

**RESOLUTION NO. 2014-97**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
TO APPROVE A TENTATIVE PARCEL MAP  
FOR HO MAP PROJECT (EG-13-059)  
ASSESSOR PARCEL NUMBER: 123-0170-007**

**WHEREAS**, the Planning Division of the City of Elk Grove received an application on October 1, 2013 from David Ho and Xiaoming Wang (the Applicants) requesting a Rezone and Tentative Parcel Map; and

**WHEREAS**, the proposed Project is located on real property in the incorporated portions of the City of Elk Grove more particularly described as APN: 123-0170-007; and

**WHEREAS**, Section 15315 (Minor Land Divisions) of the California Code of Regulations, Title 14, (State CEQA Guidelines) exempts projects characterized as the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent; and

**WHEREAS**, based on staff's review of the Project, no special circumstances exist that would create a reasonable possibility that granting a Rezone and Tentative Parcel Map for this Project will have a significant effect on the environment; and

**WHEREAS**, the Planning Department considered the Project request pursuant to the Elk Grove General Plan, the Elk Grove Municipal Code Title 23 (Zoning), and all other applicable State and local regulations; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing on March 20, 2014 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; and

**WHEREAS**, the Planning Commission recommended (5-0) the City Council approve the Ho Map 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 Tentative Parcel Map for the Ho Map Project subject to the conditions of approval contained in Exhibit A, incorporated herein by this reference, and as illustrated in the attached Exhibit B, incorporated herein by this reference.

## ***General Plan Consistency***

**Finding:** The proposed Rezone is consistent with the General Plan goals, policies, and implementation programs.

**Evidence:** The proposed Rezone is consistent with the General Plan land use map, which designates the Project site as Rural Residential. Additionally, the proposed Rezone does not alter the allowed intensity or density of development beyond that contemplated in the General Plan.

## ***Tentative Parcel Map***

**Finding:** None of the findings (a) through (g) below in Section 66474 of the California Government Code that require a City to deny approval of a tentative map apply to this Project.


- 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 is 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:**

- a. The proposed map is consistent with the Elk Grove General Plan because the site is designated Rural Residential (0.1 to 0.5 dwelling units/acre) in the General Plan. The Project would legally subdivide the parcel consistent with the General Plan density for the site.
- b. The design of the improvements of the proposed subdivision is consistent with the General Plan land use designations of Rural Residential and the development standards for residential use in the Title 23, Zoning. The Project would legally subdivide the parcel consistent with the General Plan and Title 23, Zoning.
- c. The site is physically suitable for extension residential development because the site is relatively flat and is surrounded by rural residential land uses. The Project site is directly accessible from Brahma Lane, a public street, and access to the parcel 2 is provided from an existing easement consistent with City policy and standards. The minimum lot area for parcels zoned AR-2 is two gross acres. The proposed lots are 2.001 and 2.986 gross acres respectively.

- d. The site is designated Rural Residential in the General Plan, which allows a density range of 0.1 to 0.5 dwelling units per acre. The Project's proposed density (0.4 dwelling units per acre) is consistent with the density requirements of the General Plan. The site is relatively flat and is surrounded by rural residential land uses. The Project site is directly accessible from Brahma Lane, a public street, and access to the parcel 2 is provided from an existing easement consistent with City policy and standards.
- e. A Biological Assessment was completed for the Project by De Novo Planning Group dated November 25, 2013 which determined that the Project site does not contain any riparian habitat. Additionally, the Biological Assessment determined that the Project Site is not suitable as Swainson's Hawk foraging habitat. The Project site is located within an urbanized area and no special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment.
- f. The proposed Tentative Parcel Map complies with the Elk Grove Title 23 (Zoning Code) and Title 22 (Land Development) development standards. The minimum lot area for parcels zoned AR-2 is two gross acres. The proposed lots are 2.001 and 2.986 gross acres respectively. The proposed lots are consistent with lot depth and lot width requirements.
- 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 this 23<sup>rd</sup> day of April 2014

  
\_\_\_\_\_  
JAMES COOPER, VICE MAYOR of the  
CITY OF ELK GROVE

ATTEST:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JONATHAN P. HOBBS,  
CITY ATTORNEY

