RESOLUTION NO. 2007-258

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A TENTATIVE PARCEL MAP AND DESIGN REVIEW FOR THE LAGUNA GATEWAY PHASE 3 PROJECT NO. #EG-05-820

APNs: 116-0050-013, 027, 030, AND 031

WHEREAS, Pappas Gateway LP (the "Applicant") filed an application with the City of Elk Grove ("City") for a Rezone, Special Planning Area Amendment, Tentative Parcel Map, and Design Review; 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: 116-0050-013, 027, 030, and 031 (the "Property"); and

WHEREAS, the City has determined that the Laguna Gateway Phase 3 Project was subject to the California Environmental Quality Act (CEQA) 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 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 1, 2007 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:

CEQA

<u>Finding</u>: The proposal will not have a significant adverse impact on the environment and a Mitigated Negative Declaration has been prepared and completed in accordance with the California Environmental Quality Act (CEQA).

<u>Evidence</u>: An Initial Environmental Study was prepared for the proposed project and mitigation measures have been developed that will reduce potential environmental impacts to less than significant levels. On the basis of the Mitigated Negative Declaration, environmental analysis, and the whole record, there is no substantial evidence that the project will have a significant adverse impact on the environment.

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

- (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

<u>Finding</u>: The proposed project is consistent with the objectives of the General Plan, complies with applicable zoning regulations, Special Planning Area provisions, Citywide Design Guidelines, and Improvement Standards adopted by the City.

<u>Evidence</u>: The proposed project is consistent with the General Plan land use designation of Commercial/Office/Multi-family. The site layout has been reviewed

against the Zoning Code, Citywide Design Guidelines, Laguna Gateway Development Standards, and Laguna Gateway Development Design Guidelines for commercial development and meets all applicable design requirements. The project is subject to conditions of approval that will ensure consistency with all standard requirements, including conformance with the City of Elk Grove Improvement Standards.

<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.

Evidence: The proposed site design and architecture are appropriate for a commercial project. As designed, the project will provide an attractive and functional commercial project within the Laguna Gateway Shopping Center. The high quality of the product is consistent with the surrounding area. The site plan, elevations, and landscape plans provide all design elements required by the Laguna Gateway Development Standards, and Laguna Gateway Development Design Guidelines, and Citywide Design Guidelines. The project also provides consistent detailing of the architectural style, sufficient pedestrian connectivity, and consistent color palette. 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 signing 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 project will provide all required design elements that would establish compatibility with the existing building within the Laguna Gateway Shopping Center. The varying roofline heights, wall plane recess, and design elements such as trellises, trims, brick venner columns and scoring contribute to a high quality design. 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 project layout provides adequate off-site access and on-site circulation for vehicle, bicycle, and pedestrian modes and sufficient parking for vehicles and bicycles consistent with applicable requirements. Vehicle access into the Laguna Gateway Phase 3 project is provided by driveways off of Dunisch Road and West Stockton Boulevard. Pedestrian access has been designed to connect with the perimeter sidewalks within the landscape corridor along the frontage streets. The project is subject to conditions of approval that will ensure consistency with all standard requirements and the safe integration of the project into the local transportation network.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 14th day of November 2007.

JIM COOPER, MAYOR of the CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:

Plan & Deleman

SUSAN COCHRAN, CITY ATTORNEY

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
On-G				
1.	The development approved by this action is for a Rezone from SPA (MP/BP) and AR-5 to SPA (RW/SC) and GC, Special Planning Area Amendment to amend the Laguna Gateway SPA to reflect the requested rezone and to modify the sign criteria, Tentative Parcel Map to merge the four existing parcels and re-subdivide the site into two parcels, and Design Review for two buildings consisting of 30,624 sq. ft. and 18,000 sq. ft. with associated site improvements as described in the Planning Commission report and associated Exhibits and Attachments dated November 1, 2007 and illustrated in the project plans below:	On-Going	Planning	
	 Rezone and Laguna Gateway SPA Land Use Amendment Exhibit (received December 15, 2005) Tentative Parcel Map (received August 16, 2007) Site Plan (received August 16, 2007) Building Elevations (received August 16, 2007) Landscape Plans (received August 16, 2007) Laguna Gateway SPA Freeway Sign (received October 3, 2007) 			
	Any deviations from the approved plans shall be reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body.			
2.	The Tentative Parcel Map is valid for 36 months from the date of approval.	36 Months from the Date of Approval	Planning	
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,	On-Going	Planning	

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ <u>Monitoring</u>	Verification (date and Signature)
	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.			
4.	This action does not relieve the Applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	On-Going	Planning	
5.	The Applicant shall provide for a minimum 6' high masonry wall between the commercial project and the vacant parcel directly west of the project in order to provide for a sound attenuation buffer. This condition may be satisfied by the Applicant entering into an agreement with the City requiring the construction of the masonry wall at such time the City approves a development application for the adjoining parcel to the west (116-0050-011).	On-Going	Planning/Community Enhancement	
6.	The Applicant shall provide for adequate combination of trash and recycle containers to be located and maintained within the masonry enclosures with solid gates adopted by Elk Grove on August 10, 2005.	On-Going	Community Enhancement	
7.	The Applicant shall designate on the landscape plans and provide for lighting to enhance pedestrian safety and way finding, and vehicular traffic safety, and will not allow for lighting to be camouflaged by landscaping canopy.	On-Going	Community Enhancement	
8.	The Applicant shall provide for adequate trash and recycle material storage and collection that will not provide for a visible nuisance.	On-Going	Community Enhancement	
9.	The Applicant shall provide for trash/recycle collection service 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 deliveries or mechanical	On-Going	Community	

