

RESOLUTION NO. 2002-125

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A TENTATIVE PARCEL MAP FOR ASSESSOR PARCEL NUMBER 116-0840-040, ELK GROVE LANDING EG-01-204, SUBJECT TO THE FINDINGS AND MMRP/CONDITIONS OF APPROVAL

WHEREAS, Elk Grove Landing, represented by Edward Gillum and Michael O'Connell (hereinafter referred to as Applicants) filed an application with the City of Elk Grove (hereinafter referred to as City) for a General Plan Amendment designating 3.49 acres from Agricultural-Residential 1-10 du/ac to (CO) Commercial and Office, a Community Plan Amendment designating 3.49 acres from Agricultural-Residential 2 du/ac to Limited Commercial, a request to Rezone 3.49 acres from AR-10 (PDC) to Limited Commercial and a Tentative Parcel Map to divide one lot of 3.49-acres into a 1.10 acre parcel, a 1.98 acre parcel and a 0.41 acre parcel. (Assessor's Parcel Number 116-0840-040); and

WHEREAS, the City Council is the appropriate authority to hear and take action on this project after a recommendation by the Planning Commission; and

WHEREAS, an Initial Study was prepared for this project and a Notice of Intent to Adopt a Mitigated Negative Declaration was prepared and circulated according to the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission considered the Applicant's request at a public hearing on June 19, 2002 and recommended City Council approval of the project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ELK GROVE HEREBY RESOLVES AS FOLLOWS:

1. Adopt the Mitigated Negative Declaration prepared for the Elk Grove Landing project and direct staff to file a Notice of Determination.
2. Approve the Elk Grove Landing project, Tentative Parcel Map, subject to the approval of the General Plan Amendment and Community Plan and Rezone for this project and based on the following findings and the attached conditions of approval (Exhibits A and B). Exhibit A is the Tentative Parcel Map and Exhibit B is the conditions of approval.
 - a. Finding: The proposal will not have a significant adverse impact on the environment and a Mitigated Negative Declaration has been prepared and completed in accordance with the California Environmental Quality Act (CEQA).

Evidence: An Initial Environmental Study was prepared for the proposed project and mitigation measures have been developed that will reduce

potential environmental impacts to less than significant levels. On the basis of the Mitigated Negative Declaration, comments received, and the whole record, there is no substantial evidence that the project will have a significant adverse impact on the environment.

- b. **Finding:** Section 66474 of the California Subdivision Map Act requires a City to deny approval of a tentative map if it makes any of the following findings:
- a. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
 - b. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
 - c. That the site is not physically suitable for the type of development.
 - d. That the site is not physically suitable for the proposed density of development.
 - e. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
 - f. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
 - g. That the design of the subdivision or type of improvements will conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision.

Evidence: The above Findings #a. through #g. do not apply to the proposed Tentative Parcel Map.

- a. The proposed map is consistent with the proposed amendment to the General Plan and rezone.
- b. The design of the improvements of the proposed subdivision is consistent with the General Plan and design standards of the municipal code.
- c. The site is physically suitable for extension of commercial development and will be consistent with the proposed General Plan Amendment.
- d. The site is appropriate for the specified density of development and the applicant's proposed amendments to commercial densities as presented in the staff report.
- e. The Mitigated Negative Declaration prepared for the Elk Grove Landing project determined that potential environmental impacts from the design of the subdivision or the proposed improvements will be mitigated to less than significant levels with implementation of the proposed Mitigation Measures and Conditions of Approval.
- f. The Mitigated Negative Declaration prepared for the Elk Grove Landing project determined that potential serious health problems were not identified for the project or will be mitigated to less than significant levels with implementation of the proposed Mitigation Measures and Conditions of Approval.


- g. No conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision, have been identified.

PASSED AND ADOPTED by the City Council of the City of Elk Grove on the 17th day of July 2002.




