

**CITY ATTORNEY IMPARTIAL ANALYSIS
RESOLUTION NO. 07-7432**

This resolution, if enacted by the voters of the City of Santa Clara, rezones approximately 17 acres of land located at 90 N. Winchester Boulevard, from "A" Agriculture to: PD (R3-25D) in order to allow a senior housing development; PD (R-3-18D) for a single-family residential development; and "B" Public for a public park. The resolution also grants a density bonus and incentives for the senior housing development, including allowing development of more units than currently allowed under the Zoning Ordinance, requiring one parking space per unit where the Zoning Ordinance requires two, reducing the requirements for covered parking and parking stall dimensions, and increasing building heights.

The property at issue is owned by the State of California. The University of California used the property for an agricultural research station known as the Bay Area Research Extension Center (BAREC) for approximately eighty (80) years. The State of California declared the property surplus in September 2002, and the University of California decommissioned the agricultural research station.

The property is proposed to be redeveloped for a mixture of single family and senior housing with a one acre public park. Specifically, SummerHill Homes has entered into a purchase contract with the State of California for approximately 11 acres, and is proposing to construct approximately 110 single family homes on ten acres with an approximately one acre public park. The remaining six acres will be developed by Charities Housing, which is proposing to build 165 rental units to be made available to seniors at low and very low income levels, with approximately 2.5 acres of gardens. The senior units are proposed to be owned and operated by the Santa Clara Methodist Retirement Foundation.

A "no" vote is a vote against enactment of the resolution. If the resolution is not enacted by a majority vote of the electors voting, then the "A" Agriculture zoning will remain on the property, the density bonuses and other incentives will not apply, the proposed projects cannot receive entitlements, and the City Council will be precluded from considering any similar resolution for a period of one year from the date of this election.

A "yes" vote is a vote in favor of enactment of the resolution. If the resolution is enacted by a majority vote of the electors voting, then the parcel will be rezoned from "A" Agriculture to: PD (R3-25D) in order to allow a senior housing development; PD (R-3-18D) for a single-family residential development; and "B" Public for a public park.