

RESOLUTION NO. 2005-239

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT ON CALVINE POINTE
PROJECT, MAKING FINDINGS OF FACT RELATING TO THE FEASIBILITY OF
PROJECT ALTERNATIVES, AND STATEMENT OF OVERRIDING
CONSIDERATIONS**

WHEREAS, Petrovich Development Co. (hereinafter referred to as Applicant) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Rezone, Tentative Subdivision Map and Design Review (Assessor's Parcel Number 115-0180-003, 009, 010, 011, 021, & 022); and

WHEREAS, the City Council is the appropriate authority to hear and take action on this project after a recommendation by the Planning Commission; and

WHEREAS, the City of Elk Grove determined that the Calvine Pointe project (also referred to herein as "Project") was a project requiring review pursuant to the California Environmental Quality Act (CEQA), Public Resources Code 21000 et seq.) and that an Environmental Impact Report (EIR) be prepared to evaluate the potential environmental effects of the project; and

WHEREAS, a Notice of Preparation to receive comments on topics and issues which should be evaluated in the Draft EIR was released for public and agency review and comment and was circulated through the State Clearinghouse, pursuant to CEQA Guidelines 15082, on May 10, 2002; and

WHEREAS, the City of Elk Grove distributed a Notice of Availability for the Calvine Pointe Draft EIR on June 23, 2003, which started the 45-day public review period, ending on August 7, 2003. The Draft EIR was made available to the public during this review period; and

WHEREAS, the Draft EIR was also submitted to the State Clearinghouse for state agency review; and

WHEREAS, the City of Elk Grove Planning Commission held a public meeting on May 5, 2005 to receive public comments on the Draft EIR and those comments were received and considered in the Final EIR; and

WHEREAS, the City of Elk Grove Planning Commission considered the Calvine Pointe project on May 5, 2005 and recommended certification of the EIR and adoption of the Calvine Pointe project to the City Council of the City of Elk Grove; and

WHEREAS, the City Council of the City of Elk Grove reviewed all evidence presented both orally and in writing and intends to make certain findings in compliance

with CEQA, which are more fully set forth below in Exhibit A, attached hereto and incorporated in its entirety by this reference.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elk Grove as follows:

1. Certification of the Final EIR

A. The City Council of the City of Elk Grove hereby certifies that the Final EIR has been completed in compliance with the requirements of the California Environmental Quality Act.

B. The City Council of the City of Elk Grove hereby certifies that the Final EIR was presented to the City Council and that the City Council reviewed and considered the information contained in the Final EIR prior to taking action on the Project.

C. The City Council of the City of Elk Grove hereby certifies that the Final EIR reflects the independent judgment and analysis of the City Council of the City of Elk Grove.

2. Findings on Impacts

The City Council finds:

A. The EIR identifies twenty-four (24) potentially significant impact that can be mitigated to a less-than-significant level. The City Council makes the findings with respect to significant impacts as set forth in Exhibit A, attached hereto and incorporated herein by reference.

B. The EIR identifies four (4) potentially significant impacts that cannot be mitigated to less-than-significant level and are thus considered significant and unavoidable. The City Council makes the findings with respect to these significant and unavoidable impacts as set forth in Exhibit A.

3. Findings on Alternatives

Three (3) project alternatives ("No Project," "Reduced Density Alternative," and "Sheldon Road Alternative") were evaluated by the City of Elk Grove during project development and in the EIR. As set forth in Exhibit A, these alternatives do not meet the basic project objectives, or do not provide any substantial environmental benefits as compared to the proposed Calvine Pointe project. The City Council hereby finds that the proposed Calvine Pointe project can be feasibly implemented and serves the best interests of the City of Elk Grove.

4. Statement of Overriding Considerations

Because there are no feasible mitigation measures that would substantially lessen or avoid all significant adverse environmental effects caused by the project, the City Council adopts a Statement Of Overriding Considerations concerning the project's unavoidable significant impact to explain why the Calvine Pointe project benefits override and outweigh its unavoidable impacts on the environment as set forth in Exhibit A.

5. Other Findings

A. The City Council finds that issues raised during the public comment period and written comment letters submitted during the public review period of the Draft EIR do not involve any new significant impacts or "significant new information" that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

B. Since completion of the Final EIR, the City Council has modified the General Plan Land Use Policy Map contained in the General Plan. As set forth in Exhibit A, attached hereto and incorporated herein by reference, these modifications to the General Plan would not result in any new significant environmental impacts, a substantial increase in the severity of an environmental impact or "significant new information" that would require recirculation of the Draft SEIR pursuant to CEQA Guidelines Section 15088.5.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 10th day of August 2005.



DANIEL BRIGGS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
General Conditions			
1. The development approved by this action is for a General Plan Amendment, Rezone, Tentative Subdivision Map and Development Plan Review, as described in the staff report and associated Exhibits and Attachments dated August 10, 2005 .	On-Going	Development Services, Planning	
2. The Applicant, and any future heirs, successors or assigns (hereinafter referred to as 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.	On-Going	Development Services, Planning	
3. This action does not relieve the Applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	On-Going	Development Services, Planning	
4. The Tentative Parcel Map approval is valid for three years from the date of City Council approval, unless an extension of time is subsequently approved.	Three years, commencing with the date of City Council approval	Development Services, Planning	
5. If there are any discrepancies between the approved tentative map and the conditions of approval, the conditions of approval shall supersede the approved tentative map.	On-Going	City of Elk Grove Development Services - Public Works	
6. The Applicant shall pay all appropriate development fees	On-Going	City of Elk Grove	

	<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	charged by the City and other Special Districts providing services to the site.		Development Services - Public Works	
7.	Construction and building activities will not commence before 7 am (including all equipment loading, unloading, mechanical repairs, washing, fueling) nor continue after 6 pm.	On-going	Development Services - Planning	
8	Final Map(s) completed approved and recorded. In accordance with the Subdivision Map Act, no land lease or sale of these lots/pad may occur until such time as the under laying tentative map approval has been effected and a final map recorded	On-going	Public Works	
9	All traffic calming devices and locations must be approved by Public Works prior to installation.	On-Going	Public Works	
10.	Street (trench) cuts into existing streets require a separate encroachment permit and the payment of street cut fees. Where multiple street cuts into the same street occur, a single, final surface (pavement) trench repair over all the trench cuts is required. Pavement grinding is required for the full length and width of the trenches	On-Going	Development Services - Public Works	
11.	All proposed monument signs shall be located at the far side of the driveway and shall conform to the visibility easement requirement in the City of Elk Grove Improvement Standard (Added).	On-Going	Public Works	
12.	All traffic calming devices and locations must be approved by Public Works prior to installation (Added).	On-Going	Public Works	
Prior to Issuance of Grading Plans/Improvement Plans/Final Map				
13.	The Applicant shall comply with, record, and pay fees for the	Prior to Issuance of	Development	

