

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE TENTATIVE SUBDIVISION MAP FOR THE PROPERTIES LOCATED AT 3035 EL CAMINO REAL, SANTA CLARA, TO SUBDIVIDE THE 1.88 ACRE PROJECT SITE INTO A SINGLE LOT WITH 48 CONDOMINIUMS

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

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), and the regulations implementing the Act, specifically 14 Cal. Code of Regs § 15070, this Project was determined after an Initial Study to identify potentially significant effects on the environment which could be avoided with the implementation of mitigation measures, resulting in the drafting of a Mitigated Negative Declaration (“MND”) and Mitigation Monitoring and Reporting Program (“MMRP”);

WHEREAS, pursuant to Section 17.05.210 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 a single lot with forty-eight (48) condominium units, as shown on Exhibit “Tentative Subdivision Map” and attached hereto by this reference;

WHEREAS, on February 19, 2019, the Subdivision Committee determined that the application was complete and that the Tentative Subdivision Map be reviewed by the Planning Commission and the City Council in conformance with Section 17.05.300 of the SCCC as a Tentative Subdivision Map along with the project;

WHEREAS, Section 17.05.300 (g) of the SCCC requires that the Planning Commission conduct a public hearing before considering the approval of a Tentative Subdivision Map for the division of land;

WHEREAS, notice of the public hearing on the Tentative Subdivision Map was published in *The Weekly*, a newspaper of general circulation for the City, on October 9, 2019;

WHEREAS notices of the public hearing on the Tentative Subdivision Map were 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 property, according to the most recent Assessor’s roll;

WHEREAS, on October 11, 2019, the City also mailed notice to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the Project;

WHEREAS, before considering the Tentative Subdivision Map, the Planning Commission reviewed and considered the information contained in the MND for the Project and MMRP, and found that the mitigation measures identified and incorporated into the Project and this Tentative Subdivision Map, mitigate or avoid the significant environmental effects; and,

WHEREAS, the Planning Commission has reviewed the Tentative Subdivision Map and conducted a public hearing on October 23, 2019, at which time all interested parties were given

an opportunity to provide testimony and present evidence, both in support of and in opposition to the proposed Tentative Subdivision Map.

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 this Resolution incorporates, and by this reference makes a part hereof, that certain Tentative Subdivision Map, attached hereto as Exhibit "Tentative Subdivision Map".
3. Tentative Subdivision Map Findings. Pursuant to California Government Code Sections 66426 and 66428 and SCCC Section 17.05.300(g), the Planning Commission finds and determines that:

A. The Tentative Subdivision Map is consistent with the general land uses and programs specified in the City's General Plan, in that the proposed Tentative Subdivision Map subdivides the site to allow the development of 48 ownership residential units, a private street, on-site resident and visitor parking, common landscaped areas, landscaping and site improvements compatible with neighboring residential development and existing and planned development within the El Camino Real Focus Area, subject to conditions set forth in the Conditions of Tentative Subdivision Map Approval. The project proposes a density of 26 dwelling units per acre (du/ac), consistent with the site's Community Mixed Use General Plan designation. The project is also consistent with the El Camino Real Focus Area policies.

B. The design and improvements of the proposed subdivision are consistent with the City's General Plan in that the Tentative Subdivision Map will entitle the division of the site into a single lot with forty-eight (48) condominium units at a density of 26 du/ac, within the 20 to 36 du/ac density range supported by the Community Mixed Use General Plan designation, and the project is subject to the conditions set forth in Exhibit "Conditions of Approval - Tentative Subdivision 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 ongoing and proposed development along El Camino Real. Moreover, the project is designed to retain the contextual consistency of the corridor.

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 health problems in that the proposed residential subdivision will implement Covenants Conditions and Restrictions for operation and maintenance of the building and site improvements and does not propose the use of hazardous 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 Site is located in an urbanized setting, on a previously developed site, and includes mitigation measures, as identified in the MND and MMRP, 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 Tentative Subdivision 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, MND, MMRP and such other evidence as received at the public hearings on this matter before the Planning Commission, the Planning Commission hereby recommends approval of the

Tentative Subdivision Map to the City Council, substantially in the form on file as shown in the “Tentative Subdivision Map” attached hereto, subject to conditions of approval attached as “Conditions of Approval Tentative Subdivision Map”.

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:

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

Attachments Incorporated by Reference:

1. Tentative Subdivision Map
2. Conditions of Tentative Subdivision Map Approval