

RESOLUTION NO. 23-9257

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT
TO CHANGE THE LAND USE DESIGNATION OF A 0.4-ACRE
PROJECT SITE LOCATED AT 2655 THE ALAMEDA, SANTA
CLARA, FROM NEIGHBORHOOD COMMERCIAL TO VERY
HIGH DENSITY RESIDENTIAL**

PLN22-00448 (General Plan Amendment and Rezoning)
SCH# 2023040354 (Mitigated Negative Declaration)

WHEREAS, on August, 10, 2022, Anjuli Habbas representing Kapital Alameda, LLC (“Owner”) filed an application for a General Plan Amendment in connection with development of a 0.4-acre vacant and unimproved parcel (APN: 230-12-012) located at 2655 The Alameda (“Project Site”);

WHEREAS, the General Plan Amendment proposes to change the existing land use designation for the Project Site from Neighborhood Commercial to Very High Density Residential (51 to 100 du/ac and ancillary retail/commercial uses);

WHEREAS, the Owner has simultaneously applied for a Rezone of the Project Site from Neighborhood Commercial (CN) to Planned Development (PD) to allow development of the Project Site with the construction of 1,500 square feet of retail/commercial uses and 39 multifamily dwelling units in a four-story structure with 46 subgrade and first floor parking spaces (38 auto and 8 motorcycle spaces), common open space, landscaping, and public and private on- and off-site improvements (“Project”);

WHEREAS, Santa Clara City Charter Section 1007 requires that the Planning Commission provide input to the City Council on any proposed General Plan Amendment;

WHEREAS, on July 13, 2023, the Planning Commission conducted a duly noticed public hearing to consider the Project, at the conclusion of which the Commission recommended to the City Council approval of the proposed General Plan Amendment;

WHEREAS, notice of the public hearing on the proposed General Plan Amendment was published in the *Weekly*, a newspaper of general circulation for the City, on June 21, 2023;

WHEREAS, on August 17, 2023 notices of the public hearing on the General Plan Amendment were posted in at least three conspicuous locations within 300 feet of the Project Site and mailed to property owners within the Old Quad District (an area greater than 1,000 feet in radius from the Project Site boundaries), according to the most recent assessor's roll;

WHEREAS, notice was mailed to each local agency expected to provide water, sewage streets, roads, schools, or other essential facilities or services to the project, including Valley Water and the Santa Clara Unified School District, on June 29, 2023;

WHEREAS, Government Code Section 65355 requires the City Council to hold a public hearing prior to adopting a General Plan Amendment;

WHEREAS, before considering the General Plan Amendment for the Project Site, the City Council reviewed and considered the information contained in the Mitigated Negative Declaration ("MND") for the Project (SCH# 2023040354);

WHEREAS, the City Council has reviewed the General Plan Amendment; and

WHEREAS, on August 29, 2023, the City Council has conducted a public hearing, at which time all interested persons were given an opportunity to give testimony and provide evidence in support of and in opposition to the proposed General Plan Amendment.

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. General Plan Amendment Findings. That the City Council finds and determines that the General Plan Amendment is in the interest of the public good for the following reasons:

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A. The proposed amendment is deemed to be in the public interest, in that:

The Project is located in an urbanized area served by existing infrastructure and municipal services. The Project would contribute 39 multi-family dwelling units to the City's housing stock in proximity to public transportation with ease of connection to local and regional transit facilities, as well as access to neighborhood commercial, public/quasi-public uses, and outdoor open space and recreation areas. The Project would provide 1,500 square feet of ancillary retail/commercial uses on the ground floor to serve the residents and surrounding community and reduce vehicle miles travelled with access to neighborhood goods and services. The General Plan Amendment to allow the mix of retail/commercial and residential development would facilitate affordable housing development and ancillary neighborhood retail/commercial uses on the Project Site through an increase in residential density and building height to make the Project economically feasible to construct. The building footprint and height allow the project to maximize open space and private use by the residents, while providing housing at a higher density, and includes common space that is available to the community.

B. The proposed General Plan Amendment is consistent and compatible with the rest of the General Plan and any implementation programs that may be affected, in that:

The Project would redevelop a vacant and unimproved parcel to construct 39 dwelling units and provide rental housing opportunities for individuals and families. The project would contribute to the City's type and tenure of housing and assist in achieving RHNA targets for the production of affordable housing units, as mandated by the State, by complying with the City's Affordable Housing Ordinance, which requires provision of a percentage of the housing units at affordable rental rates to lower income households and through the payment of in-lieu fees. The Project would lessen the jobs/housing imbalance in support of The City's General Plan Land Use and Housing goals and policies. Furthermore, the Project incorporates Transition Policies of the General Plan in site and building design to integrate into the community and would implement project conditions of approval to avoid and reduce impacts of development.

C. The proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA), in that:

A Mitigated Negative Declaration (“MND”) was prepared in accordance with CEQA and the City circulated the MND and Notice of Availability to the public agencies which have jurisdiction by law with respect to the Project, as well as property owners within 1,000 feet of the Project Site boundaries and interested persons and organizations; and the City sought the comments of such agencies, organizations and persons.

D. The potential impacts of the proposed General Plan Amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare, in that:

A Mitigation Monitoring and Reporting Program has been prepared for implementation with Project development to reduce potentially significant impacts identified in the MND to less than significant.

3. That the City Council, pursuant to Government Code §65358, hereby amends the General Plan by changing the General Plan Land Use Diagram for the Project Site to Very High Density Residential (51-100 du/ac and ancillary retail/commercial uses) to allow a mixed use development on the Project Site.

4. That the City Council hereby amends the General Plan by revising Figures 5.2-2 (“Land Use Diagram, Phase II”) and 5.2-3 (“Land Use Diagram, Phase III”) of Subsection 5.2.2 (“Land Use Classifications and Diagram”) of Section 5.2 (“Land Use Diagram”) of Chapter 5 (“Goals and Policies”) of the General Plan, to reflect the General Plan land use change.

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5. That based on the findings set forth in this Resolution and the evidence in the City Staff Report and such other evidence as received at the public hearing on this matter the City Council approves the General Plan Amendment.

6. 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 SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 29TH DAY OF AUGUST, 2023, BY THE FOLLOWING VOTE:

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

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

Attachments Incorporated by Reference: None