

RESOLUTION NO. 18-8521

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA REZONING FROM DOWNTOWN COMMERCIAL
(CD) TO SINGLE FAMILY ZONING DISTRICT (R1-6L) AT 1141
MAIN STREET, SANTA CLARA**

PLN2017-12945 (Rezone)

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

WHEREAS, on November 2, 2017, Perviz Tharani ("Applicant") filed an application for a rezoning of a 0.17 acre site located at 1141 Main Street, Santa Clara, currently occupied by a two-story historic residence, approximately 2,572 square feet, with a two-story historic structure in the rear ("Project Site");

WHEREAS, the Applicant applied to rezone the Project Site from Downtown Commercial (CD) to Single Family Zoning District (R1-6L) to allow the conversion of the existing 2-story carriage house and storage shed into an accessory dwelling unit ("Project") as shown on the Development Plans, attached as Exhibit "Development Plans";

WHEREAS, pursuant to Santa Clara City Code (SCCC) Section 18.112.040, on April 11, 2018, the City's Planning Commission conducted a duly noticed public hearing to consider the rezoning requests, at the conclusion of which the Planning Commission voted to recommend that the City Council approve the proposed rezoning;

WHEREAS, the California Environmental Quality Act ("CEQA"), Public Resources Code § 21000 *et seq.*, requires a public agency to evaluate the environmental impacts of a proposed project. CEQA contains a list of categorical exemptions for projects that are not required to undergo environmental evaluation. This Project would qualify for CEQA Guidelines Section 15303(e), an exemption for new construction or conversion of small structures, and Section 15331, Historical Resource Restoration/Rehabilitation, as the project proposes rehabilitation of the historic resource consistent with the Secretary of the Interior's Standards;

WHEREAS, on May 11, 2018, the notice of public hearing for this item was posted in three conspicuous locations within 300 feet of the Project Site and was mailed to property owners within a 300 feet radius of the Project Site; and,

WHEREAS, a duly noticed public hearing was held before the City Council on May 22, 2018 to consider the application. At the public hearing, the City Council invited and considered any and all verbal and written testimony 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 the above Recitals are true and correct and by this reference makes them a part thereof.
2. That the City Council hereby rezones the Project Site from Downtown Commercial (CD) to Single Family Zone district (R1-6L) to allow the conversion of existing 300 square foot storage shed and 606 square foot 2-story carriage house into a 908 square foot 2-story accessory dwelling unit with an extended height of 23'-3" and an additional half bath as shown on the attached exhibit Development Plans, incorporated herein by this reference.
3. That pursuant to SCCC Section 18.112.040, 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 single family residential development as identified in the 2010-2035 General Plan.
 - B. The proposed zone change will conserve property values, protect or maintain the existing historic character and stability of the neighborhood in question, in that the subject property is a historic single family residence on the City's Historic and Resource inventory, surrounded by single family residences.

C. That rezoning is necessary for the preservation and enjoyment of substantial property rights of the petitioner, in that the existing structure is not functional and granting a variance would allow its adaptive reuse as an accessory dwelling unit.

D. That approving rezoning shall not, under the circumstances of the particular case, materially affect adversely the health, safety, peace, comfort or general welfare of persons residing or working in the neighborhood of the applicant's property, and will not be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood, in that the proposal would allow the conversion of the existing 2-story historic carriage house and storage shed into an accessory dwelling unit where the conversion is designed in a manner to be compatible with the main house and respectful of the neighbor's privacy.

