

RESOLUTION NO. 2016-121

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
FINDING NO FURTHER REVIEW IS REQUIRED UNDER THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVING A DENSITY BONUS
FOR THE BOW STREET APARTMENTS PROJECT (EG-16-006)
APN: 115-0162-033**

WHEREAS, the Planning Division of the City of Elk Grove received an application on January 29, 2016 from Pacific West Communities (the Applicant) requesting a Minor Design Review to construct a 98-unit apartment complex within the RD-25 zoning district, (Project); 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: 115-0162-033; and

WHEREAS, the Project qualifies as a project under the California Environmental Quality Act (CEQA), Public Resource Code §§21000 et seq.; and

WHEREAS, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) of Title 14 of the California Code of Regulations (State CEQA Guidelines) provides an exemption from CEQA for projects that are consistent with the applicable General Plan and Zoning for which an Environmental Impact Report (EIR) was certified; and

WHEREAS, pursuant to Title 23 (Zoning Code) of the Elk Grove Municipal Code (EGMC), the Zoning Administrator is the designated approving authority for Minor Design Reviews; and

WHEREAS, the Zoning Administrator held a duly noticed public hearing on June 6, 2016, 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 approved the Minor Design Review for the Project; and

WHEREAS, the Project included a condition of approval requiring approval of a Density Bonus in order to construct the Project as approved by the Zoning Administrator; and

WHEREAS, the City Council is the designated approving authority for a Density Bonus.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove finds that no further environmental review is required under the California Environmental Quality Act for the Project pursuant to State CEQA Guidelines Section 15183 based upon the following finding:

Finding: No further environmental review is required under the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15183 (Consistency with a General Plan, Community Plan, or Zoning for Which an EIR was Prepared).

Evidence: CEQA Guidelines Section 15183 (Public Resources Code §21083.3), provides that projects which are consistent with a Community Plan, General Plan, or Zoning for which an environmental impact report (EIR) has been certified “shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.” An EIR was prepared and certified by the City Council as part of the City’s General Plan Housing Element Update in 2014 (SCH 2013082012), which included the Project site in the analysis. Additionally, an EIR was certified by the City Council for the adoption of the City of Elk Grove General Plan in 2003 (SCH 2002062082).

No potential new impacts related to the Project have been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed in the General Plan EIR and the 2014 Housing Element Update EIR. No other special circumstances exist that would create a reasonable possibility that the Project will have a significant adverse effect on the environment. Therefore, the Project, and the approval of the required Density Bonus to approve concessions required to develop the Project, qualifies for the exemption under CEQA Guidelines Section 15183 and no further environmental review is required.

AND, BE IT FURTHER RESOLVED, that the City Council of the City of Elk Grove hereby approves the Density Bonus for the Project, as described in Exhibit A for the Project previously-approved by the Zoning Administrator and illustrated in Exhibit B, subject to the conditions of approval in Exhibit C (all incorporated herein by this reference), based upon the following findings:

Density Bonus

Finding #1: The Project is eligible for a Density Bonus, per the requirements of Chapter 23.50 of the EGMC


Evidence #1: According to Chapter 23.50 of the EGMC, the City shall grant a Density Bonus, with concessions or incentives, when the Applicant agrees to construct a residential development that contains at least 10 percent of the total units of a housing development for lower-income households (defined as target units). The Project, which has a pending application for an Affordable Housing Fund loan through the City, is proposed to provide 100 percent of the dwellings as target units. Therefore, the Project is eligible for a Density Bonus.

Finding #2: The Project does not meet any of the requirements specified in Section 23.50.070 of the EGMC which would preclude approval of a Density Bonus.

Evidence #2: The concession or incentive is required in order to provide for affordable housing costs, as the units could not be constructed at the density required by the Housing Element without the proposed reductions in parking and setbacks. The concessions or incentives would not have a specific adverse impact upon public health and safety or the physical environment. The proposed Density Bonus would reduce the required on-site parking for the site to standards allowed by the Zoning Code, allow a five-foot reduction to a required 25-foot setback and

associated landscape buffer along the extension of Auberry Drive, and allow a 37-foot reduction from a required 100-foot three-story setback from single-family residential for one of the apartment buildings. 172 parking spaces would be provided on-site, which would result in 1.75 spaces per unit. In addition, the Project would extend Auberry Drive, which would provide additional street parking which could be utilized by the apartment complex. This parking deviation is consistent with the parking reduction allowed by the EGMC. The reduction in setbacks would not be detrimental to surrounding properties. Engineering has reviewed the reduced setback along Auberry Drive and has determined that there would be no impacts to visibility or safety. Although the proposed three-story building would be within the 100-foot setback for three-story structures, deviations are allowed based on site configuration. The proposed apartment building would be located approximately 100 feet from one home located to the north; however a six-foot tall decorative masonry fence would be constructed on the northern property line to shield the properties to the north which would reduce the views of the complex. The concession or incentive would not be contrary to State or Federal law.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 22nd day of June 2016.



STEVE LY, VICE MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:

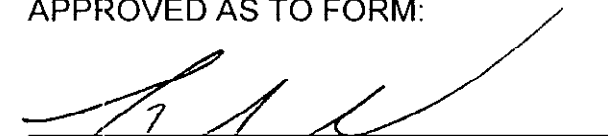

JONATHAN P. HOBBS,
CITY ATTORNEY

Exhibit A
BOW STREET APARTMENTS DENSITY BONUS (EG-16-006)
Project Description

PROJECT DESCRIPTION

The Project consists of a Density Bonus to allow concessions/incentives for parking, setback reduction along Auberry Drive, and setbacks for the Bow Street Apartments Project. The Minor Design Review for the Bow Street Apartments Project was previously approved by the Zoning Administrator with a condition of approval stating that the Project is contingent upon such Density Bonus.

RESOLUTION NO. ZA-2016-3

June 6, 2016

**A RESOLUTION OF THE CITY OF ELK GROVE ZONING ADMINISTRATOR
APPROVING A MINOR DESIGN REVIEW FOR THE**

BOW STREET APARTMENTS

PROJECT EG-16-006

8627 Bow Street

115-0162-033

WHEREAS, the Planning Division of the City of Elk Grove received an application on January 29, 2016 from Pacific West Communities (the Applicant) requesting a Minor Design Review to construct a 98-unit apartment complex within the RD-25 zoning district, (the Project); 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: 115-0162-033; and

WHEREAS, the Project qualifies as a project under the California Environmental Quality Act (CEQA), Public Resource Code §§21000-21189.3 but is exempt; and

WHEREAS, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) of Title 14 of the California Code of Regulations (State CEQA Guidelines) provides an exemption from CEQA for projects that are consistent with the applicable General Plan and Zoning for which an EIR was certified; and

WHEREAS, an EIR was certified by the City Council for the adoption of the City of Elk Grove General Plan (SCH 2002062082); and

WHEREAS, an EIR was certified by the City Council for the adoption of the City of Elk Grove General Plan 2014 Housing Element Update (SCH 2013082012); and

WHEREAS, based on staff's review of the Project, no special circumstances exist that would create a reasonable possibility that granting a Minor Design Review for this Project will have a significant effect on the environment; and

WHEREAS, the Development Services Department 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 Zoning Administrator held a duly noticed public hearing on June 6, 2016, 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.

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Administrator of the City of Elk Grove finds that no further environmental review is required under CEQA for the Project pursuant to State CEQA Guidelines Section 15183 based upon the following finding:

CEQA

Finding: The Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations, (State CEQA Guidelines) Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

Evidence: CEQA Guidelines Section 15183 (Public Resources Code §21083.3), provides that projects that are consistent with a Community Plan, General Plan, or Zoning for which an environmental impact report (EIR) has been certified "shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site." An EIR was prepared and certified by the City Council as part of the City's General Plan Housing Element Update in 2014 (SCH 2013082012), which included the Project site in the analysis. Additionally, an EIR was certified by the City Council for the adoption of the City of Elk Grove General Plan in 2003 (SCH 2002062082).

No potential new impacts related to the Project have been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed in the General Plan EIR and the 2014 Housing Element Update EIR. No increase in development density beyond what was anticipated in the General Plan for the project site would occur. No other special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment. Therefore, the proposed Project qualifies for the exemption under CEQA Guidelines Section 15183 and no further environmental review is required.

AND, BE IT FURTHER RESOLVED, that the Zoning Administrator of the City of Elk Grove hereby approves a Minor Design Review for the Project, as described in Exhibit A and illustrated in Exhibit B, subject to the conditions of approval in Exhibit C including the requirement that this approval is contingent upon the approval by the City Council of a Density Bonus for parking, setback reduction along Auberry Drive, and the setback for the building height (incentives/concessions) from the City Council(all incorporated herein by this reference), based upon the following findings.

