

*ENVIRONMENTAL DECLARATION

(CALIFORNIA FISH AND GAME CODE SECTION 711.4)

LEAD AGENCY NAME AND ADDRESS

City of Livermore
Planning Division
1052 South Livermore Avenue
Livermore, CA 94550

FOR COUNTY CLERK USE ONLY

FILED
ALAMEDA COUNTY

JUL 09 2024

FILE NO: 24-252 By MELISSA WILK, County Clerk
AL Deputy

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:
(PLEASE MARK ONLY ONE CLASSIFICATION)

1. NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION

A - STATUTORILY OR CATEGORICALLY EXEMPT
\$ 50.00 - COUNTY CLERK HANDLING FEE

2. NOTICE OF DETERMINATION (NOD)

A - NEGATIVE DECLARATION (OR MITIGATED NEG. DEC.)
\$ 2,916.75 - STATE FILING FEE
\$ 50.00 - COUNTY CLERK HANDLING FEE

B - ENVIRONMENTAL IMPACT REPORT (EIR)
\$ 4,051.25 - STATE FILING FEE
\$ 50.00 - COUNTY CLERK HANDLING FEE

3. OTHER: _____

***** A COPY OF THIS FORM MUST BE COMPLETED AND SUBMITTED WITH EACH COPY OF AN ENVIRONMENTAL DECLARATION BEING FILED WITH THE ALAMEDA COUNTY CLERK.*****

BY MAIL FILINGS:

PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND TWO (2) SELF-ADDRESSED ENVELOPES.

IN PERSON FILINGS:

PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND ONE (1) SELF-ADDRESSED ENVELOPE.

ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING.

FEES ARE EFFECTIVE JANUARY 1, 2024

MAKE CHECKS PAYABLE TO: ALAMEDA COUNTY CLERK

NOTICE OF EXEMPTION

Executed at
Oakland, CA

COUNTY CLERK

Date 8-14-2024 By [Signature]

Deputy

TO: County Clerk
County of Alameda
1106 Madison St. – First Floor
Oakland, CA 94607

FROM: City of Livermore
1052 South Livermore
Livermore, CA 94550

SUBJECT: NOTICE OF EXEMPTION in compliance with the California Environmental Quality Act.

PROJECT

Title: Shea Aura Condominium Project: Vesting Tentative Tract Map 8612 (SUB) 21-007; and Site Plan Design Review (SPDR) 21-006

Location: Southwest of Portola Avenue and Tranquility Circle, east of Isabel Avenue (APNs: 903-0014-004-00, 903-0014-005-00, 903-0014-006-00, and 903-0014-007-00)

Description: The development is a for-sale residential project and consists of three-story condominium buildings with 164 total units, including 33 units affordable to buyers with median and moderate-income levels, and 17 accessible units. The development also includes pocket parks, landscaping, trail connections, parking, and frontage improvements.

Applicant: David Best, Shea Homes
City's Contact: Shannon Pagan, Assistant Planner
Telephone: (925) 960-4450
Public Agency Approving Project: City of Livermore

FILED
ALAMEDA COUNTY

JUL 09 2024

MELISSA WILK, County Clerk
By [Signature] Deputy

EXEMPT STATUS:

- Categorical Exemption (Sec. 15303 (e))
- Declared Emergency (Sec. 15269(a); 21080(b)(3))
- Emergency Project (Sec. 15269(b)(c); 21080(b)(4))
- Ministerial (Sec. 15268; 21080(b)(1))
- Statutory Exemption (Sec. 15182(c), residential projects that implement a Specific Plan, and 15183, projects consistent with a Zoning Action
- "Common Sense" Exemption (Sec. 15061(b)(3)) The possible environmental impacts of the project have been considered in making this determination, as explained below.

Reasons why project is exempt:

State CEQA Guidelines Section 15182(c) and California Government Code Section 6545

The proposed project is exempt from the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15182(c) and California Government Code Section 6545, which exempts residential projects that implement a Specific Plan, where:

1. A public agency has prepared an EIR on a Specific Plan after January 1, 1980, and the residential project conforms to the Specific Plan.

