

# NOTICE OF EXEMPTION



**TO:**  State of California  
Office of Planning & Research  
PO Box 3044  
Sacramento, CA. 95812-3044

**FROM:** City of Irvine  
Community Development Department  
PO Box 19575  
Irvine, CA. 92623-9575

County Clerk  
County of Orange  
PO Box 238  
Santa Ana, CA. 92702

**Attn:** **Hernan DeSantos** ]  
**Senior Planner** ]  
**949-724-6441** ]

**SUBJECT:** Filing of **Notice of Exemption** in compliance with Section 15062 of the Public Resources Code.

**Project Title and File No.:** [Von Karman Drive-Thru Retail Building- Conditional Use Permit (00823476-PCPU) ]

**Project Location:** [The project site is located at 17861 Von Karman Avenue within the Irvine Business Complex of Planning Area 36 in the City of Irvine, CA in the County of Orange. ]  
(include County)

**Project Description:** [Conditional Use Permit request is for the development of a 4,180 square-foot, two suite retail building with a drive-thru lane for one of the suites. Administrative Relief is also requested to deviate from parking standards to allow for shared parking and to deviate from the landscape standards to allow for a reduced special landscape setback on Von Karman Avenue. ]

**Approving Public Agency:** City of Irvine  
Zoning Administrator  
PO Box 19575  
Irvine, CA 92623-9575

**Approval Date:** March 3, 2022  
**Resolution No.** 22-3850

**Project Applicant:** [Starpointe Ventures, on behalf of Surlamer Investments  
4343 Von Karman Avenue, Third Floor  
Newport Beach, CA 92660 ]  
Attn: [Patrick Strader, Starpointe Ventures ]  
[949-622-0420 ]

**Exempt Status:**  
(check one)

- Ministerial (Section 21080(b)(1); 15268)
- Declared Emergency (Section 21080(b)(3); 15269(a))
- Emergency Project (Section 21080(b)(4); 15269(b)(c))
- Statutory Exemption: ]
- Categorical Exemption [Section 15332, Class 32, In-Fill Development Projects] ]
- General Rule Exemption (Section 15061(b)(3))

**Reasons Why Project Is Exempt:** [Class 32 promotes infill development on sites of less than five acres within urbanized areas that are consistent with local general plan and zoning requirements. The project proposes the construction and operation of a retail building with a drive-thru lane located within a predominantly urbanized area. The City of Irvine's General Plan (Land Use Element, Figure A-3) and Zoning Ordinance (Section 3-37-29) allow for employee-oriented retail projects of this type subject to approval of a conditional use permit. The area planned for development is improved as a parking lot that has no value as habitat for endangered, rare, or threatened species. The site and surrounding areas are fully improved with utilities, public services, and infrastructure necessary to support the proposed retail use. The surrounding street network and land uses have been improved with consideration for the planned commercial development, and the project will not have a significant adverse effect on traffic, noise, air quality, or water quality.

[**Hernan DeSantos, Senior Planner**]  
Name and Title

*Hernan DeSantos*  
Signature

March 3, 2022  
Date