

# PLANNING AND REDEVELOPMENT DEPARTMENT STAFF REPORT PLANNING COMMISSION MEETING November 9, 2006

Prepared by: Eileen Bruggeman, Project Planner

ITEM V-A:

GENERAL PLAN AMENDMENT, SPECIFIC PLAN AMENDMENT, REZONE, MAJOR PROJECT PERMIT MODIFICATION, DEVELOPMENT AGREEMENT AMENDMENT, TENATIVE PARCEL MAP, AND TENTATIVE SUBDIVISION MAP – 10000 DIAMOND CREEK BOULEVARD – NRSP PARCELS DC-30, -31 AND -33 – FILE #'S: GPA-000021, SPA-000014, RZ-000026, MPP-000004, DA-000023, SUB-000077 AND SUB-000050.

## **REQUEST**

The request is to amend the subject site entitlements to permit the:

- Conversion of 20 acres of non-residential land uses to allow the construction of
  - > 131 detached single-family, medium density dwelling units (MDR-10.7); and
  - ➤ 360 multi-family, medium and high-density dwelling units (8 town homes and 352 condominiums) (MDR-10.6 and HDR-54);
- Construction of 75,000 square feet of retail space south of Parkside Way (a reduction of 178,000 square feet from the currently approved 253,000 square feet of retail and office development);
- Construction of 124,188 square feet of retail and office space north of Parkside Way (an increase of 25,890 square feet from the currently approved 98,298 square feet of office, retail and health club); and
- Modification of the approved Major Project Permit to reflect the above changes, and approve a
  parking reduction of 237 parking spaces for the area north of Parkside Way.

Applicant: A.R. Associates, Jack Remington
Property Owner: Diamond Creek Partners, Ltd., Stephen Des Jardins

## **SUMMARY RECOMMENDATION**

The Planning and Redevelopment Department recommends that the Planning Commission:

- A. Adopt the Addendum to the NRSP EIR and the Diamond Creek Commercial Center Mitigated Negative Declaration;
- B. Recommend that the City Council adopt the applicable findings of fact and approve the General Plan Amendment, Specific Plan Amendment, Rezone, and Development Agreement Amendment for NRSP Parcels DC-30, -31 and -33;
- C. Adopt the two (2) findings of fact for the Major Project Permit Modification;
- D. Approve the Major Project Permit Modification subject to twelve (12) conditions of approval;
- E. Adopt the three findings of fact for the Tentative Parcel and Tentative Subdivision Maps;
- F. Approve the Tentative Large Lot Parcel Map subject to thirty-seven (37) conditions of approval; and
- G. Approve the Tentative Subdivision Map subject to eighty-two (82) conditions of approval.

### **SUMMARY OF OUTSTANDING ISSUES**

The applicant is requesting approval of Stage 1 (site plan) and Stage 2 (architectural and landscaping design) of a Major Project Permit Modification. Compatibility between the proposed mixed-use commercial and high density residential buildings with the surrounding lower density residential development will be

dependent on the building design. Further, multi-family projects are typically required to provide approximately 50 square feet per unit of on-site amenities (not inclusive of swimming pool and clubhouse facility which are considered standard). The developer has provided Design Guidelines, however, they do not provide detailed information regarding the type and amount of on-site recreational facilities for the residents of the high-density residential buildings. Staff is concerned that given the higher than typical density (352 units on 6.52 acres, 54 dwelling units/acre) that it will be difficult to site amenities in sufficient quantities for the residents.

If the Planning Commission is comfortable with the conceptual information provided by the applicant, actions are include for approval of both Stage 1 and Stage 2 of the MPP Modification. An alternative action would be to only approve Stage 1 at this time and require that the applicant return for a subsequent review of the Stage 2 materials when more detailed information is available.

#### **BACKGROUND**

The proposed project encompasses North Roseville Specific Plan, Phase I, Parcels DC-30, 31 & 33, approximately 28 acres combined total (Attachment 1, and Exhibit D). Parcel DC-31 was allocated Community Commercial (CC) land use and zoning designations. Parcels DC-30 and 33 were allocated CC land use and Community Commercial/Special Area (CC/SA-NR) zoning. The CC/SA-NR zoning of Parcels DC-30 & 33 permit all of the uses allowed within the CC zone with the exception of gasoline sales, auto repair, auto sales, car wash and detailing, fast food with drive-through, personal storage facilities, building-materials stores, and transportation and communication use types.

Consistent with the NRSP and Development Agreement, in 2002 the landowner secured entitlements for development of 360,500 square feet of Community Commercial uses (inclusive of office buildings, retail uses and a market). A Mitigated Negative Declaration was adopted concurrent with approval of the Major Project Permit for the Diamond Creek Commercial project.

Following two modifications, the subject site currently has entitlements that total 351,298 square feet of mixed-use retail inclusive of the market and health club, and office land uses (Attachments 2-4). Two office buildings and the restaurant pad building with a retail component have subsequently been developed within Parcels DC-30 and 33, north of Parkside Way.

The current proposal is to rezone the subject site to permit inclusion of 131 single-family dwelling units and 360 multi-family dwelling units.

Therefore, the applicant requests approval of the following entitlements:

- **General Plan Amendment** to change Parcel DC-31 from 19.56 acres of Community Commercial (CC), to Medium Density Residential (MDR-10.7) and (MDR-10.6), on 12.29 and 0.75 acres, respectively; and 6.52 acres of High Density Residential (HDR-54) and Community Commercial land uses (CC).
- **Specific Plan Amendment** to change the North Roseville Specific Plan to amend Parcel DC-31 from Community Commercial (CC) to Medium and High Density Residential designations.
- **Rezone** Parcel DC-31 from Community Commercial to Small Lot Residential with Design Standards (RS/DS), Commercial Mixed Use/Special Area (CMU/SA), and Attached Housing (R3).
- Major Project Permit Modification to increase the amount of Community Commercial development in Parcels DC-30 and DC-33 from the currently approved 98,298 square feet to 124,188 square feet (net project site decrease from 351,298 square feet CC uses, to 199,188 square feet proposed CC uses), and approval of a revised off-street parking requirement for Parcels DC-31 and DC-33.
- **Development Agreement Amendment** to modify the North Roseville Specific Plan Development Agreement to reflect the land use changes to the property and identify both the obligations of the landowner and the City.
- Tentative Parcel Map to create four (4) large lot parcels within DC-31.

• Tentative Subdivision Map to create the 131 single-family, detached lots.

## **EXISTING SITE CONDITIONS**

The site is located north of Blue Oaks Boulevard, east of Diamond Creek Boulevard, south of the Bill Hughes Park and Open Space, and west of Woodcreek Oaks Boulevard (Attachment 1). The General Plan and Zoning designations of the site and surrounding land uses are included in the table below.

Location	Zoning	General Plan Land Use	Actual Use Of Property	
Site	Community Commercial/Special Area-North Roseville Specific Plan (CC/SA-NR) DC-30 & 33 Community Commercial (CC) DC-	Community Commercial (CC)	Partially developed with a restaurant and 2 office buildings, the remainder vacant	
North	31 Park & Recreation (PR)	PR	Park & Open Space	
South	Blue Oaks Boulevard, and beyond Single Family Residential/Design Standards-NR (R1/DS-NR)	Low Density Residential, 5.2 units per acre	Single Family Residences	
East	Attached Housing (R3) at Blue Oaks, Small Lot Residential/Design Standards (RS/DS-NC), and RS north of Parkside	High Density Residential, 20 units/acre (HDR-20), Medium Density Residential (MDR-7.7)	Villas at Diamond Creek Condominiums Vacant	
	Hortif of Farkside	Low Density (LDR-5.0)	Single Family Residences	
West	Community Commercial (CC)	Community Commercial (CC)	Future Site of Eskaton Village (under construction)	

## COMMUNITY OUTREACH

Both the Blue Oaks and the adjacent Quail Glen Neighborhood Associations (numbers 36 and 27, respectively) were contacted regarding the proposed project. Using the Blue Oaks membership roster and the list of Quail Glen officers approximately 1,600 households received mailers from the property owner inviting them to attend informational meetings held Thursday, June 15, 2006 and Saturday, June 17<sup>th</sup>. Approximately 125 people attended the two meetings. City staff also attended. Comment cards were collected by the applicant, and used to generate a more focused list for mailing notices of the subsequent 3<sup>rd</sup> (approximately 60 attendees) and 4<sup>th</sup> neighborhood meetings held on August 3<sup>rd</sup> and October 5<sup>th</sup>.

