

ITEM IV-B: TENTATIVE SUBDIVISION MAP – 1836 SIERRA GARDENS DR – SOUTH PLACER BUSINESS PARK OFFICE CONDO CONVERSION–FILE # PL14-0594

REQUEST

The applicant requests approval of a Tentative Subdivision Map to create 21 office condominiums within four existing office buildings. The application also includes a request to waive the requirement for a final map.

Applicant: Timothy G. Blair, Surveyors Group, Inc.
Owner: James Ballard, The STG Group

SUMMARY RECOMMENDATION

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

- A. Adopt the three (3) findings of fact for the Tentative Subdivision Map;
- B. Approve the Tentative Subdivision Map subject to ten (10) conditions of approval; and
- C. Approve the applicant's request to waive the requirement for a Final Map as provided for in the City's Subdivision Ordinance.

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 South Placer Business Park complex is located between Sierra Gardens Drive and Lead Hill Boulevard within the City's Infill planning area. The complex is adjacent to the US Postal Service building to the west and Walmart to the east (see Figure 1). The complex includes six parcels that have a land use designation of Business Professional (BP) and a zoning designation of Planned Development (PD16) for commercial, light industrial, and office uses. The South Placer Business Park was originally approved with a Use Permit by the Project Review Commission in 1989 (UP 89-24). The six parcels are currently developed with eight buildings occupied with a mix of office, medical, commercial and warehouse uses.

The current request includes a Tentative Subdivision Map to create 21 "for-sale" office condominiums within four of the eight existing buildings of the South Placer Business Park. The buildings are located on Parcel A, Parcel C, and Parcel E (see Exhibit A) of the business park. The applicant has also applied for a waiver of the Final Map per the City's Subdivision Ordinance (RMC, Title 18) and the California Subdivision Map Act.

Figure 1: Aerial Photograph



FINDINGS & EVALUATION

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 ***bold italics*** and are followed by an evaluation of the map in relation to each finding.

- 1. The size, design, character, grading, location, orientation, and configuration of lots, roads and all improvements for the tentative subdivision map are consistent with the density, uses, circulation and open space systems, applicable policies and standards of the General Plan and the Community Design Guidelines, and the design standards of Title 18 (Subdivision Ordinance) of the Roseville Municipal Code.***

The request is to subdivide four buildings into 21 condominiums that can be sold to individual tenants. The proposed Subdivision Map will not affect the design of the approved development. The configuration of airspace units will not impact the density, use, circulation, or other applicable policies. Additionally, the Map Act and Subdivision Ordinance do not contain any maximum or minimum lot/condo sizes, just as there are no restrictions on the number or size of lease spaces that may be created.

Staff has included Condition #4 to ensure that the condominium owners participate in the South Placer Business Park Owners Association. The Owners Association will be the mechanism for ensuring that the conditions of approval for the South Placer Business Park are adhered to and that all common areas (landscape areas, drive aisles, parking lot, building, etc.) are maintained properly.

- 2. The subdivision will result in lots which can be used or built upon. The subdivision will not create lots which are impractical for improvement or use due to: the steepness of terrain or location of watercourses in the area; the size or shape of the lots or inadequate building area; inadequate frontage or access; or, some other physical condition of the area.***

The Tentative Subdivision Map will create air-space lots within existing buildings and provide for individual light industrial and office condominium units. During staff review of the Tentative Subdivision Map application, it was determined that the creation of 21 condominium units will not create any impractical or unusable units.

3. *The design and density of the subdivision will not violate the existing requirements prescribed by the Regional Water Quality Control Board for the discharge of waste into the sewage system, Pursuant to Division 7 of the Water Code.*

The water quality impacts associated with the project and the expected discharge of waste for this project are consistent with what has been anticipated by the General Plan and the Negative Declaration that was adopted in 1989. In addition, the design of the sewer lines in the project area and treatment capacity at the City's sewage treatment plant has adequate conveyance and capacity to accommodate the existing and approved development. Approval of the Condominium Map will not increase the development intensity beyond that approved with the original Use Permit.

FINAL MAP WAIVER REQUEST

Section 18.06.330 of the City's Subdivision Ordinance (see Attachment 1) allows an applicant to request a final map waiver in certain, specific situations. The Subdivision Ordinance provides that if the land being subdivided consists of a lot or parcels shown on a recorded final map and the full street, water supply, sanitary sewer, electrical, natural gas, cable and telephone improvements have been constructed and easements have been completed, and monumentation is evident, a map waiver maybe applied for. In this case, the South Placer Business Park Tentative Map is being proposed within an existing commercial building complex. All of the utilities that serve the buildings have been installed and easements have been recorded. Given this fact, Staff supports the request for the Final Map waiver.

The Subdivision Ordinance allows the approving authority of the map, in this case, the Planning Commission, the ability to waive the final map and issue a certificate of compliance if the required findings for approval of the tentative map have been made. As outlined above, the required findings have been made to approve the map. The Subdivision Ordinance also allows the Planning Commission the ability to place conditions on the project to ensure development of the parcels are in conformance with City Codes and Ordinances. The Planning Division has added Condition #2 to require the applicant receive approval of a Certificate of Compliance prior to the expiration of the Tentative Map.

