

RESOLUTION NO. 2005-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A DESIGN REVIEW (NON-RESIDENTIAL) OF 28,000 SQUARE FEET, 2-STORY MIXED-USE COMMERCIAL DEVELOPMENT, VARIANCE FROM OTSPA MAXIMUM 20-FOOT TALL HEIGHT REQUIREMENT FOR COMMERCIAL DEVELOPMENT, SPECIAL PARKING REVIEW OF 108 PARKING STALLS, AND DEVIATION FROM FENCE REQUIREMENT TO ALLOW INSTALLATION OF SIX-FOOT TALL WROUGHT IRON FENCING, FOR A PROJECT KNOWN AS OLD TOWN MIXED-USE DEVELOPMENT UNDER APPLICATION NO. EG-03-488, SUBJECT TO THE FINDINGS AND MMRP/CONDITIONS OF APPROVAL

WHEREAS, Old Town Mixed-Use Development, represented by Eagle Circle CM, filed an application with the City of Elk Grove (hereinafter referred to as City) for a General Plan Amendment, Rezoning, Design Review, Variance, Special Parking Review, and Deviation from Fence Requirement (Assessor's Parcel Number 134-0072-013, 014, 015, 016); and

WHEREAS, the City Council is the appropriate authority to hear and take action on this project after a recommendation by the Planning Commission; and

WHEREAS, an Initial Study was prepared for this project and a Notice of Intent to Adopt a Mitigated Negative Declaration was prepared and circulated according to the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission considered the Applicant's request at a public hearing on January 13, 2005 and recommended City Council approval of the project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ELK GROVE HEREBY RESOLVES AS FOLLOWS:

Approve the Old Town Mixed-Use Development Design Review of the 28,000 square foot development, Variance from 20' maximum height requirement under Old Town Special Planning Area ordinance, Special Parking Review to allow 108 off-street parking stalls, and Deviation from Fence Requirement to allow installation of six-foot tall wrought iron fencing, subject to the approval of a General Plan Amendment for this project, based on the following findings and the attached exhibits and conditions of approval included as Exhibit A and B, respectively.

1. CEQA

Finding: On the basis of the whole record, there is no substantial evidence that the project as designed, conditioned and mitigated, will have a significant effect on the environment. A Mitigated Negative Declaration has been prepared and completed in accordance with the California Environmental Quality Act (CEQA). The mitigated negative declaration reflects the independent judgment and analysis of the City.

Evidence: An Initial Environmental Study was prepared for the proposed project. The Initial Study identified potentially significant adverse effects in the areas of construction Aesthetics, Biological Resources, Cultural Resources, Transportation/Traffic, Noise, Geology and Soils, Hydrology/Water Quality, Public Services and Utilities/Service Systems. Mitigation Measures have been imposed on the project and the applicant has agreed to implement proposed mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant adverse effects on the environment would occur. Preparation of a Mitigation Monitoring and Reporting Program (MMRP) is required in accordance with City of Elk Grove regulations and is designed to ensure compliance during project implementation. All project changes required to avoid significant effects on the environment or to reduce potentially significant effects to a less than significant level have been incorporated into the project.

The City forwarded the Notice of Intent to Adopt the Mitigated Negative Declaration, pursuant to CEQA Guidelines 15072. A 20-day review and comment period was opened on April 7, 2004 and closed on April 27, 2004. The Mitigated Negative Declaration was made available to the public during this review period. The City received a written comment within the 20-day public review period which was addressed in the Planning Commission and City Council staff reports. The City has considered the comment received during the public review period, which did not alter the conclusions in the Initial Study and Mitigated Negative Declaration.

2. General Plan and Old Town Special Planning Area

Finding: The project is consistent with the goals and policies of the Elk Grove General Plan and Old Town Special Planning Area.

Evidence: Subject to the proposed amendments, the proposal is consistent with various City of Elk Grove General Plan policies. Land Use Element Policy LU-20 establishes specific criteria in promoting, preserving and improving Old Town Elk Grove. Historical Resource Element Policy HR-5 emphasizes preservation of the aesthetic quality and architectural diversity in Old Town Elk Grove. Economic Development Policies ED-1 and ED-12 addresses the needs for a mixed commercial uses and actively promote revitalization and a strong sales base in Old Town Elk Grove.

