



**COUNTY OF PLACER**  
**Community Development/Resource Agency**

Michael J. Johnson, AICP  
Agency Director

**PLANNING**  
**SERVICES DIVISION**

Paul Thompson, Deputy Director

**MEMORANDUM**

**TO:** Honorable Board of Supervisors 

**FROM:** Michael J. Johnson, AICP  
Agency Director

**DATE:** September 25, 2012

**SUBJECT:** ORCHARD AT PENRYN (PSUB 20070521) – THIRD-PARTY APPEALS – REQUEST TO CONTINUE APPEALS PUBLIC HEARING TO FUTURE DATE AND TIME CERTAIN

**ACTION REQUESTED**

1. Continue the appeals public hearing to a future date and time certain, as requested by the appellant, Stop 150 Apartments Group and consented to by appellant, Town of Loomis.

**BACKGROUND**

The Orchard at Penryn project is a proposal to construct 150 multi-family residential units with on-site recreational facilities, including a 3,900 square foot recreation center with a leasing office, indoor fitness center, internet café, outdoor pool, spa, and tot lot. The multi-family residential units would consist of three or six units per building with parking for a total of 375 vehicles. Primary access to the site is proposed through a gated entrance off Penryn Road. A secondary exit-only gated access point is proposed for Taylor Road. Implementation of the project would require remediation of contaminated soil on-site and construction of frontage improvements along Penryn Road. The subject property is ±15.1 acres in area and comprised of two parcels (Assessor's Parcel Numbers 043-060-052-000 and 043-060-053-000) located on the west side of Penryn Road, approximately 0.30 miles north of Interstate 80. The northwest corner of the property is adjacent to Taylor Road. The site is located within the Horseshoe Bar/Penryn Community Plan area and part of the Penryn Parkway. The property is zoned RM-DL 10 PD=10 (Residential Multi-Family, combining Density Limitation of 10 units per acre, combining Planned Residential Development of 10 units per acre) and C1-UP-Dc (Neighborhood Commercial, combining Use Permit, combining Design Scenic Corridor).

Planning Commission Action

The Orchard at Penryn project was considered by the Planning Commission at its June 28, 2012 meeting. After considering staff's report and recommendation and listening to substantial testimony during the public hearing, the Planning Commission adopted a motion (3:2:2:0 with Commissioners Denio, Johnson, and Moss voting yes; Commissioners Gray and Roccucci voting no; and Commissioners Brentnall and Sevison absent) to certify the Final Environmental Impact Report and Errata, and adopt a Statement of Findings and Overriding Considerations, and Mitigation Monitoring and Reporting Program. The Planning Commission also approved the requested entitlements, including a Vesting Tentative Subdivision Map and Conditional Use Permit to allow for the construction of 150 Multi-family residential units with on-site recreational facilities.

Two separate third-party appeals have been filed, the first on June 29, 2012 by Rick Angelocci, on behalf of the Town of Loomis, and the second on July 9, 2012 by Bobby Uppal, on behalf of the Stop 150 Apartments

Group. Both appeal the Planning Commission's June 28, 2012 certification of the Final Environmental Impact Report and approval of a Vesting Tentative Subdivision Map and Conditional Use Permit for the Orchard at Penryn project

**REQUEST TO CONTINUE APPEAL**

On August 29, 2012, the Stop 150 Apartments Group submitted a written request to continue their appeal to a future date and time when all five Board of Supervisors would be present at the hearing (Attachment C). Both the applicant (Attachment D) and the Town of Loomis (Attachment E) have consented to this request.

