

**RESOLUTION NO. 2008-182**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
APPROVING A TENTATIVE PARCEL MAP, DESIGN REVIEW, VARIANCE, AND  
UNIFORM SIGN PROGRAM FOR REYNOLDS AND BROWN PLAZA III, PROJECT  
NO. EG-06-1051, ASSESSOR PARCEL NUMBER 125-0030-029**

**WHEREAS**, Reynolds and Brown (the "Applicant") filed an application with the City of Elk Grove ("City") for a General Plan Amendment, Rezone, and Tentative Parcel Map, and subsequently filed an application for a Design Review, Variance, and Uniform Sign Program; 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 proposed project is located on real property in the incorporated portions of the City of Elk Grove more particularly described as APN 125-0030-029; and

**WHEREAS**, the City has determined that the Reynolds and Brown Plaza III Project was subject to the California Environmental Quality Act (CEQA) and prepared an Environmental Impact Report ("EIR") to evaluate the potential environmental effects of the project; and

**WHEREAS**, the Design Review, Variance, and Uniform Sign Program is consistent with the environmental effects analyzed in the EIR; and

**WHEREAS**, the City Council has certified the EIR, finding that it has been prepared in accordance with CEQA; and

**WHEREAS**, the City Council has approved a Mitigation Monitoring and Reporting Program which has been prepared in accordance with City of Elk Grove regulations and is designed to ensure compliance during project implementation; and

**WHEREAS**, the Planning Commission considered the Applicant's request at a public hearing on July 3, 2008, and recommended City Council approval of the Project; and

**WHEREAS**, the City Council considered the Applicant's request at a duly published public hearing on July 23, 2008 and received a staff report and public testimony at the public hearing.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby approves the Reynolds and Brown Plaza III Project, subject to the conditions of approval as illustrated in Exhibit A, MMRP in Exhibit B, the Tentative

Parcel Map as illustrated in Exhibit C and project plans in Exhibit D based on the following findings:

### **California Environmental Quality Act (CEQA)**

Finding: The Environmental Impact Report has been prepared in accordance with the California Environmental Quality Act (CEQA) and it reflects the independent judgment and analysis of the City.

Evidence: Pursuant to CEQA and the CEQA guidelines, City staff prepared a Draft Environmental Impact Report (EIR) for the project. The EIR analyzed potentially significant impacts and showed impacts in the areas of Visual Resources, Air Quality, Biological Resources, Hazards and Hazardous Materials, Noise, Public Services and Utilities, and Transportation. A Notice of Availability for the Draft EIR was published on February 27, 2008. The Draft EIR was distributed to the State Clearinghouse (SCH No. 2007042125) and to other public agencies and interested parties. A 45-day public review period for the Draft EIR was from February 27, 2008 through April 11, 2008.

Comments from public agencies were received during or subsequent to the public review period. Those comments were addressed in the Final EIR.

In conjunction with the Final EIR, the City has prepared a Mitigation Monitoring and Reporting Program ("MMRP"), as required by CEQA. The MMRP includes: (a) all significant or potentially significant impacts, level of significance without mitigation, proposed mitigation measures and the resulting level of significance. Included with each mitigation measure is a specification for timing/implementation and enforcement/monitoring responsibility.

### **Tentative Parcel Map**

Finding: Section 66474 of the California Subdivision Map Act requires a City to deny approval of a tentative map if it makes any of the following findings:

- a. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- b. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- c. That the site is not physically suitable for the type of development.
- d. That the site is not physically suitable for the proposed density of development.
- e. That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- f. That the design of the subdivision or the type of improvements is likely to cause serious public health problems.

g. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

**Evidence:** Findings (a) through (g) in Section 66474 of the Subdivision Map Act do not apply to the project.

(a) The proposed map is consistent with the proposed Elk Grove General Plan Commercial land use designation.

(b) The design of the proposed parcel map provides parcel of appropriate size and configuration to allow commercial development consistent with the proposed General Plan Commercial land use designation.

(c) The relatively flat site is physically suitable for the proposed commercial development, as demonstrated by the EIR.

(d) The relatively flat site is physically suitable for the intensity of the proposed commercial development, as demonstrated by the EIR.

(e) The proposed commercial development has been reviewed for environmental impacts and has been found to not be likely to cause substantial environmental damage.

(f) The proposed Tentative Parcel Map will not cause serious public health problems. The project has been reviewed by local agencies for conformance to applicable policies and regulations. Comments have been addressed or incorporated as conditions of approval and ensure protection of public health, welfare, and safety.

(g) No conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision, have been identified.

## **Design Review**

**Finding:** The proposed project is consistent with the objectives of the General Plan, complies with applicable zoning regulations, Citywide Design Guidelines, and Improvement Standards adopted by the City.

**Evidence:** The project has been analyzed and found to be compliant with the General Plan, the Zoning Code, and the Design Guidelines. The project meets the development standards for commercial development and the Design Guidelines for non-residential development.

**Finding:** The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community.

**Evidence:** The proposed architecture, site design, and landscape are appropriate and suitable for the proposed use. The project will enhance the character of the neighborhood by developing a currently underdeveloped parcel.

Finding: The architecture, including the character, scale and quality of the design, relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signing and similar elements establishes a clear design concept and is compatible with the character of buildings on adjoining and nearby properties.

Evidence: The larger scale of the hotel is balanced out by the smaller scale of the retail buildings. A clear design concept has been provided by applying the same colors and material pallet to the entire site. The lighting and landscaping are consistent with the Zoning Code. There is no adjoining commercial development, but this development is consistent with nearby commercial development.

Finding: The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.

Evidence: The project has been planned to provide for efficient on-site vehicle circulation and can accommodate emergency vehicles throughout the site. Pedestrian circulation is provided on the site. Bicycle parking will also be provided.

## **Variance**

Finding: There are special circumstances applicable to the property, including size, shape, topography, location or surroundings, such that the strict application of the Zoning Code deprives such property of privileges enjoyed by other property in the vicinity and under identical land use zoning district classification.

Evidence: This property's unusual shape severely hinders the development opportunities on the site. Most commercial developments have at least two interior property lines with 0' setbacks where this property only has one. This property also does not have a property line which can be considered a rear property line. All the property lines except the north property line are adjacent to a street or highway requiring the 25' setback. The property's unique circumstance of having the Caltrans easement between the parcel and the actual right-of-way allow the setback standard to be deviated from while still maintaining the setback from the right-of-way.

Finding: Granting the variance does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and land use zoning district in which such property is located.

Evidence: Most commercial properties in the area have regular shaped parcels and are surrounded by other commercially zoned properties.


Finding: Granting the Variance will not adversely affect the interests of the public or the interests of residents and property owners in the vicinity of the premise in question.

Evidence: This property is surrounded by public right-of-way and has no other immediate neighbors other than the cemetery from which the development has maintained the standard setback. The variance from the setback is only from property line shared with properties owned by public agencies.

Finding: Granting the variance is consistent with the objectives of the General Plan and Zoning Ordinance.

Evidence: The granting of the variance is consistent with the General Plan policies of allowing the full development of underutilized parcels. The project still complies with the intent of the zoning code setbacks which are to regulate building setback from a public right-of-way and provide for buffering between uses.


**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 23<sup>rd</sup> day of July, 2008. This Resolution is not effective until Resolution 2008-183 approving the General Plan Amendment for this project is adopted.

  
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GARY DAVIS, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
\_\_\_\_\_  
SUSAN J. BLACKSTON, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
SUSAN COCHRAN, CITY ATTORNEY

**EXHIBIT A**

**Conditions of Approval**

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u>
<b>On-Going</b>				
1.	<p>The development approved by this action is for a General Plan Amendment, Rezone, Tentative Parcel Map, Design Review and Uniform Sign Program for a retail plaza with hotel and three conceptual retail buildings as illustrated by the following approved project plans:</p> <ul style="list-style-type: none"> <li>• General Plan Exhibit (received April 26, 2006)</li> <li>• Rezone Exhibit (received April 26, 2006)</li> <li>• Site Plan (received May 19, 2008)</li> <li>• Hotel Elevations (received May 19, 2008)</li> <li>• Typical Building Elements (received May 19, 2008)</li> <li>• Tentative Parcel Map (received May 19, 2008)</li> <li>• Preliminary Landscape Plan (received May 19, 2008)</li> <li>• Photometric Plans (received May 19, 2008))</li> <li>• Preliminary Grading and Utility Plan (received May 19, 2008)</li> <li>• Tentative Tree Removal Plan (received May 19, 2008)</li> <li>• Uniform Sign Program (received May 19, 2008)</li> </ul> <p>Deviations from the approved plans shall be reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body.</p>	On-Going	Planning	
2.	<p>The Applicant or Successors in Interest (hereby 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.</p>	On-Going	Planning	
3.	<p>This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.</p>	On-Going	Planning	
4.	<p>The Tentative Map, Design Review, Variance and Uniform Sign Program will expire three years from the date of City Council approval unless exercised pursuant to Section 23.18.030 of the Zoning Ordinance.</p>	On-Going	Planning	

