

**RESOLUTION NO. 2012-74**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
APPROVING THE SPECIFIC PLAN AMENDMENT FOR THE FALLS OF  
ELK GROVE PROJECT NO. EG-11-053 SPECIFICALLY AFFECTING  
ASSESSOR'S PARCEL NUMBER 132-2130-003**

**WHEREAS**, the Planning Department of the City of Elk Grove received an application on December 13, 2011 requesting a General Plan Amendment, Specific Plan Amendment, Rezone, Tentative Parcel Map, Design Review and Conditional Use Permit for the Falls of Elk Grove Project No. EG-011-053 (Project); and

**WHEREAS**, the proposed Project is located on real property in the incorporated portions of the City of Elk Grove more particularly described as Assessor's Parcel Number 132-2130-003; and

**WHEREAS**, the Project consists of amending the Specific Plan land use designations for the project site by eliminating RD-20 and adding the BP designation; and

**WHEREAS**, an Addendum to the Laguna Ridge Specific Plan Environmental Impact Report (EIR) has been prepared finding no further impacts as a result of the project, pursuant to the California Environmental Quality Act (CEQA) Section 15164 of Title 14 of the California Code of Regulations (State CEQA Guidelines) – Addendum to an EIR or Negative Declaration; and

**WHEREAS**, the Planning Commission considered the Applicants' request at a public hearing on April 19, 2012, and recommended the City Council approve the Project; and

**WHEREAS**, the City Council held a duly noticed public hearing as required by law to consider all of the information presented by staff, information presented by the Applicant, and public testimony presented in writing and at the meeting.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Elk Grove approves the Amendments to the Laguna Ridge Specific Plan as illustrated in the attached Exhibit A, based on the following findings:

**Specific Plan Amendment - Laguna Ridge Specific Plan (LRSP) Section 9 Implementation & Administration**

Finding 1: Significant changes to the character of the community have occurred subsequent to the adoption of the Specific Plan which warrants amendments as requested.

Evidence 1: Changes to the character of the community that have occurred consist of alterations in land use demand. The project site remains underutilized given its current

LRSP RD-20 designation. However, the Project site could be developed if the entire site were designated LRSP BP. This condition provides evidence that the demand for a BP oriented use on the site exceeds the demand for RD-20 uses at this time and therefore consists of a change to the character of the community. The BP designation is further warranted because it allows the applicant to expand their business operation to an underutilized portion of the property that would otherwise remain undeveloped as RD-20. Further changes to the character of the community include limited opportunities for land uses that could accommodate office park and business and professional uses. This portion of the City provides land for office park and business and professional office land uses that is relatively unconstrained as opposed to other locations in the City. Therefore, the change in demand for use of the site as well as the opportunity to utilize a site in a portion of the City capable of accommodating the proposed designation is a significant change to the character of the community subsequent to adoption of the Specific Plan and the amendment is warranted.

Finding 2: The requested amendment will benefit the Specific Plan Area and/or the City.

Evidence 2: A consistent land use category across the length of the parcel facilitates an efficient and cohesive use of the property, rather than the smaller fragmented approach that exists with the RD-20 designation. Further, the amendment provides opportunities for the City to increase its office land uses thereby attracting businesses and associated services to the City that would spur economic development. Therefore, the requested amendment will benefit the Specific Plan Area and the City for future and existing development.

Finding 3: The amendment is consistent with the General Plan.

Evidence 3: The General Plan contains goals, policies, and objectives to which all projects must adhere. Thus, the LRSP serves as the policy and regulatory document that implements the goals and policies of the General Plan. The LRSP recognizes that periodic amendments may be necessary in order to respond to changing circumstances beyond the control of the Specific Plan (page 9-2). Such amendments include changes to the land use designations for the proposed projects. General Plan Land Use Policies LU-28 and LU-30 allows the LRSP to have discretion as to land use. The proposed amendment to BP is consistent with the proposed General Plan Land Use designation of C/O/MF as identified in Table LU-3. Further, the proposed amendment provides opportunities for economic development, creates excellence in new design, established a strong positive community image, and enhances community character as discussed in the General Plan Finding above.

Finding 4: The amendment will not adversely affect adjacent properties and can be properly serviced.

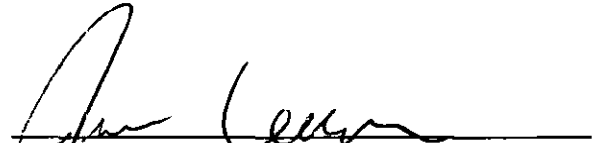
Evidence 4: The proposed change to the land use designations will not adversely affect adjacent properties. Access to the site is provided through a proposed drive aisle along the western property line. Similarly, as the environmental analysis demonstrated, there

are no impacts that would adversely affect adjacent properties. All public services and utilities to serve the Project would remain as identified for the LRSP.

Finding 5: Where applicable, the physical constraints of the property area are such that the requested amendment is warranted.

Evidence 5: The finding above does not apply to The Falls of Elk Grove project because the property is not physically constrained. Physical constraints were not a justification for the requested amendments and the physical constraints consideration is not applicable.


