

RESOLUTION NO _____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SANTA CLARA, CALIFORNIA, APPROVING A USE
PERMIT TO ALLOW A NEW 190-ROOM HOTEL WITH ON-SITE
ALCOHOL SALES (ABC LICENSE TYPE 47) FOR THE
PROPERTY LOCATED AT 2900 LAKESIDE DRIVE, SANTA
CLARA, CA**

PLN2018-13582 (Use Permit)

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

WHEREAS, on October 17, 2018, Andrew Wood with Stratus Development Partners, LLC (“Applicant”) applied for a Use Permit to allow a new hotel with 190 rooms and an onsite guest dining amenity that will sell and serve beer, wine, and distilled spirits under California Alcohol Beverage Control license type 47 for the property located at 2900 Lakeside Drive (“Project Site”);

WHEREAS, the Project Site is currently zoned ML – Light Industrial and has the General Plan land use designation of Low Intensity Office / Research and Development (R&D);

WHEREAS, pursuant to Santa Clara City Code (“SCCC”) Section 18.48.040(e), uses that are not permitted by right but that are appropriate for an industrial area, such as lodges and bingo halls, can be conditionally permitted in the ML zoning district, provided that the proposed use and structure would not be objectionable or detrimental to adjacent properties or to the industrial area in general by reason of traffic, parking, noise, inappropriate design or signs, if the Planning Commission approves a Use Permit;

WHEREAS, the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) per section 15332 of the CEQA Guidelines (Class 32 - In-fill Development), in that the project is consistent with the applicable general plan designation and all applicable general plan policies, which allow hotel uses north of the Caltrain corridor on sites with an FAR less than 2.0, as well as with the applicable zoning designation and regulations, which allow for

a hotel in the ML zone with the approval of a use permit; the project site is less than five acres (1.96 acres) and is substantially surrounded by urban uses (a hotel, a commercial use, and two office buildings); the project site has no value as habitat for endangered species; approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be served by all required utilities and public services;

WHEREAS, pursuant to SCCC Section 18.110.040, the Planning Commission cannot grant a Use Permit without first making specific findings related to the effect of the project on health, safety, peace, comfort, and general welfare, based upon substantial evidence in the record;

WHEREAS, on May 10, 2019, the notice of public hearing for the May 22, 2019 meeting date for this item was posted in three conspicuous locations within 300 feet of the Project Site and mailed to all property owners located within 500 feet of the Project Site;

WHEREAS, on May 22, 2019, the Planning Commission continued the project to the regular June 12, 2019 Planning Commission meeting to review the revised elevations and consider the Use Permit; and

WHEREAS, on June 12, 2019, the Planning Commission conducted a public hearing, at which all interested persons were given an opportunity to present evidence and give testimony, both in support of and in opposition to the proposed Use Permit.

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

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That the Planning Commission hereby approves the Use Permit to allow a 190-room hotel with a two-level parking structure at the Project Site, as depicted on Exhibit "Development Plans," attached hereto and incorporated herein by this reference, and an onsite guest dining amenity that will sell and serve beer, wine, and distilled spirits under California Alcohol Beverage Control license type 47.

3. That based upon substantial evidence in the record of the hearing, including the facts stated in this resolution, the Planning Commission hereby finds that:

A. The establishment or operation of the use or building applied for, under the circumstances of the particular case, are essential or desirable to the public convenience or welfare, in that the proposal contributes to the variety of private service uses available in the industrial area;

B. Said use will not be detrimental to any of the following:

1) The health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, in that the applicant supplied documentary evidence that the proposed quantity of parking would be sufficient to support the proposed use, and the project will be constructed in accordance with the California Building Code;

2) The property or improvements in the neighborhood of such proposed use, in that the Project provides on-site and off-site improvements to landscaping and pedestrian pathways;

3) The general welfare of the City, in that the proposed use contributes to the variety of private service uses available in the industrial area of the City and is designed with sufficient on-site parking to support the proposed use;

C. That said use will not impair the integrity and character of the zoning district, in that the Project is designed to be compatible in scale and street frontage as the adjacent properties; and

D. That said use is in keeping with the purposes and intent of the Zoning Code, in that a non-industrial use may be conditionally permitted when the use would not be objectionable or detrimental to the adjacent properties in the Light Industrial zoning district. A hotel is a compatible and complementary use in the proposed location and will serve the general public.

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 PLANNING COMMISSION OF THE CITY OF SANTA CLARA,
CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 12TH DAY OF JUNE,
2019, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

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

Attachments Incorporated by Reference:

1. Development Plans
2. Conditions of Approval