



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 of the Public Resources Code*

STATE CLEARINGHOUSE NUMBER: SCH #2013082012 and SCH# 2014082070

PROJECT TITLE: Capital Reserve Commercial Center Amendment (PLNG21-036)

PROJECT APPLICANT: Pappas Investments, LLC.
John Harris (Representative)
2020 L Street, 5th Floor
Sacramento, CA 95811

PROJECT LOCATION: 8439 Elk Grove Boulevard

ASSESSOR'S PARCEL NUMBER(S) 116-1580-002-0000

PROJECT DESCRIPTION: The Capital Reserve Commercial Center Amendment Project (the "Project") consists of a Design Review Amendment for the construction of a new, one-story, ±10,675 square foot commercial building (known as Building C) with associated parking, landscaping, and lighting improvements at 8439 Elk Grove Boulevard (APN: 116-1580-002). This Project will supersede the prior Design Review for a portion of the previously-approved Capital Reserve Commercial Center Project (EG-18-021) that approved two buildings on the parcel. The proposed modification will increase the square footage of the previously-approved Building C and eliminate Building D.

This is to advise that on September 16, 2021, the Elk Grove Planning Commission approved the above-referenced project that no further environmental review is necessary.

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 site was analyzed in the 2014 General Plan Housing Element Update project Environmental Impact Report (EIR) (SCH#2013082012) and the Capital Reserve Subsequent Environmental Impact Report (SEIR) (SCH# 2014082070). The Capital Reserve SEIR analyzed the rezoning of the subject parcels to the Limited Commercial zone and anticipated the development of the commercial parcels with up to 42,288 square feet of commercial uses for Phase I and Phase II. This is approximately 17,000 square feet more than what has been previously-approved and constructed and what is proposed with this Project. Even with a commercial buildout of 42,288 square feet of commercial development, the SEIR found no impacts related to traffic. The prior EIR and SEIR addressed potential impacts related to aesthetics, air quality, greenhouse gas emissions, noise, and biological resources. The Project is subject to all applicable mitigation requirements from the prior EIR and SEIR.

State CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) requires 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.

Staff has reviewed the Project and analyzed it based upon the above provisions in Section 15162 of the State CEQA Guidelines. No potential new impacts related to the properties or Project have been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed in the 2014 General Plan Housing Element Update project EIR or the Capital Reserve SEIR. No other special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment. Therefore, pursuant to State CEQA Guidelines Section 15162, no further environmental review is required.

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 are exempt from VMT analysis.

This is to certify that the Certified EIRs referenced above are/were available to the General Public for review at: City of Elk Grove, 8401 Laguna Palms Way, Elk Grove, CA 95758

CITY OF ELK GROVE
Development Services - Planning

By: 

Joseph Daguman
Assistant Planner

Date: September 17, 2021