

Taylor Road Modification #16-17

RESOLUTION NO. 17-__

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF LOOMIS APPROVING A MODIFICATION OF THE TAYLOR ROAD MIXED USE TENTATIVE SUBDIVISION MAP, CONDITIONAL USE PERMIT, AND DESIGN REVIEW TO EXPIRE ON DECEMBER 20, 2018.

WHEREAS, the property owner Pat Cannon, has requested a modification of a tentative subdivision map, conditional use permit, and design review approval for an 8.9± acre site located on Taylor Road near Sierra College Blvd., APNS 044-123-058 & 069, such application being identified as #16-17; and

WHEREAS, on June 6, 2017, the Planning Commission of the Town of Loomis conducted a public hearing on the extension, at which time any person interested in the matter was given an opportunity to be heard; and

WHEREAS, the Planning Commission of the Town of Loomis reviewed and considered the staff report relating to the application, the plans, the written and oral evidence presented to the Planning Commission in support of and in opposition to the application; and

WHEREAS, the Planning Commission reviewed and considered the Initial Study\Mitigated Negative Declaration adopted on December 20, 2005 for the Taylor Road Project; and

WHEREAS, the Planning Commission reviewed and considered the Addendum to the Initial Study\Mitigated Negative Declaration for the Taylor Road Project; and

WHEREAS, the Planning Commission of the Town of Loomis hereby makes the findings attached herein as Exhibit A for modification of the Taylor Road Tentative Map, Conditional Use Permit, and Design Review (#16-17).

NOW THEREFORE, based on the findings set forth hereinabove the Planning Commission of the Town of Loomis, at its meeting of June 6, 2017, did resolve as follows:

1. The proposed modifications are consistent with the goals, policies and land uses in the Town of Loomis General Plan and Zoning Ordinance.
2. As per Section 15164 of the California Environmental Quality Act (CEQA), the Planning Commission adopts the previous Initial Study\Mitigated Negative Declaration with the Addendum, and directs staff to file a Notice of Determination with the Placer County Clerk.
3. The Taylor Road Mixed Use Tentative Subdivision Map, Conditional use Permit, and Design Review #16-12 as modified is hereby approved to expire on December 20, 2018, subject to the attached conditions of approval in Exhibit B.

ADOPTED this 6th day of June, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

EXHIBIT A

FINDINGS: TAYLOR ROAD MODIFICATION TENTATIVE TRACT MAP, CONDITIONAL USE PERMIT, AND DESIGN REVIEW; APPLICATION #16-17

PLANNING COMMISSION, JUNE 6, 2017

California Environmental Quality Act (CEQA)

The Addendum concluded that the proposed modifications would not result in measurable impacts as analyzed in the 2005 IS\MND. There are no changes in respect to the project or surrounding area to cause significant environmental impacts, nor new information to show the same. Though there have been changes to the environmental setting and regulatory context. No new impacts were identified, nor an increase of the severity of impacts previously identified. No new mitigation measures were necessary to reduce significant impacts. Therefore the IS\MND adopted in December 2005 remains valid and no subsequent environmental review is required as per Section 15162 and 15164 of the CEQA Guidelines.

Conditional Use Permit

1. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code;
2. The proposed use is consistent with the General Plan and any applicable specific plan;
3. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;
4. The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints; and
5. Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property or improvements in the vicinity and zoning district in which the property is located.

Subdivision Map Act

1. The proposed modification of the subdivision is, together with the provisions for its design and improvement, consistent with the general plan and any applicable specific or community plan.
2. The effect of this decision on the housing needs of the region and balancing these needs against the public service needs of its residents and available fiscal and environmental resources has been considered.
3. The tentative map is consistent with the General Plan and that the site is physically suitable for the type of development.

Pursuant to Section 66474 of the Subdivision Map Act, the Loomis Town Council makes the following findings as to the Grove Subdivision:

1. The proposed map is consistent with the Town's General Plan and Zoning Ordinance.
2. The design and improvement of the proposed division are consistent with the General Plan because adequate infrastructure and services will be available to serve the demand for services generated by the division, including water, sanitary sewer, and roadways.
3. The site is physically suitable for this type of development in that the site meets the size requirements for

22 additional single-family residences, and there are no environmental constraints.

4. The site is physically suitable for the proposed density of development in that the addition of 22 single-family residences is consistent with the allowed zoning density.
5. The design of the division or the proposed improvements will not cause substantial environmental damage, or injure fish or wildlife, or their habitat, in that the division is of an existing residential parcel.
6. The design of the division or improvements will not cause serious public health problems since water, sewer, sheriff, fire, and solid waste services will be adequately provided to the project.
7. The design of the project and improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed project.

