## **RESOLUTION NO. 2024-203**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
FINDING NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED PURSUANT TO
STATE CEQA GUIDELINES SECTIONS 15162 AND 15183 AND APPROVING A
MAJOR DESIGN REVIEW AMENDMENT FOR THE
POPPY GROVE APARTMENTS AMENDMENT PROJECT (PLNG24-038)
LOCATED AT 10149 BRUCEVILLE ROAD
(APNS: 132-0050-175, 132-0050-176, AND 132-0050-177)

WHEREAS, the Development Services Department of the City of Elk Grove (the "City") received an application on September 3, 2024 from Poppy Grove Development Partners, LLC (the "Applicant") requesting a Major Design Review Amendment for the Poppy Grove Apartments Amendment Project (the "Project"); and

**WHEREAS**, the proposed Project is located on real property in the incorporated portions of the City, more particularly described as APNs: 132-0050-175, 132-0050-176, and 132-0050-177; and

WHEREAS, the Development Services Department considered the Project request pursuant to the Elk Grove General Plan, the Elk Grove Municipal Code (EGMC) Title 23 (Zoning), Title 22 (Land Development), the Laguna Ridge Specific Plan, the Elk Grove Design Guidelines, and all other applicable state and local regulations; and

**WHEREAS**, the City Council held a duly-noticed public hearing on October 23, 2024, as required by law to consider all of the information presented by staff, information presented by the Applicant, and public testimony presented in writing and at the meeting.

**NOW, THEREFORE, BE IT RESOLVED,** that the City Council of the City of Elk Grove hereby finds that no further environmental review is necessary from the provisions of CEQA under State CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) and Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) based upon the following findings:

# **CEQA**

<u>Finding</u>: Finding that no further environmental review is necessary under CEQA pursuant to State CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) and Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

<u>Evidence</u>: 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:

- 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;
- 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). Adopted LRSP mitigation measures that apply to development on Project site (which is identified in the EIR as a non-participating property) include the following:

**Mitigation Measure 4.3.2:** The project applicant shall implement all measures proposed in the AQ-15 Plan provided in Appendix 4.3 of the Draft EIR for each subsequent project to reduce emissions from both mobile and stationary sources. Each subsequent development project shall be checked for compliance with the AQ-15 Plan.

**Mitigation Measure 4.5.3a:** As part of subsequent applications on non-participating properties, the project applicant shall provide the City with a Phase I Site Assessment to determine whether ash or a former burn site is present on the subject property.

**Mitigation Measure 4.10.1a:** Prior to subsequent approvals on non-participating properties, a detailed cultural resources field survey of the subject property shall be conducted by the City and funded by the project applicant. The cultural

resources field study shall identify any cultural resource finds and will set out measures to mitigate any impacts to significant resources as defined by CEQA, California Register of Historic Resources and/or National Historic Preservation Act. Mitigation methods to be employed include, but are not limited to, the following:

- Redesign of the subsequent development project to avoid the resource. The resource site shall be deeded to a non-profit agency to be approved by the City for maintenance of the site.
- If avoidance is determined infeasible by the City, then the resource shall be mapped, stabilized, and capped pursuant to appropriate standards.
- If the City determines capping infeasible, then the resource shall be excavated and recorded to appropriate standards

Pursuant to the required Mitigation Measures, the Applicant has provided a Phase I Site Assessment as well as a Cultural Resources Analysis for the site (Helix Environmental Planning, Inc.) which was peer reviewed by the City. The review concluded that there would be no effect on historic properties, including archaeological and built-environment resources, as a result of Project implementation. The Wilton Rancheria requested tribal monitoring during any ground disturbance. The implementation of Conditions of Approval Nos. 10-12 from the original approval will address the potential for encountering undiscovered cultural resources and tribal cultural resources. The Project complies with the LRSP AQ-15 Plan which includes measures to reduce vehicle emissions such as the provision of enhanced bicycle and pedestrian access, and the provision of electric vehicle charging facilities.

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." An EIR was prepared and certified by the City Council as part of the City's General Plan Housing Element Update in 2021 SEIR (SCH No. 2020069032), which analyzed the Project site for the development of high-density residential housing. 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 is high-density, low-income housing on a high-density housing site as designated in the Housing Element, therefore, the Project is exempt from VMT analysis pursuant to the City's adopted Transportation Analysis Guidelines.

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 General Plan Housing Element SEIR and the LRSP 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, the prior EIRs are sufficient to support the proposed action and pursuant to State CEQA Guidelines Section 15183 and Section 15162, no further environmental review is required.

