RESOLUTION NO. 2007-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A TENTATIVE PARCEL MAP, DESIGN REVIEW AND UNIFORM SIGN PROGRAM FOR THE LAGUNA CREEK SHOPPING CENTER PROJECT NO. #EG-04-653 APNs: 116-0011-020 & 021; 116-1380-002, 003, 004, 005, 006, 008, & 009

WHEREAS, Abe Alizedah (hereinafter referred to as Applicant) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Rezone, Tentative Parcel Map, Design Review, and Uniform Sign Program; 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 proposed project is located on real property in the incorporated portions of the City of Elk Grove more particularly described as APNs: 116-0011-020 & 021; 116-1380-002, 003, 004, 005, 006, 008, & 009; and

WHEREAS, the City determined that the Laguna Creek Shopping Center Project was subject to the California Environmental Quality Act and prepared an Initial Study evaluating the potential environmental effects of the project; and

WHEREAS, a Mitigated Negative Declaration was prepared and circulated, and the Applicant has agreed to implement the proposed mitigation measures to reduce the potentially significant adverse effects related to biological resources to a less than significant level; and

WHEREAS, a Mitigation Monitoring and Reporting Program has been prepared in accordance with City of Elk Grove regulations and is designed to ensure compliance during project implementation; and

WHEREAS, the Planning Commission considered the Applicant's request at a public hearing on November 30, 2006 and recommended City Council approval of the project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby approves the project, subject to the conditions of approval as illustrated in Exhibit A and Project Exhibits as illustrated in Exhibit B, based on the following findings:

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CEQA

<u>Finding</u>: 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.

<u>Evidence</u>: An Initial Study with a Mitigated Negative Declaration evaluating the potential environmental effects of the project was prepared for the proposed project. Potentially significant adverse effects related to biological resources was identified in the Initial Study. Mitigation Measures have been imposed on the project and the Applicant has agreed to implement proposed Mitigation Measures that reduce the impacts to a less than significant level. 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.

The City distributed the Notice of Intent to Adopt the Negative Declaration on October 25, 2006. It was posted at the Sacramento County Clerk's Office, distributed through the State Clearinghouse and at the City offices, pursuant to CEQA Guidelines 15072. A 30 day review and comment period was opened on October 25, 2006 and closed on November 23, 2006. The Mitigated Negative Declaration was made available to the public during this review period.

General Plan

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

<u>Evidence</u>: The General Plan identifies the site for Commercial, Office, and Multi-Family Residential use. The project is consistent with the goals and policies of the General Plan for commercial development with the City of Elk Grove.

Tentative Parcel Map

<u>Finding</u>: None of the findings (a) through (g) in Section 66474 of the California Subdivision Map Act that require a City to deny approval of a tentative map apply to this project.

Evidence: Findings (a) through (g) in Section 66474 of the Subdivision Map Act do not apply to the project.

- (a) The proposed map is consistent with the Elk Grove General Plan and proposed zoning that would identify the site as appropriate for commercial uses.
- (b) The design of the improvements of the proposed subdivision is consistent with the General Plan that designates the site for commercial development.

- (c) The site is physically suitable for commercial development. Access to the site will be provided or is available. Necessary services and facilities are available or can be provided.
- (d) The site is appropriate for the specified density of development.
- (e) The proposed Tentative Parcel Map is consistent with the General Plan and proposed zoning and therefore would not cause substantial environmental damage. The Mitigated Negative Declaration prepared for the project determined that potential environmental impacts will be less than significant levels with implementation of the mitigation measures.
- (f) The design of the parcel map or type of improvements will meet all applicable standards or regulations and will not cause serious public health problems.
- (g) No conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision, have been identified.

Design Review

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

<u>Evidence:</u> 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 design of the proposed building takes into account the scale, style, and architectural vernacular of current existing reference buildings, and meets high aesthetic and design integrity standards. The project is subject to conditions of approval that will ensure consistency with all standard requirements. In addition, the uniform sign program will provide consistency of allowed sign types. The program has identified allowed sign types, materials, types of illumination, and sign placement/locations for all signs within the new development.

<u>Finding:</u> The proposed architecture, site design, and landscape are suitable for the purposes of the buildings and the site and will enhance the character of the neighborhood and community.

<u>Evidence:</u> The proposed 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, application of a consistent color palette throughout the project, and creation of outdoor public spaces. The project is subject to conditions of approval that will ensure consistency with all standard requirements.

<u>Finding:</u> 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 similar elements establishes a clear design concept and is compatible with the character of buildings on adjoining and nearby properties.

<u>Evidence:</u> The proposed commercial buildings will provide all required design elements that would establish an attractive development and will be compatible with adjoining and nearby properties. The project is subject to conditions of approval that will ensure consistency with all standard requirements.

<u>Finding</u>: The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.

<u>Evidence:</u> The proposed site layout of the commercial buildings has been reviewed in accordance with the Citywide Design Guidelines, including site planning for non-residential development. The proposed layout has been designed to avoid conflicts with vehicular, bicycle, or pedestrian modes of circulation.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 10th day of January 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

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitorina	Verification (date and Signature)
On-G 1.	oing The development approved by this action is for a Rezone from BP and AR-10 to SC (Shopping Center), a Parcel Map to merge 9 parcels and resubdivide into 7 parcels, and a Design Review for 5 commercial buildings totaling 76,200 square feet with associated site improvements as described in the Planning Commission report and associated Exhibits and Attachments dated November 30, 2006 and illustrated in the project plans below:	On-Going	Planning	
	 Tentative Parcel Map (received May 16, 2006) Site Plan (received September 20, 2006) Building Elevations (received January 26, 2005 & May 16, 2006) Landscape Plans (received May 16, 2006) 			
2.	Any deviations from the approved plans shall be reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body. The Tentative Parcel Map is valid for 36 months from the date	36 months from	Planning	
	of approval.	the date of approval		
3.	The Applicant or Successors in Interest (hereby referred to as 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	Planning	
4.	This action does not relieve the Applicant of the obligation to	On-Going	Planning	

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
	comply with all ordinances, statutes, regulations, and procedures.			
5.	The Laguna Creek monument sign to be located on Bruceville Road shall be placed to not interfere with the clear vision triangle to the satisfaction of the Planning Department and Public Works Department.	On-Going	Planning, Public Works	
6.	CSD-1 will provide maintenance only in public right-of-ways and in minimum 20-foot wide easements dedicated to CSD- 1 for the purpose of continuous access and maintenance.	On-Going	CSD-1	
7.	The Applicant shall provide for trash and recycle debris storage per City guidelines adopted August 10, 2005.	On-Going	Community Enhancement	
8.	The Applicant shall maintain all trash and recycle containers within masonry enclosures with solid gates that will not provide for a visible nuisance.	On-Going	Community Enhancement	
9.	The Applicant shall provide for adequate trash service (collection) that will not provide for nuisance noise for the adjacent residential zone – trash service shall not begin prior to 6 a.m.	On-Going	Community Enhancement	
10.	The Applicant shall not allow for mechanical sweeping services/parking lot cleaning from 10:00 p.m. to 6:00 a.m. that may provide for nuisance noise to the adjacent residential development.	On-Gong	Community Enhancement	
11.	The Applicant shall not allow service deliveries from 10:00 p.m. to 6:00 a.m. due to the close proximity of the adjacent residential development.	On-Going	Community Enhancement	
12.	The Applicant shall not allow any shipping/cargo containers onsite overnight at anytime.	On-Going	Community Enhancement	
13.	The Applicant shall not provide for a nuisance during the construction phase or intended use of the project.	On-Going During Construction	Community Enhancement	
Prior t	o Improvement Plans or Grading			
14.	If proposed construction activities are planned to occur during the nesting seasons for local avian species (February	Prior to any site disturbance, such	Planning	

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	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitorina	Verification (date and Signature)
	1 st through August 31 st), the Applicant shall retain a qualified biologist approved by the City of Elk Grove to conduct a focused survey for active nests of migratory birds within and in the vicinity of (no less than 100-feet outside project boundaries, where possible) the construction area no more than 30 days prior to ground disturbance. If active nests are located during the preconstruction survey, the Applicant shall consult with CDFG, retain a qualified biologist, and construction shall be postponed or halted within 150 feet (or another buffer acceptable by CDFG of the nests) until additional nesting attempts no longer occur. If a nest tree is found on the project site prior to construction and is proposed for removal, then appropriate permits from CDFG shall be obtained and mitigation implemented pursuant to CDFG guidelines. Periodic monitoring shall continue throughout construction to ensure no new nests are constructed once construction begins. MM-BIO-1	as clearing or grubbing, or the issuance of any permits for grading, building, or other site improvements, whichever occurs first.		
15.	The Applicant shall comply with, record, and pay fees for the Mitigation Recording and Reporting Program (MMRP) associated with the project. Until the MMRP has been recorded and the estimated fee of \$1,000 has been paid, no final parcel map for the subject property will be approved, and no grading, building, sewer connection, water connection, or occupancy will be approved by the City or	Prior to the Issuance of Grading Permit	Planning	
16.	County. The project landscaping shall incorporate the City's Zoning Code, Citywide Design Guidelines, and Water Conserving Landscape Requirements. Landscape plans shall be submitted to the Planning Department and the Public Works Department for review and approval.	Improvement Plans	Planning/Landscape Architect	
17.	The Applicant shall submit an exhibit to show the ability of	1 st Improvement	Public Works	

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
	fire trucks to circulate on site with fire truck templates, 25' inside and 50' outside.	Plan Submittal		
18.	Inside and 50° outside. Applicant shall prepare and submit a comprehensive drainage study and plan that includes but is not limited to: definition with mapping of the existing watersheds; a detailed pre- and post-project hydrologic and hydraulic analysis of the project and project impacts; definition of the local controlling 100-year frequency water levels existing and with project; and the proposed method of flow conveyance with adequate supporting calculations. The study shall include any proposed improvements to mitigate the impacts of increased runoff from the project and any change in runoff including quality, quantity, volume, and duration. The project shall not cause a net loss of storage, nor an increase in velocity, of drainage water within the 100- year floodplain. The study shall incorporate the City of Elk Grove Drainage Capital Improvement Plan; be consistent with the ultimate upstream development in the General Plan, and any specific, area, or master plans; and shall conform to the City of Elk Grove Improvement Standards. It shall demonstrate that the proposed methods of flow conveyance mitigate the potential project impacts. The study shall further demonstrate that the lots on the proposed Final Map shall be outside the 100-year frequency floodplain after improvements are constructed in accordance with the policies in the City Floodplain Management Plan. Study must be completed and stamped by a Professional Engineer, and determined by the City to be comprehensive,	1 st Improvement Plan Submittal	Public Works	
10	accurate, and adequate.			
19.	All monument signs shall be located at the far side of the driveway.	Improvement Plan	Public Works	
20.	The Applicant shall design a northbound left turn pocket on	Improvement	Public Works	

