

**RESOLUTION 2001-04**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF ELK GROVE APPROVING  
CONDITIONAL USE PERMIT #EG-00-054 TO ALLOW AN  
AUTOMOBILE SERVICE STATION AND CONVENIENCE STORE  
AND ADOPTING THE NEGATIVE DECLARATION**

WHEREAS, Chevron Products Company (hereinafter referred to as Applicant) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Conditional Use Permit to allow an automobile service station and convenience store, with six fuel dispensers.

WHEREAS, §340-11 of the City of Elk Grove Zoning Code establishes the City Council as the appropriate authority to hear and decide all applications for conditional use permits for automobile service stations, after a recommendation by the Planning Commission.

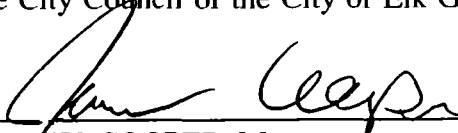
WHEREAS, an Initial Study was completed for this project and determined that the project will not have a significant effect on the environment.

WHEREAS, the Planning Commission considered the Applicant's request at a public hearing on January 4, 2001 and recommended approval to the City Council of both the Conditional Use Permit and the Negative Declaration.

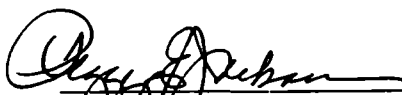
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ELK GROVE HEREBY RESOLVES AS FOLLOWS:

1. Adopts the Chevron Station Negative Declaration.
2. Approves Conditional Use Permit #EG-00-054 to allow an automobile service station and convenience store based on the recommended findings contained in the January 4, 2001 Planning Commission staff report and the attached conditions.

PASSED AND ADOPTED by the City Council of the City of Elk Grove on the 7th day of February 2001.


  
\_\_\_\_\_  
JAMES COOPER, Mayor

ATTEST:

  
\_\_\_\_\_  
Peggy Jackson, City Clerk

AYES: Briggs, Leary, Scherman, Soares, Cooper  
NOES: None  
ABSENT: None  
ABSTAIN: None

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Anthony Manzanetti, City Attorney

**SUGGESTED  
CONDITIONS OF APPROVAL  
for  
Chevron at Laguna Boulevard:  
Conditional Use Permit for Automobile Service Station  
EG-00-054  
(APN: 116-0330-021)**

**General Conditions**

1. This Conditional Use Permit allows a new Chevron service station and convenience store, with six fuel dispensers. The project shall be constructed consistent with the site plan, building elevations, canopy elevations, floor plan, landscape plan, and photometric diagram submitted and dated January 16, 2001.
2. The Applicant shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.
3. If the operation of the automobile service station is discontinued for any reason for a continuous period in excess of one hundred eighty (180) days, such discontinuance of operation shall be grounds for revocation or modification of the conditional use permit as provided by §110-10 of the City of Elk Grove Zoning Code. Upon the revocation of the conditional use permit, the applicant shall remove all buildings, pumps, pump islands, signs, underground storage tanks, fences, walls and all other structures and instruments related to the automobile service station and shall return the property to substantially the condition it was in prior to the construction of the automobile service station thereon.
4. The applicant to whom a conditional use permit has been granted shall post on the premises for public display the use permit or a copy thereof when issued. (This condition is required by §340-13(c) of the City's Zoning Code.)

**Prior to Issuance of Building Permits**

5. Prior to issuance of building permits, provide drainage easements and install facilities pursuant to the City of Elk Grove Floodplain Management Ordinance, Sacramento County Water Agency Code, and City of Elk Grove Improvement Standards, including any fee required by the Sacramento County Water Agency Code.

**Prior to Issuance of Certificate of Occupancy**

6. Prior to issuance of the certificate of occupancy, landscaping on the south side of Laguna Boulevard and on the west side of Laguna Springs Drive, as shown in City of Elk Grove Ordinance No. 2000-15, shall be installed prior to the issuance of the first certificate of occupancy for the Chevron station.
7. Prior to issuance of certificate of occupancy, construct the private driveways along the southern and western boundaries of the site that are required to provide access to the property.

8. Prior to issuance of certificate of occupancy, install the public improvements for Laguna Boulevard pursuant to the Elk Grove City improvement standards.
9. Prior to issuance of certificate of occupancy, install the public improvements for Laguna Springs Drive pursuant to the Elk Grove City improvement standards.

**General Information**

The following are general requirements pertaining to the Use Permit and not project-specific Conditions of Approval.

- a. At least one underground fuel storage tank must be compatible with methanol fuels, pursuant to Air Quality District Rule 457.
- b. Measures must be taken to reduce fugitive dust emissions during the construction phase of the project, pursuant to Air Quality District Rule 403.
- c. Developing this property may require the payment of additional sewer impact fees. Applicant should contact the Fee Quote Desk at 875-6679 for sewer impact fee information.
- d. The applicant shall comply with the Sheriff's Department's development requirements listed in §315-15 of the City's Zoning Code, with the exception of paragraph d(1) regarding raised cashier stations. The applicant shall also:
  1. Provide a photometric plan of the outside area to the Sheriff's Department.
  2. Provide the location of CCTV's and monitors to the Sheriff's Department.
  3. Install CCTV camera(s) to monitor the cashier's station and entranceway. At least one monitor shall be placed at the cashier's station visible to the cashier and the customers.
  4. Install CCTV camera(s) to monitor any parking area not visible from cashier's station. All CCTV tape will be in "real time" and kept in the library for a minimum of one week.
  5. Design manager's office to have one-way glass window viewing into the sales area.
  6. Ensure that any public telephone is installed for calls only and placed away from the building, along Laguna Boulevard or Laguna Springs Drive to avoid loitering near the market.
- e. On-site source and treatment control measures are required for this project in accordance with the latest version of the City/County Drainage Guidance Manual (Guidance Manual of On-Site Storm Water Quality Control Measures). In all cases, source control measures on the improvement plans will include provision of a permanent storm drain message "No Dumping – Flows to Creek" or other approved message at each inlet. Other on-site source and treatment control measure(s) should also be used in accordance with specific commercial activities referenced in the Guidance Manual. The final design of the proposed on-site source and treatment controls will be approved by the City of Elk Grove Department of Water Resources.
- f. Construction of public collector sewer and dedication of public sewer easements will be required to the satisfaction of CSD-1. The sewer easement shall be dedicated to CSD-1, be 20 feet in width and ensure continuous access for maintenance. Sacramento County Improvement Standards apply to on-site sewer construction.
- g. Provide separate water service to each parcel and dedicate water easements to the satisfaction of Sacramento County Water Agency.

- h. The project developer/owner shall pay Zone 40 development fees applicable at the time of building permit issuance in accordance with Sacramento County Water Agency Ordinance No. 18.
- i. The project shall conform to the specific provisions of the Sacramento County Landscape Water Conservation Ordinance (Chapter 14.10 of the Sacramento County Code) to the satisfaction of the County Landscape/Oak Tree Coordinator.