Minor Design Review

Finding #1: The proposed Project is consistent with the objectives of the General Plan, complies with applicable Zoning regulations, Specific Plan provisions, Special Planning Area provisions, Citywide Design Guidelines, and Improvement Standards adopted by the City.

Evidence: The site plan and building elevations have been reviewed in accordance with the General Plan, Title 23, Zoning, and Citywide Design Guidelines, and it is concluded that the Project's architecture and site planning meet all applicable development standards. The proposed building elevations have been designed to be distinctive but still compatible with the surrounding residential uses, which is consistent with the requirements of the Guidelines. The Project has a clear design concept which is carried through to all elements of the Project. Additionally, the Project is subject to conditions of approval that will ensure consistency with all standard requirements.

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

Evidence: The 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. While no other multifamily buildings are located within the vicinity, the Project, the proposed development is compatible with requirements of the Citywide Design Guidelines and would not reduce the character of the neighborhood and community.

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

Evidence: The proposed elevations have been designed to be distinctive but still compatible with the surrounding residential uses in regard to scale, architectural style, and bulk, which is consistent with the requirements of the Design Guidelines. The Project has a clear design concept which is carried through to all elements of the Project.

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

Evidence: The Project has been designed with an 8-foot-wide sidewalk along the extension of Auberry Drive to allow pedestrian connectivity. In addition, it has been conditioned to provide a bike lane which will connect to existing bicycle circulation to the north.

The foregoing Resolution of the City of Elk Grove was passed and adopted by the Zoning Administrator on the 6th day of June 2016.

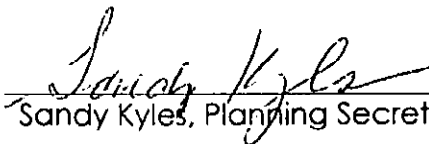


Jason Behrmann, Zoning Administrator
Elk Grove Development Services - Planning
City of Elk Grove, State of California

6/6/16

Date

ATTEST:



Sandy Kyles, Planning Secretary

Exhibit A
Bow Street Apartments (EG-16-006)
Project Description

PROJECT DESCRIPTION

The proposed Project is a Minor Design Review to construct a 98-unit apartment complex on 4.66 acres in the RD-25 zoning district, resulting in a density of 21.03 dwelling units per acre. The Project consists of four (4) three-story multi-family residential apartment buildings and one (1) community building, as well as a swimming pool, play equipment, landscape area, and associated site improvements. All of the units will be at or below 60 percent of the area median income, which qualifies them as lower-income units eligible for a tax credit-funded project.

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BOW STREET APARTMENTS

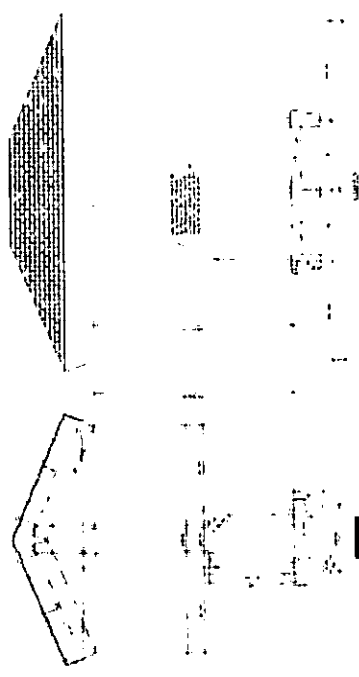
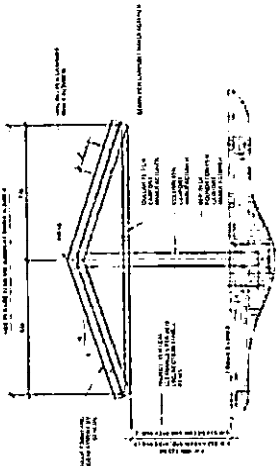
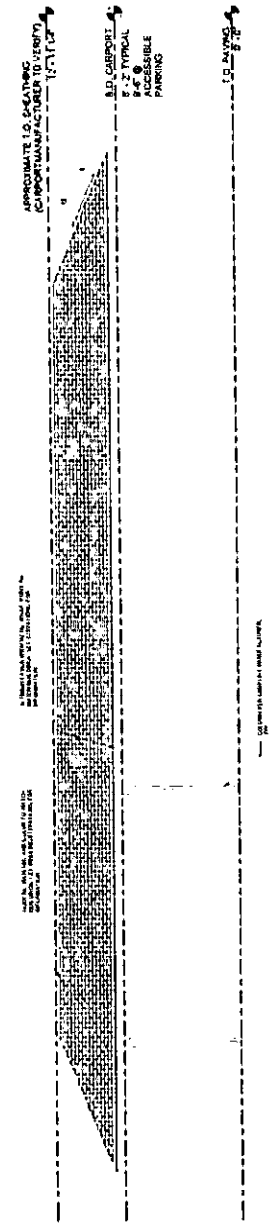
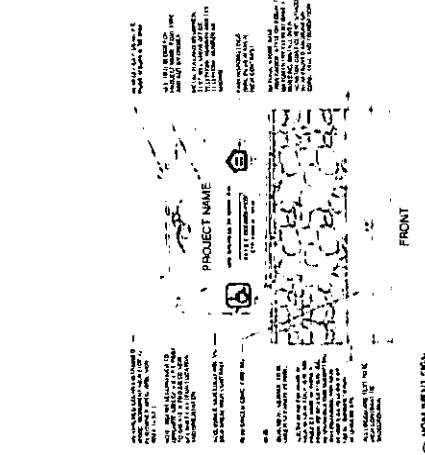
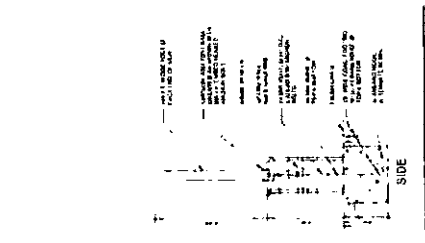
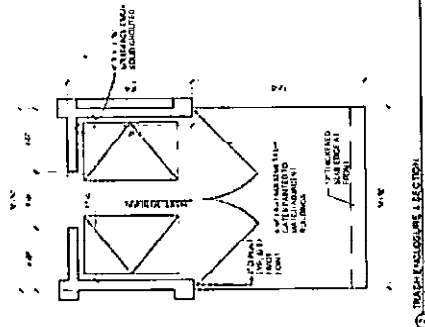
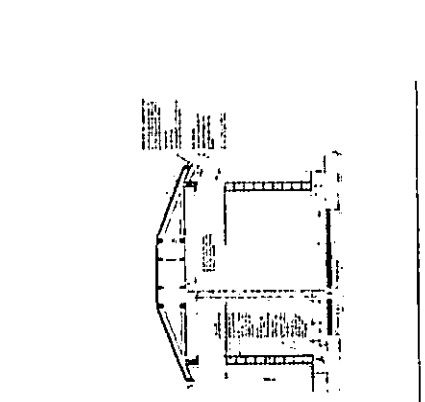
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OREGON: JAMES W. GARDNER, ARCHITECT, LICENSE NO. 10000
WASHINGTON: JAMES W. GARDNER, ARCHITECT, LICENSE NO. 10000



PROJECT NO. 10000
DATE: 10/15/14
SCALE: AS SHOWN

Table with project details including project name, address, and contact information.