Design Review

1. The Tentative Map is consistent with the Design Review requirements of Section 16.62.040 Design Review of the Loomis Municipal Code.
2. The architectural design, building massing and scale is appropriate and compatible with surroundings subdivisions and the community.
3. The project provides attractive and desirable site layout and design, including, building arrangement, exterior appearance, setbacks, drainage, fences and wall, grading, landscaping, and lighting.
4. The project provides efficient and safe public access, circulation and parking.
5. The project provides appropriate open space and landscaping, including the use of water efficient landscaping.
6. The project is consistent with the Elements of the Loomis General Plan and design guidelines.

EXHIBIT B

**REVISED CONDITIONS OF APPROVAL TAYLOR ROAD CONDITIONAL USE PERMIT\TENTATIVE TRACT
MAP\DESIGN REVIEW MODIFICATION #16-17**

GENERAL CONDITIONS- SUBDIVISION AND USE PERMIT

1. _____ Owner shall comply with all provisions of the Town of Loomis Municipal Code.
2. _____ The project shall proceed only in accordance with approved plans on file in the Planning Department, the conditions contained herein and the Town of Loomis Municipal Code. Approval of this project is subject to the plans, conditions and Code(s), shall not be interpreted as the Town having waived compliance with any sections of the Town of Loomis Municipal Code (Zoning, Building Codes, etc.), Loomis General Plan, or applicable Plans.
3. _____ Development shall be substantially in accordance with the plans entitled "Tentative Subdivision Map Exhibit A Preliminary Grading Plan Exhibit "B", Preliminary Landscape Plans Exhibit "C", Taylor Road Mixed Use Architectural designs to be approved by Planning Director), as prepared by Area West Engineers, Inc. and John Pacowski Design except as may be modified by the conditions stated herein.
4. _____ When submitting for Plan Check, the owner must provide to the Planning Department a copy of the final conditions of approval with a cover letter specifying how and where the revised plans address each of the conditions. Plan Check by the Planning Department and Town Engineer will not be initiated without compliance with this condition. All plans shall be consistent with that approved by the Planning Department. The owner shall be responsible for correcting any inconsistency which may occur through error or omission during plan preparation or construction.
5. _____ During the project, the owner shall indemnify, exonerate and hold harmless the Town of Loomis and all officers and employees thereof against all claims, demands and causes of action arising out of improvements constructed within this project.
6. _____ The Conditional Use Permit, and Design Review approvals as modified shall run concurrent with the tentative subdivision map expiration date, currently December 20, 2018.
7. _____ The conditions of approval of the application shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, which may or may not be shown on the map or improvement plans.

IMPROVEMENTS (STREET, DRAINAGE, GRADING AND PARKING DESIGN) - SUBDIVISION AND USE PERMIT

8. _____ **AS PART OF THE IMPROVEMENTS**, the disabled access ramp to be constructed in the public right-of-way, parking lot or adjacent to any buildings structure shall be designed to current ADA standards.
9. _____ **PRIOR TO ANY CONSTRUCTION**, the owner shall obtain an encroachment permit prior to any work within public rights-of-way.
10. _____ **AS PART OF THE IMPROVEMENTS**, the owner shall install standard street lights per the Town of Loomis Improvement Standards.

11. **____ PRIOR TO FINAL ACCEPTANCE OF IMPROVEMENTS**, existing public facilities, and real and personal property, damaged during the course of construction shall be repaired by the owner at his sole expense, to the satisfaction of the Town Engineer.

12. **____ PRIOR TO FINAL MAP APPROVAL**, the owner shall construct all improvements required as a condition of approval of this project or enter into a contract agreement with the Town to construct all improvements, and shall post bond, cash deposit, or instrument of credit, guaranteeing the construction of all improvements listed below within the time period specified herein or an approved time extension in accordance with the provisions of the Loomis Municipal Code and other applicable laws.

12A. The owner shall record a private access, sidewalk along Taylor Road and utility easements for the commercial properties on the final map.

12B. The owner shall dedicate 50 foot wide roadway right-of-way throughout the development on the final map as shown on the approved Tentative Map.

12C. The owner shall enter into and record a reciprocal access agreement for the proposed commercial parking lots and enter into and record a reciprocal access agreement (not parking) for use of the area, up to and including the right-in, right-out parking lot access adjacent to the trailer park property for common access if such access is required by the Town in the future.