Staff prior to publication of this staff report received a total of 261 comment cards, letters, post cards and e-mails (Attachment 8). Below is a summary of the opinions expressed regarding the proposed project, based on information available at the time (the project description changed between the 3<sup>rd</sup>

and 4<sup>th</sup> neighborhood meeting to reduce the number of high density units, and remove one floor of the mixed-use buildings):

For the proposed project
Against the project/prefer the existing zoning:
29
223

#### Undecided/No Preference

At the meetings and through the comments received by staff the residents expressed concerns regarding the following issues:

Aesthetics of the mixed-use buildings

Crime

Increased rentals

Lack of quality shopping and jobs

Overpopulation

Traffic/safety of children walking to school

Strain on infrastructure and services

Destroyed ambiance of area

Retention of bike trails

Congestion because of limited access

Home value depreciation

Insufficient parking

Negative economic impact

Opposed to "that type of element"

Overcrowded schools

Too many high density areas nearby

Incompatibility of 5-story bldg. in residential area Gym outside of front door (previously approved)

In response to these comments, the developer removed a floor from the proposed 4-5 story podium buildings and eighty-eight residential units (88). The residential unit count was lowered from 440 to 352, resulting in the density changing from 60 dwelling unit per acre to 54 units per acre. The amount of street-level, mixed-use commercial development was reduced from 143,000 square feet to 75,000 square feet.

The traffic and air quality studies were updated to reflect the revised project description. The revised project and study results were presented and discussed with residents at a 4<sup>th</sup> neighborhood meeting held on October 5<sup>th</sup> (approximately 30 attendees).

The City's web page was used to provide information regarding the project, upcoming meetings, and to post studies as they became available or were updated.

### **EVALUATION**

The current entitlements include a mix of single story office and retail buildings north of Parkside Way (DC-33 and DC-30) (Attachments 2 and 3, Summary Table and approved Site Plan). South of Parkside Way would be a mix of office and retail, inclusive of a 40,000 square foot market and two, 3-story office buildings over submerged parking (Attachments 4 and 5). Elevations of the two office buildings fronting Parkside Way indicate that the buildings would be approximately 53-feet at roof plate, and approximately 65-feet at the highest point of the tower feature.

In place of the mixed office and retail south of Parkside Way, the proposed project would incorporate medium density residential (8 town homes and 131 detached, single family residences), and mixed-use commercial with high density residential (352 units at 54 units per acre) (Exhibit D).

The proposed project is not consistent with the existing entitlements due to incorporation of medium and high density residential on a site that is currently approved for commercial development. Each of the requested entitlements is analyzed for its consistency with the goals and policies of the applicable regulations, such as the General Plan, North Roseville Specific Plan, the Zoning Ordinance, and the Non-Residential Rezone Guidelines, to determine whether the proposed change in use is appropriate to this location.

## **GENERAL PLAN AMENDMENT**

The City of Roseville General Plan and the Rezone Guidelines for the Conversion of Non-Residential Land Uses (Attachment 6) include goals and policies to promote land use patterns that enhance quality of life and minimize conflicts between land uses. These policies include evaluating noise, air quality,

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parks and recreation, affordable housing, schools, water, and traffic when contemplating residential land use allocations. The General Plan, Specific Plan and Zoning designations for the subject property are Community Commercial (CC).

The proposed General Plan Amendment would change North Roseville Specific Plan (NRSP) Parcel DC-31 from Community Commercial (CC), to a mix of residential and commercial uses. The parcel will contain a combination of Medium Density Residential containing 131 single-family homes (MDR-10.7) and eight (8) attached town homes (MDR-10.6), and High Density residential containing 352 residential units (HDR-54) constructed over Community Commercial land uses.

Staff has evaluated this proposal for its conformance with the General Plan and the Rezone Guidelines and has identified several issues with the proposed land use change that are the focus of this section of the report. These issues are listed and discussed below along with an indication of whether they are a General Plan policy (GP) or Rezone Guideline (RG).

- Fiscal Impact (RG)
- Unit allocation (GP)
- Land use compatibility (GP)
- Noise (GP)
- Traffic (GP)
- Utility Services (GP & RG)

- Public Services/Community Benefit (GP & RG)
- Park Dedication (GP & RG)
- School Impacts (GP & RG)
- Affordable Housing (GP & RG)

<u>Fiscal Impact:</u> The General Plan calls for a mix of land uses that provide amenities, jobs, and recreational opportunities for Roseville residents. Of equal significance, the General Plan land use mix is intended to put the City in a positive long-term fiscal situation. This allows the City to not only maintain existing and planned facilities and levels of service, but also allows the City to expend general fund monies on a variety of projects, programs and services that benefit the community.

A Fiscal Analysis was prepared to evaluate the fiscal impact of the project (Attachment 7). The proposed Development Agreement includes provisions for the payment of fees for things such as police and fire services and a one time Community Benefit Contribution that are intended to offset the increased costs associated with providing these and other services to residential properties. With these provisions, the conclusion of the analysis is that the development of the property as residential will have a neutral effect on the City's positive fiscal situation.

<u>Unit Allocation:</u> The proposal to establish residential land use on the subject property represents the introduction of new residential units upon a parcel in the NRSP that is currently not assigned any residential units. The applicant has requested the allocation of 491 units for the project site (Exhibit C). The proposed rezone of DC-31 from Community Commercial to mixed commercial and residential uses will authorize development of 75,000 square feet of commercial development, and add 491 units, less credit for any underutilized units within the North Roseville Specific Plan area. Based on the area of land designated for future residential development, the proposed density would be approximately:

- > 131 Single Family, detached small lots, Medium Density, 10.7 units per acre;
- > 8 Town Homes, Medium Density, 10.6 units per acre; and
- > 352 Condominiums, High Density, 54 units per acre.

To develop the site, the property owner is required to secure approval of a Tentative Parcel Map to create the large parcels within DC-31, a Tentative Subdivision Map, and a Major Project Permit Modification (see discussions below). The number of units authorized for development will ultimately be determined through approval of the Final Map. If the number of units ultimately approved for development on Parcel DC-31 is less than 491, the unutilized units will revert to the City.

<u>Land Use Compatibility:</u> The proposed residential uses are not currently consistent with the Community Commercial land uses anticipated by the NRSP, and therefore the project includes proposed amendments to the General Plan and North Roseville Specific Plan to allow for this land use and zoning change. The proposed amendments would allow this parcel to be developed with medium-density residential units, and mixed commercial with high-density residential units.

Property east of the subject site is developed high-density residential (The Villas, HDR-20). Currently under construction east of the site is medium density residential (MDR-12.5), and to the east across Woodcreek Oaks Boulevard is vacant medium density residential (MDR-8.9). To the north of Bill Hughes Park is the more typical low-density single family.

The proposal to include additional high density and medium density residential development within this area is compatible with surrounding land uses.

<u>Traffic</u>: Current City policy requires that a long-term traffic analysis be prepared whenever a project is anticipated to generate more than 50 p.m. peak hour trips beyond the trip generation for the property assumed in the City's traffic model. Fehr & Peers prepared a comparison of the trip generation of the project as approved in 2005 and the currently proposed project (Exhibit A, Attachment 7).

That comparison found that the City's current traffic model allocates approximately 15,390 daily trips and 1,520 PM peak hour trips to the project site. The currently proposed project would generate approximately 10,290 daily trips and 950 PM peak hour trips. This represents a 33 percent reduction in daily trips and a 37 percent reduction in PM peak hour trips when compared to the current entitlements approved in 2005.

Even though the proposed project would generate fewer trips than currently allocated within the traffic model, the Engineering Division required that a long term traffic study be prepared as the characteristics of the trips, based on the change in use, were substantially different than those assumed in the City's traffic model. The long-term traffic study found that the proposed project would not cause any intersection operating at level of service C or better to degrade to less than level of service C or cause an intersection currently operating at less than level of service C to degrade. As such, the project was found to be consistent with General Plan Circulation policy.

Therefore, the proposed project generates significantly fewer vehicle trips than anticipated under the existing land use and zoning.

Noise: If approved, the proposed change in land use of DC-31 from CC to MDR and HDR would allow development of the parcel with residential uses. The proposed change in use will result in fewer vehicle trips generated from Parcel DC-31 (and a corresponding reduction in noise from vehicles), but will introduce a sensitive noise receptor (residential) as defined by the General Plan. While the project itself will not be increasing noise levels, it must comply with residential noise policies that are not applicable to business professional land use. The Noise Element of the City's General Plan establishes an exterior noise level standard of 60 dB Ldn (or CNEL) at the outdoor activity areas of new residential uses affected by roadway noise. The exterior noise level standard may be allowed to be increased from 60 dB to 65 dB following practical application of the best available noise reduction measures. The outdoor activity areas for residential developments are considered to be the back yard patios or decks of single-family dwellings. The Noise Element also establishes an interior noise level standard of 45 dB Ldn for residential uses.

A noise analysis measured noise levels to determine ambient conditions on the subject site along Blue Oaks Boulevard (Exhibit A, Attachment 6). The study concluded that residences proposed nearest to Blue Oaks Boulevard would be exposed to future traffic noise levels of 68 dB at 125 feet from the centerline of Blue Oaks Boulevard, that exceed the City of Roseville 60 dB Ldn (60 decibel, Day-Night Average Level).

The noise analysis indicates that a wall height of eight feet (8 ft.) would be required to provide an exterior noise level of 60 dB Ldn for residences closest to Blue Oaks Boulevard. To mitigate for the significant effect of traffic noise, the NRSP EIR Mitigation Measure 4.11-1 requires projects to provide appropriate noise attenuation, e.g., barriers and/or setbacks, based on site-specific acoustical analyses. Consistent with the analysis prepared for this site, the residential Tentative Map Conditions of Approval require construction of a six-foot (6 ft.) masonry wall constructed on top of a two-foot high earthen berm, achieving the required barrier height of eight feet.

However, second and third floor rooms facing towards Blue Oaks Boulevard will not benefit from the eight-foot barrier. The noise analysis anticipates exterior noise levels at the second floor façade levels will be approximately 70-71 dB. To achieve compliance with the General Plan interior noise level standard of 45 dB Ldn, a façade noise reduction of 25-26 dB must be achieved at the residences nearest to Blue Oaks Boulevard. Consistent with the analysis recommendations, the Major Project Permit and residential Tentative Map Conditions of Approval will require the 2<sup>nd</sup> and 3<sup>rd</sup> floor windows of residences constructed on the lots adjacent to Blue Oaks Boulevard with a view of the roadway will have a minimum STC rating of 30. With use of this additional construction measure it will be possible to achieve the interior noise standard of 45 dB Ldn, and successfully implement NRSP EIR Mitigation Measure 4.11-1.

Construction activities on the site could temporarily expose nearby property owners to increased noise levels. However, noise impacts are not expected to be significant because construction will be short-term and limited to the extent practical, to daytime hours (7:00 a.m. to 7:00 p.m., Mondays through Fridays 8 a.m. to 8 p.m. on weekends), pursuant to Roseville Municipal Code (Section 9.24 090E). As specified in the Noise Ordinance, construction outside these hours will only occur after reasonable measures have been taken to minimize noise impacts on nearby uses.

<u>Public Services/Community Benefit</u>: As discussed earlier under Fiscal Impact, to address the increased cost of providing police and fire services to the site, the Development Agreement requires that the developer form and fund a Public Services Community Facilities District. This requirement is consistent with other recent requests to convert commercial/industrial properties to residential uses.

Affordable Housing: The applicant is required to provide fifty-units (50) as affordable to very low (20 units), low (20 units) and middle-income households (10 units). This figure represents ten percent (10%) of the total units that is consistent with the General Plan Housing Element requirements. An Affordable Purchase Housing Development Agreement (APHDA) is required to detail the affordability requirements for the 50 units.

<u>Schools:</u> The developer has executed Mutual Benefit Agreements with the Roseville City School District and the Roseville Joint Union High School District to pay fees to accommodate the additional students within the school districts.

It is anticipated that approximately 97 elementary students and 40 middle school students will be generated. The elementary students will attend Thomas Jefferson Elementary School at Fairway Drive and Central Park Drive until a new school is opened at either the Long Meadow or HP site. The middle school students will attend Cooley Middle School.

<u>Parks:</u> The General Plan requires the dedication of 9 acres of parkland per 1,000 people when allocating new residential land use. The proposed rezone of NRSP Parcel DC-31 from Community Commercial to mixed commercial and residential uses will add 491 units, less credit for any underutilized units within the North Roseville Specific Plan area. Parks and Recreation Department estimates the proposed project would generate 1,171 additional residents.

Based on the ratio of 9 acres per 1,000 residents, generation of 1,171 additional residents results in an additional parkland dedication of 10.5 acres of total parkland dedication; 3.5 acres each of neighborhood and citywide park facilities, and open space.

The applicant and the City have agreed that the parkland dedication obligation will be satisfied through the payment of in-lieu fees and improvements by the applicant to previously dedicated parklands (DC-51 and DC-52) in the vicinity of the project site.

The Tentative Subdivision Map indicates on-site urban relief areas. The largest is 0.25 acres. Parks and Recreation Department has agreed that the site may be counted towards parkland dedication requirements either as a privately owned and maintained site, or it may be owned and maintained by the City if it is enlarged to a minimum 0.5 acre site and improved to the satisfaction of Parks and Recreation. The language detailing this will be contained within the Development Agreement Amendment

#### **General Plan Amendment Conclusion**

The Commission's evaluation of the project should consider the appropriateness of the land use change proposal against the potential impacts and design issues. With the implementation of the Community Services District, Public Services CFD, and Community Benefit Contribution the project will have a positive fiscal contribution to the City. In addition, a long-term traffic study indicates that the proposed land uses generate fewer daily and pm peak hour trips than if the site were completely developed with commercial and office uses. Based on the preceding discussion, staff finds the proposed project consistent with the General Plan.

## SPECIFIC PLAN AMENDMENT AND REZONE

The proposed residential uses are not currently consistent with the Community Commercial land uses anticipated by the General Plan or the NRSP, and therefore the project includes proposed amendments to the Specific Plan to allow for this land use and zoning change. The proposed Specific Plan amendment would allow this parcel to be developed with medium density residential, and mixed commercial and high-density residential units. Within Parcel DC-31 the Rezone would allow designation of:

- Small Lot Residential with Design Standards (RS/DS) for 131 Detached Residential Units, on 12.29 acres, at 10.7 units/acre (MDR-10.7);
- Attached Housing (R3) for eight (8) Town Homes, on 0.75 acres, at 10.6 units/acre (MDR-10.6);
- Commercial Mixed Use/Special Area (CMU/SA), for 352 Condominiums over 75,000 square feet Commercial uses, on 12.29 acres, at 54 units/acre (HDR-54).

Property east of the subject site is developed high-density residential (The Villas, HDR-20). Currently under construction east of the site is medium density residential (MDR-12.5), and to the east across Woodcreek Oaks Boulevard is vacant medium density residential (MDR-8.9). The proposal to include additional high density and medium density residential development within this area is not incompatible with surrounding land uses.

Consistent with the General Plan, limited neighborhood retail and services are permitted within residential development to further General Plan goals and policies regarding:

- a) Neighborhood convenience,
- b) Pedestrian orientation, and

## c) Reducing vehicular trips.

**Neighborhood Convenience:** The proposed mixed-use portion will provide 75,000 square feet of commercial uses at street level, with 352 condominiums built above the businesses. This portion of DC-31 is proposed to be zoned Commercial Mixed Use/Special Area - North Roseville Specific Plan (CMU/SA-NR). To ensure commercial uses are permitted that are compatible with both the condominium units to be built on the upper floors of the buildings and the surrounding residences, language is proposed to be included in the Specific Plan to remove uses possibly less compatible with residential development from the list of permitted uses. All of the uses allowed within the CMU zone are permitted with the exception of gasoline sales, auto repair, auto sales, car wash and detailing, fast food with drive-through, personal storage facilities, building-materials stores, industrial use types, and transportation and communication use types.

**Pedestrian Orientation:** The prior entitlements were designed to create a mixed-use, pedestrian oriented village with retail and office uses. Consistent with the prior intent, the proposed project will retain a pedestrian, walkable design. Pedestrian access is provided from the single-family residential area to the high-density residential buildings where there will be 75,000 square feet of street level retail uses. Connections are included to promote use by the residents of the health club to be developed north of Parkside Way, within DC-33, and to continue beyond to the Bill Hughes Park and open space. Employment opportunities will be provided within the retail uses both within the high-density residential buildings, and the 124,188 square feet of retail and office uses planned for north of Parkside Way, within DC-30 and DC-33.

**Reduce Vehicular Trips:** As discussed further under the transportation impacts (see prior discussion of Traffic), the mixed-use residential and commercial project would generate approximately thirty-three percent (33%) fewer daily trips, and thirty-seven percent (37%) fewer PM peak hour trips when compared to the current entitlements.

Based on the above information, staff finds the proposed zoning of the site to be consistent with the General Plan and the public interest, health, safety, and welfare of the City. The Planning Department has not identified any issues with the requested modification, and recommends approval of the Specific Plan Amendment and Rezone applications.

### MAJOR PROJECT PERMIT MODIFICATION- STAGE 1 & 2

The requested Major Project Permit Modification (MPP) would adjust the site plan to reflect the proposed changes in uses to include medium and high density residential uses, redistribute retail and office development, revise the Design Guidelines to address the new medium and high density residential component, and revise how the parking requirements are calculated for this project.

Stage 1 approval is requested to authorize the MPP to redistribute the office and retail uses as noted in Table 1 (Attachment 2), and to incorporate entitlements to allow development of medium density residences and mixed-use commercial and high density residential uses in place of previously approved office and retail uses. As noted previously, neighborhood concern has been expressed regarding the potential affects due to the introduction of additional residences in place of the shopping center they were anticipating at this location pursuant to the Specific Plan. In the General Plan Amendment evaluation section above the consistency of the proposed change from commercial to residential uses is evaluated based on General Plan policies and the Conversion Guidelines for non-residential to residential land uses.

Neighborhood concern has in part focused on the introduction of three (3) buildings that will be three to four-stories (3-4), containing mixed-use commercial and high density housing (HDR-54). These buildings would be fronting Diamond Creek Place and the south side of Parkside Way, the approximate

location of the currently approved 3-story office buildings. The proposed building heights would be permitted a maximum of sixty-feet (60 feet) at the roof plate (not inclusive of additional roof line, architectural features) (see Design Guidelines).

This is a product that while used in other urban areas, is new to the City of Roseville. The design of the buildings will be critical to successful incorporation of this type of structure into the surrounding community.

**Stage 2 (Architectural and Landscape Design):** The applicant is requesting concurrent approval of Stage 2 of the MPP. Stage 2 of the MPP application process consists of Planning Commission review and acceptance of the architecture and landscaping design for the project. The Design Guidelines are included for Planning Commission review (Exhibit E).

The applicant has indicated the design of the office and retail buildings will remain similar to the designs previously approved with the Diamond Creek Commercial MPP (Attachment 4). Conceptual elevations of the medium density town homes and single family detached units are included; designs are intended to be complementary to the architectural design established in the previously approved MPP, and as expressed through the already built restaurant and office buildings on the site, north of Parkside Way (Exhibit E, Design Guidelines Appendix). The applicant has provided a photo indicating the type of architectural features he would require to be included with the design of the mixed-use buildings. Features include articulation between commercial tenant spaces through use of colors and variation in storefronts, and staggering building spaces. Balconies and porches would articulate variations in the upper residential portions of the buildings. There would be changes in the roof heights, materials and types.

**Required Parking:** The original approval for the Diamond Creek Commercial Center included a parking reduction for shared uses. The parking reduction was based on the reciprocal nature of the office and retail uses, the proximity of the project to residential neighborhoods, and a "captive market factor." The captive market factor assumed a certain percentage of the retail patrons would work in the office buildings. The approved parking ratios did not provide a reduction for the health club that was added later through a subsequent modification. Health clubs typically have a high demand, and a reduction was not recommended at that time. It was recommended that it could be re-evaluated at a later time when tenants of the remainder of DC-30 and DC-33 are known (area north of Parkside Way).

At this time, the restaurant and two (2) office buildings are built within the north center. The MPP proposes to increase the amount of office and retail square footage in this area by 25,890 square feet. The applicant has submitted a study prepared by Fehr & Peers regarding parking demand for this area (Exhibit A, Attachment 7, Appendix C).

The Fehr & Peers study collected data from three (3) existing health clubs that would have similar operations to the one potentially interested in this site. Based on their real time parking counts, they estimate the demand for parking due to the health club will peak at 10:00 AM, for 149 spaces. Peak demands for the other uses in the area (restaurant, retail and office) were estimated using rates from the *Parking Generation*, 3<sup>rd</sup> *Edition*, 2004 from the Institute of Transportation Engineers. Fehr & Peers determined the total maximum parking demand would be 383 spaces based on their survey of similar, existing health clubs and estimated peak demands of the other uses. With assumption of some level of shared parking between uses and using a parking discount of 15%, the peak parking demand would be 326 spaces.

The Fehr & Peers study points out this maximum demand of 326 spaces does not reflect a parking discount of an additional 10% reflective of residents who may walk or bike to the health club, retail uses or restaurant instead of driving. With incorporation of these additional factors, Fehr & Peers states the actual peak parking demand would be less than 326 spaces.

Three hundred, sixty-six (366) parking spaces are available within the portion of the project north of Parkside Way (including on-street angled parking). The parking required for the sum of the uses based on Zoning Ordinance requirements, including the health club, is 603 spaces. As indicated in Table 2, the sum of the proposed uses will exceed available parking within the northern portion of the center by 237 spaces.

A fifteen percent (15%) reduction was granted previously (not inclusive of the health club), based on acceptance of the argument of shared usage of the parking spaces between uses. Based on application of the previously approved reduction to the proposed mix and increased intensity of uses, plus acceptance of the parking demand for the health club based on the Fehr & Peers analysis of existing, similar clubs, the required amount of parking is reduced to 404 spaces.

PROPOSED USE	AREA	15% SHARED USE/RATIO	PROPOSED USE REDUCTION	ZONING ORD. RATIO	PARKING REQUIRED/ZO	DIFFERENC E
La	5,886	1:115	51	1:100	59	8
Provence/Restaurant						
Retail	5,000	1:355	14	1:300	17	3
Warehouse	2,000	1:1150	2	1:1000	2	0
Office A	5,500	1:330	17	1:250	22	5
Office B (DRP Offices)	6,914	1:330	21	1:250	28	7
Retail B	14,000	1:355	39	1:200	70	31
Lakemont Homes	13,756	1:330	42	1:250	55	13
Office C	15,000	1:330	45	1:250	60	15
Office B	15,200	1:330	46	1:250	61	15
Health Club	41,000	127*	127	Varies	229	102
TOTALS: 124,256			404		603	-199
Less 10% for		364	Provided: 366	603	-237	
*Health Club peak dema						

Staff believes that the proximity of this club to residential neighborhoods is also expected to reduce parking demand, as some club members may reside nearby and will walk to the facility. With acceptance of the Fehr & Peers estimation that walk and bike traffic to the site will allow an additional ten percent (10%) parking reduction, the parking demand is reduced further to 364 spaces.

The Fehr & Peers study concludes that the proposed amount of parking (366 spaces) will provide an adequate parking supply, based on their estimation that actual demand of parking spaces will be less than 326 parking spaces.

Staff is recommending acceptance of the proposed parking reduction based on the unique combination of office, retail, restaurant, and health club in the center, with residences immediately adjacent. The shared use of parking spaces and pedestrian accessibility of the site supports approval of the requested reduction.

#### **Major Project Permit Modification Conclusion**

As indicated in the *discu*ssion above, a key component of the MPP is introduction of residential uses in place of previously approved commercial uses. Adequate parking is available, based on the discussion above, to support the proposed use. The incorporation of 3-4 story buildings with mixed-use commercial and high density residential should be carefully designed to be sensitive to the surrounding

residential neighborhood. Staff recommends approval of the MPP, with the recommendation that if there are design concerns/issues when the plans are submitted for a building permit (Stage 3) the plans can be forwarded to the Commission for review.

## **DEVELOPMENT AGREEMENT AMENDMENT**

The Development Agreement Amendment (DAA) corresponds with the applicant's request in terms of the Specific Plan Amendment as discussed above. In addition, the DAA reflects the obligations of the property owner and the City for development of the property. A draft of the proposed agreement will be provided under separate cover Tuesday prior to the hearing.

## **Development Agreement Amendment Conclusion**

Based on the analysis contained in this staff report, the required findings can be made for the proposed Development Agreement Amendment for Parcels DC-30, -31 and -33.

## TENTATIVE PARCEL & SUBDIVISION MAPS

Approval of two (2) Tentative Subdivision Maps is requested. The Tentative Parcel Map (SUB-000077) will subdivide Parcel DC-31 into large lots to reflect the land use plan and the proposed residential development. The Tentative Subdivision Map (SUB-000050) will create the lots for the development of the 131 detached, single-family residences. Approval of subsequent tentative maps will be required prior to development of the eight (8) town homes, and the 352 high-density residences.

Section 18.06.180 of the City of Roseville Zoning Ordinance requires that three findings be made to approve or conditionally approve a Tentative Subdivision Map. The three findings are listed below.

- 1. 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.
- 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.
- 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 proposed parcels are adequately sized to support the proposed development. The water quality impacts and the expected discharge of waste associated with the project are consistent with what was anticipated by the General Plan Environmental Impact Report. In addition, the design of the sewer lines in the project area and treatment capacity at the City's sewage treatment have adequate conveyance and capacity to accommodate existing and future development of the parcels proposed by the Tentative Map.

An Addendum to the Environmental Impact Report (EIR) adopted for the North Roseville Specific Plan (certified August 6, 1997) and the Diamond Creek Commercial Mitigated Negative Declaration (adopted July 11, 2002) has been prepared for the project pursuant to City of Roseville CEQA Implementing Procedures and California Environmental Quality Act (CEQA) Guidelines Section 15164. The Addendum finds that actions under the proposed project will not result in any new significant environmental effects or result in the substantial increase of any previously identified significant impacts in the EIR, and substantial changes to the EIR are not required. To date, no comments on the document have been received.

