

**RESOLUTION NO. 18-8526**

**A RESOLUTION OF THE CITY OF SANTA CLARA,  
CALIFORNIA APPROVING THE VESTING TENTATIVE  
SUBDIVISION MAP FOR THE PROPERTY LOCATED AT 1375,  
1385, AND 1399 EL CAMINO REAL, SANTA CLARA TO DIVIDE  
THE 2.23 ACRE PROJECT SITE INTO 10 LOTS.**

PLN2017-12726 (Rezone)  
PLN2017-12728 (Vesting Tentative Map)  
CEQ2017-01045 (Mitigated Negative Declaration)

**BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

**WHEREAS**, on June 30, 2017, SCS Development ("Applicant") filed an application for the 2.23 acres site located at 1375, 1385, and 1399 El Camino Real currently occupied by four, one-story commercial buildings totaling approximately 28,000 square feet of floor area and surface parking lots ("Project Site");

**WHEREAS**, the Applicant has simultaneously applied to rezone the Project Site from Thoroughfare Commercial (CT) to Planned Development (PD) to allow a residential development consisting of 54 townhouse units, including 8 live-work units ("Project") as shown on the Development Plans, attached hereto and incorporated herein by this reference;

**WHEREAS**, pursuant to the California Environmental Quality Act (CEQA), and the regulations implementing the Act, specifically 14 Cal. Code of Regs § 15070, this Project was determined after an Initial Study to identify potentially significant effects on the environment which could be avoided with the implementation of mitigation measures, resulting in the drafting of a Mitigated Negative Declaration ("MND") and Mitigation Monitoring and Reporting Program ("MMRP");

**WHEREAS**, pursuant to Section 17.05.300 of the Code of the City of Santa Clara ("SCCC"), a tentative subdivision map shall be required for all divisions of land into five or more parcels;

**WHEREAS**, consistent with the proposed uses under the development plan, the proposal includes the division of the site into 10 parcels, as shown on Exhibit "Vesting Tentative Map" and attached hereto by this reference;

**WHEREAS**, on March 6, 2018, the Subdivision Committee determined that the application was complete and that the subdivision map be reviewed by the Planning Commission and the City Council in conformance with Section 17.05.700 of the SCCC as a Vesting Tentative Map along with the project;

**WHEREAS**, Section 17.05.700 (d) of the SCCC requires that the City conduct a public hearing before considering the approval of a Vesting Tentative Subdivision Map for the division of land;

**WHEREAS**, notice of the public hearings on the Vesting Tentative Subdivision Map was published in the *Santa Clara Weekly*, a newspaper of general circulation for the City, on April 25, 2018;

**WHEREAS**, on May 11, 2018, notices of the public hearing on the Vesting Tentative Subdivision Map were posted at three conspicuous locations within 300 feet of the Project Site and were mailed to all property owners within 1,000 feet of the Project Site;

**WHEREAS**, before considering the Vesting Tentative Map, the City Council reviewed and considered the information contained in the Mitigated Negative Declaration ("MND") for the Project and Mitigation Monitoring and Reporting Program, and found that the mitigation measures identified and incorporated into the Project and this Vesting Tentative Map, mitigate or avoid the significant environmental effects; and,

**WHEREAS**, the City Council has reviewed the Vesting Tentative Map and conducted a public hearing on May 22, 2018, at which time all interested persons were given an opportunity to provide testimony and the Council considered the information presented in the staff report and all verbal and written evidence.

**NOW THEREFORE, BE IT FURTHER 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. That this Resolution incorporates, and by this reference makes a part hereof, that certain Vesting Tentative Map, attached hereto as Exhibit "Vesting Tentative Map".

3. Tentative Map Findings. Pursuant to California Government Code Sections 66426 and 66428 and SCCC Section 17.05.300(g), the City Council finds and determines that:

A. The Tentative Map is consistent with the objectives, policies, general land use and programs specified in the City's General Plan in that the proposed Vesting Tentative Map is to allow the development of townhouse units, including live-work units, with associated parking, landscaping and site improvements. The project proposes a density of 24 dwelling unit per acre, consistent with the site's Community Mixed Use General Plan designation. The project is also consistent with the El Camino Real Focus Area policies.

B. The design and improvements of the proposed subdivision are consistent with the City's General Plan in that the Vesting Tentative Subdivision Map is subject to the conditions set forth in Exhibit "Conditions of Approval - Map", attached hereto and incorporated by this reference.

C. The site is physically suitable for the proposed type of development in that the project is designed to provide high quality housing that is designed to be consistent with the ongoing and proposed development along El Camino Real. Moreover, the project is designed to retain the contextual consistency of the corridor.

