

RESOLUTION NO. 2017-175

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKLIN APPROVING
A TENTATIVE SUBDIVISION MAP

(South Whitney Mixed Use Townhomes and Medical Center / SD2017-0006)

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

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

A. Tentative Subdivision Map (SD2017-0006) allows the subdivision of an approximately 2.8-acre parcel into three common area lots and twenty townhome parcels generally located on the southerly side of South Whitney Boulevard between Sunset Boulevard and Bryce Way. (016-240-039)

B. A Mitigated Negative Declaration of environmental impacts prepared for this project was approved by City Council Resolution No. 2016-177.

C. The City Council has considered the effect of the approval of this subdivision 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.

D. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the zoning classification on the property.

E. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the objectives, policies, general land uses and programs in the City of Rocklin's General Plan.

F. The site is physically suitable for the proposed type and density of development.

G. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage, nor will they substantially and avoidably injure fish or wildlife or their habitat.

H. The design of the subdivision and type of improvements will not cause serious public health problems.

I. The design of the subdivision and type of improvements will not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision.

J. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

Section 2. The South Whitney Mixed Use Townhomes and Medical Center / SD2017-0006 tentative subdivision map as depicted in Exhibit A attached hereto and by this reference incorporated herein, is hereby recommended for approval by the City Council, subject to the conditions listed below. The approved Exhibit A shall govern the design and construction of the project. Any condition directly addressing an element incorporated into Exhibit A shall be controlling and shall modify Exhibit A. All other plans, specifications, details, and information contained within Exhibit A shall be specifically applicable to the project and shall be construed as if directly stated within the conditions for approval. Unless otherwise expressly stated, the applicant / developer shall be solely responsible for satisfying each condition, and each of these conditions must be satisfied prior to or concurrently with the submittal of the final map with the City Engineer for the purpose of filing. The agency and / or City department(s) responsible for ensuring implementation of each condition is indicated in parenthesis with each condition.

A. Notice to Applicant of Fees & Exaction Appeal Period

The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code §66020(d), these conditions constitute written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions.

The applicant is hereby notified that the 90-day protest period, commencing from the date of approval of the project, has begun. If the applicant fails to file a protest regarding any of the fees, dedication requirements, reservation requirements or other exaction contained in this notice, complying with all the requirements of Government Code §66020, the applicant will be legally barred from later challenging such exactions.

B. Conditions

1. Finance Districts

Prior to recordation of the final map, the project shall be included in the appropriate City financing districts as needed to most efficiently provide for

public maintenance of public landscaping, improvements such as sound walls, and provision of new or enhanced services such as street lighting to the satisfaction of the City Finance Manager. (FINANCE, ENGINEERING, PUBLIC SERVICES)

2. Riparian Area and Creek Protection

An open space and conservation easement shall be recorded over that portion of the subdivision described as follows for purposes of riparian area and creek protection:

The area shown on the tentative subdivision map exhibit as Lot C, which represents the delineated limits of the riparian habitat and the 50-foot top of bank setback line.

The easement shall be in substantial compliance with the City's form Grant Of Open Space And Conservation Easement, and shall prohibit, among other things, grading, removal of native or mitigation vegetation, deposit of any type of debris, lawn clippings, chemicals, or trash, and the building of any structures, including fencing except that required through the previously approved design review (DR2014-0016); provided, that native vegetation may be removed as necessary for fire abatement and flood control and protection pursuant to a permit issued by the California Department of Fish and Game. (ENGINEERING)

3. Reciprocal Easements

A reciprocal access and parking easement, or its legal equivalent in a form acceptable to the City Attorney, shall be recorded over and between each of the parcels in the subdivision concurrent with the recording of the final map. (CITY ATTORNEY, ENGINEERING)

4. Common Areas - Open Space - Maintenance

Prior to or concurrently with the recordation of the final map the subdivider shall provide for the ownership and maintenance of those portions of the project to be commonly owned and / or maintained by the residents of the subdivision as specified herein through formation of a homeowner's association. The documents creating the homeowner's association shall meet the following requirements and minimum provisions: (ENGINEERING, CITY ATTORNEY)

- a. Define the following portions of the subdivision to be common areas jointly owned and / or maintained by the residents of the subdivision: Lot A and Lot C as shown in Exhibit A.

