

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SANTA CLARA, CALIFORNIA TO APPROVE A GENERAL
PLAN AMENDMENT FROM RIGHT OF WAY TO MEDIUM
DENSITY RESIDENTIAL LOCATED AT 2330 MONROE
STREET, SANTA CLARA**

PLN2019-13763 (General Plan Amendment)
PLN2019-13723 (Application of Rezoning)
CEQ2019-01067 (Mitigated Negative Declaration)

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

WHEREAS, on February 1, 2019, HKIT Architects and Freebird Development Company, LLC (“Applicant”) filed an application for General Plan Amendment in connection with the development of a 2.47 acre site at 2330 Monroe Street, a vacant city-owned property at the southeast corner of Monroe Street and San Tomas Expressway (“Project Site”);

WHEREAS, the General Plan Amendment (GPA) proposes to change the land use designation of the Project Site from Right of Way to Medium Density Residential to allow residential densities ranging from 20 to 36 units per gross acre;

WHEREAS, the Applicant simultaneously applied to rezone the Project Site from Single Family Residential (R1-6L) to Planned Development (PD) to allow construction of a multi-family affordable housing development consisting of 65 units, onsite amenities, approximately 32,000 square foot of open space and surface parking (“Project”) as shown on the Development Plans, attached hereto as Exhibit “Development Plans” and incorporated herein by this reference;

WHEREAS, in conformance with CEQA, a Mitigated Negative Declaration (MND) was prepared for the Project and was noticed and circulated for a 30-day public review period from September 25, 2019 to October 25, 2019;

WHEREAS, the MND prepared for the project 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 environmental impacts to less than significant levels and will be incorporated into the Project;

WHEREAS, Government Code Section 65355 requires the City Council to hold a public hearing prior to approve the General Plan Amendment;

WHEREAS, notice of the public hearing on the proposed General Plan Amendment was published in the *Santa Clara Weekly*, a newspaper of general circulation for the City, on January 15, 2020;

WHEREAS, notices of the public hearing on the General Plan Amendment were mailed to all property owners within 1,000 feet of the Project Site, according to the most recent assessor’s roll, on January 16, 2020;

WHEREAS, on January 16, 2020, notices of the public hearing on the General Plan Amendment were mailed 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 General Plan Amendment for the Project Site, the City Council reviewed and considered the information contained in the MND document prepared for the project;

WHEREAS, the City Council has reviewed the General Plan Amendment; and,

WHEREAS, on January 28, 2020, the City Council conducted a public hearing to consider the GPA, at which time all interested persons were given an opportunity to give testimony and provide evidence in support of and in opposition to the proposed General Plan Amendments.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF 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 the City Council finds and determines that the General Plan Amendment is in the interest of the public good for the following reasons:

- A. The proposed amendment is deemed to be in the public interest, in that the project is located in an urbanized area served by existing municipal services and implements smart growth principles by redeveloping underutilized properties with medium density housing projects and providing affordable housing units;
 - B. The proposed General Plan amendment is consistent and compatible with the rest of the General Plan and any implementation programs that may be affected, in that the proposal includes different sized affordable housing units ranging from studio units to three-bedroom units, increasing the City's housing stock, while providing adequate choices of housing tenure, type and location which will assist in meeting the housing needs of the City;
 - C. The potential impacts of the proposed amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare, in that as proposed, it includes all feasible mitigation to address the potential environmental effects of the project; and
 - D. The proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA), in that a Mitigated Negative Declaration for the amendment has been prepared.
3. That pursuant to Government Code § 65358, the City Council hereby amends the General Plan by changing the General Plan Land Use Designation for the Project Site from Right of Way to Medium Density Residential to allow a medium density affordable housing development.

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 CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 28th DAY OF JANUARY 2020, 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. Conditions of Rezoning Approval
2. Development Plans