

By Deputy: rosaa



**Notice of Determination**

**Appendix D**

To:

Office of Planning and Research  
U.S. Mail: Street Address:  
P.O. Box 3044 1400 Tenth St., Rm 113  
Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk  
County of: San Joaquin  
Address: 44 N. San Joaquin St., 2nd Floor Suite 260  
Stockton, CA 95202

From:

Public Agency: City of Tracy  
Address: 333 Civic Center Plaza  
Tracy, CA 95376  
Contact: Victoria Lombardo, Senior Planner  
Phone: (209) 831-6428

Lead Agency (if different from above):  
Address: \_\_\_\_\_  
Contact: \_\_\_\_\_  
Phone: \_\_\_\_\_

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

State Clearinghouse Number (if submitted to State Clearinghouse): 2020080531

Project Title: Tracy Costco Depot Annex Project

Project Applicant: City of Tracy

Project Location (include county): City of Tracy San Joaquin County

Project Description:

The Project would include the construction and subsequent operation of two warehouse buildings that would serve as an annex to the existing Costco Depot located approximately 1.5-miles to the west of the Project and as a DDC. The two buildings (approximately 543,526 sf for Building 1 and 1,193,198 sf for Building 2) total approximately 1,736,724 sf on the Project site. The smaller Building 1 is anticipated to serve as the annex by providing additional storage for high-turnover merchandise processed through the nearby Costco Depot, a pallet repair facility, and a return to vendor facility for large items returned to a Costco warehouse. The larger Building 2 is anticipated to serve as a DDC, an

This is to advise that the City of Tracy has approved the above  
( Lead Agency or  Responsible Agency)

described project on 3/4/25 and has made the following determinations regarding the above  
(date)  
described project.

- 1. The project [ will  will not] have a significant effect on the environment.
- 2.  An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
- 3. Mitigation measures [ were  were not] made a condition of the approval of the project.
- 4. A mitigation reporting or monitoring plan [ was  was not] adopted for this project.
- 5. A statement of Overriding Considerations [ was  was not] adopted for this project.
- 6. Findings [ were  were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:  
333 Civic Center Plaza, Tracy, CA 95376

Signature (Public Agency):  Title: Senior Planner  
Date: 3-7-25 Date Received for filing at OPR: 3-5-25

APPROVED AS TO FORM

*Kandelroat Gyll for*  
CITY ATTORNEY'S OFFICE

TRACY CITY COUNCIL

RESOLUTION 2025-050

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1. **CERTIFYING AN ENVIRONMENTAL IMPACT REPORT ("EIR"), ADOPTING FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION MONITORING AND REPORTING PLAN ("MMRP") FOR THE ANNEXATION AND DEVELOPMENT OF INDUSTRIAL BUILDINGS ON A 104.46 ACRE PROPERTY LOCATED AT 16000 WEST SCHULTE ROAD BEARING ASSESSOR'S PARCEL NUMBER 209-230-02 ("PROPERTY"), ALL IN ACCORDANCE WITH THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA"); AND**
2. **APPROVING A DEVELOPMENT REVIEW PERMIT FOR THAT CERTAIN 104.46-ACRE PROPERTY LOCATED AT 16000 WEST SCHULTE ROAD BEARING ASSESSOR'S PARCEL NUMBER 209-230-02 (THE "PROPERTY") TO TAKE EFFECT ON THE FIRST DAY FOLLOWING THE EFFECTIVE DATE OF THE SAN JOAQUIN COUNTY LOCAL AGENCY FORMATION COMMISSION'S ("LAFCO'S") APPROVAL OF THE ANNEXATION OF THE PROPERTY TO THE CITY OF TRACY ("CITY"); AND**
3. **APPROVING THE SUBMITTAL OF A PETITION TO THE SAN JOAQUIN COUNTY LOCAL AGENCY FORMATION COMMISSION ("LAFCO") FOR THE ANNEXATION OF THE PROPERTY TO THE CITY OF TRACY ("CITY") WITHOUT DETACHMENT FROM THE TRACY RURAL FIRE DISTRICT.**

