

RESOLUTION NO. 2018-205

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
FINDING NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED UNDER CEQA
AND ADOPTING A GENERAL PLAN AMENDMENT
FOR THE PREVIOUSLY-APPROVED MENDES PROPERTY AND POPPY KEYS
SOUTHWEST REZONE PROJECT (EG-17-033) AND THE PARK AT ELK GROVE
(EG-17-038) PROJECT
GENERAL PLAN AMENDMENT 18-02**

WHEREAS, on November 19, 2003, the City Council adopted Resolution 2003-217 adopting the General Plan of the City of Elk Grove as required by State law; and

WHEREAS, Section 65358(b) of the California Government Code limits the City to four General Plan amendments annually; and

WHEREAS, for this reason, and to accommodate development, the City will consolidate General Plan Amendments as one amendment approval, to be brought back to the City Council at a future time; and

WHEREAS, on August 22, 2018, the City Council adopted Resolution No. 2018-177 finding that the Mendes Property and Poppy Keys Southwest Rezone Project did not require further environmental review from CEQA pursuant to State CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) and Section 15162 (Subsequent EIRs and Negative Declarations) and declaring its intent to approve a General Plan amendment, which CEQA finding is incorporated herein by reference; and

WHEREAS, on September 12, 2018, the City Council adopted Resolution No. 2018-204 finding The Park Project did not require further environmental review from CEQA pursuant to State CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) and declaring its intent to approve a General Plan amendment, which CEQA finding is incorporated herein by reference.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Elk Grove hereby finds no further environmental review under CEQA is required for the Projects identified herein and adopts the following General Plan amendment consistent with findings of approval contained in Southeast Policy Area (SEPA) Community Plan (part of the General Plan), EGMC Section 23.16.120.E, and the previously-approved Projects, based on the following findings and provided that 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:

- A. Relative to the Mendes Property and Poppy Keys Southwest Rezone Project (EG-17-033), the General Plan (referred to as “Community Plan” for the Southeast Policy Area Community Plan) is amended to be as shown in Exhibit A, based upon the following findings:

Finding #1: The amendment to the community plan is consistent with the General Plan goals, policies, and implementation programs.

Evidence #1: The proposed Community Plan amendment would modify the land plan for the Mendes Property area by decreasing the Office and Park areas, adjusting the area of the drainage infrastructure to reflect the latest design plans, expanding the area for Low Density Residential development, and adding Medium Density Residential areas. The proposal does not eliminate any individual land use and the proposal continues to maintain office land consistent with the originally-adopted SEPA land use plan. In the Poppy Keys Southwest area, the Community Plan amendment would modify the land plan by recognizing the relocation of the school site north to the Laguna Ridge Specific Plan (LRSP) and rezoning the site for consistency with adjoining land uses. It would also add a park site to maintain consistency parkland requirements.

Finding #2: The amendment to the community plan is internally consistent to the community plan.

Evidence #2: The proposed amendment would modify the land plan for the Project area by decreasing the Office and Park areas, adjusting the area of the drainage infrastructure to reflect the latest design plans, expanding the area for Low Density Residential development, and adding Medium Density Residential areas. The proposal does not eliminate any individual land use and the proposal continues to maintain office land consistent with the originally adopted SEPA land use plan. Specifically, the Project is consistent with SEPA Policy 12 as it does not reduce the acreage of office lands below that existing acreage associated with the initial approval of the Plan in July of 2014. In March of 2015, the City Council amended the Community Plan and SEPA to add approximately 10 acres of office on the east side of Lotz Parkway just south of Whitelock Parkway. This additional office land area was created by the City after preliminary engineering work on the alignment of Lotz Parkway south of Whitelock Parkway informed future land acquisition for both Lotz Parkway and the future Whitelock Parkway Interchange. In effect, this addition could be viewed as creating a “bank” of office land within SEPA. Such bank concept is not expressly recognized in the EGMC; however, it would meet the SEPA requirement as the net result would be no loss in acreage for employment-generating land from the original approval of SEPA.

- B. Relative to The Park at Elk Grove Project (EG-17-038), the General Plan is amended as provided in Exhibit B based upon the following finding:

Finding: The proposed General Plan amendment is of substantial benefit to the City and the amendment is internally consistent with the General Plan.

Evidence: The proposed General Plan, Specific Plan, and zoning amendments for the proposed senior housing and residential care facility for the elderly would be less intense than the current commercial and office designation. The existing General Plan commercial designation allows the Auto Commercial (AC), Limited Commercial (LC), General Commercial (GC), or Shopping Center (SC) zones which can include daytime and nighttime uses that could exceed typical residential standards for hours of operation, noise, and lighting under the proposed designation. While care facilities are allowed with the issuance of a conditional use permit in the LC and GC, multi-family housing is only permitted in conjunction with a mixed-used project in the GC zone. The proposed HDR designation allows for residential densities of 15.1 to 30.0 units per acre and the Project proposes 19.6 units per acre. Large Residential Care facilities are considered a human services use and are not subject to the traditional density requirements. While both the existing and proposed designations allow high-density residential land use, the existing designations would allow mixed-use housing and non-residential uses that could extend up to six stories in height while the proposed zone restricts development to three stories. The Institute of Transportation Engineers (ITE) manual indicates that anticipated traffic trips for the proposed senior residential uses are less than those anticipated with the LRSP and General Plan commercial uses for the site as currently designated.

