



**Date:** January 6, 2015

**To:** City Manager for Council Action

**From:** Director of Planning and Inspection

**Subject:** Appeal of a Planning Commission Denial of a Project Located at 1593 Lexington Street

**EXECUTIVE SUMMARY:**

This is an appeal of a Planning Commission action to deny a design review application for the conversion of a basement into habitable living space on a single-family residence at 1593 Lexington Street. The basement conversion could result in a potential for ten bedrooms and seven baths throughout the home. Pursuant to SCCC Sec. 18.76.020(h), the project is referred to the City Council for action following an appeal of a Planning Commission decision.

The project applicant was initially contacted by the Planning & Inspection Department following a complaint of work being performed within the basement of the house without a building permit. This has been an ongoing case since about late 2007. Inspection records indicate that rooms had been constructed by someone in the basement in the past and that there were multiple kitchen arrangements in the house. The applicant's proposal today is to rectify the multiple unit conditions within the residence, returning it to single family status, but to raise the central portion of the house by 16 inches in order to make the current basement area meet habitable floor-to-ceiling height and then construct rooms within that space. This would alter some exterior elements. Staff had made the initial determination that these changes were not significant adverse alterations, but the Historical and Landmarks Commission did not concur with that recommendation. The proposed new garage and accessory unit in the rear is permitted under the current R1-6L zoning insofar as the lot exceeds 11,000 square feet in area.

Since a professional historical evaluation done in 2013 determined that the property is eligible for historic listing, the proposal was reviewed by the Historic & Landmarks Commission (HLC) in accordance with General Plan policies. The HLC reviewed the proposal on February 6, 2014. Following public comment and a discussion, the HLC unanimously voted to recommend denial of the proposal on the basis that the scope of work, which proposed significant changes to the interior and exterior of the building, was not compatible with other historic resources throughout the neighborhood. Since the HLC is an advisory body to staff, the Zoning Administrator denied the application on February 27, 2014 on the basis that the project was not in compliance with the Secretary of the Interior Standards for Rehabilitation.

The applicant appealed the Zoning Administrator denial to the Planning Commission, where it was heard at its March 12, 2014 meeting. Following public comment and a discussion, the Planning Commission upheld the Zoning Administrator's action and denied the project. The meeting minutes, staff reports and development plans from the February 6, 2014 HLC and March 12, 2014 Planning Commission meetings are attached for reference.

On March 19, 2014, the applicant filed a timely appeal of the Planning Commission meeting, and on March 25, 2014, the City Council set a public hearing for June 10, 2014, to consider the appeal. The public hearing

date was subsequently moved from June 10, 2014 to the agenda of August 25, 2014. The Council continued the project at the request of the applicant and it has been posted for public hearing on January 13, 2015.

**ADVANTAGES AND DISADVANTAGES OF ISSUE:**

As proposed, the basement conversion and exterior alterations are found to not be compatible with the Secretary of the Interior Standards for Rehabilitation or the context of the surrounding historic neighborhood. Upholding the Planning Commission's March 12, 2014 action to deny the project will mean the applicant will need to work with staff on a revised application that complies with the Secretary of the Interior Standards for Rehabilitation. These changes may include, but are not limited to:

- Maintaining the existing height of the building by not pursuing habitable space in the basement, or by excavating any proposed habitable space;
- Limiting new exterior openings and alterations to a minimum; and
- Minimizing the reconfiguration of interior space that is not original to the building.

**ECONOMIC/FISCAL IMPACT:**

There is no cost to the City other than administrative staff time and expense.

**RECOMMENDATION:**

That the Council:

1. Adopt a resolution to uphold the Planning Commission action to deny a design review application to convert a basement into habitable living space; and
2. Direct staff to work with the applicant on a revised design review application



Kevin L. Riley

Director of Planning and Inspection

APPROVED:



Julio J. Fuentes

City Manager

***Documents Related to this Report:***

- 1) *City Council Resolution Upholding Planning Commission Action*
- 2) *City Council Agenda Report Dated March 21, 2014*
- 3) *Appeal Form and Appeal Letter*
- 4) *Planning Commission Meeting Minutes Dated March 12, 2014*
- 5) *Planning Commission Staff Report Dated March 12, 2014*
- 6) *Historic & Landmarks Commission Meeting Minutes Dated February 6, 2014*
- 7) *Historic & Landmarks Commission Staff Report Dated February 6, 2014*
- 8) *Secretary of the Interior Standards for Rehabilitation*
- 9) *Correspondence*
- 10) *Development Plans*
- 11) *Historical Evaluation for 1593 Lexington Street Dated May 21, 2013*

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY OF SANTA CLARA,  
CALIFORNIA, TO UPHOLD A PLANNING COMMISSION  
ACTION DENYING A FULL BASEMENT CONVERSION  
AT 1593 LEXINGTON STREET, SANTA CLARA, CA**

PLN2013-09691 (Single Family Residential Addition)

**BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

**WHEREAS**, on February 15, 2013, Fawzy Ismail (“Applicant”) submitted an application for a basement conversion to an existing single-story house and second living unit located at 1593 Lexington Street (“Project Site”);

**WHEREAS**, the applicant requests to convert approximately 1,286 square feet of unfinished basement area and construct a new 637 square-foot second living unit (“Project”) as shown on the Development Plans (Exhibit “Plans”);

**WHEREAS**, the Project is located in the General Plan land use designation of Very Low Density Residential and in the R3-36D (Medium Density Multiple Dwelling) Zoning District;

**WHEREAS**, the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) per guidelines section 15303 (Class 3 – New Construction or Conversion of Small Structures), in that the project adds onto an existing single-family residential structure and proposes a second living unit;

**WHEREAS**, on February 6, 2014, the Historical & Landmarks Commission (HLC) reviewed the application at a duly noticed public meeting. At the conclusion of the meeting, the HLC voted to recommend denial of the application, because the project proposed significant changes to the building and would not be compatible with other historic resources in the neighborhood;

**WHEREAS**, on February 27, 2014, the Zoning Administrator denied the application based on the HLC's findings;

**WHEREAS**, on February 27, 2014, the Applicant filed an appeal of the Zoning Administrator's decision to the Planning Commission;

**WHEREAS**, a duly noticed public hearing was held before the Planning Commission on March 12, 2014 to consider the application. At the public hearing, the Planning Commission invited and considered all verbal and written testimony offered in favor of and in opposition to the Project, and unanimously voted to deny the Project;

**WHEREAS**, on March 19, 2014, the applicant appealed the Planning Commission action to deny the basement conversion due to its inconsistency with the Secretary of the Interior's Standards for Rehabilitation;

**WHEREAS**, on March 25, 2014, the City Council set a public hearing to review the applicant's appeal for the meeting of June 10, 2014. The Council subsequently moved the public hearing to January 13, 2015;

**WHEREAS**, on December 24, 2014, the notice of public hearing for the January 13, 2015 meeting date for this item was posted, and mailed to all property owners of parcels within 300 feet of the Project Site; and

**WHEREAS**, a duly noticed public hearing was held before the City Council on January 13, 2015 to consider the application. At the public hearing, the City Council invited and considered any and all verbal and written testimony offered in favor of and in opposition to the Project.

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

1. That the City Council hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.

2. That based upon substantial evidence in the record of the hearing, including the facts stated in this resolution, the City Council hereby finds that:

A. That the design and location of the proposed development and its relation to neighboring developments and traffic is such that it will impair the desirability of investment or occupation in the neighborhood, will unreasonably interfere with the use and enjoyment of neighboring developments, and will create traffic congestion or hazard, in that the project adds approximately 1,286 square feet of conditioned space to the existing single-story house;

B. That the design and location of the proposed development is such that it is not in keeping with the character of the neighborhood and would be detrimental to the harmonious development contemplated by the Zoning Ordinance and the General Plan of the City, in that the basement conversion and exterior alterations to the structure are not consistent with the Secretary of the Interior Standards for Rehabilitation; and

C. That the granting of such approval will, 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 be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood, in that the project does not maintain the existing single-family residential nature of the neighborhood.

3. That the City Council hereby denies PLN2013-09691, an application for a basement conversion.

4. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The City of Santa Clara, California, hereby declares that it

would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

5. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 13th DAY OF JANUARY, 2015, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST:

\_\_\_\_\_  
ROD DIRIDON, JR.  
CITY CLERK  
CITY OF SANTA CLARA

Attachments Incorporated by Reference:  
1. Development Plans

Meeting Date: 3/25/14

## AGENDA REPORT

City of Santa Clara, California

Agenda Item # 7A-11



Date: March 21, 2014

To: City Manager for Council Action

From: Director of Planning and Inspection

Subject: Set a Public Hearing Date for an Appeal of a Planning Commission Action for a Project Located at 1593 Lexington Street

### EXECUTIVE SUMMARY:

At their March 12, 2014 meeting, the Planning Commission denied a design review application to convert an unfinished basement into habitable space on a single-family residential house located at 1593 Lexington Street. The property owner has appealed that decision and requests that the project be reviewed before the City Council. The appellant requests that the project be heard at the June 10, 2014 City Council meeting.

### ADVANTAGES AND DISADVANTAGES OF ISSUE:

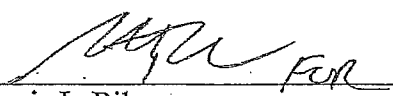
The appeal allows the property owner to review the application before the City Council for final action.

### ECONOMIC/FISCAL IMPACT:

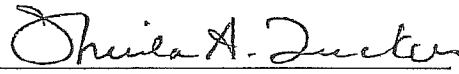
There is no cost to the City other than administrative staff time and expense.

### RECOMMENDATION:

That the Council set a public hearing date of June 10, 2014 for an appeal of a Planning Commission action for a project located at 1593 Lexington Street.

  
Kevin L. Riley  
Director of Planning and Inspection

APPROVED:

  
Julio J. Fuentes  
City Manager

### Documents Related to this Report:

- 1) Appeal Form
- 2) Appellant Letter to the City of Santa Clara Planning Staff



## Planning and Inspection Department

### Planning Division

1500 Warburton Avenue

Santa Clara, CA 95050

Ph: (408) 615-2450

## Appeal Form

### Instructions

Use this form to appeal a decision of the Architectural Review Committee or Planning Commission. All appeals must be filed in the Planning Division within seven calendar days of the action being appealed.

Appeals from the Architectural Review Committee are made to the Planning Commission and will be set for hearing on the next available Planning Commission agenda. Appeals from the Planning Commission are made to the City Council and will be placed on the subsequent City Council Agenda to set a hearing date. Please contact the Planning Division at the number listed above with any inquiries about the process.

Please print, complete, and sign this form before mailing or delivering to the City, along with the fee payment, and supporting documentation, letters, etc. (if any).

### Appeal Fees

Appeal Fees are set by the Municipal Code of the City of Santa Clara and are subject to annual review. Please call the Planning Division for the current Appeal Fee. Fee payment must be received by the City of Santa Clara before this form submittal can be certified as complete.

Appeal fees may be paid by cash, check, or with VISA, MasterCard, or American Express, at the Permit Center at City Hall. Alternatively, checks or money orders made payable to City of Santa Clara can be mailed or delivered to Planning Division, City Hall, 1500 Warburton Avenue, Santa Clara, California 95050.

### Appellant Declaration

Name:

Fawzy Ismail

Street Address:

1593 Lexington St.

City, State, Zip Code:

Santa Clara

Phone number:

408-655-8120

E-mail address:

fawzyismail@gmail.com

In accordance with the provisions of the Municipal Code of the City of Santa Clara, I hereby appeal the following action of the:

☐

Architectural Review Committee

☒

Planning Commission

at its meeting of March 12, 2014

(date)

Agenda Item No.: 8.B.

File No.(s):

PLN2013-09691

Address/APN(s):

1593 Lexington Street / 269-26-012



**Appellant Statement**

(If more space is required, attach a separate sheet of paper.)

Action being appealed:

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Reason for Appeal:

Disagree with the denial.  
There was a lot of confusion  
The DPR Report was not  
included in the Package

**Certification of Authenticity**

Beware, you are subject to prosecution if you unlawfully submit this form. Under penalty of law, transmission of this form to the City of Santa Clara is your certification that you are authorized to submit it and that the information presented is authentic.

  
Signature of Appellant

3/19/14

Date

City of Santa Clara planning staff

I would like to appeal the Planning commission denial of my application at the meeting of March 12, 2014. \$240 fees are paid for this appeal today March, 19 /2014.

Thank you for your help

Fawzy Ismail

1593 Lexington St.

Santa Clara, Ca. 95050

408-655-8120

[fawzyismail@gmail.com](mailto:fawzyismail@gmail.com)

**8.B. File No.(s):** PLN2013-09691  
**Location:** 1593 Lexington Street, a 11,325 square foot parcel located at the northeast corner of Lexington Street and Lincoln Street; APN: 269-26-012; property is zoned Medium-Density, Multiple-Family Residential (R3-36D)  
**Applicant / Owner:** Fawzy Ismail  
**Request:** Appeal of Zoning Administrator decision denying a Design Review application for a full basement conversion  
**CEQA Determination:** Categorically Exempt per CEQA Guidelines 15301 (Class1–Existing Facilities)  
**Project Planner:** Shaun Lacey, AICP, Assistant Planner II  
**Staff Recommendation:** Deny Appeal and Uphold Zoning Administrator action

**Discussion:** Gloria Sciara gave a brief presentation of the project.

Gloria Sciara, Development Review Officer, gave some background information on this project. The applicant, Fawzi Ismael, proposed to convert the basement of his 1,655 sq. foot residence to habitable space. A notice of violation was issued because work was being done without building permits. The applicant requested to pursue the project and continue. Ms. Sciara indicated the project is at a standstill because a number of changes would need to be made in order to make the basement space habitable such as openings and egress windows. The project was then referred to the Historical Landmarks Commission and presented at the February 6, 2014 meeting. An additional review last year required that the applicant obtain a historic resource evaluation and the structure was found to be a qualified historic resource. When that is the finding, the project must follow the guidelines of the Secretary of the Interior Standards which is a standard policy also included in our General Plan. At the HLC meeting on February 6, 2014, the Commission found that the project was inconsistent with the Secretary of the Interior Standards and that it was an intensification which affected the neighborhood. Following this, the Zoning Administrator denied the applicant's request. In summary, the project consists of converting the basement which would require also raising the building 16 inches to accommodate the head height clearance needed for habitable space. In addition, the applicant is also proposing an additional living unit and a 2 car garage. Per Ms. Sciara, based on the current plans for the additional unit, it does conform to Planning's requirements and said Planning has no ability to deny that although this was included in the HLC's commentary and evaluation. Ms. Sciara further added this was a ministerial action. After presenting slides of the site plan, Ms. Sciara stated the reason this project was denied was because the proposal does not comply with the General Plan policy for historical preservation which is to minimize impact and to use Secretary of the Interior Standards. The exterior changes in addition to replacing existing material or adding new material, the number of openings, vertical elevation, window replacements and other work that was done without permits now served to remove some of the historical fabric elements that are important to conveying the historical importance and value of the structure. All these factors contribute to the potential to making it ineligible as a historic structure and that is also the reason for the denial.

Ms. Sciara presented some alternatives which were suggested such as maintain the existing height, limit the exterior openings which would limit the amount of habitable space in the basement. This would alleviate having to use replacement materials and it would minimize the damage to the integrity of the structure and still allow the basement to be partially converted.

Commissioner Champeny confirmed that while this is not a historical structure, it is eligible to be deemed as a historical structure. He asked staff if there was an obligation for the applicant to apply for the DPR form before they can perform any rehabilitation on the structure. Ms. Sciara replied that if there is a discretionary project, in order to exercise that discretion, compliance with the Secretary of Interior Standard's must be ensured which is the only way to exempt the

structure from CEQA. In this case, there was a Zoning Administrator action which is a discretionary action. She explained that a DPR form was requested to make sure the architectural review was consistent with the past practices and that an adverse impact was not being created to a historic resource.

Commissioner Chahal asked for background on violations for 1593 Lexington. Ms. Sciara explained that the interior was being gutted and some of the windows were being removed. The basement was dug down to a habitable height and partitions were evident as well as some openings which do not appear to be original. A stop work order was issued for safety reasons and also so the project could be reviewed against the Secretary of Interior Design's standards. It was also noted that the basement was partial or a 'crawl space' and it was not approved according to older records. But as of today, it is completely 'dug out'. Commissioner asked if the accessory unit and the basement are considered as one project or are they to be treated separately. Staff replied that the accessory unit should be treated independently and can be approved at staff level as it meets the lot size requirements. Ms. Sciara also stated that the accessory unit could be supported but the basement portion of the project would be subject to limitations.

Commissioner Kelly asked about the factors which make this house historically significant. Staff replied that it is the architecture, number of original features, location and that it was a home to Austin Warburton. Ms. Sciara further explained that the habitable space is what is driving the exterior changes.

Fawzi Ismael, property owner and resident at 1593 Lexington, stated that the house is exempt from CEQA and he made numerous improvements to the structure with permits. He explained that a full basement existed, was used by the previous owner and was one of the many reasons he purchased the property. He explained that Staff supported his project at three prior meetings but that at the February 6, 2014, it was not supported. Mr. Ismael also explained that he has a large family and that is the reason for creating living space in the basement. He noted that all the construction is original and that he never added any openings.

The Commission asked questions about digging deeper, removing a door, and asked to see the DPR form which was not available at the meeting. Commissioner Stattenfield clarified that the granny unit was not a counter item for the meeting and that they could not approve or deny that portion of the project. It was also clarified this house is not listed as Historic.

Commissioner Ikezi asked about the previous owner and wanted to know if the basement was a habitable space. Mr. Ismael's daughter, also present with him at the podium, replied to this question. She explained they knew the previous owner, Naomi Watts, and she had been in the house previous times. She gave a brief description of the house and mentioned the basement existed, as well as doors and windows, during the previous ownership.

The Public Hearing was opened.

Various members of the public spoke and stated their concerns and recommendations for denial of the project. Many believe the house to be historically significant and claimed that the owner performed illegal work and did not obtain permits when it was required. Public speakers expressed their support for the HLC's decision to vote against the project and asked the Planning Commissioners to do the same. Concerns about this house being 'overbuilt' and building too many bedrooms in the basement were expressed. Many expressed going through Planning's approval process to make changes to their homes and stated it was unfair that Mr. Ismael's project be approved when he performed illegal work and received violations. Other members of the public questioned the floor plans and drawings which they felt were unclear and expressed their desire to have uniformity in the Old Quad Association and wish to maintain the integrity of the area. Members of the public also had concerns that the basement would be used as a rental unit due to the multiple bedrooms and number of entries. Mr. Ismael's

daughter spoke during the public hearing portion. She explained the need for community amongst the neighbors and felt her family was not being included in the neighborhood. Mr. Ismael's other daughter also spoke during this time. She stated that her family is large and hopes that they are not being discriminated against due to the size of family members. She explained they are living in cramped quarters and also addressed that there are 5 adult children in the house who all have cars. She questioned the validity of some of the claims from other speakers such as an inner stairwell and concrete being poured which she states are not 'facts'.

The Public Hearing was closed.

The Commission explained there were several missing pieces of information, like the DPR and HLC meeting minutes, which made it too difficult to base a decision on. Commissioner Champeny questioned whether or not to continue the item. Commissioner Kelly recommended that the applicant work with Staff to come up with a solution that would satisfy both the neighbors and Commissioners. Commissioner Chahal stated that there was too much conflicting information and not enough information to make a decision. City Planner, Steve Lynch, expressed the project should go back to HLC for further review.

**Motion/Action:** Commissioner Stattenfield made a motion to uphold staff decision and therefore deny the appeal of the design review application. (5-0-1-0, Costa absent).

<b>8.C. File No.(s):</b>	<b>City of Santa Clara Park Impact Fee Nexus Study and Ordinance Enactment</b>
Address/APN:	City-wide
Applicant/Owner:	City of Santa Clara/ Parks and and Recreation Department
Request:	Presentation of Impact Fee Nexus Study and concept to adopt impact fees city-wide.
Project Planner:	James Teixeira, Director of Parks and Recreation
CEQA Determination:	Not applicable
<b>Staff Recommendation:</b>	<b>Review and Comment</b>

**Discussion:** James Teixeira, Director of City of Santa Clara's Parks and Recreation, gave a presentation of the project.

Mr. Teixeira's presentation provided an overview of Council's goals to develop a Housing Development Impact Fee and ordinance. He reviewed the Nexus study and what it allows the City to do as well as benchmark information from other cities and occupant density information.

He stated that there are new higher density residences which will impact local existing parks. He spoke about fees that are based on density factors and provided data and examples to illustrate the percentages and fee calculations. He addressed when and where fees would be collected and stated that once an application is deemed complete, that is when the calculation of the amount of units and the fee amount to be charged will be determined. He noted that entitlement dates and dates for when building permits are issued are also important.

