

# CITY OF ROSEVILLE PLANNING & REDEVELOPMENT STAFF REPORT DESIGN REVIEW COMMITTEE MARCH 16, 2006

Prepared by: Tricia Stewart, Assistant Planner

<u>ITEM III-A:</u> DESIGN REVIEW PERMIT MODIFICATION – 1535 EUREKA ROAD – CENA DI MARE – FILE# DRPMOD-000088

## **REQUEST**

The applicant requests approval of a Design Review Permit Modification to modify the existing site plan to allow for a larger water feature within the landscaped setback.

Applicant – Burrell Consulting Group (Jerry Aplass) Property Owner – Kobra Properties (Abe Alizadeh)

#### **SUMMARY RECOMMENDATION**

The Planning & Redevelopment Department recommends that the Design Committee:

- A. Adopt the two (2) findings of fact for the Design Review Permit Modification; and
- B. Approve the Design Review Permit Modification with twenty (20) conditions of approval.

#### **OUTSTANDING ISSUES**

There are no outstanding issues associated with this request. The applicant has reviewed and is in agreement with all recommended conditions of approval. To date, staff has received no public comment on the project.

#### **BACKGROUND**

The subject property is located in the Northeast Roseville Specific Plan area (NERSP) on Eureka Rd. between Rocky Ridge Rd. and Lead Hill Bl. directly in front of the California Backyard site. The project site is 1.27 acres and is zoned Community Commercial with a Special Overlay for Northeast Roseville (CC/SA-NE). This project had received entitlements previously, which included the following:

- On April 26, 2001, the Planning Commission approved the request for a Design Review Permit (DRP 00-52) and Administrative Permit (AP 00-44) to allow for the construction of a 7,647 square foot restaurant, 1,144 square foot outdoor seating area, related site improvements including on-site parking, lighting, landscaping and a 25 space (33%) reduction in on site parking.
- On September 19, 2002, the Design Committee approved a Design Review Permit Modification (DRPMOD 02-25) to eliminate the requirement to construct an off-site driveway. This request was to eliminate Condition 16b of DRP 00-52. The Design Committee's action was appealed to the City Council. On January 8, 2003, the City Council denied the appeal and upheld the project approvals for DRPMOD 02-25.

 On February 4, 2003, the Planning Director approved a Design Review Permit Extension for the restaurant for a one-year extension.

The current request is for a larger water feature within the landscaped setback than was previously approved for DRP 00-52.

# SITE INFORMATION

- A. Roseville Coalition Of Neighborhood Associations (RCONA): The project is located in the Lead Hill Neighborhood (RCONA #10), which does not have an active neighborhood association. To date the City has not received any inquires or comments regarding the project.
- B. Total Acreage: 1.27 acres
- **C. Site Access:** The Cena di Mare restaurant will be accessible by two driveways both from Eureka Rd. One is a shared assess drive that provides access to both the Cena di Mare site and California Backyard at the south corner of the site. The second driveway is provided through a shared access agreement with the property owner to the north at the northeast corner of the site. This driveway will be constructed when the Cena di Mare property is developed. No changes are proposed related to site access. (Exhibit A).
- **D. Grading:** A grading permit was issued in late 2002. Grading is in progress.

# ADJACENT ZONING AND LAND USE

LOCATION	ZONING	GENERAL PLAN LAND USE	CURRENT USE OF PROPERTY
Site	Community Commercial/Special Area-Northeast (CC/SA-NE)	Community Commercial/ (CC)	Vacant
North	CC/SA-NE	CC	California Backyard
South	Business Professional/Special Area – Northeast (BP/SA-NE)	Business Professional (BP)	Eureka Corporate Plaza
East	CC/SA	CC	Century Theaters
West	CC/SA	CC	Vacant

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

#### **ZONING/SPECIFIC PLAN REGULATIONS**

Development Standard	Required	Proposed
Building Setbacks	None Required	48 feet
Landscape Setbacks	35 feet	35 feet
Building Height Limit	50' Maximum	37 feet
Site Coverage	No maximum	16%
Parking Spaces (total)	77 (1:100 square feet)	86 (54 on-site, 32 off-site)
Compact Stalls (30% max.)	Up to 30% max.	24% (16 spaces on-site, 5 spaces off-site)
Shaded Parking, minimum	50%	51%
Bicycle Spaces	4	4

#### PROJECT DESIGN FEATURES

See attached Site Plan (Exhibit A) and Landscape Plan (Exhibit B); Building Renderings (Exhibit C); and Fountain and Building Elevations (Exhibit D).

# **EVALUATION**

The evaluation of the DRPMOD 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 (CDG) and NERSP. Staff has reviewed the proposal for consistency with all applicable standards and found the project to be consistent with the City's guidelines and standards as designed.

Section 19.78.060(J) of the Zoning Ordinance requires that two findings be made in order to approve a DRPMOD. The two findings for approval of the DRPMOD are listed below in the recommendation section of this report.

