

RESOLUTION NO \_\_\_\_\_

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, APPROVING A SIGNIFICANT PROPERTY ALTERATION PERMIT FOR AN ADDITION TO A HISTORIC RESIDENCE AND A MINOR MODIFICATION TO CONSTRUCT A NEW NONCONFORMING TWO-CAR GARAGE AT 324 MADISON STREET, SANTA CLARA, CA**

**WHEREAS**, on August 28, 2023, Robert Mayer (“Applicant”) submitted an application, on behalf of Tommy and Stephanie Tran (“Property Owners”), for a Significant Property Alteration Permit for a 556 square foot addition to the basement and a 590 square foot first floor addition to a Mills Act residence and a Variance request for the construction of a new nonconforming two-car garage (“Project”) located at 324 Madison Street (“Project Site”);

**WHEREAS**, the Project Site is currently zoned R1-6L – Single Family Residential and has the General Plan land use designation of Very Low Density Residential;

**WHEREAS**, pursuant to Santa Clara City Code (“SCCC”) Section 18.130.050, a Significant Property Alteration Permit is required for alterations to a Historic Resource Inventory (HRI) property (a Mediterranean Revival residence constructed in 1936 or 1938);

**WHEREAS**, the Project includes the 556 square foot addition to the basement and a 590 square foot first floor addition to the listed historic residence with a Mills Act contract;

**WHEREAS**, the Significant Property Alteration Permit and Minor Modification are Categorically Exempt from formal environmental review per Section 15301(e)(2) (Class 1 - Existing Facilities) of the Guidelines to the California Environmental Quality Act (“CEQA”), in that the project involves an addition of less than 10,000 square feet in the first floor and basement of the existing residence, the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan, and the area in which the project is located is not environmentally sensitive; and Section 15331 (Class 31 – Historical Resource Restoration / Rehabilitation), in that the work being performed would be consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties;

**WHEREAS**, the City's prior Zoning Ordinance limits detached residential accessory buildings to a maximum size of 480 square feet and a maximum height of 12 feet;

**WHEREAS**, the Property Owner had requested a Variance to exceed these maximums to construct a new two-car garage that is 671 square feet in area and 17 feet tall as a part of this Project

**WHEREAS**, the City's updated Zoning Ordinance, effective on February 8, 2024, has increased the allowable standards for residential accessory structures to a maximum size of 600 square feet and a maximum height of 16 feet;

**WHEREAS**, under the City's updated Zoning Ordinance, the proposed nonconforming garage can be reviewed as a Minor Modification request as the deviation from the maximum allowable standards is no greater than 25 percent;

**WHEREAS**, on December 7, 2023, the Historical and Landmarks Commission (HLC) conducted a duly noticed public hearing to consider the Project, at the conclusion of which, the HLC recommended that the Planning Commission approve the project.

**WHEREAS**, on February 22, 2024, the notice of public hearing for the March 6, 2024 Planning Commission meeting date for this item was mailed to all property owners located within 300 feet of the Project Site; and

**WHEREAS**, on March 6, 2024, the Planning Commission conducted a duly noticed public hearing to consider the Project and all pertinent information in the record during which the Planning Commission 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 PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:**

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.

2. That pursuant to SCCC Section 18.130.050.D, the Planning Commission hereby approves the Significant Property Alteration Permit for the 556 square foot addition to basement and the 590 square foot first floor addition to the existing historic residence based on the following findings:

A. The alterations are designed to preserve the essential character, features, and defining elements that make the HRI property significant, in that the alterations do not modify the historic aspects of the property, with the exception of the rear wall, which includes repetitive features and duplicate wall cladding and represents only a small amount of loss;

B. The project proposals will not have a significant adverse effect on the integrity of the HRI property, in that the modifications preserve the defining features of the historic structure;

C. The alterations will be compatible with the existing structure, in that the proposed alterations would be compatible with the historic materials, features, size, scale, proportion, and massing of the property; and

D. The alterations are consistent with the Secretary of the Interior's Treatment Standards, as confirmed by the HLC at their December 7, 2023 meeting, in that the exterior alterations will not destroy historic materials, features, and spatial relationships that characterize the property.

3. That pursuant to SCCC Section 18.124.040.C.2, the Director may refer any Minor Modification request to the Commission for consideration and final decision, and the Director did so for this project.

4. That pursuant to SCCC Section 18.124.050, the Planning Commission hereby approves of the Minor Modification to increase the accessory structure height from 16 feet to 17 feet and the structure size from 600 square feet to 671 square feet based on the following findings:

A. The site characteristics and/or existing improvements make strict adherence to the Zoning Code requirements impractical or infeasible in that the lot width is substandard from the required minimum in the R1-6L Single Family Residential Zoning District;

B. Granting the Minor Modification will result in development compatible and consistent with the adjoining properties and the immediate neighborhood in that the property is located in the Old Quad, and there is a prevalence of comparable accessory structures in that area of the City;

C. Granting the Minor Modification will be in conformance with the intent and purposes of the zone for the property in that the proposed accessory structure will be utilized as a two-car garage; and

D. There are no significant adverse impacts from the proposed Minor Modification, given that the 8,950 square foot lot is larger than the Code required minimum of 6,000 square feet for properties zoned R1-6L, and so there is adequate space on the parcel to accommodate the increase in floor area and height, and the applicable development standards are only slightly exceeded.

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 PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 6TH DAY OF MARCH 2024, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: \_\_\_\_\_  
REENA BRILLIOT  
ACTING DIRECTOR OF COMMUNITY DEVELOPMENT  
CITY OF SANTA CLARA

Attachments Incorporated by Reference: None  
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