

RESOLUTION NO. 24-9387

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, TO APPROVE A REZONING FROM PLANNED
DEVELOPMENT (PD) TO HEAVY INDUSTRIAL (HI) TO ALLOW
THE PROPOSED USE OF HEAVY INDUSTRIAL AT 2201
LAFAYETTE STREET, SANTA CLARA**

(File No. PLN23-00208- Rezoning)

WHEREAS, on August 22, 2023, John Ha with Innovative Design Architecture (“Applicant”), on behalf of Cindy Cheng with Vista Grande Investment, LLC (“Owner”) filed an application (PLN23-00208) requesting a rezoning for the property located at 2201 Lafayette Street (APN: 224-03-087) (“Project Site”) in the City of Santa Clara;

WHEREAS, the General Plan land use designation for the Project Site is Heavy Industrial;

WHEREAS, the Project Site is zoned Planned Development (PD);

WHEREAS, the Project Site is developed with an industrial building that was previously occupied with Union Stone, a construction materials retail showroom and warehouse;

WHEREAS, the Property Owner applied to rezone the Project Site from Planned Development (PD) to Heavy Industrial (HI) to allow the existing building to be used for a heavy industrial business (“Project”) as shown on the development plans, attached hereto and incorporated herein by reference;

WHEREAS, the Project is Categorically Exempt from formal environmental review per Section 15301, Class 1 “Existing Facilities” of the Guidelines of the California Environmental Quality Act (“CEQA”), which applies to small additions and minor modifications to existing facilities involving negligible or no expansion of the existing or former use. Here, the proposal involves a minor tenant improvement without changing the building footprint and minor site improvements and would represent a negligible expansion of the prior use;

WHEREAS, on October 30, 2024, a notice of the public hearing on the proposed Rezoning was published in the *The Weekly*, a newspaper of general circulation for the City, for the City Council Hearing to be conducted on November 12, 2024;

WHEREAS, on October 31, 2024, the notice of meeting date for this item was mailed to property owners within a 500-foot radius of the Project Site for the City Council hearing on November 12, 2024; and

WHEREAS, on November 12, 2024, the City Council held a duly noticed public hearing to consider the rezoning 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.

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2. That the City Council hereby approves rezoning the Project Site from Planned Development (PD) to Heavy Industrial (HI) to allow the existing buildings on the project site to be used for a heavy industrial business, as depicted on the attached Illustration Plan, incorporated herein by this reference.
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 OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 12TH DAY OF NOVEMBER, 2024, BY THE FOLLOWING VOTE:

| | | |
|------------|-------------|--|
| AYES: | COUNCILORS: | Becker, Chahal, Hardy, Jain, and Watanabe, and Mayor Gillmor |
| NOES: | COUNCILORS: | None |
| ABSENT: | COUNCILORS: | Park |
| ABSTAINED: | COUNCILORS: | None |

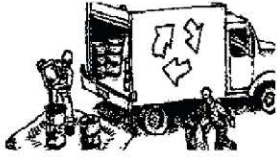
ATTEST: 
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments Incorporated by Reference:
1. Development Plans

Construction Best Management Practices (BMPs)

Construction projects are required to implement year-round stormwater BMPs.

Materials, Waste, and Sediment Management



Construction Entrances and Perimeter

- Establish and maintain effective perimeter controls, and stabilize all construction entrances and exits to sufficiently control erosion, sediment discharges and tracking of sediment offsite.
- Sweep or vacuum immediately any tracking of sediment offsite and secure sediment source to prevent further tracking. Never hose down streets or sidewalks.

Non-Hazardous Materials and Dust Control

- Berm and cover stockpiles of sand, dirt or other construction material with tarps when rain is forecast or when they are not in use. Weigh down and secure tarps for wind protection.
- Keep materials off the ground (e.g., store bagged materials on wood pallets, store loose materials on tarps not pavement, etc.).
- Use captured water from other activities (e.g., testing fire lines) for dust control.
- Ensure dust control water doesn't leave site or discharge to storm drains. Only use enough to control dust. Contain and dispose of excess water properly.

Hazardous Materials

- Label all hazardous materials and hazardous wastes (such as pesticides, paints, thinners, solvents, fuel, oil, and antifreeze) in accordance with City, County, State and Federal regulations.
- Store hazardous materials and wastes in watertight containers, store in appropriate secondary containment, and cover them at the end of every workday, during wet weather or when rain is forecast.
- Follow manufacturer's application instructions for hazardous materials and do not use more than necessary. Do not apply chemicals outdoors when rain is forecast within 24 hours.
- Arrange for appropriate disposal of all hazardous wastes. Have all pertinent Safety Data Sheets (i.e., SDS/MSDS/PSDS) onsite.

Waste Management

- Inform trash-hauling contractors that you will accept only watertight dumpsters for onsite use. Repair/replace any dumpster that is not watertight or leaking.
- Cover and maintain dumpsters. Check frequently for leaks. Place dumpsters under roofs or cover with tarps or plastic sheeting secured around the outside of the dumpster. If the dumpster leaks, place a plastic liner underneath the dumpster to collect leaks. Never clean out a dumpster by hosing it down on the construction site - clean with dry methods, clean offsite or replace dumpster.
- Place portable toilets and hand wash stations away from storm drains. Make sure they are equipped with containment pans (secondary containment) and are in good working order. Check frequently for leaks.
- Dispose of all wastes and demolition debris properly per SDS and applicable regulations. Recycle or compost materials and wastes as feasible and appropriate, including solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and cleared vegetation.
- Dispose of liquid residues from paints, thinners, solvents, glues, and cleaning fluids as hazardous waste per SDS.
- Keep site free of litter (e.g., lunch items, water bottles, cigarette butts and plastic packaging).
- Prevent litter from uncovered loads by covering loads that are being transported to and from site.

Equipment Management & Spill Control



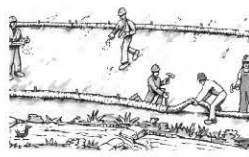
Vehicle and Equipment Maintenance

- Designate an area of the construction site equipped with appropriate BMPs, well away from creeks or storm drain inlets, for auto and equipment parking and storage.
- Perform major maintenance, repair jobs, and vehicle/equipment washing offsite.
- If refueling or vehicle maintenance must be done onsite, work in a bermed area away from storm drains and over a drip pan or drop cloths big enough to collect fluids. Recycle or dispose of fluids as hazardous waste.
- If vehicle or equipment cleaning must be done onsite, clean with water only in a bermed area that will not allow rinse water to run into gutters, streets, storm drains, or creeks.
- Do not clean vehicles or equipment onsite using soaps, solvents, degreasers, or steam cleaning equipment, and do not use diesel oil to lubricate equipment or parts onsite.

