

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA CITY COUNCIL APPROVING THE VESTING
TENTATIVE SUBDIVISION MAP FOR THE PROPERTY
LOCATED AT 1834 WORTHINGTON CIRCLE, SANTA CLARA,
TO DIVIDE THE 5.8 ACRE PROJECT SITE INTO SEVEN LOTS.**

PLN2016-12389 (Rezone)
PLN2016-12390 (Vesting Tentative Map)
CEQ2016-01017 (EIR)

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

WHEREAS, on December 5, 2016, The Core Companies ("Applicant") filed an application for the vacant 5.8 acre site located at 1834 Worthington Circle ("Project Site");

WHEREAS, the Applicant applied to rezone the Project Site from Planned Development (PD) to Planned Development (PD) to allow a residential development consisting of 165 affordable senior apartments, 160 multi-family mixed-income apartments, and 36 townhouses ("Project") as shown on the Development Plans, attached hereto and incorporated herein by this reference;

WHEREAS, in conformance with CEQA, an Environmental Impact Report ("EIR") was prepared for the Project, and was noticed and circulated for a 45-day public Comment Period from April 11, 2018 to May 29, 2018;

WHEREAS, the City prepared written responses to the comments received during the Comment Period and included those responses in a Final Environmental Impact Report ("FEIR"). The FEIR consists of a list of agencies and organizations to which the DEIR was sent, a list of the comment letters received on the DEIR, revisions to the text of the DEIR, responses to comments received on the DEIR, and copies of comment letters. The FEIR was distributed for public review on July 5, 2018;

WHEREAS, pursuant to Section 17.05.300 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, consistent with the proposed uses under the development plan, the proposal includes the division of the site into seven parcels, as shown on Exhibit “Vesting Tentative Map” and attached hereto by this reference;

WHEREAS, on May 15, 2018, the Subdivision Committee determined that the application was complete and that the vesting tentative map be reviewed by the Planning Commission and the City Council in conformance with Section 17.05.700 of the SCCC as a Vesting Tentative Map along with the project;

WHEREAS, pursuant to SCCC Section 17.05.300(g), the Planning Commission conducted a duly noticed public hearing on August 8, 2018 to consider the Project, at the conclusion of which the Commission voted to recommend that the City Council approve the Vesting Tentative Subdivision Map;

WHEREAS, Section 17.05.300 (h) of the SCCC requires that the City Council conduct a public hearing before considering the approval of a Vesting Tentative Map for the division of land;

WHEREAS, notice of the public hearing on the Vesting Tentative Map was published in the *Santa Clara Weekly*, a newspaper of general circulation for the City, on January 16, 2019;

WHEREAS, on January 18, 2019, notices of the public hearing on the Vesting Tentative Map were posted at three conspicuous locations within 300 feet of the Project Site, and were mailed to all property owners within 1000 feet of the Project Site;

WHEREAS, before considering the Vesting Tentative Map, the City Council reviewed and considered the information contained in the EIR, MMRP, and Statement of Overriding Considerations, and found that the mitigation measures identified and incorporated into the Project and this Vesting Tentative Map, mitigate or avoid the significant environmental effects; and,

WHEREAS, the City Council has reviewed the Vesting Tentative Map and conducted a public hearing on January 29, 2019, at which time all interested persons were given an opportunity to

provide testimony and the Council considered the information presented in the Staff Report, 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. That this Resolution incorporates, and by this reference makes a part hereof, that certain Vesting Tentative Map, attached hereto as Exhibit "Vesting Tentative Map".
3. Tentative Map Findings. Pursuant to California Government Code Sections 66426 and 66428 and SCCC Section 17.05.300(g), the City Council finds and determines that:

A. The Vesting Tentative Map is consistent with the objectives, policies, general land use and programs specified in the City's General Plan in that the proposed Vesting Tentative Map is to allow the development of 165 affordable senior apartments, 160 multi-family mixed-income apartments, and 36 townhouses, with associated parking, landscaping and site improvements.

B. The design and improvements of the proposed subdivision are consistent with the City's General Plan in that the Vesting Tentative Map is subject to the conditions set forth in Exhibit "Conditions of Approval - Map", attached hereto and incorporated by this reference.

C. The site is physically suitable for the proposed type of development in that the project is designed to provide high quality housing that is designed to be consistent with the on-going and proposed development in the area.

D. This site is physically suitable for the proposed density of development in that the Project Site is located in an urbanized area and allows for redevelopment consistent with the height, uses and development that are existing and planned in the surrounding area.

E. 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 development and does not propose the use of hazardous chemicals or 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 previously developed site, and includes mitigation measures, as identified in the Environmental Impact Report, that reduce impacts to wildlife habitat 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 Vesting Tentative 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.

4. Based on the findings set forth in this Resolution and the evidence in the Staff Report, FEIR, MMRP and such other evidence as received at the public hearings on this matter before the City Council, the City Council hereby approves the Vesting Tentative Map , substantially in the form on file as shown in the "Vesting Tentative Map" attached hereto, subject to conditions of approval attached as "Conditions of Vesting Tentative Map Approval" and hereby incorporated by this reference.

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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 29th DAY OF JANUARY, 2019, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Vesting Tentative Map
2. Conditions of Vesting Tentative Map Approval
3. Mitigation Monitoring and Reporting Program

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