

City of Roseville Planning Commission
311 Vernon Street
Roseville, CA 95678
planningdivision@roseville.ca.us

Re: WRSP PCL F-25 and F-26 – Fiddymment Bungalows (File# PL20-0258)

Dear City of Roseville Planning Commission Members:

The Fiddymment Bungalows project proposed on parcels F-25 and F-26 (the project) will be presented to the City of Roseville (City) Planning Commission (Commission) for a vote on its design review permit on May 13, 2021. We request that you exercise your discretion to deny the permit with a directive for Van Daele Homes to address the community’s substantial concerns regarding the deficiencies in the project’s design and to resubmit the project for approval after the concerns have been addressed.

1. Background

The parcels at issue have a land use designation of high-density residential and a zoning designation of attached housing. The proposed project will consist of 189 rental units on two parcels. The two parcels are separated in the middle by Prairie Town Way, which is presently under construction. The project is bordered to the north by two parcels having a land use designation of commercial; the commercial parcels will be developed in the future. The project is otherwise bordered by the RG Phillips neighborhood park and low-density single-family homes to the south on Old Coach Drive and Angus Road, and low-density single-family homes to the east and west on Autumn Leaves Drive and Rustler Drive.

Attached hereto as Exhibit A is a collection of photos of the neighborhood where the project is proposed. As shown, the project will be surrounded by single-story and two-story homes. Indeed, many of the homes directly across from the project are single-story homes. There is no wall separating the low-density residential parcels from the project across the street. Also, the driveways of several homes are located on Autumn Leaves Drive and Rustler Drive, directly facing the project.

Van Daele Homes participated in two community meetings on February 9, 2021, and March 9, 2021. As explained further herein, the on-site parking compliance was inaccurately represented to the community at both the February and March meetings. Additionally, the correct second submittal plans were not uploaded to the City’s projects of interest website until March 17, 2021, eight days *after* the last community meeting. The “interest list” also did not receive notice that the third submittal plans were uploaded

to the City's website.¹ The foregoing does not comport with the City's focus on promoting and fostering a culture of public participation.

Many community members have expressed concerns regarding the project. Those concerns were raised in the community meetings, individually with the Planning Department, and by the undersigned residents as a group with the Planning Department. The concerns raised by the community include but are not limited to: the incompatibility of the project with the existing neighborhood as to the architecture, including the three-story design, color schemes, and theme; possible non-compliance with the landscaping and screening requirements; increased traffic (in a community already experiencing significant through traffic from Crocker Ranch); parking concerns; safety concerns (for example, speeding is already a significant concern in our community); lack of adequate play areas within the project; the absence of a fence around the area as laid out originally in the West Roseville Specific Plan (Specific Plan); the impacts to driveways facing the project; whether the width of the roads are appropriate for the intended use; the need for adequate crime reduction measures; impacts to schools (especially when our community is being squeezed out of Barbara Chilton Middle School to make way for new development); impacts to the RG Phillips neighborhood park; and negative property value impacts.

The City's Planning Department was able to secure some changes to the project in response to the foregoing concerns. For example, the project now includes swings, a rope spinner, and a playhouse, which were added in the third submittal. We recognize and appreciate the Planning Department's assistance in that regard, but several concerns remain. Unfortunately, the addition of the foregoing resulted in the deletion of a bocce ball court, even though it appears there is still enough space to include it. Van Daele Homes has made *no attempt* to alleviate or address any of the concerns raised by the residents. It appears all the changes that have been made to the plans have been done at the Planning Department's request.

Because the Commission's purview is limited to determining whether to approve the design permit based on specific criteria, this letter focuses on the design permit criteria and the findings required under the City Municipal Code. We note, however, that our community is not abandoning the other concerns raised throughout this process. In that regard, several members of the community remain concerned about reduced property values and increased crime. Several members of the community have also requested that the City and Van Daele Homes consider rezoning of the property from high-density

¹ Sean Morales individually notified Louinda Lacey that the third submittal plans were uploaded to the public website in response to her inquiry about status. The individuals on the interest list were never notified, however.

residential to medium-density or low-density residential in light of at least three parcels having been rezoned from non-residential to residential in the Specific Plan since 2004 (F-55, W-28, W-29), and for the project to be owner-occupied rather than tenant-occupied.

