

ITEM IV-B **DESIGN REVIEW PERMIT AND PARKING VARIANCE – 102 CENTER STREET -
OMNI STRUCTURES AND MANAGEMENT - FILE#: 2007PL-046 and 2007PL-080
(DRP-000185, V-000041)**

REQUEST

The applicant requests approval of a Design Review Permit to convert an existing residential structure to a commercial structure (professional office) and a Parking Variance to reduce the parking requirement from four on-site parking spaces to two on-site parking spaces.

Applicant – Nick Alexander
Owner – Crossroad Ventures Group, Jim Esway

SUMMARY RECOMMENDATION

The Planning Department recommends that the Planning Commission:

- A. Adopt the four (4) findings of fact for the Design Review Permit;
- B. Approve the Design Review Permit with fifty-six (56) conditions of approval;
- C. Adopt the three (3) findings of fact for the Parking Variance; and
- D. Approve the Parking Variance with one (1) condition 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 102 Center Street in the Infill area of the City. (see Attachment 1). The property is zoned General Commercial and is bordered by one residence to the south and commercial structures to the north, east and west. The existing structure is a 1054 sq. ft single-family residence on a 3481 sq. ft. lot. The remainder of the lot has landscaping and a driveway located on the north side of the residence.

Permit History: In 2005 the previous owner began work, without permits, to convert a one car garage to living space, which resulted in a violation of setback requirement for residential standards. The previous owner then requested approval of an after-the-fact variance to allow the setback reductions and to allow required parking in the front yard setback. The Variance request was approved on February 9, 2006. Following approval of the Variance, the property was sold to the current owner.

In 2006, building permits were issued to remodel the residence with a footprint consistent with the reduced setbacks approved with the Variance. The residential remodel was done to commercial standards. The current owner is now requesting approval of a DRP to convert the residence to a commercial structure.

LOCATION	ZONING	GENERAL PLAN LAND USE	CURRENT USE OF PROPERTY
Site	General Commercial (GC)	Community Commercial (CC)	Residence
North	General Commercial (GC)	Community Commercial (CC)	Vacant
South	General Commercial (GC)	Community Commercial (CC)	Single Family Residence
East	General Commercial (GC)	Community Commercial (CC)	Crossroad Ventures and Chapman Monument Company
West	General Commercial (GC)	Community Commercial (CC)	Roseville Engine Machine

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

Development Standard	Required	Proposed
Building Setbacks	None (for commercial structures)	18.2' front, 2'6" and 13'3" side, and 4' rear
Landscape Setbacks	20'	18.2'*
Building Height Limit	50' (max)	15.9'
Floor Area Ratio	20%-40%	30%
Parking Spaces (Total)	4 (1107 s.f. of office @ 1:250)	4 (2 plus 2 on street)*
% of compact spaces	up to 30% max.	0
# of handicapped spaces	1	1

*See Design Review Permit and Variance evaluation below concerning landscape setbacks and parking.

PROJECT DESIGN FEATURES

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

EVALUATION

DESIGN REVIEW PERMIT

The evaluation of the Design Review Permit 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. As proposed and conditioned, the project complies with the applicable guidelines identified in the Community Design Guidelines (CDG) document. The remainder of the Design Review Permit evaluation section will focus on design guidelines that warrant additional review and consideration by the Planning Commission.

SITE DESIGN GUIDELINES

Building siting: The Community Design Guidelines (3.A.2.b) states that setbacks on commercial properties adjacent to residences “shall allow for a sufficient planter area adjacent to the property lines to buffer impacts and screen undesirable views.” The structure is located 2’6” from the south property line and 4 feet from the rear property line (see Exhibit A). This situation is not uncommon given the small size of the lot and the time period in which the original structure was constructed (1950’s). As noted in the Background section, the structure was considered legal non-conforming with respect to setbacks for residential structures prior to the garage conversion, which required variance. The Zoning Ordinance does not contain prescriptive setback requirements for commercial structures. Rather, the Community Design Guidelines contain design standards and policies intended to minimize incompatibilities between adjacent land uses, particularly between commercial and residential uses. In this case, the home adjacent to the southern property line is set back 20’ from the property line providing a 22’5 foot separation between the residential and non-residential structures. A driveway is located along the northern edge of the property which will be converted to two on-site parking spaces. As a result, adequate separation is provided between the two uses.

