

**PLANNING COMMISSION**  
City of Campbell, California

7:30 P.M.  
City Hall Council Chambers

March 22, 2016  
Tuesday

## **AGENDA**

### **ROLL CALL**

**APPROVAL OF THE MINUTES**    March 8, 2016

### **COMMUNICATIONS**

### **AGENDA MODIFICATIONS OR POSTPONEMENTS**

### **ORAL REQUESTS**

This is the point on the agenda where members of the public may address the Commission on items of concern to the Community that are not listed on the agenda this evening. People may speak up to 5 minutes on any matter concerning the Commission.

### **PUBLIC HEARINGS**

- 1. PLN2015-369**      Public Hearing to consider the application of Gabriela Navarrete for a Site and Architectural Review Permit (PLN2015-369) to allow for a new two-story residence (approximately 3,071 sq. ft.) reusing portions of the existing structure and resulting in a floor area ratio exceeding 45% (49% proposed) on property located at **283 Warwick Drive** within the R-1-6 (Single-Family Residential) Zoning District. Staff is recommending that this project be deemed Categorically Exempt under CEQA. Planning Commission decision final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Stephen Rose, Associate Planner*
  
- 2. PLN2016-23**      Public Hearing to consider the application of Steve Rawlings for a Conditional Use Permit (PLN2016-23) to allow beer and wine sales for onsite consumption in conjunction with a new restaurant (Mod Pizza) located at **2000 S. Bascom Avenue, Suite 110** in the C-2 (General Commercial) Zoning District. Staff is recommending that this project be deemed Categorically Exempt under CEQA. Planning Commission decision final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Stephen Rose, Associate Planner*

3. **PLN2015-313** Public Hearing to consider the application of CRP Vasona LLC for a Master Sign Plan (PLN2015-313) with a Sign Exception for the Vasona Technology Park on properties located at **1315 Dell Avenue, 1353 Dell Avenue, 210 E. Hacienda Avenue, and 200 E. Hacienda Avenue** in the C-M/80 (Controlled Manufacturing) Zoning District. Staff is recommending that this project be deemed Categorically Exempt under CEQA. Planning Commission decision final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Daniel Fama, Associate Planner*
4. **PLN2016-24** Public Hearing to consider the application of Anthony Siri for a term-limited Conditional Use Permit (PLN2016-24) to allow the establishment of an indoor athletic fitness center (d.b.a. Sirius Baseball) within an existing commercial building located at **1520 Dell Avenue, Suites A & B** in the C-M (Controlled Manufacturing) Zoning District. Staff is recommending that this project be deemed Categorically Exempt under CEQA. Planning Commission decision final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Stephen Rose, Associate Planner*
5. **PLN2016-32** Public Hearing to consider the City-initiated Zoning Text Amendment (PLN2016-32) to amend Campbell Municipal Code Sec. 21.18.140 (Undergrounding of Utilities) to exempt development of single-family residential properties located along local streets from the utility undergrounding requirements. Staff is recommending that this project be deemed exempt from CEQA under Section 15061.b.3. Tentative City Council Meeting Date: April 19, 2016. *Project Planner: Daniel Fama, Associate Planner*
6. **PLN2016-18** Public Hearing to consider the application of Steven Bonner for a Modification (PLN2016-18) to a previously-approved Site and Architectural Review Permit (S 98-17 / PLN2015-120) to allow reconsideration of a previous Planning Commission requirement to incorporate artwork into a storefront window, on property located at **368 E. Campbell Avenue** in the C-3 (Central Business District) Zoning District. Staff is recommending that this project be deemed Categorically Exempt under CEQA. Planning Commission decision final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Daniel Fama, Associate Planner*

## **REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR**

### **ADJOURNMENT**

Adjourn to the next regularly scheduled Planning Commission meeting of **April 12, 2016**, at 7:30 p.m., in the City Hall Council Chambers, 70 North First Street, Campbell, California.

CITY OF CAMPBELL PLANNING COMMISSION

MINUTES

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7:30 P.M.