The proposal also conforms to OTSPA implementation goals promoting the retention and enhancement of a viable commercial area in Old Town Elk Grove and the preservation of the early California cultural and historical values of the area. The proposed project is consistent with the General Plan and OTSPA objectives of orderly and systematic development and responds to opportunities and constraints in the local community area.

3. Design Review-Non Residential

Finding: The proposed project is consistent with the Citywide Design Guidelines.

Evidence: The project is consistent with the non-residential standards guidelines of Citywide Design Guidelines. The site plan, building elevations, and landscape plan have been reviewed in accordance with the Citywide Design Guidelines for non-residential land uses, and it is concluded that the project's architecture and site planning meet all applicable design requirements. The project is subject to conditions of approval that will ensure consistency with all standard requirements.

Finding: The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site, and will enhance the character of the neighborhood and community.

Evidence: The site plan, building elevations, and landscape plans provide all design elements required by the Citywide Design Guidelines, including consistent detailing of the architectural style, providing sufficient pedestrian connectivity, adequate landscaping, and application of a consistent color palette throughout the project. The project is subject to conditions of approval that will ensure consistency with all standard requirements.

Finding: The following findings must be made pursuant to §506-46(e) of the Elk Grove Old Town Special Planning Area Ordinance:

- a. The theme is compatible with neighboring uses;
- b. The theme is compatible with the historical character of the community; and
- c. Adverse aspects (if any) of the use can be mitigated and will not affect the economic viability of the area.

Evidence:

- a. The proposed development is a permitted use in the Elk Grove Old Town Special Planning Area and is consistent with surrounding commercial and office uses in the area.
- b. The building emulates the historic forms of architecture on Elk Grove Boulevard and is architecturally consistent with the existing historic structures in Old Town.
- c. No adverse aspects of the use have been identified.

4. Variance

Finding: The strict interpretation of the requirements of this Code would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications. Also, the grant of the variance would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

Evidence: Other existing buildings in Elk Grove's Old Town exceed the 20-foot height limit. Furthermore, a strict adherence to this standard would be inconsistent with historic development patterns in the Old Town Elk Grove area.

5. Special Parking Review

Finding: The request for Special Parking Review is necessary for the orderly operation of the proposed development as provided in Section of 330-07 (Parking Reduction) of the City of Elk Grove Zoning Code.

Evidence: The proposed development is required to provide 126 off-street parking stalls. The request for Special Parking Review provides a supplemental evaluation and consideration for reduced parking at 108 stalls. The development warrants this review of the proposed parking as it would serve mixed-commercial uses that would have peak parking demands that occur at different times.

6. Deviation from Fence Requirement

Finding: The request for Deviation from Fence Requirement is consistent with Section 301-64 of the City of Elk Grove Zoning Code.

Evidence: As determined, the requirement for construction of the masonry wall along the southern area of the project site would create potential safety issues along the identified multipurpose trail and require the removal of existing heritage trees. Also, the installation of the wall on the eastern side of the site may be deemed unnecessary as it would limit connectivity between the adjacent parcels as they develop commercially. The project proposes to install wrought iron fencing along the eastern interior property lines.

PASSED AND ADOPTED by the City Council of the City of Elk Grove on the 16th day of FEBRUARY, 2005.

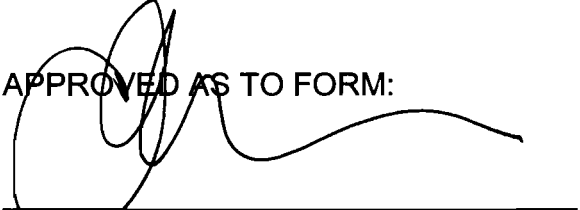


DANIEL BRIGGS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:


ANTHONY B. MANZANETTI,
CITY ATTORNEY



127 0170 050 0000
HARCROW
COMMERCIAL

127 0170 003 0000
HARCROW
COMMERCIAL

127 0170 005 0000
KIASER FAMILY
COMMERCIAL

VEHICULAR ACCESS RESTRICTED
ALONG FRONT OF PARKED 1
(Spec 7611-01 Pg 806)

ELK GROVE BLVD.

