

PLANNING & REDEVELOPMENT DEPARTMENT STAFF REPORT PLANNING COMMISSION MEETING APRIL 12, 2007

Prepared by: Wayne Wiley, Assistant Planner

ITEM IV-D:

CONDITIONAL USE PERMIT & DESIGN REVIEW PERMIT MODIFICATION - 1020 WINDING CREEK ROAD - FOOTHILLS COMMERCE CENTER PHASE II - FILE # 2007PL-005 (PROJECT # CUP-000039 & DRP-000175)

REQUEST

The applicant requests approval of a Conditional Use Permit to allow outdoor storage in a Light Industrial zone district and a Design Review Permit Modification to convert a loading dock area into a 3,025 square-foot outdoor storage yard located to the east of Building C.

Project Applicant: Bernard Furlow, Borges Architectural Group Project Owner: Ken Giannotti, Stanford Ranch Company

SUMMARY RECOMMENDATION

The Planning & Redevelopment Department recommends that the Planning Commission:

- A. Adopt the three (3) Findings of Fact for the Conditional Use Permit;
- B. Approve the Conditional Use Permit with three (3) conditions of approval;
- C. Adopt the two (2) Findings of Fact for the Design Review Permit Modification; and
- D. Approve the Design Review Permit Modification with three (3) conditions of approval.

SUMMARY OF 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.

BACKGROUND

The subject property is located a ¼ mile north of Blue Oaks Boulevard and 750 feet west of Foothills Boulevard at 1020 Winding Creek Road in the North Industrial Planning Area of the City (see Attachment 1). Several high voltage overhead electric transmission lines traverse the east portion of the site as shown in Exhibit A. Union Pacific Railroad (UPRR) tracks are also located to the east of the site, in addition to a seasonal wetland feature at the southeast corner of the site. The seasonal wetland will not be impacted with this project.

On August 30, 2000 the Planning Commission approved a Design Review Permit and Subdivision Map allowing the construction of Phase I of the Foothills Commerce Center, and on August 16, 2001 the Design Committee approved the development of Phase II of the center. Both phases of the project have been constructed and are designed to function with reciprocal access, parking, drainage and utilities.

The requested Conditional Use Permit is to allow outdoor storage in the Light Industrial zone district. The proposed storage area will total approximately 3,025 square feet and will be utilized for storage of materials and equipment associated with Independent Electric Supply. Approval of a Design Review Permit Modification is necessary to alter the previously approved site plan. Ordinarily, the proposed design changes would be handled administratively. However in this case, the Design Review Permit Modification

(DRPMOD) has been forwarded to the Planning Commission for review along with the CUP for the storage yard.

SITE INFORMATION

- A. Roseville Coalition Of Neighborhood Associations (RCONA): This parcel is located within the Industrial Area West Neighborhood Association (#29), which is comprised primarily of industrially-zoned properties.
- **B. Total Acreage**: 5.72-acres (total site)
- C. Site Access: Access to the site is provided via three driveways off of Winding Creek Road; all three driveways allow full turning movements onto Winding Creek Road. An internal drive aisle that connects to the adjacent parcel to the west (Phase I of Foothills Commerce Center) also provides access to the site.
- **D. Grading:** The project site was previously rough graded with the development of Phase II of the Foothills Commerce Center. The site is developed and no additional grading is necessary with this request.

ADJACENT ZONING AND LAND USE

Location	Zoning	General Plan Land Use	Actual Use Of Property
Site	Light Industrial (M1)	Light Industrial (LI)	Foothills Commerce Center Phase II (partially constructed- two of the three office/warehouse buildings are constructed)
North	M1	LI	Vacant (future phase of the Foothill Commerce Center)
South	M1	LI	CEMO Business park
East	General Industrial (M2)	General Industrial (IND)	Union Pacific RR and Industrial Buildings
West	M1	LI	Vacant & Pride Industries

The proposed project is consistent with the land uses contemplated by the City's General Plan and the Zoning Ordinance. With approval of the Conditional Use Permit, the proposed outdoor storage yard will be consistent with the Zoning Ordinance.

