

RESOLUTION NO. 2011-251

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING A SPECIFIC PLAN AMENDMENT FOR THE
THE LASHER AUTO GROUP PROJECT NO. EG-11-038
ASSESSOR PARCEL NUMBERS: 132-0110-036 AND -047**

WHEREAS, the Planning Department of the City of Elk Grove received an application on August 24, 2011 requesting a Specific Plan Amendment and Rezone; and

WHEREAS, the Lasher Auto Group Project (EG-11-038) is located on real property in the incorporated portions of the City of Elk Grove more particularly described as Assessor Parcel Number(s) 132-0110-036 and 132-0110-047; and

WHEREAS, the Lasher Auto Group Project consists of amending the Specific Plan land use designations for the project site by reducing the Shopping Center (SC) designated property to approximately one acre and adding the Auto Commercial (AC) designation to approximately 4.14 acres; and

WHEREAS, the Lasher Auto Group Project is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15183 of Title 14 of the California Code of Regulations (State CEQA Guidelines); and

WHEREAS, the Planning Commission considered the Applicant's request at a public hearing on November 17, 2011, and recommended the City Council approve the Lasher Auto Group Project; and

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elk Grove approves the Amendments to the Laguna Ridge Specific Plan as illustrated in the attached Exhibit A, based on the following findings:

**Specific Plan Amendment - Laguna Ridge Specific Plan (LRSP) Section 9
Implementation & Administration**

Finding 1: Significant changes to the character of the community have occurred subsequent to the adoption of the Specific Plan which warrants amendments as requested.

Evidence: Subsequent to adoption of the Specific Plan, significant changes to the character of the community have occurred. Specifically, the changes to the character of the community that have occurred consist of alterations in land use demand. This project is representative of the changes to the character of the community. The project

site remains undeveloped designated as SC. However, the project site would be developed if it were designated AC. This condition provides evidence that the demand for an auto oriented use on the site exceeds the demand for shopping center uses at this time and therefore consists of a change to the character of the community. The AC designation is further warranted because it allows the applicant expand their business operation to underutilized property that would otherwise remain undeveloped as SC. Therefore, the change in demand for use of the site is a significant change to the character of the community subsequent to adoption of the Specific Plan and the amendment is warranted.

Finding 2: The requested amendment will benefit the Specific Plan Area and/or the City.

Evidence: The proposed Specific Plan Amendment will enable the site to be developed with an auto commercial oriented use. The project site is undeveloped and there is no expected development that would comply with the SC standards. The requested amendment will enable development of the site with auto oriented uses thereby allowing the project site to be developed in an integrated fashion with adjacent property as part of the auto mall. The remaining acre of SC designated property will provide land that could continue to accommodate a variety of commercial uses. This land, and the variety of uses, will be able to serve the future residents in the residentially zoned land to the south of the project site as well as neighboring office districts. Therefore, the requested Amendment will meet the current market demands that will benefit future and existing developments.

Finding 3: The amendment is consistent with the General Plan.

Evidence: The General Plan contains goals, policies, and objectives to which all projects must adhere. Thus, the LRSP serves as the policy and regulatory document that implements the goals and policies of the General Plan. The LRSP recognizes that periodic amendments may be necessary in order to respond changing circumstances beyond the control of the Specific Plan (page 9-2). Such amendments include changes to the land use designations for the proposed projects. General Plan Land Use Policies LU-28 and LU-30 allows the LRSP to have discretion as to land use.

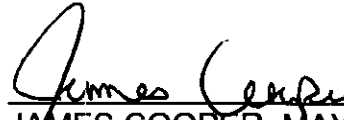
Finding 4: The amendment will not adversely affect adjacent properties and can be properly serviced.

Evidence: The proposed change to the land use designations will not adversely affect adjacent properties. Access to the remaining portion of the site designated for SC uses is still provided through an existing curb cut. No new land use types are proposed for the sites. All public services and utilities to serve the project would remain as identified for the LRSP.

Finding 5: Where applicable, the physical constraints of the property area are such that the requested amendment is warranted.

Evidence: The property is not physically constrained. The requested Specific Plan Amendment and Rezone leave adequate area for development to occur within the AC and SC designations. Therefore, physical constraints were not a justification for the requested amendments and the physical constraints consideration is not applicable.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 14th day of December 2011.



