

**RESOLUTION NO. 2018-186**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
DECLARING ITS INTENT TO ADOPT A COMMUNITY PLAN AMENDMENT THAT  
WILL AMEND THE GENERAL PLAN AS IT RESIDES WITHIN IT  
FOR THE MENDES PROPERTY AND POPPY KEYS SOUTHWEST REZONE  
PROJECT (EG-17-033)**

**SOUTHWEST CORNER OF BILBY ROAD AND MCMILLIAN ROAD  
(FUTURE BIG HORN BOULEVARD) APNS: 132-0300-017, -021, AND -022  
AND  
SOUTH SIDE OF POPPY RIDGE ROAD EAST OF BIG HORN BOULEVARD  
APNS: 132-0290-014, -015, AND -016**

**WHEREAS**, the Development Services Department of the City of Elk Grove (the "City") received an application on August 8, 2017, from Elk Grove Land Investment, LLC (the "Applicant") requesting approval of a Community Plan and Special Planning Area Amendment (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 APNs: 132-0300-017, -021, and -022; and APNs: 132-0290-014, -015, and -016; 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 streamlined environmental review under CEQA for projects that are consistent with the applicable General Plan and Zoning for which an Environmental Impact Report (EIR) was certified; and

**WHEREAS**, Section 15162 of the State CEQA Guidelines provides that when an EIR has been certified for an adopted project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that one or more of three specified conditions exists; and

**WHEREAS**, the City has reviewed the Project and analyzed it based upon the provisions in Sections 15183 and 15162 of the State CEQA Guidelines; and

**WHEREAS**, an EIR was certified by the City Council of the City (the "City Council") for the adoption of the Southeast Policy Area Strategic Plan (State Clearinghouse No. 2013042054); and

**WHEREAS**, the proposed Project is consistent with the projects described in the previously certified EIR; and

**WHEREAS**, based on staff's review of the Project, no special circumstances exist that would create a reasonable possibility that the Project will have a significant effect on the environment beyond what was previously analyzed and disclosed; 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 Code), the Southeast Policy Area Special Planning Area, and all other applicable State and local regulations; and

**WHEREAS**, the Planning Commission of the City (the "Planning Commission") held a duly- noticed public hearing on July 19, 2018, 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 made a recommendation to the City Council 4-1 to deny the Project; and

**WHEREAS**, the City Council held a duly- noticed public hearing on August 22, 2018, 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 City Council of the City of Elk Grove finds that no further environmental review is required under the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) and 15162 (Subsequent EIRs and Negative Declarations), based upon the following finding:

**California Environmental Quality Act**

Finding: The proposed Project requires no further environmental review under CEQA pursuant to State CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) and 15162 (Subsequent EIRs and Negative Declarations).

Evidence: The Project requires no further environmental review under CEQA pursuant to Title 14 of the California Code of Regulations, (State CEQA Guidelines) Sections 15162 (Subsequent EIRs and Negative Declarations) and 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). Section 15162 requires that when an EIR has been certified for an adopted project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that one or more of the following exists:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
  2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- or

3. New information of substantial importance, which was not known and could not have been known with exercise of reasonable diligence at the time of the previous EIR was certified as complete shows any of the following:
  - a. The project will have one or more significant on discussed in the previous EIR;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measures or alternative.

Section 15183 (implementing Public Resources Code §21083.3) provides that projects that are consistent with a Community Plan, General Plan or Zoning for which an 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."

On July 9, 2014, the City Council certified an EIR for the Southeast Policy Area Strategic Plan (State Clearinghouse No. 2013042054). The SEPA EIR analyzed full buildout of SEPA based upon the land plan, development standards, and policies contained in the Community Plan and Special Planning Area, as well as the improvements identified in the accompanying infrastructure master plans.

The proposed changes to the Mendes Property include amendments to the Community Plan and Special Planning Area which reduce the acreage of the Office and Park sites, make adjustments to the footprint of the Shed C Channel and associated trails and the S6 Detention Basin (based upon the most current design work for these facilities), and increase the area of Low Density Residential. Although there is an increase in residential land uses, the elimination of approximately 10 acres of Office reduces the potential impacts from the Project as documented in analysis prepared by the City and presented at the Planning Commission hearing which shows a net reduction of vehicular trips between the existing land uses and the proposed land uses (a reduction of 854 trips daily, 197 in the morning peak period, and 152 in the evening peak period).

For the Poppy Keys Southwest Property, the proposed change involves the conversion of a school site (which was previously relocated across the street to the Laguna Ridge Specific Plan area) to Medium Density Residential, consistent with adjoining planned land uses. An additional park site is also identified to support the increased residential development consistent with City and Cosumnes Community Services District policies and standards. Although there is an increase in residential land uses, the elimination of the school site reduces the potential impacts from the Project as documented in analysis prepared by the

City and presented at the Planning Commission hearing, which shows a net reduction of vehicular trips between the existing land uses and the proposed land uses (a reduction of 611 trips daily, 344 in the morning peak period, and 77 in the evening peak period).

The proposed changes to the roadway cross section for Poppy Ridge Road do not alter travel patterns or reduce roadway capacity. Rather, the changes create improvements for pedestrians and ensure parking opportunities along the frontage of the Reardan Park and elementary school site. In addition, the Applicant will be required to pay among other impacts fees all roadway-related impacts including but not limited to the I-5 Subregional Fee.

