



ITEM 6.2: Conditional Use Permit – 5 Sierra Gate Plaza – INFILL PCL 241 – John Adams Expansion – File #PL25-0180

REQUEST

The applicant, John Adams Academy Charter School, requests a Conditional Use Permit to allow the expansion of a legal nonconforming use. John Adams Academy Charter School proposes to occupy the first floor (approximately 12,200-square-feet) of the existing three-story commercial building located at 5 Sierra Gate Plaza for classroom and office use.

Applicant – Athena Eriksson, Comstock Johnson Architects
 Property Owner – Abbasco Enterprises Limited Partnership

SUMMARY RECOMMENDATION

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

1. Adopt the three (3) findings of fact and approve the Conditional Use Permit subject to nine (9) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

There are no outstanding issues associated with this request. The applicant has reviewed and agrees with all recommended conditions of approval. The applicant has reached out to other business and property owners within Sierra Gate Plaza. It's been reported to City staff that applicant has not received any concerning feedback regarding the expansion.

BACKGROUND

The project site is located within the Sierra Gate Plaza office complex, north of Lead Hill Boulevard, east of Harding Boulevard, south of Dry Creek and west of Interstate 80, within the City's Infill area. The project is an expansion of the existing John Adams Academy Charter School campus from its current footprint into the first floor of 5 Sierra Gate Plaza, as illustrated in Figure 1. The subject property has both zoning and General Plan land use designations of Business Professional (BP).

On May 5, 2011, Planning staff approved a Design Review Permit Modification (2011PL-023) to allow John Adams Academy (JAA) to construct a play area and install a six-foot tall steel fence around the play area. At this time the Zoning Ordinance listed Public Elementary and Secondary Schools as an allowed use within the BP zoning district. As noted in the staff report, charter schools were classified as public elementary and secondary schools and therefore JAA was in compliance with the Zoning Ordinance at the time.

On July 27, 2017, the Planning Commission adopted a Mitigated Negative Declaration and approved a Design Review Permit Modification and Tree Permit (PL15-0283) to allow construction of a 11,600-square-foot multi-purpose building (MPR) and associated site improvements, including a new concrete plaza area, landscaping, and lighting. Copies of the Supplemental Planning Commission staff report dated July 27, 2017, the original Planning Commission staff report, dated June 28, 2017, and the Initial Study/Mitigated Negative Declaration can be found in Attachments 1, 2 and 3, respectively. During the review of project PL15-0283, there were two (2) traffic analyses prepared. In 2016, a Traffic Access and Circulation Evaluation (Attachment 4) was completed by Kimley-Horn to evaluate the existing traffic

patterns and impacts, as well as potential traffic/circulation modifications that may need to be constructed to improve the traffic flow in and out of the JAA campus during peak drop-off and pickup times. This study evaluated the access and circulation within, and in the vicinity of the JAA campus. The study analyzed the addition of a 11,600-square-foot multi-purpose building to the campus and the purchase and use of building 7 Sierra Gate Plaza for classroom purposes. Due to a discrepancy in this study, as detailed in the Supplemental Planning Commission staff report (Attachment 1), a Traffic Impact Study was completed by Kimley-Horn on June 28, 2017 (Attachment 5). This study analyzed an ultimate student capacity of 1,650 students and recommended mitigation measures to ensure any traffic impacts to intersections remained less than significant.

Figure 1: Project Location



Following approval of the JAA entitlements, the Roseville City Council in 2020 considered and adopted amendments to the City's Zoning Ordinance (Title 19 of the Roseville Municipal Code). As part of these amendments, public and private elementary and secondary schools were combined into the same category within the zoning land use tables. The effect of this amendment is that both of these use types are now either principally permitted, conditionally permitted or prohibited consistent within each zoning district. Based on this amendment to Title 19, JAA's operation became a legal nonconforming use, because public and private elementary and secondary schools are not an allowed use within the Business Professional zone district.

