

**ITEM 6.3: Extension to a Conditional Use Permit, Design Review Permit, and Tree Permit – 9000 Woodcreek Oaks Boulevard – NRSP PCL M-31 – M-31 Apartments Extension – File #PL24-0635**

**REQUEST**

The applicant requests a one-year extension to a previously approved Conditional Use Permit, Design Review Permit, and Tree Permit (file #PL19-0317). The project is an 80-unit apartment complex on 4.1 acres, with associated lighting, landscaping, and parking. The zoning for the property is Community Commercial, which requires a CUP for Multi-Family Residential development. The Tree Permit will allow up to 15% encroachment into the protected zone radius of a native oak tree in the open space parcel to the south.

Applicant – Greg Bardini, Morton & Pitalo, Inc.  
Property Owner – Campus Oaks Apartments 3, LLC

**SUMMARY RECOMMENDATION**

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

1. Adopt the two (2) findings of fact and approve the Extension to a Conditional Use Permit, Design Review Permit, and Tree Permit subject to six (6) conditions of approval.

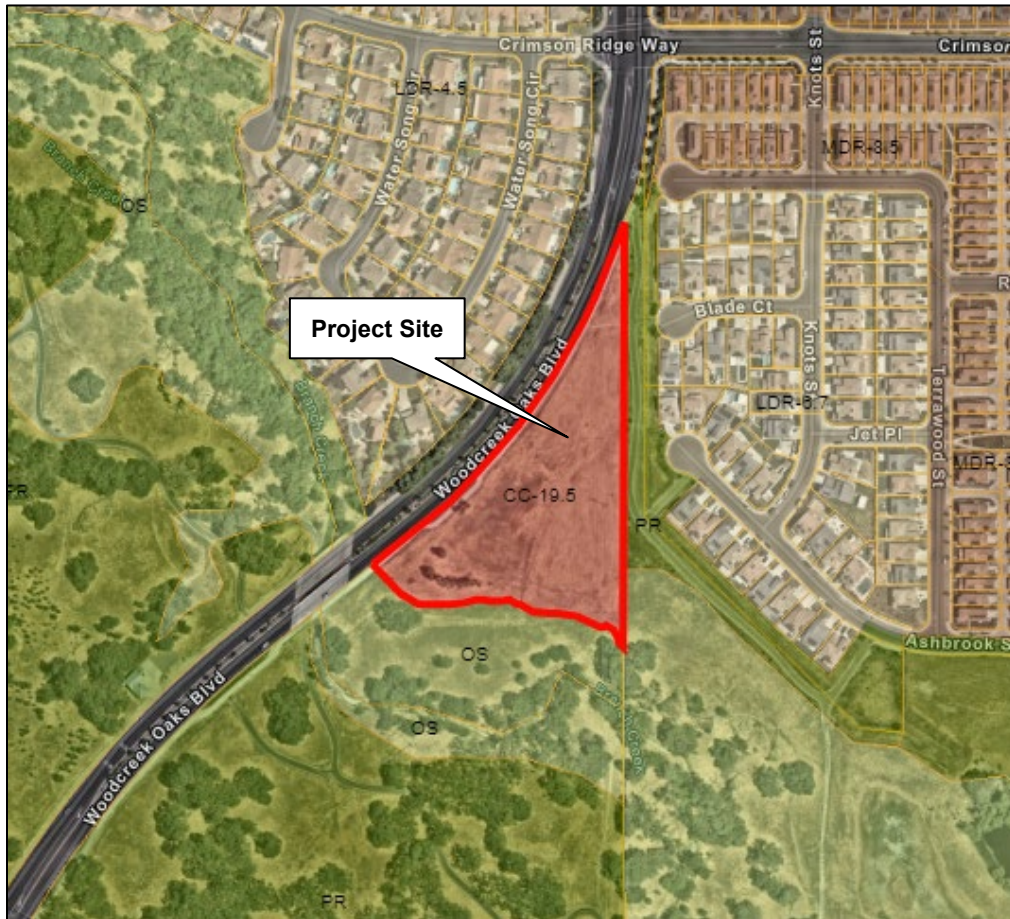
**SUMMARY OF OUTSTANDING ISSUES**

Pursuant to the City's Zoning Ordinance, the Planning Manager may grant an extension for a permit which has been approved but has not been effectuated, unless a request for a public hearing is received during the 10-day noticing period for the extension. The public notice was mailed to property owners and residents within a 300-foot radius of the project site. For the proposed extension, staff received a request for a public hearing during the noticing period from the property owner located at 648 Ashbrook Court, which is located within the Campus Oaks CO-7 single-family residential subdivision to the east of the project site. Staff has also received emails from other property owners within the same subdivision stating concerns with the project. The request for a hearing and all public comments are included as Attachment 1.

At the time of the original approval of the project in May 2020, the Campus Oaks CO-7 subdivision had not been constructed. Construction of the subdivision was completed in 2022 and the homes are now occupied. The property owners indicate they were not aware that the vacant parcel would be developed with apartments and that they were under the impression it was open space and protected land. However, the project site at 9000 Woodcreek Oaks Blvd. has been zoned Community Commercial since adoption of the North Roseville Specific Plan (NRSP) in 1997 and was anticipated to be developed. The open space area is located directly south of the site, as shown in Figure 1 below (the red shaded area represents Community Commercial land use, and the lighter green shaded area represents Open Space). In addition, the single-family residences are separated from the site by a Parks and Recreation parcel (the darker green shaded area) that is designated as a landscape easement and contains a bike trail.

Other identified concerns are related to traffic and environmental impacts resulting from development of the project. The concerns are further discussed in the public outreach section of this report.

**Figure 1: Project Site**

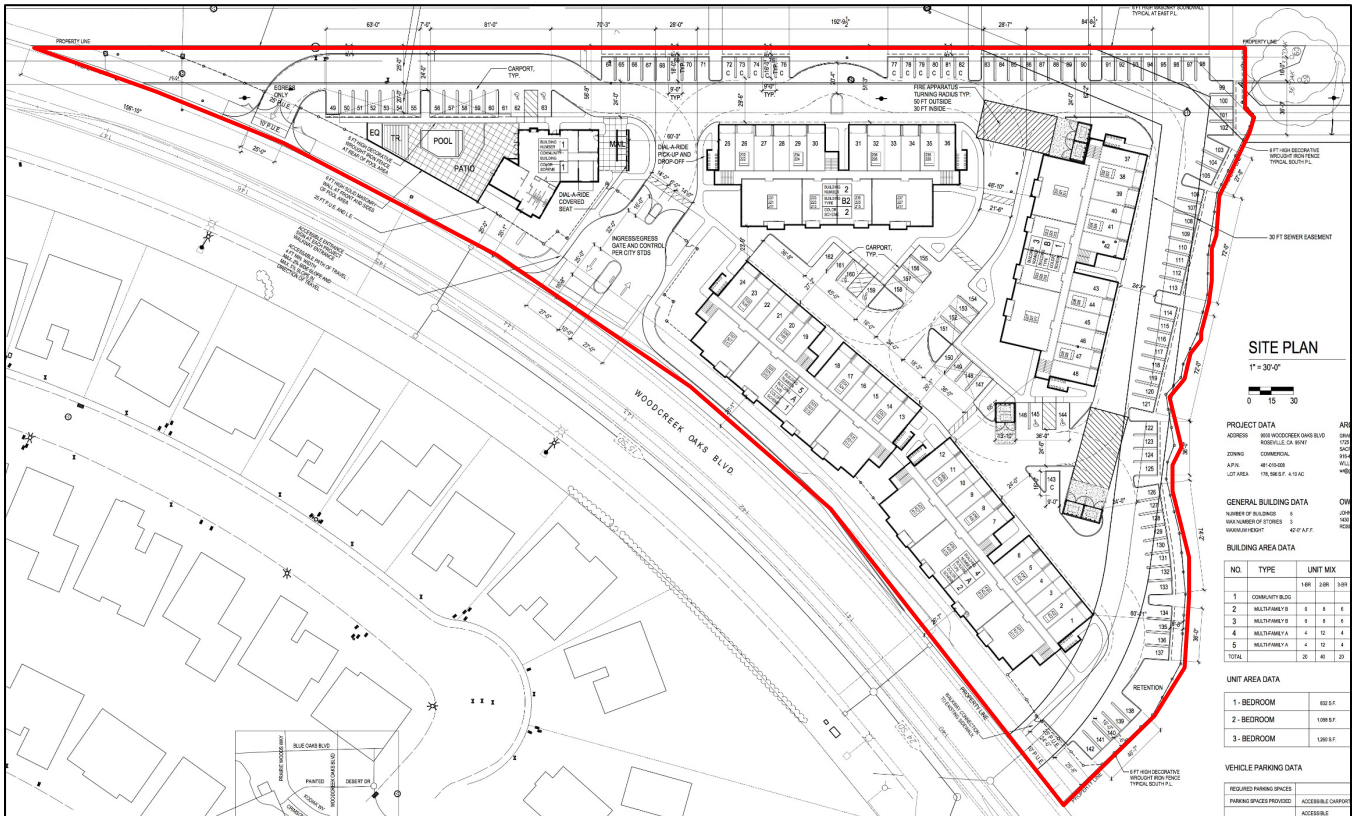


**BACKGROUND**

The project site is located on Parcel M-31 of the City’s North Roseville Specific Plan (NRSP) area, adjacent to Woodcreek Oaks Boulevard to the west (see Figure 1 above). The site has a zoning and General Plan land use designation of Community Commercial (CC) and has been designated as such since adoption of the NRSP in 1997. The parcel is irregularly shaped, which was due to the alignment of Woodcreek Oaks Blvd. The site is undeveloped; however, a portion of the site was used by JMC Homes as a temporary storage yard for construction supplies with an onsite construction trailer from 2001 to 2015 to support the construction of NRSP and West Roseville Specific Plan (WRSP) projects.

On May 28, 2020, the Planning Commission approved a Conditional Use Permit (CUP) to allow a multi-family residential use in the CC zone district and a Design Review Permit (DRP) to construct an 80-unit apartment complex consisting of four (4) three-story buildings, a 2,700-square-foot community building with an outdoor common area and pool, and associated lighting, landscaping, and parking (file #PL19-0317). The apartment buildings are three-stories with 20 units in each building, and total approximately 112,000 square feet. The proposed top-of-ridge building height is approximately 42 feet. A Tree Permit was also approved to allow minor encroachment into the protected zone of a native oak tree located in the adjacent open space Parcel WN-51 to the south. The May 28, 2020 Planning Commission staff report, which includes an evaluation of the project, is included as Attachment 2. The project entitlements were set to expire on May 28, 2022; however, two separate one-year extensions were approved under file #PL22-0117 and #PL23-0058, with a most recent expiration date of May 28, 2024. Figure 2 (below) includes the approved project site plan and Figure 3 (below) includes the approved building elevations along Woodcreek Oaks Blvd. for reference. The complete approved plan set is included as Exhibit A.

**Figure 2: Approved Site Plan (File #PL19-0317)**



**Figure 3: Approved Building Elevations along Westbrook Blvd. (File #PL19-0317)**



Since original approval of the project, Campus Oaks Apartments 3, LLC purchased the property from the former owner, JMC Homes, and is requesting a time extension on the expiration of entitlements while they work on modifications to the project design. The time extension would extend the expiration date to May 28, 2025. The modifications will require the submittal and approval of a CUP Modification and DRP Modification so that staff can evaluate the proposed changes and ensure consistency with City goals, policies, and standards. Ultimately, the Planning Commission would be the approving authority of the CUP Modification and DRP Modification.

