

PLANNING & REDEVELOPMENT DEPARTMENT STAFF REPORT PLANNING COMMISSION MEETING July 26, 2007

Prepared by: Ron Miller, Assistant Planner

ITEM V-A:

DESIGN REVIEW PERMIT MODIFICATION, AND TREE PERMIT – SKATETOWN PARKING LOT EXPANSION – 1009 ORLANDO AVENUE - FILE#: 2007PL-026 (DRP-000181 and TP-000088)

REQUEST

The applicant requests approval of a Design Review Permit Modification and Tree Permit to expand the existing parking lot at Skatetown Ice Arena by approximately 0.65 acres. Expansion of the parking area will require the removal of 12 native oak trees.

Applicant – Skatetown Ice Arena – Scott Slavensky
Owner – Scott & Kerry Slavensky

SUMMARY RECOMMENDATION

The Planning Department recommends that the Planning Commission:

- A. Adopt the Mitigated Negative Declaration
- B. Adopt the two (2) findings of fact for the Design Review Permit Modification;
- C. Approve the Design Review Permit Modification with fifty-six (56) conditions of approval;
- D. Adopt the two (2) findings of fact for the Tree Permit: and
- E. Approve the Tree Permit subject to twenty-one (21) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

The applicant is in agreement with the recommended conditions of approval. There are no outstanding issues.

BACKGROUND

The project site is located at 1009 Orlando Avenue, within the City's Infill area. The project site is zoned General Commercial, and is designated as Community Commercial on the General Plan land use map. The 5.7 acre site is bordered by Orlando Avenue and a self-storage facility on the north, commercial development to the south, apartment complexes and an assisted living facility on the east, and Interstate 80 to the west (see Attachment 1). The majority of the site has been leveled and developed, with the exception of a 0.85 acre semi-natural area on the eastern half which contains a 0.02 acre jurisdictional ditch. The semi-natural area and ditch feature extend onto the adjacent property to the east. Twelve native oak trees are located within the natural area. Staff visited the site on June 14, 2007, which confirmed the arborist's assessment that five (5) of the native oaks are dead, with the remaining seven (7) trees in fair to poor condition (see Exhibit H – Arborist Report).

ENTITLEMENT HISTORY

The Planning Commission approved a two-phase Design Review Permit (File #DRP 97-27) for the construction of the 60,490 square foot ice arena located at the site. The first phase consisted of a 36,490 square foot building and all the site improvements, including the existing 220 space parking lot,

lighting and landscaping. The second phase was a 24,000 square foot building addition for an additional rink on the east side of the original building.

Based on the use and square footage of the ice arena complex, the Zoning Ordinance required a total of 346 parking spaces for the project (both buildings) based on a parking requirement of one space for every 175 square feet of gross floor area. The applicant requested approval of an Administrative Permit to reduce the parking requirement from 346 to 220, which was based on a detailed parking analysis provided by the applicant in June 1997. The parking analysis was based on the proposed business model for the ice arena, as well as historical data from other similar facilities in other jurisdictions. Based on the information provided in the parking analysis, it was anticipated that the 220 spaces provided would more than exceed the anticipated parking demand based on Skatetown's planned operational characteristics. Therefore, the Planning Commission approved the Administrative Permit granting the parking reduction in July 1997.

PROJECT SITE OPERATIONAL HISTORY

Skatetown has been in operation for approximately 10 years. To ensure that Skatetown remains a financially viable business, the applicant has utilized a variety of business models since the ice arena first opened. Early business models concentrated on hosting parties and public skating sessions, using minimal staffing to assist with parties, and to oversee the public skating. In 2004 it was determined that the operational plan for parties and the public skating sessions needed to change. Additional activities were added to the public skate sessions and parties, which required increased staffing for longer periods of time. As a result, average staffing for peak usage has increased from five employees to forty employees. These changes were made to provide a higher level of customer service which resulted in increased demand for the facility. Under the current business model, party requests during peak season have increased 300%, while public skating attendance during peak season has increased approximately 66%.

As described above, the current model differs significantly from the model that was originally planned, and includes public skating hours, tournaments, and private events. The current model relies on concurrent multiple events (i.e. public skating & parties) which fill the Skatetown facility with visitors and employees. However, this approach exhausts the on-site parking supply. As a result, visitors to the site frequently are required to park in a vacant area of the self-storage lot across Orlando Avenue from the ice arena. This creates a very unsafe condition for children and parents who must then cross Orlando Avenue in the area of a curve, without aid of a stop light or pedestrian crossing. Alternatively, visitors must find off-site parking at a considerable distance from the ice arena.

