

**RESOLUTION NO. 2015-011**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
TO APPROVE A TENTATIVE SUBDIVISION MAP, DESIGN REVIEW FOR  
SUBDIVISION LAYOUT, AND ABANDONMENT OF RIGHT-OF-WAY FOR THE  
GOOD SHEPHERD MAP PROJECT (EG-14-027)  
ASSESSOR PARCEL NUMBER: 127-0030-072**

**WHEREAS**, the Planning Department of the City of Elk Grove received an application on September 3, 2014 from MND Development, Inc (the Applicant) requesting a Rezone, Tentative Subdivision Map, Design Review for Subdivision Layout, and Abandonment; and

**WHEREAS**, the proposed Project is located on real property in the incorporated portions of the City of Elk Grove more particularly described as APN: 127-0030-072; and

**WHEREAS**, the Project qualifies as a project under the California Environmental Quality Act (CEQA), Public Resource Code §§21000-21178 but is exempt; and

**WHEREAS**, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) of Title 14 of the California Code of Regulations (State CEQA Guidelines) provides an exemption from CEQA for projects that are consistent with the applicable General Plan and Zoning for which an Environmental Impact Report (EIR) was certified; and

**WHEREAS**, an EIR was certified by the City Council for the adoption of the City of Elk Grove General Plan (SCH 2005052018); and

**WHEREAS**, a Mitigated Negative Declaration was adopted for the Sandage Estates Project (EG-04-777) which considered the future development of the Project site as currently proposed (SCH 2013082012); and

**WHEREAS**, based on staff's review of the Project, no special circumstances exist that would create a reasonable possibility that the Project will have a significant effect on the environment beyond what was previously analyzed and disclosed; and

**WHEREAS**, the Planning Department considered the Project request pursuant to the Elk Grove General Plan, the Elk Grove Municipal Code Title 23 (Zoning), and all other applicable State and local regulations; and

**WHEREAS**, the Planning Commission 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; and

**WHEREAS**, the Planning Commission recommended the City Council approve the Good Shepherd Map 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 Tentative Subdivision Map, Design Review for subdivision layout, and Abandonment for the Good Shepherd Map Project (EG-14-027) as described in Exhibit A and illustrated in Exhibit B, subject to the Conditions of Approval contained in Exhibit C (all incorporated herein by this reference), based upon the following findings:

***Tentative Subdivision Map***

Finding: None of the findings (a) through (g) below in Section 66474 of the California Government Code that require a City to deny approval of a tentative map apply to this project.

- a. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- b. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- c. That the site is not physically suitable for the type of development.
- d. That the site is not physically suitable for the proposed density of development.
- e. That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- f. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- g. That the design of the subdivision or type of improvements will conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision.

Evidence:

- a. The proposed Project is consistent with the Elk Grove General Plan because the site is designated Rural Residential in the General Plan and zoned for AR-2 (Agricultural Residential 2-acre minimum). The Project would legally subdivide the parcel consistent with Title 23 (Zoning).
- b. The design of the improvements of the proposed Project is consistent with the General Plan land use designations of Rural Residential and the development standards for residential use in Title 23 (Zoning). The Project would legally subdivide the parcel consistent with Title 23 (Zoning).
- c. The site is physically suitable for extension of residential development because the site is designated Rural Residential in the General Plan and zoned AR-2 (Agricultural Residential 2-acre minimum).
- d. The Project site is designated Rural Residential in the General Plan and zoned AR-2 (Agricultural Residential 2-acre minimum). The Project would legally subdivide the parcel consistent with Title 23 (Zoning).

- e. The proposed Tentative Subdivision Map is consistent with the General Plan and zoning and therefore would not cause substantial environmental damage.
- f. The Project would legally subdivide the parcel consistent with Title 23 (Zoning).
- 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 #1: The proposed project is consistent with the objectives of the General Plan, complies with applicable zoning regulations and Citywide Design Guidelines adopted by the City.

Evidence: The site layout has been reviewed against the Citywide Design Guidelines for residential subdivisions and meets all applicable design requirements. The proposed subdivision map and related plans provide all the design elements required by the Citywide Design Guidelines, including interconnected street system and sufficient open space and landscaping. The conditions of approval ensure consistency with all standard requirements.

Finding #2: The proposed project will not create conflicts with vehicular, bicycle, or pedestrian modes of transportation.

