

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF SANTA CLARA,  
CALIFORNIA TO ADOPT THE MITIGATED NEGATIVE  
DECLARATION AND THE MITIGATION MONITORING AND  
REPORTING PROGRAM FOR THE 2655 THE ALAMEDA  
MIXED USE PROJECT LOCATED AT 2655 THE ALAMEDA,  
SANTA CLARA**

PLN22-00448 (General Plan Amendment and Rezone)  
SCH# 2023040354

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

**WHEREAS**, on August, 10 2022, Anjuli Habbas representing Kapital Alameda, LLC (“Owner”) filed an application for the vacant and unimproved 0.4-acre site located at 2655 The Alameda (“Project Site”);

**WHEREAS**, the Owner applied for a General Plan Amendment from Neighborhood Commercial to Very High Density Residential and to Rezone the Project Site from Neighborhood Commercial (CN) to Planned Development (PD) to allow a four-story, mixed use development with 1,500 square feet of retail/commercial uses and 39 multifamily units, 46 subgrade and first floor parking spaces (38 auto and 8 motorcycle spaces), landscaping, and public and private on- and off-site improvements (“Project”) as shown on the Development Plans, attached hereto and incorporated herein by this reference;

**WHEREAS**, the Project approvals will include Resolution No. \_\_\_\_\_ (“City Council General Plan Amendment ”); Resolution No. \_\_\_\_\_ (“City Council Rezoning Resolution”); and this California Environmental Quality Act (“CEQA”) Resolution (collectively, the “Approvals”);

**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 30-day public review period to the State Office of Planning and Research, Santa Clara County Clerk's Office, and interested parties property owners within 1,000 feet of the Project Site boundaries from April 13, 2023 to May 15, 2023; where during that period comment letters were received from San Jose Mineta International Airport, the California Department of Transportation and Valley Water, and along with the attached Responses to Comments Received on the MND are made part of the record;

**WHEREAS**, on June 21, 2023, a newspaper notice for this item was published in *The Weekly*, a newspaper of general circulation, for the Planning Commission meeting on July 13, 2023 and City Council meeting of August 29, 2023;

**WHEREAS**, on June 29, 2023, notices of the public meeting for the Planning Commission meeting of July 13, 2023 were posted in at least three conspicuous locations within 300 feet of the Project Site, and mailed to property owners within 1,000 feet of the Project Site boundaries;

**WHEREAS**, on July 13, 2023, the Planning Commission considered the Project, MND, MMRP and all pertinent information in the record including public testimony, at the conclusion of which the Planning Commission voted to recommend that the City Council adopt the MND and MMRP, approve the General Plan Amendment and rezone to allow a four-story, mixed use development with 1,500 square feet of retail/commercial uses and 39 multifamily units, 46 subgrade and first floor parking spaces, landscaping, and public and private on- and off-site improvements;

**WHEREAS**, on August 17, 2023, notices of the public meeting for the City Council meeting of August 29, 2023 were posted in at least three conspicuous locations within 300 feet of the Project Site, and mailed to property owners within 1,000 feet of the Project Site boundaries;

**WHEREAS**, the City Council reviewed the MND prepared for the Project, City staff report pertaining to the MND and all evidence at a duly noticed public hearing on August 29, 2023. All these documents and evidence are herein incorporated by reference into this Resolution.

**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 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 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 identified by CEQA.
5. That the City Council hereby adopts the MND and MMRP for the Project.
6. That the City Council hereby designates the Planning Division of the Community Development Department as the location for the documents and other material that constitute the record of proceedings upon which this decision is based and designates the Director of Community Development as the custodian of records.

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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 29th DAY OF AUGUST, 2023, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST:

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NORA PIMENTAL, MMC  
ASSISTANT CITY CLERK

Attachments Incorporated by Reference:

1. Mitigated Negative Declaration (MND)
2. Mitigation Monitoring and Reporting Program (MMRP)
3. Responses to Comments Received on the MND
4. Development Plans