

1 ROB BONTA
Attorney General of California
2 CHRISTINA BULL ARNDT
Supervising Deputy Attorney General
3 MATTHEW T. STRUHAR
Deputy Attorney General
4 State Bar No. 293973
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 210-7246
Fax: (916) 327-2319
7 E-mail: Matthew.Struhar@doj.ca.gov

8 *Attorneys for Petitioners and Plaintiffs*
the People of California, ex rel. Rob Bonta, Attorney
9 *General, and the California Department of Housing*
and Community Development

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF SACRAMENTO

14 **THE PEOPLE OF CALIFORNIA EX**
15 **REL. ROB BONTA, ATTORNEY**
16 **GENERAL, and THE CALIFORNIA**
DEPARTMENT OF HOUSING AND
COMMUNITY DEVELOPMENT,
17
18 **Petitioners and Plaintiffs,**
19
20
21 **THE CITY OF ELK GROVE, a municipal**
corporation, and DOES 1-25, INCLUSIVE,
22
23 **Respondents and Defendants.**

Case No.
PETITION FOR WRIT OF MANDATE
AND COMPLAINT FOR INJUNCTIVE
AND DECLARATORY RELIEF
(Gov. Code, §§ 65913.4, 65589.5, 65008,
8899.50; Code Civ. Proc., §§ 1085, 1094.5,
1060)

24
25 **OAK ROSE APTS LP,**
26 **Real Party In Interest.**

1 **INTRODUCTION**

2 1. The People of the State of California, acting by and through Attorney General Rob
3 Bonta, and the California Department of Housing and Community Development (collectively, the
4 People), seek a writ of mandate and injunctive relief directing respondent the City of Elk Grove
5 (the City) to set aside the City’s disapproval of an application for a proposed multifamily
6 supportive housing development project (Project) in the City and to approve the Project. The
7 Project would provide housing for low-income individuals and families, as well as to people with
8 disabilities.

9 2. The City’s disapproval of the Project violated Government Code section 69513.4,
10 commonly known as Senate Bill (SB) 35, which required the City to approve the Project through
11 a streamlined, ministerial process because the Project satisfied objective planning standards. The
12 City found that the Project was inconsistent with a mixed-use zoning standard that requires
13 pedestrian-oriented ground floor use, but that ground floor use restriction (referred to herein as
14 the Use Restriction) cannot supply the basis for denial of a SB 35 project because it is not an
15 *objective* standard. Rather, it vests the City’s Planning Director with the discretion to determine
16 compliance based on subjective criteria. Under the City’s applicable land use rules for the Old
17 Town Special Planning Area (OTSPA), the Planning Director may approve projects that either
18 comply with the Use Restriction *or*, in the judgment of the Planning Director, further the City’s
19 goals in creating the OTSPA. Its enforcement therefore depends on the discretion of one
20 individual. To qualify as objective, however, a standard must “involve *no* personal or subjective
21 judgment by a public official[.]” (Gov. Code, § 65913.4, subd. (a)(5).)¹ Because the Use
22 Restriction’s application ultimately depends on the subjective judgment of a public official, the
23 Use Restriction is not objective for purposes of SB 35, and the City violated SB 35 in applying
24 the Use Restriction to the Project.

25 3. In addition, SB 35 provides that a project complies with any restrictive zoning
26 standard related to density when it complies with the general plan density. The Use Restriction, as
27 applied by the City in this case, plainly relates to housing density because it significantly limits

28 ¹ All statutory references are to the Government Code unless otherwise indicated.

1 the number of units that can be feasibly built on site by relegating residences to the second and
2 third floors. The Project thus automatically complies with the Use Restriction because the
3 Project's density is within the maximum allowed under the City's general plan. As a result, the
4 City violated SB 35 when it determined that the Project was inconsistent with the Use Restriction
5 and thus ineligible for streamlined, ministerial approval.

6 4. Furthermore, the City did not timely assert that the Project was inconsistent with the
7 Use Restriction. SB 35 requires the City to state its reasons for an inconsistency with the
8 objective standards within 60 days. Here, the City's determination letter (the Determination) did
9 not fault the Project for including ground floor residences, but simply sought more information on
10 whether the Project would include ground floor commercial uses. At no point within 60 days of
11 the application did the City make a determination, and provide documentation to the applicant to
12 the effect, that the Project violated the Use Restriction by including ground floor residential uses.
13 As a result, SB 35 deemed the Project compliant with any local prohibition on ground floor
14 residential development, and the City could not rely on the Use Restriction to deny the Project
15 streamlined, ministerial approval.

16 5. The City also violated the Housing Accountability Act (section 65589.5) by enforcing
17 the Use Restriction, which is a subjective standard, and failing to timely notify the Project
18 applicant that the inclusion of ground-floor residences in the Project was the basis of the decision.
19 Therefore, the City was not allowed to rely on that purported inconsistency to deny the Project.

20 6. The City violated the Nondiscrimination in Land Use Law, Section 65008 of the
21 Government Code. That statute prohibits local agencies from making land use decisions that have
22 either a discriminatory effect or were motivated by discriminatory intent. Here, the application of
23 the Use Restriction to the Project had a discriminatory effect. Around the same time, the City
24 rejected the Project, the City approved a market-rate housing development that was the same in
25 all relevant respects, including the existence of ground-floor residences, notwithstanding the Use
26 Restriction. The City has a deep shortage of affordable housing opportunities, including
27 supportive housing, for low-income and disabled residents, who would have benefited from the
28 Project. As a result of the City's actions, low-income persons, housing insecure persons, persons

1 with disabilities, and others in need of supportive housing will be left with fewer affordable
2 housing opportunities in the City. The application of the Use Restriction here did not further
3 legitimate City objectives, as the record indicates that the Project would actually advance the
4 City's policy goals.

5 7. The City's application of the Use Restriction was motivated by discriminatory intent,
6 as evidenced by City officials' hostility to high-density supportive housing in that neighborhood.
7 For example, the City's adoption of a more flexible interpretation of the Use Restriction when
8 considering a similar market-rate project suggests the City rejected the Project because of the
9 identity of its intended residents, not because it included ground-floor residences.

10 8. The City also violated the affirmatively furthering fair housing statute (the AFFH
11 Statute) at Government Code Section 8899.50. In disapproving the Project, the City took action
12 materially inconsistent with its obligation to affirmatively further fair housing. The City's
13 decision to disapprove the Project had a material impact on lower-income families and people
14 with disabilities. Protected classes for purposes of AFFH duties applicable to the City's land use
15 policies and practices include persons with disabilities and persons or families of very low, low,
16 or moderate income. (See, e.g., §§ 65008, subds. (a)(1)(A), (a)(1)(B)(3), (b)(1)(B)(i), (b)(1)(C);
17 65583, subd. (c)(5).) When viewed in light of other actions by the City, including, though not
18 limited to, its more favorable treatment of a comparable market-rate project and its efforts to
19 move the Project to a less resourced part of town, this constitutes a violation of the AFFH Statute.

20 9. As a result of the City's denial of the Project, the People will suffer irreparable harm
21 to their interests. Due to decades of local failure to permit new housing opportunities, like the
22 City's denial here, California is suffering from a crisis-level housing shortage that is
23 "compounding opportunity and limiting advancement opportunities for many Californians." (§
24 65589.5, subd. (a)(2)(F).) This has imposed serious financial hardship on Californians in multiple
25 ways. As a direct consequence of the City's disapproval of the Project, the State will have 66
26 fewer housing opportunities available for Californians struggling with housing insecurity. The
27 People have no adequate remedy at law for this irreparable harm.

28

1 **PARTIES**

2 10. The Attorney General, as the chief law enforcement officer of the State of California,
3 brings this action under his broad independent powers to enforce state laws. (Cal. Const., art. V,
4 § 13; see also § 65585, subd. (n).)

5 11. The California Department of Housing and Community Development (HCD) is the
6 chief regulatory agency overseeing the implementation of the State’s housing laws, including SB
7 35, the Housing Accountability Act, the Nondiscrimination in Land Use Law, and the AFFH
8 Statute. (See § 65585, subd. (j).)

9 12. The People are informed and believe, and on that basis allege, that Real Party In
10 Interest Oak Rose Apts LP (the Applicant) is a California limited partnership that is qualified to
11 do business in California and conducts business in California.

12 13. The City is and was, at all times mentioned herein, a municipal corporation organized
13 and existing under the laws of the State of California, and it is located in the County of
14 Sacramento.

15 14. The People are unaware of the true names and capacities of Respondents Does 1
16 through 20, inclusive, and sue them under these fictitious names. The People are informed and
17 believe, and on that basis allege, that the fictitiously named respondents are also responsible for
18 the actions described in this Petition. When the true identities and capacities of these respondents
19 have been determined, the People will amend this Petition, with leave of the Court if necessary, to
20 insert such identities and capacities.

21 **JURISDICTION AND VENUE**

22 15. The Court has jurisdiction over the matters alleged in this Petition pursuant to
23 California Code of Civil Procedure sections 1085, 1094.5, and 1060.

24 16. Venue for this action properly lies in Sacramento County Superior Court pursuant to
25 Code of Civil Procedure sections 394 (actions against a city, county, or local agency) and 395
26 (actions generally) because the City’s main offices are located in Sacramento County and the
27 violations of State law alleged in this Petition arose in Sacramento County.
28

1 **GENERAL ALLEGATIONS**

2 **The Housing Crisis**

3 17. California has a crisis-level housing shortage that stems in part from the failure of
4 local governments to approve affordable housing to meet the needs of all Californians. For
5 decades, the Legislature has found that California has been suffering from ““a severe shortage of
6 affordable housing, especially for persons and families of low and moderate income”” and that
7 ““there is an immediate need to encourage the development of new housing.”” (*Ruegg &*
8 *Ellsworth v. City of Berkeley* (2021) 63 Cal.App.5th 277, quoting Gov. Code, § 65913.) With
9 recent amendments to the Housing Accountability Act, the Legislature stated plainly that
10 “California has a housing supply and affordability crisis of historic proportions.” (§ 65589.5,
11 subd. (a)(2)(A).) “The consequences of failing to effectively and aggressively confront this crisis
12 are hurting millions of Californians, robbing future generations of the chance to call California
13 home, stifling economic opportunities for workers and businesses, worsening poverty and
14 homelessness, and undermining the state’s environmental and climate objectives.” (*Ibid.*)

15 18. The lack of attainable housing has a particularly acute effect on those struggling to
16 find housing or stay housed. California has the largest homeless population of any state, with
17 161,658 homeless people as of January 2020. (See 2020 Annual Homelessness Assessment
18 Report (AHAR) to Congress, United States Department of Housing and Urban Development
19 (HUD), January 2021, available at [https://www.huduser.gov/portal/sites/default/files/pdf/2020-](https://www.huduser.gov/portal/sites/default/files/pdf/2020-AHAR-Part-1.pdf)
20 [AHAR-Part-1.pdf](https://www.huduser.gov/portal/sites/default/files/pdf/2020-AHAR-Part-1.pdf).) A study by the Stanford Institute for Economic and Policy Research found an
21 association between homelessness and high housing costs. ([Homelessness in California: Causes](#)
22 [and Policy Considerations | Stanford Institute for Economic Policy Research \(SIEPR\)](#) .) “One key
23 factor exacerbating the housing supply shortage,” the study found, “is the single-family zoning
24 and local opposition to housing, often embodied by the ‘not in my backyard,’ or NIMBY,
25 sentiment.” (*Ibid.*) Other factors include the high costs and uncertainties associated with lengthy
26 processes to approve new housing developments. (*Ibid.*)

27 19. These factors make it especially difficult to develop new supportive housing.
28 Supportive housing is *permanent* housing occupied by individuals and families who were

1 previously experiencing homelessness, and “linked to onsite or offsite services that assist the
2 supportive housing resident in retaining the housing, improving his or her health status, and
3 maximizing his or her ability to live and, when possible, work in the community.” (Health & Saf.
4 Code, § 50675.14, subd. (b)(2).)

5 20. Local roadblocks to housing development heighten the daunting obstacles to
6 developing new permanent supportive housing. As the Turner Center for Housing Innovation at
7 the University of California, Berkeley, found, local governments “contribute both directly and
8 indirectly to rising costs through local regulations (like parking or local design requirements) and
9 entitlement delays.” (Turner Center, *Commentary and Analysis: Why Does It Cost So Much to*
10 *Build in California? And Why It Still Matters in the Current Crisis*, published on Mar. 30, 2020,
11 retrieved September 25, 2022.) “When it comes to affordable housing production, these
12 regulations, delays and requirements can be even more onerous and costly.” (*Ibid.*) “NIMBY
13 opposition to affordable housing also remains a significant barrier to more efficient production,
14 and often leads to design and project-size concessions that increase costs and reduce the number
15 of affordable units produced.” (*Ibid.*)

16 **California’s Laws Intended to Address the Crisis-Level Housing Shortage**

17 21. In California, cities and counties generally take the lead role in regulating land use.
18 To regulate land use, local governments must adopt a general plan, which serves as the
19 constitution for local planning and zoning within the jurisdiction. The general plan includes
20 various mandatory elements, one of which is the housing element. Article 10.6 of the Government
21 Code—also known as the Housing Element Law—governs the contents and implementation of
22 the housing element, and it provides the procedures for adopting and cyclically revising the
23 housing element.

24 22. Under the Housing Element Law, local governments must revise their housing
25 elements on a regular basis, either every 5 or 8 years. With each revision, the housing element
26 must accommodate the local jurisdiction’s regional housing need allocation (RHNA) for four
27 income levels: very low-, low-, moderate-, and above moderate-income households. This is done
28 by identifying adequate sites for the development of affordable housing and, within three years,

1 rezoning those sites to enable affordable housing development if necessary. For metropolitan
2 areas like the greater Sacramento area, the Legislature has determined that those sites should
3 allow a minimum of 30 units per acre for the development of lower-income housing.²

4 23. There is an important distinction between *accommodating* RHNA targets and *meeting*
5 RHNA targets. Accommodating RHNA targets entails adopting land use policies that enable the
6 development of housing. Meeting RHNA targets means the housing for each income level
7 actually develops within the local jurisdiction.

8 24. SB 35 only applies in jurisdictions that have failed to make adequate progress toward
9 *meeting* their RHNA. (§ 65913.4, subd. (a)(4).) HCD tracks that progress by requiring local
10 governments to submit production reports. Local governments that have made insufficient
11 progress toward their lower-income RHNA, but have met their RHNA for above-moderate
12 income households, must adhere to SB 35 in considering an application for a project that sets
13 aside 50% of its units for lower-income households. (*Ibid.*) That includes the City. (See HCD’s
14 SB 35 Statewide Determination Summary, available at [https://www.hcd.ca.gov/community-](https://www.hcd.ca.gov/community-development/accountability-enforcement/docs/sb35determinationsummary10012020.pdf)
15 [development/accountability-enforcement/docs/sb35determinationsummary10012020.pdf](https://www.hcd.ca.gov/community-development/accountability-enforcement/docs/sb35determinationsummary10012020.pdf).)

16 25. In 1982, the Legislature adopted the Housing Accountability Act, which is part of the
17 Housing Element Law. The Housing Accountability Act “cabins the discretion of a local agency
18 to reject proposals for new housing” by limiting the grounds on which local governments may
19 disapprove new housing on sites zoned to accommodate it. (*California Renters Legal Advocacy &*
20 *Education Fund v. City of San Mateo* (2022) 68 Cal.App.5th 820, 844.) With the Housing
21 Accountability Act, the Legislature aimed to “meaningfully and effectively curb[] the capability
22 of local governments to deny, reduce the density for, or render infeasible housing development
23 projects.” (§ 65589.5, subd. (a)(2)(K).) The Housing Accountability Act, in its initial iteration,
24 failed to achieve that goal. (*Ibid.*) That historical failure prompted the Legislature to strengthen the
25 Housing Accountability Act by barring local governments from disapproving projects that comply
26 with *objective* planning and zoning standards unless they can make specified health

27 _____
28 ² The Health and Safety Code sets standards to determine whether a household is very low-, low-, or moderate-income. (See Health & Saf. Code, §§ 50105, subsd. (a), (b), 50093.)

1 and safety findings. (See § 65589.5, subd. (j)(1).) It defines “objective” as involving “no personal
2 or subjective judgment by a public official” and requires those standards to be “uniformly
3 verifiable by reference to an external and uniform benchmark or criterion available and knowable
4 by both the development applicant or proponent and the public official.” (§ 65589.5, subd. (h)(8),
5 italics added.) In addition, under the Housing Accountability Act, cities may not deny lower-
6 income housing projects unless they make additional findings that they are meeting their RHNA,
7 or the project would have a specific, adverse, and unmitigatable impact on public health or safety,
8 or the denial is required by state or federal law, or the site is inappropriate for other specific
9 reasons. (§ 65589.5, subd. (d).)

10 26. In 2017, the Legislature adopted SB 35. SB 35 requires local governments to provide
11 a specific “streamlined, ministerial approval process” to a proposed urban infill housing
12 development. (§ 65913.4, subd. (a).) To qualify for ministerial approval under SB 35, a proposed
13 project must comply with the local government’s objective zoning, subdivision, and design
14 review standards in place when the application is submitted. (§ 65913.4, subd. (a)(5).) Under SB
15 35, objective standards are those “that involve no personal or subjective judgment by a public
16 official and are uniformly verifiable by reference to an external and uniform benchmark or
17 criterion available and knowable by both the development applicant or proponent and the public
18 official before submittal.” (*Ibid.*)

19 27. If a local government determines that an SB 35 application fails to comply with any
20 of the objective planning standards, it must provide the developer with “written documentation of
21 which standard or standards the development conflicts with, and an explanation for the reason or
22 reasons the development conflicts with that standard or standards,” within 60 days of the
23 submittal if the project “contains 150 or fewer housing units.” (§ 65913.4, subd. (c)(1)(A).) “If
24 the local government fails to provide” that documentation, then “the development shall be
25 deemed to satisfy the objective planning standards.” (§ 65913.4, subd. (c)(2).)

26 28. The Density Bonus Law offers another tool to address California’s housing crisis by
27 incentivizing development of affordable housing. (§ 65915.) It allows developers of lower-
28 income housing to build at a greater density than would otherwise be allowable under the general

1 plan, based on the level of affordability. A project offering 100 percent of its units (exclusive of
2 the manager’s unit) for lower income households is entitled to an 80-percent increase in
3 permissible density. (§ 65915, subds. (b)(1)(G), (f)(3)(D).)

4 29. The Density Bonus Law also requires local jurisdictions to grant development
5 incentives or concessions, based on the percentage of affordability, unless the jurisdiction makes
6 one of three findings: that the request would not result in actual cost reductions, that it would
7 have a specific adverse impact on public health and safety or on an historic property, or that the
8 concession or incentive would be contrary to state or federal law. (§ 65915, subd. (d).) Similarly,
9 and subject to the same exceptions, the developer can apply for a waiver of any development
10 standard that would preclude development at the density, or with the concessions and waivers,
11 permitted by the Density Bonus Law. (§ 65915, subd. (e).)

12 **California’s Laws Intended to Address Inequities in Housing Opportunity**

13 30. California has addressed persistent segregation and inequality in housing opportunity
14 in part through a number of laws directed specifically at land use planning and permitting
15 decisions. The Nondiscrimination in Land Use Law, at Government Code Section 65008, renders
16 any action pursuant to the Planning and Zoning Law “null and void if it denies to any individual
17 or group of individuals the enjoyment of residence, landownership, tenancy, or any other land use
18 in this state because of” protected characteristics. (§ 65008, subd. (a).) No local government
19 “shall, in the enactment or administration of ordinances pursuant to any law, including [the
20 Planning and Zoning Law], prohibit or discriminate against any residential development or
21 emergency shelter” due to the protected characteristics of its residents. (*Id.*, subd. (b)(1).)
22 Protected characteristics include level-of-income and disability. (*Id.*, subds. (b)(1)(B), (b)(1)(C).
23 Finally, no local government may impose different requirements on subsidized or other low-
24 income housing projects than it imposes on market-rate projects. (*Id.*, subd. (d)(1)-(2)(A).)

25 31. Section 65008 outlaws land use decisions that have a discriminatory effect or were
26 motivated by discriminatory intent. (See *Martinez v. City of Clovis* (April 7, 2023, F082914) __
27 Cal.App.4th __ [2023 WL 2820092 at *44].)

28

1 32. In addition, the AFFH Statute requires all public agencies to “tak[e] meaningful
2 actions, in addition to combating discrimination, that overcome patterns of segregation and foster
3 inclusive communities free from barriers and restrict access to opportunity based on protected
4 characteristics.” (§ 8899.50, subd. (a)(1).) Public agencies must take actions that “address
5 significant disparities in housing needs and in access to opportunity, replacing segregated living
6 patterns with truly integrated and balanced living patterns, transforming racially and ethnically
7 concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance
8 with civil rights and fair housing laws.” (*Ibid.*) Notably, this obligation applies to all public
9 agencies’ activities relating to housing and community development (*ibid.*), which includes the
10 consideration of housing development proposals as well as the application of land use regulations.

11 33. Protected classes for purposes of AFFH duties applicable to the City’s land use
12 policies and practices include persons with disabilities and persons or families of very low, low,
13 or moderate income. (See, e.g., §§ 65008, subds. (a)(1)(A), (a)(1)(B)(3), (b)(1)(B)(i), (b)(1)(C);
14 65583, subd. (c)(5).)

15 **The Project**

16 34. On November 21, 2021, the Applicant, a subsidiary of Excelerate Housing Group
17 LLC, submitted a preliminary application pursuant to section 65954.1 to develop the Project. The
18 Project would include 67 units: one manager’s unit and 66 units of permanent supportive housing
19 for housing insecure individuals and individuals with disabilities at a rent affordable to lower-
20 income households. The lower-income rate is defined by Section 50079.5 of the Health & Safety
21 Code and required by the Density Bonus Law for an 80% density bonus. (See § 65915, subd.
22 (b)(1)(G).) The Project site, at 9252 Elk Grove Boulevard, is currently vacant.

23 35. After the City completed tribal consultation pursuant to SB 35, the Applicant
24 submitted a formal application under SB 35 on March 4, 2022.

25 36. The Applicant’s parent entered into an agreement with an onsite services provider,
26 Hope Cooperative, to provide supportive housing services. That agreement included a services
27 plan, which noted that the target population for the Project would include those with needs
28 relating to homelessness, mental illness, and physical disabilities.

1 37. The Project site is within the OTSPA. Although the Project site is zoned for
2 commercial uses, the OTSPA specifically allows for the development of multifamily housing at
3 the site as a matter of right. The general plan land use designation for the site is “Community
4 Commercial,” which requires mixed-use residential developments to include pedestrian-oriented
5 commercial uses. “Buildings used for 2nd and 3rd floor residential must be used for pedestrian
6 oriented commercial uses on the ground floor (i.e., retail, restaurant, or office).” (OTSPA Design
7 Standards, p. 13.) This is the Use Restriction. A true and correct copy of the OTSPA Design
8 Standards is attached as **Exhibit A**.

9 38. The OTSPA Design Standards include a list of permitted uses, which includes mixed-
10 use multifamily housing, such as residential buildings with ground-floor commercial uses. (*Id.* at
11 p. 13.) If a project’s proposed use is not a “listed use,” then “the Planning Director shall
12 determine whether the use is sufficiently similar to” such uses based on various factors, including
13 the “extent to which the proposed use would meet the objectives and goals of the [OTSPA] to
14 encourage pedestrian oriented retail, restaurant, and office uses” and the “extent to which the
15 proposed use would be compatible with the uses currently permitted” in the OTSPA’s
16 commercial zone. (*Id.* at p. 14.)

17 39. The Community Commercial land use designation provides for a density of 36.9
18 residential units per acre. Under the Density Bonus Law, the maximum residential density for the
19 Project site is thus 67 units for any project in which one hundred percent of its units are for lower
20 income households, exclusive of the manager’s unit. (§ 65915, subds. (b)(1)(G), (f)(5).) The
21 Project meets that requirement.

22 **The City’s Determination on SB 35 Eligibility**

23 40. On April 15, 2022, the City issued the Determination. The City found that the
24 application was incomplete and that it needed more information to determine whether the Project
25 would comply with the Use Restriction. The City wrote:

26 The subject property is zoned Commercial under the OTSPA. Mixed use is allowed in the
27 OTSPA Commercial zone provided that residential use is located on the 2nd or 3rd floor and
28 there is a pedestrian oriented commercial use on the ground floor. (See OTSPA, at pp. 11-
13.) The project as proposed does not currently include a pedestrian oriented commercial use

1 on the ground floor. Staff request that the applicant provides information and address the
2 mixed use compliance.

3 41. The Determination did not fault the Project for violating the Use Restriction by
4 including ground floor residences. A true and correct copy of the Determination is attached as
5 **Exhibit B.**

6 **The Planning Commission’s Consideration of the Project**

7 42. On May 5, 2022, Planning Commission staff prepared a report finding that the Project
8 did not comply with the Use Restriction and recommending that the Planning Commission find
9 that the Project is ineligible for streamlined, ministerial approval under SB 35. According to staff,
10 the Project violated the Use Restriction because the Project’s proposed ground floor office use
11 failed to satisfy “the OTSPA’s criteria for pedestrian-oriented commercial use on the ground
12 floor.” (May 5 Staff Report at p. 6.) Again, staff did not fault the Project for including first-floor
13 residential uses in alleged violation of the Use Restriction. A true and correct copy of the May 5
14 Staff Report is included as **Exhibit C.**

15 43. Nothing in the OTSPA Design Standards states that a leasing office is an inadequate
16 office use, and office use is *per se* permitted in the OTSPA Commercial zone. (See OTSPA
17 Design Standards at p. 14.) Staff’s analysis of this issue reflects *subjective* judgment on whether
18 the proposed office use was adequately pedestrian-oriented for purposes of the OTSPA.

19 44. The Applicant rebutted staff’s finding by explaining that the ground-floor office use
20 was not a leasing office. Instead, the Applicant would lease the ground floor office space to a
21 nonprofit social services organization to provide supportive housing services.

22 45. A June 2, 2022 Planning Commission staff report concluded that the Project’s density
23 complied with the Community Commercial land use designation. Staff also found that the Project
24 would be consistent with the City policy of promoting “a greater concentration of high-density
25 residential, office[,] commercial[,] or mixed-use sites[,] and ... population along identified transit
26 corridors and existing commercial corridors, in activity centers, and at other appropriate
27 locations.” Planning staff also found that the Project would be consistent with a City policy of
28 providing “an increase of housing diversity and promot[ing] walkability with the Project in close

1 proximity to other commercial businesses on Elk Grove Boulevard,” and therefore “the proposed
2 Project will be generally consistent with the General Plan.” A true and correct copy of planning
3 staff’s June 2 report on the Project is attached as **Exhibit D**.

4 46. Although staff found the Project was consistent with the general plan land use
5 designation and that it was within a density allowable under the general plan, staff recommended
6 that the Planning Commission deny streamlined, ministerial approval of the Project. Its sole basis
7 for this recommendation was the Project’s inclusion of ground floor residences.

8 47. Planning staff also found that the Project could not include ground floor residences as
9 an incentive or concession under the Density Bonus Law. According to the staff report, it “is not
10 clear under state law that [Petitioner] could be relieved of land use requirements as a
11 concession/incentive.” The staff report also faulted the Applicant for not submitting “adequate
12 information indicating that the concession or incentive would result in identifiable and actual cost
13 reductions.” (June 2 Staff Report at p. 10.)

14 48. The June 2 Planning Commission meeting was purportedly a “design review/public
15 oversight” meeting under section 65913.4, subdivision (d), which authorizes localities to conduct
16 their generally applicable design review of SB 35 projects separately from the required
17 streamlined ministerial review process, so long as the design criteria reviewed are objective. But
18 the Planning Commission used the occasion to determine whether the Project was entitled to SB
19 35’s streamlined, ministerial approval.

20 49. The Planning Commission did not limit its assessment of the Project to consistency
21 with the Use Restriction or with the project’s eligibility for SB 35’s ministerial application.
22 Instead, the public meeting entailed a public comment period dominated by Project opponents.
23 Project opponents voiced various concerns with the Project, including suspicion that the Project
24 would diminish nearby property values and lead to an increase in crime and drug use in the area;
25 most of those concerns had nothing to do with the Project’s compliance with SB 35’s objective
26 planning standards.

27 50. Commissioners justified their disapproval of the Project on various subjective factors.
28 For instance, Commissioner Juan Fernandez voiced sympathy with the Project’s goals, but faulted

1 the Project for being in the wrong place and for supplying inadequate parking. Commissioner
2 Sergio Robles praised the Project’s goal of addressing homelessness, but faulted the Project for
3 not being in “the proper location.” Planning Commission Chair George Murphy opined that the
4 Project did not comply with the OTSPA’s requirement for pedestrian-oriented commercial uses
5 on the ground floor. Chair Murphy concluded his remarks by criticizing the Legislature generally
6 and SB 35 specifically for constraining local control. A link to the full June 2 Planning
7 Commission meeting can be found here: https://elkgrove.granicus.com/MediaPlayer.php?view_id=14&clip_id=2257.
8

9 51. The Planning Commission voted to accept staff’s recommendation and to adopt a
10 resolution denying streamlined, ministerial approval of the Project. Its sole stated basis for doing
11 so was inconsistency with the Use Restriction due to the inclusion of ground floor residences.

12 52. The Applicant appealed the Planning Commission’s denial of its SB 35 application to
13 the City Council. While that appeal was pending, the City Attorney sent an email to the Applicant
14 to offer “a possible alternative site” for the Project “near Big Horn Blvd and Bruceville Road in
15 Elk Grove.” But that site provides fewer resources for the future residents of the Project, whereas
16 the OTSPA is a highly resourced area and has economic, educational, and environmental
17 advantages. On information and belief, neither the Applicant nor the City own the alternative site.

18 **The City Council’s Denial of the Petitioner’s Appeal**

19 53. The Applicant appealed the Planning Commission’s denial of the Project to the City
20 Council, claiming that it was entitled to a waiver of the Use Restriction under the Density Bonus
21 Law. The City Council held a meeting on the appeal on July 27, 2022. Like the Planning
22 Commission, the City Council invited public comment on the Project. Again, Project opponents
23 dominated the public comment period at the meeting. Project opponents again voiced various
24 concerns with the Project without any bearing on the Project’s consistency with SB 35’s objective
25 planning standards.

26 54. At the meeting, counsel for the City advised the City Council to deny the requested
27 waiver under the Density Bonus Law. According to counsel, the Density Bonus Law’s waiver
28 provisions are limited to development standards, and the Use Restriction is not a development

1 standard but a zoning standard. Because the Project was ineligible for a waiver of the Use
2 Restriction under the Density Bonus Law, counsel reasoned, the Project’s inconsistency with the
3 Use Restriction rendered it ineligible for streamlined, ministerial review under SB 35.

4 55. The Applicant submitted a letter on July 13, 2022, explaining why setting aside the
5 Use Restriction would result in cost reductions. According to the Applicant, eliminating the 19
6 ground floor units would generate “cost savings of approximately \$2 million” but it would result
7 in a “loss of approximately \$3 million of tax credit equity and mortgage financing,” rendering the
8 Project infeasible. Meanwhile, altering the Project’s design to accommodate 67 units while
9 adhering to the Use Restriction would result “in identifiable and actual cost increases” and also
10 render the Project infeasible.

11 56. The City Council considered the Project again on July 27, 2022. City staff’s report for
12 that meeting did not address the assertions made in the Petitioner’s July 13 letter. Instead, the
13 staff report focused exclusively on the added costs of constructing 19 bonus units. At the meeting,
14 counsel for the City opined that the Project was ineligible for an incentive or concession of the
15 Use Restriction because supplying ground floor residences would make the development of the
16 Project more expensive. In other words, the staff report and counsel’s comments recommended
17 denial of any requested incentive or concession because it would have been more expensive to
18 construct a 67-unit project instead of a 48-unit project with an empty first floor.

19 57. During the deliberation phase, members of the City Council voiced support for the
20 Project in principle but expressed concern that it was not consistent with the character of the
21 OTSPA and thought it should be located elsewhere. They concluded that the Project violated the
22 Use Restriction and thus was not eligible for streamlined, ministerial review under SB 35. The
23 City Council voted to deny the appeal based on inconsistency with the Use Restriction.

24 58. The full July 27, 2022 City Council meeting can be viewed at: [https://elkgrove.
25 granicus.com/MediaPlayer.php?view_id=14&clip_id=2271](https://elkgrove.granicus.com/MediaPlayer.php?view_id=14&clip_id=2271).

26 **The Railroad Courtyards Project**

27 59. Meanwhile, the City approved a different project in the OTSPA: the Railroad
28 Courtyards Project, located at 9676 Railroad Street. Railroad Courtyards consists of 17 buildings,

1 with two residential units per building. All of the units will provide market-rate housing; there is
2 no lower-income housing. These buildings will include ground floor residential uses. On May 5,
3 2022—the same date on which it was originally scheduled to consider the Project—the Planning
4 Commission approved Railroad Courtyards. The staff report determined that Railroad Courtyards
5 is “generally consistent” with the OTSPA design standards and found it was compliant with the
6 Use Restriction due to some of the units being “live/work.”

7 60. The staff report also includes a finding that Railroad Courtyards was exempt from
8 review under the California Environmental Quality Act pursuant to the infill exemption. In order
9 to invoke this exemption, a local agency must conclude that a project complies with all applicable
10 planning and zoning standards. (See Cal. Code Regs., tit. 14, § 15332, subd. (a).)

11 **HCD’s Notice of Violation**

12 61. On October 12, 2022, HCD issued a notice of violation (NOV) based on the City’s
13 denial of the Project. The NOV stated that the City violated SB 35, the Housing Accountability
14 Act, the Nondiscrimination in Land Use Law, the AFFH Statute, and the Housing Element Law.
15 Although HCD did not find that the City violated the Density Bonus Law, the NOV nevertheless
16 explained that the Project was entitled to an incentive or concession under the Density Bonus
17 Law, and HCD advised the City to process the request as an incentive or concession if the Project
18 came before the City again.

19 62. The City responded to the NOV on November 10, 2022, in a letter from counsel.

20 **FIRST CAUSE OF ACTION**

21 **(Writ of Mandate - Violation of Gov. Code, § 65913.4.)**

22 63. The People hereby re-allege paragraphs 1 through 62 herein, and incorporate them by
23 reference as though fully set forth below.

24 64. The Project is entitled to streamlined, ministerial approval under SB 35 because it
25 complies with all of the objective planning standards enumerated under section 65913.4,
26 subdivision (a). It is a multifamily housing development, it is on a site in an urbanized area where
27 at least 75 percent of the perimeter adjoins developed uses, it is zoned for residential mixed-use
28 development, over two-thirds of the square footage of the development is designated lower-

1 income residential, the City has failed to meet its lower-income RHNA, and the Project is
2 consistent with objective zoning standards.

3 65. The City determined that the Project was inconsistent with the Use Restriction
4 because it included ground floor residential units. But the Use Restriction is a subjective standard.
5 As such, it is not relevant to whether the Project complied with SB 35's objective planning
6 standards, which only allows local governments to deny approval if a project conflicts with
7 *objective* local zoning, subdivision, and design review standards. (See § 65913.4, subd. (a)(5).)
8 Under SB 35, objective standards “involve no personal or subjective judgment by a public
9 official.” (§ 65913.4, subd. (a)(5).)

10 66. The application of the Use Restriction relies on the Planning Director's subjective
11 determination as to whether the use is “sufficiently similar” to any of the uses listed in the
12 OTSPA development standards based on various subjective factors, including the “extent to
13 which the proposed use would meet the objectives and goals of the [OTSPA] to encourage
14 pedestrian oriented retail, restaurant, and office uses” and the “extent to which the proposed use
15 would be compatible with the uses currently permitted in the” OTSPA's commercial zone.
16 (Exhibit A, p. 14.)

17 67. The Use Restriction does not fall within SB 35's definition of objective, because it
18 relies on the Planning Director's subjective discretion.

19 68. Application of the Use Restriction is not predictable. The City approved Railroad
20 Courtyards as consistent with the Use Restriction notwithstanding that project's inclusion of
21 ground floor residential uses. And no project applicant can be expected to know with certainty in
22 advance whether, in the judgment of the City, their project furthers OTSPA policies or is
23 compatible with permitted OTSPA uses.

24 69. Even assuming that the Use Restriction is objective, and that the Project facially
25 conflicted with the Use Restriction, SB 35 still required the City to treat the Project as consistent
26 with the Use Restriction for two independent reasons.

27 70. First, under SB 35, a development “shall be deemed consistent with the objective
28 zoning standards related to housing density” when the proposed density complies with the

1 maximum allowable density. (§ 65913.4, subd. (a)(5)(A).) Due to the Density Bonus Law, the
2 Project was within the maximum allowable density under the applicable general plan land use
3 designation for the Project’s site.

4 71. The Use Restriction relates to housing density. The term “related to” must be
5 interpreted broadly here given SB 35’s admonition that the statute “be interpreted and
6 implemented in a manner to afford the fullest possible weight to the interest of, and the approval
7 and provision of, increased housing supply.” (§ 65913.4, subd. (n).) More generally, under state
8 law, the meaning of “related to” includes “both logical and causal connections.” (*Bay Cities*
9 *Paving & Grading, Inc. v. Lawyers’ Mutual Ins. Co.* (1993) 5 Cal.4th 854, 873; see also *People v.*
10 *Raybon* (2022) 11 Cal.5th 1056, 1066-1067; *Chawanakee Unified School District v. County of*
11 *Madera* (2011) 196 Cal.App.4th 1016, 1028 [distinguishing the broader term “related to” from
12 the narrower term “on”].)

13 72. The Use Restriction directly and significantly restricts the supply of housing onsite by
14 relegating housing to the second and third floors. As the Use Restriction is a zoning standard that
15 relates to residential density, and as the Project complies with the general plan’s standards
16 governing residential density, the Project is deemed compliant with the Use Restriction. (See
17 § 65913.4, subd. (a)(5)(A).)

18 73. Second, the City did not determine that the Project’s inclusion of ground floor
19 residences violated the Use Restriction until June 2, 2022, which was 90 days after the
20 Applicant’s submittal on March 4. In order to invoke the Use Restriction as a basis to deny
21 streamlined, ministerial review of the Project, the City was required to issue a determination to
22 that effect within 60 days of the submittal. (§ 65913.4, subd. (c)(2).) The Determination did not
23 fault the Project for violating the Use Restriction by including ground floor residences. As the
24 City did not timely determine that the Project conflicted with the Use Restriction, the Project
25 complies with the Use Restriction by operation of law.

26 74. In addition, the City’s process by which it considered the Project also violated SB 35.
27 While SB 35 allows local governments an opportunity for design review and public oversight,
28 that process is separate from the streamlined, ministerial approval process. (Compare § 65913.4,

1 subd. (c) [providing the ministerial approval process, to be completed within 60 days of
2 submittal] with subd. (d) [allowing for objective design review and public oversight, to be
3 completed within 90 days of submittal].) Local governments may not use subdivision (d)(1)'s
4 public oversight and design review process to “in any way inhibit, chill, or preclude the
5 ministerial approval provided by this section or its effect.” (§ 65913.4, subd. (d)(1).)

6 75. The City improperly merged the ministerial process that SB 35 requires with the
7 design review and public review process and thereby supplanted subdivision (c)'s streamlined,
8 ministerial review process with what became effectively a discretionary review process. In other
9 words, the City improperly used its limited authority to conduct design review and project
10 oversight to determine, incorrectly, that the Project was ineligible for streamlined, ministerial
11 approval under SB 35.

12 76. Moreover, the City used the public oversight and design review process to impede the
13 Applicant's access to an incentive or concession under the Density Bonus Law. At the public
14 meeting on July 27, 2022, the City adopted an interpretation of the Density Bonus Law that
15 would deny an incentive or concession simply because *the bonus units* accommodated by the
16 incentive or concession would make a density bonus project more expensive to build, not whether
17 the incentive or concession would make it less costly to develop a project with the bonus units.
18 This flagrant misreading of the statute allowed the City to continue applying the Use Restriction
19 and to rely on it as a basis to deny ministerial approval of the Project under SB 35. This abuse of
20 the design review and public oversight function had the effect of inhibiting, chilling, and
21 precluding SB 35's ministerial approval.

22 77. The People are entitled to a writ of mandate setting aside the City's denial of
23 streamlined, ministerial approval of the Project and instructing the City to approve the Project on
24 the streamlined, ministerial basis SB 35 requires.

25 78. The People have no plain, speedy, or adequate remedy at law to enforce the City's
26 compliance with SB 35.

27 79. The People are further entitled to reasonable attorneys' fees and costs of suit as
28 permitted by section 1021.5 of the Code of Civil Procedure, which entitles public entities to claim

1 attorneys' fees against other public entities when enforcing an important right affecting the public
2 interest.

3 **SECOND CAUSE OF ACTION**

4 **(Administrative Mandate - Violation of Gov. Code, § 65589.5.)**

5 80. The People hereby re-allege paragraphs 1 through 79 herein, and incorporate them by
6 reference as though fully set forth below.

7 81. The Housing Accountability Act provides that local agencies may only rely on
8 objective standards and criteria, involving no personal or subjective judgment, as a basis to
9 disapprove a housing development project. The objectivity requirement ensures that the
10 application of standards is predictable.

11 82. The Use Restriction does not fall within this definition of objective, as the Planning
12 Director may still approve uses so long as he determines that they further OTSPA policies or are
13 sufficiently compatible with permitted OTPSA uses.

14 83. Application of the Use Restriction is not predictable. The City approved Railroad
15 Courtyards as consistent with the Use Restriction notwithstanding that project's inclusion of
16 ground floor residential uses. And no project applicant can be expected to know with certainty in
17 advance whether, in the judgment of the City, their project furthers OTSPA policies or is
18 compatible with permitted OTSPA uses.

19 84. Because the Use Restriction is not objective, under the Housing Accountability Act,
20 the City could not apply it to the Project.

21 85. Even if the Use Restriction were objective, the City was required to apply it in a
22 manner consistent with meeting its RHNA for lower-income households and "to facilitate and
23 accommodate development at the density permitted on the site and proposed by the
24 development." (See § 65589.5, subd. (f)(1).) The City did not do so here, even though it found the
25 Project consistent with the density permitted on the site and also consistent with its general plan
26 land use designation. The City is woefully behind in meeting its RHNA for very low-, low-, and
27 moderate-income households. Applying the Use Restriction to prevent such housing from
28 development is not consistent with the City's obligation to meet its RHNA for lower-income

1 households. Nor did the City apply the Use Restriction in a manner “to facilitate development at
2 the density permitted on the site and proposed by the development.” (*Ibid.*) The City thus erred in
3 applying the Use Restriction in this manner.

4 86. The City also failed to comply with the Housing Accountability Act’s requirement
5 that the City notify the Applicant of any inconsistency with its objective planning and zoning
6 standards within 30 days of the Project application being determined to be complete. (§ 65589.5,
7 subd. (j)(2)(A)(i).) This notification had to include “an explanation of the reason or reasons it
8 considers the housing development to be inconsistent, not in compliance, or not in conformity
9 with” applicable standards. (§ 65589.5, subd. (2)(A).) By operation of the Permit Streamlining
10 Act, the Petitioner’s application was determined to be complete no later than April 4, 2022, and
11 the City was required to issue its notification letter on or before May 4, 2022.

12 87. The City issued its SB 35 Determination on April 15, 2022, which it contends was its
13 notification letter under the Housing Accountability Act. According to the City, it needed more
14 information concerning the ground floor office uses to determine compliance with the Use
15 Restriction. But the City did not cite the inclusion of ground floor residential units as a basis to
16 deny the Project until June 2, 2022, well after its May 4 deadline. That means, by operation of the
17 Housing Accountability Act, the Project was deemed consistent with the Use Restriction
18 notwithstanding its inclusion of ground floor residential units. (See § 65589.5, subd. (j)(2)(B).)

19 88. Even if the City had complied with that notification deadline, the Housing
20 Accountability Act still barred it from applying the Use Restriction as it did. Under the Housing
21 Accountability Act, local agencies may require proposed housing development projects “to
22 comply with the objective standards and criteria” in their zoning code when doing so would be
23 “consistent with the general plan,” and then only “to facilitate and accommodate development at
24 the density allowed on the site by the general plan and proposed by the housing development
25 project.” (§ 65589.5, subd. (j)(4).) Here, the City erroneously applied the Use Restriction to
26 prevent development at the density allowed on the site by its general plan and proposed by the
27 Project.

28

1 89. Furthermore, because the Project would provide lower-income housing, the City was
2 required to make additional findings before denying the application. (§ 65589, subd. (d).) In its
3 November 10 letter to HCD, the City took the position that disapproval of an SB 35 application is
4 not itself a disapproval of a housing development project. But the Housing Accountability Act
5 provides that a local agency disapproves a housing development project any time it votes “on a
6 proposed housing development project application and the application is disapproved, including
7 any required land use approvals or entitlements necessary for the issuance of a building permit.”
8 (65589.5, subd. (h)(6)(A).) Therefore, when the Planning Commission denied the Project’s
9 application and the City Council affirmed that denial, they were required to make the additional
10 findings and failed to do so.

11 90. The City acted in bad faith when it disapproved the Project. The Housing
12 Accountability Act defines “bad faith” as including, but not limited to, “an action that is frivolous
13 or otherwise entirely without merit.” (*Id.*, subd. (l).) Here, the City adopted a construction of the
14 Use Restriction that is at odds with what the restriction says and how the City has interpreted it.
15 The Use Restriction allows mixed-use projects with ground floor residential so long as such
16 projects are, in the judgment of the Planning Director, sufficiently similar to an OTSPA use, and
17 of course, mixed-use multifamily housing is an OTSPA use. It does not prohibit such uses. In
18 fact, the Use Restriction must allow such uses because the City approved a ground floor
19 residential market-rate project.

20 91. Likewise indicating bad faith, the City shifted the proverbial goalposts throughout the
21 application process. At first, the City did not consider the Project to be a valid mixed-use project
22 for purposes of the OTSPA. Once the Applicant demonstrated that the Project was mixed-use, the
23 City changed its rationale for finding the Project noncompliant with Use Restriction by faulting
24 the Project for supplying residences on the ground floor. The City further acted in bad faith by
25 opining, erroneously, that the Project would not be entitled to an incentive or concession were the
26 Applicant to apply for one, thereby deterring ministerial approval of the Project.

1 92. Other indicia of bad faith include the City’s direction that the Applicant develop the
2 Project at an alternative site that neither the City nor the Applicant own, and that would not be as
3 appropriate for the development of low-income housing as the Project site.

4 93. The People are entitled to a writ directing the City to comply with the Housing
5 Accountability Act. As the denial was in bad faith, the People are entitled to a writ directing the
6 City to approve the Project.

7 94. In addition to these remedies, the People are entitled to prospective relief directing the
8 City to enforce its local planning and zoning standards in a manner consistent with meeting its
9 RHNA and in compliance with the Housing Accountability Act.

10 95. The People are entitled to an award of attorneys’ fees and costs. (§ 65589.5, subd.
11 (k)(1)(A)(ii).)

12 **THIRD CAUSE OF ACTION**

13 **(Declaratory and Injunctive Relief - Violation of Gov. Code, § 65008.)**

14 96. The People hereby re-allege paragraphs 1 through 95 herein, and incorporate them by
15 reference as though fully set forth below.

16 97. The City violated the Nondiscrimination in Land Use Law at Government Code
17 Section 65008 when it disapproved the Project. The City’s application of the Use Restriction to
18 disapprove the Project has an illegal discriminatory effect. Low-income individuals and families,
19 including those with disabilities, will lose out on the opportunity to live in a high-resourced area
20 due to the City’s actions. This is amplified by the City’s failure to meet its RHNA for very-low,
21 low-, and moderate-income households in the previous planning cycle from 2013 to 2021. Indeed,
22 there is a dearth of supportive housing opportunities in the City. The City’s severe shortage of
23 lower-income housing opportunities means lower-income residents who would benefit from the
24 Project will struggle to find similar opportunities in the City.

25 98. The City did not have a valid, nondiscriminatory purpose in applying the Use
26 Restriction, as doing so was not necessary to further legitimate OTSPA objectives. The City
27 found that the Project included an OTSPA commercial use on the ground floor and also found the
28

1 Project consistent with various local policies intended to encourage pedestrian-oriented
2 development.

3 99. For those reasons, the City’s application of the Use Restriction had an illegal
4 discriminatory effect on low-income households and individuals with disabilities.

5 100. The City also acted with a discriminatory motive. Section 65008 prohibits local
6 agencies from imposing more onerous requirements on low-income housing developments than
7 they do on other projects. It bars local agencies from discriminating against projects due to their
8 density, when projects fall within the allowable density in the jurisdiction’s zoning. Here, the City
9 adopted a strict interpretation of the Use Restriction as a means of disapproving the Project.
10 Meanwhile, the City adopted a flexible interpretation of the Use Restriction to approve Railroad
11 Courtyards, a lower-density market-rate project. The City thus imposed a more onerous
12 restriction on a higher-density, lower-income housing development than it did on a lower-density,
13 higher-income project subject to the same local planning and zoning regulations.

14 101. The People are entitled to an order declaring the City’s application of the Use
15 Restriction to disapprove of the Project null and void.

16 102. The People are entitled to an injunction prohibiting the City from using the Use
17 Restriction to disapprove the Project.

18 103. The People are further entitled to reasonable attorneys’ fees and costs of suit as
19 permitted by section 1021.5 of the Code of Civil Procedure, which entitles public entities to claim
20 attorneys’ fees against other public entities when enforcing an important right affecting the public
21 interest.

22 **FOURTH CAUSE OF ACTION**

23 **(Declaratory and Injunctive Relief - Violation of Gov. Code, § 8899.50.)**

24 104. The People hereby re-allege paragraphs 1 through 103 herein, and incorporate them
25 by reference as though fully set forth below.

26 105. The City violated the AFFH Statute when it applied the Use Restriction to disapprove
27 the Project.

28

1 106. By enforcing the Use Restriction in the manner in which it did, the City prevented the
2 development of low-income housing in the OTSPA, a highly resourced area. The City also
3 actively encouraged the Applicant to try to develop the Project at an alternative site, but in an area
4 with fewer economic and education opportunities for low-income residents, and with worse
5 environmental conditions. Particularly when viewed in the light of other actions by the City,
6 including, although not limited to, its more favorable treatment of a comparable market-rate
7 project and its efforts to move the Project to a less resourced part of town, this constitutes a
8 violation of the AFFH Statute.

9 107. Also by enforcing the Use Restriction in the manner in which it did, the City
10 prevented the development of housing that would service people with disabilities.

11 108. To disapprove the Project, the City adopted a strict interpretation of the Use
12 Restriction, despite being aware that the Use Restriction allows for flexibility when a project
13 would generally be consistent with allowed uses and would further OTSPA objectives. And here,
14 the City found that the Project was consistent with the City's goals of encouraging pedestrian-
15 oriented mixed-use development. The application of the Use Restriction here advanced no
16 legitimate City interests.

17 109. The People are entitled to an order declaring the City's application of the Use
18 Restriction to disapprove of the Project null and void.

19 110. The People are entitled to an injunction requiring the City, in disapproving the Project
20 and future proposals for housing, to make findings as to whether the imposition of particular use
21 restrictions furthers legitimate City objectives and whether the application of particular use
22 restrictions are consistent with the City's overriding obligations under the AFFH Statute.

23 111. The People are entitled to an injunction prohibiting the City from imposing or
24 implementing land use regulations that run counter to its overriding obligations under the AFFH
25 Statute.

26 112. The People are entitled to an injunction directing that City staff and officials receive
27 training on their duties under the State's housing laws.
28

1 113. The People are further entitled to reasonable attorneys' fees and costs of suit as
2 permitted by section 1021.5 of the Code of Civil Procedure, which entitles public entities to claim
3 attorneys' fees against other public entities when enforcing an important right affecting the public
4 interest.

5 PRAYER FOR RELIEF

- 6 1. For the City's violation of SB 35, the People are entitled to:
- 7 a. An order or judgment directing the City to approve the Project on a
8 streamlined, ministerial basis in compliance with SB 35; and
9 b. Reasonable attorneys' fees and costs of suit.
- 10 2. For the City's violation of the Housing Accountability Act, the People are entitled to:
- 11 a. An order directing the City to approve the Project, or, in the alternative, an
12 order directing the City to comply with the Housing Accountability Act;
13 b. An order directing the City to apply its objective standards and criteria in a
14 manner consistent with meeting its RHNA; and
15 c. Reasonable attorneys' fees and costs of suit;
- 16 3. For the City's violation of the Nondiscrimination in Land Use Law, the People are
17 entitled to:
- 18 a. An order declaring the City's application of the Use Restriction to the
19 Project null and void;
20 b. An injunction prohibiting the City from applying the Use Restriction as a
21 basis to deny the Project; and
22 c. Reasonable attorneys' fees and costs of suit.
- 23 4. For the City's violation of the AFFH Statute, the People are entitled to:
- 24 a. An order declaring the City's application of the Use Restriction to the
25 Project null and void;
26 b. An injunction prohibiting the City from applying the Use Restriction as a
27 basis to deny the Project;
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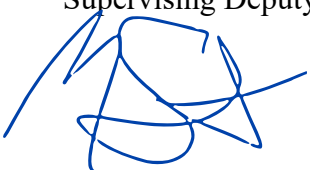
- c. An injunction requiring the City, in considering future housing applications, to make findings as to whether the imposition of particular use restrictions furthers legitimate City objectives and whether particular use restrictions are consistent with the City’s overriding obligations under the AFFH Statute;
- d. An injunction preventing the City from imposing or implementing land use regulations that run counter to its overriding obligations under the AFFH Statute;
- e. An injunction directing City staff and officials receive training on their duties under the State’s housing laws; and
- f. Reasonable attorneys’ fees and costs of suit.

5. For any such relief that the Court deems just and proper.

Dated: May 1, 2023

Respectfully submitted,

ROB BONTA
Attorney General of California
CHRISTINA BULL ARNDT
Supervising Deputy Attorney General

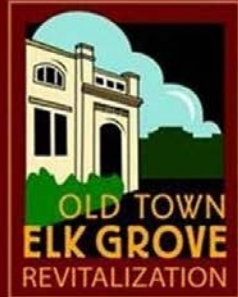


MATTHEW T. STRUHAR
Deputy Attorney General
*Attorneys for Petitioners and Plaintiffs, the
People of California ex rel. Rob Bonta,
Attorney General, and the California
Department of Housing and Community
Development*

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EXHIBIT A

Old Town Elk Grove Special Planning Area



Design Standards and Guidelines

Adopted by City Council
August 10, 2005
Reflects Amendments Through April 1, 2019

The City of Elk Grove staff gratefully acknowledges the significant contributions made by both the citizens of Elk Grove and Carter-Burgess in the creation of the original Special Planning Area and the Conceptual Master Plan. Both documents provide the foundation for this updated Special Planning Area.

**Old Town SPA
ADOPTED AUGUST 10, 2005
(Reflects Amendments Through April 1, 2019)**

TABLE OF CONTENTS

	<u>Page</u>
Acknowledgement	i
Table of Contents	ii
List of Tables	iii
List of Figures	iv
Vision Statements	v
Section I – Processing	1
Adoption of Design Standards and Guidelines	1
Purpose and Intent	1
Definitions	1
Application Processing and Fees	3
Permitted Uses and Development Standards	4
Restricted Commercial	5
Development Applications in Process	5
Design Review Exemptions	5
Design Review Authority	6
Design Review Process	6
Design Review Determination	9
Assessment Report to Council	8
Section II – Background	9
Section III – Land Use	11
Section IV – Site Design Standards & Guidelines	16
Setbacks	16
Landscaping	17
Hardscaping	22
Parking	24
Signs	26
Access	34
Compatibility	36
Outdoor Cafe Seating	37
Outdoor Retail Sales	40
Outdoor Performance Venues	41
Section V – Architectural Design Standards & Guidelines	43
Height	43
Materials	44
Color	46
Murals	48
Scale	49
Architecture	51
Storefronts	52
Entries	54
Architectural Details	55
Roofing	61
Appendix 1 – A Guide to Color, Styles and Architectural Details	62
Appendix 2 Old Town Architectural Districts	73

LIST OF TABLES

	<u>Page</u>
Table 1 – Design Review Application Types	4
Table 2 – Permitted and Conditionally Permitted Land Uses.	12
Table 3– Old Town SPA Building Setbacks	16
Table 4 – Recommended Trees for Non-Public Properties	20
Table 5 – Recommended Shrubs for Non-Public Properties	20
Table 6 – Parking Requirements	26
Table 7 – Maximum Sign Size	32
Table 8 – Architectural Details.	58

LIST OF FIGURES

	<u>Page</u>
Figure 1 – Old Town Elk Grove: Past and Present	9
Figure 2 – Land Use Zones	11
Figure 3 – Example of Mixed-Use Multi-Family Development	15
Figure 4 – Setback Examples	16
Figure 5 – Front Yard Landscaping	19
Figure 6 – Example of Project that Complies with Landscaping Standards	21
Figure 7 – Hardscaping	23
Figure 8 – Examples of Successful Parking	25
Figure 9 – Sidewalk Signs	29
Figure 10 – Signage Best Practices	30
Figure 11 – Access Best Practices	36
Figure 12 – Minimum Clear Dimension for Outdoor Cafes	39
Figure 13– Outdoor Seating	40
Figure 14 – Height	44
Figure 15– Materials	45
Figure 16 – Exterior Color	47

Figure 17 – Murals 49

Figure 18 – Scale 50

Figure 19 – Architecture 52

Figure 20 – Storefronts 53

Figure 21 – Entries 55

Figure 22 – Architecture Districts 57

Figure 23 – Architectural Details 59

Vision Statements

These vision statements for the Old Town Elk Grove Special Planning Area are intended to serve as a guide for future growth and planning effort, while preserving the historical character and ambiance of Old Town. The visions reflect the community's aspirations for the future and establish a set of guiding principles against which any future action can be evaluated. The vision statements were generated from input from the community through three "Visioning Workshops" held in June/July 2009 as part of the first triennial review of the SPA. Community members identified issues that were important to them and then developed vision statements for Land Use, Site Design, Signs, and Architecture to address these issues. The vision statements below are only meant as a total vision for the Old Town Special Planning Area and have no legal force or effect. Please see the standards and guidelines within the SPA for specific legal requirements.

Land Use

The land uses permitted in Old Town reflect a commitment by the community for a diverse, active, and attractive town center that encourages walking, shopping, dining and the staging of community events and celebrations. The land use plan encourages retail and commercial uses to locate in proximity to similar enterprises in Old Town, and this synergy of use and activity help to promote Old Town as a regional destination. Surrounding housing provides a harmonious mixed-use balance and support to local businesses.

Old Town is a recreational and cultural center of the community that has recognized its central location to the greater Elk Grove community, has enhanced its opportunities and overcome the challenges typical to historic old towns. The land use plan recognizes the challenge of circulation and parking and has seized on creative solutions to change parking and traffic from a liability to an asset for merchants and patrons.

Site Design

Site Design in Old Town, first and foremost, recognizes the original character, form and fabric of the historic core. Because Old Town has developed over time with a variety of building types and lot configurations, buildings are sited with a variety of set-backs depending on the location on Elk Grove Boulevard. The core area of historic Old Town has buildings placed close to the sidewalks to promote a retail street front.

Buildings built in the historic core become more "background" buildings blending with the existing context as opposed to "iconic", stand-alone structures. Building designers and architects are encouraged to see individual buildings as playing a role in a composition with the street as part of the urban design ensemble.

The height of buildings varies, but are of a character and scale that no single building dominates or overwhelms the street or its neighbor. Sidewalks in the core are wide enough to be pedestrian-friendly (also conforming to Americans with Disabilities Act), and to promote outdoor seating for restaurants and outdoor display of merchandise. The streets and design elements of the street fit the over-all character of the Old Town architecture and help to give Old Town its recognizable image and identity.

Old Town is a pedestrian friendly place with buildings close to the sidewalks; a place with well distributed parking with multi-story facilities that blend in with the Old Town architecture and that

have well marked visible access. The entry arch, the broad tree canopy and the colorful flowers in sidewalk planters that provide public seating announce a visitor's arrival in Old Town.

Signs

Advertising in Old Town is a creative endeavor that adds to the character and charm of the historic core of Elk Grove. Given clearly written, communicated and enforceable guidelines, merchants and businesses up and down Elk Grove Boulevard share in presenting a quality in design for their individual signs that correspond to the "feel" and appearance of Old Town. The signs are appropriate in scale to the store-front and are visible to both pedestrians and auto traffic on the street.

Directional signs are of the same quality adding to the visual environment and the architectural backdrop. They are clear and are part of a well-designed circulation and parking plan helping visitors find Old Town from surrounding freeways and arterial streets. They assist pedestrians in finding their way around town once they leave their cars and identify the many diverse services in Old Town.

Architecture

Old Town, as the heart of the original Elk Grove community, is the focal point for recurring community activities such as parades, farmer's markets and significant community events and this importance is enhanced by a major civic gathering space. The entrances to Old Town are clearly defined by buildings or architectural monuments announcing arrival into the heart of the community. The quality of the design of the street and the buildings lining Elk Grove Boulevard and the character of development in Old Town reflect the heritage and history of the place without creating a thematic statement.

The Architecture of Old Town Elk Grove possesses a charm in its eclecticism. Architectural design is executed with an eye toward context-sensitive design using durable materials such as brick and stone that give the buildings a sense of permanence. The street level of the new mixed-use buildings is a rich mixture of retail, with housing and commercial offices in the stories above. Buildings on Elk Grove Boulevard retain a scale appropriate to the "main street". Some buildings rise to 4 stories with step-backs above 2 stories giving a good sense of rhythm and articulation to the building fronts.

SECTION I – PROCESSING

A. ADOPTION OF DESIGN STANDARDS AND GUIDELINES

Section 23.40.020 of the Elk Grove Municipal Code creates the Old Town Elk Grove Special Planning Area Design Standards and Guidelines.

B. PURPOSE AND INTENT

The purpose of the Old Town Elk Grove Special Planning Area Design Standards and Guidelines (SPA) is to provide development regulations that are tailored to preserve the historical character and small town charm. Thus, the Old Town SPA establishes:

1. A design review process which:
 - a. Preserves the historical and cultural integrity of Old Town by guiding the architectural style of new development and the redevelopment of existing structures;
 - b. Encourages high quality land planning and architecture;
 - c. Encourages development in keeping with the desired character of the City; and
 - d. Ensures that proper attention is provided to site and architectural design, thereby fostering an environment that encourages stable growth in land values.
2. A map and table of permitted and conditionally permitted land uses which:
 - a. Enhances Old Town Elk Grove’s sense of community;
 - b. Unifies Old Town’s main street, Elk Grove Boulevard, by focusing on pedestrian oriented uses such as retail, restaurant, office, and services; and
 - c. Ensures physical, visual, and functional compatibility between uses.

The intent of the Old Town Elk Grove SPA’s design review process is to establish discretionary review of development projects within the SPA boundaries (see Figure 2) to ensure conformance not only with the minimum standards set forth in the Title 23 of the Municipal Code (hereinafter referred as the Zoning Code), but also with the goals, standards, guidelines, and examples provided in the Old Town SPA.

C. DEFINITIONS

Unless otherwise defined in this SPA, all capitalized, bolded terms shall have the definitions ascribed to as follows:

Approving Authority

For purposes of this SPA, approving authority is synonymous with design review authority as defined in Section I(l). The Planning Director is the designated approval authority for Type 1 Design Review applications, and the Planning Commission is the designated approval authority for Type 2 Design Review applications.

Clear Path of Travel	A route for use by pedestrian and wheelchair users that provides free and unobstructed access to and egress from a building, area, street furniture or location and which conforms to the requirements of the Americans with Disabilities Act (ADA).
Design Guideline	A design guideline is a non-mandatory design feature encouraged by the City. The text of guidelines is characterized by the words "should" or "encourage".
Design Standard	A design standard is a mandatory design feature required by the City. The text of standards is characterized by the words "shall" or "must".
Mobile Signs	Mobile sign shall mean any sign which is attached to, mounted on, pasted on, painted or drawn on any vehicle, which is placed, parked or maintained at one (1) particular location for the express purpose and intent of promotion, or conveying an advertising message.
Mobile Billboard	Mobile billboard shall means a sign mounted on a vehicle or trailer that is used for general advertising or advertising for hire which is placed, parked or maintained at one (1) particular location for the express purpose and intent of promotion, or conveying an advertising message. A vehicle which advertises the company of its primary use is not considered a mobile billboard.
Municipal Code	Municipal Code shall mean the Elk Grove Municipal Code
Mural	A design or representation that is painted or drawn on the exterior surface of a structure.
Pedestrian Corridor	Includes walkway improvements, enhancements to the walking environment, and pedestrian space.
Assembly Use	Facility operated by religious, fraternal, or civic organizations for worship, or promotion of religious, fraternal, and civic activities, and accessory uses on the same site, such as living quarters for staff, and child day care facilities where authorized by the same type of land use permit required for the facility itself. Other establishments maintained by organizations, such as full-time educational institutions, hospitals and other potentially related operations (such as a recreational camp) are classified according to their respective activities.
Planning Director	Means either the Planning Director or Planning Director's designee.
Restricted Commercial	A use which has been discontinued for a period of not less than twelve (12) months and which is no longer a permitted use under this SPA.

SPA Land Use Plan	The Land Use Plan is provided as Figure 2 in Section III of the SPA document.
Permitted and Conditionally Permitted Land Use Table	The Permitted and Conditionally Permitted Land Use Table is provided as Table 2 in Section III of the SPA document.
SPA Design Standards and Guidelines	The Design Standards and Guidelines are provided in Sections IV and V of the SPA document. A full and complete copy of the SPA is available for review at the City Planning Department.
Special Paving	Paving materials such as brick, pavers, and textured and color concrete.
Street Wall	A street wall is the part of a building that faces the street, but it generally refers to how and where several buildings line up to define a proper walking environment. At the most basic level, buildings should be set back an equal distance so that facades are even for as far as a pedestrian can see. An ideal street wall offers a sense of formality and includes a continuous variety of first floor businesses.

D. APPLICATION PROCESSING AND FEES

Design Review is required for the two types of applications listed in Table 1. The application and processing fee varies for each type of design review. The application and processing fees are established by resolution of the City Council and do not exceed the reasonable cost of the City to provide the service required.

Table 1 – Design Review Application Types

	Site Design	Architectural Design	Application Fee
Type 1 Application – Planning Director Approval			Established by Council Resolution
• Concrete flatwork or other paving	X		
• Repainting ¹		X	
• The installation of new fences, walls, or planters at least 24 inches in height	X	X	
• Alterations that change the exterior appearance (doors, windows, exterior finishes, lighting, etc.)	X	X	
• New buildings or additions ≤ 500 sq. ft. in size ²	X	X	
Type 2 Application – Planning Commission Approval			
• New buildings or additions > 500 sq. ft. ²	X	X	
• Restricted Commercial classification extension by Planning Commission (extension beyond the original 12-month limit ³)	X	X	
• Increase above the maximum height limit of 3-stories or forty-five feet (45’-0”) for buildings fronting Elk Grove Boulevard and/or forty-five feet (45’-0”) for landmark design elements ³		X	
<p><u>Notes:</u></p> <p>1. If a building is repainted the exact same color, including the hue, value (shades and tints), saturation, and gloss, it is not subject to review pursuant to the SPA.</p> <p>2. See Section V(A)(2) for building height standards.</p> <p>3. See Section I(F)for additional “Restricted Commercial” standards.</p>			

E. PERMITTED USES AND DEVELOPMENT STANDARDS

The land use zones, permitted and conditionally permitted uses, design standards, and guidelines set forth herein are applicable to all properties within the boundaries of the Old Town Special Planning Area. The land use zones are depicted in Figure 2. The permitted and conditionally permitted uses are provided in Table 2. All use, development, construction, rehabilitation, modification, and other such actions on real property, buildings and/or structures located within the Land Use Zones depicted in Figure 2 shall comply with the provisions and processes of the Old Town SPA.

F. RESTRICTED COMMERCIAL

All existing uses within the Old Town SPA that were operating legally prior to the adoption of Section 23.40.020 of the Elk Grove Municipal Code, but are no longer a permitted or

conditionally permitted use shall be classified as "Restricted Commercial" (RC). The following conditions apply to RC uses:

- Use may continue to be operated in perpetuity as the same use.
- The permitted RC use is the exact same use as the existing use on the date of the adoption of this document. For example, a muffler shop may not necessarily be allowed to convert to an emissions testing facility. If such a change in use is proposed, it is subject to Planning Commission approval.
- Owners may sell, deed, or give the business to another person or group.
- The business may continue in the same building with the same square footage and use. Use may not be enlarged, expanded, or extended (square footage of business).
- If property is damaged or destroyed, the building may be reconstructed to the same square footage prior to the incident and the same use continued.
- If a RC use is discontinued for a period of 12 months, or occupied by a permitted or conditionally permitted use within 12 months from the discontinuance of the RC use, the RC classification is no longer valid and the RC discontinued use shall not thereafter be re-established. However, the Planning Commission may grant an extension to retain the RC classification for vacant buildings or tenant spaces up to 12 months beyond the expiration of the original 12-month period with a Type 2 Design Review application. An application for extension shall be filed not less than sixty (60) days prior to the original 12-month expiration date.
- The RC classification does not apply to uses that were operating illegally prior to and after the adoption of this SPA. Illegal uses shall be discontinued.

G. **DEVELOPMENT APPLICATIONS IN PROCESS**

In the event that a SPA amendment becomes effective, all pending applications shall be subject to the standards, processes, and guidelines of the SPA amendment. Applications are no longer pending upon the occurrence of any of the following: 1) application has been approved, 2) once the appeal period has expired, or 3) the appeal process is completed.

H. **DESIGN REVIEW EXEMPTIONS**

The following structures are exempt from Design Review. However, such structures may require additional permits, such as a ministerial building permit to ensure compliance with adopted Building Code standards and applicable Zoning Code provisions.

1. New single-family residential homes;
2. Additions to single-family residential homes;
3. Interior alterations that do not increase the gross floor area within the structure, or change/expand the permitted use of the structure;
4. Construction, alteration, or maintenance by a public utility or public agency of underground utilities intended to service existing or nearby approved developments (e.g., water, gas, electric or telecommunication supply or disposal systems, including wires,

mains, drains, sewers, pipes, conduits, cables, fire-alarm boxes, police call boxes, traffic signals, hydrants, and similar facilities and equipment);

5. Landscaping and replacement of plant material;

I. **DESIGN REVIEW AUTHORITY**

The Planning Director shall be the approving authority for Type 1 Design Review applications. The Planning Commission shall be the approving authority for Type 2 Design Review applications. The Approving Authority shall approve, conditionally approve, or deny the proposed Design Review application in accordance with the requirements of the Old Town SPA. Design Review approval is required prior to issuance of any ministerial building permits or site improvement plans and prior to or in conjunction with discretionary action of corresponding development applications (e.g., Conditional Use Permit, Variance).

J. **DESIGN REVIEW PROCESS**

1. Application Submittal. Design Review applications shall be submitted to the Planning Department on a City application form, together with all fees, plans, maps, color elevations, and any other information, materials, studies, and documents as described in the Planning Application Submittal Checklist provided in the City of Elk Planning Application Form packet.
2. Application Review. In accordance with the Permit Streamlining Act (California Government Code Section 65943), within 30 days of application submittal, the Planning Director shall determine whether or not the application is deemed complete. The process for completeness determination may include the distribution of the application materials to appropriate departments and agencies, including the designated representatives of the Old Town Foundation and the Elk Grove Historical Society, for review and comment. All comments received shall be reviewed by the Planning Director to ensure that the completeness determinations by other departments and agencies are legally valid. The Planning Director shall also review the application materials to ensure completeness and make the official completeness determination. The applicant shall be notified in writing of the application completeness. As appropriate, certain comments may require the applicant to 1) submit additional information, 2) make project modifications, and/or 3) comply with conditions of approval to ensure conformance with applicable provisions of the Municipal Code and the Old Town SPA design provisions.

In order to expedite the process for administrative Design Review applications (Types 1 and 2 applications), the Planning Director shall make a reasonable effort processing the completeness determination within five (5) days of submittal. .

3. Environmental Review. The project shall be reviewed in accordance with the environmental review procedures of the California Environmental Quality Act (CEQA).

4. Notice and Hearing/Determination. Public notice and hearings shall be conducted as follows:

	Notice Requirements	Other Requirements
Types 1	Public Notice shall be mailed to the applicant and property owner(s) of the project site no less than seven (7) days prior to the scheduled date of determination.	The notice shall identify the subject parcel, describe the request, and identify the date of Planning Director determination on the administrative Design Review application. The notice shall also identify the opportunity to provide input prior to the determination and the right to appeal the determination in accordance with this title – see below (Section I(J)(5)). The Planning Director shall create a written record of action to approve, conditionally approve, or deny the administrative Design Review application. This record of action shall be mailed to the applicant within three (3) days from the date of action.
Types 2	For Design Review applications decided by the Planning Commission, public notice and hearings shall be conducted in accordance with Zoning Code Chapter 23.14, Section 23.14.040 (Public Notices)	N/A

5. Appeals. Any action of the Planning Director or Planning Commission may be appealed. Appeals shall be conducted in accordance with Zoning Code Section 23.14.060 (Appeals).

K. DESIGN REVIEW DETERMINATION

1. Findings for All Design Review Applications. Design Review applications shall be granted only when the designated Approving Authority makes all of the following findings:
 - a. The proposed project is compatible with the historical character of the community;

- b. The proposed project is consistent with the objectives of the General Plan, the Zoning Code, and the Old Town Elk Grove Special Planning Area Design Standards and Guidelines;
 - c. The proposed architecture, site design, and landscaping are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community;
 - d. The architecture, the character, scale and quality of the design, the relationship with the site and other buildings, building materials, colors, the screening of exterior appurtenances, exterior lighting and signing, and similar elements establish a clear design concept and are compatible with the character of buildings on adjoining and nearby properties; and
 - e. The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.
- 2. Conditions. The designated Approving Authority may modify plans in whole or in part and may condition the Design Review application to ensure specific design features, construction materials, and conformance with all applicable provisions of the Old Town Special Planning Area Design Standards and Guidelines.
 - 3. Permit Issuance. Design Review authorization shall only become valid upon expiration of any appeal period or final decision on any appeal filed.
 - 4. Permit Term. Design Review approval shall be valid for a period of thirty-six (36) months from the date of final approval unless exercised for the purpose for which it was granted.

L. **ASSESSMENT REPORT TO COUNCIL**

Beginning thirty-six (36) months after the date of the initial adoption of the SPA, and every thirty-six (36) months thereafter, the Planning Department shall provide a triennial report to the City Council that summarizes development activity in the SPA and feedback from Old Town stakeholders and the general public, which if necessary identifies possible updates to the SPA to respond to changing conditions.

SECTION II – BACKGROUND

The Old Town Elk Grove SPA includes the Elk Grove Boulevard corridor from Elk Grove-Florin Road on the west to Waterman Road on the east. Old Town is the cornerstone of modern Elk Grove. The *Conceptual Master Plan*, prepared by Carter-Burgess in 1999, summarized Old Town's past as follows:

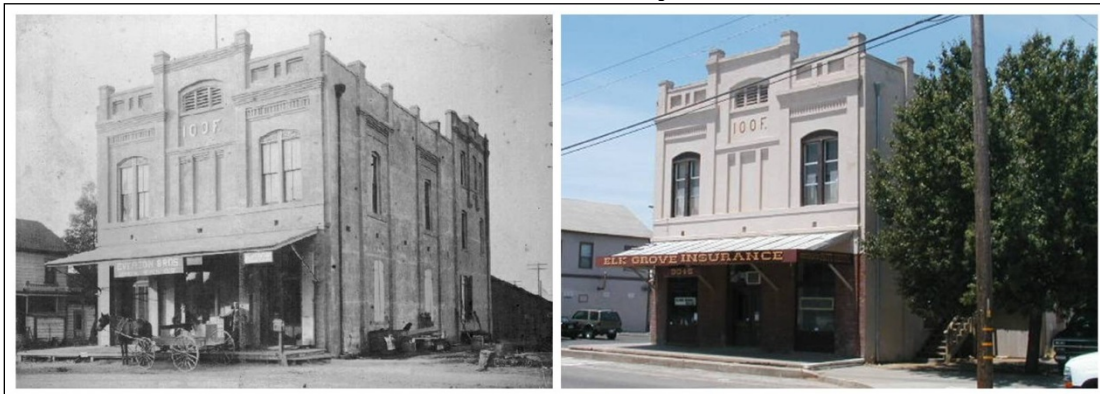
Elk Grove is one of the oldest western settlements in the greater Sacramento region. Established in 1850 the town of Elk Grove was established as an agricultural crossroads. The original town was settled at the crossroads of Elk Grove Boulevard and what is today known as Highway 99. Elk Grove Boulevard has been the lifeblood of the community ever since. Upon arrival of the railroad, the Elk Grove station shifted the town center from what is now Highway 99 to its present location. The railroad is thus the hub for the Old Town area. The majority of the historic buildings within Elk Grove are located within walking distance of the railroad crossing of Elk Grove Boulevard. This is considered to be the core area of the community.

The Old Town of today is rooted in the past, as shown by the various historic buildings in Figure 1 that are still in productive use today. In a desire to preserve and strengthen Old Town's vibrant past, the community's efforts resulted in multiple parcels near the intersection of Elk Grove Boulevard and the railroad tracks to be entered in the National Register of Historic Places in 1988. These sites include 8986 through 9097 Elk Grove Boulevard, plus additional properties on School, Gage, and Grove Streets.

Figure 1 – Old Town Elk Grove: Past and Present



Elk Grove Brewery



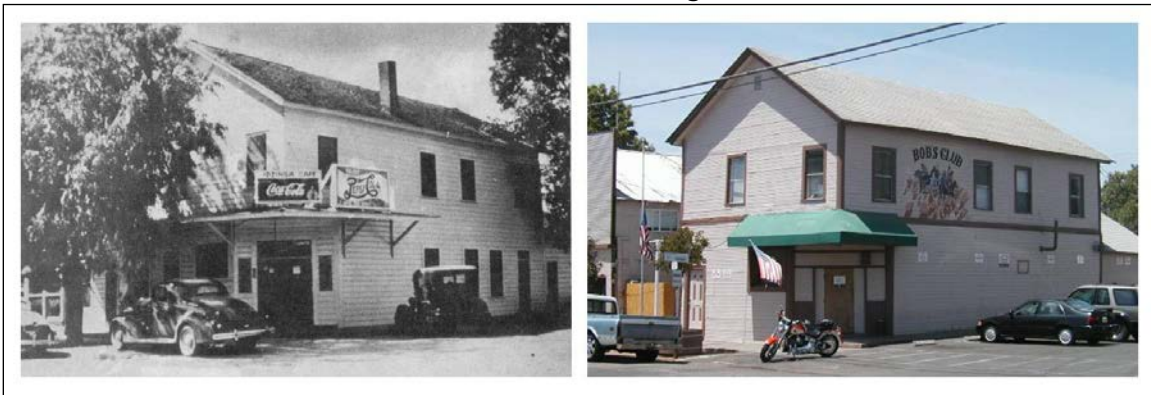
Old Town SPA
ADOPTED AUGUST 10, 2005
(Reflects Amendments Through April 1, 2019)

IOOF Building

Figure 1 – Old Town Elk Grove: Past and Present (continued)



Mercantile Building



Bob's Bar

SOURCE: Historic Photos from Elk Grove Historic Society

The community's ongoing efforts to enhance Old Town resulted in the adoption of the original SPA by Sacramento County in 1985, with subsequent amendments in 1989, 1991, 1994, and 1997. In 1999, the consulting firm Carter-Burgess prepared the Old Town Conceptual Master Plan, which provides an overall set of recommendations primarily for roadway infrastructure improvements. In 2004, the City of Elk Grove initiated the process to update the Old Town SPA as mandated by the City's General Plan Policy HR-5-Action 2. Based on the 1999 *Conceptual Master Plan*, as well as input received during four community meetings, the Old Town Special Planning Area Design Standards and Guidelines was adopted by the City Council in August 2005, which replaced the previous Old Town SPA document prepared by Sacramento County. As mentioned in Section I(L) in the previous section, a triennial report to the City Council is required to summarize development activity in the SPA, and to identify possible updates to the SPA in response to changing conditions. The intent of the triennial review is to sustain a current and effective SPA.