Evidence: The proposed subdivision and layout provides adequate off-site access and on-site circulation consistent with applicable requirements.

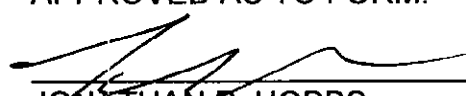
Finding #3: The residential subdivision is well integrated with the City's street network, creates unique neighborhood environments and establishes a pedestrian friendly environment.

Evidence: The Project includes an interconnected street system as well as sufficient open space and landscaping. The proposed design blends seamlessly into the surrounding neighborhood and the street pattern encourages walking.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 14<sup>th</sup> day of January 2015.

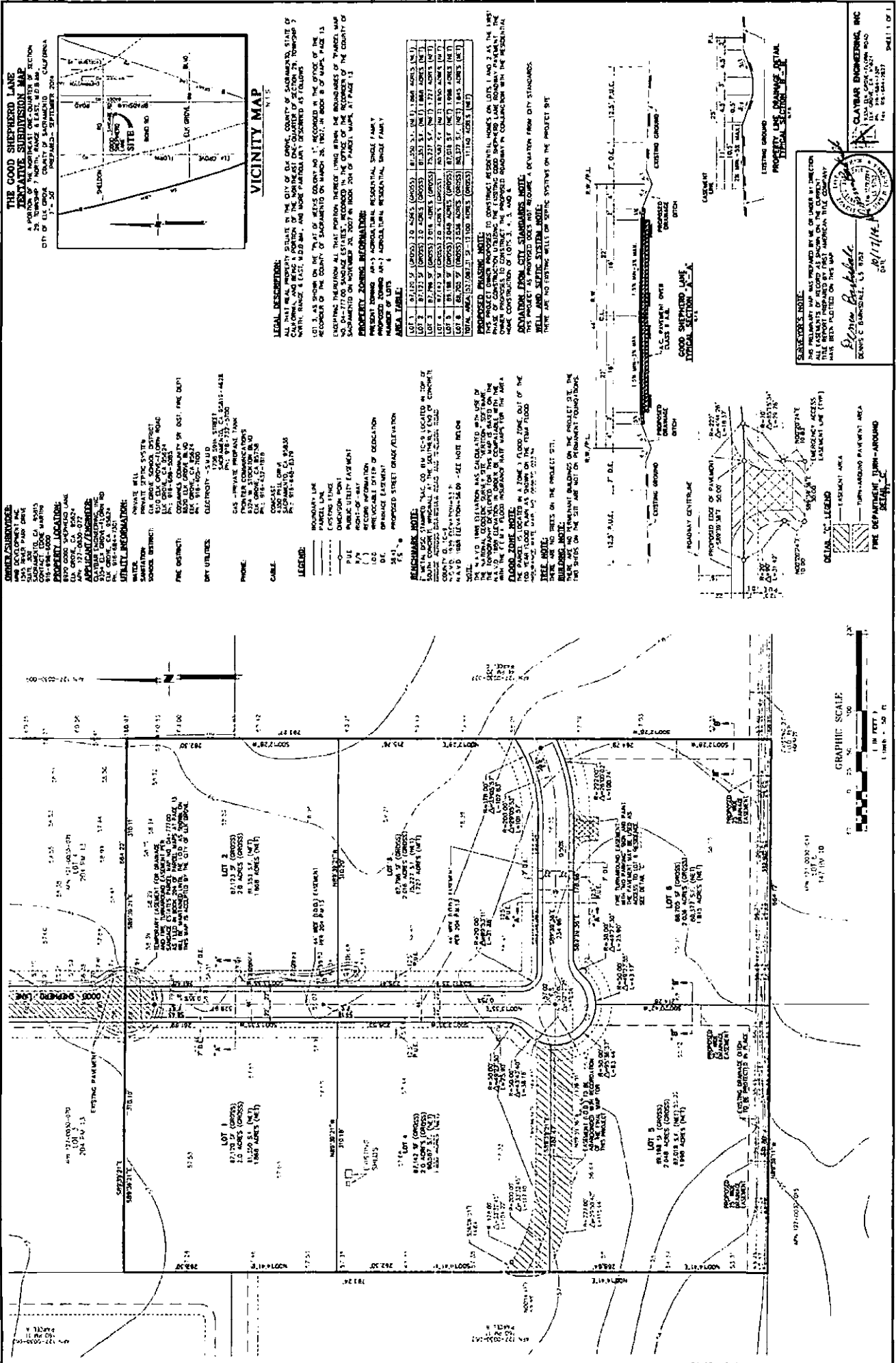
  
\_\_\_\_\_  
GARY DAVIS, MAYOR of the  
CITY OF ELK GROVE

ATTEST:  
  
