



## MEMORANDUM

DATE: November 3, 2017

TO: Planning Commissioners

FROM: Dara Dungworth, Senior Planner  
Bret Finning, Planning Services Manager  
Marc Mondell, Economic & Community Development Director

RE: Blue Memo # 1  
November 7, 2017 Planning Commission Agenda Packet  
Agenda Item # 7, Sierra Gateway Apartments  
Public Correspondence

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Subsequent to the distribution of the agenda packet for the November 7, 2017 Planning Commission meeting, public correspondence for the Sierra Gateway Apartments project was received. The compiled letters and accompanying attachments are provided as Attachment 1 to this Blue Memo.

ATTACHMENT 1  
PUBLIC CORRESPONDENCE



Ralph & Carolyn Cotton  
Campus Plaza Sierra Shopping Center LLC  
5050 Rocklin Rd.  
Rocklin, CA 95677

Planning Commission and City Council  
City of Rocklin  
3970 Rocklin Rd.  
Rocklin, CA 95677

Re.: Sierra Gateway Apartments Development

Honorable Planning Commission and City Council:

I am writing to express my support for the Sierra Gateway Apartments development project and to urge you to approve its development application.

My wife and I have owned the Campus Plaza Shopping Center at the southwest corner of Rocklin Road at Sierra College Blvd. since 1991. The businesses located at Campus Plaza Shopping Center rely on a growing local economy and a strong base of local customers.

This project, Sierra Gateway Apartments, with its proximity to major employment centers, major intersections and freeway access, is ideally located to drive economic growth by providing customers, employees and a new tax base for Rocklin's economy. Not to mention the jobs that will be created by the construction project alone.

The developer of this project is also a Rocklin-based business with a more than 20 year history of personal and business commitment to our community. With nearly 300 Rocklin-based employees, First Pointe Management Group/Capital Valley Investments understands Rocklin's culture and has proven their long-term commitment to our city. We've had an opportunity to see them successfully operate the Rocklin Manor Apartments and we are certain they will build and operate Sierra Gateway Apartments at the highest standards.

This development is important not only to the economic health and well-being of Rocklin's Sierra College/I-80 corridor businesses, but to all other businesses in Rocklin as well. Businesses will only be successful if they have a strong base of nearby residents to frequent their establishments and keep them in business. These residents have the potential to raise a significant tax revenue for the overall benefit and improvement of the city, but they will also require quality, housing options.

I urge city officials and our community to support Sierra Gateway Apartments.

Sincerely,

Ralph A. Cotton

# *Citizens Voice Organization*

P.O. Box 661  
Rocklin, CA 95677  
[www.citizens-voice.org](http://www.citizens-voice.org)



November 2, 2017

Design Review Board / Planning Commission  
City of Rocklin  
3970 Rocklin Road  
Rocklin, CA 95677

TO: Rocklin Planning Commission / Design Review Board – Public Comment

SUBJECT: Design Review - Sierra Gateway Apartments

I'm writing on behalf of Citizens Voice Organization (CVO), which is a non-profit organization focused on providing residents with a stronger voice while simultaneously supporting responsible and sustainable development in the City of Rocklin.

As you know, the City Council previously approved the Sierra Gateway Apartments (SGA) project (at the southeast corner of Sierra College Blvd. and Rocklin Road). This approval came after twice failing to get approval from the City's Planning Commission and after heavy opposition by area residents – including a lawsuit against the City. The project approvals were eventually rescinded by the City.

The same project is now back for Design Review approval by you, serving as the City's Design Review Board. We believe that the City's Design Review criteria are critical in evaluating project proposals. One of our top concerns is how this current SGA proposal fits with the existing neighborhood density, character, and appearance.

## Legal Authority of Design Review

Worth noting here is the legal opinion given by the former City Attorney to Council in a letter of May 26, 2015 (attached), clarifying that the Design Review function is separate from the question of Zoning compliance, and must look at a project's harmony with existing residential development, and other specific criteria outlined in the Municipal Code. The Attorney's letter states, "Zoning sets forth standards that apply citywide and regulate for all persons of the City. Whereas Design Review looks at how a specific project will coexist with a specific location and specific persons, typically those who live in the neighborhood." The letter also states that "...design review might limit the use of, diminish the value of, or impose additional costs on a property....". Design Review, therefore, must be given equal importance to Zoning compliance.

### Design Review Compliance

Per the Rocklin Municipal Code (17.72.070), the Design Review criteria for evaluating a new project are:

- relationship between the project site design and surrounding development, natural features & constraints, and traffic flow
- height, bulk area & scale of structures
- preservation of natural topographic patterns
- preservation of oak trees
- compatibility of architecture
- parking and ingress-egress patterns

Worth noting is the City's over-riding Design Review goal that development projects be 'good fits' with existing neighborhoods – that they “encourage harmonious and compatible development”, and “reduce visual conflict with adjacent development”. The City Code also requires the “involvement of area residents in the review process”.

We feel that the SGA project does not comply with City's Design Review goals on the following specific points:

#### **1. Relationship between the project and surrounding development, natural features & constraints, and traffic flow**

The SGA project proposes nine (9) high-rise buildings with 195 apartments, on a 7.9-acre development envelope. The height and mass of these buildings is not compatible with the neighborhood – mostly 2-story residential homes and an apartment complex. There are no other 3-story structures in the neighborhood.

The development would decimate natural features by clear-cutting over 300 mature oak trees and leveling the natural rolling terrain of this oak woodland.

Traffic flow at this already busy intersection of RR and SCB would be impacted and ingress and egress from the site would be difficult and dangerous.

#### **2. Height, bulk area & scale of structures**

The nine 3-story buildings – all of the same architecture and design - would create a massive clustered look on this prominent corner property. The building height would tower over neighboring properties, threatening privacy and impacting the aesthetics of this residential neighborhood. In fact, Buildings 8 and 9, with 4 levels, would rise approximately 45 feet above Water Lily Lane in Hidden Creek subdivision!

Fire fighting capabilities for these very tall, closely spaced higher buildings is also a concern.

#### **3. Oak Tree Preservation Guidelines**

The City's “Oak Tree Preservation Guidelines” and Oak Tree Ordinance include a stated goal “...to address the decline of oak woodlands due to urbanization...”. The City's Oak Tree Preservation Ordinance (Municipal Code 17.77) implements a Design Review process to help reach this goal.

With the proposed clear-cutting of over 300 oak trees, there is no preservation

of oaks on the building site, and a general disregard for the City's oak tree preservation policies.

#### **5. Parking and traffic ingress-egress patterns**

The proposed rear (south) exit from SGA onto Water Lily Lane, which serves the Hidden Creek subdivision, would greatly impact this small 2-lane entrance to the subdivision. Water Lily Lane is the only access in and out of the subdivision. It accesses Sierra College Blvd.. The City originally expressed a desire for this to be an emergency vehicle only access (EVA), but the current project is proposing it be 'Exit Only'. This would mean regular, everyday use by SGA residents with great impact on the Hidden Creek residents' main roadway.

#### Alternative Designs

Should the applicant want to revise the project to be more compatible with the neighborhood and in compliance with Design Review criteria, here are two examples of alternative 'downsizing' scenarios that could be considered. These alternative 'downsizing' designs would reduce impacts - including saving trees and reducing visual intrusion on neighbors - and still meet the "theoretical minimum density of 156 units" (per City Attorney letter). Please refer to the attached Project Site Plan.

- Alternative 1: Delete Building 5  
Delete Buildings 6 & 7  
Move Buildings 3 and 4 eastward (to increase setback from SCB and preserve frontal trees)  
Delete 3<sup>rd</sup> story from Building 9
- Alternative 2: Delete Building 2  
Delete 3<sup>rd</sup> stories from Buildings 5 and 9

#### Conclusion

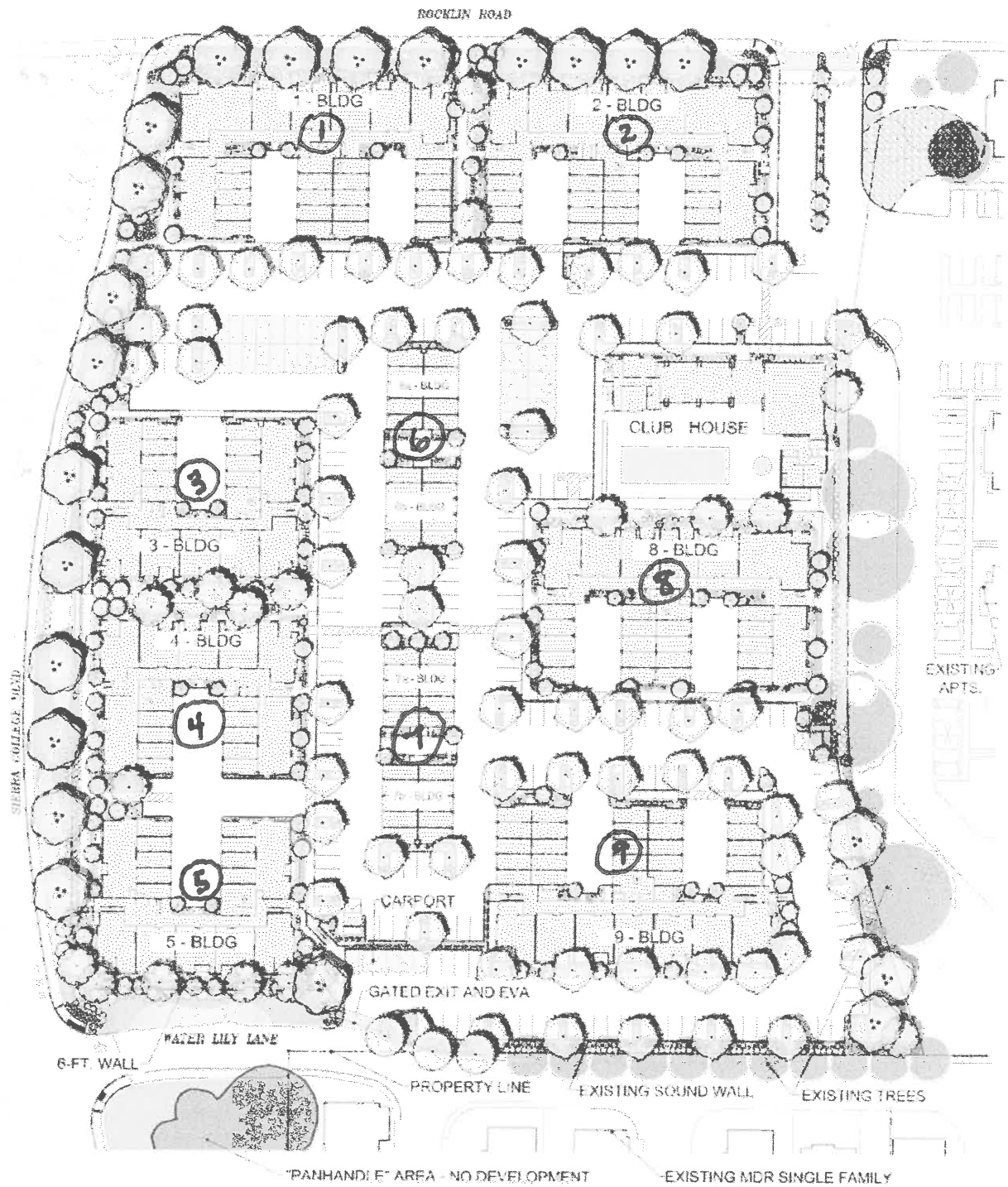
Based on all of the above, we feel you are well within your authority as the City's Design Review Board, to deny this 'bad fit' project and demand something that's better for the site and neighborhood.

Sincerely,



Chris Wiegman, for  
Citizens Voice Organization

**FIGURE 3-4, PROJECT SITE PLAN**





# CITY OF ROCKLIN

## MEMORANDUM

DATE: May 26, 2015

TO: Honorable Mayor and City Council, Planning Commissioners, City Staff

FROM: Russell A. Hildebrand, City Attorney

RE: Supplement to Prior Report - Legal Analysis of the Interplay Between the Zoning Code and the Design Review Code

### Introduction

Questions have been presented regarding the conflict between the actual density calculation prepared for the Sierra College Apartments by City Planning Staff and the example I presented in the section of the Legal Analysis on Calculation of Density.

### Explanation

The legal analysis section on calculation of density presented two examples of the extremes in calculation of allowable density under the adopted zoning at the Sierra College Apartment site. Using every bit of gross acreage would yield 204 units. Extracting every bit of land that could possibly be considered unbuildable would yield 158 units. Those are theoretical extremes set forth in the analysis as the possible range.

In fact the professional planning staff has analyzed the site and the intent of the high density residential zone and concluded that the acceptable amount of acreage to base zoning density on is the gross acreage minus the constructed roadway areas of Rocklin Road and Water Lilly Lane. The actual zoning density as set forth in the staff report for the proposed project is 193 units, based on an acreage of 9.61 net acres. The memo discussing legal principals should have clarified the distinction between the theoretical examples of the possible range and the actual calculation done by the Planning Department.

However, the controlling factor in this application is the actual unit count of the proposed project. The project includes 195 units. That number exceeds both the theoretical lowest possible minimum density of 158 units and the actual calculated minimum density of 193 units. Therefore the proposed unit count of 195 units meets the minimum zoning density standard.

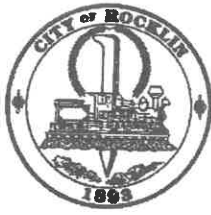


We then must look to the application of Government Code Section 65589.5(j) which restricts any reduction in unit count for a housing project unless the City can identify the objective general plan, zoning, or design review standard that is out of compliance. If all objective standards have been met, then a denial of the project or a reduction in units can only be made upon written findings supported by substantial evidence on the record that **both** of the following conditions exist:

(1) The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(2) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.

To make those findings the specific adverse impact must be identified and supported by substantial evidence in the record, and then the city must explain why there is no feasible method to mitigate or avoid the impact. Again the finding of no feasible mitigation must be supported by evidence in the record. An example of such a health and safety impact could be a project designed so that the fire department has insufficient access to buildings for emergency response.



# CITY OF ROCKLIN

## MEMORANDUM

DATE: May 26, 2015

TO: Honorable Mayor and City Council, Planning Commissioners, City Staff

FROM: Russell A. Hildebrand, City Attorney

RE: Legal Analysis of the Interplay Between the Zoning Code and the Design Review Code

### Introduction

Economic and Community Development Director Marc Mondell asked for a clarification memo regarding the interplay between the zoning code and the design review code. A recent apartment project had large buildings required to meet the mandated minimum zoning density. But how far can design review restrictions go in scaling back the project to achieve neighborhood compatibility goals? I will attempt to answer that question by discussion of the attributes of the zoning code and the design review code, how they overlap, and where one must yield to the authority of the other.

### Authority and Scope of Zoning

Land use regulation in California – including zoning – historically has been a function of local government based in the police power granted to local government by the California Constitution. Cal. Const. Art. XI § 7; see, e.g., *Big Creek Lumber Co. v. County of Santa Cruz*, 38 Cal.4th 1139, 1151 (2006); see also *Belle Terre v. Boraas*, 416 U.S. 1, 4 (1974) (“If the validity of the legislative classification for zoning purposes be fairly debatable, the legislative judgment must be allowed to control.”). “[T]he very essence of the police power ... is proper [provided] that the method of its exercise is reasonably within the meaning of due process of law.” *Consolidated Rock Products Co. v. Los Angeles*, 57 Cal. 2d 515, 530 (1962). In fact, courts reviewing claims regarding land use generally provide significant deference to the decisions of local government; “[i]t is to be remembered that we are dealing with one of the most essential powers of the government, one that is the least limitable. It may, indeed, seem harsh in its exercise, usually is on some individual, but the imperative necessity for its existence precludes any limitation upon it when not exerted arbitrarily. ... To so hold would preclude development and fix a city forever in its primitive conditions. There must be progress, and if in its march private interests are in the way they must yield to the good of the community.” *Id.* (citations omitted). With respect to exercise of the police power,

"there does not seem to be any distinction in principle between depriving an owner of the right to develop such inherent qualities of the land and a regulation which prohibits an owner from erecting on his land structures which he believes will, and which in fact will, enhance the value of the property." *Marblehead Land Co. v. City of Los Angeles*, 47 F.2d 528, 532 (9th Cir. 1931).

Generally, zoning is the division of the City into districts and the adoption and application of different regulations in each district. Some zoning regulations are city wide, such as Chapter 17.64, Special and Prohibited Uses in our Zoning Code (Title 17 of the Rocklin Municipal Code). But the majority of zoning regulations are zone specific.

There are two basic types of zoning regulations – 1) those that regulate structural and architectural design of buildings like height and bulk and location, and 2) those that set out the uses which are allowed in each district. "Zoning is a separation of the municipality into districts, and the regulation of buildings and structures, according to their construction, and the nature and extent of their use, and the nature and extent of the uses of the land." *O'Loane v. O'Rourke*, 231 Cal.App. 2d 774, 780 (1965)

Chapter 17.02.030 of the Zoning Code sets out the purpose of the City Zoning Code:

The purpose of this title is to:

- A. Regulate the use of buildings, structures and land as between agriculture, industry, business, residential use, and open space, including agriculture, recreation, enjoyment of scenic beauty and use of natural resources, and other purposes;
- B. Regulate the location, height, bulk, number of stories, and size of buildings and structures;
- C. Regulate the size and use of lots, setbacks, courts and other open spaces;
- D. Regulate the percentage of a lot which may be occupied by a building or structure;
- E. Regulate the intensity of land use;
- F. Establish requirements for off-street parking and loading;
- G. Divide the city into zoning districts of such number, shape and area as may be deemed best suited to carry out the purposes of this title;
- H. To provide for the enforcement of the regulations of this title.

The purposes set forth above are deemed necessary in order to encourage the most appropriate use of land; to conserve, protect and stabilize the value of property; to provide adequate open spaces for light and air; to prevent undue concentration of population; to lessen congestion on the streets; to provide adequate provisions for community utilities; and to promote the public health, safety, and general welfare. It is a further purpose of this title to implement the general plan of the city.

### **Authority and Scope of Design Review**

Design Review in the City of Rocklin is governed by Chapter 17.72 in the Zoning Code. The basic premise of Design Review is stated in the Findings section (17.72.010) :

The council finds that due to the size, bulk and height of many multiple-family residential and nonresidential developments, it is necessary to ensure that the designs thereof make the most efficient use of available resources and harmonize with existing and proposed residential development, as well as with existing development of like character.

The City Council has designated the Planning Commission as the City Design Review Board. (RMC 17.72.030.B.) The decisions of the Design Review Board are guided by RMC 17.72.070 subsection C.:

Any decision by the design review board or the council on a design review application shall be based on consideration of the following:

1. Relationship between the site design and the surrounding development, natural features and constraints and traffic flow;
2. Height, bulk and area;
3. Orientation of buildings and structures (with emphasis on energy consumption for heating, cooling, lighting);
4. Color scheme and materials;
5. Style, type and orientation of lighting;
6. Dimensions and placement of signs and graphics;
7. Landscaping (with emphasis on aesthetics, use of water and maintenance needs);
8. Parking design, including ingress and egress patterns;
9. Other design review criteria, which may be adopted from time to time by resolution of the council.

A description of the Design Review Board and their duties is also found in the Land Use Element of the Rocklin General Plan:

The City of Rocklin Zoning Ordinance provides for design review for multiple-family, commercial and industrial developments through application of a Design Review procedure.

Due to the size, bulk, and height of many multiple-family, commercial and industrial developments, the ordinance is intended to assure that project designs make the most efficient use of available resources and are consistent with

existing uses. The City established a Design Review Board to be appointed by the Mayor, with the concurrence of the City Council. The Planning Commission is currently the designated Design Review Board. The Design Review Board must approve permits for new structures, alterations or remodeling and some single family dwellings and associated accessory structures. The Design Review Board reviews site plans, parking, lighting, signs, fencing, building elevations, materials, color scheme, landscape plans, and preliminary grading plans. The criteria considered by the Design Review Board include:

- Compatibility of height and scale of structures, including signs, with the surrounding area;
- Preservation of natural topographic patterns and their incorporation into site plans;
- Preservation of oak trees;
- Orientation of structures to conserve energy;
- Compatibility of different architectural styles;
- Orientation and intensity of lighting;
- Variable siting of individual structures;
- Avoidance of monotony of texture, building lines or mass;
- Avoidance of blank walls;
- Variation in roof planes and exterior building walls;
- Screening of roof flashing, rain gutters, vents, and roof-mounted mechanical equipment;
- Signage guidelines;
- Parking and landscaping guidelines.

A design review decision will be upheld provided it substantially advances a legitimate government interest and substantial evidence in the record supports the decision. The courts have upheld seemingly vague terms such as “preclusion of monotonous developments,” “uses detrimental to the general welfare” and “neighborhood compatibility” in decisions regarding the reach of design review ordinances.<sup>1</sup> Design review decisions are not subject to the *Nollan/Dolan* nexus and proportionality standard of review, but rather the lower and simpler advancement of a legitimate government interest standard. In *Breneric Assocs. V City of Del Mar*, 69 Cal App 4<sup>th</sup> 166, 176-177 the court stated:

Although the design review might limit the use of, diminish the value of, or impose additional costs on property, it does not impose requirements for either conveyances of land or monetary exactions. As a result, design review is a general regulation of land use that is not subject to the higher scrutiny test employed in *Nollan* and *Dolan*.

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<sup>1</sup> *Novi v. City of Pacifica*, 169 Cal. App.3d 678, 682; *Ross v. City of Rolling Hills Estates*, 192 Cal. App. 3d 370, 376; *Briggs v City of Rolling Hills Estates*, 40 Cal. App. 4<sup>th</sup> 637, 643

### Overlap and Resolution of Conflicting Goals

Though both zoning regulations and design review address size, height, mass and bulk of buildings there is a distinction between the purposes of the two sets of regulations. Zoning sets forth standards that apply citywide and regulate for the benefit of all persons in the City. Whereas design review looks at how a specific project will coexist with a specific location and specific persons, typically those who live in the neighborhood.<sup>2</sup>

### Zoning Regulations

Zoning regulations impose land use regulations that are typically expressed in numerical values and create minimum or maximum standards. For example, in Rocklin the R1-6 residential zone creates a minimum lot size of 6,000 square feet. Buildings must be set back 25 feet from the front property line. Maximum height is thirty feet and the maximum number of stories is two. And the list goes on. One of the important standards established by zoning is the amount and intensity of development expressed as density of dwelling units per acre for residential uses. The more dwelling units per acre that are required to be constructed the fewer options there are for meeting the numerical density standard. For example, the Sierra College Apartments property has a zoning density standard of 20 dwelling units per acre. To achieve that many apartments you must either build one or a few very large buildings, or a number of smaller buildings spread out over the entire site, or some combination in between those two extremes.

Like all zoning regulations, the density standard cannot be changed without amending the City zoning code after notice and a public hearing to change to a lesser density. In the case of housing, there are limitations on a City's ability to make any changes to a project's proposed unit count. Government Code sec. 66589.5 restricts the City from disapproving a project unless specific findings can be made. There will be a more detailed discussion of this GC 65589.5 below.

### Calculation of Density

When planners calculate the number of acres at a site for density purposes they typically start with a gross acreage of the total parcel. But due to site constraints or resource preservation goals, they may adjust down to a net developable acreage basis

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<sup>2</sup> This concept also applies to CEQA review under aesthetics. A project may have no substantial aesthetic environmental impact, but still be found unsuitable for the neighborhood due to mass and scale. (see *Guinnane v. San Francisco City Planning Commission* 209 Cal. App. 3d 732, 735 fn2, 742-743)

considering only those areas of development available for actual improvements after deleting open space, streets, wetlands, parks, tree preserves, etc.

Since our zoning density standards are usually expressed as a maximum allowable number of dwelling units per acre, using the gross acreage would yield the highest number of units and would therefore be the most flexible and least restrictive for the property owner.

Conversely, in those instances where the zoning density is expressed as a mandated minimum number of units, then using the net acreage of the developable area would give the lowest minimum, and be the most flexible and least restrictive for the property owner.

There is no required methodology established by state law or City code expressly stating a required methodology for calculating density. If challenged the decision of the city would be given great deference by the court, provided there was some reasonable and rational basis for the decision. In *Carty v. City of Ojai* the court held, "the function of this court is to determine whether the record shows a reasonable basis for the action of the zoning authorities, and, if the reasonableness of the ordinance is fairly debatable, the legislative determination will not be disturbed" 77 Cal. App. 3d 329, 333.