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	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
	Bruceville Road with a 90 feet bay taper. The left turn pocket shall be designed back to back to the southbound left turn pocket at the Laguna Blvd/Bruceville Road intersection.	Plan		
21.	The Applicant shall design all driveways throat depth to be at least 50 feet, clear of parking spaces, measured from the back of sidewalk.	Improvement Plan	Public Works	
22.	The Applicant shall obtain applicable California Department of Fish and Game, U.S. Army Corps of Engineers, and other required state and federal permits. The conditions of such permits must be reviewed and considered acceptable by the City. The City will not accept any conservation or other conditional easements on the drainage courses to be conveyed to the City.	Prior to Improvement Plan approval and Prior to issuance of Grading Permits	Public Works	
23.	The Applicant shall destroy all abandoned wells on the proposed project site in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned/destroyed wells on the improvement plans for the project. Prior to abandoning any existing wells, the Applicant shall use water from agricultural wells for grading and construction	Improvement Plans	Sacramento County Water Agency	
24.	The Applicant shall require efficient cooling systems, re- circulating pumps for fountains and ponds, and water recycling systems for vehicle washing as a condition of service.	Improvement Plans	Sacramento County Water Agency	
25.	Connection to the District's sewer system shall be required to the satisfaction of CSD-1. City of Elk Grove Improvement Standards apply to sewer construction.	Improvement Plans	CSD-1	
26.	Each parcel and each building with a sewerage source shall have a separate connection to the CSD-1 sewer system.	Improvement Plans	CSD-1	
27.	In order to obtain sewer service, construction of CSD-1 sewer infrastructure will be required. An on-site collection system will be required for all pipes carrying waste from two or more	Improvement Plans	CSD-1	

	Conditions of Approval / Mitiaation Measure	Timing/ Implementation	Enforcement/ Monitorina	Verification (date and Signature)
	buildings or sewage sources and shall consist of 8-inch (min.) pipes in public easements. These systems and related easement changes are not shown on the plan for this submittal. These matters will need to be addresseed by the time improvement plans are submitted and the related utility plan be submitted therewith.			
28.	Demonstrate the existence of, and if needed, abandon the existing g easement along the subject property's south and part of the east boundary and grant CSD-1 a sewer access and maintenance easement centered along the existing pipeline near the property's south and part of east boundary. The total CSD-1 sewer easement width, including portions of the easement that may lie over lands adjacent, shall be a total of 20 feet minimum.	Improvement Plans	CSD-1	
29.	Service laterals shall not be permitted to connect directly to the 39-inch sewer trunk on Laguna Boulevard.	Improvement Plans	CSD-1	
30.	Sewer easements will be required. All sewer easements shall be dedicated to CSD-1 in a form approved by the District Engineer. All CSD-1 sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance.	Improvement Plans	CSD-1	
31.	The subject project owner shall be responsible for repairs and/or replacement of all non-asphalt and/or enhanced surface treatments of streets and drives within these easements damaged by District maintenance and repair operations. This requirement shall be set forth in easement grant documents and be a covenant running with the land, be responsibility of the successors in interest in future land transfer and divisions and by language approved by the District. It shall also be shown on the final map in like language. Surface enhancements include, but are not limited to non-asphaltic paving, landscaping, lighting,	Improvement Plans	CSD-1	

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
Prior t	curbing and all non-drivable street appurtenances.			
32.	The Applicant shall include the legal description of the project site in the final map.	1 st submittal of Final Map	Public Works	
33.	All drainage courses and appurtenant access roads to be conveyed to the City shall be dedicated and conveyed in fee title as separate parcels. Underground pipelines and open channels shall be located in the public right-of-way or parcels to be conveyed to the City. Parcels to be conveyed shall be a minimum of 25 feet wide. The Applicant shall provide minimum 20 foot wide maintenance service roads along the entire water course(s) to be conveyed. No conditional easements shall be placed on these drainage parcels.	Prior to Approval of Final Map	Public Works	
34.	The Applicant shall provide reciprocal access easement agreement between the future parcels of this development and the adjacent parcels, (116-1380-001, 116-1380-007 and 116-0011-011). The location of the access point(s) must be to Public Works satisfaction and will be approved when these parcels are developed.	Prior to Approval of Final Map	Public Works	
35.	The Applicant shall provide Business Owner's Association bylaws including but not limited to common area ownership, maintenance, and joint access, for review and approval by Public Works.	Prior to Approval of Final Map	Public Works	
36.	The Applicant shall provide reciprocal access easement agreement among the future 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.	Prior to Approval of Final Map	Public Works	
37.	The Applicant shall dedicate and design on Bruceville Road, west half section 48' from the approved centerline to the back of curb. Sidewalks shall be separated from back of	Final Map / Improvement Plans	Public Works	

	Conditions of Approval / Mitiaation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
38.	curb except at intersection and driveways. Improvement will be based on a 108' equivalent thoroughfare in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. The 6' meandering sidewalk is within the 36' landscape corridor. These improvements may require off-site re-striping north and south of the project. The Applicant shall design and construct a 36' landscape corridor along the project's Bruceville Road frontage to the	Final Map /	Public Works	
	satisfaction of Public Works.	Plans		
39.	The Applicant shall dedicate a pedestrian easement and Public Utility Easement within the landscape corridor adjacent to the project's Bruceville Road frontage to the satisfaction of Public Works.	Final Map	Public Works	
40.	The Applicant shall dedicate access rights (direct vehicular ingress and egress to Bruceville Road and Laguna Blvd) to the City of Elk Grove, except at the approved driveway locations.	Final Map	Public Works	
41.	CSD-1 requires their sewers to be located 10 feet from other parallel utilities (water, drain, electrical, etc.). Prior to recording the Final Map, the Applicant shall prepare a utility plan that will demonstrate this condition is met.	Prior to recording Final Map	CSD-1	
42.	Prior to the final map, the project area shall annex into the Maintenance Mello-Roos Community Facilities District 2006-1 (CFD), to fund the project's fair share of landscape related maintenance costs associated with public parkways, public parks, open space, landscape setbacks, bike and other paths, landscaped medians in and adjacent to roadways, maintenance and operation of a community center, recreation center, sports (including aquatic) facilities, cultural arts center, and water features, and maintenance of other related facilities. The annexation process can take several months, so Applicants should plan accordingly. The	Prior to Final Map	Finance	

		Timing/	Enforcement/	Verification (date
	Conditions of Approval / Mitigation Measure	Implementation	Monitoring	and Signature)
	application fee for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax. For further information regarding this CFD, see www.elkgrovecity.ora/services/finance-district/cfd- information.htm			
43.	The Applicant shall dedicate the Private Drives and the Common Areas as a public utility easement for underground facilities and such underground and aboveground appurtenances and additional areas as required within the Private Drives and Common Areas as required to provide service as a public utility easement for underground facilities and appurtenances except for those areas where structures are located.	Prior to Approval of Final Map	PG&E	
44.	The Applicant shall dedicate maintenance easements in all public and private streets over all water lines to the satisfaction of Sacramento County Water Agency prior to Final Map Approval.	Prior to Approval of Final Map	Sacramento County Water Agency	1
45.	o Building Permits At all street intersections, public or private, within one block of the proposed project, the Applicant shall install and/or replace street name signs in accordance with the City of Elk Grove Standard Details.	Prior to issuance of 1st Building Permit	Public Works	
46.	The project Applicant shall pay all applicable City of Elk Grove administered development impact fees in effect at the time of building permit issuance. For further information on development related fees, see the 2006 and/or 2007 Development Related Fee Booklet at: www.elkgrovecity.org/services/fee-information/fee-	Prior to issuance of 1st Building Permit	Finance	
	information.htm Applicants are also advised to review the Planned Fee			

	Conditions of Approval / Mitiaation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Sianature)
	Updates portion of the web page, and are encouraged to sign up for email updates on both the 2006 and/or 2007 Development Related Fee Booklet and the Planned Fee Updates links on the web page (see the upper right corner of these web pages). By signing up for email updates, you will receive an email notifying you every time these web pages change, which will assist you in planning costs associated with your project.			
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47.	The Applicant shall provide for an 8' high masonry wall between the shopping center and the adjacent residential parcels to assist with sound attenuation and separation of retail and residential uses. The wall height shall transition from 6' at the termination points to 8' which includes a trim cap to the satisfaction of the Planning Director.	Prior to Final or Occupancy	Planning, Community Enhancement	
48.	All lighting located adjacent to the residential development shall not produce nuisance off-site glare. Where the light source is visible beyond the property line, shielding shall be required to reduce glare so that the light source is not visible from within any residential dwelling unit.	Prior to Final or Occupancy	Planning	
49.	All building attached mechanical equipment and other utility equipment shall be screened from view of public streets, parking lots, and adjacent residential property. Equipment screening shall be integrated into the building and roof design with the use of compatible materials, colors, and form.	Prior to Final or Occupancy	Planning	
50.	Roof mounted equipment shall be setback from the roof edge or placed behind a parapet or roof structure so they are not visible for motorists or pedestrians on adjacent streets or from residential structures on adjoining property. All roof mounted equipment shall be sized to be equal to or below (lower in height) than the adjoining parapet or roof structure.	Prior to Final or Occupancy	Planning	

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitorina	Verification (date and Signature)
51.	Upon completion of the installation of the landscaping for the project, the project landscape architect/designer shall certify that the installed landscape complies with all City Water Conserving Landscape Requirements. Certification shall be accomplished by completion of a Certificate of Conformance on a form provided by the City. Failure to submit a complete and accurate Certificate of Conformance to the Planning Department will delay final approval/occupancy of the project.	Prior to Final or Occupancy	Planning/ Landscape Architect	
52.	Prior to final inspection or occupancy of any structure on the site, a Certificate of Conformance shall be provided to the City's landscape architect for approval.	Prior to Final or Occupancy	Planning/ Landscape Architect	
53.	Water supply shall be provided by the Sacramento County Water Agency. The Applicant shall provide water service to each building.	Prior to Final or Occupancy	Sacramento County Water Agency	
54.	The Applicant shall contact E-Tran at (916) 687-3031 to discuss the possibility of establishing up to 25 carpool/vanpool spaces.	Prior to Final or Occupancy y	E-Tran	
55.	The Applicant shall improve on Bruceville Road, west half section 48' from the approved centerline to the back of curb. Sidewalks shall be separated from back of curb except at intersection and driveways. Improvement will be based on a 108' equivalent thoroughfare in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works. The 6' meandering sidewalk is within the 36' landscape corridor. These improvements may require off-site re-striping north and south of the project.	Prior to Occupancy	Public Works	
56.	The Applicant shall improve a 36' landscape corridor on Bruceville Road to the satisfaction of Public Works.	Prior to Final or Occupancy	Public Works	
57.	The Applicant shall construct a northbound left turn pocket on Bruceville Road with a 90 feet bay taper. The left turn pocket shall be constructed back to back to the	Prior to Final or Occupancy	Public Works	

	Conditions of Approval / Mitiaation Measure	Timing/ Implementation	Enforcement/ Monitorina	Verification (date and Signature)
	southbound left turn pocket at the Laguna Blvd/Bruceville Road intersection.			
58.	The Applicant shall provide for graffiti-resistant paint or clear graffiti-resistant coating of any monument sign(s) and masonry walls.	Prior to Final or Occupancy	Community Enhancement	
59.	The Applicant shall provide for vegetation to cover and control graffiti-resistant coating of any masonry walls – appropriate climbing vegetation to be detailed within the landscape design maps.	Prior to Final or Occupancy	Community Enhancement	

General Compliance Items for Building Permit

The following items are noted for the Applicant's information. These items are required by other local agencies, the City, state or federal agencies, and are not conditions of approval of the project.

