

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
TO ADOPT THE MITIGATED NEGATIVE DECLARATION AND
MITIGATION MONITORING 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 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, the Project approvals will include Resolution No. _____ (“City Council Rezoning Resolution”); Resolution _____ (“City Council Tentative Tract Map Resolution”); and this California Environmental Quality Act (“CEQA”) Resolution (collectively, the “Approvals”);

WHEREAS, pursuant to 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 15, 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 and City Council meeting of July 12, 2022;

WHEREAS, on June 2, 2022 notices of the public meeting for the Planning Commission meeting of June 15, 2022 and City Council meeting of July 12, 2022 were posted in three conspicuous locations within 300 feet of the Project Site, and mailed to all property owners within 500 feet of the Project Site boundaries;

WHEREAS, on June 15, 2022, 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 a rezoning to allow a 60 unit residential development consisting of 40 townhomes and 20 flats, and approve the Tentative Tract Map to subdivide the land into residential condominiums and a common interest lot to serve the development; and

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 July 12, 2022. 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 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 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. 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 12th DAY OF JULY, 20220, 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) and Mitigation Monitoring and Reporting Program (MMRP)
2. Responses to Comments on the MND
3. Development Plans