## **SITE INFORMATION**

**Location:** 9000 Woodcreek Oaks Boulevard; APN 481-010-008-000

**Total Size:** 4.16 acres

**Topography and Setting:** The property has frontage on Woodcreek Oaks Blvd., which is a four-lane arterial roadway. The project site is currently undeveloped and is comprised mostly of annual grasslands and non-native tree species. The southern portion of the parcel has been disturbed from the prior storage yard that occupied the site. Streetlights, utility poles, and fully constructed sidewalks exist along Woodcreek Oaks Boulevard. Overhead power lines traverse the property along the eastern property line. The site overlooks the south branch of Pleasant Grove Creek and the Pleasant Grove Creek Open Space (Parcel WN-51) to the south, which contains a riparian area and native oak trees. A 30-foot landscape easement consisting of a Class I bike trail separates the project site from a Low Density Residential (LDR) subdivision to the east, both of which are located within the Campus Oaks Master Plan and the North Industrial Planning Area. To the northwest is Woodcreek Oaks Blvd. with LDR uses beyond.

## **EVALUATION AND FINDINGS**

Section 19.78.060D of the City of Roseville Zoning Ordinance requires that two findings be made prior to the approval of an Extension. The required findings are listed below in ***italicized bold print*** and are followed by an evaluation.

- 1. The proposed development is in compliance with all standards in effect as of the date of application for the extension, or there is no public benefit to the imposition of current standards comparable to the cost of imposing them; and***
- 2. No change has occurred in the circumstances or in the factual basis on which the approval was made since the date of original approval, which results in the inability to make findings of approval for the extension consistent with those originally made.***

No changes in the project design are proposed with this extension; nor have the applicable standards changed since the Conditional Use Permit, Design Review Permit, and Tree Permit were approved. Therefore, the project is compliant with all applicable standards. There have been no changes in circumstances since project approval. The project is subject to the originally approved conditions of approval for file #PL19-0317. As such, the required findings listed above can be made.

## **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 September 3, 2024, a notice of intent to approve an extension to the CUP, DRP and Tree Permit was distributed to property owners within 300 feet of the project site and posted on the RCONA website. The last day to request a public hearing was September 13, 2024.

On September 12, 2024, staff received a written request for a public hearing in response to the notice of intent to approve the extension, as well as comments from a total of four residents (see Attachment 1). The residents were unaware that the site was approved for development and are concerned with the proximity of the project to their homes. As mentioned, construction of the Campus Oaks CO-7 subdivision was completed in 2022, which was after the M-31 Apartments project was approved by the Planning Commission on May 28, 2020. On May 15, 2020, a notice of the Planning Commission hearing had been distributed to all property owners within 300 feet of the site, published in the Roseville Press Tribune, and posted on the RCONA website. No public comments were received. At that time, the small lot tentative

subdivision map for CO-7 had not been finalized and the large lot parcel was owned by the developer. The final map for the CO-7 subdivision was subsequently approved in April 2021.

When the apartment project was originally approved, the applicant took into consideration the proximity to the future single-family residences that are now constructed. The site was designed with a landscape buffer along the trail and the apartment buildings are setback at least 50 feet from the trail. This results in an overall distance of 120 feet from the apartment buildings to the nearest single-family residence, which would help minimize the visual massing of the buildings.

Some residents identify concerns with the project’s impacts to traffic. Impacts to traffic were evaluated in the Initial Study/Mitigated Negative Declaration (IS/MND) that was prepared at the time of the original approval of the project (see Attachment 4). This included a trip generation estimate that was prepared by the City’s Engineering Division to compare the project’s anticipated p.m. peak hour trips to the City’s modeled trips. The table below, taken from the IS/MND, represents the anticipated trip generation for buildout of the applicable Traffic Analysis Zone (TAZ) 919, with and without implementation of the project. With the addition of the project’s p.m. peak hour trips to the existing condition, the resulting trip generation of 42 peak trips is 70 trips less than what was anticipated for the TAZ. Therefore, impacts to traffic were deemed less than significant.

