



# City Council Report

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**Subject:** Sunset Hills Townhomes Entitlement Third Time Extension  
Tentative Subdivision Map, SD-2013-03  
Design Review, DR-2013-04  
Oak Tree Preservation Plan Permit, TRE-2013-13

**Date:** June 14, 2022

**Submitted by:** David Mohlenbrok, Community Development Director  
Bret Finning, Planning Services Manager  
Nathan Anderson, Senior Planner

**Department:** Community Development Department

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## Recommendation

Staff recommends that the City Council approve the following:

A Resolution of the City Council of the City of Rocklin Approving a One-Year Time Extension of a Tentative Subdivision Map, an Oak Tree Preservation Plan Permit, and a Design Review (Sunset Hills Townhomes Third Time Extension / SD-2013-03, TRE-2013-04 and DR-2013-13)

## Proposal/Application Request

This application is a request for approval of a one-year extension of time for the following previously-approved entitlements to allow the development of the Sunset Hills Townhomes project:

- A Tentative Subdivision Map (SD-2013-03) to subdivide approximately 11.2 gross acres into 26 residential building lots containing 148 air-space condominium units, one common area lot for circulation, recreational facilities, and landscaping, and one common area lot for an open space/conservation area.
- A Design Review (DR-2013-04) to approve the design of the multi-family townhomes and the associated site design and landscaping.
- An Oak Tree Preservation Permit (TRE-2013-13) to allow the removal of up to 51 oak trees.

**Staff Findings**

Staff finds this request to be consistent with the existing General Plan designations and zoning. The proposed extension to a previously-approved project would be compatible with anticipated development of surrounding residentially and commercially designated properties.

**Location**

The Sunset Hills Townhomes property is made up of two lots totaling approximately 11.2 gross acres, generally located at the northwest corner of Sunset Boulevard and South Whitney Boulevard (Assessor Parcel Numbers 016-210-011 & 016-240-044). The project site is shown on **Figure 1**.

**Figure 1 – Location Map**



**Owner/Applicant**

The property owner is USA Investment Associates, Inc. The applicant is Whitney Sunset 14 LLC.

## **Previous Approvals**

The City Council originally approved the Sunset Hills Townhomes project on June 9, 2015. The project included a General Development Plan Amendment (PDG-2013-03), Rezone (Z-2013-04), Tentative Subdivision Map (SD-2013-03), Design Review (DR-2013-04), and Oak Tree Preservation Plan Permit (TRE-2013-13), see Attachments B & C. Consistent with the requirements of the Rocklin Municipal Code at that time, the project approval was valid for two years, unless a final map had been recorded or an extension had been granted.

On July 25, 2017, the City Council approved a two-year extension of time for the project via Resolution No. 2017-177. This approval extended the Tentative Subdivision Map, Design Review, and Oak Tree Preservation Plan Permit entitlements through June 9, 2019. Because the General Development Plan and Rezone entitlements were approved via Ordinance and went into effect 30 days after their approval, no extension to these entitlements was required.

On July 23, 2019, the City Council approved a two-year extension of time for the project via Resolution No. 2019-192. This approval extended the Tentative Subdivision Map, Design Review, and Oak Tree Preservation Plan Permit entitlements through June 9, 2021.

On May 26, 2020, the City Council of the City of Rocklin approved an Urgency Ordinance (Ordinance No. 1128) to adapt to the disruptions caused by the COVID-19 pandemic and in response to Executive Order N-33-20 signed by Governor Gavin Newsom on March 4, 2020. Ordinance No. 1128 automatically extended the life of all currently approved design reviews, conditional use permits, specific plan use permits, and variance entitlements that had not expired as of the effective date of the ordinance for one (1) additional year from the original date of expiration. Therefore, the life of the Design Review and Oak Tree Preservation Plan Permit were extended through June 9, 2022.

On September 28, 2020, Governor Gavin Newsom signed Assembly Bill 1561, also to adapt to the economic downturn caused by the pandemic. This bill automatically extended the life of most residential entitlements, including Tentative Subdivision Maps (set to expire prior to December 31, 2021) for 18 additional months. Therefore, the life of the project's Tentative Subdivision Map was automatically extended through December 9, 2022.

## **Proposed Time Extension**

On April 21, 2022, the applicant submitted a request for a third two-year extension for the Sunset Hills Townhomes project (**Attachment B**). According to Section 16.24.040 of the Rocklin Municipal Code, this application automatically extended the project for 60 days, or until the application for extension is acted upon by the City Council, whichever occurs first.

In the extension request, the applicant states that the Sunset Hills Townhomes improvement plans are anticipated to be submitted to the City in May of 2022. However, recent

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correspondence with the applicant has stated that it will be more likely to be submitted at some point in June or July.

According to Section 16.24.040 of the Rocklin Municipal Code, the Council may grant one or more extensions of time up to, but not exceeding, an additional four years beyond the initial 36 months allowed for filing a final map (seven total years). The previous two-year extension extended the life of the project through June 9, 2021, which was six years beyond the original approval date. Coupled with the state mandated 18 month extension (through December 9, 2022) under AB1561, the Tentative Subdivision Map is only eligible for one additional one-year time extension. If approved, the Tentative Subdivision Map would be valid through December 9, 2023 and would not be eligible for any further extensions under the Rocklin Municipal Code.

Further, in order to keep the Design Review and the Oak Tree Preservation Plan Permit on the same project track, those entitlements would also be extended through this action through December 9, 2023.

### **Staff Findings**

Staff finds this request to be consistent with the existing General Plan designation and zoning, and with the requirements of the Government Code; and further finds the proposed project to be compatible with existing and anticipated development of surrounding residentially and commercially designated properties.

### **Environmental**

A Mitigated Negative Declaration of Environmental Impacts (MND) was previously approved by the Rocklin City Council through Resolution No. 2015-142. Project specific analysis was conducted and potential impacts of the Sunset Hills Townhomes project were identified in the MND document. Because no changes are proposed as part of this request for extension to the previously approved project, pursuant to Section 15162 of California Code of Regulations, Title 14, Division 6, Chapter 3 ("CEQA Guidelines"), no additional environmental review is required.

The Mitigated Negative Declaration can be found at the following link:

[Sunset Hills Townhomes Approved Mitigated Negative Declaration](#)

*Prepared by Nathan Anderson, Senior Planner*