

RESOLUTION NO. 2008-60

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING A TENTATIVE PARCEL MAP FOR THE
PVI/TREE OF LIFE PARCEL MAP
PROJECT NO. #EG-07-085
APNS: 132-0030-078 AND 031-0030-076**

WHEREAS, Brian Cutting, representing Pleasant Valley Investments (the "Applicant") filed an application with the City of Elk Grove ("City") for a Tentative Parcel Map to divide one approximately seven acre parcel into two parcels; 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 APNs: 132-0030-078 and 132-0030-076 (the "Property"); and

WHEREAS, CEQA Guidelines §15315, Class 15 exemption applies to minor land divisions; and

WHEREAS, the project involves the division of a property into 2 parcels in an area zoned for residential use; and

WHEREAS, the proposed project is consistent with the General Plan Land Use Policy Map, the East Franklin Specific Plan, 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, the parcel was not involved in any division of larger parcels within the previous 2 years; and

WHEREAS, no adverse environmental effects were identified during staff review of the development application and project site visits; 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 February 27, 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 Tentative Parcel Map 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 15183 (projects consistent with a Community Plan or General Plan) and Section 15315, Class 15 (Minor Land Divisions).

Evidence: The tentative Map is categorically exempt from CEQA review pursuant to CEQA Section 15315, Class 15 (Minor Land Divisions), which exempts the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels. The proposed project to divide the existing 7 acre parcel into two parcels in an urbanized area zoned for residential and in conformance with the General Plan and Zoning Ordinance. No variances are required, and all services and access to the proposed parcel to local standards are available or will be provided. The parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20%.

In addition, there are no new or unusual circumstances related to the proposed rezone or parcel division that would require further environmental review. No special circumstances exist that create a reasonable possibility that the proposed project may have a significant adverse impact on the environment.

Tentative Parcel Map


Finding: Section 66474 of the California Subdivision Map Act requires a City to deny approval of a tentative map if it makes any of the following findings:

- a. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- b. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- c. That the site is not physically suitable for the type of development.
- d. That the site is not physically suitable for the proposed density of development.
- e. That the design of the subdivision or the proposed improvements 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 the type of improvements is likely to cause serious public health problems.
- g. That the design of the subdivision or the 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: Findings (a) through (g) in Section 66474 of the Subdivision Map Act do not apply to the project.

- a. The proposed map is consistent with the Elk Grove General Plan and the East Franklin Specific Plan that identifies the site for Estate residential and Low Density residential uses.
- b. The design of the proposed parcel map is consistent with the General Plan that designates the site as Estate Residential and Low density Residential.
- c. No development is being proposed with this map. The site is physically suitable for development consistent with Estate Residential and Low Density residential uses.
- d. No development is being proposed with this map. The General Plan identifies this area as Estate residential and the proposed parcels meet the standards for Zoning Districts within Estate Residential.
- e. No development is being proposed with this map. The Tentative Parcel Map will not cause environmental damage.
- f. The proposed Tentative Parcel Map will not cause serious public health problems. The project has been reviewed by local agencies for conformance to applicable policies and regulations. Comments have been addressed or incorporated as conditions of approval and ensure protection of public health, welfare, and safety.
- g. No conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision, have been identified.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 12th day of March, 2008.



GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



SUSAN J. BLACKSTON,
ASSISTANT CITY CLERK

APPROVED AS TO FORM:



SUSAN COCHRAN, CITY ATTORNEY

Exhibit A: Conditions of Approval

On-Going				
1.	The entitlement approved by this action is a Tentative Parcel Map to create two parcels as depicted on the Tentative Parcel Map revised December 21, 2007 and stamped received on December 24, 2007. Any deviations from the approved plans shall be reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body.	On-Going	Planning	
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.	On-Going	Planning	
3.	This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	On-Going	Planning	
4.	The Tentative Parcel Map approval is valid for three years from the date of Planning Commission approval, unless an extension of time is subsequently approved.	Three years, from Planning Commission approval	Planning	
Prior to Final Map				
5.	The applicant shall provide clearance letters from all utility companies/agencies that may have utilities in the existing right-of-way proposed to be abandoned. Any objections or conditions from the utility companies/agencies shall be satisfied prior to approval of the Final Map.	Prior to Approval of Final Map	Public Works	
6.	No driveways shall be constructed until a permit for development has been granted for the proposed parcels. The locations and types of access shall be determined during the review of a development application.	Final Map	Public Works	
7.	The project area shall annex into Zone 2 of the Storm Water Drainage Utility Fee Area to fund the additional project related 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 www.elkrovecity.org/utilities/rate-info.htm .	Final Map	Public Works	