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5.	The subject project owner(s) and successors in interest thereof, shall be responsible for repair and/or replacement of all non-asphalt and/or enhanced surface treatments of streets and drives within these easements damaged by District maintenance and repair operations, including landscaping, channelizations, lighting and any other appurtenances conflicting therein. This requirement shall be set forth in easement grant documents and be a covenant running with the land, be responsibility of successors in interest in future land transfers and divisions and by language approved by the District. SASD will only replace asphalt and standard concrete roadway/driveway disturbed due to maintenance/repair of it's sewer line. If the repair is of decorative or stamped concrete, SASD will only replace with standard concrete.	On-Going	SASD	
6.	Any on-site traffic calming devices and locations shall be approved by Public Works prior to installation, including but not limited to speed bumps.	On-going	Public Works	
7.	The Planning division shall be notified immediately if any prehistoric, archaeological, 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 or historical archaeology shall be retained to evaluate the finds and recommend appropriate action.	On-Going	Planning	
8.	All construction must stop if any human remains are uncovered, 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.	On-Going	Planning	
9.	The development will designate twenty-five park-and-ride parking spaces for use between the hours of 6:00am and 7:00pm Monday through Friday, excluding holidays, with no overnight parking. The parking spaces can be used as parking for other uses if not used by 9:00am.	On-Going	Planning/COEG Transit	

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10.	The development approved by this action is subject to the Mitigation Monitoring and Reporting Program (MMRP) adopted as part of the project entitlement 06-1051. A deposit of \$2000 for monitoring mitigation measures applicable to this development shall be paid to the City in order to assure MMRP compliance. If actual City monitoring costs exceed the initial estimate, a revised estimate and/or supplemental bill(s) will be submitted to the applicant.	Prior to issuance of any plans or permits associated with this project, the applicant shall submit the deposit to the City of Elk Grove.	Planning	
11.	In lieu of the two points of access/egress for emergency equipment response for this project, fire sprinkler system density shall be increased by 20% above the normal NFPA 13 Standard for this type of project.	On-Going/ Building permit	Cosumnes CSD Fire	
12.	The future conceptual retail buildings shown shall have fire department access to within 150 feet of the buildings openings as measured around the exterior of the buildings.	On-Going/ Building permit	Cosumnes CSD Fire	
13.	The Hotel shall install a NFPA 13 Fire Sprinklers system along with a complete NFPA 14 Standpipe System.	On-Going/ Building permit	Cosumnes CSD Fire	
<b>Improvement Plans/Grading/Construction</b>				
14.	Applicant shall 'Safety Prune' all existing oaks on site and oak driplines that overhang the project site shall be pruned by an ISA certified arborist. City's tree consultant shall review and approve, in the field, with the Applicant's arborist any pruning of the existing native oaks. Applicant's arborist shall provide a letter to City Planning the pruning has been completed.	Prior to site disturbance	Landscape architect	
15.	Applicant shall mitigate fifty three (53) inches of on-site native oaks proposed for removal. (Tree #'s 1, 4, 56, and 61)	Improvement Plans/Landscape Plans	Landscape Architect	
16.	Applicant shall mitigate thirty three (33) inches of off-site native oaks proposed for removal. (Tree #'s 334 and 337)	Improvement Plans/Landscape Plans	Landscape Architect	



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17.	The applicant shall submit landscape improvement plans (planting and irrigation) which incorporates the City's Zoning Code, Design Guidelines Water Conserving Landscape Requirements and Conditions of Approval. Plans shall be submitted to the Planning Department and the Public Works Department for review and approval.	Improvement Plans/Landscape Plans	Landscape Architect	
18.	Applicant shall design and install the fence along the northern property line, and under the native oak tree driplines, to minimize impacts to the root systems to the satisfaction of the City Landscape Architect and Planning department.	Improvement Plans/Landscape Plans	Landscape Architect	
19.	Applicant shall develop and implement a Mitigation Plan / Tree Replacement Plan. Plan shall be prepared by an ISA Certified Arborist or landscape architect to mitigate for the loss of native trees. The Plan shall comply with the City Code and General Plan Policies and be submitted to the City for review and approval prior to any improvement or building permit plans are approved. The current policies require that every dbh inch lost will be mitigated by an inch planted or money placed in a tree mitigation bank or a combination of both. Please note, that plantings required due to mitigation cannot be applied to fulfilling the landscaping requirements of the City's Zoning code or Design Guidelines. The Plan shall include the following elements: 1) Species, size and location of all replacement plantings; 2) Method of irrigation 3) The City of Elk Grove Standard Tree Planting Detail L-1, including 10-foot depth boring hole to provide for adequate drainage; 4) Planting, irrigation, maintenance and monitoring schedules for monitoring period of 3 years. 5) Identify the maintenance entity and include their written agreement to provide maintenance, 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. Transplanted trees shall have a 5-year establishment and maintenance period and to replace any transplanted oak trees in-kind, inch for inch that die. 6) Maintenance entity shall provide the City of Elk Grove a yearly monitoring report on the status of the replacement and transplanted trees	Improvement Plans/Landscape Plans	Landscape Architect	

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	<p>and any replacements.</p> <p>7) The minimum spacing for replacement oak trees shall be 20 feet on center. Replacement oak trees shall not be planted within 15 feet of driplines of existing oak trees to be retained on-site or within 15 feet of any building.</p> <p>8) Note the Tree Preservation Construction Notes, listed below, on the Plan.</p>			
20.	<p>Include the below Tree Preservation Construction Notes measures verbatim as Construction Notes on any/all Preliminary or Final Grading Plans, Improvement Plans and Building/Development Plans which are submitted to the Department of Public Works and/or Planning Department for each project, as well as any/all revisions to Plans which are subsequently submitted.</p> <p>a) A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of all oak trees to be retained and all portions off-site oak tree driplines which extend into the site, and shall not be cut back in order to change the dripline. Removing limbs which make up the driplines does not change the protected zones.</p> <p>b. Chain link or City approved barrier shall be installed one (1) foot outside the dripline protection area of the on-site oak trees to be retained and all portions of off-site oak tree driplines which extend onto the site, prior to initiating project construction, in order to avoid damage to the trees and their root systems. The barrier around those oak tree driplines which are approved for encroached into by structures and/or driveways can be moved to allow construction. The new barrier locations shall be four feet outside the structure wall and/or driveway location.</p> <p>City Planning/Environmental staff shall field inspect and approve chain link barrier locations prior to starting any work on the site.</p> <p>c. A piped aeration system shall be installed at all locations where impervious surfaces and/or structural development will occur within the dripline protection area of the on-site oak trees to be retained and all portions of the off-site oak tree driplines which extend onto the site. Installation of the aeration system be performed under the direct supervision of a certified arborist. If, in the opinion of the certified arborist, encroachment into the dripline protection area is severe, then the affected tree shall be retained on site but determined lost, and mitigation as required by the approving body.</p>	Improvement Plans/Building permit	Landscape Architect	

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<p>d. All driveways which pass through the dripline protection area of the on-site oak trees to be retained and all portions of off-site oak tree driplines which extend on the site shall be constructed such that the entire driveway section is placed directly above existing grade. No excavation for driveway construction shall be allowed with oak tree dripline protection areas except minor excavation associated with the installation of piped aeration systems.</p> <p>e. Any pruning of an oak tree shall be supervised by a certified arborist. Branch and limb pruning shall be limited to that which has been deemed necessary by a certified arborist in order to correct a safety hazard, structural defect, crown cleaning or arborist recommended pruning in the tree. Pruning due to canopy encroachment by buildings shall be limited to the minimum amount needed to safely accommodate the structure. All pruning and deadwood removal shall be executed in accordance with American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines". An ISA Certified Arborist shall supervise and tree pruning.</p> <p>f. All oak trees on site shall be pruned, as per arborist recommendations, prior to starting any site improvements. Any pruning of an oak tree shall be supervised by a certified arborist.</p> <p>g. No signs, ropes, cables (other than those which may be recommended by a certified arborist to provide limb support) or any other item shall be attached to the on-site oak trees to be retained and all portions of off-site oak tree driplines which extend onto the site.</p> <p>h. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiles or, located within the dripline area of the on-site oak trees to be retained and all portions of the off-site oak tree driplines which extend onto the site.</p> <p>i. No grading (grade cut or fills) shall be allowed within the dripline protection area of the on-site oak trees to be retained and all portions of off-site oak trees which extend onto the site with the exception of approved encroachment areas on the Final Development Plans. If, in the opinion of the certified arborist, permitted grading in the dripline protection area is severe, then the affected tree shall be retained on-site but determined lost, and mitigation as required by the approving body shall be imposed.</p> <p>j. No trenching shall be allowed within the dripline protection area of the</p>			