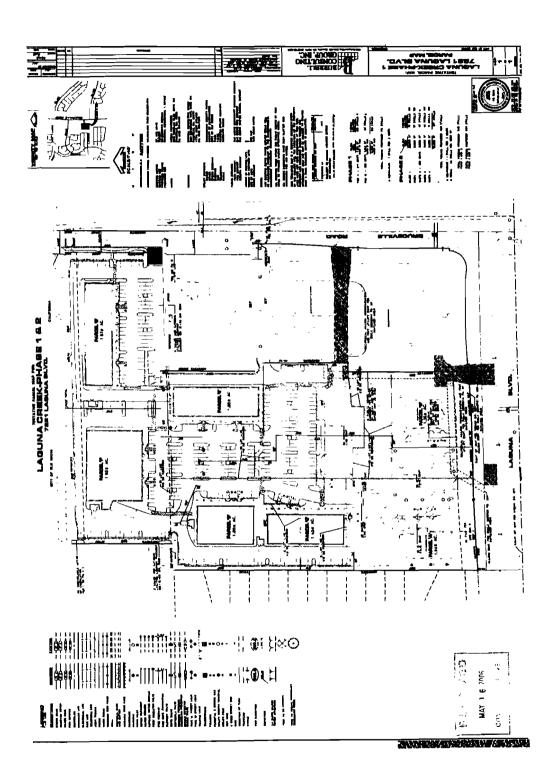
- a. If there are any discrepancies between the approved tentative map and the conditions of approval, the conditions of approval shall supersede the approved tentative map. (Public Works)
- b. The Applicant shall pay all appropriate development fees charged by the City and other Special Districts providing services to the site. (Public Works)
- c. Any on site traffic calming devices and locations must be approved by Public Works prior to installation, including but not limited to speed bumps. (Public Works)
- d. Any improvements, public or private, damaged in construction shall be replaced, by the Applicant, in-kind or with new improvement. (Public Works)
- e. The Applicant shall design and install the street lights in accordance with the City of Elk Grove new street light standard and to the satisfaction of Public Works. (Public Works)
- f. Street (trench) cuts into existing streets require a separate encroachment permit and the payment of street cut fees, by the Applicant. Where multiple street cuts into the same street occur, a single, final surface (pavement) trench repair over all the trench cuts is required. Pavement grinding is required for the full length and width of the trenches. (Public Works)
- g. 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 Public Works. (Public Works)
- h. All driveways and intersections shall conform to the visibility easement requirement in the City of Elk Grove Improvement Standard. (Public Works)
- i. All driveways shall be designed and constructed, by the Applicant, to the satisfaction of Public Works and to the appropriate section of 4-10 Driveways in the City of Elk Grove Improvement Standards. (Public Works)
- j. The internal circulation and access shall be subject to the review and approval of Public Works. (Public Works)
- k. Improvement plan must be approved by Public Works prior to City Council approval of Final Map. (Public Works)
- I. The Final Map shall be completed, approved and recorded prior to 1st building permit. (Public Works)
- m. The Applicant shall submit and obtain City approval of plans and specifications for the construction of public improvements and all grading. The drainage system shall be designed in accordance with the accepted Drainage Study to accommodate runoff

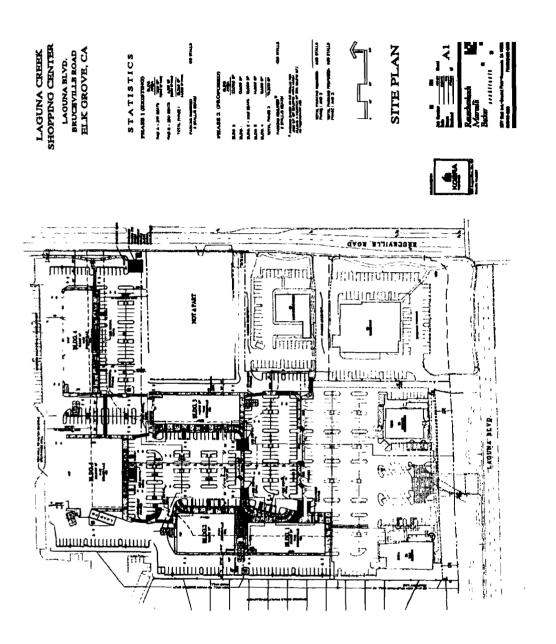
from the ultimate development and shall meet the City of Elk Grove Improvement Standards, construction standards, storm water design standards, and City of Elk Grove Flood Plain Management Plan and Ordinance in effect at the time of Improvement Plan approval. Street gutter flowlines shall be designed to be above the 10-year frequency flood elevation and arterial and collector streets may be required to have lanes above the 100-year frequency flood elevation pursuant to the Floodplain Management Plan. (Public Works)

- n. The Applicant shall complete grading and construct all on-site and off-site drainage improvements in accordance with the approved Improvement Plans. Fulfill all requirements of federal and state permits. (Public Works)
- o. The Applicant shall comply with the regulations of the Federal Emergency Management Agency (FEMA) and the City of Elk Grove Flood Plain Management Ordinance. The lowest finished floor elevation for a habitable building will be a minimum of 1 (one) – foot above the 100-year frequency water level, certified by a registered Civil Engineer or licensed Land Surveyor, and submitted to the City. Amendments and/or revisions of FEMA flood insurance rate maps will be required for all development located in the federal or local flood zone. All FEMA map revisions (both CLOMR and LOMR) must be approved by the City and fully processed through FEMA. Completed revisions shall be placed on file with the City. (Public Works)
- p. The Applicant shall prepare a Storm Water Pollution and Prevention Plan (SWPPP) to be executed through all phases of grading and project construction. The SWPPP shall incorporate Best Management Practices (BMPs) to ensure that potential water quality impacts during construction phases are minimized. These measures shall be consistent with the City's Improvement Standards and Land Grading and Erosion Control Ordinance. The SWPPP shall be submitted to the Central Valley Regional Water Quality Control Board for approval and to the City for review. During construction, the Applicant shall implement actions and procedures established to reduce the pollutant loadings in storm drain systems. The Applicant shall implement Best Management Practices (BMPs) in accordance with the SWPPP and the City of Elk Grove Improvement Standards. (Public Works)
- q. In order to mitigate erosion and sediment control problems on the project site, the project shall comply with the City's Land Grading and Erosion Control Ordinance. If the project size is more than one acre, a Notice of Intent (NOI) will be filed to obtain coverage under the California State Water Resources General Construction Activity Storm Water Permit. Permits are issued by the State Water Resources Control Board, which can provide all information necessary to complete and file the necessary documents. Applicant shall comply with the terms of the general construction permit, the City of Elk Grove Municipal Code, and the NPDES Waste Discharge Requirements for the City of Elk Grove Municipal Storm Sewer Discharges. (Public Works)
- r. Where feasible, biofilter swales and vegetated strips are preferred and shall be utilized in providing biofiltration of pollutants in project runoff prior to entering receiving water body. The project engineer shall consult with the City when designing storm water conveyance facilities, and shall submit designs of these facilities to City for review and approval prior to approval of the grading plans and improvement plans. (Public Works)
- s. Any and all gates impeding fire lanes or roadways shall comply with Appendix VII of the 2002 Sacramento County Fire Code (Fire.

- t. Dead-end streets in excess of 150 feet require emergency turn-around (Fire.
- u. All commercial buildings, in excess of 3,599 square feet shall be equipped with an approved automatic fire sprinkler system (Fire.
- v. Commercial developments in excess of 10,000 square feet required looped fire mains of a minimum of ten (10) inch diameter to supply fire hydrants spaced at a maximum of 300-foot intervals. This on-site fire main shall be connected to the municipal water main at not less than two (2) points (Fire.
- w. This development is required to provide fire flow from a public water system capable of delivering at a minimum 50 PSI static pressure and 3,000 GPM at 20 PSI residual pressure in commercial areas and 50 PSI static pressure. Buildings of certain types on construction, size, and use may need additional fire flows or the application of mitigating efforts to meet fire flows above this minimum (Fire.
- x. All required roadways, street signs, addresses, water mains, fire hydrants, and fire flows shall be provided prior to the existence of any combustible construction or storage. The slope of access roadways shall not exceed 10% for asphalt and 5% for concrete. The roadways shall be constructed to a 20-foot minimum width of three (3) inches AC over six (6) inches AB with good drainage (Fire.
- y. Required fire alarm systems shall be connected to a UL listed central station approved by the Sacramento County Regional Communications Center (Fire.
- z. All civil engineering plans are required to be submitted in an electronic format. When plans are ready for final signature, it is required that the engineering firm submit an electronic copy of the complete plan as it appears in the approved printed plans with addresses. All electronic formats will be submitted on Windows/DOS formatted diskettes, zip disks or on compact disk (CD). E-mailed copies will <u>not</u> be accepted at this time. Electronic formats can be submitted in either of the following data transfer formats listed below:
 - i. DXF (Drawing Interchange file) any DXF version is accepted
 - ii. DWG (Applies to AUOCAD drawing file) any AutoCAD DWG version is accepted (Fire
- aa. EGCSDFD approved traffic pre-emption devices of a type approved by the Elk Grove Fire Department shall be installed on all traffic signal devices erected or modified by this development. These devices shall be installed and functioning prior to any occupancy and at no cost to the Elk Grove Fire Department (Fire.
- bb. The installation of on-site or off-site fire protection equipment including fire hydrants and water mains shall meet the standards of the Elk Grove Fire Department and the water purveyor having jurisdiction (Fire.
- cc. The installation of roadway gates, addresses, landscaping, pipe bollards, fuel tanks, masonry sound walls tree wells and/or all other <u>traffic calming devices</u> is subject to standards outlined by the Elk Grove Fire Department. All proposed traffic-mitigation plans shall be submitted to the Elk Grove CSD Fire Department for review and approval prior to installation (Fire).

- dd. Any use of CSD-1 sewer easements, which is not compatible or interferes with the construction, operation, maintenance, or repair of the District's sanitary sewer(s), shall not be allowed. Each proposed use shall be reviewed and approved in writing by the District Engineer prior to the use of the easement by the Grantor. This includes landscaping and all other appurtenances thereon (CSD-1).
- ee. Proposed Pads A and B may encroach into existing and/or revised sewer easements. These sites should be rediegned to avoid all easements, per specified set-backs stipulated above.
- ff. Developing this property will require the payment of sewer impact fees. The Applicant should contact the Fee Quote Desk at (916) 876-6100 for sewer impact fee information (CSD-1).
- gg. PG&E owns and operates gas transmission facilities which are located adjacent or within the proposed project boundaries located along Bruceville Road. To promote the safe and reliable maintenance and operation of utility facilities, the California Public Utilities Commission (UPUC) has mandated specific clearance requirements between utility facilities and surrounding objects or construction activities. To ensure compliance with these standards, project proponents should coordinate with PG&E early in the early development of their plans. Any proposed development plans should provide for unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG&E's facilities (PG&E).
- hh. Gas service may be available to this project if desired. The Applicant should contact PG&E's Service Planning Department at (916) 386-5112 as soon as possible to coordinate construction so as not to delay the project (PG&E).





