

RESOLUTION NO. 2002-166

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A TENTATIVE SUBDIVISION MAP FOR ASSESSOR PARCEL NUMBER 121-0910-029, SHADOWBROOK LOT A EG-02-276, SUBJECT TO THE FINDINGS AND CONDITIONS OF APPROVAL

WHEREAS, Shadowbrook Lot A, represented by D.R. Horton (hereinafter referred to as Applicants) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Community Plan Amendment changing the 2.23 acre designation from Open Space to Residential, a request to Rezone 2.23 acres from O to RD-7, a Tentative Subdivision Map to divide the 2.23 acres into thirteen single family lots, and lot AA (Assessor Parcel Number 121-0910-029); and

WHEREAS, the City Council is the appropriate authority to hear and take action on this project after a recommendation by the Planning Commission; and

WHEREAS, an Initial Study was prepared for this project and a Notice of Intent to Adopt a Negative Declaration was prepared and circulated according to the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission considered the Applicant's request at a public hearing on August 29, 2002 and recommended City Council approval of the project.

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

1. Adopt the Negative Declaration prepared for Shadowbrook Lot A project and direct staff to file a Notice of Determination.
2. Approve the Shadowbrook Lot A Tentative Subdivision Map (Exhibit A) and the Conditions of Approval (Exhibit B) based on the following findings.
 - a. Finding: The proposal will not have a significant adverse impact on the environment and a Negative Declaration has been prepared and completed in accordance with the California Environmental Quality Act (CEQA).

Evidence: An Initial Environmental Study was prepared for the proposed project and all impacts have been eliminated or reduced to a level of non-significance. On the basis of the Negative Declaration, comments received, and the whole record, there is no substantial evidence that the project will have a significant adverse impact on the environment.

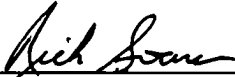
- b. Finding: Section 66474 of the California Subdivision Map Act requires a City to deny approval of a tentative map if it makes any of the following findings:

- 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 are 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: The above Findings #a. through #g. do not apply to the proposed Tentative Subdivision Map.


- a. The proposed map is consistent with the density limits as specified in the Elk Grove Community Plan and Elk Grove General Plan.
- b. The design or improvements of the proposed subdivision are consistent with the Elk Grove Community Plan and Elk Grove General Plan.
- c. The site is physically suitable for the development. The applicant is proposing 13 single-family lots on a total of 2.23 acres, which conforms to the allowable densities in the Zoning Code.
- d. The site is physically suitable for the proposed density of development. The applicant is proposing 13 single-family lots on a total of 2.23 acres, which conforms to the allowable densities of the RD-7 zoning.
- e. The Negative Declaration prepared for the project determined that potential environmental impacts from the design of the subdivision or the proposed improvements have been eliminated or reduced to a level of non-significance with implementation of the proposed conditions of approval.
- f. The Negative Declaration prepared for the project determined that potential serious health problems were not identified for the project or have been reduced to a level of non-significance with implementation of the proposed conditions of approval.
- g. No conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision, have been identified.

PASSED AND ADOPTED by the City Council of the City of Elk Grove on this 18th day of September 2002.

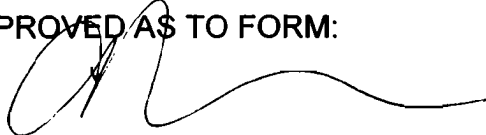


RICK SOARES, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

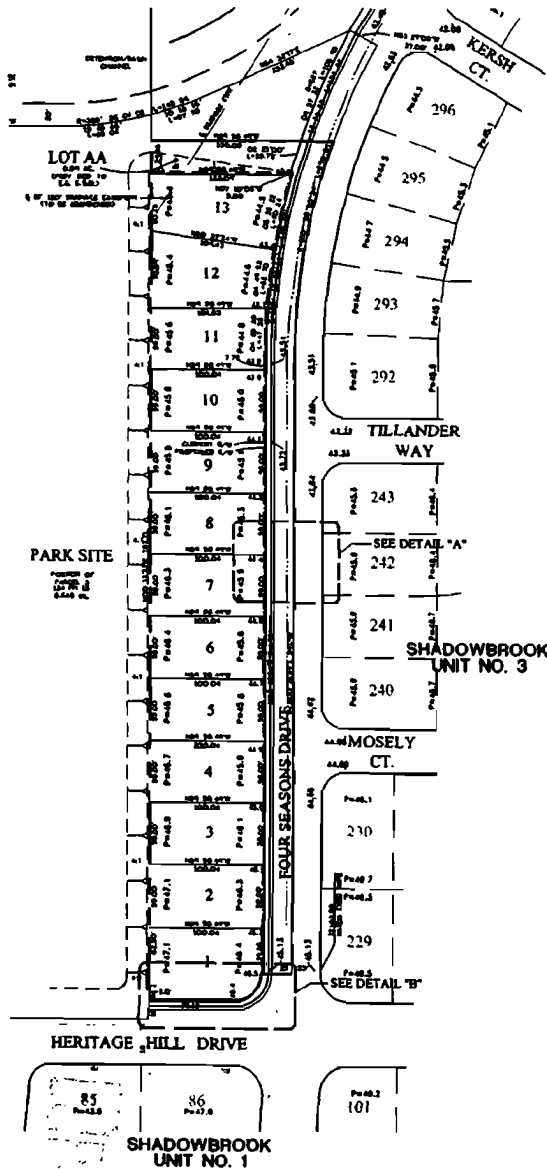
APPROVED AS TO FORM:


