

10/29/19

Item #3 RTC 19-1846



City Council

19-1846 Appeal of Architectural Committee Approval of a Residence at 2892 Sycamore Way

October 29, 2019

2892 Sycamore Way

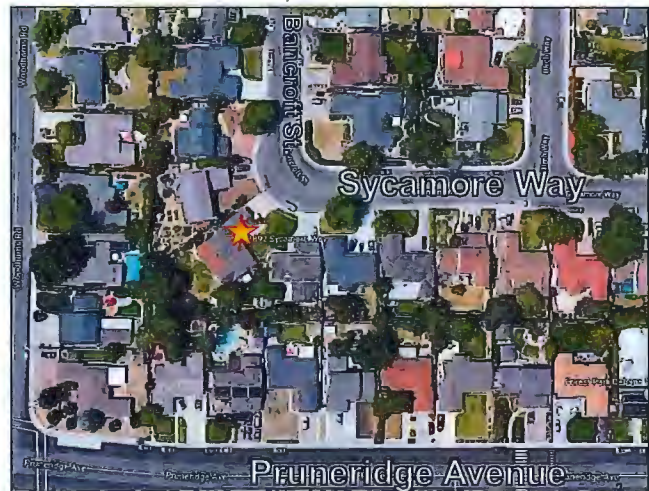
Approved Project

On June 19, 2019 the Architectural Committee (AC) approved construction of a new 3,450 sq ft, 2-story, 5-bedroom, 3.5 bath residence with three points of access to the residence

Property Owner Appeal

Modify approval to allow:

- One additional bathroom
- One additional exterior access



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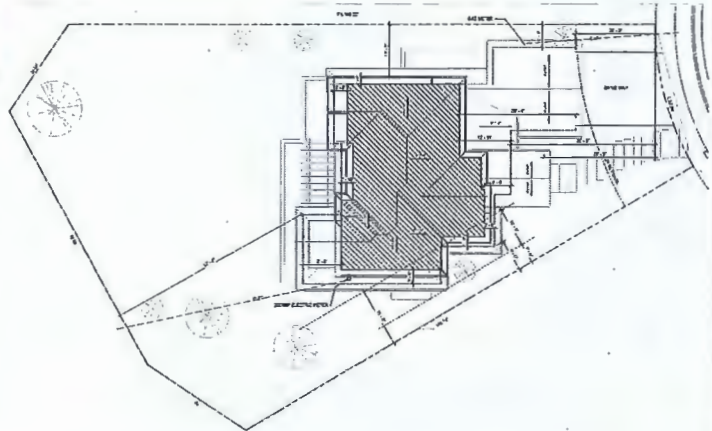
POST MEETING MATERIAL



2892 Sycamore Way

March 2, 2019 Application

| Initial Proposal | |
|------------------|--|
| Bedroom | 5 |
| Bathroom | 5.5 |
| Exterior Access | 6 |
| Balcony | 2 |
| Exterior Design | Stucco finish with three primary gable roofs |
| Parking | Attached 2-car garage |



2892 Sycamore Way

Front Elevation Rendering





2892 Sycamore Way

Architectural Committee Approval on June 16, 2019

| | Initial Proposal | AC 6/19 Approval |
|-----------------|--|--|
| Bedroom | 5 | 5 |
| Bathroom | 5.5 | 3.5 |
| Exterior Access | 6 | 3 (front, rear, garage) |
| Balcony | 2 | 1 |
| Exterior Design | Stucco finish with three primary gable roofs | Stucco and wainscoting with stone veneer and reduce to two gable roofs |
| Parking | Attached 2-car garage | Same |

Discussion Highlights:

- Short-term rental activity
- Privacy concerns from the balconies

AC changes:

- Reduction in bathrooms
- Reduction in accesses
- Reduction in balconies
- 5 ft tall window sill height for second-story windows
- Modify to two gable-style roofs and compatible building materials



