

ITEM 6.2: Conditional Use Permit, Design Review Permit, and Tentative Subdivision Map – 1480 Blue Oaks Boulevard – NIPA PCL 35 – Blue Oaks Retail Center Phase 2 – File #PL22-0186

REQUEST

The applicant requests a Conditional Use Permit, Design Review Permit, and a Tentative Subdivision Map for a ±8.40-acre commercial center. The project would include six (6) freestanding commercial buildings ranging from 950 to 13,200 square feet in size; two (2) of the commercial buildings are proposed with a drive-through user (i.e., a Chick-fil-A and Dutch Bros), the remaining building tenants are unknown at this time. A Conditional Use Permit for the two (2) drive-through food pad users is required because the property is contiguous to residential zoned properties. The Design Review Permit would establish the design and colors of both the Chick-fil-A and Dutch Bros buildings. The Tentative Subdivision Map as proposed would create a total of six (6) parcels.

Applicant – Andi Panagopoulos, Cunningham Engineering
Property Owner – Roseville Blue Oaks Partners, LLC

SUMMARY RECOMMENDATION

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

1. Adopt the Blue Oaks Retail Center Phase 2 Initial Study Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and
2. Adopt the three (3) findings of fact and approve the Conditional Use Permit subject to six (6) conditions of approval; and
3. Adopt the four (4) findings of fact and approve the Design Review Permit subject to eighty-five (85) conditions of approval; and
4. Adopt the three (3) findings of fact and approve the Tentative Subdivision Map subject to forty (40) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

On November 29, 2022, the applicant held a neighborhood meeting at Robert C. Cooley Middle School where five (5) residents were in attendance. At the neighborhood meeting those residents in attendance raised concerns regarding the proposed interface between the future commercial buildings and the existing single-family residential lots to the north and east of the project site. Both staff and the applicant responded to the resident's concerns and assured the residents a 15-foot landscape buffer along the north and eastern property line would be included in the site design to address the residents' concerns. Staff does not have any outstanding issues with the project that have not been addressed through the project design or conditions of approval. To date, staff has not been contacted by any interested parties in opposition to the project. There are currently no outstanding issues associated with this request. The applicant has reviewed and is in agreement with all recommended conditions of approval.

BACKGROUND

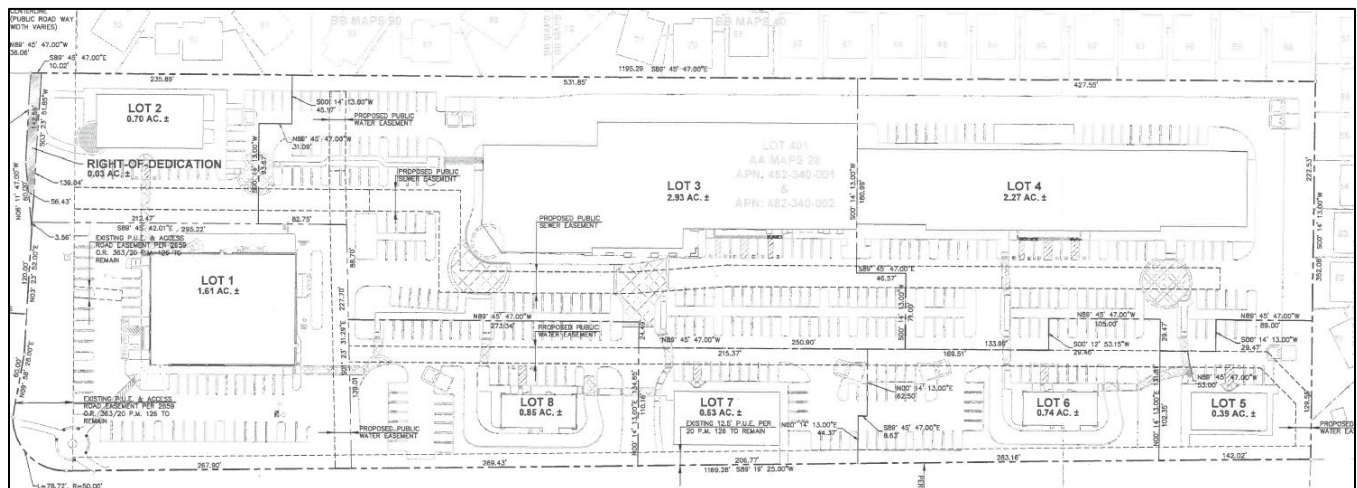
The project site is located at 1480 Blue Oaks Boulevard, on Parcel 35 of the North Industrial Planning Area (NIPA). The North Roseville Area Design Guidelines were adopted in order to guide development within the NIPA. The project site is bordered by Blue Oaks Boulevard on the south, Woodcreek Oaks Boulevard on the west, and existing single-family dwelling units on the north and east (see Figure 1). At the northeast corner of Blue Oaks Boulevard and Woodcreek Oaks Boulevard there is an existing Walgreens with surface parking, landscaping, and lighting improvements which will share internal driveways with the project site. The site has a land use designation of Community Commercial (CC) and a zoning designation of Community Commercial with a Special Area overlay (CC/SA).

Figure 1: Project Location



On January 16, 2014, the Planning Commission approved a Design Review Permit (DRP) to construct a 14,490 square foot Walgreens store with a drive-through and associated site improvements, including parking, lighting, and landscaping. On February 27, 2014, the Planning Commission recommended the City Council approve a request for a General Plan Amendment (GPA) and a Rezone to change the land use of 4.7 acres from Business Professional (BP) to CC and BP to CC/SA, respectively. In addition, the Planning Commission approved the request for a DRP to allow the construction of six (6) buildings totaling approximately 94,500 square feet, and a Tentative Subdivision Map (TSM) to subdivide the 10 acre parcel into eight (8) lots (File #PL13-0101) (see Figure 2). Subsequently, the City Council approved the GPA and Rezone on April 16, 2014.

Figure 2: Approved Site Plan



Proposed Project

The proposed project is an 8.40-acre commercial center with six (6) freestanding commercial buildings ranging from 950 to 13,200 square feet in size, surface parking stalls, landscaping, and lighting improvements. Two (2) of the six (6) commercial buildings are proposed with a drive-through user, Chick-fil-A and Dutch Bros. The proposed site plan is provided in Figure 4, in the Evaluation Section of this report. The remaining building tenants of the commercial center are unknown at this time. A Conditional

Use Permit (CUP) for both drive-through users is required because the property is contiguous to residentially zoned properties. In addition, the project includes a request for a DRP to establish the design and colors of the Chick-fil-A and Dutch Bros buildings. Lastly, the project includes a TSM to subdivide the existing 8.40-acre parcel into six (6) parcels.

