



**City Hall
American River North Community Room
2729 Prospect Park Drive, Rancho Cordova**

Tuesday, October 27, 2009 – 5:30 p.m.

Joint Special Meeting – City Council and Planning Commission



WORK SESSION

1. Rio del Oro Project Overview and Discussion of Limited Entitlement

PUBLIC COMMENT

At a special meeting, citizens wishing to address the Council for any matter on the agenda may do so at the time the matter is discussed. Note, under the provisions of the California Government Code, the City Council is prohibited from discussing or taking action on any unagendized item.

ADJOURNMENT

CERTIFICATION OF AGENDA POSTING

City Clerk's Certificate of Posting of Agenda

I, Mindy Cuppy, City Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the October 27, 2009 Joint Special Meeting of the Rancho Cordova City Council and Planning Commission was posted on October 22, 2009 at the office of the City of Rancho Cordova, 2729 Prospect Park Drive, Rancho Cordova, California, 95670 and was available for public review at that location. The agenda is also available on the city web site at www.cityofranhocordova.org.

Signed this 22nd day of October 2009 at Rancho Cordova, California.


Mindy Cuppy, City Clerk

MEMORANDUM



DATE: October 27, 2009

TO: Honorable Mayor and Council Members
Planning Commission Members

FROM: Paul Junker, Planning Director
Pam Johns, Project Manager

SUBJECT: RIO DEL ORO PROJECT UPDATE AND DISCUSSION OF LIMITED ENTITLEMENT

PROPERTY OWNERS: GenCorp Realty Investments Elliott Homes	APPLICANTS/DEVELOPERS: GenCorp Realty Investments (David Hatch) Elliott Homes (Russ Davis)
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PROJECT:	Rio del Oro
FILE:	RC-04-052
LOCATION:	3,828.5 acres south of White Rock Road, north of Douglas, and east of Sunrise
APN:	072-0370-070 and 072-0370-071
PLANNER:	Pam Johns, Project Manager (Planning) Patrick Angell, Project Manager (Environmental)

RECOMMENDATION

Consider revised project with limited entitlement and discuss/provide input and direction as appropriate. No formal action is required.

RESULT OF RECOMMENDED ACTION

City Council and Planning Commission will receive an update on the revised Rio del Oro project with limited entitlement. Council and Commission input and direction will assist staff and the applicant team in completing review of the project. Subsequent hearings will be scheduled with the Planning Commission and City Council.

BACKGROUND/PROJECT HISTORY

The Rio del Oro project originally included a request for a General Plan Amendment, Rezone, Special Planning Area Amendment/Specific Plan, Large Lot Map for the portion of the site owned by Elliott Homes, Development Agreement, and corresponding environmental review for a 3,828 acre mixed use community east of Sunrise Boulevard between White Rock and Douglas Roads. The development application was originally

submitted to the County prior to City incorporation in 2003. Upon incorporation, the City took over responsibility for the evaluation and action on the proposed project.

The Rio del Oro project has gone through several revisions in response to studies and best practices, changing market conditions, General Plan policies, other City planning efforts, and input/direction from staff and decision makers. Most recently, in the summer of 2008, City Council held two meetings to consider several important project issues related to financing, phasing, and project infrastructure. **Attachment 1** includes project chronology from 2003 to present summarizing the work efforts, project revisions, and project meetings.

The City and the Applicant team have been able to successfully complete the majority of the technical and environmental studies and reach agreements on many significant elements of the project including the land use plan and design standards. However, the parties could not reach an agreement on the details of the Financing Plan including infrastructure funding and implementation plan for the project. In the spring of 2009, the applicant team and City agreed to pursue the concept of phasing project entitlements in what is now referred to as the limited entitlement for Rio del Oro. The goal is to limit the request at this time to the adoption of the Rio del Oro Specific Plan (with corresponding environmental analysis and development agreement) and to defer maps and detailed financing, phasing, and overall map conditions to a subsequent entitlement process. Details of the limited entitlement are described in the next section of the report.

