the facility (Lot 55 and 56). The home on Lot 55 will have a 5-foot setback from the fence (typical residential side yard width) and a 37-foot setback from the geothermal pump. The home on Lot 56 will have a 37-foot setback from the fence and a 40-foot setback from the geothermal pump. Both homes have been designed so that the most passive side of the home faces the equipment yard (see Figure 4). On the first floor, the wall closest to the yard includes the entryway, stairs to the second floor, and garage. On the second floor it includes the stairs, but also includes the master bedroom. There are two general design concerns for the homes adjacent to the equipment yard: noise and views.

Figure 4: Plan 3 Floorplan



This issue of noise is discussed within the Addendum, and concludes that noise from small geothermal pumping stations is generally in the range of 40 to 60 dB, and the exterior-to-interior noise reduction of standard home construction is approximately 25 dB. Therefore, noise will be less than 40 dB inside the home, even at maximum, which is well within the City's noise standards. However, this is based on existing conditions, and the equipment yard will remain in the portion of the site with a community commercial land use designation. Therefore, a condition of approval has been included which requires a Major Project Permit Modification for any expansion of use or addition of mechanical or electrical equipment within the yard, so that compatibility with the surrounding neighborhood can be examined.

Lighting and Landscaping

The existing landscaping and lighting in the commercial project area will be retained, though lighting standards and landscaping will be moved or replaced on the western side of the project, where the parking lot will be reconfigured. The landscape plan is included as Exhibit H. The new parking area will use a plant palette which matches the existing center. The landscaping for each lot will consist of layered plantings, with low fescue closest to the walkways to create consistency, followed by a mix of flowering plants/shrubs and bunch grasses, to provide texture and color. Each lot will also include a tree both in the front and the rear of the home. The project also includes a landscape lot (Lot C) which will include a small water quality treatment area as well as a mix of flowering plants and two trees.

The project also includes a landscape buffer along the interface between the residential and commercial areas. The boundary of the commercial area will include a 20-foot landscape buffer and a 3- to 5-foot grade change, with the residential elevated above the parking area. The landscaping includes star jasmine at the foot of the slope, for stability, and large shrubs for screening. Shrubs include species such as toyon and 'winter red' conebush, which can grow 4 to 8 feet high and nearly as wide. The species are evergreen, but also provide seasonal interest in the form of bright red berries and red foliage. A combination of the grade difference and the screening plants will prevent car headlights and other nuisance effects from impacting the proposed homes.

Landscape buffering is also provided for the existing enclosure around the equipment yard. The existing fencing around this facility is wood in degraded condition, so it will be replaced with a new 6-foot wooden fence with overlapping boards and a trim cap. The fence will be surrounded by laurel on the northern, southern, and eastern sides; laurel is a columnar evergreen tree which provides good screening. The western side is closer to a home, and so avoids tall trees which might block air and light. Instead, the plan relies on evergreen shrubs and roses.

Architecture and Residential Design

The homes along Parkside Way and McCloud Way will face the roadways, and will have paved walkways extending from the front door to the sidewalk along the street. Most of the remaining homes have been designed to face one another across paseos. The proposed elevations for these 57 lots are the same design as the existing homes across Parkside Way from the site. The only exception is that one of the two-story plans used in the existing subdivision (Plan 2) will not be used in the proposed subdivision. The plans have three styles (cottage, manor, and French eclectic) and nine color schemes. The elevations are included as Exhibit I, and the development standards are included as Exhibit J. The proposed elevations conform to the Community Design Guidelines, as they provide a mix of colors and materials, include wall plane and roofline variation, and generally provide for an engaging and activated streetscape. An image of the existing subdivision across the street is included below, to illustrate.

Figure 5: Streetscape



CONCLUSION

The project has been designed in a manner consistent with the General Plan, Specific Plan, and Community Design Guidelines, providing both appropriate vehicle access and circulation, and good pedestrian connectivity; a varied, interesting, and high-quality landscaping proposal; building designs which use a variety of materials, colors, and building forms; lighting that is energy efficient and is shielded to avoid light trespass; and infrastructure adequate to serve the proposed use. The site is appropriately designed, and will not be detrimental to the public health and safety, or be materially detrimental to the public welfare.

EVALUATION: SUBDIVISION MAP

Section 18.06.180 of the City of Roseville Subdivision Ordinance requires that three findings be made in order to approve or conditionally approve a tentative subdivision map. The three findings are listed below in ***italicized, bold*** text and are followed by an evaluation of the map in relation to each finding.