#### Site Design and Parking

- The site design has been altered to allow for a larger water feature within the landscaped setback. During the previous approval process a water feature was included as part of the approval, however the water feature was significantly smaller.
- Previously the water feature, as shown in Attachment 2, utilized 427 square feet of the 10,683 square foot landscape setback area. The water feature as proposed now encompasses 6,340 square feet; 60 percent of the landscape setback area.
- The proposed fountain feature is located near a joint utility trench towards the front of the property. As part of this project, the applicant may be required to relocate a portion of this trench in order to avoid conflict with the location of the water feature. Should the trench need to be relocated, it will be at the cost of the developer. Prior to issuance of permits, the applicant shall obtain final approval from Roseville Electric, SureWest and PG&E on the location of the joint utility trench and the water feature (Conditions 18 & 19).

- Additionally, the water feature is located over an 8-inch sewer line. The applicant is responsible for the realignment of the sewer line subject to City approval. Once a final design for the realignment of the sewer line is determined the applicant shall receive approval from the City's Environmental Utilities Department prior to issuance of permits (Condition 11).
- The project is required to provide 77 parking spaces. A parking reduction was approved with DRP 00-52 to allow for a portion of the required parking to be provided off site behind the California Backyard parcel.
- The revised site plan provides a slightly larger outdoor area, sidewalk and drop off area for valet parking. Because of this change, the parking lot has been reconfigured, creating a loss of two parking spaces.
- Between the 54 spaces provided on site and the available parking on the parcel behind California Backyard, Cena di Mare has an excess of 9 parking spaces available and therefore, the loss of two parking spaces in not a concern.

#### **Landscaping**

- The NERSP requires a 35-foot landscape easement along Eureka Rd., in which, the
  proposed water feature will be located. The CDG and the NERSP both call for a
  comprehensive, unified landscape plan requiring similar landscape components and
  elements between adjacent parcels in order to tie independent projects and designs
  together.
- Encroachment into the landscape setback has the potential to create a precedent to deviate from the required corridor landscaping as called out in the NERSP.
- The City of Roseville does, however, encourage the use of water features in projects and water features can be included as landscaping.
- During the previous approval, the Planning Commission discussed the amount of encroachment into the required landscape setback for the proposed water feature. Due to the encroachment concern, the Planning Commission conditioned the project to provide additional street trees, approved by the NERSP, within the landscaped setback along Eureka Rd. to provide for a more unified landscape.
- Now that the water feature is proposed to be significantly larger, there is little room to
  provide for more street trees to tie the frontages along Eureka Rd. together. The applicant
  believes that if additional street trees were to be added, the leaves from the trees would
  disrupt the function of the filter system in the water feature and as the trees grow the root
  ball of the tree would damage the water feature.
- The NERSP states that one of the design guidelines goals is to "utilize design, construction and landscaping which are reflective of the high quality and aesthetically superior development envisioned within the Plan Area." Staff believes that the proposed water feature, while different from the landscaping provided along Eureka Rd., promotes a high quality and aesthetically superior design that is complementary to the approved design for the restaurant.
- Another design guideline called out in the NERSP for commercial projects is to incorporate fountains and other elements of interest into the project design.
- The City of Roseville requires that all landscaping meet the Water Efficient Guidelines. As proposed, the proposed water use is higher than what is permitted. Condition 9 as shown in Attachment 3 requires that the project's water use be reduced in order to be in

- compliance with City standards. In the case that the water usage cannot be lowered, the size of the fountain shall be reduced in size in order to meet this requirement.
- Currently the proposed landscape plan shows 1-gallon containers of Festuca Ovina Glauca being used in front of the water feature directly fronting Eureka Rd. Staff recommends that this be replaced with turf in order to provide some continuity with the landscape along Eureka Rd. Staff has included condition 5 to require the Festuca Ovina Glauca to be replaced with turf.

#### **Architecture**

 The design of the building remains unchanged with the exception of the front entry canopy, which has been slightly revised to include three panels that function as part of the water feature (Exhibit C). Overall, the building design remains unchanged.

# **Design Review Permit Conclusion**

Staff finds the water feature to be a high quality design and believes that the water feature, as proposed, would create a precedent for a higher quality style landscaping that goes beyond the standards called out in the NERSP. Because of this and 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.

### **ENVIRONMENTAL DETERMINATION**

This project is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15304 Minor Alterations to Land.

#### **RECOMMENDATION**

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

- A. Adopt the two (2) findings of fact as listed below for the Design Review Permit Modification 1535 Eureka Rd. File# DRPMOD-000088
  - 1. As conditioned, the proposed modification is substantially consistent with the intent of the original approval; and
  - 2. The proposed modification complies with all applicable standards and requirements of the Zoning Ordinance, with the applicable goals, policies and objectives set forth in the General Plan, the Community Design Guidelines and the North Roseville Area Design Guidelines.
- B. Approve the Design Review Permit Modification 1535 Eureka Rd. Cena Di Mare File# DRPMOD -000088 with the twenty (20) conditions of approval.