③ COVERED BIKE PARKING

① APPROXIMATE LOADING DOCK (CONFORMANCE TO IBC 1030)

② APPROXIMATE 8' x 8' TYPICAL ACCESSIBLE PARKING

④ 17'6\"/>

⑤ TRAILER ENCLOSURE SECTION

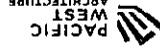
SIDE

FRONT

BOW STREET APARTMENTS

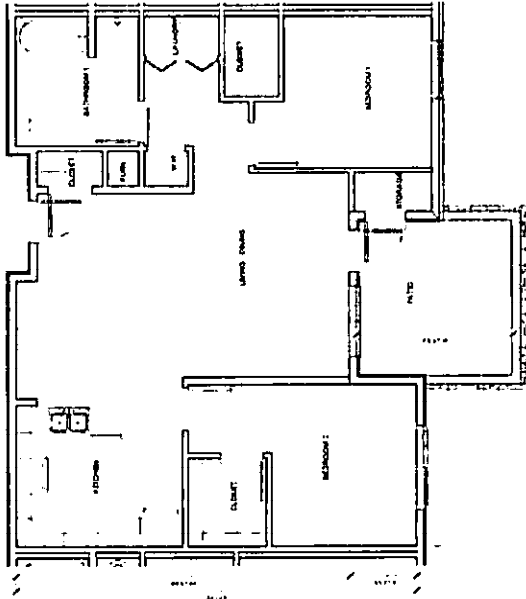
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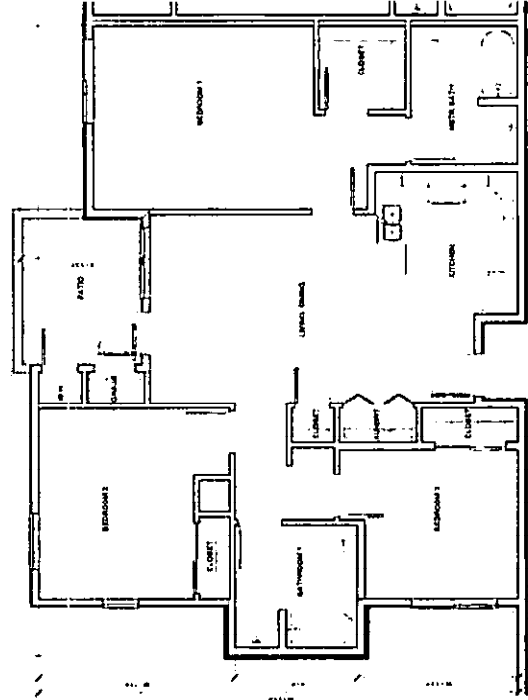


DATE: 10/15/14
BY: [Signature]

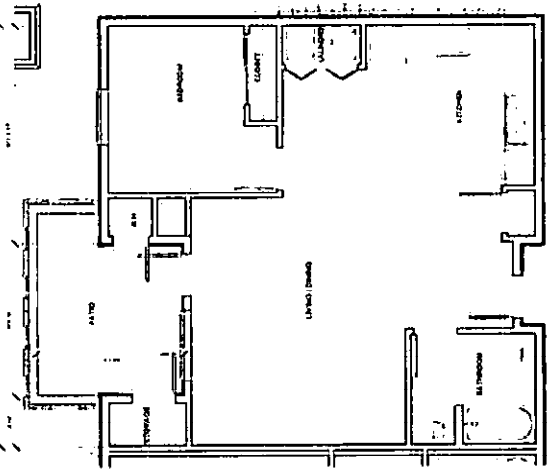
04/20/14



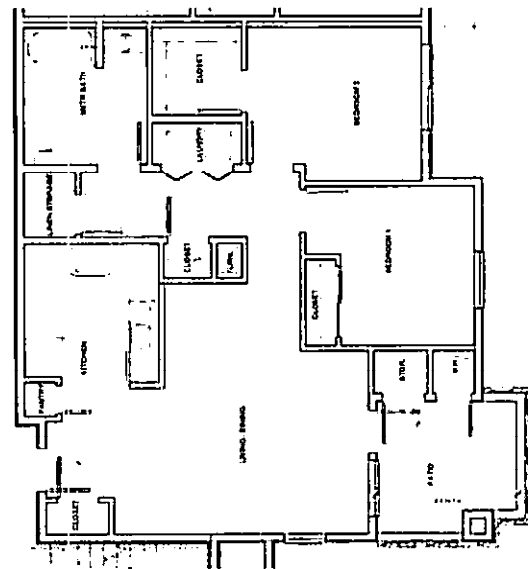
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3-BEDROOM UNIT PLAN, TYPE 1, 1213 SF



2-BEDROOM UNIT PLAN, TYPE 1, 973 SF



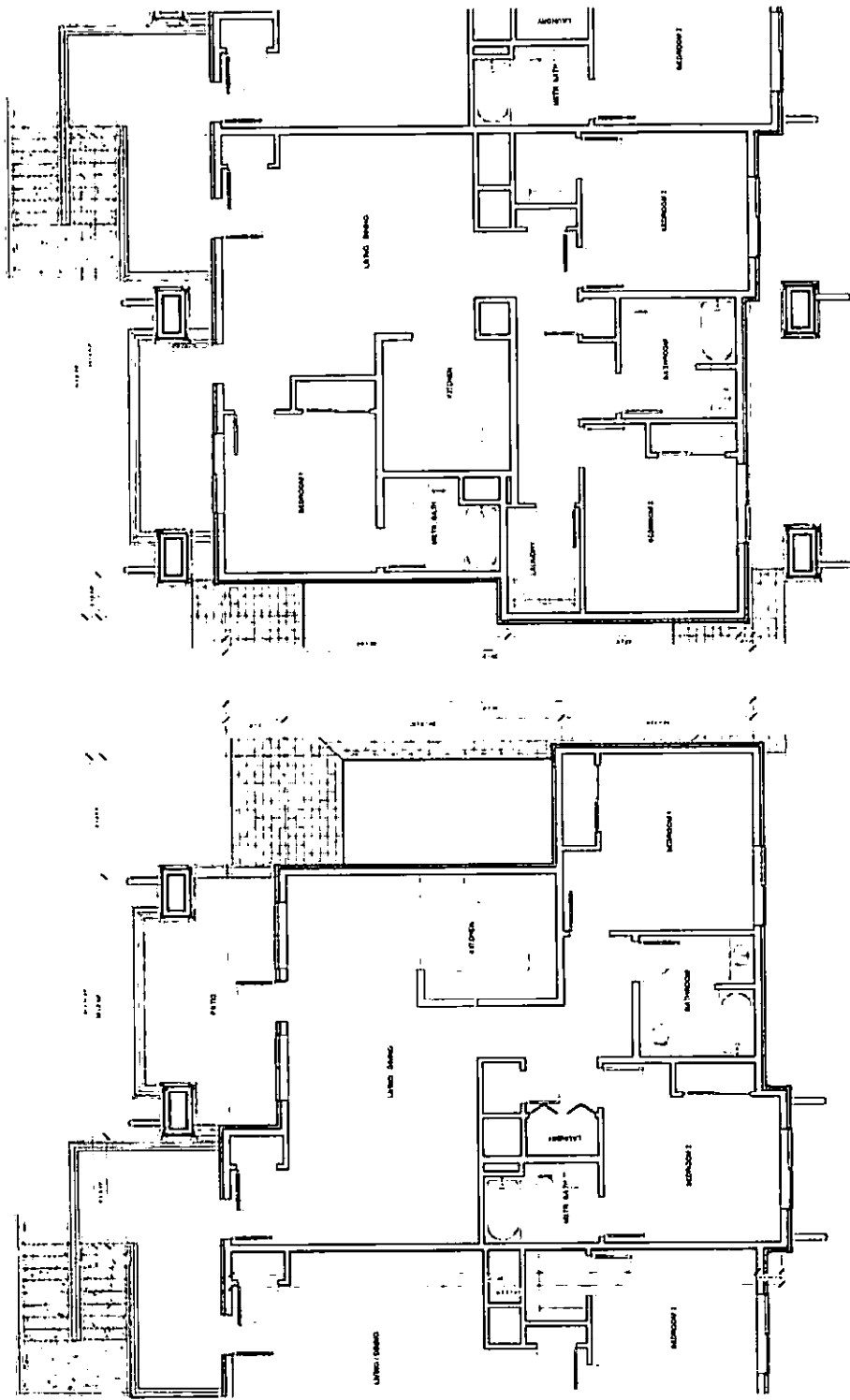
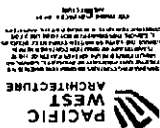
3-BEDROOM UNIT PLAN, TYPE 1, 1213 SF

BOW STREET APARTMENTS

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2) APARTMENT UNIT FLOOR PLAN TYPE 2 (1,137 S.F.)

3) APARTMENT UNIT FLOOR PLAN TYPE 3 (1,137 S.F.)

