RESOLUTION NO. 22-9099

A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA APPROVING GENERAL PLAN AMENDMENT #98 TO CREATE AND APPLY THE FREEDOM CIRCLE FUTURE FOCUS AREA, WHICH IS BOUNDED BY GREAT AMERICA PARKWAY TO THE WEST, THE SOUTHERN PROPERTY LINE OF CALIFORNIA'S GREAT AMERICA TO THE NORTH, SAN TOMAS AQUINO CREEK TO THE EAST AND HIGHWAY 101 TO THE SOUTH; AND TO REVISE THE PROCESS FOR DEVELOPMENT OF FUTURE FOCUS AREAS

SCH # 2020060425
PLN2017-12516 (EIR)
PLN22-00054 (Freedom Circle Focus Area)

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

WHEREAS, on May 3, 2017, the Greystar Corporation applied for a General Plan Amendment and rezoning to develop a vacant 13.3 acre site north of Highway 101 and west of the San Tomas Aquino Creek in the City of Santa Clara (the "Greystar Site"); and

WHEREAS, Greystar is proposing to amend the General Plan for the Greystar Site from High-Intensity Office/R&D (maximum Floor Area Ratio of 2.0) to Very High Density Residential (51-100 Dwelling Unit/Acre) (the "Greystar GPA"); and

WHEREAS, Greystar has also applied for a Planned Development rezoning to develop up to 1,100 dwelling units, along with a 2.0 acre park and up to 2,000 square feet of amenity space (together with the Greystar GPA, the "Greystar Project"); and

WHEREAS, the Greystar Site adjoins an existing industrial office area; and

WHEREAS, City staff was directed by the City Council to plan for future development in the area surrounding the Greystar Site, bounded by Great America Parkway to the West, the southern property line of California's Great America to the North, San Tomas Aquino Creek to the East and Highway 101 to the South (the "Project Site"); and

WHEREAS, the City is proposing to add a Freedom Circle Future Focus area to the General Plan to help direct potential development in the area, subject to a Specific Plan (together with the Greystar

Project, the "Project"); and

WHEREAS, the intent of the Freedom Circle Future Focus area is create a dynamic, mixed-use district that includes residential developments and community amenities as well as a diverse range of employment uses, which will complement other North Santa Clara neighborhoods and provide a complete network of pedestrian, bicycle and roadway connections to destinations including employment centers, transit stops and trails; and

WHEREAS, Santa Clara City Charter Section 1007 and Government Code Section 65353 require that the Planning Commission provide input to the City Council on any proposed General Plan Amendment; and

WHEREAS, on April 13, 2022, the Planning Commission conducted a duly noticed public hearing to consider the GPA, at the conclusion of which, the Commission voted to recommend approval of the GPA to the City Council, with the additional recommendation to upgrade all Class II bike lanes in the Plan Area to Class IV separated bikeways;

WHEREAS, notice of the public hearing on the proposed General Plan Amendment was published in the Santa Clara Weekly, a newspaper of general circulation for the City, on May 11, 2022; and

WHEREAS, notices of the public hearing on the General Plan Amendment were mailed to all property owners within 1,000 feet of the Project Site, according to the most recent assessor's roll, and to all local agencies expect to provide essential facilities or services to the project, on March 30, 2022;

WHEREAS, before considering making a recommendation for the General Plan Amendment for the Freedom Circle area, the City Council reviewed and considered the potential environmental impacts of the Project, identified mitigation measures, and recommended that the Council adopt and certify the Environmental Impact Report ("EIR") for the Project (SCH # 2020060425), as well as a set of CEQA Findings and a Statement of Overriding Considerations, in accordance with the requirements of CEQA;

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

WHEREAS, on May 24, 2022, the City conducted a duly noticed public hearing to consider the GPA, 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 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. 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:

A. The proposed General Plan Amendment is deemed to be in the public interest, in that:

The proposed General Plan Amendment is a prerequisite to the adoption of the Project, which is located in an urbanized area served by existing municipal services and implements smart growth principles by developing underutilized properties with a high density residential, transit-oriented development that will contribute to the City both socially and economically.

