

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)  
CLASS 32 CATEGORICAL EXEMPTION ANALYSIS**

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CEQA Guidelines Section 15332, known as the “Class 32 Infill Exemption”, exempts projects from further CEQA review if the five criteria below are met. The following is staff’s analysis:

1. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The General Plan and Zoning designates the site as Public Facility (PF), which allows for public and quasi-public services such as parks, schools, places of assembly, child-care facilities, civic facilities, and public works facilities such as solid waste, landfill, or other similar facilities to be located throughout the city. The zoning designation of the site is public facilities (P-F) which is reserved for the construction, use and occupancy of governmental, public utility and educational buildings and facilities, and other uses compatible with the public character of the district.

The proposed residential care facility for elderly provides a community-based living alternative for older adults and people with disabilities who require long-term services and supports. This type of use provides services that is needed by the aging population of the Sunnyvale. The proposed project is located within a proximity to transit, senior center and health care. It generates relatively less traffic compared to other uses that can possibly be considered in this location. The proposed use is naturally more compatible with the surrounded residential buildings than commercial or industrial uses.

Regarding zoning regulations such as height, lot coverage and setback requirements, the P-F zoning district applies the more restrictive standards of any abutting residential district. The Project site is adjacent to two types of residential zoning districts, R-0 or R-2, both of which provide the same height, lot coverage and setback standards, with which the Project complies.

2. The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.

The combined project site is 2.3 acres and is completely located within the City limits. Surrounding properties include residential uses to the east, north and west and is divided from the residential uses in the south via a major arterial road (E Fremont Avenue).

3. The project site has no value as habitat for endangered, rare or threatened species.

A biological study was prepared by H.T. Harvey & Associates in April 2019.

The site is currently developed with two church buildings with gross floor area of 13,833 square feet, surface parking and landscaping. The surrounding areas have been heavily modified by urbanization and the development of commercial and residential buildings. A number of special-status animal species are known to occur in the project vicinity, including the burrowing owl, white-tailed kite, and pallid bat. However, the dense urban surroundings and absence of specific habitat features favored by various special status animal species make the site unsuitable for any of these species. The report concluded that the site was not found to serve as habitat for endangered, rare or threatened species. As conditioned upon approval of the project, the applicant will incorporate standard best management practices and will prepare pre-construction nesting bird survey for any demolition and construction activities that will not happen between September 1<sup>st</sup> and January 31<sup>st</sup>.

4. Approval of the project would not result in any significant effects related to traffic, noise, air quality, or water quality.

Traffic – Trip generation estimates were prepared by Fehr & Peers in March 2019, which found that The Project will generate very little travel demand based on its traffic estimates. The proposed project will result in 22 AM and 31 PM peak hour trips. With the proposed project the intersection of E. Fremont Avenue and Manet Drive, will operate at an acceptable level of service (LOS B). The Project would also have less than significant transit, bicycle, and pedestrian impacts, and less than significant cumulative traffic impacts.

Noise – A noise study was prepared by Illingworth & Rodkin Inc. in April 2019. The Project would result in a total cumulative traffic noise increase of 1 dBA compared to existing conditions. Future exterior noise levels at the outdoor use areas would be below the acceptable 60 dBA Ldn threshold. The implementation of standard forced-air mechanical ventilation would reduce interior noise levels to an acceptable 45 dBA Ldn or less. All noise impacts would be less than significant with the implementation of standard City requirements and best management practices.

The highest maximum noise levels will be generated by project construction such as operation of heavy construction equipment and arrival and departure of heavy-duty trucks. With the implementation of the City of Sunnyvale LUTE EIR mitigation measure MM 3.6.3, best management practices, and City's limitation on construction hours, the impact would be reduced to a less-than-significant level.

primary noise generators are mechanical equipment, such as heating, ventilation, and air conditioning systems. As conditioned upon approval of the project, the applicant will retain a qualified acoustical consultant to review mechanical equipment systems during final design of the proposed project. The consultant shall review selected equipment and determine specific noise reduction measures necessary to reduce noise to comply with the City's noise level requirements.

Air Quality – An air quality analysis was prepared by Illingworth & Rodkin in April 2019. The project would have a less-than-significant impact associated with emissions from construction and operation of the site. The project would affect sensitive receptors from construction. However, with implementation of LUTE EIR mitigation measure MM 3.5.3, the construction risk impacts would be reduced to less-than-significant. As conditioned upon approval of the project, the applicant will also incorporate standard best management practices to address air quality during the course of construction, such as dust control measures.

Water Quality – the Project does not propose any uses that would create unusual or intensive water contamination; the Project will comply with all local, state, and federal regulations and will work with the City to ensure the appropriate services and infrastructure are in place to serve the Project and ensure less than significant water quality impacts. In addition, the project is subject to standard stormwater management plan requirements and best management practices.

5. The site can be adequately served by all required utilities and public services.

The Project site is in a developed area with adequate utilities and services, such as water, sewer and solid waste. Public services are also adequately provided, such as police and fire. All required utilities and public services will continue to be provided after completion of the proposed project.

Further, none of the exceptions to use of this exemption applies (CEQA Guidelines § 15300.2)

- a. Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.
  - The project site is not located in an area of sensitive or critical concern.
- b. Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.
  - 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.
- c. Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant

effect on the environment due to unusual circumstances.

- There is no evidence of unusual circumstances. The Project is of the size and type contemplated by the General Plan. It is surrounded by developed uses and is developed itself. It is not located within a sensitive resource area.

d. Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to 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. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

- The Project site is not within a highway designated as a state scenic highway.

e. Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

- The Project site is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

<https://calepa.ca.gov/sitecleanup/corteselist/section-65962-5c/>.

f. Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

- The Project site does not contain any known historical resources; nor would it cause a substantial adverse change in the significance of a historical resource