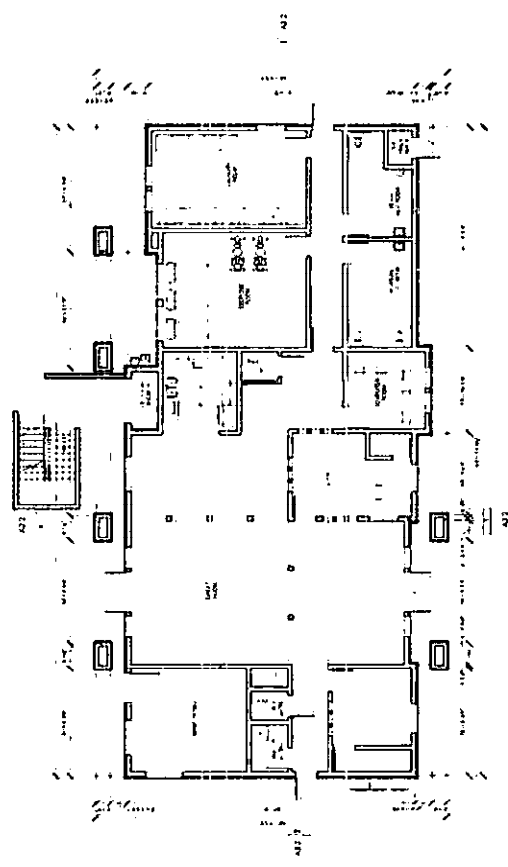
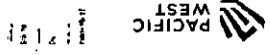
BOW STREET APARTMENTS

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1: 1ST FLOOR PLAN - COMMUNITY BLDG
1/8" = 1'-0"

BOW STREET APARTMENTS

Pacific West Architecture

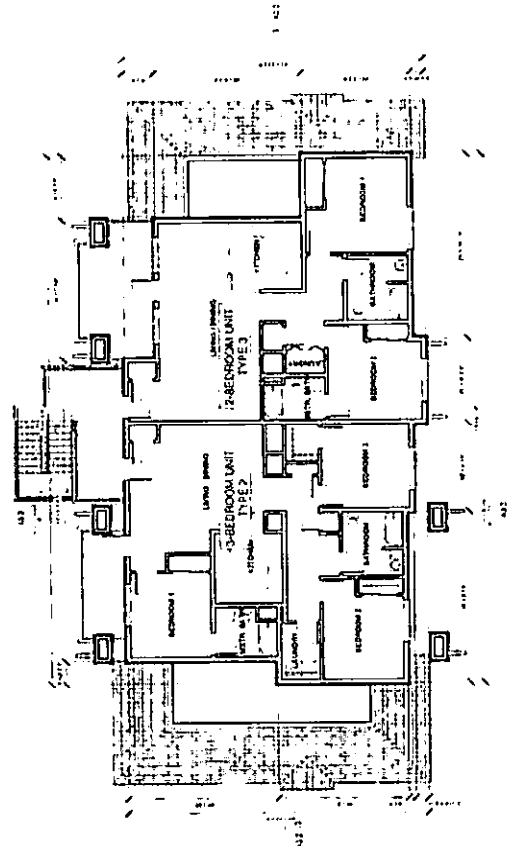
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DATE: 11/15/11
SCALE: AS SHOWN
PROJECT NO: 11000000



2ND FLOOR PLAN - COMMUNITY BLDG
11/15/11

BOW STREET APARTMENTS

Pacific West Architecture



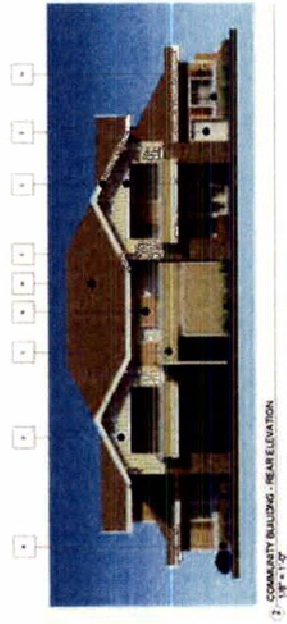
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425 E. BAY STREET, SUITE 100
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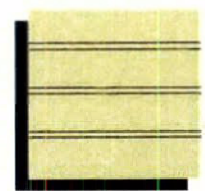
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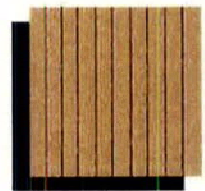
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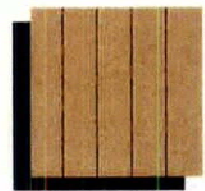
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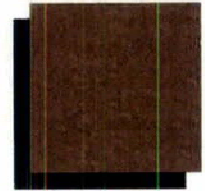
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1/8" = 1'-0"



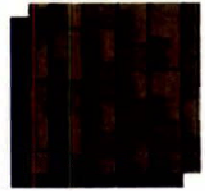
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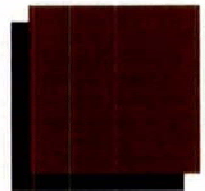
B JAMES HARDIE LAP SIDING



A STUCCO SYSTEM



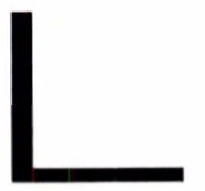
H PARCO FIREGLASS SHINGLES



G SHUTTERS



F STONE VENEER



E TRIM BOARDS, BELLY BANDS, FASCIA, DOWNSPOUT, DOORS, AND MILLING SYSTEMS

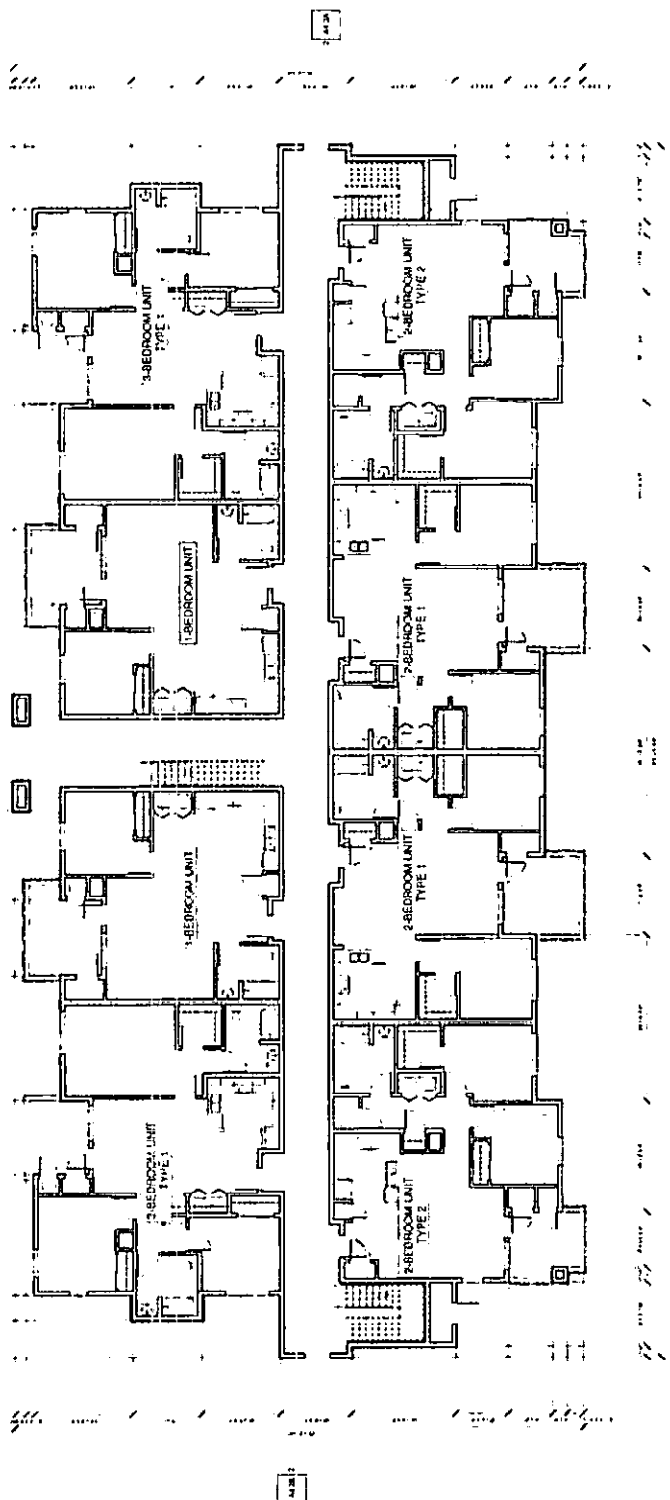
BOW STREET APARTMENTS

Pacific West Architecture



DATE: 11/15/12

PROJECT: BOW STREET APARTMENTS
1000 WEST 10TH AVENUE, SUITE 100
DENVER, COLORADO 80202
ARCHITECT: PACIFIC WEST ARCHITECTURE
1000 WEST 10TH AVENUE, SUITE 100
DENVER, COLORADO 80202
DATE: 11/15/12



