

Prepared by: Michael Isom, Project Planner

ITEM VI-C: **SPECIFIC PLAN AMENDMENT, REZONE, DEVELOPMENT AGREEMENT AMENDMENT, DESIGN REVIEW PERMIT, LOT LINE ADJUSTMENT & TREE PERMIT – 1820 & 1850 TAYLOR ROAD (NERSP PARCEL 16 – OLYMPUS POINTE JAVA) -- FILE#S SPA 04-04, RZ 04-05, DAA 05-07, DRP 04-43, LLA 04-17 & TP 04-39.**

REQUEST

The applicant requests approval of the following entitlements:

- **Rezone** to change the zoning of the subject property from Highway Commercial / Special Area (HC/SA) to Community Commercial to allow a broader range of permitted uses, including professional office;
- **Specific Plan Amendment** to change the specific plan land use designation from Highway Commercial to Community Commercial;
- **Development Agreement Amendment** to modify the Northeast Roseville Specific Plan Development Agreement to reflect the change in land use;
- **Design Review Permit** to allow construction of a 13,549 square-foot commercial building and a 150 square foot coffee kiosk, along with associated landscaping, lighting, and parking;
- **Lot Line Adjustment** to merge the two properties encompassing the project site into a single parcel; and,
- **Tree Permit** to remove seven (7) native oak trees and encroach into the protected zone radius of several others.

Applicant: Peter Givas, Peter Givas Architect
Property Owner: Leo & Kathy Lagesse

SUMMARY RECOMMENDATION

The Planning & Redevelopment Department recommends that the Planning Commission:

- A. Adopt the eight (8) findings for the Negative Declaration;
- B. Adopt the Negative Declaration;
- C. Recommend the City Council adopt the one (1) finding of fact for the Specific Plan Amendment;
- D. Recommend the City Council approve the Specific Plan Amendment;
- E. Recommend the City Council adopt the two (2) findings of fact for the Rezone;
- F. Recommend that the City Council approve the Rezone;
- G. Recommend the City Council adopt the five (5) findings of fact for the Development Agreement Amendment;
- H. Recommend that the City Council approve the Development Agreement Amendment;
- I. Adopt the four (4) findings of fact for the Design Review Permit;
- J. Approve the Design Review Permit with 113 conditions of approval;
- K. Find the Lot Line Adjustment consistent with the required criteria;
- L. Approve the Lot line Adjustment with 11 conditions of approval;
- M. Adopt the two (2) findings of fact for the Tree Permit; and,
- N. Approve the Tree Permit with 21 conditions of approval.

OUTSTANDING ISSUES

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

BACKGROUND

The project site is located at 1820 and 1850 Taylor Road, approximately 500 feet east of the intersection of Eureka Road and Taylor Road (see Vicinity Map - Attachment 1). The 2.1-acre project site is identified as Parcel 16 of the Northeast Roseville Specific Plan. The property has remained vacant since it was granted land use and zoning with adoption of the NERSP in 1987. Multiple high voltage power lines and associated easements traverse the property in a north to south and northeasterly to southwesterly direction. Due to the number of power line easements, only a small portion of the 2.1-acre property is developable (see Site Plan – Exhibit B).

The property owners have requested approval of a Design Review Permit to construct a 13,549 square foot commercial building with associated lighting, landscaping and parking on the subject 2-acre parcel. The property is currently zoned highway Commercial / Special Area – Northeast Roseville Specific Plan (HC/SA-NE) which allows for a broad range of commercial uses oriented toward highway travelers (i.e., restaurants, service stations, hotels, etc.). As currently zoned, the project could have proceeded under a Design Review Permit, Lot line Adjustment, and Tree Permit reviewed by the Design Committee. However, in consultation with City staff, the applicant has requested approval of a Rezone to change the HC/SA-NE zoning to Community Commercial. The Community Commercial zone district allows a slightly broader range of permitted uses, particularly professional office. Additional discussion relating to the Rezone is provided in the Evaluation below.

SITE INFORMATION

- A. Roseville Coalition Of Neighborhood Associations (RCONA):** RCONA #34, East Roseville Parkway – The East Roseville Neighborhood Association is not currently active.
- B. Total Acreage:** ±2.1 acres
- C. Site Access:** Two (2) driveways on Taylor Road will provide access to the site (see Site Plan – Exhibit B). The westerly driveway will permit full turning movements; the easterly driveway will be restricted to right-turn movements only.
- D. Physical or Natural Features:** The project site is characterized by a variety of native and non-native grasses and scattered native oak trees. Field inspections by the Planning Department did not reveal any wetlands or other natural features on the project site. The confluence of Dry Creek and False Ravine Creek is located south of the project site (see Aerial Photo – Attachment 3).
- E. Grading:** Grading of the property will be necessary to provide parking areas, drive aisles, and the building pad. Earthwork on the site will balance with a total of 5,800 cubic yards of cut and fill.

ADJACENT ZONING AND LAND USE

LOCATION	ZONING	GENERAL PLAN LAND USE	CURRENT USE OF PROPERTY
On-Site	Highway Commercial / Special Area – Northeast Roseville Specific Plan (HC/SA-NE)	Community Commercial (CC) / Specific Plan land use = Highway Commercial (HC)	Vacant
North	HC/SA-NE	CC	Golfland Sunsplash / Park & Ride Lot
South	Open Space (OS)	Open Space / Floodplain (OS/FP)	Dry Creek
East	OS	OS/FP	Dry Creek
West	HC/SA-NE	CC	In-n-Out Burger / Brookfields

The proposed project is consistent with the land uses contemplated by the City's General Plan, and the Zoning Ordinance. The requested SPA and Rezone will merely broaden the permitted uses that may occupy the site.

Development Standard	Required	Proposed
Building Setbacks	None	115 (from Taylor Road)
Landscape Setbacks	20'	20'
Building Height Limit	50' (max)	47' (55 with mechanical screen)
Max. Building Lot Coverage	None	5%
Parking Spaces (Total)	68 (13549 s.f. @ 1:200)	130
% of compact spaces	30% max	36 (28%)
# of handicapped spaces	5	5
% of shaded parking	50%	30% (see DRP discussion below)
Bicycle Spaces	6	6

PROJECT DESIGN FEATURES

See attached Site Plan (Exhibit B); Site Details (Exhibit C), Grading Plan (Exhibit D); Landscape Plan (Exhibit E); Utility Plan (Exhibit F), Roof Plan (Exhibit G), Architectural Elevations (Exhibit H), and Reduced Color Elevations (Attachment 2).