The City planning staff keep a record of zoning code interpretations to provide consistency in our responses to the public. The Rocklin Planning Department methodology for Residential Density Calculation is noted as follows:

The Rocklin General Plan states that residential density is based upon the "gross" acreage of a given project site. However, in the past applicants have been allowed to discount portions of a project site that are demonstrably unsuitable for development such as wetlands, 100-year flood plains, extremely steep hillsides (including manufactured fill slopes), etc. So we will allow either methodology to be used thus allowing the applicant to maximize or minimize their potential dwelling unit count with the caveat that this flexibility is only available where sites contain physical constraints. Other features such as roads, emergency access ways, etc. will not be subtracted from available acreage when calculating density.

(Example: A 10 acre site zoned PD-15 would normally require a minimum of development density of 150 dwelling units to comply with the zoning. However, if 3 acres of the site were encumbered by a 100-year flood plain it would reduce the developable area to 7 acres resulting in minimum required development density of 105 dwelling units.)

Note 1) The 2012 Rocklin General Plan states that the density of "Mixed Use" developments is to be calculated based upon "net" area but does not define "net". Most "Mixed Use" areas are located in places where the land is relatively flat and free of constraints such as flood plains, riparian vegetation, etc. The intent here was not to include existing streets and such that might be included as a part of a lot (especially in an older area) in the calculation of lot size for purposes of determining development density.

Note 2) Zoning typically establishes the maximum density allowed on a given site within the density range established by the applicable general plan designation. The general plan designation establishes the minimum / maximum density RANGE allowable. However, there may be instances where a PD zone General Development Plan sets the zoning density at a minimum density. This is more likely to occur on High Density Residential projects.

In the circumstances presented by the Sierra College Apartments project, the gross acreage is 10.19 acres which would yield a required unit count, at 20 dwelling units per acre rounded, of 204 units. This would be the absolute maximum number of units the City could require under the zoning and would be the most restrictive interpretation of the zoning density requirement. The developer is free to build more if they can get the site to work, since the PD-20 zoning on this site only establishes a minimum number of units that must be built.

But on this property there are a number of site constraints including isolated open space areas, portions of Rocklin Road and Water Lily Lane which are constructed streets, and areas of future right of way identified for dedication to the City which must be left undeveloped, restricting the actual buildable area to 7.87 acres. At that acreage the required minimum number of units rounded would be 158 apartments. Again, the developer is not limited on the maximum density above 158 units by the zoning. This would be the least restrictive and most flexible interpretation. As the least restrictive approach, this would also be the most legally defensible interpretation.<sup>3</sup>

#### Limitation on Reduction of Housing Units Imposed by GC. 66589.5

As mentioned, Government Code subsection 66589.5(j) restricts a city's ability to deny approval or impose conditions reducing unit count on housing development projects unless certain findings can be made. The burden of proof also shifts to the city, to show they have complied with this statute in the case of a legal challenge.

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<sup>3</sup> The General Plan density range for high density residential property is 15.5 dwelling units per acre and up. If we interpret the General Plan as requiring a gross acreage calculation, this would lead to a required density of 158 units.



The applicable subsection is §66589.5(j) which reads:

(j) When a proposed housing development project complies with applicable, objective general plan and zoning standards and criteria, including design review standards, in effect at the time that the housing development project's application is determined to be complete, but the local agency proposes to disapprove the project or to approve it upon the condition that the project be developed at a lower density, the local agency shall base its decision regarding the proposed housing development project upon written findings supported by substantial evidence on the record that **both** of the following conditions exist:

(1) The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(2) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.

So before the City can require a housing development to reduce units, they must either clearly identify on the record the objective general plan, zoning, or design review standard that is out of compliance, or if all standards are met, then make the findings required by subparagraphs one and two. To make those findings the specific adverse impact must be identified and supported by substantial evidence in the record, and then the city must explain why there is no feasible method to mitigate or avoid the impact. Again the finding of no feasible mitigation must be supported by evidence in the record.

#### Limits of Design Review

Appropriate considerations for design review applications are listed above. There is very wide discretion to modify a project, or deny a project, under design review. A design review decision can deny a project due to neighborhood incompatibility based simply on the size, bulk and mass of the proposed buildings. In *Guinanne v. San Francisco Planning Commission* the court supported the city's denial of a single family home building permit. 209 Cal. App. 3d 732 (1989). Guinanne applied for a building permit to construct

a four-story, 6,000 square foot house with five bedrooms, five baths and parking for two cars. This application was subject to design review under the city code. The planning commission rejected the application during design review because the building was too massive and “not in character” with the neighborhood. The board of permit appeals also denied the permit.

The court upheld the city’s denial. It stated the planning commission and the appeals board had the authority to exercise discretion in deciding whether to issue the permit. (*Id.* at 742) The court noted the such a review is not limited to a determination of whether the applicant has complied with zoning ordinances and building codes. The San Francisco Planning Code specifically directed the commission to protect the “character and stability” of residential areas, and the court held that such concern for neighborhood aesthetics has long been justified as a legitimate governmental objective.

Similarly, the court in *Saad v. Berkeley* upheld the City of Berkeley’s denial of a use permit for a three story home in a single family zone because it would impair the view of neighboring property owners, and would have a towering effect. 24 Cal. App. 4<sup>th</sup> 1206, 1216 (1994).

#### Summary and Conclusion

Though there is great latitude in the ability of a design review board to reshape, restrict, or even deny a project, the reach of design review decisions can never go so far that it effects a change to the zoning regulations applicable to a property, including a change to project density required by the specific zoning. But as discussed above, the City does have flexibility in how they interpret the acreage to be included in the development density calculation, provided there is evidence in the record supporting the final density calculation and the decision is consistent with the general plan. Any design review modification to a housing project that decreased density would be illegal under Government Code §66589.5(j), unless the specific findings set forth in that statute could be made based on substantial evidence in the record. But the design review process could require a reconfiguration of units to achieve the stated purposes of design review.

# *Citizens Voice Organization*

*P.O. Box 661*

*Rocklin, CA 95677*

*www.citizens-voice.org*

November 3, 2017

TO: Rocklin Planning Commission

SUBJECT: Sierra Gateway Apartments – Public Hearing Comments

Dear Chairman Martinez and Planning Commissioners:

Citizens Voice Organization (CVO) is a community group dedicated to supporting responsible and sustainable development in the City of Rocklin and surrounding areas. This letter focuses on the concerns we and residents share on the proposed Sierra Gateway Apartments project at Rocklin and Sierra College Blvd. more broadly than our focus letter on Design Review, and how Design Review violation should be used as a legal mechanism to deny a bad-fit project such as this one.

## **General Overview/Comments:**

As you are very aware this project has been a hot button for residents and community groups in Rocklin for over 3 years. In 2015, the Planning Commission denied the project based on conformity with Design Review Criteria items (aesthetics, fit, ordinance 993 items etc...) to later be approved by our City Council.

Rocklin citizens had worked feverishly to come to a compromise with the Developers offering many suggestions for a project that would better suit the community only for our ideas to immediately (without hearing us out) to be shunned as “non-starters”. The unfortunate reality of this outcome forced residents to donate their hard-earned incomes toward funding a lawsuit based on CEQA, Design Review and Rezone Conditions violations. The Developers and the City agreeing to perform a Full EIR, which satisfied our CEQA complaint regarding the need for an EIR, later, resolved the lawsuit.

Since this time nearly 2 years has past, and the community members involved have heard nothing from our potential neighbor Developer. The overarching consensus is, a Developer whom only cares about their bottom line and not what the surrounding impacted neighbor’s concerns are about their project. How is this a good neighbor mentality?

## **Impacts to our Community and Citizen Concern:**

**Schools:** (“Municipal Code 15.24 – School Impact Mitigation” allows for a project denial based on the below.) (attached as *Muni15\_24.pdf*)

- This project lies within the Loomis Union K-8 School District. LUSD is overcrowded and this project will generate 91 additional K-8 students. LUSD does not have the capacity to address this number of new students. “Municipal Code 15.24 – School Impact Mitigation” allows for a project denial based on this concern.
- Students from this project would attend Franklin Elementary School but like other LUSD schools it is at capacity.
- This project along with a multitude of upcoming City of Rocklin residential projects in the area and within the LUSD boundaries will generate close to 500 K-8 students. This “cumulative” effect will adversely affect the LUSD.
- Impacts on the LUSD have not been mitigated.
- The developer should include a safe school bus stop on or near the development and with a shelter to protect students from the weather.

**Design Review/Re-zoning Conditions (Ordinance 993)/Traffic:** (attached as *Ord993.pdf*, *project fails requirements in Exhibit B.*)

- The aesthetic value of our community will be diminished by this project.
  - ONLY 3+ story structure in our neighborhood, **certain buildings exceed the maximum principle building height of 35 feet which does not conform to Ordinance 993,**
  - A project that is incompatible to our neighborhood of one to two story single-family homes.
  - This project is not compatible to the existing visual character of our neighborhood.
  - **structures are proposed within mandatory setbacks**
  - the Project does not include open type fences where multi-family units front along a public road, including along Rocklin Road;
  - The Project's proposed fences do not comply with setback requirements
  - The removal of 400 mature oak trees and the destruction of an oak woodland
  - The project will cover almost the entire 8-acre parcel with buildings and parking lots, which does not conform to **Ordinance 993, with more than 60% lot coverage**
  - No attempt was made to save any of these oak trees or include them in the planning of this project however proposed alternatives can
  - This 3-story structure will create a new source of substantial light and glare
  - The planned landscaping along SC Blvd., Rocklin Rd. and Water Lily Ln will not mature for 15-20 years. We will have to look at unsightly buildings and parking lots in the interim and neighbors' privacy impacted
  - 3 to 10 foot berms and concrete retaining walls are planned
- This project will generate over 1,300 new daily vehicle trips onto Rocklin Road and SC Blvd. Rocklin Road is already “significantly impacted”.
- According to the project's Final EIR projections and other pending developments in our area on the east side of I-80, over 50,000 new daily vehicle trips will be generated onto Rocklin Rd. and SC Blvd.
- The City of Rocklin does not have funds available to address these traffic impacts.

**Policy Direction:**

The City Council asked the project applicant to address the design elements of the project. Even at this late date, that has not occurred. It is literally the same project as designed before in terms of footprint,

except the community impact has increased for the Water Lily neighborhood since an exit-only is proposed on the Homeowners' Association maintained street.

#### **Tree Preservation Ordinance & Compliance:**

The project does not comply with the City's Tree Preservation Ordinance. The DEIR identifies 368 protected trees on the project site. And, 320 or 87% will be removed. One hundred and eight trees have been identified as requiring mitigation due to their "fair" and "excellent" status. While the Ordinance outlines the requirements for mitigation, the DEIR fails to meet the basic Ordinance mitigation formulas. Exactly how many trees (diameter breast height) will be mitigated on or off-site? This should have been included as part of Appendix G— the Arborists Report. But alas, this information is completely lacking from the EIR and Report. Without this basic information, the required mitigation to this significant impacts—it is deferred. Deferred mitigation is in violation of the California Environmental Quality Act per our Attorney.

#### **Final EIR Concerns:**

- The Final EIR on this project dismissed many of our neighborhood concerns
  - Access to the project off Rocklin Road
  - Increase in crime
  - Increase in public services (police and fire)
  - Traffic and other Impacts from multiple projects planned in the area were not considered in the Final EIR as part of the cumulative effects in this area
  - Removal of the 8 foot cyclone fence surrounding the project site. Not only is it unsightly it blocks wildlife in the area from traversing the area.
  - The Final EIR does not address the lack of comprehensiveness and lack of accurate analysis done in the Draft EIR.
  - Traffic noise
  - Engineer recommendations that additional traffic analysis should be done, e.g. a 3 to 5 year crash analysis for all the intersections included in the DEIR.
  - Dismissing of LUSD Superintendent concern about overcrowded schools
  - Significant new information has been added to the EIR therefore CEQA has been violated due to failing to recirculate a revised draft EIR.

#### **Affordable Housing / RHNA:**

While one of the project goals is to: "Provide a high-quality, financially viable residential apartments," there is no mention of affordability. Students attending the college and potentially living in this apartment complex, have assurance of affordable rents. Additionally, the City of Rocklin is well behind in its extremely-low and very low income affordable units. The Sacramento Area Council of Governments has allocated 1,040 units in these two categories combined. This project could go a long way to achieving a portion of this needed housing type.

As existing residents in this community, we want to reaffirm that the General Plan, Zoning and Municipal Codes are what we rely on for setting the vision, goals and understanding for the future of this city. When the City allows variances to occur for a project, the standards are changed on a project-by-project basis, it is unacceptable. This is in its most basic form spot zoning. Every project that comes before you should fit the existing laws. In essence, the project should conform to our adopted policies and plans—not the other way around.

After careful consideration of the facts and your Legal Authority, we urge your support and request that:

1. Do not approve the **Design Review Permit** because it does not meet all of the City's Design Review Guidelines.
2. Do not approve the **Oak Tree Removal Permit** and allow the destruction of an oak woodland.
3. Do not approve the **FINAL EIR** on this project as it does not adequately address or mitigate the environmental effects of this project in our neighborhood
4. Do not approve a **STATEMENT OF OVERRIDING CONSIDERATIONS** allowing the developer to build this project and cause significant environmental effects in our neighborhood.

Again, we've tried to offer several solutions that help adjust the project to improve it and reduce or mitigate our concerns, but it's just fell on deaf ears.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Wiegman', with a stylized, cursive script.

Chris Wiegman  
CVO

ORDINANCE NO. 993

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKLIN  
APPROVING AN AMENDMENT TO THE ROCKLIN ROAD EAST OF I-80  
GENERAL DEVELOPMENT PLAN, ORDINANCE 820,  
TO REZONE A 10.19-ACRE SITE FROM PLANNED DEVELOPMENT-COMMERCIAL (PD-C)  
TO PLANNED DEVELOPMENT-20 DWELLING UNITS PER ACRE (PD-20)

(Rocklin Road East of I-80 / PDG-99-08A & Sierra College Apartments / Z-2012-04)

The City Council of the City of Rocklin does ordain as follows:

Section 1. The City Council of the City of Rocklin finds and determines that:

A. The proposed general development plan amendment and rezone of an approximately 10.19-acre site (APNs 045-160-063, 045-160-064 and 045-160-065) is consistent with the General Plan Amendment (GPA-2012-05) being processed concurrently. The proposed Rocklin Road East of I-80 General Development Plan Amendment would establish land uses and development criteria for the proposed zoning designation.

B. A Notice of Exemption has been approved for this project via City Council Resolution No. 2013-75.

C. The proposed general development plan amendment and rezoning are consistent with and implement the policies of the City of Rocklin's General Plan, including the Housing Element.

D. The area is physically suited to the uses authorized in the proposed general development plan amendment and rezoning.

E. The proposed general development plan amendment and rezoning are compatible with the land uses existing and permitted on the properties in the vicinity.

F. The land uses, and their density and intensity, allowed in the proposed general development plan amendment and rezoning are not likely to create serious health problems or create nuisances on properties in the vicinity.

G. The City Council has considered the effect of the proposed general development plan amendment and rezoning on the housing needs of the region and has balanced those needs against the public service needs of its residents and available fiscal and environmental resources.



Section 2. The City Council of the City of Rocklin hereby approves the general development plan amendment and rezoning as shown on Exhibit A, attached hereto and incorporated by reference herein.

Section 3. The City Council of the City of Rocklin hereby approves an amendment to the East of I-80 General Development Plan as set forth in Exhibit B, attached hereto and incorporated herein.

Section 4. Within 15 days of the passage of this ordinance, the City Clerk shall cause the full text of the ordinance, with the names of those City Council members voting for and against the ordinance, to be published in the Placer Herald. In lieu of publishing the full text of the ordinance, the City Clerk, if so directed by the City Attorney and within 15 days, shall cause a summary of the ordinance, prepared by the City Attorney and with the names of the City Council members voting for and against the ordinance, to be published in the Placer Herald, and shall post in the office of the City Clerk a certified copy of the full text of the ordinance, along with the names of those City Council members voting for and against the ordinance. The publication of a summary of the ordinance in lieu of the full text of the ordinance is authorized only where the requirements of Government Code section 36933(c)(1) are met.

INTRODUCED at a regular meeting of the City Council of the City of Rocklin held on April 23, 2013, by the following vote:

AYES:	Councilmembers:	Yuill, Butler, Janda, Magnuson, Ruslin
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Rocklin held on May 14, 2013, by the following vote:

AYES:	Councilmembers:	Magnuson, Yuill, Butler, Janda, Ruslin
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None



Diana L. Ruslin, Mayor

ATTEST:



Barbara Ivanusich, City Clerk

First Reading:	4/23/13
Second Reading:	5/14/13
Effective Date:	6/14/13

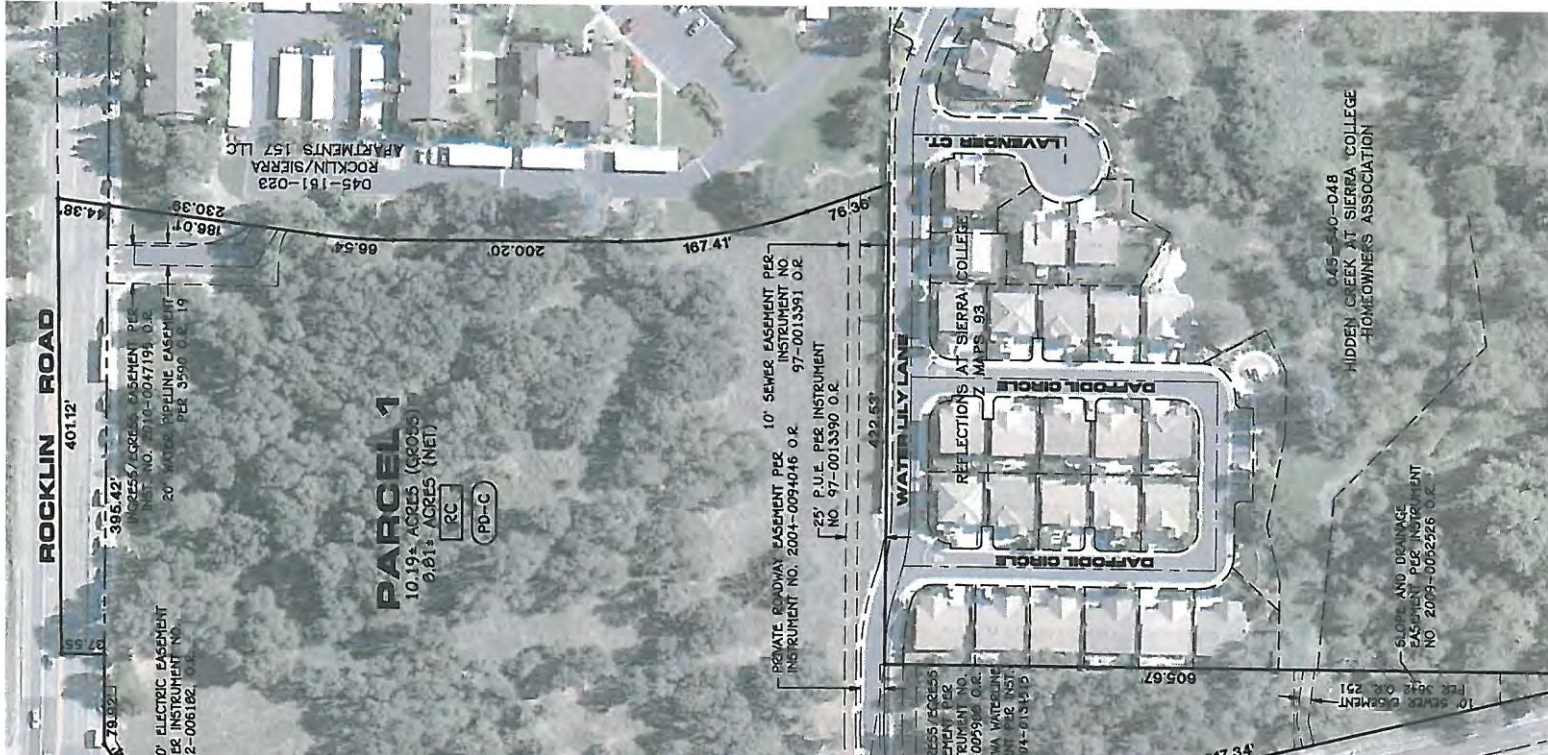


## **EXHIBIT A**

*Map of Existing and Proposed General Development Plan / Zoning*



PROPOSED GENERAL PLAN DESIGNATION AND ZONING



PROPOSED GENERAL PLAN DESIGNATION AND ZONING



GENERAL NOTE

ASSESSORS PARCEL NUMBER  
EXISTING GP DESIGNATION  
PROPOSED GP DESIGNATION  
EX. GENERAL DEVELOPMENT PLAN  
EXISTING ZONING  
PROPOSED ZONING  
OWNER

ENGINEER

UTILITY DISTRICTS  
SEWER  
ELECTRIC  
GAS  
TELEPHONE  
DRAINAGE  
WATER

NUMBER OF EXISTING LOTS  
NUMBER OF PROPOSED LOTS  
GROSS ACRES  
NET ACRES

THIS REZONE EXHIBIT IS A GR...  
THE SUBJECT SITE. THE LOCAT...  
HAVE NOT BEEN DETERMINED A...  
DIMENSIONS SHOWN HEREON A...  
MAY BE SUBJECT TO CHANGE A...  
SURVEY IS COMPLETED.

LEGEND

- RC RETAIL COMMERCIAL
- HDR HIGH DENSITY RESIDENTIAL
- PD-C PLANNED DEVELOPMENT COMMERCIAL
- PD-20 PLANNED DEVELOPMENT RESIDENTIAL
- PD-20 20 UNITS/ACRE

NOTES

- ALL KNOWN EASEMENTS HAVE BEEN ACCOUNTED FOR HEREON.
- THIS SURVEY IS BASED ON A PRELIMINARY TITLE REPORT BY TITLE COMPANY, ORDER NO. 2012.

EXHIBIT

FILE NO. Z-



## EXHIBIT B

The Rocklin Road East of I-80 General Development Plan is hereby amended to add the following section:

8. AREA 3 USE AND DEVELOPMENT STANDARDS – PD-20 ZONE

a. Permitted Uses – Area 3 PD-20 Zone

The following uses are permitted in the Area 3 PD-20

1. Apartments, townhouses, condominiums (for residential use, including cluster developments)
2. Accessory structures and uses (subject to regulations in Zoning Ordinance Chapter 17.08.090 and 17.08.100)
3. Schools, public elementary and secondary
4. Triplexes

b. Conditional Uses – Area 3 PD-20 Zone

The following uses are permitted in the Area 3 PD-20 zone subject to the issuance of a conditional use permit:

1. Community Care Facilities/ Residential Facilities
2. Day Care Facilities

c. Height Restrictions

1. Maximum number of stories shall be 3.
2. Maximum principle building height shall be 35 feet.
3. Maximum accessory building height shall be 14 feet.

d. Lot Area

The minimum lot area shall be 5.0 acres (for apartments, townhouses, and condominiums only).

e. Density

The minimum number of units per acre shall be 20 units per acre.

f. Lot Coverage

The maximum lot coverage by all structures and buildings shall not exceed sixty (60) percent of the lot area.

g. Setbacks

1. 6 lane arterial. There shall be a setback of not less than 20 feet.
2. 4 lane arterial. There shall be a setback of not less than 20 feet.
3. Multi Family. There shall be a setback of not less than 15 feet.
4. Single Family. There shall be a setback of not less than 20 feet.
5. For accessory structures not exceeding 14 feet in height, there shall be an interior side setback or rear setback of not less than 10 feet.
6. Off Street Parking. There shall be a setback of not less than 25 feet.
7. Specified Streets. Front, side, street side, or rear setbacks required for lots abutting a highway or street for which rights-of-way are established by the Circulation Element of the General Plan shall be measured from the adopted plan line or the property line, whichever provides the greater setback.

h. Fencing

Open type fencing, a minimum of 4 feet in height, shall be incorporated into the project when multi-family units front along a public road. The purpose of the fencing is to discourage residents from using the public road for on-street parking. The fence shall be sited parallel to the public roadway, with a minimum 5 feet setback.

i. Landscaping

Landscaping shall be required in all multi-family residential projects and granite boulders shall be incorporated into landscaped areas.

## Chapter 15.24 - SCHOOL IMPACT MITIGATION

### Sections:

#### 15.24.010 - Authority—Necessity.

- A. The ordinance codified in this chapter is enacted under authority of Government Code Section 65974 for the purpose of providing interim school facilities to alleviate conditions of overcrowding caused by new residential development.
- B. The council declares:
  - 1. Public education is provided by school districts serving the area within the city boundaries ("the districts").
  - 2. From time to time new residential development may cause overcrowding in one or more schools in the districts.
  - 3. It is necessary that a method be available to provide the districts with interim classroom facilities when conditions of overcrowding exist, in order than education not be adversely affected.

(Ord. 507 § 1, 1983; Ord. 382 § 1, 1978).

#### 15.24.020 - Definitions.

In addition to the definitions set forth in Section 65973 of the Government Code, the following definitions apply:

- A. "Board" means the board of trustees of a district.
- B. "Declaration of impact" means a statement adopted by a board, and forwarded to the council, declaring the existence of an impacted school or schools, in accordance with the requirements of Section 65971 of the Government Code.
- C. "District" means any school district whose boundaries encompass any part of or all of the city.

(Ord. 382 § 2, 1978).

#### 15.24.030 - Impact declaration by board.

A board may, from time to time, adopt a declaration of impact for any school or schools whose attendance areas are located wholly or partially within the boundaries of the city and file the same with the city manager or his designee for consideration by the city council. The contents of the declaration of impact shall be as required by Government Code Section 65971.

(Ord. 487 § 1, 1982: Ord. 382 § 3, 1978).

15.24.040 - Council approval of declaration—Requirements invoked.

Upon receipt of a declaration of impact from a board, the city council shall consider the declaration and adopt a resolution stating its concurrence or nonconcurrence in the findings contained in the declaration. If the council concurs in the findings, the resolution shall prohibit the approval by the council or any officer, employee or commission of the city of new residential development within the attendance areas of the impacted school or schools pending compliance with Section 15.24.050 or Section 15.24.055. Except as provided in Section 15.24.045, a resolution concurring in a finding of impactation shall be valid only until December 1st following the date of adoption.

(Ord. 499 § 1, 1983: Ord. 487 § 2(A), 1982: Ord. 382 § 4 (part), 1978).

15.24.045 - Extension of declaration—Conditions.

In November of each year, the council shall consider the reports submitted by a district pursuant to Section 15.24.060B and Government Code Sections 65976 and 65978. If, based on a review of the reports, the council determines that conditions of impactation still exist in schools for which a resolution concurring in a declaration of impact has been adopted and is in effect, the council shall extend the validity of the resolution for the period of time deemed appropriate, but in no event beyond one year from the date the resolution would otherwise have expired.

(Ord. 487 § 2(B) 1982: Ord. 382 § 4 (part), 1978).

15.24.050 - Land and fee requirements.

- A. The council shall require, as a condition of approval of new development within the attendance area of an impacted school, either the dedication of land, the payment of fees in lieu thereof, or a combination of both, in accordance with the provisions of Section 65974 of the Government Code.
- B. The decision concerning whether to accept land, fees, or an appropriate combination shall be determined after consultation with the concerned board regarding the needs of the district as they relate to the impacted school or schools.
- C. The amount of any fee shall be prescribed by resolution of the council and shall be collected at the time of issuance of a building permit.

(Ord. 382 § 5, 1978).

15.24.055 - Mitigation by separate agreement.

As an alternative to dedicating land and/or paying fees under Section 15.24.050, the concerned board may arrange for mitigation of school impactation by a separate agreement with an applicant for a new residential development. Submission of evidence of such an agreement at the time of issuance of a building permit shall be deemed compliance with the requirements of Section 15.24.040.

(Ord. 499 § 2, 1983).

15.24.060 - Use of fees and land—Accounting.

- A. Each district shall use the fees and/or land solely to alleviate the conditions of overcrowding within the affected attendance area.
- B. Each district shall provide to the council the schedule and report required by Sections 65976 and 65978 of the Government Code.

(Ord. 382 § 6, 1978).

15.24.070 - Development disapproval unaffected.

Nothing in this chapter shall be read to limit the right of the council to disapprove new residential development for any lawful reason, including, but not limited to, the impact that such development may have on a school or schools within a district which cannot be alleviated by the provisions of this chapter.

(Ord. 382 § 7, 1978).

**PHILLIPS LAND LAW, INC.**

5301 Montserrat Lane  
Loomis, California 95650  
Telephone (916) 979-4800  
Telefax (916) 979-4801

November 1, 2017

Via Email

Sid Paul  
Vice President, Acquisitions  
The Ezralow Company  
23622 Calabasas Road, Suite 200  
Calabasas, CA 91302-1549

Re: Sierra Gateway Apartment Project  
Land Swap Proposal

Dear Mr. Paul:

On behalf of Evergreen Sierra Commercial, LLC, (Evergreen Sierra) which has submitted an application to the City of Rocklin requesting various land use entitlements for property located at the northeast corner of Sierra College Boulevard and Rocklin Road, I am writing in response to a land swap proposal by Roger and Irene Smith which calls for the exchange of your property at the southeast corner of the same intersection for an equal number of acres controlled by Evergreen Sierra. As I understand the proposal, it also calls for a payment to Evergreen Sierra by the City of Rocklin of an as yet undetermined amount for the preservation of the southeast corner property as open space. Under the proposal, it is also assumed that your company would develop its proposed multi-family project on the north side of Rocklin Road.

As you may know, Evergreen Sierra is a joint venture between Dan Cole and Sierra College the sole purpose of which is to return ongoing long term revenue to the joint venture partners, and specifically, as it relates to Sierra College, revenues to support the educational programs and mission of the College. The prospect of trading property with your company in exchange for an uncertain one-time payment to Evergreen Sierra is not consistent with the Evergreen Sierra's vision for the property it controls, nor its stated objectives for long term revenue generation.

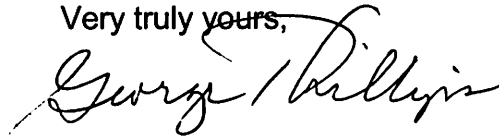
We understand that your company is not interested in the land swap proposed by the Smiths and would appreciate clarification of Evergreen Sierra's view on the matter. Consequently, while we understand that the Smith proposal



is well-intentioned, Evergreen Sierra has no interest in entertaining such a land swap, but instead intends to continue its land use entitlement application with the City of Rocklin.

Please feel free to contact me if you have any questions.

Very truly yours,

A handwritten signature in black ink, reading "George E. Phillips". The signature is written in a cursive style with a large, stylized "G" and "P".

George E. Phillips

cc: Dan Cole  
Willy Duncan  
Holly Tiche  
Rick Horst  
Marc Mondell

November 1, 2017

To: City of Rocklin Planning Commissioners

My name is Denise Gaddis and I live off Freeman Circle and El Don Drive very near to the proposed 3-story, 195-unit "Sierra Gateway Apartments" at the S/E intersection of Rocklin Road and Sierra College Blvd. I drive through this intersection on almost a daily basis. I also regularly drive on SC Blvd. and Rocklin Road as these are egress & ingress points to my home on Freeman Circle. I have lived in this neighborhood for 22 years.

I would like to provide some comments on this project, objections to items in the Final EIR and address this projects violations to the City of Rocklin's Municipal Code as well as the City's General Plan Goals and Policies.

I can appreciate that my email is long but I would greatly appreciate you taking the time to read my information as I will not be afforded the time to present this to you at the public hearing on November 7<sup>th</sup> when you will make your decision on the project. Believe me I could have gone on and on but tried to limit my concerns to a few areas (Aesthetics and Traffic-Circulation). I am also providing a copy of this email in an attached Word format and respectfully request my email (or Word doc) be included in the record.

## FINAL EIR

I have a number of objections to the Final EIR on the Sierra Gateway project that was drafted by City Staff not an independent Environmental Firm. I feel important environmental impacts were completely ignored. Too, too many to go into. I disagree with staff's interpretation that many of the "significant environmental impacts" were found to be "less than significant". I also find it objectionable that "For issues that were raised by multiple commenters, the City determined that the preparation of a master response would be appropriate." By doing this those who drafted the Final EIR left out **many, many** identified impacts in the Master Response noted by concerned parties who commented on the DEIR. One great example is the Master Response does not even mention the significant impacts of this development on the Loomis Union School District. Additionally, it does not mention the Writ of Mandate and Complaint for Injunctive Relief filed in Placer County Superior Court. It also does not even mention

In many responses to comments submitted, the writer of the Final EIR continual states...*"The comment does not affect the analysis or conclusions of the Draft EIR, is considered to be noted and will be forwarded to the decision-makers."* **I would like to know how all these comments that purportedly do not affect the DEIR have been forwarded to you "the decision makers"**. Additionally, I believe most of these comments that reportedly do not affect the DEIR should not be rejected in the decision making process. I read the Final EIR and the comments made and I found many to be extremely relevant.

## 2.3 MASTER RESPONSE

### Aesthetics (pg. 14 of Final EIR.pdf)

I am very troubled that City staff failed to even mention the **primary** aesthetic environmental impact of allowing a **3-story structure** in our neighborhood. The area in question is predominantly one and two-story single family homes. There are also three 2-story apartment complexes in the vicinity of the proposed Sierra Gateway apartment site. With the minor exception of one building on the Sierra College main campus, there are **no** existing 3-story structures in our neighborhood. The local community feels that allowing a 3-story apartment complex would be extremely aesthetically unpleasant and not at all compatible with the existing surroundings.

Staff also fails to address the adverse aesthetical affects by changing a 10 acre oak tree forested property to a 3-story structure stripping the land of all trees and erecting a 3-story structure virtually sitting right on top of Rocklin Road and Sierra College Blvd. with 3 to 10 foot berms and concrete retaining walls. Additionally the project renderings show landscaping with growth in 15-20 years. So for 15-20 years we have to live with unsightly asphalt and buildings?

These are a drastic change to our neighborhood. The proposed project **will** affect the visual character of the project area (my neighborhood). I'm the one who is going to have to drive by these unsightly buildings every day. Therefore my opinion on the aesthetic value should be considered.

The Draft EIR stated, "...**significant aesthetic impacts will occur as a result of development...**"

**How can the City conclude in the DEIR that there are significant impacts then turn around and claim in the FEIR that there are less than significant impacts?**

**Based on my above statements and based on the below Municipal Code violations, I cannot agree with the City's Final EIR conclusion that the aesthetics impacts of this project would be considered less than significant.**

#### **CITY MUNICIPAL CODE VIOLATIONS**

In addition, I believe this project fails to comply with the following sections of the City's Municipal Code as the project exceeds the maximum height allowed, exceeds allowed lot coverage and is not compatible with the purpose and intent of a planned development.

##### **17.40.020 - Height regulations. (R-3 zone)**

- A. The maximum height for principal buildings and structures shall be fifty feet.
- B. The maximum height for accessory buildings or structures shall be fourteen feet.

##### **17.40.050 - Lot coverage. (R-3 zone)**

The maximum lot coverage by all structures and buildings in the R-3 zone shall not exceed sixty percent of the lot area.

##### **17.60.010 - Purpose and intent. (planned development "PD" zone)**

- B. The specific purposes of the planned development zone are to:
  - 1. Promote and encourage cluster development on large sites to avoid sensitive areas of property;
  - 3. Encourage the preservation of open space;

#### **FINAL EIR - MASTER RESPONSE Continued**

##### **Transportation/Traffic (pg. 15 of Final EIR.pdf)**

The FEIR states, "... the proposed project, within the context of development in the City of Rocklin and the surrounding areas of western Placer County, would result in a cumulatively considerable and significant and unavoidable impact to the Rocklin Road/Interstate 80 WB and EB ramp intersections.... Water Lily Lane Emergency Access and Outbound Access from Water Lily Lane conditions, the increase in delay at the intersections of Rocklin Road/Interstate 80 WB and EB ramps is each more than five seconds at an intersection that operates at an unacceptable LOS... **would be considered cumulatively considerable and significant and unavoidable.**"

Some alternatives/mitigations have been suggested; the widening of Rocklin Road to six lanes, reconstructing the I-80/Rocklin Road interchange as well as the SC Blvd/Rocklin Rd. intersection. However, as stated in the FEIR **the City does not have the necessary funds to provide any of these traffic alternatives or to address the cumulative traffic impacts in this area.**

Clearly this 195-unit project producing over 1,300 daily vehicle trips will significantly impact my neighborhood with vehicle traffic diverting onto local residential streets as shortcuts. Most specifically El Don Drive. College students are already doing it.

I have done extensive research over the past year on pending projects in this area (roughly within a one to two mile radius) and used them in my comments on the DEIR. **The FEIR fails to recognize these projects and include them in their cumulative traffic impacts as well as impact analysis on many other levels.**

The FEIR does not include the following projects in its impact analysis:

- 1) **Rocklin Station** (NOP concluded)
- 2) **Vista Oaks Subdivision & Highlands Parcel A** (approved project)
- 3) **Oak Vista Subdivision** (approved in June 2017)
- 4) **Secret Ravine Community** (application filed)
- 5) **Amazing Facts Church** (under construction)
- 6) **Rocklin Park Senior Living Facility** (application filed)
- 7) **Croftwood Unit #2** (application filed)
- 8) **Indian Creek Tentative Parcel Map** (application filed)
- 9) **Costco** at SC Blvd/Brace Rd.
- 10) **Sierra Villages** - approximately 400 SF lots, commercial and senior living facility across the street from Sierra Gateway

Please refer to project list attached. I conservatively estimated that these “other” pending projects which includes Sierra Gateway will produce **17,877 new “daily” vehicle trips** onto Rocklin Road and Sierra College Blvd. The FEIR in Table 4.5-11 indicates there will be **34,071 Net New Project Trips** (not including the previously noted projects). That brings the **Total Net New Vehicle Trips to 51,948.**

**I would think this is such a significant impact that it simply cannot be ignored.**

The FEIR uses the argument that the Sierra Gateway Apartments DEIR’s baseline condition for analysis was established as March 24, 2016, therefore they are not including the above noted projects to calculate impacts. On **May 28, 2017**, I provided my comments on DEIR to the City. I included these pending projects.

**To not include them as part of the cumulative impacts of the Sierra Gateway project is objectionable.**

The city will also try to use the argument that the General Plan EIR’s analysis has already taken some of these numbers into account. Much has changed since the GP EIR analysis was done. Many of the above noted projects involved a rezone and general plan amendment therefore you cannot rely on this argument.

The above noted increased traffic numbers do not even include the increased Sierra College student traffic as student enrollment continues to increase on the Rocklin campus. The College is currently undergoing a Facilities Master Plan update and projects a 50% increase in students over the next 10 to 20 years.

**Calling these traffic impacts “unavoidable” and implying this is somehow acceptable is NOT okay.**

As another resident stated in his comments on the DEIR, “Previous court rulings have suggested that ignoring upcoming projects would be considered a fatal flaw.”

**The City has no plan or “Controlled Zone” to address these cumulative and significant traffic impacts. This project should not be approved by the Planning Commission until the City of Rocklin comes up with a reasonable plan to address these extensive traffic impacts. The FEIR also does not address the impacts to emergency vehicle response times due to these significant traffic impacts. This project also violates General Plan Policies as outlined below.**

## **CITY MUNICIPAL CODE**

### **Title 10 – Vehicle and Traffic**

Starting with Sections **10.08.020 - Traffic committee** implies the City’s Traffic Committee and City Council should have been consulted due to “*public convenience and safety*” requirements.

**The city should establish a controlled zone prior to any project approvals.**

#### **10.28.090 - Public transit vehicles—Passenger-safety zones.**

*“...establish safety zones...advisable or necessary for the protection of pedestrians at places where public transit vehicles stop...”* The project proponents fail to address the increased elementary and high school students generated by this project that will now require pick up by school buses. No “Safety Zone” or school bus shelter is proposed for this project.

**This project should not be approved without first providing a safe and covered shelter area for school bus activities.**

## **GENERAL PLAN GOALS AND POLICIES**

### **CIRCULATION ELEMENT**

#### **Policies**

C-7 Monitor traffic on City streets to determine improvements needed to maintain an acceptable Level of Service.

C-15 Reduce the potential for the use of local residential streets as shortcuts for through traffic on streets that are not improved to full City standards.

C-24 Require landscaping and tree planting along major new streets, properties abutting highways/freeways and along existing streets as appropriate.

C-27 Design and phase construction of road improvements to minimize disruption to local residents and traffic, to the extent feasible.

C-34 Provide for the extension of Dominguez Road over I-80 as a future improvement to relieve the Sierra College Boulevard/I-80 and Rocklin Road/I-80 interchanges and create access to the southeast quadrant of the Sierra College Boulevard/I-80 interchange.

C-35 Increase traffic capacity at Rocklin Road and I-80, as traffic conditions require, by widening, overcrossings, or other design features, to allow for more efficient traffic movement and pedestrian and bike facilities.

Sincerely,

Denise Gaddis  
5521 Freeman Circle  
Rocklin, CA 95677  
916-532-9927  
[denise@wavecable.com](mailto:denise@wavecable.com)

# Sierra College Blvd. Corridor New & Pending Developments (11 Projects)

(Includes developments on East side of I-80 off Rocklin Road)

**17,877 Daily Vehicle Trips Generated onto Sierra College Blvd. & Nearby Streets**

October 2017

Institute of Transportation Engineers (ITE)

## Vehicle Trip Calculations Used for Average Weekday

Commercial: 35 vehicle trips per 1,000 sq. ft.

- Fast Food w/o Drive Thru: 716 vehicle trips per 1,000 sq. ft.
- Fast Food with Drive Thru: 496.12 vehicle trips per 1,000 sq. ft.

**Shopping Center:** 42.70 vehicle trips per 1,000 sq.ft.

**Discount Club:** 41.80 vehicle trips per 1,000 sq. ft.

Single Family: 9.52 vehicle trips per Dwelling Unit

Apartment: 6.69 vehicle trips per unit

Church: 9.11 vehicle trips per 1,000 sq. ft.

Senior Adult Housing: 3.44 vehicle trips per Dwelling Unit

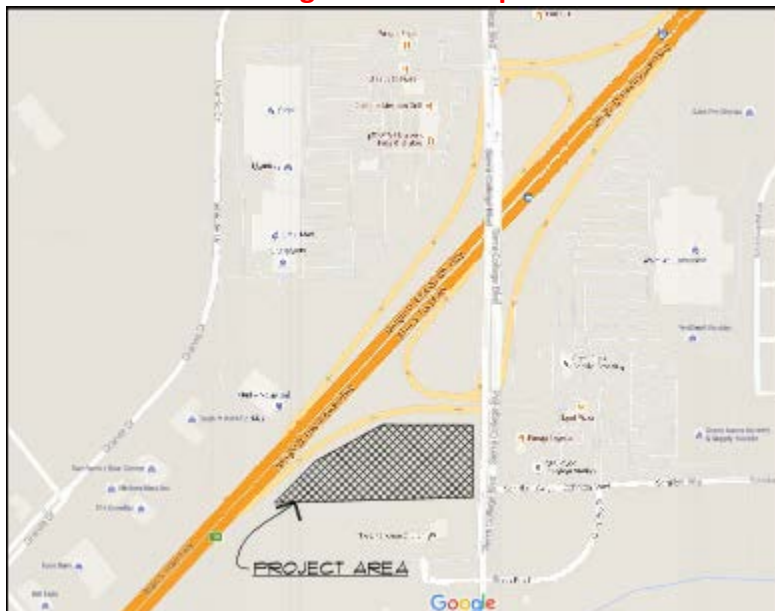
Assisted Living: 2.66 vehicle trips per Bed

Medical Dental Office: 36.13 vehicle trips per 1,000 sq. ft.

Office Park: 11.42 vehicle trips per 1,000 sq. ft.

## 1. Rocklin Station – Commercial Development

- **Application filed, NOP Completed**
- <http://www.rocklin.ca.us/post/rocklin-station>
- Southwest corner of I-80 off-ramp and Sierra College Boulevard.
- Commercial center including an automotive service use, retail space, and **restaurant spaces, some with drive-through** window service (includes “Habit Burger”, “Chick-Fil-A”, “Del Taco”, Les Schwab Tires Auto Service Center and more.
- 5.8 acres
- 24,997 sq.ft. total
- **875 daily vehicle trips generated onto Sierra College Blvd.** (25 x 35 vehicle trips per 1,000 sq. ft. = 875)\*
- **\*did not include higher vehicle trip rates for fast food restaurants**



## 2. Sierra Gateway Apartments – Residential Development

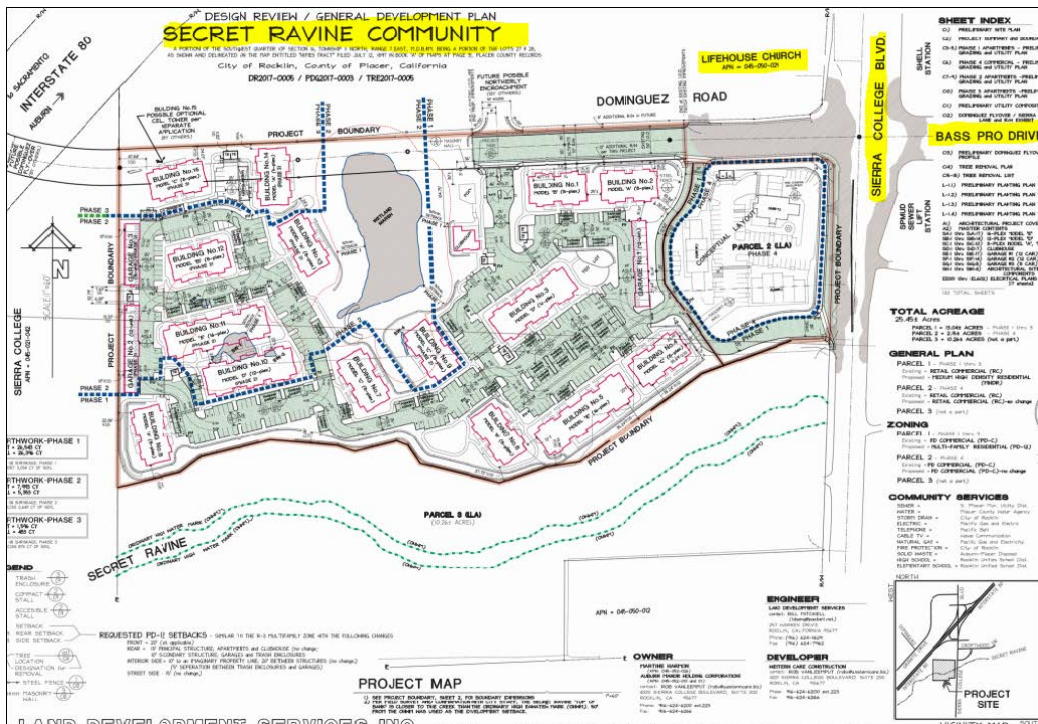
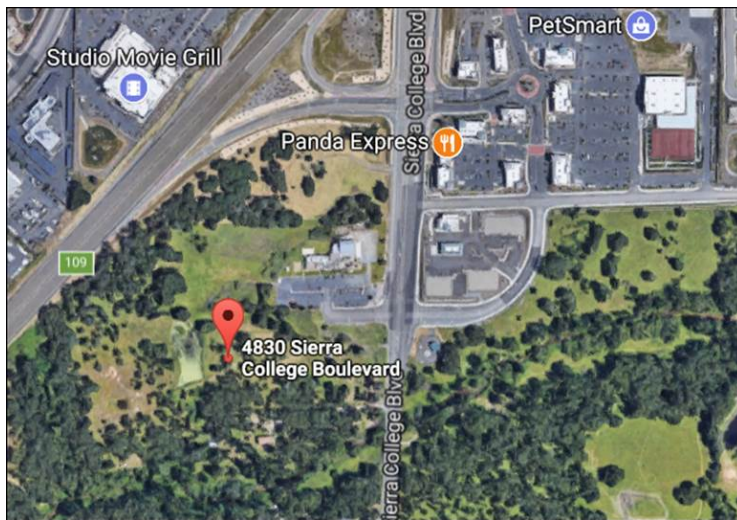
- **Pending Final Approval**
- <http://www.rocklin.ca.us/post/sierra-gateway-apartments>
- 195-unit (3-story) apartment complex
- S/W corner of Sierra College Boulevard and Rocklin Road
- 10 acres
- **1,305 daily vehicle trips generated onto Sierra College Blvd./Rocklin Road** (195 dwelling units X 6.69 daily trips/dwelling unit for apartments)



## 3. Secret Ravine Community – Residential & Commercial Development

- **Application filed**
- <http://www.rocklin.ca.us/post/secret-ravine-community>
  - i. **Parcel 1: 144-unit apartment complex** (15 two story buildings & clubhouse) on 13.04 acres
  - ii. **Parcel 2: 2.15-acre commercial “Shopping Center” site** (buildings = 13,000 sq.ft.)
  - iii. Parcel 3: 10.26-acre parcel along the Secret Ravine Tributary
- 4830 & 4910 Sierra College Boulevard; APNs: 045-052-010-000, -011, and -026
- 25.45 acres Total
- Creek area sits in 100 year FEMA flood plain
- 963 daily vehicle trips generated for apartment complex (144 dwelling units X 6.69 daily trips/dwelling unit for apartments)
- 555 daily vehicle trips generated for commercial complex (13 x 42.70 vehicle trips per 1,000 sf = 555)
- **1,518 Total Daily Vehicle Trips Generated onto Sierra College Blvd.**