The Commissioners had questions regarding the cemeteries and acreage. James Teixeira explained that cemeteries were included in the list because of its utility as a recreational use. He also covered the 'usefulness' of park like amenities and defined the differences between cemeteries, community parks and neighborhood parks.

Commissioner Champeny emphasized his discouragement of exemptions for developments such as Below Market Rate units because he did not see a nexus between recreation and Below Market Rate units. He stated that Below Market Rate need recreational areas, as well. For example, LEED certification was not an appropriate exemption.

# Planning Commission STAFF REPORT

Meeting Date: 03/12/14

Agenda Item # 8.B.



Planning and Inspection Department  
City of Santa Clara, California



**File No.(s):** PLN2013-09691  
**Location:** 1593 Lexington Street, APN 269-26-012  
**Applicant/Owner:** Fawzy Ismail  
**Subject:** Appeal of Design Review application for basement conversion to habitable space within a single-family residential structure  
**CEQA Determination:** Categorically Exempt per Section 15303 (Class 3 – New Construction or Conversion of Small Structures)  
**Project Planner:** Shaun Lacey, AICP, Assistant Planner II, (408) 615-2454, slacey@santaclaraca.gov

## **EXECUTIVE SUMMARY:**

The applicant is appealing a Zoning Administrator action denying a request for a basement conversion to habitable living space at 1593 Lexington Street. By Code, single-family residential construction projects that are denied are appealable to the Planning Commission for review.

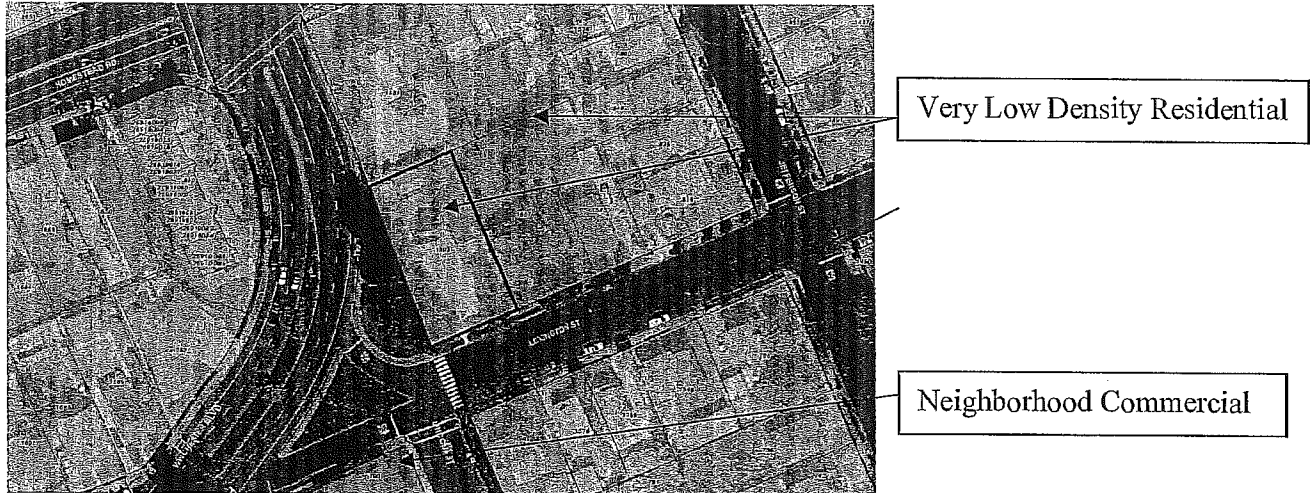
## **Project Data**

	Existing	Proposed
<b>General Plan Designation</b>	Very Low Density Residential	Same
<b>Zoning District</b>	R3-36D	Same
<b>Land Use</b>	Single-Family Residential	Same
<b>Lot Size</b>	11,343 square feet	Same
<b>Lot Coverage</b>	2,422 square feet (21 percent)	3,381 square feet (29 percent)
<b>Building Square Footage (sf.)</b>	2,118 square feet	3,190 square feet

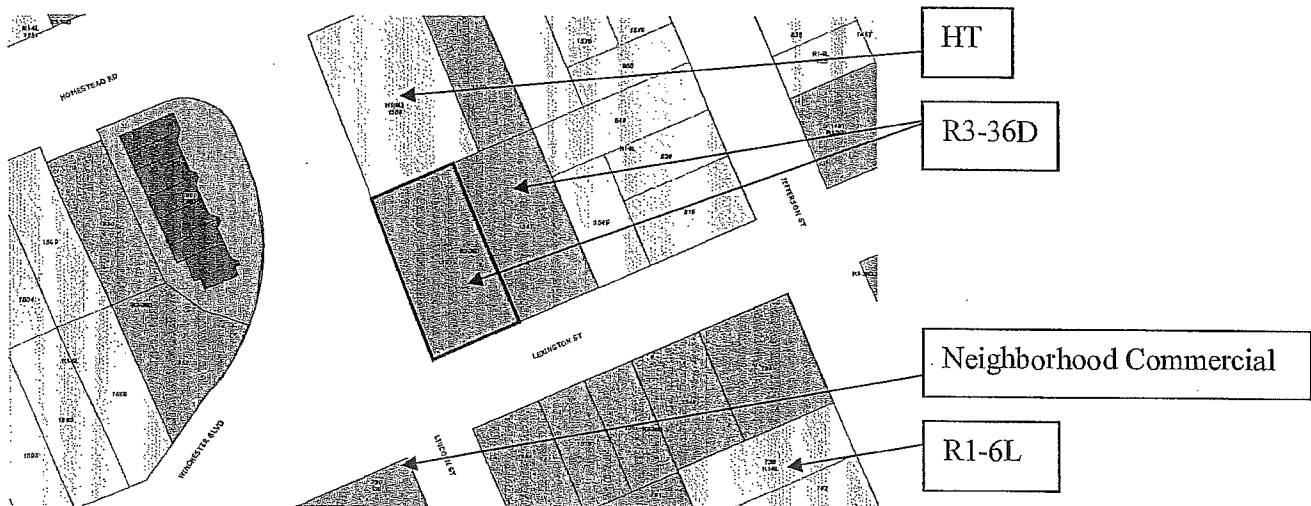
## **Site Location and Context**

The project site is a corner lot at the intersection of Lexington Street and Lincoln Street in the Old Quad. Uses throughout the neighborhood are predominantly single-family residential. The Kiely House, located at 1588 Homestead Road, is used for professional office space. The subject property is not currently listed as a qualified historical resource, but is considered eligible for local listing according to a historical evaluation and DPR523A form.

### *General Plan Map*



### *Zoning Map*



The subject property and the majority of surrounding lots have a General Plan designation of Very Low Density Residential (up to 10 units per acre). The subject property is zoned R3-36D (Medium Density Multiple Dwelling) but historically has been used as a single-family residence. Neighboring properties abutting the site and across the street are also zoned R3-36D, while the property directly to the north is zoned HT (Historic Combining District).

### **Project Analysis**

***Background:*** The project applicant was recently contacted by the Planning & Inspection Department for performing work within the basement of the house without the benefit of a building permit. Since the property is eligible for historic listing, the proposal was required to be reviewed by the Historic & Landmarks Commission (HLC) in accordance with General Plan policies. The HLC reviewed the proposal on February 6, 2014. Following public comment and a discussion, the HLC unanimously voted to recommend denial of the proposal on the basis that the scope of work, which proposed significant changes to the interior and exterior of the building, was not compatible with other historic resources throughout the neighborhood. Since the HLC is an advisory body to staff, the Zoning Administrator denied the application on February 27, 2014 on the basis that the project was not in compliance with the Secretary of the Interior Standards for Rehabilitation. The meeting minutes and staff report from the February 6, 2014 HLC meeting are attached for reference.

***Project Description:*** The applicant filed an appeal of the Zoning Administrator's action to complete the habitable basement conversion. While the scope of work is primarily an interior remodel to the main residence, exterior changes would be required. Two new egress windows are proposed along the east and west building elevations. The windows would match the existing windows in size, style and trim. The project also proposes to raise the height of the middle and rear portions of the building by 16 inches to provide an eight-foot tall basement ceiling. Historically, the HLC has supported raising historically-eligible homes up to eight inches or one step (whichever the lesser) to maintain compliance with the Secretary of the Interior Standards for Rehabilitation (attached for reference). New gable eaves above the front porch and new siding along the bottom of the structure would be added to match the existing materials of the house. The front porch would remain unchanged. The overall height of the house would be raised from 21 feet, eight inches to 23 feet.

In addition to proposing a habitable basement for the main residence, the project also proposes a second living unit and two-car garage within the rear yard setback. Although the property is zoned for multiple-family dwellings (R3-36D), the second living unit is designed to be ancillary to the main house in the spirit of a single-family residential lot. The proposed two-car garage meets the minimum covered parking requirements for two units. The second living unit conforms to the zoning standards and can be approved administratively.

***Environmental Determination:*** The project is categorically exempt from the California Environmental Quality Act as it qualifies under Section 15303 (Class 3 – New Construction or Conversion of Small Structures).

***General Plan and Zoning Conformance:*** The project is consistent with the General Plan designation of Very Low Density Residential, which encourages single-family residential uses at a maximum density of up to 10 units. The proposed project is designed to have two units at a residential density range of 8 dwelling units per acre. However, the project is not consistent with the General Plan policy for historic preservation (5.6.1-P3) in that the scope of work inappropriately raises the home and alters the structure in a manner that is incompatible with surrounding historic resources.



Planning Commission Staff Report  
Subject: 1593 Lexington Street addition  
Meeting Date: March 12, 2014  
Page 4

Permitted uses within the R3-36D zoning district include a variety of housing types, including single-family residential and second living units. Although the project is intended to comply with the City's single-family residential regulations, the exterior changes proposed to the main house, including the request to raise the home 16 inches, impacts the integrity of the structure. The project is therefore incompatible with the underlying pattern of development within the historic context of the neighborhood and noncompliant with the Secretary of the Interior Standards for Rehabilitation.

#### **Public Contact**

***Public Notices and Comments:*** On February 28, 2014, a notice of public hearing for this item was posted within 300 feet of the site and was mailed to property owners within 300 feet of the project site.

#### **ADVANTAGES AND DISADVANTAGES OF ISSUE:**

As proposed, the basement conversion and exterior alterations are not compatible with the Secretary of the Interior Standards for Rehabilitation or the context of the surrounding historic neighborhood.

#### **RECOMMENDATION:**

That the Planning Commission deny the appeal and adopt a Resolution to uphold the Zoning Administrator action to deny a basement conversion into habitable living space, and direct the applicant to work with staff to redesign the project to comply with the Secretary of the Interior Standards for Rehabilitation. These changes may include, but are not limited to:

- Maintaining the existing height of the building;
- Limiting new exterior openings to a minimum; and
- Minimizing the reconfiguration of interior space that is not original to the building.

#### **FUTURE CONSIDERATIONS:**

Upon designing the project to the aforementioned direction, staff will refer the project to the Architectural Review Committee for final review and approval.

#### ***Documents Related to this Report:***

- 1) *Planning Commission Resolution*
- 2) *Historic & Landmarks Commission Meeting Minutes Dated February 6, 2014*
- 3) *Historic & Landmarks Commission Staff Report Dated February 6, 2014*
- 4) *Secretary of the Interior Standards for Rehabilitation*
- 5) *Development Plans*

*I:\PLANNING\2013\Project Files Active\PLN2013-09691 1593 Lexington Street\PC\PC Staff Report 1593 Lexington.doc*

## 7. CONSENT CALENDAR

Consent Calendar items may be enacted, approved or adopted, based upon the findings prepared and provided in the written staff report, by one motion unless requested to be removed by anyone for discussion or explanation. If any member of the Historical and Landmarks Commission, staff, the applicant or a member of the public wishes to comment on a Consent Calendar item, or would like the item to be heard on the regular agenda, please notify Planning staff, or request this action at the Historical and Landmarks Commission meeting when the Chair calls for these requests during the Consent Calendar review.

- None

\*\*\*\*\*END OF CONSENT CALENDAR\*\*\*\*\*

## 8. PUBLIC MEETING ITEMS

8.A. File No.(s):	PLN2013-09691
Location:	1593 Lexington Street, an 11,325 square foot parcel located at the northeast corner of Lexington Street and Lincoln Street (APN: 269-26-012). Property is zoned Medium-Density, Multiple-Family Residential (R3-36D).
Applicant / Owner:	Fawzy Ismail
Request:	<b>Design Review</b> of a new detached residential accessory unit and conversion of a basement to habitable living space
CEQA Determination:	Categorical Exemption per CEQA Section 15303, New Construction
Project Planner:	Shaun Lacey, AICP, Assistant Planner II
Staff Recommendation:	<b>Recommend Approval, subject to conditions</b>

**Notice:** The notice of public meeting for these items was posted within 300 feet of the site and was mailed to property owners within 300 feet.

### Discussion:

Mr. Lacey gave a brief presentation of the project and responded to Commissioner questions. He noted that the applicant provided revised drawings per the direction of the Commission, and that the Commission's motion would be entertained by the Planning Commission at a future meeting. He also noted that the proposal was shared with Craig Mineweaser, AIA, the Volunteer Architectural Advisor to the HLC, and Lorie Garcia, Honorary City Historian, for consideration.

The public comment period was opened. Several members of the community noted concerns about the project, including the structural integrity of the existing house, substandard parking for the property, and the number of bedrooms proposed within the basement. The public comment period was closed.

The Commission discussed the proposal before them. Commissioner Mahan noted concerns about the potential number of bedrooms proposed, in that the impact would be detrimental to the historic value of the neighborhood. Commissioner Johns noted the proposal to raise the house to meet the basement height clearances was not compatible with preserving the historic integrity of the existing house. Commissioner Motyka noted that she did not believe that the request was compatible with the General Plan and that the project did not meet the Secretary of the Interior's Standards for Historic Preservation.

**Motion/Action:**

It was moved by Commissioner Motyka, seconded by Commissioner Hyams and was carried (5-0-0-2, McKee and Standifer absent) to recommend denial of the project, subject to the finding that the project was incompatible with nearby historic resources in the neighborhood.

<b>8.B.</b>	File No(s):	<b>PLN2013-09113</b>
	Location:	1460 & 1476 Monroe Street, 1386 El Camino Real, and 1485 Madison Street, six parcels totaling 29,185 square foot site located between the block of Monroe and Madison Street fronting El Camino Real; APN(s): 269-03-067, -068, -075, -142, -143, & -147; property is zoned Thoroughfare Commercial (CT)
	Applicant / Owner:	SiliconSage Builders
	Request:	<b>Design Review</b> of a mixed use four story building with 5,100 square foot retail and 1,370 square foot first floor office and three floors of one, two, and three bedroom condominium units above. The project includes demolition of existing structures onsite and construction of surface and below grade parking, widened sidewalks, landscaping, and other improvements
	CEQA Determination:	Mitigated Negative Declaration
	Project Planner:	Payal Bhagat, Assistant Planner II
	Staff Recommendation:	Recommend Approval, subject to conditions

**Notice:** The notice of public meeting for these items was posted within 500 feet of the site and was mailed to property owners within 500 feet.

**Discussion:**

Ms. Bagaht gave a brief presentation of the project. Mr. Erik Schoennauer introduced the project design. Lorie Garcia, Honorary City Historian submitted written comments on the association with significant events and persons important to the history of Santa Clara for the property. She also noted in her comments that the historical and architectural evaluation needs to be re-written to correct inaccuracies. Mr. Schoennauer responded to Commission concerns on the parking. He noted that the homeowners association and CC&R's will restrict the parking between the commercial and residential uses.

The public comment period was opened. Eliza Thompson noted concerns over shadowing over from the project and adequacy of parking. Sarah Doty noted concerns over construction hours and noise, asbestos and lead paint abatement. Judy Tucker noted concerns over the overall height of the building. She commented that with more than 2 persons per bedroom there is not adequate parking. Randy Jurrat commented that 4 stories is not appropriate for this section of the El Camino Real. He noted the project does not fit in with the Old Quad area. Kevin Moore noted his support for the project and commented the project will clean up the area. He noted in the past the Old Quad Task Force was looking at Mission Style architecture for this segment of the El Camino Real. The public comment period was closed.

Mr. Schoennauer discussed the availability of parking on each level of the garage and commented that there are eleven extra tandem spaces. Shannon George from David J. Powers & Associates, Inc. noted that over time the property has been modified resulting in the loss of integrity. She noted that MBA Architects reviewed the existing conditions and that Marvin Bamberg, AIA has over 35 years experience in historic preservation architecture.

The Commission discussed the need to update and correct the historical and architectural survey. The Commission noted that building no longer has integrity, and inquired whether the



## Historical & Landmarks Commission Staff Report – February 6, 2014

### Agenda Item # 8.A.

**File:** PLN2013-09691

**Location:** 1593 Lexington Street, a 11,343 square foot parcel located at the northeast corner of Lexington Street and Lincoln Street (APN: 269-26-012). Property is zoned Medium-Density, Multiple-Family Residential (R3-36D).

**Applicant/Owner:** Fawzy Ismail

**Request:** Design review for accessory living unit in rear yard and conversion of basement to habitable living space within the main structure located 100 feet from a qualified historic resource

**CEQA Determination:** Categorically Exempt

**Project Planner:** Shaun Lacey, AICP, Assistant Planner II

**Recommendation:** **1) Determine that the proposed basement conversion and accessory living unit has no effect on the historic integrity of nearby historic resources; and 2) Approve the project subject to the condition that the main house be raised to a maximum of 12 inches from grade.**

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### **BACKGROUND**

At the December 5, 2013 Historical and Landmarks Commission meeting, a proposal to convert an unfinished basement to habitable space within the house at 1593 Lexington Street was presented. Following a discussion from the Commission, the application was continued to a later date, subject to the following direction:

- That the applicant provide existing building elevations to the plans; and
- That staff review the project with the City's historical consultants.

The property is currently not listed on the City's Architecturally or Historically Significant Properties List; however, the site is located within 100 feet of three qualified historic resources (1567 & 1584 Lexington Street and 1588 Homestead Road).

The applicant has provided staff with the revised plans, per the direction of the Commission. Staff also provided a set of plans to the City's historical consultants for feedback. The minutes and staff report from the December 5, 2013 Historical and Landmarks Commission meeting are attached for reference. The City's historical consultant comments were not received at the time this report was completed; therefore staff will provide those comments to the Commission prior to the February 6<sup>th</sup> meeting.

### **ANALYSIS**

The home was built in 1912. The defining architectural elements of the structure include gable roofs with broad eaves, rectangular windows, traditional building materials and a raised porch, which are common design elements found within the single-family context of the surrounding neighborhood. A historical evaluation for the property was conducted by Franklin Maggi of Archives & Architecture, LLC. The report concludes that the property has local historical significance, but does not appear eligible for listing as a separate property on the state or national registry of historic resources. The historical evaluation is attached for reference.

The project proposes to convert the existing basement area to habitable living space. While the scope of work is primarily an interior remodel, exterior changes would be required. Two new egress windows are proposed along the east and west building elevations. The windows would

match the existing windows in size, style and trim and would not be especially visible from the street. The project also proposes to raise the height of the middle and rear portions of the building by 16 inches to provide an eight-foot tall basement ceiling. New gable eaves above the front porch and new siding along the bottom of the structure would be added to match the existing materials of the house. The front porch would remain unchanged. The overall height of the house is proposed at 23 feet. Historically, it has been the Commission's policy to allow homes to be raised to a maximum of 12 inches; therefore staff added a condition that the house may not exceed that limit.

An accessory living unit and two-car garage is proposed within the rear yard setback. Although the property is zoned for multiple-family dwellings (R3-36D), the structure is designed to be ancillary to the main house in the spirit of a single-family residential lot. The accessory structure maintains an architectural relationship to the main house by virtue of gable roofs, recessed porches and modest wall heights. The proposed two-car garage meets the minimum covered parking requirements for two units.

The project substantially retains the original configuration and location of the main structure, and sufficient visual and character-defining features have been preserved and retained. The project is consistent with the City's General Plan Policy 5.6.1-P4, in that it maintains compliance with the Secretary of the Interior Standards for Historic Preservation given the close proximity of the Samuel Saunders House (1567 Lexington Street), the Kiely House (1588 Homestead Road) and the H.M. Sheldon House (1584 Lexington Street).

#### **STAFF RECOMMENDATIONS**

Staff recommends that the Commission determine that as conditioned, the basement conversion and accessory unit have no adverse effect on nearby historic resources (1567 & 1584 Lexington Street and 1588 Homestead Road) and approve the project.

#### **FUTURE CONSIDERATIONS**

The floor plans indicate the potential for six or more bedrooms within the structure. It is City's policy to refer architectural review to the Planning Commission whenever a single-family residential structure adds more than five bedrooms. Staff will forward the Historical and Landmarks Commission motion to the Planning Commission for consideration.

