

RESOLUTION NO. 2007-83

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING A MITIGATED NEGATIVE DECLARATION AND MITIGATION
MONITORING AND REPORTING PROGRAM FOR
STONE SPRINGS ESTATES UNIT II (EG-05-970)**

WHEREAS, the Planning Division of the City of Elk Grove received an application on December 1, 2005 from Mike Williams requesting a Specific Plan Amendment, Rezone, and Tentative Subdivision Map to subdivide two parcels totaling 5.04± acres in the East Elk Grove Specific Plan area to develop 18 single-family home sites, and

WHEREAS, the proposed project is located on real property in the incorporated portions of the City of Elk Grove more particularly described as APN 127-0140-007 and 127-0140-029; and

WHEREAS, the City determined that the proposed project was subject to the California Environmental Quality Act (CEQA) and prepared an initial study evaluating the potential environmental effects of the project; and

WHEREAS, the Initial Study identified one potentially significant impact that can be mitigated to less than significant levels, and the mitigation measure was included in a Mitigation Monitoring and Reporting Program which was prepared for the proposed project (Exhibit A); and

WHEREAS, the City determined that the mitigation proposed in the Mitigation Monitoring and Reporting Program would reduce the impact to a less than significant level and that a Mitigated Negative Declaration should be prepared; and

WHEREAS, the City distributed the Notice of Intent to Adopt the Mitigated Negative Declaration on October 23, 2006 and was posted at the Sacramento County Clerk's Office, distributed through the State Clearinghouse and at the City offices, pursuant to CEQA Guidelines 15072. A 30-day review and comment period was opened on November 1, 2006 and closed November 30, 2006. The Mitigated Negative Declaration was made available to the public during this review period; and

WHEREAS, the City received four written comment letters within the 30 day public review period and responded to those comments in the project staff report; and

WHEREAS, the City has considered the comments received during the public review period, and they do not alter the conclusions in the Initial Study and Mitigated Negative Declaration; and

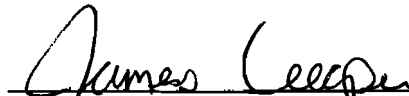
WHEREAS, the City of Elk Grove, Development Services Planning Department, located at 8401 Laguna Palms Way, Elk Grove, California 95758 is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the Mitigated Negative Declaration is based.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for Stone Springs Estates Unit II (EG-05-970) based on the following finding:

Finding: On the basis of the whole record, there is no substantial evidence that the project as designed, conditioned and mitigated, will have a significant effect on the environment. A Mitigated Negative Declaration has been prepared and completed in accordance with the California Environmental Quality Act (CEQA). The mitigated negative declaration reflects the independent judgment and analysis of the City.

Evidence: Pursuant to CEQA guidelines, City staff prepared an initial study evaluating the potential environmental effects of the project. The Initial Study identified potentially significant adverse effects in the areas of biological resources and noise. Mitigation measures that avoid or mitigate the potentially significant effects to a point where clearly no significant effects would occur were identified in the Initial Study and a Mitigated Negative Declaration was prepared. The Initial Study/Mitigated Negative Declaration was distributed for a 30-day review and comment period between November 1, 2006 and November 30, 2007. The City received four written comment letters within the 30-day public review period and responded to those comments in the project staff report. The City has considered the comments received during the public review period, and they do not alter the conclusions in the Initial Study and Mitigated Negative Declaration. A Mitigation Monitoring and Reporting Program (MMRP) has been prepared to ensure compliance during project implementation.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 11th day of April 2007.



JAMES COOPER, MAYOR of the
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:



PEGGY E. JACKSON, CITY CLERK



JONATHAN P. HOBBS,
INTERIM CITY ATTORNEY

Exhibit A – Mitigation Monitoring and Reporting Program for Stone Springs Estates Unit II (EG-05-970)

MITIGATIONS	TIMING/ IMPLEMENTATION	ENFORCEMENT/ MONITORING	VERIFICATION (DATE AND SIGNATURE)
<p>In order to reduce the impacts of roadway noise on the proposed residential uses, a minimum six-foot high (above proposed building pads) masonry wall shall be constructed along the property line between the residential lots and Lot-A prior to construction of any residential units on the project site. The design of the wall shall meet the design requirements outlined in the City's Design Guidelines and any applicable City codes and ordinances as well as reduce outdoor noise to 60 dB, as required by the General Plan. The proposed wall's capability of achieving this noise reduction level shall be verified by an acoustical consultant, at the project proponent's expense, prior to approval of improvement plans.</p>	<p>Wall design verified by acoustical consultant: Prior to approval of improvement plans.</p> <p>Verification of wall constructed: Prior to issuance of building permits</p>	<p>City of Elk Grove Development Services- Planning</p>	

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2007-83**

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

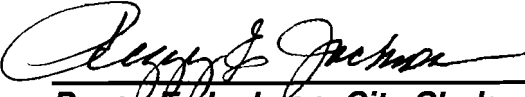
I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on April 11, 2007 by the following vote:

AYES : COUNCILMEMBERS: Cooper, Hume, Leary, Davis

NOES: COUNCILMEMBERS: Scherman

ABSTAIN : COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None



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