2. The Commission Is Making A Discretionary Decision

It is important to note the approval of a design review permit is a *discretionary* decision. (See *Breneric Associates v. City of Del Mar* (1998) 69 Cal.App.4th 166, 174.) One of the key questions in determining whether to approve or deny a design review permit is the compatibility of *this* project in *this* neighborhood -- the project must thus *not* be viewed in isolation. The location and nature of this project is unique in that it is being placed smack dab in the middle of an existing neighborhood, unlike other similar projects in the City. The characteristics of the existing neighborhood is therefore an important facet to the discretionary decision; indeed, the discretionary decision must take the existing neighborhood into account.

Denial of a design review permit on grounds the proposed design is aesthetically or otherwise objectionable “will be upheld as long as the denial substantially advances legitimate governmental interests and is supported by substantial evidence.” (*Breneric Associates v. City of Del Mar, supra*, 69 Cal.App.4th at p. 176.) “The courts have repeatedly held that a determination of a project’s aesthetic incompatibility with the neighborhood does not require expert testimony and that the opinions and objections of neighbors can provide substantial evidence to support rejection of a proposed development. [Citations.] The opinions of administrative board members, when based on personal observations of the neighborhood and the proposed development, can also provide evidentiary support for a determination of aesthetic incompatibility of a project.” (*Id.* at pp. 176-177.) If a reasonable person could have reached the conclusion reached by the agency, a court will affirm the discretionary determination made by the agency. (*Id.* at p. 178.) We request that you consider the community’s objections and opinions and exercise your discretion to deny this project as it is designed in the most recent submittal.

3. The Commission Must Make Several Findings

To grant a design review permit, the Commission must find: (1) “[t]he project as approved preserves and accentuates the natural features of the property, such as open space, topography, trees, wetlands and water courses; provides adequate drainage for the project; and allows beneficial use to be made of the site for development; (2) “[t]he project site design as approved provides open space; access; vehicle parking; vehicle, pedestrian, and bicycle circulation; pedestrian walks and links to alternative modes of transportation; loading areas; landscaping; irrigation; and lighting which results in a safe, efficient, and harmonious development and which is consistent with the applicable goals, policies and objectives set forth in the General Plan, the Community Design Guidelines

and the applicable specific plan and/or applicable design guidelines”; (3) “[t]he building design, including the materials, colors, height, bulk, size and relief, and the arrangement of the structures on the site, as approved is harmonious with other development and buildings in the vicinity and is consistent with the applicable goals, policies and objectives set forth in the General Plan, the Community Design Guidelines and the applicable specific plan and/or applicable design guidelines”; and (4) “[t]he design of the public services, as approved, including, but not limited to, trash enclosures and service equipment, are located so as not to detract from the appearance of the site, and are screened appropriately and effectively using construction materials, colors, and landscaping that are harmonious with the site and the building designs.” (City Municipal Code, § 19.78.060, subd. B.)

4. The Project Is Incompatible With The Neighborhood

A. Aesthetics

One of the purposes of the Community Design Guidelines is to ensure a visually cohesive community. In that regard, “[t]he City recognizes the significance of not only where differing land uses are placed, but how the development of those uses interfaces with respect to design.” (Community Design Guidelines, Design Character, p. 2.) As the Specific Plan notes, “[l]ow density single-family residential is the predominant land use within the [Specific Plan], and a defining characteristic of the community.” (Specific Plan, ch. 3, p. 3-3.)

Height: The three-story design does not “create and enhance a sense of community and neighborhood,” nor does it “[c]onsider and respond to the relationship and context of adjacent projects.” (Community Design Guidelines, Multi-family Residential Development, p. 47.) The height is not “harmonious with other development and buildings in the vicinity.” (City Municipal Code, § 19.78.060, subd. B.3.) Indeed, we have attached hereto as Exhibit A photos of our community for purposes of orientation. The project will tower over the existing community and be a focal point at the dome above RG Phillips Park, where Old Coach Drive and Angus Road join. It will be a visual center of the neighborhood and must thus be harmonious with the neighborhood surrounding it.

Notably, reducing the proposed three-story design to a two-story design will not impact the density for the project, although it may reduce the number of bedrooms per unit if Van Daele Homes replaces the three-bedroom units with two-bedroom units to fit in the two-story buildings. Even if the modification reduced the density, however, the City has the express flexibility under the Specific Plan to adjust residential densities given subdivision and/or design review considerations. (Specific Plan, ch. 4, pp. 4-26 –

4-27.) The current density for this project is 17 dwelling units per acre.² The high-density residential zoning at issue here allows for a density range of 13 dwelling units per acre or higher. (Specific Plan, ch. 4, p. 4-15.) The Commission thus has the discretion to consider whether the density proposed for this project meets the current and existing needs and design considerations.

