



City Council
 September 23, 2025

Item #8 RTC 25-762
 Action on a Vesting Tentative Subdivision Map for a one-lot subdivision for condominium purposes for 1530 and 1540 Pomeroy Avenue (PLN24-00225)

Afshan Hamid
 Community Development Director

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1530 and 1540 Pomeroy Avenue



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Council Pillar
 Promote and Enhance Economic, Housing and Transportation Development

Request

- **SCCC Section 17.05.300(g) requires Vesting Tentative Subdivision Map** located at 1530 and 1540 Pomeroy, subject to conditions of approval including:
 - Merger of two adjacent parcels for total area of .48 acres
 - Result in one-lot subdivision
 - Construction of 11 townhouses, driveways, parking and common and private open space
 - Demolition of two existing single-family homes

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1530 and 1540 Pomeroy Avenue

Project Site
Site: 0.48 Acres
General Plan:
 1540 Pomeroy Ave: Mixed Use Community Commercial
 1530 Pomeroy Ave: Medium Density Residential
Zoning:
 1540 Pomeroy Avenue: MU-CC
 1530 Pomeroy Ave: R3
Existing Use: One-story vacant single-family homes
Adjacent Uses:

- N: Commercial Uses
- S: Single Family Residences
- E: Pomeroy Avenue, Multi-family dwellings
- W: Single Family homes and Commercial uses



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1530 and 1540 Pomeroy Avenue

Background

- May 14, 2025: Development Review Hearing approved the 11 townhouses with 3 story height :
 - **1530 Pomeroy Ave:** Five, three-story attached townhomes
 - **1540 Pomeroy Ave:** Six, three-story attached townhomes

	1530 Pomeroy	1540 Pomeroy
Zoning	R-3 medium density	Mixed Use Community Commercial
Density	20-36 dua	20-36 dua
Garage	1 space	2 spaces
Bedrooms	3	3
Square Footage	1,970 sf	2,370 sf



5 unbundled parking spaces provided

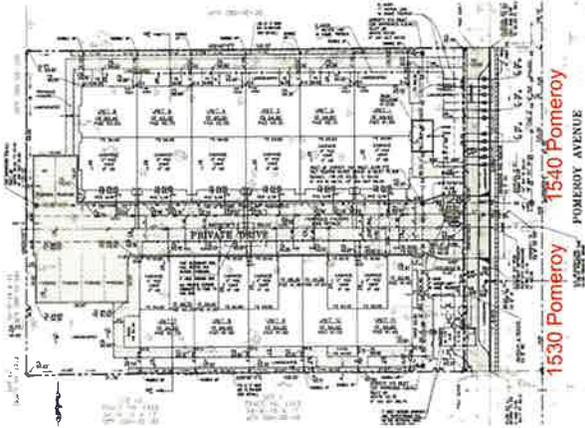
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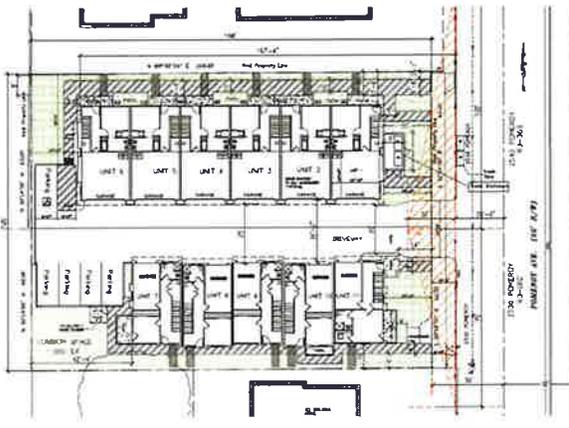
1530 and 1540 Pomeroy Avenue



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Vesting Tentative Subdivision Map



Site Plan

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1530 and 1540 Pomeroy Avenue



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General Plan, Zoning Code and Subdivision Map Act Conformance

- The Subdivision Map Act requires consistency with the General Plan, Gov't Code § 66474(a).
- June 3, 2025- The City's Subdivision Clearance Committee reviewed the Vesting Tentative Map and determined:
 - The proposed VTM is consistent with the approved project, including the site plan, improvements, the private street, surface parking, landscape open space areas, and associated utilities on the project site.
- May 14, 2025- Development Review Hearing approved the Architectural Review:
 - The project was consistent with the General Plan and Zoning regulations, as the proposed use and scale of the development as conditioned are consistent with the allowable land uses and density.
 - Consistent with density range of 20-30 units per acre in Zoning Code update.

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1530 and 1540 Pomeroy Avenue



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Public Outreach

- On March 13, 2024, the Applicant conducted a hybrid Community meeting. Six members of the public attended in-person, and four members of the public attended virtually.
- Public Comments included:
 - architecture,
 - allowable density,
 - parking,
 - applicable zoning regulations, and
 - impact to the adjacent single-family residences.
- Modifications: the applicant revised the elevations by emphasizing vertical distinction between the units, aligning the windows and simplifying the roof form, which resulted in the final proposal that was approved at the Development Review Hearing 5/14/2025.