Spill Prevention and Control

- Always keep spill cleanup materials (e.g., rags, absorbents, and cat litter) available at the construction site.
- Maintain all vehicles and heavy equipment. Inspect frequently for leaks. Use drip pans to catch leaks until repairs are made.
- Clean up leaks, drips and other spills immediately using dry cleanup methods whenever possible (absorbent materials, cat litter and/or rags) and dispose of cleanup materials properly.
- Sweep up spilled dry materials immediately. Never attempt to "wash them away" with water or bury them.
- Clean up spills on dirt areas by digging up and properly disposing of contaminated soil.
- Report significant spills to the appropriate local spill response agencies immediately. If the spill poses a significant hazard to human health and safety, property or the environment, report it to the State Office of Emergency Services at (800) 852-7550 (24 hours).

Earthmoving



Grading and Earthwork

- Schedule grading and excavation work during dry weather.
- Prevent sediment from migrating offsite and protect storm drain inlets, drainage courses and creeks by installing and maintaining appropriate BMPs tailored to the site's specific characteristics and conditions. Examples of such BMPs may include silt fences, gravel bags, fiber rolls, temporary swales, compost socks, etc. Ensure that BMPs are installed in accordance with manufacturer's specifications and properly maintained throughout the duration of construction activities.
- Stabilize all denuded areas and install and maintain temporary erosion controls (such as erosion control fabric or bonded fiber matrix) until vegetation is established.
- Remove existing vegetation only when necessary. Plant temporary vegetation to prevent erosion on slopes or in areas where construction is not immediately planned.
- Keep excavated soil and/or transfer it to dump trucks, onsite, not in the streets.
- Ensure all subcontractors working onsite are implementing appropriate BMPs.

Contaminated Soils

- If any of the following conditions are observed, test for contamination and contact the [Regional Water Quality Control Board](#) and the local agency: 1) Unusual soil conditions, discoloration, or odor. 2) Abandoned underground tanks. 3) Abandoned wells. 4) Buried barrels, debris, or trash.
- If the above conditions are observed, document any signs of potential contamination, clearly mark areas and fence/tape them off so they are not disturbed by construction activities.

Landscaping

- Protect stockpiled landscaping materials from wind and rain by storing them under tarps year-round.
- Stack bagged material on pallets and under cover.
- Discontinue application of any erodible landscape material within 2 days before a forecast rain event or during wet weather.
- Store materials onsite, not in the street.

Concrete Management & Dewatering



Concrete Management

- Store both dry and wet concrete-related materials under cover, protected from rainfall and runoff and away from storm drains or creeks. Store materials off the ground on pallets. Protect dry materials from wind.
- Avoid pouring concrete in wet weather or when rainfall is imminent to prevent concrete that has not cured from contacting stormwater runoff.
- Wash out concrete equipment/mixers/trucks offsite, or onsite only in designated washout containers/areas where the water will flow into a temporary lined waste pit and in a manner that will prevent leaching into the underlying soils. (See CASQA Construction Stormwater BMP Handbook for temporary concrete washout facility details).
- Do not wash sweepings from exposed aggregate concrete into the street or storm drain. Collect and return sweepings to aggregate base stockpile or dispose properly.
- Make sure that construction waste (e.g., concrete, stucco, cement wastewater, or residual materials) is collected, removed, and disposed of only at authorized disposal areas. Do not dispose of construction waste in storm drains, ditches, streets, creeks, dirt areas, or the sanitary sewer.

Dewatering

- Discharges of groundwater or captured runoff from dewatering operations must be properly managed and disposed. When possible, send dewatering discharge to landscaped area or sanitary sewer. If discharging to the sanitary sewer, obtain permission from the local wastewater treatment plant.
- Divert water originating from offsite away from all onsite disturbed areas.
- When dewatering, notify and obtain approval from the local municipality before discharging water to a street gutter or storm drain. Filtration or diversion through a basin, tank, or sediment trap may be required.
- In areas of known or suspected contamination, call the local agency to determine whether the groundwater must be tested. Pumped groundwater may need to be collected and hauled offsite for treatment and proper disposal.
- For additional information, refer to the CASQA's Construction Stormwater BMP Handbook, Fact Sheet NS-2 "Dewatering Operations."

Paving/Asphalt Work



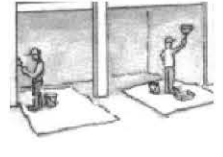
Paving

- Avoid paving and seal coating in wet weather or when rain is forecast to prevent materials that have not cured from contacting with stormwater runoff.
- Cover storm drain inlets and manholes when applying seal coat, slurry seal, fog seal, or similar materials.
- When construction is complete, remove all covers from storm drain inlets and manholes.
- Collect and recycle or properly dispose of excess abrasive gravel or sand. Do NOT sweep or wash it into gutters, storm drains, streets, dirt areas, or the sanitary sewer.

Sawcutting & Asphalt/Concrete Removal

- Protect storm drain inlets during saw cutting.
- When making saw cuts, use as little water as possible.
- Residue from saw cutting, coring and grinding operations shall be picked up by means of a vacuum device.
- Shovel, absorb, or vacuum saw cut slurry deposits and dispose of all waste properly and as soon as reasonably possible. Sawcutting residue should not be left on pavement surface.
- If saw cut slurry enters a storm drain inlet, clean it up immediately and notify the local municipality.

Painting & Paint Removal



Painting Cleanup and Removal

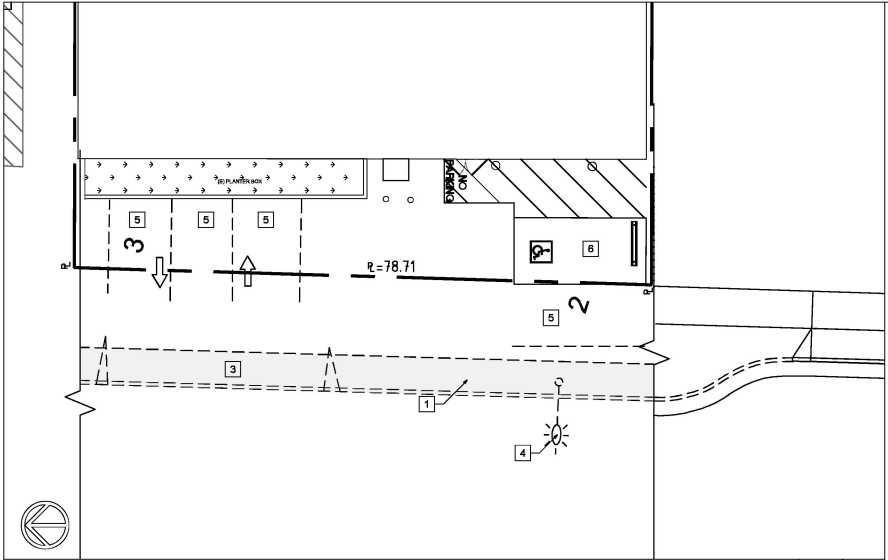
- Never clean brushes or rinse paint containers to landscaping, dirt areas or into a street, gutter, storm drain, or creek.
- For water-based paints, paint out brushes to the extent possible, and then rinse into a drain connected to the sanitary sewer. Never pour paint down a storm drain inlet.
- For oil-based paints, paint out brushes to the extent possible, and then clean with thinner or solvent in a proper container. Filter and reuse thinners and solvents. Dispose of excess liquids as hazardous waste.
- Sweep up or collect paint chips and dust generated from non-hazardous dry stripping and sand blasting into plastic drop cloths and dispose of as trash.
- Chemical paint stripping residue and chips and dust from marine paints or paints containing lead, mercury, or tributyltin must be disposed of as hazardous waste. Lead-based paint removal requires a state-certified contractor.

