

RESOLUTION NO. 2011-182

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
FINDING NO FURTHER REVIEW REQUIRED FOR THE EXTENSION
OF APPROVALS FOR THE LAGUNA CREEK COURTYARD PROJECT
UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING
AN EXTENSION OF A DESIGN REVIEW AND UNIFORM SIGN PROGRAM
FOR THE LAGUNA CREEK COURTYARD PROJECT
(EG-11-032) (ASSESSOR'S PARCEL NUMBER 116-0011-011)**

WHEREAS, on September 10, 2008, the City Council of the City of Elk Grove ("City") approved a Design Review and Uniform Sign Program for Empire West / Laguna LLC (hereinafter referred to as the "Owner") for the Laguna Creek Courtyard project (the "Project"), file number EG-07-055 (the "Project") by adoption of Resolution No. 2008-222; and

WHEREAS, the proposed Project is located on approximately 1.4 gross acres located at 9150 Bruceville Road, on real property in the incorporated portions of the City more particularly described as Assessor Parcel Number 116-0011-011; and

WHEREAS, the Project approval also included a Rezone that became effective in November of 2008; and

WHEREAS, all required services and access to the proposed parcels in compliance with the City's standards are available; and

WHEREAS, the City, in approving the Project, determined that the Project is exempt from California Environmental Quality Act (hereinafter referred to as CEQA) review pursuant to CEQA Guidelines Sections 15183 (projects consistent with a General Plan for which EIR was certified) and 15332 (in-fill developments); and

WHEREAS, no adverse environmental effects were identified during staff review of the development application and Project site visits; and

WHEREAS, no special circumstances exist that create a reasonable possibility that the activity may have a significant adverse impact on the environment; and

WHEREAS, the approval of the Project is set to expire, pursuant to Section 23.18.020 of Title 23 of the Elk Grove Municipal Code (herein after the "Zoning Code") and condition of approval number four, 36 months after the date of approval on September 8, 2011; and

WHEREAS, on July 22, 2011 the Applicant, Don Del Grande, Inc., filed a timely application for extension of the project approvals with the City; and

WHEREAS, pursuant to Section 23.18.060 of the Zoning Code, the City may approve a 12 month extension of the Design Review, and Uniform Sign Program; and

WHEREAS, the City Council is the appropriate authority to hear and take action on this Project because it was the approving authority for the original approvals; and

WHEREAS, the Project has been routed to agencies and departments for review and comment and those agencies and departments have recommended additional conditions of approval that are necessary to ensure consistency with adopted development standards that were enacted since the Project was originally approved in 2008; and

WHEREAS, the City Council considered the extension of the Project on September 28, 2011.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove finds that the requested extension of an approval for a Design Review and Uniform Sign Program for the Laguna Creek Courtyard Project (the "Project") is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15183 (projects consistent with a General Plan for which an Environmental Impact Report (EIR) was certified) and 15332 (in-fill developments) based upon the following findings:

Finding:

The proposed Project is exempt from CEQA review pursuant to CEQA Guidelines Sections 15183 (Projects consistent with a General Plan for which an EIR was certified) and 15332 (In-fill development).

Evidence:

CEQA Guidelines Section 15183 mandates that projects which are consistent with the density established by General Plan policies for which an EIR was certified shall not require additional environmental review except as needed to analyze project specific environmental issues not addressed in said EIR. As stated in this staff report, the proposed project is consistent with all applicable General Plan policies. The City Council certified an EIR for its General Plan in November, 2003. Staff review of the proposed project concludes that there are no project-specific significant adverse environmental effects which are peculiar to the proposed project or its site that were not analyzed in the previously certified EIR.

CEQA Guidelines Section 15332 exempts from further CEQA review those projects which: are consistent with the General Plan; are within city limits on a site no larger than five acres substantially surrounded by urban uses; are located on a site that has no value as habitat for rare or endangered species; would not result in significant adverse effects related to traffic, noise air quality or water quality; and are located on a site that can be adequately served by all required utilities and public services. The proposed project is located on a 1.4-acres site in an urbanized area substantially surrounded by commercial and residential development. The site was previously developed and does not represent habitat for rare or endangered species. All public utilities and services are available and no significant adverse effects related to traffic, noise air quality or water quality were identified during project review.

Therefore, the proposed Project qualifies for these exemptions and no further CEQA review is required.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council approves the extension for the Project based upon the following findings and subject to the revised Conditions of Approval (Exhibit A) and Project Plans (Exhibit B) incorporated herein by this reference and finds the following:

Extension of Prior Approval

Finding:

The original permit findings can be made and there are changing circumstances or there has been diligent pursuit to exercise the permit that warrants the proposed extension.

Evidence:

In approving the Project, the City made certain findings regarding the Design Review and the Uniform Sign Program. The City can continue to make these same findings, as provided below, because there is no proposed change in the Project by Don Del Grande, Inc. (the "Applicant") and there have been no changes in the Project site that warrant further analysis. There are only minor modifications to the Project required by the City in regards to compliance with water efficiency standards and the use of graffiti resistant paint. The proposed revision of Condition of Approval 41 essentially condenses previous Conditions 41 and 42 into one condition of approval. Therefore, Condition 42 is proposed to be omitted. Additionally, the Applicant has made diligent efforts to pursue the exercise of the permit through the recordation of the Rezone in November 2008. Further work on the project would have continued but for the change in economic conditions as experienced throughout the region and nation since the economic downturn. Therefore, the City finds that the original findings approving the project can be made, there are changing circumstances that warrant an extension of the project approvals, and the Applicant has made efforts to pursue exercise of the permit.

General Plan

Finding:

The proposed Laguna Creek Courtyard (EG-07-055) Project is consistent with the goals and policies of the Elk Grove General Plan.

Evidence:

The Laguna Creek Courtyard site has a General Plan land use designation of Commercial/Office/Multi-Family. The proposed Project has been designed and is consistent with all the goals and policies contained in the General Plan. Conditions of approval have been included to ensure consistency of the Project throughout construction and operation.

Design Review

Finding:

The proposed Project is consistent with the objectives of the General Plan, complies with applicable zoning regulations, Specific Plan provisions, Special Planning Area provisions, Citywide Design Guidelines, and Improvement Standards adopted by the City, given the conditions of approval and the requested incentives for the installation of public art.

Evidence:

The site plan, building elevations, and landscape plan for the proposed Laguna Creek Courtyard Project were reviewed for compliance with the development standards established in the City's General Plan, Zoning Code, Improvement Standards, and Design Guidelines for non-residential development. The proposed Project does not lie within any Specific Plan or Special Planning Area. The proposed Project and conditions of approval complies with all applicable development standards. The Project has been designed with a cohesive architectural theme and color palette.

Finding:

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

Evidence:

The site plan, building elevations, landscape plan, and signage for the proposed Project were reviewed for compliance with the Design Guidelines for non-residential development. The Project has been designed with a cohesive architectural theme, utilizing a color palette that will be compatible with adjacent buildings. The proposed buildings will provide jobs within the City, helping to provide the work/housing balance sought in the General Plan. The courtyard area will provide an area for the public to gather and socialize, thereby creating an opportunity for community cohesion and adding increased social value to the project. Additionally, the project is subject to conditions of approval that will ensure compliance with all applicable development standards and requirements.

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 proposed buildings have been designed to the same scale and quality as adjacent buildings. All mechanical equipment will be screened and site lighting is proposed in compliance with safety standards. The proposed signage complements the architecture proposed for the site and meets relevant stipulations of the Zoning Code. The project is subject to conditions of approval that will ensure compliance with all applicable development standards and requirements.

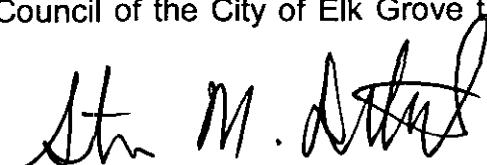
Finding:

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

Evidence:

The Laguna Creek Courtyard provides adequate vehicle and bicycle parking on site; provides adequate vehicle ingress and egress and provides a continuation of the existing landscape corridor and sidewalk along Bruceville Road. The proposed improvements will increase the efficiency of all modes of the travel within the Project site itself as well as within the immediate surrounding area.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 28th day of September 2011.



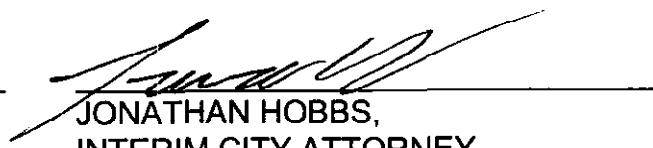
STEVEN M. DETRICK, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN HOBBS,
INTERIM CITY ATTORNEY

EXHIBIT A: CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL	TIMING/ IMPLEMENTATION	ENFORCEMENT/ MONITORING	VERIFICATION (DATE AND SIGNATURE)
ON-GOING			
1. The action approved by this Resolution is for a 12 month extension of the approvals for the Laguna Creek Courtyard project, EG-11-032, as provided in City Council Resolution 2008-222.	On-Going	Planning	
2. This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	On-Going	Planning	
3. 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	Planning	
4. The project shall comply with all conditions of approval described in Resolution 2008-222 and those conditions provided herein.	On-going	Planning	
5. All conditions of approval in Resolution 2008-222 implemented/enforced by CSD-1 shall now be implemented/enforced by SASD.	On-Going	SASD	
6. Developing this property will require the payment of sewer impact fees (one time connection fees). Impact fees shall be paid prior to issuance of Building Permits.	Prior to the Issuance of Building Permits	SASD	
7. Condition of approval number 42 from Resolution 2008-222 shall be rescinded.	Ongoing	Planning / Landscape	
8. The applicant shall provide for graffiti-resistant paint, clear graffiti resistant coating, or climbing vegetation on all masonry walls, and subdivision signs to the satisfaction of the Planning Department.	Ongoing	Planning / Landscape	
9. Condition of approval number 9 from Resolution 2008-222 shall be revised as follows:	Prior to the Issuance of Improvement Plans	Planning	

EXHIBIT A: CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL	TIMING/ IMPLEMENTATION	ENFORCEMENT/ MONITORING	VERIFICATION (DATE AND SIGNATURE)
Submit a Photometric Plan for both the interim and ultimate site layout configurations with the Civil/Landscape Improvement Plans for review by Planning and Public Works. Photometrics for both conditions shall meet City requirements for on-site lighting while eliminating conflicts between parking lot lights and parking lot shade trees.			
10. Condition of approval number 10 from Resolution 2008-222 shall be revised as follows: The first paragraph shall read as follows: Prior to submittal of improvement plans to Public Works for review, Applicant shall submit an update to the Arborists report noting current DBH inches to be mitigated for all City-protected trees to be removed, as defined in Chapter 19.12 of the Municipal Code. Minimum required mitigation shall be 57 DBH inches. Mitigation may be accomplished using one or a combination of strategies as outlined in the chapter.	Prior to the Issuance of Improvement Plans	Planning / Landscape	
11. Condition of approval number 12 from Resolution 2008-222 shall be revised as follows: The applicant shall submit landscape improvement plans (planting and irrigation) that incorporate the requirements of the City's Zoning Code, Design Guidelines, Water Efficient Landscape Ordinance and project Conditions of Approval. Plans shall be submitted to the Planning Department and the Public Works Department for review and approval.	Prior to the Issuance of Improvement Plans	Planning / Landscape	
12. Condition of approval number 41 from Resolution 2008-222 shall be revised as follows: Upon completion of installation of the landscaping for the	Prior to the Issuance of Final/Occupancy	Planning	

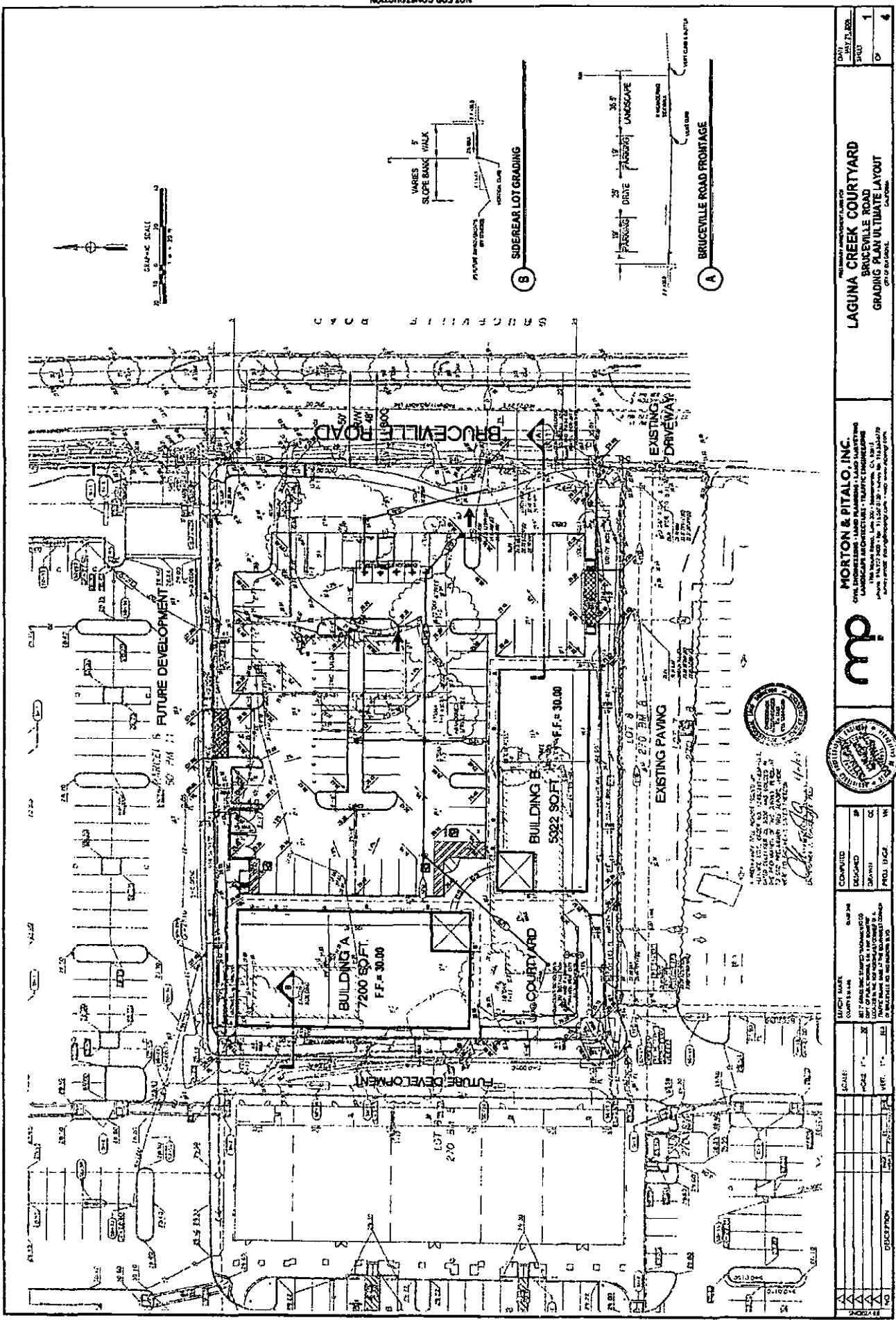
EXHIBIT A: CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL	TIMING/ IMPLEMENTATION	ENFORCEMENT/ MONITORING	VERIFICATION (DATE AND SIGNATURE)
project, and prior to final inspection or occupancy of any structure on the site, the project landscape architect shall certify that the landscape has been installed per the approved landscape documentation package and complies with all City water efficient landscape requirements. Certification shall be accomplished by submittal of a Certificate of Completion, on a form provided by the City per the requirements of Section 14.10.130 of the Municipal Code, for review and approval by the Public Works Department.			

EXHIBIT B: PROJECT PLANS

LAGUNA CREEK COURTYARDS

9150 BRUCEVILLE ROAD
ELK GROVE, CA



GRAPHIC SCALE
0 10 20 30 40

(P) DEVELOPMENT BY OTHERS
FUTURE DEVELOPMENT
50 FT. 11"

PARCEL E FUTURE DEVELOPMENT
50 FT. 11"

FUTURE DEVELOPMENT
LOT 3
270 FT.

DEVELOPMENT BY OTHERS

BRUCEVILLE ROAD NOAD

BRUCEVILLE ROAD

BUILDING A
7200 SQ.FT.

BUILDING B
5322 SQ.FT.

COURTYARD

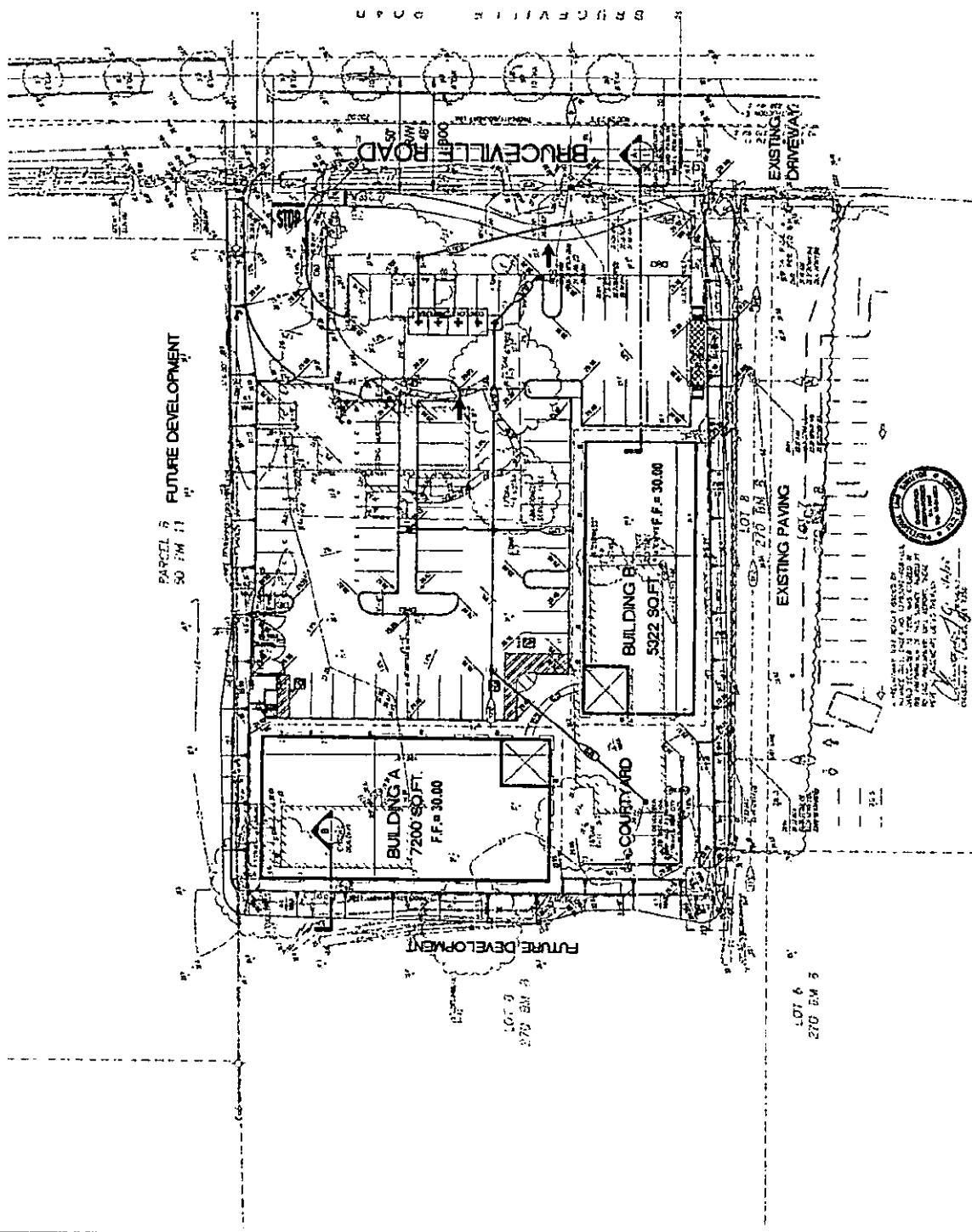
(E) DEVELOPMENT BY
EXISTING PAVING

PARCEL E FUTURE DEVELOPMENT
EXISTING



MORTON & PITALO, INC.	DATE MAY 21, 1976
CONSULTING ENGINEERS - LAND PLANNING - LAND SURVEYING Land Development Services - Engineering Services Planning Services - Land Surveying Services Engineering Services - Land Surveying Services Survey Services - Land Surveying Services	SP 2 C 4
LAGUNA CREEK COURTYARD BRUCEVILLE ROAD UTILITY PLAN ULTIMATE LAYOUT CITY OF LAGUNA CALIFORNIA	
MP	
PRINTED ON 5/21/76 BY MORTON & PITALO, INC. 1101 SANTA MONICA BLVD., SUITE 1000 LOS ANGELES, CALIFORNIA 90015 TELEPHONE 213/481-1200	

PARCEL 5 FUTURE DEVELOPMENT



MORTON & PITALO, INC.
 CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING
 LANDSCAPE ARCHITECTURE • TRAMPS • CHARTERS
 ONE MILE FROM Hwy 20 • BENTONVILLE, AR 72701
 479-6377 • FAX 479-6378 • HOME 479-6370 • MOBILE 479-6370



(P) DEVELOPMENT BY OTHERS

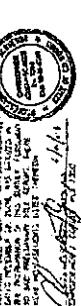
PARCEL B FUTURE DEVELOPMENT
55' RM 11

GRAPHIC SCALE
0 4 8 12 16 20
0 4 8 12 16 20

1. MEASURE AND MARK THE PLAT AS SHOWN ON THIS DRAWING.
2. USE THESE DIMENSIONS AS A GUIDE IN PREPARING YOUR OWN DRAWINGS.

