

**RESOLUTION NO. 2013-126**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING NO FURTHER CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REVIEW IS NECESSARY FOR THE LAGUNA RIDGE TOWN CENTER REZONE PROJECT PURSUANT TO SECTION 15183 OF TITLE 14 OF THE CALIFORNIA CODE OF REGULATIONS (STATE CEQA GUIDELINES); AND APPROVING A GENERAL PLAN AMENDMENT, SPECIFIC PLAN AMENDMENT, AND AMENDMENT TO THE ELK GROVE TOWN CENTER DESIGN GUIDELINES FOR THE LAGUNA RIDGE TOWN CENTER REZONE PROJECT (EG-13-029); ASSESSOR PARCEL NUMBER 132-2120-009**

**WHEREAS**, the Planning Division of the City of Elk Grove received an application on May 9, 2013 from Cordova 83 Properties, LLC (the Applicant) requesting a General Plan Amendment, Specific Plan Amendment, and Rezone (the Project); and

**WHEREAS**, the proposed Project is located on real property in the incorporated portions of the City of Elk Grove more particularly described as Assessor Parcel Number (APN): 132-2120-009 and being that resultant Lot B of Record 20090918 O.R. 620; and

**WHEREAS**, the Project is located within the Laguna Ridge Specific Plan and Elk Grove Town Center areas; and

**WHEREAS**, the Planning Department considered the Project request pursuant to the Elk Grove General Plan, the Elk Grove Municipal Code Title 23 (Zoning), and all other applicable State and local regulations; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing on June 20, 2013 as required by law to consider all of the information presented by staff, information presented by the Applicant, and public testimony presented in writing and at the meeting and voted 5-0 to recommend approval of the Project to the City Council; and

**WHEREAS**, the City Council held a duly noticed public hearing on July 10, 2013 as required by law to consider all of the information presented by staff, information presented by the Applicant, and public testimony presented in writing and at the meeting.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby finds the proposed Laguna Ridge Town Center Rezone Project, EG-13-029, exempt from the California Environmental Quality Act pursuant to §15183 of the State CEQA Guidelines based upon the following finding:

**California Environmental Quality Act (CEQA)**

**Finding:** The project is exempt from the California Environmental Quality Act (CEQA) review pursuant Section 15183 of Division 6 of Chapter 3 of Title 14 of the California

Code of Regulations (State CEQA Guidelines) and no further environmental review is required.

Evidence: The proposed project is exempt from CEQA under to CEQA Guidelines Section 15183 (Consistency with a General Plan for Which an EIR was Prepared). This exemption applies to projects that are consistent with the General Plan. Section 15183 (i)(2) of the CEQA Guidelines defines “consistency” as “that density of the proposed project is the same or less than the standard expressed for the involved parcel in the general plan...or zoning action for which an EIR has been certified, and that the project complies with the density-related standards contained in that plan or zoning.”

The subject property was zoned for high density residential development, consistent with the City’s General Plan, in 2008 with the approval of the Laguna Ridge Town Center. EIRs were prepared for both of these projects – the Laguna Ridge Specific Plan EIR (SHC 2000082139) and Laguna Ridge Town Center EIR (SCH 2007082169).

Staff has reviewed the proposed action for consistency with the existing allowed development density, as described under the CEQA Guidelines. As described in technical memos prepared by Wood Rodgers and Fehr & Peers and provided by the Applicant, the proposed action would result in less water demand and substantially the same vehicular traffic from the current conditions as described in the July 10, 2013 staff report.

**AND, BE IT FURTHER RESOLVED,** that the City Council of the City of Elk Grove hereby approves the General Plan Amendment, Specific Plan Amendment, and Amendment to the Elk Grove Town Center Design Guidelines for the Project based upon the following findings and as illustrated in Exhibits A, B, and C, respectively:

**General Plan Amendment**

Finding: The proposed General Plan amendment is of substantial benefit to the City and the amendment is internally consistent with the General Plan.

Evidence: The proposed amendment to the General Plan land use map will provide additional acreage of commercial land to an existing commercial site. This change will allow for the development of an integrated commercial center at this location. This change is of benefit to the City as it will allow for this commercial development, which, when developed, will provide retail services to nearby residences and employees.