Storm drain polluters may be liable for fines of up to \$10,000 per day!



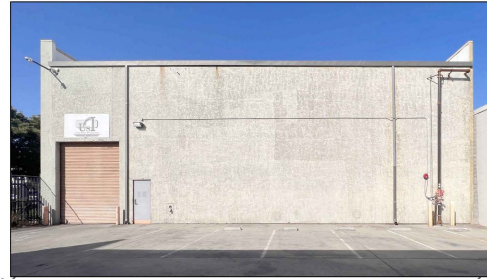
Santa Clara Valley
Urban Runoff
Pollution Prevention Program

February 2024



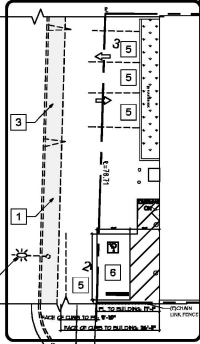
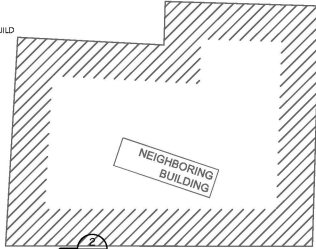
EXISTING SITE PLAN @ LAFAYETTE BLVD

1/8" 2



KEY NOTES

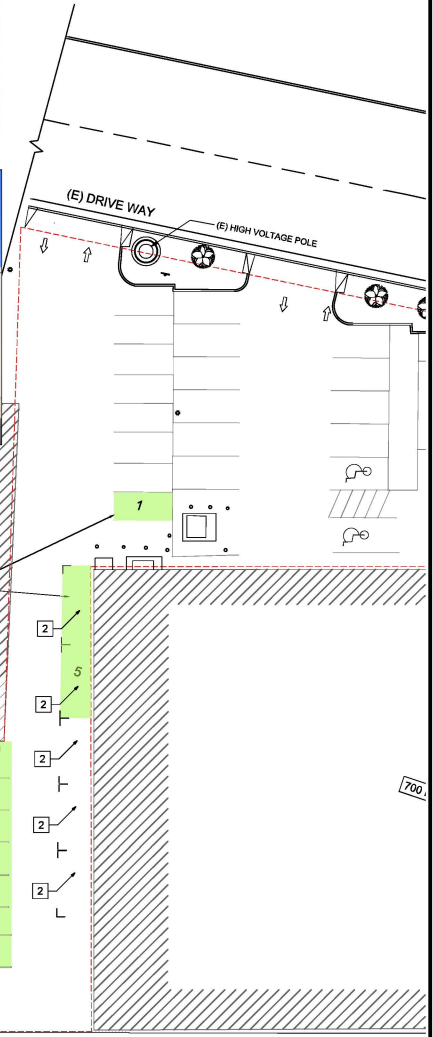
- 1 DEMOLISH EXISTING SIDEWALK AND REBUILD ACCORDING TO CITY STANDARDS
- 2 PARKING SPACES TO BE ELIMINATED PER ANMR TO ALLOW FOR FIRE APPARATUS ACCESS, PARKING VARIANCE TO BE SUBMITTED AND REVIEWED BY THE PLANNING DEPARTMENT
- 3 DRIVEWAY TO BE DEMOLISHED AND RECONSTRUCTED ACCORDING TO CITY STANDARDS
- 4 STREETLIGHT TO BE RELOCATED
- 5 PARKING SPACE TO BE ELIMINATED
- 6 (E) ACCESSIBLE PARKING



(E) BUILDING
2201 LAFAYETTE

EXISTING SITE PLAN

1/16" 1



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INDUSTRIAL BUILDING RE-ZONING
HEAVY INDUSTRIAL RE-ZONING
2201 LAFAYETTE ST.
SANTA CLARA, CA 95051

REVISIONS:

SHEET TITLE:
PROPOSED SITE PLAN

DATE: 02-09-2023 PROJECT NO. 23-1009
SCALE: AS SHOWN DRAWN: JH/TB

SHEET

A-10

OF SHEETS

| (N) PARKING COUNTS | | | | |
|--------------------|---------|----------|----------|----------|
| USE | RATIO | AREA(SF) | REQUIRED | PROPOSED |
| STORAGE | 1:2,000 | 9,991 | 5 | |
| HEAVY INDUSTRIAL | 1:1,000 | 13,022 | 13 | |
| TOTAL | | | 18 | 9 |

PROPOSED PARKING COUNT IS LESS THAN REQUIRED PER 2022 SANTA CLARA ZONING CODE, VARIANCE WILL APPLIED UNDER BUILDING PERMIT.

KEY NOTES

- 1 INSIDEWALK & DRIVEWAY PER CITY STANDARDS
- 2 (E) ACCESSIBLE PARKING
- 3 STREETLIGHT TO BE RELOCATED
- 3 STREETLIGHT TO BE RELOCATED



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INDUSTRIAL BUILDING RE-ZONING
HEAVY INDUSTRIAL RE-ZONING
 2201 LAFAYETTE ST.
 SANTA CLARA, CA 95051

REVISIONS:

