

**City of Rancho Cordova
Regular City Council Meeting**

Tuesday, February 22, 2005

MINUTES

CALL TO ORDER

Mayor Cooley called the meeting to order at 5:35 p.m. and announced that there would be no cablecast playback for the meeting; however, the meeting would be audio taped.

ROLL CALL

Present: Council Members: Budge, McGarvey, Sander, Skoglund & Mayor Cooley
Staff Present: Gaebler, Lindgren, Hare, Olea-Moger, Abhar, Junker, Franklin, Thomas,
Howard

PLEDGE OF ALLEGIANCE

The Pledge was led by Rotarian Brud Dufficy.

INVOCATION

1. Reverend David McFarland, Pastor of New Life Center

PRESENTATION

2. Proclamation Recognizing February 23, 2005 as the Centennial Birthday of Rotary International.

Mayor Cooley presented the following Rancho Cordova Rotarians with the proclamation:
Rex Albright, Linda Aseltine, Brud Dufficy, Neil Orchard, Clarence Parkins, and Dan Skoglund.

CONSENT CALENDAR

ACTION: Motion by Budge second by McGarvey and unanimously carried by roll call vote, Council approved the Consent Calendar with the exception of Item #6.

3. **Subject:** Minutes of City Council Meetings
 - a. Special Meeting of January 31, 2005
 - b. Regular Meeting of February 7, 2005

Recommendation: Adopt Minutes.

4. **Subject:** Second Reading of Ordinance No. 03-2005 Tobacco Licensing Ordinance.
Recommendation: Waive second reading and adopt Ordinance No. 03-2005. **(Roll Call Vote)**

5. **Subject:** Second Reading of Ordinance No. 04-2005 Amending Rancho Cordova Municipal Code Chapter 4.54, Article 7, “Fireworks,” Relating to the Permitting and Sale of Fireworks in the City
Recommendation: Waive second reading and adopt Ordinance No. 04-2005. **(Roll Call Vote)**

The following item was pulled from the Consent Calendar for individual consideration:

6. **Subject:** Sidewalk Maintenance Project #05-01
Recommendation: Award Contract to Do-Right Concrete, Inc. the lowest responsive bidder for the Sidewalk Maintenance Project.

ACTION: Motion by Budge second by Skoglund and unanimously carried, Council approved the recommendation.

CONSENT PUBLIC HEARINGS

None

ORAL COMMUNICATIONS

7. Public Comment

The following individuals addressed the Council on matters not on the agenda:

- (a) Guy Anderson regarding vandalism in Hagan Park and police protection for parks.
- (b) Matt Cummings regarding activities of the Lincoln Village Neighborhood Association.

PUBLIC HEARINGS

8. **Subject:** Supplemental Law Enforcement Services Fund (SLESF) FY 2005 Allocation Citizen’s Option for Public Safety Program
Recommendation: Adopt Resolution No. 29-2005 Authorizing the City to use annual State Supplemental Law Enforcement Services Fund (SLESF) appropriations for supplies and equipment for the Rancho Cordova Police Department.

Mayor Cooley opened the public hearing. There were no public comments. Mayor Cooley closed the public hearing

ACTION: Motion by Sander second by Budge and unanimously carried, Council adopted Resolution No.29-2005.

9. **Subject:** Der Wienerschnitzel – RC-03-007 – Design Review. Applicant is requesting a Conditional Use Permit to allow a drive up window on a fast food restaurant within 300 feet of residential use and Design Review for a new Der Wienerschnitzel Restaurant on a vacant lot corner of Vehicle Drive and Coloma Road.
Recommendation: Adopt Resolution No. 25-2005 approving the Conditional Use Permit for the Der Wienerschnitzel restaurant subject to the Findings and Conditions of Approval.

Mayor Cooley opened the public hearing. The following individual(s) addressed the Council on this item:

- (a) Luis Sanchez, Project Architect, to answer any questions and advise that he and owner are in agreement with all the conditions of approval.
- (b) Dean Burk, resident, to advise that he did not want to see Der Wienerschnitzel at this location; however, he thought the proposed layout was the best alternative and that landscaping would enhance the view from the street.

