

RESOLUTION NO. 2014-284

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
DECLARING ITS INTENT TO ADOPT A GENERAL PLAN AMENDMENT AND
REZONE, AND APPROVE A TENTATIVE SUBDIVISION MAP AND DESIGN REVIEW
FOR TENTATIVE SUBDIVISION MAP LAYOUT FOR THE
CAPITAL RESERVE PROJECT (EG-14-008);
ASSESSOR PARCEL NUMBER: 116-0070-014**

WHEREAS, the Planning Department of the City of Elk Grove received an application on March 17, 2014 from Pappas Arizona, LP (the Applicants) requesting a General Plan Amendment, Rezone and Tentative Subdivision Map (and Design Review for subdivision layout) (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 APN: 116-0070-014; and

WHEREAS, the Project qualifies as a project under the California Environmental Quality Act (CEQA), Public Resource Code §§21000 et seq.; and

WHEREAS, an Environmental Impact Report for the 2014 Housing Element Update was certified by the City Council on February 12, 2014; and

WHEREAS, the 2014 Housing Element Update EIR considered development of the Project site with residential uses; and

WHEREAS, on August 18, 2014, the City released a Notice of Preparation for a Subsequent EIR (SEIR) for the Project; and

WHEREAS, on October 3, 2014, the City released a Notice of Availability for the Draft SEIR and the 45-day comment period was from October 3, 2014 through November 17, 2014; 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 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 4-0 to recommend approval of the Project to the City Council; and

WHEREAS, Section 65358(b) of the California Government Code limits the City to four (4) General Plan amendments annually; and

WHEREAS, for this reason, and to accommodate development, the City will consolidate General Plan Amendments as one amendment approval, to be heard by the City Council at the December 10, 2014 hearing date under a separate item (Item 9.5); and

WHEREAS, the City Council held a duly noticed public hearing 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 declares its intent to adopt the General Plan Amendment and Rezone for the Capital Reserve Project (EG-14-008), as described in Exhibit A and illustrated in Exhibit B, based upon the following findings:

General Plan Amendment

Finding: There is substantial benefit to be derived from the proposed amendment to change the General Plan land use designation from Commercial to Commercial, Medium Density Residential, Public Open Space/Recreation, and Private Streets.

Evidence: The Project is the site of a former nursery operation. The buildings have been vacant since 2012 and there have been no other proposed uses for the parcel. The conversion of the site to allow residential and commercial will promote a variety of uses to occupy the site. The proposed Project is consistent with Economic Element of the General Plan Policies which encourage full and efficient use of vacant and underutilized parcels. It is also consistent with the Land Use Element goal of a high quality of life for all residents. The Project will bring residential, recreational, and associated commercial uses to the community.

Rezone

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

Evidence: The proposed Rezone is consistent with the proposed General Plan land use map, which would designate the Project site as Commercial, Medium Density Residential, Public Open Space/Recreation, and Private Streets, as provided in General Plan Policy LU-3. Additionally, the proposed Rezone does not alter the allowed intensity or density of development beyond that contemplated in the General Plan.

AND, BE IT FURTHER RESOLVED, that the City Council of the City of Elk Grove hereby declares its intent to approve the Tentative Subdivision Map and Design Review for Tentative Subdivision Map Layout for Capital Reserve Project (EG-14-008), as described in Exhibit A and illustrated in Exhibit C, subject to the Conditions of Approval contained in Exhibit D (all incorporated herein by this reference), based upon the following findings:

Tentative Subdivision Map

Finding: None of the findings (a) through (g) below in Section 66474 of the California Government Code that require a City to deny approval of a tentative map apply to this project.

- 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 type of improvements is likely to cause serious public health problems.
- g. That the design of the subdivision or 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:

- (a) As described in the Project staff report, the proposed Project is consistent with the Elk Grove General Plan. The proposed map is consistent with the proposed land use designation and policies in the Elk Grove General Plan, which has designated this site as Commercial, Medium Density Residential, Public Open Space/Recreation, and Private Streets. The subdivision map will allow for medium density residential housing at a consistent lot size.
- (b) As described in the Project staff report, the proposed Project, the proposed subdivision design, lot sizes, lot configurations, and proposed infrastructure improvements are consistent with the General Plan for the proposed site.
- (c) The site is physically suitable for medium residential and commercial development. The General Plan land use map has anticipated the Project site for commercial development. The proposed General Plan land use designation and policies for this site are Commercial, Medium Density Residential, Public Open Space/Recreation, and Private Streets Access to the site will be provided or is available. Necessary services and facilities are available or can be provided. Therefore, the site is physically suitable for the medium density residential and commercial development proposed.
- (d) As described in the Project staff report, all residential lots proposed by the Project are consistent with the allowed densities as provided under the General Plan. Services and facilities to serve the projects, including water, sewer, electricity, and other utilities, will be provided or are available. Therefore, the sites are appropriate for the proposed density of development.

- (e) The Project site is physically suitable for the proposed type of development based upon the analysis presented in the Subsequent Environmental Impact Report prepared for the Project.
- (f) The design of the subdivision will not cause serious public health problems based upon the analysis presented in the Subsequent Environmental Impact Report prepared for the Project.
- (g) The design of the subdivision will not conflict with easements acquired by the public at large as demonstrated by review of the Project by the City's Public Works Department.

Design Review

Finding #1: The proposed project is consistent with the objectives of the General Plan, complies with applicable zoning regulations, Specific Plan provisions, Special Planning Area provisions, and Citywide Design Guidelines adopted by the City.

Evidence: The site layout has been reviewed against the Citywide Design Guidelines for residential subdivisions and meets all applicable design requirements. The proposed subdivision map and related plans provide all the design elements required by the Citywide Design Guidelines, including interconnected street system, pedestrian connectivity, and sufficient open space and landscaping. The conditions of approval and subsequent design review of future residential development will ensure consistency with all standard requirements.

Finding #2: The proposed project will not create conflicts with vehicular, bicycle, or pedestrian modes of transportation.

Evidence: The proposed subdivision and layout provides adequate off-site access and on-site circulation for vehicle, bicycle, and pedestrian modes and sufficient parking for vehicles and bicycles consistent with applicable requirements. The Project includes pedestrian connectivity from the neighborhood to Laguna Springs Drive and Elk Grove Boulevard.

Finding #3: The residential subdivision is well integrated with the City's street network, creates unique neighborhood environments and establishes a pedestrian friendly environment.

Evidence: The Project includes an interconnected street system as well as sufficient open space and landscaping. The Project also provides pedestrian connectivity from the neighborhood to Laguna Springs Drive and Elk Grove Boulevard. The proposed design blends seamlessly into the surrounding neighborhood and the street pattern encourages walking.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 10th day of December 2014.



GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

Exhibit A
Capital Reserve (EG-14-008)
Project Description

PROJECT DESCRIPTION

The proposed Capital Reserve Project (Project) consists of a General Plan Amendment from Commercial to a mix of Commercial, Medium Density Residential, and Public Open Space/Recreation and Private Street; a Rezone from SPALCF and AR-10(PDC) to LC, RD-10, and O; and a Tentative Subdivision Map (and concurrent Design Review for subdivision layout) to subdivide the site into 84 residential lots, 4 commercial lots, and various other lots for a park, open space, and a drainage/water quality basin. The Project includes the removal of select trees per arborist recommendation and/or for future development.

