

CITY OF ROSEVILLE PLANNING & REDEVELOPMENT STAFF REPORT PLANNING COMMISSION MEETING MAY 26,

Prepared by: Wendy W. Hartman, Associate Planner

<u>ITEM IV-D</u>: TENTATIVE PARCEL MAP – 405 VERNON STREET – CIVIC PLAZA PROJECT AND CITY PARKING STRUCTURE – FILE# PM 04-09.

REQUEST

The applicant requests approval of a Tentative Parcel Map to merge and resubdivide eight (8) parcels into four parcels.

Applicant: Tom Lumbrazo Property Owner: City of Roseville

SUMMARY RECOMMENDATION

The Planning & Redevelopment Department recommends that the Planning Commission:

- A. Adopt the three (3) findings of fact for the Tentative Parcel Map; and,
- B. Approve the Tentative Parcel Map subject to 35 conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

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

At the May 12, 2005 Planning Commission meeting, an adjacent landowner commented that he felt half of Republican Alley should be transferred to his property if the City abandoned the right-of-way. Ownership of the alley is discussed in the evaluation section of the staff report.

BACKGROUND

The project site is located on the 400 block of Vernon Street and extends south to Oak Street including several parcels at the corner of Oak Street and Grant Street in the downtown area of the City (see Attachment 1). The project is also within the City's redevelopment area.

The Parcel Map for the Civic Plaza project was continued from the May 12, 2005 Planning Commission meeting to May 26, 2005. At the May 12th meeting, the Planning Commission approved a Design Review Permit for the construction of a four-story 55,992 square foot office/retail building and a 550 space public parking structure with a 4,000 square foot art gallery. The Commission also recommended that the City Council approve a General Plan Amendment and Rezone for the Civic Plaza project.

TENTATIVE SUBDIVISION MAP 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 design standards of Title 18 (Subdivision Ordinance) of the Roseville Municipal Code.

PARCEL SIZE, DESIGN, CONFIGURATION, LOCATION, ORIENTATION, AND CHARACTER

The project site (Civic Plaza building & Parking Structure) consists eight (8) parcels and a portion of Republican Alley that will be merged and resubdivided into two (2) parcels. In addition, the Parcel Map includes the Tower Theater and Restaurant properties located to the west of the proposed parking structure.

A small portion of the Tower Theater Building is currently located on the Restaurant's property. The Theater Building also encroaches slightly into Republican Alley. Approval of the Parcel Map will realign the boundary between these two parcels and abandon a small portion of Republican Alley that abuts the Theater placing the Tower Theater completely within its own parcel.

The Parcel Map will also abandon the eastern 250 feet of Republican Alley to allow for the development of the parking structure and Civic Plaza building. Utilities located within the portion of the alley to be developed with the parking structure will be abandoned and relocated as part of the project improvements. Utilities located in the alley area north of the Civic Plaza building will be retained.

The northern one (1) foot of Oak Street from the corner of Grant and Oak to the western property line of Parcel 3 (parking structure parcel) will also be abandoned. The purpose of this abandonment is to allow for the placement of building footings.

GRADING

The project site is currently developed with a small office building with the remainder covered in asphalt pavement. Grading activities will include demolition of the building and parking surface and trenching for utilities.

IMPROVEMENTS

The project includes the following on-site and off-site improvements:

- Removal of overhead power lines, transformers, and parking lot lighting;
- Installation of new transformers, lighting, and fire hydrants;
- Relocation or extension of sewer, water, gas, electric, cable, and telephone services; and,
- Replacement of curb, gutter, and sidewalks.

EASEMENTS

In addition to the improvements listed above, new easements will be recorded over any relocated utilities as part of the Final Map. Although not a requirement of this map, an easement for the purposes of public pedestrian access will also be recorded over all walkways associated with the Civic Plaza project.

The existing water and sewer line easements that cover services to 401 Vernon Street property will remain in place.

 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; and

The Parcel Map has been designed to reflect the building layout of the Civic Plaza building and parking structure (see Attachment 2). In addition, as previously discussed, the Parcel Map will adjust the property lines of the Tower Theater, placing the building completely within its own parcel. Therefore, staff has determined that the design, layout, configuration, and size of the proposed lots are sufficient to allow for development of the Civic Plaza building and parking structure (as proposed and conditioned).

