

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

**A RESOLUTION OF THE CITY OF SANTA CLARA,  
CALIFORNIA APPROVING THE REZONING FROM  
THOROUGHFARE COMMERCIAL (CT) TO PLANNED  
DEVELOPMENT (PD) TO ALLOW A RESIDENTIAL  
DEVELOPMENT CONSISTING OF 52 TOWNHOUSE UNITS,  
INCLUDING 8 LIVE-WORK UNITS, LOCATED AT 1375, 1385,  
AND 1399 EL CAMINO REAL, SANTA CLARA**

PLN2017-12726 (Rezone)  
CEQ2017-01045 (Mitigated Negative Declaration)

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

**WHEREAS**, on June 30, 2017, SCS Development (“Applicant”) filed an application for the 2.23 acres site located at 1375, 1385, and 1399 El Camino Real currently occupied by four, one-story commercial buildings totaling approximately 28,000 square feet of floor area and surface parking lots (“Project Site”);

**WHEREAS**, the Applicant applied to rezone the Project Site from Thoroughfare Commercial (CT) to Planned Development (PD) to allow a residential development consisting of 54 townhouse units, including 8 live-work 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 30-day public review period from February 23, 2018 to March 27, 2018, and on May 9, 2018, the Planning Commission recommended that the City Council adopt the MND and a 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 May 9, 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 allow 53 townhouse units, including 8 live-work units and six below market rate units, with additional open space for a total of 3,000 square feet and approve the Vesting Tentative Subdivision Map to subdivide one lot into 10 lots.;

**WHEREAS**, on May 11, 2018, the notice of public hearing for the May 22, 2018, City Council meeting for this item was posted in three conspicuous locations within 1,000 feet of the project site and was mailed to all property owners within a 1,000 foot radius and additional residential properties beyond 1,000 feet of the Project Site; and

**WHEREAS**, On May 22, 2018, the 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 of 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 Thoroughfare Commercial (CT) to Planned Development (PD) to allow a residential development consisting of 52 townhouse units, including 8 live-work 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. The Planned Development

(PD) zoning would allow residential development, as well as 8 live-work units, to implement the General Plan's vision for the El Camino Real Focus Area better than the existing Commercial Thoroughfare (CT) zoning.

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 and financial investment in the construction of a modern and aesthetically pleasing development with on-site parking, site improvements, landscaping, and streetscape enhancements.

C. The proposed zone change is required by public necessity, public convenience, or the general welfare of the City in that the proposed zone change provides residential development contemplated by the General Plan for the El Camino Real Focus Area that is designed to activate the streetscape, is pedestrian-oriented, supports public investments in existing and planned transit service along the El Camino Real transit corridor, and provides high quality homeownership opportunities to the City's housing stock.

D. The proposed zone change would allow imaginative planning and design concepts to be utilized that would otherwise be restricted in other zoning districts in that the proposed zone change would allow flexibility in the development standards to construct townhouses and live-work units that are compatible with existing and planned development within the El Camino Real Focus Area.

4. That based on the findings set forth in this resolution and the evidence in the City Staff Report, MND and MMRP, the City Council hereby rezones the Project Site as set forth herein.

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 22nd DAY OF MAY 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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