

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL ADOPT THE MITIGATED NEGATIVE DECLARATION AND THE MITIGATION MONITORING AND REPORTING PROGRAM FOR THE 1900 WARBURTON RESIDENTIAL PROJECT LOCATED AT 1900 WARBURTON AVENUE, SANTA CLARA

PLN2017-12961 (Rezone)
CEQ2017-12961 (Mitigated Negative Declaration)

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, on November 17, 2017, Samir Sharma (“Applicant”) filed an application for the 0.55 acres site located at 1900 Warburton Avenue currently occupied by one, one-story commercial building totaling approximately 8,415 square feet and a surface parking lot (“Project Site”);

WHEREAS, the Applicant applied to rezone the Project Site from General Office (OG) to Planned Development (PD) to allow a residential development consisting of 12 townhouse units (“Project”) as shown on the Development Plans, attached hereto and incorporated herein by this reference;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), and the regulations implementing the Act, specifically 14 Cal. Code of Regs § 15070, this Project was determined after an Initial Study to identify potentially significant effects on the environment which could be avoided with the implementation of mitigation measures, resulting in the drafting of a Mitigated Negative Declaration (“MND”) and Mitigation Monitoring and Reporting Program (“MMRP”);

WHEREAS, in conformance with CEQA, the MND was noticed and circulated for a 20-day public review period from March 19, 2018 to April 9, 2018;

WHEREAS, notice of the public hearing was published in the *Santa Clara Weekly*, a newspaper of general circulation for the City, on May 30, 2018;

WHEREAS, on June 1, 2018, the notice of public hearing for the June 13, 2018, Planning Commission meeting for this item was posted at least three conspicuous locations within 500 feet of the project site and was mailed to property owners within 500 foot radius; and

WHEREAS, on June 13, 2018, the Planning Commission held a duly noticed public hearing to consider the Project, MND, MMRP, and all pertinent information in the record during which the Planning Commission invited and considered any and all verbal and written testimony and evidence offered in favor of and in opposition to the Project.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That the Planning Commission hereby finds that all potentially significant environmental impacts that may directly or indirectly result from the Project would be reduced to a less-than-significant level by the mitigation measures specified in the MND and MMRP.
3. That the Planning Commission hereby finds that the MND is complete, prepared in compliance with CEQA, and represents the independent judgment of the Planning Commission.
4. That the Planning Commission hereby recommends that the City Council find that the MND and MMRP completed for this Project has been completed in compliance with CEQA, and that approval of this project as mitigated will have no significant negative impacts on the area's environmental resources, cumulative or otherwise, as the impacts as mitigated would fall within the environmental thresholds indentified by CEQA.
5. That the Planning Commission hereby recommends that the City Council adopt the MND and MMRP for the Project as required by the CEQA Guidelines (14 Cal. Code of Regs. § 15074).

6. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 13th DAY OF JUNE, 2018, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments Incorporated by Reference:

1. Mitigated Negative Declaration (Previously Distributed)
2. Mitigation Monitoring and Reporting Program (MMRP)
3. Development Plans

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