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 EIR. In addition, the design of the sewer lines in the project area and treatment capacity at the City's sewage treatment plant have adequate conveyance and capacity to accommodate the existing and future development on the parcels proposed by the tentative subdivision map.

Other Issues

During the City's evaluation of the Civic Plaza project, ownership of Republican Alley and what happens to the land once the right of way is abandoned was discussed with the adjacent property owner (Mr. Baygell, 401 Vernon Street). Planning & Redevelopment, Public Works-Engineering Division, and the City Attorney's office have reviewed documentation (title reports and recorded maps) regarding ownership of Republican Alley, and based on this information have determined that the alley is owned by the City. This determination is based on review of the following information:

- The original subdivision map for the "Town of Roseville" dated August 19, 1864 indicates that the lot sizes are 50 feet wide by 150 feet deep (Book A of Maps Page 30).
- The Central Roseville area of the City was resurveyed in 1907 and also indicates that the lots are 50 feet wide by 150 feet deep and do not extend into the alley. This map also provides additional details not shown in the 1864 map such as the alley's being 20 feet wide.
- In 1981, Mr. Baygell's property which consisted of Lots 9, 1, and a portion of Lot 11 of Block 12 of the Town of Roseville map (Book A page 30) were merged into one (1) parcel and a new map was recorded for his property (Book 18 Parcel Maps Page 155). The 1981 Parcel Map for 401 Vernon Street (Book 18 Parcel Maps Page 155) indicates that Mr. Baygell's property is approximately 150 feet deep and clearly does not include any portion of the 20 wide alley.

Based on this information, the City has determined that Mr. Baygell has no ownership of the land underlying the alley. Therefore, Mr. Baygell has no greater interest in this property than any other landowner in the vicinity. The only remaining interest in Republican Alley is the City's. Therefore abandonment of the Alley right-of-way does not transfer land to the property owners on either side of the alley. The proposed design of the Civic Plaza project has incorporated the abandoned portions of Republican Alley into Lot 3 (parking

structure) and Lot 4 (Civic Plaza Building) as reflected on the Parcel Map (Exhibit A). Incorporating the abandoned alley into Lot 3 allows the Parking Garage to be constructed as approved. Incorporating the abandoned alley into the office project9—9+9 allows the office to be built as approved and insures that no stand alone unimproved and unmaintained parcels result of the abandonment.

ENVIRONMENTAL DETERMINATION

An Initial Study and Mitigated Negative Declaration were prepared for this project. The City Clerk published The Notice of Availability of this document on January 21 2005. The public comment period closed February 10, 2005. The City Council ratified the Mitigated Negative Declaration on February 16, 2005. An addendum to the Civic Plaza Mitigated Negative Declaration was adopted by the Planning Commission on May 12, 2005. The project is consistent with the analysis contained in the Civic Plaza Initial Study & Mitigated Negative Declaration; therefore no additional environmental review is required.

RECOMMENDATION

The Planning & Redevelopment Department recommends that the Planning Commission take the following actions (A-B):

- A. Adopt the three (3) findings of fact as stated in the staff report for the TENTATIVE PARCEL MAP 405 VERNON STREET (CIVIC PLAZA PROJECT & PUBLIC PARKING STRUCTURE) FILE # PM 04-09; and,
- B. Approve the TENTATIVE PARCEL MAP 405 VERNON STREET (CIVIC PLAZA PROJECT & PUBLIC PARKING STRUCTURE) FILE # PM 04-09 subject to 35 conditions of approval as stated below.

