

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, APPROVING THE GENERAL PLAN
AMENDMENT FROM SANTA CLARA STATION HIGH
DENSITY RESIDENTIAL TO SANTA CLARA STATION
VERY HIGH DENSITY RESIDENTIAL ON A 5.7-ACRE
SITE FOR THE PROPERTY LOCATED AT 575 BENTON
STREET, SANTA CLARA**

SCH#2015032076

CEQ2015-01188 (Mission Town Center FEIR Addendum#1)

PLN2017-12489 (General Plan Amendment)

PLN2017-12574 (Application for Rezoning)

PLN2017-12575 (Vesting Tentative Parcel Map)

PLN2017-12837 (Development Agreement)

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

WHEREAS, on February 9, 2017, Prometheus Real Estate Group (“Applicant”) made an application for a General Plan Amendment in connection with development of a site consisting of 5.7-acres located at 575, 611, 625, 645, 675 Benton Street, 3340, 3370, 3390, 3410 The Alameda; 1188, 1250 Sherman Street; 602 Fremont Street, which is currently occupied by several commercial, light industrial buildings, associated parking lots, and residential units (“Project Site”), in order to change the General Plan Land Use Designation to allow a residential/mixed use development;

WHEREAS, the General Plan Amendment (GPA) proposes to change the existing land use designations, Santa Clara Station High Density Residential to Santa Clara Station Very High Density Residential, and to correct a minor inconsistency in Figure 5.4-4 (“Santa Clara Station Area”) to reflect that the density for Very High Residential development is 51-100 du/ac;

WHEREAS, Applicant has simultaneously applied to rezone the Project Site to a Planned Development (PD) Zone to allow construction of a residential/mixed use

development comprised of 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 (“Project”);

WHEREAS, the project is located within the Santa Clara Station Focus Area and is located across the street from the existing Santa Clara Transit Station;

WHEREAS, the existing Transit Station, which is served by Caltrain, Amtrak, the Altamont Commuter Express, and Valley Transportation Authority (VTA) bus service, and which will serve as the future Bay Area Rapid Transit (BART) terminus, is within the center of the Focus Area;

WHEREAS, the Transit Station is a major transit hub for the Bay Area and supports the Major Strategies in the General Plan to promote sustainability and economic vitality;

WHEREAS, the project is consistent with regional Plan Bay Area, which notes that new projects in the planned development area (PDA) that encompasses the project site must have a density of 50 to 150 dwelling units/net acre, with a density of 61.7 dwelling units/net acre;

WHEREAS, the project is proposing a minimum LEED Gold or greater equivalent, and is compatible with planned uses on neighboring properties;

WHEREAS, Applicant has also requested to enter into a Development Agreement with the City, and City staff have negotiated and recommended a draft Development Agreement for approval;

WHEREAS, pursuant to Government Code Section 65353, the Planning Commission recommended approval of the General Plan Amendment at a duly noticed public hearing on June 13, 2018;

WHEREAS, Government Code Section 65355 requires the City Council to hold a public hearing prior to making a decision on the General Plan Amendment;

WHEREAS, notice of the public hearing on the proposed General Plan Amendment was published in the *Santa Clara Weekly*, a newspaper of general circulation for the City, on June 13, 2018;

WHEREAS, notices of the public hearing on the General Plan Amendment were mailed to all property owners within 1,000 feet of the property, according to the most recent assessor's roll, on June 15, 2018;

WHEREAS, before considering the General Plan Amendment for the Project Site, the City Council reviewed and considered the information contained in the Addendum #1 to the Mission Town Center Final Environmental Impact Report ("FEIR") for the Project (SCH #2015032076);

WHEREAS, the City Council has reviewed the General Plan Amendment and on June 26 and July 17, 2018 the City Council conducted a public hearing, at which time all interested persons were given an opportunity to give testimony and provide evidence in support of and in opposition to the proposed General Plan Amendment.

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. General Plan Amendment Findings. That the City Council finds and determines that the General Plan Amendment is in the interest of the public good for the following reasons:

A. The proposed amendment is deemed to be in the public interest, in that the project is located in an urbanized area served by existing municipal services and implements smart growth principles by redeveloping underutilized properties with higher density housing projects in mixed-use areas;

B. The proposed General Plan amendment is consistent and compatible with the rest of the General Plan and any implementation programs that may be affected, in that the proposal includes different sized units ranging from one-bedroom units to two-bedroom units, increasing the City's housing stock, while providing adequate choices of housing tenure, type and location which will assist in meeting the housing needs of the City;

C. The potential impacts of the proposed amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare, in that as proposed, it includes all feasible mitigation to address the potential environmental effects of the project; and

D. The proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA), in that an Addendum #1 to the Mission Town Center Project Final Environmental Impact Report for the amendment has been prepared.

3. That pursuant to Government Code § 65358, the City Council hereby amends the General Plan by changing the General Plan Land Use Designation for the Project

Site to Santa Clara Station Very High Density Residential to allow a residential/mixed use development.

4. That the City Council amend the General Plan by revising Figure 5.4-4 (“Santa Clara Station Focus Area”) of Subsection 5.4.3 (“Santa Clara Station Focus Area Goals and Policies”) of Section 5.4 (“Focus Areas”) of Chapter 5 (“Goals and Policies”) of the General Plan, to replace the text, “Santa Clara Station Very High Density Residential (51-90 du/ac)” with the text “Santa Clara Station Very High Density Residential (51-100 du/ac)”.

5. That, based on the findings set forth in this Resolution, the FEIR Addendum #1 Resolution and the evidence in the City Staff Report and such other evidence as received at the public hearing on this matter the City Council hereby approves the General Plan Amendment.

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6. 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 17TH 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