**AND, BE IT FURTHER RESOLVED**, that the City Council of the City of Elk Grove hereby approves the Major Design Review Amendment for the Poppy Grove Apartments Amendment Project (PLNG24-038), as described in Exhibit A and shown in the Project Plans in Exhibit B, and subject to the conditions of approval in Exhibit C (all incorporated herein by this reference), based upon the following findings:

# **Major Design Review Amendment**

<u>Finding #1</u>: The proposed project is consistent with the objectives of the General Plan, complies with applicable Zoning regulations, Elk Grove Design Guidelines, and Improvement Standards adopted by the City.

<u>Evidence #1:</u> The Project includes approval of a Major Design Review Amendment for a previously approved 387-unit multi-family development. The amendments to the Project plans have been reviewed in accordance with the General Plan, Zoning Code, and Elk Grove Design Guidelines. The proposed Project is consistent with the following General Plan Policies:

**Policy LU-2-1:** Promote a greater concentration of high-density residential, office commercial or mixed-use sites and the population along identified transit corridors and existing commercial corridors, in activity centers, and at other appropriate locations.

**Policy LU-2-4:** Require new infill development projects to be compatible with the character of surrounding areas and neighborhoods, support increased transit use, promote pedestrian and bicycle mobility, and increase housing diversity.

Additionally, the proposed amendment complies with the objective development standards of Title 23, Zoning, including setbacks, height limits, landscaping requirements, open space requirements, and bicycle parking requirements with approval of the Design Review Deviations approved as part of the original Project on May 11, 2022. The cement plaster for all buildings would be painted "Worldly Gray" with the fiber cement siding finished with both a primary and accent color varying between the Project's fourteen buildings. Pursuant to Design Guidelines Chapter 4.2, "Architecture for Multi-Family Development," at a minimum, two different primary building materials or two different primary building colors shall be used on each building elevation. The Project as proposed is consistent with the objective standard for colors and materials in the Design Guidelines. The Project's colors and materials are complementary to the surrounding neighborhood character, which is consistent with the requirements of the Elk Grove Design Guidelines.

<u>Finding #2:</u> The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community.

<u>Evidence #2:</u> The revised building elevations have been reviewed in accordance with the Elk Grove Design Guidelines for multi-family development, and it is concluded that the architecture and site planning meet all applicable objective design requirements.

The Project design includes a variety of building materials, including cement plaster, fiber cement siding, and vinyl windows. The cement plaster for all buildings would be painted "Worldly Gray" with the fiber cement siding finished with both a primary and accent color varying between the Project's fourteen buildings. Pursuant to Design Guidelines Chapter 4.2, "Architecture for Multi-Family Development," at a minimum, two different primary building materials or two different primary building colors shall be used on each building elevation. The Project as proposed is consistent with the objective standard for colors and materials in the Design Guidelines. Materials, detailing, and colors are carried over to all building facades. The Project's colors and materials are complementary to the surrounding neighborhood character, which is consistent with the requirements of the Elk Grove Design Guidelines.

<u>Finding #3:</u> The architecture, including the character, scale, and quality of the design, relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signage and similar elements establishes a clear design concept and is compatible with the character of buildings on adjoining and nearby properties.

Evidence #3: The revised Project has been designed consistent with the objective standards of the Elk Grove Design Guidelines for multi-family development. The Project design includes a variety of building materials, including cement plaster, fiber cement siding, and vinyl windows. The cement plaster for all buildings would be painted "Worldly Gray" with the fiber cement siding finished with both a primary and accent color varying between the Project's fourteen buildings. Pursuant to Design Guidelines Chapter 4.2, "Architecture for Multi-Family Development," at a minimum, two different primary building materials or two different primary building colors shall be used on each building elevation. The Project as proposed is consistent with the objective standard for colors and materials in the Design Guidelines. Materials, detailing, and colors are carried over to all building facades. The Project's colors and materials are complementary to the surrounding neighborhood character, which is consistent with the requirements of the Elk Grove Design Guidelines

<u>Finding #4</u>: The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.

Evidence #4: The Project site includes pedestrian access points from the adjacent streets for pedestrian circulation to and throughout the site. Vehicle entryways are clearly defined to avoid circulation conflict. The Project proposal includes a combined, 7-foot separated multi-use path/sidewalk within the Project frontage on the south side Poppy Ridge Road along with a Class II bike lane. The Project also includes a 7-foot separated sidewalk with a Class II bike lane on Bruceville Road, The bicycle and pedestrian circulation plan is supported by the City's Trails Committee and is consistent with the location of a multi-use path in the Bicycle, Pedestrian, and Trails Master Plan. The proposed amendment does not revise any access or entryways approved as part of the original entitlement. Therefore, the Project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.