1ST FLOOR PLAN; BLDG TYPE A

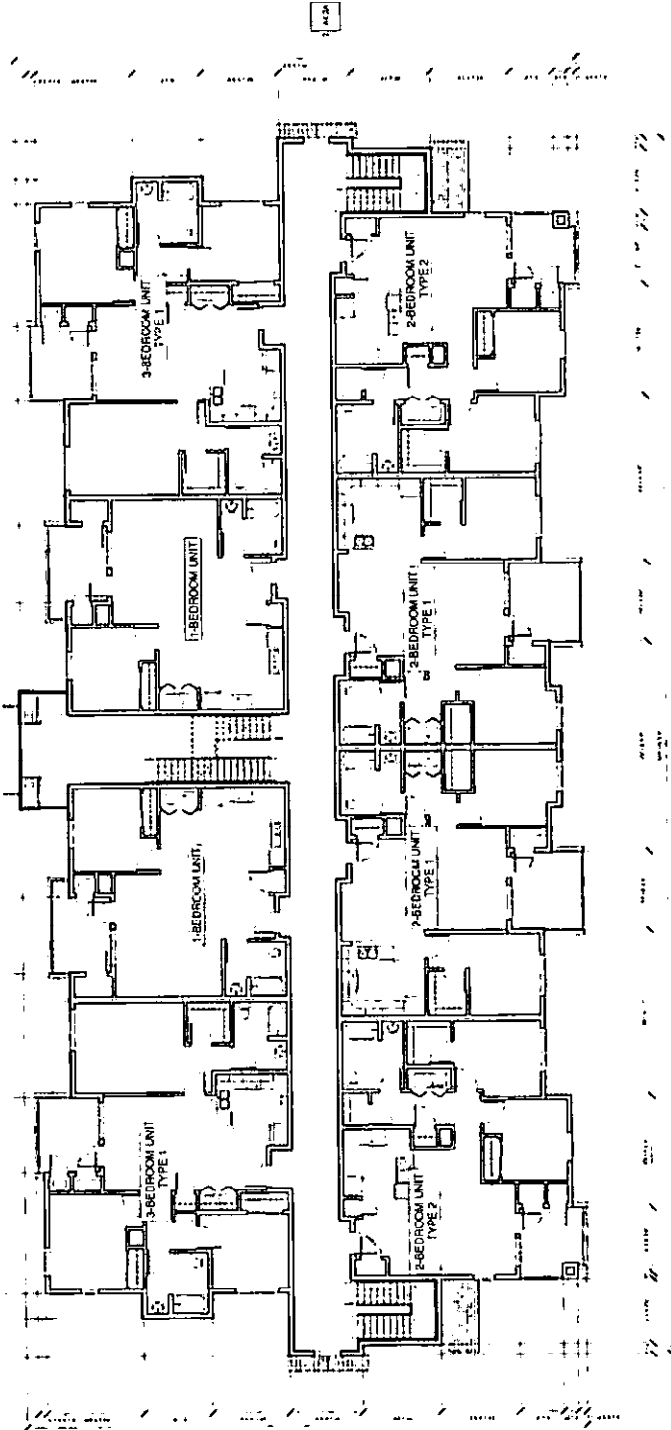
BOW STREET APARTMENTS

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JENNIFER L. HARRIS, AIA, LEED AP
PLANNERS: JAMES W. HARRIS, AIA, LEED AP
JENNIFER L. HARRIS, AIA, LEED AP
ENGINEERS: JAMES W. HARRIS, AIA, LEED AP
JENNIFER L. HARRIS, AIA, LEED AP
LANDSCAPE ARCHITECTS: JAMES W. HARRIS, AIA, LEED AP
JENNIFER L. HARRIS, AIA, LEED AP
INTERIORS: JAMES W. HARRIS, AIA, LEED AP
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FOR MORE INFORMATION, CONTACT: JAMES W. HARRIS, AIA, LEED AP
JENNIFER L. HARRIS, AIA, LEED AP



DATE: 10/11/12
SCALE: AS SHOWN
SHEET: 1 OF 1



1/2012 FLOOR PLAN: BEDS TYPE A

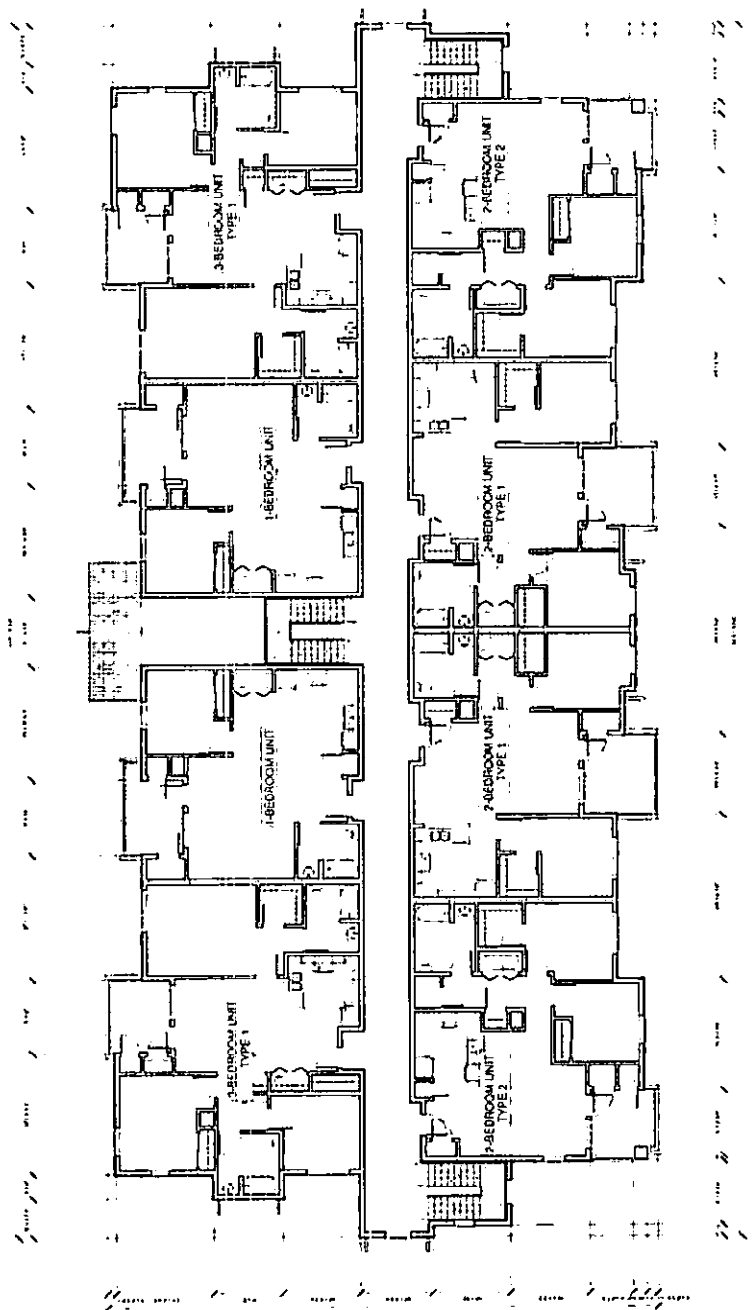
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BOW STREET APARTMENTS

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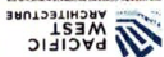


