

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE ADOPTING THE JULIAN STREET GENERAL PLAN AMENDMENT, DIRIDON STATION AREA PLAN TEXT AMENDMENT & REZONING PROJECT ADDENDUM TO THE DIRIDON STATION AREA PLAN FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT AND SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED

WHEREAS, the City of San José (“City”) acting as lead agency under the California Environmental Quality Act of 1970, together with state and local guidelines implementing said Act, all as amended to date (collectively “CEQA”), prepared the Final Program Environmental Impact Report for the Diridon Station Area Plan (“DSAP FEIR”), which analyzed the environmental impacts of future development as established in the Diridon Station Area Plan; and

WHEREAS, the Planning Commission of the City certified said DSAP FEIR, which certification was not appealed; and

WHEREAS, in connection with the adoption of a resolution approving said Diridon Station Area Plan (Planning File No. PP09-163), the City Council adopted Resolution No. 77096 on July 14, 2014, setting forth certain findings pertaining to the DSAP FEIR and adopting a mitigation monitoring and reporting program, all pursuant to the provisions of CEQA; and

WHEREAS, prior to the adoption of this Resolution, the Planning Director of the City of San José prepared and approved on October 18, 2017, an Addendum to the DSAP EIR for the Julian Street General Plan Amendment, Diridon Station Area Plan Amendment &

Rezoning Project under Planning File Nos. GP17-006, GPT17-008, and C17-031 (the “Addendum”), all in accordance with CEQA; and

WHEREAS, the Julian Street General Plan Amendment, Diridon Station Area Plan Amendment & Rezoning (the “Project”) analyzed under the Addendum consists of a General Plan Amendment to change Land Use Designation change from Mixed Use Commercial to Urban Village, a General Plan Text Amendment to revise the Diridon Station Area Plan to shift residential and parking capacity from the Southern Zone to the Northern Zone of the plan area, and a Conforming Rezoning from LI Zoning District to the CP Zoning District on a 1.22 gross acre site, located on the northwest corner of West Julian Street and Stockton Avenue (715 West Julian Street) in San José, California; and

WHEREAS, as further described in the Addendum, the implementation of the Project would not result in new significant effects on the environment beyond those already identified in the previously approved DSAP FEIR, nor will the Project result in an increase in the severity of significant effects identified in the DSAP FEIR; and

WHEREAS, although the Project will not result in any new significant effect or increase in the severity of an existing significant effect on the environment, revisions to standard measures and mitigation measures are being made to reflect current General Plan policies and current protocols, which have been updated to incorporate applicable mitigations from the DSAP FEIR into the Project; and

WHEREAS, the City of San José is the lead agency on the Project, and the City Council is the decision-making body for the proposed approval to undertake the Project; and

WHEREAS, the City Council has reviewed and considered the DSAP FEIR and the Addendum, including the related Mitigation Monitoring and Reporting Program for the

Project and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the DSAP FEIR and Addendum for the Project are on file in the Office of the Director of Planning, located at 200 East Santa Clara Street, 3rd Floor Tower, San José, California, 95113, are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE:

THAT THE CITY COUNCIL does hereby make the following findings: (1) it has independently reviewed and analyzed the DSAP FEIR, as modified by the Addendum, as well as other information in the record and has considered the information contained therein, prior to acting upon or approving the Project, (2) the Addendum to the DSAP FEIR prepared for the Project has been completed in compliance with CEQA and is consistent with state and local guidelines implementing CEQA, and (3) the Addendum to the DSAP FEIR represents the independent judgment and analysis of the City of San José, as lead agency for the Project. The City Council designates the Director of Planning at the Director's Office at 200 East Santa Clara Street, 3rd Floor Tower, San José, California, 95113, as the custodian of documents and records of proceedings on which this decision is based.

THAT THE CITY COUNCIL does hereby find that based upon the entire record of proceedings before it and all information received that there is no substantial evidence that the Project will have a significant effect on the environment and does hereby adopt the Addendum prepared for the Project (Planning File Nos. GP17-006, GPT17-008, and C17-031). The DSAP FEIR and Addendum are: (1) on file in the Office of the Director

of Planning, located at 200 East Santa Clara Street, 3rd Floor Tower, San José, California, 95113, and (2) available for inspection by any interested person.

ADOPTED this _____ day of _____, 2017, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk