

ITEM 6.3: **Minor Design Review Permit – 200 Vernon St. – 200 Vernon Mixed-Use Development
– PL22-0382**

REQUEST

The applicant requests approval of a Minor Design Review Permit (MDRP) for a mixed-use development, including 12 residential units, office and retail space, as well as a restaurant with rooftop bar. The project includes exterior façade and parking lot improvements for an existing building on Parcel DT-6 in the Downtown Specific Plan (DTSP). The Planning Commission will consider an appeal of the Planning Manager’s approval of the above described MDRP.

Applicant- Yevgeniy Tikhomirov, Comstock Johnson Architects

Owner – Matt Marks, Tower Investments

SUMMARY RECOMMENDATION

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

1. Deny the appeal of the July 14, 2023 approval by the Planning Manager; and
2. Adopt the two (2) findings of fact and approve the Minor Design Review Permit subject to seventy-six (76) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

The Planning Manager administratively approved the MDRP application on July 14, 2023. On July 19, 2023, during the 10-day appeal period, an appeal of the Planning Manager’s decision was filed by Lozeau Drury LLP on behalf of Laborers International Union of North America (LIUNA), Local Union 185. The appropriate hearing authority for an appeal of a Planning Manager’s decision is the Planning Commission, per Section 19.80.030 of the Zoning Ordinance. As projects that are appealed are considered by the appeal authority on a de novo basis, this report includes an evaluation of the MDRP request as well as a response to the Lozeau Drury appeal.

BACKGROUND

The proposed project is located at 200 Vernon St, within the Vernon Street District (DT-6) of the Downtown Specific Plan (DTSP). The DTSP was approved by City Council on April 1, 2009 with the intent to provide a vision and set of policies for redevelopment, revitalization, and intensification of the 176-acre core of Roseville (including Historic Old Town, Vernon Street, and Royer and Saugstad Parks. With that approval, the DTSP assumed that approximately 1,020 new residential units and 4.4 million square feet of development would be added in the plan area over a 20-year period.

To help expedite Downtown development, the Downtown Code establishes provisions for projects to be reviewed through the streamlined Minor Design Review Permit (MDRP) process. The MDRP process allows for projects found consistent with the Downtown Code to be approved administratively. The proposed project meets the criteria for the MDRP process in that it will revitalize an existing building, as well as include uses which are principally permitted on Parcel DT-6.

The project site is currently developed with the approximately 66,269 square foot Consolidated Communications building, formerly known as the Roseville Telephone Company. The building was modified in 1988 (SR 88-08) to expand Roseville Telephone Company’s administration building, resulting in the large building that currently occupies the project site. The property has street frontage along Vernon

St. to the southeast, Lincoln St. to the northeast, and Atlantic St. to the northwest, and is adjacent to existing two-story buildings along Vernon St.

The project request includes a Minor Design Review Permit (MDRP) for a mixed-use development, including 12 residential units, office and retail space, as well as a restaurant with rooftop bar. A total of 13 parking spaces will be provided on an adjacent parcel. The ground floor will include approximately 5,029 square feet of restaurant space, 3,673 square feet of office space, and 9,245 square feet of retail space. The second floor will have 2,258 square feet for the restaurant mezzanine, and 11,970 square feet of residential space to accommodate the 12 residential units. A 4,035 square foot rooftop bar is also proposed.

The MDRP request was approved by the Planning Division on July 14, 2023. An appeal was filed on July 19, 2023 by Lozeau Drury LLP on behalf of LIUNA Local Union 185. A summary of the appeal and a response from staff is included in the Appeal section of this report.

Figure 1: Project Location



EVALUATION – MINOR DESIGN REVIEW PERMIT

In accordance with the DTSP, the project has been reviewed for consistency with the Downtown Code through the MDRP process. The Downtown Code includes development standards and design guidelines. In addition, the DTSP has a projected number of residential units and area totals for the DT-6 district, which are identified in Table 1 below. The table also identifies the current remaining amounts of units and area following completion of the Mercy Roseville Apartments at 609-623 Vernon (File # PL15-0107) and approval of the Civic Plaza Residences project (File # PL21-0013), and the remaining number of units/area that would be available following completion of the proposed project:

Table 1 : DTSP DT-6 Anticipated Residential Units and Area (Square Feet)

Projected within DT-6		Currently Remaining	Proposed Project	Remaining
New Residential Units	332 units	228 units	12	216 units
New Area (Square Feet)	1,677,583 SF	1,509,915 SF	0	1,509,915 SF

The project will minimally reduce the number of units and area available for future development within the DT-6 district, but will not increase the cumulative number of units or area beyond what was anticipated for the DT-6 district. The following is an evaluation of the project’s conformance with the Downtown Code standards and guidelines.