LIMITED ENTITLEMENT

California law allows cities and developers considerable flexibility to decide how to "package" the long list of development approvals that are needed for most major planned developments. A typical model is to combine all or almost all of the plans and permits required to plan, analyze, subdivide and start building a project into a single set of approvals that the City Council considers at one time. However, with proper environmental analysis and following the required procedures, a number of other communities around the state have at times found it useful to allow major developments to be packaged into two or more sequential rounds of development approvals. This multi-phase or multi-tier approach has been followed in this region (Sutter County, Sutter Point Specific Plan) and in other areas of the state.

The current proposal is to process the Rio del Oro project in two separate phases or "Tiers" of development approvals for each of the two owners. The Tier One Entitlements are being prepared now. They include the Rio del Oro Specific Plan (and corresponding amendment to Aerojet SPA), a Tier One Development Agreement, and certification of the environmental document for the project. The Tier One Development Agreements will vest, to some extent, the Rio del Oro Specific Plan and commit the City to consider future approval of the land uses and other details in the Specific Plan. The City would agree that the Specific Plan is essentially the blueprint for the development and that the City and developers will both work toward the development it describes. Both the parties would agree that, before any physical development on the property could be allowed to occur, important details about financing and other issues would need to be worked out and reflected in the Tier Two round of approvals.

Tier One Entitlements establish the zoning of the property, but do not allow for physical development of the site. Critical to the Tier Two Entitlements is that the financing, phasing, and overall project conditions of approval are determined and memorialized in the form of Development Agreements prior to or in conjunction with the maps and other entitlements associated with physical development of the site.

Staff and the applicant team have identified several benefits to the limited entitlement approach as follows:

- The Specific Plan establishes zoning and land use plan that reflect/implement the General Plan vision for this area.
- The Specific Plan advances the City's circulation system.
- The Tier One Entitlements create a framework for future planning and construction of several important improvements (e.g., high school, regional park, transportation improvements, library).
- The 404 permit establishes certainty about the land use plan and infrastructure.
- The Environmental Impact Report (EIR) will create the foundation and expedite all future environmental review.
- The action on the project protects the integrity of significant investment in the technical studies and project analysis.

TIER ONE ENTITLEMENTS

Current project entitlements include the Rio del Oro Specific Plan, amendment to the existing Aerojet Special Planning Area, certification of the Environmental Impact Report/Environmental Impact Statement, and Tier One Development Agreement for the entire project. Each entitlement is described in more detail below.

Rio del Oro Specific Plan

The Rio del Oro Specific Plan (RDOSP) establishes the land plan (zoning map) and zoning regulations for development within the 3,828 acre project area. Consistent with State law, a Specific Plan can establish zoning regulations that are different from and unique to the project area. The RDOSP includes information about project objectives, relationship to other City documents, setting and surroundings, land use and circulation, environmental resources, public utilities, public services, and implementation. Related plans in the Appendix include the Rio del Oro Development Standards and Design Guidelines and the On-Site Infrastructure Phasing Master Plan.

As outlined in the Specific Plan, the Rio del Oro project would include 11,601 dwelling units with a projected future population of almost 30,000 persons, which equates to approximately a 50 percent increase in the existing population of Rancho Cordova. As outlined in the City's General Plan Building Blocks, the Rio del Oro Planning Area represents a District with approximately 9 Neighborhoods and 3 Villages with neighborhood gathering places, local and regional serving retail, jobs, and parks and open space. Acreage and unit count for general land use categories are summarized below.

Rio del Oro Proposed Land Use Summary		
Land Use Category	Acreage	Units
Single Family Residential	1,518	7,593
Medium Density Residential	256	2,048
High Density Residential	98	1,960
Village Center	20	
Local Town Center	20	
Regional Town Center	113	
Business Park	86	
Industrial Park	283	
Public/Quasi Public	8	
Schools	152	
Parks	175	
Wetland Preserve	510	
Drainage Basin and Parkways	177	
Open Space and Landscape Corridors	167	
Private Recreation	54	
Major Roads	192	
Total	3,829	11,601

Adoption of the RDOSP with this first phase of development would establish and vest (through the Development Agreement) the zoning of the property, including the land plan and corresponding development standards, circulation system, plan for services and utilities, preliminary on-site phasing, and plan for implementation and financing. Subsequent development would be subject to compliance with all provisions of the adopted Specific Plan. As explained in the limited entitlement discussion, additional project details (Finance Plan, Phasing Master Plan, and overall project conditions of approval) are required prior to formal subdivision and physical development of the site.

