

RESOLUTION NO. 2020-031

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
FINDING NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED PURSUANT TO
STATE CEQA GUIDELINES SECTION 15183 AND APPROVING A CONDITIONAL
USE PERMIT AMENDMENT AND DESIGN REVIEW AMENDMENT FOR THE
WELLQUEST LIVING OF ELK GROVE PROJECT (PLNG19-049)
(FORMERLY THE LANDING ASSISTED LIVING PROJECT)
ASSESSOR PARCEL NUMBER 116-0030-053**

WHEREAS, the Development Services Department of the City of Elk Grove (the "City") received an application on November 12, 2019, from Jeffrey DeMure & Associates, Architects Planners, Inc., (the "Agent") requesting a Conditional Use Permit Amendment and Design Review Amendment for WellQuest Living of Elk Grove (PLNG19-049) (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 116-0030-053; and

WHEREAS, the Development Services Department considered the Project request pursuant to the Elk Grove General Plan; the Elk Grove Municipal Code (EGMC) Title 22 (Land Development) and Title 23 (Zoning Code); the Elk Grove Design Guidelines, and all other applicable state and local regulations; and

WHEREAS, the City Council held a duly-noticed public hearing on February 12, 2020, as required by law to consider all 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 (CEQA) for the Project pursuant to State CEQA Guidelines Section 15183 based upon the following finding:

Finding. No further environmental review is required for the Project under CEQA pursuant to State CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

Evidence: 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" (State CEQA Guidelines Section 15378). The proposed Project is a project under CEQA.

State CEQA Guidelines Section 15183, provides that projects which are consistent with the development density established by a Community Plan, General Plan, or Zoning for which an environmental impact report (EIR) has been certified "shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site." An EIR was prepared and certified by the City Council as part

of the Elk Grove General Plan (SCH# 2017062058).

The proposed Project is consistent with the development density established by the General Plan EIR because the proposed cottages and relocated amenities will be consistent in size and intensity of the original approval. The large senior care use is conditionally allowed in the GC zone which implements the General Plan's commercial designation for the Project site. The care facility modifications and reintroduced cottages are consistent with the development intensity (size, height, setbacks) of the original Project design as well as other commercial uses that are permitted within the GC zone. An analysis was conducted based on the Project description, hours of operation, and size of facility, which concluded that the proposed Project does not warrant further Vehicle Miles Traveled (VMT) analysis as required by the City's Transportation Analysis Guidelines.

No additional impacts to on-site resources have been identified beyond what was envisioned in the General Plan EIR. Therefore, no further environmental analysis is required as the scope of the proposed Conditional Use Permit and Design Review amendments are consistent with the General Plan and zoning designations. All proposed development will be subject to the requirements of the EGMC and existing General Plan Mitigation Monitoring and Reporting Program (MMRP).

AND BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove hereby approves a Conditional Use Permit Amendment and Design Review Amendment for the Project as described in Exhibit A and illustrated in Exhibit B, subject to the conditions of approval in Exhibit C (all incorporated herein by this reference), based upon the following findings:

Conditional Use Permit (CUP) Amendment

Finding #1: The proposed use is consistent with the General Plan and all applicable provisions of this Title 23, Zoning.

Evidence #1: The original approval included a rezone of the ±10.35-acre site from Shopping Center (SC) to General Commercial (GC), consistent with the General Plan land use designation of Commercial/Office/Multifamily (C/O/M). As part of the General Plan Update, the C/O/M land use designation was amended to Regional Commercial. The Regional Commercial designation has an implementing zoning designation of GC. The proposed use, with amendments, is conditionally allowed with a CUP approval in the GC zone. As the GC zone implements the General Plan Regional Commercial designation, the use will be consistent with the General Plan commercial land use Consistency Matrix Table 3-1.

Finding #2: The establishment, maintenance or operation of the use applied for will not under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such use, or the general welfare of the City.

Evidence #2: Staff has determined that under the circumstances of the case, the Project will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of the use, or the general welfare of the City. The relocation of the clubroom to the main building and the pool to the central courtyard will centralize activities within the center of the parcel, reducing potential for noise spillover onto adjacent parcels. Further, the centralization of the amenities will reduce the number of residents crossing the interior circulator street to access the pool and amenities, enhancing safety by reducing the potential for pedestrian and vehicular conflicts.

Finding #3: There are changed circumstances sufficient to justify the modification of the approval.

Evidence #3: The original project approval (EG16-028) proposed the two independent living cottages now being reintroduced into the site. Subsequent to that approval, the Applicant received the approval of an amendment (PLNG19-021) for the replacement of the two cottage units with a swimming pool and club house. Since the granting of that amendment, the Project was acquired by WellQuest Elk Grove LLC., which seeks to unify the assisted living component of the Project with the independent living cottages by centralizing the pool and accompanying amenities to the central courtyard and main building. Staff believes the relocation of these amenities will increase the functionality of both the overall project and site amenities and supports the requested modifications.

Design Review Amendment

Finding #1: The proposed Project is consistent with the objectives of the General Plan, complies with applicable zoning regulations, specific plan provisions, special planning area provisions, Citywide Design Guidelines, and improvement standards adopted by the City.

Evidence #1: The original approval included a rezone of the ±10.35-acre site from Shopping Center (SC) to General Commercial (GC) consistent with the General Plan land use designation of Commercial/Office/Multifamily (C/O/M). As part of the General Plan Update, the C/O/M land use designation was amended to Regional Commercial. The Regional Commercial designation has an implementing zoning designation of GC. The proposed use, with amendments, is conditionally allowed with a CUP approval in the GC zone. As the GC zone implements the General Plan Regional Commercial designation, the use will be consistent with the General Plan commercial land use Consistency Matrix Table 3-1. Additionally, the proposed independent living cottages are consistent in design with the other approved cottages which were found to be in conformance with the Elk Grove Design Guidelines during the initial approval. The Project is consistent with all applicable Zoning Code regulations.

Finding #2: The proposed architecture and site design is suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community.

Evidence #2: The proposed architecture and site design is functional and suitable for the purpose of the Project and site. The modified site plan will create a central community hub within the community that is easily accessible. The proposed cottage duplex will utilize high-quality materials and is architecturally consistent with the main building and surrounding cottages.

Finding #3: The architecture, including the character, scale and quality of the design, relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signing and similar elements establishes a clear design concept and is compatible with the character of buildings on adjoining and nearby properties.

Evidence #3: The contemporary cottage design will use a Boral Cast Fit French Gray Stone accent with a Standing Seam Metal Roof. Colors consist of earth tones with a gray main body color and a "felted wool" accent body. Two additional earth tone colors are used as accents as well as a brown trim to provide a cohesive palette that is varied and provides visual interest. The proposed design will blend into the community as the same design was approved by the City Council during the initial approval and is used throughout the community. The Project will comply with the design standards of the Zoning Code and the Elk Grove Design Guidelines.

Finding #4: The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.

Evidence #4: The proposed Project will work to centralize community amenities placing them at the core of the community and closer to the majority of the residents. The revised design will allow a greater number of residents to access amenities without having to cross a street. While fencing and gates are proposed for the Project, the Project has been conditioned so that the gates remain open during daytime hours in order to ensure site accessibility to all modes of transportation. Both Cosumnes CSD Fire and Development Engineering have reviewed the gate layouts and found them to be acceptable.

Finding #5: For residential subdivision design review applications, the residential subdivision is well integrated with the City's street network, creates unique neighborhood environments, reflects traditional architectural styles, and establishes a pedestrian friendly environment.

Evidence #5: The Project is not a residential subdivision. Therefore, this finding is not relevant to the Project.

Finding #6: There are changed circumstances sufficient to justify the modification of the approval.

Evidence #6: The original project approval (EG16-028) proposed the two independent living cottages now being reintroduced into the site with this amendment. Subsequent to that approval, the Applicant received the approval of

an amendment (PLNG19-021) for the replacement of the two cottages with a swimming pool and clubhouse. Since the granting of that amendment, the Project was acquired by WellQuest Elk Grove LLC., which seeks to unify the assisted living component of the Project with the independent living cottages by centralizing the pool and accompanying amenities to the central courtyard and main building. Staff believes the relocation of these amenities will increase the functionality of both the overall Project and site amenities and supports the requested modifications.