\_\_\_\_\_  
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
JONATHAN P. HOBBS,  
CITY ATTORNEY

**Exhibit A**  
**Good Shepherd Map (EG-14-027)**  
**Project Description**

The proposed Project, Good Shepherd Map, involves a **Tentative Subdivision Map** (and concurrent **Design Review** for subdivision layout) to subdivide a 12.1-acre parcel into six (6) lots for single-family use. The Project also includes an **Abandonment** of a portion of the 44-foot I.O.D. (which was required as part of the Sandage Estates Project) as shown on the Tentative Subdivision Map (Exhibit B).



**OWNER/SUBDIVISOR:**

1000 SHEPHERD LANE  
SACRAMENTO, CA 95811  
APN: 017-000-070  
304-74-13

**PROPERTY LOCATION:**

8700 GOOD SHEPHERD LANE  
SACRAMENTO, CA 95811  
APN: 017-000-070  
304-74-13

**APPLICANT/ENGINEER:**

CLAYBAR ENGINEERING, INC.  
1000 SHEPHERD LANE  
SACRAMENTO, CA 95811  
APN: 017-000-070  
304-74-13

**UTILITY INFORMATION:**

**WATER:** PRIVATE WELL  
**SEWER:** PRIVATE SEWER SYSTEM  
**SANITATION:** PRIVATE SEWER SYSTEM  
**SCHOOL DISTRICT:** SACRAMENTO COUNTY  
**FIRE DISTRICT:** SACRAMENTO COUNTY  
**DRY UTILITIES:** ELECTRICITY - 33,000 VOLTS  
CABLE - COMCAST

**PHONE:**

916-441-1515  
916-441-1515

**CABLE:**

COMCAST  
SACRAMENTO, CA 95811  
916-441-1515

**LEGEND:**

- PROPOSED LOT
- EXISTING LOT
- PUBLIC UTILITY EASEMENT
- PROPOSED EASEMENT
- DEDICATION
- PROPOSED STREET ORANGE ALIGNMENT

**REMARKS:**

ALL LOTS ARE TO BE DEVELOPED FOR RESIDENTIAL USE. THE SUBDIVISION IS BEING DEVELOPED IN ACCORDANCE WITH THE CITY OF SACRAMENTO ZONING ORDINANCE. THE SUBDIVISION IS BEING DEVELOPED IN ACCORDANCE WITH THE CITY OF SACRAMENTO SUBDIVISION MAP ACT. THE SUBDIVISION IS BEING DEVELOPED IN ACCORDANCE WITH THE CITY OF SACRAMENTO SUBDIVISION MAP ACT.

**LEGAL DESCRIPTION:**

ALL THAT REAL PROPERTY SITUATE IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, AND BEING A PORTION OF THE SOUTHWEST ONE-FOURTH QUARTER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 8 EAST, MERIDIAN 16 WEST, COUNTY OF SACRAMENTO, CALIFORNIA, AS SHOWN ON THE PLAT OF THE SUBDIVISION MAP OF THE CITY OF SACRAMENTO, CALIFORNIA, RECORDED IN THE OFFICE OF THE COUNTY CLERK OF SACRAMENTO, CALIFORNIA, UNDER MAP NO. 111,111, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**PROPERTY ZONING INFORMATION:**

RESIDENTIAL SINGLE-FAMILY (RS-1)  
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**AREA TABLE:**

LOT NO.	LOT AREA (GROSS)	LOT AREA (NET)	TOTAL LOT AREA (NET)
LOT 1	87,170 SQ. FT.	15,799 SQ. FT.	15,799 SQ. FT.
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LOT 6	87,170 SQ. FT.	15,799 SQ. FT.	15,799 SQ. FT.
<b>TOTAL</b>	<b>523,020 SQ. FT.</b>	<b>95,397 SQ. FT.</b>	<b>95,397 SQ. FT.</b>

**PROPOSED CONSTRUCTION:**

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**OPERATION FROM CITY ENGINEERING:**

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**WELL AND SEPTIC SYSTEMS:**

THESE ARE NO EXISTING WELLS OR SEPTIC SYSTEMS ON THE PROJECT SITE. THERE ARE NO EXISTING BUILDINGS ON THE PROJECT SITE. THERE ARE NO EXISTING BUILDINGS ON THE PROJECT SITE.