#### **ENVIRONMENTAL REVIEW**

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) per section 15303, in that the project involves an addition to a single-family residential structure.

#### **DOCUMENTS RELATED TO THIS REPORT:**

Development Plans

Historical Survey Dated May 21, 2013

Historical and Landmarks Commission Meeting Minutes Dated December 5, 2013

Historical and Landmarks Commission Staff Report Dated December 5, 2013

Comments from Lorie Garcia and Craig Mineweaser (to be distributed)

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## The Secretary of Interior's Rehabilitation Standards

### Exhibit "C"

"Rehabilitation means the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values."

The following "Standards for Rehabilitation" shall be used by the Secretary of the Interior when determining if a rehabilitation project qualified as "certified rehabilitation" pursuant to the Tax Reform Act of 1976, the Revenue Act of 1978, and the Economic Recovery Tax Act of 1981. These standards are a section of the Secretary's "Standards for Historic Preservation Projects" and appear in Title 36 of the Code of Federal Regulations, Part 67 (formerly 36 CFR Part 1208)/

1. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations have no historical basis and which seek to create an earlier appearance shall be discouraged.
4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic; physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
8. Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to any project.
9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood or environment.

10. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

### **GUIDELINES FOR APPLYING THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION**

The following guidelines are designed to help individual property owners formulate plans for the rehabilitation, preservation, and continued use of historic buildings consistent with the intent of the Secretary of the Interior's "Standards for Rehabilitation" types, sizes and materials. They apply to permanent and temporary construction on the exterior and interior of historic buildings as well as new attached or adjacent construction.

Techniques, treatments, and methods consistent with the Secretary's "Standards for Rehabilitation" are listed in the "recommended" column on the left. Not all recommendations listed under treatment will apply to each project proposal. Rehabilitation approaches, materials, and methods which may adversely affect a building's architectural historic qualities are listed in the "not recommended" column on the right. Every effort will be made to update and expand the guidelines as additional techniques and treatments become known.

Specific information and preservation technology may be obtained by writing to the Technical Preservation Services Division, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240, or the appropriate State Historic Preservation Officer. Advice should also be sought from qualified professionals, skilled in the preservation, restoration, and rehabilitation of old buildings.

## **A Chronology of violations, some unresolved, 2007-present**

In May of 2007, Fawzi Ismail purchases 1593 Lexington Street, and at some point moves from Andrea Pl. to Lexington St.? The business moves as well. All notes below pertain to the Lexington property unless otherwise noted.

In August of 2007, Fawzi Ismail purchases 1728 Andrea Place, and sets up his construction business "Victor the Contractor Inc." out of his home.

### **2007-2008**

During the spring clean up, neighbors notice that the interior of the home is being gutted including oak built-ins tossed into the pile.

The city issued a bunch of citations because it was found that the owner ripped out the whole inside of the house without permits and built three additional bathrooms.

### **2009-2010**

Illegal storage sheds are built behind the property to house materials from construction business. A new round of complaints from neighbors and more city citations are issued.

### **2013**

City inspectors find a basement full of apartments including "Two bathrooms, two kitchens, and multiple rooms...being used as bedrooms without egress."

January 11, 2013: A warning is issued by the building department threatening a citation for the basement conversion. There was no response from the owner.

February 11, 2013: A violation notice was issued by the building department with no response from the owner.

"Appears as though no progress has been made towards abatement." – Building Department.

March 11, 2013: An administrative citation was issued charging a fine of \$500 for the illegal basement conversion.

March 15, 2013: Copy of the citation is mailed certified mail with receipt received and signed by Hammam Ismail.

"Appears as though no corrective action has been taken by the owner; there has been no correspondence with the owner." -- Building Department

"Owner was informed...that he must isolate illegal basement and provide access for Building Inspector to verify that basement is unoccupied and to post do not enter sign. Apparently this is not done." – Building Department



Attachment 9:  
Correspondence

April 17, 2013: Fawzy Ismail appeals the citation

May 9, 2013: Fawzy Ismail does not appear at his appeal hearing.

May 24, 2013: Neighbors complain that multiple persons are living illegally in the rear of the house at 1728 Andrea Pl. and also in the garage. Building Department finds that Fawzy Ismail is owner and sends warning notice. No response from the owner is received.

June 19, 2013: A second administrative citation was issued charging a fine of \$500 for the illegal basement conversion at the Lexington property.

"Appears as though no movement towards abatement has occurred since the issuance of the first and only citation." – Building Department

June 24, 2013: First citation was paid.

June 26, 2013: Violation warning is issued to Fawzy for 1728 Andrea Place which he also owns.

"Addition that was recently built on the back of the house turned into apartments. Garage also converted to apartment. Tenants living in some units. No permits." – Building Inspection

June 28, 2013: "Basically there hasn't been any progress on this project since April 4. The applicant has spoken to me...but I have yet to see any plans resubmitted and there is a question whether or not he'll proceed..." – Shawn Lacey, Planning Department

"He is aware that his design review application doesn't preclude him from resolving his correction notices." – Building Department

July 25, 2013: "Fawzy called upset that he got a second citation..."

August 27, 2013: The basement is official closed by the building department.

September 17, 2013: "To date, I haven't gotten anything back from him despite clear direction to him and multiple attempts to remind him that the project needs a resolution." – Shawn Lacey, Planning Department

September 30, 2013: "Emailing to see if we can do something to enhance owner's cooperation with planning. Owner has failed to work with staff to develop a clear plan for the property..."

October 23, 2013: A third administrative citation was issued charging a fine of \$500 for the illegal basement conversion.

October 25, 2013: "Owner's failure to move forward with planning confirmed by Shawn Lacey."

Attachment 9:  
Correspondence

November 22, 2013: Fawzy Ismail contests the citation.

December 2013: Issue gets sent to HLC. HLC decides that they cannot make any decision because the plans are not even complete and do not include any elevations.

February 2014: HLC reviews plans again and decides that raising  $\frac{1}{2}$  of the house in order to bring the illegal apartments in the basement up to code would structurally compromise the building and destroy any historic integrity that might be left. Also, Fawzy Ismail did not show up to the meeting.

March 12, 2014: Fawzy appeals to the Planning Commission. Violations are still outstanding.

THE NEIGHBORS DO NOT WANT A MULTI-FAMILY APARTMENT COMPLEX  
INSIDE THIS SINGLE FAMILY HOME.

IT WAS A 4/1 WHEN IT WAS PURCHASED.

IT CURRENTLY HAS 3 KITCHENS, 6.5 BATHROOMS, 11 BEDROOMS, AND  
MULTIPLE LAUNDRY ROOMS.

# Quick Map



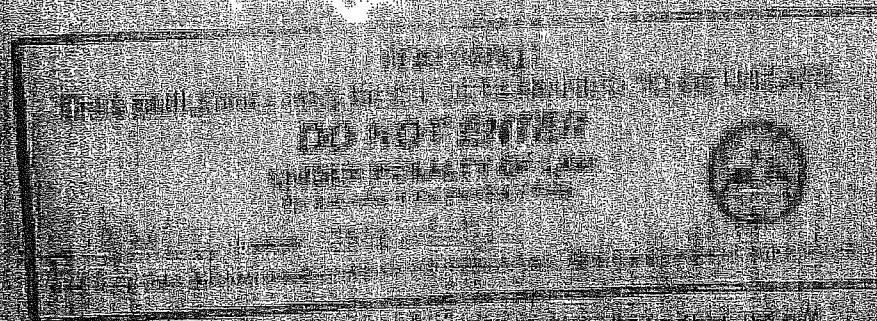
[Recent Map](#) | 
 [Map View](#) | 
 [Street View](#) | 
 [45°](#)
[North](#)
[South](#)
[East](#)
[West](#) | 
 [Bird's Eye](#) | 
 [Directions](#)

[Nearby Similar Homes](#)

YARD IS FULL OF CONSTRUCTION  
DEBRIS AND JUNK

At the  
Court of the

DO NOT ENTER



DO NOT ENTER



CITY OF SANTA CLARA

INSPECTION DIVISION

Attachment 9:

Correspondence

1500 Warburton Ave  
 Santa Clara, CA 95050  
 Phone: (408) 615-2440  
 Fax: (408) 241-3823

## VIOLATION NOTICE

LOCATION: 1593 Lexington St.CRN: 2013-01010

This structure and/or these premises have been found to have the following violations of the Codes of the City of Santa Clara. (Santa Clara Municipal Code 5 - 1; Uniform Administrative Code)

☒

Sec. 205. It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment, or cause or permit the same to be done in violation of this code and the technical codes.

☒

Sec. 301.1, Permits Required. Except as specified in Section 301.2, no building, structure or building service equipment regulated by this code and the technical codes shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate, appropriate permit for each building, structure or building service equipment has first been obtained from the building official.

☒

Sec. 309.1 Use or Occupancy. Buildings or structures shall not be used or occupied, nor shall a change in the existing occupancy classification of a building or structure or portion thereof be made until the building official has issued a Certificate of Occupancy.

☒

Existing unfinished Basement has been converted to living space. Two bathrooms, two kitchens, and multiple rooms have been added to this basement. Some of these rooms are being used as bedrooms without egress. No permits on file for this work.

**You must take action to avoid an Administrative Citation as a result of an inspection of your property which revealed code violation(s). Contact this office for further information.**

☐

You are hereby notified to STOP WORK (if in progress) contributing to the above violations.

☐

If building is illegally occupied, you are hereby notified to VACATE THE BUILDING.

☒

Failure to respond to this notice may result in a citation. Contact the Inspection Division within 14 days 408-615-2440.

Date:

1/11/13Jason Gentry

Inspector for Building Inspection Division

Undersigned acknowledges receipt of above Notice.

Signature

Title

Mailing Address

Zip Code

## FOR OFFICE USE

Permit Req'd	Bldg: <input checked="" type="checkbox"/>	Elec: <input checked="" type="checkbox"/>	Plbg: <input checked="" type="checkbox"/>	Mech: <input checked="" type="checkbox"/>	No Plans Req'd: <input type="checkbox"/>
Special Insp. Req'd	Bldg: <input type="checkbox"/>	Elec: <input type="checkbox"/>	Plbg: <input type="checkbox"/>	Mech: <input type="checkbox"/>	Fee Only: <input type="checkbox"/>
Plans Req'd	Site: <input checked="" type="checkbox"/>	Floor: <input checked="" type="checkbox"/>	Details: <input checked="" type="checkbox"/>	Calcs: <input checked="" type="checkbox"/>	SER2012-B0191

White - Owner/Tenant Pink - File

Rev: 1/10



CITY OF SANTA CLARA  
ADMINISTRATIVE CITATION

CASE No. CRN  
2013-01010

15611



Attachment  
Correspondence

Responsible Party <u>Fawzy Ismail</u>		Birth Date <u>1/1</u>
S	Height <u>5'10"</u>	Weight <u>170</u>
Mailing Address <u>1593 LEXINGTON ST.</u>		
City <u>SANTA CLARA</u>	State <u>CA</u>	ZIP Code <u>95050</u>
Violation Address <u>SAME</u>		
City	State	ZIP Code
Driver Lic. No.	State	Issuing Department <u>Building Inspection</u>
Veh. Lic. No. or VIN	State	Registered Owner
Issuance Date <u>3/11/13</u>	Inspection Date <u>1/11/13</u>	Compliance Date <u>4/13/13</u>

AN EMPLOYEE OF THE CITY OF SANTA CLARA HAS OBSERVED THE FOLLOWING VIOLATION(S):

Violation(s) Desc.	Date / Time	Code & Section	Penalty
Unfinished Basement converted to living space.	1/11/13	U/A/C Sec 205 301.1	\$500
TOTAL >			\$500

THE TOTAL PENALTY IS NOW DUE AND PAYMENT SHOULD BE MADE TO:

CITY OF SANTA CLARA  
ATTN: ACCOUNTS RECEIVABLE  
1500 WARBURTON AVENUE  
SANTA CLARA, CA 95050

Appeal of this citation may be made by filling out a request for hearing. Contact the City Clerk's Office at 1500 Warburton Avenue, Santa Clara, CA 95050 for an application. Additional citations may be issued for each day the violation exists.

NOTE: PERMIT(S) FROM BUILDING INSPECTION DEPT MAY BE REQUIRED FOR STRUCTURAL, PLUMBING, MECHANICAL AND ELECTRICAL WORK. WORK PERFORMED WITHOUT REQUIRED PERMIT(S) AND CITY INSPECTION IS A VIOLATION OF THE SANTA CLARA MUNICIPAL CODE AND WILL NOT QUALIFY AS A COMPLIANCE.

JASON GENTRY  
Issuing Officer  
Signature  
Title / Badge No.  
408 615 2940  
Phone

☐ PERSONALLY SERVED

Name  
Jason Gentry  
Building Inspector

JG:md  
Enc. Administrative Citation  
Violation Notice

ORIGINAL

- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Fawzy Ismail  
1593 Lexington St.  
Santa Clara, CA 95050

2. Article Number

(Transfer from service label)

ADMINISTRATIVE CITATION

FILE # CRN2013-01010  
APN # 269 26 012

St., Santa Clara, CA

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U.S. Postal Service<sup>TM</sup>  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)  
For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

CRN2013-01010  
cite 15611

Postmark Here  
3/13/13

Sent To  
Fawzy Ismail  
Street, Apt. No., or PO Box No.  
City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

THIS SECTION

and 3. Also complete

- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Fawzy Ismail  
1593 Lexington St.  
Santa Clara, CA 95050

2. Article Number

(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature  
[Signature] ☒ Agent ☐ Addressee

B. Received by (Printed Name)  
Hammam Ismail

C. Date of Delivery  
3/13/13

D. Is delivery address different from item 1? ☐ Yes ☒ No

If YES, enter delivery address below:

3. Service Type

- ☐ Certified Mail ☐ Express Mail
- ☐ Registered ☐ Return Receipt for Merchandise
- ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery (Yes/No) ☐ Yes

LABLDGADMINISTRATIVE# CRN2013-01010 cite 15611

7012 0470 0002 4800 7952

**CITY OF SANTA CLARA  
ADMINISTRATIVE CITATION**

CASE No. CRN  
2013-01010

**15688**



Inspection Division

Attachment 9:  
Correspondence

Responsible Party <u>FAWZY ISMAIL</u>		Birth Date <u>1/1</u>
Hair	Eyes	Height
Mailing Address <u>1593 LEXINGTON ST</u>		ZIP Code <u>95050</u>
City <u>SANTA CLARA</u>	State <u>CA</u>	
Violation Address <u>SAME</u>		ZIP Code
City	State	ZIP Code
Driver Lic. No.	State	Issuing Department <u>BUILDING INSPECTION</u>
Veh. Lic. No. or VIN	State	Registered Owner
Issuance Date <u>10/23/13</u>	Inspection Date <u>1/11/13</u>	Compliance Date <u>11/13/13</u>

AN EMPLOYEE OF THE CITY OF SANTA CLARA HAS OBSERVED THE FOLLOWING VIOLATION(S):

Violation(s) Desc.	Date / Time	Code & Section	Penalty
UNFINISHED Basement Converted To living space	1/11/13	U.A.C sec 205 301.1	\$1500-
TOTAL			\$1500-

THE TOTAL PENALTY IS  
NOW DUE AND PAYMENT  
SHOULD BE MADE TO:

CITY OF SANTA CLARA  
ATTN: ACCOUNTS RECEIVABLE  
1500 WARBURTON AVENUE  
SANTA CLARA, CA 95050

Appeal of this citation may be made by filling out a request for hearing. Contact the City Clerk's Office at 1500 Warburton Avenue, Santa Clara, CA 95050 for an application. Additional citations may be issued for each day the violation exists.

NOTE: PERMIT(S) FROM BUILDING INSPECTION DEPT MAY BE REQUIRED FOR STRUCTURAL, PLUMBING, MECHANICAL AND ELECTRICAL WORK. WORK PERFORMED WITHOUT REQUIRED PERMIT(S) AND CITY INSPECTION IS A VIOLATION OF THE SANTA CLARA MUNICIPAL CODE AND WILL NOT QUALIFY AS A COMPLIANCE.

Jason Gentry  
Issuing Officer  
Signature  
☐ PERSONALLY SERVED

Housing  
Title / Badge No.  
4086  
Phone

**SENDER: COMPLETE THIS SECTION**

- ☒ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- ☒ Print your name and address on the reverse so that we can return the card to you.
- ☒ Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

Fawzy Ismail  
1593 Lexington St.  
Santa Clara, CA 95050

CRN2013-01010

2. Article Number  
(Transfer from service label)

ADMINISTRATIVE CITATION

FILE # CRN2013-01010  
APN # 269 26 012

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U.S. Postal Service <b>CERTIFIED MAIL RECEIPT</b> (Domestic Mail Only, No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Postage \$	CRN2013-01010 cite 15688 Postmark Here 10/23/13
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	
Sent To Fawzy Ismail Street, Apt. No., or PO Box No. City, State, ZIP+4	

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature <input checked="" type="checkbox"/>	<input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee
B. Received by (Printed Name)	C. Date of Delivery 10/24
D. Is delivery address different from item 1? If YES, enter delivery address below: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

ADMINISTRATIVE

7010 2780 0000 8237 0205

CASE No. **CRN**  
**2013-01010**

**CITY OF SANTA CLARA  
ADMINISTRATIVE CITATION**

**15644**

Responsible Party <b>FAWZY ISMAIL</b>		Birth Date / /	
Hair	Eyes	Height	Weight
Mailing Address <b>1593 LEXINGTON ST</b>			
City <b>SANTA CLARA</b>	State <b>CA</b>	ZIP Code <b>95050</b>	
Violation Address <b>same</b>			
City	State	ZIP Code	
Driver Lic. No.	State	Issuing Department <b>Building Inspection</b>	
Veh. Lic. No. or VIN		State	Registered Owner
Issuance Date <b>6/19/13</b>	Inspection Date <b>7/11/13</b>	Compliance Date <b>7/19/13</b>	

AN EMPLOYEE OF THE CITY OF SANTA CLARA HAS OBSERVED THE FOLLOWING VIOLATION(S):

Violation(s) Desc.	Date / Time	Code & Section	Penalty
Unfinished Basement Converted to living space	1/11/13	Uit.C Sec 205 301.1	\$500
TOTAL >			\$500

THE TOTAL PENALTY IS  
NOW DUE AND PAYMENT  
SHOULD BE MADE TO:

CITY OF SANTA CLARA  
ATTN: ACCOUNTS RECEIVABLE  
1500 WARBURTON AVENUE  
SANTA CLARA, CA 95050

Appeal of this citation may be made by filling out a request for hearing. Contact the City Clerk's Office at 1500 Warburton Avenue, Santa Clara, CA 95050 for an application. Additional citations may be issued for each day the violation exists.

NOTE: PERMIT(S) FROM BUILDING INSPECTION DEPT MAY BE REQUIRED FOR STRUCTURAL, PLUMBING, MECHANICAL AND ELECTRICAL WORK. WORK PERFORMED WITHOUT REQUIRED PERMIT(S) AND CITY INSPECTION IS A VIOLATION OF THE SANTA CLARA MUNICIPAL CODE AND WILL NOT QUALIFY AS A COMPLIANCE.

**JASON GENTRY** **Building Inspector**  
Issuing Officer Title / Badge No.  
Signature  
☐ PERSONALLY SERVED  
Phone

Name

Date

**Jason Gentry**  
**Building Inspector**

JG:md

Enc. Administrative Citation  
Violation Notice

**ORIGINAL**

- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Fawzy Ismail**  
**1593 Lexington St.**  
**Santa Clara, CA 95050**

2. Article Number

(Transfer from service label)

PS Form 3811 February 2004



Inspection Division  
Attachment 9:  
Correspondence

**ACTIVE CITATION**

FILE # **CRN2013-01010**  
APN # **269 26 012**

St., Santa Clara, CA

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**THIS SECTION**

and 3. Also complete  
elivery is desired.

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
☒ Agent  
☐ Address

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☐ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

7006 0810 0001 3675 4671

Domestic Return Receipt

102595-02-M-15



CASE No. Attachment 9:  
2013 Correspondence

CITY OF SANTA CLARA  
ADMINISTRATIVE CITATION

15611

Responsible Party <b>FAWZY</b>		Birth Date <b>1/1/11</b>	
Sex <b>M</b>	Height <b>5'10"</b>	Eyes <b>B</b>	Weight <b>170</b>

Mailing Address <b>1593 LEXINGTON ST.</b>	
City <b>SANTA CLARA</b>	State <b>CA</b>
ZIP Code <b>95050</b>	
Violation Address <b>SAME</b>	
City	State
ZIP Code	

Driver Lic. No.	State	Issuing Department <b>Building Inspection</b>
Veh. Lic. No. or VIN	State	Registered Owner
Issuance Date <b>3/12/13</b>	Inspection Date <b>1/11/13</b>	Compliance Date <b>4/13/13</b>

AN EMPLOYEE OF THE CITY OF SANTA CLARA HAS OBSERVED THE FOLLOWING VIOLATION(S):

Violation(s) Desc.	Date / Time	Code & Section	Penalty
Unfinished Basement converted to living space	1/11/13	01A1C Sec 205 301.1	\$500
TOTAL			\$500

THE TOTAL PENALTY IS  
NOW DUE AND PAYMENT  
SHOULD BE MADE TO:

CITY OF SANTA CLARA  
ATTN: ACCOUNTS RECEIVABLE  
1500 WARBURTON AVENUE  
SANTA CLARA, CA 95050

Appeal of this citation may be made by filling out a request for hearing. Contact the City Clerk's Office at 1500 Warburton Avenue, Santa Clara, CA 95050 for an application. Additional citations may be issued for each day the violation exists.

