



# Notice of Exemption

**Date:** February 18, 2025

**To:**

- Office of Planning and Research  
P.O. Box 3044  
Sacramento, CA 95812-3044
- Alameda County Clerk-Recorder's Office  
1106 Madison Street  
Oakland, CA 94607

**From:**

City of Fremont, Planning Division  
39550 Liberty Street  
Fremont, CA 94537  
Contact: Kevin Lee, Planner II  
Phone: 510-494-4521

**Subject: Filing of a Notice of Exemption Pursuant to CEQA Guidelines Section 15062**

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**Project Title:** Irvington Arches (PLN2024-00073)

**Project Applicant:** Phalguni Shah, Architect & Project Applicant

**Project Location (include county):** 41811 Blacow Road, Fremont CA 94538, Alameda County

**Project Description:** To consider a Discretionary Design Review Permit, Conditional Use Permit, Tentative Tract Map No. 8700, Private Street, and other entitlements to redevelop an approximately 1.73-acre lot for a mixed-use development consisting of an addition to an existing school and 14 attached condominium units across 3 buildings at 41811 Blacow Road in the Irvington Community Plan Area, and to consider a finding that no further environmental review is required pursuant to an exemption from the requirements of the California Environmental Quality Act (CEQA) per CEQA Section 15332, Infill Development Projects, and a finding that no further environmental review is required pursuant to CEQA Guidelines Section 15183, as the project is consistent with the density established by the General Plan, for which an Environmental Impact Report (EIR) (SCH#2010082060) was previously prepared and certified, and CEQA Guidelines Sections 15162 and 15164, as none of the circumstances requiring preparation of a subsequent or supplemental EIR have occurred.

**Name of Public Agency Approving Project:** City of Fremont

**Exempt Status (check one):**

- Ministerial (Public Resources Code Section 21080(b)(1); CEQA Guidelines Section 15268)
- Declared Emergency (Public Resources Code Section 21080(b)(3); CEQA Guidelines Section 15269(a))
- Emergency Project (Public Resources Code Section 21080(b)(4); CEQA Guidelines Section 15269(b)(c))
- Categorical Exemption. State type and CEQA Guidelines section number: 15332 & 15301
- Special Situations. State CEQA Guidelines section number: 15183
- Statutory Exemptions. State CEQA Guidelines section number:

**Reasons why project is exempt:** The proposed project is exempt from California Environmental Quality Act (CEQA) per without limitation, CEQA Guidelines Section 15332, Infill Development Projects, which exempts in-fill development when the project would be consistent with the General Plan and Zoning Ordinance; proposed development would occur on a site no greater than five acres substantially surrounded by urban uses; the site has no habitat value for endangered, rare or threatened species; approval would not result in significant effects relating to traffic, noise, air quality and water quality; and the site is adequately served by utilities and public services.

The proposed addition to the commercial use is also exempt from CEQA per CEQA Guidelines Section 15301, Existing Facilities, in that the existing school building would remain and the proposed addition to the school building would not exceed 10,000 square feet in an area all public services and facilities are available to allow for maximum development permissible in the General Plan and the area in which the project is located is not environmentally sensitive.

The proposed project is exempt from further environmental review pursuant to CEQA Guidelines Section 15183, Projects Consistent with a Community Plan, General Plan, or Zoning. The project is consistent with the development densities established in the existing zoning and general plan for which an EIR was certified. Each of the foregoing provides a separate and independent basis for exemption.

**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 (Lead Agency): DocuSigned by:  
*Kevin Lee*  
79247F09031442B... \_\_\_\_\_ Title: Planner II

Date Received for filing at OPR: \_\_\_\_\_

Authority cited: Sections 21083 and 21110, Public Resources Code.  
 Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.