## **RECOMMENDATION**

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

- A. Adopt the Addendum to the NRSP EIR and Diamond Creek Commercial Mitigated Negative Declaration (**Exhibit A**);
- B. Recommend that the City Council approve the GENERAL PLAN AMENDMENT 10000 DIAMOND CREEK BLVD. (NRSP PARCELS DC-30, -31 & -33) FILE # GPA 04-06 AS SHOWN IN **Exhibit B**;
- C. Recommend that the City Council adopt the finding of fact as listed below for the SPECIFIC PLAN AMENDMENT FOR NRSP PARCELS DC-30, -31 & -33 10000 DIAMOND CREEK BLVD. (NRSP PARCELS DC-30, -31 & -33) FILE # SPA-000014;
  - 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 North Roseville Specific Plan.
- D. Recommend that the City Council approve the SPECIFIC PLAN AMENDMENT FOR NRSP PARCELS DC-30, -31 & -33 10000 DIAMOND CREEK BLVD. (NRSP PARCELS DC-30, -31 & -33) FILE # SPA-000014, as shown in **Exhibit C**;
- E. Recommend that the City Council adopt the two findings of fact as listed below for the REZONE
   10000 DIAMOND CREEK BLVD. (NRSP PARCELS DC-30, -31 & -33) FILE # RZ 04-08;
  - 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 10000 DIAMOND CREEK BLVD. (NRSP PARCELS DC-30, -31 & -33) FILE # RZ 04-08, as shown in **Exhibit B**;
- G. Adopt the two (2) findings of fact as listed below for the MAJOR PROJECT PERMIT (STAGE 1 and 2) MODIFICATION 10000 DIAMOND CREEK BLVD. (NRSP PARCELS DC-30, -31 & -33) FILE # MPP-000004:
  - The proposed modification is substantially consistent with the intent of the original approval.
  - 2. The proposed modification complies with all applicable standards and requirements of this title, with the applicable goals, policies and objectives set forth in the General Plan, the applicable Community Design Guidelines and the applicable Specific Plan.

- H. Approve the MAJOR PROJECT PERMIT (STAGE 1) MODIFICATION 10000 DIAMOND CREEK BLVD. (NRSP PARCELS DC-30, -31 & -33) FILE # MPP-000004 as shown in **Exhibits D E** and subject to the twelve (12) conditions of approval listed below;
- I. Recommend that the City Council adopt the five findings of fact as listed below for the DEVELOPMENT AGREEMENT AMENDMENT for NRSP PARCELS DC-30, -31 & -33 – 10000 DIAMOND CREEK BLVD. (NRSP PARCELS DC-30, -31 & -33) – FILE # DA-000023;
  - 1. The Development Agreement is consistent with the objectives, policies, programs and land use designations of the City of Roseville General Plan;
  - 2. The Development Agreement is consistent with the City of Roseville Zoning Ordinance;
  - 3. The Development Agreement is in conformance with the public health, safety and welfare:
  - 4. The Development Agreement will not adversely affect the orderly development of the property or the preservation of property values; and
  - 5. The provisions of the Development Agreement will provide sufficient benefit to the City to justify entering into the Agreement.
- J. Recommend that the City Council approve the DEVELOPMENT AGREEMENT AMENDMENT for NRSP PARCELS DC-30, -31 & -33 10000 DIAMOND CREEK BLVD. FILE # DA-000023, as shown in **Exhibit F**:
- K. Adopt the three (3) findings of fact as stated in the staff report for the TENTATIVE LARGE LOT PARCEL MAP – 10000 DIAMOND CREEK BLVD. (NRSP PARCELS DC-30, -31 & -33) - FILE # SUB-000077;
- L. Approve the TENTATIVE LARGE LOT PARCEL MAP 10000 DIAMOND CREEK BLVD. (NRSP PARCELS DC-30, -31 & -33) FILE # SUB-000077 as shown in **Exhibit G** and subject to the thirty-seven (37) conditions of approval listed below;
- M. Adopt the three (3) findings of fact as stated in the staff report for the TENTATIVE SUBDIVISION MAP – 10000 DIAMOND CREEK BLVD. (NRSP PARCELS DC-30, -31 & -33) - FILE # SUB-000050; and
- N. Approve the TENTATIVE SUBDIVISION MAP 10000 DIAMOND CREEK BLVD. (NRSP PARCELS DC-30, -31 & -33) FILE # SUB-000050 as shown in **Exhibit H** and subject to the eighty-two (82) conditions of approval listed below.

## CONDITIONS OF APPROVAL MAJOR PROJECT PERMIT MODIFICATION (MPP-000004)

- 1. This Major Project Permit approval shall be effectuated within a period of three (3) years from this date and if not effectuated shall expire on **November 9, 2009**. Prior to said expiration date, the applicant may apply for an extension of time. (Planning)
- 2. The Stage 1 and 2 project is approved as shown in Exhibits D and E and as conditioned or modified below. (Planning)
- 3. Conditions of Approval of MPP 02-01 related to development north of Parkside Way shall remain in effect, as applicable. (Planning, Engineering, Fire, Environmental Utilities, Electric, City Attorney)

- 4. The 2<sup>nd</sup> and 3<sup>rd</sup> floor windows of residences constructed on the lots adjacent to Blue Oaks Boulevard with a view of the roadway shall have a minimum STC rating of 30. (Planning, Building)
- 5. If Recycled Water is used the Developer shall prepare City's Engineer Report for submittal to and review by the State Regional Water Quality Control Board (RWQCB) and Department of Health Services documenting the use of recycled water in the Property. Prior to submittal to the State RWQCB, Developer shall obtain approval of the City Environmental Utilities Director. Recycled Water shall not be provided for use within the property until the City Engineer's Report has received all required State approvals. (Environmental Utilities)
- 6. As part of its development of the project, Developer and his successors shall not provide water stubouts for the installation of water softeners. Property CC&Rs shall prohibit the use and installation of water softeners. (Environmental Utilities)
- 7. Landowner shall install a re-circulating hot water system or similar technology that provides instantaneous hot water at each hot water faucet within each of the homes. Such a requirement shall not necessitate a hot water pump at each fixture in a residence. (Environmental Utilities)
- If recycled water is used, developer shall disclose to all buyers that recycled water shall be used for irrigation of parks and landscape setbacks, medians, paseos, and other landscape areas including all multi-family and non-residential landscaping uses. Such disclosures shall be included in the CC&Rs for the Property. (Environmental Utilities)
- 9. Separate water and sewer shall be installed for each unit in Parcel 1.(Environmental Utilities).
- 10. Buildings above the parking structure shall be arranged to accommodate fire department access to all bedroom windows above the podium deck. Access shall be made without obstructions from stairwells and/or limited lobby configurations. Fire department access shall be made with the use of a 35-foot ladder from grade at the podium deck. (Fire)
- 11. Developer agrees to pay City \$170 (subject to any City wide increase for this charge) per single-family residential units for one (1) 90-gallon automated refuse container and one (1) automated green waste container at issuance of building permit. (Environmental Utilities)
- 12. Developer shall require construction contractors and subcontractors to reduce construction waste by recycling a minimum of 50% of construction materials or that all construction debris be delivered to the Placer County Western Regional Materials Recovery Facility where recyclable material will be removed. Developer shall require that contractors and subcontractors submit records monthly of waste diversion and disposal to the City's Environmental Utilities Department in order to verify compliance with this requirement. (Environmental Utilities)

### CONDITIONS OF APPROVAL FOR TENTATIVE LARGE LOT PARCEL MAP (SUB-000077)

- 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 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)

 All those provisions pertaining to the development of Diamond Creek Parcel 31 that are within the Development Agreement by and between the City of Roseville and Diamond Creek Partners shall be made a part of these conditions. The applicant shall become signatory to said Development Agreement. (Engineering)