DEVELOPMENT BY OTHERS

LOT 3
270' BM 3
FUTURE DEVELOPMENT



4/16/82

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8

ESTÉRAN

OVERALL SITE PLAN

LACUNA CREEK COUNTY RD 8
860 BRUCEVILLE ROAD
EL DORADO, CA

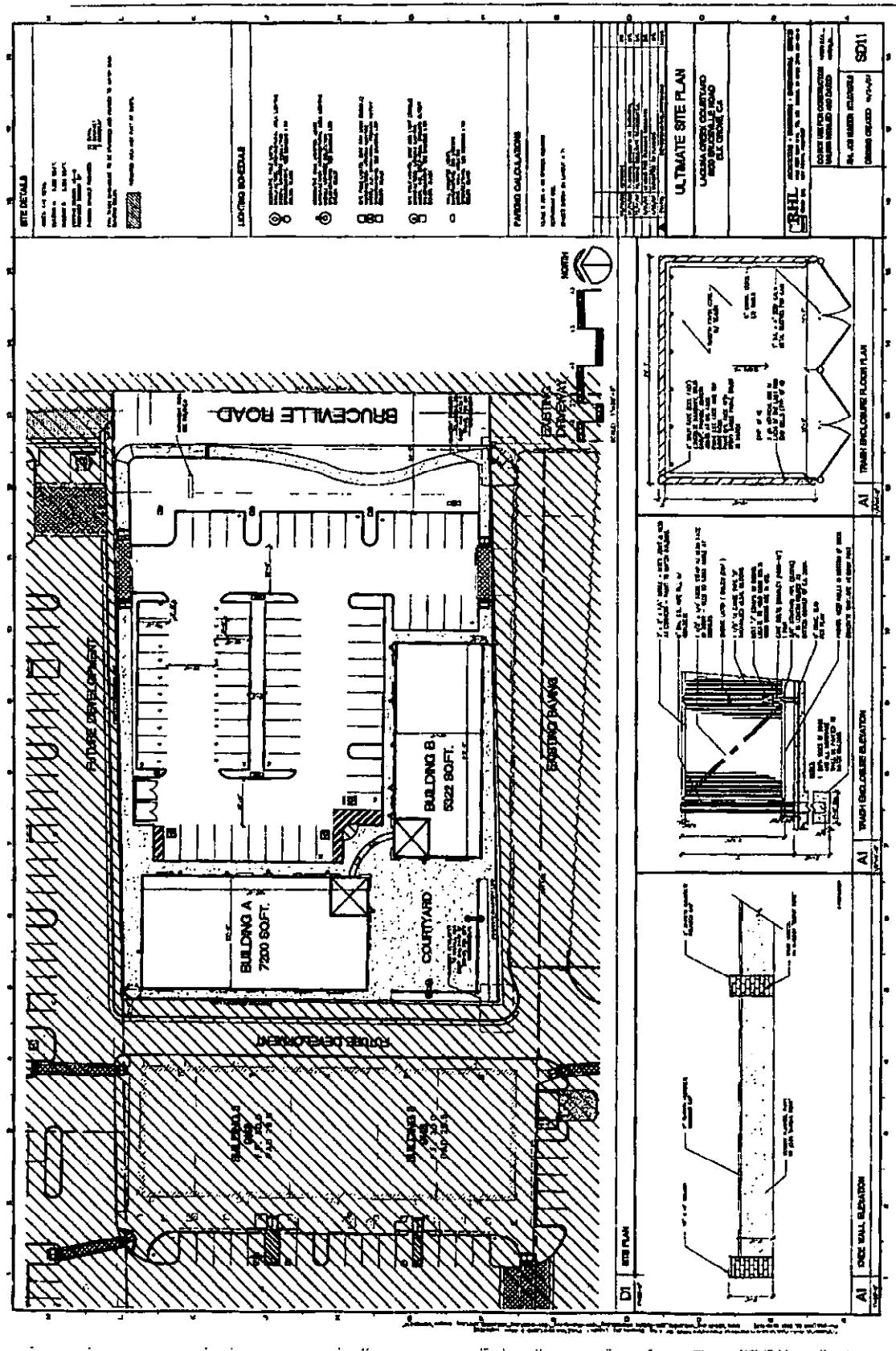
RHL READING • LANGUAGE • LITERACY
100 Main St., Ste. 100 • Webster, NC 27070-3700
800.334.2388 • FAX: 704.252.2388
www.rhl.com



This architectural site plan illustrates a residential complex with the following key features and labels:

- Project Line:** A dashed line running vertically along the top edge.
- BRIDGE LINE ROAD:** A road running horizontally across the top of the site.
- MAIN ENTRANCE:** Located at the top center, featuring a gate and a paved driveway leading into the complex.
- BALCONIA:** A building labeled "BALCONIA" with "2nd FLOOR" indicated, situated near the main entrance.
- QUARTER:** A building labeled "QUARTER" with "1st FLOOR" indicated, located adjacent to the Balconia building.
- BUILDING B:** A large rectangular building labeled "BUILDING B" with "2nd FLOOR" indicated, positioned centrally within the complex.
- BUILDING C:** A smaller rectangular building labeled "BUILDING C" with "1st FLOOR" indicated, located to the right of Building B.
- RESIDENTIAL AREA:** The main residential units, shown as various rectangular plots with internal room divisions, surrounding the central buildings.
- COMMON AREAS:** Labeled "COMMON AREAS ON THE GROUND FLOOR" and "COMMON AREAS ON THE 2ND FLOOR", indicating shared spaces between units.
- WALKWAYS:** Internal paths connecting the residential units and common areas.
- STREETS:** Internal roads and paths within the complex.

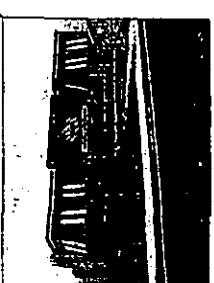
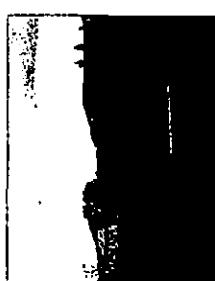
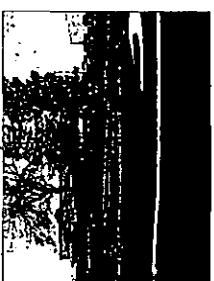
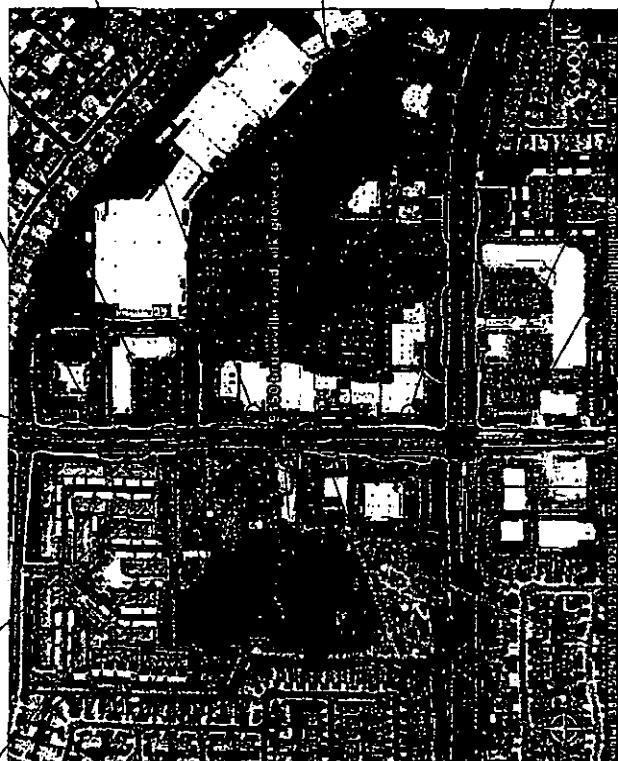
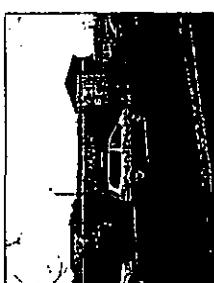
10. **What is the primary purpose of the following statement?**