D. This site is physically suitable for the proposed density of development in that the Project Site is located in an urbanized area and allows for redevelopment consistent with the height, uses and development that are existing and planned in the surrounding area.

E. The design of the subdivision and type of improvements are not likely to cause serious health problems in that the site is surrounded by residential development and does not propose the use of hazardous chemicals or 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 is located in an urbanized setting, on a previously developed site, and includes mitigation measures, as identified in the Mitigated Negative Declaration, that reduce impacts to wildlife habitat 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, the project is designed to avoid encroachments and conflicts with public easements in the site design.

H. The Vesting Tentative 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.

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

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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 CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 22<sup>nd</sup> DAY OF MAY 2018, BY THE FOLLOWING VOTE:

AYES: COUNCILORS: Davis, Kolstad, Mahan, O'Neill, and Watanabe and Mayor Gillmor

NOES: COUNCILORS: None

ABSENT: COUNCILORS: None

ABSTAINED: COUNCILORS: None

ATTEST:   
For JENNIFER YAMAGUMA  
ACTING CITY CLERK  
CITY OF SANTA CLARA

Attachments Incorporated by Reference:

1. Conditions of Vesting Tentative Subdivison Map Approval
2. Vesting Tentative Map

## CONDITIONS OF TENTATIVE MAP APPROVAL

In addition to complying with all applicable codes, regulations, ordinances and resolutions, the following **conditions of approval** are recommended:

### **COMMUNITY DEVELOPMENT**

- C1. Submit plans for final architectural review to the Planning Division for Architectural Committee review and approval prior to issuance of building permits. Said plans to include, but not be limited to: site plans, floor plans, elevations, landscaping, lighting, signage, and stormwater management plan.

### **ATTORNEY'S OFFICE**

- A1. The Developer agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed by a third party against the City by reason of its approval of developer's project.

### **ENGINEERING**

- E1. Obtain site clearance through Engineering Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Engineering Department at (408) 615-3000 for further information.
- E2. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be included within a Single Encroachment Permit issued by the City Engineering Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.
- E3. Submit public improvement plans prepared in accordance with City Engineering Department procedures which provide for the installation of public improvements. Plans shall be prepared by a Registered Civil Engineer and approved by the City Engineer prior to approval and recordation of parcel map and/or issuance of building permits.
- E4. Developer shall provide a complete storm drain study for the 10-year and 100-year storm events. The grading plans shall include the overland release for the 100-year storm event and any localized flooding areas. System improvements, if needed, will be at developer's expense.
- E5. The sanitary sewer (SS) mains serving the site not included in the Sanitary Sewer Hydraulic Model along property's Civic Center frontage were monitored in the field by the developer. The field monitoring information along with the SS discharge information submitted by the developer were analyzed by developer's Civil Engineer and determined that said SS mains currently have enough conveyance capacity to accommodate the proposed development. The Civil Engineer's results may change based on pending development applications and future projects. The Civil Engineer's results do not guarantee or in any way reserve or hold SS conveyance capacity until the Developer has final approval for the project.
- E6. Relocate existing public Sanitary Sewer main along El Camino Real, as required, to provide sufficient clearance from proposed trees and existing and proposed utilities (8' min from utilities).
- E7. Abandoned sanitary sewer main shall be removed, and not abandoned in place.
- E8. Due to the close proximity of the existing water main to the proposed to be abandoned 18" storm drain (SD) main, the SD main may be abandoned in place by filling it with control density fill (CDF) and capping both ends with a wall of 6" thick Portland cement concrete.
- E9. After City Council approval of the Tentative Subdivision, submit 10 copies of the Final Map, prepared by a Licensed Land Surveyor or a Registered Civil Engineer with Land Surveyor

