



# City Council Report

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**Subject:** South Whitney Mixed Use Third Time Extension  
Tentative Parcel Map, DL2015-0001  
Design Review, DR2014-0016  
Oak Tree Preservation Plan Permit, TRE2015-0009  
Tentative Subdivision Map, SD2017-0006

**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:

Resolution of the City Council of the City of Rocklin Approving a One-Year Extension of a Tentative Parcel Map (South Whitney Mixed Use Third Time Extension / DL2015-0001)

Resolution of the City Council of the City of Rocklin Approving a Two-Year Extension of a Tentative Subdivision Map, Design Review and Oak Tree Preservation Plan Permit (South Whitney Mixed Use Tentative Subdivision Map Third Time Extension / SD-2017-0006, DR2014-0016, and TRE2015-0009)

## 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 South Whitney Mixed Use project:

- A Tentative Parcel Map (DL-2015-0001) to subdivide an approximately 2.8 gross acre site into two parcels.

This application is also a request for approval of a two-year extension of time for the following previously approved entitlements to allow the development of the South Whitney Mixed Use project:

- A Design Review (DR-2014-0016) and Oak Tree Preservation Plan Permit (TRE-2015-0009) to approve townhomes and a commercial building with associated site improvements, and remove twenty-two oak trees.
- A Tentative Subdivision Map (SD-2017-0006) to subdivide approximately 2.8 gross acres into 20 townhome parcels and three common area lots.

**Location**

The subject property is generally located on the southerly side of South Whitney Boulevard between Sunset Boulevard and Bryce Way (APN 016-240-039). See **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**

### *Original Project*

The City Council originally approved the South Whitney Mixed Use project on June 28, 2016 via Resolutions 2016-179 and 2016-180. These original project approvals included a General Plan Amendment (GPA2015-0001), General Development Plan Amendment (PDG2015-0005), Rezone (Z2014-0009), Tentative Parcel Map (DL2015-0001), Design Review (DR2014-0016), and Oak Tree Preservation Plan Permit (TRE2015-0009). Consistent with the requirements of the Rocklin Municipal Code at that time, the project approval was valid for two years, unless a building permit had been issued or an extension had been granted.

On August 14, 2018, the City Council passed City Council Resolution 2018-217, approving a two-year extension of time for the project, extending the Tentative Parcel Map, Design Review, and Oak Tree Preservation Plan Permit entitlements through June 28, 2020. The General Plan Amendment, General Development Plan Amendment, and Rezone entitlements had already gone into effect, so no extension of those entitlements was necessary.

On August 11, 2020, the City Council passed City Council Resolution 2020-155, approving a two-year extension of time for the project, thus extending the Tentative Parcel Map, Design Review, and Oak Tree Preservation Plan Permit entitlements through June 28, 2022.

### *Tentative Subdivision Map*

On July 25, 2017, the City Council passed City Council Resolution 2017-175, approving a Tentative Subdivision Map for South Whitney Mixed Use project (SD2017-0006). The tentative map allowed for the creation of three common ownership lots and 20 townhome parcels to function in conjunction with the previously-approved project described above, thereby allowing the townhomes to be sold as individual privately owned dwelling units rather than be commonly owned rental units. Per the requirements of the Rocklin Municipal Code, these approvals were conditioned to expire two years from the date of approval (July 25, 2019).

On July 23, 2019, the City Council passed City Council Resolution 2019-193, approving a one-year extension of time for the project, thus extending the Tentative Subdivision Map entitlement through July 25, 2020. This one-year time extension was requested to better align the Tentative Subdivision Map expiration with the June 28, 2020 expiration of the previous entitlements.

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On August 11, 2020, the City Council passed City Council Resolution 2020-156, approving a two-year extension of time for the project, thus extending the Tentative Subdivision Map entitlement through July 25, 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. Because the Tentative Subdivision Map for this project was set to expire after in July of 2022, it was not eligible for the automatic extension allowed by this bill.

### **Proposed Time Extension**

On April 21, 2022, the applicant submitted a request for a two-year extension for both the South Whitney Mixed Use Design Review/Parcel Map/Tree Permit and the Tentative Subdivision Map (**Attachment A**). According to Section 16.20.060 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 project is getting closer to development and that improvement plans, including the offsite roadway improvements, have been submitted to the City, the South Placer Municipal Utility District (SPMUD) and the Placer County Water Agency (PCWA).

According to Section 16.20.060 of the Rocklin Municipal Code, the City 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).

- Resolution 2020-155 (**Attachment B**) extended the Tentative Parcel Map (including the Design Review and Tree Preservation Plan Permit) through June 28, 2022, which was six years beyond the original approval date of those entitlements.
- Resolution 2020-156 (**Attachment C**) extended the life of the Tentative Subdivision Map through July 25, 2022, which was five years beyond the original approval date of that entitlements.

Even though the applicant has requested a two-year extension for each of the entitlements, the Tentative Parcel Map has already received six years of discretionary extensions and is only eligible for one additional one-year time extension under the provisions of the Rocklin Municipal Code.

If approved, the Tentative Parcel Map (DL2015-0001) would be valid through June 28, 2023 and would not be eligible for any further extensions under the Rocklin Municipal Code.

However, the Design Review and Oak Tree Preservation Plan Permit do not have the same limitation, and could potentially be extended beyond the life of the Tentative Parcel Map. Further, the Tentative Subdivision Map was approved one year later and therefore has only received five years of total extensions, making it eligible to be extended for two additional years through 2024.

If approved, the Design Review (DR2014-0016), Oak Tree Preservation Plan Permit (TRE2015-0009) and Tentative Subdivision Map (SD2017-0006) would be valid through July 25, 2024. The Tentative Subdivision Map would not be eligible for any further extensions.

### **Staff Findings**

Staff finds this request to be consistent with the existing General Plan designation and zoning, 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 Analysis:**

In 2016, a Mitigated Negative Declaration of Environmental Impacts (MND) was previously approved by the Rocklin City Council through Resolution No. 2016-177. Project specific analysis was conducted and potential impacts of the South Whitney Mixed Use 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:

[South Whitney Mixed Use Approved Mitigated Negative Declaration](#)

*Prepared by Nathan Anderson, Senior Planner*