

RESOLUTION NO. 2022-

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

(Estia at Rocklin / DL2021-0004)

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 Parcel Map (DL2021-0004) allows the subdivision of one approximately 30.0-acre lot into two (2) parcels of approximately 20.0 acres (Parcel 1) and 10.0 acres (Parcel 2) to create two lots consistent with the requested land use and zone boundary changes.

B. A Mitigated Negative Declaration of environmental impacts has been approved for this project via City Council Resolution No. .

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. The subdivision would facilitate the construction of 181 additional apartment units on a portion of the existing property which has remained primarily vacant and underutilized for decades. The construction of these units would increase housing availability.

D. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the zoning classifications on the property. The current zoning of the project site is Planned Development Commercial (PD-C) and Planned Development Light Industrial (PD-LI) and the proposed zoning requested via a concurrent Rezone is Planned Development 10 units per acres (PD-10) for the 20.0-acre portion of the site, pursuant to the Northwest Rocklin General Development Plan. This tentative parcel map application would create two lots consistent with the applicable development standards of the existing and proposed zoning designations.

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. The project site is designated as Business Professional (BP) on the Rocklin General Plan and the proposed General Plan designation requested via a concurrent General Plan Amendment is Medium High Density Residential (MHDR) for the 20.0-acre portion of the site. The creation of two parcels is consistent with the existing and proposed land use designations.

F. The site is physically suitable for the proposed type and density of development. The site generally slopes from east to west with rocky and uneven terrain. While the site does include wetlands, these will be mitigated for as identified in the Mitigated Negative Declaration via conditions of approval placed on the concurrent Design Review for the project. All utilities and other services are available and located within close proximity to the site.

G. The design of the subdivision and the proposed improvements will minimize or mitigate potential environmental damage consistent with the Mitigated Negative Declaration and therefore 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 concurrent development request for 181 apartments units on proposed Parcel 1 is subject to approval of a Design Review and is required to be consistent with energy requirements, including, providing, to the extent feasible, for future passive or natural heating and cooling opportunities.

K. The proposed tentative parcel map conforms with the requirements of Title 16 (Subdivisions) of the Rocklin Municipal Code, Title 17 (Zoning) of the Rocklin Municipal Code, and the City of Rocklin General Plan.

Section 2. The Estia at Rocklin Tentative Parcel Map (DL2021-0004) as depicted in Exhibit A, attached hereto and by this reference incorporated herein, is hereby approved, 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. 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. Easements

- a. A reciprocal access 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 specifically to allow Parcel 1 access through Parcel 2. (CITY ATTORNEY, ENGINEERING)
- b. Prior to or concurrent with the recordation of the final map, the existing twenty-foot (20) wide South Placer Municipal Utility District (SPMUD) easement shall be widened to fifty (50) feet, subject to the approval of SPMUD. (SPMUD, ENGINEERING)

2. Dedication of Right-of-Way

Prior to recordation of the map, all rights-of-way associated with the project improvements shall be offered by separate instrument; provided that the following shall be offered by means of an irrevocable offer of dedication (IOD):

- a. The area along the westerly side of University Avenue to accommodate the final road section and roundabout design as identified in Exhibit A to the concurrent Design Review, 'Ultimate Build Out Frontage' graphic.

3. Revision to Map

If the property right referenced in Page 313 of Book 3059 in the Office of the Placer County Recorder is relinquished or abandoned prior to the recordation of the final map, all relevant notations regarding abutter's rights shall be modified and/or removed, as applicable, subject to the satisfaction and approval of the City Engineer, City Surveyor, and City Attorney. (PUBLIC SERVICES, COMMUNITY DEVELOPMENT, CITY ATTORNEY)

4. Indemnification and Duty to Defend

Within 15 days of approval of this entitlement by the City, the subdivider shall execute an Indemnity Agreement, approved by the City Attorney's Office, to indemnify, defend, reimburse, and hold harmless the City of Rocklin and its agents, officers and employees from any claim, action, or proceeding against the City of Rocklin to set aside, void or annul an approval of the entitlement by the City's planning commission or City Council, which action is brought. The City will promptly notify the applicant of any such claim, action or proceeding, and the City will cooperate in the defense of the claim, action or proceeding. Unless waived by the City, no further processing, permitting, implementation, plan checking or inspections related to the subdivision or parcel map shall be performed by the City if the Indemnity Agreement has not been fully executed. (CITY ATTORNEY)

5. Validity

- a. All portions of this entitlement for which a final map has not been recorded shall expire three (3) years from the date of approval, unless prior to that date a time extension has been granted. (PLANNING)
- b. This entitlement shall not be considered valid and approved unless and until the concurrent General Plan Amendment (GPA2021-0001), Rezone (Z2021-0001), and Design Review (DR2021-0012) have been approved. (PLANNING)

PASSED AND ADOPTED this 27th day of September, 2022, by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:
ABSTAIN: Councilmembers:

Bill Halldin, Mayor

ATTEST:

Hope Ithurnburn, City Clerk

EXHIBIT A

Estia at Rocklin - Tentative Parcel Map - DL2021-0004

Available at the Community Development Department, Planning Division