Color: The bright white paint proposed for some of the buildings does not “[c]onsider and respond to the relationship and context of adjacent projects.” (Community Design Guidelines, Multi-family Residential Development, p. 47.) It also does not compliment the neighborhood’s earthen colors and warm hues. (Specific Plan Design Guidelines, §12.1.3, p. 12-2; see Exhibit A.) The reflective white paint on large walls will make the apartment complex stand out from the surrounding community instead of “creat[ing] and enhanc[ing] a sense of community and neighborhood.” (Community Design Guidelines, Multi-family Residential Development, p. 47.) The white color scheme is not “harmonious with other development and buildings in the vicinity” given the placement of the project as a focal point and the towering scope of the project in relation to the neighboring homes. (City Municipal Code, § 19.78.060, subd. B.3.) Attached hereto as Exhibit B is a photo of a project with white walls currently under construction on Roseville Parkway and Gibson Drive. The exhibit demonstrates our point when compared to our existing community in Exhibit A.

Theme: The farmhouse theme is incompatible with the design of the surrounding neighborhood. (See Exhibit A.) The theme does not “create and enhance a sense of community and neighborhood,” nor does it “[c]onsider and respond to the relationship and context of adjacent projects.” (Community Design Guidelines, Multi-family Residential Development, p. 47.) Van Daele Homes simply reused a design from its Lathrop community without considering the characteristics of the existing neighborhood and the community within which the project would be built.³ The current design does not match the surrounding residential homes, which incorporate a mix of varied architectural themes to give the neighborhood an enhanced and custom appearance.

² City’s projects of interest webpage. (https://www.roseville.ca.us/government/departments/development_services/planning/projects_of_interest.)

³ <https://www.vandaele.com/wp-content/uploads/2020/07/Hideaway-Brochure-3-10-21.pdf>

B. Parking and Traffic

Two of the community's main concerns regarding the project are the anticipated parking and traffic impacts. During the March community meeting regarding this project (the last community meeting), the community was told the developer's proposed onsite parking was equal to 133% of that required by the City and the project provided a surplus of 101 onsite parking spaces. This was false. After a community member inquired as to the calculation of the number of required parking spaces, the City corrected the representation via email to the interest list members, explaining the project only provides a surplus of 7 onsite parking spaces. (See Exhibit C.) That means the project provides only 26 guest parking spaces for 189 units. This coupled with the fact that the project provides limited space for storage raises concerns that the garages will ultimately be used for storage instead of parking.

The problem is that these are *not* traditional multi-family residences. The project will have no one-bedroom dwelling units. It will have 48 two-bedroom dwelling units, 96 three-bedroom dwelling units (with three or more baths each), and 45 four-bedroom dwelling units (with three baths each). Notably, as well, the Plan 4 three-bedroom units also include a den and a loft. (Third Submittal, p. 25.) Thus, *the overwhelming majority* of the dwelling units will have *three or more bedrooms and three or more bathrooms*.⁴ This project caters to large families and consolidated households, functionally intended to act as single-family homes within a multi-family design.⁵ Generally, single-family residences are required to install a minimum driveway depth of 20 feet for each residence to accommodate additional parking due to the number of people anticipated to live in those homes. (Specific Plan, ch. 4, pp. 4-9 - 4-12.) Yet, Van Daele Homes is not required to do so here because the project is designated as multi-family residential.

We request that the Commission not focus on the project's land use designation but its actual design and intended function. Given the project is intended to cater to large families and consolidated households, the number of vehicles per household and the number of tenants per household will be much greater than that of other apartment

⁴ The reasonable occupancy limit in California is two people per bedroom plus one additional occupant. (<https://cal-rha.org/rental-property-owner-and-managers-guide-to-californias-new-laws-for-2017>.)

⁵ Compare Harvest, an apartment complex on Blue Oaks Boulevard, which has multiple one-bedroom and two-bedroom plans and only one three-bedroom plan with two bathrooms. (<https://www.liveatharvest.com/floorplans.aspx>.) The on-street parking derived from that apartment complex is shown in Exhibit D. This project would result in greater impacts than those shown at Harvest given the additional number of bedrooms proposed per unit.

complexes. The disparity of this project must be considered, especially due to the location of the apartment complex in the middle of an existing neighborhood. To reiterate, this project needs more onsite parking. Exhibit D contains photos taken of parking conditions on streets around other apartment complexes in the City. Exhibit E contains photos taken during a real-world simulation of what parking would look like on Autumn Leaves Drive if people parked on both sides of the street. Parking will undoubtedly be an issue.

