

# Department of Planning & Housing Staff Report Planning Commission Meeting April 28, 2011

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ITEM IV-C: MAJOR PROJECT PERMIT EXTENSION (STAGE 2) – 1401 & 1421 EUREKA ROAD (1445 EUREKA ROAD) (NERSP PARCEL 15, LOTS 6 & 7) - FILE # 2006PL-053 (MPP-000033)

# **REQUEST**

The applicant requests approval of a two (2) year extension of the Major Project Permit (MPP) Stage 2 that was originally approved March 8, 2007 under MPP-000005. The MPP Stage 2 entitlement permitted the development of two six-story office buildings on Lots 6 & 7 within the Stone Point Master Plan area.

Applicant – Steadfast Companies, Lance Emery Property Owner - Stone Point Roseville, LLC., Dinesh Davar

## **SUMMARY RECOMMENDATION**

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

- A. Adopt the two (2) findings of fact for the Major Project Permit Extension; and
- B. Approve the Major Project Permit Extension subject to three (3) conditions of approval.

## **SUMMARY OF OUTSTANDING ISSUES**

There are no outstanding issues associated with this project.

## **BACKGROUND**

On March 8, 2007, the Planning Commission approved a Major Project Permit (MPP) Stage 2 (MPP-000005) allowing the development of two six-story office buildings (158,334 square feet each) on Lots 6 & 7 within the Stone Point Master Plan Area (NERSP Parcel 15).

On May 14, 2009, the Planning Commission approved a two year extension to the MPP Stage 2 (MPP-000027). A building permit was issued in June 2007 for the construction of one of the two buildings; however, construction never commenced due to changes in the economy. The applicant received several extensions on their building permit with the most recent extension expiring on April 1, 2011.

The applicant seeks a two year extension of the MPP Stage 2 to keep the Planning entitlements current. The MPP section of the Zoning Ordinance (Section 19.82.020.B.5) requires MPP extensions to be reviewed and approved by the Planning Commission. MPP entitlements are generally obtained for larger projects that will be constructed over longer periods of time such as the Stone Point project. Staff finds that the MPP extension is warranted based on this and due to the continued downturn in the office market.

# **EVALUATION**

Section 19.78.060.D of the City of Roseville Zoning Ordinance requires that two findings be made to approve a MPP Extension. The required findings are listed below in *italicized bold print* and are followed by an evaluation.

 The proposed development is in compliance with all standards in effect as of the date of application for the extension, or there is no public benefit to the imposition of current standards comparable to the cost of imposing them.

The Planning & Housing Department has forwarded the request to City Departments for consideration. The reviewing parties have not identified any new standards that should be applied to this project with the exception of the Building Department. As noted in Condition 3, the project's building permit has expired. New building codes went into effect as of January 1, 2011 and therefore, when the applicant is ready to pursue construction they will be required to resubmit for building permits under the current code.

2. No change has occurred in the circumstances or in the factual basis on which the approval was made since the date of original approval that results in the inability to make findings of approval for the extension consistent with those originally made.

With the exception of the new building codes in place as described above, the Planning & Housing Department has not identified any circumstances that have changed which affect the project.

### **PUBLIC OUTREACH**

In addition to the standard 300-foot radius notification, the Planning & Housing Department sent written notification on March 7, 2011 informing the board members of the East Roseville Parkway Neighborhood Association of the MPP Extension request. Staff has not received any inquiries or comments from the neighborhood association or other interested parties.

#### **ENVIRONMENTAL DETERMINATION**

An Initial Study and Mitigated Negative Declaration were prepared for the Major Project Permit Modification, General Plan Amendment, Specific Plan Amendment, Rezone, Tentative Subdivision Map, Tree Permit, and Development Agreement Amendment for the Stone Point project which was adopted by the Planning Commission on February 24, 2005 and the City Council on March 16, 2005. The Planning & Housing Director has determined that the proposed extension is in substantial conformance with the previously approved project and will not result in any new environmental impacts. Therefore, no further environmental review is required. The adopted Mitigated Negative Declaration is available for review in the Planning & Housing Department located at 311 Vernon Street during normal business hours.

### **RECOMMENDATIONS**

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

- A. Adopt the two (2) findings of fact for the MAJOR PROJECT PERMIT EXTENSION (STAGE 2) NERSP PARCEL 15, LOTS 6 & 7 1401 & 1421 Eureka Road (1445 Eureka Road) FILE # 2006PL-053 (MPP-000033) as stated in the staff report; and
- B. Approve the MAJOR PROJECT PERMIT EXTENSION (STAGE 2) NERSP PARCEL 15, LOTS 6 & 7 1401 & 1421 Eureka Road (1445 Eureka Road) FILE # 2006PL-053 (MPP-000033) subject to the three (3) conditions of approval listed below.

- 1. This Major Project Permit approval shall expire on March 8, 2013, unless effectuated. (Planning)
- 2. The project shall comply with all originally approved conditions of approval for 2006PL-053 (MPP-000005) except as modified by the conditions below. (All Departments)
- 3. Building permits have expired; therefore, the applicant shall resubmit plans and building permit application showing compliance with current codes prior to commencing construction. (Building)

# **ATTACHMENTS**

- 1. MPP Stage 2 Conditions of Approval (MPP-000005)
- 2. Approved Site Plan

Note to Applicant and/or Developer: Please contact the Planning & Redevelopment Department staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning & Redevelopment Director at, or prior to, the public hearing.