The current business model has proven successful for Skatetown and tourism in general in South Placer County. Based on information received from Placer Valley Tourism, there are approximately 17 annual events that take place at the facility that result in beneficial tourism spin-off effects to the South Placer region (such as hotel occupancies, restaurant and retail sales, etc). On average, Placer Valley Tourism estimates that each event averages approximately \$10,000 in increased economic benefit for the area; however, as shown below, certain individual events result in substantial increases in tourist spending and positive contributions to the area's economy.

An event held at the site in 2006 generated more than \$123,000 in visitor spending and an increase in hotel room occupancies for the area. In 2005, the U.S. Figure Skating Pacific Regional was held at the facility, which resulted in more than 1,000 room nights for the week, and economic spending of \$1.7 million for the South Placer region. Although the event was financially successful, the lack of on-site parking was a significant issue.

Placer Valley Tourism hopes to bring additional events to the ice arena. Because of changes in Skatetown's business model, and increased demand for the facility for special events, it is apparent that additional on-site parking is necessary. The applicant indicates, and staff concurs, that expansion of on-site parking at the facility is necessary to ensure continued financial viability of the facility, and through hosting of special events, continue to attract tourism to the South Placer region.

CURRENT REQUEST

The applicant is proposing to expand the existing parking lot at the Skatetown Ice Arena by approximately 0.65 acres, resulting in a net increase of approximately 75 additional spaces. Expansion of the parking area requires the filling of the jurisdictional ditch feature (0.02 acres of wetlands), and removal of 12 native oak trees (see Exhibits B & C – Site Plan).

The applicant contacted the Planning Department prior to submittal of this application to discuss the options for expanding the parking area. At that time, staff expressed concerns about the impact on the natural area, including the filling of the jurisdictional wetlands area and removal of the native oak trees on site. Staff explored several potential alternatives with the applicant that would provide additional parking at the site and at the same time, minimize the impact to the natural area on the eastern side of the project site. Alternatives considered included use of off-site parking, as well as a revised site plan that would preserve additional trees and would yield approximately 40 additional parking spaces.

The applicant has explored off-site parking opportunities to meet customer and employee parking needs, but has determined that off-site options do not meet customer expectations for convenience, proximity to the facility, or safety. Therefore, the applicant has focused on expanding on-site parking availability.

Staff presented an informal proposal to the applicant that would have preserved five (5) oak trees within the drainage swale area, while adding approximately 35-40 additional parking spaces at the site. After reviewing this proposal with the applicant's project engineer, it was determined that this alternative would have resulted in substantially higher costs on a "per parking space" basis. If the 35-40 space option was used, the cost per space increases by 66.6%. When compared to the 35-40 space plan, the plan proposed by the applicant (that yields 75 additional spaces) increases parking spaces by 92%, while increasing project costs by only 21.5%.

Because the alternative proposed by staff yielded fewer parking spaces than necessary, and substantially increased the "per space" cost for parking, it was determined that it would not be financially viable for the ice arena, nor would it provide enough additional spaces to satisfy the parking needs for the site.

Although the location of the proposed parking expansion is a semi-natural area, both the applicant and adjacent property owner have expressed concerns about the area being used as a transient camp, as the significant undergrowth provides screening from nearby properties and streets. A significant amount of debris, including drug paraphernalia, liquor bottles, clothing and makeshift sleeping areas, has been left at the site. Proposed improvements to the site will reduce the amount of underbrush, and will add landscaping and lighting, which should reduce transient use, and littering of the area.

The expansion of the parking lot is proposed in the only remaining buildable area on the site. The remainder of the project site is built out with the ice arena's buildings and parking facilities. Although staff explored alternative site plans, there is not a practicable alternative to expand the parking lot due to existing development on all sides of the project site.

Adjacent Zoning and Land Use

Location	Zoning	General Plan Land Use	Actual Use Of Property	
Site	General Commercial (GC)	Community Commercial (CC)	Skatetown Ice Arena	
North	(GC)	(CC)	U Store It Self Storage Facility	
South	(GC)	(CC)	Village RV Recreational Vehicle Sales	
East	Business Professional (BP) & Attached Housing (R3)	Business Professional (BP) & Medium Density Residential (MDR12)	Assisted Living Facility & Apartment Complex	
West	NA	NA	Interstate 80	

The proposed project is consistent with the land uses contemplated by the City's General Plan, and the Zoning Ordinance.

DESIGN REVIEW PERMIT MODIFICATION

The evaluation of the Design Review Permit Modification for the proposed project has been based on the applicable development standards within the City's Zoning Ordinance and the design standards of the City's Community Design Guidelines. Staff reviewed the proposal for consistency with all applicable standards and found the project to be consistent with the requirements and guidelines in each. The following discussion is provided as clarification on the proposed modifications.