12 PUBLIC PARK GARMENT
Book 7611-01 Pg 808

2. PUBLIC PARK GARMENT
Book 7611-01 Pg 808
CONDITIONAL 3. TO BE RELOCATED ON THIS PROJECT

WEBB ST.

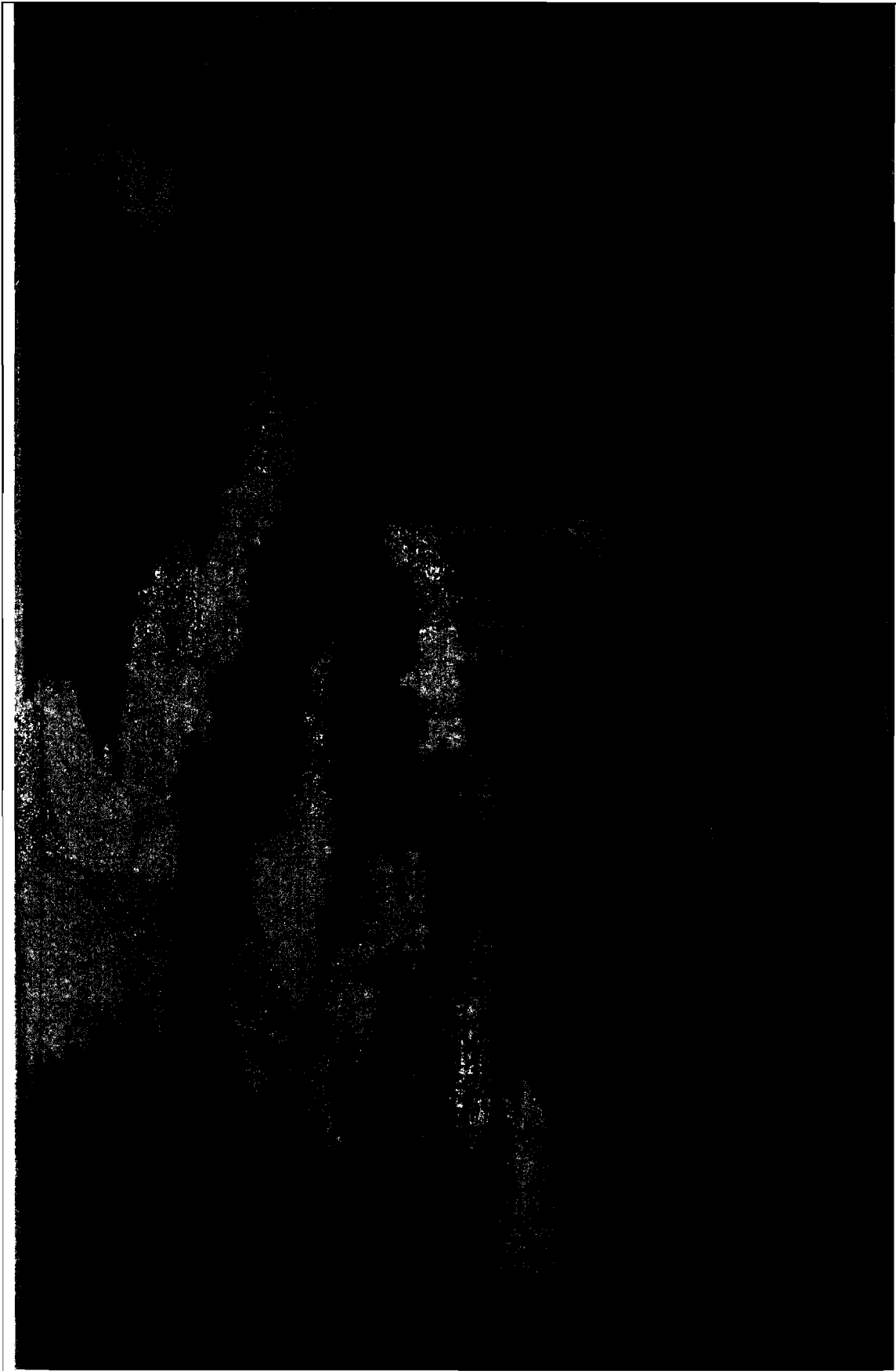
134 0072 012 00
MADRUGA FAMI
SF

31 DRAINAGE EASEMENT
Book 7611-01 Pg 804

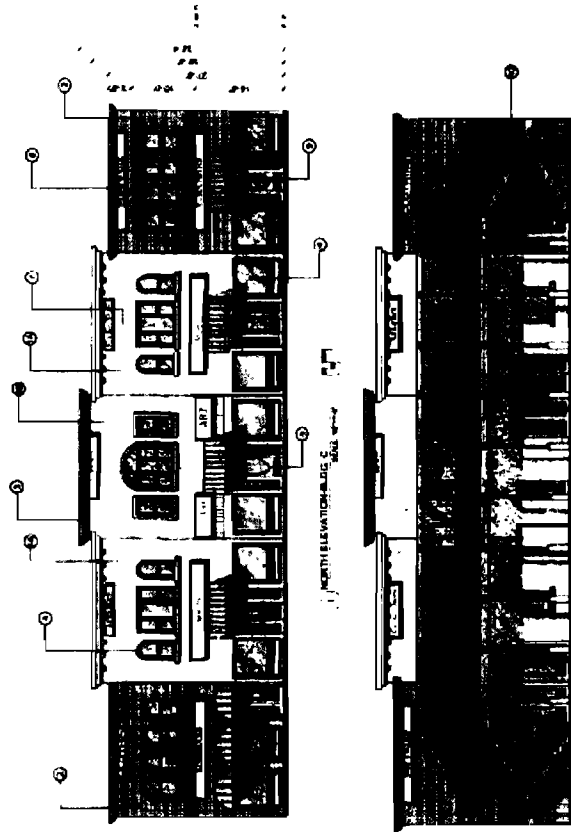
134 0072 019 0000
IMPERIAL CAPITAL BANK
MF

DRAINAGE CHANNEL

Exhibit A: Site Plan



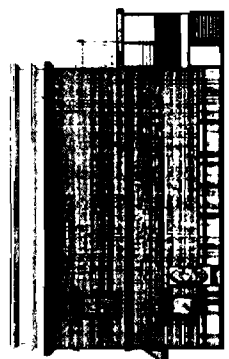
Streetscape Rendering



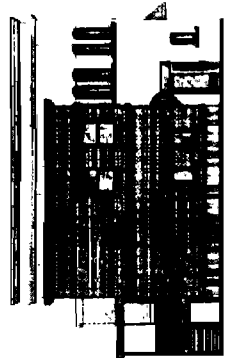
1 SOUTH ELEVATION-BLDG. C. SCALE 1/8"=1'-0"

Legend

1. STUCCO ACCENT PANELS, INTERIOR, STUCCO TO MATCH OTHER AREAS, CAST FINISH
2. PAINTED METAL VERTICAL SLATS, INTERIOR, PAINTED TO MATCH INTERIOR WALLS
3. PAINTED METAL VERTICAL SLATS, INTERIOR, PAINTED TO MATCH INTERIOR WALLS
4. PAINTED METAL VERTICAL SLATS, INTERIOR, PAINTED TO MATCH INTERIOR WALLS
5. PAINTED METAL VERTICAL SLATS, INTERIOR, PAINTED TO MATCH INTERIOR WALLS
6. PAINTED METAL VERTICAL SLATS, INTERIOR, PAINTED TO MATCH INTERIOR WALLS
7. STUCCO FINISH (TYPICAL)
8. PAINTED METAL VERTICAL SLATS, INTERIOR, PAINTED TO MATCH INTERIOR WALLS
9. PAINTED METAL VERTICAL SLATS, INTERIOR, PAINTED TO MATCH INTERIOR WALLS
10. STUCCO FINISH (TYPICAL)



10 WEST ELEVATION-BLDG. C. SCALE 1/8"=1'-0"



11 EAST ELEVATION-BLDG. C. SCALE 1/8"=1'-0"

ELEVATIONS C
ELK GROVE
 ARCHITECT PROJECT
 1111 East Broadway Street
 Elk Grove, California

ASAYAMA ARCHITECTS, INC.
 2711 Oakridge Drive
 Elk Grove, California
 95624

C-2

Building Elevation C

Exhibit B: Conditions of Approval / Mitigation Monitoring and Reporting Program

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
On-Going				
1.	<p>The development approved by this action is for Old Town Mixed-Used Development (EG-03-488) consisting of the following:</p> <ul style="list-style-type: none"> • General Plan Amendment from Residential to Commercial; • Rezoning of property under Old Town Special Planning Area from Residential to Commercial; • Design Review (Non-Residential) of a 2-story, 28,000 square foot mixed use development; • Variance from height standards of the Old Town Special Planning Area; • Parking Modification request for the proposed development; and • Deviation from Fence Requirement <p>The proposal is further described in the City Council staff report and attachments dated February 16, 2005.</p>	On-Going	Development Services – Planning	
2.	This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	On-Going	Development Services – Planning	
3.	The applicant shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.	On-Going	Development Services – Planning	
4.	All improvements shall be designed and constructed in accordance with the City of Elk Grove Improvement	On-Going	Public Works	

Exhibit B: Conditions of Approval / Mitigation Monitoring and Reporting Program

	Standards and to the satisfaction of Public Works.			
5.	If there are any discrepancies between the approved site plan and the conditions of approval, the conditions of approval shall supersede the site plan.	On-Going	Public Works	
6.	Pay all appropriate development fees charged by the City and other Special Districts providing services to the site.	On-Going	Public Works	
Prior to Issuance of Grading Permit/Improvement Plan				
7.	Comply with, record, and pay fees for the Mitigation Monitoring and Reporting Program (MMRP) associated with the project. Until the MMRP has been recorded and the estimated MMRP fee of \$1,000 has been paid, no improvement plan or grading plan for the subject property shall be approved. (Planning)	Prior to Issuance of Improvement Plan or Grading Permit	Development Services-Planning	
8.	During the construction phase(s) of the project, District Rule 403 – Fugitive Dust will apply. The developer/contractor is required to control dust emissions from earth moving activities or any other construction activity to prevent airborne dust from leaving the project site. Copies of District Rules can be found at www.airquality.org . The above requirement shall be shown as a note on all grading permits and improvement plans.	Note on Grading/Improvement Plan	Development Services – Planning and SMAQMD	
9.	Any architectural coatings used must comply with District Rule 442 – Architectural Coatings. The developer/contractor is required to use coatings that comply with the volatile organic compound content limits specified in Rule 442. Questions regarding Rule 442 should be directed to the District's Compliance Assistance Hotline at (916) 874-4884. The above requirement shall be shown as a note on all grading permits and improvement plans.	Note on Grading/Improvement Plan	Development Services – Planning and SMAQMD	
10.	The applicant shall submit a certified arborist report evaluating the existing trees on the project site. The report shall detail, but not limited to, the types, location, measurement, and condition of the existing trees.	Prior to Issuance of Grading Permit / Improvement Plan	Development Services – Planning	

Exhibit B: Conditions of Approval / Mitigation Monitoring and Reporting Program

<p>11.</p>	<p>The City shall retain, where feasible, all native trees larger than 6" dbh and all non-native trees larger than 19"dbh. The following measures shall be followed to protect trees identified for preservation:</p> <ul style="list-style-type: none"> a) For trees within the project area that are designated for preservation, a circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of each tree; b) Temporary protective fencing shall be installed at least one foot outside the driplines of the protected trees prior to initiating construction in order to avoid damage to the tree canopies and root systems; c) Final Grading Plans shall show all protected trees, tree numbers, and trees' protected dripline areas, and shall show the location of the required protective temporary fencing; d) Any protected trees on the site that require pruning shall be pruned by a certified arborist prior to the start of construction work in the area. All pruning shall be in accordance with American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines"; e) No signs, ropes, cables (except those which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the trees. Small metallic numbering tags for the purpose of preparing tree reports and inventories shall be allowed; f) No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of oak trees; f) No grading (grade cuts or fills) shall be allowed within the driplines of the oak trees; g) Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the 	<p>Notes on Grading/Improvement Plans</p>	<p>Development Services-Planning</p>	
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Exhibit B: Conditions of Approval / Mitigation Monitoring and Reporting Program

