



**CITY OF ELK GROVE
CITY COUNCIL STAFF REPORT**

AGENDA TITLE: A public hearing (*continued from October 11, 2023*) to consider a resolution approving the Oak Rose Apartments Project pursuant to Senate Bill 35, with a density bonus and concessions/incentives, and authorizing the City Manager to execute an Affordable Housing Regulatory Agreement with Oak Rose Apts LP, a California Limited Partnership (PLNG22-015) (CEQA Exempt)

MEETING DATE: January 10, 2024

PREPARED BY: Antonio Ablog, AICP, Planning Manager
Sarah Bontrager, Housing and Public Services Manager

DEPARTMENT HEAD: Darren Wilson, P.E., Development Services Director

RECOMMENDED ACTION:

Staff recommends the City Council adopt a Resolution:

- 1) Finding the Oak Rose Apartments Project (PLNG22-015) exempt from environmental review under the California Environmental Quality Act (CEQA) per Public Resources Code Section 21080(b)(1), Government Code Section 65913.4(d)(2), and CEQA Guidelines Section 15268 as the Project is subject to ministerial review;
- 2) Finding the Oak Rose Apartments Project eligible for the Senate Bill 35 (SB 35) ministerial review process and approving the Project with concessions/ incentives;
- 3) Approving the Density Bonus for the Oak Rose Apartments Project based on the findings included in the proposed Resolution; and
- 4) Authorizing the City Manager to execute an Affordable Housing Regulatory Agreement with Oak Rose Apts LP, a California limited partnership.

PROJECT INFORMATION:

Location: 9252 Elk Gove Boulevard
(APN 134-0072-011)

Applicant/Property Owner: Oak Rose Apts LP

REVIEW BY THE CITY COUNCIL:

On September 27, 2023, the City Council (“Council”) received information from staff and heard public comment regarding the Oak Rose Apartments Project (PLNG22-015) (“Project”) and considered a resolution to approve the Project pursuant to SB 35, with a density bonus and concessions/incentives, and authorizing the City Manager to execute an Affordable Housing Regulatory Agreement. The staff report presented on September 27, 2023, is attached and is also available on the [City’s website](#).

At the September 27, 2023, meeting, the Council first received a presentation from staff, which included a summary of the revised set of Conditions of Approval formulated in response to comments from the Applicant. These revisions were documented in a Memorandum included as Attachment 4 to this staff report. The Council also received public comment on the Project at the September 27, 2023 meeting. Neither the Applicant nor its representatives attended the meeting, but the Applicant did submit correspondence before the meeting commenting on the Project, which resulted in the above-referenced condition revisions. After the close of public comment, the Council continued the item to the October 11, 2023 Council meeting.

On October 11, 2023, the Council heard further public comment on the Project. Neither the Applicant nor its representatives were in attendance at the meeting. Following public comment, the Mayor announced that the City is pursuing a potential resolution with the Applicant at an alternative site. The City Council then continued the item to a date uncertain to provide time for further discussions and negotiations.

Although discussions and negotiations have occurred, the City and the Applicant have not reached a resolution on an alternative site. Staff now returns the matter to the City Council for reconsideration. For the reasons outlined in the September 27, 2023, staff report, staff recommends adopting a resolution approving SB 35 streamlining for the Project and approving the Project, with concessions/incentives, subject to the attached conditions of approval.

ATTACHMENTS:

1. Resolution (with updated Conditions as presented to Council on September 27, 2023)
2. Affordable Housing Regulatory Agreement
3. City Council Staff Report dated September 27, 2023, with attachments
4. Staff Memo dated September 27, 2023
5. Letters from Applicant dated September 25 and 26, 2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE OAK ROSE APARTMENTS PROJECT (PLNG22-015) EXEMPT FROM CEQA; DETERMINING THAT THE PROJECT IS ELIGIBLE FOR SENATE BILL 35 MINISTERIAL REVIEW AND APPROVING THE PROJECT; APPROVING THE DENSITY BONUS WITH CONCESSIONS/INCENTIVES; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AFFORDABLE HOUSING REGULATORY AGREEMENT FOR THE PROJECT LOCATED AT 9252 ELK GROVE BOUELVARD (APN: 134-0072-011)

WHEREAS the Development Services Department of the City of Elk Grove (the “City”) received an application on March 4, 2022, from Oak Rose Apts L.P, a California limited partnership (the “Applicant”) requesting a Density Bonus for the Oak Rose Apartments Project (the “Project”); and

WHEREAS, the proposed Project is located on real property in the incorporated portions of the City more particularly described as APN: 134-0072-011; and

WHEREAS, the Development Services Department considered the Project request pursuant to the Elk Grove General Plan, the Elk Grove Municipal Code (EGMC) Title 23 (Zoning), Old Town Special Planning Area, and all other applicable state and local regulations; and

WHEREAS, the City of Elk Grove Planning Commission (“the Planning Commission”) held a duly-noticed design review/public oversight hearing on June 2, 2022, as authorized by law, to consider all information presented by staff, information presented by the Applicant, and public testimony presented in writing and at the meeting; and

WHEREAS, by a 5-0 vote, the Planning Commission found that the Project did not comply with the City’s objective zoning standards and, therefore, was not eligible for Senate Bill 35 (SB 35) ministerial approval; and

WHEREAS, an appeal of the Planning Commission’s decision was submitted by the Applicant on June 10, 2022; and

WHEREAS, the City Council held a duly-noticed public hearing on July 27, 2022, as authorized by law, to consider all the information presented by staff, information presented by the Applicant, and public comments, whether written or oral, related to the appeal, the development standard waiver, the density bonus, and other requests of the Applicant concerning the Project; and

WHEREAS, by a 5-0 vote on July 27, 2022, the City Council denied the Applicant’s appeal of the Planning Commission’s determination that the Project is not eligible for SB 35 ministerial approval, denied the development standard waiver request, denied the density bonus request, and found that approval and execution of an affordable housing regulatory agreement was not applicable in light of the other City Council determinations; and

WHEREAS, the City Council held a duly-noticed public hearing on September 27, 2023, as authorized by law, to reconsider the Project and all the information presented by staff, information presented by the Applicant, and public testimony presented in writing and at the meeting; and

WHEREAS, by a 5-0 vote on September 27, 2023, the City Council continued the Project hearing to a date certain of October 11, 2023; and

WHEREAS, the City Council held a duly-noticed public hearing on October 11, 2023, as authorized by law, to reconsider the Project and all the information presented by staff, information presented by the Applicant, and public testimony presented in writing and at the meeting; and

WHEREAS, by a 5-0 vote on October 11, 2023, the City Council continued the Project hearing to a date uncertain for the City and Applicant to pursue further discussions and negotiations; and

WHEREAS, the City Council held a duly-noticed public hearing on January 10, 2024, as authorized by law, to reconsider the Project and all 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 hereby finds the Project exempt from CEQA pursuant to CEQA and the CEQA Guidelines based upon the following findings:

California Environmental Quality Act (CEQA)

Finding: No environmental review is necessary for the Oak Rose Apartments Project (PLNG22-015) under CEQA and the CEQA Guidelines.

Evidence: Under State Law, approval of the Project is considered ministerial and not subject to review under CEQA (See Pub. Res. Code Section 21080(b)(1); Gov. Code Section 65913.4, CEQA Guidelines, Section 15268.) Therefore, the Project is exempt from CEQA and no further environmental review is warranted.

AND, BE IT FURTHER RESOLVED, that the City Council of the City of Elk Grove hereby approves the density bonus to allow an 80% increase to exceed the 30-unit per acre maximum density allowance and a concession/incentive granting relief from zoning code requirements and regulations of the Old Town Elk Grove Special Planning Area (Old Town SPA) to allow residential uses on the ground floor for the Oak Rose Apartments Project (PLNG22-015), and to allow for up to 67 residential units at the Project site based upon the following findings:

Finding #1: The Project is eligible for a density bonus per the requirements of Elk Grove Municipal Code Chapter 23.50.

Evidence #1: Pursuant to EGMC Section 23.50.040 and Government Code Section 65915, the City is required to grant a density bonus, with associated concessions or incentives, for eligible developments providing 100 percent of the units for lower income households as provided in EGMC section 23.50.020(G). The Project proposes to provide 100 percent of its total units for supportive housing that meet the definition of lower income households set forth in in Health and Safety Code section 50079. Therefore, the Project is eligible for a density bonus.

Finding #2: The City approves a concession/incentive to the Applicant to allow ground floor residential at the Project site as proposed by the Applicant.

Evidence #2: The Project site is zoned commercial under the Old Town SPA. Under this commercial zoning, multi-family residential uses are permitted on the second or third floor. The Applicant seeks relief from this provision and seeks to construct residential units on the ground floor. Pursuant to Government Code Section 65915(d) and EGMC Section 23.50.070(C), and unless supporting contrary findings are made, the City shall grant a concession/incentive to qualifying affordable housing projects such as the subject Project. The City Council concludes that the granting of the requested concession/incentive is appropriate here. Therefore, the requested concession/incentive to allow residential on the ground floor of the Project site is approved.

AND, BE IT FURTHER RESOLVED, that the City Council of the City of Elk Grove hereby finds that the Project complies with all applicable objective zoning standards and objective design review standards, with the above-referenced approved concession/incentive, and therefore, finds the Project eligible for SB 35 ministerial approval, and the City Council hereby approves the Project, as described in Exhibit A and illustrated in Exhibit B, and subject to the Conditions of Approval in Exhibit C (all attached and incorporated herein by this reference).

AND, BE IT FURTHER RESOLVED, that the City Council of the City of Elk Grove hereby authorizes the City Manager to execute the Affordable Housing Regulatory Agreement with Oak Rose Apts LP, a California limited partnership, in substantially the form presented, for the Oak Rose Apartments Affordable Housing Project.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 10th day of January 2024

BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:

JASON LINDGREN, CITY CLERK

JONATHAN P. HOBBS,
CITY ATTORNEY

**Exhibit A
Oak Rose Apartments (PLNG22-015)
Project Description**

PROJECT DESCRIPTION

The proposed Project consists of a request to construct a 100% affordable housing project with 67 units (“Project”) in a new three-story building on a vacant parcel in Elk Grove Old Town Historic District. The Project proposal includes resident-serving office spaces in the front of the building on the ground level, with residential units on all three levels of the building (including the ground floor). Associated site improvements such as parking, landscaping, and exterior lighting are also proposed.

The proposed Project requires approval of a density bonus to allow for an increase of density over the 30 units-per-acre allowed for the site and an incentive for allowable use (ground-floor residential use). Approval of the density bonus and any related incentives, concessions, or waivers requires that the Applicant enter into an Affordable Housing Regulatory Agreement with the City to ensure the continued affordability of proposed residential units.

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Exhibit B Oak Rose Apartments (PLNG22-015) Project Plans

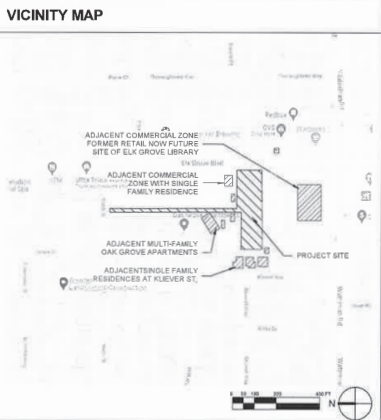
OAK ROSE

67 UNIT - 100% AFFORDABLE
PERMANENT SUPPORTIVE HOUSING

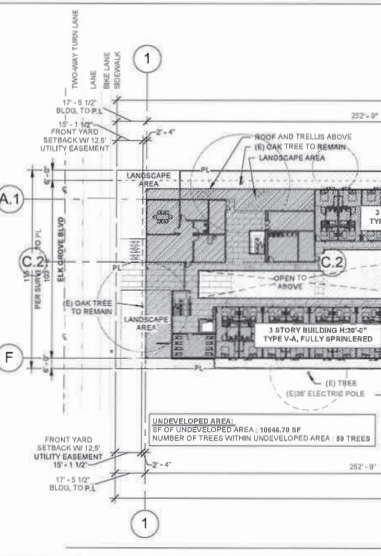
9252 ELK GROVE BLVD
ELK GROVE, CA 95624

ENTITLEMENT SET

ABBREVIATIONS			VICINITY MAP
ABV	ABOVE	O.A.E.	OR APPROVED
AFF	ABOVE FINISH FLOOR	OFCI	OWNER FURNISHED/CONTRACTOR INSTALLED
A.G.L.	ADJ. GROUND LVL. PER LAMC SECT. 12.02	PTD	PAINTED
ADJ.	ADJACENT	PH	PAIR
ALUH	ALUMINUM	P.N.L.	PANEL
Ø	AT	P.O.T.	PATH OF
BM	BEAM	PLY	PLYWOOD
BTWN	BETWEEN	P.L.C.	POURED-IN-PLACE CONCRETE
B.O.	BOTTOM OF	RF	PROPERTY LINE
BLDG	BUILDING	REF	REFER TO
BLR	BUILT UP ROOF	RFNG	ROOFING
CLNG	CEILING	RM	ROOM
CL	CENTERLINE	R.O.C.	ROUGH OPENING
CLR	CLEAR	SCRD	SCHEDULE
COL	COLUMN	SECT	SECTION
CONC	CONCRETE	SHWR	SHOWER
CMU	CONCRETE MASONRY UNIT	SIM	SIMILAR
COMBT	CONSTRUCTION	S.C.	SOLID CORE
CONTS	CONTINUOUS	SPCS	SPECIFICATIONS
CFC	CONTRACTOR FURNISHED/INSTALLED	S.S.	STAINLESS
CJ	CONTROL JOINT	STL	STEEL
D.O.	DECOMPOSED GRANITE	STR	STRUCTURE
DB	DISSIMILAR	STR	STRUCTURE
DET	DETAIL	STR	STRUCTURE
DI	DIAMETER	STR	STRUCTURE
DM	DIMENSION	STR	STRUCTURE
ACC	DISABLED ACCESS	STR	STRUCTURE
DWH	DRAWING	STR	STRUCTURE
DWR	DOUBLE WINDOW	STR	STRUCTURE
DBL	DOUBLE WINDOW	STR	STRUCTURE
DN	DOWN	STR	STRUCTURE
DN	DOWN	STR	STRUCTURE
DWS	DRAWINGS	STR	STRUCTURE
EA	EACH	STR	STRUCTURE
EVCS	ELEC. VEHICLE CHARGING STATION	STR	STRUCTURE
ELEC	ELECTRICAL	STR	STRUCTURE
EL	ELEVATION	STR	STRUCTURE
EQ	EQUIPMENT	STR	STRUCTURE
EQMT	EQUIPMENT	STR	STRUCTURE
EX	EXISTING	STR	STRUCTURE
EXT	EXTERIOR	STR	STRUCTURE
F.O.C.	FACE OF CONCRETE	STR	STRUCTURE
F.O.P.L.	FACE OF PLYWOOD	STR	STRUCTURE
F.O.S.	FACE OF STUD	STR	STRUCTURE
FIN	FINISH	STR	STRUCTURE
FL	FLOOR	STR	STRUCTURE
FL	FLOOR	STR	STRUCTURE
FLNG	FLOORING	STR	STRUCTURE
FRMG	FRAMING	STR	STRUCTURE
GAUV	GALVANIZED GAUGE	STR	STRUCTURE
GA	GAUGE	STR	STRUCTURE
GB	GEOTECHNICAL GRAZING	STR	STRUCTURE
GYP. BD.	GYP. BOARD	STR	STRUCTURE
H	HIGH	STR	STRUCTURE
H.C.	HOLLOW CORE	STR	STRUCTURE
H.M.	HOLLOW METAL	STR	STRUCTURE
HW	HOT WATER	STR	STRUCTURE
INSUL	INSULATION	STR	STRUCTURE
INT	INTERIOR	STR	STRUCTURE
JAN	JANITOR	STR	STRUCTURE
JT	JOINT	STR	STRUCTURE
KIT	KITCHEN	STR	STRUCTURE
LANDSC	LANDSCAPE	STR	STRUCTURE
LAV	LAVATORY	STR	STRUCTURE
LOC	LOCATION	STR	STRUCTURE
MFR	MANUFACTURER	STR	STRUCTURE
MAX	MAXIMUM	STR	STRUCTURE
MECH	MECHANICAL	STR	STRUCTURE
MTL	METAL	STR	STRUCTURE
MIN	MINIMUM	STR	STRUCTURE
NEW	NEW	STR	STRUCTURE
NA	NOT APPLICABLE	STR	STRUCTURE
N.L.C.	NOT IN CONTRACT	STR	STRUCTURE
NO.	NUMBER	STR	STRUCTURE
O.C.	ON CENTER	STR	STRUCTURE
OPER	OPERABLE	STR	STRUCTURE
OPP	OPPOSITE	STR	STRUCTURE



GENERAL AREA PLOT PLAN



ZONING INFORMATION

ZONING: COMMERCIAL MULTIFAMILY OTSRA (R6-36)

DENSITY: THE PROJECT UTILIZES DENSITY BONUS AND PARKING EXEMPTIONS PER AB 1763. ALLOWABLE DENSITY: 20 UNITS/ACRE; 1.23 ACRES/8.9 DU. MAX INCENTIVES PER AB 1763 FOR 100% AFFORDABLE HOUSING PROJECTS: AN 80% INCREASE DENSITY AND UP TO 40% INCREASE IN DU. A 60% INCREASE + 68.42 = 67. NUMBER OF UNITS PROVIDED: 67 (66) STUDIOS AND (1) 2-BEDROOM.

LOT/PARCEL AREA: 53,578.8 SF

HEIGHT LIMIT: 45 FEET

ALLOWABLE NUMBER OF STORES: 1 TO 3

NUMBER OF STORES PROVIDED: 3 STORES

SETBACKS:

REQUIRED FRONT: 4.75 FEET MAX
PROVIDED FRONT: 15.5 FEET DUE TO PROPOSED CITY UTILITY EASEMENT
REQUIRED SIDE: HISTORIC OLD TOWN - 10' FT. EAST AND WEST OLD TOWN ≤ 12 FT
PROVIDED SIDE: 4 FT EAST AND WEST
REQUIRED REAR: AVG. OF REAR YARD SETBACK PROVIDED FOR THE BUILDING ON EACH ADJACENT SIDE.
PROVIDED REAR: 10' - 3' 11" FT TO BUILDING 0 FT TO FIRE LANE AND PARKING

FLOOR AREA SUMMARY:

LOT COVERAGE (INCLUDES ALL COVERED AND BUILDING AREAS):
REQUIRED: 50% MAX.
MAX. LOT COVERAGE ALLOWED: 40% PER TABLE 23.29-1 R0-30
53,578.8 SF X 0.8 = 42,863.04 SF
PROVIDED: 34,790.96 SF

FLOOR AREA RATIO (F.A.R.): F.A.R. IS BASED ON THE GROSS BUILDING AREA OF DEVELOPMENT EXCLUSIVE OF STRUCTURED PARKING AREAS AND INCLUDES AREA WITHIN THE EXTERIOR WALLS, EXTERIOR COVERED, NOT-ENCLOSED AREAS ARE EXCLUDED.)

NON-RESIDENTIAL BUILDING INTENSITY MAX F.A.R. = 1.0
IN COMMERCIAL ZONED DENSITY:
1.0 X 53,578.8 SF = 53,578.8 SF > 34,790.96 SF

APPLICABLE CODES:

- 2019 CALIFORNIA BUILDING CODE (CBC) & TITLE 24
- AMERICAN WITH ABILITY ACT (ADA)
- 2019 CALIFORNIA GREEN BUILDING CODE (CGC)
- 2019 CALIFORNIA MECHANICAL, PLUMBING AND ELECTRICAL CODES (CMC, CPC, CEC)
- 2019 CALIFORNIA ENERGY CODE (CEC)

PARKING:

FOR AFFORDABLE HOUSING A 50% VEHICLE REDUCTION IS ALLOWED.
PARKING IN SUBURBAN ZONE = 1.0DU + 1.5L + 0.75E + 100.5
100.5(2) = 90.25

THE FRONT YARD IS NOT ALLOWED TO BE PAVED FOR PARKING OR PATIO AREAS, INCENTIVES PER AB 1763: NO PARKING REQUIRED FOR SPECIAL NEEDS HOUSING PROVIDED: 3 SPACES + 1 ADA SPACE + 8 SPACES

IRREVERSIBLE PARKING:

REQUIRED: 1 SPACE/DU (SHORT TERM) = 67DU = 3.35 + 4
1 SPACE/DU (LONG TERM) = 67U = 3.35 + 4
PROVIDED: 4 SHORT TERM (BIKE RACK)
34 LONG TERM (BIKE ROOM)

OPEN SPACE:

MIN 20% PER TABLE 23.29-1 R0-30
53,578.8 SF X 0.2 = 10,715.78 SF
PROVIDED: 13,123 SF + 189 SF + 201 SF = 14,533 SF > 10,715.78 SF
ADDITIONAL UNPAVED OPEN SPACE PROVIDED: 10664.79 SF

TREE SHADE PROVIDED:

SEE L100 FOR 75% SHADED PARKING

PROJECT INFORMATION

PROJECT DESCRIPTION:

NEW (3) STORY 100% AFFORDABLE PERMANENT SUPPORTIVE SPECIAL NEEDS HOUSING FOR FORMERLY HOMELESS INDIVIDUALS OWNED AND OPERATED BY THE PRIVATE ENTITY OF EXCELERATE HOUSING GROUP. THE PROPOSED DEVELOPMENT WILL RECEIVE FUNDING FROM STATE OF CA TAX CREDIT ALLOCATION COMMITTEE (TCAC)

THE PROJECT INCLUDES:

- 96 STUDIOS (377 SF)
- (1) TWO-BEDROOM (802 SF)
- AUXILIARY COMMUNITY SPACES AND OFFICES
- 7 ON-GRADE PARKING SPACES
- LONG & SHORT TERM BIKE PARKING

LEGAL DESCRIPTION:

ALL THAT PORTION OF LOTS 1 AND 1A, AS SHOWN ON THE MAP ENTITLED "SUNTER'S ADDITION TO ELK GROVE" RECORDED MAY 18, 1912 IN BOOK OF MAPS, PAGE 21.
ASSESSOR PARCEL # (APN) = 134-072-011-000

PROJECT INFORMATION:

ZONING: COMMERCIAL MULTIFAMILY OTSRA
LOT/BLDG AREA SQUARE FOOTAGE (PER SURVEY): 53,578.8 SF
ACREAGE: 1.23 NET ACRES
LOT SIZE: 115.28 FEET BY 171.24 FEET, NORTH HALF.
19.50 FEET BY 170.50 FEET, SOUTH HALF.
18 FEET BY 812.24 FEET, WESTERN SECTION

BUILDING & SAFETY

TYPE OF CONSTRUCTION: TYPE V-A FULLY SPRINKLERED, NFPA 13

OCCUPANCY GROUP: R-2 APARTMENTS WITH MINOR B-1 OFFICE AND A-3 COMMUNITY ROOM & LOUNGE

BUILDING CODE LIMITS PER CBC TABLES 504.3, 504.4, & 504.2 (W/O AREA & HEIGHT LIMITS)	ALLOWABLE HEIGHT ABOVE GRADE PLANE	ALLOWABLE AREA
R-2 V-A	3 STORES	60 FT
B V-A	3 STORES	85 FT
A-3 V-A	2 STORES	85 FT

HEIGHT LIMIT: PER TABLE 504.4 - R-2 GROUP OF TYPE V-A + 4 STORES, 60 FEET
NOTE: BUILDING IS FULLY SPRINKLERED PER SECT. 903.3.11

BUILDING HEIGHT: BUILDING HEIGHT PROVIDED: 30'-4" (SEE ELEVATIONS)

PER CBC 202 "GRADE PLANE" IS A REFERENCE PLANE REPRESENTING THE AVERAGE OF FINISHED GROUND LEVEL ADJOINING THE BUILDINGS AT EXTERIOR WALLS WHERE THE FINISHED GROUND LEVEL SLOPES AWAY FROM THE EXTERIOR WALLS. THE REFERENCE PLANE SHALL BE ESTABLISHED BY THE LOWEST POINT WITHIN THE AREA BETWEEN THE BUILDING AND THE LOT LINE, OR WHERE THE LOT LINE IS MORE THAN 6 FEET FROM THE BUILDING, BETWEEN THE BUILDING AND A POINT 6 FEET FROM THE BUILDING.

FLOOR AREA GROSS: 34,790.96 SF (INCLUDES BUILDING AREAS WITHIN THE EXTERIOR WALLS. EXCLUDES EXTERIOR COVERED, NOT ENCLOSED AREAS.)

1ST FLOOR (R-2B1A-3) 11,246.42 SF
2ND FLOOR (R-2B1A-3) 11,246.42 SF
3RD FLOOR (R-2) 10,498.10 SF

RATIO OF MIXED OCCUPANCIES: PER CBC SECT. 504.4 IN EACH STORY THE BUILDING AREA SHALL BE SUCH THAT THE SUM OF THE RATIOS OF THE ACTUAL BUILDING AREA OF EACH SEPARATED OCCUPANCY DIVIDED BY THE ALLOWABLE BUILDING AREA OF EACH SEPARATED OCCUPANCY SHALL NOT EXCEED 1.

FIRST FLOOR: (R-2) 7,487 / 36,000 SF = 0.2082 (R-2) 10,387 / 36,000 SF = 0.2886 (R-2) 9,487 / 36,000 SF = 0.2635 (R-2) 3,519 / 34,500 SF = 0.0996 (R-2) 281 / 34,500 SF = 0.0081 (R-1) 289 / 34,500 SF = 0.0084

SECOND FLOOR: (R-2) 10,387 / 36,000 SF = 0.2886 (R-2) 281 / 34,500 SF = 0.0081

THIRD FLOOR: (R-2) 9,487 / 36,000 SF = 0.2635 (R-1) 289 / 34,500 SF = 0.0084

REQUIRED WALL RATINGS PER TABLE 601*

STRUCTURAL FRAME	TYPE V-A
EXTERIOR BEARING*	1
INTERIOR BEARING*	1
EXTERIOR NON-BEARING	NON OCCUPANCY PER CBC TABLE 602 (FOR NON-BEARING)
INTERIOR NON-BEARING	0
FLOOR CONSTRUCTION	1
ROOF CONSTRUCTION	1

PERSPECTIVE VIEW



PARTICIPANTS

OWNER/CLIENT:	EXCELERATE HOUSING GROUP (DBO) 3610 CLOVER STREET LONG BEACH, CA 90808 TEL: 562-288-2700 EXT 100 CONTACT: PETER ENDINGER	LANDSCAPE ARCHITECTS: YAMASAKI LANDSCAPE ARCHITECTS 1223 HIGH STREET AUBURN, CA 95603 TEL: 530-865-0040 CONTACT: JEFF AMBROSIA
ARCHITECTS:	BROOKS SCARPA 3923 18TH ST. HAWTHORNE, CA 90250 TEL: 310-388-4700 EXT 708 FAX: 310-453-9008 CONTACT: ELPETHBIA STRAUSSER	STRUCTURAL ENGINEER: LABIB FUNK + ASSOCIATES 319 MAIN STREET EL SECONDO, CA 90245 TEL: 310-388-4700 EXT 201 CELL: 310-891-9484 CONTACT: FRANK LAROCCA
CIVIL ENGINEER:	LABIB FUNK + ASSOCIATES 319 MAIN STREET EL SECONDO, CA 90245 TEL: 310-388-4700 EXT 150 CELL: 310-891-9484 CONTACT: FRANK LAROCCA	MEP ENGINEER: BOZ DEBEN, INC. 3702 WILHELM BOULEVARD, SUITE 200 SANTA ROSA, CA 94623 TEL: 313-444-6100 CONTACT: ANDY MANNLE
SOLAR:	PROMISE ENERGY, INC. 3558 ROUND BARN BOULEVARD, SUITE 200 SANTA ROSA, CA 94623 TEL: 313-444-6100 CONTACT: ANDY MANNLE	

CONCEPTUAL DESIGN	2021-12-08
SCHEDULED DESIGN	YYYY-MM-DD
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PERMIT SET	YYYY-MM-DD
80% BLUE	YYYY-MM-DD
CONSTRUCTION ISSUE	YYYY-MM-DD

OAK ROSE APARTMENTS PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
ELK GROVE, CA 95624
PROJECT NUMBER: 01

REVISIONS	
1	△ -
2	△ -
3	△ -
4	△ -

SHEET TITLE: COVER SHEET

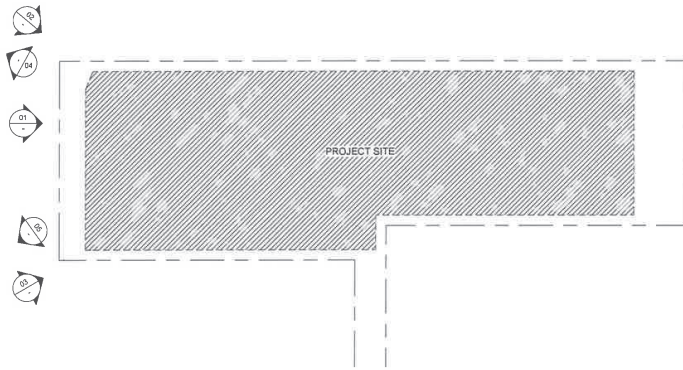
SCALE: As indicated

DATE PRINTED: 12/02/2021 11:35:35 AM

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BROOKS SCARPA ARCHITECTURE
3923 18TH ST
HAWTHORNE, CA 90250
T: 310-388-4700
F: 310-453-9008

A0.00



KEY SITE PLAN FOR PHOTOS

REF: SCALE: 1/32" = 1'-0"



EXISTING VIEW 03

SCALE: NTS



EXISTING VIEW 05

SCALE: NTS



EXISTING VIEW 02

SCALE: NTS



EXISTING VIEW 04

SCALE: NTS



EXISTING VIEW 01

SCALE: NTS

SCHEMATIC DESIGN	2021-12-08
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

8252 ELK GROVE BLVD ELK GROVE, CA 95624	
PROJECT NUMBER:	21007.D
REVISIONS	
△ -	△ -
△ -	△ -
△ -	△ -
SHEET TITLE:	SITE PHOTOS
SCALE:	As Indicated
DATE PRINTED:	12/8/2021 1:16:42 PM
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BROOKS + SCARPA ARCHITECTS, INC.
3622 W. 138TH STREET
HAWTHORNE, CA 90250
T 310.595.4700
F 310.453.9808

A0.04

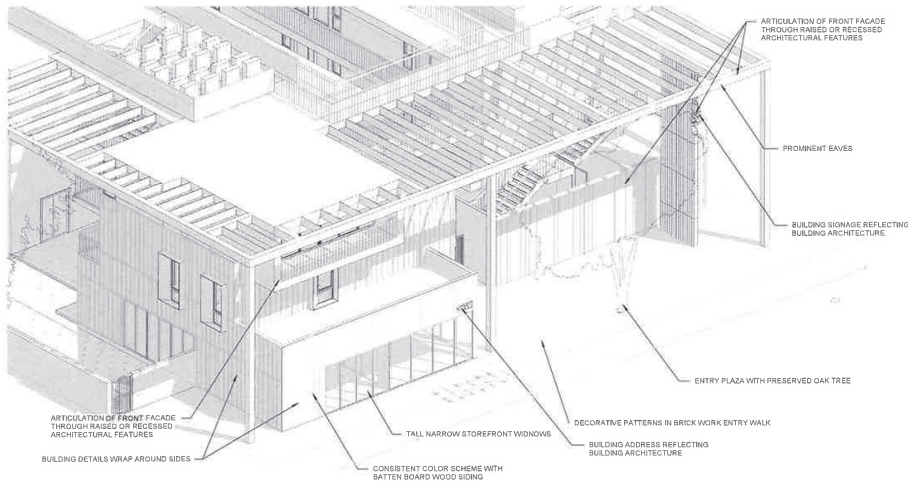
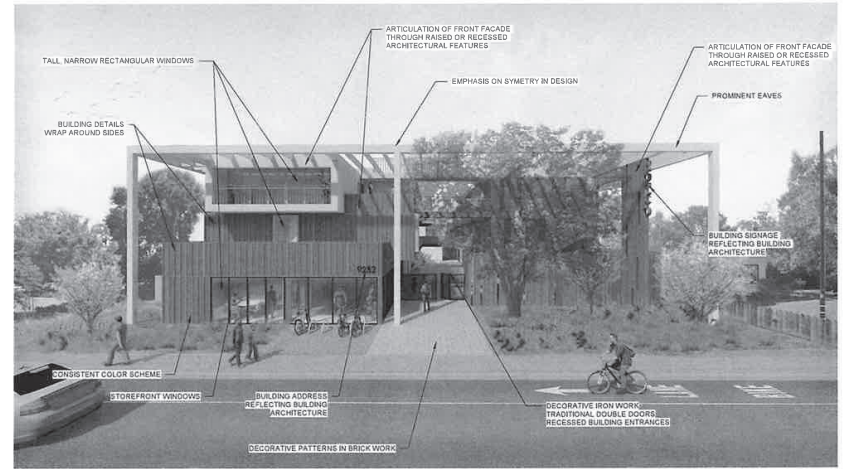


IMAGE 02
SCALE: 1/2" = 1'-0"



NORTH ELEVATION IMAGE 01
SCALE: 1/2" = 1'-0"

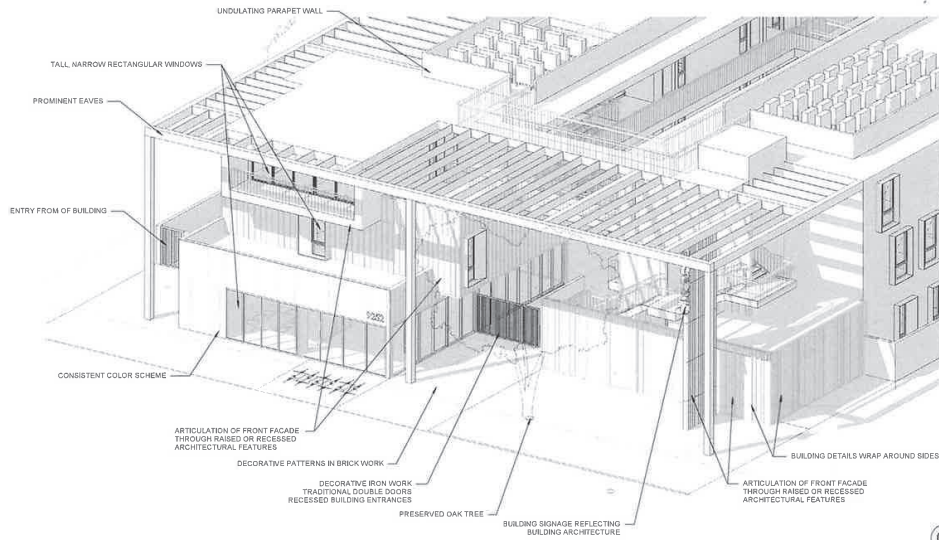


IMAGE 01
SCALE: 1/2" = 1'-0"

Table 8 - Architectural Details

	A. 105E Elk Grove Blvd	B. 105E Elk Grove Blvd	C. 1009 Elk Grove Blvd	D. 1003 Elk Grove Blvd	E. 1033 Elk Grove Blvd	F. 1075 Elk Grove Blvd	G. 1012 Elk Grove Blvd	H. 1004/1005 Elk Grove Blvd
Decorative iron work								
Undulating parapet wall								
Tall, narrow rectangular windows								
Recessed windows with prominent sills								
Ornate door hardware								
Consistent color scheme (building versus windows and doors)								
Details incorporated into architecture								
Emphasis on symmetry in design								
Building details wrap around sides								
Articulation of front facade through raised or recessed architectural features								
Traditional double doors								
Storefront windows								
Prominent eaves								
Entry from corner of building								
Front porch								
Slit windows								
Corbels								
Decorative patterns in brick work								
Building signage reflects building architecture								
Recessed building entrances								

Note - Figure 23 provides photographs of each of the buildings noted above.

Old Town SFA
ADOPTED AUGUST 19, 2008
(Reflects Amendments Through April 1, 2019)

NOTES:
SEE ELEVATION FOR MATERIAL CALL-OUTS OF ALL ELEVATIONS

SCHEMATIC DESIGN 2021-12-08
DESIGN DEVELOPMENT YYYY-MM-DD
CONSTRUCTION DOCUMENTS YYYY-MM-DD
PLAN CHECK SUBMITTAL YYYY-MM-DD
PLAN CHECK RESUBMITTAL YYYY-MM-DD
BID ISSUE YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET YYYY-MM-DD

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
ELK GROVE, CA 95624

PROJECT NUMBER: 21007.0

REVISIONS

1	-	2	-
3	-	4	-
5	-	6	-

SHEET TITLE: OTSPA PLANNING ARCHITECTURE DETAILS
SCALE: 1/2" = 1'-0"
DATE PRINTED: 12/8/2021 1:16:53 PM

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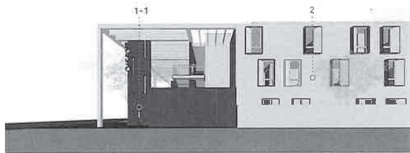
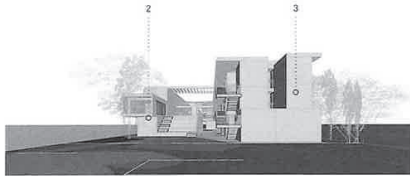
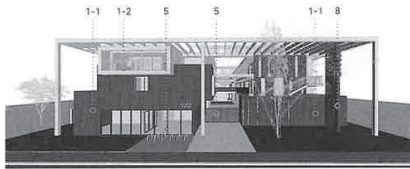


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A0.05

9252 ELK GROVE: OAK ROSE EXTERIOR MATERIALS

BUILDING ELEVATION



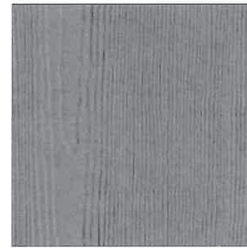
BUILDING SIGNAGE



- 1-1. FIBER CEMENT BOARD PANEL / WEATHERED BRONZE(TEXTURED) | JAMES HARDIE
- 1-2. FIBER CEMENT BOARD PANEL / SUMMER WHITE(TEXTURED) | JAMES HARDIE
- 2. STUCCO, FINE 20/30 SAND FINISH / 10 OMEGA WHITE | OMEGA PRODUCTS INTERNATIONAL
- 3. METAL / PAINT TO MATCH SUMMER WHITE | CUSTOM
- 4. METAL / PAINT TO MATCH WEATHERED BRONZE | CUSTOM
- 5. METAL / DARK ANODIZED BRONZE | CUSTOM
- 6. WINDOW FRAME, VINYL / WHITE | MILGARD
- 7. FIBER CEMENT BOARD PANEL / WEATHERED BRONZE(TEXTURED) | JAMES HARDIE
- 8. STAINED CEDAR PLANK / TRANSLUCENT STAIN TO MATCH WEATHERED BRONZE | CUSTOM
- 9. SPECIALITY PAVERS



BOARD AND BATTEN EXAMPLE



EXTERIOR WALL FINISH

- 1. FIBER CEMENT BOARD (TEXTURED)
- ◀ 1) WEATHERED BRONZE | JAMES HARDIE
- ▼ 2) SUMMER WHITE | JAMES HARDIE



EXTERIOR WALL FINISH

- 2. STUCCO, FINE 20/30 SAND
- ◀ 10 OMEGA WHITE | OMEGA PRODUCTS INTERNATIONAL
- 3. METAL
- ▼ PAINT TO MATCH SUMMER WHITE | CUSTOM



WINDOW SHADOW BOX

- 4. METAL
- PAINT TO MATCH WEATHERED BRONZE | CUSTOM



STOREFRONT & GATE

- 5. METAL
- DARK ANODIZED BRONZE | CUSTOM



WINDOW FRAME

- 6. VINYL
- WHITE | MILGARD



SIGNAGE

- 7. FIBER CEMENT BOARD
- WEATHERED BRONZE
- | JAMES HARDIE



PROPERTY FENCE

- 8. STAINED CEDAR PLANKS
- TRANSLUCENT STAIN SIMILAR TO HARDIE BOARD



PAVEMENT

- 9. SPECIALITY PAVERS

SCHEMATIC DESIGN	2021-12-08	
DESIGN DEVELOPMENT	YYYY-MM-DD	
CONSTRUCTION DOCUMENTS	YYYY-MM-DD	
PLAN CHECK SUBMITTAL	YYYY-MM-DD	
PLAN CHECK RESUBMITTAL	YYYY-MM-DD	
BD ISSUE	YYYY-MM-DD	
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD	

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

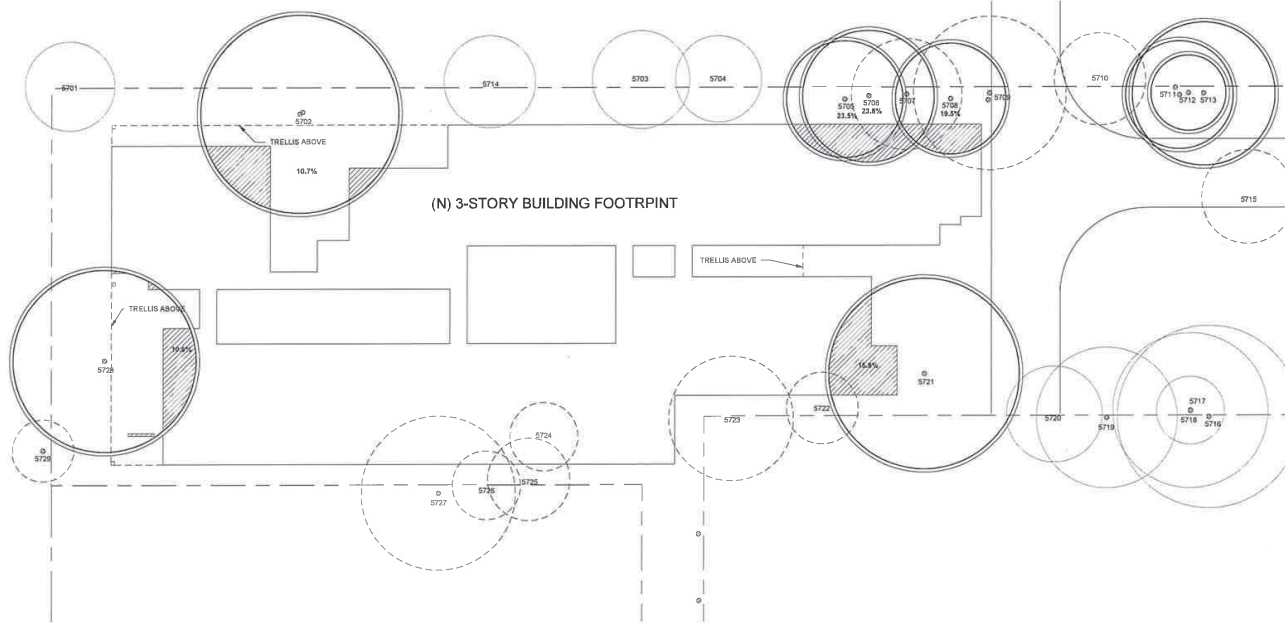
9252 ELK GROVE BLVD ELK GROVE, CA 95624	
PROJECT NUMBER:	21007.0
REVISIONS	
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△ -	△ -
△ -	△ -
SHEET TITLE:	MATERIALS
SCALE:	AS INDICATED
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A0.06



LEGENED

CANOPY RADIUS AND PROTECTION ZONE PER ARB. REPORT
 ROOT PROTECTION ZONE (RPZ) PER ARB. REPORT (CANOPY RADIUS+1)
 (E) TREE TRUNK PER SURVEY TO REMAIN PER ARB. REPORT
 (E) TREE PER SURVEY TO BE REMOVED
 (E) NEIGHBOR TREE
 1680 TREE TAG PER ARB. REPORT

TOTAL NUMBER OF TREES : 86
 REMAINING TREE : 76
 TREES TO BE REMOVED : 10

NOTES:

- CONTRACTOR SHALL FOLLOW THE ARBORIST'S INSTRUCTIONS DURING CONSTRUCTION INCLUDING BUT NOT LIMITED TO:
 - FENCING AROUND THE DRIFLINE OF THE TREES TO THE FULL EXTENT POSSIBLE AT ALL TIMES,
 - KEEPING CONSTRUCTION TRAFFIC AND STORAGE OF MATERIALS OUT OF THE DRIFLINE OF THE TREES THROUGHOUT THE CONSTRUCTION PROCESS.
- APPENDIX 2 BELOW EXTRACTED FROM ARBORIST'S REPORT FOR REFERENCE,
- SEE ARBORIST'S REPORT DATED 08/10/2021 FOR MORE INFO.

SCHEMATIC DESIGN	2021-12-06
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

**OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS**

822 ELK GROVE BLVD
ELK GROVE, CA 95624

PROJECT NUMBER: 21007.P

REVISIONS

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SHEET TITLE: **TREE PROTECTION**

SCALE: As indicated
DATE PRINTED: 12/6/2021 1:17:02 PM

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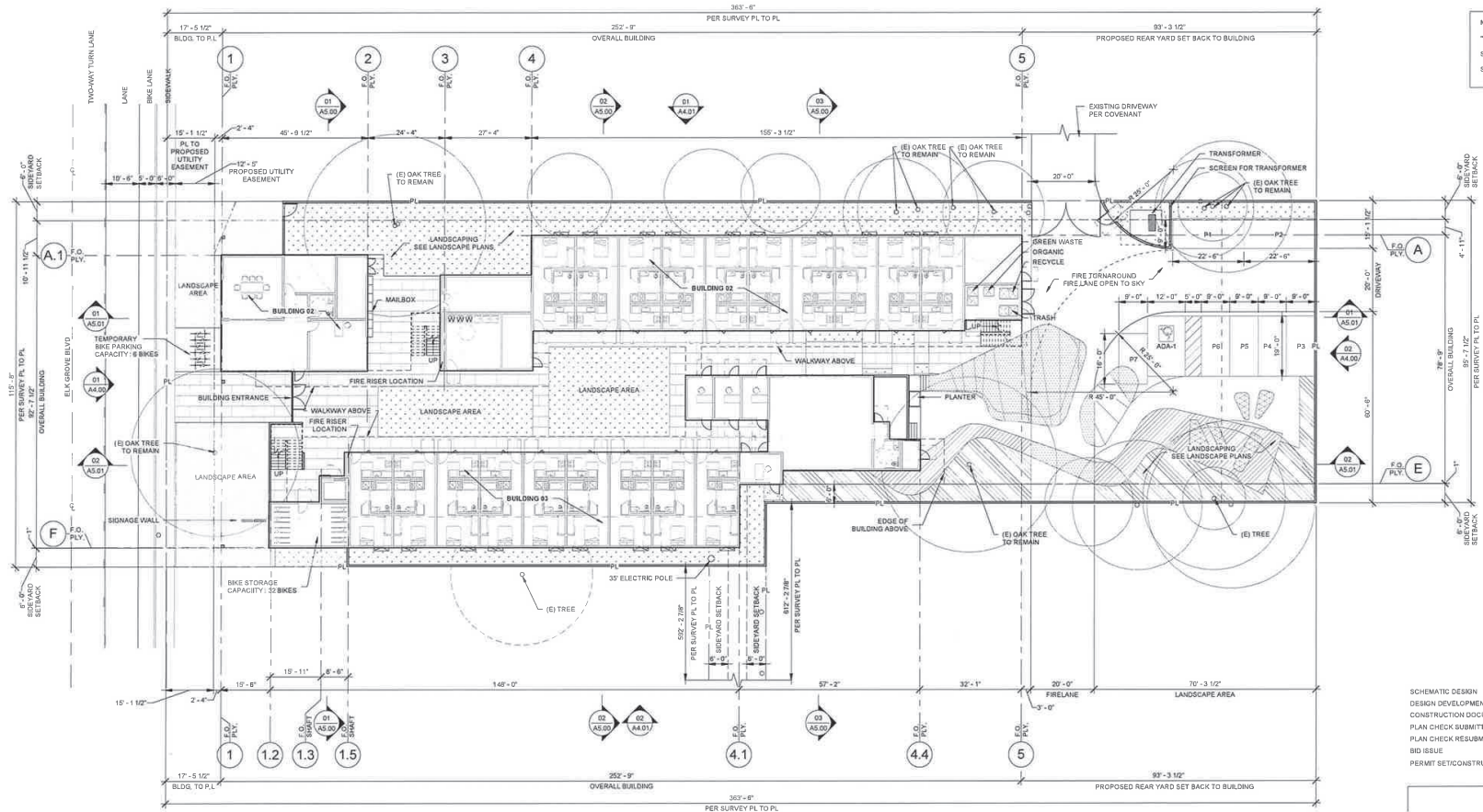


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A0.52

(E) TREE PROTECTION PLAN 01

SCALE: 1/8" = 1'-0"



NOTES:
 * NO DEVIATIONS TO STANDARDS*
 SEE SHT. A8.10 FOR PROPOSED FENCE DETAIL
 SEE LANDSCAPE PLAN L1.00 FOR GROUND COVER

SCHEMATIC DESIGN	2021-12-06
DESIGN DEVELOPMENT	YYYYMMDD
CONSTRUCTION DOCUMENTS	YYYYMMDD
PLAN CHECK SUBMITTAL	YYYYMMDD
PLAN CHECK RESUBMITTAL	YYYYMMDD
BID ISSUE	YYYYMMDD
PERMIT SET/CONSTRUCTION SET	YYYYMMDD

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9292 ELK GROVE BLVD
 ELK GROVE, CA 95624

PROJECT NUMBER: 21007.0

REVISIONS	
△ -	△ -
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△ -	△ -

SHEET TITLE: SITE PLAN

SCALE: 1/8" = 1'-0"
 DATE PRINTED: 12/6/2021 1:17:08 PM

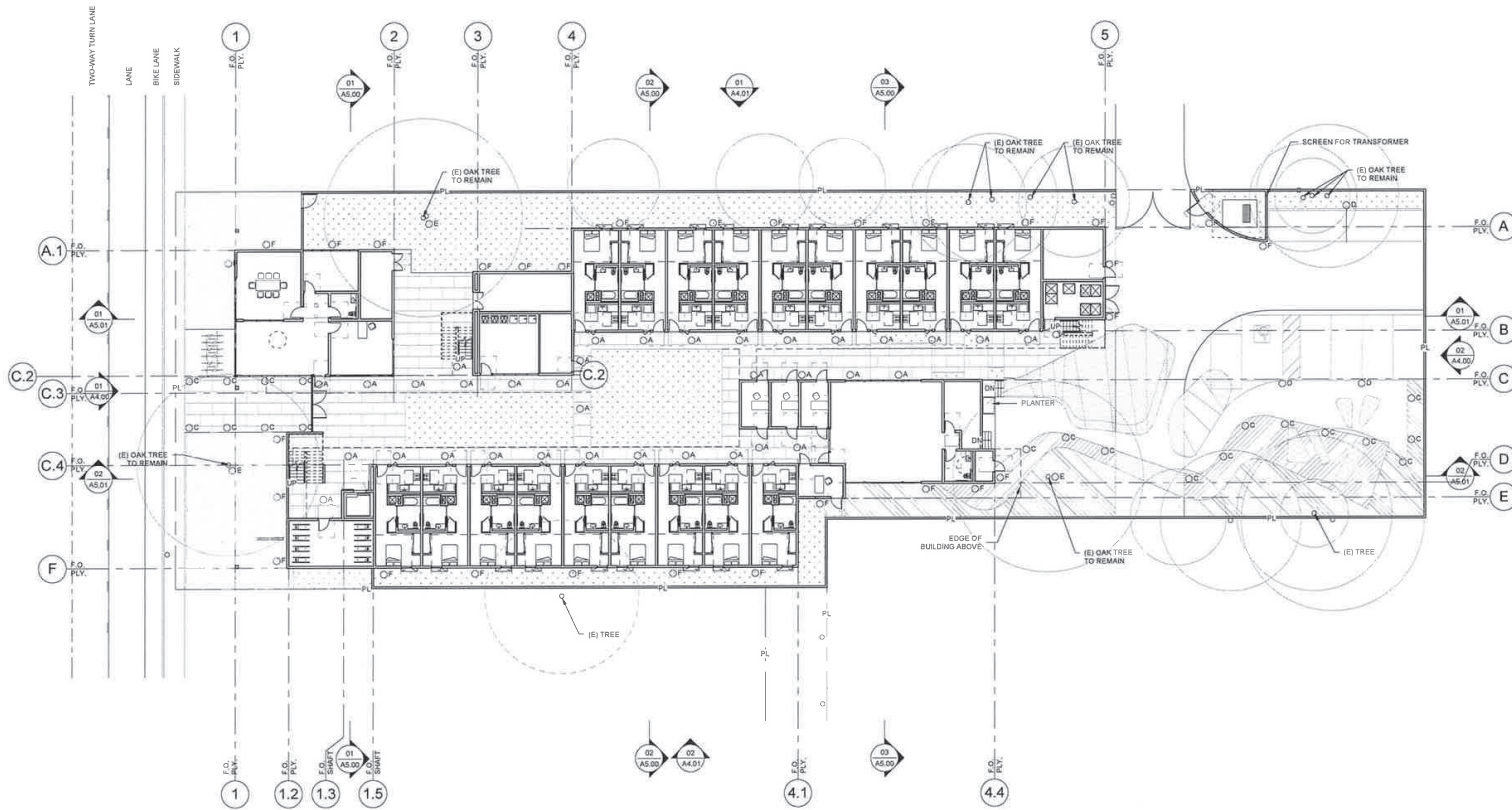
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SITE PLAN 01
 SCALE: 1/8" = 1'-0"

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 F 310.453.9006

A1.00



SCHEMATIC DESIGN 2021-12-06
 DESIGN DEVELOPMENT YYYY-MM-DD
 CONSTRUCTION DOCUMENTS YYYY-MM-DD
 PLAN CHECK SUBMITTAL YYYY-MM-DD
 PLAN CHECK RESUBMITTAL YYYY-MM-DD
 BID ISSUE YYYY-MM-DD
 PERMIT SET/CONSTRUCTION SET YYYY-MM-DD

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
 ELK GROVE, CA 95624
 PROJECT NUMBER: 21007.0

REVISIONS	PROJECT NUMBER
△ -	△ -
△ -	△ -
△ -	△ -

SHEET TITLE: SITE LIGHTING
 SCALE: 1/16" = 1'-0"
 DATE PRINTED: 12/8/2021 11:07 PM

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LIGHTING SCHEDULE							
TYPE	NAME	MANUFACTURER	MODEL	SIZE (WxH)	COLOR/FINISH	LAMP	REMARKS
A	RECESSED CAN					LED	TYPICAL @ 1ST, 2ND & 3RD FLOOR WALKWAYS
B	SURFACE MOUNTED FLOODLIGHT	KIM LIGHTING		10.5" x 9"	BLACK	LED	MOUNT ON TRILLES @ 3RD FLOOR
C	CONTEMPORARY PATH LIGHT	SPJ LIGHTING INC.	SPJ-DS24	6.58" x 24"	PVD SATIN	LED	LANDSCAPE PATHWAY LIGHTING
D	SURFACE MOUNTED ON STEM FLOODLIGHT	KIM LIGHTING		10.5" x 9"	BLACK	LED	FIN GRADE TO LIGHT PARKING AREA @ 24" A.F.F.
E	RITE STAR	KIM LIGHTING	NS-502-BLP	2.14" x 4"	BLACK	LED	@ BASE OF TREE
F	SURFACE MOUNTED ON BLDG. WALL FLOODLIGHT	KIM LIGHTING		10.5" x 9"	BLACK	LED	MOUNTED @ 24" A.F.F.