Mayor Cooley closed the public hearing.

ACTION: Motion by Budge second by McGarvey and unanimously carried, Council continued this item to the March 7th meeting in order to review the following changes:

- Applicant to revise proposed building elevations, particularly the north and east elevation, with additional architectural features. Applicant was also requested to provide additional lighting detail for both the proposed building and the parking lot, show the required ADA movement from the sidewalk to the restaurant building and provide a color change to the wainscoting of the building.
- Applicant to add planter areas on portions of each side of the building with trellis elements included on the north, south, and east elevations.

10. **Subject:** Gold Flake Parcels 3, 5 & 14 – RC-04-090 – Design Review - Applicant is requesting Design Review for nine new industrial metal buildings located in Security Park on Gold Flake Court in the M-2 zone.

Recommendation: Adopt Resolution No. 26-2005 approving design review subject to the Findings and Conditions of Approval.

Mayor Cooley opened the public hearing. The following individual(s) addressed the Council on this item:

Bill & Dennis Moore, on behalf of the applicant, to answer questions and to encourage Council approval of the project.

Mayor Cooley closed the public hearing.

ACTION: Motion by Sander second by McGarvey and unanimously carried, Council adopted Resolution No. 26-2005 approving design review with the addition of two amendments to Conditions of Approval, as listed below, and determining the Mitigated Negative Declaration prepared for the Gold Flake Tentative Parcel Map adequately addresses the environmental impacts for the project:

- Gallery Blue shall not be used in Color Scheme 2

- The applicant shall plant some type of evergreen trees outside the perimeter of the project site as a screen between the project site and the surrounding uses. The tree type should vary and be staggered along the property line.

11. **Subject:** Urgency Ordinance Amending Rancho Cordova Zoning Code Section 325-51, and Making Findings and Establishing a Temporary Moratorium on the Establishment of New Sexually Oriented Businesses and the Expansion of Existing Sexually Oriented Businesses Pending the Review and Amendment of Zoning Regulations Applicable to Sexually Oriented Businesses, to Become Effective Immediately

Recommendation: Adopt Ordinance No. 05-2005 (**Roll Call Vote**)

Mayor Cooley opened the public hearing. There were no public comments. Mayor Cooley closed the public hearing

ACTION: Motion by Sander second by Skoglund and carried by 4:0 roll call vote (Budge absent), Council adopted Ordinance No. 05-2005.

12. **Subject:** Urgency Resolution Establishing an Interim Traffic Impact Mitigation Fee and Providing Notice that the City is Initiating Proceedings for the Study and Adoption of a Permanent Traffic Impact Mitigation Fee

Recommendation: Adopt Resolution No. 30-2005.

Mayor Cooley opened the public hearing. The following individual(s) addressed the Council on this issue:

- (a) Tim Taron, Attorney, Hefner, Stark & Marois, to advise that on the Sunridge Specific Plan, if this fee were applied it would be approximately \$13-14,000 alone for off-site traffic fees and to suggest that perhaps fees could be merged, like Elk Grove did. Mayor Cooley requested Mr. Taron submit his recommendation & comments in writing to staff for consideration.
- (b) Ardie Zahedani, Building Industry Association (BIA), to request consideration for grandfathering in projects currently in process.
- (c) Rex Albright, CEO of Chamber of Commerce, to express concern for not involving in the process those the fee impacts and to point out that the push seems to be only on residential side not commercial side. Mr. Albright requested delay on fees until more discussion takes place.

Mr. Cooley closed the public hearing.

ACTION: Motion by Budge second by Skoglund and unanimously carried Council adopted Urgency Resolution No 30-2005.

**ADJOURNMENT TO THE RANCHO CORDOVA FINANCING CORPORATION
SPECIAL MEETING**

Mayor Cooley adjourned the Regular City Council meeting to convene the Rancho Cordova Financing Corporation Special Meeting at 8:15 p.m.

All Board Members were present.

