

## **RESOLUTION NO. 2004-50**

### **A RESOLUTION OF THE CITY OF ELK GROVE CITY COUNCIL TO ADOPT APPROVAL OF REVISIONS TO PROJECT REQUESTS 1, 3, 5, 6, 7, 8 AND 9 (ADDENDUM) AS PETITIONED IN AN APPEAL UNDER PROJECT NO. EG-03-556**

**WHEREAS**, the Planning Division of the City of Elk Grove received an application on December 18, 2003 from Shell Gas (c/o RHL Design Group) appealing the decision by City of Elk Grove Planning Commission on the proposed improvements to the existing Shell Gas Station located at 8901 Elk Grove Blvd. (APN 125-015-030) filed under EG-03-459; and

**WHEREAS**, the City Council is the appropriate authority to hear and take action on this project after a consideration by the City of Elk Grove Planning Commission on December 11, 2003; and

**WHEREAS**, the project has been deemed categorically exempt under section 15302 the California Environmental Quality Act (CEQA); and

**WHEREAS**, the City Council considered the project request pursuant to Old Town Special Planning Area (OTSPA) Ordinance, and all other applicable state and local regulations;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ELK GROVE  
HEREBY RESOLVES AS FOLLOWS:**

1. Approve appeal of Project Requests 1, 3, 5, 6, 7, 8, as revised, and addendum 9, subject to findings, conditions of approval (Exhibit A) and illustrations in Exhibit B.

#### **A. California Environmental Quality Act**

**Finding:** The project is exempt from further environmental review under CEQA (Section 15302).

**Evidence:** The project consists of minor improvements of an existing facility and construction of small accessory structure (monument sign).

#### **B. General Plan and Special Planning Area Consistency**

**Finding:** The project proposal is in substantial conformance with the goals and policies of the City of Elk of General Plan and the Old Town Elk Grove Special Planning Area Ordinance.

**Evidence:** As evaluated, the proposed materials and colors under the revised project requests 1, 3, 5, 6, 7, 8 and addendum 9 substantially conforms to the standards of the Old Town Elk Grove Special Planning Area.

C. Development Plan Review (DPR)

Finding: The following findings must be made pursuant to §506-46(e) of the Elk Grove Old Town Special Planning Area Ordinance:

- a. The theme is compatible with neighboring uses;
- b. The theme is compatible with the historical character of the community; and
- c. Adverse aspects (if any) of the use can be mitigated and will not affect the economic viability of the area.

Evidence: The proposed improvements are permitted uses in the Elk Grove Old Town Special Planning Area and are substantially consistent with surrounding commercial and office uses in the area. The proposed materials are substantially consistent with the existing structures in Old Town Elk Grove. No adverse aspects of the project have been identified.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove on this 17<sup>th</sup> day of March 2004.

  
SOPHIA SCHERMAN, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

  
ANTHONY B. MANZANETTI,  
CITY ATTORNEY

<u>Conditions of Approval / Mitigation Measure</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<b>A. On-Going</b>				
1.	The development approved by this action is for the project plans under application EG-03-459 received 11/17/03. The project is further described in the revisions detailed in the City Council staff report dated March 17, 2004, and as illustrated by the Attachment B and C.	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	
<b>B. Prior to Approval of Building Permits</b>				
4.	The proposed monument sign (under request 8) shall be constructed in accordance with the submitted drawings approved by the City Council on March 17, 2004.	Prior to Approval of Building Permits	Planning Department	
5.	The proposed monument sign shall maintain its approved location outside of the designated visibility easement.	Prior to Approval of Building Permits	Planning Department	
6.	As applicable, building permit plans shall reflect the approved revised project request nos. 1, 3, 5, 6, 7, 8, and 9 detailed in the City Council staff report dated March 17, 0024. The installation of the canopy sign under project request no. 6 shall not be internally illuminated.	Prior to Approval of Building Permits	Planning Department	

***General Information and Compliance Items:***

The following items are noted for the applicant's information. These items are required by other local agencies, the City, state or federal agencies, and are not conditions of approval of the project.

- a. Fire access shall be provided so that the furthest opening of the home is not more than 150 feet from the access point (CSD Fire).
- b. Hydrants capable of supplying 1000 gpm shall be provided within 250 feet of the furthest point of the home (CSD Fire).
- c. If access or water supply cannot be met, the home may be provided with automatic fire sprinklers (CSD Fire).
- d. Permits and/or fees are required for the following reviews: site plan, Park & Recreation review fee, architectural plans, fire sprinkler plans and fire alarm plans (CSD Fire).
- e. A permit release letter from the Elk Grove Community Services District Fire Department (EGCSDFD) shall be required prior to issuance of any construction permits (CSD Fire).
- f. Dead-end streets in excess of 150 feet require approved emergency vehicle turn-arounds (CSD Fire).
- g. All required roadways, water mains, fire hydrant and fire flow shall be provided prior to the existence of any combustible construction or storage in this development. The roadways shall be constructed to a 20-foot minimum width with a minimum of 3 inches of AC over 6 inches of AB and shall have good drainage (CSD Fire).
- h. The installation of on-site or off-site fire protection equipment, including fire hydrants and water mains, shall meet the standards of the EGCSDFD and the water purveyor having jurisdiction (CSD Fire).
- i. The installation of roadway gates, addresses, landscaping, pipe bollards, fuel tanks, masonry sound walls, tree wells and/or traffic islands are subject to standards outlined by the EGCSDFD (CSD Fire).
- j. Gravity sewer services may not be available to the entire project area (CSD-1).
- k. The project shall conform to the specific provisions of the City of Elk Grove Water Conservation Ordinance (formerly Chapter 14.10 of the Sacramento County Code) to the satisfaction of the City's Landscape/Oak Tree Coordinator.
- l. Unless otherwise noted, all improvements and fees shall be at the expense of the developer, including any fee required by the Sacramento County Water Agency Code.
- m. Pay all appropriate development fees charged by the City and other Special Districts providing services to the site.

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2004-50**

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

***I, Peggy E. Jackson, 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 the 17<sup>th</sup> day of March 2004 by the following vote:***

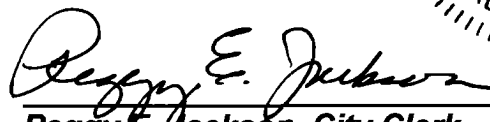
**AYES 5:     COUNCILMEMBERS: Scherman, Soares, Briggs, Cooper, Leary**

**NOES 0:     COUNCILMEMBERS:**

**ABSTAIN 0: COUNCILMEMBERS:**

**ABSENT 0: COUNCILMEMBERS:**



  
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**Peggy E. Jackson, City Clerk**  
**City of Elk Grove, California**