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
Mitigation Monitoring and Reporting Program (MMRP) associated with the Calvine Pointe project. Until the MMRP has been recorded and the estimated MMRP fee of \$5,000 has been paid, no final subdivision map for the subject property shall be approved and no grading, building, sewer or water connection, or occupancy permit from the City or County shall be approved.	Grading Permit	Services, Planning	
14 The color and material used for fences and walls constructed as part of the project shall blend with the features of the surrounding area. Continuous fences and walls shall be softened with landscaping. Solid fence and wall designs shall be included in all landscaping plans. The project applicant shall submit details on proposed color schemes and materials for any fences and walls to be constructed in association with the project. (MM 4.12.1a)	Prior to Issuance of Grading Permits	Development Services	
15. Prior to the approval of improvement plans, including grading plans, a Tree Replacement Planting Plan shall be prepared by a certified arborist or landscape architect to mitigate for the loss of native trees larger than 6" dbh and all non-native trees larger than 19" dbh that are proposed for removal or that would be adversely affected by the project. The project Applicant shall retain, where feasible, all native trees larger than 6" dbh and all non-native trees larger than 19"dbh. The Plan shall comply with the City Code and General Plan policies and be submitted to the City for review and approval. The Plan shall include the following elements: a) Species, size and location of all replacement plantings; b) Method of irrigation; c) The City of Elk Grove Standard Tree Planting Detail L-1, including the 10-foot depth boring hole to provide for	Prior to the approval of improvement plans or the issuance of grading permits, whichever occurs first; Installation prior to Occupancy	Development Services, Planning	

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>adequate drainage;</p> <p>d) Planting, irrigation and maintenance schedules;</p> <p>e) Identify the maintenance entity and include their written agreement to provide care and irrigation of the trees for a 3-year establishment period, and to replace any of the replacement oak trees which do not survive that period;</p> <p>f) The minimum spacing for replacement oak trees shall be 20 feet on center;</p> <p>g) Replacement oak trees shall not be planted within 15 feet of the driplines of existing oak trees to be retained on-site, or within 15 feet of a building foundation or swimming pool excavation;</p> <p>h) No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of oak trees;</p> <p>i) No grading (grade cuts or fills) shall be allowed within the driplines of the oak trees;</p> <p>j) Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of any oak tree;</p> <p>k) No trenching shall be allowed within the dripline of oak trees. If it is absolutely necessary to install underground utilities within the dripline of an oak tree, the utility line shall be bored and jacked, under the supervision of a certified arborist;</p> <p>l) The construction of impervious surfaces within the driplines of oak trees shall be stringently minimized. When it is absolutely necessary, a piped aeration system</p>			

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
	<p>per City standard detail shall be installed under the supervision of a certified arborist;</p> <p>m) No sprinkler or irrigation system shall be installed in such a manner that sprays water or requires trenching within the driplines of oak trees. An above ground drip irrigation system is recommended; and</p> <p>n) Landscaping beneath oak trees may include non-plant materials such as bark mulch, wood chips, boulders, etc. The only plant species which shall be planted within the driplines of oak trees are those which are tolerant of the natural semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants (MM 4.9.1).</p>			
16.	Taller growing trees and/or shrubs shall be planted along the southern and western borders of the project site shall screen the project from these adjacent uses and minimize the potential for light and glare impacts. Prior to approval of improvement plans, the project applicant shall submit landscaping plans to the City for review and approval. (MM 4.12.1b)	Prior to approval of improvement plans; landscaping shall be installed prior to building occupancy	Elk Grove Development Services	
17.	Non-reflective materials and non-glare glass shall be used in all commercial buildings and architectural features to minimize and reduce impacts from daytime glare. Prior to approval of improvement plans or issuance of building permit, or whichever comes first, the project applicant shall submit samples of proposed exterior materials and finishes for the buildings and any architectural features for review and approval by the City of Elk Grove. (MM 4.12.2a)	Prior to approval of improvement plans or issuance of building permit, or whichever comes first	City of Elk Grove Development Services	
18.	Bare metallic surfaces on new structures shall be painted to minimize reflectance. (MM 4.12.2b)	Prior to approval of improvement plans	City of Elk Grove Development Services	

	<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
19.	<p>Prior to approval of improvement plans or issuance of building permit, or whichever comes first, the project applicant shall submit a lighting plan that conforms to lighting requirements of the zoning ordinance and also incorporates the following measures:</p> <ol style="list-style-type: none"> 1) Outdoor light fixtures for non-residential areas (such as the commercial, and recreation areas) shall be low-intensity, shielded and/or directed away from residential areas and the night sky. 2) Lighting fixtures for parking lots shall use low-pressure sodium lamps or other similar lighting fixture. 3) All light fixtures shall be installed and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane. 4) High-intensity discharge lamps, such as mercury, metal halide and high-pressure sodium lamps shall be prohibited. 5) Certification that adjacent residential areas would not be adversely affected and that offsite illumination would not exceed 2-foot candles. (MM 4.12.3) 	Prior to approval of improvement plans or issuance of building permit, or whichever comes first	City of Elk Grove Development Services	
20.	<p>Prior to approval of the final development plans, a noise analysis of possible noise impacts, because of the reconfiguration of the proposed project, of the delivery and loading dock noise shall be completed and mitigation measures to reduce any noise levels to City standards shall be incorporated into the design of the project. Possible mitigation measures may include, but are not limited to the</p>	Prior to final development plan approval.	City of Elk Grove Development Services	

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>following:</p> <p>All delivery truck traffic shall be restricted to the daytime hours (7:00 a.m. to 10:00 p.m.). This requirement shall be included as a condition of project occupancy in all lease, rental, and CC&R documents.</p> <p>An 8-foot concrete block wall shall be constructed along the south and west property lines. (MM 4.5.4a)</p>			
<p>21. The project applicant shall incorporate noise reduction measures resulting in nighttime noise levels of less than 45 dB at the property line of the adjacent residences to the Calvine Pointe site to the south and at the church to the west. Mitigation measures may include:</p> <ol style="list-style-type: none"> 1) Construction of a parapet 6 feet in height along the south and west rooflines of the building on the pad indicated as Major "1" on Figure 3.0-2. 2) Construction of a parapet 3 feet in height along the south and west rooflines of the building on the pad indicated as Major "1" on Figure 3.0-2, and localized shielding of HVAC equipment. 3) Other measures resulting in noise reduction to City standards and accepted by the City. 4) Plans for noise attenuation which may include design of parapets, barriers, or other design features, for noise attenuation for the uses on each of the major pads identified on Figure 3.0-2 shall be submitted to the City of Elk Grove for review and 	<p>Prior to issuance of building permits</p>	<p>City of Elk Grove Development Services</p>	

