

RESOLUTION NO. 2018-024

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE ELK GROVE TRIANGLE MINOR DEVIATION PROJECT REQUIRES NO FURTHER ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO STATE CEQA GUIDELINES 15162 AND APPROVING A MINOR DEVIATION TO EXCEED THE MAXIMUM LOT COVERAGE REQUIREMENT IN THE ELK GROVE TRIANGLE SPECIAL PLANNING AREA FOR THE PROPERTY LOCATED AT 9763 KAPALUA LANE, ASSESSOR PARCEL NUMBER 127-1010-013
PROJECT NO. EG-17-035**

WHEREAS, the Development Services Department of the City of Elk Grove received an application on August 17, 2017, from Engel and Lourdes Navea (Applicant), requesting a Minor Deviation (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 APN 127-1010-013; and

WHEREAS, the Project qualifies as a project under the California Environmental Quality Act (CEQA), Public Resource Code §§21000 et seq.; and

WHEREAS, State CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) applies to projects where prior environmental review was conducted and there have not been significant changes requiring further environmental review; and

WHEREAS, the City has reviewed the Project and analyzed it based upon the provisions in Section 15162 of the State CEQA Guidelines; and

WHEREAS, based on staff's review of the Project, no circumstances exist under Section 15162 that would require further environmental review for the Project beyond what was previously analyzed and disclosed; and

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

WHEREAS, the City Council held a duly-noticed public hearing on January 24, 2018, 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 finds that no further environmental review is required under the California Environmental Quality Act for the Project pursuant to State CEQA Guidelines Sections 15162 based upon the following finding:

California Environmental Quality Act (CEQA)

Finding: No further environmental review is required under the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations).

Evidence: The California Environmental Quality Act (Section 21000, et. seq. of the California Public Resources Code, hereafter CEQA) requires analysis of agency approvals of discretionary "projects." A "project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The proposed Project is a project under CEQA.

The Project requires no further environmental review under CEQA pursuant to CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) of Title 14 of the California Code of Regulations. Potential environmental impacts including, but not limited to traffic, drainage, and effects on wildlife were analyzed as part of the approved Mitigated Negative Declaration (MND) prepared for the Kapalua Estates Subdivision (EG-00-012)(SCH #2001092059). Since the approval of the MND for this subdivision, surrounding properties have either remained undeveloped or have developed in accordance with the Elk Grove Municipal Code and consistent with the Triangle SPA approvals.

The proposed Minor Deviation would not alter or increase the density of the land uses. The approval of the subdivision anticipated development of the properties with single-family dwellings, including associated accessory structures, accessory dwelling units, and driveways/circulation. The Minor Deviation request was routed and reviewed by various City departments. Staff determined that the roadside ditches within the subdivision have not experienced any flooding issues in the past and will have sufficient capacity to accommodate the minor increase in site coverage.

The proposed Minor Deviation will not allow any additional land uses beyond what is already allowed. Staff finds that the referenced MND is sufficient and, pursuant to State CEQA Guidelines Section 15162, which sets forth the requirements for which subsequent analysis is required, no further environmental review is required.

AND BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove approves a Minor Deviation for the property located at 9763 Kapalua Lane as described in Exhibit A and illustrated in Exhibit B (all incorporated herein by this reference) allowing for a 10% deviation in lot coverage to allow for a total of 22% lot coverage, based upon the following findings:

Finding #1: The deviation improves the site, architectural, and/or overall Project design.

Evidence: The 22% site coverage represents a 10% increase over the 20% maximum allowance per the Triangle SPA and is permitted with a Minor Deviation. The deviation for lot coverage could allow for an accessory structure to provide fully-enclosed storage

for personal recreational vehicles. This would enhance the overall project as the stored vehicles would be totally screened from view from the street and adjacent properties.

Finding #2: The deviation is materially consistent with the Project and is compatible with surrounding uses and structures.

