

## MEMORANDUM

**To:** Planning Commission

**From:** Sean Morales, Assistant Planner

**Date:** May 7, 2021

**Re:** WRSP PCL F-25 & F-26 Fiddymment Bungalows – Response to Neighbors Letter

The purpose of this memorandum is to adequately respond to a letter submitted by residents concerning the Fiddymment Bungalows project. Typically staff would provide a response to public comment received within the staff report. Given the length of the letter and the timing of receipt on the day of publishing, staff was not able to include a response in the published staff report. This memo addresses each subject in the letter.

### Overall

The letter correctly notes that a Design Review Permit is a discretionary permit. However, the letter mischaracterizes what discretionary action is before the Planning Commission. The letter appears to take two separate tracks concurrently. On the one hand there are concerns put forth about the design of the project. On the other hand, the remedy for those concerns appears to be to alter the scope of the project to reduce the number of dwelling units. There are legislative and contractual requirements in place that determine whether this project could be reduced in density. Staff is not able to make those findings. As discussed in the staff report:

According to California Government Code Section 65589.5.(j), if a local agency proposes to disapprove or impose a condition that reduces density of a housing development project that is consistent with all applicable standards, “the local agency shall base its decision regarding the proposed housing development project upon written findings supported by a preponderance of the evidence on the record that both of the following conditions exist:

(A) The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(B) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.”

Staff finds that the project is consistent with the applicable standards and there is not a preponderance of evidence that the above findings A and B can be made.

In addition to the legislative requirements above, the Fiddymont master plan area is governed by the provisions of the Fiddymont Development Agreement, which provides a variety of vested rights to the property owner – including dwelling unit allocation and development standards. California Government Code 65865.2. states that “A development agreement shall specify the duration of the agreement, the permitted uses of the property, the density or intensity of use, the maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes. The development agreement may include conditions, terms, restrictions, and requirements for subsequent discretionary actions, provided that such conditions, terms, restrictions, and requirements for subsequent discretionary actions shall not prevent development of the land for the uses and to the density or intensity of development set forth in the agreement.”

The Planning Commission has the discretion to make the findings for a Design Review Permit, as described in the staff report. Staff recommends the commission adopt the findings based on the staff report and the further discussion on points brought up in the letter below.