ANTHONY B. MANZANETTI,
CITY ATTORNEY

AYES: Soares, Briggs, Scherman,
Leary, Cooper
NOES: None
ABSTAIN: None
ABSENT: None

TENTATIVE SUBDIVISION MAP LOT "A" OF SHADOWBROOK UNIT 2

CITY OF ELK GROVE, CALIFORNIA
JUNE 19, 2002



LAND USE	NET AREA(A3)	DWELLING UNITS	NET DENSITY
LOW DENSITY RESIDENTIAL (20-2500 SF LOTS)	171	13	-
LOW DENSITY RESIDENTIAL (2501-3500 SF LOTS)	0.04	-	-
PUBLIC STREETS	0.43	-	-
TOTALS	2.23	13	5.84

PROJECT NOTES

APPLICANT/DEVELOPER/OWNER
 BE HATCH
 4401 FAIRWAY AVE. #130
 FIVE CREEK, CA 95630
 CONTACT: JOHN ZELINGER
 PHONE: 916 358-2300

PLANNER/ENGINEER
 WOOD-RODGERS INC.
 3301 C STREET, BLDG. 100-8
 SACRAMENTO, CA 95816
 CONTACT: SEAN METTE
 PHONE: 916 341-7760

ASSASSAGE'S PARCEL NO.
 121-090-029

AREA OF PROPOSED TENTATIVE SUBDIVISION MAP
 2.23ACRES (26046) LACRAMES CDT

NUMBER OF LOTS
 13 SINGLE FAMILY RESIDENTIAL LOTS
 LOT AA

EXISTING USE
 VACANT

PROPOSED USE
 SINGLE FAMILY RESIDENTIAL

EXISTING ZONING
 0

PROPOSED ZONING
 R2-1

CARE DISTRICT
 ELK GROVE COMMUNITY SERVICES DISTRICT

FIRE PROTECTION
 ELK GROVE COMMUNITY SERVICES DISTRICT

SCHOOL DISTRICT
 ELK GROVE UNIFIED SCHOOL DISTRICT

SEWER
 SACRAMENTO COUNTY ZONE 40

ATMOSPHERIC DRAIN
 S.A.C.S.D. AND S.A.P-1

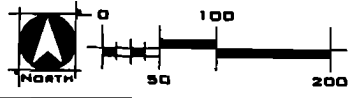
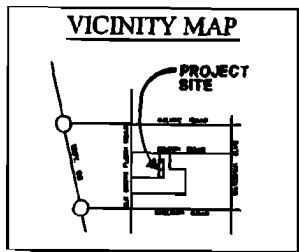
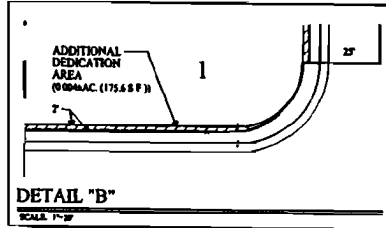
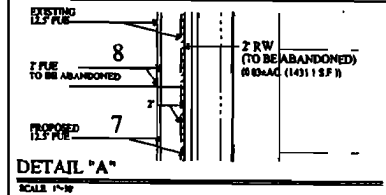
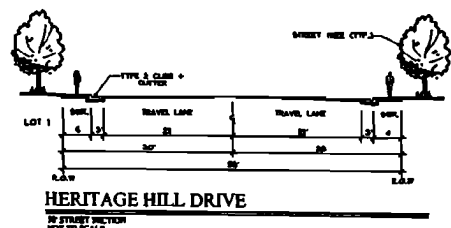
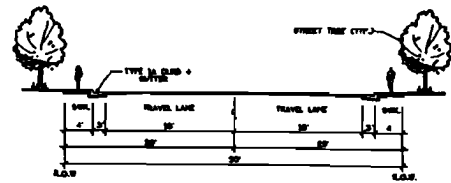
WATER
 SACRAMENTO COUNTY ZONE 40

ELECTRICITY
 S&D

GAS
 P&E

NOTES

1. SHADOWBROOK RESERVES THE RIGHT TO FILE MULTIPLE FINAL MAPS.
2. A COPY OF THIS MAP SHALL BE LOCATED ADJACENT TO ALL PUBLIC RIGHTS-OF-WAY.
3. THIS DRAWING IS FOR TENTATIVE MAP PURPOSES ONLY. BOUNDARY TOPOGRAPHY, EASEMENTS AND ALL THE DIMENSIONS ARE TO BE VERIFIED PRIOR TO FINAL MAP.