NOTE: PERMIT(S) FROM BUILDING INSPECTION DEPT MAY BE REQUIRED FOR STRUCTURAL, PLUMBING, MECHANICAL AND ELECTRICAL WORK. WORK PERFORMED WITHOUT REQUIRED PERMIT(S) AND CITY INSPECTION IS A VIOLATION OF THE SANTA CLARA MUNICIPAL CODE AND WILL NOT QUALIFY AS A COMPLIANCE.

Issuing Officer <b>JASON HEATRY</b>	Title / Badge No. <b>408 615 2440</b>
Signature <i>[Signature]</i>	Phone
<input type="checkbox"/> PERSONALLY SERVED	

Name

Date

RESPONSIBLE PARTY



Attachment 9:  
Correspondence

January 11, 2013

FILE #: CRN2013-01010  
APN#: 269 26 012

Fawzy Ismail  
1593 Lexington St.  
Santa Clara, CA 95050

RE: 1593 LEXINGTON ST., SANTA CLARA, CA

Dear Property Owner:

A violation was recently reported/observed at the above referenced property, as indicated on the enclosed Violation Notice.

Failure to correct all violations indicated on the enclosed notice within the next fourteen (14) days may result in an Administrative Citation.

Citation fees are \$500 for each violation according to a fee schedule adopted by the City.

If we can be of any assistance, please call our office and speak to an Office Specialist, Monday through Friday, 8:00 a.m. – 5:00 p.m.

Sincerely,

*Rondi Bussey*

Rondi Bussey  
Office Specialist

Enclosure: Violation Notice

1500 Warburton Avenue  
Santa Clara, CA 95050  
Automated Inspection System (408) 515-2400  
Inspection Office (408) 515-2440  
Permit Center (408) 515-2420  
FAX (408) 241-3823  
[www.santacalarca.gov](http://www.santacalarca.gov)



Attachment 9:  
Correspondence

## VIOLATION NOTICE

February 11, 2013

FILE #: CRN2013-01010

APN #: 269 26 012

Fawzy Ismail  
1593 Lexington St.  
Santa Clara, CA 95050

**Violation Notice Regarding: 1593 Lexington St., Santa Clara, CA**

Dear Property Owner:

On January 11, 2013, a VIOLATION NOTICE was issued for the above subject property for code compliance. A copy of the notice indicating the violation(s) is enclosed for your reference.

As the property owner you are accountable for the resolution of this matter. You must respond to this notice within the **next ten (10) days**. Failure to take appropriate actions within the time listed below, and remain diligent in your efforts to resolve these issues, may result in the issuance of an Administrative Citation without further notice.

We ask for your cooperation. Please contact our Office Assistant or me at (408) 615-2440, Monday through Friday, 8:00 a.m. to 5:00 p.m.

Corrective action required by February 26, 2013.

Sincerely,

*Jason Gentry*

Jason Gentry  
Housing/Building Inspector

JG:md

Enclosure: Copy of VIOLATION NOTICE

1500 Warburton Avenue  
Santa Clara, CA 95050  
Automated Inspection System (408) 615-2400  
Inspection Office (408) 615-2440  
Permit Center (408) 615-2420  
FAX (408) 241-3823  
[www.santacruz.ca.gov](http://www.santacruz.ca.gov)

M:\TIDEMARK\DOCUMENTS\IMPORTED\WORD\201302\CRN20130.101\0\1593 LEXINGTON ST.DOC

## ADMINISTRATIVE CITATION

March 13, 2013

FILE # CRN2013-01010  
APN # 269 26 012

Fawzy Ismail  
1593 Lexington St.  
Santa Clara, CA 95050

Re: Code violation at 1593 Lexington St., Santa Clara, CA

An official notice was sent to you from the City of Santa Clara requesting you to comply with the building codes as detailed in CRN2013-01010.

Since the violation still exists, the Building Inspection Division has now issued the enclosed Administrative Citation. The citation fine of \$500.00 must be paid to the City within thirty (30) days from the date of this Administrative Citation. See the back of citation for instructions.

Payment of Administrative Fines does not excuse or discharge any continuation or repeated occurrence of the code violation(s) listed on the Administrative Citation. Payment of citation and corrective action must be taken within the next 30 days.

Contact the Building Inspection Division at (408) 615-2440 if you have any questions.

Sincerely,

*Jason Gentry*

Jason Gentry  
Building Inspector

JG:md

Enc. Administrative Citation  
Violation Notice

## ADMINISTRATIVE CITATION

June 19, 2013

FILE # CRN2013-01010  
APN # 269 26 012

Fawzy Ismail  
1593 Lexington St.  
Santa Clara, CA 95050

Re: Code violation at 1593 Lexington St., Santa Clara, CA

An official notice was sent to you from the City of Santa Clara requesting you to comply with the building codes as detailed in CRN2013-01010.

Since the violation still exists, the Building Inspection Division has now issued the enclosed Administrative Citation. The citation fine of \$500.00 must be paid to the City within thirty (30) days from the date of this Administrative Citation. See the back of citation for instructions.

Payment of Administrative Fines does not excuse or discharge any continuation or repeated occurrence of the code violation(s) listed on the Administrative Citation. Payment of citation and corrective action must be taken within the next 30 days.

Contact the Building Inspection Division at (408) 615-2440 if you have any questions.

Sincerely,

*Jason Gentry*

Jason Gentry  
Building Inspector

JG:md

Enc. Administrative Citation  
Violation Notice

## ADMINISTRATIVE CITATION

October 23, 2013

FILE # CRN2013-01010  
APN # 269 26 012

Fawzy Ismail  
1593 Lexington St.  
Santa Clara, CA 95050

Re: Code violation at 1593 Lexington St, Santa Clara, CA

An official notice was sent to you from the City of Santa Clara requesting you to comply with the building codes as detailed in CRN2013-01010.

Since the violation still exists, the Building Inspection Division has now issued the enclosed Administrative Citation. The citation fine of \$500.00 must be paid to the City within thirty (30) days from the date of this Administrative Citation. See the back of citation for instructions.

Payment of Administrative Fines does not excuse or discharge any continuation or repeated occurrence of the code violation(s) listed on the Administrative Citation. Payment of citation and corrective action must be taken within the next 30 days.

Contact the Building Inspection Division at (408) 615-2440 if you have any questions.

Sincerely,

*Jason Gentry*

Jason Gentry  
Housing/Building Inspector

JG:md

Enc. Administrative Citation  
Violation Notice



# Case Activity Listing

## Case #: CRN2013-01010

1/31/2014  
9:26:24AM

Activity	Description	Date 1	Date 2	Date 3	Hold	Disp	Assigned To	Done By	Updated By	Notes
CRNA003	D-7 Letter			2/11/2013	None	DONE		MDA	2/11/2013 MDA	2/11/13: Appears as though no progress has been made towards abatement. Sending D7 letter with copy of VN // MDA
CRNA001	Issuance	1/11/2013		1/11/2013	None	DONE		MDA	1/11/2013 MDA	
CRNA002	D-6 Letter			1/11/2013	None	DONE		MDA	1/11/2013 MDA	1/11/13: D6 Letter sent to owner with copy of VN // MDA
CRNA010	E-mail Sent			3/11/2013	None	DONE		MDA	3/11/2013 MDA	3/11/13: Appears as though no corrective action has been taken by owner; there has been no correspondence with owner. E-mailing AOU about the possibility of the first citation // MDA
CRNA007	Comment			3/11/2013	None	DONE		AOU	3/11/2013 AOU	Owner was informed during the visit to Permit Center that he must isolate illegal basement and provide access for Building Inspector to verify that basement is unoccupied and to post do not enter sign. Apparently this is not done by the tickler date. Approved for a citation.
CRNA012	Citation			3/13/2013	None	DONE		MDA	7/9/2013 MDA	6/24/13: FIRST citation (#15611) paid per finance // MDA 3/15/13: FIRST citation (#15611) certified mail receipt received; signed for by Hammam Ismail // MDA 3/13/13: FIRST citation (#15611) sent to owner Fawzy Ismail via certified mail with D8 letter and copy of VN // MDA
CRNA007	Comment			4/18/2013	None	DONE		RBUS	4/18/2013 RBUS	File copied for Hearing and given back to AOU//rb
CRNA007	Comment			4/17/2013	None	DONE		RBUS	4/18/2013 RBUS	Received Pre-Hearing Review Request for this case. Placed on AOU's chair//rb

Attachment 9:  
Correspondence



# Case Activity Listing Case #: CRN2013-01010

1/31/2014  
9:26:24AM

Activity	Description	Date 1	Date 2	Date 3	Hold	Disp	Assigned To	Done By	Updated By	Notes
CRNA007	Comment			5/9/2013	None	DONE		RBUS	5/9/2013 RBUS	Administrative Decision paperwork received for 5/2/13 hearing. Owner Fawzy Ishmail did not appear. Court ordered that he shall pay the \$500 citation fee. Gave paperwork to AOU//rb
CRNA007	Comment			6/18/2013	None	DONE		AOU	6/18/2013 AOU	second citation approved
CRNA010	E-mail Sent			6/14/2013	None	DONE		MDA	6/14/2013 MDA	6/14/13: Appears as though no movement towards abatement has occurred since the issuance of the first and only citation. E-mailing AOU about possible second citation // MDA
CRNA012	Citation			6/19/2013	None	DONE		MDA	9/30/2013 MDA	9/30/13: SECOND CITATION (#:15644) paid per finance // MDA. 6/21/13: SECOND CITATION (#:15644) certified mail receipt returned in mail; signature illegible // MDA. 6/19/13: SECOND CITATION (#:15644) sent to owner Fawzy Ishmail via certified mail with D8 letter and copy of VN // MDA.
CRNA011	E-mail Received			6/28/2013	None	DONE		MDA	6/28/2013 MDA	6/28/13: Shaun in planning sent the following update in regards for PLN2013-09691: Basically, there hasn't been any progress on this project since April 4. The applicant has spoken to me on and off but I have yet to see any plans resubmitted and there is a question whether or not he'll proceed on going back to the HLC.  I/We informed him that Building and Planning operate on different time tables when it comes to violations. He also is aware that his design review application doesn't preclude him from resolving his correction notice. // MDA

Attachment 9: Response to Notice





# Case Activity Listing

## Case #: CRN2013-01010

1/31/2014  
9:26:24AM

Activity	Description	Date1	Date2	Date3	Hold	Disp	Assigned To	Done By	Updated By	Notes
CRNA007	Phone Call Received			7/25/2013	None	DONE		RBUS	7/25/2013 RBUS	Fawzy called--upset that he got 2nd citation. Says someone was supposed to come and inspect but never did. He wanted to speak to AOU, but he is on vacation. Transferred him to JGEN's voicemail/rb
CRNA35	Meeting	8/26/2013	8/27/2013	8/27/2013	None	DONE	JGEN	JGEN	8/27/2013 JGEN	All water and electrical has been safed off to the basement. Both entrances of the basement have been locked off and posted do not entry. Only access should be for maintenance. Owner is aware that this is only until planning has approved his plans. After approval building permits must be pulled right away or a \$500 dollar citation will be issued.
CRNA011	E-mail Received			9/17/2013	None	DONE		MDA	9/17/2013 MDA	9/17/2013: The following e-mail received from SLAC, who is the planner assigned to PLN2013-09691: This project is still unresolved. The HLC continued the review to a later date subject to direction that he work with staff to provide a clearer plan for the property. To date, I haven't gotten anything back from him despite clear direction to him and multiple attempts to remind him that the project needs a resolution. --- Retickling case for 9/23/13 to discuss applicant's delays with AOU // MDA
CRNA010	E-mail Sent			9/30/2013	None	DONE		MDA	9/30/2013 MDA	9/30/13: E-mailing AOU to see if case can be retickled for an extended period of time or if we can do something to enhance owner's cooperation with planning (per SLAC, owner has failed to work with staff to develop a clearer plan for the property - necessary for planning approval) // MDA

Attachment 9:  
Correspondence



# Case Activity Listing

## Case #: CRN2013-01010

1/31/2014  
9:26:24AM

Activity	Description	Date 1	Date 2	Date 3	Hold	Disp	Assigned To	Done By	Updated By	Notes
CRNA012	Citation			10/23/2013	None	DONE		MDA	10/25/2013 MDA	10/25/13: THIRD citation (#15688) certified mail receipt received; signature illegible // MDA 10/23/13: THIRD citation (15688) sent to owner Fawzy Ismail via certified mail with D8 letter and copy of VN. Owner's failure to move forward with planning confirmed by SLAC; issuing citation per AOU. // MDA
CRNA007	Comment			10/23/2013	None	DONE		AOU	10/23/2013 AOU	It appears the owner is purposely delaying the approval process. (see e-mail 9/17/13). I called Fawzy Ismail (408-591-8121) on October 9, 2013 and left a message that we are going to issue a citation if I don't hear from someone ASAP. No one ever called back. Citation approved.
CRNA007	Comment			11/8/2013	None	DONE		MDA	11/8/2013 MDA	11/8/13: Per SLAC new plans have been submitted to planning and the case is scheduled to appear before the HLC on 12/5/13. Keeping current tickler date // MDA
CRNA011	E-mail Received			12/4/2013	None	DONE		MDA	12/4/2013 MDA	12/4/13: E-mail received from SLAC; HLC meeting still scheduled for 12/5/13 for review of planning case. Confirmed citation history of the case for him // MDA
CRNA007	Comment			12/13/2013	None	DONE		SLAC	1/6/2014 SLAC	Planning project reviewed by HLC on Dec. 5 - continued to Feb. 6, 2014
CRNA007	Comment			1/13/2014	None	DONE		MDA	1/13/2014 MDA	1/13/14: Retickling case for 2/10/14 to await results of HLC review // MDA

Attachment 9:  
Correspondence

May 24, 2013

Ameen Housing co-opinc  
1728 Andrea Pl.  
Santa Clara, CA 95051  
ATTN: Fawzy Ismail

RE: 1728 Andrea Pl. Santa Clara, CA

Dear Property Owner:

A complaint has been referred to our office regarding your property at the above referenced address. The complaint alleges that an addition was constructed and the garage converted to living space without permits.

You are hereby requested to address this concern and communicate with this office before June 7, 2013. If we do not hear from you, your inaction may result in an Administrative Citation, which carries with it a \$500.00 fine for each offense.

Should you require additional information or assistance, please contact the Inspection Division at (408) 615-2440.

Sincerely,



Jason Gentry  
Building Inspector

md

Attachment 9:  
Correspondence

June 26, 2013

Ameen Housing co-opinc  
1728 Andrea Pl.  
Santa Clara, CA 95051  
ATTN: Fawzy Ismail

RE: 1728 Andrea Pl. Santa Clara, CA

Dear Property Owner:

A complaint has been referred to our office regarding your property at the above referenced address. The complaint alleges that an addition was constructed and the garage converted to living space without permits.

You are hereby requested to address this concern and communicate with this office before July 10, 2013. If we do not hear from you, your inaction may result in an Administrative Citation, which carries with it a \$500.00 fine for each offense.

Should you require additional information or assistance, please contact the Inspection Division at (408) 615-2440.

Sincerely,

*Jason Gentry*

Jason Gentry  
Building Inspector

md

Attachment 9:  
Correspondence

June 26, 2013

Fawzy Ismail  
1593 Lexington St.  
Santa Clara, CA 95050

RE: 1728 Andrea Pl. Santa Clara, CA

Dear Property Owner:

A complaint has been referred to our office regarding your property at the above referenced address. The complaint alleges that an addition was constructed and the garage converted to living space without permits.

You are hereby requested to address this concern and communicate with this office before July 10, 2013. If we do not hear from you, your inaction may result in an Administrative Citation, which carries with it a \$500.00 fine for each offense.

Should you require additional information or assistance, please contact the Inspection Division at (408) 615-2440.

Sincerely,

*Jason Gentry*

Jason Gentry  
Building Inspector

md

Query Select GIS Help Cancel

1 Case # 2 Address 3 Name 4 Parcel # 5 Project Name 6 Fire Permit

Number Fraction Prefix

1728

Street Name Unit

Andrea

Service Request SER2013-B0111 Status: Pending

Name: MARY GRACE Updated: 6/26/2013 MDA

Address: 1728 ANDREA PL

Description: Master # SER2013-B0111 Project: Addition that was recently built on the back of the house turned into apartments. Garage also converted to apartment. Tenants living in some units. No permits.

Source of Request: Citizen Request

Received: 5/21/2013

Assigned: 7/22/2013

Completed: 7/25/2013

Responsible Department / Division: Building Inspection

Priority: Medium

Activity for SER2013-B0111

Description	Am/Co	Date1	Date2	Date3	MDA	Done By	Notes
Building - Letter	B0050			5/24/2013	DONE	MDA	5/24/13: Per JGEN sending D1
Service Request Complete	A0040	7/25/2013		7/25/2013	DONE	JGEN	Garage conversion has been
Initial Request	A0010			5/21/2013	DONE	REBUS	
Comment	A0025			6/26/2013	DONE	MDA	6/26/13: Leaving note for JGE
Building - Letter	B0050			6/26/2013	DONE	MDA	6/26/13: Per JGEN sending D1
Response to Referral	A0030	5/21/2013	5/21/2013	5/21/2013	DONE	REBUS	
Building - Investigation	B0010	5/21/2013	5/22/2013	5/24/2013	DONE	JGEN	Having a d11 sent to gain a in
Building - Investigation	B0010	7/10/2013	7/24/2013	7/25/2013	DONE	JGEN	Garage conversion has been

SEE PDF OF ACTIVITY LOG FOR THIS SERVICE REQUEST - SER2013-B0111

View/Add Activities

Start Microsoft Document1 Document2 Tidemark Time Off Ca CA Document 1:57



# Case Activity Listing

Case #: SER2013-B0111

3/4/2014

1:58:11PM

Activity	Description	Date 1	Date 2	Date 3	Hold	Disp	Assigned To	Done By	Updated By	Notes
SERB0050	Building - Letter			5/24/2013	None	DONE		MDA	5/24/2013 MDA	5/24/13: Per JGEN sending D11 Letter to owner Ameen Housing co-opine Attn: Ismail Fawzy// MDA
SERA0030	Response to Referral	5/21/2013	5/21/2013	5/21/2013	None	DONE		RBUS	5/21/2013 RBUS	
SERB0010	Building - Investigation	5/21/2013	5/22/2013	5/24/2013	None	DONE	JGEN	JGEN	5/24/2013 JGEN	Having a d11 sent to gain a inspection. JGEN  1728 Andrea Pl., Reported by <del>REDACTED</del> <del>REDACTED</del> Addition that was recently built on the back of the house turned into apartments. Garage also converted to apartment. Tenants living in some units. No permits.
SERA0010	Initial Request			5/21/2013	None	DONE		RBUS	5/21/2013 RBUS	
SERA0025	Comment			6/26/2013	None	DONE		MDA	6/26/2013 MDA	6/26/13: Leaving note for JGEN asking if he wants second D11 sent // MDA
SERB0050	Building - Letter			6/26/2013	None	DONE		MDA	6/26/2013 MDA	6/26/13: Per JGEN sending D11 Letters to both owner as listed in Assessors/Harris (Ameen Housing Co-opine Attn: Fawzy (Ismael) and to Fawzy Ismael at 1593 Lexington St. // MDA
SERB0010	Building - Investigation	7/10/2013	7/24/2013	7/25/2013	None	DONE	JGEN	JGEN	7/25/2013 JGEN	Garage conversion has been removed and restored back to a useable garage. The back of the house is being rented out. No new work has been created to separate this unit. No kitchen has been added. Doors between this unit and main house are still in place.