<u>Finding #5</u>: For residential subdivision design review applications, the residential subdivision is well integrated with the City's street network, creates unique neighborhood

environments, reflects traditional architectural styles, and establishes a pedestrian friendly environment.

<u>Evidence #5</u>: The Project does not require a tentative subdivision map; therefore this finding is not applicable.

<u>Finding #6:</u> There are changed circumstances sufficient to justify the modification of the approval.

<u>Evidence:</u> The City Council approved a Major Design Review on May 11, 2022, for a new 387 unit apartment development for the Poppy Grove Apartments Project (PLNG21-078). According to the Applicant, the proposed color palette is an improvement from the originally approved colors and provides for a cohesive and aesthetically pleasing design for the overall Project. The need to implement a change in the color scheme for the development was driven by the architectural changes that were implemented since the original approval. As a result, the Applicant retained a color consultant to evaluate the original building color scheme and provide alternative color schemes for consideration. The selected color pallet enhances the appearance of the development and aligns with the architectural modern design concept of the Project.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 23<sup>rd</sup> day of October 2024

BOBBIE SINGH-ALLEN, MAYOR of the

CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:

JASON LINDGREN CITY CLERK

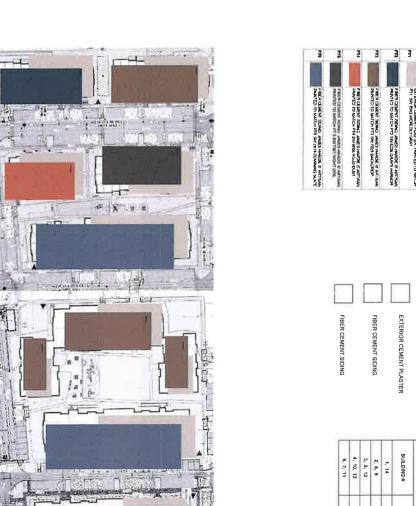
ACTING CITY ATTORNEY

Exhibit A
Poppy Grove Apartments Amendment (PLNG24-038)
Project Description

# PROJECT DESCRIPTION

The Project consists of a Major Design Review Amendment to modify the previously approved exterior color palette for the Poppy Grove Apartments Project (PLNG21-078).

Exhibit A
Poppy Grove Apartments Amendment (PLNG24-038)
Project Description





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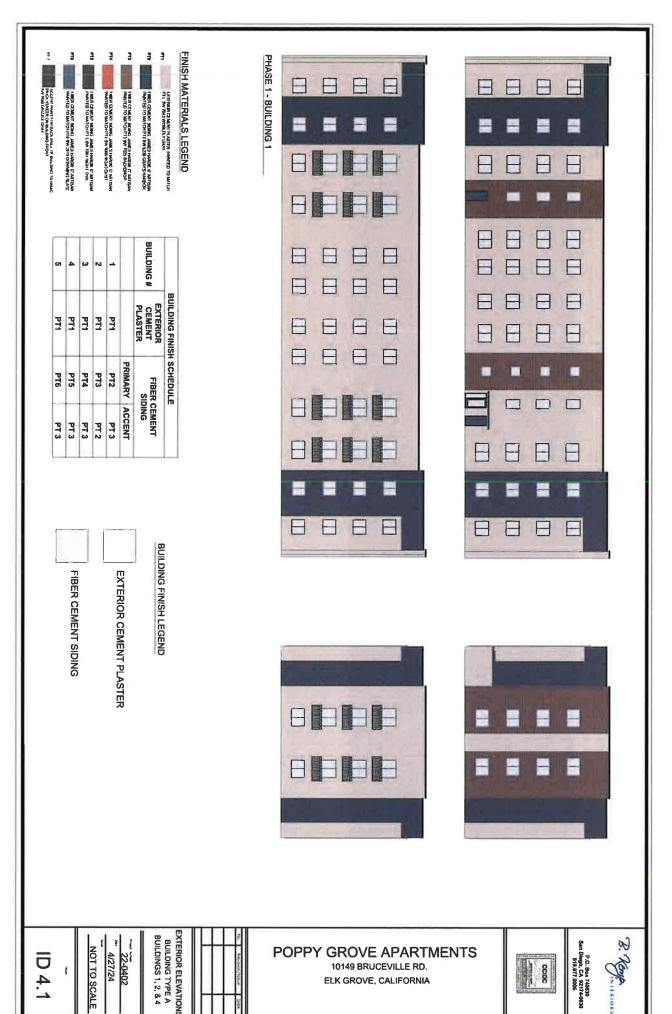
POPPY GROVE APARTMENTS

