

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL APPROVE A REZONING FROM THOROUGHFARE COMMERCIAL (CT) TO PLANNED DEVELOPMENT (PD) TO ALLOW A RESIDENTIAL DEVELOPMENT CONSISTING OF 48 RESIDENTIAL UNITS, INCLUDING SIX LIVE/WORK UNITS, LOCATED AT 3035 EL CAMINO REAL, SANTA CLARA

PLN2018-13265 (Rezone)
PLN2018-13266 (Tentative Subdivision Map)
CEQ2018-01061 (Mitigated Negative Declaration)

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

WHEREAS, on May 11, 2018, Hayden Land Company LLC (“Applicant”) filed a development application for the 1.88 acre site consisting of two parcels (with a single Assessor’s Parcel Number: 220-32-059) at 3035 El Camino Real, currently developed with a one-story commercial building totaling 5,200 square feet, a surface parking lot and street frontage landscaping (“Project Site”);

WHEREAS, the Applicant applied to rezone the Project Site from Thoroughfare Commercial (CT) to Planned Development (PD) to allow a residential development consisting of 48 condominium units, including six live/work units (“Project”) as shown on the Development Plans, attached hereto and incorporated herein by this reference;

WHEREAS, in conformance with CEQA, the Mitigated Negative Declaration (MND) prepared for the Project was noticed and circulated for a 30-day public review period from July 16, 2019 to August 15, 2019;

WHEREAS, the MND identified potential significant impacts of Project development that with implementation of the mitigation measures identified in the Mitigation Monitoring and Reporting Program (“MMRP”) will reduce potential mitigation measures to less than significant and will be incorporated into the Project;

WHEREAS, Santa Clara City Code (SCCC) Section 18.112.040 provides for the review and recommendation of the City's Planning Commission of all rezoning requests before action is to be taken by the City Council;

WHEREAS, on October 11, 2019, the notice of public hearing for the October 23, 2019 Planning Commission meeting for this item was posted in multiple locations within the City limits, including three locations within 300 feet of the Project Site, and mailed to all property owners within 1,000 feet of the Project Site, according to the most recent Assessor's roll; and,

WHEREAS, on October 23, 2019, the Planning Commission held a duly noticed public hearing to consider the Project, MND, MMRP, and all pertinent information in the record during which the Planning Commission 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 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 recommends that the City Council rezone the Project Site from Thoroughfare Commercial (CT) to Planned Development (PD) to allow a residential development consisting of 48 condominium units, including six live/work units, as shown on the attached Development Plans and conditioned as specified in the attached Conditions of Rezoning Approval, incorporated herein by this reference.
3. Pursuant to SCCC Code Section 18.112.010, the Planning Commission determines that the following findings exist in support of the rezoning:
 - A. The existing zoning is inappropriate or inequitable, in that the existing zoning for the Project Site does not allow residential development and creation of housing opportunities reflective of the density range identified in the 2010-2035 General Plan. The Planned Development (PD) zoning would allow residential development to implement the General Plan's

vision for the El Camino Real Focus Area not currently permitted by the existing Thoroughfare Commercial (CT) zoning for the Project Site.

B. The proposed zone change will conserve property values, protect or improve the existing character and stability of the area in question, and will promote the orderly and beneficial development of such area, in that the proposal redevelops two underutilized parcels and visually improves the Project Site and surrounding neighborhood with physical and financial investment in the construction of a modern and visually aesthetic development with on-site parking, site improvements, landscaping, and streetscape enhancements.

C. The proposed zone change is required by public necessity, public convenience, or the general welfare of the City, in that the proposed zone change provides residential development contemplated by the General Plan for the El Camino Real Focus Area that is designed to activate the streetscape, is pedestrian-oriented, supports public investments in existing and planned transit service along the El Camino Real transit corridor, and provides high quality homeownership opportunities to the City's housing stock.

D. The proposed zone change would allow imaginative planning and design concepts to be utilized that would otherwise be restricted in other zoning districts in that the proposed zone change would allow flexibility in the development standards to construct for-sale condominiums that are compatible with existing and planned development within the El Camino Real Focus Area.

4. That based on the findings set forth in this resolution and the evidence in the City Staff Report, MND and MMRP, the Planning Commission hereby recommends that the City Council rezone the Project Site as set forth herein.

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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 PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 23rd DAY OF OCTOBER, 2019, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

Attachments Incorporated by Reference:

- 1. Conditions of Rezoning Approval
- 2. Development Plans

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