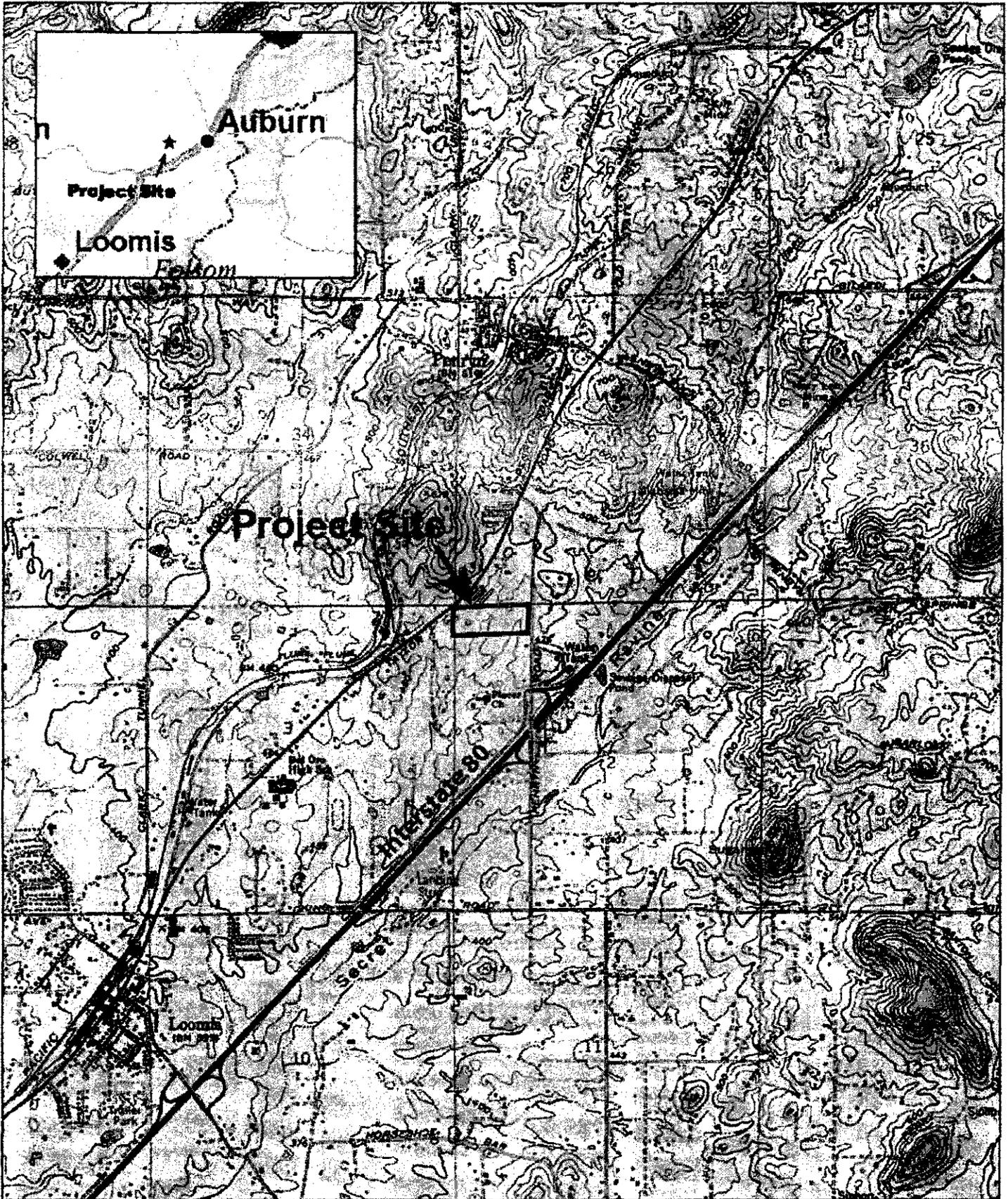
**RECOMMENDATION**

Staff recommends that the Board of Supervisors continue the appeals public hearing to a future date and time certain.