10149 BRUCEVILLE RD. ELK GROVE, CALIFORNIA



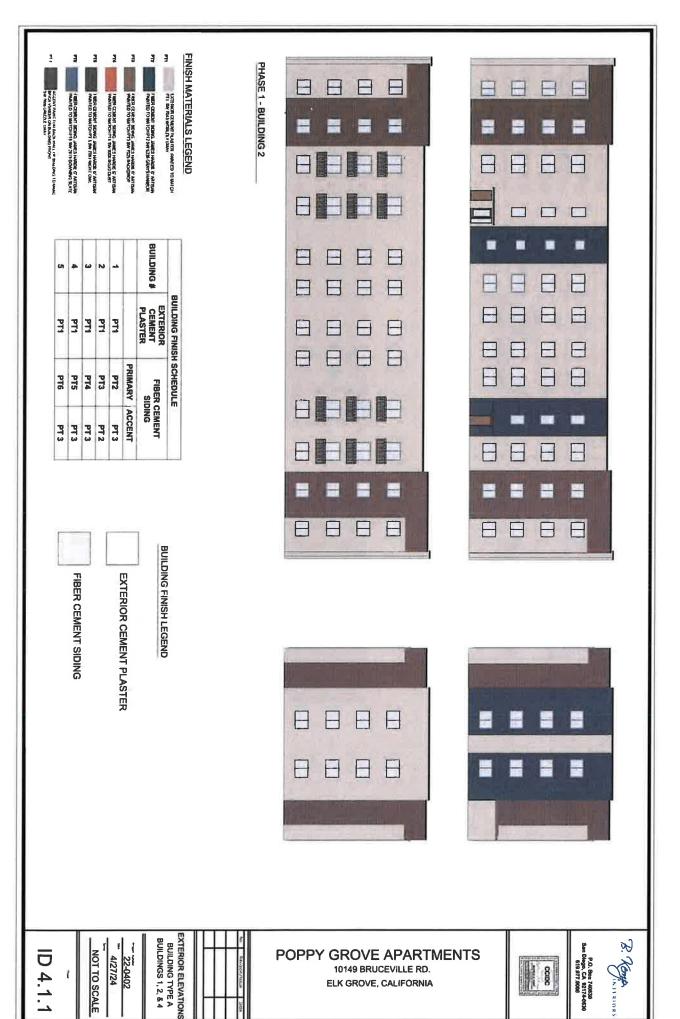
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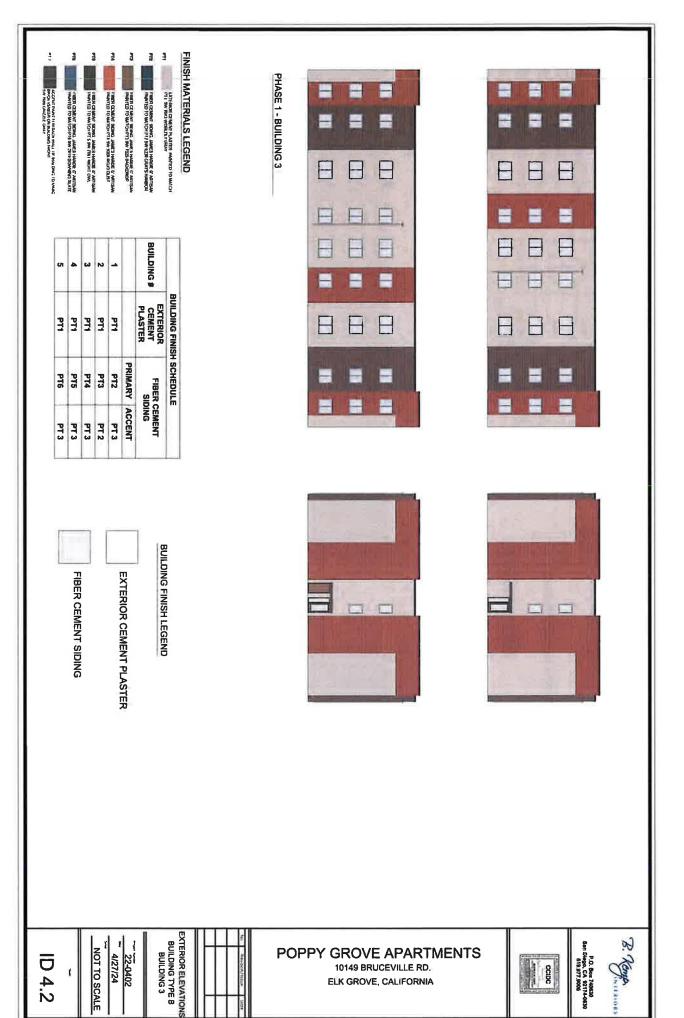


