



City Council Report

STAFF REPORT

Subject: Tractor Supply Co. Appeal
Design Review, DR2018-0006
Oak Tree Preservation Plan Permit, TRE2018-0002

Date: December 18, 2018

Submitted by: David Mohlenbrok, Community Development Director
Bret Finning, Planning Services Manager
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Department: Community Development Department

Reso. Nos.:

Recommendation

Staff recommends that the City Council approve the following:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKLIN APPROVING A DESIGN REVIEW AND AN OAK TREE PRESERVATION PLAN PERMIT (TRACTOR SUPPLY CO. / DR2018-0006/TRE2018-0002)

Proposal/Appeal

This is an appeal of the action taken on November 6, 2018 by the Planning Commission denying a Design Review and Oak Tree Preservation Plan Permit to allow the construction of a new farm and home supply retail store with enclosed outdoor storage and outdoor display, including parking, landscaping, and associated hardscape and the removal of approximately 63 oak trees. An additional 6 oak trees have been identified for preservation on the Tractor Supply parcel as compared to the proposal considered by the Planning Commission.

The entitlements for the project include a Conditional Use Permit to approve permanent outdoor storage, permanent outdoor display, and an alternative parking standard and a Tentative Parcel Map to subdivide the existing approximately 3.9 acre parcel into two commercial parcels. The Planning Commission approved the Mitigated Negative Declaration, the Conditional Use Permit, and the Tentative Parcel Map for the project.

The applicant filed a timely request for appeal with the required fee. The appeal letter is provided at Attachment 1.

Summary of Planning Commission Hearing and Action

On November 6, 2018, the Planning Commission held a public hearing regarding the proposed Tractor Supply Co. project. Staff presented an overview of the project and recommended approval to the Planning Commission. Staff also presented modified condition language regarding the public address system (Use Permit) and clarifying the locations of the bollards in the loading zone (Design Review). In a Blue Memo, Staff also provided an additional Design Review condition regarding soils investigation as requested by Placer County Environmental Health.

The Planning Commission had questions for staff regarding how the City reviews and processes projects with oak trees, what standards there are for preserving trees, and requirements of projects that propose to remove oak trees. The applicant then gave a presentation that included some background on Tractor Supply Co. and a request to modify two conditions regarding the truck dock screen wall and the reciprocal parking between Parcels A and B and the adjacent properties to the east. Due to the wall's potential to interfere with delivery truck movements and resulting damage to the screen wall, the applicant requested it not be required. Tractor Supply Co. accepts reciprocal access and utilities easements, but because they cannot control the uses that may establish on the adjacent properties, they cannot accept shared parking due to maintenance and other concerns. The applicant asked if the word "parking" could be replaced with the word "egress" in the condition language.

The Planning Commission had concerns about what efforts were made to preserve oak trees on the project site. The project arborist and engineer provided an explanation about their assessment of the health of the oak trees along with their review and steps taken to try and save healthy trees. The arborist and engineer further explained that ultimately the grading, including necessary cuts and fills, and use of retaining walls required for the project's drainage and utilities, together with the need to provide minimum drive aisles widths, an adequate number of parking spaces, and site accessibility did not allow for preserving any oak trees. Additionally, the required maintenance of the line of sight to allow full turning movements into and out of the north driveway as determined by a professional traffic engineer's report further constrained the site design and did not allow for the retaining walls to be located within the sight distance triangle behind the sidewalk on Granite Drive.

The public hearing was opened and with no one from the public wishing to speak either in opposition or support of the project, the public hearing was closed.

The Planning Commission generally agreed with the applicant's request to modify the conditions. For the Design Review, the Commission agreed a screen wall at the portable truck dock was not necessary and that reciprocal parking was not required, only access and egress. The Commission also agreed to staff's recommended public address system and bollard location language. The motions to approve each of the resolutions included these condition

modifications. The draft Design Review resolution provided for the Council in this packet also includes these condition modifications.

The applicant indicated they were amenable to working with staff and having the design team look again at the grading, locations of the retaining walls, and parking lot design to attempt to save as many oaks as possible.