The Project, as proposed, would be build out at a density/intensity less than what was anticipated in the SEPA EIR. Therefore, there are no substantial changes in the Project from those analyzed in the 2014 EIR and no new significant environmental effects, or substantial increase in the severity of previously identified significant effects necessitating the preparation of a Subsequent EIR pursuant to CEQA Guidelines Section 15162. No new information of substantial importance has been identified. Further, since no changes to the EIR are necessary to support the Project, the City is not required to prepare an Addendum to the EIR as required by State CEQA Guidelines Section 15164. Therefore, the prior EIR is sufficient to support the proposed action and no further environmental review is required.

**AND, BE IT FURTHER RESOLVED**, that pursuant to Elk Grove Municipal Code Chapter 16.79 (Development Impact Fees for the Voluntary I-5 Subregional Corridor Transportation Improvements), the Project proponent shall pay the I-5 Subregional Impact Mitigation Fee as mitigation towards its impacts to the I-5 Subregional Corridor. As provided in EGMC Section 16.97.050, this fee shall be collected at the time of the issuance of any required building permit relating to such development. The value of the fee shall be based upon the rate applicable at the time of building permit issuance and based upon the amount of development approved through a subsequent tentative subdivision map and/or design review, as applicable. Notice is hereby given pursuant to California Government Code Section 66020(d) that the 90-day period in which you may protest the fees set forth herein has begun to run as of the date of approval of this Project. Other limitations periods may apply. The City reserves all rights.

**AND, BE IT FURTHER RESOLVED**, that the City Council of the City of Elk Grove hereby declares its intent to adopt an amendment to the Southeast Policy Area Community Plan (part of the General Plan) for the Project as illustrated in Exhibit A for the Mendes Property, as illustrated in Exhibit B for the Poppy Keys Southwest property, incorporated herein by these references, based upon the following findings, and provided that the Applicant/Owner or 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 application/permit or any environmental or other documentation related to approval of this Application:

**Community Plan Amendment**


**Finding #1:** The amendment to the community plan is consistent with the General Plan goals, policies, and implementation programs.

**Evidence:** The proposed Community Plan amendment would modify the land plan for the Mendes Property area, decreasing the Office and Park areas, adjusting the area of the drainage infrastructure to reflect the latest design plans, and expanding the area for Low Density Residential development. The proposal does not eliminate any individual land use and the proposal continues to maintain office lands. In the Poppy Keys Southwest area, the Community Plan amendment would modify the land plan by recognizing the relocation of the school site north to the Laguna Ridge Specific Plan and rezoning the site for consistency with adjoining land uses. It would also add a park site to maintain minimum parkland requirements.

**Finding #2:** The amendment to the community plan is internally consistent to the community plan.

**Evidence:** The proposed amendment would modify the land plan for the Project area, decreasing the Office and Park areas, adjusting the area of the drainage infrastructure to reflect the latest design plans, and expanding the area for Low Density Residential development. The proposal does not eliminate any individual land use and the proposal continues to maintain office lands. Specifically, the Project is consistent with SEPA Policy 12 as it does not reduce the acreage of office lands below that existing with the initial approval of the Plan in July 2014 because, in March 2015, the City Council amended the Community Plan and SEPA SPA to add approximately 10 acres of office on the east side of Lotz Parkway just south of Whitelock Parkway. In effect, this addition could be viewed as creating a "bank" of office land within SEPA. Such bank concept is not expressly recognized in the EGMC. However, it would meet the requirement of the net result being no loss in acreage for employment generating land from the original approval of the SEPA. This additional office land area was created by the City after preliminary engineering work on the alignment of Lotz Parkway south of Whitelock Parkway informed future land acquisition for both Lotz Parkway and the future Whitelock Parkway Interchange. The City has since acquired many of the properties along the future Lotz Parkway alignment.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 22nd day of August 2018.



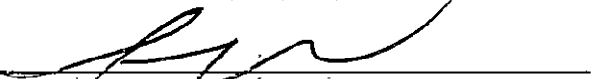
DARREN SUEN, VICE MAYOR  
CITY OF ELK GROVE

ATTEST:



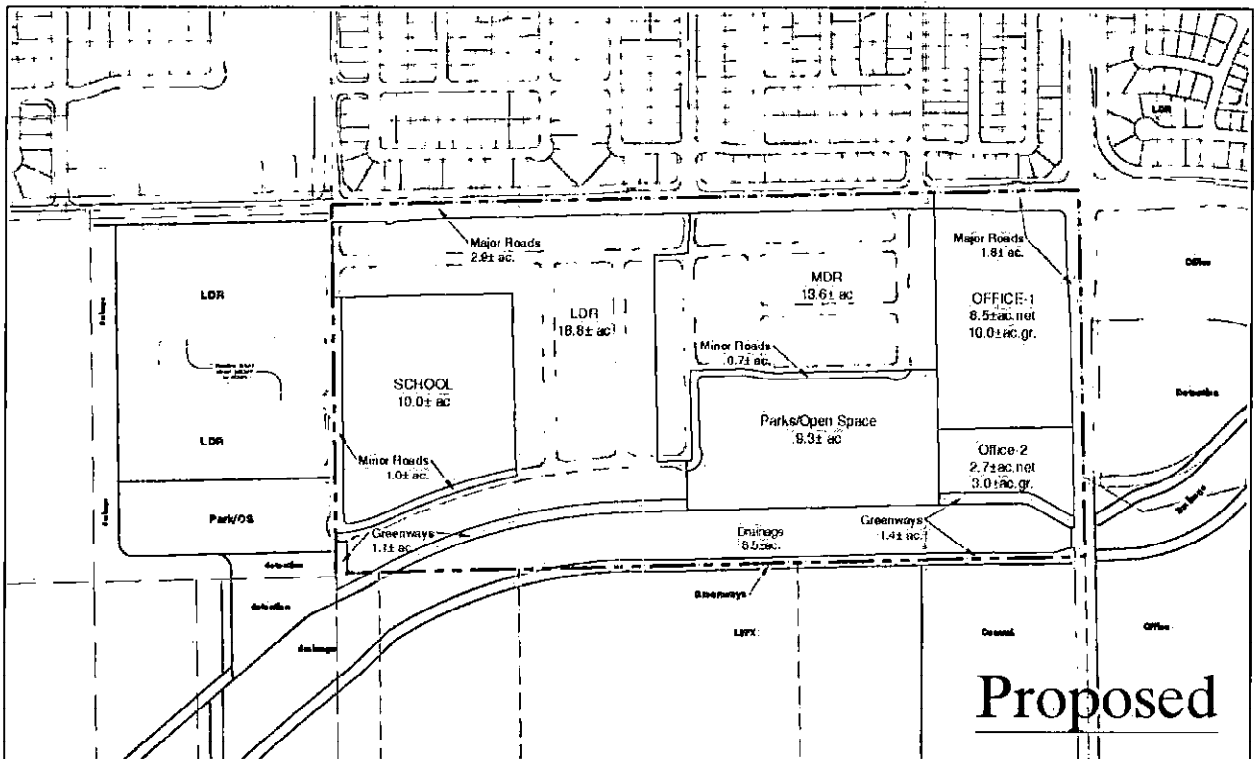
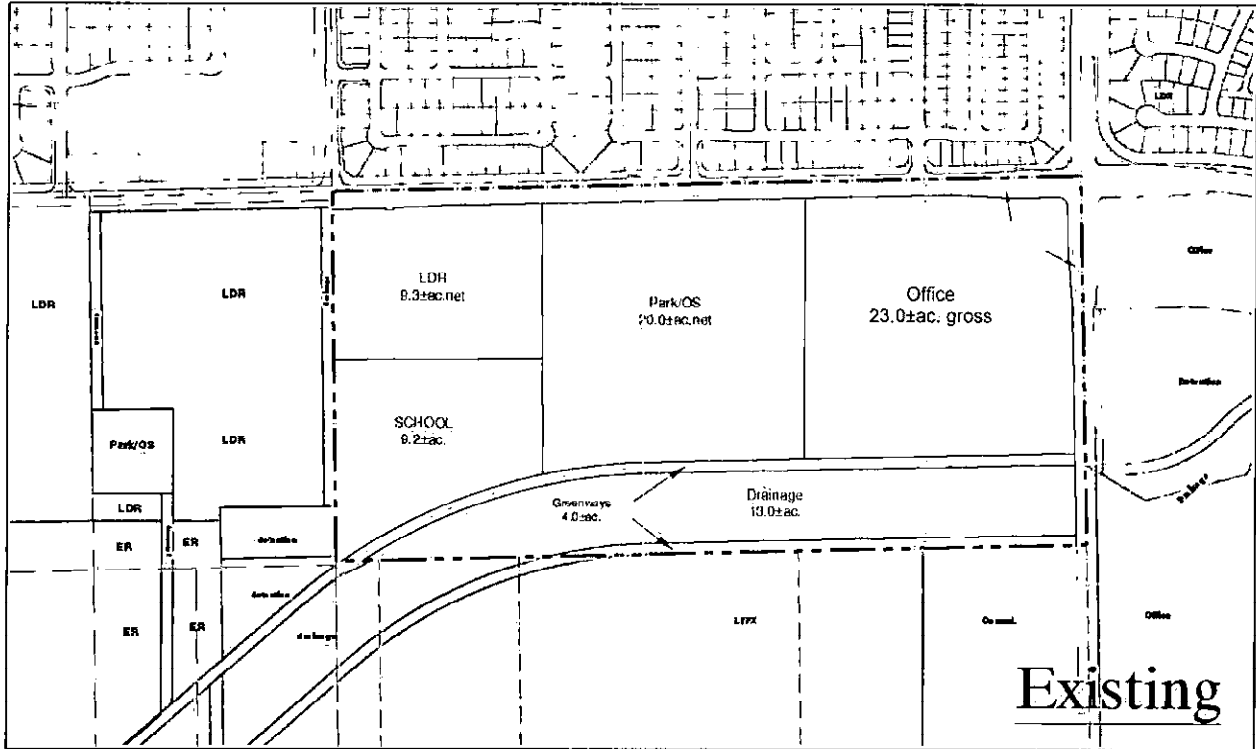
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,  
CITY ATTORNEY

