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**Title:** Action on single family use at 1141 Main Street

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**Attachments:** 1. April 11, 2018 Planning Commission staff report with prior attachments, 2. February 1, 2018 Historical and Landmarks Commission staff report with prior attachments, 3. Resolution for approval of the rezoning from CD to R1-6L, 4. Resolution No. 18-8521

Date	Ver.	Action By	Action	Result
5/22/2018	1	City Council and Authorities Concurrent	Adopted	Pass

**REPORT TO COUNCIL**

**SUBJECT**

Action on single family use at 1141 Main Street

**BACKGROUND**

The proposed project includes a request to rezone the property at 1141 Main Street (PLN2017-12945) from Downtown Commercial (CD) to Single Family Residential (R1-6L) to be consistent with the existing residential use of the property. The applicant is also requesting approval of a Variance to allow an expansion of an existing 2-story garage and new accessory dwelling unit (ADU) use on the project site. The existing main residence is a 2-story Queen Anne/Shingle Style design constructed circa 1893. The property is listed on the City’s Historic Resources Inventory (HRI) and was granted a Mills Act agreement by the City Council in 2011. A detached 2-story carriage house is located to the rear of the property and is currently used as a garage and an attached storage shed.

The project was reviewed by the Historical and Landmarks Commission (HLC) on February 1, 2018. The HLC found that the requested rezoning and Variance would not diminish the historical significance of the property and recommended approval of the request. Two neighbors expressed concern that relocation of the existing carriage house and the proposed new dormer window on the second story would impact privacy for adjacent residents.

Following the HLC Meeting, the project was considered at a noticed public hearing by the Planning Commission on April 11, 2018. The staff report with previous attachments from the Planning Commission meeting of April 11, 2018 is included in this report.

**DISCUSSION**

At the Planning Commission hearing, the Commission asked for staff clarification on the size of the accessory structure and if the neighbor’s privacy concerns had been addressed. Staff explained that

the existing building envelope was being maintained and no new area added. Staff also clarified that the project has been conditioned to use opaque glass for the lower pane of the new dormer window to address privacy concerns. The applicant was also present and answered additional questions from the Planning Commission. No members of the public spoke on the project.

The requested rezoning to a single-family zoning district would align with the character of the existing single-family structure and facilitate development of an accessory dwelling unit. The requested Variance also facilitates the development of the accessory dwelling unit. Both objectives are supported by the City's General Plan. Further discussion is provided in the attached Planning Commission report.

Commissioner Jain made a motion to recommend approval for rezoning the property from Downtown Commercial (CD) to Single Family Residential (R1-6L) to allow the conversion of the existing carriage house and storage unit into an accessory dwelling unit (ADU). The motion was seconded by Commissioner Kelly, and passed 5-0-1-0, subject to conditions of approval. Commissioner Jain made a motion to approve the requested variance to Santa Clara City Code (SCCC) section 18.12.030(d)(5) to allow the extended height and to section 18.06.010(a)(1) to allow an additional half bath in conjunction with the conversion of the existing carriage house and storage unit into an accessory dwelling unit (ADU), the motion was seconded by Commissioner O'Halloran, and passed 5-0-1-0, subject to conditions of approval.

### **ENVIRONMENTAL REVIEW**

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Section 15303, new construction or conversion of small structures. Class 3 consists of construction and location of limited numbers of new, small facilities or structures. The project is also exempt per CEQA Section 15331, Historical Resource Restoration/Rehabilitation as the project proposes rehabilitation of the historic resource consistent with the Secretary of the Interior's Standards.

### **FISCAL IMPACT**

There is no impact to the City for processing the requested application other than administrative staff time and expense typically covered by processing fees paid by the applicant.

### **COORDINATION**

This report has been coordinated with the Finance Department and City Attorney's Office.

### **PUBLIC CONTACT**

On May 4, 2018, a notice of public hearing of this item was posted in three conspicuous places within 300 feet of the project site and mailed to property owners within 500 feet of the project site.

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

### **RECOMMENDATION**

Approve the rezoning of the property at 1141 Main Street from Downtown Commercial (CD) to Single

Family Zoning District (R1-6L).

Reviewed by: Andrew Crabtree, Director of Community Development

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. April 11, 2018 Planning Commission staff report with prior attachments
2. February 1, 2018 Historical and Landmarks Commission staff report with prior attachments
3. Resolution for approval of the rezoning from CD to R1-6L