Exhibit A: Conditions of Approval

8.	The Applicant shall dedicate a 36' corridor for pedestrian uses adjacent to Willard Parkway along the project frontage to the satisfaction of Public Works.	Final Map	Public Works	
9.	The Applicant shall dedicate a 12.5 foot public utility easement for underground facilities and appurtenances adjacent to all public streets where such easements do not already exist. (Public Works)	Final Map	Public Works	
10.	Connection to the District's sewer system shall be required to the satisfaction of Sacramento Area Sewer District. Sacramento County Improvement Standard apply to sewer construction.	Final Map	Sacramento Area Sewer District	
11.	Each parcel with a sewage source shall have a separate connection to the Sacramento Area Sewer District public sewer system.	Final Map	Sacramento Area Sewer District	

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.

- 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)
- The applicant shall pay all appropriate development fees charged by the City and other Special Districts providing services to the site. (Public Works)
- Any improvements, public or private, damaged during construction shall be replaced, by the applicant, in-kind or with new improvement. (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)
- 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)
- The applicant shall submit and obtain City approval of plans and specifications for the construction of public improvements and all grading.
- 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)

Sacramento County Water Agency

- Dedicate maintenance easements in all public and private streets over all water lines to the satisfaction of Sacramento County Water Agency.

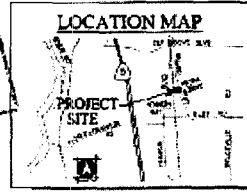
TENTATIVE PARCEL MAP (#07-085)

PVI - LOT 19

CITY OF ELK GROVE, CALIFORNIA

NOVEMBER 13, 2007
(REVISED DECEMBER 21, 2007)

RECEIVED
DEC 24 2007



SURVEYOR'S STATEMENT
I HEREBY STATE THAT THE SURVEYING AND PLANNING INFORMATION PRESENTED ON THIS TENTATIVE PARCEL MAP WAS ACCURATELY SURVEYED AND PLANNED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED SURVEYOR IN THE STATE OF CALIFORNIA. I AM NOT PROVIDING ANY GUARANTEE OF ACCURACY OR LIABILITY FOR ANY ERRORS OR OMISSIONS THAT MAY BE FOUND IN THIS TENTATIVE PARCEL MAP. THE INFORMATION ON THIS TENTATIVE PARCEL MAP IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR ANY PURPOSES WITHOUT THE WRITTEN CONSENT OF WOOD RODGERS DEVELOPMENT DESIGN SOLUTIONS.