EVALUATION – CONDITIONAL USE PERMIT

Section 19.78.060 of the City of Roseville Zoning Ordinance requires that three findings be made in order to approve a CUP. The three findings are listed below in *italicized, bold print* and are followed by an evaluation of the proposal in relation to each finding.

1. The proposed use or development is consistent with the City of Roseville General Plan and any applicable specific plan.

The project site has a land use designation of CC. As previously mentioned, the project includes six (6) freestanding commercial buildings with two (2) drive-through users. At this time, only two (2) users are identified (i.e., Chick-fil-A and Dutch Bros). Primary uses allowed in the CC land use designation include retail stores and businesses selling a full range of goods and services and are further regulated by the CC zoning designation. The project site has a CC/SA zoning designation. The special overlay designation restricts specific uses from locating on the property (see Exhibit J). However, where the Zoning Ordinance imposes a more stringent development standard the Zoning Ordinance shall govern. The General Plan relies on the Zoning Ordinance to determine the appropriate location and operations of drive-through restaurants which are adjacent to residential properties, through the CUP process. As discussed below, the proposed Chick-fil-A and Dutch Bros, as conditioned, are consistent with the zoning designation; therefore, the proposed uses are consistent with the General Plan.

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

The two (2) drive-through restaurants conform with all applicable standards and requirements of the Zoning Ordinance. Additional information on the parking requirement and site development standards are discussed in the DRP section below.

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

The site is proposed with two drive-through restaurants, Chick-fil-A on Lot 2 and Dutch Bros on Lot 4, both located at least 200 feet away from the nearest resident. As designed, both drive-through restaurants are adjacent to Blue Oaks Boulevard. As previously mentioned, the project site is adjacent to existing single-family dwelling units to the north and east. Therefore, special consideration to the layout of the shopping center was given to ensure the existing residents were respected. As proposed, the closest drive-through restaurant on the site is Dutch Bros. The Dutch Bros building is approximately 230-feet away from the nearest resident. Additionally, based on Staff's recommendation and the feedback received at the neighborhood meeting from several residents who live adjacent to the project, the applicant has included a 15-foot landscape buffer with evergreen trees along the northern and eastern property lines.

As part of Staff's review of the project, an Environmental Noise Assessment (see Attachment 1) and a Traffic Evaluation (see Attachment 2) technical memorandum were required to be completed for the project. The ENA and Traffic Evaluation looked at the entire project site, including both the uses requiring a CUP and the portion of the project that only require a DRP. For the sake of efficiency, a summary of the ENA and Traffic Evaluation is provided in the DRP Evaluation Section, found below. The ENA, concluded there will be no noise impacts associated with the proposed Dutch Bros. because no drive-

through menu speaker board is proposed for this use. The ENA concluded there will be no noise impacts associated with the Chick-fil-A drive-through menu speaker board due to its location and distance from the closest sensitive receptor. The Traffic Evaluation concluded that both drive-through buildings will have sufficient queuing capacity and all queuing is anticipated to be contained on-site. There will be no traffic impacts on adjacent roadways related to the two drive-through uses.

EVALUATION – DESIGN REVIEW PERMIT

The evaluation of the Design Review Permit has been based on the applicable development and design standards within the City's Zoning Ordinance, the City's Community Design Guidelines (CDG), and the North Roseville Area Design Guidelines. Section 19.78.060(B) of the City of Roseville Zoning Ordinance requires four findings of fact be made in order to approve a Design Review Permit. The four findings for approval of the Design Review Permit 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 has been previously rough graded and consists of an internal driveway and annual grasses. The project site has undergone periodic disking and other ground disturbance throughout the years and no wetlands or other significant natural features are on the site. Grading of the property will be necessary to construct the parking areas, drive aisles, and building pads. The project has been reviewed by the City's Engineering Division and has been designed consistent with City standards related to drainage improvements and stormwater quality facilities. The proposed use is consistent with the site's commercial land use designation and will develop an underutilized parcel.

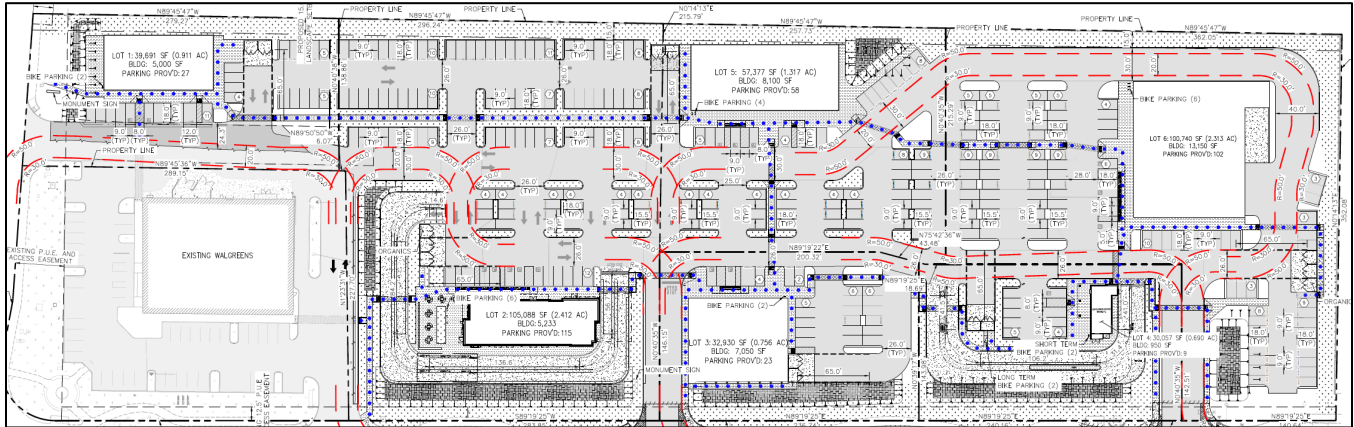
2. The project site design as approved provides open space; access; vehicle parking; vehicle, pedestrian and bicycle circulation; pedestrian walks and links to alternative modes of transportation; loading areas; landscaping; irrigation; and lighting which results in a safe, efficient, and harmonious 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.

The evaluation of the Design Review Permit has been based on the applicable development and design standards within the City's Zoning Ordinance, the City's CDG, and the North Roseville Area Design Guidelines. Staff reviewed the project proposal for consistency with all applicable standards and found the project to be consistent with the pertinent requirements and guidelines. The following sections of evaluation focus on areas of interest.