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<p>on-site oak trees to be retained and all portions of the off-site oak tree driplines which extend onto site. If it is absolutely necessary to install underground utilities within the dripline of the tree, the utility line shall be bored or drilled under the direct supervision of a certified arborist.</p> <p>k. Landscaping beneath the on-site oak trees to be retained and all portions of off-site oak tree driplines which extend on the site include nonplant materials such as river gravel, woodchips, etc. The only plant species which shall be planted within the driplines of oak trees are those which are tolerant of the natural semiarid environs of the trees. Limited drip irrigation approximately monthly during late spring, summer and early fall is recommended or understory plants.</p> <p>l. No in the ground sprinkler or irrigation system shall be installed in such a manner that irrigates the ground within the dripline protection area of the on-site oak trees to be retained and all portions of off-site oak tree driplines which extend onto the site. An "above ground drip irrigation system", drip lines placed on natural grade and all emitters shall be placed on grade, will be permitted under oak tree driplines. No trenching for irrigation lines will be permitted under dripline protection areas.</p> <p>m. Prior to installation of new asphalt, weed control chemicals shall not be applied where they can leach into dripline of any protected tree(s).</p> <p>n. During construction, the frequency and amount of water for protected trees shall not differ from that received prior construction.</p>			
21. Provide fire department turning radius of 25' inside and 50' outside.	Improvement Plans	Cosumnes CSD Fire	
22. The Applicant shall design and install the driveway on East Stockton Blvd in accordance with the Elk Grove Blvd/State Route 99 Interchange Modifications and Section 4-10 of the City of Elk Grove Improvement Standards. All improvements shall be to the satisfaction of Public Works.	Improvement Plans	Public Works	
23. The Applicant shall increase the width of any parking stalls that are at a 90° angle to one another to an ultimate width of 11'.	Improvement Plans	Public Works	
24. The driveway throat depth shall be at least 50 feet as measured from the back of sidewalk. The throat area shall be free and clear of parking spaces and intersecting drive aisles.	Improvement Plans	Public Works	

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25.	The Applicant shall submit and obtain City approval of plans and specifications for the construction of public streetlights in accordance with the City of Elk Grove Improvement Standards, including any approved revisions thereto and to the satisfaction of Public Works. Streetlight identification numbers as assigned by Public Works during the first plan review shall be added to plans.	Improvement Plans	Public Works	
26.	Applicant shall prepare and submit a comprehensive drainage study and plan that includes, but is not limited to: definition with mapping of the existing watersheds; a detailed pre- and post-project hydrologic and hydraulic analysis of the project and project impacts; definition of the local controlling 100-year frequency water levels existing and with project; and the proposed method of flow conveyance with adequate supporting calculations. The study shall include any proposed improvements to mitigate the impacts of increased runoff from the project and any change in runoff; including quality, quantity, volume, and duration. The project shall not cause a net loss of storage, nor an increase in velocity of drainage water within the 100-year floodplain. The study shall incorporate the City of Elk Grove Drainage Capital Improvement Plan; be consistent with the ultimate upstream development in the General Plan, and any specific, area, or master plans; and shall conform to the City of Elk Grove Improvement Standards. It shall demonstrate that the proposed methods of flow conveyance mitigate the potential project impacts. The study shall further demonstrate that the project lies outside the 100-year frequency floodplain after improvements are constructed in accordance with the policies in the City Floodplain Management Plan. The study must be completed and stamped by a Professional Engineer, and determined by the City to be comprehensive, accurate, and adequate.	1 <sup>st</sup> Improvement Plan submittal or Prior to Issuance of Grading Permit(s)	Public Works	

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27.	The Applicant shall prepare and submit a Post-Construction Stormwater Quality Control Plan in accordance with the most recent version of the <i>Stormwater Quality Design Manual</i> for the Sacramento Region. Post-construction source and treatment controls shall be designed in accordance with the City of Elk Grove Improvement Standards and the <i>Stormwater Quality Design Manual</i> . The design of post-construction source and treatment controls shall be submitted for approval with the improvement plans regardless of whether they constitute private or public improvements. A separate maintenance manual describing proper maintenance practices for the specific treatment controls to be constructed shall also be submitted and accepted by the City.	Prior to Improvement Plan Approval and Prior to issuance of Grading Permits	Public Works	
28.	The Applicant shall execute a maintenance agreement for stormwater quality control treatment devices to the satisfaction of Public Works.	Prior to Approval of Improvement Plans and Prior to issuance of Grading Permits	Public Works	
29.	Connection to the District's sewer system shall be required to the satisfaction of Sacramento Area Sewer District. Sacramento County Improvement Standard apply to sewer construction.	Improvement Plans	Sacramento Area Sewer District	
30.	Each parcel with a sewage source shall have a separate connection to the Sacramento Area Sewer District public sewer system.	Improvement Plans	Sacramento Area Sewer District	
31.	Private sewer service laterals will not be permitted to connect directly to the 39" interceptor line in East Stockton Boulevard.	Improvement Plans	Sacramento Area Sewer District	
32.	In order to obtain sewer service, construction of SASD sewer infrastructure will be required.	Improvement Plans	Sacramento Area Sewer District	
33.	SASD requires their sewers to be located a minimum of 10 feet (measured horizontally from edge of pipe to edge of pipe) from all potable water lines. Separation of sewer line from other parallel utilities, such as storm drain and other 'dry' utilities (electrical, telephone, cable, etc.) shall be a minimum of 7 feet (measured horizontally from the center of pipe to the center of pipe). Any deviation from the above separation due to depth and roadway width must be approved by the District on a case by case basis. The applicant shall prepare a utility plan that will demonstrate that this condition is met.	Improvement Plans	Sacramento Area Sewer District	

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34.	All structures along private drives shall have a minimum 10-foot setback (measured horizontally from edge of collector pipe to edge of structure) so that CSD-1 can properly maintain the sewer line.	Improvement Plans	Sacramento Area Sewer District	
<b>Final Map</b>				
35.	Sewer easements will be required. Any sewer easements shall be dedicated to SASD in a form approved by the District Engineer. All SASD sewer easements shall be at least 20' in width and ensure continuous access for installation and maintenance.	Final Map	Sacramento Area Sewer District	
36.	The project area shall annex into the Maintenance Mello-Roos Community Facilities District 2006-1 (CFD), to fund the project's fair share of landscape related maintenance costs associated with public parkways, public parks, open space, landscape setbacks, bike and other paths, landscaped medians in and adjacent to roadways, maintenance and operation of a community center, recreation center, sports (including aquatic) facilities, cultural arts center, and water features, and maintenance of other related facilities. The annexation process can take several months, so applicants should plan accordingly. The application fee for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax. For further information regarding this CFD, see <a href="http://www.elkgrovecity.org/services/finance-district/cfd-information.htm">www.elkgrovecity.org/services/finance-district/cfd-information.htm</a>	Final Map	Finance	
37.	The Applicant shall design and improve the westerly half section of East Stockton Blvd. along the property frontage. Improvements will be based on the Elk Grove Blvd/State Route 99 Interchange Modifications improvement plans and in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Final Map/1 <sup>st</sup> Building Permit (whichever is first)	Public Works	
38.	The Applicant shall dedicate visibility easements for the East Stockton driveway per Section 4-14 of the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Final Map	Public Works	
39.	The Applicant shall provide a reciprocal access easement agreement between the parcels of this development and the parcel to the northeast (APN 125-0030-010). The location of the access easement shall be to the satisfaction of Public Works and will be approved when the parcel to the northeast develops.	Final Map/1 <sup>st</sup> Building Permit (whichever comes first)	Public Works	

