

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
APPROVING A TENTATIVE SUBDIVISION MAP FOR
CONDOMINIUM PURPOSES FOR THE CHEENEY STREET
TOWNHOMES PROJECT LOCATED AT 4249 CHEENEY
STREET, SANTA CLARA**

PLN2019-13486 (Tentative Subdivision Map)

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”), as shown on the attached Tentative Subdivision Map, incorporated herein by this reference;

WHEREAS, the application proposes to combine two parcels into one and subdivide for condominium purposes for up to nine for-sale townhomes;

WHEREAS, the Subdivision Committee reviewed and deemed the application cleared on June 18, 2024, satisfying code requirements, and including conditions of approval;

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 copies of 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 Code Section 17.05.110(g) and Government Code Section 66452.1 require that the Planning Commission make recommendations to the City Council on any proposed tentative map that will result in five or more lots;

WHEREAS, Government Code Section 66451.3 requires the Planning Commission to hold a public hearing prior to making a recommendation on the Tentative Map;

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 July 11, 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 Tentative Subdivision Map and 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 approve a Tentative Subdivision Map for up to nine condominium units; 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 COUNCIL OF 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. Tentative Subdivision Map Findings. Pursuant to California Government Code Sections 66426 and 66428 and SCCC Section 17.05.300(h), the City Council finds and determines that:

A. The Tentative Subdivision 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 Subdivision Map is to combine two parcels into one and subdivide for condominium purposes for up to nine for-sale townhomes.

B. The design and improvements of the proposed subdivision are consistent with the City's General Plan in that the Tentative Subdivision Map facilitates development of housing stock and construction of ownership housing opportunities for the community; and furthermore complies with Land Use and Transitional Goals and Policies of the General Plan by redeveloping a low density residential lot from a vacant lot to nine dwelling units, meeting the density allowed and creating additional transition in scale and intensity of use from the existing neighborhood.

C. The site is physically suitable for the proposed type of development, in that the Project is compatible with the adjacent uses and the R2 zoning requirements.

D. This site is physically suitable for the proposed density of development in that the Project Site is in an urbanized area and allows for redevelopment consistent with the heights, uses and developments 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 proposed residential subdivision will implement Covenants, Conditions, and Restrictions for operation and maintenance of the building and site improvements and does not propose the use of hazardous 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 Site is located in an urbanized setting, is a developed site, and the project considered potential environmental impacts as addressed in a Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program;

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 it is designed to avoid encroachment and conflicts with public easements in the site design.

H. The Tentative Subdivision Map provides, to the extent feasible, for future passive or natural heating or cooling opportunities, in that it would conform with the development standards to maximize the benefits of green building standards for site and building design.

3. Based on the findings set forth in this Resolution and the evidence in the Staff Report and such other evidence as received at the public hearings on this matter before the City Council, the City Council hereby approves the Tentative Subdivision Map, substantially in the form on file as shown on the attached Tentative Subdivision Map and Conditions of Tentative Subdivision Map Approval, hereby incorporated by this reference.

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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:

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

Attachments Incorporated by Reference:

1. Tentative Subdivision Map
2. Conditions of Tentative Subdivision Map Approval