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ <u>Monitoring</u>	Verification (date and Signature)
	sweeping services/parking lot cleaning prior to 6:00 a.m. that may provide for nuisance noise to the adjacent residential development.		Enhancement	
11.	The Applicant shall not allow 'strictly prohibited signs' (i.e. lighter than air or balloon devices) to be displayed.	On-Going	Community Enhancement	
12.	The Applicant shall not provide for a nuisance during the construction phase or intended use of the project.	On-Going During Construction	Community Enhancement	
13.	Intensive commercial building permit Applicants shall conduct a water use efficiency review and submit findings in a required environmental documentation for the project to the Sacramento County Water Agency.	On-Going	Sacramento County Water Agency	
Prior	to Improvement Plans or Grading			
14.	The Applicant shall comply with, record, and pay the initial deposit for the Mitigation Recording and Reporting Program (MMRP) associated with the project. Until the MMRP has been recorded and the estimated deposit of \$5,000 has been paid, no final parcel map for the subject property shall be approved, and no grading, building, sewer connection, water connection, or occupancy permit from the City or County will be approved.	Prior to the Issuance of Any Plans or Permits Associated with this Project, the Applicant shall: 1. Record the MMRP 2. Submit Deposit to the City of Elk Grove	Planning	
15.	The Applicant shall submit landscape improvement plans (planting and irrigation) which incorporates the City's Zoning Code, Design Guidelines Water Conserving Landscape Requirements and Conditions of Approval. Plans shall be submitted to the Planning Department and the Public Works Department for review and approval.	Improvement Plans	Planning/Landscape Architect	

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ <u>Monitoring</u>	Verification (date and Signature)
16.	Mitigate or relocate Tree #18, 6" Valley Oak to a location on the project site and maintain and monitor for 5 years. Plantings required due to mitigation cannot be applied to fulfilling the landscaping requirements of the City's Design Guidelines and Zoning Code.	Prior to Issuance of a Grading Permit / Improvement Plans	Planning/Landscape Architect	
17.	The Applicant shall prepare a Mitigation/Tree Replacement Plan to address 6 inches (dbh) for oak tree removal as follows: If healthy native oak trees are to be removed and required to be mitigated, a Mitigation/Tree Replacement Plan shall be prepared once mitigation inches are determined. The Plan shall be prepared by a ISA Certified Arborist or landscape architect to mitigate for the loss of native trees 6-inch dbh or larger that are proposed for removal or that would be adversely affected by the project. The Plan shall comply with the City Code and General Plan Policies and be submitted to the City for review and approval. The current policies require that every dbh inch lost shall be mitigated by an inch planted or money placed in a tree mitigation bank. Please note that plantings required due to mitigation cannot be applied to fulfilling the landscaping requirements of the City's Design Guidelines. The Plan shall include the following entitlements: 1. Species, size and location of all replacement plantings (15-gallon = 1" dbh; 24" box = 2" dbh; 36" box = 3" dbh); 2. Method of irrigation; 3. The City of Elk Grove Standard Tree Planting Detail L-1, including the 10-foot depth boring hole to provide for adequate drainage; 4. Planting, irrigation and maintenance schedules for	Prior to Issuance of a Grading Permit / Improvement Plans	Planning/Landscape Architect	

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
	 monitoring period of 3 years; 5. Identify the maintenance entity and include their written agreement to provide maintenance and irrigation of the trees for a 3-year establishment period, and to replace any of the replacement trees which do not survive for that period; 6. Maintenance entity shall provide the City of Elk Grove a yearly monitoring report on the status of relocated or replacement trees and, 7. The minimum spacing for replacement oak trees shall be 20 feet on center; Replacement oak trees shall not be planted within 15 feet of the drip lines of existing oak trees to be retained on-site, or within 15 feet of any building. 8. Tree Preservation Construction Notes 			
18.	The Applicant shall submit and obtain City approval of plans and specifications for the construction of public streetlights in accordance with the City of Elk Grove Improvement Standards, including any approved revisions thereto. Streetlight identification numbers as assigned by Public Works during the first plan review shall be added to plans.	Prior to Improvement Plan Approval	Public Works	
19.	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	
20.	The Applicant shall prepare and submit a Post-Construction Stormwater Quality Control Plan in accordance with the most recent version of the Stormwater Quality Design Manual for the Sacramento Region. Post-construction source and treatment controls shall be designed in	Prior to Improvement Plan Approval and Prior to Issuance of	Public Works	

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ <u>Monitoring</u>	Verification (date and Signature)
	accordance with the City of Elk Grove Improvement Standards and the Stormwater Quality Design Manual. The design of post—construction source and treatment controls shall be submitted for approval with the improvement plans regardless of whether they constitute private or public improvements. A separate maintenance manual describing proper maintenance practices for the specific treatment controls to be constructed shall also be submitted and accepted by the City.	Grading Permits		
21.	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	
22.	The Applicant shall provide efficient cooling systems, recirculating pumps for fountains and ponds, and water recycling systems for vehicle washing as a condition of service.	Improvement Plans	Sacramento County Water Agency	
23.	Connection to the District's sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction.	Improvement Plans	CSD-1	
24.	Each parcel with a sewage source shall have a separate connection to a public sewer system (CSD-1 sewer lines). If there is more than one building in any single parcel and the parcel is not proposed for split, then each building on that parcel shall have a separate connection to a private on-site public sewer line.	Improvement Plans	CSD-1	
25.	In order to obtain sewer service, construction of CSD-1 sewer infrastructure is expected to be required. An on-site sewer collection system will be required.	Improvement Plans	CSD-1	