Finding #7: The requested deviation improves the usability of the site and its relationship to surrounding development, including but not limited to pedestrian and vehicular movement and accessibility, architectural design, and landscaping and site amenities or otherwise does not impact the usability of the site or negatively impact adjoining property.

Evidence #7: The original Project approval proposed the installation of a total of 143 trees from nine different species. The Applicant is subsequently requesting that the landscape plan be modified to provide a total of 190 trees from 11 species. In order to facilitate the planting of additional trees, the Applicant is requesting a 12 percent reduction in the number of 24-inch box trees planted. Pursuant EGMC Section 23.54.010, the purpose of the landscape chapter is to enhance the appearance of developments, reduce heat and glare, control soil erosion, conserve water, and establish a buffer between residential and nonresidential land uses. The intent of the 24-inch box requirement is to ensure trees be of a certain maturity at the time of installation. In addition to providing more trees overall, the revised landscape plan proposes all trees along the eastern property line to be 24-inch boxes, which will further enhance Project screening. Based on these modifications, staff believes that the ultimate purpose and intent of the landscape chapter is maintained, and the Project is enhanced with the proposed landscape amendments.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 12th day of February 2020




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
WellQuest Living (PLNG19-049)
Project Description

PROJECT DESCRIPTION

The proposed Project consists of a Conditional Use Permit Amendment and Design Review Amendment for the previously-approved Landing Project (EG-16-028). The proposed modifications consist of the construction of an additional independent living duplex, the relocation of the swimming pool to the central courtyard, the relocation of the previously-approved clubhouse functions into the main building, the addition of gates and fencing around the complex, and a request for a deviation from the requirement that 33 percent of all trees be from 24-inch box trees. The City Council originally approved the Project on January 11, 2017 (EG-16-028).

**Exhibit B
WellQuest Living (PLNG19-049)
Project Plans**



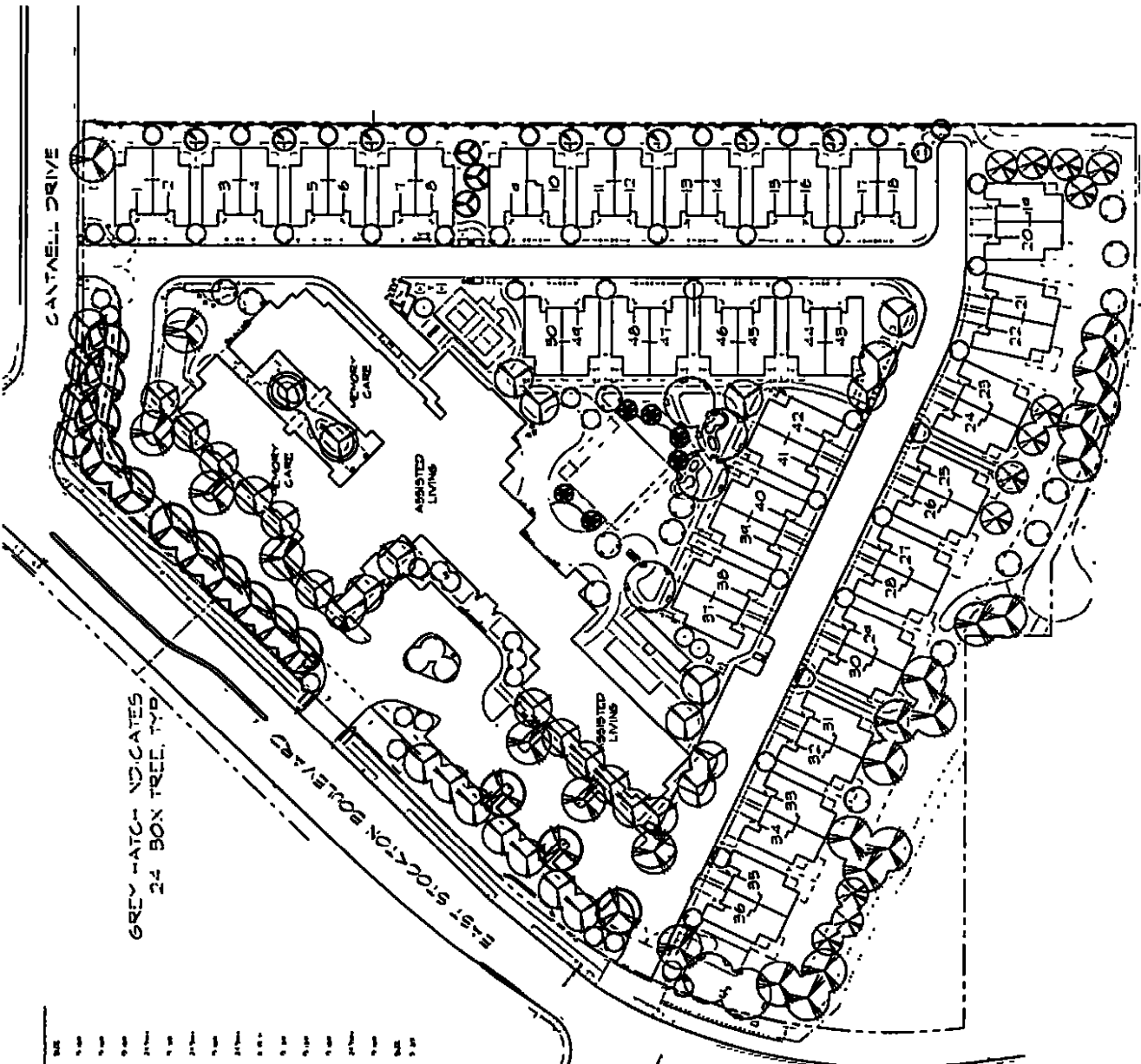
YAMASAKI
 ARCHITECTS
 1000 AVENUE OF THE STARS
 SUITE 1000
 FORT MYERS, FLORIDA 33904
 TEL: (813) 938-1000
 FAX: (813) 938-1001

**THE LANDING AT ELK GROVE
 LANDSCAPE DEVELOPMENT PLANS
 ELK GROVE, CALIFORNIA 95624**

TREE SUMMARY



DATE	1/11/11
BY	J. J. J.
CHECKED BY	J. J. J.
SCALE	AS SHOWN
PROJECT NO.	11-001
SHEET NO.	1



TREE AND VINE SCHEDULE

NO.	QTY	DESCRIPTION / COMMON NAME	SIZE
001	100	10' - 12' CALIFORNIA REDWOOD / CALIFORNIA REDWOOD	10' - 12'
002	50	10' - 12' CALIFORNIA REDWOOD / CALIFORNIA REDWOOD	10' - 12'
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030	50	10' - 12' CALIFORNIA REDWOOD / CALIFORNIA REDWOOD	10' - 12'

TREE SCHEDULE
 QUANTITIES LISTED IN THIS SCHEDULE ARE BASED ON THE ASSUMPTIONS AND CONDITIONS SET FORTH IN THE NOTES TO THE SCHEDULE. QUANTITIES ARE SUBJECT TO VERIFICATION BY THE LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION. QUANTITIES ARE SUBJECT TO VERIFICATION BY THE LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION. QUANTITIES ARE SUBJECT TO VERIFICATION BY THE LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION.

