



## Legislation Text

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**File #:** 11-344, **Version:** 1

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Resolution Approving a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for a Two-Story, 66-Unit Residential Development Project Located at 2450 Washington Avenue (PLN2009-00006)

**WHEREAS**, Matthew Brooks, of William Mathews, Inc. (the “Applicant”) submitted applications for a two-story 66-unit residential development project (PLN 2009-00006) (the “Project”) consisting of 48 two-bedroom units and 18 one-bedroom units, with a proposed density of 23.2 dwelling units per acre, to be located on a 2.85-acre site at 2450 Washington Avenue, known as Assessor’s Parcel Numbers 77D-1410-25 and 77-556-104 (the “Property”); and

**WHEREAS**, the Property is in a relatively flat portion of the City in central San Leandro which has been previously graded and is developed with a 43,200 square foot commercial office building constructed in 1965, with an associated asphalt parking lot; and

**WHEREAS**, City staff prepared an Initial Study consistent with the California Environmental Quality Act, Public Resources Code, sections 21000, et seq. (CEQA) and CEQA Guidelines, and determined a Mitigated Negative Declaration was required in order to analyze the potential for significant impacts of the Project; and

**WHEREAS**, based on the Initial Study, the City prepared a Mitigated Negative Declaration dated October 14, 2011 which reflected the City’s independent judgment and analysis of the potential environmental impacts of the Project; and

**WHEREAS**, the Mitigated Negative Declaration identifies mitigation measures applicable to the Project, and therefore a Mitigation Monitoring and Reporting Program must be adopted in conjunction with any Project approval; and

**WHEREAS**, the City of San Leandro Planning Commission reviewed the staff report, the Initial Study and the draft Mitigated Negative Declaration and recommended approval of such to the City Council on October 20, 2011 by Resolution No. 2011-001PC; and

**WHEREAS**, the Mitigated Negative Declaration was circulated for a 30-day public review period from October 14, 2011 to November 14, 2011; and

**WHEREAS**, the attached staff report describes and analyzes the Mitigated Negative Declaration, including comments and responses; and

**WHEREAS**, the City Council reviewed the staff report, the Mitigated Negative Declaration, the Mitigation Monitoring and Reporting Program, including comments and responses, at a noticed public hearing on November 21, 2011 at which time all interested parties had the opportunity to be heard; and

**WHEREAS**, the Mitigated Negative Declaration and related project and environmental documents and all of the documents incorporated herein by reference are available for review in the City Planning department at San Leandro City Hall, file PLN2009-00006 during normal business hours. The location and custodian of the draft Mitigated Negative Declaration, including comments and responses, and other documents that constitute a record of proceedings for the Project, is the City of San Leandro, 835 E. 14<sup>th</sup> Street, San Leandro, CA 94577.

**NOW, THEREFORE**, the City Council of the City of San Leandro does **RESOLVE** as follows:

Section 1. The foregoing recitals are true and correct and made a part of this Resolution.

Section 2. The City Council has reviewed and considered the draft Mitigated Negative Declaration, the Mitigation Monitoring and Reporting Program, comments received during the public review period, and the City's written responses to comments prior to acting on the Project.

Section 3. On the basis of the whole record before it, the City Council finds that there is no substantial evidence that the Project, as mitigated, will have a significant effect on the environment beyond those identified in the Mitigated Negative Declaration.

Section 4. The Initial Study, the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program have been completed in compliance with CEQA and the CEQA Guidelines.

Section 5. The Mitigated Negative Declaration is complete and adequate and reflects the City's independent judgment and analysis as to the environmental effects of the Project.

Section 6. Based on the above findings, the City Council adopts:

A. Initial Study and Mitigated Negative Declaration. An Initial Study and Mitigated Negative Declaration for PLN2009-00006, consisting of the Initial Study and Mitigated Negative Declaration dated October 14, 2011, and the comments and responses to comments dated November 14, 2011, which are attached hereto and incorporated herein as Exhibit A.

B. A Mitigation Monitoring and Reporting Program. A Mitigation Monitoring and Reporting Program for PLN2009-00006 attached hereto and incorporated herein as Exhibit B.