

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA TO SUSTAIN THE APPEAL AND MODIFY THE
ARCHITECTURAL COMMITTEE APPROVAL FOR A NEW
SINGLE-FAMILY RESIDENCE ON THE PROPERTY LOCATED
AT 2892 SYCAMORE WAY, SANTA CLARA, CALIFORNIA**

PLN2019-13972 (Architectural Committee Appeal)

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

WHEREAS, Lei Xu, (“Applicant”) filed an application for Architectural Review approval of a development proposal on a 11,589 square foot lot at 2892 Sycamore Way (“Project Site”);

WHEREAS, the General Plan designation for the Project Site is Very Low Density Residential and the zoning designation is Single Family Residential (R1-6L);

WHEREAS, the proposal is to allow for the demolition of a 2,197 square foot, four bedroom and two bathroom residence with an attached two-car garage, and construct a new 3,450 square foot two-story residence with five bedrooms, four and a half bathrooms, an attached two-car garage, and exterior access for the garage, front entrance, Bedroom #1, and rear entrance (“Current Project”), as shown on the development plan, attached hereto as “Development Plan” and incorporated herein by this reference;

WHEREAS, the California Environmental Quality Act (“CEQA”), Public Resources Code § 21000 *et seq.*, requires a public agency to evaluate the environmental impacts of a proposed project. The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) per section 15303(a) (Class 3 - New Construction or Conversion of Small Structures), , which authorizes the construction and location of limited numbers of new, small facilities or structures, including a single-family residence, and the Project involves the construction of a new 3,450 square foot single-family house;

WHEREAS, the Project was presented at a publicly noticed meeting of the Architectural Committee on June 19, 2019, and following public testimony, the Architectural Committee

approved the demolition of the existing residence and construction of a new two-story residence with five bedrooms, three and a half bathrooms, and an attached two-car garage, with a limitation on exterior access to three entrances: front, rear and garage;

WHEREAS, Santa Clara City Code (“SCCC”) Section 18.76.020 sets forth the Architectural Review process by the City’s Architectural Committee; if the decision of the Architectural Committee is appealed pursuant to SCCC Section 18.76.020(h), within seven days of the decision, the Planning Commission will conduct an appeal hearing;

WHEREAS, the City received a timely appeal of the Architectural Committee’s approval of the Project on June 26, 2019;

WHEREAS, the Planning Commission held a duly noticed public meeting on August 14, 2019 to consider the appeal, at which time the Planning Commission unanimously passed a motion to refer the appeal to the City Council for consideration;

WHEREAS, on October 18, 2019, a notice a notice of public hearing of this item was posted in three conspicuous locations within 300 feet of the project site and mailed to property owners within 300 feet of the project site;

WHEREAS, the City Council held a duly noticed public meeting on October 29, 2019 to consider the appeal.

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 the City Council hereby sustains the appeal filed by the appellant of the Architectural Committee approval of the proposal granted on June 19, 2019 and modifies the Architectural Committee’s approval to allow construction of the Project, as shown in the Development Plans attached hereto.

3. That pursuant to SCCC Section 18.76.020, the City Council determines that the following findings exist to support modifying in part the architectural approval and justify sustaining this appeal:

A. That any off-street parking area, screening strips and other facilitates and improvements necessary to secure the purpose and intent of the Zoning Ordinance and the General Plan of the City are a part of the proposed development, in that the proposed project provides the required two covered parking spaces on site.

B. That the design and location of the proposed development and its relation to neighboring developments and traffic is such that it will not impair the desirability of investment or occupation in the neighborhood, will not unreasonably interfere with the use and enjoyment of neighboring developments, and will not create traffic congestion or hazard, in that there is no intensification of use that would cause increased traffic congestion or hazards.

C. That the design and location of the proposed development is such that it is in keeping with the character of the neighborhood and is such as not to be detrimental to the harmonious development contemplated by the Zoning Ordinance and the General Plan of the City, in that the proposed project is located in a neighborhood with other one- and two-story homes within a 300 foot radius from the project site; the two-story houses within the 300 feet radius were approved with traditional architecture; the proposed project is an improvement to the existing home; and the proposed project is replacing an existing two-story home with a new two-story home designed similar in scale and form as other two-story homes in the neighborhood.

D. The granting of this approval, as modified in part, will not materially affect adversely the health, comfort of general welfare of persons residing or working in the neighborhood of said development and will not be materially detrimental to the public welfare or injurious to property or improvements, in that the proposed project provides privacy designs

such as incorporating a five foot window sill height for second-story side-facing windows and a five foot wall on the south side of the second-story balcony; and the proposed project is in compliance with the all standards of the Zoning Code.

E. The proposed development, as set forth in the plans and drawings, is consistent with the City's Single-Family Residential Design Guidelines, in that the proposed project integrates a hip-style roof structure to be more consistent in the roof form as other residences; the project incorporates stone veneer to the garage and porch columns to provide similar exterior features in the neighborhood; the project is consistent with the style of homes on this block; and the proposed project would not result in more than 66 percent of second floor to first floor living area.

4. 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 29th DAY OF OCTOBER, 2019, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments Incorporated by Reference:

1. Development Plan

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