



## MEMORANDUM

**To:** Planning Commission

**From:** Sean Morales, Associate Planner

**Date:** May 11, 2023

**Re:** NRSP PCL WW-40 – Grocery Outlet – Response to Mooney Comment Letter

The purpose of this memorandum is to respond to a letter submitted by Donald B. Mooney. Typically staff would provide a response to public comment received within the staff report. Given the letter was received on the day of the Planning Commission, staff was not able to include a response in the published staff report. This memo addresses the letter.

### Overall

The letter relies on the traffic and noise studies included as Staff Report Attachments 1 and 2, respectively, to state that the City may not rely upon the infill exemption under CEQA due to potentially significant project effects. However, the significant effects to traffic and noise that the letter mentions would be caused by a drive-thru restaurant use that is not proposed with the project. A drive-thru restaurant was initially proposed on Parcel 3 with project submittal but was removed after the first round of staff review determined that the findings required to approve a Design Review Permit and Conditional Use Permit could not be made. In the second and third round of review for the project, and the proposal before Planning Commission, Parcel 3 is not proposed for any development. The proposed uses for the site and scope of the project, construction of a grocery store and shops building, are clear in the project description, throughout the body of the staff report, and the project plans.

### Traffic

The traffic study completed by Fehr and Peers that is cited in the letter does include analysis of a potential drive-thru restaurant on Parcel 3. The study was not updated when Parcel 3 was removed from the project. When posted on the Planning Division website, a cover page was included with the study explaining that “through the City’s review process, challenges were identified with on-site circulation from a drive-through type use. As such, this use was removed from the proposed project leaving a small commercial pad left for future development.” Despite the modifications to the project and the drastic reduction in actual trips generated on the site, staff still feels the study is useful to analyze access and circulation. The study represents a “worst case scenario” but does not represent actual proposed development, which will have much lower traffic volumes. Furthermore, it should be noted that the traffic study was short-term study examining turning movements and queuing, which are not impacts under CEQA. Rather, vehicle miles traveled (VMT) are used to analyze impacts related to traffic. The project is consistent with the City’s General Plan land use and is therefore consistent with the Citywide analysis of VMT included in the 2035 General Plan EIR, and does not require further environmental review of VMT.

### Noise

The noise study completed by Saxelby Acoustics, cited in the letter also includes analysis of a potential drive-thru restaurant. As explained above and in the staff report, a drive-thru restaurant is no longer included in the project. The noise study recommended a 6' masonry wall adjacent to the drive-thru to reduce project noise from the drive-thru to less than significant. The study did not recommend a wall adjacent to the grocery or shops buildings, as those uses were found to comply with City noise standards without mitigation. Despite this, staff required masonry walls adjacent to both of those uses, which will buffer noise beyond the already compliant project as studied. Those walls were required in order to bring the project into compliance with the Community Design Guidelines and Design Review Permit findings.

## Conclusion

As discussed above and in the staff report, the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, which exempts In-Fill Development Projects that meet five criteria. The comment letter focuses on Criterion "(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality." However, the basis of the claim is dependent on the impacts of a drive-thru restaurant use that is clearly not proposed with this project. 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.