## Exhibit A

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<b>On Going</b>				
1.	<p>The Project approved by this action is for a Rezone from AR-5 to AR-2 and a Tentative Parcel Map as illustrated in the approved plans as follows (Exhibit B):</p> <ul style="list-style-type: none"> <li>• Tentative Parcel Map dated February 19, 2014</li> </ul> <p>Deviations from the approved plans shall be reviewed by the City of Elk Grove (City) for substantial compliance and may require amendment by the appropriate hearing body.</p>	On-Going	Planning	
2.	<p>The Applicant/Owner or Successors in Interest (hereby referred to as the "Applicant") shall indemnify, protect, defend, and hold harmless the City, its officers, officials, agents, employees, and volunteers from and against any and all claims, damages, demands, liability, costs, losses or expenses including without limitation court costs, reasonable attorney's fees and expert witness fees arising out of this Project including challenging the validity of this permit or any environmental or other documentation related to approval of this Application.</p>	On-Going	Planning	
3.	<p>This action does not relieve the Applicant of the obligation to comply with all codes, statutes, regulations, and procedures.</p>	On-Going	Planning	
4.	<p>Except as otherwise specified or provided in these conditions, the Project shall conform to the development standards and design requirements adopted by the City, specifically including but not limited to the following:</p> <ul style="list-style-type: none"> <li>• The City Zoning Code (Title 23 of the EGMC)</li> <li>• EGMC Chapter 19.12 (Tree Preservation and Protection)</li> <li>• EGMC Chapter 14.10 (Water Efficient Landscape Requirements)</li> <li>• EGMC Title 16 (Building and Construction)</li> </ul>	On Going	Planning Public Works Building	

## Exhibit A

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
5.	<p>The Applicant shall design and construct all improvements in accordance with the City Improvement Standards, as further conditioned herein, and to the satisfaction of Public Works.</p> <p>Utility infrastructure shall be designed and constructed in accordance with the standards of the appropriate utility.</p>	On Going	Public Works SCWA SASD SMUD PG&E	
6.	<p>The Applicant shall pay all plan check fees, impact fees, or other costs as required by the City, the Cosumnes Community Services District (CCSD), Sacramento Area Sewer District (SASD), Sacramento County Water Agency (SCWA), or other agencies or services providers as established by law.</p>	On-Going	Planning Public Works CCSD SCWA SASD	
7.	<p>Approval of this Project does not relieve the Applicant from the requirements of subsequent permits and approvals, including but not limited to the following:</p> <ul style="list-style-type: none"> <li>• Grading Permit and Improvement Plan</li> <li>• Final Map</li> <li>• Building Permit and Certificate of Occupancy</li> <li>• Section 404, 401, 1602, or other State or Federal environmental permit</li> <li>• Requirements of the Sacramento Metropolitan Air Quality Management District</li> <li>• Fire permit</li> <li>• Environmental Management Department approval</li> </ul>	On-Going	Planning Public Works Building CCSD SCWA SASD	
<b>Final Map</b>				
8.	<p>The Applicant shall dedicate a 24' private access easement from Brahma Way to APN 123-0170-008 to the satisfaction of Public Works.</p>	Final Map	Public Works	
9.	<p>The Applicant shall enter into a covenant and agreement with the City of Elk Grove regarding the existing and future access to Grant Line Road for Parcel 2. In the future, when the widening of Grant Line Road commences, by either the City or the JPA Connector Project, Parcel 2 shall only take access off of Brahma Way.</p>	Final Map	Public Works	

