

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE TENTATIVE TRACT MAP FOR THE 3155 EL CAMINO REAL RESIDENTIAL PROJECT PROPERTIES LOCATED AT 3141 – 3155 EL CAMINO REAL, SANTA CLARA, TO SUBDIVIDE THE 2.14 ACRE PROJECT SITE INTO 60 RESIDENTIAL CONOMINIUMS AND ONE COMMON LOT

PLN2020-014674 (Rezone)
PLN2020-14705 (Tentative Tract Map)
CEQ2020-01080 (Mitigated Negative Declaration)

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

WHEREAS, on October 29, 2020, Oak Investment Group, LLC (“Applicant”) filed an application for the 2.14 acre site consisting of two contiguous parcels located at 3141 – 3155 El Camino Real with surface parking lots and seven one-story commercial buildings totaling 21,780 square feet (“Project Site”);

WHEREAS, the Applicant has simultaneously applied to rezone the Project Site from Thoroughfare Commercial (CT) to Planned Development (PD) to allow a 60-unit residential development consisting of 40 townhomes and 20 flats, private street, and on- and off-site improvements (“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 reduced to less than significant 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 17.05.210 of the Code of the City of Santa Clara (“SCCC”), a Tentative Tract 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 condominium and common lots, as shown on Exhibit “Tentative Tract Map” and attached hereto by this reference;

WHEREAS, on March 29, 2022, the Subdivision Committee determined that the application was complete and that the Tentative Tract Map be reviewed by the Planning Commission and the City Council in conformance with Section 17.05.300 of the SCCC as a Tentative Tract Map along with the Project;

WHEREAS, Section 17.05.300 (g) of the SCCC requires that the Planning Commission conduct a public hearing before considering the approval of a Tentative Tract Map for the division of land;

WHEREAS, notice of the public hearing on the Tentative Tract Map was published in *The Weekly*, a newspaper of general circulation for the City, on June 1, 2022;

WHEREAS on June 2, 2022, notices of the public hearing on the Tentative Tract Map were posted at least three conspicuous locations within 500 feet of the Project Site and were mailed to all property owners within 500 feet of the Project Site boundaries;

WHEREAS, before considering the Tentative Tract Map, the Planning Commission reviewed and considered the information contained in the MND for the Project and MMRP, and found that the mitigation measures identified and incorporated into the Project and this Tentative Tract Map, mitigate or avoid the significant environmental effects; and,

WHEREAS, the Planning Commission has reviewed the Tentative Tract Map and conducted a public hearing on June 15, 2022, at which time all interested parties were given an opportunity to present evidence and provide testimony, both in favor of and in opposition to the proposed Tentative Tract Map.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission 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 Tentative Tract Map, attached hereto as Exhibit “Tentative Tract Map”.

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

A. The Tentative Tract Map is consistent with the objectives, policies, general land use and programs specified in the City’s General Plan in that the proposed Tentative tract Map is to allow the development of 60 ownership residential units (consisting of 40 townhomes and 20 flats), private streets, on-site resident and visitor parking, common landscaped area, and on- and off-site improvements compatible with neighboring residential development and existing and planned development within the El Camino Real Focus Area, subject to conditions set forth in the Tentative Tract Map Conditions of Approval, attached hereto and incorporated by this reference. The project proposes a density of 25 dwelling units 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 Tentative Tract Map is subject to the conditions set forth in Exhibit “Tentative Tract Map Conditions of Approval”, 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 on-

going 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 proposed residential subdivision will implement Covenants Conditions and Restrictions for operation and maintenance of the buildings, private street 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, on a previously developed site, and includes mitigation measures, as identified in the MND and MMRP, 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 Tentative Tract 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 Planning Commission, the Planning Commission hereby recommends approval of the Tentative Tract Map to the City Council, substantially in the form on file as shown in the

“Tentative Tract Map” attached hereto, subject to conditions of approval attached as “Conditions of Tentative Tract Map Approval” and hereby incorporated by this reference.

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 PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 15th DAY OF JUNE 2022, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

- Attachments Incorporated by Reference:
1. Tentative Tract Map
2. Tentative Tract Map Conditions of Approval