#### **CONDITIONS OF APPROVAL FOR DRPMOD-000088:**

- This design review permit modification approval shall be effectuated within a period of two (2) years from this date and if not effectuated shall expire on March 16, 2008. 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 March 16, 2008.
- 2. The project is approved as shown in Exhibits A C and as conditioned or modified below. (Planning)
- 3. All Conditions of Approval related to DRP-00-52 shall remain and apply to this project unless further modified below. (All Departments)
- 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)

#### PRIOR TO BUILDING PERMITS:

- 5. The Festuca Ovina Glauca plant as shown on the landscape plan shall be replaced with turf. (Planning)
- 6. Site development and grading shall be designed to provide access to all entrances and exterior ground floor exits, and access to normal paths of travel, and when where necessary to provide access shall incorporate pedestrian ramps, curb ramps, etc. When more than one building or facility is located on a site, accessible routes of travel shall be provided between buildings and accessible site facilities per CBC section 1127B. (Building)
- 7. At the time of building permit application and plan submittal, the project applicant shall submit a proposed plan which shows the suite addressing plan for individual tenant spaces within the building. The Chief Building Official, or the designate, shall approve said plan prior to building permit approval. (Building)
- 8. 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)
- 9. Maintenance of copy of building plans. Health and Safety Code section 19850 requires the building department of every city or county to maintain an official copy of the building plans for the life of the building. As such, each individual building shall be submitted as a separate submittal package. Building plan review, permit issuance and archiving is based on each individual building address. (Building)
- 10. "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)"

- 11. The proposed water feature shall not overlap the existing 8" sewer main servicing the site. Any proposed sewer realignments shall be reviewed and approved by the Environmental Utilities Department prior to issuance of permits. (Environmental Utilities)
- 12. 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)
- 13. The applicant shall provide the Fire Department with a hydraulic analysis (prepared by a State licensed fire protection, civil, or mechanical engineer) that evaluates the private fire service water main serving the complex. The analysis shall demonstrate that an approved water supply is available and that it is capable of supporting the combined demands for the required fire flow (2,000 GPM) and the fire sprinkler system (GPM to be determined). (Fire)
- 14. When the proposed project is to be provided with perimeter security fencing, fire apparatus access and occupant exiting shall be considered. All vehicular access gates shall comply with the Uniform Fire Code requirements and shall be equipped with approved Knox and Opticom emergency vehicle access devices. If pedestrian gates are designed as part of the overall exiting system, they shall comply with the exiting provisions of the Uniform Building Code. Plans shall be submitted to the Fire Department for review and approval prior to installation. (Fire)
- 15. An approved access walkway shall be provided to all exterior doors and openings required by either the Uniform Fire Code or the Uniform Building Code. A concrete sidewalk or other approved hard surface will meet the intent of the access walkway requirement. Adequate space adjacent to the access walkway, vertically and horizontally, shall be provided to allow firefighters to access required building openings in order to effectively perform rescue operations, to allow for equipment maneuverability, and to safely raise ground ladders. Any landscaping adjacent to the access walkway shall be such that it does not obstruct the functional purpose of the walkway upon maturity. (Fire)

#### **DURING CONSTRUCTION & PRIOR TO ISSUANCE OF OCCUPANCY PERMITS**

- 16. All buildings and structures with one or more passenger service elevators shall be provided with not less than one elevator meeting the requirements of California Building Code Section 3003.5a for emergency medical service. (Fire)
- 17. All shrubbery, trees and signs located within center medians adjacent to site access points shall be seven feet (7') in height or lower to allow access to the site by fire apparatus. (Fire)
- 18. The proposed water feature is within the existing 35' public utility easement and is in conflict with an existing high voltage electrical circuit and streetlight. This electrical circuit and streetlight will need to be relocated to avoid the proposed water feature at the developers expense. (Electric)

19. The applicant is required to obtain approval of the location of the joint utility trench and the water feature from SureWest and PG&E prior to issuance of permits.

## OTHER CONDITIONS OF APPROVAL:

20. 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)

#### **ATTACHMENTS:**

- 1. Vicinity Map
- 2. Approved Site Plan (April 2001)
- 3. Approved Conditions of Approval for DRP 00-52
- 4. Water Feature Description

#### **EXHIBITS:**

- A. Site Plan
- B. Landscape Plan
- C. Building Renderings Revised Entry Canopy
- D. Fountain and Building Elevations

<u>Note to Applicant and/or Developer:</u> Please contact Planning Department staff at (916) 774-5276 prior to the Committee meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Committee 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 & Redevelopment Director at, or prior to, the public hearing.