MICHAEL P. LEARY, MAYOR of the
CITY OF ELK GROVE

ATTEST:



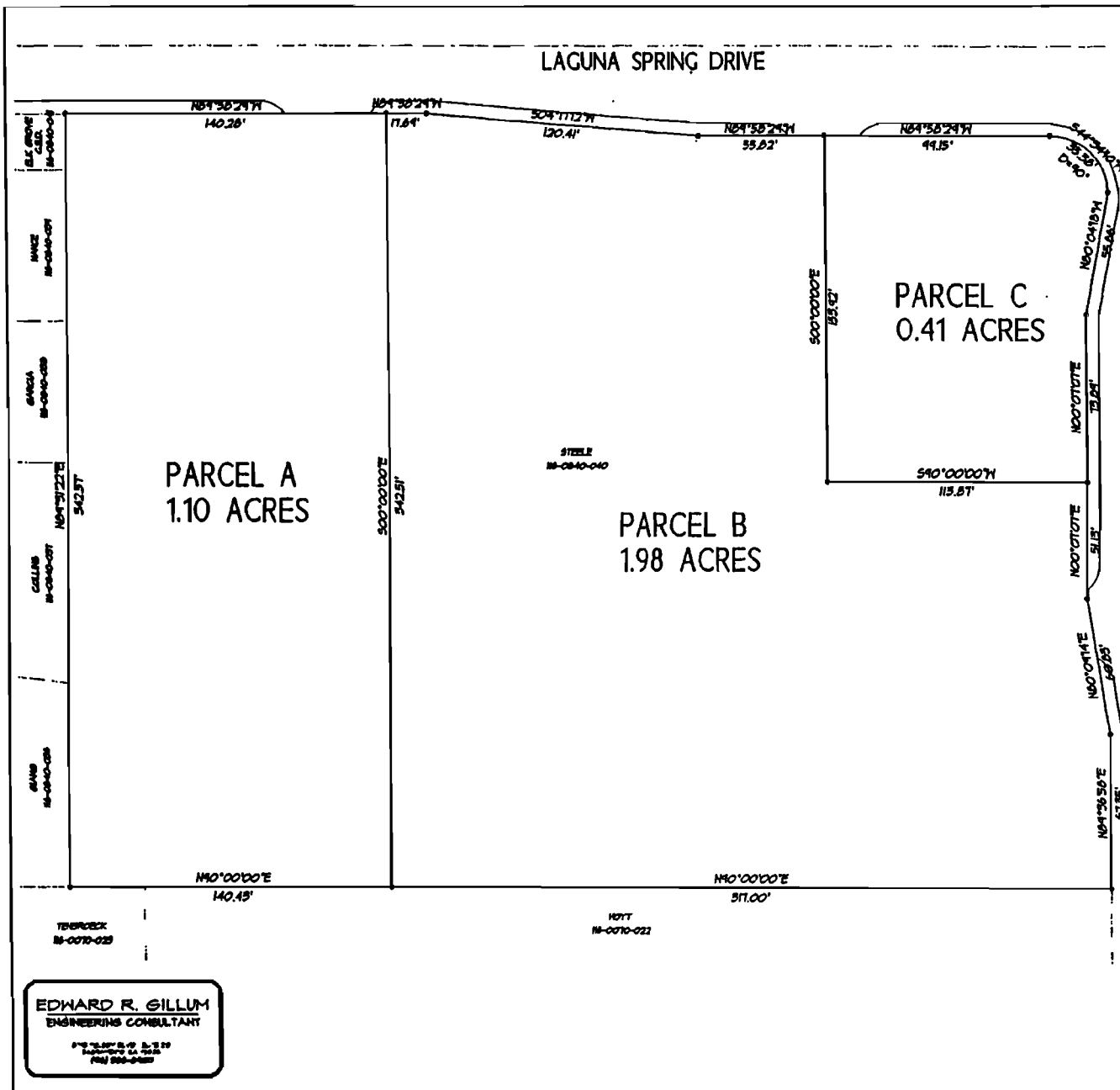
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