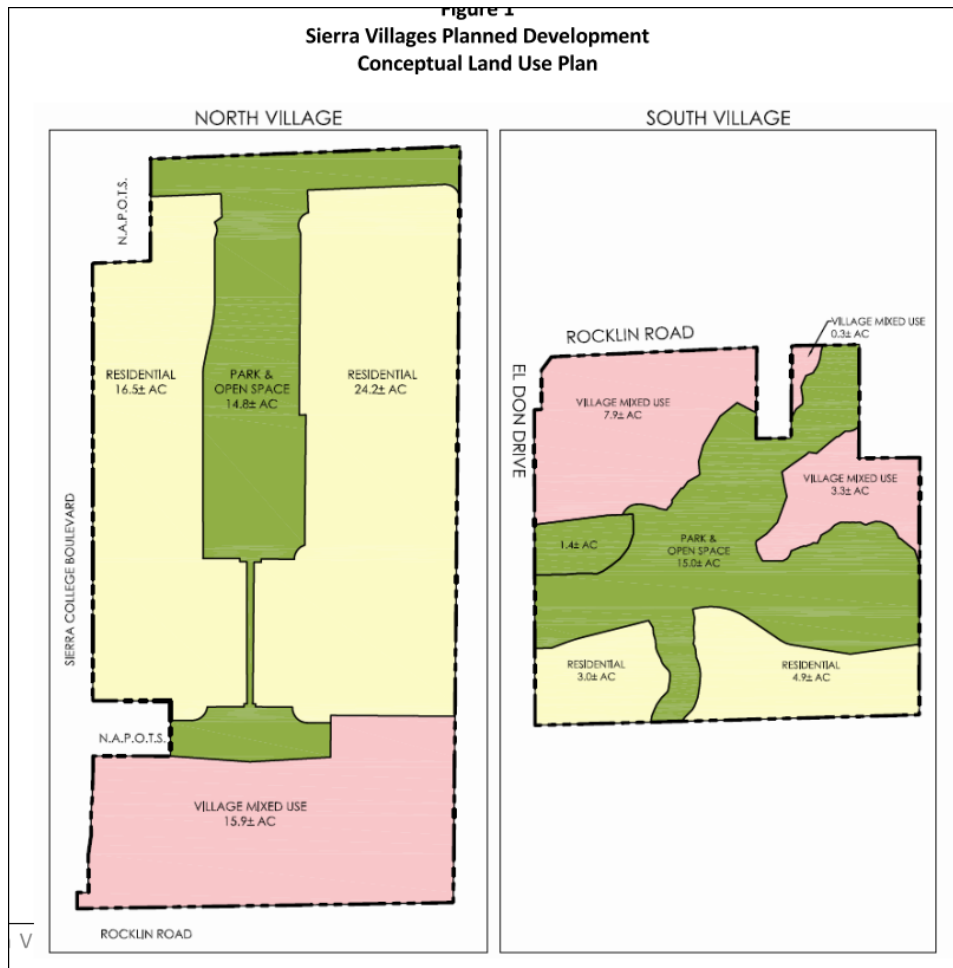
#### 4. Sierra Villages (North) – Residential Development

- “Pending” application (posted on City website)
- <http://www.rocklin.ca.us/post/sierra-villages>
- N/E corner of Sierra College Blvd. and Rocklin Road
- 72 acres
- Approximately 400 homes
- 3,800 daily vehicle trips generated onto Sierra College Blvd./Rocklin Road (400 dwelling units X 9.5 daily trips/dwelling unit for single family)\*
- \*\*Project also includes a Senior Living Facility (unknown # of living units) and proposed commercial development – vehicle trips not calculated for these 2 developments

#### Sierra Villages (South) – Residential Development

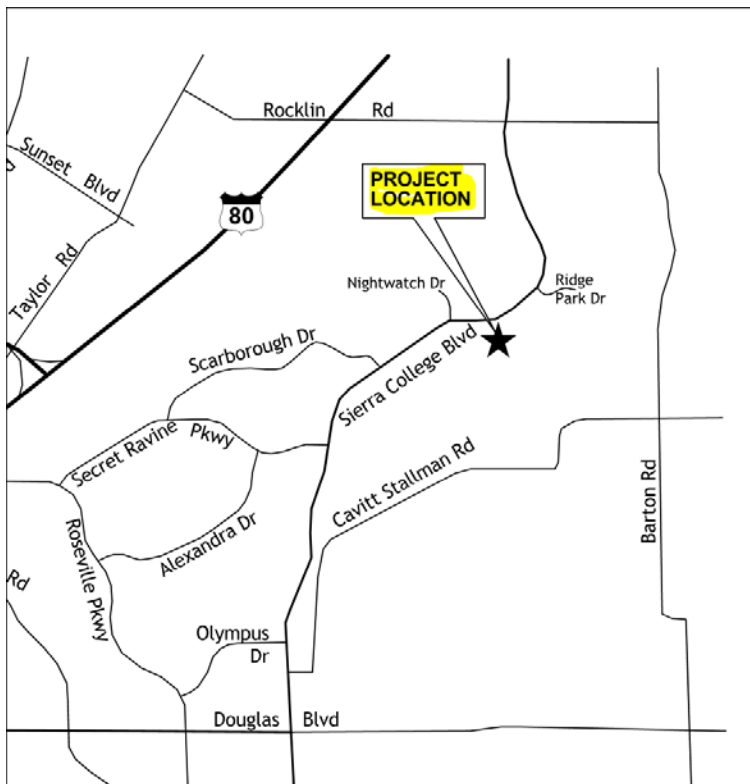
- “Pending” application (posted on City website)

- S/E corner of Rocklin Road and El Don Drive
- 36 acres
- 37 SF homes
- **352 daily vehicle trips generated onto Rocklin Road** (37 dwelling units x 9.5 daily trips/dwelling unit for single family)
- **\*\*Project also includes unknown Mixed Use development on 11+ acres – vehicle trips not calculated for development on this piece on the northern portion of 36 acre property**



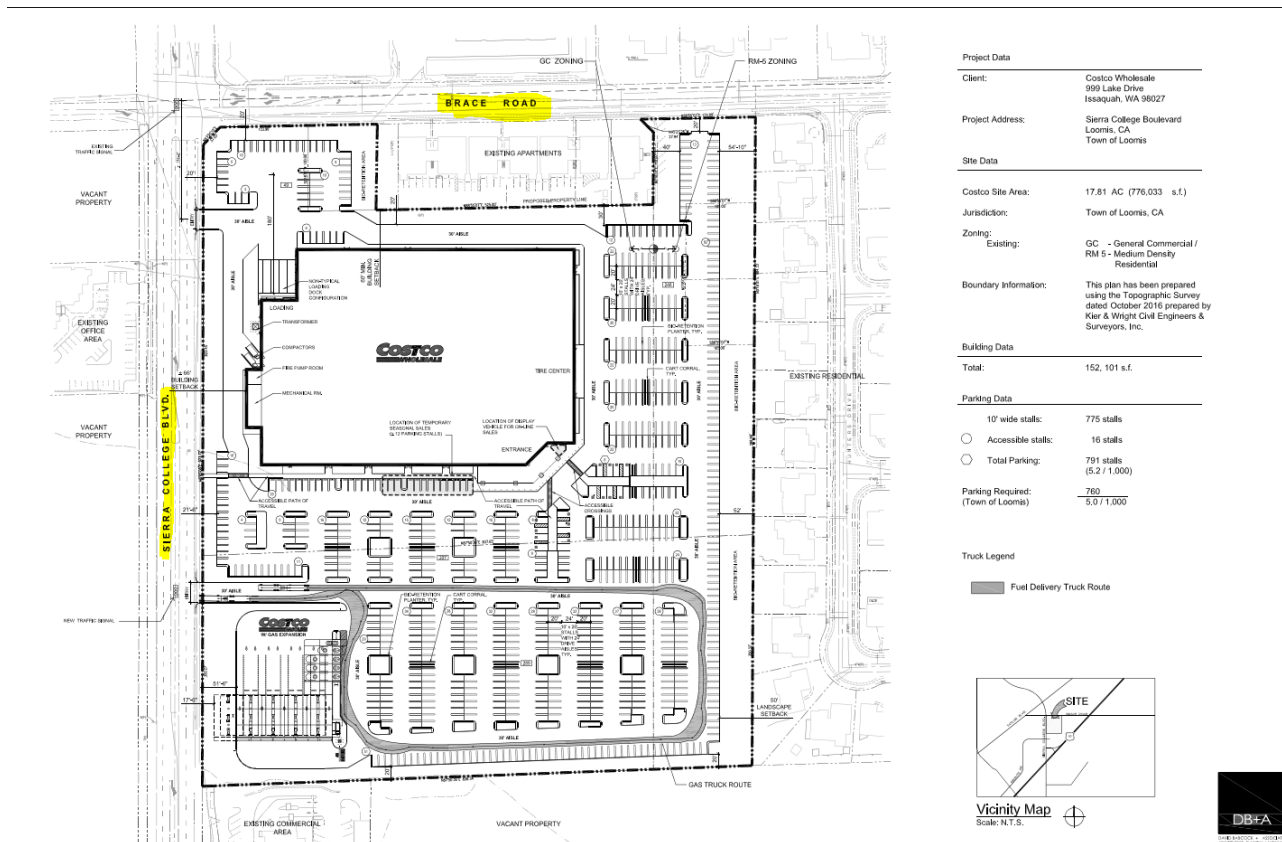
## 5. Amazing Facts Ministry Project – Church (Placer County)

- **Under construction**
- <https://www.placer.ca.gov/departments/communitydevelopment/envcoordsvcs/eir/amazingfacts>
- A top Sierra College Blvd. across the street from Nightwatch Drive
- 74.2 acre project site
- 1,650 seat worship facility and 670 parking spaces (these are the new, reduced #'s)
- 2 buildings: 120,000 sq. ft.
- **1,093 daily vehicle trips generated onto Sierra College Blvd.**
- Church = 9.11 vehicle trips per 1,000 sq. ft. (120 x 9.11), **triples on day of worship**



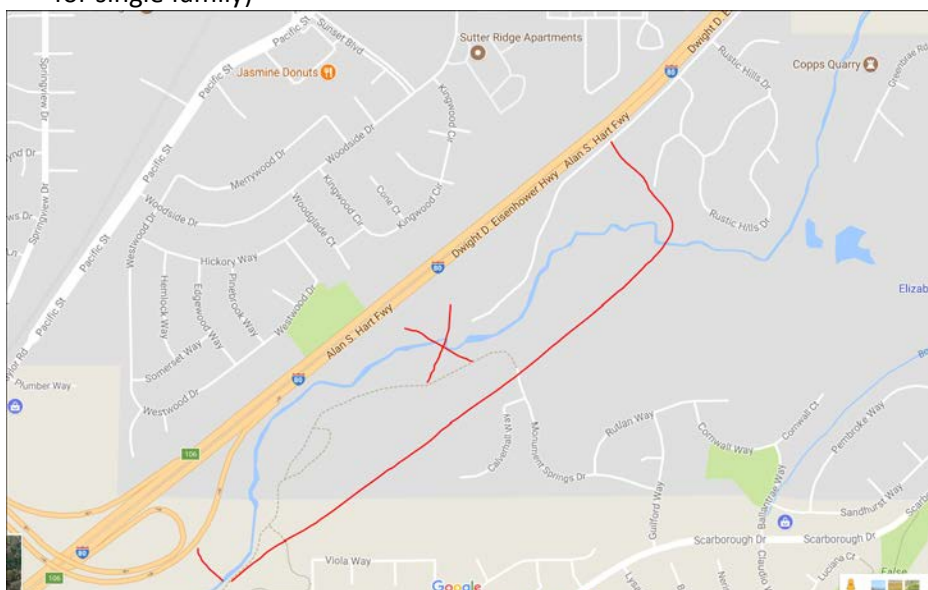
## 6. Costco – Commercial Development (Loomis)

- Pending development
- S/E corner of Sierra College Blvd. and Brace Road
- 17+ acres
- 152,101 sq. ft. building
- 791 Parking spaces
- **6,354 daily vehicle trips generated onto Sierra College Blvd.** ( $152,000 / 1,000 = 152 \times 41.80 = 6,353.6$ )
- Free Standing Discount Store = 57.24 vehicle trips per 1,000 sq. ft.



## 7. Vista Oaks Subdivision & Highlands Parcel A – Residential Development

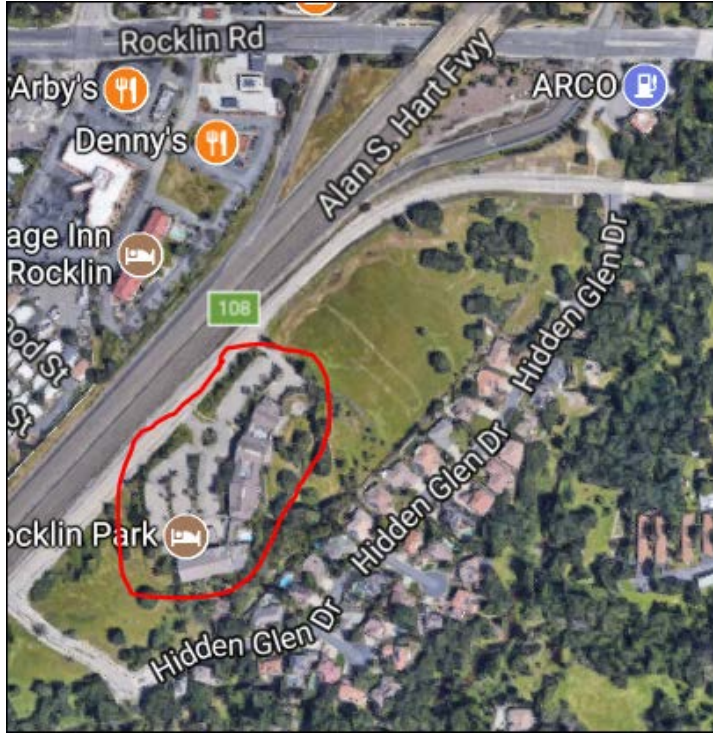
- **Approved in 2006, not built (extension approved 3/28/17)**
- East side of I-80 off end of China Garden Road (The Project sites are located southeast of and adjacent to Interstate 80, between the terminus of China Garden Road and the State Route 65 eastbound off-ramp to eastbound Interstate 80.)
- 123 acres (lots on 29 acres/84 acres open space)
- 120 single family lots
- **1,140 daily vehicle trips generated onto Rocklin Road** (120 dwelling units x 9.5 daily trips/dwelling unit for single family)





## 8. Rocklin Park Senior Living Facility – Residential Development

- [Application filed](#)
- 5450 China Garden Road (old Rocklin Park Hotel and Spa)
- 67 assisted living units (40,000 sq/ft)
- 13 unit/19 bed memory care center (7,000 sq/ft)
- **213 daily vehicle trips generated onto Rocklin Road** ( $80 \text{ beds} \times 2.66 = 213$ )
- Assisted Living = 2.66 vehicle trips per bed



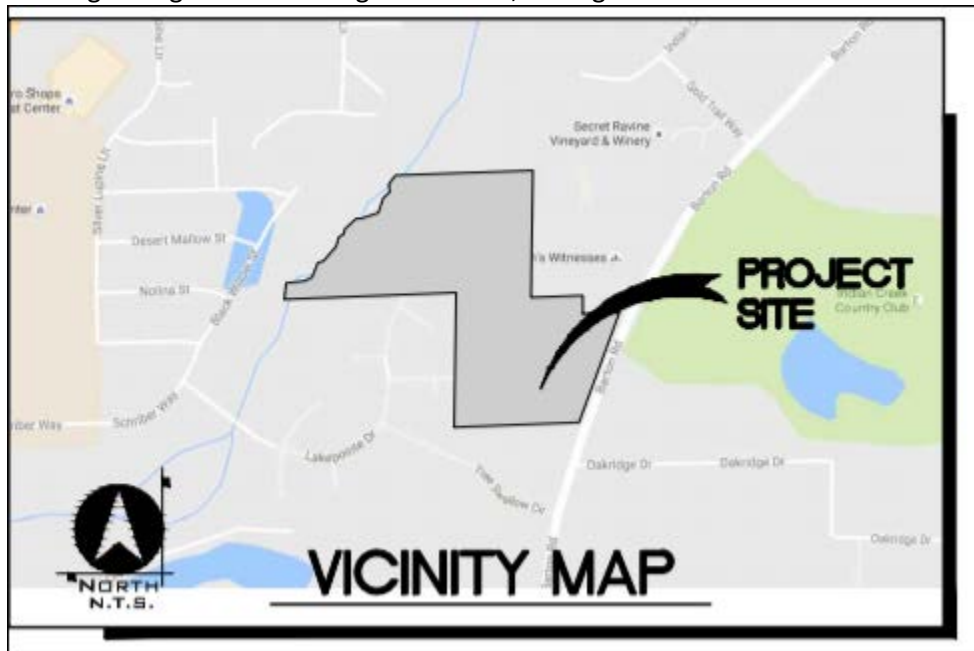
## 9. Oak Vista – Residential Development

- [Approved June 2017](#)
- SW corner of Makabe Ln @ Diaz Ln (behind Bass Pro Shop)
- 13.9-acres
- 63 single- family residential units
- **599 daily vehicle trips generated onto Sierra College Blvd.** ( $63 \text{ houses} \times 9.5$ )

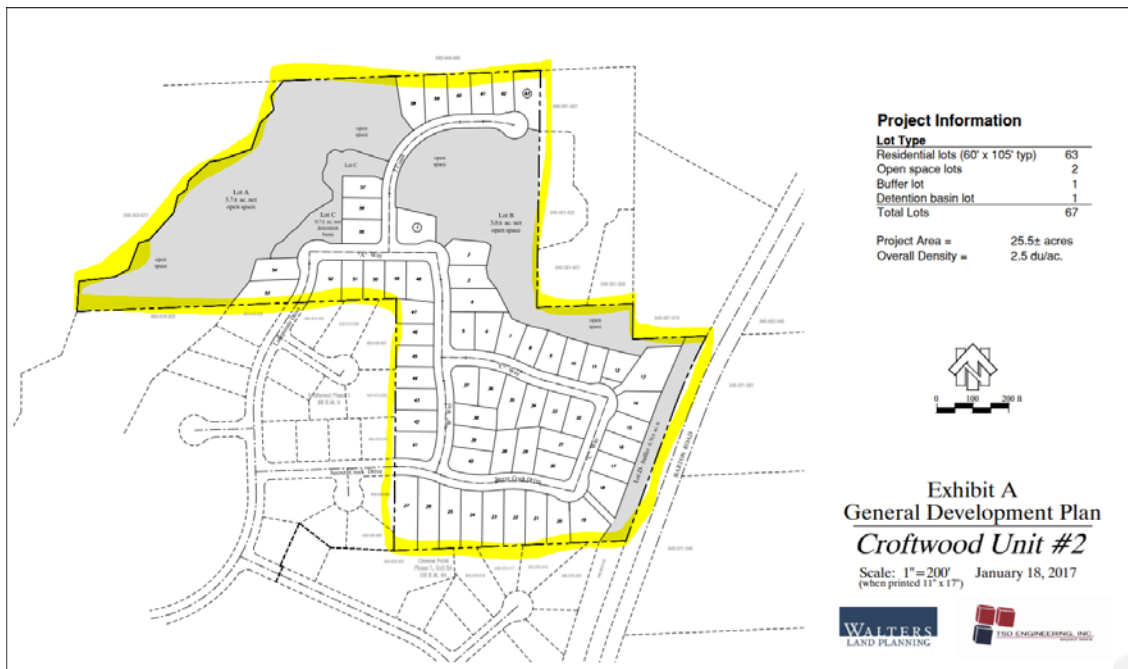
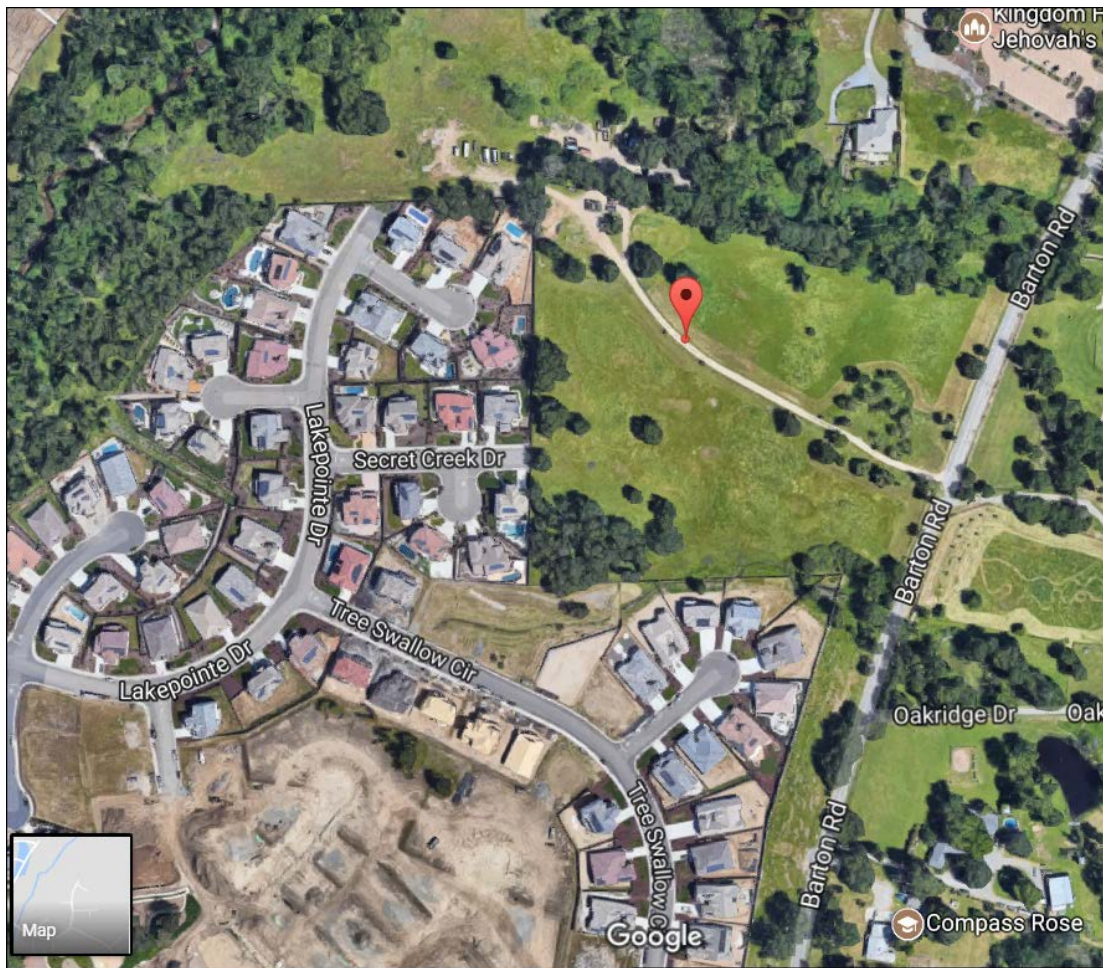


## 10. Croftwood Unit #2 – Residential Development

- **Application filed**
- Located on the west side of Barton Road at the terminus of Lakepointe Drive; 0.8 miles north of Rocklin Rd.
- 25.5 acres
- 63 residential lots
- **599 daily vehicle trips generated onto Sierra College Blvd.** (63 DU x 9.5 = 598.5)
- All proposed circulation systems shall indicate two points of access, each through Croftwood Unit #1, originating at Sierra College Boulevard, through Croftwood Unit #1 to the subject property.







## 11. Indian Creek Tentative parcel Map - Residential Development

- [Application filed](#)
- Terminus of Indian Creek Drive, west of Barton Road and south of Brace Road in S/E Rocklin
- 3 SF Lots
- **29 new daily vehicle trips**

Prepared by Denise Gaddis

Rocklin City Planning Commissioners  
3970 Rocklin Road  
Rocklin, CA 95677

RECEIVED  
NOV 02 2017

Arlene Jamar  
4645 Arrowhead Drive  
Rocklin, CA 95677  
Nov. 2, 2017

Commissioners,

I urge you to **deny** the Sierra Gateway Apartment development. This project is wrong for many reasons.

The proposed Gateway apartments do not fit in this small area across from the Sierra College. The high density, three story tall construction is in opposition to the adjacent neighborhood of single story, large-lot housing. The 198 apartment units will generate approximately 1300 new car trips per day. An exit from the apartments will pass directly into the existing housing development

**Presently, the traffic in this area is already grossly impacted and the remediation of this problem has not been considered in the apartment proposal.**

The proposed Gateway apartments are in a beautiful and fragile area of oak woodlands. Over 300 mature oak trees with average ages of 75-125 years would be destroyed. This is a habitat frequented by wildlife and the area is a corridor for many species to pass through. In addition, the impact on wildlife has been very negative during the months that this area has been fenced.

In violation of City policy, the apartment proposal would cover more than 60% of the building envelope. This development ignores the pollution factors affecting air, noise, light, and dirty water run-off from the huge area of impervious ground. All of these negatives contribute directly to greenhouse gases.