- 1. The size, design, character, grading, location, orientation and configuration of lots, roads and all improvements for the tentative subdivision map are consistent with the density, uses, circulation and open space systems, applicable policies and standards of the General Plan or any applicable specific plan for the area, whichever is more restrictive, and the design standards of this Title.***
- 2. The subdivision will result in lots which can be used or built upon. The subdivision will not create lots which are impractical for improvement or use due to: the steepness of terrain or location of watercourses in the area; the size or shape of the lots or inadequate building area; inadequate frontage or access; or, some other physical condition of the area.***
- 3. The design and density of the subdivision will not violate the existing requirements prescribed by the Regional Water Quality Control Board for the discharge of waste into the sewage system, Pursuant to Division 7 of the Water Code.***

Most of the analysis for the subdivision is already provided within the context of the Major Project Permit evaluation, which examines the access, circulation, infrastructure, and overall design of the subdivision. The subdivision map is included as Exhibit D. The proposed lot sizes, depths, and widths conform to the

proposed development standards for the project, and the design of the proposed improvements have been reviewed by all City divisions and departments and have been found to conform to City standards. The applicant has included a lotting plan and home design which shows the lots can be used and built upon. Approval of the project will not result in significant increases in demands on sewage services; there will be no impacts to the existing requirements established by the Regional Water Quality Control Board.

EVALUATION: TREE PERMIT

Pursuant to Zoning Ordinance Section 19.66.030, a Tree Permit is required for any removal of native oak trees or for more than 20% encroachment into the dripline of a native oak tree. The proposed project will result in the removal of one protected oak tree. The required findings to approve a Tree Permit are listed below.

- 1. Approval of the Tree Permit will not be detrimental to the public health, safety or welfare, and approval of the Tree Permit is consistent with the provisions of Chapter 19.66.***
- 2. Measures have been incorporated into the project or permit to mitigate impacts to remaining trees or to provide replacement for trees removed.***

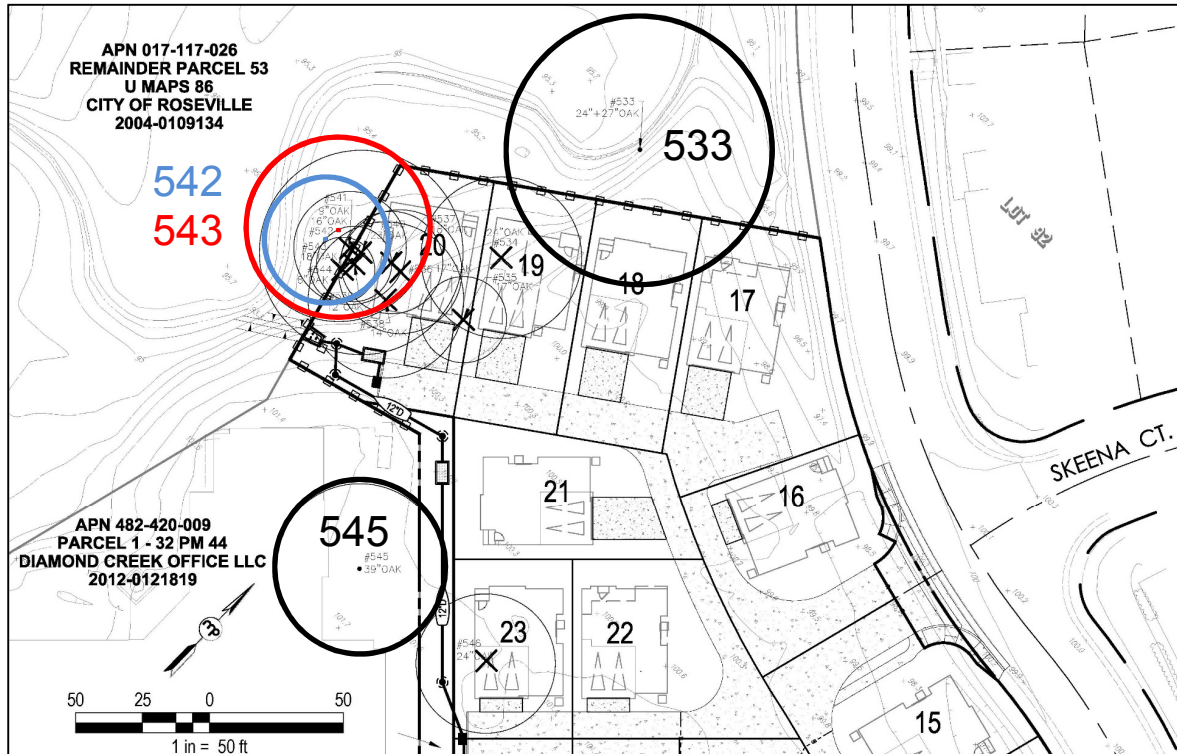
An arborist report was prepared by Tree Care Incorporated, dated November 16, 2017. The arborist report documented the presence of fourteen native oak trees on the project site, all of which are located in the northeastern portion of the project area (see Figure 6). Most of these trees will require removal in order to develop the project site because they conflict with proposed improvements. The majority of the trees are clustered together near Lot 20, where the site is steeply sloped. In order to create a level building area, fill will need to be added to this area, and retaining walls will be constructed. This makes preservation of the oak trees on the lot infeasible. In total, the project will require the removal of ten trees totaling 166 inches in order to develop the project. There are also several off-site trees proposed for retention, but which will experience dripline encroachment. The dripline encroachment for two of these trees (#533 and #545) will be relatively minor, involving an estimated 25% and 10%, respectively. Standard tree protection measures included in the Tree Permit will ensure these trees are retained through construction. However, there are two trees which could be significantly impacted by construction.