**Table 4: Project Trip Generation Estimate  
 Traffic Analysis Zone 919**

Use	Units / Square Feet (sf)	Model Trip Rate	PM Peak Trips
<i>2035 Build Out</i>			
Single-Family Dwelling (SFD)	2	0.69	1
Retail	45,000 sf	2.46	111
<i>Existing</i>			
SFD	0	0.69	0
Retail	0	2.46	0
<i>Proposed</i>			
Multi-Family Dwelling (MFD)	80	0.52	42
<i>2035 Build Out</i>			<i>112</i>
<i>Existing Plus Project</i>			<i>42</i>
<b>Total</b>			<b>-70</b>

Lastly, one resident mentions the project would destroy existing open space and natural habitats. As part of the IS/MND, mitigation measures were adopted to ensure less than significant impacts related to Biological Resources, such as nesting bird species. The adopted mitigation measures include the requirement for preconstruction surveys to ensure that fully protected bird and raptor species are not injured or disturbed by construction in the vicinity of nesting habitat. With implementation of this mitigation measure, the project would not have a significant impact to biological resources.

A notice of the public hearing was published in the Roseville Press Tribune on September 27, 2024, and was also distributed to all property owners within 300 feet of the site, interested persons, and posted on the RCONA website. No additional comments have been received as of publication of this 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) for the originally approved M-31 Apartments project to evaluate the environmental effects of the project. The document analyzed the potential for environmental impacts due to project implementation and determined that potentially significant

impacts related to Biological Resources, Noise, and Tribal Cultural Resources could be reduced to less than significant levels with mitigation. At that time, the IS/MND was published for a 20-day public review ending on May 14, 2020; no public comments were received. The Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program, which were adopted by the Planning Commission on May 28, 2020, are included as Attachment 4. The proposed project is substantially consistent with the previously evaluated project. No additional environmental review is required.

## **RECOMMENDATION**

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

1. Adopt the two (2) findings of fact and approve the **EXTENSION TO A CONDITIONAL USE PERMIT, DESIGN REVIEW PERMIT, AND TREE PERMIT – 9000 WOODCREEK OAKS BOULEVARD – NRSP PCL M-31 – M-31 APARTMENTS EXTENSION – FILE #PL24-0635** subject to six (6) conditions of approval.

## **CONDITIONS OF APPROVAL FOR THE EXTENSION TO A CONDITIONAL USE PERMIT, DESIGN REVIEW PERMIT, AND TREE PERMIT – FILE #PL24-0635**

1. The project is approved as shown in Exhibit A and as conditioned or modified below. (Planning)
2. This Conditional Use Permit, Design Review, and Tree Permit extension approval shall expire on **May 28, 2025**, unless effectuated. (Planning)
3. The project shall comply with the originally approved conditions of approval for the project (File #PL19-0317, Attachment 4), except as conditioned or modified below. (Planning)
4. The applicant shall provide two sets of trash, organic, and recycling enclosures; otherwise, the building owner shall be responsible for the trash service. (Refuse)
5. The proposed sewer for the site shall be privately maintained. (Environmental Utilities)
6. The project shall comply with the California Green Building Standards Code as it relates to Electric Vehicle (EV) parking spaces. (Building)

## **ATTACHMENTS**

1. Public Comments
2. File #PL19-0317 Staff Report
3. File #PL19-0317 Conditions of Approval
4. Initial Study/Mitigated Negative Declaration (IS/MND)

## **EXHIBIT**

- A. Plans

**Note to Applicant and/or Developer:** Please contact Planning Division staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning Manager at, or prior to, the public hearing.