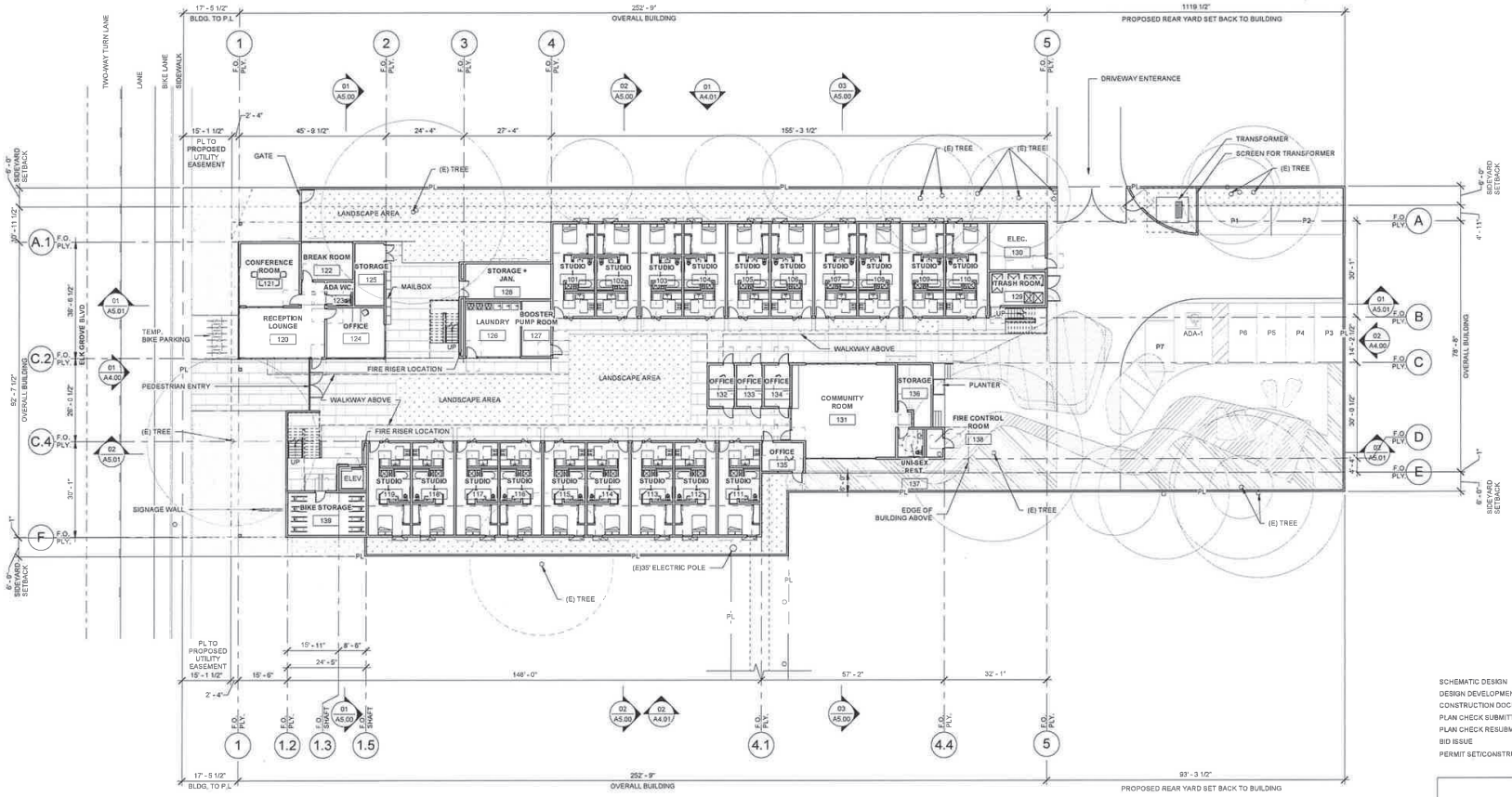


FIRST FLOOR SITE LIGHTING 01
 REF: A4.00, A5.00 SCALE: 1/16" = 1'-0"



BROOKS + SCARPA ARCHITECTS, INC.
 3020 W. 138TH STREET
 HAWTHORNE, CA 90250
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 F: 310.633.9604

A1.01



SCHEMATIC DESIGN	2021-12-06
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
ELK GROVE, CA 95624
PROJECT NUMBER: 21007.5

REVISIONS	
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△ -	△ -
△ -	△ -

SHEET TITLE: **FIRST FLOOR PLAN**
SCALE: 1/8" = 1'-0"
DATE PRINTED: 12/8/2021 1:17:13 PM

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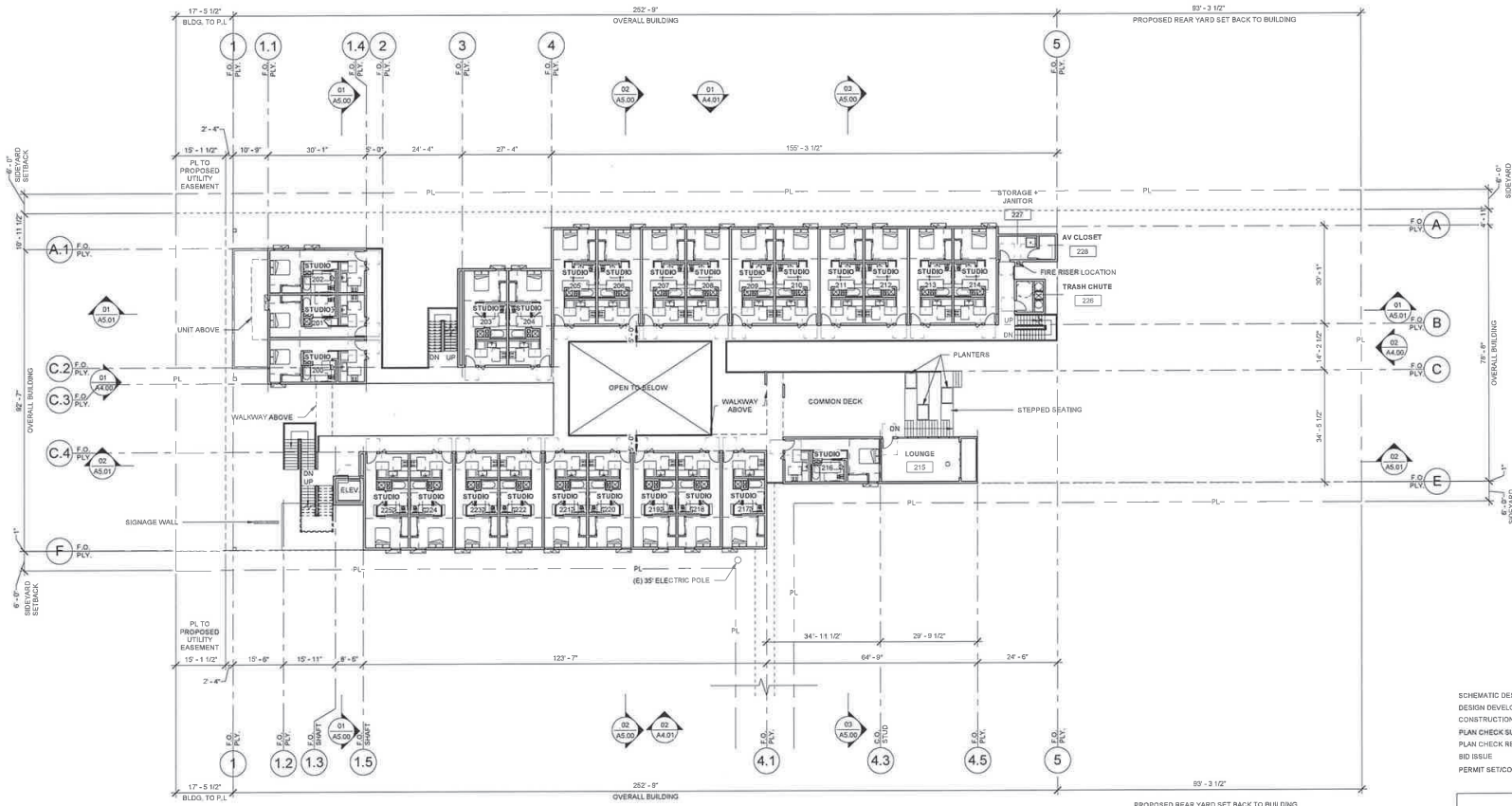
BROOKS + SCARPA ARCHITECTS, INC.
3600 W. 138TH STREET
HAWAIIAN ISLANDS, CA 96730
1 353.555.4700
1 315.453.9609

A3.10



FIRST FLOOR PLAN 01
SCALE: 1/8" = 1'-0"

REF: A400, A500



SCHEMATIC DESIGN 2021-12-08
 DESIGN DEVELOPMENT YYYY-MM-DD
 CONSTRUCTION DOCUMENTS YYYY-MM-DD
 PLAN CHECK SUBMITTAL YYYY-MM-DD
 PLAN CHECK RESUBMITTAL YYYY-MM-DD
 BID ISSUE YYYY-MM-DD
 PERMIT SET/CONSTRUCTION SET YYYY-MM-DD

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

2252 ELK GROVE BLVD ELK GROVE, CA 95724	
PROJECT NUMBER:	21007.0
REVISIONS	
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SHEET TITLE:	SECOND FLOOR PLAN
SCALE:	1/16" = 1'-0"
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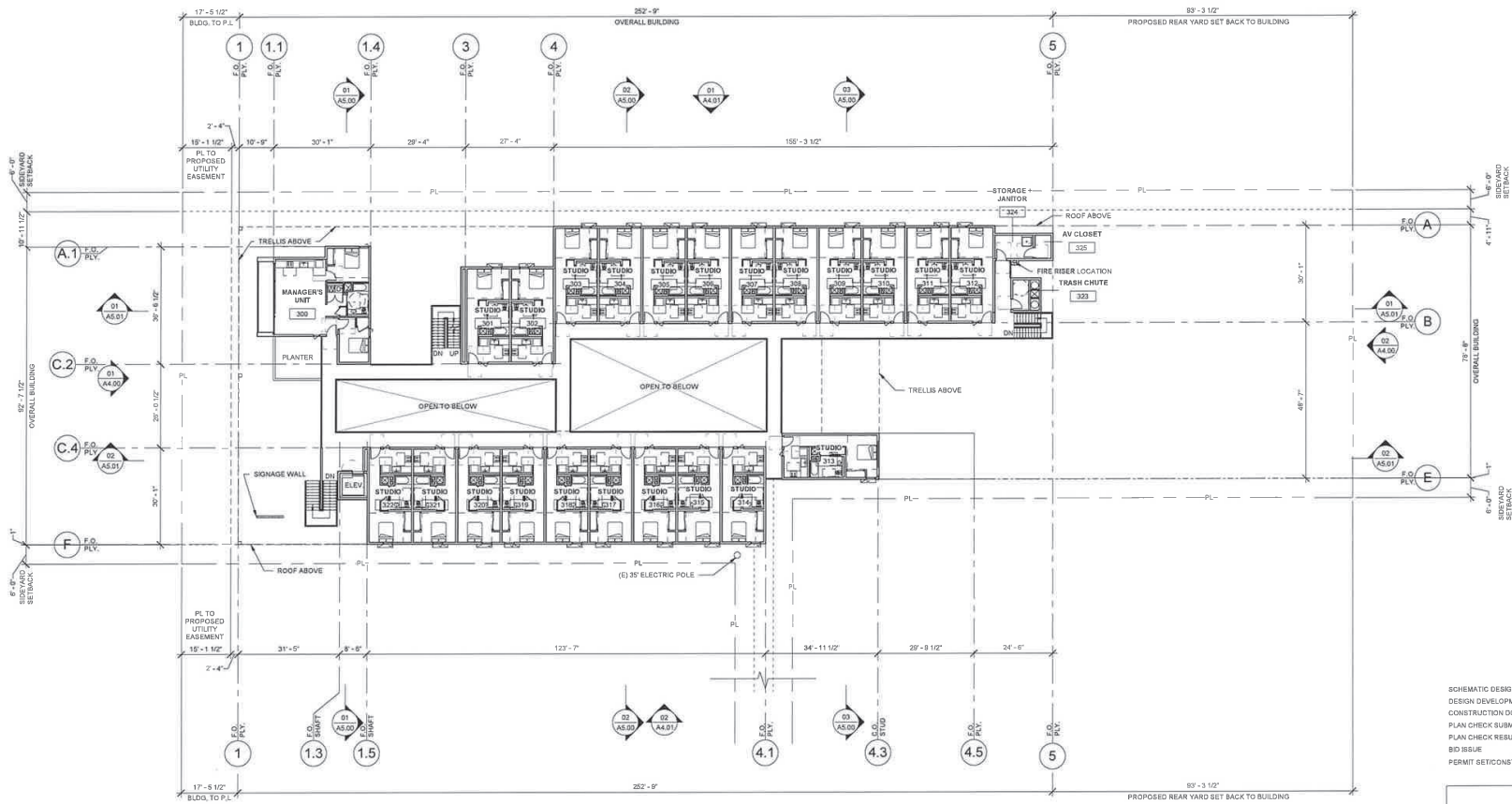
BROOKS + SCARPA ARCHITECTS, INC.
 3600 W. 18TH STREET
 HAWAIIAN ISLANDS, CA 96750
 P 323.586.4700
 F 313.453.8909

A3.20



SECOND FLOOR PLAN
 SCALE: 1/16" = 1'-0"

01



SCHEMATIC DESIGN 2021-12-06
 DESIGN DEVELOPMENT YYYYY-AM-00
 CONSTRUCTION DOCUMENTS YYYYY-AM-00
 PLAN CHECK SUBMITTAL YYYYY-AM-00
 PLAN CHECK RESUBMITTAL YYYYY-AM-00
 BID ISSUE YYYYY-AM-00
 PERMIT SET/CONSTRUCTION SET YYYYY-AM-00

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

REVISIONS		PROJECT NUMBER: 21697.0	
△	-	△	-
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△	-	△	-
SHEET TITLE: THIRD FLOOR PLAN		SCALE: 1/8" = 1'-0"	
		DATE PRINTED: 12/8/2021 11:17:17 PM	
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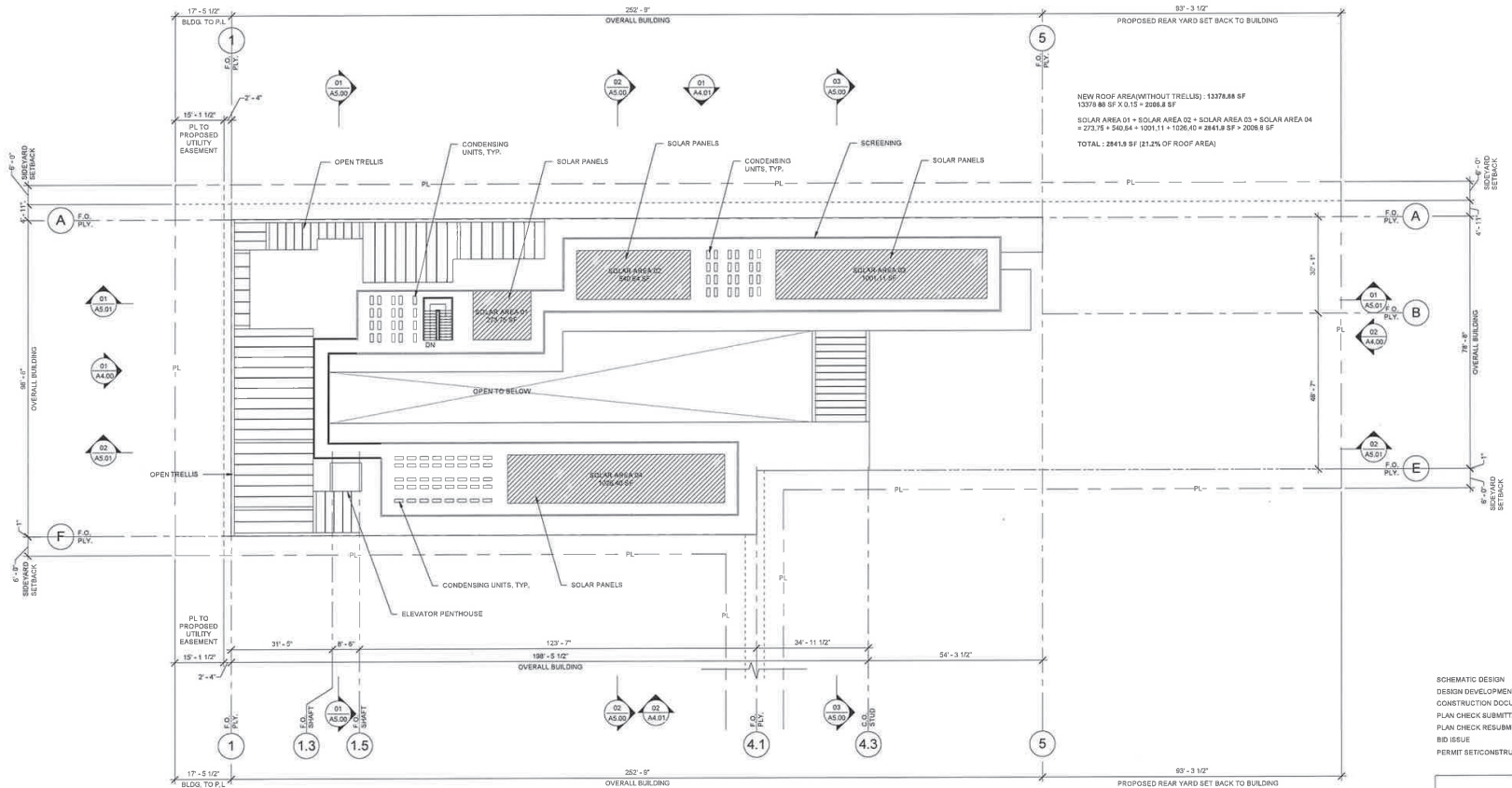


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A3.30



3RD FLOOR PLAN 01
 SCALE: 1/8" = 1'-0"



NEW ROOF AREA (WITHOUT TRELLIS): 13278.88 SF
 13278.88 SF X 0.15 = 2006.8 SF
 SOLAR AREA 01 = SOLAR AREA 02 = SOLAR AREA 03 = SOLAR AREA 04
 = 273 SF + 360 SF + 1001 SF + 1026 SF = 2660 SF
 TOTAL : 2841.8 SF (21.2% OF ROOF AREA)

SCHEMATIC DESIGN	2021-12-06
DESIGN DEVELOPMENT	YYYYMMDD
CONSTRUCTION DOCUMENTS	YYYYMMDD
PLAN CHECK SUBMITTAL	YYYYMMDD
PLAN CHECK RESUBMITTAL	YYYYMMDD
BID ISSUE	YYYYMMDD
PERMIT SET/CONSTRUCTION SET	YYYYMMDD

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
 ELK GROVE, CA 95824

PROJECT NUMBER: 21007.0

REVISIONS	
△ -	△ -
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△ -	△ -

SHEET TITLE: **ROOF PLAN**

SCALE: 1/16" = 1'-0"
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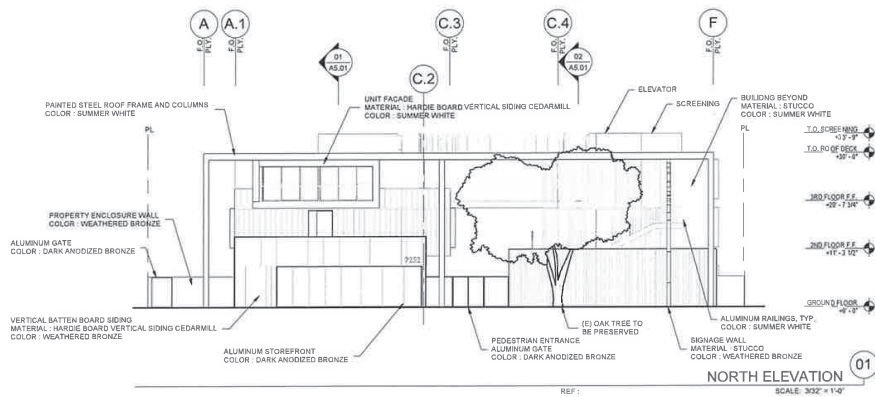
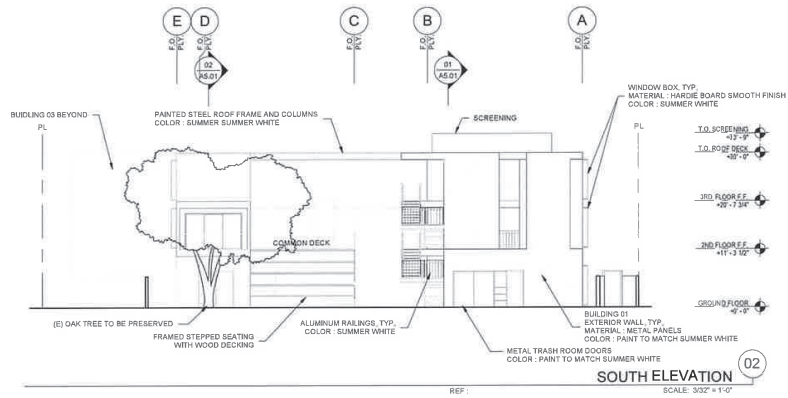
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 3028 W. 38TH STREET
 HAWTHORNE, CA 90250
 T 323.982.4700
 F 310.423.9826

A3.40



ROOF PLAN
 SCALE: 1/16" = 1'-0"

01



SCHEMATIC DESIGN	2021-12-06
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

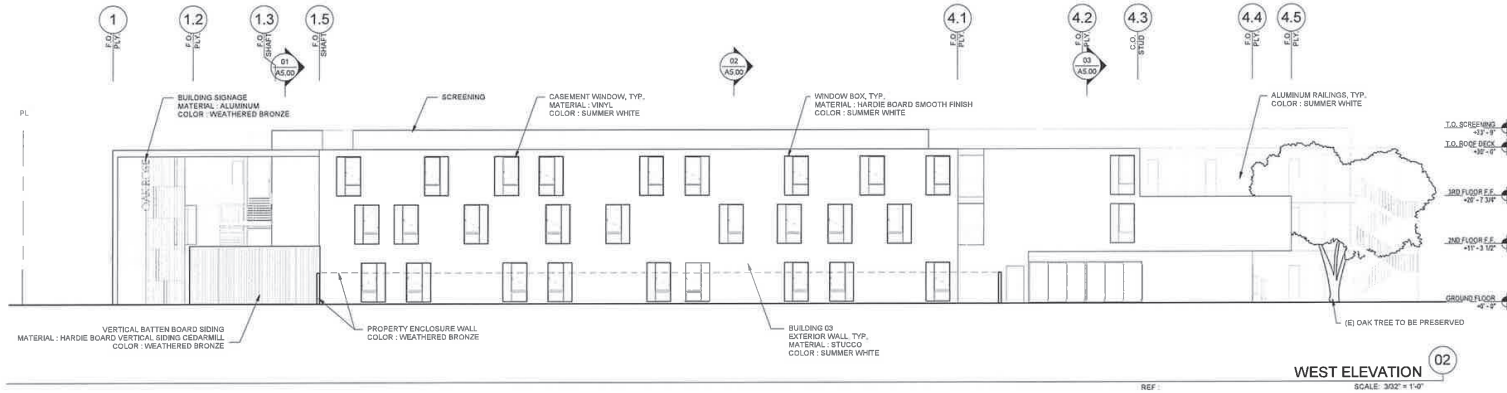
OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

8252 ELK GROVE BLVD ELK GROVE, CA 95024	
PROJECT NUMBER:	21007.0
REVISIONS	
1	△ -
2	△ -
3	△ -
SHEET TITLE:	ELEVATIONS
SCALE:	3/32" = 1'-0"
DATE PRINTED:	12/28/2021 1:17:20 PM

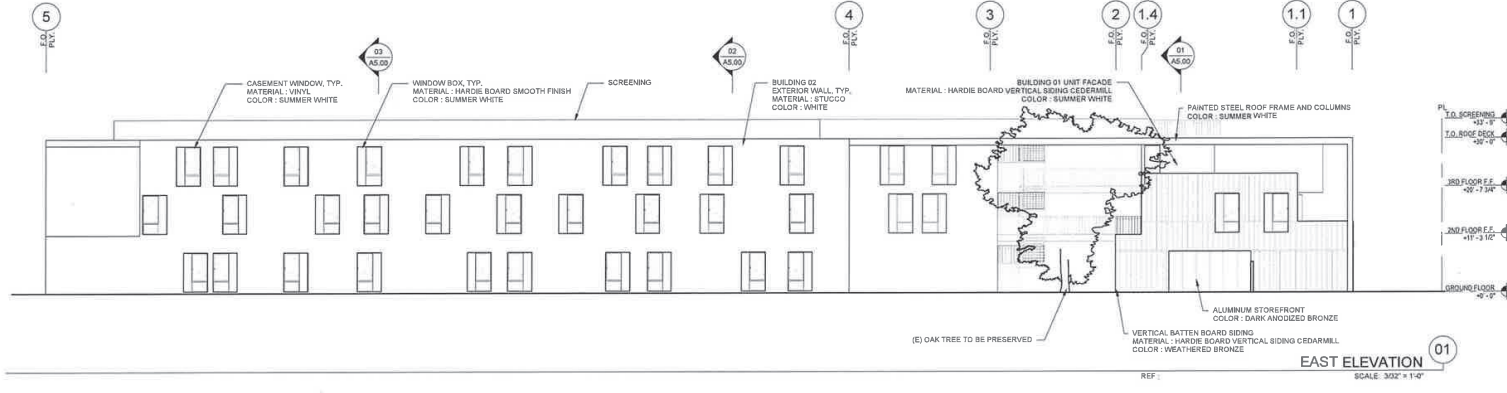
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HAYWARD, CA 94542
T 303.585.4700
F 303.453.8600

A4.00



WEST ELEVATION 02
SCALE: 3/32" = 1'-0"



EAST ELEVATION 01
SCALE: 3/32" = 1'-0"

SCHEMATIC DESIGN	2021-12-06
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 87 UNITS

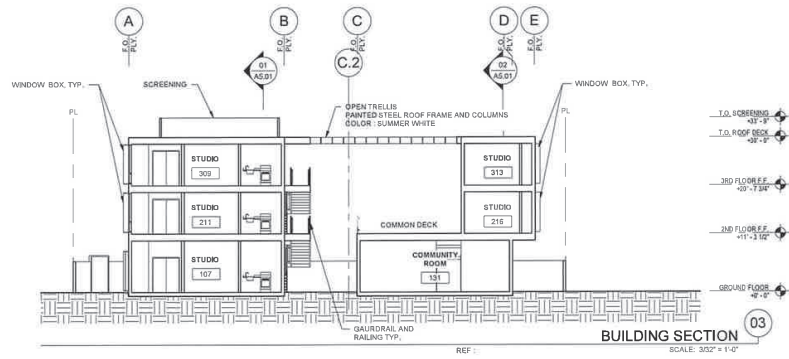
9252 ELK GROVE BLVD ELK GROVE, CA 95824	
PROJECT NUMBER:	21037.0
REVISIONS	
△ -	△ -
△ -	△ -
△ -	△ -
SHEET TITLE:	ELEVATIONS
SCALE:	3/32" = 1'-0"
DATE PRINTED:	12/8/2021 1:17:24 PM



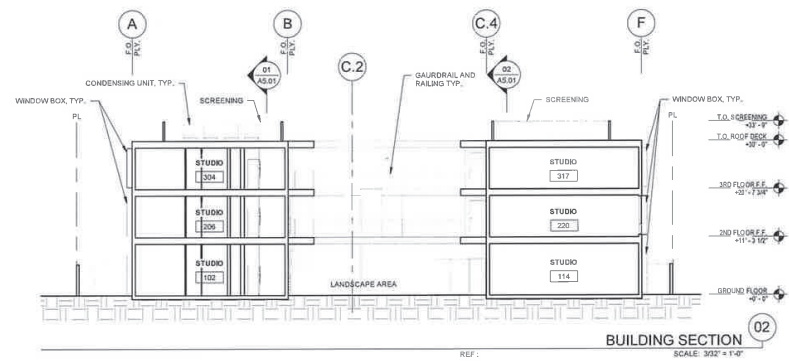
BROOKS + SCARPA ARCHITECTS, INC.
3000 W. 130TH STREET
HAYWARD, CA 94520
t: 510.585.4700
f: 510.463.8909

A4.01

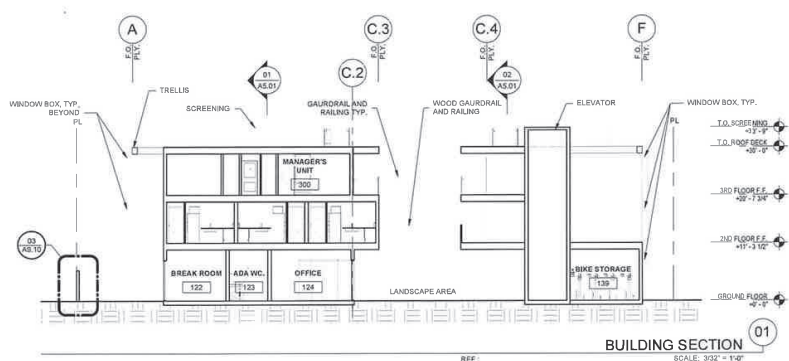
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BUILDING SECTION
SCALE: 3/32" = 1'-0"



BUILDING SECTION
SCALE: 3/32" = 1'-0"



BUILDING SECTION
SCALE: 3/32" = 1'-0"

SCHEMATIC DESIGN	2021-12-08
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

222 ELK GROVE BLVD
ELK GROVE, CA 95724
PROJECT NUMBER: 21917.2

REVISIONS	PROJECT NUMBER
1 -	21917.2
2 -	
3 -	
4 -	



SHEET TITLE: SECTIONS
SCALE: 3/32" = 1'-0"
DATE PRINTED: 12/6/2021 1:17:26 PM

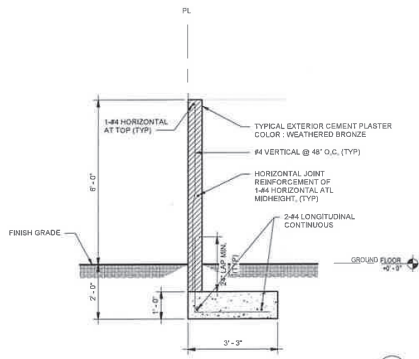
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BROOKS + SCARPA ARCHITECTS, INC.
3620 W. 138TH STREET
HAWTHORNE, CA 90250
P 310.966.4700
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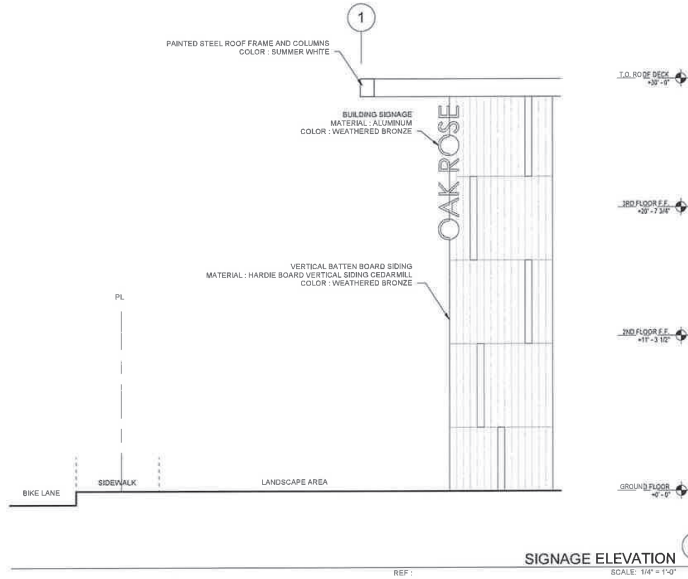
A5.00

GENERAL SPECIFICATIONS:

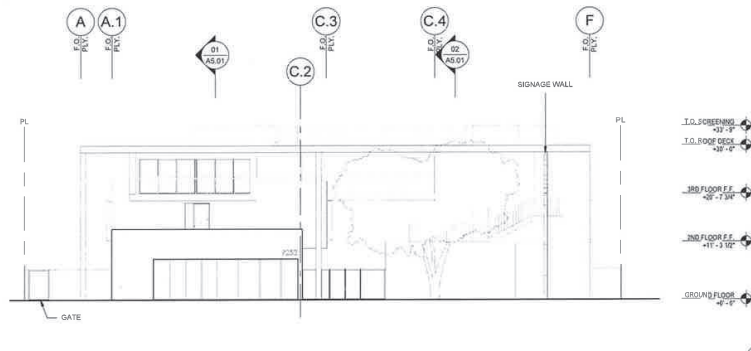
1. Concrete mix for footing to be 1 part cement to 2.5 parts sand to 3.5 parts gravel with a maximum of 7.5 gallons of water per sack of cement (Minimum F_c = 2500 psi).
2. Concrete block units shall conform to ASTM C90.
3. Reinforcing steel to be deformed and conforming to ASTM Standard A618 Grade 40 or Grade 60.
4. Rebar shall be centered in the concrete block cell in which it is located.
5. Concrete block units shall be placed in a running bond with head joints in successive courses horizontally offset at least one-quarter the unit length.
6. Concrete block units to have vertical continuity of cells unobstructed. All cells containing reinforcing shall be solid grouted (vertical and horizontal reinforcement). Cells not containing reinforcing shall not be grouted.
7. Mortar mix for concrete to be 1 part cement to 0.5 part lime to 3 parts damp loose sand.
8. Grout mix for concrete block wall to be 1 part cement to 3 parts sand to which may be added not more than 0.1 part lime. Sufficient water to be added to produce consistency for pouring without segregation of components. The grout may contain 2 parts pass gravel, maximum size #20.
9. Block fence may be placed in the center of the "T" type foundation and at either edge to "L" type foundation.
10. A first inspection is required when trenches are ready for concrete and all required steel is laid in place. A second inspection is required when first horizontal bar and all vertical bars are in place but not grouted.
11. Foundation must be poured against undisturbed soil with no appreciable slope of side walls on all types of foundation.
12. Masonry or concrete fences over 3'-0" in height measured from adjacent grade shall require a building permit.
13. Height of fence shall comply with all provisions of the zoning code.



FENCE DETAIL, TYP.
SCALE: 1/2" = 1'-0"
REF: A5.00



SIGNAGE ELEVATION
SCALE: 1/4" = 1'-0"
REF:



SIGNAGE ELEVATION
SCALE: 3/32" = 1'-0"
REF:

SCHEMATIC DESIGN	2021-12-08
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

8252 ELK GROVE BLVD
ELK GROVE, CA 95624
PROJECT NUMBER: 21007.0

REVISIONS	PROJECT NUMBER
1	21007.0
2	
3	
4	



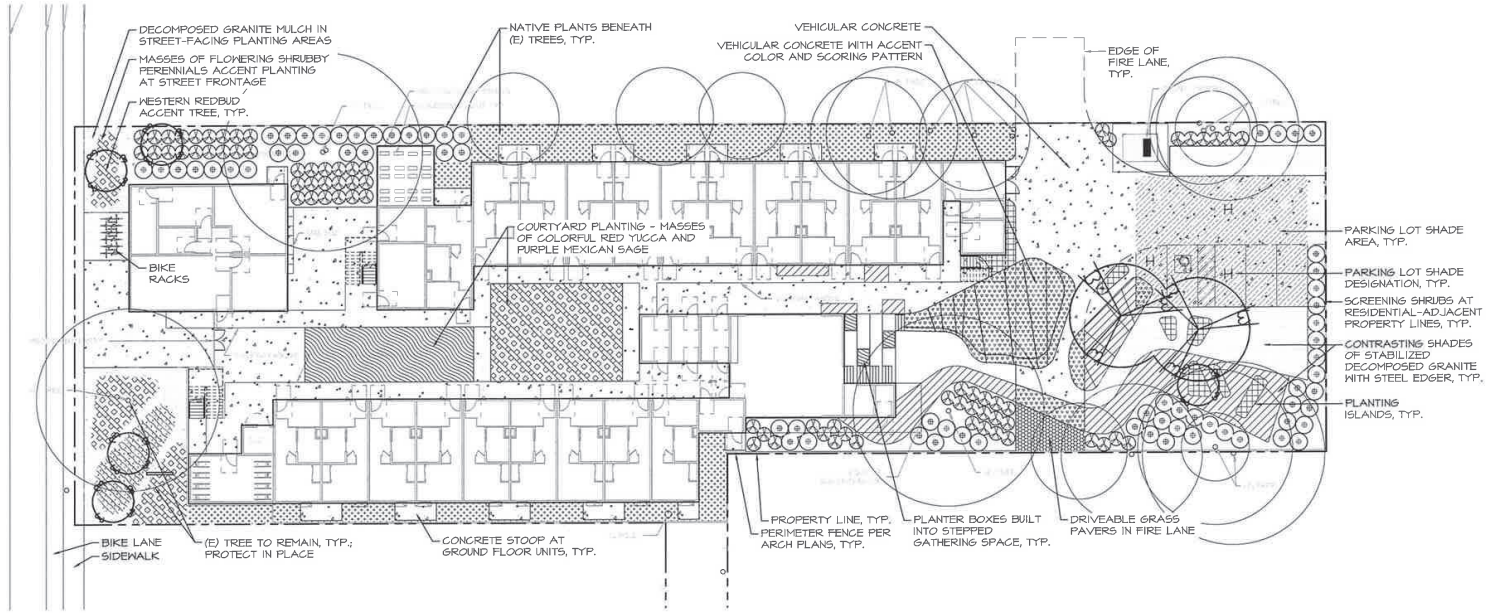
SIGNAGE & FENCE DETAILS
SCALE: As indicated
DATE PRINTED: 12/8/2021 1:17:31 PM

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F: 323.483.9909

A9.10

ELK GROVE BLVD.



PLANTING STATEMENT

Landscape design shall comply with the Old Town Elk Grove Special Planning Area (OTSPA) Design Standards and Guidelines.

The proposed landscape plant palette consists of low water use shrubs, groundcovers, trees, and ornamental grasses that are considered long lived, low maintenance and hardy. Several selections are California native species. Although the plant palette does not draw from the list of recommended shrubs in the OTSPA, selections were made towards the landscape goals of enhancing the building entrance, and strengthening the pedestrian experience.

Locations of plants are guided by considerations of solar exposure and climate conditions of the site.

Except where noted, all planted landscape areas will be top dressed with a 3-inch depth of 'Walk On' bark mulch (no shredded Redwood). The street-facing 12' wide landscape easement will be top dressed with permeable decomposed granite to blend with the more urban, building-forward style in the Old Town district.

Shrubs and groundcovers will be no less than 15-gallon size. Trees will be no less than 15-gallon size. Plant materials shall be spaced to provide substantial cover, but also to allow adequate room to mature into their natural form and ultimate size without requiring shearing.

IRRIGATION STATEMENT

The irrigation design will consist of low volume inline drip irrigation at all planted areas and surface bubblers at all trees. Trees shall be placed on their own irrigation stations, separate from shrub/groundcover irrigation.

The irrigation system will implement a smart irrigation controller. A weather sensor will be used to automatically adjust duration of application in accordance with recent weather conditions based on evapotranspiration. Maximum water allowance will be determined by State code. The irrigation design shall incorporate hydrozones by locating plants of different water needs into groups for ease of water application.

Irrigation design shall adhere to state MVELLO standards and City of Elk Grove guidelines.

EHG - ELK GROVE

PERMANENT SUPPORTIVE HOUSING - 67 UNITS

2252 ELK GROVE BLVD
ELK GROVE, CA 95624
PROJECT NUMBER: 21007.0

REVISIONS	PROJECT NUMBER
1 -	21007.0
2 -	
3 -	
4 -	

SHEET TITLE: PRELIMINARY LANDSCAPE PLAN

SCALE: 1/16" = 1'-0"

DATE PRINTED: 12/22/2021



YAMASAKI LANDSCAPE ARCHITECTURE

BROOKS + SCARPA ARCHITECTS, INC.
3009 W. 130TH STREET
MANTHORN, CA 95559
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F: 531.453.8866

L1.00

PLANT AND HARDSCAPE SCHEDULE

TREES	QTY	BOTANICAL / COMMON NAME	SIZE	WATER USAGE	SIZE (HxW)	HARDSCAPE	QTY	BOTANICAL / COMMON NAME
	5	<i>Gercis occidentalis</i> / Western Redbud	15 gal	VERY LOW	15'x15'		4,861 sf	Concrete - Color/Finish Type A
	2	<i>Quercus lobata</i> / Valley Oak	24" box	LOW	6'0"x6'0'		1,156 sf	Concrete - Color/Finish Type B
SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE	WATER USAGE	SIZE (HxW)			
	60	<i>Arctostaphylos densiflora</i> 'Howard McMill' / Manzanita	5 gal	LOW	7'x1'		197 sf	Tufftrack Grass Pavers with Mow-Free Grass Sod
GRASSES	QTY	BOTANICAL / COMMON NAME	SIZE	WATER USAGE	SIZE (HxW)			
	73	<i>Muhlenbergia rigens</i> / Deer Grass	1 gal	LOW	4'x4'		1,772 sf	Vehicular Stabilized Decomposed Granite
GROUND COVERS	QTY	BOTANICAL / COMMON NAME	SIZE	SPACING	WATER USAGE	SIZE (HxW)		
	373	<i>Carex praegracilis</i> / California Field Sedge	1 gal	24" o.c.	MODERATE	2x2		
	94	<i>Epiobium corum</i> / California Fuchsia	1 gal	24" o.c.	LOW	2x2		
	115	<i>Hesperaloe parviflora</i> / Red Yucca	1 gal	48" o.c.	LOW	4x4		
	263	<i>Mahonia repens</i> / Creeping Mahonia	1 gal	36" o.c.	LOW	1x3		
	144	<i>Perovskia atriplicifolia</i> 'Crazy Blue' / Russian Sage	1 gal	18" o.c.	LOW	3x3		
	46	<i>Salvia leucantha</i> 'Santa Barbara' / Compact Mexican Sage	1 gal	36" o.c.	LOW	3x3		

EXISTING VEGETATION

Existing Tree to Remain, typ; protect in place

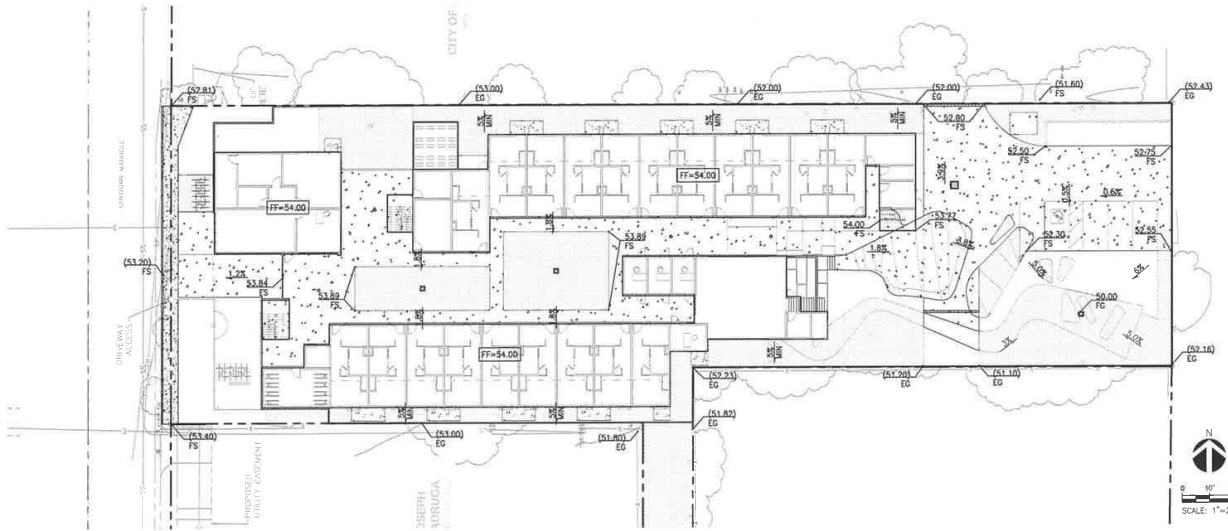
PARKING LOT SHADE CALCULATIONS

TREE SPECIES	FULL (F) 100%	HALF (H) 50%
QUERCUS LOBATA	0 (962) = 0	2 (481) = 962
EXISTING OAK TREE	0 (962) = 0	1 (481) = 481

PARKING AREA SUBJECT TO SHADE REQUIREMENTS: 1,900 SF
SHADE PROVIDED: 1,443 SF
PERCENT SHADE: 75%

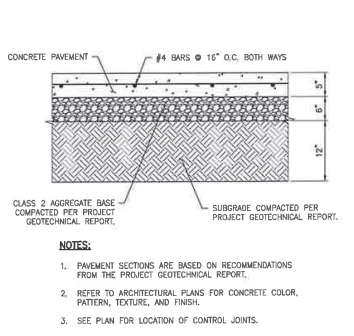


PRELIMINARY LANDSCAPE PLAN 01
SCALE: 1/16" = 1'-0"

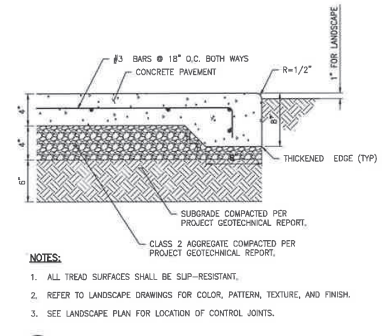


LEGEND

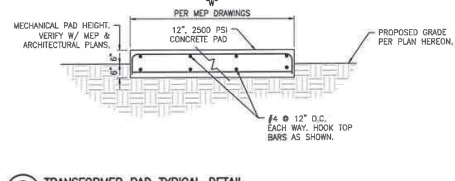
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[Pattern]	SITE CONCRETE
[Pattern]	DECOMPOSED GRANITE MULCH PER LANDSCAPE PLANS
[Pattern]	DECOMPOSED GRANITE PAVING PER LANDSCAPE PLANS
[Line]	PROPERTY LINE
[Line]	GRADE BREAK
[Line]	FLOW LINE
[Symbol]	CATCH BASIN



1 VEHICULAR CONCRETE SECTION
C216 N.T.S.



2 CONCRETE WALK SECTION
C216 N.T.S.



3 TRANSFORMER PAD TYPICAL DETAIL
C216 N.T.S.

SCHEMATIC DESIGN	YYYY-MM-DD	EHG - ELK GROVE PERMANENT SUPPORTIVE HOUSING - 87 UNITS
DESIGN DEVELOPMENT	YYYY-MM-DD	
CONSTRUCTION DOCUMENTS	YYYY-MM-DD	
PLAN CHECK SUBMITTAL	YYYY-MM-DD	
PLAN CHECK RESUBMITTAL	YYYY-MM-DD	
BID ISSUE	YYYY-MM-DD	
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD	

9252 ELK GROVE BLVD
ELK GROVE, CA 95624
PROJECT NUMBER: 21007.0

REVISIONS	
1	△ -
2	△ -
3	△ -
4	△ -

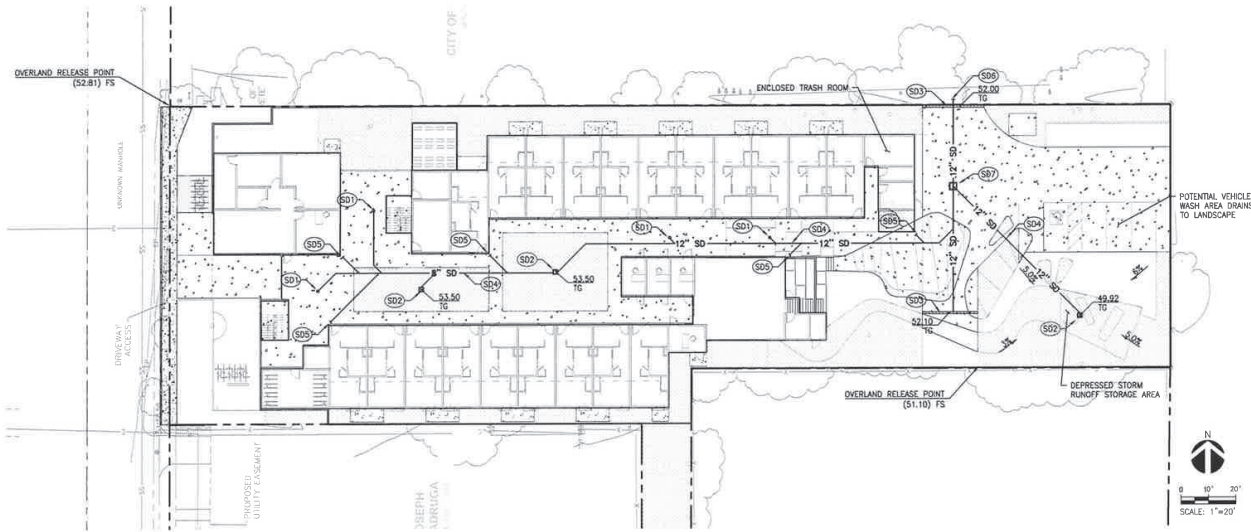
SHEET TITLE: **FINE GRADING PLAN**

SCALE: AS INDICATED
DATE PRINTED: 11/5/2021 3:19:32 PM

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Landscape Architecture
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EL SEBASTO, CA 92526
TEL: 925.238.8700
LFA 269 001.21774

BROOKS + SCARPA ARCHITECTS, INC.
3828 W. 137TH STREET
HAWTHORNE, CA 92250
TEL: 310.568.4700
F: 310.453.9608



- LEGEND**
- LANDSCAPE PER LANDSCAPE PLANS
 - SITE CONCRETE
 - DECOMPOSED GRANITE MULCH PER LANDSCAPE PLANS
 - DECOMPOSED GRANITE PAVING PER LANDSCAPE PLANS
 - PROPERTY LINE
 - GRADE BREAK
 - FLOW LINE
 - STORM DRAIN PIPE
 - CATCH BASIN

- CONSTRUCTION NOTES**
- STORM DRAIN**
- SD1 INSTALL 4" AREA DRAIN BY NDS PRO OR APPROVED EQUIVALENT.
 - SD2 INSTALL CATCH BASIN WITH FILTER INSERT BY NDS PRO OR APPROVED EQUIVALENT.
 - SD3 INSTALL 8" TRENCH DRAIN WITH TRAFFIC RATED GRATE BY ACD DRAIN OR APPROVED EQUIVALENT.
 - SD4 INSTALL SDR 35 PVC STORM DRAIN PIPE, SIZE PER PLAN.
 - SD5 STORM DRAIN DOWNSPOUT POINT OF CONNECTION. SEE ARCHITECTURAL PLANS FOR CONTINUATION.
 - SD6 POINT OF CONNECTION TO CITY STORM DRAIN SYSTEM THROUGH STORM DRAIN EASEMENT.
 - SD7 INSTALL 24" PRECAST CONCRETE CATCH BASIN WITH FILTER INSERT AND TRAFFIC RATED GRATE BY OLDCASTLE OR APPROVED EQUIVALENT.