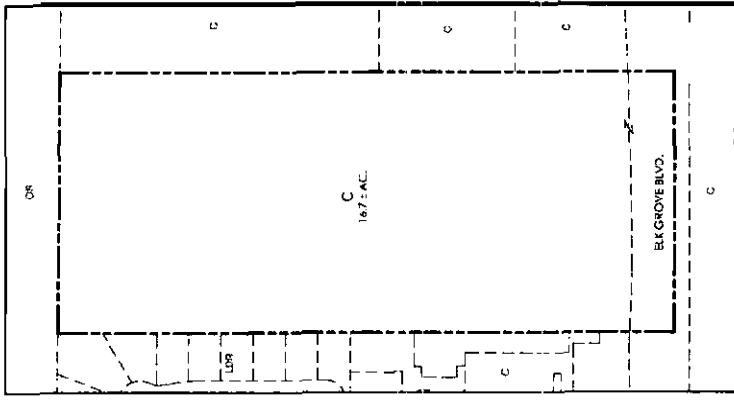
Exhibit B Capital Reserve (EG-14-008) General Plan Amendment and Rezone

GENERAL PLAN AMENDMENT EXHIBIT

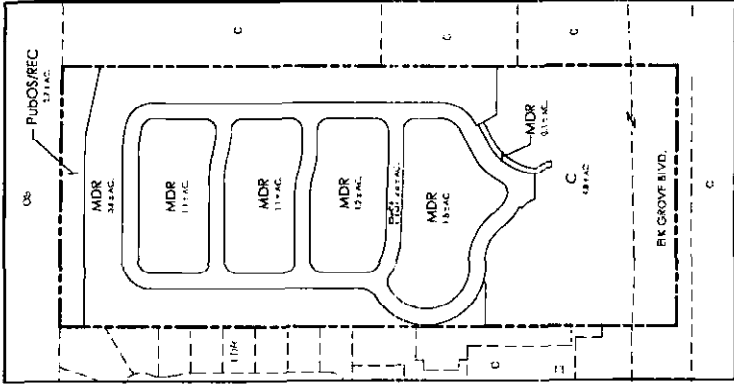
CAPITAL RESERVE

ELK GROVE, CALIFORNIA

JULY 2, 2014



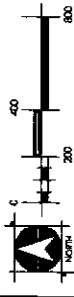
Existing General Plan



Proposed General Plan

GENERAL PLAN AMENDMENT SUMMARY TABLE

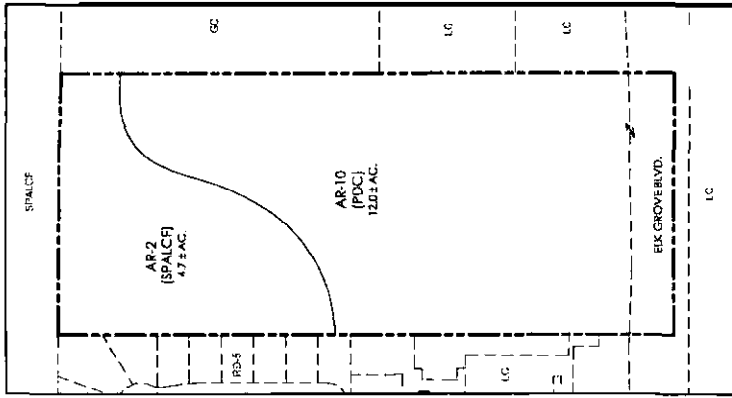
| GENERAL PLAN DESIGNATION | LANDUSE DESCRIPTION | POSITIVE ACRES | NEGATIVE ACRES | DIFFERENCE |
|--------------------------|--|----------------|----------------|------------|
| MDR | MEDIUM DENSITY RESIDENTIAL | 0 | 86 | 86 |
| PUBOS/REC | PUBLIC OPEN SPACE (ORANGE GROVE PARKWAY) | 0 | 0.7 | 0.7 |
| PLA | PRIVATE TRAILS | 25.7 | 16 | 9.7 |
| C | COMMERCIAL | 25.7 | 16.7 | 9.0 |



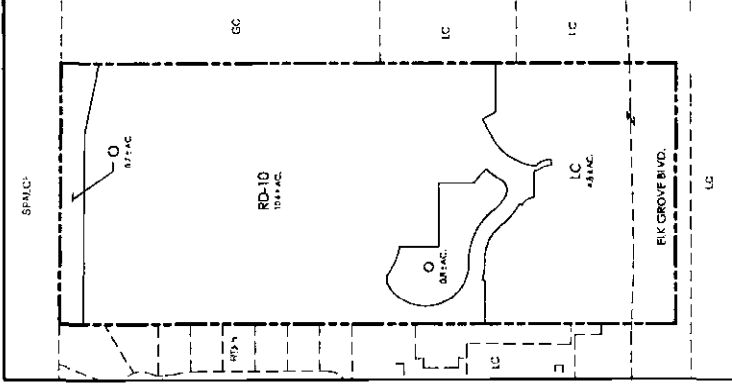
WOOD RADDERS
DEVELOPING INNOVATIVE DESIGN SOLUTIONS
3301 G ST. SUITE 300-B Yuba City, CA 95692
Tel: 916.441.7700 Fax: 916.441.7707

**Exhibit B
Capital Reserve (EG-14-008)
Rezone**

**REZONE EXHIBIT
CAPITAL RESERVE
ELK GROVE, CALIFORNIA
JULY 2, 2014**



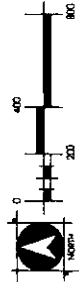
Existing Zoning



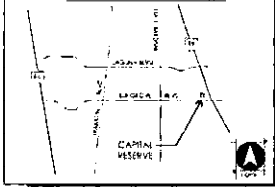
Proposed Zoning

REZONING SUMMARY TABLE

| ZONING DESIGNATION | LAND USE DESCRIPTION | EXISTING ACRES | PROPOSED ACRES | DIFFERENCE |
|--------------------|-------------------------------|----------------|----------------|------------|
| AR-10 (PDC) | AG-RESIDENTIAL 10 | 120 | 0 | -120 |
| AR-2 (SPALCF) | AG-RESIDENTIAL 2 | 4.7 | 0 | -4.7 |
| RD-10 | RESIDENTIAL DENSITY 10 | 0 | 10.4 | 10.4 |
| 0 | PARK/OPEN SPACE/DRAINAGE SWAY | 0 | 1.5 | 1.5 |
| LC | COMMERCIAL | 0 | 4.8 | 4.8 |
| | | 167 | 16.7 | 0 |



LOCATION MAP



TENTATIVE SUBDIVISION MAP

CAPITAL RESERVE

CITY OF ELK GROVE, CALIFORNIA
SEPTEMBER 16, 2014

PROJECT NOTES

APPLICANT'S DESIGN:
 2014.09.16 - 2014.09.16
 2014.09.16 - 2014.09.16
 2014.09.16 - 2014.09.16
 2014.09.16 - 2014.09.16

PLANNED ENGINEER:
 WOOD ROBBERS
 2014.09.16 - 2014.09.16
 2014.09.16 - 2014.09.16
 2014.09.16 - 2014.09.16
 2014.09.16 - 2014.09.16

APPROVED:
 2014.09.16 - 2014.09.16
 2014.09.16 - 2014.09.16
 2014.09.16 - 2014.09.16
 2014.09.16 - 2014.09.16

ASBESTOS:
 2014.09.16 - 2014.09.16
 2014.09.16 - 2014.09.16
 2014.09.16 - 2014.09.16
 2014.09.16 - 2014.09.16

ADDITIONAL NOTES:
 1. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.
 2. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.
 3. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.
 4. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.

VILLAGE I
 (84) 45'x75' (TYP)
 10.3 ± AC. (G)
 7.3 ± AC. (N)

