



# CITY OF ROCKLIN

## MEMORANDUM

DATE: February 23, 2010

TO: Honorable Mayor and City Council

FROM: Carlos A. Urrutia, City Manager  
Terry A. Richardson, Assistant City Manager  
Sherri Abbas, Development Services Manager  
Bret Finning, Associate Planner

RE: GRANITE LAKE ESTATES MODIFICATION  
General Development Plan Amendment, PDG-2000-08A  
Development Agreement Amendment, DA-2000-01A

ORD NO: 958 and 959

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### SUMMARY AND RECOMMENDATION

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

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKLIN APPROVING AN ORDINANCE AMENDING THE GRANITE LAKE ESTATES GENERAL DEVELOPMENT PLAN (ORDINANCE 855)  
(Granite Lake Estates Modification / PDG-2000-08A)

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKLIN APPROVING THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF ROCKLIN AND GRANITE LAKES, LLC. FOR DEVELOPMENT OF THE PROPERTY KNOWN AS GRANITE LAKES ESTATES EXTENDING THE TERM OF THE AGREEMENT TO JULY 11, 2020, AND CHANGING THE LIMITATION ON THE NUMBER OF BUILDING PERMITS THAT MAY BE ISSUED WITHIN THE PROJECT AREA PRIOR TO THE COMPLETION OF THE MONUMENT SPRINGS DRIVE BRIDGE FROM 40 TO 48  
(Granite Lakes Estates Modification / DA 2000-01A)

### **Application Request and Project Overview**

The project applicants are seeking approval of a General Development Plan Amendment (PDG-2000-08A) and a Development Agreement Amendment (DA-2000-01A) for the Granite Lakes Estates project.

The General Development Plan Amendment will allow an increase in the total number of homes that may be built in the Granite Lakes Estates subdivision from 40 to 48 prior the completion of the Monument Springs Bridge.

The proposed Development Agreement Amendment will extend the term of the Agreement to the year 2020 and increase the total number of homes that may be built in the Granite Lakes Estates subdivision from 40 to 48 prior the completion of the Monument Springs Bridge.

### **Summary of Planning Commission Action**

The Planning Commission held a public hearing to consider this project on November 17, 2009. Several people addressed the Planning Commission to express concerns with the Granite Lake Estates project.

Richard Villers, Rocklin, CA, expressed concerns with the adequacy of the traffic barriers at the easterly terminus of Monument Springs Drive (adjacent to the Secret Ravine Subdivision). Staff stated that the City Engineer, Larry Wing, would be consulted regarding repairs and improvements that could be made to the barrier at the end of the street and his findings would be reported to the City Council when the project went before them.

Debbie Valadika, Rocklin, CA, asked if there were a guarantee that the bridge to extend Monument Springs Drive across Secret Ravine would be built. She asked if the bridge was not built, that Aguilar Road be improved as it is in disrepair. Staff stated that the guarantee that the bridge would be constructed before the issuance of the 49<sup>th</sup> building permit is in the development agreement, which runs with the land. So, if the project is sold it is still bound by the development agreement. Staff also pointed out that about a third of Aguilar Road is in Placer County's jurisdiction so the City is unable to do any improvements on a large portion of the road.

Mark & Sonia Coopwood, Rocklin, CA, stated that they would like to have the two construction trailers that are across the street from their home removed (See Photo Attachment 3). They indicated that the reason the developer had given them for not moving the trailers was the poor economy. When asked by the Planning Commission the applicant, David Snyder, stated that the trailers are in good repair. However, there are problems with the mobility of the trailers and added that he hoped to sell them when he sold the project.

**Commission Deliberation/Discussion:**

During deliberations the Planning Commission generally found the following:

1. They concurred with the concerns regarding the traffic barrier on Monument Springs Drive and asked staff to provide the City Council with information to allow the City Council to direct a resolution to the issue.
2. With regard to the condition of Aguilar Road they recommended that the City Council communicate directly with District Supervisor Robert Weygandt in order to resolve the Aguilar Road repair issue.
3. That the construction trailers are significant concern for them as approving this project would help the applicant out of a difficult business situation. However, they did not feel that the applicant was extending the same consideration to the residents. As it was not possible to condition the entitlements before the Planning Commission to require the removal of the trailers they determined that they would recommend approval of the project with the strong recommendation that the City Council address the issue on the residents' behalf.

Upon completion of deliberations the Planning Commission voted, 3-0, 2 absent, to recommend that the City Council approve the proposed modifications to the Granite Lake Estates general development plan and development agreement. Please see the attached minutes of the Planning Commission meeting for additional detail.

