



STAFF REPORT

PLANNING COMMISSION MEETING OF FEBRUARY 7, 2012

To: Planning Commission

From: Matt Lopez, Assistant Planner

Date: February 7, 2012 Meeting

Subject: #10-11 Regina Caeli Priory project; 5820 Rocklin Road; APNs 045-161- 018, -020, -021; *Conditional Use Permit, Design Review, Lot Line Adjustment, Conceptual Tree Plan, Parking Waiver, and Environmental Review Document (Mitigated Negative Declaration)*

STAFF RECOMMENDATION: That the Planning Commission approve the Regina Caeli Priory project.

REQUESTED MOTIONS:

- (1) Motion to approve Resolution #12-01 adopting the Mitigated Negative Declaration and Mitigation Monitoring Plan with the findings in Exhibit A and the conditions in Exhibit B; and
- (2) Motion to approve Resolution #12-02 approving the Conditional Use Permit, Design Review, Conceptual Tree Plan, Lot Line Adjustment and Parking Waiver, with the findings in Exhibit A and the conditions in Exhibit B.

REQUEST:

Applicant Brigit S. Barnes, on behalf of the Dominican Sisters of Mary, Mother of the Eucharist – Loomis, requests approval of a Conditional Use Permit, Design Review, Parking Waiver, Tree Plan and Lot Line Adjustment on a 40-acre parcel located at the southwest corner of Rocklin Road and Barton Road (Assessor Parcel Numbers 045-161-018, 045-161-020, and 045-161-021, to construct a mission-style Priory building (monastery) and a recreational field to be used by the occupants numbering up to 115

people. The property is zoned Residential Agricultural-4.6 acres per dwelling unit, and is designated "R-A" in the General Plan. If granted a Conditional Use Permit, Design Review, Tree Removal Permit and Lot Line Adjustment, the project can be found to be consistent with the General Plan and Zoning Ordinance. A Mitigated Negative Declaration (MND) is recommended to be adopted for the project. A MND is a method described in the California Environmental Quality Act (CEQA) guidelines whereby significant environmental impacts are eliminated or avoided or rendered less than significant by incorporating mitigation measures into the project. The lead agency, Loomis in this case, approving the MND must make various findings that are described in this report.

BACKGROUND

The Dominican Sisters were given 40.07-acres in Loomis and they seek to build a facility approximately 137,294 square feet to house 75-80 permanent residents comprised of professed Sisters, novices and postulants plus Sisters assigned to locations away from the Priory who return to the community during special occasions thus allowing a maximum 115 occupants. This does not include people who visit but do not reside at the Priory. In addition to the facility there will be a recreation facilities built so the occupants can play soccer, kickball, basketball, dodge-ball, et cetera.

PROJECT DESCRIPTION

Site: The site is located on southwest corner of Barton Road and Rocklin Road (40.07-acres) with a zoning and land use designation of Residential Agricultural (RA).

Existing Use: Two (2) dwelling units (residentially occupied). A farmed field of approximately 4.8-acres at the intersection of Rocklin and Barton Roads (northeast corner of the property) is used yearly by a tenant farmer to grow strawberries and vegetable crops for sale on site.

Existing Access: One (1) driveway off of Rocklin Road. NOTE: The proposed project would have a driveway on Barton Road to provide primary access to the main building (Priory) and the existing driveway on Rocklin Road will remain to be used for access to a house that will continue to be used for living purposes.