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
26.	Sewer easements may 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. CSD-1 will provide maintenance only in public right-of-ways and in easements dedicated to CSD-1.	Improvement Plans	CSD-1	
27.	The subject project owner(s) and successors in interest thereof, 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, including landscaping, channelizations, lighting, and any other appurtenances conflicting therein. This requirement shall be set forth in easement grant documents and be a covenant running with the land, be responsibility of successors in interest in future land transfers and divisions and by language approved by the District. CSD-1 will only replace asphalt and standard concrete roadway/driveway disturbed due to maintenance/repair of sewer line, however, if the repair is through devcorative/stamped concrete, CSD-1 will only replace with standard concrete.	Improvement Plans	CSD-1	
Prior t	o Final Map			
28.	The Applicant shall prepare and submit drainage calculations showing conformance with the existing drainage studies/water shed maps. The calculations must be completed and stamped by a Professional Engineer, and determined by the City to be adequate.	Final Map	Public Works	
29.	The project area shall annex into Zone 2 of the Storm Water Drainage Utility Fee Area to fund the additional project related costs to maintain publicly-owned water drainage facilities, manage flood control, and execute the stormwater quality program. The annexation process can take several	Final Map	Public Works	

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
	weeks. The project Applicant shall pay their fair share of the costs to annex into Zone 2. For rate information on this District, see www.elkgrovecity.org/utilities/rate-info.htm .			
30.	 Annex into the Laguna Gateway Shopping Center per the "restriction agreement and grant of easement" dated April 24, 2000 between Home Deport U.S.A., Inc. and Pappas Laguna L.P., or Obtain ingress/egress rights to Laguna Gateway, or remove the driveway on Laguna Gateway. 	Final Map	Public Works	
31.	 The Applicant shall reconfigure and improve the intersection of Laguna Boulevard/West Stockton Boulevard as follows: Northbound approach leg of Laguna Springs Drive Restripe the outside through lane to through/right-turn lane Southbound approach leg of West Stockton Blvd Extend the second left-turn lane to the first driveway north of Laguna Blvd All improvements shall be designed and installed in accordance with the City of Elk Grove improvement standard and to the satisfaction of Public Works. 	Final Map	Public Works	
32.	 The Applicant shall reconfigure and improve the intersection of Laguna Gateway/West Stockton Boulevard, as shown in the traffic study: West leg of Laguna Gateway Widen westbound to 2 lanes Northbound approach leg of West Stockton Blvd Restripe the inside through lane to left-turn lane. Modify 	Final Map	Public Works	

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ <u>Monitoring</u>	Verification (date and Signature)
	the markings on West Stockton Blvd just north of the intersection to merge from the left lane • Signal modification - Modify the signal timing at the intersection to ensure acceptable operation on the public roadway			
	All improvements shall be designed and installed in accordance with the City of Elk Grove improvement standard and to the satisfaction of Public Works.			
33.	 The Applicant shall pay the fair share for the Design and construction of an exclusive right-turn lane from SR-99 southbound off-ramp intersection (westbound approach leg of Laguna Blvd at West Stockton Blvd. Restripe the existing right-turn lane to a through lane for the westbound approach leg of Laguna Blvd / West Stockton Blvd / Laguna Springs Drive 	Final Map	Public Works	
34.	The Applicant shall design and construct a 25 foot curve radius at the southwest corner of the intersection of Dunisch Road and West Stockton Blvd as identified in the traffic study in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Final Map	Public Works	
35.	The Applicant shall design and construct a raised median and install appropriate signing and striping on Dunisch Road at West Stockton Blvd. as identified in the traffic study in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works to the satisfaction of Public Works.	Final Map	Public Works	
36.	The Applicant shall extend the median and install appropriate signing and striping on West Stockton Blvd. at Dunisch Road as identified in the traffic study in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Final Map	Public Works	

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
37.	The Applicant shall dedicate visibility easements for the West Stockton driveway per section 4-14 in the City of Elk Grove Improvement Standards to the satisfaction of Public Works.	Final Map	Public Works	
38.	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.	Final Map	Public Works	
39.	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.	Final Map	Public Works	
40.	The Applicant shall dedicate, design and improve that portion of the south half section of Dunisch Road fronting the project, from the approved centerline as shown on the preliminary grading plans dated 5/16/05. Improvements will be based on a 60' street in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Final Map	Public Works	
41.	The Applicant shall dedicate, design and install a sidewalk along the project's frontage on the west side of West Stockton Boulevard. Improvements will be based on a modified 70' street in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Final Map	Public Works	
42.	The Applicant shall dedicate an Irrevocable Offer of Dedication along the project's West Stockton Blvd frontage to accommodate u-turns at the intersection of West Stockton Blvd/Laguna Gateway to the satisfaction of Public Works.	Final Map	Public Works	
43.	The Applicant shall dedicate a 12.5 foot public utility easement for underground and appurtenances adjacent to	Final Map	Public Works, PG&E	

