

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: El Dorado
360 Fair Lane
Placerville, CA 95667

From: (Public Agency): John Adams Academies, Inc.
One Sierra Gate Plaza
Roseville, CA 95678
(Address)

Project Title: John Adams Academy Expansion

Project Applicant: Joseph Benson, Executive Director

Project Location - Specific:

The project is located in the southwest quadrant of the Latrobe Road intersection with Investment Boulevard. Access to the site is provided at two existing driveways along Investment Boulevard.

Project Location - City: El Dorado Hills Project Location - County: El Dorado County

Description of Nature, Purpose and Beneficiaries of Project:

The project proposes to re-purpose an existing approximately 78,000 square foot office building into an expansion of the existing John Adams Academy charter school serving up to 900 additional students (kindergarten through 12th grade).

Name of Public Agency Approving Project: John Adams Academies, Inc.

Name of Person or Agency Carrying Out Project: Joseph Benson, Executive Director

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Section 15301 -Existing Facilities
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The project is categorically exempt from further environmental review pursuant to Class 1, Section 15301 – Existing Facilities - Operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, involving negligible or no expansion.

Lead Agency
Contact Person: Joseph Benson Area Code/Telephone/Extension: (916) 780-6800

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Joseph P Benson Date: 2022-01-27 Title: EXECUTIVE DIRECTOR

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Attachment A

John Adams Academy Expansion CEQA Exemption Information Form El Dorado County

Project Location

The John Adams Academy Expansion (proposed project) consists of re-purposing an existing office building into an expansion of the existing John Adams Academy charter school serving up to 900 additional students (kindergarten through 12th grade). The proposed project is located at 1104 Investment Blvd Suite 100 a 1.54-lot (Assessor's Parcel Number (APN) 117-720-002). This area is referred to as the project area. Within the project area there is an existing office building, parking lot, landscaping, and interior roads connecting to the surrounding office park.

The project area is bound by Latrobe Rd to the northeast, Investment Blvd to the northwest, office buildings to the west and southwest, and vacant land to the southeast. The project site's setting is developed and can be characterized as a corporate campus environment. Surrounding businesses include Envision (business management consulting firm) and Amdocs Inc. (software company) to the north, Frontier Dental Laboratories to the east, Broadridge (a technology and operations, communications, and data analytics firm) across Robert Matthews Parkway to the west, and open space to the south. The closest residential developments are located to the east, across Latrobe Road.

The areas surrounding the proposed project are urbanized to the northwest and land uses are dominated by residential communities with interspersed industrial and commercial development that serve local residents. Land use to the south is primarily vacant previously disturbed land

Proposed Improvements/Description

The project proposes repurposing a 2 story 78,286 square foot office building within an existing office park. The proposed expansion of John Adams Academy would be located in the same office park as the existing school, in the southwest quadrant of the Latrobe Road intersection with Investment Boulevard. The existing John Adams Academy and the proposed expansion would be connected by Business Park Drive. The proposed building would be accessible by Americans with Disabilities Act (ADA) compliant walkways and ramps.

The proposed improvements to the office building would be all minor interior changes to repurpose the existing office space into classrooms for the school. There would be no physical expansion of the building and no major exterior changes to the building. The expansion would maintain the existing parking lots, hardscape, and landscaping, and any minor aesthetic changes would be developed in a similar design that would complement the form of the existing buildings in the office park including John Adams Academy. Use of the building would be focused to school hours Monday through Friday, with limited activity on the weekend.

Pursuant to State CEQA Guidelines Section 15064.3, "...a project's effect on automobile delay shall not constitute a significant environmental impact." Nonetheless a Traffic Impact Study was completed to analyze existing transportation conditions and potential impacts from the proposed project. The *John Adams Academy Transportation Impact Study (TIS)* found existing deficiencies at multiple intersections

around the project site which are anticipated to be addressed by the County's CIP Intersection Needs Prioritization Process or a future project.

Project Site Access

Primary access to the proposed project site is via two driveways off Investment Blvd. Additionally, the site can be accessed through the existing office park's internal roads, including Robert J Mathews Parkway.