PROJECT DESIGN FEATURES

See attached Site Plan (Exhibit A)

CONDITIONAL USE PERMIT

Outdoor storage yards are a common use associated with Light Industrial zones; however, the Zoning Ordinance requires approval of a Conditional Use Permit (CUP) so that operational characteristics of storage yards can be analyzed and restricted accordingly in order to minimize impacts to adjacent property owners. With the development of the Foothills Commerce Center and Foothills Commerce Center Annex,

several requests for outdoor storage yards (similar in nature) have been submitted to the City. The current request is similar to a recently approved CUP allowing an outdoor storage yard within the Foothills Commerce Center Phase II, which was approved by the Planning Commission on January 11, 2007.

Conditional Use Permits are evaluated for consistency with the City's General Plan, conformance with the City's Zoning Ordinance, and potential for impacts to the health, safety and welfare of persons who reside or work in the area. Specifically, the Planning Commission must make the three findings of fact listed below in bold italics to approve a CUP. An analysis of the request for outdoor storage in the M1 zone follows each finding:

1. The proposed use is consistent with the City of Roseville General Plan.

The land use designation for the subject property is Light Industrial (LI). The LI land use designation is typically intended to provide for industrial uses that generate very limited noise, vibration, odor, dust, smoke, light, or other pollutants, and are either integrated or compatible with surrounding properties. Primary uses include research and development (which may include manufacturing and assembly), electronics assembly, warehousing, intensive commercial uses (e.g. auto body repair, landscaping material sales, retail and wholesale lumberyards), and associated administrative offices. As a use conditionally permitted by the Zoning Ordinance, the yard is consistent with the Light Industrial land use designation.

2. The proposed use conforms with all applicable standards and requirements of the City of Roseville Zoning Ordinance.

The Light Industrial zone allows for outdoor storage yards upon approval of a CUP. The CUP allows the Commission to condition the project to assure compatibility with surrounding land uses. Typical concerns related to outdoor storage include visibility of the materials or equipment and noise associated with the heavy equipment required to move the material.

The proposed yard will be partially visible from Winding Creek Road and surrounding businesses located within the center. However, as discussed in the Design Review Permit evaluated below, the contents of the yard will be adequately screened by an eight foot chain link fence with slats, to match existing fences located within the center. The yard will be further screened from Winding Creek and the vacant parcel to the south, by existing landscaping. Further detail of the landscaping is also discussed in the Design Review Permit evaluation. The site is surrounded by other light industrial uses (none are sensitive receptors) and noise impacts from heavy equipment moving material within the yard are not expected to result in significant impacts. Staff concludes that the project is consistent with the Zoning Ordinance, Community Design Guidelines, and similar storage yards recently approved for the Foothills Commerce Center.

3. The location, size, design and operating characteristics of the proposed use is compatible with and shall not adversely affect or be materially detrimental to the health, safety, or welfare of persons residing or working in the area, or be detrimental or injurious to public or private property or improvements.

The approximately 3,000 square-foot storage yard will be used to store outdoor materials and equipment associated with Independent Electric Supply, and will be accessed through a gate on the southeast side of the yard. The yard is immediately adjacent to Building C and will be directly accessible from Independent Electric Supply's tenant space. The proposed location of the yard was determined to be the most appropriate to limit disruption of site circulation and minimize impacts to the existing site design. Uses surrounding the site are predominantly light industrial in nature and are not expected to be adversely

affected by the construction or operation of the storage yard. The subject CUP does not allow storage of hazardous materials; a separate CUP would be required should future tenants need to store hazardous materials. In addition, staff recommends Condition #3 of the CUP to restrict the height of stored materials to ten feet in order to ensure that the proposed fence provides adequate screening.

Conditional Use Permit Conclusion

Staff finds that the proposed use will not be detrimental to the health, safety, or welfare of persons residing or working in the area or be detrimental to public or private property or improvements. Based on the analysis contained in this staff report and with the project conditions, the required findings can be made for the proposed Conditional Use Permit.