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
	all public streets.			
44.	The Applicant shall dedicate a pedestrian easement and Public Utility Easement within the landscape corridor adjacent to the project's West Stockton Blvd. frontage to the satisfaction of Public Works.	Final Map	Public Works	
45.	The Applicant shall dedicate access rights (direct vehicular ingress and egress on West Stockton Blvd and Dunisch Road) to the City of Elk Grove, except at the approved driveway location.	Final Map	Public Works	
46.	All structures along private drives shall have a minimum 10 foot setback (measured horizontally from the edge of collector pipe to edge of structure) so that CSD-1 can properly maintain the sewer line.	Final Map	CSD-1	
47.	CSD-1 requires their sewers to be located a minimum of 10 feet (measured horizontally from the edge of pipe to edge of pipe) from all potable water lines. Separation of sewer line from other parallel utilities, such as storm drain and other 'dry' utilities (electrical, telephone, cable, etc.) shall be a minimum of 7 feet (measured horizontally from the center of pipe to the center of pipe). Any deviation from the above separation due to depth and roadway width must be approved by the District on a case by case basis. Prior to recording the Final Map, the Applicant shall prepare a utility plan that will demonstrate that this condition is met.	Prior to recording Final Map	CSD-1	
48.	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	Prior to Final Map	Finance	

Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ <u>Monitoring</u>	Verification (date and Signature)
related facilities. The annexation process can take several months, so the Applicant should plan accordingly. The 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.org/finance/financial-planning-			
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	
	Prior to Issuance	Public Works	
or private, the Applicant shall install and/or replace street name signs in accordance with the City of Elk Grove	of Building Permit	TODIE TORS	
The Applicant or its successor in interest shall pay Zone 40 development fees applicable at the time of building permit issuance in accordance with Sacramento County Water	Prior to Issuance of 1st Building Permit	Sacramento County Water Agency	
o Final or Occupancy			344304
Identification signage issued by Public Works shall be mounted by the Applicant during streetlight installation in accordance with the approved plans. Alterations to streetlight plans shall be updated on record drawings. The Applicant shall submit, in addition to the complete set of improvement plans, a separate electronic file, in PDF format, of only the streetlight plan sheets and voltage calculations on the record drawing CD. Additionally, the Applicant shall complete and submit the City's streetlight data spreadsheet,	Prior to acceptance of Public Improvements	Public Works	
	arts center, and water features, and maintenance of other related facilities. The annexation process can take several months, so the Applicant should plan accordingly. The 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.org/finance/financial-planning-division/cfd-information.htm . 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. Description of Sacramento County Water Agency prior to Final Map Approval. Description of Sacramento County Water Agency of Elk Grove Standard Details. The Applicant or its successor in interest shall pay Zone 40 development fees applicable at the time of building permit issuance in accordance with Sacramento County Water Agency Ordinance No.18. Description of Cocupancy Identification signage issued by Public Works shall be mounted by the Applicant during streetlight installation in accordance with the approved plans. Alterations to streetlight plans shall be updated on record drawings. The Applicant shall submit, in addition to the complete set of improvement plans, a separate electronic file, in PDF format, of only the streetlight plan sheets and voltage calculations on the record drawing CD. Additionally, the Applicant shall	arts center, and water features, and maintenance of other related facilities. The annexation process can take several months, so the Applicant should plan accordingly. The 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.org/finance/financial-planning-division/cfd-information.htm. 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. Building Permits At all street intersections adjacent to the project site, public or private, the Applicant shall install and/or replace street name signs in accordance with the City of Elk Grove Standard Details. The Applicant or its successor in interest shall pay Zone 40 development fees applicable at the time of building permit issuance in accordance with Sacramento County Water Agency Ordinance No.18. Final or Occupancy Identification signage issued by Public Works shall be mounted by the Applicant during streetlight installation in accordance with the approved plans. Alterations to streetlight plans shall be updated on record drawings. The Applicant shall submit, in addition to the complete set of improvement plans, a separate electronic file, in PDF format, of only the streetlight plan sheets and voltage calculations on the record drawing CD. Additionally, the Applicant shall complete and submit the City's streetlight data spreadsheet,	arts center, and water features, and maintenance of other related facilities. The annexation process can take several months, so the Applicant should plan accordingly. The 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.elkargovecity.org/finance/finance/linancial-planning-division/c/d-information.htm. The Applicant shall dedicate maintenance essements in all public and private streets over all water lines to the satisfaction of Sacramento County Water Agency prior to Final Map Approval. 3 Building Permits At all street intersections adjacent to the project site, public or private, the Applicant shall install and/or replace street name signs in accordance with the City of Elk Grove Standard Details. The Applicant or its successor in interest shall pay Zone 40 development fees applicable at the time of building permit issuance in accordance with Sacramento County Water Agency Ordinance No.18. The Third of Cocupancy Identification signage issued by Public Works shall be mounted by the Applicant during streetlight installation in accordance with the approved plans. Alterations to streetlight plans shall be updated on record drawings. The Applicant shall submit, in addition to the complete set of improvement plans, a separate electronic file, in PDF format, of only the streetlight plan sheets and voltage calculations on the record drawing CD. Additionally, the Applicant shall submit the City's streetlight data spreadsheet.

