

RESOLUTION NO. 2021-124

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING THE DEDICATION OF LOT B OF THE SHELDON FARMS NORTH SMALL LOT TENTATIVE SUBDIVISION MAP [A PORTION OF APN: 116-0012-051] TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND CONSISTENT WITH THE GENERAL PLAN; RATIFYING THE AGREEMENT FOR DEDICATION OF LAND AND AFFORDABLE HOUSING FEE WAIVER FOR LOT B OF THE SHELDON FARMS NORTH SMALL LOT TENTATIVE SUBDIVISION MAP [A PORTION OF APN: 116-0012-051]; AND AUTHORIZING THE CLOSE OF ESCROW FOR THE PROPERTY

WHEREAS, JEN California 18, LLC, a California limited liability company (Developer), is the current owner of approximately 96 acres of vacant land with an approved tentative subdivision map, located on the south side of Sheldon Road, between Bruceville Road and Lewis Stein Road [Assessor Parcel Numbers: 116-0012-051 and 116-0012-059]. The Sheldon Farms North Small Lot Tentative Subdivision Map (Approved Map) includes 391 single family residential units, a High Density Residential (HDR) lot, a Community Commercial (CC) lot, Park and Drainage/Open Space lots; and

WHEREAS, the Developer desires to dedicate Lot B (Property), the HDR parcel of the Approved Map, to the City, in exchange for a waiver of the Affordable Housing Fees imposed in connection with development of the 391 single family residential units. The Property has a gross parcel size of ± 6.3 acres and a net, developable parcel size of ± 5.3 acres; and

WHEREAS, the City of Elk Grove (City) has identified the Property in its Public Draft 2021 Housing Element, which is currently being circulated for public review and recommended for adoption at this May 12th City Council meeting, in its existing site inventory in order to meet the lower-income Regional Housing Needs Allocation (RHNA); and

WHEREAS, staff considers the Property to be an excellent location for transit-oriented housing development due to its close proximity to services and transit; and

WHEREAS, Elk Grove Municipal Code (EGMC) Section 16.88.050 allows, with City Council approval, a fee waiver of the Affordable Housing Fee when a developer has agreed to donate land that has a value equal to or greater than the potential fee payment; and

WHEREAS, on January 13, 2021, the City Council authorized staff to negotiate the dedication of the Property in exchange for a waiver of the Affordable Housing Fees imposed in connection with the development of the 391 single family residential units, as identified on the Sheldon Farms North Small Lot Tentative Subdivision Map; and

WHEREAS, no funds will be expended from the City's Affordable Housing Fund to accept the dedicated Property. The City's Affordable Housing Fund will forgo the future collection of Affordable Housing Fees associated with development of the 391 single family residential units depicted on the Sheldon Farms North Small Lot Tentative Subdivision Map; and

WHEREAS, staff has reviewed the Property Phase I and Limited Phase II Environmental Site Assessment (ESA), prepared by Geocon Consultants, Inc., which found no environmental concerns.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elk Grove finds that the acquisition of the Property is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption) based upon the following finding:

Finding The acquisition of the Property is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3).

Evidence: CEQA Guidelines Section 15061(b)(3) states that an activity is covered by the Common Sense Exemption where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. There is no possibility that the proposed property acquisition will result in a physical change in the environment. The Property consists of vacant land within the Sheldon Farms Land Use Policy Area, which is an approximately 146-acre area planned to contain a mixed-use village, a range of residential densities, and open space uses. The dedication of the Property to the City does not approve any development project, nor does it disturb the physical environment. The dedication of the Property at this point is only a transfer of property ownership, without a physical development project or proposal at this time. Any future development of the site would be subject to review under Title 23 (Zoning) of the Elk Grove Municipal Code and CEQA. Therefore, the proposed dedication is exempt from CEQA review; and

BE IT FURTHER RESOLVED, that the City Council finds the acquisition of the Property to be consistent with the City's General Plan as required by Elk Grove Municipal Code Section 23.10.030 and Government Code Section 65402(a) based upon the following finding:

Finding The dedication of the Property is consistent with the General Plan.

Evidence: The dedication of the Property is consistent with the General Plan as it would present an opportunity to facilitate the construction of housing consistent with General Plan Goal H-1 of "adequate sites to accommodate the City's housing needs" and Goal H-2 of "adequate housing stock to meet the needs of lower-income households and special needs groups."

AND, BE IT FURTHER RESOLVED, that the City Council of the City of Elk Grove hereby ratifies the Agreement for Dedication of Land and Affordable Housing Fee Waiver with JEN California 18, LLC, a California limited liability company for Lot B of the Sheldon Farms North Small Lot Tentative Subdivision Map [a portion of APN: 116-0012-051]; and

BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove authorizes the close of escrow of the Property.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 12th day of May 2021




BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:


JONATHAN P. HOBBS,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2021-124

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 May 12, 2021 by the following vote:

AYES: **COUNCILMEMBERS:** *Singh-Allen, Nguyen, Hume, Spease, Suen*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California