

RESOLUTION NO. 2018-077

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
FINDING THE CALVINE-BRADSHAW COMMERCIAL PROJECT (EG-18-003)
EXEMPT FROM CEQA PURSUANT TO STATE CEQA GUIDELINES SECTION 15270
AND DENYING APPROVAL OF A GENERAL PLAN AMENDMENT**

WHEREAS, the Development Services Department of the City of Elk Grove received an application on January 16, 2018, from Armstrong Development (the "Applicant"), requesting a General Plan Amendment (the "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: 122-0180-003; and

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

WHEREAS, Section 15270 of Title 14 of the California Code of Regulations (State CEQA Guidelines) states that CEQA does not apply to projects for which a public agency disapproves; 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), and all other applicable State and local regulations; and

WHEREAS, the Planning Commission held a duly-noticed public hearing on March 15, 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; and

WHEREAS, the Planning Commission voted 4-0 to recommend that the City Council provide direction to staff to further investigate the introduction of commercial uses at the southeast corner of Calvine Road and Bradshaw Road which is currently designated for Rural Residential land uses.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby denies the Project based on any reasons indicated at the public hearings on the Project and the following findings and reasons:

California Environmental Quality Act (CEQA)

Finding: The subject project is exempt from the California Environmental Quality Act (CEQA).

Evidence: The project is disapproved. State CEQA Guidelines Section 15270 provides a CEQA exemption stating that CEQA does not apply to projects that an agency rejects or disapproves.

General Plan Amendment

Reasons for Denial: The Project proposes to amend the General Plan from its current Rural Residential designation to the Commercial designation in order to develop the subject site with a fueling station, carwash, and restaurant with drive through service. Staff has evaluated the request against the General Plan, specifically Policy LU-18 stating:

Land uses within the "Sheldon" area (generally encompassing the area designated for Rural Residential uses in the eastern portion of Elk Grove) shall be consistent with the community's rural character, emphasizing lot sizes of at least two gross acres, roadways which preserve the area's mature trees, and limited commercial services.

The proposed commercial development, including the fueling station, carwash, and drive-through restaurant represent an intensification of the land use that is not consistent with the General Plan's policy to retain the rural character within the Rural Residential designation. Furthermore, the proposed development has the potential to generate impacts related to noise, traffic, light and glare, and aesthetics that would not be compatible with the surrounding rural properties. Therefore, the proposed amendment is inconsistent with the General Plan and is denied.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 25th day of April 2018.



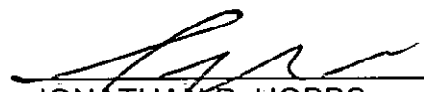
STEVE LY, MAYOR OF THE
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2018-077

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

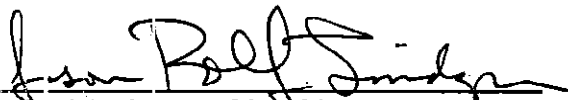
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on April 25, 2018 by the following vote:

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

NOES: **COUNCILMEMBERS:** *Detrick*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California