EVALUATION

SPECIFIC PLAN / DEVELOPMENT AGREEMENT AMENDMENT, & REZONE

Specific Plan Amendment: The request requires changes to the Northeast Roseville Specific Plan (NERSP). Specifically, the NERSP land use map will be modified to reflect the change in land use from Highway Commercial to Commercial. In addition, Page 8 of the NERSP will be updated to reflect the change in Highway Commercial and Commercial land use acreages (see Exhibit J).

Rezone: The property has existing Highway Commercial zoning with a Special Area overlay (HC/SA). The HC/SA zoning allows a variety of commercial uses, including food service, service stations, retail outlets, and "similar and like uses" (NERSP page 25). The applicant is proposing to construct a 13,549 square-foot commercial building and a 150 square foot coffee kiosk within the developable portions of the

property. The existing zoning permits the retail and food service uses currently proposed by the applicant.

The applicant is seeking City approval to change the zoning of NERSP Parcel 16 from HC/SA to Community Commercial to allow a slightly broader range of permitted uses, including professional office. The HC zoning allows medical office as a principally permitted use; however, it does not allow professional office. While the CC zone district allows a slightly broader range of permitted uses, these uses are not necessarily more intensive than those permitted with the HC zoning. The intent for the HC zone has been to allow uses that are primarily oriented toward the highway and provide services geared toward travelers (i.e., food service, service stations, hotels, etc.). The remainder of Taylor Road in this area has been developed with various service commercial uses (fast food, fueling station, restaurant, hotels). The commercial use table (RMC Section 19.12.020) is included as Attachment 4, which illustrates the variety of uses permitted by the existing HC zoning and the proposed CC zoning.

Based on a review of the commercial use table, the Planning Department has concluded that a change from Highway Commercial to Community Commercial will not result in a significant increase in the land use intensity of the subject property. Furthermore, a broader range of permitted uses will provide a more economically viable and successful project. Staff has not identified any other significant concerns with the rezone request.

Development Agreement Amendment: The Development Agreement for the NERSP must be updated to reflect the change in land use. Specifically, Section 2(A) of the agreement will be modified to reflect the reduction in Highway Commercial land use and the increase in Commercial land use. Due to the limited scope of the rezone request, the City Manager's Office has determined that the project is not required to provide the Community Benefit Fee and special taxes typically associated with rezone requests. Therefore, this language has not been included in the modified development agreement, which is provided as Exhibit L.

DESIGN REVIEW PERMIT

The evaluation of the Design Review Permit for the proposed project has been based on the applicable development standards within the City's Zoning Ordinance, the Northeast Roseville Specific Plan Design Guidelines, and the design standards of the City's Community Design Guidelines. As proposed and conditioned, the project complies with the applicable guidelines identified in the Community Design Guidelines document. The remainder of the Design Review Permit evaluation section will focus on design guidelines that warrant additional review and consideration by the Planning Commission.

SITE DESIGN GUIDELINES

Vehicle Access, Circulation, and Parking

- The Community Design Guidelines (CDG) recommends that short term parking for delivery of mail and small parcels be provided near building entrances.
- As shown on the project site plan (Exhibit B), a temporary loading/unloading area is provided near the east end of the building. No change is recommended.
- The CDG requires projects to be designed to allow for and facilitate emergency access to the site and all buildings. The Fire Code also requires that fire apparatus be able to reach within 150 feet of all points of the building.
- The parking lot has been designed to meet the Fire Department's turning radius requirement, and fire apparatus can pull within 150 of all points of the building. The project has also been designed with a five foot wide decomposed granite footpath around the sides and rear of the building to provide access for fire crews on foot. With the provision of this path, the Fire Department will have

access to the rear of the building and also the open space. The Fire Department is satisfied with the proposed path design. No change is recommended.

LANDSCAPING GUIDELINES

Parking Lot Shading

- Trees should shade a minimum of 50% of the paved parking areas as measured at 15-year maturity.
- As shown in Exhibit B, high voltage power lines encompass a large portion of the project site. These power lines serve various utility companies including Western Area Power Authority (WAPA), Pacific Gas & Electric (PG&E), Sacramento Municipal Utilities District (SMUD) and the City of Roseville, all of which have parallel easements on the property running beneath the power lines.
- No structures are allowed within these easements; however, the area may be used for parking. Within power line easements, the Western Area Power Administration recommends that trees not exceed a height of 12 feet. This limitation is placed within the power line easements so that the vegetation will not interfere with maintenance of, or come into contact with, the power lines.
- In most cases where power line easements cover a portion of a site's parking area, it is possible to make up the shading in other areas where easements are not present. Unfortunately in this case, almost the entire parcel is covered by power line easements, leaving only a small portion of the parcel for usable building area. As a direct result, the remainder of the parcel (the area covered by easements) is dedicated to parking. Therefore, planting larger trees in other areas of the parking lot is not possible.
- The landscape plan submitted for this project contains smaller trees that will not exceed 12 feet in height within the power line easements. As a result, the project does not achieve the 50% shade coverage in the parking area. This is a typical problem for projects with parking under power lines. To mitigate this as much as possible, the applicant has increased the number of smaller trees planted within the power line easement, resulting in a shade coverage of 30%. For comparison, projects with similar constraints such as California Backyard and Century Theaters have provided 22% and 40%, respectively.
- Given the constraints of the power line easements, and the fact that other projects with similar constraints have been approved with reduced shading throughout the City, staff supports the reduction in shade coverage to 30%.

ARCHITECTURAL GUIDELINES

Screening

- The CDG require that roof mounted equipment be set back from the roof edge or screened so that it is not visible from adjacent streets.
- As shown on Exhibit H (Elevation), a roof-mounted mechanical screen projects eight feet above the parapet line for an overall building height of 56 feet; however, the screen is set back 12 feet from the front of the building. Due to line of sight considerations, the amount of mechanical screen visible from Taylor Road will be less than eight feet.
- Rather than raise the parapet to screen the mechanical equipment, the applicant has designed the mechanical screen out of copper to match the outdoor plaza colonnade.
- Typically, the height limitation for the Community Commercial zone district is 50 feet. However, this requirement may be modified upon review and approval of a Design Review Permit. Staff believes the mechanical screen has been tastefully designed, and due to line of sight considerations, will not be highly visible from Taylor Road.

- Staff is comfortable with the mechanical screen design and resulting building height as proposed. No change is recommended.

ART

- Consistent with the desire of the City's Design Committee, the applicant indicates that some form of public art will be incorporated into the plaza area in front of the building. However, the applicant has not made any final determination on what the art will consist of and no details were available at the time this report was written.