- a. Findings: The Isabel Neighborhood Specific Plan and its Supplemental EIR were adopted and certified in 2020 (SCH #2016042039). The project is located within the Specific Plan's Transition and Village Zoning districts. The project is consistent with the allowed residential uses of the Transition and Village zoning districts and is within the minimum and maximum densities of 15 to 25 and 25 to 40 dwelling units per acre, respectively. All required development standards with respect to setbacks, height, open space, and parking have been met, upon making the findings to grant the requested density bonus waivers and incentive/concession. The project provides more open space than required through the provision of pocket parks, private balconies and rooftop terraces, while meeting street frontage setbacks with well landscaped frontages, and is within the minimum and maximum required parking. The project provides frontage improvements along Portola Avenue and Isabel Avenue frontage including Class IV bike lanes, as required by the Specific Plan's circulation program. Proposed building architecture has a high-quality contemporary design with articulated facades, plane changes, deep window reveals, and multiple material types, as required by the Specific Plan and citywide Design Standards and Guidelines.

As called for in the Specific Plan, the project provides 33 for-sale affordable units to residents with moderate and median incomes. The project also implements Specific Plan policies for a walkable neighborhood that provides housing variety by proposing for-sale unit types with a range of floor plans and connecting the site to the existing pedestrian circulation network through multiple connection points. The proposed landscape plan conforms to Specific Plan and Design Standards and Guidelines standards by exceeding the required number of trees per acre and providing large shade trees along walks and the public right-of-way. Specific Plan sustainability requirements are also satisfied given that the project proposes rooftop solar arrays, recycled water use for irrigation, California native landscape species, and electric vehicle charging spaces. The project is conditioned to comply with the Mitigation, Monitoring, and Reporting Program (MMRP) adopted with the certified 2020 Supplemental EIR. In addition, the applicant prepared Phase I, geologic, biological, and noise studies that found no significant impacts would occur beyond those identified in the EIR. Although the project proposes the construction of a clear span vehicular bridge of approximately 63 feet in length over the existing ephemeral tributary in the northeastern portion of the project site, this project component has been designed such that bridge footings would be located above the Ordinary High Water Mark (OHWM) and outside of the creek banks, in compliance with Chapter 11 of the City's Design Standards and Guidelines related to Arroyos and Floodplains as well as the Specific Plan Policy P-ENV-20. For these reasons, the project wholly conforms with the Isabel Neighborhood Specific Plan, which was prepared and approved after January 1, 1980.

2. No events described in CEQA Guidelines 15162 have occurred.

- a. Findings: No substantial project changes are proposed which would require major revisions to the previous Supplemental EIR. The project proposes 164 residential units, consistent with the allowed uses and densities contemplated in the Supplemental EIR. Substantial changes in circumstances have not occurred requiring major revisions to the previous Supplemental EIR, as the site remains vacant, rough graded in the developable areas, and is surrounded by urban development. There is no new information of substantial importance that would result in new impacts not previously discussed, result in more severe impacts, or require modifications to the existing mitigation measures. The applicant-prepared Phase I, geologic, biological, and noise studies found no significant impacts would occur beyond those identified in the EIR and did not yield any new information of substantial importance. Although the project proposes the construction of a clear span vehicular bridge of approximately 63 feet in length over the existing ephemeral tributary in the northeastern portion of the project site, this project component has been designed such that bridge footings would be located above the Ordinary High Water Mark (OHWM) and outside of the creek banks, in compliance with Chapter 11 of the City's Design Standards and Guidelines related to Arroyos and Floodplains as well as the Specific Plan Policy P-ENV-20. For these reasons, no events described in CEQA Section 15162 have occurred and therefore no further environmental review is required.