Amendment to the Aerojet Special Planning Area

In 1995, Sacramento County adopted the Aerojet Special Planning Area (SPA) Ordinance, which included surface mining and use regulations for much of Aerojet's land holdings, including the Rio del Oro project area. Adoption of the Rio del Oro Specific Plan requires a corresponding amendment to the Aerojet SPA to remove the 3,828 acre project site.

Environmental Impact Report/Environmental Impact Statement

The project will require environmental approvals from both the City and the U.S. Army Corps of Engineers (USACE) prior to substantial development of the site. City and USACE staff have been working closely over the past six years on the preparation of an environmental document that would adequately address the environmental review needs

for both agencies. The environmental impact report/environmental impact statement (EIR/EIS) was prepared for the Rio del Oro Specific Plan for purposes of compliance with the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). The City is acting as the lead agency under CEQA and the U.S. Army Corps of Engineers, Sacramento District, as federal lead agency under NEPA. The EIR/EIS is a joint document intended to comply with both CEQA and NEPA disclosure requirements regarding potential environmental effects of the project.

In addition to local development entitlement requests, the project applicants are requesting authorization from U. S. Army Corps of Engineers to place dredged or fill material into waters of the United States (30.3 acres of wetlands are proposed to be filled). This 404 permit process is a separate federal approval that must be obtained prior to site work. Because this process often requires several years of review, the 404 permit process generally runs concurrent with the EIR/EIS process, but the two processes can be sequential.

The environmental review of the Rio del Oro Specific Plan commenced with the release of the Notice of Preparation (NOP) by the City on December 12, 2003 and the release of the Notice of Intent (NOI) by the USACE on January 30, 2004. Input from scoping meetings informed the work on the DEIR/DEIS, which was released in December 2006. Based on new legal findings and comments on the DEIR/DEIS, the City and USACE prepared an additional focused analysis of water supply and biological resources in a Recirculated Draft EIR/Supplemental Draft EIS, which was released in March 2008. Public and agency comments were received and the agencies are preparing written responses to these comments and associated minor changes to the Draft EIR/EIS. Together, these documents will comprise the Final EIR/EIS. The Final EIR/EIS will then be utilized by the City and USACE for consideration of the Rio del Oro Specific Plan and associated request for authorization from U. S. Army Corps of Engineers to place dredged or fill material into waters of the United States. The Final EIR/EIS is scheduled for completion in December 2009.

As a result of the limited entitlement approach, the mitigation measures have been modified to match the project sequencing. The environmental document analyzes more details than are currently included in the first phase of project entitlement (Tier One Entitlement). Certification of the EIR with additional project details does not constitute approval or entitlement of the more detailed project. Rather, certification of the environmental document is a statement that the environmental process has been complied with. Subsequent entitlement (Tier Two Entitlement) will be evaluated in accordance with the California Environmental Quality Act (CEQA) to determine if any additional environmental review is required at the time the Tier 2 Entitlements are requested.

Development Agreement

The current proposal is to process the Rio del Oro project in two separate phases or "Tiers" of development approvals for each of the two owners. The Tier One Entitlements include a Tier One Development Agreement for each of the two owners and the Rio del Oro Specific Plan. The Tier One Development Agreements will be identical, except that one will apply to Elliot's property and one will apply to Aerojet's property. The Tier One Development Agreements will vest, to some extent, the Rio del Oro Specific Plan and commit the City to consider future approval of the land uses and other details in the

Specific Plan. In the Tier One Development Agreements, the City would agree that the Specific Plan is essentially the blueprint for the development and that the City and developers will both work toward the development it describes. Both parties agree that before any Tier Two Entitlements are approved and before physical development would be allowed, including the Tier Two Development Agreements, all of the developers within the Specific Plan Area would agree to the Financing Plan, Phasing Master Plan, and overall project conditions of approval.

NEXT STEPS

Project documents and staff analysis are generally complete and the project is now ready for public hearings for review and action on the Rio del Oro limited entitlements. Our schedule assumes public hearings with the Planning Commission in January (14th and 28th), then public hearings with the City Council starting in late February or early March.