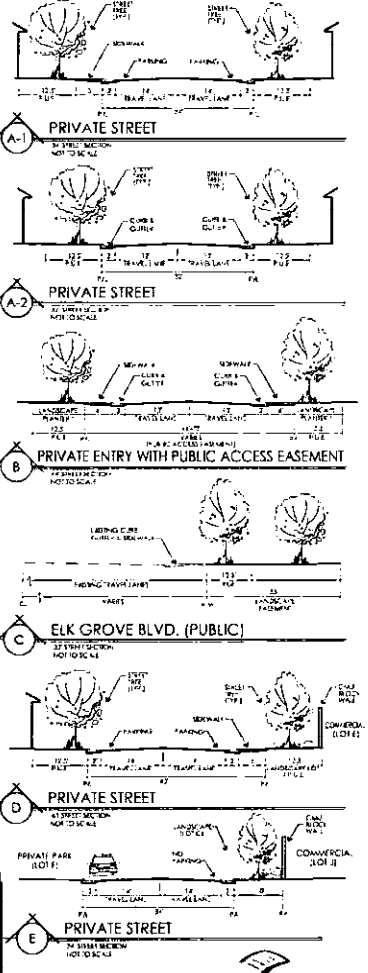
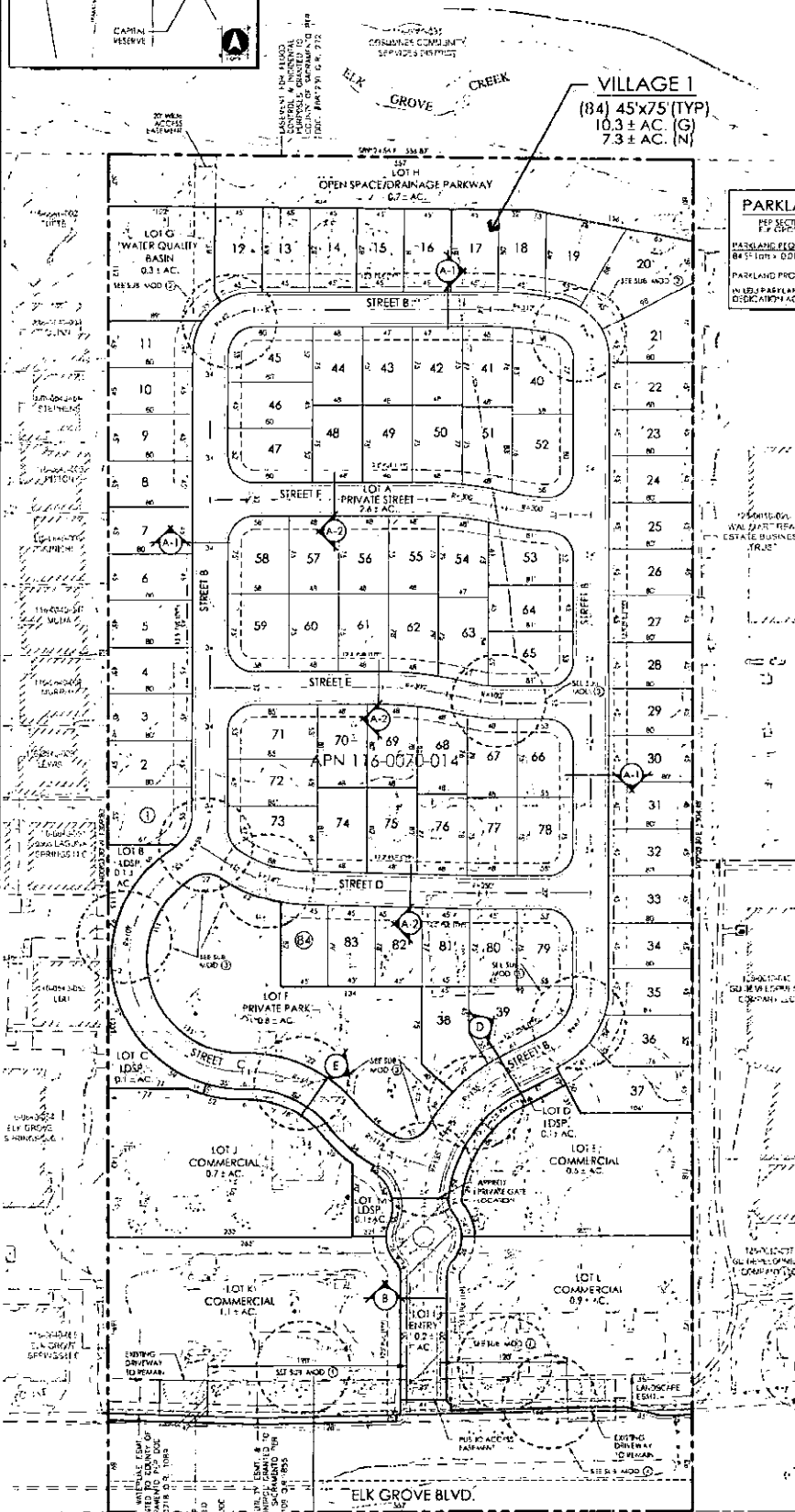
PARKLAND SUMMARY
 PER SECTION 25.40 OF THE
 CITY OF ELK GROVE CHARTER
 84 ± LOTS x 0.2138 = 1.78 Park Acres Required
 PARKLAND PROVIDED: 08 Park Acres Provided
 IN NET PARKLAND
 DEDICATION AT RACE: 0.35 Park Acres



LAND USE SUMMARY

| LOT NO. | DEVELOPMENT | LAND USE CATEGORY | APPLICABLE ZONING | MIN. LOTS | MIN. ACRES | MIN. LOTS | MIN. ACRES |
|---------|-------------|---------------------------|-------------------|-----------|------------|-----------|------------|
| 1-20 | RESIDENTIAL | RESIDENTIAL SINGLE-FAMILY | R-1 | 1 | 0.2138 | 1 | 0.2138 |
| 21-30 | RESIDENTIAL | RESIDENTIAL SINGLE-FAMILY | R-1 | 1 | 0.2138 | 1 | 0.2138 |
| 31-40 | RESIDENTIAL | RESIDENTIAL SINGLE-FAMILY | R-1 | 1 | 0.2138 | 1 | 0.2138 |
| 41-50 | RESIDENTIAL | RESIDENTIAL SINGLE-FAMILY | R-1 | 1 | 0.2138 | 1 | 0.2138 |
| 51-60 | RESIDENTIAL | RESIDENTIAL SINGLE-FAMILY | R-1 | 1 | 0.2138 | 1 | 0.2138 |
| 61-70 | RESIDENTIAL | RESIDENTIAL SINGLE-FAMILY | R-1 | 1 | 0.2138 | 1 | 0.2138 |
| 71-80 | RESIDENTIAL | RESIDENTIAL SINGLE-FAMILY | R-1 | 1 | 0.2138 | 1 | 0.2138 |
| 81-90 | RESIDENTIAL | RESIDENTIAL SINGLE-FAMILY | R-1 | 1 | 0.2138 | 1 | 0.2138 |
| 91-100 | RESIDENTIAL | RESIDENTIAL SINGLE-FAMILY | R-1 | 1 | 0.2138 | 1 | 0.2138 |
| 101-110 | COMMERCIAL | COMMERCIAL GENERAL | C-1 | 1 | 0.2138 | 1 | 0.2138 |
| 111-120 | COMMERCIAL | COMMERCIAL GENERAL | C-1 | 1 | 0.2138 | 1 | 0.2138 |
| 121-130 | COMMERCIAL | COMMERCIAL GENERAL | C-1 | 1 | 0.2138 | 1 | 0.2138 |
| 131-140 | COMMERCIAL | COMMERCIAL GENERAL | C-1 | 1 | 0.2138 | 1 | 0.2138 |
| 141-150 | COMMERCIAL | COMMERCIAL GENERAL | C-1 | 1 | 0.2138 | 1 | 0.2138 |
| 151-160 | COMMERCIAL | COMMERCIAL GENERAL | C-1 | 1 | 0.2138 | 1 | 0.2138 |
| 161-170 | COMMERCIAL | COMMERCIAL GENERAL | C-1 | 1 | 0.2138 | 1 | 0.2138 |
| 171-180 | COMMERCIAL | COMMERCIAL GENERAL | C-1 | 1 | 0.2138 | 1 | 0.2138 |
| 181-190 | COMMERCIAL | COMMERCIAL GENERAL | C-1 | 1 | 0.2138 | 1 | 0.2138 |
| 191-200 | COMMERCIAL | COMMERCIAL GENERAL | C-1 | 1 | 0.2138 | 1 | 0.2138 |

NOTES:
 1. VILLAGE I OPEN SPACE INCLUDES A 7.3 AC. TRAIL AND PRIVATE STREET AND A 0.35 AC. COMMERCIAL LOT.
 2. VILLAGE I OPEN SPACE INCLUDES A 10.3 AC. TRAIL AND PRIVATE STREET AND A 0.35 AC. COMMERCIAL LOT.
 3. VILLAGE I OPEN SPACE INCLUDES A 10.3 AC. TRAIL AND PRIVATE STREET AND A 0.35 AC. COMMERCIAL LOT.
 4. VILLAGE I OPEN SPACE INCLUDES A 10.3 AC. TRAIL AND PRIVATE STREET AND A 0.35 AC. COMMERCIAL LOT.

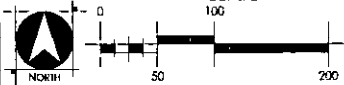


SURVEYOR'S STATEMENT
 I HEREBY STATE THAT THE TENTATIVE MAP ACCURATELY DEPICTS
 THE LOCATION, WIDTH, TYPE AND RECORDING INFORMATION OF
 ALL RECORDS AS SUBMITTED TO THE PRELIMINARY TITLE REPORT
 ISSUED BY ME PURSUANT TO THE RECORDING ORDER NO.
 1547478 IN, DATED JUNE 5, 2014. ALL ELEMENTS PROPOSED
 TO BE ABANDONED OR DISCONTINUED ARE IDENTIFIED. EXISTING
 UTILITIES CANNOT BE LOCATED FROM RECORD INFORMATION ARE
 LISTED IN THE NOTES.