State CEQA Guidelines Section 15183

The proposed project is exempt under the California Environmental Quality Act ("CEQA") pursuant to California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183, which exempts projects consistent with a Community Plan, General Plan, or Zoning where:

1. The project is consistent with a Community Plan, General Plan, or Zoning Action for which a Lead Agency has certified an EIR.
 - a. Findings: An Isabel Neighborhood Specific Plan (Specific Plan) zoning district was established as part of the overall Specific Plan project, as approved by City Council in November 2020. Therefore, the Specific Plan can be considered a "Zoning Action" for purposes of California Public Resources Code section 21083.3 and CEQA Guidelines Section 15183. The City Council certified the Specific Plan's Supplemental EIR (SCH #2016042039) in November 2020 with Specific Plan adoption.

The Project is consistent with the uses, densities, development standards, and design requirements of the Specific Plan. Given that State law supersedes local ordinance, the Project's use of State Density Bonus Law to waive the INSP Scenic Corridor Amendment Area Policy requirements related to building height, and setback requirements does not result in a Specific Plan inconsistency. The project is located within the Specific Plan's Transition and Village Zoning districts. The project is consistent with the allowed residential uses of the Transition and Village zoning districts and is within the minimum and maximum densities of 15 to 25

and 25 to 40 dwelling units per acre, respectively. All required development standards with respect to setbacks, height, open space, and parking have been met, upon making the findings precedent to granting the requested density bonus setback incentive, and all design requirements have been fulfilled. The project provides more open space than required through the provision of pocket parks, private balconies and rooftop terraces, while meeting street frontage setbacks with well landscaped frontages, and is within the minimum and maximum required parking. The project provides frontage improvements along Portola Avenue and Isabel Avenue frontage including Class IV bike lanes, as required by the Specific Plan's circulation program.

As called for in the Specific Plan, the project provides 33 for-sale affordable units to residents with moderate and median incomes. The project also implements Specific Plan policies for a walkable neighborhood that provides housing variety by proposing for-sale unit types with a range of floor plans and connecting the site to the existing pedestrian circulation network through multiple connection points. The proposed landscape plan conforms to Specific Plan and Design Standards and Guidelines standards by exceeding the required number of trees per acre and providing large shade trees along walks and the public right-of-way. Specific Plan sustainability requirements are also satisfied given that the project proposes rooftop solar arrays, recycled water use for irrigation, California native landscape species, and electric vehicle charging spaces. For these reasons, the Project is consistent with a Zoning Action for which a Lead Agency has certified an EIR.

2. Project-specific impacts are not peculiar to the project site.
 - a. Findings: There are no specific significant environmental effects which are peculiar to the Project or Project Site, as stipulated in CEQA Guidelines subsection 15183(b)(1) through (b)(4), and as described below:
 - i. Impacts Peculiar to the Project. The Project is consistent with the uses and intensities contemplated in the Specific Plan. Since Specific Plan adoption, no substantial changes have occurred to the project site nor its surroundings. The site remains undeveloped, rough graded in the areas to be developed, and surrounding parcels are still residential in nature. The applicant prepared Phase I, geologic, biological, and noise studies that found no significant impacts would occur beyond those identified in the EIR. Although the project proposes the construction of a clear span vehicular bridge of approximately 63 feet in length over the existing ephemeral tributary in the northeastern portion of the project site, this project component has been designed such that bridge footings would be located above the Ordinary High Water Mark (OHWM) and outside of the creek banks, in compliance with Chapter 11 of the City's Design Standards and Guidelines related to Arroyos and Floodplains as well as the Specific

Plan Policy P-ENV-20. For these reasons, no additional project-specific impacts have occurred that are peculiar to the project site.