ATTACHMENT(S)

1. Rio del Oro Project Chronology
2. Rio del Oro Specific Plan Dated October 19, 2009

Rio del Oro

Joint Study Session

Paul Junker, Planning Director

Pam Johns, Project Planner

October 27, 2009



Meeting Purpose

- Consideration of Rio del Oro limited entitlement
- Overview/update of revised project (Tier One Entitlement)
- Opportunity for initial questions, input, and direction from CC and PC as appropriate
- Outline plan for moving forward

Meeting Agenda

1. Background/Project History
 2. Limited Entitlement
 3. Tier One Entitlement
 - ❑ Rio del Oro Specific Plan
 - ❑ Amendment to Aerojet SPA
 - ❑ Environmental Review
 - ❑ Development Agreement
 4. Schedule Moving Forward
-

Project History/Background

- Application submittal at time of incorporation
- Rio del Oro project has gone through several revisions in response to:
 - Studies, best practices, changing market condition
 - General Plan policies and other planning efforts
 - Input and direction from staff and decision makers
- Applicant put a hold on the project in the Fall of 2008 after negotiations regarding financing, phasing and infrastructure did not yield desired results

Background on Limited Entitlement

- Spring 2009, City and Applicant Team agreed to pursue concept of phasing project entitlements
- Goal of the limited entitlement is to adopt the Rio del Oro Specific Plan with corresponding environmental analysis and Development Agreement and to defer maps and detailed financing, phasing, and overall map conditions to a subsequent entitlement process

Applicant Team

- Applicant position
- Status on project deliverables
- Recap about project benefits
- Other considerations

Limited Entitlement

What is it?

- ❑ A multi-phased (two-tiered) approach to project review and action by the City
- ❑ Allowed under California law, it's a re-packaging of development application and City actions

How does it work?

- ❑ Rio del Oro first phase (Tier One Entitlement) would establish and vest the zoning for the site, with environmental analysis and DA
- ❑ Prior to any land division or physical development, Tier Two Entitlements are required for detailed finance, phasing, and overall project conditions

Rio del Oro Limited Entitlement

Original Project Entitlements	Proposed Limited Entitlement Approach	
	Tier One Entitlement	Tier Two Entitlement
Rio del Oro Specific Plan	Rio del Oro Specific Plan • DSDGs • On-Site Infrastructure Phasing	Financing Plan Phasing Master Plan Overall Project Conditions
Large Lot Tentative Maps	Large Lot Map Exhibit	Large Lot Tentative Maps
Development Agreement	Development Agreement	Development Agreement
Amendment to Aerojet SPA	Amendment to Aerojet SPA	
Environmental Review	Environmental Review	Environmental Review
Tentative Subdivision Maps		
Subsequent Entitlements		
Tentative Subdivision Maps		
Design Review		
Use Permits		
Environmental Review		

Benefits of Limited Entitlementment

- Specific Plan establishes zoning and land use plan that reflect/implement the General Plan vision
- Specific Plan advances the City's circulation system
- Tier one Entitlements create a framework for future planning and construction of several important public improvements (e.g., high school, regional park)
- 404 Permit establishes certainty about the land plan and infrastructure
- EIR will create the foundation and expedite all future environmental review
- Project action protects the integrity of significant investment in technical studies and project analysis

Tier One Entitlements

1. Rio del Oro Specific Plan (RDOSP)
2. Amendment to Aerojet Special Planning Area (SPA)
3. Environmental review (EIR/EIS)
4. Tier One Development Agreement (DA)

Rio del Oro Specific Plan

- Rio del Oro Specific Plan becomes the zoning code for the project area:
 - SP includes project purpose/objectives, relationship to GP, setting, land use plan (zoning map), circulation, environmental resources element, public utilities and services, and implementation and administration
 - Development Standards and Design Guidelines (DSDGs) in the Specific Plan Appendix include development standards (including allowed use listing) and design guidelines for all proposed land uses within Rio del Oro