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**Conditions of Approval**

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u>
40.	The Applicant shall provide Business Owner's Association bylaws (CC&R's) which address, at a minimum, common area ownership, maintenance, and joint access for review and approval by Public Works.	Final Map/1 <sup>st</sup> Building Permit (whichever comes first)	Public Works	
41.	The Applicant shall dedicate a 12.5-foot public utility easement for underground facilities and appurtenances adjacent to all public streets where such easements do not already exist.	Final Map/1 <sup>st</sup> Building Permit (whichever comes first)	Public Works	
42.	Improvement plans shall be approved by Public Works prior to recordation of final map or first building permit, whichever comes first.	Final Map/1 <sup>st</sup> Building Permit (whichever comes first)	Public Works	
43.	The Applicant shall remove the existing building prior to the Final Map or 1 <sup>st</sup> building permit whichever comes first to the satisfaction of Public Works.	Prior to Final Map or 1 <sup>st</sup> Building Permit	Public Works	
44.	The Applicant shall install appropriate off-site road transitions for East Stockton Blvd, including all necessary signing and striping, to the satisfaction of Public Works. Transitions will be evaluated and locations determined during Improvement Plan review.	Final Map/1 <sup>st</sup> building permit (whichever comes first)	Public Works	
45.	The Applicant shall obtain a temporary easement from the parcel to the north (APN 125-0030-010) for the driveway construction. If the easement cannot be obtained, this project shall be redesigned such that the driveway is located within the project site to the satisfaction of Public Works.	Final Map/Improvement Plans Approval (whichever comes first)	Public Works	
<b>Building Permit</b>				
46.	Applicant use construction methods to ensure interior noise levels within the residential portion of the hotel do not exceed 45dB. This will be verified in the form of documentation from a noise consultant to the satisfaction of the Planning Department.	Building permit	Planning	
47.	If this project is constructed in phases, each phase shall have adequate parking, access, and utilities.	Prior to building permit issuance	Planning	
48.	All building numbers and suite number, addressing and street names shall be approved by the Cosumnes CSD Fire Department.	Building permit	Cosumnes CSD Fire	



**EXHIBIT A**

**Conditions of Approval**

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u>
49.	The foundation and load design of the hotel building shall be designed to be consistent with the retaining wall/slope design for the Elk Grove Blvd/State Route 99 Interchange Modifications project. If the building foundation creates additional loading on the City's proposed retaining walls, the hotel building foundation will be redesigned to the satisfaction of Public Works.	Prior to Building Permit	Public Works & Building	
50.	The driveway on East Stockton Blvd will be limited to right in, right out and left in turn movements only.	Prior to Building Permit	Public Works	
51.	The Applicant shall submit a revised Uniform Sign Program reflecting the changes approved by the City Council on July 23, 2008. The hotel will have signs on three sides. There will be no sign on the north side. Signs on the north side of the retail buildings will be restricted to 150 square feet total per building. (This restriction does not apply to the signs on the south side facing the HWY 99 on-ramp.).	Prior to sign permits	Planning	
52.	The roofs of all buildings will be constructed with 50 year composition shingles.	Building Permit	Planning	
<b>Prior to Occupancy</b>				
53.	Upon completion of the installation of the landscaping for the project, the project landscape architect/designer shall certify that the installed landscape complies with all City Water Conserving Landscape Requirements. Certification shall be accomplished by completion of a Certificate of Conformance on a form provided by the City. Failure to submit a complete and accurate Certificate of Conformance to the Planning Department will delay final approval/occupancy of the project.	Prior to Occupancy	Planning/ Landscape Architect	
54.	Prior to final inspection or occupancy of any structure on the site a Certificate of Conformance for the landscaped lots shall be provided to the City's landscape architect for approval.	Prior to Occupancy	Planning	
55.	The Applicant will provide a minimum of four bike parking spaces for the hotel and an additional seven spaces for the three retail buildings. Bicycle parking shall be located in proximity to the building entrances and in a visibly secure location adjacent to the building.	Prior to Occupancy	Planning	
56.	Pedestrian walkways will be delineated by the use of special paving.	Prior to Occupancy	Planning	
57.	The access drive shall have a minimum of 25' of enhanced (colored and textured) pavement, measured from public right-of-way as measured from the face of curb.	Prior to Occupancy	Planning	

**EXHIBIT A**

**Conditions of Approval**

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u>
58.	All building attached mechanical equipment and other utility equipment (except air conditioning units depicted on approved plans) shall be screened from view of public streets, parking lots, and adjacent residential property. Equipment screening shall be integrated into the building and roof design with the use of compatible materials, colors, and form.	Prior to Final or Occupancy	Planning	
59.	Roof mounted equipment shall be setback from the roof edge or placed behind a parapet or roof structure so they are not visible for motorists or pedestrians on adjacent streets or from residential structures on adjoining property. All roof mounted equipment shall be sized to be equal to or below (lower in height) than the adjoining parapet or roof structure.	Prior to Final or Occupancy	Planning	
60.	Identification signage issued by Public Works shall be mounted by the applicant during streetlight installation in accordance with the approved plans. Alterations to streetlight plans shall be updated on record drawings. The Applicant shall submit, in addition to the complete set of improvement plans, a separate electronic file, in PDF format, of only the streetlight plan sheets and voltage calculations on the record drawing CD. Additionally, the Applicant shall complete and submit the City's streetlight data spreadsheet, with complete data for all streetlights installed, on the record drawing CD.	Prior to Acceptance of Public Improvements	Public Works	

**General Information and Compliance Items**

The following items are noted for the Applicant's information. These items are required by other local agencies, the City, state or federal agencies, and are not conditions of approval of the project.

**Finance**

- a. The project applicant shall pay all applicable City of Elk Grove administered development impact fees in effect at the time of building permit issuance. For further information on development related fees, see the 2006 Development Related Fee Booklet at: [www.elkgrovecity.org/services/fee-information/fee-information.htm](http://www.elkgrovecity.org/services/fee-information/fee-information.htm)  
Applicants are also advised to review the Planned Fee Updates portion of the web page, and are encouraged to sign up for email updates on both the 2006 Development Related Fee Booklet and the Planned Fee Updates links on the web page (see the upper right corner of these web pages). By signing up for email updates, you will receive an email notifying you every time these web pages change, which will assist you in planning costs associated with your project.

**Elk Grove Community Services District Fire**

- b. Dead-end streets in excess of 150 feet require emergency vehicle turn-around.
- c. Any and all gates impeding fire lanes or roadways shall comply with Appendix VII of the 2002 Sacramento County Fire Code.
- d. All civil engineering plans are required to be submitted in an electronic format. When plans are ready for final signature, it is required that the engineering firm submits an electronic copy of the complete plan as it appears in the approved printed plans with addresses. All electronic formats shall be submitted on Windows/DOS formatted diskettes, zip disks or on compact disk (CD). E-mailed copies will not be accepted at this time. The electronic submittal shall include ALL supporting drawing files and ALL drawing files pertaining to the project, including XREFs. The digital submittal shall be ONLY in the following data format listed below:
  - a. DWG (Applies to AUOCAD drawing file) any AutoCAD DWG version is accepted
- e. All commercial buildings, in excess of 3,599 square feet shall be equipped with an approved automatic fire sprinkler system.
- f. 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.
- g. 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. 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.
- h. 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 5% for concrete. The roadways shall be constructed to a 20-foot minimum width of three (3) inches AC over six (6) inches AB with good drainage.
- i. EGCSDFD approved traffic pre-emption devices of a type 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.

## EXHIBIT A

## Conditions of Approval

- j. Required fire alarm systems shall be connected to a UL listed central station approved by the Sacramento County Regional Communications Center.
- k. 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.
- l. The installation of roadway gates, addresses, landscaping, pipe bollards, fuel tanks, masonry sound walls tree wells and/or all other traffic calming devices is subject to standards outlined by the Elk Grove Fire Department. All proposed traffic-mitigation plans shall be submitted to the Elk Grove CSD Fire Department for review and approval prior to installation.

### Sacramento Area Sewer District

- m. Any use of SASD sewer easements, which is not compatible or interferes with the construction, reconstruction, operation, maintenance, or repair of the District's sanitary sewer(s), shall not be allowed. Each proposed use shall be reviewed and approved in writing by the District Engineer prior to the use of the easement by the Grantor. This includes landscaping.
- n. Developing this property may require the payment of additional sewer impact fees. Impact fees shall be paid prior to filing and recording the Final Map or issuance of Building Permits, whichever is first. Applicant should contact the fee Quote Desk at 916-876-6100 for sewer impact fee information.

### PG&E

- o. PG&E owns and operates gas transmission facilities which are located on the northerly and easterly portion within or adjacent to the proposed project boundaries. Any proposed development plans should provide for unrestricted utility access and prevent easement encroachment that might impair the safe and reliable maintenance and operation of PG&E's facilities.
- p. Gas service may be available to this project. Contact PG&E's Service Planning Department at (916)386-5112 as soon as possible to coordinate construction so as not to delay project.

