

RESOLUTION NO. 2014-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN JUAN BAUTISTA ADOPTING A MITIGATED NEGATIVE
DECLARATION FOR PROJECT NO. CUP 2014-101 AND DR
2014-101, CONSISTING OF AN ARCO FUEL STATION,
CONVENIENCE STORE, AND QUICK SERVE RESTAURANT
AT 404-408 THE ALAMEDA

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WHEREAS, City planning staff has prepared an Initial Study and adopted a Mitigated Negative Declaration for Project No. CUP 2014-101 and DR 2014-101 (“the Project”), an application for an Arco fuel station, a convenience store, and a quick serve restaurant at 404-408 The Alameda, a 1.12 acre site; and

WHEREAS, the Initial Study/Mitigated Negative Declaration concluded that the implementation and construction of the Project could result in a number of significant effects on the environment and identified mitigation measures that reduce the significant effects to a less than significant level; and

WHEREAS, the Initial Study/Mitigated Negative Declaration are by this reference incorporated into this Resolution as if fully set forth herein; and

WHEREAS, in connection with project approval involving an initial study/mitigated negative declaration that identifies one or more significant environmental effects, CEQA requires the decision making body to incorporate feasible mitigation measures that reduce the significant effects; to a less than significant level; and

WHEREAS, approval of a project requiring implementation of mitigation measures to mitigate or avoid significant effects on the environment also requires adoption of a Mitigation Monitoring or Reporting Program to ensure compliance with mitigation measures during project implementation; and

WHEREAS, the City of San Juan Bautista is the lead agency on the Project, and, because the Planning Commission's project approval has been appealed, the San Juan Bautista City Council is the decision making body for the Project; and

WHEREAS, the City Council has reviewed and considered the Initial Study/Mitigated Negative Declaration for the project and intends to take action on the Project in compliance with CEQA and state Guidelines implementing CEQA; and

WHEREAS, the Project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the California Fish and Game Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA HEREBY RESOLVES AS FOLLOWS:

SECTION 1. This Council makes the following findings:

- A. This Council has independently reviewed and analyzed the Initial Study/Mitigated Negative Declaration and other information in the record prior to proceeding to consider action on the Project.
- B. The Initial Study/Mitigated Negative Declaration prepared for the Project has been completed in compliance with CEQA and is consistent with state Guidelines implementing CEQA.
- C. The Initial Study/Mitigated Negative Declaration represents the independent judgment and analysis of the City as lead agency for the Project.
- D. The City Manager, with offices in City Hall, City of San Juan Bautista, is designated as the custodian of documents and records of proceedings on which actions taken by this Resolution are based.
- E. The Initial Study/Mitigated Negative Declaration, with the mitigation measures MM-1 through MM-40 required as conditions of approval for the Project, shows that there is no substantial evidence in light of the whole record that the project as revised by the mitigation measures may have a significant effect on the environment.

SECTION 2. The Mitigated Negative Declaration hereby is approved.

SECTION 3. Consideration of Project approval, and disposition of the appeal of Project approval from the decision of the Planning Commission, shall follow passage and adoption of this Resolution. If the Project is approved, this Council shall require a mitigation monitoring or reporting program in compliance with CEQA.

PASSED AND ADOPTED at a duly noticed meeting of the City Council of the City of San Juan Bautista held on the 18th day of March, 2014, by the following vote:

AYES: Moore, Boch, Cosio, Edge, Lund

NOES: None

ABSENT: None

ABSTAIN: None

Andy Moore, Mayor

ATTEST:

Linda G. McIntyre, City Clerk

APPROVED AS TO FORM:

George Thacher, City Attorney