

**ITEM 5.3:      **CONDITIONAL USE PERMIT MODIFICATION – 1836 SIERRA GARDENS DRIVE -  
INFILL PCL 240 ISMAILI EDUCATION AND WORSHIP CENTER – FILE # PL20-0217****

**REQUEST**

The project includes a request for a Conditional Use Permit Modification to modify an existing CUP (File #PL17-0367) which would adjust the hours of operation and allow interior alterations to the assembly and classroom uses in the building.

Applicant – Jeff Reilly, Comstock Johnson Architects  
Property Owner – STG SIERRA GARDEN LLC

**SUMMARY RECOMMENDATION**

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

- A. Adopt the two (2) findings of fact for the Conditional Use Permit Modification and approve the Conditional Use Permit Modification subject to eight (8) 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 project is located within the South Placer Business Park complex, between Sierra Gardens Drive and Lead Hill Boulevard within the City's Infill planning area. The complex is adjacent to the US Postal Service building to the west and Walmart to the east (see Figure 1). The complex includes six parcels that have a land use designation of Business Professional (BP) and a zoning designation of Planned Development (PD-16) for commercial, light industrial, and office uses. The South Placer Business Park was originally approved with a Use Permit by the Project Review Commission in 1989 (UP 89-24). The six parcels are currently developed with eight buildings occupied with a mix of office, medical, commercial and warehouse uses. All six parcels are owned and managed by one property owner and have a shared parking agreement.

The proposed project would be located in the building addressed 1836 Sierra Gardens Drive and would occupy approximately 6,000 square feet within the approximately 23,425 square foot building (see Figure 1). The remainder of the building is occupied by a dialysis clinic and vacant office area. On August 9, 2018, the Planning Commission approved a Conditional Use Permit (File # PL17-0367) for a community assembly use for the Tarbiya Institute. The applicant, Ismaili Education and Worship Center, is also a community assembly use and requests a Conditional Use Permit Modification to allow minor changes to the operational characteristics of the use and to make interior alterations to the site. The purpose of the Conditional Use Permit Modification is to evaluate the appropriateness of the use at the proposed location and minimize any potential conflicts between adjacent uses. Typically, the primary issue to address with community assembly uses is ensuring adequate parking is available to support the higher parking demand generated from the use.

**Figure 1 - Project Location**



## **EVALUATION**

Section 19.78.060(J) of the City of Roseville Zoning Ordinance requires two findings of fact be made in order to approve a Modification for a Conditional Use Permit. The required findings are listed below in ***italicized bold*** print and are followed by an evaluation.

***1. The proposed modification is substantially consistent with the intent of the original approval.***

The original approval (File #PL17-0367) was a Conditional Use Permit for a community assembly use. The current proposal is also for a community assembly use. Furthermore, both the original and current request were for community assembly uses for Muslim institutions. For this reason, the hours of operation are similar for the two uses. Like the original approval for the Tarbiya Institute, the Ismaili Education and Worship Center will operate largely outside of typical business hours. The current request involves minor changes to the hours of operation (Exhibit B) but the hours of religious assembly remain before 8 am and after 5 pm on weekdays. The proposed use will not conflict with surrounding businesses. The other modification request is to create eight classrooms within the tenant space. The Tarbiya Institute also included an education component, but there were no formal classrooms. Staff finds that the proposed modification is substantially consistent with the intent of the original approval.

***2. The proposed modification complies with all applicable standards and requirements of the Zoning Ordinance, with the applicable goals, policies and objectives set forth in the General Plan, the applicable Community Design Guidelines, and the applicable specific plan.***

The project site has a land use designation of Business Professional (BP). The site is located within the Infill area of the City and not within a Specific Plan area. The BP land use designation is typically intended to support office uses and other commercial uses supportive of offices. Although community assembly uses are not specifically listed as typical uses within the BP land use, they are considered a commercial use type and are typically located on parcels with a commercial land use designation. The General Plan relies on the Zoning Ordinance to determine the appropriate location and design of community assembly uses through the Conditional Use Permit process. Therefore, the proposed project is consistent with the General Plan.