Development Standards

The project is located within the DTSP Vernon Street (DT-6) district. The DT-6 district promotes development of the City’s Civic Core and the implementation of a pedestrian-oriented environment downtown. Parcels within the DT-6 district have a zoning designation of Central Business District with a Special Area overlay of Downtown Vernon Street (CBD/SA-DT-6). The CBD/SA-DT-6 zoning is intended to provide flexibility in use types, which are typically found in the traditional Downtown, where a range of business, personal service, residential and mixed uses can be located to support the entire community.

The proposed project is a 43,788 square foot mixed-use residential project, which is a principally permitted use in the CBD/SA-DT-6 district. Future uses within the office, retail, and restaurant spaces will be evaluated for compliance with the Downtown Code through the Tenant Improvement building permit process.

The proposed project includes 12 residential units. The units range in size from 695 to 1,100 square feet. The project was evaluated for compliance with the applicable Downtown Code CBD/SA-DT-6 development standards, as follows:

Table 2 – Project Development Standards

Standard	Required	Proposed
Front Setback	0-10 feet	0 feet (existing)
Street Side Setback	0-10 feet	0 feet (existing)
Side Setback	0 feet	0 feet (existing)
Rear Setback	0 feet	0 feet (existing)
Maximum Height	Five Story (75 feet)	42.5 feet
Minimum FAR	2.0	2.9 FAR

Maximum FAR	4.0	
Minimum Density	20 units/acre	23 dwelling units per acre
Maximum Density	As determined by the FAR or 36 units/acre, whichever is greater	
Parking	Per Assembly Bill 2097 (2022), minimum parking standards cannot be imposed on development projects within ½ mile of transit.	Since the site is located within ½ mile of the Amtrak station, no additional parking is required. The project design includes a parking lot with 13 spaces, and approximately 10 on-street parking spaces available immediately adjacent to site.
Open Space	50 SF/unit = 600 SF	Majority of units will have private balconies
Special Provision	Vernon Street is a retail frontage street and shall provide at least 80% of the ground floor frontage spaces for commercial.	100% of ground floor is commercial.

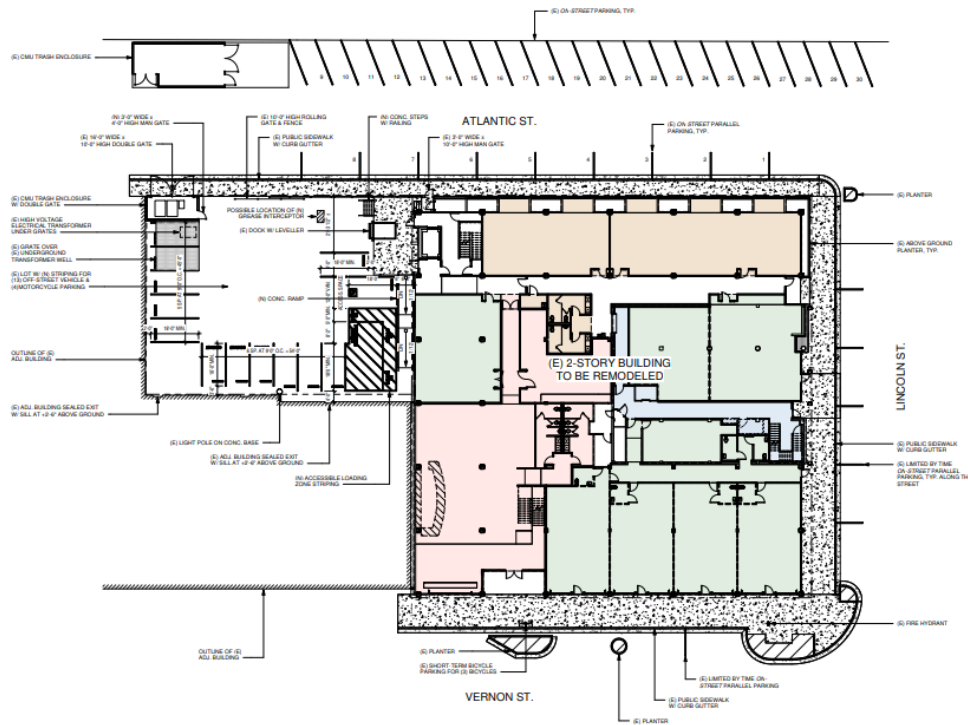
The project will reuse an existing building, which meets the development standards outlined for DT-6. While the DTSP does include parking standards and incentives to reduce minimum parking requirements, these standards have since been superseded by state law. Assembly Bill 2097 (2022) states that jurisdictions cannot impose minimum parking standards on projects within ½ mile of transit. The project design includes an existing 13-space parking lot, and there are at least 10 on-street parking spaces immediately adjacent to 200 Vernon St. As proposed, the project meets the applicable development standards of the DTSP.