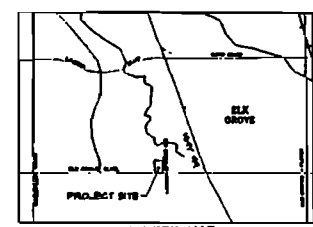
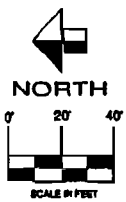
ANTHONY B. MANZANETTI,
CITY ATTORNEY

AYES: Leary, Cooper, Scherman,
Briggs, Soares
NOES: None
ABSTAIN: None
ABSENT: None



GENERAL NOTES

- | | |
|---|---|
| OWNER/DEVELOPER:
GOLD HILLS LAND TRUST, et al
IN TRUST FOR
ELK GROVE COMMUNITY CENTER | SPECIAL DISTRICTS:
RECREATION:
ELK GROVE COMMUNITY SERVICE CENTER |
| APPLICANT:
EDWARD R. GILLUM
1400 W. 14th St., Suite 1
Elk Grove, California 95624 | FIRE:
ELK GROVE COMMUNITY SERVICE CENTER |
| ENGINEER:
EDWARD R. GILLUM, INC.
2715 POLARIS DRIVE, SUITE 100
ELK GROVE, CALIFORNIA 95624
(916) 696-6100 | SCHOOLS:
ELK GROVE SCHOOL DISTRICT |
| EXISTING USE:
VACANT | SANITARY SEWER:
CITY OF ELK GROVE |
| PROPOSED USE:
OFFICE | STORM DRAINAGE:
CITY OF ELK GROVE |
| EXISTING ZONING:
M-2 | WATER:
CITY OF ELK GROVE - 20% OF |
| PROPOSED ZONING:
M-2 | NUMBER OF LOTS:
3 ORIGINAL LOTS |
| ASSESSOR PARCEL NUMBER:
478 0-000-000 | NOTES:
SEE SET & SANITARY PLAN AND
SEALING FOR DETAILS |
| DESCRIPTION:
LOT 40 OF LINDA GREENE TRACT
CITY OF ELK GROVE, CALIFORNIA | |



TENTATIVE PARCEL MAP
ELK GROVE LANDING
LOT 40-215BM17

O'CONNELL-HUGHES
COMMERCIAL PROPERTIES
CITY OF ELK GROVE, CALIFORNIA
09/29/01

SHEET B

EXHIBIT A

Conditions of Approval / Mitigation Monitoring and Reporting Program

<u>Conditions of Approval / Mitigation Measure</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
1. The development approved by this action is for a General Plan Amendment, Community Plan Amendment, Rezone and Tentative Parcel Map as described in the City Council report and associated Exhibits and Attachments dated July 17, 2002.	On-Going	Planning Division	
2. This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	On-Going	Planning Division	
3. The Tentative Parcel Map approval is valid for three years from the date of City Council approval, unless an extension of time is subsequently approved.	Three years, commencing with the date of City Council approval.	Planning Division	
4. The Applicant shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.	On-Going	Planning Division	
5. Comply with, record, and pay fees for the Mitigation Monitoring and Reporting Program (MMRP) associated with (3.49 acres). Until the MMRP has been recorded and the estimated MMRP fee of \$1,500 has been paid, no final parcel map for the subject property shall be approved and no grading, building, sewer connection, water connection, or occupancy permit from the City or County will be approved. (Planning)	Prior to Issuance of Grading Permit	Planning Division	
6. The project applicant shall place the following mitigation requirements in all construction contracts and shall require the use of Best Available Control	Prior to Issuance of Grading Permit	Planning Division and SMAQMD	