As mentioned the project is located in the PD-16 zone district. The PD-16 zone designation does not provide development standards other than identifying the intent to allow for commercial, light industrial and office uses. A community assembly use is considered a commercial use. Where a PD zone has been silent on use, the land use has been used to determine the underlying or corresponding zoning district. For the proposed project, the corresponding zone is BP. Community assembly is a conditionally permitted use type within the BP zone district.

The proposed use will occupy an existing building and will not include exterior modification to the building. Therefore, there are no specific development standards outlined in the Zoning Ordinance, other than parking requirements, for the community assembly use. As mentioned, the project site is part of the South Placer Business Park, which has shared parking. Currently the complex has 1,096 parking spaces available. Based on the current mix of uses, the Zoning Ordinance requires 1,088 parking spaces, leaving 8 extra parking spaces available for shared use. The current tenant mix and parking requirement for the complex is provided in Attachment 1.

The Ismaili Education and Worship Center will occupy a 6,000 sf tenant space that will be created from a portion of the 8,000 sf tenant space created for the Tarbiya Institute. For community assembly uses, the Zoning Ordinance dictates the parking requirement be calculated based on the assembly area and any classrooms. Space dedicated to restrooms, office space, and other ancillary spaces are excluded from the parking calculation. The parking ratio for community assembly is one parking space per every 50 square feet of assembly use (1:50) and one space for every classroom. As shown in the proposed floor plan for the Ismaili Education and Worship Center (Exhibit A), the assembly space will be 2,105 square feet. Currently, the building (1836 Sierra Gardens Dr.) has 119 allocated parking spaces. With the proposed change in use, the parking requirement for the building will be adjusted as shown in **Table 1**.

**Table 1 - Parking Requirement for 1836 Sierra Gardens Drive**

Suite	Tenant	Square Feet	Use	Parking Ratio	Proposed Parking Required	PL17-0367 Parking Allocation
150	Davita Dialysis	9,060	medical	1:200	45	60
100	Assembly	2,105 +8 classrooms	assembly	1:50 + 1:class	42 + 8 = 50	42
80	Vacant	<del>4,303</del> 6,303	office	1:250	<del>17</del> 25	17
Total					120	119

As shown in the table above, after the proposed change in use of Suite 100, there will be a 1 space increase in the parking requirement for the site compared to the last calculation for the Tarbiya Institute. Although the Ismaili Worship and Education Center requires 8 additional parking spaces compared to the Tarbiya Institute, the parking requirement for dialysis clinics was reduced with the 2020 zoning ordinance update from 1/150 to 1/200 for low-traffic generating medical uses. Therefore, the overall parking requirement only increases by 1 space. As shown in Attachment 1, there is surplus parking within the overall South Placer Business Park to accommodate the increase in required parking. The center will now have 7 surplus parking spaces beyond what is required by the Zoning Ordinance. The proposed project therefore conforms with the Zoning Ordinance requirements.

The South Placer Business Park is occupied by a mix of commercial, office, and light industrial tenants. Typical hours of operation for such uses are Monday through Friday 8 am to 5 pm and often closed during the noon lunch hour. The Ismaili Education and Worship Center is a church (community assembly) use. The operations plan is provided in Exhibit B. The Ismaili Education and Worship Center will have church services Monday-Sunday from 3:30 am to 5:30 am and 7:00 pm to 9:00 pm. All events associated with the services will occur inside the tenant space. It is estimated that attendees of the services will generate the need for no more than 20 parking spaces in the morning and 40 parking spaces in the evening. As these service times occur outside of the typical hours of operation for other

tenants in the business park, and the number of parking spaces needed is less than those allocated to the use, no parking impacts are anticipated to adjacent businesses. In addition to church services, the Ismaili Education and Worship Center will also offer classes on Saturday and Sunday from 2 pm to 6 pm. These classes range in size and will have an anticipated parking demand of no more than 40 parking spaces. All activities associated with the classes will occur inside. Again, as these classes will be held outside of typical peak business hours and the class size is smaller than the allocated number of parking spaces for the tenant space, no parking impacts are anticipated to occur. Condition #3 has been added to require additional approval from the Planning Commission prior to an expansion of the use.

The project has been reviewed by the applicable City Departments. Conditions #5 through #7 have been added to require the center to obtain the proper fire permits to ensure the safety of attendees to the church. Condition #8 has been added by the City's Alternative Transportation Division to require the center to participate in the existing Sierra Garden LLC Transportation Systems Management (TSM) Plan, which encourages attendees to utilize alternative transportation methods (e.g. carpool, bus, and bike) to the site and assists in the coordination of the alternative transportation options. With these additional conditions, and based on the proposed operations, staff finds the proposed use will be compatible with and will not adversely impact adjacent uses.

### **CONCLUSION**

Based on the analysis contained in this staff report and as conditioned, staff finds that the proposed project is consistent with the findings needed to approve the Conditional Use Permit Modification and meets the requirements of the General Plan and Zoning Ordinance; and therefore, the required findings to approve the entitlement can be made.

### **ENVIRONMENTAL DETERMINATION**

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, which includes minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density. The project includes a minor modification to the conditionally permitted use of the property and is therefore exempt.

### **PUBLIC OUTREACH**

The proposed project was distributed to all internal and external agencies and departments who have requested such notice, and all comments or recommended conditions of approval have been incorporated into the project, as appropriate. A notice of the public hearing was published on October 30, 2020 and was also distributed to all property owners within 300 feet of the site, and to the Roseville Coalition of Neighborhood Associations. No comments were received at the time of publication of this report.

### **RECOMMENDATION**

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

- A. Adopt the two (2) findings of fact as listed in the staff report and approve the **CONDITIONAL USE PERMIT MODIFICATION – 1836 SERRA GARDENS DRIVE - INFILL PCL 240 ISMAILI EDUCATION AND WORSHIP CENTER – FILE # PL20-0217** subject to eight (8) conditions of approval.

**CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT MODIFICATION (FILE # PL20-0217)**

1. This Conditional Use Permit approval shall be effectuated within a period of two (2) years from this date and if not effectuated shall expire on **November 12, 2020**. 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 **November 12, 2020**. (Planning)
2. The Conditional Use Permit shall be effectuated upon issuance of an occupancy permit by the Building Department. (Planning, Building)
3. The activities and services approved in conjunction with this Conditional Use Permit shall be as identified in **Exhibit A** and **Exhibit B**. No expansion of the use beyond what is outlined in these exhibits shall be permitted without prior approval from the Planning Commission. (Planning)
4. All activities must take place within the tenant space. (Planning)
5. 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)
6. 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)
7. The proposed change in use to a place of assembly may require the upgrade of the automatic fire alarm system depending on the final occupancy load calculated by the building official. The upgraded fire alarm system will have an impact on the entire building if there is not a two-hour fire barrier between tenants. All amendments, standards, policies and our fee schedule can be found on the City's web site [www.roseville.ca.us](http://www.roseville.ca.us) or contact Jason Rizzi, Senior Fire Inspector, at 916-774-5802 or [jrizzi@roseville.ca.us](mailto:jrizzi@roseville.ca.us) with the Fire & Life Safety Division for information. (Fire)
8. The owner shall participate in the existing Sierra Garden LLC TSM Plan; consistent with the TSM Ordinance. (Alternative Transportation)

**ATTACHMENT**

1. South Placer Business Park Parking Table

**EXHIBIT**

- A. Project Plans
- B. Operations Plan

**Note to Applicant and/or Developer:** Please contact 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.