



Agenda Report

25-428

Agenda Date: 6/11/2025

REPORT TO PLANNING COMMISSION

SUBJECT

PUBLIC HEARING: Action on a property located at 2303 Gianera Street (PLN23-00577/PLN23-00262) for a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, Rezone, and Vesting Tentative Subdivision Map (PLN23-00577/PLN23-00262) to Allow the Development of Eight Semi-Attached Single-Family Residences and Associated On- and Off-Site Improvements.

File No(s): PLN23-00577/PLN23-00262

Location: **2303 Gianera Street**, a 16,893 square-foot lot located on the north side of Gianera Street, on the intersection of Cheeney Street and Gianera Street; APN: 104-06-037;

General Plan: Low Density Residential (8-19 DU/AC)

Zoned: Low Density Residential (R2)

Applicant: VCI Companies

Owner: Gianera Estate LLC

Request: Action on a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, Rezone, Vesting Tentative Subdivision Map, and development

Surrounding Land Uses:

North: ROW - Right of Way

South: Planned Development - Low Density Residential

East: Planned Development - Low Density Residential

West: Planned Development - Low Density Residential

Issues: Consistency with the City's General Plan and conformance with the Subdivision Map Act.

Staff Recommendation: The Planning Commission adopt resolutions recommending the City Council adopt the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program; and approve the Rezone and Vesting Tentative Subdivision Map for the property located at 2303 Gianera Street.

BACKGROUND

On November 29, 2023, VCI Companies submitted a proposal for the subject property. The request includes the rezoning from R2 - Low Density Residential to PD - Planned Development, the demolition of an existing single-family residence, the construction of eight semi-attached two-story homes, and a tentative subdivision map to create eight individual lots and one common lot. The proposed project was split into two separate permits, (File No. PLN23-00577) for the rezoning and development of the parcel, and (File No. PLN24-00262) for the tentative subdivision map. The project was deemed complete by the Project Clearance Committee (PCC) on January 9, 2024, before the updated Zoning Code came into effect.

Zoning Code Section 18.02.070 - Effect of Zoning Code Amendments on Projects in Progress, states that all planning permit applications that are active and that have been determined to be complete by the PCC before the effective date of the Zoning Code, shall be processed in compliance with the requirements in effect when the application was deemed complete. This application was deemed complete on January 9, 2024; therefore, the project was reviewed based on the Classic Code. The Classic Code, per chapter 18.54, allowed for PD districts without project lot size restrictions, with the intention to accommodate development that is compatible

with the existing community and that utilizes imaginative planning and design concepts that would be restricted in other zoning districts. Moreover, Chapter 18.54 allowed for the subdivision of land in a manner that resulted in units having a reduced public street frontage than would ordinarily be required.

The project requires approvals for Rezoning (Classic Code Chapter 18.76), Architectural Review (Classic Code Chapter 18.112) of the eight single family units, and approval for the Tentative Subdivision Map (Chapter 17.05.)

Planning Commission's review and a recommendation to the City Council are required under Classic Code Chapter 18.112 for amendment applications, including rezonings. Rezonings are ultimately approved by the City Council. Architectural Review will occur subsequent of the determinations on the Rezone and Subdivision Map requests.

DISCUSSION

The property has a General Plan Designation of Low Density Residential, which has a density requirement between eight - 19 dwelling units per acre. The subject property is zoned R2, and was zoned R1-6L at the time the application was submitted. Under either zoning, the parcel could only be developed with one single-family unit on the property and possibly an SB 9 second unit and/or an ADU. The applicant submitted for a PD process due to the limitations of the former zoning AND the current R2 zoning, in order to allow eight single-family units. Note that because the project was deemed complete prior to the adoption of the current zoning code, PD zoning is appropriate, whereas, if this were proposed today, the lot is too small to meet the size thresholds for a new PD of at least 25 acres in size.

Much of the surrounding area is established with a similar development pattern, with properties that were formerly R1 or R2 zoned, Low Density Residential properties that were rezoned to PD, subdivided, and developed with semi-attached single-family residences with common driveways. Within the 1,000-foot project radius (See Attachment 8 - Vicinity Map) there are about 397 residential properties, of which, about 89% are zoned PD and are built in a similar manner.

