



CEQA NOTICE OF EXEMPTION

TO: Orange County Clerk-Recorder
601 North Ross Street
Santa Ana, CA 92701

FROM City of Brea
Community Development Department
1 Civic Center Circle
Brea, CA 92821

PROJECT TITLE/CASE NO.: **CANCELLATION OF DEVELOPMENT AGREEMENT NO. 19-01 FOR THE FORMER MERCURY LANE RESIDENTIAL PLANNED COMMUNITY PROJECT LOCATED AT THE SOUTHEAST CORNER OF MERCURY LANE AND BERRY STREET**

PROJECT LOCATION: Southeast corner of Mercury Lane and Berry Street, Brea, CA 92821 (Assessor's Parcel Number 296-143-01)

PROJECT DESCRIPTION: A request to cancel Development Agreement No. 19-01 pertaining to the previously approved 114-unit Mercury Lane Residential Planned Community Project (Prior Project). The Prior Project was never constructed and is no longer being pursued. The property is now approved for development with the Mercury Senior Apartments Project (Current Project), an 85-unit affordable senior housing community on the same 1.01-acre property. Cancellation of Development Agreement No. DA 19-01 would remove the Development Agreement associated with the unconstructed Prior Project from the property's title and facilitate financing for the Current Project.

Name of Public Agency Approving Project: City of Brea

Project Applicant, Address, Email, and Phone Number: C&C Development Co., LLC
14211 Yorba Street, Ste. 200
Tustin, CA 92780
todd@c-dev.com
714-714-0600

Exempt Status: (Check one)

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|---|---|
| ☐ Ministerial (Sec. 21080(b)(1); 15268) | ☐ Categorical Exemption |
| ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a)) | ☐ Statutory Exemption (15282(s)) |
| ☐ Emergency Project (Sec. 21080(b)(4); 15269 (b)(c)) | ☒ Other: <i>Common Sense Exemption (Sec. 15061(b)(3))</i> |

Reason why project is exempt: The project was evaluated in accordance with the California Environmental Quality Act (CEQA) Guidelines and applicable environmental regulations of the City. The project is exempt from CEQA under the common-sense exemption set forth in CEQA Guidelines Section 15061(b)(3), which applies when it can be seen with certainty that there is no possibility that the proposed action may have a significant effect on the environment. The cancellation of Development Agreement No. 19-01 is an administrative action that will not result in a direct or reasonably foreseeable indirect physical change in the environment. The cancellation of Development Agreement No. 19-01 does not modify or otherwise affect the previously certified Final Environmental Impact Report for the Mercury Lane Residential Project (State Clearinghouse No. 2018121032).

Maribeth Tinio, City Planner

Date