TOTAL AREA	53,579 S.F.
IMPERVIOUS AREA	30,133 S.F.
IMPERVIOUS PERCENTAGE	56%
100-YR 24-HR RAIN DEPTH	4.25 IN.
10-YR 24-HR RAIN DEPTH	2.98 IN.
NOLTE DESIGN RUNOFF	0.408 CFS

SACRAMENTO REGION STORM WATER QUALITY REQUIREMENTS

PROJECT TYPE: MULTI-FAMILY RESIDENTIAL

IMPERVIOUS AREA: >1.0 ACRES

REQUIREMENTS: SOURCE CONTROL ONLY

SOURCE CONTROL METHODS: EFFICIENT IRRIGATION
LANDSCAPING
STORM DRAIN MARKINGS AND SIGNS
VEHICLE/EQUIPMENT WASH AREAS
WASTE MANAGEMENT AREAS

SCHMATIC DESIGN	YYYY-MM-DD	EHG - ELK GROVE PERMANENT SUPPORTIVE HOUSING - 67 UNITS 6252 ELK GROVE BLVD ELK GROVE, CA 95624 PROJECT NUMBER: 21007.0
DESIGN DEVELOPMENT	YYYY-MM-DD	
CONSTRUCTION DOCUMENTS	YYYY-MM-DD	
PLAN CHECK SUBMITTAL	YYYY-MM-DD	
PLAN CHECK RESUBMITTAL	YYYY-MM-DD	
BID ISSUE	YYYY-MM-DD	
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD	

LFA
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219 MAIN STREET
E. REDWOOD, CA 95045
PH: 531.228.8786
LFA-246-04-21774

REVISIONS

1 -	2 -
3 -	4 -
5 -	6 -

SHEET TITLE: DRAINAGE PLAN

SCALE: AS INDICATED

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DRAINAGE PLAN 01

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HAWTHORNE, CA 90250
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C300

Exhibit C
Oak Rose Apartments (PLNG22-015)
Project Conditions of Approval

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
ON-GOING				
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.	This action does not relieve the Applicant of the obligation to comply with all applicable ordinances, statutes, regulations, and procedures.	On-Going	Planning	
3.	The Applicant, or Successors in Interest (hereinafter 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	

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>4. Except as otherwise specified or provided for in the Project plans or approvals, or in these conditions, the Project shall conform to the applicable objective development standards and design requirements adopted by the City of Elk Grove, and specifically, without limitations, those objective standards included in the following:</p> <ul style="list-style-type: none"> • The Elk Grove Zoning Code (Title 23 of the EGMC) • Old Town Special Planning Area Design Standards and Guidelines • EGMC Chapter 14.10 (Water Efficient Landscape Requirements) • EGMC Title 16 (Building and Construction) • EGMC Chapter 19.12 (Tree Preservation and Protection) • EGMC Title 22 (Land Development) 	On-Going	Planning	
<p>5. The Applicant shall design and construct all improvements in accordance with the City of Elk Grove Improvement Standards, as further conditioned herein. Specific locations on median(s) that require emergency vehicle access will be evaluated during review and acceptance of the Improvement Plans.</p> <p>Public sewer, water, and other utility infrastructure shall be designed and constructed with the standards of the appropriate utility.</p>	On-Going	Engineering EGWD SacSewer SMUD PG&E	
<p>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), SacSewer, Elk Grove Water District (EGWD), or other agencies or services providers as established by law.</p>	On-Going	Planning Engineering CCSD EGWD SacSewer	

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
7.	<p>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 may be applicable:</p> <ul style="list-style-type: none"> • Grading Permit and Improvement Plan • Building Permit and Certificate of Occupancy • Requirements of the Sacramento Metropolitan Air Quality Management District • Fire Department review for permits and/or occupancy 	On-Going	Planning Engineering Building CCSD EGWD SacSewer	
8.	<p>The trash enclosures shall be locked when not in use and well maintained at all times.</p>	On-Going	Code Enforcement Planning	
9.	<p>As to any fee, dedication, reservation or exaction established by these conditions of approval that are subject to the Mitigation Fee Act, notice is hereby given pursuant to California Government Code Section 66020(d) that the 90-day period in which you may protest the fees set forth herein has begun to run as of the date of approval of this Project. Other limitation periods may apply. The City reserves all rights.</p>	On-Going	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 State CEQA Guidelines Section 15064.5 (d) and (e) shall be followed.</p> <p>A note stating the above shall be placed on the Improvement Plans.</p>	On-Going and Prior to Improvement Plans or Grading Permit(s), whichever occurs first. Monitoring shall be On-Going	Planning	

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
11.	Signage is not approved with this Application. Future signs shall be reviewed under a separate Sign Permit application and shall comply with the objective development standards set forth in EGMC Chapter 23.62 and the Old Town Special Planning Area for signs. Any such review shall be ministerial.	On-Going	Planning	
12.	The Applicant shall trim any shrubs to a height not taller than 3 feet and shall maintain a minimum tree canopy height of 6 feet on site such that no portion of the tree obscures the view of a security camera, or the light from a light fixture, onto a walkway or other outdoor common areas.	On-Going	Police	
13.	SMUD reserves the right to use any portion of its easements on the subject property that it reasonably needs and shall not be responsible for any damages to the developed property within said easement that unreasonably interferes with those needs.	On-Going	SMUD	
14.	Construction of the Project shall be subject to California prevailing wage laws. All construction workers for the Project shall be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Section 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. The Applicant shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work. All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. (Gov. Code § 65913.4(a)(8).)	On-Going	Building	

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
15.	The Project shall be subject to the Affordable Housing Regulatory Agreement approved concurrently with these conditions of approval.	On-Going	Planning	
16.	The Project shall implement Subsections B, C, D, E, G, H, I, J, K, L, M, and N of Section 19.12.200 of the Elk Grove Municipal Code to mitigate damage to trees protected through the development project approval.	On-Going	Planning	
PRIOR TO OR IN CONJUNCTION WITH IMPROVEMENT AND/OR GRADING PLAN SUBMITTAL OR APPROVAL				
17.	To obtain sewer service, modifications to SacSewer infrastructure will be required. Current standards and specifications apply to any offsite or onsite public sewer construction or modification. These improvements must be shown on the plans. Field modifications to new or existing manhole bases are not allowed. In order to connect to the existing facility, a new manhole must be constructed depending on location of tie-in.	Improvement Plans	SacSewer	
18.	Alignment of all main lines and structures must provide a minimum of 1-foot vertical clearance and 5 feet horizontal clearance from all other utilities and improvements. Sewer is to be located a minimum of 10 feet (measured horizontally) from any structure or footing. Show public sanitary sewer and water supply facilities in accordance with the Health and Safety Code.	Improvement Plans	SacSewer	
19.	SacSewer Design Standards and Specifications require a minimum of 6 inch lower laterals for the building.	Improvement Plans	SacSewer	
20.	The Applicant is required to conduct a pre-engineering meeting with all utilities to ensure property clearances are maintained.	Improvement Plans	SMUD	

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
21.	SMUD has existing underground 12kV facilities on the northeast side of the project parcel that will need to remain. The Applicant shall be responsible for maintaining all CalOSHA and State of California Public Utilities Commission General Order No. 128 safety clearances during construction and upon building completion. If the required clearances cannot be maintained, the Applicant shall be responsible for the cost of relocation.	Improvement Plans	SMUD	
22.	SMUD has existing overhead facilities on the project parcel that will need to remain. The Applicant shall be responsible for maintaining all CalOSHA and State of California Public Utilities Commission General Order No. 95 safety clearances during construction and upon building completion. If the required clearance cannot be maintained, the Applicant shall be responsible for the cost of relocation.	Improvement Plans	SMUD	
23.	Any necessary future SMUD facilities located on the Applicant's property shall require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the Applicant's property.	Improvement Plans	SMUD	
24.	In the event the Applicant requires the relocation or removal of existing SMUD facilities on the subject property, the Applicant shall coordinate with SMUD. The Applicant shall be responsible for the cost of relocation or removal.	Improvement Plans	SMUD	
25.	Fire hydrants shall be installed in accordance with the California Fire Code and Cosumnes Fire Code ordinance.	Improvement Plans	CCSD Fire	
26.	"NO PARKING FIRE LANE" signs and/or red painted curbs shall be installed in accordance with the California Fire Code for the entire fire turnaround lane at the south side of the building.	Improvement Plans	CCSD Fire	

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
27.	Fire department connections (FDC) shall be located on the project site at least 40 feet from the building that it serves and within 10 to 40 feet of a fire hydrant. Fire hydrant and FDC shall be located on the same side of the fire access route so that hoses do not obstruct incoming apparatus.	Improvement Plans	CCSD Fire	
28.	The Applicant shall ensure that the Project provides fire flow from a public water system that meets the fire flow requirements of the California Fire Code Appendix B, Table B105.1(2), as adopted by the Elk Grove Municipal Code Chapter 17.04.	Improvement Plans	CCSD Fire	
29.	The Applicant shall prepare and submit a drainage study in accordance with City of Elk Grove Storm Drainage Master Plan, Improvement Standards, General Plan, and any other applicable drainage master plans or studies.	Improvement Plans or Grading Permit(s), whichever comes first	Engineering	
30.	The Applicant shall prepare and submit a Post-Construction Stormwater Quality Control Plan in accordance with the City of Elk Grove Improvement Standards and most recent version of the Stormwater Quality Design Manual for the Sacramento Region. The Applicant shall also submit a separate maintenance manual describing proper maintenance practices for the specific treatment controls to be constructed.	Improvement Plans or Grading Permit(s), whichever comes first	Engineering	
31.	The Applicant shall provide procedures to accommodate Hydromodification requirements and Low Impact Development (LID) features adopted in the Sacramento Region Stormwater Quality Manual (Manual) and such procedures shall be implemented for the Project. All the designs shall be consistent with the design examples prescribed in the latest edition of the Manual.	Improvement Plans or Grading Permit(s), whichever occurs first	Engineering	
32.	The Applicant shall execute a maintenance agreement with the City for stormwater quality control treatment devices as required by the Stormwater Quality Design Manual for the Sacramento Region.	Improvement Plans	Engineering	

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
33.	The Project shall comply with all objective requirements for land and tree disturbance set forth in Elk Grove Municipal Code Chapter 16.44 (Land Grading and Erosion Control) and Chapter 19.12 (Tree Preservation and Protection).	Improvement Plans	Planning	
PRIOR TO OR IN CONJUNCTION WITH BUILDING PERMIT/CERTIFICATE OF OCCUPANCY				
34.	The Applicant shall dedicate to the City a 12.5 foot wide public utility easement (PUE) on Elk Grove Boulevard along the Project's frontage for overhead and/or underground facilities and appurtenances.	Building Permit	Engineering	
35.	The Applicant shall dedicate to the City a pedestrian easement for any portion of the sidewalk along the Project frontage that will be located outside of the public right-of-way.	Building Permit	Engineering	
36.	The Applicant shall dedicate, design, and improve Elk Grove Boulevard, along the Project's frontage, in accordance with the City's Elk Grove Boulevard Streetscape Project and Improvement Standards.	Building Permit	Engineering	
37.	The Applicant shall pay an in-lieu fee for parks and recreation in accordance with EGMC Chapter 16.80 (Park Land In-Lieu Fee), as applicable.	Building Permit	CCSD-Parks	

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
38.	<p>The Applicant shall (1) approve (a) the formation of a new or annexation into an existing community facilities district ("CFD") and (b) an annual CFD special tax; or (2) deposit a sum money, as determined by the Cosumnes Community Services District (Cosumnes CSD CFD No. 1), sufficient for the Cosumnes Community Services District to fund a portion of the cost of the District's ongoing fire and emergency services, maintenance, operation, and repair and replacement of fire station facilities and fire and emergency equipment and routine and deferred maintenance and replacement of park facilities, trails and landscape corridors attributable to the property and (b) replacement of district wide facilities attributable to the property. Any costs for the approval and creation of such annual special tax, annexation of the Property into an existing Mello-Roos Community Facilities District for the Cosumnes Community Services District, or administration of the sum of money deposited to fund the fire and emergency services and maintenance of park facilities, trails and landscape corridors, shall be paid from the annual special taxes of the Community Facilities District or the sum of money deposited with the Cosumnes Community Services District. If the property owner(s) fails to approve an annual special tax or deposit a sum of money as provided for herein for such purposes for the Cosumnes Community Services District, no building permits for the property shall be issued or approval of the Improvement Plan shall be provided. It is the responsibility of the Applicant or their representative to contact the Cosumnes Community Services District at (916) 405-5600 to initiate the Community Facilities District process.</p>	Building Permit	CCSD Parks and Fire	
39.	<p>The Applicant shall not place any building foundations within 5-feet of any SMUD trench to maintain adequate trench integrity. The Applicant shall verify specific clearance requirements for other utilities (e.g., Gas, Telephone, etc.).</p>	Building Permit	SMUD	

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
40. The Applicant shall comply with SMUD siting requirements (e.g., panel size/location, clearances from SMUD equipment, transformer location, service conductors). Information regarding SMUD siting requirements can be found at: https://www.smud.org/en/business/customer-service/support-and-services/design-construction-services.htm	Building Permit	SMUD	
41. The Applicant shall reconstruct any existing ADA compliance improvements adjacent to the Project to meet current standards.	Building Permit	Engineering	
42. The Applicant shall reconstruct any damaged curb, gutter, sidewalk and/or pavement caused by construction-related activities associated with the Project site. If pavement replacement is necessary, the Applicant may be required to grind, overlay, and/or slurry seal the damaged portion(s) in accordance with the City Improvement Standards. The Applicant shall schedule an inspection with the City to document the pre-construction condition of existing surface infrastructure adjacent to and near the Project.	Building Permit	Engineering	
43. The Project area shall annex into the Maintenance Services 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, sports (including aquatic) facilities, cultural arts center, and water features, and maintenance of other related facilities. <u>The annexation process can take several months, so the Applicant should plan accordingly.</u> The application fee and completed application for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax.	Building Permit	Finance	

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
44.	The Project area 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. <u>The annexation process can take several months, so the Applicant should plan accordingly.</u> The application fee and completed application for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax.	Building Permit	Finance	
45.	The Project area shall annex into the Street Maintenance Assessment District No. 1, Zone 3, to fund a portion of the additional costs for long-term roadway maintenance related to serving the new development. <u>The annexation process can take several months, so the Applicant should plan accordingly.</u> The application fee and completed application for the annexation is due prior to the Resolution of Intention to Levy Street Maintenance assessments.	Building Permit	Finance	
46.	The Project area 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 the Applicant should plan accordingly. The completed application for the annexation is due prior to the Resolution of Intention to Levy Storm Water Drainage Fee Zone 2 assessment.	Building Permit	Finance	
47.	The Project shall provide onsite fire access to within 150 feet of all portions of the building as measured by an approved route around the exterior of the building.	Building Permit	CCSD Fire	
48.	The Fire Sprinkler system shall be designed to National Fire Protection Association (NFPA) 13.	Building Permit	CCSD Fire	
49.	Required onsite fire access lanes shall be installed prior to combustible construction or on-site storage of combustible materials. Onsite pavement shall be capable of supporting 80,000 pounds gross vehicle weight in all weather conditions.	Building Permit	CCSD Fire	

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
50.	The Applicant shall install, test, flush, inspect the water mains and fire hydrants designated for the Project and be able to provide the required fire flow requirements of the California Fire Code Appendix B, Table 105.1 prior to any construction.	Building Permit	CCSD Fire	
51.	The Applicant shall provide a test conducted by a licensed contractor performed at building or project completion to determine if the public safety communication system is adequate for emergency responder radio coverage. If the Project cannot support the required level of radio coverage, the Applicant shall equip the building with a distributed antenna system with FCC certified signal boosters. Plans and permits required.	Prior to Certificate of Occupancy	CCSD Fire	

NO FEE DOCUMENT

RECORDING REQUESTED BY:)
MAIL TAX STATEMENTS TO)
AND WHEN RECORDED, MAIL TO:)
))
City of Elk Grove)
c/o City Clerk)
8401 Laguna Palms Way)
Elk Grove, CA 95758)

Exempt from recording fee (Govt. Code § 6103 and § 27383)

Space above this line reserved for use by Recorder's Office

REGULATORY AGREEMENT
Oak Rose Apartments Affordable Housing Project

This Regulatory Agreement ("Regulatory Agreement") is made as of July 27, 2022, by and between the CITY OF ELK GROVE, a California municipal corporation ("City"), and Oak Rose Apts LP, a California limited partnership ("Owner").

RECITALS

A. Owner proposes to develop sixty-six (66) units of one hundred percent (100%) affordable rental housing, with an additional one (1) unit as a management unit (the "Project"), at a site located in Elk Grove, California at 9252 Elk Grove Boulevard – APN 134-0072-011 (as more particularly described in Exhibit A, attached hereto and incorporated herein by reference) (the "Property"), which units shall be rented at rents affordable to Qualifying Households according to the schedule contained in Exhibit B (the "Regulated Units"), attached hereto and incorporated by reference herein.

B. Chapter 16.88 of the Elk Grove Municipal Code ("EGMC") establishes an affordable housing fee to be collected for the purpose of funding affordable housing programs and projects as approved by the City Council or designated body. Pursuant to EGMC Section 16.88.050(B)(2), affordable housing that is deed-restricted as such for a minimum term of thirty (30) years is not subject to the residential affordable housing fee. "Deed-restricted" means a contract or agreement limiting the use and/or resale of the property in such a way that it will continue to provide affordable housing to low-income households or very low-income households for a specified period of time, and to which the City is a party.

C. Chapter 23.50 of the EGMC establishes eligibility for density bonus, waived or reduced development standards, and incentives and concessions. In order to qualify for density bonus, including waived or reduced development standards, pursuant to EGMC Section 23.50.030(H), prior to the award of density bonus, waived or reduced development standards, and any related incentives or concessions, the Owner must enter into an agreement with the City to ensure the continued affordability of all target units. Pursuant to EGMC Section 23.50.060, target units must remain restricted to low-income households for a minimum of fifty-five (55) years from the date of issuance of certificate of occupancy by the building official.

D. The parties now desire to enter into this Regulatory Agreement to deed-restrict the Property and to qualify for density bonus and/or one or more of its related concessions or incentives. Following execution of this Regulatory Agreement, the Project is not subject to the City's Affordable Housing Fee, as further described in Chapter 16.88 of the EGMC.

E. The City's activities under the Regulatory Agreement are limited to monitoring the Project for compliance with conditions of the Regulatory Agreement.

NOW, THEREFORE, Owner and the City hereby agree as follows:

1. **Recitals.** The foregoing Recitals are true and correct and incorporated into this Regulatory Agreement.

DEFINITIONS

The following terms have the meanings set forth in this section wherever used in this Regulatory Agreement or attached exhibits.

2. **Area Median Income** (referred to herein as "AMI") means the median income for the Metropolitan Statistical Area which includes the City of Elk Grove ("MSA"), with adjustments for household size, as determined from time to time by the U.S. Department of Housing and Urban Development (HUD) pursuant to Section 8(f)(3) of the United States Housing Act of 1937 as amended, or such other method of median income calculation applicable to the City of Elk Grove that HUD may hereafter adopt in connection with said Act. If HUD should cease making such determination, the City may designate another fair method of calculation of area median income used by any federal or state agency and applicable to the City of Elk Grove, provided that such method shall be consistent with the method used by the California Tax Credit Allocation Committee.

3. **City** means the City of Elk Grove, a municipal corporation.

4. **Owner** means Oak Rose Apts LP, a California limited partnership, and its successors, assigns, transferees, and/or affiliates who acquire an interest in the Property and/or Project.

5. **Project** means the development and operation of the Property for 66 affordable residential units, a management unit, and office space for permanent supportive housing services according to the terms of this Regulatory Agreement.

6. **Property** means the real property described in the attached Exhibit A, which is hereby incorporated into this Regulatory Agreement by this reference, and any buildings or improvements now or hereafter situated on such real property.

7. **Qualifying Household** means a household in which household income does not exceed the percentage of Area Median Income prescribed for the applicable housing unit by the terms of this Regulatory Agreement.

8. **Qualifying Rent** means: a) during the period a regulatory agreement (including without limitation an extended use agreement with the California Tax Credit Allocation Committee) governing the allocation and award of federal tax credits or private activity Bonds is in effect, the maximum rent charged to and paid by a tenant for the occupancy of a Regulated Unit in the Project determined in accordance with such regulatory agreement and 26 U.S.C. Section 42 and underlying rules and regulations ("Tax Credit Law") based on household size determinations made in accordance with Tax Credit Law, or b) during any other period, the "affordable rent," charged to and paid by a tenant for the occupancy of a Regulated Unit in the Project including a reasonable allowance for tenant-paid utilities, for the applicable household pursuant to Section 50053 of the California Health and Safety Code, as amended, or any successor statute thereto.

Qualifying Rent may be adjusted annually to coincide with the increases in the California Debt Limit Allocation Committee or California Tax Credit Allocation Committee schedule of rents for the Sacramento region, whichever prevails. If Owner does not agree with the adjustment factors provided herein, Owner may, within thirty (30) calendar days of notification by City of that year's adjustment, present to City information on which it wishes to base its annual rent adjustment. The City will review this information and, in its sole discretion, decide on which adjustment factor Owner shall base its annual rent increase. The decision of the City shall be final. Notwithstanding the above, during the period a regulatory agreement governing the allocation and award of federal tax credits is in effect, the annual rent increase shall not exceed the annual rent increase allowed by Tax Credit Law. Unless stated otherwise in this Regulatory Agreement, the utility allowances permitted for use shall be consistent with those allowed in Sacramento County and published annually by the Sacramento Housing and Redevelopment Agency, or any successor thereto.

9. **Regulated Units** means sixty-six (66) of the sixty-seven (67) rental dwelling units constructed for the Project, affordable to the income levels and having the composition, as set forth in Exhibit B.

OWNER'S OBLIGATIONS

10. **Compliance with Regulatory Agreement.** Owner's actions with respect to the Property shall at all times be in full conformity with the requirements of the Regulatory Agreement.

11. **Term of Agreement.** The affordability and use restrictions set forth herein shall be effective upon the issuance of the first building permit for the Project and shall remain in full force and effect until fifty-five (55) years after the date Owner obtains a Certificate of Occupancy from the City of Elk Grove for the Project. The obligations in this Regulatory Agreement shall remain effective and fully binding on Owner, and its successors, assigns and heirs, for this full term regardless of any expiration of the term of any loan, any payment, or prepayment of any loan, any assignment of a Note, any reconveyance of a Deed of Trust, or any sale, assignment, transfer, or conveyance of the Property, unless terminated earlier by the City in a recorded writing or extended by mutual consent of the parties.

PROJECT OCCUPANCY AND RENTS

12. **Occupancy of Project.** Owner shall limit for the full term of this Regulatory Agreement the rental of Regulated Units to Qualifying Households according to the schedule contained in Exhibit B. The income levels and other qualifications of applicants shall be certified prior to initial occupancy and annually thereafter in conformance with the Management Plan and the City's rules governing income certification, as these rules may be amended from time to time.

The Project shall be owned, managed, and operated as a supportive housing residential rental project comprised of one residential building together with office space and facilities, in accordance with the applicable provisions of the Internal Revenue Code and applicable California law, as the same may be amended from time to time. All of the residential dwelling units in the Project will be similarly constructed and shall contain separate and complete facilities for living, sleeping, eating, cooking and sanitation for a single person or family, including sleeping area, bathing and sanitation facilities and cooking facilities equipped with a cooking range, refrigerator and sink. None of the residential dwelling units shall at any time be utilized on a transient basis. Neither the Project, nor any portion thereof shall ever be used as hotel, dormitory, fraternity house, sorority house, rooming house, hospital, nursing home, sanitarium, rest home, or trailer park or court.

The Project shall also include community amenities, including a multipurpose room, an outdoor courtyard, staff offices for on-site property management and resident services staff members, a conference room, laundry facilities, bike racks, benches, and lighted parking.

13. **Project Rents.** Rents for Regulated Units shall be limited to Qualifying Rents.
14. **Construction Scheduling.** All Regulated Units in the Project shall be constructed concurrently with the construction of unregulated units. If the project is phased, Regulated Units shall be constructed per phase in proportion to their overall share of units in the Project.
15. **Lead-Based Paint.** Owner and its contractors and subcontractors shall not use lead-based paint in the construction, design, or maintenance of the Property. Owner shall insert this provision in all contracts and subcontracts for work performed on the Project which involves the application of paint.
16. **Condominium Conversion.** Owner shall not convert Regulated Units to condominium or cooperative ownership or sell condominium or cooperative conversion rights to the Regulated Units during the term of this Regulatory Agreement, without the prior written consent of City, which consent may be withheld for any reason.
17. **Nondiscrimination.** Owner shall not discriminate or segregate in the use, enjoyment, occupancy, conveyance, lease, sublease, or rental of Project units on the basis of race, color, ancestry, national origin, religion, sex, sexual preference, age, marital status, family status, source of income, physical or mental disability, Acquired Immune Deficiency Syndrome (AIDS) or AIDS-related conditions, or any other arbitrary basis. Owner shall include a statement in all advertisements, notices, and signs for the availability of Project units for rent to the effect that Owner is an Equal Housing Opportunity Provider, as that term is defined by State and Federal law.
18. **Operation and Management of Project.** Owner and each of Owner's agents shall diligently operate and manage the Property after completion in substantial conformance with the covenants contained in this Regulatory Agreement, which shall run with the land and bind all successors-in-interest to the Property, and which covenants shall be included in the management plan for the property ("Management Plan"). The Management Plan shall be the plan addressing how the Property will be managed following construction and upon occupancy, and shall include, but not be limited to, provisions set forth in Section 20 herein. The Management Plan shall be provided to the City upon request.
19. **Management Entity.** City and Owner agree that Owner shall manage the Property upon completion of construction. If Owner desires to seek the services of an outside property management firm to manage the Property, Owner may contract with an experienced property management firm. Any contracting of management services by Owner shall not relieve Owner of its primary responsibilities for proper performance of management duties.
20. **Management Responsibilities.** The Owner shall perform and provide the following:
 - A. Annual inspections of individual units to ensure continued compliance with state and local housing codes. Results of the inspections must be documented in a report, and copies may be requested by the City. The City may also independently schedule during a calendar year, one or more property inspections upon five (5) business days' advance written notice by City to Owner.

B. Quarterly financial and occupancy reporting prepared in the Owner's ordinary course of business.

C. Maintenance of the Property in compliance with all applicable laws and codes.

D. The Management Plan shall include methods for certifying the eligibility of the households, including annual verification of tenant income and measures to take in the event a tenant exceeds the maximum income for a given unit.

E. The Management Plan shall include the tenant selection and leasing process that implements best practices strategies, in compliance with applicable federal, California state, and local law, that ensures tenant stability and which maximizes the health, safety, welfare, and beneficial enjoyment of the Project.

Owner shall provide and maintain safe and sanitary rental housing units on the Property and shall comply with all Federal, State, and local housing codes, licensing requirements, and other requirements regarding the condition of the Property and the operation of rental housing units in the City of Elk Grove.

Owner shall be specifically responsible, subject to its obligations herein, for all management functions with respect to the Property, including, without limitation, the selection of tenants, certification and recertification of household size and income, evictions, collection of rents and deposits, maintenance, landscaping, routine and extraordinary repairs, replacement of capital items, and security. The City shall have no responsibility over management of the Property.

21. **Maintenance and Security.** Owner shall, at its own expense, maintain the Property in good condition, in good repair, and in a safe, sanitary, and habitable, living condition for the benefit of Project occupants. Owner shall not commit or permit any waste on or to the Property, and shall prevent and/or rectify any physical deterioration of the Property. Owner shall provide adequate ongoing security equipment and services for Project occupants. Owner shall maintain the Property in conformance with all applicable state, federal, and local laws, ordinances, codes, and regulations; however, Owner's maintenance obligations shall not be limited only to the standards contained in these laws.

Nothing contained in this Section shall be interpreted to place any restriction or limitation on the City's right to take such actions as it deems necessary or proper to protect the health and safety of the public in the proper exercise of the City's authority under federal, state, and local laws.

22. **Unit Vacancies.** Owner shall use its best efforts to fill vacancies in Regulated Units as quickly as possible.

23. **Inspection and Records.** Owner shall maintain records which clearly document Owner's performance of its obligations to operate the Property under the terms of this Regulatory Agreement. Owner shall submit any records to the City within ten (10) business days of City's request. Owner shall permit City to enter and inspect the Property for compliance with obligations under this Regulatory Agreement upon five (5) days advance written notice of such visit by City to Owner or Owner's Property Manager and to tenants of any inspected Project units, subject to the provisions of the lease regarding inspection and entry rights, a copy of which Owner must provide to City upon request.

24. **Reporting.** Owner shall submit the following reports to the City:

A. Quarterly financial and occupancy reporting prepared in the Owner's ordinary course of business, to be due sixty (60) calendar days after the end of each quarter. Such occupancy reports shall include tenant name, unit number, income level of unit (as a percentage of AMI), number of bedrooms, unit square footage, rent amount owed, rent paid by tenant, and rent paid by third party. Financial reports shall include the Project's line item budget and actual income and expenses for the period in question and year-to-date.

B. An annual report, which shall include, at a minimum for each Regulated Unit, the initial and current rental rates and the income and household size of the occupants at the time such occupants initially take occupancy. The income information required under this report shall be supplied by the tenant in a certified statement on the Tenant Income Certification collected from the tenants in compliance with all applicable rules and regulations of the California Tax Credit Allocation Committee. City may require additional information to be included in the annual report.

C. A copy of the annual reports submitted to the California Tax Credit Allocation Committee.

The City, subject to Owner's approval, which shall not be unreasonably withheld, may reasonably alter, supplement, or otherwise modify the frequency or content of required reports as needed to maintain adequate oversight of the Project, or to standardize reporting requirements across its portfolio of assisted projects. In the event of a default of the terms of this Regulatory Agreement, the City may reasonably alter, supplement, or otherwise modify the frequency of content of required reports to address findings related to noncompliance by the Project.

25. **Fees, Taxes, and Other Levies.** Owner shall be responsible for payment of all fees, assessments, taxes, charges, and levies imposed by any public authority or utility company with respect to the Property, and shall pay such charges prior to delinquency. However, Owner shall not be required to pay any such charge as long as (a) the legality thereof is being contested in good faith and by appropriate proceedings, and (b) Owner maintains reserves adequate to pay any contested liabilities.

GENERAL PROVISIONS

26. **Default and Remedies.** In the event of any breach or violation of any agreement, obligation, or warranty under this Regulatory Agreement, City shall give written notice to Owner by specifying: (a) the nature of the breach or violation, (b) the action required to cure the breach or violation, if an action to cure is possible, and (c) a date, which shall not be less than ninety (90) calendar days from the mailing of the notice, by which such action to cure must be taken, if an action to cure is possible. If Owner fails to cure the breach or violation within the timeframe specified in the notice, or if a cure is not possible, City may proceed with any of the following remedies:

A. Bring an action for equitable relief seeking the specific performance by Owner of the terms and conditions of this Regulatory Agreement, and/or enjoining, abating, or preventing any violation of said terms and conditions, and/or seeking declaratory relief;

B. Enter upon, take possession of, and manage the Property, either in person, by agent, or by a receiver appointed by a court, and collect any rents, income, deposits, or reserves and apply them to operate the Property, and continue in possession until such time as City determines that Owner is in a position to operate the Property in compliance with this Regulatory Agreement;

C. After notice provided for herein, make such repairs or replacements to the Property as are necessary and provide for payment thereof; or

D. For violations of Owner's obligations with respect to occupancy restrictions, Project maintenance, unit vacancies, and Project rents, City may require immediate payment of the affordable housing fee, which fee shall be calculated using the higher of (i) the affordable housing fee rate in effect at the time the Project obtains building permits; or (ii) the affordable housing fee rate in effect at the time of breach hereunder.

E. Pursue any other remedy allowed at law or in equity.

The parties agree that the sums and formulas designated herein as liquidated damages represent a reasonable approximation of the damages City is likely to suffer from violations of the respective terms. Owner agrees to pay in full any accrued liquidated damages to City within ten (10) business days of a written demand by City for such payment.

27. **Non-Liability of Officials, Employees, and Agents.** No member, official, director, employee, or agent of City shall be personally liable to Owner or third party beneficiaries for any obligation created under the terms of this Regulatory Agreement.

28. **Indemnity.** Owner, its successors, assigns and heirs shall defend, indemnify and hold City, its members, officials, directors, employees, and agents, harmless against any losses, damages, liabilities, claims, demands, judgments, actions, court costs, and legal or other expenses (including attorney's fees) which City may incur as a result of (a) Owner's failure to reasonably perform any material obligations as required by this Regulatory Agreement; (b) a failure of any of Owner's representations or warranties under this Regulatory Agreement to be true and complete in any material respect when made; (c) any material breach, act or omission by Owner, management agent, Owner's contractors, subcontractors, or suppliers with respect to the Project or the Property, and/or (d) any claim related to the Project or Property, except if the loss is caused by the sole negligence or willful misconduct of the City. Owner shall pay immediately upon City's demand any amounts owing under this indemnity. The duty of the Owner to indemnify includes the duty to defend City in any court action, administrative action, or other proceeding brought by any third party arising from the Project or the Property. Owner's duty to indemnify City shall survive the term of this Regulatory Agreement.

29. **Governing Law.** This Regulatory Agreement shall be interpreted under and governed by the laws of the State of California, except for those provisions preempted by federal law. However, the laws of the State of California shall not be applied to the extent that they would require or allow the court to use the laws of another state or jurisdiction. Owner agrees that all actions or proceedings arising in connection with this Regulatory Agreement shall be tried and litigated only in the state and federal courts located in the State of California, except that City, in its sole discretion, may elect that all such actions or proceedings be tried and litigated in the County of Sacramento or the United States District Court for the Eastern District of California.

30. **Attorneys' Fees and Costs.** In the event that a legal or administrative action is brought to interpret or enforce the terms of this Regulatory Agreement, the prevailing party shall be entitled to recover all reasonable attorneys' fees and costs incurred in such action.

31. **Time.** Time is of the essence in this Regulatory Agreement.

City neither undertakes nor assumes any responsibility or duty to Owner or to any third party with respect to the operation of the Property or the actions of Owner. Except as City may specify in writing, Owner shall have no authority to act as an agent of City or to bind City to any obligation.

36. **Waiver.** Any waiver by City of any obligation in this Regulatory Agreement must be in writing. No waiver will be implied from any delay or failure by City to take action on any breach or default of Owner or to pursue any remedy allowed under this Regulatory Agreement or applicable law. Any extension of time granted to Owner to perform any obligation under this Regulatory Agreement shall not operate as a waiver or release from any of its obligations under this Regulatory Agreement. Consent by City to any act or omission by Owner shall not be construed to be a consent to any other or subsequent act or omission or to waive the requirement for City's written consent to future waivers.

37. **Other Agreements.** Owner represents that it has not entered into any agreements that would restrict or compromise its ability to comply with the terms of this Regulatory Agreement. Owner shall not enter into any agreements that are inconsistent with the terms of this Regulatory Agreement without a written waiver by City, which shall not be unreasonably withheld.

38. **Amendments and Modifications.** Any amendments or modifications to this Regulatory Agreement must be in writing, and shall be effective only if executed by both Owner and City.

39. **Recordation of the Regulatory Agreement.** To ensure the continued affordability of the Regulated Units for the Term, this Agreement shall be executed and recorded against the Property either prior to the recordation of any other lien, encumbrance, easements, covenants, or judgments or concurrent with the final subdivision map, whichever occurs first.

40. **Severability.** Every provision of this Regulatory Agreement is intended to be severable. If any provision of this Regulatory Agreement is held invalid, illegal, or unenforceable by a court of competent jurisdiction, the validity, legality, and enforceability of the remaining provisions shall not be affected or impaired.

41. **Participation in Section 8 Program.** During the term of this Regulatory Agreement, Owner shall not discriminate against tenants who qualify under the Housing Choice Voucher program, formerly referred to as the Section 8 program ("HCV" or "Section 8"), administered by the Sacramento Housing and Redevelopment Agency, or any successors thereto (the "Agency"). The rents for units rented to HCV tenants shall be as determined by the Agency, based on the payment standard.

42. **Cooperation with City-supported Homelessness Programs.** At the City's request, in filling any vacancies Owner shall use commercially reasonable efforts to provide preference to homeless households referred by the City or one of its partner agencies, including by placing such households at the top of the waitlist, if Project maintains a waitlist, but in no event shall Owner be obligated by this preference if it would violate federal or state housing, equal protection, or similar laws. Nothing herein shall be interpreted as requiring Owner to dispense with its standard tenant screening process as described in the Management Plan in effect at the time.

43. **Counterparts.** This Regulatory Agreement and all other agreements executed pursuant to this Regulatory Agreement may be executed in counterpart originals, each of which shall be deemed an original, but all of which, together shall constitute one and the same instrument.

44. **City's Signatory Authority.** Any provision of the Regulatory Agreement requiring the signature, consent, authorizing waiver, and/or approval of the City shall mean the signature of the City Manager or their designee.

45. **Agreement and Acknowledgement of Agreement.** City and Owner acknowledge and agree that this Regulatory Agreement has been negotiated at arm's length, that each party has been represented by independent counsel and/or has had an opportunity to consult with and be represented by independent counsel, that this Regulatory Agreement is deemed to be drafted by both parties, that no one party shall be construed as the drafter of this Regulatory Agreement, and that any rule of construction that ambiguities are to be construed against the drafter shall not apply in the interpretation or construction of this Regulatory Agreement. This Regulatory Agreement shall be recorded in the Office of the Sacramento County Recorder.

46. **Authority.** The person(s) signing this Regulatory Agreement hereby represents and warrants that he/she is fully authorized to sign this Regulatory Agreement on behalf of their respective party and to legally bind such party to the performance of its obligations hereunder.

[Remainder of Page Intentionally Left Blank]

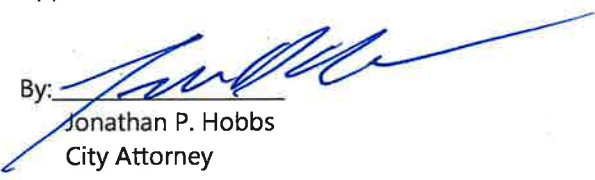
IN WITNESS WHEREOF, the parties hereto have executed this Regulatory Agreement as of the date first above written.

CITY:

CITY OF ELK GROVE,
a California municipal corporation

By: _____
Jason Behrmann
City Manager

Approved as to form:

By:  _____
Jonathan P. Hobbs
City Attorney

Attest:

By: _____
Jason Lindgren
City Clerk

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE§ 1189



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____)

On _____ before me, _____,
Date Here Insert Name and Title of the Officer
personally appeared _____,
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (*ies*), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

ALL SIGNATURES MUST BE NOTARIZED

OWNER:

Oak Rose Apts LP,
a California limited partnership

By: Oak Rose Apts GP LLC
a California limited liability company
Its: Administrative General Partner

By: Excelebrate Housing Group LLC,
a California limited liability company
Its: Sole Member

By: 
Name: Dana Trujillo
Its: Manager / CEO and President

By: TLCS, Inc.,
a California nonprofit public benefit corporation
Its: Managing General Partner

By: _____
Name: Erin Johansen
Its: Chief Executive Officer

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODES 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles }

On 7/19/2022 before me, Lashon James-Major, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Dana Trujillo
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Lashon James-Major
Signature of Notary Public

- attached to Regulatory Agreement
Oak Rose Apartments Affordable Housing Project

ALL SIGNATURES MUST BE NOTARIZED

OWNER:

Oak Rose Apts LP,
a California limited partnership

By: Oak Rose Apts GP LLC
a California limited liability company
Its: Administrative General Partner

By: Excelerate Housing Group LLC,
a California limited liability company
Its: Sole Member

By: _____
Name: Dana Trujillo
Its: Manager / CEO and President

By: TLCS, Inc.,
a California nonprofit public benefit corporation
Its: Managing General Partner

By: 
Name: Erin Johansen
Its: Chief Executive Officer

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODES 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

State of California)
County of Sacramento)

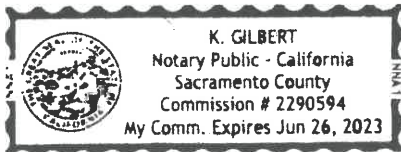
On 19 July 2022 before me, K Gilbert, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Erin Johansen
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

EXHIBIT A

Legal Description

Real property in the City of Elk Grove, County of Sacramento, State of California, described as follows:

ALL THAT PORTION OF LOTS 1 AND 14, AS SHOWN ON THE MAP ENTITLED, "GUNTER'S ADDITION TO ELK GROVE", RECORDED MAY 18, 1912, IN BOOK 13 OF MAPS, PAGE 21.

BEGINNING AT A POINT IN THE CENTER LINE OF MAIN STREET LOCATED NORTH 89° 56' WEST 341.70 FEET FROM THE NORTHEAST CORNER OF SAID LOT 1 (SAID NORTHEAST CORNER BEING LOCATED ON THE CENTER LINE OF SAID MAIN STREET 60 FEET IN WIDTH); THENCE 89° 56' WEST 115 FEET ALONG THE NORTH LINE OF SAID LOT 1 TO THE NORTHEAST CORNER OF LOT CONVEYED TO REGINALD ROLFE BY DEED RECORDED IN BOOK 495 OF DEEDS, PAGE 91; THENCE ALONG ROLFE'S EAST LINE, SOUTH 00° 02'-1/2' WEST 201.24 FEET; THENCE ALONG ROLFE'S SOUTH LINE AND THE EXTENSION THEREOF, NORTH 89° 56' WEST 641.70 FEET TO THE SOUTHWEST CORNER OF LOT CONVEYED TO BIRDIE F. MITCHELL BY DEED RECORDED IN BOOK 484 OF DEEDS, PAGE 584, THENCE SOUTH 00° 02'-1/2' WEST 18 FEET TO THE NORTHWEST CORNER OF LOT CONVEYED TO JOHN W. RODEN'S NORTH LINE THENCE SOUTH 89° 56' EAST 661.70 FEET TO THE NORTHEAST CORNER OF RODEN'S LOT; THENCE ALONG RODEN'S EAST LINE SOUTH 00° 02'-1/2' WEST 174 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE ALONG THE SOUTH LINE OF SAID LOTT SOUTH 89° 56' EAST 95.58 FEET TO A POINT; THENCE NORTH, PARALLEL TO THE EAST LINE OF SAID LOT 1, 393.24 FEET TO THE POINT OF BEGINNING.

APN: 134-0072-011

EXHIBIT B

Regulated Units

PROJECT UNIT MIX AND AFFORDABILITY*

Maximum Household Income as a Percentage of Area Median Income (AMI)	STUDIO No. of Units	ONE BEDROOM No. of Units	TWO BEDROOM No. of Units	Total
80% or lower	66	-	-	66
Unrestricted (Manager's Unit)	-	-	1	1
TOTAL	66	-	1	67

The Project includes one (1) unit that is not rent-restricted and is intended to be used as a manager's unit. The unrestricted unit must be occupied by a member of the property management staff.

***Project shall comply with HSC 50079.5:**

(a) "Lower income households" means persons and families whose income does not exceed the qualifying limits for lower income families as established and amended from time to time pursuant to Section 8 of the United States Housing Act of 1937. The limits shall be published by the department in the California Code of Regulations as soon as possible after adoption by the Secretary of Housing and Urban Development. In the event the federal standards are discontinued, the department shall, by regulation, establish income limits for lower income households for all geographic areas of the state at 80 percent of area median income, adjusted for family size and revised annually.



**CITY OF ELK GROVE
CITY COUNCIL STAFF REPORT**

AGENDA TITLE: A public hearing to consider a resolution approving the Oak Rose Apartments Project pursuant to Senate Bill 35, with a density bonus and concessions/incentives, and an Affordable Housing Regulatory Agreement with Oak Rose Apts LP, a California Limited Partnership. (PLNG22-015) (CEQA Exempt)

MEETING DATE: September 27, 2023

PREPARED BY: Antonio Ablog, AICP, Planning Manager
Sarah Bontrager, Housing and Public Services Manager

DEPARTMENT HEAD: Darren Wilson, P.E., Development Services Director

RECOMMENDED ACTION:

Staff recommends the City Council adopt a Resolution:

- 1) Finding the Oak Rose Apartments Project exempt from environmental review under the California Environmental Quality Act (CEQA) per Public Resources Code Section 21080(b)(1), Government Code Section 65913.4(d)(2), and CEQA Guidelines Section 15268 as the Project is subject to ministerial review and approval; and
- 2) Finding the Oak Rose Apartments Project eligible for the Senate Bill 35 (SB 35) ministerial review process and approving the Project with concessions/incentives; and
- 3) Approving the Density Bonus for the Oak Rose Apartments Project (PLNG22-015) based on the findings included in the proposed Resolution; and
- 4) Authorizing the City Manager to execute an Affordable Housing Regulatory Agreement Oak Rose Apts LP, a California limited partnership.

PROJECT INFORMATION:

Location: 9252 Elk Gove Boulevard
(APN 134-0072-011)

Applicant/Property Owner: Oak Rose Apts LP

PROJECT DESCRIPTION:

The proposed Project consists of a request to construct a 100% affordable housing project with 67 units (“Project”) on a vacant parcel in the Old Town Special Planning Area (OTSPA). The proposal includes resident-serving office spaces in the front of the building and on the ground level, with residential units on three levels of a single building (including the ground floor) and associated site improvements such as parking, landscaping, and exterior lighting. The Project request includes a density bonus for an increase of allowed density for the affordable housing development and an associated concession or incentive for allowable use. The approval authority for the density bonus and concession or incentive, as well as the Affordable Housing Regulatory Agreement, is the City Council. Note that the terms “concession” and “incentive” are synonymous under applicable State housing laws, and, accordingly, the terms may be referred to jointly in this staff report as “concession/incentive.”

PROJECT SETTING:

The ±1.23-acre Project site on the south side of Elk Grove Boulevard is vacant, and it is zoned Commercial in the OTSPA (see Figures 1 and 2). Existing commercial buildings, including the new location for the Elk Grove Library, are to the east, historic single-family residential and multi-family residential to the west, single-family residential to the south, and commercial buildings to the north. Table 1 identifies the existing uses, General Plan land use designations, and zoning districts for the Project and the neighboring properties.

Figure 1 - Location Map



Figure 2 – Project Site



Table 1 - Adjacent Land Designations and Uses

	Existing Uses	General Plan	Zoning
Project Site	Vacant	Community Commercial (CC)	OTSPA - Commercial
North	Existing Commercial Buildings	Community Commercial (CC)	OTSPA - Commercial
South	Single-Family Dwelling Residential	Low Density Residential (LDR)	Low Density Residential (RD-5)
West	Single-Family Dwelling Residential and Multi-Family Dwelling Residential	High Density Residential (HDR)	OTSPA-Commercial and Multi-Family Residential
East	Existing Commercial Buildings	Community Commercial (CC)	OTSPA-Commercial

BACKGROUND:

California State Senate Bill 35 (enacting Government Code Section 65913.4), which went into effect on January 1, 2018, was part of a comprehensive housing bill package aimed at addressing the State's housing shortage for localities that are not meeting their Regional Housing Needs Allocation (RHNA). SB 35 provides for a streamlined ministerial approval process for qualifying multi-family residential in-fill developments and limits the ability of local governments to reject these proposals if the proposed development meets certain criteria. A qualifying project under SB 35 includes a housing development that contains two or more residential units that maintain a minimum percentage of below-market-rate housing.

SB 35 requirements apply to the City of Elk Grove (City) and other urban areas of the State that need to make further progress towards their RHNA as determined by the California Department of Housing and Community Development (HCD). The City provides an Annual Housing Element Progress Report to HCD each year. In 2019, HCD determined that the City is subject to SB 35 streamlining provisions for proposed developments with at least 50% affordability as the jurisdiction has made insufficient progress towards its very-low and low-income RHNA numbers. Therefore, the City must accept applications for SB 35 projects and process them in a manner consistent with the State legislation. The SB 35 streamlined ministerial process is in effect until January 1, 2026. It is unknown if the State Legislature will extend or replace SB 35. It is worth noting that only 8% of all California cities and none in the Sacramento region have met the State mandated RHNA goals.