For years, Rocklin City officials (you) have readily approved developments with little consideration of the cumulative effects of the relentless pave-it- for- profit habits. Rocklin City must no longer ignore the negative ramifications for our area, and our neighbors and communities in Loomis and Roseville. Rocklin can't continue to operate in a vacuum. Its development projects are seriously affecting our whole area, our State, and our world as well as its contribution to climate change.

As you consider the Gateway development, consider the ramifications of yet another development that is so detrimental to our area.

These developments include:

1. Granite Bluff - 73 houses on Aguilar Rd.
2. Rocklin Meadows - 23 houses on Aguilar Rd.
3. the continuation of Monument Springs Rd. from Roseville onto Greenbrae Rd.
4. high rise apartments on the corner across from Sierra College
5. on-going development of the area of Sierra College Blvd. and I-80
6. high-density residential construction along Granite Drive
7. Sierra College's sale and proposed development of their "surplus" property

Before you decide on the Gateway development, seriously consider that we value trees, open space, compatible and walkable neighborhoods, bike trails to connect with Roseville's trail system, NO transportation grid-lock, and NOT contributing to climate change. Vote NO on the Gateway project.

Sincerely,

A handwritten signature in cursive script, reading "Arlene Jamar". The signature is fluid and elegant, with a long, sweeping underline that extends to the right.

Arlene Jamar

**Roger D. Smith**  
6755 Wells Avenue  
Loomis, CA 95650  
(916)652-5685  
[rdsmith2009@gmail.com](mailto:rdsmith2009@gmail.com)



November 3, 2017

Planning Commission  
City of Rocklin  
3970 Rocklin Road  
Rocklin, CA 95677

TO: Rocklin Planning Commission

SUBJECT: Sierra Gateway Apartments – Comments on EIR

After reviewing the Final EIR for the Sierra Gateway Apartment project I have the following comments and concerns about its adequacy and conclusions:

**GENERAL PLAN EIR (RELIANCE)**

The EIR relies on the General Plan EIR (2012) and states:

*"The General Plan EIR further recognized that these impacts cannot be reduced to a less than significant level and that build-out of the Rocklin General Plan will change and degrade the existing visual character, will create new sources of light and glare and will contribute to cumulative impacts to scenic vistas, scenic resources, existing visual character and creation of light and glare."* So the many aesthetic impacts cited in the EIR should not have been deemed 'less than significant.' There is a serious contradiction here.

**TRANSPORTATION & TRAFFIC CIRCULATION**

General Conclusion

I do not agree with the findings and conclusions of the EIR re, traffic impacts – both short-term and cumulative long-term.

It's short-sighted and defies common sense for the City to say that imminent large developments like a Costco, Sierra College's 105 acres, the high-density high-rise apartments on Granite Drive, and the Bickford Ranch and Lincoln big developments will not cause severe traffic impacts to some already very busy Rocklin streets. Major city routes like Sierra College Blvd., Rocklin Road, Granite Drive and Taylor Road will become much more congested. To ignore the cumulative traffic effects of these specific major development projects is foolhardy, and will be a black mark for the City as traffic problems arise. Every instance of severe traffic congestion can be cited as an example of poor planning.

Short-Term Traffic Impacts

Traffic impacts to Water Lily Lane were not properly addressed. The City originally demanded an 'Emergency Vehicle Only' designation for this back entrance to the project. The developer has chosen to defy the City's expressed early concerns and make this an "Exit Only" designation. This would result in a regular traffic flow from the SGA apartments onto Water Lily Lane, directly affecting the Hidden Creek residents' only entrance to and from their subdivision to SCB.

Ingress and egress onto Rocklin Rd. from the SGA project entrance, will encounter cues of WB traffic backed up from the light at SCB. These cues are already becoming evident during



morning rush hours, and will only get worse as a result of recent nearby commercial development (e.g., Wal-Mart, Target).

The entrances to Monte Clair and St. Francis Woods developments on Rocklin Rd. will also be affected as traffic on Rocklin Rd. increases due to the multiple developments coming. Back-up of traffic caused by just the SGA project would likely especially affect Monte Claire entrance.

Note: The only proposed roadway improvement by the SGA project is the addition of a right-turn lane from NB SCB onto EB Rocklin Rd..

#### Cumulative Traffic Impacts

The only identified 'significant unavoidable' impacts identified were at I-80 and Rocklin Road. Rocklin Rd. / I-80 EB & WB ramps will have 'significant unavoidable' impact - even without the SC lands development! The only proposed mitigation is to reconstruct interchange. This is out of City control and will be many years off! Other possible design changes are being discussed with Caltrans, but they are also years off.

The "list method" should be used to address cumulative impacts rather than projections from local and regional plans. Since this is a very active development neighborhood, specific foreseeable projects must be included on the list and their impacts quantified. For the cumulative traffic study, the "list" of projects (Table 4.5-11) did also not include traffic effects from some very high-density development projects in the foreseeable future, as described below.

Sierra College's land development (Sierra Villages) was not included in the cumulative traffic analysis because the application was made after the DEIR publish date. Failure to include the development of this huge 105-acres in the Final EIR analysis does not constitute a good faith effort (per CEQA) to reasonably address and include "past, present and probable future" development in the cumulative analysis re. traffic and circulation. SC land development would greatly effect RR/SCB interchange LOS, as well as the RR/ I-80

Also, the proposed Costco development, approx 1 mile from the SGA apartments, was not specifically considered in the cumulative analysis, primarily because it has not yet received formal approval from the Town of Loomis. Because a Costco store is one of the biggest traffic generators known, it must be specially considered as part of the "reasonably foreseeable" future development - especially with regards to traffic impacts.

For the cumulative study, the "list" of projects did also not adequately assess traffic effects from the very high-density development (apartments and homes) on Granite Dr., which are almost complete as of October 2017.

To summarize on traffic concerns, I feel that relying heavily on the General Plan EIR's traffic projections is not valid in that the GP did not foresee the specific, foreseeable development of the Sierra College lands, a Costco, or the very high-density development of the SGA and Granite Dr. apartment projects.

#### **AESTHETICS**

The EIR attempts to make a case that the clear-cutting of 300-plus mature oaks, the leveling a rolling terrain and the construction of nine 3-story buildings next to a residential area, tightly packed onto a highly visible corner of one of the busiest intersections in Rocklin will not have significant aesthetic / visual impacts. This defies common sense. This project violates the spirit and goals of all of Rocklin's ordinances concerned with aesthetics, including:

- Zoning Ordinance,
- Oak Tree Preservation Ordinance,
- Urban Forest management plan and
- Design Review Guidelines.

The EIR does not make a valid case that aesthetics impacts will be 'less than significant'. And the use of paint colors, architecture, privacy walls and decorative landscaping proposed are not adequate mitigation measures for the visual loss and aesthetics of a pristine wooded property.



## **OAK TREES**

The clear-cutting of over 300 mature oaks is considered a fully mitigated impact by virtue of the developer paying fees. This unlimited 'pay-to-cut' concession to developers is not in keeping with the spirit of the City's Oak tree Preservation Ordinance, which emphasizes the preservation of oaks. Common sense would dictate that the clear-cutting of an oak woodland has a severe environmental impact.

The issue of oak tree preservation is also a clearly stated factor in the City's Design Review Code, so clear-cutting can also be rejected on the basis of Design Review.

## **BIOLOGICAL RESOURCES**

The owner placed an illegal chain link construction fence around the property at about the same time they filed their Notice of Preparation (March 23, 2016) for the Draft EIR. The fence has been in place ever since. This meant that their biological studies for the EIR were conducted in a fenced, unnatural condition. These studies then, do not reflect the natural biological condition and value of the property - especially in regard to wildlife habitation

## **ANALYSES OF ALTERNATIVE PROJECT DESIGNS**

Alternatives to the SGA project were supposed to have been considered. The DEIR states, "*The Draft EIR also evaluates a range of project alternatives, including different development intensities for the project site.*" This is a misstatement. Only one alternative was evaluated. Considering the intensity of other development in the vicinity of this project, reasonable alternatives to the project that would reduce impacts were not seriously considered. Possible alternative scenarios for 'down-sizing' the project exist. These alternative designs would reduce impacts - including saving trees and reducing visual intrusion on neighbors - and still meet the "theoretical minimum density of 156 units". Two such alternatives would be:

- Alternative 1: Delete Building 5  
Delete Building s 6 & 7  
Move Buildings 3 and 4 eastward (to increase setback from SCB  
and preserve frontal trees)  
Delete 3<sup>rd</sup> story from Building 9
- Alternative 2: Delete Building 2  
Delete 3<sup>rd</sup> stories from Buildings 5 and 9

## **CONCLUSION**

The SGA project, as designed, has more significant impacts than were identified in the EIR. The EIR should not be approved by the City until these errors are rectified and the unmitigatable impacts are recognized and dealt with.

Sincerely,



Roger Smith

Name	City	State	Postal Code	Country	Signed On
Irene Smith	Loomis	CA	95650	US	12/05/2014
Amber McManus	Roseville	CA	95661	US	12/10/2014
Don Heath	Sacramento	CA	95831	US	12/10/2014
Shana Knott	Loomis	CA	95750	US	12/11/2014
miguel ucovich	Loomis	CA	95650	US	12/11/2014
J Thew	Loomis	CA	95650	US	12/11/2014
Noel Hutton	Sacramento	CA	95831	US	12/11/2014
mare whitman	Sacramento	CA	95822	US	12/11/2014
Linda Otley	Loomis	CA	95750	US	12/11/2014
Meredith Payette	Roseville	CA	95661	US	12/11/2014
carmen gonzalez	Sacramento	CA	95825	US	12/11/2014
Jacob Kuyat	Roseville	CA	95661	US	12/11/2014
Ruth Buller	Sacramento	CA	95817	US	12/12/2014
Monique Cuvelier	Roseville	CA	95661	US	12/12/2014
Roger Smith	Loomis	CA	95650	US	12/12/2014
Caroline Kuyat	Roseville	CA	95661	US	12/14/2014
Dave Davis	Roseville	CA	95747	US	12/14/2014
stephanie davis	Loomis	CA	95650	US	12/15/2014
Valerie Frey	Lincoln	CA	95648	US	12/15/2014
Jamie peters	Loomis	CA	95650	US	12/15/2014
Patricia peters	Loomis	CA	95650	US	12/15/2014
Joan Sanford	Roseville	CA	95661	US	12/15/2014
Jessica alvarado	Sacramento	CA	95835	US	12/15/2014
Amanda Brent	Roseville	CA	95661	US	12/15/2014
Dean Hopkins	Roseville	CA	95661	US	12/15/2014
Bekki Iversen	Roseville	CA	95678	US	12/15/2014
Jill Padilla	Roseville	CA	95661	US	12/15/2014
Christina Carr	Roseville	CA	95747	US	12/15/2014
Lisa Stoddard	Roseville	CA	95747	US	12/15/2014
Michael Ziegler	Roseville	CA	95678	US	12/15/2014
Todd Swayne	Roseville	CA	95747	US	12/16/2014
Sarah Bailey	Loomis	CA	95650	US	12/16/2014
Steve Matthews	Loomis	CA	95650	US	12/16/2014
Cindy Matthews	Loomis	CA	956507925	US	12/16/2014
Rosemary Hallett	Loomis	CA	95650	US	12/16/2014
Linda Taylor	Loomis	CA	95650	US	12/16/2014
Lisa Johnson	Roseville	CA	95678	US	12/16/2014
Daniel kirk	Roseville	CA	95678	US	12/16/2014
Claudia Gutierrez	Sacramento	CA	95831	US	12/16/2014
Sara Willen	Loomis	CA	95650	US	12/17/2014
Kelly Banta	Roseville	CA	95661	US	12/17/2014
Jan Murray	Loomis	CA	95650	US	12/17/2014
Andrea Lovgren	Loomis	CA	95650	US	12/17/2014
Daniell Reeser	Sacramento	CA	95825	US	12/18/2014
Rafael Neiman	Loomis	CA	95650	US	12/18/2014
Julie Elkins	Loomis	CA	95650	US	12/20/2014

Monique Fasquelle	Roseville	CA	95661 US	12/20/2014
Katie Cook	Lincoln	CA	95648 US	12/21/2014
patricia Cruise	Roseville	CA	95747 US	12/21/2014
Brenda Blakesley	Sacramento	CA	95842 US	12/21/2014
Steve Elkins	Loomis	CA	95650 US	12/22/2014
Farhad Burhan	Roseville	CA	95661 US	12/23/2014
Bryan West	Loomis	CA	95650 US	12/28/2014
Brenda Kotecki	Lincoln	CA	95648 US	12/28/2014
Matt Elkins	Loomis	CA	95650 US	12/28/2014
Brett O'Hair	Loomis	CA	95650 US	12/28/2014
Trisha Espinoza	Roseville	CA	95747 US	12/29/2014
Ron Espinoza	Roseville	CA	95747 US	12/29/2014
steven hopkins	Loomis	CA	95650 US	12/29/2014
eddie wheeler	Sacramento	CA	95838 US	12/29/2014
Jennifer Gottlieb	Sacramento	CA	95831 US	12/30/2014
Jeremy Anselmi	Sacramento	CA	95831 US	12/30/2014
Laura Lakovic	Roseville	CA	95661 US	01/03/2015
Sherry Mock	Loomis	CA	95650 US	01/03/2015
Stefanie Valencia	Roseville	CA	95661 US	01/03/2015
Jessica Frame	Roseville	CA	95678 US	01/04/2015
Kayla Ward	Loomis	CA	95650 US	01/23/2015
Heather Chavez	Loomis	CA	95650 US	01/23/2015
Vickie Hayashigatani	Roseville	CA	95661 US	03/01/2015
James Ketcherside	Roseville	CA	95661 US	03/03/2015
Thomas White	Roseville	CA	95678 US	03/03/2015
Jennifer Doupnik	Loomis	CA	95650 US	03/03/2015
Krista Brewer	Loomis	CA	95650 US	03/04/2015
Elizabeth Nguyen	Roseville	CA	95747 US	03/24/2015
Courtney Wills	Loomis	CA	95650 US	03/27/2015
todd krein	Loomis	CA	95650 US	03/28/2015
Amanda Keidel	Lincoln	CA	95648 US	03/29/2015
Lisa Brammer	Loomis	CA	95650 US	04/01/2015
Denali Beard	Sacramento	CA	95826 US	04/08/2015
frank Sharifie	Loomis	CA	95650 US	05/10/2015
Sarah Little	Roseville	CA	95747 US	05/18/2015
Melinda Waszak	Roseville	CA	95661 US	05/20/2015
Aimee Colvin	Roseville	CA	95678 US	07/11/2015
Jesika Moore	Loomis	CA	95650 US	07/25/2015
David Andre	Loomis	CA	95650 US	08/09/2015
Laura Mantei	Sacramento	CA	95838 US	11/16/2015
Phyllis Kellogg	Roseville	CA	95661 US	03/31/2016
Christy Andrade	Loomis	CA	95650 US	03/31/2016
Sadie Becka	Roseville	CA	95747 US	03/31/2016
Joshua Archer	Lincoln	CA	95648 US	11/05/2016
Kathryn Arguedas	Lincoln	CA	95648 US	05/24/2017
Kristi Ghent	Roseville	CA	95678 US	05/24/2017
Barbara Trammell	Roseville	CA	95661 US	05/25/2017

Sarah McGuire	Roseville	CA	95678 US	05/25/2017
Jordan Thompson	Sacramento	CA	95834 US	05/25/2017
Danielle LeBlanc	Roseville	CA	95661 US	05/25/2017
Lisa Clingan	Lincoln	CA	95648 US	05/26/2017
Ashley Haussmann	Roseville	CA	95661 US	05/26/2017
Mary Hasapis	Sacramento	CA	95842 US	05/26/2017
Darlene Jackson	Sacramento	CA	95852 US	05/26/2017
Melody Herman	Roseville	CA	95678 US	05/26/2017
Broc Larsen	Sacramento	CA	95677 US	05/26/2017
Jennifer clark	Lincoln	CA	95648 US	05/27/2017
Elisse Ahern	Lincoln	CA	95648 US	05/27/2017
Rowena Yeseta	Loomis	CA	95650 US	08/16/2017
Lucas Rogers	Sacramento	CA	95835 US	10/27/2017

Name	City	State	Postal Code	Country	Commented Date	Comment
Irene Smith	Loomis	CA	95650	US	12/05/2014	I'm signing because our natural resources are being destroyed at an alarming rate without any apparent regard for their destruction by the City of Rocklin! Plus, the traffic impacts will have a substantial impact on anyone who lives in the surrounding neighborhoods in an already busy intersection!
Teresa George	Rocklin	CA	95677	US	12/10/2014	The City of Rocklin continues to sell off our natural resources to any developer who comes to call. We came to this area for the natural beauty and the safety of our community. This plan will destroy a wildlife habitat and add more traffic to an already dangerous intersection.
Amber McManus	Roseville	CA	95661	US	12/10/2014	I am familiar with the area and believe nature preservation is key.
Erin Talbert	Rocklin	CA	95677	US	12/10/2014	We don't need more traffic, or to lose more of the beauty we live in Rocklin to enjoy.
Gretchen Cantrell	Carmichael	CA	95608	US	12/10/2014	I am signing this because I live in Rocklin, and have had the joy of sitting near Sierra College trying to get home from this area. Also, I thought the Oak Trees were protected in the city limits?
N A	Rocklin	CA	95677	US	12/10/2014	I live very near the proposed location of this project. I and many of my neighbors have experienced a significant uptick in crime, vandalism, and traffic in the past few years. This new project will seriously exacerbate the already existing problem.
Allison Miller	Rocklin	CA	95765	US	12/10/2014	I urge city planners to take their 'blinders off' and recognize the value of a growth of oak trees! What will our community look like when the majority of the established trees have been destroyed and replaced with ?????? Please see the value in these 400 oaks trees. Please.
Lisa Horn	Rocklin	CA	95677	US	12/10/2014	I am increasingly concerned by the way Rocklin City Planners are destroying the natural beauty of this area, by allowing way too much bulldozing and clearcutting to make way for strip malls, big box stores and huge ugly apartment complexes.
james ensslin	Walnut Grc	CA	95690	US	12/10/2014	Save the oaks and animal habitat.
Paul Stoermer	Rocklin	CA	95677	US	12/10/2014	3 apartment complexes in our area is enough. The property would make a beautiful park.
Shana Knott	Loomis	CA	95750	US	12/11/2014	Rocklin developers along with the city planners are turning a beautiful unique area with lovely open areas and woodlands into a typical unimanginative overbuilt city.
Shawna Martinez	Penryn	CA	95663	US	12/11/2014	I am signing because I am concerned about the significant amount of oak woodland being lost in the Rocklin City limites because of ill-conceived housing developments.
stuart vickers	Milton Key	ENG	MK4 2JF	UK	12/11/2014	I care about the natural environment
Christopher Noia	Granite Bay	CA	95746	US	12/11/2014	Enough has been built in this naturally beautiful area of northern california. The traffic is bad and the water shortage is even worse! Yet, nee housing complexes are constantly going up around the area. Our wildlife is being destroyed nobody, it seems, really cares. Leave this already built up area alone!
Malorii Smith	boulder	CO	80304	US	12/11/2014	I like trees.
Nick Cecchi	Rocklin	CA	95765	US	12/11/2014	I grew up in Rocklin and I know how important every oak tree and acre of open space truly is. The untapped land is what makes the air breathable, the eyes relax, and a desirable place to live. Older cities have turned to dust in the valley when they forget the very foundation of what made them attractive to begin with.
Jacob Kuyat	Roseville	CA	95661	US	12/11/2014	There are plenty of apartment homes in the area. This would devalue the surrounding neighborhoods.
Heidi Schuman	Rocklin	CA	95677	US	12/12/2014	I'm signing this petition because this beautiful area is practically in my backyard. I have enjoyed many wildlife sightings in this area of owls, Hawks and even deer. Keeping it natural is my primary concern, but I also don't want the increased traffic that would be involved and issues I have had to deal with when it comes to the apartment complex already located close to my home. Keep Rocklin beautiful!
Karin Melampy	Santa Clara	CA	95054	US	12/12/2014	This is a beautiful area next to many homes and should not be sacrificed as many wildlife species are in jepardy.
Linda Vickers	Emerson V	ENG	MK4 2JF	UK	12/12/2014	Signing be cause I am a regular tourist to the foothills and do not want to see all those lovely trees be cut down. Rocklin look for an alternative please.
Roger Smith	Loomis	CA	95650	US	12/12/2014	ThE City of Rocklin must stop their wholesale "pay-to-cut" policy regarding tree removal by developers. The City must also be realistic about the traffic impacts of this development.
Don Schuma n	Rocklin	CA	95677	US	12/14/2014	Protect Rocklin's natural oaks and wildlife refuges and don't add to Sierra College traffic.
Hunter Greene	Granite Bay	CA	95746	US	12/14/2014	We like to ride out bikes there
Laurie Frederick	Rocklin	CA	95677	US	12/14/2014	There's got to be a better design for this.
Dave Davis	Roseville	CA	95747	US	12/14/2014	This will add congestion & lower property values.
Shawna Duval	Olivehurst	CA	95961	US	12/15/2014	We need to stop building homes/apartments and actually occupy the vacant homes/apartments!
Joan Sanford	Roseville	CA	95661	US	12/15/2014	don't destroy these beautiful trees! They can't be replaced.
Tami Montero	Rocklin	CA	95677	US	12/15/2014	I have grown up in this area and these need to stay beautiful to retain some of the draw to Rocklin. It's was such a beautiful city before all of the deveolpment went over board. Please keep at least this area still wild for the animals and beauty.

Karensa white	Rocklin	CA	95677	US	12/15/2014	I live next to where this construction would take place. This is one of the few nature areas left and we need to preserve it. I don't want increased crime or traffic.
Amanda Brent	Roseville	CA	95661	US	12/15/2014	Placer County is home home - please don't destroy these beautiful and necessary oak trees!
Rebecca Parker	Poulsbo	WA	98370	US	12/15/2014	The current housing development will see a drop in property value. Also, The trees create a much needed area of for wildlife in a growing city.
Bekki Iversen	Roseville	CA	95678	US	12/15/2014	I value neighborhoods with plenty of natural resources nearby. It's also important to not destroy the habitats of critters that live there. I love oak trees too! True natural beauties!
angel ramos	dublin	CA	94568	US	12/15/2014	my cousin lives there and I don't think there should be any more development on such beautiful land. stop taking our trees away, wild life lives there, stop killing the earth.
DeAnna Townley	Rocklin	CA	95677	US	12/15/2014	No more apartments!!
Nicole Meenan	Grass Valle	CA	95949	US	12/15/2014	We do not have a housing shortage in this area. There is no need to destroy a green space for more apartments.
Chris Pattetson	Granite Bay	CA	95746	US	12/15/2014	We need to preserve native trees and open space!
Lisa Stoddard	Roseville	CA	95747	US	12/15/2014	I am concerned with the safety of college students and car congestion with a new neighborhood and extra cars.
Sue Conrad	Campbell	CA	95008	US	12/15/2014	Many animals live in the oak meadow and they will be displaced and probably killed by traffic.
Michael Ziegler	Roseville	CA	95678	US	12/15/2014	An apartment complex of that size would compound an existing traffic problem that already exists on Rocklin Road with the college. This would have a significat negative impact on our quality of life.
Sarah Bailey	Loomis	CA	95650	US	12/16/2014	I live close to this corner and I care about preserving our land.
Steve Matthews	Loomis	CA	95650	US	12/16/2014	I don't believe that corner is suited for another apartment complex. There are already 3 major complexes on the same block.
Jennifer Campagna	Rocklin	CA	95677	US	12/16/2014	I don't want to see natural habitat destroyed for a bunch of apartments that will bring more traffic and pollution to our region
Jeanne Pugh	Santa Rosa	CA	95401	US	12/16/2014	I am a supporter of open space and keeping traffic less congested.
Cassey Elliott	Rocklin	CA	95677	US	12/16/2014	i live on water lily and would hate to see that beautiful piece of land turned into more housing.
Linda Taylor	Loomis	CA	95650	US	12/16/2014	The intersection of Sierra College and Rocklin Road is already operating at maximum capacity during traffic times. There are so many vehicles traveling to and from the college itself, that I cannot imagine adding high density housing to the already overwhelmed infrastructure.
Susan Hoppe	Rocklin	CA	95677	US	12/16/2014	I will be directly affected by the loss of the beautiful wooded area, and 400 trees and wildlife!! Will be impacted immensely by 400 cars exiting onto Sierra College Blvd, and Rocklin Rd during peak hours! Creating the worst kind of traffic jams!! Having all of these apts , 3 stories worth of high density horrible apts, in place of the beautiful wooded 10 acres . Affecting the only narrow road in and out of our housing development. These developers want to use Water Lily as part of there entrance and exit to their horrible project. This is a group from So Cal, this is what they want to create up here! We don't live in SoCal, why would the city planners of Rocklin, want to turn our beautiful city, into cement jungle with high density traffic and creating safety issues for all of us and our children? One has to ask themselves, is Rocklin's goal to grow the mitigation fund at the expense of the tax paying residents of Rocklin? Going against everything that the people of Rocklin have believed in . A few weeks ag
Lisa Johnson	Roseville	CA	95678	US	12/16/2014	i work in that part of Rocklin. It's so sad that anyone would allow that beautiful grove of trees and animal homes to be destroyed.
Gary Lane	Rocklin	CA	95677	US	12/16/2014	I don't believe building an apartment building at the location in question is in the best interest of the neighborhood.
Jennifer Mcgovern	Rocklin	CA	95677	US	12/16/2014	Please preserve our trees and natural beauty! These trees are part of the reason we bought our home, we love the nature area and thought Rocklin did too. Our quality of life will diminish with added asphalt and buildings as the pollution and crime increases. These trees benefit everyone in Rocklin, acting as natural buffers against pollution while maintaining habitat for our precious wildlife! Please save our trees and our health!
Michael Caron	Rocklin	CA	95677	US	12/16/2014	This is NOT what Rocklin is all about. We are not open to see how many residents we can jamb into a single spot.Keep Rocklin a little more personal than this.
Kim Kline	Rocklin	CA	95677	US	12/16/2014	Rocklin can so so much more with this precious parcel of land. This plan has not been well thought through!
Rory O'Farrell	Truckee	CA	96161	US	12/16/2014	I am a neighbor of the lot in question, and I must oppose the plan to wipe out this gorgeous grove of native oaks, and further damage the watershed and the adjoining creek. The additonal traffic, noise and potential increase in security problems in the area are further reasons to cancel this project.
Kathleen Walker	Rocklin	CA	95677	US	12/17/2014	Please stop cutting Rocklin's beautiful trees down. We have enough apartments, houses, and condos. This project will increase air pollution, auto and pedestrian accidents. Rocklin will stop being a desirable place to live.
Stephanie Davis	Rocklin	CA	95677	US	12/17/2014	The proposed building site is a gorgeous native oak tree grove to over 400 trees with lots of wildlife. There are plenty of other spots right down the road with no trees and nothing but weeds that can have apartments built on it. Furthermore, this will add too much traffic to the nearby area and there isn't the road infrastructure to support it. Please don't build here and bring more traffic, crime, lower property values and we want to save our beautiful oaks!
Aidan O'Farrell	Rocklin	CA	95677	US	12/17/2014	I live near this proposed build and do not agree with destroying the only trees left in the area.



