



## Agenda Report

24-1140

Agenda Date: 12/11/2024

### REPORT TO DEVELOPMENT REVIEW HEARING

#### SUBJECT

PUBLIC HEARING: Action on the Architectural Review (PLN24-00034) for the Demolition of an Existing Single-Family Residence and the Construction of Six New Single-Family Detached Residences, of Approximately 2,772 Square Feet with One Affordable Unit at the Moderate Level of Affordability, Subject to SB 330 Located at 4503 Cheeney Street.

**File No.:** PLN24-00034

**Location:** 4503 Cheeney, a 18,651 square-foot lot located on the east side of Cheeney Street, on the corner of Cheeney Street and Third Street; APN: 104-09-034;

**General Plan:** Low Density Residential (8-19 DU/AC)

**Zoned:** Low Density Residential (R2)

**Applicant:** Jeff Aguilar

**Owner:** Kathleen Daudistel Trustee & Et Al

**Request:** **Architectural Review** - Demolition of an existing single-family residence and the construction of six new single family detached residences, of approximately 2,772 square feet with one affordable unit at the moderate level of affordability, subject to SB 330 located at 4503 Cheeney Street.

#### PROJECT DATA

The Project Data and Compliance Table is included as Attachment 2.

#### POINTS FOR CONSIDERATION

- The proposed project is in a residential tract consisting of both one- and two-story residences with a mixture of detached single family and attached single family homes. See Vicinity Map in Attachment 1.
- The site currently has a single-family home (built circa 1963) that will be removed to incorporate the six new residences.
- Per the Santa Clara City Code (SCCC) 18.120.020.D2 & 3, the request requires Architectural Review approval through Development Review Hearing.
- The project proposes six new single family detached residences, each being approximately 2,772 square feet consisting of two car garages of 410 square feet, and three bedrooms and two- and one-half bathrooms.
- Direct vehicular access for the 0.44-acre lot would be from Third Street with a single driveway for the six residences. Solid Waste service for the site would be achieved with individual bins placed curbside along Third Street during service days.
- The project proposes a contemporary architectural design that appears to be in harmony with

the existing character of the neighborhood, with horizontal lap siding, stucco, box windows, and prominent entryways for two residences abutting Third Street. All roofs are hip style to reduce the massing of the structures.

- The project proposes an affordable unit, which is consistent with the City's Affordable Housing Ordinance and allows the applicant to use State density bonus law to seek waivers from the SCCC. After working with the City to reduce the extent of the waivers, the applicant and the City agreed to three waivers for: front yard setbacks, rear yard setbacks, and building coverage.
- Pursuant to the density bonus law, the applicant is also entitled to one concession for the affordable housing project, the applicant has chosen to use that concession for the corner side yard fence height to maintain a six-foot height within a required setback where only a three-foot fence would be permitted.
- The project has been submitted under Senate Bill (SB) 330 (2019) and later SB 8 (2022), which allows a project to move forward if it complies with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the application was deemed complete. The applicant has worked with the City to create a design that is in harmony with the surrounding neighborhood and abides by the spirit of the 2014 Design Guidelines for Single-Family and Duplexes.
- The proposed project meets the required finding set forth in SCCC Chapter 18.120.
- There are no active City code enforcement cases for this property.
- A Community Meeting was held for the project on 11/13/2024, about eight members of the public were in attendance. The overall comment from the public was a concern regarding on-street parking.
- A neighborhood notice was distributed within a 500-foot radius of the subject site for this project review.

### **FINDINGS SUPPORTING STAFF'S RECOMMENDATION**

Granting the Architectural Review approval requires the following findings consistent with the City Code Section 18.120.020(F):

- 1) *That any off-street parking area, screening strips, and other facilities and improvements necessary to secure the purpose and intent of this title and the general plan of the City area a part of the proposed development, in that:*
  - Each unit will have a two-car garage which will provides the Code required two covered parking spaces for each residence. Per SCCC, each garage should maintain an unobstructed 17'x17' space for parking. As conditioned, the project would require that each garage be used for parking vehicles and not only for storage.
  - The required parking spaces are not located in the required front yard or side yard landscaped areas.
  - The proposed project provides areas surfaced with all-weather materials of parking vehicles.
- 2) *That the design and location of the proposed development and its relation to neighboring developments and traffic is such that it will not impair the desirability of investment or occupation in the neighborhood, will not unreasonably interfere with the use and enjoyment of*

*neighboring developments, and will not create traffic congestion or hazard, in that:*

- The proposed residence would add an additional five residences to the property which should not create substantive traffic congestion or hazards.
  - Public streets, including Cheeney Street and Third Street, are adequate in size and design to serve the proposed residences, and the use will not create a substantive increase in traffic.
- 3) *That the design and location of the proposed development is such that it is in keeping with the character of the neighborhood and is such as not to be detrimental to the harmonious development contemplated by this title and the general plan of the City, in that:*
- The proposed project is consistent with the surrounding character of the neighborhood by including such architectural elements as box windows clad in painted accent panels, a combination of eight-inch horizontal lap siding and stucco materials, standing seam roofing on the entryways, and asphalt shingle roofing.
    - The architectural features of the proposed design are true to the architectural form and appropriate for the neighborhood.
    - The proposed project is consistent with the scale and design found in the existing surrounding neighborhoods.
- 4) *That the granting of such approval will not, under the circumstances of the particular case, materially affect adversely the health, comfort or general welfare of persons residing or working in the neighborhood of said development, and will not be materially detrimental to the public welfare or injuries to property or improvements in said neighborhood, in that:*
- The project is subject to the California Building Code and City Code requirements, which serve to regulate new construction to protect public health, safety, and general welfare.
- 5) *That the proposed development, as set forth in the plans and drawings, are consistent with the set of more detailed policies and criteria for architectural review as approved and updated from time to time by the City Council, which set shall be maintained in the planning division office. The policies and criteria so approved shall be fully effective and operative to the same extent as if written into and made a part of this title, in that:*
- The proposed development is consistent with the objective standards set forth in the General Plan and Zoning Code, and with the waivers and concession, comply with the R2 zoning district's development standards.

### **CONDITIONS OF APPROVAL**

Conditions of approval are proposed for the project and are contained in Attachment 3.

### **ENVIRONMENTAL REVIEW**

The action being considered is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 (Class 32 - In-Fill Development Projects), in that the proposed project meets the following conditions:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air

quality, or water quality.

(e) The site can be adequately served by all required utilities and public services.

### **PUBLIC CONTACT**

Public contact was made by posting the Development Review Hearing agenda on the City's official notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

A public hearing notice was mailed to property owners within a 500-foot radius of the project site on November 27, 2024. As of the writing of this report, planning staff has not received public comments for this application.

### **RECOMMENDATION**

**Determine** the project to be categorically exempt from the California Environmental Quality Act (CEQA) formal pursuant to CEQA Guidelines Section 15332 (Class 32 - In-Fill Development Projects) and **Approve** the demolition of an existing single-family residence and the construction of six new single family detached residences, of approximately- 2,772 square feet with one affordable unit at the moderate level of affordability, located at 4503 Cheeney Street, subject to findings and conditions of approval.

Prepared by: Daniel Sobczak, Associate Planner, Community Development Department

Approved by: Sheldon S. Ah Sing, Development Review Officer, Community Development Department

### **ATTACHMENTS**

1. Vicinity Map
2. Project Data and Compliance Table
3. Conditions of Approval
4. Development Plans