Design Guidelines

The Downtown Code includes design guidelines (Chapter 5) that apply to all improvement projects in the Downtown area, including exterior remodels and new buildings. The Downtown Code overall design principles are intended to promote sound architectural practices, encourage buildings to retain or repeat traditional façade components, develop a steady rhythm of façade widths, create a comfortable scale of structures, and distinguish between the upper and lower floors. The following discussion highlights the project’s compliance with the Downtown Code design guidelines:

5.4 Architectural Guidelines – The project proposes the removal of the existing exterior tile finish and will replace it with new cementitious tile siding. New metal panel cladding pop-out elements at the restaurant and residential entrances are proposed to accentuate the major building entries, and to break up longer stretches of the façade. The design also includes vertical slat metal panels which will cover existing concrete panels. The project will also modify existing walls to add additional windows and storefront systems with roll up doors, with the intent to brighten the interior space.

Figure 2: Site Plan



5.7 Storefront Design – The project devotes the entirety of the Vernon Street frontage to commercial space (e.g. restaurant and retail). The Lincoln St. frontage will include the access point for the residential area, as well as frontage for a retail store.

In addition to the design guidelines listed above, the project is subject to the Mixed-Use projects regulations found in Chapter 7.2 of the Downtown Code. The intent of allowing mixed-use projects in an urban setting is to establish residential users within close proximity to commercial land use, and to create reciprocity between these use types. The objective of the mixed-use regulations is to ensure projects provide storefronts along street frontages to maintain a pedestrian orientation at street level, provide internal compatibility between the different uses within the project, and minimize the effects of any exterior noise, odors, glare, vehicular and pedestrian traffic, and any other potentially significant impacts. The following is a discussion on the project’s compliance with the applicable mixed-use regulations:

- **Mix of Uses** – The project provides for at least two different land use types, which include residential, retail, and commercial uses. No one land use will occupy more than 80% of the building. A ground access area serving the residential uses will be provided and will occupy less than 20% of the ground floor space, which is consistent with the DTSP requirements for mixed-use projects. The proposed mix is therefore appropriate for the site.
- **Ownership** – The project is under unified ownership and the units will be for rent.
- **Consistency with DTSP** – the mixed-use project is located in the Vernon Street district and is permitted by the DTSP.
- **Open Space Requirement** – Private balconies will be provided for a majority of the units, in excess of the total required 600 square feet. The rooftop will also include an outdoor lounge and outdoor dining area.

- Notice to Occupants – As required by the DTSP EIR Mitigation Monitoring Program (and as conditioned) the property owner is required to provide written notice to the future residential tenants that they may be subject to levels of noise, orders, fumes, lighting, and other effects at higher levels than would be expected in residential areas.
- Parking – As previously discussed in the Development Standards section, no additional parking is required. A parking lot with 13 spaces is provided as a part of the project design, and on-street parking is available.

Figure 3: Elevations



Minor Design Review Permit Findings

Pursuant to the DTSP and the Downtown Code, and based on the evaluation in this report, the following findings of fact can be made for the project:

1. The project is within the Downtown Specific Plan area and is consistent with the design guidelines and regulations outlined in the Downtown Code; and
2. The proposed improvement complies with all applicable standards and requirements of the Downtown area, with the applicable goals, policies, and objectives set forth in the General Plan and the Downtown Specific Plan.