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
approval prior to issuance of building permits. (MM 4.5.5)			
<p>22. As a condition of approval of subsequent development (i.e. approval of improvement plans, including grading plans), the project proponent shall mitigate the loss of Swainson's hawk foraging and/or nesting habitat by on of the following methods:</p> <ol style="list-style-type: none"> 1. Preserve one acre of similar habitat for each acre lost pursuant to the requirements for land for land mitigation set forth in Chapter 16.130 of the City of Elk Grove Municipal Code; OR 2. Prepare and implement a Swainson's hawk mitigation plan for loss of 24 acres of foraging habitat to the satisfaction of the California Department of Fish and Game that includes the preservation of Swainson's hawk foraging habitat and submit copy of approved plan to Elk Grove City Planning; OR 3. Submit payment of the Swainson's hawk impact mitigation fee to Elk Grove City Planning in the amount set forth in Chapter 16.130 of the City of Elk Grove Code as such may be amended from time to time and to the extent that said Chapter remains in effect. (MM 4.9.2a) 	Prior to approval of improvement plans, including building plans	Elk Grove Development Services, Planning; CDFG	
23. Prior to the approval of improvement and/or grading plans, a survey shall be conducted by a qualified biologist to determine whether western burrowing owls or white tailed kites are utilizing the site. If present, consult with the CDFG	No earlier than 45 days and no later than 20 days prior to grading.	Elk Grove Development Services, Planning	

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
and/or USFWS to determine the measures necessary to avoid or mitigate adverse impacts to the protected bird species present on the site. Mitigation measures may include flagging the nest and avoiding disturbance, passive relocation, or other measures recommended by the biologist or CDFG (MM 4.9.2.b).			
24. No earlier than 45 days and no later than 20 days prior to the commencement of any construction or other site disturbance that would occur during the nesting/breeding season (March 15 through August 31), a field survey shall be conducted by a qualified biologist to determine if active nests of special-status birds such as Swainson's hawk, white-tailed kite, Cooper's hawk, and loggerhead shrike, or common bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code occur on the site. These surveys shall include all areas in or within 250 feet of the construction zone. If active nests are present, consult with CDFG and/or USFWS to determine the measures necessary to mitigate or avoid impacts to the species. Any required permits or approvals shall be obtained from CDFG and/or USFWS prior to disturbance of the site. Mitigation measures may include postponement of construction activities until the young have fledged or other measures recommended by the biologist or CDFG (MM 4.9.3).	No earlier than 45 days and no later than 20 days prior to the commencement of any construction or other site disturbance that would occur during the nesting/breeding season (March 15 through August 31)	Elk Grove Development Services, Planning	
25. No earlier than 45 days and no later than 20 days prior to the commencement of any construction that would occur during the nesting/breeding season (March 15 through August 31), a field survey shall be conducted by a qualified biologist to determine if active nests of special-status birds such as burrowing owl occur on the site. These surveys shall	No earlier than 45 days and no later than 20 days prior to the commencement of any construction or other site disturbance	Elk Grove Development Services, Planning	

	<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	include all areas in or within 250 feet of the construction zone, including the extent of the directly affected portion of the drainage ditch. If active nests are present, consult with CDFG and/or USFWS to determine the measures necessary to mitigate or avoid impacts to the species. Any required permits or approvals shall be obtained from CDFG and/or USFWS prior to disturbance of the site. Mitigation measures may include flagging the burrow and avoiding disturbance, passive relocation, active relocation to move owls from the site, or other measures recommended by the biologist or CDFG (MM 4.9.4).	that would occur during the nesting/breeding season (March 15 through August 31)		
26.	<p>Prior to approval of grading or improvement plans, whichever occurs first, the project applicant shall conduct a soil sample and laboratory test to determine the expansion potential and stability of the soil for commercial development of the project site. If it is determined that the area contains expansive soils, the following mitigation measures shall be employed:</p> <ul style="list-style-type: none"> • Expansive soils can be excavated and replaced with non-expansive materials. The required depth of excavation shall be specified by a registered civil engineer based on actual soil conditions; • Expansive soils may be treated in place by mixing them with lime. Lime-treatment alters the chemical composition of the expansive clay minerals such that the soil becomes non-expansive; or, • Implement other engineering practices for mitigation of expansive soil conditions considered appropriate by the City of Elk Grove Public Works Department. (MM 4.8.3) 	Prior to approval of grading or improvement plans, whichever occurs first	Elk Grove Development Services, Public Works; Building	

	<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
27.	During the construction phases of the project, the equipment warm up areas, water tanks, and equipment storage areas shall be located in an area as far away from existing residences as possible. Staging areas for these equipment and activities shall be identified on grading and improvement plans and submitted to the City of Elk Grove for review and approval (MM 4.5.1.a)	Noted on Improvement and Grading Plans; On-going throughout construction and grading activities	Development Services, Public Works	
28.	All heavy construction equipment and all stationary noise sources (such as diesel generators) shall have manufacturer installed mufflers (MM 4.5.1.b).	Noted on Improvement and Grading Plans; On-going throughout construction and grading activities	Development Services, Public Works	
29.	Construction activities shall be restricted to the weekday daytime hours of 7:00 a.m. to 7:00 p.m. Construction activities during Saturdays shall be restricted to the daytime hours of 8:00 a.m. to 6:00 p.m. No construction activities shall occur on Sundays and Holidays (MM 4.5.1.c).	Noted on Improvement and Grading Plans; On-going throughout construction and grading activities	Development Services, Public Works	
30.	Compliance with the SMAQMD's Rule 403 shall be written into all construction contracts and project improvement plans including a provision requiring excavation to cease when winds exceed 20 mph averaged over one hour. Evidence of compliance with this measure shall be provided to the City (MM 4.6.1.a).	Noted on Improvement Plans and on-going through construction activities	Development Services, Planning; Sacramento Metropolitan Air Quality Management District (SMAQMD)	
31.	<ul style="list-style-type: none"> • The following measures shall be incorporated into all construction contract documents: • Water all construction areas at least twice daily. • Wash dirt off construction vehicles and equipment within 	Noted on Improvement Plans and on-going through construction activities	Development Services, Planning; SMAQMD	