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 OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 22nd DAY OF MAY, 2018, BY THE FOLLOWING VOTE:

AYES: COUNCILORS: Davis, Kolstad, O'Neill, and Watanabe

NOES: COUNCILORS: None

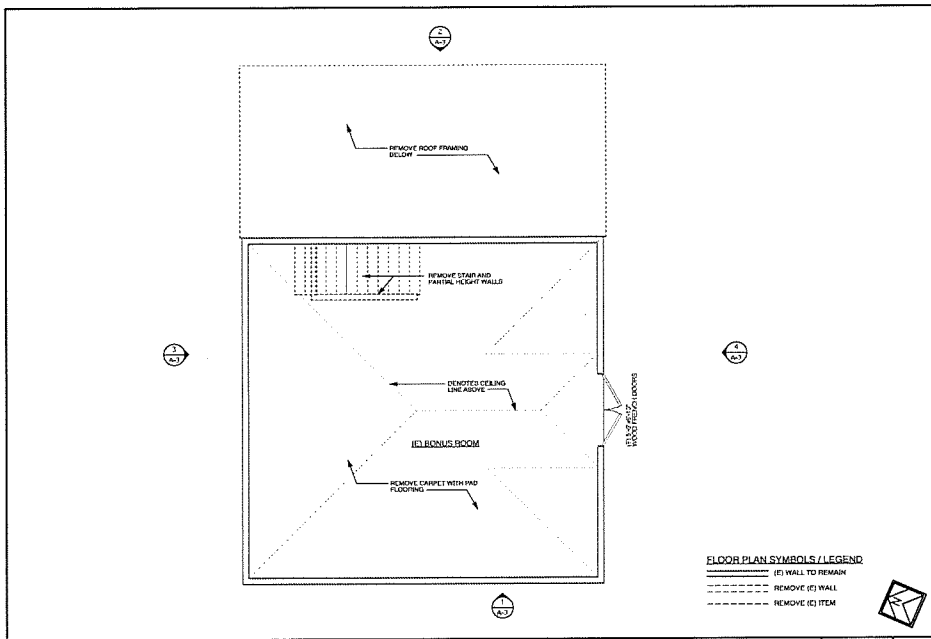
ABSENT: COUNCILORS: None

ABSTAINED: COUNCILORS: Mahan and Mayor Gillmor

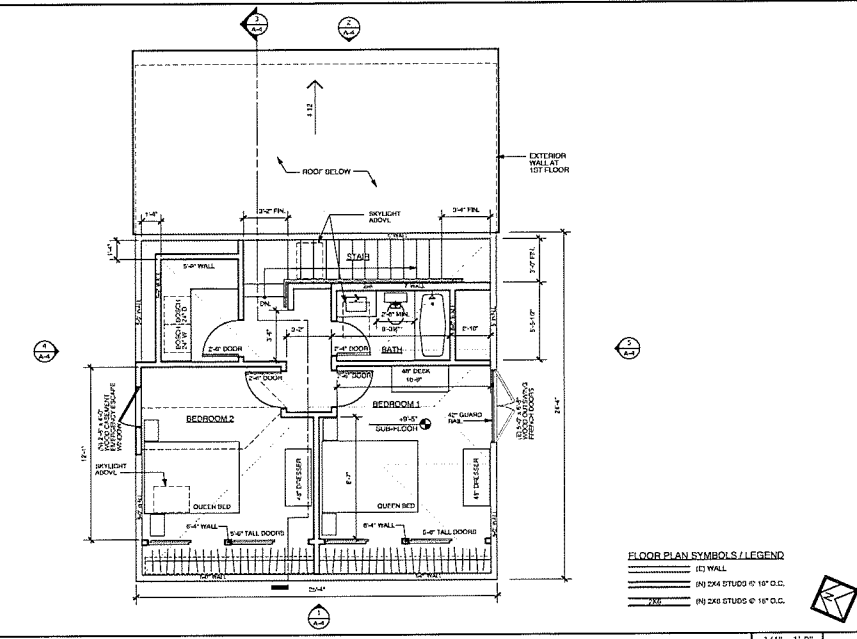
ATTEST: *Jennifer Yamaguma*
FOR JENNIFER YAMAGUMA
ACTING CITY CLERK
CITY OF SANTA CLARA

Attachments Incorporated by Reference:

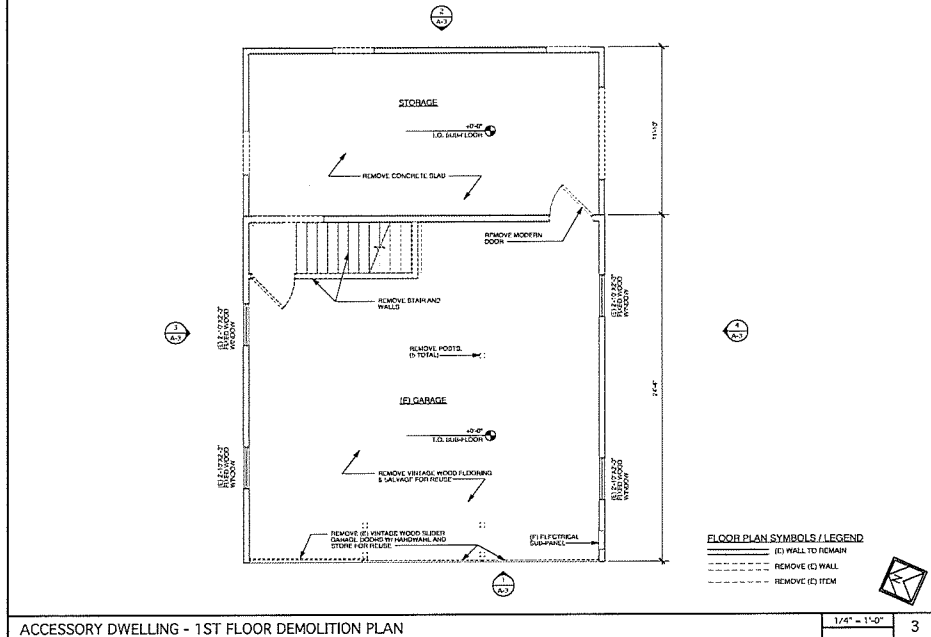
1. Development Plans



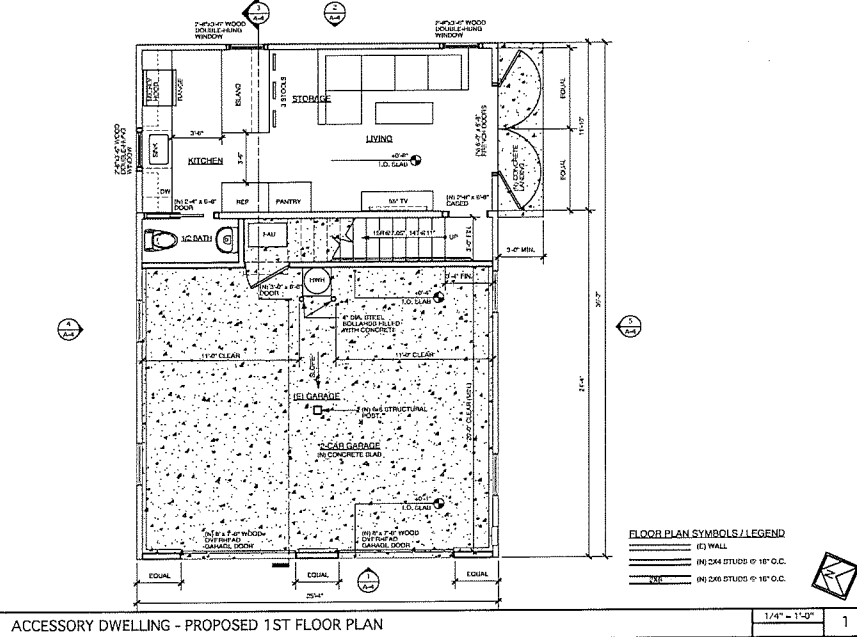
ACCESSORY DWELLING - 2ND FLOOR DEMOLITION PLAN 1/4" = 1'-0" 4



ACCESSORY DWELLING - PROPOSED 2ND FLOOR PLAN 1/4" = 1'-0" 2



ACCESSORY DWELLING - 1ST FLOOR DEMOLITION PLAN 1/4" = 1'-0" 3



ACCESSORY DWELLING - PROPOSED 1ST FLOOR PLAN 1/4" = 1'-0" 1

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CONSULTANT
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STATE OF CALIFORNIA
ARCHITECT

