

TO: TOWN COUNCIL
FROM: TOWN MANAGER
RE: CONSENT ITEM
SELECT ROCKLIN DEVELOPMENT PROJECTS UPDATE

ISSUE

The City of Rocklin has a number of development projects moving along in the area along Sierra College Blvd and on Del Mar Street that could impact Loomis residents, roads, and the general quality of the Loomis community.

RECOMMENDATION

Receive and File;

OR

Review development information and direct the Council Borders Sub-committee (Mayor Scherer and Vice Mayor Liss) as to any actions the Council would like the Committee and/or Special Legal Counsel and staff to take.

CEQA

There are no CEQA issues associated with addressing the CEQA issues of another agency.

MONEY

Costs for Special Legal Council are running about \$144,664 since June 2007. Staff or Town Attorney time not been tracked for work on Rocklin projects. It is unknown how much more legal and/or staff costs might be involved. At the July 09 Council meeting staff noted that all project impacts being litigated could save over \$2.5 million dollars in various impacts, specifically traffic, if the court finds in favor of Loomis.

ACTIVITY

The Border Committee (Mayor Liss and Council Member Scherer) and staff met with Celia McAdam and found that SPRTA would encourage Rocklin and Loomis to come to agreement on the Sierra College Blvd improvements needed to the section between Granite Drive and Taylor Rd and that SPRTA would help out as possible. Specifically mentioned was to include improvements to the Sierra College / Taylor intersection in the work needed now. Rocklin and Loomis staff met on December 9 to discuss a cooperative venture on Sierra College Blvd improvements that would also facilitate finding ways to address other development impacts. Another item on tonight's agenda addresses that specific issue.

PROJECTS BEING CONSIDERED BY ROCKLIN THAT ARE EXPECTED TO IMPACT LOOMIS**ROCKLIN LOWES PROJECT – 9/11/08 Writ filed**

A City of Rocklin project to build a Lowes store behind the Chevron and McDonalds on Sierra College Blvd at east end of Granite Drive.

11/2/09 Special Counsel advised as follows:

The petition raised three other issues that the Court ruled against Loomis. The court ruled from the bench so we don't have a written ruling yet. The summary of the court's ruling on the three other issue is: 1) Greenhouse gas emissions (court ruled project too small for there to be any analysis or impact (this goes against the rulings in other courts); 2) urban decay (court held insufficient evidence to support urban decay claim); and 3) cumulative traffic impacts threshold - (5 % degradation threshold) (court held that the memo from staff provided sufficient explanation to provide the basis for the 5% percent degradation threshold.)

ROCKLIN CROSSING PROJECT – 12/24/08 Writ filed

A City of Rocklin project to build a WalMart, Home Depot and other stores immediately south of I-80 along Sierra College Blvd.

11/3/09 Special Counsel Mooney advised as follows:

There is no written ruling yet however Judge Farley indicated concern with: 1) failure to do an alternative for less than a 24/7 operation; and 2) that the 5% degradation limit that Rocklin uses for road and signal intersection impacts seemed arbitrary. The judge has 90 days (from Oct 30) in which to issue a ruling.

1/5/10 Special Counsel Mooney advised that he would submit an update later in the week.

ROCKLIN DEL MAR BUSINESS PARK

The City of Rocklin initiated this project to adopt a general development plan for the properties located generally west of Del Mar Avenue (between the railroad tracks and the Loomis border) and rezone portions of the property to light industrial from the current large residential zoning of 3 to 10 acre per unit.

8/26/09 Special Counsel submitted comments. Issues noted:

- Project is not exempt from environmental review
- Rocklin exemption violates CEQA as it constitutes piece meal environmental review
- CEQA requires supplemental / subsequent environmental review to address the projects potential impacts to global warming and greenhouse gas emission
- New information regarding cumulative traffic impacts mandates EIR preparation

ROCKLIN WHITNEY RANCH PHASE II

This project is approximately 641 acres east of Hwy 65, north of Stanford Ranch, west of Whitney Oaks and abutting the Rocklin/Lincoln border. Project has 1,663 single family lots, additional lots that could be built on later and commercial and business professional.

9/23/08 Special Counsel Mooney submitted comments. Issues noted:

- CEQA requires Draft EIR to address global warming & greenhouse gas emissions
- New information regards cumulative traffic impacts requires subsequent EIR

ROCKLIN COMMONS

This project is approximately 40 acres located at the northwest quadrant of the I-80 / Sierra College Blvd interchange and bounded by Granite Drive on the west and Sierra College Blvd on the east. The project is to construct a regional shopping center (Kohls and Target have been mentioned) consisting of approximately 17 building totaling a maximum of 415,000 sq ft.

9/29/09 Special Counsel Mooney submitted comments. Issues noted:

- CEQA requires Draft EIR to address global warming & greenhouse gas emissions
- Cumulative traffic impacts to areas outside of Rocklin
- Weak alternatives analysis, only project and no project were addressed
- Urban decay

12/8/09 Special Counsel Mooney submitted comments for the Rocklin Council hearing as follows:

- Cumulative traffic impacts not being considered and the EIR fails to include mitigation measures that would reduce the impacts to less than a significant level.
- Final EIR fails to adequately respond to the Air Pollution Control District comments regarding flawed analysis and mitigation measures.

Rocklin Council approved the EIR and project.

12/15/09 Special Counsel Mooney advised not pursuing a court action in the case of Rocklin Commons because the issues raised are the same as Rocklin Crossing and the court ruling there would likely carry over to the Commons since the same developer and a similar project (commercial) is involved.

ROCKLIN SIERRA COLLEGE BLVD IMPROVEMENTS

This project is a two segment road widening along Sierra College Blvd from El Don Drive to I-80 (4 or 5 lanes with median) and I-80 to Taylor Road (4 lanes with median including modifications to the traffic signals at Brace Road and Taylor Road).

1/12/10 Loomis Council will consider deal points to get the section of Sierra College Blvd from Granite to Taylor improved.

ROCKLIN CROFTWOOD

This project is in two segments located West of Barton Rd and east of Secret Ravine abutting Loomis on the east and the Rocklin Crossing project on the west: Croftwood 1 is 83.3 acres with 156 single family homes, 6.3 acre park, 4.8 acre open space, 11.7 acre wetland preserve and 2.1 acre Barton Rd buffer. Croftwood 2, an expired map, is north of Croftwood 1 and is 25.5 acres with 62 single family lots on 16.68 acres and 5.9 acres of open space.

12/17/08 Rocklin advised that the project is currently at a standstill. The project is fully entitled until April of 2010, unless proponents file a map for another phase which would extend that deadline by one year. The thought is that someone will pick it up before the deadline arrives.

ROCKLIN CLOVER VALLEY

This project is approximately 662 acres located in the northeast quadrant of Rocklin along Sierra College Blvd north of Loomis. The project is to construct 558 residential lots, 5 acres of commercial, five acre park and 366 acres of open space.

- 8/9/09 On appeal to the 3rd District Court of Appeals. Awaiting reporter's transcripts by 10/5/9. Opening briefs due about 30 days after.
- 1/5/10 Special Counsel Mooney advised that he would submit an update later in the week.

ROCKLIN CENTER AT SECRET RAVINE

This project is approximately 3.3 acres located south of I-80 along Sierra College Blvd on the east side just south of the proposed location of the Rocklin Crossing project. The project is to construct 23,600 sq ft of commercial buildings.

- 5/20/09 Comments filed with Rocklin noting the following issues:
- Traffic will create additional impacts to surrounding area
 - Parking lot lighting address night sky concerns
 - Limit delivery vehicles to certain hours
 - Center not be a 24/7 operation
 - Provide for bicycle use
 - Oak tree mitigation should include mitigation in road medians along Secret Ravine and in other suitable areas close to the project
 - Cumulative impacts (list of 10 developments in Rocklin enumerated) are not being covered.

ROCKLIN 60

This project is approximately 56.9 acres located south of I-80 between the proposed Rocklin Crossing project and Diaz Lane. The project is to construct 179 single family homes.

- 6/26/09 Special Counsel Mooney submitted comments. Issues noted:
- Storm water drainage should favor a biologic versus mechanical method
 - Street lighting, night lighting and visual character
 - Lot sizes abutting Diaz Ln should be the size of lots in the area on the Loomis side

- No access, except emergency, to Diaz Ln in Loomis
- It would be prudent to look beyond only the 100 year flood for protection given the type of flooding experienced in the area.
- Cumulative impacts (9 Rocklin projects enumerated) are not being covered.
- Traffic impacts to Sierra College Blvd, payments to be made to Loomis for the sections in Loomis
- Roads to schools due to people traveling to Loomis schools not addressed
- Climate change requires further analysis; lack of substantial evidence

8/9/09 Special Counsel advised that Rocklin 60 Counsel contacted him to discuss possible mitigation measures such as reducing lot size or using trees buffers.

10/6/09 Sacramento Business Journal article indicates that Tim Lewis Communities acquired this project noting that it paid \$4.8 million for a property carrying \$31 million of debt as of summer 2009.