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 furthers and is consistent with the goals, policies and major strategies of the General Plan that enhance the City's quality of life, preserve and cultivate neighborhoods, promote sustainability, enhance City identity, support Focus Areas and community vitality, maintain the City's fiscal health and quality of services, and maximize health and safety benefits with the creation a new residential development close to jobs, amenities and services and the City's primary north-south bike corridor.

C. The proposed General Plan 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 Draft Environmental Impact Report ("DEIR") was prepared in accordance with CEQA and the City circulated copies of the DEIR and Notice of Availability 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. The City prepared and circulated written responses to the comments received during the Comment Period and included those responses in a Final Environmental Impact Report ("FEIR"), in accordance with CEQA.

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 (MMRP) has been prepared for implementation with Project development to reduce potentially significant impacts identified in the EIR to less than significant and a set of CEQA Findings and a Statement of Overriding Considerations have been prepared for the significant unavoidable impacts that cannot be mitigated to less than significant; and the Planning Commission has recommended that the City Council adopt these documents.

3. That pursuant to Government Code § 65356,the City Council hereby amends the General Plan by:

A. Adding the Freedom Circle Future Focus Area Plan, attached hereto and incorporated herein by this reference, to Subchapter 5.4, Focus Areas, of Chapter 5, Goals and Policies by creating a new Section 5.4.8, Freedom Circle Future Focus Area Goals and Policies. The Focus Area Plan diagram reflects the Planning Commission's recommendation to make all proposed Class II on-street bike lanes in the plan area into Class IV separated bikeways.

B. Adding a new land use designation, Very High Intensity Office/Research and Development (R&D), to Section 5.2.2, Land Use Classifications, of the General Plan with the following text:

"Very High-Intensity Office/Research and Development (R&D). This classification is intended for landmark high-rise developments for corporate headquarters, R&D and supporting uses, with landscaped areas for employee activities. Permitted uses include offices and prototype R&D uses. Data centers under this designation are limited to those that serve the use on-site. Medical facilities, except pharmacies, are not allowed. In addition, manufacturing uses are limited to less than ten percent of the building area. Accessory, or secondary, small-scale supporting retail uses that serve local employees and visitors are also permitted. Parking is typically structured or below-grade. The maximum FAR is 3.00, excluding any FAR devoted to supporting retail uses."

C. Adding additional language to Section 5.4.7, Future Focus Areas Goals and Policies, of Subchapter 5.4, Focus Areas, of Chapter 5, Goals and Policies, immediately after the three bullet points ("Central Expressway / De La Cruz / Great America Parkway"):

"In addition to the three Future Focus Areas identified in the General Plan as adopted on November 16, 2010, additional Future Focus Areas may be added to the General Plan Land Use diagram through the General Plan Amendment process. Subject to the discretion provided pursuant to Policy 5.4.7-P11, the creation of an Additional Future Focus Area is a precursor to the comprehensive planning process required for all Focus Areas."

D. Adding a new Policy 5.4.7-P11 to Section 5.4.7, Future Focus Areas Goals and Policies, to Subchapter 5.4, Focus Areas, of Chapter 5, Goals and Policies, to read as follows:

"5.4.7-P11: Allow for General Plan Amendments and rezonings outside of existing Future Focus Areas in combination with the designation of new Additional Future Focus Areas."

E. Changing the General Plan Land Use diagram for the Freedom Circle Area by modifying Figure 5.2-3 of the General Plan to reflect the land use designations shown on the Freedom Circle Land Use and Urban Design Framework diagram, as set forth on the final page of the Freedom Circle Future Focus Area Plan.

4. That based on the findings set forth in this Resolution, the EIR 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 hereby approves the General Plan 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 CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 7TH DAY OF JUNE 2022, BY THE FOLLOWING VOTE:

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

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

Attachments incorporated by reference:
1. Freedom Circle Focus Area Plan

Freedom Circle
Focus Area Plan

FOCUS AREA PLAN
Revised Draft March 2022

I. Introduction

The City of Santa Clara's General Plan provides a vision and constitution for long-term development. The Plan contains the City's policies for land use, transportation, housing, design, environmental resources, health, and safety.

The General Plan also identifies Focus Areas throughout the city, each representing opportunities for more intense development and future economic growth. The purpose of these Focus Areas is to encourage improvements and new development tailored to the unique character and quality of these distinct areas. Additional planning is a prerequisite for development of these Focus Areas, and all plans for the Focus Areas must conform with the City's overarching General Plan goals and policies.

The Freedom Circle area was not designated in the City's 2010-2035 General Plan as a Future Focus Area. This employment-rich northern district has become the central focus of redevelopment activity and intensification of existing uses due to its status as an employment and entertainment district and distance from single-family residential neighborhoods. The proposed Freedom Circle Focus Area encompasses approximately 108 gross acres in an employment-rich area of northern Santa Clara, comprising several moderate-intensity office and industrial parks accompanied by surface parking, along with the Santa Clara Marriot hotel.

Given the rate of growth and development interest in North Santa Clara, the City has designated FC as a Future Focus Area. This Focus Area Plan outlines new land uses that will convert the area from an employment center to a high-intensity mixed-use neighborhood including residential developments. These changes will help meet the demand for housing and for using land more efficiently at high, urban densities.

In parallel to the development of this Plan, Greystar Real Estate Partners developed a project proposal for a portion of the Freedom Circle Focus Area, which will be processed as a General Plan Amendment in 2021. The remainder of the FC Plan Area will be built out over the next fifteen years or more.

The Freedom Circle (FC) Focus Area Plan (Plan) establishes a comprehensive planning framework to guide the development of a new mixed-use district in northern Santa Clara. It includes the goals, policies, and design principles that will inform redevelopment in the Focus Area including the Greystar project proposal.

II. Vision and Goals

The long-term buildout of the Freedom Circle Focus Area will create a dynamic, mixed-use district that includes residential developments and community amenities as well as a diverse range of employment uses. It will complement other North Santa Clara neighborhoods and provide a complete network of pedestrian, bicycle and roadway connections to destinations including employment centers, transit stops, and trails.

The Greystar General Plan Amendment proposes to change the land use designation for the 13.3 acre Greystar site from High Intensity Office (maximum Floor Area Ratio of 2.0) to Very High Density Residential (51-100 Dwelling Unit/Acre). Proposed uses include:

- 1,075 dwelling units in three 7-story buildings
- A two-acre public park with a connection to the San Tomas Aquino Creek trail, and
- up to 2,000 square feet of neighborhood-serving retail.

At full buildout, the Freedom Circle Focus Area would allow, subject to a future planning study, 2,500 dwelling units beyond those anticipated in the Greystar General Plan Amendment (described above) and 2 million square feet of additional office space beyond that allowed under the current high-intensity office designation.

Proposed General Plan land use designations (see Figure 1) include:

- Very High Intensity Office / R&D (FAR of 3.0)
- High-Intensity Office / R&D
- Regional Commercial
- Very High Density Residential (51-100 du/acre)
- Public / Quasi Public
- Parks and Open Space

The following goals will guide the development of the Freedom Circle Focus Area

FC-G1: Develop an urban-scale mixed-use activity center in North Santa Clara to support economic vitality while increasing residential options.

FC-G2: Provide for a range of housing types and densities to accommodate future residents and to create diversity in building scale and typology.

FC-G3: Create a complete neighborhood that provides easy access to day-to-day services and amenities for residents, employees and visitors

FC-G4: Reduce reliance on private vehicles and improve jobs/housing balance by locating amenities and jobs that can be comfortably and safety accessed from housing by walking.

FC-G5: Create a human scaled public realm through inviting architecture and urban design.

FC-G6: Improve multi-modal transportation options and connections

FC-G7: Enhance connectivity to the San Tomas Aquino Creek trail.

III. Policies

FC-P1: Allow for a range of housing density and development intensity throughout the plan area, consistent with the General Plan designations and overall buildout capacity.

FC-P2: Co-locate commercial, recreational and other active uses to create nodes of activity throughout the plan area

FC-P3: Require active street frontages and ground floor uses to create a pedestrian-friendly, cohesive urban environment

FC-P4: Provide public parkland and privately-owned public open space (POPOs) that is accessible to all residents and visitors, adequate to meet resident activity needs, and consistent with the General Plan requirements and other City regulations.

FC-P5: Require the provision of open space, or payment of in-lieu fees for parks and open space for residential development, consistent with the City's Parkland Dedication Ordinance.

FC-P6: Prioritize size, shape, and location of public parkland to ensure that amenities are usable, programmable, and flexible.

FC-P7: Encourage sensitive design and site planning to mitigate the scale and height of larger buildings through use of building massing, setbacks, façade articulation, fenestration, varied parapets and roof lines, and pedestrian-scaled architectural details.

FC-P8: Provide appropriate transitions between new development in the Focus Area and adjacent uses consistent with General Plan Transition Policies.

FC-P9: Require that building facades and entrances directly face street frontages, with a high proportion of transparent windows facing the street for nonresidential uses.

FC-P10: Minimize surface parking by requiring below-grade or structured parking facilities with active uses along street frontages.

FC-P11: Establish parking ratios that support transit, active transportation and shared vehicle use

FC-P12: Encourage shared parking between uses and parcels, including the shared use of existing structures.

FC-P13: Establish affordable housing requirements for residential and residential mixed-use developments that support regional growth goals, City policy, and local need.

FC-P14: Provide new street, bicycle and pedestrian networks that break down large blocks and sites, accommodate multiple modes of travel, and maximize connections to activity hubs and transit facilities.

FC-P15: Develop design standards and guidelines to support active ground-floor environments, welcoming public spaces, and safe and comfortable sidewalks and pathways.

FC-P16: Design and program the plan area and sites to encourage walking, bicycling and transit use.

FC-P17: Minimize environmental impacts through sustainable building and infrastructure design, consistent with CALGreen and Santa Clara Climate Action Plan requirements.

FC-P18: Redesign Mission College Boulevard, Freedom Circle, and Hichborn Drive to better balance space dedicated to vehicles, bicycle, and pedestrians.

FC-P19: Redesign Mission College Boulevard, Freedom Circle, and Hichborn Drive to facilitate safe and comfortable pedestrian crossings.

FC-P20: Maintain VTA bus transit service in the Focus Area Plan area and improve transit stops and shelters

FC-P21: Design pedestrian and bicycle networks and infrastructure to facilitate access to transit stops on Great America Parkway, Mission College and Tasman Drive

FC-P22: Locate loading zones and rideshare pick-up / drop-off areas away from bus stops.

FCP23: Require developments to contribute to City vehicle miles travelled (VMT) goals and implement a variety of sustainable transit solutions as a Transportation Demand Management (TDM) program.

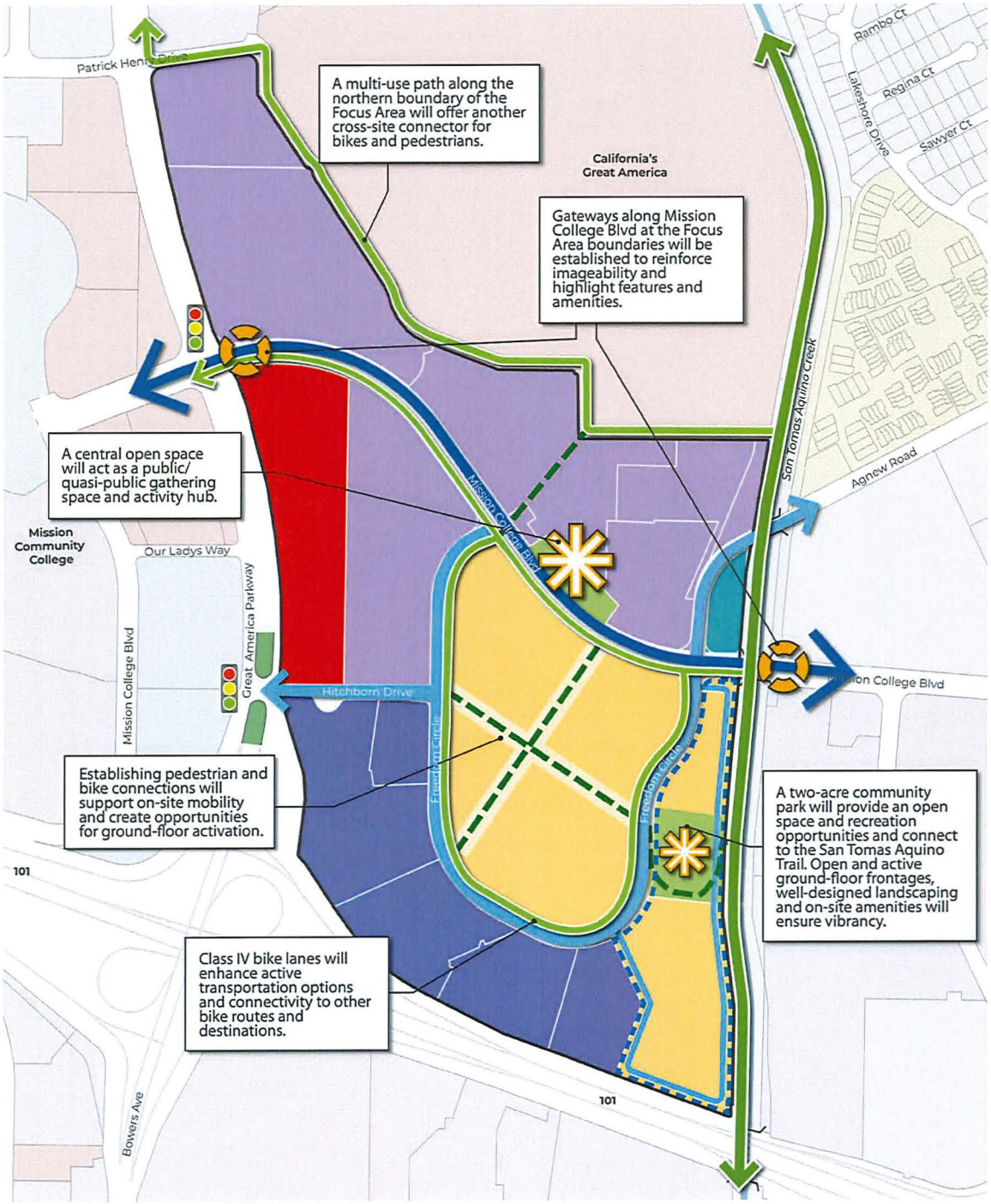
FC-P24: Require developers and property owners to coordinate with North Santa Clara employers and stakeholders to explore participating in a private transit systems and/or a Transportation Management Agency (TMA) as part of the Specific Plan process

IV. Implementation

Upon plan approval, the Freedom Circle Focus Area will be added as a Phase III Focus Area to the General Plan (Section 5.4.5). Any change in land use designation or rezoning of land within the Freedom Circle area will be subject to the requirements of the Future Focus Area Goals and Policies of the General Plan.

The Greystar project will accomplish this via its General Plan Amendment application, while other property owners will prepare their own plan and/or application in the future.

Since the General Plan did not designate the study area a Focus Area and consequently did not consider any potential land uses changes there in its Environmental Impact Report (EIR), an EIR was required for this Focus Area Plan and for the General Plan Amendment.



Freedom Circle
Focus Area Plan

Figure 1: Land Use and Urban Design Framework

Legend

- Study Area Boundary
- Greystar Project Boundary

Land Use Designations

- Very High Intensity Office / R&D
- High Intensity Office / R&D
- Regional Commercial
- Very High Density Residential
- Parks / Open Space
- Public / Quasi Public

Urban Design

- Node
- Gateway

Circulation & Mobility

- Bike/Ped Connection
- Primary Vehicular Circulation
- Local Vehicular Connection
- San Tomas Aquino Creek Trail
- Class IV Bike lane
- New Traffic Signal

0 250 500 1,000 ft

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