Rio del Oro Specific Plan

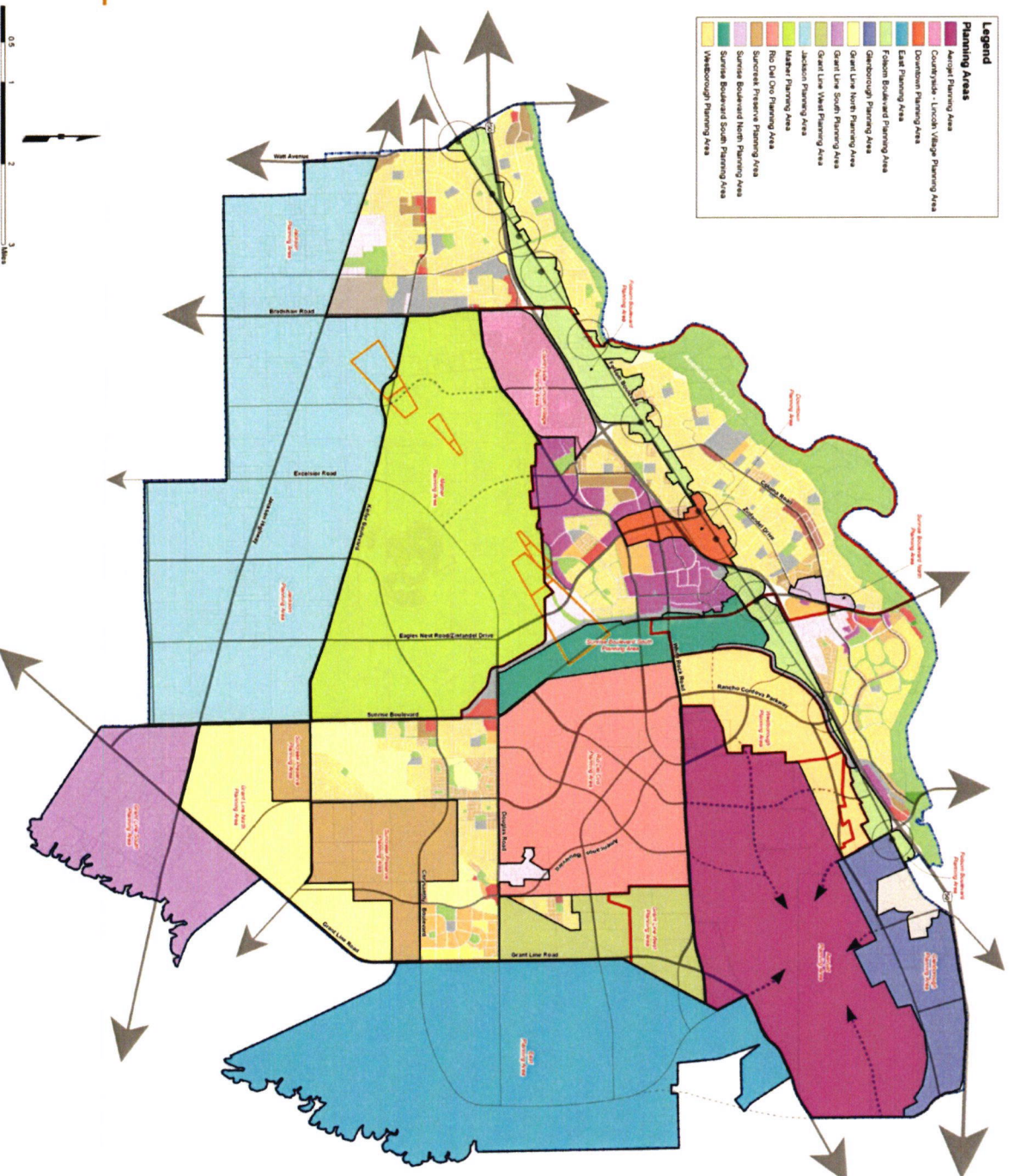
- Draft Specific Plan document dated October 2009 reflects agreed upon and directed changes
- Partnering documents include:
 - Development Standards & Design Guidelines
 - On-Site Infrastructure Phasing Plan
- Includes implementation and administration discussion related to future actions, entitlements, phasing, and financing
- Defers adoption of detailed Financing Plan, Phasing Master Plan, and overall project conditions of approval