Staff therefore recommends that the Planning Commission deny the appeal and approval of the MDRP as conditioned, with no recommended modifications.

EVALUATION – APPEAL

Planning staff received an appeal from Lozeau Drury LLP on July 19, 2023 challenging the approval of the MDRP project, stating that the two California Environmental Quality Act (CEQA) exemption classes cited for the proposed project, Sections 15182 and 15332, were not the appropriate environmental

determination. The following section discusses the points presented in the appeal and staff's response. The letter is included as Attachment 2 of this staff report.

Assertion: The appellant believes that a supplemented or updated Environmental Impact Report (EIR) to the Downtown Specific Plan EIR is required to address mitigation measures which are considerably different from those analyzed in the DTSP EIR, as “new information has come to light” regarding health risks from formaldehyde emissions from composite wood interior finishing materials since the 2009 publication of the DTSP EIR. According to the appeal, impacts were not addressed in the DTSP EIR, and no mitigation measures regarding that subject were included.

Response: Contrary to the appellant's assertion, the potential health risks of formaldehyde emissions were known at the time of certification of the 2009 DTSP EIR. The EIR identifies formaldehyde as a potential Toxic Air Contaminant (TAC) (2009 DTSP EIR, page 4.10-9), and cites the standards and thresholds of significance established by the Placer County Air Pollution Control District (PCAPCD). The EIR also includes a discussion of State and Local Toxic Air Contaminant Programs (2009 DTSP EIR, page 4.10-21) and an evaluation of on-site, project-generated, operation-related stationary source emissions of TACs (2009 DTSP EIR, page 4.10-31). The EIR concludes that compliance with applicable regulations will ensure that stationary source emissions generated during project-level operations will fall within established standards, and no mitigation was required.

The potential risks of formaldehyde emissions specifically from composite wood products were also known at the time the 2009 EIR was certified, and these emissions have been addressed by state regulations. On April 26, 2007, the California Air Resources Board (CARB) adopted airborne toxic control measures to reduce formaldehyde emissions from composite wood products that are sold, supplied, used, or manufactured for sale in California. These measures are provided in Sections 93120-93120.12, Title 17, of the California Code of Regulations. The Composite Wood Products Regulation reduces public exposure to formaldehyde through the establishment of strict emission performance standards on particleboard, medium density fiberboard, and hardwood plywood (collectively known as composite wood products). The regulation requires all finished goods, such as flooring, destined for sale or use in California to be made using compliant composite wood products. The most stringent (Phase 2) standards became effective in January 2014, ensuring that only compliant products are legal for sale or use in California. These emission standards are also codified in the California Green Building Code, and the US Environmental Protection Agency worked with CARB to ensure that the national rule was consistent with California's requirements (effective February 10, 2017).

It is also noted that the California Building Code has been updated since the publication of the CARB measures and emissions standards. The Title 24 standards improve indoor air quality through ventilation and air filtration requirements, and the requirements have become more stringent since the certification of the 2009 EIR. The most recent Building Code update (published in 2022) will apply to the proposed project. Project construction documents will be evaluated by staff to ensure compliance with all applicable building codes, which in turn will ensure project-related emissions are consistent with adopted standards. Therefore, the EIR's determination that the adopted regulations will be adequate to address these TAC emissions remains appropriate, particularly as the standards have improved over time.

The July 14, 2023 staff report to the Planning Manager (Attachment 1) included an evaluation of the CEQA exemption pursuant to Section 15182, pertaining to Residential or Mixed-Use Projects Pursuant to a Specific Plan and Section 305 of the City of Roseville CEQA Implementing Procedures. The appellant has not provided any evidence to support their statements, nor have they demonstrated that there is new information or impacts outside the scope of the previously certified EIR which would necessitate supplemental analysis or EIR. The project will comply with state regulations and adopted building codes intended to minimize potential risks related to formaldehyde emissions. Therefore, as described in the

prior report and this evaluation, the CEQA exemption pursuant to Section 15182 is appropriate in that the project is consistent with the DTSP and the DTSP EIR, and no additional mitigation is required.

