

SANTA CLARA CITY COUNCIL WRITTEN PETITION

**OPPOSING BUILDING A 10' CMU WALL
FOR 3200 SCOT PROJECT**

NEWNEX

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WHY WE OPPOSE BUILDING THE WALL?

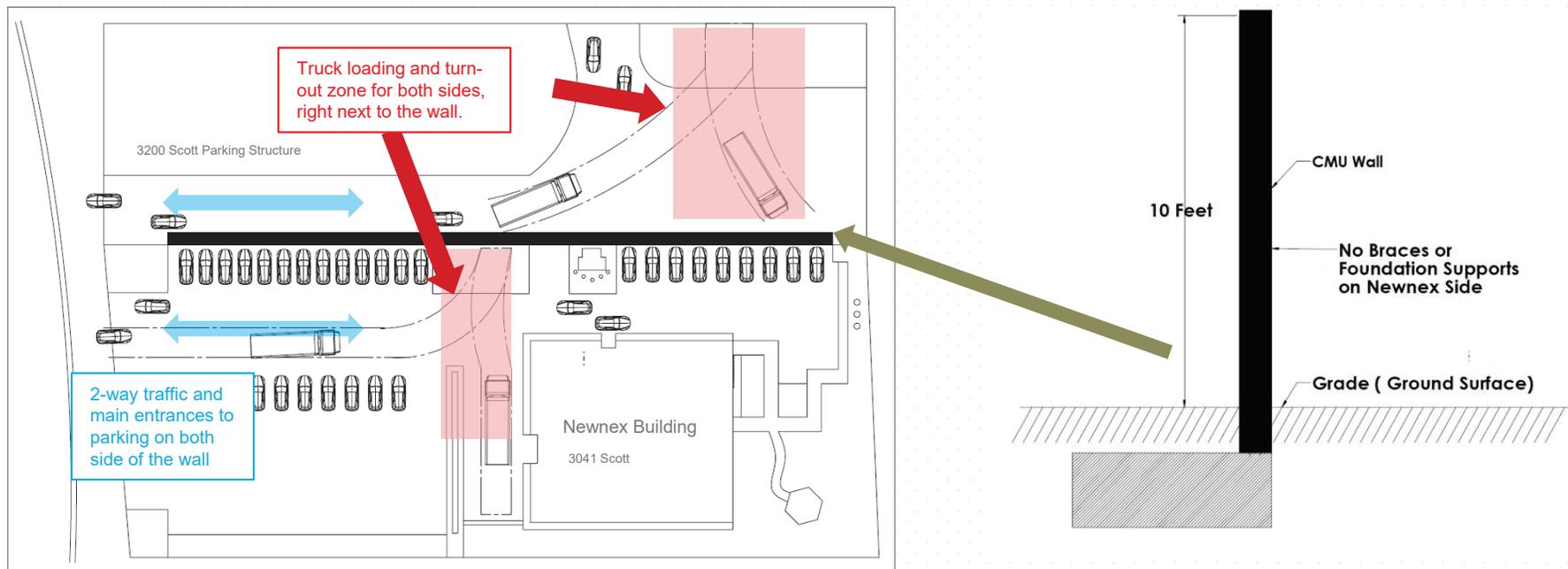
The developer of 3200 Scott construction project is to build a **10' CMU concrete wall** along Newnex property line at 3041 Olcott Street.

We oppose building such a wall for the following reasons:

1. **Serious threat to public safety**
2. **High voltage transmitter within keep-out zone**
3. **Infringe Newnex property space and Violate Santa Clara city parking regulation code**
4. **Inconsistent with community fencing coherence**
5. **Not In Compliance with Santa Clara city fencing code**