- b. Assignment to the homeowner's association responsibility for the maintenance of common areas and commonly maintained areas on and within Lot A, Lot C, and Lots 1 through 20, including but not limited to, all structures, landscaping, private utility services, outdoor lighting, private streets and alleys, parking, recreational facilities, detention and drainage facilities, all landscaping in the public rights-of-way, as required herein, and oak mitigation plantings, if any.
- c. Assignment to the homeowner's association responsibility to monitor and report to the Economic and Community Development Director of the City of Rocklin on activities and violations of any of these conditions, easement restriction, or any other ordinance, rule or regulation of the City occurring within the common area.
- d. A statement that the City may, at its option, cause the maintenance responsibilities set forth in the documents creating the homeowners association to be performed and assess (lien) the cost to the homeowner's association in the event the project is not maintained in accordance with the approved plans. (RMC §17.60.040)
- e. A statement expressly prohibiting modification or deletion of any portion of the homeowner's association documents which specifically address City conditions of approval, City requirements, or termination of the HOA in its entirety, without the express written consent of the City.
- f. The documents creating the homeowner's association shall specifically include the following condition for enforcement by the homeowner's association:

A "parking enforcement plan" (Exhibit B to Resolution 2016-180) that includes guarantees, to the satisfaction of the Economic and Community Development Director that the garages shall be used for the parking of automobiles, and ensures that roll-up garage doors, with automatic garage door openers are used throughout the project, consistent with RMC 17.66.020.
- g. City review shall be required for any development, including fencing and landscaping, within the common area. Notice of this requirement shall be recorded by separate instrument with the final map.
- h. A notice shall be included in the subdivision's CC&Rs, and recorded by separate instrument with the final map, stating that individual lot and building design shall be subject to City approved design guidelines

available from the City of Rocklin Department of Economic and Community Development.

In lieu of a property owners association, as required above in Section 4(b), Subdivider may utilize a conservancy, or other suitable legal entity, to own, maintain, and carry out all duties identified in this Section 2. as related to the lot designated "Open Space" on Exhibit A. This alternative ownership entity shall have characteristics of responsibility, accountability, and longevity, which are substantially similar to a property owners' association, so that the City is confident of the entity's ability to operate, manage and maintain the open space in perpetuity. Any alternative ownership entity shall be formed so that the maintenance, monitoring, and lien rights required in Section 15(b) are legal obligations of the ownership entity. The alternative ownership entity shall be reviewed and approved by the City Attorney and the Economic and Community Development Director for compliance with these conditions of approval.

5. Validity

This entitlement shall expire two years from the date of approval unless prior to that date a final map has been recorded or a time extension has been granted. (PLANNING)

PASSED AND ADOPTED this 25th day of July, 2017, by the following vote:

AYES:	Councilmembers:	Patterson, Broadway, Gayaldo, Janda, Yuill
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None



Scott Yuill, Mayor

ATTEST:

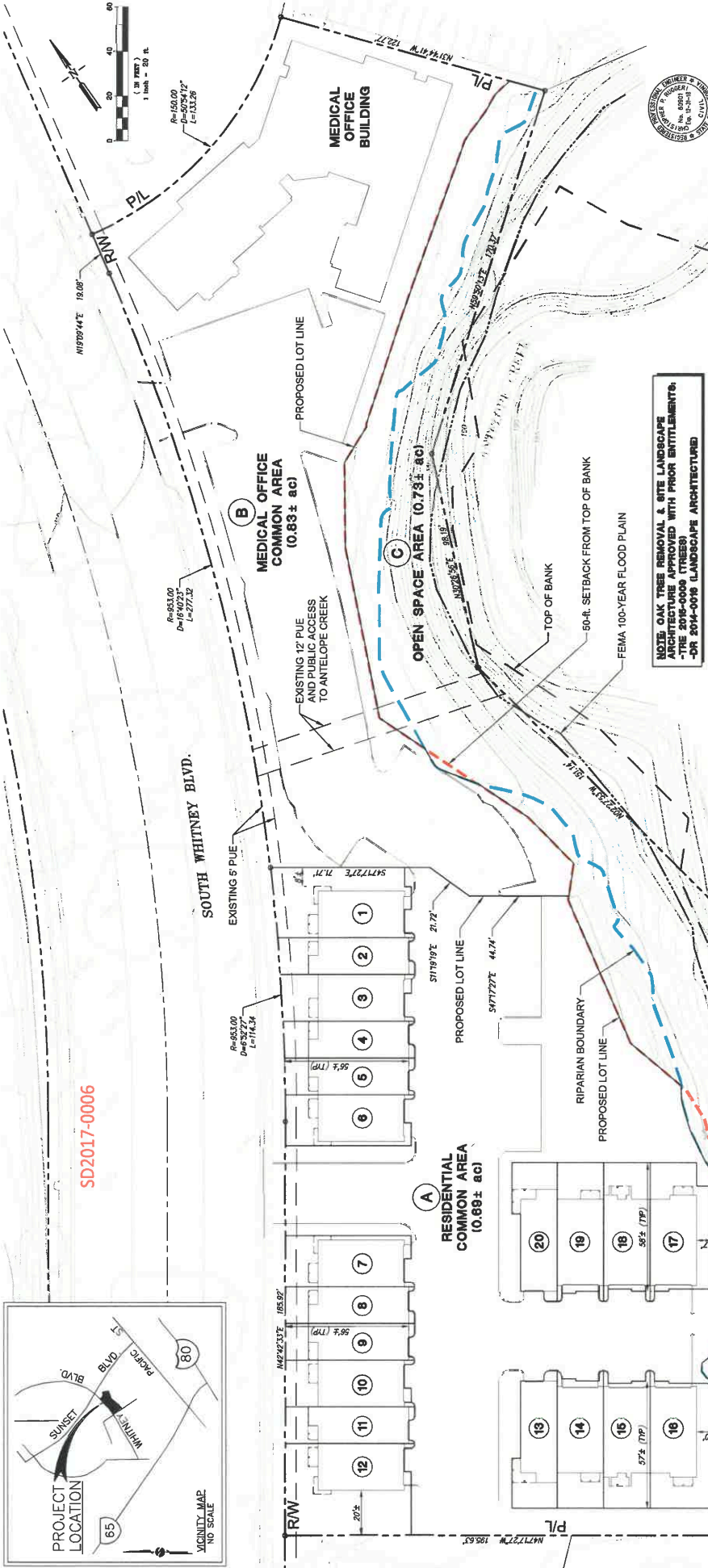
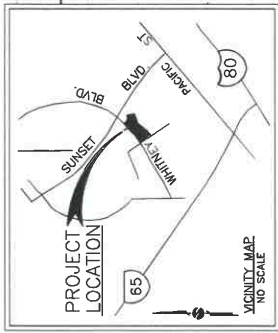


Barbara Ivanusich, City Clerk

EXHIBIT A

South Whitney Mixed Use Townhomes and Medical Center / SD2017-0006

Available at the Economic & Community Development Department, Planning Division



SD2017-0006

NOTE: OAK TREE REMOVAL & SITE LANDSCAPE ARCHITECTURE APPROVED WITH PRIOR ENTITLEMENTS. -TR 2016-0006 (TREES) -OR 2014-0016 LANDSCAPE ARCHITECTURE

Project Summary:
 ASSESSOR PARCEL #: 016-240-039
 Total Land Area: 2.87 Gross Acres (±)
 Existing Land Use: Vacant
 Existing General Plan: HDR / RC / RC
 Existing Zoning: PD-R / C-2 / OA
 Proposed Land Use: Residential (20 Units) / Commercial (Medical Office)

