

PLANNING DEPARTMENT STAFF REPORT PLANNING COMMISSION MEETING

OCTOBER 11, 2012

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ITEM IV-B: MAJOR GRADING PLAN – 8501 FOOTHILLS BL. – FOOTHILLS CORPORATE CENTER GRADING PLAN – FILE #2012PL-064 (GP-000027)

REQUEST

The applicant requests approval of a Major Grading Plan that would allow rough grading of the site and seasonal wetlands on the site to be filled.

Applicant – Greg Bardini, Morton + Pitalo, Inc. Property Owner – Daisy Stires, Sterling Savings Bank

SUMMARY RECOMMENDATION

The Planning Department recommends that the Planning Commission:

- A. Adopt the Mitigated Negative Declaration;
- B. Adopt the three (3) findings of fact for the Major Grading Plan; and
- C. Approve the Major Grading Plan subject to the twenty-eight (28) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

The comment period for the Mitigated Negative Declaration (MND) ends October 5, 2012. As of the writing of this report no comments had been received on the MND or the request.

BACKGROUND

The project site is located at 8501 Foothills BI. and the majority of the property has a zoning designation of Light Industrial (M1) and a General Plan land use designation of Light Industrial (LI) (Figure 1). A portion of the site in the northwestern corner of the property has a zoning designation of Neighborhood Commercial (NC). The parcel is approximately 60 acres in size and is primarily rolling grasslands. Approximately .28 acre of seasonal wetlands and drainage areas exist on the site. In addition, a public utility corridor exists along the southern property line where existing overhead electric lines are located.

The current request is to prepare the site for future development by rough grading the property and filling the .28 acres of wetland areas on the site. The City's Grading Ordinance requires approval of a Major Grading Plan when a project will impact natural features such as wetlands or native oak trees.





EVALUATION

The Grading Ordinance lists three required findings for approval of a Major Grading Plan. The project was evaluated for consistency with these standards. Each of these standards is listed below in **bold italics** and is followed by an evaluation.

1. The grading plan conforms to the requirements of the City's Improvement Standards and the provisions of Chapter 16.20 of the Roseville Municipal Code.

The proposed grading plan was reviewed by the City's Public Works Department for conformance with the City's Improvement Standards. If the Grading Plan were to be approved by the Planning Commission, Condition #3 requires the applicant to obtain a Grading Permit before beginning work at the site. This permit will ensure the project will conform to the City's Improvement Standards.

The City's Grading Ordinance also lists conditions which may be applied to the project to protect the public interest including the following:

- A. Completion of work within a specified period of time;
- B. Hours and days of operation;
- C. Designation and approval of haul routes;
- D. Compliance with tree ordinance;
- E. Mitigation of wetlands;
- F. Rainv season limitations:
- G. Designation of area covered by the permit;
- H. Implementation of General Plan EIR mitigation measures;
- I. Compliance with city improvement standards:
- J. Provision of easements for storm water conveyance through open channels;
- K. Approval of appropriate permitting requirements of other agencies; and
- L. And any other conditions determined appropriate by the approving authority.

Staff reviewed the Grading Plan for conformance with these measures. The project involves contour grading portions of the property and balancing approximately 130,000 cubic yards of cut and fill on the

site. No material will be brought in from outside the site to complete the project. As was mentioned above, the site does not contain any native oak trees only rolling terrain with wetlands. The applicant is currently working with the appropriate State and Federal agencies to secure permits to fill the wetlands that exist on site.

As part of the Grading Permit the applicant will be required to submit a Storm Water Pollution Prevention Plan (SWPPP) prior to the commencement of work. This plan will ensure that storm water will either be contained on site or will be treated and will not impact surrounding properties and water bodies prior to discharge from the site. With the recommended conditions of approval the project will meet the requirements of the City's Improvement Standards and Grading Ordinance.

2. The grading has been designed to accommodate, and/or mitigation conditions have been imposed to compensate for any potential impacts to any of the natural features of the property or to adjacent properties, and the grading will not result in any increase in water surface elevation in any stream channel located on the property and associated with the grading as approved.

The City's Grading Ordinance and General Plan require City Staff to evaluate the impacts to wetlands and other natural resource areas and recommend changes to a project if there are opportunities to preserve these areas. Staff did evaluate the wetland features on-site and the opportunities to preserve these features. However given the distribution of wetlands and the lack of a concentration of wetlands there is limited opportunities to preserve these features. Long term preservation of natural resources is best achieved through placement in Open Space areas. This site has Light Industrial land use and zoning designations and was intended for development under the City's General Plan designation of Light Industrial (LI).

As was discussed above, any fill that will impact wetland areas will require the applicant to receive approval of an Army Corps of Engineers "404" permit and a Regional Water Quality Control Board "401" certification. As part of the approval of these permits appropriate mitigation will be required to compensate for the loss of wetlands. The applicant is currently proposing to mitigate the loss of wetlands by purchasing mitigation credits at a nearby wetland mitigation bank. The proposed grading will not impact any stream channels or effect water surface elevations.

3. The proposed grading is necessary to allow development of the property consistent with the general plan land use allocation for the property.