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>the staging area prior to leaving the construction site.</p> <ul style="list-style-type: none"> • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e. the minimum required space between the top of the load and the top of the trailer). • Pave, apply water three times daily, or apply (non-stick) soil stabilizers on all unpaved access roads, parking areas and staging areas. • Sweep daily (preferably with water sweepers) all paved access roads, parking areas and staging areas Sweep twice weekly (with power vac-sweeper) street frontages (a minimum of 1,000 feet upstream and downstream of site) and haul routes. (MM 4.6.1b). 			
<p>32. The project shall implement the following measures to reduce potential air quality impacts from diesel-powered equipment during construction activities.</p> <p>a) <u>Category 1: Reducing NO_x emissions from off-road diesel powered equipment.</u></p> <p>The prime contractor shall provide a plan for approval by the City of Elk Grove and SMAQMD demonstrating that the heavy-duty (>50 horsepower) off-road vehicles to be used in the construction project, and operated by either the prime contractor or any subcontractor, will achieve a fleet-averaged 20 percent NO_x reduction and a 45 percent particulate reduction compared to the most recent CARB fleet average.</p> <p>The prime contractor shall submit to the City of Elk Grove and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used on aggregate of 40 or more</p>	<p>Noted on Improvement Plans and on-going through construction activities</p>	<p>Development Services Planning; SMAQMD</p>	

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>hours during the construction project. The inventory shall include the horsepower rating, engine production year, and hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs; and,</p> <p>b) <u>Category 2:</u> <u>Controlling visible emissions from off-road diesel powered equipment.</u></p> <p>The prime contractor shall ensure that emissions from all off-road diesel powered equipment used on the proposed project does not exceed 40 percent capacity shall be repaired immediately, and the City of Elk Grove and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a month summary of the visual results shall be submitted to the City and SMAQMD throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supercede other SMAQMD or state rules or regulation</p> <p>In the event construction equipment meeting the requirements set forth above is determined not to be available, the project applicant shall notify the City and SMAQMD. Upon verification that required low-emission construction equipment is not available, the City may waive this measure. This requirement shall be included as a note in</p>			

	<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	all project construction plans (MM 4.6.1.c).			
33.	Prior to approval of improvement plans, including grading plans, the project applicant shall submit a revised Air Quality-15 Plan for review and approval by the City of Elk Grove. The AQ-15 plan shall identify measures to reduce project emissions by 15 percent. (MM 4.6.2)	Noted on Improvement Plans and on-going through construction activities	Development Services, Planning; SMAQMD	
34.	Prior to building demolition or approval of grading plans, an interior inspection of the structures shall be conducted by a qualified environmental professional to identify ACBMs. If substances are detected at concentrations that could pose a health hazard, physical barriers will be installed to prevent asbestos emissions upon removal of ACBMs (i.e., tenting). An onsite asbestos removal professional trained in the Asbestos Hazard Emergency Response Act (AHERA) and meeting the U.S. Environmental Protection Agency Asbestos Abatement Consultant Certification requirements shall be retained to oversee proper asbestos waste maintenance and handling. (MM 4.3.1)	Prior to issuance of a building demolition permit or approval of grading plans, whichever comes first	Development Services, Planning; SMAQMD	
35.	<p>Prior to the issuance of demolition permits or approval of grading plans for existing onsite structures, all buildings on the project site shall be tested by a certified lead-based paint inspector to determine whether lead-based paint was used in or on the buildings. If no lead-based paint materials are identified, no further action is required.</p> <p>If buildings are identified as containing lead-based paint, all loose and peeling paint shall be removed and disposed of by a licensed and certified lead paint removal contractor, in accordance with local, state, and federal regulations (MM 4.3.2.a).</p>	<p>Prior to issuance of a building demolition permit or approval of grading plans, whichever occurs first;</p> <p>Noted on Improvement Plans and on-going through construction activities</p>	Development Services Planning; SMAQMD	

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
36.	The demolition contractor shall be informed that all paint on the buildings shall be considered as containing lead. The contractor shall take appropriate precautions to protect his/her workers, the surrounding community, and to dispose of construction waste containing lead paint in accordance with local, state, and federal regulations (MM 4.3.2.b).	Prior to issuance of a building demolition permit or approval of grading plans, whichever occurs first; mitigation measure language included in demolition and removal contracts	City of Elk Grove Development Services; SMAQMD	
37.	The project shall comply with the City's Land Grading and Erosion Control Ordinance.	Improvement Plans	Development Services, Public Works	
38.	<p>The project applicant shall prepare a Storm Water Pollution and Prevention Plan (SWPPP) to be administered through all phases of grading and project construction. The SWPPP shall incorporate Best Management Practices (BMPs) to ensure that potential water quality impacts during construction phases are minimized. The SWPPP shall address spill prevention and include countermeasure plan describing measures to ensure proper collection and disposal of all pollutants handled or produced on the site during construction, including sanitary wastes, cement, and petroleum products. These measures shall be consistent with the City's Drainage Manual and Land Grading and Erosion Control Ordinance which may include:</p> <p>(1) restricting grading to the dry season;</p> <p>(2) protecting all finished graded slopes from erosion using such techniques as erosion control matting and hydroseeding;</p>	<p>Prior to issuance of a building demolition permit or approval of grading plans, whichever occurs first;</p> <p>Noted on Improvement Plans and on-going through construction activities</p>	<p>Development Services, Public Works;</p> <p>Central Valley Regional Water Quality Control Board(CVRWQCB)</p>	

	<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	<p>(3) protecting downstream storm drainage inlets from sedimentation;</p> <p>(4) use of silt fencing and hay bales to retain sediment on the project site;</p> <p>(5) use of temporary water conveyance and water diversion structures to eliminate runoff; and (6) any other suitable measures.</p> <p>The SWPPP shall be submitted to the Central Valley Regional Water Quality Control Board and to the City for review and approval prior to the issuance of grading permits (MM 4.7.1).</p>			
39.	<p>The project applicant shall implement Best Management Practices (BMPs) to ensure that long-term water quality is protected. The BMPs shall be designed, constructed and maintained to meet a performance standard established by the City. The City or project applicant shall retain a qualified specialist to monitor the effectiveness of the BMPs selected. Monitoring activities, along with funding for monitoring, shall be established and shall include, but are not be limited to, initial setup, annual maintenance, and annual monitoring.</p> <p>During project operation, the project shall implement actions and procedures established to reduce the pollutant loadings in storm drain systems. (MM 4.7.2.a).</p>	<p>Prior to approval of grading plans;</p> <p>Noted on Improvement Plans and on-going through construction activities</p>	<p>Development Services, Public Works; Central Valley Regional Water Quality Control Board (CVRWQCB)</p>	
40.	<p>Biofilter swales and vegetated strips shall be placed in the bottom of drainage channels and drainage channels shall be designed to provide biofiltration of pollutants during project runoff. The project engineer shall consult with the City when designing storm water conveyance facilities, and the developer shall submit designs of the areas to these agencies for review and approval prior to approval of the Final Map. The developer shall retain a qualified specialist to</p>	<p>Prior to approval of Final Map or issuance of grading and improvement plans, whichever occurs first</p>	<p>Development Services, Public Works; CVRWQCB</p>	