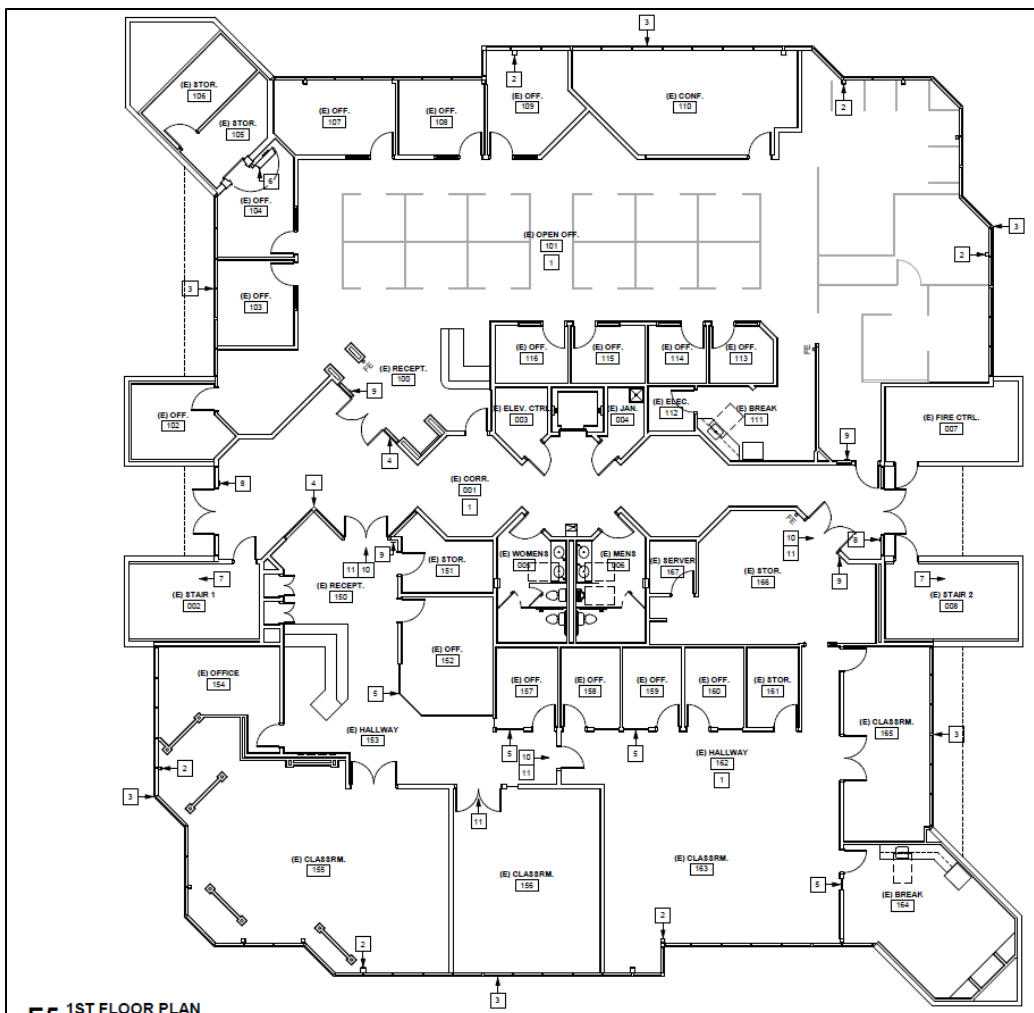
Pursuant to the City of Roseville Municipal Code Chapter 19.24 (Nonconforming uses, structures, and parcels), a nonconforming use may continue, provided that no such use shall be enlarged or increased, nor extended to occupy a greater area than which it lawfully occupied before becoming a nonconforming use. A nonconforming use in a commercial, industrial, or PD zone may be expanded or modified provided that a Conditional Use Permit is obtained.

As such, JAA requests a Conditional Use Permit to allow the expansion of a legal nonconforming use into the first floor of 5 Sierra Gate Plaza (see Figure 2). The expansion would allow for classroom and other educational space within the office building. The 5 Sierra Gate Plaza building is a three-story building with approximately 34,496-square-feet of office space, and JAA proposes to occupy the first floor, which is approximately 12,181-square-feet of floor area. The floor plan is currently broken down

into office and classroom space, and as illustrated in Figure 2 (see also Exhibit B) there are four (4) classrooms proposed, several office spaces, a conference room, and a break room. It is the ultimate goal of JAA to convert a significant portion of the first-floor office space into additional classrooms and performing arts rehearsal space. A description of the proposed uses for the first floor are detailed in the Business Operation Plan (see Exhibit A), This Conditional Use Permit would not restrict the square footage of first floor space that can be dedicated to educational purposes. The proposed addition would bring the existing 117,000-square-foot JAA campus to a total of 151,496-square-feet of educational space to the campus.

