

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 \$161,269 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.

ACTIVITY

The Rocklin and Loomis Border Committees met on October 5, 2010 regards Rocklin 60 and discussed issues concerning: storm water drainage; street lighting and visual impacts; tree planting; lot sizes along Diaz Ln; emergency access; cumulative impacts affecting Loomis; traffic impacts (Sierra College Blvd & roads to schools); and global warming. The Town will develop a letter to submit to the Rocklin Planning Commission for their hearing on October 19, 2010.

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.

9-17-10 Agreement concluded all parties signed off. Agreement provides that Loomis will not further challenge Rocklin Crossing development in exchange for:

- \$231,491 for traffic impact improvements at Sierra College Blvd & Taylor Rd payable at issuance of first building permit.
- If project is revised Rocklin Crossing officials will meet with Loomis
- Town of Loomis sponsored community events can be advertised on a 3 ft x 4 ft display at the Rocklin Crossing center.
- Rocklin Crossing center agrees to join Loomis Basin Chamber of Commerce to encourage cross promotion of events.
- Rocklin Crossing and Loomis will encourage “Buy Local” campaigns.

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
- 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.
- 9/8/10 Special Counsel notified Town of "Notice of Public Hearing and Availability of Rocklin 60 Project Final Environmental Impact Report." Staff requested Mr. Mooney to review Town comments made in 2009 and determine if the FEIR addressed the comments and whether additional comments were needed.
- 9/21/10 Rocklin Planning Commission held over consideration to October 19.
- 10/5/10 Rocklin and Loomis Border Committee met to review FEIR comments.