

City of Elk Grove

NOTICE OF EXEMPTION

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

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

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

County Recorder Filing	State Clearinghouse Received
(stamp here)	(stamp here)

PROJECT TITLE: 31 Tap Project Old Town Type 1 Design Review (PLNG21-065)

PROJECT LOCATION - SPECIFIC: 8949 ELK GROVE BLVD

ASSESSOR'S PARCEL NUMBER(S): 125-0151-033

PROJECT LOCATION – CITY: Elk Grove

PROJECT LOCATION – COUNTY: Sacramento

PROJECT DESCRIPTION: The Project consists of an Old Town Type 1 Design Review for a ±496 square foot addition, new signage, and exterior and site improvements to convert an existing building into a restaurant with food/beer/wine for both on-site and off-site consumption. The site improvements include a new outdoor seating area with fabric sail shades and a wood and steel fence in the front of the building along Elk Grove Boulevard.

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: JMG Designs
 James Michael Gaydos
 3505 Grimshaw Way
 Elk Grove, CA 95624

- 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 [15301 and 15303]
 - 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:

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.

The Project is exempt from CEQA pursuant to State CEQA Guidelines Section 15332 (In-Fill Development Projects). Section 15332 exempts from further CEQA review those projects which: are consistent with the General Plan and applicable zoning designation and regulations; are within city limits on a site no larger than five acres substantially surrounded by urban uses; are located on a site that has no value as habitat for rare or endangered species; would not result in significant adverse effects related to traffic, noise air quality or water quality; and are located on a site that can be adequately served by all required utilities and public services. The Project consists of an Old Town Type 1 Design Review for a ±496 square foot addition, new signage, and exterior and site improvements to convert an existing building into a restaurant with food/beer/wine for both on-site and off-site consumption. The site improvements include a new outdoor seating area with fabric sail shades and a wood and steel fence in the front of the building along Elk Grove Boulevard. The Project is consistent with the General Plan and Zoning Code, is within the City limits on less than five acres, and the Project site has no value for endangered, rare, or threatened species. In February 2019, the City Council adopted a new General Plan which relied on Vehicle Miles Traveled (VMT) as a measure of transportation impacts. The Project consists of a commercial project that is under 50,000 square feet. Commercial projects less than 50,000 square feet, such as the Project, are exempt from VMT analysis.

The Project is also exempt from CEQA pursuant to State CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures). Section 15303 applies to the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of small structures from one use to another where only minor modifications are made in the exterior of the structure. The Project consists of a ±496 square foot addition, and exterior and site improvements to an existing building. The site improvements include a new outdoor seating area with fabric sail shades and a wood and steel fence in the front of the building along Elk Grove Boulevard. No special circumstances exist that create a reasonable possibility that this Project will have a significant adverse impact on the

environment. All public services and facilities are available and the area is not considered environmentally sensitive. Staff reviewed the proposed Project and did not find any evidence that special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment. Therefore, the proposed Project qualifies for the exemption under CEQA Guidelines Sections 15332 and 15303.

CITY OF ELK GROVE

Development Services -
Planning

By: *Sarah Kirchgessner*
Sarah Kirchgessner

Date: May 17, 2022