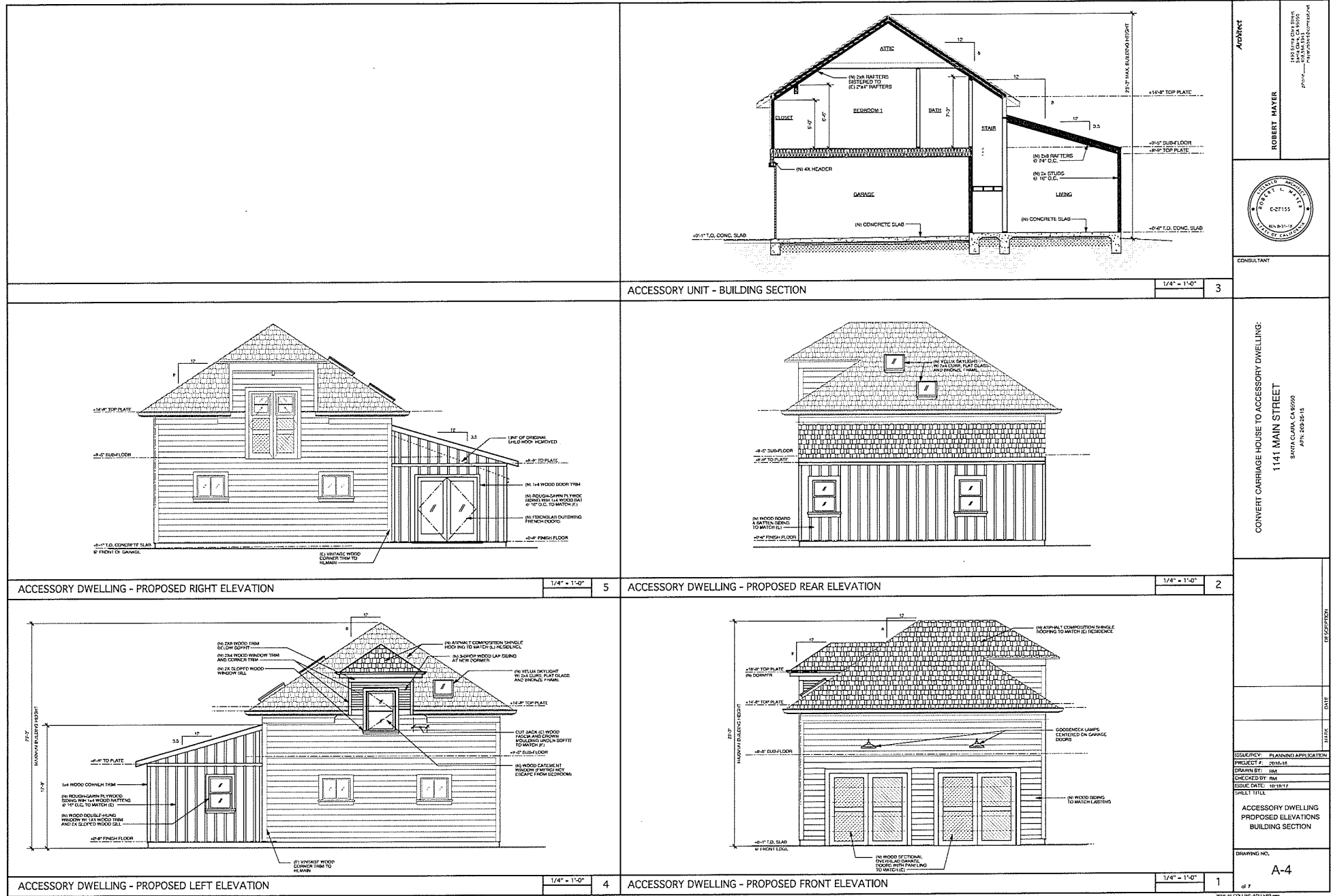
PROJECT
1141 MAIN STREET
SANTA CLARA, CA 95050
APN: 283-30-18

DESCRIPTION
CONVERT CARRIAGE HOUSE TO ACCESSORY DWELLING

DATE
10/16/17

REVISIONS

REVISION
1
DATE
10/16/17
DESCRIPTION
PROJECT # 2016-16
DRAWN BY: RM
CHECKED BY: RM
ISSUE DATE: 10/16/17
SHEET TITLE
ACCESSORY DWELLING
PROPOSED FLOOR PLANS
DEMOLITION FLOOR PLANS
DRAWING NO.
A-2
of 7

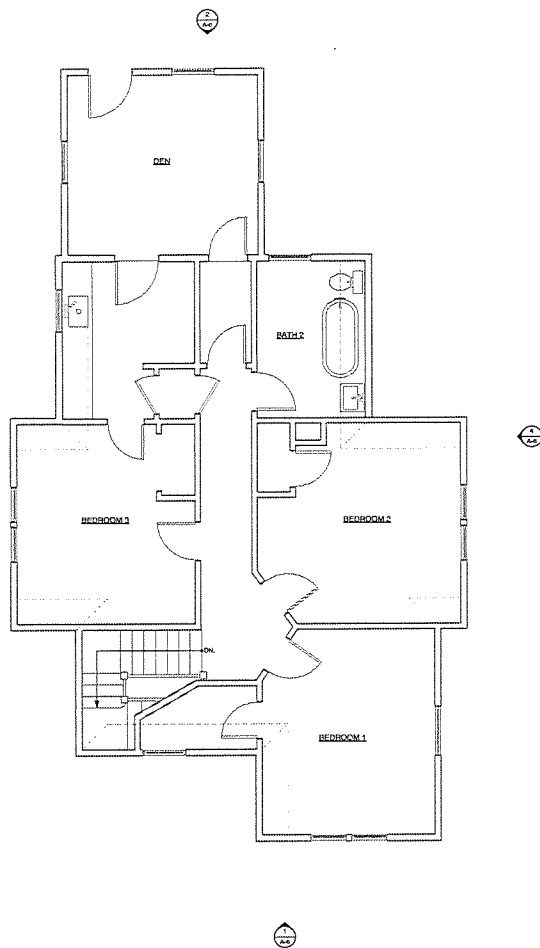


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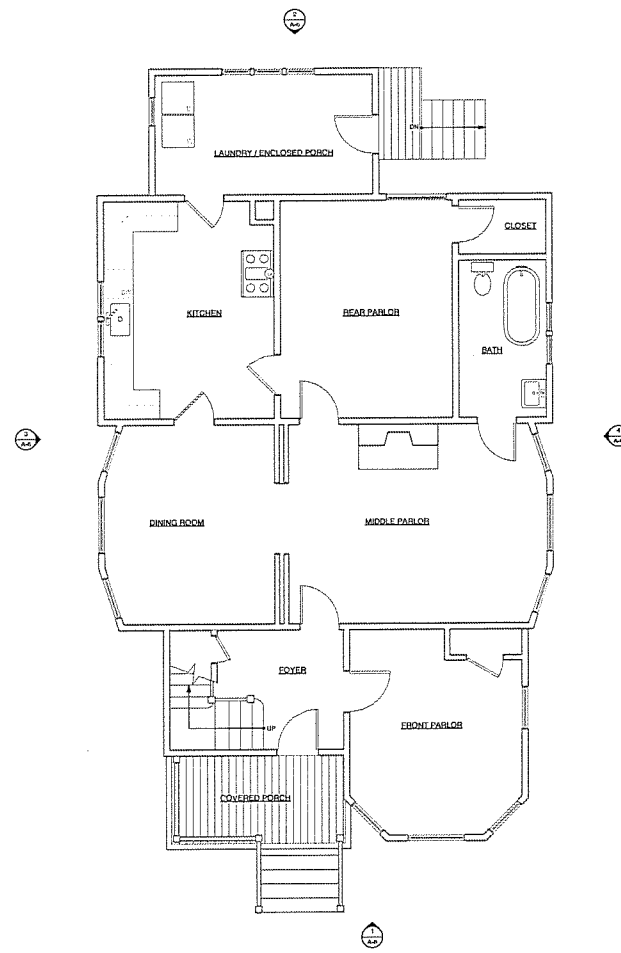
CONVERT CARRIAGE HOUSE TO ACCESSORY DWELLING:
1141 MAIN STREET
SANTA CLARA, CA 95050
APN: 008301010

