

RESOLUTION NO. 2007-233

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING A GENERAL PLAN AMENDMENT FOR FRANKLIN CROSSING
EG-04-727, WATERMAN 20 EG-05-898, AND WATERMAN PARK 75 #2 EG-06-1158**

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

WHEREAS, the City Council of the City of Elk Grove is permitted to amend the General Plan four (4) times during the calendar year; and

WHEREAS, the City of Council duly advertised and considered the Planning Commission recommendation and all of the testimony presented to it, including staff reports, environmental documents and public testimony, at a public hearing; and

WHEREAS, the City Council approved the land use designation of the Franklin Crossing project (EG-04-727) consisting of 65.4 acres of Estate Residential, 5.2 acres of Low Density Residential, 4.6 acres of Public Parks, and 0.4 acres of Public Open Space/Recreation located southwest of the intersection of Bilby Road and Willard Parkway (APNs 132-0132-042, 132-1680-032, and 132-1680-057) after public hearing on June 27, 2007, pending the approval of this General Plan Update of the Land Use Map (Exhibit A); and

WHEREAS, the City Council approved Waterman 20 (EG-05-898) changing the land use designation of 1.15 acres from Open Space to Light Industry located at the northeast corner of Mosher Road and Waterman Road (APN 134-0110-015) after public hearing on September 26, 2007, pending the approval of this General Plan Update of the Land Use Map (Exhibit B); and

WHEREAS, the City Council approved Waterman Park 75 #2 (EG-06-1158) changing the land use designation from 47 acres of Light Industry, 2.2 acres of Commercial and 10.9 acres of Open Space to 25.7 acres of Light Industry, 22.4 acres of Commercial and 10.7 acres of Open Space located 10240 Grant Line Road (APN 134-0182-001) after public hearing on July 25, 2007, pending the approval of this General Plan Update of the Land Use Map (Exhibit C).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby amend the General Plan by the attached exhibits A, B, and C.

BE IT FURTHER RESOLVED, the City Council of the City of Elk Grove bases its decision on the following finding:

Franklin Crossing

CEQA

Finding: On the basis of the whole record, there is no substantial evidence that the project as designed, conditioned and mitigated will have a significant adverse impact on the environment and all potentially significant effects have been adequately analyzed in a Mitigated Negative Declaration that was adopted for the Franklin Crossing project by the City on September 28, 2005. The Mitigated Negative Declaration adequately addressed environmental issues related to the development of the subject property.

Evidence: An Initial Environmental Study was prepared and adopted for the Franklin Crossing project and mitigation measures have been developed that will reduce potential environmental impacts to less than significant levels. On the basis of the Mitigated Negative Declaration, environmental analysis, and the whole record, there is no substantial evidence that the project will have a significant adverse impact on the environment above those addressed within the adopted Mitigated Negative Declaration.

Finding: Revision updates to the adopted noise mitigation measures will not result in any environmental impacts above those addressed within the Mitigated Negative Declaration.

Evidence: The noise mitigation measures were updated due to subsequent revisions to the subdivision which have resulted in lower sound wall heights. The lower sound wall heights will provide equivalent or more effective mitigation in maintaining the General Plan's acceptable outdoor noise level of 60 decibels or less as detailed in a memo provided by Bollard & Brennan, Inc. dated May 2, 2007.

General Plan Amendment

Finding: The General Plan Amendment is consistent with goals and policies of the Elk Grove General Plan.

Evidence: The General Plan Amendment is consistent with the goals and policies that are established in the General Plan's Land Use Element regarding the City's Sphere of Influence and annexations. The annexation of the 86.5-acre Franklin Crossing Annexation Area provides an orderly and contiguous expansion of the City's boundaries which would incorporate the remaining East Franklin Specific Plan land parcels that are located in the County of Sacramento.

Waterman 20

CEQA

Finding: On the basis of the whole record, there is no substantial evidence that the project as designed, conditioned and mitigated, will have a significant effect on the Resolution No. 2007-233

environment. A Mitigated Negative Declaration has been prepared and completed in accordance with the California Environmental Quality Act (CEQA). The mitigated negative declaration reflects the independent judgment and analysis of the City.

