

# Notice of Exemption

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

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

Project Title: Peak Avenue Assisted Living Project

Project Applicant: Villa Monte RCPE

## Project Location - Specific:

The project site is located at 17090 Peak Avenue in the City of Morgan Hill, CA. The approximately 1.94-acre project site, identified by Assessor's Parcel Number 767-03-017, is located north of the intersection of Peak Avenue and West Dunne Avenue and currently contains a 28-bed single-story residential care facility, two sheds, a private driveway, parking lot, and trees. Surrounding existing uses include Pacific Hills Manor, a 99-bed residential care facility, to the north; undeveloped land to the east; the Morgan Hill Masonic Center, an office building, and associated parking areas to the south, across from West Dunne Avenue; and single-family homes to the west, across from Peak Avenue. The City of Morgan Hill 2035 General Plan designates the site as Residential Attached Medium and the site is zoned Residential Attached Medium (RAM)

Project Location - City: Morgan Hill

Project Location - County: Santa Clara

## Description of Nature, Purpose and Beneficiaries of Project:

The Peak Avenue Assisted Living Project (proposed project) would include the addition of two new bedrooms (four beds) within the existing facility, and the construction of a new two-story, 18,700-square-foot building along Peak Avenue, which would be comprised of 54 new bedrooms and 108 new beds. Overall, the proposed project would increase the number of on-site beds from 28 to 140, for a total of 112 new on-site beds. Additionally, the existing driveway providing access from Peak Avenue will remain for the existing facility and a new parking lot from West Dunne Avenue will be added and will meet current requirements. The facility is a state licensed facility providing twenty-four-hour-a-day nonmedical residential living accommodations pursuant to the uniform building, housing and fire codes.

The necessary entitlements include a Conditional Use Permit and Design Review Permit. The Conditional Use Permit would address the existing 28-bed facility's inconsistency with the RAM zone, as well as the new facility expansion.

Name of Public Agency Approving Project: City of Morgan Hill

Name of Person or Agency Carrying Out Project: Villa Monte RCPE, P.O. Box Z, San Jose, CA, 95151

## 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 Initial Study 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 Residential Attached Medium, and thus, would meet Criterion 15332(a). In addition, the project would meet Criterion 15332(b) by being located near existing residential and commercial development to the north, west, and south, and is generally surrounded by urban uses. 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,

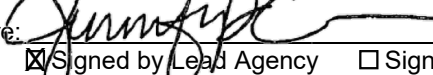
the proposed project would meet Criterion 15332(c). Furthermore, the proposed project would not result in any significant environmental effects related to traffic, noise, air quality, or water quality. The project can be adequately served by all required utilities and public services. As such, the proposed project would meet Criterion 15332(d) and 15332(e). 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:  Date: 7/26/2023 Title: Development Services 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: \_\_\_\_\_