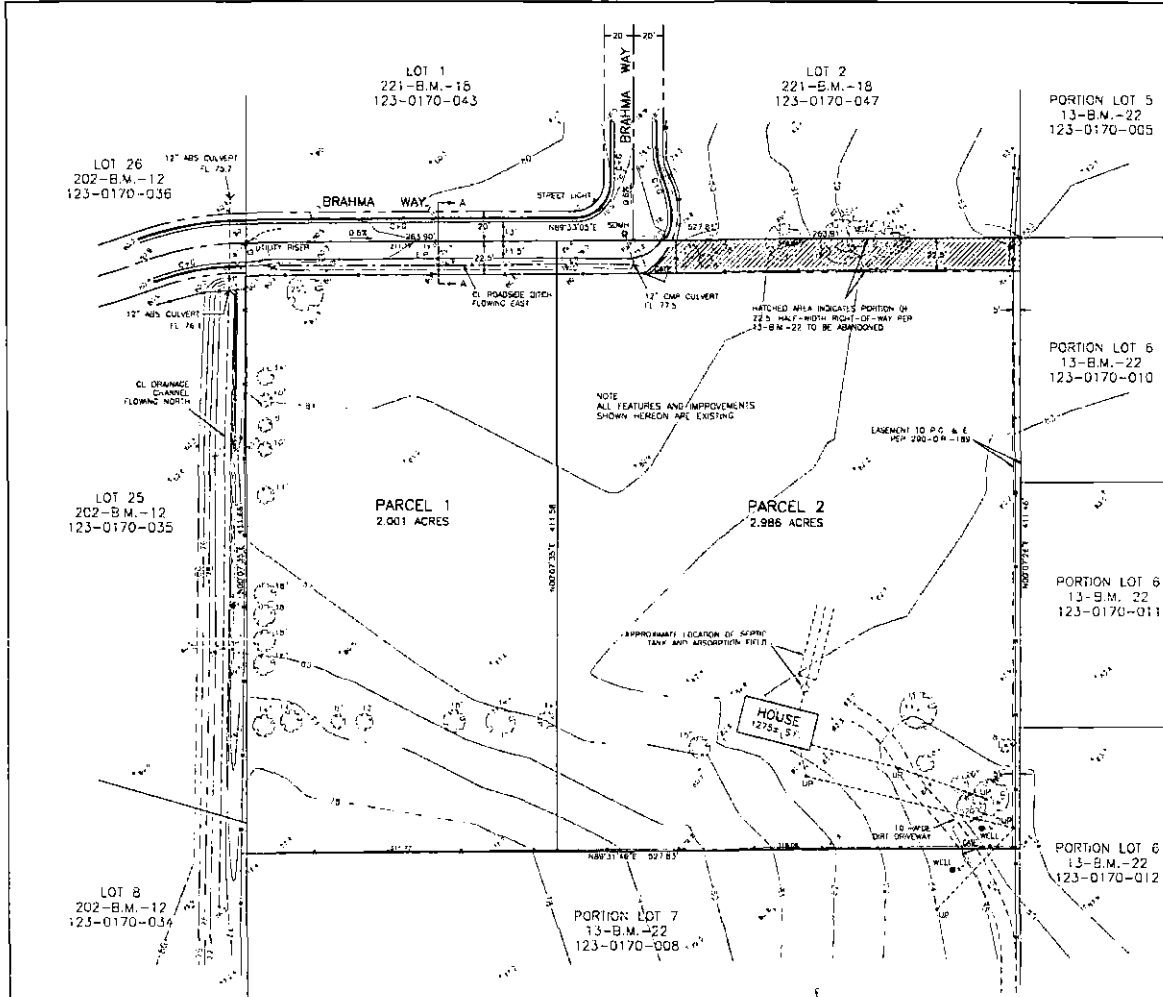
## Exhibit A

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
10.	The Applicant shall construct rolled curb and gutter on Brahma Way along the Project's frontage to connect to the existing improvements at both ends of the parcel to the satisfaction of Public Works.	Final Map	Public Works	
11.	The Applicant shall install a storm drain inlet at low point on Brahma Way to the satisfaction of Public Works.	Final Map	Public Works	
12.	Access to Parcel 1 shall be limited to Brahma Way only.	Final Map	Public Works	
13.	The Applicant shall dedicate to the City a 12.5 foot public utility easement for underground facilities and appurtenances adjacent to all public streets.	Final Map	Public Works	
14.	Prior to the Final Map the Project shall annex into the Maintenance Mello-Roos Community Facilities District 2006-1 (CFD), to fund the project's fair share of landscape related maintenance costs associated with public parkways, public parks, open space, landscape setbacks, bike and other paths, landscaped medians in and adjacent to roadways, maintenance and operation of a community center, sports (including aquatic) facilities, cultural arts center, and water features, and maintenance of other related facilities. The annexation process can take several months, so applicants should plan accordingly. The application fee for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax. For further information regarding this CFD, see <a href="http://www.elkgrovecity.org/finance/financial-planning-division/cfd-information.htm">www.elkgrovecity.org/finance/financial-planning-division/cfd-information.htm</a>	Final Map	Finance	
15.	Prior to Final Map, the Project shall annex into the Police Services Mello-Roos Community Facilities District 2003-2 (CFD), to fund the project's fair share of Public Safety costs. The annexation process can take several months, so applicants should plan accordingly. The application fee for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax. For further information regarding this CFD, see <a href="http://www.elkgrovecity.org/finance/cfd-information.asp">http://www.elkgrovecity.org/finance/cfd-information.asp</a> .	Final Map	Finance	

