

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, APPROVING THE TENTATIVE PARCEL MAP TO
SUBDIVIDE THE 13,175 SQUARE FOOT PROJECT SITE INTO
THREE PARCELS AT THE PROPERTY LOCATED AT 1444
MADISON STREET AND 1411 LEWIS STREET, SANTA CLARA**

PLN2018-13428 (Tentative Parcel Map)

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

WHEREAS, on July 24, 2018, Greg Mussalem (“Applicant”) filed an application to allow the development on the property located at 1444 Madison Street (“Project Site”);

WHEREAS, the applicant requests a rezoning of the 13,175 square foot property from Medium-Density Multiple Dwelling (R3-36D) to Planned Development (PD) and a Tentative Parcel Map to subdivide the property into three parcels to allow the development of three detached single-family residences with detached garages and site improvements (“Project”), as shown on the Development Plans, attached hereto and incorporated herein by this reference;

WHEREAS, the Project is exempt from formal review under the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Class 3, Section 15303(a), “New Construction or Conversion of Small Structures,” which exempts projects for the construction and location of limited numbers of new, small facilities or structures, as the activity consists of the development of not more than three single-family residences in an urbanized area;

WHEREAS, pursuant to Santa Clara City Code Section 17.05.110, the proposed Tentative Parcel Map is referred directly to the City Council for consideration;

WHEREAS, on February 8, 2019, the notice of public hearing for the February 19, 2019, City Council meeting for this item was posted at least three conspicuous locations within 300 feet of the project site and was mailed to property owners within a 500 foot radius;

WHEREAS, on February 6, 2019, the notice of public hearing was published in the *Santa Clara Weekly*; and

WHEREAS, the City Council held a duly noticed public hearing on February 19, 2019 to consider the Project and all pertinent information in the record during which the City 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 this Resolution incorporates, and by this reference makes a part hereof, that certain Tentative Parcel Map, attached hereto as Exhibit "Tentative Parcel Map".

3. Tentative Parcel Map Findings. Pursuant to California Government Code Sections 66426 and 66428 and SCCC Section 17.05.400(f), the City Council hereby finds and determines that:

A. The Tentative Parcel Map is consistent with the objectives, policies, general land use and programs specified in the City's General Plan in that the proposed Tentative Parcel Map would allow a residential subdivision of three detached single-family residences that closely implements the General Plan's vision for residential development.

B. The design and improvements of the proposed subdivision are consistent with the City's General Plan in that the Tentative Parcel Map would allow a residential development within the density range of up to 10 dwelling units per acre for the Very Low Density Residential Land Use designation. The Tentative Parcel Map is subject to the conditions set forth in Exhibit "Conditions of Approval – Tentative Parcel 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 three detached single-family residences that is consistent with the

on-going and proposed development along Madison Street and Lewis Street. Moreover, the project is designed to retain the contextual consistency of existing single-family residences.

D. This site is physically suitable for the proposed density of development in that the Project Site allows a residential development with a density of 10 dwelling unit per acre that is consistent with the General Plan density range of up to 10 dwelling units per acre for the Very Low Density Residential Land Use designation.

E. The design of the subdivision and type of improvements are not likely to cause serious 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.

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 Tentative Parcel 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 and such other evidence as received at the public hearings on this matter, the City Council hereby approves the Tentative Parcel Map, substantially in the form on file as shown in the "Tentative Parcel Map" attached hereto, subject to conditions of approval attached as "Conditions of Approval for a Tentative Parcel Map" and hereby incorporated by this reference.

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 ____ DAY OF _____, 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. Tentative Parcel Map
2. Conditions of Approval for a Tentative Parcel Map

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