Evidence: Pursuant to CEQA guidelines, City staff prepared an initial study evaluating the potential environmental effects of the project. The Initial Study identified potentially significant adverse effects in the areas of Air Quality and Biological Resources. Mitigation measures that avoid or mitigate the potentially significant effects to a point where clearly no significant effects would occur were identified in the Initial Study and a Mitigated Negative Declaration was prepared. The Initial Study/Mitigated Negative Declaration was distributed for a 30 day review and comment period between November 15, 2007 and December 14, 2007. The City received written comment letters within the 30 day public review period and responded to those comments in the project staff report. The City has considered the comments received during the public review period, and they do not alter the conclusions in the Initial Study and Mitigated Negative Declaration. A Mitigation Monitoring and Reporting Program (MMRP) has been prepared to ensure compliance during project implementation and the applicant has agreed to implement the mitigation measures. A condition of approval has been imposed on the project to ensure conformance with the MMRP.

General Plan Amendment

Finding: There is a substantial benefit to be derived from the proposed amendment.

Evidence: The proposed General Plan Amendment is to the General Plan Land Use Map only. The project proposes to increase the amount of Light Industry while decreasing the amount of Open Space. The reduction in open space acreage does not compromise the proposed open space corridor and trail system. The City benefits economically from the increase in property available for Light Industrial development.

Waterman Park 75 #2

CEQA

Finding: On the basis of the whole record, there is no substantial evidence that the project as designed, conditioned and mitigated, will have a significant effect on the environment. A Mitigated Negative Declaration has been prepared and completed in accordance with the California Environmental Quality Act (CEQA). The mitigated negative declaration reflects the independent judgment and analysis of the City.

Evidence: Pursuant to CEQA guidelines, City staff prepared an initial study evaluating the potential environmental effects of the previously approved Waterman Park 75 project. The Initial Study identified potentially significant adverse effects in the areas of Air Quality, Biological Resources, Cultural Resources, Hazards and Hazardous Materials, and Noise. Mitigation measures that avoid or mitigate the potentially significant effects to a point where clearly no significant effects would occur were identified in the Initial Study and a Mitigated Negative Declaration was prepared. The Initial Study/Mitigated Negative Declaration was distributed for a 30-day review and

comment period starting on February 10, 2006. The City received written comment letters within the 30 day public review period and responded to those comments in the EG-05-928 project staff report. The City considered the comments received during the public review period, and they did not alter the conclusions in the Initial Study and Mitigated Negative Declaration. A Mitigation Monitoring and Reporting Program (MMRP) was prepared to ensure compliance during project implementation.

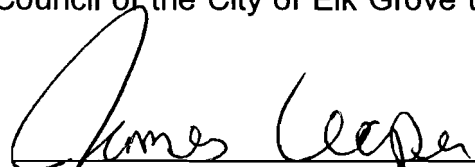
Staff evaluated the current project description and its anticipated impacts and determined that the City will rely on the previously adopted Mitigated Negative Declaration (MND) and Mitigation Monitoring Reporting Program (MMRP) to address the environmental impacts of the currently proposed Waterman Park 75 #2 project because: 1) the proposed project is essentially the same as the previously approved Waterman Park 75 project; 2) the environmental impacts were adequately addressed in the MND adopted for the previously approved Waterman Park 75 project; and 3) the changes in the project do not create any new significant adverse environmental impacts beyond those analyzed in the previously adopted MND. The 67 additional net peak hour traffic trips generated by the currently proposed Waterman Park 75 project does not exceed the City's 100 trip threshold that would require a new traffic study. In addition, the applicant will be required to comply with all the applicable mitigation measures contained in the previously adopted and recorded MMRP as specified in Condition # 18.

General Plan Amendment

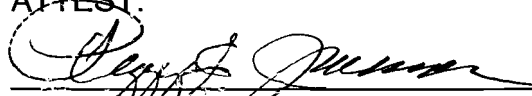
Finding: The project is consistent with the goals and policies of the Elk Grove General Plan.