2892 Sycamore Way

Appeal Request

- Modify Architectural Committee Approval to allow:
 1. One additional full bathroom (3 ½ bathrooms were approved)
 2. An exterior access for Bedroom #1 (one more than the three approved)
- Property Owner Justifications:
 - Four and a half bathrooms is common in the immediate neighborhood;
 - The Committee's past approvals of four bathrooms or more;
 - The common nature of having access to the back yard from a master bedroom on the first floor;
 - Early termination of agreement with the property manager in response to concerns of short-term rentals



2892 Sycamore Way

Appeal Request

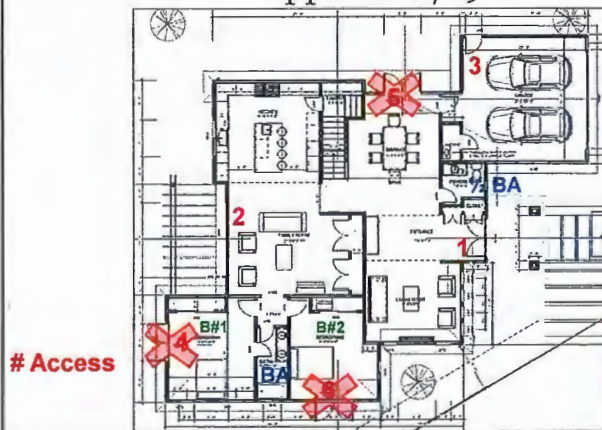
| | Initial Proposal | AC 6/19 Approval | Current Proposal |
|-----------------|--|--|--|
| Bedroom | Five | Same | Same as approved |
| Bathroom | five and a half | Three and a half | Four and a half |
| Exterior Access | Six | Three (front, rear, garage) | Four (front, rear, garage, Bedroom#1) |
| Balcony | Two | One | Same as approved |
| Exterior Design | Stucco finish with three primary gable roofs | Stucco and wainscoting with stone veneer and reduce to two gable roofs | Same as approved |
| Parking | Attached 2-car garage | Same | Same as approved |



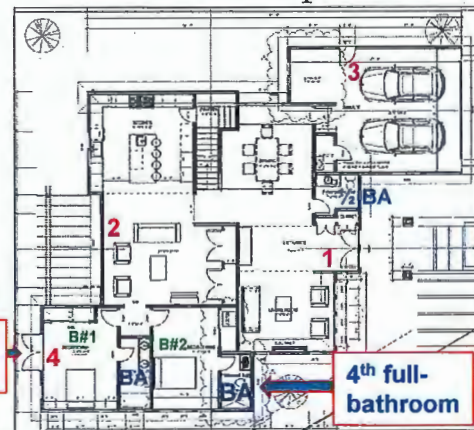
2892 Sycamore Way

First-Floor Plan

AC Approval 6/19



Current Proposal

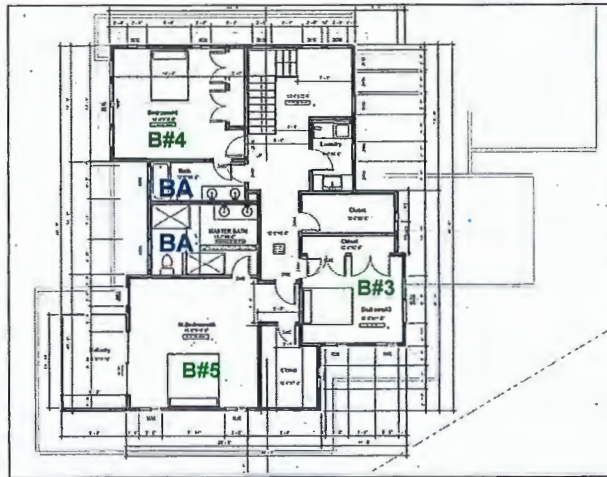




2892 Sycamore Way

Second-Floor Plan

Second-floor is the same
as approved by AC on
6/19



2892 Sycamore Way

Planning Commission August 14, 2019

- Appeal consideration referred to the City Council
- Highlights of discussion:
 - Three Planning Commissioners abstained: Commissioner Ikezi, Becker, and Kelly
 - Planning Commission proposed conditions:
 - Inspection after two years from building permit final
 - Make entrance to Bedroom #1 non-lockable from the outside