ISSUE/REV: PLANNING APPLICATION
PROJECT #: 2016.18
DRAWN BY: RM
CHECKED BY: RM
ISSUE DATE: 10-10-17
SHEET TITLE
ACCESSORY DWELLING
PROPOSED ELEVATIONS
BUILDING SECTION
DRAWING NO.
A-4
of 7



MAIN RESIDENCE - EXISTING 2ND FLOOR PLAN

2



MAIN RESIDENCE - EXISTING 1ST FLOOR PLAN

1/4" = 1'-0"

1

of 7

Architect

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Santa Clara, CA 95050
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CONSULTANT

CONVERT CARRIAGE HOUSE TO ACCESSORY DWELLING:
1141 MAIN STREET

SANTA CLARA, CA 95050
APR. 2016-15

ISSUE/REV: PLANNING APPLICATION
PROJECT #: 2016-15
DRAWN BY: RM
CHECKED BY: RM
ISSUE DATE: 02/17
SHEET TITLE

MAIN RESIDENCE:
EXISTING 1ST FLOOR PLAN
EXISTING 2ND FLOOR PLAN

DRAWING NO.

A-5

2016-15 COLLING ADU V1.0.dwg



PHOTO COLLAGE AT RIGHT SIDE

PHOTO AT FRONT

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EXTERIOR MATERIALS		
FEATURE	DESCRIPTION AND CONDITION	TREATMENT
ROOFING	NON-ORIGINAL ASPHALT COMPOSITION SHINGLE. IN FAIR CONDITION. NOT A CHARACTER-DEFINING FEATURE OF THIS STRUCTURE.	NEW ASPHALT COMPOSITION SHINGLE ROOFING MATERIAL TO MATCH EXISTING AS NEARLY AS POSSIBLE TO DIFFERENTIATE FROM VINTAGE MATERIALS (WOOD SHINGLES).
GUTTERS & DOWNPOUTS	NON-ORIGINAL METAL GUTTER WITH RECTANGULAR METAL DOWNPOUTS ARE NOT A CHARACTER-DEFINING FEATURE IN FAIR CONDITION.	NEW METAL GUTTER TO BE INSTALLED IN 2" X 6" ROUND DOWNPOUTS TO DIFFERENTIATE FROM VINTAGE MATERIALS (WOODEN GUTTERS).
EXTERIOR WALL CLADDING AND TRIM	ORIGINAL WOOD HORIZONTAL V-RUSTIC SIDING IS IN GOOD CONDITION AND IS A CHARACTER-DEFINING FEATURE. VINTAGE TRIM IS IN FAIR CONDITION. THE MODERN SHED ADDITION AT THE REAR END IS NOT A CHARACTER-DEFINING FEATURE.	THE ORIGINAL V-RUSTIC WOOD SIDING IS TO BE PRESERVED. VINTAGE CARBIDE DOOR DOORS ARE TO BE RELOCATED AT THE REAR END. THE MODERN SHED ADDITION AT THE REAR IS TO BE REBUILT TO MATCH EXISTING V-RUSTIC SIDING. ALL WOOD SIDING, TRIM AND TRIM TO BE PREPARED FOR PAINTING USING THE GENTLEST MEANS POSSIBLE AND PAINTED REFINISHED.
WINDOWS AND TRIM	ALL FOUR WOOD WINDOWS (SPAN, TRIM, JAMB, SILL) TO REMAIN IN PLACE AND BE PREPARED TO BE PAINTED. THE CARBIDE DOOR DOORS ARE TO BE RELOCATED AT THE REAR END. THE MODERN SHED ADDITION AT THE REAR IS TO BE REBUILT TO MATCH EXISTING V-RUSTIC SIDING. ALL WOOD SIDING, TRIM AND TRIM TO BE PREPARED FOR PAINTING USING THE GENTLEST MEANS POSSIBLE AND PAINTED REFINISHED.	THE CARBIDE DOOR DOORS ARE TO BE RELOCATED AT THE REAR END. THE MODERN SHED ADDITION AT THE REAR IS TO BE REBUILT TO MATCH EXISTING V-RUSTIC SIDING. ALL WOOD SIDING, TRIM AND TRIM TO BE PREPARED FOR PAINTING USING THE GENTLEST MEANS POSSIBLE AND PAINTED REFINISHED.