MICHAEL T. EDMS, P.E. 8815
 STATE OF CALIFORNIA
 PROFESSIONAL LAND SURVEYOR

PROPOSED SUB. MODS.
 1. CHANGE FROM R-1 TO C-1 ZONING
 2. NON-STANDARD ROAD CENTERLINE
 3. NON-STANDARD ROAD CENTERLINE
 4. NON-STANDARD DRIVEWAY TAPER

STANDARD:



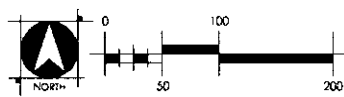
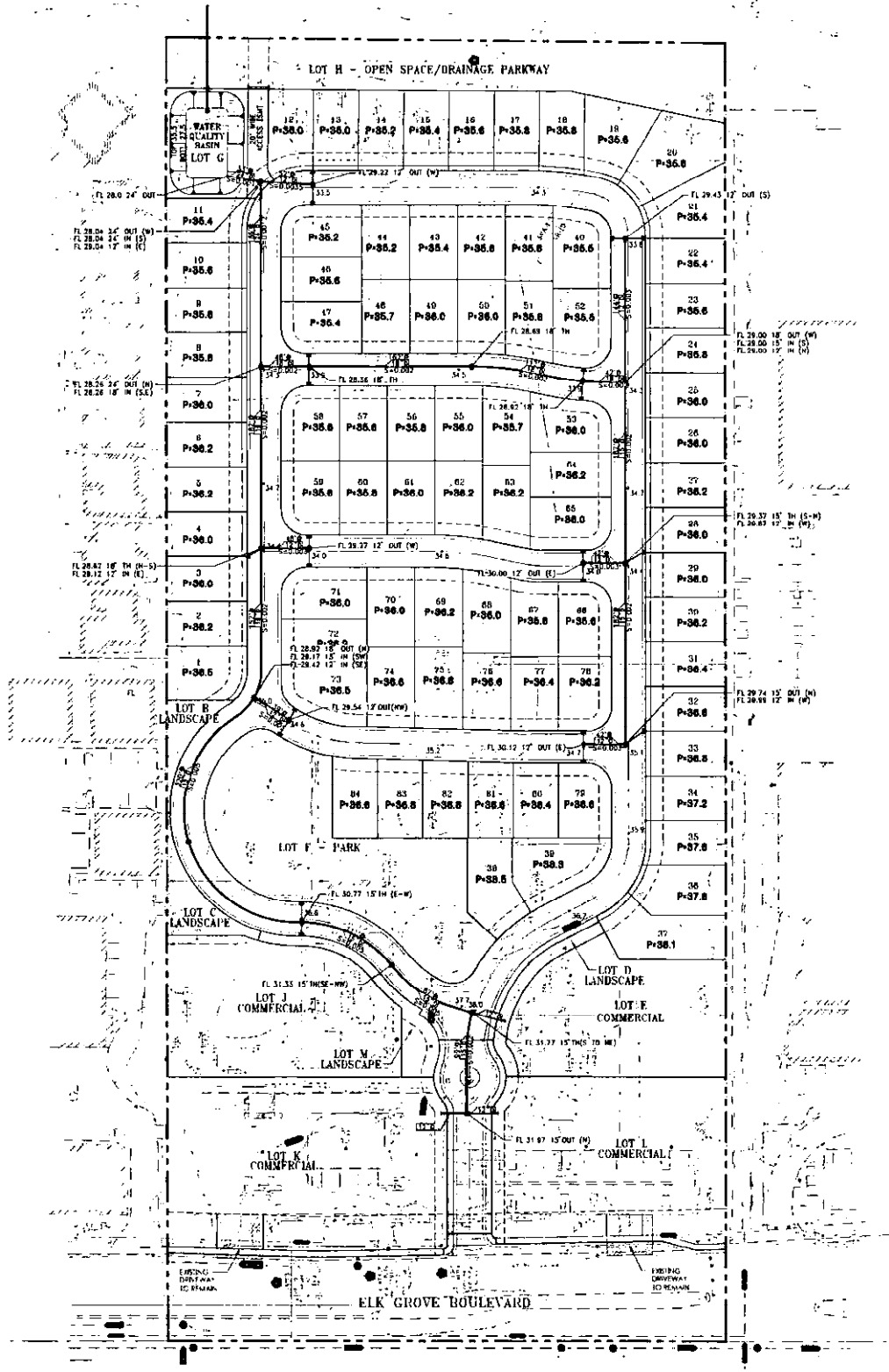
WOOD ROBBERS
 DEVELOPING PROGRESSIVE DESIGN SOLUTIONS
 8001 C BL. BLDG. 100-80
 Rosemead, CA 91768
 TEL: 626-244-7790
 FAX: 626-244-7792

PRELIMINARY GRADING & DRAINAGE EXHIBIT

CAPITAL RESERVE

CITY OF ELK GROVE, CALIFORNIA
SEPTEMBER 16, 2014

ELK GROVE CREEK

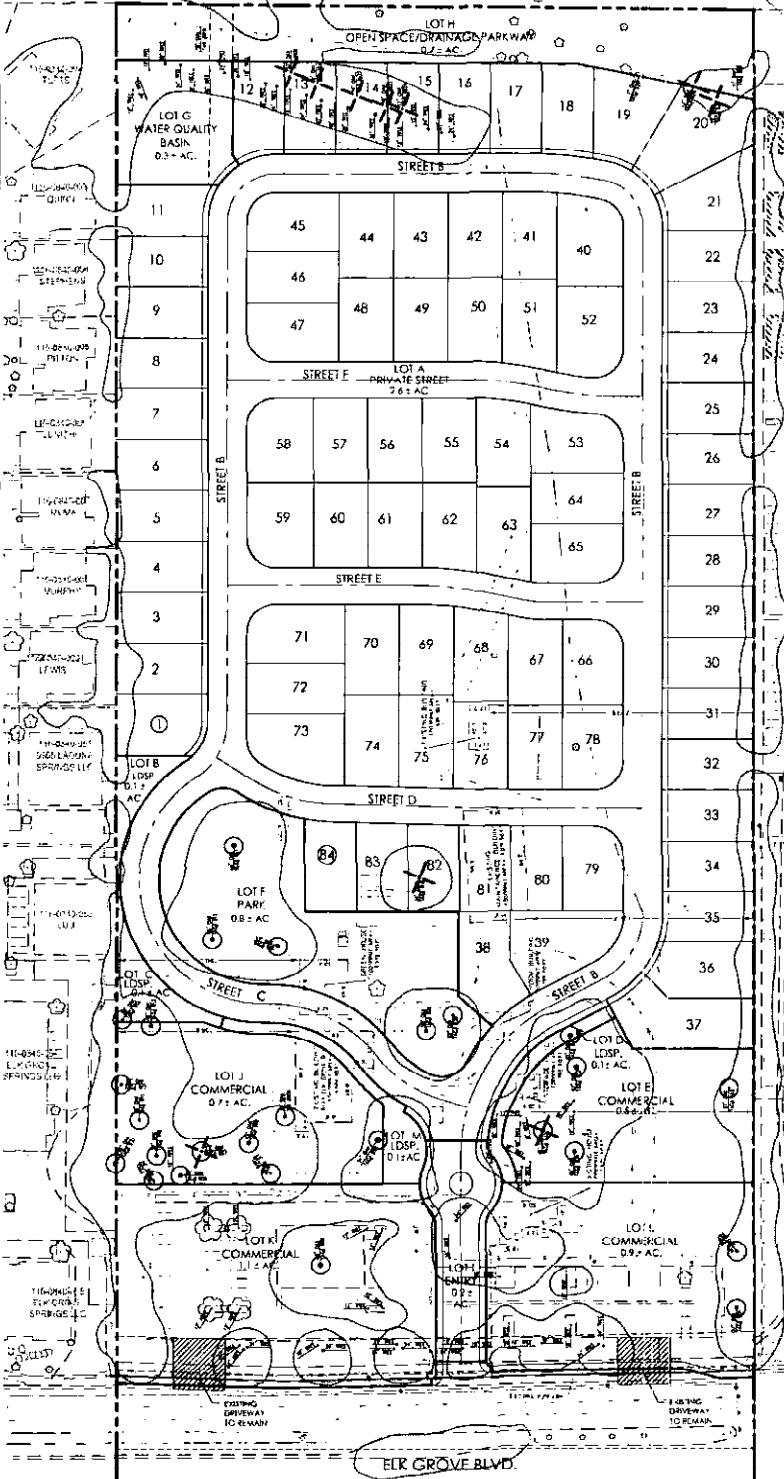
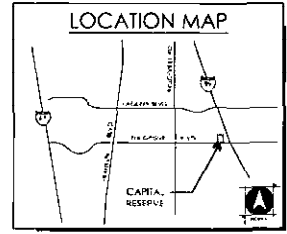