Trees #542, and #543 are located just off-site, on City property, but overhang the construction area (see Figure 6). The trunks of these trees are within 5–10 feet of the proposed retaining wall, which will involve both deep excavation for the wall footings, and then four feet of fill for the building pad. Trees #542 and #543 will experience 20% and 35% encroachment, respectively. These trees are more likely to survive due to the lower levels of dripline encroachment, but the construction will be close to the trunks and very intense. The arborist prepared a letter report assessing the survival likelihood of these trees, and steps which could be taken to better preserve them (see Exhibit K). The arborist concluded that Tree #543 was not in good health, and was unlikely to survive impacts. For this reason, the Tree Permit assumes removal of this tree, which increases the total impacts to eleven trees and a total of 184 inches. Tree #542 is in fair condition, and is therefore more likely to survive if proper protective steps are taken. This tree is listed for “conditional removal” in the tree permit, because while the applicant will attempt to preserve the tree, preservation may not be possible. Therefore, the permit will allow the tree to be removed if the arborist monitoring construction determines removal is necessary. If this tree is removed, the total will be 12 trees removed and a total of 200 total inches requiring mitigation through a combination of onsite planting and the payment of in-lieu fees.

Trees #541, #542, and #543 are on City property, within William “Bill” Hughes Park, so the City Parks, Recreation, and Libraries Department was contacted. Staff confirmed the loss of these trees would not conflict with park use or programming, and could be authorized. The Tree Permit contains all of the

standard conditions of approval, which includes a requirement to follow all of the recommendations of the Arborist Report and subsequent letter report. The removal of these trees will not be detrimental to the public health, safety, or welfare, and measures have been incorporated to mitigate impacts.

Figure 6: Tree Exhibit



PUBLIC OUTREACH

The proposed project was distributed to the various agencies and departments which have requested notice of City applications, and all comments were considered and incorporated into the Conditions of Approval, as appropriate. Notice of the application was also distributed to the Roseville Coalition of Neighborhood Associations. No comments were received. The project was brought before the Blue Oaks Neighborhood Association on August 28, 2018, with an estimated 50 people in attendance. Attendees had questions about the project, but no opposition was expressed, and some individuals expressed support. A public notice of the Planning Commission hearing was published on August 31, 2018, and was distributed to all property owners within 300 feet of the project site. In response to the notice, staff received a phone call from a resident on McCloud Way who is opposed to the project. The commenter stated that the approved commercial project provided an open space buffer that the proposed project lacks, indicated he was concerned about traffic being added to McCloud Way, and was concerned about the density and number of proposed homes.

ENVIRONMENTAL DETERMINATION

An Addendum to the Environmental Impact Report (EIR) adopted for the North Roseville Specific Plan (certified August 6, 1997) and the Diamond Creek Commercial Mitigated Negative Declaration (adopted July 11, 2002) has been prepared for the project pursuant to City of Roseville CEQA Implementing Procedures and California Environmental Quality Act (CEQA) Guidelines Section 15164 (see Exhibit L). The Addendum finds that actions under the proposed project will not result in any new significant environmental effects or result in the substantial increase of any previously identified significant impacts

in the previous environmental documents, and substantial changes to the previous environmental documents are not required.

RECOMMENDATION

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

- A. Consider the Addendum to the North Roseville Specific Plan and Diamond Creek Commercial Mitigated Negative Declaration;
- B. Recommend the City Council approve the **GENERAL PLAN AMENDMENT – 1550 PARKSIDE WAY – NRSP PCL DC-30 AND DC-33–DIAMOND CREEK RESIDENTIAL – PL18-0106**.
- C. Recommend the City Council approve the **SPECIFIC PLAN AMENDMENT – 1550 PARKSIDE WAY – NRSP PCL DC-30 AND DC-33–DIAMOND CREEK RESIDENTIAL – PL18-0106**.
- D. Recommend the City Council approve the **REZONE – 1550 PARKSIDE WAY – NRSP PCL DC-30 AND DC-33–DIAMOND CREEK RESIDENTIAL – PL18-0106**.
- E. Adopt the findings of fact as stated in the staff report and approve the **MODIFICATION OF A MAJOR PROJECT PERMIT STAGE 1 AND 2 – 1550 PARKSIDE WAY – NRSP PCL DC-30 AND DC-33–DIAMOND CREEK RESIDENTIAL – PL18-0106** subject to four (4) conditions of approval.
- F. Adopt the findings of fact as stated in the staff report and approve the **TENTATIVE SUBDIVISION MAP – 1550 PARKSIDE WAY – NRSP PCL DC-30 AND DC-33–DIAMOND CREEK RESIDENTIAL – PL18-0106** subject to seventy-four (74) conditions of approval.
- G. Adopt the findings of fact as stated in the staff report and approve the **TREE PERMIT – 1550 PARKSIDE WAY – NRSP PCL DC-30 AND DC-33–DIAMOND CREEK RESIDENTIAL – PL18-0106** subject to twenty-one (21) conditions of approval.