The proposed change has been reviewed for consistency with the goals and policies of the General Plan and no conflicts have been identified. Specifically, consistency with the Housing Element was evaluated. Pursuant to the information provided in the July 10, 2013 staff report, the removal of the site from the list of vacant/underutilized sites that demonstrate compliance with the City’s 2008-2013 Regional Housing Needs Allocation (RHNA) will not cause the list to drop below the minimum required under the RHNA and put the City into a “net loss” position.

## **Specific Plan Amendment**

Finding 1: The project is consistent with the General Plan goals, policies, and implementation programs.

Evidence: The proposed action is consistent with the City's General Plan for the reasons described above. No conflicts with existing goals or policies in the General Plan, including those specifically for Laguna Ridge in the Land Use Element (LU-28 through 31) and the Housing Element were identified.

Finding 2: The project is consistent with the goals and policies of the Laguna Ridge Specific Plan.

Evidence: The proposed action is consistent with the goals and policies for the Laguna Ridge Specific Plan. The Plan specifically calls for development of major commercial uses along Elk Grove Boulevard to take advantage of this major arterial. Commercial uses are to be concentrated in this area with a large commercial center at the southeast corner of Elk Grove Boulevard and Bruceville Road. The proposed change furthers these objectives.

Finding 3: Significant changes to the character of the community have occurred subsequent to the adoption of the Specific Plan which warrant amendments as requested;

Evidence: The current market demand for residential development has changed significantly since approval of the Specific Plan in 2004. Current market conditions do not support the construction of market rate multifamily development (e.g., RD-30). Affordable multifamily development requires supplemental financing (e.g., tax credits and City affordable housing loan funds) in order to make projects pencil. This financing is limited and the timing of availability unpredictable. The Applicant has identified a market demand for commercial development at this location in concert with adjoining properties. Therefore, there are changed circumstances that support the proposed action.

Finding 4: The requested amendment will benefit the Specific Plan Area and/or the City;

Evidence: The Applicant has identified a demand for commercial development at this location that would benefit from the additional acreage provided by this property. The total acreage would, therefore, provide land needed to develop a community-serving retail complex. This level of retail use would be beneficial to the City by providing commercial services for residents and employees in the area.

Finding 5: The amendment will not adversely affect adjacent properties and can be properly serviced.

Evidence: The proposed Specific Plan amendment would allow for commercial development on the property consistent with the SC (Shopping Center) land use category. Adjoining properties to the east and west are currently designated SC; therefore, the proposed change would provide a consistent designation for properties between Bruceville Road and Wymark Drive. This change is, therefore, compatible with the residential properties to the south.

Further, the proposed action will provide better consistency with the planned medical complex to the east (the Dignity hospital). While the Dignity project has been designed to be consistent with multifamily development at this site, the compatibility can be further improved through commercial development at the project site.

Access to the site is provided by Civic Center Drive, which has been developed to its ultimate width to support traffic generated by development at the property.

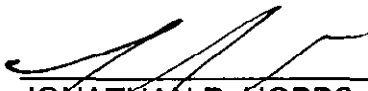
**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 10<sup>th</sup> day of July 2013.

  
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GARY DAVIS, MAYOR of the  
CITY OF ELK GROVE