2892 Sycamore Way

Staff Analysis

- Project Design
 - Consistent with City's Design Guidelines
 - Consistent with Single Family Zoning District (R1-6L)
- Short-Term Rental Activity
 - Best regulated by ordinance changes with Zoning Code Update
 - Evidence short-term rental activity ceased as of July 2019
 - Construction would cease short-term rental activity in the near term
 - Recommend added condition of required inspection after two years of building permit final
 - Recommend that entrance to Bedroom #1 shall be non-lockable from the outside

11



2892 Sycamore Way

Staff Recommendation

- Adopt a Resolution to sustain the appeal and modify the decision of the Architectural Committee of June 19, 2019 to allow a residence of five bedrooms and four and a half bathrooms with an exterior access for Bedroom #1 that is not lockable from the exterior, subject to the condition of an inspection two years after building permit final.

12



City Council

**19-1846 Appeal of
Architectural Committee
Approval of a residence at
2892 Sycamore Way**

October 29, 2019



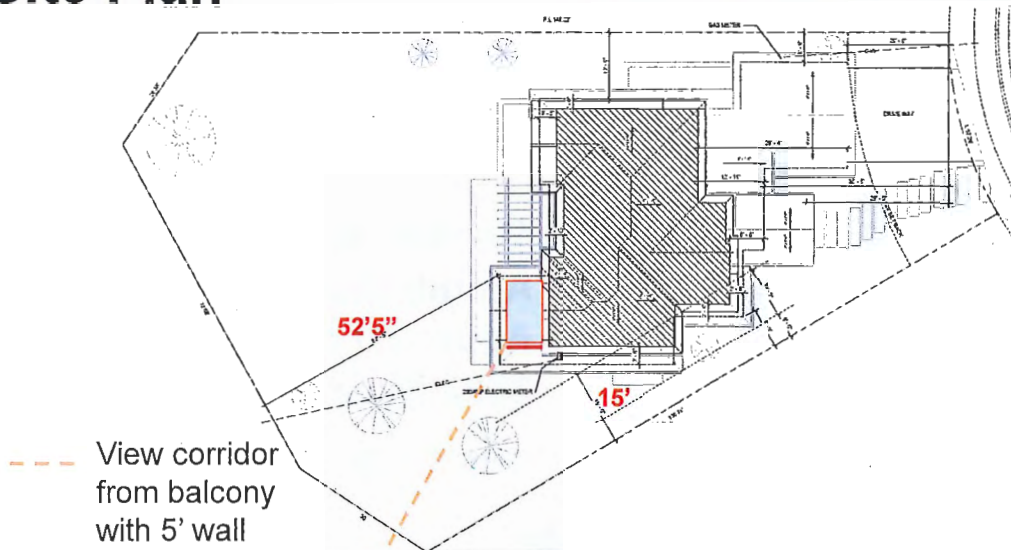
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2892 Sycamore Way

