

TO: TOWN COUNCIL

FROM: TOWN MANAGER

RE: 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**

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 \$122,921.00 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 8/19/08 meeting Council approved setting aside \$75,000 for legal expenses associated with the Rocklin Lowes project. At the 1/13/09 meeting Council approved setting aside \$75,000 for legal expenses associated with the Rocklin Crossings project. Each project, if it ends up in court, would need a similar set aside. At the July 09 Council meeting staff noted that all project impacts being litigated could save over \$2.5 million dollars if the court finds in favor of Loomis.

**ACTIVITY**

Rocklin and Loomis Border Committees met on 9-18-09 to discuss issues concerning Sierra College Blvd improvements (see another item on tonight's agenda) but have not met to discuss mitigations for impacts being caused by the following specific development projects. The thought was that a cooperative venture on Sierra College Blvd improvements in the area from Granite Dr to Taylor Rd would facilitate finding ways to address the development impacts. Rocklin and Loomis continue to discuss this matter.

**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:

On Friday's hearing the court granted the Petition for Writ of Mandate regarding the traffic mitigation fees. The court remanded the matter back to the City of Rocklin for the Rocklin City Council to amend the mitigation measure providing for the payment of mitigation fees regarding cumulative impacts to Sierra College Boulevard. The mitigation measure had provided that the mitigation fees be paid to Rocklin, SPRTA, or some other applicable funding mechanism. The court held that the mitigation measure provided too much uncertainty as to whether the mitigation fees would in fact be paid to Loomis for the impacts in Loomis. The Court did not state what language would be appropriate, but left that to the discretion of Rocklin.

After the hearing I spoke with Russ Hildebrand about working together to come up with language that would be suitable to both Rocklin and Loomis. Russ agreed that we should work out the language ahead of time. I will call him in the next few days to discuss further. Russ also indicated that he hoped to take it to Council on the December 8 council meeting.

The court directed that the City file a return on the writ by January 15, 2010.

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 issues 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.

**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.

8/28/09 Special Counsel submitted comments.

**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 filed Loomis comments with Rocklin.

**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.

9/9/09 Special Counsel Mooney submitted comments. In addition, Sierra Club submitted comments on 9/7/09.

**ROCKLIN GRANITE CREEK PLAZA**

This project is approximately 21 acres located at the northwest corner of Sierra College Blvd and Granite Drive. The project is to construct a cinema/shopping center complex. Included is .79 acre piece designated Recreation-Conservation located adjacent to the Loomis Tributary/Sucker Ravine.

10/13/08 No comment filed, NOP called for an EIR to be prepared and the scope adequately identified issues of concern to Loomis. Wait for EIR to see how the issues are addressed.

6/3/09 Rocklin advised this project withdrawn.

**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).

9/18/09 Border Committees discussed improvements on section from Granite Drive to Taylor Rd. Council will be asked in October for negotiating authority to come to an agreement with Rocklin on the improvements.

**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 3<sup>rd</sup> District Court of Appeals. Awaiting reporter's transcripts by 10/5/09. Opening briefs due about 30 days after.

**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.

**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.

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.