# Case Activity Listing

Case #: CRN2010-02604

1/31/2014  
9:24:19AM

Activity	Description	Date 1	Date 2	Date 3	Hold	Disp	Assigned To	Done By	Updated By	Notes
CRNA002	D-6 Letter		12/5/2010	11/1/2010	None	DONE		RBUS	11/1/2010 RBUS	Sent to owner Fawzy Ismail with electronic VN.
CRNA001	Issuance	11/1/2010	12/5/2010	11/1/2010	None	DONE		RBUS	11/1/2010 RBUS	
CRNA007	Comment			12/7/2010	None	DONE		LLUI	12/7/2010 LLUI	came up in tickler. No activity. will send D-7
CRNA003	D-7 Letter		1/7/2011	12/7/2010	None	DONE		LLUI	12/7/2010 LLUI	D-7 sent with copy of VN
CRNA007	Phone Call Received			2/24/2011	None	DONE		RBUS	2/24/2011 RBUS	Owner called and wants citation dismissed because he has now pulled a permit. Transferred him to AOU.
CRNA012	Citation		3/7/2011	2/2/2011	None	DONE		RBUS	3/7/2011 RBUS	3/3/11: Citation 15341 paid per Finance 2/23/11: Rec'd certified mail receipt, signed by owner. 2/2/11: First Citation (#15341) issued to owner via Cert. Mail
CRNA007	Comment			2/1/2011	None	DONE		AOU	2/1/2011 AOU	Owner is not responding to our notices. Forwarding files to JGEN for citation.
CRNA013	Issued Permit		2/17/2011	2/17/2011	None	DONE		RBUS	3/7/2011 RBUS	BLD2011-24811
CRNA007	Comment			3/7/2011	None	DONE		RBUS	5/26/2011 RBUS	BLD2011-24811 issued 2/17/11 but no inspections yet. Tickle 5/16/11.
CRNA007	Comment			5/26/2011	None	DONE		RBUS	5/26/2011 RBUS	BLD2011-24811 issued 2/17/11 but no inspections yet. Tickle 8/16/11.

Attachment 9:  
Correspondence





# Case Activity Listing

Case #: CRN2010-02604

1/31/2014  
9:24:19AM

Activity	Description	Date 1	Date 2	Date 3	Hold	Disp	Assigned To	Done By	Updated By	Notes
CRNA007	Comment			8/29/2011	None	DONE		RBUS	8/29/2011 RBUS	BLD2011-24811 good until 2/11/12. Tickle 2/6/12.
CRNA014	Clear CRN case			2/10/2012	None	DONE		AMOE	2/10/2012 AMOE	2/10/12: Permit BLD2011-24811 finald on 2/10/12, addresses all violations, closing out CRN //AMOE

Attachment 9:  
Correspondence

Attachment 9:  
Correspondence

November 1, 2010

FILE #: CRN2010-02604  
APN#: 269 26 012

Fawzy Ismail  
1593 Lexington St.  
Santa Clara, CA 95050

**RE: 1593 LEXINGTON ST., SANTA CLARA, CALIFORNIA**

Dear Property Owner:

An inspection of the above referenced property conducted on 11/1/10 by Jason Gentry, City of Santa Clara Building Inspector, revealed code violations that are indicated on the enclosed Violation Notice.

Failure to correct all violations indicated on the enclosed notice within the next fourteen (14) days may result in an Administrative Citation.

Citation fees are \$500 for each violation according to a fee schedule adopted by the City.

If we can be of any assistance, please call our office and speak to an Office Specialist, Monday through Friday, 8:00 a.m. – 5:00 p.m.

Sincerely,

*Rondi Bussey*

Rondi Bussey  
Office Specialist

Enclosure: Violation Notice



# Case Activity Listing

## Case #: CRN2007-01752

1/31/2014  
9:21:31AM

Activity	Description	Date 1	Date 2	Date 3	Hold	Disp	Assigned To	Done By	Updated By	Notes
CRNA001	Issuance	8/28/2007		8/28/2007	None	DONE		JGEN	8/28/2007 JGEN	
CRNB150	Spec. Insp., Bldg	6/16/2008	6/16/2008	6/23/2008	None	DONE	JGEN	JGEN	6/23/2008 JGEN	Meet Jeff from planning to go over what need to be fixed on the outside of the house.
CRNA007	Comment			9/13/2007	None	DONE		JGEN	9/19/2007 JGEN	Add 3 bathrooms remodeled all bathrooms, as well as a full kitchen remodel and repipe of the whole house water and sewer systems. Also new windows being added. Tankless water heater being added to out side of house.
CRNA013	Issued Permit		10/29/2007	10/29/2007	None	DONE		JGEN	10/29/2007 JGEN	
CRNA007	Comment			11/18/2008	None	DONE		RBUS	1/30/2009 RBUS	Came up on tickler. Passing inspection on 10/30 extended permit to 4/28/09. Tickle 1/27/09.
CRNA007	Comment			1/30/2009	None	DONE		RBUS	4/23/2009 RBUS	Came up on tickler. BLD2007-14545 good until 4/28/09. No permit pulled yet for tankless water heater and additional gas lines, and has not been added to this permit. Tickle 3/27/09.
CRNA007	Comment			4/23/2009	None	DONE		RBUS	4/23/2009 RBUS	Came up on tickler. BLD2007-14545 good until 10/13/09 due to passing inspections on 4/14/09. Permit Center signed off hold for addition of tankless water heater and additional gas lines on 3/25. Tickle 6/15/09.
CRNA014	Clear CRN case			6/17/2009	None	DONE		RBUS	6/17/2009 RBUS	BLD2007-14545 final 4/28/09.

Attachment 9:  
Correspondence

# GENERAL NOTES:

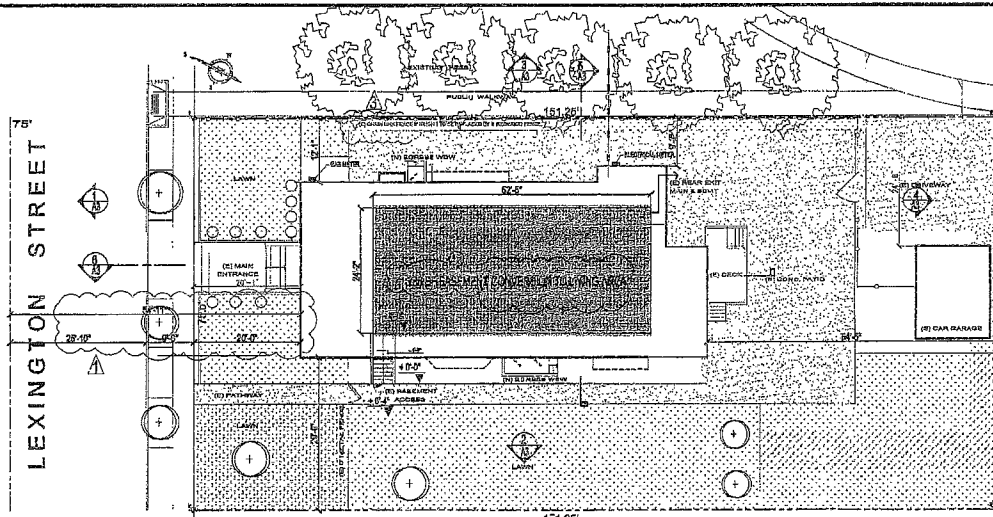
1. All construction work and its finished product shall comply with all applicable federal, state, and local codes, laws and regulations. In case of conflict, the most restrictive shall apply.
2. The issuance of a building permit shall not be construed as a guarantee that all code requirements are reflected in the documents, or guarantee of construction quality is implied or intended by the construction quality is implied or intended by the architectural documents. The general contractor shall be ultimately responsible for any or all construction deficiencies.
3. Builder set definition: these plans are "builder set", it contains all construction information for building permit and general construction purposes only. They are not necessarily specific nor are fully specified. This has been provided for the use of a knowledgeable and experienced contractor. It is the responsibility of the contractor to verify, select, note, and follow all conditions and equipment carefully.
4. By awarding contracts, prior to commencing any work or creating any material, contractor represent that they have:
  - a. Liability Insurance and workers compensation insurance.
  - b. Verified existing job site conditions and surroundings, locations of all utility lines, conditions, surface or subsurface structures, etc.
  - c. Contractor to verify all measurements shown on these drawings which supersede scales of drawings.
5. The contractor shall immediately notify the engineer/architect or owner of any conflicts or inconsistencies they discover within the drawings or adding field work to the plan to continue the work.
6. Unless noticed and arranged by owner, there will be no designer or engineer observation during construction. The contractor shall be solely responsible for the quality control and construction standards of this project.
7. Demolition shall be done in a safe, orderly manner without damaging to other parts of the structure or adjacent properties.
8. All demolition items shall be disposed of by the contractor unless otherwise directed by the owner, verify with the owner on items to be moved and stored.
9. All removal items to be moved for reuse shall be handled with care.
10. All public improvements shall be made in accordance with the latest adopted city ordinances if any applicable.

# ARCHITECTURAL NOTES:

1. ALL WORK CONNECTED WITH THIS PROJECT SHALL BE DONE IN A PROFESSIONAL MANNER IN ACCORDANCE WITH THE TRADITIONALLY AND LEGALLY DEFINED "BEST ACCEPTED PRACTICE" OF THE TRADE INVOLVED. ADDITIONALLY, ALL WORKSHALL COMPLY WITH APPLICABLE CODES & TRADE STANDARDS WHICH GOVERN EACH PHASE OF WORK INCLUDING THE:
  - SANTA CLARA CITY ORDINANCE
  - 2010 CALIFORNIA RESIDENTIAL BUILDING CODE
  - 2010 CALIFORNIA ELECTRICAL CODE
  - 2010 CALIFORNIA MECHANICAL CODE
  - 2010 CALIFORNIA PLUMBING CODE
  - 2008 CALIFORNIA ENERGY CODE AKA Energy Efficiency Standards (EES)
  - 2010 CALIFORNIA FIRE CODE

# CONSIDER GREEN NOTES:

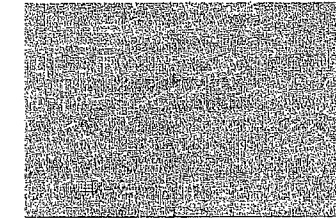
- Recycle All Site Construction and Demolition Waste
- Salvage Reusable Building Materials
- Design Resource-Efficient Landscapes and Gardens
- Provide for On-Site Water Catchment / Retention
- Remedial for Mixed Use, Adaptive Reuse, and Historic Preservation
- Install High Efficiency Irrigation Systems
- Reuse Materials or Use Recycled-Content Materials for Landscape Areas
- Protect Native Soil
- Minimize Disruption of Existing Plants and Trees
- Implement Construction Site Stormwater Protection
- Incorporate Recycled Flyash in Concrete
- Use Recycled-Content Aggregate for Base/Drainage
- Install Foundation Before Soils



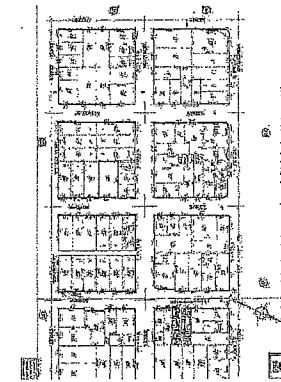
PROPERTY LINE	---
CONCRETE	=====
GRASS	~~~~~
EXISTING BUILDING	=====
CONVERSION AREA	=====
CONTRACTOR'S MARK	o

# 1 SITE PLAN

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



VICINITY MAP



LOCATION MAP

# SCOPE OF WORK:

1. CONVERSION OF 1,298 SQ FT UTILITY BASEMENT AREA TO LIVING SPACE WITH:
    - MASTER BEDROOM WITH FULL BATH AND WET BAR AND WALKING CLOSET
    - RETIRED ROOM, GAME ROOM AND MEDIA ROOM WITH FULL BATHROOM
    - MUST BE ADDED EGRESS WINDOWS AT SLEEPING ROOMS.
- "HOUSE WILL BE RAISED 16" FROM GROUND"

# SCOPE OF WORK:

PROJECT DESCRIPTION:  
 BUILDING OCCUPANCY: RESIDENTIAL SFR + RS-1+  
 TYPE OF CONSTRUCTION: V  
 STORIES: 1 + BASEMENT  
 PROPERTY ADDRESS: 1593 LEXINGTON STREET  
 SANTA CLARA CA 95050  
 APN: 899-28-012 TRACT No. BLK LOT  
 LOT 6522 11,943 SF  
 SPRINKLER: NO YEAR BUILT: 1912

# EXISTING STRUCTURE:

EXISTING FIRST FLOOR	1,298 SF
EXISTING CAR GARAGE	280 SF
EXISTING BASEMENT (UNCONDITIONED)	1,341 SF
EXISTING COVERED PATIO	288 SF

# PROPOSED STRUCTURE:

NEW FLOOR-CONDITIONED AREA (B) 1,854 + (A) 1,298	= 3,152 SF
HABITABLE AREA ADDITION	1,298 SF
% LOT COVERAGE	(2,422 SF / 11,943 SF) x 100 = 20.28%

# INDEX

- A1 - SITE PLAN, & GENERAL INFORMATION.
- A2 - EXISTING FLOOR, ROOF PLANS, AND ELEVATIONS.
- A3 - PROPOSED BASEMENT FLOOR & EXISTING MAIN FLOOR LAYOUT & ELEVATIONS.
- A3a - EXISTING ELEVATIONS.
- A3b - PROPOSED ELEVATIONS, LAYOUT & NOTES.

ST	30-1
SC-2	1-24

APPROVED FOR THE CITY OF SANTA CLARA  
 2010 CALIFORNIA RESIDENTIAL BUILDING CODE  
 2010 CALIFORNIA ELECTRICAL CODE  
 2010 CALIFORNIA MECHANICAL CODE  
 2010 CALIFORNIA PLUMBING CODE  
 2008 CALIFORNIA ENERGY CODE AKA Energy Efficiency Standards (EES)  
 2010 CALIFORNIA FIRE CODE

APPROVED FOR THE CITY OF SANTA CLARA  
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 2010 CALIFORNIA PLUMBING CODE  
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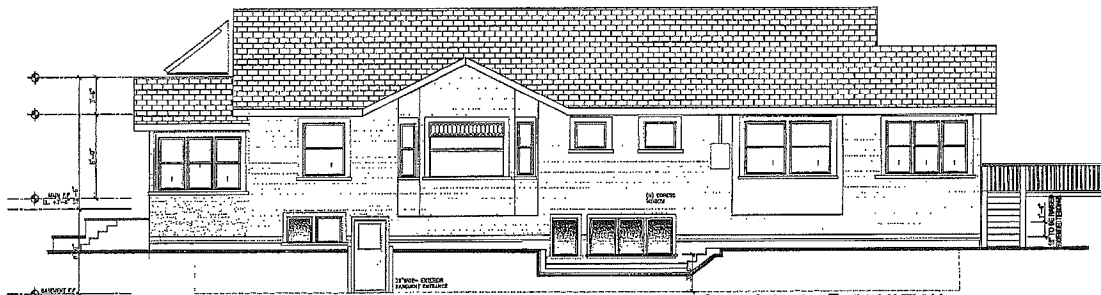
REVISIONS	BY
03-13-13	AM
09-20-13	AM
12-17-13	AM

BASEMENT CONVERSION TO LIVING AREA  
 MR AND MRS SMAL  
 1593 LEXINGTON STREET, SANTA CLARA CA 95050  
 PH: 408-597-4812

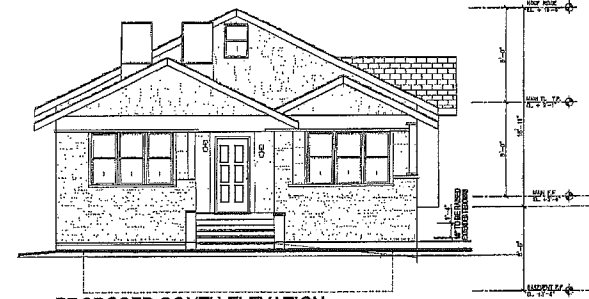
PERMIT NO. 2013  
 10/15/2013  
 Drawn  
 10/15/2013  
 10/15/2013  
 10/15/2013

A1  
 Planning 12/17/2013

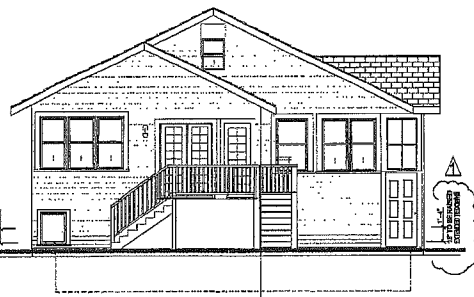




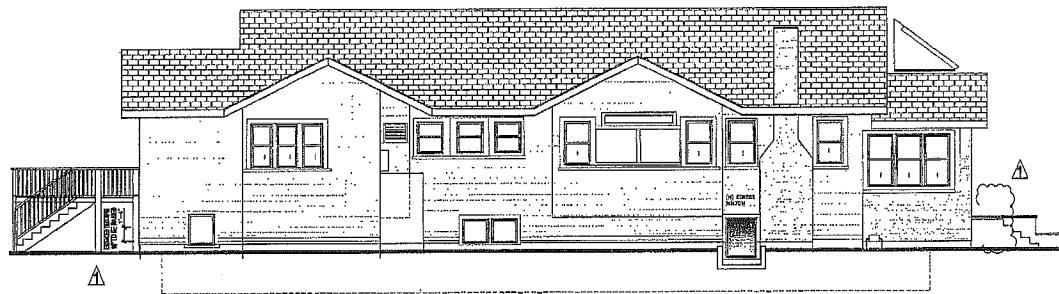
② PROPOSED EAST ELEVATION  
SCALE: 3/16"=1'-0"



① PROPOSED SOUTH ELEVATION  
SCALE: 3/16"=1'-0"



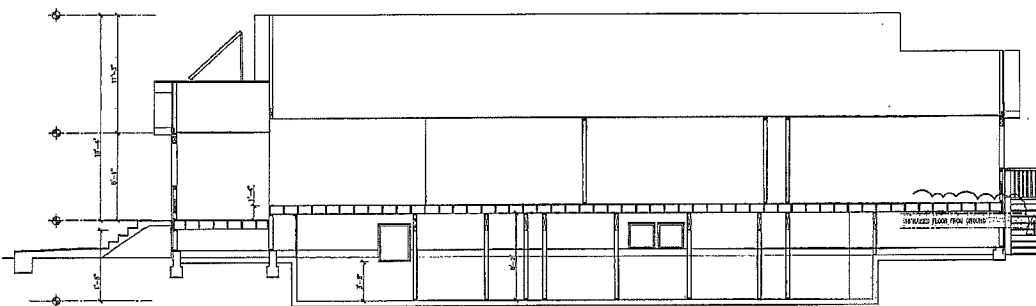
④ PROPOSED NORTH ELEVATION  
SCALE: 3/16"=1'-0"



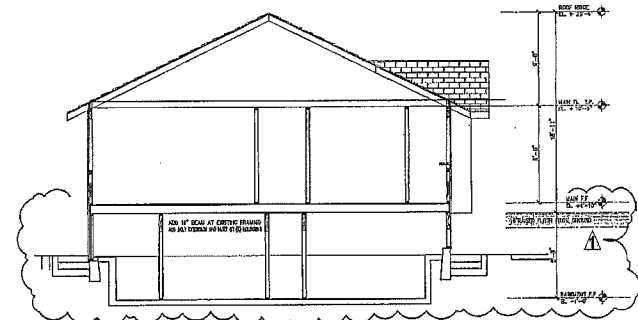
③ PROPOSED WEST ELEVATION  
SCALE: 3/16"=1'-0"

EXTERIOR ELEVATION NOTES

1. Existing 6" Lap - Redwood Siding, Remain in original condition. No changes or alterations to be done on siding.
2. Roofing: Composite Shingle with same color and pattern of the original condition of the House.
3. Windows: Double Hung glass windows. No changes or Alterations.
4. Windows Trim: 4" wood trim. No changes or Alterations.
5. All SIDING AND TRIM WORK TO REMAIN AS ORIGINAL CONDITIONS.
6. Existing Concrete at front entrance.
7. Deck area in rear to remain in original condition.
8. Back door to crawl space shown, to remain in original condition.
9. Broken boards on House.
10. a. Boards to be replaced with equal same material (6 inches Siding).
11. b. Steps to be replaced or securely fastened.
12. c. STEPS TO BE ADDED AS HOME BE RAISED.
13. CRIPPLE WALL TO BE RAISED 16" AND THE ADDED SIDING SIMILAR AS POSSIBLE.

