

**RESOLUTION NO. 2023-081**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
FINDING NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED PURSUANT TO  
STATE CEQA GUIDELINES SECTION 15183 AND APPROVING A TENTATIVE  
SUBDIVISION MAP AND DESIGN REVIEW FOR SUBDIVISION LAYOUT EXTENSION  
FOR THE CREEKSIDE ESTATES PROJECT (PLNG23-002)  
ASSESSOR PARCEL NUMBER 127-0140-040**

**WHEREAS**, the Development Services Department of the City of Elk Grove (the “City”) received an application on January 4, 2023, from Mauricio David Garcia (Property Owner and Applicant) requesting a Rezone and Tentative Subdivision Map and Design Review for Subdivision Layout Extension for the Creekside Estates Project PLNG23-002 (the “Project”); and

**WHEREAS**, the proposed Project is located on real property in the incorporated portions of the City more particularly described as APN’s 127-0140-040; and

**WHEREAS**, the Development Services Department considered the Project request pursuant to the Elk Grove General Plan, Elk Grove Municipal Code (EGMC) Title 22 (Land Development) and Title 23 (Zoning Code), and all other applicable state and local regulations; and

**WHEREAS**, the Planning Commission held a duly-noticed public hearing on March 16, 2023, 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 voted 4-0-1 to recommend approval of the Project to the City Council; and

**WHEREAS**, the City Council held a duly-noticed public hearing on April 12, 2023, 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 for the Project under CEQA Guidelines pursuant to State CEQA Guidelines Section 15183 based upon the following finding:

**California Environmental Quality Act (CEQA)**

Finding: No further environmental review is required for the Project under CEQA pursuant to State CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

Evidence: CEQA requires analysis of agency approvals of discretionary “projects.” A “project,” under CEQA, is defined as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment” (State CEQA Guidelines Section 15378). The proposed Project is a project under CEQA.

CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) identifies when projects are consistent with the development density established by 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 Elk Grove General Plan (SCH# 2017062058). The Project is subject to the General Plan’s Mitigation Monitoring and Reporting Program (MMRP).

The General Plan EIR relies on Vehicle Miles Traveled (VMT) as a measure of transportation impacts. As part of the original Project, the Applicant provided a VMT Analysis to determine if the Project complies with City of Elk Grove General Plan Policy MOB-1-1 adopted to reduce VMT and achieve State-mandated reductions on VMT. According to the analysis, the Project would not exceed the City’s VMT limit for the Estate Residential land use.

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. No other special circumstances exist that would create a reasonable possibility that the Project will have a significant adverse effect on the environment. Therefore, pursuant to State CEQA Guidelines Section 15183, no further environmental review is required.

**AND BE IT FURTHER RESOLVED** that the City Council of the City of Elk Grove hereby approves a Tentative Subdivision Map and Design Review for Subdivision Layout Extension for the Project as described in Exhibit A and illustrated in Exhibit B, based upon the following finding:

### **Tentative Subdivision Map Extension**

Finding: The Applicant’s request to further extend the life of the previously-approved TSM is permitted by the Subdivision Map Act.

Evidence: Section 66452.6(e) of the California Subdivision Map Act allows the life of an approved or conditionally-approved tentative map to be extended for a period or periods not exceeding a total of six years. The Tentative Subdivision Map (TSM) was originally approved by the City Council on February 12, 2020. The Applicant is requesting a map extension of 36 months to keep the current entitlements active to allow for the processing of the final map. The Subdivision Map Act (SMA) allows for an extension as long as the City-approved extensions do not exceed six years as stated in SMA Section 66452.6(e). The proposed time extension would extend the life of the TSM and Design Review for Subdivision Layout from February 12, 2023, to February 12, 2026. The Design Review for Subdivision Layout, which was approved concurrently with the original entitlement, will be extended for the same time period. The requested extension of time of 36 months is consistent with the SMA and the EGMC. Since approval of the Project on February 12, 2020, the City

made a series of amendments to the EGMC to facilitate implementation of the comprehensive General Plan update. This included the rezonings of properties around the City to align the site zoning with the General Plan land use designation, as required by State law. As part of this effort, the Project site, as well as properties directly to the north, west, and east were all rezoned to AR-1. In order to move forward with the Tentative Map Extension request, the Project site is required to be rezoned back to RD-4 consistent with the original Creekside Estates Project approvals. As a result, the extension of the TSM and Design Review for Subdivision Layout are conditionally approved subject to the Rezone becoming effective. The Project will remain subject to the Conditions of Approval of the original TSM and Design Review for Subdivision Layout [Creekside Estates Project (PLNG18-103)].