## Exhibit A

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
16.	<p>Prior to Final Map, the Project shall annex into the Storm Water Drainage Fee Zone 2 to fund a portion of the additional costs for storm water drainage and run-off maintenance related to serving the new development. The annexation process can take several months, so applicants should plan accordingly. The application fee for the annexation is due prior to the Resolution of Intention to Levy Storm Water Drainage Fee Zone 2 assessments. For further information on this District, see <a href="http://www.elkgrovecity.org/finance/assessment-other-dist-info.asp">http://www.elkgrovecity.org/finance/assessment-other-dist-info.asp</a>.</p>	Final Map	Finance	
17.	<p>Prior to Final Map, the Project shall annex into the Street Maintenance Assessment District No. 1 Zone 3 or a Street Maintenance Community Facilities District to fund a portion of the additional costs for long-term roadway maintenance related to serving the new development. The annexation process can take several months, so applicants should plan accordingly. The application fee for the annexation is due prior to the Resolution of Intention to Levy Street Maintenance Assessments. For further information on this District, See <a href="http://www.elkgrovecity.org/finance/assessment-other-dist-nfo.asp">http://www.elkgrovecity.org/finance/assessment-other-dist-nfo.asp</a>.</p>	Final Map	Finance	
<b>Building Permit</b>				
18.	<p>Final Parcel Map shall be completed, approved, and recorded prior to issuance of 1st building permit.</p>	1st Building Permit	Public Works	

# EXHIBIT B



OWNER/APPLICANT:  
DAVID Z. HO & XIANGMING WANG  
10292 TERRY WAY #3  
CUPERTINO, CA 95015  
(408) 203-2970  
ho116@hotmail.com

SURVEYOR:  
EDDIE L. MORAVEC, PLS  
813 CHRISTIE COURT  
DAVIS, CA 95618  
(530) 400-1330  
eddie@moravecpl.com

PROPERTY LOCATION:  
8706 GRANT LINE ROAD  
ELK GROVE, CA 95624

LEGAL DESCRIPTION:  
NORTH HALF OF LOT 7 OF COFFING OAKS,  
MAP BOOK 13, MAP NO. 122, SACRAMENTO  
COUNTY RECORDS.

PROJECT AREA:  
TOTAL: 4.987 ACRES GROSS  
PARCEL 1: 2.000 ACRES GROSS  
PARCEL 2: 2.987 ACRES GROSS

ZONING:  
EXISTING: ARS  
PROPOSED: AR2

GENERAL PLAN DESIGNATION: RR  
EXISTING AND PROPOSED USE:  
RURAL RESIDENTIAL

FLOOD ZONE:  
ZONE X PER F.I.R.M. NO. 05087C0333H  
DATED AUGUST 16, 2012

A.P.N.: 123-0170-007  
SANITATION: PRIVATE SEPTIC SYSTEM

WATER: PRIVATE WELL

ELECTRICITY: S.M.U.D.  
1725 56th STREET  
SACRAMENTO, CA 95818  
(916) 732-5700

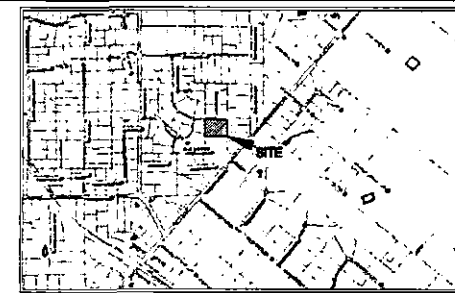
TELEPHONE:  
FRONTIER COMMUNICATIONS  
9527 LAGUNA SPRINGS DR.  
ELK GROVE, CA 95758  
(916) 863-9537

