

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 AND REPORTING PROGRAM FOR THE 3155 EL CAMINO REAL RESIDENTIAL PROJECT LOCATED AT 3141 – 3155 EL CAMINO REAL, SANTA CLARA

PLN2020-014674 (Rezone)
PLN2020-14705 (Tentative Tract Map)
CEQ2020-01080 (Mitigated Negative Declaration)

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

WHEREAS, on October 29, 2020, Oak Investment Group, LLC (“Applicant”) filed an application for the 2.14 acre site consisting of two contiguous parcels located at 3141 – 3155 El Camino Real with surface parking lots and seven one-story commercial buildings totaling 21,780 square feet (“Project Site”);

WHEREAS, the Applicant applied to rezone the Project Site from Thoroughfare Commercial (CT) to Planned Development (PD) to allow a 60-unit residential development consisting of 40 townhomes and 20 flats, private street, and on- and off-site improvements (“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 30-day public review period to the State Office of Planning and Research, Santa Clara County Clerk’s Office, interested parties, and property owners within 500 feet of the Project Site from February 14, 2022 to March 16, 2022, where during that period comment letters were received from the

California Department of Transportation (Caltrans) and Santa Clara Valley Transportation Authority, and along with the attached Responses to Comments Received on the MND are made part of the record;

WHEREAS, on June 1, 2022, a newspaper notice for this item was published in *The Weekly*, a newspaper of general circulation for the City, for the Planning Commission meeting of June 15, 2022;

WHEREAS, on June 2, 2022 notices of the public meeting for the Planning Commission meeting of June 15, 2022 were posted in three conspicuous locations within 500 feet of the Project Site, and mailed to all property owners within 500 feet of the Project Site boundaries; and

WHEREAS, on June 15, 2022, the Planning Commission held a duly noticed public meeting 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 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 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 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 CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 15th DAY OF JUNE, 2022, 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 (MND)
2. Mitigation Monitoring and Reporting Program (MMRP)
3. Responses to Comments Received on the MND
4. Development Plans