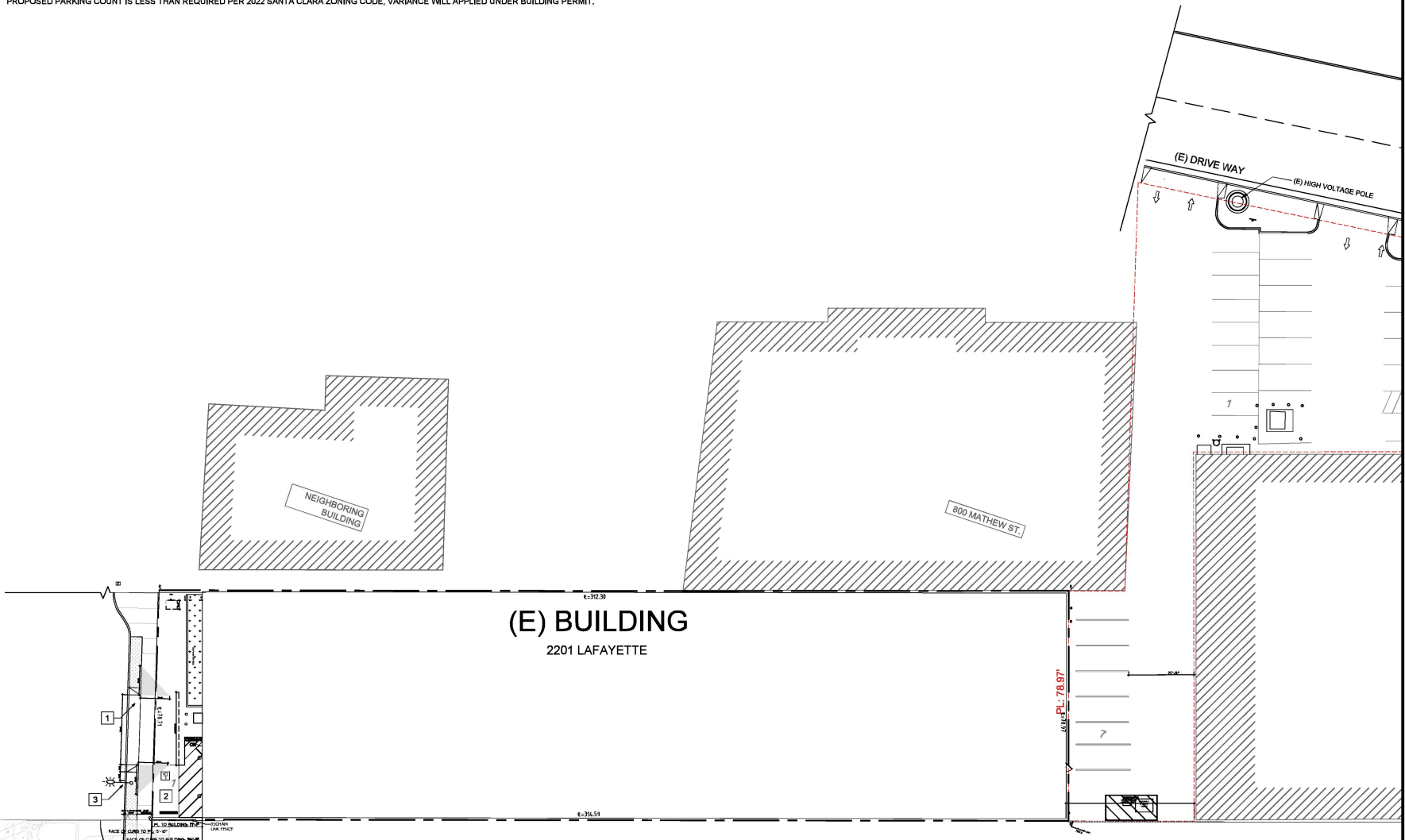
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SHEET TITLE:
 PROPOSED PARKING PLAN

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|---------------------|------------------------|
| DATE: 09-29-2023 | PROJECT NO. 23-1009 |
| SCALE: AS SHOWN | DRAWN: JH/TB |
| SHEET | |

