

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA  
APPROVING A REZONE FROM SINGLE-FAMILY RESIDENTIAL  
(R1-6L) TO LOW DENSITY RESIDENTIAL (R2) TO ALLOW FOR  
A NINE TOWNHOME PROJECT AT 4249 CHEENEY STREET,  
SANTA CLARA**

PLN2019-13487 (General Plan Amendment and Rezone)

**WHEREAS**, on April 17, 2019, Saul Flores (“Applicant”), on behalf of Maruti Builders, LLC (“Owner”) filed an application to develop nine new townhomes with attached two-car garages on a vacant site located at 4249 Cheeney Street (APN:104-12-026 and 104-12-025) (“Project Site”);

**WHEREAS**, the Owner simultaneously applied for a General Plan Amendment (GPA) to change from Very Low Density Residential to Low Density Residential (8-19 DU/ac), Rezone from Single-family Residential (R1-6L) to Low-Density Residential (R2), and a Tentative Subdivision Map for up to nine condominium units (“Project”), as shown on the attached Development Plans, incorporated herein by this reference;

**WHEREAS**, the R1-6L zoning district supports a residential density of up to 10 units per gross acre, and the change in zoning district would allow for the proposed development of 17 dwelling unit per acre to fall within the R2 residential density of 8 – 19 units per gross acre;

**WHEREAS**, the City, as Lead Agency, in tandem with Consultant ‘David J. Powers’ prepared an Initial Study (“IS”) and a Negative Mitigation Declaration (“MND”) for the Project in accordance with the California Environmental Quality Act (“CEQA”) and the City circulated the IS/MND for a 30-day review from December 13, 2024 to January 13, 2025 to the public agencies which have jurisdiction by law with respect to the Project, as well as to other interested persons, organizations and agencies; and the City sought the comments of such persons, organizations and agencies;

**WHEREAS**, the IS/MND identified possible impacts on the environment with Project development that with implementation of the mitigation measures specified in the Mitigation Monitoring and

Reporting Program ("MMRP") for the Project would reduce the potentially significant effects to less than significant;

**WHEREAS**, the City through consultant 'David J. Powers' prepared written responses to the comments received during the Comment Period and included these responses on the project's CEQA web page;

**WHEREAS**, Santa Clara City Code Section 18.142.040 requires that the Planning Commission provide a recommendation to the City Council on any proposed zoning code or zoning map amendment;

**WHEREAS**, Government Code Section 65854 requires the Planning Commission to hold a public hearing prior to making a recommendation on the proposed zoning code or zoning map amendment;

**WHEREAS**, on May 21, 2025, a notice of the public hearings on the proposed General Plan Amendment and Rezone was published in the *Santa Clara Weekly*, a newspaper of general circulation for the City;

**WHEREAS**, on May 21, 2025, notices of the public hearings were mailed to all property owners within 500 feet of the Project Site boundaries;

**WHEREAS**, on June 11, 2025, the Planning Commission held a duly noticed public hearing to consider the proposed rezone, as well as the other Project Approvals, the MND, and the MMRP, at the conclusion of which, the Commission voted 7-0 to recommend approval to the City Council to Rezone the parcel from R1-6L, Single-family Residential to R2, Low Density Residential; and

**WHEREAS**, on July 15, 2025, City Council held a duly noticed public hearing to consider the Project during which the City Council invited and considered any, and all verbal and written testimony and evidence offered in favor of and in opposition to the Project.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

1. That the City Council hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.

2. That the City Council hereby rezones the Project Site from R1-6L to R2 to allow development of the Project.

3. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 15TH DAY OF JULY 2025, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: \_\_\_\_\_  
NORA PIMENTEL, MMC  
ASSISTANT CITY CLERK  
CITY OF SANTA CLARA

Attachments Incorporated by Reference: None