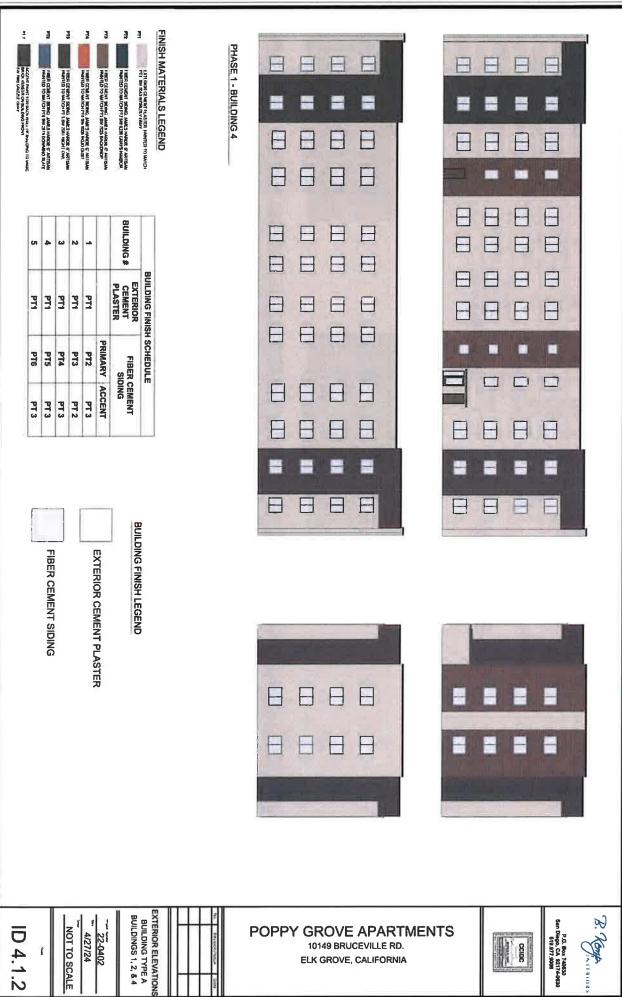


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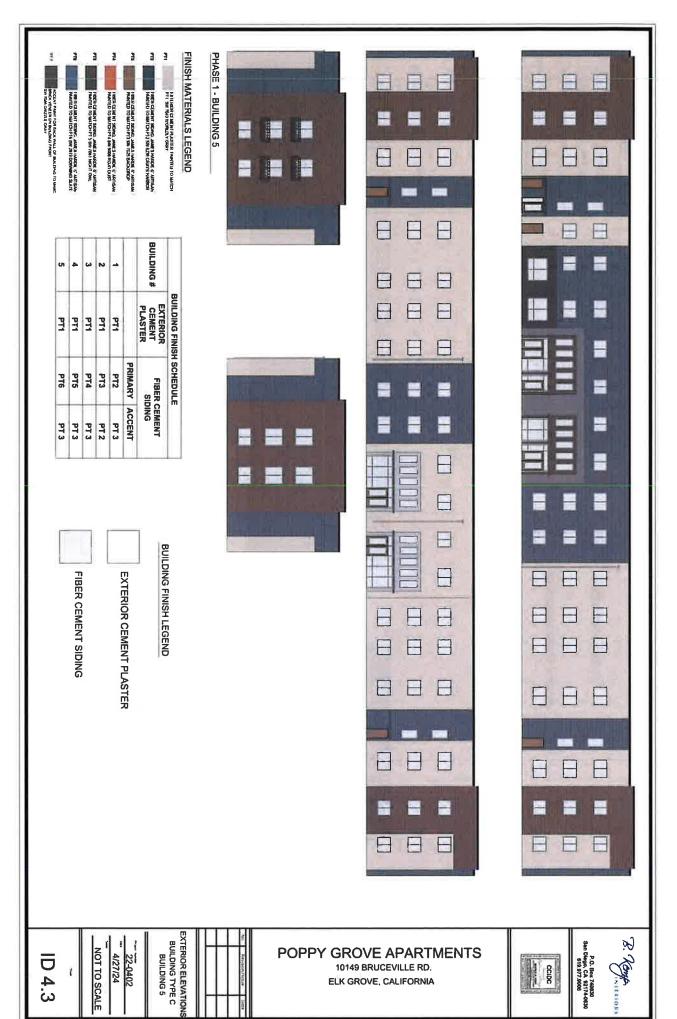
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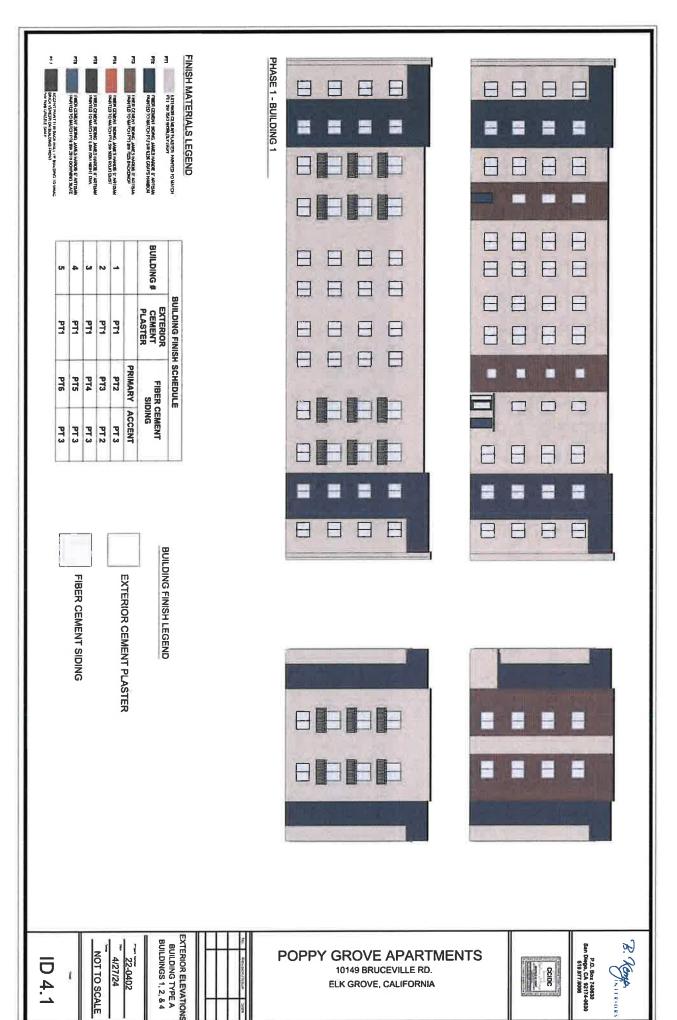