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<p>Technologies (BACT), including but not limited to the requirements listed below. During the construction phase of the project, compliance with District Rule 403 – FUGITIVE DUST is required. Proof of these contractor requirements shall be provided to the City prior to the issuance of grading permits.</p> <ul style="list-style-type: none"> • The project applicant and/or prime contractor shall comply with SMAQMD Rule 403 that requires taking reasonable precautions to prevent the emissions of fugitive dust, such as "using water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the construction of roadways, or the clearing of land" where possible and applying "asphalt, oil, water, or suitable chemicals on dirt roads, materials, stockpiles, and other surfaces which can give rise to airborne dust." • Clean earth-moving construction equipment with water once per day. • Reduce traffic speeds on all unpaved surfaces to 15 miles per hour or less. • Use low-emission on-site stationary equipment whenever possible. • Encourage construction employees to carpool to the work site. • Minimize idling time to 10 minutes. • Maintain construction equipment through regular and proper maintenance. • All material transported offsite shall be either sufficiently watered or securely covered to 			

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<p>prevent public nuisance.</p> <ul style="list-style-type: none"> • During initial grading, earthmoving, or site preparation a 100-foot paved, graveled or palliative-treated apron shall be constructed, extending onto the construction site from the adjacent paved road(s) where vehicles and equipment egress. (SMAQMD) 			
<p>7. Prior to site disturbance (including clearing and grubbing) or issuance of a grading permit and maintained during construction activities, the applicant shall install temporary fabric fencing a minimum of 3 feet in height along the western edge of the property to prevent giant garter snakes from entering the construction areas. The fencing will need to be regularly inspected and maintained. Exclusion fencing must remain in place and be maintained for the duration of the construction activities in order to prevent snakes from entering construction areas.</p>	<p>Prior to Issuance of Grading Permit</p>	<p>Planning Division</p>	
<p>8. Construction activities involving grading and excavation shall be conducted as much as is feasible within the active period of the snake (generally from May 1 to October 1). Direct impacts are lessened during this time because snakes are actively moving and avoiding danger. More danger is posed to snakes during their inactive period, because they are occupying underground burrows or crevices and are more susceptible to direct effects, especially during excavation.</p>	<p>Prior to Issuance of Grading Permit</p>	<p>Planning Division</p>	
<p>9. Construction personnel shall participate in a Service-approved worker environmental awareness program. Under this program, workers shall be informed about the presence of giant garter snakes and habitat</p>	<p>Prior to Issuance of Grading Permit</p>	<p>Planning Division</p>	

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<p>associated with the species and that unlawful take of the animal or destruction of its habitat is a violation of the Act. Prior to construction activities, a qualified biologist approved by the Service shall instruct all construction personnel about: (1) the life history of the giant garter snake; (2) the importance of irrigation canals, marshes/wetlands, and seasonally flooded areas, such as rice fields, to the giant garter snake; and (3) the terms and conditions of the biological opinion. Proof of this instruction shall be submitted to the Sacramento U.S. Fish and Wildlife Office.</p>			
<p>10. Within 24-hours prior to commencement of construction activities, the site shall be inspected by a qualified biologist who is approved by the Service's Sacramento Fish and Wildlife Office. The biologist will provide the Service with a field report form documenting the monitoring efforts within 24-hours of commencement of construction activities. The monitoring biologist needs to be available thereafter; if a snake is encountered during construction activities, the monitoring biologist shall have the authority to stop construction activities until appropriate corrective measures have been completed or it is determined that the snake will not be harmed. Giant garter snakes encountered during construction activities should be allowed to move away from construction activities on their own. Capture and relocation of trapped or injured individuals can only be attempted by personnel or individuals with current Service recovery permits pursuant to Section 10(a)1(A) of the Act. The biologist shall be required to report any incidental take to the Service immediately by telephone at (916) 979-2725 and by written letter addressed to the Chief, Endangered Species Division, within one working day.</p>	<p>Prior to Grading activity</p>	<p>Planning Division</p>	