Evidence: The project as conditioned divides one approximately 75 acre parcel into nine parcels for future development. The future development of these currently vacant and undeveloped parcels is consistent with General Plan Guiding Goal 1, a high quality of life for all residents.

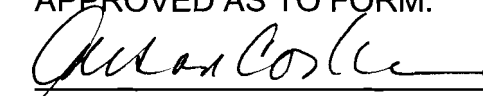
PASSED AND ADOPTED by the City Council of the City of Elk Grove this 10th day of October 2007.



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. 2007-233**

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 October 10, 2007 by the following vote:

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

NOES: **COUNCILMEMBERS:** **None**

ABSTAIN : **COUNCILMEMBERS:** **None**

ABSENT: **COUNCILMEMBERS:** **None**



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



Exhibit A

Franklin Crossing

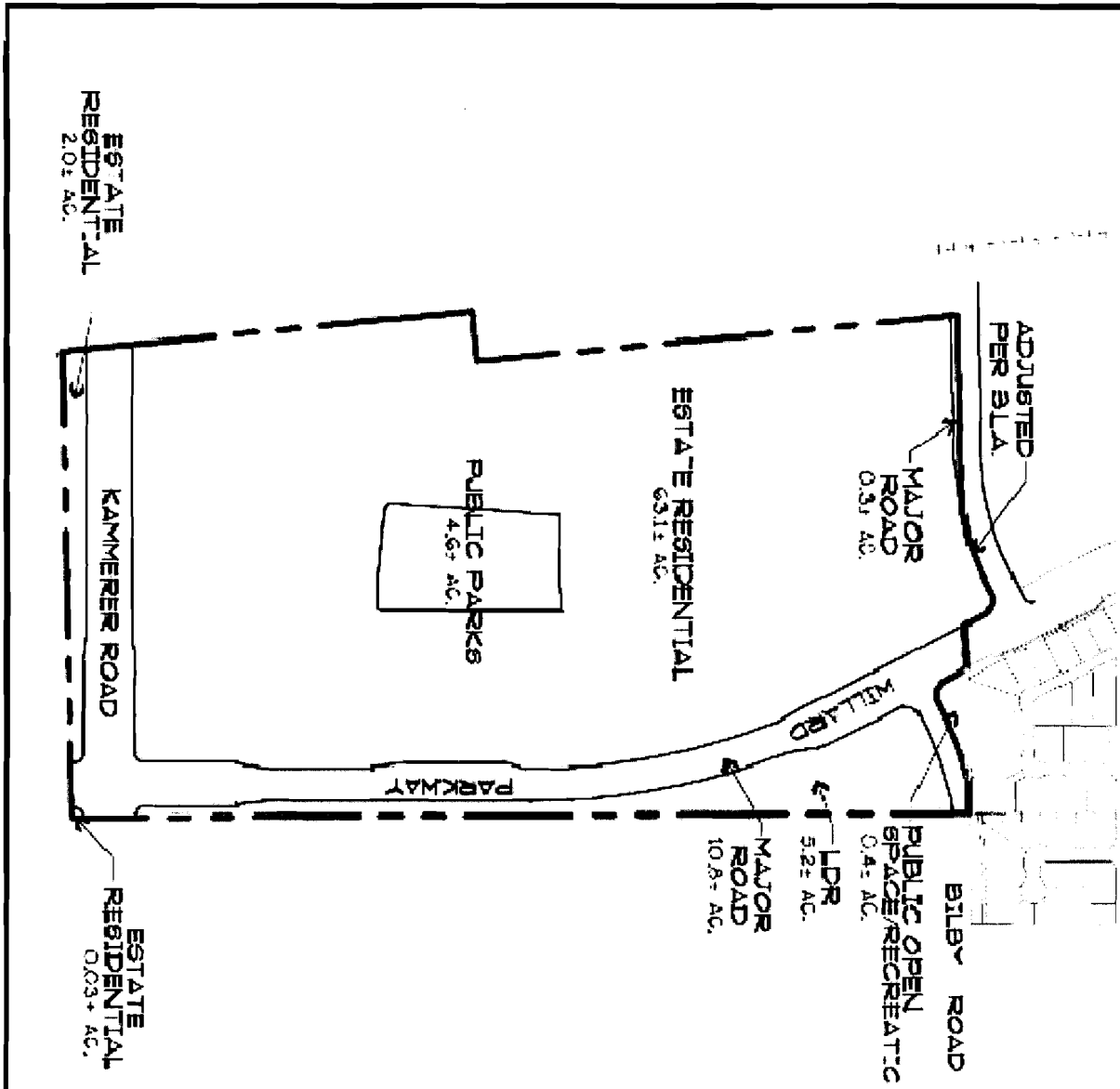
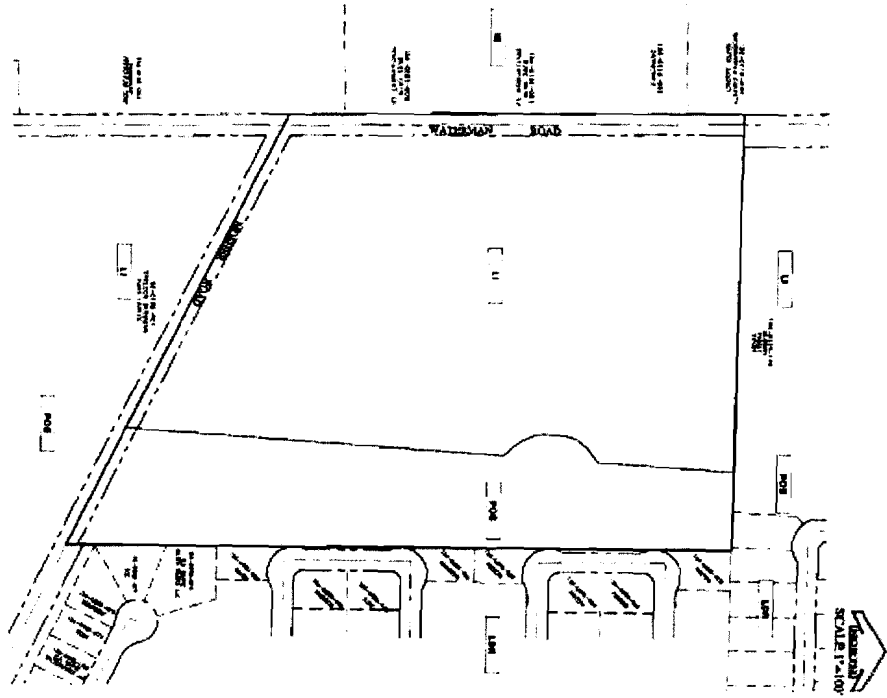


