

RESOLUTION NO. 3692

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTE SERENO ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR THE GENERAL PLAN AMENDMENT, PREZONE, ANNEXATION, PLANNED DEVELOPMENT PERMIT, GRADING PERMIT, TREE REMOVAL PERMIT, AND VESTING TENTATIVE MAP FOR THE PROJECT REFERRED TO AS THE MONTALVO OAKS SUBDIVISION LOCATED AT 18840 SARATOGA-LOS GATOS ROAD

WHEREAS, Hacienda Realty, LLC (“Applicant”) submitted applications to the City of Monte Sereno (“City”) for an amendment to the City’s General Plan, a Rezoning, Annexation, a Planned Development Permit, a Grading Use Permit, a Tree Removal Permit, and a Vesting Tentative Subdivision Map, supporting a multi-family residential development project, also known as the Montalvo Oaks Subdivision (“Project”), on a 4.45-acre site located at 18840 Saratoga/Los Gatos Road and bounded by residential uses to the north, south, and east, and a residence and the Quito Fire Station immediately to the west; and

WHEREAS, the project site is comprised of two existing parcels, Assessor’s Parcel Numbers 510-08-018 and 510-08-019 (“Subject Property”); and

WHEREAS, the subdivision and redevelopment of the Subject Property consists of 36 single-family residential units consisting of 15 attached units and 21 detached units, a private drive, a public service and emergency vehicle access easement, and a private open space hillside area; and

WHEREAS, the City, as lead agency under the California Environmental Quality Act (Pub. Res. Act § 21000 et seq.) and the CEQA Guidelines (14 Cal. Code Regs. §§ 15000-15387), has prepared an Initial Study to evaluate the potentially significant environmental effects of the Project; and

WHEREAS, the mitigation measures provided in the Initial Study would reduce significant impacts to a less than significant level and therefore, the Project with mitigation measures incorporated, would not have a significant effect on the environment; and

WHEREAS, the City prepared a Mitigated Negative Declaration for the Project pursuant to the requirements of CEQA Guidelines Section 15070; and

WHEREAS, the City prepared a Notice of Completion of a Mitigated Negative Declaration and a Notice of Intent to Adopt the Mitigation Negative Declaration, and sent the notices along with the Mitigated Negative Declaration, to the State Clearinghouse, as well as to the U.S. Army Corps of Engineers and 18 local and regional public agencies and service providers on May 3, 2018; and

WHEREAS, the Notice of Intent for adoption of the Mitigated Negative Declaration, pursuant to the requirements of CEQA Guidelines Section 15072, was posted with the

Santa Clara County Clerk, on the City's website, and otherwise made available for public review on May 4, 2018; and

WHEREAS, the Mitigated Negative Declaration was circulated for a 32-day public review period (State Clearinghouse 2018052014), ending on June 4, 2018, and was made available for review pursuant to the requirements of CEQA Guidelines Section 15073; and

WHEREAS, several comments were received on the Mitigated Negative Declaration; and

WHEREAS, the City prepared a Mitigation Monitoring and Reporting Program ("MMRP"), pursuant to CEQA Guidelines Section 15097; and

WHEREAS, a public hearing on the Mitigated Negative Declaration 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 of Monte Sereno on June 12, 2018.

NOW THEREFORE, BE IT RESOLVED by the City Council of Monte Sereno, as follows:

SECTION 1: The City Council of Monte Sereno hereby specifically makes the following findings:

1. The Mitigated Negative Declaration has been completed in compliance with CEQA and its implementing guidelines; and
2. On the basis of the whole record before the City Council, including the Initial Study and comments received on the Mitigated Negative Declaration, there is no substantial evidence that the Project will have a significant effect on the environment; and
3. The Mitigated Negative Declaration reflects the City's independent judgement and analysis; and
4. Documents and other materials constituting the record of the proceedings upon which the City's decision and its findings are based are located at the Office of the City Clerk of the City of Monte Sereno, Monte Sereno City Hall, 18041 Saratoga – Los Gatos Road, Monte Sereno, California 95030.

SECTION 2: After careful consideration, the City Council of Monte Sereno hereby adopts the Mitigated Negative Declaration.

PASSED AND ADOPTED by the City Council of Monte Sereno on June 12, 2018 by the following vote:

AYES: Council Members Rogers, Turner, Wolsheimer and Mayor Craig
NOES: Council Member Anstandig
ABSTAIN: None
ABSENT: None

By: Burton Craig
Burton Craig, Mayor

Attest: Andrea Chelemengos
Andrea Chelemengos, City Clerk