Per Chapter 18.54 of the Classic Code, Planned Developments intend to accommodate development that is compatible with the existing community and that utilizes planning concepts that would be restricted in other zones. Design standards for Planned Developments, listed in Classic Code Section 18.54.050, state that proposed plans must be designed to form a harmonious, integrated project of sufficient unity and architectural quality of the surrounding neighborhood.

The project meets the requirements listed in Chapter 18.54 of the Classic Code, it includes a development plan, a fully dimensioned plot plan for each site, on-site parking and loading plan, elevations and drawings.

Neighborhood Context

Much of the surrounding area is currently zoned as PD and includes similar style attached single-family homes. The subject property is the largest R2 zoned lot in the neighborhood and currently has a single-family residence. The proposed project would mirror many of the surrounding developments and would meet the Classic Code Chapter 18.54, which intends a PD districts to accommodate development that is compatible with the existing community and utilizes flexible planning and design concepts that would otherwise be restricted and allows for subdivisions with reduced public street frontages than would ordinarily be required.

Consistency with the General Plan

The existing General Plan designation for the project site is Low Density Residential. This designation is intended for residential densities between eight to 19 dwelling units per acre (du/ac) and envisioned for single-family residential development.

The proposed project provides 19 du/ac and is consistent with the following General Plan Policies:

General Land Use Policies

The following General Plan policies apply to the project and are listed first in bullet points with findings as to how the project conforms with the General Plan stated after:

- 5.3.1-P8: Work with property owners to improve or redevelop underutilized and vacant properties.
- 5.3.1-P9: Require that new development provide adequate public services and facilities, infrastructure, and amenities to serve the new employment or residential growth.

The applicant conducted public outreach through a community meeting March 24th, to involve neighboring property owners in the design of the project. Notices were mailed to property owners within 1,000 feet of the project boundaries and interested parties.

- 5.3.1-P10: Provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees and a minimum 2:1 on- or off-site replacement for trees removed as part of the proposal to help increase the urban forest and minimize the heat island effect.

The project would redevelop an underutilized parcel for the construction of eight for-sale single-family residences, that include on and off-site improvements.

- 5.3.1-P12: Encourage convenient pedestrian connections within new and existing developments.

The proposed development plan includes landscaping of the site and the project street frontage with a variety of elements, plants, tree species, street trees and sidewalks to facilitate design and pedestrian access and link neighboring land uses.

- P.3.1-P29: Encourage design of new development to be compatible with, and sensitive to, nearby existing and planned development, consistent with other applicable General Plan policies.

The proposed project is the construction of eight semi-attached single-family homes with rear yards, porch eaves supported by columns, horizontal lap siding, and windows along street along the front of the property and property sides that reflect and would blend in with neighboring attached single-family homes and one- and two-story multi-family development.

Transition Policies

- 5.5.2-P1: Require that new development incorporate building articulation and architectural features, including front doors, windows, stoops, porches or bay windows along street frontages, to integrate new development into the existing neighborhoods.
- 5.5.2-P3: Implement site design solutions, such as landscaping and increased building setbacks, to provide buffers between nonresidential and residential uses.
- 5.5.2-P5: Require that new development provide an appropriate transition to surrounding neighborhoods.

The project incorporates offsets along the building planes and a mixture of exterior materials and architectural features to create visual breaks and interest in the design for compatibility with the surrounding neighborhood. Residences along Gianera Street are designed to integrate into the surrounding neighborhood with the front doors, windows and outdoor patios oriented towards the public right of way. Pedestrian paths connect the residences facing Gianera Street to the public sidewalk fronting the site and neighboring properties.

Zoning Conformance

As stated earlier in this report, the project was reviewed based on the zoning designation and standards conformance with the City's prior zoning code (the "Classic Code").

Under conditions existing at time of submission, the General Plan of Low-Density Residential allowed for residential densities between eight to 19 units per acre in the form of single-family units, townhomes, rowhouses, or a combination of those. The zoning of R1-6L allowed for single-family housing only, therefore, the proposed residential development would not meet the R1-6L standards; thereby requiring a rezone of the property to PD, utilizing flexible development standards, and allowing the construction of housing at a residential density consistent with the existing General Plan designation for the property.

Per Chapter 18.54 of the City Code, PD districts are intended to allow for creative design solutions and land uses not otherwise allowed in standard zoning districts while maintaining compatibility with the existing community and allowing for greater community ownership. The proposed PD zoning establishes development standards in the density and site design compatible with existing and approved land uses surrounding the project site.