The Planning Commission then had robust deliberations regarding the Tractor Supply project with topics ranging from: developing the entire parcel with the Tractor Supply use rather than subdividing the existing parcel to allow a greater potential for oak tree preservation; site grading and locations of retaining walls; the health and locations of a few trees that could potentially be preserved; the height limitation of 30 inches maximum for landscaping along the Granite Drive frontage to ensure maintenance of the required sight distance triangle; and timing that would be involved to return to the Planning Commission with potential plan revisions by the applicant with the goal of saving some trees. Following those deliberations and after considering the options presented, the applicant asked for a vote. The Planning Commission voted 3-2 to approve the Mitigated Negative Declaration, Conditional Use Permit, and the Tentative Parcel Map and voted 2-3 to not approve the Design Review and Oak Tree Preservation Plan Permit. While the Oak Tree Preservation Guidelines recognize that there are situations where the preservation of oak trees is not always practical and as such they allow for mitigation options when removal must occur, the dissenting Commissioners generally expressed concern that through its design the project had not adequately attempted to preserve oak trees. In this instance, the revised project's removal of oak trees will result in the payment of approximately \$54,812 towards the City's Oak Tree Mitigation Fund as a mitigation option.

See the Oak Tree Preservation Plan section below for further discussion regarding City's oak tree preservation policies as they relate to this project.

Draft minutes of the Planning Commission hearing are provided at Attachment 2.

Subsequent to the Planning Commission Meeting

The City Attorney determined that City Code provides for the Design Review and Oak Tree Preservation Plan Permit to be heard by City Council *de novo* and that the Council does not need to review and approve the associated entitlements previously approved by the Planning Commission. The Conditional Use Permit is approved but not valid unless and until the Council approves the Design Review. The adopted Mitigated Negative Declaration may be relied on because the revised project is substantially the same and does not involve any changes in circumstances, new significant effects, or a substantial increase in severity of previously identified significant effects.

Staff has provided the Planning Commission staff report at Attachment 3 for reference and the full Planning Commission packet for the November 6 meeting can be retrieved at:

<https://rocklin.novusagenda.com/agendapublic/meetingsresponsive.aspx>. The final drafts of the resolutions, as amended and acted upon, for the Mitigated Negative Declaration, Conditional Use Permit, and Tentative Parcel Map, as well as the notice of denial of the Design Review letter can be retrieved at: <https://www.rocklin.ca.us/general-information/tractor-supply-co>.

Subsequent to the Planning Commission's action and the submittal of a formal appeal to the City Council, the applicant reanalyzed their development proposal with a more concerted focus looking at opportunities to preserve oak trees. The redesigned project has resulted in the preservation of a total of six trees. Tree #'s 220, 234, 235, 244, 262, and 264 have been identified for preservation within planter areas in the northwest quadrant of the site. The site plan and landscape plan reflect these revisions. The Oak Tree Preservation Plan has been revised to more accurately represent the driplines of the trees. The landscape plan has also been revised to accurately represent the plantings allowed within the line of sight triangle and to account for the preserved trees. The revised site plan, oak tree preservation plan permit, and landscape drawings are provided in Exhibit B attached to the draft resolution of approval. The site design and parking layout as depicted by the revised sheets in Exhibit B supersedes the original site designs shown in Exhibit A and a condition of approval requires that all the related sheets (grading, utilities, alternate site plan for the parking standard, etc.) be updated prior to approval of improvement plans and/or a building permit.

The applicant has provided a project narrative that describes the challenges, accommodations, and evolution of their design and planning process for the project and presents their efforts to work with Staff and comply with the City's requirements and requests, as well as direction provided by the Planning Commission. The narrative is provided at Attachment 4. In summary, the applicant and Tractor Supply worked for several months on the project before submitting an application, including working through the line of sight requirement, to arrive at the initial site design and location on the easterly side of the existing parcel. The applicant then worked with staff for several more months to respond to comments for the project design, outdoor storage screening, architecture, and landscaping, ultimately revising the project such that the Architectural Review Committee and staff supported it.