Old Town SPA
ADOPTED AUGUST 10, 2005
(Reflects Amendments Through April 1, 2019)

Table 2 – Permitted and Conditionally Permitted Land Uses

	P = Use Permitted CUP = Conditional Use Permit Required	Single Family Residential	Multi-Family Residential	Com-Mercial 8, 9, 10
1.	Single Family and Duplexes (≤ 6 units / acre)	P¹		
2.	Multi-Family – Single Use		P²	
3.	Multi-Family – Mixed Use (as 2nd or 3rd Floor Residential)			P³
4.	Home Occupation	P⁴		
5.	Residential Care Home	P⁴		
6.	Commercial – General Retail Including antique, apparel, appliance, book and stationery, camera, camping equipment, department, fabric, furniture, gift shop, luggage and leather goods, paint, pet, nursery, music, stereo (no installation), secondhand, shoe, sporting goods, variety/merchandise.			P^{5, 6}
7.	Commercial – Automotive Accessory Services Including automotive accessory services such as window tinting, detailing, stereo installation and automotive body accessories. Services such as automotive sales, automotive repair, muffler and radiator shops, collision repair and/or painting, quick-lube, and smog check are not permitted uses.			P
8.	Commercial – Personal Services Including repair of appliances or household items, banks, barber shop, beauty shop, bicycle shop, dry cleaners, printing, photographic studio, shoe repair, tailor shop, travel agency.			P⁶
9.	Commercial – Convenience Including bakery, candy, delicatessen, drug store, florist, grocery store, hardware, hobby and crafts, restaurants, coffee shops.			P⁶
10.	Commercial – Entertainment Including performing arts such as theater, music, drama, dance, musical, comedy, and play house.			CUP^{7,11}
11.	Commercial – Bars, Breweries, Wineries, and Brew Pubs Includes a range of establishments engaged in the sale of alcoholic beverages, including bars, taverns, pubs, brew pubs, and similar establishments, including <ul style="list-style-type: none"> • Establishments with alcoholic beverage sales for on-site consumption where any food service (if provided, though not required) is subordinate to the sale of alcoholic beverages (typically includes State Alcohol License Types 40, 42, and 48). For uses where food sales are not subordinate to alcoholic beverage sales, see ‘Commercial-Convenience’. • Establishments with alcoholic beverage sales for on- and off-site consumption or tasting, with or without food service, of products produced 			CUP^{11, 12}

	on-site or off-site pursuant to State licensing (typically includes State Alcohol License Types 02 and 23). Any of the above may include outdoor food and beverage areas.			
11	Commercial - Indoor Recreation Including bowling alley, billiard parlor, ice/roller skating rinks, indoor racquetball courts, indoor climbing facilities, soccer areas, gymnastic studios, athletic clubs and health clubs.			P
12.	Commercial - Cultural Including art galleries and museums			P7
13.	Commercial - Offices Including both general and medical office or clinic.			P
14.	Public Parking Facilities A parking lot or parking structure used for parking motor vehicles where the facility is the primary use of the site. Parking structures and lots that are developed in conjunction with another primary use of the site to satisfy the on-site parking requirements for the development are not included in this definition.			P
15.	Assembly Uses	CUP¹¹		

The commercial permitted uses listed in Table 2 are non-exclusive. Similar commercial uses not specifically listed may be permitted upon review by the Planning Director-see Note 8 below.

Notes:

1. May include accessory uses and structures subject to the development standards in the Zoning Code.
2. Mixed-use development is permitted in Multi-Family Residential zones located along Elk Grove Boulevard subject to Note 3 below. A single-family residential unit is allowed to be located on the 2nd floor with the condition that the ground floor is a pedestrian oriented commercial use (i.e. retail, restaurant, or office).
3. Buildings used for 2nd or 3rd floor residential must be used for pedestrian oriented commercial uses on the ground floor (i.e. retail, restaurant, or office). The permitted density of 2nd or 3rd floor residential shall not exceed 30 units per acre, and shall be dependent on compliance with development standards. See Figure 3 for a mixed-use development example.
4. Subject to the development standards in the Zoning Code for such uses.
5. Sale of animals is not permitted if the proposed site shares a common wall with an adjoining use.
6. Drive-throughs are expressly prohibited.
7. Subject to General Plan noise restrictions.
8. Determination of Use Not Listed.

Where a use is not specifically listed in Table 2 as a permitted or conditionally permitted use within the zone, the Planning Director shall determine whether the use is sufficiently similar to a listed use such that the use may be processed and approved as provided for in the Old Town SPA or that it is not sufficiently similar and would require an amendment of the Old Town Special Planning Area Design Standards and Guidelines planning document to permit the use.

In making the determination, the Planning Director shall base the determination on a consideration of the following factors:

- a. The extent to which the proposed use would meet the objectives and goals of the Old Town SPA to encourage pedestrian oriented retail, restaurant, and office uses; and,
- b. The extent to which the proposed use would be compatible with the uses currently permitted in the Commercial Zone under Table 2; and,
- c. The ability of the City to condition the operation of such uses to adequately mitigate any potential inconsistencies with the objectives and goals of the Old Town SPA and operation of uses currently permitted in the Commercial Zone and the commercial component for mixed-use developments as permissible within Multi-Family Zones identified in Table 2; and,

If, based on consideration of the above-referenced factors, the Planning Director determines that the use is sufficiently similar to a listed use, then the use shall be considered to be included within the category of the use listed. A written record of the Planning Director's decision for either approval or denial shall be kept on file with the Planning Department.

9. Personal Services-Restricted uses, Industrial uses, and Automotive Repair or Maintenance Servicing uses are not permitted in the Commercial Zone. Existing industrial and automotive repair or maintenance servicing uses classified as "Restricted Commercial" may continue subject to the provisions established in Section I(F).
10. Chapter 23.70 of the Municipal Code titled Adult Oriented Businesses shall apply for the application of a use that includes an adult component as defined in Section 23.70.020.
11. Subject to the permit requirements as established in the Zoning Code (Section 23.16.070).
12. Only three (3) conditional use permits for bars, breweries, wineries, and brew pubs may be authorized within the Old Town SPA at any one time. Pursuant to EGMC Chapter 23.18, an approved conditional use permit shall be executed within three (3) years from the date of approval, unless an extension is otherwise approved as provided in EGMC Section 23.18.060 (permit extension). Notwithstanding the provisions of EGMC Section 23.20.020 or any other law, should an approved bar, brewery, winery, or brew pub holding a valid conditional use permit cease or discontinue operations for a period of one year or more, the designated approving authority may, upon completion of a noticed public hearing, revoke the conditional use permit due to discontinuation of use. In lieu of a formal revocation, a property owner with a valid conditional use permit for a bar, brewery, winery, or brew pub may voluntarily surrender the conditional use permit upon written notice to the City.

Figure 3 – Example of Mixed-Use Multi-Family Development



Figure 3 illustrates an example of a three-story mixed-use building with commercial on the 1st floor and residential on the 2nd and 3rd floors. However, in Old Town Elk Grove, the 3rd floor wall would be required to have a five feet (5'-0") setback from the street wall as per Section V-Architectural Design Standards of this SPA.

SECTION IV – SITE DESIGN STANDARDS & GUIDELINES

This section provides site design standards and guidelines which apply to the privately owned land outside of the public right-of-way. These standards and guidelines focus only on the site design component. The architectural design component is addressed in Section V. The site design standards and guidelines are provided under ten subheadings detailing requirements and recommendations, as applicable, for setbacks, landscaping, hardscaping, parking, signs, access, compatibility, outdoor café seating, outdoor retail sales, and outdoor performance venues.

A. SETBACKS

1. Goal

The pedestrian environment in Old Town is defined in large measure by the distance between the facades of buildings on each side of the street. The goal of the setback standards in Table 3 is to require new development in the SPA to continue the scale of the pedestrian environment established in Historic Old Town (see Figure 22) through comparable setbacks. Thus, the comparable setbacks will provide a “street wall” that will form a protected and uninterrupted pedestrian zone, and to promote walking over automobile use.

2. Standards

New development shall comply with the setbacks in Table 3.

Table 3 – Old Town SPA Building Setbacks

	Non-Residential and Mixed Use	Single Family & Duplex Residential
Front Yard	$\leq 7.5^1$	Average of buildings on each side
Side yard – interior		
a. Historic Old Town ²	$0^{3,4}$	5
b. West and East Old Town ²	≤ 12 feet between buildings	5
Side yard – street side	$\leq 7.5^5$	12.5
Rear Yard	Average of rear yard setback provided for the buildings on each adjacent side	

Notes:

1. The front yard setback is equal to the distance between the back of the public right-of-way and the front face of the building wall or columns supporting a roof. Within the range of ≤ 7.5 feet, the front yard setback for individual projects shall result in a continuation of the street wall to the maximum extent feasible.

2. See Figure 22 for boundaries of “Historic Old Town” and “West & East Old Town”.

3. Pedestrian corridors in compliance with the Americans with Disability Act (ADA) and California Building Code (CBC) shall be provided between Elk Grove Boulevard or other buildings or public rights-of-way and any off-street parking that is located behind buildings.

4. Vehicle alleys on Elk Grove Boulevard may be permitted if needed for access to off-street parking located behind buildings as approved by Public Works. Both pedestrian and vehicle alleys shall be on private property with an easement granted to the City.

5. Interior side yard setbacks are intended to reinforce historic development patterns. All new development must also comply with all applicable Building, Fire, and related codes in the design of structures.

6. All projects must provide the minimum visibility easement as defined by the Elk Grove Improvement Standards.

3. **Example**

The above setback standards intentionally reinforce the pedestrian environment found in Historic Old Town. The photo on the left side of Figure 4 shows the intersection of Elk Grove Boulevard and the railroad tracks. The photo on the right side shows the intersection of Elk Grove Boulevard and 3rd Avenue. The solid lines are the approximate location of the road. The rectangles are the buildings. Figure 4 shows that Historic Old Town has a much more consistent streetwall with setbacks that require the building to be sited very close to the sidewalk.

Figure 4 – Setback Examples



B. LANDSCAPING

1. Goal

This section applies to plantings required on private property, outside of the public right-of-way. The SPA does not set landscaping standards for parcels used as single-family residences or duplexes, but focuses instead on non-residential parcels. The SPA also sets landscaping standards for buildings originally used as residences but subsequently converted to non-residential purposes. Landscape designs on private property should seek to provide a unifying design element, to meld into adjacent neighborhoods and existing developments, to strengthen pedestrian circulation, to enhance building entrances, to provide seasonal color, to provide shade appropriate to climatic conditions, to screen unsightly objects and unattractive views from the corridor, to buffer parking lots from the view of the corridor, and to be maximized and balanced throughout the corridor.

2. Standards

- a. Unless otherwise preempted by the Old Town SPA setback standards, the quantity and location of landscaping for new non-residential projects shall be consistent with the requirements in the City's Zoning Code and Design Guidelines. For example, new non-residential projects on Elk Grove Boulevard have a permissible front yard setback of 0 feet (minimum) to 7.5 feet (maximum) from the back of the public right-of-way, and therefore require less landscaping than otherwise mandated by the Zoning Code.
- b. The type of landscaping for new non-residential projects shall be consistent with Tables 4 and 5.
- c. New restaurants proposing outdoor dining shall be required to provide landscaping as defined above. However, reductions to the landscape standards may be considered as an exception if the outdoor dining area otherwise substantially complements the historic character of Old Town through exemplary architecture and design.
- d. Hanging landscape ornaments (i.e. hanging planting baskets) are permitted, but must satisfy the following conditions:
 1. The ornament must be stationary and securely mounted to the building, thus allowing no type of swinging movement.
 2. A minimum height clearance of eighty (80) inches must be maintained over pedestrian passages/doorways in accordance to the Americans with Disabilities Act (ADA).
 3. The ornament must not create a potential hazard for pedestrians, customers and staff.
 4. Ornaments proposed to be permanently affixed within the right-of-way shall apply for an Encroachment Permit through the City's Public Works Department.

5. **Guidelines**

- a. Screen walls at outdoor dining areas should be scaled accordingly for visibility and safety and incorporate landscaping to soften the appearance. The height of garden walls should be a maximum of 36 inches above the adjacent sidewalk.

6. **Example**

The SPA's front yard landscape standards only apply to the area between the building and the back of the sidewalk, as shown in Figure 5. Figure 6 provides an example of a project that complies with the landscaping standards of the SPA.

Figure 5 – Front Yard Landscaping



Table 4 – Recommended Trees for Non-Public Properties

Botanical Name	Common Name	Historic Old Town	West & East Old Town
<i>Acer buergeranum</i>	Trident Maple	X	X
<i>Celtis occidentalis</i>	Chinese Hackberry	X	X
<i>Lagerstroemia indica</i>	Crape Myrtle	X	X
<i>Nyssa sylvatica</i>	Sour Gum	X	X
<i>Platanus acerifolia</i>	London Plane Tree	X	X
<i>Pyrus calleryana</i> "Bradford"	Bradford Pear	X	X
<i>Robinia</i> "Purple Robe"	Locust	X	
<i>Tilia cordata</i>	Little Leaf Linden	X	X
<i>Zelkova serrata</i>	Sawleaf Zelkova	X	X
<i>Pistache chinensis</i>	Chinese Pistache		X

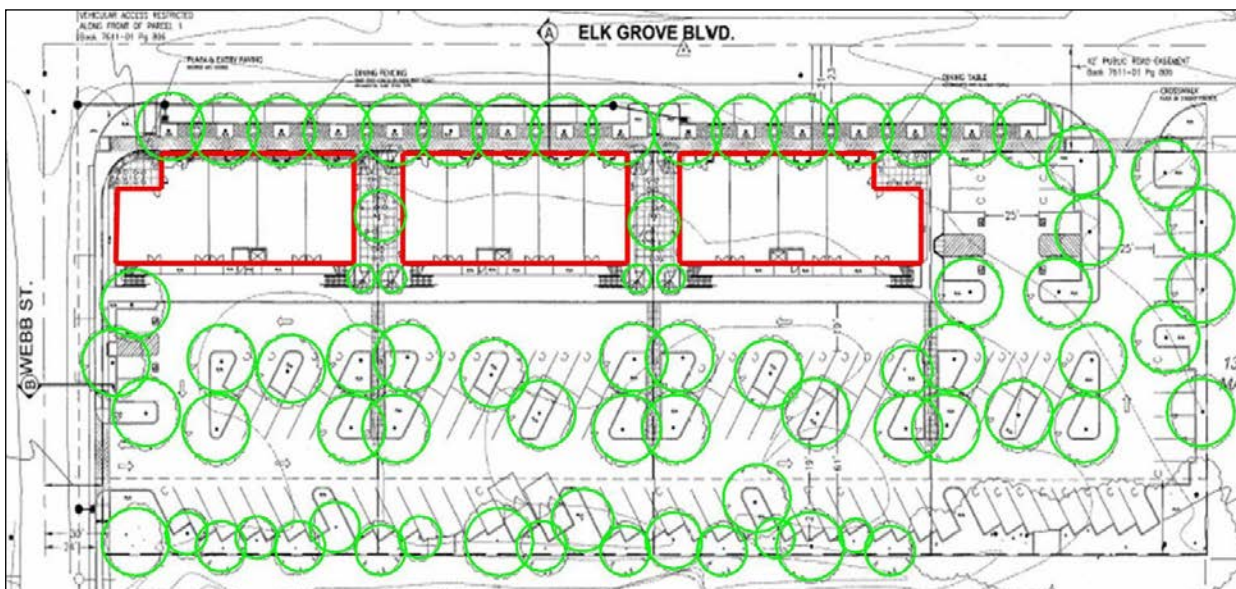
Source: Conceptual Master Plan, Carter-Burgess, December 1999

Table 5 – Recommended Shrubs for Non-Public Properties

Botanical Name	Common Name
<i>Abelia grandiflora</i>	Glossy Abelia
<i>Camellia</i> species	Camellias
<i>Dietes vegeta</i>	Fortnight Lily
<i>Gardenia jasminoides</i> "Vetchii"	Gardena
<i>Hemerocallis</i> hybrids	Evergreen daylily
<i>Hydrangea macrophylla</i>	Hydrangea
<i>Lavandula stoechas</i>	Spanish Lavender
<i>Myrtus communis</i> "Compacta"	Myrtle
<i>Nerium oleander</i> (dwarf)	Dwarf Oleander
<i>Phormium tenax</i> (dwarf)	Dwarf New Zealand Flax
<i>Raphiolepis indica</i>	India Hawthorn
<i>Rhododendron</i> species	Azalea
<i>Rosa</i> species	Rose

Source: Conceptual Master Plan, Carter-Burgess, December 1999

Figure 6 – Example of Project that Complies with Landscaping Standards



The Elk Grove offices at the southeast corner of Elk Grove Boulevard and Webb Street comply with the SPA's landscape standards for quantity and location of plantings. Although the building was brought forward to Elk Grove Boulevard to maintain the street wall and place parking at the rear of the lot, ample landscaping is provided throughout the site. The parking lot also includes sufficient landscape islands to comply with the Zoning Code and Design Guidelines. The artist's rendering shown above is from the corner of Elk Grove Boulevard and Webb Street, looking southeast. The above site plan shows the building footprint in red, with the canopies of individual trees highlighted in green.

Old Town SPA
ADOPTED AUGUST 10, 2005
(Reflects Amendments Through April 1, 2019)

C. **HARDSCAPING**

1. **Goal**

The goal of the following standards is to ensure hardscaping that is compatible in scale and design with the historic context of Old Town. Hardscaping includes seating, lighting fixtures, special paving, public art, and similar features. It defines the pedestrian's experience of the public space along the sidewalk.

2. **Standards**

- a. Any new development along Elk Grove Boulevard shall provide hardscaping and landscaping improvements in the space between the street curb and the building consistent with existing phases of the City's hardscaping and landscaping improvements to Elk Grove Boulevard.
- b. The non-public paving along Elk Grove Boulevard shall be compatible with the adjacent public paving (i.e. color, texture, pattern, etc.).
- c. New development along Elk Grove Boulevard shall provide pedestrian amenities along the entire building front (i.e. benches, outdoor seating, pedestrian scaled lighting, clear windows, varied textures, materials, etc.), consistent with the existing phases of the City's improvements to Elk Grove Boulevard.
- d. Outdoor furniture and fixtures shall be located to not conflict with circulation patterns.
- e. Outdoor furniture and fixtures shall be compatible with the project architecture and the character of Old Town.
- f. Outdoor furniture and fixtures shall be of a sturdy construction to withstand abuse.
- g. All exterior vending machines are prohibited (i.e. newspaper stands, bottled water, soft drinks).
- h. All utility boxes shall be installed fully underground or incorporated into the building design through screening to the extent permitted by law.

3. **Guidelines**

- a. Where appropriate, special paving should be used within sidewalks, patios, entrance courts, crosswalks, curb ramps, and vehicular turn aisles.
- b. For lots located on corners, hardscaping and landscaping improvements are encouraged to wrap around Elk Grove Boulevard and continue along the side street for a minimum of twenty-five feet (25'-0"). Hardscaping and landscaping improvements should be identical to existing phases of the City's improvements based on manufacturer, cut sheets, color, material, size, and style. Improvements within the public street right-of-way should be consistent with the City's Improvement Standards. Alternatives to the Improvement Standards will be evaluated by the City's Public Works Department on a case-by-case basis.

c. For lots located on corners, pedestrian amenities are encouraged to be provided along the side street for a minimum of twenty-five feet (25'-0").

4. **Example**

Figure 7 provides 4 examples of successful hardscaping. The two examples on the left are restaurants in Lodi's Old Town. The two examples on the right are along Old Town Elk Grove. In each case, the hardscape provides a transition from the street to the interior of the building. Large, clear, storefront windows further enhance the transition between the outdoor and indoor spaces. Care is also shown in the choice of outdoor furniture and fixtures to ensure that they blend with the nearby historic buildings.

Figure 7 – Hardscaping



D. **PARKING**

1. **Goal**

To provide sufficient parking to meet the needs of each land use in a manner that enhances pedestrian safety and mobility.

2. **Standards**

- a. Parking shall be on-site or from an off-site parking facility located either 1) within the Old Town SPA or 2) outside of the Old Town SPA, but located within 800 feet of the SPA boundary line. Parking shall be provided through public and/or private financing for parcels which are too narrow to provide onsite parking. Satisfaction of parking requirements through proximity to an existing parking facility may be permitted, provided that such parking facility is demonstrated to have sufficient excess capacity to accommodate the parking requirements of the proposed use.
- b. New parking areas shall be located to the rear of buildings with access at the rear or side. Curb cuts on Elk Grove Boulevard are discouraged.
- c. The parking ratios provided in Table 6 shall apply to new and existing developments in Old Town.
- d. Outdoor seating at restaurants, delis, coffee shops, and similar uses as determined by the Planning Director shall be excluded in calculating the minimum required parking for the primary use.
- e. Applicants may seek a reduction in required parking if the project participates in a shared parking arrangement (see Guidelines below regarding principle of shared parking). The applicant must demonstrate to the appropriate Design Review authority that the proposed shared parking area can accommodate the proposed project based on peak parking demands.
- f. For existing commercial buildings in Old Town, when there is a change in use to a use that has the same or lesser parking requirements than the previous use, no additional parking shall be required. When there is a change to a use that has a greater parking requirement than the previous use, the difference in required spaces between the previous and proposed use shall be provided.
- g. If there is no option except to locate parking between the building and Elk Grove Boulevard, large parking areas shall be broken into segments no larger than 50 feet measured along the streetside.
- h. Vehicle access to parking lots shall be from side streets and not from Elk Grove Boulevard. The Planning Commission may approve exceptions to this requirement for parcels without rear access through alleys or by an adjacent parcel through an existing recorded easement.

3. **Guidelines**

- a. Shared parking between commercial uses and commercial/residential uses is encouraged. Shared parking is based on the principle that different occupancies or

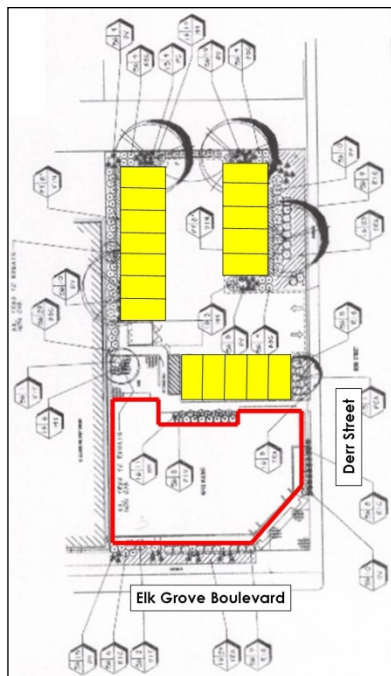
land uses often have parking demands that differ with the time of day or week. Thus, sharing of parking spaces between the occupancies or land uses can significantly reduce the amount of land devoted to parking.

- b. Parking lots should be designed so that pedestrians walk parallel to moving cars within the parking space drive aisle(s).
- c. Parking space drive aisle(s) should be perpendicular to the facing building wall.

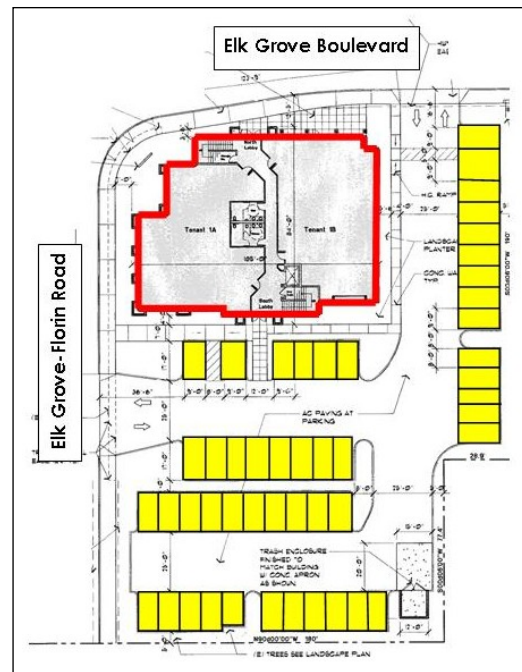
4. **Example**

The following new projects in Old Town provided adequate parking at the rear of the buildings, consistent with the parking ratios established by the Zoning Code. The yellow rectangles represent the individual parking spaces provided at each site. The building footprints are highlighted in red.

Figure 8 – Examples of Successful Parking



Century 21 at northwest corner of Elk Grove Blvd. and Derr St.



Library at southeast corner of Elk Grove Blvd. and Elk Grove-Florin Rd.

Table 6 – Parking Requirements

Land Use	Require Parking Spaces
Residential Uses	
Single-Family	Residential uses shall comply with the parking requirements established in the Zoning Code
Multi-Family	
Commercial Uses	
General Retail	1 space/500 sf.
Automotive Accessory Services	1 space per service bay
Personal Services Listed uses except Athletic Club Athletic Club	1 space/500 sf. 4 space/1,000 sf.
Convenience	1 space/500 sf.
Entertainment	1 space/600 sf.
Bars, Breweries, Wineries, and Brew Pubs	1 soace/600 sf. ¹
Indoor Recreation	1 space/600 sf.
Cultural	1 space/600 sf.
Offices	1 space/500 sf.
Assembly Uses	Greater of: 1 space per 6 fixed seats or 1 space/150 sf.
Notes: 1. The area used for calculating required parking spaces shall not include any area that meets both of the following criteria: (1) area used for the brewing, fermenting, ageing, and processing of beer or wine; and (2) area where customers are generally not permitted.	

E. SIGNS

1. Goal

To ensure signage is in scale and designed with the historic context of Old Town Elk Grove. The standards focus on the location, size, materials, and placement of signs, but not on their content.

2. Sign Permit Requirement

A completed sign permit application shall be submitted to Development Services – Planning for those new monument and building signs identified in Table 7 as subject to a sign permit. All signs subject to a sign permit shall meet the standards as provided in Section 3 below and in Table 7. A sign permit will be issued for each sign upon review and approval.

Change of copy on an existing sign that does not alter the size, location, or illumination of the sign is not subject to the sign permit requirement (see Elk Grove Municipal Code Section 23.62.050(D), Message Substitution).

3. **Standards**

- a. Sign sizes shall not exceed the maximum dimensions defined in Table 7.
- b. Prohibited signage in the SPA shall include the following sign types.
 - Roof signs, pole signs, inflatable signs, exposed neon signs, mobile signs, and flat plastic back-lit signs.
 - No flashing, moving, or animated illumination signs with the exception to barber poles and clock faces.
 - Back-lit awnings are prohibited if they illuminate signage that is mounted or attached on the awning.
 - New and mobile billboards.
- c. Signs shall be constructed from wood, material with a natural wood appearance, concrete, metal, canvas/canvas-like fabric, or painted graphics on building surfaces. Other materials may be approved by the Planning Director on a case-by-case basis.
- d. Signs shall be illuminated by means of either external lighting with fixtures that complement the sign and shield pedestrians or by halo lighting, which individually illuminates opaque letters from behind. Internal illumination of signs is prohibited in all circumstances.
- e. All conductors, transformers, and other equipment necessary for signs shall be concealed. Mounting hardware for signs shall be made inconspicuous. Fasteners, bolts, and clips for signs shall be made of non-corroding and stain-free materials.
- f. Non-flashing neon or LED illuminated "Open" signs placed behind the business window are permitted with a maximum dimension of twenty (20) inches by thirty-six (36) inches.
- i. Sidewalk signs (A-frame, sandwich boards, and menu signs) placed in front of buildings within the public right-of-way on Elk Grove Boulevard are permitted on limited portions of the public sidewalk within Old Town. Only those buildings located in the Commercial Zone and having full or partial street frontage along Elk Grove Boulevard may maintain a sidewalk sign. All sidewalk signs are subject to compliance with the following application procedures and performance standards:

Sidewalk Sign Application Procedures

1. A completed Sign Permit application, a scaled site plan, a scaled drawing of the proposed sign, and a description or sample of the sign materials shall be submitted to Development Services – Planning.

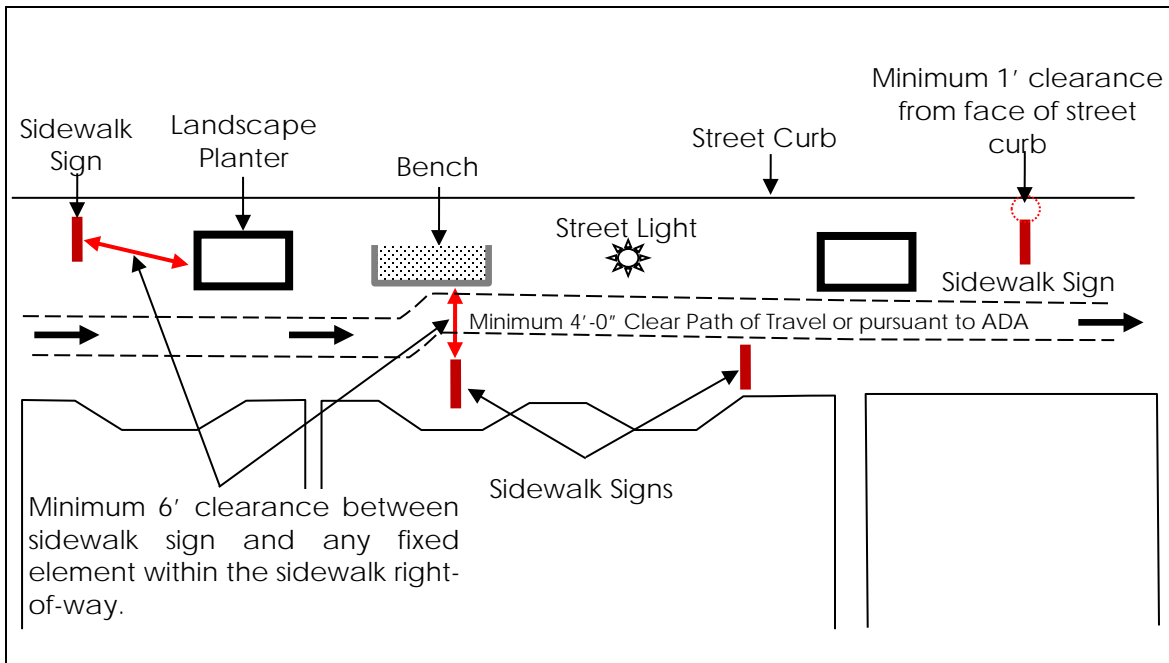
2. Applicants seeking to locate sidewalk signs within the right-of-way shall also apply for an Encroachment Permit through the City's Public Works Department.
3. The site plan shall show the following:
 - a. Location of the sign and any fixed elements on sidewalk or building within a twenty-five foot (25'-0") radius around the sign location. Fixed elements include light-sign poles, trees/landscape strips, traffic lights, parking meters, raised planter curbs, tree-wells, pots, waste containers, and similar items.
 - b. Distance measurements from the sign to adjacent sidewalk fixtures pursuant to the requirements specified below.
4. Permits are valid for the duration of the applicant's specific business.

Sidewalk Sign Performance Standards

1. Sidewalk Sign Quantity:
 - a. Single-Occupied Buildings - No more than one sign per building.
 - b. Multi-Tenant Buildings – One sign per every 20 feet of building street frontage.
2. Signs shall have no more than two-faces.
3. The placement of the sign shall comply with the following:
 - a. Located in front of the business it represents. For multi-tenant buildings, signs may represent more than one business, but must maintain a minimum distance of 20 feet separation from other sidewalk signs.
 - b. Maintain a minimum of forty-eight (48) inches of clear path of travel for pedestrian access or pursuant to ADA.
 - c. Maintain a minimum of twelve (12) inches of clearance distance from the face of the street curb.
 - d. Maintain the minimum clearance distance pursuant to ADA between any fixed element within the sidewalk right-of-way (if applicable).
4. The sign shall be removed from the public right-of-way at the close of business daily and/or when weather conditions create potentially hazardous conditions.
5. No sign shall exceed forty-eight (48) inches in height and twenty-six (26) inches in width. The placement of pedestal signs or other types are strictly prohibited.
6. No sign shall be placed in any landscaped areas (street planters, flower beds, etc.)
7. The sign shall be designed to stand independently with no additional support needed.
8. The sign shall be professionally constructed using one or more of the following durable material(s): painted/lacquered wood, slate chalkboard, and weatherable steel. Plastic material may be utilized if it replicates a specific building material and provides a realistic appearance. Signs shall have no sharp edges or corners.

9. The style of the sign's graphic shall be professional in quality.
10. Signs containing glass, breakable materials, paper, laminated paper, vinyl, PVC pipe frames, wind-activated items (i.e. balloons, windsocks, and pinwheels), or illumination are strictly prohibited.
11. All surfaces shall be smooth and be free of protruding tacks, nails, and wires. All parts, portions, and materials of the sign shall be kept in good repair. The display surface shall be kept clean, neatly painted, and free from rust, corrosion, and graffiti. Any cracked or broken surfaces, missing sign copy, or other poorly maintained or damaged portion of a sign shall be repaired, replaced, or removed.

Figure 9 – Sidewalk Signs



4. Guidelines

- a. Signs should relate proportionally to building elements, should be an integral component of design, and should complement the building facade.
- b. Figurative signs that advertise the occupant's business through the use of graphic or crafted symbols are encouraged and shall not be included as part of the sign area.

5. 4. Example

Figure 10 provides a series of photos that illustrate various well designed signs from local Old Towns. It should be noted that none of the examples show internally illuminated signs, which are prohibited in the Old Town Elk Grove SPA. The photos in Figure 10 are offered as examples of good sign design. Applicants are referred to Table 7 for guidance regarding permissible sign dimensions.

Figure 10 – Signage Best Practices



Top row:

- Building sign

Middle row from left:

- Monument sign
- Window sign
- Sign attached at right angle

Bottom row from left:

- 3 dimensional sign
- Sign attached flat against building

The photos in Figure 10 are offered as examples of good sign design. Applicants are referred to Table 7 for guidance regarding permissible sign dimensions.

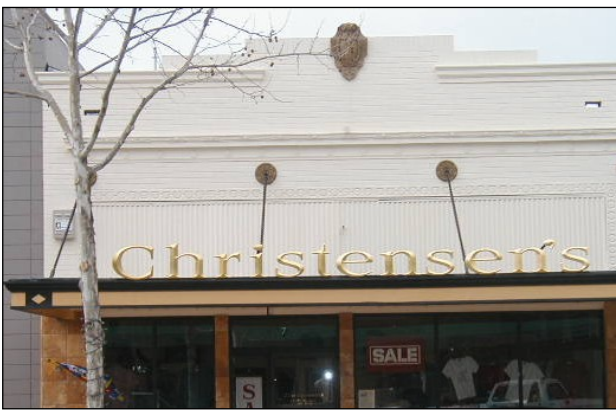
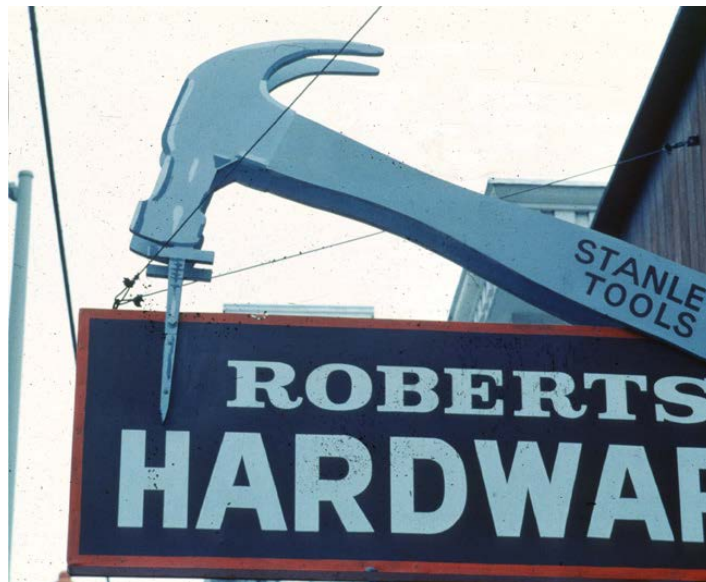


Figure 10 – Signage Best Practices (continued)



Above left: Hanging below canopy
Above right: Awning sign
Above Center: Figurative sign

The photos in Figure 10 are offered as examples of good sign design. Applicants are referred to Table 7 for guidance regarding permissible sign dimensions.

Table 7 – Maximum Sign Size

	Sign Types ¹	Maximum Number Permitted	Maximum Area ²	Maximum Height
Requiring Sign Permit	Monument Signs	1 monument sign allowed per parcel with exception that corner parcels may be allowed to have 2 monument signs (1 sign per street frontage). ³	Limited to ≤ 24 sq. ft. per monument sign. The sign area shall be limited to 6 feet wide and 4 feet high, excluding any architectural supporting elements.	5 feet ⁴
	Building Signs	Varies (See Below)	Aggregate total area of all building signs shall be limited to 2 square feet per foot of building frontage	Varies (See Below)
	Wall signs ⁵	1 per building elevation with public frontage	No more than 75% of building or tenant space frontage	Not to exceed 25% of building facade
	Hanging from underside of canopy ⁶	1 per business or tenant space frontage	6 square feet	18 inches
	3-D signs (letters or logos) ⁷	1 per business or tenant space frontage	No more than 75% of building or tenant space frontage	24 inches
	Awning and/or canopy signs	1 per awning valance or vertical surface of an awning	≤ 75% of surface valance or vertical surface area	12 inches
	Project from building at right angle	1 per business or tenant space frontage	≤ 16 square feet	4 feet
Exempt from Sign Permit	Window sign ⁸	NA	≤ 25% of glazing	12 inches for letter height
	Directory signs	1 per tenant building	10 square feet	6 feet (sign height)
	Directional signs	1 per each one-way driveway, service/delivery entrance; additional signs permitted to satisfy a health and safety requirement	4 square feet	4 feet (sign height)
	Temporary Signs (i.e. banners). <i>All regulations for temporary signs as established by the Zoning Code shall apply with exception to maximum area.</i>	1 per business or tenant space frontage	30 square feet	NA

Notes:

1. All signs shall require the issuance of a building permit and/or sign permit.
2. The maximum area is determined pursuant to Section 23.62.120 of the Zoning Code.
3. Monument signs shall be placed behind the public right-of-way and maintain the clear vision triangle (if applicable) as set forth in the City of Elk Grove Improvement Standards and Standard Drawings for sight distance at intersections and driveways.
4. The maximum height is measured as the vertical distance from the grade to the highest point of the sign.
5. Building wall signage shall comply with the following standards:
 - a. Signage shall be mounted on a flat surface without obscuring architectural details or features.
 - b. Signage shall be placed consistent with the proportion and scale of the elements within the building's facade.
6. Adequate clearance shall be maintained for pedestrian ingress/egress and mobility.
7. Permitted only if consistent with historic prototypes.
8. Window sign area shall not be included as part of the aggregate building sign area.

F. **ACCESS**

1. **Goal**

To ensure that automobiles, bicycles, and ultimately pedestrians can move safely and easily between the public right-of-way, parking lots, sidewalks, and buildings.

2. **Standards**

a. Alleys in Old Town shall comply with the following:

1. Parcels adjacent to rear alleys shall maintain service access from the rear and provide attractive rear entrances.
2. On-street loading and unloading shall only be permitted for parcels that are not adjacent to rear or side alleys.
3. Projects adjacent to alleyways shall improve the appearance of the alleyways per City standards. The utilization of special paving is strongly encouraged.
4. Existing mid-block north/south alleys shall be utilized for parking access wherever they occur.
5. An entry gateway arch or similar feature to distinguish the pedestrian corridor and reinforce the continuity of the street wall is required.
6. Access width for pedestrian corridors (building to building or building to property line) shall meet the standards of the Americans with Disability Act (ADA) and California Building Code (CBC).

b. Vehicle, bicycle, and pedestrian circulation shall comply with the following:

1. Primary pedestrian access to all buildings shall be through an entry on the street side.
2. Vehicle circulation patterns shall be as simple and obvious as possible.
3. Pedestrian circulation patterns shall be as simple and obvious as possible.
4. Circulation shall be designed to reduce conflict between vehicles and people. The pedestrian shall take precedence over the vehicle if a conflict arises.
5. Pedestrian scaled lighting is required.
6. Accessibility and safety (non-slip surfaces) shall be provided.
7. Bicycle routes shall be marked and not travel on pedestrian sidewalks or pathways, consistent with the trails plan shown in Figure PTO-2 of the City's General Plan.
8. Facilities and amenities shall be accessible to people with disabilities in accordance with ADA, State, and City guidelines.

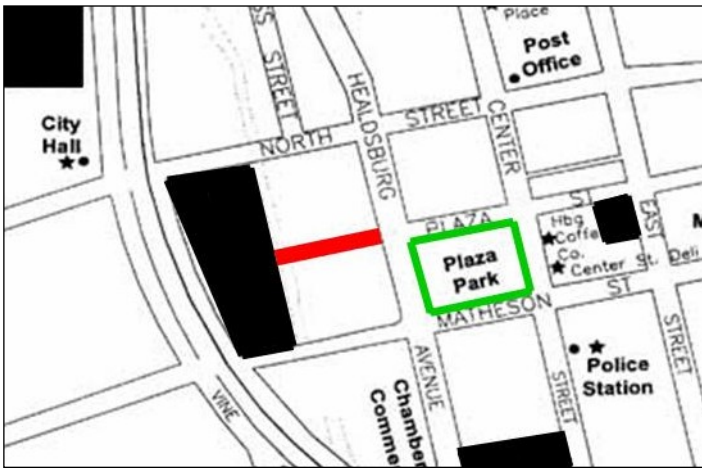
3. **Guidelines**

- a. Alleys in Old Town should comply with the following:
 1. When utilized, pedestrian corridors should be spaced at not more than 100' on center.
 2. Single-lane, one-way vehicular/pedestrian access connecting Elk Grove Boulevard with off-street parking behind buildings not fronting on Elk Grove Boulevard may be approved.
- b. Vehicle, bicycle, and pedestrian circulation should comply with the following:
 1. Pedestrian paths should be separated from automobile circulation routes.
 2. Paving materials with color/texture/pattern should be an integral part of the design where in the right-of-way.
 3. Varied paving materials should occur at the overlap of pedestrian and vehicular areas.
 4. Pedestrian paths should include trees, lighting, overhead trellises, sitting areas, etc.
 5. A well-lighted route should be provided from buildings to the parking area.
 6. Pedestrian corridors should be aligned with mid-block crosswalks where possible.
 7. Shared access drive and reciprocal access between non-residential developments is encouraged. For new projects located adjacent to existing developed properties, if the property owners concur (both project applicant and adjacent property owner), a reciprocal access agreement shall be recorded with the land by the owners of the adjacent properties to ensure that there will be continued availability of the shared access.

4. **Example**

There are several Old Towns in Northern California that successfully provide vehicle, bicycle, and pedestrian access. Most Old Towns with successful access locate public and private parking to the rear of buildings, allowing the space between the building façade and the roadway to be oriented to the pedestrian. The example below illustrates parking behind its commercial district, which is accessible by the pedestrian friendly alley also shown in Figure 11.

Figure 11 – Access Best Practices



Photos show pedestrian corridor from the parking behind buildings. Top left photo is taken from Healdsburg Ave. looking toward fountain at end of alley. Top right photo shows fountain at end of alley next to parking. Red line in the map at left illustrates location of pedestrian corridor. Areas shaded black are public parking. Development exists on both sides of the alley and around the Plaza Park.

G. COMPATIBILITY

1. Goal

To ensure that adjoining land uses on two or more parcels do not conflict with each other, and to ensure that features within a site (such as a trash enclosure) do not conflict with the primary use of the parcel.

2. Standards

- a. New commercial uses shall be required to install a six-foot (6'-0") masonry wall along any boundary shared with a property zoned for residential use. If an alley is located between the commercial and residential uses, the commercial applicant shall contact the residential landowner to negotiate to build the six-foot masonry wall on the residential side of the alley. If no agreement can be made, the wall shall be located on the commercial side. Fencing in side and front yards shall be consistent with the standards established by the Zoning Code.

- b. Trash enclosures shall be included in all projects, except for parcels without off-street parking. All trash enclosures shall be designed to be consistent with the following:
 - 1. Trash enclosures shall be built of non-combustible materials (wood not permitted).
 - 2. Materials/finishes shall relate to and be of same quality as materials used in the building.
 - 3. Landscaping and screening shall be included to help visually buffer loading area and enclosure.
 - 4. Overhead screening is required when the enclosure is visible from multi-storied buildings.

3. **Guidelines**

- a. Structures and activities should be located and designed to avoid creating nuisances and hazards for adjoining properties, particularly residential.

4. **Example**

A consistent and comprehensive implementation of the design guidelines established by this SPA is required to achieve compatibility between uses on different parcels and among features on a site. Staff observed several examples of compatibility in other Old Towns, as detailed by the photographs throughout this document.

H. **OUTDOOR CAFE SEATING**

1. **Goal**

To animate the downtown environment and complement retail and cultural activities by encouraging the establishment of outdoor café seating (as an augmentation to a restaurant operating within the adjacent building) on limited portions of the public sidewalk in Old Town, subject to the minimum dimensional and performance standards detailed below to ensure cafe design is functionally compatible with other needs and provides for the protection of the public health, safety and welfare.

2. **Standards**

Outdoor sidewalk cafes (as an augmentation to a restaurant operating within the adjacent building) are permitted on limited portions of the public sidewalk within Old Town subject to compliance with the following application procedures (see H(2)(a) below) and performance standards (see H(2)(b) below).

a. Application Procedures

- 1. A completed Type 1 Design Review application, a scaled site plan, and a scaled elevation drawing of the proposed outdoor dining facilities shall be submitted to Development Services – Planning.
- 2. Outdoor café seating proposed within the right-of-way shall apply for an Encroachment Permit through the City’s Public Works Department. The applicant

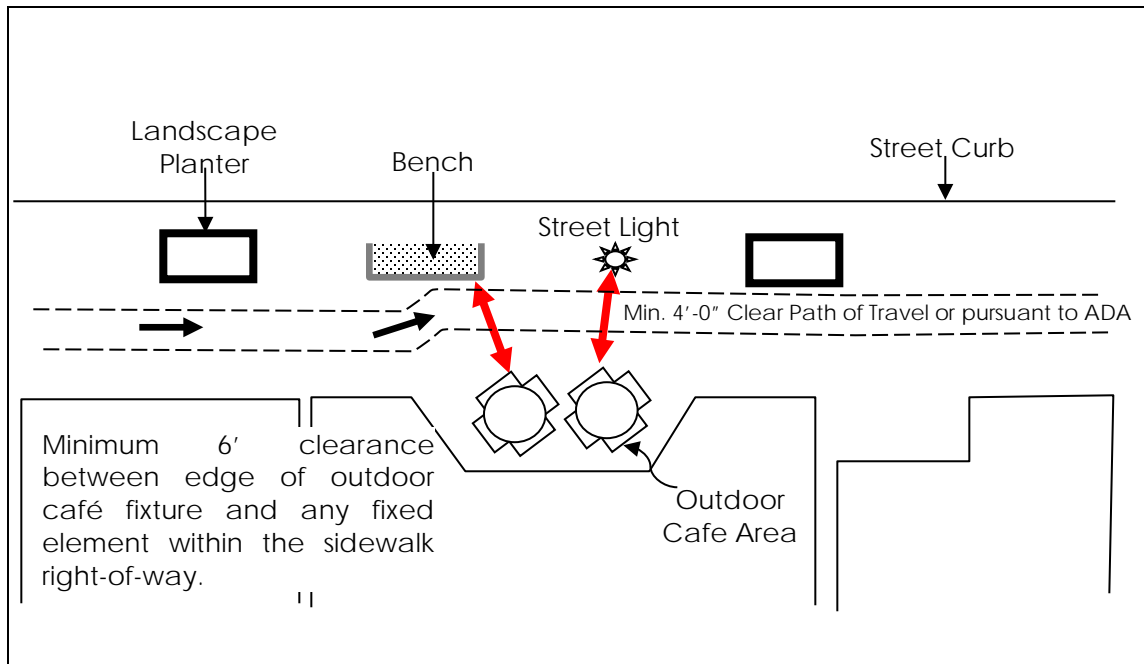
shall obtain an insurance policy for the café with the City of Elk Grove as an additional insured to the policy.

3. The site plan shall show the following:
 - a. The location of tables, chairs, accessory service facilities, the mandatory perimeter barrier element, and any fixed elements on sidewalk within a twenty-five (foot (25'-0")) radius around the outdoor cafe area. Fixed elements include light-sign poles, trees/landscape strips, traffic lights, parking meters, raised planter curbs, tree-wells, pots, waste containers, and similar items.
 - b. Distance measurements from the outer perimeter of the outdoor cafe fixture to adjacent sidewalk fixtures – see H(2)(b)(1) below for minimum clearance distance.
 4. Elevation plans shall show front and side views of the outdoor dining facilities, including all proposed above-grade improvements such as planter boxes, awnings, tables, chairs, and similar features.
 5. Upon approval of a Type 1 Design Review Permit by the Planning Director, the applicant shall obtain all required building/electrical permits, if applicable, prior to construction.
- b. Performance Standards
1. Sidewalk cafes shall not obstruct sidewalk pedestrian traffic or create public health and safety hazards. Accordingly, all sidewalks shall maintain a six foot (6'-0") minimum clearance between the outside edge of any sidewalk cafe fixture and any fixed element within the sidewalk right-of-way (see Figure 12).
 2. Outdoor sidewalk cafes shall be either open, partially covered or enclosed by means of umbrellas, awnings, canopies or similar protective structures, or fully enclosed.
 3. Enclosed cafes shall be constructed of material that is predominantly transparent. Glass shall be clear, not heavily tinted or mirrored. Base walls of enclosed cafes shall not be greater than twelve (12) inches in height. The outside window height shall not be less than eight feet (8'-0"). All permanent structures shall meet building code requirements.
 4. Roof material covering an outdoor cafe (if used) shall be either temporary, fixed, or retractable and can extend into limited portions of the public side walk from the face of the building a distance up to the minimum clear zone dimension specified above, or a maximum distance of ten feet (10'-0") from the face of the building, whichever is less. Awnings, canopies, or similar protective shelter must be fire-treated or nonflammable.
 5. Permanent enclosed sidewalk cafe structure shall be constructed of noncombustible material. Enclosed roof over seating area shall be fire-sprinklered.
 6. A mandatory decorative barrier element separating the outdoor cafe seating area from adjacent pedestrian traffic shall be provided. The design and materials of such decorative barrier element shall complement and be compatible to the

architectural design of the restaurant building façade and may include, but not necessarily be limited to wrought iron fencing, raised planters, or similar features.

7. Enclosed cafes shall be used only as seating areas. Storage, kitchen or restroom uses are not allowed. The seating shall be movable.
8. All outdoor and enclosed cafes shall be level with the sidewalk and ADA accessible.
9. If decorative/accent lighting is incorporated into the outdoor cafe structure, awning, canopy, etc., it shall meet all City Code requirements.

Figure 12 – Minimum Clear Dimension for Outdoor Cafes



3. **Example**

Figure 13 provides examples of outdoor cafes. Note that each café is defined by some form of decorative barrier element, including fencing or planters forming an edge.

Figure 13 – Outdoor Seating



I. OUTDOOR RETAIL SALES

1. Goal

To animate the downtown environment by allowing the establishment of outdoor retail sales (as an augmentation to a retail business operating within the adjacent building) on limited portions of the public sidewalk in Old Town, subject to the minimum dimensional and performance standards detailed below to ensure outdoor retail design is functionally compatible with other needs and provides for the protection of the public health, safety and welfare.

2. Standards

Outdoor retail sales (as an augmentation to a retail business operating within the adjacent building) are permitted on limited portions of the public sidewalk within Old Town subject to compliance with the following application procedures (see I(2)(a) below) and performance standards (see I(2)(b) below).

a. Application Procedures

1. A completed Temporary Use Permit application and a scaled site plan of the proposed outdoor retail sales shall be submitted to Development Services – Planning.
2. The site plan shall show the following:
 - a. The location of outdoor sales shelves, racks, or similar features, and any fixed elements on the sidewalk within a twenty-five foot (25'-0") radius around the outdoor retail sales area. Fixed elements include light-sign poles, trees/landscape strips, traffic lights, parking meters, raised planter curbs, tree-wells, pots, waste containers, and similar items.
 - b. Distance measurements from the outer perimeter of the outdoor retail sales features to adjacent sidewalk fixtures – see (2)(b)(1) below for minimum clearance distance.

3. Upon approval of a Temporary Use Permit by the Planning Director, the applicant shall obtain all required building/electrical permits, if applicable, prior to commencement of outdoor retail sales activities.

b. Performance Standards

1. Outdoor retail sales shall not obstruct sidewalk pedestrian traffic or create public health and safety hazards. Accordingly, all sidewalks shall maintain a six foot (6'-0") minimum clear dimension between the outside edge of any outdoor retail sales feature and any fixed element within the sidewalk right-of-way. The six foot minimum clear dimension may be measured from the outermost point of the outdoor retail sales feature as a radius of a circle.
2. All outdoor retail sales shall be level with the sidewalk and ADA accessible.
3. If decorative/accent lighting is incorporated into the outdoor retail sales, it shall meet all City Code requirements.
4. All outdoor retail sales shelves, tables, racks, and similar features shall be movable.

J. **OUTDOOR PERFORMANCE VENUES**

1. **Goal**

To complement the downtown environment by permitting small outdoor performance venues attached to an existing restaurant or entertainment establishment, subject to the minimum standards provided herein, and to ensure that outdoor performance venues are operated in a manner that protects the public health, safety and welfare.

2. **Standards**

Outdoor performances shall be conducted in an outdoor performance venue for which a valid permit has been issued in compliance with the application procedures in Section J(2)(a). All outdoor performance venues shall meet and shall be operated in compliance with the standards set forth in Section J(2)(b).

a. Application Procedures

1. A Temporary Use Permit application and a scaled site plan noting the location of the outdoor performance venue and its component parts, including amplification, shall be submitted to the City.
2. Upon approval of a Temporary Use Permit by the Planning Director, the applicant shall obtain all required building/electrical permits, if applicable, prior to utilizing the outdoor performance venue.

b. Performance Standards

1. There shall be no impacts to pedestrian movement or traffic safety.
2. Outdoor performance venues shall not be utilized for more than four (4) total hours within any twenty-four (24) hour period.

3. Outdoor performance venues shall be limited to the hours of 8:00 a.m. to 9:00 p.m.
4. Outdoor performance venues shall be subject to the City's General Plan noise thresholds.
5. Outdoor performance venues shall be incidental to the primary use of the property.
6. An outdoor performance venue may not include a stage or dance floor.
7. Outdoor performance venues shall not create a nuisance.
8. Outdoor performance venues shall be a minimum of one hundred feet (100'-0") from a residential zone.
9. The owner of the facility shall not permit the performance of any matter violating the City's adult business chapter of the City's Municipal Code.

SECTION V – ARCHITECTURAL DESIGN STANDARDS & GUIDELINES

Section V provides architectural design guidelines under 10 subheadings, including height, materials, color, murals, scale, architecture, storefronts, entries, architectural details, and roofing.

Single-Family Residential

The construction of new single-family residential homes is exempt from Design Review. However, it is strongly encouraged that new development maintain the historic character of homes. New dwellings should have the size, mass, and proportion that fit their historical context and neighborhood. Building surface materials should be a proven equivalent in texture and appearance to historic materials such as wood, brick, masonry, stone, and stucco. Modern building materials may be used if consistent with historic design standards.

Commercial

The following guidelines below apply to new commercial development and the redevelopment of existing commercial buildings.

A. HEIGHT

1. Goal

To preserve the historic character, architectural integrity, and pedestrian-friendly environment of Old Town Elk Grove through the regulation of building height, including first floor interior height (floor to ceiling), exterior height (ground to the highest point of the building), and the height of landmark features.

2. Standards

- a. Height of new buildings or building additions fronting Elk Grove Boulevard shall not exceed three stories or forty-five feet (45'-0"). The maximum height may be increased upon a Type 2 Design Review approval by the Planning Commission. New buildings not fronting Elk Grove Boulevard and adjacent to residential shall be limited to a maximum of thirty-five feet (35'-0").
- b. A third floor shall be setback five feet (5'-0") from the street wall. (See Figure 14.)
- c. Building heights shall be maintained that relate to adjacent structures at the street frontage. Taller portions of the building shall be setback so as not to disrupt the rhythm of the existing street façade. (See Figure 14.)

3. Guidelines

- a. All ground level uses should have a minimum height of ten feet (10'-0") from floor to the major finish ceiling, excluding soffits.

4. Example

Figure 14 provides examples for several of the standards noted above.

Figure 14 – Height



Left: The 3rd & 4th floors of this building are setback as noted in Standard 2(B)
Right: This example illustrates a street wall that is reinforced through building heights.

B. **MATERIALS**

1. **Goal**

To ensure that exterior building materials used in new construction and the redevelopment of existing commercial buildings are consistent with the historic styles represented in Old Town Elk Grove.

2. **Standards**

- a. The building materials utilized shall maintain the material's natural texture. A minimum of two textures shall be displayed at streetfront elevations. Large uninterrupted and unarticulated monochromatic expanses are prohibited. The Starbucks Coffee at the bottom of Figure 15 utilizes brick, plaster, and metal awnings in a manner that is true to the characteristics of each material. For example, the texture and appearance of the brick is not altered. It is presented in the architecture in a manner that retains the integrity of the material.
- b. Materials shall be of a permanent nature, durable, and low maintenance. Brick, wrought iron, painted metal, wood, and other masonry-type materials are encouraged. When veneer is utilized to replicate a specific building material, detailed attention to the craftsmanship and installation so that the building material provides a realistic appearance.

3. **Guidelines**

- a. Building materials should be balanced and enhance those already found in the district.
- b. Corrugated metal siding, reflective glass, plywood siding and synthetic siding materials (plastics) are strongly discouraged unless they can be demonstrated to be attractive.

- c. Stucco covered foam is acceptable if properly detailed and applied. Special attention to durability is required at lower levels to prevent damage from pedestrian activities, deliveries, or other potential damage sources.
- d. Construction materials should be consistent and complement the existing buildings found along Elk Grove Boulevard, and the theme set forth within the Old Town SPA. Site materials should complement materials as found on existing historic buildings. The use of brick, wood, and iron is encouraged.

4. **Example**

Figure 15 provides photographs of three Old Town projects that are consistent with the above standards. Two of the projects in Figure 15 (bottom two) have been built as of the date of adoption of this updated SPA. The Elk Grove Library (middle of Figure 15) at the southeast corner of Elk Grove Boulevard and Elk Grove-Florin Road includes wood, brick, cement plaster, metal and canvas awnings. The new Starbucks (bottom of Figure 15) at the northwest corner of Elk Grove Boulevard and Waterman Road includes brick, plaster, and metal awnings.

Figure 15 - Materials



Figure 15 – Materials (continued)



C. **COLOR**

1. **Goal**

To ensure that exterior colors used in new construction and the redevelopment of existing buildings are consistent with the historic styles represented in Old Town Elk Grove.

2. **Standards**

- a. Paint colors shall be in keeping with the historic period and characteristics of the building or structure. The period of significance for buildings and structures in the SPA is 1876 to 1930, which a variety of exterior paint colors are associated with this time period and apply to buildings and structures within the SPA. Therefore, to maintain the "main street" appearance, the use of a variety of colors that highlight the different periods of use and functions of the buildings and structures shall be required. One main color shall be used as a background to unify the overall appearance of the building or structure, while one or two other colors shall be used for accent to highlight architectural details and trim. Different shades of the same color shall be used for

variation in color, while maintaining a color palette consistent with the historic period and characteristics of the building or structure. A single color scheme shall be used for an entire building or structure. Samples of various colors and shades that are appropriate for buildings and structures are provided in Appendix 1.

- b. An integrated color palette for the entire project shall be submitted with the design.
- c. Building colors and materials shall be balanced and enhance those already found in Old Town.
- d. Color and texture of a project shall be compatible with its surroundings and respectful of the character of Old Town.

3. **Guidelines**

- a. Colors should be selected to achieve specific goals within the project like harmony, contrast, or articulation.

4. **Example**

Figure 16 illustrates projects with an effective use of color.

Figure 16 – Exterior Color

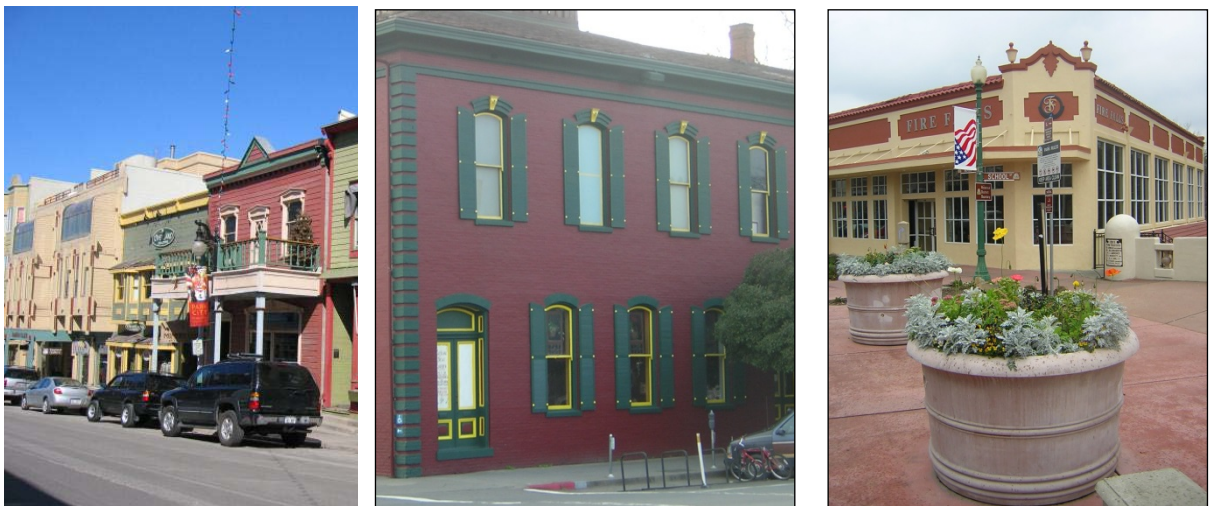


Figure 16 – Exterior Color (continued)



D. **MURALS**

1. **Goal**

To ensure that murals, as defined in this SPA, are compatible in scale and design with Old Town Elk Grove's historic appearance and to prevent attention-arresting results that would endanger drivers or pedestrians or inhibit traffic flow. The standards focus on architecture, color, materials, and size, but not on their content.

2. **Standards**

- a. Murals shall be consistent with the standards and guidelines contained in the SPA Sections pertaining to architecture, color, and materials, respectively. In no event are the standards applied from those or other SPA sections to be the basis for denial or conditioning of a mural on the basis of content.
- b. Murals shall not use any word, phrase, symbol, lights, motion, sound, fumes, mist, or other effluent or character in such manner as to interfere with, mislead, or confuse traffic.

Old Town SPA
ADOPTED AUGUST 10, 2005
(Reflects Amendments Through April 1, 2019)

- c. Prior to the commencement of a mural, the applicant shall obtain design review approval from the City's Planning Commission which will apply the standards and guidelines referenced in (a) above.
- d. Murals shall not depict "specified anatomical areas" or "specified sexual activities" as defined in Section 23.70.020 of the Municipal Code (under Chapter 23.70- Adult Oriented Businesses), or gang affiliation symbols.

3. **Guidelines**

The City encourages the portrayal of social, historic, or cultural themes that celebrate Elk Grove's past, present, and future. This guideline, however, shall not be used by the City as criteria for denying or conditioning any approval or application for a mural based upon its content.

4. **Example**

As shown in Figure 17, both murals are compatible with the architecture of the building and express a historic/cultural theme.

Figure 17 – Murals



E. **SCALE**

1. **Goal**

To ensure that the spatial relationship between structures and between buildings and people retains a pedestrian emphasis. That spatial relationship is defined by the height, mass, and setbacks of buildings.

2. **Standards**

- a. Larger infill projects shall be articulated such that massing and detailing is in scale with the smaller buildings.
- b. Continuity between primary and secondary elevations is extremely important. Building elements such as material, texture, color, form, and rhythm shall be continued on all elevations of a building. While the primary street elevation may be more ornate (see buildings in Figure 18 below), the secondary elevations must retain a visual relationship

to the primary elevation through a consistent use of material, texture, color, form, and rhythm.

3. **Guidelines**

- a. The scale of new buildings in Old Town should blend with what currently exists.
- b. Infill buildings adjacent to existing structures should create a harmonious relationship between the new and existing buildings. The use of color, materials, shapes, and offsets may be used to accomplish this objective.
- c. Non-residential buildings sharing street frontage with residential uses should maintain a residential character.

4. **Example**

Developments as shown in Figure 18 have successfully preserved the scale both between buildings and between buildings and pedestrians through consistent application of height, setback, detailing, massing, and articulation standards.

Figure 18 – Scale



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F. **ARCHITECTURE**

1. **Goal**

To ensure that new architecture follows the traditional construction patterns found along the corridor, is sensitive to its cultural importance, and is compatible with its historical ambiance.

2. **Standards**

- a. New construction shall be representative of a specific historical architectural motif and style of the period represented in Old Town. Project architects shall provide a written explanation identifying their chosen motif and style, noting which architectural elements express that style, and explaining why it is compatible with existing historic development in Old Town. Applicants are referred to the historic buildings listed in Figure 23 as representative historic architecture. Other existing buildings of comparable historic value may also be used as representative structures.
- b. Old Town West and Old Town East shall be seen and designed as transition zones with Historic Old Town as the point of arrival (see Figure 22). There shall be a consistency and cohesiveness throughout Old Town. However, building materials as well as the scale and detail of site furnishings shall be more ornate within Historic Old Town.
- c. New construction shall relate to existing construction and development through a careful reflection of the architectural detailing of surrounding development, including features such as building height, materials, and proportion and placement of details such as entries, windows, arches, or wainscots.
- d. Renovations of existing buildings shall preserve existing amenities.
- e. Franchise architecture or corporate prototype design is prohibited. Building elevations shall be designed to fit into the surrounding character of Old Town.
- f. Renovations of registered buildings shall comply with the National Historic Preservation guidelines and all other applicable requirements.
- g. When remodeling existing buildings, deteriorated architectural features shall be repaired rather than replaced wherever possible.
- h. All architectural elements shall be designed with respect to the entire façade and shall relate to the adjacent buildings.
- i. The primary consideration for the development of this unique corridor is to design spaces for the pedestrian. Whether it is new development or a remodeling of existing buildings, the design shall be visually interesting and blend with the surrounding architecture and streetscape presence and not detract from the overall feeling of Old Town Elk Grove.

3. **Guidelines**

- a. New construction details and materials should follow the pattern and principles of the historic architectural design.

4. **Example**

Figure 19 illustrates the effective utilization of a continuous setback and seamless transition between buildings.

Figure 19 – Architecture



G. **STOREFRONTS**

1. **Goal**

To create a seamless and historically sensitive transition from the pedestrian sidewalk space to the building interior.

2. **Standards**

- a. Dark colored, reflective, or obscure glazing is prohibited. (See Figure 20.)
- b. Historic prototype storefronts provide a decorative base panel in the wall below the window. Appropriate materials shall be durable commercial grade such as ceramic tile, brick, stone veneers and wood paneling with moldings. (See Figure 20.)
- c. Enhance the pedestrian experience by unifying storefront elements including signs, graphics, awnings, lighting, and color.

3. Guidelines

- a. Maximizing glazing at the ground level of new and existing buildings being remodeled is encouraged. Provide visual access to the building's primary activity and orient it to the consumer.
- b. Window size, shape, and style should be responsive to the building design. Traditional storefronts may have smaller windows with intermediate mullions.
- c. Existing storefront upgrades should respond to the building's intrinsic architectural qualities as well as those of the street façade. The design should be responsive to the character of the existing building.
- d. In Historic Old Town in conformance with the U.S. Secretary of the Interior's Guidelines (see Figure 22), it is highly encouraged to maintain the preservation and restoration of original storefronts. Much of the original material and detail should be retained in the restoration. Restoration should not destroy the distinguishing qualities or character of the structure and its environment. Removal or alteration of any historic material or architectural feature in Historic Old Town should not be allowed on significant structures. Removal or alterations of any historic material or architectural features should be minimized on less significant structures.

4. Example

Figure 20 provides examples of different storefronts. An obvious common feature to all of the buildings is the large storefront windows which maximize glazing above the wainscot base.

Figure 20 – Storefronts



Figure 20 – Storefronts (continued)



H. ENTRIES

1. Goal

To ensure that building entries in new construction are consistent with the historic styles represented in Old Town Elk Grove.

2. Guidelines

- a. Entries should be well defined, face directly to the main public street or street corner, and be well illuminated. Dark or very deep entry spaces are discouraged.
- b. Corner projects have the opportunity for dual entries and should have common elements that visually relate to the secondary entry as well as the primary entry.
- c. For corner projects, recessed, diagonal, or setback corners to form a distinctive corner element are encouraged.
- d. Elements that can be used to articulate an entry include, but are not limited to recesses, overhangs, awnings, lighting, graphics, color etc.
- e. The scale of the entry should relate to the building's overall width and height.

3. Example

Figure 21 provides examples of entries from other Old Towns. The top two examples show successful articulation of the entry by recessing it behind the front façade of the building

by several feet. The bottom two photos provide effective use of awnings above entries. The examples also illustrate how color can be used to define the entry.

Figure 21 – Entries



ARCHITECTURAL DETAILS

1. Goal

To provide shadow and relief to flat surfaces and create visual interest through detailing consistent with the historical context of Old Town.

2. Standards

- a. The existing architecture in Old Town is generally more ornate in the central portion of the SPA, and has more recent construction at the west and east sides. The following standards recognize this distinction.

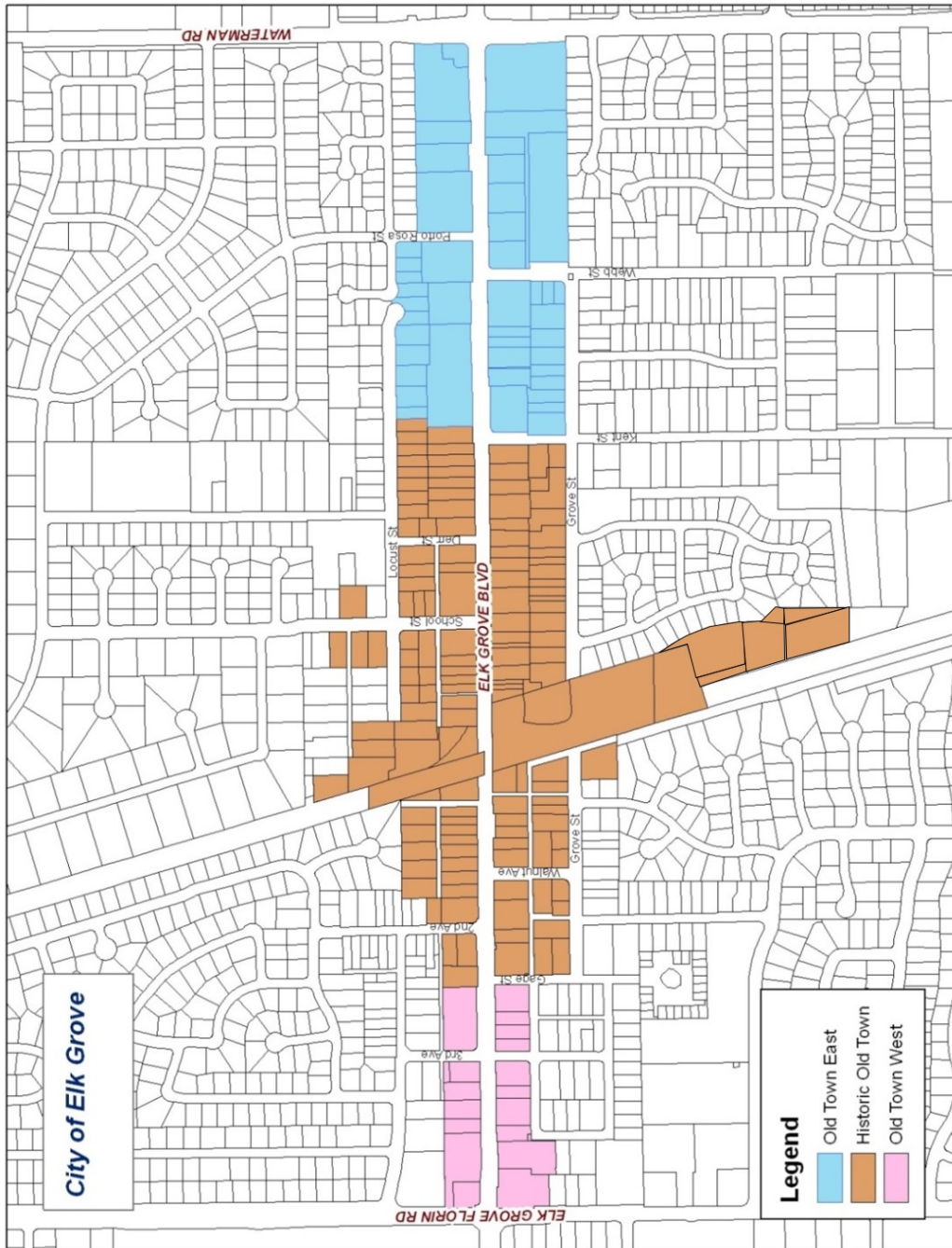
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ADOPTED AUGUST 10, 2005
(Reflects Amendments Through April 1, 2019)

1. West Old Town (Elk Grove-Florin Road to Gage Street) and East Old Town (Kent Street to Waterman Road) shall be seen and designed as transition zones with Historic Old Town (Gage to Kent Street) as the point of arrival. Figure 22 illustrates the three architecture districts. There shall be a consistency and cohesiveness throughout Old Town Elk Grove, however, building materials as well as the scale and detail of site furnishings shall be more ornate within Historic Old Town.
 2. Table 8 provides a list of 20 architectural details included in eight of the existing historic buildings in Old Town. Projects in Historic Old Town shall include at least two (2) of these or similar features expressed in a historic architectural style to ensure compatibility with nearby buildings.
 3. In West and East Old Town (see Figure 22), building architecture shall incorporate historic themes, but avoid a simulated historic appearance that lacks historic architectural integrity.
- b. Exterior pull-down or sliding security grilles are prohibited. Decorative fixed exterior security grilles may be approved on an individual basis only if the artistic intent contributes to the quality of the pedestrian experience.
 - c. Any special security device shall be located within the interior of the building. Courtyard security fencing/gates constructed of decorative wrought iron are encouraged.
 - d. All lighting on the exterior of the building, including freestanding light standards, shall be designed to prevent glare or reflect onto adjacent properties or public right-of-ways.
3. **Guidelines**
- a. Awnings, colonnades, arcades, and canopies of durable quality are encouraged. These elements provide shadow and relief to flat facades, further enhance recessed entries, and provide protection from the weather.
 - b. Decorative lighting elements are encouraged as a component of the overall design.
 - c. Outdoor furniture and fixtures should be compatible with the project architecture and the character of Old Town and should be carefully considered as integral elements of the landscape.
 - d. New construction along Elk Grove Boulevard should provide a walkway covering along a portion of the sidewalk. The walkway covering should not appear to be continuous, but instead, provide a clear distinction between buildings by providing an actual gap, change in height, or change in architectural detailing.
 - e. Lighting should be used to enhance forms, provide relief, and should not be used to illuminate entire building faces, creating a "billboard" effect. Lighting should focus attention to key architectural and landscape architectural elements as well as unique focal points in the landscape.
 - f. Lighting should be subtle and used for safety and directional signage. Lighting should not be overpowering nor glaring.

4. Example

Table 8 and Figure 22 illustrate specific architectural details from eight historic buildings in Old Town Elk Grove.

Figure 22 – Architecture Districts



A larger exhibit of the architecture districts is provided in Appendix 2.

Old Town SPA
ADOPTED AUGUST 10, 2005
(Reflects Amendments Through April 1, 2019)

Table 8 – Architectural Details

	A. 9085 Elk Grove Blvd.	B. 9045 Elk Grove Blvd.	C. 9039 Elk Grove Blvd.	D. 9093 Elk Grove Blvd.	E. 9033 Elk Grove Blvd.	F. 9075 Elk Grove Blvd.	G. 9070 Elk Grove Blvd.	H. 9048-9056 Elk Grove Blvd.
Decorative iron work								
Undulating parapet wall								
Tall, narrow rectangular windows								
Recessed windows with prominent sills								
Ornate door hardware								
Consistent color scheme (building versus windows and doors)								
Gutters incorporated into architecture								
Emphasis on symmetry in design								
Building details wrap around sides								
Articulation of front façade through raised or recessed architectural features								
Traditional double doors								
Storefront windows								
Prominent eaves								
Entry from corner of building								
Front porch								
Bay windows								
Corbels								
Decorative patterns in brick work								
Building signage reflects building architecture								
Recessed building entrances								
Note – Figure 23 provides photographs of each of the buildings noted above.								

Figure 23 – Architectural Details



A. 9085 Elk Grove Blvd.



B. 9045 Elk Grove Blvd.



C. 9039 Elk Grove Blvd.



D. 9093 Elk Grove Blvd.

Figure 23 – Architectural Details (continued)



E. Detail of
9033 Elk Grove Blvd.



F. 9075 Elk Grove Blvd.



G. 9070 Elk Grove Blvd.
(South side of Elk Grove Boulevard)



H. Detail of
9048-9056 Elk Grove Blvd

I. **ROOFING**

1. **Goal**

To ensure that roofs in new construction are consistent with the historic styles represented in Old Town Elk Grove and adequately shield roof top equipment.

2. **Standards**

- a. All building attached mechanical equipment and other utility equipment shall be screened from view of public streets, parking lots, and adjacent residential property. Equipment shall be integrated into the building and roof design with the use of compatible materials, colors, and forms.
- b. Roof mounted equipment shall be setback from the roof edge or placed behind a parapet or roof structure so they are not visible from motorists or pedestrians on adjacent streets or from residential structures on adjoining property. All roof mounted equipment shall be sized to be equal to or below (lower in height) than the adjoining parapet or rood structure.
- c. Design of the roof shall be consistent with the building use, style, and location. It is an integral component of the building design.
- d. Parapets shall surround all "low slope" commercial roofs. The parapets shall be detailed to enhance the overall building design.
- e. Roofs shall not drain over public sidewalks, extensions of public sidewalks on private property, or "plaza spaces" in front of buildings.

3. **Guidelines**

- a. Buildings should have varied and interesting roof shapes and parapet lines that respond to the local traditional vernacular.
- b. Roof materials exposed to street frontages in residential neighborhoods should complement the adjacent residential buildings.

4. **Example**

The eight existing historic buildings referenced in Figure 23 provide examples of historic roofing options.

Appendix 1

A Guide to Color, Styles and Architectural Periods California Paints



A Guide to Color, Styles, and Architectural Periods

This guide provides general descriptions of the architectural styles of homes and buildings found across America. There are overlapping brackets of time and many interior and exterior colors, used interchangeably, were popular in more than one area.

These descriptions and color lists serve as a springboard to what is possible when painting a building's exterior, trim, interior walls, and floors as well as details like accents, decorative stenciling, and overlays.

Using this guide and the *Historic Colors of America*, homeowners and professionals can create the effect of a given historic period while applying variations to suit personal tastes.

Note: Technical information and assistance with paint analysis may be found by contacting a local historical society through your State Historical Preservation Office (SHPO).

Historic Colors of America



Designed in conjunction with Historic New England, the Historic Colors of America collection features 149 authentic shades used from the 1600s to 1895. Each color has been researched and verified for authenticity.

[Order Sample Color Chips](#)

All Historic Colors by Hue

					
Flowering Chestnut	Stagecoach	Covered Bridge	Shaker Red	Redrock Canyon	Alden Till
					
Richardson Brick	Otis Madeira	Cogswell Cedar	Portsmouth Spice	Clementine	Liberty
					
Chocolate	Bargeboard Brown	Mountain Laurel	Burnt Umber	Wooden Nutmeg	Lyman Camellia
					
Brownstone	Rundlet Peach	York Bisque	Rawhide	Woodstock Rose	Maple



Tyson Taupe



Pumpkin



Palomino



Bean Pot



Barrett Quince



Hickory Nut



India Trade



Blonde Lace



English Bartlett



Winter Meadow



Tailor's Buff



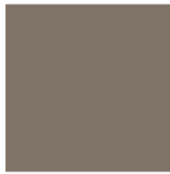
Hitching Post



Farmhouse
Ochre



Coastal Sand



Portobello



Toffee



Nankeen



Rain Barrel



Asian Jute



Wild Oats



Ginger Root



Woolly Thyme



Plymouth Beige



Milkweed



Knightley Straw



Danish Pine



Canyon Gold



Cummings Oak



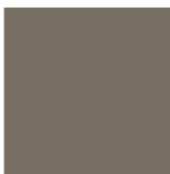
Jonquil



Curry



Langdon Dove



Tankard Gray



Sandy Bluff



Flaxen Field



Parsnip



Britches

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Grasshopper

Green Bonnet

Bristol Green

Brookside

Hazelwood

Monument Gray



Vinal Haven

Brattle Spruce

Melville

Amish Green

Cottage Green

Longfellow



Lucinda

Gedney Green

Viscaya

Phillips Green

Veranda Blue

Blue Winged
Teal



Tudor Ice

Appleton

Bulfinch Blue

Lexington Blue

Winter Balsam

Citadel Blue



Standish Blue

Bold Bolection

Polished Pewter

Volute

Portsmouth
Blue

Sayward Pine
Blue



Meetinghouse
Blue

Rocky Hill

Asher Benjamin

Emily

Winter Harbor

Tory Blue

Old Town SPA
ADOPTED AUGUST 10, 2005
(Reflects Amendments Through April 1, 2019)



Saxon Blue



Biloxi Blue



Robin's Egg



Glacier Bay



Vermont Slate



Bowen Blue



Seal Blue



China Aster



Newport Indigo



Muted Mulberry



Plum Island



Concord Grape



Beaumont
Aubergine



Beetroot



Madder



Roseland



Codman Claret

Victorian Colors 1840 - 1900



The era called "Victorian" for the long reign of Britain's Queen Victoria encompasses numerous distinct architectural styles. As architectural styles multiplied, color treatments of houses became more varied and complex and advances in paint technology brought ready-mixed paints in a broad range of colors.

[Order Sample Color Chips](#)



Flowering Chestnut



Stagecoach



Covered Bridge



Redrock Canyon



Alden Till



Richardson Brick



Portsmouth Spice



Clementine



Bargeboard Brown



Burnt Umber



Wooden Nutmeg



Brownstone



Maple



Pumpkin



Palomino



Bean Pot



Hickory Nut



Blonde Lace



English Bartlett



Winter Meadow



Tailor's Buff



Farmhouse



Coastal Sand



Toffee

Old Town SPA
 ADOPTED AUGUST 10, 2005
 (Reflects Amendments Through April 1, 2019)



Old Town SPA
ADOPTED AUGUST 10, 2005
(Reflects Amendments Through April 1, 2019)



Muted Mulberry



Plum Island



Concord Grape



Beetroot



Madder



Roseland



Codman Claret

20th Century Eclecticism Colors 1900 - 1955



By the end of the 19th century, there were two major design trends. One moved toward increasingly precise copies of historical architecture (revivals), and the other rejected and moved away from traditional architectural forms (modern). Paint colors varied drastically between the revival and modern styles. For more details, view the 20th Century Colors of America palette.

[Order Sample Color Chips](#)

					
Tyson Taupe	Hitching Post	Portobello	Plymouth Beige	Jonquil	Langdon Dove
					
Parsnip	Jewett White	Yarmouth Oyster	Lady Banksia	Pale Organza	Emma
					
Andover Cream	Elise	Fieldstone	Gropius Gray	Newbury Moss	Hawthorne
					
Quincy Granite	Venetian Glass	Pointed Fir	Monument Gray	Vinal Haven	Melville

Old Town SPA
 ADOPTED AUGUST 10, 2005
 (Reflects Amendments Through April 1, 2019)



Cottage Green



Lucinda



Gedney Green



Appleton



Bulfinch Blue



Volute



Portsmouth
Blue



Rocky Hill



Asher Benjamin



Emily



Winter Harbor



Saxon Blue



Seal Blue



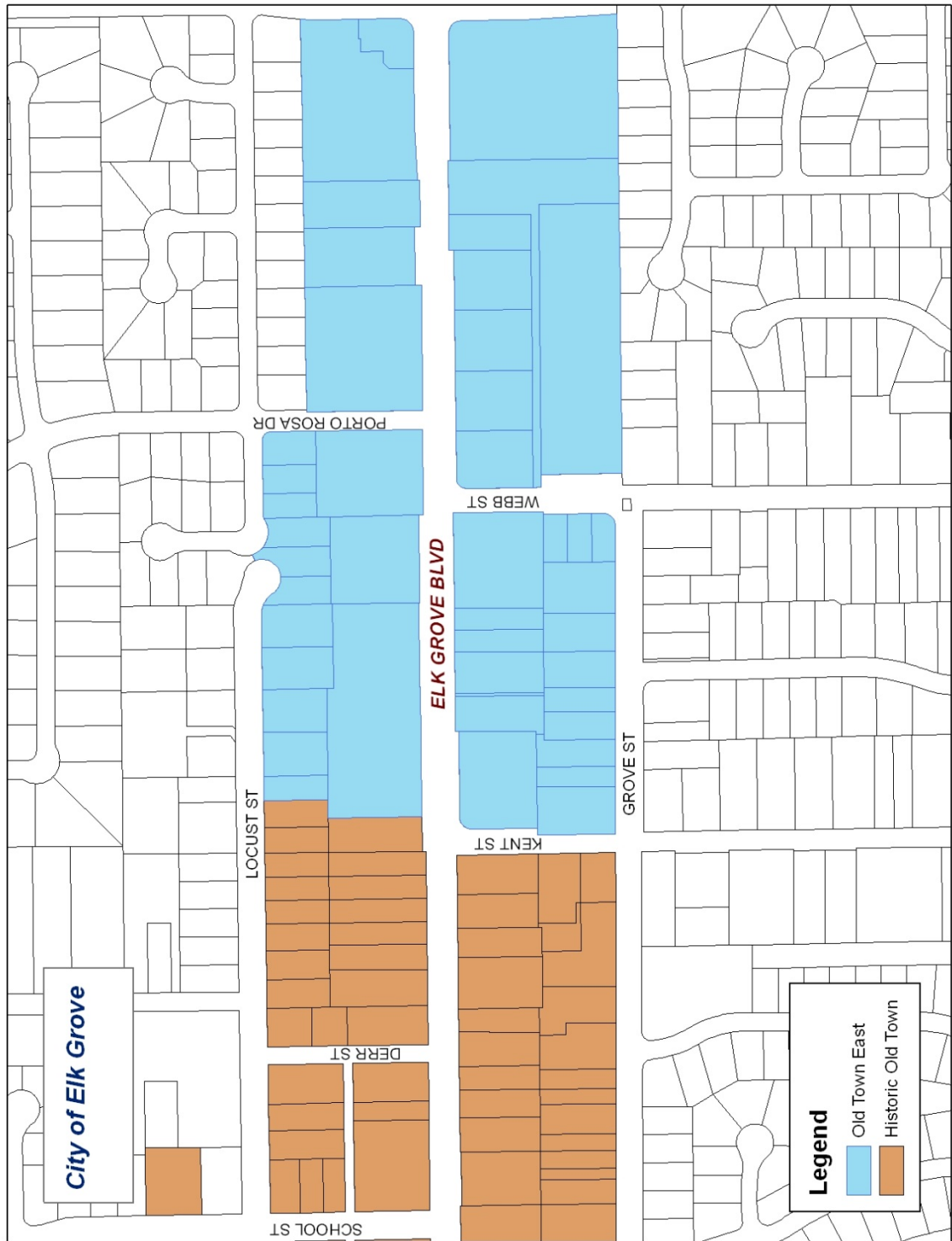
Beauport
Aubergine



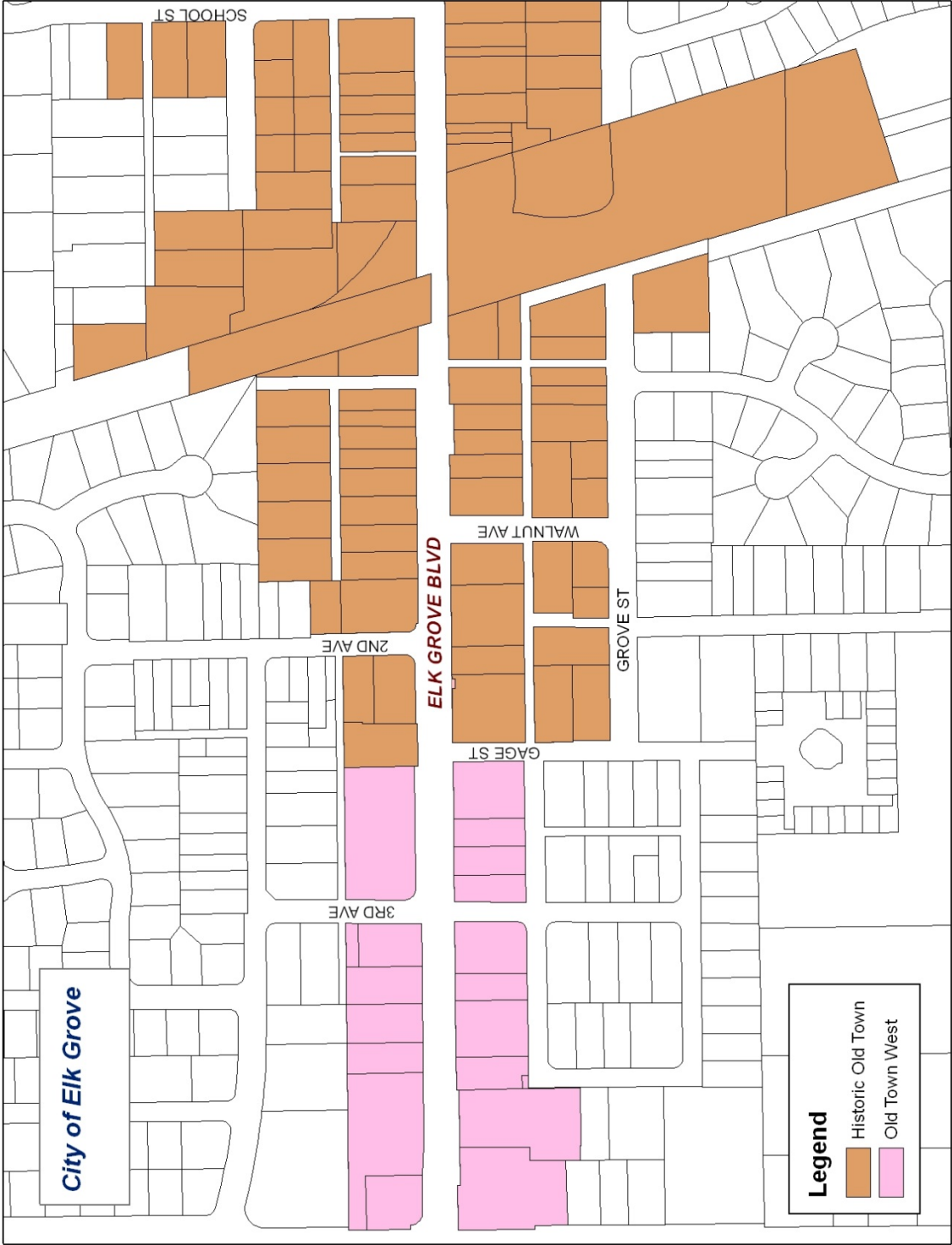
Codman Claret

Appendix 2

Old Town Architectural Districts



Old Town SPA
 ADOPTED AUGUST 10, 2005
 (Reflects Amendments Through April 1, 2019)



Old Town SPA
 ADOPTED AUGUST 10, 2005
 (Reflects Amendments Through April 1, 2019)

EXHIBIT B

Phone: 916.683.7111
Fax: 916.691.3175

Web: www.elkgrovecity.org

8401 Laguna Palms Way
Elk Grove, California 95758



April 15, 2022

Peter Enzminger
Oak Rose Apts LP
3910 Cover Street
Long Beach, CA 90808

Oak Rose Apartments (PLNG22-015)- SB35 Application- Determination Letter

On November 9, 2021, the City of Elk Grove received a pre-application to submit an application for Streamlined Ministerial Approval Process for a proposed affordable housing project located at 9252 Elk Grove Boulevard ("Project") in Old Town Special Planning Area. The pre-application was reviewed for eligibility requirements and compliance with Senate Bill 35, pursuant to Section 65913.4 of the Government Code. In addition, the receipt of your pre-application on November 9, 2021, the City has reached out to all the Tribes to request initiation of the required consultation process, which ended on March 4, 2022.

After reviewing the application and items that you submitted, Staff determined that the application is **incomplete**. Once all necessary material is provided, staff will resume processing your application and confirm the completeness of the resubmittal and SB35 eligibility. Below is a list of all criteria per CA Government Code 65913.4 that the Proposed Project must meet to qualify for ministerial approval under SB35. There are some items for which more information is needed to verify consistency (as listed below).

1. Is the Project a multi-family housing development (2 or more units).

*Staff Response: **Yes.** The project is considered an affordable housing development with 66 studio units and one 2-bedroom manager's unit and accessory private offices.*

2. Has the Applicant dedicated at least 50% of the units in the project to households making below 80% on the area median income?

*Staff Response: **Yes.** The Project is 100% affordable housing for homeless individuals.*

3. Does at least 75% of the perimeter of the Project site adjoin parcels that are developed with "urban uses" (subds.(a)(2)(B),(h)(8))? For purposes of SB 35, "urban uses" means any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses. Parcels that are only separated by a street or highway shall be considered adjoined.

Staff Response: Yes. The project is located within an existing legal parcel in Old Town Elk Grove. The parcel site abuts to residential uses to the south, west, street/commercial to the north and commercial to the east.

- 4. Is the project site zoned for residential use or residential mixed-use development, or have a general plan designation that allows residential use or a mix of residential and nonresidential uses, and at least two-thirds of the square footage of the development is designated for residential use (subd. (a)(2)(C))?**

Staff Response: Staff needs more information for clarification. The site is designated OTSPA – Commercial. Multi-family residential is allowed but must incorporate mixed use (see also No 8, below). The project currently has more than 2/3 residential and private office spaces for the residential units. The Applicant shall provide document that show how this project meets the definition of mixed use. The applicant shall provide documentation to demonstrate any applicable claimed cost reductions for the project as configured.

- 5. If a land subdivision is required, is the Project financed with low income housing tax credits and will prevailing wages be paid?**

Staff Response: Not applicable. Project does not include a land subdivision.

- 6. If land subdivision is required, will the development pay prevailing wages to a trained and skilled workforce?**

Staff Response: Not applicable. Project does not include a land subdivision.

The next questions (#7-9) have to do with the consistency with Objective Standards, the sources of Objective Standards, include:

- Elk Grove General Plan
- Elk Grove Municipal Code (Title 23: Zoning Standards)
- Elk Grove Old Town Special Planning Area

Government Code Section 65913.4- Any density bonus and concessions, incentives, or waivers of development standards or reduction of parking standards requested under the Density Bonus Law in Govt. Code 65915 are deemed consistent with the objective standards.

- 7. Does the Project meet density requirements in the General Plan designation applicable to the subject property/ies?**

Staff Response: Yes. General Plan: Density for Community Commercial (CC) General Plan Designation. Residential Density minimum 15.1 du/acre (19 du) and maximum 40 du/acre (50 du). The Applicant is requesting a density bonus for 100% affordability. Building Intensity maximum FAR of 1.0 (1.23 acre/53,579 sf). Submitted plans show the Building size at 34,790 square feet.

- 8. Does the Project meet objective zoning standards of the zoning designation applicable to the subject property/ies?**

Staff Response: **No, staff needs more information to know if the Project will be consistent with the standards.** See information below:

Zoning Standards/OTSPA Guidelines

Title 23 (Zoning Standards):

Development Standards	Required	Proposed	Complies
Residential Density	Maximum: 30 du/acre =36.9 units With density Bonus (80%)=66.42 units	67 units	Yes/Density Bonus
Building Setbacks	Front: 7.5 maximum' (outside the PU easement) Rear: 80feet (average of existing adjacent buildings) Side: 0'	0 feet from 12.5 foot PUE 90 feet 6 feet	Yes
Building Height	45' (fronting Elk Grove Boulevard)	33 feet, 9 inches	Yes
Parking	1 space/bedroom- supportive housing: 66 spaces. Per AB1763, no parking is required for supportive housing	8 spaces	Need clarification, See below for more details.
Landscaping	Parking Lot Shading: 50% Landscape Planter Width- buffering between uses: 10 feet	75% shaded	Yes Need this information, see below for more details.
Bike Parking	1 space/3 units; Total: 22 spaces	38 spaces (short term and long term)	Yes

Landscaping (23.54)- the Landscaping plan shall be revised to include the following information: This information is missing from the plans. **Need to have this information to know if the landscaping complies with the Zoning Code.**

- *Tree- the minimum planting size for trees shall be 15 gallons and 1/3 of all trees on the project planted at a minimum 24" box size.*
- *Buffering between uses- a landscape buffer shall be provided between residential and nonresidential uses and between single-family uses and multi-family uses containing three or more units. Buffer area shall include a minimum 10 feet wide planter strip with both deciduous and evergreen trees planted a maximum of thirty feet on center.*
- *Street and Parking Lot Trees. A minimum of thirty (30%) percent of the street trees and parking lot trees, respectively, shall be an evergreen species.*
- *Table 4 of OTSPA has a list of recommended trees for the non-public areas. The landscaping plan does not have any of these trees.*

Tree Preservation (19.12 **Staff Needs more information to determine if the proposed Project complies with this chapter in the City's Municipal Code.** The landscaping plan states that oak trees will remain on site, but there are other trees on the site plan that are not labeled; therefore, staff

does not know if these trees are of local importance. The submittal package did not include an arborist report. In addition, the submitted plans show conflicting information: the landscaping plan shows only 2 existing oak trees, but the site plan shows 6 existing oak trees. Staff requests an arborist report and a tree exhibit or updated landscaping plan to show all trees to be labeled and if they will remain or be removed.

Parking (23.58): The site plan shall be updated to provide the information to show how the Project complies with AB1763:

Table 23.58-2 (Parking Requirements by Land Use): The parking requirement for supportive housing is 1 space/bedroom, however the following exceptions could be applicable based on a determination of the type of housing:

AB1763 (Chiu 2019), Section 65915 states that if the development is either a special needs housing development or a supportive housing development, upon the request of the developer, a city shall not impose any minimum vehicular parking requirements. A development that is a special needs housing development shall have either a paratransit service or unobstructed access, within one-half mile, to fixed bus route services that operates at least 8 times per day.

Staff Needs more information. The Applicant has indicated that the use is Special Needs and/or Supportive Housing. With that, if the use is for special needs, the Applicant does not provide the information on a nearest bus route that operates 8 times a day or if the development will provide paratransit service. Staff needs clarification on the use, if it is special needs or supportive housing. Staff requests a detailed description of the use.

In addition, the site plan shows two parallel parking spaces, which have dimension of 22'6" (length) by 9' (width), which do not comply with Table 23.58-3 for minimum stall dimensions. The standard parallel parking minimum stall dimension is 9 feet (width) by 24 feet (length).

Lighting (23.56) Staff Needs a photometric plan as a Completeness Item to determine if the Project will comply with the City's Zoning Standards Section 23.56.

9. Does the Project meet objective design review standards per the Elk Grove Design Guidelines and the applicable zoning district regulations?

Staff Response: No, staff needs more information to know if the Project will be consistent with the standards. See information below:

Old Town Special Planning Area (OTSPA) Guidelines

OTSPA- Land Use

The subject property is zoned Commercial under the OTSPA. Mixed use is allowed in the OTSPA Commercial zone provided that residential use is located on the 2nd or 3rd floor and there is a pedestrian oriented commercial use on the ground floor. (See OTSPA, at pp. 11-13.) The project as proposed does not currently include a pedestrian oriented commercial use on the ground floor. Staff request that the applicant provides information and address the mixed use compliance.

OTSPA Architecture: Staff believes the Project uses at least two different architectural details listed in Table 8 of the OTSPA including:

1. Tall narrow rectangular windows
2. Building details wraps around sides
3. Articulation on front façade with different roof heights/trellis.
4. Two different materials for texture- wood and stucco.
5. Decorative pavers at the entrance.

However, below are architectural details that should be included in the style of the building from the OTSPA guidelines to show that the Project will be consistent with the Old Town standards:

- *All architectural elements shall be designed with respect to the entire façade and shall relate to the adjacent buildings.*
- *New construction shall be representative of a specific historical architectural motif and style of the period represented in Old Town. **Project architects shall provide a written explanation identifying their chosen motif and style, noting which architectural elements express that style, and explaining why it is compatible with existing historic development in Old Town.** Applicants are referred to the historic buildings listed in Figure 23 as representative historic architecture. Other existing buildings of comparable historic value may also be used as representative structures.*

OTSPA Compatibility: New commercial uses shall be required to install a six-foot (6'-0") masonry wall along any boundary shared with a property zoned for residential use. If an alley is located between the commercial and residential uses, the commercial applicant shall contact the residential landowner to negotiate to build the six-foot masonry wall on the residential side of the alley. If no agreement can be made, the wall shall be located on the commercial side. Fencing in side and front yards shall be consistent with the standards established by the Zoning Code

10. Is the Project located on a site that is any of the following:

Staff Response:

- a. Wetlands: No
- b. Earthquake fault zone: no
- c. High fire hazard zone: No
- d. Hazardous Waste site: no
- e. A site that will require demo of housing: no; this site is vacant
- f. FEMA- no, this site is X
- g. Demo of a historic building- no, this site is vacant- however, this site is adjacent to a historical building.
- h. Mobile home Residency law- no
- i. Protected species habitat: No
- j. Conservation easement: no

Surrounding Properties:

- *The Project site does not have any historical buildings located on the property, but the site is adjacent to a property on the west side (9248 Elk Grove Boulevard) that is eligible for the City's local registry. The City's 2019 Historic Resource Survey and Evaluation Report stated the property at 9248 Elk Grove Boulevard has a single-family home and detached garage*

built in 1915 (Reginald Rolfe Residence) which has local significance and contributing to the local registry. The detached garage is located about 2 feet from the shared east property line and the house is about 12 feet from the shared east property line. Staff wants to make sure that the Project does not affect the integrity of the historical architecture and property of the adjacent property at 9248 Elk Grove Boulevard due to the close proximity to the historic structures.

- The Property on the east side was an old Rite Aide building that was constructed in 2006 and is currently vacant but is the new location of the Elk Grove Library. This property shares access with the Project site. The Title Report states that there is a reciprocal access of 37 feet between these two properties.

11. For Projects of over 10 units, will the entire development be a “public work” as defined in Section 1720 of the California Labor Code, or will construction workers be paid at least the prevailing wage?

Staff Response: The project is over 10 units. **Need more information from the Applicant to know if they will comply with this state requirement per SB35.** The Applicant has noted on the pre-application that the proposed Project will comply with all labor provision identified in SB35; however, the Applicant did not provide any documentation that certifies the commitment to comply with the Prevailing Wage Requirement.

12. For Projects of 75 or more units, will a “skilled and trained” workforce, as defined in Section 2601 of the California Public Contracts Code, be used to complete the Development?

Staff Response: This Project is proposed for 67 units, which is less than 75 units. **Therefore, this is not applicable.**

This Application is scheduled for the May 5, 2022, Planning Commission meeting and May 25, 2022, City Council Meeting.

Tentative Schedule and Cost

Your Project's review will exceed the initial deposit fee submitted with your application. Staff will provide an updated cost estimate. Review of these invoices is critical. All outstanding invoices and incurred costs must be fully paid to the City near the meeting dates.

If you have any questions, please feel free to contact me at 916.478.3684 or at kkillingsworth@elkgrovecity.org

Sincerely,



Kyra Killingsworth
Development Services Department

EXHIBIT C



Planning Staff Report

May 5, 2022

PROJECT TITLE: Oak Rose Apartments
FILE NO.: PLNG22-015
REQUEST: Design Review/Public Oversight per Senate Bill 35
LOCATION: 9252 Elk Grove Boulevard
APN(s): 134-0072-011
STAFF: Kyra Killingsworth, Senior Planner

PROPERTY OWNER/PROJECT APPLICANT:

Oak Rose Apts LP
Peter Enzminger (Representative)
3910 Cover Street
Long Beach, CA 90808

Staff Recommendation

Staff recommends that the Planning Commission conduct a design review/public oversight ("public oversight") meeting pursuant to California State Senate Bill 35 ("SB35"), and adopt a Resolution (Attachment 1):

1. Finding the Project exempt per State CEQA Guidelines Section 15270 (Projects Which Are Disapproved). [Note: If the Project is found to comply with the requirements of SB 35, including compliance with objective design standards, and thereby be subject to ministerial approval, such ministerial approval would also be exempt from CEQA review. (Gov. Code § 65913.4)]; and
2. Finding that the Project does not comply with the City's objective design standards for an affordable housing project pursuant to SB35 and, therefore, the Project is not entitled to streamlined, ministerial approval.

Project Description

The proposed Project consists of a design review/public oversight meeting and density bonus to construct a 100% affordable housing project with 67 units ("Project") on a vacant parcel in Old Town Historic District, located at 9252 Elk Grove Boulevard. The Project will include resident-serving office spaces in the front of the building and on ground level with residential units on three levels of a single building, as well as associated site improvements, such as parking, landscaping and exterior lighting. The Project request includes a density bonus to allow concessions/incentives for reduced parking, allowable use, and for increase of allowed density for the affordable housing development.

The Project was submitted under SB35, a recently enacted state law which provides for streamlined, ministerial review and approval of qualifying housing development projects.

Project Setting

The ±1.23-acre Project site on the south side of Elk Grove Boulevard is vacant, located within the Old Town Historic District, and is zoned Commercial in the Old Town Special Planning Area (see Figures 1 and 2). Existing commercial buildings, including the new location for the Elk Grove Library are to the east, single-family residential and multi-family residential to the west, single-family

residential to the south and commercial buildings to the north. Table 1 identifies the existing uses, General Plan land use designations, and zoning districts for the Project and for the neighboring properties.

Figure 1. Vicinity Map



Figure 2. Location Map



Table 1. Adjacent Land Designations and Uses

	Existing Uses	General Plan	Zoning
Project Site	Vacant	Community Commercial (CC)	OTSPA - Commercial
North	Existing Commercial Buildings	Community Commercial (CC)	OTSPA - Commercial
South	Single-Family Dwelling Residential	Low Density Residential (LDR)	Low Density Residential (RD-5)
West	Single-Family Dwelling Residential and Multi-Family Dwelling Residential	High Density Residential (HDR)	OTSPA- Commercial and Multi-Family Residential
East	Existing Commercial Buildings	Community Commercial (CC)	OTSPA- Commercial

Background

California State Senate Bill 35 (enacting Government Code Section 65913.4), which went into effect on January 1, 2018, was part of a comprehensive housing bill package aimed at addressing the State's housing shortage for localities that are not meeting their Regional Housing Needs Allocation (RHNA). SB35 provides for a streamlined ministerial approval process for qualifying multi-family residential in-fill developments, and it limits the ability of local governments to reject these proposals if the eligible developments meet certain criteria. A qualifying project under SB35 includes a housing development that contains two or more residential units and is required to maintain a minimum percentage of below market-rate housing.

SB35 requirements apply to the City of Elk Grove (City) and other urban areas of the state that need to make further progress towards their RHNA as determined by the California Department of Housing and Community Development (HCD). The City provides an Annual Housing Element Progress Report annually to HCD. In 2019, HCD determined that the City is subject to SB35 streamlining provisions for proposed developments with at least 50% affordability as the jurisdiction has insufficient progress towards the very-low and low-income RHNA numbers. Therefore, the City must accept applications for SB35 projects and process them in a manner consistent with state legislation. The SB35 streamline ministerial process is in effect until January 1, 2026. It is unknown if the State Legislature will extend or replace SB35.

The Applicant submitted plans under SB35 for a 100% affordable residential project with 67 residential units in Old Town Elk Grove. The Project will consist of 66 studio bedrooms and one 2-bedroom manager's unit. The building will be three stories with private resident-serving offices on the ground level in the front, with the rest of the levels with residential units. The vacant property is narrow; therefore, the building will be situated close to the street with pedestrian access only from Elk Grove Boulevard and a small parking lot of eight spaces in the rear with vehicle access from a shared driveway from the east connecting to Waterman Road. The building will expand over the majority of the vacant property with landscaping in the front, sides and in the rear to provide shade for the parking area.

Analysis

Pursuant to SB35, the City's review of the Project is limited to compliance with criteria required for streamlined projects and objective planning standards adopted by the City, which are located in the following documents:

1. City's General Plan
2. Elk Grove Municipal Code, Title 23 (Zoning)
3. Old Town Elk Grove Special Planning Area standards and guidelines.

SB35 defines an objective standard as one that involves "no personal or subjective judgment by a public official and is uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant and the public official prior to submittal." For example, standards tied to measurements, such as setback and height standards, are objective; standards requiring new development to be compatible with surrounding structures and uses are more subjective, and compliance with such subjective standards likely could not be mandated on SB35 eligible projects.

Although eligible SB35 projects are processed ministerially without discretionary review, a public oversight meeting is allowed for such projects for the purpose of assessing compliance with criteria

required for streamlined projects and adopted standards. Public comment and input will be accepted on the proposed Project as to its compliance with eligibility criteria and objective standards. Staff has concluded that the Project, as proposed, does not comply with the City's objective standards and has so notified the Applicant by letter, dated April 15, 2022 (see attachment 2). The Planning Commission's action is limited to serving as a public oversight body to further review whether the Project complies with applicable objective standards.

SB35 Project Timeline:

The Application for this Project proceeded as outlined below:

- November 9, 2021, SB35 Preliminary Application was received.
- November 16, 2021, City Staff requested list of Native American Tribes from the Native American Heritage Commission.
- December 14, 2021, Standard Planning Application was received by City Staff.
- January 6, 2022, 30-day Tribal Consultation period was initiated with a formal letter to the list of Tribes provided by the Native American Heritage Commission
- March 4, 2022, Tribal consultation was concluded.
- March 4, 2022, SB35 Development Application was deemed submitted following the tribal consultation completion date.
- May 4, 2022, City must provide in writing a determination of consistency with objective standards under SB35.
 - The City met this criteria by providing a letter to the Applicant on April 15, 2022 advising of the incompleteness of the Application and identifying conflicts with objective standards.
- June 4, 2022, Deadline for completion of the public oversight review process.

In accordance with SB35, within 60 days of submittal of the project application, the City is required to provide the applicant with a determination of consistency, which the City has done (see Attachment 2). In addition, the City is to complete the public oversight process within 90 days of submittal of the SB35 Application. This Planning Commission meeting serves as that public oversight meeting.

SB35 Eligibility

Preliminary Application Process

Pursuant to Government Code section 65941.1, the Applicant must submit a preliminary application ("pre-application") to the City for review and compliance of SB35, which the Applicant submitted in November 2021. The pre-application includes a checklist of the requirements per SB35 that that Applicant must fill out and state "yes" or "no" and provide evidence that the proposed Project will comply with all criteria. Soon after the submittal of the pre-application form, the City initiated a tribal consultation request.

The City obtained a list of tribes to be notified from the Native American Heritage Commission and sent a request to each tribe with details of the Project and an invitation to consult with the City on required cultural resources. The Wilton Rancheria Tribe (Tribe) requested consultation with the City. The City exchanged correspondence with the Tribe and provided additional information. After coordination between the City and the Tribe, the consultation was deemed complete on March 4, 2022, which is considered the submittal date for the Application.

Formal Submittal Process

The formal submittal date for this Project was March 4, 2022, after the Project was deemed complete with the tribal consultation process. The formal submittal was reviewed by staff, and, on April 15, 2022, the City staff determined that the Application was not in compliance with SB35 as the Project did not satisfy the specific criteria in order to be eligible for use of SB35. The City so notified the Applicant and requested additional information with a formal letter of incompleteness (see Attachment 2).

As mentioned above, the following list of criteria is required for the Project to be eligible for the streamlined ministerial approval process. For the Project to receive ministerial approval, the Planning Commission and staff must find the Project in compliance with the criteria, which includes the City's objective standards.

The eligibility requirements are the following:

- 1. Has the Applicant dedicated at least 50% of the units in the project to households making below 80% on the area median income?**

Staff Response: Yes. The Project is a 100% affordable housing for homeless individuals.

- 2. Is the Project a multi-family housing development (2 or more units)?**

Staff Response: The Project is considered an affordable housing development with 66 studio units and one 2-bedroom manager's unit and accessory resident-serving private offices. The maximum density for residential units pursuant to the Old Town Special Planning Area (SPA) is 30du/acre. The size of the vacant property is 1.23 acres. The Applicant is requesting a density bonus (which is subject to City Council approval) to exceed the maximum density for a 100% affordable housing project. More information is below under Question #8 on the density bonus.

- 3. Does at least 75% of the perimeter of the Project site adjoin parcels that are developed with "urban uses" (subds.(a)(2)(B),(h)(8))? For purposes of SB35, "urban uses" means any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses. Parcels that are only separated by a street or highway shall be considered adjoined.**

Staff Response: The Project is located within an existing legal parcel in Old Town Elk Grove. The vacant parcel abuts to residential uses to the south, west, street/commercial to the north and commercial to the east. All adjoining parcels are developed.

- 4. Is the project site zoned for residential use or residential mixed-use development or have a general plan designation that allows residential use or a mix of residential and nonresidential uses, and at least two-thirds of the square footage of the development is designated for residential use (subd. (a)(2)(C))?**

Staff Response: The site is designated Old Town Special Planning Area (OTSPA) – Commercial. Pursuant to OTSPA Table 2, multi-family residential is allowed but must incorporate mixed-use to be permitted within the commercial zoning district. The Project proposal currently includes 66 residential units, a manager's unit, and private office spaces for services for the residents

on site. Staff does not consider the Project to meet the zoning code criteria for this commercially-designated site. Staff does not find that the proposed leasing office on the first floor satisfies the OTSPA's criteria for pedestrian-oriented commercial use on the ground floor.

As mentioned above, pursuant to OTSPA Table 2, "Permitted and Conditionally Permitted Land Uses", the proposed affordable multi-family housing including mixed-use office space is a permitted use in the OTSPA subject to the criteria set forth in the footnotes that the 2nd and 3rd floor be residential and the first floor/ground floor include pedestrian oriented commercial uses (i.e., retail, restaurant, or offices). The permitted density of 2nd and 3rd floor residential shall not exceed 30 units per acre and shall be dependent on compliance with development standards. The Applicant is requesting a density bonus to exceed the maximum density. The Applicant is also seeking concessions and incentives to allow for an alternative parking ratio for the affordable housing development and for exemption from the ground floor commercial use requirement. Staff is reviewing the Project in contemplation that the Project is eligible for the density bonus, which is a determination for the City Council. However, staff does not feel that relief from the parking or ground floor commercial land use requirements has been substantiated at this time.

In addition, the Applicant states the Project provides special needs housing in the pre-application form, but supportive housing in the submittal plans. The Applicant has stated that they are using the terminology of Special Needs and Supportive Housing interchangeably. The City requested that the Applicant provide clarification of the use as there are different requirements per SB35 for the two different uses. The reason for the clarification is to determine what is needed for the parking requirement. Under state law different parking requirements apply for these two specific housing uses. Even though both supportive housing and special needs do not require vehicular parking requirements, a development that is special needs housing development shall have either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day. (Gov. Code 65915, enacted by Assembly Bill 1763). SB35 has specific parking requirements for only multi-family developments.

5. If a land subdivision is required, is the Project financed with low income housing tax credits and will prevailing wages be paid?

Staff Response: Not applicable. Project does not include a land subdivision.

6. If land subdivision is required, will the development pay prevailing wages to a trained and skilled workforce?

Staff Response: Not applicable. Project does not include a land subdivision.

7. Does the Project meet density requirements in the General Plan designation applicable to the subject property/ies?

Staff Response: The parcel's General Plan Designation is Community Commercial (CC). Pursuant to the City's General Plan, Residential Density in the CC designation is a minimum of 15.1 du/acre (19 du) with a maximum of 40 du/acre (50 du). The Project consists of 67 units, which is more than the maximum density per the General Plan. However, the Applicant is requesting a density bonus for 100% affordability (see Question #8 below for more information).

The maximum Floor Area Ratio (FAR) for the General Plan designation is 1.0 (the Project size is 1.23 acre and at 1.0 the FAR maximum equals 53,579 sf). While the proposal exceeds the density standards, the submitted plans show the building complies with the FAR standards as the total building size is 34,790 square feet.

The General Plan Community Commercial (CC) designation is generally characterized by retail and service uses that meet the daily needs of residents in surrounding neighborhoods and community needs beyond the surrounding neighborhood. These uses may consist of a unified shopping center with or with a major anchor store. Retail and service uses are predominant with limited office and professional spaces allowed. Limited residential uses may be allowed when integrated with nonresidential uses with an approved District Development Plan and consistent with zoning.

The proposed Project is consistent with the following General Plan Goals and Policies. Specifically, the proposed Project supports the following policies:

- Policy LU-2-1: Promote a greater concentration of high-density residential, office commercial or mixed-use sites and the population along identified transit corridors and existing commercial corridors, in activity centers, and at other appropriate locations.
- Policy H-1-3: Promote development where affordable housing is near services, shopping, and public transportation.

The development will provide an increase of housing diversity and promote walkability with the Project in close proximity to other commercial businesses on Elk Grove Boulevard, which the proposed Project will be generally consistent with the General Plan.

Though the Project promotes infill development adjacent to existing historic structures, the following General Plan's policies related to compatibility with historic structures and the character of surrounding areas are subjective in nature. As such, these policies can only be enforced insofar as there are objective standards in the OTSPA that support these policies:

- Policy HR-3-2 Encourage new development to be compatible with adjacent existing historic structures in terms of scale, massing, building material, and general architectural treatment.
- Policy LU-2-4 Require new infill development projects to be compatible with the character of surrounding areas and neighborhoods, support increased transit use, promote pedestrian, and bicycle mobility and increase housing diversity.

8. Does the Project meet objective zoning standards of the zoning designation applicable to the subject property/ies?

Staff Response: No. See details below:

Title 23 (Zoning Standards):

Staff has determined that the Project is **not fully consistent** with the applicable Zoning Code and general OTSPA development standards (see Table 2 below).

Table 2. Development Standards

Development Standards	Required	Proposed	Complies
Residential Density	Maximum: 30 du/acre =36.9 units With density Bonus (80%)=66.42 units	67 units	Yes, with an approved density bonus
Building Setbacks	Front: 7.5 maximum' (outside the PU easement) Rear: 80 feet (average of existing adjacent buildings) Side: 0'	0 feet from 12.5 foot PUE 90 feet 6 feet	Yes
Building Height	45' (fronting Elk Grove Boulevard)	33 feet, 9 inches	Yes
Parking	1 space/bedroom- supportive housing: 66 spaces. Per AB1763 (Gov. Code § 65915), no parking is required for supportive housing and special needs housing ¹	8 spaces	No, Need clarification, see below for more details.
Landscaping	Parking Lot Shading: 50% Landscape Planter Width- buffering between uses: 10 feet	75% shaded	Yes No, Need additional information, see below for more details.
Bike Parking	1 space/3 units; Total: 22 spaces	38 spaces (short term and long term)	Yes

1. *Per AB1763, a development that is special needs housing development shall have either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day.*

In addition to the development standards, the Application does not provide enough information to determine if the Project complies with the following objective standards in specific chapters in the Elk Grove Municipal Code (EGMC).

- EGMC Chapter 23.54 Landscaping: *The Landscaping Plan does not contain adequate information, therefore, compliance with the following objective standards cannot be determined:*
 - Tree size. The minimum planting size for trees shall be 15 gallons and 1/3 of all trees on the Project planted at a minimum 24" box size.
 - Buffering between uses. A landscape buffer shall be provided between residential and nonresidential uses and between single-family uses and multi-family uses containing three or more units. Buffer area shall include a minimum 10 feet wide planter strip with both deciduous and evergreen trees planted a maximum of 30 feet on center.
 - Street and Parking Lot Trees. A minimum of thirty percent (30%) of the street trees and parking lot trees, respectively, shall be an evergreen species.
 - Table 4 of OTSPA has a list of recommended trees for the non-public areas. The landscaping plan does not have any of these trees.
- EGMC Chapter 19.12 Tree Preservation: Staff needs more information to determine if the proposed Project complies with this chapter in the EGMC. The Landscaping Plan states that oak trees will remain on site, but there are other trees on the site plan that are not

labeled; therefore, staff cannot determine if these trees are of local importance. The submittal package did not include an arborist report. In addition, the submitted plans show conflicting information: the Landscaping Plan shows only two existing oak trees, but the site plan shows six existing oak trees. Staff requests an arborist report and a tree exhibit or updated Landscaping Plan to show all trees to be labeled and if they will remain or be removed.

- EGMC Chapter 23.58 Parking: The site plan should be updated to provide information to show how the Project complies with both the Zoning Code parking stall dimensions and AB1763.

Table 23.58-2 (Parking Requirements by Land Use): The parking requirement for supportive housing is one space/bedroom, however, the following exceptions could be applicable based on a determination of the type of housing:

AB1763 (Government Code Section 65915) states that if the development is either a special needs housing development or a supportive housing development, upon the request of the developer, a city shall not impose any minimum vehicular parking requirements. A development that is a special needs housing development shall have either a paratransit service or unobstructed access, within one-half mile, to fixed bus route services that operates at least eight times per day.

Staff Needs more information. The Applicant has indicated that the use is Special Needs and/or Supportive Housing. With that, if the use is for special needs, the Applicant does not provide the information on a nearest bus route that operates eight times a day or if the development will provide paratransit service.

In addition, the site plan shows two parallel parking spaces, which have dimension of 22'-6" (length) by 9' (width), which do not comply with Table 23.58-3 for minimum stall dimensions. The standard parallel parking minimum stall dimension is 9 feet (width) by 24 feet (length).

- EGMC Chapter 23.56 Lighting: Staff needs a photometric plan as a Completeness Item to determine if the Project will comply with the City's Zoning Standards Section 23.56 (Lighting).
- EGMC Chapter 23.50 Density Bonus, Concessions, and Incentives (AB1763)

According to EGMC Title 23, it is the intent of the City to facilitate the development of affordable housing by positively impacting the economic feasibility of providing affordable housing and implementing the goals, objectives, and policies of the City's Housing Element. Chapter 23.50 of the EGMC establishes the process for density bonus requests and authorizes incentives and concessions for the production of housing for very low income, lower income, moderate income, special needs, and senior households. While the EGMC defines a density bonus of at least 20% above the maximum number dwelling units on a given site pursuant to the site's zoning, the EGMC recognizes that a density bonus may not necessarily result in a 20% increase in the total number of units on a site. The City Council is the legislative body who makes the determination as to whether to approve or deny a density bonus request.

For projects that include the requisite number of affordable housing units, and upon request from the applicant, the City is required to provide "incentives or concessions" such as reduced development standards, that result in actual and identifiable cost savings for the project. In effect, the density bonus and incentive/concession process allows the Applicant for a qualifying development to request relief from zoning development standards that would place physical and/or financial constraints on a project (i.e., standards including, but not limited to parking, open space, setback, and height requirements) that would not allow a project to maximize the efficiency of a site. Relaxing of the development standard through the granting of concessions or incentives is meant to result in cost savings through more efficient site planning and provision of housing units. While the Planning Commission is operating as the public oversight body pursuant to SB35 in determining compliance with the City's objective standards, the City Council is the legislative body to consider approval or denial of requested concessions or incentives.

For this Project, the Applicant requests the following density bonus, concessions and incentives:

1. A density bonus to exceed the maximum density for the OTSPA-Commercial designation (See Table 2 and Question 4, above);
2. A concession/incentive resulting in reduction in the required parking standards; and
3. A concession/incentive relieving the Applicant from compliance with the OTSPA mixed-used requirement of a pedestrian-oriented commercial use on the ground floor.

The density bonus process is wrapped into the SB35 legislation and any modifications to the development standards that are granted by the City under the density bonus law are required to be considered as consistent with objective standards.

As mentioned in the previous sections, the Project site is located in the Old Town Special Planning Area with a designation of commercial. Residential use is only allowed in this zoning designation as mixed-use development with the criteria that 2nd and 3rd floor be residential and the first floor/ground floor include pedestrian-oriented commercial uses (i.e., retail, restaurants or offices). The Project layout proposes accessory, private residential management and leasing offices in the front of the building and on the ground floor, with studio units on the 1st, 2nd, and 3rd floors. Staff does not consider this layout to comply with the OTSPA criteria of the pedestrian-oriented commercial use on the ground floor.

According to Section 23.50.030(D) of the EGMC, Projects eligible for a density bonus (that meet the requirements of Section 23.50.020) are qualified for a reduction in required on-site parking, consistent with the following:

- Zero (studio) to one bedroom: one on-site parking space per unit;
- Two to three bedrooms: one and one-half (1.5) on-site parking spaces per unit;
- Four or more bedrooms: two and one-half (2.5) parking spaces per unit.

This proposed Project is a 100% affordable housing project, and therefore, complies with EGMC Section 23.50.020(G) which provides the eligibility criteria for density bonuses. The Project could qualify for a reduction in on-site parking requirements. As provided by AB1763 (Government Code Section 65915), the housing developer may be eligible for

relief from the minimum vehicular parking requirements. But as stated above, staff needs additional information from the Applicant regarding the specific use of the Project to determine the correct requirement for the parking standards to determine if it can qualify for AB1763. If the Project is 100% affordable supportive housing project, then the parking requirement is zero (0) spaces for this site. However, if the use is special needs housing, the Project must be near public transportation or provide a paratransit. As submitted, the Project proposes eight parking spaces and 34 bike parking spaces which is only consistent with the requirement for affordable housing if the parking reduction criteria under AB1763 for supportive or special needs housing is met. Insufficient information has been submitted to determine a) the status of the housing as supportive or special needs; and b) if the status is special needs, then the Project proponent must provide evidence that paratransit service will be provided as the site is not within one-half mile of a transit stop.

According to EGMC Section 23.50.070(C), the City shall grant concessions or incentive(s) to the Applicant unless the City makes a written finding of any of the following:

- 1) The concession or incentive is not required in order to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).
- 2) The concession or incentive would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5 of the California Government Code, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.
- 3) The concession or incentive would be contrary to State or Federal law.

City staff has notified the Applicant by letter, dated April 15, 2022, as to some of the concerns over the proposed Project. Additional information may be forthcoming from the Applicant in response to staff's letter. However, the Applicant's current submittal does not show how the requested concessions for parking and land use regulations (requiring first floor commercial) are required in order to provide for affordable housing. Staff thus finds, based on the Applicant's submitted materials, that these requested concessions or incentives are not required in order to provide the requested affordable housing, (Finding 1, above), and staff recommends against approval of the requested concessions or incentives.

Similarly, under Government Code section 65915, the requested concessions or incentives may be denied if the City finds that the requested concessions or incentives do not result in identifiable and actual cost reductions to provide for affordable housing. (Gov. Code § 65915(d)(1)(A).) Again, the Applicant submittals do not show any such identifiable and actual cost reductions associated with the requested concessions or incentives. Therefore, based on the Applicant submittals, staff recommends against the requested concessions or incentives with the finding that they will not result in identifiable and actual cost reductions.

9. Does the Project meet objective design review standards per the Elk Grove Design Guidelines and the applicable zoning district regulations?

Staff Response: No. Staff needs more information to know if the Project will be consistent with the standards. See detailed information below:

Old Town Special Planning Area Guidelines: In accordance with OTSPA Table 2, the proposed multi-family residential use is permitted within the OTSPA- Commercial zoning designation if the use is mixed use, which is described as follows, "buildings used for 2nd or 3rd floor residential must be used for pedestrian-oriented commercial uses on the ground floor (i.e., retail, restaurant, or office). The permitted density of 2nd or 3rd floor residential shall not exceed 30 units per acre".

The application includes an SB35 public oversight review, but it does not affect the integrity of any existing historic buildings or properties. Therefore, the Project does not need to be reviewed by the City's Historic Preservation Committee.

Even though the Project is located within the Old Town Historic District, the property does not contain any historic landmarks or buildings as the property is vacant. However, the property is still zoned for commercial in the Old Town Special Planning Area and is required to be consistent with the following guidelines:

OTSPA Architecture: Staff believes the Project uses at least two different architectural details listed in Table 8 of the OTSPA, which the plans show the following:

1. Tall narrow rectangular windows
2. Building details wraps around sides
3. Articulation on front façade with different roof heights/trellis.
4. Two different materials for texture- wood and stucco.
5. Decorative pavers at the entrance.

However, below are additional architectural details that should be included in the style of the building from the OTSPA guidelines to show that the Project will be consistent with the Old Town standards:

- All architectural elements shall be designed with respect to the entire façade and shall relate to the adjacent buildings.
- New construction shall be representative of a specific historical architectural motif and style of the period represented in Old Town. Project architects shall provide a written explanation identifying their chosen motif and style, noting which architectural elements express that style, and explaining why it is compatible with existing historic development in Old Town. Applicants are referred to the historic buildings listed in Figure 23 as representative historic architecture. Other existing buildings of comparable historic value may also be used as representative structures.

OTSPA Compatibility: The submitted plans do not show any details of fencing; therefore, the application does not comply the OTSPA requirement that new commercial uses shall be required to install a six-foot (6'-0") masonry wall along any boundary shared with a property zoned for residential use. If an alley is located between the commercial and residential uses, the commercial applicant shall contact the residential landowner to negotiate to build the six-foot masonry wall on the residential side of the alley. If no agreement can be made, the wall shall be located on the commercial side. Fencing inside and front yards shall be consistent with the standards established by the Zoning Code.

10. Is the Project located on a site that is any of the following:

Staff Response: Staff has determined that the Project site is not located in any of these areas listed below:

- a. Wetlands: no
- b. Earthquake fault zone: no
- c. High fire hazard zone: no
- d. Hazardous Waste site: no
- e. A site that will require demo of housing: no; this site is vacant
- f. FEMA- no, this site is Zone X
- g. Demo of a historic building: no, this site is vacant, however, this site is adjacent to a historical building.
- h. Mobile Home Residency law: no
- i. Protected species habitat: no
- j. Conservation easement: no

Even though the Project site is vacant and does not have a historic building on site, the property is located in the Historic District and has historic buildings in close proximity. With that, staff informs the Planning Commission of the surrounding properties, especially adjacent to the property site on the east and west sides. Listed below are brief descriptions of the properties abutting the subject site:

1. The Project site does not have any historical buildings located on the property. The site is adjacent to a property on the west side (9248 Elk Grove Boulevard) that is eligible for the City's local registry. The City's 2019 Historic Resource Survey and Evaluation Report stated the property at 9248 Elk Grove Boulevard has a single-family home and detached garage built in 1915 (Reginald Rolfe Residence) which has local significance and contributing to the local registry. The detached garage is located approximately two feet from the shared east property line and the house is approximately 12 feet from the shared east property line. The Project must not negatively affect the integrity of the historical architecture and property of the adjacent property at 9248 Elk Grove Boulevard due to the close proximity to the historic structures.
2. The Property on the east side was previously a Rite Aid building that was constructed in 2006 and is currently vacant. It is the proposed new location of the Elk Grove Library. This property shares access with the Project site. The Title Report states that there is a 37- foot-wide reciprocal access easement between these two properties.

11. For projects of over 10 units, will the entire development be a “public work” as defined in Section 1720 of the California Labor Code, or will construction workers be paid at least the prevailing wage?

Staff Response: The Project is over 10 units. More information is needed from the Applicant to know if the Project will comply with this state requirement per SB35. The Applicant has noted on the pre-application that the proposed Project will comply with all labor provision identified in SB35; however, the Applicant did not provide any documentation that certifies the commitment to comply with the Prevailing Wage Requirement.

12. For Projects of 75 or more units, will a “skilled and trained” workforce, as defined in Section 2601 of the California Public Contracts Code, be used to complete the Development?

Staff Response: This Project is proposed for 67 units, which is less than 75 units. Therefore, this is not applicable.

Environmental Analysis

Projects which are disapproved or denied are exempt from CEQA review (CEQA Guidelines, § 15270). Since the Project does not meet the required objective standards, the disapproval of the Project is exempt from CEQA under this exemption. Note that eligible projects that comply with SB35 are considered ministerial and are also exempt from CEQA review. (Gov. Code § 65913.4)

Recommended Motion

The Planning Commission's role under SB35 is to review the Project against the City's objective standards, as discussed above. Staff recommends that the Planning Commission find that Project does not meet with the City's objective standards and is therefore, not eligible for SB35 ministerial approval.

Next steps

If the Planning Commission finds the Project to not comply with the SB35 criteria, in order to process the development, the Applicant would need to prepare and submit a new SB35 application restarting the City's project review timeline. The Applicant may, alternatively, appeal the Planning Commission's determination to the City Council. The City Council would also separately determine the propriety of the requested density bonus, concession, and/or incentives.

Attachments

1. Planning Commission Draft Resolution
2. Project Plans
3. City Letter of Determination dated April 15, 2022

ATTACHMENT 1

RESOLUTION NO. 2022-X

MAY 5, 2022

**A RESOLUTION OF THE CITY OF ELK GROVE PLANNING COMMISSION
FINDING THE PROJECT NOT ELIGIBLE FOR SENATE BILL 35 STREAMLINED
MINISTERIAL APPROVAL (CEQA EXEMPT)**

**OAK ROSE APARTMENTS PROJECT
PROJECT NO. PLNG22-015
9252 ELK GROVE BOULEVARD
APN: 134-0072-011**

WHEREAS, the Planning Division of the City of Elk Grove received a pre-application on November 9, 2021, and a formal application submittal on March 4, 2022 from Oak Rose Apts LP (the "Applicant") requesting processing of an affordable housing project pursuant to Senate Bill 35 (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: 134-0072-011; and

WHEREAS, the Development Services Department considered the Project request pursuant to Senate Bill 35 ("SB35") and the City's objective standards of the Elk Grove General Plan, Title 23 (Zoning) of the Elk Grove Municipal Code and the Old Town Elk Grove Special Planning Area Standards and Guidelines; and

WHEREAS, City staff had previously found that the Project did not comply with the City's objective standards, and so notified the Applicant; and

WHEREAS, the Planning Commission held a duly-noticed public oversight meeting on May 5, 2022, as provided 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 Planning Commission of the City of Elk Grove finds no further environmental review is required under CEQA for the Oak Rose Apartments Project (PLNG22-015) pursuant to CEQA Guidelines Section 15270 (Project Which Are Disapproved) and denies the Project as not eligible for SB35 ministerial approval based upon the following determinations and findings:

California Environmental Quality Act (CEQA)

Finding: No environmental review is necessary for the Oak Rose Apartments Project (PLNG22-015) pursuant to State CEQA Guidelines Section 15270 (Projects Which Are Disapproved).

Evidence: CEQA does not apply to projects which a public agency rejects or disapproves. Therefore, Planning Commission denial of the project is exempt from CEQA pursuant to Section 15270.

AND, BE IT FURTHER RESOLVED, that, for the reasons presented by City staff and as identified on the record of the public oversight meeting, the Planning Commission of the City of Elk Grove hereby finds that the Project is not eligible for streamlined ministerial approval under SB35 as the Project does not comply with the City's objective standards including, without limitation:

1. The Old Town Special Planning Area commercial use zoning designation;
2. Elk Grove Municipal Code, Title 23 (Zoning) including Landscaping (Ch. 23.54) and Lighting (Ch. 23.56);
3. Parking Requirements per Elk Grove Municipal Code (Ch. 23.58) and per AB 1763 (Gov. Code § 65915);
4. Elk Grove Municipal Code, Title 19 (Tree Preservation and Protection), preserving trees of local importance.

AND, BE IT FURTHER RESOLVED, that the Planning Commission finds, based on the materials presented by City staff and as identified on the record of the public meeting, that the requested concessions or incentives seeking relief from the City's regulatory standards (including, without limitation, parking and land use standards) are not required in order to provide for affordable housing costs (EGMC §23.50.070(C)(1)) and will not result in identifiable and actual cost reductions (Gov. Code §65915(d)(1)(A)).

The foregoing Resolution of the City of Elk Grove was passed and adopted by the Planning Commission on the 5th day of May 2022, by the following vote:

AYES:
NOES
ABSENT:
ABSTAIN:

ATTEST:

Sandy Kyles, SECRETARY

George Murphey, CHAIR of the
PLANNING COMMISSION

ATTACHMENT 2

OAK ROSE

67 UNIT - 100% AFFORDABLE PERMANENT SUPPORTIVE HOUSING

9252 ELK GROVE BLVD
ELK GROVE, CA 95624

ENTITLEMENT SET

ZONING INFORMATION

ZONING: COMMERCIAL MULTIFAMILY OTSPA (RD-30)

DENSITY:
THE PROJECT UTILIZES DENSITY BONUS AND PARKING EXEMPTIONS PER AB 1763. ALLOWABLE DENSITY: 30 DU/ACRE. 1.23 ACRES=36.9 DU, MAX. INCENTIVES PER AB 1763: FOR 100% AFFORDABLE HOUSING PROJECTS, AN 80% INCREASE DENSITY AND UP TO FOUR INCENTIVES: 36.9 DU x 80% INCREASE = 66.42 = 67. NUMBER OF UNITS PROVIDED: 67 (66) STUDIOS AND (1) 2-BEDROOM.

LOT/PARCEL AREA: 53,578.8 SF

HEIGHT LIMIT: 45 FEET

ALLOWABLE NUMBER OF STORIES: 1 TO 3
NUMBER OF STORIES PROVIDED: 3 STORIES

SETBACKS:

REQUIRED FRONT: 5.7.5 FEET MAX.
PROVIDED FRONT: 12.5 FEET DUE TO PROPOSED CITY UTILITY EASEMENT
REQUIRED SIDE: HISTORIC OLD TOWN = 10' FT. EAST AND WEST OLD TOWN ≤ 12 FT
PROVIDED SIDE: 9 FT EAST AND WEST
REQUIRED REAR: AVG. OF REAR YARD SETBACK PROVIDED FOR THE BUILDING ON EACH ADJACENT SIDE,
PROVIDED REAR: 90' - 3 1/4" FT TO BUILDING 0 FT TO FIRE LANE AND PARKING

FLOOR AREA SUMMARY:

LOT COVERAGE (INCLUDES ALL COVERED AND BUILDING AREAS):
REQUIRED: 50% MAX.
MAX. LOT COVERAGE ALLOWED: 80% PER TABLE 23.29-1 RD-30
53,578.8 SF x 0.8 = 42,853.04 SF
PROVIDED: 34,790.96 SF
FLOOR AREA RATIO (F.A.R.) / F.A.R. IS BASED ON THE GROSS BUILDING AREA OF DEVELOPMENT EXCLUSIVE OF STRUCTURED PARKING AREAS AND INCLUDES AREAS WITHIN THE EXTERIOR WALLS, EXTERIOR COVERED, NOT ENCLOSED AREAS ARE EXCLUDED.)

NON RESIDENTIAL BUILDING INTENSITY MAX F.A.R. = 1.0
IN COMMERCIAL ZONED DENSITY
1.0 X 53,578.8 SF = 53,578.8 SF > 34,790.96 SF

APPLICABLE CODES:

- 2019 CALIFORNIA BUILDING CODE (CBC) & TITLE 24
- AMERICANS WITH DISABILITY ACT (ADA)
- 2019 CALIFORNIA GREEN BUILDING CODE (CGC)
- 2019 CALIFORNIA MECHANICAL, PLUMBING AND ELECTRICAL CODES (CMC, CPC, CEC)
- 2019 CALIFORNIA ENERGY CODE (CEC)

PARKING:

FOR AFFORDABLE HOUSING A 50% VEHICLE REDUCTION IS ALLOWED.
PARKING IN SUBURBAN ZONE = 1.5/100 = 1.5 x 67 = 100.5
100.5/2 = 50.25

THE FRONT YARD IS NOT ALLOWED TO BE PAVED FOR PARKING OR PATIO AREAS.
INCENTIVES PER AB 1763: NO PARKING REQ'D FOR SPECIAL NEEDS HOUSING
PROVIDED: 7 SPACES + 1 ADA SPACE = 8 SPACES

BIKE PARKING:

REQUIRED: 1 SPACE/20 DU (SHORT TERM) = 67/20 = 3.35 = 4
1 SPACE/2 DU (LONG TERM) = 67/2 = 33.5 = 34
PROVIDED: 4 SHORT TERM (BIKE RACK)
34 LONG TERM (BIKE ROOM)

OPEN SPACE:

MIN 20% PER TABLE 23.29-1 RD-30
53,578.8 SF x 0.2 = 10,715.76 SF
PROVIDED: 13,133 SF + 1198 SF + 201 SF = 14,532 SF > 10,715.76 SF
ADDITIONAL UNDEVELOPED AREA PROVIDED: 10646.70 SF

TREE SHADE PROVIDED:

SEE L1.00 FOR 75% SHADED PARKING

PROJECT INFORMATION

PROJECT DESCRIPTION:

NEW 3 STORY 100% AFFORDABLE PERMANENT SUPPORTIVE SPECIAL NEEDS HOUSING FOR FORMERLY HOMELESS INDIVIDUALS OWNED AND OPERATED BY THE PRIVATE ENTITY OF EXCELERATE HOUSING GROUP. THE PROPOSED DEVELOPMENT WILL RECEIVE FUNDING FROM:

STATE OF CA TAX CREDIT ALLOCATION COMMITTEE (TCAC)

THE PROJECT INCLUDES:

- 66 STUDIOS (377 SF)
- (1) TWO-BEDROOM (802 SF)
- AUXILIARY COMMUNITY SPACES AND OFFICES
- 7 ON-GRADE PARKING SPACES,
LONG & SHORT TERM BIKE PARKING

LEGAL DESCRIPTION:

ALL THAT PORTION OF LOTS 1 AND 14, AS SHOWN ON THE MAP ENTITLED "GUNTER'S ADDITION TO ELK GROVE" RECORDED MAY 18, 1912 IN BOOK OF MAPS, PAGE 21.
ASSESSOR PARCEL # (APN): 134-0072-011-0000

PROJECT INFORMATION:

ZONING: COMMERCIAL MULTIFAMILY OTSPA
LOTSITE AREA SQUARE FOOTAGE (PER SURVEY): 53,578.8 SF
ACREAGE: 1.23 NET ACRES
LOT SIZE: 115.28 FEET BY 171.24 FEET, NORTH HALF,
: 95.58 FEET BY 174.00 FEET, SOUTH HALF,
: 18 FEET BY 612.24 FEET, WESTERN SECTION

BUILDING & SAFETY

TYPE OF CONSTRUCTION: TYPE V-A FULLY SPRINKLERED, NFPA 13

OCCUPANCY GROUP: R-2 APARTMENTS WITH MINOR 'B' OFFICE AND 'A-3' COMMUNITY ROOM & LOUNGE

BUILDING CODE LIMITS PER CBC TABLES 504.3, 504.4, & 506.2 (W/O AREA & HEIGHT LIMITS)				
OCC.	TYPE	ALLOWABLE STORIES ABOVE GRADE PLANE	ALLOWABLE HEIGHT ABOVE GRADE PLANE	ALLOWABLE AREA
R-2	V-A	3 STORIES	60 FT	36,000 FT
B	V-A	3 STORIES	85 FT	54,000 FT
A-3	V-A	2 STORIES	85 FT	34,500 FT

HEIGHT LIMIT: PER TABLE 504.4:
R-2 GROUP OF TYPE V-A = 4 STORIES, 60 FEET

NOTE: BUILDING IS FULLY SPRINKLERED PER SECT. 903.3.11

BUILDING HEIGHT: BUILDING HEIGHT PROVIDED: 30'-0" (SEE ELEVATIONS)

PER CBC 202, "GRADE PLANE" IS A REFERENCE PLANE REPRESENTING THE AVERAGE OF FINISHED GROUND LEVEL ADJOINING THE BUILDING AT EXTERIOR WALLS, WHERE THE FINISHED GROUND LEVEL SLOPES AWAY FROM THE EXTERIOR WALLS. THE REFERENCE PLANE SHALL BE ESTABLISHED BY THE LOWEST POINTS WITHIN THE AREA BETWEEN THE BUILDING AND THE LOT LINE, OR, WHERE THE LOT LINE IS MORE THAN 6 FEET FROM THE BUILDING, BETWEEN THE BUILDING AND A POINT 6 FEET FROM THE BUILDING.

FLOOR AREA GROSS: 34,790.96 SF (INCLUDES BUILDING AREAS WITHIN THE EXTERIOR WALLS, EXCLUDES EXTERIOR COVERED, NOT ENCLOSED AREAS.)
1ST FLOOR (R-2/B/A-3) 13,246.42 SF
2ND FLOOR (R-2/B/A-3) 11,136.34 SF
3RD FLOOR (R-2) 10,408.20 SF

RATIO OF MIXED OCCUPANCIES: PER CBC SECT. 508.4: IN EACH STORY THE BUILDING AREA SHALL BE SUCH THAT THE SUM OF THE RATIOS OF THE ACTUAL BUILDING AREA OF EACH SEPARATED OCCUPANCY DIVIDED BY THE ALLOWABLE BUILDING AREA OF EACH SEPARATED OCCUPANCY SHALL NOT EXCEED 1.

FIRST FLOOR: (R-2) 7,497 / 36,000 SF = 0.2062 (R-2) 3,596 / 54,000 SF = 0.0666 (A-3) 1,247 / 34,500 SF = 0.0361
SECOND FLOOR: (R-2) 10,297 / 36,000 SF = 0.2860 (B-1) 206 / 54,000 SF = 0.0038 (A-3) 313 / 34,500 SF = 0.0090
THIRD FLOOR: (R-2) 9,467 / 36,000 SF = 0.2630 (B-1) 206 / 54,000 SF = 0.0038

= 0.3109 < 1.0 = 0.3016 < 1.0 = 0.2668 < 1.0

REQUIRED WALL RATINGS PER TABLE 601 *	
	TYPE V-A
STRUCTURAL FRAME	1
EXTERIOR BEARING *	1
INTERIOR BEARING *	1
EXTERIOR NON-BEARING	FOR OCCUPANCY A-3, B, R-2 SEE TABLE 602 (FOR MORE INFO)
INTERIOR NON-BEARING	0
FLOOR CONSTRUCTION	1
ROOF CONSTRUCTION	1

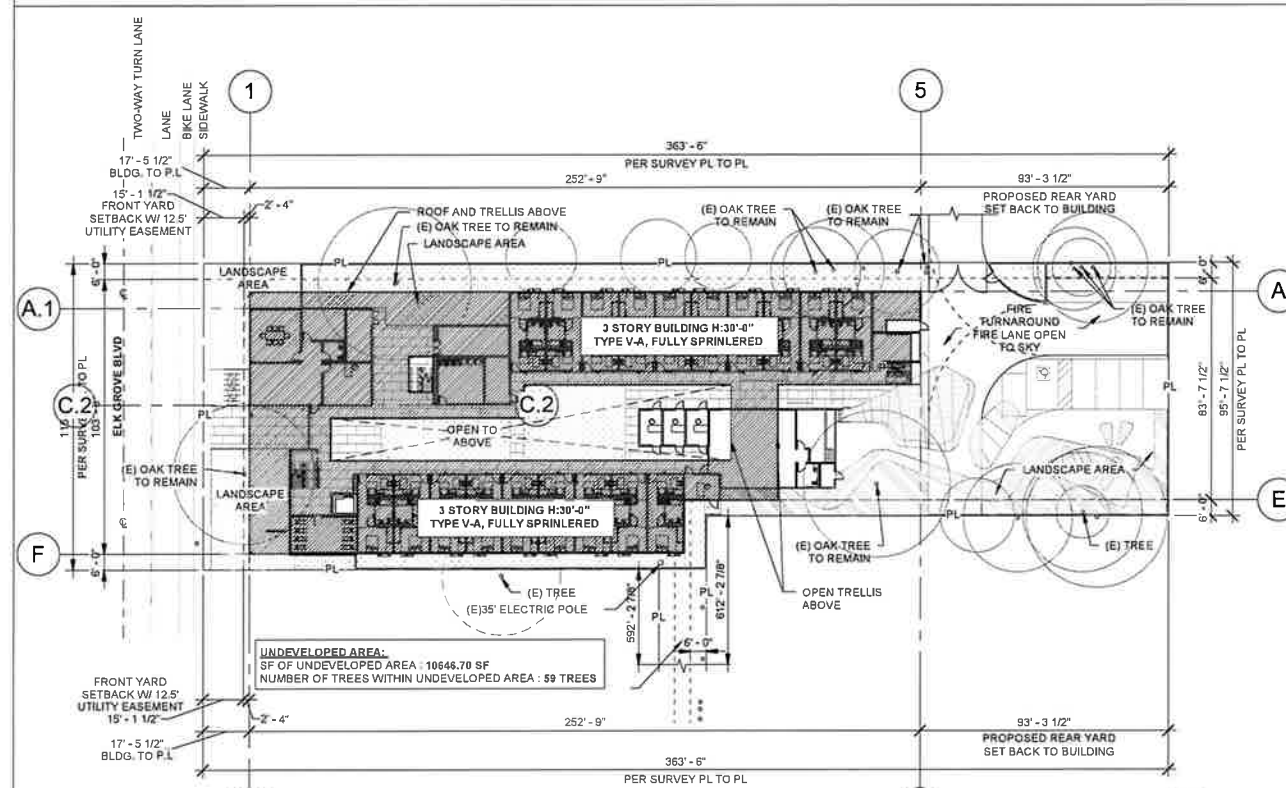
PERSPECTIVE VIEW



PARTICIPANTS

OWNER/CLIENT: EXCELERATE HOUSING GROUP (EHG)	LANDSCAPE: YAMASAKI LANDSCAPE ARCHITECTS 3910 CLOVER STREET LONG BEACH, CA 90808 TEL: 562-288-2700 EXT 103 CONTACT: PETER ENZMINGER
ARCHITECTS: BROOKS SCARPA 3929 W 139TH ST, HAWTHORNE, CA 90250 TEL: 323-596-4700 EXT 708 FAX: 310-453-9606 CONTACT: ELEFTHERIA STRAVRIDI	STRUCTURAL ENGINEER: LABIS FUNK + ASSOCIATES 319 MAIN STREET EL SEGUNDO, CA 90245 TEL: 310-514-7548 CONTACT: FABIO ZANGOLI
CIVIL ENGINEER: LABIS FUNK + ASSOCIATES 319 MAIN STREET EL SEGUNDO, CA 90245 TEL: 310-514-7548 CONTACT: FRANK LAROCCA	MEP ENGINEER: IDIAZ DESIGN, INC. 3700 WILSHIRE BOULEVARD, SUITE 910 LOS ANGELES, CA 90010 TEL: 310-388-8730 EXT 201 CELL: 310-913-8464 CONTACT: GLAD NAHARI
	SOLAR: PROMISE ENERGY, INC. 3558 ROUND BARN BOULEVARD, SUITE 200 SANTA ROSA, CA 9403 TEL: 213-444-9100 CONTACT: ANDY MANNLE

GENERAL AREA PLOT PLAN



PLOT PLAN

SCALE: 1/32" = 1'-0"

CONCEPTUAL DESIGN	2021-12-06
SCHEMATIC DESIGN	YYYY-MM-DD
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PERMIT SET	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
CONSTRUCTION ISSUE	YYYY-MM-DD

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
ELK GROVE, CA 95624
PROJECT NUMBER: 2100710



REVISIONS
△ -
△ -
△ -
△ -
SHEET TITLE: COVER SHEET
SCALE: As indicated
DATE PRINTED: 12/6/2021 1:16:35 PM

BROOKS SCARPA
ARCHITECTURE
3929 W 139TH ST
HAWTHORNE, CA 90250
T 323.596.4700
F 310.453.9606

A0.00

LEGAL DESCRIPTIONS:

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

ALL THAT PORTION OF LOTS 1 AND 14, AS SHOWN ON THE MAP ENTITLED, "GUTTER'S ADDITION TO ELK GROVE", RECORDED MAY 18, 1912, IN BOOK 13 OF MAPS, PAGE 21

BEGINNING AT A POINT IN THE CENTER LINE OF MAIN STREET LOCATED NORTH 89° 56' WEST 341.70 FEET FROM THE NORTHEAST CORNER OF SAID LOT 1 (SAID NORTHEAST CORNER BEING LOCATED ON THE CENTER LINE OF SAID MAIN STREET 65 FEET IN WIDTH);

THENCE 89° 56' WEST 115.10 FEET ALONG THE NORTH LINE OF SAID LOT 1 TO THE NORTHEAST CORNER OF LOTS CONVEYED TO REGINALD ROBEY BY DEED RECORDED IN BOOK 493 OF DEEDS, PAGE 91; THENCE ALONG ROBEY'S EAST LINE, SOUTH 02° 02' 1/2" WEST 201.24 FEET, THENCE ALONG ROBEY'S SOUTH LINE AND THE EXTENSION THEREOF, NORTH 89° 56' WEST 641.70 FEET TO THE SOUTHWEST CORNER OF LOT CONVEYED TO BRUCE F. WICHTELL BY DEED RECORDED IN BOOK 484 OF DEEDS, PAGE 584; THENCE SOUTH 00° 02' 1/2" WEST 18.00 FEET TO THE NORTHEAST CORNER OF LOTS CONVEYED TO JOHN W. ROBINSON'S NORTH LINE, THENCE SOUTH 89° 56' EAST 661.70 FEET TO THE NORTHEAST CORNER OF ROBINSON'S LOT; THENCE ALONG ROBINSON'S EAST LINE SOUTH 02° 02' 1/2" WEST 174 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE ALONG THE SOUTH LINE OF SAID LOT SOUTH 89° 56' EAST 83.58 FEET TO A POINT ON SAID SOUTH LINE; THENCE NORTH, PARALLEL TO THE EAST LINE OF SAID LOT 1, 393.24 FEET TO THE POINT OF BEGINNING.

APN: 134-0072-011-0000

TITLE EXCEPTIONS:

- PROPERTY TAXES, WHICH ARE A LIEN NOT YET DUE AND PAYABLE, INCLUDING ANY ASSESSMENTS COLLECTED AND TAXES TO BE LEVIED FOR THE FISCAL YEAR 2021-2022.
- PRIOR TO CLOSE OF ESCROW, PLEASE CONTACT THE TAX COLLECTOR'S OFFICE TO CONFIRM ALL AMOUNTS OWING, INCLUDING CURRENT FISCAL YEAR TAXES, SUPPLEMENTAL TAXES, ESCROWED ASSESSMENTS AND ANY DELINQUENCIES.
- THE USE OF SUPPLEMENTAL OR ESCROWED ASSESSMENTS OF PROPERTY TAXES, IF ANY, MADE PURSUANT TO THE PROVISIONS OF CHAPTER 3.5 (COMMENCING WITH SECTION 75) OR PART 2, CHAPTER 3, ARTICLES 3 AND 4, RESPECTIVELY, OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA AS A RESULT OF THE TRANSFER OF

TITLE TO THE VESTEE NAMED IN SCHEDULE A OR AS A RESULT OF CHANGES IN OWNERSHIP OR NEW CONSTRUCTION OCCURRING PRIOR TO DATE OF POLICY.

THE HEREIN DESCRIBED LAND IS WITHIN THE BOUNDARIES OF THE MELLO-RAMOS COMMUNITY FACILITIES DISTRICT(S) ANNUAL ASSESSMENTS, IF ANY, ARE COLLECTED WITH THE COUNTY PROPERTY TAXES. FAILURE TO PAY SAID TAXES PRIOR TO THE DELINQUENCY DATE MAY RESULT IN THE ABOVE ASSESSMENT BEING REMOVED FROM THE COUNTY TAX ROLL AND SUBJECT TO ACCELERATED JUDICIAL BOND FORECLOSURE. INQUIRY SHOULD BE MADE WITH SAID DISTRICT FOR POSSIBLE STRIPPED ASSESSMENTS AND PRIOR DELINQUENCIES.