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
	assist in designing the features to maximize their effectiveness in removing pollutants (MM 4.7.2.b).			
41.	The project shall comply with the City of Elk Grove's Land Grading and Erosion Control Ordinances.	Improvement Plans / Grading Plan	Public Works	
42.	City of Elk Grove Development Services shall be notified immediately if any prehistoric, archaeologic, or paleontologic artifact is uncovered during construction. All construction must stop and an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric and/or historical archaeology shall be retained to evaluate the finds and recommend appropriate action. (MM 4.10.1.a)	Noted on Improvement Plans and Grading Plans; On-going throughout construction activities	Development Services, Public Works	
43.	All construction must stop if any human remains are undiscovered, and the County Coroner must be notified according to Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the procedures outlined in CEQA Section 15064.5 (d) and (e) shall be followed. (MM 4.10.1.b).	Noted on Improvement Plans and Grading Plans; On-going throughout construction activities	Development Services, Public Works	
45.	Prior to approval of Improvement Plans, the project must demonstrate the following items to the satisfaction of the Department of Water Resources: a. Provide non-potable water for use during grading and construction, which could be an agricultural well; b. Destroy all abandoned wells on the project site in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned wells on the improvement plans for the project.	Noted on Improvement Plans	Sacramento County	

<u>Conditions of Approval / Mitigation Measure</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
47.	Water supply will be provided by the Sacramento County Water Agency	Noted on Improvement Plans	Sacramento County Water Agency	
48.	Provide public water service to each building.	Shown on Improvement Plans	Sacramento County Water Agency	
49.	Provide a non-potable water distribution to the satisfaction of the Sacramento County Water Agency. When available, the applicant shall use non-potable water during grading and construction. (Department of Water Resources)	Shown on Improvement Plans	Sacramento County Water Agency	
50.	Provide a looped water distribution system.	Shown on Improvement Plans	Sacramento County Water Agency	
51.	This project is required to connect to the existing Sacramento County Water Agency system at a minimum of two locations.	Shown on Improvement Plans	Sacramento County Water Agency	
52.	The Sacramento County Water Agency (SCWA) will not issue water connection permits or sign improvement plans until adequate water supplies have been identified and secured to the satisfaction of SCWA.	Prior to approval of Improvement Plans	Sacramento County Water Agency	
53.	Connection to the District's sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction.	Prior to recording Final Map	CSD-1	
54.	Each parcel must have a separate connection to the public sewer system. Private easements for sewer service may be required. Sacramento County Improvement Standards apply to on-site sewer construction.	Shown on Improvement Plans and during construction.	CSD-1	

Conditions of Approval / Mitigation Measure		Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
55.	In order to obtain sewer service, construction of CSD-1 sewer infrastructure is expected to be required.	Prior to recording Final Map	CSD-1	
56.	Sewer easements may be required. All sewer easements shall be dedicated to CSD-1, in a form approved by the District Engineer. All CSD-1 sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance.	Prior to recording Final Map	CSD-1	
57.	CSD-1 shall require an approved sewer study prior to the approval of Final Map or submittal of improvement plans for plan check to CSD-1, which ever comes first.	Prior to recording Final Map	CSD-1	
58.	On-site source and treatment control measures are required for this project in accordance with the latest version of the <i>Guidance Manual of On-site Storm Water Quality Control Measures</i> . 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.	Shown on Improvement Plans, On-going during construction	Development Services, Public Works	
59.	All finished floor elevations must be a minimum of 1 foot above the 100-yr water surface elevation in the area, calculated with a method acceptable to the City of Elk Grove, Public Works, Drainage. Provide hydraulic calculations as to the manner the 100-year water surface elevation was calculated.	Prior to approval of Improvement Plans	Public Works	
60.	Provide calculation and layout showing drainage areas and	Prior to approval of	Public Works	

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
the pipe capacity in conformance with the 1996 Hydrology Standards Volume II and City of Elk Grove Improvement Standards. Show the manner in which overland flows are to be conveyed to a point of discharge into an acceptable water body.	Improvement Plans		
61. Prior to approval of improvement plans, the project applicant shall modify the internal site circulation to reduce potential congestion to the satisfaction of the City of Elk Grove. This may include re-arranging parking spaces to remove perpendicular parking spaces on the east side of the access aisle or other redesign, removal of the first right-turn driveway south of Pad 'A', and the revisions to provide adequate access to various parking aisles, driveways, and drive-thrus. (MM 4.4.5a)	Prior to approval of Improvement Plans	Public Works	
62. Prior to approval of improvement plans, the project applicant shall modify the internal site circulation to provide adequate access, to the satisfaction of the City of Elk Grove, for vehicles exiting Pad "B" on Figure 3.0-2 and to provide adequate queuing that does not exceed the available stacking length for exiting southbound traffic at the egresses along Elk Grove-Florin Road. Modification of frontage improvements on Elk Grove-Florin road, such as extended right turn pocket, in combination with internal modifications is an alternative mitigation measure that may be accepted by the City. (MM 4.4.5b)	Prior to approval of Improvement Plans	Public Works	
63. For Pad B and Pad A the stacking distance, from the drive-thru reader board, shall accommodate at least 6 vehicles. The distance from the entrance of the drive-thru to the NE corner of both Pad A and Pad B building is approximately 90-feet. The distance from the reader board to the entrance of the drive-thru shall be 150-feet (6 vehicle stacking distance).	Prior to approval of Improvement Plans	Public Works	

	<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
64.	The dimension of the compact parking spaces shall be 9' by 16'.	Prior to approval of Improvement Plans	Public Works	
65.	All driveways and at the intersections shall conform to the visibility easement requirement in the City of Elk Grove Improvement Standard.	Prior to approval of Improvement Plans	Public Works	
66.	All driveways throat depth shall be at least 50-feet, clear of parking spaces, measured from the back of sidewalk. Longer throat depths are approved as shown on the tentative map.	Prior to approval of Improvement Plans	Public Works	
67.	All driveways must be designed and constructed to the satisfaction of Public Works and to the appropriate section of 4-10 Driveways in the City of Elk Grove Improvement Standards.	Prior to approval of Improvement Plans	Public Works	
68.	The width of the parking stalls for all parking spots that are at a 90° angle to another parking spot shall be increased 2-feet to an ultimate width of 11-feet.	Prior to approval of Improvement Plans	Public Works	
69.	The internal circulation and access shall be subject to the review and approval of Public Works.	Prior to approval of Improvement Plans	Public Works	
70.	Drainage improvement plans shall be designed and constructed in accordance with the City of Elk Grove. Drainage Floodplain Management Ordinance and all easements shall be dedicated and provided on the Final Subdivision Map, or dedicated by grant deed prior to the issuance of building permits. Drainage facilities shall be installed prior to the issuance of building permits pursuant to the City of Elk Grove Floodplain Management Ordinance, Sacramento County Water Agency Code, and Elk Grove Improvement Standards, including any fee required by the City of Elk Grove.	Prior to approval of Improvement Plans	Public Works	
71.	All real property within the boundaries of the proposed project is within a benefit zone of the District Wide Landscape	Prior to recording Final Map	EGCSD Parks and Recreation	