WOOD RODGERS
ARCHITECTS ENGINEERS PLANNERS
2301 C ST., SUITE 100-B TEL 916.341.7740
SACRAMENTO, CA 95816 FAX 916.341.7747

OAK TREE EXHIBIT CAPITAL RESERVE

CITY OF ELK GROVE, CALIFORNIA
SEPTEMBER 16, 2014

ELK GROVE
CREEK



OAK TREE INVENTORY

| PROJECT ID | LOT | TREE ID | DATE | DBH (IN) | HT (FT) | TRUNK DBH (IN) | TRUNK HT (FT) | TRUNK DIA. (IN) | TRUNK SHAPE | TRUNK DEFECTS | TRUNK DAMAGE | TRUNK ROT | TRUNK CAVITIES | TRUNK CRACKS | TRUNK SPLIT | TRUNK BURSTS | TRUNK WOUNDS | TRUNK OTHER | TRUNK COMMENTS |
|------------|-----|---------|---------|----------|---------|----------------|---------------|-----------------|-------------|---------------|--------------|-----------|----------------|--------------|-------------|--------------|--------------|-------------|----------------|
| 1 | 10 | 101 | 9/16/14 | 12 | 15 | 12 | 15 | 12 | 15 | 12 | 15 | 12 | 15 | 12 | 15 | 12 | 15 | 12 | 15 |

LEGEND

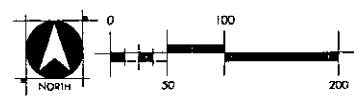
- PROJECT BOUNDARY
- TREE LOCATION & DIMPLE
- TREE TO BE REMOVED

ARBORIST

TREE INFORMATION HAS BEEN PROVIDED BY SERRA NEVADA ARBORISTS PER THE ARBORIST REPORT DATED 04/23/14 FOR THE CAPITAL RESERVE. THIS INFORMATION HAS BEEN FIELD VERIFIED BY BURRELL CONSULTING GROUP.

TOPOGRAPHY

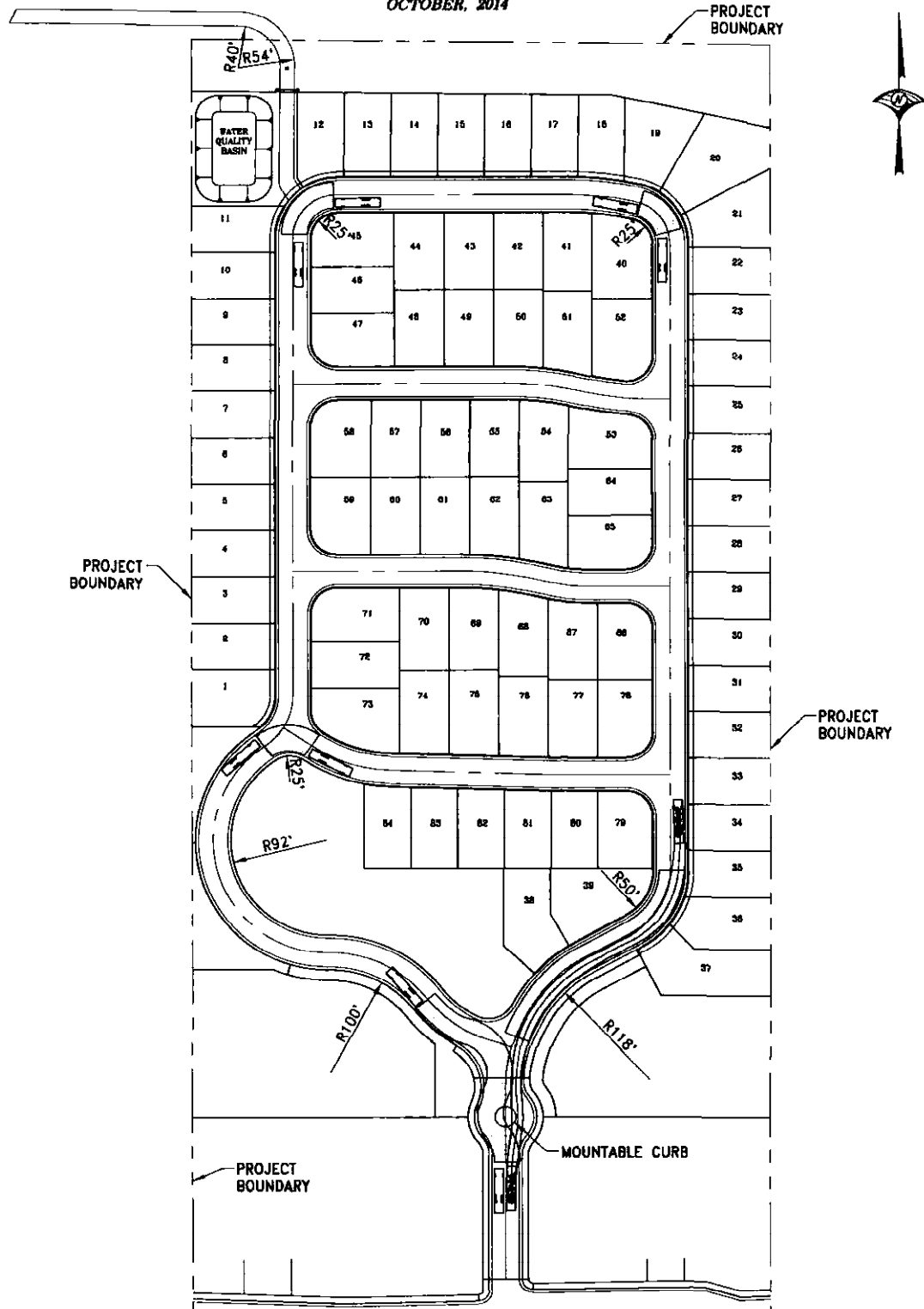
TOPOGRAPHICAL INFORMATION IS PROVIDED BY BURRELL CONSULTING GROUP, AND HAS NOT BEEN FIELD VERIFIED BY WOOD RODGERS, INC. ALL TOPOGRAPHICAL FEATURES AND ELEVATIONS ARE FOR INFORMATIONAL PLANNING PURPOSES ONLY.



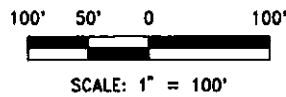
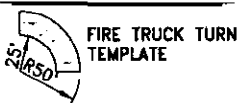
WOOD RODGERS
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3501 G St, Bldg. 100-B Sacramento, CA 95816
Tel: 916.341.7760 Fax: 916.341.7767

FIRE TRUCK TURN TEMPLATE EXHIBIT FOR
CAPITAL NURSERY
 PAPPAS INVESTMENTS

CITY OF ELK GROVE CALIFORNIA
 OCTOBER, 2014



LEGEND



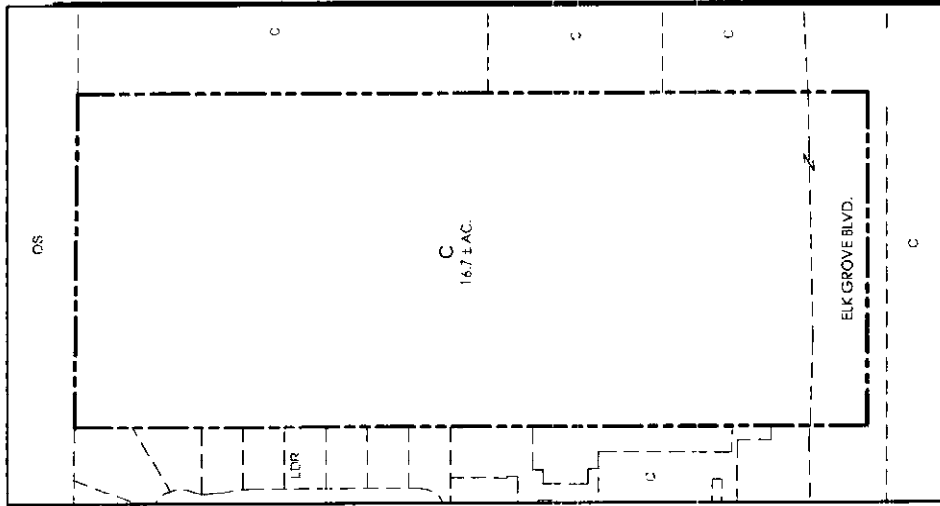
WOOD RODGERS
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 Sacramento, CA 95816 Fax 916.341.7767