ACCOUNT # 0150, ELK GROVE SCHOOL DISTRICT C/D # 1 MELLO R005 \$ 4584

ANY UNPAID AMOUNTS NOW OWING, FOR DELINQUENT UTILITIES, OF RECORD OR NOT, AMOUNTS CAN BE ASCERTAINED BY CONTACTING THE FOLLOWING:

- COUNTY OF SACRAMENTO AT (916) 875-5555, AND/OR INCLUDING: CITY OF SACRAMENTO AT (916) 808-5454
- CITY OF GALT AT (916) 384-7100
- CITY OF FOLSOM AT (916) 255-7200
- CITY OF ELK GROVE AT (916) 478-3642
- CITY OF RANCHO CORDOVA AT (916) 636-0000
- CITY OF FOLETON AT (916) 777-7770
- CITY OF CITRUS HEIGHTS AT (916) 725-2448, AND FOR WASTE CHARGES - ALLED WASTE AT (916) 725-3060, AND AS REQUIRED FAX REQUEST TO (916) 483-0297
- SACRAMENTO SUBURBAN WATER DISTRICT AT (916) 972-7171

RIGHTS OF THE PUBLIC TO ANY PORTION OF THE LAND LYING WITHIN THE AREA COMMONLY KNOWN AS ELK GROVE BOULEVARD AND WEBB STREET

MATTERS CONTAINED IN THAT CERTAIN DOCUMENT ENTITLED GOVERNMENT AND AGREEMENT EXECUTED BY ELK GROVE & WATERMAN, LLC AND MERLE RONALD HAGGARD RECORDED IN BOOK 201001212, PAGE 733, OF OFFICIAL RECORDS

REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS

THE SEARCH DO NOT DISCLOSE ANY OPEN MORTGAGES OR DEEDS OF TRUST OF RECORD, THEREFORE THE COMPANY PRESERVES THE RIGHT TO REQUIRE FURTHER EVIDENCE TO CONFIRM THAT THE PROPERTY IS UNENCLUMBERED, AND FURTHER RESERVES THE RIGHT TO MAKE ADDITIONAL REQUIREMENTS OR ADD ADDITIONAL ITEMS OR EXCEPTIONS UPON RECEIPT OF THE REQUESTED EVIDENCE

ANY RIGHTS OF THE PARTIES IN POSSESSION OF A PORTION OF, OR ALL OF, SAID LAND, WHICH RIGHTS ARE NOT DISCLOSED BY THE PUBLIC RECORDS

THE COMPANY WILL REQUIRE, FOR REVIEW, A FULL AND COMPLETE COPY OF ANY UNRECORDED AGREEMENT, CONTRACT, LICENSE AND/OR LEASE, TOGETHER WITH ALL SUPPLEMENTS, ASSIGNMENTS AND AMENDMENTS THERETO, BEFORE ISSUING ANY POLICY OF TITLE INSURANCE WITHOUT EXCEPTING THIS FROM COVERAGE

THE COMPANY RESERVES THE RIGHT TO EXCEPT ADDITIONAL ITEMS AND/OR MAKE ADDITIONAL REQUIREMENTS AFTER REVIEWING SAID DOCUMENTS

MATTERS WHICH MAY BE DISCLOSED BY AN INSPECTION AND/OR BY A CORRECT ALTA/NPS/PS LAND TITLE SURVEY OF SAID LAND THAT IS SATISFACTORY TO THE COMPANY, AND/OR BY INQUIRY OF THE PARTIES IN POSSESSION THEREOF

THE COMPANY WILL REQUIRE THAT AN OWNER'S AFFIDAVIT BE COMPLETED BY THE PARTY(S) NAMED BELOW BEFORE THE ISSUANCE OF ANY POLICY OF TITLE INSURANCE

PARTY(S): MERLE RONALD HAGGARD AND THEMESA LAKE HAGGARD, TRUSTEES OF THE HAGGARD FAMILY TRUST OF 2004, DATED AUGUST 19, 2004

THE COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL ITEMS OR MAKE FURTHER REQUIREMENTS AFTER REVIEW OF THE REQUESTED AFFIDAVIT

ANY INVALIDITY OR DEFECT IN THE TITLE OF THE VESTEE(S) IN THE EVENT THAT THE TRUST REFERRED TO HEREIN IS INVALID OR FAILS TO GRANT SUFFICIENT POWERS TO THE TRUSTEE(S) OR IN THE EVENT THERE IS A LACK OF COMPLIANCE WITH THE TERMS AND PROVISIONS OF THE TRUST INSTRUMENT

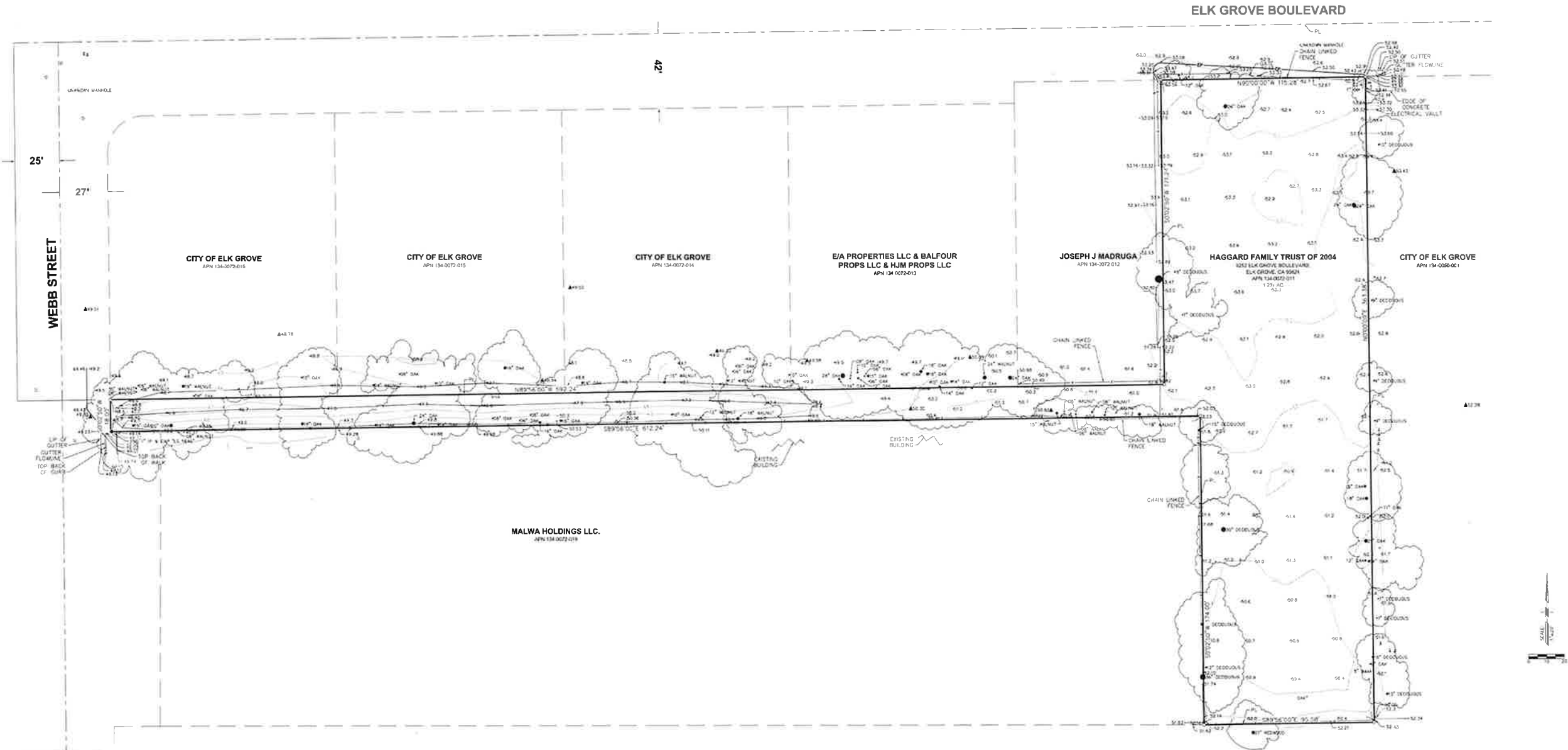
IF TITLE IS TO BE ACQUIRED IN THE TRUSTEE(S) OF A TRUST, OR IF THE ACT IS TO BE ACQUIRED, THIS COMPANY WILL REQUIRE A TRUST CERTIFICATION PURSUANT TO CALIFORNIA PROBATE CODE SECTION 18005

THE COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL ITEMS OR MAKE FURTHER REQUIREMENTS AFTER REVIEW OF THE REQUESTED DOCUMENTATION

THE TRANSACTION CONTEMPLATED IN CONNECTION WITH THIS REPORT IS SUBJECT TO THE REVIEW AND APPROVAL OF THE COMPANY'S CORPORATE UNDERWRITING DEPARTMENT. THE COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL ITEMS OR MAKE FURTHER REQUIREMENTS AFTER SUCH REVIEW

THE COMPANY WILL REQUIRE THE FOLLOWING DOCUMENTS FOR REVIEW PRIOR TO THE ISSUANCE OF ANY TITLE INSURANCE PREPARED UPON A CONVEYANCE OR ENCUMBRANCE FROM THE ENTITY NAMED BELOW

- LIMITED LIABILITY COMPANY, EXCELLENCE HOUSING GROUP, LLC
- A COPY OF ITS OPERATING AGREEMENT, IF ANY, AND ALL AMENDMENTS, SUPPLEMENTS AND/OR MODIFICATIONS THERETO, CERTIFIED BY THE APPROPRIATE MANAGER OR MEMBER
- IF A DOMESTIC LIMITED LIABILITY COMPANY, A COPY OF ITS ARTICLES OF ORGANIZATION AND ALL AMENDMENTS THERETO WITH THE APPROPRIATE FILING STAMPS
- IF THE LIMITED LIABILITY COMPANY IS MEMBER-MANAGED, A FULL AND COMPLETE CURRENT LIST OF MEMBERS CERTIFIED BY THE APPROPRIATE MANAGER OR MEMBER
- A CURRENT DATED CERTIFICATE OF GOOD STANDING FROM THE PROPER GOVERNMENTAL AUTHORITY OF THE STATE IN WHICH THE ENTITY IS CURRENTLY DOMICILED
- IF LESS THAN ALL MEMBERS, OR MANAGERS, AS APPROPRIATE, WILL BE EXECUTING THE CLOSING DOCUMENTS, FURNISH EVIDENCE OF THE AUTHORITY OF THOSE SIGNING
- IF LIMITED LIABILITY COMPANY IS A SINGLE MEMBER ENTITY, A STATEMENT OF INFORMATION FOR THE SINGLE MEMBER WILL BE REQUIRED
- EACH MEMBER AND MANAGER OF THE LLC WITHOUT AN OPERATING AGREEMENT MUST EXECUTE IN THE PRESENCE OF A NOTARY PUBLIC THE CERTIFICATE OF CALIFORNIA LLC (WITHOUT AN OPERATING AGREEMENT), STATUS AND AUTHORITY FORM



LEGEND

APPROXIMATE CURB LINE
DIMENSION POINT
FOUND MONUMENT
DATE
OUT WIRE
IRRIGATION VALVE
POWER PILL BOX
POWER MILE
POWER PILL BOX
SEWER MANHOLE
SEWER CLEANOUT
SURVEY LIGHTS
STORM DRAIN MANHOLE
TREE AS NOTED
WATER MANHOLE
WATER VALVE

PROPERTY PROFILE:

OWNER'S NAME OF RECORD:
MERLE RONALD HAGGARD
7631 SILVER BRIDGE RD PALO ALTO CA 94073

SUBJECT PROPERTY STREET ADDRESS:
9257 ELK GROVE BOULEVARD
ELK GROVE, CA 95624

ASSESSOR'S PARCEL NUMBER:
134-0072-011 (SACRAMENTO COUNTY)

PARCEL AREA:
14,232 ACRES

FORM FLOOD ZONE:
ZONE "X" - AREAS DETERMINED TO BE OUTSIDE THE 100-YEAR ANNUAL CHANCE FLOOD PLAIN (FROM MAP NO. 0606703364, EFFECTIVE DATE AUGUST 16, 2012)

CONING INFORMATION:

APN 134-0072-011 - ZONING: COMMERCIAL - USE PERMITTED

BUILDING SETBACKS:
FRONT YARD: 5' TO 7.5 FEET
STREET SIDE: 5' TO 7.5 FEET
SIDE YARD - INTERIOR: 5 FEET
REAR YARD: AVERAGE OF REAR YARD SETBACK PROVIDED FOR THE BUILDINGS ON EACH ADJACENT SIDE

BASIS OF BEARINGS:
NAD83 CALIFORNIA STATE PLANE ZONE JULY 08, 2011 - CCGS3, ZONE2
ALL DISTANCES SHOWN ARE GROUND DISTANCES

PHOTOGRAPHIC IMAGES:

PHOTOGRAPHIC IMAGES TAKEN ON AUGUST 7, 2019 PER NEARMAP U.S., INC., AERIAL IMAGERY

SURVEYOR:
PSCSAS
116612 BLOCKER DRIVE, SUITE 200
AUBURN, CA 95603
(916) 501-3632
LESTER E. CARTER JR., PLS #148
LESTER.CARTER@PSCSAS.COM
WWW.PSCSAS.COM

SURVEYOR'S CERTIFICATE:

THIS IS TO CERTIFY (AS DEFINED AND LIMITED BY SECTION 8770.6 OF THE BUSINESS AND PROFESSIONS CODE OF CALIFORNIA) THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NPS/PS AND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 8, 9, 11, 13, 14, 15, 17, 18, 19, 20 OF TABLE "A" THEREOF.

DATE OF PLAN MAP: JULY 26, 2021

Preliminary
ENGINEER 12 23 11 PM



**ALTA SURVEY OF APN: 134-0072-011
IN THE CITY OF ELK GROVE, CALIFORNIA FOR
OAK ROSE APARTMENTS, L.P., C/O
EXCELERATE HOUSING GROUP**

A PORTION OF
SECTION 06, T.06 N., R.06 E., M.D.B.8M.
SACRAMENTO COUNTY, CALIFORNIA
SCALE: 1" = 20' JULY, 2021

P S O M A S
1681 River St., Suite 202
Oak Grove, CA 95624
(916) 685-0071

A0.02

LEGAL DESCRIPTIONS:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ELK GROVE IN THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:
ALL THAT PORTION OF LOTS 1 AND 14, AS SHOWN ON THE MAP ENTITLED, "OWNER'S ADDITION TO ELK GROVE," RECORDED MAY 18, 1942, IN BOOK 13 OF MAPS, PAGE 21
BEGINNING AT A POINT IN THE CENTER LINE OF MAIN STREET LOCATED NORTH BY 56' WEST 247.70 FEET FROM THE NORTHEAST CORNER OF SAID LOT 1 (34.60 NORTH-EAST CORNER BEING LOCATED ON THE CENTER LINE OF SAID MAIN STREET 80 FEET IN WIDTH);
THENCE BY 56' WEST 115.00 FEET ALONG THE NORTH LINE OF SAID LOT 1 TO THE NORTHEAST CORNER OF LOT 1 CONVEYED TO REGINALD ROBERT BY DEED RECORDED IN BOOK 490 OF DEEDS, PAGE 91; THENCE ALONG ROBERT'S EAST 1/2, SOUTH 00' 22-1/2" WEST 205.24 FEET; THENCE ALONG ROBERT'S SOUTH LINE AND THE EXTENSION THEREOF, NORTH BY 56' WEST 641 TO FEET TO THE SOUTHWEST CORNER OF LOT 1 CONVEYED TO BRUCE F. WATSON BY DEED RECORDED IN BOOK 484 OF DEEDS, PAGE 584; THENCE SOUTH 00' 02-1/2" WEST 1800 FEET TO THE NORTHWEST CORNER OF LOT 1 CONVEYED TO JOHN W. ROODS, NORTH LINE THENCE SOUTH BY 56' EAST 641 TO FEET TO THE NORTHEAST CORNER OF ROODS' LOT; THENCE ALONG ROODS' EAST LINE SOUTH 00' 58-1/2" WEST 174 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE ALONG THE SOUTH LINE OF SAID LOT 1 SOUTH BY 56' EAST 65.28 FEET TO A POINT ON SAID SOUTH LINE, THENCE NORTH, PARALLEL TO THE EAST LINE OF SAID LOT 1, 383.24 FEET TO THE POINT OF BEGINNING.

APN: 134-0072-011-0000

TITLE EXCEPTIONS:

- 1. PROPERTY TAXES, WHICH ARE A DEN NOT YET DUE AND PAYABLE, INCLUDING ANY ASSESSMENTS COLLECTED WITH TAXES TO BE DUE FOR THE FISCAL YEAR 2021-2022.
- 2. PRIOR TO CLOSING OF RECORD, PLEASE CONTACT THE TAX COLLECTOR'S OFFICE TO OBTAIN ALL AMOUNTS OWING, INCLUDING CURRENT FISCAL YEAR TAXES, SUPPLEMENTAL TAXES, ESCROW ASSESSMENTS AND ANY DELINQUENCIES.
- 3. THE USE OF SUPPLEMENTAL OR ESCROW ASSESSMENTS OF PROPERTY TAXES, IF ANY, MADE PURSUANT TO THE PROVISIONS OF CHAPTER 3.5 (COMMENCING WITH SECTION 73) OF PART 2, CHAPTER 3, ARTICLES 3 AND 4, RESPECTIVELY, OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA AS A RESULT OF THE TRANSFER OF

TITLE TO THE VESTEE NAMED IN SCHEDULE A OR AS A RESULT OF CHANGES IN OWNERSHIP OR NEW CONSTRUCTION GOVERNING PRIOR TO DATE OF POLICY

- 4. THE HEREIN DESCRIBED LAND IS WITHIN THE BOUNDARIES OF THE WILLO-ROOS COMMUNITY FACILITIES DISTRICTS: ANIMAL ASSESSMENTS, IF ANY, ARE COLLECTED WITH THE COUNTY PROPERTY TAXES, FAILURE TO PAY SAID TAXES PRIOR TO THE DELINQUENCY DATE MAY RESULT IN THE ABOVE ASSESSMENT BEING REVOKED FROM THE COUNTY TAX ROLL AND SUBJECT TO ACCELERATED JUDICIAL BOND FORECLOSURE. ADJUDY SHOULD BE MADE WITH SAID DISTRICT FOR POSSIBLE STRIPPED ASSESSMENTS AND FOR DELINQUENCIES.
ACCOUNT # 0150, ELK GROVE SCHOOL DISTRICT DIST # 1 WILLO ROOS # 8 & 84
- 5. ANY UNPAID EMPLOYER'S SOCIAL SECURITY, FEDERAL UNEMPLOYMENT, OR RECORD OR NOT AMOUNTS CAN BE ASCERTAINED BY CONTACTING THE FOLLOWING:
COUNTY OF SACRAMENTO AT (916) 875-1555, AND/OR INCLUDING:
CITY OF SACRAMENTO AT (916) 808-5454
CITY OF SALT AT (209) 384-1700
CITY OF ELK GROVE AT (916) 478-3842
CITY OF MANCHESTER AT (916) 638-8000
CITY OF HEALING AT (916) 377-7770
CITY OF OROVILLE AT (916) 725-2448, AND FOR WASTE CHARGES - FILLED WASTE AT (916) 725-7000, AND AS REQUIRED, FAY REQUEST TO (916) 463-0282;
SACRAMENTO SUBURBAN WATER DISTRICT AT (916) 972-7171
- 6. RIGHTS OF THE PUBLIC TO ANY PORTION OF THE LAND LYING WITHIN THE AREA COMMONLY KNOWN AS:
ELK GROVE BOULEVARD AND WEBB STREET
- 7. MATTERS CONTAINED IN THAT CERTAIN DOCUMENT ENTITLED, "GOVERNMENT AND AGREEMENT EXECUTED BY ELK GROVE & WATERMAN, LLC AND MERLE RONALD HAGGARD RECORDED DATE: JANUARY 27, 2016 RECORDED NO.: BOOK 302022, PAGE 133, OF PUBLIC RECORDS. REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS.

- 8. THE SEARCHER DOES NOT GUARANTEE ANY OPEN MORTGAGES OR DEEDS OF TRUST OF RECORD, THEREFORE THE COMPANY RESERVES THE RIGHT TO REQUIRE FURTHER EVIDENCE TO CONFIRM THAT THE PROPERTY IS UNENCUMBERED, AND FURTHER RESERVES THE RIGHT TO MAKE ADDITIONAL REQUIREMENTS OR ADDITIONAL TERMS OR EXCEPTIONS UPON RECEIPT OF THE REQUESTED EVIDENCE.
- 9. ANY RIGHTS OF THE PARTIES IN POSSESSION OF A PORTION OF, OR ALL OF, SAID LAND, WHICH RIGHTS ARE NOT DISCLOSED BY THE PUBLIC RECORDS.
THE COMPANY WILL REQUIRE, FOR REVIEW, A FULL AND COMPLETE COPY OF ANY UNRECORDED AGREEMENT, CONTRACT, EVIDENCE AND/OR DEED, TOGETHER WITH ALL SUPPLEMENTS, ASSIGNMENTS AND AMENDMENTS THERETO, BEFORE ISSUING ANY POLICY OF TITLE INSURANCE WITHOUT EXCEPTING THIS ITEM FROM COVERAGE.
THE COMPANY RESERVES THE RIGHT TO EXCEPT ADDITIONAL ITEMS AND/OR MAKE ADDITIONAL REQUIREMENTS AFTER REVIEWING SAID DOCUMENTS.
- 10. MATTERS WHICH MAY BE DISCLOSED BY AN INSPECTION AND/OR BY A CORRECT ALTA/ALPS LEAD TITLE SURVEY OF SAID LAND THAT IS SATISFACTORY TO THE COMPANY, AND/OR BY INQUIRY OF THE PARTIES IN POSSESSION THEREOF.
- 11. THE COMPANY WILL REQUIRE THAT AN OWNER'S AFFIDAVIT BE COMPLETED BY THE PARTIES NAMED BELOW BEFORE THE ISSUANCE OF ANY POLICY OF TITLE INSURANCE.
PARTY(S): MERLE RONALD HAGGARD AND TERESA LANE HAGGARD, TRUSTEES OF THE HAGGARD FAMILY TRUST OF 2004, DATED AUGUST 18, 2004.
THE COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL TERMS OR MAKE FURTHER REQUIREMENTS AFTER REVIEW OF THE REQUESTED AFFIDAVIT.
- 12. ANY INVALIDITY OR DEFECT IN THE TITLE OF THE VESTEE IN THE EVENT THAT THE TRUST REFERRED TO HEREIN IS PUBLIC OR FAILS TO GRANT SUFFICIENT POWERS TO THE TRUSTEES OR IN THE EVENT THERE IS A LACK OF CONFORMANCE WITH THE TERMS AND PROVISIONS OF THE TRUST INSTRUMENT.
IF TITLE IS TO BE HELD IN THE TRUSTEES OF A TRUST (OR IF THEIR ACT IS TO BE HELD), THIS COMPANY WILL REQUIRE A TRUST CERTIFICATION PURSUANT TO CALIFORNIA PROBATE CODE SECTION 18003.
THE COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL TERMS OR MAKE FURTHER REQUIREMENTS AFTER REVIEW OF THE REQUESTED DOCUMENTATION.

- 13. THE TRANSACTION CONTEMPLATED IN CONNECTION WITH THIS REPORT IS SUBJECT TO THE REVIEW AND APPROVAL OF THE COMPANY'S CORPORATE UNDERWRITING DEPARTMENT. THE COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL TERMS OR MAKE FURTHER REQUIREMENTS AS PER SUCH REVIEW.
- 14. THE COMPANY WILL REQUIRE THE FOLLOWING DOCUMENTS FOR REVIEW PRIOR TO THE ISSUANCE OF ANY TITLE INSURANCE PREPARED UPON A CONVEYANCE OR ENCUMBRANCE FROM THE ENTITY NAMED BELOW:
LIMITED LIABILITY COMPANY, EXCELERATE HOUSING GROUP, LLC
A COPY OF ITS OPERATING AGREEMENT, IF ANY, AND ALL AMENDMENTS, SUPPLEMENTS AND/OR MODIFICATIONS THERETO, CERTIFIED BY THE APPROPRIATE MANAGER OR MEMBER.
IF A DOMESTIC LIMITED LIABILITY COMPANY, A COPY OF ITS ARTICLES OF ORGANIZATION AND ALL AMENDMENTS.
IF THE LIMITED LIABILITY COMPANY IS MEMBER-MANAGED, A FULL AND COMPLETE CURRENT LIST OF MEMBERS CERTIFIED BY THE APPROPRIATE MANAGER OR MEMBER.
A CURRENT DATED CERTIFICATE OF GOOD STANDING FROM THE PROPER GOVERNMENTAL AUTHORITY OF THE STATE IN WHICH THE ENTITY IS CURRENTLY DOMICILED.
IF LESS THAN ALL MEMBERS OR MANAGERS, AS APPROPRIATE, WILL BE EXECUTING THE CLOSING DOCUMENTS, FURNISH EVIDENCE OF THE AUTHORITY OF THOSE SIGNING.
IF LIMITED LIABILITY COMPANY IS A SINGLE MEMBER ENTITY, A STATEMENT OF INFORMATION FOR THE SINGLE MEMBER WILL BE REQUIRED.
EACH MEMBER AND MANAGER OF THE LLC WITHOUT AN OPERATING AGREEMENT MUST EXECUTE IN THE PRESENCE OF A NOTARY PUBLIC THE CERTIFICATE OF CALIFORNIA LLC (WITHOUT AN OPERATING AGREEMENT) STATUS AND AUTHORITY FORM.



LEGEND

Symbol	Description
Circle with dot	APPROXIMATE GRIP
Square	LAND
Triangle	DIMENSION POINT
Circle with cross	FOUND W/POINT
Circle with dot	WELL GATE
Circle with dot	OUT WIRE
Circle with dot	IRRIGATION VALVE
Circle with dot	POWER POLE
Circle with dot	SEWER MANHOLE
Circle with dot	SEWER CLEANOUT
Circle with dot	STREET LIGHTS
Circle with dot	STORM DRAIN
Circle with dot	MANHOLE
Circle with dot	TREE AS NOTED
Circle with dot	WATER MANHOLE
Circle with dot	WATER VALVE

PROPERTY PROFILE:

PROPERTY OWNER OF RECORD:
MERLE RONALD HAGGARD
7631 SILVER BRIDGE RD PALO
DELRO, CA 90292
SUBJECT PROPERTY STREET ADDRESS:
1252 ELK GROVE BOULEVARD
ELK GROVE, CA 95624
ASSESSOR'S PARCEL NUMBER:
134-0072-011 (SACRAMENTO COUNTY)
PARCEL AREA:
1.278 ACRES
ZONING:
R1-12 (SACRAMENTO COUNTY)
ZONING PERMITS TO BE
OBTAINED FROM THE PLANNING
DEPARTMENT, 1500 PLAZA DE LA
UNIVERSIDAD, SACRAMENTO, CA
95833-1500, EFFECTIVE DATE
AUGUST 16, 2021

GENERAL INFORMATION:

PROPERTY TYPE: ZONED COMMERCIAL - USE REBATED
BUILDING LEGAL DESCRIPTION:
A. HEIGHT: NEW BUILDING OR BUILDING ADDITIONS UNIT
FORTY FIVE (45) FEET, EXCEPT:
COMMERCIAL:
A. NEW BUILDINGS NOT IN FRONT OF ELK GROVE
BOULEVARD AND ADJACENT TO RESIDENTIAL, WILL BE LIMITED
TO A MAXIMUM OF FORTY-FIVE (45) FEET.
B. THIRD FLOOR SHALL BE FIVE (5) FEET FROM THE STREET
WALL.
C. BUILDING HEIGHTS MUST BE MAINTAINED THAT RELATE TO
ADJACENT STRUCTURES AT THE STREET FRONTAGE. "ALLER"
PORTIONS OF THE BUILDING SHALL BE SETBACK 30 AS NOT
TO DISRUPT THE RHYTHM OF THE EXISTING STREET FRONTAGE.
D. ALL GROUND LEVEL SPACES SHOULD HAVE A WINDOW HEIGHT
OF TEN (10) FEET FROM FLOOR TO THE MAJOR FINISH
CEILING, EXCLUDING SIGNIFY.

BUILDING SETBACKS:

FRONT YARD: 5 TO 7.5 FEET
STREET SIDE: 5 TO 7.5 FEET
SIDE YARD: MINIMUM
A. HISTORIC OLD TOWN: 0 FEET
B. WEST AND EAST OLD TOWN: 5 TO 12 FEET BETWEEN
BUILDINGS
REAR YARD: AVERAGE OF REAR YARD SETBACK PROVIDED FOR
THE BUILDINGS ON EACH ADJACENT SIDE.
BASIS OF BEARINGS:
NAD83 CALIFORNIA STATE PLANE ZONE JULY 08, 2021 - OCSAS ZONE 2
(2019)
ALL DISTANCES SHOWN ARE GROUND DISTANCES

PHOTOGRAPHIC IMAGES:

PHOTOGRAPHS WERE TAKEN ON AUGUST 7, 2019
PER NEARMAP U.S., INC., AERIAL MAPPING
SURVEYOR:
LESTER C. CARTER, JR.
119412 W. ZOKER DRIVE, SUITE 200
ALHAMBRA, CA 91803
(909) 223-9622
LESTER@CARTERLANDSURVEYING.COM
WWW.PSOMAS.COM

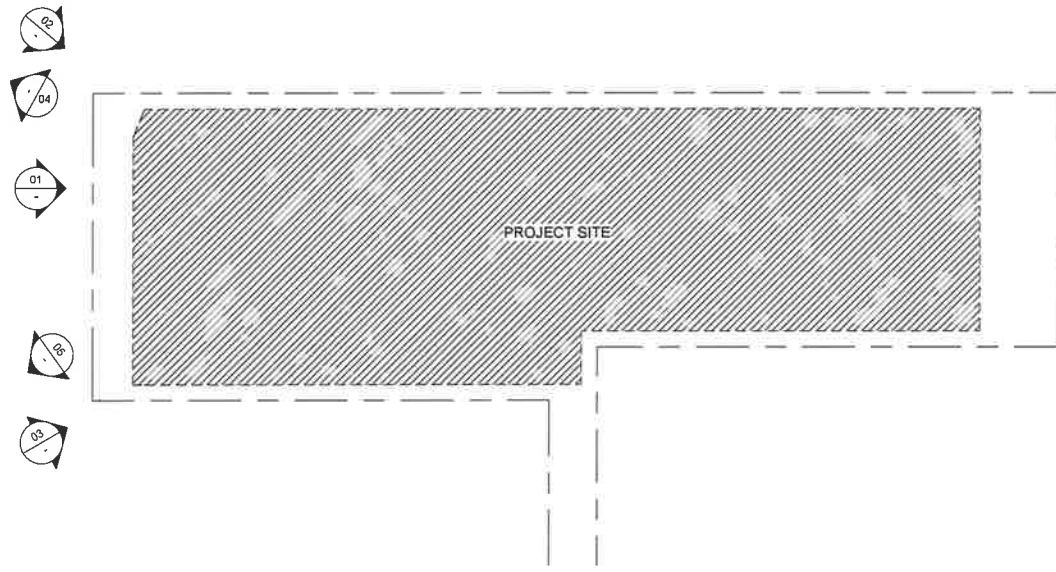
SURVEYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT I HAVE RECORDED AND LIMITED BY SECTION 87508 OF THE
BUSINESS AND PROFESSIONS CODE OF CALIFORNIA THAT THE MAP ON
PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE
WITH 2014 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ALPS LEAD
TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ALPS,
AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14,
15, 17, 18, 19, 20 OF TABLE "A" THEREOF.
DATE OF PLAT MAP: JULY 26, 2021



**ALTA SURVEY OF APN: 134-0072-011
IN THE CITY OF ELK GROVE, CALIFORNIA FOR
OAK ROSE APARTMENTS, L.P., C/O
EXCELERATE HOUSING GROUP**
A PORTION OF
SECTION 06, T.06 N., R.06 E., M.D.B.&M.
SACRAMENTO COUNTY, CALIFORNIA
SCALE: 1" = 20' JULY, 2021
PSOMAS
1800 Howe Drive, Suite 200
Alhambra, CA 91803
(909) 223-9622
SHEET 1 OF 1

A0.03



KEY SITE PLAN FOR PHOTOS

06

REF: SCALE: 1/32" = 1'-0"



EXISTING VIEW 03

03

SCALE: NTS



EXISTING VIEW 05

05

SCALE: NTS



EXISTING VIEW 02

02

SCALE: NTS



EXISTING VIEW 04

04

SCALE: NTS



EXISTING VIEW 01

01

SCALE: NTS

SCHEMATIC DESIGN	2021-12-08	
DESIGN DEVELOPMENT	YYYY-MM-DD	
CONSTRUCTION DOCUMENTS	YYYY-MM-DD	
PLAN CHECK SUBMITTAL	YYYY-MM-DD	
PLAN CHECK RESUBMITTAL	YYYY-MM-DD	
BID ISSUE	YYYY-MM-DD	
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD	

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
ELK GROVE, CA 95624
PROJECT NUMBER: 21007.0

REVISIONS	
△ -	△ -
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SHEET TITLE: **SITE PHOTOS**

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A0.04

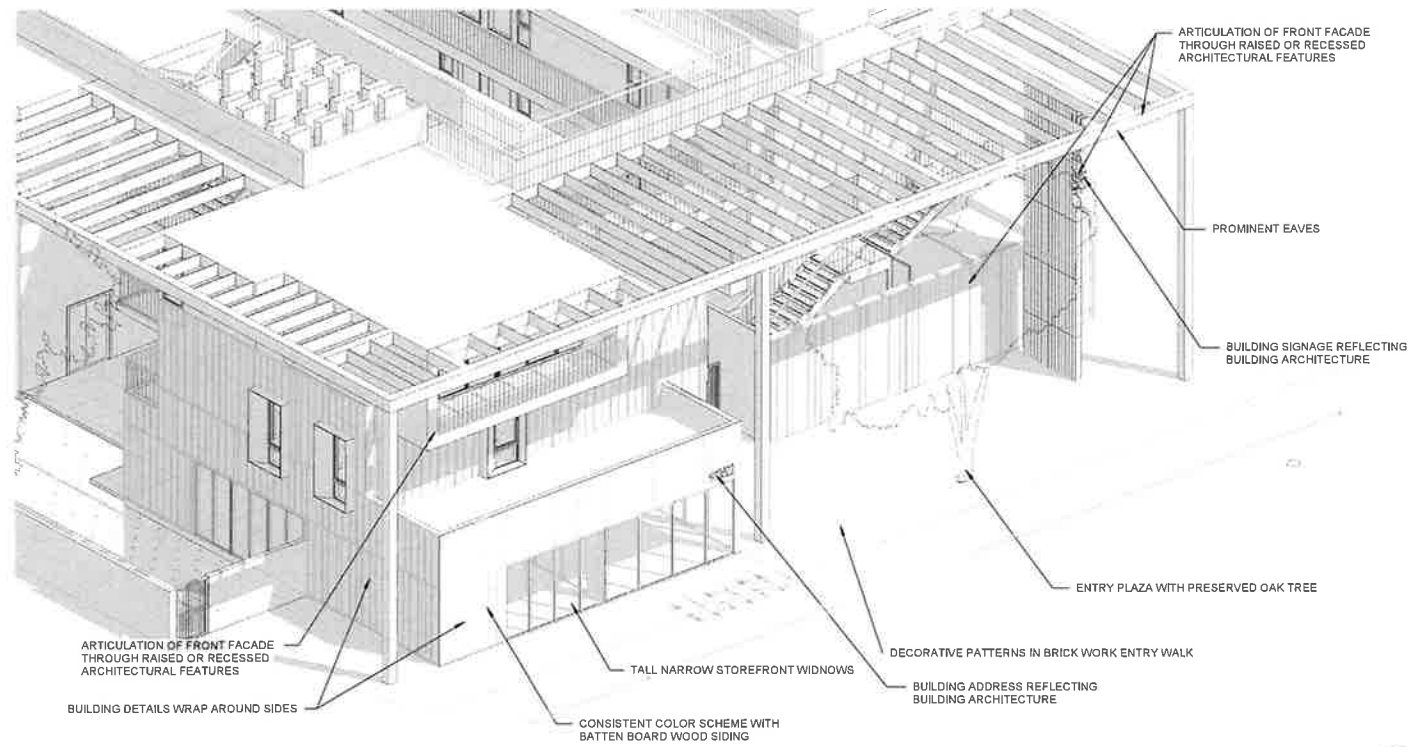
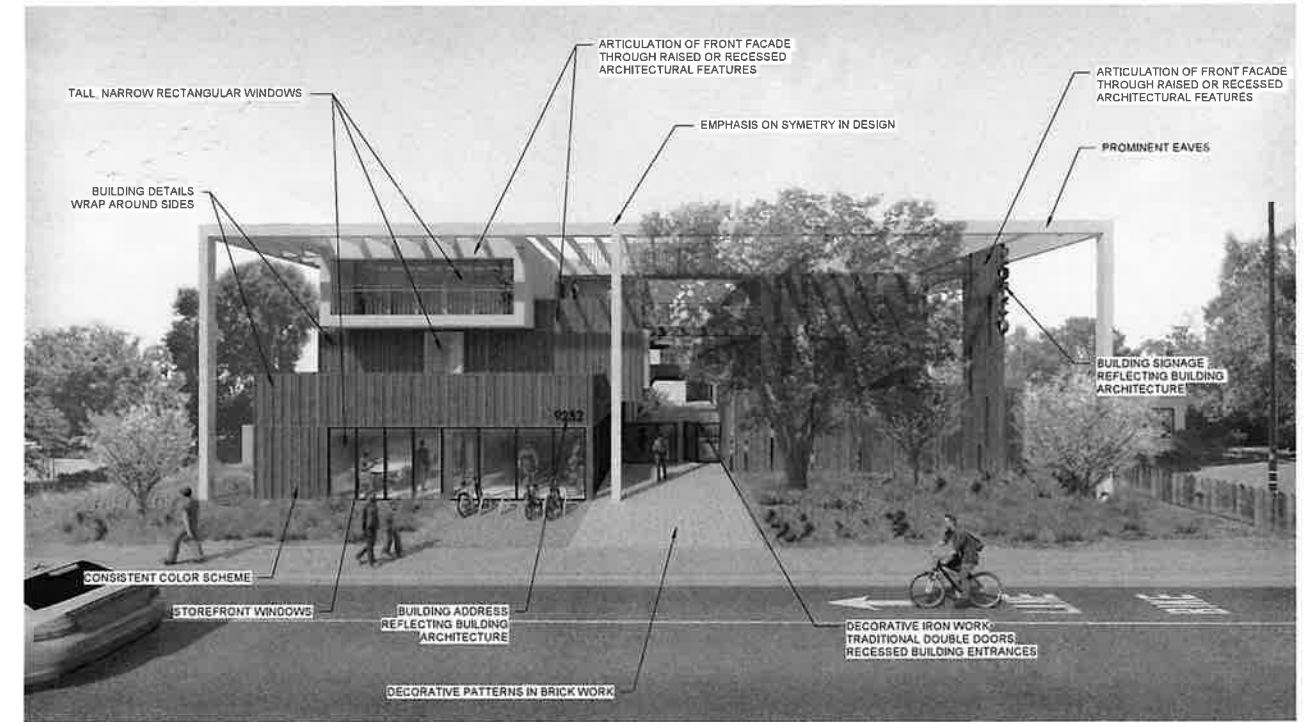


IMAGE 02 03
SCALE: SCALE



NORTH ELEVATION IMAGE 01
SCALE: 12" = 1'-0"

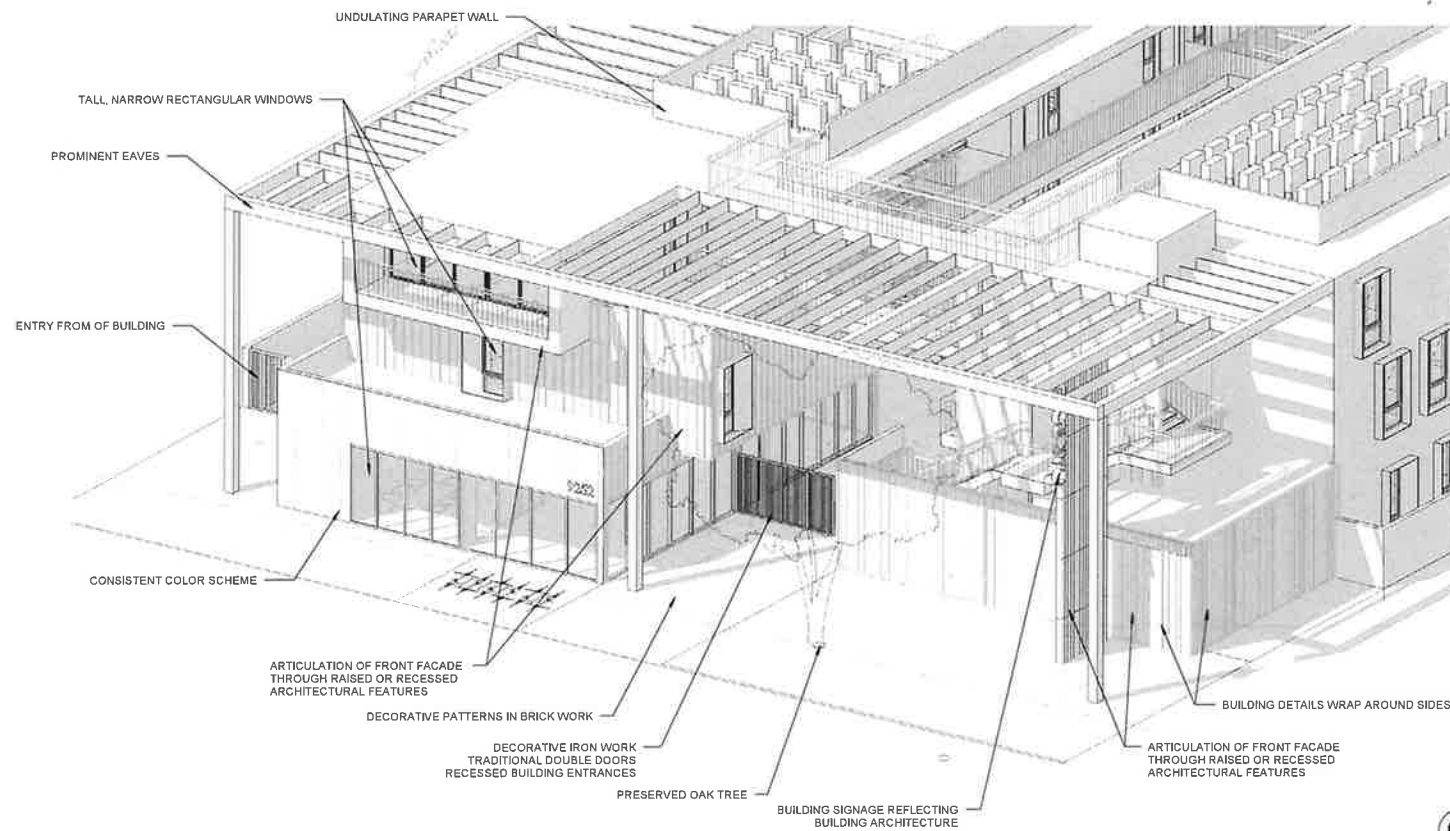


IMAGE 01 02
SCALE: SCALE

Table B - Architectural Details

	A. 6085 Elk Grove Blvd.	B. 9045 Elk Grove Blvd.	C. 9099 Elk Grove Blvd.	D. 9093 Elk Grove Blvd.	E. 8033 Elk Grove Blvd.	F. 9075 Elk Grove Blvd.	G. 9070 Elk Grove Blvd.	H. 9048-9056 Elk Grove Blvd.
Decorative iron work								
Undulating parapet wall								
Tall, narrow rectangular windows								
Recessed windows with prominent sills								
Ornate door hardware								
Consistent color scheme (building versus windows and doors)								
Gutters incorporated into architecture								
Emphasis on symmetry in design								
Building details wrap around sides								
Articulation of front facade through raised or recessed architectural features								
Traditional double doors								
Storefront windows								
Prominent eaves								
Entry from corner of building								
Front porch								
Bay windows								
Corbels								
Decorative patterns in brick work								
Building signage reflects building architecture								
Recessed building entrances								

Note - Figure 23 provides photographs of each of the buildings noted above.

Old Town SPA
ADOPTED AUGUST 10, 2005
(Reflects Amendments Through April 1, 2019)

NOTES:
SEE ELEVATION FOR MATERIAL CALL-OUTS OF ALL ELEVATIONS

SCHEMATIC DESIGN 2021-12-06
DESIGN DEVELOPMENT YYYY-MM-DD
CONSTRUCTION DOCUMENTS YYYY-MM-DD
PLAN CHECK SUBMITTAL YYYY-MM-DD
PLAN CHECK RESUBMITTAL YYYY-MM-DD
BID ISSUE YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET YYYY-MM-DD

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
ELK GROVE, CA 95624
PROJECT NUMBER: 21007.0

REVISIONS

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SHEET TITLE: OTSPA PLANNING ARCHITECTURE DETAILS 12" = 1'-0"

SCALE: 12" = 1'-0"
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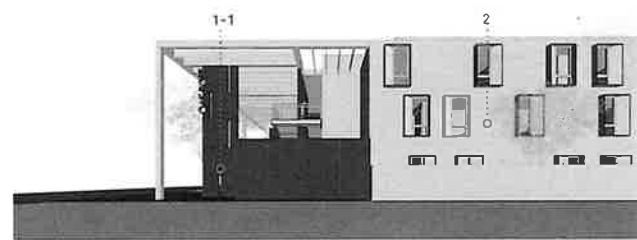
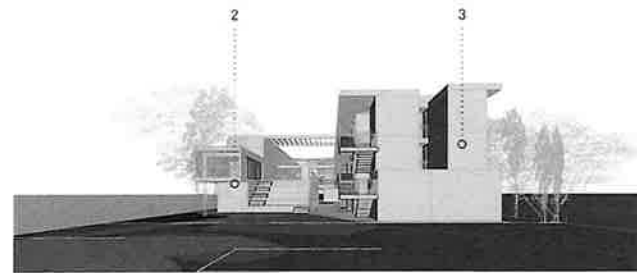
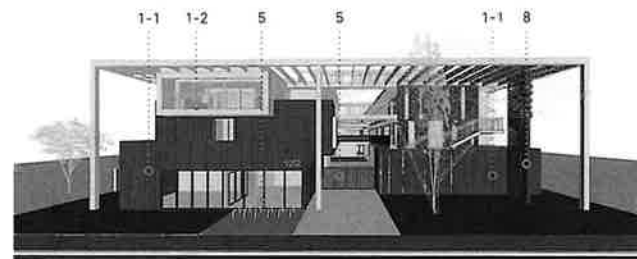


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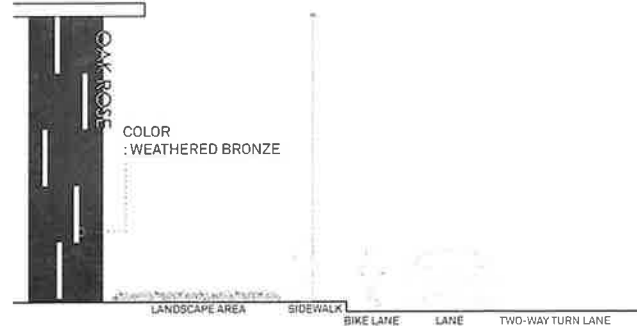
A0.05

9252 ELK GROVE: OAK ROSE EXTERIOR MATERIALS

BUILDING ELEVATION



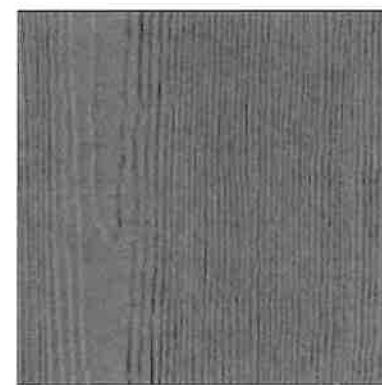
BUILDING SIGNAGE



- 1-1. FIBER CEMENT BOARD PANEL / WEATHERED BRONZE(TEXTURED) | JAMES HARDIE
- 1-2. FIBER CEMENT BOARD PANEL / SUMMER WHITE(TEXTURED) | JAMES HARDIE
- 2. STUCCO, FINE 20/30 SAND FINISH / 10 OMEGA WHITE | OMEGA PRODUCTS INTERNATIONAL
- 3. METAL / PAINT TO MATCH SUMMER WHITE | CUSTOM
- 4. METAL / PAINT TO MATCH WEATHERED BRONZE | CUSTOM
- 5. METAL / DARK ANODIZED BRONZE| CUSTOM
- 6. WINDOW FRAME, VINYL / WHITE | MILGARD
- 7. FIBER CEMENT BOARD PANEL / WEATHERED BRONZE(TEXTURED) | JAMES HARDIE
- 8. STAINED CEDAR PLANK / TRANSLUCENT STAIN TO MATCH WEATHERED BRONZE | CUSTOM
- 9. SPECIALITY PAVERS



▲ BOARD AND BATTEN EXAMPLE



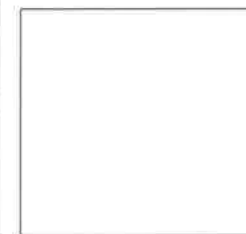
EXTERIOR WALL FINISH

- 1. FIBER CEMENT BOARD (TEXTURED)
 - ◀ 1) WEATHERED BRONZE | JAMES HARDIE
 - ▼ 2) SUMMER WHITE | JAMES HARDIE



EXTERIOR WALL FINISH

- 2. STUCCO, FINE 20/30 SAND
 - ◀ 10 OMEGA WHITE | OMEGA PRODUCTS INTERNATIONAL
- 3. METAL
 - ▼ PAINT TO MATCH SUMMER WHITE | CUSTOM



WINDOW SHADOW BOX

- 4. METAL
 - PAINT TO MATCH WEATHERED BRONZE | CUSTOM



STOREFRONT & GATE

- 5. METAL
 - DARK ANODIZED BRONZE | CUSTOM



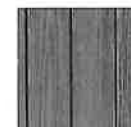
WINDOW FRAME

- 6. VINYL
 - WHITE | MILGARD



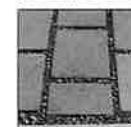
SIGNAGE

- 7. FIBER CEMENT BOARD
 - WEATHERED BRONZE | JAMES HARDIE



PROPERTY FENCE

- 8. STAINED CEDAR PLANKS
 - TRANSLUCENT STAIN SIMILAR TO HARDIE BAORD



PAVEMENT

- 9. SPECIALITY PAVERS

SCHEMATIC DESIGN	2021-12-06
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

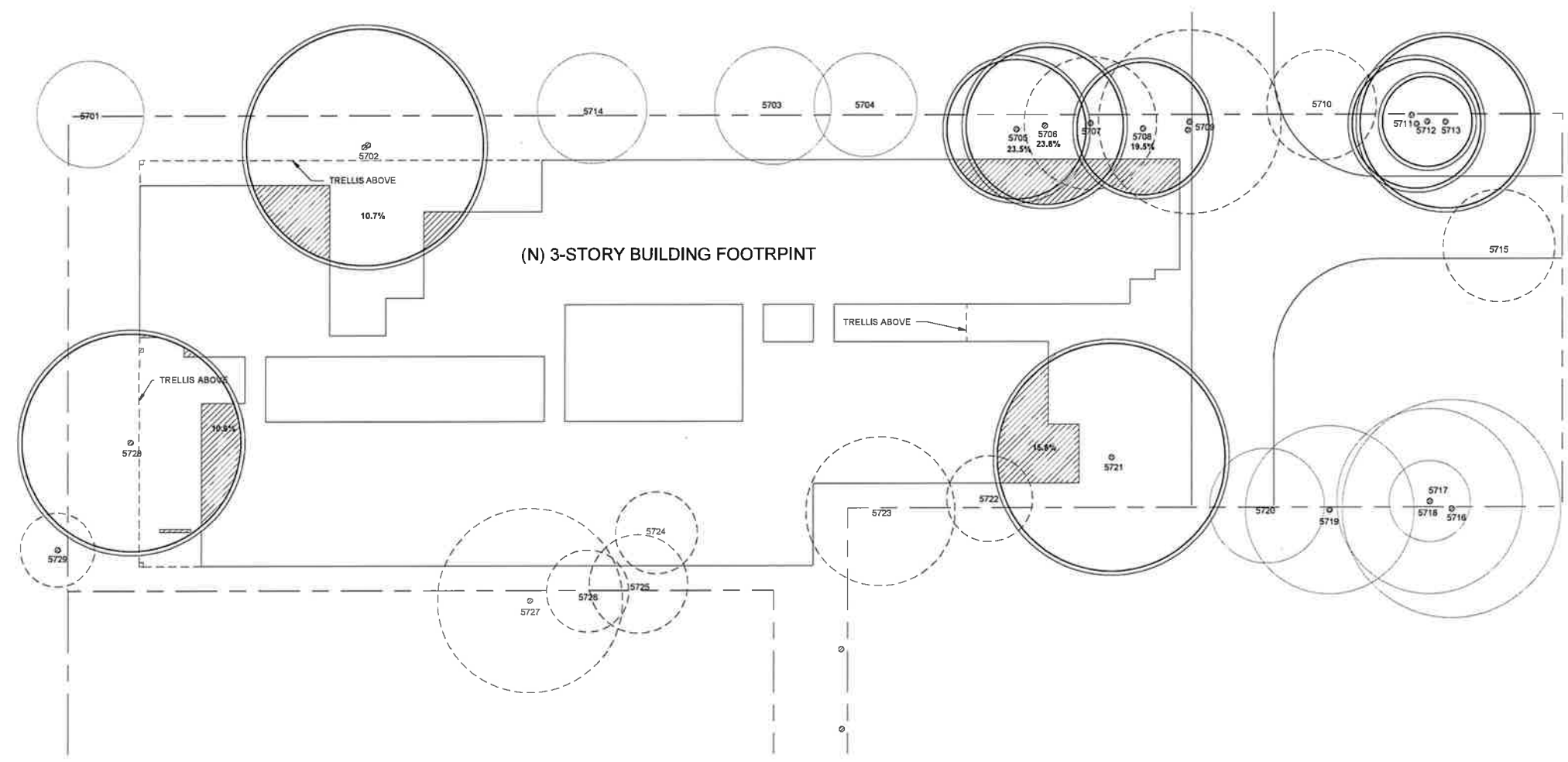
OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD ELK GROVE, CA 95624	
PROJECT NUMBER:	21007.0
REVISIONS	
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SHEET TITLE:	MATERIALS
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A0.06



LEGENED

- CANOPY RADIUS AND PROTECTION ZONE PER ARB. REPORT
- ROOT PROTECTION ZONE (RPZ) PER ARB. REPORT (CANOPY RADIUS+1)
- (E) TREE TRUNK PER SURVEY TO REMAIN PER ARB. REPORT
- (E) TREE PER SURVEY TO BE REMOVED
- (E) NEIGHBOR TREE
- 1680 TREE TAG PER ARB. REPORT

TOTAL NUMBER OF TREES : 88
 REMAINING TREE : 78
 TREES TO BE REMOVED : 10

NOTES:

- CONTRACTOR SHALL FOLLOW THE ARBORIST'S INSTRUCTIONS DURING CONSTRUCTION INCLUDING BUT NOT LIMITED TO:
 - FENCING AROUND THE DRIPLINE OF THE TREES TO THE FULL EXTENT POSSIBLE AT ALL TIMES.
 - KEEPING CONSTRUCTION TRAFFIC AND STORAGE OF MATERIALS OUT OF THE DRIPLINE OF THE TREES THROUGHOUT THE CONSTRUCTION PROCESS.
- APPENDIX 2 BELOW EXTRACTED FROM ARBORIST'S REPORT FOR REFERENCE.
- SEE ARBORIST'S REPORT DATED 08/10/2021 FOR MORE INFO.

SCHEMATIC DESIGN	2021-12-06
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
 ELK GROVE, CA 95624

PROJECT NUMBER: 21007.0

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SHEET TITLE: **TREE PROTECTION**

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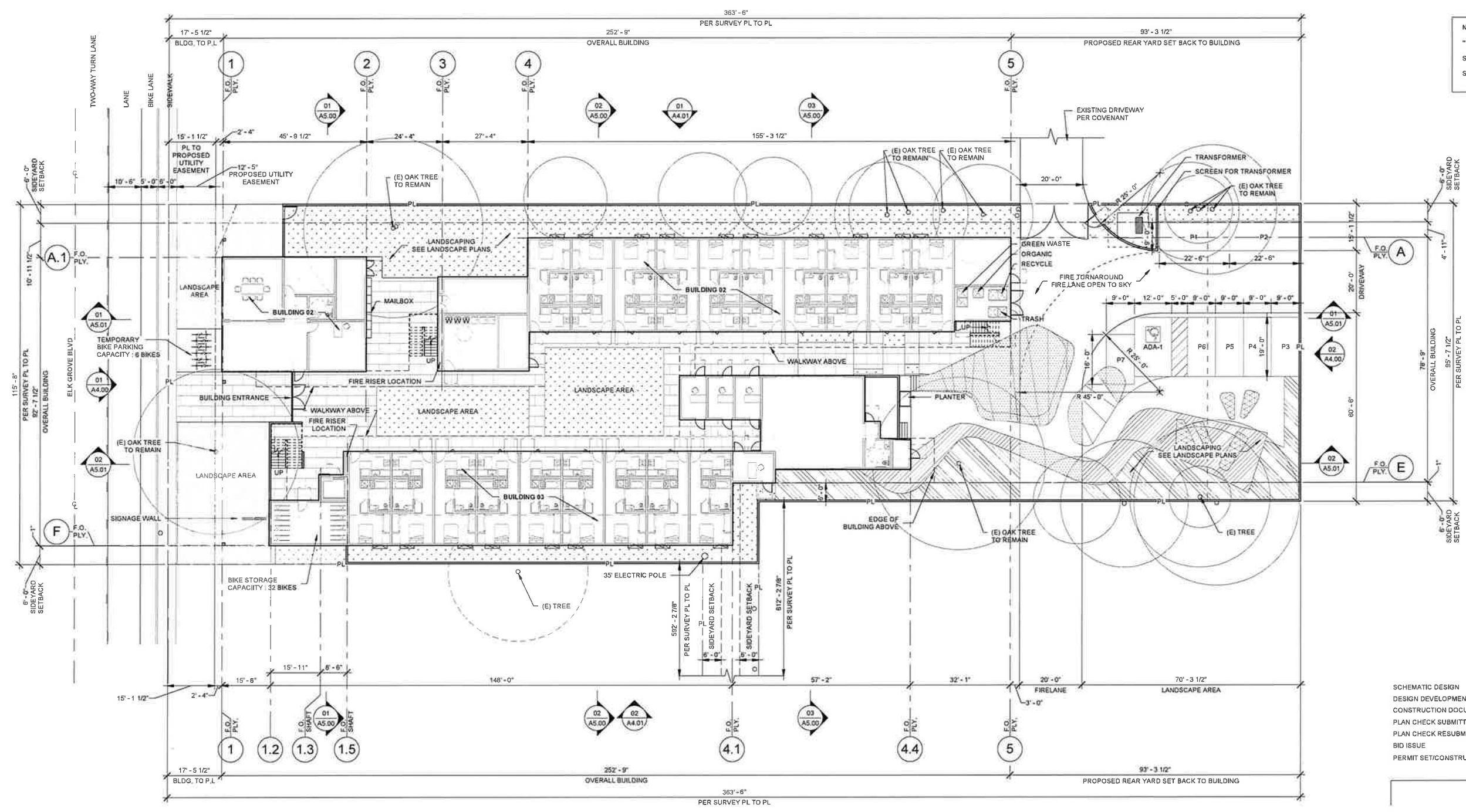


(E) TREE PROTECTION PLAN 01

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A0.52

NOTES:
 "NO DEVIATIONS TO STANDARDS"
 SEE SHT. A8, 10 FOR PROPOSED FENCE DETAIL
 SEE LANDSCAPE PLAN L1.00 FOR GROUND COVER



SCHEMATIC DESIGN 2021-12-06
 DESIGN DEVELOPMENT YYYY-MM-DD
 CONSTRUCTION DOCUMENTS YYYY-MM-DD
 PLAN CHECK SUBMITTAL YYYY-MM-DD
 PLAN CHECK RESUBMITTAL YYYY-MM-DD
 BID ISSUE YYYY-MM-DD
 PERMIT SET/CONSTRUCTION SET YYYY-MM-DD

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD ELK GROVE, CA 95624	
PROJECT NUMBER:	21007.0
REVISIONS	
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SHEET TITLE:	SITE PLAN
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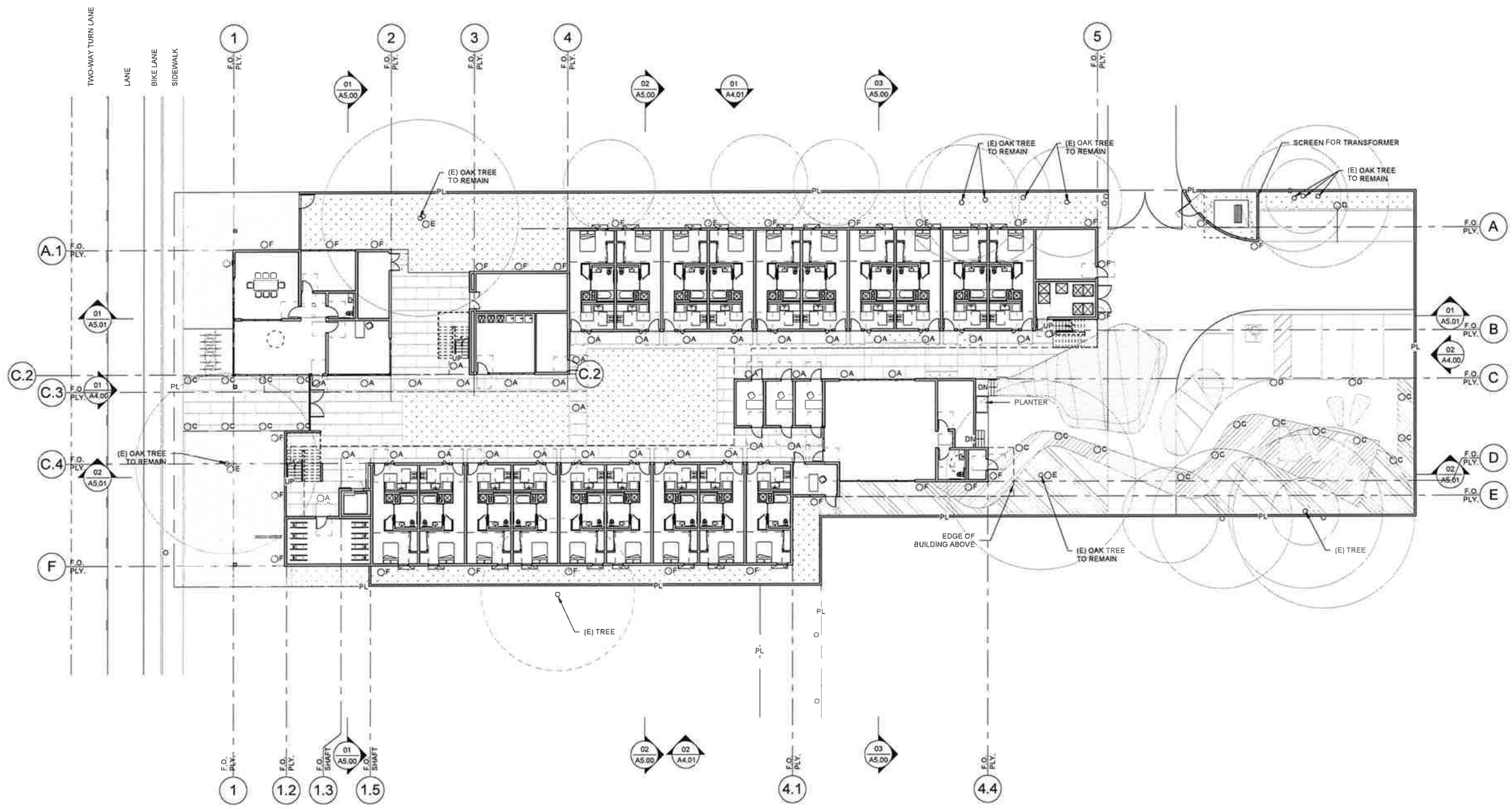


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A1.00



SITE PLAN 01
 SCALE: 1/16" = 1'-0"



SCHEMATIC DESIGN 2021-12-06
 DESIGN DEVELOPMENT YYYY-MM-DD
 CONSTRUCTION DOCUMENTS YYYY-MM-DD
 PLAN CHECK SUBMITTAL YYYY-MM-DD
 PLAN CHECK RESUBMITTAL YYYY-MM-DD
 BID ISSUE YYYY-MM-DD
 PERMIT SET/CONSTRUCTION SET YYYY-MM-DD

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
 ELK GROVE, CA 95624
 PROJECT NUMBER: 21007.0

REVISIONS	
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SHEET TITLE: **SITE LIGHTING**
 SCALE: 1/16" = 1'-0"
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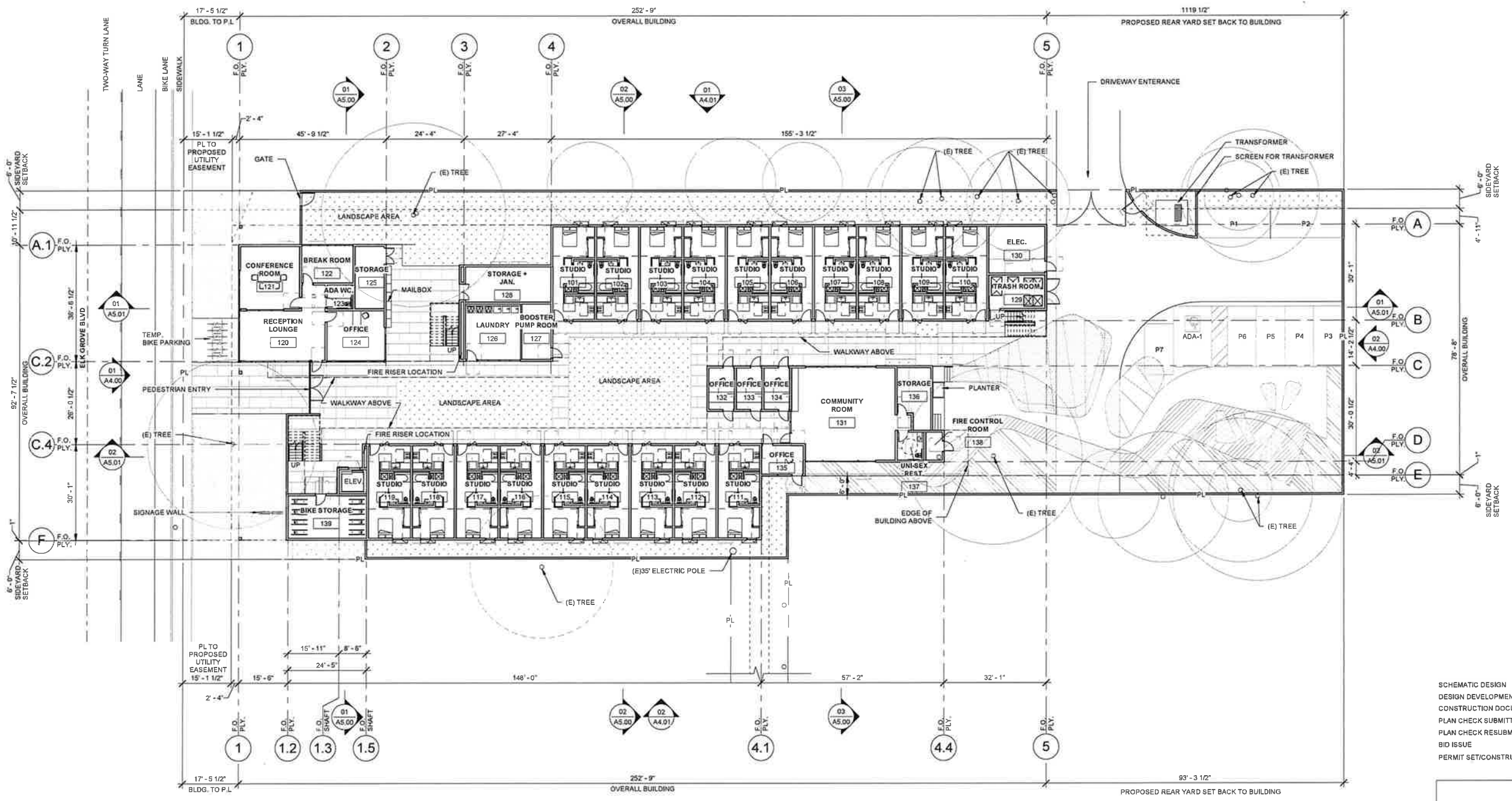
A1.01

LIGHTING SCHEDULE							
TYPE	NAME	MANUFACTURER	MODEL	SIZE (WxH)	COLOR/FINISH	LAMP	REMARKS
A	RECESSED CAN					LED	TYPICAL @ 1ST, 2ND & 3RD FLOOR WALKWAYS
B	SURFACE MOUNTED FLOODLIGHT	KIM LIGHTING		10.5" x 9"	BLACK	LED	MOUNT ON TRELIS @ 3RD FLOOR
C	CONTEMPORARY PATH LIGHT	SPJ LIGHTING INC.	SPJ-DS24	6 5/8" x 24"	PVD SATIN	LED	LANDSCAPE PATHWAY LIGHTING
D	SURFACE MOUNTED ON STEM FLOODLIGHT	KIM LIGHTING		10.5" x 9"	BLACK	LED	PIN GRADE TO LIGHT PARKING AREA @ 24" A.F.F.
E	NITE STAR	B-K LIGHTING	NS-502-BLP	2 1/4" x 4"		LED	@ BASE OF TREE
F	SURFACE MOUNTED ON BLDG. WALL FLOODLIGHT	KIM LIGHTING		10.5" x 9"	BLACK	LED	MOUNTED @ 24" A.F.F.