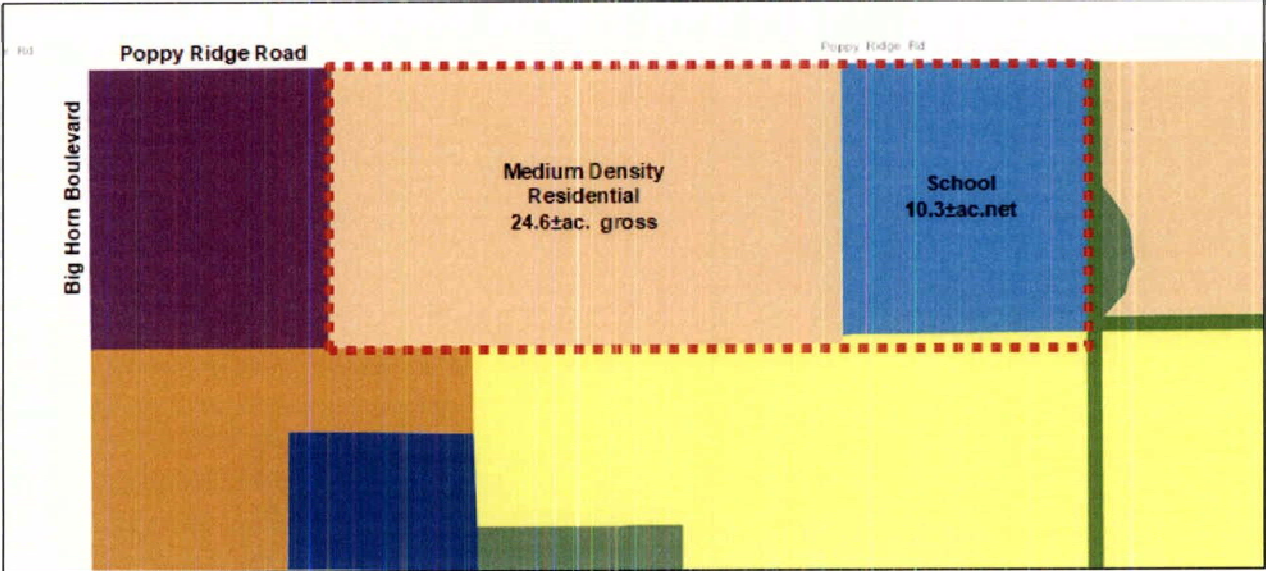
**Exhibit A  
Mendes Property  
SEPA Community Plan Amendment**



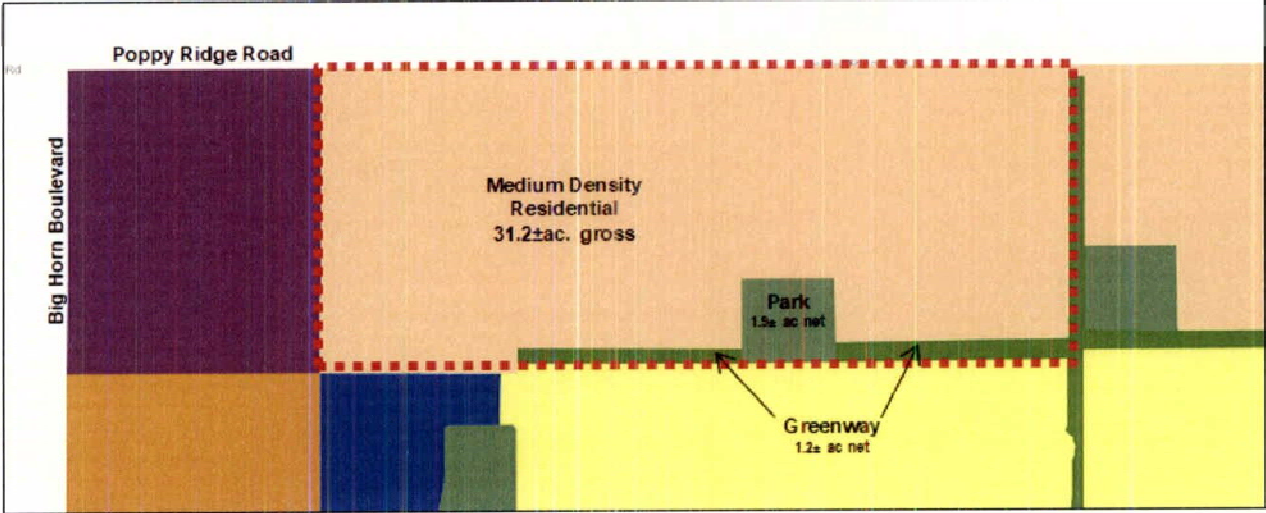
Note: Street layouts are conceptual only and shown for context and are not part of the proposed Project.

