

**ITEM 5.2:** **Tentative Condominium Map – 330 Vernon Street – DTSP PCL DT-6 – Civic Plaza Residences Condominium Map – File # PL21-0281**

**REQUEST**

The project is a request for a Tentative Condominium Map to create 52 condominium units consisting of four (4) commercial units and 48 residential units for the Civic Plaza Residences.

Applicant – Michael Chiara, Morton & Pitalo  
Property Owner – City of Roseville

**SUMMARY RECOMMENDATION**

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

- A. Adopt the three (3) findings of fact and approve the Tentative Condominium Map subject to forty (40) conditions of approval.

**SUMMARY OF OUTSTANDING ISSUES**

There are no outstanding issues associated with this request. The applicant has reviewed and is in agreement with all recommended conditions of approval.

**BACKGROUND**

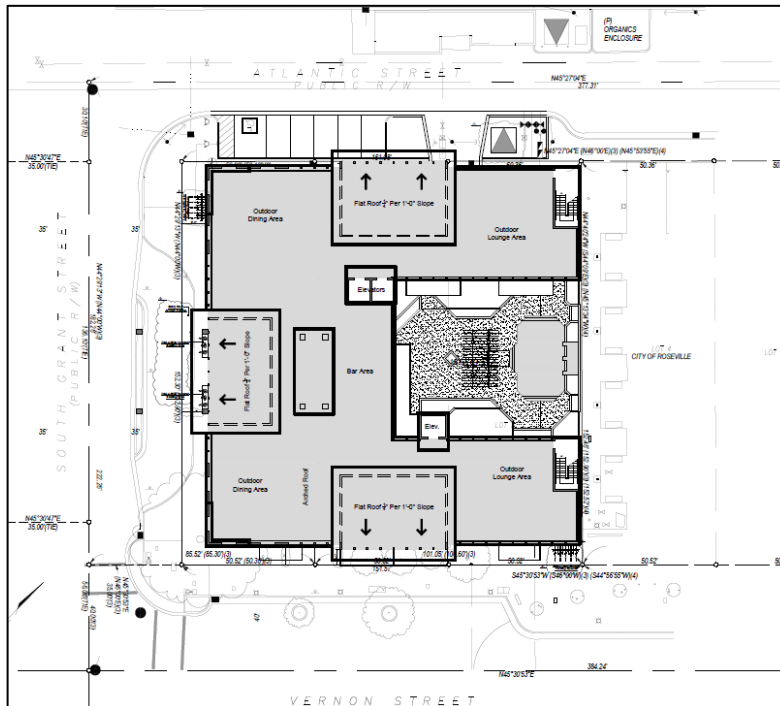
The subject property is located at 25 South Grant Street (330 Vernon Street), at the northeast corner of Vernon Street and South Grant Street, within the Vernon Street District (DT-6) of the Downtown Specific Plan (DTSP) (see Figure 1 below). The DTSP was approved by City Council on April 1, 2009 with the intent of providing a vision and policies for redevelopment, revitalization, and intensification of the 176-acre core of Roseville (including Historic Old Town, Vernon Street, and Royer and Saugstad Parks). With that approval, the DTSP assumed that approximately 1,020 new residential units and 4.4 million square feet of development would be added in the plan area over a 20-year period.

The project site is currently developed with an approximate 5,000-square-foot building that is currently vacant and was previously occupied by the United States Postal Service (USPS). The property has street frontage along Vernon Street to the southeast, S. Grant Street to the southwest, and Atlantic Street to the northwest, and is adjacent to a four-story, mixed-use building currently occupied by a mix of uses including Sierra College and City of Roseville.



To help expedite Downtown development, the Downtown Code established provisions for projects to be reviewed through the streamlined Minor Design Review Permit (MDRP) process. The MDRP process allows for projects found consistent with the Downtown Code to be approved administratively. In August 2021, the Planning Manager approved a MDRP (File #PL21-0013) to allow the construction of a 93,981-square-foot, four-story mixed use building consisting of 48 residential units, approximately 9,200 square feet of retail, office, and commercial space on the ground floor, rooftop dining, and subterranean parking. The ground floor will consist of an interior courtyard with a pool and outdoor areas for dining and recreation. The existing building previously occupied by the USPS will be demolished. A Voluntary Merger was approved concurrently to merge the lots into one 0.53-acre lot. The approved site plan and building rendering are included as Figures 2 and 3 below. Attachment 1 includes the complete approved plan set of File #PL21-0013 for reference.

**Figure 2: Approved Site Plan**



**Figure 3: Approved Building Design (View from S. Grant St. & Vernon St.)**



At this time, the applicant is requesting a Tentative Condominium Map to create a total of 52 airspace units within the approved four-story building, consisting of four (4) commercial airspace lots and 48 residential airspace lots. The building has not yet been constructed; however, no changes to the approved building or site improvements are proposed with this request. The project will provide the flexibility of selling the units to individual owners.

### **EVALUATION AND FINDINGS**

Section 18.06.180 of the City of Roseville Subdivision Ordinance requires that three findings be made in order to approve or conditionally approve a Tentative Subdivision Map. The three findings are listed below in ***bold italics*** and are followed by an evaluation of the map in relation to each finding.

- 1. The size, design, character, grading, location, orientation, and configuration of lots, roads and all improvements for the tentative subdivision map are consistent with the density, uses, circulation and open space systems, applicable policies and standards of the General Plan and the Community Design Guidelines, and the design standards of Title 18 (Subdivision Ordinance) of the Roseville Municipal Code.***

The current request is to create 52 airspace lots for condominiums that will be located within the four-story building approved under File #PL21-0013. The approved building footprint is approximately 15,600 square feet and the total building square footage is approximately 94,000 square feet. The first floor will consist of four (4) commercial condominiums anticipated for retail and restaurant uses, three (3) residential condominiums, and a common area consisting of a lobby, gym, restrooms, business management offices, elevators, stairwell and the hallway. The remaining three floors will consist of fifteen (15) residential condominiums each, and a common area consisting of the stairwell, hallway, elevators, and storage space. Lastly, the roof will be designated for the exclusive use of one of the restaurant spaces. The proposed Subdivision Map will not affect the existing or planned development for the project area. The configuration of airspace units will not impact the density, use, circulation, and all other applicable policies. Additionally, the California Subdivision Map Act and City's Subdivision Ordinance do not contain any maximum or minimum lot/condo sizes.

Staff has included Condition #24 to ensure that the condominium owners participate in a Business Owners Association/Condo Association. The Owners Association will be the mechanism for ensuring that the Covenants, Conditions, and Restrictions (CC&Rs) are followed and that all common areas (landscape areas, drive aisles, parking lot, building, etc.) are properly maintained.

- 2. The subdivision will result in lots which can be used or built upon. The subdivision will not create lots which are impractical for improvement or use due to: the steepness of terrain or location of watercourses in the area; the size or shape of the lots or inadequate building area; inadequate frontage or access; or, some other physical condition of the area.***

The Tentative Subdivision Map will create airspace lots within the building approved under File #PL21-0013, and provide for individual commercial and residential condominium units. During staff review of the Tentative Subdivision Map application, it was determined that the creation of the airspace units will not create any impractical or unusable units.

- 3. The design and density of the subdivision will not violate the existing requirements prescribed by the Regional Water Quality Control Board for the discharge of waste into the sewage system, Pursuant to Division 7 of the Water Code.***

The water quality impacts associated with the project and the expected discharge of waste for this project are consistent with what has been anticipated by the General Plan and DTSP EIR. In addition, the design of the sewer lines in the project area and treatment capacity at the City's sewage treatment plant have adequate conveyance and capacity to accommodate the development. Lastly, approval of the

Condominium Map will not increase the development intensity and will not increase impacts beyond what was anticipated for the site.

## **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 in the Press Tribune on November 5, 2021, and a notice of the hearing was also distributed to all property owners within 300 feet of the site and published on the Roseville Coalition of Neighborhood Associations' website. To date, no comments have been received.

## **ENVIRONMENTAL DETERMINATION**

An Environmental Impact Report (EIR) was prepared for the Downtown Specific Plan (DTSP) and certified on April 1, 2009 (SCH# 2007102090), which included an evaluation for development of the DTSP Parcel DT-6 district. Staff finds the project is within the scope of the project covered by the DTSP Final EIR. Given the project is consistent with the DTSP EIR and Specific Plan, no new effects would be expected to occur and all applicable mitigation measures from the DTSP EIR will be implemented during the design and construction of the project. As such, no additional environmental document is required.

## **RECOMMENDATION**

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

- A. Adopt the three (3) findings of fact and approve the **TENTATIVE CONDOMINIUM MAP – 330 VERNON STREET – DTSP PCL DT-6 – CIVIC PLAZA RESIDENCES CONDOMINIUM MAP – FILE #PL21-0281** subject to forty (40) conditions of approval.