FIRST FLOOR SITE LIGHTING 01

REF: A4.00, A5.00 SCALE: 1/16" = 1'-0"



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 DESIGN DEVELOPMENT YYYY-MM-DD
 CONSTRUCTION DOCUMENTS YYYY-MM-DD
 PLAN CHECK SUBMITTAL YYYY-MM-DD
 PLAN CHECK RESUBMITTAL YYYY-MM-DD
 BID ISSUE YYYY-MM-DD
 PERMIT SET/CONSTRUCTION SET YYYY-MM-DD

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
ELK GROVE, CA 95624

PROJECT NUMBER: 21007.0

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SHEET TITLE: **FIRST FLOOR PLAN**

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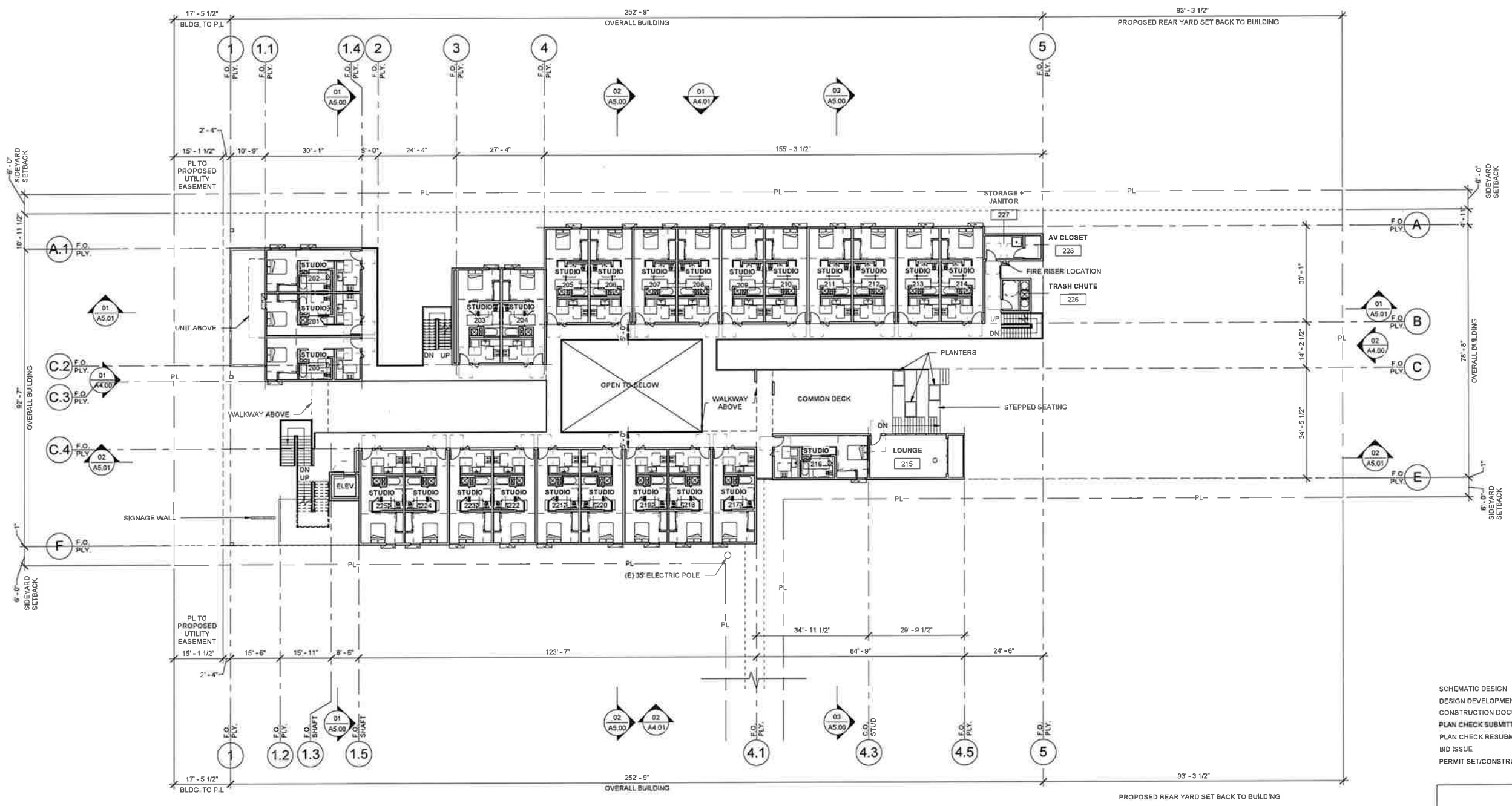
A3.10



FIRST FLOOR PLAN 01

REF: A4.00, A5.00

SCALE: 1/16" = 1'-0"



SCHEMATIC DESIGN 2021-12-08
 DESIGN DEVELOPMENT YYYY-MM-DD
 CONSTRUCTION DOCUMENTS YYYY-MM-DD
 PLAN CHECK SUBMITTAL YYYY-MM-DD
 PLAN CHECK RESUBMITTAL YYYY-MM-DD
 BID ISSUE YYYY-MM-DD
 PERMIT SET/CONSTRUCTION SET YYYY-MM-DD

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD ELK GROVE, CA 95624	
PROJECT NUMBER:	21007.0
REVISIONS	
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SHEET TITLE:	SECOND FLOOR PLAN
SCALE	1/16" = 1'-0"
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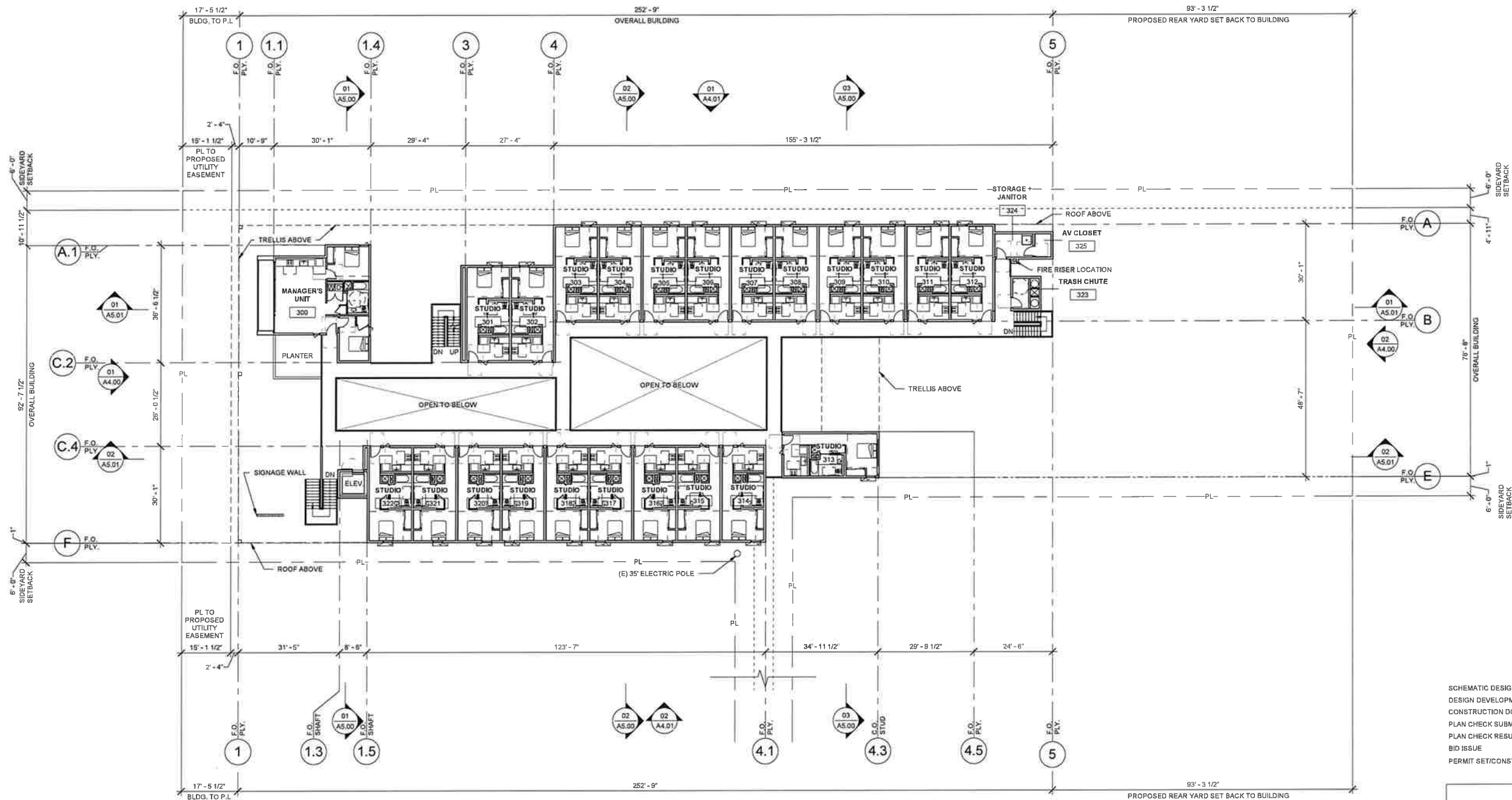


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SECOND FLOOR PLAN 01
 SCALE: 1/16" = 1'-0"

A3.20



SCHEMATIC DESIGN 2021-12-06
 DESIGN DEVELOPMENT YYYY-MM-DD
 CONSTRUCTION DOCUMENTS YYYY-MM-DD
 PLAN CHECK SUBMITTAL YYYY-MM-DD
 PLAN CHECK RESUBMITTAL YYYY-MM-DD
 BID ISSUE YYYY-MM-DD
 PERMIT SET/CONSTRUCTION SET YYYY-MM-DD

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
 ELK GROVE, CA 95624
 PROJECT NUMBER: 21007.0

REVISIONS	
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△ -	△ -
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SHEET TITLE: **THIRD FLOOR PLAN**
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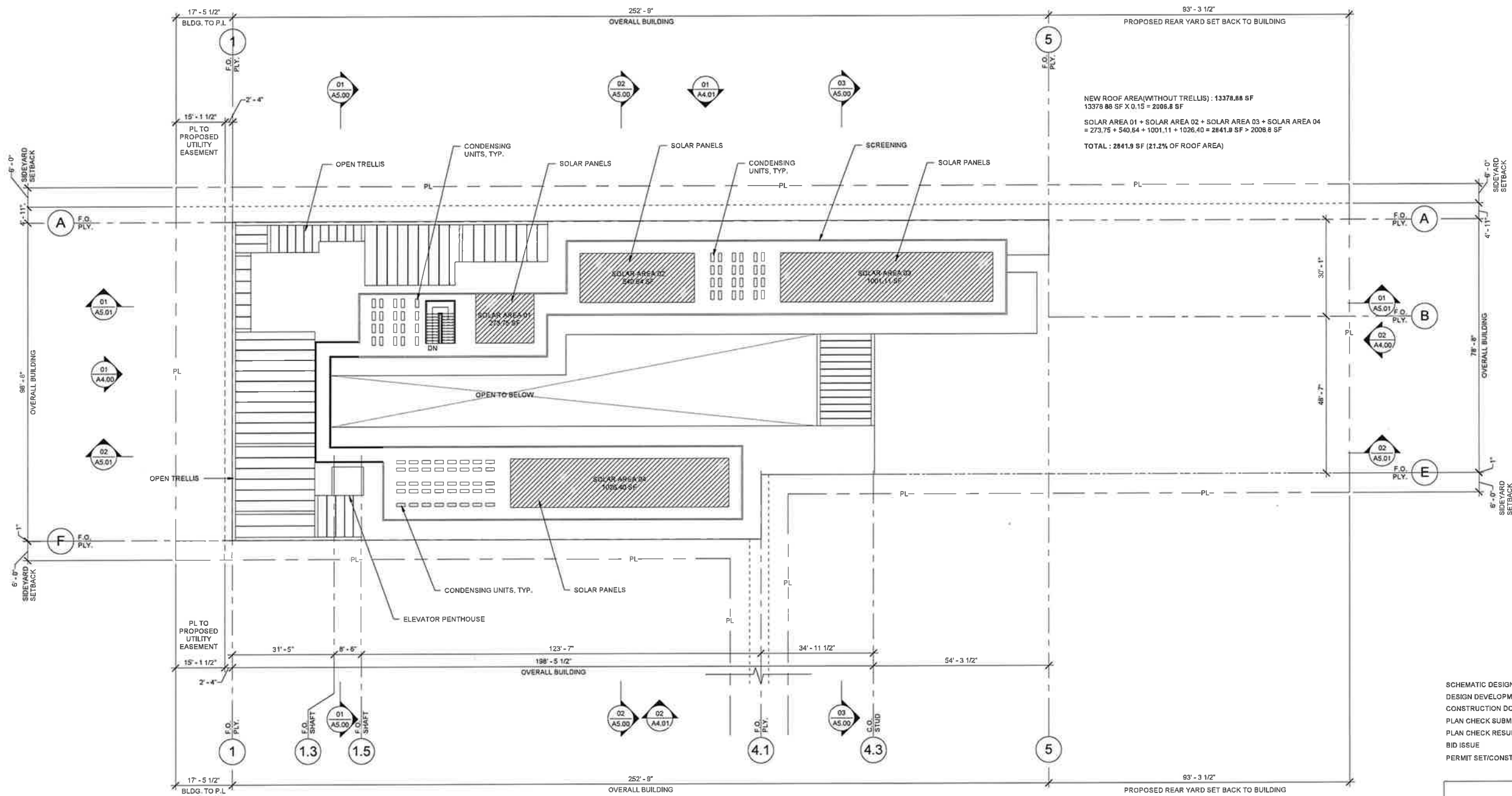


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 f 310.453.9606

A3.30



3RD FLOOR PLAN 01



NEW ROOF AREA(WITHOUT TRELLIS) : 13378.88 SF
 13378 88 SF X 0.15 = 2006.8 SF
 SOLAR AREA 01 + SOLAR AREA 02 + SOLAR AREA 03 + SOLAR AREA 04
 = 273.75 + 540.64 + 1001.11 + 1026.40 = 2841.8 SF > 2008.8 SF
TOTAL : 2841.9 SF (21.2% OF ROOF AREA)

SCHEMATIC DESIGN	2021-12-06	
DESIGN DEVELOPMENT	YYYY-MM-DD	
CONSTRUCTION DOCUMENTS	YYYY-MM-DD	
PLAN CHECK SUBMITTAL	YYYY-MM-DD	
PLAN CHECK RESUBMITTAL	YYYY-MM-DD	
BID ISSUE	YYYY-MM-DD	
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD	

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
 ELK GROVE, CA 95624
 PROJECT NUMBER: 21007.0

REVISIONS	
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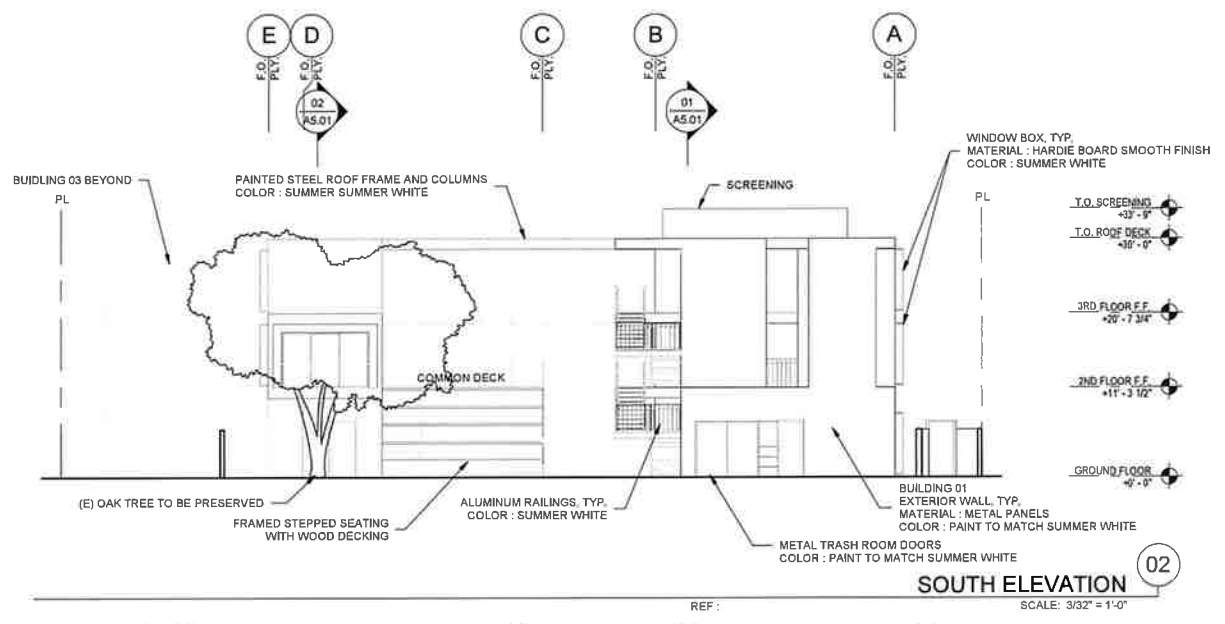


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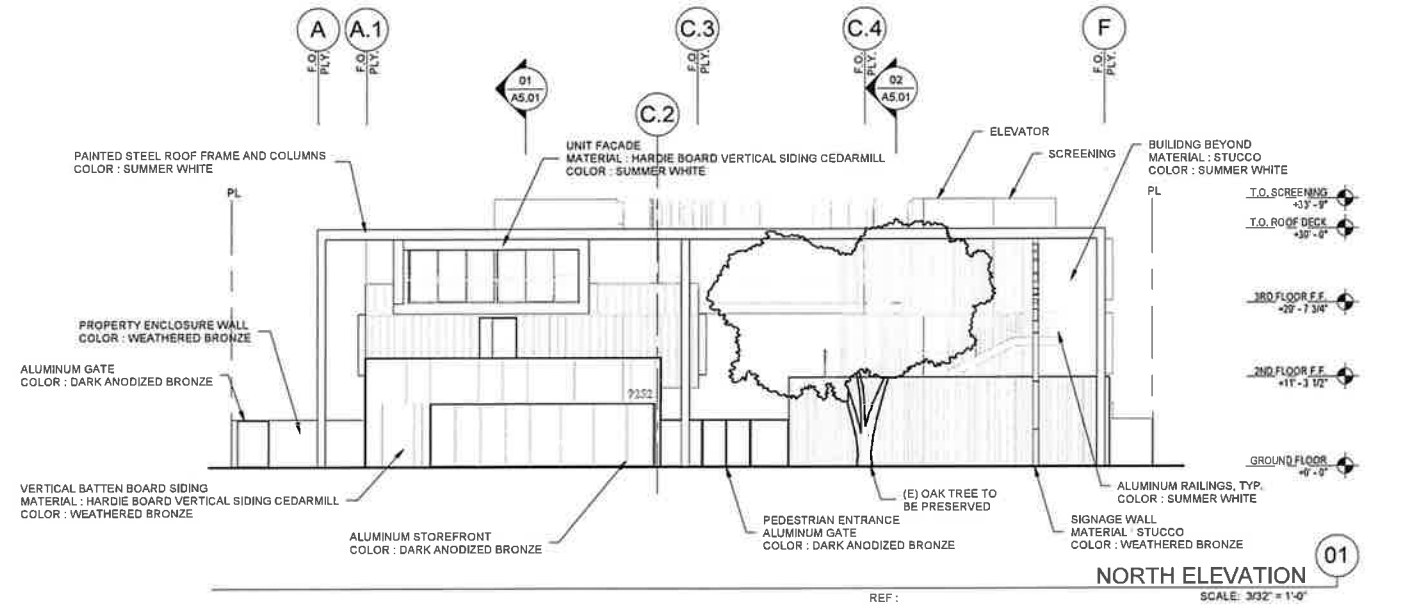
A3.40



ROOF PLAN 01
 SCALE: 1/16" = 1'-0"



SOUTH ELEVATION 02
SCALE: 3/32" = 1'-0"



NORTH ELEVATION 01
SCALE: 3/32" = 1'-0"

SCHEMATIC DESIGN	2021-12-06	
DESIGN DEVELOPMENT	YYYY-MM-DD	
CONSTRUCTION DOCUMENTS	YYYY-MM-DD	
PLAN CHECK SUBMITTAL	YYYY-MM-DD	
PLAN CHECK RESUBMITTAL	YYYY-MM-DD	
BID ISSUE	YYYY-MM-DD	
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD	

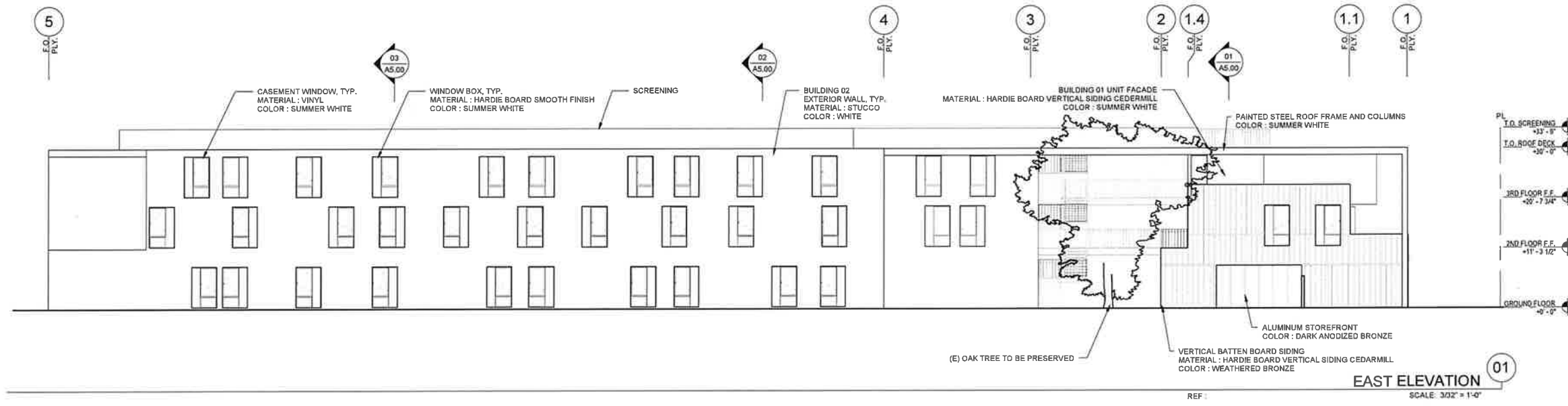
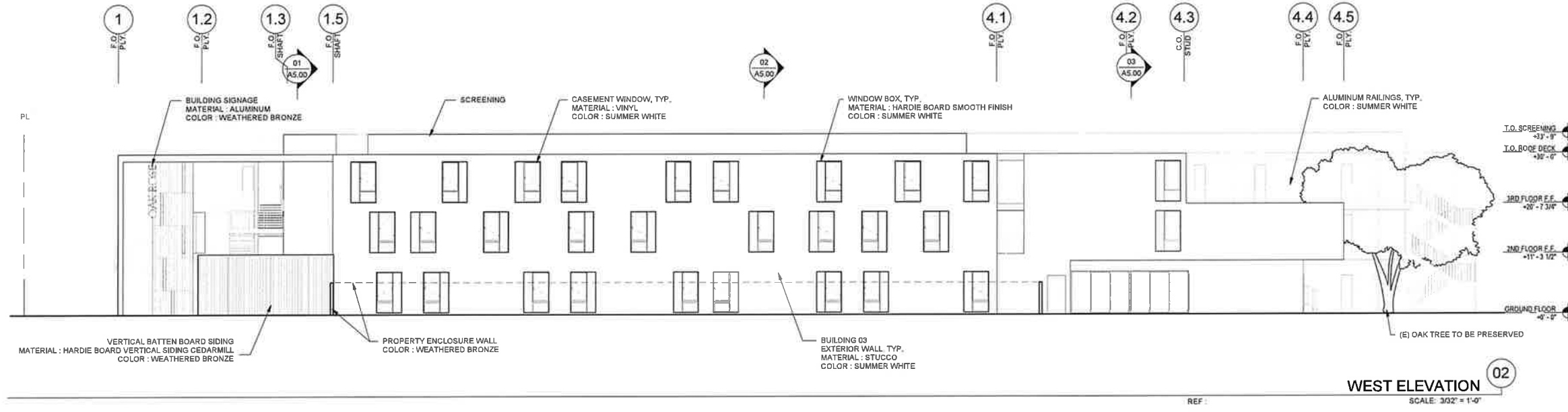
OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD ELK GROVE, CA 95624	
PROJECT NUMBER:	21007.0
REVISIONS	
△ -	△ -
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SHEET TITLE:	ELEVATIONS
SCALE:	3/32" = 1'-0"
DATE PRINTED:	12/6/2021 1:17:20 PM



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A4.00



SCHEMATIC DESIGN	2021-12-06
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

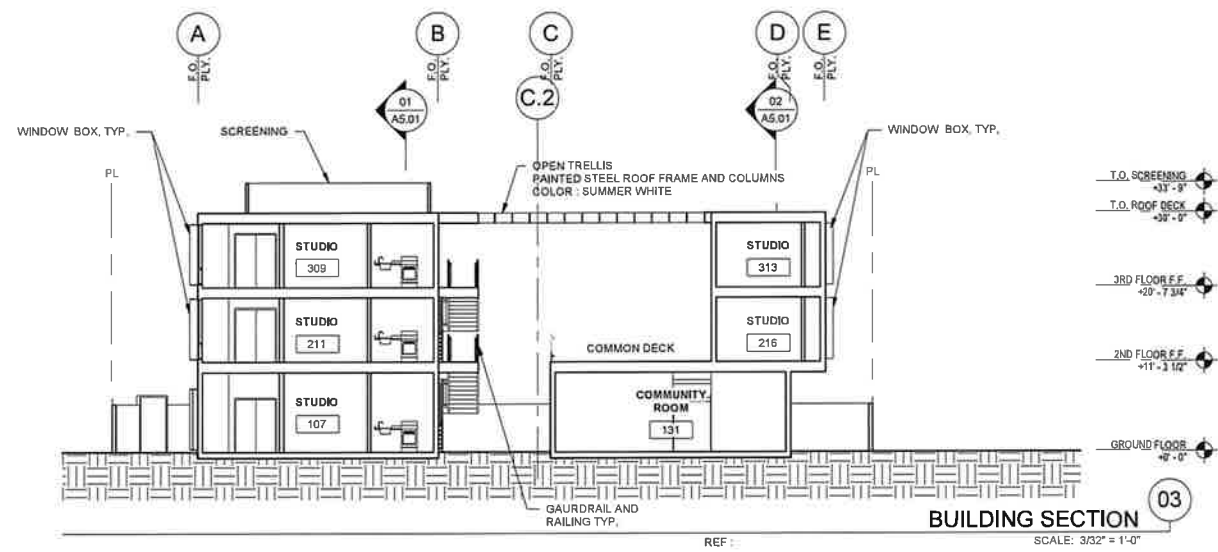
OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD ELK GROVE, CA 95624	
PROJECT NUMBER:	21007.0
REVISIONS	
△ -	△ -
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SHEET TITLE:	ELEVATIONS
SCALE:	3/32" = 1'-0"
DATE PRINTED:	12/6/2021 1:17:24 PM
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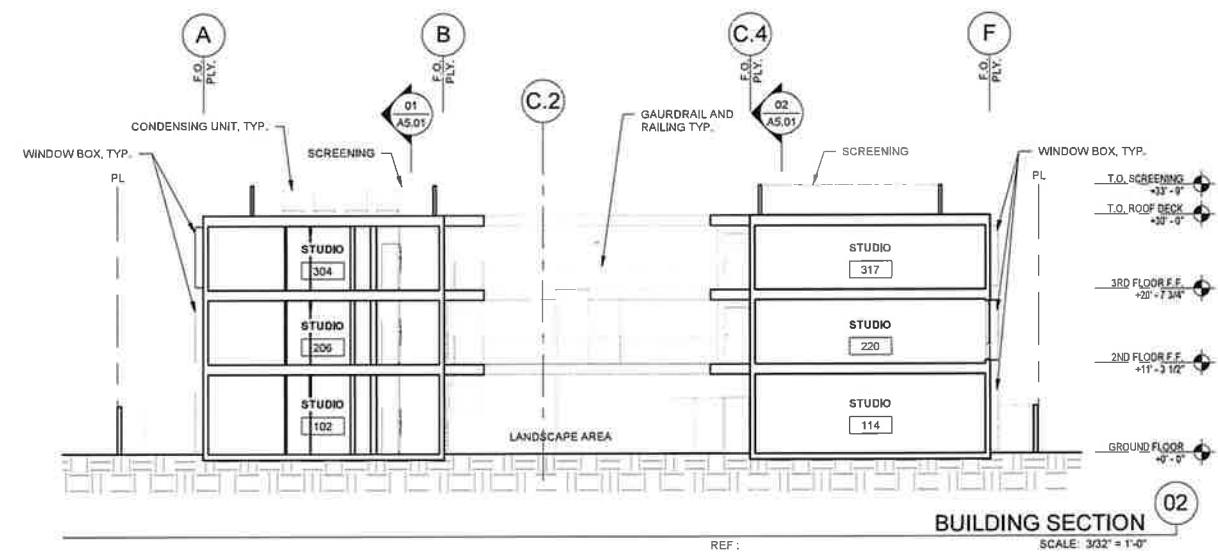


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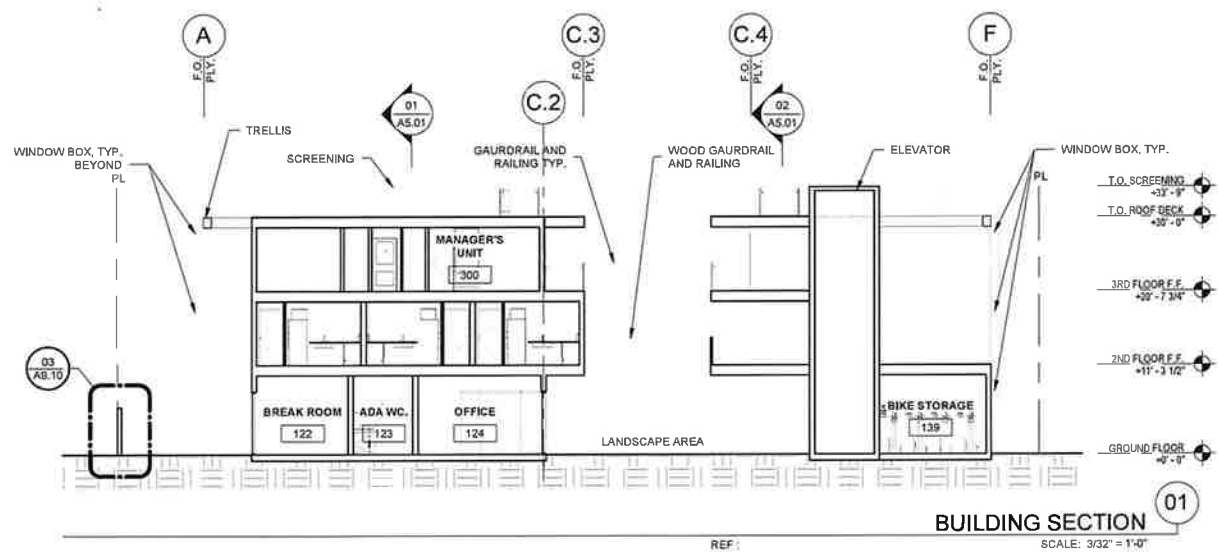
A4.01



BUILDING SECTION
SCALE: 3/32" = 1'-0"



BUILDING SECTION
SCALE: 3/32" = 1'-0"



BUILDING SECTION
SCALE: 3/32" = 1'-0"

SCHEMATIC DESIGN	2021-12-08
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD ELK GROVE, CA 95624	
PROJECT NUMBER:	21007.0
REVISIONS	
1	
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3	
SHEET TITLE:	SECTIONS
SCALE:	3/32" = 1'-0"
DATE PRINTED:	12/8/2021 1:17:26 PM
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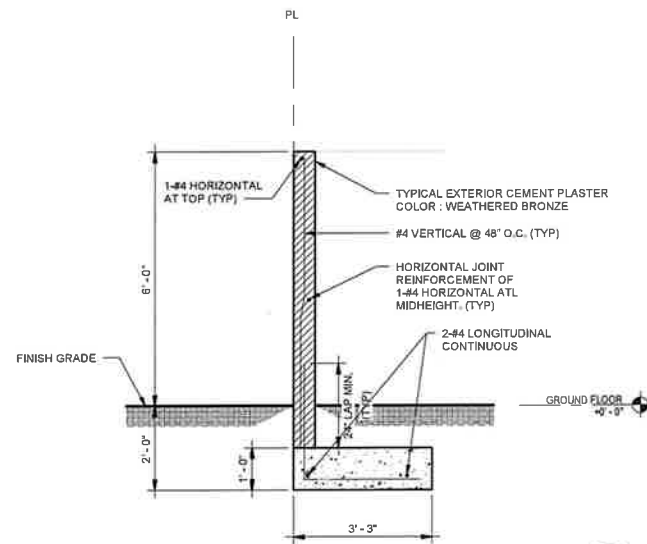


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A5.00

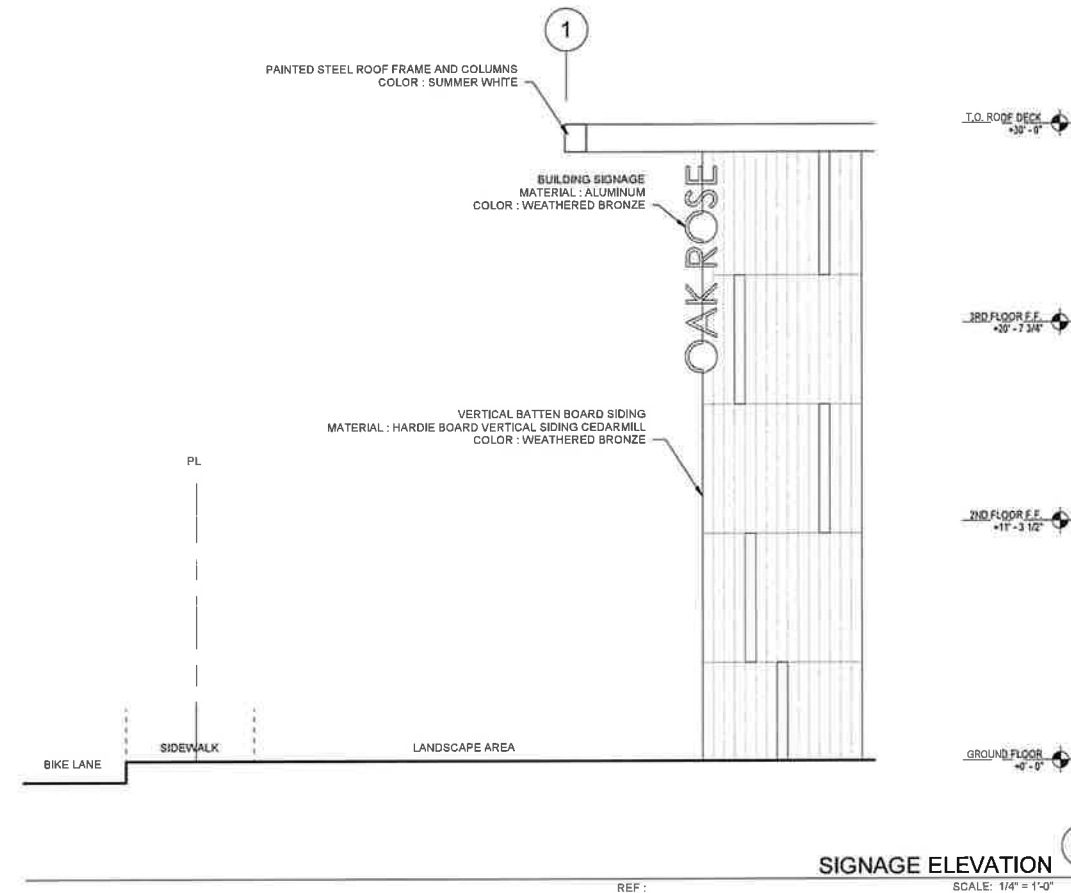
GENERAL SPECIFICATIONS:

1. Concrete mix for footing to be 1 part cement to 2.5 parts sand to 3.5 parts gravel with a maximum of 7.5 gallons of water per sack of cement / Minimum $f_c = 2,500$ psi.
2. Concrete block units shall conform to ASTM C90.
3. Reinforcing steel to be deformed and conformed to ASTM Standard A615 Grade 40 or Grade 60.
4. Rebar shall be centered in the concrete block cell in which it is located.
5. Concrete block units shall be placed in a running band with head joints in successive courses horizontally offset at least one-quarter the unit length.
6. Concrete block units to have vertical continuity of cells unobstructed. All cells containing reinforcing shall be solid grouted (vertical and horizontal reinforcement). Cells not containing reinforcing shall not be grouted.
7. Mortar mix for concrete to be 1 part cement to 0.5 part lime to 3 parts damp loose sand.
8. Grout mix for concrete block wall to be 1 part cement to 3 parts sand to which may be added not more than 0.1 part lime. Sufficient water to be added to produce consistency for pouring without segregation of constituents. The grout may contain 2 parts pea gravel, maximum size $3/8"$.
9. Block fence may be placed in the center of the "I" type foundation and at either edge to "I" type foundation.
10. A first inspection is required when trenches are ready for concrete and all required steel is bed in place. A second inspection is required when first horizontal bar and all vertical bars are in place but not grouted.
11. Foundation must be poured against undisturbed soil with no appreciable slope of sidewalks on all types of foundation.
12. Masonry or concrete fences over 3'-6" in height measured from adjacent grade shall require a building permit.
13. Height of fence shall comply with all provisions of the zoning code.



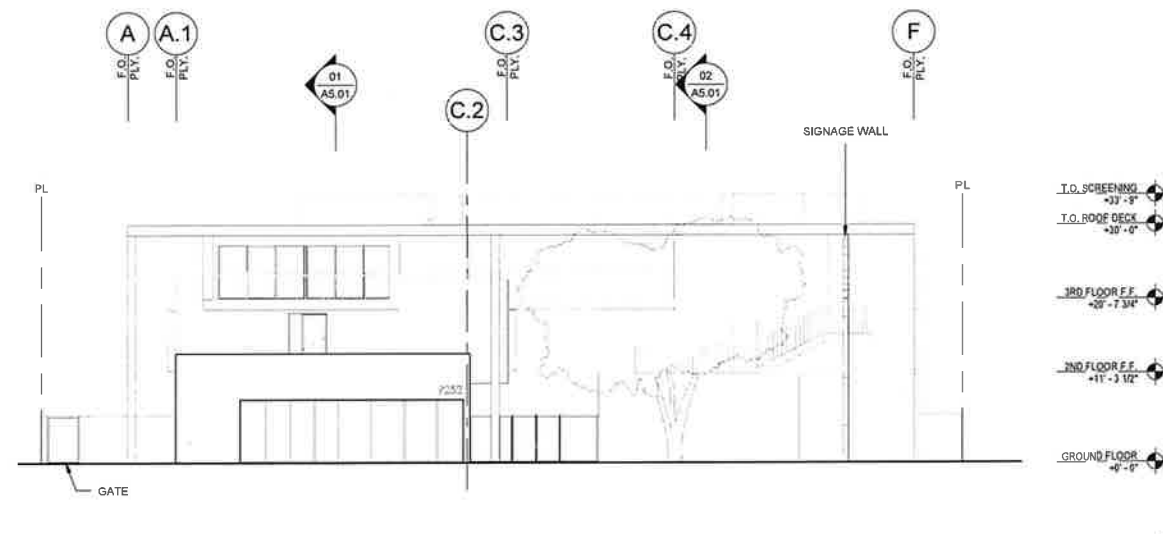
FENCE DETAIL, TYP. 03

REF: A5.00 SCALE: 1/2" = 1'-0"



SIGNAGE ELEVATION 02

REF: SCALE: 1/4" = 1'-0"



SIGNAGE ELEVATION 01

REF: SCALE: 3/32" = 1'-0"

SCHEMATIC DESIGN	2021-12-08		
DESIGN DEVELOPMENT	YYYY-MM-DD		
CONSTRUCTION DOCUMENTS	YYYY-MM-DD		
PLAN CHECK SUBMITTAL	YYYY-MM-DD		
PLAN CHECK RESUBMITTAL	YYYY-MM-DD		
BID ISSUE	YYYY-MM-DD		
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD		

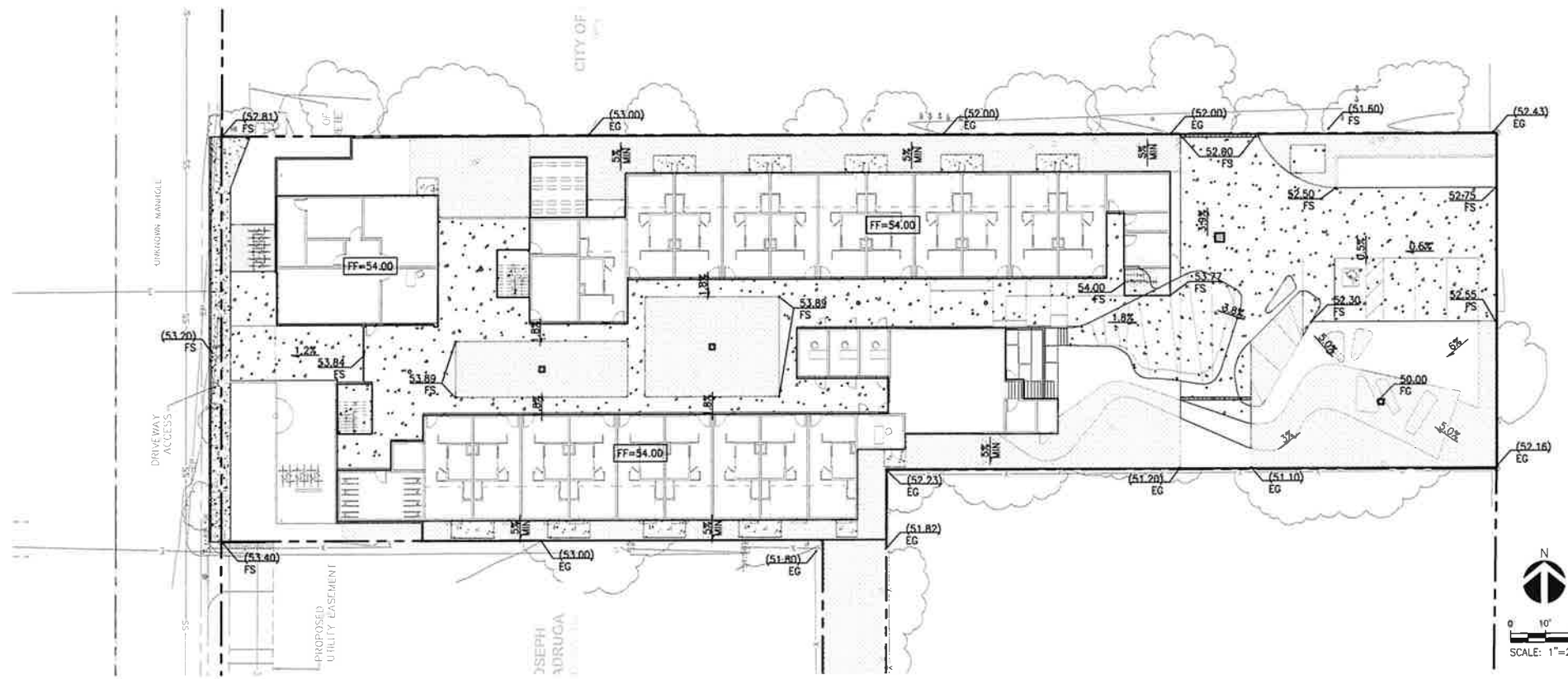
OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD ELK GROVE, CA 95624		PROJECT NUMBER: 21007.0
REVISIONS		
1	-	1
2	-	2
3	-	3
SHEET TITLE: SIGNAGE & FENCE DETAILS		
SCALE:	As indicated	
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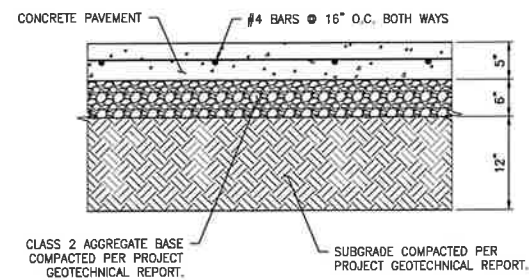
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A9.10



LEGEND

- LANDSCAPE PER LANDSCAPE PLANS
- SITE CONCRETE
- DECOMPOSED GRANITE MULCH PER LANDSCAPE PLANS
- DECOMPOSED GRANITE PAVING PER LANDSCAPE PLANS
- PROPERTY LINE
- GRADE BREAK
- FLOW LINE
- CATCH BASIN

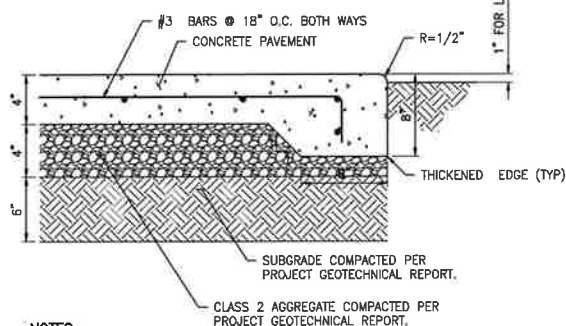


NOTES:

1. PAVEMENT SECTIONS ARE BASED ON RECOMMENDATIONS FROM THE PROJECT GEOTECHNICAL REPORT.
2. REFER TO ARCHITECTURAL PLANS FOR CONCRETE COLOR, PATTERN, TEXTURE, AND FINISH.
3. SEE PLAN FOR LOCATION OF CONTROL JOINTS.

1 VEHICULAR CONCRETE SECTION

C210 N.T.S.

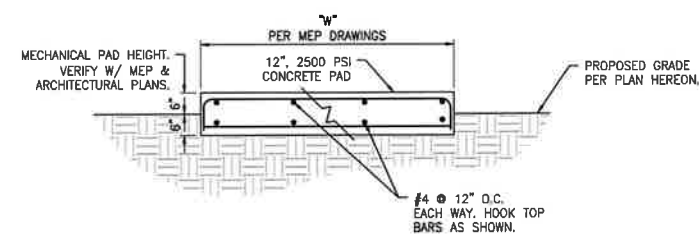


NOTES:

1. ALL TREAD SURFACES SHALL BE SLIP-RESISTANT.
2. REFER TO LANDSCAPE DRAWINGS FOR COLOR, PATTERN, TEXTURE, AND FINISH.
3. SEE LANDSCAPE PLAN FOR LOCATION OF CONTROL JOINTS.

2 CONCRETE WALK SECTION

C210 N.T.S.

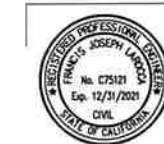


3 TRANSFORMER PAD TYPICAL DETAIL

C210 N.T.S.

SCHEMATIC DESIGN	YYYY-MM-DD
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

EHG - ELK GROVE
PERMANENT SUPPORTIVE HOUSING - 67 UNITS



9252 ELK GROVE BLVD
ELK GROVE, CA 95624
PROJECT NUMBER: 21007.0

REVISIONS	
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SHEET TITLE: **FINE GRADING PLAN**

SCALE: AS INDICATED
DATE PRINTED: 11/5/2021 3:19:32 PM



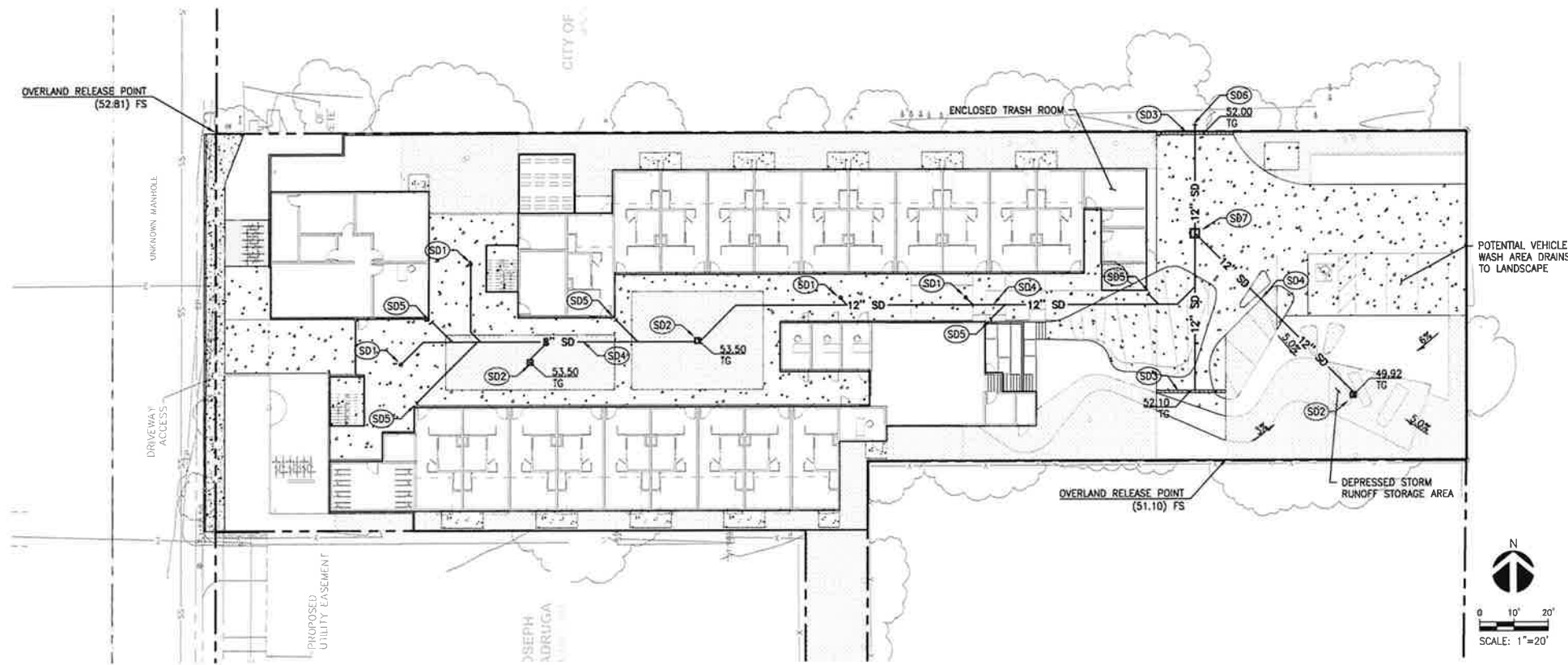
318 MAIN STREET
EL SEQUOIO, CA 90245
tel: 213.238.0700
LFA Job no. 21774

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FINE GRADING PLAN **01**

C210



LEGEND

- LANDSCAPE PER LANDSCAPE PLANS
- SITE CONCRETE
- DECOMPOSED GRANITE MULCH PER LANDSCAPE PLANS
- DECOMPOSED GRANITE PAVING PER LANDSCAPE PLANS
- PROPERTY LINE
- GRADE BREAK
- FLOW LINE
- STORM DRAIN PIPE
- CATCH BASIN

CONSTRUCTION NOTES

STORM DRAIN

- (SD1) INSTALL 4" AREA DRAIN BY NDS PRO OR APPROVED EQUIVALENT.
- (SD2) INSTALL CATCH BASIN WITH FILTER INSERT BY NDS PRO OR APPROVED EQUIVALENT.
- (SD3) INSTALL 8" TRENCH DRAIN WITH TRAFFIC RATED GRATE BY ACO DRAIN OR APPROVED EQUIVALENT.
- (SD4) INSTALL SDR 35 PVC STORM DRAIN PIPE, SIZE PER PLAN.
- (SD5) STORM DRAIN DOWNSPOUT POINT OF CONNECTION. SEE ARCHITECTURAL PLANS FOR CONTINUATION.
- (SD6) POINT OF CONNECTION TO CITY STORM DRAIN SYSTEM THROUGH STORM DRAIN EASEMENT.
- (SD7) INSTALL 24" PRECAST CONCRETE CATCH BASIN WITH FILTER INSERT AND TRAFFIC RATED GRATE BY OLDCASTLE OR APPROVED EQUIVALENT.

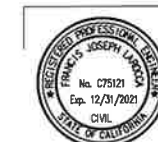
SITE SUMMARY TABLE	
TOTAL AREA	53,579 S.F.
IMPERVIOUS AREA	30,133 S.F.
IMPERVIOUS PERCENTAGE	56%
100-YR 24-HR RAIN DEPTH	4.25 IN.
10-YR 24-HR RAIN DEPTH	2.98 IN.
NOLTE DESIGN RUNOFF	0.408 CFS

SACRAMENTO REGION STORM WATER QUALITY REQUIREMENTS

PROJECT TYPE: MULTI-FAMILY RESIDENTIAL
 IMPERVIOUS AREA: >1.0 ACRES
 REQUIREMENTS: SOURCE CONTROL ONLY
 SOURCE CONTROL METHODS: EFFICIENT IRRIGATION
 LANDSCAPING
 STORM DRAIN MARKINGS AND SIGNS
 VEHICLE/EQUIPMENT WASH AREAS
 WASTE MANAGEMENT AREAS

SCHEMATIC DESIGN	YYYY-MM-DD
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

EHG - ELK GROVE
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS



319 MAIN STREET
 EL SEGUNDO, CA 90245
 Tel: 213.239.9700
 LFA Job no. 21774

9252 ELK GROVE BLVD
 ELK GROVE, CA 95624
 PROJECT NUMBER: 21007.0

REVISIONS		
1	-	-
2	-	-
3	-	-

SHEET TITLE: DRAINAGE PLAN
 SCALE: AS INDICATED
 DATE PRINTED: 11/5/2021 3:19:32 PM

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 HAWTHORNE, CA. 90250
 T. 323.586.4700
 F. 310.453.8606

C300

DRAINAGE PLAN 01

ATTACHMENT 3

Phone: 916.683.7111
Fax: 916.691.3175

Web: www.elkgrovecity.org

8401 Laguna Palms Way
Elk Grove, California 95758



April 15, 2022

Peter Enzminger
Oak Rose Apts LP
3910 Cover Street
Long Beach, CA 90808

Oak Rose Apartments (PLNG22-015)- SB35 Application- Determination Letter

On November 9, 2021, the City of Elk Grove received a pre-application to submit an application for Streamlined Ministerial Approval Process for a proposed affordable housing project located at 9252 Elk Grove Boulevard ("Project") in Old Town Special Planning Area. The pre-application was reviewed for eligibility requirements and compliance with Senate Bill 35, pursuant to Section 65913.4 of the Government Code. In addition, the receipt of your pre-application on November 9, 2021, the City has reached out to all the Tribes to request initiation of the required consultation process, which ended on March 4, 2022.

After reviewing the application and items that you submitted, Staff determined that the application is **incomplete**. Once all necessary material is provided, staff will resume processing your application and confirm the completeness of the resubmittal and SB35 eligibility. Below is a list of all criteria per CA Government Code 65913.4 that the Proposed Project must meet to qualify for ministerial approval under SB35. There are some items for which more information is needed to verify consistency (as listed below).

1. Is the Project a multi-family housing development (2 or more units).

*Staff Response: **Yes.** The project is considered an affordable housing development with 66 studio units and one 2-bedroom manager's unit and accessory private offices.*

2. Has the Applicant dedicated at least 50% of the units in the project to households making below 80% on the area median income?

*Staff Response: **Yes.** The Project is 100% affordable housing for homeless individuals.*

3. Does at least 75% of the perimeter of the Project site adjoin parcels that are developed with "urban uses" (subds.(a)(2)(B),(h)(8))? For purposes of SB 35, "urban uses" means any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses. Parcels that are only separated by a street or highway shall be considered adjoined.

Staff Response: Yes. The project is located within an existing legal parcel in Old Town Elk Grove. The parcel site abuts to residential uses to the south, west, street/commercial to the north and commercial to the east.

- 4. Is the project site zoned for residential use or residential mixed-use development, or have a general plan designation that allows residential use or a mix of residential and nonresidential uses, and at least two-thirds of the square footage of the development is designated for residential use (subd. (a)(2)(C))?**

Staff Response: Staff needs more information for clarification. The site is designated OTSPA – Commercial. Multi-family residential is allowed but must incorporate mixed use (see also No 8, below). The project currently has more than 2/3 residential and private office spaces for the residential units. The Applicant shall provide document that show how this project meets the definition of mixed use. The applicant shall provide documentation to demonstrate any applicable claimed cost reductions for the project as configured.

- 5. If a land subdivision is required, is the Project financed with low income housing tax credits and will prevailing wages be paid?**

Staff Response: Not applicable. Project does not include a land subdivision.

- 6. If land subdivision is required, will the development pay prevailing wages to a trained and skilled workforce?**

Staff Response: Not applicable. Project does not include a land subdivision.

The next questions (#7-9) have to do with the consistency with Objective Standards, the sources of Objective Standards, include:

- Elk Grove General Plan
- Elk Grove Municipal Code (Title 23: Zoning Standards)
- Elk Grove Old Town Special Planning Area

Government Code Section 65913.4- Any density bonus and concessions, incentives, or waivers of development standards or reduction of parking standards requested under the Density Bonus Law in Govt. Code 65915 are deemed consistent with the objective standards.

- 7. Does the Project meet density requirements in the General Plan designation applicable to the subject property/ies?**

Staff Response: Yes. General Plan: Density for Community Commercial (CC) General Plan Designation. Residential Density minimum 15.1 du/acre (19 du) and maximum 40 du/acre (50 du). The Applicant is requesting a density bonus for 100% affordability. Building Intensity maximum FAR of 1.0 (1.23 acre/53,579 sf). Submitted plans show the Building size at 34,790 square feet.

- 8. Does the Project meet objective zoning standards of the zoning designation applicable to the subject property/ies?**

Staff Response: **No, staff needs more information to know if the Project will be consistent with the standards.** See information below:

Zoning Standards/OTSPA Guidelines

Title 23 (Zoning Standards):

Development Standards	Required	Proposed	Complies
Residential Density	Maximum: 30 du/acre =36.9 units With density Bonus (80%)=66.42 units	67 units	Yes/Density Bonus
Building Setbacks	Front: 7.5 maximum' (outside the PU easement) Rear: 80feet (average of existing adjacent buildings) Side: 0'	0 feet from 12.5 foot PUE 90 feet 6 feet	Yes
Building Height	45' (fronting Elk Grove Boulevard)	33 feet, 9 inches	Yes
Parking	1 space/bedroom- supportive housing: 66 spaces. Per AB1763, no parking is required for supportive housing	8 spaces	Need clarification, See below for more details.
Landscaping	Parking Lot Shading: 50% Landscape Planter Width- buffering between uses: 10 feet	75% shaded	Yes Need this information, see below for more details.
Bike Parking	1 space/3 units; Total: 22 spaces	38 spaces (short term and long term)	Yes

Landscaping (23.54)- the Landscaping plan shall be revised to include the following information: This information is missing from the plans. **Need to have this information to know if the landscaping complies with the Zoning Code.**

- *Tree- the minimum planting size for trees shall be 15 gallons and 1/3 of all trees on the project planted at a minimum 24" box size.*
- *Buffering between uses- a landscape buffer shall be provided between residential and nonresidential uses and between single-family uses and multi-family uses containing three or more units. Buffer area shall include a minimum 10 feet wide planter strip with both deciduous and evergreen trees planted a maximum of thirty feet on center.*
- *Street and Parking Lot Trees. A minimum of thirty (30%) percent of the street trees and parking lot trees, respectively, shall be an evergreen species.*
- *Table 4 of OTSPA has a list of recommended trees for the non-public areas. The landscaping plan does not have any of these trees.*

Tree Preservation (19.12 **Staff Needs more information to determine if the proposed Project complies with this chapter in the City's Municipal Code.** The landscaping plan states that oak trees will remain on site, but there are other trees on the site plan that are not labeled; therefore, staff

does not know if these trees are of local importance. The submittal package did not include an arborist report. In addition, the submitted plans show conflicting information: the landscaping plan shows only 2 existing oak trees, but the site plan shows 6 existing oak trees. Staff requests an arborist report and a tree exhibit or updated landscaping plan to show all trees to be labeled and if they will remain or be removed.

Parking (23.58): The site plan shall be updated to provide the information to show how the Project complies with AB1763:

Table 23.58-2 (Parking Requirements by Land Use): The parking requirement for supportive housing is 1 space/bedroom, however the following exceptions could be applicable based on a determination of the type of housing:

AB1763 (Chiu 2019), Section 65915 states that if the development is either a special needs housing development or a supportive housing development, upon the request of the developer, a city shall not impose any minimum vehicular parking requirements. A development that is a special needs housing development shall have either a paratransit service or unobstructed access, within one-half mile, to fixed bus route services that operates at least 8 times per day.

Staff Needs more information. The Applicant has indicated that the use is Special Needs and/or Supportive Housing. With that, if the use is for special needs, the Applicant does not provide the information on a nearest bus route that operates 8 times a day or if the development will provide paratransit service. Staff needs clarification on the use, if it is special needs or supportive housing. Staff requests a detailed description of the use.

In addition, the site plan shows two parallel parking spaces, which have dimension of 22'6" (length) by 9' (width), which do not comply with Table 23.58-3 for minimum stall dimensions. The standard parallel parking minimum stall dimension is 9 feet (width) by 24 feet (length).

Lighting (23.56) Staff Needs a photometric plan as a Completeness Item to determine if the Project will comply with the City's Zoning Standards Section 23.56.

9. Does the Project meet objective design review standards per the Elk Grove Design Guidelines and the applicable zoning district regulations?

Staff Response: No, staff needs more information to know if the Project will be consistent with the standards. See information below:

Old Town Special Planning Area (OTSPA) Guidelines

OTSPA- Land Use

The subject property is zoned Commercial under the OTSPA. Mixed use is allowed in the OTSPA Commercial zone provided that residential use is located on the 2nd or 3rd floor and there is a pedestrian oriented commercial use on the ground floor. (See OTSPA, at pp. 11-13.) The project as proposed does not currently include a pedestrian oriented commercial use on the ground floor. Staff request that the applicant provides information and address the mixed use compliance.

OTSPA Architecture: Staff believes the Project uses at least two different architectural details listed in Table 8 of the OTSPA including:

1. Tall narrow rectangular windows
2. Building details wraps around sides
3. Articulation on front façade with different roof heights/trellis.
4. Two different materials for texture- wood and stucco.
5. Decorative pavers at the entrance.

However, below are architectural details that should be included in the style of the building from the OTSPA guidelines to show that the Project will be consistent with the Old Town standards:

- *All architectural elements shall be designed with respect to the entire façade and shall relate to the adjacent buildings.*
- *New construction shall be representative of a specific historical architectural motif and style of the period represented in Old Town. **Project architects shall provide a written explanation identifying their chosen motif and style, noting which architectural elements express that style, and explaining why it is compatible with existing historic development in Old Town.** Applicants are referred to the historic buildings listed in Figure 23 as representative historic architecture. Other existing buildings of comparable historic value may also be used as representative structures.*

OTSPA Compatibility: New commercial uses shall be required to install a six-foot (6'-0") masonry wall along any boundary shared with a property zoned for residential use. If an alley is located between the commercial and residential uses, the commercial applicant shall contact the residential landowner to negotiate to build the six-foot masonry wall on the residential side of the alley. If no agreement can be made, the wall shall be located on the commercial side. Fencing in side and front yards shall be consistent with the standards established by the Zoning Code

10. Is the Project located on a site that is any of the following:

Staff Response:

- a. Wetlands: No
- b. Earthquake fault zone: no
- c. High fire hazard zone: No
- d. Hazardous Waste site: no
- e. A site that will require demo of housing: no; this site is vacant
- f. FEMA- no, this site is X
- g. Demo of a historic building- no, this site is vacant- however, this site is adjacent to a historical building.
- h. Mobile home Residency law- no
- i. Protected species habitat: No
- j. Conservation easement: no

Surrounding Properties:

- *The Project site does not have any historical buildings located on the property, but the site is adjacent to a property on the west side (9248 Elk Grove Boulevard) that is eligible for the City's local registry. The City's 2019 Historic Resource Survey and Evaluation Report stated the property at 9248 Elk Grove Boulevard has a single-family home and detached garage*

built in 1915 (Reginald Rolfe Residence) which has local significance and contributing to the local registry. The detached garage is located about 2 feet from the shared east property line and the house is about 12 feet from the shared east property line. Staff wants to make sure that the Project does not affect the integrity of the historical architecture and property of the adjacent property at 9248 Elk Grove Boulevard due to the close proximity to the historic structures.

- The Property on the east side was an old Rite Aide building that was constructed in 2006 and is currently vacant but is the new location of the Elk Grove Library. This property shares access with the Project site. The Title Report states that there is a reciprocal access of 37 feet between these two properties.

11. For Projects of over 10 units, will the entire development be a “public work” as defined in Section 1720 of the California Labor Code, or will construction workers be paid at least the prevailing wage?

Staff Response: The project is over 10 units. **Need more information from the Applicant to know if they will comply with this state requirement per SB35.** The Applicant has noted on the pre-application that the proposed Project will comply with all labor provision identified in SB35; however, the Applicant did not provide any documentation that certifies the commitment to comply with the Prevailing Wage Requirement.

12. For Projects of 75 or more units, will a “skilled and trained” workforce, as defined in Section 2601 of the California Public Contracts Code, be used to complete the Development?

Staff Response: This Project is proposed for 67 units, which is less than 75 units. **Therefore, this is not applicable.**

This Application is scheduled for the May 5, 2022, Planning Commission meeting and May 25, 2022, City Council Meeting.

Tentative Schedule and Cost

Your Project's review will exceed the initial deposit fee submitted with your application. Staff will provide an updated cost estimate. Review of these invoices is critical. All outstanding invoices and incurred costs must be fully paid to the City near the meeting dates.

If you have any questions, please feel free to contact me at 916.478.3684 or at kkillingsworth@elkgrovecity.org

Sincerely,



Kyra Killingsworth
Development Services Department

Oak Rose 500 feet

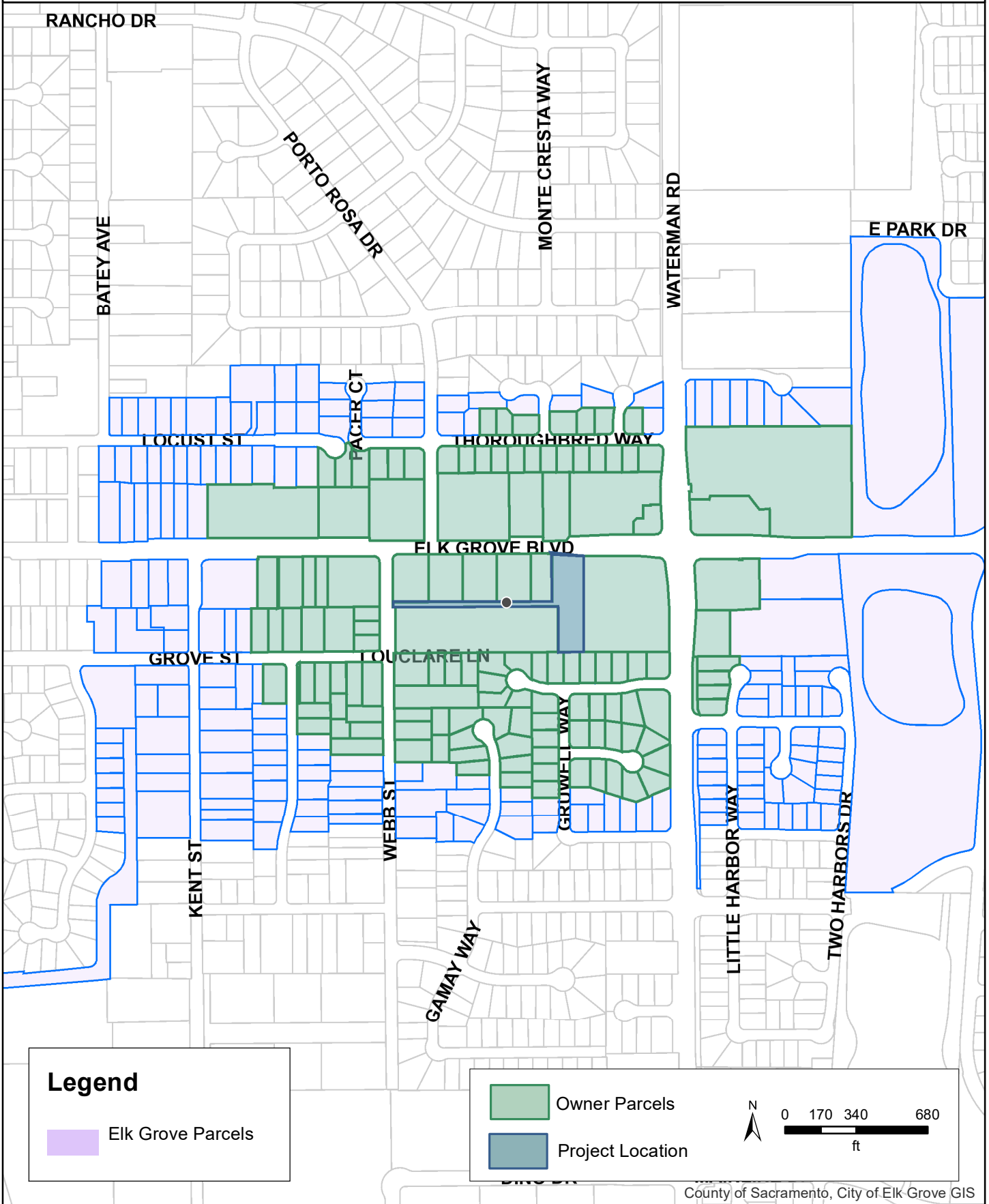


EXHIBIT D



Planning Staff Report

June 2, 2022

PROJECT TITLE: Oak Rose Apartments
FILE NO.: PLNG22-015
REQUEST: Design Review/Public Oversight per Senate Bill 35
LOCATION: 9252 Elk Grove Boulevard
APN(s): 134-0072-011
STAFF: Kyra Killingsworth, Senior Planner

PROPERTY OWNER/PROJECT APPLICANT:

Oak Rose Apts LP
 Peter Enzminger (Representative)
 3910 Cover Street
 Long Beach, CA 90808

Staff Recommendation

Staff recommends that the Planning Commission conduct a design review/public oversight (“public oversight”) meeting pursuant to California State Senate Bill 35 (“SB35”), and adopt a Resolution (Attachment 1):

1. Finding the Project exempt per State CEQA Guidelines Section 15270 (Projects Which Are Disapproved). [Note: If the Project is found to comply with the requirements of SB 35, including compliance with objective design standards, and thereby be subject to ministerial approval, such ministerial approval would also be exempt from CEQA review. (Gov. Code § 65913.4)]; and
2. Finding that the Project does not comply with the City’s objective design standards for an affordable housing project pursuant to SB35 and, therefore, the Project is not entitled to streamlined, ministerial approval.

Project Description

The proposed Project includes a design review/public oversight meeting and density bonus to construct a 100% affordable housing project with 67 units (“Project”) on a vacant parcel in Old Town Historic District. The Project will include resident-serving office spaces in the front of the building and on ground level, with residential units on three levels of a single building (including the ground floor), as well as associated site improvements such as parking, landscaping, and exterior lighting. The Project request includes a density bonus to allow concessions/incentives for allowable use, and for increase of allowed density for the affordable housing development. The approval authority for the density bonus and concessions/incentives is the City Council.

The Project was submitted under SB35, a recently enacted state law which provides for streamlined, ministerial review and approval of qualifying housing development projects.

Background

The Project was initially scheduled to be heard by the Planning Commission on May 5, 2022. At the request of the Applicant, and with staff’s concurrence in the request, the matter was continued to May 19, 2022, to provide the Applicant an opportunity to submit additional information for the Project. Additional information was received by staff on May 11, 2022. Staff

did not have sufficient opportunity to review the additional material from the Applicant prior to the May 19, 2022 Planning Commission. Therefore, at the joint request of the Applicant and City staff (and in light of the absence of two Planning Commissioners), the hearing was further continued by the Planning Commission to the June 2, 2022 Planning Commission meeting. Staff has now had the opportunity to review and provide a further analysis of the additional Project material submitted for compliance with the criteria required for streamlining projects and objective standards adopted by the City. These standards are located in the following documents:

1. City's General Plan
2. Elk Grove Municipal Code, Title 23 (Zoning)
3. Old Town Elk Grove Special Planning Area standards and guidelines.

For the reasons discussed below, staff again concludes that the Project does not satisfy the City's objective design standards for an affordable housing project pursuant to SB35 and, therefore, the Project is not entitled to streamlined, ministerial approval. Note that in accordance with SB35, the City is to conduct any public oversight meeting within 90 days of the SB35 application submittal date (March 4, 2022). The 90th day from the application submittal date June 2, 2022 – the date of this Planning Commission hearing. Therefore, the City is acting within the time periods provided by SB35.

Analysis

SB35 Eligibility

The following list of criteria is required for the Project to be eligible for the streamlined ministerial approval process per SB35. For the Project to receive ministerial approval, the Planning Commission and staff must find the Project in compliance with the criteria, which includes the City's objective standards. Staff has provided an updated analysis below based on the revised submitted plans from the Applicant.

The eligibility requirements are the following:

- 1. Has the Applicant dedicated at least 50% of the units in the project to households making below 80% on the area median income?**

Staff Response: Yes. The Project is a 100% affordable permanent supportive housing for homeless individuals. The supportive services will be from a local non-profit called HOPE Cooperative.

- 2. Is the Project a multi-family housing development (2 or more units)?**

Staff Response: Yes. The Project is considered a supportive housing development with 66 studio units and one 2-bedroom manager's unit and accessory resident-serving offices. The maximum density for residential units pursuant to the Old Town Special Planning Area (OTSPA) is 30du/acre. The size of the vacant property is 1.23 acres. The Applicant is requesting a density bonus (which is subject to City Council approval) to exceed the maximum density for a 100% affordable housing project. More information is below under Question #8 on the density bonus.

3. **Does at least 75% of the perimeter of the Project site adjoin parcels that are developed with "urban uses" (subds.(a)(2)(B),(h)(8))?** For purposes of SB35, "urban uses" means any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses. Parcels that are only separated by a street or highway shall be considered adjoined.

Staff Response: Yes. The Project is located within an existing legal parcel in Old Town Elk Grove. The vacant parcel abuts to residential uses to the south, west, street/commercial to the north and commercial to the east. All adjoining parcels are developed.

4. **Is the project site zoned for residential use or residential mixed-use development or have a general plan designation that allows residential use or a mix of residential and nonresidential uses, and at least two-thirds of the square footage of the development is designated for residential use (subd. (a)(2)(C))?**

Staff Response: Yes. The site is designated Old Town Special Planning Area (OTSPA) – Commercial. Pursuant to OTSPA Table 2, multi-family residential is allowed but must incorporate mixed-use to be permitted within the commercial zoning district. The Project proposal currently includes 66 residential units, a manager's unit, and office space for services for the permanent supportive housing services on site. The Applicant provided written comments in response to the City's SB35 determination letter dated April 15, 2022. The Applicant confirmed that the Project is for supportive housing. Supportive Housing is defined (Health and Safety Code Section 50675.14) as housing with no limit on the length of stay, that is occupied by the target population, and is linked to on-site or off-site services that assist the supportive housing residents in retaining the housing, improving their health status, and maximizing their ability to live and when possible, work in the community. Target populations include homeless individuals, youth and families, and people with disabilities.

As supportive housing, California Assembly Bill 2162 (Gov. Code, section 65651) applies to this Project, which states that supportive housing is a "use by right" where multi-family and mixed uses are permitted if the proposed housing complies with the objective standards and policies that apply to other multifamily development within the same zone and satisfies all of the following criteria:

1. Units within the development are subject to a recorded affordability restriction for 55 years.

According to the Applicant, the units will be subject to a recorded affordability restriction for 55 years.

2. 100 percent of units, excluding manager's units within the development are dedicated to lower-income households and are receiving public funding to ensure affordability of the housing to lower income Californians.

100 percent of the 66 units will be affordable to lower income households, specifically for target population.

3. At least 25 percent of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing. Requires if the development consists

of fewer than 15 units, than 100% of the units excluding the manager's unit in the development shall be restricted to residents in supportive housing.

All 66 units will be restricted to residents in supportive housing. 98 percent will be for supportive housing.

4. The developer provides the Planning agency with information regarding a plan for providing supportive housing services, with documentation demonstrating that supportive services will be provided onsite to residents in the project and describing those services.

The Applicant provided a Supportive Services Agreement with the local non-profit, HOPE Cooperative, the third-party service provider who will manage the site and services. Hope Cooperative will be the provider of the supportive services to the residents at no cost, which will include the following, but not limited to:

- *Linkage to mental health services, mental health evaluation*
- *Life skills training*
- *Employment training*
- *Transportation assistance*
- *Establishment of medical home, utilization of a primary care provider and referrals to physical healthcare services including access to routine and preventive health and dental care.*
- *Peer support groups*
- *Supportive housing maintenance a healthy independent living*
- *Psychiatric services and therapy*
- *Substance use treatment*
- *Crisis intervention services*

5. Nonresidential floor area shall be used for onsite supportive services in the following: For a development with more than 20 units, at least three percent of the total nonresidential floor area shall be provided for on-site services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms and community kitchen.

The development will have office space on the ground level near the front of the building towards Elk Grove Boulevard. The building is 34,791 square feet, with approximately 3,596 square feet dedicated for office space. This office spaces will support residents and will be operated by the third-party service provider.

6. The developer replaces any dwelling units on the site of the supportive housing development.

The site is vacant with no existing structures. Therefore, the Project will not displace any dwelling units.

7. Units within the development, excluding managers unit include at least one bathroom and kitchen or other cooking facilities including at minimum a stovetop, a sink, and a refrigerator.

The 66 units will have a bedroom, kitchen, and a bathroom.

Pursuant to OTSPA Table 2, "Permitted and Conditionally Permitted Land Uses", the proposed affordable multi-family housing including mixed-use office space is a permitted use in the OTSPA subject to the criteria set forth in the footnotes that the 2nd and 3rd floor be residential and the first floor/ground floor include pedestrian-oriented commercial uses (i.e., retail, restaurant, or offices). The permitted density of 2nd and 3rd floor residential shall not exceed 30 units per acre and shall be dependent on compliance with development standards. The Applicant is requesting a density bonus to exceed the maximum density, as well as a concession/incentive to allow development of residential units on the ground floor. The decision to approve the density bonus and/or the concession/incentive request is for the City Council. Staff is reviewing the Project in contemplation that the Project appears eligible for and may receive the requested density bonus. However, based on the information provided, staff feels that the request to allow residential units on the ground floor conflicts with the objective standards of the OTSPA, and staff also does not feel that relief from the ground floor commercial land use requirement has been substantiated. See discussion below.

5. If a land subdivision is required, is the Project financed with low-income housing tax credits and will prevailing wages be paid?

Staff Response: *Not applicable.* Project does not include a land subdivision.

6. If land subdivision is required, will the development pay prevailing wages to a trained and skilled workforce?

Staff Response: *Not applicable.* Project does not include a land subdivision.

7. Does the Project meet density requirements in the General Plan designation applicable to the subject property/ies?

Staff Response: Yes. The parcel's General Plan Designation is Community Commercial (CC). Pursuant to the City's General Plan, Residential Density in the CC designation shall be a minimum of 15.1 du/acre (19 du) with a maximum of 40 du/acre (50 du). The Project consists of 67 units, which is more than the maximum density pursuant to the General Plan. However, the Applicant is requesting a density bonus for 100% affordability (see Question #8 below for more information). The maximum Floor Area Ratio (FAR) for the General Plan designation is 1.0 (the Project size is 1.23 acre and at 1.0 the FAR maximum equals 53,579 sf). While the proposal exceeds the density standards, the submitted plans show the building complies with the FAR standards as the total building size is 34,790 square feet.

The General Plan CC designation is generally characterized by retail and service uses that meet the daily needs of residents in surrounding neighborhoods and community needs beyond the surrounding neighborhood. These uses may consist of a unified shopping center with or with a major anchor store. Retail and service uses are predominant with limited office and professional spaces allowed. Limited residential uses may be allowed when integrated with nonresidential uses with an approved District Development Plan and consistent with zoning.

The proposed Project is consistent with the following General Plan Goals and Policies. Specifically, the proposed Project supports the following policies:

- Policy LU-2-1: Promote a greater concentration of high-density residential, office commercial or mixed-use sites and the population along identified transit corridors and existing commercial corridors, in activity centers, and at other appropriate locations.
- Policy H-1-3: Promote development where affordable housing is near services, shopping, and public transportation.

The development will provide an increase of housing diversity and promote walkability with the Project in close proximity to other commercial businesses on Elk Grove Boulevard, which the proposed Project will be generally consistent with the General Plan.

8. Does the Project meet objective zoning standards of the zoning designation applicable to the subject property/ies?

Staff Response: No. See following zoning standards analysis below:

Title 23 (Zoning Standards):

Staff has determined that the Project is **not fully consistent** with the applicable Zoning Code and general OTSPA development standards (see Table 2 below).

Table 2. Development Standards

Development Standards	Required	Proposed	Complies
Residential Density	Maximum: 30 du/acre = 36.9 units With density Bonus (80%) = 66.42 units	67 units	Yes, with an approved density bonus
Building Setbacks	Front: 7.5 maximum' (outside the PU easement) Rear: 80 feet (average of existing adjacent buildings) Side: 0'	0 feet from 12.5-foot PUE 93 feet, 3/12 inches 10 feet	Yes
Building Height	45' (fronting Elk Grove Boulevard)	33 feet, 9 inches	Yes
Parking	1 space/bedroom- supportive housing: 66 spaces. Per AB1763 (Gov. Code § 65915), no parking is required for supportive housing	8 spaces	Yes
Landscaping	Parking Lot Shading: 50% Landscape Planter Width- buffering between uses: 10 feet	75% shaded 10-foot landscape buffer	Yes
Bike Parking	1 space/3 units; Total: 22 spaces	38 spaces (short term and long term)	Yes
Lighting	Chapter 23.56	See below	No
Land Use	Must be used for pedestrian-oriented commercial uses on the ground floor; residential use only allowed on 2 nd or 3 rd floor. (OTSPA)	Ground Floor Residential	No

Additional analysis of the Project for compliance with objective standards in the Elk Grove Municipal Code (EGMC) and OTSPA is set forth below.

- EGMC Chapter 23.54 Landscaping: Yes. The Applicant provided a revised landscaping plan that contains the information below, therefore, the landscaping complies with the following objective standards:
 - *Tree size*. Yes. The minimum planting size for trees shall be 15 gallons and 1/3 of all trees on the Project planted at a minimum 24" box size. The Project will have 47%, which is 17% more than the requirement of 30%.
 - *Buffering between uses*. Yes. A landscape buffer shall be provided between residential and nonresidential uses and between single-family uses and multi-family uses containing three or more units. Buffer area shall include a minimum 10 feet wide planter strip with both deciduous and evergreen trees planted a maximum of 30 feet on center. On the south side and west side of the Project, there will be a 10-foot landscape buffer between the single-family uses and the Project.
 - *Street and Parking Lot Trees*. Yes. A minimum of 30% of the street trees and parking lot trees, respectively, shall be an evergreen species. There will be 50% of street trees that will be evergreen species.
- EGMC Chapter 19.12 Tree Preservation: The Applicant provided an arborist report dated August 21, 2021, in the revised submittal package. In addition, a tree exhibit was provided to show the location of trees and which of the trees will remain or be removed. In the submitted arborist report, there are 88 trees on site, 54 of which are protected oak tree species. According to the Applicant, 10 trees will be removed as part of the Project and five of those trees are protected oak species. The oak trees that will be removed vary in trunk size from seven inches in diameter to 17.75 inches in diameter. Two oak trees are recommended by the arborist to be removed due to very poor health. The other three oak trees are either in fair or fair-to-poor health according to arborist report. These oak trees are requested for removal due to the close proximity to the building and the shared driveway access between the subject site and the property to the east of the project.

EGMC Chapter 19.12.010 states that the City of Elk Grove desires to preserve the existing trees within the City whenever reasonably possible. The Applicant is requesting to remove five trees of local importance due to the proximity of the new building and the shared driveway access. Removal of such trees would typically be subject to a discretionary permit by the City under the City's Municipal Code. Therefore, if the Project were to comply with all other objective standards under SB35, the proposed trees could be removed, despite the discretionary permit provisions in the City's Code.

- EGMC Chapter 23.58 Parking: Yes. The Applicant provided an updated site plan to show the measurements of the parking spaces in the rear of the property. The two parallel spaces will be 9 feet by 24 feet, which will meet the minimum stall dimensions as required in Table 23.58-3.

Table 23.58-2 (Parking Requirements by Land Use): The parking requirement for supportive housing is one space/bedroom, however, the following exceptions could be applicable based on a determination of the type of housing:

Assembly Bill (AB) 1763 (Government Code Section 65915) states that if the development is either a special needs housing development or a supportive housing development, upon the request of the developer, a city shall not impose any minimum vehicular parking requirements.

The Applicant's letter dated May 11, 2022, states that the Project will meet the definition of Supportive Housing under the CA Health and Safety Code Section 50675.14 (b) (2) and will set aside 66 units for the "target population". Additionally, the Project will provide on-site services for special needs pertaining to the risk of homelessness. Since the Project will be supportive housing pursuant to AB1763, there is no parking requirements for supportive housing. Therefore, the Project complies with the parking requirement.

- EGMC Chapter 23.56 Lighting: No. The Applicant provided a photometric plan with the revised submittal package. Staff reviewed the plan in compliance with the City's Zoning Code Section 23.56.030 Multi-Family and non-residential outdoor lighting standards. The photometric plan does not comply with the City's lighting standards.
 - Parking lots, driveways, trash enclosures/areas, public phones, and group mailboxes shall be illuminated with a minimum maintained one (1fc) foot-candle of light and an average not to exceed four (4 fc) foot-candles of light. The parking area and driveway do not comply with the minimum one foot-candle. The plans state that the minimum will be 0.2 foot-candles.
 - Pedestrian walkway shall be illuminated with a minimum maintained one half (0.5 fc) foot candle of light and an average not to exceed two (2fc) foot-candles of light. The walkways will not meet the minimum foot candle and the lighting will exceed the average foot-candle. The walkways will have an average of 5.8 foot-candles and the minimum is 0.0 foot-candles.
 - Exterior doors of non-residential structures shall be illuminated during the hours of darkness with a minimum maintained one foot-candle of light (1fc), measured within a five-foot radius on each of side of the door at ground level. The exterior doors will have a 0.2 foot-candle, which does comply with the minimum.
 - In order minimize light trespass on abutting residential, agricultural residential and agricultural property, illumination measured at the nearest residential structure or rear yard setback line shall not exceed the moon's potential ambient illumination of one-tenth (0.1 fc) foot-candle. The lighting levels at these locations will be 0.0 foot-candles.
- OTSPA Land Use. No. The site is zoned commercial under the OTSPA. As noted above, multi-family residential uses are permitted in a commercial zone in the OTSPA provided the residential use is on the 2nd or 3rd floor, and further provided that the first floor is pedestrian-oriented commercial. The Applicant here seeks to place residential uses on the ground floor, in addition to ground floor office space. The proposed ground floor residential use conflicts with the objective standard of only allowing residential use in this commercial zone on the 2nd and 3rd floor. Therefore, the Project does not meet the City's objective land use standard.

EGMC Chapter 23.50 Density Bonus, Concessions, and Incentives (AB1763; Gov. Code, section 65915)

Chapter 23.50 of the EGMC establishes the process for density bonus requests and authorizes incentives and concessions for the production of housing for very low income, lower income, moderate income, special needs, and senior households. (See also Gov. Code, section 65915). While the EGMC defines a density bonus of at least 20% above the maximum number of dwelling units on a given site pursuant to the site's zoning, the EGMC recognizes that a density bonus may not necessarily result in a 20% increase in the total number of units on a site. The City Council is the legislative body who makes the determination as to whether to approve or deny a density bonus request.

For projects that include the requisite number of affordable housing units, and upon request from the applicant, the Applicant may also seek "incentives or concessions" such as reduced development standards, that result in actual and identifiable cost savings for the project. In effect, the density bonus and incentive/concession process allow the Applicant for a qualifying development to request relief from zoning development standards that would place physical and/or financial constraints on a project (i.e., standards including, but not limited to parking, open space, setback, and height requirements) that would not allow a project to maximize the efficiency of a site. Relaxation of the development standard through the granting of concessions or incentives is meant to result in cost savings through more efficient site planning and provision of housing units. While the Planning Commission is operating as the public oversight body pursuant to SB35 in determining compliance with the City's objective standards, as with the density bonus request, the City Council is the legislative body to consider approval or denial of requested concessions or incentives. Therefore, the discussion in this section is largely for informational purposes for the Planning Commission.

For this Project, the Applicant requests the following density bonus, concessions and incentives:

1. A density bonus to exceed the maximum density for the OTSPA-Commercial designation (See Table 2 and Question 4, above);
2. A concession/incentive allowing residential uses on the ground floor.

The density bonus process is wrapped into the SB35 legislation and any modifications to the development standards that are granted by the City under the density bonus law are required to be considered as consistent with objective standards.

This proposed Project is a 100% affordable housing project, and therefore, may be eligible for a density bonus under EGMC Section 23.50.020(G) which provides the eligibility criteria for density bonuses to increase the maximum number of units.