**Exhibit B**  
**Poppy Keys Southwest**  
**SEPA Community Plan Amendment**

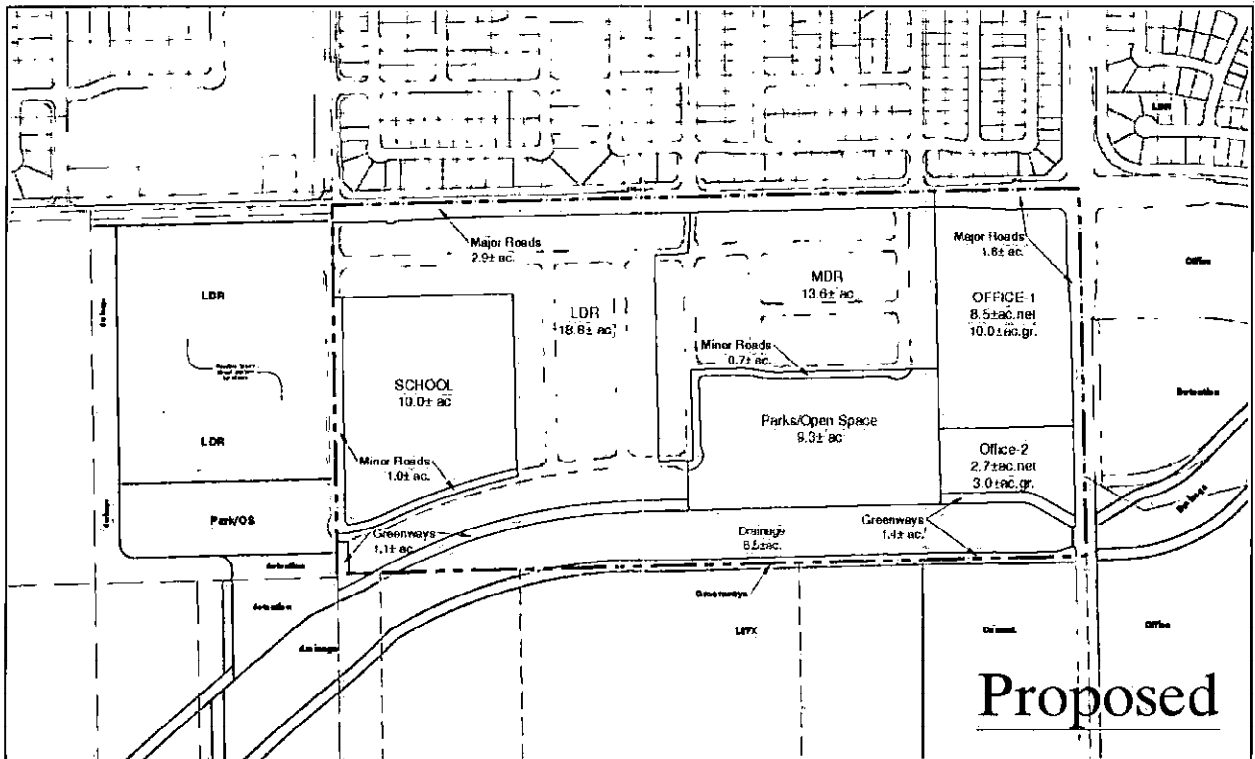
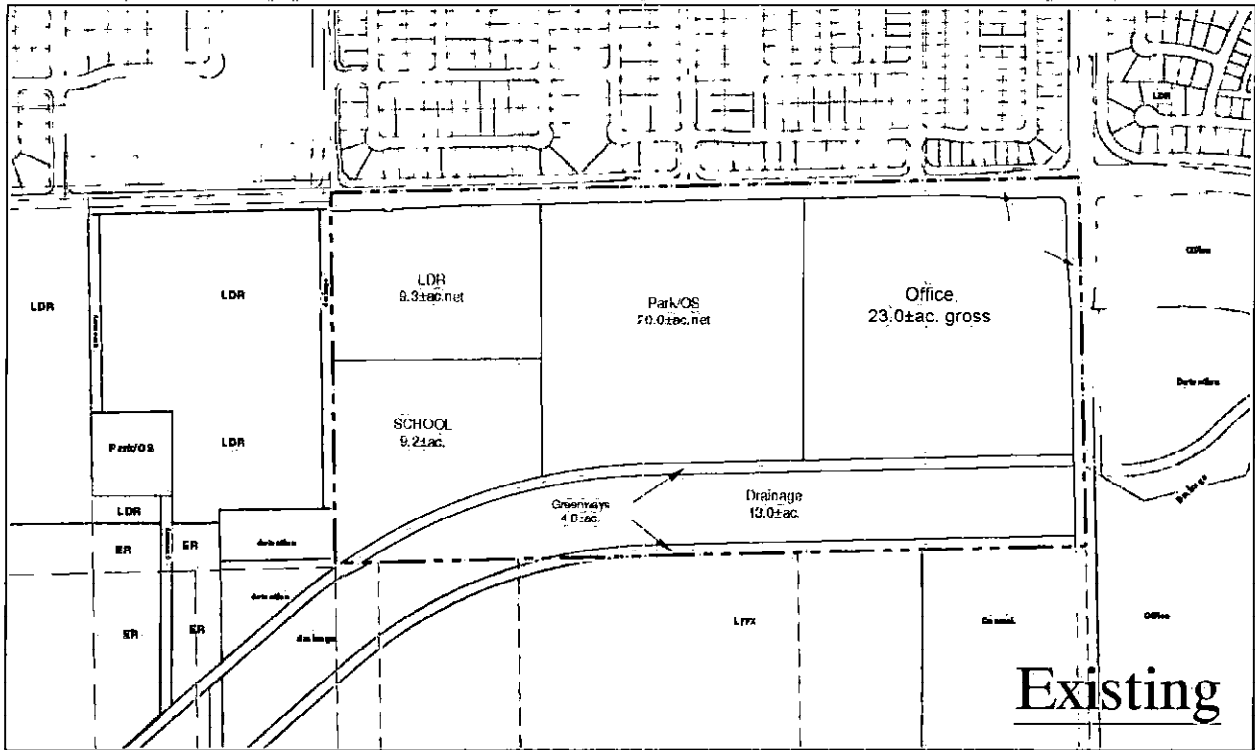
**Existing**



