

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF SANTA CLARA,  
CALIFORNIA APPROVING THE REZONING FROM GENERAL  
OFFICE (OG) TO PLANNED DEVELOPMENT (PD) TO ALLOW  
A RESIDENTIAL DEVELOPMENT CONSISTING OF 12  
TOWNHOUSE UNITS AT 1900 WARBURTON AVENUE, SANTA  
CLARA**

PLN2017-01044 (Rezone)  
CEQ2017-12961 (Mitigated Negative Declaration)

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

**WHEREAS**, on November 17, 2017, Samir Sharma (“Applicant”) filed an application for the 0.55 acres site located at 1900 Warburton Avenue currently occupied by one, one-story commercial building totaling approximately 8,415 square feet and a surface parking lot (“Project Site”);

**WHEREAS**, the Applicant applied to rezone the Project Site from General Office (OG) to Planned Development (PD) to allow a residential development consisting of 12 townhouse units (“Project”) as shown on the Development Plans, attached hereto and incorporated herein by this reference;

**WHEREAS**, in conformance with CEQA, a Mitigated Negative Declaration (“MND”) was prepared for the Project, and was noticed and circulated for a 20-day public review period from March 19, 2018 to April 9, 2018, the Planning Commission recommended that the City Council adopt the MND and Mitigation Monitoring and Reporting Program (“MMRP”);

**WHEREAS**, Santa Clara City Code (SCCC) Section 18.112.040 provides for the review and recommendation of the City’s Planning Commission of all rezoning requests before action is to be taken by the City Council;

**WHEREAS**, On June 13, 2018, the Planning Commission held a duly noticed public hearing to consider the Project, MND, MMRP, and all pertinent information in the record, at the conclusion of which, the Planning Commission voted to recommend that the City Council adopt the MND and MMRP and approve the rezoning and Tentative Condominium Map to allow 12 condominiums with one common lot;.

**WHEREAS,** on June 29, 2018, the notice of public hearing for the July 10, 2018 City Council meeting for this item was posted at least three conspicuous locations within 500 feet of the project site and was mailed to property owners within 500 foot radius; and

**WHEREAS,** On July 10, 2018, City Council held a duly noticed public hearing to consider the Project, MND, MMRP, and all pertinent information in the record during which the Council invited and considered any and all verbal and written testimony and evidence offered in favor and in opposition to the Project.

**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 the City Council hereby rezones the Project Site from General Office (OG) to Planned Development (PD) to allow a residential development consisting of 12 townhouse units as shown on the attached exhibit Development Plans and conditioned as specified in the attached Conditions of Rezoning Approval, incorporated herein by this reference.

3. Pursuant to SCCC Code Section 18.112.010, the City Council determines that the following findings exist in support of the rezoning:

A. The existing zoning is inappropriate or inequitable in that, the existing zoning for the Project Site does not allow residential development and creation of housing opportunities near the density range identified in the 2010-2035 General Plan, 20-36 dwelling units per acre (du/ac). The Planned Development (PD) zoning would allow residential development at 22 du/ac, and thereby implement the General Plan designation.

B. The proposed zone change will conserve property values, protect or improve the existing character and stability of the area in question, and will promote the orderly and beneficial development of such area in that the proposal redevelops three underutilized properties and visually improves the Project Site and surrounding neighborhood with physical



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 10<sup>th</sup> DAY OF JULY, 2018, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: \_\_\_\_\_  
JENNIFER YAMAGUMA  
ACTING CITY CLERK  
CITY OF SANTA CLARA

Attachments Incorporated by Reference:

1. Conditions of Rezoning Approval
2. Development Plans

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