

ITEM 6.1 **Design Review Permit – 4701 Fiddymment Road – WRSP PCL F-81 – Fiddymment Plaza – PL19-0013**

REQUEST

The applicant requests approval of a Design Review Permit to develop the project site with a mixed-use commercial development, including a gas station and fueling canopy (with five dispensers/ ten pumps), an 8,802 square-foot commercial building that includes 3,977 square feet of retail space, 1,938 square feet of restaurant space, and 2,887 square feet for a convenience store, and associated site improvements including parking, lighting, and landscaping.

Owner – Dhillon & Son Enterprises, Inc.
Applicant—David Heumann, K12 Architects, Inc.

SUMMARY RECOMMENDATION

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

- A. Adopt the four (4) findings of fact and approve the Design Review Permit subject to eighty-eight (88) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

There are no outstanding concerns related to City departmental review or with the applicant at this time. The applicant has reviewed and is in agreement with all of the recommended conditions of approval.

The project request is a re-application for a Design Review Permit for the project known as Fiddymment Plaza. The previous entitlement approval was vacated and set aside by the City Council on January 16, 2019, in compliance with a Writ of Mandate from the Superior Court of the State of California. The entitlement history is further discussed in the Background section of this report. Neighborhood concerns were raised throughout the prior project process, including during a neighborhood meeting in April 2017, as well as at the Planning Commission and City Council hearings for the prior project. These concerns are detailed in both the Background and Public Outreach sections of this report.

BACKGROUND

The project site is located on the corner of Fiddymment Road and Angus Road near the northern City limits, and has a land use and zoning designation of Community Commercial (CC). The 1.38 acre site is within the West Roseville Specific Plan (WRSP) area, and is surrounded by residential development to the north, south, and east. The site is bordered on the west side by Fiddymment Road, and additional residential development and a park site are located to the west of Fiddymment Road (Figure 1).

A 50-foot-wide public right-of-way easement is located directly to the east of the project site, between the site and the adjacent residential development. The easement originally contained the prior alignment of Fiddymment Road and overhead electric utilities; however, the road design was reconfigured to its current location to the west of the subject parcel. The right-of-way has been partially improved with landscaping adjacent to the Crocker Ranch residential subdivision and an eight-foot-wide sidewalk.

Figure 1 – Vicinity Map



The subject parcel was rezoned from Single-Family Residential/ Development Standards (R1/DS) to Community Commercial (CC) as part of the WRSP Specific Plan Amendment (SPA) 3 project in 2014. It was decided at the time that, given the unusual triangular shape of the property and its location along Fiddymment Road (an arterial roadway), the parcel would better accommodate commercial development and could support uses to serve the neighborhood. Several neighborhood meetings were held as a part of the rezone process, and notices were mailed to residents of the surrounding community.

Prior Fiddymment Plaza Design Review Permit, File #PL2016-0335

An application for a Design Review Permit was submitted to the City of Roseville Planning Division in September of 2016 to allow the construction of a 10,306 square-foot mixed-use building, consisting of 7,606 square feet of retail, 2,700 square feet of restaurant space, and a 3,310 square-foot gas station canopy with five fuel bays/ ten gas pumps for the project known as Fiddymment Plaza. Access to the project site was proposed from Fiddymment Road and Angus Road, and the site plan included a parking lot with 53 parking spaces. An analysis conducted by City staff concluded that the proposed project was categorically exempt from California Environmental Quality Act (CEQA) review per Section 15332, which pertains to infill development projects, as well as pursuant to Section 305 of the City of Roseville CEQA Implementing Procedures.

The applicant hosted a neighborhood meeting on April 11, 2017 to present the project to nearby neighbors. Approximately six of the twenty neighbors in attendance expressed opposition to the gas

station component of the project due to concerns of crime, proximity to the casino, alcohol sales, hours of operation, noise, compatibility with the neighborhood, and views of the buildings from adjacent residential areas. Based on the level of interest and the concerns raised by neighbors, the Design Review Permit (which is an entitlement typically reviewed by the City's Design Committee) was forwarded to the Planning Commission for formal action.

On August 10, 2017, the Planning Commission approved (4 Yes – 1 No) the Design Review Permit (DRP) for the Fiddymment Plaza project. In the Planning Commission staff report, City staff concluded that the proposed gas station is a principally permitted use in the Community Commercial (CC) zone, and that the appropriate entitlement for review was the DRP. The requested entitlement was found to be consistent with the City's General Plan, Zoning Ordinance, WRSP, and the Community Design Guidelines (CDG), and the Planning Commission approved the project based on the required four findings of fact for a DRP.

The neighbors in opposition to the project filed an appeal to the City Council, citing concerns related to inadequate noticing, increased traffic, air quality impacts, and incompatibility with the surrounding neighborhoods. The City Council denied the appeal and approved the project, based on the required four findings of fact for a DRP.

Lawsuit and Subsequent Action

Following the City Council's denial of the appeal a coalition of neighbors opposed to the project, represented by Michele Threlkel, filed a lawsuit called a Petition for Writ of Mandate to challenge the City Council's approval of the project (*Michele Threlkel, et al. vs. City of Roseville, et al.*). The Petition argued that the City's approval was invalid on three counts, including CEQA violations, violations to the Roseville Municipal Code, and violations to Planning and Zoning Laws. The court ruled that the project was consistent with the General Plan and the CDG, and that there were no violations of the Roseville Municipal Code or Planning and Zoning laws during the approval process. Accordingly, the court ruled in favor of the City on the second and third causes of action.

However, regarding the first cause of action for CEQA violations, the court determined that the City had violated CEQA by failing to provide substantial evidence to support the determination that the project was exempt from CEQA under Section 15332 for small in-fill development projects. Under CEQA Section 15332, certain in-fill projects qualify for a categorical exemption to CEQA. The in-fill development exemption may be used if a project meets five factors. One of the factors that must be shown is that approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. Petitioners argued that the City had failed to prove that there would not be any significant effects to air quality due to the gas station's close proximity to residential neighborhoods. City staff's position was that since the property owner needed to obtain a permit from the Placer County Air Pollution Control District ("PCAPCD") in order to dispense gasoline, the City could rely upon the PCAPCD's permitting process to avoid air quality impacts. Although the court held that the City could legitimately rely upon the PCAPCD's regulations, the court faulted the City for not identifying the PCAPCD's applicable rules or regulations relied upon for its determination. Accordingly, the court issued an order called a Peremptory Writ of Mandate instructing the City Council within 60 days to vacate and set aside Resolution No. 17-430 adopted on October 4, 2017 and to vacate and set aside the City's determinations that the project qualifies for a categorical exemption as an in-fill development under CEQA.

Finally, it is important to note what the court did not rule. The court did not prohibit the project from being reapproved. The court did not rule that the City must prepare an Environmental Impact Report ("EIR") in order to reapprove the project. The court did not rule that the City was prohibited from relying upon the in-fill exemption when re-evaluating the project. The court's ruling was narrowly focused on the substantial evidence used to justify the use of an in-fill exemption. The applicant has the opportunity to

provide additional evidence to support the use of a categorical exemption, including the rules and regulations of the PCAPCD, with the new application for a Design Review Permit.

Subsequent to the court's ruling, the City Council complied with the Writ and vacated the previous approvals for the Fiddymment Plaza Design Review Permit (PL16-0335) on January 16, 2019.

