

**RESOLUTION NO. 2008-37**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
APPROVING A DESIGN REVIEW, CONDITIONAL USE PERMIT, TENTATIVE  
PARCEL MAP AND UNIFORM SIGN PROGRAM  
BOND WATERMAN RETAIL  
PROJECT NO. #EG-07-049 – APNs: 127-0010-082 and 127-0010-095**

**WHEREAS**, Taylor Properties Development Company (hereinafter referred to as Applicant) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Rezone, Design Review, Conditional Use Permit, Tentative Parcel Map and Uniform Sign Program; 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**, the proposed project is located on real property in the incorporated portions of the City of Elk Grove more particularly described by Assessor Parcel Numbers 127-0010-082 and 127-0010-095; and

**WHEREAS**, the proposed project is consistent with the General Plan Land Use Policy Map and Zoning Code requirements; and

**WHEREAS**, the City determined that the project was subject to the California Environmental Quality Act and prepared an initial study evaluating the potential environmental effects of the project; and

**WHEREAS**, the Initial Study identified potentially significant adverse effects in the areas of biological resources; and

**WHEREAS**, a Mitigation Monitoring and Reporting Program has been prepared in accordance with City of Elk Grove regulations and is designed to ensure compliance during project implementation; and

**WHEREAS**, the City determined that the mitigation proposed in the Mitigation Monitoring and Reporting Program would reduce the impacts to a less than significant level and that a Mitigated Negative Declaration should be prepared; and

**WHEREAS**, the City distributed the Notice of Intent to Adopt the Mitigated Negative Declaration on October 5, 2007 and was posted at the Sacramento County Clerk's Office, distributed through the State Clearinghouse and at the City offices, pursuant to CEQA Guidelines 15072. A 30 day review and comment period was opened on October 5, 2007 and closed November 5, 2007. The Mitigated Negative Declaration was made available to the public during this review period; and

**WHEREAS**, the City received written comment letters within the 30 day public review period and responded to those comments in the project staff report; and

**WHEREAS**, the City has considered the comments received during the public review period, and they do not alter the conclusions in the Initial Study and Mitigated Negative Declaration; and

**WHEREAS**, conditions of approval have been imposed on the project; and

**WHEREAS**, the City of Elk Grove, Development Services Planning Department, located 8401 Laguna Palms Way, Elk Grove, California 95758 is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the Mitigated Negative Declaration is based; and

**WHEREAS**, the Planning Commission considered the Applicant's request at a public hearing on January 17, 2008 and recommended City Council approval of the project.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elk Grove hereby approves the project, subject to the conditions of approval as illustrated in Exhibit A and the project plans in Exhibit B, based on the following findings:

#### **CEQA**

Finding: On the basis of the whole record, there is no substantial evidence that the project as designed, conditioned and mitigated, will have a significant effect on the environment. A Mitigated Negative Declaration has been prepared and completed in accordance with the California Environmental Quality Act (CEQA). The mitigated negative declaration reflects the independent judgment and analysis of the City.

Evidence: Pursuant to CEQA guidelines, City staff prepared an initial study evaluating the potential environmental effects of the project. The Initial Study identified potentially significant adverse effects in the areas of biological resources. Mitigation measures that avoid or mitigate the potentially significant effects to a point where clearly no significant effects would occur were identified in the Initial Study and a Mitigated Negative Declaration was prepared. The Initial Study/Mitigated Negative Declaration was distributed for a 30 day review and comment period between October 5, 2007 and November 5, 2007. The City received written comment letters within the 30 day public review period and responded to those comments in the project staff report. The City has considered the comments received during the public review period, and they do not alter the conclusions in the Initial Study and Mitigated Negative Declaration. A Mitigation Monitoring and Reporting Program (MMRP) has been prepared to ensure compliance during project implementation. A condition of approval has been imposed on the project that requires conformance with the MMRP. The City of Elk Grove, Development Services Planning Department, located 8401 Laguna Palms Way, Elk Grove,

California 95758 is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the Negative Declaration is based.

### ***Tentative Parcel Map***

Finding: The Findings provided in Section 66474 of the California Subdivision Map Act that require a City to deny a tentative map do not apply to this Tentative Parcel Map.

Evidence:

- a. The proposed map is consistent with the Elk Grove 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 commercial development.
- d. The site is appropriate for the specified density of development.
- e. The proposed Tentative Parcel Map is consistent with the General Plan and zoning and therefore would not cause substantial environmental damage. 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.
- f. The design of the subdivision map or type of improvements will meet all applicable standards or regulations and will not cause serious public health problems.
- 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.

### ***Design Review***

Finding: The proposed project is consistent with the Citywide Design Guidelines.

Evidence: The site plan, building elevations, and landscape plan have been reviewed in accordance with the Citywide Design Guidelines for non-residential land uses, and it is concluded that the project's architecture and site planning meet all applicable design requirements. The design of the proposed buildings takes into account the scale, style, and architectural vernacular of the surrounding area, and meets high aesthetic and design integrity standards. The project is subject to conditions of approval that will ensure consistency with all standard requirements.