Land Uses

Land use in the project area is regulated by El Dorado County. The project site is zoned as Research and Development, and El Dorado County's General Plan designates the project site as Research and Development. Section 130.10.040 of El Dorado County's Municipal Code provides guidance on the applicability of the zoning code, and Section 130.10.040.B.3 exempts "[a]ctivities of a local agency, as defined by California Government Code Section 53090, as provided in Section 53091 et seq." From the provisions of the County's zoning code (EDC 2015b; California Legislative Information 2018). John Adams Academy is an independent public charter school chartered by the El Dorado County Office of Education.

As an independent public charter school, John Adams Academies, Inc. is a Local Education Agency, which is a "local agency" as defined by California Government Code Section 53090(a). In addition, California Government Code Section 53094(a) states:

Notwithstanding any other provision of this article, this article does not require a school district to comply with the zoning ordinances of a county or city unless the zoning ordinance makes provision for the location of public schools and unless the city or county has adopted a general plan.

El Dorado County has adopted a general plan, but the El Dorado County Zoning Code does not provide for public elementary or secondary schools in their land use zoning types. Therefore, the Government Code exemption applies to the proposed project.

Reasons Why Project is Exempt

The proposed project is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section Class 1, Section 15301 (e)(1).

Section 15301, Class 1, is a categorical exemption (CE) which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, involving negligible or no expansion of existing or former use. (Cal. Code Regs., tit. 14, § 15303.) Subsections (e)(1) provides that additions to existing structures that result in an increase of no more than 50 percent of the floor area of the existing structure or that are no more than 2,500 sf (whichever is less), are exempt.

- The proposed project is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15301, Class 1(e)(1). The key consideration for this exemption is whether the project involves negligible or no expansion of an existing use. As discussed, the proposed project would not result in any physical expansion and no additional square feet to the existing office building.

Exceptions to Exemptions

CEQA Section 15300.2 (a through f) presents a list of exceptions to the use of an exemption. The proposed project does not meet any of the exceptions as discussed below:

- a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the proposed project is to be located – a project that is ordinarily insignificant in its impact on the environment may nonetheless be considered significant in a particularly sensitive environment. Therefore, these classes are considered to apply in all instances, except where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.
- The proposed project does not rely on a Class 3, 4, 5, 6, or 11 exemption and therefore these exceptions do not apply. Nevertheless, the following discussion is provided to demonstrate the proposed project would not have any adverse physical impacts on the environmental and that the project does not contain any unusual circumstances that could result in a significant adverse effect.
- b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact over time of successive projects of the same type in the same place is significant.
- The proposed project would not have an impact on surrounding areas, adjoining properties, or result in a cumulative impact over time. Overall, the redevelopment of the existing office building into the Proposed Project results in a net decrease of VMT when comparing the daily VMT for the existing use to the Proposed Project. Therefore, not creating a cumulative VMT impact. The proposed project is consistent with the existing planning and intent of the County for use of the site. By complying with existing planning within the County's Guidelines and General Plan, and the above applicant proposed design measures, the proposed project would not result in any impacts to the environment and would not make a cumulative contribution to an environmental impact or loss of resources.
- c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.
- The proposed project would not have a significant effect on the environment as it would occur on an existing developed site within a business park. The project site is developed and includes a paved parking lot. No native vegetation is present on the project site, and as such, does not provide habitat for federal or state listed species. The proposed project would not affect any historic, cultural, or tribal cultural resources.
- d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.
- The proposed project would occur entirely within an area already developed with public facilities and would not remove any trees, damage any historic structures or scenic resources. The project site is not located within or in proximity to a designated scenic highway. The nearest eligible scenic highway is Route 49 approximately 11 miles to the east. The project site is not visible from Route 49.
- e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

- The proposed project does not occur within a hazardous waste site and the proposed project would not use, handle, store, or dispose of any acutely hazardous materials. Review of the State Water Resources Control Board Geotracker tool or the Department of Toxic Substances Control (DTSC) EnviroStor Database revealed no evidence of hazardous materials site on or near the project site.
- f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.
- The project proposes repurposing an existing building within an existing office park. The project would not impact any buildings or structures that are older than 45 years. The project area is currently paved, and no grading or excavation is proposed. No Historical resources would be affected.

Conclusion

The proposed project is consistent with State CEQA Exemptions Class 1 - Existing Facilities. With the addition of standard permitting conditions and the applicant proposed design guidelines, the proposed project would not result in any substantial changes to the environment. As discussed above, no exceptions to either exemption detailed in §15300.2 would be applicable or occur.