	<p>dripline of any oak tree:</p> <ul style="list-style-type: none"> h) No trenching shall be allowed within the dripline of oak trees. If it is absolutely necessary to install underground utilities within the dripline of an oak tree, the utility line shall be bored or jacked under the supervision of a certified arborist; i) The construction of impervious surfaces within the driplines of oak trees shall be stringently minimized. When it is absolutely necessary, a piped aeration system per City standard detail shall be installed under the supervision of a certified arborist; j) No sprinkler or irrigation system shall be installed in such a manner that it sprays water or requires trenching within the driplines of oak trees. An above ground drip irrigation system is recommended; k) During construction try to maintain the same watering frequency around trees that they are used to receiving; l) Landscaping beneath oak trees may include non-plant materials such as bark mulch, wood chips, boulders, etc. The only plant species that shall be planted within the driplines of oak trees are those that are tolerant of the natural semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants; m) Make sure any weed control chemicals utilized prior to laying of new asphalt are not applied where they can leach into the dripline area; and o) Clearing of weeds and debris from the protected dripline area shall be done by hand. Use weedeaters to remove weeds and grasses and do not disturb the natural grades within protected dripline area. 			
12.	<p>A Tree Replacement Planting Plan shall be prepared by a certified arborist or landscape architect to mitigate for the loss of native trees larger than 6" dbh and all non-native trees</p>			

Exhibit B: Conditions of Approval / Mitigation Monitoring and Reporting Program

<p>larger than 19" dbh that are proposed for removal, or that would be adversely affected by the project from the reconstruction of existing project features within the dripline. The Plan shall comply with the City Code and General Plan policies and be submitted to the City for review and approval. The Plan shall include the following elements:</p> <ul style="list-style-type: none"> a) Species, size and location of all replacement plantings; b) Method of irrigation; c) The City of Elk Grove Standard Tree Planting Detail L-1, including the 10-foot depth boring hole to provide for adequate drainage; d) Planting, irrigation and maintenance schedules; e) Identify the maintenance entity and include their written agreement to provide care and irrigation of the trees for a 3-year establishment period, and to replace any of the replacement trees that do not survive that period; f) The minimum spacing for replacement oak trees shall be 20 feet on center; g) Replacement oak trees shall not be planted within 15 feet of the driplines of existing oak trees to be retained on-site, or within 15 feet of a building foundation or swimming pool excavation; h) No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of replacement oak trees; i) Replacement oak trees shall be planted in areas that are well-suited for the trees' survival and growth, as determined by a certified arborist in the Tree Replacement Planting Plan. The trees shall not be planted in areas where they would be subject to the project's construction activities, such as grading (grade cuts or fills) or trenching for underground utilities within the tree's driplines after 	<p>Notes on Grading/Improvement Plans</p>	<p>Development Services-Planning</p>	
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Exhibit B: Conditions of Approval / Mitigation Monitoring and Reporting Program

	<p>planting. The trees shall be planted in areas where water would not collect, stand within, or be diverted across the dripline of any replacement oak tree. Replacement oak trees shall not be planted in areas where they would be subject to the construction of impervious surfaces within the trees' driplines, either as part of the project or as part of future projects currently in the planning stages under the City of Elk Grove General Plan;</p> <p>j) No sprinkler or irrigation system shall be installed in such a manner that it sprays water or requires trenching within the driplines of replacement oak trees. An above ground drip irrigation system is recommended; and</p> <p>k) Landscaping beneath replacement oak trees may include non-plant materials such as bark mulch, wood chips, boulders, etc. The only plant species that shall be planted within the driplines of oak trees are those that are tolerant of the natural, semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants.</p>			
13.	<p>Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Planning Department shall be immediately notified. At that time, the Planning Department will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, adhere to the guidelines of the Native American Heritage Commission in the treatment and disposition of the remains.</p>	Note on Improvement Plans	Development Services-Planning	

