

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Santa Clara

110 West Tasman Drive

San Jose, CA 95134

From: (Public Agency): City of Cupertino

10300 Torea Avenue

Cupertino, CA 95014

(Address)

Project Title: Leon Townhomes Development CEQA Exemption

Project Applicant: Leon Hu, Top Mission Realty & Investment, Inc.

Project Location - Specific:

10046 Bianchi Way

Project Location - City: Cupertino

Project Location - County: Santa Clara

Description of Nature, Purpose and Beneficiaries of Project:

The townhomes will include six market-rate units and one below-market-rate unit for a total of seven townhomes. The townhome units will include three bedrooms and three and a half bathrooms that range from 2,067 to 2,089 square feet. Each townhome will be three stories (30 feet) tall. The project will provide 1,050 square feet of public open space.

Name of Public Agency Approving Project: City of Cupertino

Name of Person or Agency Carrying Out Project: Leon Hu, Top Mission Realty & Investment, Inc.

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 type and section number: Class 32: Infill Development Projects, Section 15332

Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The project site is designated Commercial/Office/Residential, is zoned Planned Development with General Commercial with Residential (P (CG,RES)), and will result in the demolition of the existing four residential units and replace it with seven residential units. The project is located within city limits on an approximately 0.3-acre site within a Plan Bay Area Priority Development Area and Transit Priority Area, surrounded by urban uses. The project meets the criteria for categorically exempt in-fill development projects in CEQA Guidelines Section 15332 and none of the exceptions to the categorical exemptions in CEQA Guidelines Section 15300.2 apply, and therefore the project will not have a significant effect on the environment pursuant to CEQA. Therefore a Notice of Exemption is appropriate for the project.

Lead Agency

Contact Person: Danielle Condit, Associate Planner Area Code/Telephone/Extension: (408) 777-3214

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: Danielle Condit Date: 2/13/24 Title: Associate Planner

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: _____