Finding: 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 proposed site plan, building elevations, and landscape plans provide all design elements required by the Citywide Design Guidelines, including consistent detailing of the architectural style, providing sufficient pedestrian connectivity, application of a consistent color palette throughout the project, and creation of outdoor public spaces. The project is subject to conditions of approval that will ensure consistency with all standard requirements.

Finding: 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 proposed retail center will provide all required design elements that would establish an attractive development, and will be compatible with adjoining and nearby properties. The project is subject to conditions of approval that will ensure consistency with all standard requirements.

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

Evidence: The proposed site layout of the retail center has been reviewed in accordance with the City-wide Design Guidelines, including site planning for non-residential development. The proposed layout has been designed to avoid conflicts with vehicular, bicycle, or pedestrian modes of circulation.

### ***Conditional Use Permit (Drive-through Facilities)***

Finding: The proposed use is consistent with the General Plan and all applicable provisions of the Zoning Code.

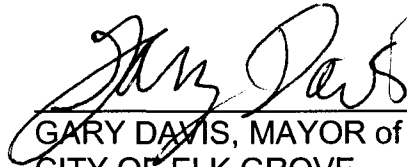
Evidence: The General Plan identifies the site for Commercial/Office/Multi-family use. The proposed retail center use is consistent with the General Plan Land Use designation for the site. The project is consistent with the goals and policies of the General Plan for commercial development within the City of Elk Grove. The proposed drive-through facilities meet the development standards of the Zoning Code.

Finding: The establishment, maintenance and operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such use, or to the general welfare of the City. (Zoning Code §23.16.070)

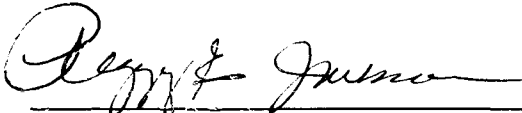
Evidence: The proposed drive-through facilities meet the development standards of the Zoning Code. Additionally, the drive-through facilities are located far enough

away from residential uses to not be a significant impact. As such, the use will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of the City. The project is subject to Zoning Code standards which limit hours of operation, signage, and noise. Additionally, the project is subject to conditions of approval that will ensure consistency with all standard requirements.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 13<sup>th</sup> day of February, 2008.

  
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GARY DAVIS, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
\_\_\_\_\_  
PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
SUSAN COCHRAN, CITY ATTORNEY

**EXHIBIT A**

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<b>On-Going</b>			
<p>1. The development approved by this action is for a Rezone, Design Review, Tentative Parcel Map, Conditional Use Permit, and Uniform Sign Program as illustrated in the project plans:</p> <ul style="list-style-type: none"> <li>• Site Plan (received August 23, 2007)</li> <li>• Landscape Plan (received August 23, 2007)</li> <li>• Tentative Parcel Map (received November 6, 2007)</li> <li>• Grading Plan (received October 1, 2007)</li> <li>• Photometric Plan (received December 7, 2007)</li> <li>• Elevations (received December 7, 2007)</li> <li>• Uniform Sign Program (received January 9, 2008)</li> </ul> <p>Deviations from the approved plans shall be reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body.</p>	On-Going	Planning	
<p>2. The applicant or Successors in Interest (hereby referred to as 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.</p>	On-Going	Planning	
<p>3. This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.</p>	On-Going	Planning	
<p>4. In accordance with the Subdivision Map Act, the applicant shall not sell, lease or finance any parcel or parcels of real property or commence construction of any building for sale, lease or financing thereon or allow occupancy thereof, until the Final Map has been recorded.</p>	On-Going	Public Works	

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<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
5. The hours of operations for all drive-through facilities are restricted to 6am to midnight.	On-Going	Planning	
<b>Prior to Improvement Plans/Grading/Construction</b>			
6. Comply with, record, and pay the initial deposit for the Mitigation Monitoring and Reporting Program (MMRP) associated with EG-07-049. Until the MMRP has been recorded and the estimated MMRP deposit of \$2,000 has been paid, no final subdivision 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.	Prior to issuance any plans or permits associated with this project the applicant shall: <ol style="list-style-type: none"> <li>1. Record the MMRP</li> <li>2. Submit deposit to the City of Elk Grove</li> </ol>	Development Services - Planning <ol style="list-style-type: none"> <li>1. MMRP Recorded _____ Date</li> <li>Sign _____</li> <li>2. Deposit paid _____ Date</li> <li>Sign _____</li> </ol>	
7. These following shall be required as notes on all improvement plans, grading plans, and construction plans: <ul style="list-style-type: none"> <li>• "The Planning Division shall be notified immediately if any prehistoric, archaeological, or paleontological artifact is uncovered during construction. All construction must stop and an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to evaluate the finds and recommend appropriate action."</li> <li>• "All construction must stop if any human remains are</li> </ul>	Shown on improvement plans, grading plans, and construction plans	Planning	

