

RESOLUTION NO. 2017-085

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AMENDING THE CONDITIONS OF APPROVAL FOR THE CIVIC CENTER SOUTH
PROPERTY DISTRICT DEVELOPMENT PLAN AND TENTATIVE PARCEL MAP
PROJECT NO. EG-13-003A, 9711 BIG HORN BOULEVARD
APNS: 132-1990-011, -012, -017, -018, -019, -020, & -021**

WHEREAS, in June 2004, the City Council adopted the Laguna Ridge Specific Plan, which included the designation of land for a future Civic Center; and

WHEREAS, in 2006, the City accepted the Civic Center property from Reynen & Bardis (Laguna Ridge); and

WHEREAS, the City conducted various analysis and studies identifying potential future uses for the Civic Center property based upon market demand and resident needs; and

WHEREAS, on January 13, 2016, the City Council directed staff to prepare a master plan for the Civic Center South Property and complete construction plans for Phase 1 improvements; and

WHEREAS, buildout of the Civic Center South Property was directed by the City Council to include a Veterans Hall, Aquatic Center, Senior Center/Community Center, Library, Transit Center, Children's Discovery Museum, and Nature Center; and

WHEREAS, Phase 1 improvements were directed by the City Council to include the Veterans Hall, Aquatic Center, Senior Center/Community Center, portions of the Transit Center, and other common area landscape, plaza, and parking components; and

WHEREAS, the proposed Project is located on real property in the incorporated portions of the City of Elk Grove more particularly described as APN 132-1990-011, -012, -017, -018, -019, -020, & -021; and

WHEREAS, the City determined that the Project is subject to the California Environmental Quality Act (CEQA); and

WHEREAS, on September 10, 2014, the City Council certified a Subsequent Environmental Impact Report (SEIR) for the Civic Center Aquatics Complex Project, which was proposed for the same site as this Project; and

WHEREAS, on July 13, 2016, the City Council approved a District Development Plan for the Civic Center South Property Project (EG-13-003A), which provided for an overall site plan, landscaping, pedestrian improvements, building architecture design parameters, and other features that are common across the site; and

WHEREAS, the project approvals included Condition of Approval number 45, which required the approval of a Section 404 Permit from the Army Corps of Engineers prior to the recordation of the Final Parcel Map; and

WHEREAS, an application for the Section 404 Permit was submitted in December 2016 and the Corps has deemed the application complete but, due to circumstances outside the City's control, will not be able to issue the permit before May 1, 2017; and

WHEREAS, the contractor will likely mobilize and begin initial site preparation in early May, which requires the Final Parcel Map to have been recorded and all relevant fees to have been paid; and

WHEREAS, the timing of the condition can be adjusted to coincide with the work in the affected area.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elk Grove finds that no further environmental review is required under the California Environmental Quality Act for the proposed changes to Condition of Approval number 45 pursuant to State CEQA Guidelines Section 15162 based upon the following finding:

California Environmental Quality Act (CEQA)

Finding: No further environmental review is required under the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15162.

Evidence: A Programmatic Environmental Impact Report (EIR) was prepared and certified for the Laguna Ridge Specific Plan in 2004 and a Subsequent EIR (SEIR) was prepared and certified for the Civic Center Aquatics Complex in 2014. An Addendum to the 2014 SEIR was approved as part of the DDP approval in July 2016.

The proposed changes to the conditions of approval do not alter the assumptions or analysis for the Project from that documented in the CEQA analysis to date. The change is only one of timing and continues to obligate the permit and mitigation prior to site disturbance, consistent with the Clean Water Act. No changes have occurred with respect to the circumstances under which the project was undertaken, and no new information of substantial importance has become known. Therefore, pursuant to State CEQA Guidelines Section 15162, subsequent environmental review is not required and no further environmental analysis is required.

AND, BE IT FURTHER RESOLVED, that the City Council hereby adopts the proposed amendment to Condition of Approval number 45 of the Civic Center South Property District Development Plan and Tentative Parcel Map, as provided in Exhibit A (incorporated herein by this reference), based upon the following findings.

District Development Plan

Finding #1: The proposed Project is consistent with the objectives of the General Plan, complies with applicable zoning regulations, specific plan provisions, special planning area provisions, Citywide and/or other applicable design guidelines, and improvement standards adopted by the City.

Evidence: The proposed Project is consistent with the Civic Center Design Guidelines. Specifically, the Project utilizes a circulation pattern that eliminates auto-pedestrian conflicts, minimizes the number of driveways from the public street, utilizes a landscaping scheme that is consistent with City standards for parking lot shading and screening requirements, incorporates landmark building features and forms, and utilizes appropriate building materials and colors.

Finding #2: The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community.

Evidence: The overall site design, architecture, and landscaping scheme for the Project is integrated and consistent. The design utilizes native and drought-tolerant plantings and incorporates low-impact design features including bio-swales and bio-retention. The design of the Project will enhance the character of the surrounding community by implementing the concept and vision for the Civic Center as articulated in the Laguna Ridge Specific Plan and the Civic Center Design Guidelines.

Finding #3: The architecture, including the character, scale and quality of the design, relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signing and similar elements establishes a clear design concept and is compatible with the character of buildings on adjoining and nearby properties.