- ii. Environmental Impacts not Previously Analyzed as Significant. The Project is consistent with the uses and intensities contemplated in the Specific Plan, therefore, all potential Project impacts have been previously anticipated and analyzed in the Specific Plan EIR. In addition, the project is conditioned to comply with the Mitigation, Monitoring, and Reporting Program (MMRP) adopted with the certified 2020 Supplemental EIR. The Project will implement the mitigation measures, reducing significant project impacts to a less than significant level. The City Council adopted a Statement of Overriding Considerations with the certified 2020 Supplemental EIR. The project will not exacerbate any significant Impacts deemed acceptable in the Statement of Overriding Considerations. The applicant also prepared Phase I, geologic, biological, and noise studies that found no significant impacts would occur beyond those identified in the EIR. For these reasons, there are no significant environmental impacts that were not previously analyzed.
- iii. Potentially Significant Offsite or Cumulative Impacts. Since Specific Plan adoption, no substantial changes have occurred to the project site nor its immediate surroundings. Surrounding residential uses that were present during the 2020 Supplemental EIR analysis remain. While a majority of vacant parcels surrounding the project site remain since adoption of the 2020 Supplemental EIR, three new residential projects in the Specific Plan located west of the project site were approved over the last two years and are currently under construction. The approved projects are consistent with the use and density contemplated in the 2020 Supplemental EIR. Therefore, the EIR already anticipated the cumulative impacts of these projects. For these reasons, there are no potentially significant offsite or cumulative impacts not previously analyzed in the 2020 Supplemental EIR.
- iv. Substantial New Information. Since Specific Plan adoption, no substantial changes have occurred to the project site nor its surroundings. The site remains undeveloped, rough graded in developable areas, and surrounding parcels are still residential in nature. The applicant also prepared Phase I, geologic, biological, and noise studies that found no significant impacts would occur beyond those identified in the EIR. For these reasons, there is no substantial new information that was not known at the time of EIR adoption.
- v. Uniform Mitigations and Development Standards. The Project is subject to complying with all applicable mitigation measures adopted pursuant to the Mitigation Monitoring and Reporting Program (MMRP) for the Specific Plan's 2020 Supplemental EIR in addition to the uniformly applied development

standards of the Specific Plan and Livermore Development Code. The combination of applicable mitigation measures and uniform standards would reduce all potentially significant impacts to a less than significant level. The applicant, or their successors in interest, is required to implement applicable mitigation measures applicable through conditions of approval.

Signature:



Name & Title: Shannon Pagan, Assistant Planner

Project Approval Date: July 8, 2024

Note to Applicants: The environmental determination finding of Statutorily Exempt is subject to appeal within 30 days from project approval. The environmental determination finding of Categorical Exempt is subject to appeal within 35 days from project approval. To utilize these appeal periods, this document must be filed with the Alameda County Clerk at the address listed above. A \$50 filing fee is required.

State of California - Department of Fish and Wildlife
2024 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

AC RECEIPT #: 3632196

RECEIPT NUMBER:
01-07/09/2024-252
 STATE CLEARINGHOUSE NUMBER (If applicable)
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INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

AGENCY CITY OF LIVERMORE PLANNING DIVISION	LEAD AGENCY EMAIL	DATE 07/09/2024
CITY/STATE AGENCY OF FILING AMEDA	DOCUMENT NUMBER 24 - 252	

PROJECT TITLE
**EA AURA CONDOMINIUM PROJECT: VESTING TENTATIVE TRACT MAP 8612 (SUB) 21-007;
 D SITE PLAN DESIGN REVIEW (SPDR) 21-006**

PROJECT APPLICANT NAME ANNON PAGAN	PROJECT APPLICANT EMAIL	PHONE NUMBER (925) 960-4450
PROJECT APPLICANT ADDRESS 2 SOUTH LIVERMORE AVENUE	CITY LIVERMORE	STATE CA
		ZIP CODE 94550

PROJECT APPLICANT (Check appropriate box)

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$4,051.25	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,916.75	\$	0.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,377.25	\$	0.00

Exempt from fee

Notice of Exemption (attach)
 CDFW No Effect Determination (attach)


Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
<input type="checkbox"/> County documentary handling fee		\$	50.00
<input type="checkbox"/> Other		\$	

PAYMENT METHOD:

Cash
 Credit
 Check
 Other

TOTAL RECEIVED \$ 50.00

SIGNATURE 	AGENCY OF FILING PRINTED NAME AND TITLE A. CAMACHO, DEPUTY CLERK
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