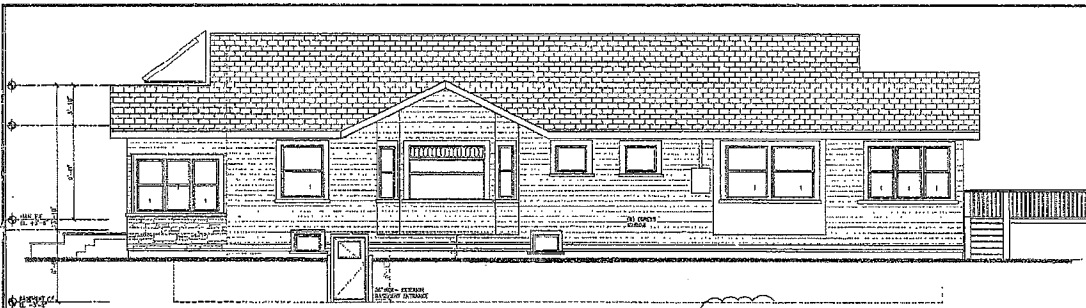


⑥ PROPOSED BUILDING CROSS SECTION  
SCALE: 3/16"=1'-0"

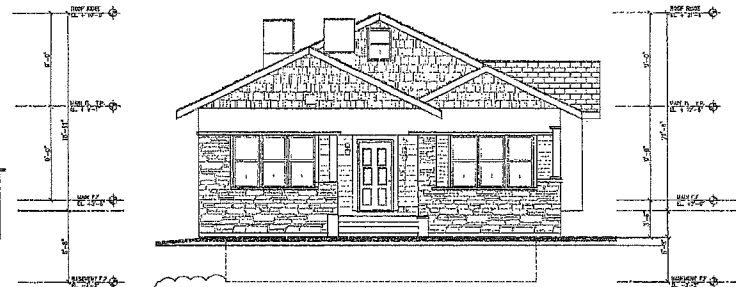


⑤ PROPOSED BUILDING CROSS SECTION  
SCALE: 3/16"=1'-0"

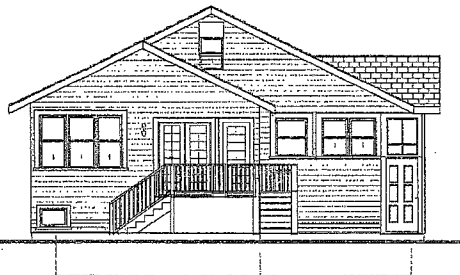
<p>Project Name: <b>Basement Conversion to Living Area</b>          Address: <b>MR AND MRS ISMAIL</b>          1593 LEXINGTON STREET          SAN JOSE, CA 95050          PH: 408-581-4121</p>	
<p>Owner: <b>MR AND MRS ISMAIL</b>          1593 LEXINGTON STREET          SAN JOSE, CA 95050          PH: 408-581-4121</p>	
<p>Owner Contractor:</p>	
<p>PROPOSED ELEVATION</p>	
REVISIONS	BY
03-13-13	A.M.
09-20-13	A.M.
<p><b>BASMENT CONVERSION TO LIVING AREA</b>  <b>MR AND MRS ISMAIL</b>          1593 LEXINGTON STREET, SANTA CLARA CA 95050          PH: 408-581-4121</p>	
Date	FEBRUARY 2013
Scale	AS SHOWN
Drawn	Aditi Mathur
Job	019-Lexington-2013
Sheet	<b>A3</b>



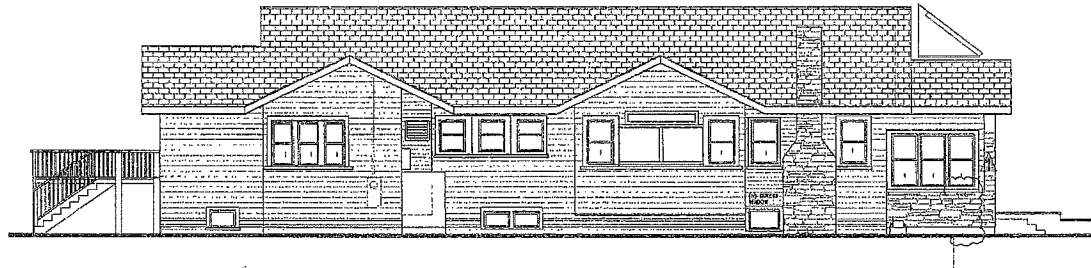
2 EXISTING EAST ELEVATION  
SCALE: 3/16"=1'-0"



1 EXISTING SOUTH ELEVATION  
SCALE: 3/16"=1'-0"



4 EXISTING NORTH ELEVATION  
SCALE: 3/16"=1'-0"



3 EXISTING WEST ELEVATION  
SCALE: 3/16"=1'-0"

EXTERIOR ELEVATION NOTES

1. Existing 6" Lap - Redwood Siding. Remain in original conditions. No changes or alterations to be done on siding.
2. Siding: Composite Shingle with same color and pattern of the original condition of the House.
3. Windows: Double Hung glass windows. No changes or Alterations.
4. Windows Trim: 4" wood trim. No changes or Alterations.
5. All Siding and Trim WORK TO REMAIN AS ORIGINAL CONDITIONS.
6. Existing Concrete at front entrance.
7. Existing Concrete at rear to remain as original condition.
8. Deck area to rear to remain as original condition.
9. Back door to rear to remain as original condition.

PAVIT ISMAIL  
ARCHITECT  
28205 CA AVE #2  
SANTA CLARA CA 95050  
PH: 408-591-5121  
FAX: 408-591-5121

PAVIT ISMAIL  
ARCHITECT  
28205 CA AVE #2  
SANTA CLARA CA 95050  
PH: 408-591-5121  
FAX: 408-591-5121

Owner: Contractor

EXISTING ELEVATIONS

REVISIONS	BY
12-17-13	AM
Planning	

BASEMENT CONVERSION TO LIVING AREA  
MR AND MRS ISMAIL  
1533 LEXINGTON STREET, SANTA CLARA CA 95050  
PH: 408-591-5121

DATE: FEBRUARY 2010  
SCALE: AS SHOWN  
DRAWN:  
CHECKED:  
JOB: 018 Lexington-EB3  
SHEET:

A3a  
Planning 12/17/13

# GENERAL NOTES:

1. All construction work and its finished product shall comply with all applicable federal, state, and local codes, laws and regulations. In case of conflict, the most restrictive shall apply.
2. The issuance of a building permit shall not be construed as a guarantee that all code requirements are reflected in the documents, nor guarantee of construction quality is implied or intended by the construction quality. It is the responsibility of the contractor to verify, select, make, and install all materials and equipment comply.
3. By executing certificate, prior to commencing any work or ordering any material, contractor represents that they have:
  - a. Verified existing job site conditions and surroundings, including all utility lines, conduits, surface or subsurface structures, etc.
  - b. Verified all measurements shown on these drawings which supersede scales of drawings.
  - c. The contractor shall immediately notify the designer/architect or owner of any conflicts or discrepancies they discover while the drawings or existing field conditions prior to continue the work.
  - d. Unless verified and arranged by owner, there will be no design or engineer observation during construction. The construction shall be solely responsible for the quality control and construction standards of this project.
  - e. Demolition shall be done in a safe, orderly manner without damaging to other parts of the premises or adjacent properties.
  - f. All demolished items shall be disposed of by the contractor unless otherwise directed by the owner, verify into the owner on items to be moved and stored.
  - g. All removed items to be moved for reuse shall be handled with care.
  - h. All public improvements shall be made in accordance with the latest adopted city standards if any applicable.

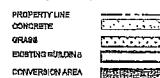
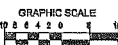
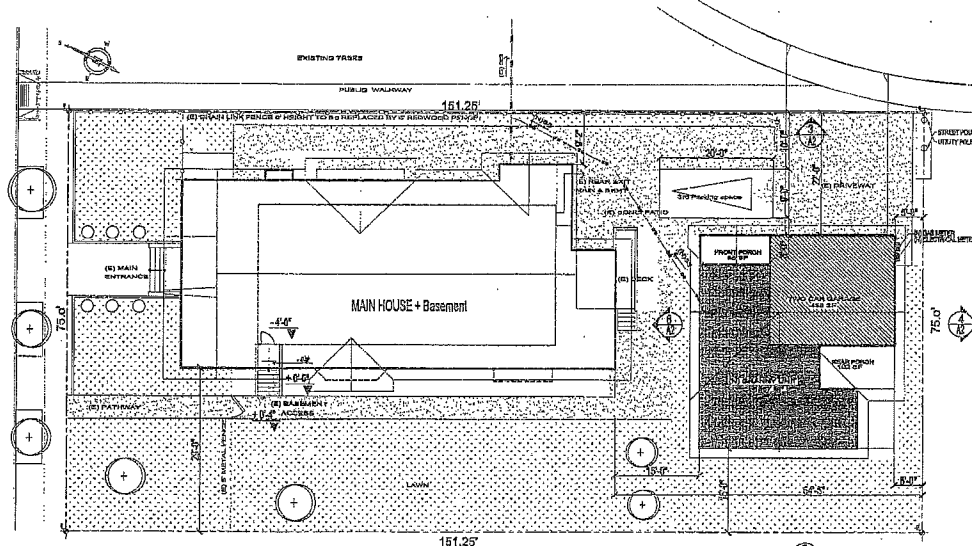
# ARCHITECTURAL NOTES:

1. ALL WORK CONNECTED WITH THIS PROJECT SHALL BE DONE IN A PROFESSIONAL MANNER IN ACCORDANCE WITH THE TRADITIONALLY AND LOCALLY DERIVED "BEST ACCEPTED PRACTICE" OF THE TRADE INVOLVED. ADDITIONALLY, ALL WORKSHALL COMPLY WITH APPLICABLE CODES & TRADE STANDARDS WHICH GOVERN EACH PHASE OF WORK, INCLUDING THE:
  - SANTA CLARA CITY ORDINANCE
  - 2010 CALIFORNIA RESIDENTIAL BUILDING CODE
  - 2010 CALIFORNIA ELECTRICAL CODE
  - 2010 CALIFORNIA MECHANICAL CODE
  - 2010 CALIFORNIA PLUMBING CODE
  - 2008 CALIFORNIA ENERGY CODE AKA Energy Efficiency Standards (EES)
  - 2010 CALIFORNIA FIRE CODE

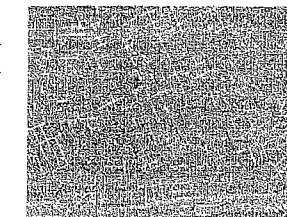
# CONSIDER GREEN NOTES:

- Recycle Job Site Construction and Demolition Waste
- Salvage Reusable Building Materials
- Design Reversible-Efficient Landscapes and Gardens
- Provide for On-Site Water Catchment / Retention
- Remediate for Mixed Use, Active Uses, and Historic Preservation
- Install High Efficiency Irrigation Systems
- Reuse Materials or Use Recycled-Content Materials for Landscape Areas
- Protect Native Soil
- Minimize Disruption of Existing Plants and Trees
- Implement Construction Site Stormwater Practices
- Incorporate Recycled Flyash in Concrete
- Use Recycled-Content Aggregate for Backfill Drainage
- Insulate Foundation Before Backfill.

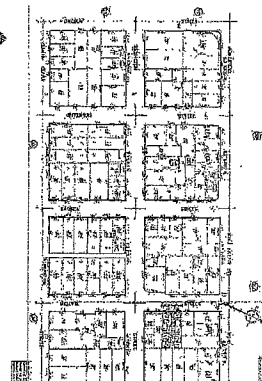
LEXINGTON STREET



1 SITE PLAN  
SCALE 1"=10'-0"



VICINITY MAP



LOCATION MAP

INDEX	
A1	- SITE PLAN, & GENERAL INFORMATION.
A2	- PROPOSED FLOOR, ROOF PLAN, AND ELEVATIONS.
B1	
SD-1	
SD-2	
T-2A	

# SCOPE OF WORK:

1. NEW 2 CAR GARAGE & GRANNY UNIT.

# SCOPE OF WORK:

# PROJECT DESCRIPTION:

BUILDING OCCUPANCY: RESIDENTIAL SFR "R3-UNIT"  
 TYPE OF CONSTRUCTION: V  
 STORIES: 1 STORY  
 PROPERTY ADDRESS: 1503 LEXINGTON STREET  
 SANTA CLARA, CA 95050  
 APN: 260-25-012 TRACT No. 1503 LEXINGTON STREET  
 LOT SIZE: 11,343 SF YEAR BUILT: 1912  
 SPRINKLER: NO

# EXISTING STRUCTURE:

EXISTING FIRST FLOOR 1,856 SF  
 EXISTING CAR GARAGE 280 SF  
 EXISTING BASEMENT (UNCONDITIONED) 1,417 SF  
 EXISTING COVERED PATIO 286 SF

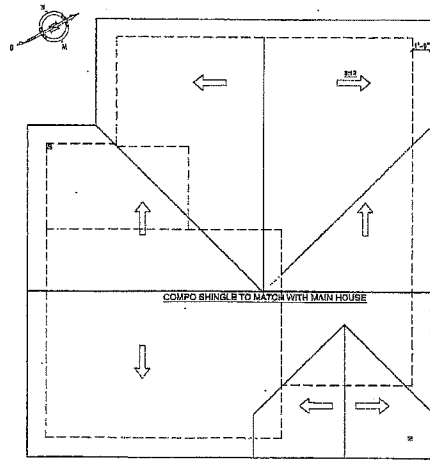
# PROPOSED STRUCTURE:

LIVING AREA FIRST FLOOR 637 SF  
 REAR PORCH 102 SF  
 FRONT PORCH 86 SF  
 2 CAR GARAGE 435 SF

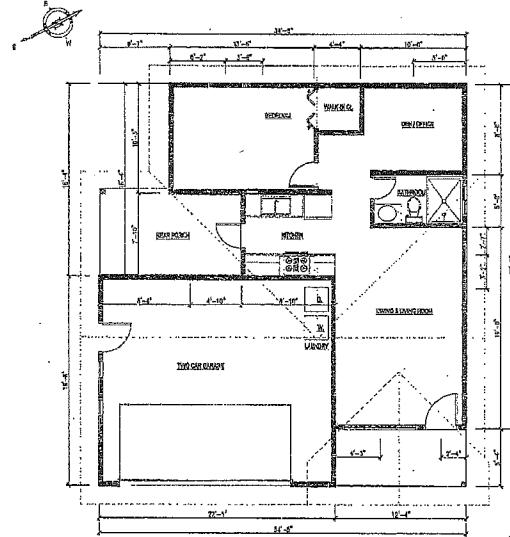
HABITABLE AREA ADDITION 637 SF  
 % LOT COVERAGE (3,381 SF / 11,343 SF) x 100 = 29.8%

PROJECT: 2 CAR GARAGE + GRANNY UNIT DRAWN BY: MAR AND MRS ISMAIL 1503 LEXINGTON STREET, SANTA CLARA, CA 95050 PH: 408-591-1412	
REVISIONS 11-18-13 Planning	BY AM
2 CAR GARAGE + GRANNY UNIT MAR AND MRS ISMAIL 1503 LEXINGTON STREET, SANTA CLARA, CA 95050 PH: 408-591-1412	
Date: 4/18/2013 Scale: AS SHOWN Drawn: AutoCAD Job: 000-Lexington-000 Sheet: A1 Planning: 12/27/2013	

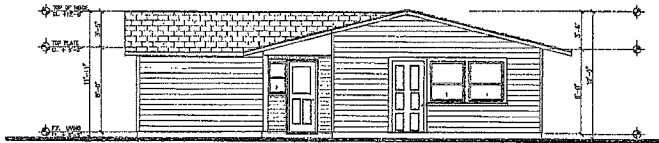




② PROPOSED GARAGE & GRANNY UNIT ROOF PLAN  
SCALE: 3/16"=1'-0"



① PROPOSED GARAGE & GRANNY UNIT FLOOR PLAN  
SCALE: 3/16"=1'-0"



⑤ PROPOSED SOUTH ELEVATION  
SCALE: 3/16"=1'-0"



③ PROPOSED WEST ELEVATION  
SCALE: 3/16"=1'-0"



⑥ PROPOSED EAST ELEVATION  
SCALE: 3/16"=1'-0"



④ PROPOSED NORTH ELEVATION  
SCALE: 3/16"=1'-0"

EXTERIOR ELEVATION NOTES

- 1. New 8" Lap - Redwood Siding, to match with Main house.
- 2. Roofing: Composite Shingle with same color and pattern of the Main House.
- 3. Windows: Double Hung glass windows, Similar to Main House windows.
- 4. Window Trim and sill 4" wood trim, Similar to Main house.
- 5. New Concrete at front entrance.
- 6. New Garage wood door with similar or compatible decorations to Main House.

Design: Mary Ann 2000 N. 1st St. Santa Clara, CA 95050 Tel: 408-251-5121 Fax: 408-251-5121 Email: maryann@maryann.com		Owner: Contractor
FAVORITE SMALL 1000 N. 1st St. Santa Clara, CA 95050 Tel: 408-251-5121 Fax: 408-251-5121 Email: maryann@maryann.com		
REVISIONS	BY	
11-18-13	AM	
2 CAR GARAGE + GRANNY UNIT MARY ANN 1000 N. 1st St. Santa Clara, CA 95050 Tel: 408-251-5121 Fax: 408-251-5121 Email: maryann@maryann.com		
Date:	09/21/13	
Scale:	AS SHOWN	
Drawn:	Mary Ann	
Job:	001-1000-000	
Sheet:	A2	
Planning 12/17/2013		

PO Box 1332  
San Jose, CA 95109-1332  
408.297.2684 Office  
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May 21, 2013

Fawzy Ismail  
1593 Lexington St.  
Santa Clara, CA 95050

RE:   Historical Evaluation 1593 Lexington St., Santa Clara (APN 269-26-012)

Dear Mr. Ismail:

Please find attached historic property recordation forms (DPR523) prepared for the property located at 1593 Lexington St., Santa Clara, California. The forms were prepared for your use and submittal to the City of Santa Clara in conjunction with your application for permit entitlements for your property.

The City of Santa Clara utilizes the research, evaluation, and findings of qualified consultants to help them in determining whether a property might be historically significant in terms of local, state and national evaluation criteria. I am qualified to perform this evaluation, and have been preparing evaluations for properties in the City of Santa Clara since 1999. My qualifications include a professional degree in architecture with an area of concentration in Architectural History from the University of California, Berkeley, and I am also listed as an Architectural Historian with the California Historical Resources Information System (CHRIS) (see [www.chrisinfo.org](http://www.chrisinfo.org)). Sarah Winder, Historian, conducted research into the historic context and drafted the DPR523 forms. Ms. Winder has a Master of Arts in History from San Jose State University, and is also listed with CHRIS as Historian. All the preparers of this recording meet the Secretary of the Interior's qualifications to perform identification, evaluation, registration, and treatment activities in compliance with state and federal environmental laws. CHRIS utilizes the criteria of the National Park Services outlined in 36 CFP Part 61.

The forms constitute an historical and architectural evaluation of the property, based on the "Instructions for Recording Historical Resources," prepared by the Office of Historic Preservation, March 1995. The attached DPR523 forms dated May 21, 2013, which we prepared, document the historical and architectural aspects of the property at 1593 Lexington St. in the City of Santa Clara.

We believe your house to be a vernacular example of Craftsman residential architecture built by an as yet unidentified architect or builder. It is located in a recognized historic area within the City of Santa Clara known as the Old Quad, and is surrounded by residences of a mix of ages. The forms that are attached to this letter provide a history of the building and a detailed visual description of its architectural features. We noted that the house was constructed around 1911, when the property was then apparently owned by Henry L. and Mary Warburton. It is identified with the Warburton family until about 1920. Over the years, it has been the home to a number of different families.

We reviewed the house using the City of Santa Clara Inventory designation criteria, which is used to consider historical significance for properties within the Santa Clara city jurisdiction. The Criteria for Local Significance were adopted on April 20, 2004 by the City of Santa Clara City Council. The property is eligible for individual listing on the City of Santa Clara's Architecturally or Historically Significant Property Inventory, as it is a contributor to the historic character of the Old Quad, and is associated with the Henry L. and Mary Warburton family, who are remembered as important persons in the history of Santa Clara. The family's later residence known as the H. L. Warburton House and located at 1191 Fremont Street, is more importantly identified with the family in local histories and by the City of Santa Clara, as the family lived at the Fremont Street location for a much longer time until Mary's death in the 1960s.

The property is noted by the City of Santa Clara Smart Permit Center as being historically significant, but it not currently listed on the City's Historic Resources Inventory. We noted that the residential building has undergone changes in the front façade, and although having undergone some other minor changes over the years, has sufficient integrity to its period of significance to continue to be considered a historic property. The period of significance is noted as 1911-1920.

In reviewing the possible historical values associated with the property at 1593 Lexington St., we find that the property has local significance, but does not appear eligible for listing as a separate property on the California Register of Historical Resources, or the National Register of Historic Places. However, the property has some local significance for its contribution to the Old Quad Neighborhood, and for its brief association with members of the Warburton family, who are remembered for their contributions to Santa Clara and its development.

If you have any questions, please contact me.

Sincerely:

A handwritten signature in black ink, appearing to read 'F. Maggi', with a stylized flourish at the end.

Franklin Maggi, Architectural Historian

attachments

State of California – The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**PRIMARY RECORD**

Primary #  
HRI #  
Trinomial  
NRHP Status Code

Other Listings  
Review Code

Reviewer

Date

Page 1 of 13

\*Resource Name or #: (Assigned by recorder) 1593 Lexington St.

P1. Other Identifier: None.

