

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SANTA CLARA, CALIFORNIA APPROVING A REZONING
FROM PLANNED DEVELOPMENT (PD) TO PLANNED
DEVELOPMENT (PD) TO ALLOW A DATA CENTER
DEVELOPMENT LOCATED AT 2905 STENDER WAY, SANTA
CLARA**

PLN2019-14118 (Rezone)
CEQ2020-01075 (Mitigated Negative Declaration)

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

WHEREAS, on September 18, 2019, CoreSite Real Estate SV9. L.P. (“Applicant”) filed an application for the 3.9-acre site at 2905 Stender Way with surface parking lot and a single-story light industrial building (“Project Site”);

WHEREAS, the Applicant applied to rezone the Project Site from Planned Development (PD) to Planned Development (PD) to allow development of a 250,000 square-foot four-story data center, a new substation, equipment yards and onsite improvements (“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 29, 2020 and closed on August 28, 2020;

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 April 14, 2021, the Planning Commission held a duly noticed public hearing to consider the Project, MND, and MMRP, at the conclusion of which, the Planning Commission voted to refer the Project to the City Council with no recommendation;

WHEREAS, under SCCC Section 18.112.040, the failure of the Planning Commission to issue a recommendation within 35 days after the close of the Planning Commission public hearing constitutes a recommendation of denial;

WHEREAS, on May 27, 2021, the notice of public hearing for the June 8, 2021, 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 June 8, 2021, the City Council held a duly noticed public hearing to consider the Project, MND, MMRP, and all pertinent information in the record 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 Planned Development (PD) to Planned Development (PD) to allow development of a 250,000 square-foot four-story data center, a new substation, equipment yards and onsite improvements 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 data center development and creation of a range of industrial

uses including general service, warehousing, storage, distribution and manufacturing contemplated in the 2010-2035 General Plan due to the previous rezoning. The Planned Development (PD) zoning would allow data center development to better implement the General Plan's vision for the Light Industrial General designation of 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 the underutilized property 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 onsite improvements.

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 data center development and creation of a range of industrial uses including general service, warehousing, storage, distribution and manufacturing contemplated by the General Plan Light Industrial designation 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 flexibility in the development standards to construct a four-story data center building that is consistent with the existing surrounding light industrial character and uses.

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 approves the rezoning of 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 CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 8th DAY OF JUNE 2021, 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