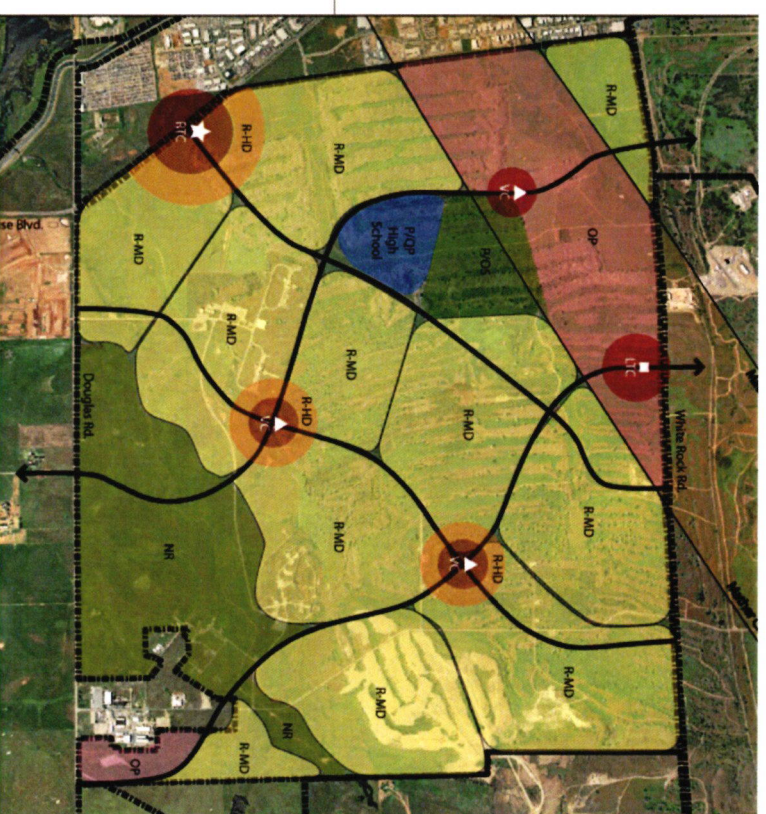
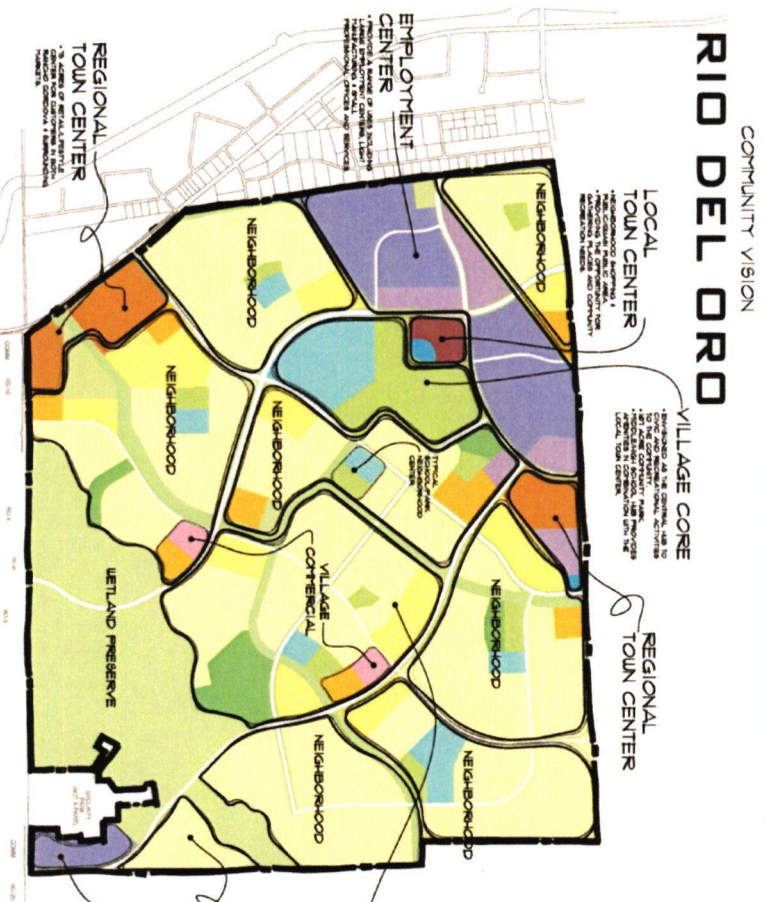
GENERAL PLAN