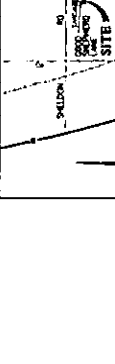
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**THE GOOD SHEPHERD LANE TENTATIVE SUBDIVISION MAP**

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**VICINITY MAP**



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**EXHIBIT C  
GOOD SHEPHERD MAP (EG-14-027)  
Conditions of Approval CITY COUNCIL DRAFT**

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<b>On Going</b>				
1.	Development and operation of the proposed Project shall be consistent with the Project Description and Project Plans as provided in Exhibits A and B, incorporated herein by this reference. Deviations from the approved plans shall be reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body.	On-Going	Planning	
2.	The Applicant/Owner or Successors in Interest (hereby referred to as the "Applicant") shall indemnify, protect, defend, and hold harmless the City, its officers, officials, agents, employees, and volunteers from and against any and all claims, damages, demands, liability, costs, losses or expenses including without limitation court costs, reasonable attorney's fees and expert witness fees arising out of this Project including challenging the validity of this application/permit or any environmental or other documentation related to approval of this Application.	On-Going	Planning	
3.	This action does not relieve the Applicant of the obligation to comply with all codes, statutes, regulations, and procedures.	On-Going	Planning	
4.	Except as otherwise specified or provided in these conditions, the Project shall conform to the development standards and design requirements adopted by the City, specifically including but not limited to the following: <ul style="list-style-type: none"> <li>• The City Zoning Code (Title 23 of the EGMC)</li> <li>• EGMC Chapter 19.12 (Tree Preservation and Protection)</li> <li>• EGMC Chapter 14.10 (Water Efficient Landscape Requirements)</li> <li>• EGMC Title 16 (Building and Construction)</li> </ul>	On Going	Planning Public Works Building	

	<u>Conditions of Approval</u>	<u>Timing/Implementation</u>	<u>Enforcement/Monitoring</u>	<u>Verification (date and Signature)</u>
5.	The Applicant shall design and construct all improvements in accordance with the City Improvement Standards, as further conditioned herein, and to the satisfaction of Public Works.	On Going	Public Works  SCWA SASD SMUD PG&E	
6.	The Applicant shall pay all plan check fees, impact fees, or other costs as required by the City, the Cosumnes Community Services District (CCSD), or other agencies or services providers as established by law.	On-Going	Planning Public Works CCSD	
7.	Approval of this Project does not relieve the Applicant from the requirements of subsequent permits and approvals, including but not limited to the following, as appropriate: <ul style="list-style-type: none"> <li>• Grading Permit and Improvement Plan</li> <li>• Final Map</li> <li>• Building Permit and Certificate of Occupancy</li> <li>• Section 404, 401, 1602, or other State or Federal environmental permit (if required)</li> <li>• Requirements of the Sacramento Metropolitan Air Quality Management District</li> <li>• Fire permit</li> <li>• Environmental Management Department approval</li> </ul>	On-Going	Planning Public Works Building CCSD SCWA SASD	
8.	The property owners shall participate in future groundwater management and well protection programs adopted by the Sacramento County Water Agency that are applied uniformly throughout Zone 40.	On-Going	SCWA	

**Improvement Plans**

9.	<p>The Planning Division shall be notified immediately if any prehistoric, archaeological, or paleontologic artifact is uncovered during construction. All construction must stop and an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to evaluate the finds and recommend appropriate action.</p> <p>A note stating the above shall be placed on the Improvement Plans.</p>	Improvement Plans	Planning	
10.	<p>All construction must stop if any human remains are uncovered, and the County Coroner must be notified according to Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the procedures outlined in CEQA Section 15064.5 (d) and (e) shall be followed.</p> <p>A note stating the above shall be placed on the Improvement Plans</p>	Improvement Plans	Planning	
11.	<p>The Applicant shall prepare and submit a drainage study to the satisfaction of Public Works and in accordance with City of Elk Grove Storm Drainage Master Plan, Improvement Standards, General Plan, and any specific, area, or master plans.</p>	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s), whichever occurs first	Public Works	
12.	<p>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 agricultural wells, Applicant shall use water from agricultural wells for grading and construction.</p>	Improvement Plans	SCWA	