JAMES COOPER, MAYOR of the
CITY OF ELK GROVE

ATTEST:



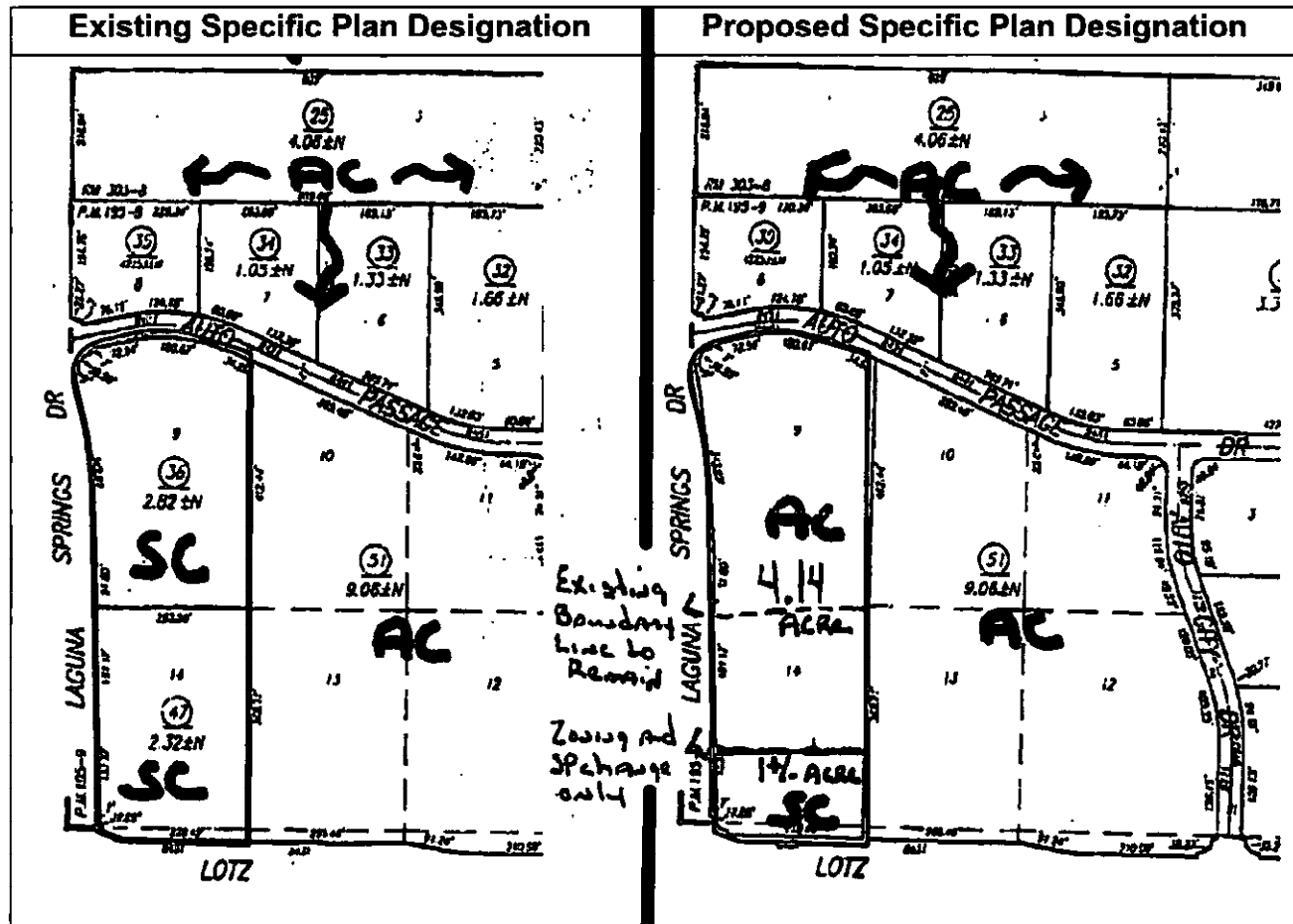
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN HOBBS,
INTERIM CITY ATTORNEY

Exhibit A



**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2011-251**

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

I, Jason Lindgren, 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 December 14, 2011 by the following vote:

AYES : COUNCILMEMBERS: Cooper, Hume, Detrick, Scherman

NOES: COUNCILMEMBERS: None

ABSTAIN : COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Davis



Jason Lindgren, City Clerk
City of Elk Grove, California