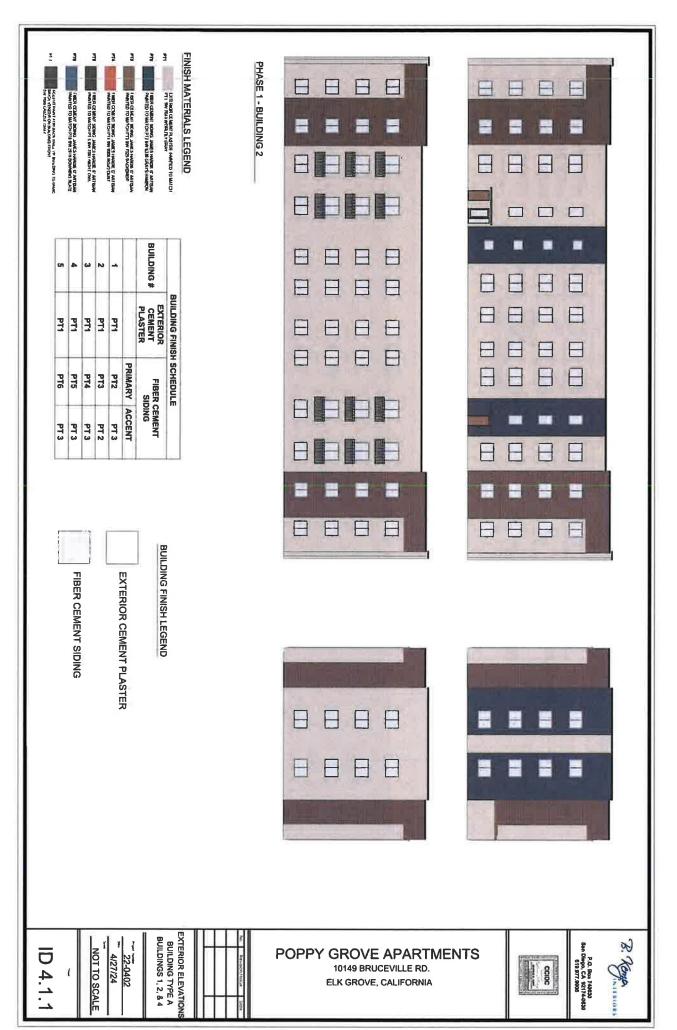


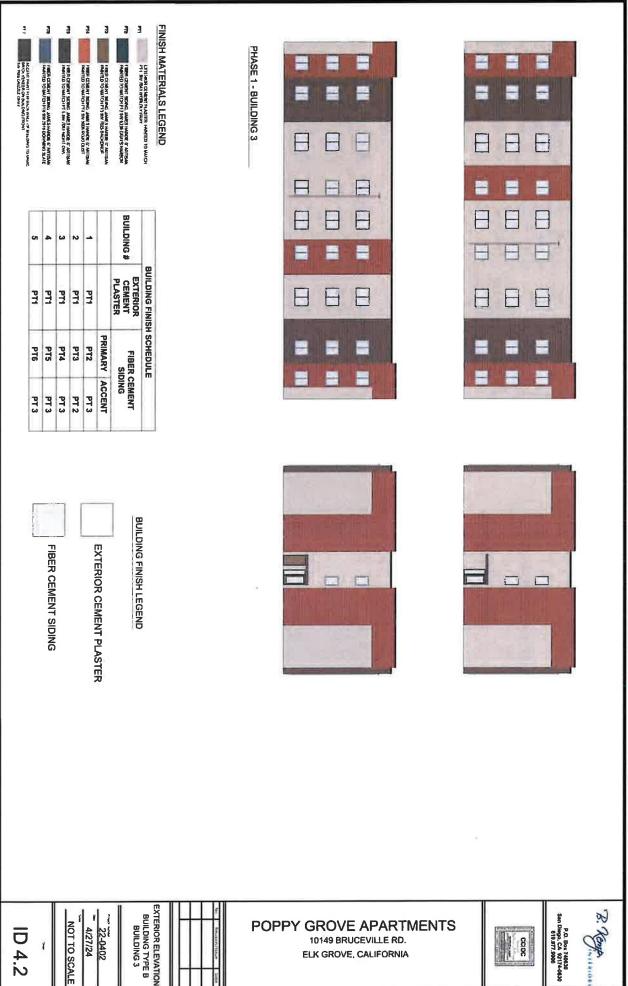


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