

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE TO APPROVE AN AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SANTA CLARA AND RELATED SANTA CLARA, LLC, FOR RELATED SANTA CLARA PROJECT LOCATED AT 5155 STARS AND STRIPES DRIVE, SANTA CLARA

Addendum to the City Place Santa Clara Environmental Impact Report (SCH #2014072078)
PLN24-00060 (General Plan Amendment, Rezoning, and Development Agreement Amendment)

WHEREAS, on January 31, 2024, Related Santa Clara, LLC (“Developer”), filed a development application to modify the approvals for a mixed-use development project on the approximately 240-acre City-owned site generally located north of Tasman Drive, east of Great America Parkway and San Tomas Aquino Creek, west of Guadalupe River, and south of State Route 237 (104-03-043, 104-03-042, 104-03-041, 104-03-036, 104-01-102, 097-01-039, and 097-01-073), most of which was formerly occupied by a landfill, Santa Clara Golf & Tennis Club, Fire Station 10, and is now occupied by a Bicycle-Motocross (BMX) track, the Ameresco Methane Plant, the Eastside retention Basin, and vacant lots (“Project Site”);

WHEREAS, on June 28, 2016, the City Council: certified the City Place Santa Clara Environmental Impact Report (“EIR”) [SCH #201472078] and adopted a set of CEQA Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program in accordance with the requirements of the California Environmental Quality Act (“CEQA”); adopted a General Plan Amendment changing the Project Site’s land use designation to Urban Center/Entertainment District and making corresponding text and figure changes throughout the General Plan; approved a rezoning of the Project Site to the Planned Development - Master Community (PD-MC) Zoning designation governed by the accompanying Master Community Plan (“MCP”) for the Related Santa Clara project (the “Approved Project,” previously known as

“City Place”); and approved a Development Agreement and a Disposition and Development Agreement to define the Developer’s obligations to develop the Approved Project and define terms for ground leasing the Project Site to the Developer;

WHEREAS, the Developer proposes to modify the Approved Project to allow a range of light industrial uses on Parcels 1 and 2 (APN 097-01-073 and 097-01-039) of the Project in conjunction with the already-approved office, retail, commercial, hotel, residential, and park and open spaces uses allowed throughout the Project Site without modifying the 9.16 million gross square feet of development or overall development intensities already allowed on the Project Site (the “Proposed Project”);

WHEREAS, the Zoning amendment proposes a text amendment to revise the permitted uses under the PD-MC Zoning designation to include a range of light industrial uses as permitted or conditionally permitted uses within that Zoning district and would add a new “Scheme C” land use scenario to the MCP and is more particularly described in the MCP Scheme C Supplement;

WHEREAS, the Developer has simultaneously applied to amend the General Plan land use designation applicable to the Project Site to allow for a range of light industrial uses within the Urban Center/Entertainment District, and the Planning Commission has recommended approval of that General Plan Amendment, in a separate instrument (the “General Plan Amendment Resolution”);

WHEREAS, the Developer has also requested to amend its existing Development Agreement (“DA”) with the City to incorporate provisions related to the Proposed Project, and City staff have negotiated and recommended a draft DA Amendment, which is attached hereto and incorporated by this reference;

WHEREAS, California Government Code Sections 65864 through 65869.5 (“Development Agreement Act”) authorize cities to enter into binding development agreements with any person having legal or equitable interest in real property regarding the development of such property, and these agreements govern the development of the property; and

WHEREAS, in order to ensure that all potential environmental impacts of the Proposed Project were thoroughly analyzed, the City caused an Addendum to the City Place Santa Clara EIR (“Addendum”) to be prepared in accordance with CEQA Guidelines Section 15164;

WHEREAS, the Project approvals will include amending the General Plan land use designation applicable to the Project Site to allow for a range of light industrial uses within the Urban Center/Entertainment District and a Zoning amendment for a text amendment to revise the permitted uses under the PD-MC Zoning designation to include a range of light industrial uses as permitted or conditionally permitted uses within that Zoning district and would add a new “Scheme C” land use scenario to the MCP;

WHEREAS, before considering the Development Agreement, the Planning Commission reviewed and considered the information contained in the Addendum to the EIR;

WHEREAS, Government Code Section 65867 and Santa Clara City Code § 17.10.120 requires the Planning Commission to hold a public hearing before making a recommendation on the approval of a Development Agreement;

WHEREAS, on May 21, 2025, a notice of public hearing on the proposed Development Agreement was published in the *Santa Clara Weekly*, a newspaper of general circulation for the City;