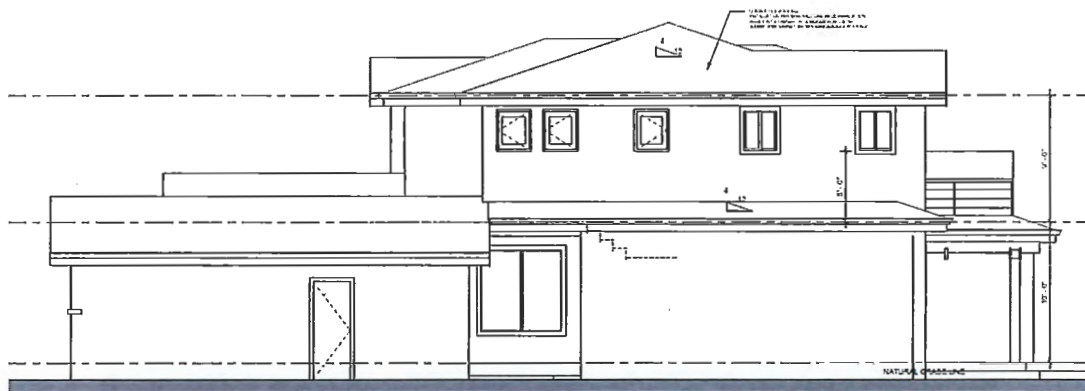




Site Plan



North (right side) Elevation Rendering





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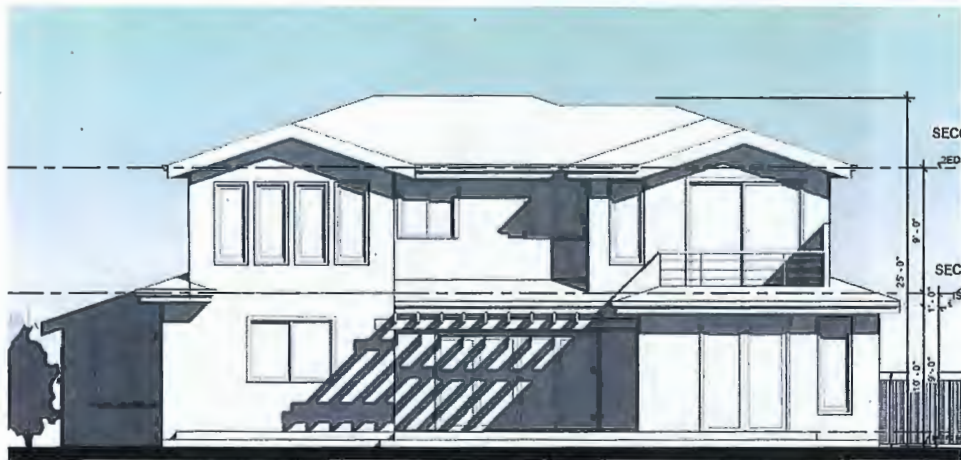
South (left side) Elevation Rendering



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2892 Sycamore Way

Rear Elevation Rendering





2892 Sycamore Way

Architectural Committee Review

- April 17, 2019 Architectural Committee - Continued with modifications:
 1. Three and a half bathrooms
 2. Five-foot window sill height for all second-story windows
 3. Modify to hip-style roof or horizontal gable-style roof and incorporate similar external building materials
- May 6, 2019 Meeting with Residents - Concerns discussed:
 - Terminate the short-term rental
 - Mitigate privacy concerns from the balconies



2892 Sycamore Way





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2892 Sycamore Way



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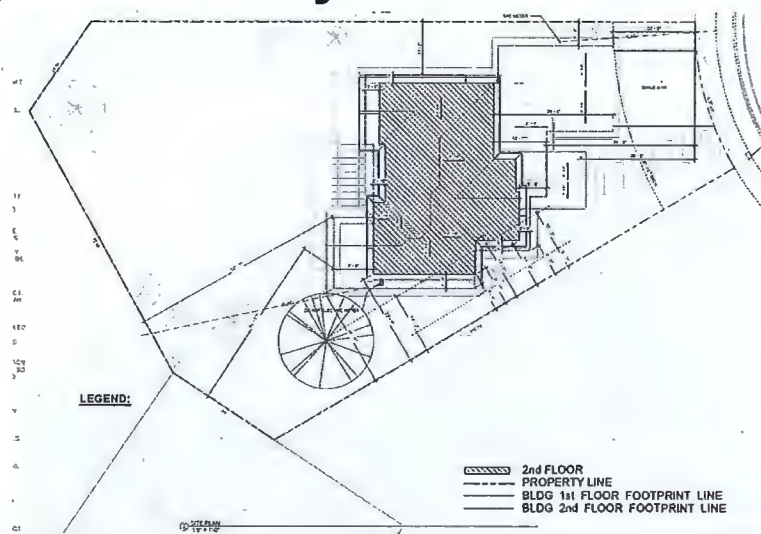
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2892 Sycamore Way



