

ITEM 5.2: Tentative Condominium Map – 730 Sunrise Av. – INFILL PCL 226 – 730 Sunrise Condo Map– PL22-0066

REQUEST

The applicant requests approval of a Tentative Condominium Map to create six (6) commercial condominium units within an existing building with a request for a parcel map waiver. The subject property is an existing lawful parcel, being Parcel E, as shown on Parcel Map in Book 5 of Parcel Maps, at Page 62, Placer County records, commonly known as 730 Sunrise Avenue #200.

Applicant- Craig Speiss, Rey Engineers
Owner- Gordon Stevenson, 730 Sunrise/Sundown LLC

SUMMARY RECOMMENDATION

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

1. Adopt the three (3) findings of fact and approve the Tentative Condominium Map subject to twenty-seven (27) 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 the recommended conditions of approval.

BACKGROUND

The subject property is located at 730 Sunrise Av. Building #200, on the west site of Sunrise Av. and north of Sundown Way in the Infill area of the City. The parcel has a land use designation of Business Professional (BP) and a zoning designation of Planned Development (PD35). The PD indicates that commercial and professional building complexes are permitted on the project site. The project site is surrounded by open space to the north, other office buildings to the west and east, and high density residential development to the south (Figure 1).

The current request includes a Tentative Condominium Map to create six (6) office condominiums within the existing building at 730 Sunrise Av. Building #200. The applicant has also requested a waiver of the Final Map in accordance with the City's Subdivision Ordinance and the California Subdivision Map Act.

Figure 1 – Project Location



EVALUATION

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 Condominium Map. The three findings are listed below in ***italicized, bold*** text 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 or any applicable specific plan for the area, whichever is more restrictive, and the design standards of this Title.***

The current request is to create six (6) airspace lots for office condominiums located within the building at 730 Sunrise Av. The condominium subdivision will allow the units to be sold to individual owners. The configuration of airspace units will not impact the density, use, circulation, or other applicable policies. In addition, the Map Act and Subdivision Ordinance do not contain any maximum or minimum lot/condo sizes; there are also no restrictions on the number or size of lease spaces that may be created. The only physical changes that could result would be minor utility work to provide separate metering and systems for the three portions of the building, but these changes will not affect site design.

FINAL MAP WAIVER REQUEST

Section 18.06.330 of the City’s Subdivision Ordinance allows an applicant to request a final map waiver in certain, specific conditions. The Subdivision Ordinance states that if the land being subdivided consists of a lot or parcels shown on a recorded final map and the full street, water supply, sanitary sewer, electrical, natural gas, cable and telephone improvements have been constructed and easements have been completed, and monumentation is evident, an applicant may apply for a map waiver. In this case, the 730 Sundown Tentative Map is proposed within an existing building. All of the utilities that serve the building have been installed and easements have been recorded. Therefore, staff supports the requested Final Map waiver.

The Subdivision Ordinance allows the approving authority of the map (in this case, the Planning Manager) the ability to waive the final map, and the City may issue a Certificate of Compliance if the required findings for approval of the tentative map have been made. As analyzed in the Evaluation section of this report, the required findings can be made to approve the Tentative Condominium Map. The Subdivision Ordinance also allows the approving authority to place conditions on the project to ensure development of the condominium parcels are in conformance with City codes and ordinances. The Planning Division has added Condition #13 to require that the applicant obtain approval of a Certificate of Compliance prior to the expiration of the Tentative Map.

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. No comments were received. A public notice of the Planning Commission hearing was published on July 16, 2022, and was distributed to all property owners within 300 feet of the project site. To date, no comments have been received.

ENVIRONMENTAL DETERMINATION

This project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305, Minor Alterations in Land Use Limitations, and Section 305 of the City of Roseville CEQA Implementing Procedures.

RECOMMENDATION

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

1. Adopt the findings of fact as stated in the staff report and approve the **Tentative Condominium Map – 730 Sunrise Av. – INFILL PCL 226 – 730 Sunrise Condo Map – PL22-0066** subject to twenty-seven (27) conditions of approval.

CONDITIONS OF APPROVAL FOR TENTATIVE CONDOMINIUM MAP

1. The project is approved as shown in Exhibit A and as conditioned or modified below. (Planning)
2. This Tentative Condominium Map approval shall be effectuated within a period of two (2) years from **July 28, 2022** and if not effectuated shall expire on **July 28, 2024**. Prior to said expiration date, the applicant may apply for an extension of time, provided this approval does not extend the expiration beyond **July 28, 2025**. (Planning)

3. 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)
4. The address for this project shall be 730 Sunrise Ave. Building 200. (Business Services)
5. The applicant shall pay City's actual costs for providing plan check, mapping, GIS, and inspection services. This may be a combination of staff costs and direct billing for contract professional services. (Engineering, Environmental Utilities, Finance)
6. 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)
7. Water and sewer infrastructure shall be designed and constructed pursuant to the adopted City of Roseville Improvement Standards and Construction Standards. (Environmental Utilities)
8. 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)
9. 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)
10. 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
11. 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)
12. 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

13. Prior to recordation of the condo map, the applicant shall obtain a Certificate of Compliance through the Engineering Division in order to obtain a parcel map waiver. (Planning)
14. All existing easements shall be maintained, unless otherwise provided for in these conditions. (Environmental Utilities, Electric, Engineering)
15. 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)

16. A declaration of Conditions, Covenants and Restrictions (CC&Rs), in a form approved by the City Attorney, shall be recorded on the entire property concurrently with the Final/Parcel Map. The CC&Rs shall include the following item(s):
 - a) 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.
 - b) 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.
 - c) A clause excluding any property owned by the City from the terms of the CC&Rs. (Attorney)
17. In Accordance with section 66427 of the Subdivision Map Act, the following shall be added to the face of the Final Map, unless a Certificate of Compliance Parcel Map Waiver is approved, then these four (4) conditions will be waived:
 - a) The Title of the project shall clearly state “a commercial condominium project”;
 - b) The number of approved Condominium Units is clearly displayed;
 - c) A separate information sheet shall be added to the final map that depicts each lot and business owners association, the footprint of each condominium building within each lot, and the number of units and unit number within each building;
 - d) All common land within each phase of the project shall be owned and maintained by the separate Business Owners Association/Condo Association. The Association shall operate and maintain all common land for the owners of the units. (Planning, Engineering)
18. The words "traffic control appurtenances" shall be included in the list of utilities allowed in public utilities easements (PUEs) located along public roadways. (Engineering)
19. 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)
20. 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)
21. Additional internal easements will be required to cover primary electrical facilities to the project when the final electrical design is completed. (Electric)
22. All Electric Department facilities, including streetlights where applicable, shall be designed and built to the “City of Roseville Specifications for Commercial Construction.” (Electric)
23. 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)
24. 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 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)

OTHER CONDITIONS OF APPROVAL

25. Any relocation, rearrangement, or change to existing electric facilities due to this development shall be at the developer's expense. (Electric)
26. 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)
27. 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)

Exhibits

- A. Tentative Condominium Map

<p>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.</p>
