

(a) Resolution

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN JOSE ADOPTING THE BERRYESSA BART URBAN
VILLAGE PLAN ADDENDUM TO THE ENVISION SAN
JOSE 2040 GENERAL PLAN FINAL ENVIRONMENTAL
IMPACT REPORT AND SUPPLEMENTAL
ENVIRONMENTAL IMPACT REPORT, AS ADDENDED,
FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN
ACCORDANCE WITH THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT**

WHEREAS, prior to the adoption of this Resolution, the Planning Director of the City of San José prepared an Initial Study and an Addendum for the Berryessa BART Urban Village Plan, Planning File No. GP20-008 and C20-001 (the “Initial Study/Addendum”), all in accordance with the requirements of the California Environmental Quality Act of 1970, together with state and local guidelines implementing said Act, all as amended to date (collectively “CEQA”); and

WHEREAS, the Berryessa BART Urban Village Plan (the “Project”) analyzed under the Initial Study/Addendum consists of a policy framework that will guide new job and housing growth within the Urban Village boundary; provide guidance as to the characteristics of future development, including buildings, parks, plazas, placemaking elements, streetscape, and circulation; and support the identified growth capacity for this Urban Village in the Envision San José 2040 General Plan, providing the capacity for the development of 14,000 new jobs (roughly 4,200,000 square feet of commercial space) and 5,100 new dwelling units; and

WHEREAS, the Initial Study/Addendum concluded that implementation of the Berryessa BART Urban Village Plan would not result in any substantial changes due to any new impacts not considered in the prior certified Envision San José 2040 General Plan

Environmental Impact Report (Resolution No. 76041) and the Supplemental Environmental Impact Report (Resolution No. 77617), and all addenda thereto; and

WHEREAS, the Initial Study/Addendum concluded that implementation of the Berryessa BART Urban Village Plan would not result in any substantial increase in the severity of previously identified significant effects in the prior certified Envision San José 2040 General Plan Environmental Impact Report and the Supplemental Environmental Impact Report; and

WHEREAS, the Initial Study/Addendum concluded that implementation of the Berryessa BART Urban Village Plan would not result in any substantial changes with respect to circumstances that will require major revisions to the prior certified Envision San José 2040 General Plan Environmental Impact Report and the Supplemental Environmental Impact Report; and

WHEREAS, the Initial Study/Addendum concluded that implementation of the Berryessa BART Urban Village Plan would not affect one or more significant effects discussed in the prior certified Envision San José 2040 General Plan Environmental Impact Report and the Supplemental Environmental Impact Report due to substantial new information or information of substantial importance, and

WHEREAS, the Initial Study/Addendum concluded that implementation of the Berryessa BART Urban Village Plan would not affect one or more significant effects previously examined that will be substantially more severe than those disclosed in the prior certified Envision San José 2040 General Plan Environmental Impact Report and the Supplemental Environmental Impact Report, 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 Initial Study/Addendum 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 Initial Study/Addendum for the Project, the Envision San José 2040 General Plan Environmental Impact Report, and Envision San José 2040 General Plan Supplemental Environmental Impact Report are on file in the Office of the Director of Planning, Building and Code Enforcement, 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 on the Department of Planning, Building, and Code Enforcement's website 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 Initial Study/Addendum and other information in the record and has considered the information contained therein, prior to acting upon or approving the Project, (2) the Initial Study/Addendum prepared for the Project has been completed in compliance with CEQA and is consistent with state and local guidelines implementing CEQA, and (3) the Initial Study/Addendum 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, Building and Code Enforcement 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 any new significant effect on the environment and does hereby adopt the Addendum prepared for the Project (Planning File Nos. GP20-008 and C20-001). The Initial Study/Addendum is: (1) on file in the Office of the Director of Planning, Building and Code Enforcement, located at 200 East Santa Clara Street, 3rd Floor Tower, San José, California, 95113 and is posted to the Department of Planning, Building, and Code Enforcement's website and (2) available for inspection by any interested person.

ADOPTED this ____ day of _____, 2021, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk