

To: City of Santa Clara Planning Commission
Project: 2892 Mesquite Dr, File Number 25-1682, PLN25-00295

Appellant: Sorin Spanoche and Andrea Cosmin
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Date: 02/16/2025

Subject: Appeal of Conditional Approval – Request to Clarify and Make Enforceable Conditions P3 and P4

Dear Commission members,

Thank you for your time and consideration for our appeal.

We have filed this appeal to the Conditional approval for the Architectural Review for 2892 Mesquite Dr / File No. 25-1682, approved on 12/10/2025, **requesting measurable criteria to be defined for P3 and P4, including how sight line preservation will be measured and what front and lateral setbacks should be used.**

We are immediately adjacent property owners and participate in the public process. We own our home since June 2003 and we have no other real estate properties.

We are not appealing to block the overall project. We are appealing because the project approval depends on Conditions P3 and P4 to mitigate the project's massing and visibility impact, yet those conditions are not defined with measurable standards.

As our lots are irregular, and the neighboring lot extends towards the front of our house. Applying the standards for rectangular lots is not appropriate. Our front yards are narrow, but there is bigger space in the back allowing for extensions without impacting on neighbors.

The plan of the neighborhood and how the houses were originally built ensure that all homes have appropriate opening towards the street, without obstructions from neighboring buildings.

The City's required Architectural Review findings include that the design and location of the project **"will not unreasonably interfere with the use and enjoyment of neighboring developments" and is consistent with neighborhood character.**

Conditions P3 and P4 were presented as the key mitigation mechanisms for the very impacts we raised (sight line/openness and privacy/visibility).

1) Condition P3 is vague and lacks a measurable compliance standard

P3 requires the guest bedroom to "adhere to the prevailing development pattern... by reducing the footprint... providing a greater front and side setback... [and] preserve the existing sight line."

However, the approval does not define:

- the target setback plane or a numeric setback requirement,
- what constitutes "prevailing development pattern,"
- what "preserve the existing sight line" means as an objective standard, or
- how compliance will be demonstrated and verified (e.g., specific plan-view diagrams, fixed reference points, sight line corridor definition).

As written, P3 is open to interpretation and invites disputes at plan check and inspection, precisely where neighbors have the least visibility into what is being approved and how it is being implemented.

Following our appeal submission, the applicant submitted updated plans (dated January 18, 2026, that we received from the planner on February 3, upon our request) that confirm our concerns.

The 1 ft retraction from the front includes the removal of the bay window, that wasn't even part of the concerns that we have raised and is immaterial to addressing sight line concerns.

2) Condition P4 can undermine P3 without constraints or interpretive guidance

P4 requires hedges/bushes and contemplates front/side landscape elements.

Without objective limits (height/opacity/location), these elements can create additional sight line obstruction and negate P3's intent, yet the approval does not clarify how P3 controls if conflicts arise.

The updated plans include a 6+1ft fence, extending far to the front, **22 feet** from the end of the existing fence, that is there since we purchased our home.

This creates even worse blockage of the front of our house and the windows of the main front rooms.

3) The addition of an extra AC unit is also included in the current plans.

The current (and additional AC unit) are located adjacent to our home's bedrooms. The current one is creating a noisy environment in our home. The addition of a second AC unit adjacent to our bedrooms would materially increase noise exposure. We request a mitigation plan to ensure noise remains compatible with neighboring use prior to final approval.

Requested relief

We respectfully request that the following items shall be addressed:

- Clarification of P3 with objective, measurable setback and sight line criteria (including how "prevailing development pattern" and "preserve sight line" will be measured).
- Clarification of P4 so that landscaping/fencing cannot negate the sight line preservation required by P3.
- Applicant's plan to be revised to demonstrate compliance with the clarified conditions prior to final approval.
- Any new tall fence may only replace the existing fence in its current location.
- Applicant to submit noise mitigation plan for additional AC unit prior to approval.