Conditions of Approval for PM 04-09

- 1. The approval of a Tentative Map and/or tentative site plan does not constitute approval of proposed improvements as to size, design, materials, or location, unless specifically addressed in these conditions of approval. (Engineering)
- 2. 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)
- 3. The developer shall not commence with any on-site improvements until such time as grading and/or improvement plans are approved and grading and/or encroachment permits are issued by the Department of Public Works. (Engineering)
- 4. 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. A deposit in the amount of two (2) percent of the value of the public improvements, or \$1000, which ever is greater, shall be provided at the time plans are submitted to the City for review. Prior to plan approval, the applicant shall provide an additional deposit of two (2) percent of the value of the public improvements, or \$1000, whichever is greater. City costs will be billed against the deposited amount on a monthly basis. Monthly statements will be issued by the City's Finance Department to the applicant. If at any time the balance in the deposit account is less than \$500, the applicant may be required to deposit additional funds as estimated by the City. All funds remaining in the deposit account will be refunded upon completion of the project. (Engineering, Environmental Utilities, Finance)

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

- 5. Prior to the approval of Improvement Plans, the applicant shall submit to the Engineering Division of Public Works, a paper copy, and an electronic copy of the final set of Improvement Plans per the Division's "Digital Submission of Utility Composites" standards. Additionally, the applicant shall submit approved/proposed street names for the approved subdivision map. Final street names for the subdivision shall be approved by the Engineering Division prior to the approval of the Improvement Plans. The approved street names shall be included on the final set of Improvement Plans. (Engineering)
- 6. Water and sewer infrastructure shall be designed and constructed pursuant to the adopted City of Roseville Improvement Standards and Construction Standards and shall reflect the following:
 - a. Sewer and water service laterals shall not be allowed off of water and sewer mains larger than 12 inches in diameter.
 - b. Utilities or permanent structures shall not be located within the area which would be disturbed by an open trench needed to expose sewer trunk mains deeper than 12' unless approved by Environmental Utilities in these conditions. The area needed to construct the trench is a sloped cone above the sewer main. The cone shall have 1:1 side slopes.)
 - c. Water and sewer mains shall not exceed a depth of 6' and 12' respectively, below finished grade, unless authorized in these conditions
 - d. All sewer manholes shall have all weather 10-ton vehicular access unless authorized by these conditions. (Environmental Utilities)
 - e. No trees or permanent structures shall be allowed within water and sewer easements, except with the approval of the Environmental Utilities Director. (Environmental Utilities)
- 7. Currently, there are two existing 6-inch sewer lines located at the Western (Taylor St) and Eastern (Grant St.) ends of Republican Alley, Sewer service to the project shall be provided through the sewer line located at the Eastern end of the Alley. The 6-inch sewer line located at the Western end of the Alley shall be abandoned to a point located 2 feet behind the westerly property line in Republican Alley. If necessary, sewer service may also be provided through the existing 10-inch sewer line located in Oak Street. This may require the installation of a sewer manhole in Oak Street. (Environmental Utilities)
- 8. Fire hydrants shall be located as required by the Fire Department. The maximum distance between fire hydrants shall not exceed 1000 feet on center. (Fire)
- 9. 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)
- 10. 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)
- 11. The design for electrical service for this project will begin when the Electric Department has received a full set of improvement plans for the project. (Electric)
- 12. All landscaping in areas containing electrical service equipment shall conform with the "Electric Department Landscape Design Requirements" as outlined in Section 10.00 of the Electric Department's "Specifications for Commercial Construction." (Electric)

- 13. The Electric Department requires the submittal of the following information in order to complete the final electric design for the project:
 - one (1) set of improvement plans
 - load calculations
 - electrical panel one-line drawings
- 14. The location and design of the gas service shall be determined by PG&E. The design of gas service for this project shall not begin until PG&E has received a full set of City approved improvement plans for the project. (PG&E)
- 15. It is the developer's responsibility to notify PG&E of any work required on PG&E facilities. (PG&E)

PRIOR TO OR UPON RECORDATION OF FINAL/PARCEL MAP

- 16. The following easements shall be provided and shown on the Final/Parcel Map or by separate instrument, unless otherwise provided for in these conditions:
 - a. An easement over the existing water and sewer line servicing 401 Vernon Street shall be maintained; and
 - b. Water and sewer easements.