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

- 4. 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)
- 5. 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. (Environmental Utilities)
  - 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. (Environmental Utilities)
  - c. Water and sewer mains shall not exceed a depth of 12' below finished grade, unless authorized in these conditions. (Environmental Utilities)
  - d. All sewer manholes shall have all weather 10-ton vehicular access unless authorized by these conditions. (Environmental Utilities)
  - e. Each subdivided parcel shall have separate water and sewer services. (Environmental Utilities)
- Recycled water infrastructure shall be designed pursuant to the adopted City of Roseville Improvement Standards and the City of Roseville Construction Standards. The applicant shall pay all applicable recycled water fees. Easements shall be provided as necessary for recycled water infrastructure. (Environmental Utilities)
- 7. 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 be installed on a maximum of 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. (Environmental Utilities)
- 8. A note shall be added to the Improvement Plans stating that all water backflow devices shall be tested and approved by the Environmental Utilities Department prior to the Notice of Completion for the improvements. (Environmental Utilities)
- 9. Fire hydrants shall be located as required by the Fire Department. The maximum distance between fire hydrants shall not exceed 500' on center. (Fire)
- 10. Minimum fire flow is 1,500 gallons per minute with 20 lbs. residual pressure. The fire flow and residual pressure may be increased, as determined by the Fire Marshall, where the project utility lines will serve non-residential uses. (Fire)
- 11. 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)
- 12. All Electrical Department facilities, including street lights where applicable, shall be designed and built to the "City of Roseville Specifications for Residential Trenching". (Electric)
- 13. 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)
- 14. All landscaping in areas containing electrical service equipment shall conform with the "Electric Department Landscape Design Requirements" as outlined in Section 7.00 of the Electric Department's "Specifications for Residential Trenching" (Electric)
- 15. 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)
- 16. 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

- 17. 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. Water and sewer easements. (Environmental Utilities)
- 18. Easement widths shall comply with the City's Improvement Standards and Construction Standards. (Environmental Utilities, Electric, Engineering)
- 19. All existing easements shall be maintained, unless otherwise provided for in these conditions. (Environmental Utilities, Electric, Engineering)
- 20. 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)
- 21. Any structures crossing Lot/Parcel lines created by the Final/Parcel map shall be removed. (Engineering)

- 22. A note shall be added to the Final Map stating that with the development of Parcels 2, 3 or the northerly extension of the road improvments for lettered Lot A, Parkside Way shall be constructed to its ultimate configuration. (Engineering)
- 23. Lot A shall be dedicated to the City as an Irrevocable Offer of Dedication (I.O.D.) with rights to construct. (Engineering)
- 24. The street names shall be approved by the City of Roseville. (Engineering)
- 25. The subject property shall be annexed into Community Facilities District (CFD) #3 prior to approval of the Final/Parcel Map. This property is being added into this district in order to maintain masonry wall, landscape corridor fencing, landscaping and lighting. It is the applicant's responsibility to prepare the appropriate documentation for the annexation of this property into CFD #3. In order to allow CFD #3 to be in place at the beginning of the fiscal year, the documentation shall be provided to the Finance Department not later than March 15 of the year preceding the fiscal year in which this annexation will become effective. (Finance, Engineering)
- 26. 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. Lettered Lot//Parcel along major roads shall be dedicated as landscape/pedestrian/public utility easements and in fee to the City as open space. (Engineering)
- 27. 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)
- 28. The Final/Lot/Parcel/Parcel Map shall be submitted per, "The Digital Submittal of Cadastral Surveys". Submittal shall occur after Engineering approval but prior to Council approval (Engineering)
- 29. 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)
- 30. The applicant shall pay all applicable water and sewer fees. (Environmental Utilities)

## OTHER CONDITIONS OF APPROVAL

- 31. 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)
- 32. Any relocation, rearrangement, or change to existing electric facilities due to this development shall be at the developer's expense. (Electric)
- 33. 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)
- 34. 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)

- 35. All plant material shall be maintained under a 90 calendar day establishment period after initial planting. Upon completion of the establishment period, all plant material shall remain under warrantee for an additional 9 months minimum. Any plant material which does not survive during the establishment period shall be immediately replaced. Any trees or shrubs which do not survive during the warrantee period shall be replaced one month prior to the end of the warrantee period. Tree or shrub replacement made necessary due to acts of God, neglect or vandalism shall be exempt from the warrantee.
- 36. The project shall comply with all applicable environmental mitigation measures identified in the NRSP EIR and Diamond Creek Commercial Negative Declaration Addendum. (Planning)
- 37. The Tentative Subdivision/Parcel Map application shall not be deemed approved until the actions on the Rezoning, Development Agreement and Specific Plan Amendment are approved and become effective. (Planning)

## **CONDITIONS OF APPROVAL FOR TENTATIVE SUBDIVISION MAP (SUB-000050)**

- 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)
- 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)
- 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. (Engineering, Environmental Utilities, Finance)
- All those provisions pertaining to the development of Diamond Creek Parcel 31 that are within the Development Agreement by and between the City of Roseville and Diamond Creek Partners shall be made a part of these conditions. The applicant shall become signatory to said Development Agreement. (Engineering)

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

- 6. The Improvement Plans shall include Landscape Plans for all landscape corridors and all landscaped common areas. Landscaping shall be installed prior to approval of the Notice of Completion for the subdivision improvements. The landscape plan shall comply with the North Roseville Specific Plan and the City of Roseville Water Efficient Landscape Requirements (Resolution 93-55). All landscaping and irrigation shall be inspected and approved prior to Notice of Completion. (Planning, Engineering, Parks, Fire Environmental Utilities)
- 7. 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 the Engineering Department prior to approval of the improvement plans.
- d. Standard Handicap ramps shall be installed at all curb returns per City Standards. (Engineering)
- 8. 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)
- 9. 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)
- 10. The applicant shall remove and reconstruct any existing damaged curb, gutter, and sidewalk along the property frontage. During site inspection Engineering will designate the exact areas to be reconstructed. (Engineering)
- 11. Positive drainage shall be provided for all lots. Lots shall drain either to the alley ways or to the streets. Prior to the approval of improvement plans, a grading plan and drainage study shall be prepared that demonstrates that positive drainage will be managed along with protection from 100-year storm flows. The drainage study shall demonstrate that all streets conform to the maximum allowable inundation for surface flow. (Engineering)
- 12. The following note shall be added to the Grading and/or 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 through out the day.
- b. Use tarpaulins or other affective covers on all stockpiled earth material and on all haul trucks.
- c. Sweep the adjacent streets 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 the opinion of city staff, inadequate dust control measures are being practiced or excessive wind conditions contribute to fugitive dust emissions. (Engineering)
- 13. "Prior to the commencement of grading operations, the contractor shall identify the site where the excess/borrow earthen material shall be imported/deposited. If the borrow/deposit site is within the City of Roseville, the contractor shall produce a report issued by a geotechnical engineer 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)

- 14. 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)
- 15. The City shall not except any improvements for Phase B or C prior to acceptance of the Phase A improvements. (Engineering)
- 16. Improvements to be constructed with Phase A shall include, but not be limited to, all frontage improvements listed in these conditions for Blue Oaks Blvd. and Diamond Creek Blvd., as well as all improvements associated with "A' Street, "B" Street South and "C" Street. All utility stubs for future phases shall be included with Phase A construction. (Engineering)
- 17. Improvements to be constructed with Phase "C" shall include, but not be limited to, full improvement to Parkside Way and "B" Street North. (Engineering)
- 18. The Blue Oaks Blvd. frontage shall be improved with an 8 foot wide detached concrete pedestrian path, landscaping and 6 ft. high enhanced masonry soundwall on top of a two-foot high earthen berm. (Engineering)
- 19. The frontage of Diamond Creek Blvd. shall be improved with an 8 foot wide detached concrete pedestrian path and landscaping between Blue Oaks Blvd. and "A" Street. A 2-inch thick, 8 ft. wide detached asphalt pedestrian path shall be constructed between "A" Street and Parkside Drive. A right turn lane/bus turnout 180 ft. in length with a 60 ft. taper shall be constructed south of Street "A". The emergency vehicle access (EVA) shall be constructed of grass pavers that extend from the end of "B" Street South to Diamond Creek Blvd. (Engineering)
- 20. "A" Street and "B" Street North shall be built with a right of way width of 56 ft. to include 32 ft. of pavement, standard vertical curb, a 4 foot wide planter strip and 5 ft. wide sidewalk on either side. "A" Street shall accommodate a 11 ft. ingress lane and two 10 ft egress lanes at the intersection with Diamond Creek Blvd. The northerly egress lane will be used for right turns only and shall be 125 ft. in length. No on street parking shall be allowed within the right turn lane. Each of these streets shall be designed for a Traffic Index (TI) of 7 per the City standards for primary residential roadways. (Engineering)
- 21. "B" Street South shall be built with a right of way width of 54 ft. to include 30 ft. of pavement, standard vertical curb, a 4 foot wide planter strip and 5 ft. wide sidewalk on either side. (Engineering)
- 22. "C" Street shall be built with a right of way width of 44 ft. to include 20 ft. of pavement, standard vertical curb, a 4 foot wide planter strip and 5 ft. wide sidewalk on either side. (Engineering)
- 23. All internal intersections shall be "bulbed" per City Standards. The bulbed curb returns shall be rolled curb with center pedestrian access ramps and shall be constructed of 8 inch thick concrete. (Engineering)
- 24. Enhanced road surfaces at intersections shall be constructed of concrete and designed to the satisfaction of Engineering/Public Works. (Engineering)
- 25. The alley ways shall be built to a width of 22 ft. as measured from back of curb to back of curb. The rolled curb and gutter shall be 18 inches wide and the alley ways shall be crowned in the middle with 2% slopes towards the gutter. All alley ways shall be designed with a TI of 7 and shall have a minimum structural section comprised of 3 inches of asphalt concrete on top of 9 inches of aggregate base. At both ends of the alley, signs shall be posted stating that there is "No Parking in the Alley at