DATE	NO.	DESCRIPTION

PROJECT	NO.	DATE

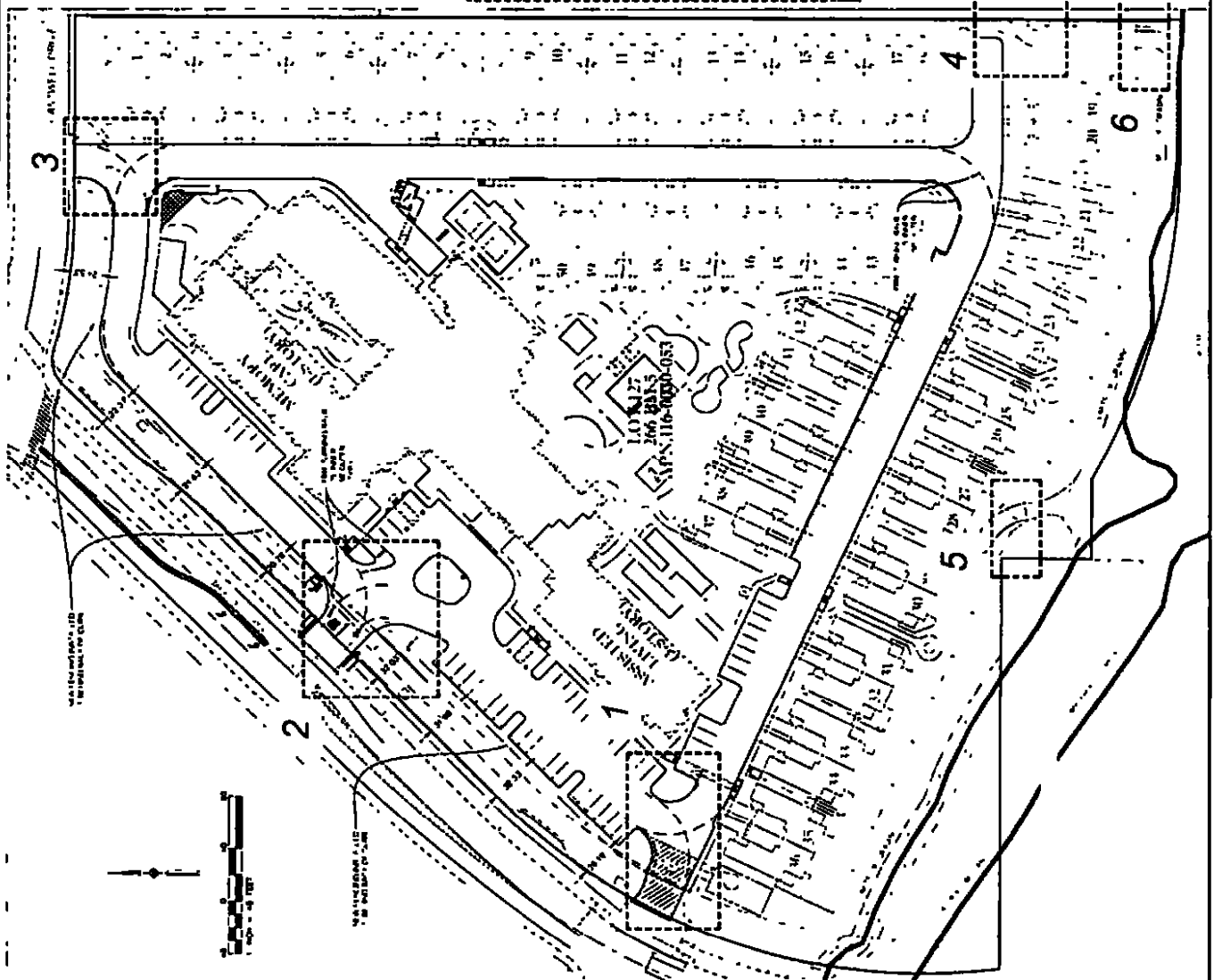
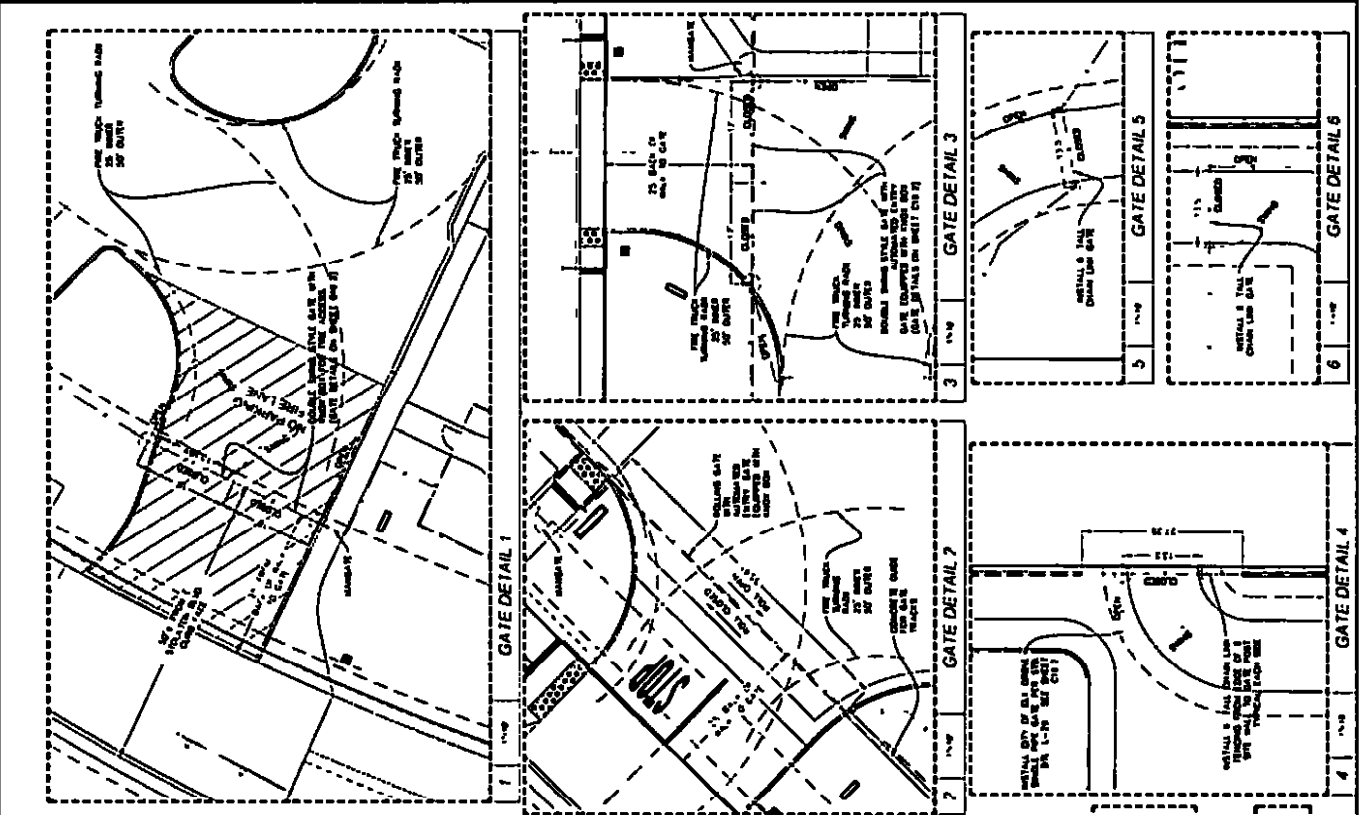