We further note that, in the first community meeting, Van Daele Homes asserted this project is similar to the single-family design it had used in Lathrop.⁶ Notably, that community consisted of only two-story units and, for the 120 units (each with its own 2-car garage), Van Daele Homes provided an *additional 68 parking spaces* within the project's interior.⁷ Thus, to the extent Van Daele Homes touts its Lathrop community as an example of the proposed project, it does not comport.

Parking will be an issue in another manner as well. The proposed parking lots with emergency vehicle access on Autumn Leaves Drive and Rustler Drive (as newly proposed on the third submittal) create substantial concerns as to light and noise pollution for the homes across the street inasmuch as landscape screening is unavailable. In that regard, Mike Teske, in an email to the Planning Department on April 26, 2021, proposed the installation of an architectural gate at these locations to reduce the visual, light, and noise impacts resulting from these parking areas.

As to traffic concerns, as the City is aware, our community has already repeatedly expressed frustration regarding the level of traffic and speeding observed on our community's streets. The cut-through traffic from Crocker Ranch was apparently unanticipated in the traffic models. The addition of these 189 units will only exacerbate the traffic concerns. In correspondence from Jana Cervantes on April 21, 2021, the City said it will perform four traffic and traffic safety studies in our neighborhood, but such studies are only anticipated to be completed in five to six months. The studies are necessary to inform the City as to further potential unanticipated traffic impacts from this project in light of real-world, existing circumstances.

⁶ https://www.vandaele.com/northern_california/community/hideaway-river-islands/

⁷ <https://www.vandaele.com/wp-content/uploads/2020/07/Hideaway-Brochure-3-10-21.pdf>; <https://www.vandaele.com/site-plan/?post=6063>.

C. Safety Concerns

This project will be located across from a neighborhood park. Nothing in the plans show that there are crosswalks or stop signs provided around the park. There are further no bike lanes on Old Coach Drive or Angus Road. In the absence of crosswalks or other safety mechanisms, the project fails to “provide pedestrian, bicycle and vehicle linkages to adjacent developments and uses.” (Community Design Guidelines, Multi-family Residential Development, MF-7, p. 50.) It further fails to provide bicycle circulation and pedestrian walks “which results in a safe, efficient, and harmonious development.”⁸ (City Municipal Code, § 19.78.060, subd. B.2.) It should also be noted that, by placing front door access for several units on Old Coach Drive and Angus Road, the project encourages project residents to park on those streets directly above the park. This will reduce visibility of oncoming traffic for those seeking to cross the street from the project to get to the park or, in the future, for community members to get to the commercial parcels.

As the City is aware, our community has already raised significant concerns regarding speeding through our neighborhood. Indeed, one community member said a dog was hit by a car while walking on its leash. The addition of 189 units, an additional 500 plus people (assuming 2.68 people per household, as presumed by the City), and at least 378 vehicles (when assuming only 2 cars per unit) will certainly exacerbate the safety concerns around the park. The absence of any proposed safeguards to ensure safety in crossing the streets is simply unacceptable, especially when the City promotes active lifestyles and the use of green space and parks.

D. Controlled Access

The Community Design Guidelines provide that a “[p]roject should provide fencing as appropriate between adjacent land uses.” (Community Design Guidelines,

⁸ Note, the use of the word “and” between “which results in a safe efficient, and harmonious development *and* which is consistent with the applicable goals, policies and objectives set forth in the General Plan, the Community Design Guidelines and the applicable specific plan and/or applicable design guidelines,” as shown by the italics, indicates a conjunctive function such that both of the requirements on either side of the “and” must be true in order to meet the Municipal Code requirement. (See *Fuimaono v. Samoan Congregational Etc. Church of Oceanside* (1977) 66 Cal.App.3d 80, 84; *McComb v. Superior Court* (1977) 68 Cal.App.3d 89, 96-97.)

Multi-family Residential Development, MF-9, p. 50.)⁹ All around the City, there are separations between single-family homes and multi-family residences. Either the multi-family complexes have fences around them, or the adjacent single-family homes are separated from the multi-family complexes via fences or large collector roadways (even when located across the street). Photos from projects all around the City are attached hereto as Exhibit F.

We believe a fence (or something similar) with controlled access to the project is important for a few reasons. First, it will reduce crime by limiting access to the project and ensuring that only residents and their guests enter the property. Second, it will reduce light and noise pollution to the adjoining properties and the park, especially given that parking lots are located adjacent to Autumn Leaves Drive and Rustler Drive, across from homes, and trash enclosures are located across from the park. Third, it will promote the use of garages for parking.

5. Conclusion

As demonstrated herein, the project is incompatible with the existing neighborhood. As such, we contend the evidence does not support a finding that the project site design provides for vehicle parking, vehicle, pedestrian, and bicycle circulation, or access “which results in a safe, efficient, and harmonious development” or a finding that the building design “is harmonious with other development and buildings in the vicinity.” (City Municipal Code, § 19.78.060, subds. B.2 & B.3.) For these reasons, we request that the Commission deny the design review permit for this proposed project as presently designed, subject to resubmittal following further discussions and negotiations with the impacted community.

Sincerely,

Christopher Monroe and Louinda Lacey
1121 Old Coach Drive
916-342-0417

Mike Teske and Jillian Teske
2348 Angus Road
916-768-2293

⁹ Notably, this guideline does not use the term “abutting.” (Cf. Community Design Guidelines, Commercial Development, CC-12, p. 14 [using the word “abut”].)

Trevor McPeak
3016 Oak Trail Way
916-549-2284

cc: Sean Morales, Assistant Planner (smorales@roseville.ca.us)
Greg Bitter, Planning Manager (gbitter@roseville.ca.us)
Scott Alvord, Roseville City Councilmember (salvord@roseville.ca.us)

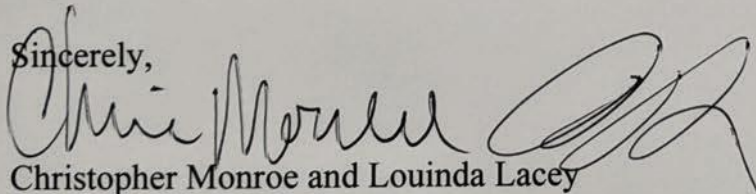
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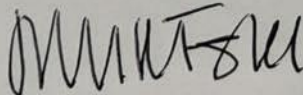
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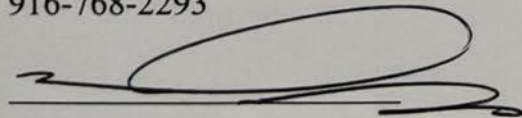
Sincerely,



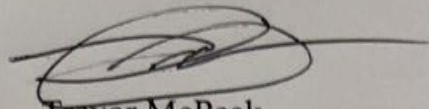
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Trevor McPeak
3016 Oak Trail Way
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cc: Sean Morales, Assistant Planner (smorales@roseville.ca.us)
Greg Bitter, Planning Manager (gbitter@roseville.ca.us)
Scott Alvord, Roseville City Councilmember (salvord@roseville.ca.us)

EXHIBIT A

Overview of the Project:

Overhead photos of the area where the project is planned. The RG Phillips neighborhood park is across the street with single-family homes surrounding the project. The project is comprised of the brown parcels.



East Of The Project:

Views of the existing neighborhood and community to the east of the project. Three driveways are directly across the street from the proposed project. The majority of the homes across from the project are single-story.





West Of The Project:

A view of the existing neighborhood and community to the west of the project. Three driveways are directly across the street from the proposed project.





EXHIBIT B

White Three-Story Project Under Construction On Roseville Parkway And Gibson Drive



EXHIBIT C



F-25/F-26 Project Parking Correction

1 message

Morales, Sean <SMorales@roseville.ca.us>

Tue, Mar 16, 2021 at 10:05 AM

Cc: "Alvord, Scott" <SAlvord@roseville.ca.us>, Tim Fisher <TFisher@vandaele.com>, "Bitter, Greg" <GBitter@roseville.ca.us>, "Ogden, Derek" <DOgden@roseville.ca.us>

Hello All,

You are receiving this message because you have requested notice of updates about this project and I have a correction to make on how the project has been characterized. Due to incorrect information on the initial submittal, which affected staff's review, the parking surplus was stated as 101 extra spaces. The number of units (189) and number of spaces provided on-site (404) remain the same. However, the correct amount of parking required by City code is 397 spaces amounting to a surplus of 7 spaces on-site. The total amount of parking provided continues to exceed City requirements. The project website has been updated to reflect these numbers. I am available to discuss further by phone or email.

Thank you,

Sean Morales

Assistant Planner

Development Services Dept.

o: (916) 774-5282

f: (916) 774-5129

Working together to build a quality community.