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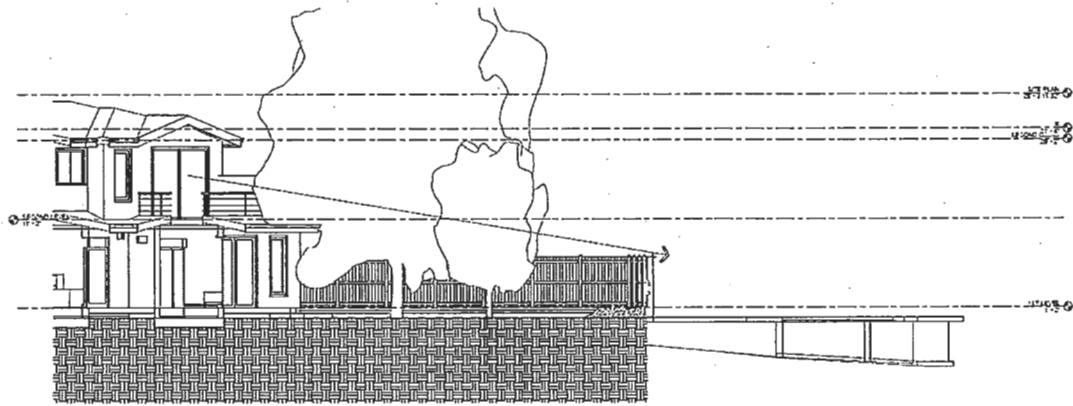
2892 Sycamore Way





**City of
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2892 Sycamore Way



10/29/19

Item #3 RTC 19-1846
Post Meeting Material

Date: October 24, 2019
Re: File, PLN2019-13972

To whom it may concern,

We live at 3001 Pruneridge Avenue in Santa Clara. Our back yard connects to the yard of 2892 Sycamore way. We are not opposed to the changes proposed, but we do request that the privacy of our back yard remain intact. We purchased our property in 1996. We have invested approximately \$150,000, installing a pool and landscaping our yard. When we selected our property and designed the back yard, privacy was our primary concern. We are Muslims, and we have six daughters. Muslim women are required to maintain a certain level of privacy in front of non-family members, so PRIVACY is a CRITICAL issue for us. We respectfully request that this is considered when approving the changes.

Thank you,

Christine Chase
Hamdy Abdelgawad
408-368-2345

**Conditions of Approval
2892 Sycamore Way****CONDITIONS OF APPROVAL**

In addition to complying with all applicable codes, regulations, ordinances and resolutions, the following **conditions of approval** are recommended:

GENERAL

- G1. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.
- G2. Comply with all applicable codes, regulations, ordinances and resolutions.

ATTORNEY'S OFFICE

- A1. The Developer agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed by a third party against the City by reason of its approval of developer's project.

COMMUNITY DEVELOPMENT

- C1. Garage or carport shall be maintained clear and free for vehicle parking use. It shall not be used as only storage.
- C2. Submit plans for final architectural review to the Planning Division and obtain architectural approval prior to issuance of building permits. Said plans to include, but not be limited to: site plans, floor plans, elevations, landscaping, lighting and signage.
- C3. Landscaping installation shall meet City water conservation criteria in a manner acceptable to the Director of Planning and Inspection.
- C4. Rehabilitate the front yard landscaping between the fence and sidewalk. New landscape areas of 500 square feet or more or rehabilitated landscape areas of 2,500 square feet or more shall conform to the California Department of Water Resources Water Efficient Landscape Ordinance.
- C5. Developer/Owner is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.
- C6. Construction activity shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 6:00 p.m. Saturdays for projects within 300 feet of a residential use and shall not be allowed on recognized State and Federal holidays.
- C7. Incorporate Best Management Practices (BMPs) into construction plans and incorporate post construction water runoff measures into project plans in accordance with the City's Urban Runoff Pollution Prevention Program standards prior to the issuance of permits.
- C8. Require an inspection two-years after building permit final to conform code compliance and the use of the property as a single-family home consistent with the requirement of the Zoning Code.
- C9. Exterior entrance to Bedroom #1 shall be non-lockable from the outside.