**ATTACHMENTS:**

- Attachment A: Vicinity Map
- Attachment B: Site Plan
- Attachment C: Request to continue Appeal, Stop 150 Apartments Group (August 29, 2012)
- Attachment D: Applicant consent to continuance (September 14, 2012)
- Attachment E: Town of Loomis consent to continuance (September 14, 2012)

- cc: Penryn Development LLC - Property Owner  
Bob Skiff, Forum Consultants, Inc. – Applicant  
Mike Mahoney, The ConAm Group – Applicant  
Phil Frantz – Engineering and Surveying Department  
Janelle Heinzler – Department of Facility Services, Environmental Engineering Division  
Stephanie Holloway, Department of Public Works (Transportation)  
Laura Rath – Environmental Health Services  
Tom Thompson – Air Pollution Control District  
Andrew Darrow – Flood Control District  
Andy Fisher – Parks Department  
Paul Thompson – Deputy Planning Director  
Michael Johnson – Community Development Resources Agency Director  
Karin Schwab – County Counsel  
Department of Toxics Substance Control

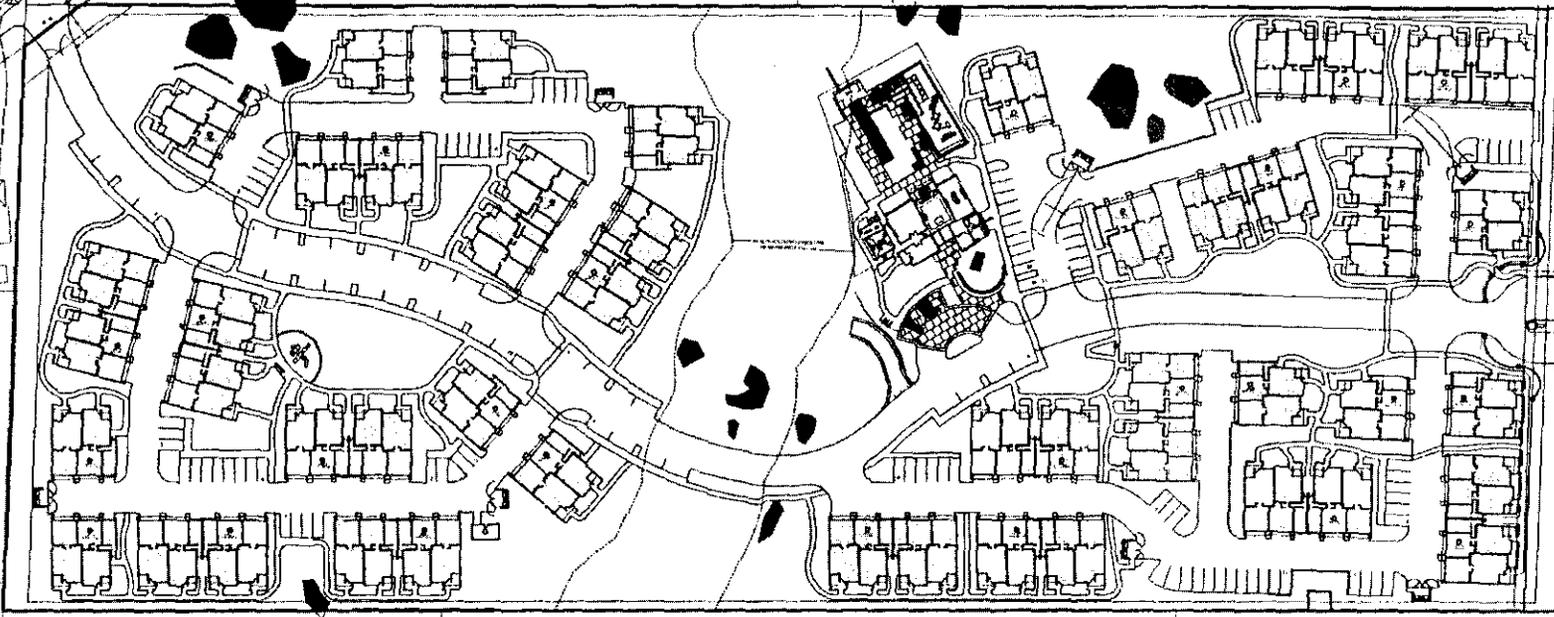


NOTES:  
 Base map, Rocklin, CA, USGS  
 7.5 minute topographic quadrangle

**Figure 1**  
**SITE & VICINITY MAP**  
 Orchard at Penryn  
 Placer County 81

TAYLOR ROAD

PENRYN ROAD



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Project Information

Number of Units 150

2 Br 1150 S.F. 50  
Carriage House

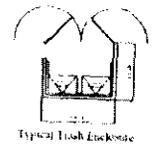
2 Br 1275 S.F. 50  
Townhouse

3 Br 1400 S.F. 50  
Townhouse

Parking 375 provided  
250 garages  
125 open

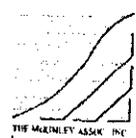
Parking 375 required  
300 residents  
75 guests

Site acreage 15.12 gross acres



THE ORCHARD @ PENRYN  
The ConAm Group

SCALE: 1" = 40'-0"



THE MCKINLEY ASSOC. INC.  
May 7, 2012

RECEIVED  
MAY 25 2012

PLANNING DEPT.

ATTACHMENT B

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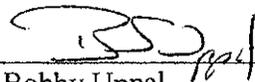
SHEET A-1

August 29, 2012

Community Development Resource Center  
ATTN: E.J. Ivaldi  
3091 County Center Drive,  
Auburn, CA 951603

Subject: Request to re-schedule appeal hearing to the Board of Supervisors on the Orchard at Penryn (PSUB 20070521)