Design Review Permit Conclusion

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

LOT LINE ADJUSTMENT

The current configuration places the project site over two separate parcels. The existing lot configuration places a lot line through the middle of the proposed plaza colonnade. The Uniform Building Code prohibits the placement of buildings over property boundaries. It is also the applicant's desire to merge the two parcels into a single parcel. An exhibit showing the existing and proposed parcel configuration is provided as Exhibit I.

The Subdivision Ordinance does not list any required findings for a Lot Line Adjustment; however, a Lot Line Adjustment must comply with the following criteria in **bold text**, which is followed by a discussion.

1. Compliance with the Zoning Ordinance for the district in which it is located.

The project site has a zoning designation of Highway Commercial / Special Area. As discussed earlier in this report, the applicant is proposing to rezone the property to Community Commercial in order to allow a broader range of uses. The proposed Lot Line Adjustment would be consistent with either zoning scenario (HC/SA or CC).

2. Compliance with local building regulations

The Uniform Building Code establishes building regulations based upon the type of construction, the use of a building, and a building's proximity to other buildings and property lines. As noted above, the existing parcel lines would result in the placement of a structure over a property line, which is prohibited by the Uniform and California Building Codes. Approval of the Lot Line Adjustment would eliminate this conflict and bring the project into conformance with applicable building code requirements.

3. Provisions for relocation of existing infrastructure or easements.

The proposed Lot Line Adjustment will not affect any utility services or any easements of record. All existing easements will be maintained. As a result, the Lot Line Adjustment will not affect any existing or proposed infrastructure or easements.

4. Compliance with the City of Roseville General Plan.

The subject properties have a land use designation of Community Commercial (CC). Various commercial uses are anticipated within the CC land use. The General Plan does not identify minimum lot sizes for commercial. Therefore, the proposed project is consistent with the General Plan.

Lot Line Adjustment Conclusion

The proposed Lot Line Adjustment is consistent with the applicable criteria outlined by the City's Subdivision Ordinance. Approval of the lot line adjustment will merge two smaller commercial properties into a single and larger commercial property. Staff has not identified any issues relative to the request and recommends its approval.

TREE PERMIT

The Tree Preservation Chapter of the City of Roseville Zoning Ordinance requires the City to consider the appropriateness of, and alternatives to, proposed tree removals and encroachments. In addition, when tree removal is requested, the City is required to review the proposed mitigation plan. The information supplied by the arborist is provided as Exhibit M.

Removals: Six (6) native oak trees (and one dead oak) are proposed for removal with this request totaling 93 inches (excluding dead Tree #1). The trees are located toward the southeast corner of the project site within the only developable portion of the property. Due to the power line easement constraints discussed earlier in this report, limited opportunities are available to move the building to avoid removing the trees.

Table 1 identifies the trees proposed for removal and the reason for removal:

Table 1 Direct Oak Tree Impacts

Tree #	Common Name	DBH (inches)	Reason for Removal
1	Interior Live Oak	5", 7", & 7"	Within building footprint
4	Blue Oak	11	Within building footprint
5	Blue Oak		Within building footprint
6	Interior Live Oak	9" and 10"	Conflicts with emergency access path.
7	Interior Live Oak	17"	Conflicts with building footprint and emergency access path.
8	Blue Oak	16" and 11"	Within building footprint.
Dead Snag (not labeled)	Dead		Conflicts with emergency access path.

The total amount of inches requested for removal is 93. Mitigation requirements are discussed in the Mitigation Plan section below.

Encroachments: One tree (#9) will incur minor encroachment as a result of construction activity and other temporary impacts. The amount of encroachment is estimated at 2% or less and will mostly result from installation of the emergency access path around the back of the building. Standard Tree Permit conditions of approval require that the project arborist be present to monitor construction while working within the protected zone of any oak tree to minimize impacts.

Two native oaks (#2 & 3) will be preserved and incorporated into the project design. Tree #2 is a 17-inch Blue Oak in fair structure and health and will incur 10% encroachment as a result of parking lot construction. Tree #3 is a multiple-trunk Interior Live Oak (totaling 57") that is listed in fair health and structure. Tree #3 will incur 30% encroachment as a result of driveway construction. Due to driveway spacing requirements, the center driveway cannot be relocated to the west away from Tree #3. The arborist describes the impact to Tree #3 as moderate, and has recommended mitigation measures to reduce impacts to the tree.

Mitigation: It should be noted that the mitigation amount is less than the total inches removed. As shown in Table 1, several trees have multiple trunks. It is City policy to count only the largest trunk toward the mitigation requirement. The resulting mitigation requirement is 61 inches, which the applicant is proposing to mitigate through on-site plantings and payment of in-lieu fees. The proposed plantings consist primarily of non-native species, including Cotoneaster, Magnolia, Photinia, and Cherry Plum.

Opportunities on the site for native plantings are limited due to the vegetation height limitation imposed by the electric utility companies. Considering that a good portion of the WAPA power line corridor within the city is populated with oak trees and given WAPA's recent approval of a 35-foot tall batting cage within its easement across Taylor Road, staff will request that native oak trees be allowed in portions of the parking lot. Other locations suitable for native oak trees will be explored by staff and the applicant during plan check. The final mitigation plan will be determined during review of improvement plans.

Tree Permit Conclusion

As previously mentioned, the multiple power line easements traversing the property result in a limited area in which to place a building. Avoidance of native oak trees would result in the inability to develop the property. Staff has concluded that the proposed tree removals are unavoidable and are necessary to allow reasonable development of the property.

ENVIRONMENTAL DETERMINATION

The Roseville Planning Department prepared an Initial Study and Negative Declaration for this project, which was posted with the City Clerk's office on May 6, 2005. The document is available for review at the Planning Department office, located at 311 Vernon Street, Roseville, CA 95678. The public review period lasts until May 26, 2005. To date, no comments on the document have been received.