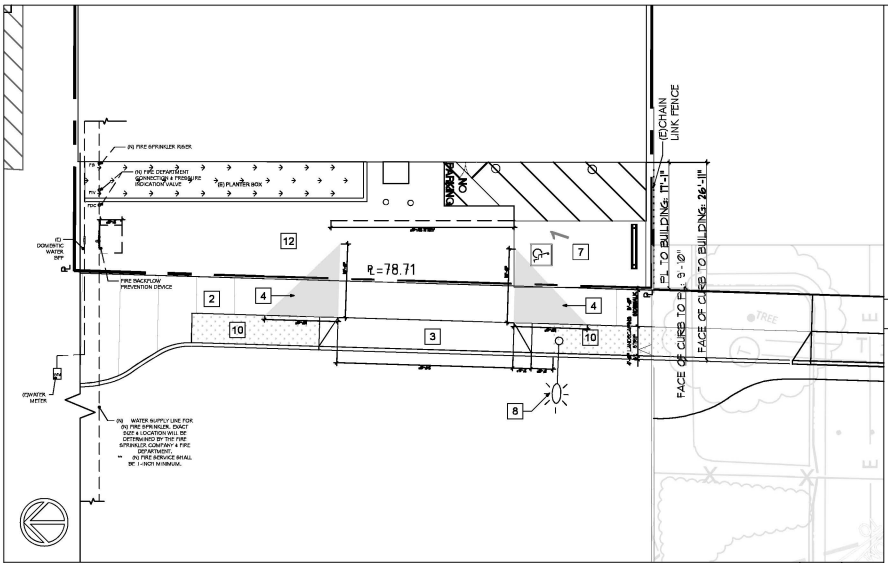
A-2.1

OF SHEETS



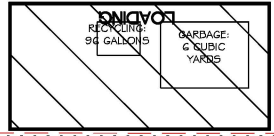
PROPOSED PARKING PLAN

1/16" 1



PROPOSED SITE PLAN

1/8" 3

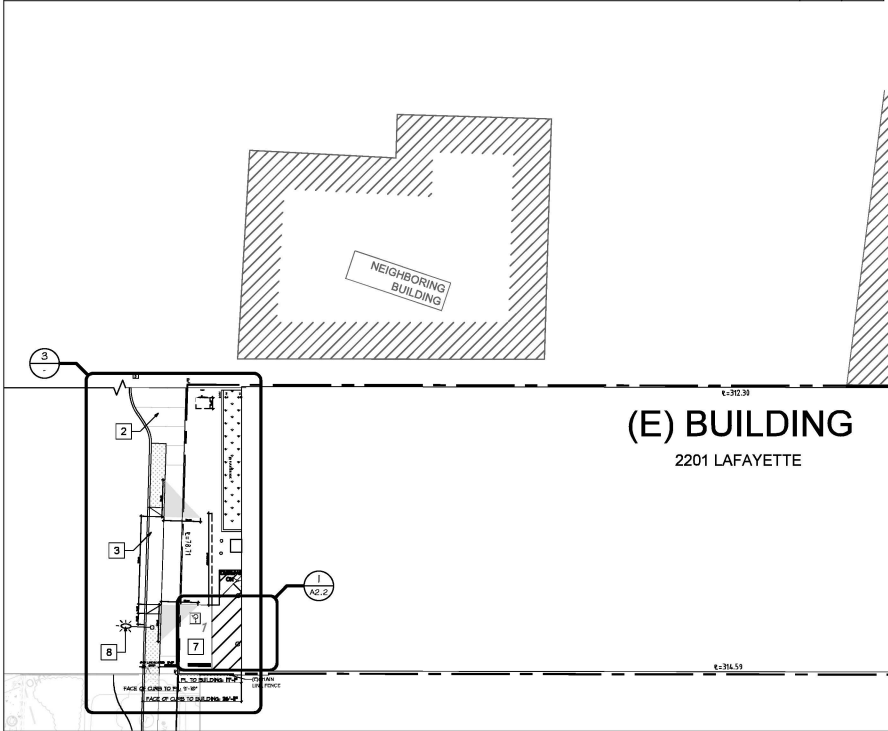


TRASH COLLECTION AREA

1/4" 2

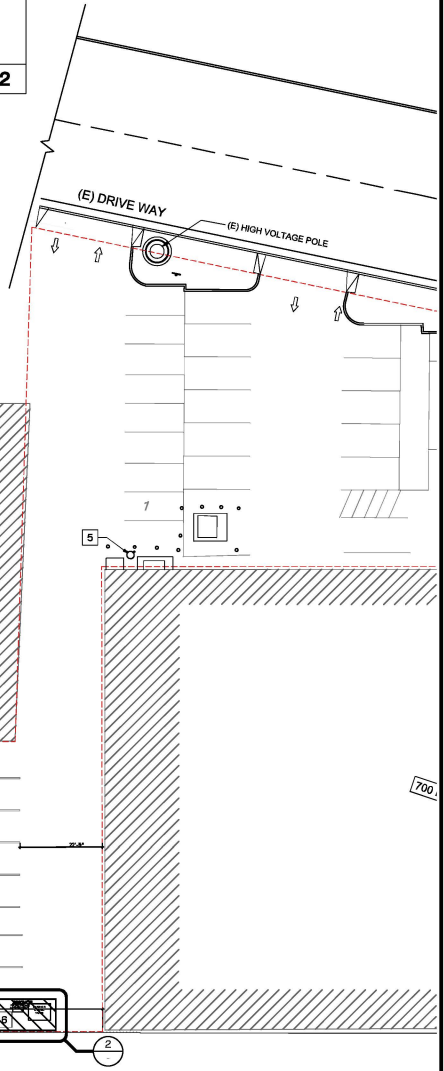
KEY NOTES

- | | |
|---|--------------------------|
| 1 (N) BIKE PARKING INSIDE THE BUILDING (SEE A-1.0) | 8 RELOCATED STREETLIGHT |
| 2 DEMOLISH EXISTING SIDEWALK AND REBUILD ACCORDING TO CITY STANDARDS IST-8.4 ST-1.2) AND MATCH NEIGHBORING PARCEL ON THE SOUTH SIDE. | 9 - |
| 3 (N) CONSTRUCT NEW DRIVEWAY PER CITY STANDARD DETAIL IST-8) | 10 (N) LANDSCAPING STRIP |
| 4 DRIVEWAY VISIBILITY CLEARANCE AREA (CITY STANDARDS DETAIL TR-9) | 11 - |
| 5 (N) PER AWWA TO BE SUBMITTED IN SEPARATE BUILDING FORMS, FIRE HYDRANT TO BE INSTALLED TO PROVIDE SPRINKLER WATER SUPPLY TO 2201 LAFAYETTE, EXACT LOCATION TO BE DETERMINED BY THE SCD | 12 (E) ASPHALT |
| 6 (N) TRASH COLLECTION AREA PER AGREEMENT WITH 700 MATHEW ST. GARBAGE: (1) 6 CUBIC YARD BIN RECYCLING: (1) 96 GALLON BIN | |
| 7 (E) ACCESSIBLE PARKING (A-2.2) | |



PROPOSED SITE PLAN

1/16" 1



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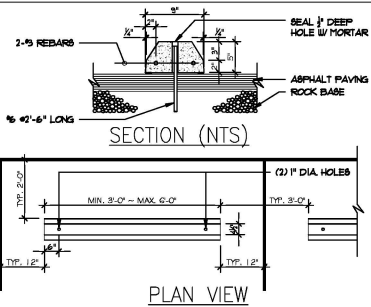
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SHEET TITLE:
PROPOSED SITE PLAN

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| DATE: 09-29-2023 | PROJECT NO. 23-1009 |
| SCALE: AS SHOWN | DRAWN: JH/TB |

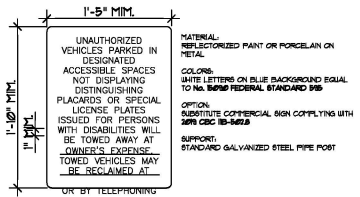
SHEET
A-1.1
OF SHEETS



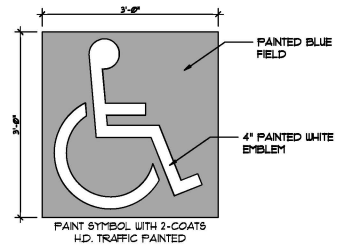
TYP. WHEEL STOP 1/2" 13



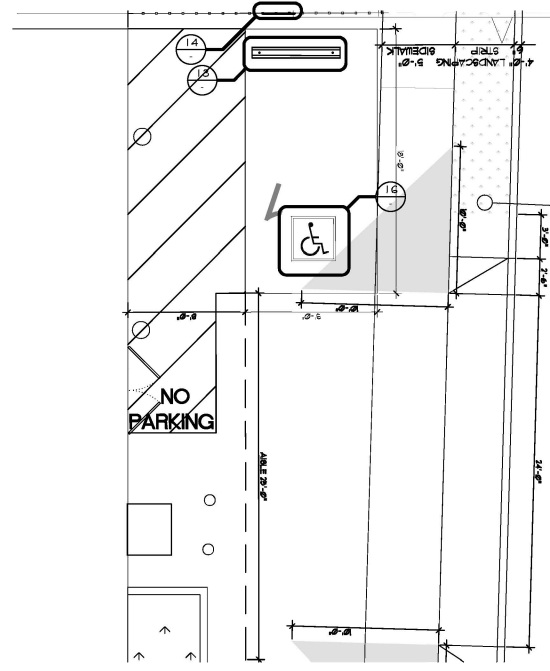
ACCESSIBLE PARKING SIGN 1.5" 14



TOW AWAY SIGN 1.5" 15



INTERNATIONAL ACC. SYMBOL 1" 16



(N)ADA PARKING DETAIL 1/4" 2

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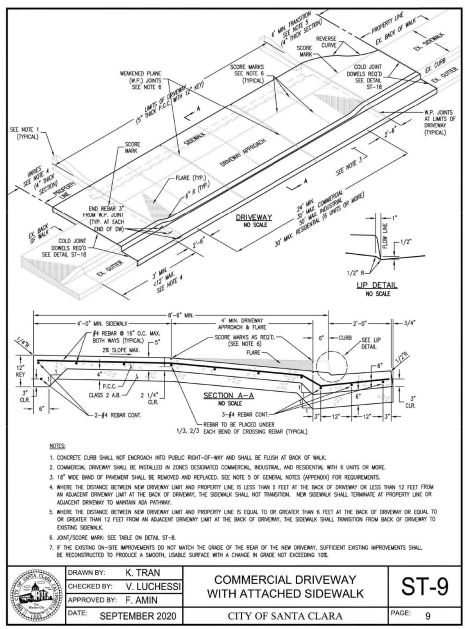
REVISIONS:

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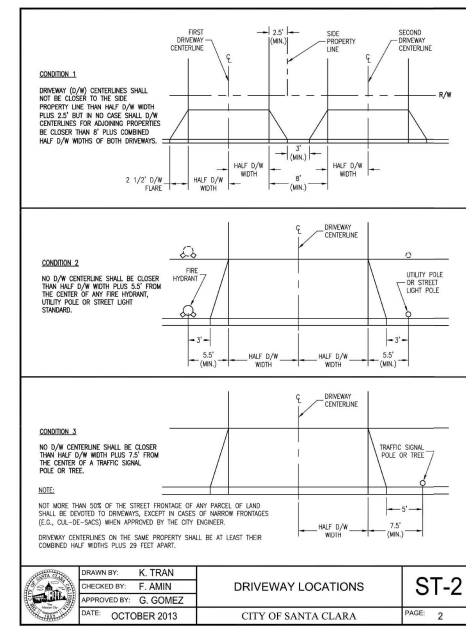
SHEET TITLE:
 (E)ACCESSIBLE PARKING
 AND SIGNAGE DETAILS

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| DATE: 02-09-2023 | PROJECT NO. 23-1009 |
| SCALE: AS SHOWN | DRAWN: JH/TB |

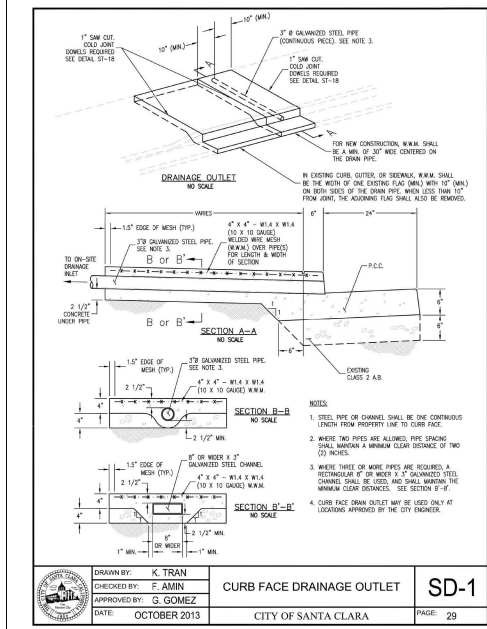
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A-2.2
 OF SHEETS



DRIVEWAY WITH SIDEWALK NTS -



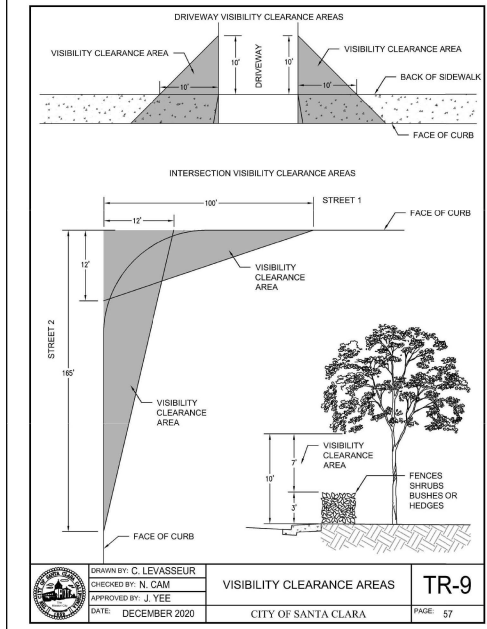
DRIVEWAY LOCATION NTS -



CURB FACE DRAINAGE OUTLET NTS -



DRIVEWAY WITH/WITHOUT SIDEWALK NTS -



VISIBILITY CLEARANCE AREAS NTS -

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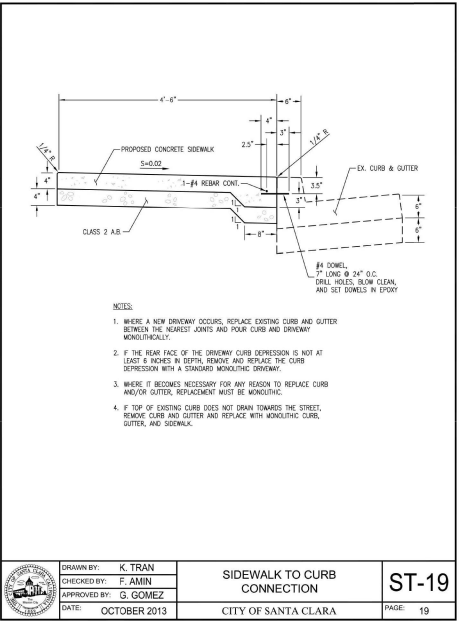
REVISIONS:

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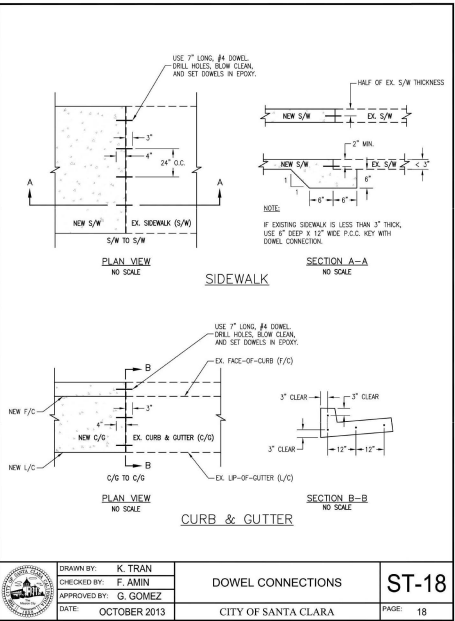
SHEET TITLE:
CITY STANDARD DETAILS

DATE: 09-29-2023 PROJECT NO: 23-1009
SCALE: AS SHOWN DRAWN: JH/TB
SHEET: A-2.3

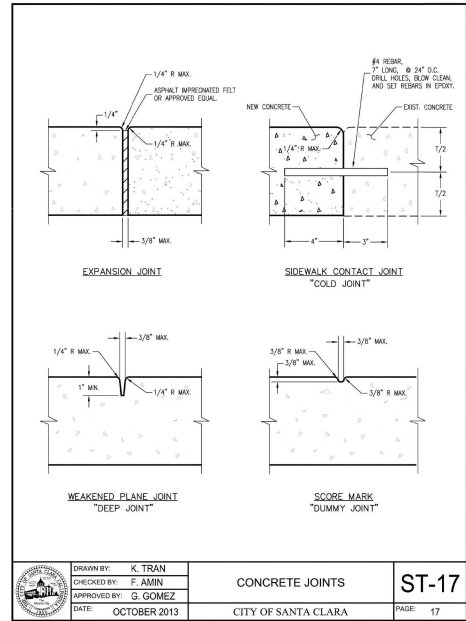
OF SHEETS



| | | | |
|--|-----------------------|-----------------------------|----------|
| | DRAWN BY: K. TRAN | SIDEWALK TO CURB CONNECTION | ST-19 |
| | CHECKED BY: F. AMIN | | |
| | APPROVED BY: G. GOMEZ | CITY OF SANTA CLARA | PAGE: 19 |
| | DATE: OCTOBER 2013 | | |