Site Design: The majority of the site has been leveled and developed, with the exception of a 0.85 acre semi-natural area on the eastern half, extending onto the adjacent apartment property to the east that contains a 0.02 acre jurisdictional ditch feature (wetlands). The most significant modification to the site will occur within this area. Additionally, new parking spaces will be added adjacent to the western drive aisle near Orlando Avenue (see Exhibit B, Area 1), at the back of the building on the south boundary of the property (see Exhibit B, Area 2), on the southeast portion of the parking lot, at the eastern edge of the property (see Exhibit B, Area 3), and to the existing parking lot north of the buildings, adjacent to an existing 52 inch valley oak tree that will remain (see Exhibit B).

The site has two existing driveways from Orlando Avenue that provide access to the parking areas (see Exhibit B). The proposed parking lot modification and expansion will continue to utilize the existing driveways; however the parking lot drive aisle south of the easternmost driveway will be straightened, allowing safer vehicle transition from the street to the parking area (see Exhibit B).

Expansion of the parking lot into the natural area will require demolition of a portion of the existing parking area bordering the drainage swale, and removal of 12 native oak trees (see Exhibit C).



Six thousand, five hundred (6,500) yards of fill material will be used to raise this area to the approximate grade level of the existing parking lot, which will accommodate expansion of the parking

lot into this area. The new parking area will be graded to slope toward a storm drain that will be placed at the eastern edge of the new parking area. A 30 inch diameter culvert will be installed to convey water flows from the parking area, through the culvert, to a rock apron below the new parking area. The eastern portion of the ditch will be regraded and a vegetated swale eight feet (8') wide and 70 feet long will be constructed below the rock apron on the adjacent property to the east of the project site. The outlet of the swale feature will drain through another rock apron before entering an existing culvert, which drains offsite to the north and east (see Exhibit D).

The proposed changes to the site (the vegetated swale) will encroach onto the adjacent property to the east. The adjacent property owner has provided a letter supporting the proposed improvements to the site (see Attachment 3). Prior to issuance of permits, the applicant must provide written documentation authorizing access and right of entry to the adjacent property. Condition No. 26 has been included in this report mandating this requirement.

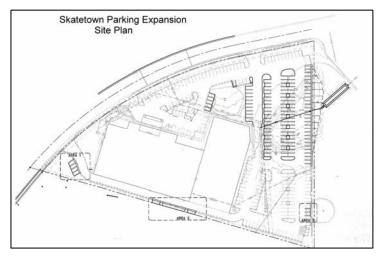
An existing 52 inch valley oak tree is located north of the buildings at the site. As part of this project, a Tree Permit is requested to allow encroachment within the PZR of the oak tree for the purpose of additional parking spaces. Additional details regarding the oak tree encroachment are provided in the Tree Permit Evaluation.

The proposed changes to the site, including additional parking, modifications to existing parking, landscaping, and lighting, will not alter the existing site access or building layouts.

Parking: There are 220 existing parking spaces on the property. The applicant proposes to modify and expand the existing parking lot on the eastern side of the property, and to add additional parking

spaces at several additional locations throughout the site. The proposed expansion of the existing parking lot, combined with the addition of new spaces at specific locations at the site will result in a net increase of 75 parking spaces.

Parking at the site during the period of construction will receive minimal disruption as access to the drainage swale will be from the northeast corner of the property, east of the existing parking area. The construction schedule will minimize the period of time necessary to close the parking areas adjacent to the areas of work.



Lighting: The proposed lighting plan is identified on the Site Lighting Plan (see Exhibit G). Lighting for the new parking area will be provided by twenty-five foot high fixtures with cut-off lenses to reduce glare to adjacent parcels. The new parking lot lighting fixtures will match the existing fixtures. The project is required to provide one foot-candle of light in parking areas to comply with Community Design Guidelines. Existing parking and security lighting will remain in place.

Landscaping: Additional parking lot and perimeter landscaping and trees will be installed as part of the proposed modifications. Trees and shrubbery will be planted throughout the new parking area to achieve 50% shade cover at 15 years growth, consistent with the Community Design Guidelines. Additional trees and shrubbery will be planted along the eastern perimeter of the project site and on the eastern sloped portion of the filled area adjacent to the vegetated swale. The trees and shrubbery

along the eastern portion of the project site will serve to visually screen the new parking area from the apartments east of the site. Staff finds the proposed landscaping sufficient for the site.

Additionally, portions of the existing landscaping at the site are in need of repair to bring it into a healthy and attractive condition. Condition of Approval No. 59 has been included to ensure that the existing landscaping is brought back to a healthy and vibrant condition.