As to the request for a concession or incentive to allow ground floor residential, and assuming the request is authorized by law (see below), the City may deny a request for a concession/incentive if the City finds, among other possible findings, that the concession or incentive does not result in identifiable and actual cost reductions to provide for affordable housing. (Gov. Code, section 65915(d)(1)(A); see also EGMC, section 23.50.070(C)(1).)

As mentioned above, the Project site is located in the OTSPA with a designation of commercial. Residential use is only allowed in this zoning designation as mixed-use development on the 2nd or 3rd floor. The ground floor must be pedestrian-oriented commercial uses (i.e., retail, restaurants, or offices). The Project layout proposes an office on the ground floor, but also proposes ground floor residential, in conflict with the OTSPA. The Applicant seeks relief from this provision as a concession/incentive to allow residential on the ground floor. It is not clear under state law that an Applicant could be relieved of land use requirements as a concession/incentive. Therefore, this requested concession/incentive to allow residential on the ground floor appears unauthorized. But even if relief from this land use requirement was authorized by state law, the Applicant has not submitted adequate information indicating that the concession or incentive would result in identifiable and actual cost reductions, and thus the requested concession or incentive appears improper.

9. Does the Project meet objective design review standards per the Elk Grove Design Guidelines and the applicable zoning district regulations?

Staff Response: Yes. See design review standards analysis below:

Old Town Special Planning Area Guidelines:

Even though the Project is located within the Old Town Historic District, the property does not contain any historic landmarks or buildings as the property is vacant. However, the property is still zoned for commercial in the OTSPA and is required to be consistent with the following with the OTSPA objective guidelines to be eligible for SB35 streamlines, ministerial approval:

OTSPA Architecture: Yes. The Project uses at least two different architectural details listed in Table 8 of the OTSPA, which the plans show the following:

1. Tall narrow rectangular windows.
2. Building details wraps around sides.
3. Articulation on front façade with different roof heights/trellis.
4. Two different materials for texture- wood and stucco.
5. Decorative pavers at the entrance.
6. Different roof heights.

The Applicant's architect provided an explanation of the design motif, which stated, "the façade concept is to borrow from the Western Wood Siding Architectural Motif similar in style, materials and details seen in Historic Examples in Figure 23 of the OTSPA at 9039, 9075 and 9093 Elk Grove Boulevard and at adjacent neighboring projects structures at 9247 and 9271 Elk Grove Boulevard." In addition, the Figure 23 shows large vertical windows, wood siding and articulated two-story facades with front porches. In further details, the Oak Rose Apartments design aim is to mitigate the height and bulk of the commercial buildings with a stepped and articulated building façade with warm wood siding and landscaping.

OTSPA Compatibility: The Applicant provided revised plans that show a 6-foot tall fence on the west, east sides and there is an existing 6-foot tall wall on the south side of the property. In addition, there will be a 42-inch-tall fence on the northwest side of the property. This fencing will comply with the OTSPA requirement in regards with a fence between a commercial use and a residential use.

10. Is the Project located on a site that is any of the following:

Staff Response: Yes. Staff has determined that the Project site is not located in any of these areas listed below:

- a. Wetlands: no
- b. Earthquake fault zone: no
- c. High fire hazard zone: no
- d. Hazardous Waste site: no
- e. A site that will require demo of housing: no; this site is vacant
- f. FEMA- no, this site is Zone X
- g. Demo of a historic building: no, this site is vacant, however, this site is adjacent to a historical building.
- h. Mobile Home Residency law: no
- i. Protected species habitat: no
- j. Conservation easement: no

As mentioned in the May 5 and 19, 2022 Planning Commission Staff Reports, the Project is adjacent to a property that is eligible for the City's local registry. The Applicant provided a statement that the Project will not impact the integrity of the historic architecture as the Project will be set back 10 feet with a landscaping buffer, and the Project character will be modern while utilizing a wood siding motif that is similar to the OTSPA. In addition, there will be a fence between the two properties.

11. For projects of over 10 units, will the entire development be a "public work" as defined in Section 1720 of the California Labor Code, or will construction workers be paid at least the prevailing wage?

Staff Response: Yes. The Project is over 10 units. In the letter dated May 11, 2022, the Applicant certifies that the Project will pay state prevailing wages. The Applicant also notes in the same letter that proposed financing under the California Department of Housing and Community Multifamily Housing Program requires payment of state prevailing wages and the Applicant will comply with the requirement.

12. For Projects of 75 or more units, will a "skilled and trained" workforce, as defined in Section 2601 of the California Public Contracts Code, be used to complete the Development?

Staff Response: *Not applicable.* This Project is proposed for 67 units, which is less than 75 units. Therefore, this is not applicable.

Environmental Analysis

Projects which are disapproved or denied are exempt from CEQA review (CEQA Guidelines, § 15270). Since the Project does not meet the required objective standards, the disapproval of the Project is exempt from CEQA under this exemption. Note that eligible projects that comply with SB35 are considered ministerial and are also exempt from CEQA review. (Gov. Code § 65913.4)

Recommended Motion

The Planning Commission's role under SB35 is to review the Project against the City's objective standards, as discussed above. Staff recommends that the Planning Commission find that Project does not meet with the City's objective standards and is, therefore, not eligible for SB35 ministerial approval.

Should the Planning Commission agree with staff's recommendation, the following motion is suggested:

"I move that the Planning Commission adopt a Resolution finding that no further environmental review is required pursuant to State CEQA Guidelines Section 15270; and finding the Oak Rose Apartments Project (PLNG22-015) not eligible for Senate Bill 35 streamlined, ministerial approval based on the findings included in the draft Resolution."

Next steps

If the Planning Commission finds the Project to not comply with the SB35 criteria, in order to process the development, the Applicant would need to prepare and submit a new SB35 application restarting the City's project review timeline. The Applicant may, alternatively, appeal the Planning Commission's determination to the City Council. The City Council would also separately determine the propriety of the requested density bonus, concession, and/or incentives at an upcoming City Council meeting.

Attachments

1. Planning Commission Draft Resolution
2. Project Plans
3. Arborist Report dated August 21, 2021
4. Applicant's Architect Design Narrative dated May 10, 2022

ATTACHMENT 1
RESOLUTION

RESOLUTION NO. 2022-XX

JUNE 2, 2022

**A RESOLUTION OF THE CITY OF ELK GROVE PLANNING COMMISSION
FINDING THE PROJECT NOT ELIGIBLE FOR SENATE BILL 35 STREAMLINED
MINISTERIAL APPROVAL (CEQA EXEMPT)**

**OAK ROSE APARTMENTS PROJECT
PROJECT NO. PLNG22-015
9252 ELK GROVE BOULEVARD
APN: 134-0072-011**

WHEREAS, the Planning Division of the City of Elk Grove received a pre-application on November 9, 2021, and a formal application submittal on March 4, 2022, from Oak Rose Apts LP (the "Applicant") requesting processing of a supportive housing project pursuant to Senate Bill 35 (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: 134-0072-011; and

WHEREAS, the Development Services Department considered the Project request pursuant to Senate Bill 35 ("SB35") and the City's objective standards of the Elk Grove General Plan, Title 23 (Zoning) of the Elk Grove Municipal Code and the Old Town Elk Grove Special Planning Area Standards and Guidelines; and

WHEREAS, City staff had previously found that the Project did not comply with the City's objective standards, and so notified the Applicant; and

WHEREAS, the Planning Commission held a duly-noticed public oversight meeting on June 2, 2022, as provided 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 Planning Commission of the City of Elk Grove finds no further environmental review is required under CEQA for the Oak Rose Apartments Project (PLNG22-015) pursuant to CEQA Guidelines Section 15270 (Project Which Are Disapproved) and denies the Project as not eligible for SB35 ministerial approval based upon the following determinations and findings:

California Environmental Quality Act (CEQA)

Finding: No environmental review is necessary for the Oak Rose Apartments Project (PLNG22-015) pursuant to State CEQA Guidelines Section 15270 (Projects Which Are Disapproved).

Evidence: CEQA does not apply to projects which a public agency rejects or disapproves. Therefore, Planning Commission denial of the Project is exempt from CEQA pursuant to Section 15270.

AND, BE IT FURTHER RESOLVED, that, for the reasons presented by City staff and as identified on the record of the public oversight meeting, the Planning Commission of the City of Elk Grove hereby finds that the Project is not eligible for streamlined ministerial approval under SB35 as the Project does not comply with the City's objective standards including, without limitation:

1. The Old Town Special Planning Area commercial use zoning designation;
2. Elk Grove Municipal Code, Title 23 (Zoning), Lighting (Ch. 23.56);

AND, BE IT FURTHER RESOLVED, that the Planning Commission finds, based on the materials presented by the Applicant and City staff, and as identified on the record of the public meeting, that the requested concessions or incentives seeking relief from the City's land use restrictions are not authorized by law and, even if authorized, will not result in identifiable and actual cost reductions (Gov. Code §65915(d)(1)(A); EGMC §23.50.070(C)(1)).

The foregoing Resolution of the City of Elk Grove was passed and adopted by the Planning Commission on the 2nd day of June 2022, by the following vote:

AYES:

NOES

ABSENT:

ABSTAIN:

ATTEST:

Sandy Kyles, SECRETARY

George Murphey, CHAIR of the
PLANNING COMMISSION

ATTACHMENT 2
PROJECT PLANS

OAK ROSE

67 UNIT - 100% AFFORDABLE
PERMANENT SUPPORTIVE HOUSING

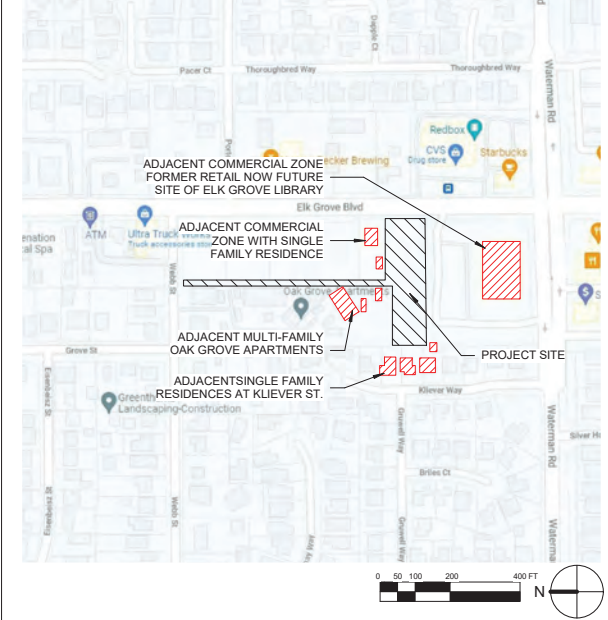
9252 ELK GROVE BLVD
ELK GROVE, CA 95624

ENTITLEMENT SET

ABBREVIATIONS

ABV	ABOVE	O.A.E.	OR APPROVED EQUAL
AFF	ABOVE FINISH FLOOR	OFCL	OWNER FURNISHED/ CONTRACTOR INSTALLED
A.G.L.	ADJ. GROUND LVL. PER LAMC SECT. 12.03	PTD	PAINTED
ADJ	ADJACENT	PR	PAIR
ALUM	ALUMINUM	PNL	PANEL
AT	AT	P.O.T.	PATH OF TRAVEL
BM	BEAM	PLY	PLYWOOD
BTWN	BETWEEN	P.I.C.	POURED-IN-PLACE CONCRETE
B.O.	BOTTOM OF BUILDING	PL	PROPERTY LINE
BLDG	BUILDING	RAD	RADIUS
BLNG	BUILT UP ROOF CEILING	RE	REFER TO
CL	CENTERLINE	REF	REFRIGERATOR
CLR	CLEAR	REQ'D	REQUIRED
COL	COLUMN	RF	ROOF
CONC	CONCRETE	RFNG	ROOFING
CMU	CONCRETE MASONRY UNIT	RM	ROOM
CONST	CONSTRUCTION	RO	ROUGH OPENING
CONTS	CONTINUOUS CONTRACTOR FURNISHED/ INSTALLED	SCHED	SCHEDULE
CJ	CONTROL JOINT	SCRN	SCREEN
D.G.	DECOMPOSED GRANITE	SECT	SECTION
DB	DESIGN/BUILD	SHWR	SHOWER
DET	DETAIL	SIM	SIMILAR
DIA	DIAMETER	S.C.	SOLID CORE
DIM	DIMENSION	SPECS	SPECIFICATIONS
ACC	DISABLED ACCESS	S.S.	STAINLESS STEEL
DWH	DOMESTIC HOT WATER	SP	STAND PIPE
DR	DOOR	STL	STEEL
DBL	DOUBLE	STR	STORAGE
DN	DOWN	STRCTL	STRUCTURAL
DS	DOWNSPOUT	STRCT	STRUCTURE
DWGS	DRAWINGS	TEMP	TEMPERED
EA	EACH	THK	THICK
EVCS	ELEC. VEHICLE CHARGING STATION	THRU	THROUGH
ELEC	ELECTRICAL	T.O.	TOP OF
EL (ELEV.)	ELEVATION	TYP	TYPICAL
EQ	EQUAL/EQUAL TO	UFAS	UNIFORM FEDERAL ACCESSIBILITY STANDARDS
EQMT	EQUIPMENT	U.N.O.	UNLESS NOTED OTHERWISE
(E)	EXISTING	URNL	URNAL
EXT	EXTERIOR	VNR	VENEER
F.O.C.	FACE OF CONCRETE	VER	VERIFY
F.O.PLY.	FACE OF PLYWOOD	VIF	VERIFY IN FIELD
F.O.S.	FACE OF STUD FINISH	WD	WASHER/ DRYER
FIN	FINISH	W.P.	WATERPROOFING
FFL	FINISH FLOOR LEVEL	W	WINDOW
FEC	FIRE EXTINGUISHER CABINET	W/	WITH
FH	FIRE HYDRANT	WO	WITHOUT
FSR	FLAME SPREAD RATING	WD	WOOD
FLR	FLOOR	WNDW	WINDOW
FLOUR	FLOORING	W/	WITH
FRMG	FRAMING	W/O	WITHOUT
GALV	GALVANIZED	W	WOOD
GA	GAUGE		
GEO	GEOTECHNICAL		
GLAZ	GLAZING		
GYP. BD.	GYP. BOARD		
HT	HEIGHT		
H.C.	HOLLOW CORE		
H.M.	HOLLOW METAL		
HW	HOT WATER		
INSUL	INSULATION		
INT	INTERIOR		
JAN	JANITOR		
JT	JOINT		
KIT	KITCHEN		
LDSC	LANDSCAPE		
LAV	LAVATORY		
LOC	LOCATION		
MFR	MANUFACTURER		
MAX	MAXIMUM		
MECH	MECHANICAL		
MTL	METAL		
MIN	MINIMUM		
(N)	NEW		
N/A	NOT APPLICABLE		
N.I.C.	NOT IN CONTRACT NUMBER		
NO.	NUMBER		
O.C.	ON CENTER		
OPER	OPERABLE		
OPP	OPPOSITE		

VICINITY MAP



ZONING INFORMATION

ZONING: COMMERCIAL MULTIFAMILY OTSPA (RD-30)

DENSITY:
THE PROJECT UTILIZES DENSITY BONUS AND PARKING EXEMPTIONS PER AB 1763. ALLOWABLE DENSITY: 30 DU/ACRE, 1.23 ACRES=36.9 DU. MAX. INCENTIVES PER AB 1763: FOR 100% AFFORDABLE HOUSING PROJECTS, AN 80% INCREASE DENSITY AND UP TO FOUR INCENTIVES: 36.9 DU X 80% INCREASE = 66.42 = 67. NUMBER OF UNITS PROVIDED: 67 (66) STUDIOS AND (1) 2-BEDROOM.

LOT/PARCEL AREA: 53,578.8 SF

HEIGHT LIMIT: 45 FEET

ALLOWABLE NUMBER OF STORIES: 1 TO 3
NUMBER OF STORIES PROVIDED: 3 STORIES

SETBACKS:

REQUIRED FRONT: ≤ 7.5 FEET MAX.
PROVIDED FRONT: 12.5 FEET DUE TO PROPOSED CITY UTILITY EASEMENT
REQUIRED SIDE: HISTORIC OLD TOWN = 10' FT. EAST AND WEST OLD TOWN ≤ 12 FT.
PROVIDED SIDE: 6 FT EAST AND WEST
REQUIRED REAR: AVG. OF REAR YARD SETBACK PROVIDED FOR THE BUILDING ON EACH ADJACENT SIDE.
PROVIDED REAR: 90' - 3 1/4' FT TO BUILDING 9 FT TO FIRE LANE AND PARKING

FLOOR AREA SUMMARY:

LOT COVERAGE (INCLUDES ALL COVERED AND BUILDING AREAS):
REQUIRED: 50% MAX.
MAX. LOT COVERAGE ALLOWED: 80% PER TABLE 23.29-1 RD-30
53,578.8 SF X 0.8 = 42,863.04 SF
PROVIDED: 34,790.96 SF

FLOOR AREA RATIO (F.A.R.) [F.A.R. IS BASED ON THE GROSS BUILDING AREA OF DEVELOPMENT EXCLUSIVE OF STRUCTURED PARKING AREAS AND INCLUDES AREAS WITHIN THE EXTERIOR WALLS. EXTERIOR COVERED, NOT-ENCLOSED AREAS ARE EXCLUDED.]

NON RESIDENTIAL BUILDING INTENSITY MAX F.A.R. = 1.0
IN COMMERCIAL ZONED DENSITY
1.0 X 53,578.8 SF = 53,578.8 SF > 34,790.96 SF

APPLICABLE CODES:

- 2019 CALIFORNIA BUILDING CODE (CBC) & TITLE 24
- AMERICANS WITH DISABILITY ACT (ADA)
- 2019 CALIFORNIA GREEN BUILDING CODE (CGG)
- 2019 CALIFORNIA MECHANICAL, PLUMBING AND ELECTRICAL CODES (CMC, CPC, CEC)
- 2019 CALIFORNIA ENERGY CODE (CEnc)

PARKING:

FOR AFFORDABLE HOUSING A 50% VEHICLE REDUCTION IS ALLOWED.
PARKING IN SUBURBAN ZONE = 1.5/DU = 1.5 x 67 = 100.5
100.5/2 = 50.25.

THE FRONT YARD IS NOT ALLOWED TO BE PAVED FOR PARKING OR PATIO AREAS.
INCENTIVES PER AB 1763: NO PARKING REQ'D FOR SUPPORTIVE HOUSING SEE FUNDING INCENTIVES THIS PAGE
PROVIDED: 7 SPACES + 1 ADA SPACE = 8 SPACES

BIKE PARKING:

REQUIRED: 1 SPACE/20 DU (SHORT TERM) = 67/20 = 3.35 = 4
1 SPACE/2 DU (LONG TERM) = 67/2 = 33.5 = 34
PROVIDED: 4 SHORT TERM (BIKE RACK)
34 LONG TERM (BIKE ROOM)

OPEN SPACE:

MIN 20% PER TABLE 23.29-1 RD-30
53,578.8 SF X 0.2 = 10,715.76 SF
PROVIDED: 13,133 SF + 1198 SF + 201 SF = 14,532 SF > 10,715.76 SF
ADDITIONAL UNDEVELOPED AREA PROVIDED: 10646.70 SF

TREE SHADE PROVIDED:

SEE 1.00 FOR 75% SHADED PARKING

PROJECT INFORMATION

PROJECT DESCRIPTION:

NEW (3) STORY 100% AFFORDABLE PERMANENT SUPPORTIVE/SPECIAL NEEDS HOUSING FOR FORMERLY HOMELESS INDIVIDUALS OWNED AND OPERATED BY THE PRIVATE ENTITY OF EXCELERATE HOUSING GROUP. THE PROPOSED DEVELOPMENT WILL RECEIVE FUNDING FROM: STATE OF CA TAX CREDIT ALLOCATION COMMITTEE (TCAC)

THE PROJECT INCLUDES:

- 66 STUDIOS (377 SF)
- (1) TWO-BEDROOM (802 SF)
- AUXILIARY COMMUNITY SPACES AND OFFICES
- 7 ON-GRADE PARKING SPACES.
- LONG & SHORT TERM BIKE PARKING

LEGAL DESCRIPTION:

ALL THAT PORTION OF LOTS 1 AND 14, AS SHOWN ON THE MAP ENTITLED "GUNTER'S ADDITION TO ELK GROVE" RECORDED MAY 18, 1912 IN BOOK OF MAPS, PAGE 21.
ASSESSOR PARCEL # (APN) : 134-0072-011-0000

PROJECT INFORMATION:

ZONING: COMMERCIAL MULTI-FAMILY OTSPA
LOT/SITE AREA SQUARE FOOTAGE (PER SURVEY): 53,578.8 SF
ACREAGE: 1.23 NET ACRES
LOT SIZE: 115.28 FEET BY 171.24 FEET. NORTH HALF: 95.58 FEET BY 174.00 FEET. SOUTH HALF: 18 FEET BY 612.24 FEET. WESTERN SECTION

BUILDING & SAFETY

TYPE OF CONSTRUCTION: TYPE V-A FULLY SPRINKLERED, NFPA 13

OCCUPANCY GROUP: 'R-2' APARTMENTS WITH MINOR 'B' OFFICE AND 'A-3' COMMUNITY ROOM & LOUNGE

OCC.	TYPE	ALLOWABLE STORIES ABOVE GRADE PLANE	ALLOWABLE HEIGHT ABOVE GRADE PLANE	ALLOWABLE AREA
R-2	V-A	3 STORIES	60 FT	36,000 FT ²
B	V-A	3 STORIES	85 FT	54,000 FT ²
A-3	V-A	2 STORIES	85 FT	34,500 FT ²

HEIGHT LIMIT: PER TABLE 504.4: R-2 GROUP OF TYPE V-A = 4 STORIES, 60 FEET

NOTE: BUILDING IS FULLY SPRINKLERED PER SECT. 903.3.11

BUILDING HEIGHT: BUILDING HEIGHT PROVIDED = 30'-0" (SEE ELEVATIONS)

PER CBC 202 "GRADE PLANE" IS "A REFERENCE PLANE REPRESENTING THE AVERAGE OF FINISHED GROUND LEVEL ADJOINING THE BUILDING AT EXTERIOR WALLS. WHERE THE FINISHED GROUND LEVEL SLOPES AWAY FROM THE EXTERIOR WALLS, THE REFERENCE PLANE SHALL BE ESTABLISHED BY THE LOWEST POINTS WITHIN THE AREA BETWEEN THE BUILDING AND THE LOT LINE, OR, WHERE THE LOT LINE IS MORE THAN 6 FEET FROM THE BUILDING, BETWEEN THE BUILDING AND A POINT 6 FEET FROM THE BUILDING".

FLOOR AREA GROSS: 34,790.96 SF (INCLUDES BUILDING AREAS WITHIN THE EXTERIOR WALLS. EXCLUDES EXTERIOR COVERED, NOT ENCLOSED AREAS.)

1ST FLOOR (R-2/B/A-3) 13,246.42 SF
2ND FLOOR (R-2/B/A-3) 11,136.34 SF
3RD FLOOR (R-2) 10,408.20 SF

RATIO OF MIXED OCCUPANCIES: PER CBC SECT. 508.4: IN EACH STORY THE BUILDING AREA SHALL BE SUCH THAT THE SUM OF THE RATIOS OF THE ACTUAL BUILDING AREA OF EACH SEPERATED OCCUPANCY DIVIDED BY THE ALLOWABLE BUILDING AREA OF EACH SEPERATED OCCUPANCY SHALL NOT EXCEED 1.

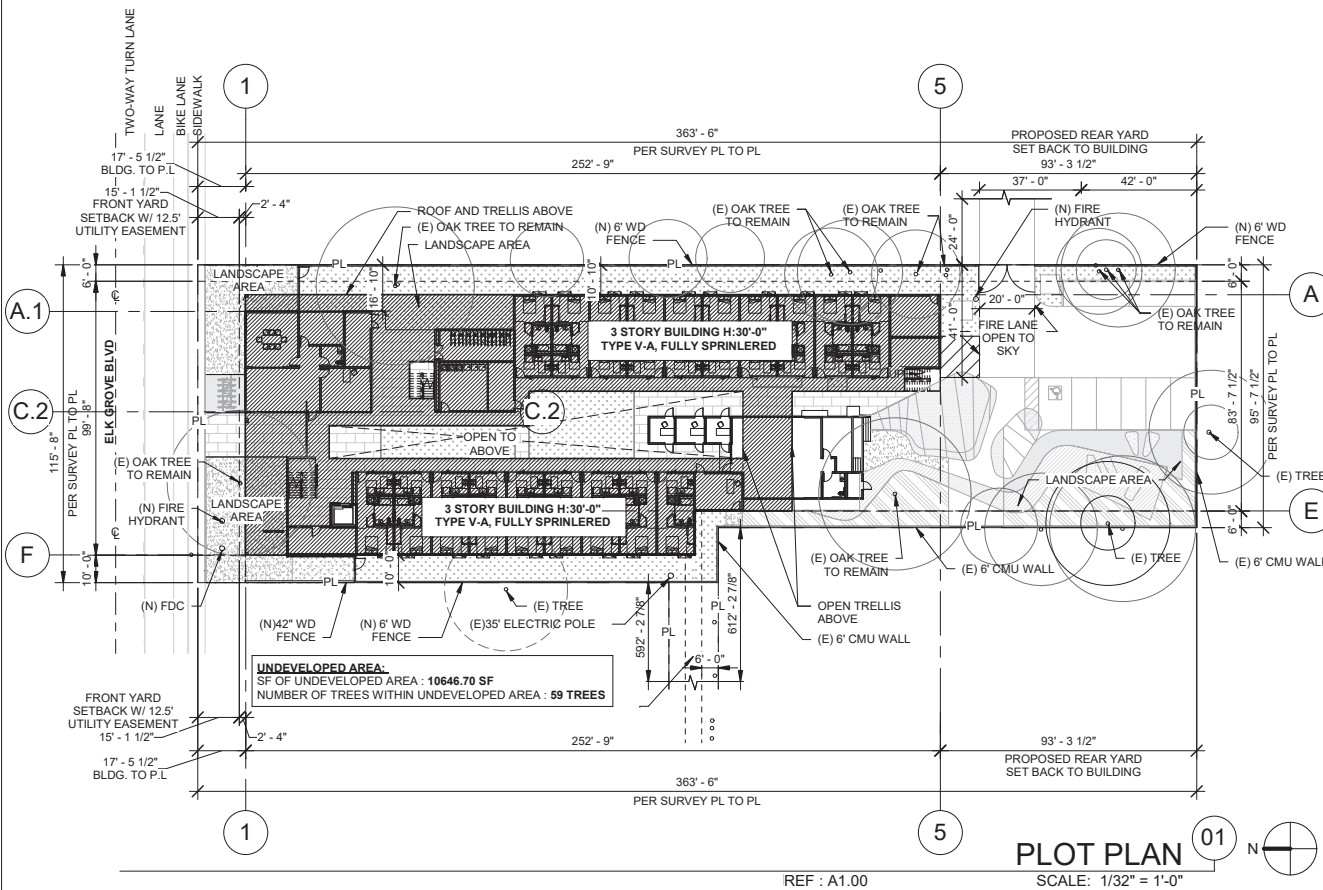
FIRST FLOOR:	SECOND FLOOR:	THIRD FLOOR:
(R-2) 7,497 / 36,000 SF = 0.2082	(R-2) 10,397 / 36,000 SF = 0.2888	(R-2) 9,467 / 36,000 SF = 0.2630
(B-1) 3,696 / 54,000 SF = 0.0684	(B-1) 206 / 54,000 SF = 0.0038	(B-1) 206 / 54,000 SF = 0.0038
(A-3) 1,247 / 34,500 SF = 0.0361	(A-3) 313 / 34,500 SF = 0.0091	
= 0.3109 < 1.0	= 0.3016 < 1.0	= 0.2668 < 1.0

	TYPE V-A
STRUCTURAL FRAME	1
EXTERIOR BEARING *	1
INTERIOR BEARING *	1
EXTERIOR NON-BEARING	FOR OCCUPANCY A-3, B, R-2 SEE TABLE 602 (FOR MORE INFO)
INTERIOR NON-BEARING	0
FLOOR CONSTRUCTION	1
ROOF CONSTRUCTION	1

FUNDING INCENTIVES

INCENTIVES PER AB1763/GOVERNMENT CODE SECTION 65915(P)(4): PROJECT CONSISTS SOLELY OF RENTAL UNITS, EXCLUSIVE OF A MANAGER'S UNIT OR UNITS, WITH AN AFFORDABLE HOUSING COST TO LOWER INCOME FAMILIES, AS PROVIDED IN SECTION 50652.5 OF THE HEALTH AND SAFETY CODE AND PROJECT IS A SUPPORTIVE HOUSING DEVELOPMENT, AS DEFINED IN SECTION 50675.14 OF THE HEALTH AND SAFETY CODE.

GENERAL AREA PLOT PLAN



PERSPECTIVE VIEW



PARTICIPANTS

OWNER/CLIENT: EXCELERATE HOUSING GROUP (EHG) 3910 CLOVER STREET LONG BEACH, CA 90808 TEL: 562-268-2700 EXT 103 CONTACT: PETER ENZMINGER	LANDSCAPE: YAMASAKI LANDSCAPE ARCHITECTS 1223 HIGH STREET AJUBURN, CA 95603 TEL: 530-895-0040 CONTACT: JEFF AMBROSIA
ARCHITECTS: BROOKS SCARPA 3929 139TH ST. HAWTHORNE, CA 90250 TEL: 323-596-4700 EXT 706 FAX: 310-453-9606 CONTACT: ELEFTHERIA STRAVRIDU	STRUCTURAL ENGINEER: LABIB FUNK + ASSOCIATES 319 MAIN STREET EL SEGUNDO, CA 90245 TEL: 310-514-7548 CONTACT: FABIO ZANGOLI
CIVIL ENGINEER: LABIB FUNK + ASSOCIATES 319 MAIN STREET EL SEGUNDO, CA 90245 TEL: 213-239-9700 EXT 150 CELL: 310-529-6425 CONTACT: FRANK LAROCCA	MEP ENGINEER: IDIAZ DESIGN, INC. 3700 WILSHIRE BOULEVARD, SUITE 910 LOS ANGELES, CA 90010 TEL: 310-938-8730 EXT 201 CELL: 310-913-6464 CONTACT: GLAD NAHARI
	SOLAR: PROMISE ENERGY, INC. 3558 ROUND BARN BOULEVARD, SUITE 200 SANTA ROSA, CA 9403 TEL: 213-444-9100 CONTACT: ANDY MANNLE

CONCEPTUAL DESIGN	2021-12-06
SCHEMATIC DESIGN	YYYY-MM-DD
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PERMIT SET	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
CONSTRUCTION ISSUE	YYYY-MM-DD

OAK ROSE APARTMENTS PERMANENT SUPPORTIVE HOUSING - 67 UNITS

BROOKS SCARPA

9252 ELK GROVE BLVD
ELK GROVE, CA 95624
PROJECT NUMBER: 21007.0

REVISIONS:	△ -	△ -
△ -	△ -	△ -
△ -	△ -	△ -

SHEET TITLE: COVER SHEET

SCALE: As indicated

DATE PRINTED: 5/10/2022 4:32:06 PM

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A0.00

BROOKS SCARPA
ARCHITECTURE
3929 W 139TH ST
HAWTHORNE, CA 90250
t: 323.596.4700
f: 310.453.9606

LEGAL DESCRIPTIONS:
 THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ELK GROVE IN THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:
 ALL THAT PORTION OF LOTS 1 AND 14, AS SHOWN ON THE MAP ENTITLED, "OWNER'S ADDITION TO ELK GROVE", RECORDED MAY 18, 1912, IN BOOK 13 OF MAPS, PAGE 21.
 BEGINNING AT A POINT IN THE CENTER LINE OF MAIN STREET LOCATED NORTH 89° 56' WEST 341.70 FEET FROM THE NORTHEAST CORNER OF SAID LOT 1 (SAID NORTHEAST CORNER BEING LOCATED ON THE CENTER LINE OF SAID MAIN STREET 80 FEET IN WIDTH);
 THENCE 89° 56' WEST 115.00 FEET ALONG THE NORTH LINE OF SAID LOT 1 TO THE NORTHEAST CORNER OF LOT CONVEYED TO REGINALD ROLFE BY DEED RECORDED IN BOOK 495 OF DEEDS, PAGE 91; THENCE ALONG ROLFE'S EAST LINE, SOUTH 00° 02'-1/2" WEST 201.24 FEET; THENCE ALONG ROLFE'S SOUTH LINE AND THE EXTENSION THEREOF, NORTH 89° 56' WEST 641.70 FEET TO THE SOUTHWEST CORNER OF LOT CONVEYED TO BRUCE F. MITCHELL BY DEED RECORDED IN BOOK 484 OF DEEDS, PAGE 584; THENCE SOUTH 00° 02'-1/2" WEST 18.00 FEET TO THE NORTHWEST CORNER OF LOT CONVEYED TO JOHN W. RODEN'S NORTH LINE, THENCE SOUTH 89° 56' EAST 661.70 FEET TO THE NORTHEAST CORNER OF RODEN'S LOT; THENCE ALONG RODEN'S EAST LINE SOUTH 00° 02'-1/2" WEST 174 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE ALONG THE SOUTH LINE OF SAID LOT SOUTH 89° 56' EAST 85.58 FEET TO A POINT ON SAID SOUTH LINE, THENCE NORTH, PARALLEL TO THE EAST LINE OF SAID LOT 1, 393.24 FEET TO THE POINT OF BEGINNING.

APN: 134-0072-011-0000
TITLE EXCEPTIONS:
 1. PROPERTY TAXES, WHICH ARE A LIEN NOT YET DUE AND PAYABLE, INCLUDING ANY ASSESSMENTS COLLECTED WITH TAXES TO BE LEVIED FOR THE FISCAL YEAR 2021-2022.
 2. PRIOR TO CLOSE OF ESCROW, PLEASE CONTACT THE TAX COLLECTOR'S OFFICE TO CONFIRM ALL AMOUNTS OWING, INCLUDING CURRENT FISCAL YEAR TAXES, SUPPLEMENTAL TAXES, ESCAPED ASSESSMENTS AND ANY DELINQUENCIES.
 3. THE LIEN OF SUPPLEMENTAL OR ESCAPED ASSESSMENTS OF PROPERTY TAXES, IF ANY, MADE PURSUANT TO THE PROVISIONS OF CHAPTER 3.5 (COMMENCING WITH SECTION 75) OF PART 2, CHAPTER 3, ARTICLES 3 AND 4, RESPECTIVELY, OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA AS A RESULT OF THE TRANSFER OF

TITLE TO THE VESTEE NAMED IN SCHEDULE A OR AS A RESULT OF CHANGES IN OWNERSHIP OR NEW CONSTRUCTION OCCURRING PRIOR TO DATE OF POLICY.
 4. THE HEREIN DESCRIBED LAND IS WITHIN THE BOUNDARIES OF THE MELLO-ROOS COMMUNITY FACILITIES DISTRICT(S). ANNUAL ASSESSMENTS, IF ANY, ARE COLLECTED WITH THE COUNTY PROPERTY TAXES. FAILURE TO PAY SAID TAXES PRIOR TO THE DELINQUENCY DATE, MAY RESULT IN THE ABOVE ASSESSMENT BEING REMOVED FROM THE COUNTY TAX ROLL AND SUBJECT TO ACCELERATED JUDICIAL BOND FORECLOSURE. INQUIRY SHOULD BE MADE WITH SAID DISTRICT FOR POSSIBLE STRIPPED ASSESSMENTS AND PRIOR DELINQUENCIES.
 ACCOUNT # 0155, ELK GROVE SCHOOL DISTRICT CTD # 1 MELLO ROOS # 45.84
 5. ANY UNPAID AMOUNTS NOW OWING, FOR DELINQUENT UTILITIES, OF RECORD OR NOT, AMOUNTS CAN BE ASCERTAINED BY CONTACTING THE FOLLOWING:
 COUNTY OF SACRAMENTO AT (916) 875-5555, AND/OR INCLUDING:
 CITY OF SACRAMENTO AT (916) 808-5454.
 CITY OF FOLSOM AT (916) 355-7200.
 CITY OF GAITHER AT (916) 366-7150.
 CITY OF ELK GROVE AT (916) 478-3642.
 CITY OF RANCHO CORDOVA AT (916) 638-9000.
 CITY OF SILESON AT (916) 771-7700.
 CITY OF CITRUS HEIGHTS AT (916) 725-2448, AND FOR WASTE CHARGES - ALLIED WASTE AT (916) 725-9060, AND AS REQUIRED, FAX REQUEST TO (916) 463-0297.
 SACRAMENTO SUBURBAN WATER DISTRICT AT (916) 972-7171.
 6. RIGHTS OF THE PUBLIC TO ANY PORTION OF THE LAND LYING WITHIN THE AREA COMMONLY KNOWN AS ELK GROVE BOULEVARD AND WEBB STREET.
 7. MATTERS CONTAINED IN THAT CERTAIN DOCUMENT ENTITLED: COVENANT AND AGREEMENT EXECUTED BY: ELK GROVE & WATERMAN, LLC AND MERLE RONALD HAGGARD RECORDING DATE: JANUARY 27, 2010 RECORDING NO: BOOK 20100127, PAGE 733, OF OFFICIAL RECORDS. REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS.

8. THE SEARCH DID NOT DISCLOSE ANY OPEN MORTGAGES OR DEEDS OF TRUST OF RECORD, THEREFORE THE COMPANY RESERVES THE RIGHT TO REQUIRE FURTHER EVIDENCE TO CONFIRM THAT THE PROPERTY IS UNENCUMBERED AND FURTHER RESERVES THE RIGHT TO MAKE ADDITIONAL REQUIREMENTS OR ADD ADDITIONAL ITEMS OR EXCEPTIONS UPON RECEIPT OF THE REQUESTED EVIDENCE.
 9. ANY RIGHTS OF THE PARTIES IN POSSESSION OF A PORTION OF, OR ALL OF, SAID LAND, WHICH RIGHTS ARE NOT DISCLOSED BY THE PUBLIC RECORDS.
 THE COMPANY WILL REQUIRE, FOR REVIEW, A FULL AND COMPLETE COPY OF ANY UNRECORDED AGREEMENT, CONTRACT, LICENSE AND/OR LEASE, TOGETHER WITH ALL SUPPLEMENTS, ASSIGNMENTS AND AMENDMENTS THERETO, BEFORE ISSUING ANY POLICY OF TITLE INSURANCE WITHOUT EXCEPTING THIS ITEM FROM COVERAGE.
 THE COMPANY RESERVES THE RIGHT TO EXCEPT ADDITIONAL ITEMS AND/OR MAKE ADDITIONAL REQUIREMENTS AFTER REVIEWING SAID DOCUMENTS.
 10. MATTERS WHICH MAY BE DISCLOSED BY AN INSPECTION AND/OR BY A CORRECT ALTA/NPS LAND TITLE SURVEY OF SAID LAND THAT IS SATISFACTORY TO THE COMPANY, AND/OR BY INQUIRY OF THE PARTIES IN POSSESSION THEREOF.
 11. THE COMPANY WILL REQUIRE THAT AN OWNER'S AFFIDAVIT BE COMPLETED BY THE PARTY(S) NAMED BELOW BEFORE THE ISSUANCE OF ANY POLICY OF TITLE INSURANCE.
 PARTY(S): MERLE RONALD HAGGARD AND THERESA LANE HAGGARD, TRUSTEES OF THE HAGGARD FAMILY TRUST OF 2004, DATED AUGUST 19, 2004.
 THE COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL ITEMS OR MAKE FURTHER REQUIREMENTS AFTER REVIEW OF THE REQUESTED AFFIDAVIT.
 12. ANY INVALIDITY OR DEFECT IN THE TITLE OF THE VESTEE(S) IN THE EVENT THAT THE TRUST REFERRED TO HEREIN IS INVALID OR FAILS TO GRANT SUFFICIENT POWERS TO THE TRUSTEE(S) OR IN THE EVENT THERE IS A LACK OF COMPLIANCE WITH THE TERMS AND PROVISIONS OF THE TRUST INSTRUMENT.
 IF TITLE IS TO BE INSURED IN THE TRUSTEE(S) OF A TRUST, (OR IF THEIR ACT IS TO BE INSURED), THIS COMPANY WILL REQUIRE A TRUST CERTIFICATION PURSUANT TO CALIFORNIA PROBATE CODE SECTION 18100.5.
 THE COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL ITEMS OR MAKE FURTHER REQUIREMENTS AFTER REVIEW OF THE REQUESTED DOCUMENTATION.

13. THE TRANSACTION CONTEMPLATED IN CONNECTION WITH THIS REPORT IS SUBJECT TO THE REVIEW AND APPROVAL OF THE COMPANY'S CORPORATE UNDERWRITING DEPARTMENT. THE COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL ITEMS OR MAKE FURTHER REQUIREMENTS AFTER SUCH REVIEW.
 14. THE COMPANY WILL REQUIRE THE FOLLOWING DOCUMENTS FOR REVIEW PRIOR TO THE ISSUANCE OF ANY TITLE INSURANCE PRECEDING UPON A CONVEYANCE OR ENCUMBRANCE FROM THE ENTITY NAMED BELOW:
 LIMITED LIABILITY COMPANY: EXCELERATE HOUSING GROUP, LLC
 A) A COPY OF ITS OPERATING AGREEMENT, IF ANY, AND ALL AMENDMENTS, SUPPLEMENTS AND/OR MODIFICATIONS THERETO, CERTIFIED BY THE APPROPRIATE MANAGER OR MEMBER.
 B) IF A DOMESTIC LIMITED LIABILITY COMPANY, A COPY OF ITS ARTICLES OF ORGANIZATION AND ALL AMENDMENTS.
 C) IF THE LIMITED LIABILITY COMPANY IS MEMBER-MANAGED, A FULL AND COMPLETE CURRENT LIST OF MEMBERS, CERTIFIED BY THE APPROPRIATE MANAGER OR MEMBER.
 D) A CURRENT DATED CERTIFICATE OF GOOD STANDING FROM THE PROPER GOVERNMENTAL AUTHORITY OF THE STATE IN WHICH THE ENTITY IS CURRENTLY DOMICILED.
 E) IF LESS THAN ALL MEMBERS, OR MANAGERS, AS APPROPRIATE, WILL BE EXECUTING THE CLOSING DOCUMENTS, FURNISH EVIDENCE OF THE AUTHORITY OF THOSE SIGNING.
 F) IF LIMITED LIABILITY COMPANY IS A SINGLE MEMBER ENTITY, A STATEMENT OF INFORMATION FOR THE SINGLE MEMBER WILL BE REQUIRED.
 G) EACH MEMBER AND MANAGER OF THE LLC WITHOUT AN OPERATING AGREEMENT MUST EXECUTE IN THE PRESENCE OF A NOTARY PUBLIC THE CERTIFICATE OF CALIFORNIA LLC (WITHOUT AN OPERATING AGREEMENT) STATUS AND AUTHORITY FORM.



LEGEND

○	APPROXIMATE DRIP LINE
○	DIMENSION POINT
■	FOUND MONUMENT
■	DATE
—	UTILITY WIRE
—	IRRIGATION VALVE
—	POWER POLE
—	POWER PULL BOX
—	SEWER MANHOLE
—	SEWER CLEANOUT
—	STREET LIGHTS
—	STORM DRAIN MANHOLE
—	TREE AS NOTED
—	WATER MANHOLE
—	WATER VALVE

PROPERTY PROFILE:
 PROPERTY OWNER OF RECORD:
 MERLE RONALD HAGGARD
 7891 SILVER BRIDGE RD PALO
 CERO, CA 96073
 SUBJECT PROPERTY STREET ADDRESS:
 9252 ELK GROVE BOULEVARD
 ELK GROVE, CA 95624
 ASSESSOR'S PARCEL NUMBER:
 134-0072-011 (SACRAMENTO COUNTY)
 PARCEL AREA:
 1.234 ACRES
 FEMA FLOOD ZONE:
 ZONE "X" AREAS DETERMINED TO BE
 OUTSIDE THE 0.2% ANNUAL CHANCE
 FLOOD PLAIN (FIRM MAP NO.
 960810338H), EFFECTIVE DATE AUGUST
 16, 2012)

ZONING INFORMATION:
 APN 134-0072-011 - ZONING: COMMERCIAL - USE PERMITTED
BUILDING HEIGHT RESTRICTIONS:
 A. HEIGHT OF NEW BUILDING OR BUILDING ADDITIONS LIMIT:
 FORTY FIVE (45) FEET, EXCEPT:
 A.1. TYPE 2 DESIGN REVIEW APPROVAL BY THE PLANNING COMMISSION.
 A.2. NEW BUILDINGS NOT IN FRONT OF ELK GROVE BOULEVARD AND ADJACENT TO RESIDENTIAL WILL BE LIMITED TO A MAXIMUM OF THIRTY-FIVE (35) FEET.
 B. A THIRD FLOOR SHALL BE FIVE (5) FEET FROM THE STREET WALL.
 C. BUILDING HEIGHTS MUST BE MAINTAINED THAT RELATE TO ADJACENT STRUCTURES AT THE STREET FRONTAGE. TALLER PORTIONS OF THE BUILDING SHALL BE SETBACK SO AS NOT TO DISRUPT THE RHYTHM OF THE EXISTING STREET FACADE.
 D. ALL GROUND LEVEL USES SHOULD HAVE A MINIMUM HEIGHT OF TEN (10) FEET FROM FLOOR TO THE MAJOR FINISH CEILING, EXCLUDING SOFFITS.

BUILDING SETBACKS:
 FRONT YARD: ≤ 7.5 FEET
 STREET SIDE: ≤ 7.5 FEET
 SIDE YARD - INTERIOR:
 A. HISTORIC OLD TOWN: 0 FEET
 B. WEST AND EAST OLD TOWN: ≤ 12 FEET BETWEEN BUILDINGS
 REAR YARD: AVERAGE OF REAR YARD SETBACK PROVIDED FOR THE BUILDINGS ON EACH ADJACENT SIDE.
BASIS OF BEARINGS:
 NAD83 CALIFORNIA STATE PLANE ZONE JULY 08, 2021 - CCRS3, ZONE3 (2011)
 ALL DISTANCES SHOWN ARE GROUND DISTANCES

PHOTOGRAPHIC IMAGES:
 PHOTOGRAPHIC IMAGES TAKEN ON AUGUST 7, 2019
 PER NEARMAP U.S., INC., AERIAL IMAGERY
SURVEYOR:
 PSONAS
 11667 BLOCHER DRIVE, SUITE 200
 AUBURN, CA 96903
 (805) 503-3632
 LESTER E. CARTER JR., PLS 6148
 LESTER.CARTER@PSONAS.COM
 WWW.PSONAS.COM

SURVEYOR'S CERTIFICATE
 TO HAGGARD FAMILY TRUST OF 2004, OAK ROSE APTS LP, EXCELERATE HOUSING GROUP LLC, COMMERCIAL LAND TITLE COMPANY AND THEIR SUCCESSORS AND ASSIGNS:
 THIS IS TO CERTIFY (AS DEFINED AND LIMITED BY SECTION 8770.6 OF THE BUSINESS AND PROFESSIONS CODE OF CALIFORNIA) THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA AND NPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b), 8, 9, 11, 13, 14, 16, 17, 18, 19, 20 OF TABLE "A" THEREOF.
 DATE OF PLAT MAP: JULY 26, 2021
 LESTER E. CARTER JR.
 CALIFORNIA PROFESSIONAL
 LAND SURVEYOR NO. 6148

ALTA SURVEY OF APN: 134-0072-011
IN THE CITY OF ELK GROVE, CALIFORNIA FOR
OAK ROSE APARTMENTS, L.P., C/O
EXCELERATE HOUSING GROUP
 A PORTION OF
 SECTION 06, T.06 N., R.06 E., M.D.B.&M.
 SACRAMENTO COUNTY, CALIFORNIA
 SCALE: 1" = 20' JULY, 2021
PSONAS
 11667 Blocher Drive, Suite 200
 Auburn, CA 96903
 (805) 503-3632
 SHEET 1 OF 1



CROSS STREET PROPERTY ⁰⁹
SCALE: NTS



CROSS STREET PROPERTY ⁰⁶
SCALE: NTS



CROSS STREET PROPERTY ⁰³
SCALE: NTS



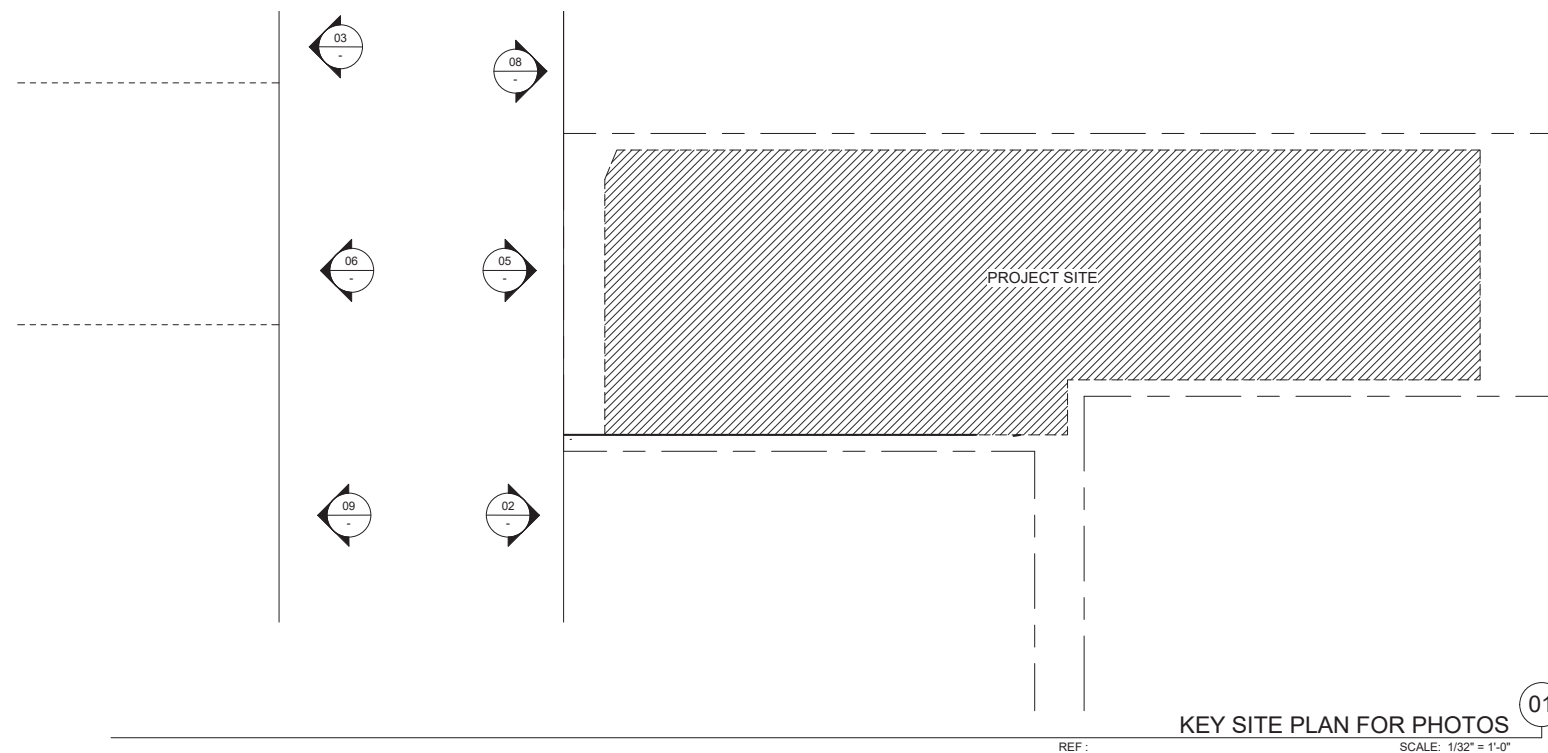
ADJACENT PROPERTY ⁰⁸
SCALE: NTS



EXISTING SITE ⁰⁵
SCALE: NTS



ADJACENT PROPERTY ⁰²
SCALE: NTS



KEY SITE PLAN FOR PHOTOS ⁰¹
SCALE: 1/32" = 1'-0"

SCHMATIC DESIGN	2021-12-06	
DESIGN DEVELOPMENT	YYYY-MM-DD	
CONSTRUCTION DOCUMENTS	YYYY-MM-DD	
PLAN CHECK SUBMITTAL	YYYY-MM-DD	
PLAN CHECK RESUBMITTAL	YYYY-MM-DD	
BID ISSUE	YYYY-MM-DD	
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD	

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
ELK GROVE, CA 95624

PROJECT NUMBER: 21007.0

REVISIONS		
△ -		△ -
△ -		△ -
△ -		△ -

SHEET TITLE: **SITE PHOTOS**

SCALE: 1/32" = 1'-0"

DATE PRINTED: 5/10/2022 4:32:13 PM

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A0.04

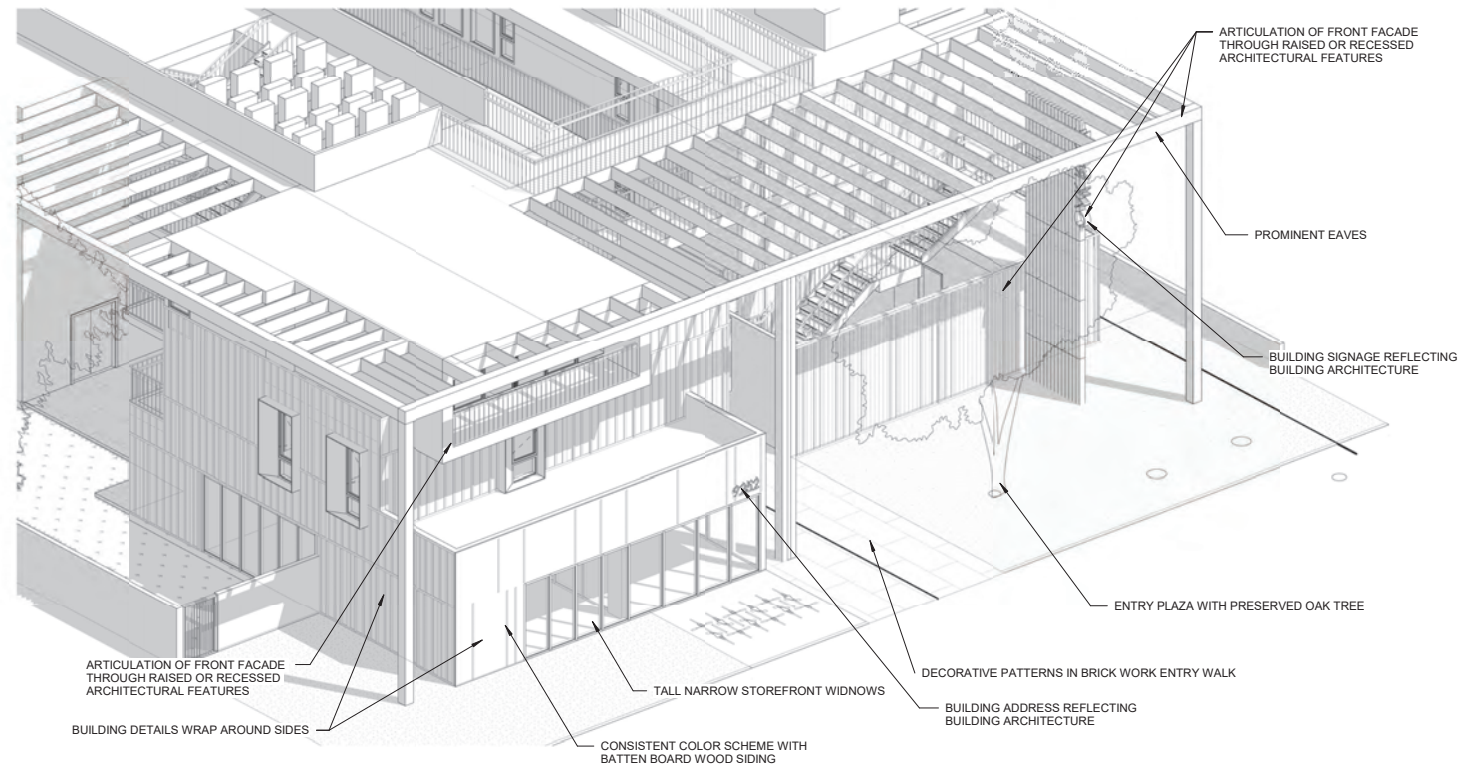


IMAGE 02 ⁰³
SCALE: REF :
SCALE: REF :



NORTH ELEVATION IMAGE ⁰¹
SCALE: 12" = 1'-0"
SCALE: REF :

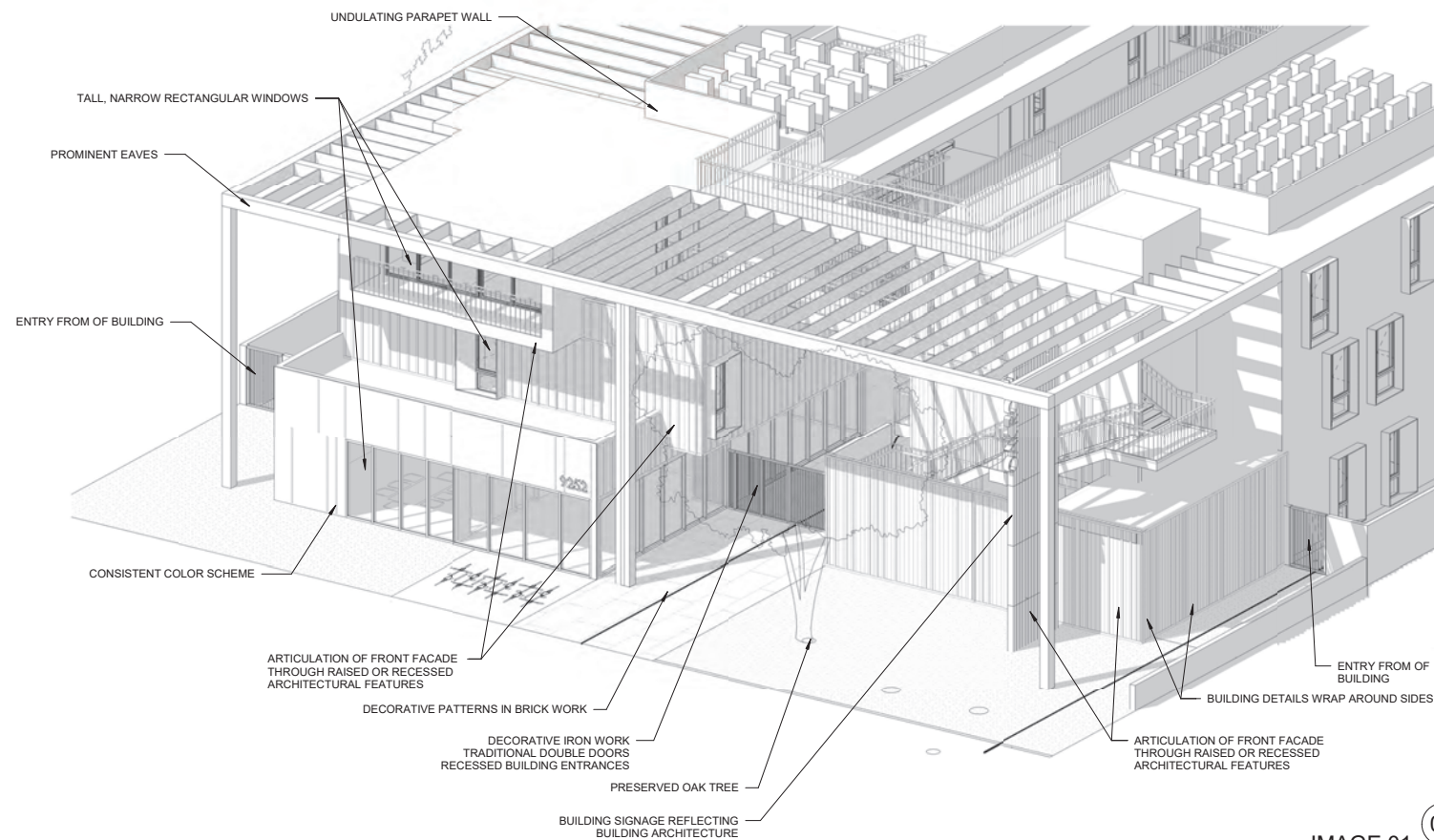


IMAGE 01 ⁰²
SCALE: REF :
SCALE: REF :

Table 8 - Architectural Details

	A. 9085 Elk Grove Blvd.	B. 9046 Elk Grove Blvd.	C. 9039 Elk Grove Blvd.	D. 9093 Elk Grove Blvd.	E. 9033 Elk Grove Blvd.	F. 9075 Elk Grove Blvd.	G. 9070 Elk Grove Blvd.	H. 9016 0056 Elk Grove Blvd.
Decorative iron work								
Undulating parapet wall								
Tall, narrow rectangular windows								
Recessed windows with prominent sills								
Ornate door hardware								
Consistent color scheme (building versus windows and doors)								
Gutters incorporated into architecture								
Emphasis on symmetry in design								
Building details wrap around sides								
Articulation of front facade through raised or recessed architectural features								
Traditional double doors								
Storefront windows								
Prominent eaves								
Entry from corner of building								
Front porch								
Bay windows								
Corbels								
Decorative patterns in brick work								
Building signage reflects building architecture								
Recessed building entrances								

Note - Figure 23 provides photographs of each of the buildings noted above.

Old Town SPA
ADOPTED AUGUST 10, 2005
(Reflects Amendments Through April 1, 2019)

NOTES:
SEE ELEVATION FOR MATERIAL CALL-OUTS OF ALL ELEVATIONS

SCHEMATIC DESIGN 2021-12-06
DESIGN DEVELOPMENT YYYY-MM-DD
CONSTRUCTION DOCUMENTS YYYY-MM-DD
PLAN CHECK SUBMITTAL YYYY-MM-DD
PLAN CHECK RESUBMITTAL YYYY-MM-DD
BID ISSUE YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET YYYY-MM-DD

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
ELK GROVE, CA 95624
PROJECT NUMBER: 21007.0

REVISIONS:
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2 -
3 -



SHEET TITLE: OTSPA PLANNING ARCHITECTURE DETAILS
SCALE: 12" = 1'-0"
DATE PRINTED: 5/10/2022 4:32:22 PM

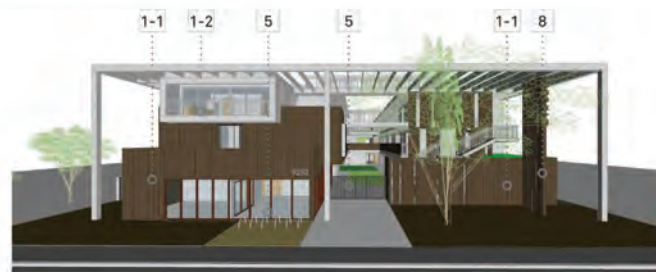
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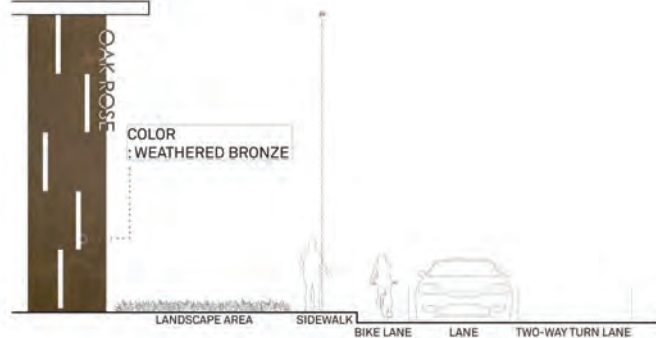
A0.05

9252 ELK GROVE: OAK ROSE EXTERIOR MATERIALS

BUILDING ELEVATION



BUILDING SIGNAGE



- 1-1. FIBER CEMENT BOARD PANEL / WEATHERED BRONZE(TEXTURED) | JAMES HARDIE
- 1-2. FIBER CEMENT BOARD PANEL / SUMMER WHITE(TEXTURED) | JAMES HARDIE
- 2. STUCCO, FINE 20/30 SAND FINISH / 10 OMEGA WHITE | OMEGA PRODUCTS INTERNATIONAL
- 3. METAL / PAINT TO MATCH SUMMER WHITE | CUSTOM
- 4. METAL / PAINT TO MATCH WEATHERED BRONZE | CUSTOM
- 5. METAL / DARK ANODIZED BRONZE| CUSTOM
- 6. WINDOW FRAME, VINYL / WHITE | MILGARD
- 7. FIBER CEMENT BOARD PANEL / WEATHERED BRONZE(TEXTURED) | JAMES HARDIE
- 8. STAINED CEDAR PLANK / TRANSLUCENT STAIN TO MATCH WEATHERED BRONZE | CUSTOM
- 9. SPECIALITY PAVERS



▲ BOARD AND BATTEN EXAMPLE



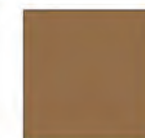
EXTERIOR WALL FINISH

- 1. FIBER CEMENT BOARD (TEXTURED)
 - ▲ 1) WEATHERED BRONZE | JAMES HARDIE
 - ▼ 2) SUMMER WHITE | JAMES HARDIE



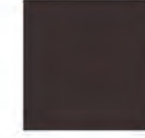
EXTERIOR WALL FINISH

- 2. STUCCO, FINE 20/30 SAND
 - ▲ 10 OMEGA WHITE | OMEGA PRODUCTS INTERNATIONAL
- 3. METAL
 - ▼ PAINT TO MATCH SUMMER WHITE | CUSTOM



WINDOW SHADOW BOX

- 4. METAL
 - PAINT TO MATCH WEATHERED BRONZE | CUSTOM



STOREFRONT & GATE

- 5. METAL
 - DARK ANODIZED BRONZE | CUSTOM



WINDOW FRAME

- 6. VINYL
 - WHITE | MILGARD



SIGNAGE

- 7. FIBER CEMENT BOARD
 - WEATHERED BRONZE | JAMES HARDIE



PROPERTY FENCE

- 8. STAINED CEDAR PLANKS
 - TRANSLUCENT STAIN SIMILAR TO HARDIE BAORD



PAVEMENT

- 9. SPECIALITY PAVERS

SCHMATIC DESIGN	2021-12-06	
DESIGN DEVELOPMENT	YYYY-MM-DD	
CONSTRUCTION DOCUMENTS	YYYY-MM-DD	
PLAN CHECK SUBMITTAL	YYYY-MM-DD	
PLAN CHECK RESUBMITTAL	YYYY-MM-DD	
BID ISSUE	YYYY-MM-DD	
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD	

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
ELK GROVE, CA 95624
PROJECT NUMBER: 21007.0

REVISIONS	
▲ -	▲ -
▲ -	▲ -
▲ -	▲ -

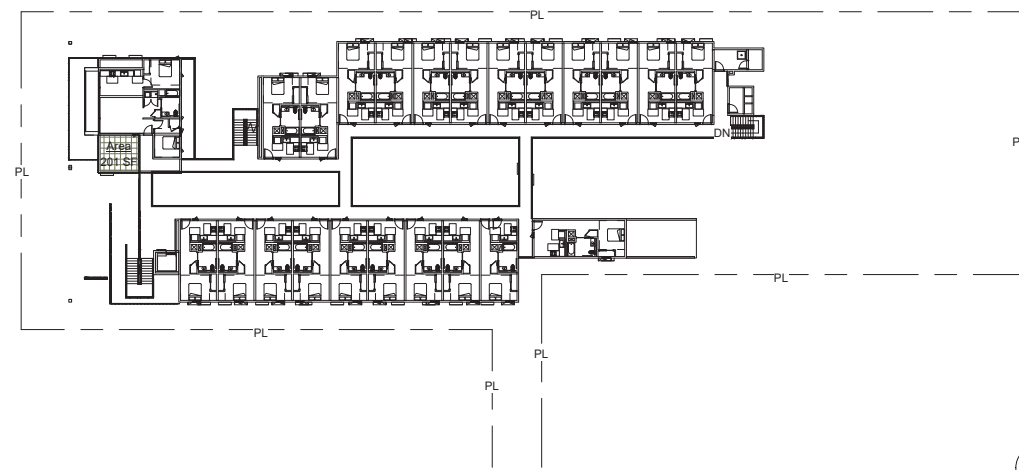
SHEET TITLE: MATERIALS

SCALE: AS INDICATED
DATE PRINTED: 5/10/2022 4:32:24 PM

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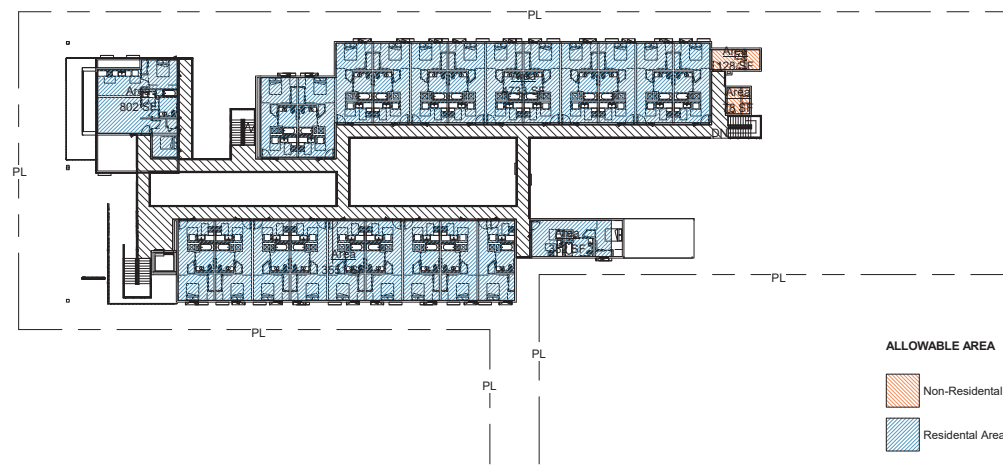


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3RD FLOOR OPEN SPACE 06

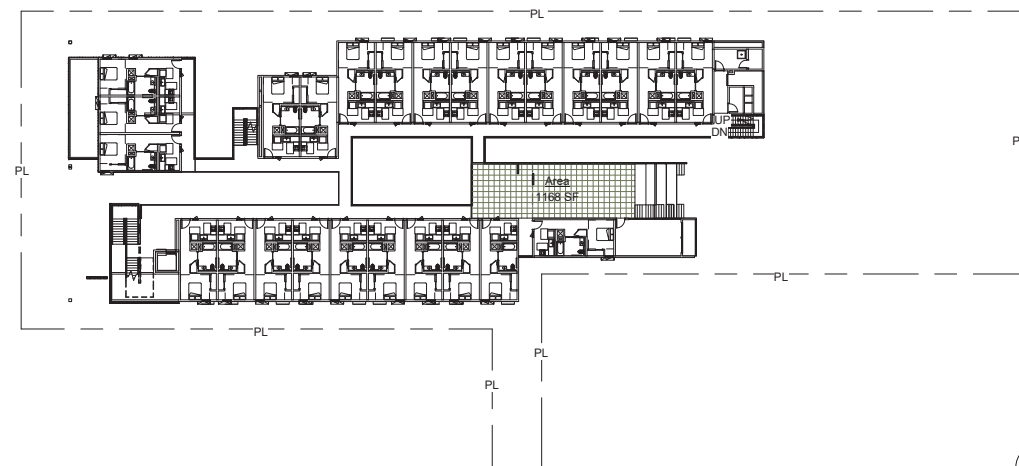
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3RD FLOOR PLAN 03

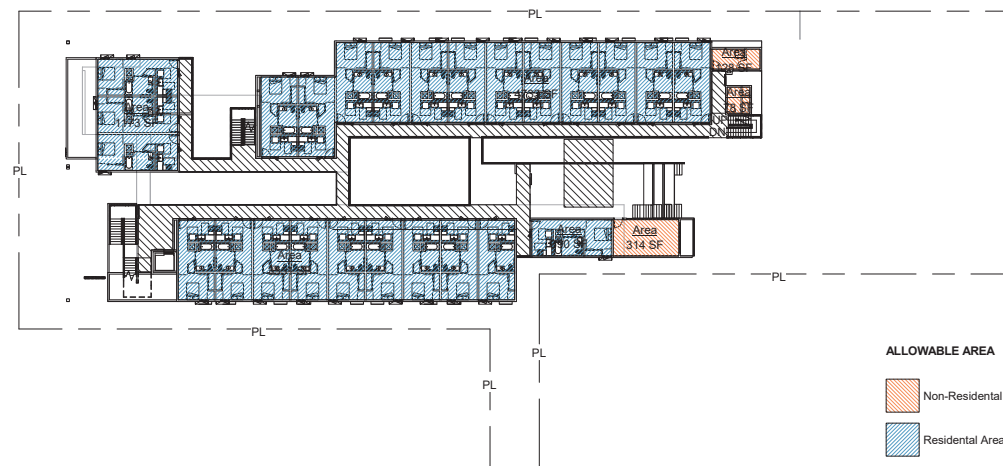
REF : SCALE: 1/32" = 1'-0"

ALLOWABLE AREA
 Non-Residential Area
 Residential Area



2ND FLOOR OPEN SPACE 05

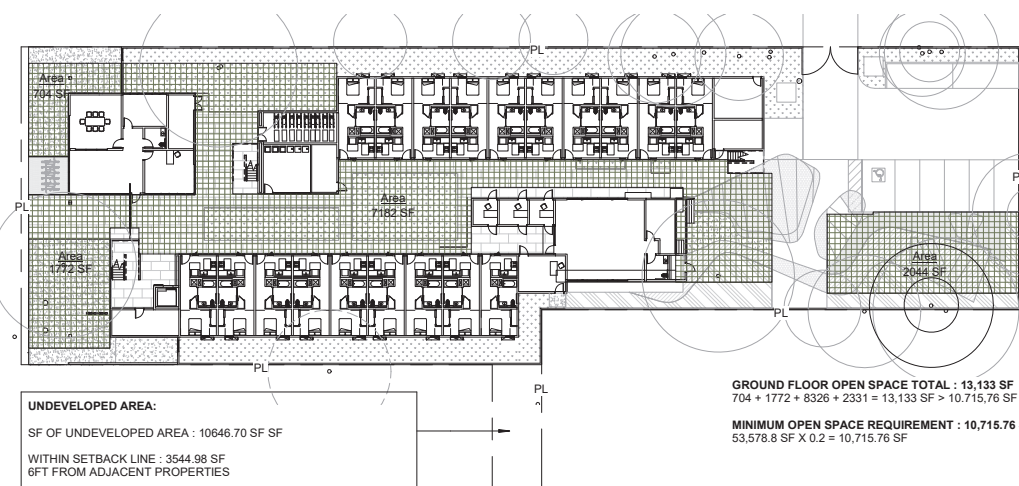
REF : SCALE: 1/32" = 1'-0"



2ND FLOOR PLAN 02

REF : SCALE: 1/32" = 1'-0"

ALLOWABLE AREA
 Non-Residential Area
 Residential Area

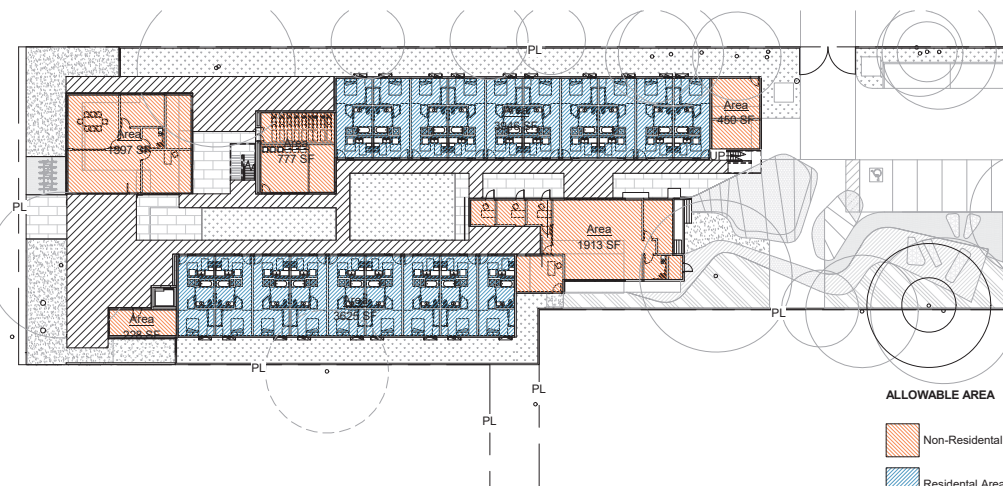


GROUND FLOOR OPEN SPACE 04

REF : SCALE: 1/32" = 1'-0"

UNDEVELOPED AREA:
 SF OF UNDEVELOPED AREA : 10646.70 SF SF
 WITHIN SETBACK LINE : 3544.98 SF
 6FT FROM ADJACENT PROPERTIES
 NUMBER OF TREES WITHIN UNDEVELOPED AREA : 59 TREES

GROUND FLOOR OPEN SPACE TOTAL : 13,133 SF
 $704 + 1772 + 8326 + 2331 = 13,133$ SF > 10,715.76 SF
 MINIMUM OPEN SPACE REQUIREMENT : 10,715.76 SF
 $53,578.6$ SF X 0.2 = 10,715.76 SF



GROUND FLOOR PLAN 01

REF : SCALE: 1/32" = 1'-0"

ALLOWABLE AREA
 Non-Residential Area
 Residential Area

SCHEMATIC DESIGN 2021-12-06
 DESIGN DEVELOPMENT YYYY-MM-DD
 CONSTRUCTION DOCUMENTS YYYY-MM-DD
 PLAN CHECK SUBMITTAL YYYY-MM-DD
 PLAN CHECK RESUBMITTAL YYYY-MM-DD
 BID ISSUE YYYY-MM-DD
 PERMIT SET/CONSTRUCTION SET YYYY-MM-DD

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
 ELK GROVE, CA 95624
 PROJECT NUMBER: 21007.0

REVISIONS

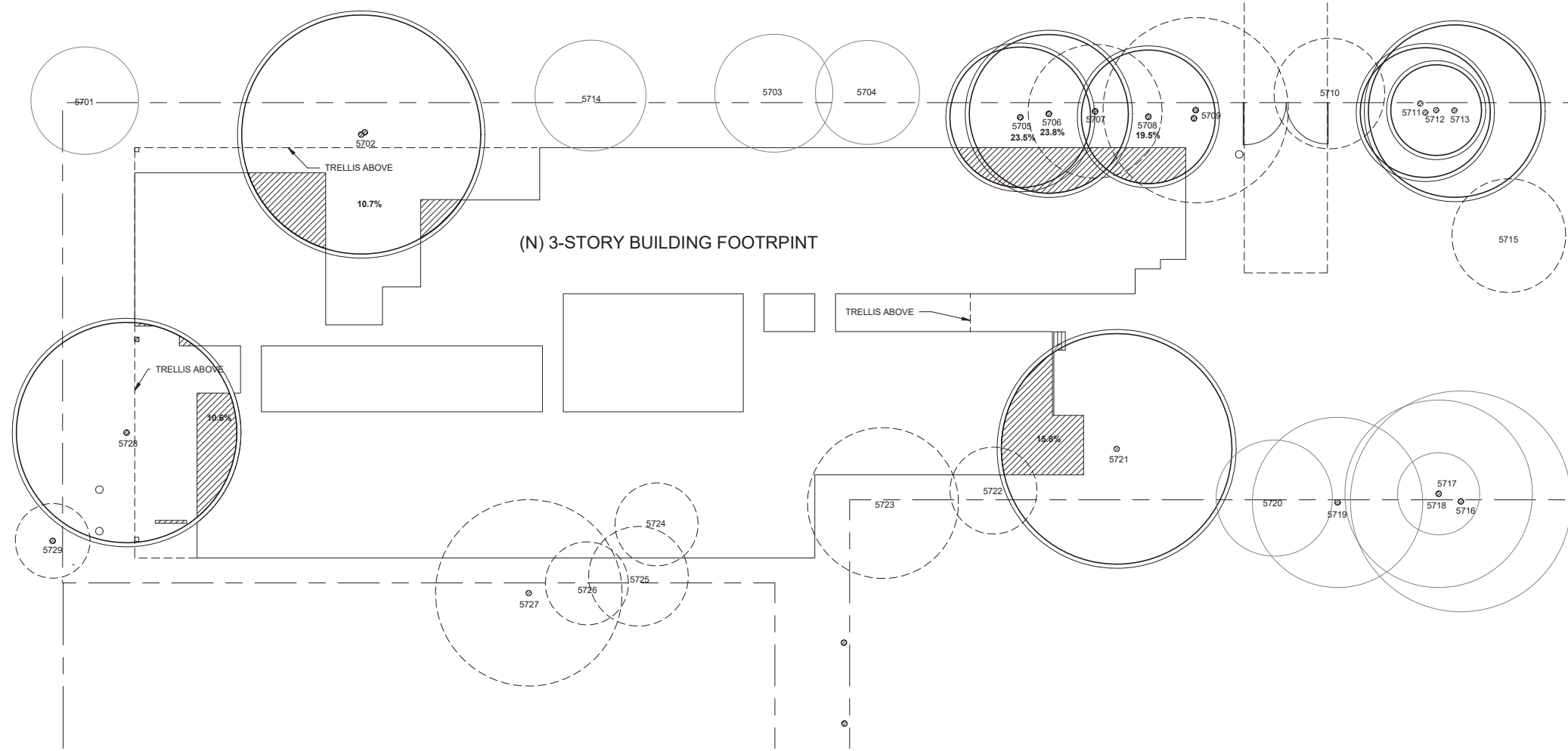
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SHEET TITLE: ALLOWABLE FLOOR AREA - FAR / OPEN SPACE
 SCALE: 1/32" = 1'-0"
 DATE PRINTED: 5/10/2022 4:32:31 PM



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A0.50



LEGENED

- CANOPY RADIUS AND PROTECTION ZONE PER ARB. REPORT
- ROOT PROTECTION ZONE (RPZ) PER ARB. REPORT (CANOPY RADIUS+1')
- (E) TREE TRUNK PER SURVEY TO REMAIN PER ARB. REPORT DATED 8-21-21 ALL PROTECTED TREES ARE (E) LIVE OAKS
- NON-PROTECTED (E) TREE PER SURVEY TO BE REMOVED SEE ARBORIST REPORT DATED 8-21-21
- (E) NEIGHBOR TREE
- TREE TAG PER ARB. REPORT

TOTAL NUMBER OF TREES : 88
 REMAINING TREE : 78
 TREES TO BE REMOVED : 10

NOTES:

- CONTRACTOR SHALL FOLLOW THE ARBORIST'S INSTRUCTIONS DURING CONSTRUCTION INCLUDING BUT NOT LIMITED TO:
 - FENCING AROUND THE DRIPLINE OF THE TREES TO THE FULL EXTENT POSSIBLE AT ALL TIMES.
 - KEEPING CONSTRUCTION TRAFFIC AND STORAGE OF MATERIALS OUT OF THE DRIPLINE OF THE TREES THROUGHOUT THE CONSTRUCTION PROCESS.
- APPENDIX 2 BELOW EXTRACTED FROM ARBORIST'S REPORT FOR REFERENCE.
- SEE ARBORIST'S REPORT DATED 08/10/2021 FOR MORE INFO.