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>& Lighting Assessment District. Prior to rezoning the property, recording any final maps, approving improvement plans, or issuing any building permits; the owners of all real property within the boundaries of a project shall execute and deliver to the Elk Grove Community Services District a written petition in an acceptable form approved by District consenting to:</p> <p>(i) the formation of the existing District Wide Assessment District and the methodology adopted to allocate the cost to the various land uses; (ii) when necessary the annexation to the appropriate zone of benefit created to fund urban services, (iii) the budget, formulas and cost of living indexes use to establish the amount of the annual assessments; and (iv) the levying of the annual assessment to fund the maintenance, operation and in some instances the existing capital costs of parks, parkways, corridors, medians, open space, trail systems lakes, creeks and other recreational and aesthetic amenities.</p>			
<p>72. Native & Landmark trees within land to be conveyed to EGCS D shall be protected and preserved according to standard county tree preservation measures. Native & landmark trees to be removed shall be compensated on an inch per inch basis consistent with county tree mitigation measures. Prior to conveyance of land provide an arborist report assessing species, size, health and location of trees contained on subject properties and comply with findings of report to the satisfaction of the EGCS D. All costs incurred in complying with the arborist recommendations will be the responsibility of project proponent.</p>	<p>Prior to recording Final Map</p>	<p>EGCS D Parks and Recreation</p>	
<p>73. The Applicant shall dedicate maintenance easements over all water lines to the satisfaction of Sacramento County Water Agency prior to Final Map approval.</p>	<p>Prior to recording Final Map</p>	<p>Sacramento County Water Agency</p>	

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
74.	The Applicant shall dedicate a 12.5-foot public utility easement for underground and or overhead facilities and appurtenances adjacent to all public and private streets. All utilities shall be installed underground in accordance with City ordinance and meet the requirements of each specific utility.	Prior to recording Final Map	Development Services, Public Works	
75.	The Applicant shall grant reciprocal access to the owners of the three parcels (115-0180-006, -007 and -008) at the southwest corner of Calvine Road and Elk Grove-Florin Road, and the parcel directly south (115-0180-012) of the project site, for the purpose of future development on adjoining parcels. The applicant shall submit legal documentation to Elk Grove Planning, which establishes reciprocal access.	Prior to recording Final Map	Development Services, Planning	
76.	The Applicant shall dedicate and improve Calvine Road, south half section 48' from the approved centerline to back of curb. Sidewalks shall be separated from back of curb except at intersection and driveways. Improvement will be based on a 108' equivalent thoroughfare in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. A 36' landscape and pedestrian corridor from the back of curb is required. Improvements shall extend through and include the expanded intersection with Elk Grove-Florin Road.	Prior to recording Final Map	Development Services, Public Works	
77.	The Applicant shall dedicate and improve Elk Grove-Florin Road, west half section 48' from the approved centerline to back of curb. Sidewalks shall be separated from back of curb except at intersection and driveways. Improvement will be based on a 108' equivalent thoroughfare in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. A 36' landscape and pedestrian corridor from the back of curb is required. Improvements	Prior to recording Final Map	Development Services, Public Works	

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
	shall extend through and include the expanded intersection with Calvine Road.			
78.	The Applicant shall provide Business Owners' Association bylaws including but not limited to common area ownership, maintenance, and joint access, for review and approval by Public Works.	Prior to recording Final Map	Development Services, Public Works	
79.	A provision for and granting of mutual easements for reciprocal access and parking shall be incorporated in the CC&R's. The provision shall be for reciprocal access and shall also provide for reciprocal parking privileges. The Peninsula Land must provide for adequate parking per code for the intended uses within the boundaries of the Peninsula Land and shall meet all City of Elk Grove parking requirements. The PDC Land must provide for adequate parking per code for the intended uses within the Calvine Pointe shopping center and shall meet all City of Elk Grove parking requirements	Prior to Occupancy	Development Services, Planning	
80.	The Applicant shall dedicate and improve Right-of-Way at the intersection of Elk Grove-Florin Road and Calvine Road, based upon an expanded intersection in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Prior to recording Final Map	Development Services, Public Works	
81.	A 36' landscape corridor on Calvine Road and Elk Grove-Florin Road shall be dedicated to the City of Elk Grove as a landscape and pedestrian easement in accordance with City requirements. Landscape Improvements shall be approved prior to the recordation of the Final Map and be installed prior to the first occupancy.	Prior to recording Final Map	Development Services, Public Works	
82.	The Applicant shall dedicate and improve a right turn pocket on Elk Grove-Florin Road for the northern most driveway. The	Prior to recording Final Map	Development Services,	

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
pocket length for the northern most driveway shall be a minimum 175-foot long with a 90-foot bay taper.		Public Works	
83. The required roadway improvements require removal, replacement and/or revisions to the existing signing and striping along both Calvine Road and Elk Grove-Florin Road. The Project shall be responsible for identifying, designing and improving all revisions, removals and replacement signage and striping, both along the project frontage and off site resulting from this project's improvements. Work in the County will require approvals and an encroachment permit from the County. All signing and striping plans will be included within the project improvement plans and approved at the same time.	Prior to recording Final Map	Development Services, Public Works	
84. All improvements to be constructed that require encroachment into the County's right-of-way will require the County's written approval and/or encroachment permit issuance.	Prior to recording Final Map	Development Services, Public Works	
85. Improvements to be constructed by this project may require revisions or upgrade to the traffic signal and interconnect system at Calvine and Elk Grove-Florin. Design and construction of these improvements shall be in accordance with the County of Sacramento Standards (maintained by County) and obtain signature approval of the design. All signal and interconnect plans will be included within the project improvement plans and receive final approval by the City at the same time as the improvement plans.	Prior to recording Final Map	Development Services, Public Works	
86. All improvements shall be dedicated and designed in accordance with the City of Elk Grove Improvement Standards, as further conditioned herein, and to the satisfaction of Public Works.	Prior to recording Final Map	Development Services, Public Works	