Site Design and Architecture

The proposal is a small lot residential development with individual lots ranging in size from 1,515 square feet to 1,875 square feet, consisting of eight two-story single-family residences with an attached garage and functional attic space.

The proposed building architecture would be reflective of a modern interpretation of cottage farmhouse design. The design incorporates a mixture of materials that includes asphalt shingle roofing, horizontal Hardie board siding and stone veneer applied to the exterior elevations for texture and visual interest.

Circulation and Parking

The existing curb-cuts and the sidewalk along the project frontage would be removed and replaced with a central single curb-cut along Gianera Street for ingress and egress. The single driveway would serve the residences aligned along the drive aisle and provide a hammerhead near its terminus for use for guest parking.

Because the project site is located within a half mile of a major transit stop, the City cannot require the provision of any parking spaces under Government Code 65863.2 (Assembly Bill 2097 of 2022). Nevertheless, all units will include two-car garages, and the applicant has proposed two guest parking spaces as well. There are currently no parking restrictions along Gianera Street fronting the project site.

Landscaping and Open Space

The project includes a landscape plan for the site that incorporates a mixture of plant species and trees for planting within common areas and yards of the residences. Thirteen unprotected trees will be removed, and ten trees are proposed to be replanted, as well as 65 shrubs and other vegetation throughout the site.

As a condition of project approval, a Homeowners Association will be established and Covenants, Conditions and Restrictions recorded to manage and maintain on- and off-site improvements (including buildings utilities, landscaping and fencing,) in good condition for the life of the project.

Subdivision

In accordance with Chapter 17.05 of the City Code, the project requires a tentative subdivision map. The application includes eight for-sale lots and one common parcel. The Subdivision Committee reviewed and deemed the application complete, satisfying code requirements and including conditions of approval contained in Attachment 7.

Subdivision Map applications are reviewed for General Plan and Zoning Code consistency, and conformance with the Subdivision Map Act. Under the Subdivision Map Act (California Government Code § 66474(a)), a developer has the right to indicate that a map application will be proceeding as a “vesting” map, which gives the developer a right, upon map approval, to develop in substantial compliance with the ordinances, policies, and standards in effect on the date in which the developer’s application is complete. The proposed Vesting Tentative Map was reviewed by the City’s Subdivision Clearance Committee and determined to be deemed complete and cleared on January 09, 2024 and is subject to the Classic Code.

Approval of the requested Vesting Tentative Subdivision Map will facilitate the development of a project consistent with the City’s Zoning Code and General Plan, thereby advancing the establishment of a new, transit-oriented residential development in proximity to jobs and in partial fulfillment of the City’s goals to produce new housing. Conditions of Approval have been prepared and are provided as Attachment 7. One unit will be deemed affordable, and the project meets the City’s Affordable Housing Guidelines.

Architectural Review

The applicant has revised their submission several times and worked with the Planning Division to get to a design plan that the Planning Division supports. Full review of the architecture will take place during the Development Review Hearing, to be held after determinations are made for the Rezoning and the Vesting Tentative Subdivision Map.

Conclusion

The project is compatible with the General Plan, the zoning designation and the adjacent land uses.

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration (MND) was prepared for the project in accordance with the California Environmental Quality Act (CEQA) and circulated for public review between November 8, 2024, and December 2, 2024 (20 days), see Attachment 1.

A detailed discussion of the potential impacts and mitigation measures applied to the project are specified in the MND and would be implemented through project conditions of approval and the Mitigation Monitoring and Reporting Program (MMRP) for the proposed project. In summary the MMRP requires that the project mitigate possible air quality impacts, biological impacts, cultural resource impacts, geological impacts, and noise impacts by following certain Conditions of Approval. These Conditions of Approval require the reduction of construction emissions through the use of Tier 3 and 4 equipment, scheduling work to avoid bird nesting season and conducting bird surveys, making qualified archaeologists available during construction, meeting all current engineering and seismic safety design standards, and preparing a construction noise control plan.