SIERRA CAPITAL & INVESTMENTS
 1225 NORTH FIRST STREET
 SUITE 101
 FRESNO, CA 93720
 PH (510) 771-9281

THE LANDING AT ELK GROVE
 SENIOR LIVING
 4811 EAST STOKER BLVD
 ELK GROVE, CA

GATE PLAN
 SCALE: 1/8" = 1'-0"

C18.1	50
DATE	
BY	



154



FRONT ELEVATION | STYLE 'B' | 14'6" x 10'

**Exhibit C
WellQuest Living of Elk Grove (PLNG19-021)
Conditions of Approval**

<u>Conditions of Approval</u>		<u>Timing / Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
ON-GOING				
1.	Development and operation of the proposed Project shall be consistent with the Project Description and Project Plans as provided in Exhibits A and B, incorporated herein by this reference. Deviations from the approved plans shall be reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body.	On-Going	Planning	
2.	This permit is subject to the approved conditions contained in the original Project EG-16-028 approval.	On-Going	Planning	
3.	This action does not relieve the Applicant of the obligation to comply with all applicable federal, state and local ordinances, statutes, regulations, and procedures.	On-Going	Planning	
4.	The Applicant/Owner or Successors in Interest (hereinafter 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 application/permit or any environmental or other documentation related to approval of this Application.	On-Going	Planning	
5.	As to any fee, dedication, reservation or exaction established by these conditions of approval that are subject to the Mitigation Fee Act, notice is hereby given pursuant to California Government Code Section 66020(d) that the 90-day period in which you may protest the fees set forth herein has begun to run as of the date of approval of this Project. Other limitations periods may apply. The City reserves all rights.	On-Going	Planning	
6.	Except as otherwise specified or provided for in the Project plans or 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. <ul style="list-style-type: none"> • The Elk Grove Zoning Code (Title 23 of the EGMC) • EGMC Chapter 19.12 (Tree Preservation and Protection) • EGMC Chapter 14.10 (Water Efficient Landscape Requirements) • EGMC Title 16 (Building and Construction) • EGMC Title 22 (Land Development) 	On-Going	Planning	