RANCHO CORDOVA GENERAL PLAN

PLANNING AREAS



General Plan Conceptual Land Plan for Rio del Oro



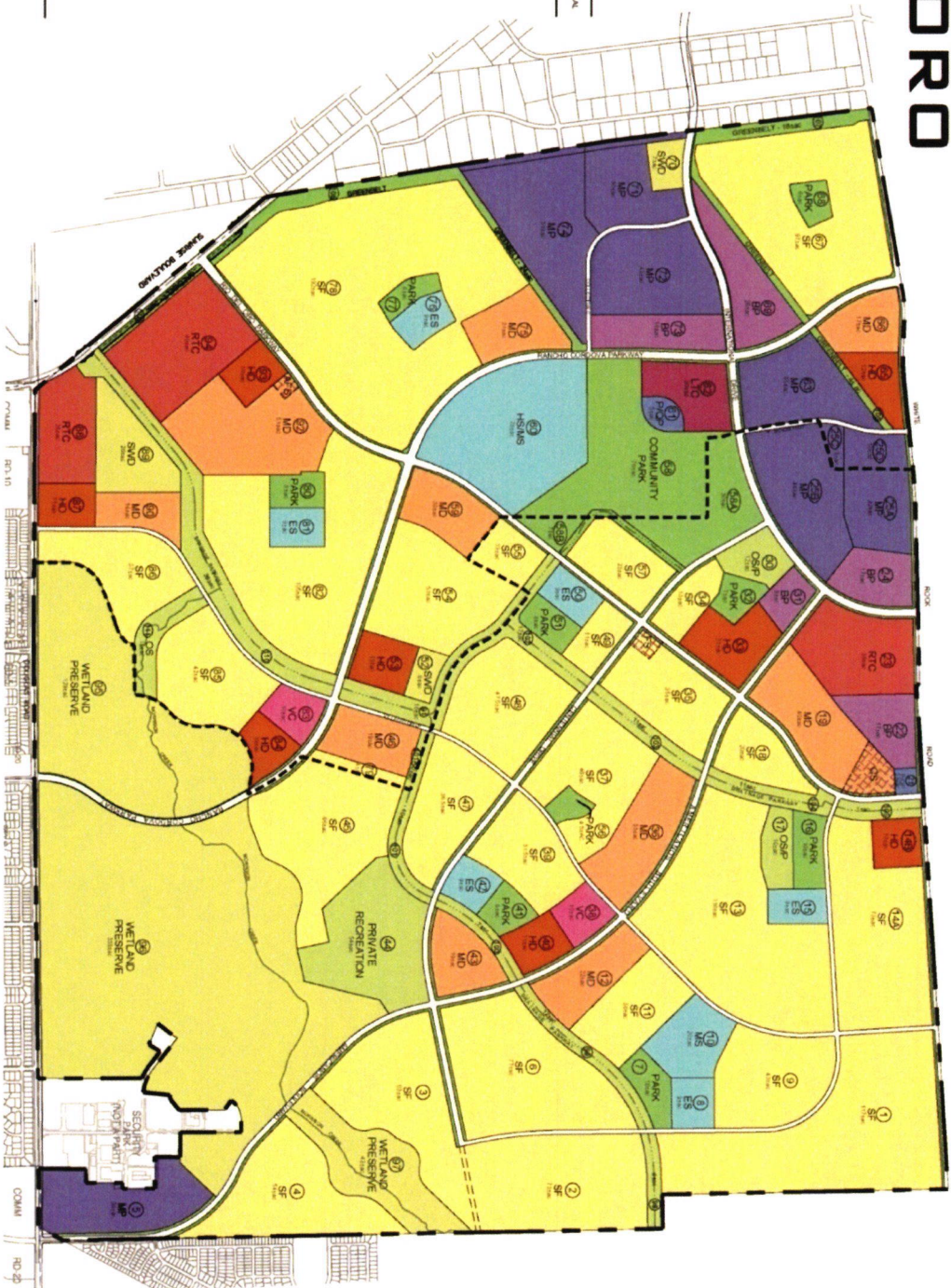
Rio del Oro Community Vision

Resolved Project Issues

- Land use plan in keeping with City's building block concept (neighborhoods, villages, districts)
- Circulation plan with modified grid system of roadways, public transit plan, and extensive system of trails throughout
- Parks and open space plan including dedication requirements, solution for sports park/water park, and performance open space guidance
- Plan for services and infrastructure
- Plan for implementation and administration

