

ENDORSED  
FILED  
ALAMEDA COUNTY

AUG 03 2017

**\*ENVIRONMENTAL DECLARATION**

(CALIFORNIA FISH AND GAME CODE SECTION 711.4)

STEVE MANNING, County Clerk  
By *[Signature]* Deputy

LEAD AGENCY NAME AND ADDRESS

David Wage  
City of Fremont Planning Division  
39550 Liberty Street  
Fremont, CA 94538  
(510) 494-4447

FOR COUNTY CLERK USE ONLY

FILE NO: 17259

**CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:**

(PLEASE MARK ONLY ONE CLASSIFICATION)

**1. NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION**

A - STATUTORILY OR CATEGORICALLY EXEMPT

\$ 50.00 - COUNTY CLERK HANDLING FEE

**2. NOTICE OF DETERMINATION (NOD)**

A - NEGATIVE DECLARATION (OR MITIGATED NEG. DEC.)

\$ 2,216.25 - STATE FILING FEE

\$ 50.00 - COUNTY CLERK HANDLING FEE

B - ENVIRONMENTAL IMPACT REPORT (EIR)

\$ 3,078.25 - STATE FILING FEE

\$ 50.00 - COUNTY CLERK HANDLING FEE

\*A COPY OF THIS FORM MUST BE COMPLETED AND SUBMITTED WITH EACH COPY OF AN ENVIRONMENTAL DECLARATION BEING FILED WITH THE ALAMEDA COUNTY CLERK.

FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS ARE REQUIRED FOR FILINGS SUBMITTED BY MAIL, AND FOR IN-OFFICE FILINGS.

**ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING.**

FEES ARE EFFECTIVE JANUARY 1, 2017

MAKE CHECKS PAYABLE TO: ALAMEDA COUNTY CLERK



# Notice of Exemption

ENDORSED  
FILED  
ALAMEDA COUNTY

AUG 03 2017

STEVE MANNING, County Clerk  
By *[Signature]* Deputy

Date: July 31, 2017

**To:**

- Office of Planning and Research  
P.O. Box 3044  
Sacramento, CA 95812-3044
- Alameda County Clerk-Recorder's Office  
1106 Madison Street  
Oakland, CA 94607

**From:**

City of Fremont, Planning Division  
39550 Liberty Street  
Fremont, CA 94537  
Contact: David Wage  
Phone: (510)-494-4447

**Subject: Filing of a Notice of Exemption Pursuant to CEQA Guidelines Section 15062**

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**Project Title:** Maple Commons Mixed-Use Development ( PLN2016-00397)

**Project Applicant:** Murthy Sama, P.O. Box 15053 Fremont, CA 94539

**Project Location (include county):** Unaddressed site on the northeast side of Maple Street between Thornton Avenue and Bonde Way in the Centerville Community Plan Area, City of Fremont, Alameda County; APNs: 501-0499-0-74-00 and 501-0499-073-00

**Project Description:** The project includes a Conditional Use Permit, Discretionary Design Review Permit and Modification of Zoning Standards to allow the construction of a new mixed-use development including 2,820 square feet of commercial space and 11 apartment units with an interior side yard setback reduction from 10 feet to 5.5 feet.

**Name of Public Agency Approving Project:** City of Fremont

**Exempt Status (check one):**

- Ministerial (Public Resources Code Section 21080(b)(1); CEQA Guidelines Section 15268)
- Declared Emergency (Public Resources Code Section 21080(b)(3); CEQA Guidelines Section 15269(a))
- Emergency Project (Public Resources Code Section 21080(b)(4); CEQA Guidelines Section 15269(b)(c))
- Categorical Exemption. State type and CEQA Guidelines section number: Infill Development Projects, 15332
- Statutory Exemptions. State CEQA Guidelines section number:

**Reasons why project is exempt:** This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15332, Infill Development Projects, which exempts in-fill development when the project would be consistent with the General Plan and Zoning Ordinance; proposed development would occur on a site no greater than five acres substantially surrounded by urban uses; the site has no habitat value for endangered, rare or threatened species; approval would not result in significant effects relating to traffic, noise, air quality and water quality; and the site is adequately served by utilities and public services.

The project would be consistent with the General Plan and Zoning Ordinance. The 0.31-acre site is surrounded on four sides with urban development, is denude of natural vegetation and does not provide habitat for endangered, rare or threatened species. Standard development requirements for resource protection contained in FMC Section 18.218.050(b) (Biology, Special-Status Species) would be included

as conditions of approval and implemented with project development. These standard requirements would ensure that there would be no impacts to burrowing owls and nesting birds. The proposed project would generate less than 100 new peak hour trips, a threshold set by the Congestion Management Agency, and would not have significant effects relating to traffic. Likewise, given the small nature of the project and similar characteristics to surrounding urban development, the project would not have noise, air quality or water quality impacts. Hours of construction would be regulated per FMC Section 18.160.010 to address short-term noise during construction, the standard development requirements contained in FMC Section 18.218.050(a) (Air Quality) would be included as conditions of approval and implemented during project construction to address short-term air quality impacts. The project is below the BAAQMD screening threshold to require a more detailed analysis of air quality impacts. The project would implement the City's stormwater runoff requirements. Finally, there are existing utilities and public services available to serve the site, including but not limited to: water, sanitary sewer, storm water facilities, electricity, natural gas, roadways, and transit.

Signature (Lead Agency): Kristie Walker Title: Planning Manager

Date Received for filing at OPR: N/A

Authority cited: Sections 21083 and 21110, Public Resources Code.

Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.