WHEREAS, on May 21, 2025, the notice of public hearing for the June 11, 2025, Planning Commission Hearing on the DA Amendment was mailed to all property owners within 1,000 feet of the Project Site boundaries;

WHEREAS, on May 30, 2025, notice of the June 11, 2025 Planning Commission hearing was mailed to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project, including the Santa Clara Unified School District;

WHEREAS, on June 11, 2025, the Planning Commission held a duly noticed public hearing to consider the Proposed Project, Addendum to the City Place Santa Clara EIR, MMRP, and all pertinent information in the record during which the Planning Commission invited and considered

any and all verbal and written testimony and evidence offered in favor of and in opposition to the Proposed Project,

WHEREAS, pursuant to SCCC Section 18.146.020, on May 29, 2025, notices of the Planning Commission Hearing on May 21, 2025, were posted at City Hall, the Central Park Library, the Mission Branch Library, the Northside Branch Library, and on the City's website; and

WHEREAS, on June 11, 2025, the Planning Commission held a duly noticed public hearing to consider the Project, Addendum to the City Place Santa Clara EIR, MMRP, and all pertinent information in the record during which the Planning Commission invited and considered any and all verbal and written testimony and evidence offered in favor of and in opposition to the Proposed Project, including the Development Agreement Amendment that is the subject of this Resolution.

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

1. The Planning Commission hereby finds and determines that the forgoing recitals are true and correct and by reference makes them a part hereof.
2. Pursuant to Government Code Sections 65867 and 65867.5, the Planning Commission hereby finds that the provisions of the DA Amendment are consistent with the General Plan, for the reasons set forth in the General Plan Amendment Resolution.
3. The Planning Commission hereby finds and determines that the DA as amended complies with all requirements of Government Code Section 65865.2, (requiring a development agreement to state permitted uses of the property, the density or intensity of use, the maximum height and size of proposed buildings and provisions for reservation or dedication of land for public purposes) in that as set forth in Section 6.1 of the DA as amended, the terms and conditions of the DA as amended, the Development Requirements and any Subsequent Project Approvals (as those terms are defined in the DA) control the overall design, development and construction of the Project, which controls include the following:

- a. The DA as amended specifies the duration of the agreement in section 1.4: 30 years, subject to force majeure extensions;
- b. The DA as amended specifies the permitted uses of the property in Recital “D”: retail, restaurants, entertainment, hotels, residential, offices, and light industrial uses;
- c. The DA as amended specifies the residential density in the attachment: up to 1680 dwelling units on Parcels 4 and 5, which together comprise 94.6 acres, for a maximum possible density of 17.75 dwelling units per acre;
- d. The DA as amended specifies the intensity of use, in Recital D: Under Schemes A and B, 9,160,000 square feet of development comprising 1,526,000 sf of retail/restaurant/entertainment, 700 hotel rooms, 1680 residential units, and 5,724,400 sf of office;
- e. The First Amendment to the DA further specifies the intensity of use, in Recital B: Under Scheme C, 4,517,400 sf of office, 800,000 sf of retail/restaurant/entertainment, 1,600,000 sf of light industrial, 700 hotel rooms, and 1,680 dwelling units and, as provided in the MCP, as amended, any amount of permitted office use within the City Center Mixed-Use District (Parcels 4 and 5) under Scheme C may be swapped out for an equivalent square footage of retail space, subject to approval through the DAP process, or if a DAP has already been approved, then subject to approval through the Architectural Review process;
- f. The DA as amended specifies the maximum height of proposed buildings through reference to the Development Requirements as set forth in the MCP as amended, which establishes a maximum building height consistent with ALUC regulations and Federal Aviation hazard limits pursuant to FAA Federal Aviation Regulations, FAR Part 77 criteria;

- g. The DA as amended specifies the maximum size of proposed buildings by in the attachment by identifying the property as having a land use designation of “Urban Center/Entertainment District,” which has a maximum Floor Area Ratio of either 1.0 or 2.0:
- h. The DA as amended includes provisions for reservation or dedication of land for public purposes in Recital “D”: a community park in excess of 30 acres.

4. The Planning Commission hereby recommends that the City Council approve and adopt the DA Amendment.

5. 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 PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 11 TH DAY OF JUNE 2025, BY THE FOLLOWING VOTE:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAINED:	COMMISSIONERS:

Attachments Incorporated by Reference:
1. Development Agreement Amendment

ATTEST: _____
AFSHAN HAMID
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA