

Presentation: Historically and architecturally significant attributes of PW and PG

I'm Bev Shenfield, a resident of Pomeroy West. I'm going to outline the historic and architecturally significant features that characterize Pomeroy West and Pomeroy Green with respect to Criterion for Architectural Significance found in the city's Historic Preservation and Resource Inventory.

First, both complexes are associated with a specific era, mid-century modern; are identified with notable architects: Claude Oakland, and master builder Joseph Eichler as well as noted landscape firm Sasaki and Walker and the firm Royston, Hanamoto, Mayes and Beck. The complexes have a strong and unique relationship to one another having been built around the same time and being midcentury modern patio townhomes.

Second, as Eichlers they have symbolic meaning in our community, representing the California architecture and lifestyle.

Third, the developments meet the criteria of using unique, innovative and historical materials and construction, and have many historic, aesthetic and functional attributes.

We believe the proposal should emulate these characteristics to be more compatible with our neighborhood, as outlined in the next presentation.



CITY OF SANTA CLARA (Annotated) SINGLE-FAMILY AND DUPLEX RESIDENTIAL

DESIGN GUIDELINES

2014



Chapter **1** Purpose

1	Purpose
2	Neighborhood Compatibility
3	Architectural Details
4	Site Planning and Streetscape Issues
5	Energy Efficiency

Indicates project does not meet guidelines



Introduction

The residential design guidelines contained in this document are intended to address issues such as:

- Neighborhood Compatibility;
- Two-story Home Design;
- Privacy Protection;
- Architectural Design; and
- Sustainability.

The Guidelines provide a basis for preserving the existing neighborhoods and to ensure that new homes and additions are compatible with the context of the neighborhood.

The intent of these Guidelines is to provide guidance for homeowners, architects, and designers when considering a new home, remodel, or addition to an existing residence. The Guidelines are intended to encourage the orderly and harmonious appearance of structures and properties; provide fair and equitable treatment to all applicants; maintain property values throughout the City; and encourage the physical development of the City as anticipated by the General Plan.

Proposed project FAILS to meet these!

Goals and Objectives

The Guidelines are performance standards intended to allow flexibility in design while meeting the objectives of 5.5 Neighborhood Compatibility and 5.5.2 Transition Goals and Policies sections of the City's General Plan. It is the objective of these Guidelines to provide a guiding set of design policies that:

- Preserve the neighborhood character by encouraging new developments that are compatible in scale and character with existing housing;
- Promote a sense of community and place;
- Promote increased property values through improved architectural design, which also encourages other neighborhood building upgrades;
- Protect the harmony and appearance of existing neighborhoods by discouraging inappropriate and out of scale designs;
- Maintain a reasonable level of privacy for neighbors by encouraging thoughtful planning and design that respects the existing built environment, and;
- Streamline the architectural review process by clearly communicating community expectations to property owners and their design professionals.

Design Guidelines: Basic Principles

These Guidelines are formulated on five basic architectural and design principles. The Guidelines cannot anticipate all design situations or physical limitations and opportunities so basic principles can be used in addressing conditions not covered by the design guidelines.

1. Design structures to be compatible with adjacent homes and the neighborhood.
2. Architectural styles should be true to basic architectural form; not a blend of styles and features.
3. Architecture should improve the neighborhood (including streetscape and property values), not detract from its appeal.
4. All materials should be of a high quality and serve to enhance architectural styles.
5. Projects should serve to enhance the built and natural environments.

Applicable Projects

These Guidelines apply to single family and duplex residential projects. This includes applications for new structures, first and second-story additions.

Public Improvements

Projects that require improvements in the public right-of-way will be reviewed for compliance with City policies and objectives. The Architectural Committee and Planning Division staff will work with City Water and Sewer, Electric, Engineering, Public Works, and other City departments to achieve the most appropriate results.

These improvements include, but are not limited to, sidewalks, curbs and gutters, driveways, street trees and landscape improvements, and maintenance in the public right-of-way adjacent to the subject property. Placement and visual treatment of utility vaults, boxes and meters will be reviewed for aesthetic impacts upon the property.

Historically Significant Properties

As required by the Santa Clara Certified Local Government program, the City has established a list of Architecturally or Historically Significant Properties which is included in Appendix 8.9 of the General Plan.

Architecturally or Historically Significant Properties refer to prehistoric and historic features, structures, sites, or properties that represent important aspects of the City's heritage. Historic Preservation policies outlined in the 2010-2035 General Plan strengthen the City's Historic Preservation Goals. A 100-foot radius, defined as the Area of Historic Sensitivity, is approximately equal to all properties abutting, across the street, and adjacent to abutting properties of a historic resource. Applications for projects involving remodel and additions of these eligible properties should adhere to the Secretary of Interior's Standards for Rehabilitation. Applications for properties within 100 feet of an **eligible** structure should adhere to Historic Preservation Policies outlined in the General Plan.

Chapter 2 Neighborhood Compatibility

1 Purpose

2 Neighborhood Compatibility

3 Architectural Details

4 Site Planning and Streetscape Issues

5 Energy Efficiency

2a. Development in Existing Neighborhoods

 **Goal: To create compatible design with the neighborhood.**

Major Fail!: This development is surrounded by the two Eichler communities. Any degree of incompatibility will be very noticeable. There is no defining line would be if it were at the end of a current structure.

The concept of neighborhood does not necessarily follow tract boundaries. There can sometimes be little to no discerning characteristics between residential tracts in the City. Tract boundaries also divide some of the City's blocks, sometimes resulting in homes of different architectural styles on the same block. The potential impacts of neighborhood design may therefore not always follow tract boundaries, especially with proposals for second-story additions that may border patio homes to the side or rear of a different tract.

Defining Your Neighborhood

When designing an addition that may be visible from the street or new home, the focus should generally be on the design characteristics of neighboring homes on both sides of the street of that block. For homes in tracts containing patio homes, or in tracts that border patio homes to the side or rear in different tracts, one's "neighborhood" should be extended to include those patio homes, in the interest of privacy protection.

Features that typically define a neighborhood include the following:

- Architectural styles, features, materials, and decorative elements;
- Garage location, size, and treatment;
- Roof forms, materials, orientation, slope, eave heights, and overhangs;
- Second-floor mass and appearance as viewed from the street;
- Treatment and scale of entryway or focal point of front facade;
- Articulation of exterior wall;
- Window types, size, placement, and proportions;
- Front, side and rear yard setbacks, and;
- Landscaping and fencing.

Meeting the goal for compatibility does not mean that the design of a new or remodeled home must copy every architectural detail of the neighboring homes. However, proposed designs should maintain, reinforce, incorporate, and be consistent with the common architectural features, patterns, and forms found on homes in the neighborhood.

2b. Sensitive Design Solutions

Goal: To create homes compatible with the neighborhood and maintain privacy.

The following are specific guidelines for second-story additions. Special attention is devoted to second-story additions, as these project types have been the most challenging for the City and neighboring residents.

Construction at or above the second-story should be carefully designed to minimize building massing, the placement of windows, balconies, and location of common living areas, in order to minimize potential impacts on adjacent properties. A proposed two-story design must demonstrate that it protects the privacy of neighbors.

Designing a Second-Story

While permitted by the Santa Clara City Code, second-story additions or new two-story homes, built in a predominantly single-story neighborhood, can be one of the most neighborhood sensitive and challenging situations. The design must pay special attention to neighborhood compatibility and privacy issues. Unless designed correctly, second-story additions can substantially change the scale and character of the neighborhood.

An application for a new two-story home next to a one-story home must be designed so it does not overshadow or dominate the one-story home by way of scale, proportion or massing, or unreasonably interfere or conflict with the privacy of neighbors.

2. Walls

1. The front and side walls of the second-floor should be set back from the first floor to minimize mass and bulk. Second-floor areas should be set back at least five feet from the front wall of the first floor, and three to five feet from the side and rear walls of the first floor. (Figure 2.4)
2. For second-floors with an area greater than 35% of the ground floor area, setbacks of the second-floor should be greater than these minimums.
3. Avoid a bulky appearance when adding a second-story to the front facade. (Figure 2.5)

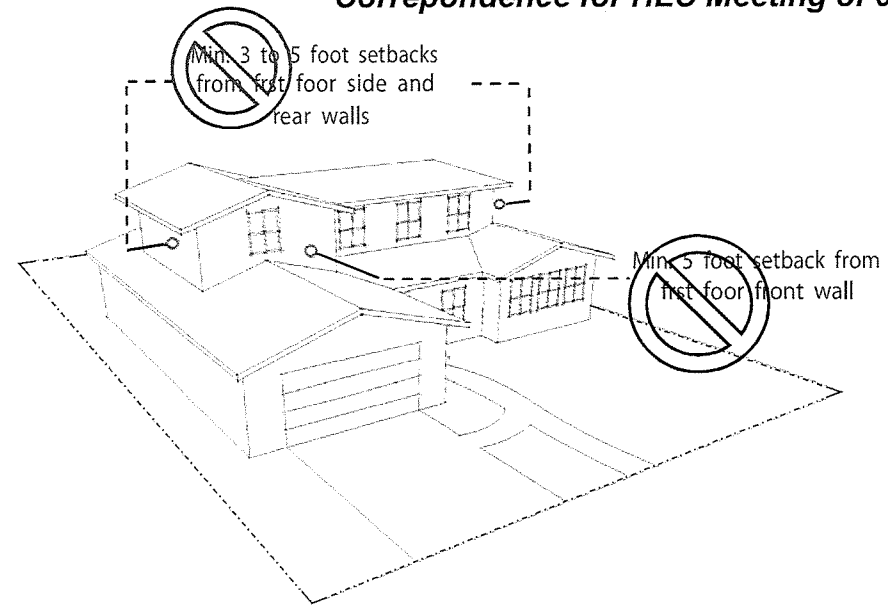


Figure 2.4 - Second-story addition setbacks are measured from first floor walls planes.



Figure 2.5a - Second story addition is adequately set back from the first floor and does not have a bulky appearance.

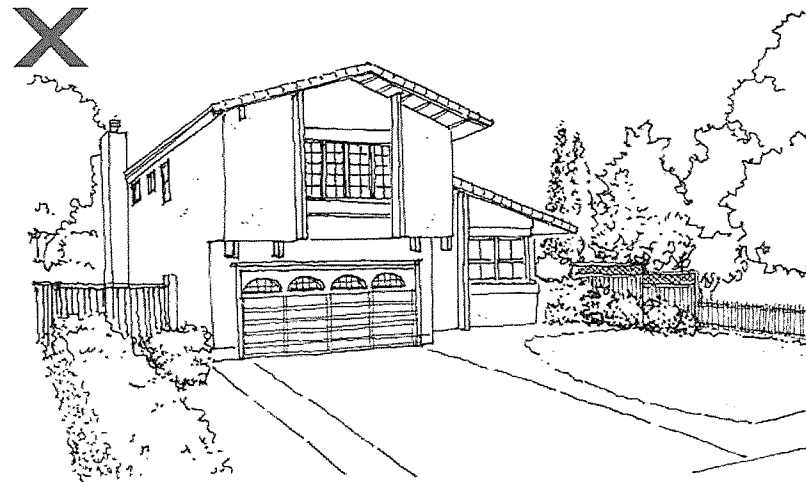


Figure 2.5b - Bulky second-story addition.

4. Provide horizontal insets and offsets of two feet deep by six feet wide minimum, for any second-floor walls of 25 feet in length or greater. These insets or offsets shall fall within setback requirements. (Figure 2.6)

3. Windows

1. Where proposals include second-floor side-facing windows located within 15 feet of a side property line, applicants are encouraged to raise the window sill level of these windows to a minimum of five feet above the finished floor. Other common design techniques include the use of clerestory or frosted windows. (Figure 2.7)
2. Larger second-floor windows should orient towards the front and rear. Second-floor windows on the sides of a home should be kept to the minimum building code size for light, ventilation, and emergency egress. Placement, design, and orientation of all windows and glass doors on the sides of the home should pay strong consideration towards privacy impacts. (Figure 2.8) Ø

3. Avoid aligning side yard second-floor windows directly with windows on neighboring properties.

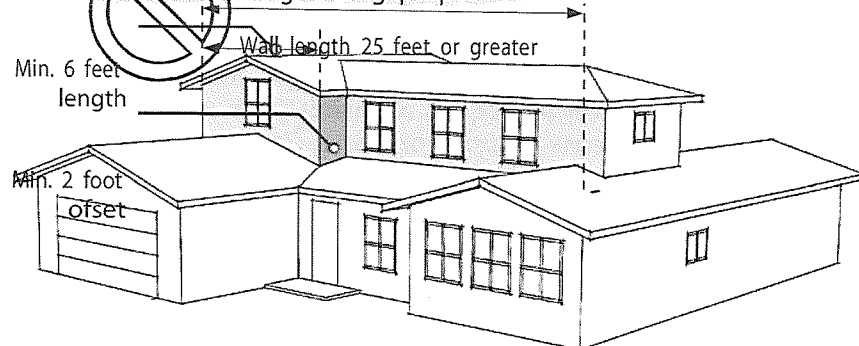


Figure 2.6 - Appropriate offset second-story walls.

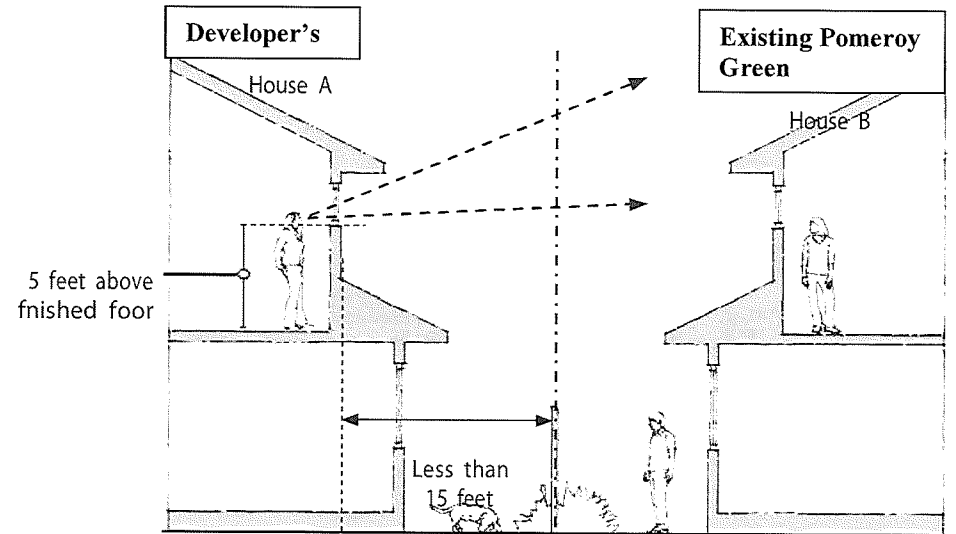


Figure 2.7 - Second-story windows on *House A* are raised at least five feet above the finished floor, reducing privacy impacts.

Project provides large 2nd floor windows A1 & B1 that are directly opposite 2nd floor windows in the adjacent Pomeroy Green building Q

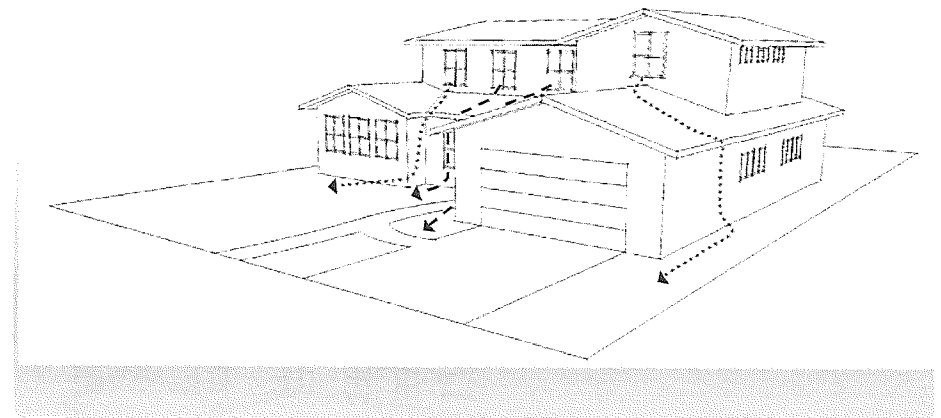


Figure 2.8 - Larger second-floor windows at the front provide emergency egress. Smaller second-floor windows on the sides provide privacy.

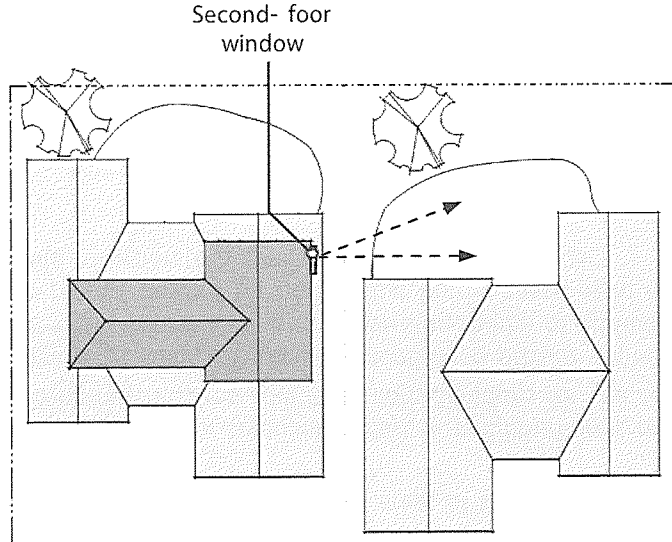


Figure 2.9 - Inappropriate second-story window with direct views into the neighboring yard.

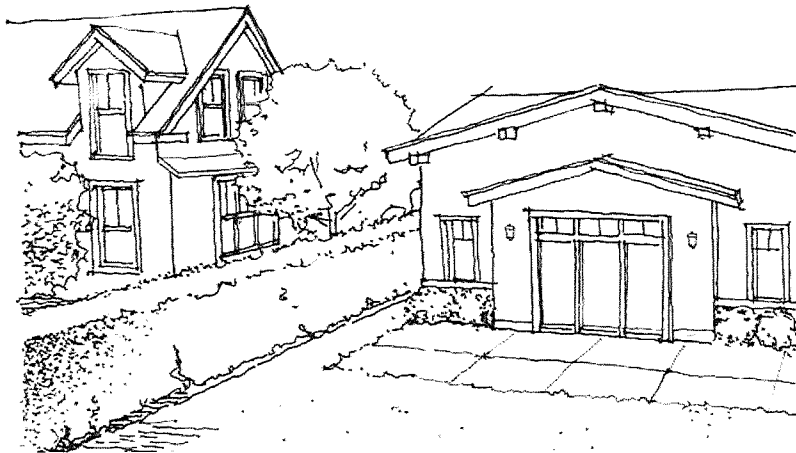


Figure 2.10 - Trees and landscaping can block the line of sight into neighboring private spaces.

4. ~~Whenever feasible and compatible with the architectural style, avoid window placement in locations that look directly into adjacent neighbor's space or active private yard spaces. (Figure 2.9) Bad window placement at S/S building A1 & B1~~

5. On second-floor bathroom windows, use obscure glass where possible and/or substitute a skylight.
6. Install landscaping that may grow to block the line of sight into neighboring side and rear yard whenever feasible. This includes planting trees, and adding landscaping on trellises or arbors that meet Zoning requirements.
(Figure 2.10) 50% line-of-sight due to lack of tree & small tree selection

4. Roof Forms

1. Unless existing roof forms consist of gable roofs, hipped roofs over the second-floor are preferred as they minimize the visual mass of the building. (Figure 2.11)
2. Gable or shed roofs with a shallow pitch should be used in Mackay or Eichler style homes. (See Figure 2.14 on page 11)



Figure 2.11 - Second-story addition with hipped roof.

1 Purpose

2 Neighborhood Compatibility

3 Architectural Details

4 Site Planning and Streetscape Issues

5 Energy Efficiency

2c. Patio Homes

Goal: To create homes compatible with the neighborhood and maintain privacy.

Some homes in the City were constructed in the Eichler or mid-century modern patio home style. The Mackay and Fairmede tracts in the City contain notable examples of entire neighborhoods of homes built in this style.

Unlike most other ranch style tract homes in the City, these patio homes were originally designed with large expanses of walls with minimum ornamentation, interior atria, low-sloped roofs with large overhangs, exposed roof beam ends, and simple wall planes (glass or vertical groove wood siding). Typically these walls were oriented toward enclosed front, side, and rear yard spaces. Since the living areas in these homes are more exposed to the outdoor yards, privacy impacts from alterations to homes on neighboring properties are more likely to occur than in other residential areas of the City.

Designing a new or remodel project in neighborhoods of patio homes requires additional considerations for the privacy of nearby residents. Particular attention to privacy impacts must be considered for a new two-story home or addition. New project designs for homes that border these patio homes should incorporate a similar modern design style.

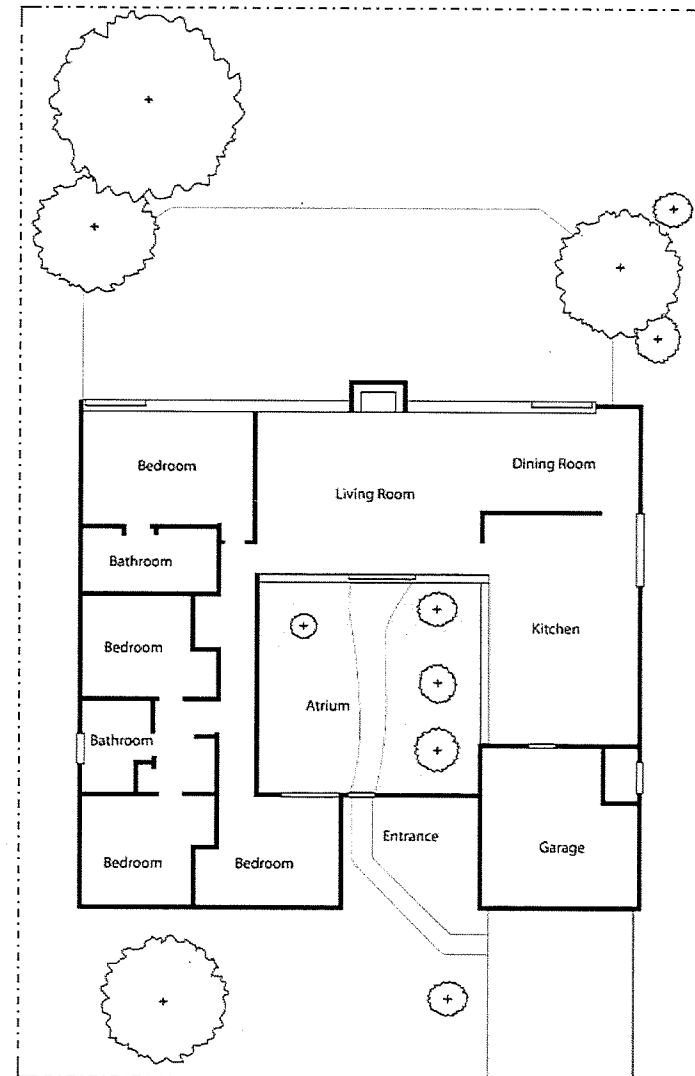


Figure 2.12 - A typical patio style floorplan having a central atrium.

Important Considerations

1. Incorporate architectural features, materials, finishes, and forms that derive from the existing patio homes to help integrate the home into the neighborhood.
2. Use low slope gable or shed roofs with a maximum pitch of 3:12. Flat roof styles are also acceptable.
3. Use siding, exposed beams, and heavy fascia boards found in the original home designs.
4. Avoid the use and mixture of material from homes of different architectural styles such as divided light windows, fan-light windows, or raised panel doors.

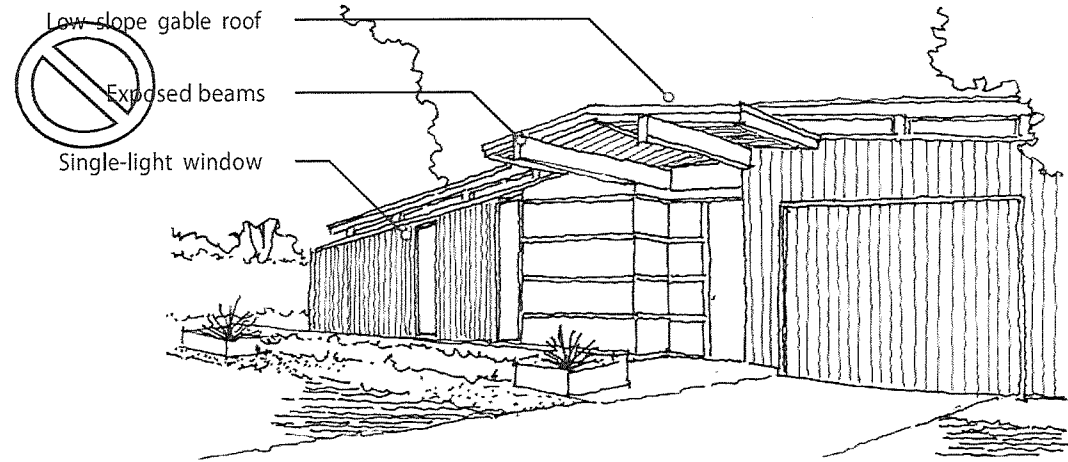


Figure 2.13 - Typical patio home features.

Project fails to meet design guidelines

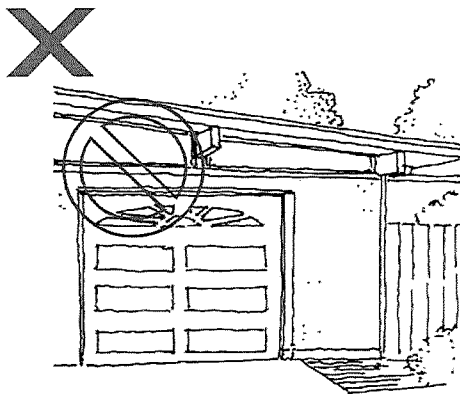


Figure 2.14a - Inappropriate garage design.

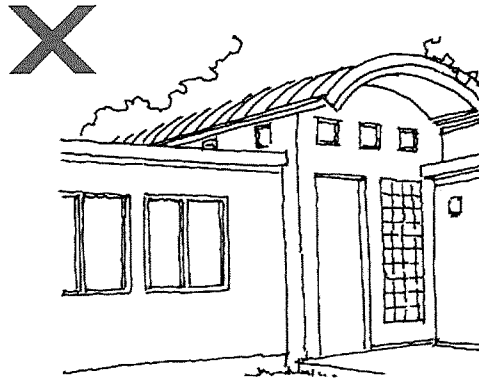


Figure 2.14b - Inappropriate roof shape.

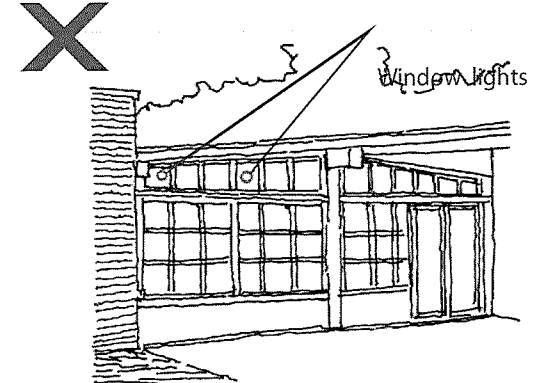


Figure 2.14c - Inappropriate amount of window lights.

1 Purpose

2 Neighborhood Compatibility

3 Architectural Details

4 Site Planning and Streetscape Issues

5 Energy Efficiency

Important Considerations

1. Second-Story Additions

1. Patio homes located within well-preserved tracts are encouraged to be maintained as single-story homes to preserve their historical and contextual integrity. The addition of a second story within Patio/Eichler tracts is highly discouraged.
2. An increase in lot coverage should be considered as a way to encourage ground-floor and single-story additions.
3. For second-floor walls, minimize the number and size of windows facing the side and rear yards of a neighboring patio home.
4. Avoid the use of second-floor decks and balconies in neighborhoods of patio homes.
5. Use landscape-screening materials to block the line of sight into neighboring side and rear yards whenever feasible.
6. New second-floor or additions to Eichler type homes or other low roof pitch homes should use roof styles, slopes, overhang depths of approximately two feet, and other detailing that is compatible with the home's existing style.

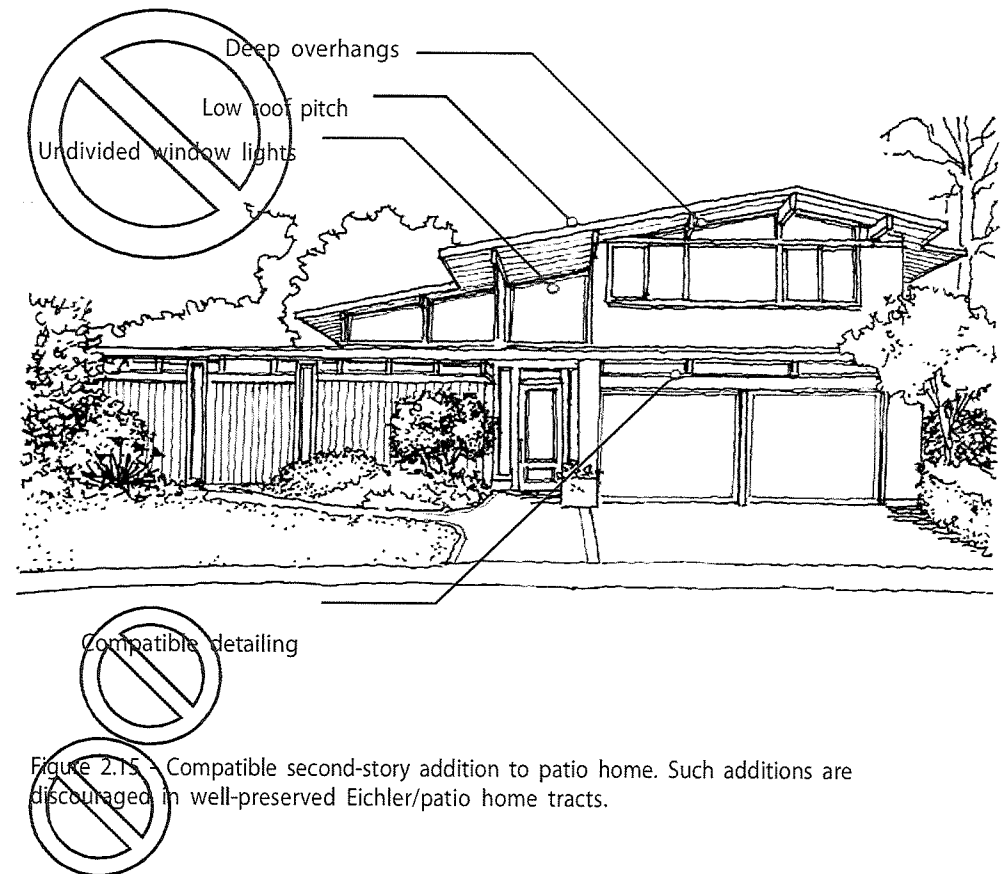


Figure 2.15 - Compatible second-story addition to patio home. Such additions are discouraged in well-preserved Eichler/patio home tracts.

Chapter 3 Architectural Details

Use of architectural styles found in the neighborhood is encouraged to promote compatibility between existing and new or remodeled homes in the neighborhood. New construction should be compatible with the style or design of existing structures on the site and with surrounding properties and neighborhood character. The design should address the functional characteristics of the site and the relationship of the proposal with the surrounding properties and street.

The proposal's "contemporary" design is NOT compatible with the Eichler mid-century modern design homes in Pomeroy Green and Pomeroy West

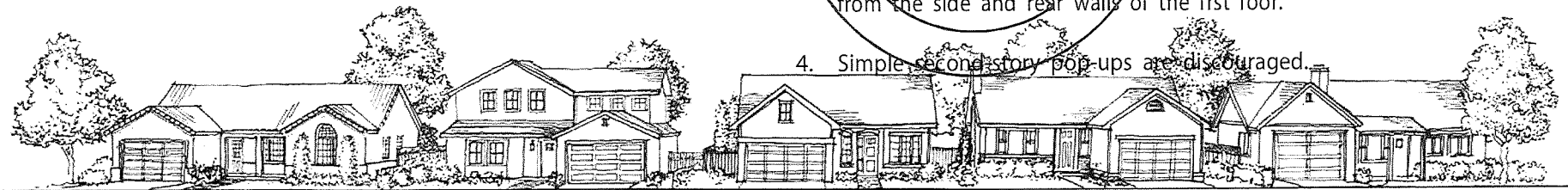


Figure 3.1 - Homes with compatible scale massing.

3a. New Homes, Remodels and Additions

Goal: Harmonize with the existing neighborhood.

Important Considerations

1. Massing and Scale

1. Building height and bulk should be appropriate relative to one and two-story homes within the neighborhood. (Figure 3.1)
2. Offset the front and side walls of the second-story to avoid a massive, boxy, or bulky design.
3. Second-floor areas should be set back at least five feet from the front wall of the first floor, and three to five feet from the side and rear walls of the first floor.
4. Simple second-story pop-ups are discouraged.

1 Purpose

2 Neighborhood Compatibility

3 Architectural Details

4 Site Planning and Streetscape Issues

5 Energy Efficiency

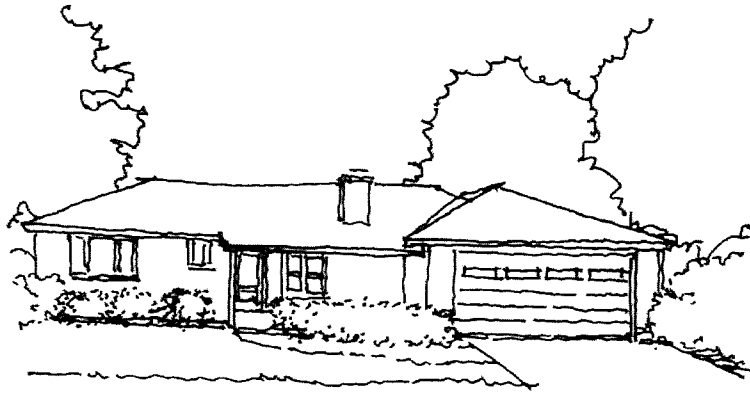


Figure 3.2a - Original Home, representative of the neighborhood architectural style.



Figure 3.2b - Second-story addition designed from the original architectural form and appropriate for the neighborhood.

2. Architectural Style

1. While specific architectural styles are not regulated, the architectural features of the proposed design should be true to the architectural form and appropriate for the neighborhood. (Figure 3.2)
2. Architectural features should be adequate and appropriate for the size of the building and should not be overstated.

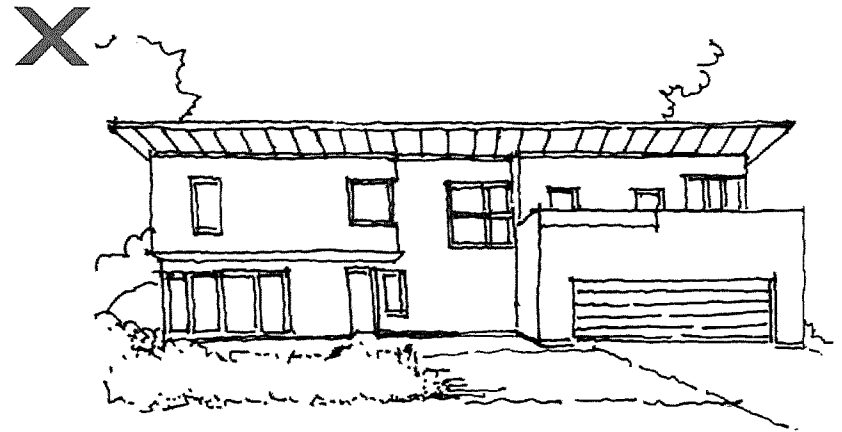
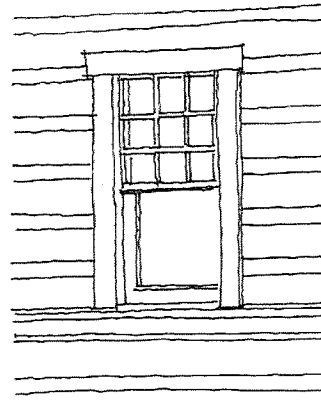


Figure 3.2c - Second-story addition that strays from existing architectural form and not appropriate for the neighborhood.

3. Materials and Finishes

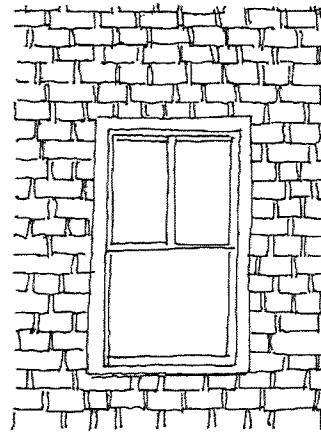
1. Building materials and finishes will be reviewed for quality and appearance with respect to existing development. Materials include wall, siding, roofing, windows and doors, fencing, supports and other structural or cosmetic features part of the visual appearance of the structure or property. Siding and shingles should be made of wood or a high-quality alternative. (Figure 3.3)
2. The use of high quality construction materials is important for long-term durability, maintenance, and appearance. Substitution of lower quality products or construction methods is highly discouraged.
3. Incorporate materials, finishes, and architectural details commonly found in the neighborhood to integrate, harmonize, and blend the home into the neighborhood.
4. Roof materials, building materials, and finishes should work in conjunction with one another and should be consistent with the architectural style of the building.
5. Building materials and finishes should harmonize and blend in with those found in the neighborhood to increase compatibility.



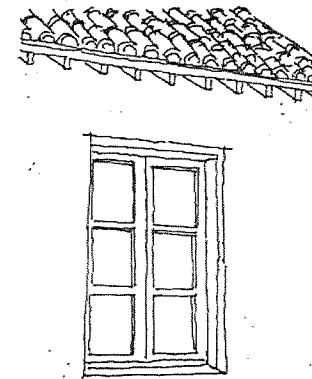
Wood Siding



Wood, Stone and Stucco



Wood Shingles



Stucco with Clay Tile Roof

Figure 3.3 - Building materials appropriate for homes in Santa Clara.

3b. Roof Forms

Goal: Roofs that blend in with the neighborhood

The roof forms of many of the City's residential tracts are simple in design. New proposals are encouraged to match the distinct character or simplicity found in the neighborhood. Designs should avoid using excessive roof ridgelines, heights, hips, and valleys.

Important Considerations

1. Roof Forms

1. Roof design should avoid excessive roof ridgelines, heights, hips, and valleys. (Figure 3.4)
2. Roof design should be appropriate for the architectural style of the building.
3. Use roof forms that derive from those found in the existing home or neighborhood to increase the compatibility of the remodel and additions with the existing home and neighborhood. (Figure 3.5)



Figure 3.4a - Simple roof forms.



Figure 3.4b - A roof form with excessive hips, valleys, and ridgelines.



Figure 3.5 - Homes with roof forms that conform with the neighborhood.

3c. Architectural Features

Goal: Visually pleasing homes.

The use of architectural features is necessary for good architectural design. Architectural features include elements such as porches, railings, brackets, corbels, moldings and trim, cornices, shutters, bay windows, wainscots, and dormers.

NOT Eichler style

Important Considerations

1. Use of architectural features are encouraged to help mitigate design problems such as large expanses of blank walls and large roof planes.
2. Features such as porches, cornices, railings, shutters, window fower boxes, and fan-lights, can provide significant building relief and visual interest, avoiding plain, blocky or boxy looking homes. Features should derive from elements that are present in the neighborhood and/or the existing home. (Figure 3.9)
3. While porches are encouraged as architectural features, they should be of adequate size to provide functionality. Porches designed for the sole purpose of aesthetics while not providing functionality are discouraged.
4. The use of stone, brick, or other wainscoting as a building base is encouraged. This base should wrap around the sides of the home from the front facade. (Figure 3.10)



Figure 3.9 - Home with visually interesting architectural elements.

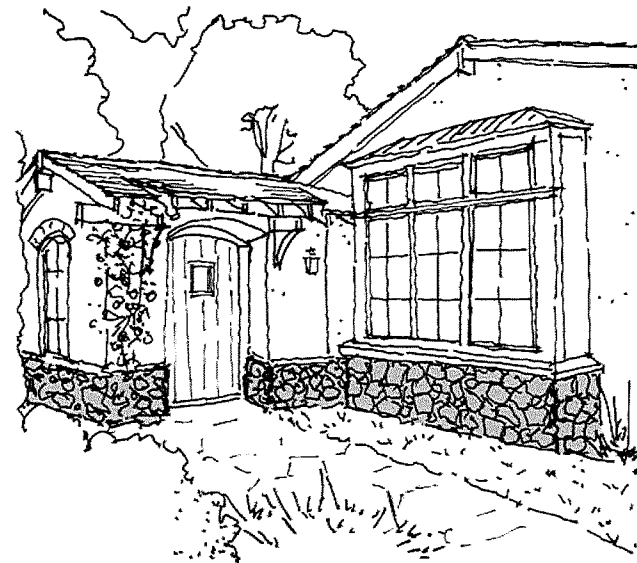


Figure 3.10 - Home with stone wainscoting.

5. Long, blank walls in excess of 25 feet in length should have of sets or architectural details that break up the expanse. (Figure 3.11)

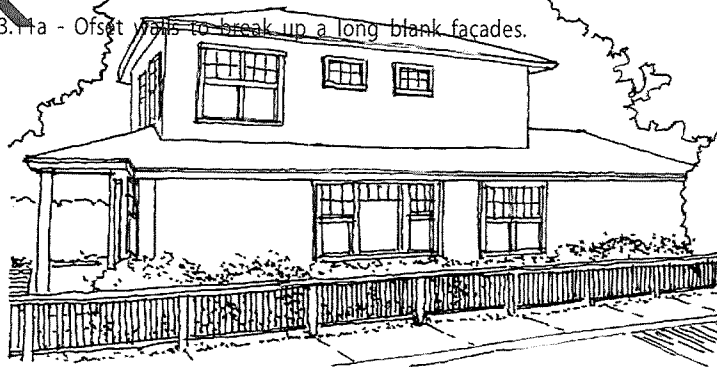
7. Exception: Patio homes should not have fanlights, divided light windows, raised panel doors, etc. that do not match existing architectural characteristics.

Proposal includes divided light windows, wainscot & horizontal siding that does NOT match surrounding neighborhood.

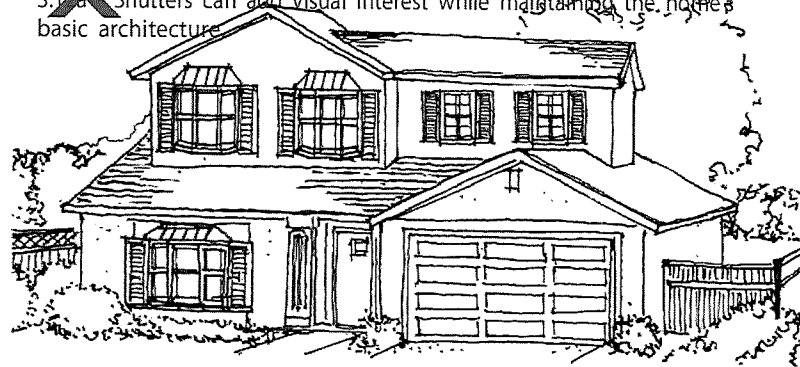
- ✓ 6. Special architectural details such as wood shutters, trellises, columns and bay windows should not be used as a means of hiding the basic architecture. (Figure 3.12)



- ✗ 3.11a - Offset walls to break up a long blank façades.



- ✗ 3.12a - Shutters can add visual interest while maintaining the home's basic architecture.



3.11b - The lack of articulation leads to the appearance of long blank walls.

3.12b - Columns, bay windows, and shutters that overwhelm the home's basic architecture.

3d. Design and Location of Doors and Windows

Proposal includes craftsman style stone wainscot, stained 1x4 wood siding, and divided light windows – clash with the modern style shed roof.

Goal: Visually Pleasing Homes

Fenestration is the design and placement of windows and doors in a building. It is an important design element and should be appropriate for the style of the building. Fenestration is considered a part of the architecture and overall texture of the building.

Important Considerations

1. Align the centerlines of windows, doors, and other openings to create a harmonious, pleasing elevation. (Figure 3.13)

2. Window style and proportion should be similar to the existing architectural style of the building or neighborhood.

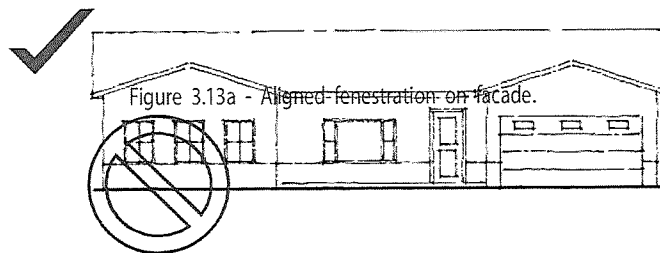
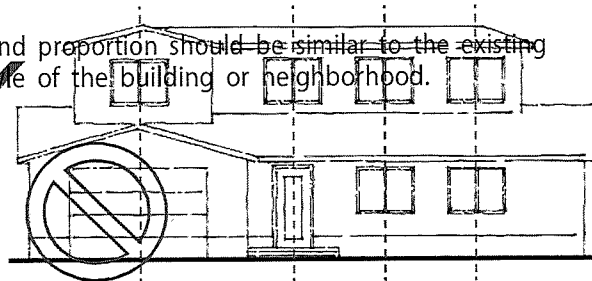


Figure 3.13a - Aligned fenestration on facade.

3. New window, doors, and trim on additions should match the existing windows and doors in material, style, orientation, and placement.

4. If a home does not currently have a clear architectural style, consider incorporating predominant window and window trim patterns found in the neighborhood in your proposed design.

5. Avoid mixing different window and door styles or materials in a building. (Figure 3.14)

6. Avoid windows and doors of extreme proportions such as horizontal or vertical slit windows.

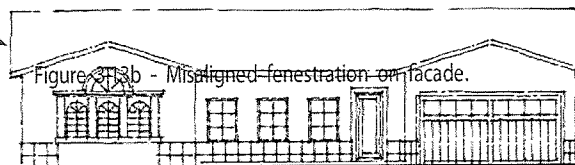
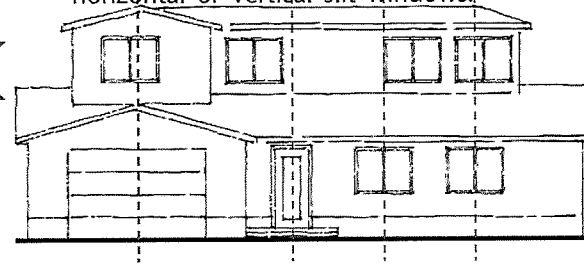


Figure 3.14b - Misaligned fenestration on facade.

Figure 3.14a - Harmonious window style arrangement

Figure 3.14b - Inappropriate mix of different styles.

Only one addition is allowed. Existing buildings are allowed on all sides that have windows.

Chapter

4

Site Planning and Streetscape Issues

1 Purpose

2 Neighborhood
Compatibility3 Architectural
Details4 Site Planning and
Streetscape Issues

5 Energy Efficiency

4a. Site Planning

Goal: Improve project design, minimize impacts on neighbors and promote neighborhood compatibility

Good site planning for a new home or addition makes a significant difference in how the design fits the neighborhood and minimizes potential impacts on the neighbors. Sensitivity to the neighborhood patterns and orientation plays an important role in promoting neighborhood compatibility.

Important Considerations

Major Failure

1. The location and orientation of a new home on a lot should be consistent with the prevailing patterns found in the neighborhood. (Figure 4.1)
2. Front and street side yard setbacks should match or not extend beyond that which is typical for the block and appropriate for the scale of the proposed building.

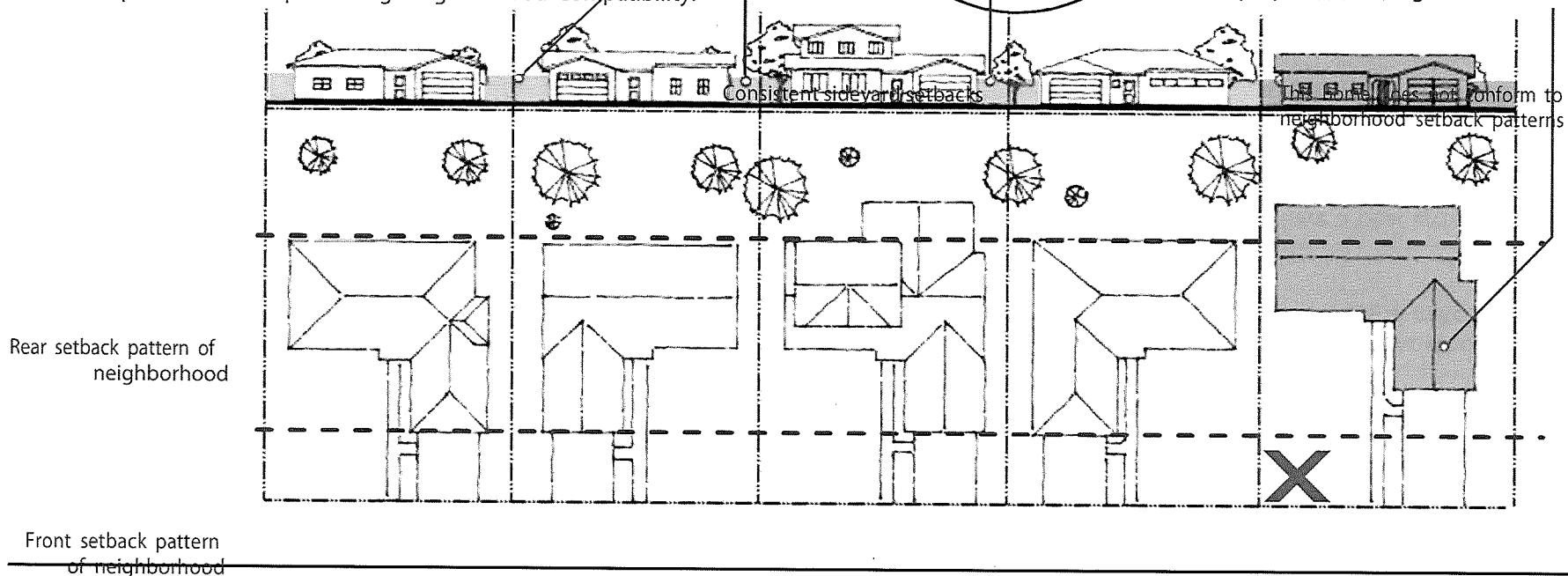


Figure 4.1 - Block of homes demonstrating setback patterns.

3. Proposed designs should minimize, to the extent possible, shading of adjacent homes and private yards. Impacts of scale, shadow, views, air, and light and other consequences of development upon nearby properties may require use of greater setbacks to provide less shading. (Figure 4.2) **Major Failure**

4. Building massing and orientation will subject to special consideration to weigh potential shadow impacts on neighboring properties.

5. Where appropriate, proposed setbacks should be adjusted to complement adjacent development or to accommodate special needs of the development as determined through the architectural review process.

Major Failure

6. Second-story additions should be set back from the front yard or street side yard walls of the first floor to reduce the appearance of bulk.

7. Second-story additions should be located away from the side and rear yards of neighboring residential properties as much as feasible.

8. Requirements for on-site grading and drainage should be considered at the preliminary stages of design development. The finished grade above the top of the nearest street curb should be used as benchmark.

9. Building pad heights should be determined early in the interests of food hazard mitigation, stormwater runoff, design treatment of building elevations, and to consider appropriate measures to protect privacy on surrounding properties. **Lower Pad 1' 0"**

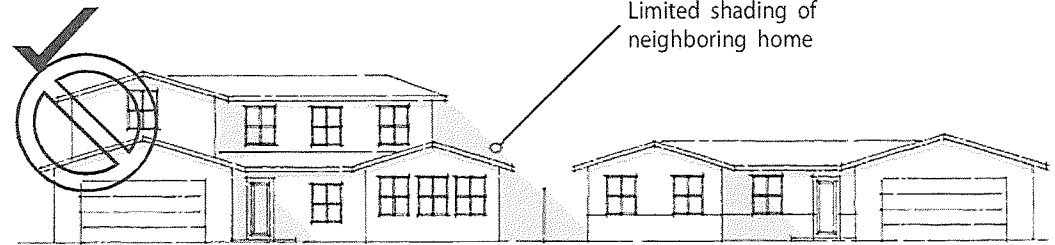


Figure 4.2a - Second-story addition with larger side setbacks to reduce shading of neighboring properties.



Figure 4.2b - Second-story addition built close to the allowed side setback, resulting in increased shading of neighboring properties.

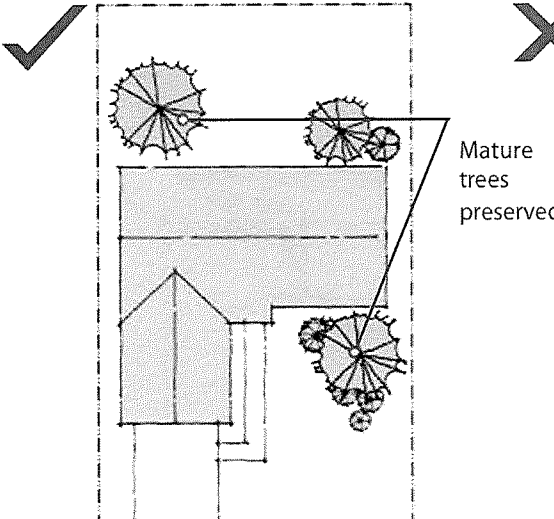


Figure 4.3a - Site planning that preserves mature trees.

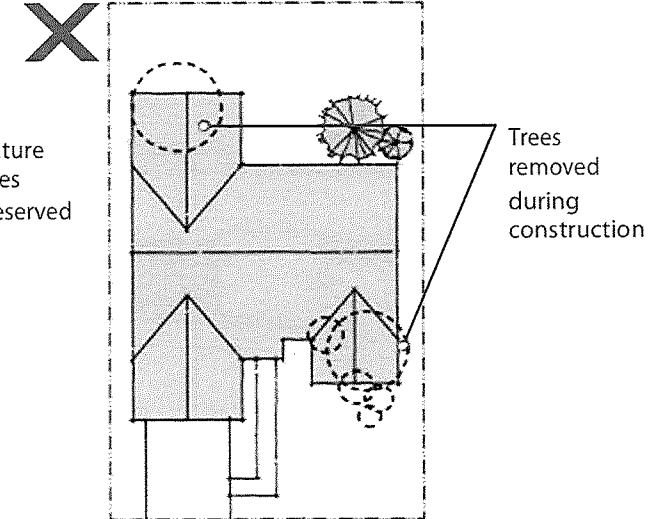


Figure 4.3b -

Site planning that removes mature trees.

10. Locate buildings to avoid removing mature trees and landscaping to the extent possible. (Figure 4.3)

4d. Mass & Bulk / Scale & Height

Goal: Reduce mass and bulk of homes

Development proposals should be reviewed for their overall size and intensity relative to adjacent homes and the prevailing neighborhood pattern. Designs should reduce the appearance of mass and bulk wherever possible. This is especially critical with two-story homes. **Insufficient separation between buildings**

Important Considerations

1. Articulation and Massing

1. Large blank walls, lack of architectural relief or building articulation, excessive building heights, inadequate setbacks and other design features should be eliminated so that proposals are not out of scale with the neighborhood.
2. Reduce the perception of mass and bulk of two-story homes by offsetting the second-floor walls from the first floor walls on the front and side elevations. (Figure 4.8)
3. Provide horizontal offsets for long walls of two feet deep by six feet wide minimum along any second-floor walls of twenty-five feet in length or greater. These insets or offsets should fall within Zoning setback requirements.



Figure 4.7 - Two-story home having second-story walls set back from first floor walls.

Pomeroy West includes single story end units that reduce bulk of multi-unit building & lessens shadow cast by building.

Chapter **5** Energy Efficiency

5a. Solar Access and Panels

Goal: Solar systems with minimum visual presence that blend with home and neighborhood.

Applicants are encouraged to incorporate solar energy systems into their projects. Homeowners can minimize non-renewable heating and cooling methods and maximize solar heat gain by using solar panels and innovative building design features such as the use of overhangs, having south-facing windows and planting trees that provide shade.

Building placement and adjacencies should be considered such that they do not unreasonably affect the solar access on neighboring properties. Solar panels and other roof-mounted equipment can detract from the appearance of a home and appear obtrusive if not integrated into the design.

Important Considerations

1. Orient the massing of the home and roof forms away from the side yards of neighbors as much as possible to minimize blocking their solar access.
2. Locate roof mounted solar energy equipment and panel below ridgelines and on sides of roof away from street view wherever possible. Non-glare and non-reflective type panels should be utilized.

3. The design and placement of roof-mounted solar panels should account for the heights of existing trees and future growth. This applies to both trees on-site and on neighboring properties, including City Heritage Trees and street trees.

5b. Integrate Sustainable Design

Goal: Integration of sustainable design features and elements into the building early in the design process.

Important Considerations

1. Specify recycled, sustainably harvested, or sourced building materials such as siding, paving, decking, and insulation.
2. Preservation and/or adaptive reuse of structures is preferred over demolition. Recycle and reuse materials on-site from dismantling and/or demolition of a building or site improvements as much as possible.
3. Consider heat reflecting roof systems to reduce roof heat gain. Balance the benefits of light colored roofs with aesthetics.

1 Purpose

2 Neighborhood Compatibility

3 Architectural Details

4 Site Planning and Streetscape Issues

5 Energy Efficiency

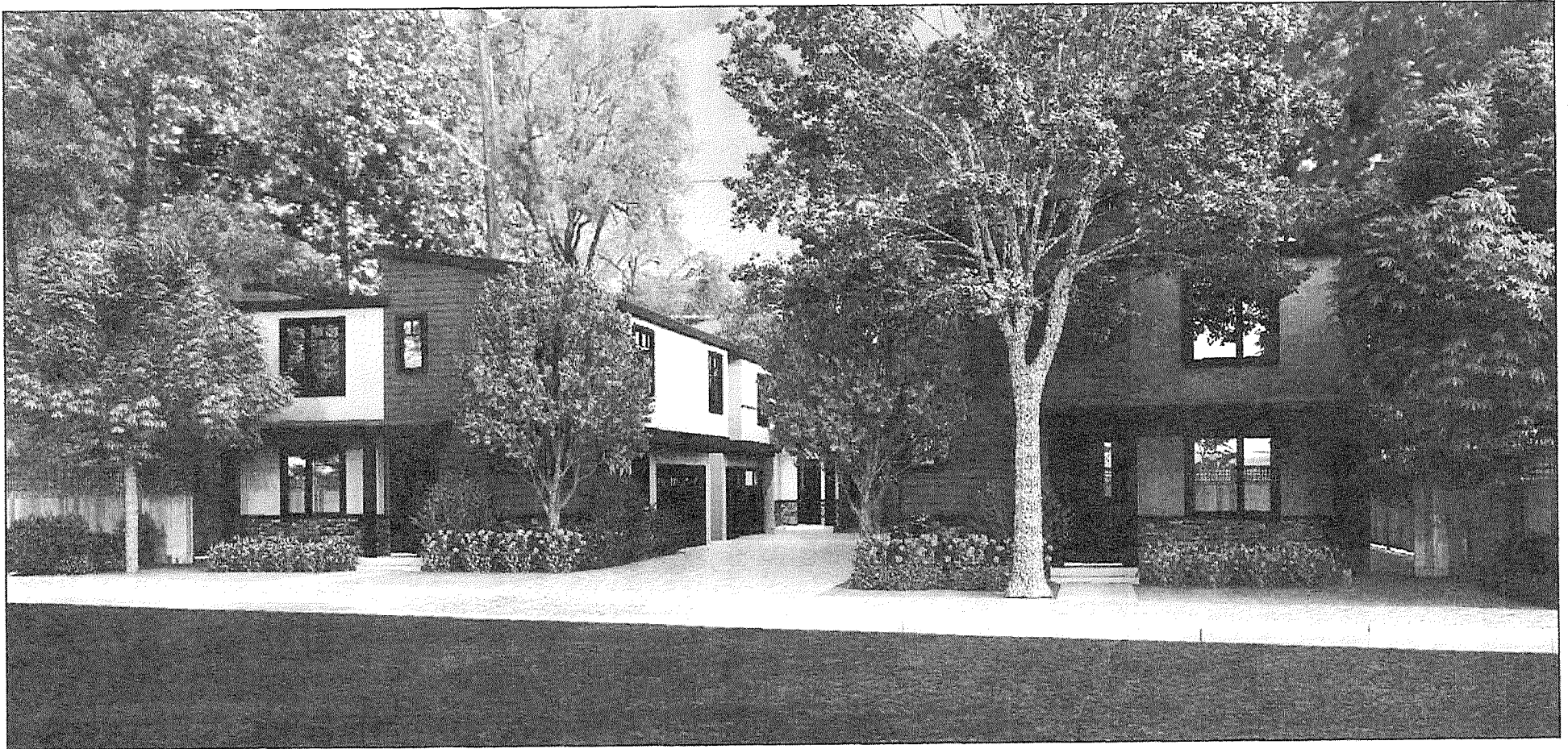
4. Incorporate alternative energy generation into the design of building forms and roofs. Establish effective location for solar panels on either the main or accessory building.
5. Consider utilizing gray water systems and rainwater collection systems for on-site irrigation and water conservation.

5c. Utilize Passive Heating and Cooling

Goal: Building placement and massing should consider the potential for passive heating and cooling techniques.

Important Considerations

1. Design building volumes to minimize large areas of south or west facing windows to reduce summer sun exposure
2. Use appropriate sized overhangs, porches, trellises, or vegetation, such as deciduous trees, on south facing building sides to reduce heat gain on exposed walls and windows.
3. Use the thermal mass of floors and walls to maximize thermal storage and moderate daily temperature swings.
4. Providing cross-ventilation by locating operable windows and skylights to catch prevailing breezes.



VIEW FROM POMEROY AVENUE
(LOOKING EAST)

NOTE: HAND
LETTERED NOTES
BY KEN KRATZ

Figure 5

1075 POMEROY
PROPOSED DEVELOPMENT

Rendering of Proposed Project (VIEW FROM POMEROY AVENUE)

PROPOSED DEVELOPMENT
1075 POMEROY AVENUE
SANTA CLARA, CA.

9-12-17

Source: T.N. Design

My name is Roy Shenfield. I am a resident of Pomeroy West.

We have submitted for your review and consideration a document where we have annotated the City Design Guidelines to indicate where the current proposed development does NOT meet those guidelines.

There are many areas where this is the case and specifically in the sections dealing with patio homes which our Eichler homes are.

It is not our intention to prevent any development in this location. All we are asking for is a design that is architecturally and aesthetically compatible with our existing communities.

We have offered to meet with the developer to work on a mutually agreeable design and that offer still stands. We are also presenting 11 alternative designs that would satisfy our concerns that were created by Mr. Ken Kratz, who holds a degree in architecture from UC Berkeley.

[We believe these guidelines are of the utmost importance since we physically surround the proposed development on all four sides.]

Lastly, addressing the staff report analysis that was mentioned earlier. We were only made aware of this yesterday and have not had ample opportunity to prepare a full response. We did share that with Mr. Mineweaser and he rendered an opinion that:

- This staff report was written weeks ago and contains their standard conclusions.
- This was done by the city's historian consultant and is more of a "determination" letter as opposed to a complete S.I.S. review.
- Saying that 1075 meets the standards is incorrect as this is not a proper, full blown S.I.S. reviews as it does not evaluate all 10 standards.

I have included three excerpts from two S.I.S documents that seem to contradict several of the findings in the staff report or show that those finding were out of context.

So we would request that you do not accept that report in totality.

New Exterior Additions and Related New Construction

A new exterior addition to a historic building should be considered in a rehabilitation project only after determining that requirements for a new or continuing use cannot be successfully met by altering non-significant interior spaces. If the existing building cannot accommodate such requirements in this way, then an exterior addition or, in some instances, separate new construction on a site may be acceptable alternatives.

A new addition must preserve the building's historic character, form, significant materials, and features. It must be compatible with the massing, size, scale, and design of the historic building while differentiated from the historic building. It should also be designed and

constructed so that the essential form and integrity of the historic building would remain if the addition were to be removed in the future. There is no formula or prescription for designing a compatible new addition or related new construction on a site, nor is there generally only one possible design approach that will meet the Standards.

New additions and related new construction that meet the Standards can be any architectural style—traditional, contemporary, or a simplified version of the historic building. However, there must be a balance between differentiation and compatibility to maintain the historic character and the identity of the building being enlarged.

New additions and related new construction that are either identical to the historic building or in extreme contrast to it are not compatible. Placing an addition on the rear or on another secondary elevation helps to ensure that it will be subordinate to the historic building. New construction should be appropriately scaled and located far enough away from the historic building to maintain its character and that of the site and setting. In urban or other built-up areas, new construction that appears as infill within the existing pattern of development can also preserve the historic character of the building, its site, and setting.



The following work is highlighted to indicate that it represents the particularly complex technical or design aspects of Rehabilitation project work and should only be considered after the preservation concerns listed above have been addressed.

Recommended

Design for the Replacement of Missing Historic Features

Designing and constructing a new feature of a building or site when the historic feature is completely missing, such as an outbuilding, terrace, or driveway. It may be based on historical, pictorial, and physical documentation; or be a new design that is compatible with the historic character of the building and site.

Alterations/Additions for the New Use

Designing new onsite parking, loading docks, or ramps when required by the new use so that they are as unobtrusive as possible and assure the preservation of the historic relationship between the building or buildings and the landscape.

Designing new exterior additions to historic buildings or adjacent new construction which is compatible with the historic character of the site and which preserves the historic relationship between the building or buildings and the landscape.

Removing non-significant buildings, additions, or site features which detract from the historic character of the site.

Not Recommended

Creating a false historical appearance because the replaced feature is based on insufficient historical, pictorial, and physical documentation.

Introducing a new building or site feature that is out of scale or of an otherwise inappropriate design.

Introducing a new landscape feature, including plant material, that is visually incompatible with the site, or that alters or destroys the historic site patterns or vistas.

Locating any new construction on the building site in a location which contains important landscape features or open space, for example removing a lawn and walkway and installing a parking lot.

Placing parking facilities directly adjacent to historic buildings where automobiles may cause damage to the buildings or landscape features, or be intrusive to the building site.

Introducing new construction onto the building site which is visually incompatible in terms of size, scale, design, materials, color, and texture; which destroys historic relationships on the site; or which damages or destroys important landscape features.

Removing a historic building in a complex of buildings; or removing a building feature, or a landscape feature which is important in defining the historic character of the site.

The following work is highlighted to indicate that it represents the particularly complex technical or design aspects of Rehabilitation projects and should only be considered after the preservation concerns listed above have been addressed.

Recommended

Design for the Replacement of Missing Historic Features

Designing and constructing a new feature of the building or landscape when the historic feature is completely missing, such as row house steps, a porch, a streetlight, or terrace. It may be a restoration based on documentary or physical evidence; or be a new design that is compatible with the historic character of the setting.

Alterations/Additions for the New Use

Designing required new parking so that it is as unobtrusive as possible, thus minimizing the effect on the historic character of the setting. "Shared" parking should also be planned so that several businesses can utilize one parking area as opposed to introducing random, multiple lots.

Designing and constructing new additions to historic buildings when required by the new use. New work should be compatible with the historic character of the setting in terms of size, scale design, material, color, and texture.

Removing nonsignificant buildings, additions or landscape features which detract from the historic character of the setting.

Not Recommended

Creating a false historical appearance because the replaced feature is based on insufficient documentary or physical evidence.

Introducing a new building or landscape feature that is out of scale or otherwise inappropriate to the setting's historic character, e.g., replacing picket fencing with chain link fencing.

Placing parking facilities directly adjacent to historic buildings which result in damage to historic landscape features, such as the removal of plant material, relocation of paths and walkways, or blocking of alleys.

Introducing new construction into historic districts that is visually incompatible or that destroys historic relationships within the setting.

Removing a historic building, building feature, or landscape feature that is important in defining the historic character of the setting.

PROPOSED DEVELOPMENT
1075 POMEROY AVENUE
SANTA CLARA, CA.

(Project Site)

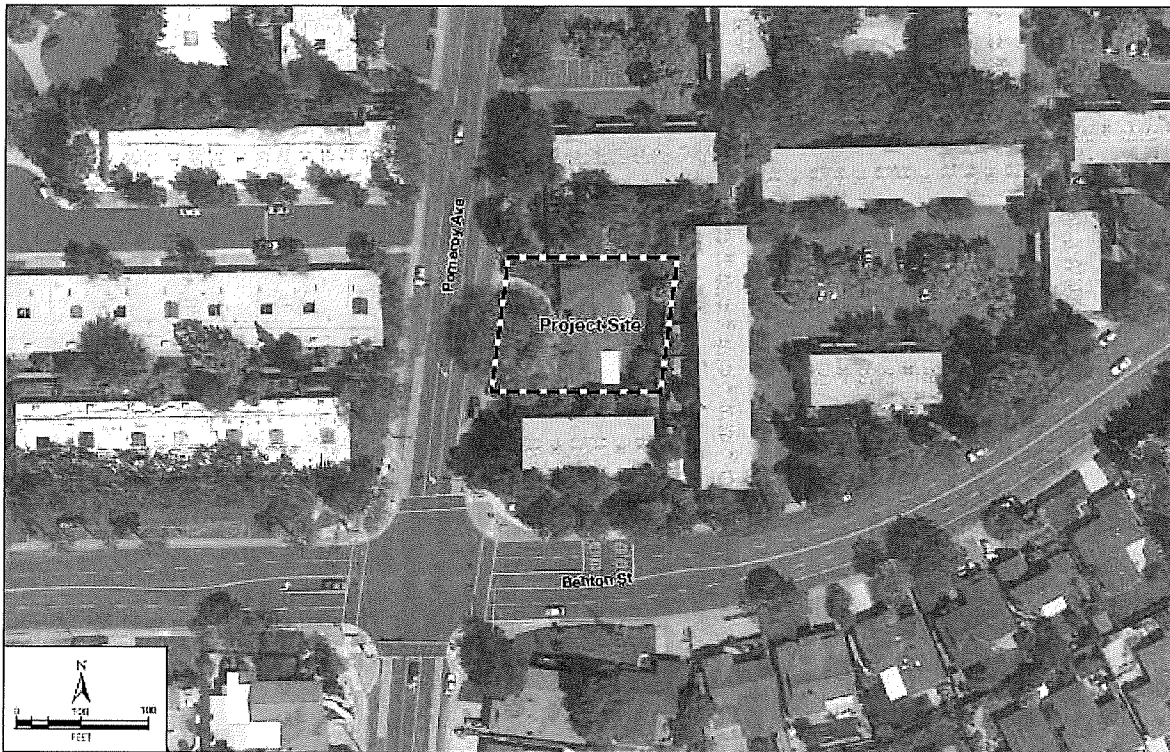


Figure 2

Aerial Overview of Project Vicinity

Source: Google Maps; Douglas Herring & Associates

Pomeroy Green Cooperative is above (to the north), below (to the south), and to the right (east) of the project site (1095 Pomeroy Avenue).

Pomeroy West is to the left (west, across Pomeroy Avenue) of the project site (1095 Pomeroy Avenue).



Good evening. My name is Peggy Parkin and I am a 44 year resident of Pomeroy Green.

My focus is on our property's open space park area adjacent to 1075 Pomeroy Avenue. Our park is full of sun with intermittent shade for our children to have grass to play on, plants to survive from, to read a book, exercise our dogs and privacy. We also have aging trees.

Our park area borders the North fence line of 1075 Pomeroy. Our main concern is with the proposed height of the four structures as our park would suffer from from lack of privacy, noise, and most importantly, a high percentage in loss of sun to which a sun study was performed. The proposed 1075 building height and number of buildings, would greatly affect our property's well being.

The proposed development also does not 'blend' appropriately with Pomeroy Green and Pomeroy West. It would blend in very well in another section of Santa Clara. We are not opposed to development...it just has to be appropriate with what is already here, the environment.

Thank you,

Peggy Parkin

To: City of Santa Clara Historical and Landmarks Commission
From: Ken Kratz
Date: January 4, 2018
Re: 1075 Pomeroy Avenue rezoning and proposed development

List of
Presentations by Residents of Pomeroy Green and Pomeroy West
to
City of Santa Clara Historical and Landmarks Commission
(against the developer's current proposal for 1075 Pomeroy Avenue)

Presentations to be delivered by neighborhood residents:

1. Ken Kratz (PG): overview of context, problems, solutions
2. Beverly Shenfield (PW): outline of historic features of Pomeroy Green and Pomeroy West
3. Michelle Reamy (PW): specific architectural features of PG and PW
4. Horst Govin (PW): problems with developer's proposal
5. Peggy Parkin (PG): impact of project on PG park—solar access
6. Roy Shenfield (PW): City's Design Guidelines not met, alternatives, City staff report, next steps

I'm Michelle Reamy, resident of Pomeroy [West/Green]. The specific architectural, aesthetic, and functional features that we believe are of historic significance for Pomeroy West and Green are:

- Non-bearing exterior walls that fill the openings in the post and beam construction, allowing large expanses of glass windows and sliding glass doors
- Concrete blocks in a stack bond
- Vertically grooved siding
- Carports, which are integral to and project from the townhouse
- Patios that promote outdoor living, and are protected by the townhouse itself from carport noise
- Windowless end-walls with landscaping between buildings, preserving privacy by eliminating views into neighboring buildings
- Privacy between adjacent townhomes via projecting, fire-resistive concrete block party walls
- Back to back backyards, providing a quiet environment
- Floor to ceiling window layout next to our shared walls, which floods the interiors with daylight
- Large roof overhangs, at least 3 feet with flat roofs.
- Extensive landscaping including pathways, children's play yards, clubhouses, community garden, basketball court, swimming pool

Our hope is that the HLC will require a survey be conducted as part of approving the developer's proposal to confirm these merits meet the criteria for historic significance.

To: City of Santa Clara Historical and Landmarks Commission
From: Ken Kratz
Date: January 4, 2018
Re: 1075 Pomeroy Avenue rezoning and proposed development

Presentation
to
City of Santa Clara Historical and Landmarks Commission

(against the rezoning of 1075 Pomeroy Avenue)

My name is Ken Kratz and I live in a Eichler townhouse in Pomeroy Green, a 78 unit housing complex that, along with the 138 unit Pomeroy West Condominiums across the street, completely surrounds the proposed development.

I and 178 of my neighbors who signed a petition are asking the City to reject the project until a compatible design that considers the architectural significance of our complexes is submitted for consideration.

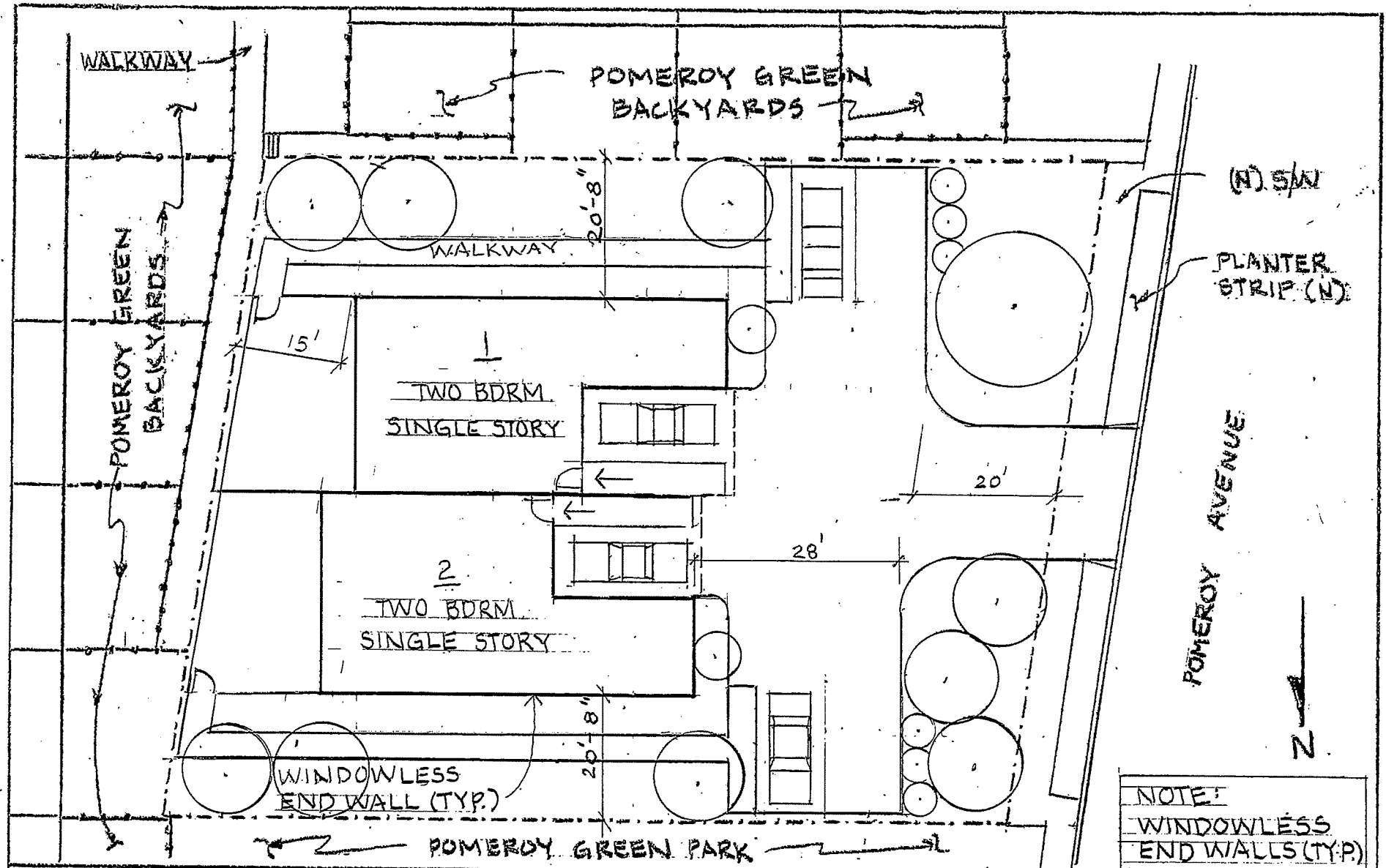
I also ask that you reject the City's MND since it did not consider the historical significance of our complexes.

My neighbors and I will make presentations tonight explaining the historic attributes of our complexes and why we think the developer's design is not sympathetic.

We can present some 11 alternatives, one mounted on these boards, for your consideration if time allows.

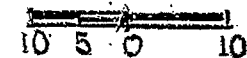
Please consider conducting a historical survey of our neighborhood as the the City has done in the past for other areas of the City and, if a professional survey is needed, please have one conducted. Would it be possible to create a special historic district for our neihgborhood?

Based on a preliminary examination by my preservation architect, Mineweaser and Associates, concluded, in their recent letter to the City, that since both Pomeroy Green and Pomeroy West are over 50 years old, are unusual examples of early cluster housing and are potentially eligible for listing on an inventory of historic resources, they should be accorded the same design respect of any other listed property.



1075 POMEROY AVENUE
 ALTERNATIVES TO PROPOSED DEVELOPMENT
 SITE PLAN

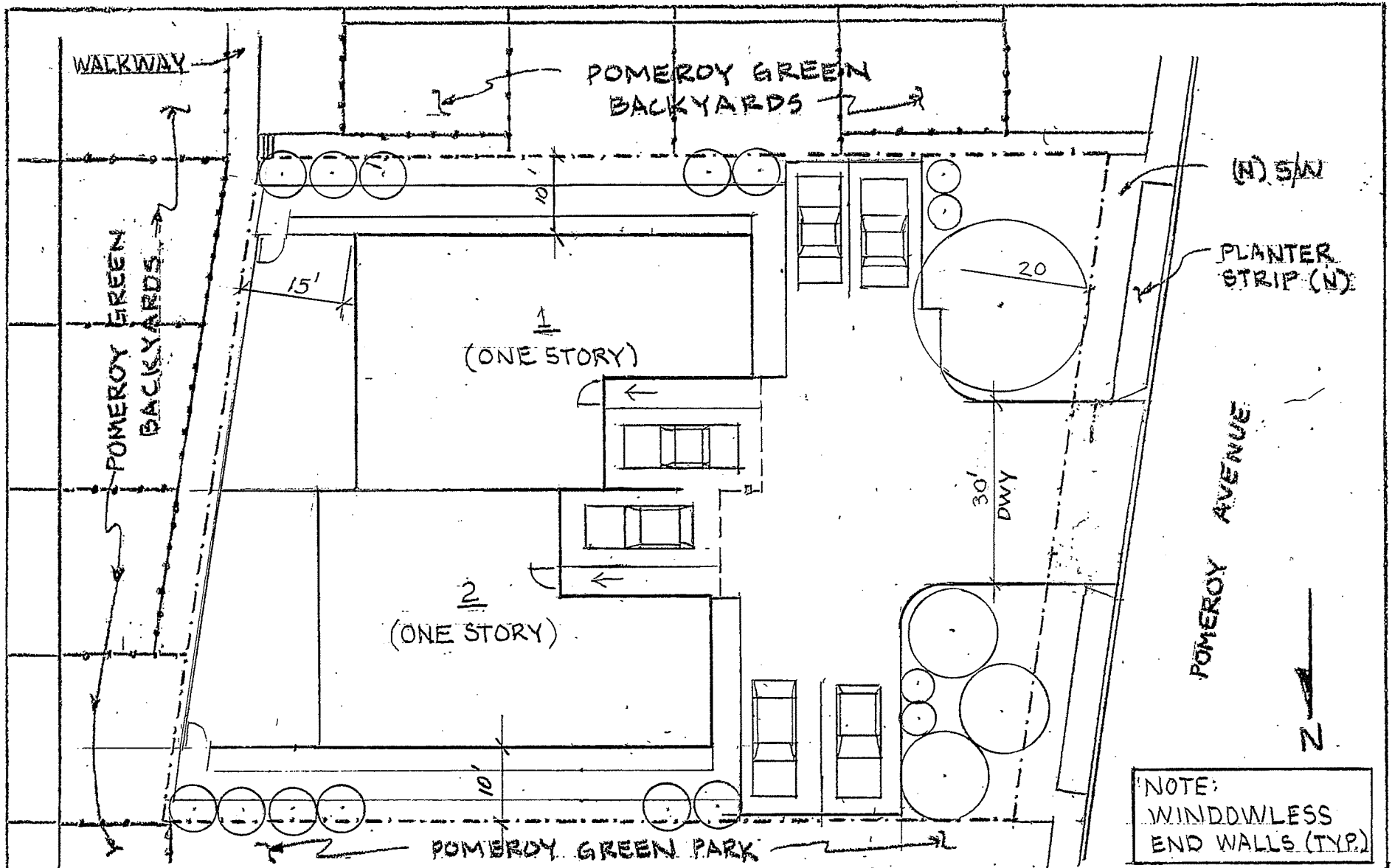
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DATE: 12-18-17

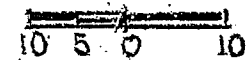
DWG: KRATZ

DWG. # 1



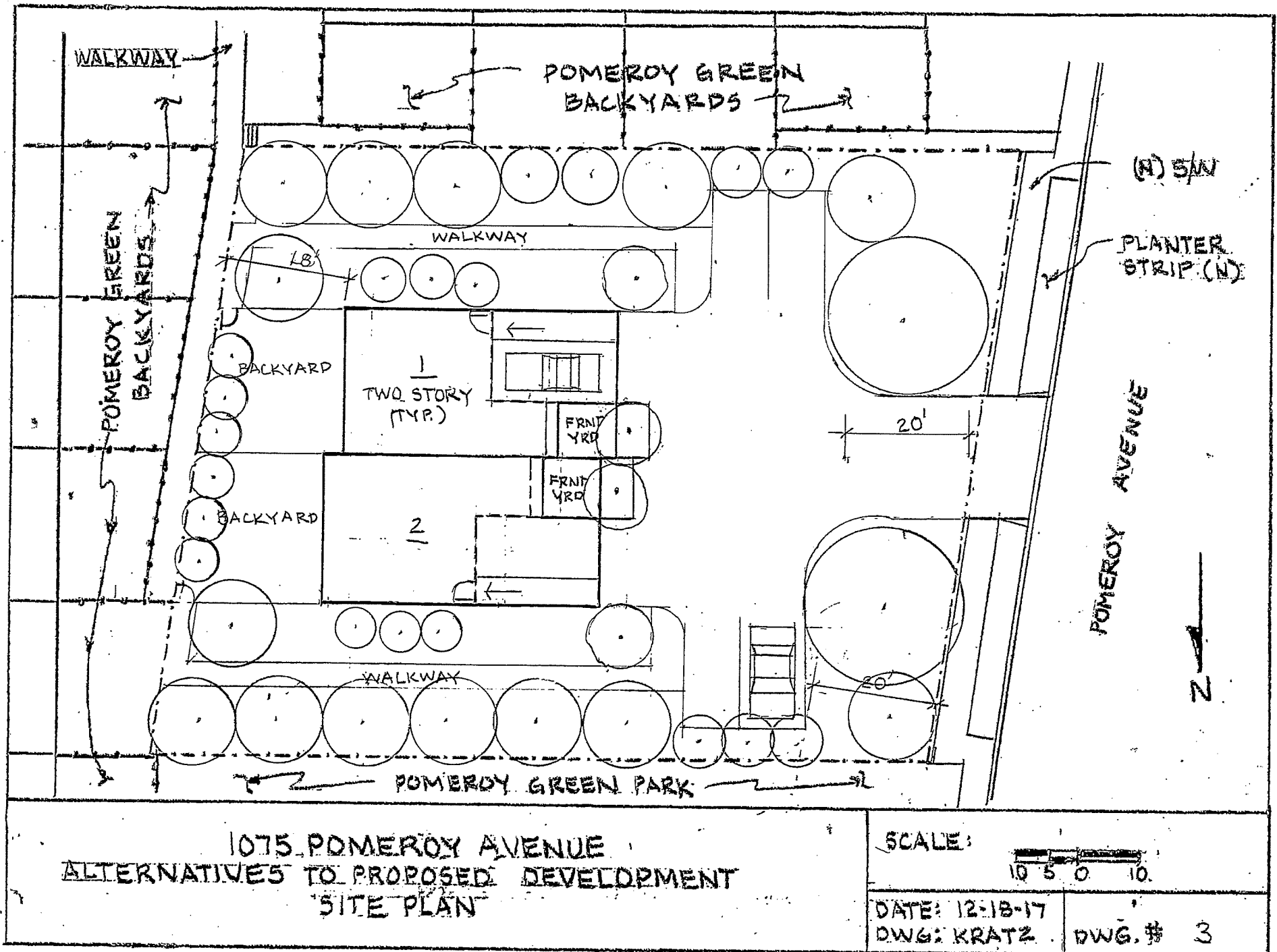
1075 POMEROY AVENUE
 ALTERNATIVES TO PROPOSED DEVELOPMENT
 SITE PLAN

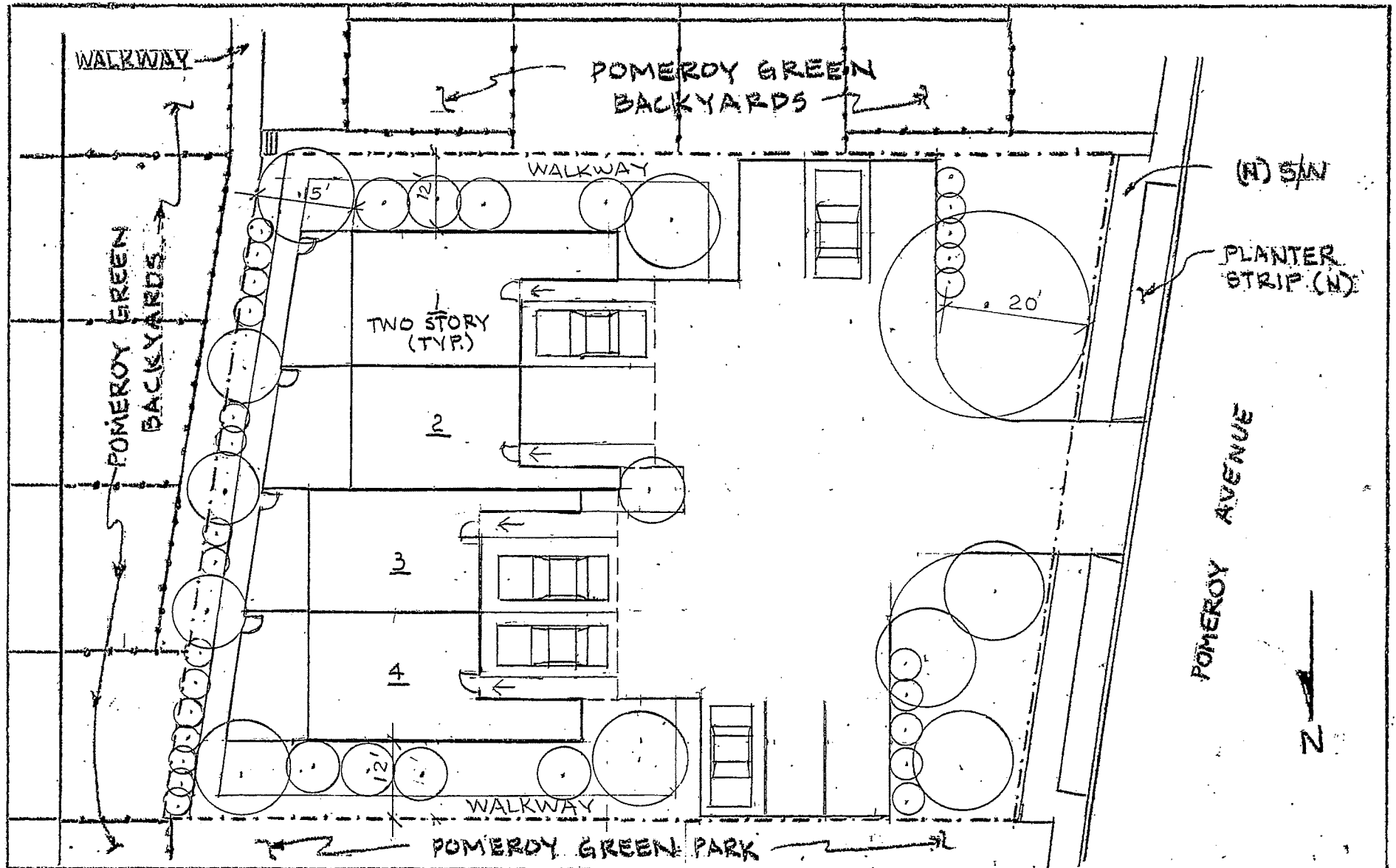
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DATE: 12-18-17
 DWG: KRATZ

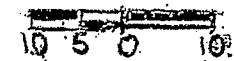
DWG. # 12





1075 POMEROY AVENUE
 ALTERNATIVES TO PROPOSED DEVELOPMENT
 SITE PLAN

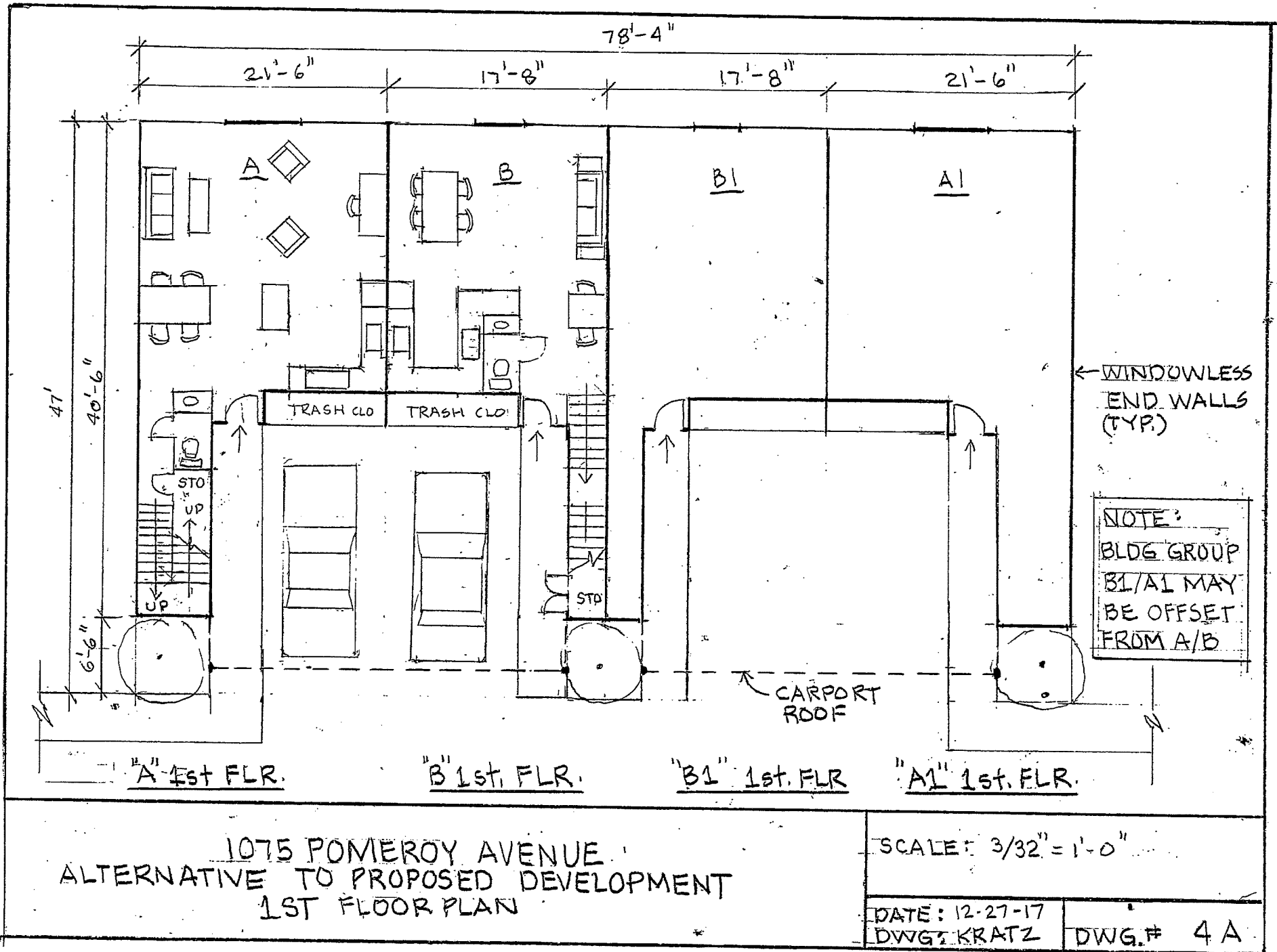
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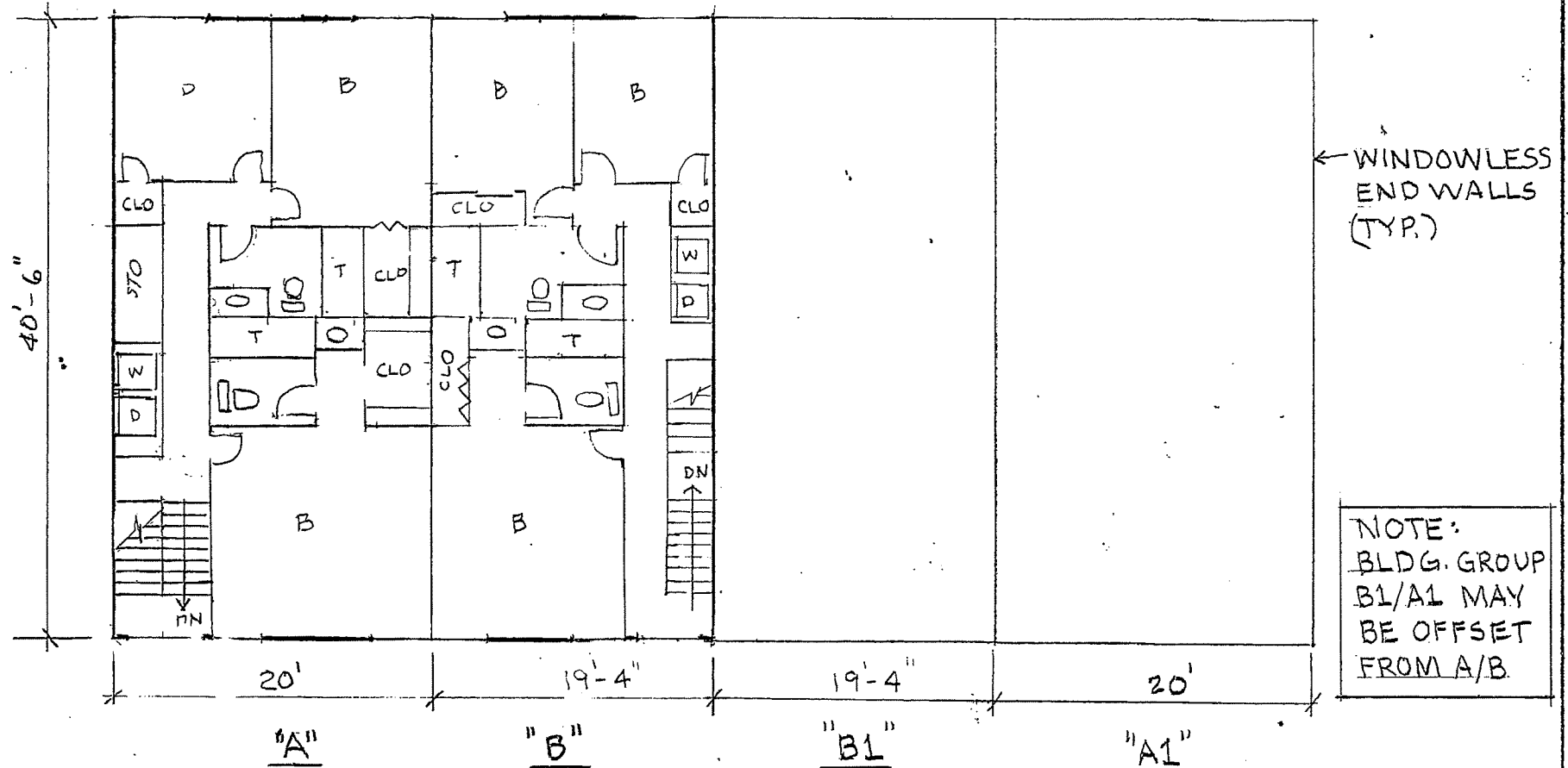


DATE: 12-18-17

DWG: KRATZ

DWG. # 4





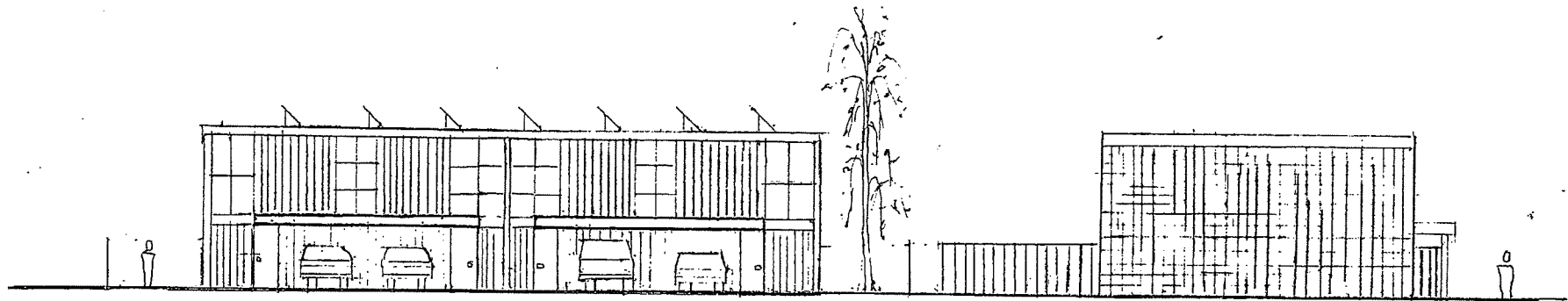
NOTE:
BLDG. GROUP
B1/A1 MAY
BE OFFSET
FROM A/B

2nd. FLR. PLANS

1075 POMEROY AVENUE
ALTERNATIVE TO PROPOSED DEVELOPMENT
2nd FLOOR PLAN

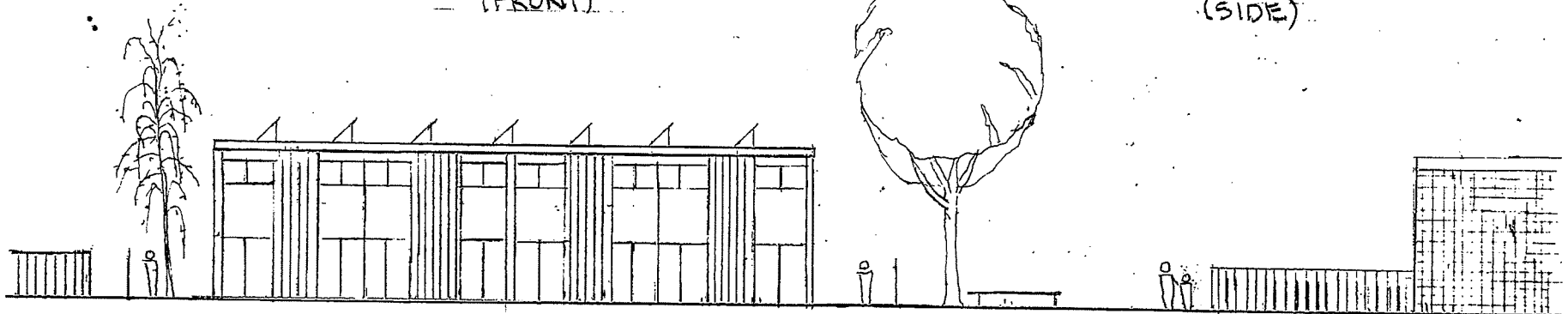
SCALE: 3/32" = 1'-0"

DATE: 12-27-17
DWG: KRATZ
DWG.# 4B



ALTERNATIVE
WEST ELEVATION
(FRONT)

PG. BLDG. "Q"
WEST ELEVATION
(SIDE)



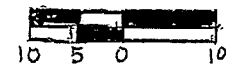
ALTERNATIVE
EAST ELEVATION
(REAR)

SML. PG. PARK

PG BLDG "F"
EAST ELEV.
(SIDE)

1075 POMEROY AVENUE
ALTERNATIVE TO PROPOSED DEVELOPMENT
ELEVATIONS

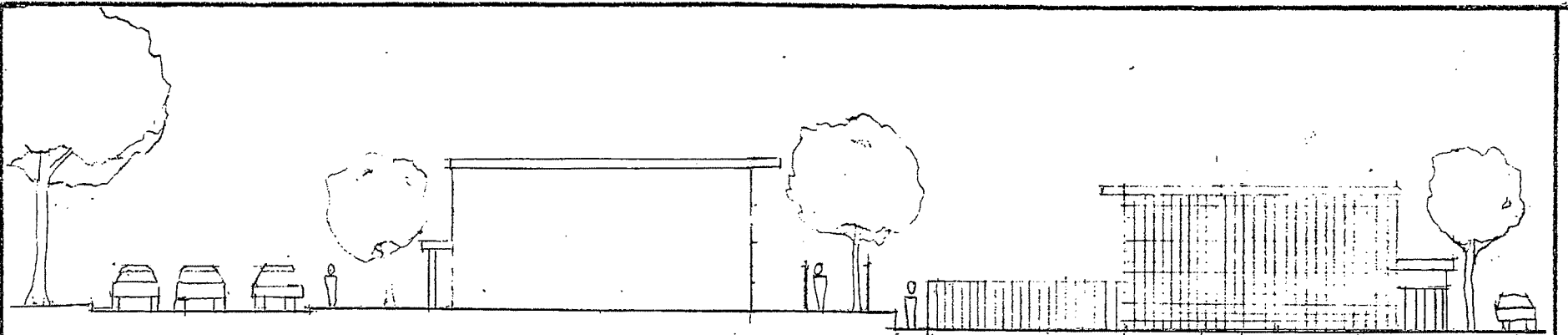
SCALE



DATE: 12-30-17

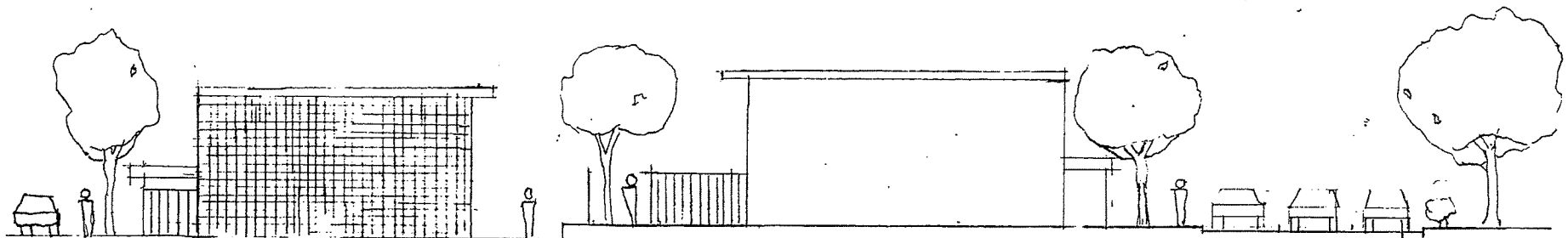
DWG: KRATZ

DWG.# 4-E1



ALTERNATIVE
SOUTH ELEVATION
(SIDE)

PG BLDG "O"
SOUTH ELEVATION
(SIDE)

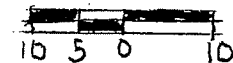


PG BLDG "O"
SOUTH ELEVATION
(SIDE)

ALTERNATIVE
NORTH ELEVATION
(SIDE)

1075 POMEROY AVENUE
ALTERNATIVE TO PROPOSED DEVELOPMENT
ELEVATIONS

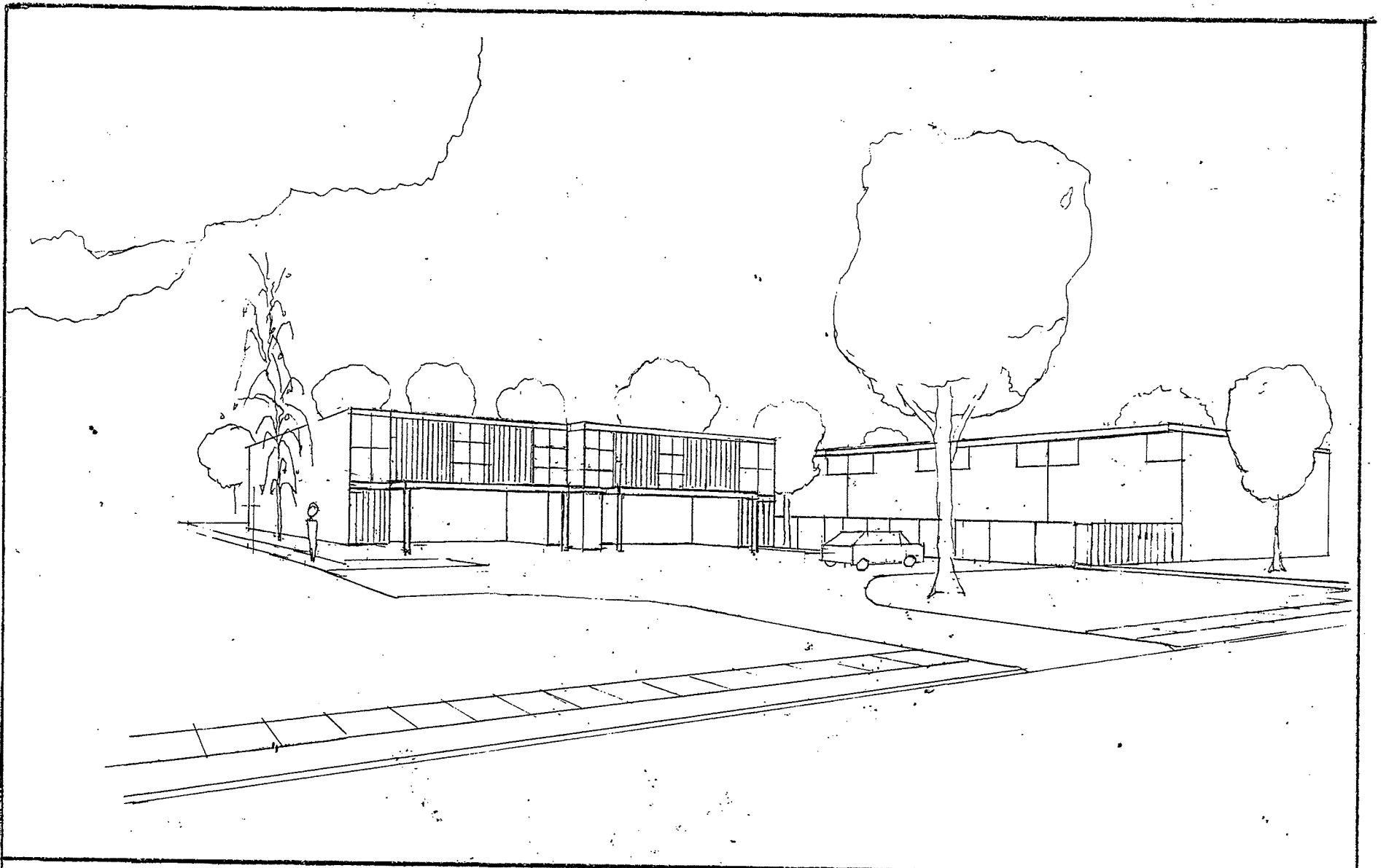
SCALE:



DATE: 12-30-17

DWG: KRATZ

DWG.# 4-E2



1075 POMEROY AVENUE
ALTERNATIVE TO PROPOSED DEVELOPMENT
PERSPECTIVE

SCALE:

DATE: 12-30-17
DWG: KRAT2

DWG.# 4-P

My name is Horst Govin and I am a resident of Pomeroy West

Here are details of the proposal that are a stark contrast to those features that characterize our neighborhood, also mentioned in the City's Design Guidelines:

1. The exterior is dominated by excessive stucco with horizontal wood siding, stone wainscot, and wide-trimmed windows with divided panes.
2. Use of garages instead of carports. And sliding glass doors in the back of the garages that will leak car noise to neighbors at Pomeroy Green.
3. The overhangs are too small, and roofs are excessively sloped, too high, and covered with asphalt shingles.
4. Second floor is too massive due to high ceilings and the front windows and wood siding extending across two floors.
5. Porches and front doors are inconsistent with the neighborhood design.
6. Articulation of the exterior wall is inconsistent with the neighborhood. There are no great wall offsets and recesses that help define the first-floor line and entryway.
7. Windows are of several different sizes, shapes and random placements. Some overlook Pomeroy Green's backyards.
8. Setbacks are too small.

And finally, 9. Fencing includes lattices on top.

Thank you.

City of Santa Clara's Design Guidelines 2014

set goals for new single family homes

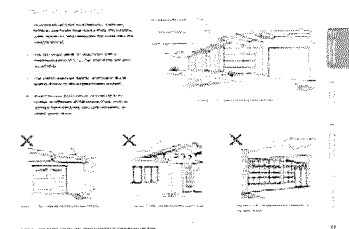
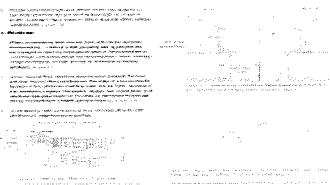
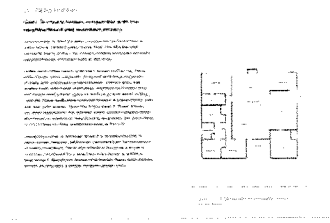
CITY OF SANTA CLARA
SINGLE-FAMILY AND DUPLEX RESIDENTIAL
DESIGN GUIDELINES
2014



- Design structures to be compatible with adjacent homes and the neighborhood (P 2)
- Be consistent with the common architectural features, patterns, and forms found on homes in the neighborhood (P 3)
- A proposed two-story design must demonstrate that it protects the privacy of neighbors (P 5)

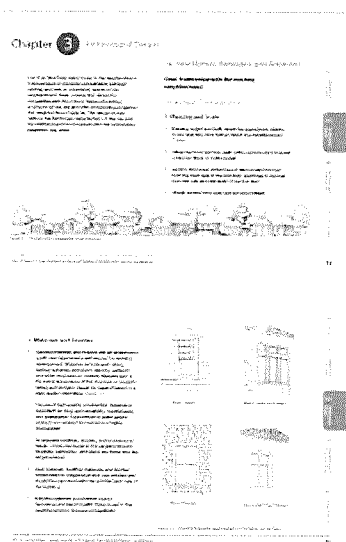
Guidelines specific to neighborhoods with Mid-Century Modern patio homes

- Privacy impacts from alterations to homes on neighboring properties are more likely to occur ... (Page 10)
- Raise the window sill level of (*second story*) windows to a minimum of five feet above the finished floor (P 8)
- New project designs should incorporate a similar modern design style. (Page 10)
- Incorporate architectural features, materials, finishes, and forms that derive from the existing patio homes. (Page 11)
- Use siding, exposed beams, and heavy fascia boards. (Page 11)
- Avoid the use and mixture of material from homes of different architectural styles such as divided light windows, fan-light windows, or raised panel doors. (Page 11)



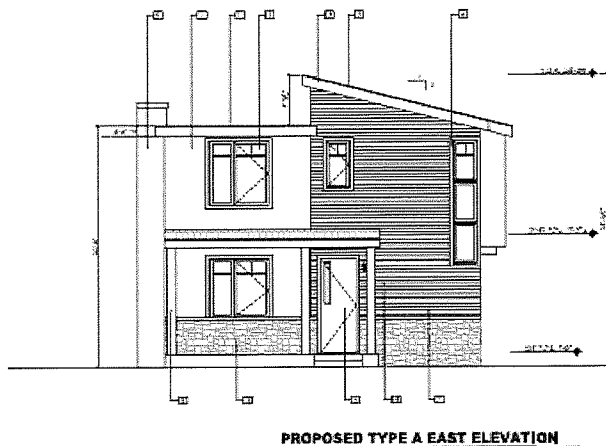
Guidelines on Architectural Details

- Building height and bulk should be appropriate relative to one and two-story homes within the neighborhood. (Page 13)
- Incorporate materials, finishes, and architectural details commonly found in the neighborhood to integrate, harmonize, and blend the home into the neighborhood. (Page 15)

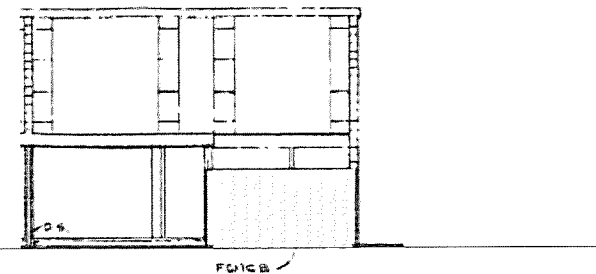


Developer proposed designs violate all the preceding listed City of Santa Clara guidelines! (compatibility with neighboring homes, privacy, material choice, building height, etc.)

Note: These are to scale renditions and demonstrate the size incompatibility that will be apparent if located next to each other.



Developer's design – street side view of one proposed home



Street side view (from original architect's drawings) of one of the nearest Pomeroy Green units

From: Ken Kratz <kskratz@yahoo.com>
Sent: Friday, October 13, 2017 4:09 PM
To: Steve Le
Subject: 1075 Pomeroy Avenue rezoning and proposed development--permitted uses
Attachments: site plan with backyard depths.pdf

October 13, 2017
3283 Benton Street
Santa Clara, Ca. 95051

Mr. Steve Le
Assistant City Planner
Community Development Department
City of Santa Clara
1500 Warburton Avenue
Santa Clara, Ca. 95050

Re: 1075 Pomeroy Avenue rezoning

Dear Mr. Le:

Please deny the developer's request to rezone the 1075 Pomeroy Avenue property from R3-18D (Low- Density Multiple-Dwelling Zoning Districts) to Planned Development (PD) zoning, and do not approve the Mitigated Negative Declaration for the project. The proposed development includes the subdivision of the single parcel into four (4) separate parcels for four (4) detached single-family homes with a common driveway (motor court). This proposal is not compatible with the multi-unit (multi-family) housing that surrounds the project.

The proposed project is not compatible because it does not meet the Single-Family Zoning Districts' regulations that are a part of the R3-18D zoning requirements that I mentioned in my speech to the Planning Commission recently. You and the developer as well as the author of the Mitigated Negative Declaration did not address those requirements. The requirements of those regulations are necessary to provide a compatible development with the surrounding multi-family homes.

According to R3-18D zoning regulations (Section 18.16.030 SCCC, "Permitted uses"), when single-family detached homes are proposed on a property zoned R3-18D (Low Density Multiple-Dwelling Zoning Districts), they are subject to the restrictions of the R1-6L zoning regulations (Chapter 18.12 SCCC, Regulations for R1-6L--Single-Family Zoning Districts).

The R1-6L regulations that are not being met in the current proposal by the developer are:

Lot area required: 6,000 sq.ft. (minimum)
Lot area proposed: 3,262 sq.ft.(lot 1); 2,930 sq.ft.(lot 2); 2,930 sq.ft.(lot 3); and 3,262 sq.ft.(lot 4)

Lot width required: 60' (minimum)

Lot width proposed: 50' (only two of the four lots lie adjacent to Pomeroy Avenue and those two lots are 50' wide each)

Front yard required: 20' depth (minimum)

Front yard proposed: none, the homes face the proposed common driveway/motor court and not Pomeroy Avenue, the City street (there is a 15' to 18'-8-1/2" depth side yard that faces Pomeroy Avenue)

Rear yard required: 20' depth (minimum)

Rear Yard proposed: 10' depth

The proposed development does not meet the intent of the R1-6L regulations. The intent of the R1-6 L regulations are:

“To stabilize and protect the residential characteristics of the district and to promote and encourage a suitable single-family residential environment” (SCCC 18.12.020, “Intent”)

Because the proposed development does not meet the regulations of the R1-6L, it cannot promote and encourage the suitable single-family residential environment intended by the regulations. If the developer and the City want to provide a single-family detached home environment on that 1075 lot and need an appropriate example, the existing single-family detached home that is now on the site meets all the requirements of the current zoning and its permitted uses.

The lack of the twenty (20) foot deep rear yard in the proposed project is most troublesome. Because the front side of those proposed homes and their associated garages face a proposed centrally-located driveway/motor court, the rear of those homes face the sides of the 1075 Pomeroy Avenue lot and thereby the townhouses and backyards of Pomeroy Green, a multi-unit (multi-family) complex that surrounds the 1075 property (please find the attachment). The south side of the 1075 lot faces Pomeroy Green's four dwelling-unit building “Q” and the north side of the 1075 lot faces Pomeroy Green's small park and the five dwelling-unit building “F”. Therefore, the rear yard depth of twenty (20) feet should be required for the proposed homes, per the R1-6L zoning regulations, rather than the ten (10) foot side setback standard of the R3-18D zoning regulations that you and the developer propose.

The twenty (20) foot rear setback requirement for the proposed homes would provide the needed privacy between those proposed homes and the adjacent Pomeroy Green townhouses; those townhouses are set back twenty (20) feet from the 1075 property line. With the forty (40) foot separation between the proposed homes and the existing Pomeroy Green townhouses, the level of privacy would be similar to the privacy provided in single-family detached home neighborhoods.

The privacy issue between the proposed homes and the surrounding Pomeroy Green townhouses will be further compounded by the fact that the proposed homes will have sliding-glass doors on the back side of the garages that, again, face the surrounding Pomeroy Green townhouses. Automotive noise, automotive repair noise, woodworking noise, metalworking noise, and the noise from power tool use from the proposed garages will invade the privacy of the surrounding Pomeroy Green townhouses and their backyards.

If the twenty (20) foot rear setback is applied to the developer's proposal, the width of the central driveway/motor court would be reduced to the width of a sidewalk (6'-2" wide); therefore, the developer's proposed motor court becomes unfeasible.

In the Executive Summary of the Planning Department's staff report to the Planning Commission, the staff mentions that the PD zoning will “allow flexible development standards such as a reduced front setback” (as

well as reduced lot width that you have mentioned to me). Your use of the words “such as” glosses over the fact that other standards, those that I mentioned above, are not being met that would possibly make the project compatible with the surrounding multi-family housing.

Again, please deny the developer's request to rezone the 1075 Pomeroy Avenue property from R3-18D zoning to Planned Development zoning, and do not approve the Mitigated Negative Declaration for the project. The project is not compatible with the surrounding multi-family complexes.

Sincerely,

Ken Kratz
Pomeroy Green resident

From: Michael Fallon <michael.fallon@sjsu.edu>
Sent: Monday, January 30, 2017 2:38 PM
To: Steve Le; PlanningCommission
Cc: pomeroywest@googlegroups.com
Subject: Adamant opposition to rezoning 1075 Pomeroy!

Follow Up Flag: Follow up
Flag Status: Completed

Dear Steve Le, Dear Planning Commission,

Unable to attend the Wednesday meeting, I hereby voice my adamant opposition to another attempt to rezone 1075 Pomeroy Avenue to allow high-density housing. This extreme "money-grab" was denied the first time, why is it even necessary to debate the request again?!?

Just because some greedy property manager-developer looked at the Pomeroy East Condominiums surrounding 1075 and figured he/she could easily slid another four units on that property is no reason to reward this extreme venture. The arguments against this high density housing proposals remain the same. There's too much traffic on that corner already. Ask any of us Pomeroy Condominium/neighborhood residents about traffic in the morning, especially with Pomeroy School in session. We often cannot get out of our complexes without difficulty. (We cannot even imagine if construction were to take place, God forbid.)

There is more than enough high density housing going up along El Camino. This greedy individual need not ruin the tranquility of our neighborhood with his/her hair-brain scheme to squeeze four units into an existing nice lot with one ranch house, beautiful trees and landscaping. Consider too that for the most part, Pomeroy East does not front Pomeroy Avenue, which these four units would be doing. This corner of Pomeroy and Benton is an EICHLER neighborhood which would likely qualify for a "historical landmark" if/when we apply. This Eichler neighborhood should not be ruined by one landlord's cheap attempt to force four units into this lot to make a buck.

Respect the original arguments of us residents, RESPECT YOUR OWN DECISION, reprimand this money-grab for even bringing the request up again.

Respectfully,
Michael Fallon
1114 Pomeroy Avenue
Resident at this address since 1980.

--

Michael Fallon, Director, Community Learning & Leadership (CCLL)
Retired Lecturer, Sociology. 408-924-5440 www.sjsu.edu/ccll

From: PlanningCommission
Sent: Tuesday, July 25, 2017 1:50 PM
To: Steve Le
Subject: FW: 1075 Pomeroy Avenue design proposal

Follow Up Flag: Follow up
Flag Status: Completed

Steve

Did I send this to you? Think in the staff report will be a good idea to explain the density of the project right next door that includes 1151 Pomeroy in comparison to the project proposal to show that this is an appropriate density.

From: Lara Ruffolo [<mailto:larar32@gmail.com>]
Sent: Friday, July 21, 2017 3:25 PM
To: PlanningCommission; Mayor and Council
Subject: 1075 Pomeroy Avenue design proposal

Hello everyone.

The owner of 1075 Pomeroy has redesigned his proposed plan for re-developing the current single family home, transforming the land into 4 single family homes. I have concerns about two specific areas.

Parking:

Each of these homes would have a two-car garage. There are 2 additional guest parking spots in the plan. This is insufficient for the area. We have a big street parking crunch on Pomeroy Avenue, with spaces lost to traffic-calming measures, and this plan for four single-family homes will add to the annoyance of trying to park here.

A four-bedroom home is a place to house either children or sub-letters. I have observed that children grow up to drive cars; sub-letters need cars to get to work. Thus, these four-bedroom homes will quickly grow out of their allotted parking spaces and their inhabitants will need street parking. There isn't any to spare.

Each four-bedroom house will need four parking spots. Mr. Maharmat's plan supplies only ten of the required 16. So six more drivers will joust for street parking. This will be ever so much fun on Thursday nights when we put out our trash cans and reduce the street parking even further.

As someone who needs a street parking space, I can tell you that Mr. Maharmat's plan to jam 4 houses on land originally meant for one will affect my quality of living negatively. There is no guest parking in either Pomeroy West, across the street, or Pomeroy Green, which surrounds 1075 Pomeroy.

Mr. Maharmat can solve this problem by adding bigger garages to his planned homes, by reducing the number of bedrooms per home, or by reducing the number of homes he plans to build. I hope you will encourage him to do so.

Parkland and sidewalks:

A further issue is the design of sidewalks and park land adjacent to Pomeroy Avenue itself.

The new plan injects a 4-foot wide park space adjacent to the curb, then a 5 foot sidewalk before the homes begin. The sidewalks currently in place throughout the neighborhood are directly adjacent to the curb, with trees planted between the sidewalk and homes. If this plan is approved, pedestrians will have to joggle 4 feet away from the street to accommodate 1075's sidewalks, then joggle 4 feet back to the sidewalk on the other side of the property. This is asinine.

We have a lot of pedestrians, as Pomeroy Avenue is the path 540 kids use to get to Pomeroy Elementary School. I foresee many a skateboard and stroller coming to grief if this sidewalk/park plan is approved.

Please encourage Mr. Maharmat to design his park and sidewalk space more sensibly, and to integrate it into the neighborhood that has existed here for more than 50 years. Again, reduction of the number of houses he plans to build will give him a lot more wiggle room.

Yours sincerely,
Lara Ruffolo (1151 Pomeroy Avenue)

From: Lara Ruffolo <larar32@gmail.com>
Sent: Tuesday, September 05, 2017 1:34 PM
To: Steve Le
Subject: Re: Proposed sidewalks at 1075 Pomeroy

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr. Le,

I hope you will override the need for a planted area between the street and the new sidewalk proposed for 1075 Pomeroy's construction.

I understand that this is a design meant to separate pedestrians from traffic, which is fine, but please take a good look at the neighborhood. If the sidewalk in front of 1075 Pomeroy diverges from street-adjacency to four feet inland, then returns to the street on the other side of the property, this will introduce an inconvenient wiggle into pedestrians' journey down the sidewalk. Bikes, skateboards, and strollers will likely just keep going and run over the planted area adjacent to the street.

It's not as if the surrounding sidewalk ever has a chance of redevelopment to the new standard. Pomeroy Green is 78 townhouses owned individually by 78 families - there isn't a chance in Hades that they will all agree to sell their homes to a developer who will redo the sidewalks in accordance with the new standard.

If you insist on/permit this new sidewalk design in front of 1075 Pomeroy, it will be an eyesore as well as an inconvenience for at least 75 years. Please don't inflict this on the neighborhood.

Thanks,
Lara Ruffolo, 1511 Pomeroy

Rosa Avalos

From: Ken Kratz <kskratz@yahoo.com>
Sent: Wednesday, August 02, 2017 11:08 AM
To: Steve Le
Cc: Cindy Alderson; Fatland, Dave; Austin, Stephen; Pradenas, Blanca; Peggy Parkin; Pam Wyman; Lara Ruffolo; Michael Alonso; Sunny Chow
Subject: Re: proposed development at 1075 Pomeroy Avenue

Follow Up Flag: Follow up
Flag Status: Completed

August 2, 2017
3283 Benton Street
Santa Clara, Ca. 95051

Steve Le
Assistant Planner
Community Development Department
1500 Warburton Avenue
Santa Clara, Ca. 95050

Re: 1075 Pomeroy Avenue, proposed R3-18PD (Planned Development) zoning,

Dear Mr. Le:

Thank you for holding another neighborhood meeting at the Central Park Library last Thursday about the proposed development at 1075 Pomeroy Avenue and helping me review the plans at city hall today. Please do not allow the developer to rezone the 1075 Pomeroy property from R3-18D to Planned Developed (R3-18PD). I have several concerns:

Zoning regulations:

Meet the intent of R3-18D zoning (do not subdivide the lot):

I noticed the plans say the property will be rezoned from R3-18D to to R3-18(PD). I assume the proposed development will conform to R3-18D but will contain certain features of Planned Development (PD) to be included. I assume the major feature of PD zoning on this project is the dividing of the property into four (4) lots. Please do not allow the developer to subdivide the 1075 Pomeroy property.

This PD feature, the divided property, seems to violate the intent of R3-18D, the current zoning of that property and the surrounding properties. The R3-18D zoning regulations (sec. 18.16.020) states:

“This zone is designed to encourage *lot assembly* to provide quality multi-unit housing at a low to moderate density.” (emphasis mine)

How does the division of that 1075 Pomeroy property constitute a “lot assembly” under the current zoning?

As you mentioned to me today, the future home buyers of those individual homes located on one of those four lots will be governed by CC&Rs; however, you mentioned that those CC&Rs could require each individual homeowner maintain their separate property/lot (landscaping, pavement, and building).

You also mention that the CC&Rs disclosure and review by the public is not a condition of approval of the rezoning. In other words, the CC&Rs could be created after the rezoning is approved by the City Council. This is a big concern for me because it could lead to some CC&Rs that are so weak that, with each homeowner responsible only for his own lot, those homeowners will be allowed to decide the level of maintenance. Those four homes on that 1075 property may become run-down.

Also, modifications may sought on an individual homeowner basis. This may lead to an unattractive development over time due to changes in the exterior of those buildings and the landscaping.

As you mentioned at our meeting, modifications requested by those four homeowners will be subjected to the same review process as what we are witnessing at this time with this current rezoning request. I have a concern that in the future, instead of one association of homeowners, there will be four new property owners that residents of the neighborhood will now have to deal with when modifications are requested by those four new homeowners. This is time consuming to say the least and could become a contentious matter for the neighborhood and those new homeowners.

The surrounding properties, Pomeroy Green Cooperative and Pomeroy West (condominium), both zoned R3-18D for over fifty years, hold property in common, have been largely unmodified to date, have been maintained in exemplary fashion considering the age of the buildings, and provide a stabilizing element in the neighborhood. Why can't the 1075 Pomeroy property be developed in the same way?

Increase the front setback:

Please provide the twenty foot (20') setback required by the the current zoning. At the very least, match the setback of the adjacent buildings on Pomeroy Green property (very close to twenty feet).. The drawings for the proposed development show two areas where the setback will be only fifteen feet (15').

Explain lot size discrepancy:

The last proposal for this project, back in 2014, included a lot size calculation of 12,383 sq.ft. rather than the 12,400 sq. ft. mentioned in the current proposal. This is a minor discrepancy but I'm wondering why it is different.

Other:

Eliminate the sliding-glass doors in the garages:

Please remove the sliding glass doors from the back of the garages and, as a minimum, provide a solid wall in order to prevent noise from entering the backyards and housing units of the adjacent complex, Pomeroy Green. I'm worried the garages will be used for other activities such as woodworking, metal working, automotive repair and power tool use; these activities all generate noise. Those walls will also prevent automotive exhaust, as well as dusts, mists, and vapors from entering the backyards and dwelling units of that adjacent complex.

You mentioned there may be several ways of dealing with this problem. You mentioned the six foot (6') solid wall (masonry?) required to be constructed on the property line between 1075 Pomeroy and Pomeroy Green could be increased to (8') in order to reduce sound transmission to the adjacent property, or that garage wall could be made solid, or the CC&Rs could prohibit the activities mentioned above (see my concerns regarding the CC&Rs mentioned above in "Zoning Regulations").

You mentioned, if I understood you correctly, that a man-door in that wall will be required for egress if the sliding glass door is eliminated. A man-door in the rear wall or the garage presents the same issues "I'm worried about.

I have several other solutions to the sliding-glass door issue that I would like you to explore with the developer:

Provide carports similar to the ones at Pomeroy Green rather than the proposed enclosed garages in order to solve the egress issue (the need for a man-door in the garage in lieu of a sliding glass door). The carport would have solid back and side walls and be open towards the interior on-site driveway.

Increase the side setback to about twenty feet (20'). Allow the garages, with man-door, but move them back farther from the side property lines. This will provide the the same amount of buffer space that other Pomeroy Green residents enjoy in my complex. Maybe the proposed driveway could be relocated to one of the sides of the 1075 property and the buildings relocated to the other side in order to provide the space to do so.

Reduce the number of proposed units and extra on-site parking spaces if necessary to accommodate the suggestions mentioned above. The developer is not guaranteed the number of units allowed by the current zoning regulations for this size lot (lots under twenty-two thousand square feet); that R3-18D regulation states in the "Intent" section (sec. 18.16.020) that:

"It is not intended that lots less than twenty-two thousand (22,000) square feet in size provide housing at the maximum density of the zone. (Zoning Ordinance section 8-2)"

The current zoning requires only two parking spaces (minimum one garage or carport plus one parking space for each dwelling unit).

Provide underground parking in order to provide enough space for the four units and to eliminate the proposed garages.

Provide the landscape buffer adjacent to all interior property lines. If the developer insists he needs to divide the property into four lots (see my concerns above about subdividing the lot in my paragraph "Meet the intent of R3-18D zoning"), please require the developer to install those plants in the areas between the sides of the proposed units (where the extra parking spaces are proposed to be located).

That R3-18D regulation states:

“A planter, landscaped with screening shrubs and trees, shall be required adjacent to *all interior property lines* unless two properties are developed concurrently with a common driveway at property line.” (emphasis mine)

Provide a grading plan and rainwater drainage plan:

Please provide a grading plan and rainwater drainage plan for review prior to the Planning Commission meeting. I appreciate that you and the developer are considering the lowering of the ground elevation of the 1075 lot in order to reduce the elevation of the buildings on that lot; however, I am concerned about the rainwater drainage on this site if the elevation of the lot is lowered .

How will rainwater make its way to the city street? If surface drainage through the landscaping on-site is being considered, I would prefer underground piping (like Pomeroy Green's) to provide more positive drainage in case the finished grade of the 1075 property is disturbed in the future. I certainly don't want the rainwater to be diverted onto Pomeroy Green, the adjacent property.

The proposed grading to lower the 1075 property elevation will make the proposed buildings closer in elevation to the elevation of the Pomeroy Green building located to the east of the 1075 property. Pomeroy Green's buildings are about twenty (20') high. Though not required by R3-18D zoning requirements, any efforts to reduce the elevation difference between the proposed buildings and the existing buildings at Pomeroy Green, either through reducing the height of the proposed buildings or by lowering the grade of the 1075 property will be appreciated.

Ignore the City Boulevard standard for this project:

The City Boulevard standard the City has proposed along the frontage of the 1075 property (the proposal to add a planter strip between the city's street curb and the city sidewalk), is inappropriate in this neighborhood. Please leave the current attached sidewalk design.

The current design is easy to clean during the City's Clean-up Campaign; the large junk piles (quite a bit of the junk is from outside the neighborhood by the way) that spill over onto the sidewalk can be swept back into the street (usually accomplished with push brooms by clean up crew members) for pick up by the front-end loader.

Also, because of the parking situation in the neighborhood (Pomeroy Green has only two assigned parking spaces per unit with no additional parking for visitors), parking on the street is necessary at times by residents and their visitors.

It is easier to get in and out of the passenger side of the vehicle when there is sidewalk available.

If you require the new boulevard standard in our neighborhood (especially in the area around Pomeroy Green and Pomeroy West), the large amount of junk that is deposited in the street will spill over onto that planter strip followed by the foot traffic of scavengers on that planter strip; that will destroy any future landscaping and irrigation system located there.

If you want to increase the health and safety as well as the access to this sidewalk in our neighborhood, convene a neighborhood meeting to discuss the installation of a ten foot (10') wide attached sidewalk (sidewalk attached to the curb) along that frontage.

Provide location of front property line:

Please let me know how far the front property line is from the face of curb. I would like to verify what the setbacks are on the adjacent properties and be able to visualize where the proposed building will be located in relation to those adjacent buildings.

Re-organize the neighborhood meetings (suggestions):

While I appreciate the effort to make these neighborhood meetings more organized and hopefully more productive, the format of last Thursday's neighborhood meeting imposed by the developer (specifically, the meeting's agenda), did not include time prior to the meeting to review the plans carefully (and scant time afterwards as well).

Having a plan review period at the end of the meeting is not adequate; the public cannot follow-up their review of the plans with questions for the developer. I suggest in the future that these meetings include a thirty minute to forty-five minute plan review period *prior* to the developer's presentation.

I would like a copy of the developer's plans in a PDF file when they become available. Please keep me informed of the progress on this project.

Thank you for reviewing my concerns. Please let me know if you have any questions.

Ken Kratz
Pomeroy Green resident
(408) 246-8149 (home)

On Thursday, May 18, 2017 12:52 PM, "pparkin4559@comcast.net" <pparkin4559@comcast.net> wrote:

Thank you for your reply Steve.

We who surround 1075 Pomeroy would be affected tremendously by the diminished sun exposure we have now to which is of up most importance to the continued well being of our park. to the rear of seventeen units and as to our privacy. This owner also felt our park was available to his buyers but it is not. The park is Pomeroy Green's property. Yes it was mentioned by one council member of four units but the height four buildings remains a negative factor to our citizens and properties. This owner as stated previously had no thought in retaining the beautiful home on the property purchased and has no respect for his neighbors and their concerns including the excess of traffic.

Sincerely,

Peggy Parkin

From: "Steve Le" <SLe@SantaClaraCA.gov>
To: pparkin4559@comcast.net
Cc: "Cindy Alderson" <calderso@jps.net>
Sent: Wednesday, May 17, 2017 9:02:50 PM
Subject: RE: proposed development at 1075 Pomeroy Avenue

Hi Peggy,

Thank you for sending your inquiries and comments to me. I apologize for the delay response as I have been out of the office often last week and this week.

The City Council did denied the previous request for a five units town homes at this subject property with a discussion that they will consider a reduction down to four units. the property owner came back with this four town homes proposal. Please note, this is not a high rise homes, in that it is only a two-story residence similar to any Single-Family Zoning District and the surrounding apartment communities. the locations at which the four units are located meets the current setbacks for the R3-18D zoning district.

The current zoning district, R3-18D, permits multiple-family dwellings and based on the lot size of approximately 12,000 square foot, it would allow, by right, to develop as a four units development. This mean they would not need a rezone to PD to develop with four residences. They would only need to be granted an Architectural Review approval.

The reason for the rezone, is the proposed tentative parcel map to subdivide the single lot into four lots. Each of the four proposed lots would not individually meet the development standards such as setback required in the R3-18D, thus the proposal to rezone to PD which allows for the flexibility in the development standards. The General Plan land use designation for this property and the Pomeroy Green community is Low Density Residential which allows for 8-19 dwelling units per acre. This proposal is not seeking for a higher range of 19 dwelling units per acre, but rather 14 dwelling units per acre.

As for open space and shadow casting, this can be discussed at the next outreach meeting. The date is TBD. I have not reviewed the revise plans to determine the calculation on open space.

Thank you again for reaching out to me, Peggy. I am currently out sick, but I know I have been putting off responding this email for too long. Please let me know if you have any other questions. A copy of this correspondence will be included in the Planning Commission's packet for consideration.

Thank you,

~Steve Le

From: pparkin4559@comcast.net [pparkin4559@comcast.net]
Sent: Friday, May 05, 2017 3:33 PM
To: Steve Le
Cc: Parkin, Peggy; Cindy Alderson
Subject: Re: proposed development at 1075 Pomeroy Avenue

Hi Steve,

The City Council of Santa Clara and the Planning Commission a few years back time frame rejected the proposed proposal from 1075 Pomeroy Avenue, its owner and legal counsel, unanimously I believe. This is a residential property area and not competition for high risers. One of the very negative factors was attributed to the excess of automobiles added entering and exiting their proposed Pomeroy Avenue address to which would be in a very close proximity to an extremely busy

intersection, would present the blockage of natural light and sun to its surrounding neighbors, our small park, other issues including decline of street parking and privacy. We, Pomeroy Green, are a quiet community and with the addition of four high rise homes, two car spaces per home and additional car parking for guests would make for an extensive amount of traffic exiting and entering, noise. A main factor affecting Pomeroy Green units besides affecting the street parking and so forth is the demise of natural light, sun, privacy to seventeen of Pomeroy Green's rear patio living areas, a park (its plants, grass, etc.).

It is beyond me that people, proposed builders, just come into Santa Clara, select property and want to build against/change our zoning rules/building rules without any regard to the surrounding neighborhood. The rules must be kept within its perimeters and adhered to by the General Plan. Why doesn't the planning commission at least view the proposed property before allowing the builder to move forward in its purchase?

I am one of those seventeen units of Pomeroy Green surrounding 1075. I am in an area of the small park to which is adjacent (fence line) to 1075. This small park fully requires the sun to exist as it is now, to exist as it always has since 1962. We have residents with children who utilize our small park for its sun, residents overall to enjoy. With the proposed high rise our small park, its plants would greatly suffer without sun and also our residents present way of life. The sun analysis was completed and presented at the first meetings with planning and council.

The proposed owner of 1075's property also does not allow for 'open space' for its owners to utilize.

Since the 1075 property was rejected unanimously, if correct, previously by both Planning and the City Council, 'why' is the planning commission accepting this same scenario again? Thank you for your time. Please advise.

Sincerely,

Peggy Parkin
Pomeroy Green
Santa Clara, CA

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From: Steve Le
Sent: Friday, August 25, 2017 5:24 PM
To: 'Ken Kratz'
Cc: Cindy Alderson; Fatland, Dave; Austin, Stephen; Pradenas, Blanca; Peggy Parkin; Pam Wyman; Lara Ruffolo; Michael Alonso; Sunny Chow; Prasad; Gloria Sciara
Subject: RE: proposed development at 1075 Pomeroy Avenue, status and further concerns

Hello Ken,

Sorry for the delay response, but your emails are not typically short in nature. I've done my best to reply to all of your inquiries below in blue. Please reach out to me directly if you or anyone on this mailing list has any follow-up questions. The Planning Commission will receive all your emails including the one below for consideration. General comments and concerns will be included for the Planning Commission and City Council consideration.

Thank you and have a wonderful weekend.

Steve Le | Assistant Planner
Community Development Department
1500 Warburton Avenue | Santa Clara, CA 95050
O:408.615.2450 | D: 408.615.2468



**City of
Santa Clara**
Enseñando a la Gente a Pensar Bien

From: Ken Kratz [mailto:kskratz@yahoo.com]
Sent: Tuesday, August 22, 2017 6:53 PM
To: Steve Le
Cc: Cindy Alderson; Fatland, Dave; Austin, Stephen; Pradenas, Blanca; Peggy Parkin; Pam Wyman; Lara Ruffolo; Michael Alonso; Sunny Chow; Prasad
Subject: Re: proposed development at 1075 Pomeroy Avenue, status and further concerns

August 22, 2017
3283 Benton Street
Santa Clara, Ca. 95051

Steve Le
Assistant Planner
Community Development Department
1500 Warburton Avenue
Santa Clara, Ca. 95050

Re: proposed development, 1075 Pomeroy Avenue

Dear Mr. Lee:

I would like an update on this project and I have further concerns. Please do not recommend the proposed development go forward in its present state; there are too many problems that have not been addressed.

How much notice will we receive prior to the Planning Commission meeting? My neighbors and I will need time to review the plans more thoroughly and provide further comments.

Response: A notice will be send out to property owners within 500 feet of the project site and at least 6 notification copy will be posted on within the 500 feet of the site. The agenda will be posted on our website on Friday, September 22, 2017.

Has the developer revised the project drawings in response to my and my neighbors concerns that were expressed during public meetings and in e-mails to you? If so, are those drawings available in a PDF file for my use?

Response: The applicant have made changes to include the zoning code requirement and what's being proposed. Other changes include adding dimension to the separated sidewalk style and dimensions to reference distance between the subject property and the adjacent residences. The architect is working on the shadow study. I don't have the complete pdf file of the plans, but I do have a hard copy at the office for anyone who is interested in reviewing the plans. Please contact me or stop by the office any time to review.

If the developer has not revised the plans, is the developer planning to make changes to the project to incorporate my and my neighbors concerns (especially the noise, sun shadow study, and site grading [to lower the building height relative to adjacent Pomeroy Green buildings]). If so, will the developer submit those changed plans to the Planning Department for public inspection prior to the Planning Commission meeting tentatively scheduled for September 27?

Response: The developer has noted the neighborhood concerns and is working to incorporate most changes. The developer plan to provide response to changes that were incorporated and not incorporated. The Planning Commission will have a final proposed plan along with the staff report on the Friday before the September 27, 2017 hearing.

When will the Environmental Impact Report (EIR; you used another name that escapes me at the moment) that you are preparing be provided to the public?

Response: The Initial Study (IS) or Mitigated Negative Declaration (MND) will be circulated no later than Wednesday, September 30, 2017.

Has the developer provided the information I requested in my first e-mail to you on this subject, dated February 9, regarding the calculations for R3-18D zoning (i.e., a table of calculations placed on the drawings that lists all the parameters for R3-18D zoning for that particular lot and the calculations for that particular lot)?

Response: Please see the second response.

The parameters I mentioned in that e-mail are setbacks, building height, building coverage, open landscape area, and parking requirements. You mentioned in response to that e-mail that the information would be forthcoming. I would like to see those figures in order to verify my calculations.

Response: Please schedule a time to come to review the plans.

I have studied the plans further and I have more concerns regarding the real possibility of noise (and possibly dusts, mists, and vapors) coming from the proposed 1075 garages intruding Pomeroy Green backyards (already mentioned to you at our meeting of August 2 and in my e-mail of that date) and dwelling units, both first floor (living room/dining room) and second floors (bedrooms) and the especially affected/closest Pomeroy Green building, building "Q" to the south of the 1075 lot.

Response: Please reach out to me to discuss or provide your concerns in writing for the Planning Commission and City Council to consider.

I think the developer will need to provide more elaborate noise barriers than the proposed wall. Perhaps locate the proposed units so that the garages, or preferably carports situated similar to Pomeroy West, face the street, Pomeroy Avenue, along with blank walls on the ends of the proposed building(s) that is typical in Pomeroy Green and Pomeroy West. Alternatively, require greater setbacks for the proposed development. Have any of these ideas been considered and, if so, what problems have been encountered?

Response: I would refer to the applicant to response. Please reach out to the applicant or bring this up at public hearing.

The sliding-glass doors proposed on the backside of the garages, or proposed man-doors in lieu of those sliders, directly facing the Pomeroy Green building "Q" are only fifteen feet (15') away from the backyards of that building "Q" (10' [the building setback] plus a 5' recess in the proposed building). The distance between the proposed garage and the Pomeroy Green dwelling units' wall of building "Q" is about thirty five feet (35'). The proposed setback is too small and will not preserve the quiet environment we now enjoy at Pomeroy Green.

Response: The current design meets the current code as proposed. Other design alternative may be suggested to the Planning Commission, City Council, and Architectural Review Committee at time of public hearing.

For comparison, if Pomeroy Green building face-to-face distances are used as a guide, the minimum distance from vehicles located in carports to front yards is about thirty-two feet (32'), the minimum distance from vehicles located in the carports to the dwelling unit walls is about forty feet (40') and the minimum distance from a backyard to a vehicle in a carport is about forty-five feet (45').

What does the developer propose to do in order to preserve the quiet environment we now enjoy in our backyards and inside our units?

Response: I would refer to the applicant to response. Please reach out to the applicant or bring this up at public hearing.

I don't think the objective of Planned Development zoning, the zoning proposed for the 1075 lot, is being met since the proposed development is not compatible with the existing community that surrounds that lot, Pomeroy Green (zoned R3-18D) that is contiguous with the 1075 property on the south, east, and north property lines and Pomeroy West (zoned R3-18D) that is across the street (to the west) from the 1075 lot.

It seems to me the developer is trying to jam single-family detached housing into a multi-unit housing neighborhood. R3-18D zoning objective is to provide multi-unit housing at low to moderate density. The surrounding properties (Pomeroy Green and Pomeroy West) meet that objective and the 1075 development should too.

Response: R3-18D Zoning District permits single-family, two-family dwellings, dwelling groups, and multiple-family dwellings. The project is consistent with the R3-18D, in that the development includes four dwelling units with a minimum lot size of 2,500 square feet for each lot. The proposed project is also consistent with the General Plan land Use, Low Density Residential, which calls for a density range of 8-19 dwelling units per acre. The proposed project is currently at the middle range of the Low Density Residential with 14.2 du/acre.

Thank you for reviewing this inquiry and reviewing my further concerns. Again, please do not recommend the proposed development go forward in its present state; there are too many problems that have not been addressed.

Sincerely,

Ken Kratz
Pomeroy Green shareholder
Pomeroy Green building "Q" resident

On Friday, August 4, 2017 3:52 PM, Steve Le <SLe@SantaClaraCA.gov> wrote:

Dear Mr. Kratz,

Thank you for your comments regarding 1075 Pomeroy Ave. The points you raised will be addressed in the Planning Commission staff report and the City Council agenda report. Included in this discussion will be the justification for the PD and its consistency/inconsistency with the R3-18D, property management and maintenance, noise, height, shadows, landscape, off-site improvement and architectural. The staff and agenda report will be made available to the public when the agenda is posted online. I can send a reminder of its availability when it is posted.

Should anyone has other questions you can send an email or call me directly.

Thank you and have a good weekend.

Steve Le | Assistant Planner
Community Development Department
1500 Warburton Avenue | Santa Clara, CA 95050
O:408.615.2450 | D: 408.615.2468



**City of
Santa Clara**
Intelligence. Creativity. Possibility.

From: Ken Kratz [<mailto:kskratz@yahoo.com>]

Sent: Wednesday, August 02, 2017 11:08 AM

To: Steve Le

Cc: Cindy Alderson; Fatland, Dave; Austin, Stephen; Pradenas, Blanca; Peggy Parkin; Pam Wyman; Lara Ruffolo; Michael Alonso; Sunny Chow

Subject: Re: proposed development at 1075 Pomeroy Avenue

August 2, 2017
3283 Benton Street
Santa Clara, Ca. 95051

Steve Le
Assistant Planner
Community Development Department
1500 Warburton Avenue
Santa Clara, Ca. 95050

Re: 1075 Pomeroy Avenue, proposed R3-18PD (Planned Development) zoning,

Dear Mr. Le:

Thank you for holding another neighborhood meeting at the Central Park Library last Thursday about the proposed development at 1075 Pomeroy Avenue and helping me review the plans at city hall today. Please do not allow the developer to rezone the 1075 Pomeroy property from R3-18D to Planned Developed (R3-18PD). I have several concerns:

Zoning regulations:

Meet the intent of R3-18D zoning (do not subdivide the lot):

I noticed the plans say the property will be rezoned from R3-18D to R3-18(PD). I assume the proposed development will conform to R3-18D but will contain certain features of Planned Development (PD) to be included. I assume the major feature of PD zoning on this project is the dividing of the property into four (4) lots. Please do not allow the developer to subdivide the 1075 Pomeroy property.

This PD feature, the divided property, seems to violate the intent of R3-18D, the current zoning of that property and the surrounding properties. The R3-18D zoning regulations (sec. 18.16.020) states:

“This zone is designed to encourage *lot assembly* to provide quality multi-unit housing at a low to moderate density.” (emphasis mine)

How does the division of that 1075 Pomeroy property constitute a “lot assembly” under the current zoning?

As you mentioned to me today, the future home buyers of those individual homes located on one of those four lots will be governed by CC&Rs; however, you mentioned that those CC&Rs could require each individual homeowner maintain their separate property/lot (landscaping, pavement, and building).

You also mention that the CC&Rs disclosure and review by the public is not a condition of approval of the rezoning. In other words, the CC&Rs could be created after the rezoning is approved by the City Council. This is a big concern for me because it could lead to some CC&Rs that are so weak that, with each homeowner responsible only for his own lot, those homeowners will be allowed to decide the level of maintenance. Those four homes on that 1075 property may become run-down.

Also, modifications may sought on an individual homeowner basis. This may lead to an unattractive development over time due to changes in the exterior of those buildings and the landscaping.

As you mentioned at our meeting, modifications requested by those four homeowners will be subjected to the same review process as what we are witnessing at this time with this current rezoning request. I have a concern that in the future, instead of one association of homeowners, there will be four new property owners that residents of the neighborhood will now have to deal with when modifications are requested by those four new homeowners. This is time consuming to say the least and could become a contentious matter for the neighborhood and those new homeowners.

The surrounding properties, Pomeroy Green Cooperative and Pomeroy West (condominium), both zoned R3-18D for over fifty years, hold property in common, have been largely

unmodified to date, have been maintained in exemplary fashion considering the age of the buildings, and provide a stabilizing element in the neighborhood. Why can't the 1075 Pomeroy property be developed in the same way?

Increase the front setback:

Please provide the twenty foot (20') setback required by the the current zoning. At the very least, match the setback of the adjacent buildings on Pomeroy Green property (very close to twenty feet).. The drawings for the proposed development show two areas where the setback will be only fifteen feet (15').

Explain lot size discrepancy:

The last proposal for this project, back in 2014, included a lot size calculation of 12,383 sq.ft. rather than the 12,400 sq. ft. mentioned in the current proposal. This is a minor discrepancy but I'm wondering why it is different.

Other:

Eliminate the sliding-glass doors in the garages:

Please remove the sliding glass doors from the back of the garages and, as a minimum, provide a solid wall in order to prevent noise from entering the backyards and housing units of the adjacent complex, Pomeroy Green. I'm worried the garages will be used for other activities such as woodworking, metal working, automotive repair and power tool use; these activities all generate noise. Those walls will also prevent automotive exhaust, as well as dusts, mists, and vapors from entering the backyards and dwelling units of that adjacent complex.

You mentioned there may be several ways of dealing with this problem. You mentioned the six foot (6') solid wall (masonry?) required to be constructed on the property line between 1075 Pomeroy and Pomeroy Green could be increased to (8') in order to reduce sound transmission to the adjacent property, or that garage wall could be made solid, or the CC&Rs could prohibit the activities mentioned above (see my concerns regarding the CC&Rs mentioned above in "Zoning Regulations").

You mentioned, if I understood you correctly, that a man-door in that wall will be required for egress if the sliding glass door is eliminated. A man-door in the rear wall or the garage presents the same issues " I'm worried about.

I have several other solutions to the sliding-glass door issue that I would like you to explore with the developer:

Provide carports similar to the ones at Pomeroy Green rather than the proposed enclosed garages in order to solve the egress issue (the need for a man-door in the garage in lieu of a sliding glass door). The carport would have solid back and side walls and be open towards the interior on-site driveway.

Increase the side setback to about twenty feet (20'). Allow the garages, with man-door, but move them back farther from the side property lines. This will provide the the same

amount of buffer space that other Pomeroy Green residents enjoy in my complex. Maybe the proposed driveway could be relocated to one of the sides of the 1075 property and the buildings relocated to the other side in order to provide the space to do so.

Reduce the number of proposed units and extra on-site parking spaces if necessary to accommodate the suggestions mentioned above. The developer is not guaranteed the number of units allowed by the current zoning regulations for this size lot (lots under twenty-two thousand square feet); that R3-18D regulation states in the "Intent" section (sec. 18.16.020) that:

"It is not intended that lots less than twenty-two thousand (22,000) square feet in size provide housing at the maximum density of the zone. (Zoning Ordinance section 8-2)"

The current zoning requires only two parking spaces (minimum one garage or carport plus one parking space for each dwelling unit).

Provide underground parking in order to provide enough space for the four units and to eliminate the proposed garages.

Provide the landscape buffer adjacent to all interior property lines. If the developer insists he needs to divide the property into four lots (see my concerns above about subdividing the lot in my paragraph "Meet the intent of R3-18D zoning"), please require the developer to install those plants in the areas between the sides of the proposed units (where the extra parking spaces are proposed to be located).

That R3-18D regulation states:

"A planter, landscaped with screening shrubs and trees, shall be required adjacent to *all interior property lines* unless two properties are developed concurrently with a common driveway at property line." (emphasis mine)

Provide a grading plan and rainwater drainage plan:

Please provide a grading plan and rainwater drainage plan for review prior to the Planning Commission meeting. I appreciate that you and the developer are considering the lowering of the ground elevation of the 1075 lot in order to reduce the elevation of the buildings on that lot; however, I am concerned about the rainwater drainage on this site if the elevation of the lot is lowered .

How will rainwater make its way to the city street? If surface drainage through the landscaping on-site is being considered, I would prefer underground piping (like Pomeroy Green's) to provide more positive drainage in case the finished grade of the 1075 property is disturbed in the future. I certainly don't want the rainwater to be diverted onto Pomeroy Green, the adjacent property.

The proposed grading to lower the 1075 property elevation will make the proposed buildings closer in elevation to the elevation of the Pomeroy Green building located to the east of the 1075 property. Pomeroy Green's buildings are about twenty (20') high. Though not required by R3-18D zoning requirements, any efforts to reduce the elevation difference between the proposed buildings and the existing buildings at Pomeroy Green, either through reducing the height of the proposed buildings or by lowering the grade of the 1075 property will be appreciated.

Ignore the City Boulevard standard for this project:

The City Boulevard standard the City has proposed along the frontage of the 1075 property (the proposal to add a planter strip between the city's street curb and the city sidewalk), is inappropriate in this neighborhood. Please leave the current attached sidewalk design.

The current design is easy to clean during the City's Clean-up Campaign; the large junk piles (quite a bit of the junk is from outside the neighborhood by the way) that spill over onto the sidewalk can be swept back into the street (usually accomplished with push brooms by clean up crew members) for pick up by the front-end loader.

Also, because of the parking situation in the neighborhood (Pomeroy Green has only two assigned parking spaces per unit with no additional parking for visitors), parking on the street is necessary at times by residents and their visitors.

It is easier to get in and out of the passenger side of the vehicle when there is sidewalk available.

If you require the new boulevard standard in our neighborhood (especially in the area around Pomeroy Green and Pomeroy West), the large amount of junk that is deposited in the street will spill over onto that planter strip followed by the foot traffic of scavengers on that planter strip; that will destroy any future landscaping and irrigation system located there.

If you want to increase the health and safety as well as the access to this sidewalk in our neighborhood, convene a neighborhood meeting to discuss the installation of a ten foot (10') wide attached sidewalk (sidewalk attached to the curb) along that frontage.

Provide location of front property line:

Please let me know how far the front property line is from the face of curb. I would like to verify what the setbacks are on the adjacent properties and be able to visualize where the proposed building will be located in relation to those adjacent buildings.

Re-organize the neighborhood meetings (suggestions):

While I appreciate the effort to make these neighborhood meetings more organized and hopefully more productive, the format of last Thursday's neighborhood meeting imposed by the developer (specifically, the meeting's agenda), did not include time prior to the meeting to review the plans carefully (and scant time afterwards as well).

Having a plan review period at the end of the meeting is not adequate; the public cannot follow-up their review of the plans with questions for the developer. I suggest in the future that

these meetings include a thirty minute to forty-five minute plan review period *prior* to the developer's presentation.

I would like a copy of the developer's plans in a PDF file when they become available. Please keep me informed of the progress on this project.

Thank you for reviewing my concerns. Please let me know if you have any questions.

Ken Kratz
Pomeroy Green resident
(408) 246-8149 (home)

On Thursday, May 18, 2017 12:52 PM, "pparkin4559@comcast.net" <pparkin4559@comcast.net> wrote:

Thank you for your reply Steve.

We who surround 1075 Pomeroy would be affected tremendously by the diminished sun exposure we have now to which is of up most importance to the continued well being of our park. to the rear of seventeen units and as to our privacy. This owner also felt our park was available to his buyers but it is not. The park is Pomeroy Green's property. Yes it was mentioned by one council member of four units but the height four buildings remains a negative factor to our citizens and properties. This owner as stated previously had no thought in retaining the beautiful home on the property purchased and has no respect for his neighbors and their concerns including the excess of traffic.

Sincerely,

Peggy Parkin

From: "Steve Le" <SLe@SantaClaraCA.gov>
To: pparkin4559@comcast.net
Cc: "Cindy Alderson" <calderso@jps.net>
Sent: Wednesday, May 17, 2017 9:02:50 PM
Subject: RE: proposed development at 1075 Pomeroy Avenue

Hi Peggy,

Thank you for sending your inquiries and comments to me. I apologize for the delay response as I have been out of the office often last week and this week.

The City Council did denied the previous request for a five units town homes at this subject property with a discussion that they will consider a reduction down to four units. the property owner came back with this four town homes proposal. Please note, this is not a high rise homes, in that it is only a two-story residence similar to any Single-Family Zoning District and the surrounding apartment communities. the locations at which the four units are located meets the current setbacks for the R3-18D zoning district.

The current zoning district, R3-18D, permits multiple-family dwellings and based on the lot size of approximately 12,000 square foot, it would allow, by right, to develop as a four units development. This mean they would not need a rezone to PD to develop with four residences. They would only need to be granted an Architectural Review approval.

The reason for the rezone, is the proposed tentative parcel map to subdivide the single lot into four lots. Each of the four proposed lots would not individually meet the development standards such as setback required in the R3-18D, thus the proposal to rezone to PD which allows for the flexibility in the development standards. The General Plan land use designation for this property and the Pomeroy Green community is Low Density Residential which allows for 8-19 dwelling units per acre. This proposal is not seeking for a higher range of 19 dwelling units per acre, but rather 14 dwelling units per acre.

As for open space and shadow casting, this can be discussed at the next outreach meeting. The date is TBD. I have not reviewed the revised plans to determine the calculation on open space.

Thank you again for reaching out to me, Peggy. I am currently out sick, but I know I have been putting off responding to this email for too long. Please let me know if you have any other questions. A copy of this correspondence will be included in the Planning Commission's packet for consideration.

Thank you,

~Steve Le

From: pparkin4559@comcast.net [pparkin4559@comcast.net]
Sent: Friday, May 05, 2017 3:33 PM
To: Steve Le
Cc: Parkin, Peggy; Cindy Alderson
Subject: Re: proposed development at 1075 Pomeroy Avenue

Hi Steve,

The City Council of Santa Clara and the Planning Commission a few years back time frame rejected the proposed proposal from 1075 Pomeroy Avenue, its owner and legal counsel, unanimously I believe. This is a residential property area and not competition for high risers. One of the very negative factors was attributed to the excess of automobiles added entering and exiting their proposed Pomeroy Avenue address to which would be in a very close proximity to an extremely busy intersection, would present the blockage of natural light and sun to its surrounding neighbors, our small park, other issues including decline of street parking and privacy. We, Pomeroy Green, are a quiet community and with the addition of four high rise homes, two car spaces per home and additional car parking for guests would make for an extensive amount of traffic exiting and entering, noise. A main factor affecting Pomeroy Green units besides affecting the street parking and so forth is the demise of natural light, sun, privacy to seventeen of Pomeroy Green's rear patio living areas, a park (its plants, grass, etc.).

It is beyond me that people, proposed builders, just come into Santa Clara, select property and want to build against/change our zoning rules/building rules without any regard to the surrounding neighborhood. The rules must be kept within its perimeters and adhered to by the General Plan. Why doesn't the planning commission at least view the proposed property before allowing the builder to move forward in its purchase?

I am one of those seventeen units of Pomeroy Green surrounding 1075. I am in an area of the small park to which is adjacent (fence line) to 1075. This small park fully requires the sun to exist as it is now, to exist as it always has since 1962. We have residents with children who utilize our small park for its sun, residents overall to enjoy. With the proposed high rise our small park, its plants would greatly suffer without sun and also our residents present way of life. The sun analysis was completed and presented at the first meetings with planning and council.

The proposed owner of 1075's property also does not allow for 'open space' for its owners to utilize.

Since the 1075 property was rejected unanimously, if correct, previously by both Planning and the City Council, 'why' is the planning commission accepting this same scenario again? Thank you for your time. Please advise.

Sincerely,

Peggy Parkin
Pomeroy Green
Santa Clara, CA

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From: Steve Le
Sent: Thursday, February 09, 2017 5:41 PM
To: 'Lara Ruffolo'
Cc: Sunny Chow; Stephen Austin; Ken Kratz; Peggy Parkin
Subject: RE: Proposed architecture of 1075 Pomeroy redevelopment

Hi Lara,

Thank you for reaching out to me and sending your comments. I just got on board with this project and still reviewing the background of the proposal from its inception in 2013. I will note your comments for the record.

As for me, I have been out to this site many time before. I live in the City by Kiely Blvd and El Camino Real. I do my runs around this area when the weather is good.

I understand it is never an easy task to interpret codes or to understand the entitlement process. Please do not hesitate to contact me for any questions relating to code, policy, and process. Since yesterday's meeting was cut short, some of you may have additional questions. Please send my contact to anyone who has further questions on this project.

I appreciate everyone for coming out and your inputs were noted.

Best regards,

Steve Le | Assistant Planner
Community Development Department
1500 Warburton Avenue | Santa Clara, CA 95050
O:408.615.2450 | D: 408.615.2468



From: Lara Ruffolo [<mailto:larar32@gmail.com>]
Sent: Thursday, February 09, 2017 7:32 AM
To: Steve Le
Cc: Sunny Chow; Stephen Austin; Ken Kratz; Peggy Parkin
Subject: Proposed architecture of 1075 Pomeroy redevelopment

Dear Steve,

Thank you for your patient attendance at the architectural information meeting last night. As you can see, the neighbors of 1075 Pomeroy are strongly opinionated about redeveloping that site.

Mr. Maharmat has a right to develop that spot, but he does not have the right to disrupt our neighborhood's density, uses, or aesthetics. Nor does he have the right to endanger our street parking or our long-established park adjacent to his land.

I don't believe you were at the Planning Commission meeting 2 years ago when his plan for five houses was rejected. He had requested a rezone at that time to allow his plan. One of the commissioners there strongly stated that the reason she rejected that plan was that each of those 4-bedroom homes would generate a need for

at least 4 parking spaces - either for subletters or from kids who learn to drive - and that this would mean increased competition for street parking. We in Pomeroy Green already compete for those spaces - since the traffic calming renovations at the corner of Benton and Pomeroy were built, we already lost 6 spaces.

Mr. Maharmat could easily adjust his plans to accommodate the surrounding neighbors if he were willing to settle for less - if he put in four condos, for instance, or three single-family homes with more space between them. He could even make his current planned houses 3-bedrooms and give each one a 3-car garage - that is how he could solve the parking problem. Or he could try submerging his first story and putting the parking beneath the four homes he wants to build. It would be more expensive, but the profits from four homes that he could sell for at least \$1.4 million would surely cover the cost of a little digging.

Santa Clara is adding thousands of homes in the areas along El Camino and closer to 101 that are slated for higher-density redevelopment in the City Plan. There is no greater good that is served by permitting Mr. Maharmat to build homes that only the wealthy can ever hope to afford, in our modest, long-established neighborhood.

I don't know if you've ever been to this neighborhood, but I invite you to come take a look and see what the local residents and taxpayers are hoping to protect. If you have a chance to travel this way I would be delighted to meet you. Just email me and arrange a time. Mine is flexible.

Best regards,
Lara

Subject:

FW: Objection to 1075 Pomeroy redevelopment proposal

From: Antony Evans [<mailto:tony.evans@gmail.com>]**Sent:** Tuesday, May 02, 2017 8:23 PM**To:** PlanningCommission**Subject:** Objection to 1075 Pomeroy redevelopment proposal

To the Planning Commissioners,

I understand that Mr Maharmat has submitted a proposal to the city to redevelop his 1075 Pomeroy property with four homes, as he presented at the Central Park Public Library a couple of months ago. I understand this development would require changes to the current zoning permits. I would like to voice my objection to this development - and particularly changes to the zoning permits - as follows.

1. Mr Maharmat proposes building 4 homes on the 1075 Pomeroy lot. Because of the close proximity of these homes to the lot boundary, and the height of units, this would have a significant negative impact on the privacy of the Pomeroy Green Eichler properties surrounding the lot. I live in one of these properties. The units proposed by Mr Maharmat would look straight into our living room and master bedroom. While the proposed privacy screen of plants would help, it will not be high enough to provide sufficient privacy for a very long time, if ever. This concern applies to all the Pomeroy Green Eichlers surrounding Mr Maharmat's lot.

2. Parking is already a major issue in the neighborhood, and this would be made worse by redeveloping the site with 4 homes. While Mr Maharmat's proposal includes 2 car garages for each of the homes, and two guest parking spots, from experience at Pomeroy Green, this will very quickly not be enough, leading to increased demand for street parking. Street parking is already very challenging on both Benton and Pomeroy.

3. Because of the proximity of the proposed homes to the lot boundary, and the height of the units, there may also be significant impact on light to the Pomeroy Green Eichlers surrounding the site. No light study was presented by Mr Maharmat at Central Park Library a couple of months ago. The proposed privacy screen could further reduce light.

Thank you for your consideration,

Sincerely

Dr Antony Evans

Dr Antony Evans
3273 Benton Street,
Santa Clara, CA
95051

From: Steve Le
Sent: Friday, July 21, 2017 10:23 AM
To: 'Lara Ruffolo'
Subject: RE: 1075 Pomeroy

Hi Lara,

Thank you for reaching out to me and I hope to see you at the meeting next Thursday.

As far as changes go, the overall project is the same. Minor changes include adding additional open space and landscape. The front will change on the right-of-way due to the city's request for a separated sidewalk design. A separated sidewalk design entails a four feet park strip from the face of curb. The park strip will have new proposed trees. The park strip is followed by five feet sidewalk and then the remaining landscape on the private property. The building is also stepped down to be below 25 maximum allowable height. Many of the missing dimensions on setback are now included to demonstrate the buffer from surrounding residences.

At the meeting, the applicant will walk through these changes and answer additional questions. I'll also be there to answer any City codes and entitlement process. The project will proceed to the first Planning Commission for this proposal in possibly late September.

Please let me know if you have other questions.

Have a good weekend.

Steve Le | Assistant Planner
Community Development Department
1500 Warburton Avenue | Santa Clara, CA 95050
O:408.615.2450 | D: 408.615.2468



From: Lara Ruffolo [<mailto:larar32@gmail.com>]
Sent: Friday, July 21, 2017 6:48 AM
To: Steve Le
Subject: 1075 Pomeroy

Dear Steve,

Yesterday a group of neighbors received notification from Dory Maharmat that a meeting about his proposed development of 1075 Pomeroy will take place on July 27.

Is there anything new about the status of his proposed development? He's still hoping to put 4 4-bedroom houses on that little plot, with two guest parking spaces, so he certainly hasn't addressed the street parking issue. Has he changed anything else about the plans to comply with the rules of the zoning for our neighborhood? Or has he been granted a change in zoning?

Any information you have on this would be greatly appreciated.

Thanks!

Lara Ruffolo (1151 Pomeroy)

From: Lara Ruffolo <larar32@gmail.com>
Sent: Tuesday, September 05, 2017 1:27 PM
To: Steve Le
Subject: RE: 1075 Pomeroy Avenue Residential Subdivision Project

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr. Le,

I oppose the Rezoning of 1075 Pomeroy from RD-18D to Planned Development.

The City should stand by its existing plan for redevelopment, in which 1075 is not slated for any redesignation or redevelopment at all. This pocket-handkerchief of land is surrounded by 17 families of homeowners on 3 sides, all of whom purchased their townhouses adjacent to it with the understanding that the City of Santa Clara had designated the entire block RD-18D. To change this zoning to permit the new owner of this property to stuff another house onto the land is to fly in the face of pre-existing owners and taxpayers. Perhaps it would make the City liable to some legal challenge, as well as permitting construction of homes that will unnecessarily impinge the privacy and peace of adjoining homeowners.

During previous meetings between these owners and a member of the City Planning Division, owners were assured that the City will grant a rezone only if the developer proposes to provide some public good, such as a bike lane or park. Mr. Maharmat's proposal does nothing to benefit residents of Santa Clara. Indeed, it will detract from our quality of life by adding many cars to fight over our limited street parking.

As I have pointed out in previous letters to the Planning Commission and City Council, four-bedroom houses will soon need parking for four cars. Mr. Maharmat's design only accommodates ten of the predictable sixteen needed parking spaces off-street, so we will eventually have six more drivers vying for the limited parking on Pomeroy Avenue.

Just how this justifies adoption of a Mitigated Negative Declaration I can't tell from the plans we have seen. Mr. Maharmat's new design, while an improvement on previous versions such as his five-house plan of two years ago, still jams too many homes onto land that is not zoned to allow them.

The zoning should not be changed just to help one landowner make more money. This landowner, by the way, is not a resident of Santa Clara and has no history with the city that I can trace. His purchase of 1075 Pomeroy

was an exercise in speculation, pure and simple, and he's trying to maximize his profit without regard to existing neighbors. Once he builds and sells, he'll be a gone goose.

Why should our City be so eager to accommodate Mr. Maharmat's desire to overbuild on this little parcel of land? He may have purchased it with the understanding that our City development plans are so much meaningless mulch, and that he should be allowed to erect more homes than Low-Density Multiple Dwelling status allows, but that is not the City's problem, nor ours. Let him abide by Santa Clara's original plans for this neighborhood and build accordingly. He can put up four townhouses or an apartment building, as long as they don't impinge on the privacy, light, air, and peace of existing neighbors - if they are in accordance with our current zoning they won't.

Thanks for your attention.

From: PlanningCommission
Sent: Wednesday, July 26, 2017 11:04 AM
To: Lara Ruffolo; PlanningCommission; Mayor and Council
Cc: Steve Le
Subject: RE: 1075 Pomeroy Avenue design proposal

Dear Ms. Ruffolo,

Thank you for your comments regarding 1075 Pomeroy Ave. The points you raised will be addressed in the Planning Commission staff report and the City Council agenda report. Included in this discussion will be the appropriateness of the density and the relationship of the proposed density to the densities on the adjacent properties.

In regards to the separated sidewalk, this is a condition of approval for the project. This new public right-of-way treatments is a new development standards that's been specified in the General Plan and provides physical separation and safety from the street roadway and provides a better experience for pedestrians. This standard is being implemented throughout Santa Clara. Over time the city neighborhoods will be retrofitted with this standard. While there will be transitions, city staff seeks to implement this new development standard to enhance and improve neighborhoods as we address multimodal transportation throughout Santa Clara and the region.

Thank you give your comments. A copy will be included in the staff reports at the time the public hearing is scheduled.

Sincerely,

Gloria Sciara AICP | Development Review Officer | Zoning Administrator
Planning Commission Staff Liaison | Planning Division | Community Development Department
1500 Warburton Avenue | Santa Clara, CA 95050
O: 408.615.2450 | D: 408.615.2453



**City of
Santa Clara**
The Center of What's Possible

From: Lara Ruffolo [<mailto:larar32@gmail.com>]
Sent: Friday, July 21, 2017 3:25 PM
To: PlanningCommission; Mayor and Council
Subject: 1075 Pomeroy Avenue design proposal

Hello everyone.

The owner of 1075 Pomeroy has redesigned his proposed plan for re-developing the current single family home, transforming the land into 4 single family homes. I have concerns about two specific areas.

Parking:

Each of these homes would have a two-car garage. There are 2 additional guest parking spots in the plan. This is insufficient for the area. We have a big street parking crunch on Pomeroy Avenue, with spaces lost to traffic-calming measures, and this plan for four single-family homes will add to the annoyance of trying to park here.

A four-bedroom home is a place to house either children or sub-letters. I have observed that children grow up to drive cars; sub-letters need cars to get to work. Thus, these four-bedroom homes will quickly grow out of their allotted parking spaces and their inhabitants will need street parking. There isn't any to spare.

Each four-bedroom house will need four parking spots. Mr. Maharmat's plan supplies only ten of the required 16. So six more drivers will joust for street parking. This will be ever so much fun on Thursday nights when we put out our trash cans and reduce the street parking even further.

As someone who needs a street parking space, I can tell you that Mr. Maharmat's plan to jam 4 houses on land originally meant for one will affect my quality of living negatively. There is no guest parking in either Pomeroy West, across the street, or Pomeroy Green, which surrounds 1075 Pomeroy.

Mr. Maharmat can solve this problem by adding bigger garages to his planned homes, by reducing the number of bedrooms per home, or by reducing the number of homes he plans to build. I hope you will encourage him to do so.

Parkland and sidewalks:

A further issue is the design of sidewalks and park land adjacent to Pomeroy Avenue itself.

The new plan injects a 4-foot wide park space adjacent to the curb, then a 5 foot sidewalk before the homes begin. The sidewalks currently in place throughout the neighborhood are directly adjacent to the curb, with trees planted between the sidewalk and homes. If this plan is approved, pedestrians will have to joggle 4 feet away from the street to accommodate 1075's sidewalks, then joggle 4 feet back to the sidewalk on the other side of the property. This is asinine.

We have a lot of pedestrians, as Pomeroy Avenue is the path 540 kids use to get to Pomeroy Elementary School. I foresee many a skateboard and stroller coming to grief if this sidewalk/park plan is approved.

Please encourage Mr. Maharmat to design his park and sidewalk space more sensibly, and to integrate it into the neighborhood that has existed here for more than 50 years. Again, reduction of the number of houses he plans to build will give him a lot more wiggle room.

Yours sincerely,
Lara Ruffolo (1151 Pomeroy Avenue)

From: pparkin4559@comcast.net
Sent: Friday, February 10, 2017 3:19 PM
To: Steve Le
Cc: Parkin, Peggy
Subject: Proposed development at 1075 Pomeroy Avenue

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr. Le,

Thank you for the meeting this past Wednesday evening at the Central Library and do hope you can see our side of this situation. We here in Pomeroy Green (and Pomeroy West across the street) have been through almost identical situation two years ago with regard to Mr. Marhamat's wanting high density for his project. He purchased that land I feel as do others to build in this manner without any regard for the neighborhood. His project does not blend in, is too high in structure, will accommodate too much car noise, car vapor and it is very important that we here in Pomeroy Green who boarder his property are not negatively subjected. We are a quiet community as is Pomeroy West across the street.

I just cannot impress enough how important the sun is to our property's Park survival and for those of us who boarder 1075 Pomeroy for the sun to our back patio's surrounding 1075, the warmth the sun especially gives in the winter time. As also stated we have an historic tree that cannot be altered to accommodate a building structure. And when one tree is removed from the present property the cities requires two trees to replace that one tree. Our park will demise without its appropriate sunlight. Our back patio's void of sun will not be enjoyable as it has been for 42 years.

Should you be here in our area please let me know and I can show you directly from for instance my unit area and those units in my building affected. We have many other Pomeroy Green owners that boarder 1075 that would lose the *sun, not just my building. Mr. Marhamat having his project in the proposed height will detriment the neighborhood's appearance, losing the required sun we need will detriment our property's well being, value. The amount of additional automobiles exiting and entering so close to a very busy intersection is highly detrimental. Mr. Marhamat purchased 1075 without looking at the big picture of how his want would be negative to all around him. The former owners, original owners would not have wanted this I do not feel. These owners once owned our present property and sold to Eichler.

*Ken Kratz of Pomeroy Green did a complete sun evaluation; being a former city employee he knew what to do.

Two years ago our planning commission and our city counsel voted in our favor, they did not approve Mr. Marhmart's project and its imposition onto our property. It is so unfortunate as 1075 is quite the beautiful home with quite the front and back landscaping it has.

What is so very annoying to us is Mr. Marhmart's desire to build where it is not appropriate per the City of Santa Clara, to change the rules.

Thank you for your time,

Sincerely,

Peggy
Peggy Parkin
408-984-2873

From: "Steve Le" <SLe@SantaClaraCA.gov>
To: "Ken Kratz" <kskratz@yahoo.com>
Cc: "Stephen Austin" <stephenaustin@mac.com>, "Peggy Parkin" <pparkin4559@comcast.net>, "Cindy Alderson" <calderso@jps.net>, "Pam Wyman" <pamwyman2@gmail.com>
Sent: Friday, February 10, 2017 8:35:31 AM
Subject: RE: proposed development at 1075 Pomeroy Avenue

Hi Ken,

I appreciate you sending over your comments. They will be noted for the record.

The developer must do those calculations and clearly show them on the plan. The plan is a working plan and City staff will require the transparency of the data (i.e. setbacks, heights, landscape open space, etc.). Once the applicant submit the revision to the City, the plans would be made available to the public. I'll send everyone here a notice. You can make an appointment with me or come in any time during business hours (Monday – Friday 8am – 5pm, close for lunch at 12pm-1pm). If you want copy of the plans there will be a small photocopy fee per page (depending on size).

Given the unexpected event that cut the meeting short, staff will strongly advise the applicant to host another meeting with the revised plans. Staff has been striving for ways to improve public outreach. We will have the developer install an on-site notification sign to disclose to the public that there is an active development at this location. My contact will be available on the notification sign, should anyone have questions. Please look out for this sign within the next week. Please note that this is something new that the Planning Division is trying to do to strengthen community outreach. If you have any feedback on this method, please send me your thoughts.

All the best,

Steve Le | Assistant Planner
Community Development Department
1500 Warburton Avenue | Santa Clara, CA 95050
O:408.615.2450 | D: 408.615.2468



From: Ken Kratz [mailto:kskratz@yahoo.com]
Sent: Thursday, February 09, 2017 5:53 PM
To: Steve Le
Cc: Stephen Austin; Peggy Parkin; Cindy Alderson; Pam Wyman
Subject: proposed development at 1075 Pomeroy Avenue

Mr. Steve Le
Assistant Planner
Community Development Department
City of Santa Clara

1500 Warburton Avenue
Santa Clara, Ca. 95050

re: proposed development, 1075 Pomeroy Avenue

Dear Mr. Le:

The architect for the proposed development at 1075 Pomeroy, Mr. Pacheco, asked that I provide a list of my concerns of the proposed development that I verbally expressed last evening at the public meeting held at the library. Essentially my concerns are that the project be developed according to the current zoning, R3-18D, rather than the Planned Development zoning he is seeking. He seemed unaware of those R3-18D regulations; he kept referring to you during that meeting when questions regarding zoning arose. Please send him a copy of the R3-18D zoning regulations for his use.

I mentioned a few of those R3-18D regulations in my comments last evening during the meeting: setbacks, building height, building coverage, open landscape area, and parking requirements. The developer and his architect need to calculate the specific requirements, for some of those regulations, through the use of the lot size (square feet).

Is the developer or his architect or perhaps the city planning staff required to do those calculations and make them public? I would like to see a site plan with those items calculated and shown in a table on that drawing as well as the setback dimensions shown. This type of information was provided on the site plan of the development proposal that was presented to the public two years ago for that site. Please let me know if this information is forthcoming on this project and will be made available to the public.

Can you please let me know if the developer and his architect will be making revisions to the plans that were presented last evening (hopefully to be in agreement with the R3-18D zoning regulations) and, if so, I would like to know when those plans are made available to the public for review.

If they do not plan to make revisions to those plans, please let me know as soon as possible so that I can schedule an appointment with you to review those plans at city hall and perhaps have a copy made of those plans. Will I be able to obtain a copy of those plans?

Thank you again for holding the public meeting at the library last evening.

Sincerely,

Ken Kratz
Pomeroy Green resident
3283 Benton Street

Santa Clara, Ca. 95051
(408) 246-8149 (home)

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From: Lara Ruffolo <larar32@gmail.com>
Sent: Thursday, February 09, 2017 7:32 AM
To: Steve Le
Cc: Sunny Chow; Stephen Austin; Ken Kratz; Peggy Parkin
Subject: Proposed architecture of 1075 Pomeroy redevelopment

Dear Steve,

Thank you for your patient attendance at the architectural information meeting last night. As you can see, the neighbors of 1075 Pomeroy are strongly opinionated about redeveloping that site.

Mr. Maharmat has a right to develop that spot, but he does not have the right to disrupt our neighborhood's density, uses, or aesthetics. Nor does he have the right to endanger our street parking or our long-established park adjacent to his land.

I don't believe you were at the Planning Commission meeting 2 years ago when his plan for five houses was rejected. He had requested a rezone at that time to allow his plan. One of the commissioners there strongly stated that the reason she rejected that plan was that each of those 4-bedroom homes would generate a need for at least 4 parking spaces - either for subletters or from kids who learn to drive - and that this would mean increased competition for street parking. We in Pomeroy Green already compete for those spaces - since the traffic calming renovations at the corner of Benton and Pomeroy were built, we already lost 6 spaces.

Mr. Maharmat could easily adjust his plans to accommodate the surrounding neighbors if he were willing to settle for less - if he put in four condos, for instance, or three single-family homes with more space between them. He could even make his current planned houses 3-bedrooms and give each one a 3-car garage - that is how he could solve the parking problem. Or he could try submerging his first story and putting the parking beneath the four homes he wants to build. It would be more expensive, but the profits from four homes that he could sell for at least \$1.4 million would surely cover the cost of a little digging.

Santa Clara is adding thousands of homes in the areas along El Camino and closer to 101 that are slated for higher-density redevelopment in the City Plan. There is no greater good that is served by permitting Mr. Maharmat to build homes that only the wealthy can ever hope to afford, in our modest, long-established neighborhood.

I don't know if you've ever been to this neighborhood, but I invite you to come take a look and see what the local residents and taxpayers are hoping to protect. If you have a chance to travel this way I would be delighted to meet you. Just email me and arrange a time. Mine is flexible.

Best regards,
Lara

From: Horst Govin <horstgovin@gmail.com>
Sent: Tuesday, February 07, 2017 1:38 PM
To: Steve Le; PlanningCommission
Subject: Opposition to rezoning 1075 Pomeroy

Follow Up Flag: Follow up
Flag Status: Completed

Dear Steve Le and Planning Commission,

I am unable to attend the Wednesday meeting, but I hereby voice my opposition to another attempt to rezone 1075 Pomeroy Avenue to allow high-density housing. This attempt was denied the first time - why is it necessary to debate the request again?

Just because an enterprising property manager-developer looked at the Pomeroy East Condominiums surrounding 1075 and figured he/she could easily squeeze another four units on that property is no reason to reward this extreme venture. The arguments against this high density housing proposal remain the same. There's too much traffic on this corner already. Ask any of us Pomeroy Condominium/neighborhood residents about traffic in the morning, especially with Pomeroy School in session. We often cannot get out of our complexes without difficulty, let alone if construction were to take place.

There is more than enough high density housing going up along El Camino. There is no good reason to ruin the tranquility of our neighborhood with this scheme to squeeze four units into an existing nice lot with one ranch house, beautiful trees and landscaping. Consider too that for the most part, Pomeroy East does not front Pomeroy Avenue, which these four units would be doing. This corner of Pomeroy and Benton is an EICHLER neighborhood which would likely qualify for a "historical landmark" if/when we apply. This Eichler neighborhood should not be ruined by one landlord's attempt to force four units into this lot to make a buck.

I respectfully ask that you respect the original arguments of we residents and respect your own decision. Please do NOT rezone 1075 Pomeroy Avenue for high-density housing.

Sincerely,
Horst Govin
1182 Pomeroy Avenue



865 The Alameda
San Jose, CA 95126-3133
408/926-1900
www.mineweaser.com

17154 Monte Grande Drive
Soulsbyville, CA 95372-9779
209/928-5900
craig@mineweaser.com

November 20, 2017

City Council of the City of Santa Clara
1500 Warburton
Santa Clara, CA 95050

RE: Proposal for 1075 Pomeroy Ave.

Dear Mayor and Council Members,

The residents of Pomeroy Green and Pomeroy West are not asking you to deny the development of 1075 Pomeroy. They are simply asking that the City's own rules be followed to look at what effects the development of 1075 may have on its neighbors and to design a project that is compatible with the potentially historically significant townhomes and condominiums that surround 1075 Pomeroy, one that is more respectful of the historic character-defining design features of their buildings and properties.

Pomeroy Green and Pomeroy West were both

- developed by Joe Eichler of 'Eichler Homes' fame.
- designed by the well-known architect Claude Oakland.
- built in 1963 and 1965 respectively, and are now more than 50 years old – the threshold for evaluation for historic significance.

When studied for their historical significance, it will be found that both **Pomeroy Green** and **Pomeroy West** are historically significant because as townhouse clusters they are so unusual. They are pivotal examples of the development of clustered housing.

- They are two of perhaps only five townhome or condominium projects by Eichler in our area.
- They are of intentional renown. Others around the country and abroad who are studying Eichler's work are looking at these buildings. They even hosted a tour for Dutch architects who are examining multifamily housing from this era.
- They have appeared in many publications and books such as
 - *The Guide to Architecture in San Francisco and Northern California*, Winter, Gebhard & Others (p. 185-6):
 - "These two tracts were among the pioneering townhouse developments that triggered the wave of planned-unit, high density, that had by the 1970s, all but captured the mass housing market in California...."
 - *Look* magazine and numerous other magazines and publications about Eichler, both locally and around the country.
 - *Design for Living-Eichler Homes*, Ditto & Stern 1995 (p. 78-81) photographs of various 2-story townhomes.
 - *Cluster Development*, Whyte 1964, features these two complexes in a discussion of townhomes.

City Regulations: According to the City's rules, Pomeroy Green and Pomeroy West are eligible to be studied. A 50-year threshold for the initiation of an evaluation of historical significance is a requirement of Santa Clara's General Plan Appendix as follows:

8.9.2 Criteria for Local Significance

"Qualified Historic Resource - Any building, site, or property in the City that is **50 YEARS OLD OR OLDER** and meets certain criteria of architectural, cultural, historical, geographical or archeological significance is **POTENTIALLY** eligible."

This same 50-year age threshold for evaluation is used by the California Register of Historical Resources and the National Register of Historic Places, and it is likely that in addition to being significant locally, Pomeroy Green and Pomeroy West may rise to the level of being eligible for listing on the state and national registers.

Recently the Council approved a new Preservation Ordinance that goes on to clarify that

- a **"Qualified historical building** or property means any building, site, structure, object, district or collection of structures, and their associated, sites, deemed of importance to the history, architecture or culture of an area by an appropriate local, state, or federal government jurisdiction. This shall include designated buildings or properties on, or **DETERMINED TO BE ELIGIBLE FOR**, official national, state or local historical registers or official inventories such as the National Register of Historic Places, California Register of Historical Resources, State Historic Landmarks, State Points of Historical Interest, and officially adopted City inventories, or surveys of historically or architecturally significant sites or places." (SCCC 19.01.030 Definitions)
 - Given the information and citations above it is clear that both Pomeroy Green and Pomeroy West are potentially "qualified historical properties or buildings."
- a **"Historic Resource** means any building, ... or site that **POTENTIALLY** meets the designation criteria outlined in SCCC 19.02.010 and in Appendix A (*Criteria for Local Significance*) of this title, or that is listed in a federal or state register." (SCCC 19.01.030 Definitions)
 - In other words, Pomeroy Green and Pomeroy West do not have to actually be listed on Santa Clara's historic resource inventory to be treated as historically significant.
 - Given the information and citations above it is clear that both Pomeroy Green and Pomeroy West potentially meet the designation criteria for listing at the local level and quite possibly at the state and national level as qualified historical properties or buildings.

Conclusion: Since both Pomeroy Green and Pomeroy West are over 50 years old, are unusual examples of early cluster housing, and are potentially eligible for listing on an inventory of historic resources, they should be accorded the same design respect of any other listed property.

Therefore, Section 1503 of CEQA must be followed which says that to issue a mitigated negative declaration the proposed development of 1075 Pomeroy should be examined for its impacts or effects on these historic neighbors that completely surround it. Then 1075 should be redesigned to be more compatible with and respectful of the character-defining historic features and materials of the two adjacent townhouse developments as defined by the **Secretary of the Interior's Standards for the Treatment of Historic Properties** (SCCC 19.01.030 Definitions) because once the 1075 development is built its detrimental effects cannot be mitigated.

This will require a redesign of 1075, such as reducing the bulk and mass, relocating windows, etc., to lessen these impacts.

Please be aware that whatever the effects the proposed development at 1075 is deemed to have on its neighbors, be they positive or negative, these effects will be magnified beyond that of just a couple of homeowners because together Pomeroy Green and Pomeroy West are multi-family developments composed over 200 owners.

Sincerely,

Craig Mineweaser

Craig Mineweaser, AIA | Principal Preservation Architect
Mineweaser & Associates

architecture | preservation | building conservation services
 historical building forensic investigation | historical evaluations
 Historic Structure Reports | Secretary of the Interior's Standards Reviews
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Cc: Ken Kratz, Pomeroy Green resident
Yen Chen, Staff HLC for distribution to HLC

On November 17, 2017 Mineweaser & Associates was contracted by Ken Kratz, resident of Pomeroy Green at 3283 Benton St, to render a professional opinion regarding the effects of the development proposal at 1075 Pomeroy Ave. Mineweaser & Associates is a professional preservation architecture firm that meets the California Office of Historical Preservation (OHP) qualifications within the fields of historic architecture and architectural history to perform identification, evaluation, registration, and treatment activities in compliance with state and federal environmental laws as outlined in Code of Federal Regulations 36 CFR Part 61. Mr. Mineweaser is also a California licensed architect with over thirty-five years of experience in the field of preservation.

Mr. Mineweaser has served as the volunteer architectural advisor to the Historical and Landmarks Commission for over thirty years, and was vice-chair of the committee that wrote the City's new Preservation Ordinance. In addition, Mineweaser & Associates is under contract with Santa Clara for professional services as a preservation architect for various properties owned by the City. However, as a sole proprietor of Mineweaser & Associates, Mr. Mineweaser is allowed by state law to represent M&A's clients before the HLC, City Council, and any other city or governmental body.

This letter does not constitute a historical assessment or evaluation of any building mentioned herein. It is a statement of professional opinion after a preliminary examination of readily available information about Pomeroy Green, Pomeroy West and 1075 Pomeroy Ave.

File: //PomGrn/CouncilLtr2017-11-20.docx

September 20, 2017
3283 Benton Street
Santa Clara, Ca. 95051

Mr. Steve Le
Assistant Planner
Community Development Department
City of Santa Clara
1500 Warburton Avenue
Santa Clara, Ca. 95050

Re: proposed development, 1075 Pomeroy Avenue

Dear Mr. Le:

Please deny the developer's request to change the zoning from R3-18D to Planned Development (PD) for the above referenced project. I have reviewed the updated project plans, the City's zoning ordinances, and the Mitigated Negative Declaration for the proposed project and this project does not meet the minimum requirements to be compatible with the surrounding community, particularly for the surrounding multi-unit housing complexes, Pomeroy Green, a 78 unit complex zoned R3-18D, and Pomeroy West, a 138 unit complex also zoned R3-18D.

The proposed project should be compatible with the surrounding neighborhood, preserve privacy and quiet environment, observe all the current zoning regulations for the property, and be aesthetically sympathetic with the surrounding development. Instead the developer is proposing to provide single-family detached housing, with all the freedoms residents of that type of housing expect, in a multi-unit housing neighborhood, with its many restrictions on personal activities. The proposed development does not in keeping with the existing character and environment found in the neighborhood nor does it provide the attributes found in single-family home neighborhoods found throughout the City.

The City's zoning ordinances that would protect the surrounding neighborhood have been largely ignored and the Mitigated Negative Declaration prepared for this project is so flawed in many of its assessments of the environmental impacts, (namely noise, aesthetics, and land use and planning) that I request you reject the Mitigated Negative Declaration.

It would be nice to have thirty days to review this MND. My neighbors and I noticed a discrepancy in the MND notice that was sent to the neighborhood residents; the notice mentions a thirty (30) day public review period in the "Comments" section and a twenty (20) day public review period in the first sentence of the notice.

I also request you have the developer's architect correct his plans and then allow the public and I more time to review the corrected plans. There are some significant labeling errors on the plans; I discovered in the labeling of the elevation drawings. The "Proposed Type A & A1 West Elevation" drawing, detail # 3, on page A1B, is actually a west elevation of proposed type "B" and "B1".

Mr. Steve Le
proposed development, 1075 Pomeroy Avenue
September 20, 2017

Also, the "Proposed Type A & A1 East Elevation" drawing, detail 4 on drawing A1B, is actually the east elevation of the proposed type "B" and "B1".

I have the following comments, concerns and objections regarding that proposed project that support my request to deny the developer's request:

I. Mitigated Negative Declaration (MND): Again, the MND is so flawed in its assessment as to the impacts on the environment that I request that you reject the Mitigated Negative Declaration. The MND is flawed in the following areas:

A. Noise: (MND item XII., page 65)

I disagree with the MND finding that noise will not be a problem. I think noise from the development will intrude on the quiet environment of Pomeroy Green.

The MND mentions there will only be a little automobile noise from the proposed development by the coming and going of residents in their motor vehicles. What the authors of the MND report failed to notice is that the project includes four two-car garages, located along the sides of the 1075 property, that will have large sliding-glass doors on the back side of the garages.

Those garages will face the Pomeroy Green backyards and large windows of Pomeroy Green dwelling units (9 units), particularly those in Pomeroy Green building "Q" (4 units) to the south of the development and Pomeroy Green building "F" (5 units) and the Pomeroy Green park to the north of the 1075 property (see Pomeroy Green site plan, attached). The project also includes two (2) additional parking spaces, also on the sides of the property (one on the north and one on the south), that will only exasperate the noise problem. Some noise will intrude upon building "O" to the east as well.

There is the real possibility of noise, such as automobile noise, automotive repair noise, woodworking noise, metalworking noise, power tool noise, and other noise from crafts and do-it-yourself projects coming from those garages and entering the backyards and dwelling units of Pomeroy Green, especially when the sliding-glass doors at the back of the garages are open during good weather. That type of noise will impact the quiet atmosphere in the Pomeroy Green backyards, units and park that surround the 1075 Pomeroy property, particularly Pomeroy Green buildings "Q" and "F" (see attached Pomeroy Green site plan).

Mr. Steve Le
proposed development, 1075 Pomeroy Avenue
September 20, 2017

It is important to note that Pomeroy Green dwelling units, for the most part, are not air-conditioned but rather rely on natural ventilation for cooling. Air-conditioning units installed outside are uncommon in the complex and are only installed after approval from the Board of Directors. Windows are often left open day and night to promote natural air circulation.

There is no way to effectively protect the interiors of Pomeroy Green dwelling units from noise; therefore, the proposed project should be sensitive to this fact and eliminate the garages or take other mitigating measures to eliminate the transmission of noise from the garages.

City Staff and the developer have mentioned that the CC&Rs for the proposed project may prohibit those garage activities; however, since this provision was not addressed by the MND and City Planning Department staff tell me that the public is not invited to review CC&Rs, I have grave concerns that the noisy activities will occur. While CC&Rs are important and may contribute to assuaging my fears somewhat, I would prefer to rely on physical improvements or removal of the garages entirely in order to secure the quiet environment of the neighborhood.

The quiet environment in Pomeroy Green (and Pomeroy West for that matter) is assured through several design features and policies. The fact that the carports in those complexes, with one or two exceptions, do not have direct connection with the backyards; the carports are located at the front of the buildings. So carport noise from Pomeroy Green not only does not enter the backyards, but also noise from those carports is prevented from entering the yard of the 075 Pomeroy property.

Pomeroy Green further insures the quiet atmosphere of its complex through policies such as not allowing extensive car repair in the complex. Minor repair is allowed and the vehicle must be in operable condition at the end of the day and tools must be removed. Pomeroy Green also prohibits the use of power tools.

It would be hard to imagine that the CC&Rs for the proposed development will be as restrictive as Pomeroy Green. I expect that residents of the proposed development will use their garages in any fashion they please and will open the sliding-glass doors on the backside of the garages allowing noise into the Pomeroy Green complex.

Also, carports are not conducive to extensive car repair, wood working, metal shop working, power tool use and other noise generating activities whereas garages are conducive. The open nature of carports especially inhibit the use of that space for noise generating activities—the noise would deleteriously affect peace and quiet of the dwelling units nearby. There is no way to contain the noise.

The open nature of the carports and the lack of ample storage space makes the noise generating activities mentioned above difficult since it would be troublesome to secure the equipment from theft. In other words, theft of tools and other equipment would be a problem. The addition of storage containers or fixed tables in the carports, installed in order to reduce the theft problem, would create an eyesore. These are not issues with garages.

Mr. Steve Le
proposed development, 1075 Pomeroy Avenue
September 20, 2017

In a typical single-family detached home located in a tract, the garage faces the street and may include a man-door usually located on the side of the garage or occasionally on the backside. In those situations, the noise goes towards the street for the most part in the case of an open garage door or, in the case of a man-door, towards the garage on the adjacent property.

It is important to note that in typical tracts, the garages on adjacent properties are next to each other (i.e., grouped in pairs as you look around the neighborhood. Therefore, the noise from the garage, either from the front of the garage or through the man-door on the side of the garage, has a greater path to travel to get to the rest of the home.

Also of note, those tract homes enjoy a minimum of a 20' rear setback so they have a 40' minimum separation between the homes (see zoning ordinance "R1-6L— Single Family") and usually much more along with the layout of the garages just mentioned. The separation proposed by the new development is 35' (20' Pomeroy Green setback plus the 15' setback proposed for the 1075 garages). This proposed setback is too little especially considering the large openings in the rear of the proposed garages.

For comparison, if Pomeroy Green distances are used as a guide, the minimum distance from vehicles located in carports to front yards is about thirty-two feet (32'), the minimum distance from vehicles located in the carports to the units' wall is about forty feet (40') and the minimum distance from a backyard to a vehicle in a carport is about forty-five feet (45'). See attached Pomeroy Green site plan.

Also of note is the fact that noise generated within the proposed development could be an issue for the new residents of the proposed development. There is only a twenty foot (20') to twenty-six and two inch (26'-2") wide motor court between the proposed homes so that noise generated in the proposed garages may enter the interiors of those homes that are opposite those garages. In a normal tract of single-family detached homes, the garages are set back twenty feet (20') from the city street right-of-way line and the city right-of-way is at least sixty feet (60') wide; therefore, the tract homes enjoy one hundred feet (100') separation.

I'm not against these noise generating activities in general; the problem is that these activities are likely in the type of housing being proposed for this development and those activities do not fit in with current environment of the neighborhood where those noise generating activities have been precluded primarily through the design of the existing complexes as described above. In other words, the proposed project belongs in a single family tract neighborhood or perhaps on the edge of that type of neighborhood and not located in the middle of multi-unit housing neighborhood that precludes those activities.

Mr. Steve Le
proposed development, 1075 Pomeroy Avenue
September 20, 2017

B. Land Use and Planning: (MND page 61, item X, b, “*Conflict with any applicable land use plan ...*”)

The MND fails to recognize that the proposed development does not meet the intent of the current zoning, R3-18D: to encourage multi-unit housing. That zoning regulation, section 18.16.010, “Intent” states:

“This zone is designed to encourage *lot assembly* to provide quality *multi-unit housing* at a low to moderate density. (italics mine)

The MND erroneously states on second paragraph on page 61 “General Plan Consistency” that :

“The Low Density Residential land use category (R3-18D) is *intended* for single-family dwelling units, townhomes, row houses, and combinations of these residential development types, which may include detached or attached dwelling units.” (italics mine)

The developer's proposal includes only single-family detached homes (not multi-unit housing) on an existing lot that he proposes to subdivide into four smaller lots (not combining with other, existing, adjacent lots) and, therefore, the developer clearly violates the intention of the the current zoning for the lot, R3-18D.

The MND goes on to say in that second paragraph on page 61, “General Plan Consistency”, that:

“The proposed four single-family homes are thus consistent in type and density with the development allowed in the Low Density Residential land use designation.”

What the MND fails to point out is that, for a project this size (12,400 sq. ft.) the current zoning regulation, R3-18 D, states in section 18.16.020, “Intent”, that:

“It is not intended that lots less that twenty-two thousand (22,000) square feet in size provide housing at the maximum density of the zone.”

Therefore the MND statement is overreaching in respect to the intent of the current zoning ordinance for that property.

Mr. Steve Le
proposed development, 1075 Pomeroy Avenue
September 20, 2017

The MND fails due to its assessment that the proposed project is consistent with the General Plan in regard to compatibility and sensitivity to nearby existing development; the MND mentions on page 61 that:

“In particular, the project would be consistent with the following general land use and residential land use policies:

5.3.1- 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.” (italics mine)

The MND authors fail to notice that the proposed project is not compatible with nor sensitive to the existing development in the neighborhood. The project creates many noise and privacy issues not found in the surrounding multi-unit housing complexes. The buildings in the housing complexes of the surrounding developments feature solid (no windows) in their end walls and, with 90 degree building orientation of adjacent buildings, no building looks directly into another building at close range (see Pomeroy Green site plan) . The face to face distances in those surrounding complexes are quite generous and greater than the distances proposed between the buildings of the proposed development. That little separation between buildings is uncharacteristic with the rest of the neighborhood.

Additionally, the aesthetics of the new development only provide a “Modern” look that only mimics the features of the Eichler mid-century modern design of the buildings in the surrounding housing complexes. Those Eichler mid-century modern features are recognizable not only in the surrounding complexes but also in other Eichler mid-century modern developments throughout the south San Francisco Bay Area. Those features have been well documented in guidelines adopted by the nearby cities of Sunnyvale and Cupertino.

The MND fails due to its assessment that the proposed project is consistent with the General Plan in regard to the appropriateness of higher density residential development at this 1075 Pomeroy property; the MND mentions on page 61 that:

“In particular, the project would be consistent with the following general land use and residential land use policies:

5.3.2- P2 Encourage higher- density residential development in *transit and mixed- use areas* and in other locations throughout the City where appropriate.” (italics mine)

What the MND fails to point out is that the 1075 Pomeroy property is not in a transit nor mixed use area. The closest public transit is located a half a mile (1/2 mile) away at El Camino Real (to the north)

Mr. Steve Le
proposed development, 1075 Pomeroy Avenue
September 20, 2017

and Kiely Boulevard (to the east) where VTA public transit buses operate. There is no mixed use in the neighborhood either. Therefore, the proposed development should not be allowed to build at higher densities than the current zoning allows nor beyond the intent of that current zoning ordinance (i.e., the proposed development on that 1075 site may need to be designed at lower densities than allowed by the current zoning [see paragraph on project size above]).

The MND on page 62 states:

“In particular, the project would be consistent with the following general land use and residential land use policies:

5.3.2- P11 Maintain the existing character and integrity of established neighborhoods through infill development that is in keeping with the *scale, mass and setbacks* of existing or planned adjacent development.” (italics mine)

I disagree with that assessment in the MND. The proposed development does not maintain the existing character and integrity of the established neighborhood in regard to scale, mass and setbacks:

- The proposed development is out of scale with the surrounding neighborhood because it is too tall; the roof on the proposed development is about 25' (24' -8" high on the revised drawings; the MND states the building heights are over 25') and the surrounding Pomeroy Green and Pomeroy West buildings are 20' to 21' high.
- The proposed development, is not in keeping with the mass of the surrounding Pomeroy Green and Pomeroy West buildings because the proposal is taller and narrower that emphasizes its verticality as opposed to the horizontal masses of the Pomeroy Green and Pomeroy West Buildings.
- The front setback of the proposed development is 5' closer to the city street (15' setback) than the surrounding buildings of the Pomeroy Green housing complex (about 20' setback per the requirements of the zoning for Pomeroy Green, R3-18D).
- The MND mentions the proposed development does not meet the minimum open landscape requirement (minimum 40% open landscape space) though the project plans indicate the developer meets the minimum (40.11%). There must be a discrepancy between the method used to calculate the open landscape area.
- The MND mentions that some of the other criteria used to determine the character of the proposed development, the current zoning, R3-18D, are not being met: building lot coverage, rear setback and building height. The revised plans do indicate that it meets these criteria (building lot coverage 33.8% [35% maximum allowed], 15' rear setback [15' allowed], 24'-9 1/2" [25' maximum allowed]). The MND must have used the older plans.

Mr. Steve Le
proposed development, 1075 Pomeroy Avenue
September 20, 2017

I disagree that the proposed R3-18 D development regulations are the most applicable to the project as mentioned in the second paragraph on page 63 of the MND, that states:

“In the case of the proposed project, *the development regulations promulgated in City Code Chapter 18.16 (Low-Density Multiple-Dwelling Districts) are the most applicable to the project.*” (italics mine)

The proposed development consists of single-family detached homes and therefore, the single family detached zoning regulations with their greater side setbacks (20') would be more applicable.

I disagree with the MND assessment that the deviations from the current zoning (R3-18D) are minor (page 63, “Zoning Ordinance”). Those deviations, if corrected to conform with the current zoning, R3-18D, particularly the front setback, would significantly alter the design of the project. If the required twenty foot (20') front setback was provided, the building footprints would have to be substantially reduced in size.

Increasing the front setback along with a reduction in the height of the building, from 25' down to 22' to 23' for instance, would reduce the mass of the proposed buildings and would be more in character with the existing Pomeroy Green and Pomeroy West building complexes that surround the 1075 Pomeroy property.

I agree that, as the MND mentions on page 62, the PD zoning, if granted, would allow the project to deviate from the standard development regulations. This action would be unfortunate. Those standard regulations, the current R3-18D regulations, help protect the characteristics of the existing neighborhood. The existing neighborhood that surrounds the 1075 Pomeroy property conform to the R3-18D zoning; the proposed development should too.

I disagree that the proposed project meets the criteria for Planned Development. Because the proposed development is not compatible with the existing community for all the reasons I mentioned earlier, the intention of Planned Development, the overarching requirement of Planned Development, is not being met. The City of Santa Clara's zoning ordinance, Chapter 18.54, “Regulations for PD—Planned Development and Combined zoning Districts”, Section 18.54.010, “Intent” states:

This district is *intended* to accommodate development that is *compatible* with the existing community...” (italics mine)

Again, the project is not compatible with the existing community that surrounds the project site.

Based on my discussion above, the MND fails to interpret the City's zoning ordinances (R3-18D, Planned Development, and single-family detached home zoning ordinances) correctly, therefore I

Mr. Steve Le
proposed development, 1075 Pomeroy Avenue
September 20, 2017

disagree with the MND findings. Based on my review of the zoning ordinances, the proposed project does conflict with applicable land use policy and regulations for the City that has jurisdiction over the project for the purpose of avoiding or mitigating an environmental effect.

C. Aesthetics: (MND, page 21, item I., c, "Substantially degrade the existing visual character or quality of the site and its surroundings.")

I disagree with the MND authors that the proposed project would have a less-than significant impact on the visual quality of the site. I disagree with the findings of the MND that the proposed development is consistent with and compatible with the other two-story residential development surrounding the site. The development would constitute a substantial degradation in the visual character of the surroundings.

The MND fails to take into account the views of the project from the Pomeroy Green park on the north side of the 1075 Pomeroy property. This is one of our most used recreation areas in the complex. The proposed building is unattractive from that viewpoint (and all viewpoints for that matter) since it is not in sympathy with the Eichler mid-century modern design of the Pomeroy Green complex.

The MND mentions that the garage doors of the proposed development will only be slightly visible, indicating to me that the authors of the MND consider the view of the doors somewhat to be an eyesore and maybe out of place in the neighborhood. The complexes in the neighborhood, Pomeroy West and Pomeroy Green, both have carports that face the street that are a highly visible solution to the motor vehicle storage problem and lets not forget that almost all the single family home tracts in the City have garages that face the street.

