

RESOLUTION NO. 2010-244

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE NJ WILSON ESTATES – REZONE AND TENTATIVE SUBDIVISION MAP PROJECT (EG-10-016), LOCATED AT 9530 AND 9540 SANDAGE AVENUE, ASSESSOR’S PARCEL NUMBERS 127-0030-063 AND 127-0030-064, EXEMPT FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT REVIEW

WHEREAS, the Planning Department of the City of Elk Grove received an application from Nathaniel J. Wilson (hereinafter referred to as the Applicant) on March 4, 2010, for a Rezone and Tentative Subdivision Map; and

WHEREAS, the NJ Wilson Estates – Rezone and Tentative Subdivision Map Project (EG-10-016) (hereinafter referred to as the Project) is located on real property in the incorporated portions of the City of Elk Grove more particularly described as Assessor’s Parcel Numbers 127-0030-063-0000 and 127-0030-064-0000; and

WHEREAS, California Environmental Quality Act (CEQA) Guidelines Title 14 of the California Code of Regulations §15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) mandates that projects consistent with the development density established by existing zoning, a community plan, or a general plan, for which an Environmental Impact Report (EIR) was certified, shall not require additional environmental review; and

WHEREAS, an EIR was prepared and certified for the City of Elk Grove’s General Plan, and rezoning the proposed parcels from AR-5 to AR-2 is consistent with the goals and policies established within the Elk Grove General Plan for the site’s underlying Rural Residential land use designation; and

WHEREAS, CEQA Guidelines Title 14 of the California Code of Regulations §15315 (Minor Land Divisions) exempts projects that consist of the division of property in urbanized areas zoned for residential into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent; and

WHEREAS, the Applicant’s proposed tentative parcel map complies with all applicable agricultural-residential development standards established in the General Plan and Elk Grove Municipal Code, Title 23 Zoning; and

WHEREAS, access to each proposed parcel has been provided via a private access easement that connects the Project site to a private road that further connects to Sandage Avenue; and

WHEREAS, the subject property is relatively flat and has not been involved in a subdivision within the last 2 years; and

WHEREAS, based on staff's review of the Project, no special circumstances exist that would create a reasonable possibility that the proposed tentative parcel map will have a significant effect on the environment; and

WHEREAS, the Planning Division considered the Project request pursuant to the Elk Grove General Plan, the Elk Grove Municipal Code, Title 23 Zoning, and all other applicable State and local regulations; and

WHEREAS, the Planning Commission held a duly noticed public hearing on October 7, 2010, as required by law to consider all of the information presented by staff, information presented by the Applicant, and public testimony presented in writing and at the meeting; and

WHEREAS, at the October 7, 2010 meeting, the Planning Commission adopted Resolution 2010-40, recommending approval of the Project to the City Council.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elk Grove finds the NJ Wilson Estates – Tentative Subdivision Map and Rezone Project (EG-10-016) exempt from the provisions of CEQA pursuant to Title 14 of the California Code of Regulations §15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) and §15315 (Minor Land Divisions) of Title 14 of the California Code of Regulations.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 10th day of November, 2010.



SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



SUSAN COCHRAN, CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2010-244**

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

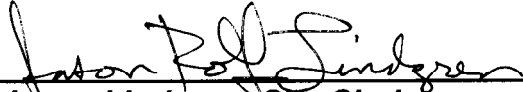
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on November 10, 2010 by the following vote:

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

NOES: COUNCILMEMBERS: *None*

ABSTAIN : COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *Detrick*



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