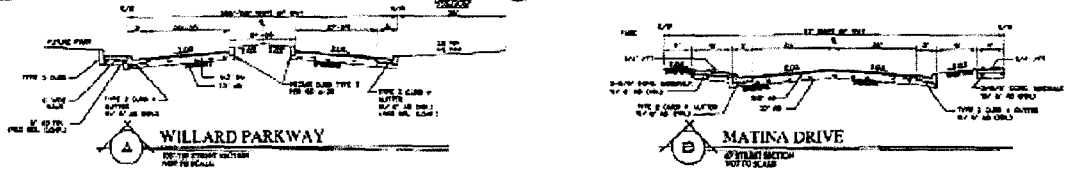
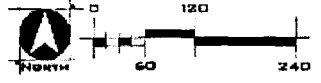
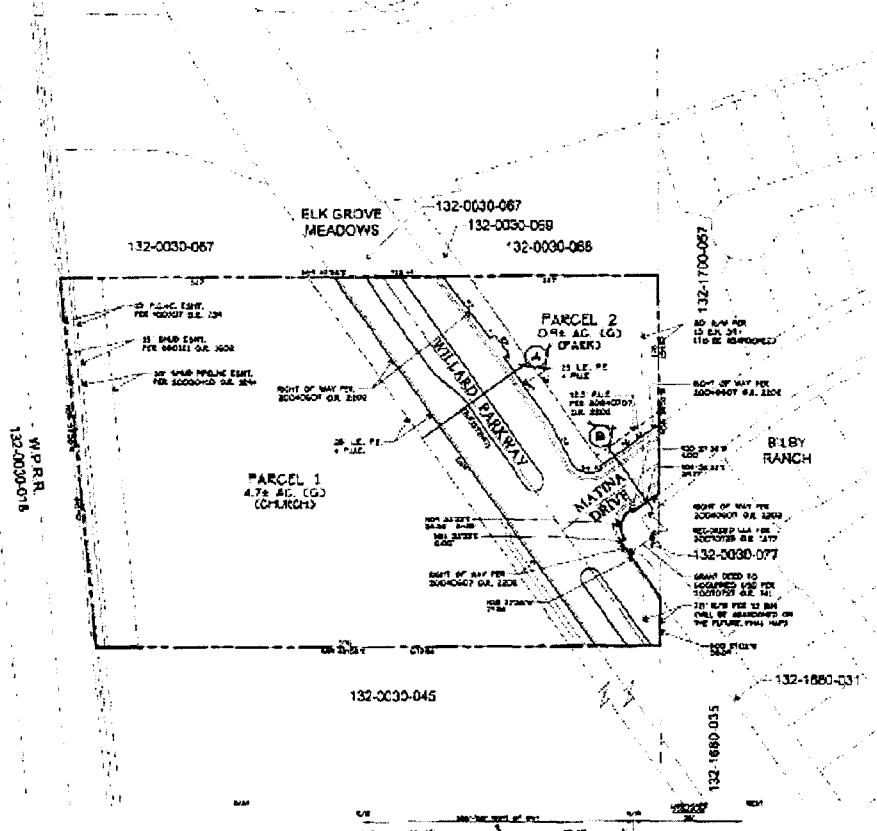
LEGAL DESCRIPTION
ALL OF THAT PART OF THE TRACT OF 100 ACRES MORE OR LESS, BEING THE TRACT OF LAND DESCRIBED AS FOLLOWS: ... (Detailed legal description of the parcel boundaries and easements.)

LAND USE SUMMARY

CATEGORY	NET AREA	PROPOSED USE
RESIDENTIAL	4.7	CHURCH
COMMERCIAL	0.0	PARK
TOTAL	4.7	NET AREA NET

PROJECT NOTES

1. THE CITY OF ELK GROVE HAS REVIEWED THIS TENTATIVE PARCEL MAP AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF ELK GROVE ORDINANCES AND THE CALIFORNIA TENTATIVE PARCEL MAP ACT.
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WOOD RODGERS
DEVELOPMENT DESIGN SOLUTIONS
3301 C St. Bldg. 100-B
Sacramento, CA 95818
Tel 916-844-7760
Fax 916-341-7767

TENTATIVE PARCEL MAP (#07-085)

PVI - LOT 19

CITY OF ELK GROVE, CALIFORNIA
NOVEMBER 13, 2007
(REVISED DECEMBER 21, 2007)

RECEIVED
DEC 24 2007



SURVEYOR'S STATEMENT
I HEREBY STATE THAT THE PARCEL MAP SUBMITTED BY STEWART TITLE COMPANY FOR RECORDATION ON NOVEMBER 13, 2007 HAS BEEN REVIEWED BY ME AND THAT I AM A LICENSED SURVEYOR IN THE STATE OF CALIFORNIA AND I HAVE REVIEWED THE PARCEL MAP AND THE RECORDS AND I HAVE FOUND THAT THE PARCEL MAP IS CORRECT AND THAT THE PARCEL MAP IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE SURVEYING ACT AND THE REQUIREMENTS OF THE RECORDS THAT CANNOT BE LOCATED ARE SHOWN HEREON.

ORANG & STEARNS, P.L.L.C. 7964

PROJECT NOTES

GENERAL NOTES:
1. ALL LOTS ARE TO BE PLANNED FOR RESIDENTIAL DEVELOPMENT.
2. THE PARCEL MAP IS SUBJECT TO THE CITY OF ELK GROVE DEVELOPMENT ORDINANCES AND THE CITY ENGINEER'S APPROVAL.
3. THE PARCEL MAP IS SUBJECT TO THE CITY OF ELK GROVE DEVELOPMENT ORDINANCES AND THE CITY ENGINEER'S APPROVAL.