Conditions of Approval / Mitigation Measure		Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
87.	The Applicant shall place a statement on the Final Parcel Map that states that the Calvine Road and Elk Grove-Florin Road frontage improvements shall be required to be constructed in accordance with City Standards and to the satisfaction of Public Works prior to issuance of any permits for development of any lot.	Prior to recording Final Map	Public Works	
88.	All drainage easements shall meet the City's minimum width requirement and free and clear of other parallel pipes or utilities. No structures or trees may be placed within the easements including, but not limited to, trash enclosures, compactors and screening walls.	Prior to recording Final Map	Public Works	
89.	The Applicant shall generate, submit for approval and obtain approval of a Master Plan of Drainage for this drainage sub-basin. Design and construct all on and off site pipes and improvements to transport the site drainage to a discharge point along Strawberry Creek. All easement and right-of-way acquisition required for the construction of these improvements shall be the sole responsibility of the project applicant. All Corps of Engineers, State Fish and Game and other agency permits, and cost for same, for the disturbance and discharge into the creek shall be the sole responsibility of the Applicant.	Prior to first submittal of Final Map or Grading/Improvement Plans	Development Services, Public Works	
90.	The Applicant shall relocate the pedestrian access across the Calvine Road easterly driveway. The pedestrian path shall cross the driveway at the 1 st intersection with the drive aisle and shall cross the drive thru of building P1 at the entrance to the drive thru. (Added)	Prior to approval of Improvement Plans	Public Works	
Prior to Issuance of Building Permits				
91.	The Elk Grove Unified School District has funded and built,	Prior to Issuance of	EGUSD	

	<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	and is in the process of funding and building certain oversized infrastructure that will be of direct benefit to the Developer's Project. Prior to the issuance of the first building permit for residential construction or any building permit for commercial construction within the boundaries of the Developer's Project, Developer shall provide written correspondence from the School District's Assistant Superintendent of Facilities establishing that Developer has adequately provided for the reimbursement of infrastructure costs incurred by the School District on behalf of Developer's Project.	Building Permits		
92.	Reflectors, spotlights, floodlights, and other sources of illumination may be used to illuminate buildings, landscaping, parking and loading areas on site if they are equipped with lenses or other devices which concentrate the illumination upon the buildings, landscaping, parking and loading areas. No unshielded lights, reflectors, or spotlights shall be so located that they shine toward or are directly visible from adjacent properties or roadways.	Prior to Issuance of Building Permits	Development Services, Planning	
93.	Prior to issuance of building permits, the Applicant shall: <ul style="list-style-type: none"> • Widen Calvine Road to three lanes along the project frontage, and • Pay their fair-share of the cost for widening Calvine Road to six lanes from Power Inn Road to westerly property boundary. The project applicant shall provide a cost estimate for these improvements that will be subject to review and acceptance by Public Works. (MM 4.4.1a). 	Prior to Issuance of 1 st Building Permit	Development Services, Public Works	
94.	Prior to issuance of building permits, the Applicant shall pay their fair-share of the cost for the widening of Elk Grove-Florin Road to six lanes from Vintage Park Drive to Calvine Road.	Prior to Issuance of Building Permits	Development Services, Public Works	

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
The Applicant shall provide a cost estimate for these improvements that will be subject to review and acceptance by Public Works. (MM 4.4.1b).			
92. Prior to issuance of building permits, the Applicant shall: <ul style="list-style-type: none"> • Construct full road improvements on Elk Grove-Florin Road along the project frontage, and • Pay their fair-share of the cost for the widening of Elk Grove-Florin Road to six lanes from the southerly property boundary to Sheldon Road. The project applicant shall provide a cost estimate for these improvements that will be subject to review and acceptance by the City of Elk Grove Public Works. (MM 4.4.1c). 	Prior to Issuance of Building Permits	Development Services, Public Works	
93. If the Calvine Pointe project is constructed prior to the project to the north (Elk Grove-Florin Retail Center), the improvements along Elk Grove-Florin Road shall extend from the property frontage to Calvine Road. [MM 4.4.1d]	Prior to Issuance of Building Permits	Development Services, Public Works	
94. Prior to issuance of building permits, the project applicant shall widen Elk Grove-Florin Road to three southbound lanes along the project frontage. (MM 4.4.1e)	Prior to Issuance of Building Permits	Development Services, Public Works	
95. In addition to the project frontage intersection improvement, if the Calvine Pointe project is constructed prior to the project to the north, (Elk Grove-Florin Retail Center), the improvements at the intersection of Calvine Road/Elk Grove-Florin Road shall be constructed, pursuant to Elk Grove City Improvement Standards as approved by Public Works. (MM 4.4.2b)	Prior to approval of improvement plans, submit improvement plans for the intersection modification; prior to issuance of building permits, construct the intersection improvements	Development Services, Public Works	

	<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
96.	The Applicant shall coordinate with Regional Transit and the City of Elk Grove Transit to ensure the provision of adequate facilities to provide a transit stop serving the project site. (MM 4.4.6)	Prior to Issuance of Building Permits	Development Services, Public Works	
97.	At all street intersections within the City, public or private, within one block of the proposed project, applicant shall install and/or replace street name signs in accordance with the City of Elk Grove Standard Details.	Prior to Issuance of Building Permits	Development Services, Public Works	
98.	All improvements shall be installed in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Prior to Issuance of Building Permits	Development Services, Public Works	
99.	The Applicant shall pay, in addition to the Elk Grove Roadway Fee, based on their fair-share of cumulative impacts to the roadway segments, Calvine Road between Power Inn Road to Elk Grove-Florin Road, Calvine Road between Elk Grove-Florin Road, Elk Grove-Florin Road between Vintage Road to Calvine Road and Elk Grove-Florin Road between Calvine Road to Sheldon Road, to the satisfaction of the City of Elk Grove. The fair share described above excludes the project frontage and the potential gap in improvements on Elk Grove-Florin Road from the project frontage to Walgreen's. These improvements must be constructed by the project. (MM 4.4.8)	Prior to Issuance of Building Permits	Development Services, Public Works	
100.	In addition to the Elk Grove Roadway Fee and the required intersection improvements to Calvine/Elk Grove-Florin identified in MM4.4.2b the project applicant shall pay their fair-share of cumulative impacts to the project area intersection, Calvine Road at Elk Grove-Florin Road, to the satisfaction of the City of Elk Grove. (MM 4.4.9)	Prior to Issuance of Building Permits	Development Services, Public Works	