Surrounding Uses and Zoning: The site is zoned RA 4.6-acre minimum and designated "Residential Agricultural in the General Plan which land use is describes as "...key in

maintaining the rural character of Loomis, and is appropriate for agricultural uses such as orchards, nurseries and vineyards, cattle grazing, and very low density residential uses.”[Page 22, July 2001 General Plan]. Surrounding uses and zoning are as follows:

North – Shepherd of the Sierra Church and Residential (RA zone)

South – St. Francis Woods Subdivision [Residential (RA zone)]

East – Sierra de Montserrat Subdivision [Residential (RA zone)]

West – St. Francis Woods Subdivision [Residential (RR zone- “Rural Residential” 1.0-acre minimum)]

Wetlands: A preliminary Wetlands Delineation was prepared in October 2009 (updated September 2011) that identified 0.0188 acres of seasonal wetlands; 0.4596 acres of seasonal wetland swales; and a 4.4146 acre pond. The pond is shared with the St. Francis Woods Subdivision. A determination of jurisdictional status of the delineated wetlands is pending with the U.S. Army Corps of Engineers. **NOTE: THE CURRENT PROJECT IS DESIGNED TO AVOID ALL IMPACTS TO POTENTIALLY JURISDICTIONAL WETLANDS.**

Flood Plain: The entire project site is outside of the 500-year flood plain.

Proposed Use: The proposed project is the construction of a building (137,294 square feet) to be used as a Priory to house and instruct women in various stages of their goal to become Dominican Sisters. The new facilities would include entry and common areas, kitchen and eating areas, chapel, library, prayer walkways, indoor gymnasium, bedrooms (cells), bathrooms, office, classroom, gardens and an outdoor recreational field.

Structure Setbacks: Meets minimum setback requirements.

Front – (East) ±360-feet

Side – (**North**) ±345-feet [*±280-feet from edge of right-of-way]

Side – (**South**) ±545-feet

Rear – (West) ±180-feet (*from proposed adjusted lot line)

Building Height: The proposed building is 34-feet tall from natural grade with a 9-foot steeple (contains bell tower) to a max height of 43-feet (34 +9).

Height limit for RA zone = 35-feet;

Section 13.30.050 HEIGHT LIMITS AND EXCEPTIONS allows certain structural features to exceed the height limit of the applicable zoning by a maximum of 8-feet. The proposed steeple is one of those structural features.

35-feet + 8-foot height exception = 43-feet total (*Meets allowed height limitations).

Building Coverage: 68,239 square foot building footprint (±4% lot coverage)

Current Vegetation: Oak woodland, shrubs, natural vegetation.

Grading: The approximate cut (excavation) quantity is 24,000 cubic yards of cut and approximate fill quantity is 22,000 cubic yards. The excess 2,000 cubic yards of material will be placed on the project site (no material imported or exported from the project site). The excess material will be placed outside of tree driplines (critical root zone) and 50-feet outside of potential wetlands throughout areas of the site.

Landscaping: Preliminary landscape plans were provided in compliance with Chapter 13.34 LANDSCAPING STANDARDS. Per Chapter 13.34, "After land use approval, a final landscape plan shall be submitted as part of the application for a building permit. A final landscape plan shall be approved by the Planning Director prior to the start of grading or other construction, and prior to the issuance of a building permit." Landscaping must meet Chapter 13.34 LANDSCAPING STANDARDS as well as the WATER EFFICIENT LANDSCAPE ORDINANCE (WELO).

Trees: The proposed project requires the removal of 199 protected Oak trees (179 Interior Live Oaks, 14 Valley Oaks, and 6 Blue Oaks). The Town's Tree Ordinance allows the applicant to mitigate for the removal of the protected trees by: (1) replanting; (2) paying in-lieu mitigation fees; or (3) a combination of replanting and payment of in-lieu mitigation fees. The proposed tree removal would require the applicant to: (1) re-plant a total of 1,724 Oak trees; or pay \$862,000 in in-lieu mitigation fees (1,724 x \$500). If 400 Oak trees can be re-planted on the project site (as proposed by the applicant) this would reduce the tree mitigation value number from 1,724 to 1,324. The remaining mitigation trees may be

replanted on a site approved by the Town or the applicant has the option to pay the mitigation in-lieu of fees, which would be \$662,000 (1,324 x \$500). *Staff has recommended a condition of approval that requires the applicant to submit a tree mitigation and protection plan in accordance with the Town's Tree Ordinance prior to the issuance of a grading permit.