LEGAL DESCRIPTION:
The parcel is situated in the City of Elk Grove, California, and is bounded on the north by the Willard Parkway, on the east by the Matina Drive, on the south by the Elk Grove Meadows, and on the west by the City of Elk Grove.

LAND USE SUMMARY:

CLASS	SQ. FEET	PERCENTAGE
1	1,500	3.5%
2	4,000	9.3%
TOTAL	5,500	12.8%

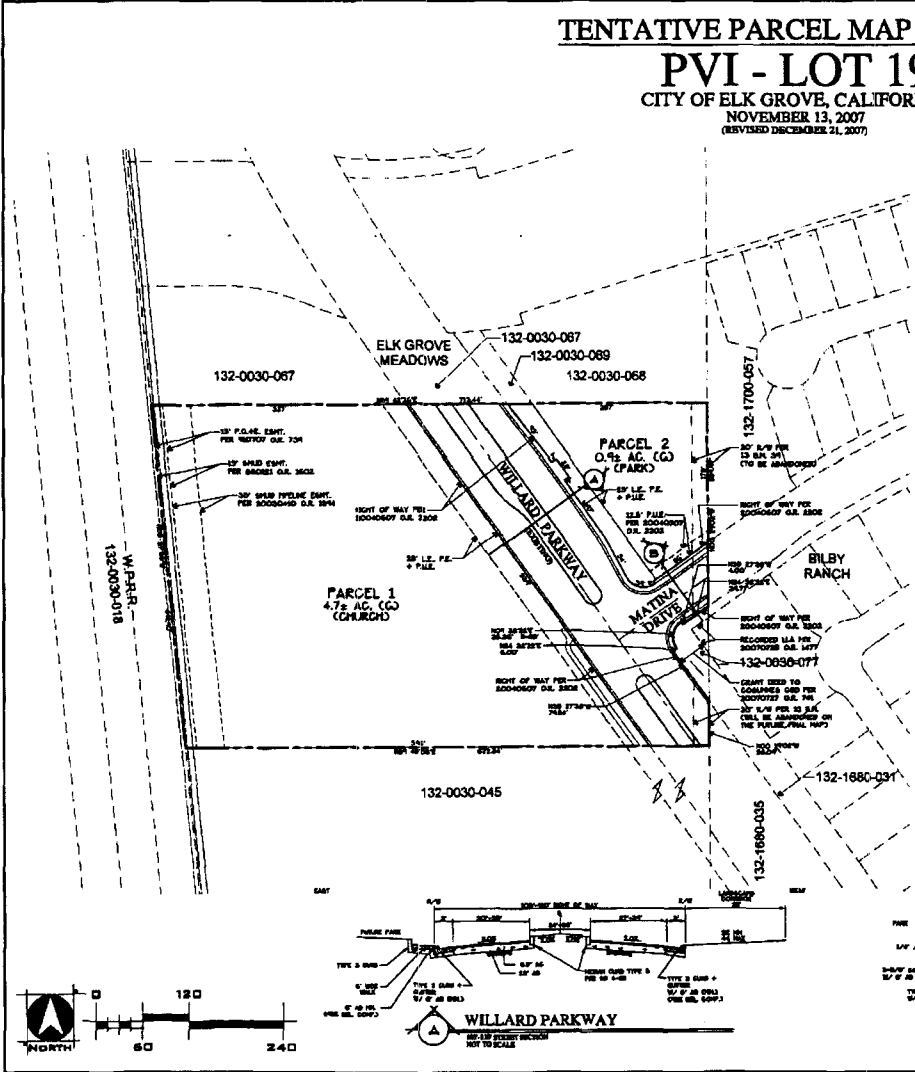
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WOOD RODGERS
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3801 G St., Suite 100-B Elk Grove, CA 95624
Tel: 916-341-7700 Fax: 916-341-7707

PVI - LOT 19 - TENTATIVE PARCEL MAP

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2008-60**

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

I, Susan J. Blackston, Assistant 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 March 12, 2008 by the following vote:

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

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



**Susan J. Blackston, Assistant City Clerk
City of Elk Grove, California**