WOOD RODGERS
 ENGINEERING • MAPPING • PLANNING • SURVEYING
 3301 C St. Bldg. 100-8 Tel 916.341.7760
 Sacramento, CA 95816 Fax 916.341.7797

TENTATIVE SUBDIVISION MAP

The H:\Drawings\SHADOWBROOK\DWGS\UNIT - A\DWG\PLANNING\MAPS\EXHIBITS\TMAP DWG LotA.dwg edited 06/19/02 @ 1:13

Exhibit B: FINAL Conditions of Approval

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
1.	The development approved by this action is for a Community Plan Amendment, Rezone, and Tentative Subdivision Map for 13 single family lots and other parcels as described in the Planning Commission report and associated Exhibits and Attachments.	On-Going	Planning Division	
2.	This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	On-Going	Planning Division	
3.	The Tentative Subdivision Map approval is valid for three years from the date of City Council approval, unless an extension of time is subsequently approved.	Three years, commencing with the date of City Council approval	Planning Division	
4.	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 Division	
5.	Concurrently with the recordation of the final map, dedicate a 12.5-foot public utility easement for underground facilities and appurtenances adjacent to all public ways.	Final Map	SMUD	
6.	Public street improvements shall be provided as follows: a) Prior to recordation of the final map, provide a bond for the installation of public street	Final Map and Prior to the Issuance of Building Permits	Department of Public Works	

Exhibit B: Conditions of Approval

	<p>improvements.</p> <p>b) Concurrently with the recordation of the final map, dedicate right-of-way for Four Seasons Drive based upon a 50-foot standard.</p> <p>c) Prior to issuance of building permits, install public street improvements pursuant to the City of Elk Grove Improvement Standards.</p>			
7.	<p>Public Street Improvements shall be provided as follows:</p> <p>a) Prior to recordation of the final map, provide a bond for the installation of public street improvements.</p> <p>b) Concurrently with the recordation of the final map; dedicate 58 feet of right-of-way for Heritage Hill Drive based upon a 56-foot standards with a 6 foot sidewalk rather than a 4 foot sidewalk.</p> <p>c) Prior to issuance of building permits, install public street improvements pursuant to the City of Elk Grove Improvement Standards.</p>	Final Map and Prior to the Issuance of Building Permits	Department of Public Works	
8.	<p>Prior to recordation of a final map, enter into an agreement with the Elk Grove Community Services District to include the following item:</p> <ul style="list-style-type: none"> • Provide parkland dedication and/or fees as required by the City of Elk Grove/County of Sacramento Code. • Participate in the Elk Grove West Vineyard Financing Plan for Park Development. 	Prior to Recordation of Final Map	EGCSD Parks & Recreation	
9.	<p>Concurrent with recordation of final map, dedication of public sewer easements will be required to the satisfaction of CSD-1.</p>	Final Map	CDS-1	
10.	<p>All real property within the boundaries of the proposed project is within a benefit zone of the</p>	Prior to Recordation of Final Map	EGCSD Parks & Recreation	

Exhibit B: Conditions of Approval

	District Wide Landscape & Lighting Assessment District. Prior to approving improvement plans or issuing any building permits; the owners of all real property within the boundaries of a project shall execute and deliver to the EGCSA a written petition in an acceptable form approved by District consenting to: (i) the formation of the existing District Wide Assessment District and the methodology adopted to allocate the cost to the various land uses; (ii) when necessary the annexation to the appropriate zone of benefit created to fund urban services, (iii) the budget, formulas and cost of living indexes use to establish the amount of the annual assessments; and (iv) the levying of the annual assessment to fund the maintenance, operation and in some instances the existing capital costs of parks, parkways, corridors, medians, open space, trail systems lakes, creeks and other recreational and aesthetic amenities.			
11.	Prior to issuance of building permits, provide separate public water service to each parcel and dedicate maintenance easements in all public and private streets over all water lines to the satisfaction of Sacramento County Water Agency prior to Final Map approval	Prior to Issuance of Building Permits	Department of Water Resources	
12.	Prior to issuance of building permits, 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.	Prior to Issuance of Building Permits	Department of Water Resources	