CONDITIONS OF APPROVAL FOR THE MAJOR PROJECT PERMIT

1. This permit shall expire on the same date as the Tentative Map for Diamond Creek Residential (DC-33). Effectuation of this permit shall occur with the first residential Building Permit. Except as modified below, the conditions of approval for 2005PL-161 remain applicable to the project. (Planning)
2. Modifications to the Major Project Permit are approved as shown in Exhibits D–J, and as conditioned or modified below. (Planning)
3. Homes shall use a smooth texture stucco finish and provide enhanced side and rear elevations, consistent with the approval and construction of PCL DC-31C (File 2013PL-017). (Planning)
4. A modification to the Major Project Permit shall be required for any proposed expansion of the use of the equipment yard (Lot B). For the purposes of this condition, expansion of use is defined as expanding/intensifying the existing geothermal pumps or installing any new mechanical or electrical equipment. The purpose of this condition is to ensure the use within the yard remains compatible with the surrounding residential use. (Planning)

CONDITIONS OF APPROVAL FOR THE TENTATIVE SUBDIVISION MAP

1. The Tentative Subdivision Map shall not be deemed approved until the actions on the Rezoning, Specific Plan Amendment, and General Plan Amendment are approved and become effective. (Planning)

2. The approval of a Tentative Map and/or tentative site plan does not constitute approval of proposed improvements as to size, design, materials, or location, unless specifically addressed in these conditions of approval. (Engineering)
3. 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)
4. The developer shall not commence with any on-site improvements until such time as grading and/or improvement plans are approved and grading and/or encroachment permits are issued by the Department of Development Services – Engineering Division. (Engineering)
5. 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 (2) months after the end of warranty or the Notice of Termination date for the SWPPP, whichever occurs later. (Engineering, Environmental Utilities, Finance)
6. The project shall comply with all required environmental mitigation identified in the North Roseville Specific Plan Environmental Impact Report (NRSP EIR), the Diamond Creek Commercial Mitigated Negative Declaration, and the Addendums thereto, and shall include all applicable mitigation measures as notes on the grading plans. (All Departments)
7. Prior to the approval of each final small residential lot subdivision map containing lots for affordable purchase, the developer shall enter into City's current Affordable Purchase Housing Agreement (or other applicable City-approved form) for such residential purchase units affordable to middle-income households. (Housing)
8. The rezone of the property and addition of units to this specific plan triggers the requirement for six (6) affordable homes reserved for middle income buyers. (Housing)
9. This project shall be addressed 1550 Parkside Way. All projects with multi-tenants or buildings must submit a site plan with building footprint(s) to the Development Services Department (Business Services – Addressing) for building/suite addressing. (Business Services)
10. Prior to the approval of each final small residential lot subdivision map containing lots for affordable purchase, the developer shall enter into City's current Affordable Purchase Housing Agreement (or other applicable City-approved form) for such residential purchase units affordable to middle-income households. (Housing)

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

11. Landscape Plans for all landscape corridors and all landscaped common areas shall be approved with the improvement plans. Landscaping shall be installed for Substantial Completion of the subdivision improvements. Landscape corridors shall also successfully complete the required establishment period. The landscape plan for areas to be maintained by the City shall comply with the Parks Construction Standards, latest edition, Roseville Specific Plan and the City of Roseville Water Efficient Landscape Ordinance. (Planning, Engineering, Parks, Fire, Environmental Utilities)
12. The applicant shall submit a street name application with proposed street names. The application can be found [HERE](#). After city review, the applicant will receive the application identifying approved or rejected street names. If enough street names are approved, the applicant shall submit a map with the

approved street names to receive a stamp and to be used as the approved street name exhibit. This shall be included in the submittal for improvement plans. (Business Services)