Assertion: The appeal states that the Infill exemption per Section 15332 is inappropriate due to the significant air quality impact of formaldehyde emissions. The appellant alleges that formaldehyde emissions will exceed the Placer County Air Pollution Control District (PCAPCD) acceptable cancer risk threshold of 10 parts per million.

Response: As discussed in the previous response, applicable state and building code regulations will be sufficient to address formaldehyde emissions from composite wood products. The appellant does not provide any evidence to suggest that the project will exceed thresholds established by PCAPCD. Without substantial evidence, there is no fair argument that the project will create a new significant impact related to air quality.

The previous staff report includes an evaluation of the proposed exemption pursuant to Section 15332, including an explanation of how the project meets all required conditions. The project will remodel an existing building on Vernon Street, which is located in Downtown Roseville. The overall size of the parcels is 0.7 acres. The entire property is developed and surrounded by development, with no undisturbed habitat available. All uses proposed by the project, including office, retail, restaurant, and multifamily residential, are principally permitted uses on Parcel DT-6 of the DTSP; therefore, the proposed project is consistent with the Specific Plan and General Plan and the activity and its impacts fall within the scope of the previously adopted DTSP EIR. Additionally, the project has been reviewed by City departments for potential impacts to utilities and public services, and no conflicts were identified.

Based on the analysis in this report, staff recommends that the Planning Commission deny the appeal and approve the MDRP application subject to the conditions of approval.

PUBLIC OUTREACH

The proposed application was distributed to all applicable City Departments and Divisions for review, as well as appropriate outside agencies. All comments or recommended conditions of approval have been incorporated into the project, as appropriate. In addition, a notice of intent to approve the project was posted on the project site for a period of ten days from January 13, 2023 to January 24, 2023, consistent with the requirements for a MDRP application. No requests for public hearings or comments were received until the submittal of the appeal by Lozeau Drury LLP on July 19, 2023.

ENVIRONMENTAL DETERMINATION

The application is exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15182 pertaining to Residential or Mixed-Use Projects Pursuant to a Specific Plan and pursuant to Section 305 of the City of Roseville CEQA Implementing Procedures. An Environmental Impact Report (EIR) was prepared for the Downtown Specific Plan (DTSP) and certified on April 1, 2009 (SCH# 2007102090), which included an evaluation for development of the DTSP Parcel DT-6 district. The proposed project will reuse an existing building, and all proposed uses are principally permitted on Parcel DT-6. Staff finds the proposed project is within the scope of the project covered by the DTSP Final EIR. Given the project is consistent with the DTSP EIR and Specific Plan, no new effects would be expected to occur and all applicable mitigation

measures from the DTSP EIR will be implemented during the design and construction of the project. No additional environmental documentation is required.

It is noted that other exemption classes are applicable to the project. The proposed project is also categorically exempt pursuant to Section 15332 for Infill Development Projects. According to Class 32, an infill development may be considered exempt if it meets the following conditions:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c) The project site has no value as habitat for endangered, rare, or threatened species.
- d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- e) The site can be adequately served by all required utilities and public services.

As previously stated in this report, the proposed project will remodel an existing building on Vernon Street, which is located in Downtown Roseville. The overall size of the parcels is 0.7 acres. The entire property is developed and surrounded by development, with no undisturbed habitat available. All uses proposed by the project, including office, retail, restaurant, and multifamily residential, are principally permitted uses on Parcel DT-6 of the DTSP; therefore, the proposed project is consistent with the Specific Plan and General Plan and the activity and its impacts fall within the scope of the previously adopted DTSP EIR. Additionally, the project has been reviewed by City departments for potential impacts to utilities and public services, and no conflicts were identified.

Finally, none of the exceptions to exempting projects, as outlined in Section 15300.2 of CEQA, apply to the proposed project. The project does not request exemption through Classes 3, 4, 5, 6, or 11. The project falls within the scope of the evaluation of the DTSP EIR, and therefore would not exceed any cumulative impacts not previously considered by the certified document. There are no unusual circumstances that will have a significant effect on the environment proposed as part of the project, as all uses are principally permitted and the project will occur within an existing building. The project is not located adjacent to a scenic highway, is not located on a hazardous waste site pursuant to Section 65962.5 of Government Code, and will not result in a substantial adverse change in the significance of a historical resource.

