

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SANTA CLARA, CALIFORNIA TO APPROVE A REZONING
FROM SINGLE FAMILY RESIDENTIAL (R1-6L) TO PLANNED
DEVELOPMENT (PD) TO ALLOW A MULTIFAMILY
AFFORDABLE HOUSING DEVELOPMENT CONSISTING OF 65
AFFORDABLE RESIDENTIAL UNITS 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 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 application includes a proposed General Plan Amendment (GPA) to change the land use designation of the Project Site from Right of Way to Medium Density Residential;

WHEREAS, the Applicant applied to rezone the Project Site from Single Family Residential (R1-6L) to Planned Development 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) prepared for the Project 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, 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 November 13, 2019, the Planning Commission held a duly noticed public hearing to consider the Project, MND, MMRP and all pertinent information in the record, including public testimony, at the conclusion of which the Planning Commission voted to recommend that the City Council adopt the MND and MMRP, approve the general plan amendment, and approve the rezoning 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 to support the development; and

WHEREAS, on January 16, 2020, the notice of public hearing for the January 28, 2020 City Council meeting for this item was posted in three conspicuous locations within 300 feet of the project site and was mailed to property owners within a 1,000-foot radius of the Project Site; and

WHEREAS, on January 28, 2020, the City Council held a duly noticed public hearing to consider the Rezoning application, 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 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 hereby rezones 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, 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 City Council 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 consistent with the density range of the proposed General Plan land use designation for the Project Site. The Planned Development (PD) zoning would allow residential development to better implement the General Plan's vision for infill development than the existing Single Family zoning (R1-6L) 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 project incorporates smart-growth elements such as redevelopment of underutilized properties 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 will allow development of all affordable housing units as contemplated by the General Plan and utilizes the currently vacant site to develop a residential development of scale and character that complements the surrounding uses and provides housing opportunities for persons of all economic levels, as well as for persons with mental or physical disabilities;

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-rent affordable housing units that are compatible with existing surrounding developments.

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

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 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

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