13. **Subject:** Resolutions Adopting Bylaws, Authorizing the Filing of Various State and Federal Forms and other Documents Relating to the Organization of the Corporation, and Approving the Corporation's Participation in the Lease Financing of the Acquisition and Improvement of Office Buildings and Other Municipal Facilities (including Authorizing the Delivery and Sale of Not to Exceed \$6,500,000 Principal Amount of Certificates of Participation).

Recommendation: Adopt Resolution Nos. 05-01, 05-02, and 05-03.

ACTION: Motion by Sander second by McGarvey and carried by 4:0 vote (Skoglund absent), the Board of Directors adopted Resolution Nos. 05-01, 05-02, and 05-03.

There being no further business, Board President Cooley adjourned the Rancho Cordova Financing Corporation Special Meeting at 8:20 p.m.

RECONVENE RANCHO CORDOVA CITY COUNCIL MEETING

Mayor Cooley reconvened the Regular City Council Meeting at 8:21 p.m.

REGULAR CALENDAR ITEMS

14. **Subject:** Resolution to Authorize City Manager to Sign Purchase & Sale Agreement and Gifting Agreement for the Kilgore Business Park (Geremia) Property.

Recommendation: Adopt Resolution No. 31-2005.

ACTION: By consensus, this item was tabled.

15. **Subject:** Resolution to Authorize City Manager to Sign Purchase & Sale Agreement for the Prospect Park Property

Recommendation: Adopt Resolution No. 32-2005.

ACTION: By consensus, this item was tabled.

16. **Subject:** Park Facilities, Park Dedication Standards and Open Space Standards – Presentation by Cordova Park and Recreation District on proposed park and recreation facility standards and associated fees and presentation by City staff on proposed Open Space Standards. This presentation will include a proposal for implementing modified park and open space standards through adoption into the Interim General Plan (**Continued from January 18, 2005**)

Recommendation: Council adoption of (Resolution No. 28-2005) the modified park and open space standards within the Interim General Plan in order to begin implementing the standards within pending and future development projects.

The following individual(s) addressed the Council on this item:

- (a) Ardie Zahedani (BIA), Jay Pawlek (Pulte Homes), Arlan Nickel (Centex Homes), and Jim Galavan (Woodside Homes) to present the BIA's recommendations for alternative park facilities, park dedication and open space standards (to staff's recommendations of 7 acres per 1,000 population for parkland and 10% of the buildable residential area for open space) for Council's consideration. The BIA recommended 5 acres per 1,000 population for parkland and 3 acres of preferred open space based on crediting system (5:1 ratio for mitigated preserves and 1:1 ratio for functional open space, fully landscaped drainage areas, landscaped corridors, trails, paseos, etc.). The BIA also recommended the City financially partner with BIA Working Group to conduct a thorough level of service analysis and to collaborate with the BIA Working Group to create open space performance standards for future review.
- (b) Art Smith, Air Quality Management District, to support staff's recommended modified park and open space standards.
- (c) Cay Nickerson, Cordova Recreation & Park District, to support staff's recommended modified park and open space standards.
- (d) Guy Anderson, Cordova Recreation & Park District, to support staff's recommended modified park and open space standards.
- (e) Dean Raymond, President of Mather Aerospace Modelers Group, to support staff's recommended modified park and open space standards.
- (f) Rod Borba, community resident, to support staff's recommended modified park and open space standards.
- (g) Roy Imai, community resident, to support staff's recommended modified park and open space standards.
- (h) Conrade Mayer, community resident, to support staff's recommended modified park and open space standards.
- (i) Jay Beals, landscape architect, to support staff's recommended modified park and open space standards.
- (j) David Hatch, GenCorp, to oppose staff's recommended modified park and open space standards. Mr. Hatch distributed a density analysis and advised he thinks staff's proposal does not take maintenance costs into consideration.
- (k) Matt Cummings, Lincoln Village Neighborhood Association, to support staff's recommended modified park and open space standards.
- (l) Russ Davis, Elliott Homes, to oppose staff's recommended modified park and open space standards.
- (m) David Wade, Wade & Associates, to oppose staff's recommended modified park and open space standards.
- (n) James Kuhle, on behalf of local soccer community, to support staff's recommended modified park and open space standards.
- (o) Judy Waegell, landowner, to recommend changing name of open space to reflect what it is they are really trying to achieve and to encourage flexibility in applying standards, specifically, nontraditional parklands could apply to get park credit not paseo or trails credit.