RECOMMENDATION

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

A. Adopt the findings of fact for the Negative Declaration:

- 1. The project will not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal community, reduce the number or restrict the range of rare or endangered plants or animals or eliminate important examples of the major periods of California history or prehistory.*
- 2. The project will not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.*
- 3. The project will not have impacts that are individually limited, but cumulatively considerable.*

4. *The project will not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.*
 5. *No substantial evidence exists that the project will have a negative or adverse effect on the environment.*
 6. *There are no previously identified significant effects which, as a result of substantial new information which was not known at the time the NERSP and General Plan EIRs were certified, are determined to have a more severe adverse impact than discussed in the prior EIR,*
 7. *The mitigation measures contained within the NERSP and General Plan EIRs have been undertaken and the project is compliant with the mitigation measures identified in the NERSP and General Plan EIRs,*
 8. *That the City's uniformly applied development policies or standards as identified in the City's adopted CEQA Procedures will substantially mitigate the environmental effects of the project.*
- B. Adopt the Negative Declaration;
- C. Recommend that the City Council adopt the finding of fact for the SPECIFIC PLAN AMENDMENT – 1820 & 1850 TAYLOR ROAD (NERSP PARCEL 16 – OLYMPUS POINTE JAVA) – FILE #SPA 04-04:
1. *The proposed Specific Plan Amendment is consistent with the objectives, policies, programs and land use designations specified in the City of Roseville General Plan and Northeast Roseville Specific Plan;*
- D. Recommend that the City Council approve the SPECIFIC PLAN AMENDMENT - 1820 & 1850 TAYLOR ROAD (NERSP PARCEL 16 – OLYMPUS POINTE JAVA) – FILE #SPA 04-04 as shown in **Exhibit J**.
- E. Recommend the City Council adopt the two findings of fact as stated below for the REZONE -- 1820 & 1850 TAYLOR ROAD (NERSP PARCEL 16 – OLYMPUS POINTE JAVA) – FILE #RZ 04-05:
1. *The proposed rezone is consistent with the General Plan; and*
 2. *The proposed rezone is consistent with the public interest, health, safety, and welfare of the City.*
- F. Recommend that the City Council approve the REZONE -- 1820 & 1850 TAYLOR ROAD (NERSP PARCEL 16 – OLYMPUS POINTE JAVA) – FILE #RZ 04-05 as shown in **Exhibit K**.
- G. Recommend that the City Council adopt the five findings of fact for the DEVELOPMENT AGREEMENT AMENDMENT - 1820 & 1850 TAYLOR ROAD (NERSP PARCEL 16 – OLYMPUS POINTE JAVA) – FILE #DAA 05-07:
1. *The Development Agreement Amendment is consistent with the objectives, policies, programs and land use designations of the City of Roseville General Plan and the Northeast Roseville Specific Plan;*

2. *The Development Agreement Amendment is consistent with the City of Roseville Zoning Ordinance;*
 3. *The Development Agreement Amendment is in conformance with the public health, safety and welfare;*
 4. *The Development Agreement Amendment will not adversely affect the orderly development of the property or the preservation of property values; and*
 5. *The provisions of the Development Agreement Amendment will provide sufficient benefit to the City to justify entering into the Agreement;*
- H. Recommend that the City Council approve the DEVELOPMENT AGREEMENT AMENDMENT - 1820 & 1850 TAYLOR ROAD (NERSP PARCEL 16 – OLYMPUS POINTE JAVA) – FILE #DAA 05-07 as shown in **Exhibit L**.
- I. Adopt the four findings of fact as stated below for approval of the DESIGN REVIEW PERMIT – 1820 & 1850 TAYLOR ROAD (NERSP PARCEL 16 – OLYMPUS POINTE JAVA) – FILE #DRP 04-43:
1. *The project, as approved, preserves and accentuates the natural features of the property, such as open space, topography, trees, wetlands and watercourses, provides adequate drainage for the project, and allows beneficial use to be made of the site for development.*
 2. *The project site design, as approved, provides open spaces, access, vehicle parking, vehicle, pedestrian and bicycle circulation, pedestrian walks and links to alternative modes of transportation, loading areas, landscaping and irrigation and lighting which results in a safe, efficient and harmonious development and which is consistent with the applicable goals, policies and objectives set forth in the General Plan, the Community Design Guidelines, and the Northeast Roseville Specific Plan.*
 3. *The building design, including the material, colors, height, bulk, size and relief, and the arrangement of the structures on the site, as approved, is harmonious with other development and buildings in the vicinity and which is consistent with the applicable goals, policies and objectives set forth in the General Plan, Community Design Guidelines, and the Northeast Roseville Specific Plan.*
 4. *The design of the public services, as approved, including, but not limited to trash enclosures and service equipment are located so as not to detract from the appearance of the site, and are screened appropriately and effectively using construction materials, colors and landscaping that are harmonious with the site and the building designs.*
- J. Approve the DESIGN REVIEW PERMIT – 1820 & 1850 TAYLOR ROAD (NERSP PARCEL 16 – OLYMPUS POINTE JAVA) – FILE #DRP 04-43 with the 113 conditions listed below;
- K. Find the LOT LINE ADJUSTMENT -- 1820 & 1850 TAYLOR ROAD (NERSP PARCEL 16 – OLYMPUS POINTE JAVA) – FILE #LLA 04-17 consistent with the criteria listed in the staff report;
- L. Approve the LOT LINE ADJUSTMENT -- 1820 & 1850 TAYLOR ROAD (NERSP PARCEL 16 – OLYMPUS POINTE JAVA) – FILE #LLA 04-17 with 11 conditions of approval.
- M. Adopt the two (2) findings of fact for the Tree Permit – 1820 & 1850 TAYLOR ROAD (NERSP PARCEL 16 – OLYMPUS POINTE JAVA) – FILE #TP 04-39 as stated 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 of the Roseville Zoning Ordinance.*
2. *Measures have been incorporated in the project or permits to mitigate impacts to remaining trees and to provide replacement for trees removed.*

N. Approve the Tree Permit -- 1820 & 1850 TAYLOR ROAD (NERSP PARCEL 16 – OLYMPUS POINTE JAVA) – FILE #TP 04-39 with the 21 conditions of approval listed below.

CONDITIONS OF APPROVAL FOR DESIGN REVIEW PERMIT 04-43:

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 **May 26, 2007**. 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 **May 26, 2007**.
2. The project is approved as shown in Exhibits A – M and as conditioned or modified below. (Planning)
3. The applicant shall pay City's actual costs for providing plan check, mapping, GIS, and inspection services. This may be a combination of staff costs and direct billing for contract professional services. (Engineering, Environmental Utilities, Finance)
4. The design and construction of all improvements shall conform to the Improvement Standards and Construction Standards of the City of Roseville, or as modified by these conditions of approval, or as directed by the City Engineer. (Engineering)
5. The applicant shall not commence with any on-site improvements until such time as grading and/or improvement plans are approved and grading and/or encroachment permits are issued by the Department of Public Works (Engineering)
6. The approval of this project does not constitute approval of proposed improvements as to size, design, materials, or location, unless specifically addressed in these conditions of approval. (Engineering)

PRIOR TO BUILDING PERMITS:

7. Parking stalls shall meet, or exceed, the following minimum standards:
 - a. All parking stalls shall be double-striped. Parking stalls adjacent to sidewalks, landscaped areas or light fixtures, and all Accessible stalls shall have a 6" raised curb or concrete bumper. (Planning)
 - b. Standard -- 9 feet x 18 feet; Compact--8 feet x 16 feet; Accessible--14 feet x 18 feet (a 9 foot wide parking area plus a 5 foot wide loading area) and a minimum of one (1) parking space shall be Accessible van accessible--17 feet x 18 feet (9 foot wide parking area plus an 8 foot wide loading area). (Planning)
 - c. An 'exterior routes of travel' site accessibility plan incorporating slope, cross-slope, width, pedestrian ramps, curb ramps, handrails, signages, 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) Handicapped parking stalls shall be dispersed and located closest to accessible entrances. The total number of accessible parking spaces shall be established by Table 11-B-6 of the CBC.
 - ii) Accessible Parking spaces and crosswalks shall be signed, marked and maintained as required by Chapter 11 of the CBC.
 - iii) Accessible parking and exterior route of travel shall comply with CBC, Sections 1127B and 1129B. (Building)
8. Signs and/or striping shall be provided on-site as required by the Planning Department to control on-site traffic movements. (Planning)
9. 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)
10. The Landscape plan shall comply with the Northeast Roseville Specific Plan and the City of Roseville Water Efficient Landscape Requirements Resolution No. 93-55. (Planning)
11. At a minimum, landscaped areas not covered with live material shall be covered with a rock, (2") bark (no shredded bark) or (2") mulch covering. (Planning)
12. 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)
13. 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)
14. 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)
15. 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)
16. Building permit plans shall comply with all applicable code requirements (Uniform Building Code - UBC, Uniform Mechanical Code - UMC, Uniform Plumbing Code - UPC, Uniform Fire Codes - UFC and National Electrical Code - NEC), California Title 24 and the American with Disabilities Act - ADA requirements, and all State and Federally mandated requirements in effect at the time of submittal for building permits (contact the Building Department for applicable Code editions). (Building)
17. Restaurants or other food services: The developer shall obtain all required approvals and permits from the Placer County Health Department. (Building)
18. Maintenance of copy of building plans: Health and Safety Code section 19850 requires the building department of every city or county to maintain an official copy of the building plans for the life of the building. As such, each individual building shall be submitted as a separate submittal package. Building plan review, permit issuance and archiving is based on each individual building address.

19. For all work to be performed off-site, permission to enter and construct shall be obtained from the property owner, in the form of a notarized right-of-entry. Said notarized right-of-entry shall be provided to Engineering prior to approval of any plans. (Engineering)
20. The grading and improvement plans shall be designed in accordance with the City's Improvement Standards and Construction Standards and shall reflect the following:
 - a. Street improvements including, but not limited to, curb, gutter, sidewalk, pavement, drainage systems, traffic striping, signing, medians and markings, etc. along all existing and proposed City streets, as required by Engineering.
 - b. Grading shall comply with the City grading ordinance. Erosion control devices (sediment traps, ditches, straw bales, etc.) shall be shown on the grading plans. All erosion control shall be installed prior to the onset of wet weather. Erosion control is installed to minimize silt discharge from the project site. It is incumbent upon the applicant to ensure that necessary measures are taken to minimize silt discharge from the site. Therefore modification of the erosion control plan may be warranted during wet weather conditions.
 - c. A rough grading permit may be approved by Engineering prior to approval of the improvement plans.
 - d. Access to the floodplain as required by Engineering and the Streets Department.
 - e. Standard Handicap ramps shall be installed at all curb returns per City Standards. (Engineering)
21. The applicant shall apply for and obtain an encroachment permit from the Engineering Department prior to any work conducted within the City right-of-way. (Engineering)
22. The site shall be accessed by two driveways. The southern driveway shall be a standard street type driveway, 35-feet in width, and shall enjoy full turn movements. The northern driveway shall be a Standard "Type A-7" driveway and shall be restricted to right turns only. Right-turn curb flares shall be installed to access the driveways. A drain inlet shall be constructed on the northern curb return of the southern driveway to collect storm water runoff from Taylor Road. Curb, gutter, sidewalk, drain inlets, street lights and all necessary pavement per City Standards and the Northeast Roseville Specific Plan shall be installed along the frontage of Taylor Road from the intersection of Eureka Road to the existing sidewalk to the north. (Engineering)
23. In order to restrict turn movements from the northern driveway, a raised median shall be constructed in the center of Taylor Road. The median shall provide left turn lanes to the southern driveway and to the existing "Sunspash" driveway. The turn lane lengths shall be 220-feet with a minimum of a 60-foot taper. All necessary delineators and striping shall be installed with the median. (Engineering)
24. Along the frontage of Taylor Road, the applicant is required to place curb, gutter, sidewalk, and all necessary pavement per City Standards and the Northeast Roseville Specific Plan.
25. Prior to the approval of the improvement plans, it will be the project proponents responsible to pay the standard City Trench Cut Recovery Fee for any cuts within the City streets that are required for the installation of underground utilities. (Engineering)
26. 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 earthen material shall be deposited. If the deposit site is within the City of Roseville, the

contractor shall produce a report issued by a geotechnical engineering 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)

27. 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 masonry or “Keystone” type construction. (Engineering)
28. All storm drainage, including roof drains, shall be collected on site and shall be routed to the nearest storm drain system. Sand/oil separators shall be installed for all on-site discharge swales. The storm drain system shall be private and shall be maintained by the property owner. The applicant shall provide an overland drainage release to relieve this site of 100-year flows. The point(s) of overland release and elevation(s) shall be shown on the construction drawings and shall be incorporated into the storm drain outfall. (Engineering)
29. The applicant shall provide an overland drainage release to relieve this site of 100-year flows. The point(s) of overland release and elevation(s) shall be shown on the construction drawings. (Engineering)
30. A gated entry shall be installed adjacent to the parking lot drive isle to restrict pedestrian vehicular use of the utility access ramp. (Engineering)
31. The 100-year flood plain shall be clearly shown on the improvement plans. PRIOR TO THE APPROVAL OF THE IMPROVEMENT PLANS a HEC-RAS study shall be completed to the satisfaction of the City Engineer that demonstrates no net increase in flood levels. If increases to the flood levels are indicated based on the approved hydraulic study, then no fill shall be placed within the 100-year flood plain. (Engineering)
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. Improvement plans shall show the Preserve boundary and label it as a protected area. The Pre-Construction meeting shall address the presence of the Preserve, the sensitive habitats present and minimization of disturbance to the Preserve. During grading and construction the preserve area shall be avoided and shall not be used for parking, storage, or project staging. The contractor shall remove all trash blown into the preserve from adjacent construction on a daily basis. After construction is complete, the temporary fencing shall be removed from the preserve, along with all temporary erosion control measures (e.g., straw bales, straw waddles and stakes, silt fencing). (Engineering, CDD, Planning)
34. Prior to construction within any phase of the project, high visibility temporary construction fencing shall be installed along the parcel adjacent to the Preserve. Fencing shall be maintained daily until permanent fencing is installed, at which time the temporary fencing shall be removed from the project site. (Engineering, CDD, Planning)
35. With the exception of access required for maintenance and/or emergency vehicles, the project shall be designed to prevent vehicle access into the Preserve. Post and cable fencing or other improvements shall be utilized to meet this requirement. (Engineering, CDD, Planning)