SCHEMATIC DESIGN	2021-12-06
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
 ELK GROVE, CA 95624
 PROJECT NUMBER: 21007.0

REVISIONS:

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SHEET TITLE: **TREE PROTECTION**

SCALE: As indicated
 DATE PRINTED: 5/10/2022 4:54:34 PM

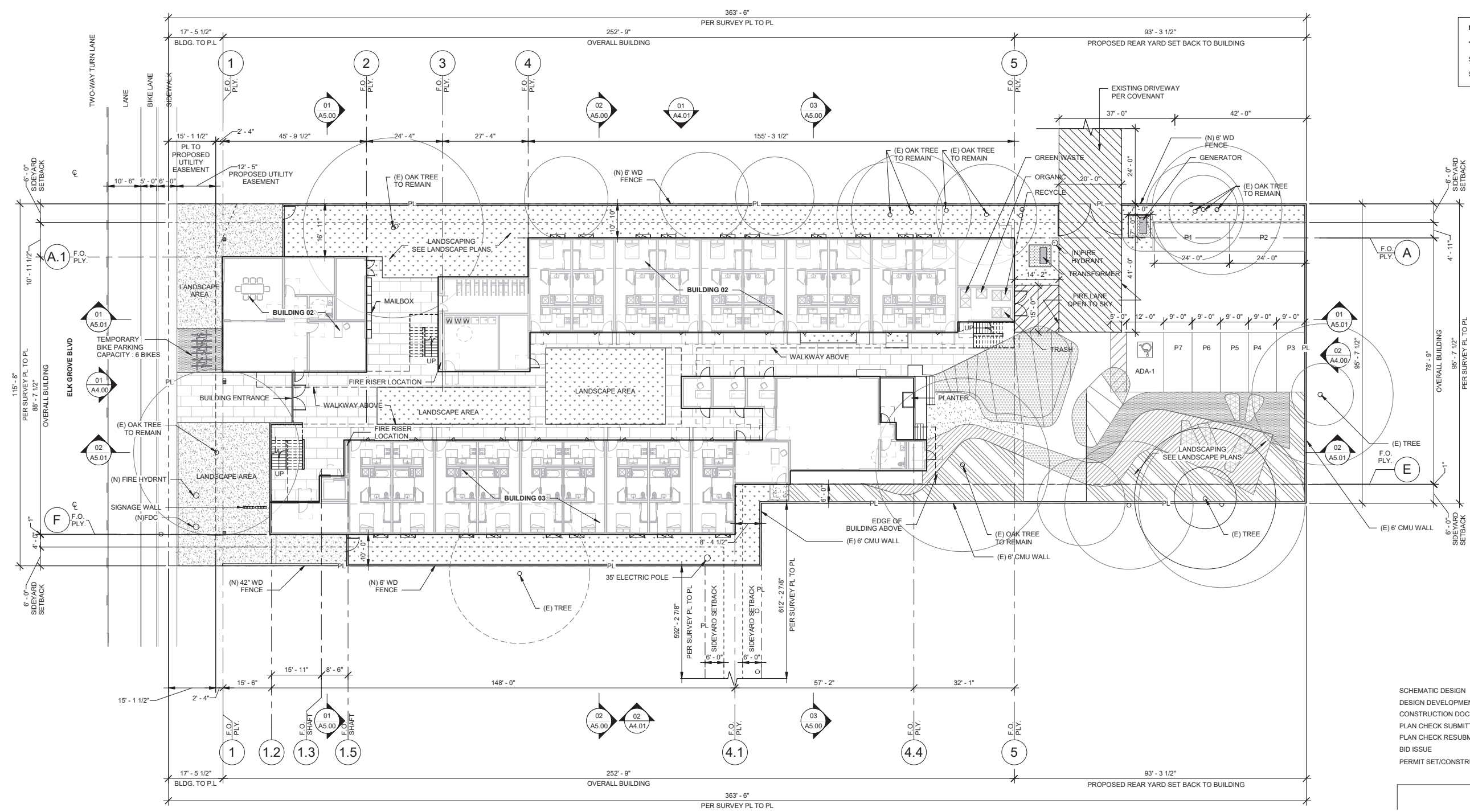
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A0.52

NOTES:
 * NO DEVIATIONS TO STANDARDS*
 SEE SHT. A9.10 FOR PROPOSED FENCE DETAIL
 SEE LANDSCAPE PLAN L1.00 FOR GROUND COVER



INCENTIVES PER AB1763/GOVERNMENT CODE SECTION 65915(P)(4): PROJECT CONSISTS SOLELY OF RENTAL UNITS, EXCLUSIVE OF A MANGER'S UNIT OR UNITS, WITH AN AFFORDABLE HOUSING COST TO LOWER INCOME FAMILIES, AS PROVIDED IN SECTION 50052.5 OF THE HEALTH AND SAFETY CODE AND PROJECT IS A SUPPORTIVE HOUSING DEVELOPMENT, AS DEFINED IN SECTION 50675.14 OF THE HEALTH AND SAFETY CODE.

SCHEMATIC DESIGN	2021-12-06
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
 ELK GROVE, CA 95624
 PROJECT NUMBER: 21007.0

REVISIONS	
1	-
2	-
3	-

SHEET TITLE: **SITE PLAN**

SCALE: 1/16" = 1'-0"
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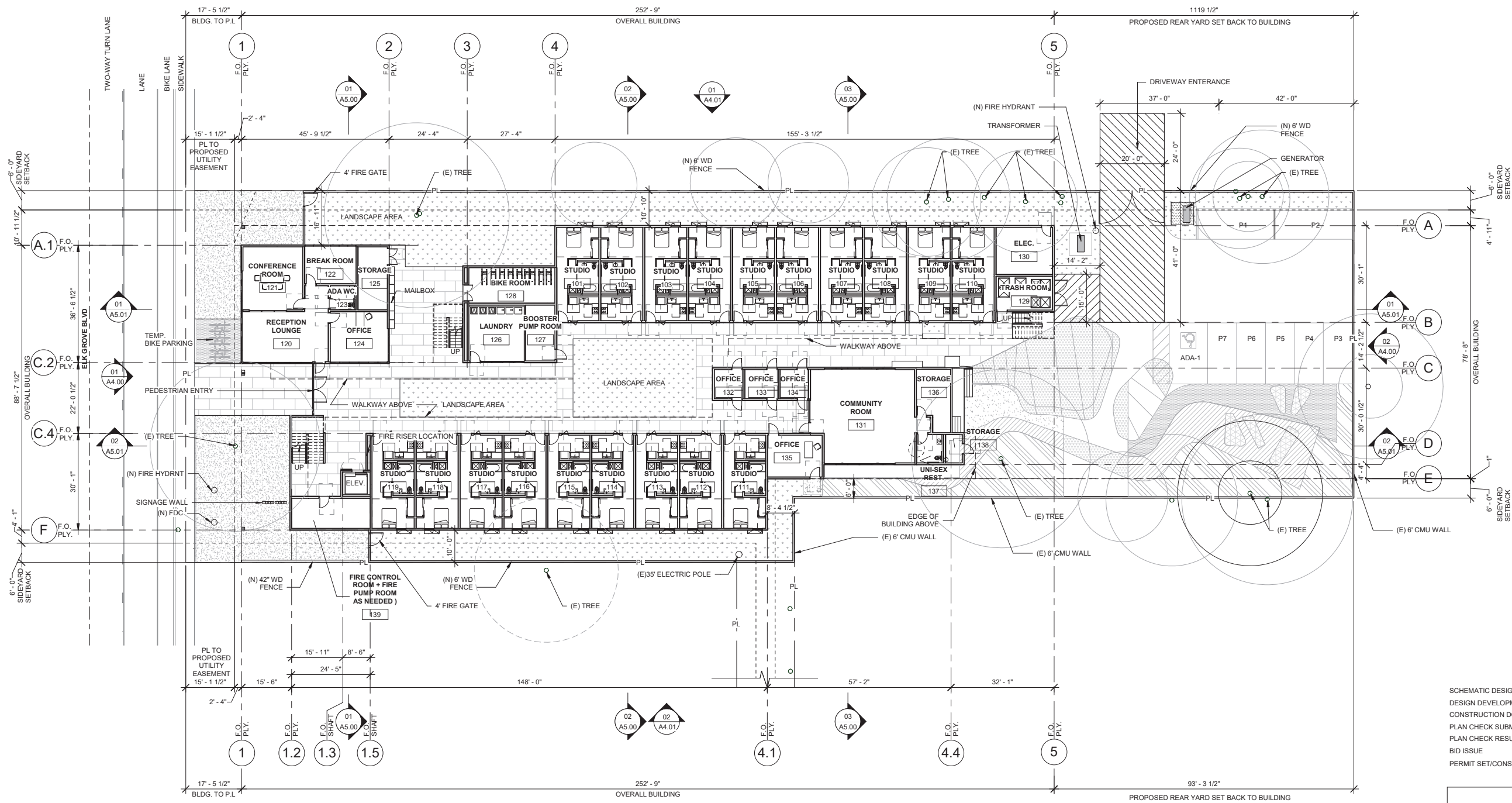


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A1.00



SITE PLAN
 SCALE: 1/16" = 1'-0"



Schematic Design	2021-12-06
Design Development	YYYY-MM-DD
Construction Documents	YYYY-MM-DD
Plan Check Submittal	YYYY-MM-DD
Plan Check Resubmittal	YYYY-MM-DD
Bid Issue	YYYY-MM-DD
Permit Set/Construction Set	YYYY-MM-DD

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD ELK GROVE, CA 95624	
PROJECT NUMBER:	21007.0
REVISIONS	
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△ -	△ -
SHEET TITLE:	FIRST FLOOR PLAN
SCALE:	1/16" = 1'-0"
DATE PRINTED:	5/10/2022 4:57:32 PM
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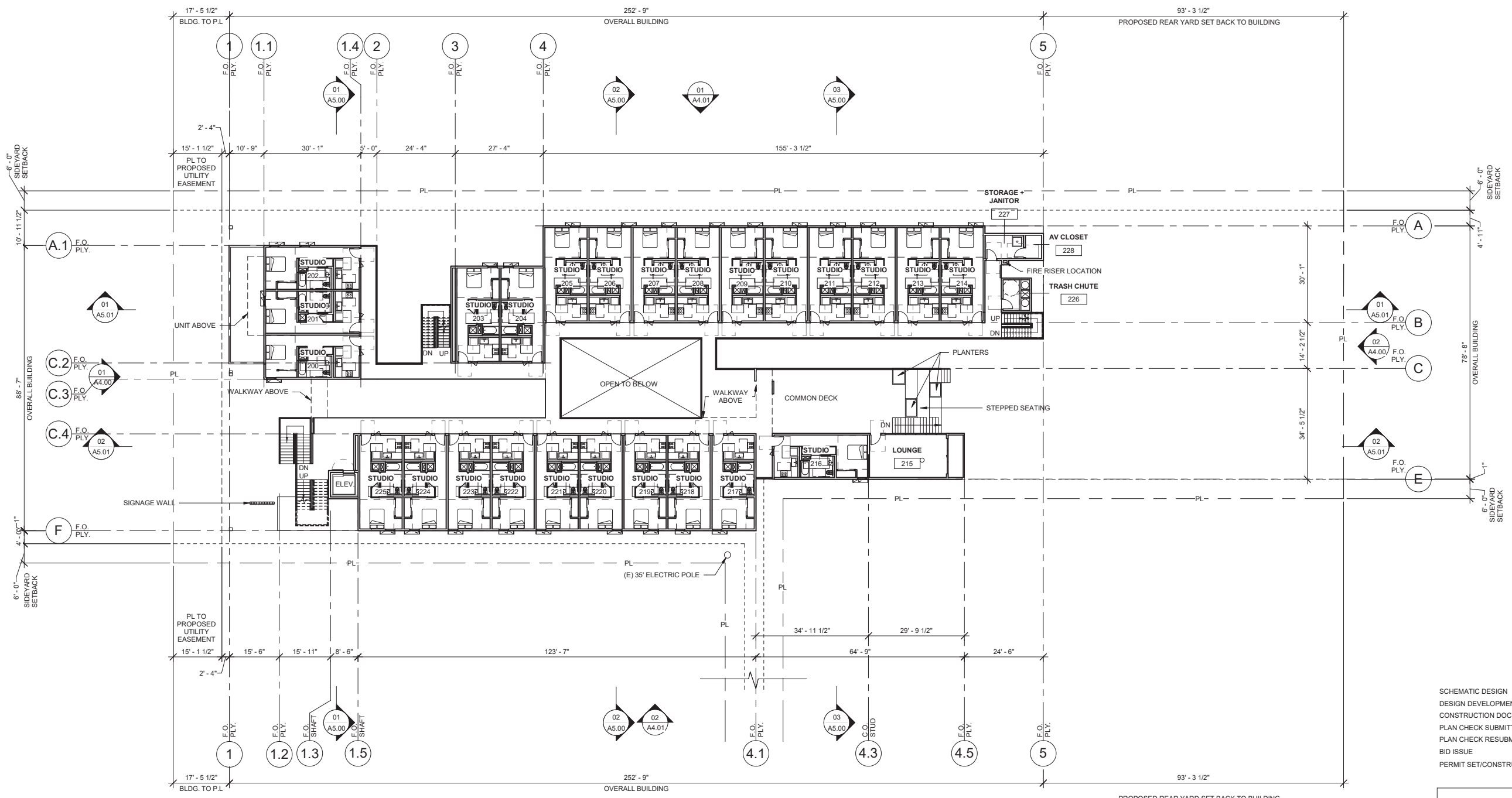
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HAWTHORNE, CA 90250
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A3.10

FIRST FLOOR PLAN 01



REF: A4.00, A5.00



SCHEMATIC DESIGN	2021-12-06
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
ELK GROVE, CA 95624
PROJECT NUMBER: 21007.0

REVISIONS	
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△ -	△ -



SHEET TITLE: **SECOND FLOOR PLAN**
SCALE: 1/16" = 1'-0"
DATE PRINTED: 5/10/2022 4:32:42 PM

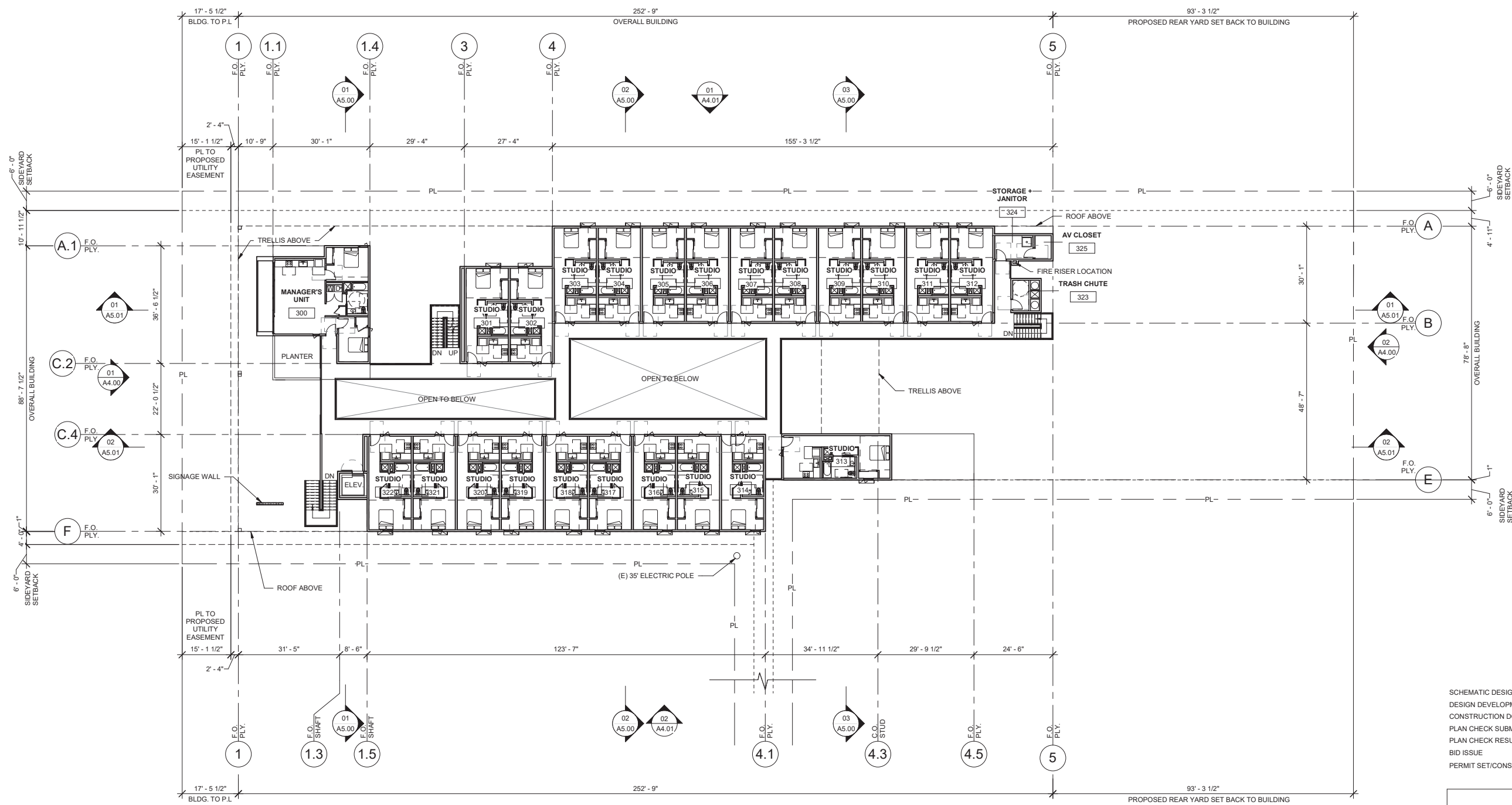
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HAWTHORNE, CA. 90250
t: 323.596.4700
f: 310.453.9606

A3.20



SECOND FLOOR PLAN 01
SCALE: 1/16" = 1'-0"



SCHEMATIC DESIGN 2021-12-06
 DESIGN DEVELOPMENT YYYY-MM-DD
 CONSTRUCTION DOCUMENTS YYYY-MM-DD
 PLAN CHECK SUBMITTAL YYYY-MM-DD
 PLAN CHECK RESUBMITTAL YYYY-MM-DD
 BID ISSUE YYYY-MM-DD
 PERMIT SET/CONSTRUCTION SET YYYY-MM-DD

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
 ELK GROVE, CA 95624
 PROJECT NUMBER: 21007.0

REVISIONS
 1 -
 2 -
 3 -

SHEET TITLE: **THIRD FLOOR PLAN**
 SCALE: 1/16" = 1'-0"
 DATE PRINTED: 5/10/2022 4:32:44 PM

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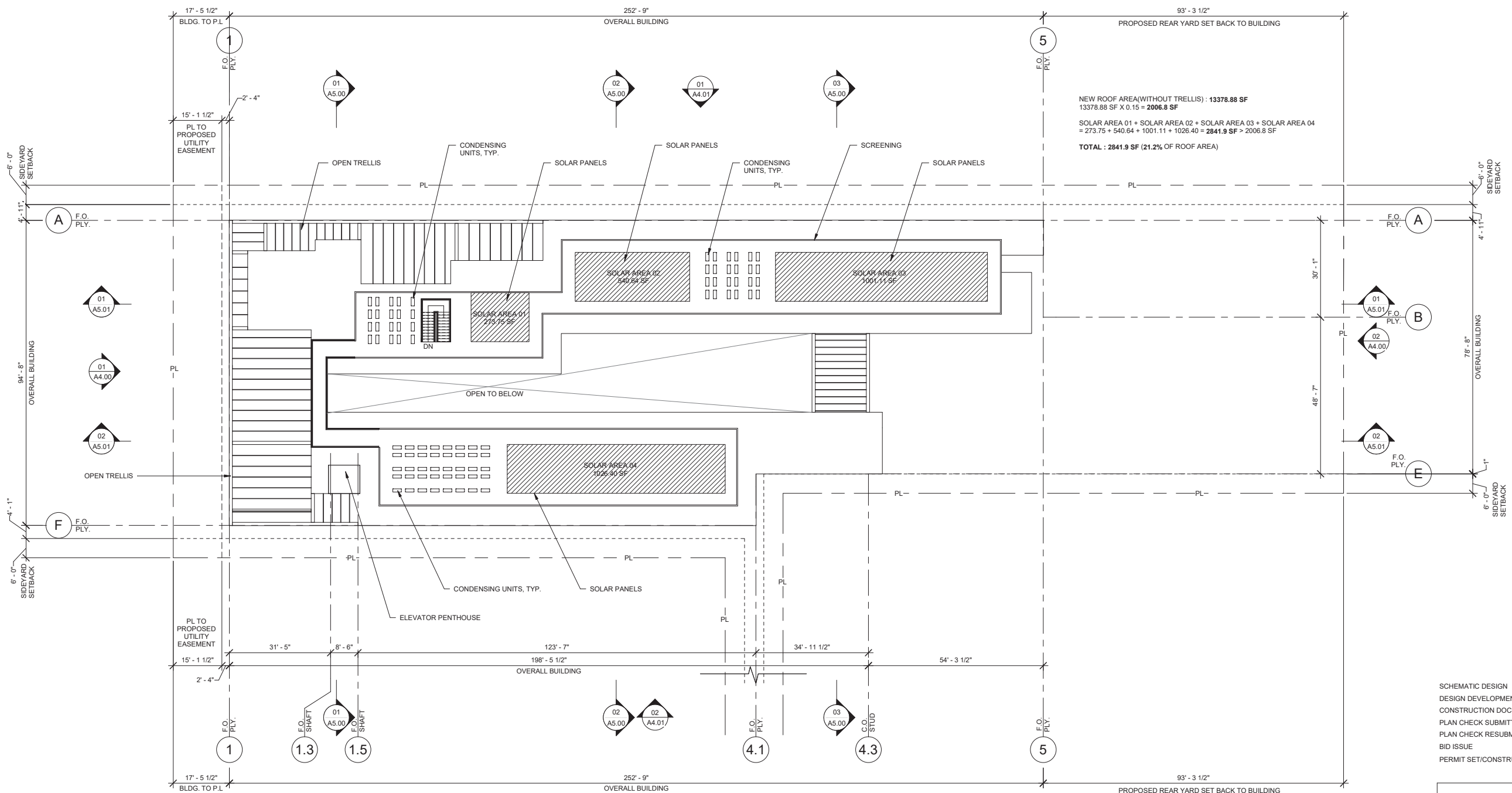


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A3.30



3RD FLOOR PLAN 01
 SCALE: 1/16" = 1'-0"



NEW ROOF AREA (WITHOUT TRELLIS) : 13378.88 SF
 13378.88 SF X 0.15 = 2006.8 SF
 SOLAR AREA 01 + SOLAR AREA 02 + SOLAR AREA 03 + SOLAR AREA 04
 = 273.75 + 540.64 + 1001.11 + 1026.40 = 2841.9 SF > 2006.8 SF
TOTAL : 2841.9 SF (21.2% OF ROOF AREA)

SCHMATIC DESIGN	2021-12-06
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
 ELK GROVE, CA 95624
 PROJECT NUMBER: 21007.0

REVISIONS

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SHEET TITLE: **ROOF PLAN**

SCALE: 1/16" = 1'-0"
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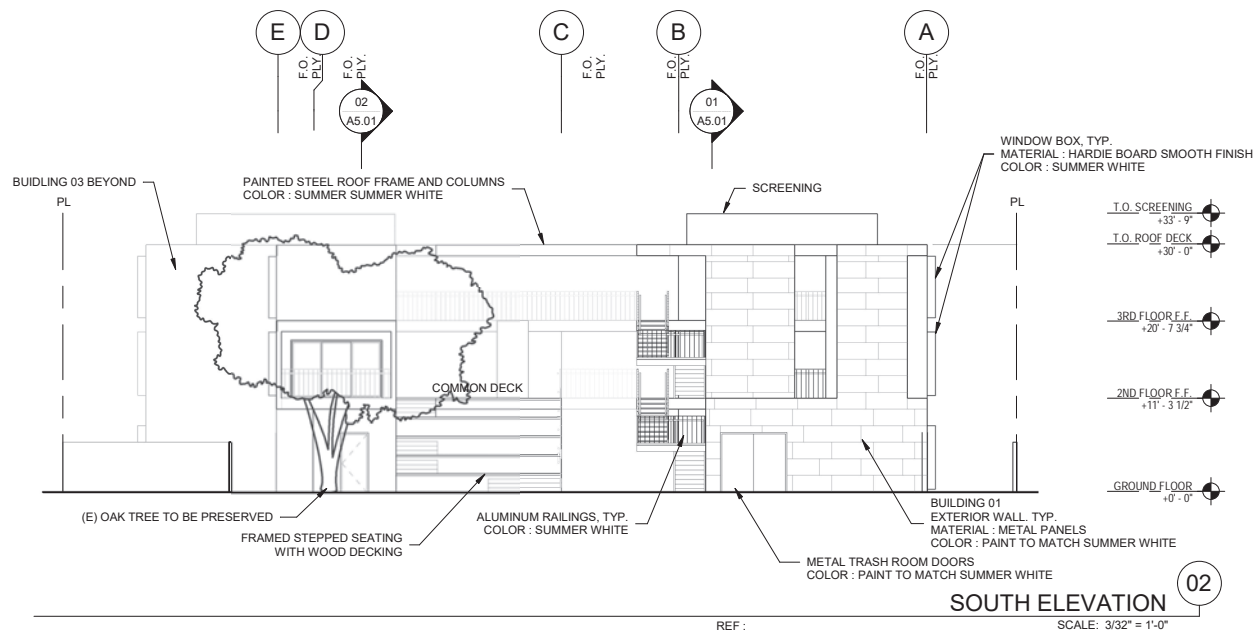


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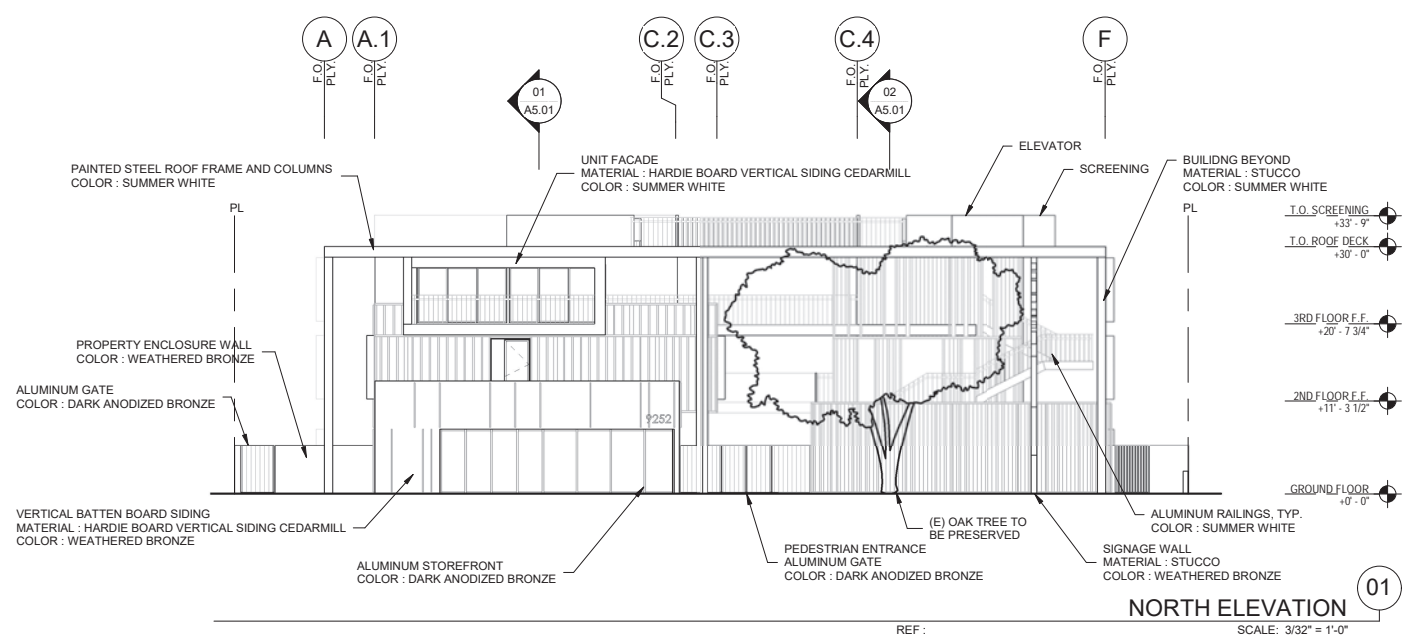
A3.40



ROOF PLAN 01
 SCALE: 1/16" = 1'-0"



SOUTH ELEVATION 02
SCALE: 3/32" = 1'-0"



NORTH ELEVATION 01
SCALE: 3/32" = 1'-0"

SCHMATIC DESIGN	2021-12-06
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
ELK GROVE, CA 95624
PROJECT NUMBER: 21007.0

REVISIONS		
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SHEET TITLE: **ELEVATIONS**

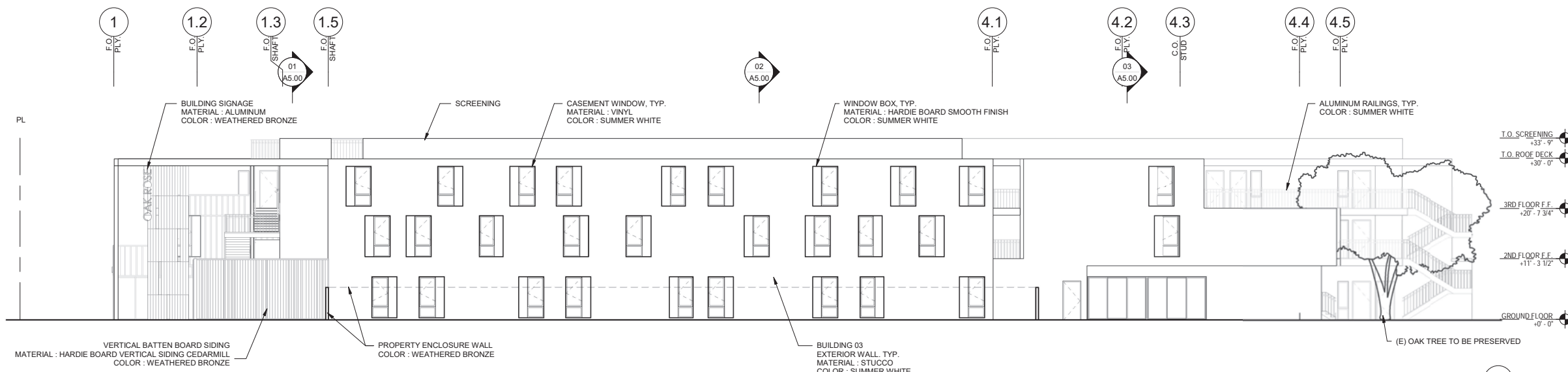
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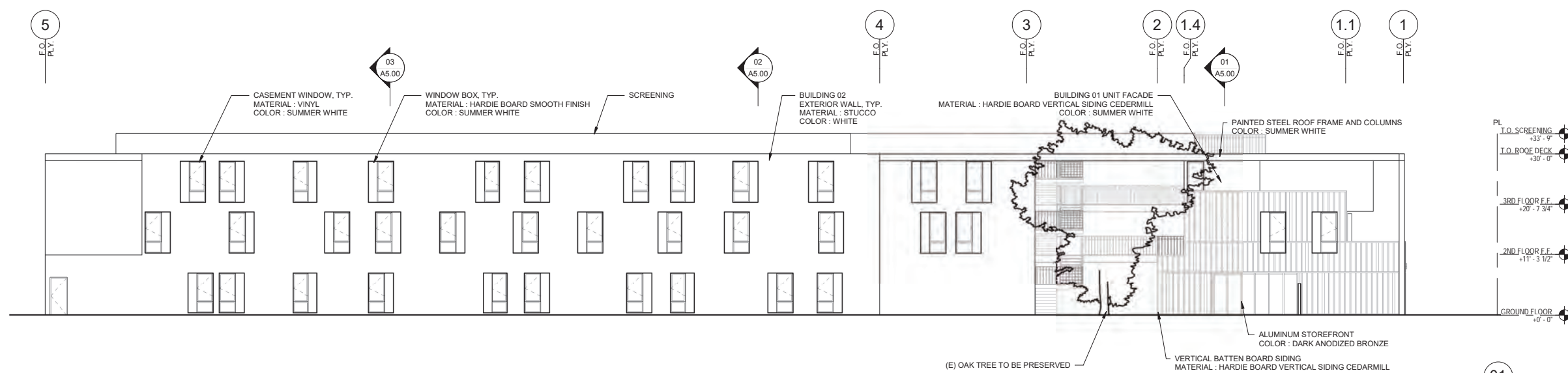


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A4.00



WEST ELEVATION 02
SCALE: 3/32" = 1'-0"



EAST ELEVATION 01
SCALE: 3/32" = 1'-0"

SCHMATIC DESIGN	2021-12-06
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

OAK ROSE APARTMENTS
PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
ELK GROVE, CA 95624
PROJECT NUMBER: 21007.0

REVISIONS		
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SHEET TITLE: **ELEVATIONS**

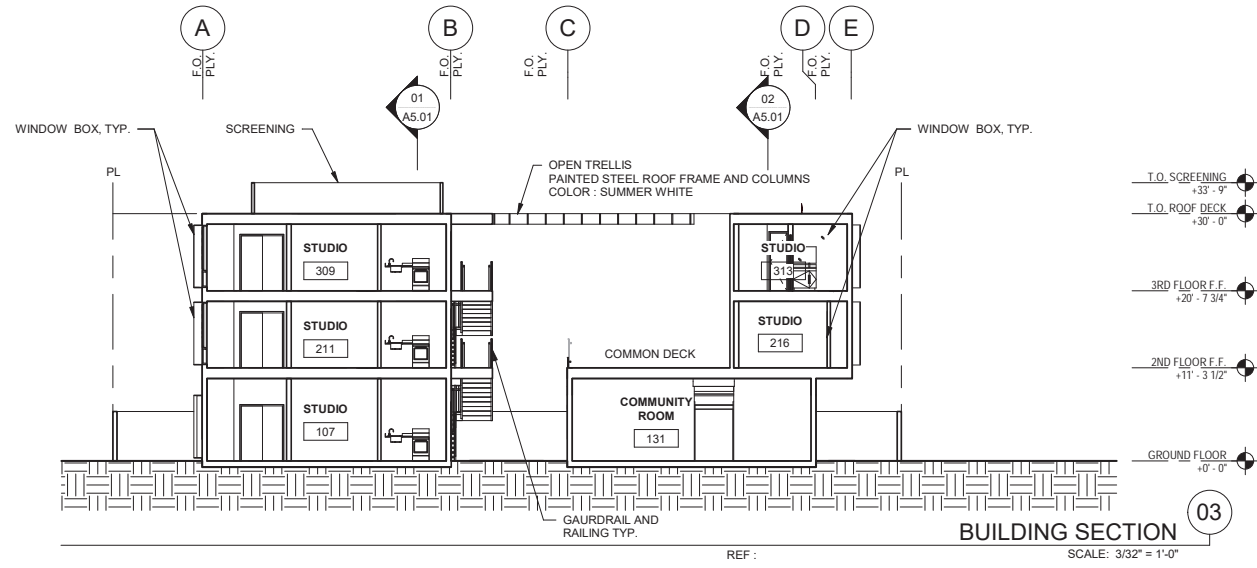
SCALE: 3/32" = 1'-0"
DATE PRINTED: 5/10/2022 4:32:52 PM

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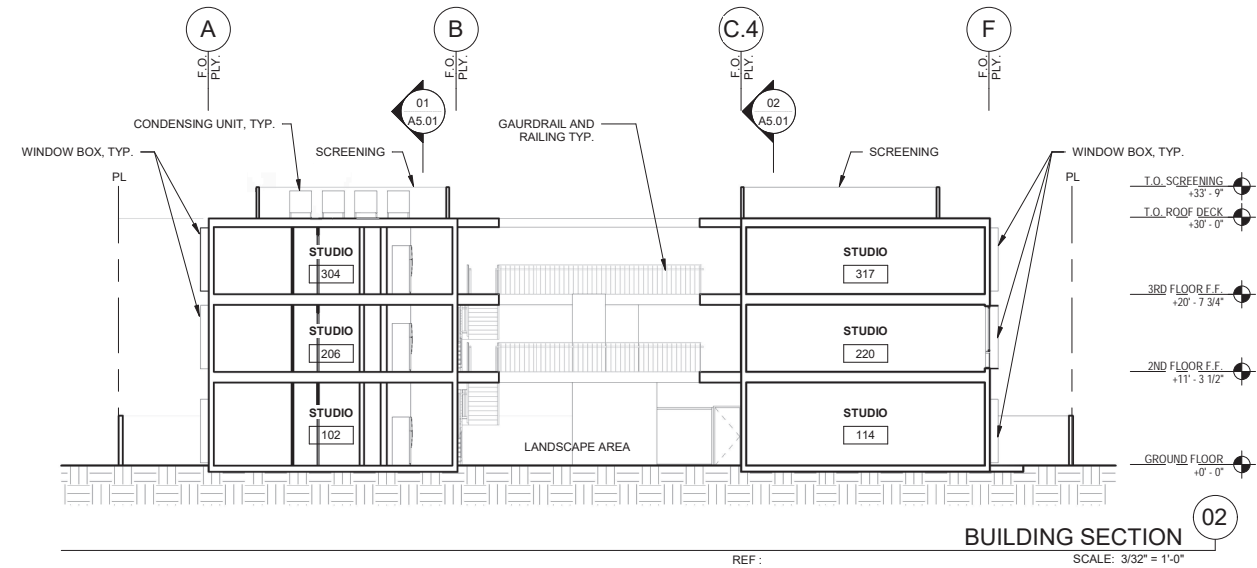


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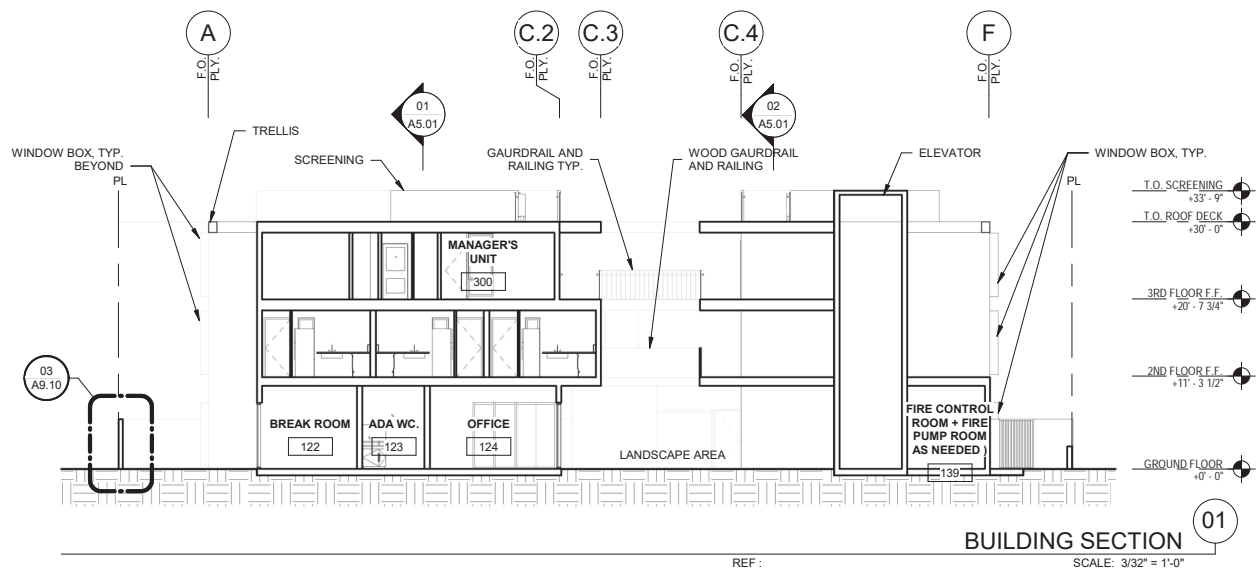
A4.01



BUILDING SECTION 03
 REF: SCALE: 3/32" = 1'-0"



BUILDING SECTION 02
 REF: SCALE: 3/32" = 1'-0"



BUILDING SECTION 01
 REF: SCALE: 3/32" = 1'-0"

SCHMATIC DESIGN	2021-12-06	
DESIGN DEVELOPMENT	YYYY-MM-DD	
CONSTRUCTION DOCUMENTS	YYYY-MM-DD	
PLAN CHECK SUBMITTAL	YYYY-MM-DD	
PLAN CHECK RESUBMITTAL	YYYY-MM-DD	
BID ISSUE	YYYY-MM-DD	
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD	

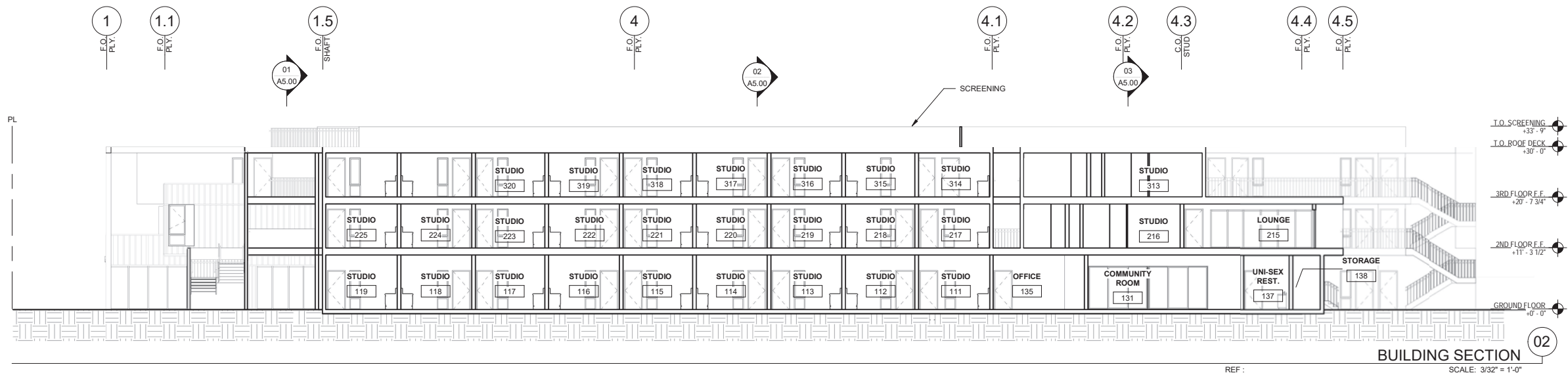
OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD ELK GROVE, CA 95624	
PROJECT NUMBER:	21007.0
REVISIONS	
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△ -	△ -
△ -	△ -
SHEET TITLE:	SECTIONS
SCALE:	3/32" = 1'-0"
DATE PRINTED:	5/10/2022 4:32:54 PM
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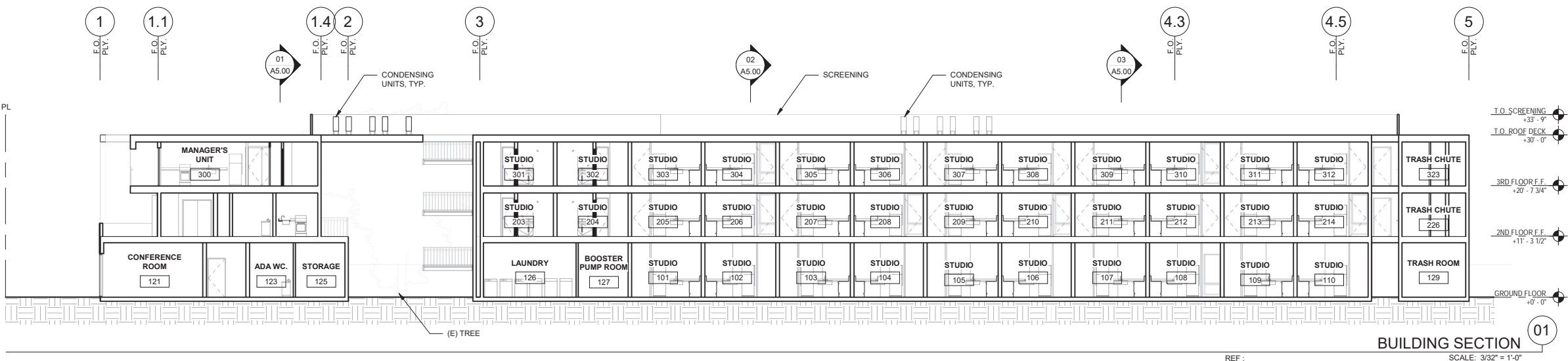


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A5.00



BUILDING SECTION 02
SCALE: 3/32" = 1'-0"



BUILDING SECTION 01
SCALE: 3/32" = 1'-0"

SCHEMATIC DESIGN 2021-12-06
 DESIGN DEVELOPMENT YYYY-MM-DD
 CONSTRUCTION DOCUMENTS YYYY-MM-DD
 PLAN CHECK SUBMITTAL YYYY-MM-DD
 PLAN CHECK RESUBMITTAL YYYY-MM-DD
 BID ISSUE YYYY-MM-DD
 PERMIT SET/CONSTRUCTION SET YYYY-MM-DD

OAK ROSE APARTMENTS
 PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
ELK GROVE, CA 95624
PROJECT NUMBER: 21007.0

REVISIONS

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SHEET TITLE: SECTIONS

SCALE: 3/32" = 1'-0"
DATE PRINTED: 5/10/2022 4:32:58 PM

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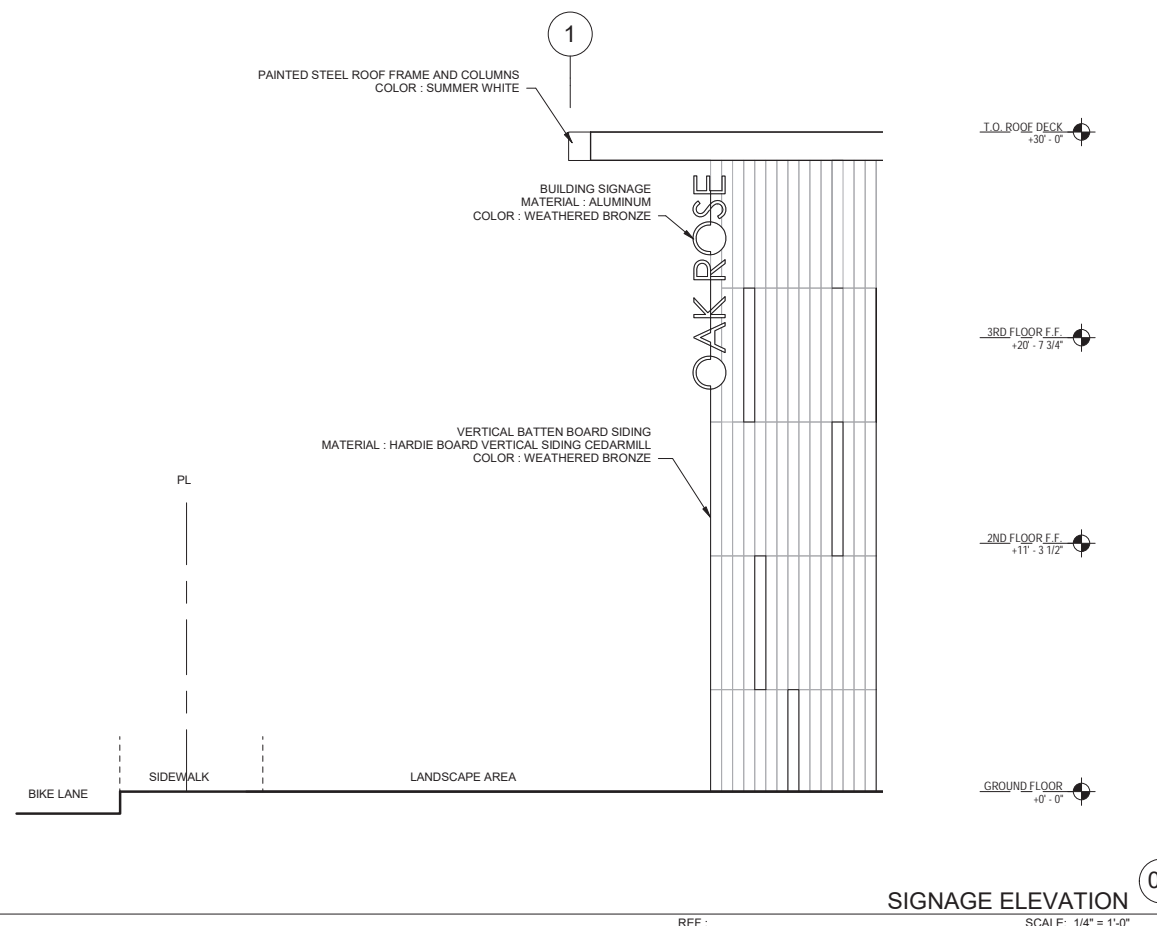


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A5.01

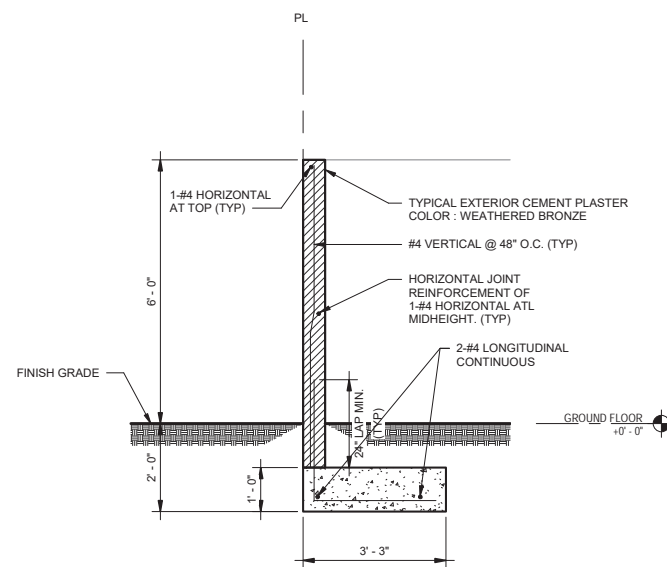
GENERAL SPECIFICATIONS:

1. Concrete mix for footing to be 1 part cement to 2.5 parts sand to 3.5 parts gravel with a maximum of 7.5 gallons of water per sack of cement / Minimum $f_c = 2,500$ psi.
2. Concrete block units shall conform to ASTM C90.
3. Reinforcing steel to be deformed and conformed to ASTM Standard A615 Grade 40 or Grade 60
4. Rebar shall be centered in the concrete block cell in which it is located
5. Concrete block units shall be placed in a running band with head joints in successive courses horizontally offset at least one-quarter the unit length.
6. Concrete block units to have vertical continuity of cells unobstructed. All cells containing reinforcing shall be solid grouted (vertical and horizontal reinforcement). Cells not containing reinforcing shall not be grouted.
7. Mortar mix for concrete to be 1 part cement to 0.5 part lime to 3 parts damp loose sand.
8. Grout mix for concrete block wall to be 1 part cement to 3 parts sand to which may be added not more than 0.1 part lime. Sufficient water to be added to produce consistency for pouring without segregation of constituents. The grout may contain 2 parts pea gravel, maximum size $3/8"$.
9. Block fence may be placed in the center of the "T" type foundation and at either edge to "L" type foundation.
10. A first inspection is required when trenches are ready for concrete and all required steel is tied in place. A second inspection is required when first horizontal bar and all vertical bars are in place but not grouted.
11. Foundation must be poured against undisturbed soil with no appreciable slope of sidewalks on all types of foundation.
12. Masonry or concrete fences over 3'-6" in height measured from adjacent grade shall require a building permit.
13. Height of fence shall comply with all provisions of the zoning code



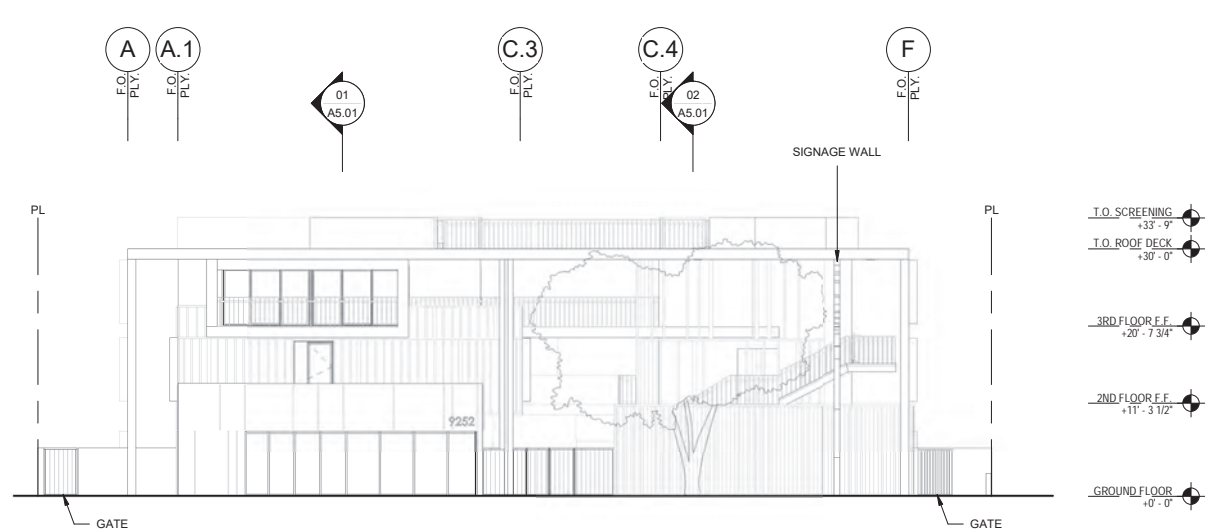
SIGNAGE ELEVATION 02

REF: SCALE: 1/4" = 1'-0"



FENCE DETAIL, TYP. 03

REF: A5.00 SCALE: 1/2" = 1'-0"



SIGNAGE ELEVATION 01

REF: SCALE: 3/32" = 1'-0"

SCHEMATIC DESIGN	2021-12-06
DESIGN DEVELOPMENT	YYYY-MM-DD
CONSTRUCTION DOCUMENTS	YYYY-MM-DD
PLAN CHECK SUBMITTAL	YYYY-MM-DD
PLAN CHECK RESUBMITTAL	YYYY-MM-DD
BID ISSUE	YYYY-MM-DD
PERMIT SET/CONSTRUCTION SET	YYYY-MM-DD

OAK ROSE APARTMENTS

PERMANENT SUPPORTIVE HOUSING - 67 UNITS

9252 ELK GROVE BLVD
ELK GROVE, CA 95624
PROJECT NUMBER: 21007.0

REVISIONS	
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SHEET TITLE: **SIGNAGE & FENCE DETAILS**

SCALE: As indicated
DATE PRINTED: 5/10/2022 4:33:00 PM



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A9.10

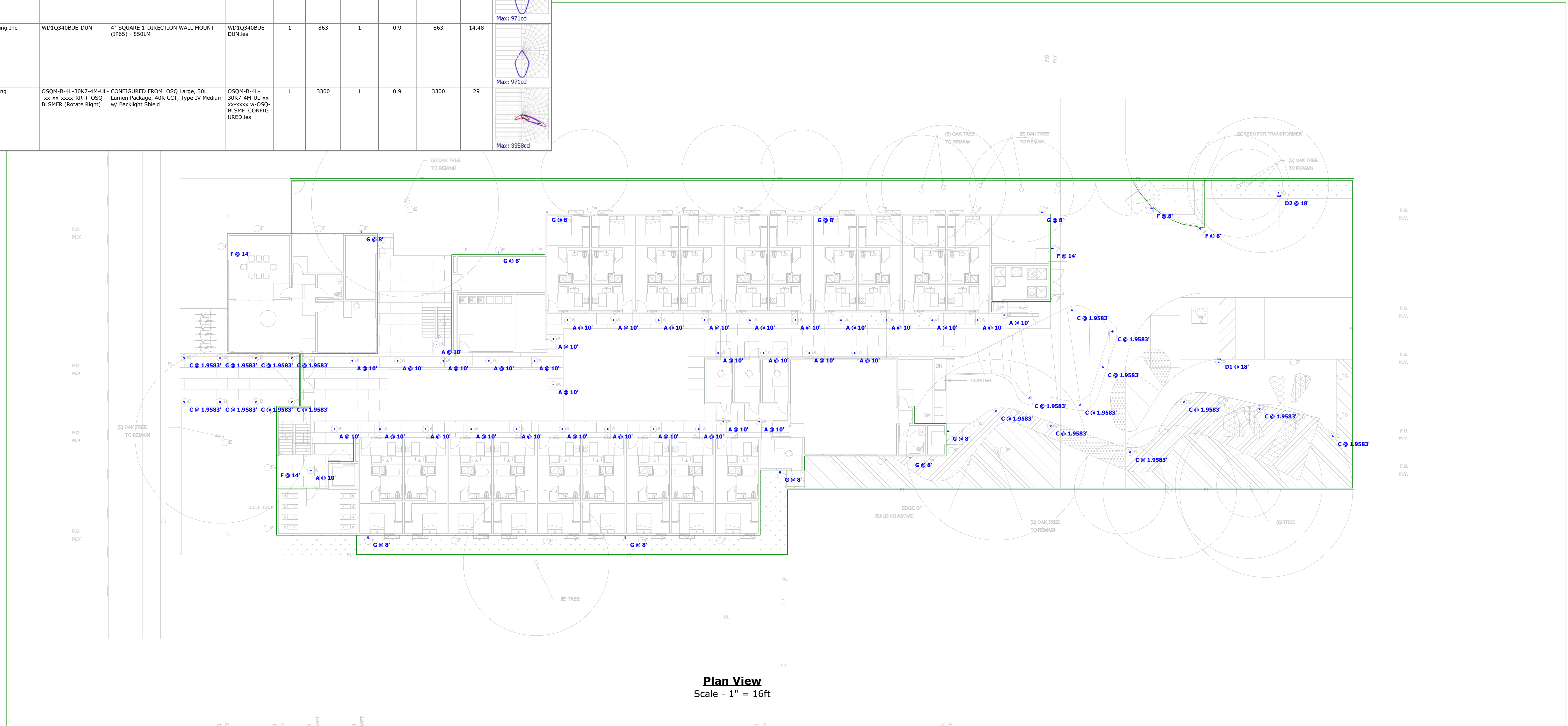
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Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Filename	Number Lamps	Lumens Per Lamp	Lumen Multiplier	Light Loss Factor	Total Lamp Lumens	Wattage	Plot
⊙	A	115	Liteline	RA355-12G-30K-90WH	Luna LED	A-RA355-12G-30K-90WH.ies	1	927	1	0.9	927	11.42	
⊗	B	2	Liton Lighting Inc	DLQ340B-B45UE-DUN	4" SQUARE CEILING DOWNLIGHT (IP65)	B-DLQ340B-B45UE-DUN.ies	1	1068	1	0.9	1068	14.55	
⊗	C	19	WAC Lighting	6061-2700K	D4D1-Y-E-µ-PathLµAD	C-6061-2700K.IES	1	220	1	0.9	220	7.2331	
⊙	D1	1	Cree Lighting	OSQM-B-4L-30K7-4M-UL-xx-xx-xxxx-RR-4-OSQ-BLSMFR	CONFIGURED FROM OSQ Large, 30L Lumen Package, 40K CCT, Type IV Medium w/ Backlight Shield	OSQM-B-4L-30K7-4M-UL-xx-xx-xxxx-RR-4-OSQ-BLSMFR_CONFIGURED.ies	1	3300	1	0.9	3300	29	
⊙	F	8	Liton Lighting Inc	WD1Q340BUE-DUN	4" SQUARE 1-DIRECTION WALL MOUNT (IP65) - 850LM	WD1Q340BUE-DUN.ies	1	863	1	0.9	863	14.48	
⊙	G	10	Liton Lighting Inc	WD1Q340BUE-DUN	4" SQUARE 1-DIRECTION WALL MOUNT (IP65) - 850LM	WD1Q340BUE-DUN.ies	1	863	1	0.9	863	14.48	
⊙	D2	1	Cree Lighting	OSQM-B-4L-30K7-4M-UL-xx-xx-xxxx-RR-4-OSQ-BLSMFR (Rotate Right)	CONFIGURED FROM OSQ Large, 30L Lumen Package, 40K CCT, Type IV Medium w/ Backlight Shield	OSQM-B-4L-30K7-4M-UL-xx-xx-xxxx-RR-4-OSQ-BLSMFR_CONFIGURED_ROTATED.ies	1	3300	1	0.9	3300	29	

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
DRIVEWAY	+	1.2 fc	10.8 fc	0.2 fc	54.0:1	6.0:1
LEVEL 2 - CORRIDOR	+	6.7 fc	18.6 fc	0.2 fc	93.0:1	33.5:1
LEVEL 3 - CORRIDOR	+	8.1 fc	20.4 fc	0.7 fc	29.1:1	11.6:1
PARKING SLOTS	+	0.9 fc	1.5 fc	0.2 fc	7.5:1	4.5:1
WALKWAY	+	5.8 fc	25.7 fc	0.1 fc	257.0:1	58.0:1
WALKWAY	+	1.0 fc	14.7 fc	0.0 fc	N/A	N/A
LIGHT SPILL	+	0.0 fc	1.1 fc	0.0 fc	N/A	N/A
PERIMETER	+	0.1 fc	7.9 fc	0.0 fc	N/A	N/A
SITE	+	2.1 fc	22.9 fc	0.0 fc	N/A	N/A

Option 1 with Rotated Optics

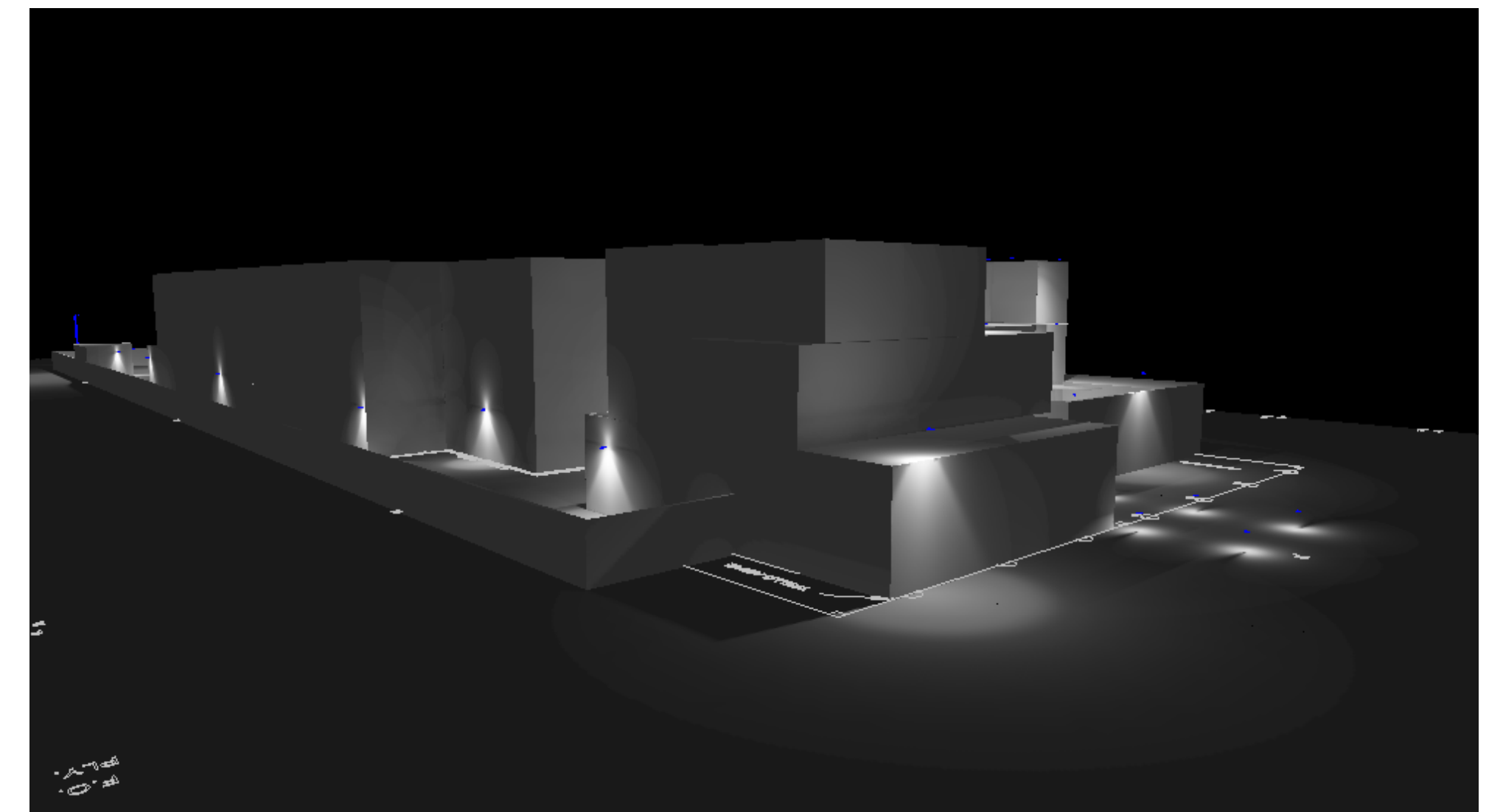
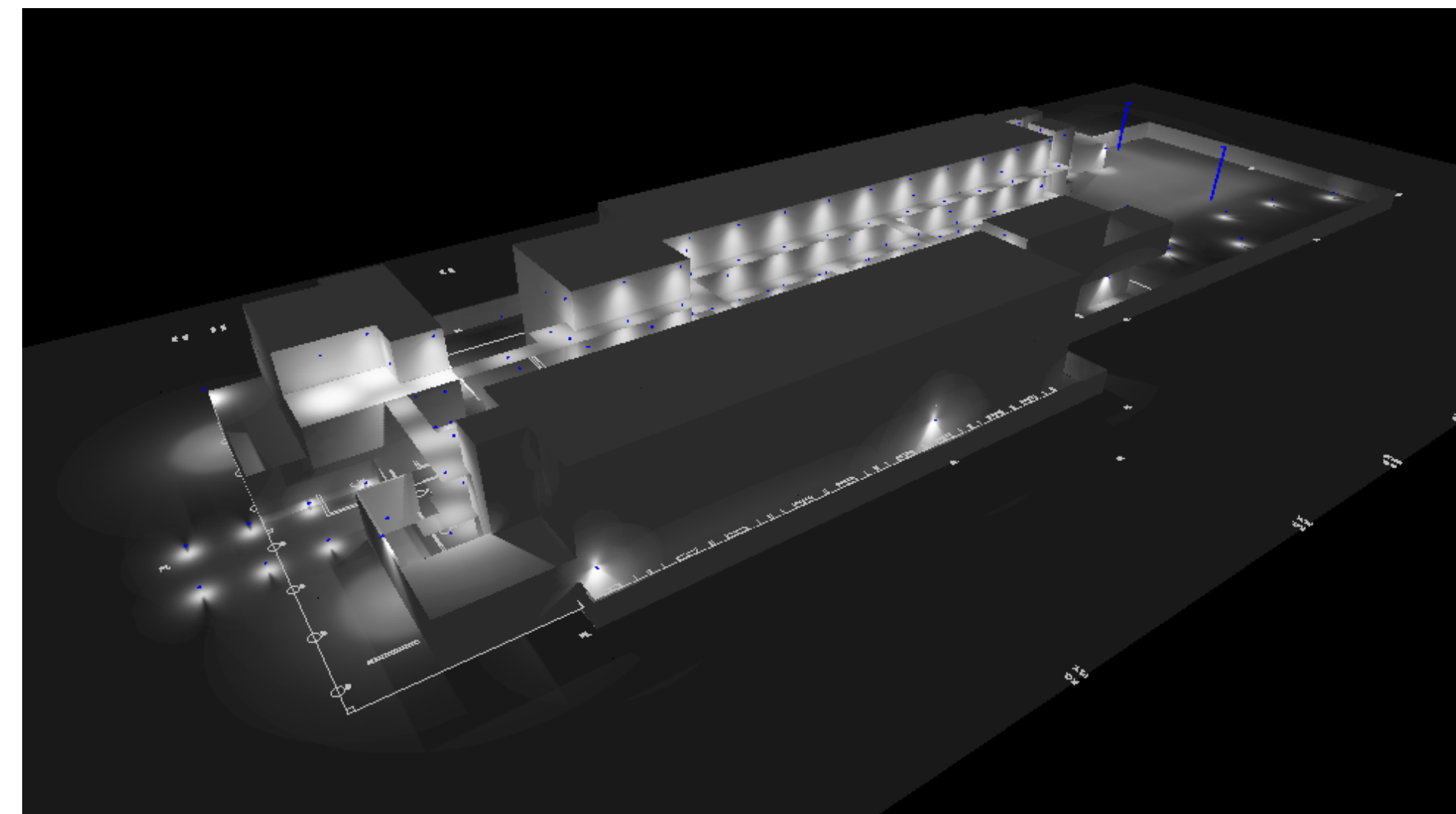
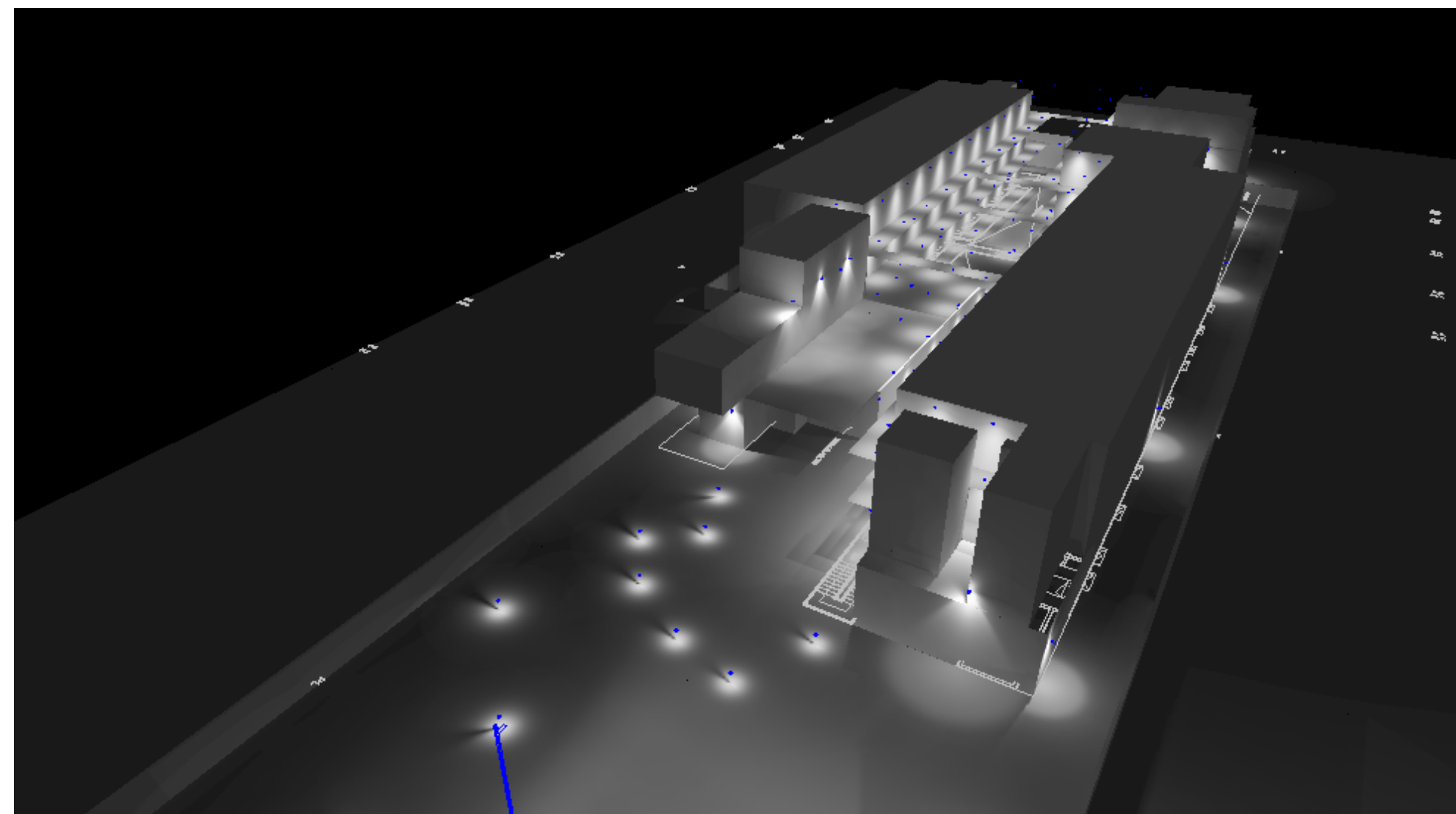
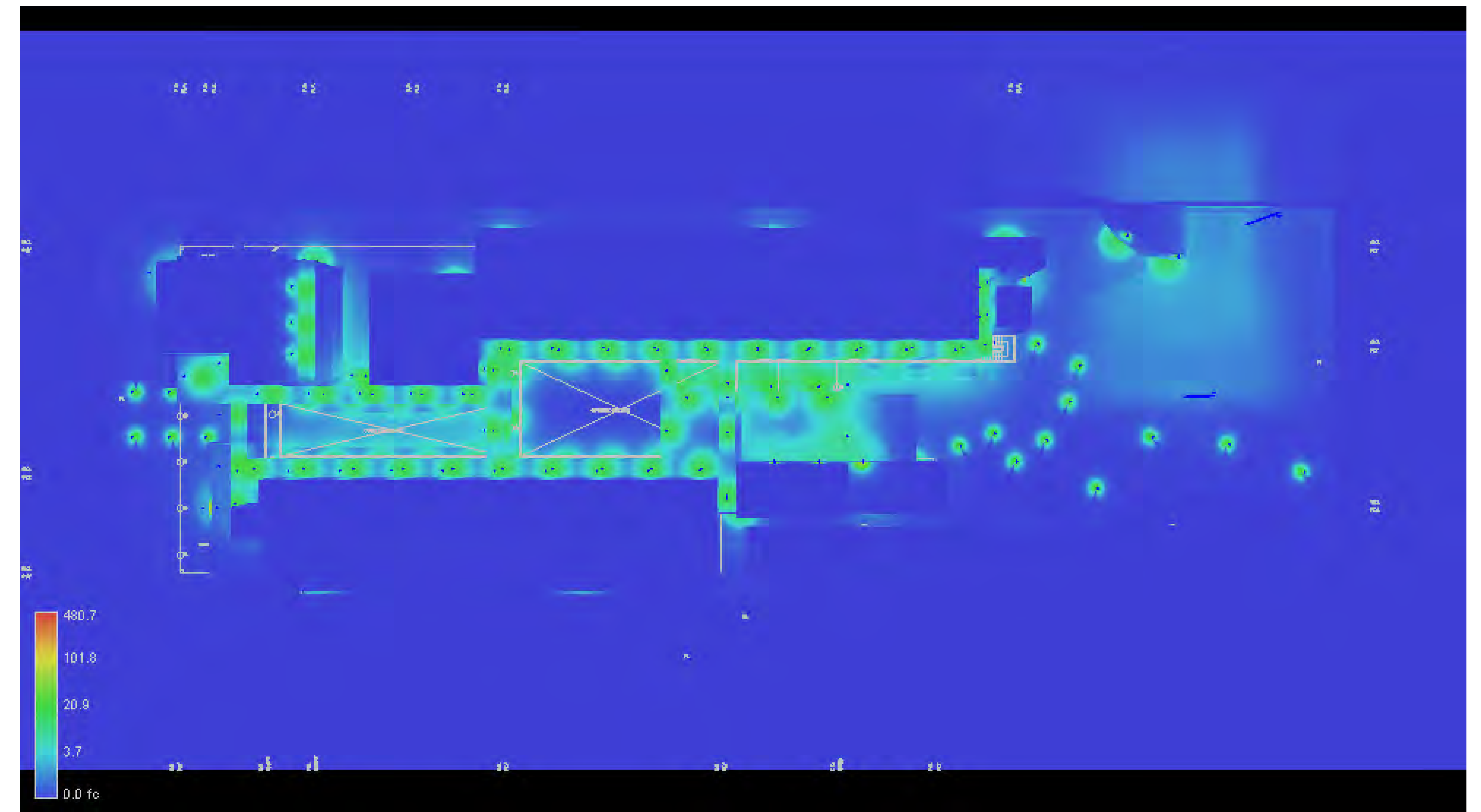
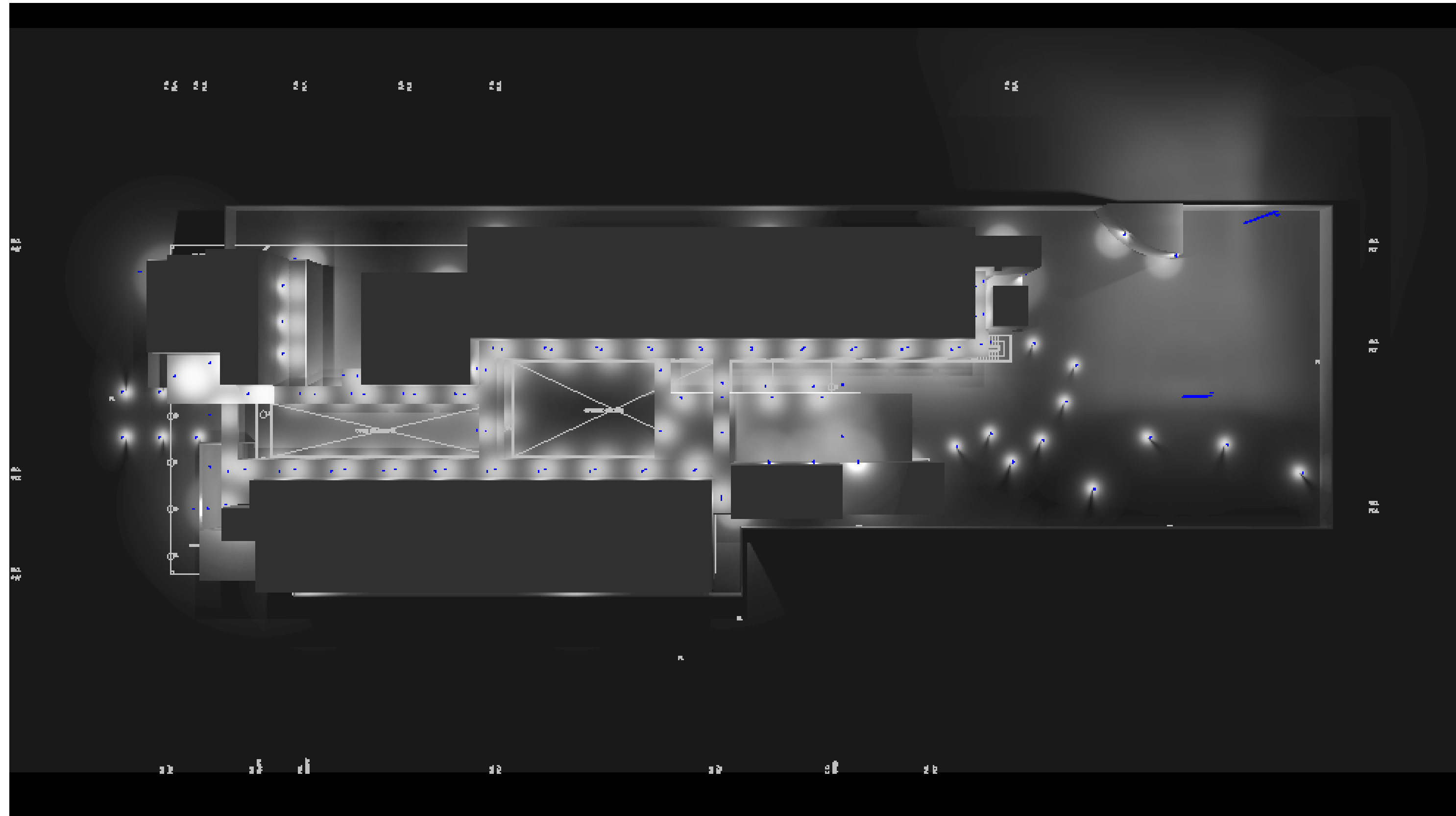
Note
- Calculation zones @ground level



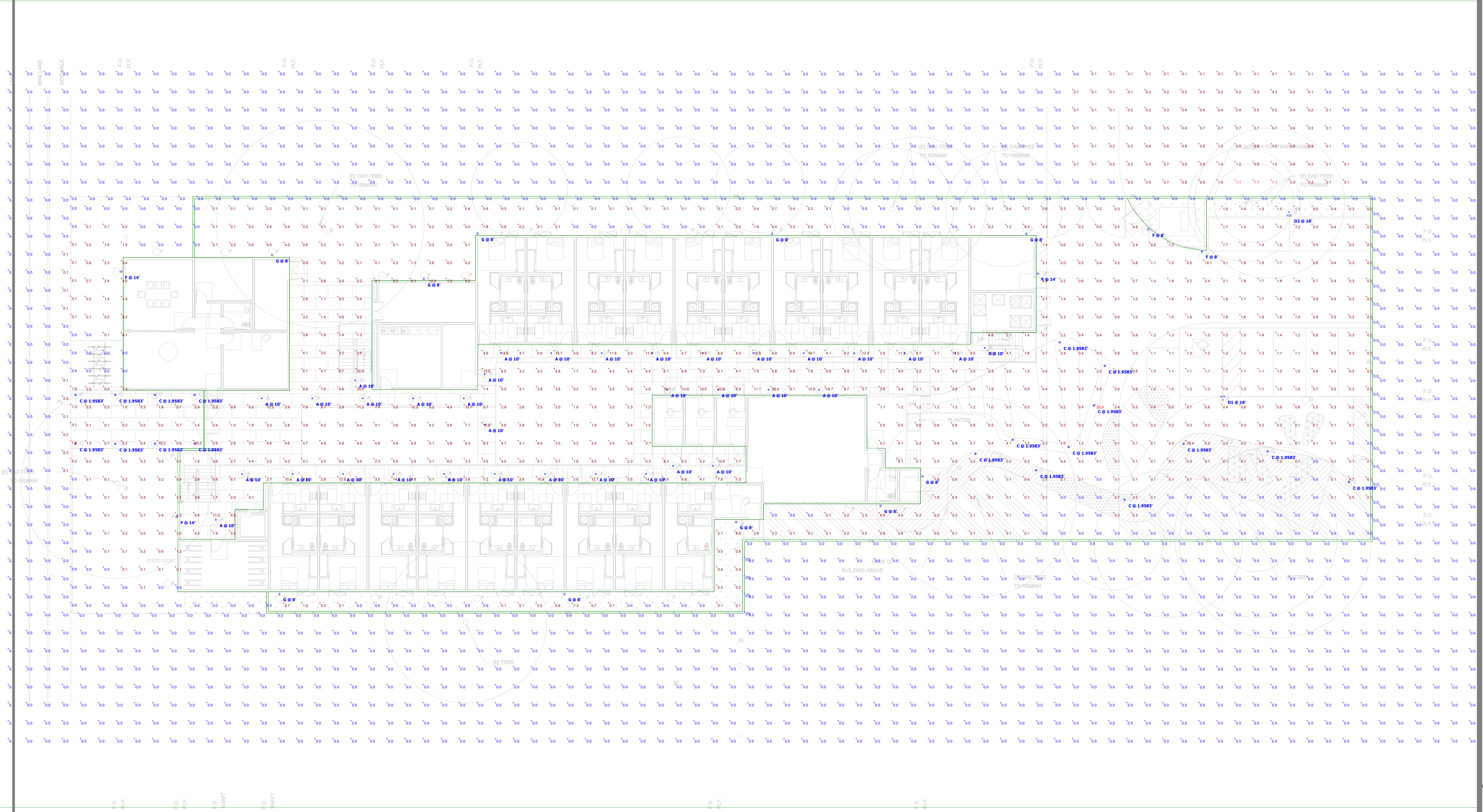
Plan View
Scale - 1" = 16ft

DESIGNER'S NOTE:
THE ENGINEER AND/OR ARCHITECT MUST DETERMINE APPLICABILITY OF THE LAYOUT TO EXISTING / FUTURE FIELD CONDITIONS. THIS LIGHTING LAYOUT REPRESENTS ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA TAKEN UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY (IESNA) APPROVED METHODS. ADDITIONALLY, THE PREPARER USED INFORMATION PROVIDED BY THE CUSTOMER. IF/WHEN SUFFICIENT INFORMATION WAS NOT PROVIDED, PREPARER USED EDUCATED ASSUMPTIONS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRE(S) MAY VARY DUE TO VARIATION IN ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS, AND OTHER FIELD CONDITIONS NOT ACCOUNTED FOR IN THIS PHOTOMETRIC ANALYSIS.