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	drawing CD.		777777777777777777777777777777777777777	
53.	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	
54.	All building attached mechanical equipment and other utility equipment shall be screened from view of public streets, parking tots, 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	
55.	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	
56.	The landscape improvement plans shall indicate 5 gallon climbing vines planted against the two loading bay screen walls. Vines shall be planted at ten feet on center, 6 vines per wall.	Prior to Final or Occupancy	Planning/ Landscape Architect	
57.	Upon completion of the installation of the landscaping, 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 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	
58.	Prior to final inspection or occupancy of any structure on the	Prior to Final or	Planning/	

	Conditions of Approval / Mitigation Measure	Timing/ Implementation	Enforcement/ <u>Monitoring</u>	Verification (date and Signature)
	site, a Certificate of Conformance shall be provided to the City's landscape architect for approval.	Occupancy	Landscape Architect	
59 <i>.</i>	The Applicant shall provide an additional twenty (20) percent increase in fire sprinkler density for Building Major 1.	Prior to Final or Occupancy	Fire	
60.	The Applicant shall provide two (2) additional fire access ladders on the north elevation of Building Major 1. The ladders shall be placed near each corner on the north elevation to the satisfaction of the Fire Department.	Prior to Final or Occupancy	Fire	
61.	If high-piled storage is proposed by the tenant for Building Major 1, the Applicant shall provide additional fire access doors every one-hundred (100) feet for Fire Department operations.	Prior to Final or Occupancy	Fire	
62.	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	
63.	The Applicant shall provide for non-sacrificial graffiti-resistant paint or clear graffiti-resistant coating of the masonry wall, loading dock screening wall, and monument sign(s.	Prior to Final or Occupancy	Community Enhancement	
64.	The Applicant shall provide for climbing vegetation to cover and control graffiti along the western masonry wall at the property line – appropriate climbing vegetation to be detailed within the landscape plans.	Prior to Final or Occupancy	Community Enhancement	
65.	The Applicant shall install skate board stoppers on the 30" wall located at the southwest corner of Major Building 2.	Prior to Final or Occupancy	Police	

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. When the parcel to the west develops, The City may request the proposed driveway on Laguna Gateway to be relocated at least 150 feet from the back of sidewalk on West Stockton Blvd. (Public Works)
- b. 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)
- c. The Applicant shall pay all appropriate development fees charged by the City and other Special Districts providing services to the site. (Public Works)
- d. 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)
- e. Any improvements, public or private, damaged in construction shall be replaced, by the Applicant, in-kind or with new improvement. (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. Improvement related conditions can be satisfied by completing an approved design, executing an improvement agreement, and providing suitable financial security (e.g. bonds, letter of credit, etc.), all to the satisfaction of the City, prior to the implementation timing required by the condition. (Public Works)
- h. 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)
- i. All driveways and intersections shall conform to the visibility easement requirement in the City of Elk Grove Improvement Standard. (Public Works)
- j. 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)
- 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 to1st 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 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 the 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 project 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 applicable information 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. Dead-end streets in excess of 150 feet require emergency turn-around. (Fire)
- t. Any and all gates impeding fire lanes or roadways shall comply with Appendix VII of the 2002 Sacramento County Fire Code. (Fire)
- u. 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. DWG (Applies to AUOCAD drawing file) any AutoCAD DWG version is accepted (Fire)
- v. All commercial buildings, in excess of 3,599 square feet shall be equipped with an approved automatic fire sprinkler system. (Fire)
- w. 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)
- x. 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)
- y. 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)
- z. CCSDFD approved traffic pre-emption devices of a type approved by the Cosumnes 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)
- aa. Required fire alarm systems shall be connected to a UL listed central station approved by the Sacramento County Regional Communications Center. (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 Cosumnes 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. Developing of the 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)
- ff. The project Applicant shall pay all applicable City of Elk Grove administered development impact fees in effect at the time of building permit issuance (note there are development impact fee programs administered by other agencies including Sacramento County and the Elk Grove Unified School District). For further information on development related fees, see the Development Related Fee Booklet at:

www.elkgrovecity.org/finance/financial-planning-division/drf-information.htm

Applicants are also advised to review the Planned Fee Updates portion of the web page, and are encouraged to sign up for email updates on the 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. (Finance)