Site Planning

The project will be developed in two (2) phases (see Exhibit I). As illustrated in the preliminary phasing plan, Lot 2, Lot 4, and portions of Lot 3 and Lot 5 will be completed in Phase 1. The remainder lots will be developed and improvements completed as the lots are purchased by future tenants. As proposed, the buildings on Lot 1 and Lot 5 are anticipated to be closest to the northern property line; however, a 15-foot landscape buffer (to be constructed in Phase 1) between the buildings will allow for a buffer between the residents and the future buildings. Additionally, the 15-foot landscape buffer provides ample space for the trees and shrubs to grow to their full maturity. The Chick-fil-A and Dutch Bros buildings and the building on Lot 3 are positioned closest to Blue Oaks Boulevard, behind the 12'-17' bioretention swale. The approximately 13,200 square foot pad building located on Lot 6 will be setback approximately 55-feet from the nearest resident to the east. The site is proposed with surface parking all throughout, with the exception of no parking to the north and east of the building on Lot 6. The proposed site plan is shown in Figure 4 and included as Exhibit B.

Figure 4: Proposed Site Plan



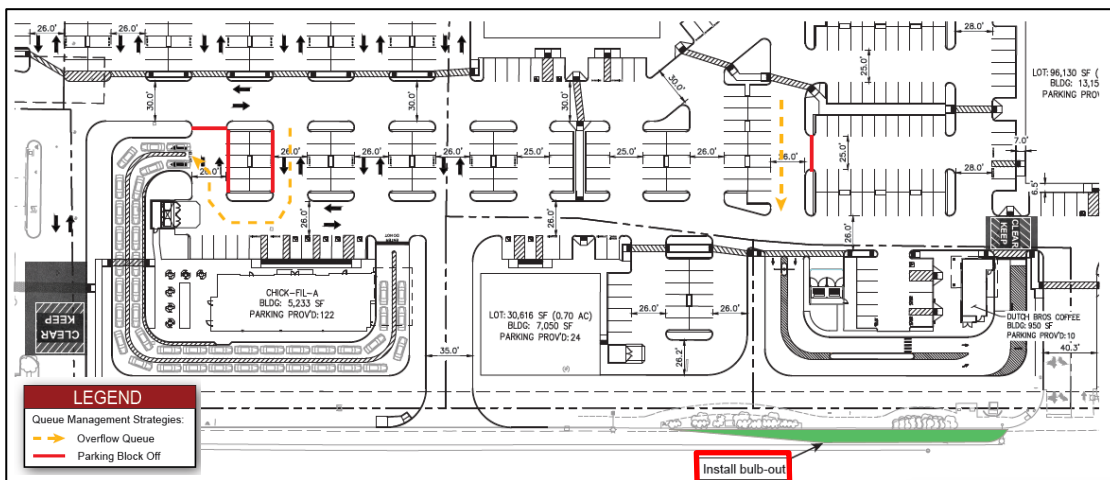
Access and Circulation

Ingress and egress for the project site will be provided via an existing driveway along Woodcreek Oaks Boulevard, two existing driveways along Blue Oaks Boulevard, and one new driveway which will be installed along Blue Oaks Boulevard. As mentioned above, City Engineering Staff and the City’s traffic consultant, Kimley–Horn, completed a queuing and short term traffic analysis for the project. Based on the traffic evaluation, both drive-through buildings will have sufficient queuing capacity and all queuing is anticipated to be contained on-site.

The CDG requires that all drive-through restaurants provide a minimum of 180-feet of stacking distance measured from the pickup window that does not conflict with the on-site parking and circulation system. As proposed, the Chick-fil-A proposes approximately 265-feet of stacking distance and the Dutch Bros proposes approximately 390-feet of stacking distance measured from the pickup windows. Both drive-through restaurants will provide ample room for vehicles to stack and to be contained on-site without interrupting the on-street flow of traffic.

The study also evaluated the project’s access points, on-site operations, and localized traffic operations to ensure safe and efficient operations. The study concluded that the project should be conditioned to extend the westbound left-turn storage capacity of Intersection #1 (Blue Oaks Boulevard and Woodcreek Oaks Boulevard) would need to be increased by 250-feet (80-foot storage, 170-foot taper) to accommodate traffic demand while allowing for efficient project vehicle egress from the existing and proposed intersection. And the project shall construct a “bulb-out” or other similar physical feature in the northwest corner of Intersection #4 (Blue Oaks Boulevard and Roseville Parkway) to prevent vehicles from making an illegal movement westbound through this intersection (see Figure 5).

Figure 5: Off-Site Improvements

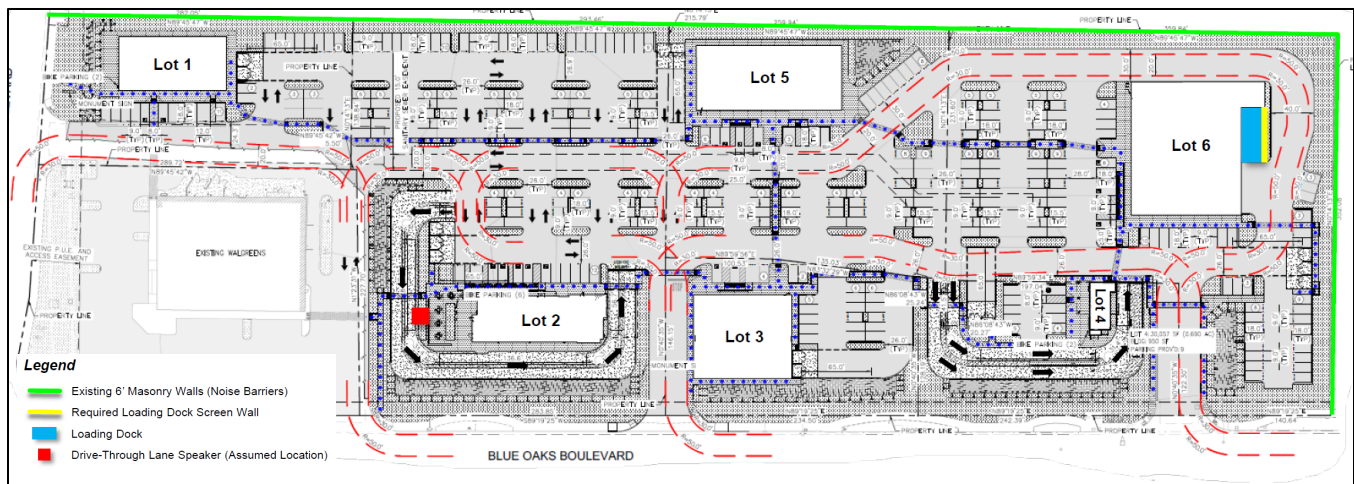


The City's Engineering Division and Fire Department also concluded there is adequate emergency vehicle and refuse access for the project site. The project driveways are designed to accommodate all users of the center and any future delivery trucks, if necessary. In addition, the trash enclosures were placed throughout the site in convenient locations to allow City refuse vehicles access to the enclosures. Overall the project site circulation is intuitive and meets City standards. The proposed circulation design was also evaluated in the technical memorandum prepared by Kimley-Horn. The study was used to determine driveway spacing, entryway throat depths, turn pocket lengths, and other elements of access and circulation design for the proposed project.