The land use and zoning designations on the site are Light Industrial. The General Plan assumed development of the site with a use and intensity that would be compatible with surrounding Light Industrial properties. Staff prepared an Initial Study to examine the impacts of the project on the environment. This Initial Study anticipates that some of the land identified for development contained wetlands and those resources would have to be filled in order to allow for development to occur. Staff has proposed Mitigation Measures that would reduce the impacts to wetlands by providing the appropriate compensation of wetland resources consistent with the policies of the General Plan.

ENVIRONMENTAL DETERMINATION

An Initial Study was prepared for the project to examine the impacts of the proposed grading activities on the environment. The initial study was done at the request of the responsible wetland permitting agencies. The Planning Director's determination is that the impacts can be reduced to a less than

significant level with the proposed mitigation. Therefore, a Mitigated Negative Declaration is requested and recommended to be adopted by the Planning Commission.

RECOMMENDATION

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

- A. Adopt the Mitigated Negative Declaration as shown in Exhibit A;
- B. Adopt the three (3) findings of fact as in the staff report for the MAJOR GRADING PLAN 8501 FOOTHILLS BLVD. (NIPA PCL 50 FOOTHILLS CORPORATE CENTER GRADING PLAN) FILE # 2012PL-064 (PROJECT# GP-000027); and
- C. Approve the MAJOR GRADING PLAN 8501 FOOTHILLS BLVD. (NIPA PCL 50 FOOTHILLS CORPORATE CENTER GRADING PLAN) FILE # 2012PL-064 (PROJECT# GP-000027) as shown in Exhibit B and subject to twenty-eight (28) conditions of approval below.

CONDITIONS OF APPROVAL

- 1. This Grading Plan approval shall be effectuated within a period of one (1) year from this date and if not effectuated shall expire on **October 11, 2013**.
- 2. The project is approved as shown in Exhibit B (Rough Grading Plan for Parcels 5 & 6 per Parcel Map19PM23) and as conditioned or modified below. Prior to effectuation of the Grading Plan shown in Exhibit B the applicant shall provide copies of the appropriate Army Corps of Engineers permit or clearance, the California Department of Fish and Game Stream Bed Alteration Agreement, and/or the Regional Water Quality Control Board Water Quality Certificate. (Planning, Engineering)
- 3. The applicant shall not commence with any on-site improvements until such time as grading plans are approved and grading and/or encroachment permits are issued by the Department of Public Works. (Engineering)
- 4. The design and construction of all improvements shall conform to the Design 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 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. (Public Works, Environmental Utilities, Electric, Finance)
- 6. 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)
- 7. The grading plans shall be designed in accordance with the City's Improvement Standards and Construction Standards and shall reflect the following:
 - a. Grading shall comply with the City Grading Ordinance. No cut and/or fill slopes steeper than a 4:1 slope ratio will be approved. 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.

- 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. (Public Works)
- 9. The applicant shall apply for and obtain an encroachment permit from the Engineering Department prior to the commencement of on-site work that will require material to be trucked to or from the site within City right-of-way's. (Engineering)
- 10. 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." (Public Works)
- 11. Prior to the issuance of any permits, the property owner 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 property owner during the pre-construction meeting. (Public Works)
- 12. 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, Public Works will designate the exact areas to be reconstructed. Any existing public facilities damaged during the course of construction shall be repaired by the property owner and at the property owner's expense, to the satisfaction of the City. (Public Works)

PRIOR TO GRADING PERMIT:

- 13. The applicant shall submit to the Planning and Engineering Departments the appropriate Army Corps of Engineers permit or clearance, the California Department of Fish and Game Stream Bed Alteration Agreement, and/or the Regional Water Quality Control Board Water Quality Certificate. The permit(s) shall at a minimum provided for the 1:1 replacement of wetland and vernal pool habitat of equal or greater value. (Planning)
- 14. It is the developer's responsibility to notify PG&E of any work required on PG&E facilities. (PG&E)

DURING CONSTRUCTION & PRIOR TO NOTICE OF COMPLETION:

- 15. Existing public facilities damaged during the course of construction shall repaired by the applicant, at the applicant's expense, to the satisfaction of the City. (Engineering)
- 16. All improvements being constructed in accordance with the approved grading plans shall be accepted as complete by the City. (Engineering)
- 17. Prior to the construction of any grading, the site shall be scarified and all deleterious vegetation shall be removed. (Engineering)

- 18. All fill shall be placed in standard lifts, and shall be compacted to a minimum of 90% relative compaction. Prior to the approval and acceptance of the grading operation as complete, the applicant shall provide a soils report generated from a registered geotechnical engineer certifying that the fill has been properly constructed. (Engineering)
- 19. 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
- 20. Any relocation, rearrangement, or change of existing electric facilities due to this development shall be at the developer's expense. (Electric)
- 21. 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, retaining walls, and structures of any type. (Electric)
- 22. 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)
- 23. Existing water and sewer facilities are to be adjusted to grade. (Environmental Utilities)

OTHER CONDITIONS OF APPROVAL:

- 24. 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)
- 25. All existing public utility, electric, water, sewer and reclaimed water easements shall be maintained. (Electric, Engineering, Environmental Utilities)
- 26. The project shall comply with all required environmental mitigation identified in the Foothills Corporate Center Mitigated Negative Declaration. (Planning)
- 27. Temporary aboveground 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)
- 28. 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)

EXHIBITS

- A. Initial Study and Mitigated Negative Declaration
- B. Grading Plan Rough Grading Plan for Parcels 5 & 6 per Parcel Map19PM23

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.