Evidence: The Civic Center Design Guidelines call for a variety of building types, sizes, and shapes while promoting coordination between various phases and the use of complementary structures through placement. The proposed site design responds to this by locating more intensive activity spaces closer to Civic Center Drive with also incorporating a pedestrian plaza/corridor (referred to as the Commons) between the major activity points (Aquatics, Senior Center/Community Center).

The architecture of the proposed Project incorporates materials specifically allowed in the Civic Center Design Guidelines. The Project pallet includes a variety of earth-toned colors that complement the surrounding building and natural environment. The materials envisioned include brick and masonry products, stucco, metal, and durable/high quality synthetic wood products.

Finding #4: The proposed Project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.

Evidence: The circulation for vehicles and pedestrians within the Project is designed to eliminate auto-pedestrian conflicts through clearly delineated spaces and designed pedestrian paths through the parking areas. Primary access to the site is provided from Big Horn Boulevard. The Project would improve the “fourth leg” of the existing traffic signal at Big Horn Boulevard and Denali Circle. Vehicles would then be directed into the primary parking area. A pedestrian plaza is provided from Civic Center Drive south into the Project, fronting the primary entry areas into the facilities. The plaza would feature decorative hard-scape, trees, and other landscaping. Bicycle access to the site is provided from both Big Horn Boulevard and Civic Center Drive and would connect with the trails network developed and planned for Laguna Ridge. Bicycle parking would be provided throughout the site.

Finding #5: The proposed deviation from the landscaping standards of EGMC 23.54 is warranted.

Evidence: A deviation to the landscape requirements of EGMC Chapter 23.54 (Landscaping) is proposed with the Project. This chapter requires that within parking areas a planter island measuring eight feet by sixteen feet be developed every eight stalls. The intent of this provision is to help achieve the parking lot shading requirement while also providing visual interest within the parking field. The design team believes it can meet the shading obligation without implementing the island requirement by having continuous landscape areas between the rows of parking, as shown in the site plan. Since this implementation would achieve the intent of the regulation, staff recommends that an exemption to the island requirement be provided pursuant to the Design Review procedures outlined in EGMC Section 23.16.080.H (Deviations from Standards). This deviation approves the site by providing more landscape area than would occur with the island approach, which improves visual interest in the site. There are no impacts to the vehicular movements or pedestrian circulation with this deviation and there are no impacts to surrounding properties. Therefore, pursuant to EGMC 23.16.080.H, the deviation is warranted.

Tentative Parcel Map

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

- a. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- b. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- c. That the site is not physically suitable for the type of development.

- d. That the site is not physically suitable for the proposed density of development.
- e. That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- f. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- g. That the design of the subdivision or type of improvements will conflict with easements acquired by the public-at large, for access through or use of, property within the proposed subdivision.

Evidence:

- a. The proposed map is consistent with the General Plan and the applicable Laguna Ridge Specific Plan as it complies with all applicable lot area and dimension standards and allowed uses for the property. No changes in the map are proposed with this action. The changes are limited to implementing conditions relative to securing subsequent permits from responsible agencies.
- b. The design or improvement of the proposed subdivision is consistent with the General Plan and the applicable Laguna Ridge Specific Plan as it complies with all applicable lot area and dimension standards. Access to the subject lots is provided from existing streets at logical locations consistent with the Specific Plan and City Improvement Standards.
- c. The site is physically suited to the proposed development as it is relatively flat and surrounded by existing public roads and utilities.
- d. The site is physically suited to the proposed density development as it is surrounded by existing public roads and utilities that are sized appropriately. A traffic analysis was prepared for the Project and determined that no off-site improvements are necessary beyond those previously identified, including but not limited to a traffic signal modification. No major off-site improvements are necessary to serve the Project.
- e. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The existing wetland is no longer functioning due to changes in the surrounding drainage patterns. The Project proposes to mitigate for the loss of this feature. This mitigation will result in a less than significant impact.
- f. The design of the subdivision will not cause serious public health problems. Rather, the Project will provide needed open space and recreational uses that will provide outdoor and indoor opportunities for residents. No changes in the map are proposed with this action. The changes are limited to implementing conditions relative to securing subsequent permits from responsible agencies.
- g. The design of the subdivision will not conflict with any easements. All proposed on-site infrastructure maintained by public utilities will be located within set-asides for their ongoing access and maintenance.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 12th day of April 2017.



STEVE LY, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:

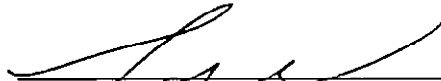

JONATHAN P. HOBBS,
CITY ATTORNEY

Exhibit A
Civic Center South Property District Development Plan (EG-13-003A)
District Development Plan - Modified Conditions of Approval

Conditions of approval 45 to the Civic Center South Property District Development Plan are modified as follows (shown in track changes with deletions in strikeout and additions in double underline).

| | <u>Conditions of Approval</u> | <u>Timing / implementation</u> | <u>Enforcement / Monitoring</u> |
|-----|--|---|---------------------------------|
| 45. | The Applicant shall secure the required Section 404 Permit from the Army Corps of Engineers and complete any required mitigation prior to <u>the recreation of the Final Map.</u> | Prior to recreation of the Final Map <u>site disturbance in the affected area</u> | Engineering |

##

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2017-085**

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

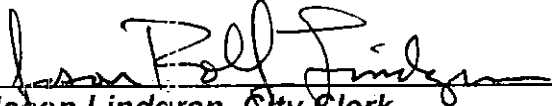
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on April 12, 2017 by the following vote:

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

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



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