Civic Center | 311 Vernon Street | Roseville, CA | 95678



EXHIBIT D

Photos of On-Street Parking Around Apartment Complexes

1. Harvest

Parking on both sides of the street. The parking on the right side is all the way down to the no parking sign at the intersection.



Parking on both sides of the street on the other side of the apartment complex.



2. Quail Ridge Apartments and Sonterra Apartments

Parking on both sides of Sawtell Rd all the way down to Washington Blvd.



Parking on both sides of Vallejo Ave



3. Campus Oaks Apartments

Parking on both sides of the only street on which parking is allowed.



4. Adora Luxury Townhomes

Parking on both sides of the only street on which parking is permitted.





EXHIBIT E

Real World Simulation Of Parking On Autumn Leaves Drive











EXHIBIT F

Separation Of Apartment Complexes From Homes

1. Harvest

The homes across from Harvest are separated by walls around the single-family residences.







2. The Bridges Apartment Homes

The apartment complex has fencing around the perimeter and controlled access. No parking is allowed on the streets next to this apartment complex. Single-family homes are across from and adjacent to this complex.

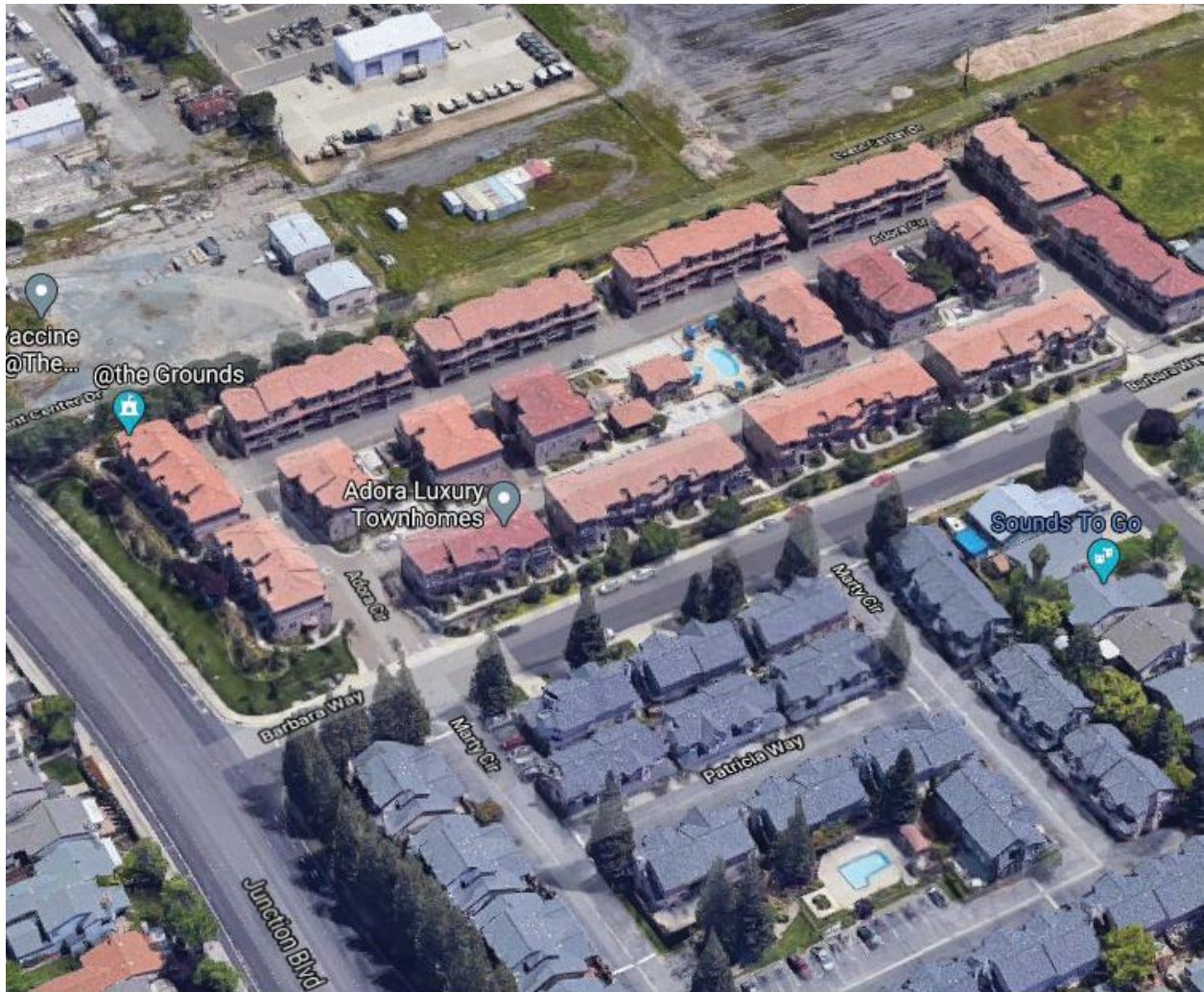






3. Adora Luxury Townhomes

Aerial photo



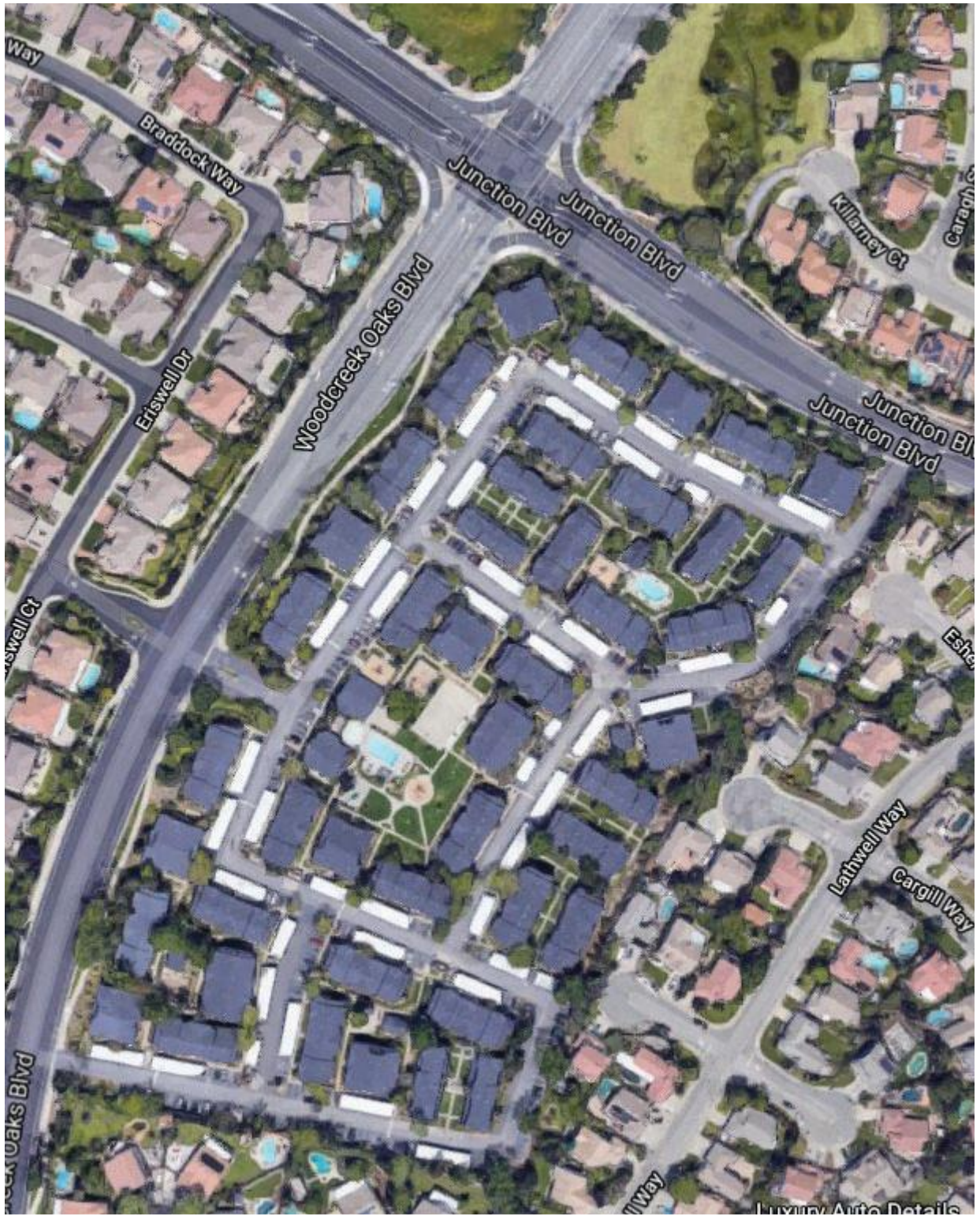
Fencing and controlled access around the apartment complex. Single-family homes across from and adjacent to the project.





