

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA APPROVING A REZONING FROM LOW DENSITY
RESIDENTIAL - R2, TO PLANNED DEVELOPMENT (PD) TO
ALLOW A RESIDENTIAL DEVELOPMENT CONSISTING OF
EIGHT SEMI-ATTACHED SINGLE-FAMILY RESIDENCES
LOCATED AT 2303 GIANERA STREET, SANTA CLARA**

PLN23-00577 (Rezone)
PLN24-00262 (Vesting Tentative Subdivision Map)

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, 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;

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, pursuant to Section 18.112.050 of the Classic Code of the Santa Clara, the City Council may make a determination for rezoning requests;

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 Rezone the parcel from Low Density Residential (R2) to Planned Development (PD);

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. That the City Council hereby rezones the Project Site from Low Density Residential (R2) to Planned Development (PD) to allow eight 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, 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 18.112.050, 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 for residential development to meet the General Plan designated density. The Planned Development (PD) zoning would allow residential development to implement the General Plan's Housing Element more fully than the existing Low Density Residential (R2) zoning designation 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 proposal redevelops an underutilized property and visually improves the Project Site and surrounding neighborhood with physical and financial investment in the construction of a modern, high quality, residential home ownership 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 provides residential development consistent with the General Plan designation for the Project Site and for-sale high-quality homeownership opportunities for eight households, of which one of the residences shall be available at an affordable income level.

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-sale semi-attached residences that are compatible with existing and planned development in the surrounding residential and commercial area.

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 to allow development of eight semi-attached single-family residences, as shown on the attached Development Plans and conditioned as specified in the attached Conditions of Rezoning Approval.

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 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. Development Plans
2. Rezone Conditions of Approval