

RESOLUTION NO. 2001-07

**A RESOLUTION OF THE CITY COUNCIL
OF THE
CITY OF ELK GROVE
ADOPTING
THE PEDERSEN GREENS OPEN SPACE MANAGEMENT PLAN EG-00-047**

WHEREAS, the Pedersen Greens Project (County Control Number: 97-GPB-CZB-ZOB-SDP-SPP-ABE-0169) for a General Plan Amendment, Community Plan Amendment and Rezone, Zoning Ordinance Amendment, Release from prior Zoning Agreements, Tentative Subdivision Map, Special Development Permit, and an Abandonment was approved by the Board of Supervisors on January 27, 1999; and

WHEREAS, the Pedersen Greens Project included as a mitigation measure the creation and implementation of an open space management plan with specific details contained in Condition b(10) for the trail system along Laguna Creek; and

WHEREAS, City Council approval of the Open Space Management Plan is required prior to recordation of a Subdivision Map and prior to approval of development plans for Lot B of the Pedersen Project; and

WHEREAS, the Pedersen Greens Open Space Management Plan dated November, 2000 was approved by the Elk Grove Community Services District in December 2000; and

WHEREAS, the City of Elk Grove Planning Department received and reviewed the November 2000 Pedersen Greens Open Space Management Plan that includes details for the construction of a 35-foot wide trail corridor, 0.42-acre trailhead, signage and fencing, landscaping of the northern and southern banks of the bypass channel, and monitoring and maintenance programs; and

WHEREAS, establishment of the trail corridor and trailhead discussed in the Plan would allow for public recreation opportunities and resource preservation along the Lower Laguna Creek Drainage Corridor; and

WHEREAS, City Council has reviewed the proposed Open Space Management Plan and finds that it meets the requirements of Condition b(10) of the Pedersen Project; and

WHEREAS, the project is Categorically Exempt from the California Environmental Quality Act as a Class 8 Exemption (CEQA §15308).

NOW, THEREFORE, BE IT RESOLVED, that the Elk Grove City Council hereby adopts the Pedersen Greens Open Space Management Plan for the property with Assessor's Parcel Numbers: 116-0011-094, 116-0011-095, 116-0011-097, 116-0011-098, 116-0011-100, 116-0011-102, 116-0011-104, 116-1210-100, 116-1270-033, 116-1270-039, 116-1280-060, subject to the attached Conditions of Approval (Exhibit A).

The foregoing resolution was passed and adopted by the City Council, at a regular meeting thereof this 21st day of February, 2001, by the following vote, to wit:

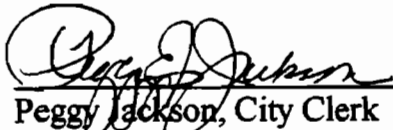
AYES: Briggs, Leary, Scherman, Soares, Cooper

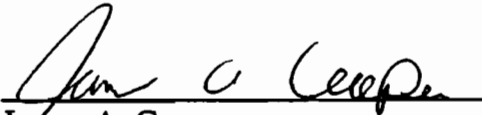
NOES: None

ABSENT: None

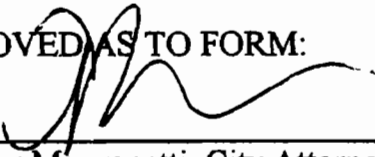
ABSTAIN: None

ATTEST:


Peggy Jackson, City Clerk
City of Elk Grove


James A. Cooper
Mayor, City of Elk Grove

APPROVED AS TO FORM:


Anthony Manzanetti, City Attorney
City of Elk Grove

**CITY COUNCIL
CONDITIONS OF APPROVAL
For
EG-00-047**

***Pedersen Greens Open Space Management Plan
February 21, 2001***

The following conditions apply to the Use Permit. Please note that most Conditions of Approval are time sensitive and must be completed at the time(s) stated.

Conditions of Approval:

1. The development approved by this action is for an Open Space Management Plan as described in the City Council report and associated Exhibits and Attachments dated February 21, 2001.
2. The northern terminus of the trail has no provision for northbound bicycle traffic to cross Center Parkway. Signage shall be provided at the kiosk/parking area directing northbound traffic to the signalized intersection.
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.
4. This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures. Any required subsequent procedural actions shall take place within 36 months of the date on which the permit became effective or this action shall automatically be null and void.