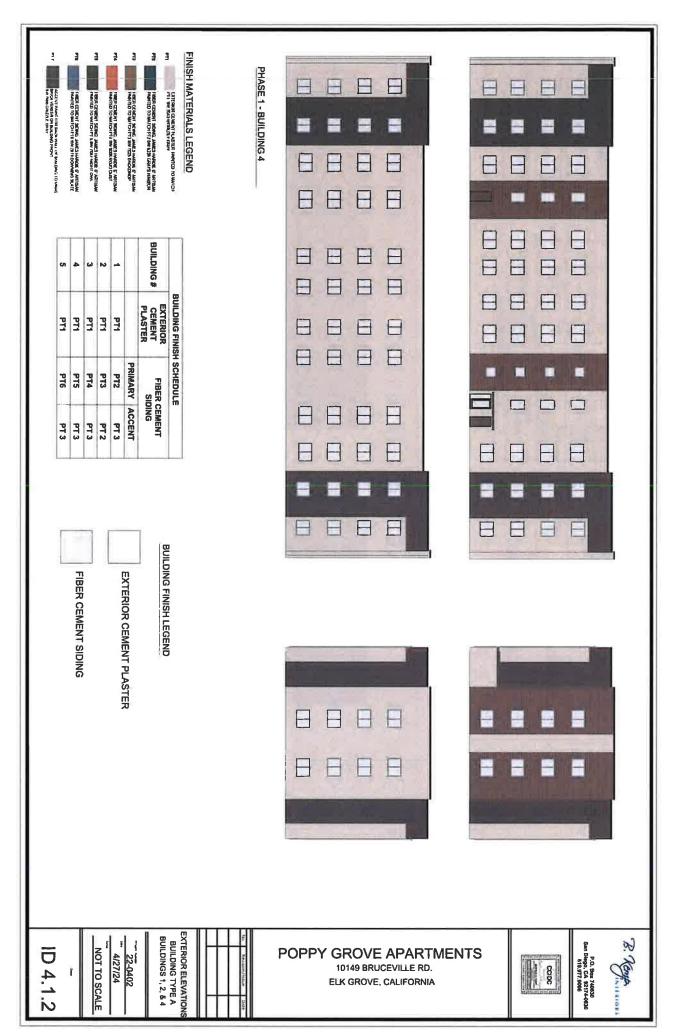
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10149 BRUCEVILLE RD. ELK GROVE, CALIFORNIA