1.	In order to reduce potentially significant adverse impacts to air quality from construction activities to a less than significant level, the following air pollution control measures	Include the measures on all grading plans,	City of Elk Grove Development Services	
	shall be incorporated into the project specifications and	improvement	30141003	
	administered during construction:	plans, and during		
	adirim novoroda doming commission.	project		
	 All active portions of the construction site, earthen access roads, and material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering shall occur at least twice a day with complete coverage, preferably in the late morning and 	construction.		
	after work is done for the day. Where feasible, reclaimed water shall be used.			
	 All clearing, grading, earth-moving, or excavation activities shall cease during periods of winds greater than 20 miles per hour averaged over one hour. 			
	 All material transported off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust. 			
	 The area disturbed by clearing, earth-moving, or excavation activities shall be minimized at all times. This can be accomplished by mowing instead of disking for weed control and seeding and watering inactive portions of the construction site until grass is evident. 			
	 If used, petroleum-based dust palliatives shall meet the road oil requirements of the SMAQMD rule regarding Cutback Asphalt Paving Materials. 			
	 Streets adjacent to the project site shall be swept as needed to remove silt that may accumulate from construction activities. Streets are required to be wet prior to or in conjunction with rotary sweeping. 			
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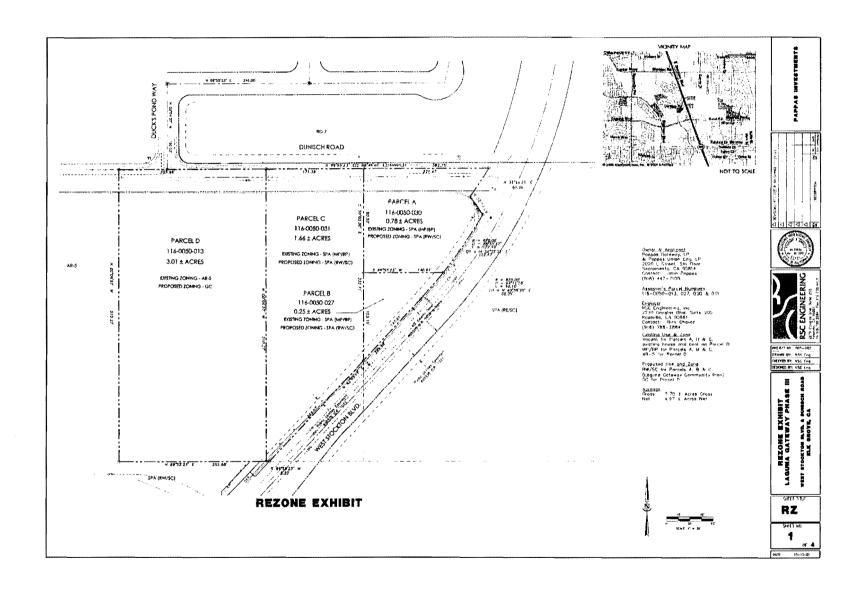
2.	 All internal combustion engine driven equipment shall be properly maintained and well tuned according to the manufacturer's specifications. During the smog season (May through October) the construction period shall be lengthened to minimize the number of vehicles and equipment operating at the same time. When available, diesel powered or electric equipment shall be used in lieu of gasoline-powered engines. Construction activities shall minimize obstruction of through-traffic lanes adjacent to the site. MM-1 Prior to grading activities, a preconstruction survey shall be performed if any grading activity is to occur between April 1 and July 31 in order to determine if active raptor nesting is taking place within and immediately adjacent to the project site. However, if any nesting is observed at any time throughout the year, consultation with the Department of Fish and Game shall occur in order to determine the protective measures which must be implemented for the nesting birds of prey. If nesting is not observed, further action is not required. MM-2 	Prior to issuance of grading permits.	City of Elk Grove Development Services - Planning and CDFG,	
3.	In order to mitigate for the loss of existing trees on the project site, the Applicant shall prepare a Mitigation/Tree Replacement Plan to address 6 inches (dbh) for oak tree removal as follows: If healthy native oak trees are to be removed and required to be mitigated, a Mitigation/Tree Replacement Plan shall be prepared once mitigation inches are determined. The	Prior to the issuance of any permits for grading, building or any other site improvements, or the recordation of any Final	City of Elk Grove Development Services - Planning	

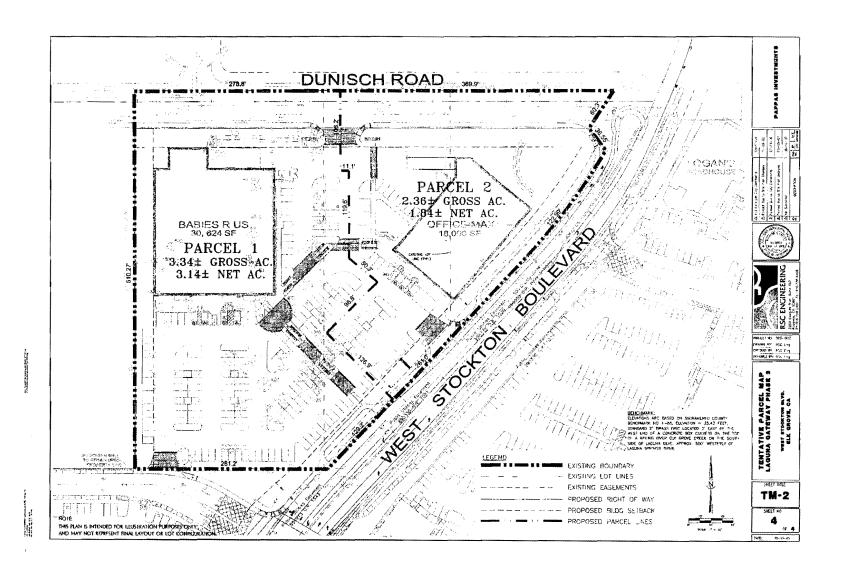
lar inc wo sul po an Ple be	an shall be prepared by a ISA Certified Arborist or adscape architect to mitigate for the loss of native trees 6-ch dbh or larger that are proposed for removal or that buld be adversely affected by the project. The Plan shall imply with the City Code and General Plan Policies and be omitted to the City for review and approval. The current licies require that every dbh inch lost shall be mitigated by inch planted or money placed in a tree mitigation bank. Ease note that plantings required due to mitigation cannot applied to fulfilling the landscaping requirements of the y's Design Guidelines. The Plan shall include the following titlements:	Subdivision Maps on the subject property, whichever occurs first, the tree replacement plan shall be submitted to Elk Grove Planning for review and approval.	
	iniomornis,		
2. 3.	Species, size and location of all replacement plantings (15-gallon = 1" dbh; 24" box = 2" dbh; 36" box = 3" dbh); Method of irrigation; The City of Elk Grove Standard Tree Planting Detail L-1, including the 10-foot depth boring hole to provide for adequate drainage; Planting, irrigation and maintenance schedules for monitoring period of 3 years; Identify the maintenance entity and include their written agreement to provide maintenance and irrigation of the		
	trees for a 3-year establishment period, and to replace any of the replacement trees which do not survive for that period; Maintenance entity shall provide the City of Elk Grove a		
0.	yearly monitoring report on the status of relocated or replacement trees and,		
	The minimum spacing for reptacement oak trees shall be 20 feet on center; Replacement oak trees shall not be planted within 15 feet of the drip lines of existing oak trees to be retained on-site, or within 15 feet of any building. Tree Preservation Construction Notes.		