RECOMMENDATION

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

1. Deny the appeal of the July 14, 2023 approval by the Planning Manager; and
2. Adopt the findings of fact as stated in the staff report and approve the **Minor Design Review Permit – 200 Vernon St. – DTSP PCL DT-6 – 200 Vernon Mixed-Use Development – Error! Reference source not found.** subject to seventy-six (76) conditions of approval.

CONDITIONS OF APPROVAL FOR MINOR DESIGN REVIEW PERMIT FILE #PL22-0382

1. This Minor Design Review Permit approval shall be effectuated within a period of two (2) years from **August 24, 2023** and if not effectuated shall expire on **August 24, 2025**. Prior to said expiration date,

the applicant may apply for an extension of time, provided this approval does not extend the expiration beyond **August 24, 2026**. (Planning)

2. The project is approved as shown in Exhibit A and as conditioned or modified below. (Planning)
3. The project shall comply with all required environmental mitigation identified in the Downtown Roseville Specific Plan Environmental Impact Report (EIR), certified April 1, 2009 (SCH #2007102090), and shall include all applicable mitigation measures as notes on the grading plans. (All Departments)
4. The project shall be addressed as 200 Vernon St. All projects with multi-tenants shall submit a site plan and floor plans (for all floors and all uses) upon initial Building Permit submittal for suite/unit address approval or assignment. Please specify “Business Services – Addressing” on the submittal. See *City of Roseville Addressing Guidelines* at Roseville.ca.us/Addressing for more information. (Business)
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. 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)
6. 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)
7. 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)
8. 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:

9. Parking lot design shall conform to the City’s design standards, including the following minimum standards for parking stalls:
 - a. All parking stalls shall be double-striped. Parking stalls adjacent to sidewalks, landscaped areas or light fixtures, and all Accessible stalls shall abut a 6-inch raised curb or concrete bumper. (Planning)
 - b. Standard – 9 feet x 18 feet; Compact – 9 feet x 16 feet; Accessible – 14 feet x 18 feet (a 9-foot-wide parking area plus a 5-foot-wide loading area) and a minimum of one (1) parking space shall be Accessible van accessible – 17 feet x 18 feet (9-foot-wide parking area plus an 8-foot-wide loading area). (Planning)
 - c. An 'exterior routes of travel' site accessibility plan incorporating slope, cross-slope, width, pedestrian ramps, curb ramps, handrails, signage, detectable warnings or speed limit signs

or equivalent means shall comprise part of the site improvement plans submitted to City for review, prior to building plan check approvals. This site accessibility plan shall also include:

- i. Accessible parking stalls shall be dispersed and located closest to accessible entrances. The total number of accessible parking spaces shall be established by Table 11B-208.2 of the CBC.
 - ii. Accessible Parking spaces and crosswalks shall be signed, marked and maintained as required by Chapter 11 of the CBC.
 - iii. Accessible parking and exterior route of travel shall comply with CBC, Sections 11B-206 and 11B-208. (Building)
10. 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)
11. 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)
12. 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. 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)
 - c. The landscape plan shall comply with the Landscape Guidelines for Downtown Roseville Specific Plan and the City of Roseville Water Efficient Landscape Ordinance. (Planning, Environmental Utilities)
 - d. Landscaping adjacent to preserve areas shall consist of California native, drought-tolerant groundcover, shrubs, plants, and trees. (Open Space, Planning)
 - 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)
13. 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)
 14. Include a note on the building permit plans to require a barrier and covered walkway to protect pedestrians during construction. This is required along Vernon, Lincoln, and Atlantic Streets. (Building)
 15. 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)
 16. 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)
 17. 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)
 18. 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)
 19. 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)