13. Grading around the native oak trees shall be as shown on the tentative map or as approved in these conditions. (Planning)
14. The grading and improvement plans shall be designed in accordance with the City's Improvement Standards and Construction Standards and shall reflect the following:
 - a) Street improvements including, but not limited to, curb, gutter, sidewalk, pavement, drainage systems, traffic striping, signing, medians and markings, etc. along all existing and proposed City streets, as required by Engineering.
 - b) Grading shall comply with the City grading ordinance. Erosion control devices (sediment traps, ditches, straw bales, etc.) shall be shown on the grading plans. All erosion control shall be installed prior to the onset of wet weather. Erosion control is installed to minimize silt discharge from the project site. It is incumbent upon the applicant to ensure that necessary measures are taken to minimize silt discharge from the site. Therefore modification of the erosion control plan may be warranted during wet weather conditions.
 - c) A rough grading permit may be approved by the Engineering Department prior to approval of the improvement plans.
 - d) Access to the floodplain as required by Engineering and the Streets Department.
 - e) Standard Accessible ramps shall be installed at all curb returns per City Standards. (Engineering)
15. 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 the Engineering Division prior to approval of any plans. (Engineering)
16. The applicant shall apply for and obtain an encroachment permit from the Engineering Department prior to any work conducted within the City right-of-way. (Engineering)
17. The applicant shall remove and reconstruct any existing damaged curb, gutter, and sidewalk along the property frontage. During site inspection Engineering will designate the exact areas to be reconstructed. (Engineering)
18. All Lots/Parcels shall conform to Class 1 drainage, pursuant to the adopted City of Roseville Improvement Standards, except as shown on the tentative map or as approved in these conditions. (Engineering)
19. The following note shall be added to the Grading and/or Improvement Plans:

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

 - a) *Spray water on all exposed earth surfaces during clearing, grading, earth moving and other site preparation activities throughout the day.*
 - b) *Use tarpaulins or other affective covers on all stockpiled earth material and on all haul trucks.*

- c) *Sweep the adjacent streets frontages at least once a day or as needed to remove silt and other dirt which is evident from construction activities.*
 - d) *Ensure that construction vehicles are cleaned prior to leaving the construction site to prevent dust and dirt from being tracked off site.*
 - e) *The City shall have the authority to stop all grading operations, if in the opinion of city staff, inadequate dust control measures are being practiced or excessive wind conditions contribute to fugitive dust emissions. (Engineering)*
20. 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)
21. 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)*
22. The grading plans for the site shall be accompanied with a shed map that defines that area tributary to this site. All drainage facilities shall be designed to accommodate the tributary flow. All on-site storm drainage shall be collected on site and shall be routed to the nearest existing storm drain stub of natural drainage course. (Engineering)
23. All storm drainage, including roof drains, shall be collected on site and shall be routed to the nearest storm drain system or natural drainage facility. Prior to discharge from the site, the storm water shall be treated with appropriate storm water pollution treatment device(s). The storm drain system shall be a private system and shall be maintained by the property owner. (Engineering)
24. The drainage outfalls shall extend down to the receiving water and shall be constructed with adequate velocity attenuation devices. All drainage facilities on site shall be privately owned and maintained (by the Home Owners Association). The City has no responsibility in the maintenance of the drainage facilities and will not assume any responsibilities for maintenance in the future. (Engineering)
25. The grading plans shall be accompanied with engineered structural calculations for all retaining walls greater than 4 feet in height. All retaining walls shall be of either split faced masonry units, keystone type construction, or cast in place concrete with fascia treatment. (Engineering)
26. To ensure that the design for any necessary widening, construction, or modifications of Public Streets does not conflict with existing dry utilities generally located behind the curb and gutter, and prior to the submittal of design drawings for those frontage improvements, the project proponent shall have the existing dry utilities pot holed for verification of location and depth. (Engineering)
27. The site shall be accessed through standard 30-foot wide A-7 driveways located on Parkside Way across Lavande Drive and on McCloud Way across from Skeena Court. The existing driveway on Parkside Way shall be removed and replaced with standard curb, gutter, and sidewalk. (Engineering)
28. Sight distances for all driveways shall be clearly shown on the improvement plans to verify that minimum standards are achieved. It will be the responsibility of the project proponent to provide appropriate

landscaping and improvement plans, and to relocate and/or modify existing facilities as needed to meet these design objectives. (Engineering)

