

**CITY OF ROSEVILLE
PLANNING COMMISSION MEETING
FEBRUARY 9, 2006
MINUTES**

Planning Commissioners Present: Gray Allen, Donald Brewer, Sam Cannon, Rex Clark, Robert Dugan, Audrey Huisking

Planning Commissioners Absent: Kim Hoskinson, excused

Staff Present: Paul Richardson, Director, Planning & Redevelopment
Chris Burrows, Senior Planner
Eileen Bruggeman, Project Planner
Wendy Hartman, Project Planner
Derek Ogden, Associate Planner
Tricia Stewart, Assistant Planner
Rob Jensen, Director, Public Works
Bob Schmitt, Deputy City Attorney
Carmen Bertola, Recording Secretary

PLEDGE OF ALLEGIANCE - Led by Commissioner Allen

ORAL COMMUNICATIONS None.

CONSENT CALENDAR

Chair Dugan asked if anyone wished to remove any of the items from the Consent Calendar for discussion.

Chair Dugan asked for a motion to approve the CONSENT CALENDAR as listed below:

IV-A. MINUTES OF JANUARY 26, 2006.

IV-B. CONDITIONAL USE PERMIT AND DESIGN REVIEW PERMIT – 3240 KENNERLEIGH PW – WRSP W1 RECREATION LODGE (THE CLUB AT WESTPARK) - FILE# 2005PL-092 – PROJECT #'S CUP-000013 and DRP-000067. The applicant requests approval of a Conditional Use Permit to allow a recreation facility in a residential zone and a Design Review Permit to construct the 10,327 square foot recreation facility with associated landscaping, lighting and parking. Project Applicant/Owner: Suzanne Vose, PL Roseville LLC. (Stewart)

IV-C. VARIANCE – 102 CENTER STREET – CUNNINGHAM SETBACK VARIANCE – FILE# 2005PL-118 – PROJECT #V-000018. The applicant requests approval of a Variance to construct an addition to the existing residence that will vary from the front and side yard setback requirements. The front yard setback would be eighteen feet two inches (18'2") where twenty feet (20') is required. The side yard setback would be two feet six inches (2'6") from the side property line where five feet (5') is required. Also requested is a Variance to allow a reduction in the number of off-street parking spaces from two to one. Applicant/Property Owner – Sam Cunningham. (Ogden)

MOTION

Commissioner Huisking made the motion, which was seconded by Commissioner Brewer, to approve the Consent Calendar as submitted.

The motion passed with the following vote:

Ayes: Huisking, Brewer, Allen, Clark, Cannon, Dugan

Noes:

Abstain:

OLD BUSINESS

V-A. GENERAL PLAN AMENDMENT, REZONE, GRADING PLAN & TREE PERMIT – 2009 N CIRBY WAY (PRIMARY APPLICATION ADDRESS) – DE MELLO REZONE – FILE #S: GPA 02-08, RZ 02-04, GP 03-19, & TP 03-30.

The applicant requests approval of a General Plan Amendment to change the land use of a portion of the property from Open Space/Parks & Recreation/Floodplain to Low Density Residential; a Rezone to change the zoning of a portion of the property from Floodway to Single Family Residential; a Grading Plan to import 10,390 cubic yards of fill material. (The Grading Plan includes a request to place fill within the floodplain in order to elevate some of the lots above the 100 year water surface elevation); and a Tree Permit to remove up to 29 native oak trees and encroach into the protected zone of several others. Project Applicant: Jerry Aplass, Burrell Consulting Group. Property Owner: Vasco DeMello (representative for property owners). (Hartman) **THIS ITEM WAS CONTINUED FROM THE MEETING OF JANUARY 12, 2006.**

Project Planner, Wendy Hartman, presented the staff report and responded to questions.

Chair Dugan opened the public hearing and invited comments from the applicant and/or audience.

Applicant, Jerry Aplass, Burrell Engineering, 1001 Enterprise Way, Suite 100, Roseville, addressed the Commission and responded to questions. He provided an exhibit to commission and staff to assist him in presenting his clients request to develop all 17 lots.

Vasco DeMello, 5207 Sunrise Blvd., #200, Fair Oaks, addressed the Commission and responded to questions.

Rob Jensen, Director of Public works, responded to the Commissions requests for an over-view of the Hydraulic Study of the site and the net impact of moving dirt from one lot to another.

Staff advised the Commission that if they would like to consider moving fill dirt from the other lots in the vicinity of this project, this item would have to be continued to another date since that was not included in the current request, and to allow time to study the grading plan and tree removal impact on the proposed grading lots.