The Applicant submitted a preliminary application on November 9, 2021, which started the tribal consultation process. A planning application and agreement form was submitted to the City in December of 2021. After the tribal consultation was thereafter deemed complete, the application was considered submitted on March 4, 2022, under SB 35. Staff reviewed the application and associated materials and provided an analysis of the Project materials submitted for compliance with the criteria required for streamlining projects and objective standards adopted by the City. These standards are located in the following documents:

1. [City's General Plan](#)
2. [Elk Grove Municipal Code, Title 23 \(Zoning\)](#)
3. [Old Town Elk Grove Special Planning Area \(OTSPA\) standards and guidelines.](#)

PRIOR REVIEW BY THE PLANNING COMMISSION AND CITY COUNCIL:

The Planning Commission (“Commission”) reviewed the SB 35 Application at the June 2, 2022, meeting as a public oversight meeting to assess compliance with the criteria required for streamlined ministerial project approval. Staff and the Applicant presented information and materials to the Commission (see Attachment 4). Consistent with SB 35, the Commission reviewed whether the Project met the applicable objective zoning and design standards. Based on staff’s input, by a 5-0 vote, the Commission found that the Project did not meet applicable OTSPA objective standards; specifically, the Commission found that the Project did not comply with the OTSPA commercial use zoning designation, which disallows residential use on the ground floor for this commercial zoned site, and only allows residential use on the second and third floor. On June 10, 2022, the Applicant submitted a timely appeal of the Planning Commission’s decision to the City Council.

The City Council (“Council”) heard and considered the Applicant’s appeal at the July 27, 2022, meeting. The scope of the Council’s review of this Project was the same as the Planning Commission’s under SB 35; that is, to review the Project for compliance with the City’s objective zoning and design standards. In conjunction with the appeal, the Applicant sought a development standard waiver pursuant to Government Code section 65915(e)(1), whereby the Applicant sought relief from the provisions of the OTSPA precluding ground floor residential for this commercial zoned site, as well as a density bonus allowing units on all three floors of the Project (See Attachment 4).

Staff and the Applicant presented information and materials to the Council. Staff recommended that the Council deny the appeal as the Project did not meet the City’s objective standards related to the OTSPA ground-floor commercial use requirements, and the Project was not eligible for a development standard waiver. Therefore, staff concluded that the Project was not eligible for SB 35 ministerial review, as requested by the Applicant.

Several residents and interested persons provided public comments at the July 27, 2022 Council meeting. The Council considered all the information from staff, the public, interested persons, and the Applicant. The Council then voted 5-0 to deny the Applicant’s appeal, upholding the Commission’s determination that the Project was not eligible for SB 35 ministerial review. (Reso. 2022-192, Attachment 2.) In its decision, the Council found that the Oak Rose Apartments Applicant was not entitled to a waiver of the OTSPA’s

zoning standards precluding ground floor residential uses at the Project site. As the City Council determined that the objective OTSPA zoning standards were not satisfied and were not subject to a waiver, the Project was deemed ineligible for SB 35's streamlined, ministerial approval process. The Council found the request for density bonus and the regulatory agreement moot in light of the denial of the development standard waiver.

ANALYSIS:

On October 11, 2022, the Applicant filed a lawsuit against the City, contending that the Oak Rose Apartments Project qualifies for SB 35 ministerial approval. By the lawsuit, the Applicant seeks approval of the Project and unspecified money damages and attorneys' fees payable by the City. On October 12, 2022, the HCD issued a notice of violation to the City alleging that the City violated SB 35 and other housing laws in failing to approve the Project. HCD and the State Attorney General (collectively, the "State") followed up the notice with their own lawsuit, filed May 1, 2023. The State's lawsuit alleges that the City violated SB 35 and other housing laws. Like the Applicant's lawsuit, the State's lawsuit seeks an order from the Court mandating approval of the Project and unspecified attorneys' fees. The City has filed Answers with the court in both the Applicant's and the State's lawsuits denying the material allegations of both complaints.

Since the filing of the Applicant's lawsuit in October 2022, the City has expended considerable time and effort addressing the claims. The City has also offered an alternative site where the Applicant could locate the Project and be eligible for the SB 35 streamlined ministerial approval process with the City. The City further offered incentives to help facilitate the Project at an alternative site. However, the City and the Applicant have not agreed on an alternative location. Rather, the Applicant is pressing for approval at the original site. The lawsuits by both the Applicant and the State are moving forward.

City Planning and Management staff, the City Attorney, and outside legal counsel for the City have carefully evaluated the allegations in the current lawsuits by the Applicant and the State. While the City formally disputes the claims and allegations of the pending cases, as with any litigation, there is a risk of loss, which must be considered in evaluating how to proceed. There is also the financial burden of litigation on the City, even if the City prevails in any particular litigation. These are all factors to consider in evaluating how to proceed. To mitigate the impact of the litigation and risk of loss on the

City, City staff, including the City's legal counsel, recommend that the City reconsider approval of the Project as discussed in this staff report.

During the administrative proceedings on the Project, the Applicant requested a waiver of development standards under Government Code section 65915(e). The current lawsuit seeks this relief and also seeks approval of a "concession or incentive" under a separate section of the applicable statute (namely Government Code section 65915(d)). The concession/incentive provisions of the statute have a broader definition and application than the waiver of development standard provisions of the statute. While the Applicant did not clearly articulate a request for concessions or incentives under section 65915(d) during the administrative proceedings, the City may properly grant the requested relief now based on the state of the record and the allegations of the Applicant's lawsuit. Staff recommends that the City Council grant such relief, allowing residential uses on the ground floor and allow the Project to move forward as proposed.

Note that approval of the Project would not necessarily moot the entire litigation. While a Project approval now may resolve the portion of the lawsuits seeking a court order mandating approval of the Project, the Applicant and the State would likely still have the opportunity to pursue claims of damages and attorneys' fees against the City, should they choose to press those matters forward. The amount of such monetary claims has not been provided to the City by the State or the Applicant. However, approval of the Project should reduce the potential damages and attorneys' fees to which the State and the Applicant might claim or be entitled in the litigation.

Note also that under State law the Project construction would be subject to California prevailing wage laws. As such, construction workers on the Project must be paid at least the general prevailing wage established by the state.

Density Bonus and Development Standard Concession/Incentive

As proposed, the Project requires a Density Bonus pursuant to EGMC Chapter 23.50. The purpose of a Density Bonus is to provide incentives for the production of housing for very low-income, lower-income, moderate-income, special needs, and senior households in the City.

The Applicant is seeking the following density bonus and associated concession or incentive pursuant to Government Code section 65915:

1. A density bonus to allow an 80% unit increase in order to exceed the 30 unit per acre maximum density allowance for residential development in the OTSPA-Commercial designation and for up to 67 residential units.
2. A concession or incentive granting relief from zoning code requirements and regulations in order to allow residential uses on the ground floor.

Pursuant to EGMC Section 23.50.070(C) and Government Code section 65915(d), staff finds that the City Council may grant the requested concession/incentive. Staff recommends approval of the Project with the requested concession/incentive.

Affordable Housing Regulatory Agreement

As proposed, the Project requires approval of a density bonus to allow additional residential units with an associated concession/incentive for relief from the OTSPA ground-floor commercial use requirement. The requested density bonus is consistent with state law. EGMC Section 23.50.030 requires that before awarding a density bonus and any related concessions or incentives, the applicant must enter into an agreement with the City to ensure the continued affordability of all target units. Staff recommends that the City Council authorize the City Manager to execute the proposed regulatory agreement presented with this staff report. (Attachment 3)

Affordable Housing Impact Fee Exemption

The Affordable Housing Fee (Fee) is one of the impact fees typically charged to new residential development. However, pursuant to EGMC Chapter 16.88, an affordable housing project that is deed-restricted for a minimum term of 30 years is not subject to the Fee. To qualify for the Fee exemption, the property developer must enter into an agreement with the City limiting the use or resale of the property so that it will continue to provide affordable housing to low-income households. In entering into an agreement with the City, the Fee would be waived for all affordable housing units proposed with this Project. The Applicant has agreed to such terms, and a proposed Affordable Housing Regulatory signed by the Applicant is included as Attachment 3 to this staff report.

ENVIRONMENTAL ANALYSIS:

Under State law, approval of the Project as proposed is considered ministerial and not subject to environmental review under CEQA. (See Pub. Res. Code § 21080(b)(1); Gov. Code § 65913.4, CEQA Guidelines, § 15268.) Therefore, the Project is exempt from CEQA, and no further environmental review is warranted.

FISCAL IMPACT:

Should the Project be allowed to be developed with the associated density bonus and regulatory agreement, the Project would be eligible for a waiver of the affordable housing fee, which would amount to a \$238,721 development fee reduction. The fee waiver would not affect the affordable housing program since the Project is proposing to construct affordable housing units.

ATTACHMENTS:

1. Resolution
2. Resolution 2022-192
3. Affordable Housing Regulatory Agreement
4. [City Council Staff Report dated July 27, 2022, with attachments](#)
5. Written Comments

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE OAK ROSE APARTMENTS PROJECT EXEMPT FROM CEQA, DETERMINING THAT THE PROJECT IS ELIGIBLE FOR SENATE BILL 35 MINISTERIAL REVIEW AND APPROVING THE PROJECT, APPROVING THE DENSITY BONUS WITH CONCESSIONS/INCENTIVES, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AFFORDABLE HOUSING REGULATORY AGREEMENT FOR THE OAK ROSE APARTMENTS PROJECT (PLNG22-015) LOCATED AT 9252 ELK GROVE BOUELVARD (APN: 134-0072-011)

WHEREAS, the Development Services Department of the City of Elk Grove (the “City”) received an application on March 4, 2022, from Oak Rose Apts L.P, a California limited partnership (the “Applicant”) requesting a Density Bonus and project approval for the Oak Rose Apartments Project (the “Project”); and

WHEREAS, the proposed Project is located on real property in the incorporated portions of the City more particularly described as APN: 134-0072-011; and

WHEREAS, the Development Services Department considered the Project request pursuant to the Elk Grove General Plan, the Elk Grove Municipal Code (EGMC) Title 23 (Zoning), Old Town Special Planning Area, and all other applicable State and local regulations; and

WHEREAS, the City of Elk Grove Planning Commission (“the Planning Commission”) held a duly-noticed design review/public oversight hearing on June 2, 2022, as authorized by law, to consider all information presented by staff, information presented by the Applicant, and public testimony presented in writing and at the meeting; and

WHEREAS, by a 5-0 vote, the Planning Commission found that the Project did not comply with the City’s objective zoning standards and, therefore, was not eligible for Senate Bill 35 (SB 35) ministerial approval; and

WHEREAS, an appeal of the Planning Commission’s decision to the City Council was submitted on June 10, 2022 by the Applicant; and

WHEREAS, the City Council held a duly-noticed public hearing on July 27, 2022, as authorized by law, to consider the Applicant’s appeal, all the information presented by staff, information presented by the Applicant, and public comments, whether written or oral, related to the appeal, the development standard waiver, the density bonus, and other requests of the Applicant concerning the Project; and

WHEREAS, by a 5-0 vote on July 27, 2023, the City Council denied the Applicant’s appeal of the Planning Commission’s determination that the Project is not eligible for SB 35 ministerial approval, denied the development standard waiver request, denied the density bonus request, and found that approval and execution of an affordable housing regulatory agreement is not applicable in light of the other City Council determinations; and

WHEREAS, the City Council held a duly-noticed public hearing on September 27, 2023, as authorized by law, to reconsider the Project and all the information presented by staff, information presented by the Applicant, and public comments, whether written or oral concerning the Project.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elk Grove hereby finds the Project approval exempt from CEQA pursuant to State CEQA Guidelines Section 15268 (Ministerial Projects) based upon the following findings:

California Environmental Quality Act (CEQA)

Finding: No environmental review is necessary for the Oak Rose Apartments Project (PLNG22-015) under CEQA and the CEQA Guidelines.

Evidence: Under State Law, approval of the Project, as proposed, is considered ministerial and not subject to review under CEQA (See Pub. Res. Code § 21080(b)(1); Gov. Code § 65913.4, CEQA Guidelines, § 15268.) Therefore, the Project is exempt from CEQA and no further environmental review is warranted.

AND, BE IT FURTHER RESOLVED, that the City Council of the City of Elk Grove hereby approves the requested density bonus to allow an 80% unit increase in order to exceed the 30 unit per acre maximum density allowance and a concession/incentive granting relief from zoning code requirements and regulations of the Old Town Elk Grove Special Planning Area (Old Town SPA) in order to allow residential uses on the ground floor for the Oak Rose Apartments Project (PLNG22-015), and to allow for up to 67 residential units at the Project site, as proposed by Applicant, based upon the following findings:

Finding #1: The Project is eligible for a density bonus per the requirements of Elk Grove Municipal Code Chapter 23.50.

Evidence #1: Pursuant to EGMC Section 23.50.040 and Government Code section 65915, the City is required to grant a density bonus, with associated concessions or incentives, for eligible developments providing 100 percent of the units for lower income households as provided in EGMC section 23.50.020(G). The Project proposes to provide 100 percent of its total units for supportive housing, meeting the definition of lower income households set forth in in Health and Safety Code section 50079. Therefore, the Project is eligible for a density bonus.

Finding #2: The City approves a concession/incentive to the Applicant to allow ground floor residential at the Project site as proposed by the Applicant.

Evidence #2: The Project site is zoned commercial under the Old Town SPA. Under this commercial zoning, multi-family residential uses are permitted on the second or third floor. The Applicant seeks relief from this provision and seeks to construct residential units on the ground floor. Pursuant to Government Code section 65915(d) and EGMC Section 23.50.070(C), and unless supporting contrary findings can be made, the City shall grant a concession/incentive to qualifying affordable housing projects such as the subject Project. The City Council concludes that the granting of

the requested concession/incentive is appropriate here. Therefore, the requested concession/incentive to allow residential on the ground floor of the Project site, as proposed by Applicant, is approved.

AND, BE IT FURTHER RESOLVED, that City Council finds that the Project complies with all applicable objective zoning standards and objective design review standards, with the above-referenced approved concession/incentive, therefore finding the Project eligible for SB 35 ministerial approval, and the City Council hereby approves the Project, as described in Exhibit A and illustrated in Exhibit B, and subject to the conditions of approval in Exhibit C (all incorporated herein by this reference).

AND, BE IT FURTHER RESOLVED, that the City Council of the City of Elk Grove hereby authorizes the City Manager to execute the Affordable Housing Regulatory Agreement in substantially the form provided with the accompanying staff report.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 27th day of September 2023.

BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:

JASON LINDGREN, CITY CLERK

JONATHAN P. HOBBS,
CITY ATTORNEY

Exhibit A
Oak Rose Apartments (PLNG22-015)
Project Description

PROJECT DESCRIPTION

The proposed Project consists of a request to construct a 100% affordable housing project with 67 units (“Project”) in a new three-story building on a vacant parcel in Elk Grove Old Town Special Planning Area. The Project proposal includes resident-serving office spaces in the front of the building on the ground level, with residential units on all three levels of the building (including the ground floor). Associated site improvements such as parking, landscaping, and exterior lighting are also proposed.

The proposed Project requires approval of a density bonus to allow for an increase of density over the 30 units-per-acre allowed for the site and a concession or incentive for allowable use (ground-floor residential use). Approval of the density bonus and any related concessions, incentives, or waivers requires that the applicant enter into an Affordable Housing Regulatory Agreement with the City to ensure the continued affordability of proposed residential units.

###

Exhibit B
Oak Rose Apartments (PLNG22-015)
Project Plans

EXHIBIT B

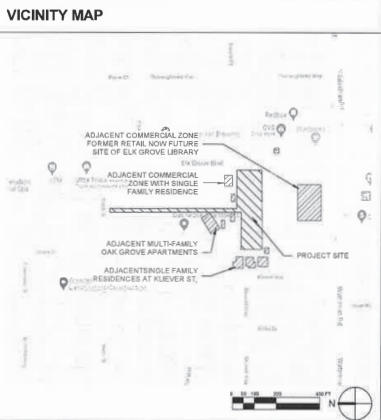
OAK ROSE

67 UNIT - 100% AFFORDABLE
PERMANENT SUPPORTIVE HOUSING

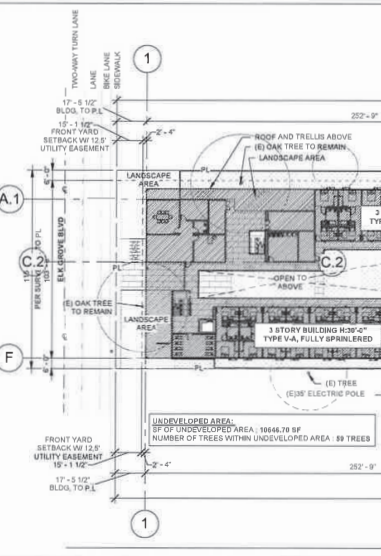
9252 ELK GROVE BLVD
ELK GROVE, CA 95624

ENTITLEMENT SET

ABBREVIATIONS			VICINITY MAP
ABV	ABOVE	O.A.E.	OR APPROVED
APP	APPROVED	O.F.C.I.	EGUAL
FLOOR	FLOOR	OWNER	FURNISHED/
A.G.L.	ADJ. GROUND	CONTRACTOR	INSTALLED
RECT. 12.0			
ADJ.	ADJACENT	PTD	PAINTED
ALUM	ALUMINUM	PH	PAIR
AT	AT	P.N.L.	PANEL
BM	BEAM	P.O.T.	PATH OF
BTWN	BETWEEN	TRAVEL	
B.O.	BOTTOM OF	PLY	PLYWOOD
BLDG	BUILDING	P.L.C.	POURED-IN-PLACE
BUR	BUILT UP ROOF	CE	CONCRETE
CLNG	CEILING	RAD	RADIUS
CL	CENTERLINE	REF	REFER TO
CLR	CLEAR	RE	REFER TO
COL	COLUMN	REQ'D	REQUIRED
CONC	CONCRETE	RF	ROOF
CMU	CONCRETE	REFG	REFRIGERATOR
MASONRY UNIT			
COMB	CONSTRUCTION	RCM	ROUGH
CONTS	CONTINUOUS	SCD	SCHEDULE
CONTRACTOR		SCRN	SCREEN
FURNISHED		SECT	SECTION
INSTALLED		SHWR	SHOWER
CJ	CONTROL JOINT	STR	STRUCTURE
D.O.	DECOMPOSED	STR	STRUCTURE
GRANITE		SIM	SIMILAR
DB	DISSIMILAR	S.C.	SOLID CORE
DET	DETAIL	SPCS	SPECIFICATIONS
DIAM	DIAMETER	S.S.	STAINLESS
DM	DIMENSION	STEL	STEEL
ACC	DISABLED	SP	STAND PIPE
ACCESS		STL	STEEL
DWH	DRINKING WATER	STOR	STORAGE
DR	DOOR	S.D.	STORM DRAIN
DBL	DOUBLE	STRUC	STRUCTURE
DN	DOWN	TH	THICK
DR	DOWN	TR	TEMPERED
DS	DOWNSTAIR	TR	TRUCK
DWGS	DRAWINGS	THRU	THROUGH
EA	EACH	TYP	TYPICAL
EVCS	ELEC. VEHICLE CHARGING STATION	UFAS	UNIFORM FEDERAL ACCESSIBILITY STANDARDS
ELEC	ELECTRICAL	U.N.O.	UNLESS NOTED OTHERWISE
EL. ELEV.	ELEVATION	URNL	URNAL
EQMT	EQUIPMENT	VNR	VENER
EXT	EXTERIOR	VBR	VERIFY
F.O.C.	FACE OF CONCRETE	VF	VERIFY IN FIELD
F.O.P.L.V.	FACE OF PLYWOOD	WDR	WASHER/DRYER WATERPROOFING
F.O.S.	FACE OF STUD	WFL	WATERPROOFING
FIN	FINISH	WV	WINDOW
FLL	FINISH FLOOR LEVEL	W	WITH
FE	FIRE	W/O	WITHOUT
FC	FIRE EXTINGUISHER CABINET	WO	WOOD
FR	FIRE HYDRANT FLAME SPREAD RATING		
FRR	FLOOR		
FLNG	FLOORING		
FRMG	FRAMING		
GAUV	GALVANIZED		
GA	GAUGE		
GB	GEOTECHNICAL		
GLAZ	GLAZING		
GYP. BD.	GYP. BOARD		
H	HIGH		
H.C.	HOLLOW CORE		
H.M.	HOLLOW METAL		
HW	HOT WATER		
INSUL	INSULATION		
INT	INTERIOR		
JAN	JANITOR		
JT	JOINT		
KIT	KITCHEN		
LDSC	LANDSCAPE		
LAV	LAVATORY		
LOC	LOCATION		
MFR	MANUFACTURER		
MAX	MAXIMUM		
MECH	MECHANICAL		
MTL	METAL		
MN	MINIMUM		
NI	NOT APPLICABLE		
NO.	NUMBER		
O.C.	ON CENTER		
OPFR	OPERABLE		
OPP	OPPOSITE		



GENERAL AREA PLOT PLAN



ZONING INFORMATION

ZONING: COMMERCIAL MULTIFAMILY OTSRA (R6-36)

DENSITY: THE PROJECT UTILIZES DENSITY BONUS AND PARKING EXEMPTIONS PER AB 1763. ALLOWABLE DENSITY: 20 UNITS/ACRE; 1.23 ACRES/30.0 DU. MAX INCENTIVES PER AB 1763 FOR 100% AFFORDABLE HOUSING PROJECTS: AN 80% INCREASE DENSITY AND UP TO FOUR BONUS UNITS PER DU. A 60% INCREASE = 68.42 ± 67, NUMBER OF UNITS PROVIDED: 67 (66) STUDIOS AND (1) 2-BEDROOM.

LOT/PARCEL AREA: 53,578.8 SF

HEIGHT LIMIT: 45 FEET

ALLOWABLE NUMBER OF STORES: 1 TO 3

NUMBER OF STORES PROVIDED: 3 STORES

SETBACKS:

REQUIRED FRONT: 4.75 FEET MAX
PROVIDED FRONT: 15.5 FEET DUE TO PROPOSED CITY UTILITY EASEMENT
REQUIRED SIDE: HISTORIC OLD TOWN = 10' FT, EAST AND WEST OLD TOWN ≤ 12 FT
PROVIDED SIDE: 4 FT EAST AND WEST
REQUIRED REAR: AVG. OF REAR YARD SETBACK PROVIDED FOR THE BUILDING ON EACH ADJACENT SIDE.
PROVIDED REAR: 10' - 3' 11" FT TO BUILDING 0 FT TO FIRE LANE AND PARKING

FLOOD AREA SUMMARY:

LOT COVERAGE (INCLUDES ALL COVERED AND BUILDING AREAS):
REQUIRED: 50% MAX.
MAX. LOT COVERAGE ALLOWED: 40% PER TABLE 23.29-1 R0-50
53,578.8 SF X 0.8 = 42,863.04 SF
PROVIDED: 34,790.96 SF

FLOOR AREA RATIO (F.A.R.): F.A.R. IS BASED ON THE GROSS BUILDING AREA OF DEVELOPMENT EXCLUSIVE OF STRUCTURED PARKING AREAS AND INCLUDES AREA WITHIN THE EXTERIOR WALLS, EXTERIOR COVERED, NOT-ENCLOSED AREAS ARE EXCLUDED.)

NON RESIDENTIAL BUILDING INTENSITY MAX F.A.R. = 1.0
IN COMMERCIAL ZONED DENSITY:
1.0 X 53,578.8 SF = 53,578.8 SF > 34,790.96 SF

APPLICABLE CODES:

- 2019 CALIFORNIA BUILDING CODE (CBC) & TITLE 24
- AMERICAN WITH DISABILITY ACT (ADA)
- 2019 CALIFORNIA GREEN BUILDING CODE (CGC)
- 2019 CALIFORNIA MECHANICAL, PLUMBING AND ELECTRICAL CODES (CMC, CPC, CEC)
- 2019 CALIFORNIA ENERGY CODE (CEC)

PARKING:

FOR AFFORDABLE HOUSING A 50% VEHICLE REDUCTION IS ALLOWED.
PARKING IN SUBURBAN ZONE = 1.0DU + 1.5L + 0.75 + 100.5
100.5(2) = 90.25;

THE FRONT YARD IS NOT ALLOWED TO BE PAVED FOR PARKING OR PATIO AREAS, INCENTIVES PER AB 1763: NO PARKING REQUIRED FOR SPECIAL NEEDS HOUSING PROVIDED: 3 SPACES + 1 ADA SPACE + 8 SPACES

IRREVERSIBLE PARKING:

REQUIRED: 1 SPACES/DU (SHORT TERM) = 6700 ÷ 3.35 = 4
1 SPACES/DU (LONG TERM) = 670 ÷ 3.35 = 34
PROVIDED: 4 SHORT TERM (BIKE RACK)
34 LONG TERM (BIKE ROOM)

OPEN SPACE:

MIN 20% PER TABLE 23.29-1 R0-30
53,578.8 SF X 0.2 = 10,715.78 SF
PROVIDED: 13,123.57 ± 189 SF + 201 SF = 14,532.57 ± 10,715.78 SF
ADDITIONAL UNDEVELOPED AREA: 10664.79 SF

TREE SHADE PROVIDED:

SEE L100 FOR 75% SHADED PARKING

PROJECT INFORMATION

PROJECT DESCRIPTION:

NEW (3) STORY 100% AFFORDABLE PERMANENT SUPPORTIVE SPECIAL NEEDS HOUSING FOR FORMERLY HOMELESS INDIVIDUALS OWNED AND OPERATED BY THE PRIVATE ENTITY OF EXCELERATE HOUSING GROUP. THE PROPOSED DEVELOPMENT WILL RECEIVE FUNDING FROM STATE OF CA TAX CREDIT ALLOCATION COMMITTEE (TCAC)

THE PROJECT INCLUDES:

- 96 STUDIOS (377 SF)
- (1) TWO-BEDROOM (802 SF)
- AUXILIARY COMMUNITY SPACES AND OFFICES
- 7 ON-GRADE PARKING SPACES
- LONG & SHORT TERM BIKE PARKING

LEGAL DESCRIPTION:

ALL THAT PORTION OF LOTS 1 AND 1A, AS SHOWN ON THE MAP ENTITLED "SUNTER'S ADDITION TO ELK GROVE" RECORDED MAY 18, 1912 IN BOOK OF MAPS, PAGE 21; ASSESSOR PARCEL # (APN) = 134-072-011-000

PROJECT INFORMATION:

ZONING: COMMERCIAL MULTIFAMILY OTSRA
LOT/BLDG AREA SQUARE FOOTAGE (PER SURVEY): 53,578.8 SF
ACREAGE: 1.23 NET ACRES
LOT SIZE: 115.28 FEET BY 171.24 FEET, NORTH HALF.
18.50 FEET BY 170.50 FEET, SOUTH HALF.
18 FEET BY 812.24 FEET, WESTERN SECTION

BUILDING & SAFETY

TYPE OF CONSTRUCTION: TYPE V-A FULLY SPRINKLERED, NFPA 13

OCCUPANCY GROUP: R-2 APARTMENTS WITH MINOR 'B' OFFICE AND 'A-3' COMMUNITY ROOM & LOUNGE

BUILDING CODE LIMITS PER CBC TABLES 504.3, 504.4, & 504.2 (W/O AREA & HEIGHT LIMITS)				
OCC.	TYPE	ALLOWABLE STORIES ABOVE GRADE PLANE	ALLOWABLE HEIGHT ABOVE GRADE PLANE	ALLOWABLE AREA
R-2	V-A	3 STORES	90 FT	36,000 FT ²
B	V-A	3 STORES	85 FT	34,000 FT ²
A-3	V-A	2 STORES	85 FT	34,000 FT ²

HEIGHT LIMIT: PER TABLE 504.4: R-2 GROUP OF TYPE V-A + 4 STORES, 60 FEET
NOTE: BUILDING IS FULLY SPRINKLERED PER SECT. 903.3.11

BUILDING HEIGHT: BUILDING HEIGHT PROVIDED: 30'-0" (SEE ELEVATIONS)

PER CBC 202 "GRADE PLANE" IS A REFERENCE PLANE REPRESENTING THE AVERAGE OF FINISHED GROUND LEVEL ADJOINING THE BUILDINGS AT EXTERIOR WALLS WHERE THE FINISHED GROUND LEVEL SLOPES AWAY FROM THE EXTERIOR WALLS. THE REFERENCE PLANE SHALL BE ESTABLISHED BY THE LOWEST POINT WITHIN THE AREA BETWEEN THE BUILDING AND THE LOT LINE OR, WHERE THE LOT LINE IS MORE THAN 6 FEET FROM THE BUILDING, BETWEEN THE BUILDING AND A POINT 6 FEET FROM THE BUILDING.

FLOOR AREA GROSS: 34,790.96 SF (INCLUDES BUILDING AREAS WITHIN THE EXTERIOR WALLS. EXCLUDES EXTERIOR COVERED, NOT ENCLOSED AREAS.)

1ST FLOOR (R-2B/A-3): 11,246.42 SF
2ND FLOOR (R-2B/A-3): 11,246.42 SF
3RD FLOOR (R-2): 10,498.10 SF

RATIO OF MIXED OCCUPANCIES: PER CBC SECT. 504.4: IN EACH STORY THE BUILDING AREA SHALL BE SUCH THAT THE SUM OF THE RATIOS OF THE ACTUAL BUILDING AREA OF EACH SEPARATED OCCUPANCY DIVIDED BY THE ALLOWABLE BUILDING AREA OF EACH SEPARATED OCCUPANCY SHALL NOT EXCEED 1.

FIRST FLOOR: (R-2) 7,487 / 36,000 SF = 0.2082 (R-2) 10,387 / 36,000 SF = 0.2886 (R-2) 9,487 / 36,000 SF = 0.2635 (R-2) 1,599 / 34,000 SF = 0.0469 (R-2) 281 / 34,000 SF = 0.0083 (R-1) 289 / 34,000 SF = 0.0085 (A-3) 1,847 / 34,000 SF = 0.0543 (A-3) 313 / 34,000 SF = 0.0092

SECOND FLOOR: (R-2) 10,387 / 36,000 SF = 0.2886 (R-2) 281 / 34,000 SF = 0.0083 (R-1) 289 / 34,000 SF = 0.0085 (A-3) 1,847 / 34,000 SF = 0.0543 (A-3) 313 / 34,000 SF = 0.0092

THIRD FLOOR: (R-2) 9,487 / 36,000 SF = 0.2635 (R-2) 1,599 / 34,000 SF = 0.0469 (R-2) 281 / 34,000 SF = 0.0083 (R-1) 289 / 34,000 SF = 0.0085 (A-3) 1,847 / 34,000 SF = 0.0543 (A-3) 313 / 34,000 SF = 0.0092

TOTAL: = 0.2198 < 1.0 = 0.2616 < 1.0 = 0.2688 < 1.0

REQUIRED WALL RATINGS PER TABLE 601*

STRUCTURAL FRAME	TYPE V-A
EXTERIOR BEARING*	1
INTERIOR BEARING*	1
EXTERIOR NON-BEARING	NON OCCUPANCY PER CBC TABLE 602 (FOR NON-BEARING)
INTERIOR NON-BEARING	0
FLOOR CONSTRUCTION	1
ROOF CONSTRUCTION	1



PERSPECTIVE VIEW



PARTICIPANTS

OWNER/CLIENT:	EXCELERATE HOUSING GROUP (DBO)	LANDSCAPE ARCHITECTS:	YAMASAKI LANDSCAPE ARCHITECTS
ARCHITECTS: <td>BROOKS SCARPA 3023 18TH ST. HAWTHORNE, CA 90250 TEL: 310-388-4700 EXT 100 FAX: 310-453-9008 CONTACT: ELPETHBIA STRAVRIDI</td> <td>STRUCTURAL ENGINEER: <td>LABIB FUNK + ASSOCIATES 319 MAIN STREET EL SECONDO, CA 90245 TEL: 310-388-4700 EXT 150 CELL: 310-819-8484 CONTACT: FRANK LAROCCA</td> </td>	BROOKS SCARPA 3023 18TH ST. HAWTHORNE, CA 90250 TEL: 310-388-4700 EXT 100 FAX: 310-453-9008 CONTACT: ELPETHBIA STRAVRIDI	STRUCTURAL ENGINEER: <td>LABIB FUNK + ASSOCIATES 319 MAIN STREET EL SECONDO, CA 90245 TEL: 310-388-4700 EXT 150 CELL: 310-819-8484 CONTACT: FRANK LAROCCA</td>	LABIB FUNK + ASSOCIATES 319 MAIN STREET EL SECONDO, CA 90245 TEL: 310-388-4700 EXT 150 CELL: 310-819-8484 CONTACT: FRANK LAROCCA
CIVIL ENGINEER: <td>LABIB FUNK + ASSOCIATES 319 MAIN STREET EL SECONDO, CA 90245 TEL: 310-388-4700 EXT 150 CELL: 310-819-8484 CONTACT: FRANK LAROCCA</td> <td>MEP ENGINEER: <td>603 ZIESEN, INC. 3702 WILHELM BOULEVARD, SUITE 200 SANTA ROSA, CA 94623 TEL: 313-444-6110 CONTACT: ANDY MANNLE</td> </td>	LABIB FUNK + ASSOCIATES 319 MAIN STREET EL SECONDO, CA 90245 TEL: 310-388-4700 EXT 150 CELL: 310-819-8484 CONTACT: FRANK LAROCCA	MEP ENGINEER: <td>603 ZIESEN, INC. 3702 WILHELM BOULEVARD, SUITE 200 SANTA ROSA, CA 94623 TEL: 313-444-6110 CONTACT: ANDY MANNLE</td>	603 ZIESEN, INC. 3702 WILHELM BOULEVARD, SUITE 200 SANTA ROSA, CA 94623 TEL: 313-444-6110 CONTACT: ANDY MANNLE
SOLAR: <td>PROMISE ENERGY, INC. 3558 ROUND BARN BOULEVARD, SUITE 200 SANTA ROSA, CA 94623 TEL: 313-444-6110 CONTACT: ANDY MANNLE</td> <td></td> <td></td>	PROMISE ENERGY, INC. 3558 ROUND BARN BOULEVARD, SUITE 200 SANTA ROSA, CA 94623 TEL: 313-444-6110 CONTACT: ANDY MANNLE		

CONCEPTUAL DESIGN	2021-12-08
SCHMATIC DESIGN	YYYY-MM-DD
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PERMIT SET	YYYY-MM-DD
80% BLUE	YYYY-MM-DD
CONSTRUCTION ISSUE	YYYY-MM-DD

OAK ROSE APARTMENTS PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
ELK GROVE, CA 95624
PROJECT NUMBER: 000000

REVISIONS	
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SHEET TITLE: COVER SHEET

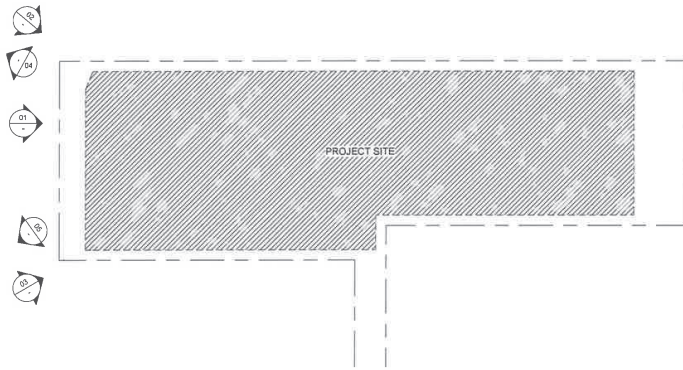
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F: 310.453.9008

A0.00



KEY SITE PLAN FOR PHOTOS

06

REF: SCALE: 1/32" = 1'-0"



EXISTING VIEW 03

03

SCALE: NTS



EXISTING VIEW 05

05

SCALE: NTS



EXISTING VIEW 02

02

SCALE: NTS



EXISTING VIEW 04

04

SCALE: NTS



EXISTING VIEW 01

01

SCALE: NTS

SCHEMATIC DESIGN	2021-12-08	
DESIGN DEVELOPMENT	YYYY-MM-DD	
CONSTRUCTION DOCUMENTS	YYYY-MM-DD	
PLAN CHECK SUBMITTAL	YYYY-MM-DD	
PLAN CHECK RESUBMITTAL	YYYY-MM-DD	
BID ISSUE	YYYY-MM-DD	
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD	

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

8252 ELK GROVE BLVD ELK GROVE, CA 95624	
PROJECT NUMBER:	21007.D
REVISIONS	
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SHEET TITLE:	SITE PHOTOS
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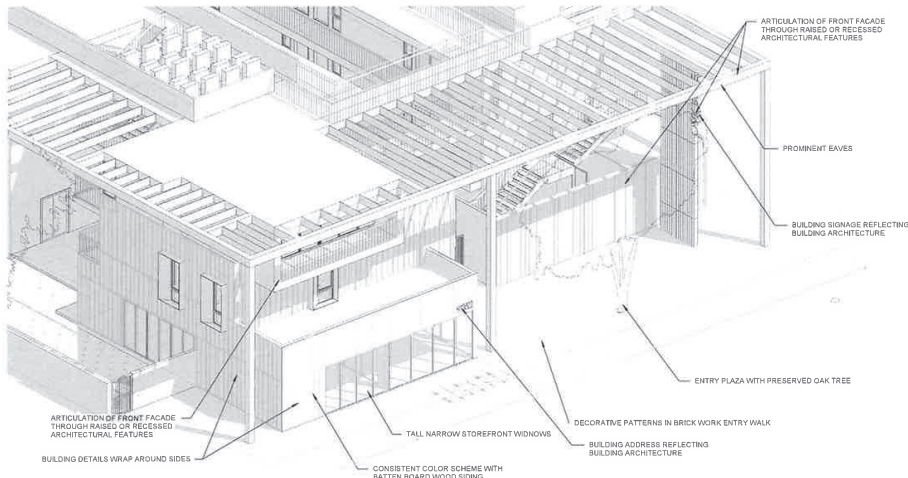
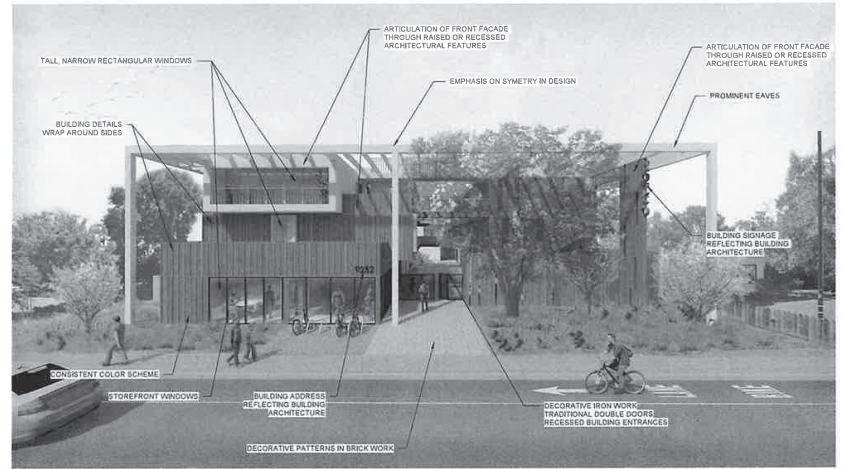


IMAGE 02
SCALE: 1/2" = 1'-0"



NORTH ELEVATION IMAGE 01
SCALE: 1/2" = 1'-0"

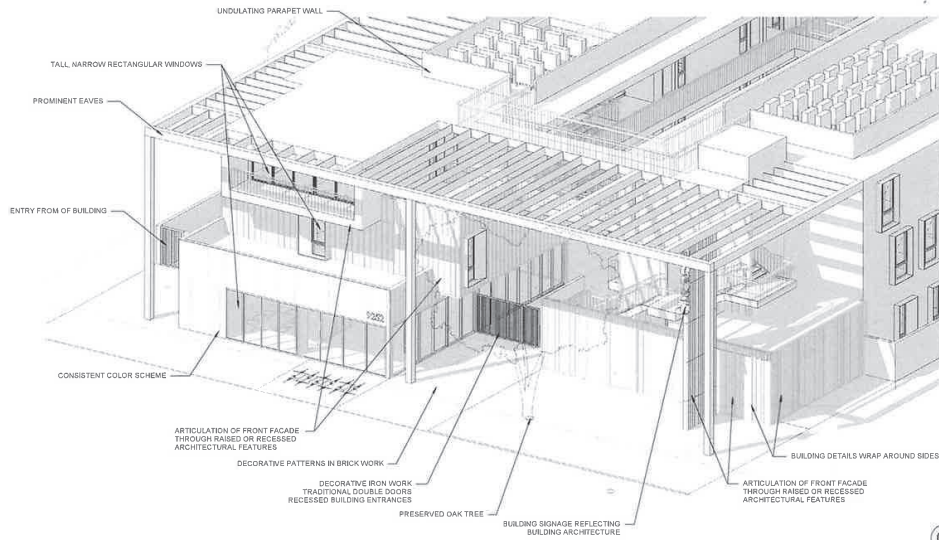


IMAGE 01
SCALE: 1/2" = 1'-0"

Table 8 - Architectural Details

	A. 105E Elk Grove Blvd	B. 105E Elk Grove Blvd	C. 800E Elk Grove Blvd	D. 800E Elk Grove Blvd	E. 800E Elk Grove Blvd	F. 800E Elk Grove Blvd	G. 800E Elk Grove Blvd	H. 800E Elk Grove Blvd
Decorative iron work								
Undulating parapet wall								
Tall, narrow rectangular windows								
Recessed windows with prominent sills								
Ornate door hardware								
Consistent color scheme (building versus windows and doors)								
Details incorporated into architecture								
Emphasis on symmetry in design								
Building details wrap around sides								
Articulation of front facade through raised or recessed architectural features								
Traditional double doors								
Storefront windows								
Prominent eaves								
Entry from corner of building								
Front porch								
Slit windows								
Corbels								
Decorative patterns in brick work								
Building signage reflects building architecture								
Recessed building entrances								

Note - Figure 23 provides photographs of each of the buildings noted above.

NOTES:
SEE ELEVATION FOR MATERIAL CALL-OUTS OF ALL ELEVATIONS

SCHEMATIC DESIGN 2021-12-08
 DESIGN DEVELOPMENT YYYY-MM-DD
 CONSTRUCTION DOCUMENTS YYYY-MM-DD
 PLAN CHECK SUBMITTAL YYYY-MM-DD
 PLAN CHECK RESUBMITTAL YYYY-MM-DD
 BID ISSUE YYYY-MM-DD
 PERMIT SET/CONSTRUCTION SET YYYY-MM-DD

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
 ELK GROVE, CA 95624

PROJECT NUMBER: 21007.0

REVISIONS:

1	-	2	-
3	-	4	-
5	-	6	-

SHEET TITLE: OTSPA PLANNING ARCHITECTURE DETAILS
 SCALE: 1/2" = 1'-0"
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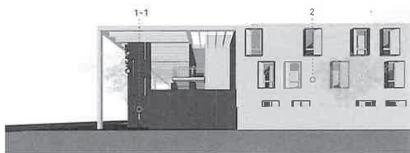
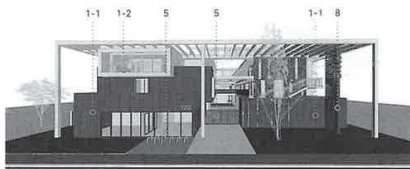
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A0.05

Old Town SPA
 ADOPTED AUGUST 19, 2008
 (Reflects Amendments Through April 1, 2019)

9252 ELK GROVE: OAK ROSE EXTERIOR MATERIALS

BUILDING ELEVATION



BUILDING SIGNAGE



- 1-1. FIBER CEMENT BOARD PANEL / WEATHERED BRONZE(TEXTURED) | JAMES HARDIE
- 1-2. FIBER CEMENT BOARD PANEL / SUMMER WHITE(TEXTURED) | JAMES HARDIE
- 2. STUCCO, FINE 20/30 SAND FINISH / 10 OMEGA WHITE | OMEGA PRODUCTS INTERNATIONAL
- 3. METAL / PAINT TO MATCH SUMMER WHITE | CUSTOM
- 4. METAL / PAINT TO MATCH WEATHERED BRONZE | CUSTOM
- 5. METAL / DARK ANODIZED BRONZE | CUSTOM
- 6. WINDOW FRAME, VINYL / WHITE | MILGARD
- 7. FIBER CEMENT BOARD PANEL / WEATHERED BRONZE(TEXTURED) | JAMES HARDIE
- 8. STAINED CEDAR PLANK / TRANSLUCENT STAIN TO MATCH WEATHERED BRONZE | CUSTOM
- 9. SPECIALITY PAVERS



BOARD AND BATTEN EXAMPLE



EXTERIOR WALL FINISH

- 1. FIBER CEMENT BOARD (TEXTURED)
- ◀ 1) WEATHERED BRONZE | JAMES HARDIE
- ▼ 2) SUMMER WHITE | JAMES HARDIE



EXTERIOR WALL FINISH

- 2. STUCCO, FINE 20/30 SAND
- ◀ 10 OMEGA WHITE | OMEGA PRODUCTS INTERNATIONAL
- 3. METAL
- ▼ PAINT TO MATCH SUMMER WHITE | CUSTOM



WINDOW SHADOW BOX

- 4. METAL
- PAINT TO MATCH WEATHERED BRONZE | CUSTOM



STOREFRONT & GATE

- 5. METAL
- DARK ANODIZED BRONZE | CUSTOM



WINDOW FRAME

- 6. VINYL
- WHITE | MILGARD



SIGNAGE

- 7. FIBER CEMENT BOARD
- WEATHERED BRONZE
- | JAMES HARDIE



PROPERTY FENCE

- 8. STAINED CEDAR PLANKS
- TRANSLUCENT STAIN SIMILAR TO HARDIE BOARD



PAVEMENT

- 9. SPECIALITY PAVERS

SCHEMATIC DESIGN 2021-12-08
 DESIGN DEVELOPMENT YYYY-MM-DD
 CONSTRUCTION DOCUMENTS YYYY-MM-DD
 PLAN CHECK SUBMITTAL YYYY-MM-DD
 PLAN CHECK RESUBMITTAL YYYY-MM-DD
 BID ISSUE YYYY-MM-DD
 PERMIT SET/CONSTRUCTION SET YYYY-MM-DD

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
 ELK GROVE, CA 95624

PROJECT NUMBER: 21007.0

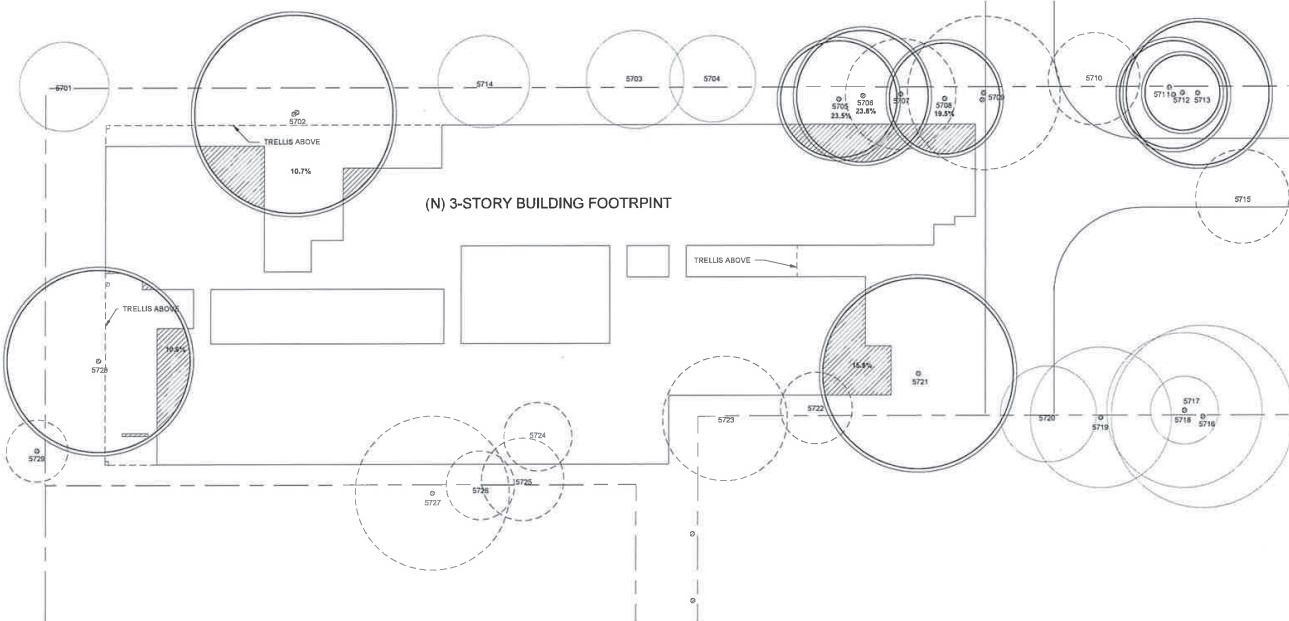
REVISIONS	PROJECT NUMBER
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SHEET TITLE: MATERIALS
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 3024 W. 128TH STREET
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 F 310.453.8609

A0.06



LEGENED

CANOPY RADIUS AND PROTECTION ZONE PER ARB. REPORT
 ROOT PROTECTION ZONE (RPZ) PER ARB. REPORT (CANOPY RADIUS+1)
 (E) TREE TRUNK PER SURVEY TO REMAIN PER ARB. REPORT
 (E) TREE PER SURVEY TO BE REMOVED
 (E) NEIGHBOR TREE
 1680 TREE TAG PER ARB. REPORT

TOTAL NUMBER OF TREES : 86
 REMAINING TREE : 76
 TREES TO BE REMOVED : 10

NOTES:

- CONTRACTOR SHALL FOLLOW THE ARBORIST'S INSTRUCTIONS DURING CONSTRUCTION INCLUDING BUT NOT LIMITED TO: FENCING AROUND THE DRILLPIE OF THE TREES TO THE FULL EXTENT POSSIBLE AT ALL TIMES, KEEPING CONSTRUCTION TRAFFIC AND STORAGE OF MATERIALS OUT OF THE DRILLPIE OF THE TREES THROUGHOUT THE CONSTRUCTION PROCESS.
- APPENDIX 2 BELOW EXTRACTED FROM ARBORIST'S REPORT FOR REFERENCE.
- SEE ARBORIST'S REPORT DATED 08/10/2021 FOR MORE INFO.