RIO DEL ORO

LAND USE		ACRES	DENSITY PER ACRE	FIXED COST	UNITARY %	% OF TOTAL ACRES
1	STATE & PRIVATE RESIDENTIAL	154.63	2.1 - 6.0	5.00 AC	73.83	65%
2	MEDIUM DENSITY RESIDENTIAL	296	6.1 - 16.0	8.00 AC	20.48	16%
3	HIGH DENSITY RESIDENTIAL	98	16.1 - 40.00	0.00 AC	1.80	1%
4	WALDORF COMMERCIAL	20				5.2%
5	LOCAL TOWN CENTER	20				
6	REGIONAL TOWN CENTER	113				
7	BUSINESS PARK	86				
8	INDUSTRIAL PARK	263				
9	PUBLIC & QUADRA PUBLIC	7.5				
10	RAIL STATION	+				
11	ALTERNATIVE FUEL STATION	+				
12	CONVENTION SCHOOL	+				
13	SCHOOL CAMPUS	78				
14	MIDDLE SCHOOL	20				
15	ELEMENTARY SCHOOL	94				
16	COMMUNITY PARK	107				
17	NEIGHBORHOOD PARK	67.3				
18	STORM WATER DETENTION	39				
19	WET LAND PRESERVATION	510				
20	SHARABLE PROPERTY	138				
21	PRIVATE RECREATION	54				
22	OPEN SPACE	12				
23	OPEN SPACE PRESERVE	22				
24	LANDSCAPE CORRIDORS	82				
25	LANDSCAPE	51				
26	WATER BODIES	162				
TOTALS		3620.5			11,607	100%



• UNDERLYING ZONING SHALL REMAIN

Rio del Oro Proposed Land Use Summary

Land Use Category	Acreage	Units
Single Family Residential	1519	7,593
Medium Density Residential	256	2,048
High Density Residential	98	1,960
Village Center	20	
Local Town Center	20	
Regional Town Center	113	
Business Park	86	
Industrial Park	283	
Public/Quasi Public	8	
Schools	152	
Parks	175	
Wetland Preserve	510	
Drainage Basin and Parkways	177	
Open Space and Landscape Corridors	167	
Private Recreation	54	
Major Roads	192	
Total	3,829	11,601

Amendment to Aerojet SPA

- Aerojet SPA adopted by County in 1995 for a larger project area, which include the Rio del Oro project site
- Amendment to that document adopted by the City upon incorporation may be required to remove the Rio del Oro project site

Environmental Review and Parallel Federal Process

- Combined EIR/EIS process/coordination
- 404 permit (wetland fill permit) required for "Waters of the U.S" within Rio del Oro
- 404 Permit parallel NEPA environmental review:
 - Federal Endangered Species Act consultation with US Fish and Wildlife Service
 - Cultural resource impacts under the National Historic Preservation Act
 - Determination of the LEDPA (least environmentally damaging practicable alternative)

Environmental Review for Limited Entitlement

- Mitigation measures have been modified to match the project sequencing
- EIR/EIS analyze more detailed project request
 - Certification of the EIR with additional project details does not constitute approval or entitlement of the more detailed project
 - Rather, certification of the EIR is a statement that the environmental process has been complied with
- Subsequent entitlement will be evaluated in accordance with CEQA to determine if any additional review is required

Development Agreement

- There will be two identical Tier One DAs (one for Elliott Homes and one for GenCorp)
- Tier One DAs will (at a minimum) include the following:
 - Vest (to some extent) the RDOSP and commit the City to consider future approval of land uses and other details consistent with the RDOSP
 - Establish the term for the Tier One Entitlements, at the end of which the Tier Two Entitlements must be completed
 - Require that all developers agree to a Financing Plan, Phasing Master Plan, and overall project conditions of approval prior to (or in conjunction with) division of land or subsequent development

Next Steps/Project Schedule

- Final EIR/EIS in December
 - Public Hearings Early 2010:
 - Planning Commission hearings in January (14th and 28th)
 - City Council hearings starting late February/early March
 - 404 Permit Process
 - Tier Two Entitlements
-