12D. The owner shall construct curb, gutter, sidewalk, pavement and other improvements necessary to complete the roadway improvements as shown on the tentative map.

12E. The owner shall construct a 32-foot wide roadway adjacent to the businesses and 28-foot wide roadway adjacent to residential, with a 6- inch thick aggregate base with 3 -inches of asphalt.

12F. The owner shall sign a legal agreement with the Town in a form acceptable to the Town Attorney to participate in a fair share of the improvement to construct a storm drain system along Taylor Road for the downtown drainage.

12G. Parking shall be surfaced with a minimum of 2 inches of asphalt on 6 inches of aggregate base.

12H. The owner shall dedicate all necessary easements for streets, alleys, sewers, water facilities, utilities, drainage facilities, and other facilities as required by the Town and outside agencies

12I. On-site and off-site drainage facilities shall be designed and constructed as directed and approved by the Town Engineer in compliance with the Placer County Stormwater Management Manual.

12J. The owner shall submit the Covenants, Conditions and Restrictions (CC&R'S) for review and approval (in accordance with these conditions insuring that those parts of the CC&R's that involve these conditions cannot be amended without the consent of the Planning Director, Town Engineer and Town Attorney.

12K. The owner shall install sewer, water, and utilities prior to Final Map Approval to the satisfaction of PCWA, Placer County Environmental Health Department, Loomis Fire Department, and South Placer Municipal Utility District in compliance with town standards, the Municipal Code, etc. The Town Engineer,

in consultation with the applicable agencies, shall determine whether this condition has been met.

13. **___PRIOR TO ANY CONSTRUCTION**, the plans for improvements required as a condition of approval of this project shall be prepared by a California Registered Civil Engineer and shall be reviewed and approved by the Town Engineer and any effected outside agencies.
14. **___PRIOR TO FINAL ACCEPTANCE OF IMPROVEMENTS**, the owner shall submit certified as-built plans and computer generated design files on disk detailing the completed improvements.
15. **___PRIOR TO FINAL ACCEPTANCE OF IMPROVEMENTS**, Cost of all inspections related to on-site and off-site improvements shall be paid by the owner.
16. **___DURING THE PROJECT**, the owner shall be responsible for all actions of his contractors and subcontractors until such time as the improvements have been accepted as complete by the Town.
17. **___PRIOR TO APPROVAL OF IMPROVEMENT PLANS**, the plans shall show the location and size of fire hydrants and water mains in conformance with the standards, requirements and approvals of the Loomis Fire District and Placer County Water Agency.
18. **___PRIOR TO APPROVAL OF IMPROVEMENT PLANS**, an erosion and sediment control plan shall be prepared and included as part of the improvement plans. All the requirements of the Town's National Pollution Discharge Elimination System (NPDES) General Permit and the Town's Storm Water Management Program shall be followed. All erosion and sediment control best management practices shall follow the guidelines of the California Stormwater Quality Association (CASQA) handbooks.
19. **___DURING THE PROJECT**, all grading shall conform to the Town Grading Ordinance (Municipal Code Section 12), and as recommended by a soils report prepared by the Geotechnical Engineer, with prior review and approval by the Town Engineer. A Grading Permit shall be obtained prior to any grading.
20. **___PRIOR TO CONSTRUCTION**, the owner shall submit a grading and drainage plan to the Town Engineer for review and approval that addresses the impacts to the drainage patterns and runoff increases. the project will be controlled by the Placer County Flood Control District Storm Water Management Manual and the Loomis Land Development Manual consistent with their letter dated February 9, 2017.
22. **___PRIOR TO FINAL ACCEPTANCE OF IMPROVEMENTS**, the owner shall petition the Town Council to form a Maintenance District for ongoing maintenance of the curb & gutter, drainage facilities (including NPDES requirements), any common residential landscaping and trees, park area & open space, park equipment, fire hydrants, street sweeping, street lights, street signs, pavement markings and emergency access driveway. The owner shall provide the Engineer's Cost Report, property owner voting form and be approved by Town Council at a public hearing. Owners of the commercial sites along Taylor Road shall be collectively responsible for on-site landscaping and maintenance of that land through mandatory CC&R's.
23. **___ DURING THE PROJECT**, access to the parcels (for emergency and vehicular access) shall be maintained to the satisfaction of the Director of Public Works/Town Engineer at all times.
24. **___PRIOR TO ISSUANCE OF ANY BUILDING PERMITS**, the Town reserves the right to amend or add to

Town Standard Plates and Standard Land Development Specifications.