- Anytime". As required for emergency vehicle access, grass pavers to accommodate turning radii shall be added behind curb returns to the satisfaction of Engineering and Fire. (Engineering, Fire)
- 26. A standard bus shelter pad shall be installed on the east side of Diamond Creek Blvd. south of "A" Street. (Engineering, Transit)
- 27. Developer shall be responsible for the installation of a bus shelter and related improvements conforming to the city's current standards on the shelter pad as conditioned above. The Developer and City shall enter into a deferred improvement or other agreement based upon a construction cost of \$10000 per shelter for future construction of the Bus Shelter on the east side of Diamond Creek Blvd. South of Street "A". (shelter number 06-192) (Engineering, Transit)
- 28. The applicant shall dedicate all necessary rights-of-way for the widening of any streets required with this entitlement. A separate document shall be drafted for approval and acceptance by the City of Roseville, and recorded at the County Recorders Office. (Engineering)
- 29. The grading plans for the site shall be accompanied with a shed map that defines that area tributary to this site. All drainage facilities shall be designed to accommodate the tributary flow. All on-site storm drainage shall be collected on site and shall be routed to the nearest existing storm drain stub of natural drainage coarse. (Engineering)
- 30. All storm drainage shall be collected on site and shall be routed to the nearest storm drain system or natural drainage facility. Prior to discharge from the site, the storm water shall be treated with appropriate storm water pollution treatment device(s). (Engineering)
- 31. The grading plans shall be accompanied with engineered structural calculations for all retaining walls greater then 4 feet in height. All retaining walls shall be of either split faced masonry units, keystone type construction, or cast in place concrete with fascia treatment. (Engineering)
- 32. The developer shall be responsible for any necessary relocation of signal interconnect cables that may require re-location as a result of the construction of turn lanes and/or driveways. (Engineering)
- 33. To ensure that the design for any necessary widening, construction, or modifications of Public Streets does not conflict with existing dry utilities generally located behind the curb and gutter, and prior to the submittal of design drawings for those frontage improvements, the project proponent shall have the existing dry utilities pot holed for verification of location and depth. (Engineering)
- 34. Sight distances for all driveways shall be clearly shown on the improvement plans to verify that minimum standards are achieved. It will be the responsibility of the project proponent to provide appropriate landscaping and improvement plan design together with any required relocation and/or modification of existing facilities to meet these design objectives as. (Engineering)
- 35. 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)
- 36. 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)

- 37. 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. (Environmental Utilities)
  - 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. (Environmental Utilities)
  - c. Water and sewer mains shall not exceed a depth of 12' below finished grade, unless authorized in these conditions. (Environmental Utilities)
  - d. All sewer manholes shall have all weather 10-ton vehicular access unless authorized by these conditions. (Environmental Utilities)
- 38. 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 be installed on a maximum of 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. (Environmental Utilities)
- 39. A note shall be added to the Improvement Plans stating that all water backflow devices shall be tested and approved by the Environmental Utilities Department prior to the Notice of Completion for the improvements. (Environmental Utilities)
- 40. Fire hydrants shall be located as required by the Fire Department. The maximum distance between fire hydrants shall not exceed 500' on center. (Fire)
- 41. Minimum fire flow is 1,500 gallons per minute with 20 lbs. residual pressure. The fire flow and residual pressure may be increased, as determined by the Fire Marshal, where the project utility lines will serve non-residential uses. (Fire)
- 42. Fire hydrants in cul-de-sacs shall be located within 250-feet of the center of the bulb, and shall not be located at the end of a cul-de-sac. (Fire)
- 43. Fire apparatus access roads shall be provided in accordance with Section 901 and Sections 902.2 for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction when any portion of the facility or any portion of an exterior wall of the first story of the

- building is located more than 150 feet from fire apparatus access as measured by an approved route around the exterior of the building or facility. (Fire)
- 44. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (34 tons GVW) and shall be provided with an AC pavement surface so as to provide all-weather driving capabilities. (Fire)
- 45. 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. (Fire)
- 46. Turning radius requirements for emergency vehicle apparatus is 48' outside 34' inside. (Fire)
- 47. A minimum 3-foot clear space shall be provided and maintained around all fire protection equipment. (Fire)
- 48. Parking restrictions may apply to this project. (Fire)
- 49. Residential dwelling units that do not meet the limited setback required in the provision of the CBC shall be protected with the installation of fire sprinklers in accordance with the RFD's fire prevention standard on automatic fire protection system installation for one and two family dwelling units. (Fire)
- 50. 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)
- 51. Developer must divulge to potential buyer the existence of an overhead 60kV pole line to remain on the north side of Blue Oaks Blvd. contiguous with this project. This notification shall be included in the CC&R's and provided to all potential buyers.
- 52. All Electrical Department facilities, including street lights where applicable, shall be designed and built to the "City of Roseville Specifications for Residential Trenching". (Electric)
- 53. 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)
- 54. All landscaping in areas containing electrical service equipment shall conform with the "Electric Department Landscape Design Requirements" as outlined in Section 7.00 of the Electric Department's "Specifications for Residential Trenching" No trees greater than 15-20' at maturity shall be placed within the PUE along the north side of Blue Oaks Blvd., without the approval of Roseville Electric, due to the existing overhead 60kV transmission line. (Electric)
- 55. 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)
- 56. 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

57. 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 9 foot wide PUE along south side of 'A' Street and along both sides of 'C' Street. This
  reduced easement is adequate for Electric, developer to get approvals from the other utilities
  (telephone, gas & cable). (Electric)
- b. A 12.5 foot wide PUE along both sides of 'B' Street South and 'B' Street North. (Electric)
- c. A 12.5 foot wide PUE along the south side of Lot A following along the adjoining alley way to Lot 79. (Electric)
- d. Additional easements to encompass the transformers and their working clearances will need to be granted after those locations are determined. This was per the developer's request, because he did not want to meander the sidewalk at the transformer locations and would like the transformers behind sidewalk. (Electric)
- e. A 28 foot wide PUE along the centerline of all private alley ways. (Electric)
- f. The 29' landscape easement along Parkside Way shall be changed to reflect a 29' LE/PUE. The 35' landscape easement along Diamond Creek Boulevard shall be changed to reflect a 35' LE/PUE. (Electric)
- g. Water and sewer easements; and,
- h. Additional easements to encompass the transformers and their working clearances will need to be granted after those locations are determined. This was per the developer's request, because he did not want to meander the sidewalk at the transformer locations and would like the transformers behind sidewalk. (Electric)
- 58. Easement widths shall comply with the City's Improvement Standards and Construction Standards. (Environmental Utilities, Electric, Engineering)
- 59. All existing easements shall be maintained, unless otherwise provided for in these conditions. (Environmental Utilities, Electric, Engineering)
- 60. 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)
- 61. Prior to the approval of improvement plans or the recordation of Final Maps for any phase of this subdivision the Diamond Creek 31 Large Lot Map (SUB-000077) shall have been recorded. (Engineering)
- 62. Lot D shall be dedicated to the City as right of way. (Engineering)
- 63. All alleys shall be privately owned and maintained by the Home Owners Association (H.O.A). (Engineering)
- 64. 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 items: (Attorney, Planning)
  - a. A clause stating that the property owners 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, Transportation)

- b. A clause stating that the property owners within this subdivision shall agree to bring trash bins out to the main street. An area is to be provided for cans to be placed 3' apart. (Attorney, Environmental Utilities)
- 65. The City shall not approve the Final Map for recordation until either:

A subdivision agreement is entered into along with the necessary bonds and insurance as required by the City. Said agreement shall be in a form acceptable to the City Attorney.