Easement widths shall comply with the City's Improvement Standards and Construction Standards. (Environmental Utilities, Electric, Engineering)

- 17. All existing easements shall be maintained, unless otherwise provided for in these conditions. (Environmental Utilities, Electric, Engineering)
- 18. 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)
- 19. A declaration of Conditions, Covenants and Restrictions (CC&Rs), in a form approved by the City Attorney, shall be recorded on the entire property concurrently with the Final/Parcel Map. The CC&Rs shall include the following item(s):
 - a. A clause stating that the property owners of Lot 4 within this subdivision shall agree to participate in a Transportation Systems Management (TSM) Plan and shall agree to enter into a Transportation Management Agreement with the City of Roseville. (Attorney)
- 20. A statement pursuant to Section 66411.1 of the Subdivision Map Act shall be placed on the map stating the following:

"Prior to issuance of a permit or other grant of approval by the City of Roseville for development of any Parcel (including, but not limited to, issuance of a building permit, grading permit, or any activity authorized by the Zoning Ordinance, or the construction of any structure which is exempt from the City's approval), all other necessary improvements required for site specific development in conformance with the City's Improvement Standards and Construction Standards shall be made part of the requirements of such development. The following improvements may be required:

- a. Road improvements, including driveways, turn lanes, sidewalks, landscaping, bus shelters and appurtenances, street lights, and/or other road improvements, as determined by the Engineering Department, in conformance with the Improvement Standards and Construction Standards of the City of Roseville.
- b. Water and sewer infrastructure, designed and constructed pursuant to the City of Roseville Improvement Standards and Construction Standards.
- c. Fire hydrants located as required by the Fire Department in conformance with the Improvement Standards and Construction Standards of the City of Roseville.
- d. Electric facilities of a design approved by the Electric Department in conformance with the Improvement Standards and Construction Standards of the City of Roseville.
- e. Public easements as may be required. (Electric, Engineering, Environmental Utilities, Planning & Redevelopment, Transit)"
- 21. Any structures crossing Lot/Parcel lines created by the Final/Parcel map shall be removed. (Engineering)
- 22. All parcels/lots shall have rights of reciprocal access, rights to construct, and parking. A separate agreement to this effect shall be submitted to the City as a part of final/parcel map submittal. Said agreement shall be in a form acceptable to the City Attorney and referenced on the face of the recorded map. (Engineering)
- 23. The Final/Parcel Map shall include an irrevocable offer to dedicate public rights-of-way and public and/or private easements as required by the City. (Engineering)
- 24. The Final/Parcel Map shall be submitted per, "The Digital Submittal of Cadastral Surveys." A plot or print of the submittal shall accompany the electronic copy. The complete submittal shall occur after the Engineering Department approval but prior to City Council approval of the Final/Parcel Map. (Engineering)
- 25. Electric construction costs incurred by the City of Roseville Electric Department for this project shall be paid for by the developer per the applicable policy. (Electric)
- 26. Additional internal easements will be required to cover primary electrical facilities to the project when the final electrical design is completed. (Electric)
- 27. All Electric Department facilities, including streetlights where applicable, shall be designed and built to the "City of Roseville Specifications for Commercial Construction." (Electric)
- 28. 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)
- 29. The applicant shall pay all applicable water and sewer fees. (Environmental Utilities)

OTHER CONDITIONS OF APPROVAL

- 30. 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)
- 31. Any relocation, rearrangement, or change to existing electric facilities due to this development shall be at the developer's expense. (Electric)
- 32. It is the responsibility of the developer to insure that all existing electric facilities remain free and clear of any obstructions during construction and when the project is complete. (Electric)
- 33. If site survey or earth moving work results in the discovery of hazardous materials in containers or what appears to be hazardous wastes released into the ground, the contractor shall notify the Roseville Fire Department immediately. A representative from the Fire Department will make a determination as to whether the incident is reportable or not and if site remediation is required. Non emergency releases or notifications about the presence of containers found shall be reported to the Fire Department. (Fire)
- 34. The project shall comply with all applicable environmental mitigation measures identified in the Civic Plaza Initial Study and Mitigated Negative Declaration. (Planning & Redevelopment)
- 35. The Tentative Subdivision/Parcel Map application shall not be deemed approved until the actions on the General Plan Amendment and Rezoning are approved and become effective. (Planning & Redevelopment)

ATTACHMENTS

- 1. Vicinity Map
- 2. Civic Plaza Project Site Plan

EXHIBITS

A. Tentative Parcel Map

Note to Applicant and/or Developer: Please contact the Planning & Redevelopment 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 & Redevelopment Director at, or prior to, the public hearing.