The General Plan Housing Element states that there are 6,418 seniors within the City over 65 years of age (2010 U.S. Census) and that as of 2013 the City only had enough licensed care facilities to accommodate 1,036 seniors with senior apartments accommodating an additional 710 senior units and rooms. This demonstrates a need for additional senior housing within the City. The benefit to be derived from the General Plan amendment is that it would further implement the policies of the community vision by providing senior housing and care. General Plan Policy H-7 specifically includes the continued support of housing opportunities for seniors. Further, the General Plan identifies senior households as a "Special Housing Needs" group primarily due to physical disabilities, income limitations, and healthcare costs. Since the project will provide approximately 151 units of senior housing and 71 beds for residential care services within the City, the Project is consistent with the City's General Plan and will provide a substantial benefit to the City.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 12th day of September 2018.



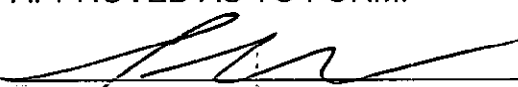
STEVE LY, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

Exhibit A Mendes Property and Poppy Keys Southwest Rezone Project (EG-17-033) - SEPA Community Plan (General Plan) Amendment

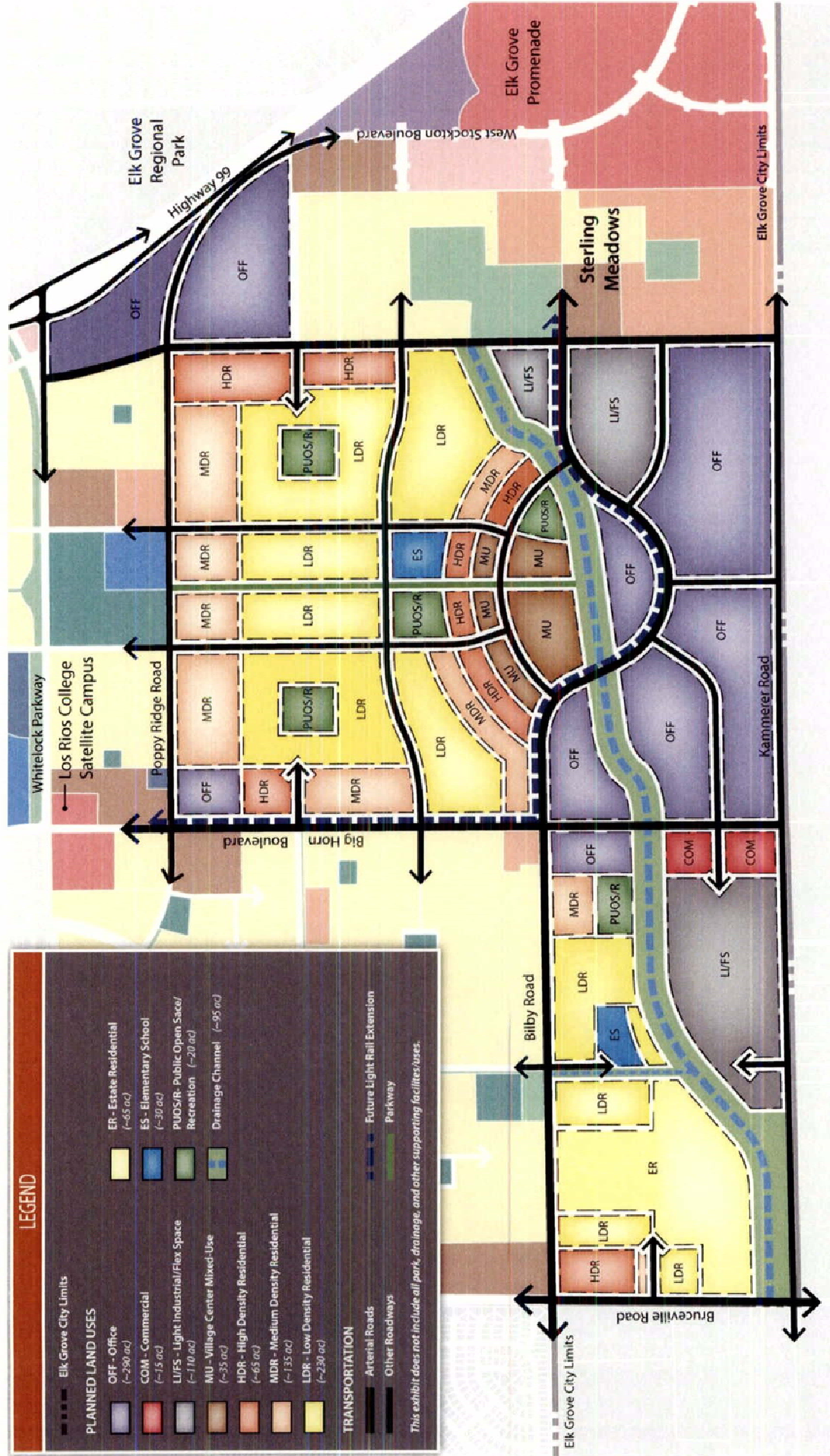
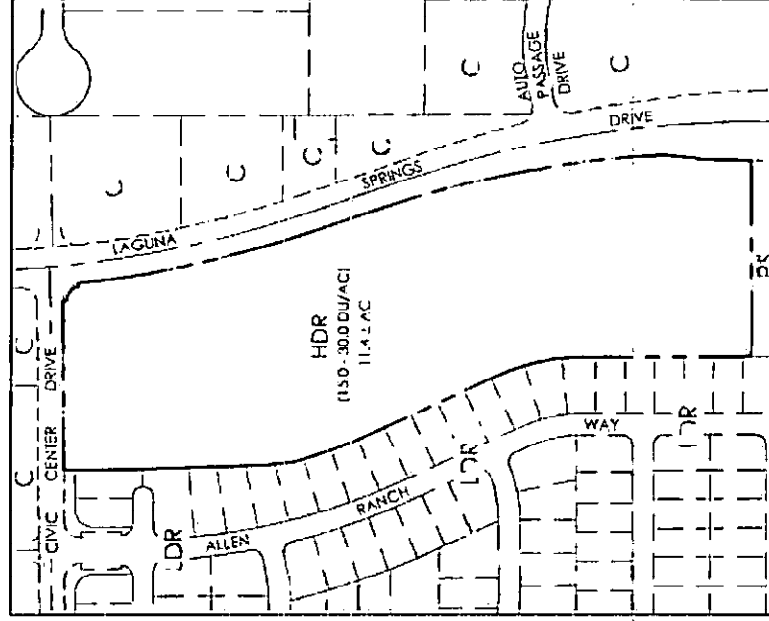
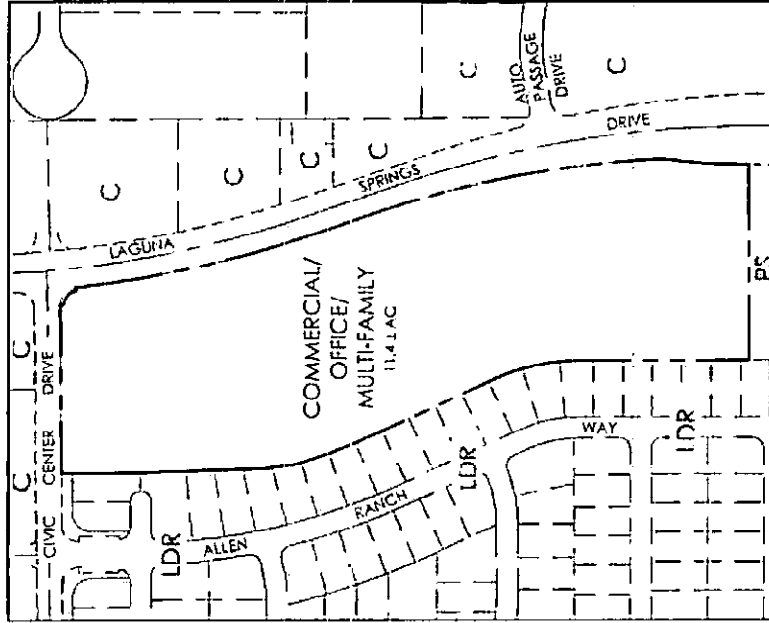


Exhibit B
The Park at Elk Grove Project (EG-17-038)
General Plan Amendment

GENERAL PLAN AMENDMENT EXHIBIT
THE PARK AT ELK GROVE
 CITY OF ELK GROVE, CALIFORNIA
 MARCH 5, 2018



SUMMARY

GENERAL PLAN DESIGNATION	EXISTING	PROPOSED	DIFF.
COMMERCIAL/OFFICE/MULTI-FAMILY	11.4	0.0	-11.4
HDR (150-300 DU/AC)	0.0	11.4	11.4
TOTAL	11.4	11.4	0.0

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GENERAL PLAN AMENDMENT EXHIBIT B

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2018-205**

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 September 12, 2018 by the following vote:

AYES: COUNCILMEMBERS: Ly, Suen, Hume, Nguyen

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Detrick



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