4. Heritage Park Apartments

Aerial photo



Fencing and controlled access around the apartment complex. No street parking. Single-family homes across the street and adjacent to the complex.





5. Siena Apartments

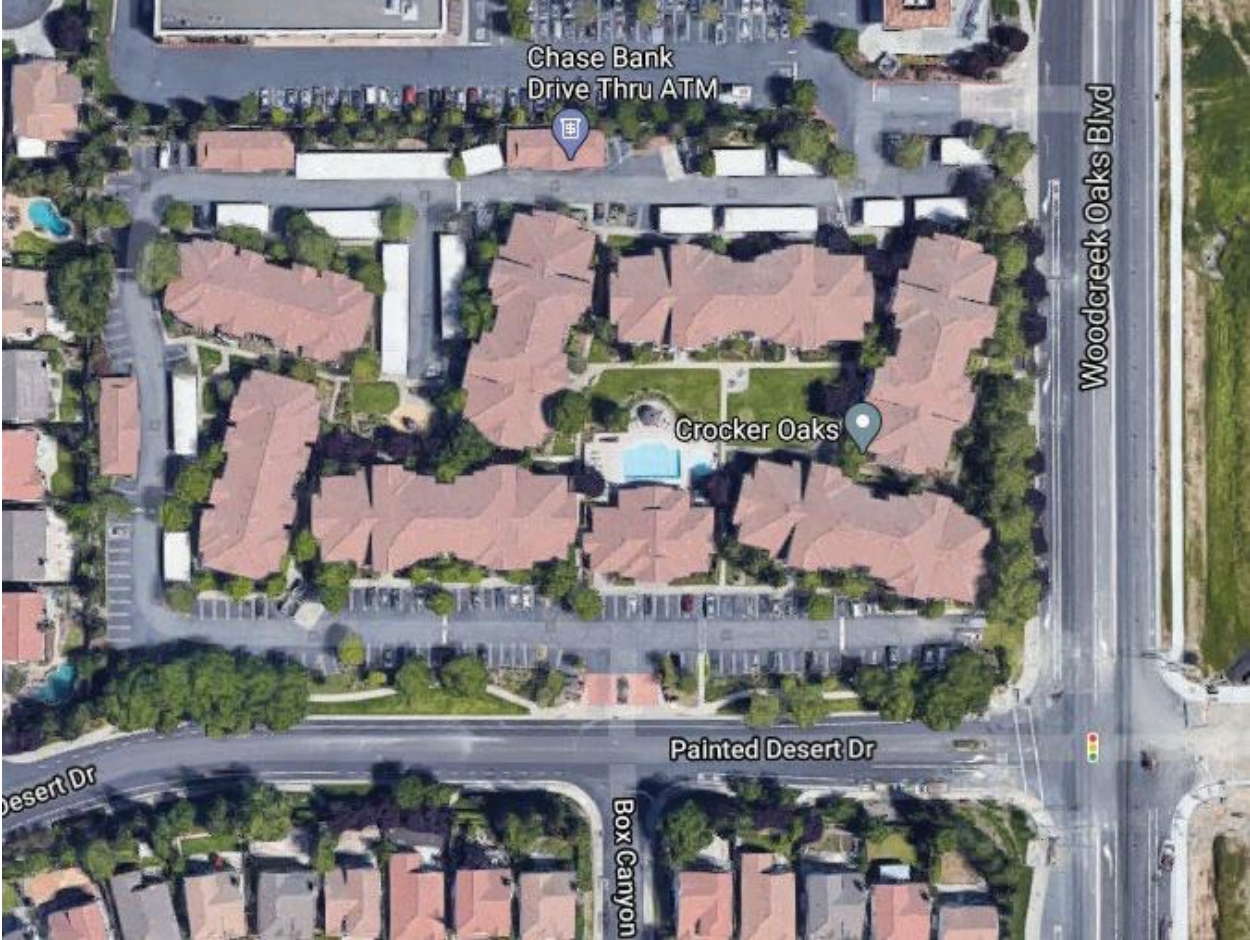
Single-family homes across the street are surrounded by a wall.





6. Aerial Shots Of Other Apartment Complexes Showing Separation From Surrounding Single-Family Homes And Other Land Uses

Crocker Oaks Apartments



Autumn Oaks Apartments



Allegria at Roseville Apartments

