

LAW OFFICE OF
MARCUS J. LO DUCA
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February 22, 2019

Ms. Shirlee Herrington
Environmental Coordination Services
County of Placer
Community Development Resource Agency
3091 County Center Drive
Auburn, CA 95603

Re: Draft Environmental Impact Report for the Sunset Area Plan and Placer
Ranch Specific Plan (State Clearinghouse No. 2016112012)

Dear Ms. Herrington:

This office represents CP 3500 Cincinnati, LLC and CP 3500 BLDG I, LLC, owner and builder/developer of the approximately 182 acre Placer Gold Industrial Park in the Sunset Industrial Area Plan (SIAP) at the northern terminus of Cincinnati Avenue. Taking over the empty shell of the former Formica building in the middle portion of the property, my client has expended in excess of \$22 million to renovate and re-lease the former Formica building and construct the initial portions of the Placer Gold Industrial Park (PLN14-00138), approved on July 14, 2016. My client has completed the initial four lots in the Placer Gold project, including design review for the Lot 4 building, which building my client can now proceed to pull building permits for, as well as constructed the initial portion of the extension of Cincinnati Avenue into the project, and the western extension of the roadway off of Cincinnati Avenue that my client was required by the County to construct so as to be able to connect with the future Campus Park Boulevard in the Placer Ranch Specific Plan (PRSP).

My client's work to date has resulted in the leasing of all of the former Formica building, with such tenants as Consolidated Communications, JD2 Structures, 24HR Recreational Storage, SGX, and Airwolf, not to mention my client locating his own offices in the building. Thus, my client has a very keen and vested interest in the Sunset Area Plan (SAP), including the PRSP. My client is generally supportive of the County's

efforts in updating the SIAP, but has several comments regarding roadway connections, a change in land use in the eastern portion of the PRSP adjacent to Placer Gold, and mitigation measures set forth in the above-referenced EIR and their potential adverse impact on the ability of my client to continue to bring primary wage earner jobs to Placer County. Our specific comments follow.

Chapter 3 – Project Description

1. Page 3-33, Exhibit 3-11: In the January 2018 version of the Placer Ranch Specific Plan and Sunset Area Plan, the eastern terminus of Campus Park Boulevard connected directly with the western extension of the roadway that the Placer Gold project was required to build directly westward from the current terminus of Cincinnati Avenue. That western extension to Campus Park Boulevard would serve as a second point of access for the Placer Gold project, allowing more than the 460,000 square feet of industrial space on the property that is currently allocated without such second point of access, which limitation is the result of current roadway capacity issues in the eastern portion of the SIAP. Now, with the December 2018 version of the PRSP, that eastern portion of Campus Park Boulevard has swung northward by roughly 800 feet, so that now there is no connection to the Placer Gold roadway extension. This constitutes a significant change in the circulation plan for the Net SAP area, which does not appear to have been analyzed in the DEIR. Again, the County required the Placer Gold project to extend that roadway due west to connect to the future Campus Park Boulevard, which construction my client has nearly completed to a terminus in a cul-de-sac for future extension to the PRSP. My client cannot swing the roadway northward without significantly impacting biological resources and losing significant land for development, a particularly unacceptable result given that my client has already had to give up 12 acres at the northwestern corner of the property for Placer Parkway. We request that Campus Park Boulevard be relocated to where it was shown in the January 2018 version of the PRSP.

Chapter 4.3 – Air Quality

1. Page 4.3-39, Mitigation Measure 4.3-3c: For the Net SAP area, this measure calls for payment of an off-site mitigation fee equivalent to \$0.86/square foot of non-residential space that is separate from the PCAPCD's current ROG and NO_x off-

site mitigation fee. This additional fee of nearly \$1.00 per square foot is a substantial burden on any industrial development in the SAP, and may well preclude further such development in approved and existing projects in the SIAP, seeming to conflict directly with one of the objectives for the SAP stated on page 3-6 of the Project Description to preserve the viability of industrial and large-scale manufacturing operations in the Sunset area. We question the requirement for a second off-site air quality mitigation fee when a substantial one is already required by the PCAPCD to allow applicants to mitigate their air quality impacts.