**Proposed**



**Exhibit A**  
**Mendes Property**  
**SEPA SPA Amendment**

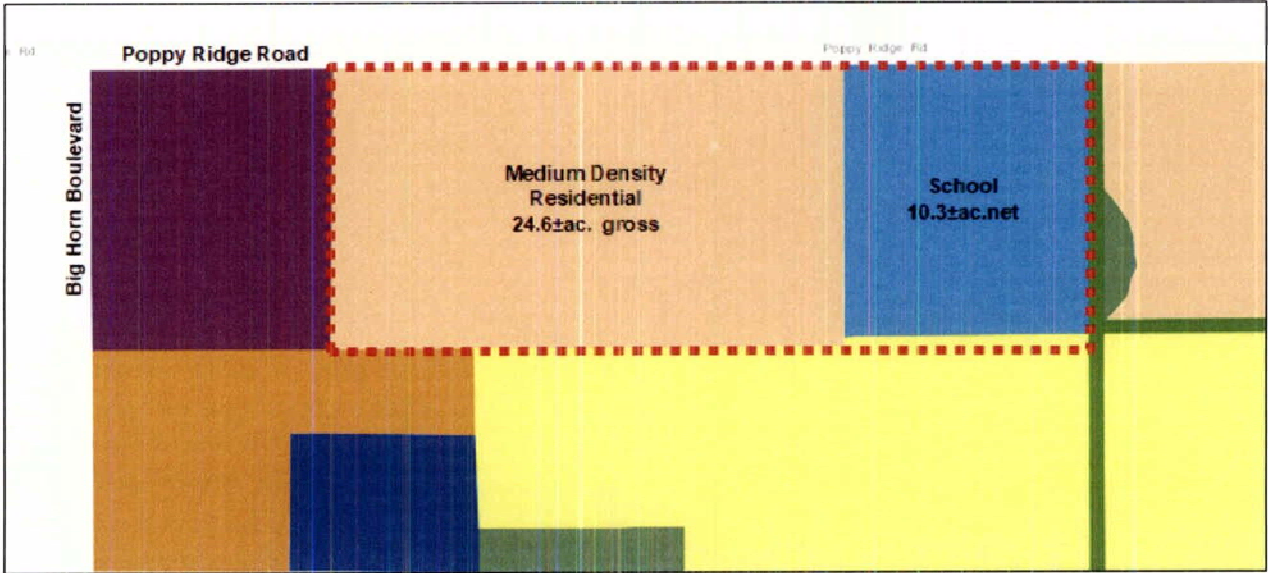


*Note: Street layouts are conceptual only and shown for context and are not part of the proposed Project.*

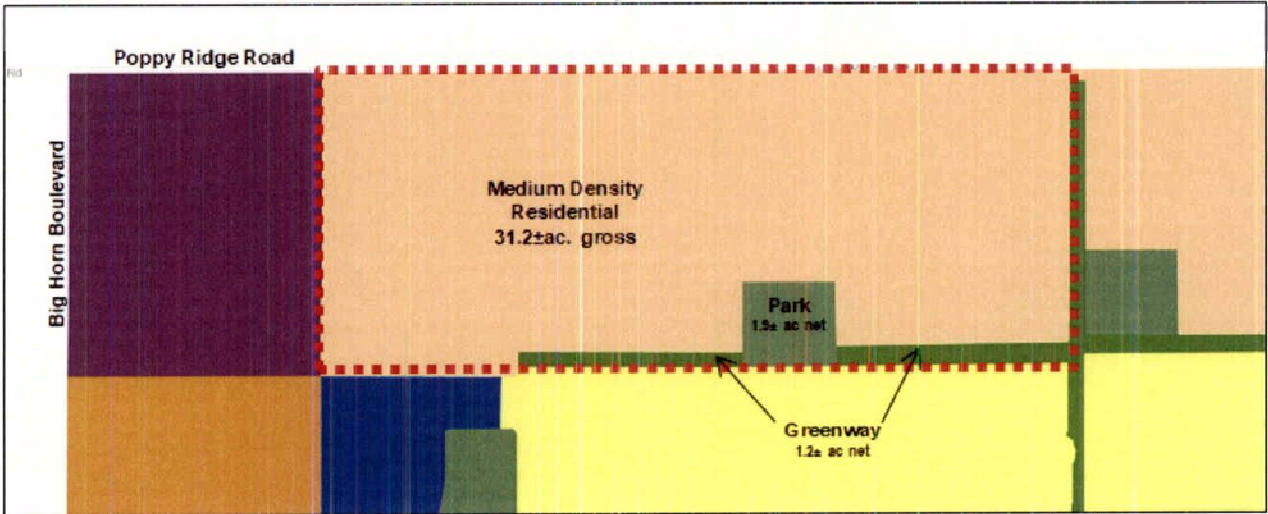


**Exhibit B**  
**Poppy Keys Southwest**  
**SEPA SPA Amendment**

**Existing**



**Proposed**



# Exhibit C Street Forms – Overview and Street Layout Map

## CHAPTER 4 PHYSICAL FORMS: STREETS

### PHYSICAL FORM: STREETS

This section describes the various street forms, corresponding development standards, and location within the plan area. All public streets in the plan area shall conform to these development standards to the satisfaction of Public Works.









The street forms used in this plan are:

- A. Kammerer Road
- B. Arterial
- C. Arterial with Transit Corridor
- D. Collector, Commercial
- E. Commercial Main Street
- F. Collector, Residential
- G. Collector, Poppy Ridge Road
- H. Primary Residential Street
- I. Local Residential Street
- J. Local Estate Residential Street
- K. Alley/Drive Aisle