Thank you for your consideration.

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Exhibit A: Projected sight line diagrams submitted with our previous public comments (2025)

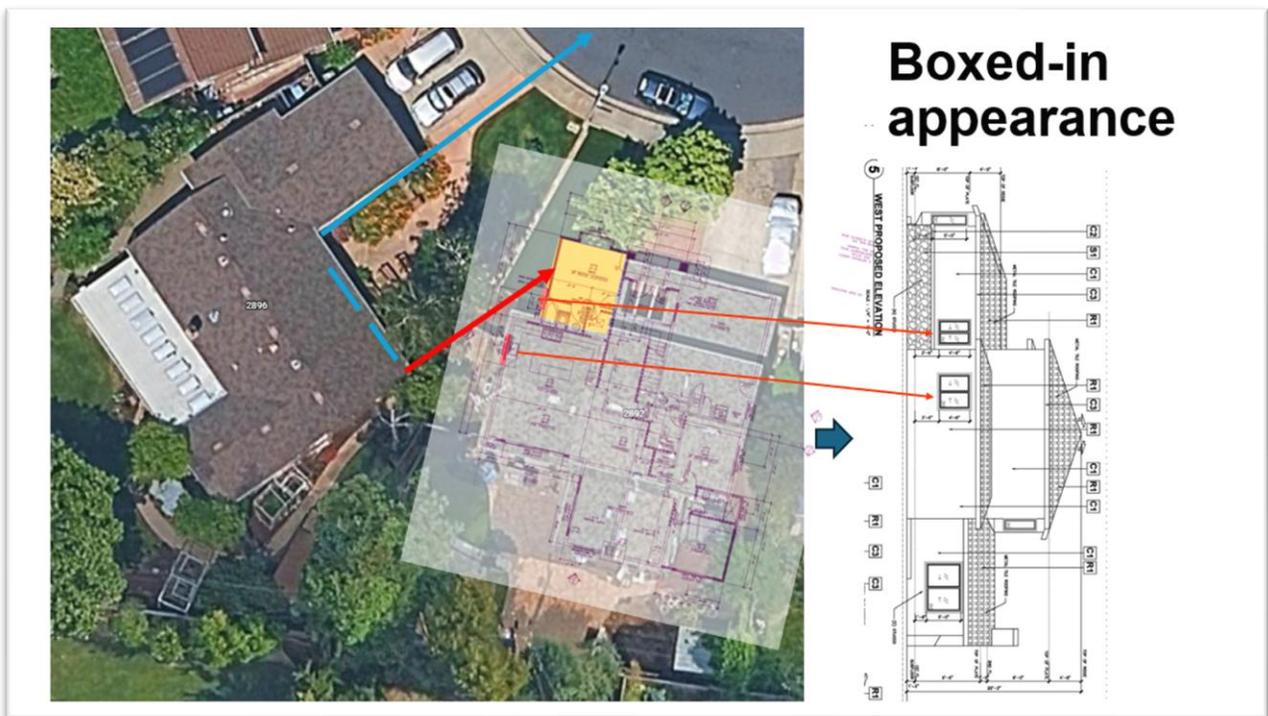


Exhibit B: Updated plan sight line impacts

Current view (Google Earth rendering)



We added 2D/3D project data from the updated project and rendered the data together with the 3D building data from Google Earth.

Sight line Photos with current structure.

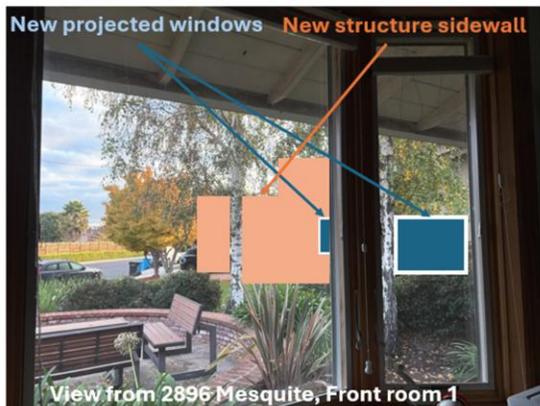


New plan proposed construction (1/8/2026)



Negligible change from the previous P3/P4 non-compliant proposal.
Sight line is as impacted as in the old plan.