2. Page 4.3-46, Mitigation Measure 4.3-5a: This measure calls for, among other requirements, that developments be designed so that truck loading/unloading facilities and sensitive receptors are not located within 1,000 feet of each other, which facilities are defined to include truck distribution yards, truck loading docks, or truck loading or unloading areas. My client has an approved project and industrial zoning and land use designations, not to mention significant development already constructed in the Placer Gold project. Unlike the January 2018 version of the PRSP, which had Campus Park land use in the PRSP adjacent to the western portion of Placer Gold, the December version of the PRSP has now located Low Density Residential land uses adjacent to the western boundary of my client's property, and much closer than 1,000 feet away, even with the landscape buffer shown in the PRSP adjacent to my client's property. This new requirement on the Net SAP area could have a very direct, adverse impact on future industrial development in the Industrial Infill District of the SAP, and we ask that this measure be deleted for properties in the Industrial Infill District adjacent to the PRSP. Moving sensitive receptors next to long-designated and zoned industrial properties, and then making those industrial properties mitigate what the residential properties might object to, runs directly contrary to the stated objectives and goals of the SAP and over two decades of County policy.

Chapter 4.7 – Greenhouse Gas Emissions

1. Page 4.7-21, Mitigation Measure 4.7-2b: This mitigation measure, on top of the additional off-site mitigation fee of \$0.86/square foot in Mitigation Measure 4.3-3c, is based on guidance from the PCAPCD and the California Air Resources Board, but is not required to be implemented by Placer County. This measure represents yet another burden on industrial developments like Placer Gold as

they look to compete with other parts of the region and other states to bring primary wage earner jobs to Placer County.

Chapter 4.10 – Land Use

1. Page 4.10-12, Impact 4.10-1: There is no discussion here of the potential land use incompatibility created by moving Low Density Residential uses in the PRSP adjacent to industrial properties in the existing SIAP such as my client's Placer Gold project. That impact needs to be analyzed.

Chapter 4.13 – Public Services

1. Page 4.13-27, Mitigation Measure 4.13-1a: Currently, development in the SIAP is subject to the special taxes in CFD 2012-1 for fire services. It is not clear from the DEIR if that CFD, to which Placer Gold was required to annex into, satisfies this mitigation measure, or if this is yet another layer of a CFD for fire service in the proposed SAP.
2. Page 4.13-30, Mitigation Measure 4.13-2: The DEIR calls for all new development in the PRSP and Net SAP area to fund law enforcement services through a CFD or CSA, but nowhere in the DEIR or its appendices is an analysis of the significant property tax revenues that would be generated by new non-residential development, and how those revenues would offset the cost of providing services such as law enforcement.
3. Page 4.13-40, Mitigation Measure 4.13-8: The DEIR calls for all new development in the PRSP and Net SAP area to fund road maintenance through a CFD or CSA, but again, nowhere in the DEIR or its appendices is there any analysis of the significant property tax revenues that would be generated by new non-residential development, and how those revenues would offset the cost of providing road maintenance services in the SAP.

My client has spent millions of dollars and many years bringing primary wage earners jobs to the SIAP, on a property served by water and sewer infrastructure, as well as rail service. The Placer Gold project is one of the few projects in the SIAP that has brought in significant new employers into the SIAP, and our comments herein are intended to help allow my client and the County to continue to be competitive in the region and the nation in attracting employers to the SIAP.

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Thank you for the opportunity to comment on the DEIR.

Very truly yours,

LAW OFFICE OF MARCUS J. LO DUCA
A Professional Corporation

A handwritten signature in blue ink, appearing to read 'Marcus J. Lo Duca', is written over the printed name below.

Marcus J. Lo Duca

Cc: CP 3500 Cincinnati, LLC
CP 3500 BLDG I, LLC