

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
APPROVING A VESTING TENTATIVE SUBDIVISION MAP FOR
THE PROPOSED DEVELOPMENT OF EIGHT SINGLE FAMILY
HOUSING UNITS LOCATED AT 2303 GIANERA STREET,
SANTA CLARA**

WHEREAS, on November 29, 2023, VCI Companies (“Applicant”) filed an application (PLN23-00577) to redevelop a 16,893 square-foot parcel, located at 2303 Gianera Street (“Project Site”) with eight residential single family units;

WHEREAS, a separate application was opened (File No. PLN24-00262) for a Vesting Tentative Subdivision Map to subdivide the property into eight residential units and one common lot;

WHEREAS, the Owner simultaneously applied to rezone the Project Site from Low Density Residential (R2) to Planned Development (PD) and subdivide the land through a Vesting Tentative Subdivision Map application to allow the construction of eight two-story for-sale semi-attached single-family residences, associated on- and off-site improvements and a common lot to be used as a utility corridor, vehicle access, landscape open space, and bioretention areas to serve the development (“Project”), as shown on the attached Development Plans and Vesting Tentative Subdivision Map, incorporated herein by this reference;

WHEREAS, pursuant to Section 17.05.210 of the Code of the City of Santa Clara (“SCCC”), a Vesting Tentative Map shall be required for all divisions of land into five or more parcels;

WHEREAS, consistent with the proposed uses under the development plan, the proposal includes the division of the site into eight individual lots and one common lot, as shown on the proposed Vesting Tentative Subdivision Map, attached hereto and incorporated herein by this reference;

WHEREAS, on January 9, 2024, the Subdivision Committee determined that the application was complete and that the Vesting Tentative Subdivision Map be reviewed by the Planning Commission and the City Council in conformance with Section 17.05.300 of the SCCC as a Vesting Tentative Subdivision Map along with the Project;

WHEREAS, SCCC Section 17.05.300(h) requires that the City Council make a determination to deny, approve or conditionally approve a Vesting Tentative Map;

WHEREAS, the City, as Lead Agency, in tandem with Consultant 'David J. Powers' prepared an Initial Study ("IS") and a Negative Mitigation Declaration ("MND") for the Project in accordance with the California Environmental Quality Act ("CEQA") and the City circulated copies of the IS/MND for a 20-day review between November 8 and December 2, 2024 to the public agencies which have jurisdiction by law with respect to the Project, as well as to other interested persons, organizations and agencies; and the City sought the comments of such persons, organizations and agencies;

WHEREAS, the IS/MND identified possible impacts on the environment with Project development that with implementation of the mitigation measures specified in the Mitigation Monitoring and Reporting Program ("MMRP") for the Project would reduce the potentially significant effects to less than significant;

WHEREAS, the City through consultant 'David J. Powers' prepared written responses to the comments received during the Comment Period and included these responses in a Final Mitigated Negative Declaration ("MND");

WHEREAS, the Mitigation Monitoring and Reporting Program ("MMRP") has been prepared for implementation with Project development to reduce potentially significant impacts identified in the IS/MND for the Project, to less than significant;

WHEREAS, Section 17.05.300 (h) of the SCCC requires that the City Council consider the approval of a Vesting Tentative Subdivision Map for the division of land;

WHEREAS, on May 14, 2025, notices of the Planning Commission Hearing and City Council Hearing were mailed to all property owners within 1000 feet of the Project Site boundaries;

WHEREAS, on June 5, 2025, notice of the Planning Commission Hearing and City Council Hearing was posted at City Hall, the Central Park Library, the Mission Branch Library, the Northside Branch Library, and on the City's website; and

WHEREAS, on June 11, 2025, the Planning Commission held a duly noticed public hearing to consider the Project, at the conclusion of which, the Commission voted 7-0 to recommend approval to the City Council to approve a Vesting Tentative Subdivision Map to subdivide the property into eight residential units and one common lot;

WHEREAS, on July 15, 2025, City Council held a duly noticed public hearing to consider the Project 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 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. Vesting Tentative Map Findings. Pursuant to California Government Code Sections 66426 and 66428 and SCCC Section 17.05.300(h), the City Council finds and determines that:

A. The Vesting Tentative Map is consistent with the objectives, policies, general land uses and programs specified in the City's General Plan in that the Vesting Tentative Map subdivides the existing 16,893 square-foot Project Site into eight residential units and one common lot, subject to conditions set forth in the Conditions of Vesting Tentative Map Approval, attached hereto and incorporated by this reference.

B. The design and improvements of the proposed subdivision are consistent with the City's General Plan, in that the Vesting Tentative Subdivision Map facilitates development of housing stock and construction of ownership housing opportunities for the community; and furthermore complies with General Plan Land Use and Transitional Goals and Policies of the General Plan by redeveloping a low density residential lot from a single family unit to eight single family units, meeting the density allowed and creating additional transition in scale and intensity of use from the existing surrounding Planned Development units.

C. The site is physically suitable for the proposed type of development, in that the Project is compatible with the adjacent uses and the zoning code.

D. The site is physically suitable for the proposed intensity of development, in that the Project Site is located in an urbanized area and is served by existing utilities and infrastructure.

E. The design of the subdivision and type of improvements are not likely to cause serious health problems, in that the proposed residential subdivision will implement Covenants, Conditions, and Restrictions for operation and maintenance of the building and site improvements and does not propose the use of hazardous materials.

F. The design of the subdivision and type of improvements are not likely to cause substantial environmental damage and will not substantially or unavoidably injure fish or wildlife or their habitat in that the Project Site is located in an urbanized setting, is a developed site, and the project considered potential environmental impacts as addressed in a Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program;

G. The design of the subdivision and type of improvements will not conflict with easements acquired by the public at large or use of property within the proposed subdivision in that it is designed to avoid encroachment and conflicts with public easements in the site design.

H. The Tentative Subdivision Map provides, to the extent feasible, for future passive or natural heating or cooling opportunities, in that it would allow flexibility in the development standards to maximize the benefits of green building standards for site and building design.

3. Based on the findings set forth in this Resolution and the evidence in the Staff Report and such other evidence as received at the public hearings on this matter before the City Council, the City Council hereby approves the Vesting Tentative Subdivision Map, substantially in the form on file as shown on the attached Vesting Tentative Subdivision Map and Conditions of Vesting Tentative Subdivision Map Approval, hereby incorporated by this reference.

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 15TH DAY OF JULY 2025, 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. Vesting Tentative Subdivision Map
2. Conditions of Vesting Tentative Subdivision Map Approval