**WHEREAS**, on April 24, 2019, the City received applications from the owners of the Property asking the City to submit a petition to LAFCo to annex the Property to the City of Tracy, to prezone the Property to Light Industrial (M-1) pursuant to Tracy Municipal Code ("TMC") Section 10.08.970, and to approve a Development Review Permit for the Property pursuant to Article 30 of Chapter 10.08 of the TMC (collectively, the "Project"); and

**WHEREAS**, the Property is located within the City's Sphere of Influence ("SOI") and is designated for Industrial uses in the City's General Plan; and

**WHEREAS**, to support its processing of the applications, and pursuant to the requirements of CEQA, the City conducted an environmental analysis of the proposed Project, resulting in the completion of an Environmental Impact Report bearing State Clearinghouse Number 2020080531 (the "EIR") (Exhibit 1); and

**WHEREAS**, based on the analyses in the EIR, and pursuant to Sections 15091 and 15093 of CEQA's implementing regulations (14 Cal. Code Regs. §§ 15000—15387) (the "CEQA Guidelines"), the City prepared certain findings and a statement of overriding considerations (together, the "CEQA Findings") (Exhibit 2) and also prepared a Mitigation

Monitoring and Reporting Plan (the "MMRP") (Exhibit 3) pursuant to Section 15097 of the CEQA Guidelines; and

**WHEREAS**, on December 4, 2024, the City's Planning Commission held a public hearing to review and consider the Project applications and all materials and evidence relating to the Project applications, including the EIR, the CEQA Findings, and the MMRP, and voted to recommend that the City Council certify the EIR and approve the Project; and

**WHEREAS**, on March 4, 2025, the City Council held a duly-noticed public hearing to review and consider the Project applications and all materials and evidence relating to the Project applications, including the EIR, the CEQA Findings, and the MMRP.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TRACY:**

**Section 1 RECITALS.** The City Council hereby finds and determines the foregoing recitals are true and correct and are hereby incorporated herein as findings and determinations of the City.

**Section 2 CEQA COMPLIANCE.** The City Council, based on its independent judgment and analysis, has reviewed and considered the proposed Project and determined, based on the whole record before it, including the EIR, that the proposed Project will have a significant effect on the environment, and hereby makes the CEQA Findings, including approval of a Statement of Overriding Considerations, as set forth in Exhibit 2, and hereby certifies the EIR as set forth in Exhibit 1, and hereby adopts the MMRP as set forth in Exhibit 3, in full compliance with the requirements of CEQA for the Project.

**Section 3. DEVELOPMENT REVIEW PERMIT.** Based on the findings set forth in **Exhibit 4** hereto, the City Council hereby approves Development Review Permit (D14-0019), which approval is subject to the applicant's full and complete compliance with the Conditions of Approval set forth in **Exhibit 5** hereto; provided, however, that the approval of this Development Review Permit shall not be effective until the first day following the effective date of LAFCo's approval of the annexation of the Property to the City, such that the Property is subject to the land use jurisdiction of the City of Tracy.

**Section 4 PETITION TO LAFCo.** The City Council hereby grants the applicants' request to submit a petition to LAFCo to annex the Property to the City of Tracy without detachment from the Tracy Rural Fire District and directs the City Manager to prepare and submit said application.

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The foregoing Resolution 2025-050 was adopted by the Tracy City Council on March 4, 2025, by the following vote:

AYES: COUNCIL MEMBERS: BEDOLLA, EVANS, NYGARD, ABERCROMBIE, ARRIOLA  
NOES: COUNCIL MEMBERS: NONE  
ABSENT: COUNCIL MEMBERS: NONE  
ABSTENTION: COUNCIL MEMBERS: NONE



DAN ARRIOLA  
Mayor of the City of Tracy

ATTEST: Necy Lopez  
NECY LOPEZ  
Acting City Clerk and Clerk of the Council of the  
City of Tracy  
Date of Attestation: 3/6/2025

- Exhibit 1 – EIR
- Exhibit 2 – CEQA Findings
- Exhibit 3 – MMRP
- Exhibit 4 – Findings to support approval of Development Review Permit
- Exhibit 5 – Conditions of Approval for Development Review Permit