

PLANNING & REDEVELOPMENT DEPARTMENT STAFF REPORT PLANNING COMMISSION MEETING JANUARY 26, 2006

Prepared by: Steve Lindbeck, Project Planner

ITEM IV-D: DEVELOPMENT AGREEMENT AMENDMENT - 6700 FIDDYMENT RD - WRSP WESTPARK LARGE LOT DA AMENDMENT - FILE# DA-000020

REQUEST

The applicant requests approval of a Development Agreement Amendment to modify the existing Westpark Development Agreement to add or revise sections relating to fees and make text clarifications.

Applicant – Gregg McKenzie, PL Roseville LLC Property Owner – PL Roseville LLC

SUMMARY RECOMMENDATION

The Planning & Redevelopment Department recommends that the Planning Commission take the following actions:

A. Recommend that the City Council adopt the five findings of fact and approve the Development Agreement Amendment.

SUMMARY OF OUTSTANDING ISSUES

There are no outstanding issues associated with this request. The applicant and all affected City departments have reviewed and agreed with the terms of the Development Agreement Amendment.

BACKGROUND

The West Roseville Specific Plan (WRSP) area is located in the northwest corner of the City. The 1,484 acre Westpark portion is bounded by Phillip Road on the north and Fiddyment Road on the east (Attachment 1). The WRSP was approved by the City on February 4, 2004 and established the land use designations and zoning standards for the specific plan area. The Westpark Development Agreement was approved for development of 4,260 residential units in four phases. Currently, the Phase 1 major infrastructure roads, drainage and utilities are under construction, and the Phase 1 subdivisions will soon begin construction.

EVALUATION

Prior to obtaining building permits for houses in Westpark, developer PL Roseville seeks to amend the existing Development Agreement to revise certain sections of text for clarification. The proposed DA Amendment also adds new fee sections reflecting the EIR settlement agreements and other previous agreements. The proposed DA Amendment does not include any items related to WRSP policies or standards, so as a result it is shorter and simpler than the recently approved Fiddyment Ranch DA Amendment. (That DA Amendment had several policy/standards items which required concurrent approval of a Specific Plan Amendment and Rezone).

The proposed DA Amendment is summarized in the following table and is attached as Exhibit A.

_Topic	Exhibit A #	Amendment
Vested Entitlements	1.b.	Revises DA Section 2.2 for clarification
Project Phasing	1.d.	Revises DA Section 3.3 to reference Exhibit II (not HH) and to clarify other text
Traffic Signal Interconnect	1.e.	Adds DA Section 3.5.7.1 to memorialize a previous agreement regarding traffic signal interconnects
Transit Shuttle Service Fee	1.f.	Adds DA Section 3.14.14 to establish new fee of \$52.50 per dwelling unit
South Placer Animal Control Shelter Fee	1.g.	Adds DA Section 3.14.15 to establish new fee of \$50.00 per dwelling unit
Settlement Agreements	1.h. 1.i.	Adds DA Section 3.14.16 to address Loomis Settlement Fee Adds DA Section 3.14.17 to address Air Quality Mitigation
Disclosures	1.j.	Adds two disclosure sentences to DA Section 3.24
Fee Adjustments Resulting From Under-Building	1.k.	Adds DA Section 3.26 to describe fee adjustment if under- utilization of entitled dwelling units occurs
Miscellaneous	1.a. 1.c.	Updates and corrects the DA Table of Contents Revises DA Section 2.6 regarding Community Services Director
	1.l.	Revises DA Article 10 regarding noticing

Zoning Ordinance Section 19.84.040 stipulates that five findings must be made in order to approve a Development Agreement Amendment. The findings are listed below.

- 1. The Development Agreement is consistent with the objectives, policies, programs and land use designations of the City of Roseville General Plan;
- 2. The Development Agreement is consistent with the City of Roseville Zoning Ordinance;
- 3. The Development Agreement is in conformance with the public health, safety and welfare;
- 4. The Development Agreement will not adversely affect the orderly development of the property or the preservation of property values; and
- 5. The provisions of the Development Agreement will provide sufficient benefit to the City to justify entering into the Agreement.

In summary, the DA Amendment has been reviewed by all affected departments and the changes have been found to be acceptable to all parties. The changes included within this DA Amendment are consistent with and generally mirror the DA Amendment recently approved for the Fiddyment Ranch portion of the West Plan.

ENVIRONMENTAL DETERMINATION

The Planning & Redevelopment Director has determined that the Development Agreement Amendment is exempt from CEQA because it does not involve any physical change to the environment. The Amendment inserts new text to clarify existing sections of the Development Agreement. The Amendment also inserts new sections which serve to memorialize the terms of previous agreements. As a result, the document will not have any effects on the environment beyond those identified in the Environmental Impact Report (EIR) prepared for the West Roseville Specific Plan (WRSP) and certified by the City of Roseville on February 4, 2004 (SCH#2002082057).

RECOMMENDATION

The Planning & Redevelopment Department recommends the Planning Commission take the following actions:

A. Recommend that the City Council adopt the five findings of fact as stated in the staff report and approve the Westpark Large Lot Development Agreement Amendment – File # DA-000020.

ATTACHMENTS

1. Vicinity Map

EXHIBITS

A. Draft Development Agreement Amendment

Note to Applicant and/or Developer: Please contact the Planning & Redevelopment Department staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning & Redevelopment Director at, or prior to, the public hearing.