THESE LIGHTING CALCULATIONS ARE NOT A SUBSTITUTE FOR INDEPENDENT ENGINEERING ANALYSIS OF LIGHTING SYSTEM SUITABILITY AND SAFETY. THE ENGINEER AND/OR ARCHITECT IS RESPONSIBLE TO REVIEW FOR ENERGY CODE AND RELEVANT LIGHTING QUALITY COMPLIANCE.

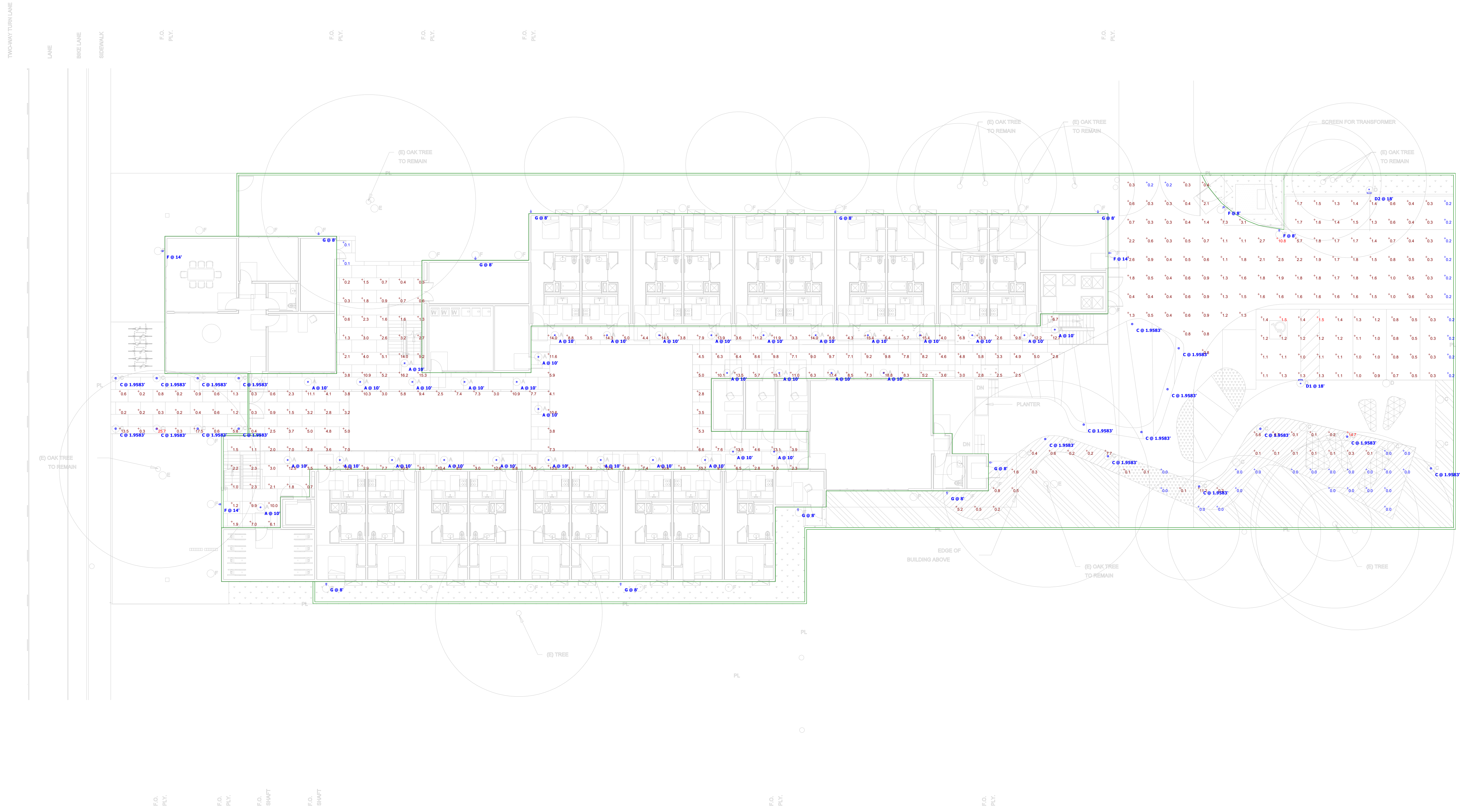


OAK ROSE APARTMENTS



Plan View
Scale - 1" = 12ft

LEVEL 1

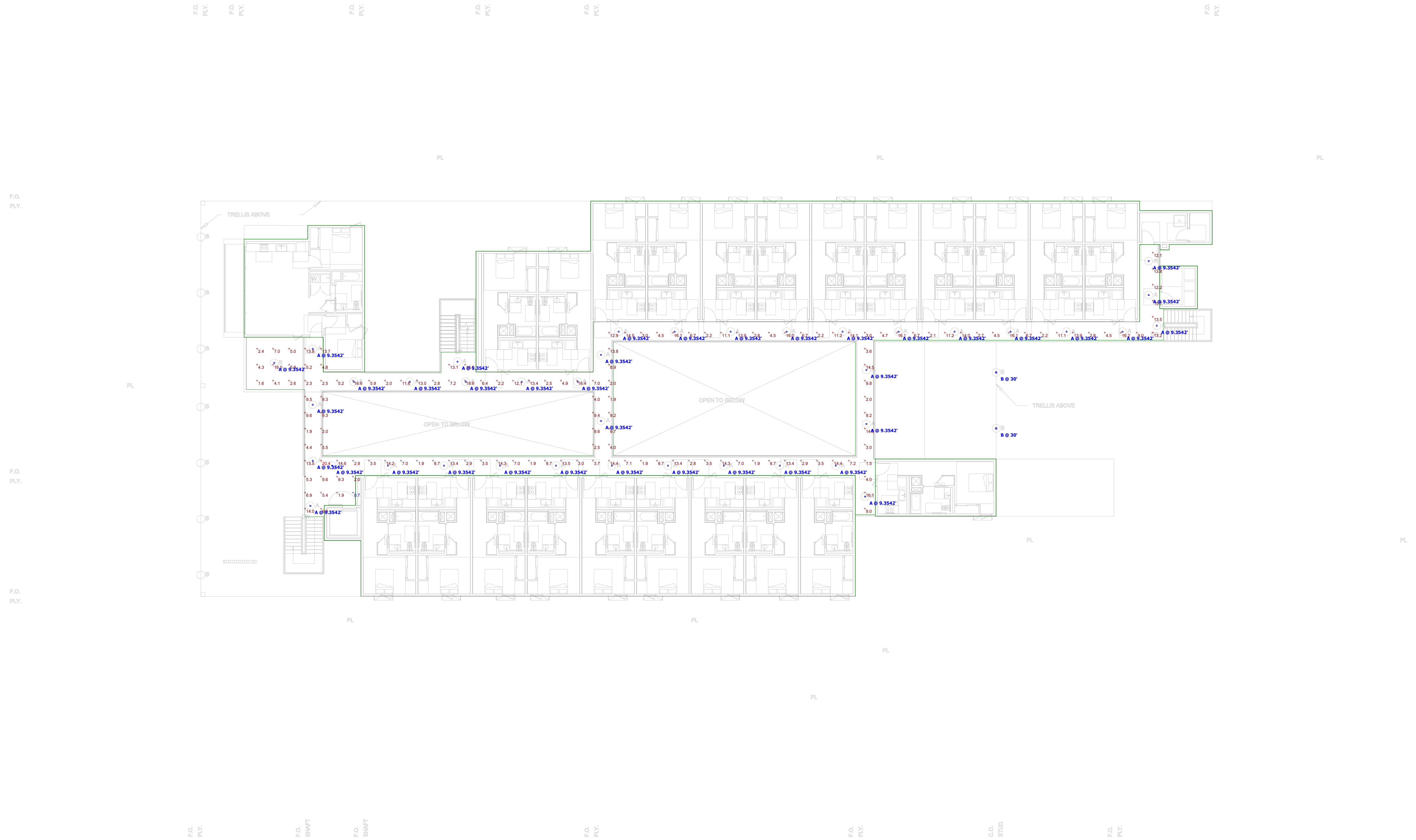


OAK ROSE APARTMENTS

Designer
Western Lighting &
Energy Controls
Date
5/4/2022
Scale
SEE DRAWINGS
Drawing No.
REV-3
Summary



Plan View
Scale - 1" = 12ft



Plan View
Scale - 1" = 12ft

ATTACHMENT 3
ARBORIST REPORT



California Tree and Landscape Consulting, Inc.

August 10, 2021

Oak Rose Apartments LP
 c/o Excelerate Housing Group
 3910 Cover Street
 Long Beach, California 90808
 Via Email: peter@ehghousing.com

PRE-DEVELOPMENT ARBORIST REPORT AND TREE INVENTORY

RE: 9252 Elk Grove Blvd., [APN 134-0072-011], City of Elk Grove Jurisdiction

EXECUTIVE SUMMARY:

Excelerate Housing Group contacted California Tree and Landscape Consulting, Inc. and retained our services to inventory, evaluate, and prepare a Pre-Development Arborist Report and Tree Inventory for the protected trees on the site referenced above for the purpose of evaluating the impacts to the trees from the proposed improvements. The project site is located at 9252 Elk Grove Blvd. in the City of Elk Grove (see Appendix 1 – Tree Inventory Map).

Tyler Thomson, ISA Certified Arborist #WE-12751A, was on site August 4, 2021, to provide species identification, measurements of diameter and canopy, field condition notes and arborist ratings. A total of 88 trees were included in the survey, of which 54 trees are protected under City of Elk Grove Tree Ordinance 19.12, all of which are Trees of Local Importance. One tree was offsite.

Table 1 - Tree Inventory Summary

Tree Species	All Trees Surveyed	Landmark Trees	Trees of Local Importance	Secured Trees	Right-of-Way/ City Trees	Offsite Trees ¹
Interior Live Oak, <i>Quercus wislizenii</i>	7	0	7	0	0	1
Valley Oak, <i>Quercus lobata</i>	50	0	47	0	0	0
Low-value trees ² : Black Locust, Black Walnut, Holly Oak, Mulberry	31	0	0	0	0	0
Totals	88	0	54	0	0	1

See Appendices for specific information on each tree and additional preservation requirements and/or development restrictions.

¹ CalTLC, Inc. is not a licensed land surveyor. Tree locations are approximate and we do not determine tree ownership. Trees which appear to be on another parcel are listed as off-site and treated as the property of that parcel.

² Low-value trees include non-protected, undesirable species, and non-native species that do not meet the requirements of the City of Elk Grove Tree Ordinance 19.12.

ASSIGNMENT

Perform an examination of the site to document the presence and condition of trees protected by the City of Elk Grove, California. The study area for this effort includes the entire deeded parcel which is surrounded by existing development and Elk Grove Blvd. Prepare a report of findings. All trees protected by the City of Elk Grove are included in the inventory.

METHODS

The detailed inventory of the trees is in Appendix 2 – Tree Data. The following terms will further explain our methods and findings.

The protected trees evaluated as part of this report have a numbered tag that was placed on each one that is 1-1/8" x 1-3/8", green anodized aluminum, "acorn" shaped, and labeled: CalTLC, Auburn, CA with 1/4" pre-stamped tree number and Tree Tag. They are attached with a natural-colored aluminum 10d nail, installed at approximately 6 feet above ground level on the approximate north side of the tree. The tag should last ~10-20+ years depending on the species, before it is enveloped by the trees' normal growth cycle.

A Level 2 – Basic Visual Assessment was performed in accordance with the International Society of Arboriculture's best management practices. This assessment level is limited to the observation of conditions and defects which are readily visible. Additional limiting factors, such as blackberries, poison oak, and/or debris piled at the base of a tree can inhibit the visual assessment.

Tree Location: The GPS location of each tree was collected using the ESRI's ArcGIS collector application on an Apple iPhone or Samsung. The data was then processed in ESRI's ArcMap by Julie McNamara, M.S. GISci, to produce the tree location map.

Tree Measurements: DBH (diameter breast high) is normally measured at 4'6" (above the average ground height for "Urban Forestry"), but if that varies then the location where it is measured is noted. A steel diameter tape was used to measure the DBH for all trees. A Stanley laser distance meter was used to measure distances and/or pacing was used to estimate canopy measurements. Canopy radius measurements may also have been estimated due to obstructions, such as steep slopes or other trees.

Terms

Field Tag #	The pre-stamped tree number on the tag which is installed at approximately 6 feet above ground level on the north side of the tree.
Old Tag #	If additional field tags are found on the trees and are legible, they are listed here.
Species	The species of a tree is listed by our local and correct common name and botanical name by genus (capitalized) and species (lower case). Oaks frequently cross-pollinate and hybridize, but the identification is towards the strongest characteristics.
DBH	Diameter breast high' is normally measured at 4'6" (above the average ground height for "Urban Forestry"), but if that varies then the location where it is measured is noted in the next column "measured at."
Measured at	Height above average ground level where the measurement of DBH was taken.

Canopy radius The farthest extent of the crown composed of leaves and small twigs. Most trees are not evenly balanced. This measurement represents the longest extension from the trunk to the outer canopy. The dripline measurement is from the center point of the tree and is shown on the Tree Location Map as a circle. This measurement can further define a protection zone if specified in the local ordinance as such or can indicate if pruning may be required for development.

Protected Root Zone The radius of the protected root zone is a circle equal to the trunk diameter inches converted to feet and factored by tree age, condition and health pursuant to the industry standard. Best Management Practices: Managing Trees During Construction, the companion publication to the Approved American National Standard, provides guidance regarding minimum tree root protection zones for long term survival. In instances where a tree is multi-stemmed the protected root zone is equal to the extrapolated diameter (sum of the area of each stem converted to a single stem) factored by tree age, condition and health.

Arborist Rating Subjective to condition and is based on both the health and structure of the tree. All of the trees were rated for condition, per the recognized national standard as set up by the Council of Tree and Landscape Appraisers and the International Society of Arboriculture (ISA) on a numeric scale of 5 (being the highest) to 0 (the worst condition, dead) as in Chart A. The rating was done in the field at the time of the measuring and inspection.

No problem(s)	Excellent	5	No problems found from a visual ground inspection. Structurally, these trees have properly spaced branches and near perfect.
No apparent problem(s)	Good or Fair to Good	4	The tree is in good condition and there are no apparent problems that a Certified Arborist can see from a visual ground inspection. If potential structural or health problems are tended to at this stage future hazard can be reduced and more serious health problems can be averted.
Minor problem(s)	Fair	3	The tree is in fair condition. There are some minor structural or health problems that pose no immediate danger. When the recommended actions in an arborist report are completed correctly the defect(s) can be minimized or eliminated and/or health can be improved.
Major or uncorrectable problems (2)	Fair to Poor	2	The tree has major problems. If the option is taken to preserve the tree, additional evaluation to identify if health or structure can be improved with correct arboricultural work including, but not limited to: pruning, cabling, bracing, bolting, guying, spraying, mistletoe removal, vertical mulching, fertilization, etc. Additionally, risk should be evaluated as a tree rated 2 may have structural conditions which indicate there is a high likelihood of some type of failure. Tree rated 2 should be removed if these additional evaluations will not be performed.
Extreme problem(s)	Poor	1	The problems are extreme. This rating is assigned to a tree that has structural and/or health problems that no amount of work or effort can change. The issues may or may not be considered a dangerous situation.
Dead	Dead	0	This indicates the tree has no significant sign of life.

Notes Provide notable details about each tree which are factors considered in the determination of the tree rating including: (a) condition of root crown and/or roots; (b) condition of trunk; (c) condition of limbs and structure; (d) growth history and twig condition; (e) leaf appearance; and (f) dripline environment. Notes also indicate if the standard tree evaluation procedure was not followed (for example - why DBH may have been measured at a location other than the standard 54”). Additionally, notes will list any evaluation limiting factors such as debris at the base of a tree.

Actions	Recommended actions to increase health and longevity.
Development Impacts	Projected development impacts are based solely on distance relationships between tree location and grading. Field inspections and findings during the project at the time of grading and trenching can change relative impacts. Closely followed guidelines and requirements can result in a higher chance of survival, while requirements that are overlooked can result in a dramatically lower chance of survival. Impacts are measured as follows:

Impact Term:	Long Term Result of Impact:
Negligible	Tree is unlikely to show any symptoms. Chance of survival post development is excellent. Impacts to the Protected Root Zone are less than 5%.
Minor	Tree is likely to show minor symptoms. Chance of survival post development is good. Impacts to the Protected Root Zone are less than 15% and species tolerance is good.
Moderate	Tree is likely to show moderate symptoms. Chance of survival post development is fair. Impacts to the Protected Root Zone are less than 35% and species tolerance is good or moderate.
Severe	Tree is likely to show moderate symptoms annually and a pattern of decline. Chance of long-term survival post development is low. Impacts to the Protected Root Zone are up to 50% and species tolerance is moderate to poor.
Critical	Tree is likely to show moderate to severe symptoms annually and a pattern of decline. Chance of long-term survival post development is negligible. Impacts to the Protected Root Zone are up to 80%.

Limitations

All of the conclusions in this report are based solely on the observation of conditions on the site which were readily visible from the ground. Trees may appear to be healthy and structurally sound but can contain hidden faults which could result in failure. Any tree could have had previous failures in the upper canopy which could not be seen adequately from the ground. This tree was evaluated during the dormant season.

RECOMMENDATIONS

Follow the General Development Guidelines, Appendix 4, unless otherwise specified in Appendix 3.

- The project arborist should inspect the fencing prior to grading and/or grubbing for compliance with the recommended protection zones.
- Clearance pruning, if required, should include removal of all the lower foliage that may interfere with equipment PRIOR to having grading or other equipment on site. The Project Arborist should approve the extent of foliage elevation and oversee the pruning to be performed by a contractor who is an ISA Certified Arborist.
- Any and all work to be performed inside the protected root zone fencing shall be supervised by the project arborist.

- An Arborist inspection schedule should be developed to monitor the site during (and after) construction to confirm protection measures are followed and make recommendations for care of the trees on site, as needed.

Report Prepared by:

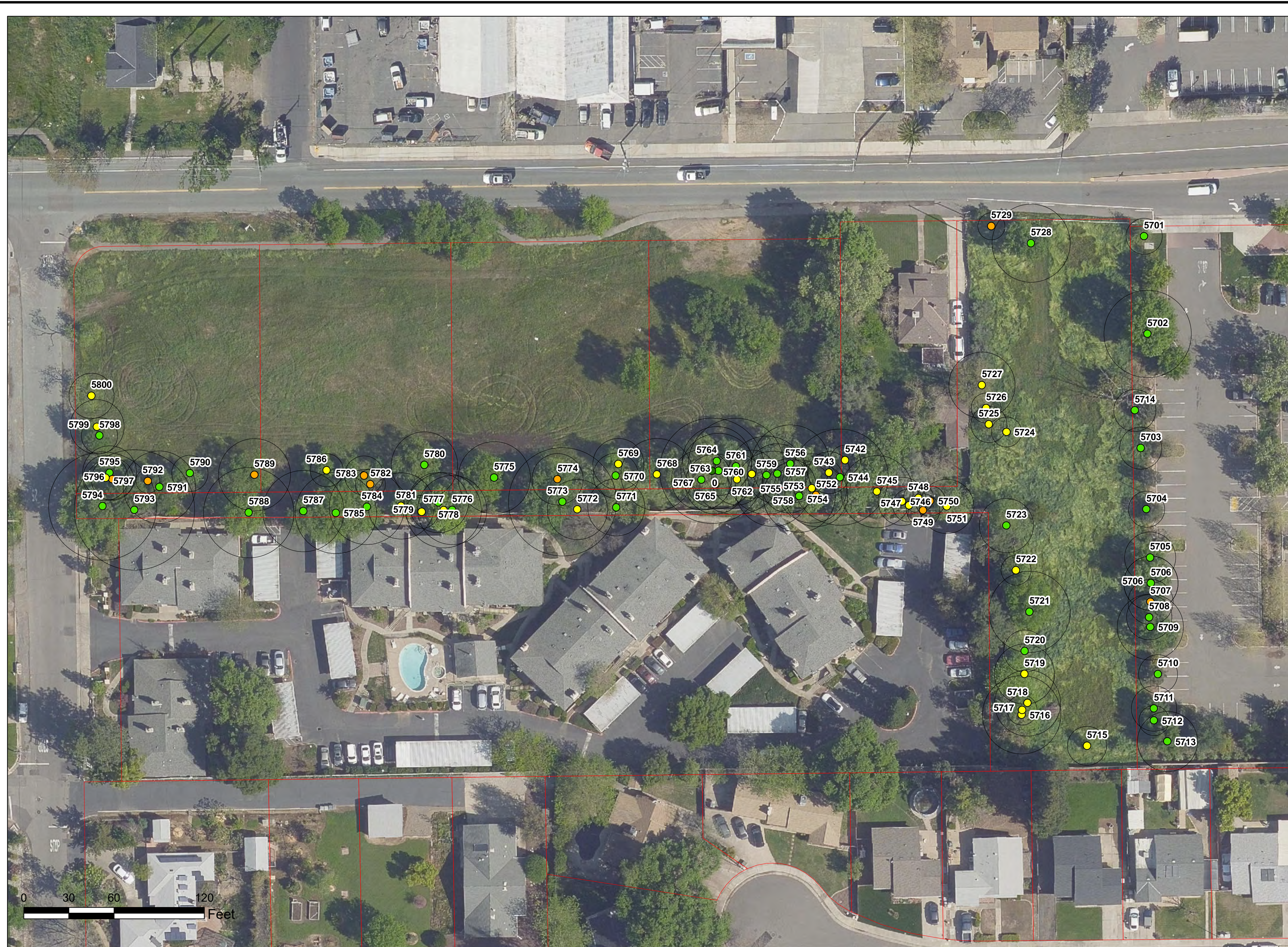


Edwin E. Stirtz, Consulting Arborist
International Society of Arboriculture
Certified Arborist WE-0510A
ISA Tree Risk Assessment Qualified
Member, American Society of Consulting Arborists

Enc.: Appendix 1 – Tree Inventory Map
Appendix 2 – Tree Data
Appendix 3 – General Practices for Tree Protection

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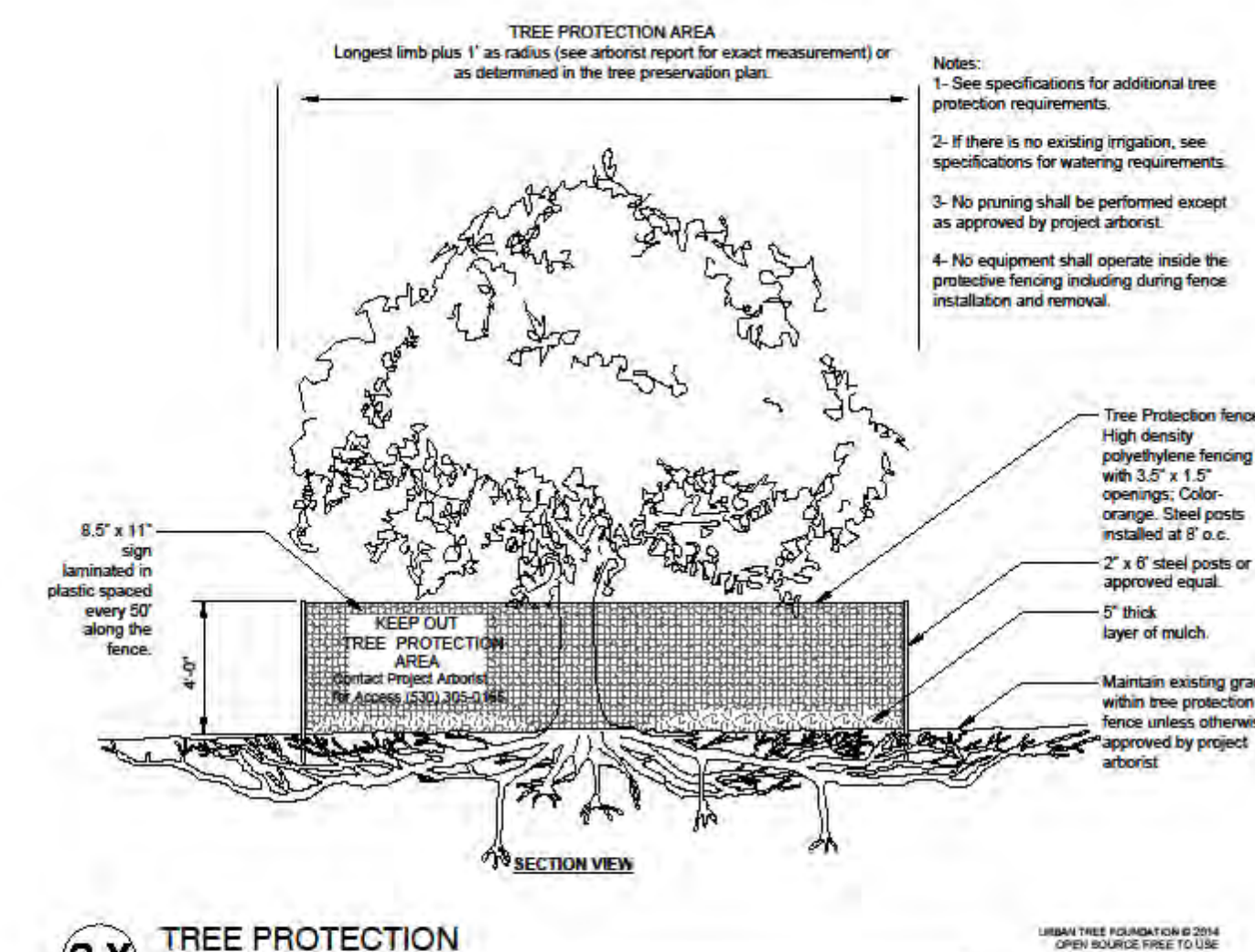
California Tree & Landscape Consulting, Inc.

1243 High Street
Auburn, CA 95603

TREE PROTECTION GENERAL REQUIREMENTS

1. The project arborist for this project is California Tree & Landscape Consulting. The primary contact information is Nicole Harrison (530) 305-0165. The project arborist may continue to provide expertise and make additional recommendations during the construction process if and when additional impacts occur or tree response is poor. Monitoring and construction oversight by the project arborist is recommended for all projects and required when a final letter of assessment is required by the jurisdiction.
2. The project arborist should inspect the exclusionary root protection fencing installed by the contractors prior to any grading and/or grubbing for compliance with the recommended protection zones. Additionally, the project arborist shall inspect the fencing at the onset of each phase of construction. The root protection zone for trees is specified as the 'canopy radius' in Appendix 2 in the arborist report unless otherwise specified by the arborist. Note 'dripline' is not an acceptable location for installation of tree protection fencing.
3. The project arborist should directly supervise any clearance pruning, irrigation, fertilization, placement of mulch and/or chemical treatments. If clearance pruning is required, the Project Arborist should approve the extent of foliage elevation and oversee the pruning to be performed by a contractor who is an ISA Certified Arborist. Clearance pruning should include removal of all the lower foliage that may interfere with equipment PRIOR to having grading or other equipment on site.
4. No trunk within the root protection zone of any trees shall be removed using a backhoe or other piece of grading equipment.
5. Clearly designate an area on the site that is outside of the protection area of all trees where construction materials may be stored, and parking can take place. No materials or parking shall take place within the protection zones of any trees on or off the site.
6. Any and all work to be performed inside the protected root zone fencing, including all grading and utility trenching, shall be approved and/or supervised by the project arborist.
7. Trenching, if required, inside the protected root zone shall be approved and/or supervised by the project arborist and may be required to be performed by hand, by a hydraulic or air spade, or other method which will place pipes underneath the roots without damage to the roots.
8. The root protection zone for trees is specified as the 'canopy radius' in Appendix 2 in the arborist report unless otherwise specified by the arborist. Note 'dripline' is not an acceptable location for installation of tree protection fencing.

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TREE INVENTORY MAP

>Tree locations are approximate and were collected using apple iOS products.
>Property line information was downloaded from Sacramento County on 06/06/2021.

Property Line	Arborist Rating
Measured Tree Canopy	0 Dead
	1 Extreme Structure or Health Problems
	2 Major Structure or Health Problems
	3 Fair - Minor Problems
	4 Good - No Apparent Problems
	5 Excellent



Sheet No.
TPP 1.0

OAK ROSE APARTMENTS

Webb Street & Elk Grove Blvd
Elk Grove, Sacramento County, CA

Date: 8/6/2021

APPENDIX 2 – TREE DATA

Tag #	Old Tag #	Landmark Trees	Trees of Local Importance	Secured Trees	Right-of-Way/ City Trees	Off-site	Common Name	Botanical Name	Multi-Stem	DBH	Measured At	Measured Canopy Radius	Arborist Rating	Notes	Recommendations
5701		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>	6,7	10	54	12	3 Fair - Minor Problems	Good base. Codominant at 2 feet. Good canopy structure and vigor.	None at this time.
5702	70	No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		23	54	29	3 Fair - Minor Problems	Good base, structure and vigor.	None at this time.
5703		No	No	No	No	No	Holly Oak	<i>Quercus ilex</i>		8	54	14	3 Fair - Minor Problems	Small branch at base. Stabilizing stakes attached to trunk. Good structure and vigor.	None at this time.
5704		No	No	No	No	No	Holly Oak	<i>Quercus ilex</i>		6.5	54	12	3 Fair - Minor Problems	Good base. Low branches. Good structure and vigor.	None at this time.
5705		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		11.5	54	17	3 Fair - Minor Problems	Swollen base. Leans east. Good structure and vigor.	None at this time.
5706		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		14.5	54	18	3 Fair - Minor Problems	Good base, structure and vigor.	None at this time.
5707		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>	5,6	8.5	54	15	1 Extreme Structure or Health Problems	Extensive decay in base and up trunk. Poor structure and vigor.	Recommend removal due to noted defects.
5708		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>	7,7.5	11.25	54	15	3 Fair - Minor Problems	Codominant at 6 inches. Low branches. Good vigor.	None at this time.
5709		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>	9.5,13	17.75	54	22	3 Fair - Minor Problems	Codominant at grade. Good structure and vigor.	None at this time.
5710		No	No	No	No	No	Holly Oak	<i>Quercus ilex</i>		7.5	54	13	3 Fair - Minor Problems	Closed wound on base and trunk. Good vigor.	None at this time.
5711		No	Yes	No	No	No	Interior Live Oak	<i>Quercus wislizenii</i>	6,8.5	11.5	54	15	3 Fair - Minor Problems	Codominant at 8 inches. Old pruning cuts at base. Good structure and vigor.	None at this time.
5712		No	No	No	No	No	Valley oak	<i>Quercus lobata</i>		5.5	54	10	3 Fair - Minor Problems	Good base, structure and vigor.	None at this time.

Tag #	Old Tag #	Landmark Trees	Trees of Local Importance	Secured Trees	Right-of-Way/ City Trees	Off-site	Common Name	Botanical Name	Multi-Stem	DBH	Measured At	Measured Canopy Radius	Arborist Rating	Notes	Recommendations
5713		No	Yes	No	No	Yes	Interior Live Oak	<i>Quercus wislizenii</i>		11	54	20	3 Fair - Minor Problems	Closing wound on base. Good structure and vigor.	None at this time.
5714		No	No	No	No	No	Holly Oak	<i>Quercus ilex</i>		8	54	14	3 Fair - Minor Problems	Good base. Low branches. Good structure and vigor.	None at this time.
5715		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>	3.5,5.5	7.25	54	13	2 Major Structure or Health Problems	Good base. Codominant at grade. Dead/damaged foliage. High oak galls. Low vigor.	None at this time.
5716		No	No	No	No	No	Black Walnut	<i>Juglans nigra</i>		34.5	54	26	2 Major Structure or Health Problems	Large opening with decay on northwest base. High deadwood in canopy. Medium vigor.	None at this time.
5717		No	No	No	No	No	Mulberry	<i>Morus alba</i>		6	54	10	2 Major Structure or Health Problems	Small cavities at base. Base and trunk rubbing fence. Trunk growing up through adjacent tree. Low vigor.	None at this time.
5718		No	No	No	No	No	Mulberry	<i>Morus alba</i>		8	54	22	2 Major Structure or Health Problems	Poor base structure. Poor trunk structure. Low branches. Growing up through adjacent Walnut tree canopy.	None at this time.
5719		No	No	No	No	No	Mulberry	<i>Morus alba</i>	6.5,8	11.25	54	20	2 Major Structure or Health Problems	Codominant at grade. Crowded codominant stems with weak connection. Crowded stems in canopy. Poor structure and vigor.	None at this time.
5720		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>	3.5,4.5	6.25	54	14	3 Fair - Minor Problems	Codominant at 8 inches. Good structure and vigor.	None at this time.
5721		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>	13.5,14	20.75	54	27	3 Fair - Minor Problems	2' inclusion on both sides of codominant union. Good structure and vigor.	None at this time.
5722		No	No	No	No	No	Mulberry	<i>Morus alba</i>	3,3,4.5	7.5	54	10	2 Major Structure or Health Problems	Crowded base. Crowded rubbing stems throughout canopy. Low vigor.	None at this time.
5723		No	No	No	No	No	Black Locust	<i>Robinia pseudoacacia</i>	7,7	10.5	54	18	3 Fair - Minor Problems	Good base. Codominant at 3 feet. Good structure and vigor.	None at this time.

Tag #	Old Tag #	Landmark Trees	Trees of Local Importance	Secured Trees	Right-of-Way/ City Trees	Off-site	Common Name	Botanical Name	Multi-Stem	DBH	Measured At	Measured Canopy Radius	Arborist Rating	Notes	Recommendations
5724		No	No	No	No	No	Black Walnut	<i>Juglans nigra</i>		6	54	10	2 Major Structure or Health Problems	Base sprouted from large old stump. Poor structure. Low vigor.	None at this time.
5725		No	No	No	No	No	Black Locust	<i>Robinia pseudoacacia</i>	5,6	8.5	36	12	2 Major Structure or Health Problems	Dead branches at base. Sparse foliage. Low vigor.	None at this time.
5726		No	No	No	No	No	Black Locust	<i>Robinia pseudoacacia</i>		4	54	10	2 Major Structure or Health Problems	Small dead branch at base. Leans southwest. Dead bark on trunk. High dead branches. Low vigor.	None at this time.
5727		No	No	No	No	No	Black Locust	<i>Robinia pseudoacacia</i>		48	54	22	2 Major Structure or Health Problems	Large deep cavity in codominant union. Extensive decay on every stem. High dead branches. Low vigor.	None at this time.
5728		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		24	24	26	3 Fair - Minor Problems	Good base. Codominant at feet. Good structure and vigor.	None at this time.
5729		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		7	54	9	1 Extreme Structure or Health Problems	Extensive decay on base and up trunk into canopy. Poor structure and vigor.	Recommend removal due to noted defects.
5730-7541	Tag # not used														
5742	62	No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		6.5	54	10	2 Major Structure or Health Problems	Good base. Trunk and canopy covered in ivy. High dead branches. Suppressed. Low vigor.	None at this time.
5743		No	No	No	No	No	Valley oak	<i>Quercus lobata</i>		5	54	14	2 Major Structure or Health Problems	Base and trunk covered in ivy. Poor trunk taper. Poor structure. Epicormic growth. Low vigor.	None at this time.
5744		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		18	54	32	3 Fair - Minor Problems	Good base, structure and vigor. Ivy on trunk.	None at this time.

Tag #	Old Tag #	Landmark Trees	Trees of Local Importance	Secured Trees	Right-of-Way/ City Trees	Off-site	Common Name	Botanical Name	Multi-Stem	DBH	Measured At	Measured Canopy Radius	Arborist Rating	Notes	Recommendations
5745		No	No	No	No	No	Black Walnut	<i>Juglans nigra</i>		12	54	24	2 Major Structure or Health Problems	Uprooted base with decay. Poor structure. Medium vigor.	None at this time.
5746		No	No	No	No	No	Black Walnut	<i>Juglans nigra</i>		8.5	54	16	2 Major Structure or Health Problems	Open cavities on base and trunk. Poor structure and vigor.	None at this time.
5747		No	No	No	No	No	Black Walnut	<i>Juglans nigra</i>		7.5	54	11	2 Major Structure or Health Problems	Open cavity at base. Poor structure and vigor.	None at this time.
5748		No	No	No	No	No	Black Walnut	<i>Juglans nigra</i>		7.5	54	10	2 Major Structure or Health Problems	Fence post leaning on base. Poor structure. Epicormic growth. Low vigor. Dead top.	None at this time.
5749		No	No	No	No	No	Black Walnut	<i>Juglans nigra</i>		6	54	11	1 Extreme Structure or Health Problems	Large cavity in base. Poor structure and vigor.	Recommend removal due to noted defects.
5750		No	No	No	No	No	Black Walnut	<i>Juglans nigra</i>		9.5	54	10	1 Extreme Structure or Health Problems	Large cavity in base. Large cavity in trunk. Dead branches. Poor structure and vigor.	Recommend removal due to noted defects.
5751		No	No	No	No	No	Black Walnut	<i>Juglans nigra</i>		14.5	54	18	2 Major Structure or Health Problems	Wire in base. Low branches. Broken dead branches in canopy. Poor structure. Medium vigor.	None at this time.
5752	60	No	No	No	No	No	Black Walnut	<i>Juglans nigra</i>	16,16	24	54	21	1 Extreme Structure or Health Problems	Large opening with decay at base and trunk. Decay and inclusions on stems. High dead branches. Low vigor.	Recommend removal due to noted defects.
5753	59	No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		11.5	54	23	2 Major Structure or Health Problems	Good base. Leans west. Damaged/dead leaves all throughout canopy. Low vigor.	None at this time.

Tag #	Old Tag #	Landmark Trees	Trees of Local Importance	Secured Trees	Right-of-Way/ City Trees	Off-site	Common Name	Botanical Name	Multi-Stem	DBH	Measured At	Measured Canopy Radius	Arborist Rating	Notes	Recommendations
5754	58	No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		15.5	54	24	3 Fair - Minor Problems	Good base, structure and vigor. Leans west.	None at this time.
5755	57	No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		11	54	18	3 Fair - Minor Problems	Good base, structure and vigor.	None at this time.
5756	54	No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		17.5	54	26	3 Fair - Minor Problems	Good base, structure and vigor.	None at this time.
5757	55	No	Yes	No	No	No	Interior Live Oak	<i>Quercus wislizenii</i>		12	54	20	3 Fair - Minor Problems	Small opening at base. Good structure and vigor.	None at this time.
5758	56	No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		14.5	54	25	3 Fair - Minor Problems	Good base. Leans northwest. Good vigor.	None at this time.
5759	53	No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		11	54	26	3 Fair - Minor Problems	Good base. Leans east. Good structure and vigor.	None at this time.
5760	52	No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		8.5	54	16	2 Major Structure or Health Problems	Good base. Epicormic growth. Sparse foliage. Low vigor.	None at this time.
5761	51	No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>	8,16	20	54	32	3 Fair - Minor Problems	Good base. Codominant at grade. Good structure and vigor. Leans east.	None at this time.
5762	50	No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		6.5	54	17	2 Major Structure or Health Problems	Good base. Epicormic growth. Poor structure and vigor.	None at this time.
5763	48	No	Yes	No	No	No	Interior Live Oak	<i>Quercus wislizenii</i>		12	54	25	3 Fair - Minor Problems	Good base. Small inclusions on trunk. Good vigor.	None at this time.
5764	49	No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		11	54	23	3 Fair - Minor Problems	Good base. Leans northeast. Good vigor.	None at this time.
5765	47	No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		8	54	20	2 Major Structure or Health Problems	Good base. Closed wounds on trunk. Poor trunk taper. Medium vigor.	None at this time.

Tag #	Old Tag #	Landmark Trees	Trees of Local Importance	Secured Trees	Right-of-Way/ City Trees	Off-site	Common Name	Botanical Name	Multi-Stem	DBH	Measured At	Measured Canopy Radius	Arborist Rating	Notes	Recommendations
5766		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>	14.5,18	25.25	54	35	3 Fair - Minor Problems	Good base. Structure and vigor fair.	None at this time.
5767		No	Yes	No	No	No	Interior Live Oak	<i>Quercus wislizenii</i>		12	54	20	3 Fair - Minor Problems	Good base. Low branches. Dead branches. Good vigor.	None at this time.
5768	44	No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		10.5	54	24	2 Major Structure or Health Problems	Good base. Low dead branches. Damaged sparse foliage. Low vigor.	None at this time.
5769		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		6.5	54	17	2 Major Structure or Health Problems	Dead branches on base and trunk. Sparse damaged foliage. Leans north. Low vigor.	None at this time.
5770		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		7.5	54	15	3 Fair - Minor Problems	Good base. Small dead branches on trunk. Good structure and vigor.	None at this time.
5771		No	No	No	No	No	Black Walnut	<i>Juglans nigra</i>		16	24	19	3 Fair - Minor Problems	Good base, structure and vigor.	None at this time.
5772		No	No	No	No	No	Black Walnut	<i>Juglans nigra</i>		9.5	54	20	2 Major Structure or Health Problems	Good base. Multiple open wounds up trunk. Poor structure and vigor.	None at this time.
5773		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>	6,10,10.5, 12,13	32.25	54	36	3 Fair - Minor Problems	Good base, structure and vigor.	None at this time.
5774		No	No	No	No	No	Black Walnut	<i>Juglans nigra</i>		12.5	54	17	1 Extreme Structure or Health Problems	Swollen base. High dead branches. Poor structure. Sparse foliage. Low vigor.	Recommend removal due to noted defects.
5775		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		15.5	54	24	3 Fair - Minor Problems	Good base, structure and vigor. Low branches.	None at this time.
5776		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		15.5	54	23	3 Fair - Minor Problems	Good base, structure and vigor. Some epicormic growth.	None at this time.

Tag #	Old Tag #	Landmark Trees	Trees of Local Importance	Secured Trees	Right-of-Way/ City Trees	Off-site	Common Name	Botanical Name	Multi-Stem	DBH	Measured At	Measured Canopy Radius	Arborist Rating	Notes	Recommendations
5777		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		13	54	25	2 Major Structure or Health Problems	Good base. High epicormic growth. Sparse foliage. Damaged leaves. Low vigor.	None at this time.
5778		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		7.5	54	20	3 Fair - Minor Problems	Good base. Leans northwest. Good structure and vigor.	None at this time.
5779		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		6	54	11	2 Major Structure or Health Problems	Good base. Poor trunk taper and structure. Epicormic growth. Low vigor.	None at this time.
5780	39	No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		15.5	54	22	3 Fair - Minor Problems	Good base, structure and vigor. Low branches.	None at this time.
5781		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>	5,6,8	13.5	54	22	2 Major Structure or Health Problems	Inclusion at base. Crowded stems. High dead branches. Damaged sparse foliage. Low vigor.	None at this time.
5782		No	No	No	No	No	Valley oak	<i>Quercus lobata</i>		4	54	10	1 Extreme Structure or Health Problems	Dead branches on base and trunk. Mostly dead foliage. Poor structure and vigor.	Recommend removal due to noted defects.
5783		No	No	No	No	No	Black Walnut	<i>Juglans nigra</i>	8.5,9,9	17.75	54	13	1 Extreme Structure or Health Problems	Good base. High dead branches. Mostly dead leaves. Poor structure and vigor.	Recommend removal due to noted defects.
5784		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		14	54	25	3 Fair - Minor Problems	Good base, structure and vigor.	None at this time.
5785		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		18	54	27	3 Fair - Minor Problems	Good base, structure and vigor.	None at this time.
5786	37	No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		7	54	11	2 Major Structure or Health Problems	Swollen base with signs of decay. Low dead branches. Sparse/damaged foliage. Epicormic growth. Low vigor.	None at this time.

Tag #	Old Tag #	Landmark Trees	Trees of Local Importance	Secured Trees	Right-of-Way/ City Trees	Off-site	Common Name	Botanical Name	Multi-Stem	DBH	Measured At	Measured Canopy Radius	Arborist Rating	Notes	Recommendations
5787		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		12	54	27	3 Fair - Minor Problems	Good base, structure and vigor. Leans southwest.	None at this time.
5788		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		18	54	30	3 Fair - Minor Problems	Good base, structure and vigor. Epicormic growth.	None at this time.
5789	36	No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>	9,10	14.5	54	24	1 Extreme Structure or Health Problems	Mostly dead. High dead branches. Low vigor.	Recommend removal due to noted defects.
5790		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		6	54	12	3 Fair - Minor Problems	Good base, structure and vigor.	None at this time.
5791	34	No	Yes	No	No	No	Interior Live Oak	<i>Quercus wislizenii</i>	7,8,11	18.5	54	24	3 Fair - Minor Problems	Codominant at grade. Leans east. Low branches. Good vigor.	None at this time.
5792	33	No	No	No	No	No	Black Walnut	<i>Juglans nigra</i>		13.5	54	8	1 Extreme Structure or Health Problems	Mostly dead. Little foliage on one stem. Low vigor.	Recommend removal due to noted defects.
5793		No	Yes	No	No	No	Interior Live Oak	<i>Quercus wislizenii</i>		21	54	40	3 Fair - Minor Problems	Good base, structure and vigor.	None at this time.
5794		No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>	17,18.5	27	54	36	3 Fair - Minor Problems	Good base, structure and vigor.	None at this time.
5795	30	No	No	No	No	No	Black Walnut	<i>Juglans nigra</i>		9	54	18	3 Fair - Minor Problems	Good base. Leans north. Good vigor.	None at this time.
5796	29	No	No	No	No	No	Black Walnut	<i>Juglans nigra</i>		6.5	54	14	1 Extreme Structure or Health Problems	Poor trunk structure. Major decay in canopy. Poor structure and vigor.	Recommend removal due to noted defects.
5797	32	No	No	No	No	No	Black Walnut	<i>Juglans nigra</i>	7,7.5,11	18.25	54	15	2 Major Structure or Health Problems	Codominant at grade. Poor structure. High dead branches. Low vigor.	None at this time.

Tag #	Old Tag #	Landmark Trees	Trees of Local Importance	Secured Trees	Right-of-Way/ City Trees	Off-site	Common Name	Botanical Name	Multi-Stem	DBH	Measured At	Measured Canopy Radius	Arborist Rating	Notes	Recommendations
5798	27	No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		9	54	12	3 Fair - Minor Problems	Closed wound at base. Good structure and vigor.	None at this time.
5799	26	No	Yes	No	No	No	Valley oak	<i>Quercus lobata</i>		8.5	54	18	2 Major Structure or Health Problems	Good base and structure. Damaged leaves throughout tree. Low vigor.	None at this time.
5800		No	No	No	No	No	Black Walnut	<i>Juglans nigra</i>	10,12	17	54	15	2 Major Structure or Health Problems	Good base. Codominant at 1'. Opening with decay in north trunk. Poor structure. Drought stressed. Low vigor.	None at this time.

TOTAL INVENTORIED TREES = 88 trees (1,120 aggregate diameter inches)
TOTAL RECOMMENDED REMOVALS = 11 trees (123.75 aggregate diameter inches)
Rating (0-5, where 0 is dead): 1=11 trees; 2=31 trees; 3=46 trees
TOTAL PROTECTED TREES: 54 trees (721.75 aggregate diameter inches)

*DBH for multi-stems is diameter of largest trunk plus 1/2 cumulative diameter of remaining trunks at 4'6" above natural grade.

APPENDIX 3 – GENERAL PRACTICES FOR TREE PROTECTION

Definitions:

Root zone: The roots of trees grow fairly close to the surface of the soil, and spread out in a radial direction from the trunk of tree. A general rule of thumb is that they spread 2 to 3 times the radius of the canopy, or 1 to 1½ times the height of the tree. It is generally accepted that disturbance to root zones should be kept as far as possible from the trunk of a tree.

Inner Bark: The bark on large valley oaks and coast live oaks is quite thick, usually 1” to 2”. If the bark is knocked off a tree, the inner bark, or cambial region, is exposed or removed. The cambial zone is the area of tissue responsible for adding new layers to the tree each year, so by removing it, the tree can only grow new tissue from the edges of the wound. In addition, the wood of the tree is exposed to decay fungi, so the trunk present at the time of the injury becomes susceptible to decay. Tree protection measures require that no activities occur which can knock the bark off the trees.

Methods Used in Tree Protection:

No matter how detailed Tree Protection Measures are in the initial Arborist Report, they will not accomplish their stated purpose unless they are applied to individual trees and a Project Arborist is hired to oversee the construction. The Project Arborist should have the ability to enforce the Protection Measures. The Project Arborist should be hired as soon as possible to assist in design and to become familiar with the project. He must be able to read and understand the project drawings and interpret the specifications. He should also have the ability to cooperate with the contractor, incorporating the contractor’s ideas on how to accomplish the protection measures, wherever possible. It is advisable for the Project Arborist to be present at the Pre-Bid tour of the site, to answer questions the contractors may have about Tree Protection Measures. This also lets the contractors know how important tree preservation is to the developer.

Root Protection Zone (RPZ): Since in most construction projects it is not possible to protect the entire root zone of a tree, a Root Protection Zone is established for each tree to be preserved. The minimum Root Protection Zone is the area underneath the tree’s canopy (out to the dripline, or edge of the canopy), plus 1’. The Project Arborist must approve work within the RPZ.

Irrigate, Fertilize, Mulch: Prior to grading on the site near any tree, the area within the Tree Protection fence should be fertilized with 4 pounds of nitrogen per 1000 square feet, and the fertilizer irrigated in. The irrigation should percolate at least 24 inches into the soil. This should be done no less than 2 weeks prior to grading or other root disturbing activities. After irrigating, cover the RPZ with at least 12” of leaf and twig mulch. Such mulch can be obtained from chipping or grinding the limbs of any trees removed on the site. Acceptable mulches can be obtained from nurseries or other commercial sources. Fibrous or shredded redwood or cedar bark mulch shall not be used anywhere on site.

Fence: Fence around the Root Protection Zone and restrict activity therein to prevent soil compaction by vehicles, foot traffic or material storage. The fenced area shall be off limits to all construction equipment, unless there is express written notification provided by the Project Arborist, and impacts are discussed and mitigated prior to work commencing.

No storage or cleaning of equipment or materials, or parking of any equipment can take place within the fenced off area, known as the RPZ.

The fence should be highly visible, and stout enough to keep vehicles and other equipment out. I recommend the fence be made of orange plastic protective fencing, kept in place by t-posts set no farther apart than 6'.

In areas of intense impact, a 6' chain link fence is preferred.

In areas with many trees, the RPZ can be fenced as one unit, rather than separately for each tree.

Where tree trunks are within 3' of the construction area, place 2" by 4" boards vertically against the tree trunks, even if fenced off. Hold the boards in place with wire. Do not nail them directly to the tree. The purpose of the boards is to protect the trunk, should any equipment stray into the RPZ.

Elevate Foliage: Where indicated, remove lower foliage from a tree to prevent limb breakage by equipment. Low foliage can usually be removed without harming the tree, unless more than 25% of the foliage is removed. Branches need to be removed at the anatomically correct location in order to prevent decay organisms from entering the trunk. For this reason, a contractor who is an ISA Certified Arborist should perform all pruning on protected trees.³

Expose and Cut Roots: Breaking roots with a backhoe, or crushing them with a grader, causes significant injury, which may subject the roots to decay. Ripping roots may cause them to splinter toward the base of the tree, creating much more injury than a clean cut would make. At any location where the root zone of a tree will be impacted by a trench or a cut (including a cut required for a fill and compaction), the roots shall be exposed with either a backhoe digging radially to the trunk, by hand digging, or by a hydraulic air spade, and then cut cleanly with a sharp instrument, such as chainsaw with a carbide chain. Once the roots are severed, the area behind the cut should be moistened and mulched. A root protection fence should also be erected to protect the remaining roots, if it is not already in place. Further grading or backhoe work required outside the established RPZ can then continue without further protection measures.

Protect Roots in Deeper Trenches: The location of utilities on the site can be very detrimental to trees. Design the project to use as few trenches as possible, and to keep them away from the major trees to be protected. Wherever possible, in areas where trenches will be very deep, consider boring under the roots of the trees, rather than digging the trench through the roots. This technique can be quite useful for utility trenches and pipelines.

Protect Roots in Small Trenches: After all construction is complete on a site, it is not unusual for the landscape contractor to come in and sever a large number of "preserved" roots during the installation of irrigation systems. The Project Arborist must therefore approve the landscape and irrigation plans. The irrigation system needs to be designed so the main lines are located outside the root zone of major trees, and the secondary lines are either laid on the surface (drip systems), or carefully dug with a hydraulic or air spade, and the flexible pipe fed underneath the major roots.

Design the irrigation system so it can slowly apply water (no more than ¼" to ½" of water per hour) over a longer period of time. This allows deep soaking of root zones. The system also needs to accommodate infrequent irrigation settings of once or twice a month, rather than several times a week.

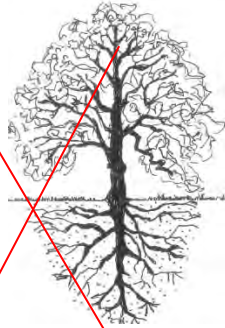
Monitoring Tree Health During and After Construction: The Project Arborist should visit the site at least twice a month during construction to be certain the tree protection measures are being followed, to monitor the health of impacted trees, and make recommendations as to irrigation or other needs. After construction is

³ International Society of Arboriculture (ISA), maintains a program of Certifying individuals. Each Certified Arborist has a number and must maintain continuing education credits to remain Certified.

complete, the arborist should monitor the site monthly for one year and make recommendations for care where needed. If longer term monitoring is required, the arborist should report this to the developer and the planning agency overseeing the project.

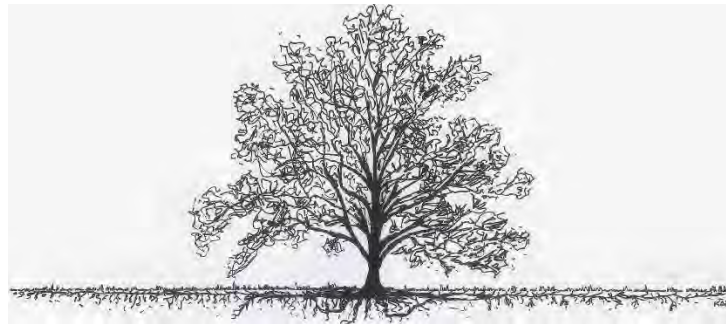
Root Structure

The majority of a tree's roots are contained in a radius from the main trunk outward approximately two to three times the canopy of the tree. These roots are located in the top 6" to 3' of soil. It is a common misconception that a tree underground resembles the canopy (see Drawing A below). The correct root structure of a tree is in Drawing B. All plants' roots need both water and air for survival. Surface roots are a common phenomenon with trees grown in compacted soil. Poor canopy development or canopy decline in mature trees is often the result of inadequate root space and/or soil compaction.



Drawing A

Common misconception of where tree roots are assumed to be located



Drawing B

The reality of where roots are generally located

Structural Issues

Limited space for canopy development produces poor structure in trees. The largest tree in a given area, which is 'shading' the other trees is considered Dominant. The 'shaded' trees are considered Suppressed. The following picture illustrates this point. Suppressed trees are more likely to become a potential hazard due to their poor structure.

Dominant Tree

Growth is upright

Canopy is balanced by limbs and foliage equally

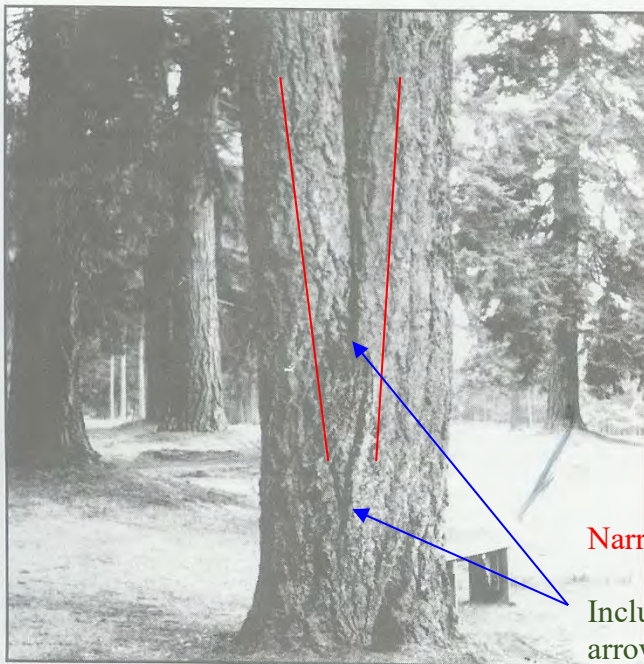


Suppressed Tree

Canopy weight all to one side

Limbs and foliage grow away from dominant tree

Co-dominant leaders are another common structural problem in trees.



The tree in this picture has a co-dominant leader at about 3' and included bark up to 7 or 8'. Included bark occurs when two or more limbs have a narrow angle of attachment resulting in bark between the stems – instead of cell to cell structure. This is considered a critical defect in trees and is the cause of many failures.

Narrow Angle

Included Bark between the arrows

Figure 6. Codominant stems are inherently weak because the stems are of similar diameter.

Photo from Evaluation of Hazard Trees in Urban Areas by Nelda P. Matheny and James R. Clark, 1994 International Society of Arboriculture

Pruning Mature Trees for Risk Reduction

There are few good reasons to prune mature trees. Removal of deadwood, directional pruning, removal of decayed or damaged wood, and end-weight reduction as a method of mitigation for structural faults are the only reasons a mature tree should be pruned. Live wood over 3” should not be pruned unless absolutely necessary. Pruning cuts should be clean and correctly placed. Pruning should be done in accordance with the American National Standards Institute (ANSI) A300 standards. It is far better to use more small cuts than a few large cuts as small pruning wounds reduce risk while large wounds increase risk.

Pruning causes an open wound in the tree. Trees do not “heal” they compartmentalize. Any wound made today will always remain, but a healthy tree, in the absence of decay in the wound, will ‘cover it’ with callus tissue. Large, old pruning wounds with advanced decay are a likely failure point. Mature trees with large wounds are a high failure risk.

Overweight limbs are a common structural fault in suppressed trees. There are two remedial actions for overweight limbs (1) prune the limb to reduce the extension of the canopy, or (2) cable the limb to reduce movement. Cables do not hold weight they only stabilize the limb and require annual inspection.



Normal limb structure

Over weight, reaching limb with main stem diameter small compared with amount of foliage present

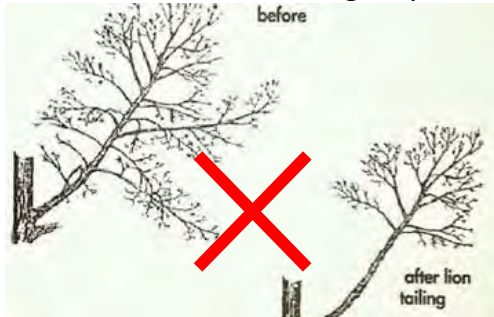


Photo of another tree – not at this site

Photo of another tree – not at this site.

Lion's – Tailing is the pruning practice of removal of “an excessive number of inner and/or lower lateral branches from parent branches. Lion's tailing is not an acceptable pruning practice” ANSI A300 (part 1) 4.23. It increases the risk of failure.

Pruning – Cutting back trees changes their natural structure, while leaving trees in their natural form enhances longevity.



Arborist Classifications

There are different types of Arborists:

Tree Removal and/or Pruning Companies. These companies may be licensed by the State of California to do business, but they do not necessarily know anything about trees;

Arborists. Arborist is a broad term. It is intended to mean someone with specialized knowledge of trees but is often used to imply knowledge that is not there.

ISA Certified Arborist: An International Society of Arboriculture Certified Arborist is someone who has been trained and tested to have specialized knowledge of trees. You can look up certified arborists at the International Society of Arboriculture website: isa-arbor.org.

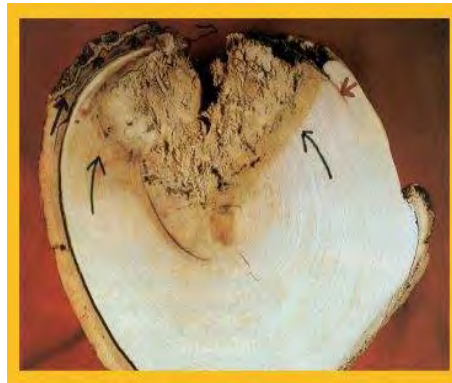
Consulting Arborist: An American Society of Consulting Arborists Registered Consulting Arborist is someone who has been trained and tested to have specialized knowledge of trees and trained and tested to provide high quality reports and documentation. You can look up registered consulting arborists at the American Society of Consulting Arborists website: <https://www.asca-consultants.org/>

Decay in Trees

Decay (in General): Fungi cause all decay of living trees. Decay is considered a disease because cell walls are altered, wood strength is affected, and living sapwood cells may be killed. Fungi decay wood by secreting enzymes. Different types of fungi cause different types of decay through the secretion of different chemical enzymes. Some decays, such as white rot, cause less wood strength loss than others because they first attack the lignin (causes cell walls to thicken and reduces susceptibility to decay and pest damage) secondarily the cellulose (another structural component in a cell walls). Others, such as soft rot, attack the cellulose chain and cause substantial losses in wood strength even in the initial stages of decay. Brown rot causes wood to become brittle and fractures easily with tension. Identification of internal decay in a tree is difficult because visible evidence may not be present.



According to Evaluation of Hazard Trees in Urban Areas (Matheny, 1994) decay is a critical factor in the stability of the tree. As decay progresses in the trunk, the stem becomes a hollow tube or cylinder rather than a solid rod. This change is not readily apparent to the casual observer. Trees require only a small amount of bark and wood to transport water, minerals and sugars. Interior heartwood can be eliminated (or degraded) to a great degree without compromising the transport process. Therefore, trees can contain significant amounts of decay without showing decline symptoms in the crown.



additional cells. The weakest of the vertical wall. Accordingly, decay progression inward at large are more than one pruning cut trunk of the tree, the likelihood of decay progression and the associated structural loss of integrity of the internal wood is high.

Compartmentalization of decay in trees is a biological process in which the cellular tissue around wounds is changed to inhibit fungal growth and provide a barrier against the spread of decay agents into the barrier zones is the formation of while a tree may be able to limit pruning cuts, in the event that there located vertically along the main

Oak Tree Impacts

Our native oak trees are easily damaged or killed by having the soil within the Critical Root Zone (CRZ) disturbed or compacted. All of the work initially performed around protected trees that will be saved should be done by people rather than by wheeled or track type tractors. Oaks are fragile giants that can take little change in soil grade, compaction, or warm season watering. Don't be fooled into believing that warm season watering has no adverse effects on native oaks. Decline and eventual death can take as long as 5-20 years with poor care and inappropriate watering. Oaks can live hundreds of years if treated properly during construction, as well as later with proper pruning, and the appropriate landscape/irrigation design.

ATTACHMENT 4
ARCHITECT NARRATIVE



3929 W. 139TH STREET
HAWTHORNE, CA 90250
T (323) 596 4700

May 10, 2022

Oak Rose Apartments: Architect's Narrative

From the SB35 Application Determination Letter:

- *All architectural elements shall be designed with respect to the entire façade and shall relate to the adjacent buildings.*
- *New construction shall be representative of a specific historical architectural motif and style of the period represented in Old Town. **Project architects shall provide a written explanation identifying their chosen motif and style, noting which architectural elements express that style, and explaining why it is compatible with existing historic development in Old Town.** Applicants are referred to the historic buildings listed in Figure 23 as representative historic architecture. Other existing buildings of comparable historic value may also be used as representative structures.*

Oak Rose Apartments is a multifamily 100% Affordable Supportive Housing project located in the Old Town East section of the Old Town Specific Plan. The articulated 3-story development of 67 units is on Elk Grove Blvd one lot west of Waterman Street, adjacent to the former Rite Aid at the corner of Elk Grove Blvd and Waterman Street at the East, and adjacent to a single-family home at 9248 Elk Grove Blvd at the West.

The site design concept for Oak Rose is to continue the spatial connectivity of the surrounding neighborhood and community by embracing the pedestrian friendly goals of the specific plan with the preservation of a majestic live oak at the entry court. The preservation of existing live oak tree #5728 at the front property line as identified in the Arborist report dated 8-21-21 serves as an inspiration for the project entrance on Elk Grove Blvd highlighted with decorative pavers, short term bike parking, street front planting, tall narrow windows facing the street, and fiber cement wood plank finish materials at the facade. The project street front is designed with no driveway and no parking on Elk Grove Blvd adhering to city street planning goals. All of the remaining healthy live oaks on site will remain as part of a native California and drought tolerant landscape plan for a series of gardens and courts that meander through the project horizontally and vertically as shown on the A1.00 Site Plan and the Landscape Plan. The

offices, tenant laundry, community room and community lounge all open onto the central courtyard, a raised patio and a large open space garden and path at the rear allowing for cross-ventilation to all locations at all times from the North, South and East sides. In addition the central court is open to the trellis structure and sky above allowing for sunlight and fresh air to permeate all levels. The quintessential California courtyard typology exhibited at Oak Rose Apartments gives every unit continuous air and sunlight for a very low energy building meeting or exceeding the project performance and Title 24 code. For privacy, the ten foot landscape buffer at the East and West Property lines ensures future tenants and their neighbors will have adequate distance and space from one another.

The facade concept is to borrow from the Western Wood Siding Architectural Motif similar in style, materials and details seen in Historic Examples in Figure 23 of the EGOTSPA at 9039, 9075 and 9093 Elk Grove Blvd and at adjacent and neighboring projects structures at 9248 and 9271 Elk Grove Blvd. (See A0.04). The Figure 23 examples show large vertical windows, wood siding and articulated 2-story facades with front porches. The neighboring wood structures exhibit similar features but are single story residential projects without tall retail windows or porches. The wider circle of immediate neighborhood structures vary greatly in age, style, material and use from big box commercial drug stores, to single family homes, to automotive repair shops, to offices and nursery schools and a water district building. The newest buildings, include an adjacent former Rite Aid and a CVS across the street which include brick and stucco facade materials with post-modern historic elements and colors including intermittent high cornices at the Rite Aid and high carpenter gothic windows at the CVS. The automotive buildings across the street are utility buildings with double height massing, concrete low walls and vertical siding above. The single story Water District building also across the street includes slump rock and stucco walls with a brown shingle mansard roof over blue window awning. The Oak Rose Apartments design aim is to mitigate the height and bulk of the commercial buildings with a stepped and articulated building facade that references the adjacent residential structures with the use of warm wood and generous planting. The adjacent single family home at 9248 Elk Grove Blvd and the Radcliffe Nursery school across the street at 9271 Elk Grove Blvd are the older wood structures with painted wood siding that are closest to the Figure 23 examples or our chosen historic style.

The Western Wood Siding design motif is specifically reinforced through key architectural detailing criteria set out the EGOTSPA Figure 23 projects noted above and Table 8 including: tall narrow windows, building details that wrap the front and side facades, articulation on front facade with different roof heights and, two different materials for texture (wood and stucco) and decorative pavers at the entrance. These features and material detailing are seen in our A0.05 Project Rendering and in our A0.06 Material Board selections which are carefully annotated. In particular, the fiber cement siding is shown in vertical "Weathered Bronze" and "Summer White" panels specifically chosen to

reflect the Historic Color Palette colors of "English Bartlet" and "Andover Cream" from Appendix 1 of the OTSPA.

Additionally, the project front yard setback specifically addresses the "Property Owner Exhibit for Elk Grove Blvd Street Scape Phase 2" planned City streetscape improvements, including plan and section improvements for a utility easement, sidewalk, bike lane, parking lane and roadway. This pre-planning at Oak Rose Apartments provides for a future development consistent with EGOTSPA and the adjacent former Rite Aid, slotted to be the new City Library. The 1-story single family home adjacent to the west will benefit from the Oak Rose Apartments by having a good neighbor, a well maintained and managed property, beautiful native landscaping, a new fence and 10 ft Landscape buffer and site lighting photometrics with zero light overflow onto their property. In addition, the preservation of the street- front Live Oak on Elk Grove Blvd and allowance for all projected street improvements makes for cohesive public circulation paths which will eventually match the developments to the west of the adjacent single family home. Elk Grove has a legacy of tree protection and Oak Rose apartments is grounded in the firm understanding that an increased tree canopy has a direct connection to health outcomes. Design features that promote sustainability, health, resiliency and well-being are incorporated throughout for the future inhabitants, their neighbors and the community at large.

The Landscape Plan L1 does not use trees from the City of Elk Grove recommended tree list because none of the trees on that list are native California species. Similarly only a portion of the shrubs and plants on the city list are drought tolerant. Landscape planning has changed dramatically in the past decade with awareness of the importance of working with California native trees, shrubs and plants and those that are drought tolerant. The response letter from Yamasaki Landscape Architects further articulates these choices which mean no disrespect to the Elk Grove recommendations but which do echo the most current landscape design thinking for the state of California, the local community and the specific project sustainability goals.

City staff also requested more information about the subject project's impact on the adjacent single family home at 9248 Elk Grove Blvd: "Staff wants to make sure that the Project does not affect the integrity of the historical architecture and property of the adjacent property at 9248 Elk Grove Boulevard due to the close proximity to the historic structures." There will be no impact to the structural integrity of the adjacent structures. The subject project has been set back an additional four feet from the shared property line, and is now ten feet from the property line, even though there are no required sideyard setbacks in the OTSPA. In addition to this landscape buffer, architect notes the subject project includes no anticipated shoring, no subterranean structure or parking and foundations which will not impact the adjacent structures in any way.

The proposed project mitigates any impact on the integrity of the architecture of the neighboring house by utilizing the wood siding motif visible on the house, in a color that matches a sample provided in the OTSPA Appendix 1. Additionally, the project reflects the generous setback of the house at 9248 Elk Grove, which has a front entry/porch set back approximately 33' from where its walkway meets the public right of way. The subject project's structure that is located along the shared property line has an approximately 32' setback from the edge of the future sidewalk. This setback accommodates the live oak that is the centerpiece of the front elevation, respects the existing rhythm of the street, and preserves views of the neighboring house when standing in front of the subject property.

Oak Rose 500 feet