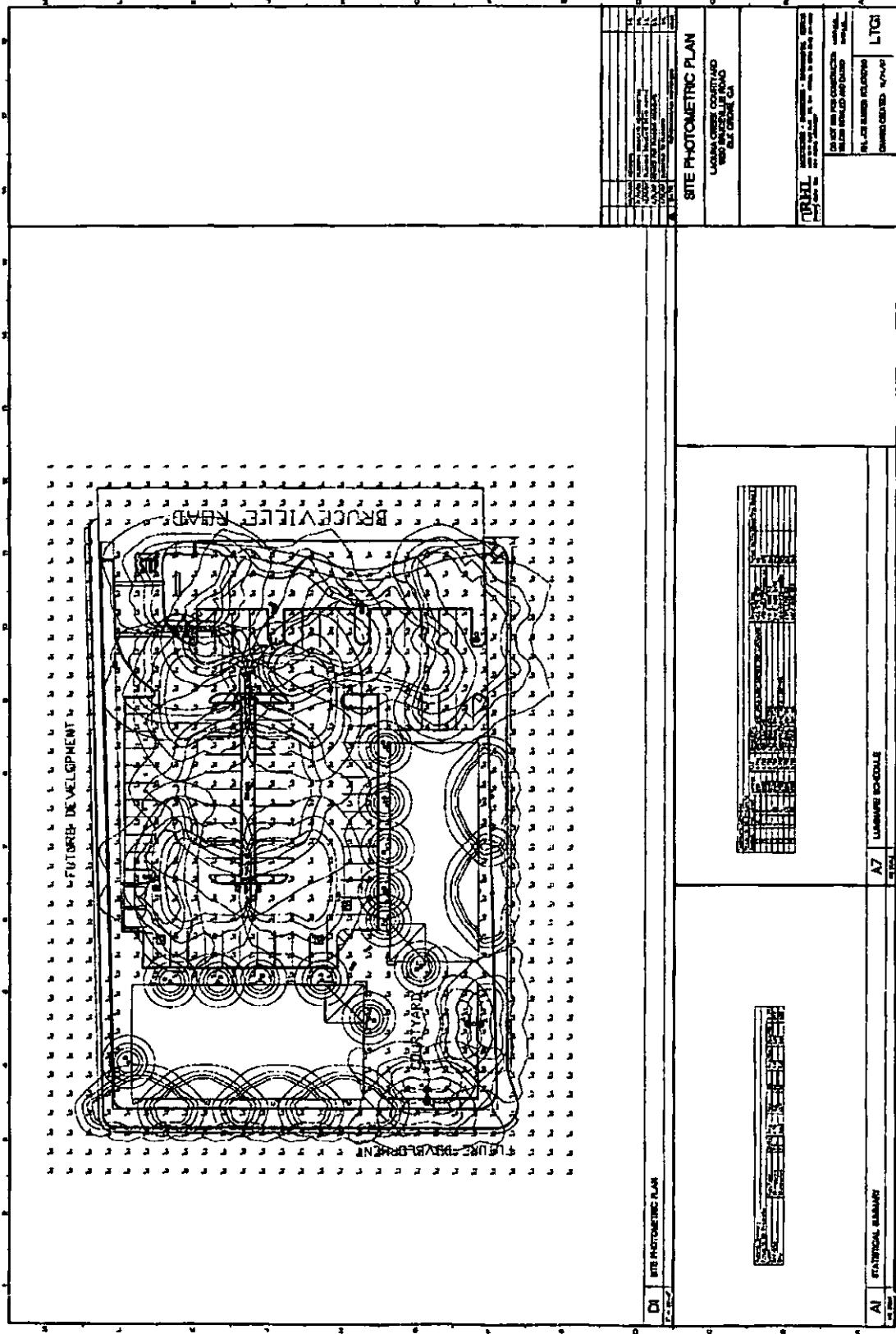




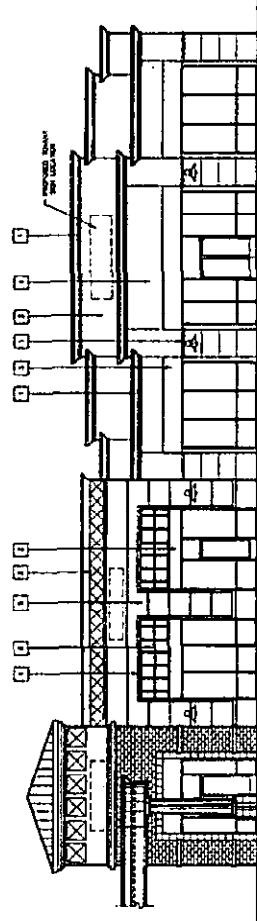
STREETSCAPE
LAGUNA CREEK COURTYARD
5500 EL GROVE ROAD
EL GROVE, CA

CB&I
ARCHITECTURE • ENGINEERING • DESIGN
DO NOT USE FOR CONSTRUCTION
UNLESS INCLDED AND DATED
P.M. 400 PARKER MILPITAS
DRAWING CREATED 10/17/07
SD2

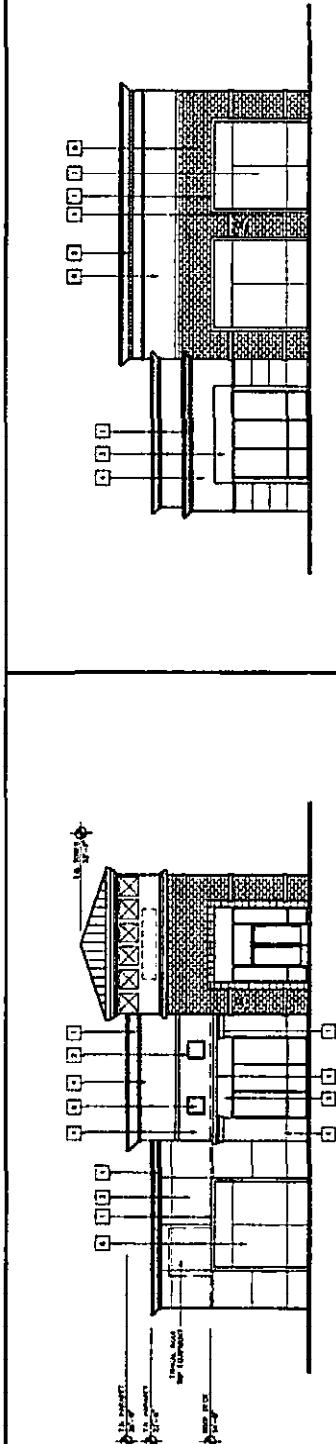




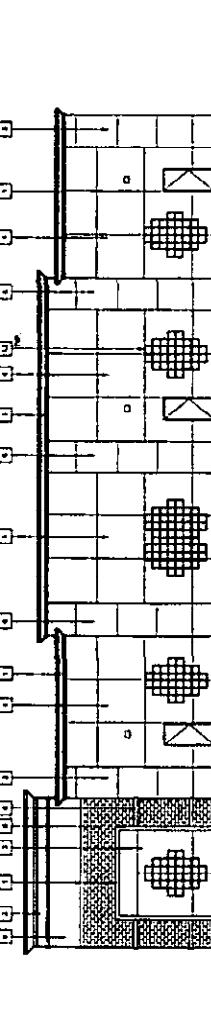
MATERIALS COLOR SCHEDULE	
<input type="checkbox"/> CEMENT/STONE	# 100. SAND, BLACK
<input type="checkbox"/> CEMENT/ACRYLIC	# 510. SAND, WHITE
<input type="checkbox"/> CEMENT/OLIVE	# 512. SAND, TAN
<input type="checkbox"/> CEMENT/WHITE	# 513. SAND, BROWN
<input type="checkbox"/> MICA	# 514. SAND, TAN
<input type="checkbox"/> MICA/OLIVE	# 515. SAND, WHITE
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<input type="checkbox"/> STONE	# 519. SAND, TAN
<input type="checkbox"/> ACRYLIC	# 520. SAND, TAN
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<input type="checkbox"/> STONE/WHITE	# 522. SAND, TAN
<input type="checkbox"/> MICA/WHITE	# 523. SAND, TAN