\*P2. Location: ☐ Not for Publication ☒ Unrestricted

\*a. County Santa Clara

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

\*b. USGS 7.5' Quad San Jose West Date 1961 (photo revised 1980) T 7S; R 1E; Mount Diablo B.M.

c. Address 1593 Lexington St. City Santa Clara Zip 95050

d. UTM: (Give more than one for large and/or linear resources) Zone 10S; 592942 mE/4133735 mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

Assessor's Parcel Number: 269-26-012,

northeast corner of Lexington and Lincoln Streets.

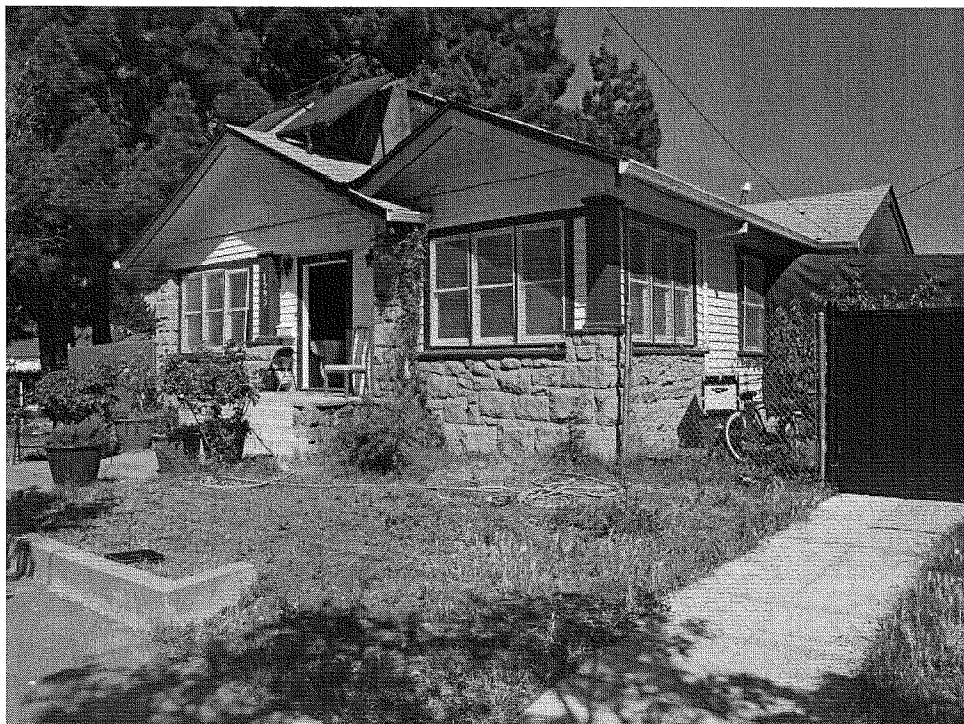
\*P3a Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

The ca. 1911 single family house at the northeasterly corner of Lexington and Lincoln Streets (North Winchester Blvd.) in the City of Santa Clara embodies through its form and detailing, a vernacular early-twentieth century Craftsman design. Vernacular Craftsman houses of the greater Bay Area, constructed from about 1905 to 1925, were a popular design response to the Arts and Crafts Movement, as presented in such magazines as *Craftsman*. Craftsman construction techniques included the use of exposed timber framework, kneebraces, and wood trim, use of natural materials as ornament, and multi-lite fenestration. The design of this house at 1593 Lexington St. incorporates many character-defining features and materials that represent the era in which it was built.

(Continued on page 2, DPR523L)

\*P3b. Resource Attributes: (List attributes and codes) HP2. Single family property

\*P4 Resources Present: ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)



P5b. Description of Photo: (View, date, accession #)

View of front façade facing northwest, 2013.

\*P6. Date Constructed/Age & Sources:

☒ Historic ☐ Prehistoric ☐ Both

Ca. 1911, city directories/102 years old.

\*P7. Owner and Address:

Fawzy Ismail  
1593 Lexington St.  
Santa Clara, CA 95050

\*P8. Recorded by: (Name, affiliation, and address)

F. Maggi and S. Winder  
Archives & Architecture LLC  
PO Box 1332  
San Jose CA 95109-1332

\*P9. Date Recorded: 5/21/2013

\*P10. Survey Type: (Describe)  
Intensive

\*P11. Report Citation: (Cite survey report and other sources, or enter "none".)

None.

\*Attachments: ☐ NONE ☒ Location Map ☐ Sketch Map ☒ Continuation Sheet ☒ Building, Structure and Object Record ☐ Archaeological Record  
☐ District Record ☐ Linear Feature Record ☐ Mining State Record ☐ Rock Art Record ☐ Artifact Record ☐ Photograph Record ☐ Other (List)

State of California – The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
CONTINUATION SHEET

Primary #  
HRI #  
Trinomial

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\*Resource Name or # (Assigned by recorder) 1593 Lexington St.

\*Recorded by Franklin Maggi & Sarah Winder

\*Date 5/21/2013

☒ Continuation ☐ Update

*(Continued from page 1, DPR523a, P3a Description)*

The house is located within the historic Old Quad neighborhood of Santa Clara. This area is a significantly intact historic residential neighborhood, representing an eclectic mix of house styles and buildings types and ages from the beginning of American California through the present day. The larger setting includes many National style, some Victorian era, and many early-twentieth century Craftsman bungalows and cottages. The property is surrounded by much of its historic residential setting, including the surrounding properties of a similar scale and setback, mature trees and other landscaping, and adjacent houses of similar scale, but an eclectic mix of age and design. The corner property is bordered by large pine trees to the west where North Winchester Boulevard has been merged into Lincoln Street.

The immediate setting of the nominally south-facing house includes a modest raised front yard that relates in setback to the setting of the immediate neighborhood. The front yard contains some shrubbery, and the interior yard areas are generally shielded from public view. Although the neighborhood and property are generally level, the front is raised at the property line entry with two older concrete steps with a pathway that lead to a set of replacement concrete steps set with stone sidewalls. The rear yard as well as the street side yard is paved with concrete, and the driveway off Winchester Boulevard to the rear garage has an asphalt base.

The raised one-story cottage has an approximately rectangular footprint. The house is topped by a gabled roof that has stepped gables at both the front and rear, and a mix of cross-gables and cantilevered bays along the side elevations. Above the roof at the front of the building are solar panels mounted above the front wing. The form of the house is accented at the front façade by doubled gables, although the gable to the right (southeast corner of the building) is over a volume of recent construction (since 1950), as the house originally had only a front porch extension at the southwest corner near the street intersection as shown on the 1950 Sanborn Fire Insurance Map.

Whether the stone cladding on the addition predates the expansion is unknown. The stone cladding at the front of the building as well as the chimney may date to the construction of the addition and enclosure, or to an earlier time.

The cross-gabled wall extensions at the front of the building do not match, as the cantilevered bay at the inside elevation (east side) is angled. The cantilevered bay along the street side is squared. This wide projection accommodates a very large picture window and flanking double-hung windows with upper leaded glass lites. Set above and within the width of the large picture window is a wide transom with a leaded glass window.

The rear sides of the building have differing wall extensions; the interior elevation has a cantilevered square bay with a doubled set of double hung windows – the bay is tucked under the lower eave of the roof. At the outside (street) elevation wall extensions the wall drops under a large gable, but unlike the other three bay windows, this one rests on a foundation at grade. This wall extension has a triple set of double hung windows offset in the wall to the rear. This corner of the building may have original been an open porch.

At the rear of the house, an entry at the northwest corner of the building enters the building at grade. The opposite corner of the rear façade has multiple double hung windows at the corner forming a windowed sunroom. The center of the rear presently contains a three-section French door that leads to a contemporary open deck. Most of the fenestration in the building has been recently replaced with matching double-hung dual-pane window units. Sash with leaded glass inserts were preserved in-place, as well as the large picture window.

The raised building has a basement with access along the easterly façade near the front.

*(Continued on next page)*

State of California – The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
CONTINUATION SHEET

Primary #  
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\*Resource Name or # (Assigned by recorder) 1593 Lexington St.

\*Recorded by Franklin Maggi & Sarah Winder

\*Date 5/21/2013

☒ Continuation ☐ Update

*(Continued from previous page)*

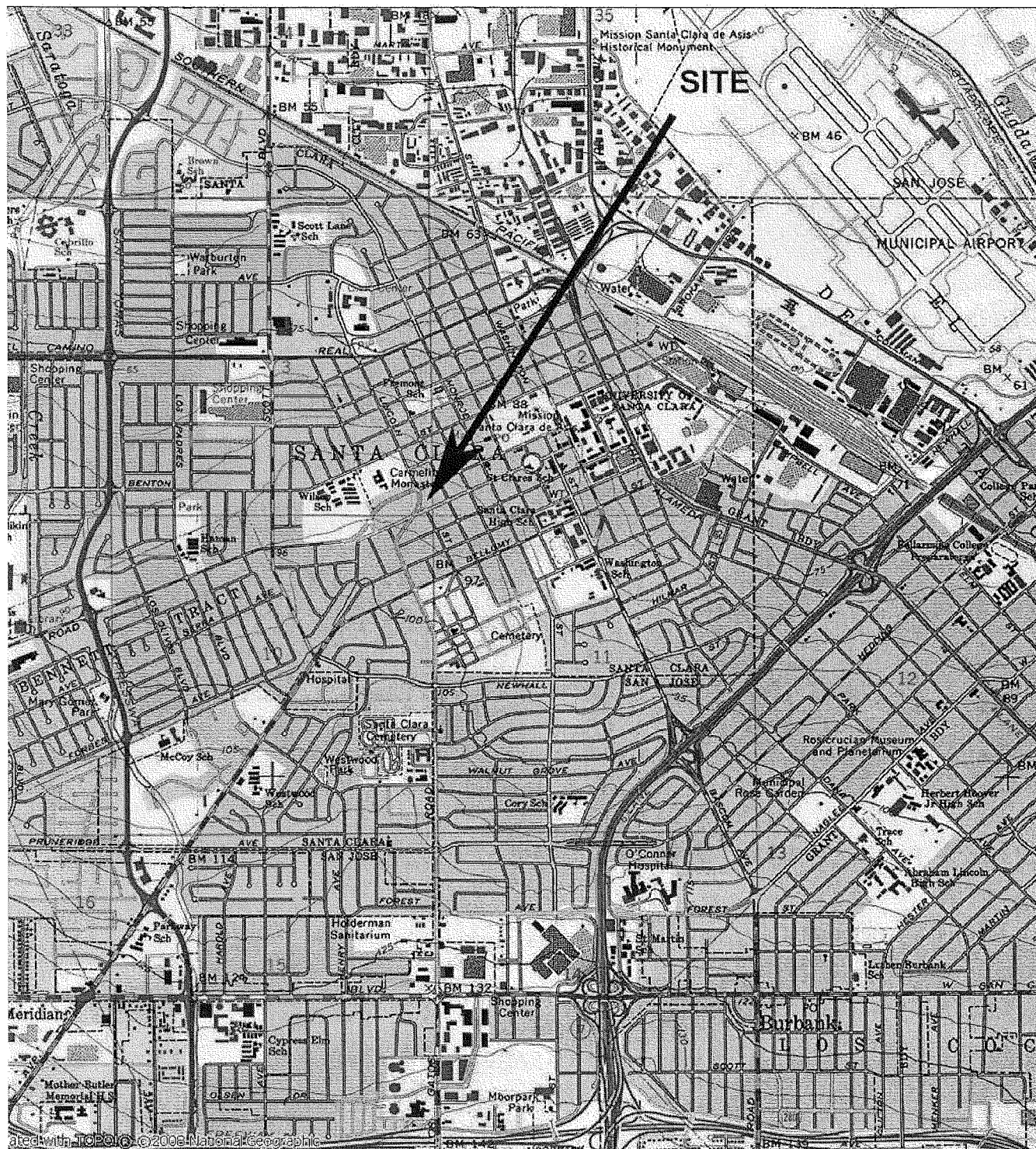
In keeping with the style of construction, the deep eaves are open with exposed rafters, and have flat board deck cladding and large flat board rake fascias. The side is clapboard, common to Craftsman houses of the period, and the gable ends are clad with shingles above the lap siding. The gutters at the eaves are aluminum replacements. The roof is currently covered with composition shingles. The windows are trimmed with flat-board; the aprons are shaped and trimmed.

The one-car garage at the rear is of simple wood construction and is clad with matching lap siding as found on the house. The double hinges doors are clad with beaded board paneling.

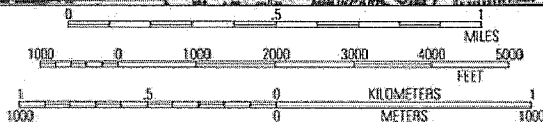
Integrity and character-defining features:

The property retains its primary historical integrity over time as per the National Register's seven aspects of integrity. The house maintains its original location on Lexington Street in Santa Clara. The property is set within a historic residential setting, known as the Old Quad neighborhood of Santa Clara, including surrounding properties of a similar scale and adjacent houses of similar age, scale, setbacks, and related early design. The house retains its early-1900s residential scale and feeling and has continued to illustrate its associations with the design of Craftsman Bungalow residences in Santa Clara. The historic design features include: rectangular, raised, form bay windows, overall proportions of the windows and walls; lap siding, window and door trim, and leaded-glass accent window. The addition at the front provides some confusion as to the originally of the stone cladding, and the open porch has been enclosed, disrupting the original appearance from the street, although the enclosure and addition have been done in a way to attempt to match the original materials. The original character-defining materials and workmanship of this house have been generally preserved.





NATIONAL  
GEOGRAPHIC



TN+1MN  
14°  
05/22/13

State of California – The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
BUILDING, STRUCTURE, AND OBJECT RECORD

Primary #  
HRI #

Page 5 of 13

\*NRHP Status Code 583

\*Resource Name or # (Assigned by recorder) 1593 Lexington St.

B1. Historic Name: Henry and Mary Warburton residence

B2. Common Name: None

B3. Original use: Single family residence

B4. Present Use: Single family residence

\*B5. Architectural Style: Craftsman

\*B6. Construction History: (Construction date, alterations, and date of alterations)

Initial construction ca. 1911.

\*B7. Moved? ☒ No ☐ Yes ☐ Unknown Date: n/a Original Location: n/a

\*B8. Related Features:

One-car garage.

B9a Architect: Unknown

b. Builder: Unknown

\*B10. Significance: Theme Architecture and Shelter

Area Santa Clara Old Quad

Period of Significance 1911-1920

Property Type Residential

Applicable Criteria None

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The residence at 1593 Lexington St. was constructed sometime around 1911, based upon the visual characteristics of the house as it exists today and city directory references. The corner property at Lexington and Lincoln Streets appears to have been vacant until the property was developed at this time.

In July 1866, J. J. Bowen conducted a survey, based on an earlier plat prepared in the late 1840s, and recorded the official town plat for Santa Clara on August 22, 1866. The blocks were numbered and generally 300 feet square in size. The block was divided into three unequal parcels and the subject parcel comprising the westerly part of Lot 3, Block 2 South, Range 6 West (B2S, R6W). By 1911, the subject property exhibited the same property lines it retains today, measuring approximately 75' x 151', and facing Lexington Street to the southerly direction just east of Lincoln Street. Today, the area as platted in 1866 is known as Santa Clara's "Old Quad", containing a mix of building types and construction dates. Old Quad is defined as that area southerly of Lewis Street, easterly of Scott Boulevard, Northerly of Newhall Street and westerly of the Caltrain railroad tracks.

(Continued on next page, DPR523L)

B11. Additional Resource Attributes: (List attributes and codes)

\*B12. References:

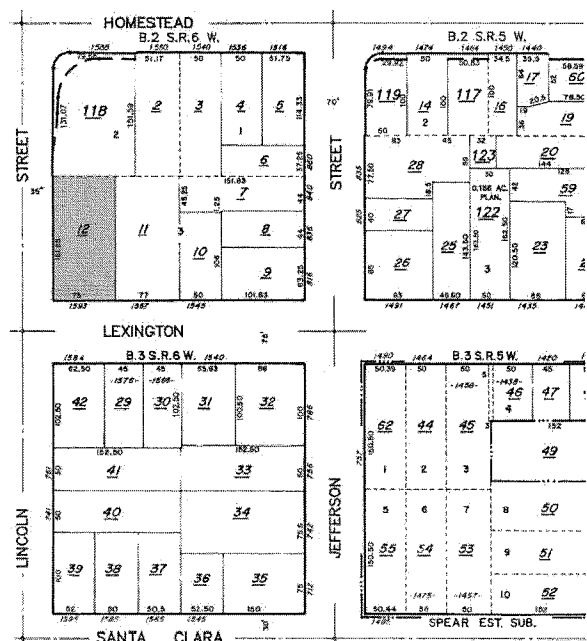
(See page 8, DPR523L Continuation Sheet)

B13. Remarks: Permit entitlements

\*B14. Evaluator: Franklin Maggi

\*Date of Evaluation: 5/21/2013

(This space reserved for official comments.)





State of California – The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
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\*Resource Name or # (Assigned by recorder) 1593 Lexington St.

\*Recorded by Franklin Maggi and Sarah Winder

\*Date 5/21/2013

☒ Continuation ☐ Update

*(Continued from previous page, DPR523b, B10 Significance)*

Henry L. and Mary Warburton appear to have constructed the residence at the subject property around 1911. They occupied the residence with their children until about 1920, when they moved to a Queen Anne style residence at 1191 Fremont St. in 1923, after briefly occupying the family apartments in the Warburton Building at 806 Main St.

The Warburton family was one of the first immigrant families to settle in Santa Clara at the beginning of the American Period when Mexico ceded (sold) California to the United States. Dr. Henry Hulme Warburton (1819-1903), an English immigrant who arrived in Santa Clara via steamship around 1848, established one of the earliest medical practices in the State. Henry H. Warburton married Catherine Pennell (1823-1905) in 1855, and together they had five children: Caroline, Ellen, John, Charles, and Henry. Dr. Warburton was recognized as a pioneering leader in the medical field in the Santa Clara Valley during the nineteenth century. The original Warburton home was built in the 1870s at the corner of Main and Santa Clara Streets, where it functioned as both a doctor's office/pharmacy, and the family home, until Dr. Warburton died in 1903. The home now sits in San Jose's History Park, where it was relocated in 1966 by Dr. Warburton's grandson, Austen Warburton.

Henry Luke Warburton was born in 1869 in Santa Clara, the youngest son of Dr. and Mrs. Warburton. As a young man, Henry L. and his close friend, Robert A. Fatjo (the son of another prominent Santa Clara family) were prominent tennis doubles champions in California, as well as the Santa Clara County doubles champions in the 1890s. Henry L. entered the banking business, and he helped to organize the Mission Bank of Santa Clara. Later, he helped found and manage the Santa Clara branch of Garden City Bank and Trust, which would later merge with Mercantile Trust, and became American Trust Company (a predecessor of Wells Fargo Bank). He retired from banking in 1935.

Henry L. Warburton married Mary Den (daughter of Irish immigrant Nicholas Den and Isabel Arguello) on August 18, 1902. Mary's father, Dr. Nicholas Den, along with Henry's father, Dr. Henry H. Warburton, were two of the only three practicing doctors in Alta California in 1848. Together, Henry L. and Mary had four children: Henry Luke, Jr., Rollo Pennington, Marie Ramona, and Austen Den. Mary Warburton was active in the community; she was a founding member of the Santa Clara Woman's Club when it was formed in 1904. Later, she helped to spearhead the Woman's Club efforts to purchase and restore the Pena Adobe, which has served as the club's headquarters since 1914. She also led the effort to have the Peace Rose adopted as the official flower of the City of Santa Clara. In 1968, Santa Clara declared September 19 "Mary Warburton Day", to honor her many civic contributions (*San Jose Mercury*, 9/15/1968). She died the next year, nearly twenty years after her husband passed away in 1947.

Austen Den Warburton was born in 1917, the youngest son of Henry L. and Mary Warburton. He was a lifelong resident and community leader in Santa Clara. He received his law degree from Santa Clara University in 1941, and practiced law as a partner in the firm of Campbell, Warburton, Britton, Fitzsimmons, and Smith for over 50 years. Austen Warburton was also a noted historian and author, and belonged to a number of local historical groups. He continued his mother's legacy of civic involvement and public service by traveling throughout the state lecturing on the history and archaeology of Californian and the Southwest. Austen Warburton passed away in 1995.

After the Warburtons, the property at 1593 Lexington St. was occupied by a number of owners/occupants, beginning with L. M. Rose, a physician in 1920. By 1927, Henry A. and Mary M. Schimberg occupied the residence, along with their four children. By 1934, the residence was occupied by owner Laria Koitner, a widow. Charles Elmer Newton and his wife, Clara, occupied the residence in the late 1930s, and by 1944, Clarence and Mary Van Perre through the early 1950s.