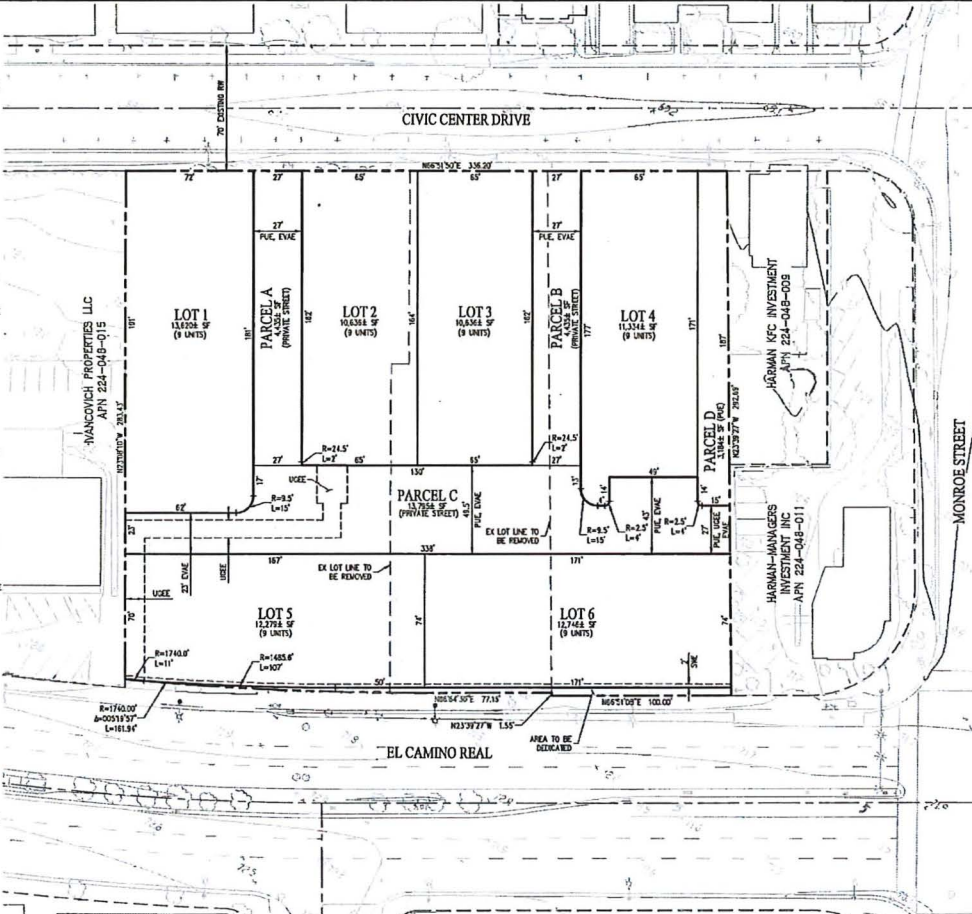
privileges to the Engineering Department. The submittal shall include a title report, closure calculations, and all appropriate fees. The City approved Final Map shall be recorded by developer prior to building permit issuance.

- E10. File and record Final Map for proposed development and pay all appropriate fees prior to issuance of the Building Permit.
  - E11. Sanitary sewer and storm drain mains and laterals shall be outside the drip line of mature trees or 10' clear of the tree trunk whichever is greater
  - E12. Proposed trees shall be 5' minimum clear of sidewalks. Provide root barrier if trees are planted such that the drip line of the mature trees covers the sidewalk. Root barriers for sidewalk protection shall be 16' long or extend to drip line of the mature tree, whichever is greater, and be 1.5' deep, and centered on trees. Root barriers for curb and gutter protection shall be 16' long or extend to drip line of the mature tree, whichever is greater, and be 2' deep, and centered on trees.
  - E13. Damaged curb, gutter, and sidewalk within the public right-of-way along property's frontage shall be repaired or replaced (to the nearest score mark) in a manner acceptable to the City Engineer or his designee. The extents of said repair or replacement within the property frontage shall be at the discretion of the City Engineer or his designee.
  - E14. Slurry seal entire width of Civic Center Drive fronting the subject property.
  - E15. Dedicate, as required on-site easements for new public utilities and/or sidewalk by means of a Subdivision Map or approved instrument at time of development.
  - E16. File and record Subdivision Map for proposed development and pay all appropriate fees prior to Building Permit issuance.
  - E17. All proposed on-site driveways and paths shall accommodate fire truck/engine turning template.
  - E18. All traffic striping, messages, and symbols shall be thermoplastic.
  - E19. Existing non-standard or non-ADA compliant frontage shall be replaced with current City-standard frontage improvements.
  - E20. All proposed walkway, sidewalk, driveways, and curb ramps shall be ADA compliant.
  - E21. Provide ADA compliant walkway connecting proposed buildings to public sidewalks.
  - E22. Show and comply with City's driveway vision triangle requirements at proposed driveway. Visual obstructions over three feet in height will not be allowed within the driver's sight triangle near driveways and intersections in order to allow an unobstructed view of oncoming traffic. Contact Traffic Engineering at (408) 615-3000 for further information.
  - E23. Provide minimum 5' wide sidewalk with 4' wide landscape strip along the Civic Center Drive frontage.
  - E24. Provide minimum 10' wide separated sidewalk with 4' wide landscape strip along El Camino Real frontage.
  - E25. Provide residential access from both El Camino Real and Civic Center Drive frontages.
  - E26. On-street parking shall not be counted towards on-site parking requirements.
- Show existing T-markers (City street parking) on Civic Center Dr. Remove existing T-markers (on-City street parking) that will be in conflict with proposed driveways.