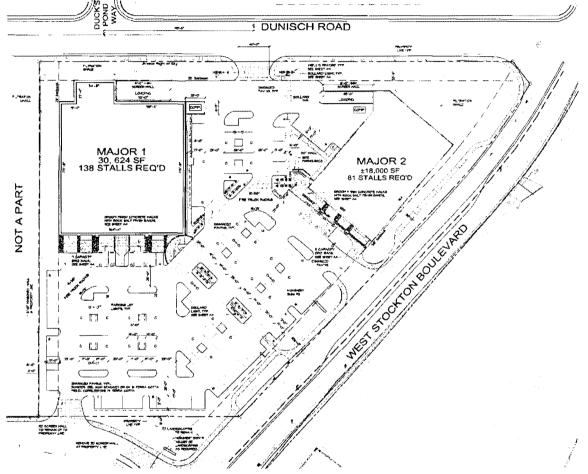
MM-3

4.	 The Applicant shall reconfigure and improve the intersection of Laguna Boulevard/West Stockton Boulevard as follows: Northbound approach leg of Laguna Springs Drive Restripe the outside through lane to through/right-turn lane Southbound approach leg of West Stockton Blvd Extend the second left-turn lane to the first driveway north of Laguna Blvd All improvements shall be designed and installed in accordance with the City of Elk Grove improvement standard and to the satisfaction of Public Works. MM-4	Prior to Final Map	City of Elk Grove Public Works Department	
5.	 The Applicant shall reconfigure and improve the intersection of Laguna Gateway/West Stockton Boulevard, as shown in the traffic study: West leg of Laguna Gateway Widen westbound to 2 lanes Northbound approach leg of West Stockton Blvd Restripe the inside through lane to left-turn lane. Modify the markings on West Stockton Blvd just north of the intersection to merge from the left lane Signal modification Modify the signal timing at the intersection to ensure acceptable operation on the public roadway All improvements shall be designed and installed in accordance with the City of Elk Grove improvement standard and to the satisfaction of Public Works.	Prior to Final Map	City of Elk Grove Public Works Department	
6.	 The Applicant shall pay the fair share for the Design and construction of an exclusive right-turn lane from SR-99 southbound off-ramp intersection (westbound 	Prior to Final Map	City of Elk Grove Public Works Department	

MM-6		
Restripe the existing right-turn lane to a through lane for the westbound approach leg of Laguna Blvd / West Stockton Blvd / Laguna Springs Drive		
approach leg of Laguna Blvd at West Stockton Blvd.		



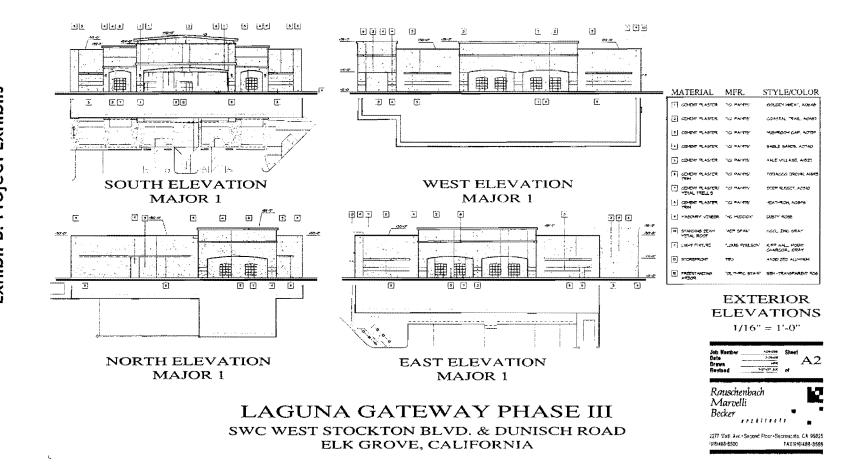


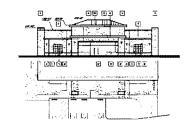


LAGUNA GATEWAY PHASE III SWC WEST STOCKTON BLVD. & DUNISCH ROAD ELK GROVE, CALIFORNIA



KEY PLAN

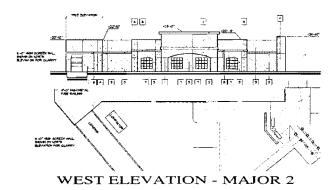




SOUTH ELEVATION - MAJOR 2

EAST ELEVATION - MAJOR 2

· management , management , , , , , , , , , , , , , , , , , , ,
See
MATERIAL CALLED SALES CALLED SA