No Sanborn Fire Insurance maps with the subject property as it exists today were made prior to 1915. The 1887, 1892, and 1901 Sanborn maps shows that Block 530 was divided into several smaller parcels early on in Santa Clara history, and it was completely built out by 1915. The 1915 and the 1950 Sanborns show the subject property in its current configuration, with the exception of the front addition, which was added later. *(Continued on next page)*

State of California – The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary #  
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\*Resource Name or # (Assigned by recorder) 1593 Lexington St.

\*Recorded by Franklin Maggi & Sarah Winder

\*Date 5/21/2013

☒ Continuation ☐ Update

(Continued from previous page)

**EVALUATION**

The City of Santa Clara's online Smart Permit System identifies the property at 1593 Lexington St. as "Historically Significant." Such a property should appear on the City's list of Architecturally or Historically Significant Properties, otherwise known as Historic Preservation and Resource Inventory (see Appendix 8.9 of the 2010-2035 General Plan); this property however, is not currently listed on the Inventory. The property known as 1593 Lexington St. is not listed on the California Directory of Properties in the Historic Property Data File, nor was it found on any other State or local inventory or list. It is located within the City of Santa Clara in a neighborhood now known as "Old Quad".

The List of Designated Architecturally and/or Historically Significant Properties is based on the 1981 City of Santa Clara Historic Survey, and has been updated to note those sites which have been rezoned to a Historic combining district designation, as well as to reflect the deletion of those structures which have been demolished, and the addition of properties that have been revitalized and saved. Most of the properties identified as significant on the List are located in the Old Quad. It is recognized that significant changes to any one site within the Old Quad may have an impact on the historic character of this important area of Santa Clara. On an ongoing basis, the Historical and Landmarks Commission evaluates this List for possible updates. Specific areas of the Old Quad appropriate for referral to the Historical and Landmarks Commission are determined by the City Council.

Today, the extant building on the property represents a period of early growth of Santa Clara during the first part of the twentieth century. Old Quad is noted in the Santa Clara General Plan as containing most residential architectural styles of the late nineteenth and early twentieth centuries: Neoclassical, Greek Revival, Gothic Revival, Italianate, Stick, Queen Anne, Colonial Revival, Spanish Colonial Revival, Mission Revival, Bungalow, and Craftsman. The significance of the area, however, rests in the concept of Old Quad as a neighborhood. Old Quad is today a strong visual reminder of the self-contained community formally laid out in a grid pattern in 1866 (based on an initial survey of 1847), in contrast to the modern tract and commercial development of most of the Santa Clara Valley and other parts of the City of Santa Clara.

The Criteria for Local Significance were adopted on April 20, 2004, by the City of Santa Clara City Council. A qualified historic resource is defined as: 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. The City's historic preservation policies recognize older buildings for their historical and architectural significance as well as their contributions to the identity, diversity, and economic welfare of communities. The historic buildings of Santa Clara highlight the City's unique heritage and enable residents to better understand its identity through these links with the past. The property at 1593 Lexington St. was found to meet the following criteria:

**Criterion for Historical or Cultural Significance:**

3. 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.

In considering the significance of the property based on the City of Santa Clara's Criterion for Historical or Cultural Significance, the property was found to have been directly associated with the Warburton family, a locally prominent family. Particularly, the property was constructed and briefly occupied by Henry L. and Mary Warburton, both prominent in Santa Clara's history in the twentieth century. Their son, Austen Warburton, who lived in the house as a child, is also a prominent personage in Santa Clara.

The property displays individual character and interest that reflects the heritage and cultural development of the city. It is not associated with a historical event, important group or other activity, but does have a direct association with broad patterns of local area history. The site was also considered for original native trees, topographical features, or outbuildings, but none were found.

(Continued on next page)

State of California – The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
CONTINUATION SHEET

Primary #  
HRI #  
Trinomial

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\*Resource Name or # (Assigned by recorder) 1593 Lexington St.

\*Recorded by Franklin Maggi & Sarah Winder

\*Date 5/21/2013

☒ Continuation ☐ Update

(Continued from previous page)

**Criterion for Geographic Significance**

1. A neighborhood, group or unique area directly associated with broad patterns of local area history.

The majority of the surrounding residences on the block where this house is located maintain their original location and integrity from the time of their construction, in the late nineteenth and early twentieth centuries. Built around 1911, the subject property at 1593 Lexington St. maintains its compatibility with the neighboring properties due to the fact that no significant changes, both to the residence and the lot configuration, have taken place since its construction. As a whole, the surrounding streetscape, and the subject property maintain their integrity as a good example of a turn-of-the-century neighborhood in the City of Santa Clara.

1593 Lexington St. is representative of early twentieth century patterns of development within the historic Old Quad neighborhood. The Old Quad has lost many of its original historic buildings, although many residential properties remain. Historic residential properties in Old Quad such as the subject property house contribute to the historic setting and an understanding of the early pattern of development. Most of these properties however, would not be considered to be the primary resources in helping establish the significance of a historic district if it were to be established. Within the Criterion for Geographic Significance under the Criteria for Local Significance adopted by the Santa Clara City Council, the property would not individually meet the eligibility requirements for a Qualified Historic Resource.

**California Register**

The property does not appear to be eligible for the California Register of Historical Resources, and would therefore not be eligible for the National Register of Historic Places. While the house contributes to the larger setting of the Old Quad neighborhood, the historic area of Santa Clara has not been determined eligible as a historic district, and the property would therefore not be eligible under Criterion (1).

The original owners of the house, Henry and Mary Warburton, are prominent personages in Santa Clara during the twentieth century. While their association meets the local criteria for historical significance, under the guidelines for applying National Register Criteria, for a residence to be considered significant, it must be directly related to their productive life, or be the only remaining physical evidence that remains. In Santa Clara, 1191 Fremont St. is considered to be the primary residence of the Warburtons (known as the H. L. Warburton House on the City of Santa Clara Historic Inventory) for most of their productive lives, and this earlier house would not gain significance for their association to enable eligibility to the California Register under Criterion (2). Austen Warburton lived briefly at this property as a child; the property has no direct connection to his productive life.

The building is not a distinct representation of Craftsman residential architecture, and has a reduced level of integrity as a vernacular example due to the modifications to the front façade, and therefore would not be eligible under Criterion (3).

(Continued from page 5, DPR523a, B12 References)

City of Santa Clara Building Permits.

Garcia, L. "Santa Clara: From Mission to Municipality", Santa Clara University Department of Anthropology and Sociology Research Manuscript Series No. 8, 1997.

Garcia, Lorie, George Giacomini, and Geoffrey Goodfellow. *A Place of Promise: The City of Santa Clara 1852-2002*, 2002.

Lichtenstein, Bea. *Images of America: Santa Clara*, 2004.

----- *Images of America: Cemeteries of Santa Clara*, 2005.

Polk Santa Clara County Directories, 1870-1979.

Sanborn Fire Insurance Maps. 1891, 1901, 1915, 1932, 1939, 1950, and 1968.

Santa Clara County Recorded Maps and Deeds.

Skowronek, Russell K. (ed.) *Telling the Santa Clara Story: Sesquicentennial Voices*, 2002.

U. S. Federal Census, 1860-1940.

Warburton, Austen D. *Santa Clara Sagas*, 1996.

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\*Resource Name or # (Assigned by recorder) 1593 Lexington St.

\*Recorded by Franklin Maggi & Sarah Winder

\*Date 5/21/2013

☒ Continuation

☐ Update

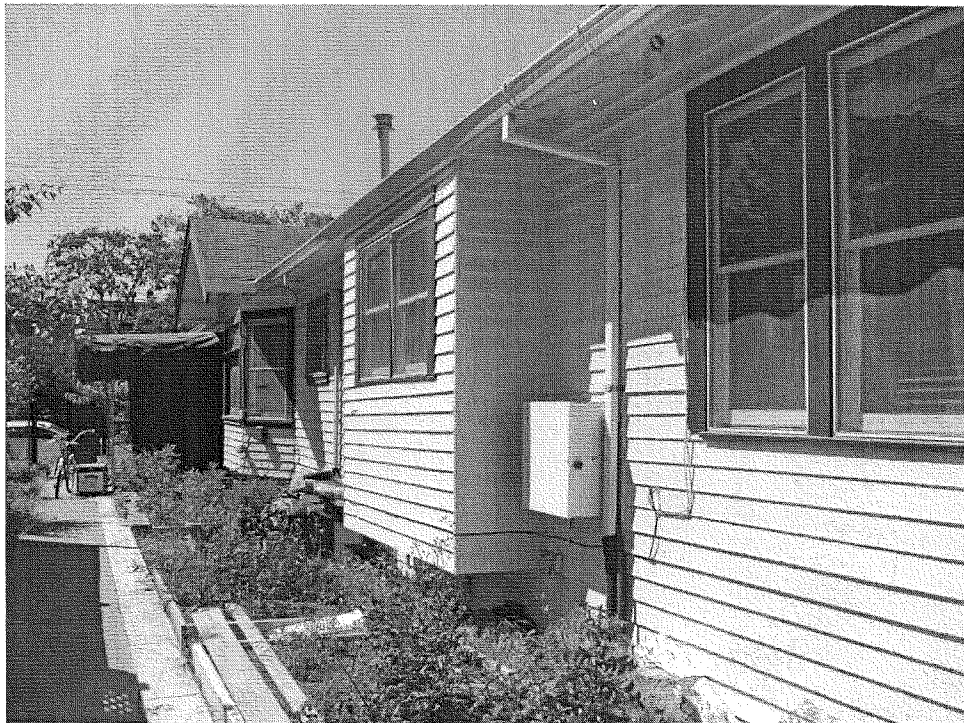


View of front façade facing east.



Detailed view of stonework, which wraps the addition.





View of easterly elevation.



View of rear elevation.

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\*Resource Name or # (Assigned by recorder) 1593 Lexington St.

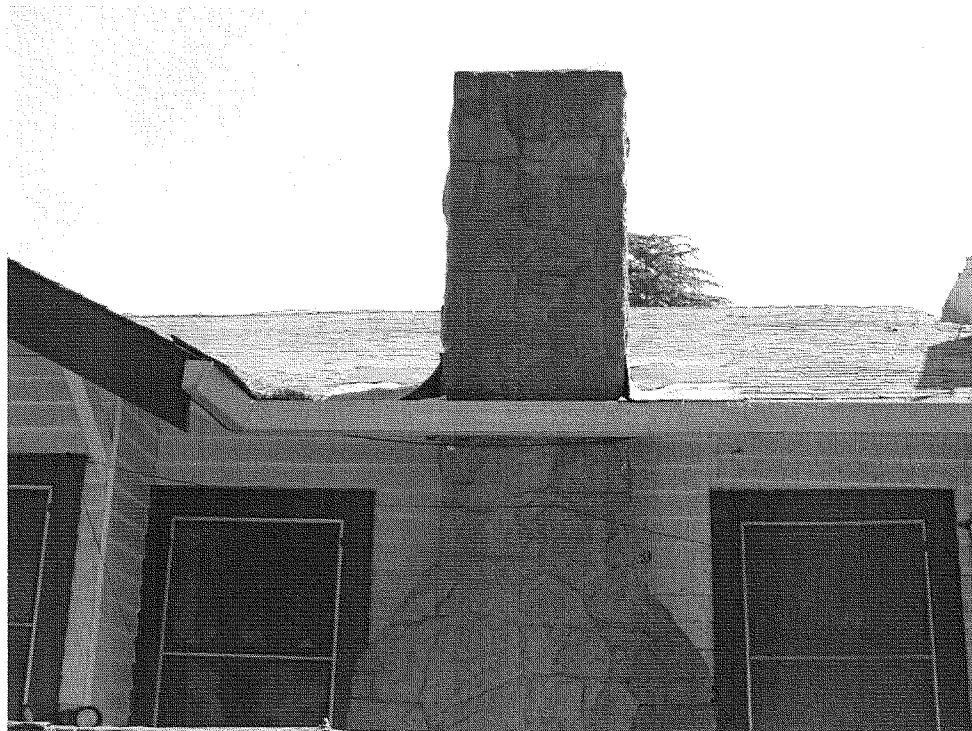
\*Recorded by Franklin Maggi & Sarah Winder

\*Date 5/21/2013

☒ Continuation ☐ Update



Detailed view of westerly elevation roofline.



Detailed view of chimney on westerly elevation.

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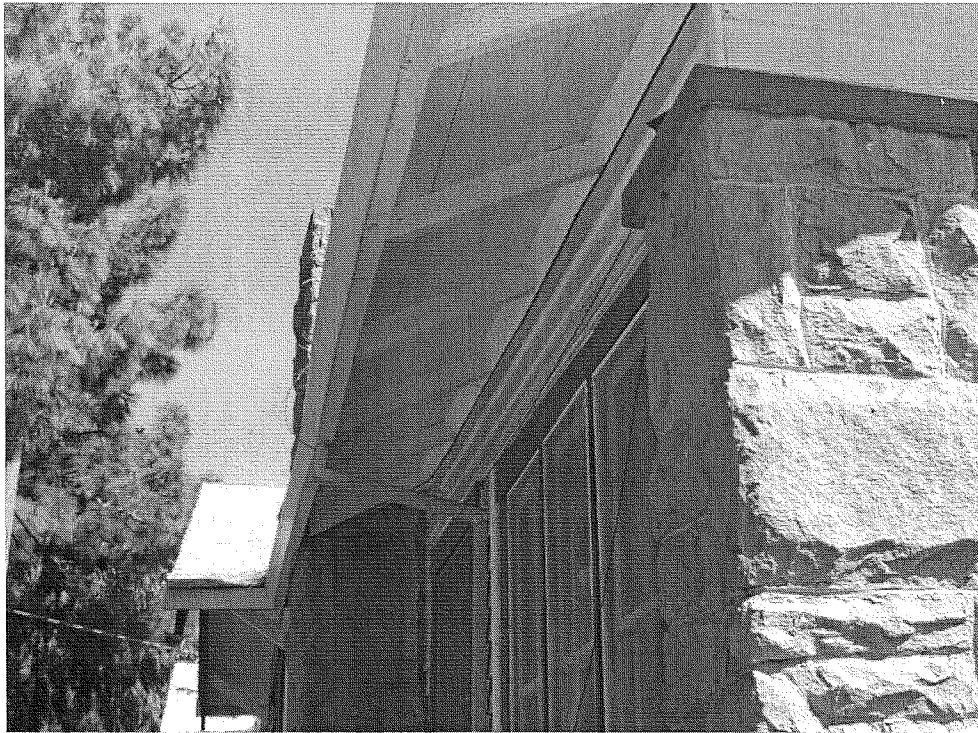
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\*Recorded by Franklin Maggi & Sarah Winder

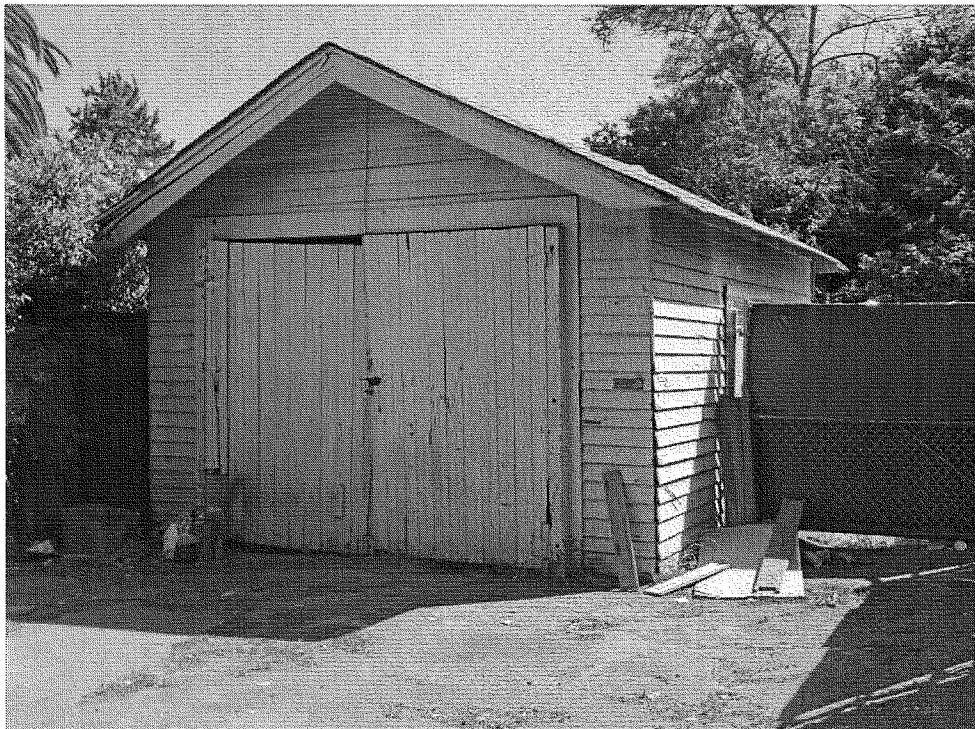
\*Date 5/21/2013

☒ Continuation

☐ Update



Detailed view of eaves along westerly elevation.



View of related, detached one-car garage located at rear of parcel.



State of California – The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
CONTINUATION SHEET

Primary #  
HRI #  
Trinomial

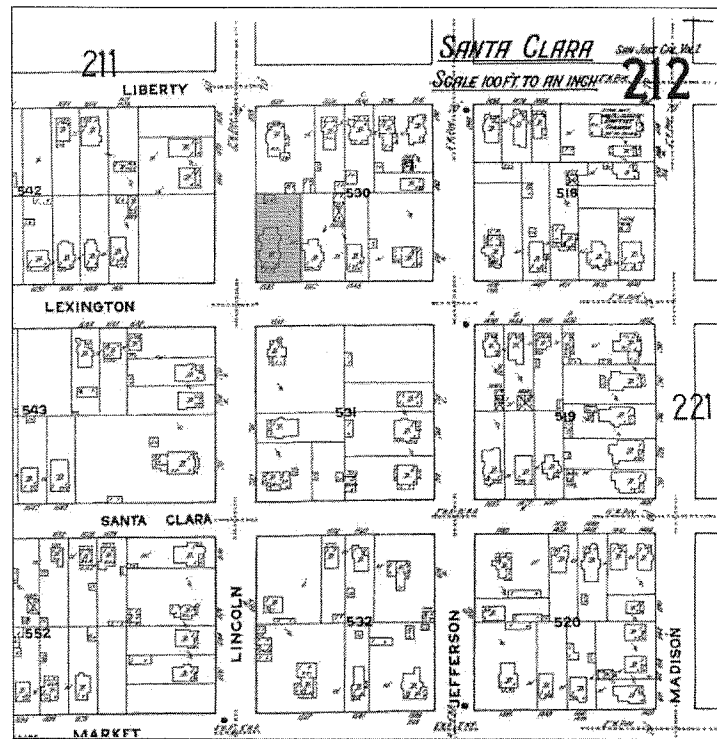
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\*Resource Name or # (Assigned by recorder) 1593 Lexington St.

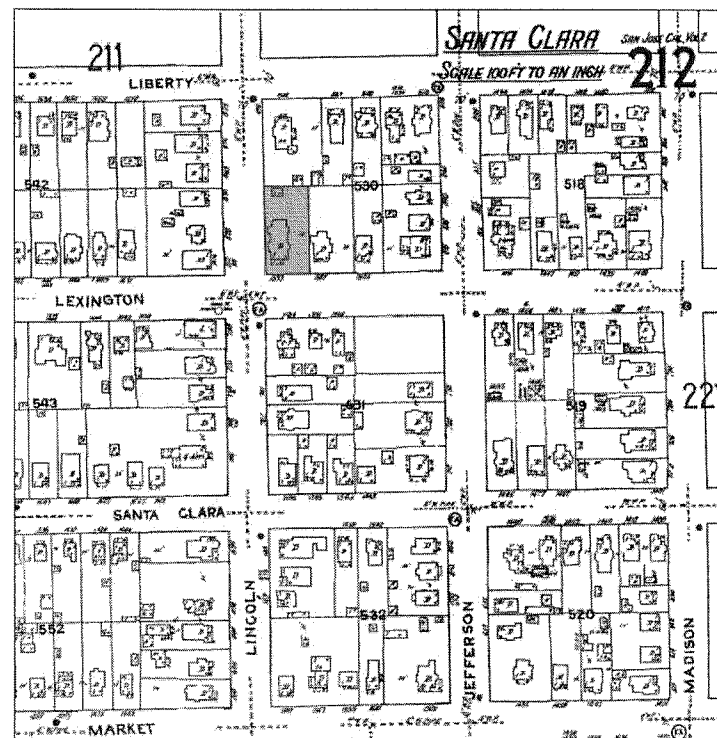
\*Recorded by Franklin Maggi & Sarah Winder

\*Date 5/21/2013

☒ Continuation ☐ Update



Sanborn Fire Insurance Map, 1915.



Sanborn Fire Insurance Map, updated to 1950.