SCHEMATIC DESIGN	2021-12-06
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

**OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS**

8252 ELK GROVE BLVD
ELK GROVE, CA 95624

PROJECT NUMBER: 21007.P

REVISIONS

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SHEET TITLE: **TREE PROTECTION**

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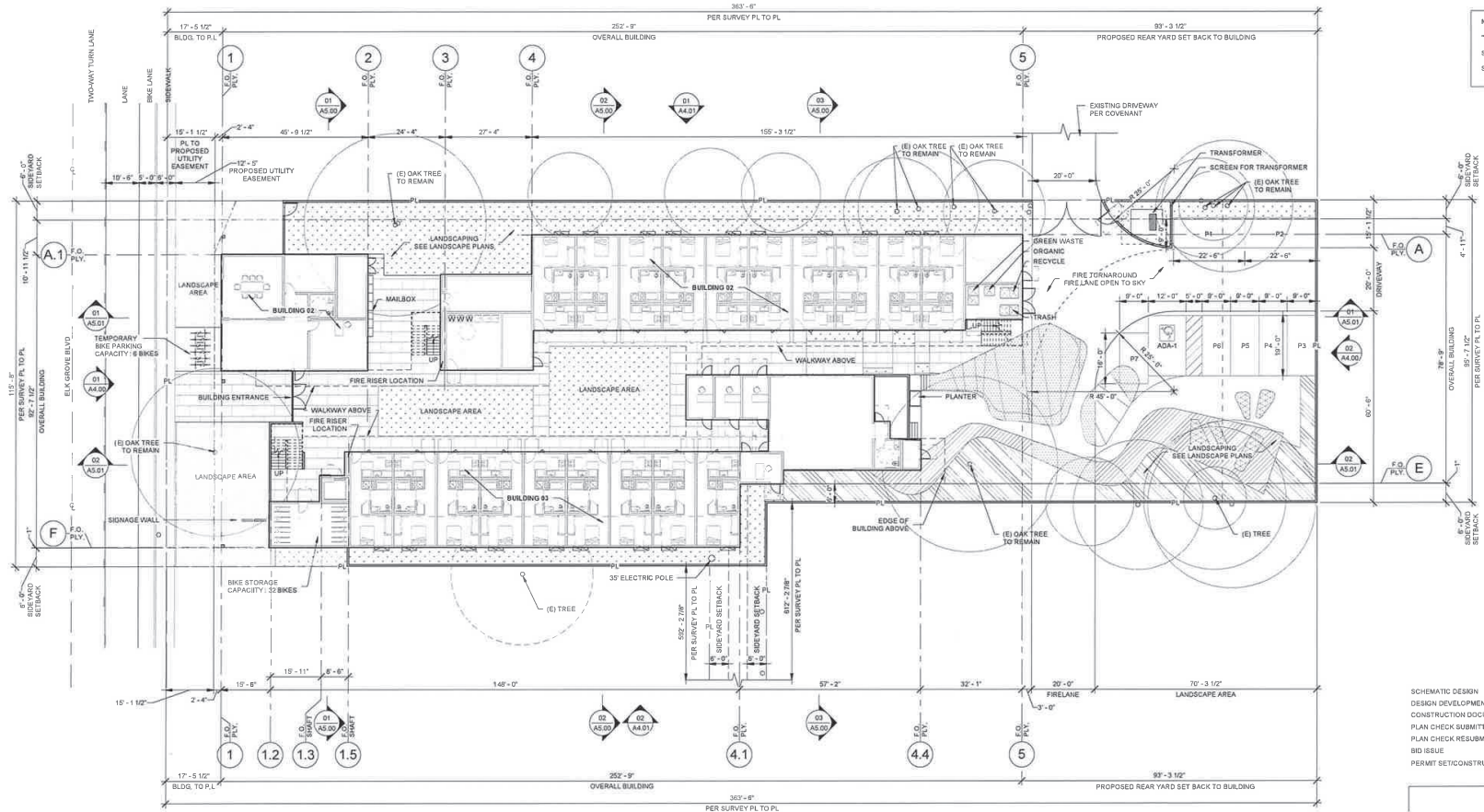


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F 310.453.9006

A0.52



(E) TREE PROTECTION PLAN 01
SCALE: 1/8" = 1'-0"



NOTES:
 * NO DEVIATIONS TO STANDARDS*
 SEE SHT. A8.10 FOR PROPOSED FENCE DETAIL
 SEE LANDSCAPE PLAN L1.00 FOR GROUND COVER

SCHEMATIC DESIGN 2021-12-06
 DESIGN DEVELOPMENT YYYY-MM-DD
 CONSTRUCTION DOCUMENTS YYYY-MM-DD
 PLAN CHECK SUBMITTAL YYYY-MM-DD
 PLAN CHECK RESUBMITTAL YYYY-MM-DD
 BID ISSUE YYYY-MM-DD
 PERMIT SET/CONSTRUCTION SET YYYY-MM-DD

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9282 ELK GROVE BLVD
 ELK GROVE, CA 95824

PROJECT NUMBER: 21007.0

REVISIONS	
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△ -	△ -
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SHEET TITLE: SITE PLAN
 SCALE: 1/8" = 1'-0"
 DATE PRINTED: 12/6/2021 1:17:08 PM

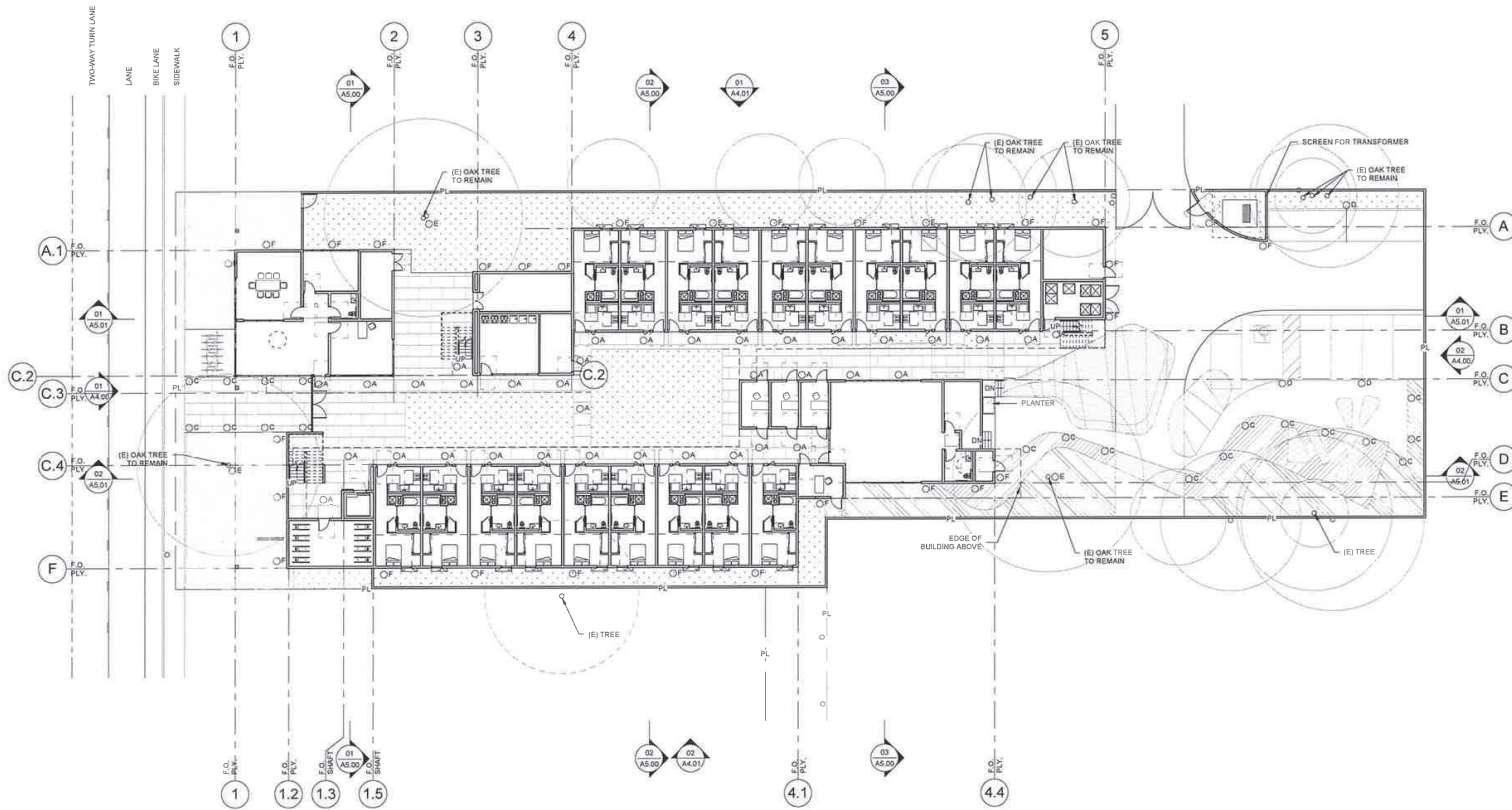
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SITE PLAN 01
 SCALE: 1/8" = 1'-0"

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 3009 W. 138TH STREET
 HAVARTING, CA 94505
 T 323.586.4700
 F 314.653.9006

A1.00



SCHEMATIC DESIGN 2021-12-06
 DESIGN DEVELOPMENT YYYY-MM-DD
 CONSTRUCTION DOCUMENTS YYYY-MM-DD
 PLAN CHECK SUBMITTAL YYYY-MM-DD
 PLAN CHECK RESUBMITTAL YYYY-MM-DD
 BID ISSUE YYYY-MM-DD
 PERMIT SET/CONSTRUCTION SET YYYY-MM-DD

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

5252 ELK GROVE BLVD
 ELK GROVE, CA 95624
 PROJECT NUMBER: 21007.0

REVISIONS	PROJECT NUMBER
△ -	△ -
△ -	△ -
△ -	△ -

SHEET TITLE: SITE LIGHTING

SCALE: 1/8" = 1'-0"
 DATE PRINTED: 12/28/2021 11:07 PM

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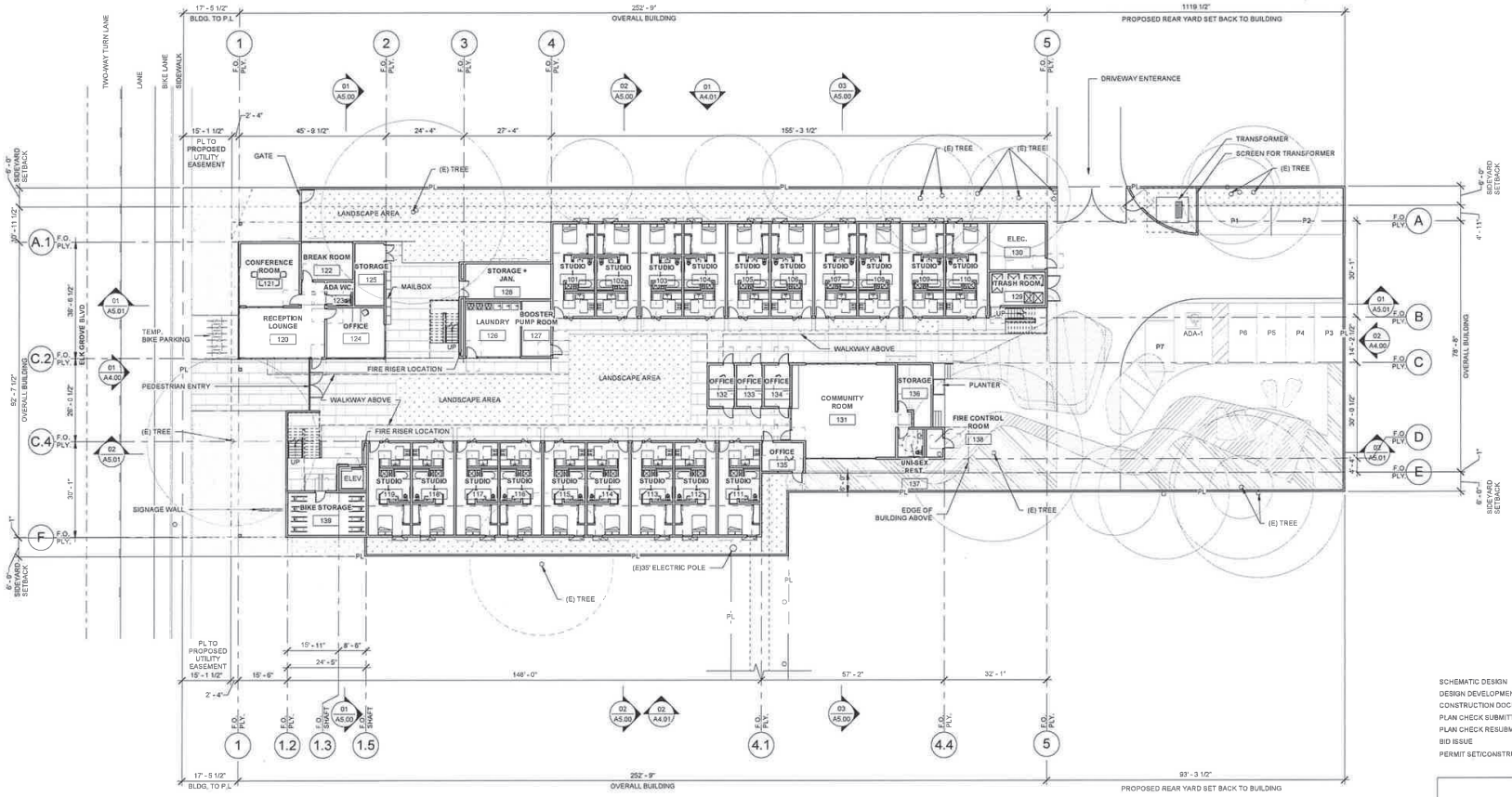
BROOKS + SCARPA ARCHITECTS, INC.
 3020 W. 138TH STREET
 HAWTHORNE, CA 90250
 T: 323.585.4700
 F: 310.633.9659

A1.01

LIGHTING SCHEDULE							
TYPE	NAME	MANUFACTURER	MODEL	SIZE (WxH)	COLOR/FINISH	LAMP	REMARKS
A	RECESSED CAN						TYPICAL @ 1ST, 2ND & 3RD FLOOR WALKWAYS
B	SURFACE MOUNTED FLOODLIGHT	KIM LIGHTING		10.5" x 9"	BLACK	LED	MOUNT ON TRILLES @ 3RD FLOOR
C	CONTEMPORARY PATH LIGHT	SPJ LIGHTING INC.	SPJ-DS24	6.58" x 24"	PVD SATIN	LED	LANDSCAPE PATHWAY LIGHTING
D	SURFACE MOUNTED ON STEM FLOODLIGHT	KIM LIGHTING		10.5" x 9"	BLACK	LED	FIN GRADE TO LIGHT PARKING AREA @ 24" A.F.F.
E	RITE STAR	KIM LIGHTING	NS-502-BLP	2.14" x 4"	BLACK	LED	@ BASE OF TREE
F	SURFACE MOUNTED ON BLDG. WALL FLOODLIGHT	KIM LIGHTING		10.5" x 9"	BLACK	LED	MOUNTED @ 24" A.F.F.



FIRST FLOOR SITE LIGHTING 01
 REF: A4.00, A5.00 SCALE: 1/8" = 1'-0"



SCHEMATIC DESIGN	2021-12-06
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD ELK GROVE, CA 95624	
PROJECT NUMBER:	21007.5
REVISIONS	
△ -	△ -
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△ -	△ -
SHEET TITLE:	FIRST FLOOR PLAN
SCALE:	1/8" = 1'-0"
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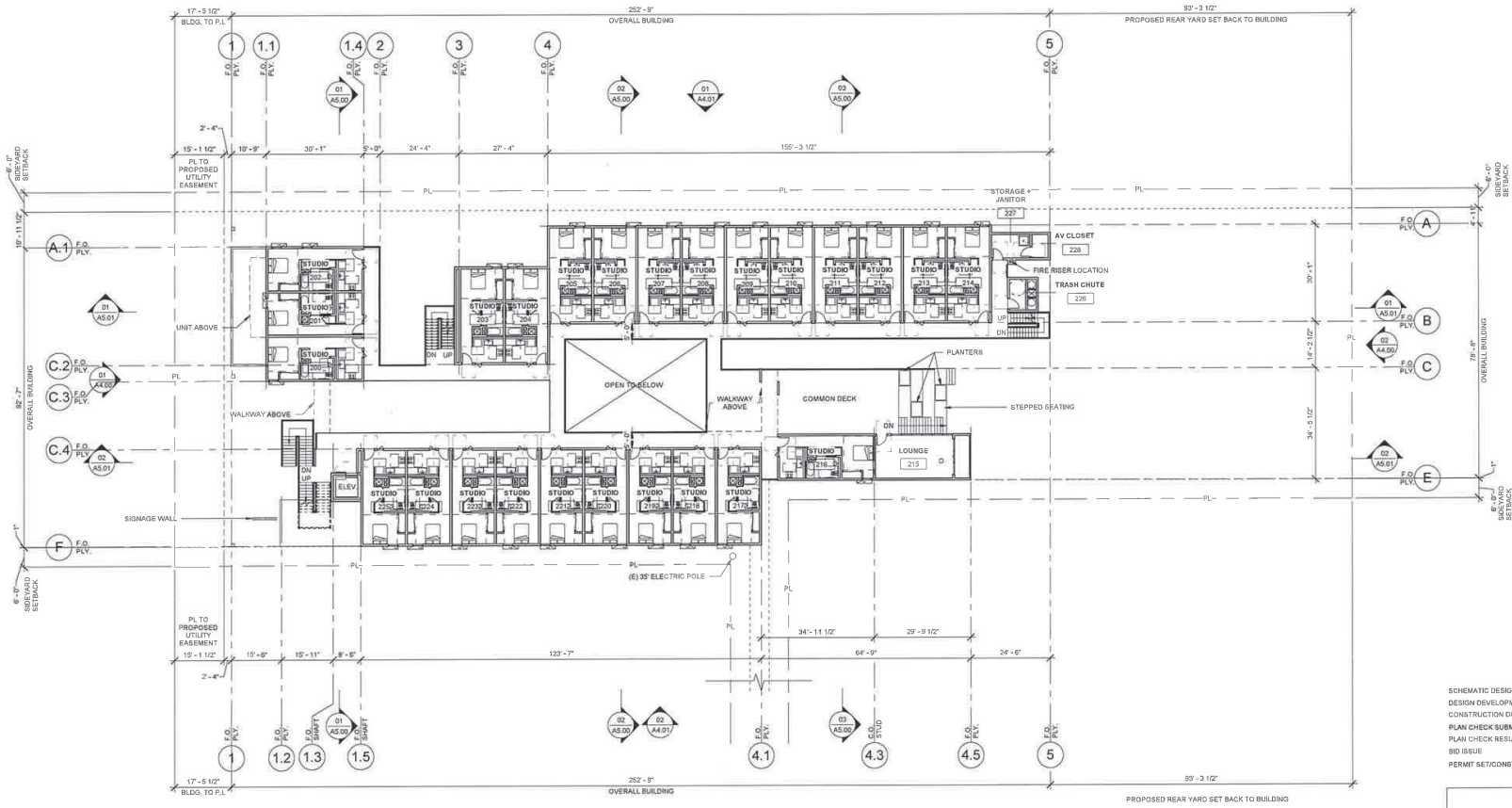
BROOKS + SCARPA ARCHITECTS, INC.
3600 W. 138TH STREET
HAWAIIAN ISLANDS, CA 96730
1 353.555.4700
1 315.453.9609

A3.10



FIRST FLOOR PLAN 01
SCALE: 1/8" = 1'-0"

REF: A400, A500



SCHEMATIC DESIGN 2021-12-08
 DESIGN DEVELOPMENT YYYY-MM-DD
 CONSTRUCTION DOCUMENTS YYYY-MM-DD
 PLAN CHECK SUBMITTAL YYYY-MM-DD
 PLAN CHECK RESUBMITTAL YYYY-MM-DD
 BID ISSUE YYYY-MM-DD
 PERMIT SET/CONSTRUCTION SET YYYY-MM-DD

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

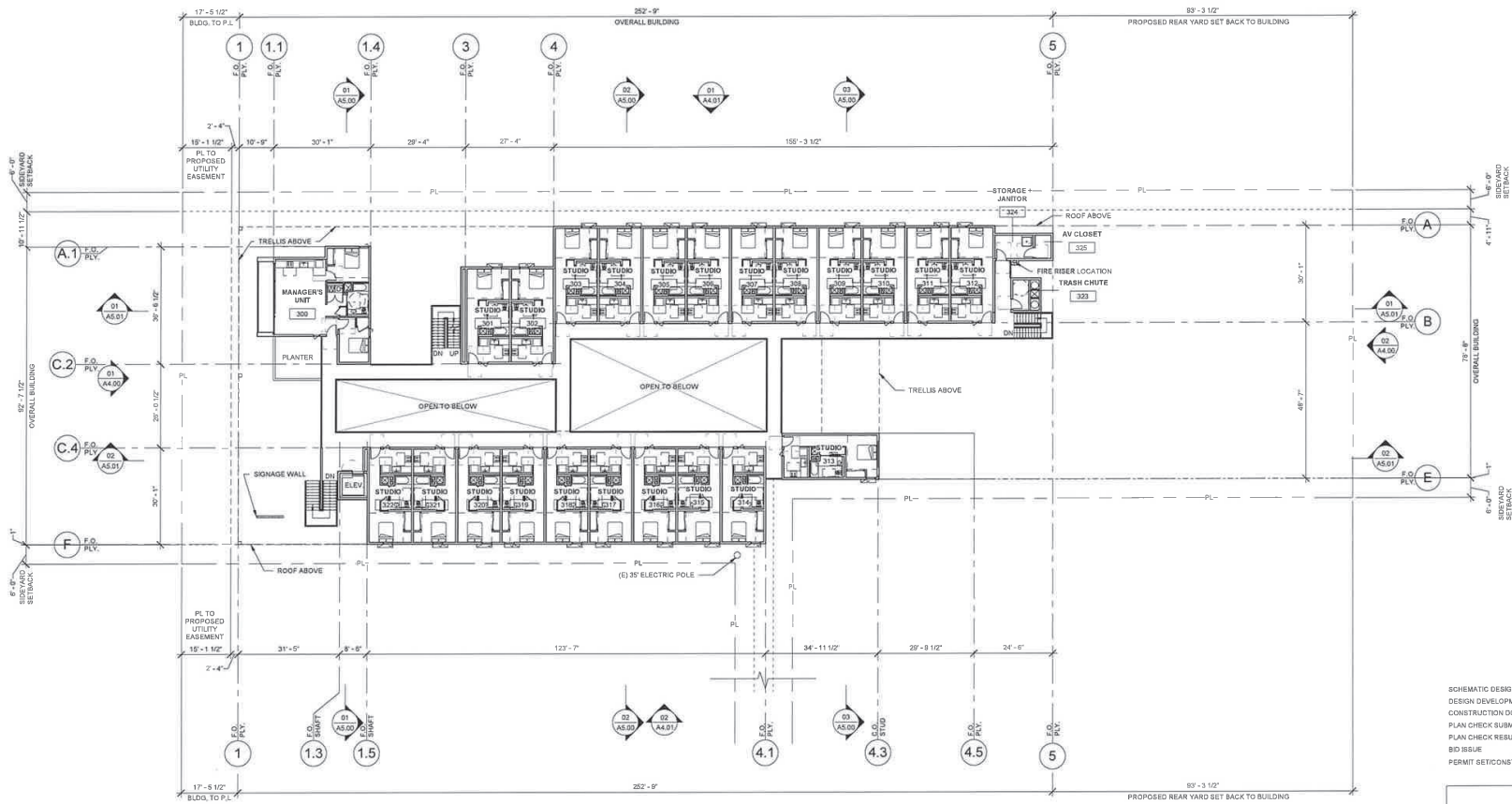
2252 ELK GROVE BLVD ELK GROVE, CA 95724	
PROJECT NUMBER:	21007.0
REVISIONS	
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△ -	△ -
SHEET TITLE:	SECOND FLOOR PLAN
SCALE:	1/16" = 1'-0"
DATE PRINTED:	12/6/2021 11:17:15 PM
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 HAWTHORNE, CA 90250
 P 323.586.4700
 F 310.453.8909



SECOND FLOOR PLAN 01
 SCALE: 1/16" = 1'-0"



SCHEMATIC DESIGN 2021-12-06
 DESIGN DEVELOPMENT YYYYY-AM-00
 CONSTRUCTION DOCUMENTS YYYYY-AM-00
 PLAN CHECK SUBMITTAL YYYYY-AM-00
 PLAN CHECK RESUBMITTAL YYYYY-AM-00
 BID ISSUE YYYYY-AM-00
 PERMIT SET/CONSTRUCTION SET YYYYY-AM-00

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

REVISIONS		PROJECT NUMBER: 21697.0	
△	-	△	-
△	-	△	-
△	-	△	-
SHEET TITLE: THIRD FLOOR PLAN		SCALE: 1/8" = 1'-0"	
		DATE PRINTED: 12/8/2021 11:17:17 PM	
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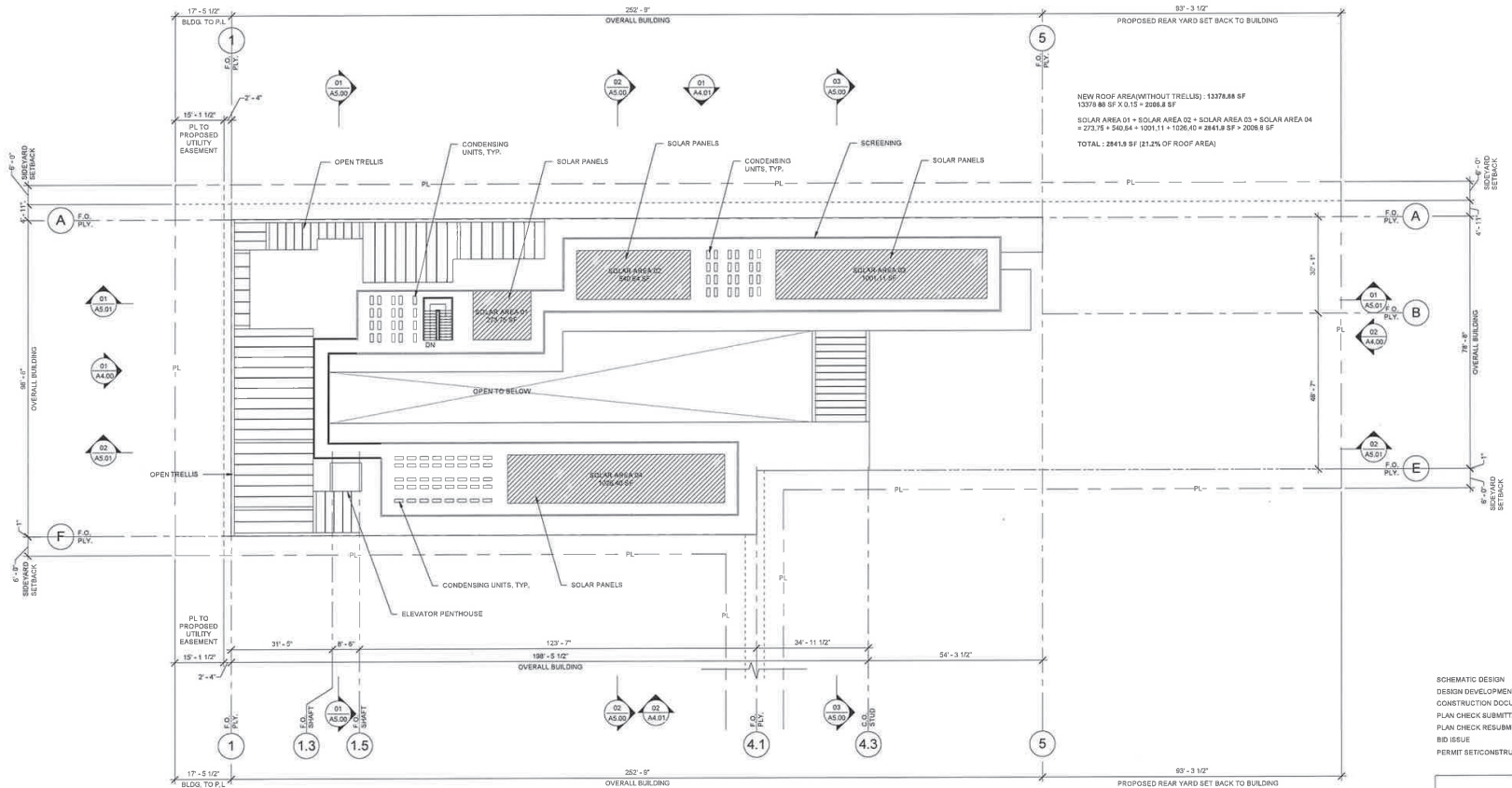


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 3624 W. 128TH STREET
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 F 310.453.8609

A3.30



3RD FLOOR PLAN 01
 SCALE: 1/16" = 1'-0"



NEW ROOF AREA (WITHOUT TRELLIS): 13278.88 SF
 13278.88 SF X 0.15 = 2006.8 SF
 SOLAR AREA 01 = SOLAR AREA 02 = SOLAR AREA 03 = SOLAR AREA 04
 = 273 SF + 360 SF + 1004 SF + 1026 SF = 2663 SF
 TOTAL : 2841.8 SF (21.2% OF ROOF AREA)

SCHEMATIC DESIGN	2021-12-06
DESIGN DEVELOPMENT	YYYYMM-DD
CONSTRUCTION DOCUMENTS	YYYYMM-DD
PLAN CHECK SUBMITTAL	YYYYMM-DD
PLAN CHECK RESUBMITTAL	YYYYMM-DD
BID ISSUE	YYYYMM-DD
PERMIT SET/CONSTRUCTION SET	YYYYMM-DD

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
 ELK GROVE, CA 95824

PROJECT NUMBER: 21007.0

REVISIONS	
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△ -	△ -
△ -	△ -

SHEET TITLE: **ROOF PLAN**

SCALE: 1/16" = 1'-0"
 DATE PRINTED: 12/6/2021 1:17:17 PM

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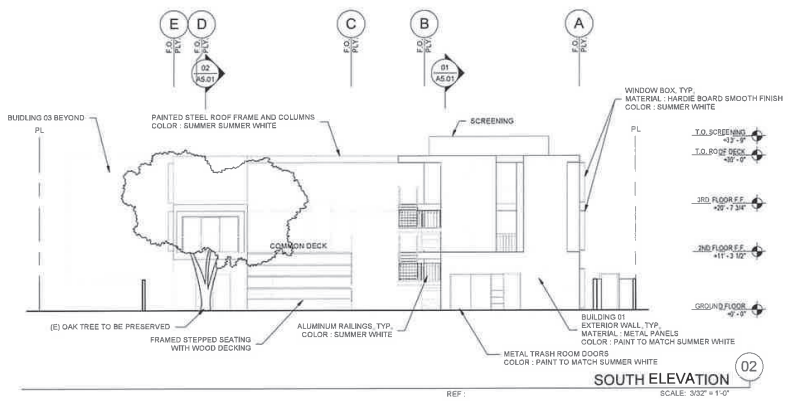
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 HAWTHORNE, CA 90250
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 F 310.423.9826

A3.40

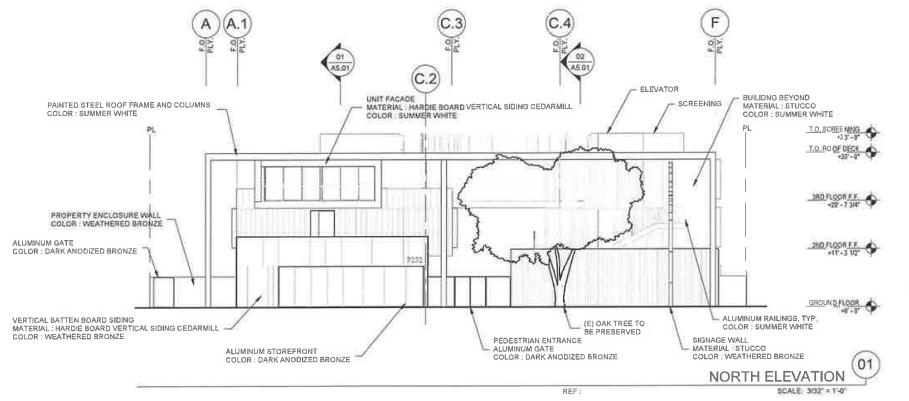


ROOF PLAN
 SCALE: 1/16" = 1'-0"

01



SOUTH ELEVATION
SCALE: 3/32" = 1'-0"



NORTH ELEVATION
SCALE: 3/32" = 1'-0"

SCHEMATIC DESIGN	2021-12-08
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

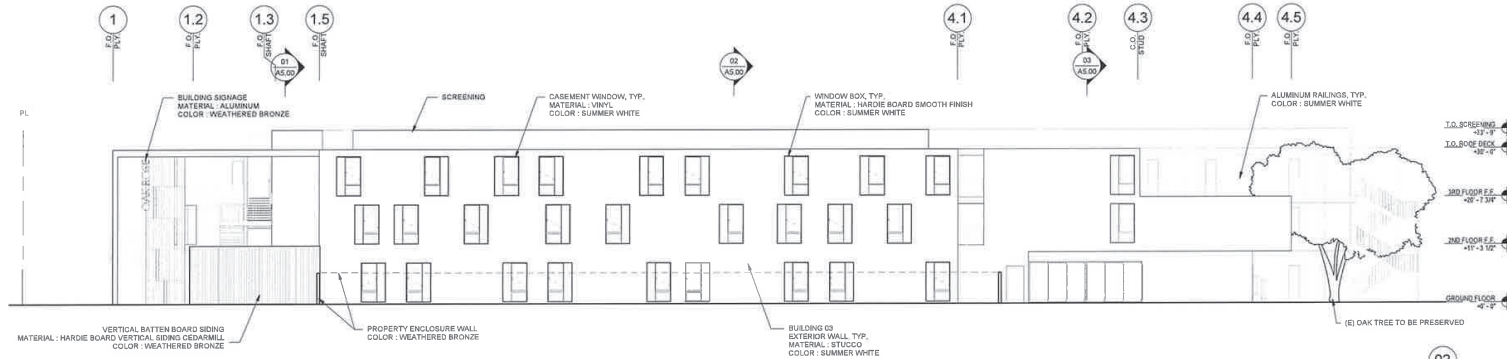
OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD ELK GROVE, CA 95024	
PROJECT NUMBER:	21007.0
REVISIONS	
1	△ -
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3	△ -
SHEET TITLE:	ELEVATIONS
SCALE:	3/32" = 1'-0"
DATE PRINTED:	12/28/2021 1:17:20 PM

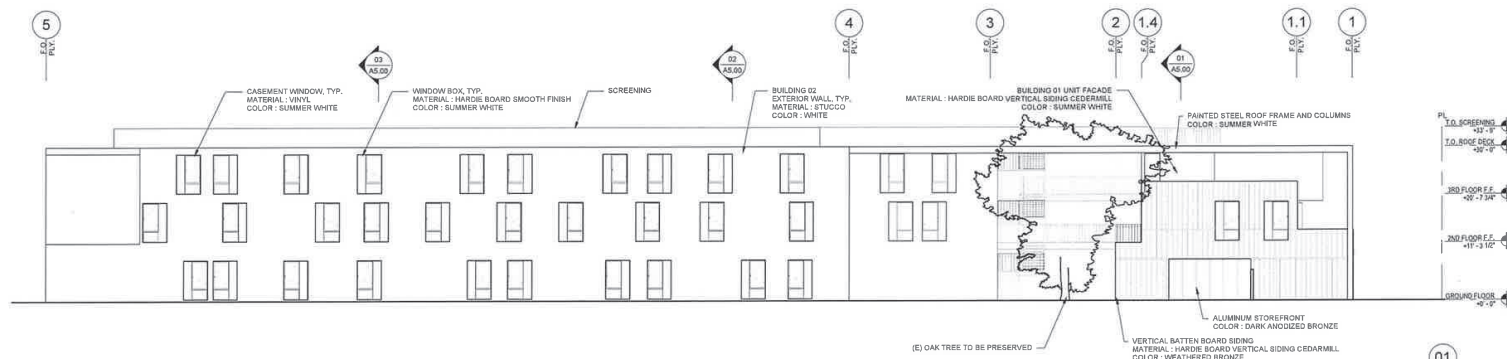


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3020 W. 128TH STREET
HAYWARD, CA 94542
T 303.585.4700
F 303.453.8600

A4.00



WEST ELEVATION 02
SCALE: 3/32" = 1'-0"



EAST ELEVATION 01
SCALE: 3/32" = 1'-0"

SCHEMATIC DESIGN	2021-12-06
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

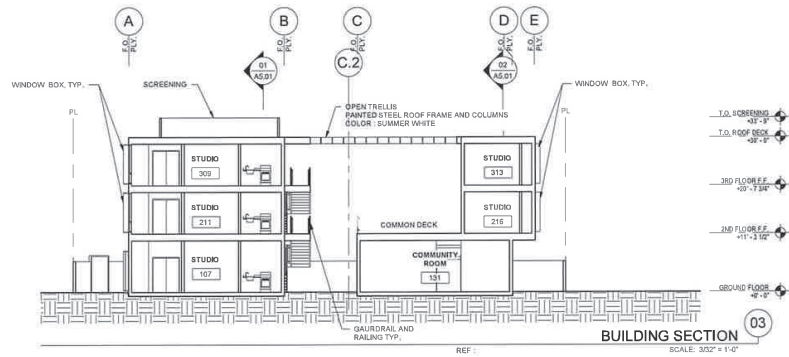
9252 ELK GROVE BLVD ELK GROVE, CA 95824	
PROJECT NUMBER:	21037.0
REVISIONS	
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SHEET TITLE:	ELEVATIONS
SCALE:	3/32" = 1'-0"
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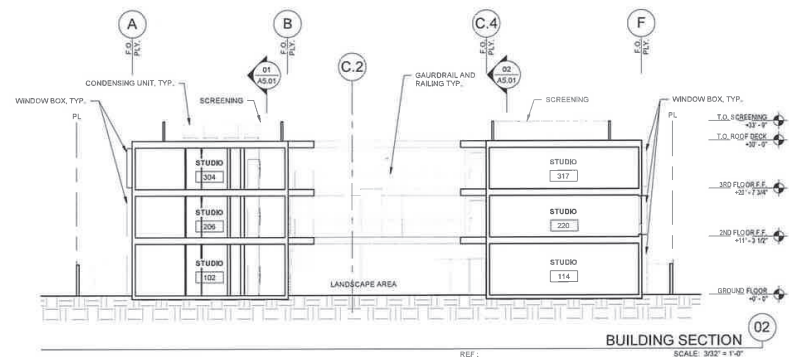
BROOKS + SCARPA ARCHITECTS, INC.
3000 W. 130TH STREET
HAYWARD, CA 94520
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f: 510.463.8909

A4.01

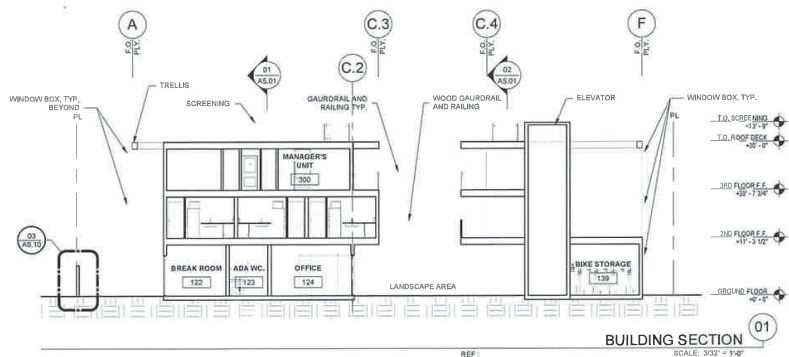
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BUILDING SECTION
SCALE: 3/32" = 1'-0"



BUILDING SECTION
SCALE: 3/32" = 1'-0"



BUILDING SECTION
SCALE: 3/32" = 1'-0"

SCHEMATIC DESIGN	2021-12-08
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

222 ELK GROVE BLVD ELK GROVE, CA 95724	
PROJECT NUMBER:	21917.2
REVISIONS	
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SHEET TITLE:	SECTIONS
SCALE:	3/32" = 1'-0"
DATE PRINTED:	12/6/2021 1:17:26 PM

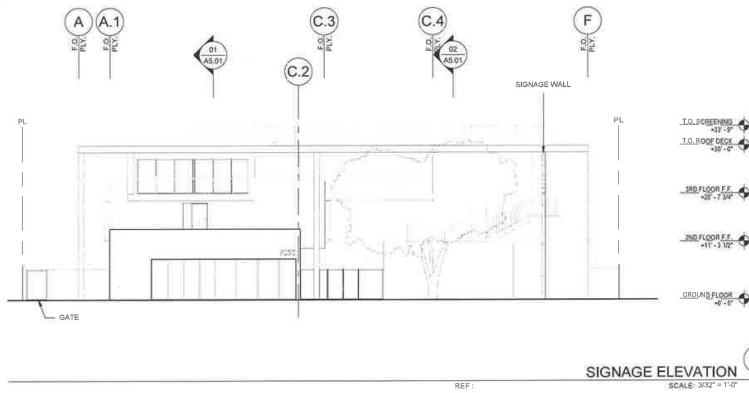
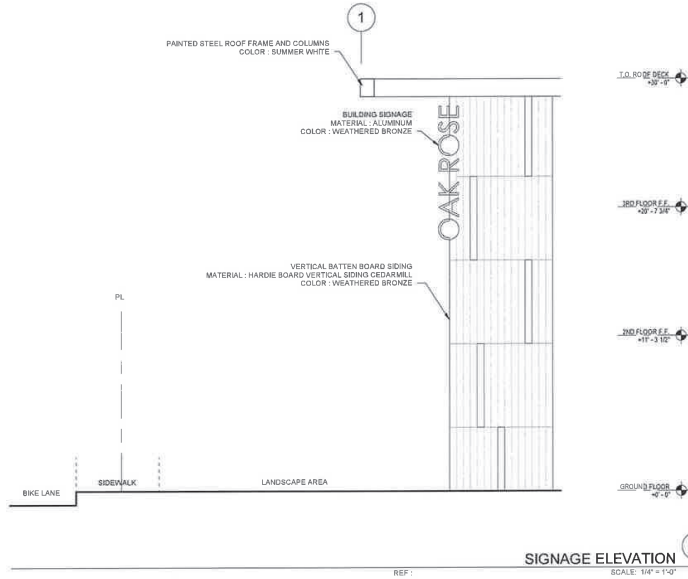
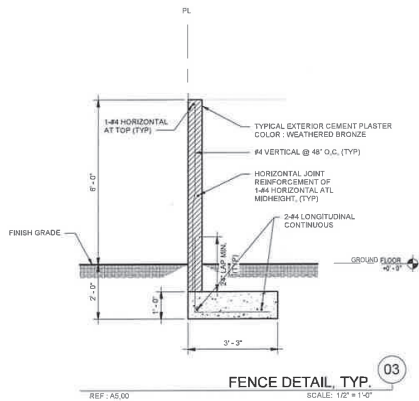
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3020 W. 138TH STREET
HAYWARD, CA 94526
P 510.886.4700
F 510.886.9608

A5.00

GENERAL SPECIFICATIONS:

1. Concrete mix for footing to be 1 part cement to 2.5 parts sand to 3.5 parts gravel with a maximum of 7.5 gallons of water per sack of cement (Minimum Fc = 2500 psi).
2. Concrete block units shall conform to ASTM C90.
3. Reinforcing steel to be determined and confirmed to ASTM Standard A618 Grade 40 or Grade 60.
4. Rebar shall be centered in the concrete block cell in which it is located.
5. Concrete block units shall be placed in a running bond with head joints in successive courses horizontally offset at least one-quarter the unit length.
6. Concrete block units to have vertical continuity of cells unobstructed. All cells containing reinforcing shall be solid grouted (vertical and horizontal reinforcement). Cells not containing reinforcing shall not be grouted.
7. Mortar mix for concrete to be 1 part cement to 0.5 part lime to 3 parts damp loose sand.
8. Grout mix for concrete block wall to be 1 part cement to 3 parts sand to which may be added not more than 0.1 part lime. Sufficient water to be added to produce consistency for pouring without segregation of components. The grout may contain 2 parts pass gravel maximum size #20.
9. Block fence may be placed in the center of the "T" type foundation and at either edge to "L" type foundation.
10. A first inspection is required when trenches are ready for concrete and all required steel is laid in place. A second inspection is required when first horizontal bar and all vertical bars are in place but not grouted.
11. Foundation must be poured against undisturbed soil with no appreciable slope of side walls on all types of foundation.
12. Masonry or concrete fences over 3'-0" in height measured from adjacent grade shall require a building permit.
13. Height of fence shall comply with all provisions of the zoning code.



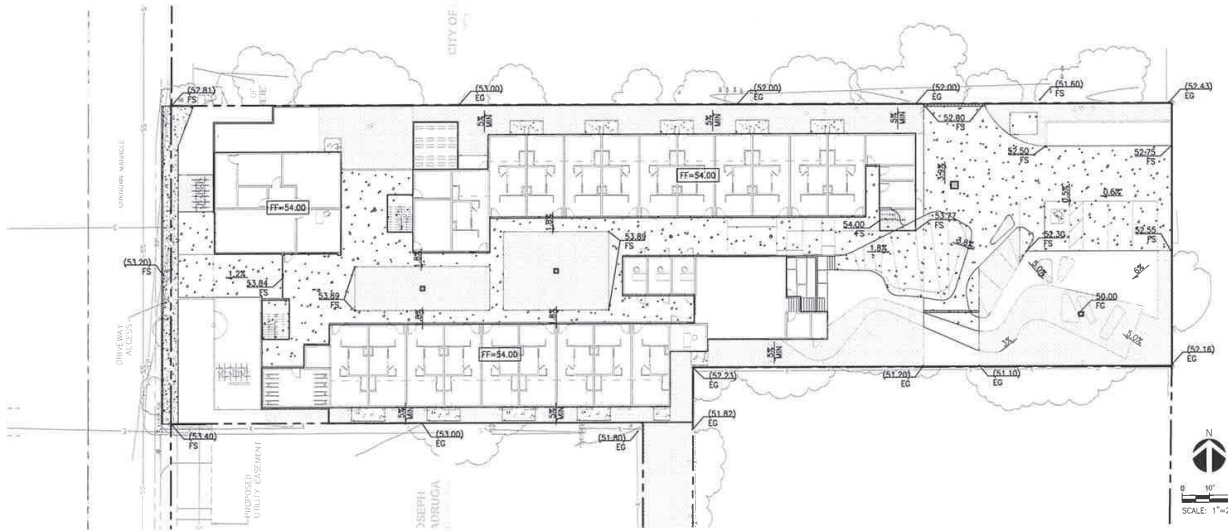
SCHEMATIC DESIGN	2021-12-08
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD ELK GROVE, CA 95024	
PROJECT NUMBER: 21007.0	
REVISIONS	
1	-
2	-
3	-
4	-
SHEET TITLE: SIGNAGE & FENCE DETAILS	
SCALE:	As indicated
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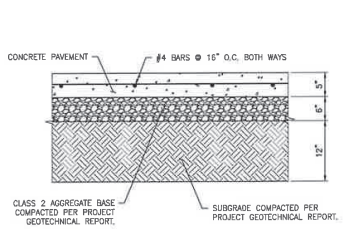
BROOKS + SCARPA ARCHITECTS, INC.
3000 W. 130TH STREET
HAYWARD, CA 94543
T: 323.586.4700
F: 323.483.9909

A9.10



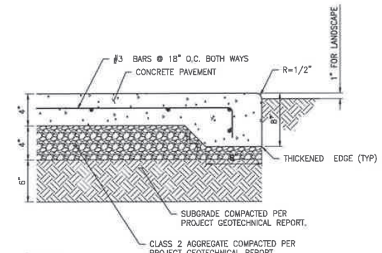
LEGEND

	LANDSCAPE PER LANDSCAPE PLANS
	SITE CONCRETE
	DECOMPOSED GRANITE MULCH PER LANDSCAPE PLANS
	DECOMPOSED GRANITE PAVING PER LANDSCAPE PLANS
	PROPERTY LINE
	GRADE BREAK
	FLOW LINE
	CATCH BASIN



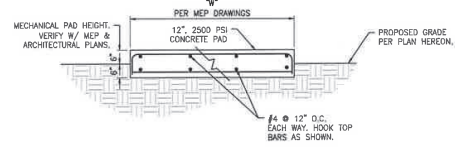
- NOTES:**
1. PAVEMENT SECTIONS ARE BASED ON RECOMMENDATIONS FROM THE PROJECT GEOTECHNICAL REPORT.
 2. REFER TO ARCHITECTURAL PLANS FOR CONCRETE COLOR, PATTERN, TEXTURE, AND FINISH.
 3. SEE PLAN FOR LOCATION OF CONTROL JOINTS.

1 VEHICULAR CONCRETE SECTION
C210 N.T.S.



- NOTES:**
1. ALL TREAD SURFACES SHALL BE SLIP-RESISTANT.
 2. REFER TO LANDSCAPE DRAWINGS FOR COLOR, PATTERN, TEXTURE, AND FINISH.
 3. SEE LANDSCAPE PLAN FOR LOCATION OF CONTROL JOINTS.

2 CONCRETE WALK SECTION
C210 N.T.S.



3 TRANSFORMER PAD TYPICAL DETAIL
C210 N.T.S.

FINE GRADING PLAN

SCHEMATIC DESIGN	YYYY-MM-DD	EHG - ELK GROVE PERMANENT SUPPORTIVE HOUSING - 87 UNITS
DESIGN DEVELOPMENT	YYYY-MM-DD	
CONSTRUCTION DOCUMENTS	YYYY-MM-DD	
PLAN CHECK SUBMITTAL	YYYY-MM-DD	
PLAN CHECK RESUBMITTAL	YYYY-MM-DD	
BID ISSUE	YYYY-MM-DD	
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD	

9252 ELK GROVE BLVD
ELK GROVE, CA 95624

PROJECT NUMBER: 21007.0

REVISIONS	
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SHEET TITLE: **FINE GRADING PLAN**

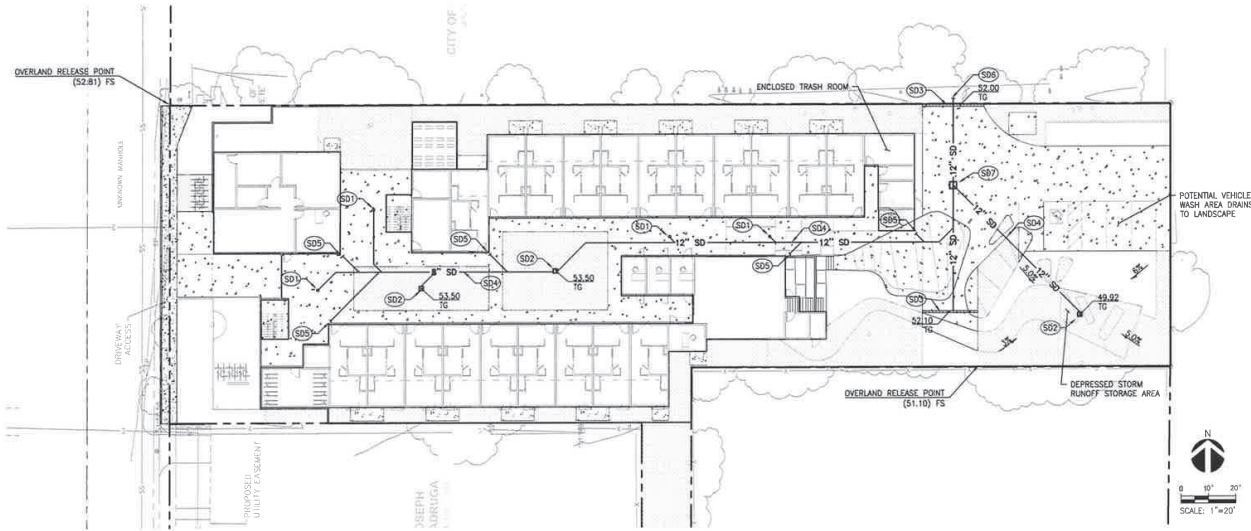
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LFA 369 W. 217TH

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3828 W. 138TH STREET
HAWTHORNE, CA 90250
TEL 310.566.4700
F 310.453.9608

C210



- LEGEND**
- LANDSCAPE PER LANDSCAPE PLANS
 - SITE CONCRETE
 - DECOMPOSED GRANITE MULCH PER LANDSCAPE PLANS
 - DECOMPOSED GRANITE PAVING PER LANDSCAPE PLANS
 - PROPERTY LINE
 - GRADE BREAK
 - FLOW LINE
 - STORM DRAIN PIPE
 - CATCH BASIN

- CONSTRUCTION NOTES**
- STORM DRAIN**
- (SD1) INSTALL 4" AREA DRAIN BY NDS PRO OR APPROVED EQUIVALENT.
 - (SD2) INSTALL CATCH BASIN WITH FILTER INSERT BY NDS PRO OR APPROVED EQUIVALENT.
 - (SD3) INSTALL 8" TRENCH DRAIN WITH TRAFFIC RATED GRATE BY ACD DRAIN OR APPROVED EQUIVALENT.
 - (SD4) INSTALL SDR 35 PVC STORM DRAIN PIPE, SIZE PER PLAN.
 - (SD5) STORM DRAIN DOWNSPOUT POINT OF CONNECTION. SEE ARCHITECTURAL PLANS FOR CONTINUATION.
 - (SD6) POINT OF CONNECTION TO CITY STORM DRAIN SYSTEM THROUGH STORM DRAIN EASEMENT.
 - (SD7) INSTALL 24" PRECAST CONCRETE CATCH BASIN WITH FILTER INSERT AND TRAFFIC RATED GRATE BY OLDCASTLE OR APPROVED EQUIVALENT.