FINDINGS

In order to approve a Design Review Permit Modification, the following two findings must be made:

- 1. The proposed modification is in substantial compliance with the intent of the original approval, prior conditions of approval, and all applicable design, development and improvement standards in effect as of the date of application for the modification.
- 2. The proposed modification is in compliance with all standards and requirements of the City's Zoning Ordinance, with the applicable goals, policies and objectives set forth in the General Plan, the applicable Community Design Guidelines.

Design Review Permit Conclusion

Based on the analysis contained in this staff report and with the project conditions, the required findings can be made for the proposed Design Review Permit Modification.

TREE PERMIT

The Tree Preservation Chapter of the City of Roseville Zoning Ordinance requires the City to consider the appropriateness of, and alternatives to, proposed tree removals and encroachments. In addition, when tree removal is requested, the City is required to review the proposed mitigation plan. The information supplied by the arborist is provided as Exhibit H.

<u>Removals</u>: With this Tree Permit, the applicant is requesting to remove a total of twelve (12) native oak trees, five (5) of which have been declared dead (Tree Nos. 286, 287, 291, 292, and 294) by the project arborist, and are no loner subject to the mitigation requirements of the Tree Preservation Ordinance. The remaining trees to be removed (Tree Nos. 288, 289, 290, 293, 295, 296, and 297) are Blue Oaks and Live Oaks and comprise a total of 75.8 inches at breast height, with breast height diameters ranging from 6.1 inches to 21.8 inches. The condition of these trees is listed as fair to poor (see Exhibit H).

As discussed above, the Planning Department considered alternatives that would preserve up to five of the smaller, yet healthier trees at the site; however, it was determined that the alternative would be not yield enough new parking spaces, and it would increase the "per space" cost to the applicant significantly (66.6%). Due to these constraints, the Planning Department has concluded that no feasible alternatives are available under the current proposal.

<u>Encroachments:</u> Construction of five (5) additional parking spaces will encroach 11% into the protected zone radius (PZR) of the 52-inch Valley Oak tree (Tree No. 298) north of the ice arena. The arborist report identifies the impacts of the proposed parking area and establishes recommendations for mitigating the impacts from the encroachment. Protective fencing shall be placed beyond the dripline of the tree in areas that will not be affected by construction. In areas that will be impacted, the fencing shall be placed no more than three feet closer to the trunk than the area of impact. No storage of vehicles, equipment, or chemicals should be allowed within the fenced area. When the construction

has been completed, the dripline area shall be aerated. With the implementation of these recommendations the arborist believes that impacts will be minimized to the extent feasible.

<u>Mitigation Plan:</u> The applicant is proposing to mitigate for the 76" to be removed through a combination of on-site plantings and payment of in-lieu mitigation fees of \$118 per inch.

<u>Performance Guarantee:</u> Section 19.66.060 of the Zoning Ordinance identifies standard policies and procedures for approved work that are necessary to protect the health of protected trees. Subsection G requires the posting and maintenance of a minimum \$10,000 deposit (or an amount deemed necessary by the approving authority) to insure the preservation of protected trees during construction. Based on this requirement, Tree Permit **Condition #5** has been provided requiring that the developer post and maintain a \$10,000 surety for the preservation of trees within the project boundary throughout the construction process.

ENVIRONMENTAL DETERMINATION

An Initial Study and Mitigated Negative Declaration have been prepared in accordance with the provisions of the CEQA Guidelines as the environmental document for this project (Exhibit A). The Initial Study and Mitigated Negative Declaration were posted for a 30-day public review and comment period, which closes July 26, 2007. To date, staff has received letters from the Department of Water Resources and the Native American Heritage Commission regarding the project.

The Department of Water Resources expressed concern that the project may be an encroachment on the State Adopted Plan of Flood Control as determined by The Reclamation Board. Public Works staff reviewed the Reclamation Board maps and determined that the project site is not within the authority of the Board of Reclamation. No further response or review is necessary.

The Native American Heritage Commission expressed concern as to whether the project would cause a substantial adverse change in the significance of an historical resource, which includes archeological resources. An Archeological Inventory Survey has been performed for the project. No cultural resources are known to exist on the project site and therefore no impacts are expected to occur. The City's Mitigating Policies and Standards provide adequate mitigation, via the City of Roseville Construction standards, which require that in the event that signs of cultural resources are identified during construction, work shall be halted, the City notified and mitigation implemented as required by state and federal regulations. No further response or review is necessary.