Leslie Schuman	Rocklin	CA	95677	US	12/17/2014	I'm signing this petition because I want to preserve the beauty of the trees, the homes of the animals that live there and the peace for the residents in the adjacent neighborhood. The traffic at that corner is already a problem for people who commute through that area!
Homa Rostami	Rocklin	CA	95677	US	12/17/2014	I Want to keep Rocklin beautiful and natural.
Andrea Lovgren	Loomis	CA	95650	US	12/17/2014	I have lived in St. Francis Woods for 20+ years and have seen a marked increase in crime in the area and more specifically in our neighborhood as high-density developments have been allowed on Sierra College Blvd. and Rocklin Road. We do not need any more high-density developments in our area. We do not need the increase in traffic. The Sierra College and Rocklin Rd. intersection is already very dangerous as there are numerous accidents at the intersection every year. Adding the traffic burden of a 195-apartment complex will too much of a burden for the intersection and add even a higher level of danger to the existing residents exposing us to more traffic and a higher level of crime. Please do not let this happen!
Indiana Womack	Sacramento	CA	95842	US	12/18/2014	I believe this is a crime against the community and the environment.
Daniell Reeser	Sacramento	CA	95825	US	12/18/2014	I lived in Rocklin for two years prior to this one, and have considered becoming a permanent resident after I graduate from CSUS. This development would be on the heels of the recent Walmart/Target highway area developments, and would alter the natural beauty of the neighborhood's open space. This area serves as a bridge between the Sierra Nevada region, and the metropolitan Roseville area. Overdeveloped areas will lose appeal to families who desire a natural setting.
Alisa Johnson	Grass Valle	CA	95949	US	12/18/2014	That corner does not need another apartment complex.
Angela Rutledge	Penryn	CA	95663	US	12/18/2014	The oaks are beautiful and should not be cut down.
Amanda womack	Camden	TN	38320	US	12/18/2014	It is unacceptable to cut down these trees!
maria murphy	South Glen	NY	12803	US	12/18/2014	I have a family whom I love very much that are worried for the safety of children, the community and the beautiful trees and wildlife they chose to live near. It would be torn down.
J Feather	Auburn	CA	95603	US	12/18/2014	I commute past this location daily.
Connor O'Farrell	Clemson	SC	95677	US	12/20/2014	Brookfield circle has already seen a dramatic increase in crime in the past several months. This proposal would only increase these occurrences as more people would be coming in and out of the area with no neighborhood recognition. Also, the corner is a beautiful natural setting in a city who's history relies on just that- it's natural features! To cut down so many historic oaks is akin to the city planner turning his back on Rocklin's residents, both past, present, and future.
Cammie Sahyoun	Rocklin	CA	95677	US	12/20/2014	I feel that the corner if Sierra College and Rocklin Road should be left for wild life. There is already so much congestion and do not need more growth in that area.
Najib Sahyoun	Rocklin	CA	95677	US	12/20/2014	We need parks in Rocklin, NOT more apartments. What ever happened to preserving a town and not making it metropolitan. Please don't do this. Please
Monique Fasquelle	Roseville	CA	95661	US	12/20/2014	We need more green, open spaces not more buildings!!!
Sara Fisk	Pollock Pin	CA	95726	US	12/21/2014	This corner is the only beautiful corner in the immediate area. It enhances the value of all around it. No flattening, clearcutting or crowding please. Protect the habitat for the oaks and wildlife. And protect the beauty of the area.
Melissa knudsen	Alta	CA	95701	US	12/21/2014	i drive by here everyday on my way to work and I don't want it ruined!
Steve Elkins	Loomis	CA	95650	US	12/22/2014	I live in Loomis very close to this area. I would be very disappointed if Rocklin would allow another developer to come in and tear down this nature area. The apartment complex would bring too much congestion to this area that I drive daily.
Anayat Sharifie	Rocklin	CA	95677	US	12/23/2014	I would like to protect the native trees in Rocklin. We loose too many native trees to urban development. Please stop.
Robert Kassis	Rocklin	CA	95677	US	12/23/2014	Please save the Oaks and all that lives within this natural and needed habitat.
Justin Arellano	Rocklin	CA	95677	US	12/26/2014	This is not ok!!!!
Edward Sahyoun	Rocklin	CA	95677	US	12/28/2014	I believe in the economy always improving. It's great that someone wants to provide low income housing for all people. BUT to do it in a manner where you have to tear down 10 acres of oak trees and increase traffic, with congestion. NOT COOL. there are other locations available. Please find it
Desiree turner	Rocklin	CA	95677	US	12/28/2014	I bought my home off Sierra College so I did not have to deal with traffic. This will go against everything I bought my home for!
Mo Ruiz	Rocklin	CA	95677	US	12/28/2014	I don't want more beautiful land destroyed for more housing...
Matt Elkins	Loomis	CA	95650	US	12/28/2014	I have lived near the Loomis Rocklin border my entire life and have always loved that the area has remained rural and natural. Also the fact that they will be tearing down 400 oak trees and leveling the natural rolling hills is wrong. As a Loomis resident it would be greatly appreciated if the developer could change locations for this massive project or even move it to another location.
Brenda Hyde	Rocklin	CA	95677	US	12/28/2014	The instability of ever changing residents in our community is NOT appealing!
Melanie O'Donnell	Rocklin	CA	95765	US	12/28/2014	Enough with the building already! Not every available piece of land needs to have homes or businesses on it. Rocklin has become so congested.
Trish Espinoza	Roseville	CA	95747	US	12/29/2014	I'm a tree hugger
Dolores huxley	Fresno	CA	93720	US	12/29/2014	we need to save our lands, trees and our wild animals that inhabit the land.
melissa olson	Rocklin	CA	95677	US	12/29/2014	There is no need to take down trees

Erin azarfahimi	Rocklin	CA	95677	US	12/29/2014	im sick of slapping houses in every nook and cranny in every town destroying what little left of nature and beauty of living in what used to be a small town was all about!!! Every field now is build some stupid apartment town homes destroying the peace of Rocklin!! Knock it off build more crap in your own town I dont live here to feel like I'm in LA!!!!
Noelle Tawney	Roseville	CA	95678	US	12/29/2014	There is too much building happening and we do not have the infrastructure to support it.
Steve Schoer	Rocklin	CA	95677	US	12/29/2014	This is right outside my neighborhood. I just bought my house in May. This is BS.
Amreen Keval	Rocklin	CA	95677	US	12/29/2014	I live in the area and I object because of the congestion it will cause and it will destroy the natural habitat of many of the wild animals and birds that live in that forest of beautiful oak trees
Yolanda Hensley	Rocklin	CA	95765	US	12/29/2014	I drive through this area often and love all the greenbelts. We do not need more housing here! Please keep it green!
Rochelle Foss	Rocklin	CA	95677	US	12/29/2014	Leave nature alone! There are plenty of housing and not enough beautiful trees to enjoy.
mark hopkins	Loomis	CA	95650	US	12/29/2014	I am a loomis resident And have watched the crime rate rise in the past 2 years. Nor did I agree with the cutting down of all the oak trees for the Target shopping center.
Kathy Phelan	Rocklin	CA	95677	US	12/29/2014	Too much of the natural beauty of Rocklin has been destroyed due to development. We need to preserve what is left.
zachary robertson	Rocklin	CA	95677	US	12/29/2014	We don't need to over-populate rocklin rd. Oak trees make me feel good.
Brian Greene	Rocklin	CA	95765	US	12/29/2014	We need a change in the city management. Development at any cost seems to be Horst's motto.
Megan Oldenbuger	Rocklin	CA	95677	US	12/29/2014	I don't want commercial development or additional residential development on this plot of land.
Eugenia Greene	Rocklin	CA	95765	US	12/30/2014	There must be a way to save more trees. What a waste of beautiful trees this development will be! Is it really necessary to have more development?? Let's save the open space instead.
Karen Perez	Rocklin	CA	95677	US	12/30/2014	Rocklin needs to preserve the natural beauty of the city.
Harj Chima	Rocklin	CA	95765	US	12/31/2014	ive been through this before and didn't like what it did to the neighborhood. Moved to Rocklin to get away from this type of development.
Dan Murphy	Rocklin	CA	95677	US	01/02/2015	There is already too much housing in this area.
Pamela O'Malley	Rocklin	CA	95677	US	01/02/2015	We have been homeowners in this neighborhood for 18 years. I have watched neighbors relocate just due to the traffic caused by Sierra College school.This project will cause an excessive amount of traffic, increase in crime, removal of the rural setting that originally brought us to Rocklin and the potential smog that will be caused by the increase in vehicles. It already is nearly impossible to make a quick trip to the grocery store due to the Sierra College school traffic. I work in the building industry and understand the importance of new developments. However, I am completely against this project being build on the corner of Sierra College and Rocklin Road!
Michelle Chervenick	San Leandr	CA	94577	US	01/03/2015	Development like this would not only kill trees but home values as well
Sierra Alejandrez	Rocklin	CA	95677	US	01/03/2015	I am extremely against the building of the Section 8 apartments.
Jessica LoCicero	Rocklin	CA	95677	US	01/03/2015	I love around the corner. We don't need more apartments.
Laura Lakovic	Roseville	CA	95661	US	01/03/2015	Sierra college doesn't need anymore traffic. Go build these apts elsewhere.
Sherry Mock	Loomis	CA	95650	US	01/03/2015	I hate that they have to plan houses, stores etc on every available acreage. Tear down old oak trees. Adding more cars to an already congested area.
Stefanie Valencia	Roseville	CA	95661	US	01/03/2015	i love the natural landscape of the area I live in. Roseville, rocklin, loomis, Lincoln and other surrounding areas have grown so much in the 31 years I have lived here, and I'm sad to watch the open space dwindle. My kids will never know the peacefulness and beauty of the terrain if development continues to destroy those beautiful natural areas.
lizzie smith	Citrus Heig	CA	95621	US	01/03/2015	While I dont live in rocklin, I grew up in granite bay and have watched it go from the safest rural neighborhood with an abundance of trees and fields to an overpopulated small city that is no longer your safest neighborhood. Just because theres open land doesnt mean we have to build on it. Its ok to have trees between houses and hills in our backyards. If my family could afford to live in a neighborhood like rocklin we would but we dont and thats how it should be. Apts would ruin it.
Jane Hanner	Rocklin	CA	95677	US	01/03/2015	Save the environment !
Andre Hopp	Rocklin	CA	95677	US	01/06/2015	I oppose the additional cars and traffic.
Trudy Van Dyk	Rocklin	CA	95677	US	01/06/2015	My neighborhood would be adversely impacted by this type of development. Too much traffic and college kids trash the neighborhood already. This would increase crime as well. An eye sore for Rocklin. We can't destroy these trees for the sake of an apartment complex. There are plenty of apartment complexes in this area already.
Ralph Duff	Rocklin	CA	95677	US	01/10/2015	I live near the location and I can't imagine the amount of traffic this will bring to my area and the congestion.
Jeanne Duff	Rocklin	CA	95677	US	01/10/2015	I'm signing this because we don't need more apartments which will bring more traffic and crime.
Christina Jung	Newcastle	CA	95658	US	01/22/2015	Keep nature to be nature and do not destroy beautiful neighbor
Kimberly Kossow	Rocklin	CA	95765	US	01/23/2015	I am a resident and our schools are already overcrowded and crime rate up. Also this will destroy Rocklins natural beauty
Heather Chavez	Loomis	CA	95650	US	01/23/2015	We can barely get on the freeway as it is. Way over populated. What a ridiculous venture.

Eric Fleming	Foresthill	CA	95631	US	01/23/2015	Rocklin does need to become the next roseville. The trees need to stay so he will need to find a way to build around them
Chester Zajac	Rocklin	CA	95677	US	01/27/2015	Learn from other areas in California. Do not over develop. We of Rocklin want open space preserved. Save our older oak trees where they serve as buffers to existing development. Mitigation planting do not create an oak land feeling for the area. Can Rocklin not require smart planning from developers!!!
Alyssa collins	Rocklin	CA	95677	US	02/10/2015	dont want to loose any more trees
Sherri Runge	Rocklin	CA	95677	US	02/14/2015	I don't want to see the beautiful oak trees destroyed. And I believe that this housing would increase traffic and decrease the value of my home
Richard Gurkin	Rocklin	CA	95677	US	02/19/2015	It is a beautiful area with hundreds of oak trees. make it a park!
lynn gurkin	Raleigh	NC	27610	US	02/19/2015	My family lives there with their two beautiful children. I am sure there are other families that want to raise their family in open spaces ,maybe a park . God made this for us to enjoy . Not to be destroyed . Think about it .It would be so beautiful to make it a park where families could spend quality time together . We took a large portion of land here where I live and they are making the most beautiful city for all to enjoy .Why should one person be allowed to touch so many lives.God made this to be enjoyed . Don't destroy it . Think about it .
Robert Columbro	Rocklin	CA	95677	US	02/20/2015	I'm concerned about the environmental impact, and the increased traffic and why such a development is needed in Rocklin CA
Dan Morasci	Rocklin	CA	95677	US	02/26/2015	I do not want apartments built there.
Sean Oswald	Rocklin	CA	95677	US	02/27/2015	It is my desire to retain the sense of small community and rural feeling in west Rocklin.
Denise Gaddis	Rocklin	CA	95677	US	02/27/2015	We already have two high density apartments near this intersection.
Robin Stegen	Rocklin	CA	95677	US	02/28/2015	2012 was the turning point for Rocklin, according to a city official. Developments like this are likely to happen anywhere in Rocklin without notice to "us", the tax payers. Rocklin needs to be transparent BEFORE a project is approved!
Luke Geisler	Rocklin	CA	95677	US	02/28/2015	It's time to stop the City of Rocklin's pro development policies and return City Government to serve the people!
Stacie Ardoin	Rocklin	CA	95765	US	03/01/2015	Traffic in that area (Rocklin Rd. between I-80 and Sierra College Blvd.) is already abysmal during morning and afternoon commute times.
Gayle Spangler	Rocklin	CA	95677	US	03/01/2015	I am signing because I value our trees as natural resources.
Lynda George	Auburn	CA	95603	US	03/02/2015	my grandson and granddaughter live in the Rocklin area off Sierra College Blvd. we explore the area where the buildings will be built. Destroying the 400 trees is reason enough to not build but the most important thing will be the added cars on the road. on an overcrowded road.
Richard Smith	Auburn	CA	95603	US	03/02/2015	I don't want to see a beautiful green space taken for housing. Also it will increase traffic in an area already that has heavy traffic.
Madeline McGovern	Rocklin	CA	95677	US	03/03/2015	I am worried about the crime in the neighborhood.
Jim MCGovern	Rocklin	CA	95677	US	03/03/2015	preserve the wetlands and native trees for the health of our ecosystems and community!
James Ketcherside	Roseville	CA	95661	US	03/03/2015	This is a natural treed area that has great wetlands as well as heritage oaks on it, there are plenty of untried bare land in Rocklin that would be better suited than cutting down and destroying this land. Rocklin should be ashamed of themselves.
Troy Vera	Rocklin	CA	95677	US	03/03/2015	I love the old growth trees around our area. They support local wildlife and provide beauty and a undeniable reminder that not everything needs to be paved over just to turn a profit. The area has PLENTY of undeveloped land with no negative impact to forests within a 2 mile radius.
Krista Brewer	Loomis	CA	95650	US	03/04/2015	I live near here and there is already too much traffic at this intersection and not enough trees!
Geremia Frank	Rocklin	CA	95677	US	03/04/2015	Our City's Natural Heritage is being systematically eliminated due to development pressures and City acquiescence/complicity!
Phyllis Zerrudo	Rocklin	CA	95677	US	03/07/2015	The development will cause intolerable traffic congestion and an even more dangerous intersection as well as negatively impact the environment with the congestion and the destruction of valuable, irreplaceable mature oak trees.
Alicia Cukjati	Rocklin	CA	95677	US	03/09/2015	Rocklin neighbors...please read and sign this petition, if interested. It's too close to home!
Kenneth Miller	Lake Zurich IL		60047	US	03/09/2015	To stop high density housing
Gail Gurkin	Rocklin	CA	95677	US	03/10/2015	There are many, many children that play in the community, not safe to open Water Lily to traffic. Rocklin road is already congested, big problems if more traffic is added to that. More crime, accidents, and just plain UGLY. Destroy that beautiful corner, shame on you!!!
Deborah Randall	Rocklin	CA	95677	US	03/10/2015	Concerned about the extra traffic and removal and Oak Trees both ruining the atmosphere of the entire area.
Steve townsley	Rocklin	CA	95677	US	03/11/2015	To many cars trees destroyed
Brett Elmont	Rocklin	CA	95677	US	03/11/2015	enough already
Marian Rubino	Sacramento	CA	95758	US	03/15/2015	No more growth in Rocklin!!
Lili Aram-Bost	Rocklin	CA	95677	US	03/24/2015	Stop the cutting of 400 trees and NO to the apartment nightmare
Shannon Martinez	Roseville	CA	95661	US	03/26/2015	I am against the high density housing
Alexis Bowlin	Stockton	CA	95207	US	03/28/2015	We need trees !
brenda alber	Rocklin	CA	95677	US	03/29/2015	Recent development in the area has already decimated hundreds of trees and destroyed wildlife habitat. And as I live around the corner from the proposed developement, I would be greatly impacted by additional traffic
Amanda Keidel	Lincoln	CA	95648	US	03/29/2015	Save our trees!

Kelly O'Brien	Rocklin	CA	95765	US	04/01/2015	I loved here for the small town feel. That feeling has been eroding away with so many new housing developments. I am a real estate appraiser and homes are my livelihood but these choices are ruining our city.
Shelley Jackson	Rocklin	CA	Rocklin	US	04/01/2015	We recently chose to buy a home in Rocklin because of how beautiful the area is and all of the beautiful oak trees. Rocklin road by Sierra College is already a congested area and adding a 3 story apartment complex there would be terrible!! We can barely get out of our neighborhood and on to the freeway as it is, due to all the traffic from the students from Sierra College. Please stop this awful project!
Huntter Lingle	Antelope	CA	95843	US	04/02/2015	We should shave our planet.
Grant Kanada	Rocklin	CA	95677	US	04/05/2015	I don't want to listen to construction next to my house for months
Kristina Cessna	Rocklin	CA	95677	US	04/11/2015	The City of Rocklin needs to learn to manage native habitats and not cut down all of the Oak groves within the City limits. The City also needs to protect the quality of life in Rocklin and prevent over population and traffic problems.
Matt Weatherly	Rocklin	CA	95677	US	04/12/2015	I live in neighborhood
Maddy Sears	Rocklin	CA	95677	US	04/13/2015	I like seeing the trees not apartments
Donna Schudel	Rocklin	CA	95677	US	05/06/2015	I believe the city of Rocklin does what to maintain a quality experience in many ways, 1 being housing. This development will cause significant congestion and decrease park like feel at that intersection. The intersection is surrounded by lots of development already. Thanks, Rocklin, for considering not over building this intersection and not creating a tightness that makes folks who like Rocklin consider leaving. Given the additional development near Walmart and busy roads due to Sierra College, let's choose to not create a highly congested intersection, hundreds of more cars, at Rocklin Rd. and Sierra College Blvd. Thank you.
Christina Snyder	Rocklin	CA	95677	US	05/09/2015	I don't want another apartment complex destroying the value of Rocklin turning it into the Natomas and Elk Grove mess!
Frank Sharifie	Loomis	CA	95650	US	05/10/2015	I am against this high density project.
Dave Kreibom	Rocklin	CA	95677	US	05/10/2015	The project is not a good fit for the neighborhood...the developer has made no effort to appeal to the surroundings with no setback from the street and 3 stories this building will be an eyesore. The police have already confirmed that most of the crime in the area is attributed to the apartments already in the area, this project will only cause the criminal activity to increase. I strongly urge the City Council to more carefully consider the existing population before approving projects that impact our neighborhoods in such a negative way. Rocklin has been and should continue to be a family oriented neighborhood not an investment for developers.
Yevgeniy Yanul	Rocklin	CA	95677	US	05/13/2015	With 3 apartment complexes already near one another, we DO NOT need a 4th. The area is already highly populated with college students and traffic is already heavy as it is. A public city park would be a much better idea than a new apartment complex. We live in the small neighborhood right next to the tree lot and we do not want to see this project happen!
Sarah Little	Roseville	CA	95747	US	05/18/2015	there is plenty of housing
Taylor Sprowl	Rocklin	CA	95765	US	05/18/2015	This beautiful area should be protected!
Melinda Waszak	roseville	CA	95661	US	05/20/2015	There are beautiful Oak trees on that land and building apartments after tearing them down is pointless, leave the land alone.
Tamara Whitelaw	Rocklin	CA	95765	US	06/06/2015	Now that we are living in Rocklin, I do not want it to become like Carmichael, which is overrun with apartments. Besides killing the trees which make Rocklin unique, but the increased traffic and eventually the possibility of more crime. Rocklin does not need to grow. Why not bring more good businesses into the empty spaces.
Carolyn Rider	Rocklin	CA	95677	US	06/06/2015	There is enough development in Rocklin. Keep our open space, keep our oak trees, keep our natural beauty. Keep Rocklin the city we all chose to make our home.
Matthew Mansfield	Rocklin	CA	95765	US	06/07/2015	The City of Rocklin must mitigate "out of the area, big developers." That's the job that has been entrusted to them in which to protect and represent the Community. I respectfully urge Rocklin to do the right thing. At minimum, drop the design to 2 Story buildings and decrease buildings by 4. This will allow more sensible green space and help maintain some shred of local biodiversity.
Yonna Stewart	Rocklin	CA	95677	US	07/20/2015	YONNA STEWART
Jesika Moore	Loomis	CA	95650	US	07/25/2015	Rocklin is becoming disgusting with all of the new buildings. Why not revamp the old empty ones instead, keep Rocklin quaint. I avoid it at all costs, the city had destroyed the beauty. I just love those trees! Hate to see them go.
David Stone	Loomis	CA	95650	US	07/25/2015	I do not want the apartment complex on the corner of Sierra college and Rocklin road. Too much traffic and it lowers my property value.
Mency Buado	Loomis	CA	95650	US	11/05/2015	Save the trees
Gary Grewal	Denver	CO	80202	US	11/12/2015	We need more open space, not traffic and crowds!
Angela Merlino	Rocklin	CA	95677	US	11/16/2015	We use Sierra College and that corner is beautiful with the Oak Trees. Would hate to see that corner with more concrete
Lynn Merrick	Rocklin	CA	95677	US	11/17/2015	I believe the 400 oaks and wildlife habitat should be preserved.
Jim Kalember	Granite Bay	CA	95746	US	11/18/2015	the trees add value to our neighborhood
Krista Flippo	Rocklin	CA	95677	US	11/21/2015	We do not need more traffic in our neighborhood, we already live next to a community college and a bass pro shop, keep the trees!!!

