

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

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA  
TO APPROVE A VESTING TENTATIVE PARCEL MAP TO  
SUBDIVIDE ONE PARCEL INTO TWO PARCELS FOR THE  
PROPERTY LOCATED AT 4590 PATRICK HENRY DRIVE,  
SANTA CLARA**

**PLN24-00130 (Tentative Parcel Map)**

**WHEREAS**, on June 21, 2023, Katia Kamangar (“Applicant”) on behalf of 4590 Patrick Henry Drive LLC (“Owner”) submitted a formal application (PLN24-00310) requesting a Vesting Tentative Parcel Map to subdivide a 2.79-acre lot into two lots for the property at 4590 Patrick Henry Drive (“Project Site”);

**WHEREAS**, the Project Site is currently zoned as Urban Village (UV) and has a General Plan land use designation of Urban Village;

**WHEREAS**, the Project Site is within the Patrick Henry Drive Specific Plan;

**WHEREAS**, on November 13, 2024, the Architectural Review (PLN23-00290) to construct the eight-story multifamily residential building was approved at the Development Review Hearing (DRH);

**WHEREAS**, the application (PLN24-00310) is for a Vesting Tentative Subdivision Map to subdivide the existing lot into two lots for the development of an eight-story 284-unit multifamily residential building on one lot and the remainder of the lot will be a 0.55-acre park dedicated to the City as shown on the Vesting Tentative Map, attached hereto and incorporated herein by this reference;

**WHEREAS**, the proposed subdivision is consistent with the approved site plan and improvements on the Project Site for the development of an eight-story 284-unit residential project approved on October 16, 2024;

**WHEREAS**, pursuant to Section 17.05.220 of the Code of the City of Santa Clara (“SCCC”), a Tentative Parcel Map shall be required for the division of land into four or fewer lots;

**WHEREAS**, on September 13, 2024, the Subdivision Clearance Committee determined that the application was complete and that the proposed Vesting Tentative Parcel Map should proceed to the City Council in conformance with Section 17.05.400 of the SCCC;

**WHEREAS**, on March 22, 2022, the City of Santa Clara certified the Patrick Henry Drive Specific Plan (PHDSP) Final Environmental Impact Report (FEIR) and approved the PHDSP;

**WHEREAS**, the proposed Vesting Tentative Parcel Map is consistent with the approved FEIR and would not result in a new impact on the environment or significantly increase the severity of any previously identified impact;

**WHEREAS**, SCCC Section 17.05.400 requires that the City Council conduct a public hearing before the approval of a Vesting Tentative Parcel Map for the division of land;

**WHEREAS**, on November 7, 2024, notices of the public hearing on the Vesting Tentative Parcel Map were mailed to all property owners within 1,000 feet of the property, according to the most recent Assessor's roll;

**WHEREAS**, a notice of the public hearing was published in *The Weekly*, a newspaper of general circulation, on November 6, 2024 for the November 19, 2024, City Council Meeting; and

**WHEREAS**, on November 19, 2024, the City Council held a duly noticed public hearing to consider the Vesting Tentative Parcel Map application, at which time all interested persons were given an opportunity to give testimony and the City Council considered the information presented in the Staff Report and all verbal and written evidence.

**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. Vesting Tentative Parcel Map Findings. Pursuant to California Government Code Sections 66426 and 66428 and SCCC Section 17.05.400(f), the City Council finds and determines that:

A. The Vesting Tentative Parcel Map is consistent with the objectives, policies, general land uses and programs specified in the City's General Plan and applicable Specific Plans

in that the Vesting Tentative Map subdivides the existing 2.79-acre Project Site into two lots to develop a 284-unit multifamily residential building on a 2.24-acre lot with the remaining 0.55-acre lot to be a park dedicated to the City, consistent with the Patrick Henry Drive Specific Plan, subject to conditions set forth in the Conditions of Approval, attached hereto and incorporated by this reference.

B. The design and improvements of the proposed subdivision are consistent with the City's General Plan and applicable Specific Plan, in that the Vesting Tentative Parcel Map facilitates development of housing stock for the community; and furthermore complies with General Plan Land Use and Transitional Goals and Policies of the General Plan in that it transforms the industrial lot to a high density residential development that would transition in scale and intensity of use with existing and planned land uses; and is in proximity to transit with multi-modal connections to local and regional transit service to support transit ridership and reduce vehicle miles traveled.

C. The site is physically suitable for the proposed type of development, in that the Project is compatible with the existing adjacent industrial and residential uses.

D. The site is physically suitable for the proposed density of development, in that the Project Site is consistent with the density and uses as specified in the Patrick Henry Drive Specific Plan.

E. The design of the subdivision and type of improvements are not likely to cause serious health problems, in that the proposed residential subdivision will implement Covenants, Conditions, and Restrictions for operation and maintenance of the building and site improvements and does not propose the use of hazardous materials.

F. The design of the subdivision and type of improvements are not likely to cause substantial environmental damage and will not substantially or unavoidably injure fish or wildlife or their habitat in that the Project Site is located in an urbanized setting, is a developed site, and the proposed subdivision includes mitigation measures, as identified in the Patrick Henry

Drive Specific Plan Environmental Impact Report, that will reduce impacts to less-than-significant levels.

G. The design of the subdivision and type of improvements will not conflict with easements acquired by the public at large or use of property within the proposed subdivision in that it is designed to avoid encroachment and conflicts with public easements in the site design.

H. The Tentative Parcel Map provides, to the extent feasible, for future passive or natural heating or cooling opportunities, in that it would allow flexibility in the development standards to maximize the benefits of green building standards for site and building design.

3. Based on the findings set forth in this Resolution and the evidence in the Staff Report and such other evidence as received at the public hearings on this matter, the City Council hereby approves the Vesting Tentative Parcel Map, substantially in the form on file as shown on the attached Vesting Tentative Parcel Map, subject to conditions of approval attached as “Conditions of Approval” and hereby incorporated by this reference.

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4. 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 OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 19TH DAY OF NOVEMBER 2024, 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:

- 1. Vesting Tentative Parcel Map
- 2. Conditions of Approval