LOT #	AREA (AC)	DESCRIPTION
1	0.89±	RESIDENTIAL COMMON AREA
2	0.89±	RESIDENTIAL COMMON AREA
3	0.89±	RESIDENTIAL COMMON AREA
4	0.89±	RESIDENTIAL COMMON AREA
5	0.89±	RESIDENTIAL COMMON AREA
6	0.89±	RESIDENTIAL COMMON AREA
7	0.89±	RESIDENTIAL COMMON AREA
8	0.89±	RESIDENTIAL COMMON AREA
9	0.89±	RESIDENTIAL COMMON AREA
10	0.89±	RESIDENTIAL COMMON AREA
11	0.89±	RESIDENTIAL COMMON AREA
12	0.89±	RESIDENTIAL COMMON AREA
13	0.89±	RESIDENTIAL COMMON AREA
14	0.89±	RESIDENTIAL COMMON AREA
15	0.89±	RESIDENTIAL COMMON AREA
16	0.89±	RESIDENTIAL COMMON AREA
17	0.89±	RESIDENTIAL COMMON AREA
18	0.89±	RESIDENTIAL COMMON AREA
19	0.89±	RESIDENTIAL COMMON AREA
20	0.89±	RESIDENTIAL COMMON AREA
TOTAL LOT AREA = 2.87± AC		

LOT #	AREA (AC)	DESCRIPTION
A	0.89±	RESIDENTIAL COMMON AREA
B	0.89±	MEDICAL OFFICE COMMON AREA
C	0.73±	OPEN SPACE AREA
1-20		RESIDENTIAL LOTS
TOTAL LAND AREA = 2.87± AC		

LOT #	AREA (AC)	DESCRIPTION
1	0.89±	SINGLE FAMILY
2	0.89±	SINGLE FAMILY
3	0.89±	SINGLE FAMILY
4	0.89±	SINGLE FAMILY
5	0.89±	SINGLE FAMILY
6	0.89±	SINGLE FAMILY
7	0.89±	SINGLE FAMILY
8	0.89±	SINGLE FAMILY
9	0.89±	SINGLE FAMILY
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POTENTIAL EASEMENTS:
 - POWA Water Line Easements
 - SPWUD Sewer Easements
 - Reciprocal Access, Parking, Drainage Easements
 Note: Utility Easements to be granted as requested by utility company.

SERVICE PROVIDERS:
OWNER / DEVELOPER / APPLICANT:
 USA Investments Associates
 808 North First Street
 San Jose, CA 95112
 Contact: Gil Luo
 (408) 868-9122

BUILDING ARCHITECT:
 GKW Architects
 710 E. McGillicuddy Lane, Suite 100
 Campbell, CA 95008
 Contact: Gordon Wong
 (408) 796-1846

CIVIL ENGINEER:
 RJA
 2541 Warren Drive, Suite 100
 Rocklin, CA 95677
 Contact: Chris Ruggieri
 (916) 839-8900

SEWER:
 SPWUD
 (916) 786-6655

WATER:
 P.C.W.A.
 (930) 823-4850
 Gas & Electric:
 P.G.&E.
 (930) 880-3270

Telephone:
 AT&T
 (530) 869-3256

Cable TV:
 Cable One
 (916) 315-3203

Garbage:
 Recology Auburn-Placer
 Disposal Service
 (530) 866-3735

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TENTATIVE SUBDIVISION MAP

USA Investments Associates
South Whitney Mixed Use
 Whitney Professional Plaza & Whitney Villas
 Rocklin, CA

RJA
RUGGIERI-JENSEN-AZAR
 REGISTERED PROFESSIONAL ENGINEERS
 CIVIL ENGINEERING
 2541 WARREN DRIVE, SUITE 100
 ROCKLIN, CA 95677
 PHONE: (916) 839-8900 FAX: (916) 839-8900
 JUN 05, 15:02:09 DATE: MAY 26, 2017