



**ITEM IV-B: TENTATIVE SUBDIVISION MAP – 568 NORTH SUNRISE AVENUE – NERSP PCL 5B
NORTH SUNRISE PROFESSIONAL CENTER BUILDING B – PROJECT # 2006PL-
140 (FILE# SUB-000069)**

REQUEST

The applicant requests approval of a Tentative Subdivision Map to create 16 “for-sale” office condominiums ranging in size from 1,206 square feet to 3,918 square feet within Building B of the North Sunrise Professional Center.

Applicant – Nick Alexander, Real Estate, LLC
Owner – Tim Gagnier, Granite Bay Ventures

SUMMARY RECOMMENDATION

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

- A. Adopt the three (3) findings of fact for the Tentative Subdivision Map; and
- B. Approve the Tentative Subdivision Map subject to twelve (12) 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 project site is located at 568 North Sunrise Avenue on the west side of North Sunrise Avenue approximately 700 feet north of Eureka Road. The vacant 1.47-acre site is part of Parcel 5B of the Northeast Roseville Specific Plan (NERSP) (see Attachment 1). The property is zoned Business Professional and has a Land Use Designation of Business Professional.

On March 10, 2005, the Planning Commission approved a Design Review Permit to construct five office buildings totaling 73,107 square feet. On August 4, 2006 the Planning & Redevelopment Department approved a minor Design Review Permit Modification for Building B, to allow the conversion of the 14,445 square foot ground floor parking garage to office space.

SITE INFORMATION

Location: 568 North Sunrise Avenue, NERSP Parcel 5B, APN 015-450-047-000

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

Total Size: 1.47 acres

Topography: Site improvements were previously approved with the original Design Review Permit (DRP 04-46) for this project; the current request will not result in any changes to the approved plans.

ADJACENT ZONING AND LAND USE

Location	Zoning	General Plan Land Use Designation	Current Use
Subject Property:	Business Professional/Special Area-Northeast (BP/SA-NE)	Business Professional (BP)	Office project under construction
North:	Open Space (OS)	Open Space (OS)	Miners Ravine
South:	Regional Commercial (RC)	Community Commercial (CC)	United Theatres
East:	Attached Housing/Development Standards (R3/DS)	High Density Residential (HDR) & Medium Density Residential (MDR)	Stone Point Residential (vacant)
West:	OS	OS/Floodplain	Miners Ravine

EVALUATION AND FINDINGS

The current request is for a Tentative Subdivision Map to subdivide the 43,320 square foot building (Building B), into sixteen (16) office condominium units. No changes to the exterior of the approved building or site improvements are proposed with this request. The proposed subdivision of the building is as follows:

Suite	Square Footage
Suite 100	2,937 Usable Square Footage (USF)
Suite 110	2,102 USF
Suite 120	1,932 USF
Suite 130	2,135 USF
Suite 200	2,163 USF
Suite 210	1,706 USF
Suite 220	1,280 USF
Suite 230	1,321 USF
Suite 240	2,583 USF
Suite 250	2,663 USF
Suite 300	2,161 USF
Suite 310	1,702 USF
Suite 320	1,283 USF
Suite 330	1,327 USF
Suite 340	2,583 USF
Suite 350	2,663 USF

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.

- 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 Building B into 16 condominiums that can be sold to individual tenants. The proposed Subdivision Map will not affect the approved 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 included 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 the conditions of approval for the approved project are adhered to and that all common areas (landscape areas, drive aisles, parking lot, building, etc.) are maintained properly.

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

The Tentative Subdivision Map will create air-space lots and provide for individual office condominium units. During staff review of the Tentative Subdivision Map application, it was determined that the creation of 16 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 NERSP 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 Design Review 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 per Section 15315 pertaining to minor land divisions and pursuant to Section 305 of the City of Roseville CEQA Implementing Procedures.

RECOMMENDATION

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

- A. Adopt the three findings of fact as stated in the staff report for the Tentative Subdivision Map – 568 North Sunrise Avenue – NERSP PCL 5B North Sunrise Professional Center Building B – Project # 2006PL-140 (File # SUB-000069).
- B. Approve the Tentative Subdivision Map 568 North Sunrise Avenue – NERSP PCL 5B North Sunrise Professional Center Building B – Project # 2006PL-140 (File # SUB-000069) with twelve (12) conditions of approval.

CONDITIONS OF APPROVAL FOR TENTATIVE SUBDIVISION MAP (PROJECT# 2006PL-140)

1. The project is approved as shown in Exhibit A and as conditioned or modified below. (Planning & Redevelopment)
2. This map shall be valid for a period of two (2) years from this date and shall expire on **September 28, 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 **September 28, 2008**. (Planning & Redevelopment)
3. 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.
 - a) Business Owners Association shall be responsible for maintenance of all common areas including landscaping, parking areas, hallways, and drive aisles.
 - 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/Condo Association, which shall be billed by the City for water consumption. At the request of the City additional information will be required of the Business Owners Association/Condo Association on an ongoing basis. The Business Owners Association/Condo Association will be required to submit a copy of their annual statement to the City every year. If the Business Owners Association/Condo Association is in arrears on the water bill three months in a row, the Business Owners Association/Condo Association must give the City access to their books for auditing purposes. If the Business Owners Association/Condo Association should become inactive, each individual condominium owner must sign in separately for water service. A notice to this effect shall be placed in the CC&R's for the condominium project. (Environmental Utilities)
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. APN 015-450-047 is in the NERSP and is subject to the following special taxes and assessments:
- 1. Northeast Roseville Community Facilities District No. 1 (matures 09/01/08)
 - 2. Northeast Roseville Community Facilities District No. 2 (matures 09/01/21)
 - 3. Olympus Pointe Lighting and Landscaping District (Perpetuity) (Finance)
12. 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. (Building)

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.