RECOMMENDATION

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

- A. Adopt the Mitigated Negative Declaration;
- B. Adopt the two findings of fact as stated in the staff report for approval of the DESIGN REVIEW PERMIT MODIFICATION – 1009 Orlando Avenue – Skatetown Parking Lot Expansion – PROJECT# 2007PL-026 (FILE# DRP-000181);
- C. Approve the DESIGN REVIEW PERMIT MODIFICATION 1009 Orlando Avenue Skatetown Parking Lot Expansion PROJECT# 2007PL-026 (FILE# DRP-000181) subject to fifty-six (56) conditions of approval.
- D. Adopt the two (2) findings of fact below for the TREE PERMIT 1009 Orlando Avenue Skatetown Parking Lot Expansion PROJECT# 2007PL-026 (FILE# TP-000088);

- 1. Approval of the Tree Permit will not be detrimental to the public health, safety or welfare, and approval of the Tree Permit is consistent with the provisions of Chapter 19.66.
- 2. Measures have been incorporated in the project or permit to mitigate impacts to remaining trees or to provide replacement for trees removed.
- E. Approve the TREE PERMIT 1009 Orlando Avenue Skatetown Parking Lot Expansion PROJECT# 2007PL-026 (FILE# DRP-000088) with the twenty-one (21) conditions of approval listed below.

CONDITIONS OF APPROVAL FOR DRP-000181:

- 1. This design review permit approval shall be effectuated within a period of two (2) years from this date and if not effectuated shall expire on **July 26, 2009**. Prior to said expiration date, the applicant may apply for an extension of time, provided, however, this approval shall be extended for no more than a total of one year from **July 26, 2009**. (Planning)
- 2. The project is approved as shown in Exhibits A H, and as conditioned or modified below. (Planning)
- 3. Accessible parking and exterior route of travel shall comply with the 2001 CBC, sections 1129B and 1127B. Table 11B-6 shall establish total number of accessible parking spaces. (Building)
- 4. The design and installation of all fire protection equipment shall conform to the California Fire Code and the amendments adopted by the City of Roseville, along with all standards and policies implemented by the Roseville Fire Department. (Fire)
- 5. The applicant shall pay the 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)
- 6. 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)
- 7. The applicant 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)
- 8. The approval of this project does not constitute approval of proposed improvements as to size, design, materials, or location, unless specifically addressed in these conditions of approval. (Engineering)
- 9. No structures may be located over what is referenced as Area 1 on the Site Plan, as a 12 kv underground electrical feed is located in this area; however, a parking area may be located over the facilities. (Electric)

PRIOR TO BUILDING PERMITS:

- 10. Parking stalls shall meet, or exceed, the following minimum standards:
 - a. All parking stalls shall be double-striped. Parking stalls adjacent to sidewalks, landscaped areas or light fixtures, and all Accessible stalls shall abut a 6" raised curb or concrete bumper. (Planning)

- b. Standard -- 9 feet x 18 feet; Compact--8 feet x 16 feet; Accessible--14 feet x 18 feet (a 9 foot wide parking area plus a 5 foot wide loading area) and a minimum of one (1) parking space shall be Accessible van accessible--17 feet x 18 feet (9 foot wide parking area plus an 8 foot wide loading area). (Planning)
- c. An 'exterior routes of travel' site accessibility plan incorporating slope, cross-slope, width, pedestrian ramps, curb ramps, handrails, signages, detectable warnings or speed limit signs or equivalent means shall comprise part of the site improvement plans submitted to City for review, prior to building plan check approvals. This site accessibility plan shall also include:
 - i) Handicapped parking stalls shall be dispersed and located closest to accessible entrances.
 The total number of accessible parking spaces shall be established by Table 11-B-6 of the CBC.
 - ii) Accessible Parking spaces and crosswalks shall be signed, marked and maintained as required by Chapter 11 of the CBC.
 - iii) Accessible parking and exterior route of travel shall comply with CBC, Sections 1127B and 1129B. (Building)
- 11. Signs and/or striping shall be provided on-site as required by the Planning Department to control on-site traffic movements. (Planning)
- 12. The plans submitted to the Building Department for permits shall indicate all approved revisions/alterations as approved by the Commission including all conditions of approval. (Planning)
- 13. The Landscape Plan shall comply with the City of Roseville Water Efficient Landscape Requirements Resolution No. 93-55. (Planning)
- 14. The Landscape Plan shall show all landscaping improvements for the project site and the adjacent property east of the project site.
 - a. All landscaping improvements on the adjacent property must be approved by the adjacent property owner prior to submittal.
 - b. The applicant shall provide written documentation of adjacent property owner's approval of the landscape improvements proposed for the adjacent property.
- 15. The tree plantings in the parking areas shall be designed to provide a minimum of 50% shade coverage after 15 years. (Planning)
- 16. At a minimum, landscaped areas not covered with live material shall be covered with a rock, (2") bark (no shredded bark) or (2") mulch covering. (Planning)
- 17. A separate **Site Accessibility Plan** which details the project's site accessibility information as required by California Title 24, Part 2 shall be submitted as part of the project Building Permit Plans. (Building)
- 18. Building permit plans shall comply with all applicable code requirements (Uniform Building Code UBC, Uniform Mechanical Code UMC, Uniform Plumbing Code UPC, Uniform Fire Codes UFC and National Electrical Code NEC), California Title 24 and the American with Disabilities Act ADA requirements, and all State and Federally mandated requirements in effect at the time of submittal for building permits (contact the Building Department for applicable Code editions). (Building)

