

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, APPROVING THE VESTING TENTATIVE
PARCEL MAP 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 the development of a 5.7-acre site located at 575, 611, 625, 645, 675 Benton Street, 3340, 3370, 3390, 3410 The Alameda; 1188, 1250 Sherman Street; 602 Fremont Street, a 5.7-acre site located at the intersection of Benton Street and El Camino Real, which is currently occupied by several commercial, light industrial buildings, associated parking lots, and residential units (“Project Site”);

WHEREAS, the application proposes to rezone the Project Site to a Planned Development (PD) Zone to allow the 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”) as shown on the Development Plan, attached hereto as Exhibit “Development Plans” and incorporated herein by this reference;

WHEREAS, the Project approvals will include a General Plan Amendment from Santa Clara Station High Density Residential to Santa Clara Station Very High Density Residential on a 5.7-acre site; a rezoning of the Project Site from Light Industrial (ML), Single Family (R1-6L), Duplex (R2-7L), and Thoroughfare Commercial (CT) to a Planned Development (PD) zone; the vacation and sale of a portion of Fremont Street east of the Alameda and a portion of Sherman Street north of Benton Street; along with the adoption of a Development Agreement Ordinance;

WHEREAS, consistent with the proposed uses under the Development Plans, the proposal will create and remove property lines on 5.7-acre project site, as shown on Exhibit "Vesting Tentative Parcel Map" and conditioned in Exhibit "Conditions of Approval - Map", attached hereto and incorporated herein by this reference;

WHEREAS, pursuant to Section 17.05.220 of the Code of the City of Santa Clara ("SCCC"), a parcel map is required for divisions of land into four or fewer parcels;

WHEREAS, on April 3, 2018, the Subdivision Committee determined that the application was complete and that the parcel map should be reviewed by the City Council in conformance with Section 17.05.400 of the SCCC as a Vesting Tentative Parcel Map along with the project;

WHEREAS, Section 17.05.400(d) of the SCCC requires that the City Council hold a public hearing before considering the approval of a Vesting Tentative Parcel Map for the division of land;

WHEREAS, Section 17.05.400(d) of the SCCC further requires that notice of the public hearing before the City Council be given by providing notice to all property owners within three hundred (300) feet of the proposed Tentative Parcel Map area by mail;

WHEREAS, notice of the public hearing on the Vesting Tentative Parcel Map was published in the *Santa Clara Weekly*, a newspaper of general circulation for the City, on June 13, 2018;

WHEREAS, on June 15, 2018, notices of the public hearing on the Vesting Tentative Parcel Map were mailed to all property owners within 1,000 feet of the proposed Tentative Parcel Map, according to the most recent assessor's roll;

WHEREAS, before considering the Vesting Tentative Parcel Map, the City Council reviewed and considered the information contained in the Addendum #1 to the Mission Town Center Final Environmental Impact Report for the Project (SCH #2015032076); and,

WHEREAS, on June 26 and July 17, 2018, the City Council reviewed the Vesting Tentative Parcel Map and conducted a public hearing, at which time all interested persons were given an opportunity to provide testimony and the City Council considered 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 Parcel Map Findings. The City Council finds and determines that:

A. The proposed subdivision is substantially consistent with the objectives, policies, general land use and programs specified in the City's General Plan in that the proposed Vesting Tentative Parcel Map is to allow the development of up to 355-unit apartment and approximately 20,000 square feet of retail project in conjunction with a

proposal for a General Plan Amendment to allow a residential/mixed use project in the Santa Clara Station Focus Area.

B. The design and improvements of the proposed subdivision are consistent with the City's General Plan in that the Santa Clara Station Very High Density Residential designation allows for the proposed density in the Santa Clara Station Focus Area.

C. This site is physically suitable for the proposed type, density and intensity of development in that the Project Site is located in an urbanized area. The proposed project is a mixed-use development project and located in a transit, bicycle and pedestrian friendly location that would further enhance the City's General Plan development priorities for this area. The Santa Clara Transit Center is located approximately 500 feet to the southeast of the project site.

D. The design of the subdivision and type of improvements are not likely to cause serious public health problems in that the site is surrounded by residential and commercial uses, including Santa Clara Police Department headquarters and Santa Clara University, and the development and does not propose the use of hazardous chemicals or materials.

E. The design of the subdivision and type of improvements are not likely to cause substantial environmental damage. The Mission Town Center FEIR Addendum #1 found that the proposed project could have a number of significant environmental impacts, but identified mitigation measures to reduce most of these impacts to less than significant levels. Based on the conclusions in the Mission Town Center FEIR Addendum #1, implementation of the proposed project would result in Significant

Unavoidable project-level impacts with regard to cultural historic resources, and traffic, and Significant Unavoidable cumulative impacts with regard to cultural historic resources, and traffic. All other significant impacts of the project would be mitigated to a less than significant level by the mitigation measures included in the Mission Town Center FEIR Addendum #1.

F. 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.

3. That based on the findings set forth in this resolution, the Addendum #1 of the Mission Town Center FEIR and the evidence in the City Staff Report, the City Council approves the tentative parcel map for the Project Site as set forth herein.

//

//

//

//

//

//

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 26TH DAY OF JUNE, 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. Vesting Tentative Parcel Map
2. Conditions of Approval – Map