GAS:  
P. G. & E.  
2730 GATEWAY OAKS DR. #220  
SACRAMENTO, CA 95833  
(916) 923-7007

CABLE:  
COMCAST  
4350 PELL DRIVE  
SACRAMENTO, CA 95838  
(916) 848-8379

FIRE DIST.:  
COSUMES COMMUNITY  
SERVICES DISTRICT FIRE DEPT.  
8820 ELK GROVE BLVD.  
ELK GROVE, CA 95624  
(916) 405-7100

SCHOOL DIST.:  
ELK GROVE UNIFIED SD  
9510 ELK GROVE-FLOREN ROAD  
ELK GROVE, CA 95624  
(916) 868-5083



VICINITY MAP



Eddie L. Moravec, Land Surveyor  
Davis, CA (530) 400-1330  
eddie@moravecpl.com

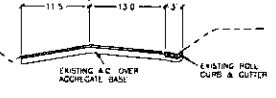
LEGEND	
	PARCEL BOUNDARY
	RIGHT-OF-WAY LINE
	EASEMENT LINE
	FENCE LINE
	ROLL CURB & GUTTER
	STREET GRADE
	EDGE PAVEMENT
	STORM DRAIN MAINTENANCE HOLE
	CULVERT
	UTILITY RISER
	UTILITY POLE WITH OVERHEAD LINE
	STREET LIGHT
	DOMESTIC WELL
	SPOT ELEVATION
	TREE WITH TRUNK DIAMETER NOTED AND CHIP LINE PLOTTED TO SCALE

**GENERAL NOTES**  
1. NO DEVIATIONS FROM THE STANDARDS OF THE CITY OF ELK GROVE ARE PROPOSED HEREON.  
2. ELEVATION CERTIFICATE(S) WILL BE PROVIDED AS REQUIRED BY THE CITY OF ELK GROVE PUBLIC WORKS DEPARTMENT.

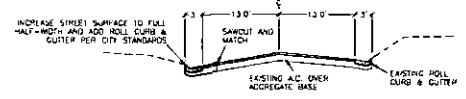
**PROJECT BENCHMARK**  
COUNTY BENCHMARK NO. 10-81, A 2" BRASS DISC IN THE CONCRETE BASE OF A FLASHING YELLOW WARNING LIGHT AT THE NORTHEAST CORNER OF THE INTERSECTION OF SHELDON AND EMELSON ROADS. ELEVATION 77.78, DATUM NAVD 88.

**SURVEYOR'S NOTE**  
THIS TENTATIVE PARCEL MAP WAS PREPARED BY ME. ALL EASEMENTS PER THE PRELIMINARY TITLE REPORT BY CHICAGO TITLE COMPANY DATED 9-17-2013 HAVE BEEN ACCURATELY PLOTTED HEREON.

Eddie L. Moravec  
EDDIE L. MORAVEC CALIFORNIA L.S. NO. 18219 2/18/2014



SECTION A-A EXISTING (NOT TO SCALE)



SECTION A-A PROPOSED (NOT TO SCALE)



SCALE: 1"=40'

## TENTATIVE PARCEL MAP FOR DAVID Z. HO

A PROPOSED DIVISION OF THE NORTH HALF OF LOT 7, AS SHOWN ON THE OFFICIAL PLAT OF COFFING OAKS, FILED MAY 20, 1912 IN BOOK 13 OF MAPS, MAP NO. 22, SACRAMENTO COUNTY RECORDS, WITHIN THE CITY OF ELK GROVE, CALIFORNIA.



**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2014-97**

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

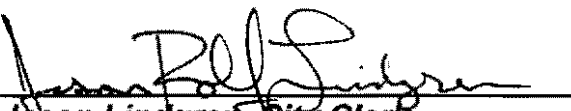
*I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on April 23, 2014 by the following vote:*

**AYES :**        **COUNCILMEMBERS:**     *Cooper, Detrick, Hume, Trigg*

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

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

**ABSENT:**     **COUNCILMEMBERS:**     *Davis*

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