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<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
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 CEQA Section 15064.5 (d) and (e) shall be followed."			
8. The applicant shall plant large growing trees in place of the Crape Myrtles along Bond Road as approved by the city landscape architect.	Shown on Improvement Plans; Prior to Improvement Plan approval	Landscape/ Planning	
9. The applicant shall change the Laurus nobilis trees along the north property line to faster growing pines or redwoods as approved by the city landscape architect.	Shown on Improvement Plans; Installed prior to occupancy	Landscape/ Planning	
10. The applicant shall install large 5 gallon growing shrubs at eight (8) feet on center and 5 gallon climbing vine between the large growing shrubs as approved by the city landscape architect.	Shown on Improvement Plans; Installed prior to occupancy	Landscape/ Planning	
11. All shrub plantings shall be 5 gallon container size plant materials.	Shown on Improvement Plans; Installed prior to occupancy	Landscape/ Planning	
12. 30% of all the parking lot shade trees and street trees shall be 24" box trees.	Shown on Improvement Plans; Installed prior to occupancy	Landscape/ Planning	
13. 33% of the total project trees shall be 24" box trees.	Shown on Improvement	Landscape/ Planning	



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	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
		Plans; Installed prior to occupancy		
14.	The applicant shall revise the Photometric Plan at 3 locations so the lights do not conflict with the parking lot shade tree canopies. Two lights at the entry driveway off Waterman, and the light at the east corner of the drive-up window.	Prior to Improvement Plan approval	Landscape/ Planning	
15.	The landscaping for this project shall incorporate the City's Zoning Code, Design Guidelines and Water Conserving Landscape Requirements and the City's conditions of approval. Landscape improvement plans shall be submitted to the Planning Department and the Public Works Department for review and approval.	Improvement Plans	Landscape/ Planning	
16.	The applicant shall obtain applicable California Department of Fish and Game, U.S. Army Corps of Engineers and other required state and federal permits. The conditions of such permits must be reviewed and considered acceptable by the City. The City will not accept any conservation or other conditional easements on the drainage courses to be conveyed to the City.	Prior to Improvement Plan approval and Prior to issuance of Grading Permits	Public Works	
17.	The applicant shall prepare and submit a Post-Construction Stormwater Quality Control Plan in accordance with the most recent version of the <i>Stormwater Quality Design Manual</i> for the Sacramento Region. Post-construction source and treatment controls shall be designed in accordance with the City of Elk Grove Improvement Standards and the <i>Stormwater Quality Design Manual</i> . The design of post-construction source and treatment controls shall be submitted for approval with the improvement plans regardless of whether they constitute private or public improvements. A separate maintenance manual describing proper maintenance practices for the specific treatment controls to be constructed shall also be submitted and accepted by the City.	Prior to Improvement Plan approval and Prior to issuance of Grading Permits	Public Works	

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	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
18.	The applicant shall provide a maintenance agreement for the stormwater quality control treatment devices to the satisfaction of Public Works.	Prior to Approval of Improvement Plans and Prior to issuance of Grading Permits	Public Works	
19.	Identification signage issued by Public Works shall be mounted by the applicant during streetlight installation in accordance with the approved plans. Alterations to streetlight plans shall be updated on record drawings. The applicant shall submit, in addition to the complete set of improvement plans, a separate electronic file, in PDF format, of only the streetlight plan sheets and voltage calculations on the record drawing CD. Additionally, the Applicant shall complete and submit the City's streetlight data spreadsheet, with complete data for all streetlights installed, on the record drawing CD.	Prior to Acceptance of Public Improvements	Public Works	
20.	The applicant shall prepare and submit a comprehensive drainage study and plan that includes, but is not limited to: definition with mapping of the existing watersheds; a detailed pre- and post-project hydrologic and hydraulic analysis of the project and project impacts; definition of the local controlling 100-year frequency water levels existing and with project; and the proposed method of flow conveyance with adequate supporting calculations. The study shall include any proposed improvements to mitigate the impacts of increased runoff from the project and any change in runoff; including quality, quantity, volume, and duration. The project shall not cause a net loss of storage, nor an increase in velocity of drainage water within the 100-year floodplain. The study shall incorporate the City of Elk Grove Drainage Capital Improvement Plan; be consistent with the ultimate upstream development in the General Plan, and any specific, area, or master plans; and shall conform to the City of Elk Grove Improvement Standards. It shall demonstrate that the proposed methods of flow conveyance	Prior to Improvement Plan Approval	Public Works	

