



NOTICE OF EXEMPTION

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

From: Development Services Department
32400 Paseo Adelanto
San Juan Capistrano, California 92675

Orange County Clerk-Recorder
County Administration South
Attn: Recorder Operations
601 N. Ross Street
Santa Ana, CA 92701

APPLICANT: Winebright Capistrano, LLC

ADDRESS: 9812 Washington Boulevard, Culver City, CA 90232

PHONE NUMBER: (310) 770-3592

LEAD AGENCY: City of San Juan Capistrano, 32400 Paseo Adelanto, San Juan Capistrano, CA, 92675

PROJECT MGR.: Laurel Reimer, AICP, Contract Planner

PHONE NUMBER: (949) 443-6324

PROJECT TITLE: Architectural Control (AC) 23-009, Grading Plan Modification (GPM) 24-022, and Tree Removal Permit (TRP) 24-026, San Juan Plaza.

PROJECT LOCATION: 32211-32281 Camino Capistrano, San Juan Capistrano, CA 92675 (APN: 668-091-03)

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:

The City Council upheld the Planning Commission's approval of Architectural Control (AC) 23-009, Grading Plan Modification (GPM) 24-022, and Tree Removal Permit (TRP) 24-026, San Juan Plaza: a Request for Approval of a mixed-use project consisting of 278 dwelling units, 15,268 square feet of neighborhood-serving commercial, retail, and restaurant uses, and 400 on-site parking spaces ("Project").

ENVIRONMENTAL DETERMINATION:

This project has been reviewed in accordance with the California Environmental Quality Act (CEQA). The City's Environmental Administrator has determined that the entire project is categorically exempt from further review under Section 15332, Class 32 (In-Fill Development Projects). The entire project is exempt per Section 15332. The project meets the required conditions for Class 32.

- a. The project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with applicable zoning designations and regulations; the project is consistent with the San Juan Capistrano General Plan and the Specific Plan (Ordinance 1111).
- b. The project occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c. The Biological Due Diligence, which was reviewed and accepted by the City's third party CEQA review consultant, Sagecrest Planning ("Sagecrest"), identifies that the project site has no value as a habitat for endangered, rare, or threatened species.
- d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; analysis has been conducted to ensure the project does not result

in any significant effects relating to traffic, noise, air quality, and water quality, including the following: a Traffic Impact Study accepted by the City Traffic Engineer, an Assessment of Environmental Noise accepted by Sagecrest, an Air Quality and Greenhouse Gas Emissions Analysis accepted by Sagecrest, and a Preliminary Drainage Report and Preliminary Water Quality Management Plan accepted by the City Public Works Department.

- e. The site can be adequately served by all required utilities and public services; the site is currently serviced by all required utilities, including but not limited to electricity, garbage, water, and sewer and therefore will remain adequately serviced.

Further, the City has also considered whether the project is subject to any of the six (6) exceptions that would prohibit the use of a categorical exemption as set forth in State CEQA Guidelines Section 15300.2. The six (6) exceptions to this Exemption are: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources.

- a. Class 32 is not qualified by the location consideration.
- b. There is no evidence of a potential significant cumulative impact because successive projects of the same type in the same place have not been approved and are not currently proposed. There is not foreseeable successive project at this site and there is no possibility of a cumulative impact from this same type of project in this area over time.
- c. The project is not marked by unusual circumstances. The project would develop a mixed-use development with residential dwelling units and commercial uses on a site that permits mixed-use developments.
- d. The project would not damage scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.
- e. The project is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
- f. The project would not cause a substantial adverse change in the significance of a historical resource. The buildings were not identified as a potential cultural resource during the survey, and no cultural resources were identified during the pedestrian survey. Therefore, the existing buildings are not considered historic resources for the purposes of CEQA.

Therefore, the City Council has determined that further environmental evaluation is not required because:

- [] The project is not subject to CEQA because it *“does not involve the exercise of discretionary power,”* or *“will not result in a direct or reasonably foreseeable indirect physical change in the environment,”* or, *“is not a project as defined in Section 15378 of the CEQA guidelines.”* (Sections 15060(c)(1), (2) & (3)); or,
- [] *“The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA”* (Section 15061(b)(3)); or,
- [] The project is statutorily exempt, Section 15268, Ministerial Project (Sections 15260-15277); or,
- [X] In the alternative, the project is categorically exempt per State CEQA Guidelines, Section 15332, Class 32 (In-Fill Development Projects).

Was a public hearing held by the Lead Agency to consider the exemption?

Yes No If yes, the date of the public hearing was: January 21, 2025.

Joel Rojas, Environmental Administrator

January 22, 2025

Date