The following persons addressed the Commission in opposition to the project:

- Elisabeth Rey, 2013 N. Cirby Way, expressed concern with possibility of increased flooding if project is approved.
- A.C. Steelman, 2002 N. Cirby Way, strongly urged commissioners to deny the application. He is concerned that a rezone would increase the flooding of the area.
- Karen Hunt, 2102 N. Cirby Way, asked that the project not be approved until flood protection is increased. Also concerned with the potential impact of the heavy equipment that would be used for the possible grading.
- David Benson, 1212 Champion Oaks Drive, described sandbagging for flooding and its aftereffects. Described how quickly the water rises to his home during the creek flooding. He is opposed to granting this application until the flood protection for the neighborhood is increased.
- Robert Williams 2004 N Cirby Way, spoke against the project. He is concerned that it will increase the flood potential for his home and neighborhood.
- Steven Ingman, 1530 Ellen Court, Auburn, owns the property on 2203 Leigh Way. Is against the project. Has experienced flooding in his home and is concerned that this project would increase the likelihood of flooding in the area.

The following persons addressed the Commission in favor of the project:

- Keith McDougal, 1209 Champion Oaks. Is in favor of the project. It would rezone his home out of the flood plain. He sees the project as an improvement to the neighborhood. He sees the development as a way to curb the vagrants from hanging out in the vacant lots.
- Julio DeMello, 5409 Cedarhurst Way, Carmichael, is looking forward to buying and building a home on one of the proposed lots. Feels that after all the work is completed that the homes will be safe.
- John Hodgekins, 2468 Larkspur Lane, Sacramento, his family trust owns 7 lots in the Champion Oaks area. Is in favor of the development.
- Peter Brucranchu, 2011 N Cirby Way. Suggested elevating the foundations the required amount to bring houses above the flood level. Agrees with the idea of bringing dirt from one lot to another. Supports project.

- Michelle DeMello, 5207 Sunrise Bl., #200. Owner. Purchased properties to build her family home in the area. Downplayed what was brought up about flooding in the area.

Rob Jensen, Public Works Director, continued to responded to questions from Commission.

There was discussion on the following:

- Moving dirt from lots on one side of Samoa to help raise the grading levels of the proposed rezoned lots.
- Flood zoning change for one home if project approved. Four homes would remain in the flood zone.
- Possible negative impact on adjacent property owners.
- Short term and long term value and uses of lots and homes.
- December 31, 2005 rainstorm estimate for the Linda Creek/Cirby shed was categorized as a 40 to 50 year event, based on the volume, elevations, flow, and intensity received in the area.
- Street flooding vs. lots flooding vs. creek flow upstream and downstream.
- Clarification of Champion Oaks bridge culvert.
- Requirement that lots must fulfill the findings of fact as listed in the General Plan before they can be removed from flood zone.
- Researching of grading with dirt imported from adjacent lots and benefits of using stemwall or raised foundation on flood prone lots.
- Possibility of continuing item to a later date so further impact studies could be completed.
- Clarification of the three requirements for approval.
- Possible ways to prevent a home from flooding.
- Staff alternative to approve five lots and continue the remaining 12 lots to allow further study.
- Using dirt from nearby city owned lots.
- Jerry Aplant responded on behalf of the applicant to Commission's consideration of a continuance and the possibility of a stemwall foundation requirement for the five lots out of the flood zone.

Chair Dugan closed the public hearing and asked for a motion.

MOTION

Commissioner Allen made the motion, which was seconded by Commissioner Brewer, to adopt the Mitigated Negative Declaration; and Recommend the City Council adopt the findings of fact for the General Plan Amendment and Rezone for lots 134, 135, 136, 226, and 227 of the Champion Oaks Unit 3 subdivision; recommend the City Council approve staff's alternate recommendations for the project; adopt the three findings of fact for the Grading Plan with forty-three (43) conditions of approval and adopt the two findings of fact for the Tree Permit with twenty-one (21) conditions of approval for the specified five lots, as submitted in the staff report; and continue the remainder of the applicant's request on the remaining 12 lots and recommend that the Staff and Applicant work together to determine the feasibility of hydraulics and the possibility of moving fill dirt from lots in the vicinity;

The motion passed with the following vote:

Ayes: Allen, Brewer, Clark, Cannon, Dugan

Noes: Huisking

Abstain:

NEW BUSINESS

VI-A. DESIGN REVIEW PERMIT AND PARCEL MAP -- 1798 PLEASANT GROVE BL. -- WEST ROSEVILLE MARKETPLACE - FILE#'S DRP 05-11 AND PM 05-02. The applicant requests approval of a Design Review Permit to construct a 76, 892 square foot commercial center with associated parking, lighting, and landscaping. A parcel map is also requested to create 4 separate parcels within the center. Project Applicant: Wall Street Property Company, Jeff Wood. Property Owner: Safeway, Inc., Steve Berndt. (Ogden)

Associate Planner, Derek Ogden, presented the staff report and responded to questions.

Chair Dugan opened the public hearing and invited comments from the applicant and/or audience.

Applicant, Jeffrey G. Wood, Wall Street Property Company, 567 St Nicolas Drive, Suite 207, Newport Beach, CA, addressed the Commission and responded to questions. He stated that he had received a copy of the staff report and was in agreement with staff's recommendations.

Dan Goodwin, 18215 72nd Ave. S, Kent, WA, Architect for Safeway Fuel Center, addressed the Commission in response to questions regarding the lighting.

