

# 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: Alameda  
 1106 Madison St.  
 Oakland, CA 94607

**From:** (Public Agency): City of Pleasanton  
200 Old Bernal Ave., P.O. Box 520  
Pleasanton, CA 94566

(Address)

Project Title: Merritt Property Residential Subdivision

Project Applicant: Foothill Boulevard Holding Company, LLC

Project Location - Specific:

4131 & 4141 Foothill Road, APNs 941-0950-003-11 & 941-0950-003-12

Project Location - City: To be Annexed to Pleasanton Project Location - County: Alameda

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

111-lot age-restricted residential subdivision, with 92 single family detached homes, 18 affordable courtyard detached and duet homes, one existing single family home and related on-site and off-site improvements. Purpose is to implement the City's housing element. Applicant is beneficiary. On 7/16/24, the City approved annexation, a vesting tentative map, and an affordable housing agreement. On 8/20/24, the City enacted a Planned Unit Development ordinance and an ordinance approving a Development Agreement.

Name of Public Agency Approving Project: City of Pleasanton

Name of Person or Agency Carrying Out Project: Applicant

**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: See below
- Statutory Exemptions. State code number: See below

**Reasons why project is exempt:**

Pursuant to PRC 21083.3 and Guideline 15183, the project is exempt. The City found, with respect to the City of Pleasanton Housing Element Update Final Environmental Impact Report (FEIR): 1. There are no new significant effects peculiar to the proposed project or its site. 2. There are no new significant effects that were not previously evaluated in the FEIR. 3. There are no new significant off-site or cumulative impacts that were not analyzed in the FEIR. 4. There are no adverse impacts that are more severe than those previously identified in the FEIR. 5. The project is consistent with development density and all other applicable provisions of both the General Plan as amended by the Housing Element Update for which the FEIR was prepared, and the zoning applicable to the project site as amended by the rezonings for which the FEIR was prepared. 6. Mitigation Measures AIR-1a, AIR-1b, GEO-6, BIO-1, HAZ-2, NOI-1 and TRANS-2 from the FEIR are applicable to the project. These measures are feasible and have been or are required to be implemented.

Lead Agency  
Contact Person: Eric Luchini Area Code/Telephone/Extension: 925-931-5612

**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: 8/21/24 Title: Senior 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: \_\_\_\_\_