### Public Works

- q. 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. (Public Works)
- r. The Applicant shall pay all appropriate development fees charged by the City and other Special Districts providing services to the site. (Public Works)
- s. Any public improvements damaged during construction shall be replaced, by the Applicant, in-kind or with new improvement. (Public Works)
- t. Street (trench) cuts into existing streets require a separate encroachment permit and the payment of street cut fees, by the Applicant. 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. (Public Works)
- u. The Applicant shall design and construct all improvements in accordance with the City of Elk Grove Improvement Standards, as further conditioned herein, and to the satisfaction of Public Works. (Public Works)
- v. Improvement related conditions can be satisfied by completing an approved design, executing an improvement agreement, and providing suitable financial security (e.g. bonds, letter of credit, etc), all to the satisfaction of the City, prior to the implementation timing required by the condition. (Public Works)

- w. The Applicant shall submit and obtain City approval of plans and specifications for the construction of public improvements and all grading. The drainage system shall be designed in accordance with the accepted Drainage Study to accommodate runoff from the ultimate development and shall meet the City of Elk Grove Improvement Standards, construction standards, storm water design standards, and City of Elk Grove Flood Plain Management Plan and Ordinance in effect at the time of Improvement Plan approval. Street gutter flowlines shall be designed to be above the 10-year frequency flood pursuant to the Floodplain Management Plan. (Public Works)
- x. The Applicant shall complete grading and construct all on-site and off-site drainage improvements in accordance with the approved Improvement Plans. Fulfill all requirements of federal and state permits. (Public Works)
- y. The Applicant shall comply with the regulations of the Federal Emergency Management Agency (FEMA) and the City of Elk Grove Flood Plain Management Ordinance. The lowest finished floor elevation for a habitable building will be a minimum of 1 (one) – foot above the 100-year frequency water level, certified by a registered Civil Engineer or licensed Land Surveyor, and submitted to the City. Amendments and/or revisions of FEMA flood insurance rate maps will be required for all development located in the federal or local flood zone. All FEMA map revisions (both CLOMR and LOMR) must be approved by the City and fully processed through FEMA. Completed revisions shall be placed on file with the City. (Public Works)
- z. The Applicant shall prepare a Storm Water Pollution and Prevention Plan (SWPPP) to be executed 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. These measures shall be consistent with the City's Improvement Standards and the Land Grading and Erosion Control Ordinance. The SWPPP shall be submitted to the Central Valley Regional Water Quality Control Board for approval and to the City for review. During construction, the Applicant shall implement actions and procedures established to reduce the pollutant loadings in storm drain systems. The project applicant shall implement Best Management Practices (BMPs) in accordance with the SWPPP and the City of Elk Grove Improvement Standards. (Public Works)
- aa. In order to mitigate erosion and sediment control problems on the project site, the project shall comply with the City's Land Grading and Erosion Control Ordinance. If the project size is more than one acre, a Notice of Intent (NOI) shall be filed to obtain coverage under the California State Water Resources General Construction Activity Storm Water Permit. Permits are issued by the State Water Resources Control Board, which can provide all applicable information to complete and file the necessary documents. Applicant shall comply with the terms of the general construction permit, the City of Elk Grove Municipal Code, and the NPDES Waste Discharge Requirements for the City of Elk Grove Municipal Storm Sewer Discharges. (Public Works)
- bb. Where feasible, biofilter swales and vegetated strips are preferred and shall be utilized in providing biofiltration of pollutants in project runoff prior to entering receiving water body. The project engineer shall consult with the City when designing storm water conveyance facilities, and shall submit designs of these facilities to City for review and approval prior to approval of the grading plans and improvement plans. (Public Works)
- cc. The Applicant shall obtain applicable California Department of Fish and Game, U.S. Army Corps of Engineers and other required state and federal permits. The conditions of such permits must be reviewed and considered acceptable by the City. The City will not accept any conservation or other conditional easements on the drainage courses to be conveyed to the City. (Public Works)

**Building Department**

dd. All design plans and calculations are now required to comply with design requirements of the 2007 California Building Code (CBC), California Plumbing Code (CPC), California Mechanical Code, California Electrical Code (CEC), and California Energy Code.

**EXHIBIT B – MITIGATION MEASURES**

<b>MITIGATION MEASURES</b>	<b>TIMING, IMPLEMENTATION AND NOTIFICATION (ACTION BY THE PROJECT APPLICANT):</b>	<b>ENFORCEMENT / MONITORING / VERIFICATION (ACTION BY THE CITY): (DATE &amp; SIGN)</b>
<b>PRIOR TO SUBSEQUENT DEVELOPMENT REVIEW</b>		
<p>1. <b>MM 4.3.4a - Development Plan Review</b> As part of the development plan review process, the applicant shall provide a development plan indicating the location of buildings, parking, site access, vehicular circulation, landscaping, and that identifies trees to be saved and trees proposed for removal.</p>	<p><i>Prior to approval of site plan</i></p>	<p><i>City of Elk Grove, Development Services - Planning</i></p>
<b>PRIOR TO ISSUANCE OF GRADING PERMIT AND IMPROVEMENT PLAN</b>		
<p>2. <b>MM 4.1.1 - Landscape plans</b> Landscaping plans for the project shall be developed and designed to preserve existing site features including trees and drainage channels wherever feasible. The plans shall be submitted to Development Services for review and approval concurrent with mitigation measure 4.3.4a.</p>	<p>Concurrent with mitigation measure 4.3.4a</p>	<p><i>City of Elk Grove, Development Services - Planning</i></p>
<p>3. <b>MM 4.3.1b - Raptor Survey</b> For construction taking place during the nesting season (February 15 to September 15) of protected bird species, a focused survey for ground nesting raptors and active nests shall be conducted by a qualified biologist within 15 days prior to the beginning of project-related activities. If active nests are found, no construction activities shall take place within 150 feet of the nest until the young have fledged. This 150-foot construction prohibition zone may be reduced based on City approval in consultation with the CDFG. If no active nests are found during the focused survey, no further mitigation will be required.</p>	<p><i>Surveys required 15 days prior to the onset of construction activities or any site disturbance during February 15 and September 15.</i></p>	<p><i>City of Elk Grove Development Services, Planning and CDFG.</i></p>
<p>4. <b>MM 4.3.2 - Bat Survey</b> Prior to demolition of the former Caltrans Equipment Building, a qualified bat biologist shall conduct a habitat assessment and daytime survey of the building</p>	<p><i>Prior to any site disturbance, such as clearing or grubbing, or the issuance of any</i></p>	<p><i>City of Elk Grove, Development Services, Planning, in consultation with</i></p>

MITIGATION MEASURES	TIMING, IMPLEMENTATION AND NOTIFICATION (ACTION BY THE PROJECT APPLICANT):	ENFORCEMENT / MONITORING / VERIFICATION (ACTION BY THE CITY): (DATE & SIGN)
<p>proposed for demolition. If no evidence of bats is found, no further action is required. If bat use is noted, then a qualified biologist shall prepare a report that makes recommendations for appropriate measures to prevent harm to sensitive species of bats. These measures may include exclusion and humane eviction of bats roosting within the structures, partial dismantling of the structure to induce abandonment by bats, or other appropriate measures in coordination with and as approved by CDFG.</p>	<p><i>permits for grading, demolition, or other site improvements, whichever occurs first.</i></p>	<p>CDFG.</p>
<p>5. <b>MM 4.3.3 - Wetland Protection/Mitigation</b></p> <p>The project shall adhere to a no-net-loss (i.e. the same amount of wetland resources lost to site development shall be replaced/created) of wetlands policy. Appropriate permits (i.e., Section 404 and 401 under the Clean Water Act) shall be obtained prior to issuance of grading permits. The City shall comply with all permit conditions and employ best management practices and measures (established by the ACOE) to minimize and compensate for impacts to any jurisdictional waters. Mitigation may occur through on-site with creation of new man-made ditches, impact minimization and compensatory mitigation for the remaining impact. If on-site mitigation is not available due to engineering reasons, compensatory mitigation shall require purchase of credits in an ACOE approved mitigation bank in Sacramento County at a ratio no less than one acre purchased for each acre impacted. Mitigation details shall be noted on the design plans for the proposed project.</p>	<p><i>Prior to issuance of a grading permit and during project construction.</i></p>	<p><i>City of Elk Grove Development Services, Planning, ACOE, CDFG, and RWQCB.</i></p>
<p>6. <b>MM 4.3.4d - Tree Protection at Park &amp; Ride Site</b></p> <p>Removal of the existing park and ride lot under the driplines of trees to be saved along the northern boundary of the site shall adhere to the following provisions under the supervision of an ISA Certified Arborist:</p> <p>Major roots two inches or greater in diameter encountered within the tree's dripline in the course of excavation from beneath trees which are not to be removed shall not be cut and shall be kept moist and covered with earth as soon as possible. Roots one inch to two inches in diameter, if severed shall be trimmed and treated with pruning compound and covered with earth as soon as possible.</p> <p>Support roots that are inside the dripline of the tree shall be protected. Hand digging shall be required in the vicinity of major trees to prevent root cutting and</p>	<p><i>Prior to grading plans and during removal of park and ride lot construction activity.</i></p>	<p><i>City of Elk Grove Development Services, Planning</i></p>