EAST ELEVATION

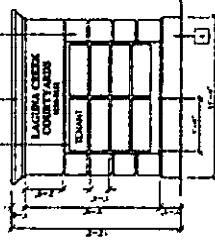


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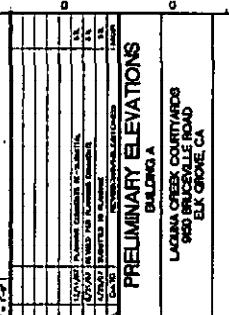


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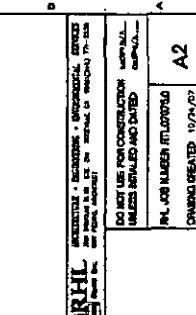
THE INFLUENCE OF
CULTURE ON
SOCIAL BEHAVIOR



16 MONITOR



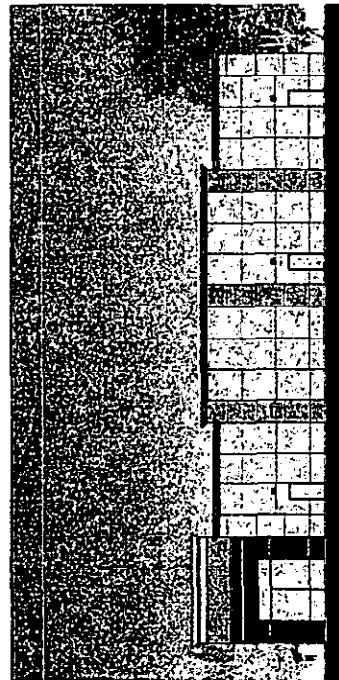
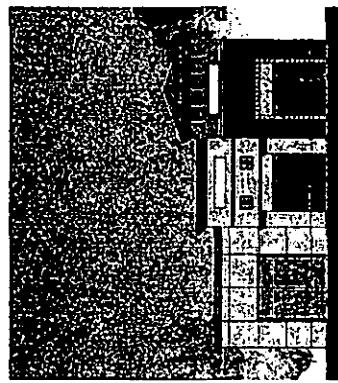
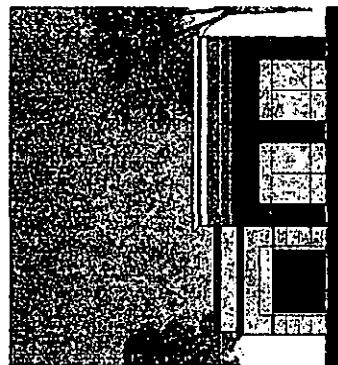
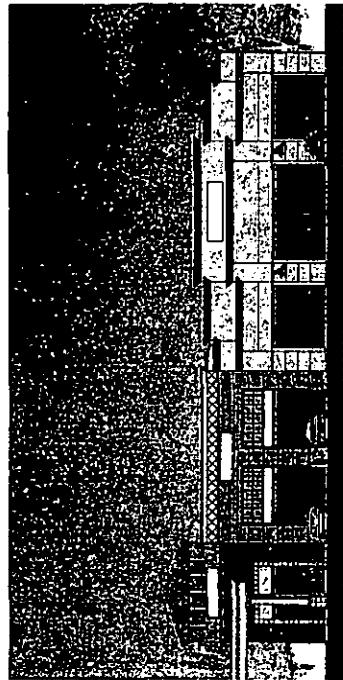
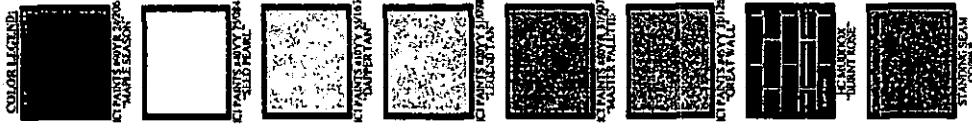
PRELIMINARY ELEVATIONS BUILDING A



The figure contains the following architectural components:

- North Elevation (J1):** Shows a multi-story building with various rooms, windows, and a central entrance.
- East Elevation (E1):** Shows a side view of the building, highlighting different sections and roof levels.
- South Elevation (A1):** Shows another side view of the building, detailing its exterior features.
- Preliminary Elevation BLOCKS:** A diagram illustrating how the building's facade is composed of different elevation blocks, labeled B1 through B10.
- Material SCHEDULE:** A table listing materials used in the construction, such as concrete, steel, glass, and wood, with their respective quantities and descriptions.
- Project Information:** Includes the project name "LAZARUS CHURCH, CORTLAND, NY, INCORPORATED 1850", the architect "J. H. COOPER & ASSOCIATES", and the date "MAY 2008".

