

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
APPROVING A GENERAL PLAN AMENDMENT TO CHANGE
THE LAND USE DESIGNATION FROM VERY LOW DENSITY
RESIDENTIAL TO LOW DENSITY RESIDENTIAL TO ALLOW
FOR A NINE TOWNHOME PROJECT AT 4249 CHEENEY
STREET, SANTA CLARA**

PLN2019-13847 (General Plan Amendment and Rezone)

WHEREAS, on April 17, 2019, Saul Flores (“Applicant”), on behalf of Maruti Builders, LLC (“Owner”) filed an application to develop nine new townhomes with attached two-car garages on a vacant site located at 4249 Cheeney Street (APN:104-12-026 and 104-12-025) (“Project Site”);

WHEREAS, the Owner simultaneously applied for a General Plan Amendment (GPA) to change from Very Low Density Residential to Low Density Residential (8-19 DU/ac), Rezone from Single-family Residential (R1-6L) to Low-Density Residential (R2), and a Tentative Subdivision Map for up to nine condominium units (“Project”);

WHEREAS, as proposed at 17 dwelling unit per acre, the project proposes to change from a General Plan Very Low Density Residential (VLDR) land use designation to a Low Density Residential (LDR) for consistency with the density range of 8-19 dwelling units per gross acre;

WHEREAS, the City, as Lead Agency, in tandem with Consultant ‘David J. Powers’ prepared an Initial Study (“IS”) and a Negative Mitigation Declaration (“MND”) for the Project in accordance with the California Environmental Quality Act (“CEQA”) and the City circulated the IS/MND for a 30-day review from December 13, 2024 to January 13, 2025 to the public agencies which have jurisdiction by law with respect to the Project, as well as to other interested persons, organizations and agencies; and the City sought the comments of such persons, organizations and agencies;

WHEREAS, the IS/MND identified possible impacts on the environment with Project development that with implementation of the mitigation measures specified in the Mitigation Monitoring and Reporting Program (“MMRP”) for the Project would reduce the potentially significant effects to less than significant;

WHEREAS, the City through consultant 'David J. Powers' prepared written responses to the comments received during the Comment Period and included these responses on the project's CEQA page;

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, Government Code Section 65353 requires the Planning Commission to hold a public hearing prior to making a recommendation on a General Plan Amendment;

WHEREAS, on May 21, 2025, a notice of the public hearings on the proposed General Plan Amendment and Rezone was published in the *Santa Clara Weekly*, a newspaper of general circulation for the City;

WHEREAS, on May 21, 2025, notices of the public hearings were mailed to all property owners within 500 feet of the Project Site boundaries;

WHEREAS, on May 29, 2025, notice of the public hearings 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, the San Francisco Public Utilities Commission and the Santa Clara Unified School District;

WHEREAS, pursuant to SCCC Section 18.146.020, on June 6, 2025, a hearing notice was posted at City Hall, the Central Park Library, the Mission Branch Library, the Northside Branch Library, and on the City's website;

WHEREAS, on June 11, 2025, the Planning Commission held a duly noticed public hearing to consider the proposed General Plan Amendment, as well as the other Project Approvals, the MND, and the MMRP, and at the conclusion of which, the Commission voted 7-0 to recommend approval to the City Council to change the General Plan designation from Very Low Density Residential to Low Density Residential; and

WHEREAS, on July 15, 2025, City Council held a duly noticed public hearing to consider the Project during which the City Council invited and considered any, and all verbal and written testimony and evidence offered in favor of and in opposition to the Project.

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

A. The proposed amendment is deemed to be in the public interest, in that the project provides nine residential units in an urbanized area served by existing municipal services and invests in public services and infrastructure with on- and off-site improvements like complete streets along the project frontage;

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 proposal would be in alignment with the land use designation for the site, and develops a vacant property into a residential development;

C. The potential impacts of the proposed amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare, in that as proposed, it includes all feasible mitigation measures to reduce the potential adverse environmental effects of the project to less-than-significant levels; and

D. 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) and a Mitigation Monitoring and Reporting Program (MMRP) have 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 hereby amends the General Plan Land Use Designation for the Project Site by changing the from Very Low Density Residential to Low Density Residential to allow the construction of nine two-story townhomes with attached two-car garages.

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 COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 15TH DAY OF JULY 2025, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

Attachments Incorporated by Reference: None

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