**Final Map**

13.	<p>Prior to the Final Map the Project 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, landscaped setbacks, bike and other paths, landscaped medians in and adjacent to roadways, maintenance and operation of a community 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 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 <a href="http://www.elkgrovecity.org/finance/financial-planning-division/cfd-information.htm">www.elkgrovecity.org/finance/financial-planning-division/cfd-information.htm</a></p>	Final Map	Finance
14.	<p>Prior to Final Map, the Project shall annex into the Police Services Mello-Roos Community Facilities District 2003-2 (CFD), to fund the project's fair share of Public Safety costs. The annexation process can take several months, so applicants 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 <a href="http://www.elkgrovecity.org/finance/cfd-information.asp">http://www.elkgrovecity.org/finance/cfd-information.asp</a>.</p>	Final Map	Finance
15.	<p>Prior to Final Map, the Project shall annex into the Storm Water Drainage Fee Zone 2 to fund a portion of the additional costs for storm water drainage and run-off maintenance related to serving the new development. The annexation process can take several months, so applicants should plan accordingly. The application fee for the annexation is due prior to the Resolution of Intention to Levy Storm Water Drainage Fee Zone 2 assessments.</p> <p>For further information on this District, see <a href="http://www.elkgrovecity.org/finance/assessment-other-dist-info.asp">http://www.elkgrovecity.org/finance/assessment-other-dist-info.asp</a>.</p>	Final Map	Finance

16.	<p>Prior to Final Map, the Project shall annex into the Street Maintenance Assessment District No. 1 Zone 3 or a Street Maintenance Community Facilities District to fund a portion of the additional costs for long-term roadway maintenance related to serving the new development. The annexation process can take several months, so applicants should plan accordingly. The application fee for the annexation is due prior to the Resolution of Intention to Levy Street Maintenance Assessments.</p> <p>For further information on this District, see <a href="http://www.elkgrovecity.org/finance/assessment-other-dist-nfo.asp">http://www.elkgrovecity.org/finance/assessment-other-dist-nfo.asp</a>.</p>	Final Map	Finance
17.	The Applicant shall dedicate to the City of Elk Grove, drainage easements as shown on the tentative map to the satisfaction of Public Works.	Final Map	Public Works
18.	The Applicant shall design and install the access road within the drainage easements in accordance with City of Elk Grove Improvement Standards and to the satisfaction of Public Works.	Final Map	Public Works
19.	The Applicant shall dedicate, design, and construct Good Shepherd Lane in accordance with City of Elk Grove Rural Road Improvement Standards and to the satisfaction of Public Works.	Final Map	Public Works.
20.	The Applicant shall acquire, design, and improve the southerly half-section of Sandage Avenue, approximately 650 feet, measured from the easterly property line of APN: 127-0030-069 to the east in accordance with City of Elk Grove Rural Road Improvement Standards and to the satisfaction of Public Works. Improvements shall provide a minimum pavement width of 20 feet with adequate drainage in order to match existing improvements further east of the 650-foot segment.	Final Map	Public Works
21.	The Applicant shall dedicate a 12.5 foot public utility easement to the City of Elk Grove for underground facilities and appurtenances adjacent to all interior public streets.	Final Map	Public Works
22.	For all single family corner lots, an access restriction shall be placed on the property 15 feet measured from the corner return.	Final Map	Public Works
<b>Building Permit</b>			
23.	The Final Map shall be completed, approved, and recorded prior to 1st Building Permit.	Building Permit	Public Works

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2015-011**

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

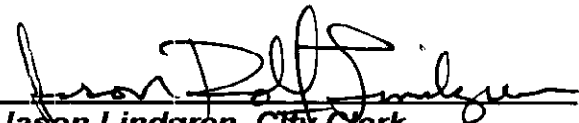
*I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on January 14, 2015 by the following vote:*

**AYES :**        **COUNCILMEMBERS:**        *Davis, Hume, Detrick, Ly, Suen*

**NOES:**        **COUNCILMEMBERS:**        *None*

**ABSTAIN :**    **COUNCILMEMBERS:**        *None*

**ABSENT:**     **COUNCILMEMBERS:**        *None*

  
\_\_\_\_\_  
*Jason Lindgren, City Clerk*  
*City of Elk Grove, California*