1. 200 KILBUCK UNIT: BLDG. TYPE A

REVISIONS

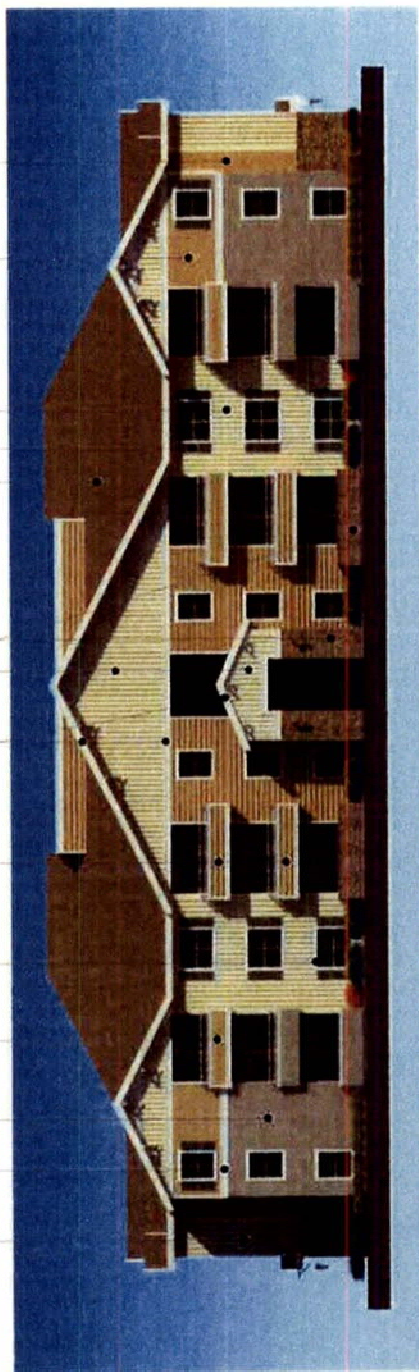
BOW STREET APARTMENTS

Pacific West Architecture

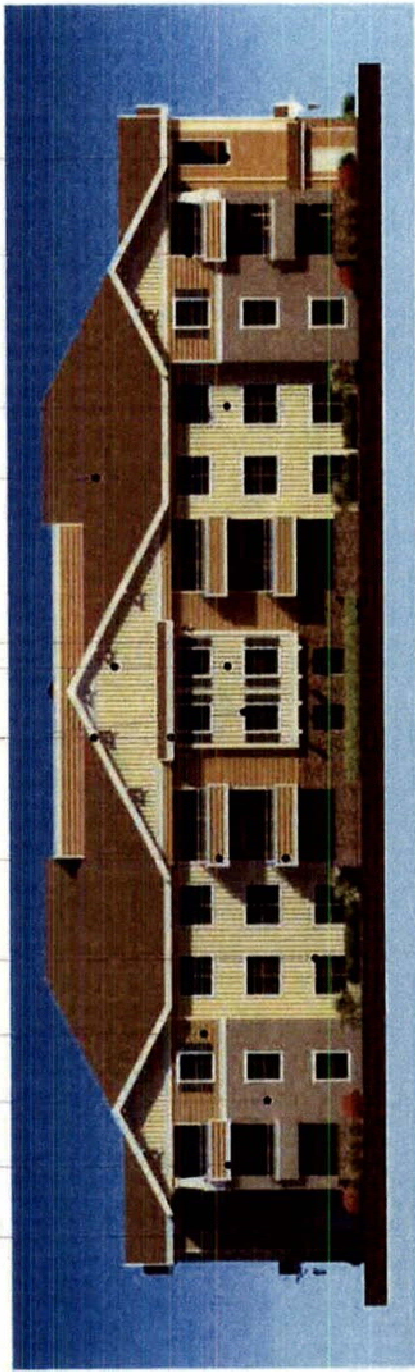


PACIFIC WEST ARCHITECTURE
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San Francisco, CA 94103
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PROJECT



1. BUILDING TYPE A - FRONT ELEVATION
1/8" = 1'-0"



2. BUILDING TYPE A - REAR ELEVATION
1/8" = 1'-0"

- A** STUCCO SYSTEM
MATERIAL: STUCCO SYSTEM
1/8" = 1'-0"
- B** JAMES HARDIE LAP SIDING - B
MATERIAL: JAMES HARDIE LAP SIDING
1/8" = 1'-0"
- C** JAMES HARDIE LAP SIDING - C
MATERIAL: JAMES HARDIE LAP SIDING
1/8" = 1'-0"
- D** JAMES HARDIE BOARD & BATTEN
MATERIAL: JAMES HARDIE BOARD & BATTEN
1/8" = 1'-0"
- E** TRIM BOARDS, BELLY BANDS, FASCIA, DOWNSPOUT DOORS AND RAILING SYSTEMS
MATERIAL: TRIM BOARDS, BELLY BANDS, FASCIA, DOWNSPOUT DOORS AND RAILING SYSTEMS
1/8" = 1'-0"
- F** STONE VENEER
MATERIAL: STONE VENEER
1/8" = 1'-0"
- G** SHUTTERS
MATERIAL: SHUTTERS
1/8" = 1'-0"
- H** PARCO BIRKGLASS SHINGLES
MATERIAL: PARCO BIRKGLASS SHINGLES
1/8" = 1'-0"

Exhibit C
Bow Street Apartments (EG-16-006)
Conditions of Approval

<u>Conditions of Approval</u>		<u>Timing/Implementation</u>	<u>Enforcement/Monitoring</u>	<u>Verification (date and Signature)</u>
On-Going				
1.	<p>The Project approved by this action is for a Minor Design Review, as specifically described in Exhibit A and as illustrated in the Project plans in Exhibit B.</p> <p>Deviations from the approved plans shall be reviewed by the City of Elk Grove (City) for substantial compliance and may require amendment by the appropriate hearing body.</p>	On-Going	Planning	
2.	<p>This action does not relieve the Applicant or the Property Owner of the obligation to comply with all codes, laws, statutes, regulations, and procedures.</p>	On-Going	Planning	
3.	<p>The Applicant/Property Owner and any Successors in Interest (hereby referred to as the "Applicant") shall indemnify, protect, defend, and hold harmless the City, its officers, officials, agents, employees, and volunteers from and against any and all claims, damages, demands, liability, costs, losses or expenses including without limitation court costs, reasonable attorney's fees and expert witness fees arising out of this Project including challenging the validity of this approval or any environmental or other documentation related to approval of this Application.</p>	On-Going	Planning	
4.	<p>Except as otherwise specified or provided for in the Project plans or in these conditions, the Project shall conform to the development standards and design requirements adopted by the City of Elk Grove, specifically including but not limited to the following:</p> <ul style="list-style-type: none"> • The Elk Grove Zoning Code (Title 23 of the EGMC) • EGMC Chapter 14.10 (Water Efficient Landscape Requirements) • Citywide Design Guidelines 	On-Going	Planning Engineering	

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5.	<p>The Applicant/property owner shall design and construct all improvements in accordance with the City of Elk Grove Improvement Standards, as further conditioned herein, and/or to the satisfaction of Public Works.</p> <p>Public sewer, water, and other utility (e.g. electricity) infrastructure shall be designed and constructed with the standards of the appropriate governing agency or utility provider.</p>	On-Going	<p>Engineering, EGWD, SASD, SMUD PG&E Frontier</p>	
6.	<p>The Applicant shall pay all plan check fees, impact fees, or other costs as required by the City, the Cosumnes Community Services District (CCSD), Sacramento Area Sewer District (SASD), Elk Grove Water District (EGWD), or other agencies or services providers as established by law</p>	On-Going	<p>Planning Engineering, Building, Finance, CCSD, EGWD, SASD</p>	
7.	<p>Approval of this Project does not relieve the Applicant from the requirements of subsequent permits and approvals, including but not limited to the following:</p> <ul style="list-style-type: none"> • Grading Permit and Improvement Plan • Building Permit and Certificate of Occupancy • Requirements of the Sacramento Metropolitan Air Quality Management District • Fire permit • SASD Design Standards for on-site and off-site sewer construction. 	On-Going	<p>Planning, Engineering, Building, CCSD, EGWD, SASD, EGWD SMAQMD</p>	

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Bow Street Apartments (EG-16-006)
Conditions of Approval**

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
Prior To or In Conjunction With Improvement Plans and/or Grading Plan Approval				
8.	The Project shall obtain approval of a Density Bonus for parking, setback reduction along Auberry Drive, and the setback for the building height (incentives/concessions) from the City Council prior to approval of any permits. This minor design review approval is contingent upon such density bonus	Improvement Plan or Grading Permit(s) Whichever Occurs First	Planning	
9.	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. A note stating the above shall be placed on the Improvement Plans.	Improvement Plans	Planning	
10.	All construction must stop if any human remains are 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. A note stating the above shall be placed on the Improvement Plans.	Improvement Plans	Planning	
11.	The Applicant shall prepare and submit a drainage study to the satisfaction of the City and in accordance with City of Elk Grove Storm Drainage Master Plan, Improvement Standards, General Plan, and any other applicable drainage master plans or studies.	Improvement Plan or Grading Permit(s) Whichever Occurs First	Engineering	