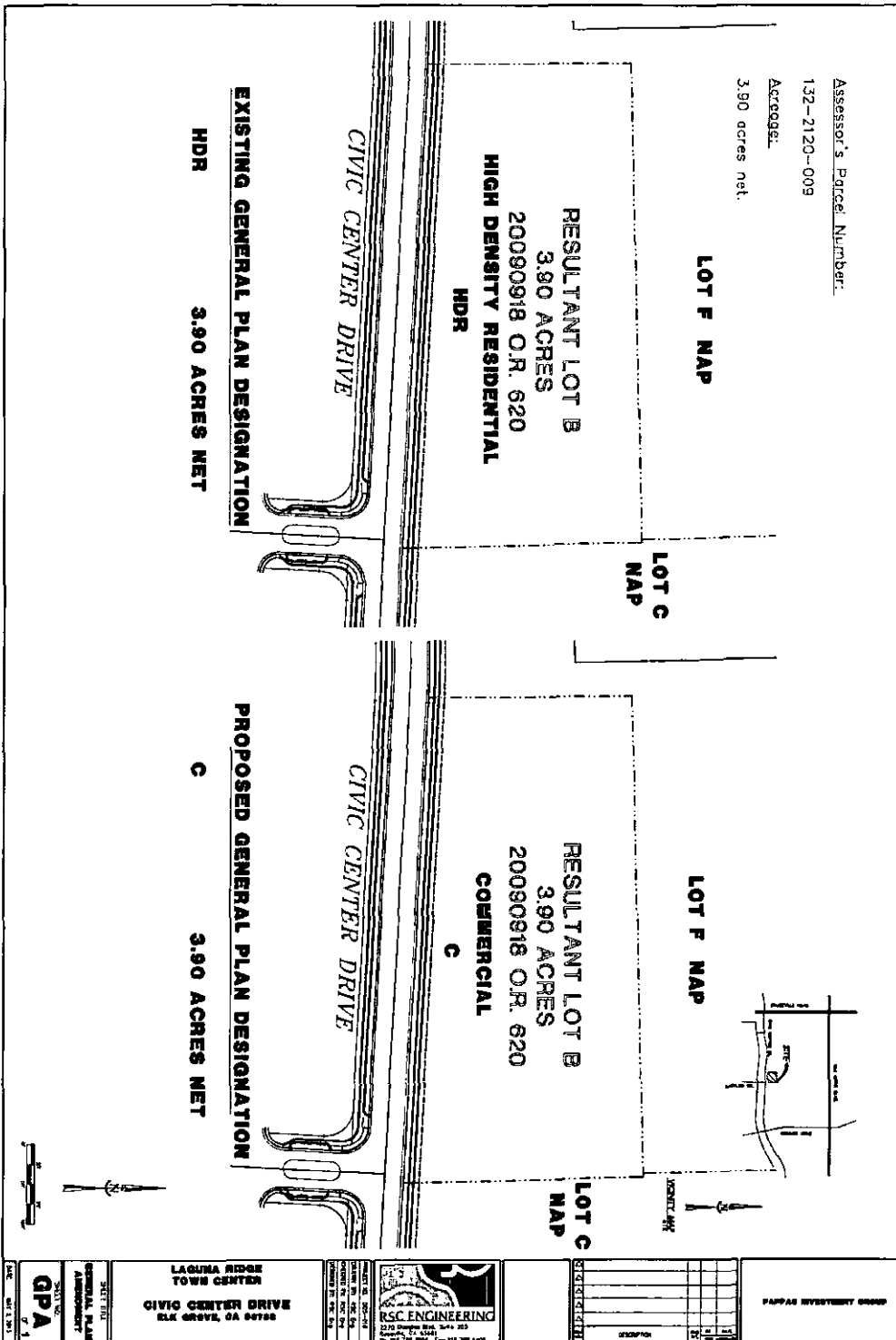
ATTEST:

  
\_\_\_\_\_  
JASON LINDGREN, CITY CLERK

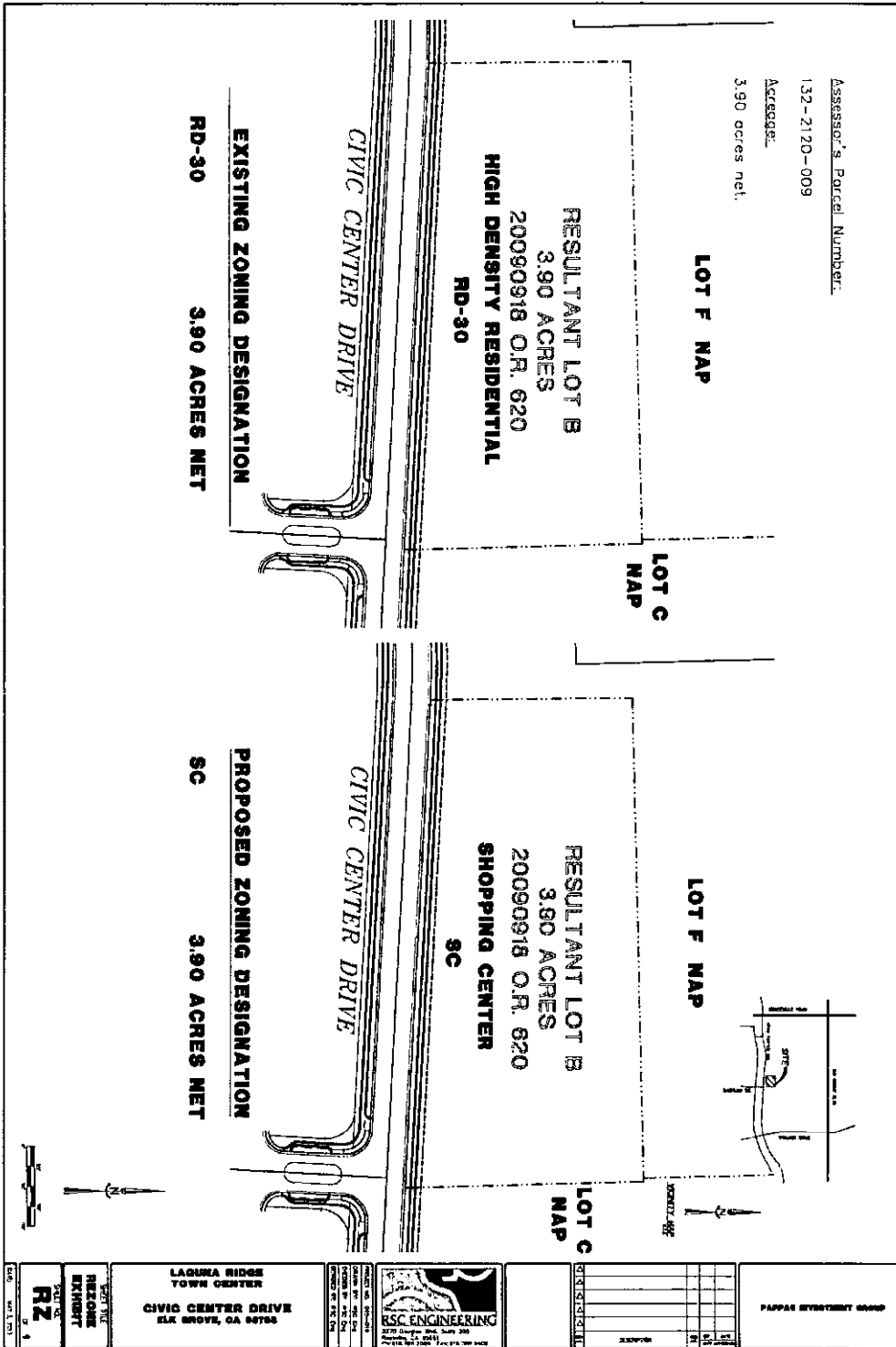
APPROVED AS TO FORM:

  
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JONATHAN P. HOBBS,  
CITY ATTORNEY

# Exhibit A: General Plan Amendment



# Exhibit B: Specific Plan Amendment



## **Exhibit C: Laguna Ridge Town Center Design Guideline Amendment**

Section B.1.2 of the Laguna Ridge Town Center Design Guidelines, as listed below, is hereby deleted:

### **B.1.2 High Density Residential**

1. The design of the landscape screening at the north edge of the residential development shall be coordinated with the large format retail development to the north to provide visual and sound buffering of the loading areas.
2. The high density residential development shall not be fully surrounded by walls or fences and shall include architectural facades facing Civic Center Drive. Should walls be warranted due to a proposed use, an enhanced pedestrian node shall be provided at the northwest corner of Civic Center Drive on the high density residential site.
3. The high density residential development shall be connected to the pedestrian system on Civic Center Drive and shall provide connections to the surrounding uses.

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2013-126**

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 July 10, 2013 by the following vote:*

**AYES :**        **COUNCILMEMBERS:**     *Davis, Detrick, Cooper, Hume, Trigg*

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

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

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

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