Evidence: The Applicant proposes to construct a detached accessory structure. The proposed structure will match the design and materials of the proposed main residence and will be compatible with the surrounding properties which are developed with single-residences with associated accessory structures. The proposed structure will exceed the lot coverage requirements, but has been conditioned not to exceed a total 22% lot coverage inclusive of all structures on the property.

AND BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove approves a Minor Deviation for the property located at 9763 Kapalua Lane as described in Exhibit A and illustrated in Exhibit B (all incorporated herein by this reference), subject to the following condition of approval:

- 1) The proposed accessory structure shall be modified such that the maximum combined lot coverage of all structures shall not exceed 22%. The final design shall be compatible with the size, style, and materials of the main residence and shall be subject to final review and approval by the Development Services Director.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 24th day of January 2018.



STEVE LY, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:

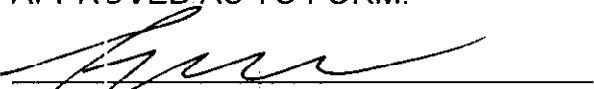

JONATHAN P. HOBBS,
CITY ATTORNEY

Exhibit A
Elk Grove Triangle Special Planning Area Minor Deviation
(EG-17-035)
Project Description

The Project consists of a Minor Deviation to exceed the maximum 20% lot coverage area to allow a 22% lot coverage for a new accessory structure on the property located at 9763 Kapalua Lane.

Exhibit B Elk Grove Triangle Special Planning Area Minor Deviation (EG-17-035) Project Plans

PROJECT INFORMATION

LEGAL DESCRIPTION:
LOT 10, TRACT 10, ELK GROVE TRIANGLE, ELK GROVE, CALIFORNIA

OWNER:
NAVEA RESIDENCE

PROJECT NAME:
SINGLE STORY RESIDENTIAL

DATE:
MAY 20, 2017

CITY:
ELK GROVE, CALIFORNIA

DRAWINGS INDEX

1.0 COVER SHEET

1.1 SITE PLAN

1.2 EXISTING AND PROPOSED UTILITIES

1.3 EXISTING AND PROPOSED EROSION CONTROL

1.4 EXISTING AND PROPOSED LANDSCAPE

1.5 EXISTING AND PROPOSED LIGHTING

1.6 EXISTING AND PROPOSED SIGNAGE

1.7 EXISTING AND PROPOSED FENCE

1.8 EXISTING AND PROPOSED DRIVEWAY

1.9 EXISTING AND PROPOSED PATIO

1.10 EXISTING AND PROPOSED PORCH

1.11 EXISTING AND PROPOSED DECK

1.12 EXISTING AND PROPOSED STAIRS

1.13 EXISTING AND PROPOSED RAMP

1.14 EXISTING AND PROPOSED WALKWAY

1.15 EXISTING AND PROPOSED BIKEWAY

1.16 EXISTING AND PROPOSED PLAY AREA

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1.18 EXISTING AND PROPOSED SWIMMING POOL

