

Notice of Exemption

To: County Clerk
County of: Santa Clara
70 West Hedding Street, 1st Floor
San Jose, CA 95110

From: (Public Agency): City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037

Project Title: Catalyst Kids Center Project

Project Applicant: Sandhu Properties

Project Location - Specific:

The project site is located northwest of the Barrett Avenue/Butterfield Boulevard intersection in the City of Morgan Hill, CA. The approximately 0.6-acre project site, identified by Assessor's Parcel Number (APN) 817-30-080, is bound by Butterfield Boulevard to the east and Barrett Avenue to the south. Currently, the site is undeveloped and consists of ruderal grasses and an on-site oak tree. Surrounding existing uses include single-family residences to the north, east, and southeast, across from Butterfield Boulevard and Barrett Avenue; light industrial uses (Paragon Mechanical and C&M Auto Service, Inc.) and a bird food manufacturing use (Morning Bird, Inc.) to the south, across from Barrett Avenue; The Lodge at Morgan Hill senior apartments and an associated parking lot to the west; and a single-family residence, retail shop (Drift Cave Motorsports), senior apartments (The Huntington and Loma Clara Senior Living), and undeveloped land further to the west, across from The Lodge at Morgan Hill. The City of Morgan Hill General Plan designates the site as Commercial and the site is zoned Neighborhood Commercial (CN).

Project Location - City: Morgan Hill

Project Location - County: Santa Clara

Description of Nature, Purpose and Beneficiaries of Project:

The Catalyst Kids Center Project (proposed project) would consist of an 8,420-square foot daycare facility, comprised of three single-story buildings. The primary building would include four 500-square-foot classrooms, a staff room, kitchen, reception area, storage, laundry room, sickroom, and bathrooms. An internal trash enclosure would be constructed in the southern portion of the primary building and would be shielded from motorists, bicyclists, and/or pedestrians traveling past the project site. The remaining buildings would be located west of the primary building; and each would consist of two 500-square-foot classrooms. The buildings would not exceed the maximum allowed height of 30 feet, as the maximum proposed building height is 27 feet.

The proposed project would include two recreation areas. First, a 2,075-square-foot outdoor toddler playground would be located in a central courtyard, between the buildings. The playground would be equipped with various children's recreational features. The ground would be overlain with rubber safety surfacing and synthetic turf. A large canopy shade tree would be planted in a central area of the playground. Security fencing would be installed along the playground's western perimeter, composed of tubular steel rails and standing six feet high. Secondly, an infant playground would be located north of the northernmost building. Similar to the toddler playground, the infant playground would be overlain with rubber safety surfacing and rubber turf and would feature security fencing. Combined between the two playgrounds, a total of 170 linear feet of security fencing would be installed.

The proposed project would require the City's approval of a Conditional Use Permit (CUP) and Design Permit.

Name of Public Agency Approving Project: City of Morgan Hill

Name of Person or Agency Carrying Out Project: Sandhu Properties, 1800 Silverwings Court, Morgan Hill, CA, 95037

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 code number: Section 15332, Class 32

Reasons why project is exempt:

Article 19 of the CEQA Guidelines, Sections 15300 through 15333, includes a list of classes of projects that have been determined to not have a significant effect on the environment, and are therefore exempt from CEQA. As demonstrated throughout the Categorical Exemption Memorandum prepared by the City, the proposed project qualifies for exemption under CEQA Guidelines Section 15332, Class 32. For example, the proposed project would be consistent with the General Plan land use designation of Commercial, and thus, would meet Criterion 15332(a). In addition, the project would meet Criterion 15332(b), as the site is less than five acres and within the City limits, is bound by Butterfield Boulevard to the east and Barrett Avenue to the south, and is generally surrounded by existing development on all sides.

The project site does not support habitat for rare, threatened, or endangered species and the applicant would be subject to payment of all applicable development fees according to the Santa Clara Valley Habitat Plan (SCVHP). Thus, the proposed project would meet Criterion 15332(c). Furthermore, the proposed project would not result in any significant environmental effects related to traffic, noise, air quality, or water quality. The project can be adequately served by all required utilities and public services. As such, the proposed project would meet Criterion 15332(d) and 15332(e), respectively. It should also be noted that exceptions to the exemptions under CEQA Guidelines Section 15300.2 would not apply to the proposed project. Therefore, the proposed project would be considered exempt under CEQA Guidelines Section 15332, Class 32.

Lead Agency

Contact Person: Tiffany Brown, Senior Planner, City of Morgan Hill Development Services Department
Area Code/Telephone/Extension: (408) 778-6480

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: *Nick Lopez* Date: 6/15/22 Title: Vice President, Roney
 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: _____