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	The project area shall be re-inspected whenever a lapse in construction activity of two weeks or greater has occurred.			
11.	Provide public water service to each parcel and building and dedicate water easements to the satisfaction of Sacramento County Water Agency.	Shown on Improvement Plans and during construction	Department of Water Resources	
12.	Destroy all abandoned wells on the project site in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned/destroyed wells on the improvement plans for the project.	During Grading and Construction	Department of Water Resources	
13.	Each parcel must have a separate connection to the public sewer system. Sacramento County Improvement Standards apply to on-site sewer construction.	Shown on Improvement Plans	CSD-1	
14.	Construction of public collector sewer and dedication of public sewer easements will be required to the satisfaction of CSD-1.	Shown on Improvement Plans and during construction	CSD-1	
15.	If determined by a drainage analysis of the existing storm drain system, it may be necessary to provide on-site detention to mitigate the change from residential to commercial.	Shown on Improvement Plans and during construction	Department of Water Resources	
16.	On-site source and treatment control measures are required for this project in accordance with the latest version of the <i>Guidance Manual of On-site Storm Water Quality Control Measures</i> . In all cases, source control measures on the improvement plans will include provision of a permanent storm drain message "No Dumping - Flows to Creek" or other approved message at each inlet. Other on-site source and treatment control measure(s) should also be used in accordance with specific commercial activities	Shown on Improvement Plans and during construction	Department of Water Resources	

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referenced in the Guidance Manual. The final design of the proposed on-site source and treatment controls will be approved by the City of Elk Grove Department of Water Resources.			
17. Dedicate drainage easements, and install facilities pursuant to the City of Elk Grove Floodplain Management Ordinance, Sacramento County Water Agency Code, and Elk Grove Improvement Standards, including any fee required by the Sacramento County Water Agency Code.	Prior to Final Map Shown on Improvement Plans and during construction	Department of Water Resources	
18. Install a 36 foot landscape corridor adjacent to the right of way for Elk Grove Blvd. and a 25 foot corridor (approximately) along Laguna Springs Dr. The width of the corridor on Laguna Springs shall be consistent with the corridor just north of this project. Landscape corridors will be completed to the satisfaction of the EGCSO. The property owners will improve landscape corridors at the time of project development.	Note on Final Map	CSD Parks	
19. All the real property within the boundaries of the proposed project is within a benefit zone of the District Wide Landscape and Lighting Assessment District. Prior to rezoning the property, recording any final maps, approving improvement plans, or issuing any building permits; the owners of all real property within the boundaries of a project shall execute and deliver to the Elk Grove CSD a written petition in an acceptable form approved by District consenting to: (i) the formation of the existing District Wide Assessment District and the methodology adopted to allocate the cost to the various land uses; (ii) when necessary the annexation to the appropriate zone of benefit created to fund urban services, (iii) the budget, formulas and cost of living indexes use to establish the amount of the annual assessments; the	Prior to Final Map	CSD Parks	

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(iv) the levying of the annual assessment to fund the maintenance, operation and in some instances the existing capital costs of parks, parkways, corridors, medians, open space, trail systems lakes, creeks and other recreational and aesthetic amenities.			
20. Prior to recordation of the final map, pay the Laguna Community Facilities District the rezone avoidance tax, estimated at \$61,726.00.	Prior to Final Map	Infrastructure Finance	
21. To the extent practical, playground activities shall be located so as to create the maximum separation of those activities from the nearest residential property lines.	Shown on Improvement Plans and during construction	Planning Division	
22. To the extent practical, playground usage shall be staggered to evenly distribute the children on the playground throughout the course of the day.	Shown on Improvement Plans and during construction	Planning Division	
23. The masonry wall along the northern property boundary shall be a minimum 6 feet in height to a maximum height of 8 feet. The height of the wall will be at least the height of the existing wood fence. Wall construction will be completed prior to the construction of the buildings on-site.	Note on Final Map Shown on Improvement Plans and during construction	Planning Division	
24. The masonry wall along the western property boundary shall be a minimum 6 feet in height to a maximum height of 8 feet. Wall construction will be completed prior to the construction of the buildings on-site and located to the satisfaction of the Planning Division.	Note on Final Map Shown on Improvement Plans and during construction	Planning Division	
25. The trees that line the western property boundary must be incorporated as a landscape buffer. Trees that need to be removed will be approved by staff.	Note on Final Map Shown on Improvement Plans and during construction	Planning Division	
26. Non-reflective glass shall be used in all commercial	Building Plans	Planning Division	

