

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 Liss and Council Member Scherer) 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 \$175,868 since June 2007. Staff or Town Attorney time has 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 or the litigation results in a favorable settlement for Loomis.

ACTIVITY

The focus of activity in the last month has been on the Rocklin 60 residential development project.

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.

9/2/10 Still waiting for Court to set the matter for oral argument

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.

9/17/10 Special Counsel advised as follows:

As you recall, Loomis filed a Motion for Attorney's Fees in the Lowe's case where the Court directed modification of the mitigation measure to provide Loomis a credit. This morning we had the hearing on the Motion for Attorney's Fees. The court, Judge Connelly, denied the motion on the grounds that relief Loomis obtained - modification of the mitigation measure regarding payment of mitigation fees - did not confer a significant benefit on the general public or large class of persons. The Court also held that due to the limited relief obtained Loomis was not the successful party for purposes of the attorney's fee statute.

I don't think that an appeal of the court's ruling would be worthwhile. On appeal, the standard of review is abuse of discretion with regards to conferring a significant benefit on the public or a large class of persons. It is tough standard to overcome on appeal.

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
- 10/19/10 Rocklin Planning Commission recommended approval of the EIR but denial of the General Plan Amendment, Rezone, General Development Plan, Tentative Subdivisiion Map and Oak Tree Preservation Plan Permit. The Commission was concerned about the loss of oak trees, the general street layout, the lack of a formal project entry feature, the lack of a neighborhood gathering place, the need to incorporate more natural features, size of some lots near4est Dias Ln, and the need for an enhanced pedestrian access feature to the Rocklin Crossings (WalMart) project.
- 11/3/10 Mayor Liss, Council Member Scherer, Special Counsel Mooney and Planning Director Kerdus met with Rocklin 60 officials to explore ideas to address Loomis comments that were made at the Rocklin Planning Commission meeting.
- 11/22/10 Mayor Liss, Council Member Scherer and Town Manager met with Sherri Abbas, Rocklin Planning Director to review Loomis comments.
- 11/23/10 Rocklin Council approved the Rocklin 60 plan and overruled the Rocklin Planning Commission on their action 10/19. Loomis issues were not addressed.
- 12/1/10 Mayor Liss, Council Member Scherer, Special Counsel Mooney and Town Manager discussed next steps and decided to submit a letter to the Rocklin Council reiterating Loomis concerns for Rocklin Council's second reading on their 12/14/10. In addition, legal issues will be discussed with the Loomis Council in closed session on 12/14/10.