NORTH ELEVATION - MAJOR 2

LAGUNA GATEWAY PHASE III

SWC WEST STOCKTON BLVD. & DUNISCH ROAD ELK GROVE, CALIFORNIA

MATERIAL	MFR.	STYLE/COLOR
CONCHI PLASTER	"ICH PAINTS"	BOLDON AHCAY, ACRAS
[2] сомон пьязтов	"SI PANTS"	COASTAL TRAIL, ACCEST
(a) KENENT PLANTER	"ICI PAIN"S"	MISHROOV CAP 40758
CEMENT PLASTER	TO PAINTS	\$48KZ \$3109, A0140
SCHOOL AND SELVEN	TO PARTS	HALE VILLAGE, AIRZT
GENEVI PLASTER	TO PARTS	TORAGO ERONA AINTE
CEMENT PLASTER/	JOI SYLLIA.	D009 90890T, ACBIO
LA CEMENT PLASTER	"ISI PANTS"	HEATHRON, ADDRE
[4] MASONRY VENEER	эс наррох	DUSTY 4056
METAL PLOT	ALT SPAN	GOOL ZIYO GRAY
(i) Leur Pikaupe	LOUIS FOR SON	KIPP HALL HOUNT CHARGOAL BRAY
☐ STOREFRONT	11912	ANODIZED ALIMPUM
#REESTANDING	ገንዚዋነቀየሪ ይተልነየና	BEHLTRANSPARENT ROS

EXTERIOR ELEVATIONS

1/16" = 1'-0"



2277 Wall Ave.*Second Finor*Secremond, CA 95925 (989488-6500 FAX(989488-6568

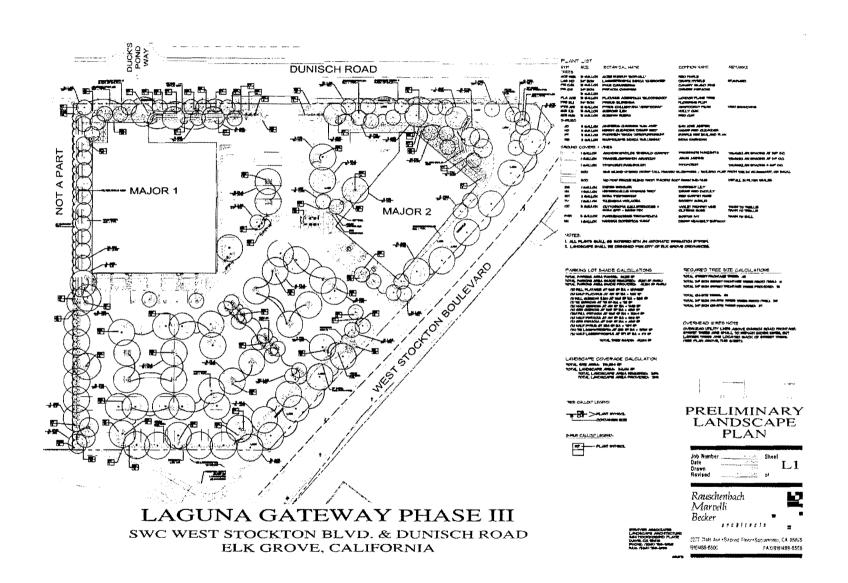
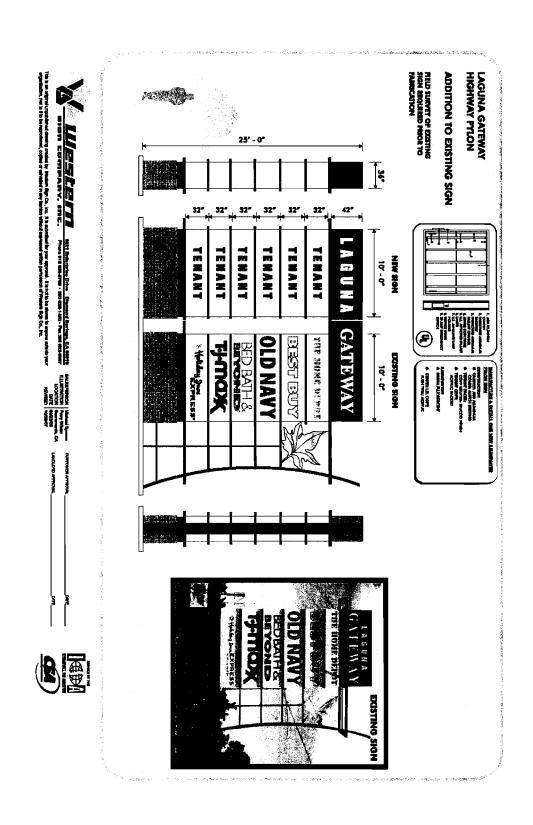


Exhibit B: Project Exhibits



CERTIFICATION ELK GROVE CITY COUNCIL RESOLUTION NO. 2007-258

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 November 14, 2007 by the following vote:

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

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

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