**Actions Subsequent to the Planning Commission Meeting of November 17, 2009**

After the Planning Commission meeting on November 17, 2009, staff learned that the Granite Lake Estates project had been sold. The new owner is S360 Granite Lakes LLC, a California Limited Liability Company. The managing partner of S360 Granite Lakes LLC is Ray Sahadeo. Staff subsequently met with the S360 Granite Lakes LLC team to discuss the project and the issues that came up at the Planning Commission meeting on November 17, 2010. As of February 17, 2010 both of the construction trailers had been removed from the Granite Lake Estates project. The new owners have also repaired and improved the traffic barrier at the terminus of Monument Springs Drive, see photo Attachment 4.

The Public Works Director inspected Aguilar Road. He found that the road section located south of the Aguilar Tributary to Secret Ravine, the portion of the road located in Placer County, was in reasonable repair. The stretch of Aguilar Road located north of the intersection with China Garden Road was also found to be in a reasonable state of repair. However, he determined that the portion of Aguilar Road located between China Garden Road and the Aguilar Tributary to Secret Ravine does need work. Accordingly the needed repair and refurbishment of Aguilar Road between China Garden Road and the

Aguilar Tributary to Secret Ravine has been included on the list of future Capital Improvement Projects (CIP).

## **ANALYSIS**

### **Location**

The subject property is generally located southwest of the western end of Greenbrae Road and east of the Rustic Hills Subdivision. APN # 454-070-001 thru 054, and 046-030-070.

### **Owner/Applicant**

The property owner and applicant is S360 Granite Lakes LLC.

### **Site Characteristics**

The project site has varied terrain and contains a stock pond, two quarry ponds and year round stream. The elevation of the property ranges from 250 feet on the northern end to over 400 feet on the southeast end. Generally, the site slopes in a westerly direction and is heavily covered with oak trees. Two streams traverse through the property, Secret Ravine Creek along the western portion and Sucker Ravine Creek in the northwest corner. Both creeks have a substantial floodplain on the site. The first phase of the project has been developed and approximately 9 of the 48 lots therein have been developed.

### **Background**

The project concept of single family residential development at this location was approved by the City on two previous occasions.

In 1989, the City of Rocklin approved a tentative subdivision map (SD-87-24) and Mitigated Negative Declaration (MND) for the project site. That project, also known as Granite Lakes Estates, was a 128-lot subdivision and specific plan use. The 1989 project received all of the time extensions available under City ordinances and by the State of California. The property owner was unable to final the map during the permitted time frame and requested approval of a new tentative subdivision map and specific plan use permit for the project site in 1998 (SD-96-04, SPU-98-29, and TRE-96-25).

The City prepared and circulated a Mitigated Negative Declaration (MND) for the 1998 application. The MND, the 1998 tentative subdivision map application, and other associated entitlements were approved by the City Council in April 1999.

The MND was challenged by a group of citizens (Concerned Citizens of Rocklin) and in February 2000, the Superior Court of Placer County ruled that the City must set aside all project approvals until an Environmental Impact Report was prepared that re-addressed the project's impact on the environment. Rather than file an appeal, the City and the applicant chose to comply with the writ of mandate issued by the court, by preparing a project-specific EIR that examined the environmental impacts of the project. In addition, the applicant re-designed the project to address specific flooding and biological concerns raised under the lawsuit. The project EIR and revised application entitlements were approved by the City Council on June 11, 2002.

Primary access to the Granite Lakes Estates development is currently provided via Aguilar Road. Greenbrae Road also provides for a more circuitous secondary access via Foothills Road, El Don Drive and Southside Ranch Road. Aguilar Road is a two-lane local roadway considered "under improved" because it lacks sidewalk, curb, and gutter in addition the roadway's narrow right-of-way and the location of several homes with minimal setbacks from the street made it prohibitively costly to try and widen Aguilar Road. As a result, one of the components of the Southeast Rocklin Circulation Element, adopted by the City council in 1993, is the severing of Aguilar Road (near its crossing of the Aguilar Tributary). Instead of Aguilar Road primary access to the Granite Lakes Estates development and other projects off of Greenbrae Road, access would be provided by the extension of Monument Springs Drive. Monument Springs Drive is planned to extend from the entrance to the subdivision on Greenbrae Road north to connect with the existing terminus of Monument Springs Drive (near the southerly entrance to Secret Ravine Estates subdivision). The extension includes a two-lane bridge spanning Secret Ravine Creek at the northerly terminus of Monument Springs Drive.