GENERAL PLAN AMENDMENT EXHIBIT

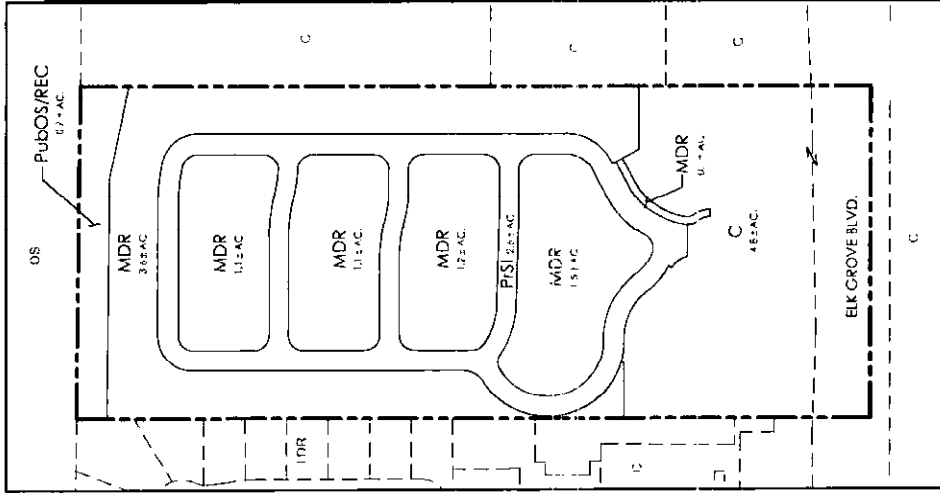
CAPITAL RESERVE

ELK GROVE, CALIFORNIA

JULY 2, 2014



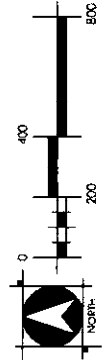
Existing General Plan



Proposed General Plan

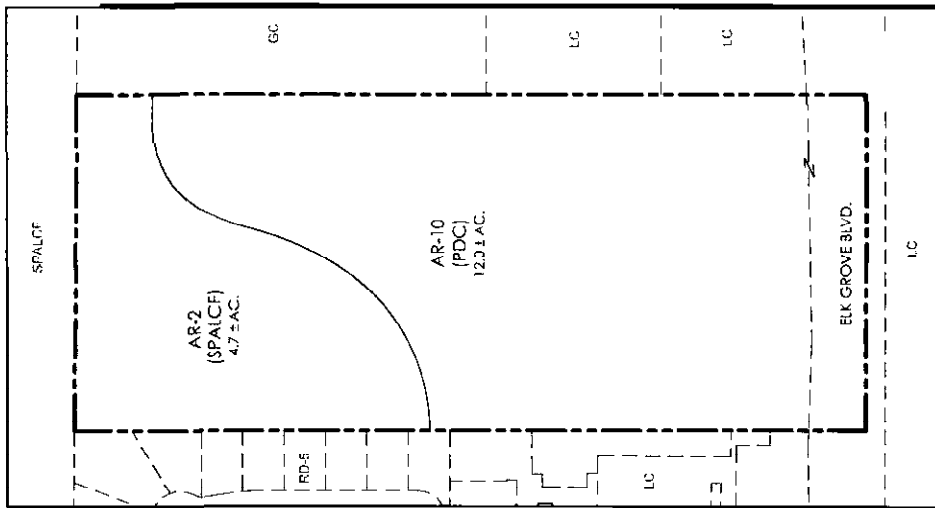
GENERAL PLAN AMENDMENT SUMMARY TABLE

| GENERAL PLAN DESIGNATION | LAND USE DESCRIPTION | EXISTING ACRE | PROPOSED ACRE | DIFFERENCE |
|--------------------------|----------------------------------|---------------|---------------|------------|
| MDR | MEDIUM DENSITY RESIDENTIAL | 0 | 8.6 | 8.6 |
| PubOS/REC | PUBLIC OPEN SPACE/DRAINAGE PKWY. | 0 | 0.7 | 0.7 |
| PISI | PRIVATE STREETS | 0 | 2.6 | 2.6 |
| C | COMMERCIAL | 16.7 | 4.8 | -11.9 |
| | | 16.7 | 16.7 | 0.0 |

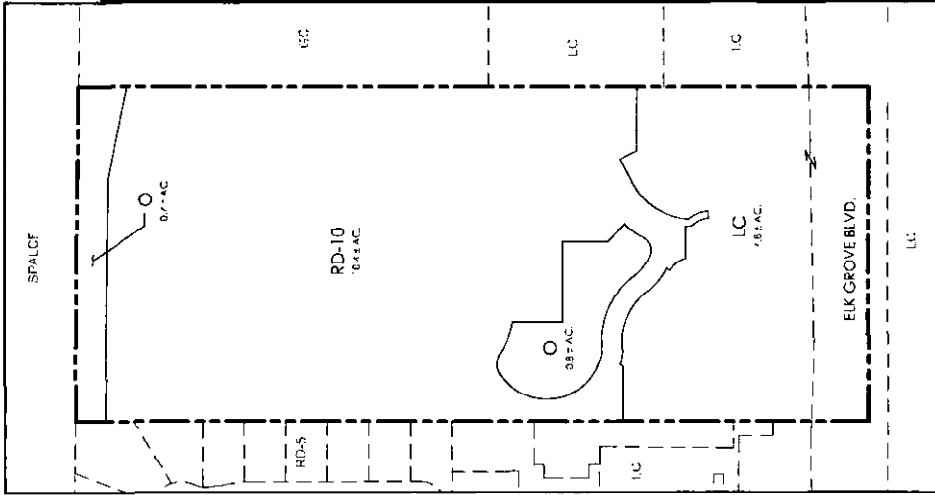


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 Fax 916.341.7757

REZONE EXHIBIT
CAPITAL RESERVE
 ELK GROVE, CALIFORNIA
 JULY 2, 2014



Existing Zoning



Proposed Zoning

REZONING SUMMARY TABLE

| ZONING DESIGNATION | LAND USE DESCRIPTION | EXISTING ACRE | PROPOSED ACRE | DIFFERENCE |
|--------------------|--------------------------------|------------------|------------------|------------|
| AR-10 (PDC) | AG-RESIDENTIAL 10 | 12.0 | 0.0 | -12.0 |
| AR-2 (SPALCF) | AG-RESIDENTIAL 2 | 4.7 | 0.0 | -4.7 |
| RD-10 | RESIDENTIAL DENSITY 10 | 0 | 10.4 | 10.4 |
| | PARK/OPEN SPACE/DRAINAGE PKWY. | 0 | 1.5 | 1.5 |
| LC | COMMERCIAL | 0 | 4.8 | 4.8 |
| | | 16.7 | 16.7 | 0.0 |

WOOD ROGERS
 DEVELOPING INNOVATIVE DESIGN SOLUTIONS
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 Sacramento, CA 95816
 Tel 916.341.7760
 Fax 916.341.7767