Noise

The Environmental Noise Assessment (ENA), dated November 30, 2022, was completed by Bollard Acoustical Consultants, Inc. Bollard assessed the potential noise impacts associated with the project given the sensitive receptors within close proximity to the project site. As previously mentioned, the project site plan includes six (6) freestanding commercial buildings, two (2) of the six (6) buildings are proposed with a drive-through restaurant, and the remaining building tenants are unknown at this time. One item of particular importance is the future user of Lot 6. The project site plan includes a 13,200 square foot commercial building with a loading dock on Lot 6. Although the specific user of Lot 6 is unknown at this time, it can be assumed based on the size of the building that a grocery or retail building will be proposed. The ENA evaluated noise from the proposed loading dock area, delivery truck and unloading activity noise, drive-through operations, and rooftop mechanical equipment (HVAC). Based on their analysis, the primary noise sources associated with the project were identified as on-site truck circulation, drive-through operations, and HVAC. However, project noise modeling indicates that the existing sound wall (illustrated in Figure 3 as green) along the northern and eastern property line and the future loading dock screen wall (illustrated in Figure 3 as yellow) will reduce the noise generated by delivery truck and unloading activity noise to less than significant.

Figure 3: Noise Study Site Plan



Based on the ENA, the worst-case hourly average noise exposure associated with heavy truck deliveries is predicted to range from 45 to 50 dB Leq at the nearest residential use located east of the loading dock. The predicted range includes the noise reduction that would be provided by the existing masonry wall along the property line and the required screen-wall at the east edge of the loading dock (see Figure 3 above). Based on these recommendations the truck deliveries and loading dock activities would comply with the City of Roseville daytime hourly average (Leq) noise level standard but could exceed the City's nighttime hourly average (Leq) noise level limit. As a result, all heavy truck deliveries will be limited to daytime hours (7:00 a.m. to 10:00 p.m.). In addition, trucks will not be permitted to idle while parked in the loading dock, and any refrigerated trucks will be supplied with external power so the truck engine can be shut off during unloading. As such, the Blue Oaks Retail Center Phase 2 Initial Study/Mitigated

Negative Declaration Mitigation Measure NO-1 requires the project to comply with the noise study recommendations and limits all on-site operations associated with delivery trucks to daytime hours only (i.e., 7:00 a.m. to 10:00 p.m.) (see Exhibit A – Attachment 4).

Similar to the noise impacts evaluated from the loading dock area, the report analyzed the impacts associated from the use of an amplified speaker menu board in the drive-through lane of the Chick-fil-A site. The ENA did not analyze the impacts associated with the Dutch Bros site because according to their business description, the site will not include a drive-through lane menu speaker board, only person-to-person ordering. Therefore, the only impacts associated with the drive-through restaurants will come from the Chick-fil-A restaurant. It was determined based on the location of the Chick-fil-A building that any noise levels associated with the drive-through will comply with the City’s noise standards. In summary, the results of the report found the project noise levels associated with the operations of the Chick-fil-A restaurant will comply with the City’s General Plan noise levels and no additional mitigation measures are necessary.

Pedestrian Access & Circulation

The project includes several internal pedestrian pathways. Along Blue Oaks Boulevard and Woodcreek Oaks Boulevard the sidewalks were previously completed with the Walgreen’s project. The sidewalks will provide access from the surrounding uses onto the project site. In addition to the sidewalks along the vehicle entries, pedestrian connections will be provided at locations where foot traffic is most likely to occur to provide easy access to the site. All accessible paths of travel on-site will be enhanced through the use of stamped/colored concrete. This will be consistent with and match the paver decoration that was installed on the Walgreens parcel to provide a uniform look throughout the center. Overall, the project is consistent with the North Roseville Area Design Guidelines and CDG related to pedestrian access and circulation.

Parking

The Zoning Ordinance establishes off-street parking requirements for commercial shopping centers and drive-through restaurants. Based on the Zoning Ordinance, the parking requirement for a shopping center where the tenants are unknown, is one (1) space per 200 square feet. The parking requirement for a drive-through restaurant is one (1) space per 100 square feet of area. Based on the parking requirement, a total of 229 parking stalls for the shopping center and restaurant uses are required. The project site is proposed with 331 stalls, a breakdown of each use and their respective parking requirement is shown in Table 1.

Table 1: Parking Table

Lot No.	Tenant	Square Footage	Required	Proposed
Lot 1	Unknown	5,000	25	25
Lot 2	Chick-fil-A	5,233	52	114
Lot 3	Unknown	7,050	35	23
Lot 4	Dutch Bros	950	10	9
Lot 5	Unknown	8,100	41	58
Lot 6	Unknown	13,150	66	102
Total			229	331

Based on the parking requirement and the proposed parking count, both the commercial center and the restaurant users comply with all applicable standards and requirements of the Zoning Ordinance. As tenant spaces are leased, each tenant will utilize the applicable parking requirement for the use as outlined in the Zoning Ordinance.

Landscaping and Lighting

Landscaping for the project site includes frontage improvements along the perimeter of the property, at project entry points, and within the parking lot. As required by the North Roseville Area Design Guidelines, (based on the project total building area), the buildings are setback at least 45 feet from Blue Oaks Boulevard with a front average of 65 feet. Along Blue Oaks Boulevard the buildings are setback at least 35-feet from the property line, plus the 10-foot auxiliary lane. As previously mentioned, landscape around the perimeter of the site is proposed to assist with buffering the commercial activities in the center from the residences to the north and east. A 15-foot landscape buffer along the north and east property lines will allow trees and shrubs to provide significant screening of the back of the buildings. In addition to the 15-foot landscape buffer a 35-foot landscape buffer along Blue Oaks Boulevard is proposed. Within the front landscape setback a mix of Chinese Pistache, Sawleaf Zelkova, and London Plane trees are proposed. Similarly, along the northern and eastern property lines a mix of Sawleaf Zelkova, Lacebark Elm, London Plane Tree, and Incense Cedar are proposed. Other similar trees like Trident Maple, Strawberry Tree, and Allepo Pine trees are proposed throughout the site.