### Compatibility with the Neighborhood

#### **A. Aesthetics**

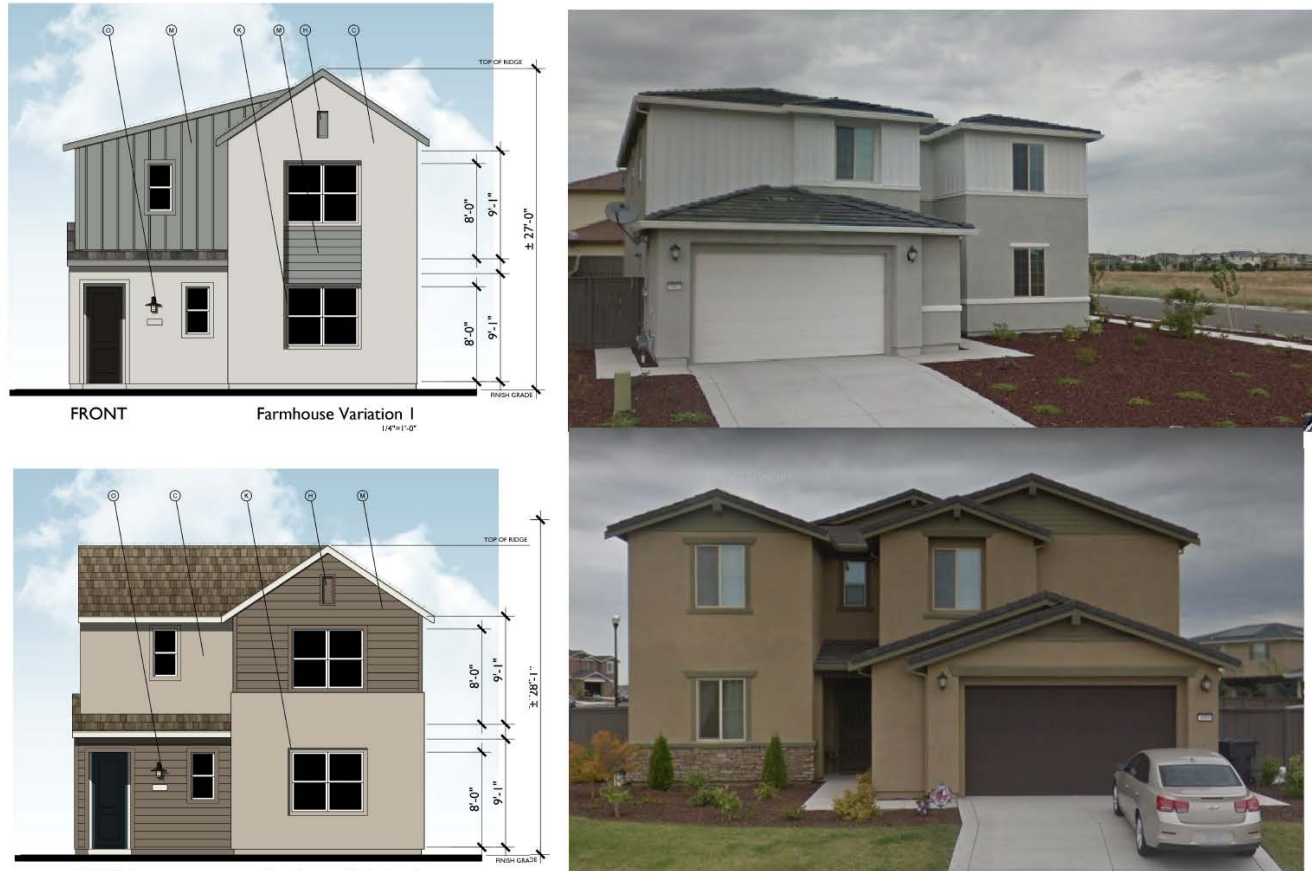
##### *Height*

As discussed in the staff report, the 2-story units provide a transition from the three-story units, which are set back 60 feet from any public roadway and approximately 120 feet from any single-family homes across the street. This transition considers and is harmonious with the surrounding neighborhood. The Zoning Ordinance height maximum in the R3 zone is 45 feet. There is a footnote in the ordinance that states the height limit shall be lowered to 35 feet for “units immediately adjacent to the R1 and RS zone districts”. No units in this project would be considered immediately adjacent to the R1 zone as there is a public roadway in between the R3 and R1 zone. Even if this project was considered immediately adjacent, it would meet this requirement as all of the units closest to the R1 zone are two-stories in height and under 30 feet tall. These units on the perimeter of the project are similar in height and scale to many of the homes in the R1 zone. There is no precedent for the City to limit a development below the maximum height standard requirements in the Zoning Ordinance, which this project is well under. Furthermore, the provisions of the Development Agreement governing this property vests the property owner with the ability to rely on the applicable Zoning Ordinance standards.

##### *Color and Theme*

There are 6 color schemes proposed for the project. The letter refers to a “reflective” white color. One of the six base colors, Sherwin Williams Greek Villa, could be considered an off-white and it is not reflective. Farmhouse architectural style is used throughout the project. This style combines modern and traditional features, which are complementary to homes in the immediate area. Community Design Guideline MF-27 calls for multi-family projects to complement the context of adjacent and surrounding projects, but to avoid duplication in design. Copycat architecture is discouraged. Staff compared the proposed architecture and colors for the project to existing homes in the immediate vicinity of the project (Figure 1). The top image compares one of the variations of Plan 3 in the project to the existing home at 4065 Chuckwagon Wy. located across the street from the project site. Complementary features include the two-story height, color scheme, base material of stucco, and vertical accent siding. The bottom image compares another variation of Plan 3 to an existing home at 5024 Stetson St. located approximately 160 feet from the project site. Complementary features include the two-story height, earth tone color scheme, base material of stucco, and horizontal accent siding. While the Farmhouse style is not a copy of any existing home in the area, there are a number of complementary colors, materials, and architectural features that meet the intent of the Community Design Guidelines.

**Figure 1. Architectural Comparison to Existing Homes**



## B. Parking and Traffic

The letter encourages the commission to not focus on the project's land use designation, which determines the amount of required parking on-site. There is no precedent for the City to require more parking than that required by the Zoning Ordinance. Ignoring this requirement would be in conflict with the City Council approved West Roseville Specific Plan, the City Council approved Development Agreement and subsequent amendments, the General Plan, the Zoning Ordinance, and State Planning Laws. Due to the number of bedrooms in each unit, two parking spaces are required on-site for every unit in the project. No matter the unit mix or number of units, the City parking standards are the requirement that must be enforced. Staff added Condition 67 to the project, which requires garages be kept free and clear for parking. This goes beyond the requirements for the adjacent single-family homes, which must provide two garage spaces but have no conditions to keep them clear of storage.

The letter states that single-family homes are required to have 20 feet deep driveways in order to provide additional parking. This is not correct. There are various reasons for the varying driveway depth requirements in single family zoning districts. The primary purpose of the driveway depth requirement is to ensure vehicles do not hang over the public sidewalk and impede pedestrians. A secondary purpose for driveway setbacks is to prevent garages from being the focal point of a single family dwelling, the driveway setback is always greater than the setback for living space. The project site is bordered by both Single Family Residential (R-1) and Small Lot Residential (RS) zoning districts. The R1 district has a driveway setback of 20 feet and a living space setback of between 10 and 15 feet, while the DS district has a driveway setback of 18 feet and a living space setback of between 10 and 15 feet.