One of the comments received during the circulation period was from Tamien Nation, which requested certain modifications to Mitigation Measure MM CUL-1.2, concerning tribal notification, sensitivity training for workers, and treatment of resources discovered during construction. In response, text has been added to MM CUL-1.2 to clarify that a representative from a Native American tribe traditionally and culturally affiliated with the project area be retained (in addition to a qualified archaeologist) in the event a prehistoric or historic resource is encountered during project construction, to examine the find. The text of mitigation measure MM CUL-1.2 has also been refined to clarify that, if a treatment plan is prepared, it would be made available to interested Native American tribe(s) for review. Mitigation measure MM CUL-1.1 already requires a qualified archaeologist to provide sensitivity training to construction crew prior to the initial ground-breaking activities.

Whenever a lead agency makes a modification to a mitigation measure in a proposed Mitigated Negative Declaration, Section 15074.1(b) of the CEQA Guidelines requires that the agency conduct a public hearing on the proposed modification, which can be combined with the project public hearing. As part of the resolution recommending approval of the MND, the Planning Commission will be asked to make a finding that the modified mitigation measure is equivalent or more effective in mitigating or avoiding potential significant impacts, and that the modification of the mitigation measure itself will not cause any potentially significant effect on the environment. Here, the modifications are additive, and all of the prior requirements of MM CUL-1.2 will continue to apply to the Project, and so there is no potential for the mitigation measure to lose any effectiveness. The modifications will impose additional obligations on the developer to ensure that adequate tribal notification occurs in the event of discovery of a tribal cultural resource, and will provide additional opportunities for tribal involvement in the event of such a find.

COORDINATION

This report was coordinated with the City Attorney's Office.

PUBLIC CONTACT

On May 14, 2025, a notice of public hearing was mailed to property owners within 1,000 feet of the project site. On May 21, 2025, a notice was published in the SC Weekly. At the time of this staff report, Planning staff has not received public comments in support or opposition to the proposed project.

Public contact was also made by posting the Commission agenda on the City's official notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

Community Meetings

Consistent with the City's adopted Public Outreach Policy for Planning applications, a hybrid public outreach meeting was conducted by the Property Owner/Applicant on March 24, 2025, to engage the neighborhood community in the planning process. Notices of the meetings were mailed by the Property Owner/Applicant to about 500 properties within 1,000 feet of the project site boundaries and posted on the City's website. Approximately 10 members of the public attended. This meeting provided the community an opportunity to review and comment on the proposal. The public provided input on the following areas and the applicant's revision to the proposal is as follows:

1. Traffic and Parking: The applicant understands the issues brought forth by the public with regards to limited on-street parking in the area due to the proximity of Levi's Stadium. The applicant has met their off-street parking requirements and are including two guest parking spaces on site as well.
2. Dwellings: The applicant understands the issues brought forth by the public with regards to the dwelling size and number. The dwelling size is equivalent to the dwellings immediately to the west, the 18-Unit Townhome development approved in 1990, as well as the 14-unit Townhome Development four parcels to the east approved in 1989.
3. Landscaping: The applicant understands the issues brought forth by the public with regards to landscaping. The applicant has not meant the City Code's required replanting regulations, however, the applicant opted to pay an in-lieu fee for all trees that are required but not able to fit on the parcel in its current iteration.

ALTERNATIVES

1. Recommend the City Council deny the Rezoning from R2 - Low Density Residential to PD - Planned Development, subject to findings.
2. Recommend the City Council deny the Tentative Subdivision Map, subject to findings.

RECOMMENDATION

1. Adopt a resolution recommending the City Council adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the 2303 Gianera Street Project.
2. Adopt a resolution recommending the City Council approve a Rezoning from R2 - Low Density Residential to PD - Planned Development, subject to findings and conditions of approval.
3. Adopt a resolution recommending the City Council approve a Tentative Subdivision Map, subject to findings and conditions of approval.

Prepared by: Daniel Sobczak, Associate Planner

Reviewed by: Afshan Hamid, Director of Community Development

Reviewed by: Alexander Abbe, Assistant City Attorney

Approved by: Lesley Xavier, Planning Manager

ATTACHMENTS

1. Mitigated Negative Declaration
2. Mitigation Monitoring and Reporting Program
3. Resolution Recommending Approval the City Council to Adopt the MND and MMRP
4. Resolution Recommending Approval the City Council to Approve a Rezoning
5. Resolution Recommending Approval the City Council to Approve a Tentative Subdivision Map
6. Conditions of Approval - Rezone / Development
7. Conditions of Approval - Tentative Subdivision Map
8. Vicinity Map
9. Project Data Sheet
10. Tentative Subdivision Map
11. Development Plans