The City's minimum requirement of 50% shading in parking lots is accomplished with a mix of Sawleaf Zelkova, Chinese Pistache, London Plane tree, Trident Maple, and Strawberry trees. As proposed and conditioned, staff finds the landscape plan meets the intent of the CDG and is consistent with the City's Water Efficient Landscape Ordinance.

The project will consist of building-mounted light fixtures that complement the style of the building and parking lot lighting. The parking lot lighting is conditioned to comply with the CDG, which require a minimum of one foot-candle of lighting in the parking areas and 0.5 foot-candles of lighting in the pedestrian walkways. Light standards will be shielded to ensure there is no off-site glare. As conditioned, all lighting adjacent to the residents will be limited to a maximum height of 15 feet. All lighting shall be installed and directed to have no off-site glare into the adjacent residential properties.

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.*

Similar to the previously approved development in 2014, the project incorporates similar colors and materials as those previously approved (see Figure 6). The project is designed to fit with the surrounding neighborhood and is consistent with other developments in the City. The Chick-fil-A building façade has varying building offsets and flat parapet roofs of varying heights, which provide a break to the front building elevation. Similarly, the Dutch Bros building provides varying roof heights and building offsets through the use of two (2) tower elements and a canopy. Consistent with the CDG, the building design is well articulated through the use of building projections, aluminum awnings over the Chick-fil-A building windows, and the stone veneer. The building materials primarily consist of stucco painted in earth tones with stone veneer and horizontal cement siding applied strategically throughout the buildings. The stone veneer is used around the base of the buildings and to frame the building entrance of the Chick-fil-A building. The main building entrance of Chick-fil-A is further defined by forward presentation and height variation in the roofline. Figure 7 illustrates the front (or north) building elevation of the Chick-fil-A building and Figure 8 illustrates the Dutch Bros walk-up window (or west) and front (or north) building elevation.

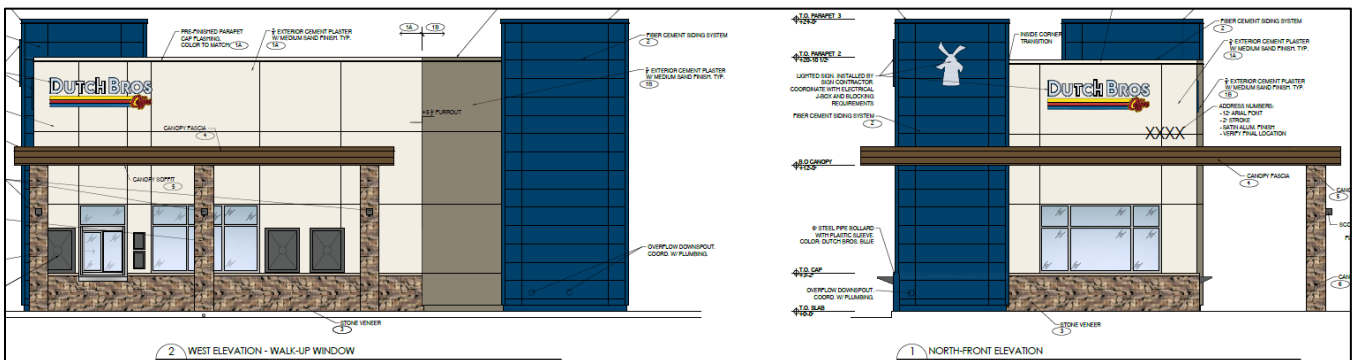
Figure 6: 2014 Approved Building Elevations



Figure 7: Chick-fil-A Front Elevation



Figure 8: Dutch Bros North & West Elevations



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.

All trash containers will be screened within trash enclosures. The enclosures will surround the three non-accessible sides of the trash container, and will be surrounded by landscaping. All rooftop mechanical equipment will be sufficiently screened from public view by the building parapets.

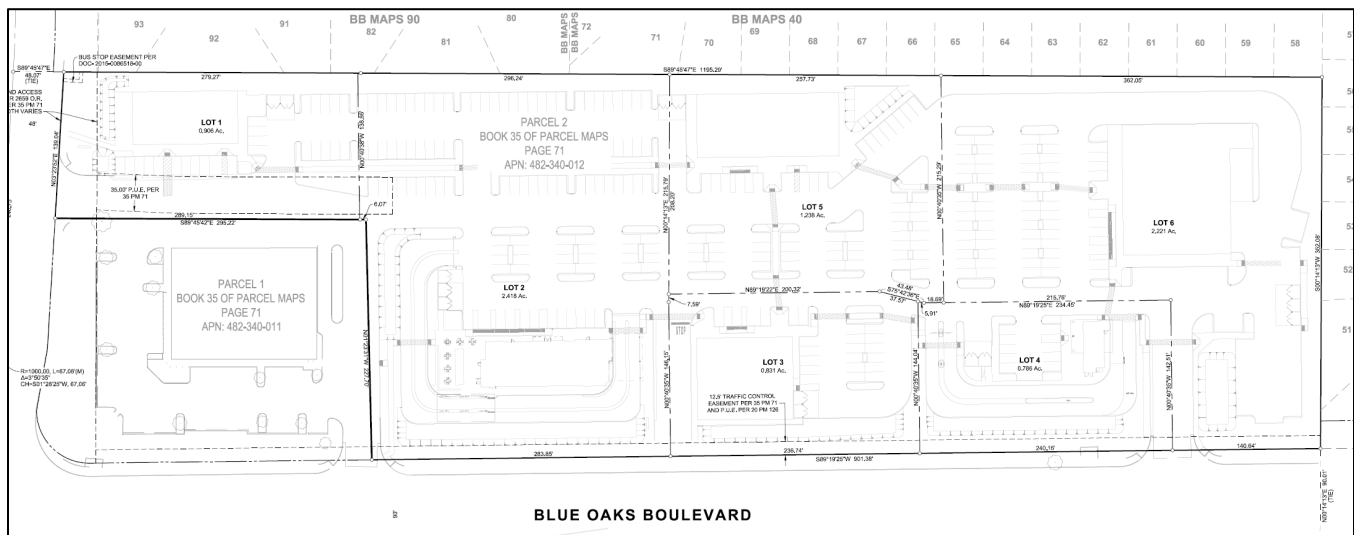
EVALUATION: TENTATIVE SUBDIVISION MAP

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 ***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 North Roseville Specific Plan, whichever is more restrictive, and the design standards of the Subdivision Ordinance.***

As mentioned above, the applicant proposes to subdivide an 8.40-acre parcel into six (6) commercial lots ranging in size (see Figure 9). The Map Act and Subdivision Ordinance do not contain any maximum or minimum lot sizes. Instead these standards are contained within the Zoning Ordinance. The design of the proposed improvements have been reviewed by relevant City departments and divisions and have been found to conform to City standards.