1.19 EXISTING AND PROPOSED GOLF COURSE

1.20 EXISTING AND PROPOSED TENNIS COURT

1.21 EXISTING AND PROPOSED OTHER RECREATION

1.22 EXISTING AND PROPOSED OTHER UTILITIES

1.23 EXISTING AND PROPOSED OTHER FEATURES

1.24 EXISTING AND PROPOSED OTHER NOTES

PROJECT DIRECTORY

1.0 COVER SHEET

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2 SITE PLAN

1 VICINITY MAP

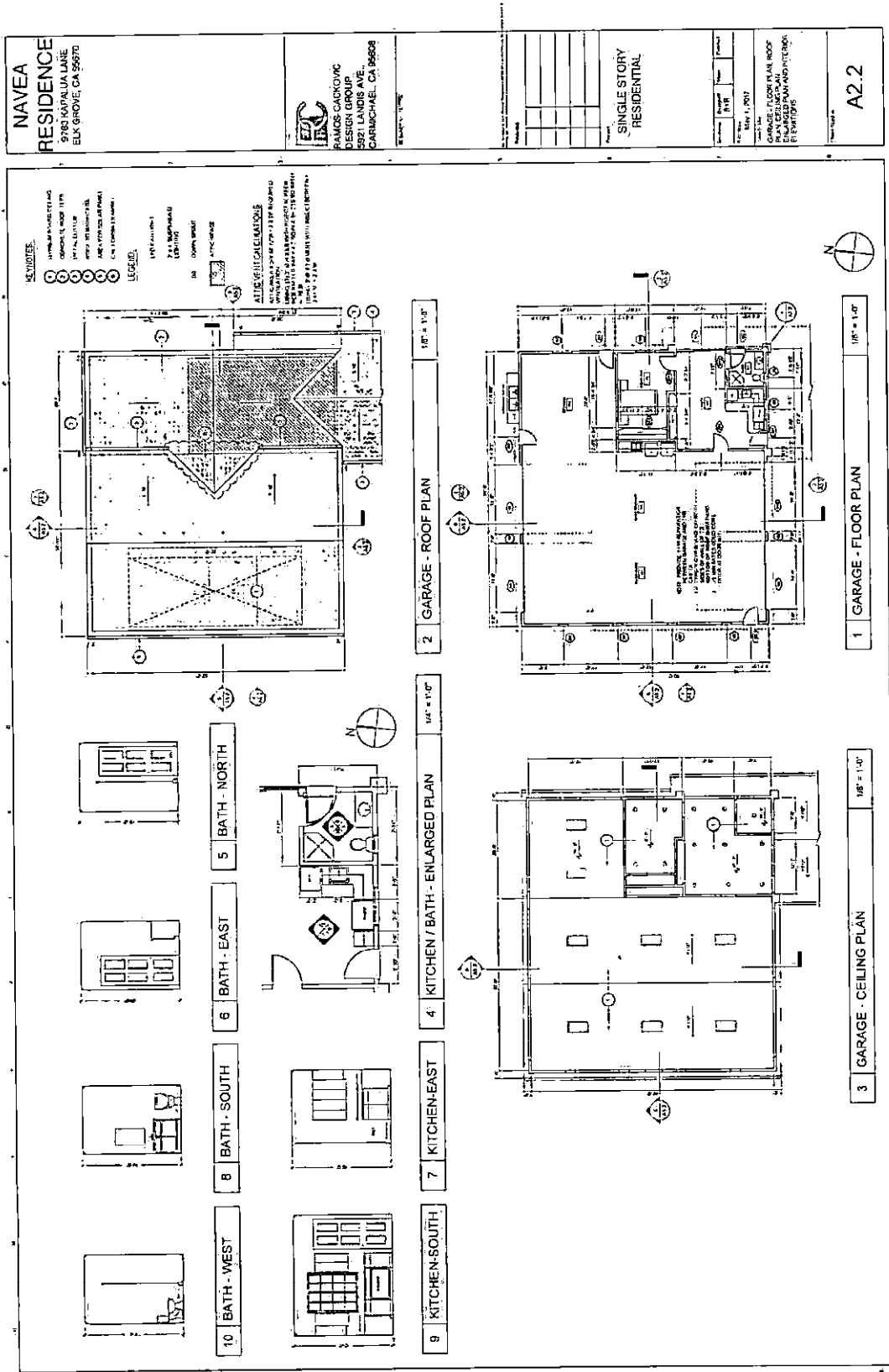
NOTES:

- ALL DIMENSIONS ARE IN FEET AND INCHES.
- ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
- ALL DIMENSIONS ARE TO EXTERIOR UNLESS OTHERWISE NOTED.
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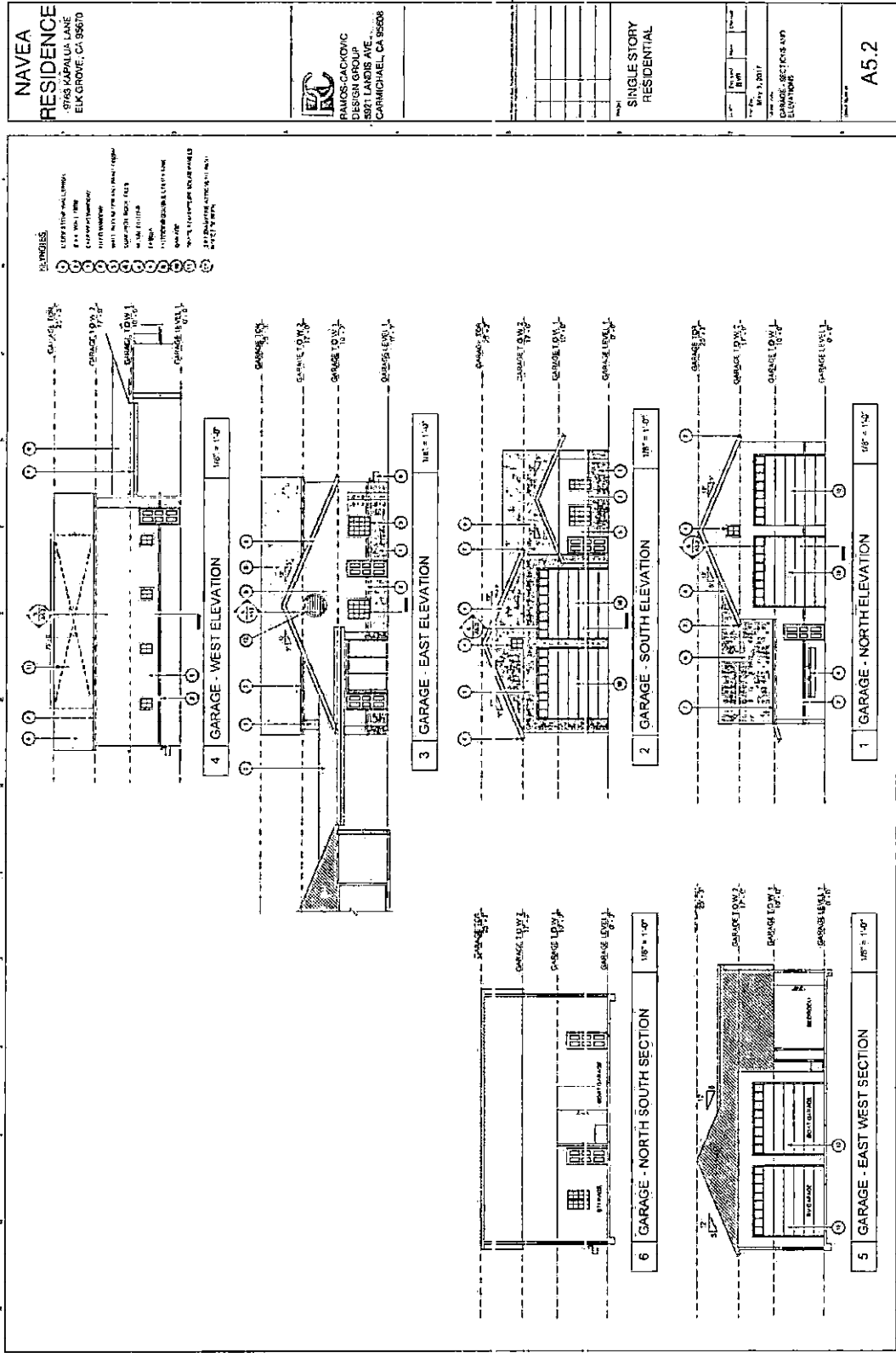
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Exhibit B Elk Grove Triangle Special Planning Area Minor Deviation (EG-17-035) Project Plans



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**Exhibit B
Elk Grove Triangle Special Planning Area Minor Deviation (EG-17-035)
Project Plans**



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**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2018-024**

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 January 24, 2018 by the following vote:

AYES: **COUNCILMEMBERS:** *Ly, Suen, Detrick, Hume*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *Nguyen*



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