

City of Elk Grove NOTICE OF EXEMPTION

COPY

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To: Office of Planning and Research
P.O. Box 3044, 1400 Tenth Street, Room 22
Sacramento, CA 95812-3044

Sacramento County Clerk-Recorder
Sacramento County
PO Box 839, 600 8th Street
Sacramento, CA 95812-0839

From: City of Elk Grove
Development Services-Planning
8401 Laguna Palms Way
Elk Grove, CA 95758

County Recorder Filing	State Clearinghouse Received
(stamp here)	<p style="color: blue;">Governor's Office of Planning & Research</p> <p style="color: red; font-size: 1.2em;">JUL 01 2019</p> <p style="color: blue; font-size: 1.2em;">STATE CLEARINGHOUSE</p> <p style="text-align: center;">(stamp here)</p>

PROJECT TITLE: **Calvine Pointe Amendment Project (PLNG18-081)**

PROJECT LOCATION - SPECIFIC: **8798 and 8854 Calvine Road**

ASSESSOR'S PARCEL NUMBER(S): **115-2010-007 and 115-2010-010**

PROJECT LOCATION - CITY: **Elk Grove** **PROJECT LOCATION - COUNTY:** **Sacramento**

PROJECT DESCRIPTION: The Project consists of a Major Design Review Amendment and a new Conditional Use Permit (CUP) for the previously-approved Calvine Pointe project (EG-01-156) to modify the overall site plan by shifting building locations as well as adding three drive-thrus. The Project includes Design Review for building elevations for three buildings. The Project applicant also proposes to remove Condition of Approval #104 of the previously-approved Project that restricts health clubs use on the site.

LEAD AGENCY: **City of Elk Grove**
Development Services-Planning
8401 Laguna Palms Way
Elk Grove, CA 95758

LEAD AGENCY CONTACT: Sarah Kirchgessner (916) 478-2245

APPLICANT: Petrovich Development Company, LLC
Eric Gonsalves (Representative)
825 K Street, Suite 300
Sacramento, CA 95814

- EXEMPTION STATUS:**
- Ministerial [Section 21080(b); 15268];
 - Declared Emergency [Section 21080(b)(3); 15269(a)];
 - Emergency Project [Section 21080(b)(4); 15269(b)(c)];
 - Preliminary Review [Section 15060(c)(3)]
 - Consistent With a Community Plan or Zoning [Section 15183(a)]

- Statutory Exemption
- Categorical Exemption [Section 15301]
- General Rule [Section 15061(b)(3)]
- Criteria for Subsequent EIR [Section 15162]

REASONS WHY THIS PROJECT IS EXEMPT OR DOES NOT REQUIRE FURTHER ENVIRONMENTAL DOCUMENTATION:

The California Environmental Quality Act (Section 21000, *et seq.*, of the California Public Resources Code - hereinafter CEQA) requires analysis of agency approvals of discretionary "projects." A "project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment" (State CEQA Guidelines Section 15378). The proposed Project is a "project" under CEQA.

State CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) provides that when an Environmental Impact Report (EIR) has been certified or negative declaration adopted for a project, no subsequent EIR/negative declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that there are new significant environmental effects due to a change in the project or circumstances, or there is new information of substantial importance as identified in State CEQA Guidelines Section 15162(a)(3).

The subject property was zoned for commercial development in 2005 with the approval of the Calvine Pointe project (EG-01-156). An EIR was prepared and certified for the Calvine Pointe project (SCH# 2002052038). The current Project (Design Review Amendment and Conditional Use Permit) proposes to amend the previous approvals modifying the overall site plan by shifting building locations as well as adding three buildings with drive-thru service. The Project includes Design Review for three new building elevations.

In February 2019, the City Council adopted a new General Plan and amended the land use designation of the Project site from Commercial to Regional Commercial. The new General Plan relies on Vehicle Miles Traveled (VMT) as a measure of transportation impacts. While the Project consists of new commercial development, the Project site is in a pre-screened area as defined by the City's Transportation Analysis Guidelines adopted with the General Plan. Projects consistent with the EGMC and the General Plan in pre-screened areas are exempt from any further transportation analysis as they are consistent with the VMT projections of the General Plan.

No potential new impacts related to the Project have been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed in the Calvine Pointe EIR. No other special circumstances exist that would create a reasonable possibility that the Project will have a significant adverse effect on the environment and the project is subject to the adopted Mitigation Monitoring and Reporting Program (MMRP). Therefore, pursuant to State CEQA Guidelines Section 15162, no further environmental review is required.

CITY OF ELK GROVE
Development Services - Planning

By: 
Sarah Kirchgessner

Date: June 29, 2019