Exhibit C
Bow Street Apartments (EG-16-006)
Conditions of Approval

	<u>Conditions of Approval</u>	<u>Timing/Implementation</u>	<u>Enforcement/Monitoring</u>	<u>Verification (date and signature)</u>
12.	The Applicant shall prepare, submit, and receive approval by the City of a Post-Construction Stormwater Quality Control Plan in accordance with the City of Elk Grove Improvement Standards and most recent version of the Stormwater Quality Design Manual for the Sacramento Region. The Applicant shall also submit a separate maintenance plan describing proper maintenance practices for the specific treatment controls to be constructed.	Improvement Plan or Grading Permit(s) Whichever Occurs First	Engineering	
13.	The Applicant shall execute a maintenance agreement with the City for stormwater quality control treatment devices to the satisfaction of the City.	Improvement Plans	Engineering	
14.	The Applicant shall coordinate with Public Works Department, Transit Division to dedicate, design and construct a bus stop, cement pad, bench and/or shelter with trash receptacle on East Stockton Boulevard, approximately 200 feet west of the intersection of Aubery Drive extension and East Stockton Blvd. The bus stop cement pad shall be dedicated, designed and constructed in accordance with the City Improvement Standards and Specifications and to the satisfaction of Public Works.	Improvement Plans	Public Works	
15.	For any work proposed outside of the Project's property boundaries, the Applicant shall obtain an easement and/or right-of-entry from the appropriate property owner to the satisfaction of the City.	Improvement Plans	Engineering	
16.	The Applicant shall obtain clearance letters from the applicable entities for any sign located within an easement, including a Utility Easement.	Improvement Plans	Engineering	

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17.	The Applicant shall reserve future access between parcels 115-0162-036, 115-0162-019, and 115-0162-023 and the parcel of this development (APN: 115-0162-033). The location of the reciprocal access area shall be to the satisfaction of the City. Applicant shall record a Covenant Agreement prior to Improvement Plans to the satisfaction of the City providing for access to parcels 115-0162-036, 115-0162-019, and 115-0162-023.	Improvement Plans	Engineering	
18.	Connection to the SASD sewer system shall be required to the satisfaction of SASD. In order to obtain sewer service for the Project, construction of on- and off-site sewer infrastructure shall be required. SASD Design Standards apply to any on- and off-site sewer construction.	Improvement Plans	SASD	
19.	SASD has an existing 10-inch mainline extension at the termination point of Auberry Drive. This Project shall extend it as part of its frontage development requirement to the satisfaction of SASD.	Improvement Plans	SASD	
20.	Developing the property shall require the payment of sewer impact fees. The Applicant shall contact the SASD for sewer impact fee information.	Improvement Plans	SASD	
21.	The Applicant shall provide and prepare all documentation required for the dedication of the necessary right of way for the Auberry Drive Extension by the Cosumnes CSD to the City of Elk Grove.	Improvement Plans	CSD Parks Engineering	

**Exhibit C
Bow Street Apartments (EG-16-006)
Conditions of Approval**

	Conditions of Approval	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
22.	<p>All real property within the boundaries of the proposed Project is within a benefit zone of the District Wide Landscape & Lighting Assessment District. Prior to approving improvement plans or issuing any building permits, the owners of all real property within the boundaries of a Project shall execute and deliver to the CSD a written petition in an acceptable form approved by the CSD consenting to: (i) the formation of the existing District Wide Assessment District and the methodology adopted to allocate the cost to the various land uses; (ii) when necessary the annexation to the appropriate zone of benefit created to fund urban services, (iii) the budget, formulas and cost of living indexes use to establish the amount of the annual assessments; and (iv) the levying of the annual assessment to fund the maintenance, operation and in some instances the existing capital costs of parks, parkways, corridors, medians, open space, trail systems lakes, creeks and other recreational and aesthetic amenities.</p>	<p>Improvement Plans or Building Permit(s) Whichever Occurs First</p>	<p>CSD Parks</p>	
23.	<p>The Applicant shall dedicate any private drive, ingress and egress easement, or Irrevocable Offer of Dedication and a minimum of 10 feet adjacent thereto as a public utility easement for overhead and underground facilities and appurtenances.</p>	<p>Improvement Plans</p>	<p>SMUD</p>	
24.	<p>Structural setbacks less than 14 feet from road right of way shall require the developer to conduct a pre-engineering meeting with all utilities to ensure proper clearances are maintained.</p>	<p>Improvement Plans</p>	<p>SMUD</p>	
25.	<p>Building foundations must have a minimum horizontal clearance of 5 feet from any SMUD trench. The developer shall verify (gas, telephone, etc.) for their specific clearance requirements.</p>	<p>Improvement Plans</p>	<p>SMUD</p>	
26.	<p>Proposed SMUD facilities located on the customer's property outside of the existing or proposed UEs may require additional UE and/or a dedicated SMUD easement.</p>	<p>Improvement Plans</p>	<p>SMUD</p>	
27.	<p>SMUD equipment shall be accessible to a 26,000-pound SMUD service vehicle in all weather. SMUD equipment shall be no further than 15 feet from a drivable surface. The drivable surface shall have a minimum width of 20 feet.</p>	<p>Improvement Plans</p>	<p>SMUD</p>	

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Conditions of Approval		Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
28.	Water supply to each building shall be provided by the Sacramento County Water Agency.	Improvement Plans	Sacramento County Water Agency	
29.	All water lines shall be located within a public right-of-way or within easements dedicated to SCWA. Easements shall be reviewed and approved by Sacramento County Water Agency prior to Improvement Plan approval or Final Map approval.	Improvement Plans	Sacramento County Water Agency	
30.	Any/all abandoned wells on the proposed Project site shall be destroyed in accordance with the requirements of the Sacramento County Environmental Health Division. All abandoned/destroyed wells shall be shown on the improvement plans for the Project. Prior to abandoning any existing agricultural wells, applicant shall use water from agricultural wells for grading and construction.	Improvement Plans	Sacramento County Water Agency	
31.	All structures on the site shall be located outside of any waterline easements which exist on the property.	Improvement Plans	Sacramento County Water Agency Planning	
Prior To or In Conjunction With Building Permit				
32.	Any on-site traffic calming devices and locations shall be approved by the City prior to installation, including, but not limited to, speed bumps.	Building Permit	Engineering	
33.	The Applicant shall design and construct pedestrian crosswalks at the intersection of Auberry Drive extension and East Stockton Blvd, along the Project's frontage in accordance with the City Improvement Standards and to the satisfaction of the City.	Building Permit	Engineering	

Exhibit C
Bow Street Apartments (EG-16-006)
Conditions of Approval

	<u>Conditions of Approval</u>	<u>Timing/Implementation</u>	<u>Enforcement/Monitoring</u>	<u>Verification (date and Signature)</u>
34.	The Applicant shall dedicate, design, and construct the southerly half-section of Bow Street based on a 46-foot right-of-way, adjacent to the Project's frontage, measured from back of sidewalk to back of sidewalk. Improvements and appropriate road transitions, including all necessary signing and striping, will be evaluated during Improvement Plan review and shall be in accordance with City's Calvine/SR 99 Specific Plan, Improvement Standards and to the satisfaction of the City.	Building Permit	Engineering	
35.	The Applicant shall acquire, dedicate, design, and construct Aubery Drive as a 56-foot right-of-way, measured from back of curb to back of sidewalk (adjacent to park) in accordance with the City's Calvine/SR 99 Specific Plan, Improvement Standards and to the satisfaction of the City and CSD Parks.	Building Permit	Engineering CSD Parks	
36.	The Applicant shall dedicate to the City, a pedestrian easement for the separated sidewalk within the landscape corridor on Aubery Drive adjacent to the Project to the satisfaction of the City.	Building Permit	Engineering	
37.	The Applicant shall dedicate exclusive access rights (direct vehicular ingress and egress) along Bow Street, adjacent to the Project's frontage, to the satisfaction of the City.	Building Permit	Engineering	
38.	The Applicant shall install 4' wide interim sidewalk along the south side of Bow Street from the Project's westerly property line to East Stockton Blvd in accordance with City's Standards and to the satisfaction of the City.	Building Permit	Engineering	
39.	The Applicant shall provide bike lane striping and/or symbol and legends on Aubery Drive, as deemed necessary by the City, from the Project to the existing striping south of Power Inn Road to provide adequate connectivity, consistent with the City's Bicycle, Pedestrian and Trails Master Plan and General Plan. Improvements shall be to the satisfaction of the City.	Building Permit	Engineering	