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1530 and 1540 Pomeroy Avenue



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CEQA Analysis

The action being considered reflects the determination contained within the Addendum to the 1530/1540 Pomeroy Avenue Residential Project IS/MND, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15164.

The addendum concluded that pursuant to CEQA Guidelines Section 15162 that no subsequent Negative Declaration is necessary.

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1530 and 1540 Pomeroy Avenue



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Planning Commission Action

- Planning Commission recommended approval on August 13, 2025 (6-0-1)
- Discussion topics:
 - Conformance of the side setbacks with code.
 - If the proposed units count towards City's required Regional Housing Needs Allocation (RHNA).
 - Is the parking provided meeting code and will storage in garages preclude parking.
 - Review of the CC&Rs by the City and the developer.
 - Previous proposal and modifications.
 - Providing affordable units under the Affordable Housing Ordinance.
- One Public Speaker spoke about the impact on the existing multifamily houses at 1360 Calabazas Boulevard.

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1530 and 1540 Pomeroy Avenue



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Recommendation

Based on conformance with General Plan, Zoning Code, Housing Element, the Planning Commission recommendation, staff recommends:

- City Council find that the proposed subdivision falls within the scope of the adopted CEQA Addendum prepared for the project and no further analysis is required.
- Adopt a resolution approving the Vesting Tentative Subdivision Map to merge the two parcels and create a one-lot subdivision for condominium purposes for 11 townhouses and common area at 1530/1540 Pomeroy Avenue, subject to making the required findings and subject to conditions of approval.

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Afshan Hamid
Community Development Director



Sep 23, 2025

City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

Re: Proposed Housing Development Project at 1530-1540 Pomeroy Avenue

To: mayorandcouncil@santaclaraca.gov; lgillmor@santaclaraca.gov;
agonzalez1@santaclaraca.gov; rchahal@santaclaraca.gov;
khardy@santaclaraca.gov; kpark@santaclaraca.gov; sjain@santaclaraca.gov;
kcox@santaclaraca.gov

Cc: clerk@santaclaraca.gov; CityAttorney@santaclaraca.gov;
manager@santaclaraca.gov; planning@santaclaraca.gov

Dear Santa Clara City Council,

The California Housing Defense Fund (“CalHDF”) submits this letter to remind the City of its obligation to abide by all relevant state laws when evaluating the proposed 11-unit housing development project at 1530-1540 Pomeroy Avenue. These laws include the Housing Accountability Act (“HAA”) and California Environmental Quality Act (“CEQA”) guidelines.

The HAA provides the project legal protections. It requires approval of zoning and general plan compliant housing development projects unless findings can be made regarding specific, objective, written health and safety hazards. (Gov. Code, § 65589.5, subd. (j).) The HAA also bars cities from imposing conditions on the approval of such projects that would reduce the project’s density unless, again, such written findings are made. (*Ibid.*) As a development with at least two-thirds of its area devoted to residential uses, the project falls within the HAA’s ambit, and it complies with local zoning code and the City’s general plan. The HAA’s protections therefore apply, and the City may not reject the project except based on health and safety standards, as outlined above. Furthermore, if the City rejects the project or impairs its feasibility, it must conduct “a thorough analysis of the economic, social, and environmental effects of the action.” (*Id.* at subd. (b).)

Furthermore, the project is exempt from state environmental review pursuant to sections 15162 and 15164 of the CEQA Guidelines. Caselaw from the California Court of Appeal affirms that local governments err, and may be sued, when they improperly refuse to grant a project

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a CEQA exemption or streamlined CEQA review to which it is entitled. (*Hilltop Group, Inc. v. County of San Diego* (2024) 99 Cal.App.5th 890, 911.)

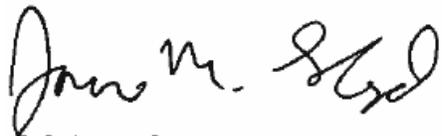
As you are well aware, California remains in the throes of a statewide crisis-level housing shortage. New housing such as this is a public benefit: it will increase the city's tax base; it will bring new customers to local businesses; and it will reduce displacement of existing residents by reducing competition for existing housing. It will also help cut down on transportation-related greenhouse gas emissions by providing housing in denser, more urban areas, as opposed to farther-flung regions in the state (and out of state). While no one project will solve the statewide housing crisis, the proposed development is a step in the right direction. CalHDF urges the City to approve it, consistent with its obligations under state law.

CalHDF is a 501(c)(3) non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. You may learn more about CalHDF at www.calhdf.org.

Sincerely,



Dylan Casey
CalHDF Executive Director



James M. Lloyd
CalHDF Director of Planning and Investigations