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	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	mitigate the potential project impacts. The study shall further demonstrate that the project lies outside the 100-year frequency floodplain after improvements are constructed in accordance with the policies in the City Floodplain Management Plan. The study must be completed and stamped by a Professional Engineer, and determined by the City to be comprehensive, accurate, and adequate.			
21.	Each parcel and each building with a sewage source shall have a separate connection to the CSD-1 sewer system.	Improvement Plans/Building Permit	CSD-1	
22.	Private sewer service laterals will not be permitted to connect directly to the 15-inch diameter trunk sewer line.	Improvement Plans/Building Permit	CSD-1	
23.	In order to obtain sewer service, construction of CSD-1 sewer infrastructure will be required.	Improvement Plans/Building Permit	CSD-1	
24.	Sewer easements may be required. All sewer easements shall be dedicated to CSD-1, in a form approved by the District Engineer. All CSD-1 sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance. CSD-1 will provide maintenance only in public right-of-ways and in easements dedicated to CSD-1.	Improvement Plans/Building Permit	CSD-1	
25.	CSD-1 requires their sewers to be located a minimum of 10 feet (measured horizontally from edge of pipe to edge of pipe) from all potable water lines. Separation of sewer line from other parallel utilities, such as storm drain and other 'dry' utilities (electrical, telephone, cable, etc.) shall be a minimum of 7 feet (measured horizontally from the center of pipe to the center of pipe). Any deviation from the above separation due to depth and roadway width must be approved by the District on a case by case basis. Prior to recording the Final Map, the applicant shall prepare a utility plan that will demonstrate that this	Improvement Plans/Building Permit	CSD-1	

**EXHIBIT A**

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	condition is met.			
26.	The applicant shall destroy all abandoned wells on the proposed project site in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned wells on the improvement plans for the project. Prior to abandoning any existing agricultural wells, the applicant shall use water from agricultural wells for grading and construction.	Improvement Plans	Department of Water Resources	
27.	The applicant shall construct an asphalt, 10' wide north-south trail along Waterman Road, connecting to the approved trail to the north of the project. Construct an asphalt, 10' wide east-west trail along Bond Road, for future connection to a planned trail to the west of the project. The separated 10-foot multi-purpose trail shall attach to the sidewalk at all driveways and at the northern property boundary to adjoin with the Waterman Square project site.	Improvement Plans	Public Works/Planning	
28.	A 6-foot masonry wall will be required along the western property line if the parcel to the west develops with residential uses. The applicant must enter into an agreement with the City (prior to issuance of a building permit for Buildings 2 or 3) requiring the construction of the required wall at such time as the City approves a residential development project application for the adjoining property. The agreement document shall be to the satisfaction of Planning and shall include the stipulation that the wall is only required for residential development and if said parcel develops as commercial, the wall is not required.	Improvement Plans/ Building Permit	Planning	
<b>Prior to Final Map</b>				
29.	The applicant shall provide a reciprocal access easement to parcel 127-0010-106-0000 to the west as shown on the Tentative Parcel Map. The access easement document shall be to the satisfaction of Public Works and shall include the stipulation that	Final Map	Public Works	

**EXHIBIT A**

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	the easement is valid for commercial development and if said parcel develops as residential this easement is not valid.			
30.	The applicant shall provide a reciprocal access easement agreement between the parcels of this development. The location of the access point(s) must be to the satisfaction of Public Works and will be approved when these parcels are developed.	Final Map	Public Works	
31.	The applicant shall expand the existing public utility easement to encompass the existing overhead electric and telephone lines described in Exception #11 of the Preliminary Title Report No. 404-7364, dated April 11, 2007 to the satisfaction of Public Works.	Final Map	Public Works	
32.	The applicant shall dedicate a pedestrian easement within 25-foot landscape corridor adjacent to Bond Road to the satisfaction of Public Works.	Final Map	Public Works	
33.	The applicant shall dedicate a pedestrian easement within the 25-foot landscape corridor adjacent to Waterman Road to the satisfaction of Public Works.	Final Map	Public Works	
34.	The applicant shall provide Business Owner's Association bylaws (CC&R's) which address, at a minimum, common area ownership, maintenance, and joint access for review and approval by Public Works.	Final Map	Public Works	
35.	All drainage courses and appurtenant access roads to be conveyed to the City shall be dedicated and conveyed in fee title as separate parcels. Underground pipelines and open channels shall be located in the public right-of-way or parcels to be conveyed to the City. Parcels to be conveyed shall be a minimum of 25-feet wide. The Applicant shall provide minimum 20-foot wide maintenance service roads along the entire water course(s) to be conveyed. No conditional easements shall be placed on these drainage parcels.	Final Map	Public Works	
36.	The project area shall annex into Zone 2 of the Storm Water Drainage Utility Fee Area to fund the additional project related	Final Map	Public Works	

