

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

**A RESOLUTION OF THE CITY OF SANTA CLARA,  
CALIFORNIA, TO APPROVE A TENTATIVE SUBDIVISION MAP  
FOR THE PROPERTY LOCATED AT 2780 EL CAMINO REAL,  
SANTA CLARA**

PLN2017-12669 (General Plan Amendment)  
PLN2017-12712 (Rezone)  
PLN2017-12713 (Vesting Tentative Subdivision Map)  
CEQ2017-01037 (Mitigated Negative Declaration)

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

**WHEREAS**, on June 6, 2017, Prometheus Real Estate Group (“Applicant”) made an application for the development of a 2.87 acre site located at 2780 El Camino Real, which is currently occupied by the vacant 36,500 square foot Moonlite Lanes Bowling Alley, a surface parking lot and landscaping (“Project Site”);

**WHEREAS**, in order to effectuate the development application and its change in use, the Applicant proposes a General Plan Amendment from Regional Mixed Use to Medium Density Residential and rezone the Project Site to Planned Development (PD) to allow construction of a three-story, 58 unit townhome development with private street, on-site resident and visitor parking, common landscaped areas, and public and private site improvements; that includes a Vesting Tentative Subdivision Map to create 58 for-sale residential lots and 13 common area lots to serve the development (“Project”) as shown on the Development Plans, attached hereto and incorporated herein by this reference;

**WHEREAS**, pursuant to Section 17.05.210 of the Code of the City of Santa Clara (“SCCC”), a Tentative Subdivision Map shall be required for all divisions of land into five or more parcels;

**WHEREAS**, a Mitigated Negative Declaration (“MND”) was prepared for the Project and a Notice of Availability was issued on April 25, 2018 for 30-day agency and public review in accordance with California Environmental Quality Act (CEQA) and closed on May 3, 2018;

**WHEREAS**, the MND identified potential significant impacts of Project development that with implementation of the mitigation measures identified in the Mitigation Monitoring or Reporting

Program (“MMRP”) will reduce potential mitigation measures to less than significant, and will be incorporated into the Project;

**WHEREAS**, the Planning Commission recommended approval of the Tentative Subdivision Map at a duly noticed public hearing on May 9, 2018;

**WHEREAS**, a notice of the public hearing was published in the *Santa Clara Weekly*, a newspaper of general circulation, on April 25, 2018 for a City Council meeting to be conducted on May 22, 2018;

**WHEREAS**, on May 11, 2018, notices of the public hearing on the Vesting Tentative Subdivision Map were posted in multiple locations within the City limits, including three locations within 300 feet of the Project Site, and mailed to all property owners within 1,000 feet of the property, according to the most recent Assessor’s roll; and

**WHEREAS**, on May 22, 2018, the City Council held a duly noticed public hearing to consider the Tentative Subdivision Map application, at which time all interested persons were given an opportunity to give testimony and the City Council considered the information presented in the Staff Report, MND, MMRP and all verbal and written evidence.

**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. 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 Vesting Tentative Subdivision Map is consistent with the general land uses and programs specified in the City’s General Plan, in that the Vesting Tentative Subdivision Map subdivides the existing 2.87 acre Project Site into a 58 for-sale residential lots and 13 common lots for development of 58 ownership townhome units, private street, on-site resident and visitor parking, and common landscaped areas with shared maintenance of the building and public and

private site improvements consistent with the proposed Medium Density Residential land use designation for the Project Site and compatible with neighboring low intensity residential development and existing and planned development within the El Camino Real Focus Area, subject to conditions set forth in the Conditions of Tentative Subdivision Map Approval, attached hereto and incorporated by this reference.

B. The design and improvements of the proposed subdivision are consistent with the City's General Plan in that the Vesting Tentative Subdivision Map facilitates development of a diversified housing stock and construction of ownership housing opportunities for the community; and furthermore complies with General Plan Land Use and Transitional Goals and Policies of the General Plan in that it transforms the property from a vacant, low-intensity commercial use to a medium density residential development that would transition in scale and intensity of use with existing and planned land uses; and is in proximity to transit with multi-modal connections to local and regional transit service to support transit ridership and reduce vehicle miles traveled.

C. The site is physically suitable for the proposed type of development, in that the Project provides a transition between low intensity residential development and high intensity mixed-use development contemplated for the El Camino Real Focus Area with ownership housing three-stories in height, shared common and landscaped areas, on-site resident and visitor parking, private street and emergency vehicle access, and implementation of Covenants Conditions and Restrictions for the maintenance of the development.

D. The site is physically suitable for the proposed intensity of development, in that the Project Site is located in an urbanized area and is served by existing utilities and infrastructure.

E. The design of the subdivision and type of improvements are not likely to cause serious health problems, in that the Project is a medium density residential development consisting of 58 for-sale townhomes and 13 common lots, surrounded by commercial and

residential development, that 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 is located in an urbanized setting, on a developed site, and includes mitigation measures, as identified in the MND and MMRP, that reduce impacts to biological resources 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 Subdivision 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.

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 hereby approves the Tentative Subdivision Map to the City Council, substantially in the form on file as shown in Exhibit "Tentative Subdivision Map", subject to the conditions of approval, attached as Exhibit "Conditions of Tentative Subdivision Map Approval".

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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 OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING  
THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_ 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. Exhibit "Development Plans"
2. Exhibit "Tentative Subdivision Map"
3. Exhibit "Conditions of Tentative Subdivision Map Approval"