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# GENERAL NOTES

- ASSESSORS PARCEL NO. 224-014-002, -013, AND -012
- SITE AREA: GROSS: 2.264 ACRES  
NET: 2.238 ACRES
- LOTS: RESIDENTIAL: 6 (LOTS 1-6), PRIVATE ROADWAY CIRCULATION: 3 (PARCEL A-C)  
WATER QUALITY: 1 (PARCEL B)
- DWELLING UNITS: 54
- SITE COORDINATE: 23.89 DU/AC (GROSS)  
24.72 DU/AC (NET)
- EXISTING GENERAL PLAN: COMMUNITY MIXED USE  
PROPOSED GENERAL PLAN: COMMUNITY MIXED USE
- EXISTING ZONING: UNDEVELOPED COMMERCIAL (C1)  
PROPOSED ZONING: PLANNED DEVELOPMENT (PD)
- EXISTING LAND USE: COMMERCIAL/OPEN SPACE  
PROPOSED LAND USE: RESIDENTIAL/JOHN WOOD
- EDICOMARK: CITY OF SANTA CLARA E-1  
EL CAMINO REAL & MONROE ST. INTERSECTION CORNER, ORIGINATED CROSS ON TOP OF SOUTHEAST BOLT OF TRAFFIC SIGNAL POLE BASE. (RESET 1997)
- BASES OF BEARING: MONUMENT LINE, "B-LINE," OF EL CAMINO REAL TAKEN AS NEARLY TRUE FOR THE  
"RECORD OF SURVEY OF THE RIGHT OF WAY ALONG ROUTE 82 AT POST VALLS  
11.5-12.5", RECORDED IN BOOK 736 PAGE 37, SANTA CLARA RECORDS.
- EXISTING STRUCTURES: ALL EXISTING BUILDINGS, PAVEMENT, AND TREES WITHIN THE PROJECT  
BOUNDARY TO BE REMOVED.
- EXISTING UTILITIES: EXISTING UTILITIES WITHIN BOUNDARY TO BE REMOVED AS NOTED.
- STREETS: ALL DRIVE ALLEYS WITHIN THE PROJECT WILL BE PRIVATE AND WILL BE  
PRIVATELY MAINTAINED. (HARMAN LONGSTRENGTH, SLOPE=0.5%)
- TREES: STREET TREES WILL BE INSTALLED PER THE CITY OF SANTA CLARA STANDARDS.  
(OR APPROVED EQUIVA.)
- STREET LIGHTS: STREET LIGHTS WILL BE INSTALLED PER THE CITY OF SANTA CLARA STANDARDS  
(OR APPROVED EQUIVA.)
- WALLS: ALL WALLS WILL BE PRIVATELY OWNED AND PRIVATELY MAINTAINED.
- PRIVATE UTILITIES: PROPOSED STORM DRAIN, SEWER AND WATER FACILITIES WILL BE PRIVATE  
FACILITIES AND WILL BE PRIVATELY MAINTAINED BY THE HOMEOWNER'S  
ASSOCIATION.
- LANDSCAPING: ALL LANDSCAPING WITHIN PROJECT BOUNDARY WILL BE PRIVATELY OWNED AND  
MAINTAINED.
- FLOOD ZONE: ZONE 2: AREAS DETERMINED TO BE OUTSIDE THE 425 ANNUAL CHANCE  
FLOODPLAIN  
SOURCE: FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE  
RATE MAP, MAP NUMBER 1500002227H  
DATE: MAY 15, 2009
- WELLS ON-SITE: NONE
- UTILITIES: PRIVATE  
WATER: PRIVATE  
SEWER: PRIVATE  
STORM DRAIN: PRIVATE  
GAS: PRIVATE  
ELECTRIC: SUTON VALLEY POWER  
TELEPHONE: ARIET  
CABLE TV: COMCAST  
USE: UNDERGROUND ELECTRICAL EXISTENCE TO BE EXCLUSIVE OF PUE AND DEFINED  
ON THE FINAL MAP
- PHASING: PROJECT MAY BE CONSTRUCTED IN PHASES
- DEMOSIONS: ALL DEMOSIONS ARE PRELIMINARY AND SUBJECT TO FINAL MAP
- CONDOMINIUM MAP: A CONDOMINIUM MAP WILL BE RECORDED FOR THE RESIDENTIAL LOTS. THE  
SUBDIVISION IS A CONDOMINIUM PROJECT AS DEFINED IN SECTIONS 4129 AND  
4385 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND FILED PURSUANT  
TO THE SUBDIVISION MAP ACT.