Drainage: The site drains to the southwest. The project proposes to collect runoff in minimal drain pipe facilities onsite and convey to the existing pond on the southwest corner of the project site. On-site and off-site drainage facilities shall be designed and constructed as directed and approved by the Town Engineer in compliance with the Drainage Manual and best engineering practices.

Improvements/Utilities/Service Systems:

Sewer - South Placer Municipal Utility District. Connection via a 6-inch stub located at the intersection of Barton and Wells Road.

Water - Placer County Water Agency. Connecting to the existing water line along Rocklin Road.

Gas/Electric - Pacific Gas & Electric

Trash removal – Recology Auburn Placer. One standard commercial trash dumpster to be stored in an enclosure constructed per the Town of Loomis and Recology Auburn Placer requirements. The trash enclosure will not be visible from the street.

Proposed Fencing/Walls: A wrought-iron fence with stone columns spaced at 11'4" on-center is being proposed. The fence will be "capped" to protect any animal that may try to jump over the fence. The applicant has proposed two (2) 3-foot openings in the fence for the passage of wildlife. The openings are proposed at the southeast and northwest corners of the property. (see attached)

Noise: Normal grading and building construction noise. Project shall conform to the Zoning Ordinance Land Use Noise Compatibility Standards. Project shall also conform to the requirements of the Noise Study titled, "Regina Caeli Priory Project" by Bollard Acoustical Consultant, Inc. (July 7, 2011) and Mitigation Measures 'NOISE-1' and 'NOISE-2'.

Lighting: The Lighting to comply with 13.30.080 of the Town's zoning ordinance. All lighting shall be shielded, directed on-site and night-sky compliant. The exterior lighting shall not illuminate adjacent residential properties. See conditions of approval.

Cultural Resources: A Cultural Resources Investigation was done in 2011. This included a records search of the North Central Information Center (NCIC) of the California Historical Resources System (CHRIS), Native American consultation, and a pedestrian archaeological survey of the project site by an AECOM archaeologist and an AECOM historian. See Mitigation Measures 'CUL-1' and 'CUL-2'.

Water Quality: Construction activities could cause erosion and result in water quality degradation from equipment (i.e. such as fuel leaks). The project could also result in minor amounts of pollutants entering onsite drainages via storm water runoff that has come into contact with roads or other surfaces that contain oil or other contaminants. These potential impacts are being mitigated for so as to not be considered significant impacts. See Mitigation Measures 'GEO-1', 'HYDRO-1', 'HYDRO-2' and 'HYDRO-3'.

Air Quality: A condition is recommended that notifies the applicant that he is required to conform to the requirements of the Air Pollution Control District during construction and operation. Also, See Mitigation Measure 'AQ-1' (1 to 12).

Public Services: An increase in the use of public services and utilities is anticipated, particularly for fire protection, law enforcement, water, sewer and solid waste. No demand for parks or schools would result from the project, because it does not include school age children. It is not expected to increase the Town's employment base. Payment of connection and other service and utility fees would offset the increased demand for public services and utilities. The project would not be contributing on going, beyond the initial building/impact/mitigation fees, because the owners are a religious non-profit and the property is not subject to property taxes.

Housing: The Priory itself is housing for up to 115 people (75 to 80 normally). The existing house to remain will provide housing for 1 or 2 priests as may be assigned.

Parking/Improvements:

Parking- Does not meet Zoning Ordinance requirements. The proposed project has 53 parking stalls (including 2 handicapped) which is 77 less than the 130 required by the Town Code calculation. *A waiver is requested from this requirement because of the cloistered lifestyle of the occupants not needing so much parking for personal, employee or visitor uses.

There are sufficient parking spaces at the existing house which will remain for uses associated with the house.

Improvements- Approximately 18% of the 40.07-acre project site will be impacted by all onsite improvements and features (driveway, building, landscaping, et cetera).

Number of Proposed Driveways- Two (2). One (1) two-way existing entrance on Rocklin Road for the house to remain; and one (1) two-way driveway on Barton Road for the Priory building.