29. Improvement plans shall show the park boundary and label it as a protected area. The Pre-Construction meeting shall address the presence of the park, the oak trees and other sensitive habitats present and minimization of disturbance to the park. During grading and construction the park area shall be avoided and shall not be used for parking, storage, or project staging. The contractor shall remove all trash blown into the park from adjacent construction on a daily basis. After construction is complete, the temporary fencing shall be removed from the park, along with all temporary erosion control measures (e.g., straw bales, straw waddles and stakes, silt fencing). (Engineering, Development Services, Planning)
30. Prior to construction within any phase of the project, high visibility temporary construction fencing shall be installed along the parcel adjacent to the park. Fencing shall be maintained daily until permanent fencing is installed, at which time the temporary fencing shall be removed from the project site. (Engineering, Development Services, Planning)
31. With the exception of access required for maintenance and/or emergency vehicles, the project shall be designed to prevent vehicle access into the park. Post and cable fencing or other improvements shall be utilized to meet this requirement. (Engineering, Development Services, Planning)
32. **Prior to the approval of the Improvement Plans**, the project proponent shall prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) to the City, as defined by the Regional Water Quality Control Board. The SWPPP shall be submitted in a single three ring binder. Upon approval, the SWPPP will be returned to the project proponent during the pre-construction meeting. (Engineering)
33. Prior to the issuance of a grading permit or approval of Improvement Plans, the grading plans shall clearly identify all existing water, sewer and recycled water utilities within the boundaries of the project (including adjoining public right of way). Existing utilities shall be identified in plan-view and in profile-view where grading activities will modify existing site elevations over top of or within 15 feet of the utility. Any utilities that could potentially be impacted by the project shall be clearly identified along with the proposed protection measures. The developer shall be responsible for taking measures and incurring costs associated with protecting the existing water, sewer and recycled water utilities to the satisfaction of the Environmental Utilities Director. (Environmental Utilities)
34. Water and sewer infrastructure shall be designed and constructed pursuant to the adopted City of Roseville Improvement Standards and Construction Standards and shall reflect the following:
 - a) Sewer and water service laterals shall not be allowed off of water and sewer mains larger than 12 inches in diameter.
 - b) Utilities or permanent structures shall not be located within the area which would be disturbed by an open trench needed to expose sewer trunk mains deeper than 12 feet 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.
 - c) Water and sewer mains shall not exceed a depth of 12 feet below finished grade, unless authorized in these conditions.
 - d) All sewer manholes shall have all-weather 10-ton vehicular access unless authorized by these conditions. (Environmental Utilities)

35. Recycled water infrastructure shall be designed pursuant to the adopted City of Roseville Improvement Standards and the City of Roseville Construction Standards. The applicant shall pay all applicable recycled water fees. Easements shall be provided as necessary for recycled water infrastructure. (Environmental Utilities)
36. Any backflow preventers visible from the street shall be painted green to blend in with the surrounding landscaping. The backflow preventers 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 preventer to the landscaping.
 - b) For maintenance purposes, the landscaping shall be installed on a maximum of three sides and the plant material shall not have thorns.
 - c) The control valves and the water meter shall be physically unobstructed.
 - d) The backflow preventer shall be covered with a green cover that will provide insulation. (Environmental Utilities)
37. A note shall be added to the Improvement Plans stating that all water backflow devices shall be tested and approved by the Environmental Utilities Department prior to the Notice of Completion for the improvements. (Environmental Utilities)
38. There shall be designated pick up areas for trash bins on the main private street; no pick up will occur within dead-end street stubs. The developer shall include signage to restrict parking in the designated pick up areas. (Environmental Utilities)
39. Fire hydrants shall be located as required by the Fire Department. The maximum distance between fire hydrants shall not exceed 500 feet on center. Fire hydrants shall not be located at the end of any residential court. The preferred location shall be street corners and entry points to a subdivision. (Fire)
40. Minimum fire flow is 1,500 gallons per minute with 20 pounds of residual pressure. The fire flow and residual pressure may be increased, as determined by the Fire Marshall, where the project utility lines will serve non-residential uses. (Fire)
41. All alley loaded driveways shall have the address and street name of the designated unit as identified on the approved city lot maps. (Fire)
42. Testing of all fire systems shall be performed prior to any model home complex or sales office opening for business. (Fire)
43. Framing construction and framing of combustible construction cannot commence until access roads and public fire hydrants are approved by the Fire Department. (Fire)
44. If this project will be phased, a phasing plan shall be approved which meets the Fire Department requirements for access and circulation for each phase. Access roads shall comply with the California Fire Code, 2016 with the City of Roseville's Amendments. A separate phasing plan shall be reviewed and approved by the Fire Department. (Fire)
45. There shall be no vertical obstructions for the designated fire lanes between Lots 48 and 49. (Fire)

46. The pavement surface between Lots 48 and 49 shall have a live load weight capacity of 68,000 pounds. (Fire)
47. 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)
48. All Electrical Department facilities, including street lights where applicable, shall be designed and built to the “City of Roseville Specifications for Residential Trenching”. (Electric)
49. The design for electrical service for this project will begin when the Electric Department has received a full set of improvement plans for the project. (Electric)
50. All landscaping in areas containing electrical service equipment shall conform to the “Electric Department Landscape Design Requirements” as outlined in Section 7.00 of the Electric Department’s “Specifications for Residential Trenching.” (Electric)
51. The location and design of the gas service shall be determined by PG&E. The design of gas service for this project shall not begin until PG&E has received a full set of City approved improvement plans for the project. (PG&E)
52. It is the developer's responsibility to notify PG&E of any work required on PG&E facilities. (PG&E)