**EXHIBIT A**

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
costs to maintain publicly-owned water drainage facilities, manage flood control and execute the storm water quality program. This annexation process may take several weeks. The project Applicant shall pay their fair share of the costs to annex into Zone 2. For rate information on this District, see <a href="http://www.elkgrovecity.org/utilities/rate-info.htm">www.elkgrovecity.org/utilities/rate-info.htm</a> .			
37. Any deviations from City Standards shall be approved by Public Works. These deviations run the risk of not being approved, potentially resulting in a redesign and requiring the project to go back to Planning Commission.	Final Map	Public Works	
38. The applicant shall increase the width of all parking stalls that are at 90° to one another parking stall by 2' for an ultimate width of 11'.	Final Map	Public Works	
39. No future driveways will be permitted along Bond Road. The Applicant shall dedicate Access rights (direct vehicular ingress and egress to Bond Road) to the City of Elk Grove, except for driveway shown on the Preliminary Sewer and Water Plan.	Final Map	Public Works	
40. The applicant shall dedicate visibility easements for the driveway on Bond Road per Section 4-14 of the City of Elk Grove Improvement Standards to the satisfaction of Public Works.	Final Map	Public Works	
41. No future driveways will be permitted along Waterman Road. The applicant shall dedicate Access rights (direct vehicular ingress and egress to Waterman Road) to the City of Elk Grove, except for driveway shown on the Preliminary Sewer and Water Plan.	Final Map	Public Works	
42. The applicant shall dedicate visibility easements for the driveway on Waterman Road per Section 4-14 of the City of Elk Grove Improvement Standards to the satisfaction of Public Works.	Final Map	Public Works	
43. The applicant shall dedicate maintenance easements in all public and private streets over all water lines to the satisfaction of Sacramento County Water Agency prior to Final Map	Final Map	Sacramento County Water Agency	

**EXHIBIT A**

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	Approval.			
<b>Prior to Issuance of Building Permit</b>				
44.	The applicant shall design and construct all driveways in accordance with Section 4-10 of the City Improvement Standards and to the satisfaction of Public Works.	Prior to 1 <sup>st</sup> Building Permit	Public Works	
45.	All driveways and intersections shall conform to the visibility requirements set forth in the City of Elk Grove Improvement Standards.	Prior to 1 <sup>st</sup> Building Permit	Public Works	
46.	The Final Map shall be completed, approved and recorded prior to 1 <sup>st</sup> Building Permit.	Prior to Building Permit	Public Works	
47.	At all street intersections adjacent to the project, public or private, the applicant shall install and/or replace street name signs in accordance with the City of Elk Grove Standard Details.	Prior to Building Permit	Public Works	
48.	The driveways on Bond Road and Waterman Road will allow right in/right out turn movements only.	Prior to Building Permit	Public Works	
49.	The applicant shall install the 25-foot landscape corridor adjacent to Waterman Blvd to the satisfaction of Public Works.	Building Permit	Public Works	
50.	The applicant shall install the 25-foot landscape corridor adjacent to Bond Road to the satisfaction of Public Works.	Building Permit	Public Works	
51.	The applicant shall provide pedestrian access to parcel 127-0010-040-0000 to the north as shown on the Preliminary Sewer and Water Plan to the satisfaction of Public Works.	Building Permit	Public Works	
52.	Prior to building permit, the project area shall annex into the Maintenance 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, recreation 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 applicants	Prior to Building Permit	Finance Department	

**EXHIBIT A**

	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<p>should plan accordingly. The application fee for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax. For further information regarding this CFD, see <a href="http://www.elkgrovecity.org/finance/financial-planning-division/cfd-information.htm">www.elkgrovecity.org/finance/financial-planning-division/cfd-information.htm</a>.</p>			
53. Wholesale water supply will be provided by the Sacramento County Water Agency.	Building Permit	Sacramento County Water Agency	
54. The applicant shall provide water service to each building.	Building Permit	Sacramento County Water Agency	
55. Prior to the issuance of any building permits for the project, 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.	Prior to the Issuance of the 1 <sup>st</sup> Building Permit	Sacramento County Water Agency	
56. Prior to the issuance of any building permits for the project, the project shall conform to the specific provisions of the City of Elk Grove Conservation Ordinance (formerly Chapter 14.10 of the Sacramento County Code) to the satisfaction of the City's Landscape/Oak Tree Coordinator.	Prior to the Issuance of the 1 <sup>st</sup> Building Permit	Sacramento County Water Agency	
57. Prior to the issuance of building permits, the Applicant shall require efficient cooling systems, re-circulating pumps for fountains and ponds, and water recycling systems for vehicle washing as a condition of service.	Prior to the Issuance of the 1 <sup>st</sup> Building Permit	Sacramento County Water Agency	
58. The applicant shall provide metered connections of transmission mains to the satisfaction of the Sacramento County Water Agency.	Prior to the Issuance of the 1 <sup>st</sup> Building Permit	Sacramento County Water Agency	
<b>Prior to Occupancy</b>			
59. Upon completion of the installation of the landscaping for the project, the project landscape architect/designer shall certify that the installed landscape complies with all City Water	Prior to Occupancy	Landscape/ Planning	



**EXHIBIT A**

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	Conserving Landscape Requirements. Certification shall be accomplished by completion of a Certificate of Conformance on a form provided by the City. Failure to submit a complete and accurate Certificate of Conformance to the Planning Department will delay final approval/occupancy of the project.			
60.	Prior to final inspection or occupancy of any structure on the site a Certificate of Conformance for the landscaped areas shall be provided to the City's landscape architect for approval.	Prior to Occupancy	Landscape/ Planning	

## EXHIBIT A

### General Compliance Items for Building Permit

The following items are noted for the Applicant's information. These items are required by other local agencies, the City, state or federal agencies, and are not conditions of approval of the project.