Traffic: KD Anderson and Associates (Ken Anderson) has prepared a Traffic Impact Analysis for the proposed project. The analysis introduced long-term traffic volumes on the streets adjoining the project and used those volumes to assess the operation of the site access. The number of trips generated by this project is 97 daily trips, which is similar to that resulting from an assumed residential development as allowed by the Zoning Ordinance (8 lots = ±80 daily trips). The result is that the project will not change the long term condition already expected by the Town and mitigated by the fee program (Traffic Mitigation Fee Program).

Environmental and Site Review: A Mitigated Negative Declaration (MND) is proposed to be adopted to address the environmental effects of the project, under provisions of the California Environmental Quality Act, Section 15070 through 15075. The initial IS/MND was circulated from September 21, 2011, through October 21, 2011. After the applicant revised their project after the circulation of the initial IS/MND to (in response to public and agency comments) the changes, seen as substantial, required the recirculation of an IS/MND. The revised IS/MND was recirculated for a 30-day period from December 9, 2011 through January 9, 2012. Letters and comments received are attached (responses can be

found in the Response to Comments section of the Mitigation and Monitoring Plan or within this staff report). Multiple site visits were conducted: Scoping Meeting took place on May 23, 2011. The Park, Recreation & Open Space Committee conducted site visits on June 21, 2011 and July 14, 2011 in order to provide information for the Committee's Green Sheet (project review form), which is attached. Most recently, on January 18, 2012, the Town held a Public Workshop where questions and comments on the recirculated IS/MND were addressed.

ATTACHMENTS:

1. Application #10-11
2. Draft resolution, findings, and conditions of approval
3. Mitigated Negative Declaration (*Commissioner's, please bring your copy)
4. Response to Comments and Mitigation Monitoring Plan
5. Preliminary Site Plan, Conceptual Grading/Drainage, Site Cross Sections, Preliminary Water and Sewer Plan, Proposed Tree Removal Plan, Cut/Fill Exhibit, Tentative Lot Line Adjustment Exhibit, Elevation, Floor Plan, and Fencing Plan. Additional exhibits (visuals) can be viewed in the Mitigated Negative Declaration.
6. Park, Recreation and Open Space Green sheet of recommendations
7. Miscellaneous letters/information/maps on the project

RESOLUTION NO. 12-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF LOOMIS APPROVING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM FOR THE REGINA CAELI PRIORY PROJECT, 5820 ROCKLIN ROAD, CURRENT APNs 045-161-018, -020 and -021.

WHEREAS, Brigit S. Barnes, the applicant, has proposed to locate a 137,294 square foot Priory building at 5820 Rocklin Road (southwest corner of Rocklin and Barton Roads) on a 40.07-acre parcel, Assessor's Parcel Numbers 045-161-018, -020 and -021, such application being identified as #10-11; and

WHEREAS, on February 7, 2012, the Planning Commission conducted a public hearing of the application, at which time any person interested in the matter was given an opportunity to be heard; and

WHEREAS, the Planning Commission reviewed and considered the staff report relating to said 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 of the Town of Loomis hereby makes the findings attached herein as Exhibit A in connection with the Regina Caeli Priory project.

NOW THEREFORE, based upon the findings set forth hereinabove, the Planning Commission of the Town of Loomis, at its meeting of February 7, 2012, did resolve as follows:

1. An initial study has been conducted by the Town to evaluate the potential for adverse environmental impact of the proposed project. The recirculated Mitigated Negative Declaration, dated December 2011, is hereby approved and found to adequately identify all potential environmental impacts of the proposed project and found all potential impacts have been reduced to a less than significant impact. Staff is hereby directed to file an appropriate Notice of Determination with the County Clerk and the State Clearinghouse.
2. The Mitigation Monitoring Program is approved.

3. The proposed Project is consistent with the goals, policies and land uses in the Town of Loomis General Plan and Zoning Ordinance.

ADOPTED this 7th day of February, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Janet Thew, Chairperson

Matt Lopez, Planner

RESOLUTION NO. 12-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF LOOMIS APPROVING A MITIGATION MONITORING PROGRAM, CONDITIONAL USE PERMIT, DESIGN REVIEW, TREE PLAN, PARKING WAIVER AND LOT LINE ADJUSTMENT FOR THE DOMINICAN SISTERS OF MARY, MOTHER OF THE EUCHARIST TO ALLOW THE CONSTRUCTION OF A PRIORY BUILDING (MONASTERY) AT 5820 ROCKLIN ROAD, CURRENT APNs 045-161-018, -020 and -021.

WHEREAS, Brigit S. Barnes, the applicant, has proposed to locate a 137,294 square foot Priory building at 5820 Rocklin Road (southwest corner of Rocklin and Barton Roads) on a 40.07-acre parcel, Assessor's Parcel Numbers 045-161-018, -020 and -021, such application being identified as #10-11; and

WHEREAS, on February 7, 2012, the Planning Commission conducted a public hearing of the application, at which time any person interested in the matter was given an opportunity to be heard; and

WHEREAS, the Planning Commission reviewed and considered the staff report relating to said 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 of the Town of Loomis hereby makes the findings attached herein as Exhibit A in connection with the Regina Caeli Priory project.

NOW THEREFORE, based upon the findings set forth hereinabove, the Planning Commission of the Town of Loomis, at its meeting of February 7, 2012, did resolve as follows:

- 1 An initial study has been conducted by the Town to evaluate the potential for adverse environmental impact of the proposed project. The Mitigated Negative Declaration has been approved, and staff has been directed to file an appropriate Notice of Determination with the County Clerk and State Clearinghouse.
2. The Mitigation Monitoring Program is approved.

3. The proposed Project is consistent with the goals, policies and land uses in the Town of Loomis General Plan and Zoning Ordinance.
4. The Regina Caeli Priory project, #10-11 is hereby approved per the findings set forth in Exhibit A and the conditions set forth in Exhibit B.

ADOPTED this 7th day of February, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Janet Thew, Chairperson

Matt Lopez, Planner

DRAFT EXHIBIT A

2/7/12

DRAFT FINDINGS:

Negative Declaration

1. The initial study identified possible adverse environmental effects, but conditions of project approval, now included as part of the project, have reduced them to a point where they are not significant.

Conditional Use Permit and Minor 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 in that; *(1) a noise study has been conducted and its requirements are conditioned with the project, including use of the bell, (2) a traffic study has been done and its requirements will be met, and conditions for improvements are required as part of the project, (3) tree mitigation per the Town's Ordinance is required, (4) a mitigated negative declaration with required mitigations is being adopted as part of the conditions.*

Design Review

1. Complies with Section 13.62.040 – Design Review of the Town of Loomis Zoning Ordinance.
2. Provides architectural design, building massing and scale appropriate to and compatible with the site surroundings and the community;
3. Provides attractive and desirable site layout and design, including, but not

limited to, building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.; *the plans, as proposed, meet setback, lot coverage, height, and all other requirements expressed in the Zoning Ordinance for this particular parcel (RA zone).*

4. Provides efficient and safe public access, circulation and parking;
5. Provides appropriate open space and landscaping, including the use of water efficient landscaping; *only 18% of the 40.07-acre site is being impacted (includes all improvements and features) and landscaping is being provided, consistent with the Town's requirements.*
6. Is consistent with the General Plan;

Tree Permit Findings for Conceptual Approval

1. The approval of the tree permit will not be detrimental to the public health, safety or welfare, and approval of the tree permit is consistent with the provisions of the Tree Preservation Chapter of the Zoning Ordinance (13.54) in that; *the tree loss will be mitigated per the Town's ordinances.*
2. Measures have been conceptually incorporated into the project or permit to mitigate impacts to remaining trees or to replace the trees removed; *with final approval of the mitigation plan by the Planning Director, ensuring compliance with the Town's current Tree Preservation and Protection Ordinance.*