20. 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)
21. For restaurants, other food services, or commercial swimming pools: The developer shall obtain all required approvals and permits from the Placer County Health Department and the City of Roseville Industrial Waste Division. (Building, Environmental Utilities)
22. Maintenance of copy of building plans: Health and Safety Code section 19850 requires the building department of every city or county to maintain an official copy of the building plans for the life of the building. As such, each individual building shall be submitted as a separate submittal package. Building plan review, permit issuance and archiving is based on each individual building address. (Building)
23. 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 the Development Services – Engineering Division prior to approval of any plans. (Engineering)
24. The Improvement Plans shall include a complete set of Landscape Plans. The Landscape Plans shall be approved with the Improvement Plans. (Planning, Engineering, Fire, Environmental Utilities, Electric)
25. 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)
26. 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)
27. Bike parking and clean air vehicle spaces shall be provided per the California Green Building Standards. Bike rack/locker design and location shall be approved by Alternative Transportation. (Alternative Transportation, Building).
28. All storm drainage, including roof drains, shall be collected on site and treated with Best Management Practices (BMP’s) per the City’s Stormwater Quality Design Manual. All storm water shall be routed to the nearest existing storm drain system or natural drainage facility. Drain outfalls shall extend down to the receiving water and shall be constructed with adequate velocity attenuation devices. The grading/improvement plans for the site shall be accompanied with a shed map that defines that area tributary to this site and all drainage facilities shall be designed to accommodate the tributary flow. The storm drain system and proposed BMP’s shall be privately owned and maintained by the property

owner. Prior to the issuance of any permits, the owner shall provide a plan for the maintenance of the proposed BMP's. (Engineering)

29. 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)
30. 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)
31. 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)
32. 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, Public Works 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)
33. 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)
34. 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)
35. 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)
36. The applicant shall pay all applicable water and sewer fees. (Environmental Utilities)
37. 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)
38. Trash enclosures, recycling areas, and organics shall be located within the trash area fronting Atlantic Street. The owner will be responsible for moving the specific bin to the street for refuse service that day. A sign and/or markings will need to be installed along Atlantic Street to show no parking to allow for refuse pick-up. (Refuse, Planning, Fire)
 39. 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)
 40. 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)
 41. 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)
 42. The applicable codes and standards adopted by the City shall be enforced at the time construction
 43. 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
 44. 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)
 45. 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)

46. 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:

47. Any backflow preventers visible from the street shall be painted green to blend in with the surrounding landscaping. The backflow preventers shall be screened with landscaping and shall comply with the following criteria:

- a. There shall be a minimum clearance of four feet (4'), on all sides, from the backflow preventer to the landscaping.
- b. For maintenance purposes, the landscaping shall only be installed on three sides and the plant material shall not have thorns.
- c. The control valves and the water meter shall be physically unobstructed.
- d. The backflow preventer shall be covered with a green cover that will provide insulation. (Planning, Environmental Utilities)

48. The following easements shall be provided by separate instrument and shown on the site plan, unless otherwise provided for in these conditions:

- a. Additional internal easements will be required to cover primary electrical facilities to the project when the final electrical design is completed. (Electric)

49. 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)

50. 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)
51. All improvements being constructed in accordance with the approved grading and improvement plans shall be accepted as complete by the City. (Engineering)
52. 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)
53. Water and sewer shall be constructed pursuant to the adopted City of Roseville Improvement Standards and the City of Roseville Construction Standards. (Environmental Utilities)
54. All water backflow devices shall be tested and approved by the Environmental Utilities Department. (Environmental Utilities)
55. **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)
56. 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)
57. 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)
58. All Electric Department facilities, including streetlights where applicable, shall be designed and built to the "City of Roseville Specifications for Commercial Construction." (Electric)
59. 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)
60. Any relocation, rearrangement, or change of existing electric facilities due to this development shall be at the developer's expense. (Electric)
61. 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)

62. 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)
63. 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)
64. Developer is responsible for providing Structural Engineering Calculations confirming the grates located over the existing underground transformer are traffic rated. In the event the existing grates are not traffic rated the developer is responsible for replacing the foundation and grates.
65. Developer is responsible for providing 24 hour access to parking lot.

OTHER CONDITIONS OF APPROVAL:

66. 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)
67. 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)
68. 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)
69. 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)
70. 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)
71. 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)

72. 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)
73. 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)
74. 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)
75. 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)
76. 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 10 copies of the following:
 - a. A description of measures that will be undertaken to minimize conflict between residents/building occupants and construction traffic (e.g. fencing, etc.);
 - b. A phasing plan showing the proposed buildings, internal roads and access routes, landscaping, trash enclosure locations, and any other improvements planned for each phase; and
 - c. An estimated time frame for each phase and a specific date for the first phase. (Planning, Building)

Attachments

1. July 14, 2023 Staff Report to the Planning Manager
2. July 19, 2023 Lozeau Drury LLP Appeal on behalf of LIUNA Local 185

Exhibits

- A. Project Plans

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.