

RESOLUTION NO. 2007-52

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING A SPECIFIC PLAN AMENDMENT FOR ELK GROVE AUTOMALL LOT
13 – PROJECT NO. EG-06-1135 (APN: 132-1100-040)**

WHEREAS, the City of Elk Grove Planning Department received an application on October 26, 2006, from Sacramento Land and Farming, Inc. requesting approval of a Specific Plan Amendment to redesignate a 2.25 acre parcel from Laguna Ridge Specific Plan, Shopping Commercial (SC) to Auto Commercial District (AC); and

WHEREAS, on June 16, 2004 and July 21, 2004, the City Council passed Resolution No. 2004-143 Certifying the Laguna Ridge Specific Plan EIR, approving a General Plan Amendment and adopting the Laguna Ridge Specific Plan, and passed Ordinance No. 15-2004 Amending the Elk Grove Zoning Map for the Laguna Ridge Specific Plan Project No. EG-00-062; and

WHEREAS, the proposed project is located on real property in the incorporated portions of the City of Elk Grove, within the Laguna Ridge Specific Plan area, more particularly described as APN:132-1100-040; and

WHEREAS, the Planning Department has considered the proposed amendment request pursuant to the Elk Grove Zoning Code, and all other applicable state and local regulations, including State Government Code Section 65453 regarding Specific Plan amendments; and

WHEREAS, the Planning Commission held a duly noticed public hearing on January 18, 2007, as required by law to consider all of the information presented by staff, information presented by the project proponent, and public testimony presented in writing and at the meeting and recommended approval of the amendment to the City Council; and

WHEREAS, the City Council held a duly noticed public hearing as required by law to consider all of the information presented by staff, information presented by the project proponent, and public testimony presented in writing and at the meeting.

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves the amendment to the Laguna Ridge Specific Plan Figures 3-1 and ES-2 (Land Use Plan) and the Elk Grove Zoning Map, Laguna Ridge Specific Plan Exhibit for Elk Grove Auto Mall Lot 13, a 2.25-acre parcel, thereby rezoning APN 132-1100-040 (aka 8431 Lotz Parkway) from SC to AC, based on the following findings:

CEQA

Finding: The project will not have a significant impact on the environment, beyond those previously analyzed and disclosed in the Environmental Impact Report prepared and certified by the City Council for the Laguna Ridge Specific Plan project (EG-00-062) in accordance with the California Environmental Quality Act (CEQA). The proposed rezone is consistent with the Laguna Ridge Specific Plan and General Plan.

Evidence: The Laguna Ridge Specific Plan Environmental Impact Report (EIR) was certified by the City Council on June 16, 2004. The EIR adequately analyzed and addressed environmental issues related to commercial development and zoning of the subject Elk Grove Auto Mall project site and surrounding commercial properties. No additional environmental impacts have been identified for the Elk Grove Auto Mall Specific Plan Amendment project, beyond those previously disclosed and analyzed in the Laguna Ridge Specific Plan EIR. The proposed rezone is consistent with the Laguna Ridge Specific Plan and Laguna Ridge Policy Area policies and figures in the General Plan. No substantial changes to the Laguna Ridge Specific Plan have occurred and no new information regarding environmental effects has become available since certification of the EIR. Development of the site is subject to the Laguna Ridge Mitigation Monitoring and Reporting Program. Consequently, pursuant to Public Resources Code (PRC) Section 21083.3(e) (CEQA Guidelines Section 15183) as well as PRC Section 21166, no further environmental review is required for this project.

General Plan

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

Evidence: The amendment continues to implement the General Plan commercial land use designation, as shown on the General Plan Exhibit Figure LU-5, adopted by Council Resolution 2004-143. The rezoning is consistent with the specific plan standards and land uses, which implements the General Plan Laguna Ridge Area policies.

Zoning Code Amendment

Finding: The findings required pursuant to Zoning Code Sections 23.16.090(6) and 23.16.110(4), and Laguna Ridge Specific Plan Section 9.3.5, to amend the specific plan and zoning map have been satisfied.


Evidence:

- a. The proposed Specific Plan is consistent with the General Plan goals, policies, and implementation programs as discussed in the General Plan finding above.
- b. The land use and development regulations within the Specific Plan are comparable in breadth and depth to similar zoning regulations contained in this Title in that the

zoning regulations for development in SC and AC districts have already been established in the adopted Specific Plan, which shall apply to the parcel.

- c. The administration and permit processes within the Specific Plan are consistent with the administration and permit processes of the Zoning Code in that the processes within the adopted Specific Plan would not be changed, thus remain consistent with the Zoning Code as adopted.
- d. Significant changes to the character of the community have occurred subsequent to the adoption of the Specific Plan which warrants amendments as requested in that the growth of auto commercial land uses has applied pressure to redesignate the subject parcel, which is an internal lot surrounded on two sides by existing AC designated lots.
- e. The requested amendment will benefit the Specific Plan Area and/or the City by allowing increased auto commercial development, which is consistent with land uses on adjoining parcels, and by increasing retail sales opportunities.
- f. The amendment will not adversely affect adjacent properties and can be properly serviced in that the subject parcel is an internal lot that lies between AC and SC designated parcels. The site is bound by AC parcels on two of its three interior sides, making it conducive to expanded auto commercial land uses. Thus, expansion of AC zoning onto this lot would not adversely affect orderly development of surrounding properties.
- g. Services have been adequately planned and provided to serve the area, as demonstrated in the Specific Plan. Roads and utilities are in the process of being extended to the site.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 28th day of February 2007.




JAMES COOPER, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2007-52**

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

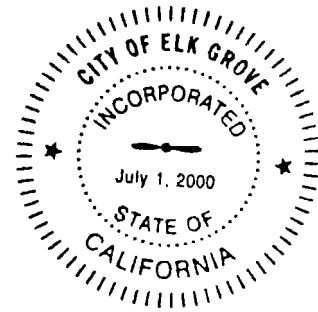
I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on February 28, 2007 by the following vote:

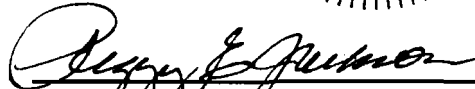
AYES : COUNCILMEMBERS: Cooper, Leary, Davis, Scherman, Hume

NOES: COUNCILMEMBERS: None

ABSTAIN : COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None





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