



PLANNING & REDEVELOPMENT DEPARTMENT STAFF REPORT
PLANNING COMMISSION MEETING *February 23, 2006*

Prepared by: Wayne Wiley, Assistant Planner

**ITEM IV-C: TENTATIVE SUBDIVISION MAP – 2150 PROFESSIONAL DRIVE – SERSP PCL 5
COMMERCIAL CONDOMINIUMS – FILE# SUB-000041**

REQUEST

The applicant requests approval of a Tentative Subdivision Map to create 9 office condominiums ranging in size from 1,418 square feet to 6,302 square feet within an existing office building.

Applicant – Michael Spencer, Bellecci & Associates, Inc.
Owner – Steve Mitchell, Three Sisters Ranch Enterprises, LLC

SUMMARY RECOMMENDATION

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

- A. Adopt three (3) findings of fact for the Tentative Subdivision Map; and
- B. Approve the Tentative Subdivision Map subject to sixteen (16) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

There are no outstanding issues associated with this request. The applicant has reviewed and is in agreement with all recommended conditions of approval. To date, no comments have been received from adjacent property owners.

BACKGROUND

The subject property is located on the southwest corner of Eureka Road and Professional Drive on Parcel 5 of the Southeast Roseville Specific Plan (SERSP) (Attachment 1). The project site is approximately 12.5 acres and consists of 6 lots. The property is zoned Business Professional and has a Land Use Designation of Business Professional. On November 7, 1985 the Project Review Commission approved a Use Permit (UP 85-39) to allow construction of a 26,698 square foot office building on a 2.1-acre lot (Lot A).

SITE INFORMATION

Location: 2150 Professional Drive, SERSP Parcel 5, APN 048-171-020

Roseville Coalition Of Neighborhood Associations (RCONA): This parcel is located within the Maidu Neighborhood Association (3). To date, the Planning & Redevelopment Department has not received any inquires or comments regarding the project.

Total Size: 2.1 acres

Topography: Site grading was approved with the original Use Permit and the site is fully developed; this request will not result in any changes to the site.

Adjacent Zoning and Land Use

Location	Zoning	General Plan Land Use	Current Use
Subject Property	Business Professional/ Special Area- Southeast Roseville Specific Plan (BP/SA-SE)	Business Professional (BP)	Office Building
North	(BP/SA-SE)	(BP)	Office Building
South	Attached Housing (R3)	High Density Residential (HDR 28.6)	Palms Assisted Living and Memory Care
East	(BP/SA-SE)	(BP)	Office Building
West	(BP/SA-SE)	(BP)	Office Building

EVALUATION

The current request is for a Tentative Subdivision Map to subdivide the existing building located at 2150 Professional Drive into nine (9) office condominium units. No changes to the approved buildings or site improvements are proposed with this request. The proposed subdivision of the building is as follows:

Suite	Square Footage
Suite 110	2,238
Suite 120	2,731
Suite 130	2,876
Suite 140	1,634
Suite 150	6,302
Suite 160	1,588
Suite 170	3,468
Suite 180	1,418
Suite 190	2,926

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

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

The request is to subdivide the building into 9 condominiums that can be sold to individual tenants. The proposed Subdivision Map will not affect the existing development. The configuration of airspace units will have a negligible impact on the density, use, circulation, and all other applicable policies. Additionally, the Map Act and Subdivision Ordinance do not contain any maximum or minimum lot/condo sizes, just as there are no restrictions on the number or size of lease spaces that may be created.

Staff has added Condition 3 to ensure that a Business Owners Associations will be formed. The Business Owners Association will function much like a traditional Home Owners Association and will be the mechanism for ensuring that all common areas (landscape areas, drive aisles, parking lot, building, etc.) are maintained properly.

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

The Tentative Subdivision Map will create air-space lots and provide for individual office condominium units. During staff review of the Tentative Subdivision Map application, it was determined that the creation of 9 office condominium units will not create any impractical or unusable units.

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

The water quality impacts associated with the project and the expected discharge of waste for this project are consistent with what has been anticipated by the General Plan and SERSP Environmental Impact Reports (EIR's). 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 approved development. Approval of the Condominium Map will not increase the development intensity beyond that approved with the original Use Permit.