Katie Fernandez	Rocklin	CA	95677	US	03/31/2016	I do not support destroying what we have left of this natural beauty and wildlife. The traffic on sierra college is already bad, and I don't want to look out my front door to see a three story apartment complex!
Kristel Railsback	Brooklyn	NY	11238	US	03/31/2016	I grew up in Rocklin.
Kristina Satchell	Citrus Heig	CA	95610	US	03/31/2016	I grew up in Rocklin right near here and would hate for it to become all buildings. I used to love to explore there when I was a kid.
Shawna Ellefson	Bend	OR	97702	US	03/31/2016	I grew up when my backyard had a creek and hundreds of acres to spend the days adventuring. I do not recognize Rocklinan anymore. We have to save room for childhood explorations and outdoor adventures.
Suzette Charters	San Ramon	CA	94582	US	06/19/2016	Rocklin resident!
Carol Hackbarth	Kings Beach	CA	96143	US	08/31/2016	Rocklin has always had these beautiful trees. That is what this area is about. Keep the trees.
Gary Grewal	Denver	CO	80202	US	04/13/2017	What makes Rocklin great is our open spaces and quality of life. Our trees and open space are crucial to keeping a balanced environment and community feel, not endless development for the sake of short term profit. Once the trees are gone those areas do not come back!
Rocky Mcelveen	Rocklin	CA	95677	US	05/24/2017	I live on foothill traffic is already badSave a few wooded areas
Kali Hetrick	Rocklin	CA	95677	US	05/24/2017	I would like this to be open space/trail. However, I know that is unlikely. Until the Rocklin Road and Sierra College Blvd are expanded (from Secret Ravine to Rocklin Road) I can't support growth on that corner. The traffic is already an issue.
Daniel Morasci	Rocklin	CA	95677	US	05/24/2017	I live near by and do not think the intersection can handle the additional traffic.
Margo Rabin	Rocklin	CA	95677	US	05/24/2017	It is despicable to destroy 400 majestic oak trees. This site is across from the largest parcel to be developed by Sierra College called Sierra Villages. The quality of our lives , destruction of oaks, wildlife massacre, too much traffic makes it totally unacceptable to the folks that live here. WE DO NOT WANT IT
Donna Holmes	Roseville	CA	95678	US	05/24/2017	Stop building in Rocklin and Roseville. The traffic is already horrendous and we need to leave some of the beauty in these two cities.....
Albert Lott	Rocklin	CA	95677	US	05/25/2017	Traffic is already crazy at this location.
Dawn Furlong	Orangevale	CA	95662	US	05/25/2017	I'm signing for the love of oak trees and oxygen!
Sean Patrick	Rocklin	CA	95678	US	05/26/2017	People move to the City of Rocklin to escape the troubles faced by areas of Sacramento and other large metropolitan areas. They also seek a safe, suburban/rural feel in which to raise a family. It appears the current City Council, in their eagerness for growth, have forgotten why Rocklin is desirable. Don't let growth destroy what we have.
Barbara Weiss	Rocklin	CA	95677	US	05/26/2017	How about fixing the current traffic problems before adding to them! And leave the oaks alone.
Mary Hasapis	Sacramento	CA	95842	US	05/26/2017	The destruction of oak trees to add more congestion to the already busy area is ridiculous.
Mariah Mason	Rocklin	CA	95677	US	05/26/2017	Rocklin needs to stop building so much. The traffic is getting horrible and there's too many people here now it's becoming unbearable. Rocklin used to be such a nice place to live.
Laura Oakes	Lincoln	CA	95648	US	05/26/2017	We need to save our oak forests, and decrease population. We don't have enough first response resources, we don't need more traffic and crime, we don't need to be crowded. No more homes!
Broc Larsen	Rocklin	CA	95677	US	05/26/2017	Open space is something we cannot replace. These limited areas left are what make our city such a great place to live. Our city is not a just some "opportunity" for outside developers.
Miriam Beckstrom	Carbondale	IL	62902	US	05/27/2017	Doesn't LA have enough buildings---try leaving some land and habitat for wildlife. All about the \$\$\$---how sad.
Rowena Yeseta	Loomis	CA	95650	US	08/16/2017	I love those oak trees on the corner of Sierra College & Rocklin Road. I've lived in nearby Loomis for 17 years and those oak trees are part of my childhood and the very essence of our towns. We need to save the soul of our homes. These live oak trees are BEAUTIFUL!
renee collier	baltimore	MD	21218	US	08/24/2017	Ecosystem is MORE Important Than This Greed..
Margaret Nagela	Blank	IL	99999	US	09/26/2017	No trees no clean air

ORDINANCE NO. 993

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKLIN  
APPROVING AN AMENDMENT TO THE ROCKLIN ROAD EAST OF I-80  
GENERAL DEVELOPMENT PLAN, ORDINANCE 820,  
TO REZONE A 10.19-ACRE SITE FROM PLANNED DEVELOPMENT-COMMERCIAL (PD-C)  
TO PLANNED DEVELOPMENT-20 DWELLING UNITS PER ACRE (PD-20)

(Rocklin Road East of I-80 / PDG-99-08A & Sierra College Apartments / Z-2012-04)

The City Council of the City of Rocklin does ordain as follows:

Section 1. The City Council of the City of Rocklin finds and determines that:

- A. The proposed general development plan amendment and rezone of an approximately 10.19-acre site (APNs 045-160-063, 045-160-064 and 045-160-065) is consistent with the General Plan Amendment (GPA-2012-05) being processed concurrently. The proposed Rocklin Road East of I-80 General Development Plan Amendment would establish land uses and development criteria for the proposed zoning designation.
- B. A Notice of Exemption has been approved for this project via City Council Resolution No. 2013-75.
- C. The proposed general development plan amendment and rezoning are consistent with and implement the policies of the City of Rocklin's General Plan, including the Housing Element.
- D. The area is physically suited to the uses authorized in the proposed general development plan amendment and rezoning.
- E. The proposed general development plan amendment and rezoning are compatible with the land uses existing and permitted on the properties in the vicinity.
- F. The land uses, and their density and intensity, allowed in the proposed general development plan amendment and rezoning are not likely to create serious health problems or create nuisances on properties in the vicinity.
- G. The City Council has considered the effect of the proposed general development plan amendment and rezoning on the housing needs of the region and has balanced those needs against the public service needs of its residents and available fiscal and environmental resources.



Section 2. The City Council of the City of Rocklin hereby approves the general development plan amendment and rezoning as shown on Exhibit A, attached hereto and incorporated by reference herein.

Section 3. The City Council of the City of Rocklin hereby approves an amendment to the East of I-80 General Development Plan as set forth in Exhibit B, attached hereto and incorporated herein.

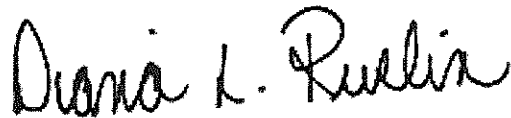
Section 4. Within 15 days of the passage of this ordinance, the City Clerk shall cause the full text of the ordinance, with the names of those City Council members voting for and against the ordinance, to be published in the Placer Herald. In lieu of publishing the full text of the ordinance, the City Clerk, if so directed by the City Attorney and within 15 days, shall cause a summary of the ordinance, prepared by the City Attorney and with the names of the City Council members voting for and against the ordinance, to be published in the Placer Herald, and shall post in the office of the City Clerk a certified copy of the full text of the ordinance, along with the names of those City Council members voting for and against the ordinance. The publication of a summary of the ordinance in lieu of the full text of the ordinance is authorized only where the requirements of Government Code section 36933(c)(1) are met.

INTRODUCED at a regular meeting of the City Council of the City of Rocklin held on April 23, 2013, by the following vote:

AYES:	Councilmembers:	Yuill, Butler, Janda, Magnuson, Ruslin
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Rocklin held on May 14, 2013, by the following vote:

AYES:	Councilmembers:	Magnuson, Yuill, Butler, Janda, Ruslin
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None



Diana L. Ruslin, Mayor

ATTEST:



Barbara Ivanusich, City Clerk

First Reading:	4/23/13
Second Reading:	5/14/13
Effective Date:	6/14/13

## **EXHIBIT A**

*Map of Existing and Proposed General Development Plan / Zoning*







## **EXHIBIT B**

**The Rocklin Road East of I-80 General Development Plan is hereby amended to add the following section:**

**8. AREA 3 USE AND DEVELOPMENT STANDARDS – PD-20 ZONE**

**a. Permitted Uses – Area 3 PD-20 Zone**

The following uses are permitted in the Area 3 PD-20

1. Apartments, townhouses, condominiums (for residential use, including cluster developments)
2. Accessory structures and uses (subject to regulations in Zoning Ordinance Chapter 17.08.090 and 17.08.100)
3. Schools, public elementary and secondary
4. Triplexes

**b. Conditional Uses – Area 3 PD-20 Zone**

The following uses are permitted in the Area 3 PD-20 zone subject to the issuance of a conditional use permit:

1. Community Care Facilities/ Residential Facilities
2. Day Care Facilities

**c. Height Restrictions**

1. Maximum number of stories shall be 3.
2. Maximum principle building height shall be 35 feet.
3. Maximum accessory building height shall be 14 feet.

**d. Lot Area**

The minimum lot area shall be 5.0 acres (for apartments, townhouses, and condominiums only).

**e. Density**

The minimum number of units per acre shall be 20 units per acre.

f. Lot Coverage

The maximum lot coverage by all structures and buildings shall not exceed sixty (60) percent of the lot area.

g. Setbacks

1. 6 lane arterial. There shall be a setback of not less than 20 feet.
2. 4 lane arterial. There shall be a setback of not less than 20 feet.
3. Multi Family. There shall be a setback of not less than 15 feet.
4. Single Family. There shall be a setback of not less than 20 feet.
5. For accessory structures not exceeding 14 feet in height, there shall be an interior side setback or rear setback of not less than 10 feet.
6. Off Street Parking. There shall be a setback of not less than 25 feet.
7. Specified Streets. Front, side, street side, or rear setbacks required for lots abutting a highway or street for which rights-of-way are established by the Circulation Element of the General Plan shall be measured from the adopted plan line or the property line, whichever provides the greater setback.

h. Fencing

Open type fencing, a minimum of 4 feet in height, shall be incorporated into the project when multi-family units front along a public road. The purpose of the fencing is to discourage residents from using the public road for on-street parking. The fence shall be sited parallel to the public roadway, with a minimum 5 feet setback.

i. Landscaping

Landscaping shall be required in all multi-family residential projects and granite boulders shall be incorporated into landscaped areas.



# City Council Report

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**Subject:** Sierra College Apartments / Rocklin Road East of I-80 General Development Plan Amendment  
General Plan Amendment, GPA-2012-05  
General Development Plan Amendment, PDG-99-08A  
Re-Zone, Z-2012-04

**Date:** April 16, 2013

**Submitted by:** Laura Webster, Housing & Planning Services Manager  
Dara Dungworth, Associate Planner

**Department:** Community Development Department      **Reso. Nos. 2013-75, 2013-76**  
**Ord. No. 993**

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## **Recommendation**

The Planning Commission and staff recommend that the City Council approve the following:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKLIN APPROVING A NOTICE OF EXEMPTION (Sierra College Apartments / GPA-2012-05, Z-2012-04 and PDG 99-08A)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKLIN APPROVING AN AMENDMENT TO THE LAND USE ELEMENT OF THE GENERAL PLAN OF THE CITY OF ROCKLIN TO CHANGE THE LAND USE DESIGNATION OF A 10.19 ACRE SITE FROM RETAIL COMMERCIAL (RC) TO HIGH DENSITY RESIDENTIAL (HDR) (Sierra College Apartments / GPA-2012-05)

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKLIN APPROVING AN AMENDMENT TO THE ROCKLIN ROAD EAST OF I-80 GENERAL DEVELOPMENT PLAN, ORDINANCE 820, TO REZONE A 10.19-ACRE SITE FROM PLANNED DEVELOPMENT-COMMERCIAL (PD-C) TO PLANNED DEVELOPMENT-20 DWELLING UNITS PER ACRE (PD-20) (Rocklin Road East of I-80 / PDG-99-08A & Sierra College Apartments / Z-2012-04)

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### **Project Description**

The General Plan Amendment is needed to modify the land use element of the general plan of the City of Rocklin to change the land use designation of a 10.19-acre site from Retail Commercial (RC) to High Density Residential (HDR).

The Re-Zone and General Development Plan Amendment are needed rezone a 10.19-acre site from Planned Development-Commercial (PD-C) to Planned Development-20 Dwelling Units Per Acre (PD-20) and provide allowed uses and development standards for the new zone in the existing general development plan.

### **Summary of Planning Commission Hearing and Action**

The Planning Commission held a public hearing to consider this item on March 5, 2013 with five Commissioners present. An excerpt of the minutes of the Planning Commission hearing has been included as Attachment 1 to this staff report.

The project applicant spoke during the public hearing, stating that they were in agreement with staff recommendations and requested that the Planning Commission recommend approval of the project as proposed.

Several members of the public spoke about their enjoyment of the subject parcel as an oak woodland and wildlife habitat and their wish for the property to either remain undeveloped or for development to be minimized so as to preserve the trees. Several people also mentioned concerns with traffic increasing at the Rocklin Road/Sierra College Boulevard intersection if apartments went in. A few members of the public spoke in favor of development, one for commercial and one for residential.

### **Commission Discussion**

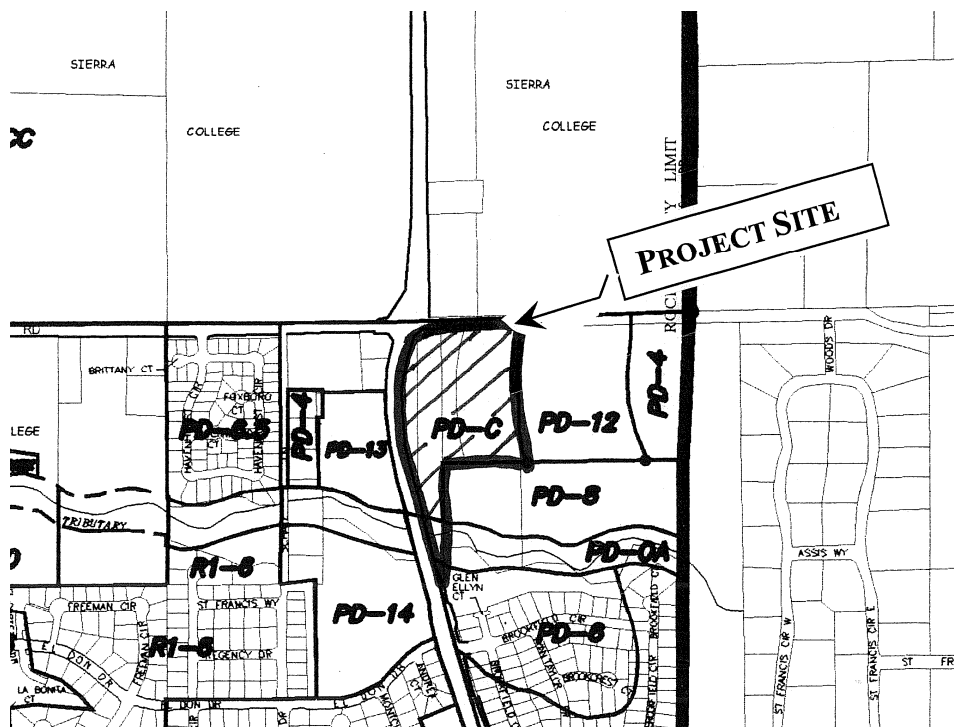
The Commission members were generally supportive of the proposed project. They acknowledged the public's comments and concerns including the value of the oak trees on the site. The Commissioners discussed the potential for greater compatibility and reduced loss of oak trees with a residential project versus a commercial project and the reduction in traffic. They also acknowledged their initial concern with the loss of retail-zoned property, but then identified overriding factors such as high vacancy rates for small commercial centers in Rocklin, the development of Rocklin Crossings and Rocklin Commons in close proximity, the need to support the goal to redevelop downtown, and the fact that the property north across Rocklin Road is now designated Mixed Use (allowing for commercial uses). Issues related to the need to provide opportunities for various housing types and the appropriateness of multi family uses by the college, along with the rights of a land owner to develop the property in accordance with City regulations and guidelines were also discussed.

Following deliberations, the Planning Commission voted 5-0 to recommend approval of the project to the City Council.

The remainder of this staff report is generally as presented to the Planning Commission.

### **Location**

The subject property is located on Rocklin Road, at Sierra College Boulevard. APNs 045-160-063, 045-160-064, and 045-160-065.



**Vicinity Map**

### **Owner/ Applicant**

The applicant is Jim Koo of Burrell Consulting Group, Inc. The property owners are Richard J. and Melba L. Resch.

### **Site Characteristics**

The 10.19-acre gross site is undeveloped and supports oak trees and native grasses, predominantly. The terrain is hilly, with the highest point mounding near the southeast corner and the lowest point being a depression that runs crosswise to the intersection of Rocklin Road and Sierra College Boulevard, which is a twenty to thirty foot elevation change. The site slopes back up approximately fifteen feet to near the street grades along the frontages. Elevation changes from the “mound” to other site boundaries

range from ten to twenty feet. The site is roughly rectangular with a narrow pie-shaped wedge extending south between the Hidden Creek (aka "Reflections") subdivision and Sierra College Boulevard. Most of the wedge area has been delineated as a wetland as an unnamed tributary of Secret Ravine Creek.

Land Uses:

	<b>General Plan</b>	<b>Zoning</b>	<b>Existing Land Use</b>
Site:	Retail Commercial (RC)	Planned Development-Commercial (PD-C)	Undeveloped
North:	Public and Quasi-Public (PQP)	Planned Development-Community College (PD-CC)	Undeveloped
South:	Medium Density Residential (MDR)	Planned Development-Residential, 8 units per acre (PD-8)	Single Family Residential Subdivision
East:	Medium High Density Residential (MHDR)	Planned Development-Residential, 12 units per acre (PD-12)	Multi Family Residential Apartments
West:	Retail Commercial (RC)	Planned Development-Commercial (PD-C)	Shopping Center

**Background**

Until the mid-1980's, a single family home occupied the proposed project site. Due to safety concerns, the owner razed the house and the property has since been vacant. Subsequent owners have proposed commercial developments on the site. The first proposal was for a shopping center anchored by a grocery store. Before the project was submitted, but after receiving neighborhood input, the grocery anchor withdrew and the developer later sold the site to Granite Bay Ventures. Granite Bay Ventures applied for and received approval of an office and retail center on March 20, 2007. The project approvals included the approval of the Sierra College Center Environmental Impact Report. Granite Bay Ventures did not complete the improvement plan review process for this project.

The project site was annexed from the County in 1985 as part of the Monte Verde Annexation Area. An EIR was prepared and approved as part of that annexation. The proposed land uses and zoning were found to be consistent with the (then) existing General Plan text and the rezone was approved. The subject site was given the General Plan designation Retail Commercial (RC) with zoning of Planned Development Commercial (PD-C). Additionally, the City Council made findings that the proposed zoning and General Development Plan would form a transition area between the adjoining commercial and residential zones and that the area is uniquely situated on a corner making the proposed zoning and General Development Plan appropriate for the subject property.

The site is also within of the General Development Plan for Rocklin Road East of I-80 in which the previously approved zoning, PD-C, was not changed. City Council approved this General Development Plan (Ordinance 820) on December 14, 1999.

### **Environmental Determination**

The California Environmental Quality Act (CEQA) defines environment as “the physical condition, which exists within the area, which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, and objects of historic or aesthetic significance.” CEQA requires the City of Rocklin to conduct an assessment of the potential environmental impacts of a project over which it has discretionary approval authority, and to take that assessment into consideration before approving the project. A review of this project pursuant to CEQA Section 15060 (c) (2) has identified this project as not being subject to CEQA since it will not result in a direct or reasonably foreseeable indirect physical change in the environment.

When a future development proposal is brought to the City to request a Design Review approval, that project will be subject to further analysis under CEQA. At that time, the analysis, including, but not limited to, traffic, greenhouse gas, and tree removal, would be governed by then current regulations and requirements. Staff anticipates that the Sierra College Center Environmental Impact Report that was approved with that project in 2007 could be modified to analyze and mitigate for as needed a project consistent with the currently proposed general plan designation and zoning modifications.

### **General Plan and Zoning Compliance**

#### *General Plan*

The site is currently designated in the City’s General Plan as Retail Commercial (RC). This designation is intended to create employment centers and preserve flexibility in the marketing and development process by making land available for a variety of business / professional office, retail commercial and restricted non-intensive manufacturing and storage facilities.

The applicant is requesting that the project site be changed to a High Density Residential (HDR) General Plan designation. The HDR designation is intended to provide areas for multi-family homes, conveniently near commercial uses, employment centers, arterial and collector streets and other intensive uses.

Staff supports the land use designation change because the site is adjacent to, immediately west of, existing multi-family residential development, the Rocklin Manor Apartments. Therefore, this project can be seen as an extension of existing multi-family residentially designated land. In addition, the site is at the intersection of two arterial roadways and has existing neighborhood commercial centers within walking distance on

Rocklin Road (Campus Plaza and others) and developing major commercial centers within a few miles on Sierra College Boulevard (Rocklin Crossings and Rocklin Commons). Finally, the project site is adjacent to, across Rocklin Road to the southeast from, Sierra College Community College and, if developed, would provide additional housing alternatives for Sierra College students.

This request is part of the first general plan amendments to be brought to a hearing this year. If approved by the City Council, it would be possible to act on three more general plan amendment hearings before the end of 2013.

### *Zoning*

The property is located within the Rocklin Road East of I-80 General Development Plan area and is currently zoned Planned Development-Commercial (PD- C). The applicant is seeking to rezone the 10.19-acre gross site to Planned Development twenty dwelling units per acre (PD-20) creating consistency with the requested HDR general plan designation, which will allow for residential uses on the site. The primary use permitted by right in the PD-20 zone are multi-family residential, including apartments, townhouses, residential condominiums, and triplexes. Uses that could be permitted upon approval of a conditional use permit include community / residential care facilities, day care facilities, mobile home parks, places of assembly for community service, and other similar uses. Zoning of land is intended to implement the General Plan. The proposed zoning has been found to be consistent with and implements the land uses proposed by the General Plan Amendment being processed concurrently with this entitlement.



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**Ricky A. Horst, City Manager**  
**Reviewed for Content**



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**Russell A. Hildebrand, City Attorney**  
**Reviewed for legal Sufficiency**

### **Attachment**

1. Excerpted draft minutes of Planning Commission hearing March 5, 2013

DLD/

**EXCERPT  
CITY OF ROCKLIN  
MINUTES OF THE PLANNING COMMISSION MEETING**

**March 5, 2013  
Rocklin Council Chambers  
Rocklin Administration Building  
3970 Rocklin Road  
([www.rocklin.ca.us](http://www.rocklin.ca.us))**

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- 1. Meeting Called to Order at 6:30 p.m.**
- 2. Pledge of Allegiance was lead by Commissioner McKenzie.**
- 3. Roll Call**

Commissioner Martinez, Chairman  
Commissioner Shirhall, Vice Chairman  
Commissioner Coleman  
Commissioner McKenzie  
Commissioner Whitmore

Others Present:

Russell Hildebrand, City Attorney  
Sherri Abbas, Community Development Director  
Laura Webster, Planning and Housing Services Manager  
Dave Palmer, Engineering and Building Services Manager  
Bret Finning, Associate Planner  
Dara Dungworth, Associate Planner  
Candace Johnson, Planning Commission Secretary

About 20 others

- 4. Minutes** – The minutes of February 19, 2013 were approved as submitted.
- 5. Correspondence** – None
- 6. Citizens Addressing the Commission on Non Agenda Items** – None

**Scheduled Items:**

- |   |                       |
|---|-----------------------|
| <b>7. SIERRA COLLEGE APARTMENTS / ROCKLIN ROAD<br/>EAST OF I-80 GENERAL DEVELOPMENT PLAN AMENDMENT<br/>GENERAL PLAN AMENDMENT, GPA-2012-05<br/>GENERAL DEVELOPMENT PLAN AMENDMENT, PDG-99-08A<br/>ZONE CHANGE, Z-2012-04<br/>BURRELL CONSULTING GROUP, INC.</b> | <b>PUBLIC HEARING</b> |
|---|-----------------------|

This application is a request for approval of a general plan amendment, general development plan amendment, and zone change from existing Retail Commercial (RC) general plan designation and Planned Development-Commercial (PD-C) zone to proposed High Density Residential (HDR) general plan designation and Planned Development-20 units per acre (PD-20) zone.