SUMMARY / CONCLUSION

Based on the evaluation above, staff believes that the Planning Commission can make the required findings and approve the Tentative Subdivision Map. In addition, as was mentioned above, the applicant has asked for a waiver of the City's Final Map process. Staff has routed this request to all affected departments and has not identified any issues with granting this request. The City's Development Services-Engineering Division will issue a Certificate of Compliance (COC) for the Condominium Map. The COC will satisfy the Placer County recording and California Department of Real Estate requirements for recording the map and offering the air-space units for sale.

ENVIRONMENTAL DETERMINATION

This project is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 of the CEQA Guidelines pertaining to minor land divisions and pursuant to Section 305 of the Roseville CEQA Implementing Procedures.

RECOMMENDATION

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

- A. Adopt the three findings of fact as stated in the staff report for the TENTATIVE SUBDIVISION MAP – 1836 SIERRA GARDENS DR – SOUTH PLACER BUSINESS PARK OFFICE CONDO CONVERSION – FILE # PL14-0594;
- B. Approve the TENTATIVE SUBDIVISION MAP – 1836 SIERRA GARDENS DR – SOUTH PLACER BUSINESS PARK OFFICE CONDO CONVERSION – FILE # PL14-0594 with ten (10) conditions of approval; and
- C. Approve the applicant's request to waive the requirement for a Final Map as provided for in the City's Subdivision Ordinance (RMC, Section 18.06.330).

CONDITIONS OF APPROVAL FOR THE TENTATIVE SUBDIVISION MAP FILE # PL14-0594:

1. The project is approved as shown in Exhibit A and as conditioned or modified below. (Planning)
2. This map shall be valid for a period of two (2) years from this date and shall expire on **January 22, 2017**. Prior to said expiration date, the applicant may apply for an extension of time, provided, however, that this approval shall be extended for no more than six (6) years from **January 22, 2017**. Before the expiration of the Tentative Map the applicant shall receive approval of a Certificate of Compliance from the Public Works Director or his designee. (Planning, Engineering)
3. In Accordance with Section 66427 of the Subdivision Map Act, the following shall be added to the face of the Final Map, unless a Certificate of Compliance Parcel Map Waiver is approved, then these four conditions will be waived:
 - a) The Title of the project shall clearly state "An Office Condominium Project";
 - b) The number of approved Condominium Units is clearly displayed;
 - c) A separate information sheet shall be added to the map that depicts each lot and business owners association, the footprint of each condominium building within each lot, and the number of units and unit number within each building;
 - d) All common land within each phase of the project shall be owned and maintained by the separate Business Owners Associations. The Business Owners Association shall operate and maintain all common land for the owners of the units. (Engineering)
4. Separate declaration of Conditions, Covenants and Restrictions (CC&Rs) for each parcel or condominium shall be approved by the City Attorney prior to issuance of the Certificate of Compliance. The CC&Rs shall include the following items:
 - a) Incorporation of the units into the South Placer Business Park Owners Association.
 - b) The Owners Association shall be responsible for maintenance of all common areas including landscaping, parking areas, hallways, and drive aisles.
 - c) The common areas provide reciprocal access, parking, and utilities (including drainage) for the mutual benefit of all condominium units and all tenants within the South Placer Business Park.

- d) Language stating that access is to be granted for maintenance and repair of water and sewer services across lots that the utility crosses.
 - e) Provisions for title to common areas to be held by the Owners Association for and on behalf of all owners of each condominium unit. (Attorney, Planning, Environmental Utilities)
5. The applicant shall establish a Business Owners Association/Condo Association, which shall be billed by the City for water consumption. At the request of the City additional information will be required of the Business Owners Association/Condo Association on an ongoing basis. The Business Owners Association/Condo Association will be required to submit a copy of their annual statement to the City every year. If the Business Owners Association/Condo Association is in arrears on the water bill three months in a row, the Business Owners Association/Condo Association must give the City access to their books for auditing purposes. If the Business Owners Association/Condo Association should become inactive, each individual condominium owner must sign in separately for water service. A notice to this effect shall be placed in the CC&R's for the condominium project. (Environmental Utilities)
 6. Minimum fire flow is 3,000 gallons per minute with 20 lbs. psi residual pressure. A change in any of the conditions may increase the required fire flow. (Fire)
 7. The subdividing of this parcel shall not reduce the responsibilities of each owners of this project from maintaining all on-site fire systems including all common adjoining fire sprinkler-piping penetrations and all on-site fire mains and private hydrants. A common easement agreement shall be written and approved by all owners. There shall be a clear language regarding maintenance and common easements agreement for service. A service company shall be obtained to maintain all on-site fire protection systems. (Fire)
 8. 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)
 9. Power for all suites shall be provided from an existing single metered electric service. Please contact Roseville Electric if any changes are to be made from the existing electric service infrastructure. Any relocation, rearrangement, or change to existing electric facilities due to this development shall be at the developer's expense. (Electric)
 10. 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)

ATTACHMENT

1. Subdivision Ordinance Chapter 18.06.330

EXHIBIT

- A. Tentative Subdivision Map (Condominium Map)

Note to Applicant and/or Developer: Please contact the Planning Department staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning Director at, or prior to, the public hearing.