There was discussion on the following:

- Commission asked that lighting in the canopy be flush mounted in an effort to reduce lateral lighting glow.
- Elevation and landscaping along Pleasant Grove.
- Commendation to the applicant for efforts in creating a beautiful project.

Chair Dugan closed the public hearing and asked for a motion.

MOTION

Commissioner Allen made the motion, which was seconded by Commissioner Huisking, to Adopt the Mitigated Negative Declaration; Adopt the four (4) findings of fact for the Design Review Permit; Approve the Design Review Permit subject to one hundred and eleven (111) conditions of approval; Adopt the three (3) findings of fact for the Parcel Map; and Approve the Parcel Map subject to sixty (60) conditions of approval as submitted in the Staff Report and with the modifications as listed below:

Design Review Permit Conditions of Approval

#53. All on-site external lighting shall be installed and directed to have no off-site glare. The gas canopy shall incorporate flush mounted lights. 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 & Parks)

The motion passed with the following vote:

Ayes: Allen, Huisking, Brewer, Cannon, Clark, Dugan

Noes:

Abstain:

VI-B. MAJOR PROJECT PERMIT STAGE 2 – 1175 ROSEVILLE PARKWAY – NCRSP PARCELS 38, 39A, 39B (THE FOUNTAINS) – FILE # MPP 04-05.

The applicant requests Stage 2 approval and modification of Stage 1 of a Major Project Permit (MPP) for the construction of a combination of retail and office buildings on the approximately 54-acre site. The previously approved Stage 1 MPP Modification includes approximately 312,003 square feet of retail space, 73,061 square feet of restaurant space, and 197,600 square feet of professional office space (582,664 total square feet). Stage 2 of the MPP application consists of the approval of the architectural and landscape plans, modification of the major project permit is also requested adjust to the required parking. Owner/Project Applicant: Peter Bollinger, Peter P. Bollinger Investments Co. (Bruggeman)

Project Planner, Eileen Bruggeman, presented the staff report and responded to questions.

Chair Dugan opened the public hearing and invited comments from the applicant and/or audience.

Kevin James, MCG Architects, 785 Market Street, San Francisco, addressed the Commission and responded to questions.

The following persons spoke in favor of the project:

- Dick Dreher, Westfield Corp., 11601 Wilshire Blvd., Los Angeles, representing commercial neighbor, Westfield's Roseville Galleria, spoke in favor of the project.

- Rob Olander, 506 Diamond Oaks Road, concerned with changes to Diamond Oaks Community. Asked that the neighborhood landscape buffer be completed earlier than scheduled to ease the construction impacts on the neighborhood.
- Dana MacLean, 2032 Nicklaus Circle, President Diamond Oaks Neighborhood Association. Asks that the neighborhood landscape buffer be put in sooner than planned. The Neighborhood Association is in favor of the project and has enjoyed working with developers.

Applicant, Paul Bollinger, Peter P. Bollinger Investments Co., 540 Fulton Ave. Sacramento, addressed the Commission and responded to question on the issue of landscaping as a traffic calming device as well as creating a defined perimeter.

Michael Tien, Morton & Pitalo, 1352 Blue Oaks Blvd., Suite 100, Roseville, addressed the commission and responded to questions regarding the site improvements and building-phasing schedule.

There was discussion on the following:

- Neighborhood buffer plantings earlier.
- Faux gate and buffer landscaping during phase 1,2,3, (simultaneously).

Chair Dugan closed the public hearing and asked for a motion.

MOTION

Commissioner Clark made the motion, which was seconded by Commissioner Huisking, to adopt the two (2) findings of fact for the Major Project Permit (Stage 2); and Approve the Major Project Permit (Stage 2) subject to eighteen (18) conditions of approval as modified in the addendum to the staff report, as listed below, and as submitted in the Staff Report.

4. Parking requirements of interior restaurant space ~~will~~ shall not be applied to secured, outdoors seating areas provided the seating boundary is ~~transparent~~ visually open; does not exceed three feet (3 ft.) in height, or as required by the California Department of Alcoholic Beverage Control; and does not include improvements to enclose, cover or further improve the site such that a building permit would be required. *The height of the seating boundary may be increased subject to Planning Director review and concurrence that the proposed exception meet the intent to promote the sense of open seating with transparent barriers, and is architecturally consistent with the style of the adjacent building.* (Planning)
5. The City shall require construction of temporary public parking within the next phase if the City determines after a year following completion of a phase that additional parking is needed. *The amount of additional parking to be provided shall be based on the per use parking requirements as listed in the Zoning Ordinance, Section 19.26.* (Planning)

The motion passed with the following vote:

Ayes: Clark, Huisking, Cannon, Brewer, Allen, Dugan

Noes:

Abstain:

REPORTS/COMMENTS/COMMISSION/STAFF

A. REPORTS FROM PLANNER

- MTP Workshop February 21, 2006, at the Maidu Community Center.

ADJOURNMENT

Chair Dugan asked for a motion to adjourn the meeting.

MOTION

Commissioner Allen made the motion, which was seconded by Commissioner Clark, to adjourn to the meeting of February 23, 2006. The motion passed unanimously at 10:12 PM.