Parking: The Community Design Guidelines (3.A.4) specifies that “each site shall provide the minimum number of parking spaces as required by the Zoning Ordinance.” The proposed project will not be able to provide the required four (4) parking spaces on site. The design calls for two parking spaces to be located in the area of the existing driveway. These two spaces will be tandem parking spaces with a handicapped stall behind the standard space (see Exhibit A). The applicant indicates that an employee will park in the standard space leaving the space behind available for handicapped parking. Staff is comfortable with this configuration given the unique property size and the fact that the employee is less likely to require frequent access out of the driveway. In addition, two (2) on-street parking spaces are available along the property frontage. Further discussion of parking is provided in the Variance section of this report.

BUILDING DESIGN AND LANDSCAPING

Section 3.B.3 of the Community Design Guidelines state that buildings should use “durable, high quality materials such as brick, stone, tile, stucco, and certain forms of concrete.” It also states that “texture and color should be used to create visual interest and enhance the streetscape appearance of the building” The building architecture is Craftsman style with a stone front, brown trim and bronze window frames. The roof is dimensional asphalt shingles that coordinate with the colors of the structure. The door and fixtures also compliment the Craftsman style architecture. Building elevations are shown in Exhibit B. The use of stone and stucco in the façade of this building meet the intent of the Community Design Guidelines and provide architectural interest to the structure.

Section 3.B.1 of the Community Design Guidelines states that “buildings should be designed to conform to their surroundings with respect to height and scale.” The building was originally constructed as a residence; the building is similar in size and scale to other single family residences in the vicinity. No change is recommended.

The proposed landscaping is typical for a residential property, with turf in the front setback and a stone pathway leading from the street to the front door. Two existing trees (a Pistachia Chinensis and a Citrus Sinensis) and a will be maintained and four (4) new Crape Myrtle trees will be planted along the north property line to provide screening and shade for the parking area. Large shrubs will also screen the property from the commercial property on the north.

Design Review Permit Conclusion

Section 19.78.060(B) of the Zoning Ordinance requires that four findings be made in order to approve a Design Review Permit. Based on the analysis contained in this staff report and with the project conditions, the required findings (as stated in the recommendation section of this report) can be made for approval of the proposed Design Review Permit.

PARKING VARIANCE

Due to the small size of the property, only two off-street tandem parking spaces (one standard and one handicapped) can be reasonably accommodated on-site. The 1052 square foot building would typically require four (4) off-street parking spaces for professional office (at a ratio of 1:250 s.f.). The applicant is requesting approval of a Variance to allow two on-street spaces in front of the property to count toward the off-street parking requirement.

In accordance with the Section 19.78.060.G of the Zoning Ordinance, three (3) findings must be made in order to approve a Variance. The required findings for a Variance are listed below in ***italicized bold text*** and are followed by an evaluation.

1. ***There are special circumstances applicable to the property, including size, shape, topography, location or surroundings, such that the strict application of the provisions of this Zoning Ordinance deprives the property of privileges enjoyed by other property in the vicinity and under identical land use district classification.***

The applicant has requested a Variance to reduce the number of off-street parking spaces required. Two off-street tandem parking spaces are provided. One of the off-street spaces is a handicapped stall. As previously noted, the property is only 3481 sq. ft which is small for properties with similar zoning. Due to its small size providing four off-street parking spaces would require that a substantial portion of the front setback be paved for parking. While all of the parking spaces could be accommodated on-site staff is concerned that paving the front yard would be inconsistent with the character of the residential neighborhood beyond.

It is also important to note that the Community Design Guidelines addresses development on parcels along Atlantic Street and discusses the desire of the City to promote redevelopment in this area that is compatible with the existing adjacent development. The Community Design Guidelines also encourage the City to be flexible in the strict application of development standards on these smaller parcels along the Atlantic St. corridor. Staff believes that the special circumstances identified above warrant approval of the Variance.