**Boxed-in appearance.
Photos with new extension simple rendering**



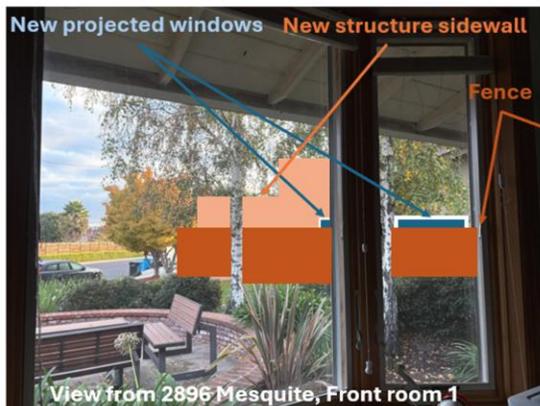
This new appearance would diminish the enjoyment of our home and lower its value and desirability.

New plan with additional tall fence 1/8/2026



New proposed fence in front of the current fence line **impacts even more** the sight line.
The new plan raises a tall fence literally in front of our home!

**Boxed-in appearance.
Photos with new extension and new fence
simple rendering**



This new appearance would further diminish the enjoyment of our home and lower its value and desirability.

Preserve Front Yard Sight Lines

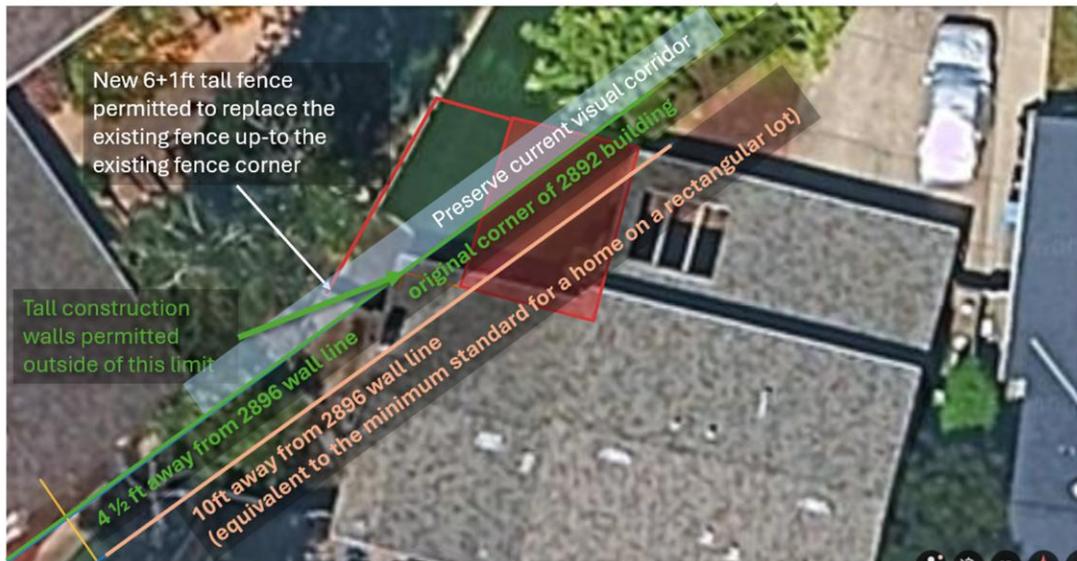


Exhibit C: Previous correspondence.

<https://santaclara.legistar.com/View.ashx?M=F&ID=15025435&GUID=33A203DA-A6DD-4D82-B1E0-EBDF4F1B4BA5>