TUESDAY

MARCH 8, 2016  
CITY HALL COUNCIL CHAMBERS

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The Planning Commission meeting of March 8, 2016, was called to order at 7:30 p.m., in the Council Chambers, 70 North First Street, Campbell, California by Chair Dodd and the following proceedings were had, to wit:

**ROLL CALL**

Commissioners Present:	Chair:	Cynthia L. Dodd
	Vice Chair:	Yvonne Kendall
	Commissioner:	Ron Bonhagen
	Commissioner:	Philip C. Reynolds, Jr.
	Commissioner:	Michael L. Rich
	Commissioner:	Donald C. Young

Commissioners Absent:	Commissioner:	Pamela Finch
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Staff Present:	Community Development	
	Director:	Paul Kermoyan
	Senior Planner:	Cindy McCormick
	City Attorney:	William Seligmann

**APPROVAL OF MINUTES**

**Motion:** Upon motion by Commissioner Reynolds, seconded by Commissioner Young, the Planning Commission minutes of the meeting of February 23, 2016, were approved as submitted. (5-0-1-1; Commissioner Finch was absent and Commissioner Rich abstained)

**COMMUNICATIONS**

None

**AGENDA MODIFICATIONS OR POSTPONEMENTS**

The three Public Hearing items on this agenda will need to be postponed by motion to the meeting of March 22, 2016.

**ORAL REQUESTS**

None

**CONSENT**

There were no consent items.

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**PUBLIC HEARINGS**

Chair Dodd asked for a motion to continue the three Public Hearing Items scheduled for this evening over to the next meeting.

- PLN2016-23** Public Hearing to consider the application of Steve Rawlings for a Conditional Use Permit (PLN2016-23) to allow beer and wine sales for onsite consumption in conjunction with a new restaurant (Mod Pizza) located at **2000 S. Bascom Avenue, Suite 110** in the C-2 (General Commercial) Zoning District. Staff is recommending that this project be deemed Categorical Exempt under CEQA. Planning Commission decision final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Stephen Rose, Associate Planner*
- PLN2015-313** Public Hearing to consider the application of CRP Vasona LLC for a Master Sign Plan (PLN2015-313) with a Sign Exception for the Vasona Technology Park on properties located at **1315 Dell Avenue, 1353 Dell Avenue, 210 E. Hacienda Avenue, and 200 E. Hacienda Avenue** in the C-M/80 (Controlled Manufacturing) Zoning District. Staff is recommending that this project be deemed Categorical Exempt under CEQA. Planning Commission decision final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Daniel Fama, Associate Planner*
- PLN2016-18** Public Hearing to consider the application of Steven Bonner for a Modification (PLN2016-18) to a previously-approved Site and Architectural Review Permit (S 98-17 / PLN2015-120) to allow reconsideration of a previous Planning Commission requirement to incorporate artwork into a storefront window, on property located at

**368 E. Campbell Avenue** in the C-3 (Central Business District) Zoning District. Staff is recommending that this project be deemed Categorically Exempt under CEQA. Planning Commission decision final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: Daniel Fama, Associate Planner

Chair Dodd asked for a motion for continuance.

**Motion:** Upon motion of Commissioner Rich, seconded by Commissioner Young, the Planning Commission CONTINUED TO THE MEETING OF MARCH 22, 2016, the consideration of Agenda Item 1-Use Permit (PLN2016-23) to allow beer and wine sales for on-site consumption in conjunction with a new restaurant (Mod Pizza) located at 2000 S. Bascom Avenue, Suite 110.; Agenda Item 2-Master Sign Plan (PLN2015-313) with a Sign Exception for the Vasona Technology Park at 1315 Dell Avenue et al; and Agenda Item 3-Modification (PLN2016-18) to a previously-approved Site and Architectural Review Permit for property located at 368 E. Campbell Avenue. (6-0-1; Commissioner Finch was absent)

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**REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR**

Director Paul Kermoyan offered a correction to his report. On the update regarding the Envision Campbell, Council elected to have the consultant contract brought back before the entire Council for approval.