COLOR LEGEND

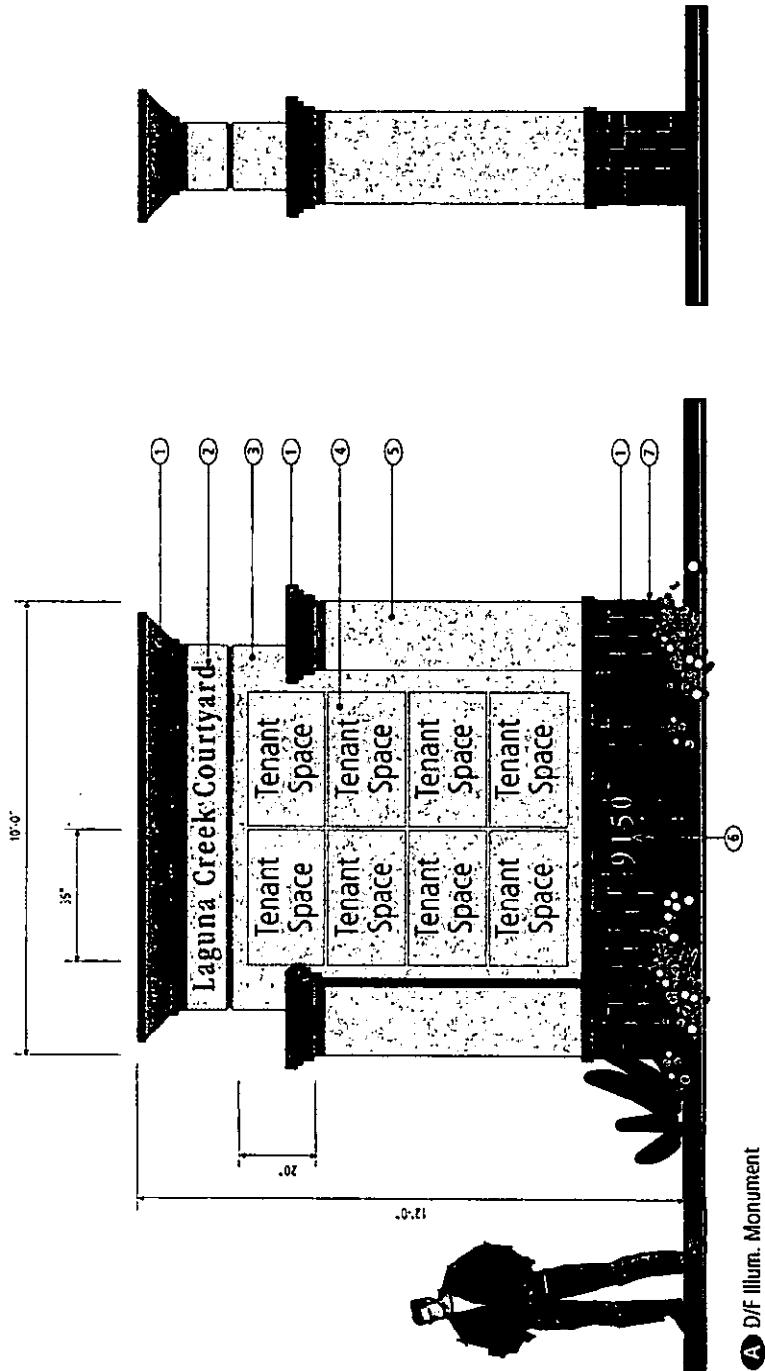


9150 BRUCEVILLE RD.
ELK GROVE, CA

ERHL
Design Group Inc.
ILLUSTRATIONS

MATERIAL SCHEDULE

- ① Granite / Column Caps / Trim
Fabricated aluminum parts (C) "Marble Series",
Textured finish.
- ② Granite Beams / Halo Illumination
Suzi "Clear Acrylic" 1/2" Acrylic / 3/4" White
Acrylic Backed with Satin Black Vinyl film.
- ③ Cabinet
Fabricated aluminum parts (C) "Drapery Box",
Textured finish.
- ④ Tenant Panels front face and back, with
aprons with or without Satin Vinyl film, panel pieces,
(C) "Seed Pearl", satin finish.
- ⑤ Columns
Fabricated aluminum parts (C) "Legend Box",
Textured finish.
- ⑥ Address Nameplate
(C) "Front Head" panel (C) "Seed Pearl", satin finish.
- ⑦ Brick Veneer
HG Modulus "Bluestone"



PACIFIC
NEON

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Address:
9150 Brucerville Road
Elk Grove, California

Status:
 Production, Revision:

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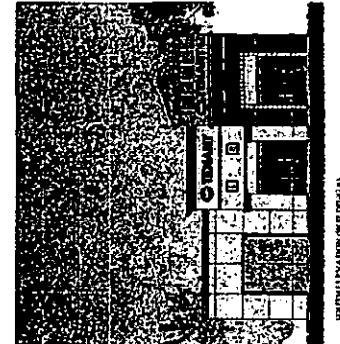
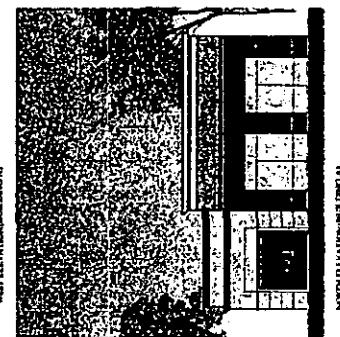
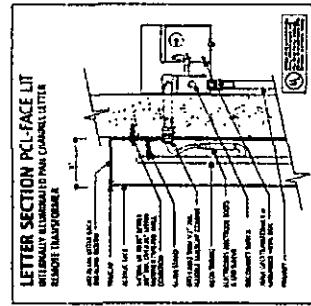
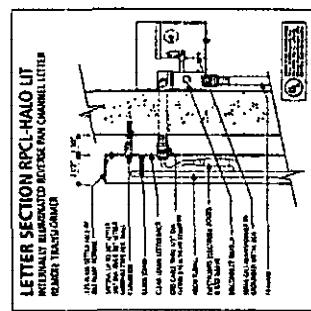
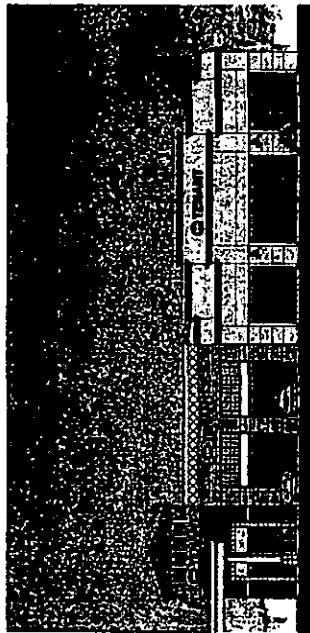
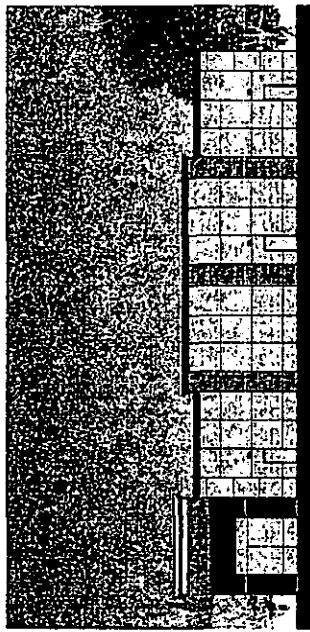
Sheet No. 1
Rev. No. B14

Building "A"



General Requirements

- A) Tenants are allowed one (1) sign per establishment.
- B) Tenants are allowed 1 square foot of sign area for 1 linear foot of tenant building frontage. Sign height not to exceed 80% of tenant frontage.
- C) Signs may be either face illuminated or halo illuminated, or a combination of the both. Halo illuminated, reverse pan channel letters to be pepped off fascia 1-1/2".
- D) The allowable sign area includes all signs visible from the exterior and located within 5 feet of any window.
- E) Sign copy shall be limited to the name and established logo design of Tenant.
- F) Cabinet signs will not be allowed with the exception of shaped pan channel cabinet signs of a tenant's logo.
- G) Signs must meet or exceed UL approved standards.



**PACIFIC
NEON**

Project Name: **Laguna Creek Courtyard**
Address: **9150 Bruceville Road**
Elk Grove, California

Project No: **07-2398-00**
Architect Executive: **Rajesh Gudali**
Client Approval: **www.pacificneon.com**