P.D. Box 740830 San Diego, CA 92174-0830 619-977-9006





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POPPY GROVE APARTMENTS 10149 BRUCEVILLE RD. ELK GROVE, CALIFORNIA



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Poppy Grove Apartments Phase I

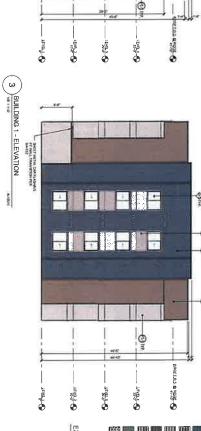
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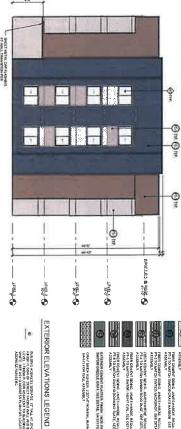
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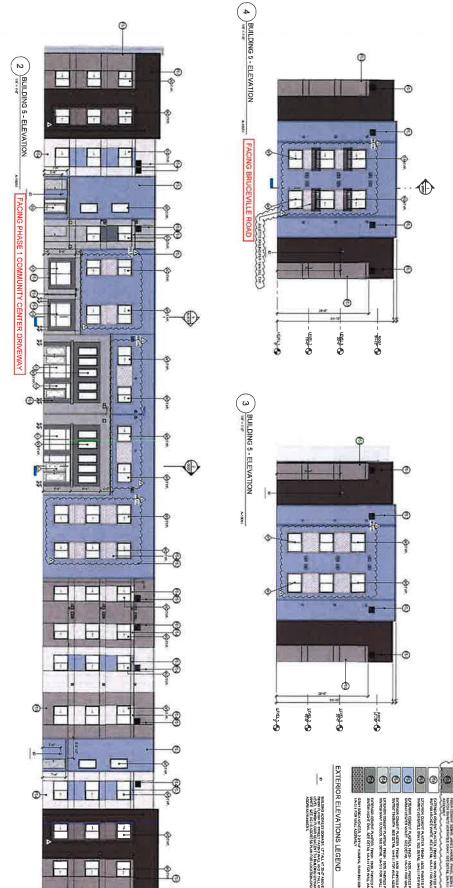
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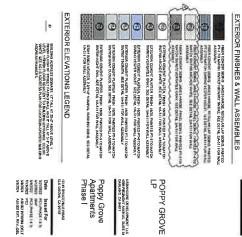
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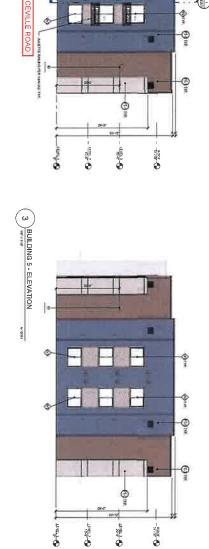
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# Exhibit C Poppy Grove Apartments (PLNG24-038) Conditions of Approval

The following condition of approval is amended in the Poppy Grove Apartments Project PLNG21-078:

1.	Development and operation of the proposed Project shall be	On-Going	Planning
	consistent with the Project Description and Project Plans as		
	provided in Exhibits A and B (adopted with the Poppy Grove		
	Apartments Amendments Project PLNG23-010 and PLNG24-		
	038), incorporated herein by this reference. Deviations from		
	the approved plans shall be reviewed by the City for		
	substantial compliance and may require amendment by the		
	appropriate hearing body.		

# CERTIFICATION ELK GROVE CITY COUNCIL RESOLUTION NO. 2024-203

STATE OF CALIFORNIA	)	
COUNTY OF SACRAMENTO	)	SS
CITY OF ELK GROVE	)	

I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on October 23, 2024, by the following vote:

AYES: COUNCILMEMBERS: Singh-Allen, Brewer, Robles, Spease, Suen

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

Jason Lindgren, City Člerk City of Elk Grove, California