36. Landscaping adjacent to the Preserve shall be California native, drought-tolerant groundcover, shrubs, plants and trees. (CDD, Planning)
37. "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)"
38. The applicant shall pay for all applicable water, and sewer fees. (Environmental Utilities)
39. Water and sewer infrastructure shall be designed pursuant to the adopted City of Roseville Improvement Standards and the City of Roseville Construction Standards and shall include:
 - a. Utilities or permanent structures shall not be located within the area which would be disturbed by an open trench needed to expose sewer trunk mains deeper than 12' unless approved by Environmental Utilities in these conditions. The area needed to construct the trench is a sloped cone above the sewer main. The cone shall have 1:1 side slopes.
 - b. Water, sewer and reclaimed mains shall not exceed a depth of 12' below finished grade, unless authorized in these conditions of approval.
 - c. All sewer manholes shall have all weather 10-ton vehicle access unless authorized by these conditions of approval. (Environmental Utilities)
40. Sewer service to the site shall utilize the existing sewer manhole as a tie in point. (Environmental Utilities)
41. The applicant/developer shall prepare a Transportation Systems Management (TSM) Plan for Olympus Pointe Java to be reviewed and approved by the Transportation Commission. (Transportation)
42. 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)
43. 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)
44. 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)
45. Fire apparatus access roads shall be provided to within 150 feet of all structures and combustible storage piles. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. All alternate means of access shall be reviewed and approved by the Fire Department. (Fire)

46. Vertical clearances or widths shall be increased when, in the opinion of the Fire Chief, vertical clearances or widths are not adequate to provide fire apparatus access. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (32 tons) and shall be provided with a surface so as to provide all-weather driving capabilities. Said access shall be provided prior to any construction or storage of combustible materials on site. (Fire)
47. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved provision for the turning around of fire apparatus. A minimum back of curb radii of not less than 48 feet shall be provided. (Fire)
48. The required fire flow for the protection of the proposed project is 2,500 gallons per minute with 20 pounds residual water pressure. This flow is based on the premise that the structure will be of Type IIN rated construction with the installation of a full coverage automatic fire sprinkler system, and is reflective of the proposed square footage amounts. A change in any of the conditions may increase the required fire flow. (Fire)
49. The applicant shall provide the Fire Department with a hydraulic analysis (prepared by a State licensed fire protection, civil, or mechanical engineer) that evaluates the private fire service water main serving the complex. The analysis shall demonstrate that an approved water supply is available and that it is capable of supporting the combined demands for the required fire flow 1750 gpm and the fire sprinkler system 750 gpm. (Fire)
50. Applicant shall provide a minimum of two (2) fire hydrants within the complex in accordance with the Roseville Fire Code. The average spacing between fire hydrants within the complex shall not exceed 350 feet-on-center along proposed roadways. A fire hydrant shall be located within 40-feet of all fire department connections to fire sprinkler systems. The location, number and type of fire hydrants connected to the water supply shall be provided as required and approved by the Fire Department. (Fire)
51. Fire hydrants shall be operable and accessible to Fire Department apparatus by roads meeting the requirements of the Roseville Fire Code prior to bringing combustible materials onto the project site. (Fire)
52. A minimum clearance of 3-feet shall be provided between trees, shrubs and other landscape materials and all fire protection equipment (hydrants, fire sprinkler system connections, valves). Fire protection equipment shall not be located behind parking stalls or other obstructions to access. (Fire)
53. When the proposed project is to be provided with perimeter security fencing, fire apparatus access and occupant exiting shall be considered. All vehicular access gates shall comply with the Uniform Fire Code requirements and shall be equipped with approved Knox and Opticom emergency vehicle access devices. If pedestrian gates are designed as part of the overall exiting system, they shall comply with the exiting provisions of the Uniform Building Code. Plans shall be submitted to the Fire Department for review and approval prior to installation. (Fire)
54. An approved access walkway shall be provided to all exterior doors and openings required by either the Uniform Fire Code or the Uniform Building Code. A concrete sidewalk or other approved hard surface will meet the intent of the access walkway requirement. Adequate space adjacent to the access walkway, vertically and horizontally, shall be provided to allow firefighters to access required building openings in order to effectively perform rescue operations, to allow for equipment maneuverability, and to safely raise ground ladders. Any landscaping adjacent to the access walkway shall be such that it does not obstruct the functional purpose of the walkway upon maturity. (Fire)

55. 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
56. All on-site external lighting shall be installed and directed to have no off-site glare. Lighting within the parking areas shall provide a maintained minimum of one (1) foot candle of light. All exterior light fixtures shall be vandal resistant. (Planning & Police)
57. 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)
58. 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:

59. Any backflow preventors visible from the street shall be painted green to blend in with the surrounding landscaping. The backflow preventors shall be screened with landscaping and shall comply with the following criteria:
 - a. There shall be a minimum clearance of four feet (4'), on all sides, from the backflow preventor to the landscaping.
 - b. For maintenance purposes, the landscaping shall only be installed on three sides and the plant material shall not have thorns.
 - c. The control valves and the water meter shall be physically unobstructed.
 - d. The backflow preventor shall be covered with a green cover that will provide insulation. (Planning, Environmental Utilities)
60. The following easements shall be provided by separate instrument and shown on the site plan, unless otherwise provided for in these conditions:
 - a. A 20-foot wide public utilities easement along all road frontages.
 - b. Water and sewer easements
 - c. The 25' easement covering the Roseville Electric pole line on the southern portion of the site will need to be extended to Taylor Road. The second Roseville Electric pole line located south of the pole line shown needs to be shown on the plans and a 25' p.u.e. centered on this line needs to be provided. (Electric)
61. Separate document easements required by the City shall be prepared in accordance with the City's "Policy for Dedication of Easements to the City of Roseville". All legal descriptions shall be prepared by a licensed land Surveyor. (Engineering, Environmental Utilities, Electric)
62. Easement widths shall comply with the City's Improvement Standards and Construction Standards. (Environmental Utilities, Electric, Engineering)