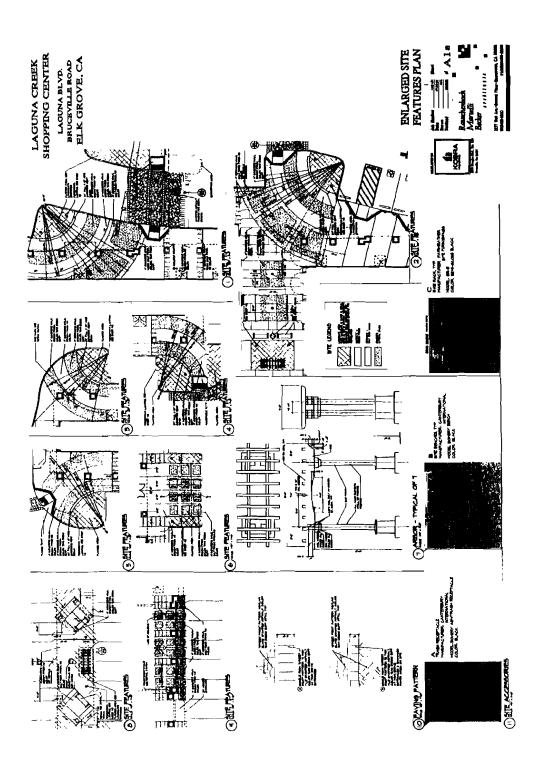


Exhibit B: Project Exhibits

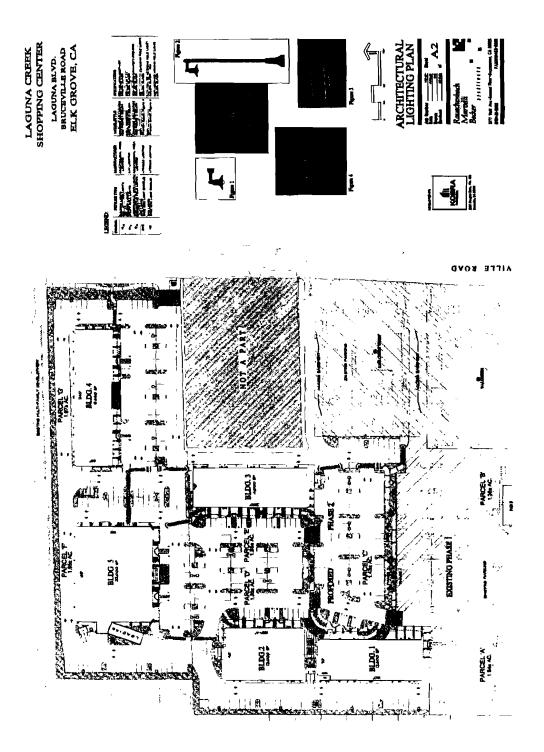
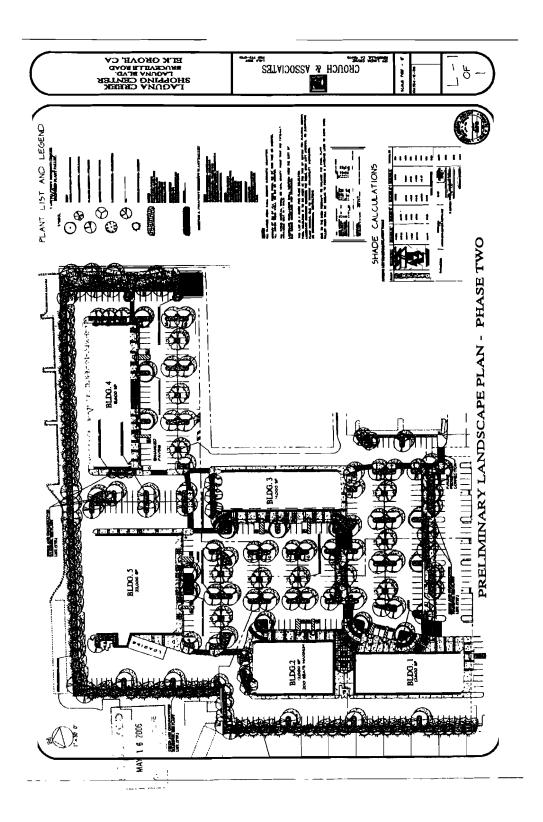
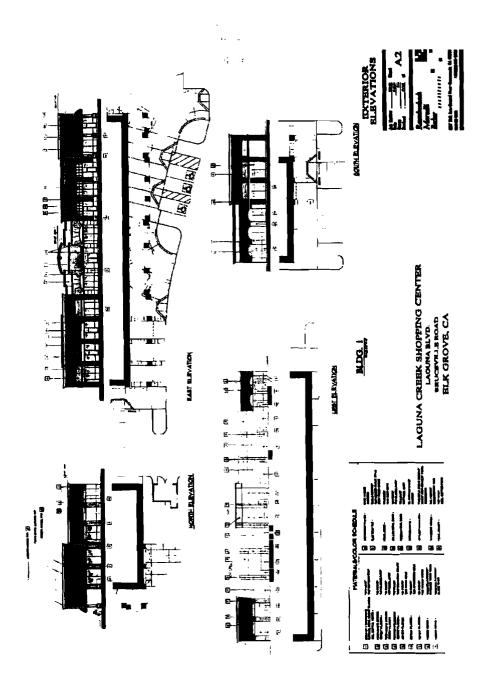
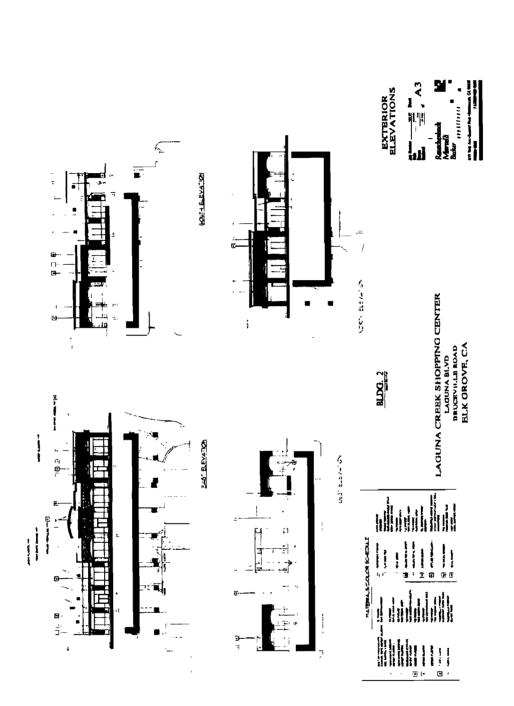
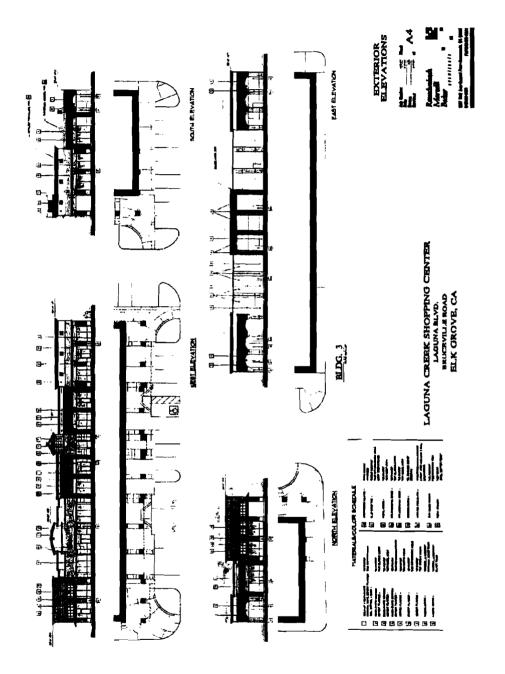