Exhibit B: Conditions of Approval / Mitigation Monitoring and Reporting Program

14.	Dedicate Webb Street, west half section of 26' from the approved centerline. Improvement will be based on 52' primary residential street in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Improvement Plans	Public Works	
15.	Dedicate Elk Grove Blvd., south half section of 42' from the approved centerline. Improvement will be based on modified 84' cross-section in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Improvement Plans	Public Works	
16.	All improvements shall be dedicated in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Improvement Plans	Public Works	
17.	Provide a property owners agreement for maintenance of the stormwater treatment system.	Improvement Plans	Public Works	
18.	Provide reciprocal access easement agreement between the parcels of this development. The location of the access point(s) must be to Public Works satisfaction and will be approved when these parcels are developed.	Improvement Plans	Public Works	
19.	Dedicate a 12.5-foot public utility easement for underground facilities and appurtenances adjacent to public streets.	Improvement Plans	Public Works	
20.	All driveways and at the intersections shall conform to the visibility easement requirement in the City of Elk Grove Improvement Standard.	Improvement Plans	Public Works	
21.	All driveway throat depths shall be 45 feet, clear of parking spaces, measured from the back of sidewalk.	Improvement Plans	Public Works	
22.	Provide two paved curb cuts as access points for the drainage channel from the parking lot. Locations shall be to the satisfaction of Public Works. The access points shall be 12' wide and shall be paved to the edge of the channel. Show the location of the curb cuts on the plans. The drainage access shall be gated and signed to prevent parking/blocking the access and preventing unauthorized vehicles from accessing the drainage channel.	Improvement Plans	Public Works	
23.	Provide calculation and layout showing drainage areas and the pipe capacity in conformance with the 1996 Hydrology Standards Volume II and City of Elk Grove Improvement	Improvement Plans	Public Works	

Exhibit B: Conditions of Approval / Mitigation Monitoring and Reporting Program

	Standards. Show the manner in which overland flows are to be conveyed for a point of discharge.			
24.	Design and construct the stormwater treatment facilities prior to the drainage entering the public drainage system to the satisfaction of the City's Public Works.	Improvement Plans	Public Works	
25.	The project shall comply with the City of Elk Grove's Land Grading and Erosion Control Ordinances.	Grading Plan / Improvement Plans	Public Works	
26.	All finished floor elevations must be a minimum of 1 foot above the 100-yr water surface elevation in the area, calculated with a method acceptable to the City of Elk Grove, Public Works, Drainage. Provide hydraulic calculations as to the manner the 100-year water surface elevation was calculated.	Improvement Plans/Grading	Public Works	
27.	File a notice of Intent and prepare a SWPPP. SWPPP improvements shall be in place prior to moving equipment, material and personnel on-site for grading activities.	Prior to issuance of the Grading Permit	Public Works	
28.	Improvement plan must be approved by Public Works prior to Grading Permit.	Grading Permit	Public Works	
29.	Provide reciprocal access easement and shared parking agreement between the parcels of this development and the adjacent parcel to the east. The location of the access point(s) must be to Public Works satisfaction and will be approved when these parcels are developed.	Improvement Plans	Public Works	
30.	Drainage improvement plans shall be constructed as approved by the City of Elk Grove. Drainage easements, pursuant to the Sacramento County Floodplain Management Ordinance, shall be dedicated by grant deed prior to the issuance of building permits. Drainage facilities shall be installed prior to the issuance of building permits pursuant to the City of Elk Grove Floodplain Management Ordinance, Sacramento County Water Agency Code, and Elk Grove Improvement Standards, including any fee required by the Sacramento County Water Agency Code.	Improvement Plans	Public Works	
31.	Provide an easement over the parking lot in favor of the public for limited parking purposes. Specific wording limiting the use to individuals frequenting this project and other Old Town businesses shall be included in the easement	Improvement Plans	Public Works	