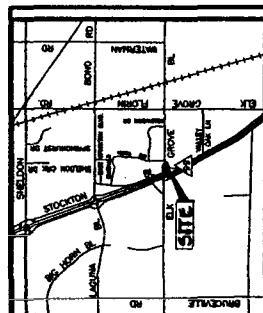
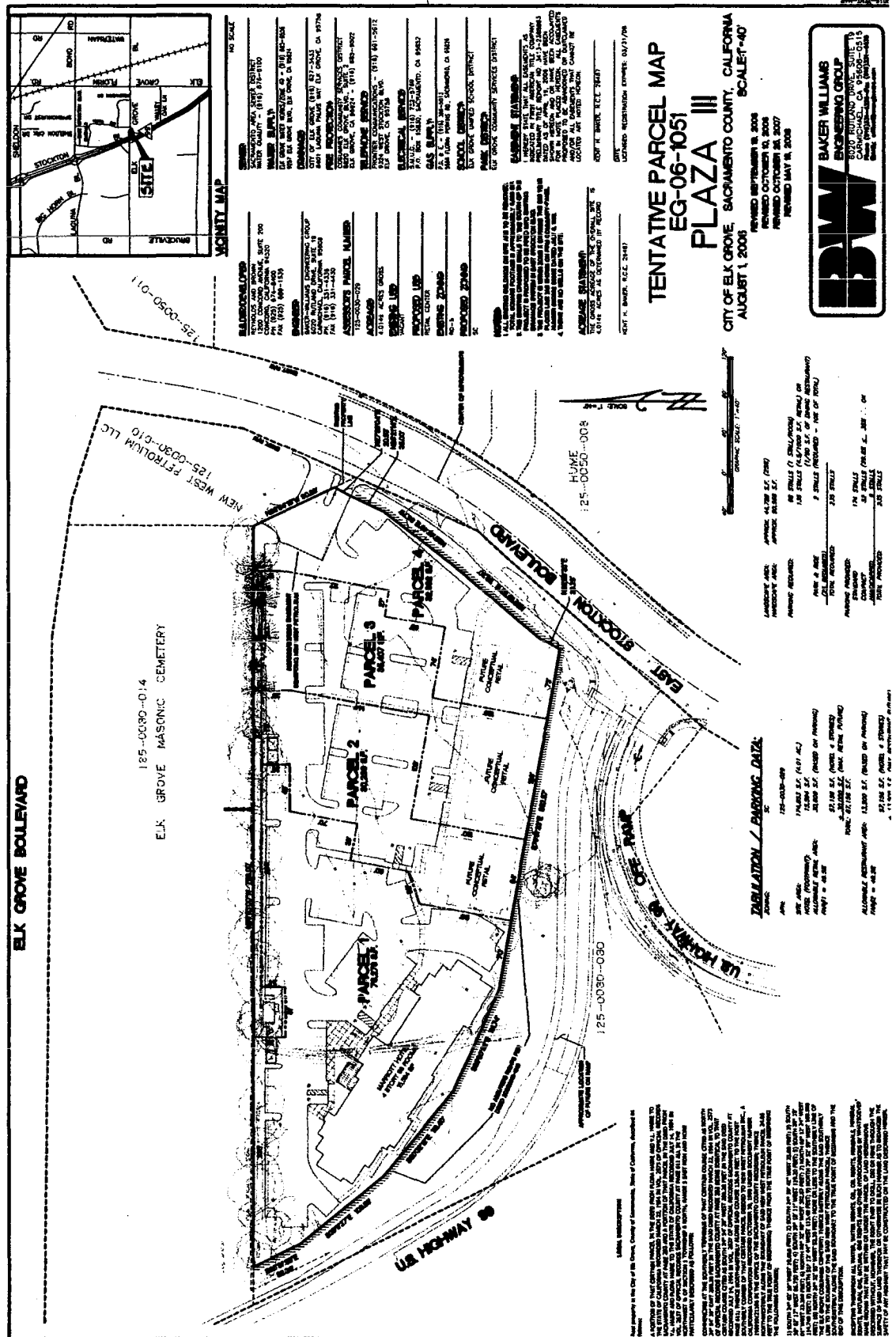


MITIGATION MEASURES		TIMING, IMPLEMENTATION AND NOTIFICATION (ACTION BY THE PROJECT APPLICANT):	ENFORCEMENT / MONITORING / VERIFICATION (ACTION BY THE CITY): (DATE & SIGN)
	<p>mangling which may be caused by heavy equipment.</p> <p>Tree canopies shall be pruned, if necessary, to accommodate construction equipment.</p>		
<b>PRIOR TO ISSUANCE OF BUILDING PERMIT</b>			
7.	<p><b>MM 4.4.1a - Gas Station Regulations</b></p> <p>If a gas station use is proposed on the project site, the project applicant must comply with the permit application and plan submittal process of the Sacramento County Environmental Management Department, Hazardous Materials Division and shall comply with all sections of the California Code of Regulations, Underground Tank Regulations. The submittal of plans shall clearly identify all components of the facility and the installation must comply with the current UST regulations.</p>	<i>Prior to issuance of building permit</i>	<i>Sacramento County Environmental Management Department, Hazardous Materials Division, and City of Elk Grove Development Services, Planning</i>
8.	<p><b>MM 4.4.2 - Soil Sampling at Waste Oil Tank Area</b></p> <p>Prior to the start of demolition or construction, soils in the area of the former waste oil tank shall be sampled and tested for petroleum hydrocarbons. If hydrocarbons are discovered at levels exceeding acceptable thresholds, a qualified Phase I Environmental Assessor shall be hired by the applicant to develop and carry out a remediation plan to reduce potential exposure to petroleum hydrocarbons to an acceptable level and soils shall be excavated and disposed of at an appropriate landfill</p>	<i>Prior to issuance of a demolition permit or issuance of grading permits.</i>	<i>Sacramento County Environmental Management Department, Hazardous Materials Division, and City of Elk Grove Development Services, Planning</i>
9.	<p><b>MM 4.4.3a - Soil Sampling at Abandoned Hydraulic Lift</b></p> <p>Prior to commencing with demolition activities, the hydraulic lift shall be abandoned appropriately and soil samples shall be collected and analyzed for PCBs and volatile organic compounds. If samples reveal concentrations of PCBs and volatile organic compounds in excess of acceptable thresholds, actions shall be taken to remediate soil contamination. The applicant shall contract with a qualified Phase I Environmental Assessor to develop and carry out a remediation plan.</p>	<i>Prior to issuance of a demolition permit.</i>	<i>Sacramento County Environmental Management Department, City of Elk Grove Development Services, Planning</i>

	MITIGATION MEASURES	TIMING, IMPLEMENTATION AND NOTIFICATION (ACTION BY THE PROJECT APPLICANT):	ENFORCEMENT / MONITORING / VERIFICATION (ACTION BY THE CITY): (DATE & SIGN)
10.	<p><b>MM 4.4.3b - Electrical Transformer Removal</b></p> <p>Any electrical transformers shall be assumed to contain PCBs and shall be removed as part of demolition of existing structures and disposed of by a licensed and certified PCB removal contractor, in accordance with local, state, and federal regulations. The applicant shall contact SMUD prior to handling or removing the electric transformers</p>	<p><i>Prior to issuance of a demolition permit.</i></p>	<p><i>City of Elk Grove Development Services, Planning and SMUD</i></p>
11.	<p><b>MM 4.4.4 - Asbestos Abatement</b></p> <p>Asbestos abatement and disposal shall be conducted for asbestos containing materials found in the window caulking of the equipment/office building and the floor tile of the office located within the equipment/office building. A qualified Phase I Environmental Assessor shall be hired to develop and carry out an abatement plan.</p>	<p><i>Prior to issuance of a demolition permit, and during construction activities if necessary.</i></p>	<p><i>Sacramento County Environmental Management Department, Hazardous Materials Division and the SMAQMD.</i></p>
12.	<p><b>MM 4.4.5a - Lead Based Paint Survey</b></p> <p>Prior to the demolition of any buildings or portions of buildings on the project site, a lead based paint survey shall be conducted by a qualified Phase I Environmental Assessor. If lead based paint is discovered, a lead abatement plan shall be prepared and implemented in during the demolition of the buildings.</p>	<p><i>Prior to issuance of a building demolition permit and included in demolition and removal contracts.</i></p>	<p><i>Sacramento County Environmental Management Department, Hazardous Materials Division, SMAQMD and Department of Toxic Substances Control</i></p>
13.	<p><b>MM 4.4.5b - Soil Testing around Demolished Building sites</b></p> <p>After building demolition, soils in the area surrounding the demolished buildings shall be tested for residual lead that may have contaminated the soil during demolition activities. If lead levels exceed Preliminary Reduction Goals established by the Department of Toxic Substances Control and the U.S. Environmental Protection Agency, a lead abatement plan shall be prepared by a State or federal certified lead hazards risk assessor and carried out by a state-licensed contractor with a hazardous materials certification.</p>	<p><i>Following demolition activities and prior to grading permit.</i></p>	<p><i>Sacramento County Environmental Management Department, Hazardous Materials Division, and SMAQMD</i></p>
14.	<p><b>MM 4.7.2 - Fare Share Funding</b></p>	<p>Fair share shall be paid prior to approval or improvement plans or issuance of building</p>	<p><i>City of Elk Grove, Development Services, Public Works</i></p>