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 12<sup>th</sup> day of April 2023




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

ATTEST:

  
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:

  
JONATHAN P. HOBBS,  
CITY ATTORNEY

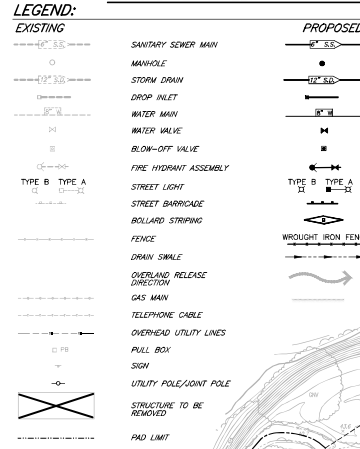
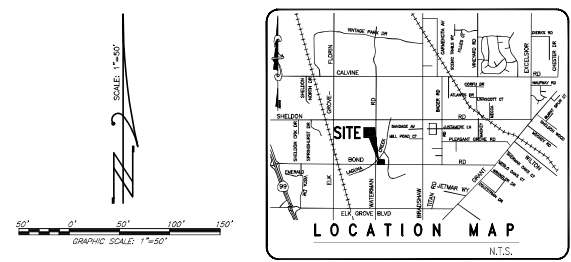
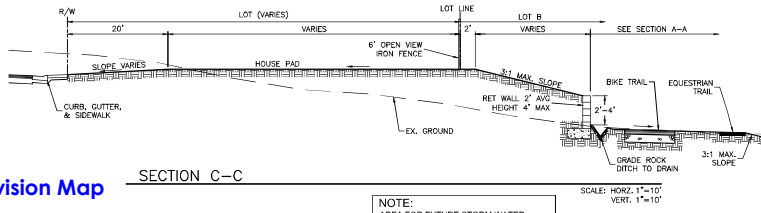
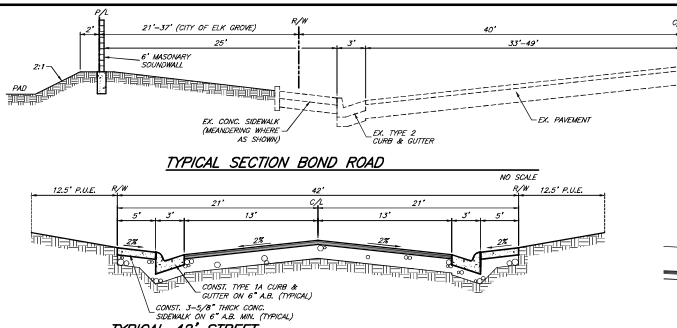
**Exhibit A**  
**Creekside Estates Project (PLNG23-002)**  
**Project Description**

**PROJECT DESCRIPTION**

The Creekside Estates Rezone and Map Extension (the “Project”) consists of a Rezone to amend the zoning designation of ±7.79 gross acres from the Agricultural Residential-1 (AR-1) designation to the Low Density Residential (RD-4) designation; and a 36-month time extension to the previously-approved Creekside Estates Project (PLNG18-103) which would subdivide the approximately 7.79-acre parcel into 15 single-family residential lots, one open space lot, and one drainage lot. The time extension would extend the expiration date of the Tentative Subdivision Map (TSM) and Design Review for Subdivision Layout from February 12, 2023, to February 12, 2026. The Project will remain subject to the Conditions of Approval of the original TSM and Design Review for Subdivision Layout [Creekside Estates Project (PLNG18-103)].

