

RESOLUTION NO. 2023-089

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AFFORDABLE HOUSING REGULATORY AGREEMENT WITH 8310 POPPY RIDGE LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, FOR THE PARDES PROJECT

WHEREAS, 8310 Poppy Ridge LLC, a California limited liability company (“Developer”) proposes to develop a total of 236 units of rental housing (the “Project”) at a site located on the southeast corner of Poppy Ridge Road and Big Horn Boulevard (APNs 132-0290-053 and 132-0290-054) (the “Property”); and

WHEREAS, the Project as proposed includes a total of 12 units affordable to households earning fifty (50) percent or less of the area median income; and

WHEREAS, the Project as proposed requires approval of a density bonus to allow a concession/incentive for reduced parking requirements; and

WHEREAS, Section 23.50.030 of the Elk Grove Municipal Code (EGMC) requires that prior to the award of a density bonus and any related incentives or concessions, the Developer must enter into an agreement with the City to ensure the continued affordability of all target units; and

WHEREAS, new residential development is subject to certain fees, which are charged to recover the cost of infrastructure and amenities with a nexus to the residential development (“Impact Fees”); and

WHEREAS, such Impact Fees include the Affordable Housing Fee, as established in Chapter 16.88 of the EGMC, for the purpose of funding affordable housing programs and projects as approved by the City Council or designated body; and

WHEREAS, pursuant to EGMC Section 16.88.050(B)(2), affordable housing units that are deed-restricted as such for a minimum term of thirty (30) years are not subject to the residential affordable housing fee; and

WHEREAS, “deed-restricted” means a contract or agreement limiting the use and/or resale of the property in such a way that it will continue to provide affordable housing to low-income households or very low-income households for a specified period of time, and to which the City is a party; and

WHEREAS, the Developer desires to enter into an Affordable Housing Regulatory Agreement (“Regulatory Agreement”), to deed-restrict the Property, which, following execution of the Regulatory Agreement, the 12 regulated units are not subject to the City’s Affordable Housing Fee and is in compliance with Section 23.50.030(H) of the EGMC; and

WHEREAS, approval of the Regulatory Agreement does not qualify as the approval of a “project” subject to the California Environmental Quality Act (CEQA) because it will result in no direct physical effect on the environment, and is, therefore, exempt from CEQA. (Pub. Res. Code § 21065, CEQA Guidelines §§ 15060(c)(2),(3); 15378(a)).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby authorizes the City Manager to execute the Regulatory Agreement with 8310 Poppy Ridge LLC, a California limited liability company for The Pardes Project, in substantially the form presented, subject to approval as to form by the City Attorney.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 26th day of April 2023




BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:


JONATHAN P. HOBBS,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2023-089

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 April 26, 2023 by the following vote:

AYES: **COUNCILMEMBERS:** *Singh-Allen, Spease, Brewer, Robles, Suen*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California