The subject property is generally located at the southeast corner of the intersection of Rocklin Road and Sierra College Boulevard. APNs 045-161-014, 045-161-015, 045-161-016.

Dara Dungworth presented the staff report.

The Commission had questions for staff regarding the following:

1. Concerns with losing commercial land to residential.
2. Amount of low income housing units required for Rocklin.
3. Whether Rocklin's low income housing requirements were disproportionate to other cities in Placer County.
4. Income threshold to qualify for low income housing.
5. Differences in credit for Multi-family vs. single family residential.
6. Units that qualify for credit toward low income housing numbers.
7. Requirements on a property to meet low income housing rules.
8. Whitney Ranch land use rezone.

The applicant, Jerry Aplant, addressed the commission. He stated that he was in agreement with staff's recommendations.

The Commission had questions for the applicant regarding the following:

1. Previous projects in Rocklin.
2. Status of a development application for this site
3. Oak tree ordinance with respect to residential development.

The hearing was opened to the public for their comments.

Tom Kubicko, Rocklin, asked how many oak trees exist, and how many will be removed. He also asked how many units would be built and if they would be low income. He also asked when the rezone would become effective.

Chairman Martinez explained that there was no development plan currently being proposed. He asked staff if there had been a survey of trees on the site.

Staff stated that the statistics that they have are from an arborist survey from the Sierra College Commercial and Office center that was previously approved at this location. Staff stated based on that design which would be significantly different from a multi-family project, and read an excerpt from that report:

"There were 429 total trees identified including oaks, and trees not protected by the ordinance, these included on-site, off-site, healthy and not healthy. Of those 429 total trees, 375 were to be removed from the project site, including 183 trees that did require mitigation, 186 that did not require mitigation due to being unhealthy, 2 oak trees were too small to require mitigation, and there were four species that were not subject to the oak tree preservation ordinance."



Staff shared that there were 40 trees on-site and a grove that is adjacent to the Rocklin Manor apartments to be save and 14 off-site trees to be saved.

Commissioner Whitmore wanted clarification that this was a commercial development application.

Staff confirmed that it was a mixed commercial and office development project that had been proposed.

Commissioner Martinez stated that that report had been prepared a few years ago and that some trees may have grown and may be dying so a new report would have to be prepared and there would have to be a development proposal in order to see exactly which trees would be impacted or removed.

Mr. Kubicko asked how many units would be built.

Staff stated that the parcel is 10.1 gross acres so approximately 200 units.

Mr. Kubicko asked if the project would be classified as low income housing.

Staff stated that the designation would accommodated a number of units that would theoretically be developed as low income but that doesn't mean that they will be.

Commissioner Martinez stated that the zoning would be effective in approximately two months.

Mr. Kubicko asked how he would know if it had been approved.

Commissioner Martinez stated that if the item were approved it would go before the City Council for approval and the agenda would be available and a notice would be posted on the site.

Eve Palevicz, Rocklin, spoke in opposition to having anything built on this parcel. She stated that she would like to have the parcel preserved as is with no development. She stated that she felt there would be wildlife and plant species displaced. She had tried to buy the parcel but was unable to finance the purchase and felt very strongly that it should be preserved.

Roger Smith, Loomis, CA, stated that he felt that if this parcel was developed as residential that it would have a large impact on traffic in an intersection that he felt was already very busy. He stated that he felt that this was one of the last forests in Rocklin and he hoped that as many trees as possible can be preserved. He felt the numbers of trees that were going to be removed in the previous project would not be construed as having little or no impact. He stated that in a previous EIR that there were several impacts that were non-mitigatable, and he urged the Commission to review that EIR. He stated that it was his understanding that for a General Plan Amendment to be approved it has to be considered for the general good of the community at large and felt that this entitlement was speculative without a development project proposed. He stated that he hoped the Commission would follow a process that respects what is on the parcel and identifies and mitigates the impacts and preserves as many of the trees as possible.

Mark Thew, Rocklin, CA, He stated that he felt that rezone and amendments to the general plan are serious alterations to a City's general plan and neither should be allowed without overwhelming community benefit and he felt there was no benefit to more apartments at this location. He felt that piecemeal amendments should not be allowed unless significant changes have happened since the General Plan was



last updated and he asked if there were any compelling and significant changes to Rocklin's development goals that warrant this type of change. He stated that he personally used the intersection of Rocklin Road and Sierra College Boulevard every day and he felt that it was inadequate for the current traffic flow. He stated that adding hundreds of new residents to the traffic flow of this intersection is only going to make driving through this intersection worse. He stated that there are already two apartment complexes within a block or two of this intersection and Sierra College may also add more student housing on their land in the future. He stated that he also enjoyed the beauty of the property now but felt that if it had to be developed he would prefer that it be a commercial retail project rather than more residential.

Irene Smith, Loomis, stated that she lives close by and felt that Rocklin should have bought the property when it was in foreclosure. She asked the Planning Commission to read the Oak Tree ordinance and the goals that were set forth in that document and encouraged the Commission to take into consideration the County as a whole. She stated that she would like to see the property preserved for neighbors and the wildlife.

Sue Hoppe, Rocklin, CA, stated that she had lived near that parcel for seven years and would like to have it preserved or developed into a park if possible. She stated that she felt that an apartment building would add to the already heavy traffic in the area.

Courtney Escalante, Rocklin, CA Hidden Creek HOA CFO, stated that the Hidden Creek development has had four homes burglarized within the last eight months and has had personal altercation when exercising in the last five months with people who had come into the development from Sierra College Boulevard. She asked that the Commission take into consideration the safety of the neighborhood with any development project going forward. She stated that she would prefer to see residential development there and pointed out that there were some homeless people living on the parcel.

The hearing was closed to the public.

Commissioner Martinez asked staff to explain why the entitlements at this point are exempt from the CEQA process compared to the commercial zoning and then if this project were eventually approved by the City Council when a design review is submitted what type of environmental review would take place. He also had questions regarding the tree ordinance to discuss how the ordinance applies differently to commercial and residential.

Commissioner Coleman also asked staff to discuss what traffic level of service was at the intersection of Sierra College Blvd and Rocklin Road.

Staff stated that they did not have the current service level available but the analysis conducted for the General Plan EIR included this intersection and it was not one of the ones that would exceed level C when the City was at build-out. Staff stated that there are mitigations for this particular intersection as part of the retail commercial development at Sierra College Boulevard and Interstate 80 so those projects have an obligation to make improvements to this intersection that should help alleviate some of the conditions that the residents are experiencing today.

Commissioner Coleman asked if the difference in traffic flow was due to the time of day.

Staff stated that the way land use traffic studies are looked at is each type of land use has a certain amount of traffic generated called trip generation and the different land uses are compiled into what is known as an Institute of Transportation Engineer's manual so for a residential project it is about nine daily trips per dwelling unit, for retail commercial you get about 30 to 35 trips per thousand square feet so taken on a gross basis, generally speaking the amount of trips generated by this project site are anticipated to be less under the residential designation than the current retail designation. Staff stated that there is a timing difference because retail commercial has traffic coming and going at different times during the day depending upon hours of operation, and residential has more a.m. and p.m. peak hour traffic. Staff stated that with regard to the environmental exemption, the assertion is not that the site when, it is developed will not have impacts to the environment, the issue is that the entitlements that are being requested at this time do not include a development application and therefore it is effectively a change on paper with respect to the land use and zoning of the project site. Staff stated that because no development is being proposed nor can go forward at this time, the exemption is used appropriately in this case as a way to justify that there will not be any impacts with this particular application. In the future, when and if a development proposal comes into the city, we will analyze that application and under the requirements of the California Environmental Quality Act and the appropriate level environmental document will be prepared. Staff also noted that there was an EIR that was prepared that addressed commercial development on the site. Information from that document will be used to the extent possible but some will have to be redone to address the specifics of the future apartment proposal. Staff stated that all of the mandatory subject areas would be reviewed and analyzed accordingly. Certain project specific studies may have to be required such as traffic and arborists reports to assist in the analysis and all of that information will be compiled into an environmental document that will have its own public review process as well as ultimately a public hearing.

Staff stated that the city's oak tree ordinance has specific mitigation requirements for residential properties whereas, for commercial properties it does not have specific mitigation requirements. By going from a commercial to a residential piece of property the requirements tighten up with respect to oak tree mitigation. Staff stated that the city still had an obligation under the California Environmental Quality Act to look at impacts to the oak tree resources on the project site and then identify impacts and mitigation measures as appropriate.

### **Commission Deliberation/Discussion:**

Commissioner Shirhall thanked the public for their input. He stated that infill projects are always difficult. He stated that he did not have an option to create a park on the site, he could only consider whether the land use would better serve the City as a residential development than a commercial development. He stated that a residential development is better for the community because it is a better support for the college community. There has also been a large evolution of retail and we need to support the commercial sites designated for the large retail development in the city. He stated that he did not find a benefit of having another small retail center in the neighborhood because there is a lot of vacant or unoccupied retail like this in the City. He stated that there is a need for higher density residential and he felt that high density residential can be done in the right way on this parcel. He stated that he also felt that the City has a large goal in developing the downtown core. He stated that he felt that bringing residential projects will support the currently existing retail and support the goal of the downtown development and the proposed rezone and general plan amendment will further that goal also. He stated that the project is consistent with the impacts on the previously approved projects to the parcel and the traffic would be improved by building a residential project. He stated that this is not an easy decision but that building residential was the correct

decision for this parcel and that the Planning Commission's job is to make sure that a high quality development is built. He stated that he was comfortable recommending approval to the City Council and that he had ex parte communication with the applicant but made no representations or decisions at that time.

Commissioner McKenzie stated that he agreed with Commissioner Shirhall's line of thinking and sat in many meetings to discuss the possible uses for this parcel including building a park. He stated that it had not developed as commercial and did not make sense to build a park at such a busy intersection. He recognized that there are a significant amount of oak trees and would hate to lose them however, it was much more likely to get thoughtful design and incorporation of some of the oak trees and wetlands with a residential development rather than a commercial development. He stated that rezoning made sense in that it would support the college and would hopefully reduce the student trip generation from the college. He encouraged anyone submitting an application for design to be thoughtful regarding the oak trees to try to incorporate some of them in the design to lessen the impacts to the site. He stated that there have been other residential subdivisions on the Loomis border and encouragements to lessen impacts have been made to those developers. He stated that he agreed from a CEQA perspective that in this case there is no application for consideration, only a rezone from commercial to residential and he concurs with the CEQA findings and found the project consistent with adjacent uses and supported the recommendation to Council.

Commissioner Whitmore also thanked the public, and agreed that the site is very attractive. He stated that a residential development would allow better preservation of trees than a commercial development. He stated that he agreed with Commissioners Shirhall and McKenzie that traffic and trip generation would be reduced. He also felt that the issue of safety was important to address and also felt that a residential development at this location would increase safety as there would be more people on the site, especially during the evening hours. He stated that the only thing that he could think of as a negative on the project was the loss of commercial and retail space, however he felt that the construction of the Rocklin Commons and Rocklin Crossings projects that will be built not far away will resolve that issue. He stated that what the Commission was considering is compatibility. He stated that if the site were being offered as open space that might be considered, however the project being considered is conversion from commercial to residential and he felt that from a compatibility standpoint a residential community rather than a commercial development makes more sense for this location and he supports the project.

Commissioner Coleman stated that he agreed with many of the comments of the other Commissioners but brought up the issue of land ownership. He stated that the owners have paid taxes on the parcel for many years and they retain the right to earn a return on that investment. He also stated that there is a right to rent to low income residents and that low income housing is important to the city, and that Rocklin is a city with residents with many different income levels which is unusual for a city of Rocklin's size. He discussed the process by which the project is being heard, and stated that the project had previously been approved for commercial development so this hearing is a discussion as to whether a residential development would be better suited to this parcel. He stated that he agreed with the Commissioners and the application materials that a multi-family development makes more sense than a commercial development. He stated that there will be more public hearings in which the public can voice their opinion and the Planning Commission and City Council can mitigate some of the impacts to the site. He also stated that the Oak Tree Preservation ordinance is very strong and in projects where there have been alternatives to clear cutting, those alternatives were utilized. He stated that supports the project.

Commissioner Martinez concurred with the rest of the Commission's comments. He stated that he had originally had concerns about losing commercial development, however Commissioner Whitmore's comments regarding the new commercial being built at Sierra College Boulevard reminded him that there will be plenty of commercial development available in that area as well as staff indicating that there is a parcel across the street designated for mixed use.

On a motion by Commissioner Shirhall and seconded by Commissioner McKenzie, RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROCKLIN RECOMMENDING APPROVAL OF AN EXEMPTION (Sierra College Apartments / GPA-2012-05, Z-2012-004, PDG-99-08A)

Roll Call Vote:

AYES: Commissioner Shirhall, McKenzie, Coleman, Whitmore and Martinez  
NOES: None  
ABSENT: None  
ABSTAIN: None

Motion carried: 5/0

On a motion by Commissioner Shirhall and seconded by Commissioner McKenzie, RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROCKLIN RECOMMENDING APPROVAL OF AN AMENDMENT TO THE LAND USE ELEMENT OF THE GENERAL PLAN OF THE CITY OF ROCKLIN TO CHANGE THE LAND USE DESIGNATION OF A 10.19 ACRE SITE FROM retail-commercial (RC) TO high DENSITY RESIDENTIAL (hDR) (Sierra College Apartments / GPA-2012-05)

Roll Call Vote:

AYES: Commissioner Shirhall, McKenzie, Coleman, Whitmore and Martinez  
NOES: None  
ABSENT: None  
ABSTAIN: None

Motion carried: 5/0



On a motion by Commissioner Shirhall and seconded by Commissioner McKenzie, RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROCKLIN RECOMMENDING APPROVAL of AN AMENDMENT TO THE Rocklin road east of i-80 GENERAL DEVELOPMENT PLAN, ORDINANCE 820, TO REZONE a 10.19-acre site FROM PLANNED DEVELOPMENT-commercial (PD-c) TO PLANNED DEVELOPMENT 20 Dwelling Units Per Acre (PD-20) (Sierra College Apartments / Z-2012-04 & Rocklin Road East of I-80 / PDG-99-08A)

Roll Call Vote:

AYES: Commissioner Shirhall, McKenzie, Coleman, Whitmore and Martinez  
NOES: None  
ABSENT: None  
ABSTAIN: None

Motion carried: 5/0

**9. Reports and Discussion Items from Planning Commissioners**

- a. Stanford Ranch Information building.
- b. Destiny Christian Church Crosses.
- c. UNFI Tubular fence.
- d. Fencing at Blue Oaks and Covered Wagon empty lot.

**10. Reports from City Staff**

- a. Scheduled items for March 19, 2013 and April 2, 2013 meeting.

**11. Adjournment**

There being no further business brought before the Commission, the meeting was adjourned at 9:31 p.m.

Respectfully submitted,

Candace Johnson  
Planning Commission Secretary



David Vickers  
5700 Lavender Court  
Rocklin, CA 95677

Rocklin Planning Commission  
  
City Hall  
3790 Rocklin Road

Dear Planning Commissioners:

**RE: Sierra Gateway Apartments Application**

Firstly, I wish to say that largely I find the Planning Commission to be open minded, thoughtful and balanced in their assessment of projects. We thank you for your service to our City.

I am a proud Rocklin Resident who set up a petition website in opposition to the Sierra Gateway Apartment project. The petition website, since its inception has secured over 720 signatures (signature and comments summary enclosed-attachment 1 and 2), over 300 of which are from Rocklin Residents. Two rallies have been held regarding this project, with over 70 people in attendance. There have been countless resident meetings regarding this project. I would hazard to guess a *minimum* of 40 meetings over the past few years. This site has strong resident opposition.

On behalf of the petition website, we have opposed this project from the offset. There are multiple issues with site as it relates to “fit”. And let’s not forgot, this project has not been approved on two previous occasions by the Planning Commission.

Here are some key points about the project site that I would like to bring to your attention:

**Technical Issues with Re-zoning (from commercial to high density residential)**

**Primary issues with the project are that they are not compatible with the stipulations set forth in the 2013 rezoning of the project (Ordinance 993 attached- attachment 3).** Specifically:

- the project exceeds 60 percent of the total lot area.
- Some of the buildings exceed 35 feet;
  - some structures are within mandatory setbacks;
  - the project does not include open type fences where units face a public road.
- proposed fences do not meet setback rules.

**General Issues with Re-zoning**

Your Commission reviewed and supported the project for rezoning from commercial to high density residential.

It can clearly be seen, just within the summary notes of the rezoning hearing (enclosed- attachment 4), that of concern to residents was the impact that a high-density residential project would have upon the natural environment on the site in question. The Commission believed (evidenced in the note page 10 onwards) that the rezone would have less of an impact upon the surrounding area, including preserving more oak trees. When in fact, the current high-density project has a greater impact, leaving almost none of the almost 400 trees on the main project site. This is concerning for two reasons.

Firstly, it shows that the commission was ***not aware of the true impact of the site when rezoning it***, in absence of any actual development plan being submitted at the time. To evidence this lack of understanding, at different points in the Planning Commission review of the Sierra Gateway Apartments (at both the first and second Planning Commission hearings), there was direct reference from members of the Commission regarding this exact point. Commissioners noted that the true impact of the rezoning to PD-20, was not ascertained during rezoning, in absence of an actual plan for the site being submitted. This is troubling as it shows the City has accepted the decision to rezone, when not fully understanding the impact of doing so. Ultimately, creating a foundation on which projects submitted are inherently incompatible with the surrounding areas (see also below comments on general incompatibility).

***Another concern is that greater preservation of the natural environment was one of the reassurances that the Commission gave residents*** as to why the high-density rezone would have less of an impact on the surrounding area. This again can be seen in the notes from the rezone. This is misleading to residents and potentially damaging to the relationship between the City and residents, creating a sense of mistrust between the City, or a feeling of being misled. We would like the City to take accountability for their decision regarding this rezone, and continue to recognize that the rezoning was a decision which created an incompatible project, and thus explore and recommend as many possible alternatives to the currently proposed project/zoning.

#### **Design Review and General Incompatibility with the Project Surrounding Areas**

This project does not comply with the City's Design Review criteria in that it is generally a 'bad fit' for this neighborhood with its massive scale and building heights. In your role as the City's Design Review Board we expect that you will recognize this, and demand revisions to the project to make it more compatible with the neighborhood. These are just some points which illustrate the Sierra Gateway Apartments project incompatibility with the surrounding areas:

- **Natural Environment** - You will see in the illustration (attachment entitled – "Historical Site View" -attachment 5) how the project clearly has a great impact upon the natural environment. This image is most impactful because it also shows how the Hidden Creek Subdivision, and in fact the Rocklin Manor Apartments (also owned by Ezralow, the applicant), had little to no impact on the oak trees/natural feel of the area. Yet, the Sierra Gateway Apartments will decimate the oak forest on the building site.
- **A number of buildings are three stories** – these will tower over their surroundings and are uncharacteristic of the other buildings in the area, even of the other apartment buildings in the area. There are privacy issues with these apartments overlooking the Hidden Creek neighborhood, and particularly those apartments which are three stories and have balconies.
- **General density and setback** – the project is particularly dense for the space in which it is being built. The project is essentially taking into account both the main project site and the "pan

handle” (10-acres total), while actually only building on an approximately 7-acre parcel. This not only means that buildings are taller, but it also impacts setback. The project has very little set back from the road. Significantly changing the natural aesthetic look and feel of Sierra College Blvd. and Rocklin Road, and again being uncharacteristic with the area.

**How would the main project site be more compatible?**

- **30- 40% less dense** – to 1) reflect the true building acreage i.e. basing unit number on 7 acres as opposed to 10 acres, and 2) comply with the requirement for structure coverage to be no more than 60% on the site.
- **No three-story buildings** – to be compatible with surrounding areas and to comply with rezoning requirements for building height.
- **No balconies on sides facing Hidden Creek Neighborhood**
- **Neighborhood input** – The developers of this project have not engaged the community following the submission of this application process. They have not engaged local HOA’s either. The developers, despite public and City comment, and Planning Commission denials, have not submitted a plan which is different to that previously submitted. To the contrary, they have arguably submitted a project which is less compatible. (See directly below.)
- **Exit onto Waterlily Lane, the Hidden Creek residents’ entrance road, should be Emergency Access Vehicle (EVA) Only** – The developers of this project originally submitted an entry and exit on to Waterlily Ln. Then, at the advice of the Commission, changed this to be a EVA only based on traffic concerns and strong resident opposition. The developers have now submitted a plan for this to be ‘exit only’ (i.e. both residential and emergency vehicle exit), not a seldom used EVA. This further demonstrates the developer’s lack of care regarding resident and the Commission’s feedback. I understand that it was recently attested by the developer that they had suggested this be an exit only based on resident input, but it is my understanding that this was never contested by residents. Residents were always in favor of this being EVA only.

I hope you will value this community input, and thank you again for your time in reviewing my comments - and for serving our community.

Yours Sincerely

David Vickers

5700 Lavender Court

Dear Planning Commission members,

As a community member who works and shops at Rocklin and attends Sierra College, I would like to comment on the proposed project of Sierra Gateway Apartments. I do not believe this project is good for its immediate neighborhood nor for the City of Rocklin.

First, the City's Design Review Guidelines require that development creates a good fit with the neighborhood, a "sense of place," and that structures are compatible with surroundings. The project's three-story, high density development has no parallel in the surrounding community. There are no three-story buildings in this area. In fact, the character of the area is residential and small businesses transitioning to rural residential in the adjacent Town of Loomis. This project lacks crucial neighborhood compatibility as required by the City Design Review.

Design Review compliance has equal importance to Zoning in the approval of a project. This is according to former City Attorney Russell Hildebrand, in a memorandum dated May 26, 2015. The project can be rejected based on incompatibility with Design Review guidelines.

Second, the project violates Ordinance No. 993, which states on page 5 that the "maximum lot coverage by all structures and buildings shall not exceed sixty (60) percent of the lot area." But the project is so dense that it will far exceed 60% coverage over the total lot area. This is a direct violation of the ordinance.

Third, the project will force approximately 90 kids into already full-capacity schools in Loomis. The Loomis Union School District Superintendent, Gordon Medd, commented in the EIR that the EIR falsely claims that elementary schools have extra capacity in the District when in fact they do not. This strain on elementary schools and the need for major expansion of classrooms represents a significant negative impact by the project.

Fourth, the project will add 1300 car trips per day and join the cumulative congestion of traffic conditions as surrounding developments build up along Sierra College, the Commons area, etc. The EIR states traffic is a significant and unavoidable impact, and the only mitigation are projects that the City has no authority to implement or fund independently.

Fifth, the developer failed to provide alternative project designs, the developer has not been in contact with the HOA or the community to discuss the project's impact, and the developer has been buying up lots all over Rocklin and raising property values. This negative behavior puts the developer at complete odds with the interests of residents in direct impact from the project.

Sixth, and in my belief most importantly, the project eliminates one of Rocklin's most precious possessions: oak tree urban woodland. As a Geoscience major working with GIS to create maps and solve real-world problems, I explored natural landscapes that are in danger of development in Placer County. I found that approximately 55% of urban forests in the county are at risk for development. This is the highest risk for ANY natural landscape type in the county. This means that Rocklin's urban woodlands are only going to become more rare, unique, and valuable to each community blessed to live near an island of untouched open space.

At this intersection, this beautiful woodland has stood for decades as southeast Rocklin's crowning jewel. Take a drive south up Sierra College Blvd., past the Walmart. The boulevard rides up and crests at the intersection of Rocklin Rd. and Sierra College Blvd., and what you see are these magnificent, mature oak trees against a backdrop of a scenic ridgeline in the distance. An intermittent stream and small wetlands run through the lot, providing habitat for animals and plants. Over 300 mature oak trees on this lot have graced their surrounding neighborhood with a value and character that will be irreplaceable when lost. Can mitigation fees bring back the pleasing balance of woodland and residences that people love about this place? Rocklin cannot keep eating away at its shrinking urban forest until there is nothing more than asphalt and subdivisions as far as the eye can see.

Over 700 residents and concerned citizens have signed the Citizen's Voice petition to protest this project. Lack of neighborhood fit, violation of lot coverage, school overcrowding, traffic congestion, a badly behaved developer, and loss of the aesthetic and natural character of the oak woodland are reasons enough to say no to Sierra Gateway Apartments. To replace a thriving woodland with a three-story, high-density anomaly in this neighborhood is not the image that Rocklin wants to portray of itself.

Make Rocklin different.

Thank you,  
Rowena Yeseta