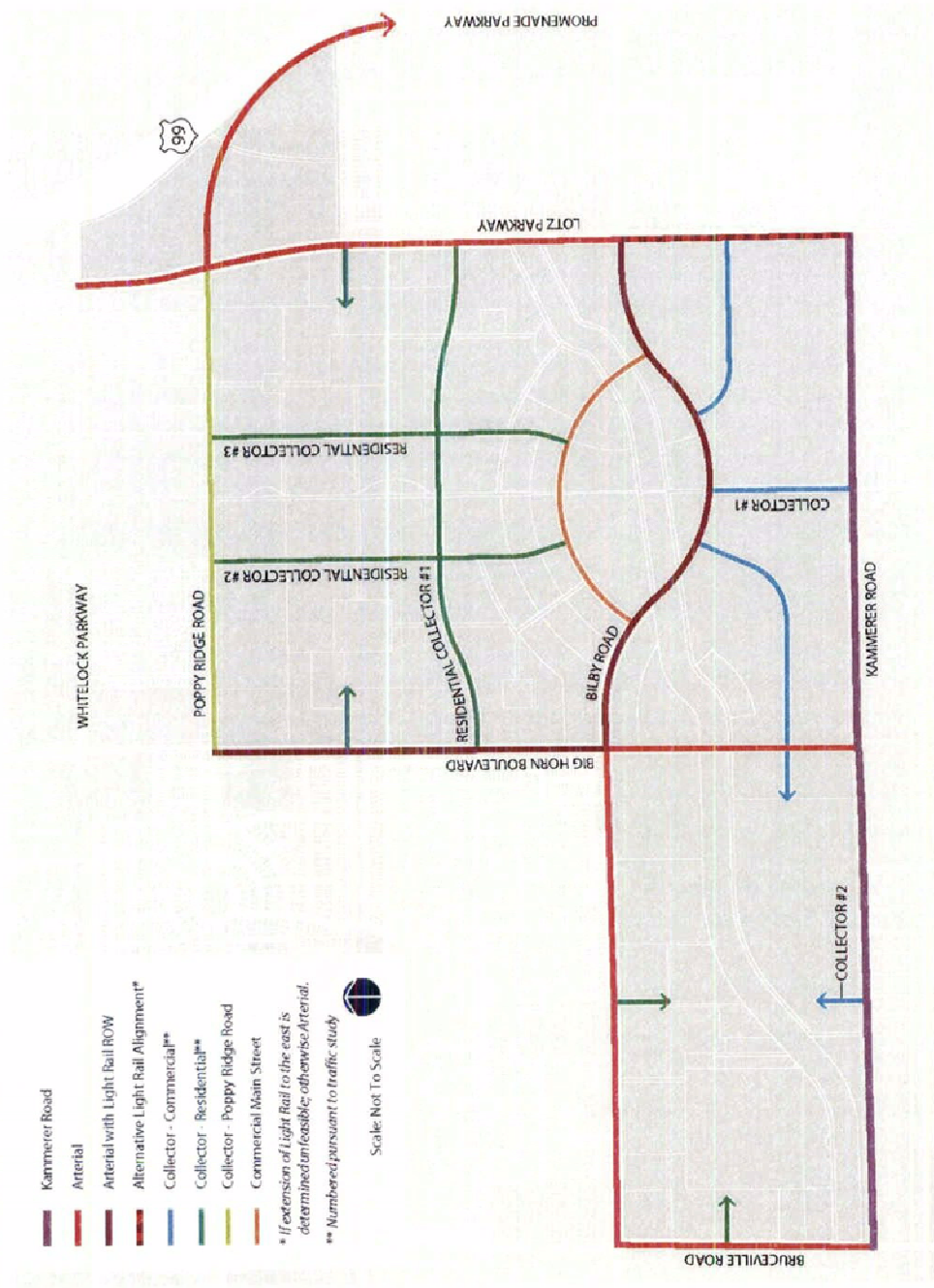
The street forms shall be applied consistent with the following matrix. An "X" indicates that the street form is allowed in the corresponding land use designation, a "." indicates that the street form is not allowed in the corresponding land use designation. The application of the street form is further regulated by the Street Layout Map provided on the following page.

Street Forms	Land Use Classes/Land Use Designations															
	Employment Hub/Core		Village Center			Residential/Neighborhood				Public/Semi-Public			Special			
	O	C	LJ/FS	MUR	MUV	ER	LDR	IMDR	HDR	SCH	D	P/OS	SC	SC		
Kammerer Road	X	X	X	-	-	-	-	-	-	-	X	X	X	X		
Arterial	-	-	-	-	-	-	X	X	X	-	X	X	X	X		
Arterial with Transit Corridor	X	X	X	X	X	-	-	X	X	-	X	X	X	X		
Collector, Commercial	X	X	X	-	-	-	-	-	-	-	X	X	X	X		
Collector, Residential	-	-	-	-	-	-	X	X	X	-	X	X	X	-		
Commercial Main Street	-	-	-	-	X	-	-	-	-	-	X	X	X	-		
Collector, Poppy Ridge Road	X	-	-	-	-	-	X	X	-	X	X	X	X	-		
Primary Residential Street	-	-	-	-	-	X	X	-	-	X	X	X	X	-		
Local Residential Street	-	-	-	-	-	X	X	-	-	X	X	X	X	-		
Local Estate Residential Street	-	-	-	-	-	X	X	-	-	X	X	X	X	-		
Alley/Drive Aisle	X	X	X	X	X	-	-	X	X	-	-	-	-	-		

Street Layout Map

-  Kammerer Road
  -  Arterial
  -  Arterial with Light Rail ROW
  -  Alternative Light Rail Alignment\*
  -  Collector - Commercial\*\*
  -  Collector - Residential\*\*
  -  Collector - Poppy Ridge Road
  -  Commercial Main Street
- \* If extension of Light Rail to the east is determined to be feasible; otherwise Arterial.
- \*\* Numbers pursuant to traffic study

Scale: Not To Scale



# Exhibit D Street Forms – Poppy Ridge Road Standards and Diagrams

## CHAPTER 4 PHYSICAL FORMS: STREETS

### G. Collector, Poppy Ridge Road

This residential collector applies exclusively to Poppy Ridge Road and serves as a transition from the Southeast Policy Area to the adjoining Laguna Ridge Specific Plan to the north;

#### Development Standards

##### Right-of-Way (40 ft. - 58 ft.)

This street type may be built in one of two conditions - either with on-street parking (at the portion along Reardan Park) or without on-street parking.