Exhibit B: Conditions of Approval / Mitigation Monitoring and Reporting Program

	description.			
	Prior to Issuance of Building Permit			
32.	<p>The applicant shall submit a lighting plan for review by the City for the entire project. The plan shall include, but not limited to, the following: a) A photometric plan; b) Cut sheets of all fixtures indicating manufacturer, materials, height, and color; and c) Color photographs of the chosen fixtures.</p> <p>The applicant's choice of fixtures shall ensure the following: a) Consistency with the City's Elk Grove Boulevard improvement project; b) Consistency with the lighting policies established in the Conceptual Master Plan; and c) Materials and workmanship shall be of sufficient detail and quality to be consistent with the historic period of Old Town Elk Grove.</p>	Prior to Issuance of 1st Building Permit	Development Services – Planning	
33.	<p>The applicant shall pay costs as determined by the City Development Services Department for the construction of the portion of the proposed trail adjacent to the project site. Provide at least one access point within the project along the southern property line that would allow for egress/ingress to the proposed trail.</p>	Prior to Issuance of Building Permit	Development Services – Planning and Public Works	
34.	<p>The applicant shall install and/or replace street name signs at all street intersections, public or private, within one block of the proposed project, in accordance with the City of Elk Grove Standard Details.</p>	Prior to Issuance of Building Permit	Public Works	
35.	<p>The primary access to the first story storefronts shall be from Elk Grove Boulevard. The intent is to create a pedestrian friendly interaction with the businesses along Elk Grove Boulevard. The tenant may have access to the parking lot, however this shall not be the primary access. The applicant/developer of the project shall include this language in all lease agreements and shall be included as notes on Building Plans for the shell building and any Tenant Improvements.</p> <p>The building frontage along Elk Grove Boulevard shall include a primary and obvious pedestrian building access and clear windows for displays and to look into the businesses. The</p>	Prior to Issuance of Building Permit	Development Services – Planning	

Exhibit B: Conditions of Approval / Mitigation Monitoring and Reporting Program

	windows shall not be blacked out and false entry features installed. The tenant may have access to the parking lot, however this shall not be the primary access or storefront.			
	Prior to Occupancy			
36.	Each parcel shall have connection to the public sewer system to the satisfaction of CSD-1. Sewer service shall continue to be provided by CSD-1 facilities to the existing sewer service lateral. Required modification, if any, shall be to the satisfaction of CSD-1. Developing this property may require the payment of additional sewer impact fees. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information.	Prior to the First Occupancy	CSD-1	
37.	The applicant shall submit a Sign Program for the proposed development. The Sign Program shall conform to the standards in the Old Town Special Planning Area (OTSPA) Ordinance.	Prior to Final Occupancy	Development Services – Planning	
38.	The applicant shall install a maximum 6' foot tall wrought iron fencing along the eastern and southern interior property line of the project site. The proposed design and colors of the fencing shall be submitted for review by the department.	Prior to Final Occupancy	Development Services – Planning	
39.	Install public street improvements on Webb Street, west half section of 26' from the approved centerline. Improvement will be based on 52' primary residential street in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Prior to Occupancy	Public Works	
40.	Install public street improvements on Elk Grove Blvd., southern half section of 42' from the approved centerline plus required transitions. Improvements will include the 12' median, a 12' travel lane, 9' parking lane (include curb and gutter), 15' of sidewalk and landscaping. There will a 6' wide clear path of travel free from any obstructions such as tree wells, tables, chairs and benches. Improvements will be constructed in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Prior to Occupancy	Public Works	

Exhibit B: Conditions of Approval / Mitigation Monitoring and Reporting Program

41.	Any improvements, public or private, damaged in construction shall be replaced in-kind or with new improvement.	Prior to Occupancy	Public Works	
Prior to Encroachment Permit				
42.	All driveways shall require an encroachment permit. At that time the curb, gutter, sidewalk and all public improvements shall be evaluated to determine if those improvements need to be repaired/reconstructed.	Encroachment Permit	Public Works	

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2005-47

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

I, Peggy E. Jackson, 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 the 16th day of February 2005 by the following vote:

AYES 5 : COUNCILMEMBERS: Briggs, Cooper, Leary, Scherman, Soares

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 0: COUNCILMEMBERS:

RECUSAL 0: COUNCILMEMBER:



A handwritten signature in black ink, appearing to read 'Peggy E. Jackson', written over a horizontal line.

**Peggy E. Jackson, City Clerk
City of Elk Grove, California**