Exhibit B: Conditions of Approval

13.	Prior to building permit issuance, construction of public collector sewer will be required to the satisfaction of CSD-1.	Prior to Building Permit Issuance	CSD-1	
14.	Prior to issuance of building permits each parcel must have a separate connection to the public sewer system. Sacramento County Improvement Standards apply to on-site sewer construction.	Prior to Issuance of Building Permits	CSD-1	
15.	Prior to building permit issuance, install facilities pursuant to the Sacramento County Floodplain Management Ordinance, Sacramento County Water Agency Code, and Sacramento County Improvement Standards, including any fee required by the Sacramento County Water Agency Code.	Prior to Building Permit Issuance	Department of Water Resources- Drainage	
16.	Prior to the issuance of building permits, the property owner shall pay development impact fees in accordance with the Elk Grove West Vineyard Public Facilities Financing Plan Development Impact Fee Program and Chapter 16.82 of the Elk Grove Municipal Code.	Prior to Building Permit Issuance	Infrastructure Finance	
17.	A 6 foot solid masonry wall shall be constructed along the rear property line of the 13 single family lots. This wall shall be built to the satisfaction of the Elk Grove Community Services District.	Prior to the Issuance of the First Certificate of Occupancy	EGCSD Parks & Recreation	
18.	Lot AA shall be improved to satisfaction of the Elk Grove Community Services District.	Prior to the Issuance of the First Certificate of Occupancy	EGCSD Parks & Recreation	
19.	Provide non-combustible fencing along the north side of lot 13.	Prior to Certificate of Occupancy	EGCSD Fire Department	
20.	Once the road improvements have been constructed along Brown Road, between Four Seasons Drive and Devon Crest Way, a barricade shall be installed across Brown Road, west of Four Seasons Drive. The Fire Department and Department of Public Works must approve the type of barricade	Prior to Removal of Four Seasons Drive Barricade	EGCSD Fire Department & Department of Public Works	

Exhibit B: Conditions of Approval

	<p>to be used. The barricade must include a sign stating, "Warning, Dead End Street". The following are acceptable forms of barricades:</p> <ul style="list-style-type: none"> a) Knock down bollard with a Knox box. b) A cable with reflective markings c) Swing Gate. <p>The existing barricade along Four Seasons Drive will be removed once the road improvements have been constructed along Brown Road between Four Seasons Drive and Devon Crest Way.</p>			
21.	<p>The Applicant, Owner or Successor in Interest shall contribute 50% of the cost to widen Brown Road to 26 feet of pavement (no curb, gutter or sidewalks) between Four Seasons Drive and the western edge of the Shadowbrook Unit 4 located on the northwest corner of Brown Road and Devon Crest Way. The applicant shall pay their contribution to the City of Elk Grove. The improvements will be constructed either by the City of Elk Grove or concurrent with the street improvements for the 44 lots. Shadowbrook Unit 4. The Applicant, Owner or Successor in Interest has the option of providing a cost estimate for the Brown Road improvements to the City of Elk Grove Public Works Department for review and approval.</p>	<p>Prior to Issuance of the First Certificate of Occupancy</p>	<p>Department of Public Works</p>	

Exhibit B: General Comments

Advisory Comments

- a. Unless otherwise noted, all improvements and fees shall be at the expense of the developer, including and fee required by Ordinance No. 1 of the Sacramento County Water Agency Code.
- b. Pay all appropriate development fees charged by the City and other Special Districts providing services to the site.
- c. Developing this property may require the payment of additional sewer impact fees. Applicant should contact the Fee Quote Desk for sewer impact fee information.
- d. Permits and/or fees are required for the following reviews: site plan, architectural plans, fire sprinkler plans and fire alarm plans.
- 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.
- f. This development is required to provide fire flow public water system capable of delivering as a minimum 1,000 gpm at 20 psi. Hydrants shall be spaced a maximum of 500 feet apart. Buildings of certain types of construction, size and use may need additional fire flow or the application of mitigation efforts to meet fire flows above this minimum. (EGCSDFD)
- g. Dead-end streets in excess of 150 feet require approved emergency vehicle turn-around. (EGCSDFD)
- h. 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. (EGCSDFD)
- i. 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. (EGCSDFD)
- j. 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. (EGCSDFD)
- k. Secure approval from the Public Works Department of a civil-engineered site improvement plan for all on-site and off-site improvements associated with this project.

Exhibit B: Conditions of Approval

- I. The project shall conform to the specific provisions of the City of Elk Grove Landscape Water Conservation Ordinance (Chapter 14.10 of the Municipal Code) to the satisfaction of the City Landscape/Oak Tree Coordinator.