##### No On-Street Parking

- A. Travel Lane 12 ft.
- B. Bike Lane 5 ft.
- C. Vertical Curb and Gutter 3 ft.

##### On-Street Parking

- D. Travel Lane 12 ft.
- E. Bike Lane 5 ft.
- F. On-Street (Parallel) Parking Lane with Vertical Curb and Gutter 8 ft.

##### Landscape Corridor

The landscape corridor shall only be a publicly owned and maintained lot when single-family residential backs onto the street. Otherwise, this shall be a private landscape area maintained by the homeowner and designed to the City's satisfaction.

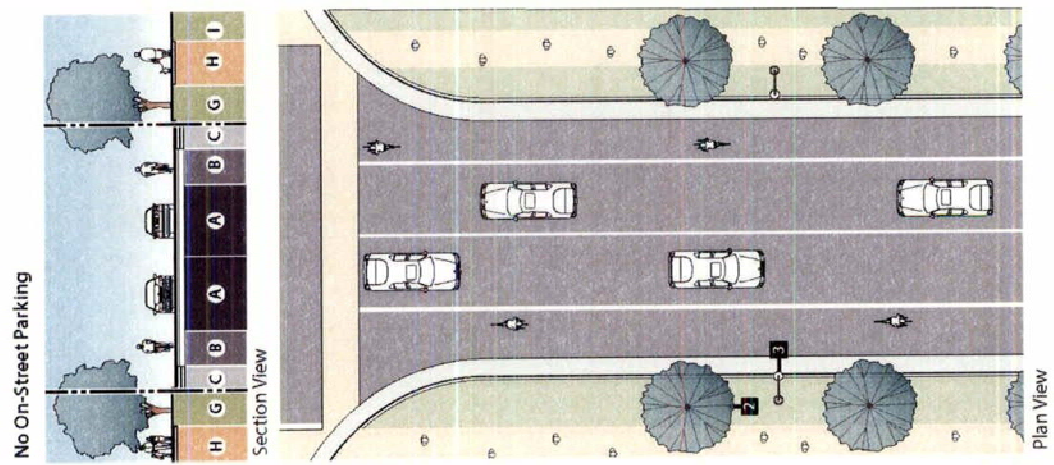
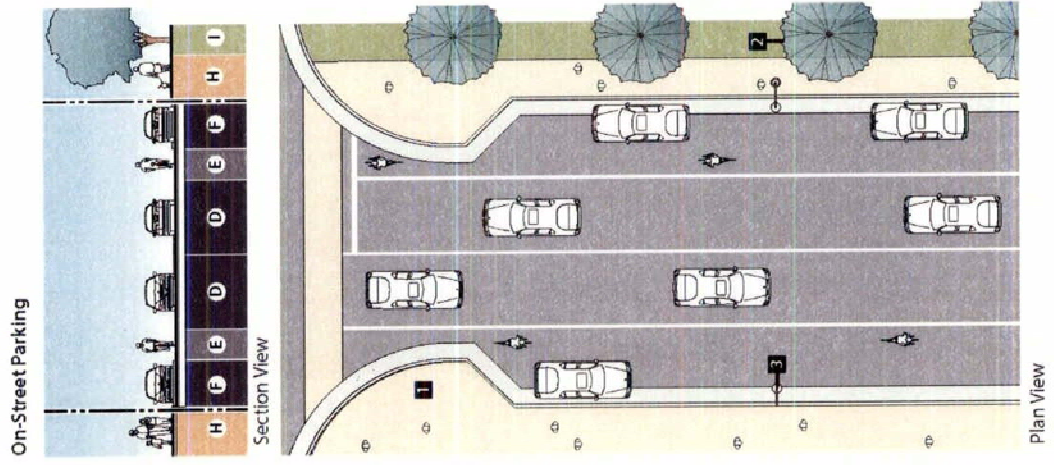
##### G. Landscape Area, Attached to Curb

- H. Sidewalk 6 ft. in Laguna Ridge; 8 ft. in SEPA
- I. Landscape Area, Behind Walk 8 ft. in SEPA and along Reardan Park and school sites; otherwise 4 ft. 5 ft.; 13 ft. along Reardan block

##### Streetscape Elements

For a description of the streetscape elements, see section subsection J, Streetscape Materials, in the Physical Form Commission Features section of this chapter. The location and quantity of these elements shall be to the satisfaction of the City.

1. Bulbout (when on-street parking is provided)
2. Street Tree
3. Streetlight



**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2018-186**

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

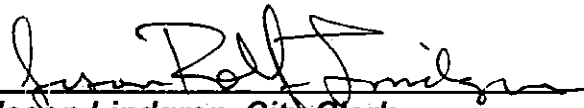
***I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on August 22 2018 by the following vote:***

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

**NOES:            COUNCILMEMBERS:        *None***

**ABSTAIN:        COUNCILMEMBERS:        *None***

**ABSENT:         COUNCILMEMBERS:        *Ly***

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