1. It has come to our attention that the appeal hearing with the Board of Supervisors has been scheduled for September 25, 2012. If the hearing is held at that time Supervisor Weygandt will not be able to attend, and given all the issues with this project, we feel it is critical that all 5 Supervisors be present at the hearing.
2. We request the hearing be re-scheduled for a time when all 5 Supervisors can attend (County Code 17.60.110 D.4.c.). Please keep us apprised on the status of the re-schedule request and let us know as soon as possible when a new date is scheduled.

  
Bobby Uppal

  
Muriel P. Davis

  
Gordon Robbins

  
Carol Van Ness

RECEIVED  
AUG 29 2012  
CDRA

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ATTACHMENT C

LAW OFFICES OF  
LO DUCA & AVDIS, LLP

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MARCUS J. LO DUCA  
NICHOLAS S. AVDIS

September 14, 2012

Mr. Michael J. Johnson, AICP  
Community Development Director  
County of Placer  
3091 County Center Drive, Suite 140  
Auburn, CA 95603

Re: Orchard at Penryn (PSUB 20070521)

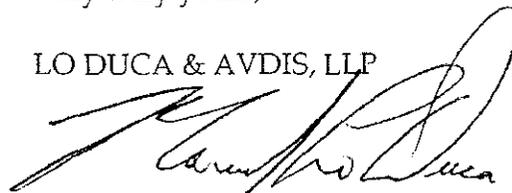
Dear Mr. Johnson:

On behalf of the property owner and applicant, please let this letter confirm my client's consent to continuance of the Board of Supervisors appeal hearing on the Orchard at Penryn project from the currently scheduled September 25, 2012 hearing date to a date during the week of October 8, 2012.

If you have any questions, please do not hesitate to call.

Very truly yours,

LO DUCA & AVDIS, LLP



Marcus J. Lo Duca

MLD/dmw  
cc: E. J. Ivaldi  
Mike Mahoney

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**From:** Rick Angelocci [<mailto:rangelocci@loomis.ca.gov>]  
**Sent:** Friday, September 14, 2012 12:28 PM  
**To:** EJ Ivaldi  
**Subject:** Continuance

EJ:

The Town consents to continuance of the Orchard appeal to the first available time that all 5 Supervisors are available to hear the appeal.

Thanks!

Rick Angelocci  
Loomis Town Manager  
(916) 652-1840 ext. 15