# EXHIBIT B

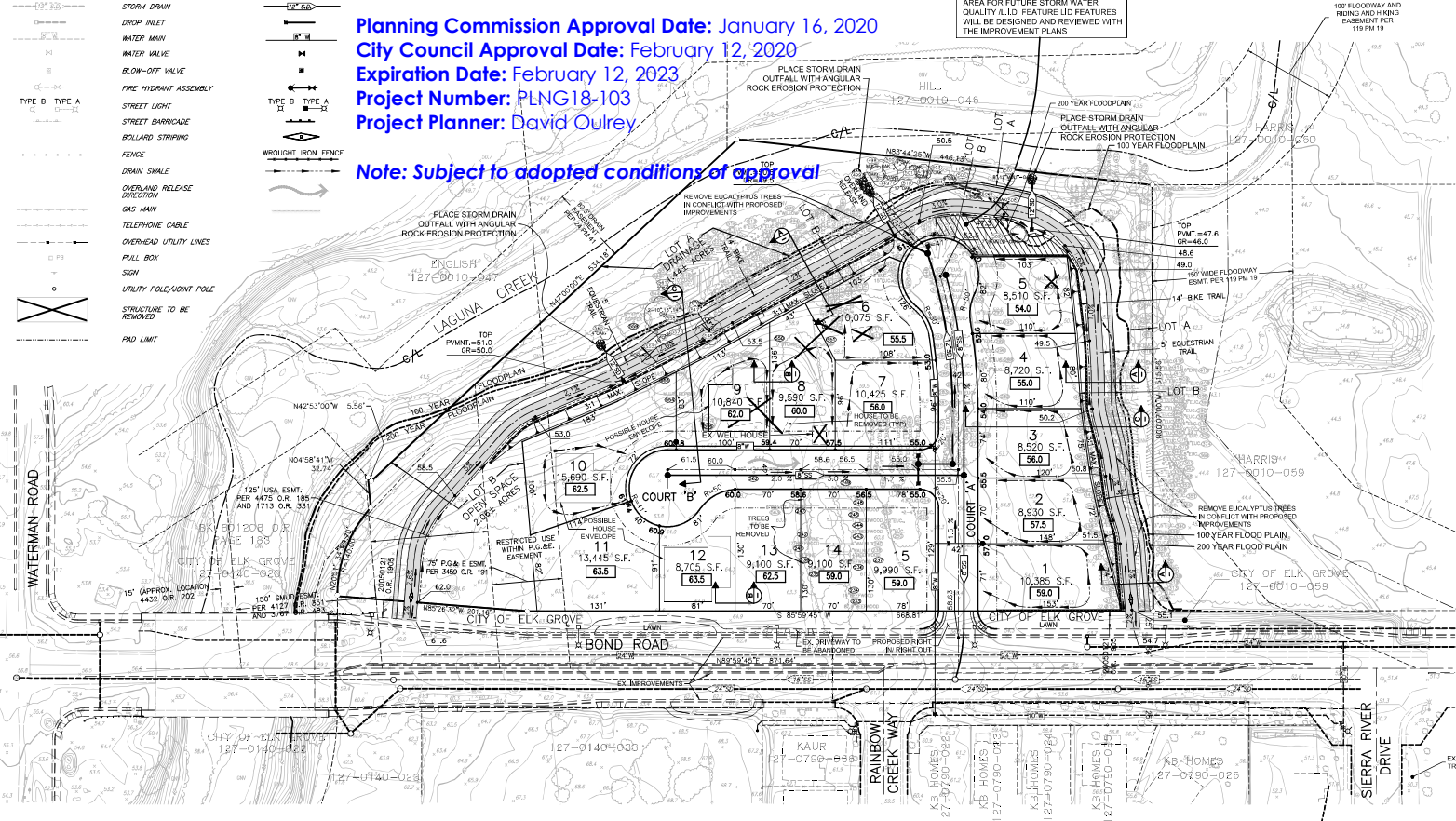
## TENTATIVE SUBDIVISION MAP CREEKSIDE ESTATES CITY OF ELK GROVE, SACRAMENTO COUNTY, CALIFORNIA PLNG-18-103 BAKER-WILLIAMS ENGINEERING GROUP JANUARY 14, 2020