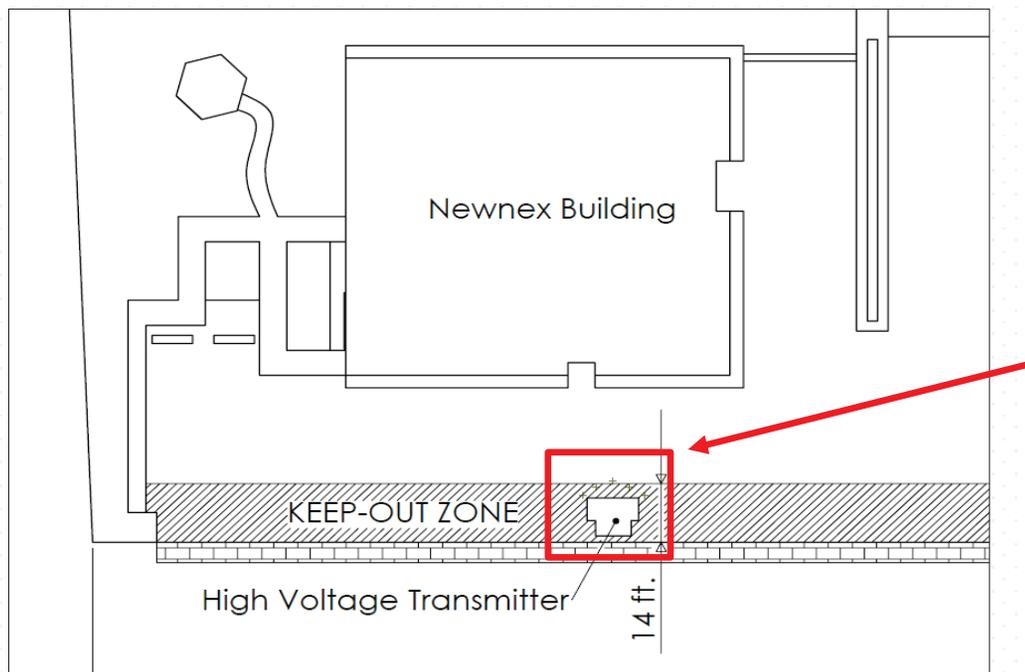
1. SERIOUS THREAT TO PUBLIC SAFETY

The 10 ft. wall would be easily fall on to either side of the property line due to accidents such as truck crashes or caused by earthquake. It is particularly vulnerable to Newnex's drive way since no foundation or brace supports on Newnex side for the 10' wall.



2. HIGH VOLTAGE TRANSMITTER WITHIN KEEP-OUT ZONE

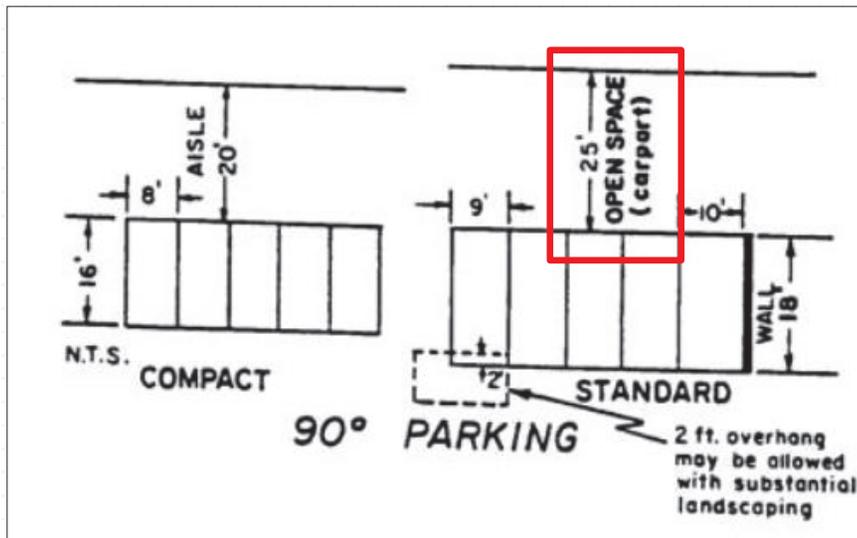
If the wall falls onto our side it would damage the **high voltage transmitter** of the city which is located on the easement zone right next to the property line on Newnex side. That is also a serious public safety threat.