- 19. 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)
- 20. 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. Standard Handicap ramps shall be installed at all curb returns per City Standards. (Engineering)
- 21. 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)
- 22. A note shall be added to the grading plans that states:

"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)

- 23. 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)
- 24. The applicant shall obtain a drainage easement from the adjacent property owner of APN #471-020-017 for access to the storm drain system and vegetated swale for maintenance purposes. The easement documents shall be drafted for approval and acceptance by the City of Roseville, and recorded at the County Recorders Office. (Engineering)
- 25. All storm drainage, including roof drains, 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 through a vegetated swale. The storm drain system shall be a private system and shall be maintained by the property owner. (Engineering)
- 26. The project shall comply with all required environmental mitigation identified in the Mitigated Negative Declaration prepared for this project as noted below:

- a. The applicant shall comply with the Army Corps of Engineers process for fill of the jurisdictional waters, including purchase of applicable mitigation credits. Prior to issuance of a grading or building permit the applicant shall obtain approval of the appropriate permit(s) from the ACOE and provide evidence of permit approval to the City.
- b. The applicant shall perform pre-construction surveys for nesting raptors at least 30-days in advance of construction if construction is planned within the approximate March to August nesting periods for the various species. If nesting is found to be occurring, avoid disturbance of the nest site with a suitable buffer zone until the young have fledged. (Planning)
- 27. The applicant shall provide written authorization from the property owner of the parcel east of the project site (APN 471-020-017-000) for access and right of way to perform work necessary for completion of the proposed project. (Planning)
- 28. **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)
- 29. The applicant shall pay for all applicable water and sewer fees. (Environmental Utilities)
- 30. If not already provided, bike racks shall be provided per the Zoning Ordinance. (Planning, Transportation)
- 31. The applicable codes and standards adopted by the City shall be enforced at the time construction plans have been submitted to the City for permitting (Fire)
- 32. The Electric Department requires the submittal of the following information in order to complete the final electric design for the project:
 - a. one (1) set of improvement plans
 - b. load calculations
 - c. electrical panel one-line drawings (Electric)
- 33. All on-site external lighting shall be installed and directed to have no off-site glare. Lighting within the parking areas shall provide a maintained minimum of one (1) foot candle of light. All exterior light fixtures shall be vandal resistant. (Planning & Police)
- 34. The parking lot shall have properly posted signs that state the use of the parking area is for the exclusive use of employees and customers of this project. (See California Vehicle Code Sections 22507.8, 22511.5, 22511.8, 22658(a), and the City of Roseville Municipal Code Section 11.20.110). The location of the signs shall be shown on the approved site plan. (Planning & Police)
- 35. It is the developer's responsibility to notify PG&E of any work required on PG&E facilities. (PG&E)

DURING CONSTRUCTION & PRIOR TO ISSUANCE OF OCCUPANCY PERMITS:

36. The following note shall be added to the 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 throughout the day to minimize dust.
- b. Use tarpaulins or other effective covers on all stockpiled earth material and on all haul trucks to minimize dust.
- c. Sweep the adjacent street 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 opinion of city staff, inadequate dust control or excessive wind conditions contribute to fugitive dust emissions. (Engineering)
- 37. The project shall be addressed as 1009 Orlando Avenue. All projects with multi-tenants or buildings must submit a plot plan with building footprint(s) to the Engineering Division for building/suite addressing. (Engineering)
- 38. This project falls within the commercial land use category of the Dry Creek Watershed Flood Control Plan as determined by the Placer County Flood Control District and adopted by the City of Roseville. The project is therefore subject to a fee based on gross developed acres. (Engineering)
- 39. The applicant shall remove and reconstruct any existing damaged curb, gutter, and sidewalk along the property frontage. During plan check of the improvement plans and/or during inspection, Engineering will designate the exact areas to be reconstructed. (Engineering)
- 40. 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)
- 41. All improvements being constructed in accordance with the approved grading and improvement plans shall be accepted as complete by the City. (Engineering)
- 42. 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)
- 43. The City of Roseville Electric Department has electrical construction charges which are to be paid by the developer and which are explained in the City of Roseville "Specification for Commercial Construction." These charges will be determined upon completion of the final electrical design. (Electric)
- 44. Any relocation, rearrangement, or change of existing electric facilities due to this development shall be at the developer's expense. (Electric)
- 45. 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)
- 46. All landscaping in areas containing electrical service equipment shall conform with the Electric Department's Landscape Requirements and Work Clearances as outlined in Section 10.00 of the

