



City of Elk Grove NOTICE OF DETERMINATION

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)	(stamp here)

SUBJECT: *Filing of Notice of Determination in compliance with Section 21152 or 21152 of the Public Resources Code*

STATE CLEARINGHOUSE NUMBER: SCH# 2000082139 and SCH #2017062058

PROJECT TITLE: Big Horn Apartments (PLNG22-026)

PROJECT APPLICANT: Fore Green Development, LLC
Mark Pilarczyk (Representative)
18 Park Avenue
Los Gatos, CA 95030
669-271-8532

PROJECT LOCATION: Elk Grove California, Sacramento County

ASSESSOR'S PARCEL NUMBER(S) 132-0050-121

PROJECT DESCRIPTION: The Big Horn Apartments Project (the "Project") consists of a Major Design Review and District Development Plan Design Review for a new multi-unit residential apartment complex with 246 units and additional site improvements including parking, lighting, and landscaping. The Project will have eight, 3-story buildings as well as both indoor and outdoor amenities including a club room/leasing office, fitness area, swimming pool, and BBQ/lounge area.

The Project shall comply with the City's Climate Action Plan (CAP) for new multi-unit residential development, including CAP measures related to

energy efficiency (BE-4), electric appliances (BE-6), off-road construction fleet (TACM-8), and electric vehicle charging (TACM-9).

This is to advise that on January 5, 2023, the City of Elk Grove Planning Commission has approved the above described Project and has made the following determinations regarding the above described project.

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.

No further environmental review is required under CEQA pursuant to State CEQA Guidelines 15162 (Subsequent EIRs and Negative Declarations). State CEQA Guidelines Section 15162 provides that when an EIR has been certified for an adopted project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that one or more of the following exists:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with exercise of reasonable diligence at the time of the previous EIR was certified as complete shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR.
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measures or alternative.

In 2003, the City Council certified an EIR for the Laguna Ridge Specific Plan (LRSP, State Clearinghouse No. 2000082139). The LRSP EIR analyzed full buildout of LRSP based upon the land plan, development standards, and policies contained in the General Plan and LRSP, as well as the improvements identified in the accompanying infrastructure master plans. The Project is subject to the LRSP Mitigation, Monitoring and Reporting Program (MMRP).

Additionally, staff finds that no further environmental review is required under State CEQA Guidelines Section 15183 (Consistency with a General Plan, Community Plan, or Zoning). State CEQA Guidelines Section 15183 (Public Resources Code §21083.3), provides that projects which are consistent with a Community Plan, General Plan, or Zoning for which an environmental impact report (EIR) has been certified "shall not require additional environmental review, except as might

be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site." In February 2019, an EIR was prepared and certified by the City Council as part of the Elk Grove General Plan (SCH# 2017062058). The Project is subject to the General Plan MMRP.

The General Plan EIR relies on Vehicle Miles Traveled (VMT) as a measure of transportation impacts. The Project site is in a pre-screened area as defined by the City's Transportation Analysis Guidelines adopted with the General Plan. The Project shall comply with the City's Climate Action Plan (CAP) for new multi-unit residential development, including CAP measures related to energy efficiency (BE-4), electric appliances (BE-6), off-road construction fleet (TACM-8), and electric vehicle charging (TACM-9).

Staff has reviewed the Project and analyzed it based upon the above provisions in Section 15162 of the State CEQA Guidelines. The Project is being undertaken pursuant to and in conformity with the approved LRSP. No special circumstances exist and no changes in the Project have occurred that would necessitate the preparation of subsequent environmental review. No additional environmental impacts have been identified for the Project other than those previously disclosed and analyzed in the EIRs for the LRSP and General Plan. Furthermore, since no changes to the EIR are necessary to support the Project, the City is not required to prepare an Addendum to the EIR as required by State CEQA Guidelines Section 15164. Therefore, the prior EIR is sufficient to support the proposed action and no further environmental review is required.

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 LRSP and General Plan EIRs. No other special circumstances exist that would create a reasonable possibility that the Project will have a significant adverse effect on the environment. Therefore, the prior EIRs are sufficient to support the proposed action and pursuant to State CEQA Guidelines Section Sections 15162 and 15183, no further environmental review is required.

This is to certify that the Environmental Impact Reports are available to the General Public at: City of Elk Grove, 8401 Laguna Palms Way, Elk Grove, CA 95758

CITY OF ELK GROVE
Development Services - Planning

By: *Sarah Kirchgessner*
Sarah Kirchgessner,
916.478.2245

Date: January 6, 2023

Figure 1 – Vicinity Map

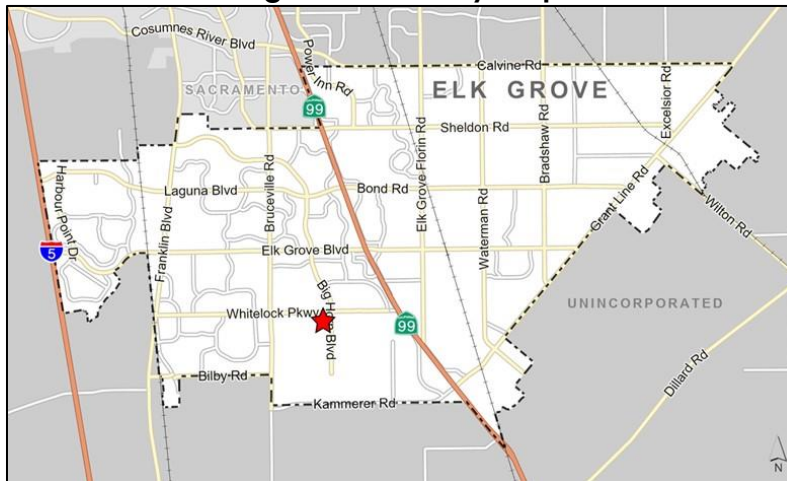


Figure 2 – Project Site