SOFFIT EAVES AND SOFFIT MOLDING	THE ORIGINAL WOOD TRIM WITH DROWN-STYLE SOFFIT MOLDING IS A CHARACTER-DEFINING FEATURE IN GOOD CONDITION.	THE SOFFIT EAVES AND SOFFIT TRIM TO BE PREPARED FOR PAINTING USING THE GENTLEST MEANS POSSIBLE AND PAINTED REFINISHED.
HAY LOFT DOORS	ORIGINAL PAINTED WOOD SHED DOORS UPPER GLASS PANEL WITH VINTAGE TRIM. TWO ORIGINAL WOOD SHED DOORS ARE IN FAIR CONDITION AND IS A CHARACTER-DEFINING FEATURE IN THIS ENTRY.	THE WOOD DOORS AND TRIM TO BE PREPARED FOR PAINTING USING THE GENTLEST MEANS POSSIBLE AND PAINTED REFINISHED. VINTAGE CARBIDE DOOR DOORS ARE TO BE RELOCATED AT THE REAR END. THE MODERN SHED ADDITION AT THE REAR IS TO BE REBUILT TO MATCH EXISTING V-RUSTIC SIDING. ALL WOOD SIDING, TRIM AND TRIM TO BE PREPARED FOR PAINTING USING THE GENTLEST MEANS POSSIBLE AND PAINTED REFINISHED.
HAY LOFT POLE	THE ORIGINAL WOOD HAY LOFT POLE IS A CHARACTER-DEFINING FEATURE IN THIS ENTRY.	THE HAY LOFT POLE IS TO BE PRESERVED AND PAINTED. THE CARBIDE DOOR DOORS ARE TO BE RELOCATED AT THE REAR END. THE MODERN SHED ADDITION AT THE REAR IS TO BE REBUILT TO MATCH EXISTING V-RUSTIC SIDING. ALL WOOD SIDING, TRIM AND TRIM TO BE PREPARED FOR PAINTING USING THE GENTLEST MEANS POSSIBLE AND PAINTED REFINISHED.
GARAGE DOORS	THE 2 FULL-HEIGHT WOOD GARAGE DOOR DOORS ARE IN FAIR CONDITION AND NOT CONSIDERED CHARACTER-DEFINING FEATURES.	THE DOOR DOORS WILL BE REPLACED WITH TWO MODERN WOOD CARBIDE-STYLE SECTIONAL OVERHEAD GARAGE DOORS TO DIFFERENTIATE FROM VINTAGE MATERIALS.

INTERIOR FINISHES		
FEATURE	DESCRIPTION AND CONDITION	TREATMENT
FLOORING	ORIGINAL 1/4" DOG LAMINATE FLOORING IS IN GOOD CONDITION THROUGHOUT. THE FLOORING IS A CHARACTER-DEFINING FEATURE.	FLOORING TO BE SAVED. REFINISHED AT TWO UPSTAIRS BEDROOMS. ACCEPT AT BATHROOM AND LAUNDRY ROOM WHERE IT WILL BE COVERED WITH WATER RESISTANT FLOORING SUCH AS PORCELAIN TILES.
WALLS AND CEILING TRIM	THE EXISTING WALL FINISH IS SHEETROCK. IN FAIR CONDITION BUT IS NOT A CHARACTER-DEFINING FEATURE.	ALL EXISTING SHEETROCK WILL BE REMOVED TO ACCOMMODATE NEW FLOOR PLAN LAYOUT AND THE INSTALLATION OF ALL NEW ELECTRICAL, MECHANICAL, PLUMBING, AND INSULATION.