The emergency vehicle access (EVA) mentioned in the letter is a requirement for the Fire Department. The two emergency driveways face onto the side of one house each. The EVA driveways are attached to 12-space parking areas. Three-foot tall landscape screening is proposed on either side of the driveway to screen views of the cars and block light. There may be some amount of light that passes through the EVA driveway when cars are pulling in and out. Given the small number of cars in these parking areas, the overall effect will be minimal and this amount of light is to be expected with normal traffic for any home on a corner lot.

The letter provides concerns related to neighborhood traffic. As discussed in the staff report, the proposed project includes approximately 70% of the dwelling units allocated for the site. The Development Services Engineering Division has reviewed the proposed project and determined the project traffic volumes will be approximately 70% of that assumed for the project site.

### **C. Safety Concerns**

The letter raises concerns about neighborhood safety with a focus on the adjacent R.G. Phillips Park. The letter claims that the project fails to provide “pedestrian, bicycle, and vehicle linkages”. Later there is a concern raised about the front door entries onto adjacent streets. These entries facing the street, as well as other paths, are in fact the pedestrian linkages to surrounding developments that the Community Design Guidelines calls for. CDG MF-29 considers the relationship of a multi-family project and surrounding streets. The guideline provides that pedestrian scaled entry should be a prominent feature of the front elevation. Entry doors fronting on the surrounding public streets provide for activity and engagement with the surrounding neighborhood and public amenities. In contrast to the arguments in the letter, there are examples of multi-family developments that interact with nearby single family neighborhoods. The Campus Oaks Apartments is a recent example. That project is separated from a single-family residential development with a 30-foot wide bike/pedestrian paseo.

Crosswalks and bike lanes on public roadways are not in the scope of this private development project. The City’s Public Works Department has a study open to determine whether crosswalks will be needed in any locations surrounding the development. More data will be required when the site is developed to study the number of pedestrians crossing at various points around the development to determine whether crosswalks are necessary. Often crosswalks are not necessary or desired in this scenario as they provide a false sense of security to pedestrians.

As discussed in the staff report, the neighbor concerns about current and future traffic are being addressed by Public Works with studies on various aspects of vehicle safety related to cut-through trips as well as vehicle speeds. Past studies have shown that the neighborhood streets carry in the range of 300-500 cars a day whereas they are designed to accommodate up to 5,000 trips per day and typical speeds have been found to be average for the City. The proposed project will undoubtedly bring additional residents and cars to the neighborhood. These future residents were anticipated with the adoption of the West Roseville Specific Plan in 2004 and accounted for in all City modeling and plans in the intervening years. The project proposes 70% of the dwelling units anticipated by the specific plan and City traffic models.

### **D. Controlled Access**

The Community Design Guidelines do not require fencing around multi-family housing. The letter rightly states that Guideline MF-9 indicates “a project should provide fencing as appropriate between adjacent land uses.” The proposed project is not adjacent to single family homes, it is located across a public residential roadway from single-family homes. Fencing is appropriate when a multi-family project shares a property line with single-family lots. Fencing around the proposed project would have the effect of providing a barrier to connectivity and access to surrounding public streets and amenities. The proposed

project is designed with forward-facing front doors that engage the community. Perimeter fencing is not required and would not be appropriate with this design.

Staff consulted with the Police Department on whether anything about the project design would lead to an increase in crime in the area. Police stated there is no data to show that high-quality market-rate multi-family projects such as the proposed lead to an increase in crime beyond any similar single-family development and saw no issues with the design.

The letter states that a fence around the project would also reduce light and noise pollution. Lighting for the units on the perimeter of the project are wall sconces in a design similar to a single-family home. Condition 48 on the project requires that "All on-site external lighting shall be installed and directed to have no off-site glare." Violation of this condition is enforceable by the City's Code Enforcement Division. As discussed above the two parking lots with EVA access adjacent to the street will be largely screened and the small number of parking spaces in these locations will create a low level of off-site light from cars in the evening. There is one other six-space parking lot adjacent to a public street. This lot will be fully screened by landscaping. The noise created during trash collection from the four trash enclosures on site will be short in duration, typical of multi-family development, and below the thresholds of the City's Noise Ordinance.

### Conclusion

As discussed above and in the staff report, the size and density of the project is principally permitted by City planning documents and further protected by additional legislative and contractual requirements. The task before staff and the commission is to determine if the project complies with any applicable guidelines affecting how the project is designed. Based on the discussion above and in the staff report, staff finds that the project as proposed meets the applicable guidelines and recommends approval.

Please contact me at [smorales@roseville.ca.us](mailto:smorales@roseville.ca.us) or at 916-774-5282 if you have any concerns.