**Exhibit D
Capital Reserve (EG-14-008)
Conditions of Approval**

| | <u>Conditions of Approval</u> | <u>Timing/ Implementation</u> | <u>Enforcement/ Monitoring</u> | <u>Verification (date and Signature)</u> |
|-----------------|---|-----------------------------------|--------------------------------------|--|
| On Going | | | | |
| 1. | <p>The Project approved by this action is for a General Plan Amendment, Rezone, and Tentative Subdivision Map, and Design Review for subdivision layout as illustrated in the approved plans as follows (Exhibit B):</p> <ul style="list-style-type: none"> • Tentative Subdivision Map dated September 16, 2014 <p>Deviations from the approved plans shall be reviewed by the City of Elk Grove (City) for substantial compliance and may require amendment by the appropriate hearing body.</p> | On-Going | Planning | |
| 2. | <p>The Applicant/Owner or Successors in Interest (hereby referred to as the "Applicant") shall indemnify, protect, defend, and hold harmless the City, its officers, officials, agents, employees, and volunteers from and against any and all claims, damages, demands, liability, costs, losses or expenses including without limitation court costs, reasonable attorney's fees and expert witness fees arising out of this Project including challenging the validity of this approval or any environmental or other documentation related to approval of this Application.</p> | On-Going | Planning | |
| 3. | <p>This action does not relieve the Applicant of the obligation to comply with all codes, statutes, regulations, and procedures.</p> | On-Going | Planning | |
| 4. | <p>Except as otherwise specified or provided in these conditions, the Project shall conform to the development standards and design requirements adopted by the City, specifically including but not limited to the following:</p> <ul style="list-style-type: none"> • The City Zoning Code (Title 23 of the EGMC) • EGMC Chapter 19.12 (Tree Preservation and Protection) • EGMC Chapter 14.10 (Water Efficient Landscape Requirements) • EGMC Title 16 (Building and Construction) | On Going | Planning Public Works Building | |

| | <u>Conditions of Approval</u> | <u>Timing/ Implementation</u> | <u>Enforcement/ Monitoring</u> | <u>Verification (date and Signature)</u> |
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| 5. | <p>Unless shown as a standard deviation on the tentative map, the Applicant shall design and construct all improvements in accordance with the City Improvement Standards, as further conditioned herein, and to the satisfaction of Public Works. All street improvements shall include vertical curb and gutter, except adjacent to lots where front-on residential access is provided, in which case street improvements shall include rolled curb and gutter. Specific locations on median(s) that require emergency vehicle access will be evaluated during review and acceptance of the Improvement Plans.</p> <p>Public sewer, water, and other utility infrastructure shall be designed and constructed in accordance with the standards of the appropriate utility.</p> | On Going | Public Works SCWA SASD SMUD PG&E | |
| 6. | <p>The Applicant shall pay all plan check fees, impact fees, or other costs as required by the City, the Cosumnes Community Services District (CCSD), Sacramento Area Sewer District (SASD), Sacramento County Water Agency (SCWA), or other agencies or services providers as established by law.</p> | On-Going | Planning Public Works CCSD SCWA SASD | |
| 7. | <p>Approval of this Project does not relieve the Applicant from the requirements of subsequent permits and approvals, including but not limited to the following:</p> <ul style="list-style-type: none"> • Grading Permit and Improvement Plan • Final Map • Building Permit and Certificate of Occupancy • Section 404, 401, 1602, or other State or Federal environmental permit (if applicable) • Requirements of the Sacramento Metropolitan Air Quality Management District • Fire permit • Environmental Management Department approval (if applicable) | On-Going | Planning Public Works Building CCSD SCWA SASD | |
| 8. | Water supply will be provided by the Sacramento County Water Agency. | On-Going | SCWA | |
| 9. | The Applicant shall provide public water service to each building. | On-Going | SCWA | |
| 10. | The park site (Lot F) shall be maintained by a Homeowners Association. | On-Going | CCSD Parks | |
| 11. | The driveways on Elk Grove Blvd shall be limited to right- in/right-out turn movements only. | On--Going | Public Works | |

| | <u>Conditions of Approval</u> | <u>Timing/Implementation</u> | <u>Enforcement/Monitoring</u> | <u>Verification (date and Signature)</u> |
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| Improvement Plans | | | | |
| 12. | Comply with, record, and pay the initial deposit for the Mitigation Monitoring and Reporting Programs (MMRPs) associated with Capital Reserve Project and the 2013-2021 Housing Element. Until the MMRP has been recorded, no final subdivision map for the subject property shall be approved and no grading, building, sewer connection, water connection, or occupancy permit from the City or County will be approved. | Prior to issuance of any plans or permits associated with this project the applicant shall Record the MMRP. | Planning 1. MMRP Recorded | |
| 13. | A deposit of \$8,000 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 | |
| 14. | 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. A note stating the above shall be placed on the Improvement Plans. | Improvement Plan | Planning | |
| 15. | 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. A note stating the above shall be placed on the Improvement Plans | Improvement Plans | Planning | |

| | <u>Conditions of Approval</u> | <u>Timing/ Implementation</u> | <u>Enforcement/ Monitoring</u> | <u>Verification (date and Signature)</u> |
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| 16. | Applicant shall prepare and submit a drainage study to the satisfaction of Public Works and in accordance with City of Elk Grove Storm Drainage Master Plan, Improvement Standards, General Plan, and any specific, area, or master plans. | Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) | Public Works | |
| 17. | The Applicant shall prepare and submit a Post-Construction Stormwater Quality Control Plan in accordance with the City of Elk Grove Improvement Standards and most recent version of the <i>Stormwater Quality Design Manual</i> for the Sacramento Region. The Applicant shall also submit a separate maintenance manual describing proper maintenance practices for the specific treatment controls to be constructed. | Prior to Improvement Plan Approval and Prior to Issuance of Grading Permits | Public Works | |
| 18. | The Applicant shall execute a maintenance agreement with the City for stormwater quality control treatment devices to the satisfaction of Public Works. | Improvement Plan | Public Works | |
| 19. | The landscape easement along Elk Grove Boulevard shall be landscaped consistent with the existing streetscape improvements along the Boulevard and per the Elk Grove Design Guidelines. | Improvement Plans | Planning | |
| 20. | The Applicant shall use graffiti-resistant paint, clear graffiti resistant coating, or climbing vegetation on all masonry walls, to the satisfaction of the Planning Department. | Improvement Plans | Planning | |
| 21. | The Applicant shall submit landscape improvement plans (minimum planting, irrigation, and grading) meeting the requirements of the City's Zoning Codes, Elk Grove Design Guidelines for Residential Development, and the Water Efficient Landscape Ordinance (WELO) for the following: all lettered Landscape Lots, lettered Park Lots, open space lots (if improved), and any residential model home landscapes, and production typical landscapes meeting the thresholds of the WELO. | Improvement Plans | Landscape | |
| 22. | The Applicant shall submit landscape and civil improvement plans and specifications for the park site and trail to the CCSD for review and approval. | Improvement Plans | CCSD Parks | |
| 23. | The Applicant shall construct and install the park site and trail according to plans and specifications approved by the City and CCSD. | Improvement Plans | CCSD Parks | |

| | <u>Conditions of Approval</u> | <u>Timing/ Implementation</u> | <u>Enforcement/ Monitoring</u> | <u>Verification (date and Signature)</u> |
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| 24. | The Applicant shall install full or partial open fencing as directed by the CCSD, consisting of half-height block wall and half-height tubular steel. The fencing shall be installed on all homeowner parcels along the open space corridor. Fence specifications shall be approved by CCSD. The fence shall be located on the homeowners' property. Accordingly, general maintenance, repair, or replacement of the fence is the responsibility of the homeowner. | Improvement Plans/On-Going | CCSD Parks | |
| 25. | Connection to the SASD sewer system shall be required to the satisfaction of SASD. SASD Design Standards apply to any on-site and off-site sewer construction. | Improvement Plan Submittal | SASD | |
| 26. | Each parcel with a sewage source shall have a separate connection to the SASD public sewer system. If there is more than one building in any single parcel and the parcel is not proposed for split, then each building on that parcel shall have a separate connection to a private on-site sewer line or SASD public sewer line. | Improvement Plan Submittal | SASD | |
| 27. | Sewer easements may be required. All sewer easements shall be dedicated to SASD, in a form approved by the District Engineer. All SASD sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance. SASD will provide maintenance only in public right-of-ways and in easements dedicated to SASD. | Improvement Plan Submittal | SASD | |
| 28. | SASD shall require an approved sewer study prior to recordation of Final Map or submittal of improvement plans for plan check to SASD, whichever comes first. The sewer study shall demonstrate the quantity of discharge and any "flow through sewage" along with appropriate pipe sizes and related appurtenances from this subject and other upstream areas and shall be done in accordance with the SASD's most recent "Minimum Sewer Study Requirements". The study shall be done on a no "Shed-Shift" basis unless approved by SASD in advance and in compliance with the SASD Design Standards. | Improvement Plan Submittal or Final Map, whichever occurs first | SASD | |
| 29. | The Applicant shall provide separate public water to each parcel. All water lines within a public right-of-way or within easements dedicated to SCWA. Easements shall be reviewed and approved by Sacramento County Water Agency prior to Improvement Plan approval of Final Map approval, whichever occurs first. | Improvement Plan Submittal or Final Map, whichever occurs first | SCWA | |