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|--|-----------------------|---------------------|----------|
| | DRAWN BY: K. TRAN | DOWEL CONNECTIONS | ST-18 |
| | CHECKED BY: F. AMIN | | |
| | APPROVED BY: G. GOMEZ | CITY OF SANTA CLARA | PAGE: 18 |
| | DATE: OCTOBER 2013 | | |



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|--|-----------------------|---------------------|----------|
| | DRAWN BY: K. TRAN | CONCRETE JOINTS | ST-17 |
| | CHECKED BY: F. AMIN | | |
| | APPROVED BY: G. GOMEZ | CITY OF SANTA CLARA | PAGE: 17 |
| | DATE: OCTOBER 2013 | | |

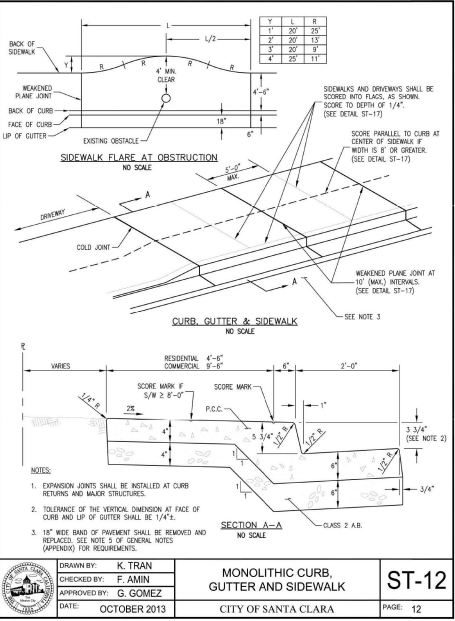
DRIVEWAY TO CURB - NTS -

DOWEL CONNECTION - NTS -

CONCRETE JOINT - NTS -



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| | DRAWN BY: K. TRAN | MONOLITHIC CURB, GUTTER AND SIDEWALK | ST-12 |
| | CHECKED BY: F. AMIN | | |
| | APPROVED BY: G. GOMEZ | CITY OF SANTA CLARA | PAGE: 12 |
| | DATE: OCTOBER 2013 | | |



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|--|-----------------------|---------------------|----------|
| | DRAWN BY: K. TRAN | CONCRETE JOINTS | ST-17 |
| | CHECKED BY: F. AMIN | | |
| | APPROVED BY: G. GOMEZ | CITY OF SANTA CLARA | PAGE: 17 |
| | DATE: OCTOBER 2013 | | |

CURB, GUTTER, SIDEWALK - NTS -

CONCRETE JOINT - NTS -

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408-369-2929

INDUSTRIAL BUILDING RE-ZONING
HEAVY INDUSTRIAL RE-ZONING
2201 LAFAYETTE ST.
SANTA CLARA, CA 95051

REVISIONS:

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SHEET TITLE:
CITY STANDARD DETAILS

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| DATE: 09-20-2013 | PROJECT NO: 23-1099 |
| SCALE: AS SHOWN | DRAWN: JH/TB |

SHEET: **A-2.4**

OF SHEETS

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 2201 LAFAYETTE BLVD.
 SANTA CLARA, CA 95051

REVISIONS:

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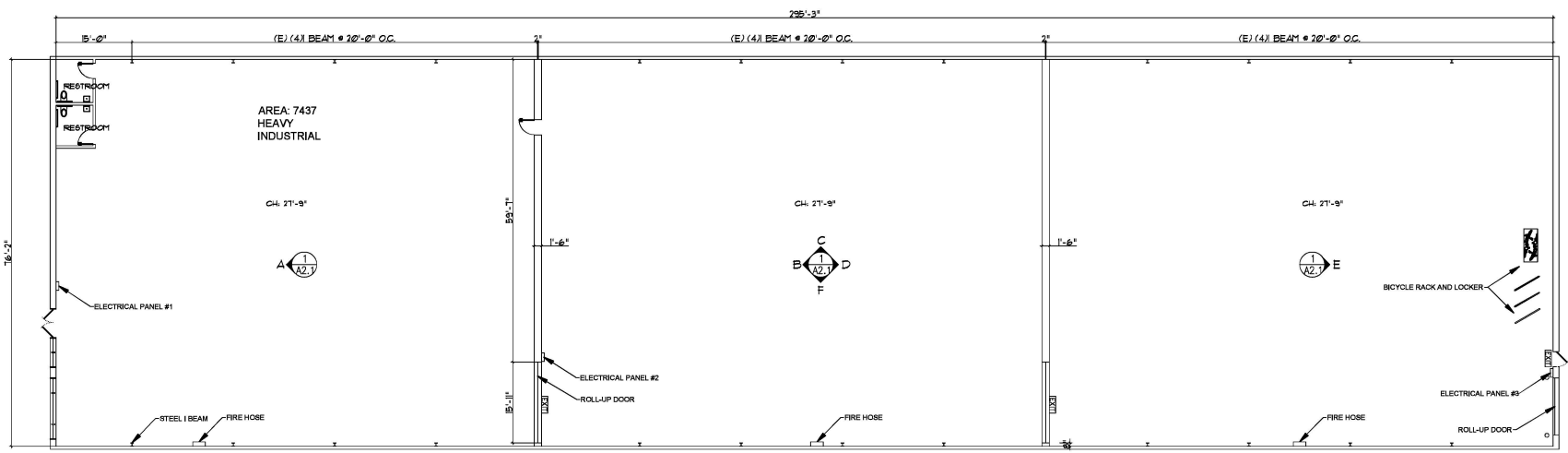
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 EXISTING BUILDING PLAN