### **CONDITIONS OF APPROVAL FOR THE TENTATIVE CONDOMINIUM MAP – FILE #PL21-0281**

1. The approval of a Tentative Map and/or tentative site plan does not constitute approval of proposed improvements as to size, design, materials, or location, unless specifically addressed in these conditions of approval. (Engineering)
2. The design and construction of all improvements shall conform to the Improvement Standards and Construction Standards of the City of Roseville, or as modified by these conditions of approval, or as directed by the City Engineer. (Engineering)
3. 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. (Engineering, Environmental Utilities, Finance)
4. All those conditions as required per approved Design Review Permit, PL21-0013, as approved by the Planning Division on August 3, 2021 shall be made part of those conditions required with this Tentative Map application. Prior to the recordation of the final map, all improvements including on-site pavement, water, sewer, and storm drainage and off-site improvements as shown on the approved plans for PL21-0013 shall either be completed and approved by the City or bonded for. (Engineering)
5. The project shall comply with all required environmental mitigation identified in the Downtown Specific Plan Environmental Impact Report (EIR), certified April 1, 2009 (SCH #2007102090) and shall include all applicable mitigation measures as notes on the grading plans. (All Departments)
6. Affordable housing shall be provided as follows: 5 units to be sold to middle income households at 100% of the Area Median Income. (Housing)

## **PRIOR TO ISSUANCE OF GRADING PERMIT OR IMPROVEMENT PLANS**

7. Water and sewer infrastructure shall be designed and constructed pursuant to the adopted City of Roseville Improvement Standards and Construction Standards and shall reflect the following:
  - a) Sewer and water service laterals shall not be allowed off of water and sewer mains larger than 12 inches in diameter.
  - b) 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.
  - c) Water and sewer mains shall not exceed a depth of 12 feet below finished grade, unless authorized in these conditions
  - d) All sewer manholes shall have all-weather, 10-ton vehicular access unless authorized by these conditions. (Environmental Utilities)
8. The applicant shall establish a Business Owners Association/Condo Association, which shall be billed by the City for water consumption. At the request of the City additional information will be required of the Business Owners Association/Condo Association on an ongoing basis. The Business Owners Association/Condo Association will be required to submit a copy of their annual statement to the City every year. If the Business Owners Association/Condo Association is in arrears on the water bill three months in a row, the Business Owners Association/Condo Association must give the City access to their books for auditing purposes. If the Business Owners Association/Condo Association should become inactive, each individual condominium owner must sign in separately for water service. A notice to this effect shall be placed in the CC&R's for the condominium project. (Environmental Utilities)
9. Fire hydrants shall be located as required by the Fire Department. The maximum distance between fire hydrants shall not exceed 1,000 feet on center. (Fire)
10. Minimum fire flow is 1,500 gallons per minute with 20 pounds per square inch residual pressure. A change in any of the conditions may increase the required fire flow. (Fire)
11. There shall be two points of access for all phasing plans. (Fire)
12. Testing of all fire systems shall be performed prior to the sales office being opened for business. (Fire)
13. Framing construction cannot commence until access roads and public fire hydrants are approved by the Fire Department. (Fire)
14. If this project will be phased, the fire department requirements for access and circulation throughout shall be reviewed and approved by the Fire Department. Access roads shall comply with the California Fire Code and the City of Roseville's Amendments. (Fire)
15. 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)
16. The design for electrical service for this project will begin when the Electric Department has received a full set of improvement plans for the project. (Electric)

17. All landscaping in areas containing electrical service equipment shall conform to the “Electric Department Landscape Design Requirements” as outlined in Section 10.00 of the Electric Department’s “Specifications for Commercial Construction.” (Electric)
18. 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
19. The location and design of the gas service shall be determined by PG&E. The design of 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)
20. It is the developer's responsibility to notify PG&E of any work required on PG&E facilities. (PG&E)

**PRIOR TO OR UPON RECORDATION OF FINAL MAP**

21. The following easements shall be provided and shown on the Final/Parcel Map or by separate instrument, unless otherwise provided for in these conditions:
  - a) Water, sewer, and storm drain easements;

Easement widths shall comply with the City’s Improvement Standards and Construction Standards. The easement documents shall be drafted for approval and acceptance by the City of Roseville and recorded at the Placer County Recorder’s Office. (Alternative Transportation, Environmental Utilities, Electric, Engineering)
22. All existing easements shall be maintained, unless otherwise provided for in these conditions. (Environmental Utilities, Electric, Engineering)
23. Per the Subdivision Map Act, the following shall be added to the face of the Final Map:
  - a) The Title of the project clearly state Condominium Project,
  - b) The number of approved Condominium Units is clearly displayed,
  - c) A reference to the Condominium Plan as approved by the State Department of Real Estate.
  - d) Dedication of all common land shall be made to the Business Owners Association/Condo Association.

(Engineering)
24. 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 (Environmental Utilities, Electric, Engineering)
25. Separate declaration of Conditions, Covenants and Restrictions (CC&Rs) for each parcel or condominium conversion shall be approved by the City Attorney concurrently with the Final/Parcel Map. The CC&Rs shall include the following items:

- a) Creation of a Business Owners Association/Condo Association.
- b) Business Owners Association/Condo Association shall be responsible for maintenance of all common areas including landscaping, parking areas, and drive aisles.
- c) The common areas provide reciprocal access, parking and utilities (including drainage) for the mutual benefit of all condominium units.
- d) Provisions for title to common areas to be held by the Business Owners Association/Condo Association for and on behalf of all owners of each condominium unit.
- e) The Business Owners Association/Condo Association (collectively) shall own and maintain all common lots.
- f) A clause stating that the property owners within this subdivision shall agree to participate in a Transportation Systems Management (TSM) Plan and shall agree to enter into a Transportation Management Agreement with the City of Roseville.
- g) A clause prohibiting the amendment, revision or deletion of any sections in the CC&Rs required by these conditions of approval without the prior written consent of the City Attorney.
- h) A clause excluding any property owned by the City from the terms of the CC&Rs. (Attorney, Engineering, Environmental Utilities, Planning)

26. The City shall not approve the Final Map for recordation until either:

- a) A subdivision agreement is entered into along with the necessary bonds and insurance as required by the City. Said agreement shall be in a form acceptable to the City Attorney.

OR

- b) The improvement plans are approved, and the improvements are constructed and accepted as complete. In this case, the subdivider shall enter into a one-year maintenance agreement concurrent with the recordation of the Final Map. (Engineering)

27. In the event that the Final (Parcel) Map will record prior to the completion of on-site construction, all utility and access easements shall be placed on the face of the Map to the satisfaction of the City Engineer. If all on-site improvements are complete prior to the recordation of the map, then a separate agreement allowing all parcels/lots the rights of reciprocal access, rights to construct, and parking shall be submitted to the City as a part of final/parcel map submittal. Said agreement shall be in a form acceptable to the City Attorney and referenced on the face of the recorded map. (Engineering)

28. The Final/Parcel Map shall include an irrevocable offer to dedicate public rights-of-way and public and/or private easements as required by the City. (Engineering)

29. The words "traffic control appurtenances" shall be included in the list of utilities allowed in public utilities easements (PUEs) located along public roadways. (Engineering)

30. The Final/Parcel Map shall be submitted per "The Digital Submittal of Cadastral Surveys." A plot or print of the submittal shall accompany the electronic copy. The complete submittal shall occur after the Engineering Department approval but prior to City Council approval of the Final/Parcel Map. (Engineering)

31. The cost of any facilities, which are identified in the Capital Improvement Program and are beyond those needed for this project, may be reimbursed to the developer. In accordance with §66485 and §66486 of the Subdivision Map Act, for any improvements constructed by the subdivider which contain supplemental size, capacity, number, or length for the benefit of property not within the subdivision and which are to be dedicated to the public, the subdivider shall be entitled to reimbursement for that portion of the cost of the improvements which is in excess of the construction required for the subdivision. (Engineering)
32. Electric construction costs incurred by the City of Roseville Electric Department for this project shall be paid for by the developer per the applicable policy. (Electric)
33. Additional internal easements will be required to cover primary electrical facilities to the project when the final electrical design is completed. (Electric)
34. All Electric Department facilities, including streetlights where applicable, shall be designed and built to the “City of Roseville Specifications for Commercial Construction.” (Electric)
35. 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)
36. The Environmental Utilities Department shall make a determination that there is adequate conveyance and treatment capacity in the City sewer system to handle the newly created Lot/Parcels. (Environmental Utilities)
37. The applicant shall pay all applicable water and sewer fees. (Environmental Utilities)

#### **OTHER CONDITIONS OF APPROVAL**

38. Any relocation, rearrangement, or change to existing electric facilities due to this development shall be at the developer’s expense. (Electric)
39. It is the responsibility of the developer to ensure all existing electric facilities remain free and clear of any obstructions during construction and when the project is complete. (Electric)
40. If site survey or earthmoving work results in the discovery of hazardous materials in containers or what appears to be hazardous wastes released into the ground, the contractor shall 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. Non-emergency releases or notifications about the presence of containers found shall be reported to the Fire Department. (Fire)

#### **ATTACHMENT**

1. File #PL21-0013 Approved Plans

#### **EXHIBIT**

- A. Plans

**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.