

## RESOLUTION NO. 2007-219

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE CERTIFYING AN ADDENDUM TO FINAL ENVIRONMENTAL IMPACT REPORT FOR CALVINE POINTE (SCH #2002052038)

**WHEREAS**, in accordance with the California Environmental Quality Act (CEQA), on August, 10, 2005 the City Council adopted Resolution 2005-239 certifying the Final Environmental Impact Report ("EIR") for the Calvine Pointe Project, making findings of fact and adopting a statement of overriding considerations, and

**WHEREAS**, on August, 10, 2005 the City Council of the City of Elk Grove adopted Resolution No. 2005-240 approving a Tentative Parcel Map and Design Review for the Calvine Pointe project subject to Conditions of Approval which included the Mitigation Measures contained in the Final EIR; and

**WHEREAS**, the project proponents have made a request to amend Mitigation Measure 4.5.1c to allow construction activities to take place during the hours of 7:00 a.m. to 10:00 p.m., Monday through Sunday; and

**WHEREAS**, a noise study was prepared to analyze whether the proposed amendment to the construction hours of operation schedule would cause significant adverse noise effects,

**WHEREAS**, the results of the noise study indicate that with additional mitigation measures, allowing extended hours of operation for construction activities would not exceed the thresholds of the City's noise Ordinance; and

**WHEREAS**, the proposed amendment to Mitigation Measure 4.5.1c and the addition of new proposed Mitigation Measures 4.5.1d. and 4.5.1e do not require the preparation of a subsequent or supplemental EIR, and an Addendum to the previously certified EIR is appropriate;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby adopts and approves the attached Addendum to the previously certified EIR for the Calvine Pointe project as follows:

The Addendum has been presented to the City Council, and the City Council has reviewed and considered this information, along with the staff report and information provided to the City Council during the public meeting on this matter.

The Addendum has been prepared in compliance with CEQA.

The Addendum reflects the City's independent judgment and analysis.

The City Council hereby approves and adopts the findings, conclusions, and recommendations of the Addendum as its own, and hereby incorporates by reference the discussion and analysis in the Addendum in support of the actions taken by the City Council by this Resolution.

**BE IT FURTHER RESOLVED** that the City Council of the City of Elk Grove hereby adopts modification of mitigation measure MM 4.5.1c and adds mitigation measures 4.5.1.d and 4.5.1.e as follows. Deleted text is shown in ~~strikethrough~~ format. New text is shown in underline format.

**MM 4.5.1c** Construction activities ~~should~~ shall be restricted to the ~~weekday daytime~~ hours of 7:00 a.m. to ~~7:00~~ 10:00 p.m. Monday through Sunday. ~~Construction activities during Saturdays shall be restricted to the daytime hours of 8:00 a.m. to 6:00 p.m. No construction activities shall occur on Sundays and Holidays.~~

**MM 4.5.1d** A temporary sound barrier shall be constructed along the south side of any concrete cutting area where a circular saw is used and along the south side of each light tower generator per the following specifications:

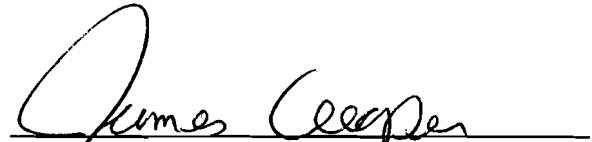
- a. A minimum height of 6 feet shall be used as measured above the ground in the cutting tool area.
- b. The wall shall extend from the 5 feet east of the cutting area to 5 feet west of the cutting area.
- c. All cutting shall occur within 12 feet of the wall.
- d. The sound wall must have a minimum surface weight of 3.0 lbs./sq.ft. Two layers of 5/8" inch plywood will meet this requirement.
- e. The structure must be continuous along its width and height with no gaps including where the wall meets the ground.
- f. Joints between plywood shall be staggered and sealed with a resilient non-hardening caulking.

Prior to initiating construction activities, the applicant shall contact the City Planning Department to verify and inspect the installation of the temporary sound barriers.

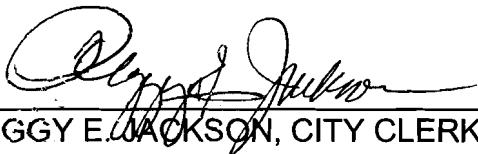
**MM 4.5.1e** A single skip loader may be used during construction activity provided that the temporary sound barrier described in Mitigation Measure 4.5.1.d is in place and that the operation of the skip loader, along with other construction equipment, does not exceed the thresholds set forth in the City's Noise Ordinance (Municipal Code Chapter 6.68). The skip loader shall not operate between the hours of 9:00 p.m. and 7:00 a.m. The project applicant shall schedule usage of construction equipment and activities so as not to cumulatively exceed the noise thresholds set forth in the City's Noise Ordinance (Municipal Code Chapter 6.68).

**BE IT FURTHER RESOLVED** that The Mitigation Monitoring and Reporting Program (MMRP) previously adopted for this project shall remain in full force and effect, with the revision of the mitigation measures as set forth in the Addendum and herein.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 26th day of September, 2007.

  
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JAMES COOPER, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
\_\_\_\_\_  
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
SUSAN COCHRAN, CITY ATTORNEY

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2007-219**

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

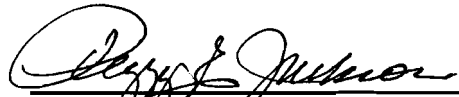
**I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on September 26, 2007 by the following vote:**

**AYES :        COUNCILMEMBERS:        Cooper, Leary, Scherman, Davis, Hume**

**NOES:        COUNCILMEMBERS:        None**

**ABSTAIN :    COUNCILMEMBERS:        None**

**ABSENT:     COUNCILMEMBERS:        None**

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