Figure 9: Proposed Tentative Subdivision Map



Consistent with the Zoning Ordinance, the proposed subdivision configuration will create practical lots for the development of the project. Vehicle access for the subdivision will be provided from Blue Oaks Boulevard and Woodcreeks Oaks Boulevard. The proposed layout was reviewed by Development Services Engineering and Fire Department staff to ensure that the vehicle access design will meet City standards for vehicular circulation and emergency response.

- 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 proposed lots will be of sufficient size and shape to accommodate development that is consistent with the applicable zoning and design requirements. As mentioned above, the lots meet the standards of the Zoning Ordinance. The lots have been determined to be of adequate size and shape to support development consistent with the Zoning Ordinance.

The site is vacant but annual grassland is present throughout the site. Topography of the site is generally sloped from the northeast corner of the property down towards Blue Oaks Boulevard. The site was previously rough graded. A preliminary grading and utility plan were reviewed by the City's Engineering Division and no conflicts with the proposed grading and utility plan have been identified.

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.*

Anticipated water quality impacts and discharge of waste are not affected by the proposed map. The project is consistent with the 2035 General Plan Update Environmental Impact Report, which anticipated the required infrastructure necessary to support a development of this intensity on the project site. The project has been reviewed by the Engineering division to ensure that adequate facilities will be provided. The City's Pleasant Grove Wastewater Treatment Plant has adequate conveyance and capacity to accommodate development on the parcels created by the Tentative Subdivision Map.

Based on the evaluation above, staff believes that the required findings can be made to approve the Tentative Subdivision Map for the proposed project.

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. Early notification of the project was posted on the Roseville Coalition of Neighborhood Associations (RCONA)'s website. On November 29, 2022, the applicant held a neighborhood meeting at Robert C. Cooley Middle School where five (5) residents were in attendance. The purpose of the neighborhood meeting was to provide the public with an opportunity to ask questions and hear more about the project. The feedback received that evening was incorporated into the project design. Additionally, a notice of the public hearing was published in the Roseville Press Tribune on March 10, 2023 and a notice of the hearing was also distributed to all property owners within 300 feet of the site and posted on the RCONA website. No comments have been received as of publication of the staff report.

ENVIRONMENTAL DETERMINATION

As required by the California Environmental Quality Act (CEQA), the City of Roseville, acting as Lead Agency, prepared an Initial Study/Mitigated Negative Declaration (IS/MND) to evaluate the environmental effects of the project. The document was released for a 20-day public comment period, which began on March 1, 2023 and ended March 20, 2023. The document analyzed the potential for environmental impacts due to project implementation and determined that potentially significant impacts related to Noise and Tribal Cultural Resources could be reduced to less than significant levels with mitigation. The Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program are included as Exhibit A.

RECOMMENDATION

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

1. Adopt the Blue Oaks Retail Center Phase 2 Initial Study Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; and
2. Adopt the three (3) findings of fact and approve the **CONDITIONAL USE PERMIT – 1480 BLUE OAKS BOULEVARD – NIPA PCL 35 – Blue Oaks Retail Center Phase 2 – FILE #PL22-0186** subject to six (6) conditions of approval; and

3. Adopt the four (4) findings of fact and approve the **DESIGN REVIEW PERMIT – 1480 BLUE OAKS BOULEVARD – NIPA PCL 35 – Blue Oaks Retail Center Phase 2 – FILE #PL22-0186** subject to eighty-five (85) conditions of approval; and
4. Adopt the three (3) findings of fact and approve the **TENTATIVE SUBDIVISION MAP – 1480 BLUE OAKS BOULEVARD – NIPA PCL 35 – Blue Oaks Retail Center Phase 2 – FILE #PL22-0186** subject to forty (40) conditions of approval.

CONDITIONS OF APPROVAL FOR THE CONDITIONAL USE PERMIT – FILE #PL22-0186

1. This Conditional Use Permit approval shall be effectuated within a period of two (2) years from **March 23, 2023** and if not effectuated shall expire on **March 23, 2025**. Prior to said expiration date, the applicant may apply for an extension of time, provided this approval does not extend the expiration beyond **March 23, 2026**. (Planning)
2. The project is approved as identified and shown in Exhibits A-K, and as conditioned or modified below. Any modifications to the operations shall require approval of a Conditional Use Permit Modification. (Planning)
3. The project shall comply with all required environmental mitigation identified in the Blue Oaks Retail Center Phase 2 Initial Study Mitigated Negative Declaration, and shall include all applicable mitigation measures as notes on the grading plans. (All Departments)
4. Lot 2 drive-through hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. to comply with the City's Noise Regulation standards. (Planning)
5. Lot 4 drive-through hours of operation shall be limited to 5:00 a.m. to 11:00 p.m. daily. (Planning)
6. Operations shall be consistent with the City's Noise Regulation standards (Roseville Municipal Code Chapter 9.24). (Planning)

CONDITIONS OF APPROVAL FOR THE DESIGN REVIEW PERMIT – FILE #PL22-0186

1. This Design Review Permit approval shall be effectuated within a period of two (2) years from **March 23, 2023** and if not effectuated shall expire on **March 23, 2025**. Prior to said expiration date, the applicant may apply for an extension of time, provided this approval does not extend the expiration beyond **March 23, 2026**. (Planning)
2. The project is approved as shown in Exhibits A - K and as conditioned or modified below.
3. The project shall comply with all required environmental mitigation identified in the Blue Oaks Retail Center Phase 2 Initial Study Mitigated Negative Declaration, and shall include all applicable mitigation measures as notes on the grading plans. (All Departments)
4. The project shall comply with all standards of the Special Area overlay district. This includes but is not limited to the permitted uses outlined in the Community Commercial with Special Area Overlay (CC/SA) zoning district. (Planning)
5. If a small grocery store (or other use requiring large or multiple HVAC units) occupies a building adjacent to the homes to the north and east, the mechanical equipment plans shall be reviewed by a qualified acoustical consultant and an updated Noise study shall be submitted to the Planning Division to ensure that adequate sound control measures are included to achieve compliance with the City's noise standards. (Planning)