| | <u>Conditions of Approval</u> | <u>Timing/Implementation</u> | <u>Enforcement/Monitoring</u> | <u>Verification (date and Signature)</u> |
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| 30. | The Applicant shall destroy all abandoned wells on the proposed Project site in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned/destroyed wells on the improvement plans for the project. Prior to abandoning any existing agricultural wells, Applicant shall use water from agricultural wells for grading and construction. | Improvement Plans | SCWA | |
| 31. | All entrance points shall meet minimum fire department turning radius of 25 feet inside and 50 feet outside. | Improvement Plans | CCSD Fire | |
| 32. | The Applicant shall provide a trail (10-foot wide AC with 2-foot wide Decomposed Granite of either side) that connects Street B through Lot G to Laguna Springs Drive. The trail shall be located on the south side of Elk Grove Creek within the landscape corridor. | Improvement Plans | CCSD Parks | |
| 33. | The park site (Lot F) shall be designed and constructed in accordance with CCSD park standards including the provision of a playground and picnic facilities subject to CCSD review and inspection if the park is to receive any portion of a Quimby in lieu credit. Any such credit shall comply with the provisions of EGMC Chapter 22.40 (Park and Recreation Dedication and Fees). | Improvement Plans | CCSD Parks | |
| 34. | The Applicant shall submit landscape and civil improvement plans and specifications for corridors to the CSD for review and approval. | Improvement Plans | CCSD Parks | |
| 35. | The Applicant shall design and install Lot 'I' Entry as a 35' commercial driveway in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. | Improvement Plans | Public Works | |
| 36. | The Applicant shall design and install a landscape corridor and 6' sidewalk adjacent to Elk Grove Blvd as shown on the tentative map along the project frontage to the satisfaction of Public Works. | Improvement Plans | Public Works | |

| | <u>Conditions of Approval</u> | <u>Timing/ Implementation</u> | <u>Enforcement/ Monitoring</u> | <u>Verification (date and Signature)</u> |
|------------------|--|--|---------------------------------|--|
| Final Map | | | | |
| 37. | <p>The Applicant shall provide an emergency vehicular access to the Project site. The access shall be defined to the satisfaction of Public Works, in consultation with Cosumnes Community Services District Fire Department, prior to recordation of the first Final Map. The access shall be improved, to the satisfaction of the City, prior to the issuance of the 30th residential Building Permit.</p> <p>The trail required in Condition #32 may, in the sole discretion of the City, satisfy this requirement subject to design and construction to City and CCSD Fire satisfaction. This may include additional paved width and structural design to support fire apparatus access and concurrent resident evacuation.</p> | Defined prior to recordation of the First Final map/Improved prior to issuance of 30 th Residential Building Permit | CCSD Fire/Public Works/Planning | |
| 38. | The Applicant shall dedicate to the City of Elk Grove a 20' wide access easement within Lot 'G' to the satisfaction of Public Works. | Final Map | Public Works | |
| 39. | The Applicant shall record a reciprocal access and parking agreement between Lots 'J' and 'K' and Lots 'E' and 'L' including but not limited to common area ownership, maintenance, joint access and parking to the satisfaction of Public Works. | Final Map | Public Works | |
| 40. | The Applicant shall dedicate all private streets as an easement to allow access for services such as utility and emergency vehicles. | Final Map | Public Works | |
| 41. | The Applicant shall dedicate, design, and construct a right-turn pocket for the Project's entrances on Elk Grove Blvd as shown on the tentative map to the satisfaction of Public Works. | Final Map | Public Works | |
| 42. | No future driveways shall be permitted along Elk Grove Blvd. except for the driveways shown on the tentative parcel map. | Final Map | Public Works | |
| 43. | The Applicant shall dedicate a 12.5 foot public utility easement to the City of Elk Grove for underground facilities and appurtenances adjacent to all public streets. | Final Map | Public Works | |
| 44. | The Applicant shall dedicate an access easement over Lot 'I' as shown on the tentative map. | Final Map | Public Works | |
| 45. | Lot 'H' shall be dedicated to the City of Elk Grove in fee title to the satisfaction of Public Works. | Final Map | Public Works | |

| | <u>Conditions of Approval</u> | <u>Timing/ Implementation</u> | <u>Enforcement/ Monitoring</u> | <u>Verification (date and Signature)</u> |
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| 46. | <p>All parcels to be dedicated in fee to the City, as a condition of this tentative map (Lot H), shall not be encumbered with any easements nor shall it be subject to a deed of trust at the time of the dedication on the final map. A partial re-conveyance for any deed of trust shall be submitted along with the final map for City Council Approval. The Applicant shall also provide title insurance in conjunction with all fee title dedications to the City of Elk Grove.</p> | Final Map | Public Works | |
| 47. | <p>The granting of any easement to any other person(s) or entity, once the tentative map has been approved is prohibited, unless otherwise approved by the City. Should such grant be inadvertently provided it shall be subordinated to any dedication of streets or easements to the City of Elk Grove as shown on the final map. A subordination document shall be submitted along with the final map for City Council approval.</p> | Final Map | Public Works | |
| 48. | <p>Prior to the Final Map the Project 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, 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 www.elkgrovecity.org/finance/financial-planning-division/cfd-information.htm</p> | Final Map | Finance | |
| 49. | <p>Prior to Final Map, the Project shall annex into the Storm Water Drainage Fee Zone 2 to fund a portion of the additional costs for storm water drainage and run-off maintenance related to serving the new development. 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 Levy Storm Water Drainage Fee Zone 2 assessments. For further information on this District, see http://www.elkgrovecity.org/finance/assessment-other-dist-info.asp.</p> | Final Map | Finance | |

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| 50. | Prior to Final Map, the Project shall annex into the Street Maintenance Assessment District No. 1 Zone 3 or a Street Maintenance Community Facilities District to fund a portion of the additional costs for long-term roadway maintenance related to serving the new development. 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 Levy Street Maintenance Assessments. For further information on this District, See http://www.elkgrovecity.org/finance/assessment-other-dist-nfo.asp . | Final Map | Finance | |
| 51. | Prior to the recordation of the Final Map, the property owner(s) shall approve an annual Mello-Roos Community Facilities District special tax to fund a portion of the cost of the District's fire and emergency services, maintenance, operation, and repair and replacement of fire station facilities, and fire and emergence equipment. In the event that property owner(s) fails to approve the annual special tax, no building permits for the property shall be issued. | Final Map | CCSD Fire | |
| 52. | A street name, from the City of Elk Grove Veterans Street Name Program, if available shall be assigned to the Project for use on a street within the subdivision in accordance to City Policy and to the satisfaction of Public Works. | Final Map | Public Works | |
| Building Permit/Certificate of Occupancy | | | | |
| 53. | The Applicant shall reconstruct any deteriorated curb, gutter, sidewalk and/or pavement, and ADA compliance improvements along the Project's frontage to the satisfaction of Public Works. If pavement replacement is required, the Applicant may be required to grind, overlay, and/or slurry seal per City of Elk Grove Improvement Standards and to the satisfaction of Public Works. | Prior to Issuance of Building Permit | Public Works | |
| 54. | The Applicant shall install landscape screening along the western property line (Residential Lots #2 thru 11) adjacent to the existing single-family homes on Swanbrook Court to the satisfaction of the Planning Director. The rear-yard setback for Lots #2 thru 11 shall be 15 feet. Landscaping may be included within the setback. | Prior to Issuance Certificate of Occupancy for Lots #2 thru 11 | Planning | |
| 55. | The Applicant shall install an 8-foot tall wood fence along the western property line (Residential lots #2 thru 11) adjacent to the existing single-family homes on Swanbrook Court to the satisfaction of the Planning Director. | Prior to Issuance Certificate of Occupancy for Lots #2 thru 11 | Planning | |

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| | Acceptance of Public Improvements | | | |
| 56. | Identification signage issued by Public Works shall be mounted by the Applicant during streetlight installation in accordance with the approved plans. | Prior to Acceptance of Public Improvements | Public Works | |

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2014-284

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

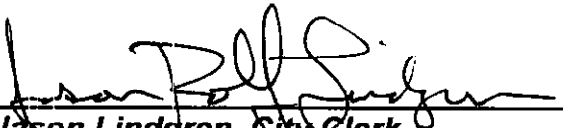
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on December 10, 2014 by the following vote:

AYES : COUNCILMEMBERS: Davis, Hume, Detrick, Ly, Suen

NOES: COUNCILMEMBERS: None

ABSTAIN : COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None


Jason Lindgren, City Clerk
City of Elk Grove, California