Current Project

A new application for a Design Review Permit was accepted by the Planning Division on January 18, 2019, following the vacation of the prior approvals by City Council on January 16th. The currently proposed project is substantially similar to the previously approved development, with minor changes to the site design and elevations.

The proposed project includes the construction of a mixed-use commercial development, including a gas station and fueling canopy (with five dispensers/ten pumps), a 8,802 square-foot commercial building with 3,977 square feet of retail space, 1,938 square feet of restaurant space, and 2,887 square feet for a convenience store (see Figure 2). The project also includes associated site improvements such as parking, lighting, and landscaping. The size of the commercial building has been reduced by approximately 1,500 square feet compared to the previous approval.

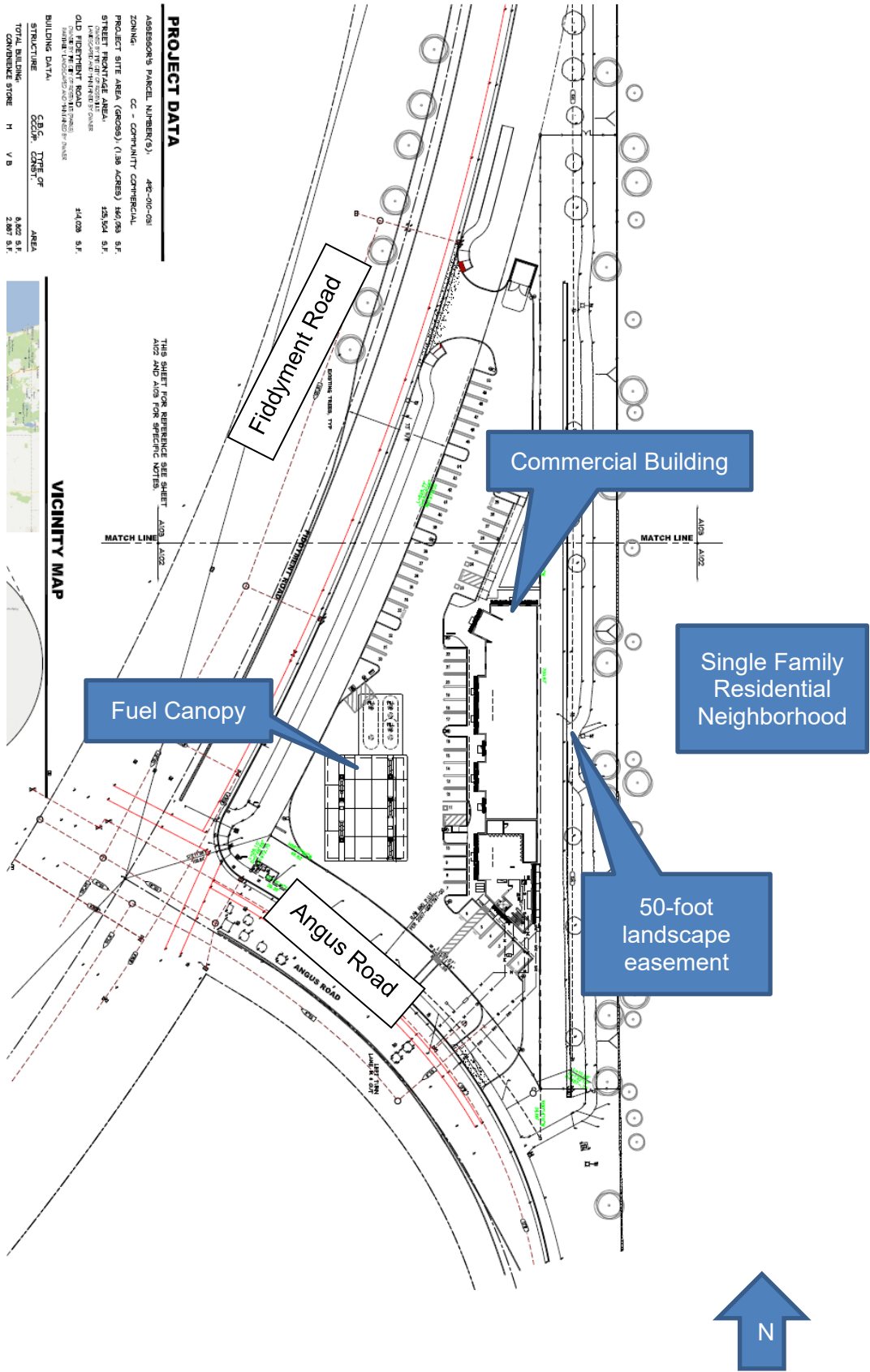
SITE INFORMATION

Location: 4701 Fiddymment Road, WRSP Parcel F-81

Total Size: 1.38 acres

Topography and Setting: The site is comprised of flat terrain, at an elevation of approximately 112 to 114 above mean sea level. The elevation of the subject site is similar to the adjacent properties, and the pad grades of the nearest residential homes range between 114 to 117 feet above mean sea level. Rough grading of the site occurred in 2014, and the project area is presently characterized by non-native annual grasses. With the proposed project, pad grading will be necessary to construct the new building, gas station, and site improvements.

Figure 2 – Project Site Plan



DESIGN REVIEW PERMIT EVALUATION

General Plan and Specific Plan Consistency: The General Plan land use designation for the subject property is Community Commercial (CC). According to the General Plan, the purpose of the CC land use designation is to provide a broader range of goods and services than the Neighborhood Commercial (NC) land use, to an expanded service area. Although the CC land use is intended for parcels greater than five acres in size, it does not preclude development on parcels less than five acres. While the NC designation specifically list gas stations as a primary use, the CC designation includes uses identified as allowable in the NC land use designation, as well as retail stores and businesses selling a full range of goods and services.

As provided in the General Plan, the CC land use is conditionally compatible with residential development. The site has been designed to reduce impacts on the nearby residential homes through building orientation, landscaping, and the use of enhanced architecture that is compatible with the neighborhood.

The General Plan also states that the CC land use is appropriate adjacent to arterial roadways, such as Fiddymment Road. As the project site is located on an arterial roadway, and will create a mixed-use commercial development with retail, restaurant, and gas station facilities to serve the nearby neighborhoods, the proposed project is consistent with the intent of the General Plan CC land use designation.

The WRSP identifies the project site as Parcel F-81, with a CC land use designation. The WRSP states that “Parcel F-81 is a small-sized parcel that provides an opportunity for neighborhood or community serving uses near Villages F-14 and F-15.” The permitted land uses are as identified in the Zoning Ordinance. The project includes retail space, opportunity for a restaurant, as well as convenience and gasoline sales. The proposed project is consistent with the WRSP.

Zoning Ordinance Consistency and CDG Development Standards

Consistent with the CC land use designation, the project site has a zoning designation of Community Commercial (CC). Zoning Ordinance Section 19.12.020, provides that gas stations, restaurants, and retail commercial are all principally permitted uses in the CC zone. Section 19.12.030 states that permitted uses shall comply with the City’s adopted CDG, applicable Specific Plans (in this case, the WRSP), and to any approved DRP. Since DRPs are required for any new construction (Section 19.74.010), the DRP is the appropriate entitlement for the review of the proposed project. DRPs evaluate site design, parking, landscaping, building elevations, and other design features. Whether or not a use is allowable or appropriate for a property is not a factor in the evaluation.

The following table (Table 1) illustrates the required and proposed development standards and design guidelines for the proposed project, as outlined in the Zoning Ordinance and the WRSP. The project as proposed is consistent with the Zoning Ordinance and CDG development standards.

Table 1 -- Required vs. Proposed Development Standards for the Fiddymment Plaza Project

| Zoning Ordinance and Community Design Guidelines Development Standards | Required | Proposed |
|--|--|--|
| Building Setbacks | 35' | 40' – fuel canopy |
| Landscape Setbacks | 35' | 35' |
| Building Height Limit | 50' maximum | 27.5' – commercial building 23.5' – fuel canopy |
| Parking Spaces | 1 per 300 sq. ft. retail: 23 spaces 1 per 100 sq. ft. restaurant: 20 spaces Total: 43 spaces | 50 parking spaces |
| % of Compact Spaces | Up to 30% | 0 |
| # of Accessible Parking Spaces | 2 | 3 |
| % of Shaded Parking | 50% | 56% |
| Bicycle Racks | 3 | 3 |

Section 19.78.060 of the City of Roseville Zoning Ordinance requires that four findings be made in order to approve or conditionally approve a Design Review Permit. The four findings are listed below in *italicized, bold* text and are followed by an evaluation of the project in relation to each finding.

- 1. The project as approved preserves and accentuates the natural features of the property, such as open space, topography, trees, wetlands, and water courses, provides adequate drainage for the project, and allows beneficial use to be made of the site for development.***

The project site is currently undeveloped; however, there are no natural features present on-site. The property is devoid of trees, vernal pools, and other water features. The site has been graded, and is primarily populated by non-native annual grasses and dirt.

Stormwater landscape planters will be located at the side and rear of the commercial building. The proposed planters will incorporate swales that limit surface water and pollutant runoff by maximizing the use of pervious surfaces and vegetative ground cover. The largest of these planters will be located on the north side of the building, adjacent to the proposed restaurant space, and will enhance the project design by incorporating landscape materials and reducing the overall amount of asphalt on the site.

The proposed project has been reviewed by the City Engineering Division, and improvement plans are required to ensure that adequate drainage and stormwater quality facilities are constructed. The proposed use is consistent with the site's commercial land use designation, and will develop an underutilized parcel.

- 2. The project site design as approved provides open space; access; vehicle parking; vehicle, pedestrian, and bicycle circulation; pedestrian walks and links to alternative modes of transportation; loading areas; landscaping, 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 the applicable Specific Plan and/or applicable design guidelines.***

Site Planning and Building Siting: The project proposes a fuel canopy and a mixed-use commercial building which will be set back from the road 40 and 90 feet, respectively. The fuel canopy will be situated near the corner of the site (outside of the frontage easement) with parking spaces primarily located on the north and east sides of the parcel. The lot is surrounded by public right-of-way easements on all three sides, which will be utilized for landscaping by the developer. Given the unique configuration of the lot and the need to provide adequate space for parking and vehicular circulation, the commercial building will be constructed adjacent to the rear (eastern) property line. The Building Division has reviewed the location of the commercial building adjacent to the property line due to the 50-foot wide public right-of-way easement to the east of the subject property. No concerns related to the location of the building have been identified by City staff.

The primary entrances to the commercial tenant spaces will be oriented towards the street. With the right-of-way easement to the east of the parcel, the building will be located greater than 50 feet from the nearest single-family property line in the existing neighborhood to the east of the project site. In addition, an existing six-foot-tall masonry wall along the western edge of the residential subdivision (to the east of the subject property and the 50-foot right-of-way easement) will further buffer the residential properties from the commercial use.

Vehicle Access and Circulation: Access to the project site will be provided by two driveways, one on Fiddymment Road and one on Angus Road. The driveway on Fiddymment Road will be restricted to right turns for ingress and egress into and out of the project site. The Angus Road driveway will also have restricted movement and will be limited to right turns only. The City's Engineering Division has reviewed the proposed turn movements and found the plan to be acceptable. Conditions #26 and #28 ensure that the applicant will provide appropriate lane striping and turn lanes in the public right-of-way.

The project's internal circulation pattern will consist of a two-way drive aisle along the front of the commercial building and a drive aisle around the western portion of the commercial building and under the canopy that will facilitate traffic through the site. The internal circulation pattern also provides adequate approach distance to the trash enclosures, and is configured to allow emergency vehicle access through the site.

Pedestrian access will be rerouted around to the project frontage, and a new eight-foot-wide sidewalk will be constructed along Fiddymment Road to connect to the existing sidewalk on Angus Road. To limit pedestrian activity at the rear of the site, a six-foot-tall wrought iron fence will be installed at either end of the project site. Access to the landscape area behind the proposed project will be restricted.

Parking: Per Zoning Ordinance Section 19.26.030, off-street parking requirements for the proposed project are based on the area allocated to each use. The project proposes 1,938 square feet of restaurant space, which requires one parking space per 100 square feet of area, for a total of 20 parking spaces. Additionally 6,864 square feet of the commercial building will be devoted to neighborhood commercial (including neighborhood commercial supporting gasoline sales), to be parked at a ratio of one space per 300 square feet of area. This results in a total of 23 parking spaces required for the commercial portion of the building. In total, 43 parking spaces are required for the proposed project. The site plan shows that 50 parking spaces are proposed on the project site, which exceeds the minimum required 43 parking spaces. In addition, ten additional spaces are provided under the proposed canopy for customers

purchasing gasoline. The project therefore complies with the parking requirements outlined in the Zoning Ordinance.

Lighting: Pedestrian scale lighting shall be incorporated into the outdoor areas and integrated into the building and landscape design. Main entries and storefronts will have the highest level of illumination, and all lighting sources will have cut-off lenses to avoid light spillage and glare onto adjacent properties (see Condition #10). Exterior lighting shall use white, LED lamps and the maximum height of the parking lot light poles shall not exceed 16 feet (see Condition #11).

At present, there are four streetlight poles located along the landscaped path on the east side of the project site. As a condition of approval, Roseville Electric is requiring the removal of the four streetlight bases, which are no longer appropriate for that location due to the realignment of Fiddymment Road (Condition #72).

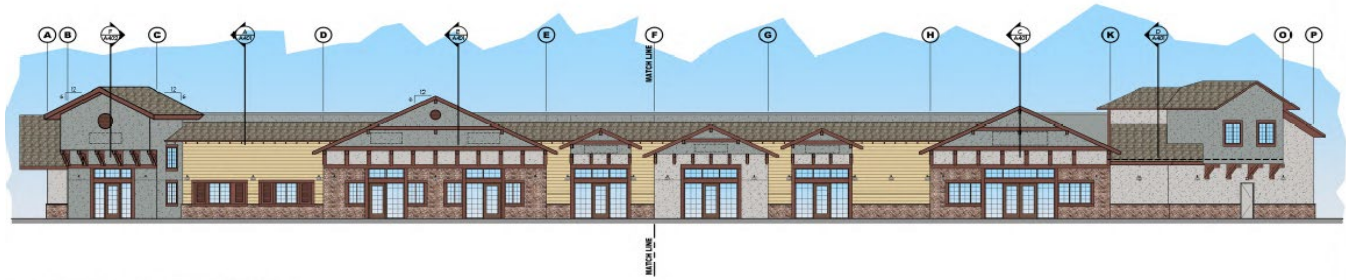
Landscaping: The project provides a 35-foot-wide public access easement along Fiddymment and Angus Roads, which will be planted with Chinese Pistache, Sycamore, Valley Oak, Chinese Elm, and a variety of shrubs and groundcover. Landscaping internal to the site will include several parking lot shade trees such as Crape Myrtles and Sycamores. In addition, substantial planting along the rear of the property will include seven Frontier Elm trees and ten Japanese pagoda trees that will assist with screening views of the proposed building from the nearby homes. The landscaping located around the perimeter of the site (within the public right-of-way) will be maintained by the property owner. Condition #28 has been added, requiring the applicant to enter into a landscape maintenance agreement with the City of Roseville to allow the planting and maintenance of landscaping within these easement areas. Additionally, staff recommends Condition #13, which requires plants to be pruned to maintain a clear line of sight, due to safety concerns that were raised by neighbors at the April 2017 neighborhood meeting.

3. *The building design, including the materials, 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 and/or applicable design guidelines.*

The building architecture includes a cottage-inspired design that incorporates traditional elements with modern features. The design draws from surrounding homes, and includes pitched roof elements, stacked stone, stucco, and horizontal wood siding. Additional elements are proposed to enhance visual interest, including rustic beams, corbels, aluminum storefront windows, wood trim, and tile roofing. Tower elements bookend the building, creating a slightly raised second-story element. Special consideration was given to the east-facing elevation during the design process, as that elevation faces single-family residences. Additional windows, wood siding, and roof-pitches have been incorporated into the façade to break up the wall plane on the rear (east) side of the building. The proposed color scheme is consistent with the character of the neighborhood, consisting of shades of gray, beige, and brown (Figure 3).

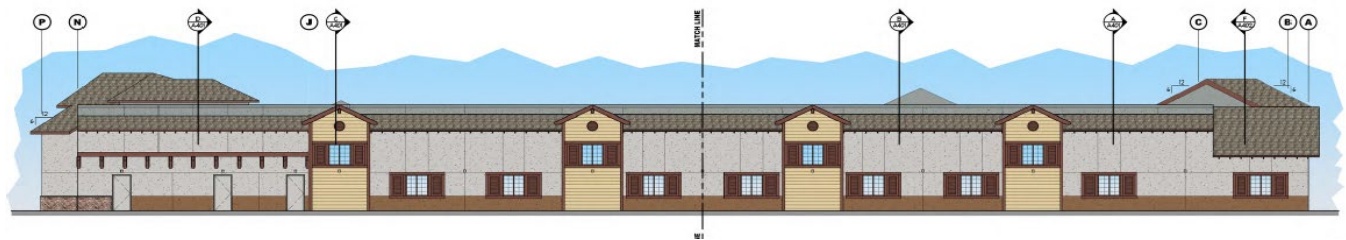
Elements of the design incorporate feedback presented at the April 15, 2017 neighborhood meeting for the prior Design Review Permit project (PL16-0355). Based on feedback from residents at that meeting, the overall building height was reduced approximately seven feet (from 34 to approximately 27 feet in height) to limit impacts on the residential homes to the east. The height remains approximately 27 feet in the current application. Additionally, a condition of approval was adopted for the prior project that would require that no more than 20-percent of the windows be covered in signage, due to concerns presented about safety and visibility into the convenience store. This condition will also be applied to the current project (Condition #9).

Figure 3 – Proposed Commercial Building Elevations



18 OVERALL WEST ELEVATION - SEE A301

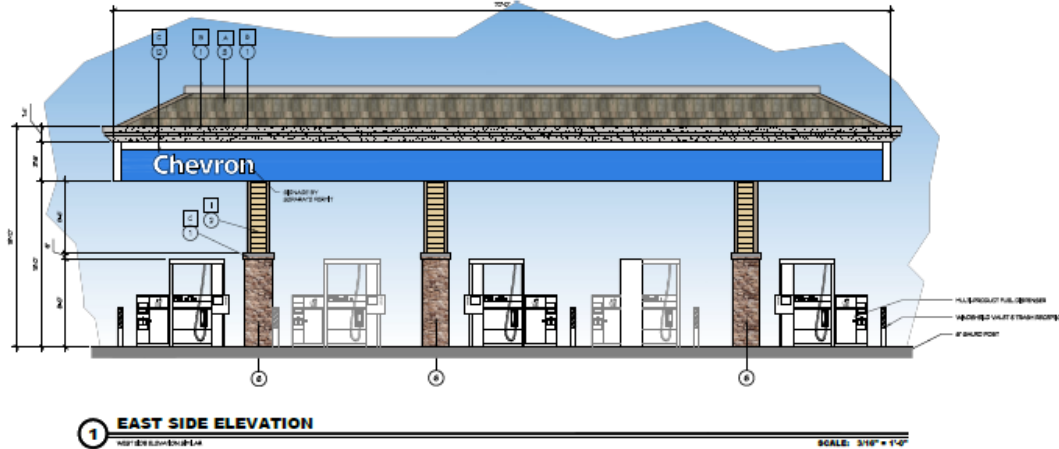
SCALE: 1/8" = 1'-0"



In addition to the main retail building, the project proposes a 23-foot tall, 3,365 square-foot gas station canopy on the southwest portion of the project site, along Fiddymment Road. The canopy design will incorporate the same materials as the retail building, and will include columns mirroring the stacked stone and wood paneling design (Figure 4). The roof of the canopy structure will utilize the same brown concrete tile as the primary building. To ensure limited impacts on the neighbors, the canopy fascia will be finished with stucco and the only down lighting will be used to illuminate the fueling pumps.

While the CDG recommends that projects on corners of prominent intersections should be treated as community gateways and that fuel canopies should be located away from a corner, staff determined that the proposed configuration is preferable given the irregular shape of the subject parcel and the location of the single-family homes to the east of the site. This guideline is a general recommendation that is not necessarily applicable to all intersections. In addition, the proposed configuration is not unlike several other gas station locations within the City that have fuel canopies adjacent to intersections. As proposed, the fuel canopy and pumps are situated to provide the greatest separation between the proposed use and the surrounding homes. As designed, the homes to the south and west are separated from the use by a two-lane and a four-lane roadway, respectively. The City's Design Guidelines are the framework to use when evaluating project; however, deviations to the guidelines are permitted through the DRP process. The proposed buildings and structures are consistent with the General Plan, WRSP, and CDG with regard to architecture, siting, and compatibility with surrounding development.

Figure 4 – Gas Station Fuel Canopy Elevation



- 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.**

The CDG provide standards for the screening and compatibility of service areas within a commercial project site. The proposed project includes two trash enclosures on the north side of the site to serve the proposed commercial building. The enclosures will have landscape screening on three sides of the structures, obscuring them from view. Although the enclosures are within five feet of the eastern property line, the 50-foot landscape buffer between the proposed project and the residential neighborhood satisfies the intent of the screening policy. The enclosures are also screened from Fiddymment Road due to their orientation and additional vegetation. The trash enclosures and project service areas are consistent with the CDG standards for service areas.

The mechanical equipment for the commercial building will be roof-mounted, and will be located within a well to screen the equipment from view.

PUBLIC OUTREACH

The proposed project was distributed to the various agencies and departments which have requested notice of City applications, and all comments were considered and incorporated into the Conditions of Approval, as appropriate. Notice of the application was also distributed to the Roseville Coalition of Neighborhood Associations. Additionally, staff created a webpage for the proposed project early in the review process, and the website link was provided to neighbors who expressed an interest in following the project. Several neighbors reached to out Planning staff to ensure they would be included in the project mailing list.

In emails received by Planning staff, two neighbors outlined concerns with the proposed project. One neighbor expressed concerns about the impact of the proposed project on nearby Harrigan Greens Park, stating that he believed additional traffic and alcohol sales attributable to the proposed use would invite strangers into the neighborhood. Another neighbor stated that they believed that the proposed gas station use would have negative air quality impacts, and pose a risk to the surrounding neighborhood.

No neighborhood meeting was held for the current application as the previously approved project (PL16-0355), which had an almost identical site and building design, was presented at the Fiddymment Farm

Neighborhood Association meeting on April 15, 2017. Approximately six of the twenty neighbors in attendance expressed opposition to the gas station component of the project due to concerns of crime, proximity to the casino, alcohol sales, hours of operation, noise, compatibility with the neighborhood, and views of the buildings from adjacent residential areas. Following the meeting, the applicant worked with City staff to ensure a design that is compatible with the residential feel of the neighborhood, provided a landscape design that allows visibility throughout the site, and reduced the building height to minimize impacts on surrounding homes. These revisions are described in the Design Review Permit Evaluation of this report.

Additional concerns were raised by the neighbors with the filing of an appeal of the Planning Commission's August 10, 2017 decision. Staff elaborated on the traffic concerns in the Council Communication presented to City Council on October 4, 2017, clarifying that the proposed project would generate 27 PM peak hour trips, which is less than the 61 PM peak hour trips allocated for the site based on the City's Traffic Model. In addition, the Council Communication addressed concerns raised by the neighbors regarding the gas station's proximity to Harrigan Greens Park, explaining that the Zoning Ordinance does not prohibit specific uses from locating within proximity to a park site, and that the gas station will be approximately 350 feet from the park and separated by a four-lane arterial roadway. Other concerns that were raised in the appeal, such as land use compatibility, parcel size, and fuel canopy placement, are discussed in the Design Review Permit Evaluation section of this report.

A public notice of the Planning Commission hearing was published on June 28, 2019, and was distributed to all property owners within 300 feet of the project site as well as the neighbors who made the request to be added to the mailing list. To date, no additional comments have been received following publication of the Planning Commission meeting notice.

ENVIRONMENTAL DETERMINATION

The project is a Design Review Permit for the construction of a mixed-use building consisting of retail and restaurant uses and for a gas station canopy and five fuel bays/ten pumps. The uses are permitted pursuant to the CC zoning designation which was analyzed in a Subsequent EIR (SEIR) certified in 2014 as part of the WRSP Amendment 3 project. The general project was previously approved by the City in 2017 and subject to litigation challenging the City's approval. On November 9, 2018, the Superior Court of California, Placer County, issued a decision finding that the City violated CEQA in relying on the prior infill categorical exemption for the project. On January 16, 2019, the City vacated the prior environmental determination and vacated the Design Review Permit issued in 2017. The project has been slightly modified in design as noted in the report, but not with regard to the location or size of the gas station. Additional information, especially with regard to air quality effects from the gas station, has been included in the record. The City has accordingly determined that this Design Review Permit is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) per Section 15332 pertaining to infill development projects and pursuant to Section 305 of the City of Roseville CEQA Implementing Procedures. Substantial Evidence is included above as well as referenced in the determination below. This project qualifies for section 15332 categorical exemption as it is infill development meeting the following conditions:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.**

The project site has a land use and zoning designation of Community Commercial (CC) which principally permits the proposed use. Furthermore, as noted herein and established in project findings the project is consistent with the Zoning Ordinance and CDG. Furthermore, the Superior Court has determined that the City properly found the project to be consistent with the General Plan, Zoning Ordinance and D. (See Attachment 1)

b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

As noted in the background section of this report, and depicted in Figure 1 – Vicinity Map, the project site is 1.38 acres and is surrounded by developed residential subdivisions to the east, south, and west.

c) The project has no value as habitat for endangered, rare or threatened species.

The project site was rough graded in 2014 and no endangered/threatened species or special habitat exists onsite. (See Attachment 2 [photo of site] and Chapter 1 of the SEIR regarding Biological Resources [the link to the document is included in Attachment 3].)

d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

Traffic:

As noted in this staff report, the project will generate fewer trips than anticipated by the City's Traffic Model and the traffic analysis performed for the WRSP Amendment 3 project. (See Chapter 5 of SEIR regarding Transportation and Circulation.) The staff report also addresses the review by the City's Development Services Engineering Division of circulation in and out of the project and found no significant effects. Therefore, there are no significant effects relating to traffic.

Noise:

The nearest single-family homes are located to the east of the proposed project, and are separated from the driveways and parking areas within the project site by the rear yards of the homes, a six-foot-tall masonry wall, a 50-foot easement, landscaping, and the proposed commercial building. Primary access to the commercial building will occur on the west side of the building, oriented away from those homes. Additionally, there are single-family homes to the west of the project site; however, these homes are buffered from activity on the project site by a six-foot tall masonry wall, landscaping, a four-lane arterial roadway, and additional landscaping adjacent to the project site. Staff does not anticipate noise impacts. However, consistent with City policy the project will be required to comply with the City's Noise Ordinance to ensure minimal impacts on the nearby homes. (See Attachment 4, City Noise Ordinance.) Therefore, there will be no significant effects relating to noise.

Air Quality:

As noted above the project will generate less traffic than anticipated in the City's Traffic Model thus resulting in less Air Quality impacts associated with traffic. The gas station fueling pumps will be approximately 160 feet from the nearest single family property line. The SEIR included air quality mitigation measures that the project must comply with. (See SEIR Chapter 7 regarding Air Quality and FEIR for WRSP SOI Amendment, Section 4.4 dated January 9, 2004.) In addition, air quality impacts related to gas stations are governed by PCAPCD which requires a gas station operation to secure an annual permit to operate. This permit process through PCAPCD ensures that the required local, state, and federal standards are adhered to as it relates to air quality impacts and that no permit is provided if PCAPCD significance thresholds are exceeded. (See Attachment 5 describing PCAPCD's jurisdiction and permitting process, PCAPCD Rules 501 and 502 and the PCAPCD Advisory Notice for Gasoline Dispensing Facilities dated August 21, 2002.) The project has obtained a PCAPCD Authority to Construct/Temporary Permit to Operate, issued on May 21, 2018, which included a technical memorandum analyzing Public Health Risk associated with the project. The analysis found that the project is well within the PCAPCD significance thresholds and the permit was accordingly issued. Both

of these documents are included as Attachment 5. The City relied on PCAPCD's Authority to Construct/Temporary Permit to Operate, based on the applicable rules and policies outlined in Attachment 5, in reaching its determination on air quality. Therefore, there will be no significant effects related to air quality.

Water Quality:

All development within the WRSP area, such as the project, must comply with City Improvement Standards, Stormwater Management Manual, other City regulations, and the NPDES program. Compliance with these regulations will ensure that impacts associated with water quality remain less-than-significant. (See SEIR, Chapter 1, pp. 1-8 to 1-9 [link in Attachment 3]) Therefore, there will be no significant effects related to Water Quality.

e) The site can be adequately served by all required utilities and public services.

Backbone infrastructure is available to the site from Fiddymment Road. Additionally, the project has been reviewed and commented on by all applicable service providers and all utility and public services can be adequately served.