TOTAL AREA	53,579 S.F.
IMPERVIOUS AREA	30,133 S.F.
IMPERVIOUS PERCENTAGE	56%
100-YR 24-HR RAIN DEPTH	4.25 IN.
10-YR 24-HR RAIN DEPTH	2.98 IN.
NOLTE DESIGN RUNOFF	0.408 CFS

SACRAMENTO REGION STORM WATER QUALITY REQUIREMENTS

PROJECT TYPE: MULTI-FAMILY RESIDENTIAL

IMPERVIOUS AREA: >1.0 ACRES

REQUIREMENTS: SOURCE CONTROL ONLY

SOURCE CONTROL METHODS: EFFICIENT IRRIGATION
LANDSCAPING
STORM DRAIN MARKINGS AND SIGNS
VEHICLE/EQUIPMENT WASH AREAS
WASTE MANAGEMENT AREAS

SCHMATIC DESIGN	YYYY-MM-DD	EHG - ELK GROVE PERMANENT SUPPORTIVE HOUSING - 67 UNITS 6252 ELK GROVE BLVD ELK GROVE, CA 95624 PROJECT NUMBER: 21007.0
DESIGN DEVELOPMENT	YYYY-MM-DD	
CONSTRUCTION DOCUMENTS	YYYY-MM-DD	
PLAN CHECK SUBMITTAL	YYYY-MM-DD	
PLAN CHECK RESUBMITTAL	YYYY-MM-DD	
BID ISSUE	YYYY-MM-DD	
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD	

LFA
Landscape Architecture
219 MAIN STREET
EL SEGUNDO, CA 90245
PH: 310.209.8700
LFA-266-012174

REVISIONS

1 -	2 -
3 -	4 -
5 -	6 -

SHEET TITLE: DRAINAGE PLAN

SCALE: AS INDICATED

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DRAINAGE PLAN 01

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3825 W. 128TH STREET
HAWTHORNE, CA 90250
P: 310.585.4700
F: 310.453.8808

C300

Exhibit C
Oak Rose Apartments (PLNG22-015)
Project Conditions of Approval

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
ON-GOING				
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.	This action does not relieve the Applicant of the obligation to comply with all applicable ordinances, statutes, regulations, and procedures.	On-Going	Planning	
3.	The Applicant, or Successors in Interest (hereinafter 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	

Exhibit C
Oak Rose Apartments (PLNG22-015)
Project Conditions of Approval

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>4. Except as otherwise specified or provided for in the Project plans or approvals, or in these conditions, the Project shall conform to the applicable objective development standards and design requirements adopted by the City of Elk Grove, and specifically, without limitations, those objective standards included in the following:</p> <ul style="list-style-type: none"> • The Elk Grove Zoning Code (Title 23 of the EGMC) • Old Town Special Planning Area Design Standards and Guidelines • EGMC Chapter 14.10 (Water Efficient Landscape Requirements) • EGMC Title 16 (Building and Construction) • EGMC Chapter 19.12 (Tree Preservation and Protection) • EGMC Title 22 (Land Development) 	On-Going	Planning	
<p>5. The Applicant shall design and construct all improvements in accordance with the City of Elk Grove Improvement Standards, as further conditioned herein. Specific locations on median(s) that require emergency vehicle access will be evaluated during review and acceptance of the Improvement Plans.</p> <p>Public sewer, water, and other utility infrastructure shall be designed and constructed with the standards of the appropriate utility.</p>	On-Going	Engineering EGWD SacSewer SMUD PG&E	
<p>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), SacSewer, Elk Grove Water District (EGWD), or other agencies or services providers as established by law.</p>	On-Going	Planning Engineering CCSD EGWD SacSewer	

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Oak Rose Apartments (PLNG22-015)
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7.	<p>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 may be applicable:</p> <ul style="list-style-type: none"> • Grading Permit and Improvement Plan • Building Permit and Certificate of Occupancy • Requirements of the Sacramento Metropolitan Air Quality Management District • Fire Department review for permits and/or occupancy 	On-Going	Planning Engineering Building CCSD EGWD SacSewer	
8.	The trash enclosures shall be locked when not in use and well maintained at all times.	On-Going	Code Enforcement Planning	
9.	As to any fee, dedication, reservation or exaction established by these conditions of approval that are subject to the Mitigation Fee Act, notice is hereby given pursuant to California Government Code Section 66020(d) that the 90-day period in which you may protest the fees set forth herein has begun to run as of the date of approval of this Project. Other limitation periods may apply. The City reserves all rights.	On-Going	Planning	

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	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
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 State CEQA Guidelines Section 15064.5 (d) and (e) shall be followed.</p> <p>A note stating the above shall be placed on the Improvement Plans.</p>	<p>On-Going and Prior to Improvement Plans or Grading Permit(s), whichever occurs first.</p> <p>Monitoring shall be On-Going</p>	<p>Planning</p>	

Exhibit C
 Oak Rose Apartments (PLNG22-015)
 Project Conditions of Approval

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>11. Before the start of any earthmoving activities, the project owner shall retain a qualified scientist (e.g., geologist, biologist, paleontologist) to train all construction personnel involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction, and proper notification procedures should fossils be encountered. Training on paleontological resources shall also be provided to all other construction workers but may use videotape of the initial training and/or written materials rather than in-person training.</p> <p>If any paleontological resources (fossils) are discovered during grading or construction activities within the project area, work shall be halted immediately within 50 feet of the discovery, and the City Planning Division shall be immediately notified. The project owner will retain a qualified palaeontologist to evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (SVP 2010). The recovery plan may include but is not limited to a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the City to be necessary and feasible will be implemented by the applicant before construction activities resume in the area where the paleontological resources were discovered.</p>	<p>On-Going and Prior to Improvement Plans or Grading Permit(s), whichever occurs first.</p> <p>Monitoring shall be On-Going</p>	<p>Planning</p>	

Exhibit C
 Oak Rose Apartments (PLNG22-015)
 Project Conditions of Approval

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
12.	Signage is not approved with this Application. Future signs shall be reviewed under a separate Sign Permit application and shall comply with the development standards (EGMC Chapter 23.62 and Old Town Special Planning Area) for signs in effect at the time of submittal in order to be approved.	On-Going	Planning	
13.	Landscaping shall be maintained and trees shall be trimmed as to not cause interference with operations of surveillance cameras or the lighting in parking areas, walkways or outdoor common areas.	On-Going	Police	
14.	SMUD reserves the right to use any portion of its easements on the subject property that it reasonably needs and shall not be responsible for any damages to the developed property within said easement that unreasonably interferes with those needs.	On-Going	SMUD	

Exhibit C
Oak Rose Apartments (PLNG22-015)
Project Conditions of Approval

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
15.	Construction of the Project shall be subject to California prevailing wage laws. All construction workers for the Project shall be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Section 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. The Applicant shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work. All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. (Gov. Code § 65913.4(a)(8).)	On-Going	Building	
16.	The Project shall be subject to the Affordable Housing Regulatory Agreement approved concurrently with these conditions of approval.	On-Going	Planning	
17.	The Project shall implement Subsections B, C, D, E, G, H, I, J, K, L, M, and N of Section 19.12.200 of the Elk Grove Municipal Code to mitigate damage to trees protected through the development project approval.	On-Going	Planning	
PRIOR TO OR IN CONJUNCTION WITH IMPROVEMENT AND/OR GRADING PLAN SUBMITTAL OR APPROVAL				

Exhibit C
Oak Rose Apartments (PLNG22-015)
Project Conditions of Approval

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
18.	To obtain sewer service, modifications to SacSewer infrastructure will be required. Current standards and specifications apply to any offsite or onsite public sewer construction or modification. These improvements must be shown on the plans. Field modifications to new or existing manhole bases are not allowed. In order to connect to the existing facility, a new manhole must be constructed depending on location of tie-in.	Improvement Plans	SacSewer	
19.	Alignment of all main lines and structures must provide a minimum of 1-foot vertical clearance and 5 feet horizontal clearance from all other utilities and improvements. Sewer is to be located a minimum of 10 feet (measured horizontally) from any structure or footing. Show public sanitary sewer and water supply facilities in accordance with the Health and Safety Code.	Improvement Plans	SacSewer	
20.	The Project shall comply with SacSewer Design Standards and Specifications which require a minimum of 6 inch lower laterals for the building.	Improvement Plans	SacSewer	
21.	The Applicant is required to conduct a pre-engineering meeting with all utilities to ensure property clearances are maintained.	Improvement Plans	SMUD	
22.	SMUD has existing underground 12kV facilities on the northeast side of the project parcel that will need to remain. The Applicant shall be responsible for maintaining all CalOSHA and State of California Public Utilities Commission General Order No. 128 safety clearances during construction and upon building completion. If the required clearances cannot be maintained, the Applicant shall be responsible for the cost of relocation.	Improvement Plans	SMUD	

Exhibit C
Oak Rose Apartments (PLNG22-015)
Project Conditions of Approval

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23.	SMUD has existing overhead facilities on the project parcel that will need to remain. The Applicant shall be responsible for maintaining all CalOSHA and State of California Public Utilities Commission General Order No. 95 safety clearances during construction and upon building completion. If the required clearance cannot be maintained, the Applicant shall be responsible for the cost of relocation.	Improvement Plans	SMUD	
24.	Any necessary future SMUD facilities located on the Applicant's property shall require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the Applicant's property.	Improvement Plans	SMUD	
25.	In the event the Applicant requires the relocation or removal of existing SMUD facilities on the subject property, the Applicant shall coordinate with SMUD. The Applicant shall be responsible for the cost of relocation or removal.	Improvement Plans	SMUD	
26.	Fire hydrants shall be installed in accordance with the California Fire Code and Cosumnes Fire Code ordinance.	Improvement Plans	CCSD Fire	

Exhibit C
Oak Rose Apartments (PLNG22-015)
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27.	Fire apparatus access roads for aerial fire apparatus shall be provided for all buildings exceeding 30 feet in height. Aerial apparatus access roads shall be provided on at least 2 intersecting building sides. Overhead utility and power lines shall not be located over aerial apparatus access roads or between the access road and the building. Shade trees shall not interfere with aerial operations. Underground vaults or utility boxes shall not be located within designated aerial operations areas to avoid conflict with outriggers. The unobstructed width of aerial apparatus roads shall not be less than 26 feet. Aerial apparatus access roads shall be located a minimum of 14-feet from building.	Improvement Plans	CCSD Fire	
28.	"NO PARKING FIRE LANE" signs and/or red painted curbs shall be installed in accordance with the California Fire Code for the entire fire turnaround lane at the south side of the building.	Improvement Plans	CCSD Fire	
29.	Fire department connections (FDC) shall be located on the project site at least 40 feet from the building that it serves and within 10 to 40 feet of a fire hydrant. Fire hydrant and FDC shall be located on the same side of the fire access route so that hoses do not obstruct incoming apparatus.	Improvement Plans	CCSD Fire	
30.	Applicant shall ensure that the Project provides fire flow from a public water system that meets the fire flow requirements of the California Fire Code and the Cosumnes Fire District.	Improvement Plans	CCSD Fire	

Exhibit C
Oak Rose Apartments (PLNG22-015)
Project Conditions of Approval

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
31.	The Applicant shall prepare and submit a drainage study in accordance with City of Elk Grove Storm Drainage Master Plan, Improvement Standards, General Plan, and any other applicable drainage master plans or studies.	Improvement Plans or Grading Permit(s), whichever comes first	Engineering	
32.	The Applicant shall prepare and submit a Post-Construction Stormwater Quality Control Plan in accordance with the City of Elk Grove Improvement Standards and most recent version of the Stormwater Quality Design Manual for the Sacramento Region. The Applicant shall also submit a separate maintenance manual describing proper maintenance practices for the specific treatment controls to be constructed.	Improvement Plans or Grading Permit(s), whichever comes first	Engineering	
33.	The Applicant shall provide procedures to accommodate Hydromodification requirements and Low Impact Development (LID) features adopted in the Sacramento Region Stormwater Quality Manual (Manual) and such procedures shall be implemented for the Project. All the designs shall be consistent with the design examples prescribed in the latest edition of the Manual.	Improvement Plans or Grading Permit(s), whichever occurs first	Engineering	
34.	The Applicant shall execute a maintenance agreement with the City for stormwater quality control treatment devices as required by the Stormwater Quality Design Manual for the Sacramento Region.	Improvement Plans	Engineering	
35.	The Project shall comply with local requirements for land and tree disturbance. This includes compliance with Elk Grove Municipal Code requirements for Land Grading and Erosion Control (Chapter 16.44) and Tree Preservation and Protection (Chapter 19.12)	Improvement Plans	Planning	
PRIOR TO OR IN CONJUNCTION WITH BUILDING PERMIT/CERTIFICATE OF OCCUPANCY				

Exhibit C
 Oak Rose Apartments (PLNG22-015)
 Project Conditions of Approval

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
36.	The Applicant shall dedicate to the City a 12.5 foot wide public utility easement (PUE) on Elk Grove Boulevard along the Project's frontage for overhead and/or underground facilities and appurtenances.	Building Permit	Engineering	
37.	The Applicant shall dedicate to the City a pedestrian easement for any portion of the sidewalk along the Project frontage that will be located outside of the public right-of-way.	Building Permit	Engineering	
38.	The Applicant shall dedicate, design, and improve Elk Grove Boulevard, along the Project's frontage, in accordance with the City's Elk Grove Boulevard Streetscape Project and Improvement Standards.	Building Permit	Engineering	
39.	The Applicant shall pay an in-lieu fee for parks and recreation in accordance with EGMC Chapter 16.80 (Park Land In-Lieu Fee), as applicable.	Building Permit	CCSD-Parks	

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<p>40. The Applicant shall (1) approve (a) the formation of a new or annexation into an existing community facilities district ("CFD") and (b) an annual CFD special tax; or (2) deposit a sum money, as determined by the Cosumnes Community Services District (Cosumnes CSD CFD No. 1), sufficient for the Cosumnes Community Services District to fund a portion of the cost of the District's ongoing fire and emergency services, maintenance, operation, and repair and replacement of fire station facilities and fire and emergency equipment and routine and deferred maintenance and replacement of park facilities, trails and landscape corridors attributable to the property and (b) replacement of district wide facilities attributable to the property. Any costs for the approval and creation of such annual special tax, annexation of the Property into an existing Mello-Roos Community Facilities District for the Cosumnes Community Services District, or administration of the sum of money deposited to fund the fire and emergency services and maintenance of park facilities, trails and landscape corridors, shall be paid from the annual special taxes of the Community Facilities District or the sum of money deposited with the Cosumnes Community Services District. If the property owner(s) fails to approve an annual special tax or deposit a sum of money as provided for herein for such purposes for the Cosumnes Community Services District, no building permits for the property shall be issued or approval of the Improvement Plan shall be provided. It is the responsibility of the Applicant or their representative to contact the Cosumnes Community Services District at (916) 405-5600 to initiate the Community Facilities District process.</p>	<p>Building Permit</p>	<p>CCSD Parks and Fire</p>	

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41.	The Applicant shall not place any building foundations within 5-feet of any SMUD trench to maintain adequate trench integrity. The Applicant shall verify specific clearance requirements for other utilities (e.g., Gas, Telephone, etc.).	Building Permit	SMUD	
42.	The Applicant shall comply with SMUD siting requirements (e.g., panel size/location, clearances from SMUD equipment, transformer location, service conductors). Information regarding SMUD siting requirements can be found at: https://www.smud.org/en/business/customer-service/support-and-services/design-construction-services.htm	Building Permit	SMUD	
43.	The Applicant shall reconstruct any existing ADA compliance improvements adjacent to the Project to meet current standards.	Building Permit	Engineering	
44.	The Applicant shall reconstruct any damaged curb, gutter, sidewalk and/or pavement caused by construction-related activities associated with the Project site. If pavement replacement is necessary, the Applicant may be required to grind, overlay, and/or slurry seal the damaged portion(s) in accordance with the City Improvement Standards. The Applicant shall schedule an inspection with the City to document the pre-construction condition of existing surface infrastructure adjacent to and near the Project.	Building Permit	Engineering	

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Project Conditions of Approval

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
45.	The Project area shall annex into the Maintenance Services 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, sports (including aquatic) facilities, cultural arts center, and water features, and maintenance of other related facilities. <u>The annexation process can take several months, so the Applicant should plan accordingly.</u> The application fee and completed application for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax.	Building Permit	Finance	
46.	The Project area 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. <u>The annexation process can take several months, so the Applicant should plan accordingly.</u> The application fee and completed application for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax.	Building Permit	Finance	
47.	The Project area shall annex into the Street Maintenance Assessment District No. 1, Zone 3, to fund a portion of the additional costs for long-term roadway maintenance related to serving the new development. <u>The annexation process can take several months, so the Applicant should plan accordingly.</u> The application fee and completed application for the annexation is due prior to the Resolution of Intention to Levy Street Maintenance assessments.	Building Permit	Finance	

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48.	The Project area 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 the Applicant should plan accordingly. The completed application for the annexation is due prior to the Resolution of Intention to Levy Storm Water Drainage Fee Zone 2 assessment.	Building Permit	Finance	
49.	The Project shall provide onsite fire access to within 150 feet of all portions of the building as measured by an approved route around the exterior of the building.	Building Permit	CCSD Fire	
50.	The Fire Sprinkler system shall be designed to National Fire Protection Association (NFPA) 13.	Building Permit	CCSD Fire	
51.	Required onsite fire access lanes shall be installed prior to combustible construction or on-site storage of combustible materials. Onsite pavement shall be capable of supporting 80,000 pounds gross vehicle weight in all weather conditions.	Building Permit	CCSD Fire	
52.	The Applicant shall install, test, flush, inspect the water mains and fire hydrants designated for the Project and be able to provide the required fire flow prior to any combustible construction.	Building Permit	CCSD Fire	
53.	The Applicant shall provide a test conducted by a licensed contractor performed at building or project completion to determine if the public safety communication system is adequate for emergency responder radio coverage. If the Project cannot support the required level of radio coverage, the Applicant shall equip the building with distributed antenna system with FCC certified signal boosters. Plans and permits required.	Prior to Certificate of Occupancy	CCSD Fire	

Exhibit C
Oak Rose Apartments (PLNG22-015)
Project Conditions of Approval

RESOLUTION NO. 2022-192

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE PROJECT EXEMPT FROM CEQA PURSUANT TO STATE CEQA GUIDELINES SECTION 15270, DENYING THE APPLICANT APPEAL OF THE PLANNING COMMISSION'S DETERMINATION THAT THE PROJECT IS NOT ELIGIBLE FOR SENATE BILL 35 MINISTERIAL REVIEW, DENYING THE DEVELOPMENT STANDARD WAIVER REQUEST, DENYING THE DENSITY BONUS, AND FINDING THAT THE EXECUTION OF AN AFFORDABLE HOUSING REGULATORY AGREEMENT IS NOT APPLICABLE FOR THE OAK ROSE APARTMENTS PROJECT (APLA22-001) LOCATED AT 9252 ELK GROVE BOULEVARD (APN: 134-0072-011)

WHEREAS the Development Services Department of the City of Elk Grove (the "City") received an application on or about March 4, 2022 from Oak Rose Apts L.P. (the "Applicant") requesting processing of a supportive housing project known as Oak Rose Apartments Project (the "Project") pursuant to Senate Bill 35 (SB 35) and requesting a density bonus to allow for the construction of 67 residential units for the Project; and

WHEREAS, the Applicant has requested a development standard waiver pursuant to Government Code section 65915(e)(1) seeking relief from the restrictions on ground-floor residential use in the Old Town Special Planning Area ("OTSPA"); and

WHEREAS, the proposed Project is located on real property in the incorporated portions of the City more particularly described as APN: 134-0072-011; and

WHEREAS, the Development Services Department considered the Project request pursuant to the Elk Grove General Plan, the Elk Grove Municipal Code (EGMC) Title 23 (Zoning), the OTSPA, and all other applicable state and local regulations; and

WHEREAS, the City of Elk Grove Planning Commission (the "Planning Commission") held a duly-noticed design review/public oversight hearing on June 2, 2022, as authorized by law to consider all information presented by staff, information presented by the Applicant, and public testimony presented in writing and at the meeting; and

WHEREAS, by a 5-0 vote, the Planning Commission found that the Project did not comply with the City's objective zoning standards and, therefore, is not eligible for SB 35 ministerial approval; and

WHEREAS, an appeal of the Planning Commission's decision was submitted on June 10, 2022 by Oak Rose Apts L.P.; and

WHEREAS, the City Council held a duly-noticed public hearing on July 27, 2022, as authorized by law to consider all the information presented by staff, information presented by the Applicant, and public comments, whether written or oral, related to the appeal, the development standard waiver, the density bonus, and other requests of the Applicant concerning the Project.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elk Grove hereby finds the Project exempt from CEQA pursuant to State CEQA Guidelines Section 15270 (Projects Which are Disapproved) based upon the following findings:

California Environmental Quality Act (CEQA)

Finding: No environmental review is necessary for the Oak Rose Apartments Project (PLNG22-015) pursuant to State CEQA Guidelines Section 15270 (Projects Which Are Disapproved).

Evidence: CEQA does not apply to projects which a public agency rejects or disapproves. Therefore, City Council’s denial of ministerial approval of the Project is exempt from CEQA pursuant to Section 15270.

AND, BE IT FURTHER RESOLVED, that, for the reasons presented by City staff and as identified on the record of the appeal hearing, the City Council of the City of Elk Grove hereby denies the appeal, affirming the Planning Commission’s decision that the Project does not comply with the City’s General Plan Community Commercial land use and the objective zoning standards of the City’s Old Town Special Planning Area commercial use zoning designation, and specifically the ground floor residential use restriction for this commercial zoned site, and the Project, therefore, is not eligible for SB 35 ministerial approval.

AND, BE IT FURTHER RESOLVED, that the City Council of the City of Elk Grove hereby denies the Applicant’s development standard waiver request made pursuant to Government Code section 65915(e)(1) as not authorized by, and contrary to, state law; the Applicant is not making a request for a concession or incentive under Government Code section 65915(d)(1), however, if such request were made, any such concession or incentive concerning the ground floor residential use restriction for this commercial zoned site would not result in identifiable and actual cost reductions, and is not authorized by, and is contrary to, state law.

AND, BE IT FURTHER RESOLVED, that the City Council of the City of Elk Grove hereby denies the density bonus request for the requested 67 residential units as moot and unavailable in light of the denial of the development standard waiver.


AND, BE IT FURTHER RESOLVED, that the City Council of the City of Elk Grove hereby finds that the approval and execution of an Affordable Housing Regulatory Agreement is not applicable and moot in light of the above determinations.

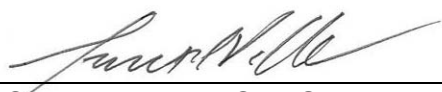
PASSED AND ADOPTED by the City Council of the City of Elk Grove this 27th day of July 2022


BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:


JASON LINDGREN, CITY CLERK


JONATHAN P. HOBBS,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2022-192

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 July 27, 2022 by the following vote:

AYES: **COUNCILMEMBERS:** *Singh-Allen, Suen, Hume, Spease, Nguyen*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California

NO FEE DOCUMENT

RECORDING REQUESTED BY:)
MAIL TAX STATEMENTS TO)
AND WHEN RECORDED, MAIL TO:)
))
City of Elk Grove)
c/o City Clerk)
8401 Laguna Palms Way)
Elk Grove, CA 95758)

Exempt from recording fee (Govt. Code § 6103 and § 27383)

Space above this line reserved for use by Recorder's Office

REGULATORY AGREEMENT
Oak Rose Apartments Affordable Housing Project

This Regulatory Agreement ("Regulatory Agreement") is made as of July 27, 2022, by and between the CITY OF ELK GROVE, a California municipal corporation ("City"), and Oak Rose Apts LP, a California limited partnership ("Owner").

RECITALS

A. Owner proposes to develop sixty-six (66) units of one hundred percent (100%) affordable rental housing, with an additional one (1) unit as a management unit (the "Project"), at a site located in Elk Grove, California at 9252 Elk Grove Boulevard – APN 134-0072-011 (as more particularly described in Exhibit A, attached hereto and incorporated herein by reference) (the "Property"), which units shall be rented at rents affordable to Qualifying Households according to the schedule contained in Exhibit B (the "Regulated Units"), attached hereto and incorporated by reference herein.

B. Chapter 16.88 of the Elk Grove Municipal Code ("EGMC") establishes an affordable housing fee to be collected for the purpose of funding affordable housing programs and projects as approved by the City Council or designated body. Pursuant to EGMC Section 16.88.050(B)(2), affordable housing that is deed-restricted as such for a minimum term of thirty (30) years is not subject to the residential affordable housing fee. "Deed-restricted" means a contract or agreement limiting the use and/or resale of the property in such a way that it will continue to provide affordable housing to low-income households or very low-income households for a specified period of time, and to which the City is a party.

C. Chapter 23.50 of the EGMC establishes eligibility for density bonus, waived or reduced development standards, and incentives and concessions. In order to qualify for density bonus, including waived or reduced development standards, pursuant to EGMC Section 23.50.030(H), prior to the award of density bonus, waived or reduced development standards, and any related incentives or concessions, the Owner must enter into an agreement with the City to ensure the continued affordability of all target units. Pursuant to EGMC Section 23.50.060, target units must remain restricted to low-income households for a minimum of fifty-five (55) years from the date of issuance of certificate of occupancy by the building official.

D. The parties now desire to enter into this Regulatory Agreement to deed-restrict the Property and to qualify for density bonus and/or one or more of its related concessions or incentives. Following execution of this Regulatory Agreement, the Project is not subject to the City's Affordable Housing Fee, as further described in Chapter 16.88 of the EGMC.

E. The City's activities under the Regulatory Agreement are limited to monitoring the Project for compliance with conditions of the Regulatory Agreement.

NOW, THEREFORE, Owner and the City hereby agree as follows:

1. **Recitals.** The foregoing Recitals are true and correct and incorporated into this Regulatory Agreement.

DEFINITIONS

The following terms have the meanings set forth in this section wherever used in this Regulatory Agreement or attached exhibits.

2. **Area Median Income** (referred to herein as "AMI") means the median income for the Metropolitan Statistical Area which includes the City of Elk Grove ("MSA"), with adjustments for household size, as determined from time to time by the U.S. Department of Housing and Urban Development (HUD) pursuant to Section 8(f)(3) of the United States Housing Act of 1937 as amended, or such other method of median income calculation applicable to the City of Elk Grove that HUD may hereafter adopt in connection with said Act. If HUD should cease making such determination, the City may designate another fair method of calculation of area median income used by any federal or state agency and applicable to the City of Elk Grove, provided that such method shall be consistent with the method used by the California Tax Credit Allocation Committee.

3. **City** means the City of Elk Grove, a municipal corporation.

4. **Owner** means Oak Rose Apts LP, a California limited partnership, and its successors, assigns, transferees, and/or affiliates who acquire an interest in the Property and/or Project.

5. **Project** means the development and operation of the Property for 66 affordable residential units, a management unit, and office space for permanent supportive housing services according to the terms of this Regulatory Agreement.

6. **Property** means the real property described in the attached Exhibit A, which is hereby incorporated into this Regulatory Agreement by this reference, and any buildings or improvements now or hereafter situated on such real property.

7. **Qualifying Household** means a household in which household income does not exceed the percentage of Area Median Income prescribed for the applicable housing unit by the terms of this Regulatory Agreement.

8. **Qualifying Rent** means: a) during the period a regulatory agreement (including without limitation an extended use agreement with the California Tax Credit Allocation Committee) governing the allocation and award of federal tax credits or private activity Bonds is in effect, the maximum rent charged to and paid by a tenant for the occupancy of a Regulated Unit in the Project determined in accordance with such regulatory agreement and 26 U.S.C. Section 42 and underlying rules and regulations ("Tax Credit Law") based on household size determinations made in accordance with Tax Credit Law, or b) during any other period, the "affordable rent," charged to and paid by a tenant for the occupancy of a Regulated Unit in the Project including a reasonable allowance for tenant-paid utilities, for the applicable household pursuant to Section 50053 of the California Health and Safety Code, as amended, or any successor statute thereto.

Qualifying Rent may be adjusted annually to coincide with the increases in the California Debt Limit Allocation Committee or California Tax Credit Allocation Committee schedule of rents for the Sacramento region, whichever prevails. If Owner does not agree with the adjustment factors provided herein, Owner may, within thirty (30) calendar days of notification by City of that year's adjustment, present to City information on which it wishes to base its annual rent adjustment. The City will review this information and, in its sole discretion, decide on which adjustment factor Owner shall base its annual rent increase. The decision of the City shall be final. Notwithstanding the above, during the period a regulatory agreement governing the allocation and award of federal tax credits is in effect, the annual rent increase shall not exceed the annual rent increase allowed by Tax Credit Law. Unless stated otherwise in this Regulatory Agreement, the utility allowances permitted for use shall be consistent with those allowed in Sacramento County and published annually by the Sacramento Housing and Redevelopment Agency, or any successor thereto.

9. **Regulated Units** means sixty-six (66) of the sixty-seven (67) rental dwelling units constructed for the Project, affordable to the income levels and having the composition, as set forth in Exhibit B.

OWNER'S OBLIGATIONS

10. **Compliance with Regulatory Agreement.** Owner's actions with respect to the Property shall at all times be in full conformity with the requirements of the Regulatory Agreement.

11. **Term of Agreement.** The affordability and use restrictions set forth herein shall be effective upon the issuance of the first building permit for the Project and shall remain in full force and effect until fifty-five (55) years after the date Owner obtains a Certificate of Occupancy from the City of Elk Grove for the Project. The obligations in this Regulatory Agreement shall remain effective and fully binding on Owner, and its successors, assigns and heirs, for this full term regardless of any expiration of the term of any loan, any payment, or prepayment of any loan, any assignment of a Note, any reconveyance of a Deed of Trust, or any sale, assignment, transfer, or conveyance of the Property, unless terminated earlier by the City in a recorded writing or extended by mutual consent of the parties.

PROJECT OCCUPANCY AND RENTS

12. **Occupancy of Project.** Owner shall limit for the full term of this Regulatory Agreement the rental of Regulated Units to Qualifying Households according to the schedule contained in Exhibit B. The income levels and other qualifications of applicants shall be certified prior to initial occupancy and annually thereafter in conformance with the Management Plan and the City's rules governing income certification, as these rules may be amended from time to time.

The Project shall be owned, managed, and operated as a supportive housing residential rental project comprised of one residential building together with office space and facilities, in accordance with the applicable provisions of the Internal Revenue Code and applicable California law, as the same may be amended from time to time. All of the residential dwelling units in the Project will be similarly constructed and shall contain separate and complete facilities for living, sleeping, eating, cooking and sanitation for a single person or family, including sleeping area, bathing and sanitation facilities and cooking facilities equipped with a cooking range, refrigerator and sink. None of the residential dwelling units shall at any time be utilized on a transient basis. Neither the Project, nor any portion thereof shall ever be used as hotel, dormitory, fraternity house, sorority house, rooming house, hospital, nursing home, sanitarium, rest home, or trailer park or court.

The Project shall also include community amenities, including a multipurpose room, an outdoor courtyard, staff offices for on-site property management and resident services staff members, a conference room, laundry facilities, bike racks, benches, and lighted parking.

13. **Project Rents.** Rents for Regulated Units shall be limited to Qualifying Rents.
14. **Construction Scheduling.** All Regulated Units in the Project shall be constructed concurrently with the construction of unregulated units. If the project is phased, Regulated Units shall be constructed per phase in proportion to their overall share of units in the Project.
15. **Lead-Based Paint.** Owner and its contractors and subcontractors shall not use lead-based paint in the construction, design, or maintenance of the Property. Owner shall insert this provision in all contracts and subcontracts for work performed on the Project which involves the application of paint.
16. **Condominium Conversion.** Owner shall not convert Regulated Units to condominium or cooperative ownership or sell condominium or cooperative conversion rights to the Regulated Units during the term of this Regulatory Agreement, without the prior written consent of City, which consent may be withheld for any reason.
17. **Nondiscrimination.** Owner shall not discriminate or segregate in the use, enjoyment, occupancy, conveyance, lease, sublease, or rental of Project units on the basis of race, color, ancestry, national origin, religion, sex, sexual preference, age, marital status, family status, source of income, physical or mental disability, Acquired Immune Deficiency Syndrome (AIDS) or AIDS-related conditions, or any other arbitrary basis. Owner shall include a statement in all advertisements, notices, and signs for the availability of Project units for rent to the effect that Owner is an Equal Housing Opportunity Provider, as that term is defined by State and Federal law.
18. **Operation and Management of Project.** Owner and each of Owner's agents shall diligently operate and manage the Property after completion in substantial conformance with the covenants contained in this Regulatory Agreement, which shall run with the land and bind all successors-in-interest to the Property, and which covenants shall be included in the management plan for the property ("Management Plan"). The Management Plan shall be the plan addressing how the Property will be managed following construction and upon occupancy, and shall include, but not be limited to, provisions set forth in Section 20 herein. The Management Plan shall be provided to the City upon request.
19. **Management Entity.** City and Owner agree that Owner shall manage the Property upon completion of construction. If Owner desires to seek the services of an outside property management firm to manage the Property, Owner may contract with an experienced property management firm. Any contracting of management services by Owner shall not relieve Owner of its primary responsibilities for proper performance of management duties.
20. **Management Responsibilities.** The Owner shall perform and provide the following:
 - A. Annual inspections of individual units to ensure continued compliance with state and local housing codes. Results of the inspections must be documented in a report, and copies may be requested by the City. The City may also independently schedule during a calendar year, one or more property inspections upon five (5) business days' advance written notice by City to Owner.

B. Quarterly financial and occupancy reporting prepared in the Owner's ordinary course of business.

C. Maintenance of the Property in compliance with all applicable laws and codes.

D. The Management Plan shall include methods for certifying the eligibility of the households, including annual verification of tenant income and measures to take in the event a tenant exceeds the maximum income for a given unit.

E. The Management Plan shall include the tenant selection and leasing process that implements best practices strategies, in compliance with applicable federal, California state, and local law, that ensures tenant stability and which maximizes the health, safety, welfare, and beneficial enjoyment of the Project.

Owner shall provide and maintain safe and sanitary rental housing units on the Property and shall comply with all Federal, State, and local housing codes, licensing requirements, and other requirements regarding the condition of the Property and the operation of rental housing units in the City of Elk Grove.

Owner shall be specifically responsible, subject to its obligations herein, for all management functions with respect to the Property, including, without limitation, the selection of tenants, certification and recertification of household size and income, evictions, collection of rents and deposits, maintenance, landscaping, routine and extraordinary repairs, replacement of capital items, and security. The City shall have no responsibility over management of the Property.

21. **Maintenance and Security.** Owner shall, at its own expense, maintain the Property in good condition, in good repair, and in a safe, sanitary, and habitable, living condition for the benefit of Project occupants. Owner shall not commit or permit any waste on or to the Property, and shall prevent and/or rectify any physical deterioration of the Property. Owner shall provide adequate ongoing security equipment and services for Project occupants. Owner shall maintain the Property in conformance with all applicable state, federal, and local laws, ordinances, codes, and regulations; however, Owner's maintenance obligations shall not be limited only to the standards contained in these laws.

Nothing contained in this Section shall be interpreted to place any restriction or limitation on the City's right to take such actions as it deems necessary or proper to protect the health and safety of the public in the proper exercise of the City's authority under federal, state, and local laws.

22. **Unit Vacancies.** Owner shall use its best efforts to fill vacancies in Regulated Units as quickly as possible.

23. **Inspection and Records.** Owner shall maintain records which clearly document Owner's performance of its obligations to operate the Property under the terms of this Regulatory Agreement. Owner shall submit any records to the City within ten (10) business days of City's request. Owner shall permit City to enter and inspect the Property for compliance with obligations under this Regulatory Agreement upon five (5) days advance written notice of such visit by City to Owner or Owner's Property Manager and to tenants of any inspected Project units, subject to the provisions of the lease regarding inspection and entry rights, a copy of which Owner must provide to City upon request.

24. **Reporting.** Owner shall submit the following reports to the City:

A. Quarterly financial and occupancy reporting prepared in the Owner's ordinary course of business, to be due sixty (60) calendar days after the end of each quarter. Such occupancy reports shall include tenant name, unit number, income level of unit (as a percentage of AMI), number of bedrooms, unit square footage, rent amount owed, rent paid by tenant, and rent paid by third party. Financial reports shall include the Project's line item budget and actual income and expenses for the period in question and year-to-date.

B. An annual report, which shall include, at a minimum for each Regulated Unit, the initial and current rental rates and the income and household size of the occupants at the time such occupants initially take occupancy. The income information required under this report shall be supplied by the tenant in a certified statement on the Tenant Income Certification collected from the tenants in compliance with all applicable rules and regulations of the California Tax Credit Allocation Committee. City may require additional information to be included in the annual report.

C. A copy of the annual reports submitted to the California Tax Credit Allocation Committee.

The City, subject to Owner's approval, which shall not be unreasonably withheld, may reasonably alter, supplement, or otherwise modify the frequency or content of required reports as needed to maintain adequate oversight of the Project, or to standardize reporting requirements across its portfolio of assisted projects. In the event of a default of the terms of this Regulatory Agreement, the City may reasonably alter, supplement, or otherwise modify the frequency of content of required reports to address findings related to noncompliance by the Project.

25. **Fees, Taxes, and Other Levies.** Owner shall be responsible for payment of all fees, assessments, taxes, charges, and levies imposed by any public authority or utility company with respect to the Property, and shall pay such charges prior to delinquency. However, Owner shall not be required to pay any such charge as long as (a) the legality thereof is being contested in good faith and by appropriate proceedings, and (b) Owner maintains reserves adequate to pay any contested liabilities.

GENERAL PROVISIONS

26. **Default and Remedies.** In the event of any breach or violation of any agreement, obligation, or warranty under this Regulatory Agreement, City shall give written notice to Owner by specifying: (a) the nature of the breach or violation, (b) the action required to cure the breach or violation, if an action to cure is possible, and (c) a date, which shall not be less than ninety (90) calendar days from the mailing of the notice, by which such action to cure must be taken, if an action to cure is possible. If Owner fails to cure the breach or violation within the timeframe specified in the notice, or if a cure is not possible, City may proceed with any of the following remedies:

A. Bring an action for equitable relief seeking the specific performance by Owner of the terms and conditions of this Regulatory Agreement, and/or enjoining, abating, or preventing any violation of said terms and conditions, and/or seeking declaratory relief;

B. Enter upon, take possession of, and manage the Property, either in person, by agent, or by a receiver appointed by a court, and collect any rents, income, deposits, or reserves and apply them to operate the Property, and continue in possession until such time as City determines that Owner is in a position to operate the Property in compliance with this Regulatory Agreement;

C. After notice provided for herein, make such repairs or replacements to the Property as are necessary and provide for payment thereof; or

D. For violations of Owner's obligations with respect to occupancy restrictions, Project maintenance, unit vacancies, and Project rents, City may require immediate payment of the affordable housing fee, which fee shall be calculated using the higher of (i) the affordable housing fee rate in effect at the time the Project obtains building permits; or (ii) the affordable housing fee rate in effect at the time of breach hereunder.

E. Pursue any other remedy allowed at law or in equity.

The parties agree that the sums and formulas designated herein as liquidated damages represent a reasonable approximation of the damages City is likely to suffer from violations of the respective terms. Owner agrees to pay in full any accrued liquidated damages to City within ten (10) business days of a written demand by City for such payment.

27. **Non-Liability of Officials, Employees, and Agents.** No member, official, director, employee, or agent of City shall be personally liable to Owner or third party beneficiaries for any obligation created under the terms of this Regulatory Agreement.

28. **Indemnity.** Owner, its successors, assigns and heirs shall defend, indemnify and hold City, its members, officials, directors, employees, and agents, harmless against any losses, damages, liabilities, claims, demands, judgments, actions, court costs, and legal or other expenses (including attorney's fees) which City may incur as a result of (a) Owner's failure to reasonably perform any material obligations as required by this Regulatory Agreement; (b) a failure of any of Owner's representations or warranties under this Regulatory Agreement to be true and complete in any material respect when made; (c) any material breach, act or omission by Owner, management agent, Owner's contractors, subcontractors, or suppliers with respect to the Project or the Property, and/or (d) any claim related to the Project or Property, except if the loss is caused by the sole negligence or willful misconduct of the City. Owner shall pay immediately upon City's demand any amounts owing under this indemnity. The duty of the Owner to indemnify includes the duty to defend City in any court action, administrative action, or other proceeding brought by any third party arising from the Project or the Property. Owner's duty to indemnify City shall survive the term of this Regulatory Agreement.

29. **Governing Law.** This Regulatory Agreement shall be interpreted under and governed by the laws of the State of California, except for those provisions preempted by federal law. However, the laws of the State of California shall not be applied to the extent that they would require or allow the court to use the laws of another state or jurisdiction. Owner agrees that all actions or proceedings arising in connection with this Regulatory Agreement shall be tried and litigated only in the state and federal courts located in the State of California, except that City, in its sole discretion, may elect that all such actions or proceedings be tried and litigated in the County of Sacramento or the United States District Court for the Eastern District of California.

30. **Attorneys' Fees and Costs.** In the event that a legal or administrative action is brought to interpret or enforce the terms of this Regulatory Agreement, the prevailing party shall be entitled to recover all reasonable attorneys' fees and costs incurred in such action.

31. **Time.** Time is of the essence in this Regulatory Agreement.

City neither undertakes nor assumes any responsibility or duty to Owner or to any third party with respect to the operation of the Property or the actions of Owner. Except as City may specify in writing, Owner shall have no authority to act as an agent of City or to bind City to any obligation.

36. **Waiver.** Any waiver by City of any obligation in this Regulatory Agreement must be in writing. No waiver will be implied from any delay or failure by City to take action on any breach or default of Owner or to pursue any remedy allowed under this Regulatory Agreement or applicable law. Any extension of time granted to Owner to perform any obligation under this Regulatory Agreement shall not operate as a waiver or release from any of its obligations under this Regulatory Agreement. Consent by City to any act or omission by Owner shall not be construed to be a consent to any other or subsequent act or omission or to waive the requirement for City's written consent to future waivers.

37. **Other Agreements.** Owner represents that it has not entered into any agreements that would restrict or compromise its ability to comply with the terms of this Regulatory Agreement. Owner shall not enter into any agreements that are inconsistent with the terms of this Regulatory Agreement without a written waiver by City, which shall not be unreasonably withheld.

38. **Amendments and Modifications.** Any amendments or modifications to this Regulatory Agreement must be in writing, and shall be effective only if executed by both Owner and City.

39. **Recordation of the Regulatory Agreement.** To ensure the continued affordability of the Regulated Units for the Term, this Agreement shall be executed and recorded against the Property either prior to the recordation of any other lien, encumbrance, easements, covenants, or judgments or concurrent with the final subdivision map, whichever occurs first.

40. **Severability.** Every provision of this Regulatory Agreement is intended to be severable. If any provision of this Regulatory Agreement is held invalid, illegal, or unenforceable by a court of competent jurisdiction, the validity, legality, and enforceability of the remaining provisions shall not be affected or impaired.

41. **Participation in Section 8 Program.** During the term of this Regulatory Agreement, Owner shall not discriminate against tenants who qualify under the Housing Choice Voucher program, formerly referred to as the Section 8 program ("HCV" or "Section 8"), administered by the Sacramento Housing and Redevelopment Agency, or any successors thereto (the "Agency"). The rents for units rented to HCV tenants shall be as determined by the Agency, based on the payment standard.

42. **Cooperation with City-supported Homelessness Programs.** At the City's request, in filling any vacancies Owner shall use commercially reasonable efforts to provide preference to homeless households referred by the City or one of its partner agencies, including by placing such households at the top of the waitlist, if Project maintains a waitlist, but in no event shall Owner be obligated by this preference if it would violate federal or state housing, equal protection, or similar laws. Nothing herein shall be interpreted as requiring Owner to dispense with its standard tenant screening process as described in the Management Plan in effect at the time.

43. **Counterparts.** This Regulatory Agreement and all other agreements executed pursuant to this Regulatory Agreement may be executed in counterpart originals, each of which shall be deemed an original, but all of which, together shall constitute one and the same instrument.

44. **City's Signatory Authority.** Any provision of the Regulatory Agreement requiring the signature, consent, authorizing waiver, and/or approval of the City shall mean the signature of the City Manager or their designee.

45. **Agreement and Acknowledgement of Agreement.** City and Owner acknowledge and agree that this Regulatory Agreement has been negotiated at arm's length, that each party has been represented by independent counsel and/or has had an opportunity to consult with and be represented by independent counsel, that this Regulatory Agreement is deemed to be drafted by both parties, that no one party shall be construed as the drafter of this Regulatory Agreement, and that any rule of construction that ambiguities are to be construed against the drafter shall not apply in the interpretation or construction of this Regulatory Agreement. This Regulatory Agreement shall be recorded in the Office of the Sacramento County Recorder.

46. **Authority.** The person(s) signing this Regulatory Agreement hereby represents and warrants that he/she is fully authorized to sign this Regulatory Agreement on behalf of their respective party and to legally bind such party to the performance of its obligations hereunder.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties hereto have executed this Regulatory Agreement as of the date first above written.

CITY:

CITY OF ELK GROVE,
a California municipal corporation

By: _____
Jason Behrmann
City Manager

Approved as to form:

By: 
Jonathan P. Hobbs
City Attorney

Attest:

By: _____
Jason Lindgren
City Clerk

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE§ 1189



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____)

On _____ before me, _____,
Date Here Insert Name and Title of the Officer
personally appeared _____,
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (*ies*), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

ALL SIGNATURES MUST BE NOTARIZED

OWNER:

Oak Rose Apts LP,
a California limited partnership

By: Oak Rose Apts GP LLC
a California limited liability company
Its: Administrative General Partner

By: Excelebrate Housing Group LLC,
a California limited liability company
Its: Sole Member

By: 
Name: Dana Trujillo
Its: Manager / CEO and President

By: TLCS, Inc.,
a California nonprofit public benefit corporation
Its: Managing General Partner

By: _____
Name: Erin Johansen
Its: Chief Executive Officer

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODES 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles }

On 7/19/2022 before me, Lashon James-Major, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Dana Trujillo
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Lashon James-Major
Signature of Notary Public

- attached to Regulatory Agreement
Oak Rose Apartments Affordable Housing Project

ALL SIGNATURES MUST BE NOTARIZED

OWNER:

Oak Rose Apts LP,
a California limited partnership

By: Oak Rose Apts GP LLC
a California limited liability company
Its: Administrative General Partner

By: Excelerate Housing Group LLC,
a California limited liability company
Its: Sole Member

By: _____
Name: Dana Trujillo
Its: Manager / CEO and President

By: TLCS, Inc.,
a California nonprofit public benefit corporation
Its: Managing General Partner

By: 
Name: Erin Johansen
Its: Chief Executive Officer

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODES 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

State of California)
County of Sacramento)

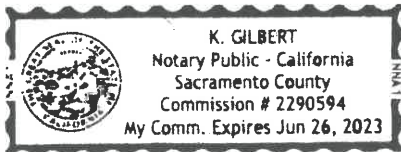
On 19 July 2022 before me, K Gilbert, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Erin Johansen
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

EXHIBIT A

Legal Description

Real property in the City of Elk Grove, County of Sacramento, State of California, described as follows:

ALL THAT PORTION OF LOTS 1 AND 14, AS SHOWN ON THE MAP ENTITLED, "GUNTER'S ADDITION TO ELK GROVE", RECORDED MAY 18, 1912, IN BOOK 13 OF MAPS, PAGE 21.

BEGINNING AT A POINT IN THE CENTER LINE OF MAIN STREET LOCATED NORTH 89° 56' WEST 341.70 FEET FROM THE NORTHEAST CORNER OF SAID LOT 1 (SAID NORTHEAST CORNER BEING LOCATED ON THE CENTER LINE OF SAID MAIN STREET 60 FEET IN WIDTH); THENCE 89° 56' WEST 115 FEET ALONG THE NORTH LINE OF SAID LOT 1 TO THE NORTHEAST CORNER OF LOT CONVEYED TO REGINALD ROLFE BY DEED RECORDED IN BOOK 495 OF DEEDS, PAGE 91; THENCE ALONG ROLFE'S EAST LINE, SOUTH 00° 02'-1/2' WEST 201.24 FEET; THENCE ALONG ROLFE'S SOUTH LINE AND THE EXTENSION THEREOF, NORTH 89° 56' WEST 641.70 FEET TO THE SOUTHWEST CORNER OF LOT CONVEYED TO BIRDIE F. MITCHELL BY DEED RECORDED IN BOOK 484 OF DEEDS, PAGE 584, THENCE SOUTH 00° 02'-1/2' WEST 18 FEET TO THE NORTHWEST CORNER OF LOT CONVEYED TO JOHN W. RODEN'S NORTH LINE THENCE SOUTH 89° 56' EAST 661.70 FEET TO THE NORTHEAST CORNER OF RODEN'S LOT; THENCE ALONG RODEN'S EAST LINE SOUTH 00° 02'-1/2' WEST 174 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE ALONG THE SOUTH LINE OF SAID LOTT SOUTH 89° 56' EAST 95.58 FEET TO A POINT; THENCE NORTH, PARALLEL TO THE EAST LINE OF SAID LOT 1, 393.24 FEET TO THE POINT OF BEGINNING.

APN: 134-0072-011

EXHIBIT B

Regulated Units

PROJECT UNIT MIX AND AFFORDABILITY*

Maximum Household Income as a Percentage of Area Median Income (AMI)	STUDIO No. of Units	ONE BEDROOM No. of Units	TWO BEDROOM No. of Units	Total
80% or lower	66	-	-	66
Unrestricted (Manager's Unit)	-	-	1	1
TOTAL	66	-	1	67

The Project includes one (1) unit that is not rent-restricted and is intended to be used as a manager's unit. The unrestricted unit must be occupied by a member of the property management staff.

***Project shall comply with HSC 50079.5:**

(a) "Lower income households" means persons and families whose income does not exceed the qualifying limits for lower income families as established and amended from time to time pursuant to Section 8 of the United States Housing Act of 1937. The limits shall be published by the department in the California Code of Regulations as soon as possible after adoption by the Secretary of Housing and Urban Development. In the event the federal standards are discontinued, the department shall, by regulation, establish income limits for lower income households for all geographic areas of the state at 80 percent of area median income, adjusted for family size and revised annually.

City Council Staff Report Item 8.1 dated July 27, 2022:

https://www.elkgrovecity.org/sites/default/files/city-files/cityclerk/citycouncil/2022/Attachments/07-27-22_8.1.pdf

Kyra Killingsworth

From: Jim Looper <[REDACTED]>
Sent: Monday, September 18, 2023 5:45 PM
To: Kyra Killingsworth; Rod Brewer
Subject: Waterman/ EG Homeless Project

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

[EXTERNAL EMAIL]

I am not happy to hear a homeless project "Oak Rose" is going in on the corner of Waterman and Elk Grove Blvd.