- a. If there are any discrepancies between the approved tentative map and the conditions of approval, the conditions of approval shall supersede the approved tentative map. (Public Works)
- b. The applicant shall pay all appropriate development fees charged by the City and other Special Districts providing services to the site. (Public Works)
- c. Any on-site traffic calming devices and locations must be approved by Public Works prior to installation, including, but not limited to, speed bumps. (Public Works)
- d. Any improvements, public or private, damaged during construction shall be replaced, by the applicant, in-kind or with new improvement. (Public Works)
- e. Street (trench) cuts into existing streets require a separate encroachment permit and the payment of street cut fees, by the applicant. Where multiple street cuts into the same street occur, a single, final surface (pavement) trench repair over all the trench cuts is required. Pavement grinding is required for the full length and width of the trenches. (Public Works)
- f. The applicant shall design and construct all improvements in accordance with the City of Elk Grove Improvement Standards, as further conditioned herein, and to the satisfaction of Public Works. (Public Works)
- g. Improvement related conditions can be satisfied by completing an approved design, executing an improvement agreement, and providing suitable financial security (e.g. bonds, letter of credit, etc), all to the satisfaction of the City, prior to the implementation timing required by the condition. (Public Works)
- h. The applicant shall submit and obtain City approval of plans and specifications for the construction of public improvements and all grading. The drainage system shall be designed in accordance with the accepted Drainage Study to accommodate runoff from the ultimate development and shall meet the City of Elk Grove Improvement Standards, construction standards, storm water design standards, and City of Elk Grove Flood Plain Management Plan and Ordinance in effect at the time of Improvement Plan approval. Street gutter flowlines shall be designed to be above the 10-year frequency flood pursuant to the Floodplain Management Plan. (Public Works)
- i. The applicant shall complete grading and construct all on-site and off-site drainage improvements in accordance with the approved Improvement Plans. Fulfill all requirements of federal and state permits. (Public Works)
- j. The applicant shall comply with the regulations of the Federal Emergency Management Agency (FEMA) and the City of Elk Grove Flood Plain Management Ordinance. The lowest finished floor elevation for a habitable building will be a minimum of 1 (one) – foot above the 100-year frequency water level, certified by a registered Civil Engineer or licensed Land Surveyor, and submitted to the City. Amendments and/or revisions of FEMA flood insurance rate maps will be required for all development located in the federal or local flood zone. All FEMA map revisions (both CLOMR and LOMR) must be approved by the City and fully processed through FEMA. Completed revisions shall be placed on file with the City. (Public Works)
- k. The applicant shall prepare a Storm Water Pollution and Prevention Plan (SWPPP) to be executed through all phases of grading and project construction. The SWPPP shall incorporate Best Management Practices (BMPs) to ensure that potential water quality impacts during construction phases are minimized. These measures shall be consistent with the City's Improvement Standards and the Land Grading and Erosion Control

## EXHIBIT A

Ordinance. The SWPPP shall be submitted to the Central Valley Regional Water Quality Control Board for approval and to the City for review. During construction, the applicant shall implement actions and procedures established to reduce the pollutant loadings in storm drain systems. The project applicant shall implement Best Management Practices (BMPs) in accordance with the SWPPP and the City of Elk Grove Improvement Standards. (Public Works)

- l. In order to mitigate erosion and sediment control problems on the project site, the project shall comply with the City's Land Grading and Erosion Control Ordinance. If the project size is more than one acre, a Notice of Intent (NOI) will be filed to obtain coverage under the California State Water Resources General Construction Activity Storm Water Permit. Permits are issued by the State Water Resources Control Board, which can provide all applicable information to complete and file the necessary documents. Applicant shall comply with the terms of the general construction permit, the City of Elk Grove Municipal Code, and the NPDES Waste Discharge Requirements for the City of Elk Grove Municipal Storm Sewer Discharges. (Public Works)
- m. Where feasible, biofilter swales and vegetated strips are preferred and shall be utilized in providing biofiltration of pollutants in project runoff prior to entering receiving water body. The project engineer shall consult with the City when designing storm water conveyance facilities, and shall submit designs of these facilities to City for review and approval prior to approval of the grading plans and improvement plans. (Public Works)
- n. PG&E owns and operates gas transmission facilities which are located along the southerly portion of the proposed project boundaries within Bond Road. To promote the safe and reliable maintenance and operation of utility facilities, the California Public Utilities Commission (CPUC) has mandated specific clearance requirements between utility facilities and surrounding objects or construction activities. To ensure compliance with these standards, project proponents should coordinate with PG&E early in the development of their plans. Any proposed development plans should provide for unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG&E's facilities. PG&E will need to maintain a minimum 30 foot corridor around PG&E's gas transmission line, free and clear from any obstructions to ensure access with heavy equipment and sufficient working room around the gas line.
- o. Please note that PG&E standby personnel is required when potholing gas transmission facilities to confirm depths and/or when construction activities are taking place within 5 feet of the gas line. Please contact Sharon Stephens with PG&E at (916) 386-5247 to schedule PG&E standby to monitor potholing and construction activities.
- p. Any work being proposed near PG&E's gas transmission facility, such as grading, proposed fences, etc. will need to be reviewed by PG&E's Senior Gas Engineer to ensure consistent uses around PG&E high pressure gas facility and the safety of the public, as well as provide wheel loading calculations to determine maximum wheel loads over the pipe line. Please work with me to obtain the necessary information if any work will be required around the pipe line.
- q. Gas service may be available to this project if desired. The developer should contact PG&E's Service Planning Department at 1-800-743-5000 as soon as possible to coordinate construction so as not to delay the project.
- r. The project applicant shall pay all applicable City of Elk Grove administered development impact fees in effect at the time of building permit issuance. For further information on development related fees, see the Development Related Fee Booklet at: [www.elkgrovecity.org/finance/financial-planning-division/df-information.htm](http://www.elkgrovecity.org/finance/financial-planning-division/df-information.htm)  
Applicants are also advised to review the Planned Fee Updates portion of the web page, and are encouraged to sign up for email updates on the Development Related Fee Booklet and the Planned Fee Updates links on the web page (see the upper right

