

RESOLUTION NO. 2008-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE APPROVING A DESIGN REVIEW FOR THE ELK GROVE CHURCH OF CHRIST PROJECT NO. #EG-07-083 APN: 116-0030-003

WHEREAS, George Haywood representing the Elk Grove Church of Christ (the "Applicant") filed an application with the City of Elk Grove ("City") for a Design Review; 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 as APN: 116-0030-003 (the "Property"); and

WHEREAS, California Environmental Quality Act (CEQA) Guidelines §15332, Class 32 exemption applies to infill development and CEQA Guidelines §15183 applies to projects which exempts project which are consistent with a General Plan for which an EIR was prepared; and

WHEREAS, the project involves the Design Review for a 6500 square foot church on currently developed 1.56 acre parcel which has no value as habitat for special status species; and

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

WHEREAS, all required services and access to the proposed parcels in compliance with the City's standards are available; and

WHEREAS, no adverse environmental effects were identified during staff review of the development application and project site visit(s) on July 3, 2007; and

WHEREAS, no special circumstances exist that create a reasonable possibility that the activity may have a significant adverse impact on the environment.

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 Project Exhibits as illustrated in Exhibit B, based on the following findings:

CEQA

Finding: The proposed project is categorically exempt from CEQA review pursuant to CEQA Guidelines Section 15332, Class 32, Infill Development, and Section 15183, projects which are consistent with a General Plan for which an EIR was prepared.

Evidence: This project qualifies for an exemption from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, class 32, Infill Development. This exemption applies to projects that are consistent with a General Plan, are located in an urbanized area on a site no larger than five acres, where the site has no value as habitat for special status species, where all services are available and where no significant effects related to traffic, noise, air quality or water quality would occur. The proposed project is consistent with the General Plan. It is proposed on an already developed 1.56 acre parcel which has no value as habitat for endangered, rare or threatened species, all services are available, and its approval will not result in significant effects related to traffic, noise, air quality or water quality. The rezone portion of the proposed project is also exempt from CEQA pursuant to CEQA Guidelines Section 15183, which exempts projects which are consistent with a General Plan for which an EIR was prepared. The commercial designation of the project site was addressed and analyzed in the City of Elk Grove General Plan EIR (SCH# 2002062082). The rezone is an action that will make the zoning designation of the site consistent with its General Plan designation. Therefore, no further environmental review is required.

Design Review

Finding: 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 Design Guidelines, and Improvement Standards adopted by the City.

Evidence: The project has been analyzed and found to be compliant with the General Plan, the Zoning Code, and the Design Guidelines. The project meets all the development standards for commercial zoned projects.

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 architecture, site design, and landscape are consistent with the surrounding uses. They are appropriate for the church use of the building. The new church structure along with the removal of the existing trailer and shed will improve the character of the site and the area.

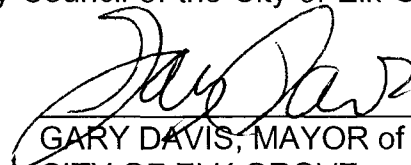
Finding: The architecture, including the character, scale and quality of the design, relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signing and similar elements establishes a clear design concept and is compatible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

Evidence: The new church building is consistent in character, scale and quality with the existing and remaining building on site. Material, colors, lighting and signage are appropriate for the use and consistent with the area. The lighting, landscaping and signage comply with the zoning code and design guidelines.

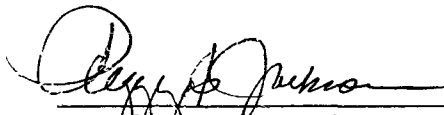
Finding: The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.

Evidence: The proposed project relocates the existing driveway from Sheldon Road to East Stockton. This will allow the City to complete the Sheldon Road/HWY 99 Capital Improvement project which will improve traffic conditions along Sheldon Road. The project has been planned to provide for efficient on-site vehicle circulation and designed to accommodate emergency vehicles throughout the site. Bicycle parking will also be provided.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 13th day of February 2008.


