

File Number: CP18-028, ER23-108

- County Clerk-Recorder
County of Santa Clara
110 West Tasman Drive, San José, CA, 95134
- Office of Planning and Research
State of California
P.O. Box 3044, Sacramento, CA, 95812

**NOTICE OF DETERMINATION
FOR A MITIGATED NEGATIVE DECLARATION**

Lead Agency: City of San José Department of Planning, Building, and Code Enforcement

Project Applicant: Robinson Oil Corp. (Attn: Dave Mordick), 955 Martin Avenue, Santa Clara, 95050, (408)257-2222.

Project Title: Julian Street Rotten Robbie #42

Location: 445 E. Julian Street, San Jose, CA 95112

Assessor's Parcel No: 249-52-017

Council District: 3

Project Description: Conditional Use Permit to allow the demolition of an existing approximately 1,200-square-foot convenience store, an approximately 800-square-foot storage building, removal of two billboards, the removal of one ordinance-size tree, the construction of a 3,183-square-foot convenience store with operation hours from 5 am from Monday to Fridays, and off-sale beer and wine on an approximately 0.39-gross acre site.

The City has performed environmental review on this project. Environmental review examines the nature and extent of any adverse effects on the environment that could occur if a project is approved and implemented. Based on the review, the City has prepared a Mitigated Negative Declaration for this project. A Mitigated Negative Declaration is a statement by the City that the project will not have a significant effect on the environment with the inclusion of mitigation measures.

This is to advise that the City of San José Planning Commission approved the above-described project on **April 10th, 2024** and made the following determinations regarding such project:

1. An Initial Study and Mitigated Negative Declaration referenced above was prepared and completed for this project pursuant to and in compliance with the provisions of CEQA.
2. The City of San José City Planning Commission has independently reviewed and analyzed the Initial Study and Mitigated Negative Declaration and other information in the record and has considered the information contained therein, prior to acting upon or approving the Project.
3. The Initial Study and Mitigated Negative Declaration represents the independent judgment and analysis of the City of San José, as lead agency for the Project.
4. This project will not have a significant impact on the environment.
5. Findings were made and adopted for this project pursuant to the provisions of CEQA.

The Initial Study, Mitigated Negative Declaration, Mitigation and Monitoring Reporting Program (MMRP), and the record of project approval may be examined at the City of San José, Department of Planning, Building and Code Enforcement, 200 East Santa Clara Street, 3rd Floor Tower, San José CA 95113-1905. This notice is in compliance with Section 21108 and 21152 of the Public Resources Code.

Christopher Burton, Director
Planning, Building and Code Enforcement



Deputy

Date: 4/15/24

Environmental Project Manager: Kara Hawkins



Regina Alcomendras
Santa Clara County
Clerk-Recorder
(408) 299-5688
<https://www.clerkrecorder.org>

Receipt: 24-56843

Product	Name	Extended
CEQA	ENVIRONMENTAL FILING	\$2,966.75
# Pages		3
Document #		ENV25070
Document Info:	CITY OF SAN JOSE DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT (ATTN: KARA HAWKINS)	
Filing Type		N
Total		\$2,966.75
Tender (Check)		\$2,966.75
Check #	84615	
Paid By	ROBINSON OIL CORPORATION	

PLEASE KEEP FOR REFERENCE



State of California - Department of Fish and Wildlife
2024 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

RECEIPT NUMBER: ENV25070
STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF SAN JOSE DEPARTMENT OF PLANNING, COUNTY/STATE AGENCY OF FILING	LEAD AGENCY EMAIL KARA.HAWKINS@SANJOSECA.GOV	DATE 04/17/2024
		DOCUMENT NUMBER

PROJECT TITLE
JULIAN STREET ROTTEN ROBBIE #42

PROJECT APPLICANT NAME ROBINSON OIL CORP. (ATTN: DAVE MORDICK)	PROJECT APPLICANT EMAIL	PHONE NUMBER (408) 257-2222
PROJECT APPLICANT ADDRESS 955 MARTIN STREET	CITY SANTA CLARA	STATE CA
		ZIP CODE 95050

PROJECT APPLICANT (Check appropriate box)

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$4,051.25	\$ _____
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,916.75	\$ <u>2,916.75</u>
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,377.25	\$ _____
<input type="checkbox"/> Exempt from fee		
<input type="checkbox"/> Notice of Exemption (attach)		
<input type="checkbox"/> CDFW No Effect Determination (attach)		
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)		
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$ _____
<input checked="" type="checkbox"/> County documentary handling fee		\$ <u>50.00</u>
<input type="checkbox"/> Other		\$ _____

PAYMENT METHOD:

Cash
 Credit
 Check
 Other

TOTAL RECEIVED \$ 2,966.75

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE Nina Khamphilath, Deputy County Clerk-Recorder
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**SANTA CLARA COUNTY CLERK
CEQA FILING COVER SHEET**

Santa Clara County - Clerk-Recorder Office
State of California

File Number: ENV25070

ENVIRONMENTAL FILING

No. of Pages: 3

Total Fees: \$2966.75

File Date: 04/17/2024

Expires: 05/17/2024

REGINA ALCOMENDRAS, Clerk-Recorder

By: Nina Khamphilath, Deputy Clerk-Recorder

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Check Document being Filed:

- Environmental Impact Report (EIR)
- Filing Fee (new project)
 - Previously Paid F&W (must attach F&W receipt and project titles must match)
 - No Effect Determination (F&W letter must be attached)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Filing Fee (new project)
 - Previously Paid F&W (must attach F&W receipt and project titles must match)
 - No Effect Determination (F&W letter must be attached)
- Notice of Exemption (NOE)
- Other (Please fill in type):

Department

1. LEAD AGENCY: City of San Jose Department of Planning, Building and Code Enforcement (Attn: Kara Hawkins)
2. LEAD AGENCY EMAIL: kara.hawkins@sanjoseca.gov
3. PROJECT TITLE: Julian Street Rotten Robbie #42
4. APPLICANT NAME: Robinson Oil Corp. (Attn: Dave Mordick) PHONE: 408- 257-2222
5. APPLICANT EMAIL: DMORDICK@ROTTENROBBIE.COM
6. APPLICANT ADDRESS: 955 Martin Street, Santa Clara, CA, 95050
7. PROJECT APPLICANT IS A: Local Public Agency School District Other Special District State Agency Private Entity
8. NOTICE TO BE POSTED FOR 30 DAYS.

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.