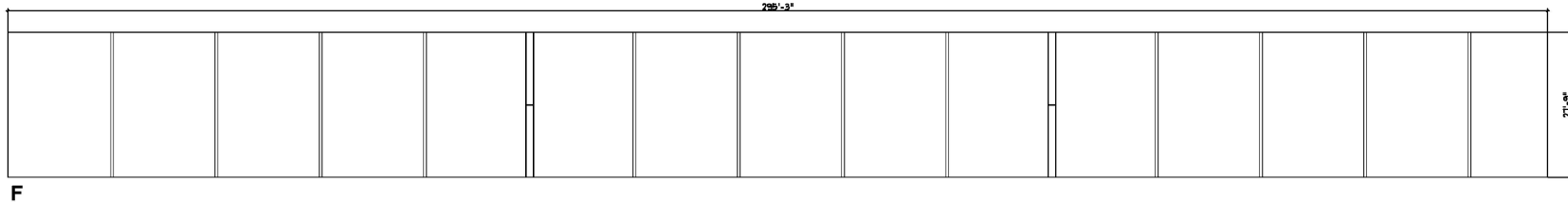
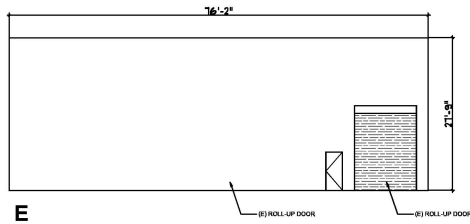
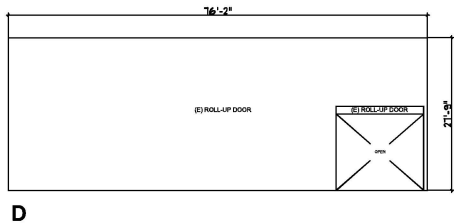
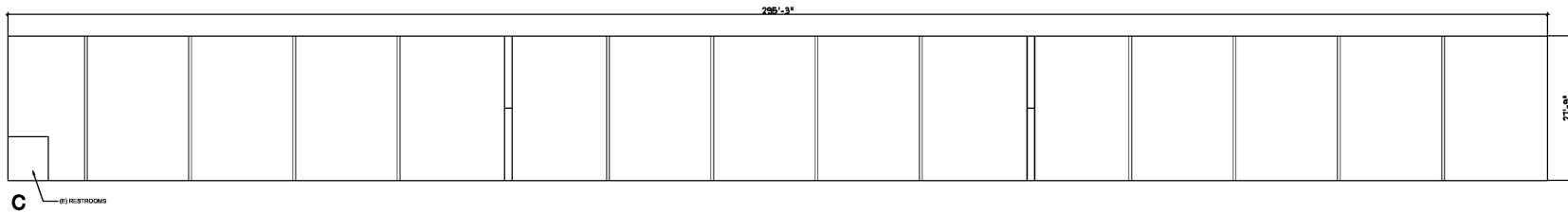
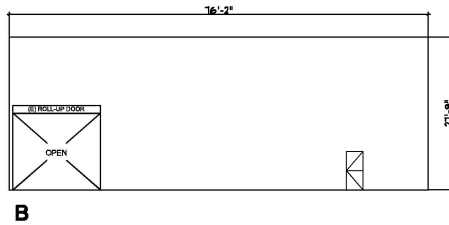
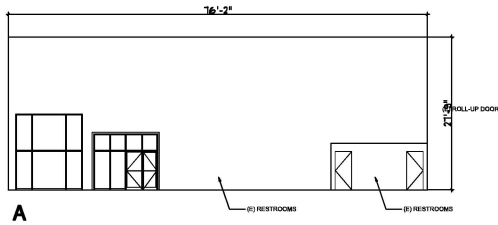
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| DATE: 02-05-2023 | PROJECT NO. 23-1009 |
| SCALE: AS SHOWN | DRAWN: JH/TB |

SHEET

A-4.0

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REVISIONS:

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SHEET TITLE:
 (E) BUILDING INTERIOR
 ELEVATIONS

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|---------------------|------------------------|
| DATE: 02-26-2023 | PROJECT NO. 23-1009 |
| SCALE: AS SHOWN | DRAWN: JH/TB |

SHEET

A-4.1



INDUSTRIAL BUILDING RE-ZONING
HEAVY INDUSTRIAL RE-ZONING
 2201 LAFAYETTE BLVD.
 SANTA CLARA, CA 95051

REVISIONS:

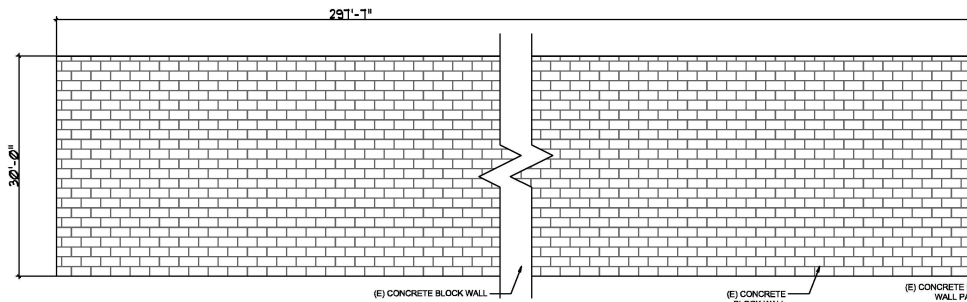
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SHEET TITLE:
(E)BUILDING EXTERIOR ELEVATIONS

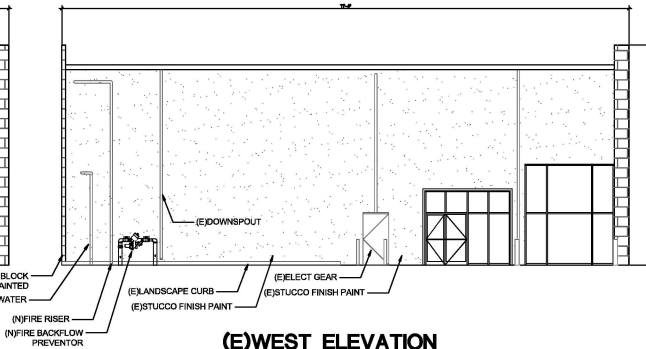
DATE: 02-09-2023 PROJECT NO: 23-1009
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 SHEET

A-4.2

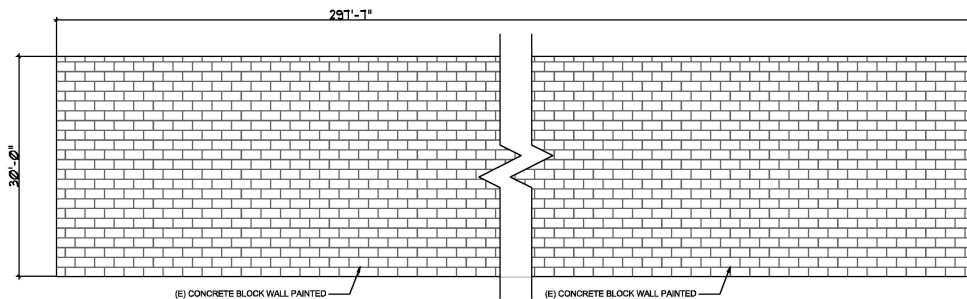
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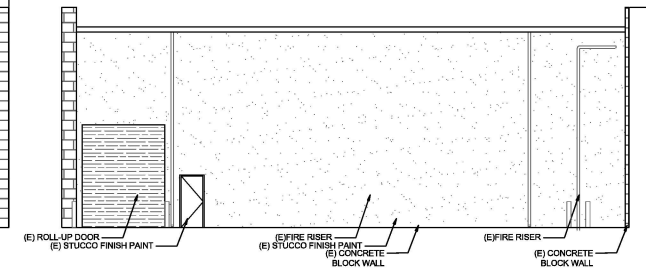
(E) SOUTH ELEVATION



(E) WEST ELEVATION



(E) NORTH ELEVATION



(E) EAST ELEVATION