6. The applicant shall submit and gain approval of a Design Review Permit Modification for Lots 1, 3, 5, & 6 prior to building permit issuance. (Planning)
7. All lighting adjacent to the northern and eastern property lines shall not exceed 15 feet in height and shall be installed and directed to have no off-site glare into the adjacent residential properties. (Planning)
8. The project shall provide a minimum 6-foot high masonry wall adjacent to all single-family residential properties. The height of the wall shall be determined by using the finished grade of the highest contiguous parcel (i.e., the Project site). (Planning)
9. The project shall be addressed as 1480 Blue Oaks Bl. The address for Lot 1, and the proposed building on said lot, shall be 10060 Woodcreek Oaks Bl. The address for Lot 2, and the proposed building on said lot, shall be 1490 Blue Oaks Bl. The address for Lot 3, and the proposed building on said lot, shall be 1484 Blue Oaks Bl. The address for Lot 4 shall be 1478 Blue Oaks Bl. The address Lot 5, and the proposed building on said lot, shall be 1488 Blue Oaks Bl. The address for Lot 6, and the proposed building on said lot, shall be 1474 Blue Oaks Bl. for All projects with multi-tenants or buildings must submit a site plan with building footprint(s) to the Development Services Department (Business Services – Addressing) for building/suite addressing. (Business Services)
10. 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)
11. 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)
12. 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)
13. 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:

14. 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 11B of the CBC.
 - iii. Accessible parking and exterior route of travel shall comply with CBC, Sections 11B-206 and 11B-208. (Building)
15. Signs and/or striping shall be provided on-site as required by the Planning Department to control on-site traffic movements. Parking lot striping and signage shall be maintained in a visible and legible manner. (Planning)
16. 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)
17. 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, Engineering)
 - 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 North Industrial Plan Area and the City of Roseville Water Efficient Landscape Ordinance. (Planning, Environmental Utilities)
 - e. 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)
 - f. 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)
 - g. 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)
18. 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)

19. At the time of building permit application and plan submittal, the project applicant shall submit a proposed plan which shows the proposed addressing for the building and dwelling unit numbers. The Building Official, or the designee, shall approve said plan prior to building permit approval. Refer to the *City of Roseville Addressing Guidelines*. (Building)
20. 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)
21. 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)
22. For Multiple Building Complexes: As part of the required Architectural Site Accessibility Plan, the developer shall delineate the extent of the site accessibility improvements being installed as part of the initial improvements for the project, and those that are planned to be developed as part of subsequent phases (i.e. around future pad buildings). (Building)
23. 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)
24. For restaurants, other food services, or commercial swimming pools: The developer shall obtain all required approvals and permits from the Placer County Health Department. (Building)
25. 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)
26. 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)
27. For all work to be performed off-site, permission to enter and construct shall be obtained from the property owner, in the form of a notarized right-of-entry. Said notarized right-of-entry shall be provided to Development Services - Engineering Division prior to approval of any plans. (Engineering)
28. The Improvement Plans which depict the landscape to be installed shall be consistent with the proposed Phasing Plan for the project. The Landscape Plans shall be approved with the Improvement Plans prior to the issuance of the first building permit. (Planning, Engineering, Fire, Environmental Utilities, Electric)
29. 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.”* (Engineering)

30. The applicant shall provide a new 35' wide A-7 driveway along Blue Oaks Boulevard. The driveway will be right in/right out only. (Engineering)
31. The applicant shall extend the Blue Oaks Boulevard westbound left-turn storage capacity 250-feet (80-feet storage, 170-feet taper) for the intersection of Blue Oaks Boulevard/Woodcreek Oaks Boulevard. Refer to the Traffic Evaluation prepared October 10, 2022 by Kimley Horn for further information. (Engineering)
32. The applicant shall provide a “bulb-out” in the northwest corner of the Blue Oaks Boulevard/ Roseville Parkway intersection to prevent vehicles from making an illegal movement westbound through this intersection. Refer to the Traffic Evaluation prepared October 10, 2022 by Kimley Horn for further information. (Engineering)
33. The phasing of the retail project shall be consistent with the Blue Oaks Shopping Center – Exhibit I Preliminary Phasing Plan. Phase 1 improvements shall include all the utility infrastructure required for Phase 1A, 1B and 1C as well as future utility stubs for Phase 2. Phase 1A, will need to be constructed prior to occupancy for Phase 1B and/or Phase 1C. (Engineering)
34. The applicant shall dedicate all necessary rights-of-way or Public Utility Easement for the widening of any streets or transfer of public utilities across and over any portion of the property as required with this entitlement. A separate document shall be drafted for approval and acceptance by the City of Roseville, and recorded at the County Recorder’s Office. (Engineering)
35. Bike parking and clean air/carpool vehicle spaces shall be provided per the California Green Building Standards and/or the Transportation System Management (TSM) Ordinance, R.M.C Chapter 11.33. Bike rack/locker design and designated parking space markings and location shall be approved by Alternative Transportation. (Alternative Transportation, Building).
36. 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, which includes trash capture requirements. 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)
37. 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)

38. 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)
39. 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)
40. 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)
41. 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 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)
42. 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)
43. 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)
44. The applicant/developer shall prepare a Transportation Systems Management (TSM) Plan for Blue Oaks Shopping Center to be reviewed and approved by the Transportation Commission. (Alternative Transportation)
45. 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)
46. The applicant shall pay all applicable water and sewer fees. (Environmental Utilities)
47. 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)
- 48. 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)
- 49. 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)
- 50. 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)
- 51. An organics bin is required for any restaurant, grocery store or coffee shop use. (Refuse)
- 52. 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)
- 53. 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)
- 54. 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
- 55. 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)
- 56. 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)
- 57. It is the developer's responsibility to notify PG&E of any work required on PG&E 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. For maintenance purposes, the landscaping shall only be installed on three sides and the plant material shall not have thorns.