SUMMARY / CONCLUSION

Based on the evaluation above, Staff believes that the Planning Commission can make the required findings and approve the Tentative Subdivision Map.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) Guidelines, Section 15315 pertaining to minor land divisions and pursuant to Section 305 of the City of Roseville CEQA Implementing Procedures.

RECOMMENDATION

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

- Adopt the three findings of fact as stated in the staff report for the Tentative Subdivision Map – 2150 Professional Drive – SERSP PCL 5 Commercial Condos – File # SUB-000041.
- Approve the Tentative Subdivision Map - 2150 Professional Drive – SERSP PCL 5 Commercial Condos – File # SUB-000041 with sixteen (16) conditions of approval.

CONDITIONS OF APPROVAL FOR TENTATIVE SUBDIVISION MAP FILE # SUB-000041

- The project is approved as shown in Exhibit A and as conditioned or modified below. (Planning)
- This map shall be valid for a period of two (2) years from this date and shall expire on **February 23, 2008**. Prior to said expiration date, the applicant may apply for an extension of time, provided, however, that this approval shall be extended for no more than five years from **February 23, 2008**. (Planning)
- Separate declaration of Conditions, Covenants and Restrictions (CC&Rs) for each parcel or condominium shall be approved by the City Attorney prior to recordation of the Final Map. The CC&Rs shall include the following items:

- a) Creation of a Business Owners Association. (Attorney)
 - a) Business Owners Association shall be responsible for maintenance of all common areas including landscaping, parking areas, hallways, and drive aisles. (Attorney)
 - b) The common areas provide reciprocal access, parking, and utilities (including drainage) for the mutual benefit of all condominium units.
 - c) Provisions for title to common areas to be held by the Business Owners Association for and on behalf of all owners of each condominium unit. (Attorney)
4. The applicant shall establish a Business Owners Association, which shall be billed by the City for water consumption. At the request of the City additional information will be required of the Business Owners Association on an ongoing basis. The Business Owners Association will be required to submit a copy of their annual statement to the City every year. If the Business Owners Association is in arrears on the water bill three months in a row, the Business Owners Association must give the City access to their books for auditing purposes. If the Business Owners Association should become inactive, each individual condominium owner must sign in separately for water service. A notice to this effect shall be placed in the CC&R's for the condominium project. (Environmental Utilities)
 5. The subdividing of this project shall not reduce the responsibilities of the owners of this project from maintaining all on-site fire systems including all common adjoining fire sprinkler-piping penetrations. If an owners association is formed, there shall be a clear language regarding maintenance and common easements agreement for service. A service company shall be obtained to maintain all on-site fire protection systems. (Fire)
 6. The approval of a Tentative Map and/or tentative site plan does not constitute approval of the construction of any improvements. (Engineering)
 7. In Accordance with Section 66427 of the Subdivision Map Act, the following shall be added to the face of the Final Map:
 - a) The Title of the project shall clearly state "An Office Condominium Project";
 - b) The number of approved condominium units is clearly displayed;
 - c) A separate information sheet shall be added to the final map that depicts each lot and business owners association, the footprint of each condominium building within each lot, and the number of units and unit number within each building; and
 - d) All common land within each phase of the project shall be owned and maintained by the separate Business Owners Association. The Business Owners Association shall operate and maintain all common land for the owners of the units. (Engineering)
 8. Any facilities proposed for placement within public/electric utility easements shall be subject to review and approval by the Electric Department before any work commences in these areas. This includes, but is not limited to, landscaping, lighting, paving, signs, trees, walls, and structures of any type. (Electric)
 9. Any relocation, rearrangement, or change to existing electric facilities due to this development shall be at the developer's expense. (Electric)

10. The applicant shall pay City's actual costs for providing plan check, installation and inspection services. This may be a combination of staff costs and direct billing for contract professional services. (Environmental Utilities, Engineering)
11. Exterior walls and openings shall be protected as required by Table 5A with regard to building location to property lines. Or must have a recorded restrictive covenant to ensure that the shared space will remain open and unoccupied so long as it is required by the Building Code.

ATTACHMENTS

1. Vicinity Map
2. Floor Plan

EXHIBIT

- A. Tentative 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 Director at, or prior to, the public hearing.