



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# 2007082169

PROJECT TITLE: IN-N-OUT (PLNG20-037)

PROJECT APPLICANT: In-N-Out Burger, Inc.
Michelle Bennett (Representative)
13502 Hamburger Lane
Baldwin Park, CA 91706

PROJECT LOCATION: Elk Grove California, Sacramento County

ASSESSOR'S PARCEL NUMBER(S) 132-2120-043, -047, and -048

PROJECT DESCRIPTION: The Project consists of a Minor Design Review for the construction of one, new ±3,885 square foot restaurant pad building with a drive-through (Pad 14) located within the previously-approved The Ridge Shopping Center (EG-15-043).

This is to advise that on September 13, 2021, the City of Elk Grove Zoning Administrator 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.

State CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) provides that when an EIR has been certified or negative declaration adopted for a 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 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). Consistent with the City's General Plan, the subject property was zoned for commercial development in 2004 with the approval of the Laguna Ridge Specific Plan. It was further evaluated in 2008 with the approval of the Laguna Ridge Town Center Specific Plan Amendment. EIRs were prepared and certified for both of these projects – the Laguna Ridge Specific Plan EIR (SHC# 2000082139) and Laguna Ridge Town Center Subsequent EIR (SCH# 2007082169). An EIR was prepared and certified by the City Council as part of the updated Elk Grove General Plan (SCH# 2017062058), which was adopted in February 2019. The updated General Plan accounts for these prior actions. The Ridge Shopping Center Project (EG-15-043), which included Pad 14 as a drive-through commercial use, is consistent with the new General Plan land use designation of Regional Commercial.

The traffic analysis for the Laguna Ridge Town Center SEIR included more peak trips than the Project specific traffic analysis completed for The Ridge and Costco, which included drive-through use on the Project site. Therefore, the previous analysis in the SEIR is sufficient. In February 2019, the City Council adopted a new General Plan which 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. 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.

The Project consists of Minor Design Review for the elevation design for one pad building within an approved shopping center. 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 Laguna Ridge Specific Plan EIR and the Laguna Ridge Town Center Subsequent EIR. No other special circumstances exist that would create a reasonable possibility that the Project will have a significant adverse effect on the environment. Therefore, pursuant to State CEQA Guidelines Section 15162, 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
916.478.2245

Date: September 20, 2021