Police presence is often needed regularly in facilities like this and I do not believe it is best located so far the police headquarters.

The neighboring shops are the pivitol for those living in the eastern area of Elk Grove and the tennants struggle enough based on turnover. Image how adding this clientelle will impact them and those whpo will not longer patronize their establishments! Additionally - Many KAMS and PGHS kids frequent this shopping center after school and on the weekends as a safe place to be with their friends.

More suitable locations may include North of Laguna between the tracks and I-5 in those abandoned buildings, the Laguna Target center, Near Mikunis...

Thank you for your consideration.

Jim

Kyra Killingsworth

From: Comcast [REDACTED]
Sent: Monday, September 18, 2023 5:40 PM
To: Kyra Killingsworth
Subject: Homeless and low income apartments in old Elk Grove

[You don't often get email from your [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

[EXTERNAL EMAIL]

I'm a native to Elk Grove and find this location to be a danger to our children. There are elementary, junior high, and high school children that have no way to get to school without walking or riding a bike by this location and for there to be a library which should be a safe location for children to study or use a computer next door it's unreasonable to even consider it. Children find mischief on there own and we don't need people who have made poor choices to do drug and Alcohol befriending our children to persuade them in a negative direction when parents are busily making their way to work or working from home or unable to transport them for other reasons. I worked as a school bus driver for over 20 years and I've seen the egusd school bus routes completely dropped from this whole area so they do walk, sometimes in dark places where a lot of homeless are hanging out. Please don't let this apartment complex be built here. Our small town views matter and for the city to roll over because of state law suite it's crazy. These are our tax dollars and they'd be better spent on our children's future. Put this project somewhere away from where kids walk to school, where school buses run give our town a future not a death sentence.

Tammy Meuser
[REDACTED]

Kyra Killingsworth

From: Sheri Looper [REDACTED]
Sent: Monday, September 18, 2023 1:52 PM
To: Kyra Killingsworth; Rod Brewer
Subject: Oak Rose Project

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

[EXTERNAL EMAIL]

I am writing to express my extreme opposition to the Oak Rose proposal for the corner of Waterman and Elk Grove Blvd. This intersection is often referred to as Four Corners.

Four Corners is the community cornerstone for those of us living in the eastern area of Elk Grove. The kids that attend Albiani Middle School and Pleasant Grove High School frequent Four Corners after school and on the weekends as a safe place to be with their friends. This is also where we do our shopping and dining.

There are no needed medical services or mental health services in this area for the projected residents of Oak Rose. This in itself makes the location problematic in addition to the impact it will have on local residents including safety, litter, and biohazards.

This housing project will result in increased panhandling at local businesses, Oak Rose residents driving customers away. As seen in other areas of the county, it will decrease the safety of the local residents as they shop, the employees of the businesses, and the safety of our teens as they try to enjoy local businesses while participating in good, clean and healthy fun. This will directly result in decreased patronage of local businesses in the area and lead to economic hardships.

City of Elk Grove – City Council

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, September 27, 2023, at the hour of 6:00 p.m.**, or as soon thereafter as the matter may be heard, the Elk Grove City Council will conduct a public hearing at City Hall in the Council Chambers, 8400 Laguna Palms Way, Elk Grove, California, to consider the following matter:

OAK ROSE APARTMENTS (PLNG22-015) – A RECONSIDERATION OF THE DETERMINATION OF ELIGIBILITY FOR THE SENATE BILL 35 MINISTERIAL REVIEW PROCESS, DENSITY BONUS, PROJECT APPROVAL, AND AFFORDABLE HOUSING REGULATORY AGREEMENT:

The proposed Project consists of a request to construct a 100% affordable housing project with 67 units (“Project”) in a new three-story building on a vacant parcel in Elk Grove Old Town Historic District. The Project proposal includes resident-serving office spaces in the front of the building on the ground level, with residential units on all three levels of the building (including the ground floor). Associated site improvements such as parking, landscaping, and exterior lighting are also proposed.

The proposed Project requires approval of a density bonus to allow for an increase of density over the 30 units-per-acre allowed for the site and an incentive for allowable use (ground-floor residential use). Approval of the density bonus and any related incentives, concessions, or waivers requires that the applicant enter into an Affordable Housing Regulatory Agreement with the City to ensure the continued affordability of proposed residential units.

This is a reconsideration of the City Council’s decision on July 27, 2022, finding the Project is ineligible for SB 35 ministerial review. Staff will be recommending approval of the Project.

PROPERTY OWNER/PROJECT APPLICANT:

Oak Rose Apts, LP
Peter Enzminger (Representative)
3910 Cover Street
Long Beach, CA 90808

LOCATION/APN: 9252 Elk Grove Boulevard/APN: 134-0072-011

ZONING: Old Town Special Planning Area- Commercial

ENVIRONMENTAL: Approval of the Project is exempt from the California Environmental Quality Act (CEQA) review pursuant to Public Resources Code Section 21080 (b)(1), Government Code Section 65913.4 (d)(2), and CEQA Guidelines Section 15268 as the project is ministerial and not subject to environmental review.

Information or questions regarding this item should be referred to Antonio Ablog, Planning Manager, (916) 627-3335 or aablog@elkgrovecity.org; or to the Office of Development Services – Planning, 8401 Laguna Palms Way, Elk Grove, CA, 95758. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the close of the hearing scheduled herein, and oral statements may be made at said hearing.

The live meeting can be viewed via the City's website at http://www.elkgrovecity.org/city_hall/city_government/live_archived_broadcasts

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 8401 Laguna Palms Way, 1st Floor, Elk Grove, CA, 95758, at or prior to the close of the public hearing.

Dated / Published: September 15, 2023

JASON LINDGREN
CITY CLERK, CITY OF ELK GROVE

ADA COMPLIANCE STATEMENT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (916) 478-3635. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

APN	ADDRESS	CITY	STATE	ZIP
13406100100000	1717 MAIN ST 2000	DALLAS	TX	75201
13400710200000	21 CYPRESS POINT CT	ALAMO	CA	94507
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12701700150000	9243 THOROUGHbred WAY	ELK GROVE	CA	95624
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13400840250000	9250 KLIEVER WAY	ELK GROVE	CA	95624
13400710190000	30 TEA TREE CT	HILLSBOROUGH	CA	94010
13400710070000	4823 MACARDY CT	ROSEVILLE	CA	95747
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13400710110000	9187 GROVE ST	ELK GROVE	CA	95624
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13406100130000	12214 WATERSONG LN	WILTON	CA	95693
13409000460000	9610 LITTLE HARBOR CT	ELK GROVE	CA	95624
13406100360000	9286 BRILES CT	ELK GROVE	CA	95624

APN	ADDRESS	CITY	STATE	ZIP
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13400840390000	9648 GAMAY WAY	ELK GROVE	CA	95624
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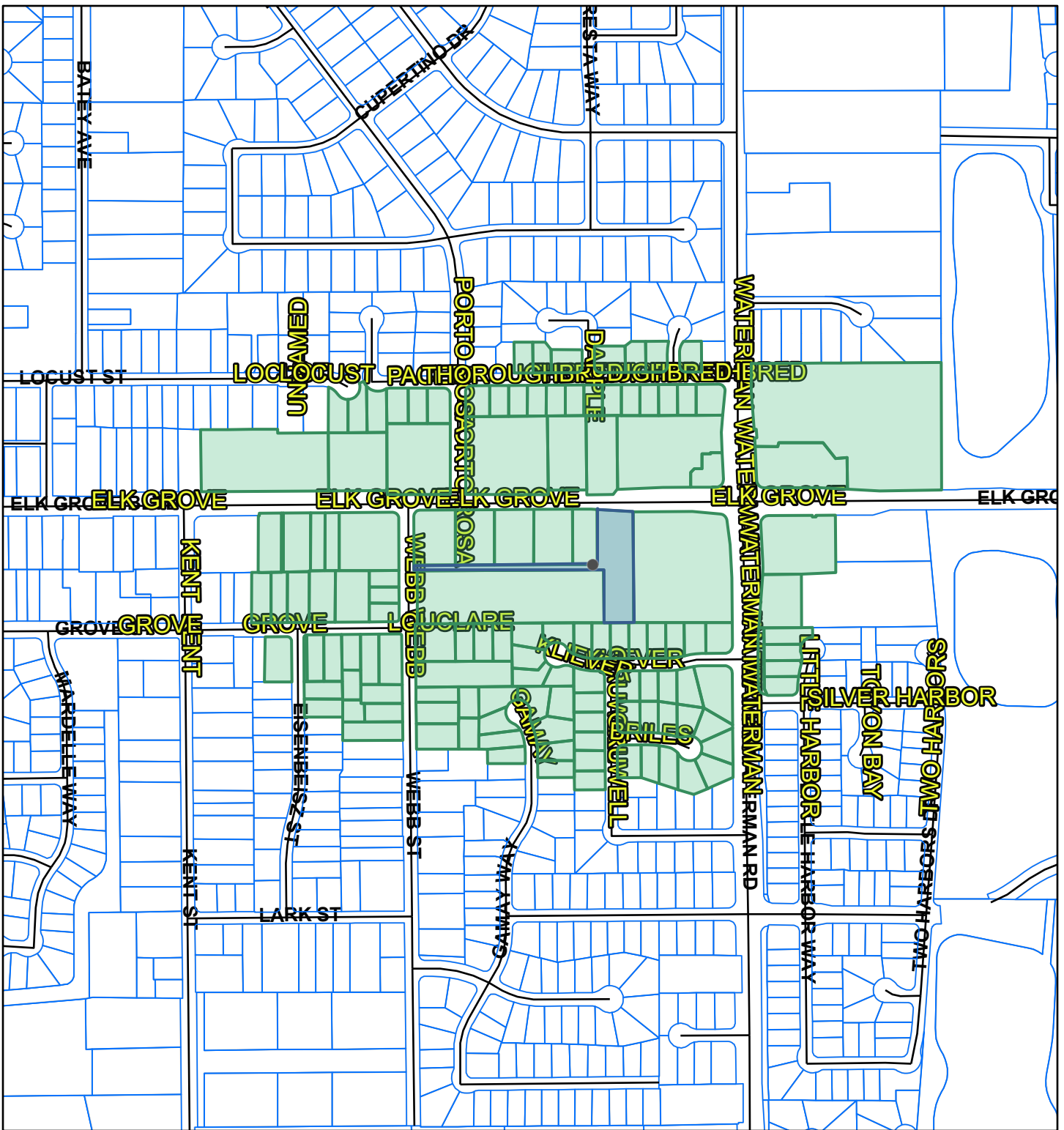
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APN	ADDRESS	CITY	STATE	ZIP
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13400830280000	9196 GROVE ST	ELK GROVE	CA	95624
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13400840170000	9653 WEBB ST	ELK GROVE	CA	95624
13400840360000	9660 GAMAY WAY	ELK GROVE	CA	95624
13400840410000	9640 GAMAY WAY	ELK GROVE	CA	95624
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13400840600000	9627 LOUCLARE LN	ELK GROVE	CA	95624
13400840610000	9631 LOUCLARE LN	ELK GROVE	CA	95624
13401101320000	9308 ELK GROVE BLVD 120	ELK GROVE	CA	95624
13401101320000	9304 ELK GROVE BLVD 140	ELK GROVE	CA	95624
13401101320000	9304 ELK GROVE BLVD 150	ELK GROVE	CA	95624
13401101320000	9308 ELK GROVE BLVD 110	ELK GROVE	CA	95624
13401101320000	9304 ELK GROVE BLVD 130	ELK GROVE	CA	95624
13401101320000	9304 ELK GROVE BLVD 160	ELK GROVE	CA	95624
13401101320000	9308 ELK GROVE BLVD 100	ELK GROVE	CA	95624
13401101350000	9312 ELK GROVE BLVD	ELK GROVE	CA	95624
13406100010000	9287 KLIEVER WAY	ELK GROVE	CA	95624
13406100060000	9267 KLIEVER WAY	ELK GROVE	CA	95624
13406100070000	9263 KLIEVER WAY	ELK GROVE	CA	95624
13406100100000	9634 GRUWELL WAY	ELK GROVE	CA	95624
13406100130000	9646 GRUWELL WAY	ELK GROVE	CA	95624
13406100320000	9270 BRILES CT	ELK GROVE	CA	95624
13406100330000	9274 BRILES CT	ELK GROVE	CA	95624
13406100340000	9278 BRILES CT	ELK GROVE	CA	95624

APN	ADDRESS	CITY	STATE	ZIP
13406100400000	9279 BRILES CT	ELK GROVE	CA	95624
13406100410000	9275 BRILES CT	ELK GROVE	CA	95624
13406100450000	9276 KLIEVER WAY	ELK GROVE	CA	95624
13406100470000	9646 WATERMAN RD	ELK GROVE	CA	95624
13409000440000	9618 LITTLE HARBOR CT	ELK GROVE	CA	95624

OWNER	CONTACT	ADDRESS	CITY	STATE	ZIP
AT&T	Astrid Willard	2700 Watt Ave Rm 3473-11	Sacramento	CA	65821
CA Dept. of Fish and Wildlife	Tanya Sheya	1701 Nimbus Rd., Ste. A	Rancho Cordova	CA	95670
Caltrans District 3, Planning and Local Assistance	Doug Adams	703 B Street	Marysville	CA	95901
Cosumnes Fire Department	Morgana Yahnke	10573 E. Stockton Blvd.	Elk Grove	CA	95624
Cosumnes Parks & Recreation	Paul Mewton	8820 Elk Grove Blvd. Ste. #3	Elk Grove	CA	95624
CRWQCB	Liz Lee	11020 Sun Center Dr. #200	Rancho Cordova	CA	95670-6114
Elk Grove Unified School District	Pham Saechao; Christopher Bohrer	9510 Elk Grove-Florin Road	Elk Grove	CA	95626
Elk Grove Water Services	Bruce Kamilos	9257 Elk Grove Blvd.	Elk Grove	CA	95624
Frontier	Kirby Bernard	9260 E. Stockton Blvd	Elk Grove	CA	95624
Pacific Gas & Electric	Adam Egbert	12840 Bill Clark Way	Auburn	CA	95602-9527
Sacramento County Water Agency	Bob Gardner; Bob Steeg	827 Seventh Street Rm 301	Sacramento	CA	95814
Sacramento Area Sewer District	Amandeep Singh	10060 Goethe Road	Sacramento	CA	95827
SMUD	Rob Ferrera	6201 S Street, MS B203	Sacramento	CA	95817
SMUD	Yujean Kim	6201 S Street	Sacramento	CA	95817
Adam Broadwell Joseph & Cardoza	Janet Laurain	601 Gateway Boulevard, Suite 1000	South San Francisco	CA	94080-7037
Hakkem, Ellis & Marengo, Professional Law Corporation	Michael Hakeem	3414 Brookside Road, Suite	Stockton	CA	95219
Hock Construction Management, Inc	Les Hock	10630 Mather Blvd.	Sacramento	CA	95655
J. P. Morgan	J.P. Morgan	2217 Raindance Drive	Roseville	CA	95747
John Jaeger	John Jaeger	9543 Roblin Court	Elk Grove	CA	95758
Lozeau Drury LLP	Michael Lozeau Hanna Hughes Sophie Roberts	1939 Harrison Street, Suite 150	Oakland	CA	94612
MerloneGeier Partners	Gary S Muljat	3191 Zinfandel Drive, Suite 23	Rancho Cordova	CA	95670
Northern California Carpenters	Katie Boyd	265 Hegenberger Rd., Suite 220	Oakland	CA	94621
Richland Planned Communities	Aaron Ross-Swain	3000 Lava Ridge Ct., Ste 115	Roseville	CA	95661
Ring Hunter Holland & Schenone	Justin J. Schnitzler	985 Moraga Road, Suite 210	Lafayette	CA	94549
Taylor & Wiley	Matt Keasling	500 Capitol Mall Suite 1150	Sacramento	CA	95814
Taylor Morrison	Jay Pawlek	81 Blue Ravine Rd. Suite 220	Folsom	CA	95630
Kevin Johnston	Kevin Johnston	2476 Buena Vista Avenue	Livermore	CA	94550
Native Amercian Heritage Commission	Pricilla Torres -Fuentes	1550 Harbor Boulevard, Suite 100	West Sacramento	CA	95691

Oak Rose Apt. 500 feet



— Streets
 □ Elk Grove Parcels

Owner Parcels
 Project Location

N

0 280 560
 —————
 ft



Interoffice Memorandum

9/27/2023

.....
Date

City Council

.....
To

Antonio Ablog, Planning Manager

.....
From

Item 8.2 – Oak Rose Apartments

.....
Subject



Honorable Council Members,

Senate Bill 35 ("SB 35") Guidelines promulgated by the California Department of Housing and Community Development ("HCD") recognize the local government's authority to condition SB 35 projects and provide, in part, as follows:

- (4) Approval of ministerial processing does not preclude imposing standard conditions of approval as long as those conditions are objective and broadly applicable to development within the locality, regardless of streamlined approval, and such conditions implement objective standards that had been adopted prior to submission of a development application. This includes any objective process requirements related to the issuance of a building permit. However, any further approvals, such as demolition, grading and building permits or, if required, final map, shall be issued on a ministerial basis subject to the objective standards.
 - (A) Notwithstanding Paragraph (5) [addressing CEQA exemption], standard conditions that specifically implement the provisions of these Guidelines, such as commitment for recording covenant

and restrictions and provision of prevailing wage, may be included in the conditions of approval.

(HCD SB 35 Guidelines, § 301(a)(4)(A).)

On September 12, 2023, staff provided the representatives for the Oak Rose Apartments Project (“Oak Rose”) with a set of draft conditions of approval. On September 25, 2023, Oak Rose provided written comments on the draft conditions. Set forth below is staff response to the comments from Oak Rose.¹

Condition No.	Condition Language	Oak Rose Objection	City Staff’s Response/ Recommendation
3	The Applicant, or Successors in Interest (hereinafter 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.	Proposed Condition No. 3 states that Oak Rose must “indemnify, protect, and hold harmless the City. . .” against third party challenges if the City’s approves its voluntary, unilateral SB 35 reconsideration decision on or after September 27, 2023. This Condition is a legal nullity. The City cannot lawfully impose an indemnity obligation on Oak Rose in the absence of an application or other form of agreement by Oak Rose to accept such a condition; Oak Rose did not request reconsideration and is thus not subject to the terms of the City’s form Planning Application and Agreement. Nor could such a condition be considered valid under Government Code, Sections 65014 or 66016, or Code of Civil Procedure, Section 1021. Condition 3 is thus legally invalid and unenforceable.	Retain Condition This is a standard condition for City development projects. Additionally, by its Planning Application and Agreement, the Oak Rose applicant agreed to defend, indemnify, and hold harmless the City from any claims concerning the project. This reconsideration hearing is a proceeding concerning the project.
11	Before the start of any earthmoving activities, the	Non-standard site-specific condition; lacks objective	Remove Condition

¹ The Oak Rose Applicant comment letter provides their “Summary of the Condition Language.” For sake of clarity and accuracy, the below chart includes the actual language of the referenced condition.

Condition No.	Condition Language	Oak Rose Objection	City Staff's Response/ Recommendation
	<p>project owner shall retain a qualified scientist (e.g., geologist, biologist, paleontologist) to train all construction personnel involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction, and proper notification procedures should fossils be encountered. Training on paleontological resources shall also be provided to all other construction workers but may use videotape of the initial training and/or written materials rather than in-person training.</p> <p>If any paleontological resources (fossils) are discovered during grading or construction activities within the project area, work shall be halted immediately within 50 feet of the discovery, and the City Planning Division shall be immediately notified. The project owner will retain a qualified palaeontologist to evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (SVP 2010). The recovery plan may include but is not limited to a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings.</p> <p>Recommendations in the recovery plan that are determined by the City to be necessary and feasible will be implemented by the applicant before construction</p>	<p>standards and relies on potential future City discretionary decisions regarding a “recovery” or “preservation” plan; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments (Resolution No. 2022-106, passed May 11, 2022) (“Poppy Grove Apartments”) or the Cornerstone Village project – Resolution No. 2022-164 passed June 22, 2022 (“Cornerstone Village”)</p>	

Condition No.	Condition Language	Oak Rose Objection	City Staff's Response/ Recommendation
	activities resume in the area where the paleontological resources were discovered.		
12	Signage is not approved with this Application. Future signs shall be reviewed under a separate Sign Permit application and shall comply with the development standards (EGMC Chapter 23.62) for signs in effect at the time of submittal in order to be approved.	To the extent this applies to standard building identification and wayfinding signage customary for a mixed-use multifamily development, it imposes a requirement for a future non-objective discretionary approval. Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing projects, including the Poppy Grove Apartments and Cornerstone Village.	<p>Revise Condition</p> <p>Sign Permits are subject to separate review and approval. Consistent with HCD SB 35 Guidelines, § 301(a)(4), this condition is proposed to be revised as follows to address the objective, ministerial nature of any subsequent permits associated with the Project:</p> <p>“Signage is not approved with this Application. Future signs shall be reviewed under a separate Sign Permit application and shall comply with the objective development standards set forth in EGMC Chapter 23.62 and the Old Town Special Planning Area for signs. Any such review shall be ministerial.”</p> <p>Other development projects in the City that have been conditioned for future Sign Permits include, but are not limited to Wellington Crossing (PLNG21-070), Pardes Apartments (PLNG22-057), and Mesa at Laguna Ridge Phase 2 (PLNG22-021).</p>
13	Landscaping shall be maintained and trees shall be trimmed as to not cause interference with operations of surveillance cameras or the lighting in parking areas,	Non-standard site-specific condition; lacks objective standards; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an	<p>Revise Condition</p> <p>To address the Applicant's concern, staff recommends revising the condition to read as follows:</p>

Condition No.	Condition Language	Oak Rose Objection	City Staff's Response/ Recommendation
	walkways or outdoor common areas.	application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments and Cornerstone Village.	<p>“The Applicant shall trim any shrubs to a height not taller than 3 feet and shall maintain a minimum tree canopy height of 6 feet on site such that no portion of the tree obscures the view of a security camera, or the light from a light fixture, onto a walkway or other outdoor common areas.”</p> <p>Other development projects in the City that have been similarly conditioned include, but are not limited to Pardes Apartments (PLNG22-057) and Staybridge Suites (PLNG22-049).</p>
15	Construction of the Project shall be subject to California prevailing wage laws. All construction workers for the Project shall be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Section 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. The Applicant shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work. All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem	Non-standard site-specific condition; Condition not consistent with applicable state law requirements; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments and Cornerstone Village.	<p>Retain Condition</p> <p>HCD Guidelines specifically authorize the imposition of conditions ensuring provision of prevailing wages. (HCD SB 35 Guidelines, § 301(a)(4)(A).) The condition tracks the provisions of State law. (Gov. Code § 65913.4(a)(8).) The applicant has also previously acknowledged and confirmed that the project would be subject to the payment of prevailing wages. (See, e.g. Applicant Ltr. of May 11, 2022.)</p>

Condition No.	Condition Language	Oak Rose Objection	City Staff's Response/ Recommendation
	wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. (Gov. Code § 65913.4(a)(8).)		
17	The Project shall implement Subsections B, C, D, E, G, H, I, J, K, L, M, and N of Section 19.12.200 of the Elk Grove Municipal Code to mitigate damage to trees protected through the development project approval.	Non-standard site-specific condition; lacks objective standards; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments and Cornerstone Village.	<p>Retain Condition</p> <p>This condition has been imposed on the Project to specifically point to the objective standards present in Section 19.12.200 of the Municipal Code relative to protected trees on the Project site. Traditionally, the City will condition projects with a blanket statement that the Project shall comply with EGMC Chapter 19.12 (Tree Preservation and Protection). Given the nature of this Project and the number of on-site trees for which EGMC Chapter 19.12 is applicable, staff recommends specifically citing those provisions that are objective and apply. For example, Section 19.12.200.B requires a chain link fence to be installed "one (1' 0") foot outside the critical root zone of the on-site tree(s) to be retained and all portions of off-site tree(s) driplines that extends onto the site, prior to initiating project construction, in order to avoid damage to the trees and their root systems."</p>
18	To obtain sewer service, modifications to SacSewer	Non-standard site-specific condition; lacks objective	Retain Condition

Condition No.	Condition Language	Oak Rose Objection	City Staff's Response/ Recommendation
	<p>infrastructure will be required. Current standards and specifications apply to any offsite or onsite public sewer construction or modification. These improvements must be shown on the plans. Field modifications to new or existing manhole bases are not allowed. In order to connect to the existing facility, a new manhole must be constructed depending on location of tie-in.</p>	<p>standards and specificity as to applicable requirement; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project.</p>	<p>This condition is objective as it requires conformance with the Sacramento Area Sewer District (SacSewer) Standards and Specifications Manual, which is an obligation of the Project in order to obtain sewer service. All development in the City requiring sewer service must comply with the SacSewer Standards and Specifications Manual.</p> <p>Other development projects in the City that have been similarly conditioned include, but are not limited to, Wellington Crossing (PLNG21-070), Pardes Apartments (PLNG22-057), Cornerstone Village Apartments (PLNG22-003), Poppy Grove Apartments (PLNG21-078), and The Lyla Apartments (PLNG21-037).</p>
19	<p>Alignment of all main lines and structures must provide a minimum of 1-foot vertical clearance and 5 feet horizontal clearance from all other utilities and improvements. Sewer is to be located a minimum of 10 feet (measured horizontally) from any structure or footing. Show public sanitary sewer and water supply facilities in accordance with the Health and Safety Code.</p>	<p>Non-standard site-specific condition; potentially inconsistent with development of Project design; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including Cornerstone Village.</p>	<p>Retain Condition</p> <p>This condition is objective as it requires conformance with the Sacramento Area Sewer District Standards and Specifications Manual, which is an obligation of the Project in order to obtain sewer service. All development in the City requiring sewer service must comply with the SscSewer Standards and Specifications Manual.</p> <p>Other development projects in the City that have been similarly conditioned include, but</p>

Condition No.	Condition Language	Oak Rose Objection	City Staff's Response/ Recommendation
			are not limited to Wellington Crossing (PLNG21-070), Poppy Grove Apartments (PLNG21-078), and Pardes Apartments (PLNG22-057).
21	The Applicant is required to conduct a pre-engineering meeting with all utilities to ensure property clearances are maintained.	Non-standard site-specific condition; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments and Cornerstone Village.	<p>Retain Condition</p> <p>This condition provides for a coordination meeting for public safety purposes. The project site features conditions where electrical and telecommunications services are provided by aerial apparatus (overhead lines). There is the potential for the contractor's activities to conflict with these lines, providing potential impact to human health and safety both on and off-site of the project. As such, a coordination meeting is appropriate and necessary. A similar condition would be imposed on other project(s) with similar physical attributes.</p> <p>The cited projects in the objection did not require this condition as their location within the community does not include existing overhead lines that required coordination.</p>
26	Fire hydrants shall be installed in accordance with the California Fire Code and Cosumnes Fire Code ordinance.	Non-standard site-specific condition; lacks objective standards and specificity as to applicable requirement; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that	<p>Retain Condition</p> <p>This condition is objective as it requires conformance with the California Fire Code in the installation of any fire hydrants, which is an obligation of the Project in order to obtain a Building Permit.</p>

Condition No.	Condition Language	Oak Rose Objection	City Staff's Response/ Recommendation
		are not permanent supportive housing, including the Poppy Grove Apartments and Cornerstone Village.	
27	Fire apparatus access roads for aerial fire apparatus shall be provided for all buildings exceeding 30 feet in height. Aerial apparatus access roads shall be provided on at least 2 intersecting building sides. Overhead utility and power lines shall not be located over aerial apparatus access roads or between the access road and the building. Shade trees shall not interfere with aerial operations. Underground vaults or utility boxes shall not be located within designated aerial operations areas to avoid conflict with outriggers. The unobstructed width of aerial apparatus roads shall not be less than 26 feet. Aerial apparatus access roads shall be located a minimum of 14-feet from building.	Non-standard site-specific condition; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments and Cornerstone Village.	Remove Condition The Cosumnes Fire Department's Fire Apparatus Access Standards require aerial apparatus access roads pursuant to the condition for the construction of buildings exceeding 30 feet in height. Rooftop mechanical equipment and associated enclosures is not included in the height determination. The roof height of the Oak Rose building proposal is 30 feet and does not trigger the additional requirements for buildings exceeding 30 feet in height.
29	Fire department connections (FDC) shall be located on the project site at least 40 feet from the building that it serves and within 10 to 40 feet of a fire hydrant. Fire hydrant and FDC shall be located on the same side of the fire access route so that hoses do not obstruct incoming apparatus.	Non-standard site-specific condition; lacks objective standards and specificity as to applicable requirement; potentially inconsistent with development of Project design; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments and Cornerstone Village.	Retain Condition This condition is objective and it requires conformance with the with the Cosumnes Fire Department's Fire Sprinkler System Standard, which is an obligation of the Project in order to obtain a Building Permit.
30	Applicant shall ensure that the Project provides fire flow from a public water system	Non-standard site-specific condition; lacks objective standards and specificity as	Revise Condition

Condition No.	Condition Language	Oak Rose Objection	City Staff's Response/ Recommendation
	that meets the fire flow requirements of the California Fire Code and the Cosumnes Fire District.	to applicable requirement; potentially inconsistent with development of Project design; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments and Cornerstone Village.	<p>To address the applicant's concerns, this condition is being revised to cite the specific regulatory requirements governing fire flow for all new multi-unit residential buildings serving more than 16 residents. The revised condition is as follows:</p> <p>"Applicant shall ensure that the Project provides fire flow from a public water system that meets the fire flow requirements of the California Fire Code Appendix B, Table B105.1(2), as adopted by Elk Grove Municipal Code Chapter 17.04."</p> <p>The condition is objective as it requires conformance with the California Fire Code fire flow table and Elk Grove Municipal Code Chapter 17.04, which is an obligation of the Project in order to obtain a Building Permit</p>
35	The Project shall comply with local requirements for land and tree disturbance. This includes compliance with Elk Grove Municipal Code requirements for Land Grading and Erosion Control (Chapter 16.44) and Tree Preservation and Protection (Chapter 19.12)	Non-standard site-specific condition; lacks objective standards and specificity as to applicable requirement; potentially inconsistent with development of Project design; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove	<p>Revise Condition</p> <p>All development projects in the City are required to comply with the City's Municipal Code, including but not limited to EGMC Titles 16 and 19. This requirement is often listed in several conditions so that the Applicant is adequately informed.</p> <p>Staff recommends a revision to the condition. The revised condition is as follows:</p>

Condition No.	Condition Language	Oak Rose Objection	City Staff's Response/ Recommendation
		Apartments and Cornerstone Village.	"The Project shall comply with all objective requirements for land and tree disturbance set forth in Elk Grove Municipal Code Chapter 16.44 (Land Grading and Erosion Control) and Chapter 19.12 (Tree Preservation and Protection)."
45	The Project area shall annex into the Maintenance Services 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, sports (including aquatic) facilities, cultural 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 and completed application for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax.	Conditions 45 and 46 require the Project to annex into and pay assessments for two Mello-Roos Community Facilities Districts (CFD): (1) Maintenance Services Mello-Roos CFD 2006-1 (Cond. 45); and (2) the Police Services Mello-Roos CFD 2003-2 (Cond. 46). However, AB 1743, adopted in 2019, amended the Mello-Roos Act to expand the properties that are exempt from CFD special tax assessments to include properties that qualify for the property tax welfare exemption. As a 100% affordable housing project, the Project is subject to a welfare tax exemption under Revenue and Taxation Code Section 214(g), and is therefore exempt from CFD assessments and requirements.	Retain condition Government Code section 53340(c) provides that for a community facilities district ("CFD") "a property receiving a welfare exemption under subdivision (g) of Section 214 of the Revenue and Taxation shall be exempt from the special tax" under the CFD. The applicant has not provided evidence or documentation demonstrating that it qualifies for this "welfare exemption." (See also Rev. & Tax. Code § 214(a), (g).) To the extent that the applicant demonstrates application of the welfare exemption, the project may be exempt from the special tax. However, the applicant must still annex into the district, which annexation is not exempt under the above-referenced authorities. The annexation will facilitate imposition of the special tax in the event that the project or property does not qualify for the welfare exemption and/or the project or property no longer

Condition No.	Condition Language	Oak Rose Objection	City Staff's Response/ Recommendation
			<p>qualifies for a welfare exemption.</p> <p>Other similar development projects in the City that have annexed into CFDs include, but are not limited to, Pardes Apartments (PLNG22-057), Bow Stockton Apartments (PLNG21-018), Poppy Grove Apartments (PLNG21-078) and The Lyla Apartments (PLNG21-037).</p>
46	<p>The Project area 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 the Applicant should plan accordingly. The application fee and completed application for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax</p>	<p>Conditions 45 and 46 require the Project to annex into and pay assessments for two Mello-Roos Community Facilities Districts (CFD): (1) Maintenance Services Mello-Roos CFD 2006-1 (Cond. 45); and (2) the Police Services Mello-Roos CFD 2003-2 (Cond. 46). However, AB 1743, adopted in 2019, amended the Mello-Roos Act to expand the properties that are exempt from CFD special tax assessments to include properties that qualify for the property tax welfare exemption. As a 100% affordable housing project, the Project is subject to a welfare tax exemption under Revenue and Taxation Code Section 214(g), and is therefore exempt from CFD assessments and requirements.</p>	<p>Retain condition</p> <p>Government Code section 53340(c) provides that for a community facilities district ("CFD") "a property receiving a welfare exemption under subdivision (g) of Section 214 of the Revenue and Taxation shall be exempt from the special tax" under the CFD. The applicant has not provided evidence or documentation demonstrating that it qualifies for this "welfare exemption." (See also Rev. & Tax. Code § 214(a), (g).) To the extent that the applicant demonstrates application of the welfare exemption, the project may be exempt from the special tax. However, the applicant must still annex into the district, which annexation is not exempt under the above-referenced authorities. The annexation will facilitate</p>

Condition No.	Condition Language	Oak Rose Objection	City Staff's Response/ Recommendation
			<p>imposition of the special tax in the event that the project or property does not qualify for the welfare exemption and/or the project or property no longer qualifies for a welfare exemption.</p> <p>Other similar development projects in the City that have annexed into CFDs include, but are not limited to, Pardes Apartments (PLNG22-057), Bow Stockton Apartments (PLNG21-018), Poppy Grove Apartments (PLNG21-078) and The Lyla Apartments (PLNG21-037).</p>
47	<p>The Project area shall annex into the Street Maintenance Assessment District No. 1, Zone 3, 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 the Applicant should plan accordingly. The application fee and completed application for the annexation is due prior to the Resolution of Intention to Levy Street Maintenance assessments.</p>	<p>No rationale or basis for applicability of Condition to Project provided; imposes a requirement for a future approval; City has not imposed the same condition on other recent projects that are not permanent supportive housing projects, including the Poppy Grove Apartments and Cornerstone Village.</p>	<p>Retain condition</p> <p>Development projects are required to annex into the Street Maintenance Assessment District to pay for such project's share of street maintenance services in local, collector, and arterial streets. The additional residents resulting from a project cause an increase to the vehicles on the road, which puts more stress on the roads, thus resulting in more maintenance, such as repaving and slurry seals. The zone applicable to a project is based on the project's location within the City. The City annexed the Poppy Grove Apartments into its applicable zone in the Street Maintenance</p>

Condition No.	Condition Language	Oak Rose Objection	City Staff's Response/ Recommendation
			<p>Assessment District by Resolution No. 2022-235. Cornerstone Village Condition of Approval number 55 requires annexation into Zone 2 of the Street Maintenance Assessment District. Other examples of recent multifamily projects that have annexed into the district include, but are not limited to, the Lyla Apartments (Resolution No.2022-198), Bow Stockton Apartments (Resolution No. 2023-111), and Pardes Apartments (Resolution No. 2023-224).</p>
48	<p>The Project area 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 the Applicant should plan accordingly. The completed application for the annexation is due prior to the Resolution of Intention to Levy Storm Water Drainage Fee Zone 2 assessment.</p>	<p>No rationale or basis for applicability of Condition to Project provided; imposes a requirement for a future approval; City has not imposed the same condition on other recent projects that are not permanent supportive housing projects, including the Poppy Grove Apartments.</p>	<p>Retain condition</p> <p>The City requires new development projects to annex into the Storm Water Drainage Fee Zone 2. This fee is charged for storm drainage services for the project pursuant to Elk Grove Municipal Code Chapter 15.10. Poppy Grove Apartments was not conditioned to annex because the project is already within Zone 2 and will automatically be subject to the Zone 2 rate. Cornerstone Village Condition of Approval number 56 requires annexation into Zone 2 of the Storm Water Drainage Fee. Other examples of recent multifamily projects that have annexed into Zone 2 include, but are not limited to, the Lyla Apartments (Resolution No. 2022-200) and Bow</p>

Condition No.	Condition Language	Oak Rose Objection	City Staff's Response/ Recommendation
			Stockton Apartments (Resolution No. 2023-113). Pardes Apartments did not require annexation as it was already within Zone 2.
50	The Fire Sprinkler system shall be designed to National Fire Protection Association (NFPA) 13.	Non-standard site-specific condition; lacks objective standards and specificity as to applicable requirement; potentially inconsistent with development of Project design; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments and Cornerstone Village.	<p>Retain Condition</p> <p>Sprinklers are required by the Building Code for the Project. Where sprinklers are required, the California Building Code requires that such sprinklers comply with NFPA 13, which provides minimum standards for the design and installation of automatic fire sprinkler systems. The Project's fire sprinkler system must comply with the NFPA 13 standard in order to obtain a Building Permit.</p> <p>Other projects that have installed, or are in the process of installing a fire sprinkler system designed to the NFPA 13 standard include the Bow Stockton Apartments (PLNG21-018), Poppy Grove Apartments (PLNG21-078) and The Lyla Apartments (PLNG21-037).</p>
51	Required onsite fire access lanes shall be installed prior to combustible construction or on-site storage of combustible materials. Onsite pavement shall be capable of supporting 80,000 pounds gross vehicle weight in all weather conditions.	Non-standard site-specific condition; lacks objective standards and specificity as to applicable requirement; potentially inconsistent with development of Project design; no rationale or basis of Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the	<p>Retain Condition</p> <p>This condition is objective and requires conformance with Cosumnes Fire Department's Fire Apparatus Access Standards, which is an obligation of the Project in order to obtain a Building Permit.</p>

Condition No.	Condition Language	Oak Rose Objection	City Staff's Response/ Recommendation
		<p>same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments.</p>	<p>Other development projects that include this standard condition include, but are not limited to, Pardes Apartments (PLNG22-057) and Cornerstone Village (PLNG22-003).</p>
52	<p>The Applicant shall install, test, flush, inspect the water mains and fire hydrants designated for the Project and be able to provide the required fire flow prior to any combustible construction.</p>	<p>Non-standard site-specific condition; lacks objective standards and specificity as to applicable requirement; potentially inconsistent with development of Project design; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments.</p>	<p>Revise Condition</p> <p>To address the applicant's concerns, this condition is being revised to add citation to the specific regulatory requirements governing fire flow for new multi-unit residential buildings. The revised condition is as follows:</p> <p>"The Applicant shall install, test, flush, inspect the water mains and fire hydrants designated for the Project and be able to provide the required fire flow requirements of the California Fire Code Appendix B, Table B105.1 prior to any construction."</p> <p>The condition is objective as it requires conformance with the with the California Fire Code fire flow table prior to any combustible construction</p> <p>Other development projects that include this standard condition include the Pardes Apartments (PLNG22-057), Cornerstone Village (PLNG22-003), and Guardian Madeira Apartments (PLNG22-063).</p>

09-27-2023

From: [Ryan, Joy](#)
To: [Jonathan Hobbs](#)
Cc: [EG City Clerk](#); matthew.struhar@doj.ca.gov; scott.ditfurth@bbklaw.com; cecilia.martin@bbklaw.com; [Hallock, Karen](#); [Brady, Andrew](#)
Subject: Oak Rose Apartments – PLNG 22-015 – Agenda Item No. 8.2 on the 09/27/2023 Elk Grove City Council Regular Meeting Agenda
Date: Monday, September 25, 2023 4:12:31 PM
Attachments: [image001.png](#)
[Letter to J. Hobbs-City Attorney-City of Elk Grove re Proposed Conditions.pdf](#)

You don't often get email from joy.ryan@us.dlapiper.com. [Learn why this is important](#)

[EXTERNAL EMAIL]

The attached letter is sent on behalf of Andrew Brady, Esq.

Thank you,

Joy Ryan
Secretary to Andrew
Brady

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DLA Piper LLP (US)
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September 25, 2023

VIA EMAIL: jhobbs@elkgrovecity.org

Jonathan P. Hobbs, Esq.
City Attorney
City of Elk Grove
8401 Laguna Palms Way
Elk Grove, California 95758

**Re: Oak Rose Apartments – PLNG 22-015 – Agenda Item No. 8.2 on the
September 27, 2023 Elk Grove City Council Regular Meeting Agenda**

Dear Mr. Hobbs:

We write on behalf of Oak Rose Apts LP (“Oak Rose”). As you are aware, Oak Rose and the People of the State of California, respectively, have filed lawsuits against the City of Elk Grove (“City”) challenging the City’s July 27, 2022 denial of Oak Rose’s application for a ministerial SB 35 approval for its 67-unit, 100% affordable permanent supportive housing project (“Project”) located at 9252 Elk Grove Boulevard, Elk Grove, California (“Site”).

This letter responds to your email correspondence, dated September 12, 2023, wherein you communicated that the City Council will reconsider its prior denial of the Project at the regularly scheduled September 27, 2023 City Council meeting. In particular, your September 12th email included a set of proposed conditions of approval (“Conditions”) that the Council will consider on September 27th, which are attached as **Attachment A** to this letter. The purpose of this letter is to object to certain of these proposed Conditions.

As an initial matter, we note that the City is reconsidering its prior July 27, 2022 denial of Oak Rose’s application for an SB 35 streamlining approval *sua sponte* without a request or application from Oak Rose for such reconsideration. Rather, as explained by the City in its own posting on the City’s official website: “[h]aving considered the applicable law, the current allegations in both lawsuits, the uncertainties, risks and costs of litigation, and having explored options for alternative locations with the Applicant and the State without success, *City staff intends to return the Project to the City Council for reconsideration*” with a recommendation to approve the Project.¹ As Oak Rose has not requested and is not the applicant for this voluntary

¹ See <https://www.elkgrovecity.org/news/elk-grove-city-council-reconsider-oak-rose-apartments-project> , last accessed September 24, 2023.



September 25, 2023
Page 2

reconsideration, the Oak Rose development team has not been invited to participate in, nor do we intend to appear at, the September 27, 2023 meeting.

Nevertheless, Oak Rose recognizes its interest in the proposed Conditions, and presents below its general and specific objections to the Conditions. Notwithstanding these objections, Oak Rose would generally be amenable to accepting and complying with the remainder of the Conditions, if the Project is approved and allowed to move forward with appropriate ministerial review. With respect to the objections, if the City's goal in reconsidering the Project is to eliminate the ongoing litigation, we respectfully request that the City avoid creating new legal disputes through the adoption of conditions that violate SB 35 or other relevant law.

I. General Objection to all Conditions.

Importantly, when the City processed Oak Rose's ministerial SB 35 application for the Project in 2021-2022, no conditions of approval whatsoever were proposed by City staff for the consideration of either the Planning Commission or City Council. Now, however, in a unilateral process to which Oak Rose is not a party, the City is seeking to impose a total of 53 new and separate Conditions. If conditions were necessary and appropriate for the Project, it is reasonable to infer that the City would have at least suggested them at the prior hearings for the Project, which may have resulted in its approval without any conditions, based on the manner in which the City considered the application.

In addition to not having proposed any conditions when the City considered and denied the Project, in light of the posture of some City staff and officials presenting staunch opposition to the Project, we are also concerned that at least some of the Conditions may be used to cause undue delay and expense to the 100% affordable Project. This is particularly the case for some of the legally improper site-specific and/or subjective decisions which violate SB 35, addressed below. The implementation of Conditions cannot validly be used to cause undue delay to a supportive housing development or to retaliate against Oak Rose for exercising its legal right to challenge the City's prior denial of the Project in Court.

II. Specific Objections to Conditions that Violate SB 35.

Under the Department of Housing and Community Development ("HCD") SB 35 regulations, conditions of approval may be imposed on SB 35 ministerial approvals, such as the ministerial SB 35 approval being considered by the City here. But under the regulations such conditions must be "objective and broadly applicable to development within the locality, regardless of streamlined approval, and such conditions implement objective standards that had been adopted prior to submission of a development application." (HCD SB 35 Regs, § 301(a)(4).)



Based on our review, several of the Conditions are subjective, project-or-site specific, have not been applied to other, similar projects in the City, and do not appear to be standard City conditions previously and timely adopted by the City, among other deficiencies identified in the following table:

Cond No.	Summary of Condition Language	Basis for Objection
11.	Project must hire expert to train construction personnel, monitor grading activities, halt all construction work within a 50-foot radius if any potential paleontological resources are identified, and prepare a detailed preservation or recovery plan with unspecified measures imposed by City.	Non-standard site-specific condition; lacks objective standards and relies on potential future City discretionary decisions regarding a “recovery” or “preservation” plan; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments (Resolution No. 2022-106, passed May 11, 2022) (“Poppy Grove Apartments”) or the Cornerstone Village project – Resolution No. 2022-164 passed June 22, 2022 (“Cornerstone Village”)
12.	Signage is not approved and requires future discretionary sign application.	To the extent this applies to standard building identification and wayfinding signage customary for a mixed-use multifamily development, it imposes a requirement for a future non-objective discretionary approval. Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing projects, including the Poppy Grove Apartments and Cornerstone Village.
13.	Landscaping and tree trimming to be maintained to not interfere with operations of surveillance cameras or the lighting in parking areas, walkways or outdoor common areas.	Non-standard site-specific condition; lacks objective standards; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments and Cornerstone Village.



Cond No.	Summary of Condition Language	Basis for Objection
15.	Project to be subject to California prevailing wage law and labor workforce requirements.	Non-standard site-specific condition; Condition not consistent with applicable state law requirements; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments and Cornerstone Village.
17.	The Project must implement Subsections B, C, D, E, G, H, I, J, K, L, M, and N of Section 19.12.200 of the Elk Grove Municipal Code to mitigate damage to trees.	Non-standard site-specific condition; lacks objective standards; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments and Cornerstone Village.
18.	The Project must provide improvements to public sewer infrastructure.	Non-standard site-specific condition; lacks objective standards and specificity as to applicable requirement; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project.
19.	Project Alignment of all main lines and structures must provide a minimum of 1-foot vertical clearance and 5 feet horizontal clearance from all other utilities and improvements. Sewer is to be located a minimum of 10 feet (measured horizontally) from any structure or footing.	Non-standard site-specific condition; potentially inconsistent with development of Project design; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including Cornerstone Village.
21.	Applicant is required to conduct pre-engineering meeting with all utilities to ensure clearances are maintained.	Non-standard site-specific condition; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive



Cond No.	Summary of Condition Language	Basis for Objection
		housing, including the Poppy Grove Apartments and Cornerstone Village.
26.	Fire hydrants shall be installed in accordance with the California Fire Code and Cosumnes Fire Code ordinance.	Non-standard site-specific condition; lacks objective standards and specificity as to applicable requirement; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments and Cornerstone Village.
27.	Provides various requirements for fire apparatus access roads for aerial fire apparatus.	Non-standard site-specific condition; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments and Cornerstone Village.
29.	Requires fire department connections (FDC) to be located at least 40 feet from the building that it serves and within 10 to 40 feet of a fire hydrant.	Non-standard site-specific condition; lacks objective standards and specificity as to applicable requirement; potentially inconsistent with development of Project design; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments and Cornerstone Village.
30.	Applicant shall ensure that the Project provides fire flow from a public water system that meets the fire flow requirements of the California Fire Code and the Cosumnes Fire District.	Non-standard site-specific condition; lacks objective standards and specificity as to applicable requirement; potentially inconsistent with development of Project design; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments and Cornerstone Village.



Cond No.	Summary of Condition Language	Basis for Objection
35.	The Project shall comply with local requirements for land and tree disturbance.	Non-standard site-specific condition; lacks objective standards and specificity as to applicable requirement; potentially inconsistent with development of Project design; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments and Cornerstone Village.
47.	Project must annex into Street Maintenance Assessment District No. 1, Zone 3 and pay assessments.	No rationale or basis for applicability of Condition to Project provided; imposes a requirement for a future approval; City has not imposed the same condition on other recent projects that are not permanent supportive housing projects, including the Poppy Grove Apartments and Cornerstone Village.
48.	The Project area 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.	No rationale or basis for applicability of Condition to Project provided; imposes a requirement for a future approval; City has not imposed the same condition on other recent projects that are not permanent supportive housing projects, including the Poppy Grove Apartments.
50.	The Fire Sprinkler system shall be designed to National Fire Protection Association 13.	Non-standard site-specific condition; lacks objective standards and specificity as to applicable requirement; potentially inconsistent with development of Project design; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments and Cornerstone Village.
51.	Onsite fire access lanes shall be installed prior to combustible construction	Non-standard site-specific condition; lacks objective standards and specificity as to applicable requirement; potentially inconsistent with development of Project



Cond No.	Summary of Condition Language	Basis for Objection
	or on-site storage of combustible materials. Onsite pavement shall be capable of supporting 80,000 pounds gross vehicle weight in all weather conditions	design; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments.
52.	Project install, test, flush, inspect the water mains and fire hydrants designated for the Project and be able to provide the required fire flow prior to any combustible construction.	Non-standard site-specific condition; lacks objective standards and specificity as to applicable requirement; potentially inconsistent with development of Project design; no rationale or basis for Condition provided; Condition was not adopted prior to the submission of an application for the Project; City has not imposed the same condition on other recent projects that are not permanent supportive housing, including the Poppy Grove Apartments.

III. The Conditions That Impose Community Facilities and Maintenance District Assessments Are Inconsistent with State Law.

Conditions 45 and 46 require the Project to annex into and pay assessments for two Mello-Roos Community Facilities Districts (CFD): (1) Maintenance Services Mello-Roos CFD 2006-1 (Cond. 45); and (2) the Police Services Mello-Roos CFD 2003-2 (Cond. 46). However, AB 1743, adopted in 2019, amended the Mello-Roos Act to expand the properties that are exempt from CFD special tax assessments to include properties that qualify for the property tax welfare exemption. As a 100% affordable housing project, the Project is subject to a welfare tax exemption under Revenue and Taxation Code Section 214(g), and is therefore exempt from CFD assessments and requirements.

IV. Specific Objection to Condition No. 3 re: Indemnity

Proposed Condition No. 3 states that Oak Rose must “indemnify, protect, and hold harmless the City. . .” against third party challenges if the City’s approves its voluntary, unilateral SB 35 reconsideration decision on or after September 27, 2023. This Condition is a legal nullity. The City cannot lawfully impose an indemnity obligation on Oak Rose in the absence of an



September 25, 2023
Page 8

application or other form of agreement by Oak Rose to accept such a condition; Oak Rose did not request reconsideration and is thus not subject to the terms of the City's form Planning Application and Agreement. Nor could such a condition be considered valid under Government Code, Sections 65014 or 66016, or Code of Civil Procedure, Section 1021. Condition 3 is thus legally invalid and unenforceable.

Moreover, we believe the City's actions and prior efforts to publicize and foment opposition to the Project within a process that is legally required to be objective and ministerial has exacerbated the risk of third-party litigation. It would be improper and unfair for the City to allocate all the risk it has in large part created onto a small affordable housing developer.

