

RESOLUTION NO. 2002-169

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE ADOPTING A GENERAL PLAN AMENDMENT FOR THE MARKET PLACE 99 PROJECT #EG-00-036

WHEREAS, the Schaber Company (hereinafter referred to as Applicant) filed an application with the City of Elk Grove (hereinafter referred to as City) for a General Plan Amendment and Rezone of properties in the City. (Assessor's Parcel Number 116-004-002, 116-004-009, 116-004-010 and 116-004-011); and

WHEREAS, Title I, Chapter 15, Article 2 of the City of Elk Grove Zoning Code establishes the City Council as the appropriate authority to hear and decide all General Plan Amendments, after a recommendation by the Planning Commission; and

WHEREAS, an Mitigated Negative Declaration/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) Section 31507.4; and

WHEREAS, a duly advertised public hearing in accordance with Government Code Section 65090 et al. and a public hearing was conducted by the City Council of the City of Elk Grove on September 18, 2002.

WHEREAS, after careful consideration of all the written materials, testimony and a recommendation of approval from the Planning Commission, the City Council approved the Mitigated Negative Declaration/Initial Study.

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

1. Approve the General Plan Amendment from Low Density Residential to Commercial, as recommended by the Planning Commission, in accordance with the attached exhibit.

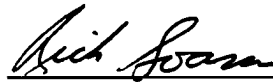
Finding: The proposal will not have a significant adverse impact on the environment and a Mitigated Negative Declaration/Initial Study has been prepared and completed in accordance with the California Environmental Quality Act (CEQA).

Evidence: A Mitigated Negative Declaration/Initial Study was prepared specifically 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 would have a significant adverse impact on the environment.

Findings: The amendment to the General Plan is in the best interest of the City of Elk Grove.

Evidence: The Low Density Residential designation is no longer appropriate for the area, due to the commercial developments to the east and west of the subject site. The site had previously been identified as a potential multi-family housing site; however, the City Council did not select the site for that purpose within the General Plan. After due consideration by the Planning Commission they determined the Commercial designation was in the best interest of the community for this property and recommended the amendment to the City Council.

PASSED AND ADOPTED by the City Council of the City of Elk Grove on the 18th day of September, 2002.




RICK SOARES, MAYOR of the
CITY OF ELK GROVE

ATTEST:



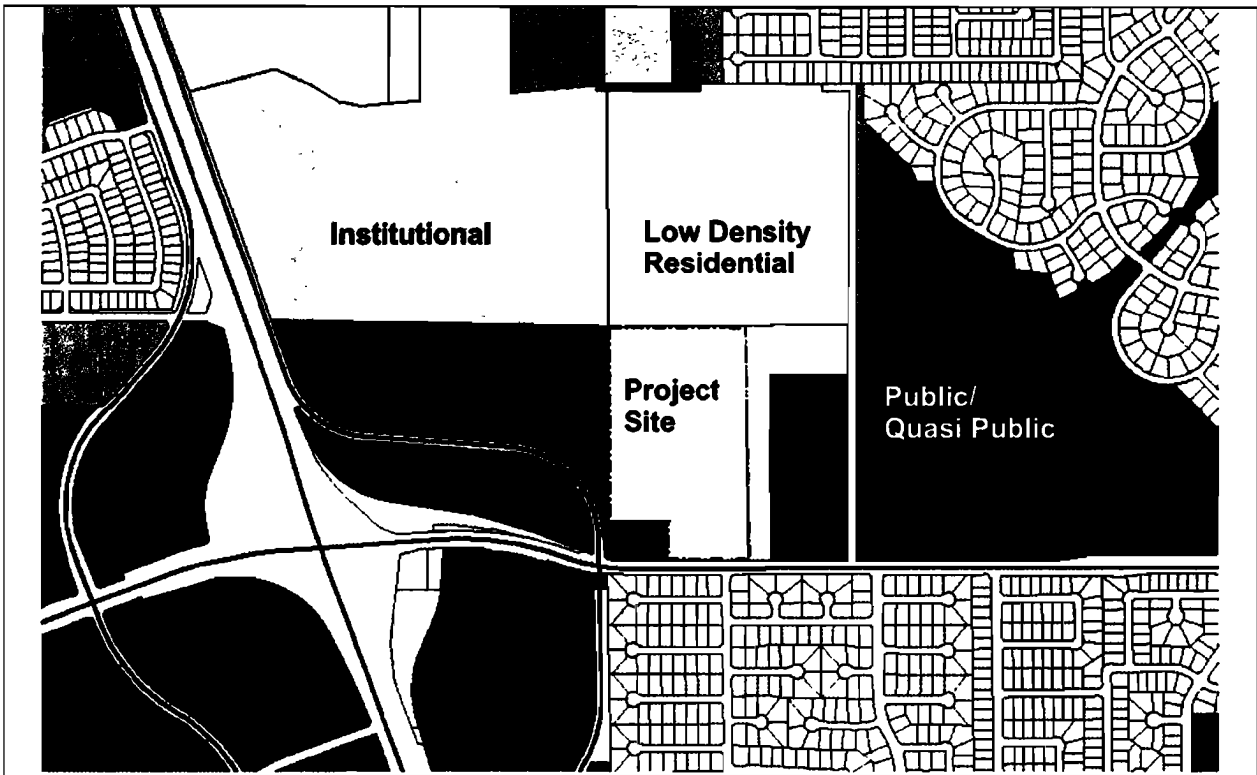
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

