

RESOLUTION NO. 3740

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTE SERENO
APPROVING THE CERTIFICATE OF CORRECTION OF A FINAL MAP FOR THE PROPERTY
AT 16005 GREENWOOD ROAD.
(CC-19-01 – Reddy)

WHEREAS, the City of Monte Sereno received an application for a Certificate of Correction (CC-19-01), for a Final Map recorded in May of 1990 associated with the property located at 16005 Greenwood Road in the City of Monte Sereno (APN 510-10-041); and

WHEREAS, Four Eighteen Holdings, LLC (the "Applicant") proposes to remove a note from the approved Parcel Map restricting access for Parcel B from Greenwood Road except through a joint driveway with Parcel A (the "Project"); and

WHEREAS, the elimination of the note as proposed does not alter the design of the subdivision as originally approved nor the findings made at that time; and

WHEREAS, the City Council at the time of the original approval of the subdivision made the required findings as required by Section 66474 of the Subdivision Map Act; and

WHEREAS, the project is exempt from the California Environmental Quality Act ("CEQA") per Section 15305 of the State Guidelines for Implementation of CEQA; and

WHEREAS, a public hearing on the Project was noticed pursuant to the requirements of the Monte Sereno Municipal Code and State Law and a duly noticed public hearing was held by the City Council on June 18, 2019, at which time the City Council received both oral and written evidence.

NOW THEREFORE, the City Council of the City of Monte Sereno hereby resolves as follows:

SECTION 1: The City Council of the City of Monte Sereno hereby makes the following findings as required by Section 66474 of the Subdivision Map Act:

- A. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.
- B. That the site is physically suitable for the type of development.
- C. That the site is physically suitable for the proposed density of development.
- D. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- E. That the design of the subdivision or type of improvements is not likely to cause serious public health problems.

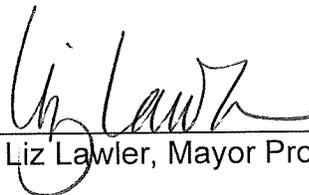
- F. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

SECTION 2: After careful consideration of maps, facts, exhibits, staff report, and other evidence submitted in this matter, the City Council approves the Project.

SECTION 3: The City Clerk is hereby directed to give notice of this decision to the applicant, Four Eighteen Holdings, LLC, by serving them by first class mail, postage prepaid, with a copy of this resolution.

THE ABOVE AND FOREGOING RESOLUTION was duly adopted and passed by the City Council of the City of Monte Sereno at a regularly scheduled meeting held on the 18th day of June, 2019, by the following vote:

AYES: Council Members Ellahie, LaBouve, Leuthold and Mayor Pro Tempore Lawler
NOES: None
ABSTAIN: None
ABSENT: Mayor Turner

Approved: 
Liz Lawler, Mayor Pro Tempore

Attest: 
Andrea Chelemengos, City Clerk