MITIGATION MEASURES		TIMING, IMPLEMENTATION AND NOTIFICATION (ACTION BY THE PROJECT APPLICANT):	ENFORCEMENT / MONITORING / VERIFICATION (ACTION BY THE CITY): (DATE & SIGN)										
<p>The project proponent shall contribute its fair share (refer to Table 4.7-10) to fund the installation of a traffic signal to control the northbound on-ramp, northbound off-ramp intersection at East Stockton Boulevard. The project's fair share contribution is 9.4 percent of the cost of the improvements.</p> <p style="text-align: center;"><b>TABLE 4.7-10 FAIR SHARE FOR IMPROVEMENTS TO EAST STOCKTON BOULEVARD /SR 99 NORTHBOUND OFF-RAMP</b></p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">Improvements for Existing East Stockton Boulevard/SR 99 Northbound Off-Ramp</th> <th style="text-align: center;">PM Peak</th> </tr> </thead> <tbody> <tr> <td>Trip for Existing with No Project</td> <td style="text-align: center;">1,363</td> </tr> <tr> <td>Trips for Existing with Project</td> <td style="text-align: center;">1,505</td> </tr> <tr> <td>Difference</td> <td style="text-align: center;">142</td> </tr> <tr> <td>Fair Share Ratio (Existing)</td> <td style="text-align: center;"><math>142/1,505 = 9.4\%</math></td> </tr> </tbody> </table>		Improvements for Existing East Stockton Boulevard/SR 99 Northbound Off-Ramp	PM Peak	Trip for Existing with No Project	1,363	Trips for Existing with Project	1,505	Difference	142	Fair Share Ratio (Existing)	$142/1,505 = 9.4\%$	permits	
Improvements for Existing East Stockton Boulevard/SR 99 Northbound Off-Ramp	PM Peak												
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Trips for Existing with Project	1,505												
Difference	142												
Fair Share Ratio (Existing)	$142/1,505 = 9.4\%$												
<b>PRIOR TO FINAL INSPECTION/OCCUPANCY</b>													
15.	<p><b>MM 4.4.1b - Hazardous Material Storage</b></p> <p>If hazardous material will be used or stored on the project site in association with development, the applicant shall prepare and submit a hazardous materials business/hazardous waste generator management plan for the site to include hazardous materials and hazardous waste handling and storage. The plan shall be submitted to the Sacramento County Environmental Management Department, Hazardous Materials Division and the City of Elk Grove for review and all applicable fees shall be paid.</p>	Prior to final inspection/occupancy.	Sacramento County Environmental Management Department, Hazardous Materials Division, and City of Elk Grove Development Services, Planning.										

# EXHIBIT C – Tentative Parcel Map



**BLANKET DEVELOPER:**  
 NEW WEST FERRUM LLC  
 125-0030-010

**BLANKET PROJECT:**  
 PLAZA III  
 125-0030-008

**BLANKET OWNER:**  
 NEW WEST FERRUM LLC  
 125-0030-010

**BLANKET ADDRESS:**  
 125-0030-008

**BLANKET ZONING:**  
 PLAZA III

**BLANKET PERMITS:**  
 PLAZA III

**BLANKET CONTACT:**  
 125-0030-008

**BLANKET PHONE:**  
 125-0030-008

**BLANKET FAX:**  
 125-0030-008

**BLANKET EMAIL:**  
 125-0030-008

**BLANKET WEBSITE:**  
 125-0030-008

**BLANKET SOCIAL MEDIA:**  
 125-0030-008

**BLANKET OTHER:**  
 125-0030-008

**TENTATIVE PARCEL MAP**  
**EG-06-1051**  
**PLAZA III**  
 CITY OF ELK GROVE, SACRAMENTO COUNTY, CALIFORNIA  
 AUGUST 1, 2008  
 SCALE: 1"=40'

REVIEWED SEPTEMBER 18, 2008  
 REVISIONS OCTOBER 10, 2008  
 REVISIONS OCTOBER 20, 2007  
 REVISIONS MAY 18, 2005

**Baker Williams Engineering Group**  
 8000 JUNCTION ROAD, SUITE 115  
 SACRAMENTO, CALIFORNIA 95828  
 PHONE: (916) 486-1111  
 FAX: (916) 486-1112  
 WWW: BAKERWILLIAMS.COM

**BLANKET DEVELOPER:**  
 NEW WEST FERRUM LLC  
 125-0030-010

**BLANKET PROJECT:**  
 PLAZA III  
 125-0030-008

**BLANKET OWNER:**  
 NEW WEST FERRUM LLC  
 125-0030-010

**BLANKET ADDRESS:**  
 125-0030-008

**BLANKET ZONING:**  
 PLAZA III

**BLANKET PERMITS:**  
 PLAZA III

**BLANKET CONTACT:**  
 125-0030-008

**BLANKET PHONE:**  
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**BLANKET FAX:**  
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 125-0030-008

**BLANKET OTHER:**  
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**BLANKET OTHER:**  
 125-0030-008

# EXHIBIT D - Project Plans

## TABULATION

REVISION	DATE	BY	DESCRIPTION
1	12-14-2007	EC	ISSUE FOR PERMITS
2	01-14-2008	EC	REVISED PERMITS
3	02-14-2008	EC	REVISED PERMITS
4	03-14-2008	EC	REVISED PERMITS
5	04-14-2008	EC	REVISED PERMITS
6	05-14-2008	EC	REVISED PERMITS
7	06-14-2008	EC	REVISED PERMITS
8	07-14-2008	EC	REVISED PERMITS
9	08-14-2008	EC	REVISED PERMITS
10	09-14-2008	EC	REVISED PERMITS
11	10-14-2008	EC	REVISED PERMITS
12	11-14-2008	EC	REVISED PERMITS
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17	04-14-2009	EC	REVISED PERMITS
18	05-14-2009	EC	REVISED PERMITS
19	06-14-2009	EC	REVISED PERMITS
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22	09-14-2009	EC	REVISED PERMITS
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97	12-14-2015	EC	REVISED PERMITS
98	01-14-2016	EC	REVISED PERMITS
99	02-14-2016	EC	REVISED PERMITS
100	03-14-2016	EC	REVISED PERMITS

## KEYNOTES

- 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
- 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
- 3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 4. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.
- 5. THE CONTRACTOR SHALL MAINTAIN THE EXISTING METAL ROOFING.
- 6. THE CONTRACTOR SHALL MAINTAIN THE EXISTING CONCRETE FOUNDATION.
- 7. THE CONTRACTOR SHALL MAINTAIN THE EXISTING CURBS AND SIDEWALKS.
- 8. THE CONTRACTOR SHALL MAINTAIN THE EXISTING DRIVEWAYS AND PAVEMENT.
- 9. THE CONTRACTOR SHALL MAINTAIN THE EXISTING LANDSCAPE AND PLANTINGS.
- 10. THE CONTRACTOR SHALL MAINTAIN THE EXISTING SIGNAGE AND MARKINGS.
- 11. THE CONTRACTOR SHALL MAINTAIN THE EXISTING UTILITIES AND SERVICES.
- 12. THE CONTRACTOR SHALL MAINTAIN THE EXISTING ACCESS AND EGRESS ROUTES.
- 13. THE CONTRACTOR SHALL MAINTAIN THE EXISTING SECURITY AND ACCESS CONTROL.
- 14. THE CONTRACTOR SHALL MAINTAIN THE EXISTING RECORD DRAWINGS AND AS-BUILT DOCUMENTS.
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## PROPERTY OWNERS

