

RESOLUTION NO. 2005-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A DESIGN REVIEW FOR SACA BOND ROAD PROJECT NO. EG-03-462, SUBJECT TO THE FINDINGS AND CONDITIONS OF APPROVAL

WHEREAS, Saca Development, represented by Ekistics Design Studio (hereinafter referred to as Applicant) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Rezone and Design Review. (Assessor's Parcel Number 116-0041-017); 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, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines; 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, BE IT RESOLVED that the City Council of the City of Elk Grove approves the Saca Bond Road Design Review based on the following findings and the attached conditions of approval included as Exhibit A.

Findings

CEQA

Finding: The proposal will not have a significant adverse impact on the environment and the project is exempt from the provisions of the California Environmental Quality Act (CEQA).

Evidence: The project is not subject to the requirements of CEQA under section 15061(b)(3). The subject property has been heavily disturbed as a result of construction of the Elk Grove Marketplace. The site offers no environmental resources. There is no potential for environmental impacts to result from development of the proposed project.

General Plan

Finding: The proposed project is consistent with the goals and policies of the Elk Grove General Plan.

Evidence: The recent General Plan Amendment changed the land use designation of this property to Commercial. The proposed project is part of the Elk Grove Marketplace project as well as the overall commercial development occurring along Bond Road. The proposed project was reviewed and is consistent with the goals and policies of the General Plan.

Design Review

Finding: The proposed project is consistent with the objectives of the General Plan as well as complies with applicable zoning regulations and the Citywide Design Guidelines adopted by the City.

Evidence: The site plan, building elevations, landscape plan, and signage for the proposed restaurant building were reviewed for compliance with the design standards established by previous approvals for the Elk Grove Marketplace development as well as the Citywide Design Guidelines for non-residential development. The project meets all applicable design requirements. Additionally, the project is subject to conditions of approval that will ensure compliance with all applicable development standards and 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, landscape plan, and signage for the proposed restaurant building were reviewed for compliance with the design standards established by previous approvals for the Elk Grove Marketplace development as well as the Citywide Design Guidelines for non-residential development. As designed, the project provides consistent architectural detailing as well as pedestrian connectivity throughout the commercial center. The proposed restaurant will enhance the character of the surrounding community and provide an important resource for the city's residents. Additionally, the project is subject to conditions of approval that will ensure compliance with all applicable development standards and requirements.

Finding: 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: The proposed restaurant building will provide all required design elements, which, in conjunction with the other commercial buildings throughout Elk Grove Marketplace, will establish a cohesive and attractive commercial development. The project is subject to conditions of approval that will ensure compliance with all applicable development standards and requirements.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 16th day of February 2005.



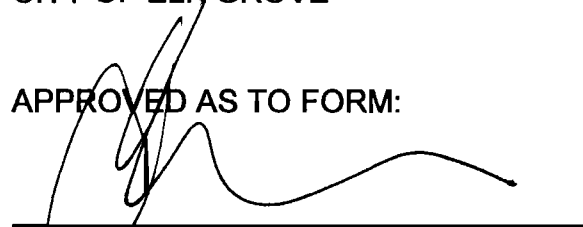
**DANIEL BRIGGS, MAYOR of the
CITY OF ELK GROVE**

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



**ANTHONY B. MANZANETTI,
CITY ATTORNEY**

EXHIBIT A - CONDITIONS OF APPROVAL

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>1. The development approved by this action is for a Rezone and Design Review, as shown on the following exhibits:</p> <ul style="list-style-type: none"> • Rezone Exhibit (received 1-27-5) • Site Plan (received 9-21-04) • Floor Plan (received 9-21-4) • Roof Plan & Sections (received 9-21-4) • Elevations (received 9-21-4) • Preliminary Landscape Plans (received 9-21-4) • Color & Material Legend (received 1-28-5) • Sign Exhibits for Signs A, B, C, & D (received 11-22-4) • Sign Exhibits for Monument Sign (received 11-22-4) <p>Deviations from the approved plans shall be reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body.</p>	On-Going	Planning	
<p>2. This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.</p>	On-Going	Planning	
<p>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</p>	On-Going	Planning	

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
approval of this permit. Applicant further agrees to provide a defense for the City in any such action.			
4. If there are any discrepancies between the approved site map and the conditions of approval, the conditions of approval shall supersede the approved site map.	On-Going	Public Works	
5. Pay all appropriate development fees charged by the City and other Special Districts providing services to the site.	On-Going	Public Works	
6. All improvements shall be designed and constructed in accordance with the City of Elk Grove Improvement Standards, as further conditioned herein, and to the satisfaction of Public Works.	On-Going	Public Works	
7. The applicant shall maintain all trash/recycle and grease interceptor receptacles within the enclosed storage area.	On-Going	Community Enhancement	
8. The applicant shall provide for an exterior wash-out area (floor sink area) for mats, mop buckets, etc and a drain that will dispose of the grey water into the sanitary sewer. Wash out water may not be allowed to pool or travel into the parking lot.	On-Going	Community Enhancement	
9. The applicant shall provide for adequate trash service (collection) that will not result in nuisance noise for the adjacent residential zone. Trash service may not begin prior to 6 AM.	On-Going	Community Enhancement	
10. The applicant shall no allow for mechanical sweeping services/parking lot cleaning prior to 6 AM.	On-Going	Community Enhancement	
<u>Prior to Approval of Improvement Plans/Grading Permit</u>			
11. The applicant shall provide a 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	

<u>Conditions of Approval / Mitigation Measure</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
12.	The site driveway on the main Bond Road entrance to the Elk Grove Marketplace shall be a right in/right out. Provide a physical device to prevent the left in/left out movement at this driveway. The device shall be designed to accommodate fire apparatuses. A median in the drive aisle can accomplish this.	Improvement Plans	Public Works	
13.	The width of the parking stalls for all parking spots that are at a 90 degree angle to another parking spot shall be increased by 2 feet, for an ultimate width of 11'.	Improvement Plans	Public Works	
14.	The internal circulation and access shall be subject to the review and approval of Public Works.	Improvement Plans	Public Works	
15.	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/ Building Permit	Public Works	
16.	The project shall comply with the City of Elk Grove's Land Grading and Erosion Control Ordinances.	Improvement Plans/ Grading Plan	Public Works	
<i>Prior to Issuance of Building Permit</i>				
17.	If the proposed site plan varies from the existing approved on-site improvement drawings, a separate set of improvement drawings, or revisions to the existing drawings, must be submitted and approved.	Prior to Issuance of Building Permit	Public Works	
18.	Improvement plan must be approved by Public Works prior to Building Permit.	Prior to Issuance of Building Permit	Public Works	
<i>Prior to Occupancy</i>				
19.	Submit Flood Elevation Certification for each structure.	Prior to Issuance of Certificate of Occupancy	Public Works	
20.	Any improvements, public or private, damaged in construction shall be replaced in-kind or with new improvement.	Prior to Issuance of Certificate of Occupancy	Public Works	

	<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
21.	Sewer service shall be provided to the commercial building to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction. Each parcel or building shall have a separate connection to the CSD-1 system. Developing this property may require the payment of additional sewer impact fees. The applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fees information.	Prior to Issuance of Certificate of Occupancy	Public Works, CSD-1	
22.	The east-west drive aisle, located between Building F of Elk Grove Marketplace and the proposed restaurant, shall be posted on both sides as a fire lane.	Prior to Issuance of Certificate of Occupancy	Planning, EGCSF Fire	

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2005-48**

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:





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