PRIOR TO OR UPON RECORDATION OF FINAL/PARCEL MAP

53. Water and sewer easements shall be provided and shown on the Final Map or by separate instrument, unless otherwise provided for in these conditions. (Environmental Utilities, Engineering)
54. Easement widths shall comply with the City’s Improvement Standards and Construction Standards. (Environmental Utilities, Electric, Engineering)
55. All existing easements shall be maintained, unless otherwise provided for in these conditions. (Environmental Utilities, Electric, Engineering)
56. Separate document easements required by the City shall be prepared in accordance with the City’s “Policy for Dedication of Easements to the City of Roseville.” All legal descriptions shall be prepared by a licensed land Surveyor. (Environmental Utilities, Electric, Engineering)
57. A declaration of Conditions, Covenants and Restrictions (CC&Rs), in a form approved by the City Attorney, shall be recorded on the entire property concurrently with the Final/Parcel Map. The CC&Rs shall include the following items: (Attorney, Planning)
 - a) A clause prohibiting the amendment, revision or deletion of any sections in the CC&Rs required by these conditions of approval without the prior written consent of the City Attorney.
 - b) A clause excluding any property owned by the City from the terms of the CC&Rs.
 - c) Residents in courts or other dead-end areas shall be required to bring their trash bins to a designated trash pickup area on the main street, because refuse trucks are not able to turn around in dead end streets. Designated pick-up areas shall be established to Environmental Utilities satisfaction, and shall be memorialized in the CC&Rs. (Environmental Utilities)

- d) A clause noting that the two required vehicle parking spaces within the garage must be kept clear and maintained for parking at all times. Storage of items which causes an inability to park within the required spaces is prohibited.
- e) There shall be clear language regarding maintenance and common easements agreement for servicing all fire protection systems and gates used by the first responders. A service company shall be obtained to maintain all on-site fire protection systems including all common interior adjoining fire sprinkler-piping penetrations and private fire hydrants. An agreement between owners and tenants shall be made to allow permission to enter the premises to inspect all apparatuses associated with fire protection. Draft documents shall be provided to the Fire Department for review. (Fire)

58. The City shall not approve the Final Map for recordation until either:

- a) A subdivision agreement is entered into along with the necessary bonds and insurance as required by the City. Said agreement shall be in a form acceptable to the City Attorney.

OR

- b) The improvement plans are approved, and the improvements are constructed and accepted as complete. In this case, the subdivider shall enter into a one-year maintenance agreement concurrent with the recordation of the Final Map. (Engineering)

59. Any structures crossing Lot/Parcel lines created by the Final map shall be removed. (Engineering)

60. Street names shall be approved by the City of Roseville. (Engineering)

61. The subject property shall be annexed into CFD 4 (Public Services) and CFD 3 (Municipal Services) prior to approval of the Final/Parcel Map. This property is being added into this district in order to cover the added costs to the city for maintenance and services. It is the applicant's responsibility to prepare the appropriate documentation for the annexation of this property into the CFDs. In order to allow the CFDs to be in place at the beginning of the fiscal year, the documentation shall be provided to the Finance Department not later than March 15 of the year preceding the fiscal year in which this annexation will become effective. (Finance, Engineering)

62. The Final/Parcel Map shall include an irrevocable offer to dedicate public rights-of-way and public and/or private easements as required by the City. Lettered Lot//Parcel along major roads shall be dedicated as landscape/pedestrian/public utility easements and in fee to the City as open space. (Engineering)

63. The words "traffic control appurtenances" shall be included in the list of utilities allowed in public utilities easements (PUE's) located along public roadways. (Engineering)

64. The Final/Lot/Parcel/Parcel Map shall be submitted per, "The Digital Submittal of Cadastral Surveys." Submittal shall occur after Engineering approval but prior to Council approval. (Engineering)

65. Electric construction costs incurred by the City of Roseville Electric Department for this project shall be paid for by the developer per the applicable policy. (Electric)

66. The Environmental Utilities Department shall make a determination that there is adequate conveyance and treatment capacity in the City sewer system to handle the newly created Lot/Parcels. (Environmental Utilities)

