

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA ADOPTING A MITIGATED NEGATIVE
DECLARATION AND THE MITIGATION MONITORING AND
REPORTING PROGRAM FOR THE CHEENEY STREET
TOWNHOMES PROJECT LOCATED AT 4249 CHEENEY
STREET, SANTA CLARA**

PLN2019-13847 (General Plan Amendment and Rezone)

WHEREAS, on April 17, 2019, Saul Flores (“Applicant”), on behalf of Maruti Builders, LLC (“Owner”) filed an application to develop nine new townhomes with attached two-car garages on a vacant site located at 4249 Cheeney Street (APN:104-12-026 and 104-12-025) (“Project Site”);

WHEREAS, the Owner concurrently applied for a General Plan Amendment (GPA) to change from Very Low Density Residential to Low Density Residential (8-19 DU/ac), Rezone from Single-family Residential (R1-6L) to Low-Density Residential (R2), and a Tentative Subdivision Map for condominium for up to nine units (“Project”), as shown on the attached Development Plans, incorporated herein by this reference;

WHEREAS, the City, as Lead Agency, in tandem with Consultant ‘David J. Powers’ prepared an Initial Study (“IS”) and a Negative Mitigation Declaration (“MND”) for the Project in accordance with the California Environmental Quality Act (“CEQA”) and the City circulated the IS/MND for a 30-day review from December 13, 2024 to January 13, 2025 to the public agencies which have jurisdiction by law with respect to the Project, as well as to other interested persons, organizations and agencies; and the City sought the comments of such persons, organizations and agencies;

WHEREAS, the IS/MND identified possible impacts on the environment with Project development that with implementation of the mitigation measures specified in the Mitigation Monitoring and Reporting Program (“MMRP”) for the Project would reduce the potentially significant effects to less than significant;

WHEREAS, the City through consultant 'David J. Powers' prepared written responses to the comments received during the Comment Period and included these responses on the project's CEQA page;

WHEREAS, on May 21, 2025, a hearing notice was published in the Santa Clara Weekly and on May 21, 2025, a notice of public hearing was mailed to property owners within 500 feet of the project site;

WHEREAS, pursuant to SCCC Section 18.146.020, on June 6, 2025, a hearing notice was posted at City Hall, the Central Park Library, the Mission Branch Library, the Northside Branch Library, and on the City's website;

WHEREAS, on June 11, 2025, the Planning Commission held a duly noticed public hearing to consider the Project, at the conclusion of which, the Commission voted 7-0 to recommend approval to the City Council to adopt the MND and MMRP; and

WHEREAS, on July 15, 2025, City Council held a duly noticed public hearing to consider the Project during which the City Council 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 RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That the City Council 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 implementation of the mitigation measures specified in the MND and MMRP.
3. That the City Council hereby finds that the MND is complete, prepared in compliance with CEQA, and represents the independent judgment of the City Council.
4. That the City Council hereby finds that the MND and MMRP 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 identified by CEQA.

5. That the City Council hereby adopts the MND and MMRP for the Project as required by the CEQA Guidelines (14 Cal. Code of Regs. § 15074).

6. Pursuant to 14 Cal. Code of Regs. § 15074(c), the City Council hereby designates the Community Development Director as the Custodian of Records for the Project, and the Planning Division at City Hall, 1500 Warburton Avenue, Santa Clara, California, is the location of the documents and other material that constitute the record of proceedings upon which this decision is based.

7. 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 CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 15TH DAY OF JULY 2025, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments Incorporated by Reference:

1. Mitigated Negative Declaration (MND)
2. Mitigation Monitoring and Reporting Program (MMRP)