OR

The improvement plans are approved, and the improvements are constructed and accepted as complete. In this case, the subdivider shall enter into a one-year maintenance agreement concurrent with the recordation of the Final Map. (Engineering)

- 66. The street names shall be approved by the City of Roseville. (Engineering)
- 67. The subject property shall be annexed into Community Facilities District (CFD) #3 prior to approval of the Final/Parcel Map. This property is being added into this district in order to maintain masonry wall, landscape corridor fencing, landscaping and lighting. It is the applicant's responsibility to prepare the appropriate documentation for the annexation of this property into CFD #3. In order to allow CFD #3 to be in place at the beginning of the fiscal year, the documentation shall be provided to the Finance Department not later than March 15 of the year preceding the fiscal year in which this annexation will become effective. (Finance, Engineering)
- 68. 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. Lettered Lot//Parcel along major roads shall be dedicated as landscape/pedestrian/public utility easements and in fee to the City as open space. (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 Final/Lot/Parcel/Parcel Map shall be submitted per, "The Digital Submittal of Cadastral Surveys". Submittal shall occur after Engineering approval but prior to Council approval (Engineering)
- 71. 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)
- 72. The Environmental Utilities Department shall make a determination that there is adequate conveyance and treatment capacity in the City sewer system to handle the newly created Lot/Parcels. (Environmental Utilities)
- 73. The applicant shall pay all applicable water and sewer fees. (Environmental Utilities)

#### OTHER CONDITIONS OF APPROVAL

- 74. 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)
- 75. Any relocation, rearrangement, or change to existing electric facilities due to this development shall be at the developer's expense. The electric load demand for this project, now being converted to

- residential, may result in some modifications or rearrangement of the existing electrical mainline facilities with all costs to be paid by the developer. (Electric)
- 76. 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)
- 77. 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)
- 78. 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. (Engineering)
- 79. 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)
- 80. All plant material shall be maintained under a 90 calendar day establishment period after initial planting. Upon completion of the establishment period, all plant material shall remain under warrantee for an additional 9 months minimum. Any plant material which does not survive during the establishment period shall be immediately replaced. Any trees or shrubs which do not survive during the warrantee period shall be replaced one month prior to the end of the warrantee period. Tree or shrub replacement made necessary due to acts of God, neglect or vandalism shall be exempt from the warrantee.
- 81. The project shall comply with all applicable environmental mitigation measures identified in the Addendum to the North Roseville Specific Plan (NRSP) EIR and Mitigated Negative Declaration for NRSP Parcels DC-30, 31 and 33.
  - a. The 2<sup>nd</sup> and 3<sup>rd</sup> floor windows of residences constructed on the lots adjacent to Blue Oaks Boulevard with a view of the roadway shall have a minimum STC rating of 30. (Planning, Building)
  - b. The contractor shall comply with the dust control strategies developed by the Placer County APCD. The developer shall include in construction contracts the following requirements or measures shown to be equally effective:
    - (i) The contractor shall water as indicated by City inspectors to keep all earth surfaces moist during clearing, grading, earthmoving and other site preparation activities.
    - (ii) The contractor shall sweep streets within and adjacent to the project as needed or as directed by City inspectors.
    - (iii) The contractor shall schedule clearing, grading and earthmoving activities during periods of low wind speeds, and restrict those construction activities during high wind conditions with wind speeds greater than 20 mph average during an hour.

- (iv) The contractor shall minimize open burning of wood and vegetative waste materials from both construction and operation of the project. No open burning shall occur unless it can be demonstrated to the Placer County APCD that alternatives have been explored. These alternatives may include, but are not limited to, chipping, mulching and conversion to biomass fuel. For any open burning, an APCD permit must be obtained in conformance with APCD Regulation 3 (Open Burning), Rules 301-325.
- (v) The applicant shall submit to the District a Construction Emission / Dust Control Plan within thirty (30) days prior to groundbreaking. If the District does not respond within twenty (20) days, the plan shall be considered approved. The plan must address the minimum requirements found in section 300 and 400 of District Rule 228, Fugitive Dust (www.placer.ca.gov/airpollution/airpolut.htm). The applicant shall keep a hard or electronic copy of Rule 228, Fugitive Dust on-site for reference.
- (vi) The Construction Emission/Dust Control Plan shall include a comprehensive inventory (i.e. make, model, year, emission rating) of all heavy-duty off-road equipment (50 horsepower of greater) that will be used an aggregate of 40 or more hours for the construction project. The project representative shall provide the District with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. The plan shall demonstrate that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average. The District should be contacted for average fleet emission data. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. Contractors can access the Sacramento Metropolitan Air Quality Management District's web site to determine if their off-road fleet meets the requirements listed in this measure.

http://www.airquality.org/ceqa/Construction\_Mitigation\_Calculator.xls

- (vii)Clean earth moving construction equipment with water, or sweep clean, once per day, or as necessary (e.g., when moving onsite), consistent with NPDES BMP's, local ordinances and municipal codes. Water shall be applied to control dust as needed to prevent dust impacts offsite. Operational water truck(s), shall be onsite, as required, to control fugitive dust. Construction vehicles leaving the site shall be cleaned, as needed, to prevent dust, silt, mud, and dirt from being released or tracked off-site.
- (viii) Spread soil binders on unpaved roads and employee/equipment parking areas. Soil binders shall be non-toxic in accordance with state and local regulations. Apply approved chemical soil stabilizers, or vegetated mats, etc. according to manufacturers specifications, to allinactive construction areas (previously graded areas which remain inactive for 96 hours).
- (ix) Minimize diesel idling time to a maximum of 10 minutes.
- (x) Use California Air Resources Board (CARB) low-sulfur diesel fuel.
- (xi) Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary diesel power generators, if feasible.
- (xii) Measures Specific to Twenty (20+)-acre Project Sites

- A pre-construction meeting shall be held to review the construction emission/dust control
  plan for projects requiring grading of 20+ acres. The District shall be notified and may
  attend.
- The applicant shall comply with APCD Fugitive Dust Rule 228; including suspending grading operations when conditions exceed designated wind speeds, and executing proper control of lime or other drying agents.
- An applicant representative, CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate project related off-road and heavy-duty on-road equipment emissions for compliance with this requirement for projects grading more than 20 acres in size regardless in how many acres are to be disturbed daily.
- Construction equipment exhaust emissions shall not exceed the APCD Visible Emissions Rule 202. Fugitive dust is not to exceed 40% opacity and not go beyond property boundary at any time. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified and the equipment must be repaired within 72 hours.
- c. To reduce onsite, long term operational emissions, the developer shall include in construction documents the following requirements or demonstrate compliance with the following measures, or measures shown to be equally effective:
  - (i) Exceed California Title 24 energy requirements. Areas of Title 24 to be exceeded are to be determined by applicant and the City.
  - (ii) HVAC units shall be equipped with PremAir (or other manufacturer) catalyst system if available and economically feasible at the time building permits are issued. The PremAir catalyst can convert up to 70% of ground level ozone that passes over the condenser coils into oxygen. The PremAir system is considered feasible if the additional cost is less than 10 percent of the base HVAC system.
  - (iii) All truck loading and unloading docks shall be equipped with one 110/208-volt power outlet for every two-dock door. Diesel trucks shall be prohibited from idling more than five minutes and must be required to connect to the 110/208-volt power to run any auxiliary equipment. Signage shall be provided.
  - (iv) Install a gas outlet in all outdoor recreational fire pits, and permanently installed cooking appliances.
  - (v) Only natural gas fireplace appliances are permitted. Where propane or natural gas service is not available, only U.S. EPA Phase II certified wood-burning devices shall be allowed in single-family residences. The emission potential from each residence shall not exceed 7.5 grams per hour. Wood-burning or Pellet appliances shall not be permitted in multi-family developments. ( Note: U.S. EPA will be lowering the PM2.5 24-hour standard. If this standard were in effect now, we would be a non-attainment area for this standard and the Sacramento Valley Air Basin is non-attainment with the State annual PM2.5 standards.)
  - (vi) Install photovoltaic roofing tiles for solar power, when feasible. Recommend participation in the City of Roseville Electric Department "Advantage" program (incentive program for construction of energy-efficient homes and commercial development).
- 82. The Tentative Subdivision/Parcel Map application shall not be deemed approved until the actions on the General Plan Amendment, Rezoning, Development Agreement and Specific Plan Amendment are approved and become effective. (Planning)

## **ATTACHMENTS**

- 1. Vicinity Map
- 2. Table 1: Approved and Proposed Comparison Summary Table
- 3. Approved Site Plan
- 4. Diamond Creek Commercial Approved Retail Elevations
- 5. Diamond Creek Commercial Approved Single and 3-Story Office Elevations
- 6. Guidelines for Conversion of Non-Residential Land Uses
- 7. Fiscal Analysis
- 8. Comments from Residents (available for viewing at Planning & Redevelopment offices, 311 Vernon Street, Roseville, from 8:00 am to 5:00 pm, Monday through Friday)

### **EXHIBITS**

- A. Addendum to NRSP EIR & Diamond Creek Commercial Mitigated Negative Declaration
  - Noise study
  - Traffic Study
- B. General Plan Amendment & Rezone Exhibit
- C. Specific Plan Amendment
- D. Diamond Creek Commercial and Residential Site Plan
- E. Diamond Creek Commercial and Residential Village Design Guidelines
- F. Draft Development Agreement Amendment
- G. Tentative Large Lot Parcel Map
- H. Tentative Subdivision Map (3 sheets)

**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.