References

California Department of Transportation. 2019. *California State Scenic Highway System Map*. Available at <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>. Accessed January 7, 2022.

Kimley-Horn Inc. December 2021. *John Adams Academy Expansion – Transportation Impact Study*.

State of California Department of Toxic Substances Control. 2022. *EnviroStor*. Available at <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=Search>. Accessed January 7, 2022.

State Water Resources Control Board. 2022. *GeoTracker*. State of California. Available at <https://geotracker.waterboards.ca.gov/>. Accessed January 7, 2022.

Weir, Matt. December 2021. *John Adams Academy Expansion – VMT Analysis Memorandum*.



RESOLUTION NO. 2022-01-27-02

RESOLUTION OF THE BOARD OF DIRECTORS OF JOHN ADAMS ACADEMIES, INC. APPROVING AND AUTHORIZING ACQUISITION OF PROPERTY AND EXEMPTION FINDING UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, FILING NOTICE THEREOF, AND RELATED ACTIONS

WHEREAS, John Adams Academies, Inc., a California nonprofit public benefit corporation (the “Corporation”), operates the charter school known as John Adams Academy – El Dorado Hills (“Charter School”), under the Charter Schools Act of 1992, as amended (constituting Part 26.8 of Division 4 of Title 2 of the California Education Code), on land and in facilities leased to the Corporation at 1102 Investment Boulevard, El Dorado Hills, California; and

WHEREAS, the Board of Directors of the Corporation (the “Board”) has determined that it is in the best interest of JAA El Dorado Hills to expand its campus through the acquisition of land and improvements at 1104 Investment Boulevard, El Dorado Hills, California (the “Project”), together with the acquisition and improvement of additional vacant land in the vicinity of the campus (collectively, the “Campus”); and

WHEREAS, in connection with the expansion of the Campus and the operations of the Charter School at said Campus, the Board has been advised and so determines that said expansion and operations are categorically exempt from the requirements of the California Environmental Quality Act and applicable regulations promulgated thereunder; and

WHEREAS, the Board has been presented with a Notice of Exemption (the “Notice”) describing the foregoing and the basis for a categorical exemption for filing with the County of El Dorado and the Office of Planning and Research, as addressed in the Notice.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are true and correct.

Section 2. Authorization of Project. The Project is hereby authorized and approved.

Section 3. Approval of Notice. The form of the Notice, as presented to this Board, is hereby approved, and the Executive Director and any Authorized Officer, each acting alone or concurrently on behalf of the Corporation, are hereby authorized and directed to execute and deliver the Notice, each in substantially the form presented to and considered at this meeting, with such changes therein or additions or supplements thereto as the Authorized Officer executing the same may approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 4. Other Prior Actions. All prior acts and doings of the officers, agents and employees or the Board which are in conformity with the purposes and intent of these Resolutions

and in furtherance of the execution and performance of the documents described herein shall be and the same hereby are in all respects ratified, approved and confirmed.

Section 5. Severability. If any section, paragraph, clause or provision of these Resolutions shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining sections, paragraphs, clauses or provisions of these Resolutions.

Section 6. Repeal of Inconsistent Provisions. All bylaws, orders, resolutions, agreements or parts of any thereof to the extent inconsistent with these Resolutions are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed as reviving any bylaw, order or resolution or part thereof.

Section 7. Effective Date. These Resolutions shall be in full force and effect immediately upon its adoption.

SECRETARY'S CERTIFICATE

I, John Brennan, Secretary and Member of the Board of John Adams Academies, Inc., a California nonprofit public benefit corporation, County of Placer, California, hereby certify as follows:

The attached is a full, true, and correct copy of the resolutions duly adopted at a special meeting of the Board of Directors of John Adams Academies, Inc., which was duly held the 27th day of January, 2022, at which meeting a quorum of the members of the Board of Directors was present; and at such meeting such resolutions were adopted by the following vote:

AYES: 3
NOES: 0
ABSTAIN: 0
ABSENT: 2

WITNESS my hand this 27th day of January, 2022.

John Brennan

John Brennan (Jan 27, 2022 12:02 PST)

Secretary and Member of the Board of
John Adams Academies, Inc.


Resolution Approving Exemption Finding under the California Environmental Quality Act - 2022-01-27-02

Final Audit Report

2022-01-27

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 Agreement completed.

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