- (p) Brian Vale, to oppose staff's recommended modified park and open space standards.
- (q) Jay Pawlek, Pulte Homes, to oppose staff's recommended modified park and open space standards.
- (r) Bob Shattuck, Lennar Communities, to oppose staff's recommended modified park and open space standards.
- (s) Arlan Nickel, Centex Homes, to ask where will the major links or connectivity in trail systems be identified and to state that the developer community would like to participate in process of aligning the major corridors.
- (t) Troy Konarski, Planning Commissioner, to support staff's recommended modified park and open space standards.
- (u) Craig Osborn, Sunriver Neighborhood Association, to support staff's recommended modified park and open space standards.
- (v) Lorraine Black, Weed & Seed Coordinator, to support staff's recommended modified park and open space standards.
- (w) Nancy Bui, Transportation & Air Quality Collaborative representative, to support staff's recommended modified park and open space standards.
- (x) Mike Glasscock, Cordova Recreation & Park District Board Member, to support staff's recommended modified park and open space standards.
- (y) Rick Sloan, business owner & resident, to support staff's recommended modified park and open space standards.
- (z) Brian Cooley, Cresleigh Homes, to recommend the item be continued to vet all issues out and move forward.
- (aa) Ryan Fong, River Rock Development Company, to recommend a closer look be made at costs to locate non-urban facilities in high land price area(s).
- (bb) Tim Taron, Attorney, Hefner, Stark & Marois, to oppose staff's recommended modified park and open space standards and to recommend the item be delayed until March 7th when the park fees will be discussed.
- (cc) Dean Burk, to support staff's recommended modified park and open space standards.
- (dd) Bron Leatham, to address connectivity issue and state that a flat 10% is better solution and that performance standards are preferred.
- (ee) Thad Johnson, to request the item be continued.

ACTION: Motion by Budge second by McGarvey and unanimously carried Council adopted Resolution No. 28-2005 with the following amendments:

- Page 1, ninth paragraph be stricken (~~Whereas it is the stated desire of the City Council that development within Rancho Cordova will be of a higher density than historic development~~)
- Page 3, Minimum Open Space Acreage Requirement, Subsection a, be reworded to read: "...A minimum of ten percent (10%) of all new residential developable areas generally shall be provided as accessible open space areas in addition to public parks..."
- Page 4, Performance Standards for Open Space, addition of Subsection b to read: If a project satisfies the above Performance Standards for Open Space, the City may require less than 10% open space.

17. **Subject:** FY 2006 Legislative Program

Recommendation: Select three or four projects as FY06 Federal Appropriation Priorities.

ACTION: Consensus to support Legislative Advocate Len Simon's recommendations as follows:

**FY06 Appropriations Priorities
City of Rancho Cordova**

Project	Bill	Program	Amount
Folsom Boulevard Enhancements	Transportation, Treasury, Housing	Surface Transportation Account	\$2,000,000
Olson Road/RT50 Upgrades	Transportation, Treasury, Housing	Surface Transportation Account	\$2,000,000
Senior Housing-Funding for Initial Development	Transportation, Treasury, Housing	Economic Development Initiative Account	\$1,000,000
Street Name Signs	Transportation, Treasury, Housing	Surface Transportation Account	\$550,000
Neighborhood Traffic Management- Speed Control	Transportation, Treasury, Housing	Surface Transportation Account	\$2,000,000

18. **Subject:** Study Session Dates for 2005

Recommendation: Finalize Dates

ACTION: Consensus to continue to March 7th meeting.

Correspondence

None

Council Reports

None

Council Requests for Future Agenda Items

None

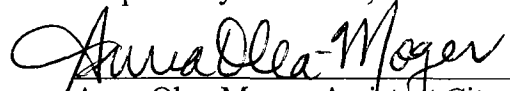
City Manager's Report

None

Adjournment

The meeting adjourned at 1:35 a.m.

Respectfully submitted,



Anna Olea-Moger, Assistant City Clerk