**City of Elk Grove  
Approved Tentative Subdivision Map**

**Planning Commission Approval Date: January 16, 2020**  
**City Council Approval Date: February 12, 2020**  
**Expiration Date: February 12, 2023**  
**Project Number: PLNG18-103**  
**Project Planner: David Oulrey**

**Note: Subject to adopted conditions of approval**



**PROJECT DATA**

**OWNER/DEVELOPER**  
FRANK WINTON, INC.  
9026 ACORN RIDGE CIR. #2  
ELK GROVE, CALIFORNIA 95758  
PH: (916) 690-1892

**ENGINEER**  
BAKER-WILLIAMS ENGINEERING GROUP  
6000 BUTLAND DRIVE, SUITE 19  
CARMICHAEL, CALIFORNIA 95608  
PH: (916) 331-4430  
FAX: (916) 331-4430

**ASSESSOR'S PARCEL NUMBER**  
127-0140-040

**AGEAGE**  
7.79 ACRES GROSS  
4.304 ACRES NET (LESS LOTS A & B)

**EXISTING USE**  
1 SINGLE FAMILY RESIDENCE

**PROPOSED USE**  
15 SINGLE FAMILY RESIDENCES  
2 OPEN SPACE LOTS  
(LOT A DEDICATED TO THE CITY OF ELK GROVE)  
(LOT B DEDICATED TO COMMUNES COMMUNITY SERVICES DISTRICT)

**EXISTING ZONING**  
RD-4

**PROPOSED ZONING**  
RD-4

**NUMBER OF LOTS**  
15 RESIDENTIAL LOTS  
2 OPEN SPACE LOTS  
(LOT A DEDICATED TO THE CITY OF ELK GROVE)  
(LOT B DEDICATED TO COMMUNES COMMUNITY SERVICES DISTRICT)

**SEWER**  
CITY OF SACRAMENTO  
5450 - (916) 875-8730

**WATER SUPPLY**  
WATER WORKS (S & SDWA ZONE 40)  
9257 ELK GROVE BLVD., #A ELK GROVE, CA 95624  
(916) 685-3556

**DRAINAGE**  
CITY OF ELK GROVE - (916) 683-7111

**FIRE PROTECTION**  
ELK GROVE COMMUNITY SERVICES DISTRICT  
850 ELK GROVE BLVD., SUITE 2  
ELK GROVE, CA 95624 - (916) 685-9502