	<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
101.	The Tentative Parcel Map shall be revised to reflect all changes required by the Planning Commission's action to approve this project on May 5, 2005, together with any additional changes as may be required by the City Council.	Prior to Issuance of Building Permits	Development Services, Planning	
Prior to Issuance of Occupancy				
102.	<p>The Applicant shall design and construct a median on each of Calvine Road and Elk Grove-Florin Road to accomplish the following driveway access:</p> <ul style="list-style-type: none"> • Right-in/right-out for all Elk Grove-Florin Road driveways. • Right-in/right-out for all Calvine Road driveways. <p>All lefts out on Calvine Road and Elk Grove-Florin Road shall be prohibited.</p> <p>The following access shall be evaluated by Public Works at improvement plans to determine if the access below is acceptable. If acceptable the median shall be designed and constructed to accomplish the following access</p> <ul style="list-style-type: none"> • Left in for the southern driveway on Elk Grove – Florin Road • Left in for the eastern Calvine Road driveway • Left-in at the central Calvine Road driveway. 	Prior to Occupancy	Development Services, Public Works	
102.	Any improvements, public or private, damaged in construction shall be replaced in-kind or with new improvement.	Prior to Occupancy	Development Services, Public Works	
103.	The Applicant shall dedicate and improve right turn pockets on Calvine Road for the central and eastern driveway. The pocket length for the central driveway shall be a minimum 100-foot long. The pocket length for the easterly driveway shall be a minimum 175-foot long. Both right turn pockets shall have 90-foot bay tapers.	Prior to Occupancy	Development Services, Public Works	

	<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
104.	No health club shall be located in the buildings or in the location shown on the approved Site Plan as Major 'M3' or 'M4' on the Plan.	Prior to Occupancy	Development Services, Planning	

General Compliance Items for Building Permit

1. Prior to issuance of building permits, 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. (Water Supply)
2. Provide separate water service to each parcel.
3. Two points of water connection shall be in place prior to construction of any homes.
4. Prior to issuance of building permits, 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. (Water Supply)
5. Secure approval of a civil engineered site improvement plan for all proposed on-site and off-site improvements.
6. Permits and/or fees are required for the following reviews: civil plans, architectural plans, fire sprinkler plans and fire alarm plans. Additional permits and fees may apply depending upon the scope of the project.
7. The development is required to provide fire flow from public water system capable of delivering a minimum of 3,000 gpm at 20 psi in commercial areas and a minimum of 1,000 gpm at 20 psi in residential areas. Hydrants shall be spaced a maximum of 300 feet apart in the commercial areas and a maximum of 500 feet apart in residential areas. Buildings of certain types of construction, size and use may need additional fire flow or the application of mitigating efforts to meet fire flows above this minimum. (EGCSD – Fire Department)
8. A permit release letter from the Elk Grove Community Services District Fire Department (EGCSDFD) shall be required prior to the Elk Grove Building Department issuing any construction permits.
9. All civil engineering plans are required to be submitted in an electronic format. When plan is ready for final signature, it is required that the engineering firm will submit an electronic copy of the complete plan as it appears in the approved printed plans with addresses. All electronic formats will be submitted on Windows/DOS formatted diskettes, zip disks or on compact disk (CD). E-mailed copies will not be accepted at this time. Electronic formats can be submitted in either of the following data transfer formats listed below:

DFX (Drawing Interchange file) release 2002 or previous
DWG (Applies to AUOCAD drawing file) release 2002 or previous
10. Addresses for all lots shall be provided to the Fire Department within sixty (60) days of Fire Department signature of approval for development plans.
11. No more than 40 building permits shall be issued when a single point of access exists for a subdivision. Since there is no process in place for confirming the sequence in which the units are built, the above information should be considered and the Elk Grove CSD Fire Department should be consulted on this matter.
12. All commercial buildings, in excess of 3,599 square feet shall be equipped with an approved automatic fire sprinkler system.

13. Commercial developments in excess of 10,000 square feet require looped fire mains of a minimum of ten- (10) inch diameter to supply fire hydrants spaced at a maximum of 300-foot intervals. This on-site fire main shall be connected to the municipal water main at not less than two (2) points.
14. This development is required to provide fire flow from a public water system capable of delivering at a minimum 50 PSI static pressure and 3,000 GPM at 20 PSI residual pressure in commercial areas and 50 PSI static pressure and 1,000 GPM at 20 PSI residual pressure in residential, single-family home areas. Buildings of certain types of construction, size, and use may need additional fire flow or the application of mitigating efforts to meet fire flows above this minimum.
15. All required roadways, street signs, addresses, water mains, fire hydrants, and fire flows shall be provided prior to the existence of any combustible construction or storage. The slope of access roadways shall not exceed 10% for asphalt and 15 % for concrete. The roadways shall be constructed to a 20-foot minimum width with a minimum of three (3) inches AC over six (6) inches AB with good drainage.
16. Traffic pre-emption devices of a typed approved by the Elk Grove Fire Department, shall be installed on all traffic signal devices erected or modified by this development. These devices shall be installed and functioning prior to any occupancy and at no cost to the Elk Grove Fire Department.
17. Required fire alarm systems (other than single family dwellings) shall be connected to a UL listed central station approved by the Sacramento County Regional Communications Center.
18. Permits and/or fees are required for the following plan reviews: site plan, architectural plan, fire sprinkler plan, fire alarm plan, and special extinguishing plans.
19. The installation of on-site or off-site fire protection equipment including fire hydrants and water mains shall meet the standards of the Elk Grove Fire Department and the water purveyor having jurisdiction.
20. The installation of roadway gates, addresses, landscaping, pipe bollards, fuel tanks, masonry sound walls, tree wells, and/or traffic calming devices are subject to standards outlined by the Elk Grove Fire Department.
21. The wetlands/riparian corridors of creeks create an unusual fire hazard and challenge to emergency responders. The following requirements apply:
 - A. Provide non-combustible fences along all developed areas adjacent to wetlands, creeks, or open spaces.
 - B. Provide access to all wetland corridors at the end of cul-de-sacs via rolled curbs and gates with pipe bollards. Bike lanes adjacent to creeks shall be a minimum of 10 feet wide with a turning radius of not less than 35 feet inside and 45 feet outside diameters.
 - C. Any bridges over creeks or wetland areas shall be capable of supporting 65,000 GVW.
 - D. Provide at least ten (10) feet of greenbelt or other defensible space between non-combustible fences and the creek/wetlands area.

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2005-239

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

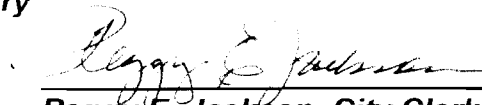
I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on the 10th day of August, 2005 by the following vote:

AYES 4: COUNCILMEMBERS: Scherman, Soares, Briggs, Cooper

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 1: COUNCILMEMBERS: Leary



**Peggy E. Jackson, City Clerk
City of Elk Grove, California**