	<u>Conditions of Approval</u>	<u>Timing / Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and signature)</u>
7.	<p>The Applicant shall design and construct all improvements in accordance with the City of Elk Grove Improvement Standards, as further conditioned herein, and to the satisfaction of the City</p> <p>Public sewer, water, and other utility infrastructure shall be designed and constructed with the standards of the appropriate utility.</p>	On-Going	Planning Engineering SCWA EGWD SASD SMUD PG&E	
8.	<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), Elk Grove Water District (EGWD) or other agencies or services providers as established by law.</p>	On-Going	Planning Engineering CCSD SCWA EGWD SASD	
9.	<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 as may be applicable:</p> <ul style="list-style-type: none"> • Grading Permit and Improvement Plan • Building Permit and Certificate of Occupancy • Requirements of the Sacramento Metropolitan Air Quality Management District • Fire Department Review for permits and/or occupancy 	On-Going	Planning Engineering Building CCSD SCWA EGWD SASD	
10.	<p>All proposed fencing, including gates, along East Stockton Boulevard and Cantwell Drive frontages shall be open view, constructed of tubular metal and be located to the satisfaction of the Development Services Director.</p>	On-Going	Planning	
11.	<p>All gated entries shall remain open between 7:00 am and 7:00 pm</p>	On-Going	Code Enforcement Planning	

PRIOR TO ISSUANCE OF A BUILDING PERMIT

12.

A final landscape plan shall be required pursuant to Zoning Code Chapter 23.54 (Landscaping). Such plans shall be prepared by a landscape architect registered to practice in the State of California. Changes to approved landscaping or irrigation plans shall not be made without prior written approval of the Development Services Director. The construction/installation of landscape and irrigation improvements shall be accomplished in compliance with the approved plans as a prerequisite to any final approval/clearance of the use or development to which it relates.

All pedestrian crossings shall be clearly marked with signage and (a) variety of paved material, colored/stamped asphalt, and/or (b) striping, all at the discretion and approval of the Development Services Director.

Building Permit

Planning Engineering

<u>Conditions of Approval</u>		<u>Timing / Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
13.	All driveways shall be constructed per City Standards, to the satisfaction of the City and CSD Fire, as shown on the site plan.	Building Permit	Engineering	
14.	The Applicant shall reconstruct any damaged curb, gutter, sidewalk and/or pavement regardless if it was caused by construction-related activities associated with the Project. If pavement replacement is necessary, as determined by the City, the Applicant may be required to grind, overlay, and/or slurry seal the damaged portion(s) in accordance with the City Improvement Standards and to the satisfaction of the City. The Applicant shall schedule an inspection with the City to document the pre-construction condition of existing surface infrastructure adjacent to and near the Project.	Building Permit	Engineering	
15.	The Planning Division shall be notified immediately if any prehistoric, archaeological, or paleontological artifact is uncovered during construction. All construction must stop and an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to evaluate the finds and recommend appropriate action. A note stating the above shall be placed on the Improvement Plans.	Building Permit	Planning	
16.	All construction must stop if any human remains are uncovered, and the County Coroner must be notified according to Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the procedures outlined in State CEQA Guidelines Section 15064.5 (d) and (e) shall be followed. A note stating the above shall be placed on the Improvement Plans.	Building Permit	Planning	
17.	The Applicant shall maintain parking lot illumination consistent with Zoning Code standards of EGMC Chapter 23.56 and the best practices of the Crime Prevention through Environmental Design (CPTED) guidelines.	Building Permit	Police	

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2020-031**

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 February 12, 2020 by the following vote:

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

NOES: COUNCILMEMBERS: *None*

ABSTAIN: COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*



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