ELK GROVE PLAZA III  
 10000 ELK GROVE BLVD  
 ELK GROVE, CA 95757  
 (916) 438-1234  
 WWW.ELKGROVEPLAZA.COM

## LANDSCAPE ARCHITECT

LANDSCAPE ARCHITECT  
 10000 ELK GROVE BLVD  
 ELK GROVE, CA 95757  
 (916) 438-1234  
 WWW.ELKGROVEPLAZA.COM

## MECHANICAL ENGINEER

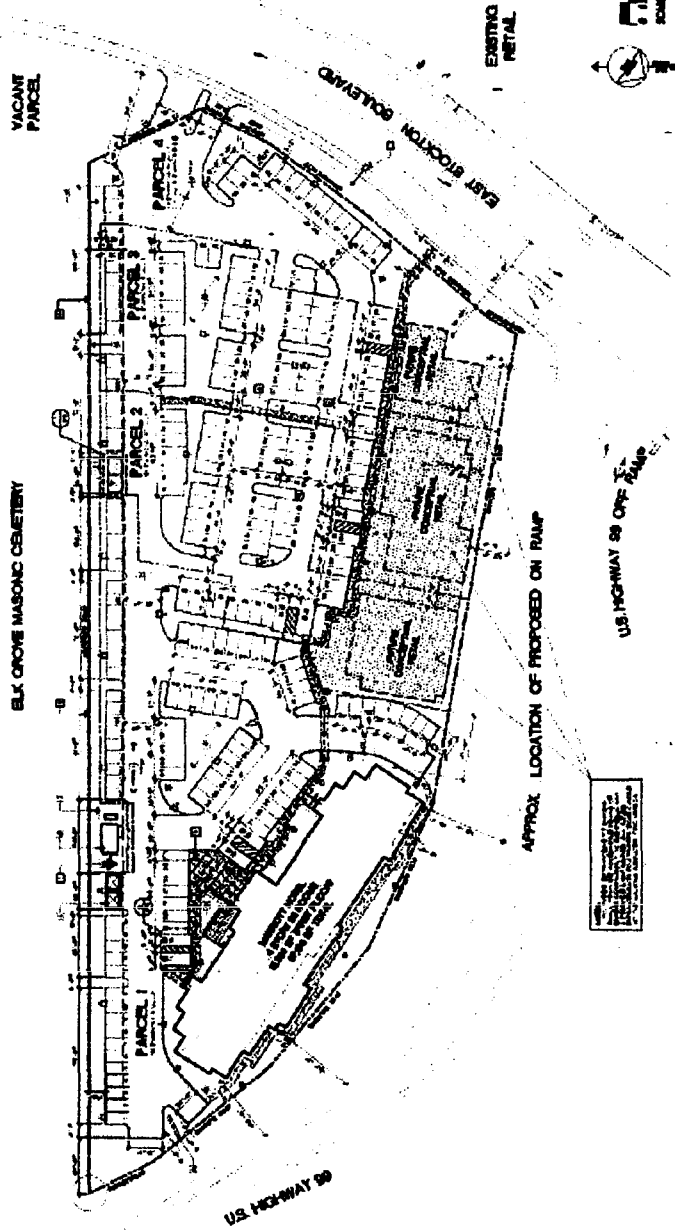
MECHANICAL ENGINEER  
 10000 ELK GROVE BLVD  
 ELK GROVE, CA 95757  
 (916) 438-1234  
 WWW.ELKGROVEPLAZA.COM

## ELECTRICAL ENGINEER

ELECTRICAL ENGINEER  
 10000 ELK GROVE BLVD  
 ELK GROVE, CA 95757  
 (916) 438-1234  
 WWW.ELKGROVEPLAZA.COM

## CIVIL ENGINEER

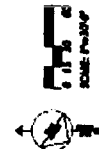
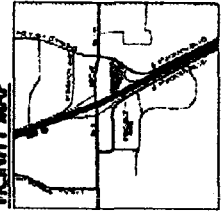
CIVIL ENGINEER  
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## SHEET INDEX

- P1 PROPOSED SITE PLAN
- P2 MOBILE FOOD STAND
- P3 MOBILE RESTROOMS
- P4 PROPOSED TRUCK PARKING AREAS
- P5 PROPOSED SITE DETAILS
- P6 PROPOSED TRUCK APP
- P7 PROPOSED TRUCK APP
- P8 PROPOSED TRUCK APP
- P9 PROPOSED TRUCK APP
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- P50 PROPOSED TRUCK APP

## VICINITY MAP

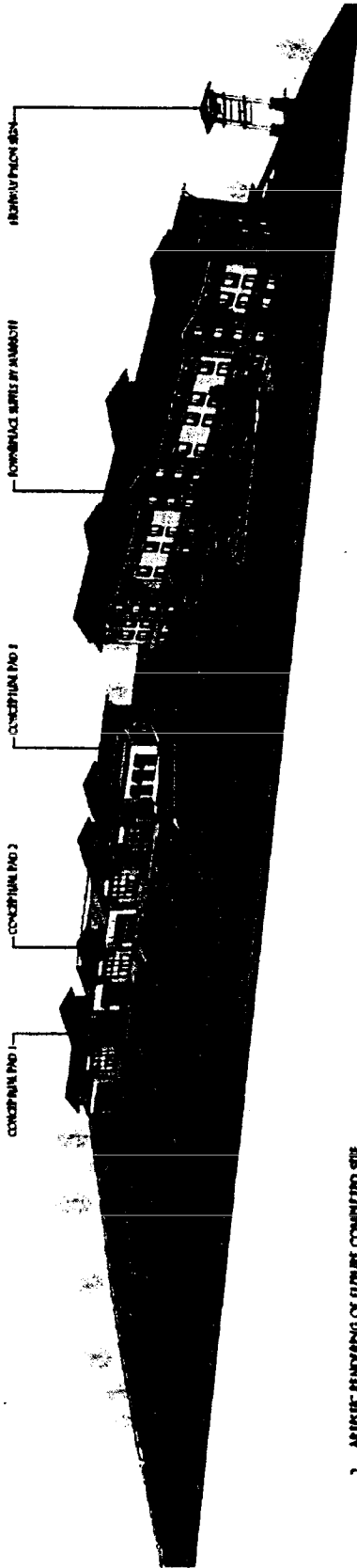


**ELK GROVE PLAZA III**  
 Elk Grove, California  
 Reynolds and Brown, Inc.

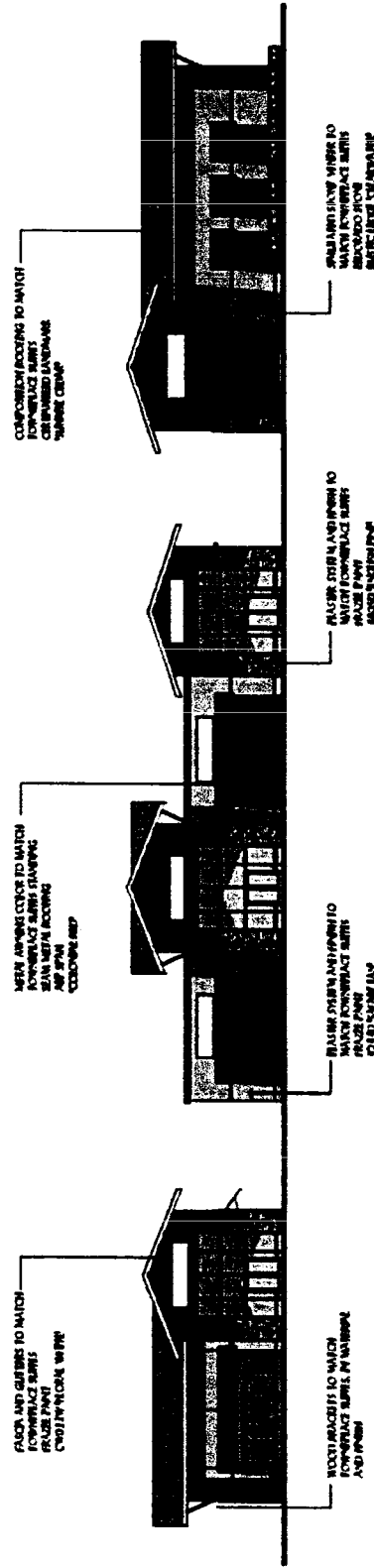
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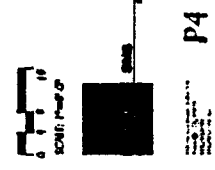
EXHIBIT D – Project Plans



3 ARCHITECTURAL RENDERING OF FUTURE CONCEPT SITE



1 CONCEPTUAL RETAIL FACADE ELEVATIONS NOT PART OF THIS SUBMITTAL



REVISED: May 12, 2009  
 SHEET NO.: 17-016  
 November 11, 2007

TYPICAL BUILDING ELEMENTS

**ELK GROVE PLAZA III**  
 Elk Grove, California  
 Reynolds and Brown, Inc.

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2008-182**

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

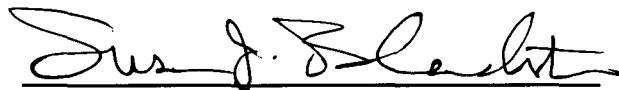
*I, Susan J. Blackston, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on July 23, 2008 by the following vote:*

**AYES :**       **COUNCILMEMBERS:**       *Davis, Hume, Scherman, Cooper, Leary*

**NOES:**       **COUNCILMEMBERS:**       *None*

**ABSTAIN :**   **COUNCILMEMBERS:**       *None*

**ABSENT:**    **COUNCILMEMBERS:**       *None*



**Susan J. Blackston, City Clerk  
City of Elk Grove, California**