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

Conditions Of Approval

<u>Conditions of Approval / Mitigation Measure</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date & Signature)</u>
On-Going				
1.	<p>The development approved by this action is for a Design Review for an approximately 6,500 square foot church as illustrated by the following approved project plans:</p> <ul style="list-style-type: none"> • Site Plan (received November 6, 2007) • Exterior Elevations (received November 6, 2007) • Preliminary Landscape Plan (received November 6, 2007) • Photometric Plans (received November 6, 2007) • Demolition Plan (received November 6, 2007) <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	
2.	<p>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	
3.	<p>This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.</p>	On-Going	Planning	
Improvement Plans/Grading/Construction				
4.	<p>The landscaping for this project shall incorporate the City's Zoning Code, Design Guidelines, and the City's Water Conserving Landscape requirements. Landscape improvement plans shall be submitted to the Planning Department and the Public Works Department for review and approval.</p>	Improvement Plans/Landscape Plans	Planning/Landscape Architect	

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<p>5. The following note shall be placed on improvement plans and construction contracts for the project: Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during <u>any</u> development activities, work shall be suspended and Development Services Planning shall be immediately notified. At that time, Development Services Planning will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources.</p> <p>In addition, pursuant to Section 5097.97 of the State Public Resources code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, adhere to the guidelines of the Native American Heritage Commission in the treatment and disposition of the remains.</p> <p>If human remains are discovered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur in the vicinity of the discovery until the county coroner has made the necessary findings as to the origin and disposition pursuant to Public Resources Code Section 5097.98. (Mitigation Measure "H" for East Elk Grove Specific Plan)</p>	<p>Prior to Approval of Improvement Plans and Grading Permits</p>	<p>Planning</p>	
<p>6. 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.</p>	<p>Prior to Improvement Plan approval and Prior to issuance of Grading Permits</p>	<p>Public Works</p>	

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7.	The Applicant shall prepare and submit a drainage study and plan that includes but is not limited to: a pre- and post-project drainage analysis of the project and project impacts; and the proposed connections to the City Storm Drainage System with adequate supporting calculations. 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. 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. Study must be completed and stamped by a Professional Engineer, and determined by the City to be accurate, and adequate.	1 st Improvement Plan Submittal	Public Works	
8.	Sewer easements may be required. Any 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' in width and ensure continuous access for installation and maintenance.	Improvement Plans	CSD-1	
Building Permit				
9.	All driveways and intersections shall conform to the visibility easement requirements in the City of Elk Grove Improvement Standards.	Prior to 1 st Building Permit	Public Works	
10.	The Applicant shall design and construct all driveways in accordance with Section 4-10 of the City Improvement Standards to the satisfaction of Public Works.	Prior to 1 st Building Permit	Public Works	
11.	Improvement plans must be approved by Public Works prior to 1 st Building Permit.	Prior to 1 st Building Permit	Public Works	
12.	If not completed by the Sheldon Road/SR 99 Interchange project, the Applicant shall install the driveway on East Stockton Blvd and required drainage improvements to serve the site in accordance with the latest plan set for the Sheldon Road/SR 99 Interchange project and to the satisfaction of Public Works.	Prior to 1 st Building Permits	Public Works	

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13.	If not completed by the Sheldon Road/SR 99 Interchange project, the Applicant shall remove the existing driveway on Sheldon Road to the satisfaction of Public Works.	Prior to 1 st Building Permit	Public Works	
14.	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.	Prior to 1 st Building Permits	Public Works	
15.	The Applicant shall dedicate a 12.5-foot public utility easement for underground and appurtenances adjacent to all public and private streets.	Prior to 1 st Building Permit	Public Works	
16.	The Applicant shall have all plans for well and septic approved through the Environmental Management Department	Prior to Building Permit	CSD-1/EMD	
17.	The applicant will enter into and record an agreement, in a form approved by the District Engineer and District Counsel of CSD-1, to require the property owner to install, at property owner's expense, sewer collectors to serve all lots at such time as deemed necessary by the CSD-1 Board of Directors for public health purposes.	Prior to Building Permit	CSD-1	
Prior to Occupancy				
18.	Upon completion of the installation of the landscaping approved by the City, the project landscape architect/designer shall certify that the installed landscape complies with all City Water 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.	Prior to Occupancy	Planning/ Landscape Architect	
19.	Prior to final inspection or occupancy of any structure on the site a Certificate of Conformance for the landscaped lots shall be provided to the City's landscape architect for approval.	Prior to Occupancy	Planning	

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20.	The Applicant will provide a minimum of 9 bike parking spaces.	Prior to Occupancy	Planning	

General Information and Compliance Items

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.