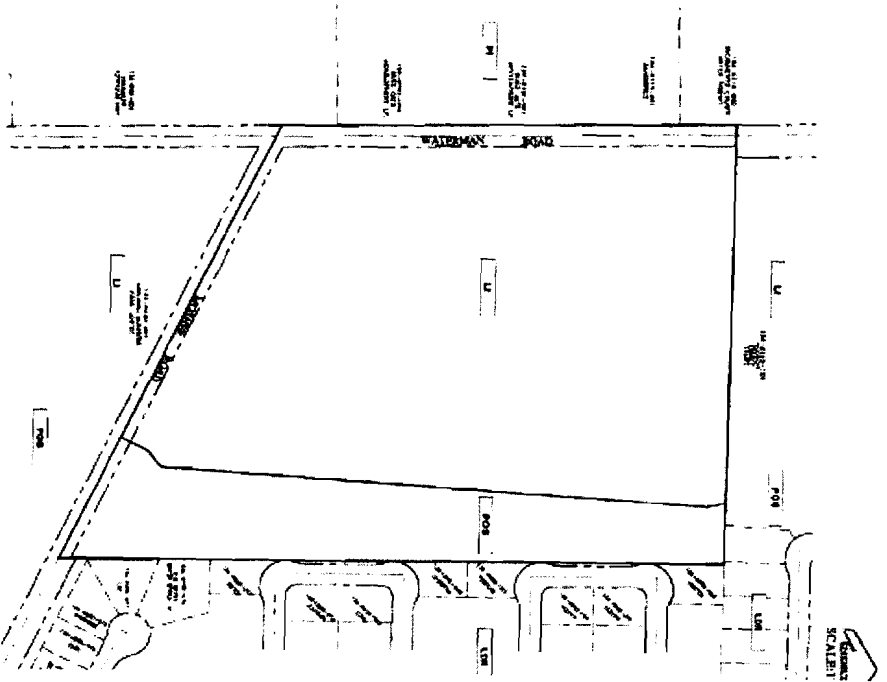
Exhibit B

Waterman 20



EXISTING GEN. PLAN DESIGNATION

KEY	LAND USE DESIGNATION	ACRES
U	URBAN INDUSTRIAL	14.93
POS	PUBLIC OPEN SPACE	5.30
TOTAL		20.23 AC

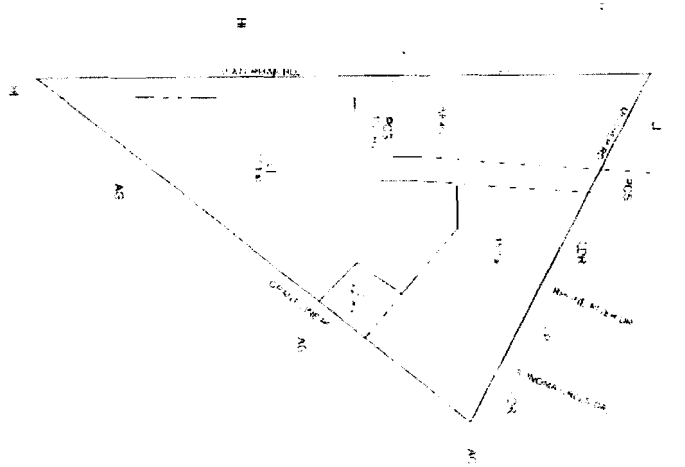


PROPOSED GEN. PLAN DESIGNATION

KEY	LAND USE DESIGNATION	ACRES
U	URBAN INDUSTRIAL	16.78
POS	PUBLIC OPEN SPACE	4.15
TOTAL		20.93 AC

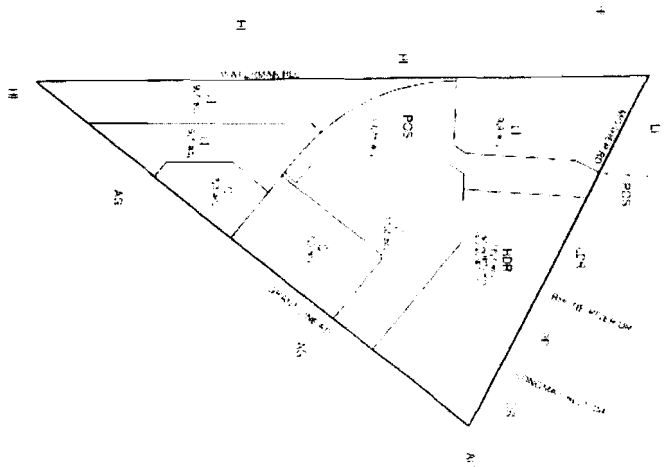
Exhibit C

Waterman Park 75 #2



EXISTING GENERAL PLAN DESIGNATION

CODE	LAND USE DESIGNATION	EXISTING AC
1	LIGHT INDUSTRIAL	47.2
C	COMMERCIAL	2.5
HDR	HIGH DENSITY RESIDENTIAL	1.6
POS	PUBLIC OPEN SPACE	10.9
TOTAL		75.1 AC



PROPOSED GENERAL PLAN DESIGNATION

CODE	LAND USE DESIGNATION	PROPOSED AC
1	LIGHT INDUSTRIAL	35.7
C	COMMERCIAL	32.4
HDR	HIGH DENSITY RESIDENTIAL	1.6
POS	PUBLIC OPEN SPACE	10.2
TOTAL		79.9 AC