**ELECTRIC SERVICES**  
SMUD - (916) 732-5709  
P.O. BOX 12650, SACRAMENTO, CA 95852

**GAS SUPPLY**  
P.G. & E. - (916) 386-5013  
1555 FOLAN HIGHWAY ROAD  
SACRAMENTO, CA 95828

**TELEPHONE SERVICES**  
COMCAST - (916) 584-5473

**CABLE TELEVISION**  
FRONTIER COMMUNICATIONS - (916) 691-5612  
9324 WEST STOCKTON BLVD.  
ELK GROVE, CA 95758

**SCHOOL DISTRICT**  
ELK GROVE UNIFIED SCHOOL DISTRICT

**PARK DISTRICT**  
ELK GROVE COMMUNITY SERVICES DISTRICT

**PROPOSED IMPROVEMENTS**  
CITY OF ELK GROVE STANDARDS

**LEGAL DESCRIPTION**

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF SACRAMENTO, CITY OF ELK GROVE, AND IS DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 4 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE SECTION CORNER COMMON TO SECTION 29, 30, 31 AND 32, TOWNSHIP 7 NORTH, RANGE 4 EAST, WHICH PORTION IS FURTHER DESCRIBED AND LOCATED AT THE INTERSECTION OF THE CENTER LINE OF A COUNTY ROAD KNOWN AS BOND ROAD, RUNNING EAST AND WEST AND THE CENTER LINE OF A COUNTY ROAD KNOWN AS WATERMAN ROAD, RUNNING NORTH AND SOUTH, THENCE FROM SAID POINT OF BEGINNING, ALONG THE SOUTH LINE OF SAID SECTION 29, AND ALONG THE CENTER LINE OF SAID BOND ROAD, EAST 124.88 FEET, THENCE NORTH 89 DEGREES 57 MINUTES WEST 156.56 FEET, THENCE NORTH 83 DEGREES 44 MINUTES WEST 446.16 FEET, THENCE SOUTH 47 DEGREES 09 MINUTES WEST 54.18 FEET, THENCE NORTH 42 DEGREES 53 MINUTES WEST 76.5 FEET, THENCE SOUTH 57 DEGREES 10 MINUTES WEST 401.68 FEET TO THE WEST LINE OF SECTION 29 AND THE CENTER LINE OF SAID WATERMAN ROAD, THENCE, ALONG THE WEST LINE OF SAID SECTION 29, SOUTH 68 DEGREES 58 MINUTES WEST 84.24 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PORTION CONVEYED TO THE CITY OF ELK GROVE, A MUNICIPAL CORPORATION IN THAT CERTAIN GRANT DATED FEBRUARY 2, 2004, RECORDED JANUARY 21, 2005, IN BOOK 2008181 PAGE 1986, OFFICIAL RECORDS.

A.P.N. 127-0140-040

**TREE REMOVAL CHART**

TREE NUMBER	TYPE	SIZE
50B	oak	12"
TOTAL INCHES		12"

**BENCH MARK:**  
2" BRASS DISC ON NW CORNER OF BRIDGE ABUTMENT ON WATERMAN ROAD OVER LAGUNA CREEK 180' NORTH OF BOND ROAD, SACRAMENTO COUNTY BENCH MARK # B.M. 10-76 ELEV. 58.73 (NGVD 29)

- NOTES:**
1. ALL EUCALYPTUS TREES WITHIN STREET RIGHT OF WAY, TRAILS OR LOT LIMITS ARE TO BE REMOVED.
  2. THERE IS ONE WELL AND A SEPTIC TANK TO BE ABANDONED.
  3. TOPOGRAPHY WITHIN BOND ROAD IS SHOWN AS EXISTING PRIOR TO RECENT IMPROVEMENTS.
  4. ABANDON ALL SEPTIC TANKS.
  5. LOTS A & B TO BE DEDICATED TO THE CITY OF ELK GROVE.

**EASEMENT STATEMENT:**  
HEREBY STATE THAT ALL EASEMENTS AS INDICATED IN PLACER TITLE COMPANY PRELIMINARY TITLE REPORT NO. P247626 DATED AUGUST 15, 2018 HAVE BEEN SHOWN HEREON AND/OR HAVE BEEN ACCOUNTED FOR IN NOTES PLACED HEREON. ALL EASEMENTS PROPOSED TO BE ABANDONED OR QUICLY ABANDONED AND ALL EASEMENTS THAT CANNOT BE LOCATED ARE NOTED HEREON.

*John K. Jeffries*  
JOHN K. JEFFRIES L.S. 7620  
LICENSE EXPIRES 12/31/2019

**ACREAGE STATEMENT:**  
THE GROSS ACREAGE OF THE OVERALL PARCEL MAP IS 7.79 ACRES GROSS AND 4.36 ACRES NET AS DETERMINED BY RECORD INFORMATION.

*John K. Jeffries*  
JOHN K. JEFFRIES L.S. 7620  
LICENSE EXPIRES 12/31/2019

**Baker Williams Engineering Group**

6020 BUTLAND DRIVE, SUITE 19  
CARMICHAEL, CA 95616-0515  
Phone (916) 331-4336 Fax (916) 331-4430  
EMAIL: office@bwiengr.com

**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2023-081**

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 April 12, 2023 by the following vote:*

**AYES:           COUNCILMEMBERS:       Singh-Allen, Spease, Brewer, Robles, Suen**

**NOES:           COUNCILMEMBERS:       None**

**ABSTAIN:       COUNCILMEMBERS:       None**

**ABSENT:        COUNCILMEMBERS:       None**

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