- b. The control valves and the water meter shall be physically unobstructed.
 - c. The backflow preventer shall be covered with a green cover that will provide insulation. (Planning, Environmental Utilities)
59. 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. (Engineering, Environmental Utilities, Electric)
60. 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)
61. All improvements being constructed in accordance with the approved grading and improvement plans shall be accepted as complete by the City. (Engineering)
62. 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)
63. The applicant/developer shall prepare a Transportation Systems Management (TSM) Agreement for Blue Oaks Shopping Center to be reviewed and approved by the City Manager. (Engineering, Alternative Transportation)
64. 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)
65. All water backflow devices shall be tested and approved by the Environmental Utilities Department. (Environmental Utilities)
66. 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)

67. 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)
68. 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)
69. All Electric Department facilities, including streetlights where applicable, shall be designed and built to the "City of Roseville Specifications for Commercial Construction." (Electric)
70. 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)
71. Any relocation, rearrangement, or change of existing electric facilities due to this development shall be at the developer's expense. (Electric)
72. 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)
73. 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)
74. 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:

75. 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)
76. 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)
77. 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)

78. 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)
79. 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)
80. 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)
81. 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)
82. 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)
83. 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)
84. 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)
85. 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)

1. This Tentative Subdivision Map approval shall be effectuated within a period of two (2) years from **March 23, 2023** and if not effectuated shall expire on **March 23, 2025**. Prior to said expiration date, the applicant may apply for an extension of time. (Planning)
2. The project is approved as shown in Exhibits A - K and as conditioned or modified below. (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. The Developer shall submit civil drawings to the Department of Development Services – Engineering Division for review and approval. (Engineering)
4. 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)
5. 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)
6. 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)
7. The project shall comply with all required environmental mitigation identified in the Blue Oaks Retail Center Phase 2 Initial Study Mitigated Negative Declaration, and shall include all applicable mitigation measures as notes on the grading plans. (All Departments)

PRIOR TO ISSUANCE OF A GRADING PERMIT AND/OR IMPROVEMENT PLANS

8. The grading and improvement plans shall be designed in accordance with the City's Improvement Standards and Construction Standards and shall reflect the following:
 - a) Street improvements including, but not limited to, curb, gutter, sidewalk, pavement, drainage systems, traffic striping, signing, medians and markings, etc. along all existing and proposed City streets, as required by Engineering.
 - b) Grading shall comply with the City grading ordinance. There shall be no cut and/or fill slopes steeper than a 4:1 ratio. Erosion control devices (sediment traps, ditches, straw bales, etc.) shall be shown on the grading plans and all erosion control shall be installed prior to the onset of wet weather. Erosion control is installed to minimize silt discharge from the project site; it is the applicant's responsibility to ensure that necessary measures are taken to minimize silt discharge from the site. Modification of the erosion control plan may be warranted during wet weather conditions.
 - c) A rough grading permit may be approved by the Engineering Department prior to approval of the improvement plans.
 - d) Access to the floodplain shall be provided as required by Engineering and the Streets Department.
 - e) Standard accessible ramps shall be installed at all curb returns per City Standards. (Engineering)

9. The applicant shall apply for and obtain an encroachment permit from the Engineering Department prior to any work conducted within the City right-of-way and/or City easements. (Engineering)
10. All drainage facilities shall conform to natural drainage sheds. (Engineering)
11. The following note shall be added to the Grading and/or Improvement Plans:

To minimize dust/grading impacts during construction the applicant shall:

- a) *Spray water on all exposed earth surfaces during clearing, grading, earth moving and other site preparation activities throughout the day.*
 - b) *Use tarpaulins or other affective covers on all stockpiled earth material and on all haul trucks.*
 - c) *Sweep the adjacent streets frontages at least once a day or as needed to remove silt and other dirt which is evident from construction activities.*
 - d) *Ensure that construction vehicles are cleaned prior to leaving the construction site to prevent dust and dirt from being tracked off site.*
 - e) *The City shall have the authority to stop all grading operations if, in the opinion of city staff, inadequate dust control measures are being practiced or excessive wind conditions contribute to fugitive dust emissions. (Engineering)*
12. 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.”* (Engineering)
 13. The grading plans for the site shall be accompanied with a shed map that defines that area tributary to this site. All drainage facilities shall be designed to accommodate the tributary flow. All on-site storm drainage shall be collected on-site and shall be routed to the nearest existing storm drain stub of the natural drainage course. (Engineering)
 14. The grading plans shall be accompanied with engineered structural calculations for all retaining walls greater than four (4) feet in height. All retaining walls shall be of either split-faced masonry units, keystone type construction, or cast in place concrete with fascia treatment. (Engineering)

PRIOR TO ISSUANCE OF GRADING PERMIT OR IMPROVEMENT PLANS

15. Prior to the approval of Improvement Plans, the applicant shall submit to the Development Services - Engineering Division a paper copy and an electronic copy of the final set of Improvement Plans per the Division’s “Digital Submission of Utility Composites” standards. Additionally, the applicant shall submit approved/proposed street names for the approved subdivision map. Final street names for the subdivision shall be approved by the Engineering Division prior to the approval of the Improvement Plans. The approved street names shall be included on the final set of Improvement Plans. (Engineering)
16. 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)

17. 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)
18. 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)
19. 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
20. 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)
21. 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

22. All existing easements shall be maintained, unless otherwise provided for in these conditions. (Environmental Utilities, Electric, Engineering)
23. 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)
24. 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)
25. 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)

26. In the event that the Final (Parcel) Map will record prior to the completion of on-site construction, all reciprocal, drainage, 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)
27. 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)
28. The words "traffic control appurtenances" shall be included in the list of utilities allowed in public utilities easements (PUEs) located along public roadways. (Engineering)
29. 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)
30. 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)
31. 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)
32. Additional internal easements will be required to cover primary electrical facilities to the project when the final electrical design is completed. (Electric)
33. All Electric Department facilities, including streetlights where applicable, shall be designed and built to the "City of Roseville Specifications for Commercial Construction." (Electric)
34. 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)
35. 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)
36. The applicant shall pay all applicable water and sewer fees. (Environmental Utilities)

OTHER CONDITIONS OF APPROVAL

37. Any relocation, rearrangement, or change to existing electric facilities due to this development shall be at the developer's expense. (Electric)
38. 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)

39. The project is subject to the noise standards established in the City's Noise Ordinance. In accordance with the City's Noise Ordinance, provided all construction equipment is fitted with factory installed muffling devices and is maintained in good working order, project construction noise 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. (Engineering)
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. Environmental Noise Assessment
2. Traffic Evaluation

EXHIBITS

- A. Blue Oaks Retail Center Phase 2 Initial Study/Mitigated Negative Declaration
- B. Site Plan
- C. Elevations
- D. Colors & Materials
- E. Preliminary Grading & Utility
- F. Preliminary Landscape Plans
- G. Preliminary Stormwater & Hydrology
- H. Preliminary Onsite & Offsite Improvements
- I. Preliminary Phasing Plan
- J. CC/SA Permitted Uses
- K. Tentative Subdivision Map

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.