VICINITY MAP  
NOT TO SCALE

## CONTACTS:

- OWNER/DEVELOPER: SCS DEVELOPMENT  
431 SARATOGA AVENUE, SUITE 100  
SANTA CLARA, CA 95050  
(408) 988-0020  
CORY RUSCH
- ENGINEER: CARLSON, BARBEE & GIBSON, INC.  
2533 CAMINO RAYON, SUITE 330  
SAN JOSE, CALIFORNIA 95063  
(408) 468-0322  
COLT ALVAREZ, P.E. 75740
- SOILS ENGINEER: QUANTUM GEOLOGICAL, INC.  
6188 SAN JOSE AVE, SUITE B  
SAN JOSE, CA 95119  
(408) 423-3822  
SMITH MAXWELL, P.E. GE, GSD

## ABBREVIATIONS

|      |                                                                                       |
|------|---------------------------------------------------------------------------------------|
| BD   | BOUNDARY                                                                              |
| CL   | CENTERLINE                                                                            |
| DU   | DWELLING UNIT                                                                         |
| EAVE | EMERGENCY VEHICLE ACCESS EASEMENT                                                     |
| FC   | FACE OF CURB                                                                          |
| HSA  | HOMEOWNERS ASSOCIATION                                                                |
| L    | LENGTH                                                                                |
| LS   | LANDSCAPE                                                                             |
| PL   | PROPERTY LINE                                                                         |
| PUE  | PUBLIC UTILITY EASEMENT                                                               |
| R    | RADIUS                                                                                |
| FW   | FRONT-OF-WAY                                                                          |
| SW   | SQUARE FEET                                                                           |
| SWE  | SEWER                                                                                 |
| UOE  | UNDERGROUND ELECTRICAL EXISTENCE<br>(TO BE EXCLUSIVE OF PUE AND DEFINED ON FINAL MAP) |

## SHEET INDEX

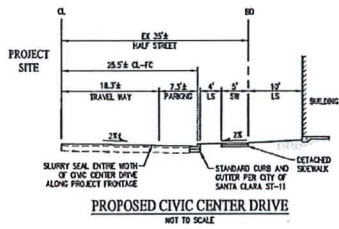
| SHEET NO. | DESCRIPTION                           |
|-----------|---------------------------------------|
| C-1       | LOTING PLAN                           |
| C-2       | EXISTING CONDITIONS PLAN              |
| C-3       | PRELIMINARY SITE PLAN                 |
| C-4       | PRELIMINARY GRADING AND DRAINAGE PLAN |
| C-5       | PRELIMINARY UTILITY PLAN              |
| C-6       | PRELIMINARY STORMWATER CONTROL PLAN   |
| C-7       | FIRE ACCESS PLAN                      |
| C-8       | OPEN SPACE EXHIBIT                    |

## LEGEND

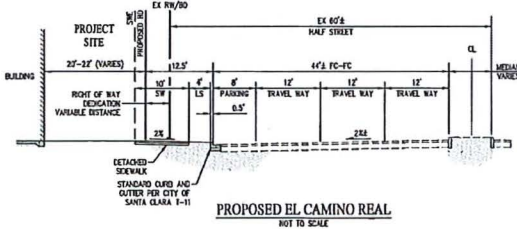
| PROPOSED | DESCRIPTION   |
|----------|---------------|
| ---      | BOUNDARY      |
| ---      | EASEMENT      |
| ---      | PROPERTY LINE |
| ---      | RIGHT-OF-WAY  |

# VESTING TENTATIVE MAP FOR CONDOMINIUM PURPOSES LOTING PLAN CATALINA

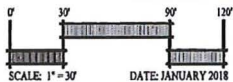
CITY OF SANTA CLARA SANTA CLARA COUNTY CALIFORNIA



PROPOSED CIVIC CENTER DRIVE  
NOT TO SCALE



PROPOSED EL CAMINO REAL  
NOT TO SCALE



DATE: JANUARY 2018



Carlson, Barbee & Gibson, Inc.  
2533 CAMINO RAYON, SUITE 330  
SAN JOSE, CALIFORNIA 95063  
(408) 468-0322  
www.cbgi.com

SHEET NO.  
**C-1**