The Design Review discussion from the Planning Commission Staff Report, updated to reflect the changes made to the project after Planning Commission, is provided below.

Design Review

Standard of Review

The City Council must make the following findings when determining whether the project design meets the Citywide Design Review Criteria and Granite District Architectural Guidelines:

- The design of the site is compatible with surrounding development, natural features and constraints;
- The height, bulk, area, color scheme and materials of the buildings and structures are compatible with surrounding development;
- The buildings and structures have been oriented with consideration given to minimizing energy consumption and maximizing use of natural lighting;
- Adverse light and glare impacts upon adjoining properties have been eliminated or reduced to a less than significant level by consideration and modification of the location and height of light standards, orientation of exterior lighting fixtures, and conditioning the project to use light fixtures that will direct light downward;
- The dimensions, placement, and design of the signs are compatible with the proposed buildings and structures and the surrounding development and environment;
- The landscaping design is compatible with surrounding development and has been designed with provisions for minimizing water usage and maintenance needs;
- The parking design, including ingress and egress traffic patterns, is compatible with the surrounding development and the public street patterns;
- The design of the site and buildings or structures is consistent with the goals, policies, and land use designations in the General Plan and with all zoning standards, regulations, and restrictions applicable to the property;

The following discussion provides an overview of the project's proposed design features for the project to assist the City Council with making its determination.

Access, Circulation and Site Layout

Access is proposed to be provided from two driveways off of Granite Drive. The western driveway traverses Parcel B and provides right in/right out only access from and onto Granite Drive since it is in close proximity to the Rocklin Commons driveway east of Target. The easterly driveway was located and designed to provide access to the project and to accommodate future development of the properties to the east. A traffic signal is anticipated to be required at this driveway when the vacant commercial property north across Granite Drive develops in the future. Reciprocal access and egress between Parcel A and B of this project and with the parcels to the east are required through conditions of approval on the tentative map. At such time as the easterly properties are developed they will be required to provide reciprocal access and egress to the other parcels.

The location of the northern driveway also provides adequate sight distance for a full-movement driveway. The sight distance triangle is shown on plans in Exhibit A. Staff has included a condition to ensure that fences, walls, landscaping, signs, and product display do not interfere with the line of sight for vehicles utilizing this driveway consistent with the

professional traffic engineer's access analysis as summarized in the Mitigated Negative Declaration prepared for the project.

The proposed building is positioned to maximize visibility from Granite Drive and provide circulation around it, as well as to provide adequate access to the outdoor sales area and to the rear of the building for product delivery.

Alternate Parking Standard

The requested parking reduction was presented and analyzed in the Planning Commission staff report under the Conditional Use Permit request. An alternate site plan has been included in Exhibit A that shows how the Outdoor Storage and Display area could be redeveloped to allow the building to comply with the standard retail parking ratio should Tractor Supply Co. leave the site and retail users with a more typical parking demand occupy the 19,034 square foot building. The Alternate Site Plan (Exhibit A, Sheet A3) demonstrates how the Outdoor Sales area could be reconfigured to create additional parking spaces to total 112 spaces, exceeding the minimum requirement of 96 parking spaces for a building of that size. Staff has included a condition of approval on the Design Review that would require the parking lot to be converted consistent with the Alternate Site Plan in the event that Tractor Supply Co. was to leave this site and not be replaced by a similar retail use.

The original project design provided 76 parking spaces. With the site adjustments to retain oak trees, the project now proposes 75 parking spaces. Staff finds the reduction of proposed parking by one space to be negligible and has no concern or objection to the reduction and further finds the reduction is in support of the Planning Commission's direction to preserve some oak trees.

Grading

The site slopes from south to north. The project site is lower than the adjacent Target parking lot; retaining walls were previously built along the southern property line to facilitate the development of Target and the Rocklin Commons Shopping Center. Along Granite Drive retaining walls are proposed to achieve the required slopes needed for drainage and ADA accessibility; the site would be graded nearly flat. There would be a grade difference of approximately six to eight feet between the project site and the existing Target parking lot. A new retaining wall, built of decorative split face CMU or keystone, would be built along part of the east and the south property boundaries, to accommodate the proposed grading and ensure the stability of the existing retaining wall along the southerly boundary constructed with the Rocklin Commons development. In addition, there would be a grade difference of approximately eight feet between the sidewalk on Granite Drive and the project parking lot. To account for this separation and help provide space for the preserved trees, a benched retaining wall is proposed outside of the line-of-sight restriction area. The benches reduce the perception of the height of an eight foot wall by breaking it up into two four foot tall walls.

Landscaping

The proposed on-site landscaping as shown in the landscape plan is consistent with the City's Design Review Criteria employing a mix of various species of trees, shrubs, and groundcovers. The project is conditioned to provide verification that the proposed landscaping will comply with the parking lot shade requirement to achieve 50% shading at maturity (15 years). The landscape plan also provides for a row of trees to be planted along the project's southerly property line to help screen the rear of the building from the adjacent Target parking lot. To comply with the mitigation measure and ensure the required sight distance is maintained, landscaping taller than 30" is prohibited within the line of sight triangle. The landscape plan has been revised to accommodate the six preserved oak trees. Also, the project proposes to incorporate a total of 84 trees throughout the site and uses 33 Holly and Valley oaks as well as four other tree varieties in the landscaping, providing more than a one for one replacement for the 63 total (42 healthy) oak trees removed by the project.

Building Architecture and Public Art

This project is within the Granite Architectural District. On August 16, the Architectural Review Committee (ARC) considered the architecture for Tractor Supply Co. The ARC was supportive of the project's architecture and determined that it generally complied with the Granite District requirements. Subject to inclusion of two revisions, the ARC recommended approval of the project by the Planning Commission. Specifically, the ARC directed the applicant to work with staff to incorporate additional architectural interest on the west elevation that faces the outdoor sales yard and to incorporate public art into the project.

The applicant worked with staff and added two awnings, decorative lights, and a central entry feature to the west wall, providing a similar amount of detail and interest as the east and south elevations. As of the publication of the agenda packet, the applicant was working with Parks and Recreation to determine the location and what type of public art could be incorporated into the project.

Outdoor Storage and Outdoor Display

As discussed in the Conditional Use Permit section of the Planning Commission staff report (Attachment 3), the Outdoor Sales area will be enclosed by an eight foot tall combination wall, three-quarter masonry wall/one-quarter tubular steel fence enclosure. The wall incorporates pilasters and a decorative cap to complement the building's materials and would be topped with a two foot high decorative tubular metal fence powder coated black. The Forge Shed within the Outdoor Sales area has been enhanced to incorporate Tractor Supply Co. red paint color and to look like an actual barn.

Staff has also included a draft condition to require that the designated outdoor display areas use a colored concrete to differentiate them from sidewalks and parking spaces, to clearly demarcate the areas in which goods may be displayed and to provide greater visual interest.

Signage

Building and freestanding signage for the project is conditioned to comply with the Sign Ordinance, the Design Review Criteria, and the Granite District Architectural Guidelines for signs. The monument sign is required to be constructed outside the designated line of sight area.

Summary

Staff has determined that the proposed site design, architecture, colors and materials, signage, and landscaping for the Tractor Supply Co., as modified by the recommended conditions of approval, are consistent with the Citywide Design Review Criteria and Granite District Architectural Guidelines. As noted above, with the incorporation of enhancements to the project's west façade and public art, the ARC recommended the Planning Commission approve the Tractor Supply Co. project.

Oak Tree Preservation Plan Permit

Standard of Review

Consistent with the City of Rocklin General Plan policies OCR-42 and OCR-43, the Oak Tree Preservation Ordinance, and the Oak Tree Preservation Guidelines, the City Council must determine whether the applicant has: (1) preserved as many oak trees onsite as reasonably possible; and (2) adequately mitigated for any loss of oak trees resulting from the project.

Discussion

A total of 88 native oak trees were surveyed on or near the project site; 85 oak trees are located on the project site (Parcels A and B) and there are three additional oak trees located near the shared property line but on the neighboring parcel to the east. There are three non-oak trees on the project site. A total of six trees are being preserved on Parcel A; a total of seventeen trees on Parcel B are being preserved. A total of 65 oak trees would be removed to accommodate required grading and site development; 63 on Parcel A and two on Parcel B. Of the 65 oak trees, 21 are rated 0-2 (dead, failing/critical, poor) with structural or other health defects such that they are not subject to mitigation. The remaining 42 trees are rated 3-5 (fair, good, excellent) and all oak trees removed with those health designations would be mitigated as set forth in the Mitigated Negative Declaration prepared for the project and as provided for in the City's Oak Tree Preservation Guidelines. The mitigation fee for the project has been estimated at \$54,812 based on the removal of 42 healthy trees with a total diameter at breast height (TDBH) of 713.7 inches. The three oak trees on the neighboring parcel and the seventeen trees on Parcel B would be protected in place during construction and retained.

The arborist report for the project is provided at Attachment 5 and provides the analysis of the surveyed trees as well as photographs of each tree. The updated Oak Tree Preservation Plan Permit in Exhibit B is found on Sheets C1 and C3 (Sheet C2 was intentionally omitted). Sheet C1 is an overall tree plan and Sheet C3 provides the plan of the trees to remain with the development on Parcels A, B and off-site.

The City of Rocklin's General Plan provides the following underlying policies with respect to oak tree preservation:

OCR-42

Encourage projects to be designed in a manner that protects heritage oak trees and other botanically unique vegetation designated to be retained.

OCR-43

Mitigate for removal of oak trees and impacts to oak woodlands in accordance with the City of Rocklin's Oak Tree Preservation Ordinance, or for projects located in zones not directly addressed by the Oak Tree Preservation Ordinance mitigation measures, on a project-by-project basis through the planning review and entitlement process.

The implementation of the Oak Tree Preservation Ordinance and the application of Oak Tree Preservation Guidelines on the revised project ensure that the project complies with the General Plan policies in that the oak tree impacts have been identified and reduced as much as possible given the other constraints on the project site. Staff is satisfied that the applicant in saving six trees has pursued the preservation of as many oak trees as is reasonably possible for this project.

In addition to paying the estimated \$54,812 mitigation, Tractor Supply Co. has offered to contribute \$7,500 to the City to be used exclusively to help fund future Sucker Ravine trail head improvements on the City-owned property across Granite Drive from the project site. A condition to memorialize this offer has been included in the draft conditions of approval. The trail head design and improvements are not finalized, but would include the preservation of healthy oak trees within the City's parcel.

Staff found the original project consistent with the applicable zoning and City Design Review Criteria, as well as the Oak Tree Preservation Ordinance, and therefore supported the project. Staff recognizes the applicant has made substantial efforts to feasibly preserve six oak trees within the project area as the Planning Commission requested. Staff also recognizes that: (1) the Oak Tree Preservation Ordinance provides for mitigation options to compensate for oak trees that are removed as a result of the development of the City; (2) this project must mitigate for the loss of oak trees; and (3) the applicant has agreed to conditions of approval that will mitigate for the project's impacts on oak trees. For these reasons, staff believes the project has met the required standards for approval and continues to support the project. Staff recommends that the City Council grant the appeal for the Tractor Supply Co. Design Review and Oak Tree Preservation Plan Permit and approve these entitlements as proposed and conditioned.

Staff has provided a draft resolution of approval for the Design Review and Oak Tree Preservation Plan Permit in case the Council wishes to take action to grant the appeal.

Steven Rudolph, City Manager
Reviewed for Content

Sheri Chapman, City Attorney
Reviewed for Legal Sufficiency

Prepared by Dara Dungworth, Senior Planner

Attachments

Attachment 1 – Appeal Letter

Attachment 2 – Draft Minutes of the Planning Commission hearing November 6, 2018

Attachment 3 – Staff Report for the Planning Commission hearing November 6, 2018

Attachment 4 – Applicant’s Project Narrative

Attachment 5 – Arborist Report dated May 2018