DESIGN REVIEW PERMIT EVALUATION

The evaluation of 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 changes to the site design will not alter the existing site access, circulation, parking, landscaping, or building layout. However, the modifications will result in the conversion of the area between two loading docks located to the east of Building C to an outdoor storage yard. Given the storage yard's internal location, the yard will be sufficiently screened from view from the adjacent street and surrounding properties. The contents of the yard will be adequately screened by the proposed eight foot tall chain link fence with slates and existing landscaping. A 20' landscape planter adjacent to Winding Creek consisting of London Plane Trees and Coast Redwoods will provide partial screening of the north perimeter of the storage yard. In addition, a ten-foot landscape planter that runs the length of the southern property line consisting of Coast Redwoods will provide additional screening for the southern portion of the yard (see Attachment 2). The internal view of the storage yard will be screened by the existing buildings, as the original construction of the site positioned the buildings in order to minimize views of the loading areas. As such, staff is confident that the combination of fencing and landscaping will adequately screen the storage yard.

Storage/Loading and Service: Based on the operational characteristics of the existing tenant, the proposed area will be better utilized as an outdoor storage yard. The applicant does not anticipate any deliveries that would require processing through that portion of the building and has confirmed that the two bays left unaffected will provide adequate access to the building. In addition, most deliveries of materials and equipment will still be processed through the doors within the storage yard. As such, the conversion of the rear area of Building C will not significantly affect deliveries or business operations.

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 for approval can be made for the proposed Design Review Permit Modification.

ENVIRONMENTAL DETERMINATION

The Planning Commission adopted a Negative Declaration for the Foothills Commerce Center on August 31, 2000. The Initial Study/Negative Declaration assumed development of the subject site including the construction of Building C totaling 43,428 square feet and associated improvements (i.e. parking lot improvements, lighting, and landscaping). The proposed modifications to the parking lot layout do not change the conclusions of, and are consistent with, the previous environmental document adopted for the project. In addition, the proposed Conditional Use Permit is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 pertaining to existing facilities. No further environmental analysis is necessary.

RECOMMENDATION

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

- A. Adopt the three findings of fact as stated in the staff report for approval of the CONDITIONAL USE PERMIT 1020 WINDING CREEK ROAD FOOTHILLS COMMERCE CENTER PHASE II PROJECT# 2007PL-005 (FILE # CUP-000039);
- B. Approve the CONDITIONAL USE PERMIT 1020 WINDING CREEK ROAD FOOTHILLS COMMERCE CENTER PHASE II PROJECT# 2007PL-005 (FILE # CUP-000039) with the three (3) conditions listed below:
- C. Adopt the two (2) findings of fact as stated in the staff report for approval of the DESIGN REVIEW PERMIT MODIFICATION 1020 WINDING CREEK ROAD FOOTHILLS COMMERCE CENTER PHASE II PROJECT # 2007PL-005 (FILE # DRP-000175); and
- D. Approve the DESIGN REVIEW PERMIT MODIFICATION 1020 WINDING CREEK ROAD FOOTHILLS COMMERCE CENTER PHASE II – PROJECT # 2007PL-005 (FILE # DRP-000175) subject to three (3) conditions of approval.

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT (CUP-000039)

- 1. The CUP will be effectuated upon the effectuation of DRP-000175, and shall expire concurrent with DRP-000175. (Planning & Redevelopment)
- 2. The storage yard shall be limited to 3,025 square feet, as shown in Exhibit A. (Planning & Redevelopment)

3. Materials stored within the yard shall not exceed ten (10) feet in height. Furthermore, the storage of hazardous materials is not approved with this request, and will require approval of a subsequent CUP. (Planning & Redevelopment)

CONDITIONS OF APPROVAL FOR DESIGN REVIEW PERMIT (DRP-000175)

- This design review permit approval shall be effectuated within a period of two (2) years from this date and if not effectuated shall expire **April 12**, **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 **April 12**, **2009**. (Planning & Redevelopment)
- 2. The project shall comply with the originally approved Conditions of Approval for the project (DRP 01-25), as applicable and except as modified below. (Planning & Redevelopment)
- 3. The project is approved as shown in Exhibit A. (Planning & Redevelopment)

ATTACHMENT:

- Vicinity Map
- 2. Approved Landscape Plan

EXHIBITS:

A. Site Plan

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