

RESOLUTION NO. _____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SANTA CLARA, CALIFORNIA, REZONING THE
PROPERTY LOCATED AT 190 N. WINCHESTER BOULEVARD,
SANTA CLARA FROM PLANNED DEVELOPMENT (PD) TO
PLANNED DEVELOPMENT (PD)**

PLN2021-14833 (Rezone)

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

WHEREAS, USA Properties Fund, Inc. (“Applicant”) applied for a Rezoning from Planned Development (PD) to Planned Development (PD) of a 1.86-acre site, which is currently occupied by a senior residential project (Santana Terrace Apartments) with 92 rental units and 105 parking spaces, located at 190 N. Winchester Boulevard, Santa Clara (“Project Site”);

WHEREAS, the Project Site is currently zoned as Planned Development (PD);

WHEREAS, in order to effectuate the development application and its change in use, the Project Site needs to be rezoned to a Planned Development (PD) to allow an adjustment to the age restriction language, currently restricting occupancy to senior households age 55 or older, to instead allow occupancy for residents of all ages (“Project”).

WHEREAS, on January 12, 2016 the City Council adopted a Mitigated Negative Declaration (“MND”) and a Mitigation Monitoring and Reporting Program for the Santana Terrace senior housing development. The MND concluded that the original senior project, with mitigation measures implemented, would not result in any significant impacts on the area’s environmental resources.

WHEREAS, in conformance with CEQA, an addendum to the MND prepared for the new Project, and was posted on City’s website on June 18, 2021. The addendum concluded that as modified, the Project would not result in any new significant environmental impacts, or substantially increase the severity of any previously identified significant impacts.

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, pursuant to section 18.112.060 of the City of Santa Clara Code, on July 1,, 2021, Planning Commission 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 July 12, 2021, the Planning Commission held a duly noticed public hearing to consider the Project 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 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. The Planning Commission hereby recommends that the City Council rezone the Project Site from Planned Development (PD) to Planned Development (PD) with an adjustment to the age restriction language, currently restricting occupancy to senior households age 55 or older, to instead allow occupancy for residents of all ages.
3. Pursuant to SCCC 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 restricts occupancy to seniors and does not allow occupancy for all ages. The project, as proposed, is generally consistent with the existing land uses in the immediate project area.

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 provides high quality apartments, one-bedroom to two-bedroom units, in an urbanized area available to residents of all ages. The project is located in an urbanized area served by existing municipal services.

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 allows availability of high quality housing units in proximity to retail and transit to residents of all ages and not just seniors. Nearby hospitals include O'Connor Hospital and Santa Clara Valley Medical Center, both of which are within 2 miles of the project site.

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 availability of a 92-unit residential project in a manner that is consistent with the ongoing and future development adjacent to the project site.

4. That based on the findings set forth in this resolution and the evidence in the City Staff Report, addendum to MND, 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 SPECIAL MEETING THEREOF HELD ON THE 12th DAY OF JULY 2021, 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. Conditions of Approval - Rezone
2. Development Plans