In addition, none of the exceptions to categorical exemptions provided in Section 15300.2 of the CEQA Guidelines apply to the project, as described below:

- Section 15300.2(a) - Location: The location of the proposed project is not in a “particularly sensitive environment” as it would not impact an environmental resource of hazardous or critical concern, where designated, precisely mapped, and officially adopted pursuant to federal, state or local agencies. As discussed above, the project is an infill site that was graded for development in 2014. Therefore, the exception in Section 15300.2(a) is inapplicable.
- Section 15300.2(b) – Cumulative Impact: This exception applies where “the cumulative impact of successive projects of the same type in the same place, over time, is significant.” (Emphasis added.) The cumulative impact exception does not apply to the project because there is no foreseeable future development of similar projects in the vicinity of this project that together with this project would create a significant impact. The project is completely surrounded by already developed roadways and residential subdivisions. (See SEIR Chapter 11.)
- Section 15300(c) – Significant Effect: An exception to a categorical exemption occurs “where there is a reasonable possibility that the [proposed] activity will have a significant effect on the environment due to unusual circumstances.” In order for the unusual circumstances exemption to apply, it must be shown that (1) there are unusual circumstances and (2) that there is a “reasonable possibility of a significant effect on the environment due to unusual circumstances.” (Berkeley Hillside Preservation v. City of Berkeley (2015) 60 Cal.4th 1086, 1104.) There are no “unusual circumstances” relative to this project because there is nothing about the proposed development that distinguishes it from a typical project subject to the infill exemption. Moreover, even if there were unusual circumstances present, the project will not have any significant effects on the environment as discussed previously. As such, this exception is inapplicable.
- Section 15300.2(d) – Scenic Highways: This exception does not apply as there are no state scenic highways in the vicinity of the project.
- Section 15300.2(e) – Hazardous Waste Sites: This exception does not apply as the project is not located on a site included on any list compiled pursuant to Section 65962.5 of the Government Code.

- Section 15300.2(f) – Historical Resources: This exception does not apply as the project will not cause a substantial adverse change in the significance of a historical resource. The site has been rough graded since 2014 and contains no significant historic or cultural resources. (See SEIR Chapter 1.)

CONCLUSION

As proposed and conditioned, the project complies with the City of Roseville General Plan, the WRSP, the Zoning Ordinance, and the CDG. The project is consistent with the Community Commercial land use and zoning designations, as well as the intended use of Parcel F-81 as identified in the WRSP (discussed on pages 6 and 7 of this report). Additionally, the project is consistent with the site development standards, the policies provided for commercial development in the CDG, and the required findings for a Design Review Permit, as discussed in the Design Review Permit Evaluation section of this report (pages 7-11).

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15332 for Infill development projects, based on substantial evidence provided in the Environmental Determination section of this report (pages 11-14) as well as Attachments 1-5. Staff found that none of the exceptions to categorical exemptions, as provided in Section 15300.2 of the CEQA Guidelines, apply to the proposed project.

RECOMMENDATION

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

- A. Adopt the findings of fact as stated in the staff report and approve the **DESIGN REVIEW PERMIT– 4701 FIDDYMENT ROAD – WRSP PCL F-81 – FIDDYMENT PLAZA PL19-0013** subject to eighty-eight (88) conditions of approval.

CONDITIONS OF APPROVAL FOR DESIGN REVIEW PERMIT FILE #PL19-0013

1. This Design Review Permit approval shall be effectuated within a period of two (2) years from **July 11, 2019** and if not effectuated shall expire on **July 11, 2021**. Prior to said expiration date, the applicant may apply for an extension of time, provided this approval does not extend the expiration beyond **July 11, 2022**. (Planning)
2. The project is approved as shown in Exhibits A - G and as conditioned or modified below. (Planning)
3. The project shall be addressed as 4701 Fiddymment Road. All projects with multi-tenants or buildings must submit a site plan with building footprint(s) and suite numbers to the Development Services Department (Business Services – Addressing) for review and approval. The City Addressing Guidelines should be used for reference when assigning suite numbers. (Business Services)
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. Project billing may occur up to two (2) months after the end of warranty or the Notice of Termination date for the SWPPP, whichever occurs later. (Engineering, Environmental Utilities, Electric, Finance)
5. 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)
6. The applicant shall not commence with any on-site improvements or improvements within the right-of-way until such time as grading and/or improvement plans have been submitted for review and are

approved with grading and/or encroachment permits issued by the Department of Development Services – Engineering Division. (Engineering)

7. 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. The Developer shall submit civil drawings to the Department of Development Services – Engineering Division for review and approval. (Engineering)

PRIOR TO ISSUANCE OF BUILDING PERMITS

8. Parking lot design shall conform to the City's design standards, including the following minimum standards for parking stalls:
 - 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-inch raised curb or concrete bumper. (Planning)
 - b) Standard – 9 feet x 18 feet; Compact – 9 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, signage, 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) Accessible parking stalls shall be dispersed and located closest to accessible entrances. The total number of accessible parking spaces shall be established by Table 11B-208.2 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 11B-206 and 11B-208. (Building)
9. No more than 20-percent of any storefront window shall be posted with signage of any type. (Planning)
10. All exterior lighting sources shall have cut-off lenses to avoid light spillage and glare onto adjacent properties. (Planning)
11. Exterior lighting shall be white light, using LED lamps, and the maximum height of the parking lot light poles shall not exceed 16 feet. (Planning)
12. There shall be no lighted signs on the north, south, or east side of the commercial building to reduce the potential impact to the adjacent residential areas. (Planning)
13. Landscaping shall be pruned to allow a clear line of sight throughout the project site, to the satisfaction of the Planning Division. (Planning)

14. Signs and/or striping shall be provided on-site as required by the Planning Division to control on-site traffic movements. Parking lot striping and signage shall be maintained in a visible and legible manner. (Planning)
15. The plans submitted to the Building Division for permits shall indicate all approved revisions/alterations as approved by the Commission including all conditions of approval. (Planning)
16. The project Landscape Plans shall comply with the following:
 - a) The Landscape Plan shall indicate the location of, and be designed to avoid conflicts with, all pole-mounted light fixtures and utility equipment including (but not limited to) electric transformers, switchgear, and overhead lines; backflow preventers; fire department connections; and public water, sewer, and storm drain facilities. (Planning, Fire, Environmental Utilities, Electric, Public Works)
 - b) The tree plantings in the parking lot shall be designed to provide a minimum of 50% shade coverage after 15 years. (Planning)
 - c) At a minimum, landscaped areas not covered with live material shall be covered with a rock, (3") bark (no shredded bark) or (3") mulch covering. (Planning)
 - d) The landscape plan shall comply with the Landscape Guidelines for West Roseville Specific Plan and the City of Roseville Water Efficient Landscape Ordinance. (Planning, Environmental Utilities)
 - e) Landscaping adjacent to preserve areas shall consist of California native, drought-tolerant groundcover, shrubs, plants, and trees. (Open Space, Planning)
 - f) All landscaping in areas containing electrical service equipment shall conform to the Electric Department's Landscape Requirements and Work Clearances as outlined in Section 10.00 of the Departments "Specification for Commercial Construction." (Electric)
 - g) Slopes within landscape planters shall be no more than 3:1. A two-foot flat bench located at back-of-walk shall be included in the landscape area to slow or allow absorption of nuisance run-off from the planters. (Parks, Recreation, and Libraries)
 - h) All landscaping shall conform to the standards of crime prevention through environmental design with the intent to create natural surveillance, controlling access, and territorial reinforcement to property boundaries. (Police)
17. 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)
18. At the time of building permit application and plan submittal, the project applicant shall submit a proposed plan which shows the proposed suite addressing for individual tenant spaces within the building. The Building Official, or the designee, shall approve said plan prior to building permit approval. Refer to the *City of Roseville Addressing Guidelines*. (Building)
19. A separate Architectural 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)