Finance

- 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, including a written estimate of fees, the applicant is advised to contact the City's Building department at 916-478-2235.

Elk Grove Community Services District Fire

- Minimum turning radius for emergency vehicles throughout the entire project shall be 50' outside and 25' inside.
- Any and all gates impeding fire lanes or roadways shall comply with Appendix VII of the 2002 Sacramento County Fire Code.
- 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. Electronic formats can be submitted in either of the following data transfer formats listed below:
 - DXF (Drawing Interchange file) any DXF version is accepted
 - DWG (Applies to AUOCAD drawing file) any AutoCAD DWG version is accepted
- All commercial buildings, in excess of 3,599 square feet shall be equipped with an approved automatic fire sprinkler system.
- 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 fire main shall be connected to the municipal water main at not less than two (2) points.
- This development is required to provide fire flow from a public water system capable of delivering at a minimum 50 PSI static pressure and 3,000 GPM at 20 PSI residual pressure in commercial areas and 50 PSI static pressure. 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.
- 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.
- EGCSDFD approved traffic pre-emption devices of a type approved by the Elk Grove 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.
- Required fire alarm systems shall be connected to a UL listed central station approved by the Sacramento County Regional Communications Center.
- The installation of on-site or off-site fire protection equipment including fire hydrants and water mains shall meet the standards of the Elk Grove Fire Department and the water purveyor having jurisdiction.

Exhibit A

Conditions of Approval

- 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 Elk Grove Fire Department. All proposed traffic-mitigation plans shall be submitted to the Elk Grove CSD Fire Department for review and approval prior to installation.

Public Works

- If there are any discrepancies between the approved site plan and the conditions of approval, the conditions of approval shall supersede the approved site plan. (Public Works)
- The applicant shall pay all appropriate development fees charged by the City and other Special Districts providing services to the site. (Public Works)
- If an access control gate is added at any time in the future the City of Elk Grove Public Works Department shall approve the geometrics of the entry design. (Public Works)
- 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)
- Any improvements, public or private, damaged in construction shall be replaced, by the applicant, in-kind or with new improvement. (Public Works)
- 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)
- 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)
- 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 elevation and arterial and collector streets may be required to have lanes above the 100-year frequency flood elevation pursuant to the Floodplain Management Plan. (Public Works)
- 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)
- 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)
- 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