AGENCIES - CONDITIONAL USE PERMIT AND SUBDIVISION APPROVAL

25. ____The owner shall provide will-serve letters from all applicable utilities and services, including but limited to Recology, the U.S. Post Office, and the Loomis Fire District prior to issuance building permits..
26. ____The owner shall provide will-serve letters and pay the impact fees as determined by the school district, prior to building permit issuance
27. ____Utilities shall be placed underground as per Section 13.30.130 Undergrounding of Utilities of the Loomis Municipal Code.
28. ____Prior to building permit issuance the owner shall submit a Solid Waste Management Plan to the Town for review and approval in conformance with the Town's Solid Waste Management Plan.
29. ____Prior to issuing a will-serve letter for sewer service, the owner and/or owner's representative will need to schedule a meeting with SPMUD in order to discuss the project and to determine specific requirements.
30. ____ The owners of the commercial properties shall submit, a solid waste report to the Town on January 15 and July 15 of every year detailing items diverted, items reused, items sent for recollection/ reconditioning/ recycling, items composted, and other pertinent information in a form created and approved by the Town Manager for use in the Town's Solid Waste Report.
31. ____ The owner shall insure that dust controls are reviewed and approved prior to construction; and then implemented during all phases of project construction and operation in conformance with the Placer County Air Pollution Control District (PCAPCD) Rules and Regulations.
32. ____ The owner shall not discharge fuels, oils, other petroleum products, chemicals, detergents, cleaners, or chemicals to the surface of the ground or to drainage ways on or adjacent to the site and dispose of hazardous materials as per applicable laws and regulations.
33. ____The owner shall distribute alternate transportation materials to all employees. This information should include but is not limited to ridesharing, mass transit schedules, etc.
34. ____The owner shall furnish future homeowners with information regarding the county's prohibition against open burning of refuse/household trash and the Blue Bag recycling program.
35. ____The owners of each parcel shall subscribe to weekly refuse collection. Enclosure design and placement, if visible from a public road, shall be submitted for review and approval by the Planning Director in accordance with good planning practices, the adjacent building design, and the surrounding area and Recology prior to issuance of a building permit.
36. ____The owner shall comply with the requirements of the Loomis Fire Protection District prior to Final Map Approval. Space for a 15' emergency access road to the existing emergency access easement to Tudor Way shall be indicated in the improvement plans

37. _____ Per the Loomis Fire Protection District, prior to building permit issuance, an all- weather access driveway shall be provided to any new development, which shall be properly graded, culverted (if necessary), and surfaced with a 4-6 inch base material to allow emergency vehicle access to the parcels

38. _____ Prior to any on-site construction or grading the owner shall submit to the Planning Director and the Town Engineer verification from the U.S. Army Corps of Engineers and the California Department of Fish and Wildlife that the project meets all regulations and that the owner has obtained all required permits relating to wetlands and waterways or mitigated at the no-net loss level- prior to issuance of improvement plans.

39. _____ The owner shall confer with local postal authorities regarding mailbox clustering and turnouts and provide a letter from the Post Office indicating their conditions are satisfied prior to issuance of building permits.

GENERAL PLANNING – USE PERMIT APPROVAL

40. _____ The project shall conform to the General Plan, Noise Element, Section 13.30.070 Noise Standards of the Loomis Municipal Code and applicable State Regulations the project will not exceed 60 dBA at the property line during or after construction, nor shall it cause the noise level at the property line to exceed 75 dBA at any time during or after construction as well as conforming to the requirements of the noise study titled, "Noise Impact Study of Road and Rail Traffic at Taylor Road Mixed Use Project and Recommendations to Meet Town of Loomis Sound Levels", dated August 16, 2004, by The Acoustics and Vibration Group.

41. _____ The owner of the commercial lots shall provide an annual report as to the marketing, sales, and efforts made to develop any vacant lots, until at least seven of the lots have been developed.

42. _____ Truck deliveries (loading and unloading), parking lot sweeping and garbage pick-up shall be limited to the hours of 7:30 a.m. - 6:00 p.m. weekdays and Saturdays and prohibited on National holidays and Sundays.

43. _____ The hours for on-site construction shall be limited to Monday through Friday, 7 AM to 7 PM, and Saturday, 8 AM to 5 PM to assure public health, safety and welfare. No work shall occur on Sundays. Work inside the building which cannot be heard at the property lines is specifically excluded from these restrictions

44. _____ The property owner shall be responsible to ensure all conditions to this permit are binding on all successors-in-interest (e.g. by incorporating into the standard provisions of any sale, lease and/or rental agreements, etc.).