67. The applicant shall pay all applicable water and sewer fees. (Environmental Utilities)

OTHER CONDITIONS OF APPROVAL

68. The applicant shall pay City's actual costs for providing plan check, installation and inspection services. This may be a combination of staff costs and direct billing for contract professional services. (Environmental Utilities, Engineering)
69. Any relocation, rearrangement, or change to existing electric facilities due to this development shall be at the developer's expense. (Electric)
70. It is the responsibility of the developer to insure that all existing electric facilities remain free and clear of any obstructions during construction and when the project is complete. (Electric)
71. Existing public facilities damaged during the course of construction shall be repaired by the applicant, at the applicant's expense, to the satisfaction of the City. (Engineering)
72. The project is subject to the noise standards established in the City's Noise Ordinance. In accordance with the City's Noise Ordinance project construction is exempt between the hours of seven a.m. and seven p.m. Monday through Friday, and between the hours of eight a.m. and eight p.m. Saturday and Sunday. Provided, however, that all construction equipment shall be fitted with factory installed muffling devices and that all construction equipment shall be maintained in good working order. (Engineering)
73. If site survey or earth moving work results in the discovery of hazardous materials in containers or what appears to be hazardous wastes released into the ground, the contractor shall notify the Roseville Fire Department immediately. A representative from the Fire Department will make a determination as to whether the incident is reportable or not and if site remediation is required. Non-emergency releases or notifications about the presence of containers found shall be reported to the Fire Department. (Fire)
74. All plant material shall be maintained under a 30 calendar day establishment period after initial planting. Upon completion of the establishment period, all plant material shall remain under warrantee for an additional 9 months minimum. Any plant material which does not survive during the establishment period shall be immediately replaced. Any trees or shrubs which do not survive during the warrantee period shall be replaced one month prior to the end of the warrantee period. Tree or shrub replacement made necessary due to acts of God, neglect or vandalism shall be exempt from the warrantee. (Parks, Recreation, and Libraries)

CONDITIONS OF APPROVAL FOR THE TREE PERMIT

| CONDITION | COMPLIANCE VERIFIED/ INSPECTED | COMMENTS |
|---|--------------------------------------|----------|
| PRIOR TO ISSUANCE OF ANY PERMITS OR ANY CONSTRUCTION ON-SITE | | |
| 1. The approval of this Tree Permit shall expire on the same date as the Tentative Map for Diamond Creek Residential (DC-33). | | |
| 2. All recommendations contained in the Arborist Report(s) and Letter Report (Exhibit K) are incorporated by reference into these conditions, except as modified herein. (Planning) | | |

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| <p>3. Trees #534–541, #543, #544, and #546 (as listed in Exhibit K) are approved for removal with this tree permit, and tree #542 is approved for conditional removal. The tree for conditional removal can be removed if in the opinion of the arborist, as documented in a letter report to Planning, the tree cannot be retained or is unlikely to survive due to the improvements needed for the nearby retaining wall and footings. 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)</p> | | |
| <p>4. 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 184 inches and conditionally up to 200 inches. Mitigation must be provided prior to tree removal unless otherwise approved in a tree replacement plan or in these conditions. (Planning)</p> | | |
| <p>5. 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(s) #533, #542, and #545 as shown in Exhibit K and described in the staff report is permitted. (Planning)</p> | | |
| <p>6. A \$10,000 cash deposit or bond (or other means of security provided to the satisfaction of the Planning Division) shall be posted to ensure 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)</p> | | |
| <p>7. 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)</p> | | |
| <p>8. 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, driveways, 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 Division prior to the placement of the protective fencing. (Planning)</p> | | |
| <p>9. 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 trees. Where encroachment is permitted pursuant to Condition 5, above, 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 DIVISION". (Planning)</p> | | |
| <p>10. Once the fencing is installed, the applicant shall schedule an appointment with the Planning Division to inspect and approve the temporary fencing before beginning any construction. (Planning)</p> | | |

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| 11. 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 Arboriculture (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) | | |
| 12. 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) | | |
| 13. A Site Planning Meeting shall be held with the applicant, the applicant's primary contractor, the Planning Division and the Engineering Division 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 Division and Engineering Division two weeks prior to the start of grading work to schedule the meeting and fencing inspection. (Planning) | | |
| DURING CONSTRUCTION | | |
| 14. 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) | | |
| 15. 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) | | |
| 16. 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) | | |
| 17. Storage or parking of materials, equipment, or 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) | | |
| 18. 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) | | |
| 19. The temporary fencing shall remain in place throughout the entire construction period and shall not be removed without obtaining written authorization from the Planning Division. In no event shall the fencing be removed before the written authorization is received from the Planning Division. (Planning) | | |
| PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT | | |
| 20. Within 5 days of the completion of construction, a Certification Letter from a certified arborist shall be submitted to and approved by the Planning Division. 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) | | |
| 21. A copy of this completed Tree Permit Compliance Verification/Inspection form shall be submitted to the Planning Division. (Planning) | | |

Attachments

1. Non-Residential Conversion Policy
2. Fiscal Study
3. Parking Supply Analysis
4. Water Demand Memorandum
5. Table of Applicable Mitigation

Exhibits

- A. General Plan Amendment Land Use Figure and Change Pages
- B. Land Use and Rezone Amendments
- C. NRSP Change Pages
- D. Subdivision Map
- E. Site Development Plan
- F. Grading Plan
- G. Utility Plan
- H. Landscape Plan
- I. Elevations
- J. Development Standards
- K. Arborist Report and Letter Report
- L. Addendum

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| <p><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.</p> |
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