FORM AND STRUCTURE		
FEATURE	DESCRIPTION AND CONDITION	TREATMENT
ROOF	THE MODERATELY STEEP 7:12 PITCH HIPPED ROOF WITH SINGLE HIPPED DORMER ON THE RIGHT SIDE IS IN GOOD CONDITION AND IS A CHARACTER-DEFINING FEATURE.	NEW ASPHALT COMPOSITION SHINGLE ROOFING WILL BE INSTALLED WITH GALVANIZED METAL GUTTER AND ROUND DOWNPOUTS TO DIFFERENTIATE FROM THE VINTAGE MATERIALS (WOOD SHINGLES). A NEW HIPPED DORMER WITH WINDOW IS TO BE ADDED TO THE LEFT ROOF PLANE TO ACCOMMODATE EXISTING EGRESS FROM THE NEW UPSTAIRS BEDROOM. THE DORMER WILL BE SIDED WITH SHED-STYLE WOOD SIDING. MODERN WOOD WINDOWS, A MODERN WOOD TRIM TO DIFFERENTIATE FROM THE VINTAGE MATERIALS.
BUILDING FORM	THE EXISTING 1-1/2 STORY, SQUARE BUILDING FORM WITH MODERATELY STEEP 7:12 PITCH HIPPED ROOF IS IN GOOD CONDITION AND IS A CHARACTER-DEFINING FEATURE.	THE STRUCTURE WILL BE RAISED APPROXIMATELY 6 INCHES TO ACCOMMODATE A NEW FOUNDATION TO MEET THE CURRENT BUILDING CODE AND MEET THE STRUCTURE (SEISMIC, TYPICAL, ETC.). THE STRUCTURE WILL BE RELOCATED SLIGHTLY TO THE RIGHT AND FORWARDED TO A FOOT REAR AND LEFT SIDE BUILDING UPWARD TO THE PROPERTY LINE. SIDING THIS WILL PRESERVE THE STRUCTURE. IT WILL NOT REQUIRE REMOVAL OF EXISTING VINTAGE SIDING AND LEFT SIDE WINDOWS TO COMPLY WITH FIRE CODE REGULATIONS.
FLOOR PLAN	THE EXISTING UPPER FLOOR IS AN OPEN LIVING AREA IN FAIR CONDITION. THE EXISTING FLOOR TO THE UPPER FLOOR IS UNFINISHED WITH CONCRETE FLOOR. THE FLOORING IS A CHARACTER-DEFINING FEATURE.	THE PROPOSED DESIGN IMPROVES THE 2ND FLOOR LIVING AREA TO POLYESTER DOORS, A FULL BATHROOM AND LAUNDRY ROOM. THE GARAGE FLOOR PLAN TO BE ADDED AT THE REAR TO ACCOMMODATE A COFFEE-GRINDER STAIR TO THE UPSTAIRS AND A POWER ROOM.
STRUCTURAL SYSTEM, FRAMING	BALEEN FRAMING AND RELATED CONVENTIONAL 14TH CENTURY WOOD FRAMING IS MODERATELY IN GOOD CONDITION. NOT A CHARACTER-DEFINING FEATURE. THE FRAMING IS NOT A CHARACTER-DEFINING FEATURE. THE FRAMING IS NOT A CHARACTER-DEFINING FEATURE. THE FRAMING IS NOT A CHARACTER-DEFINING FEATURE.	THE DESIGN PROPOSES TO REPLACE THE PYRAMID FOUNDATION AND REPLACE THE WOOD GARAGE DOOR WITH CONCRETE SLAB TO HELP PRESERVE / PROTECT THE STRUCTURE (SEISMIC, TYPICAL, ETC.).
FOUNDATIONS	THE EXISTING REINFORCED CONCRETE FOUNDATION APPEARS TO BE IN GOOD CONDITION.	

PHOTO AT FRONT

2

EXTERIOR MATERIALS		
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