3. INFRINGE NEWNEX PROPERTY SPACE

Ref: Santa Clara City Code, Ch. 18.74 Parking Regulations

<https://www.codepublishing.com/CA/SantaClara/#!/SantaClara18/SantaClara1874.html#18.74>

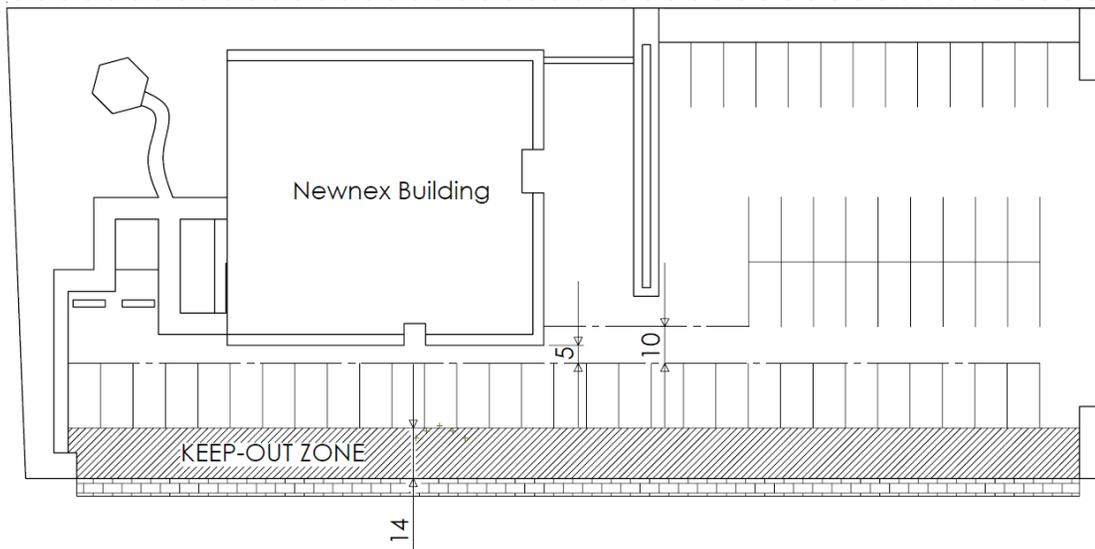


The City Code parking regulation requires a 25' open space from the 90° parking to a building or additional parking in order to make room for a 2-way traffic.

The current Newnex parking spaces are following this regulation.

3. INFRINGE NEWNEX PROPERTY SPACE

If the wall were built, the **keep-out zone (min. 14': wall height + 4')** will have to be set back the parking space along the property line, which results in a 5' only open spacing between the building and the parking, not only violating the **city parking regulation*** which requires 25' open space but resulting **29 out of 66 (44%)** of our current parking spaces can no longer be used at all.



*Santa Clara City Code, Ch. 18.74 Parking Regulations
<https://www.codepublishing.com/CA/SantaClara/#/SantaClara18/SantaClara1874.html#18.74>



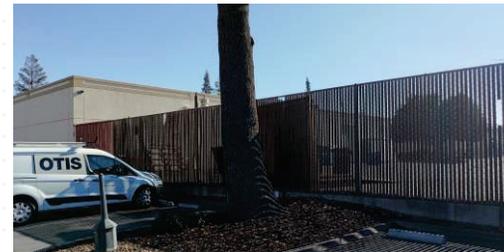
Project Rendering shared by 3200 Scott construction developer with Newnex on 11/18/2017. It appears Developer was aware of this keep-out zone issue.

4. INCONSISTENT WITH COMMUNITY FENCING COHERENCE

Building a 10' CMU wall will destroy the bordering continuity and coherence of the business community since there are no any 10' concrete walls built in the immediate neighborhood.



1 Newnex south neighbor: Bushes and Trees



2 West side neighbor of Project: Chain Style



3 West side of Newnex Chain Style



4 Northwest side neighbors of Project: Bushes

5. NOT IN COMPLIANCE WITH SANTA CLARA CITY CODE

Santa Clara city code: no fence can be over 6' except swimming pool fence which has maximum height of 8'. Building a 10' concrete wall along our property line is unnecessary and a poor idea for neighborhood harmony.

Ref: Santa Clara City Code, Ch. 18.64 Special Height Regulations

<https://www.codepublishing.com/CA/SantaClara/#!/SantaClara18/SantaClara1864.html#18.64.040>