**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 9<sup>th</sup> day of May 2012.

  
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JAMES COOPER, MAYOR of the  
CITY OF ELK GROVE

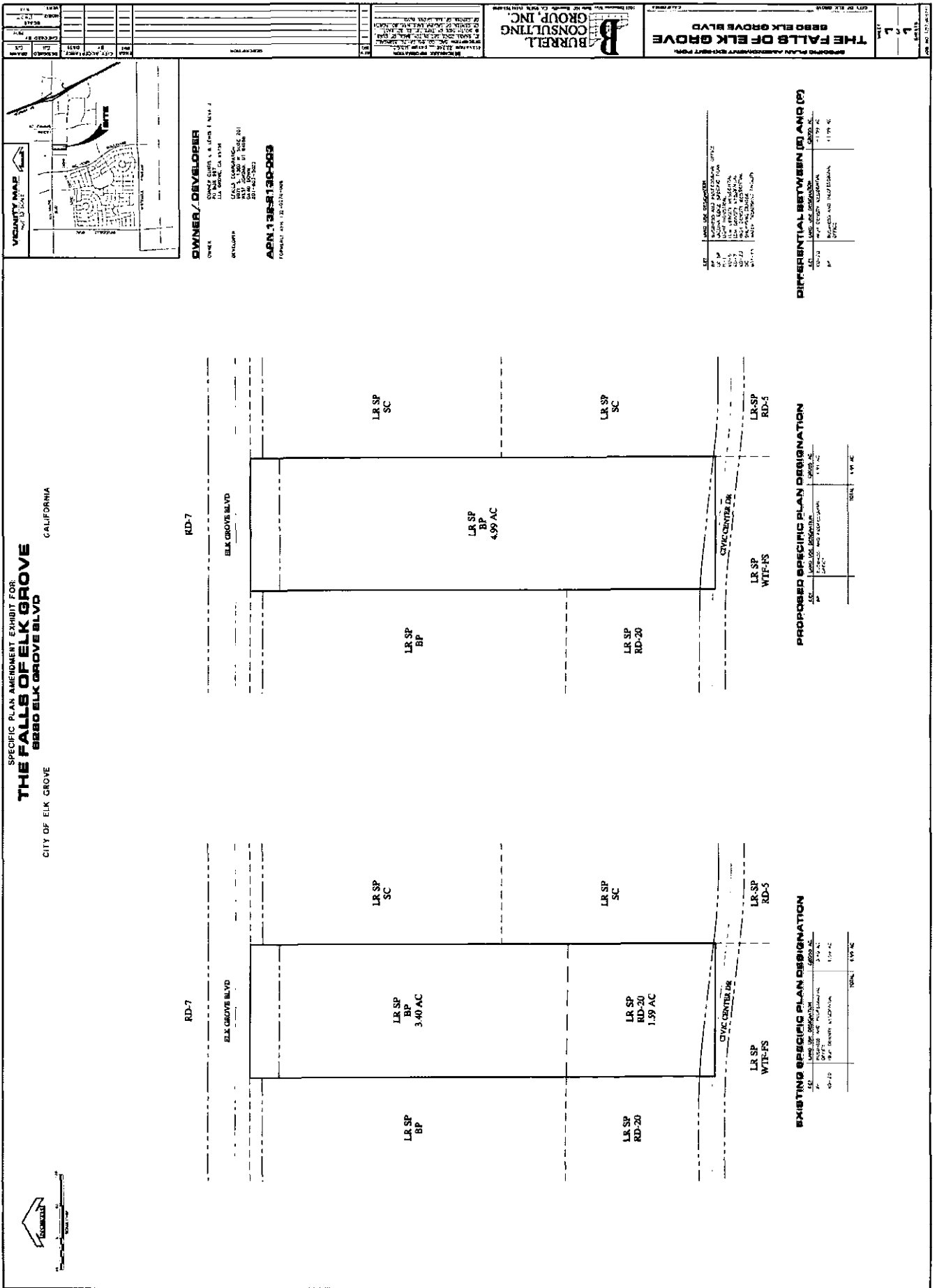
ATTEST:

  
\_\_\_\_\_  
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:

  
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JONATHAN HOBBS,  
INTERIM CITY ATTORNEY

# EXHIBIT A The Falls of Elk Grove Specific Plan Amendment

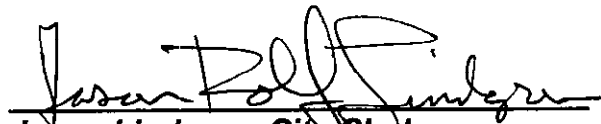


**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2012-74**

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

*I, Jason Lindgren, 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 May 9, 2012 by the following vote:*

**AYES :**       **COUNCILMEMBERS:**    **Cooper, Davis, Detrick, Scherman**  
**NOES:**       **COUNCILMEMBERS:**    **None**  
**ABSTAIN :**   **COUNCILMEMBERS:**    **None**  
**ABSENT:**     **COUNCILMEMBERS:**    **Hume**

  
\_\_\_\_\_  
**Jason Lindgren, City Clerk  
City of Elk Grove, California**