The MND authors' value judgments in regard to the visibility of the garage doors unfortunately undermines other solutions to storing motor vehicles that in fact will eliminate some environmental issues, such as keeping garage activity noises and automotive noise away from the backyards of the surrounding properties, particularly since the garages in the proposed development feature sliding glass doors at the back of the garage that faces the surrounding development.

I think the buildings in the proposed development are contemporary in design but find they are inconsistently treated on the various elevations and none of the features are related in any way to the surrounding Eichler mid-century modern design. The front of the proposed buildings receive all the features and the back and sides little to none—the sides and back are bland.

The contemporary design is not in keeping with the surrounding development. The surrounding development is not contemporary, rather it is a period piece of Eichler mid-century modern design that is over fifty years old and has its own very specific aesthetic standards. Those standards can be found in the Eichler Design Guidelines adopted by the nearby cities of Sunnyvale and Cupertino.

Mr. Steve Le
proposed development, 1075 Pomeroy Avenue
September 20, 2017

The architectural details that the MND cites (architectural details such as chimneys, stone veneer, and contrasting walls of stucco and horizontal stained wood siding) are not sympathetic to the architectural details of the surrounding development (concrete masonry units, stucco panels rather than walls, vertically grooved plywood siding to name just a few of the architectural details that make those Eichler mid-century modern developments, Pomeroy Green and Pomeroy West, distinctive.

The MND mentions the City's Architectural Committee will ensure the project conforms to Santa Clara's adopted Community Design Guidelines. What the MND fails to report is that some of the provisions in those guidelines, if applied, would substantially alter the proposed development.

Some of those provisions are:

- 1) "Second story window and balcony locations should be sensitive to nearby residences and private yards." (page 2-B) The privacy of the surrounding development's backyards (Pomeroy green building "Q"), to the south of the 1075 property, and the Pomeroy Green park, to the north of the 1075 property, will be compromised.
- 2) "Architecture style should be suitable for the immediate neighborhood." (page 3-B) The immediate neighborhood is composed of two architecturally significant complexes, Pomeroy Green and Pomeroy West, that are designed in the Eichler mid-century modern style. That style is distinctive for its horizontal massing, large floor to ceiling glass windows and sliding glass doors positioned at regular intervals across the facade of the buildings, large roof overhangs, visible structure (posts and beam construction and projecting elements), vertical grooved plywood siding, panel construction, tongue and groove roofing, and windowless end walls of buildings to provide acoustic and visual privacy between adjacent buildings that are oriented 90 degree to one another are just a few of the significant design features that are totally different from the buildings of the proposed development. If the massing (currently vertical orientation), windows (currently windows on all sides of the buildings located in irregular patterns), the roofing slope and materials used in its construction (currently steep slope and asphalt shingles), the type of windows (casement) of various sizes, and structure (currently hidden in the typical wood frame construction) to name just a few items, were in keeping with the surrounding Pomeroy Green and Pomeroy West development, particularly the orientation of the windowless end-walled buildings oriented 90 degrees to each other, the proposed development would be substantially altered to the point that the drawings would have to be redrafted and resubmitted to the Planning Department for review and the planning Commission for approval.
- 3) "Building height and bulk should be appropriate relative to nearby properties." (page 4-B and page 13) The proposed development is too tall and therefore out of scale (4' feet taller than the surrounding Pomeroy Green development (due to the sloped roof that provides the 12' high ceiling on the second floor of the proposed buildings). The proposed building's mass is

Mr. Steve Le
proposed development, 1075 Pomeroy Avenue
September 20, 2017

vertically oriented and emphasized by vertical windows that span between two stories in the front of the building while the nearby properties, Pomeroy Green and Pomeroy West, have buildings that emphasize horizontal massing that is relived by the vertical panel construction, vertical grooved plywood siding, and the floor to ceiling glass windows and sliding-glass doors.

The higher roof of the proposed development will block the cooling breezes (wind impacts) from the north during the summertime from entering the Pomeroy Green building "Q" (it is next to impossible and would be unsightly to install central air conditioning in the Pomeroy Green buildings due to the building's lack of an attic and the flat roofs where the units would be easily seen). Inclusion of any of these architectural elements common in the surrounding development in the proposed design would alter the design to the point that the drawings would have to be redrafted and resubmitted to the Planning Department for review and the Planning Commission for approval.

The MND and the City fails to consider quality of the surrounding properties in that the surrounding properties contain the historic and architecturally significant housing complexes, Pomeroy Green on the north, south and east sides of the 1075 property and Pomeroy West, across the street from and to the west of the 1075 Pomeroy property. That City recognition would require further scrutiny by the City, the neighborhood residents, and the public of the proposed development for the 1075 property in order to determine if it is compatible with those surrounding properties.

The City of Sunnyvale has adopted standards for development that occurs near Eichler neighborhoods (see attached standard). The City of Santa Clara should adopt similar standards in order to assist in the review of the proposed development for the 1075 Pomeroy property.

According to the City of Santa Clara Historic Preservation and Resource Inventory, section 8.9 of the City's General Plan, the City has the jurisdiction to nominate properties to be listed on the inventory if those properties meet certain criteria. Those criteria are:

* Must be a qualified historic resource: Any building, site, or property in the City that is 50 years old or older and meets certain criteria of architectural, cultural, historical, geographical or archaeological significance is potentially eligible.

Pomeroy Green was completed in 1963 and is over 50 years old and meets the criteria for architectural and historical significance.

* To be historically or culturally significant, a property must meet at least one of the following criterion (six criterion mentioned):

Mr. Steve Le
proposed development, 1075 Pomeroy Avenue
September 20, 2017

The site, building or property has character, interest, integrity and reflects the heritage and cultural development of the city, region, state, or nation.

Pomeroy Green has character, interest and integrity that reflects the heritage and the cultural development of the region.

Pomeroy Green is a rare example of mid-century modern architecture in the City of Santa Clara and the residents of those complexes have, for the most part, maintained the integrity of that architectural design for over fifty years.

The layout of the buildings, in a cluster fashion with common open space that connect the residents of the community, makes this housing complex interesting. The landscaping with the abundant mature trees in the common open spaces of the complex as well as along the public streets are exceptional in our City and reflects our city's on-going environmental concerns.

Pomeroy Green is of such great interest that it has become a tourist destination. A group of architects from a Scandinavian country recently toured our buildings and grounds.

The property is associated with an important individual or group who contributed in a significant way to the political, social and/or cultural life of the community.

Pomeroy Green is associated with the famous and nationally recognized S.F. Bay Area housing developer, Joe Eichler. He contributed significantly to the political, social and cultural life of the community. In the book Design for Living, Eichler Homes, (1995) by Jerry Ditto and Lanning Stern, it mentions that Eichler Homes was the first large tract builder (in the United States[context of paragraph]), to sell houses to African-Americans. (page 97)

A building's direct association with broad patterns of local area history, including development and settlement patterns, early or important transportation routes or social, political, or economic trends and activities. Included is the recognition of urban street pattern and infrastructure.

Pomeroy Green is an early example of new development patterns in local area history. Pomeroy Green and Pomeroy West are early examples of cluster housing in the State. An article about Pomeroy Green was featured in a national publication of the period, Look magazine; the article was entitled "Solution for Suburbia"

Mr. Steve Le
proposed development, 1075 Pomeroy Avenue
September 20, 2017

Pomeroy Green was also featured in a book, Cluster Development, 1964, by renowned urbanist and journalist William Wyte.

Pomeroy Green has been featured in the California Modern magazine, a quarterly publication distributed in regional additions to mid-century modern households throughout California.

Pomeroy Green is also mentioned in the definitive architectural guide for northern California, The Guide to Architecture in San Francisco and Northern California, 1985, revised edition, page 185-186, by David Gebhard, Roger Montgomery, Robert Winter, John Woodbridge, and Sally Woodbridge along with Eric Sanweiss. In the entry about the two complexes the authors state:

“These two tracts were among the pioneering townhouse developments that triggered the wave of planned unit, high density, attached housing that had by the 1970s all but captured the mass home housing market in California. Starting in the 1950s, architects advocated such solutions in place of the sprawl of single family detached housing. These twin projects, thanks to the enlightened sponsorship of Joe Eichler, helped make the architects' dreams prevail.”

* To be architecturally significant, a property must meet at least one of the following criterion:

The property characterizes an architectural style associated with a particular era and/or ethnic group.

Again, as mentioned in the historical criteria above, Pomeroy Green's buildings are rare examples of mid-century modern architecture in the City of Santa Clara.

The property is identified with a particular architect, master builder or craftsman.

Pomeroy Green was designed by Claude Oakland, the famous S.F. bay-area modernist architect.

The property is architecturally unique or innovative.

Pomeroy Green is both architecturally unique and innovative. The dwelling units are architecturally unique because they feature an indoor-outdoor/private yard relationship due to the large expanses of glass and sliding-glass doors that connect the two areas visually and physically.

Mr. Steve Le
proposed development, 1075 Pomeroy Avenue
September 20, 2017

Pomeroy Green's multi-unit buildings are architecturally innovative because the end walls on the buildings are windowless and provide privacy for adjacent buildings that are oriented to look onto those walls and the landscaped common open spaces between the buildings rather than look into dwelling units.

The property has a strong or unique relationship to other areas potentially eligible for preservation because of architectural significance.

Pomeroy Green has a strong and unique relationship to Pomeroy West located across the street. Pomeroy West is over fifty years old and is also potentially eligible for preservation because of its architectural significance. Pomeroy West was developed by the same developer and designed by the same architect in the same architectural style as Pomeroy Green. Pomeroy West includes additional architectural features such as dwelling units that feature an atrium.

The property has a visual symbolic meaning or appeal for the community.

Many residents of the City in addition to the residents of Pomeroy Green enjoy the flowering trees that are planted in front of our units. These trees provide the passerby a dramatic color display.

A building's unique or uncommon building materials, or its historically early or innovative method of construction or assembly.

Most of the bearing walls run normal to the walls with windows and are made of reinforced concrete masonry units that support the roof. This structural system allows the window walls to be free of loading (non-bearing); that in turn allows the extensive use of floor to ceiling glass windows and sliding-glass doors.

A building's notable or special attributes of an aesthetic or functional nature. These may include massing, proportion, materials, details, fenestration, ornamentation, artwork or functional layout.

The interiors of Pomeroy Green dwelling units feature a functionally superior open-plan on the first floor. The open nature of the interior (few interior walls) allows for improved natural ventilation. Supplemental mechanical air-conditioning units are not in wide use at Pomeroy Green.

Pomeroy Green features carports (one-car carport per dwelling unit) integrated with the dwelling unit. This architectural feature provides many benefits: it allows for improved day-lighting of the auto storage area and the entry door area as well as providing rain cover for those activities.

Mr. Steve Le
proposed development, 1075 Pomeroy Avenue
September 20, 2017

The flat-roof carports also make the buildings look less massive and more human in scale compared to buildings that feature garages.

Pomeroy Green features radiant floor heating throughout the dwelling unit.

The dwelling units feature the expansive use of glass to connect the outdoors visually with the indoors. This provides visual interest for occupants in addition to providing more natural daylight inside the unit.

Pomeroy Green features skylights. This feature further increase the natural daylight in the units.

Functionally, Pomeroy Green features four bedrooms and 2-1/2 baths in a space of only about 1,400 sq. ft. It also includes a washer dryer area on the second floor, near the four bedrooms, that simplifies the laundry work.

Using the City of Sunnyvale's "Eichler Design Guidelines" (two pages from the guide are attached) as a checklist to determine if the proposed development is compatible with the existing Eichler Style complexes in the neighborhood, Pomeroy Green and Pomeroy West, the proposed development should have more elements in common with those surrounding complexes. The guidelines stated purpose is to preserve the unique characteristics of Eichler homes and their neighborhoods. Those unique characteristics included in the Eichler Design Guidelines are:

Incorporate a Modernist Style sympathetic to the forms and style of the Eichler homes nearby. (paragraph 3.7.1, page 21)

Use simple floor plans with rectangular shapes similar to Eichler homes.

Proposal mostly OK..

Provide front facade offsets and/or insets similar to typical Eichler floor plans.

Proposal does not have any offsets or insets on the front facade; the proposal provides a porch which is not sympathetic to the Eichler design. The garages are setback from the second floor so that a soffit is created on the side of the buildings. Therefore, the proposal is not sympathetic to the Eichler Style of the surrounding Pomeroy Green and Pomeroy West complexes.

Mr. Steve Le
proposed development, 1075 Pomeroy Avenue
September 20, 2017

Provide a strong horizontal emphasis to the home design.

The proposal has a strong vertical emphasis particularly the use of stone veneer that goes partially up the front wall and a narrow widow in the staircase that extends from near the top of the first floor to the top of the second floor. Therefore, the proposal is not sympathetic to the Eichler Style of the surrounding Pomeroy Green and Pomeroy West complexes.

Use flat or low pitched roofs with wide overhangs. Steeper pitches may be allowed in neighborhoods with Eichler homes which utilized steeper pitched roofs.

The shed roof further emphasizes the vertically of the design of the proposal and are out of place in the neighborhood; in other words, the shed roofs of the proposal is not sympathetic to the flat roofed Pomeroy Green and Pomeroy West complexes.

Use post and beam construction methods.

The proposal uses bearing wall construction unlike the post and beam construction of the Pomeroy Green and Pomeroy West complexes. Therefore, the proposal is not sympathetic to the Eichler Style of the surrounding Pomeroy Green and Pomeroy West complexes.

Use building volumes that are compatible with the surrounding Eichler neighborhood.
(paragraph 3.7.2, page 22)

If a two-story house is proposed:

- Limit floor-to-floor heights to a maximum of 10 feet..

The proposal has 12' high ceilings on the second floor; this is not sympathetic to the Eichler Style of the surrounding Pomeroy Green and Pomeroy West complexes that feature 9' floor to floor heights. Therefore, the proposal is not sympathetic to the Eichler Style of the surrounding Pomeroy Green and Pomeroy West complexes.

- Provide large second floor roof overhangs of at least 3 feet.

The proposal includes overhangs only 1' long; this is not sympathetic to the 3' overhangs at the rear of the buildings of the surrounding Pomeroy Green and Pomeroy West complexes.

Mr. Steve Le
proposed development, 1075 Pomeroy Avenue
September 20, 2017

- Provide some detail elements at the second floor line to relate to the one story height of nearby Eichler homes. Some techniques include:

- a. Deeply recessed garage doors.

The proposal does not recess the garage doors. Pomeroy Green and Pomeroy West have projecting and, at the same time, recessed carports. Pomeroy West has some single story homes.

- b. One-story elements forward of two-story walls.

The proposal does include a steeply pitched roofed porch on the first floor of the front facade; though, because of the slope of that roof, this is not sympathetic to the Eichler Style of the surrounding Pomeroy Green and Pomeroy West complexes. Pomeroy Green and Pomeroy West have projecting carports.

- c. Horizontal projecting bands.

The proposal has no projecting bands in the Eichler style nor does Pomeroy Green and Pomeroy West.

- d. Trellis elements.

The proposal has no trellis elements nor does Pomeroy Green and Pomeroy West.

Use crisp exterior wall materials organized into wall and window panels similar to the Eichler modernist design spirit. (paragraph 3.7.3, page 22)

- Vertical or horizontal grooved siding.

The proposal is not sympathetic because it includes some 1" X 4" horizontal wood siding. Pomeroy Green and Pomeroy West have vertical grooved siding.

Mr. Steve Le
proposed development, 1075 Pomeroy Avenue
September 20, 2017

- Stucco panels.

The proposal has stucco walls but the large amount is not sympathetic to the Eichler Style of the surrounding Pomeroy Green and Pomeroy West complexes. Those complexes use stucco panels to visually connect the first and second story windows at the rear of the buildings creating a panel effect.

- Brick or concrete block.

The proposal does not include any of these materials. Pomeroy Green and West have concrete block walls.

- Smooth stone veneer.

The proposal includes irregular shaped stone veneer and is not sympathetic to the Eichler Style of the surrounding Pomeroy Green and Pomeroy West complexes. Pomeroy Green and Pomeroy West do not have stone veneer.

- Shingles.

The proposal does not use shingle as a siding material nor does Pomeroy Green and Pomeroy West..

Design with window shapes and types that are compatible with the Eichler Style.
(paragraph 3.7.4, page 22)

Use fixed, sliding or casements windows.

Somewhat sympathetic to the Eichler style; the design includes some casement windows and some fixed window panes but also includes some awning windows. Some fixed pane windows are in combination with the awning or casement windows; is somewhat sympathetic to the Eichler Style of the surrounding Pomeroy Green and Pomeroy West complexes.

Pomeroy Green and Pomeroy West complexes include floor-to-ceiling fixed pane windows in combination with floor-to-ceiling sliding-glass doors as well as floor-to-ceiling double hung windows combined with a fixed pane window. Those windows are in regular/repeated combinations on the front and rear sides of the buildings.

Mr. Steve Le
proposed development, 1075 Pomeroy Avenue
September 20, 2017

Pomeroy Green and Pomeroy West have windowless walls on the ends of the buildings. The proposal has a mixture of different size windows with various sill heights and operation (casement, awning, double hung) on all sides of its buildings; the proposal is not sympathetic to the Eichler Style of the surrounding Pomeroy Green and Pomeroy West complexes.

Use windows with small jamb, head and sill profiles.

Profiles of the proposal not determinable from drawings.

Avoid bay windows - especially on the primary facades that face the street.

The proposal does not include any bay windows.

Avoid arched and oddly-shaped window forms that are not commonly seen on original Eichler homes.

The proposal does not include these forms but it appears it does include muntins (a strip of wood or metal separating and holding panes of glass in a window, also called glazing bars.). The muntins in the windows of the proposal are not sympathetic to the Eichler Style of the surrounding Pomeroy Green and Pomeroy West complexes.

II. Other problems:

I request that the Planning Commissioners review the problems with the proposed development that I described above in the Mitigated Negative Declaration section of this letter (i.e., noise, land use planning, and aesthetics) as well as review the additional problems I describe below.

The proposed division of the 1075 Pomeroy property into four (4) lots that are individually owned is unlike and incompatible with the common ownership model of the complexes surrounding the 1075 property, Pomeroy Green and Pomeroy West, and, therefore, may cause the following problems:

1. Increase in noise from landscaping and building maintenance.

Since each owner will be responsible for their own landscaping and building maintenance on their own property in the proposed development. The surrounding neighborhood may

Mr. Steve Le
proposed development, 1075 Pomeroy Avenue
September 20, 2017

experience four different days of noisy maintenance activities and most likely some of that work will be conducted on the weekends when there is time to do the work by the owners. Currently, Pomeroy Green maintenance work, landscaping and building, is conducted during working hours during the normal work week.

2. Increase in neighborhood involvement with the City and those future property owners in the proposed development as those property owners request changes to the property into the foreseeable future.

Since each owner will be allowed to make modifications to their individual properties on that 1075 Pomeroy site (e.g., garage conversions, additions, additional parking areas for recreational vehicles and other motor vehicles at the front of the site, etc.) on parking on with public review, the neighborhood residents will have to vigilant to protect their interests into the foreseeable future. This may become a nuisance for the new residents as well as the existing neighborhood. The public review, the application process and City staff's time to review and process those requests will certainly increases the burden of government.

Contrast that foreseeable future with the neighborhood's past; Pomeroy Green and Pomeroy West, with their common ownership model, remain mostly unchanged since their original development over fifty years ago. The neighborhood is predictable and stable; they have made few changes to their complexes that required extensive City and public review. It seems unreasonable to subject the neighborhood to the individual ownership model with these problems.

3. Lost opportunity to increase affordable housing stock in the neighborhood.

The single-family homes on their individual lots proposed by the developer will certainly be more expensive to own than the other options in the neighborhood such as the the multi-unit housing that is Pomeroy Green (cooperative) and Pomeroy West (condominium) not to mention the other cooperative, Twin Pines, and the other apartments that are on Pomeroy Avenue.

Their are plenty of single-family housing options in the neighborhood already, we do not need more of them.

4. The CC&Rs for the new development may be minimal and may be ignored by those residents.

The single-family homes on their individual lots proposed by the developer will most likely lend itself to limited CC&Rs that have few policies restricting the activities of the residents.

Mr. Steve Le
proposed development, 1075 Pomeroy Avenue
September 20, 2017

That may reduce the quality of the environment for existing residents in the surrounding multi-unit housing (e.g., noise coming from the garages, landscape and building maintenance noise, pet noise). Those activities are more tolerated in a neighborhood that has the same type of ownership pattern (single-family home tracts) where single-family detached home owners expect to be allowed to engage in those activities. The complexes are just too close in proximity and too different in their respective policies and expectation for them to be successful; they certainly don't complement each other.

The CC&Rs may be ignored by those new residents in the proposed development. The CC&Rs may be unenforceable by the other members of that new community because of the individual nature of ownership; those other members probably will have to take the offender to court. This differs sharply from the legal powers of cooperatives, like Pomeroy Green; when their members violate policies, the cooperative can fine the offender or require the offender to leave the complex.

Residents of Pomeroy Green will most likely have to tolerate activities occurring in the proposed development, due to the lack of strict CC&Rs or due to the lack of enforcement, that are prohibited in Pomeroy Green. Again, the complexes are just too close in proximity and will be too different in their respective policies and expectations for them to be successful; they certainly don't complement each other. I predict there will be conflicts that may be unsolvable between the residents of the proposed development and the residents surrounding Pomeroy Green due to some of the concerns I mentioned above.

5. Loss of privacy due to the windows of new development, particularly those on the second floor, facing existing dwelling units to the south of the project site (Pomeroy Green building "Q") as well as overlooking the backyards in the building "Q".

6. According to the MND, the rear and side yards would be finished with bark mulch, leaving landscaping up to the individual future home owners. Because the 1075 Pomeroy property will be subdivided into four lots and those yards on those lots, which represent most of the landscaping on that 1075 property, will be maintained by each owner separately and the level of maintenance may be variable, of various levels of upkeep, and may be subjecting the residents of the surrounding properties (Pomeroy Green and Pomeroy West) to additional noise from maintenance operations being conducted on four rather than the one owner/landscape company. In other words, the landscaping on those four 1075 Pomeroy lots may become run down and/or maintenance will be conducted separately on four different days creating a constant buzz of landscape maintenance activity.

As you can see, I have described many problems this proposed development will create for Pomeroy Green and the surrounding neighborhood. Please deny the developer's request to change the zoning from R3-18D (multi-unit housing zoning) to Planned Development (PD) for the 1075 Pomeroy Avenue

Mr. Steve Le
proposed development, 1075 Pomeroy Avenue
September 20, 2017

property. I would like to see a new design that is compatible with the existing community that surrounds the proposed development, has the correct front setback, addresses noise and privacy issues and whose architectural aesthetic is sympathetic to the surrounding Eichler mid-century modern designed complexes, Pomeroy green and Pomeroy West.

Thank you for taking the time to review and consider my requests.

Sincerely,

Ken Kratz
resident, Pomeroy Green Cooperative
Pomeroy Green building "Q"

attachments:

Pomeroy Green site plan
City of Sunnyvale "Eichler Design Guidelines" (two pages)

Subject:

FW: Developer's Proposal for 1075 Pomeroy

From: Bobby Asmar [<mailto:robertasmar@gmail.com>]**Sent:** Tuesday, May 02, 2017 11:34 AM**To:** PlanningCommission**Subject:** Re: Developer's Proposal for 1075 Pomeroy

Dear Planning Commissioners,

I see that Mr. Maharmat wants the city to rezone his property, which is surrounded on all sides by our Eichler townhouses, for more intense development than the current zoning permits. I hope you will deny him this rezone, for the following reasons:

- 1) His planned elevation would permit his new homes second-story windows that abut our mutual property lines, destroying the privacy of his neighbors.
 - 2) If built, there will be a minimum of 8 cars turning onto Pomeroy Avenue during rush hour. Those turning left to get to Benton will tie up traffic - the address is very close to the intersection of Pomeroy and Benton. And of course many children in this area walk to and from Pomeroy Elementary School - the City paid a lot of money for traffic calming on that very corner some years ago, so that the kids could get to school safely.
 - 3) There are too many homes, with too little parking, for the area. Mr. Maharmat proposes 4 four-bedroom homes, each with a 2-car garage, with two visitor parking spaces shared among all four homes. As the Planning Commission knows from our previous communications on this topic, parking is scarce in this neighborhood. There is no guest parking in Pomeroy Green (which surrounds 1075 Pomeroy) or in Pomeroy West across the street. Each unit in these two complexes has one carport and one assigned internal parking spot. Guests park on the street, as do any vehicles in excess of two per unit.
- Trash night is already challenging in this area, as garbage cans have to be on the curb for pickup, and thus already compete for street parking. Community Cleanup is a nightmare for parking. We lost 6 street parking spaces a few years ago when the northeast corner of Benton and Pomeroy was modified for traffic calming.
- As you know, four-bedroom homes are difficult to afford in this area, and many people sublet one or more of their bedrooms - to somebody with another car. In addition, homes with adolescent and grown children often need more than two cars so that everyone can get to school or work.
- So while it may seem that ten parking spaces (4 double garages + 2 guest spaces) is enough for 1075 Pomeroy, they will be inadequate. Shortly after these four homes are sold we can anticipate the need for at least 4 more street parking spaces, even if no guest ever visits the new owners.
- 4) The quality of life is declining in this area already, as our peace is shattered by maniacs driving too fast on Pomeroy and Benton (and even Alpine, despite the horrible road condition) from their new apartments on El Camino and Kaiser Drive. There are construction trucks roaring along Benton all day long, and young dudes with howling motors racing on El Camino late at night. It would be nice if the Planning Commission would act against further degradation of our standard of living; after all, the existing homeowners purchased their places, and paid their taxes, on the understanding that this area was NOT slated for higher-density development.

Thanks for your consideration,

Robert Asmar
3377 Benton St, 95051

Subject:

FW: Concerns over re-zoning request on Benton and Pomeroy

From: Jean L [mailto:jeanisys@gmail.com]**Sent:** Tuesday, May 09, 2017 10:50 PM**To:** PlanningCommission; Mayor and Council**Subject:** Concerns over re-zoning request on Benton and Pomeroy

Dear Planning Commissioners, Mayor, and City Council Members,

I am writing to kindly request your denial of a re-zoning request submitted by Mr. Maharmat, who seeks to change our local zoning ordinance to benefit his own development over the safety of our neighborhood and school.

I am an almost 5 year citizen of Santa Clara, born and raised in neighboring San Jose, but lived/worked/studied around the world. I have returned home to Silicon Valley with the skills I have gained throughout my journey, and have chosen Santa Clara to be my city, where my husband and I are raising our two daughters.

This Fall, my older daughter will be starting Kindergarten at Pomeroy Elementary School, which is diagonally across from Mr. Maharmat's new development request. The traffic in that area is already very intense during school pick up and drop off hours, with some neighbors trying to drop off kids and others trying to get to work.

He is requesting to re-zone to a higher density than the existing zoning ordinance, very close to an elementary school, in a neighborhood that is already scarce in parking. The two townhouse complexes by his development already don't have guest parking and utilizes local street parking for guests/family with more than 2 vehicles.

His request makes me highly apprehensive of the additional traffic and risk that local students and my own daughter might face just trying to get to/from school. I feel his development is too close to a school where young children travel to/from daily. Reiterating a statement my neighbor shared with me, "The City paid a lot of money for traffic calming on that very corner some years ago, so that the kids could get to school safely." In addition, around the corner not far away, we have the traffic that goes in/out of Santa Clara High School.

Finally, I would like to mention that we live within one of these townhouse complexes (one of the rare Eichler townhouse developments in the country) that Mr. Maharmat's re-zone request would permanently deface.

Mr. Maharmat purchased a ranch house right beside our Eichler townhouse community a couple years ago. From my knowledge, the original owners of that ranch house sold their orchard to Joseph Eichler so that he might build affordable housing for the common citizen, but in such a way that enhances their day to day lives and keeps their connection to the outside even when they are inside, as Joseph Eichler once had the fortune to experience, while living in a rental built by Frank Lloyd Wright. It left a deep impression on him. (More on Joe Eichler here if interested.)

These two Eichler townhouse developments are the *only* Eichler developments that the City of Santa Clara has. Eichler homes are a symbol of Silicon Valley and of California (though there are some in the East Coast). Eichler townhomes are even more rare. Many of the residents here appreciate and understand the utopian, natural yet humble-living vision that Eichler had. We have even preserved a copy of the original Sales Brochure from 1961 (<http://pomeroygreen.org/node/35>). Surrounding these two Eichler developments, are other mid-century modern style homes built by Mackay, McKeller and others.

Silicon Valley has been forward-looking... and not just in the tech sector (HP in 1939, Apple in 1976) but also in the housing sector by Joseph Eichler beginning in the late 1940s with his mid-century modern utopian designs by famous architects Claude Oakland and Anshen & Allen. I remember growing up, as a little girl, in San Jose where friends of my parents (also engineers) would take me to go shopping at Fry's on the weekend so that I could build my own 486 machine, and then my own Intel Pentium machine logging online with my 14.4k baud modem. These Eichler homes make sense, especially so to those who have an affinity with technology.

I hope for your consideration in allowing Mr. Marhamat's development **at our current zoning ordinance**, so that he may complete his development, in harmony with the community and whilst maintaining the safety of our school children.

Thank you for your time and consideration.

Sincerely,

Jeanine Lee
3257 Benton St. Santa Clara CA 95051

P.S. Here is a letter mentioning Pomeroy Green from 1970.

$$10 \frac{1}{2} \times 10 \frac{1}{2} \times 5 \frac{1}{2}$$

$\frac{1}{2} \left(\frac{1}{2} \right) = \frac{1}{4}$

Mr. Joseph Melton
206 E. G. Darling Building
111 New Montgomery
San Francisco, California

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Accordingly, after some 100 or 150 minutes and a few days' exposure of the material to the mercury lamp, the film, including all the particles of the very fine droplets, should be in a state of complete darkness. It is important to note that the film should be in a state of complete darkness, with no light or no exposure by the light, so that the film is in a state of complete darkness.

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You will be pleased to hear that America's working class is a thriving, vigorous and rising force in the development. The 50 cities are filled on there in a rising tide.

Now, having tried and found Cooperative Banking a satisfactory way of life we would like to make it into a commitment. Would you be kind enough to put it in writing for the day to which you desire to commit your life in Cooperative Way or another way.

Mr. Carl Miller
1007 Highway Avenue
Santa Clara, California 95050

Spencer-Smith