

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA ADOPTING 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 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, 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, at the conclusion of which, the Planning Commission voted to recommend that the City Council adopt the MND and MMRP;.

WHEREAS, on June 29, 2018, the notice of public hearing for the July 10, 2018 City Council 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 July 10, 2018, City Council held a duly noticed public hearing to consider the Project, MND, MMRP, and all pertinent information in the record during which the Council invited and considered any and all verbal and written testimony and evidence offered in favor and in opposition to the Project.

NOW THEREFORE, BE IT FURTHER 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 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 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 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 California Code of Regulations, Title 14, Section 15074(c), the City Council hereby designated the Director of Community Development as the Custodian of Records for the Project, and the Planning Division of the Community Development Department 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 OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 10th DAY OF JULY, 2018, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:
NOES: COUNCILORS:
ABSENT: COUNCILORS:
ABSTAINED: COUNCILORS:

ATTEST: _____
JENNIFER YAMAGUMA
ACTING CITY CLERK
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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