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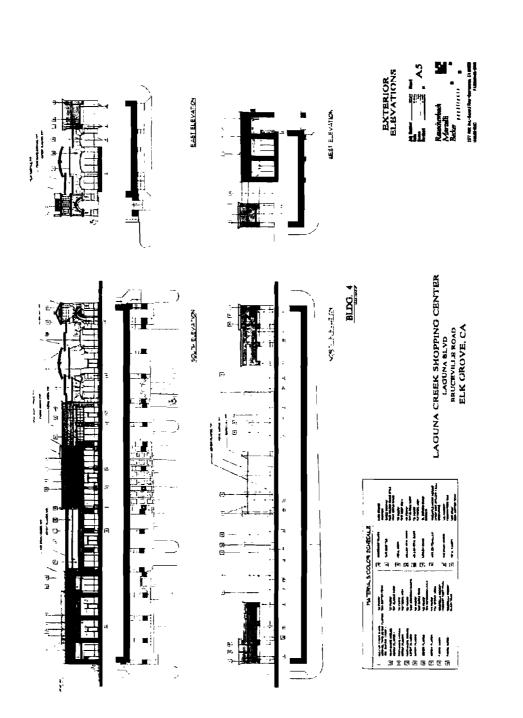
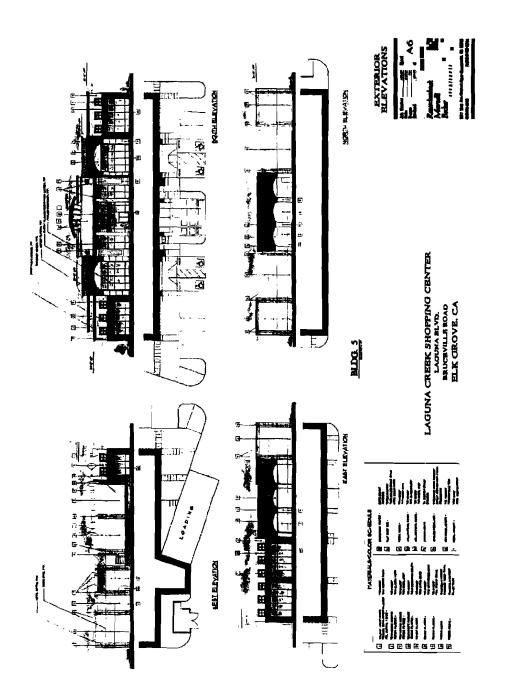


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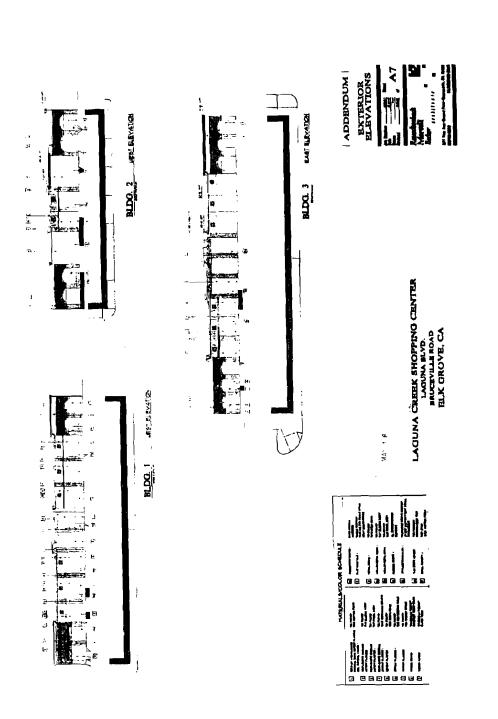
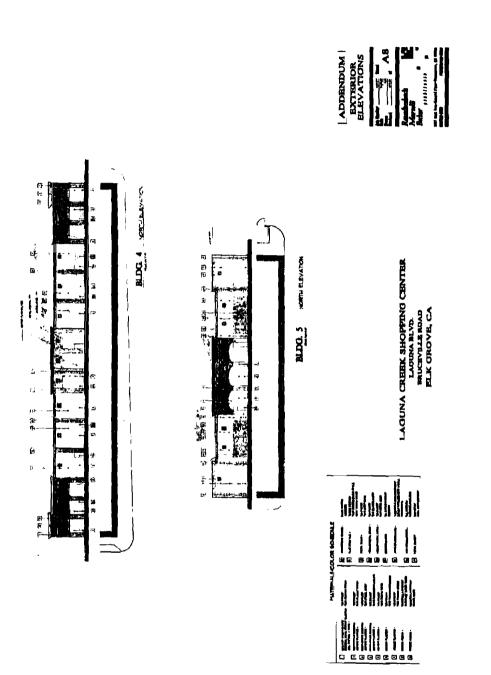


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CERTIFICATION ELK GROVE CITY COUNCIL RESOLUTION NO. 2007-11

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 January 10, 2007 by the following vote:

AYES :	COUNCILMEMBERS:	Cooper, Davis, Hume
NOES:	COUNCILMEMBERS:	Scherman
ABSTAIN :	COUNCILMEMBERS:	None

ABSENT: COUNCILMEMBERS: Leary



Vackson, City Clerk E City of Elk Grove, California

Peggy