

RESOLUTION NO. _____

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SANTA CLARA, CALIFORNIA,
DETERMINING THAT A PROPOSED VACATION OF
FREMONT STREET EAST OF THE ALAMEDA AND A
PORTION OF SHERMAN STREET NORTH OF BENTON
STREET WOULD BE IN CONFORMANCE WITH THE
2010-2035 GENERAL PLAN**

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

WHEREAS, pursuant to Section 8320 et seq. of the California Streets and Highways Code, the City Council may vacate a street when it is unnecessary for present or prospective public use;

WHEREAS, City Staff recommends vacating specific portions of the streets commonly known as Fremont Street and Sherman Street;

WHEREAS, the vacated streets will be used to facilitate the development of the 575 Benton Project, a mixed-use development proposed by Prometheus Real Estate Group with up to 355 apartment units, approximately 20,000 square feet (sf) of retail space and potentially an additional 2,364 square feet of commercial space within the 8 live-work units, approximately 6,000 sf of amenity space including leasing space, amenity roof deck, and pet spa and a parking garage;

WHEREAS, the current land use designations for the Site in the 2010-2035 General Plan is Santa Clara Station High Density, and the developer has proposed a General Plan Amendment to redesignate the Site as Santa Clara Station Very High Density, and to adopt a General Plan policy allowing for commercial uses in this area;

WHEREAS, the proposed Santa Clara Station Very High Density land use designation provides for residential development at densities ranging from 51 to 100 units per gross acre in the Santa Clara Station Focus Area, in areas adjacent to major transportation corridors, transit or mixed uses, and the proposed designation allows retail uses at ground level;

WHEREAS, the 575 Benton project, which will be constructed on the vacated land, is a mixed-use development with a density of 61.7 dwelling units per acre in the vicinity of a major transportation hub, and will include ground floor retail uses, consistent with the proposed Santa Clara Station Very High Density designation;

WHEREAS, pursuant to California Government Code section 65402, prior to the City Council vacating a street, the Planning Commission must make a report to the City Council as to whether the proposed vacation would be in conformance with the General Plan; and

WHEREAS, on May 23, 2018, the Planning Commission held a duly noticed public meeting to consider the proposed vacation, at which all interested persons were invited to provide evidence and give testimony.

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

1. That based upon all of the evidence in the record and testimony received, the Planning Commission hereby finds and reports to the City Council that the proposed vacation of the Site would be in conformance with the 2010-2035 General Plan, as proposed to be amended.

2. 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 13th DAY OF JUNE, 2018, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

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

Attachments:

1. Exhibit A – Legal description of vacated areas
2. Exhibit B – Plat to accompany legal description

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EXHIBIT A

LEGAL DESCRIPTION OF VACATED AREAS

EXHIBIT B

PLAT TO ACCOMPANY LEGAL DESCRIPTION