45. _____ Prior to approval of improvement plans, or grading permits the owner shall obtain a Tree Removal Permit as per Section 13.54 Tree Preservation and Protection of the Loomis Municipal Code.

46. _____ No certificate of occupancy shall be issued until all conditions incorporated into this Conditional Use Permit are in compliance at the time of the request.

47. _____ A Detailed on-site exterior lighting plan, consistent with the requirements of Section 13.30.080 Outdoor Lighting shall be submitted for the review and approval of the Planning Director prior to building permit issuance or improvement plan issuance, whichever occurs first. The plan shall indicate fixture design, illumination, location, height and method of shielding, so as not to adversely affect adjacent properties. The lighting shall be installed prior to building final or any certificates of occupancy being issued.

48. _____ The owner shall be required to provide 1 parking space for each 250 square feet of area devoted to commercial (including office) use. Parking of company vehicles shall only be approved by the Planning Director if there is adequate parking or if company vehicle is the sole transportation of an employee. Property owner shall provide parking, open and available on site, for all employees. All employees shall park on site. Location of the parking and any gating of the parking is to be as approved by the Planning Director.

49. _____ The vacant commercial lots shall be landscapes with grass or similar groundcover, with irrigation and maintenance provided, until such time as all the vacant lots are developed.

50. _____ If prehistoric or historical archaeological deposits are discovered during project activities, all work within 25 feet of the discovery shall be halted and the Town of Loomis Planning Department shall be notified. The archaeologist shall assess the situation, and consult with agencies and Native American Tribes as appropriate, as to the treatment of the discovery. Mitigation may consist of, but is not necessarily limited to, systematic recovery and analysis of archaeological deposits; recording the resource; preparation of a report of findings; and providing recovered archaeological materials as appropriate with affected tribal groups.

LANDSCAPING AND DESIGN – DESIGN REVIEW APPROVAL

51. _____ The owner shall construct the buildings as conceptually shown in the design plans (titled "Taylor Road Mix Use H1, H2 and H3" by John Pacowski Design. Minor Modifications which do not have a material effect of the design of the project may be approved by the Planning Director consistent with the Planning Commission approval with a maximum height of the single-story garages being 16', and a maximum height of two story units being 35'.

52. _____ All heating, ventilation and air conditioning systems shall be screened from public view, as approved by the Planning Director (in accordance with the design of the project and the surrounding area). A roof plan shall be submitted with spot elevations showing location of all roof equipment including vents, stacks and skylights with the building permit submittals.

53. _____ Final landscaping and street tree plans shall be approved by the Planning Director in accordance with Section 13.34 Landscaping Standards the Town Zoning Ordinance and the conceptual landscaping plans as approved by the Planning Commission. Minor Modifications which do not have a material effect of the design of the project may be approved by the Planning Director consistent with the Planning Commission's approval. Screening of all ground mounted utility equipment including air conditioners, transformers, backflow preventers, or other similar equipment shall be indicated on the plans and include the use, or combination, of shrubbery, berming or structures and will comply with the Utility's Standards.

54. _____ All landscape areas shall be maintained in a healthy, thriving condition, free from weeds, trash and debris. The owner shall enter into a landscape maintenance agreement prior to receiving final building approval or a certificate of occupancy. Owner shall dedicate landscape easements where necessary to ensure that planter strips are maintained by the property owners. Irrigation shall be provided to the planter strips.

55. _____ Prior to issuance of final building approval, the landscape professional shall submit a written statement confirming compliance with approved plans, materials and installation to the Planning Department.

56. _____ The parking spaces shall be paved and striped and improved in accordance with the approved plans prior to issuance of the Certificate of Occupancy.

57. _____ Sign indicating extension of street to adjacent property shall be in place prior to first sales of residential properties.

FEES

58. _____ The owner shall pay the development fees (e.g. road circulation fees, drainage fees, community facilities fee, master plan fees and fire fees) in affect at the time of building permit issuance.

59. _____ As per Government Code Section 66000, the owner shall be responsible for reimbursement of all monitoring costs to insure compliance with conditions imposed upon the project incurred by the Town.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

60. _____ The Mitigation Measures of the adopted Initial Study/Mitigated Negative Declaration, as shown in the Mitigation Measure Monitoring Report are incorporated herein by reference as required conditions of approval. A mitigation monitoring fee of \$250 a year shall be included with the provisions of the proposed Maintenance District payable to the Town of Loomis.