2. ***The granting of the Variance will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements in such vicinity and land use district in which the property is located.***

The granting of this Variance application is necessary to allow the property owner to use this property consistent with the community commercial zoning designation. The use of this property as a commercial office is consistent with the Zoning Ordinance and General Plan. As noted above, the strict application of the Zoning Ordinance parking standards would be detrimental to the neighborhood as the character of the property would change due to extensive paving required in the front yard setback. There are two (2) on-street parking spaces available directly in front of the property that would be used by the business, if needed. It is typical for properties in the surrounding area to use the available on-street parking. There is ample on-street parking available and this Variance will not impact the availability of parking for other properties.

- 3. *The granting of the Variance does not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel and will not constitute a grant of special privilege inconsistent with the limitations upon other property in the vicinity and under identical zoning classification.***

The use of this property as a professional office is consistent with the current zoning. According to the property owner, there will not be extensive public contact in the operation of the business. In most cases the only vehicle parked at the property will belong to a single employee during business hours. When parking is required for customers, there are two additional parking spaces located on-street directly in front of the property. Other uses in the neighborhood provide a single off-street parking space or no off-street parking, consistent with this request. As a result, approval of this Variance does not constitute a grant of special privileges.

CONCLUSION

The Zoning Ordinance requires that three findings be made in order to approve the Variance. Based on the analysis contained in this staff report and with the project conditions, the required findings can be made for the requested Variance.

ENVIRONMENTAL DETERMINATION

This project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) Guidelines Section 15303(a) pertaining to conversion of small structures and pursuant to Section 305 of the City of Roseville CEQA Implementing Procedures.

RECOMMENDATION

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

- A. Adopt the four (4) findings of fact as stated below for the DESIGN REVIEW PERMIT – 102 CENTER STREET – OMNI STRUCTURES & MANAGEMENT - FILE # DRP-000185;
1. *The project as approved preserves and accentuates the natural features of the property, such as open space, topography, tress, wetlands and water courses, provides adequate drainage for the project, and allows beneficial use to be made of the site for development.*
 2. *The project site design as approved provides open spaces, access, vehicle parking, vehicle, pedestrian, and bicycle circulation, pedestrian walks and links to alternative modes of transportation, loading areas, landscaping and irrigation and lighting which results in a safe, efficient and harmonious development and which is consistent with the applicable goals, policies, and objectives set forth in the General Plan, the Community Design Guidelines and applicable Specific Plan.*
 3. *The building design, including material, colors, height, bulk, size and relief, and the arrangement of the structures on the site, as approved is harmonious with other development and buildings in the vicinity and which is consistent with the applicable goals, policies, and objectives set forth in the General Plan, the Community Design Guidelines, and the applicable Specific Plan.*
 4. *The Design of the public services, as approved, including, but not limited to trash enclosures and service equipment are located so as not to detract from the appearance of the site, and are screened appropriately and effectively using construction materials, colors and landscaping that are harmonious with the site and the building designs.*

- B. Approve the DESIGN REVIEW PERMIT – 102 Center Street –Omni Structures & Management - FILE # DRP-000185 subject to fifty-six (56) conditions of approval;
- C. Adopt the three (3) findings of fact stated in the staff report for the PARKING VARIANCE – 102 Center Street – Omni Structures & Management - FILE # V-000041;
- D. Approve the PARKING VARIANCE – 102 Center Street – Omni Structures & Management - FILE # V-000041 subject to one (1) condition of approval;

CONDITIONS OF APPROVAL FOR DRP-000185:

- 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 **June 28, 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 **June 28, 2009**.
- 2. The project is approved as shown in Exhibits A - D and as conditioned or modified below. (Planning)
- 3. 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)
- 4. 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)
- 5. 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)
- 6. 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)

PRIOR TO BUILDING PERMITS:

- 7. 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)
8. Signs and/or striping shall be provided on-site as required by the Planning Department to control on-site traffic movements. (Planning)
 9. 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)
 10. The Landscape plan shall comply with the City of Roseville Water Efficient Landscape Requirements Resolution No. 93-55. (Planning)
 11. The tree plantings in the parking lot shall be designed to provide a minimum of 50% shade coverage after 15 years. (Planning)
 12. 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)
 13. Any roof-mounted equipment and satellite dishes proposed shall be shown on the building plans. The equipment shall be fully screened from public streets and the surrounding properties. (Planning)
 14. 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)
 15. 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)
 16. 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.
 17. 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)
 18. 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 Engineering prior to approval of the improvement plans. (Engineering)
19. 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)
20. 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)
21. Prior to the approval of the improvement plans, it will be the project proponents responsibility 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)
22. "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)"
23. The applicant shall pay for all applicable water and sewer fees. (Environmental Utilities)
24. Water and sewer infrastructure shall be designed pursuant to the adopted City of Roseville Improvement Standards and the City of Roseville Construction Standards.
25. 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)
26. 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)
27. 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
28. 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)

29. 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)

30. 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:

31. 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 only be installed on 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. (Planning, Environmental Utilities)

32. Inspection of the potable water supply system on new commercial/ industrial/ office projects shall be as follows:

- a. The Environmental Utilities Inspector will inspect all potable water supply up to the downstream side of the backflow preventor.
- b. The property owner/applicant shall be responsible for that portion of the water supply system from the backflow preventor to the building. The builder/contractor shall engage a qualified inspector to approve the installation of this portion of the water supply. The Building Division will require from the builder/ contractor, a written document certifying that this portion of the potable water supply has been installed per improvement plans and in accordance with the Uniform Plumbing Code. This certificate of compliance shall be submitted to the Building Division before a temporary occupancy or a building final is approved.
- c. The building inspectors will exclusively inspect all potable water supply systems for the building from the shutoff valve at the building and downstream within the building. (Building, Environmental Utilities)

33. 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)
34. The project shall be addressed as 102 Center Street. (Engineering)
35. 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)
36. 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)
37. All improvements being constructed in accordance with the approved grading and improvement plans shall be accepted as complete by the City. (Engineering)
38. 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)
39. All water backflow devices shall be tested and approved by the Environmental Utilities Department. (Environmental Utilities)
40. All Electric Department facilities, including streetlights where applicable, shall be designed and built to the "City of Roseville Specifications for Commercial Construction." (Electric)
41. 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)
42. Any relocation, rearrangement, or change of existing electric facilities due to this development shall be at the developer's expense. (Electric)
43. 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)
44. 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)
45. All electric metering shall be directly outside accessible. This can be accomplished in any of the following ways:
- a. Locate the metered service panel on the outside of the building.

- b. Locate the metered service panel in a service room with a door that opens directly to the outside. The developer will be required to provide a key to the door for placement in a lock box to be installed on the outside of the door. Any doors leading from the service room to other areas of the building shall be secured to prohibit unauthorized entry.

46. A traffic rated lid will be required on the secondary service box within the driveway. (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. The applicant shall pay City's actual cost for providing plan check, installation, and inspection services. This may be a combination of staff costs and direct billing for contract professional services. (Engineering, Environmental Utilities)

49. 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)

50. Signs shown on the elevations are not approved as part of the Design Review Permit. A Sign Permit is required for all project signs. (Planning)

51. The parking lot striping and signing shall be maintained in a visual and legible manner. (Planning)

52. 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)

53. The location and design of the gas service shall be determined by PG&E. The design of the 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)

54. 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)

55. The developer (or designated consultant) shall certify that the building foundation location has been placed according to all approved setback requirements shown on the approved site plan. The developer shall prepare a written statement confirming building placement and provide an original copy to the City Building Department Field Inspector at the time of or prior to the foundation inspection. (Building)

56. Prior to Certificate of Occupancy, the applicant may apply for a Temporary Occupancy (TO) of the building. If a TO is desired, the applicant must submit a written request to the Building Division a minimum of thirty (30) days prior to the expected temporary occupancy date and shall include a

schedule for occupancy and a description of the purpose for the Temporary Occupancy. (Building)

CONDITIONS OF APPROVAL FOR V-000041:

1. The Variance will be effectuated upon the effectuation of the DRP-000185, and shall expire concurrent with DRP-000185.

ATTACHMENTS

1. Vicinity Map
2. Aerial

EXHIBITS

- A. Site Plan
- B. Building Elevations
- C. Landscape Plan
- D. ADA Accessibility

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.