

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

**A RESOLUTION OF THE CITY OF SANTA CLARA,  
CALIFORNIA ADOPTING THE MITIGATED NEGATIVE  
DECLARATION (MND) AND THE MITIGATION MONITORING  
OR REPORTING PROGRAM (MMRP) FOR THE PROJECT  
LOCATED AT 2780 EL CAMINO REAL, SANTA CLARA**

PLN2017-12669 (General Plan Amendment)  
PLN2017-12712 (Rezone)  
PLN2017-12713 (Vesting Tentative Subdivision Map)  
CEQ2017-01037 (Mitigated Negative Declaration)

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

**WHEREAS**, on June 6, 2017, Prometheus Real Estate Group (“Applicant”) made an application for the development of a 2.87 acre site located at 2780 El Camino Real, which is currently occupied by the vacant 36,500 square foot Moonlite Lanes Bowling Alley, a surface parking lot and landscaping (“Project Site”);

**WHEREAS**, the application proposes a General Plan Amendment from Regional Mixed Use to Medium Density Residential and Rezone from Community Commercial (CC) to Planned Development (PD) to allow construction of a three-story, 58 unit townhome development with private street, on-site resident and visitor parking, common landscaped areas, and public and private site improvements, and includes a Vesting Tentative Subdivision Map to create ownership and common area lots to serve the development (“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”); Resolution No. \_\_\_\_\_ (“City Council Tentative Subdivision Map 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 potentially have a significant effect on the environment which could be avoided with the implementation of mitigation measures, resulting in the drafting of a Mitigated

Negative Declaration (“MND”) and preparation of a Mitigation Monitoring or Reporting Program (“MMRP”) that will reduce potential mitigation measures to less than significant and will be incorporated into the Project;

**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 1,000 feet of the Project Site, from April 2, 2018 to May 3, 2018, where during that period one comment letter was received and was submitted by the Santa Clara Valley Water District and is made part of the record;

**WHEREAS,** on May 9, 2018, the Planning Commission conducted a duly noticed public hearing to consider the MND, at the conclusion of which the Commission voted to recommend that the Council adopt the MND;

**WHEREAS,** on April 25, 2018, a newspaper notice for this item was published in the *Santa Clara Weekly* for the City Council meeting of May 22, 2018, and on May 11, 2018 notices of public hearing were also posted at three conspicuous locations within 300 feet of the Project Site and mailed to property owners within 1,000 feet of the Project Site for the City Council meeting of May 22, 2018, according to the most recent assessor’s roll;

**WHEREAS,** the City Council has reviewed the MND prepared for the Project, City Staff report pertaining to the MND and all evidence received at a duly noticed public hearing on May 22, 2018. All of these documents and evidence are herein incorporated by reference into this Resolution;

**WHEREAS,** all potentially significant environmental effects associated with the Project, as approved, can either be substantially lessened or avoided through the inclusion of mitigation measures proposed in the MND; and

**WHEREAS,** the City Council, in reviewing the Project as proposed, intends to adopt all mitigation measures set forth in the MND.

**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. The City Council hereby finds that the MND has been completed in compliance with CEQA.
3. The City Council hereby finds, pursuant to California Code of Regulations, Title 14, Section 15074, that the Council has reviewed and considered the information and analysis contained in the MND before making its determination, that there is no substantial evidence that the Project will have a significant effect on the environment, and that the MND reflects the Council's independent judgment and analysis, and hereby adopts the MND.
4. The City Council hereby finds that the proposed mitigation measures described in the MND are feasible, and therefore will become binding upon the City and affected landowners and their assigns or successors in interest when the Project is approved.
5. Pursuant to California Code of Regulations, Title 14, Section 15074(c), the City Council hereby designates the Director of Community Development as the Custodian of Records for the Project, and the Planning and Inspection 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.
6. In order to comply with Public Resources Code Section 21081.6, the City Council hereby adopts the MMRP attached hereto as Exhibit "MMRP" and incorporated herein by this reference. The Program is designed to ensure that, during project implementation, the City, affected landowners, their assigns and successors in interest and any other responsible parties comply with the feasible mitigation measures identified. The MMRP identifies, for each mitigation measure, the party responsible for implementation.

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 \_\_\_\_ DAY OF \_\_\_\_\_, 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 or Reporting Program (MMRP)
3. Development Plans