As detailed in the Business Operations Plan (Exhibit A), JAA has operated a transitional kindergarten through 12th grade education program at the campus since 2011. Since the beginning of JAA's operation, the school has retrofitted office space into educational classrooms for its students. The school's operation has expanded into four (4) of the original eight (8) buildings in the Sierra Gate Plaza. JAA now proposes to expand their operation into the first floor of 5 Sierra Gate Plaza. The proposed expansion will not increase the student capacity of 1,650 students or change the drop off and pick up procedures that are now in place. After the expansion, the operation of the JAA campus will remain consistent with the 2017 Kimley-Horn Traffic Impact Study (Attachment 5). The expansion into the first floor of 5 Sierra Gate Plaza with classrooms and performing arts rehearsal space will allow JAA to provide more after school programming and before and after school care opportunities. An increase in before and after school programming will have the impact of reducing drop-off and pick-up peak traffic.

Figure 2: Proposed Floor Plan



65 1ST FLOOR PLAN

CONDITIONAL USE PERMIT EVALUATION

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 BP. Primary uses allowed in the BP land use designation include administrative, professional, government, and medical offices, and research and development (not including any manufacturing or assembly), hospitals, clinics, and general medical may also be permitted. In order to provide the flexibility necessary to achieve the General Plan's land use policies, the General Plan land use designations define allowable uses broadly, when compared to zoning designations, which provide more specific standards to ensure compatibility among adjacent land uses. As discussed, above, based on the 2020 amendments to the Zoning Ordinance, JAA is currently a legal nonconforming use and legally operates within Sierra Gate Plaza. The Zoning Ordinance requires a CUP in order to expand a legal nonconforming use. With approval of a CUP, the proposed expansion into the first floor of 5 Sierra Gate Plaza would be considered to be consistent with the provisions of the Zoning Ordinance and therefore, the policies of the General Plan.

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

The project is located in the BP zone district. Public/Private Elementary and Secondary schools are not an allowed use within the BP zone district and, as described above, JAA is considered a legal nonconforming use. The proposed CUP for this project will be considered to cover JAA's entire operation within the Sierra Gate Plaza as well as the proposal to occupy the first floor of 5 Sierra Gate Plaza. No modifications to the exterior of 5 Sierra Gate Plaza or to the site design are proposed with this application. Only interior work is proposed to allow for additional classroom and rehearsal space. As detailed in the staff report for the 2017 project (PL15-0283) all of the buildings within the Sierra Gate Plaza meet the Zoning Ordinance standards for building setbacks, landscape setback, height and lot coverage. In 2017, it was determined that the JAA campus exceeded the minimum parking requirements by 14 spaces. The proposed expansion into the first floor of 5 Sierra Gate Plaza will not increase the student capacity and is not proposed to increase faculty staffing. While the driveway on Lead Hill and the parking area associated with 5 Sierra Gate Plaza will not be used for drop-off or pick-up, or student parking, there will be additional parking stalls available to the JAA faculty and administrative staff. Based on this understanding, the JAA campus and surrounding office buildings within the Sierra Gate Plaza complex will continue to exceed the minimum parking requirements.

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 purpose of this CUP is to evaluate and place operating conditions of approval on the JAA campus, including the proposed expansion into the first floor of 5 Sierra Gate Plaza. Overall, JAA will continue to operate consistent with previous entitlements. The maximum student capacity will be set at 1,650 students. Currently, the combined attendance is approximately 1,400 students. The Business Operations Plan (Exhibit A) provides a detailed description of JAA's use of the property. This operation plan is designed to ensure that, with the proposed expansion, the JAA campus will comply with the requirements for Finding #3, above. Some of the more important operating characteristics to note, include access to the campus, on-site circulation, drop-off and pick-up times, and operation of 5 Sierra Gate Plaza.

Access to the site will remain the same, as no changes to the on-site circulation are proposed at this time. Access into the campus will continue to occur from Harding Boulevard, pick-up and drop-off zones will remain the same throughout the campus. As proposed, there will be no vehicular access allowed for pick-up and drop-off from Lead Hill Boulevard to the building at 5 Sierra Gate Plaza. Parents will be notified at the beginning of the school year, as well as pick up/drop off information being included in the Family-Scholar handbook. The pick-up and drop-off schedule will remain the same with staggered schedules. Below is the schedule:

Elementary TK/K Monday through Thursday: Morning starts at 8:00am and ends at 11:30am. Elementary Afternoon TK/K starts at 11:15am and ends at 2:45pm.

Friday, TK/K starts at 8:00am and ends at 12:33pm.

1st-6th Grade: Monday through Thursday: 8:15am-2:45pm.

Friday: 8:15am to 12:30pm.

Middle School (7-8th Grade): Monday through Thursday: 8:30am to 3:00pm.

Friday: 8:30am to 1:05pm.

High School (9-12th Grade): Monday through Thursday: 8:30am to 3:40pm.

Friday: 8:30am to 1:05pm.

While JAA does operate consistent with the findings and recommendations found in the 2017 Kimley-Horn Traffic Study (Attachment 5), it is recognized that traffic does back up on Harding Boulevard during the morning drop-off and afternoon pick-up times. As mentioned above, the proposed expansion into the first floor of 5 Sierra Gate Plaza, with classrooms and performing arts rehearsal space, will allow JAA to provide more after school programming and before and after school care opportunities. An increase in before and after school programming will have the impact of reducing drop-off and pick-up peak traffic. The benefit of this expansion will be to flatten peak hour traffic.

JAA proposed to use nearly the entire first floor of 5 Sierra Gate Plaza for educational purposes. In the near term, this space will be used for four (4) classrooms with the majority of the square footage used for office space, consistent with the floor plan shown in Exhibit B. JAA plans to transform the first floor into approximately 10 to 15 classrooms and several large rehearsal rooms for performing arts programming. It is anticipated over the next year JAA will process Tenant Improvement Plans to modify this space to its ultimate configuration.

The approval of a CUP to allow JAA to expand a legal nonconforming use will result in negligible changes to the current operation of the existing school campus. This expansion is compatible with the surrounding uses and will not result in any adverse impacts or be detrimental to the general health safety and welfare.

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. A notice of the public hearing was published in the Roseville Press Tribune on June 13, 2025, 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) for the originally approved John Adams Multi-Purpose Building project to evaluate the environmental effects of the project. The proposed project is substantially consistent with the approved project and the existing student capacity. The proposed John Adams Academy Expansion Project will not result in any new environmental impacts. Therefore, no further environmental review is required.

RECOMMENDATION

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

1. Adopt the three (3) findings of fact and approve the **CONDITIONAL USE PERMIT – 5 SIERRA GATE PLAZA – INFILL PCL 241 – JOHN ADAMS EXPANSION – FILE #PL25-0180** subject to nine (9) conditions of approval.

CONDITIONS OF APPROVAL FOR THE CONDITIONAL USE PERMIT, FILE #25-0180

1. This Conditional Use Permit is to allow the expansion of a legal nonconforming use at the John Adams Academy Charter School campus and provide conditions of approval for the overall school campus and is approved based on the Business Operation Plan in Exhibit A, and as conditioned below. (Planning)
2. The ground floor of 5 Sierra Gate is allowed to be converted into classrooms, teacher' offices, break rooms, meeting rooms and dedicated performing arts space, as detailed in the Business Operations Plan. (Planning)
3. The John Adams Academy Charter School campus shall have a maximum student capacity of 1,650 students. (Planning)
4. The typical pick-up and drop-off times shall be consistent with those found in the Business Operations Plan in Exhibit A, subject to the requirements in Condition #6. (Planning)
5. There shall be no pick-up or drop off utilizing the driveway on Lead Hill Boulevard and the parking lot adjacent to 5 Sierra Gate. There shall be no student parking within the parking lot adjacent to 5 Sierra Gate. (Planning and Engineering)
6. Any further expansion of the John Adams Academy Charter School campus, either within 5 Sierra Gate or other buildings within the Sierra Gate Plaza center shall require the approval of a Conditional Use Permit Modification, consistent with the provisions of the Roseville Municipal Code. (Planning)
7. Any modification to the Business Operations Plan found in Exhibit A that causes a change in the typical drop-off and pick-up times and has the potential to increase traffic generation, shall require the approval of a Conditional Use Permit Modification, consistent with the provisions of the Roseville Municipal Code. State mandated changes to the school's operation that require a modification to the Business Operations Plan are exempt from the provisions of this condition. John Adams shall notify the City of any State mandated changes to allow the Business Operations Plan to be updated. (Planning)
8. The applicant shall submit plans to the Building Division and secure a building permit for any proposed tenant improvements. At a minimum the applicant shall secure a Certificate of Occupancy for the change in use. (Building)

9. This Conditional Use Permit approval shall be effectuated within a period of two (2) years from this date and if not effectuated shall expire on **June 26, 2027**. Prior to said expiration date, the applicant may apply for an extension of time, provided, however, this approval shall be extended for no more than a total of one (1) year from **June 26, 2028**. (Planning)

ATTACHMENTS

1. PL15-0283 JAA Staff Report from July 27, 2017
2. PL15-0283 JAA Staff Report from June 22, 2017
3. PL15-0283 JAA IS/MND from July 27, 2017
4. Kimley-Horn Traffic Access and Circulation Evaluation dated January 13, 2016
5. Kimley-Horn Traffic Impact Study dated June 28, 2017

EXHIBITS

- A. JAA Business Operation Plan
- B. Floor Plan

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.