The General Development Plan and the Development Agreement approved for the Granite Lakes Estates project allowed up to 40 lots (approximately one-third of the project) to be constructed and occupied prior to construction of the Monument Springs Bridge being completed. Forty (40) is the number of lots the project applicant negotiated with staff to allow some development to occur to off-set the construction cost of the bridge with minimal traffic increases on existing roads and was not based upon any impact thresholds being exceeded with the 41<sup>st</sup> home. Nonetheless, as approved in 2002 the bridge across Secret Ravine Creek and the extension of Monument Springs Drive would have to be completed prior to issuance of the 41<sup>st</sup> building permit in the Granite Lakes Estates project.

The first phase of the subdivision, consisting of 48 lots, has constructed. Approximately 9 homes have been built in the Phase I development to date. However, the extension of Monument Springs Drive has been delayed by several factors, including a revision to the proposed roadway alignment, difficulties with right-of-way acquisition, and the downturn in the economy.

### **Application Request**

The project applicant has submitted an application to modify the approvals for the Granite Lakes Estates project to allow an additional eight homes to be constructed prior to the completion of the extension of Monument Springs Road and bridge. This change would allow homes to be built on all of the 48 lots created by the recording of the first phase of the subdivision. As noted previously the cap of 40 homes was a number negotiated by the applicant and staff prior to the original project approval in 2002 and was not based upon any specific impact threshold that would be crossed if more than 40 homes were built prior to the completion of the Monument Springs Drive extension. Given that, the Planning Commission and staff have no objection to the applicant's proposal to change the change the maximum number of homes that could be developed in the subdivision prior to the completion of the Monument Springs Drive extension over Secret Ravine from a maximum of 40 units to 48 units.

In addition, the applicant has requested that the term of the development agreement be extended by for another 8 years to vest the project entitlements through the year 2020. Currently the development agreement will expire on July 11, 2012. Given the recent economic downturn the Planning Commission and staff have no objection to this request.

Implementation of the proposed modifications will require that the General Development Plan and the Development Agreement approved for the Granite Lakes Estates project in 2002 be amended as follows:

#### **General Development Plan**

Section 9. Special Conditions, D. Phasing Requirements for SD-2000-02, 1. (General Development Plan, page 4 of 4)

1. The extension of Monument Springs Drive and construction of a bridge over Secret Ravine Creek connecting the City of Rocklin to the County of Placer shall be completed and open to the public as authorized by Placer County prior to the issuance of the 41<sup>st</sup> **49th** building permit for the project.

#### **Development Agreement**

### **RECITALS**

1. Recitals, Section F (Development Agreement, page 4 of 23)

#### **F. Entitlements.**

The City Council of the City of Rocklin has approved the following land use entitlements for the Property, which entitlements are the subject of this Agreement:

1. Tentative Subdivision Map (SD-2000-02), Resolution No. 2002-166
  2. Oak Tree Preservation Permit (TRE-2000-33), Resolution No. 2002-166
  3. General Development Plan. (PDG-2000-08), Ordinance No. 855
  4. **General Development Plan Modification (PDG-2000-08A) Ordinance No.**
  5. Mitigation Monitoring Program (EIR-2000-01), Resolution No. 2002-165
2. Agreements, Section 2. COMMENCEMENT AND EXPIRATION, a. Initial Term (Development Agreement, page 6 of 23)
- a. **Initial Term.** The term of this Agreement shall commence on the Effective Date and shall extend for a period of ~~ten (10)~~ **eighteen (18)** years thereafter **(Expiring July 11, 2020)**, unless said term is terminated, modified, or extended by circumstances set forth in this Agreement or by mutual consent of the parties hereto.
3. Agreements, Section 5. IMPLEMENTATION, b. Developer Improvements and Other Obligations, ii, (5) (Development Agreement, page 12 of 23)
- (5) Extend Monument Springs Drive from the entrance of the Project on Greenbrae Road, across the parcel to the north of the Project site commonly known as the "Bell property," to connect the Property to the existing terminus of Monument Springs Drive. This extension of Monument Springs Drive connecting China Garden Road with Greenbrae Road is consistent with the Southeast Rocklin Circulation Element, and shall include design and construction of a bridge over Secret Ravine Creek, connecting the City of Rocklin to the County of Placer. The bridge shall be completely constructed and open to the public prior to issuance of the 41<sup>st</sup> **49<sup>th</sup>** building permit for the project.

### **Attachments**

1. Vicinity Map
2. Minutes of the Planning Commission Meeting of 11/17/2009
3. Photo of Construction Trailers.
3. Photo of reconstructed Monument Springs Road traffic barrier.

## **Attachment 1. Vicinity Map**



**Attachment 2. Minutes of the PC Meeting of 11/17/2009**

**Attachment 3. Photo of Construction Trailers.**

**Attachment 4. Photo of Reconstructed Monument Springs  
Road Traffic Barrier.**