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buildings to minimize and reduce impacts from daytime glare.			
27. Commercial structure exterior materials shall be composed of a minimum of 50 percent low reflectance, non-polished finishes.	Building Plans	Planning Division	
28. Bare metallic surfaces on new structures shall be painted to minimize reflectance.	Building Plans	Planning Division	
29. Outdoor light fixtures shall be low-intensity, shielded and/or directed away from residential areas and the night sky. Lighting fixtures for parking lots shall use low-pressure sodium lamps or other similar lighting fixture. All light fixtures shall be installed and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane. High-intensity discharge lamps, such as mercury, metal halide and high-pressure sodium lamps shall be prohibited. Lighting plans shall be provided as part of facility improvement plans to the City with certification that adjacent residential areas will not be adversely affected and that offsite illumination will not exceed 2-foot candles.	Shown on Improvement Plans and during construction	Planning Division	
30. Street light fixtures shall use low-pressure sodium lamps or other similar lighting fixture and shall be installed and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane. High-intensity discharge lamps, such as mercury, metal halide and high-pressure sodium lamps shall be prohibited. Offsite illumination shall not exceed 2-foot candles. Street lighting plans shall be submitted with project improvement plans for City review and approval.	Shown on Improvement Plans and during construction	Planning Division	
31. On the final map, grant the City of Elk Grove right-of-way on Elk Grove Boulevard based on a 108' standard in accordance with the City of Elk Grove Improvement	Final Map	Department of Public Works	

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Standards and to the satisfaction of the Department of Public Works.			
32. On the final map, dedicate additional right-of-way on Elk Grove Boulevard and Laguna Springs Drive for intersection widening per Standard Drawings 4-5 & 4-6 in the City of Elk Grove Improvement Standards. Note: The bus turnout on Elk Grove Boulevard will require at least a 180' taper from the west angle point.	Final Map	Department of Public Works	
33. Dedicate a 12.5-foot public utility easement for underground facilities and appurtenances adjacent to all public ways. (SMUD)	Prior to Final Map	Department of Public Works	
34. Dedicate a 12.5-foot public utility easement for overhead facilities and appurtenances adjacent to Elk Grove Boulevard. (SMUD)	Prior to Final Map	Department of Public Works	
35. If the site plan is modified substantially, the site design will return to the Planning Commission for approval.	Note on Final Map	Planning Division	
36. Major changes to the architecture and material will require review and approval by Planning Staff.	Note on Final Map	Planning Division	
37. The masonry wall will be reviewed by staff for aesthetics and structural engineering prior to construction.	Note on Final Map	Planning Division	