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40.	The Applicant shall dedicate to the City of Elk Grove, a 12.5 foot utility easement for underground facilities and appurtenances adjacent Auberry Drive.	Building Permit	Engineering	
41.	The Applicant shall reconstruct any damaged curb, gutter, sidewalk and/or pavement caused by construction-related activities associated with the Project. If pavement replacement is necessary, as determined by the City, the Applicant may be required to grind, overlay, and/or slurry seal the damaged portion(s) in accordance with the City Improvement Standards and to the satisfaction of Engineering. The Applicant shall schedule an inspection with the City to document the pre-construction condition of existing surface infrastructure adjacent to and near the Project.	Building Permit	Engineering	
42.	The Applicant shall reconstruct any existing ADA compliance improvements adjacent to the Project to meet current standards.	Building Permit	Engineering	
43.	The Applicant shall be responsible for all costs associated with off-site right-of-way acquisition, including any costs associated with the eminent domain process, if necessary.	Building Permit	Engineering	
44.	Developing this property will require the payment of Regional Sanitation sewer impact fees (connection fees).	Building Permit	Regional Sanitation	
45.	The Applicant shall pay Park and Recreation Plan Check Fees as required by the CSD.	Building Permit	CSD Parks	

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46.	<p>Prior to issuance of a 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, 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 should plan accordingly. The application fee and completed application 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 http://www.elkgrovecity.org/city_hall/departments_divisions/finance/mello_roos_cfds/</p>	Building Permit	Finance	
47.	<p>Prior to issuance of a building permit, the Project area shall annex into the Police Services Community Facilities District 2003-2 (CFD), to fund the project's fair share of Public Safety costs. The annexation process can take several months, so applicants should plan accordingly. The application fee and completed application 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 http://www.elkgrovecity.org/city_hall/departments_divisions/finance/mello_roos_cfds/</p>	Building Permit	Finance	

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48.	<p>Prior to issuance of a building permit, the Project area shall annex into the Street Maintenance Assessment District No. 1, Zone 3, to fund a portion of the additional costs for long-term roadway maintenance related to serving the new development. The annexation process can take several months, so applicants should plan accordingly. The application fee and completed application for the annexation is due prior to the Resolution of Intention to Levy Street Maintenance Assessments. For further information on this District, see http://www.elkgrovecity.org/city_hall/departments_divisions/finance/mel_lo_roos_cfds/assessment_other_district_information/</p>	Building Permit	Finance	
49.	<p>Prior to issuance of a building permit, the project area shall annex into the Storm Water Drainage Fee Zone 2 to fund a portion of the additional costs for storm water drainage and run-off maintenance related to serving the new development. The annexation process can take several months, so applicants should plan accordingly. The completed application for the annexation is due prior to the Resolution of Intention to Levy Storm Water Drainage Fee Zone 2 assessments. For further information on this District, see http://www.codepublishing.com/CA/elkgrove/#/ElkGrove.15/ElkGrove.15.10.html#15.10</p>	Building Permit	Finance	
50.	Any and all gates impeding fire lanes or roadways shall comply with County Emergency Access Gates and Barriers Standard as referenced in the City of Elk Grove Fire Code Ordinance.	Building Permit	CCSD Fire	
51.	All commercial buildings in excess of 3,599 square feet shall be equipped with an approved automatic fire sprinkler system.	Building Permit	CCSD Fire	

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52.	<p>All civil engineering and architectural plans shall be submitted in an electronic format. When plans are submitted for final signature, the engineering or architectural firm is required to submit an electronic copy of the complete plan set as it appears in the approved printed plans with addresses, and suite numbers, apartment unit numbers, or hotel room numbers. All electronic formats shall be submitted in AutoCAD DWG (any version is accepted) on a Windows formatted compact disk (CD). Must include all XREF drawings associated with the Project. E-mailed copies will not be accepted at this time.</p>	Building Permit	CCSD Fire	
53.	<p>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 of connection.</p>	Building Permit	CCSD Fire	
54.	<p>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.</p>	Building Permit	CCSD Fire	
55.	<p>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 and capable of supporting 65,000gvw in all weather conditions.</p>	Building Permit	CCSD Fire	
56.	<p>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 Cosumnes CSD Fire Department.</p>	Building Permit	CCSD Fire	

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57.	Required fire alarm systems shall be connected to a UL listed central station approved by the Sacramento County Regional Communication Center.	Building Permit	CCSD Fire	
58.	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.	Building Permit	CCSD Fire	
59.	The installation of roadway gates, addresses, landscaping, pipe bollards, fuel tanks, masonry sound walls tree wells and/or all other <u>traffic calming devices</u> is subject to standards outlined by the Cosumnes CSD Fire Department but all City standards shall supersede any conflicting CSD standards. All proposed traffic-mitigation plans shall be submitted to the Cosumnes CSD Fire Department for review, and approval by the City prior to installation.	Building Permit	CCSD Fire	
60.	An additional fire department operational access gate, a minimum of four-feet wide and equipped with a Knox padlock, shall be installed along East Stockton Blvd. for fire department firefighting operations. The location of such gate shall be determined and installed to the satisfaction of the fire department during the plan review process.	Building Permit	CCSD Fire	

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Conditions of Approval

	<u>Conditions of Approval</u>	<u>Timing/Implementation</u>	<u>Enforcement/Monitoring</u>	<u>Verification (date and Signature)</u>
61.	<p>"Prior to the issuance of Building Permit(s) or approval of the Improvement Plan, whichever comes first, the property owner(s) shall: (1) approve (a) the formation of a new or annexation to an existing community facilities district ("CFD"); and (b) an annual CFD special tax; or (2) deposit a sum of money, as determined by the Cosumnes Community Services District ("CCSD"), sufficient for the CCSD to fund a portion of the CCSD's cost of providing ongoing fire and emergency services, maintenance, operation, and repair and replacement of fire station facilities and fire and emergency equipment. Any costs for the formation of the new CFD or annexation into an existing CFD and approval of such annual special tax, or administration of the sum of money deposited to fund the CCSD's costs of providing ongoing fire and emergency services, shall be paid from the annual CFD special taxes or the sum of money deposited with the CCSD. In the event that the property owner(s) fails to approve an annual special tax or deposit a sum of money as provided for herein for such purposes for the CCSD, no building permits or further building permits for the property shall be issued, or approval of the Improvement Plan shall be provided.</p>	<p>Improvement Plans or Building Permit(s) Whichever Occurs First</p>	<p>CCSD Fire</p>	
62.	<p>Secure fencing around the construction site with locking gates, and appropriate lighting, shall be installed during construction to prevent trespassing and theft. During construction, the Police Department shall be given emergency contact information of contractors and Owners for any problems encountered after normal construction hours.</p>	<p>Building Permit</p>	<p>EGPD</p>	

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Conditions of Approval

<u>Conditions of Approval</u>		<u>Timing/Implementation</u>	<u>Enforcement/Monitoring</u>	<u>Verification (date and Signature)</u>
Prior To Certificate of Occupancy				
63.	Upon completion of the installation of the landscaping, 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 will delay final inspection of the Project.	Prior to Final Inspection	Planning	

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**Exhibit C
BOW STREET APARTMENTS DENSITY BONUS (EG-16-006)
Conditions of Approval**

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
ON GOING				
1.	Development and operation of the proposed Project shall be consistent with the Project Description as provided in Exhibit A and Project Plans for the previously approved Minor Design Review (Exhibit B), incorporated herein by this reference. 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.	This action does not relieve the Applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	On Going	Planning	
3.	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	
4.	The Project shall comply with all Conditions of Approval for the approved Bow Street Apartments Project (Exhibit B).	On Going	Planning	
PRIOR TO OR IN CONJUNCTION WITH IMPROVEMENT AND/OR GRADING PLAN SUBMITTAL OR APPROVAL				
5.	The applicant shall enter into an agreement with the City to ensure the continued affordability of all target units, to the satisfaction of the City Manager and City Attorney. For all target units, the agreement shall specify the household income classification, number, location, size, and construction scheduling and shall require target units in a project and phases of a project to be constructed concurrently with the construction of non-target units. The agreement shall include such other provisions as necessary to establish compliance with the requirements of this chapter.	Improvement Plan or Building Permit(s) Whichever Occurs First	Planning Housing	

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BOW STREET APARTMENTS DENSITY BONUS (EG-16-006)
Conditions of Approval

	<u>Conditions of Approval</u>	<u>Timing/Implementation</u>	<u>Enforcement/Monitoring</u>	<u>Verification (date and Signature)</u>
6.	The Applicant shall submit financial or other reports to establish compliance with this chapter. The City may retain a consultant to review any financial report (<i>pro forma</i>). The cost of the consultant shall be borne by the applicant, except that if the applicant is a nonprofit organization, the cost of the consultant may be paid by the City upon prior approval of the City Council.	Improvement Plan or Building Permit(s) Whichever Occurs First	Planning Housing	

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2016-121

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 June 22, 2016 by the following vote:

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

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN : **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *Davis*



Jason Lindgren, City Clerk
City of Elk Grove, California