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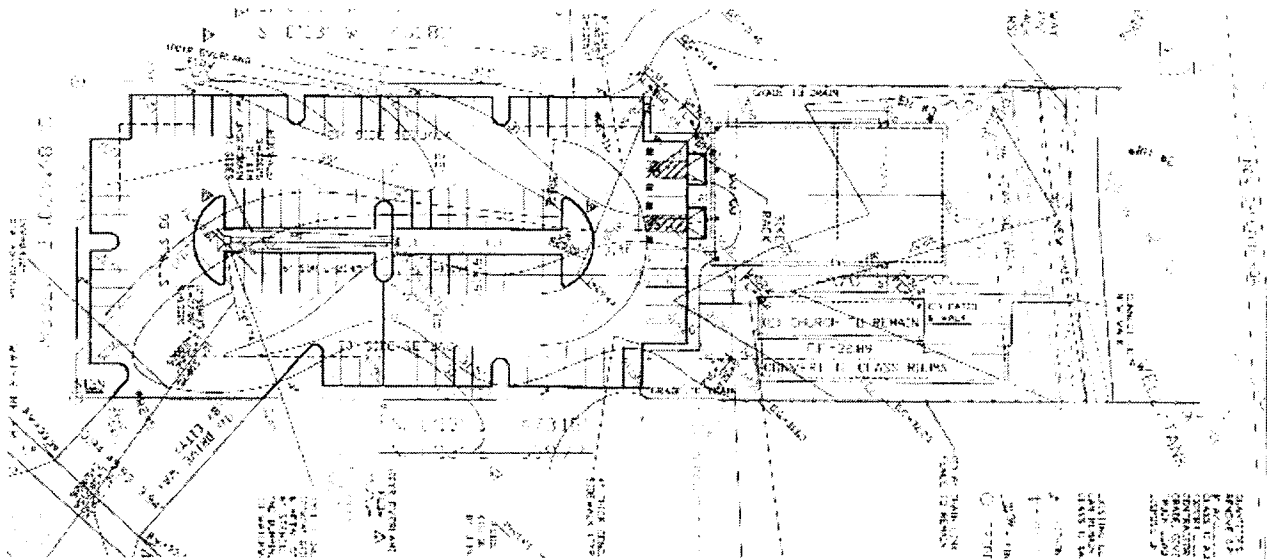
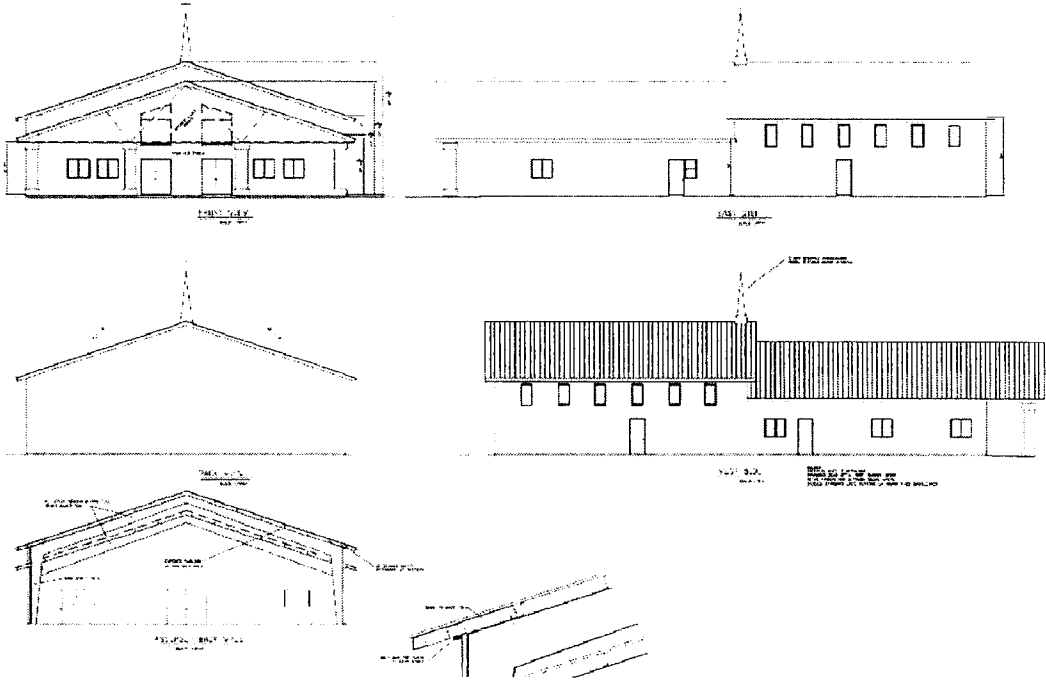
impacts during construction phases are minimized. These measures shall be consistent with the City's Improvement Standards and Land Grading and Erosion Control Ordinance. The SWPPP shall be submitted to the Central Valley Regional Water Quality Control Board for approval and to the City for review. During 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)

- 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 information necessary 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)
- 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)

CSD-1

- There is a small segment of sewer pipe along Stockton Boulevard, just at the intersection of Stockton Boulevard and Cantwell Drive, however, it appears that the sewer pipe is currently dry and has no outfall.

Exhibit B- Project Plans



**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2008-38**

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**