V. Conclusion.

We thank you for your time and consideration. If you would like to further discuss the Conditions or Oak Rose's objections to the Conditions, please do not hesitate to contact us.

Please also be advised that this letter does not present a complete statement of Oak Rose's legal position regarding the proposed Conditions. Please be further advised that nothing herein is intended to waive, or has the effect of waiving, any of Oak Rose's relevant rights, claims and remedies, all of which are expressly reserved.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'AB', with a long horizontal stroke extending to the right.

Andrew Brady

cc: City Clerk (cityclerk@elkgrovecity.org)
Matthew T. Struhar, Deputy Attorney General (matthew.struhar@doj.ca.gov)
Scott Ditfurth, Best Best & Krieger (scott.ditfurth@bbklaw.com)
Cecilia Martin, Best Best & Krieger (cecilia.martin@bbklaw.com)
Karen Lee Hallock

Enclosures: **Attachment A**, Proposed Conditions of Approval.

ATTACHMENT A

Exhibit C
 Oak Rose Apartments (PLNG22-015)
 Project Conditions of Approval

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
ON-GOING				
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.	This action does not relieve the Applicant of the obligation to comply with all applicable ordinances, statutes, regulations, and procedures.	On-Going	Planning	
3.	The Applicant, or Successors in Interest (hereinafter 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	

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Project Conditions of Approval

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
4.	<p>Except as otherwise specified or provided for in the Project plans or approvals, or in these conditions, the Project shall conform to the applicable objective development standards and design requirements adopted by the City of Elk Grove, and specifically, without limitations, those objective standards included in the following:</p> <ul style="list-style-type: none"> • The Elk Grove Zoning Code (Title 23 of the EGMC) • Old Town Special Planning Area Design Standards and Guidelines • EGMC Chapter 14.10 (Water Efficient Landscape Requirements) • EGMC Title 16 (Building and Construction) • EGMC Chapter 19.12 (Tree Preservation and Protection) • EGMC Title 22 (Land Development) 	On-Going	Planning	
5.	<p>The Applicant shall design and construct all improvements in accordance with the City of Elk Grove Improvement Standards, as further conditioned herein. Specific locations on median(s) that require emergency vehicle access will be evaluated during review and acceptance of the Improvement Plans.</p> <p>Public sewer, water, and other utility infrastructure shall be designed and constructed with the standards of the appropriate utility.</p>	On-Going	Engineering EGWD SacSewer SMUD PG&E	
6.	<p>The Applicant shall pay all plan check fees, impact fees, or other costs as required by the City, the Cosumnes Community Services District (CCSD), SacSewer, Elk Grove Water District (EGWD), or other agencies or services providers as established by law.</p>	On-Going	Planning Engineering CCSD EGWD SacSewer	

Exhibit C
Oak Rose Apartments (PLNG22-015)
Project Conditions of Approval

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>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 may be applicable:</p> <ul style="list-style-type: none"> • Grading Permit and Improvement Plan • Building Permit and Certificate of Occupancy • Requirements of the Sacramento Metropolitan Air Quality Management District • Fire Department review for permits and/or occupancy 	On-Going	Planning Engineering Building CCSD EGWD SacSewer	
<p>8. The trash enclosures shall be locked when not in use and well maintained at all times.</p>	On-Going	Code Enforcement Planning	
<p>9. As to any fee, dedication, reservation or exaction established by these conditions of approval that are subject to the Mitigation Fee Act, notice is hereby given pursuant to California Government Code Section 66020(d) that the 90-day period in which you may protest the fees set forth herein has begun to run as of the date of approval of this Project. Other limitation periods may apply. The City reserves all rights.</p>	On-Going	Planning	

Exhibit C
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 Project Conditions of Approval

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
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 State CEQA Guidelines Section 15064.5 (d) and (e) shall be followed.</p> <p>A note stating the above shall be placed on the Improvement Plans.</p>	<p>On-Going and Prior to Improvement Plans or Grading Permit(s), whichever occurs first.</p> <p>Monitoring shall be On-Going</p>	<p>Planning</p>	

Exhibit C
Oak Rose Apartments (PLNG22-015)
Project Conditions of Approval

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>11. Before the start of any earthmoving activities, the project owner shall retain a qualified scientist (e.g., geologist, biologist, paleontologist) to train all construction personnel involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction, and proper notification procedures should fossils be encountered. Training on paleontological resources shall also be provided to all other construction workers but may use videotape of the initial training and/or written materials rather than in-person training.</p> <p>If any paleontological resources (fossils) are discovered during grading or construction activities within the project area, work shall be halted immediately within 50 feet of the discovery, and the City Planning Division shall be immediately notified. The project owner will retain a qualified palaeontologist to evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (SVP 2010). The recovery plan may include but is not limited to a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the City to be necessary and feasible will be implemented by the applicant before construction activities resume in the area where the paleontological resources were discovered.</p>	<p>On-Going and Prior to Improvement Plans or Grading Permit(s), whichever occurs first.</p> <p>Monitoring shall be On-Going</p>	<p>Planning</p>	
<p>12. Signage is not approved with this Application. Future signs shall be reviewed under a separate Sign Permit application and shall comply with the development standards (EGMC Chapter 23.62) for signs in effect at the time of submittal in order to be approved.</p>	<p>On-Going</p>	<p>Planning</p>	

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Oak Rose Apartments (PLNG22-015)
Project Conditions of Approval

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
13.	The landscaping and tree trimming shall be maintained so that it does not interfere with operations of surveillance cameras or the lighting in parking areas, walkways or outdoor common areas.	On-Going	Police	
14.	SMUD reserves the right to use any portion of its easements on the subject property that it reasonably needs and shall not be responsible for any damages to the developed property within said easement that unreasonably interferes with those needs.	On-Going	SMUD	
15.	Construction of the Project shall be subject to California prevailing wage laws. All construction workers for the Project shall be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Section 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. The Applicant shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work. All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. (Gov. Code § 65913.4(a)(8).)	On-Going	Building	
16.	The Project shall be subject to the Affordable Housing Regulatory Agreement approved concurrently with these conditions of approval.	On-Going	Planning	

Exhibit C
Oak Rose Apartments (PLNG22-015)
Project Conditions of Approval

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
17.	The Project shall implement Subsections B, C, D, E, G, H, I, J, K, L, M, and N of Section 19.12.200 of the Elk Grove Municipal Code to mitigate damage to trees protected through the development project approval.	On-Going	Planning	
PRIOR TO OR IN CONJUNCTION WITH IMPROVEMENT AND/OR GRADING PLAN SUBMITTAL OR APPROVAL				
18.	To obtain sewer service, modifications to SacSewer infrastructure will be required. Current standards and specifications apply to any offsite or onsite public sewer construction or modification. These improvements must be shown on the plans. Field modifications to new or existing manhole bases are not allowed. In order to connect to the existing facility, a new manhole must be constructed depending on location of tie-in.	Improvement Plans	SacSewer	
19.	Alignment of all main lines and structures must provide a minimum of 1-foot vertical clearance and 5 feet horizontal clearance from all other utilities and improvements. Sewer is to be located a minimum of 10 feet (measured horizontally) from any structure or footing. Show public sanitary sewer and water supply facilities in accordance with the Health and Safety Code.	Improvement Plans	SacSewer	
20.	SacSewer Design Standards and Specifications require a minimum of 6 inch lower laterals for the building.	Improvement Plans	SacSewer	
21.	The Applicant is required to conduct a pre-engineering meeting with all utilities to ensure property clearances are maintained.	Improvement Plans	SMUD	

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Project Conditions of Approval

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
22.	SMUD has existing underground 12kV facilities on the northeast side of the project parcel that will need to remain. The Applicant shall be responsible for maintaining all CalOSHA and State of California Public Utilities Commission General Order No. 128 safety clearances during construction and upon building completion. If the required clearances cannot be maintained, the Applicant shall be responsible for the cost of relocation.	Improvement Plans	SMUD	
23.	SMUD has existing overhead facilities on the project parcel that will need to remain. The Applicant shall be responsible for maintaining all CalOSHA and State of California Public Utilities Commission General Order No. 95 safety clearances during construction and upon building completion. If the required clearance cannot be maintained, the Applicant shall be responsible for the cost of relocation.	Improvement Plans	SMUD	
24.	Any necessary future SMUD facilities located on the Applicant's property shall require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the Applicant's property.	Improvement Plans	SMUD	
25.	In the event the Applicant requires the relocation or removal of existing SMUD facilities on the subject property, the Applicant shall coordinate with SMUD. The Applicant shall be responsible for the cost of relocation or removal.	Improvement Plans	SMUD	
26.	Fire hydrants shall be installed in accordance with the California Fire Code and Cosumnes Fire Code ordinance.	Improvement Plans	CCSD Fire	

Exhibit C
Oak Rose Apartments (PLNG22-015)
Project Conditions of Approval

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
27.	Fire apparatus access roads for aerial fire apparatus shall be provided for all buildings exceeding 30 feet in height. Aerial apparatus access roads shall be provided on at least 2 intersecting building sides. Overhead utility and power lines shall not be located over aerial apparatus access roads or between the access road and the building. Shade trees shall not interfere with aerial operations. Underground vaults or utility boxes shall not be located within designated aerial operations areas to avoid conflict with outriggers. The unobstructed width of aerial apparatus roads shall not be less than 26 feet. Aerial apparatus access roads shall be located a minimum of 14-feet from building.	Improvement Plans	CCSD Fire	
28.	"NO PARKING FIRE LANE" signs and/or red painted curbs shall be installed in accordance with the California Fire Code for the entire fire turnaround lane at the south side of the building.	Improvement Plans	CCSD Fire	
29.	Fire department connections (FDC) shall be located on the project site at least 40 feet from the building that it serves and within 10 to 40 feet of a fire hydrant. Fire hydrant and FDC shall be located on the same side of the fire access route so that hoses do not obstruct incoming apparatus.	Improvement Plans	CCSD Fire	
30.	Applicant shall ensure that the Project provides fire flow from a public water system that meets the fire flow requirements of the California Fire Code and the Cosumnes Fire District.	Improvement Plans	CCSD Fire	

Exhibit C
Oak Rose Apartments (PLNG22-015)
Project Conditions of Approval

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
31.	The Applicant shall prepare and submit a drainage study in accordance with City of Elk Grove Storm Drainage Master Plan, Improvement Standards, General Plan, and any other applicable drainage master plans or studies.	Improvement Plans or Grading Permit(s), whichever comes first	Engineering	
32.	The Applicant shall prepare and submit a Post-Construction Stormwater Quality Control Plan in accordance with the City of Elk Grove Improvement Standards and most recent version of the Stormwater Quality Design Manual for the Sacramento Region. The Applicant shall also submit a separate maintenance manual describing proper maintenance practices for the specific treatment controls to be constructed.	Improvement Plans or Grading Permit(s), whichever comes first	Engineering	
33.	The Applicant shall provide procedures to accommodate Hydromodification requirements and Low Impact Development (LID) features adopted in the Sacramento Region Stormwater Quality Manual (Manual) and such procedures shall be implemented for the Project. All the designs shall be consistent with the design examples prescribed in the latest edition of the Manual.	Improvement Plans or Grading Permit(s), whichever occurs first	Engineering	
34.	The Applicant shall execute a maintenance agreement with the City for stormwater quality control treatment devices as required by the Stormwater Quality Design Manual for the Sacramento Region.	Improvement Plans	Engineering	
35.	The Project shall comply with local requirements for land and tree disturbance. This includes compliance with Elk Grove Municipal Code requirements for Land Grading and Erosion Control (Chapter 16.44) and Tree Preservation and Protection (Chapter 19.12)	Improvement Plans	Planning	
PRIOR TO OR IN CONJUNCTION WITH BUILDING PERMIT/CERTIFICATE OF OCCUPANCY				

Exhibit C
 Oak Rose Apartments (PLNG22-015)
 Project Conditions of Approval

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
36.	The Applicant shall dedicate to the City a 12.5 foot wide public utility easement (PUE) on Elk Grove Boulevard along the Project's frontage for overhead and/or underground facilities and appurtenances.	Building Permit	Engineering	
37.	The Applicant shall dedicate to the City a pedestrian easement for any portion of the sidewalk along the Project frontage that will be located outside of the public right-of-way.	Building Permit	Engineering	
38.	The Applicant shall dedicate, design, and improve Elk Grove Boulevard, along the Project's frontage, in accordance with the City's Elk Grove Boulevard Streetscape Project and Improvement Standards.	Building Permit	Engineering	
39.	The Applicant shall pay an in-lieu fee for parks and recreation in accordance with EGMC Chapter 16.80 (Park Land In-Lieu Fee), as applicable.	Building Permit	CCSD-Parks	

Exhibit C
Oak Rose Apartments (PLNG22-015)
Project Conditions of Approval

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>40. The Applicant shall (1) approve (a) the formation of a new or annexation into an existing community facilities district ("CFD") and (b) an annual CFD special tax; or (2) deposit a sum money, as determined by the Cosumnes Community Services District (Cosumnes CSD CFD No. 1), sufficient for the Cosumnes Community Services District to fund a portion of the cost of the District's ongoing fire and emergency services, maintenance, operation, and repair and replacement of fire station facilities and fire and emergency equipment and routine and deferred maintenance and replacement of park facilities, trails and landscape corridors attributable to the property and (b) replacement of district wide facilities attributable to the property. Any costs for the approval and creation of such annual special tax, annexation of the Property into an existing Mello-Roos Community Facilities District for the Cosumnes Community Services District, or administration of the sum of money deposited to fund the fire and emergency services and maintenance of park facilities, trails and landscape corridors, shall be paid from the annual special taxes of the Community Facilities District or the sum of money deposited with the Cosumnes Community Services District. If the property owner(s) fails to approve an annual special tax or deposit a sum of money as provided for herein for such purposes for the Cosumnes Community Services District, no building permits for the property shall be issued or approval of the Improvement Plan shall be provided. It is the responsibility of the Applicant or their representative to contact the Cosumnes Community Services District at (916) 405-5600 to initiate the Community Facilities District process.</p>	<p>Building Permit</p>	<p>CCSD Parks and Fire</p>	

Exhibit C
Oak Rose Apartments (PLNG22-015)
Project Conditions of Approval

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
41.	The Applicant shall not place any building foundations within 5-feet of any SMUD trench to maintain adequate trench integrity. The Applicant shall verify specific clearance requirements for other utilities (e.g., Gas, Telephone, etc.).	Building Permit	SMUD	
42.	The Applicant shall comply with SMUD siting requirements (e.g., panel size/location, clearances from SMUD equipment, transformer location, service conductors). Information regarding SMUD siting requirements can be found at: https://www.smud.org/en/business/customer-service/support-and-services/design-construction-services.htm	Building Permit	SMUD	
43.	The Applicant shall reconstruct any existing ADA compliance improvements adjacent to the Project to meet current standards.	Building Permit	Engineering	
44.	The Applicant shall reconstruct any damaged curb, gutter, sidewalk and/or pavement caused by construction-related activities associated with the Project site. If pavement replacement is necessary, the Applicant may be required to grind, overlay, and/or slurry seal the damaged portion(s) in accordance with the City Improvement Standards. The Applicant shall schedule an inspection with the City to document the pre-construction condition of existing surface infrastructure adjacent to and near the Project.	Building Permit	Engineering	

Exhibit C
 Oak Rose Apartments (PLNG22-015)
 Project Conditions of Approval

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
45.	The Project area shall annex into the Maintenance Services 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, sports (including aquatic) facilities, cultural arts center, and water features, and maintenance of other related facilities. <u>The annexation process can take several months, so the Applicant should plan accordingly.</u> The application fee and completed application for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax.	Building Permit	Finance	
46.	The Project area 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. <u>The annexation process can take several months, so the Applicant should plan accordingly.</u> The application fee and completed application for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax.	Building Permit	Finance	
47.	The Project area shall annex into the Street Maintenance Assessment District No. 1, Zone 3, to fund a portion of the additional costs for long-term roadway maintenance related to serving the new development. <u>The annexation process can take several months, so the Applicant should plan accordingly.</u> The application fee and completed application for the annexation is due prior to the Resolution of Intention to Levy Street Maintenance assessments.	Building Permit	Finance	

Exhibit C
Oak Rose Apartments (PLNG22-015)
Project Conditions of Approval

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
48.	The Project area 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 the Applicant should plan accordingly. The completed application for the annexation is due prior to the Resolution of Intention to Levy Storm Water Drainage Fee Zone 2 assessment.	Building Permit	Finance	
49.	The Project shall provide onsite fire access to within 150 feet of all portions of the building as measured by an approved route around the exterior of the building.	Building Permit	CCSD Fire	
50.	The Fire Sprinkler system shall be designed to National Fire Protection Association (NFPA) 13.	Building Permit	CCSD Fire	
51.	Required onsite fire access lanes shall be installed prior to combustible construction or on-site storage of combustible materials. Onsite pavement shall be capable of supporting 80,000 pounds gross vehicle weight in all weather conditions.	Building Permit	CCSD Fire	
52.	The Applicant shall install, test, flush, inspect the water mains and fire hydrants designated for the Project and be able to provide the required fire flow prior to any combustible construction.	Building Permit	CCSD Fire	
53.	The Applicant shall provide a test conducted by a licensed contractor performed at building or project completion to determine if the public safety communication system is adequate for emergency responder radio coverage. If the Project cannot support the required level of radio coverage, the Applicant shall equip the building with distributed antenna system with FCC certified signal boosters. Plans and permits required.	Prior to Certificate of Occupancy	CCSD Fire	

09-27-2023

From: [Ryan, Joy](#)
To: [EG City Clerk](#)
Cc: [Jonathan Hobbs](#); matthew.struhar@doj.ca.gov; scott.ditfurth@bbklaw.com; cecilia.martin@bbklaw.com; [Hallock, Karen](#); [Brady, Andrew](#)
Subject: Oak Rose Apartments – PLNG 22-015 – Agenda Item No. 8.2 on the 09/27/2023 Elk Grove City Council Regular Meeting Agenda – Submittal of Relevant Documents
Date: Tuesday, September 26, 2023 12:18:48 PM
Attachments: [image001.png](#)
[2023.09.26 Letter to Elk Grove City Clerk re Documents for Council Reconsideration.pdf](#)

You don't often get email from joy.ryan@us.dlapiper.com. [Learn why this is important](#)

[EXTERNAL EMAIL]

The attached letter is sent on behalf of Andrew Brady, Esq. Included in the letter is a Dropbox link. For your convenience, the same Dropbox link is below.

<https://www.dropbox.com/scl/fo/vputisweuum5vhvcbua2p/h?rlkey=lr6gohs68auo8i3srz2hahks&dl=0>

If you have any trouble downloading the documents in the link, please let us know right away.

Thank you.

Joy Ryan

Secretary to Andrew Brady

T +1 213 694 3158
joy.ryan@us.dlapiper.com

DLA Piper LLP (US)
dlapiper.com



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Andrew Brady
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T 213.694.3108
F 310.595.3408

September 26, 2023

VIA EMAIL: CITYCLERK@ELKGROVECITY.ORG

Honorable Members of the Elk Grove City Council
c/o City Clerk
City of Elk Grove
8401 Laguna Palms Way
Elk Grove, California 95758

**Re: Oak Rose Apartments – PLNG 22-015 – Agenda Item No. 8.2 on the September 27, 2023
Elk Grove City Council Regular Meeting Agenda – Submittal of Relevant Documents**

Honorable Council Members:

We are counsel for Oak Rose Apt LP's ("Oak Rose") and have received notice of the City's *sua sponte* decision to reconsider its prior denial of Oak Rose's application for a ministerial SB 35 approval for its 67-unit, 100% affordable permanent supportive housing project ("Project") located at 9252 Elk Grove Boulevard, Elk Grove, California.

We present with this letter certain key information and documents listed in **Exhibit A** that are related to the Project for the City Council's consideration, which can be downloaded at the following link:
<https://www.dropbox.com/scl/fo/vputisweuum5vhvcbua2p/h?rlkey=lr6gohs68auo8i3srz2hahks&dl=0>

Please confirm at your earliest convenience your receipt of this letter and please also confirm you are able to download the linked attachments for the City's case file on the Project. Thank you.

Very truly yours,

A handwritten signature in blue ink, appearing to be 'AB' or similar initials.

Andrew Brady

cc: Jonathan P. Hobbs (jhobbs@elkgrovecity.org)
Matthew T. Struhar, Deputy Attorney General (matthew.struhar@doj.ca.gov)
Scott Ditfurth, Best Best & Krieger (scott.ditfurth@bbklaw.com)
Cecilia Martin, Best Best & Krieger (cecilia.martin@bbklaw.com)
Karen Lee Hallock

EXHIBIT A: List of Documents Provided to City Council

1. The City's Old Town Elk Grove Special Planning Area Design Standards and Guidelines (October 2015);
2. City Affordable Housing Committee Meeting Agenda (06/30/2021);
3. City Affordable Housing Committee Staff Report (06/30/2021);
4. Affordable Housing Committee Staff Presentation (06/30/2021);
5. Affordable Housing Committee Report (06/30/2021);
6. Affordable Housing Committee Scoring (06/30/2021);
7. Planning Commission Meeting Agenda (04/21/2022);
8. Planning Commission Meeting Staff Report (04/21/2022);
9. Planning Commission Meeting Public Comments (04/21/2022);
10. Planning Commission Meeting Transcript 1 (04/21/2022);
11. Planning Commission Meeting Transcript 2 (04/21/2022);
12. Planning Commission Staff Report May 5, 2022, Item 5.1 (05/02/2022);
13. Letter from David Zisser, California Department of Housing and Community Development to Jason Behrmann, City of Elk Grove Re: City of Elk Grove Denial of 9252 Elk Grove Boulevard Housing Project and Applicability of Senate Bill (SB) 35, Housing Accountability Act, Discrimination in Land Use Law, Affirmatively Furthering Fair Housing, and State Housing Element Law – Notice of Violation (10/12/2022);
14. City of Elk Grove Statement Regarding Oak Rose Project Litigation (10/12/2022);
15. Letter from Lauren Langer, Best Best & Krieger on behalf of City of Elk Grove to David Zisser, California Department of Housing and Community Development re: Response to HCD Letter to City of Elk Grove Dated October 12, 2022 Regarding the City's SB 35 Determination for the Oak Rose Apartments Project (9252 Elk Grove Boulevard) (11/10/2022);
16. Letter from Andrew Brady, DLA Piper on behalf of Oak Rose Apts LP to David Zisser, California Department of Housing and Community Development re: Response to Elk Grove's Response to HCD Letter to City of Elk Grove Dated October 12, 2022 Regarding the City's SB 35 Determination for the Oak Rose Apartments Project (9252 Elk Grove Boulevard) (12/12/2022);
17. Letter from Matthew Struhar, State of California Department of Justice, Office of the Attorney General to Hon. Mayor Bobbie Singh-Allen, City of Elk Grove Re: Disapproval of Oak Rose Apartments (03/16/2023);
18. City of Elk Grove Press Release (03/16/23);
19. Attorney General of California Rob Bonta Press Release (03/16/2023);
20. Letter from Jonathan P. Hobbs, City of Elk Grove to Matthew Struhar, State of California Department of Justice, Office of the Attorney General Re: City of Elk Grove/ Oak Rose Apartments (04/06/2023);
21. Governor Newsom and Attorney General Bonta Press Release (05/01/2023);
22. City of Elk Grove website publication re: reconsideration (09/22/2023).

City of Elk Grove – City Council

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, January 10, 2024, at the hour of 6:00 p.m.**, or as soon thereafter as the matter may be heard, the Elk Grove City Council will conduct a public hearing at City Hall in the Council Chambers, 8400 Laguna Palms Way, Elk Grove, California, to consider the following matter:

OAK ROSE APARTMENTS (PLNG22-015) – A RECONSIDERATION OF THE DETERMINATION OF ELIGIBILITY FOR THE SENATE BILL 35 MINISTERIAL REVIEW PROCESS, DENSITY BONUS, PROJECT APPROVAL, AND AFFORDABLE HOUSING REGULATORY AGREEMENT:

The proposed Project consists of a request to construct a 100% affordable housing project with 67 units (“Project”) in a new three-story building on a vacant parcel in Elk Grove Old Town Historic District. The Project proposal includes resident-serving office spaces in the front of the building on the ground level, with residential units on all three levels of the building (including the ground floor). Associated site improvements such as parking, landscaping, and exterior lighting are also proposed.

The proposed Project requires approval of a density bonus to allow for an increase of density over the 30 units-per-acre allowed for the site and an incentive for allowable use (ground-floor residential use). Approval of the density bonus and any related incentives, concessions, or waivers requires that the applicant enter into an Affordable Housing Regulatory Agreement with the City to ensure the continued affordability of proposed residential units.

This item is a reconsideration of the City Council’s decision on July 27, 2022, finding the Project is ineligible for SB 35 ministerial review. Staff will be recommending approval of the Project.

PROPERTY OWNER/PROJECT APPLICANT:

Oak Rose Apts, LP
Peter Enzminger (Representative)
3910 Cover Street
Long Beach, CA 90808

LOCATION/APN: 9252 Elk Grove Boulevard/APN: 134-0072-011

ZONING: Old Town Special Planning Area- Commercial

ENVIRONMENTAL: Approval of the Project is exempt from the California Environmental Quality Act (CEQA) review pursuant to Public Resources Code Section 21080 (b)(1), Government Code Section 65913.4 (d)(2), and CEQA Guidelines Section 15268 as the project is ministerial and not subject to environmental review.

Information or questions regarding this item should be referred to Antonio Ablog, Planning Manager, (916) 627-3335 or aablog@elkgrovecity.org; or to the Office of Development Services – Planning, 8401 Laguna Palms Way, Elk Grove, CA, 95758. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the close of the hearing scheduled herein, and oral statements may be made at said hearing.

The live meeting can be viewed via the City's website at http://www.elkgrovecity.org/city_hall/city_government/live_archived_broadcasts

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 8401 Laguna Palms Way, 1st Floor, Elk Grove, CA, 95758, at or prior to the close of the public hearing.

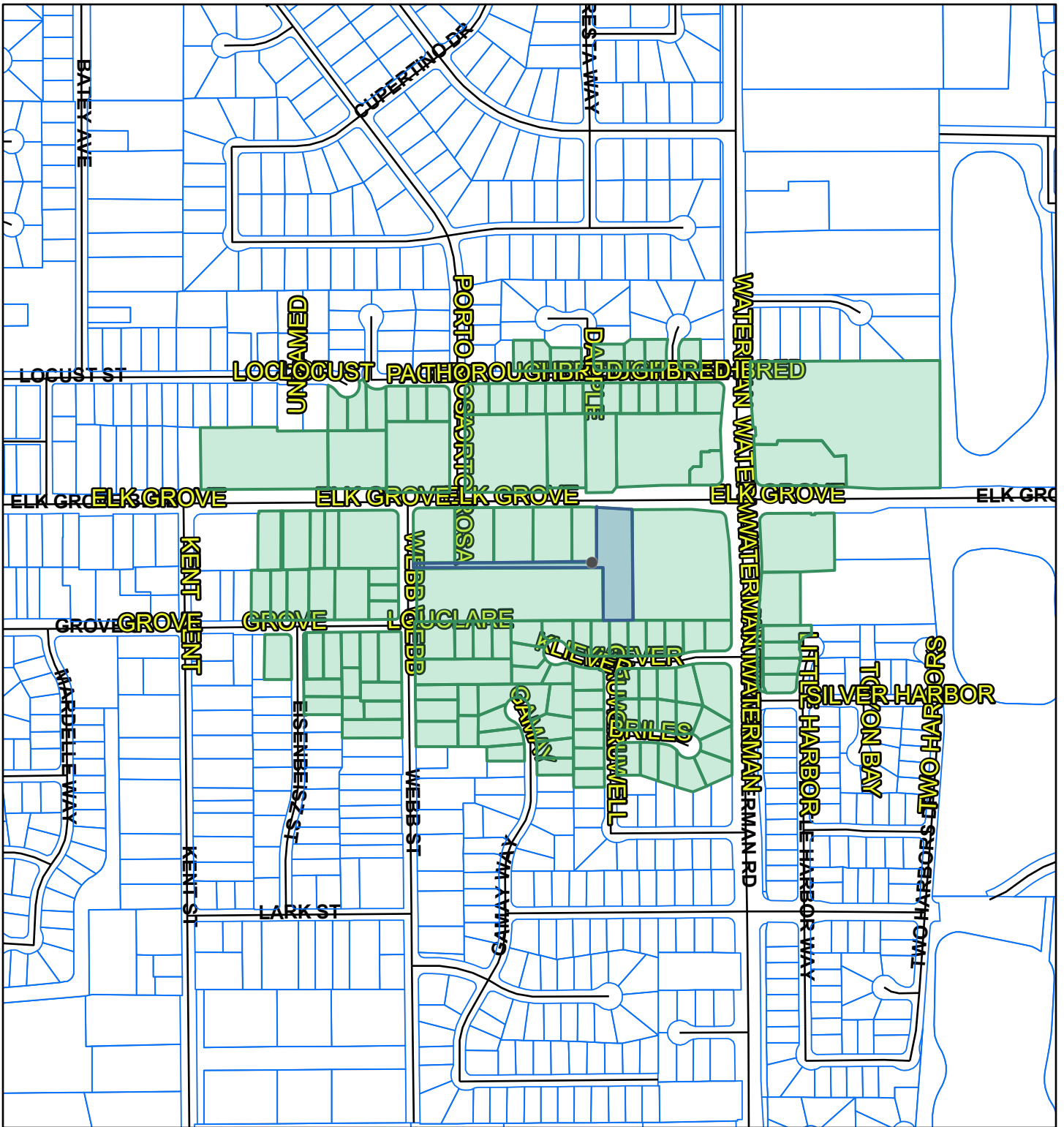
Dated / Published: December 29, 2023

JASON LINDGREN
CITY CLERK, CITY OF ELK GROVE

ADA COMPLIANCE STATEMENT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (916) 478-3635. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Oak Rose Apt. 500 feet



— Streets
 □ Elk Grove Parcels

Owner Parcels
 Project Location

N
 0 280 560
 —————
 ft



APN	ADDRESS	CITY	STATE	ZIP
13406100100000	1717 MAIN ST 2000	DALLAS	TX	75201
13400710200000	21 CYPRESS POINT CT	ALAMO	CA	94507
12701700450000	9242 THOROUGHbred WAY	ELK GROVE	CA	95624
12701700150000	9243 THOROUGHbred WAY	ELK GROVE	CA	95624
12701700500000	9239 ELK GROVE BLVD	ELK GROVE	CA	95624
12701700580000	9212 LOCUST ST	ELK GROVE	CA	95624
13400710020000	6301 JEFJEN WAY	ELK GROVE	CA	95757
13400840370000	9656 GAMAY WAY	ELK GROVE	CA	95624
13400840570000	9647 WEBB ST	ELK GROVE	CA	95624
13406100390000	9283 BRILES CT	ELK GROVE	CA	95624
13400840250000	9250 KLIEVER WAY	ELK GROVE	CA	95624
13400710190000	30 TEA TREE CT	HILLSBOROUGH	CA	94010
13400710070000	4823 MACARDY CT	ROSEVILLE	CA	95747
13406100350000	9282 BRILES CT	ELK GROVE	CA	95624
12701700460000	9238 THOROUGHbred WAY	ELK GROVE	CA	95624
13400830190000	9188 GROVE ST	ELK GROVE	CA	95624
13400830240000	9194 GROVE ST	ELK GROVE	CA	95624
13400840410000	4285 PAYNE AVE 701221	SAN JOSE	CA	95117
12701700140000	9239 THOROUGHbred WAY	ELK GROVE	CA	95624
13400710030000	9192 ELK GROVE BLVD	ELK GROVE	CA	95624
13400840450000	9659 GAMAY WAY	ELK GROVE	CA	95624
13400840460000	9663 GAMAY WAY	ELK GROVE	CA	95624
12701700470000	9234 THOROUGHbred WAY	ELK GROVE	CA	95624
13406100420000	9271 BRILES CT	ELK GROVE	CA	95624
13400710180000	9171 GROVE ST	ELK GROVE	CA	95624
13406100120000	9642 GRUWELL WAY	ELK GROVE	CA	95624
13400710110000	9187 GROVE ST	ELK GROVE	CA	95624
13401101320000	630 W GERMANTOWN PIKE	PLYMOUTH MEETING	PA	19462
13409000610000	3000 LAVA RIDGE CT 130	ROSEVILLE	CA	95661
13400830040000	9204 GROVE ST	ELK GROVE	CA	95624
13406100340000	9699 WEBB ST	ELK GROVE	CA	95624
12701700160000	9568 DAPPLE CT	ELK GROVE	CA	95624
13400830070000	9644 WEBB ST	ELK GROVE	CA	95624
13400840140000	9643 WEBB ST	ELK GROVE	CA	95624
13406100080000	9259 KLIEVER WAY	ELK GROVE	CA	95624
13400840440000	9655 GAMAY WAY	ELK GROVE	CA	95624
12701700050000	PO BOX 636	ELK GROVE	CA	95759
13400830180000	16778 SUTTER CREEK RD	SUTTER CREEK	CA	95685
12701700380000	9270 THOROUGHbred WAY	ELK GROVE	CA	95624
13409000440000	5809 S 172ND ST	OMAHA	NE	68135
13406100040000	9275 KLIEVER WAY	ELK GROVE	CA	95624
12701700270000	9263 THOROUGHbred WAY	ELK GROVE	CA	95624
13406100370000	9291 BRILES CT	ELK GROVE	CA	95624
13406100400000	36710 KELLER LN	SPRINGFIELD	OR	97478
13409000450000	9614 LITTLE HARBOR CT	ELK GROVE	CA	95624
13406100130000	12214 WATERSONG LN	WILTON	CA	95693
13409000460000	9610 LITTLE HARBOR CT	ELK GROVE	CA	95624
13406100360000	9286 BRILES CT	ELK GROVE	CA	95624

APN	ADDRESS	CITY	STATE	ZIP
13400840400000	9644 GAMAY WAY	ELK GROVE	CA	95624
13406100410000	9316 MOYNELLO CT	ELK GROVE	CA	95624
13406100020000	9283 KLIEVER WAY	ELK GROVE	CA	95624
12701500790000	1500 STANDIFORD AVE D	MODESTO	CA	95350
13400830020000	9468 S WALES WAY	ELK GROVE	CA	95758
13400840580000	9635 WEBB ST	ELK GROVE	CA	95624
12701700570000	9224 PACER CT	ELK GROVE	CA	95624
13400840270000	9251 KLIEVER WAY	ELK GROVE	CA	95624
12701700560000	9228 PACER CT	ELK GROVE	CA	95624
12701700390000	9266 THOROUGHbred WAY	ELK GROVE	CA	95624
13400840380000	9652 GAMAY WAY	ELK GROVE	CA	95624
12701700480000	9230 THOROUGHbred WAY	ELK GROVE	CA	95624
13400710100000	8465 BRADSHAW RD	ELK GROVE	CA	95624
13406100140000	9650 GRUWELL WAY	ELK GROVE	CA	95624
13406100110000	9638 GRUWELL WAY	ELK GROVE	CA	95624
13406100450000	5033 STROMAN LN	SACRAMENTO	CA	95835
13400830280000	2742 COBBLER ST	MANTECA	CA	95337
13400840390000	9648 GAMAY WAY	ELK GROVE	CA	95624
13400830230000	9198 GROVE ST	ELK GROVE	CA	95624
13400830170000	9639 EISENBEISZ ST	ELK GROVE	CA	95624
12701700260000	9569 DAPPLE CT	ELK GROVE	CA	95624
13400840240000	9254 KLIEVER WAY	ELK GROVE	CA	95624
13400710120000	9175 GROVE ST	ELK GROVE	CA	95624
13400840430000	9645 GAMAY WAY	ELK GROVE	CA	95624
13409000430000	9622 LITTLE HARBOR CT	ELK GROVE	CA	95624
13406100090000	9630 GRUWELL WAY	ELK GROVE	CA	95624
13400710090000	9199 GROVE ST	ELK GROVE	CA	95624
13400710210000	9612 WEBB ST	ELK GROVE	CA	95624
12701700540000	10339 CORFU DR	ELK GROVE	CA	95624
12701700730000	425 HARBOR BLVD D	BELMONT	CA	94002
12701700720000	425 HARBOR BLVD D	BELMONT	CA	94002
12701700530000	9254 THOROUGHbred WAY	ELK GROVE	CA	95624
13400720120000	9037 EL ORO PLAZA DR	ELK GROVE	CA	95624
13400720190000	846 E DANA ST	MOUNTAIN VIEW	CA	94041
12701700440000	8855 MINNIE CIR	ELK GROVE	CA	95624
13406100320000	5244 DIABLO DR	SACRAMENTO	CA	95842
13400840080000	10058 SILVER MEADOW WAY	SACRAMENTO	CA	95829
12701700360000	9278 THOROUGHbred WAY	ELK GROVE	CA	95624
13406100070000	6412 AGUA VIS	RANCHO MURIETA	CA	95683
13400840170000	9837 NORSID DR	ELK GROVE	CA	95624
12701700030000	4809 LAGUNA BLVD 90	ELK GROVE	CA	95758
12701700550000	9232 PACER CT	ELK GROVE	CA	95624
13400830160000	9642 EISENBEISZ ST	ELK GROVE	CA	95624
12701700370000	9274 THOROUGHbred WAY	ELK GROVE	CA	95624
13400830100000	9656 WEBB ST	ELK GROVE	CA	95624
13406100050000	9271 KLIEVER WAY	ELK GROVE	CA	95624
12701700340000	9275 THOROUGHbred WAY	ELK GROVE	CA	95624
12701500780000	PO BOX 15618	SACRAMENTO	CA	95852

APN	ADDRESS	CITY	STATE	ZIP
13400720110000	3910 COVER ST	LONG BEACH	CA	90808
13406100440000	9272 KLIEVER WAY	ELK GROVE	CA	95624
12701700420000	9254 THOROUGHbred WAY	ELK GROVE	CA	95624
13406100430000	9268 KLIEVER WAY	ELK GROVE	CA	95624
13406100030000	9279 KLIEVER WAY	ELK GROVE	CA	95624
13400830250000	9650 WEBB ST	ELK GROVE	CA	95624
12701700430000	684 SAN JUAN ST	STANFORD	CA	94305
13401101350000	2295 IRON POINT RD 100	FOLSOM	CA	95630
12701700590000	9208 LOCUST ST	ELK GROVE	CA	95624
13400840260000	9246 KLIEVER WAY	ELK GROVE	CA	95624
12502700610000	7 LEONA DR	SAN RAFAEL	CA	94903
12701700280000	9267 THOROUGHbred WAY	ELK GROVE	CA	95624
13406100460000	9280 KLIEVER WAY	ELK GROVE	CA	95624
13400820040000	9184 GROVE ST	ELK GROVE	CA	95624
12701700400000	329 NORWICH AVE	MILPITAS	CA	95035
12502700510000	801 12TH ST	SACRAMENTO	CA	95814
12701700410000	9298 ELDER CREEK RD	SACRAMENTO	CA	95829
13400840420000	PO BOX 1794	KREMMLING	CO	80459
13400840280000	9255 KLIEVER WAY	ELK GROVE	CA	95624
13406100060000	9275 EDISTO WAY	ELK GROVE	CA	95758
13406100380000	9287 BRILES CT	ELK GROVE	CA	95624
13400840360000	1976 SCHRADER DR	SAN JOSE	CA	95124
13406100330000	PO BOX 752	MILLBRAE	CA	94030
13406100470000	9290 KLIEVER WAY	ELK GROVE	CA	95624
12502700510000	9205 ELK GROVE BLVD 2	ELK GROVE	CA	95624
12502700510000	9205 ELK GROVE BLVD 5	ELK GROVE	CA	95624
12502700510000	9205 ELK GROVE BLVD 8	ELK GROVE	CA	95624
12502700510000	9205 ELK GROVE BLVD 15	ELK GROVE	CA	95624
12502700510000	9205 ELK GROVE BLVD	ELK GROVE	CA	95624
12502700510000	9205 ELK GROVE BLVD 3	ELK GROVE	CA	95624
12502700510000	9205 ELK GROVE BLVD 6	ELK GROVE	CA	95624
12502700510000	9205 ELK GROVE BLVD 9	ELK GROVE	CA	95624
12502700510000	9205 ELK GROVE BLVD 12	ELK GROVE	CA	95624
12502700510000	9205 ELK GROVE BLVD 7	ELK GROVE	CA	95624
12502700510000	9205 ELK GROVE BLVD 10	ELK GROVE	CA	95624
12502700510000	9205 ELK GROVE BLVD 13	ELK GROVE	CA	95624
12502700510000	9205 ELK GROVE BLVD 16	ELK GROVE	CA	95624
12502700510000	9209 ELK GROVE BLVD	ELK GROVE	CA	95624
12502700510000	9205 ELK GROVE BLVD 1	ELK GROVE	CA	95624
12502700510000	9205 ELK GROVE BLVD 4	ELK GROVE	CA	95624
12502700510000	9205 ELK GROVE BLVD 11	ELK GROVE	CA	95624
12502700510000	9205 ELK GROVE BLVD 14	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 32	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 30	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 23	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 18	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 16	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 14	ELK GROVE	CA	95624

APN	ADDRESS	CITY	STATE	ZIP
12502700610000	9191 ELK GROVE BLVD 8	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 2	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD CH	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 31	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 26	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 24	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 22	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 15	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 10	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 5	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 1	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 33	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 29	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 27	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 25	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 19	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 13	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 12	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 11	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 6	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 3	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 7	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 4	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 34	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 28	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 21	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 20	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 17	ELK GROVE	CA	95624
12502700610000	9191 ELK GROVE BLVD 9	ELK GROVE	CA	95624
12701500780000	9435 ELK GROVE BLVD	ELK GROVE	CA	95624
12701500790000	9385 ELK GROVE BLVD 500	ELK GROVE	CA	95624
12701500790000	9385 ELK GROVE BLVD 200	ELK GROVE	CA	95624
12701500790000	9385 ELK GROVE BLVD 400	ELK GROVE	CA	95624
12701500790000	9385 ELK GROVE BLVD 100	ELK GROVE	CA	95624
12701500790000	9385 ELK GROVE BLVD 600	ELK GROVE	CA	95624
12701500790000	9385 ELK GROVE BLVD 300	ELK GROVE	CA	95624
12701700030000	9241 ELK GROVE BLVD	ELK GROVE	CA	95624
12701700030000	9249 ELK GROVE BLVD	ELK GROVE	CA	95624
12701700030000	9251 ELK GROVE BLVD	ELK GROVE	CA	95624
12701700030000	9255 ELK GROVE BLVD	ELK GROVE	CA	95624
12701700030000	9253 ELK GROVE BLVD	ELK GROVE	CA	95624
12701700030000	9247 ELK GROVE BLVD	ELK GROVE	CA	95624
12701700050000	9257 ELK GROVE BLVD	ELK GROVE	CA	95624
12701700400000	9262 THOROUGHbred WAY	ELK GROVE	CA	95624
12701700410000	9258 THOROUGHbred WAY	ELK GROVE	CA	95624
12701700430000	9250 THOROUGHbred WAY	ELK GROVE	CA	95624
12701700440000	9246 THOROUGHbred WAY	ELK GROVE	CA	95624

APN	ADDRESS	CITY	STATE	ZIP
12701700500000	9572 PORTO ROSA DR	ELK GROVE	CA	95624
12701700530000	9271 ELK GROVE BLVD	ELK GROVE	CA	95624
12701700540000	9236 PACER CT	ELK GROVE	CA	95624
12701700720000	9285 ELK GROVE BLVD	ELK GROVE	CA	95624
12701700730000	9289 ELK GROVE BLVD	ELK GROVE	CA	95624
13400710020000	9180 ELK GROVE BLVD	ELK GROVE	CA	95624
13400710040000	9188 ELK GROVE BLVD	ELK GROVE	CA	95624
13400710060000	9196 ELK GROVE BLVD	ELK GROVE	CA	95624
13400710060000	9196 ELK GROVE BLVD A	ELK GROVE	CA	95624
13400710060000	9196 ELK GROVE BLVD B	ELK GROVE	CA	95624
13400710070000	9208 ELK GROVE BLVD	ELK GROVE	CA	95624
13400710070000	9206 ELK GROVE BLVD	ELK GROVE	CA	95624
13400710100000	9189 GROVE ST	ELK GROVE	CA	95624
13400710190000	9620 WEBB ST	ELK GROVE	CA	95624
13400710200000	9616 WEBB ST	ELK GROVE	CA	95624
13400710200000	9618 WEBB ST	ELK GROVE	CA	95624
13400720120000	9248 ELK GROVE BLVD	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 3	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 6	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 13	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 16	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 19	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 26	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 29	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 32	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 35	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 42	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 45	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 48	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 5	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 8	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 11	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 14	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 18	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 21	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 24	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 27	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 34	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 37	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 40	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 43	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 1	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 4	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 7	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 10	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 17	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 20	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 23	ELK GROVE	CA	95624

APN	ADDRESS	CITY	STATE	ZIP
13400720190000	9621 WEBB ST 30	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 33	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 36	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 39	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 46	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST	ELK GROVE	CA	95624
13400720190000	9252 ELK GROVE BLVD CH	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 2	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 9	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 12	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 15	ELK GROVE	CA	95624
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13400720190000	9621 WEBB ST 25	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 28	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 31	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 38	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 41	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 44	ELK GROVE	CA	95624
13400720190000	9621 WEBB ST 47	ELK GROVE	CA	95624
13400830020000	9190 GROVE ST	ELK GROVE	CA	95624
13400830180000	9212 GROVE ST	ELK GROVE	CA	95624
13400830200000	9188 GROVE ST B	ELK GROVE	CA	95624
13400830200000	9188 GROVE ST A	ELK GROVE	CA	95624
13400830280000	9196 GROVE ST	ELK GROVE	CA	95624
13400840080000	9651 WEBB ST	ELK GROVE	CA	95624
13400840170000	9653 WEBB ST	ELK GROVE	CA	95624
13400840360000	9660 GAMAY WAY	ELK GROVE	CA	95624
13400840410000	9640 GAMAY WAY	ELK GROVE	CA	95624
13400840420000	9641 GAMAY WAY	ELK GROVE	CA	95624
13400840590000	9623 LOUCLARE LN	ELK GROVE	CA	95624
13400840600000	9627 LOUCLARE LN	ELK GROVE	CA	95624
13400840610000	9631 LOUCLARE LN	ELK GROVE	CA	95624
13401101320000	9308 ELK GROVE BLVD 120	ELK GROVE	CA	95624
13401101320000	9304 ELK GROVE BLVD 140	ELK GROVE	CA	95624
13401101320000	9304 ELK GROVE BLVD 150	ELK GROVE	CA	95624
13401101320000	9308 ELK GROVE BLVD 110	ELK GROVE	CA	95624
13401101320000	9304 ELK GROVE BLVD 130	ELK GROVE	CA	95624
13401101320000	9304 ELK GROVE BLVD 160	ELK GROVE	CA	95624
13401101320000	9308 ELK GROVE BLVD 100	ELK GROVE	CA	95624
13401101350000	9312 ELK GROVE BLVD	ELK GROVE	CA	95624
13406100010000	9287 KLIEVER WAY	ELK GROVE	CA	95624
13406100060000	9267 KLIEVER WAY	ELK GROVE	CA	95624
13406100070000	9263 KLIEVER WAY	ELK GROVE	CA	95624
13406100100000	9634 GRUWELL WAY	ELK GROVE	CA	95624
13406100130000	9646 GRUWELL WAY	ELK GROVE	CA	95624
13406100320000	9270 BRILES CT	ELK GROVE	CA	95624
13406100330000	9274 BRILES CT	ELK GROVE	CA	95624
13406100340000	9278 BRILES CT	ELK GROVE	CA	95624

APN	ADDRESS	CITY	STATE	ZIP
13406100400000	9279 BRILES CT	ELK GROVE	CA	95624
13406100410000	9275 BRILES CT	ELK GROVE	CA	95624
13406100450000	9276 KLIEVER WAY	ELK GROVE	CA	95624
13406100470000	9646 WATERMAN RD	ELK GROVE	CA	95624
13409000440000	9618 LITTLE HARBOR CT	ELK GROVE	CA	95624

OWNER	CONTACT	ADDRESS	CITY	STATE	ZIP
AT&T	Astrid Willard	2700 Watt Ave Rm 3473-11	Sacramento	CA	95821
CA Dept. of Fish and Wildlife	Tanya Sheya	1701 Nimbus Rd., Ste. A	Rancho Cordova	CA	95670
Caltrans District 3, Planning and Local Assistance	Doug Adams	703 B Street	Marysville	CA	95901
Cosumnes Fire Department	Morgana Yahneke	10573 E. Stockton Blvd.	Elk Grove	CA	95624
Cosumnes Parks & Recreation	Paul Mewton	8820 Elk Grove Blvd. Ste. #3	Elk Grove	CA	95624
CRWQCB	Liz Lee	11020 Sun Center Dr. #200	Rancho Cordova	CA	95670-6114
Elk Grove Unified School District	Pham Saechao; Christopher Bohrer	9510 Elk Grove-Florin Road	Elk Grove	CA	95626
Elk Grove Water Services	Bruce Camilos	9257 Elk Grove Blvd.	Elk Grove	CA	95624
Frontier	Kirby Bernard	9260 E. Stockton Blvd	Elk Grove	CA	95624
Pacific Gas & Electric	Adam Egbert	12840 Bill Clark Way	Auburn	CA	95602-9527
Sacramento County Water Agency	Bob Gardner; Bob Steeg	827 Seventh Street Rm 301	Sacramento	CA	95814
Sacramento Area Sewer District	Amandeep Singh	10060 Goethe Road	Sacramento	CA	95827
SMUD	Rob Ferrara	6201 S Street, MS B203	Sacramento	CA	95817
SMUD	Yujean Kim	6201 S Street	Sacramento	CA	95817
Adam Broadwell Joseph & Cardoza	Janet Laurain	601 Gateway Boulevard, Suite 1000	South San Francisco	CA	94080-7037
Hakkem, Ellis & Marengo, Professional Law Corporation	Michael Hakeem	3414 Brookside Road, Suite	Stockton	CA	95219
Hock Construction Management, Inc	Les Hock	10630 Mather Blvd.	Sacramento	CA	95655
J. P. Morgan	J.P. Morgan	2217 Raindance Drive	Roseville	CA	95747
John Jaeger	John Jaeger	9543 Roblin Court	Elk Grove	CA	95758
Lozeau Drury LLP	Michael Lozeau Hanna Hughes Sophie Roberts	1939 Harrison Street, Suite 150	Oakland	CA	94612
MerloneGeier Partners	Gary S Mujjat	3191 Zinfandel Drive, Suite 23	Rancho Cordova	CA	95670
Northern California Carpenters	Katie Boyd	265 Hegenberger Rd., Suite 220	Oakland	CA	94621
Richland Planned Communities	Aaron Ross-Swain	3000 Lava Ridge Ct., Ste 115	Roseville	CA	95661
Ring Hunter Holland & Schenone	Justin J. Schmitzler	985 Moraga Road, Suite 210	Lafayette	CA	94549
Taylor & Wiley	Matt Keasling	500 Capitol Mall Suite 1150	Sacramento	CA	95814
Taylor Morrison	Jay Pawlek	81 Blue Ravine Rd. Suite 220	Folsom	CA	95630
Kevin Johnston	Kevin Johnston	2476 Buena Vista Avenue	Livermore	CA	94550
Native American Heritage Commission	Pricilla Torres -Fuentes	1550 Harbor Boulevard, Suite 100	West Sacramento	CA	95691