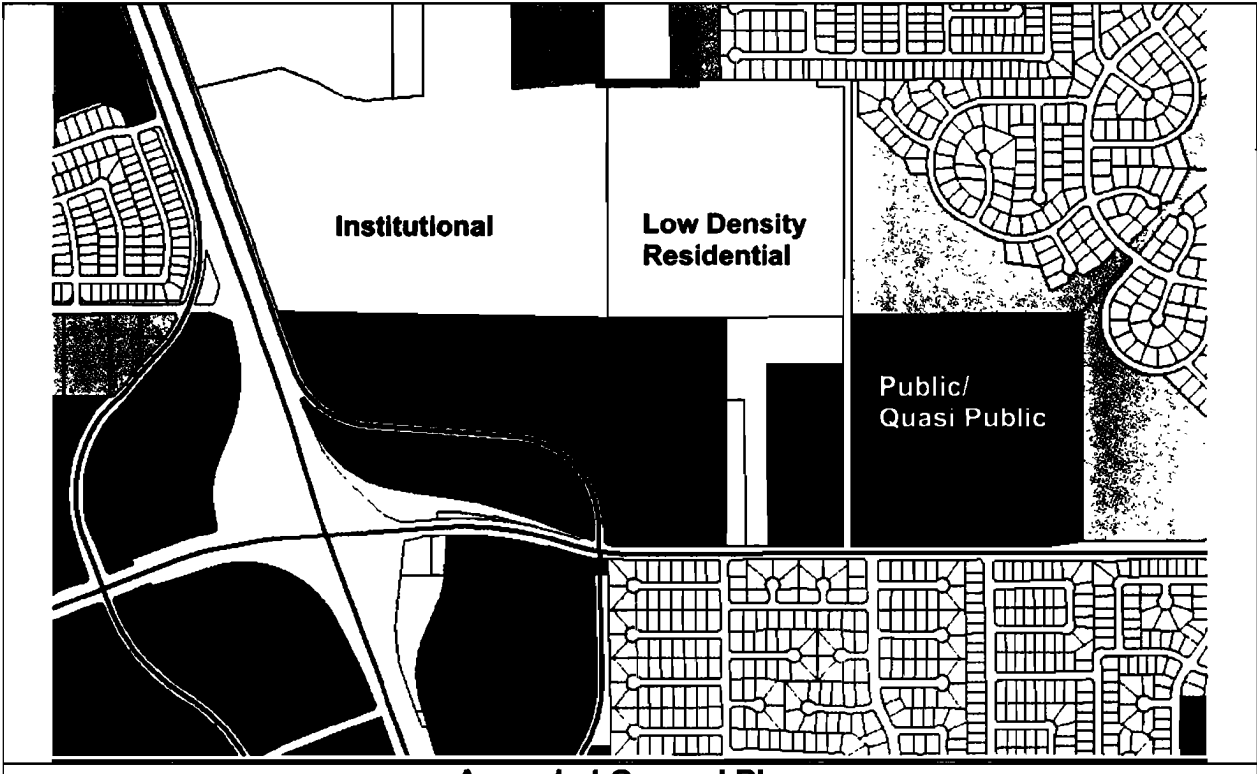


ANTHONY B. MANZANETTI,
CITY ATTORNEY

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



Current General Plan



Amended General Plan