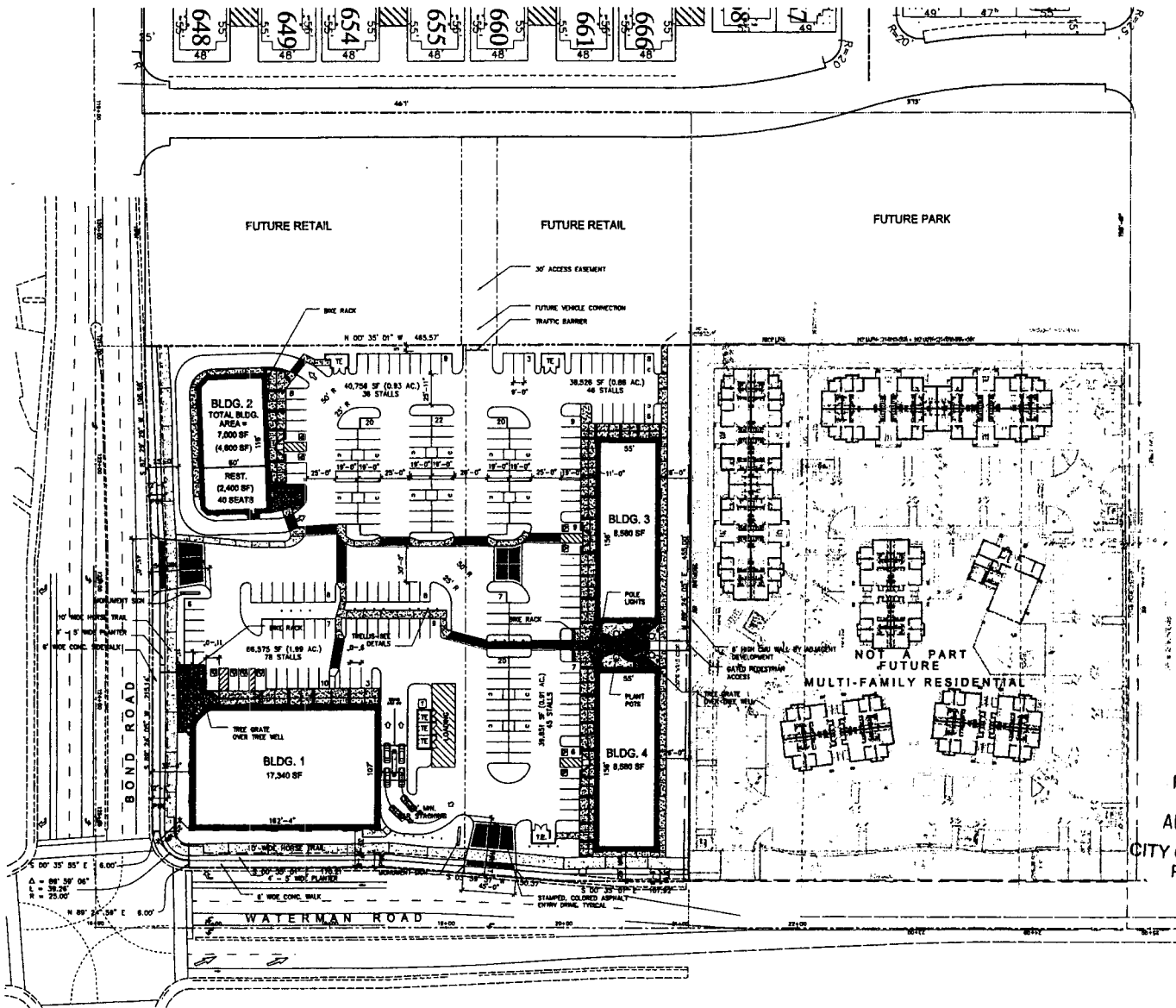
## EXHIBIT A

corner of these web pages). By signing up for email updates, you will receive an email notifying you every time these web pages change, which will assist you in planning costs associated with your project.

- s. Any and all gates impeding fire lanes or roadways shall comply with Appendix VII of the 2002 Sacramento County Fire Code.
- t. Dead end streets in excess of 150 feet require emergency vehicle turnaround.
- u. All civil engineering plans are required to be submitted in an electronic format. When plans are ready for final signature, it is required that the engineering firm submit an electronic copy of the complete plan as it appears in the approved printed plans with addresses. All electronic formats will be submitted on Windows/DOS formatted diskettes, zip disks or on compact disk (CD). E-mailed copies will not be accepted at this time. The electronic submittal shall include ALL supporting drawing files and ALL drawing files pertaining to the project, including XREFs. The digital submittal shall be ONLY in the following date format listed below:

DWG (Applies to AUOCAD drawing file) any AutoCAD DWG version is accepted

- v. The installation of roadway gates, addresses, landscaping, pipe bollards, fuel tanks, masonry sound walls tree wells and/or all other traffic calming devices is subject to standards outlined by the Cosumnes CSD Fire Department. All proposed traffic-mitigation plans shall be submitted to the Cosumnes CSD Fire Department for review and approval prior to installation.
- w. All commercial buildings exceeding 3,599 square feet shall be equipped with an approved automatic fire sprinkler system.
- x. Commercial developments in excess of 10,000 square feet require looped fire mains of a minimum of ten (10) inch diameter to supply fire hydrants spaced at a maximum of 300-foot intervals. This on-site main shall be connected to the municipal water main at not less than two (2) points.
- y. If buildings are constructed, this development is required to provide a fire flow from public water system capable of delivering as a minimum 50 PSI static pressure and 3,000 gpm at 20 PSI residual pressure in commercial areas. 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.
- z. All required roadways, street signs, addresses, water mains, fire hydrants, and fire flows shall be provided prior to the existence of any combustible construction or storage. The slope of access roadways shall not exceed 10% for asphalt and 5% for concrete. The roadways shall be constructed to a 20-foot minimum width of three (3) inches AC over six (6) inches AB with good drainage.
- aa. CCSDFD approved traffic pre-emption devices of a type approved by the Cosumnes CSD Fire Department shall be installed on all traffic 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 Elk Grove Fire Department.
- bb. The installation of on-site or off-site fire protection equipment including fire hydrants and water mains shall meet the standards of the Cosumnes CSD Fire Department and the water purveyor having jurisdiction.
- cc. Required fire alarm systems shall be connected to a UL listed central station approved by the Sacramento Regional Fire/EMS Communications Center.



Project Statistics	
BLDG. 1	17,340 SF
BLDG. 2	7,000
BLDG. 3	8,590
BLDG. 4	8,590
<b>TOTAL BLDG. AREA</b>	<b>41,500 SF</b>
LESS: REST. AREA (BLDG. 2)	2,400
<b>TOTAL RETAIL AREA</b>	<b>39,100 SF</b>
<b>PARKINGS REQUIRED</b>	<b>178 STALLS</b>
④ 4.5/1,000 SF	
<b>RESTAURANT AREA:</b>	<b>2,400 SF</b>
BLDG. 2 40 SEATS	
<b>PARKING REQUIRED</b>	<b>13 STALLS</b>
④ 1/3 SEATS	
<b>TOTAL PARKING REQUIRED</b>	<b>190 STALLS</b>
<b>TOTAL PARKING PROPOSED</b>	<b>205 STALLS</b>

**TAYLOR PROPERTIES**  
DEVELOPMENT CO.

Project:  
**Retail Center**  
Bond Road and Waterman Road  
Elk Grove, California  
Developer:  
Taylor Properties  
1792 Tribute Road, Ste. 270  
Sacramento, CA 95815  
916.823.0200  
916.823.5823

RECEIVED  
AUG 23 2007  
CITY OF ELK GROVE  
PLANNING

**SITE PLAN**  
Entitlement

Job Number:	AD-128
Date:	7.18.07
Drawn By:	pm
Revised:	

Sheet: **SP.1**

**Rauschenbach Marvelli Becker**  
2277 West Ave. 2nd Floor P 916.498.0000  
Sacramento, CA 95825 F 916.498.0000  
www.rauschenbach.com

**Retail Center** ■ Bond Road and Waterman Road  
Elk Grove, California

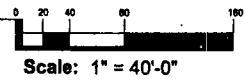


EXHIBIT B

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2008-37**

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

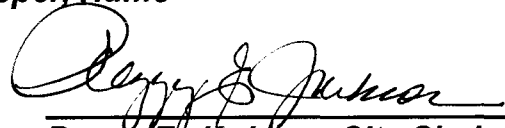
*I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on February 13, 2008 by the following vote:*

**AYES :**        **COUNCILMEMBERS:**        *Davis, Scherman, Leary*

**NOES:**       **COUNCILMEMBERS:**        *None*

**ABSTAIN :**   **COUNCILMEMBERS:**        *None*

**ABSENT:**    **COUNCILMEMBERS:**        *Cooper, Hume*

  
\_\_\_\_\_  
**Peggy E. Jackson, City Clerk  
City of Elk Grove, California**