63. 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)
64. The following note shall be added to the improvement plans:
- To minimize dust/ grading impacts during construction the applicant shall:
- a. Spray water on all exposed earth surfaces during clearing, grading, earth moving and other site preparation activities throughout the day to minimize dust.
 - b. Use tarpaulins or other effective covers on all stockpiled earth material and on all haul trucks to minimize dust.
 - c. Sweep the adjacent street frontages at least once a day or as needed to remove silt and other dirt which is evident from construction activities.
 - d. Ensure that construction vehicles are cleaned prior to leaving the construction site to prevent dust and dirt from being tracked off-site.
 - e. The City shall have the authority to stop all grading operations, if in opinion of city staff, inadequate dust control or excessive wind conditions contribute to fugitive dust emissions. (Engineering)
65. This project falls within the commercial land use category of the Dry Creek Watershed Flood Control Plan as determined by the Placer County Flood Control District and adopted by the City of Roseville. The project is therefore subject to a fee based on gross developed acres. (Engineering)
66. The applicant shall remove and reconstruct any existing damaged curb, gutter, and sidewalk along the property frontage. During plan check of the improvement plans and/or during inspection, Engineering will designate the exact areas to be reconstructed. (Engineering)
67. 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)
68. All improvements being constructed in accordance with the approved grading and improvement plans shall be accepted as complete by the City. (Engineering)

69. 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)
70. The applicant/developer shall prepare a Transportation Systems Management (TSM) Agreement for Olympus Pointe Java to be reviewed and approved by the City Manager. (Transportation)
71. Water, sewer and reclaimed water shall be constructed pursuant to the adopted City of Roseville Improvement Standards and the City of Roseville Construction Standards. (Environmental Utilities)
72. All water backflow devices shall be tested and approved by the Environmental Utilities Department. (Environmental Utilities)
73. Restaurants or other food services. The developer shall install exterior grease interceptor if the proposed business could potentially discharge any grease type product. (Environmental Utilities)
74. An **approved** automatic fire extinguishing system shall be provided for all buildings where the total fire area is **3,600** square feet or greater, as required by Roseville Fire Code Section 1003.2.2. Fire extinguishing systems installed shall conform to the minimum design standards of the Roseville Fire Code Standard 10-3. Plans and specifications shall be submitted to the Fire Department prior to system installation. Plan review and field inspection fees associated with the installation of said systems shall be paid prior to plan submittal. (Fire)
75. Fire extinguishing systems installed as required by Section 1003.1.1 of the City Fire Code shall have control valves and activation switches electrically supervised and monitored by an approved central alarm monitoring company. Digital alarm communicator system panels shall be installed and maintained in accordance with National Fire Protection Association Standard # 72 (Fire Alarm Code). Plan review and field inspection fees associated with the installation of said systems shall be paid prior to plan submittal. (Fire)
76. Fire extinguishing systems installed as required by Section 1003.1.1 of the City Fire Code shall be provided with an approved audible and visual alarm notification signal within the interior of the building to alert building occupants. Said alarm notification signal shall be provided throughout the building and shall be installed and maintained in accordance with National Fire Protection Association Standard #72 (Fire Alarm Code). Plan review and field inspection fees associated with the installation of said systems shall be paid prior to plan submittal. (Fire)
77. Every building three stories or more in height shall be provided with a Class 1 standpipe system in accordance with Roseville Fire Code Section 1004. Said system installation shall conform to the minimum standards of UBC Standard 9-2 and Roseville Fire Code Standard 10-3. Plan review and field inspection fees associated with the installation of said systems shall be paid prior to plan submittal. (Fire)
78. Every building three stories or more in height shall be provided with not less than one standpipe for use during construction as required by Roseville Fire Code Section 8704.4.3.1. Such standpipes shall be installed when the progress of construction is not more than 25-feet in height above the lowest level of fire department access. Such standpipes shall be provided with fire department hose connections at accessible locations adjacent to usable stairs, and the standpipe outlets shall be located adjacent to such usable stairs. Such standpipe systems shall be extended as construction progresses to within one floor of the highest point of construction having secure decking or flooring. On each floor there shall be provided a 2 ½-inch valve outlet for fire department use. (Fire)

79. All buildings and structures with one or more passenger service elevators shall be provided with not less than one elevator meeting the requirements of California Building Code Section 3003.5a for emergency medical service. (Fire)
80. An approved project sign shall be placed at vehicle access points into the project during construction to assist emergency responders. The sign shall identify the project name and address, as approved by the City of Roseville. Such signs shall be clearly visible and legible from the street fronting the project. (Fire)
81. Dumpsters and trash containers with an individual capacity of 1.5 cubic yards [40.5 cubic feet] or more shall not be stored in buildings or placed within 5-feet of combustible walls, openings or combustible roof eave lines unless said areas are protected by an approved automatic fire sprinkler system in accordance with the Roseville Fire Code. (Fire)
82. All shrubbery, trees and signs located within center medians adjacent to site access points shall be seven feet (7') in height or lower to allow access to the site by fire apparatus. (Fire)
83. The approved address numbers shall be placed on each building by the applicant in such a position as to be plainly visible and legible from the street fronting the property and shall be placed as to be seen from all entrances. Proposed address numbers shall be indicated on the elevation drawings contained within the building plan submittal. The address numbers shall be contrasting in color with their background and shall be illuminated. (Fire)
84. The applicant shall properly identify all required fire lanes in accordance with the Fire Department Fire Lane Standard. (Fire)
85. Barricades shall be provided to protect any natural gas meter, fire hydrant, or other fire department control device, which may be subject to vehicular damage. Approved signs may be required to identify the location of fire protection devices. (Fire)
86. 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)
87. A Knox Company Model # 4400 key box shall be located adjacent to the door opening into the fire control room for each structure to provide access to fire protection system equipment. Said box shall be mounted at 6-feet above finished grade adjacent to the door opening. Contact the Fire Prevention Division for an approved Knox Company order form. The applicant shall pay a \$25 fee associated with the inspection of the key box prior to acceptance by the Fire Department at the time of receiving the Knox Company Order Form. (Fire)
88. A digitized copy of the approved of the approved drawings for the project shall be submitted to the Fire Department for pre-fire purposes. Said copy shall be submitted in an approved format. (Fire)
89. Adequate radio coverage shall be provided within buildings for public safety agencies, as required by Roseville Municipal Code Section 16.16.210. A field test shall be provided by a person in possession of a current FCC License, or a current technician certification issued by the Associated Public-Safety Communications Officials International (APCO), or the National Association of Business and Educational Radio (NABER). The building owner shall retain all test records on the inspected premises and a copy shall be submitted to the Fire Department officials. Adequate radio coverage shall include all of the following:

- a. A minimum signal strength of 95 dBm available in 90% of the area of each floor of the building when transmitted from the closest City of Roseville Radio Communication site.
 - b. A minimum signal strength of 95 dBm received at the closest City of Roseville Communication site when transmitted from 90% of the area of each floor of the building.
 - c. The frequency range that must be supported shall be 821-824 MHz and 866-869 MHz.
 - d. A 100 % reliability factor. (Fire, Police)
90. Additional internal easements will be required to cover primary electrical facilities to the project when the final electrical design is completed. (Electric)
91. All Electric Department facilities, including streetlights where applicable, shall be designed and built to the “City of Roseville Specifications for Commercial Construction.” (Electric)
92. 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)
93. Any relocation, rearrangement, or change of existing electric facilities due to this development shall be at the developer’s expense. (Electric)
94. 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)
95. 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)
96. 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.
97. One ¾" 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)
98. It is the responsibility of the developer to insure that all existing electric facilities remain free and clear of any obstruction during construction and when the project is complete. (Electric)
99. All existing above ground and below ground electrical facilities shall be shown on the civil, building, and landscape plans with the appropriate clear areas designated. (Electric)

100. No grading shall take place around the existing Roseville Electric power poles or under the overhead lines located on the southern portion of the site without prior approval from Roseville Electric. (electric)

OTHER CONDITIONS OF APPROVAL:

101. The applicant shall pay City's actual cost for providing plan check, installation, and inspection services. This may be a combination of staff costs and direct billing for contract professional services. (Engineering, Environmental Utilities)

102. All existing public utility, electric, water, sewer and reclaimed water easements shall be maintained unless otherwise authorized by these conditions of approval. (Electric, Engineering, Environmental Utilities)

103. A Sign Permit is required for all project signs. (Planning)

104. The parking lot striping and signing shall be maintained in a visual and legible manner. (Planning)

105. 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)

106. The City reserves the right to restrict vehicle turning movements within the public right-of-way in the future if deemed necessary by the City Engineer. (Engineering)

107. 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)

108. 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)

109. 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)

110. 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)

111. 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)

112. 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)
113. 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 LOT LINE ADJUSTMENT 04-17:

1. The Lot Line Adjustment shall be approved as shown in Exhibit I, subject to the following conditions. (Planning, Engineering)
2. The following shall be submitted to Engineering prior to recordation of the lot line adjustment:
 - a. Two copies of property boundary description with exhibit map (8.5" x 11" sheet), and one copy of boundary closure calculations for resulting lots. These items shall be stamped and signed by a California Licensed Land Surveyor or Registered Civil Engineer authorized to practice land surveying.
 - b. One copy of the Conditions of Approval.
 - c. A completed Property Owner Consent Form.
 - d. Deed to convey interest in the property.
 - e. Preliminary title report no older than six months for all properties involved. (Engineering)
3. If surveying monuments are placed as a result of this Property Line Adjustment, it will be the responsibility of the Surveyor to record a Record of Survey with the County Records Office. (Engineering)
4. All existing easements shall be maintained, unless otherwise provided for in these conditions. (Environmental Utilities, Electric, Engineering)
5. The applicant shall submit to the Engineering Division of Public Works a paper copy and an electronic copy of the recorded lot line adjustment per the "Digital Submittal of Cadastral Surveys". (Environmental Utilities)

OTHER CONDITIONS IF NEEDED TO RELOCATE FACILITIES AND EASEMENTS

6. The following easement(s) shall be provided by separate instrument:
 - a. A 20-foot wide public utilities easement along all road frontages.
 - b. Water and sewer easements
 - d. The 25' easement covering the Roseville Electric pole line on the southern portion of the site will need to be extended to Taylor Road. The second Roseville Electric pole line located south of the

pole line shown needs to be shown on the plans and a 25' p.u.e. centered on this line needs to be provided. (Electric)

7. 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)
8. Any relocation, rearrangement, or change to existing City facilities due to this Lot Line Adjustment shall be paid for by the applicant. (Engineering, Environmental Utilities, Electric)
9. All existing buildings shall conform to Table 5A of the Uniform Building Code (UBC) with regard to the minimum distance to the property line. (Building)
10. Any structures crossing the adjusted Lot/Parcel lines shall be removed prior to recordation of the Lot Line Adjustment documents. (Engineering)
11. Prior to the approval of the improvement plans, it will be the project proponents responsible to pay the standard City Trench Cut Recovery Fee for any cuts within the City streets that are required for the installation of underground utilities. (Engineering)

TREE PERMIT CONDITIONS AND COMPLIANCE VERIFICATION/INSPECTION CHECKLIST

CONDITION	COMPLIANCE VERIFIED/ INSPECTED	COMMENTS
PRIOR TO ISSUANCE OF ANY PERMITS OR ANY CONSTRUCTION ON-SITE		
1. All recommendations contained in the Arborist Report(s) (Exhibit A) shall be incorporated as part of these conditions except as modified herein. (Planning)		
2. Tree(s) # 1,4,5,6,7,8 (or as listed in Exhibit B) are approved for removal with this tree permit. All other native oak trees shall remain in place. Trees to be removed shall be clearly marked in the field and inspected by Planning Staff prior to removal. Removal of the trees shall be performed by or under the supervision of a certified arborist. (Planning)		
3. The developer shall be responsible for the replacement of the total number of inches proposed for removal prior to any tree removal. The total number of inches for this project is 61. Mitigation must be provided prior to tree removal unless otherwise approved in the tree replacement plan, landscape 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(s) 2,3, & 9 (or as listed in Exhibit B) as shown in Exhibit C and described in the staff report is permitted. (Planning)		

<p>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)</p>		
<p>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)</p>		
<p>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)</p>		
<p>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)</p>		
<p>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)</p>		
<p>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)</p>		
<p>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)</p>		
<p>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)</p>		
<p><u>DURING CONSTRUCTION</u></p>		
<p>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)</p>		
<p>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)</p>		

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 Olympus Pointe Java project (DRP 04-43) .		

ATTACHMENTS:

1. Vicinity Map
2. Reduced Color Elevations
3. Aerial Photo
4. RMC 19.12.020 - Commercial Use Table

EXHIBITS:

- A. Initial Study and Negative Declaration
- B. Site Plan
- C. Enlarged Site Plan & Details
- D. Grading Plan
- E. Landscape Plan
- F. Utility Plan
- G. Roof Plan & Building Sections
- H. Exterior Elevations
- I. Lot Line Adjustment Exhibit
- J. Specific Plan Change Pages & Land Use Exhibit
- K. Rezone Exhibit
- L. Development Agreement Amendment
- M. Arborist Reports

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.