Departments "Specification for Commercial Construction." (Electric)

47. It is the responsibility of the developer to insure that all existing electric facilities remain free and clear of any obstruction during construction and when the project is complete. (Electric)

OTHER CONDITIONS OF APPROVAL:

- 48. All existing public utility, electric, water, sewer and reclaimed water easements shall be maintained unless otherwise authorized by these conditions of approval. (Electric, Engineering, Environmental Utilities)
- 49. The parking lot striping and signing shall be maintained in a visual and legible manner. (Planning)
- 50. Following the installation of the landscaping, all landscape material shall be maintained in a healthy and weed free condition; dead plant material shall be replaced immediately. All trees shall be maintained and pruned in accordance with the accepted practices of the International Society of Arboriculture (ISA). (Planning)
- 51. Existing landscaping shall be restored to a healthy and vigorous condition, as required in DRP 97-27, Condition No. 67.
- 52. The City reserves the right to restrict vehicle turning movements within the public right-of-way in the future if deemed necessary by the City Engineer. (Engineering)
- 53. The required width of fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. Minimum required widths and vertical clearances established by the Fire Code shall be maintained at all times during construction. Closure of accesses for fire apparatus by gates, barricades and other devices shall be prohibited unless approved by the Fire Chief. (Fire)
- 54. 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 or person responsible for the building permit must notify the Roseville Fire Department immediately. A representative from the Fire Department will make a determination as to whether the incident is reportable of not and if site remediation is required. (Fire)
- 55. Temporary above ground storage tanks may be used at construction sites for diesel fuel only and shall not exceed 1,000 gallon capacity. Tanks shall comply with all provisions found within the Fire Code. A Fire Department Permit shall be obtained prior to tank installation. The permit shall expire after 90 days from the date of issuance, unless extended by the Fire Chief. (Fire)
- 56. 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. (Building)

CONDITIONS OF APPROVAL FOR TP-000087:

CONDITION		COMPLIANCE	COMMENTS
		VERIFIED/ INSPECTED	
PR	IOR TO ISSUANCE OF ANY PERMITS OR ANY CONSTRUCTION ON-SITE	INSPECTED	
	All recommendations contained in the Arborist Report (Exhibit H) shall be		
	incorporated as part of these conditions except as modified herein. (Planning)		
2.	Tree Nos. 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, and 297)		
	are approved for removal with this tree permit. All other native oak trees shall		
	remain in place. Trees to be removed shall be clearly marked in the field and		
	inspected by Planning Staff prior to removal. Removal of the trees shall be		
	performed by or under the supervision of a certified arborist. (Planning)		
3.	The developer shall be responsible for the replacement of the total number of		
	inches proposed for removal prior to any tree removal. The total number of		
	inches for this project is 76 inches. Mitigation shall be provided through a		
	combination of on-site plantings and payment of in-lieu fees. (Planning)		
4.	No activity shall be permitted within the protected zone of any native oak tree		
	beyond those identified by this report. (Planning		
5.	A \$10,000 cash deposit or bond (or other means of security provided to the		
	satisfaction of the Planning Department) shall be posted to insure the		
	preservation of the tree during construction. The cash deposit or bond shall be		
	posted in a form approved by the City Attorney. Each occurrence of a violation		
	on any condition regarding tree preservation shall result in forfeiture of all or a portion of the cash deposit or bond. (Planning)		
6.	A violation of any of the conditions of this Tree Permit is a violation of the		
0.	Roseville Municipal Code, the Zoning Ordinance (Chapter 19.74) and the Tree		
	Preservation Ordinance (Chapter 19.66). Penalties for violation of any of the		
	conditions of approval may include forfeiture of the bond, suspension or		
	revocation of the permit, payment of restitution, and criminal penalties.		
	(Planning)		
7.	A fencing plan shall be shown on the approved site plan and/or improvement		
	plans demonstrating the Protected Zone for the affected tree(s). A maximum		
	of three feet beyond the edge of the walls, driveway, or walkways will be		
	allowed for construction activity and shall be shown on the fencing plan. The		
	fencing plan shall be reviewed and approved by the Planning Department prior		
	to the placement of the protective fencing. (Planning)		
8.	The applicant shall install a minimum of a five-foot high chain link fence (or		
	acceptable alternative) at the outermost edge of the Protected Zone of the oak		
	tree. The fencing for encroachments shall be installed at the limit of		
	construction activity. The applicant shall install signs at two equidistant		
	locations on the temporary fence that are clearly visible from the front of the lot		
	and where construction activity will occur. The size of each sign shall be a		
	minimum of two feet (2') by two feet (2') and must contain the following		
	language: "WARNING THIS FENCE SHALL NOT BE REMOVED OR RELOCATED WITHOUT WRITTEN AUTHORIZATION FROM THE		
	PLANNING DEPARTMENT". (Planning)		
9.	Once the fencing is installed, the applicant shall schedule an appointment with		
Э.	the Planning Department to inspect and approve the temporary fencing before		
	beginning any construction. (Planning)		

