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October 23, 2017

Hon. Mayor and Council Members
City of Santa Clara

I respectfully request that the Council recommend approval for the rezoning to a Planned Development (PD), and a Mitigated Negative Declaration (MND) for the property located at [1075 Pomeroy Avenue, Santa Clara](#), in order to construct four single-family homes on an underutilized lot.

On September 27th, following public testimony, the Planning Commission adopted resolutions recommending the City Council adopt the MND and the Mitigation Monitoring Reporting Program (MMRP) requesting rezoning from R3-18D to PD, in conformance with the development plans, and subject to the conditions of approval contained in the staff report, including four additional recommended conditions which are addressed by the CC&Rs.

BACKGROUND

As the applicant, I have been working with the Planning staff, neighbors, outside agencies and consultants since 2013. I have worked to address previous feedback from the Council, the Planning Commission, Planning staff, and neighbors (five outreach meetings) since an earlier five unit proposal was denied. The four unit proposal is the result of a lengthy process of refinement that addresses the concerns of the City and the neighbors.

Included are:

1. A reduction and redesign from 5 to 4 units;
2. A reduction in height from the allowable 25' to 20' - 24'-9";
(The majority of the roof is 20' and the 24'9" height occurs only at the edge of the pitched roof. The 20' height faces adjacent neighbors, while the 24'9" height faces the inner court)
3. An increase in landscaping to 40% allowable and a fence height of 7', plus a 1' lattice top;
4. Preparation for electric car charging access in each garage;
5. The following of the City's guidelines for Boulevard standards;
(we are requesting they be omitted because of neighbors' requests)
6. A comprehensive Shadow Study which shows no significant impact to neighbors.

PROPOSAL

To construct four single-family detached residences with two-car enclosed garages and two extra guest parking spaces. Building layout and design are consistent in mass and scale with the neighborhood. The design is a contemporary interpretation of the mid-century modern design of the surrounding Eichler structures. The project proposes the use of the highest quality available building materials with a color scheme that compliments the surroundings. Drought tolerant plant material will be used throughout the project.

It is understood that the Architectural Review Committee will review the design.

CONDITION	ALLOWABLE	PROPOSED
Units/Acre	8-19	14
Building Height	25'	20'-24'9"
Setbacks Sides:	10'	10'
Rear:	15'	15'
Front:	20'	15' - 19'
Landscaping	40%	40%
Parking:	2 per unit (8 total)	2 per unit (8 total)
Guest Parking:	0.8 (1)	2

BENEFITS

1. The development of an underutilized lot.
2. An addition to the housing stock.
3. An approximate \$109,000 park fee for park development.
4. Approximately \$30,000 in School District fees.
5. Additional property assessments, taxes, and individual home ownership.
6. Additional street parking for one to two vehicles as the result of one ingress/egress driveway vs the existing two.

COVENANTS, CONDITIONS & RESTRICTIONS, DRIVEWAY MAINTENANCE AGREEMENT

Conditions are to be prepared by an attorney, and are included in a separate listing per the Planning Commission's recommendation.

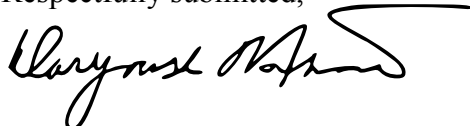
The CC&R restrictions are to be enforced by Civil Law by the resident occupants, so that if one neighbor violates the conditions, the others can sue the violator who will be liable for damages and attorney fees.

The project will follow the City's CC&R guidelines and requirements.

At the Planning Commission meeting on September 27th, in conformance with the development plans, subject to the conditions of approval contained in the staff report, The Planning Commission adopted resolutions include the following recommended conditions:

1. CC&Rs shall include fines for not using garages as parking spaces for vehicles;
2. CC&Rs shall include fines for not keeping the garages free of clutter for two parking spaces;
3. CC&Rs shall include an installation of a parking sign with time limitation for guest parking; and
4. CC&Rs shall include fines for over staying in the guest parking spaces.

Respectfully submitted,



Daryoush Marhamat,
Property Owner
[1075 Pomeroy Avenue](#)
[Santa Clara, CA](#)