General Compliance Items for Building Permit

1. Prior to issuance of building permits, the project developer/owner shall pay Zone 40 development fees applicable at the time of building permit issuance in accordance with Sacramento County Water Agency Ordinance No. 18. (Water Supply)
2. Prior to issuance of building permits, the project shall conform to the specific provisions of the Sacramento County Landscape Water Conservation Ordinance (Chapter 14.10 of the Sacramento County Code) to the satisfaction of the County Landscape/Oak Tree Coordinator. (Water Supply)
3. The project shall comply with the City's Land Grading and Erosion Control Ordinance. (Department of Water Resources)
4. California State Law requires that if cultural resources are encountered work shall stop immediately and the Sacramento County Coroner shall be contacted who will coordinate an investigation of the find with appropriate specialists if needed. In addition, should any human remains be discovered at any time, all work is to stop and the County Coroner must also be immediately notified pursuant to the State Health and Safety Code, Section 7050.5 and the State Public Resources Code, Section 5097.98. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains. (Planning)
5. Secure approval of a civil engineered site improvement plan for all proposed on-site and off-site improvements.
6. All commercial buildings exceeding 3,599 square feet shall be equipped with an approved automatic fire sprinkler system.
7. Permits and/or fees are required for the following reviews: civil plans, architectural plans, fire sprinkler plans and fire alarm plans. Additional permits and fees may apply depending upon the scope of the project.
8. A permit release letter from the Elk Grove Community Services District Fire Department (EGCSDFD) shall be required prior to the Sacramento Building Department issuing any construction permits.
9. Hydrants shall be spaced a maximum of 300 feet apart. Buildings of certain types of construction, size and use may need additional fire flow or the application of mitigating efforts to meet fire flows above this minimum.
10. Dead-end streets in excess of 150 feet require approved emergency vehicle turn-arounds. All required roadways, water mains, fire hydrants and fire flow shall be provided *prior to the* existence of any combustible construction or storage in this development. The roadways shall be constructed to a 20-foot minimum width with a minimum of 3 inches of AC over 6 inches of AB and shall have good drainage.
11. The installation of on-site or off-site fire protection equipment, including fire hydrants and water mains, shall meet the standards of the EGCSDFD and the water purveyor having jurisdiction.
12. The installation of roadway gates, addresses, hardscaping, pipe bollards, fuel tanks, masonry sound walls, tree wells and/or traffic islands are subject to standards outlined by the EGCSDFD.
13. Traffic pre-emption devices, approved by the EGCSDFD, shall be installed on all signal devices erected or modified by this development. These devices shall be installed and functioning prior to any occupancy and at no cost to the EGCSDFD.
14. Required fire alarm systems (other than on single family dwellings) shall be connected to a UL listed central station approved by the Sacramento Regional Fire/EMS Communications Center.

15. Fire apparatus access roads shall be provided for each building constructed when any portion of the building is located more than 150 feet from a fire lane as measured by an approved route around the exterior of the building.
16. The fire department access on Elk Grove Boulevard utilizing turf pavers shall have a rolled curb and fire lane stripping per EGCSDFD standards.
17. A soil report shall be provided to show that the pavers are capable of withstanding 65,000 gross vehicle weight.
18. Fire hydrants shall be provided every 300 feet and at intersections along Elk Grove Boulevard and Laguna Springs Drive.
19. Turning radius for fire apparatus is a minimum of 38 feet inside and 55 feet outside with a minimum, unobstructed width of 20 feet.
20. Project shall have looped water mains: two points of connection.
21. On-site hydrants shall be provided.
22. Prior to occupancy, install public street improvements along Elk Grove Boulevard in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of the Department of Public Works.
23. Prior to occupancy, install public street improvements along Laguna Springs Drive in accordance with the City of Elk Grove Improvement Standards and to the satisfaction of the Department of Public Works.
24. The size, number and location of driveways shall be to the satisfaction of the Department of Public Works. Note: The south driveway on Laguna Springs Drive must be at least 150' from the intersection per City of Elk Grove Improvement Standard 4-10M. Driveway widths of 45' should be provided on Elk Grove Boulevard and driveway widths of 35' should be provided on Laguna Springs Drive.
25. Landscape Corridors shall be constructed and installed in accordance with plans and specifications approved by the Elk Grove Community Services District and shall be consistent with the Elk Grove Community Services District "General Guidelines for Landscape Corridor Design" and other CSD projects in close vicinity to the area. Corridors will be inspected by District employees and include meandering or bifurcated sidewalks, subject to EGCSD approval. Any proposed deviation from CSD's specifications would need to be submitted to the CSD and be approved in writing.