pp	IOR TO ISSUANCE OF AN OCCUPANCY PERMIT	
	written authorization is received from the Planning Department. (Planning)	
	period and shall not be removed without obtaining written authorization from the Planning Department. In no event shall the fencing be removed before the	
18.	The temporary fencing shall remain in place throughout the entire construction	
	arborist recommendations shall be implemented. (Planning)	
	and cleanly cut behind any split, cracked or damaged area. Major roots over one (1) inch in diameter may not be cut without approval of an arborist and any	
	one (1) inch in diameter may be cut, but damaged roots shall be traced back	
	shall immediately treat any severed or damaged roots. Minor roots less than	
17.	dug under the direct supervision of the project arborist. The certified arborist	
17	not be operated within the Protected Zone of any oak tree. (Planning) Where recommended by the arborist, portions of the foundation shall be hand	
10.	the protected zone of any oak tree. Vehicles and other heavy equipment shall	
16	(Planning) Storage or parking of materials, equipment and vehicles is not permitted within	
	removed for any reason, it shall be replaced within forty-eight (48) hours.	
15.	If any native ground surface fabric within the Protected Zone must be	
	and the arborist's recommendations, and shall be shown on the improvement plans or grading plans. (Planning)	
	paving, etc.) shall be designed and installed as required by these conditions	
14.	All preservation devices (aeration systems, oak tree wells, drains, special	
	construction must follow the approved plans for this tree permit without exception. (Planning)	
	fencing plan; and, Conditions of approval for the Tree Permit. All	
10.	activities: Arborist Report; Approved site plan/improvement plans including	
	The following information must be located on-site during construction	
יות	work to schedule the meeting and fencing inspection. (Planning)	
	Department and Engineering Division two weeks prior to the start of grading	
	fencing prior to any grading on-site. The Developer shall call the Planning	
	primary contractor, the Planning Department and the Engineering Department to review this permit, the approved grading or improvement plans, and the tree	
12.	A Site Planning Meeting shall be held with the applicant, the applicant's	
	(Planning)	
	trenching pathway plan shall show the proposed locations of all lateral lines.	
11.	A utility trenching pathway plan shall be submitted depicting all of the following systems: storm drains, sewers, water mains, and underground utilities. The	
44	required by the arborist shall be completed by the applicant. (Planning)	
	protect the health of the trees as noted in the arborist report or as otherwise	
	Any watering and deep root fertilization which the arborist deems necessary to	
	done by an Arborist or under the direct supervision of a Certified Arborist, in conformance with International Society of Arboriculturalists (I.S.A.) standards.	
	for completion prior to the approval of improvement plans. Pruning shall be	
	the completion of deadwooding, fertilization, and all other work recommended	
10.	The applicant shall arrange with the arborist to perform, and certify in writing,	

19. Within 5 days of the completion of construction, a Certification Letter from a certified arborist shall be submitted to and approved by the Planning Department. The certification letter shall attest to all of the work (regulated activity) that was conducted in the protected zone of the tree, either being in conformance with this permit or of the required mitigation still needing to be performed. (Planning)	
20. A copy of this completed Tree Permit Compliance Verification/Inspection form shall be submitted to the Planning Department. (Planning)	
21. The approval of this Tree Permit shall expire on the same date as DRP-000181.	

ATTACHMENTS

- 1. Vicinity Map
- 2. Aerial Photograph of Project Site
- 3. Letter From Adjacent Property Owner

EXHIBITS

- A. Mitigated Negative Declaration
- B. Site Plan
- C. Demolition and Tree Removal Plan
- D. Grading and Drainage Plan (2 Sheets)
- E. Erosion Control Plan
- F. Landscape Plan (2 Sheets)
- G. Lighting Plan
- H. Arborist Report and Addendums

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.