20. Building permit plans shall comply with all applicable code requirements (California Building Code – CBC – based on the International Building Code, California Green Building Standards Code–CGBSC, California Mechanical Code – CMC – based on the Uniform Mechanical Code, California Plumbing Code – CPC – based on the Uniform Plumbing Code, California Fire Code – CFC – based on the International Fire Code – with City of Roseville Amendments – RFC, California Electrical Code – CEC – based on the National Electrical Code, and California Energy Standards – CEC T-24 Part 6), 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 Division for applicable Code editions). (Building)
21. For restaurants, other food services, or commercial swimming pools: The developer shall obtain all required approvals and permits from the Placer County Health Department and the City of Roseville Industrial Waste Division. (Building, Environmental Utilities)
22. 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)
23. The Improvement Plans shall include a complete set of Landscape Plans. The Landscape Plans shall be approved with the Improvement Plans. (Planning, Engineering, Fire, Environmental Utilities, Electric)
24. 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)
25. The site shall be accessed from Fiddymment Road through a standard 35-foot wide A-7 driveway with a 150-foot right turn lane and 90-foot taper. The driveway shall be located a minimum of 240-feet north of Angus Road as measured from curb return to curb return and shall be restricted to right turn movements only. (Engineering)
26. An 8-foot wide sidewalk shall be constructed north along Fiddymment Road and connect into the existing walk. (Engineering)
27. The site shall be accessed from Angus Road through a standard Type S Commercial Driveway located a minimum of 185-feet east of Fiddymment Road as measured from curb return to start of driveway and shall be restricted to right turn movements only. (Engineering)
28. **Prior to issuance of permits**, the property owner shall enter into a maintenance agreement with the City for the maintenance of the private landscaping that is located within City right of way. (Engineering)
29. All storm drainage, including roof drains, shall be collected on site and treated with Best Management Practices (BMP’s) per the City’s Stormwater Quality Design Manual. All storm water shall be routed to the nearest existing storm drain system or natural drainage facility. Drain outfalls shall extend down to the receiving water and shall be constructed with adequate velocity attenuation devices. The

grading/improvement plans for the site shall be accompanied with a shed map that defines that area tributary to this site and all drainage facilities shall be designed to accommodate the tributary flow. The storm drain system and proposed BMP's shall be privately owned and maintained by the property owner. Prior to the issuance of any permits, the owner shall provide a plan for the maintenance of the proposed BMP's. (Engineering)

30. Prior to the approval of the Improvement Plans, the project proponent shall provide proof of preparation and submittal of a Storm Water Pollution Prevention Plan (SWPPP) to the Regional Water Quality Control Board (RWQCB). Proof shall be in the form of the Waste Discharge Identification Number (WDID#), provided to the applicant from RWQCB, placed on the coversheet of the improvement plans. Upon approval of the improvement plans, a copy of the SWPPP shall be required onsite and available for viewing by City inspection staff upon request. (Engineering)
31. The developer shall be responsible for any necessary relocation of signal interconnect cables that may require re-location as a result of the construction of turn lanes and/or driveways. (Engineering)
32. To ensure that the design for any necessary widening, construction, or modifications of Public Streets does not conflict with existing dry utilities generally located behind the curb and gutter, and prior to the submittal of design drawings for those frontage improvements, the project proponent shall have the existing dry utilities pot holed for verification of location and depth. (Engineering)
33. Sight distances for all driveways shall be clearly shown on the improvement plans to verify that minimum standards are achieved. It will be the responsibility of the project proponent to provide appropriate landscaping and improvement plans, and to relocate and/or modify existing facilities as needed to meet these design objectives. (Engineering)
34. 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, Development Services – Engineering Division 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. (Engineering)
35. Prior to the approval of the improvement plans, it will be the project proponent's 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)
36. Prior to the issuance of building permits, the property owner shall pay into the following fee programs: Citywide Drainage Fee, Citywide Traffic Mitigation Fee (TMF), Highway 65 Joint Partners Association (JPA), South Placer Regional Transportation Authority (SPRTA), and City/County Fee. (Engineering)
37. The applicant/developer shall prepare a Transportation Systems Management (TSM) Plan for Fiddymment Plaza to be reviewed and approved by the Transportation Commission. (Alternative Transportation)
38. 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)

39. The applicant shall pay all applicable water and sewer fees. (Environmental Utilities)
40. Water and sewer infrastructure shall be designed pursuant to the adopted City of Roseville Improvement Standards and the City of Roseville Construction Standards and shall include:
- a) Utilities or permanent structures shall not be located within the area which would be disturbed by an open trench needed to expose sewer trunk mains deeper than 12 feet unless approved by Environmental Utilities in these conditions. The area needed to construct the trench is a sloped cone above the sewer main. The cone shall have 1:1 side slopes.
 - b) Water, sewer and recycled mains shall not exceed a depth of 12 feet below finished grade, unless authorized in these conditions of approval.
 - c) All sewer manholes shall have all-weather, 10-ton vehicle access unless otherwise authorized by these conditions of approval. (Environmental Utilities)
41. 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)
42. Trash enclosures, recycling areas, and enclosure approaches shall be designed to current Refuse Division specifications, the materials and colors shall match the building, and the location of such facilities shall be reviewed and approved by the Refuse Division, Planning and the Fire Department. The enclosure must have inside dimensions of 12 feet wide and 9 feet deep and be built to the specifications of the Solid Waste Department's Enclosure Description. (Refuse, Planning, Fire)
43. Access to trash enclosures shall have an inside turning radius of 25 feet and an outside turning radius of 45 feet must be maintained to allow the refuse truck access to and from the enclosure. Enclosures must have a clear approach of 65 feet in front of the enclosure to allow servicing bins. (Refuse)
44. A trash enclosure and recycling enclosure is required for each building and each tenant, otherwise, the building owner is responsible for the trash service. (Refuse)
45. 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)
46. 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)
47. The fire department access road shall meet the City's requirements for width and turning radii of 30 and 50 as noted on the fire department standards for access. This designated access road shall also maintained 20 feet wide unobstructed and 13 feet 6 inches vertical clearance. These provisions will be enforced at the time plan are submitted for review, Additional information can be found on the City's web site www.roseville.ca.us or contact Patrick Chew, Senior Fire Inspector, at 916-774-5823 or pchew@roseville.ca.us with the Fire and Life Safety Division for information. (Fire)
48. The Roseville Fire Department is a Certified Unified Public Agency (CUPA) for the State. Therefore, the use, increase of hazardous materials or storage, liquids, gases and/or chemicals, shall meet the requirements of the Chapter 6.95 of the Health and Safety Code, the Roseville Fire Department and the National Fire Codes. The proposed qualities used shall meet the provisions of both CUPA and Fire Code. Submit a complete plan set and the Hazardous Materials Business Plan, including names

and amount of any hazardous materials that will be stored or used, to the Fire and Life Safety Division for review and approval. A permit application shall also be provided at the time of submittal. Contact our Hazardous Materials Division within the Fire Department at (916) 774-5800 to initiate the process.

49. Automatic fire extinguishing system risers, fire alarm system panels and digital alarm communicator system panels shall be located within an approved fire control room and shall be accessible from an adjacent fire apparatus roadway. There shall be only one fire control room per building. Said fire control room shall be a minimum size of thirty-five (35) square feet in size and shall be openable from the exterior via an approved door opening. However, if this project requires the installation of a fire pump, this room will likely be much larger than the minimum stated by ordinance. (Fire)
50. If added cornice construction is involved, the design shall support the weight of a ladder leaning against the assembly as well as a 330-pound vertical load applied to the **leading edge** of the horizontal projection of the cornice (a 250-pound firefighter carrying 80 pounds of equipment stepping off of a ladder onto the top of the cornice). (Fire)
51. An **approved** automatic fire extinguishing system shall be provided for all buildings where the total fire area is **3,600** square feet or greater, as required by California Fire Code as adopted by this city for non-single family residential units. All amendments, standards, policies and fee schedule can be found on the City's web site www.roseville.ca.us or contact the Fire and Life Safety Division for information at 916-774-5800. (Fire)
52. The fire flow required, at a 50% reduction due to the buildings being sprinklered, will be based on the largest single structure in accordance with the California Fire Code at the time detail plans are submitted to the City of Roseville for review. The maximum fire flow will not exceed 2,500 gpm based on the Appendix III-AA of the California Fire Code. (Fire)
53. 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
54. All on-site external lighting shall be installed and directed to have no off-site glare. Lighting within the parking areas and pedestrian walkways shall provide a maintained minimum of one (1) foot-candle, and 0.5 foot-candle of light, respectively. All exterior light fixtures shall be vandal resistant. (Planning, Police)
55. 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)
56. It is the developer's responsibility to notify PG&E of any work required on PG&E facilities. (PG&E)
57. No permanent structures shall be built within 10 feet of PG&E overhead facilities. (PG&E)

DURING CONSTRUCTION & PRIOR TO ISSUANCE OF OCCUPANCY PERMITS:

58. Any backflow preventers visible from the street shall be painted green to blend in with the surrounding landscaping. The backflow preventers 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 preventer 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 preventer shall be covered with a green cover that will provide insulation. (Planning, Environmental Utilities)
59. The following easements shall be provided by separate instrument and shown on the site plan, unless otherwise provided for in these conditions:
- a) A 25-foot-wide public utilities easement along all road frontages.
 - b) Water, sewer, and reclaimed water easements.
 - c) Additional internal easements will be required to cover primary electrical facilities to the project when the final electrical design is completed. (Electric)
60. Easement widths shall comply with the City's Improvement Standards and Construction Standards. Separate document easements required by the City shall be prepared in accordance with the City's "Policy for Dedication of Easements to the City of Roseville". All legal descriptions shall be prepared by a licensed land Surveyor. All existing public utility, electric, water, sewer and reclaimed water easements shall be maintained unless otherwise authorized by these conditions of approval. (Public Works, Environmental Utilities, Electric)
61. 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 preventer.
 - b) The property owner/applicant shall be responsible for that portion of the water supply system from the backflow preventer 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)
62. All improvements being constructed in accordance with the approved grading and improvement plans shall be accepted as complete by the City. (Engineering)

63. 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)
64. The applicant/developer shall prepare a Transportation Systems Management (TSM) Agreement for Fiddymment Plaza to be reviewed and approved by the City Manager. (Engineering, Alternative Transportation)
65. Water, sewer and reclaimed water shall be constructed pursuant to the adopted City of Roseville Improvement Standards and the City of Roseville Construction Standards. (Environmental Utilities)
66. All water backflow devices shall be tested and approved by the Environmental Utilities Department. (Environmental Utilities)
67. **Restaurants or other Food Service Establishment (FSE).** The applicant shall design for installation and/or install an exterior grease interceptor if the proposed business could potentially discharge substances containing fats, oils and grease (FOG) into the sewer system. The grease interceptor shall be adequate to separate and remove FOG contained in the wastewater from FSE's prior to discharge to the public sewer. (Environmental Utilities)
68. In the event an exterior grease interceptor cannot be installed due to space limitation, the developer shall install a grease trap, per City Standards, that will mechanically separate the FOG contained in the wastewater from the FSE prior to discharge to the public sewer. (Environmental Utilities)
69. Pursuant to the Municipal Code, the applicant shall apply for and obtain a FOG waste discharge permit (FOG WDP) from the Environmental Utilities Industrial Waste Division prior to occupancy or prior to discharging waste to the public sewer. The applicant shall submit information required by the Environmental Utilities Department for evaluation, including but not limited to: site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, FOG control device, grease interceptor or other pretreatment equipment and appurtenances by size, location and elevation. Additional information related to the applicant's business operations and potential discharge may be requested to properly evaluate the FOG WDP application. (Environmental Utilities)
70. All Electric Department facilities, including streetlights where applicable, shall be designed and built to the "City of Roseville Specifications for Commercial Construction." (Electric)
71. 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)
72. Any relocation, rearrangement, or change of existing electric facilities due to this development shall be at the developer's expense. This shall include the removal of the 4 existing streetlight bases along the East side of this parcel (Electric)
73. The existing streetlight on Fiddymment Rd may be in conflict with the proposed deceleration lane. If so, relocation of the existing streetlight will be required. (Electric)
74. 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)

75. 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. (Electric)
76. One ¾-inch conduit with a 2-pair phone line shall be installed from the building's telephone service panel to the meter section of the customer's electrical switchgear or panel. (Electric)
77. It is the responsibility of the developer to ensure 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:

78. 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)
79. 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)
80. The City reserves the right to restrict vehicle turning movements within the public right-of-way in the future if deemed necessary by the City Engineer. (Engineering)
81. The required width of fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. Minimum required widths and vertical clearances established by the Fire Code shall be maintained at all times during construction. Closure of accesses for fire apparatus by gates, barricades and other devices shall be prohibited unless approved by the Fire Chief. (Fire)
82. 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)
83. 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 or not and if site remediation is required. (Fire)
84. 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)
85. 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 that all construction equipment shall be fitted with factory installed muffling devices and be maintained in good working order. (Building)

86. 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 Division Field Inspector at the time of or prior to the foundation inspection. (Building)
87. Prior to Certificate of Occupancy, the applicant may apply for a Temporary Certificate of Occupancy (TCO) of the building. If a TCO 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 Certificate of Occupancy. (Building)
88. Concurrent with submittal for plan check and prior to a request for final building inspection, the applicant may request City approval of an occupancy phasing plan to allow individual or multiple building occupancies. This request shall be made in writing to the Building Division and shall include of the following:
- a) A description of measures that will be undertaken to minimize conflict between residents/building occupants and construction traffic (e.g. fencing, etc.);
 - b) A phasing plan showing the proposed buildings, internal roads and access routes, landscaping, trash enclosure locations, and any other improvements planned for each phase; and
 - c) An estimated time frame for each phase and a specific date for the first phase. (Planning, Building)

Attachments

1. Superior Court Ruling for *Michele Threlkel et.al vs. City of Roseville et. al*, November 9, 2018
2. Aerial Photo of Project Site
3. West Roseville Specific Plan Subsequent Environmental Impact Report
4. City of Roseville Noise Ordinance
5. PCAPCD Permit and Supporting Documentation

Exhibits

- A. Architectural Site Plans
- B. Floor Plans
- C. Commercial Building Elevations
- D. Fuel Canopy Elevations
- E. Preliminary Stormwater Quality Control Plan
- F. Preliminary Grading and Utility Plan
- G. Preliminary Landscape Plan

Note to Applicant and/or Developer: Please contact the Planning Division 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 Manager at, or prior to, the public hearing.