Status: **Not Started**
Printed on: **7-11-07** **Received:**

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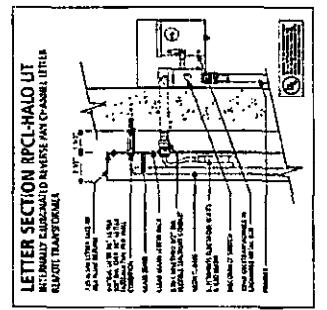
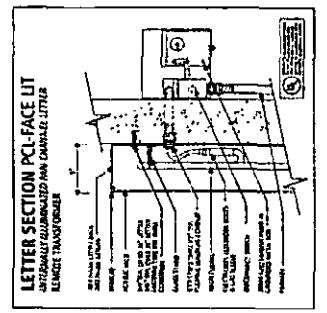
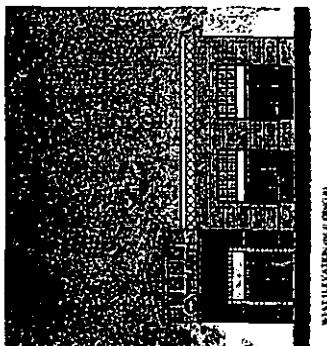
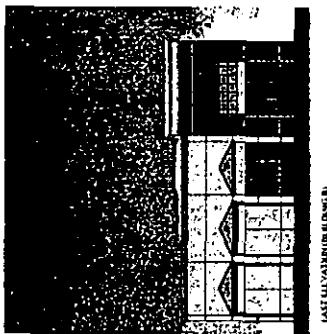
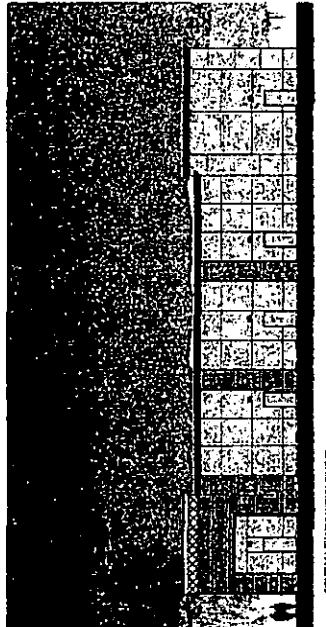
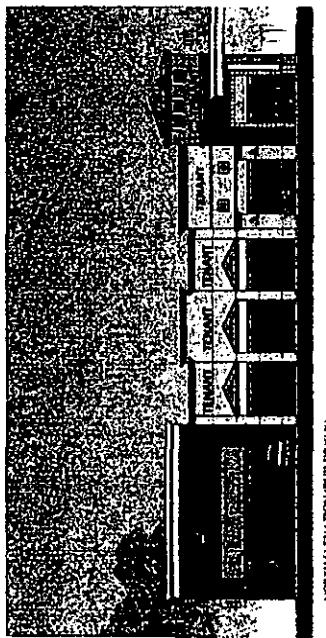
Street No.: **2**
BH

Building "B"



General Requirements

- A) Tenants are allowed one (1) sign per establishment.
- B) Tenants are allowed 1 square foot of sign area for 1 linear foot of tenant building frontage. Sign height not to exceed 80% of tenant frontage.
- C) Signs may be either back-lit/unlit or halo illuminated or a combination of the both. Halo illuminated, reverse pan channel letters to be pegged off flashtabs 1-1/2".
- D) The allowable sign area includes all signs visible from the exterior and located within 5 feet of any window.
- E) Sign copy shall be limited to the name and established logo design of Tenant.
- F) Cabinet signs will not be allowed with the exception of shaped pan channel cabinet signs of a Tenant's logo.
- G) Signs must meet or exceed UL approved standards.



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Address: 9150 Brueville Road
Elk Grove, California

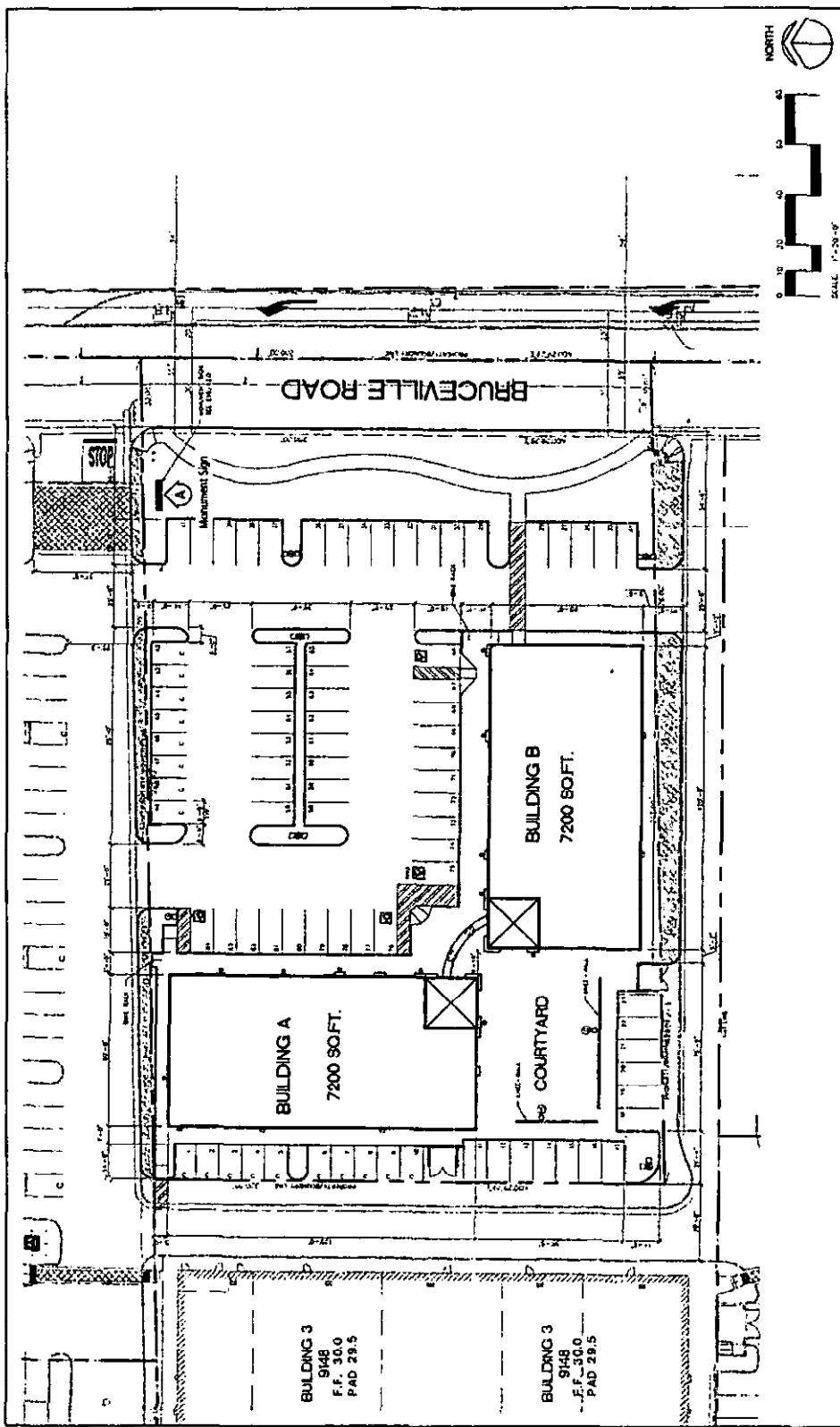
Project No.: 07-2393-00
Account Executive: Ralph Coddell
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Fax: 916.977.7414
www.pacificneon.com

Status: Preliminary: 7-13-07 Revise/Retain
Start No: 3
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3

BH

4



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Sheet No. _____

Status Preliminary Revision

Address: 9150 Bruceville Road
Project Name: Laguna Creek Courtyard
Architect: _____
Client Approval: _____

2339 Academy Way
Sacramento CA 95815
Tel 916.227.6527
Fax 916.971.3114
www.pacificneon.com

PACIFIC
NEON

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2011-182

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

*I, Jason Lindgren, 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
September 28, 2011 by the following vote:*

AYES : COUNCILMEMBERS: Detrick, Cooper, Davis, Hume, Scherman
NOES: COUNCILMEMBERS: None
ABSTAIN : COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None



**Jason Lindgren, City Clerk
City of Elk Grove, California**