**ADJOURNMENT**

The Planning Commission meeting adjourned at 7:35 p.m. immediately to a Study Session and subsequently to the next Regular Planning Commission Meeting of **March 22, 2016.**

SUBMITTED BY: \_\_\_\_\_  
Corinne Shinn, Recording Secretary

APPROVED BY: \_\_\_\_\_  
Cynthia Dodd, Chair

ATTEST: \_\_\_\_\_  
Paul Kermoyan, Secretary



**CITY OF CAMPBELL • PLANNING COMMISSION**  
**Staff Report • March 22, 2016**

**PLN2015-369** Public Hearing to consider the application of Gabriela Navarrete for a Site and Architectural Review Permit (PLN2015-369) to allow for a new two-story residence (approximately 3,071 sq. ft.) reusing portions of the existing structure and resulting in a floor area ratio exceeding 45% (49% proposed) on property located at 283 Warwick Drive within the R-1-6 (Single-Family Residential) Zoning District.

**STAFF RECOMMENDATION**

That the Planning Commission take the following action:

1. **Adopt a Resolution**, incorporating the attached findings, approving a Site and Architectural Review Permit (PLN2015-369) to allow for a new two-story residence (approximately 3,071 sq. ft.) reusing portions of the existing structure and resulting in a floor area ratio exceeding 45% (49% proposed) on property located at 283 Warwick Drive, subject to the attached Conditions of Approval.

**ENVIRONMENTAL DETERMINATION**

Staff recommends that the Planning Commission find that this project is Categorically Exempt under Section 15303, Class 3 of the California Environmental Quality Act (CEQA), pertaining to the construction of single-family dwellings.

**PROJECT DATA**

Zoning Designation:	R-1-6 (Single-Family Residential)	
General Plan Designation:	Low-Density Residential (less than 6 units/gr. acre)	
Net Lot Area:	6,147 square feet	
Building Height:	24-feet, 4.5-inches	35 feet Maximum Allowed
Building Square Footage:		
Existing Living Area:	1,959.64 square-feet	
Proposed Living Area:	<u>1,111.40 square-feet</u>	
	3,071.04 square-feet	3,073.5 square feet Maximum w/PC
Floor Area Ratio (FAR):	49.95%	50% Maximum (w/ PC Approval) 45% Maximum (Ministerial Review)
Building (Lot) Coverage:	32.84%	40% Maximum Allowed
Setbacks	<u>Proposed</u>	<u>Required</u>
Front (east):	20 feet	20 feet
Side (north):	12 feet	12 feet (street side setback)
Side (south):	5 feet	5 feet or half the wall height

Rear (west):	17 feet	5 feet or half the wall height
Garage:	77 feet	25 feet

Parking: 2 Parking Spaces 2 Parking Spaces

Surrounding Uses: North: Single-Family Residential (R-1-6) across Latimer  
South: Single-Family Residential (R-1-6)  
East: Single-Family Residential (R-1-6) across Warwick  
West: Single-Family Residential (R-1-6)

## DISCUSSION

Applicant's Proposal: The applicant is seeking approval of a Site and Architectural Review Permit to allow for a new two-story residence (approximately 3,071 sq. ft.) reusing portions of the existing structure and resulting in a floor area ratio exceeding 45% (49% proposed) (reference **Attachment 4** – Project Plans).

Project Location: The subject property is located at the west side of Warwick Drive, south of W. Latimer Avenue, and north of W. Campbell Avenue within the R-1-6 (Single-Family Residential) Zoning District.

## ANALYSIS

Zoning Designation: The subject property is zoned R-1-6 (Single Family Residential, 6,000 square foot minimum lot size). Typically, new two-story residences located outside of a special project area (such as the San Tomas Area Neighborhood Plan) are approved through a ministerial building permit, and are not subject to a design review process. Since this proposal includes a request for a floor area ratio exceeding 45%, a Site and Architectural Review Permit, in compliance with the City adopted Design Guidelines for Single Family Homes, is required. The R-1-6 zoning district allows for up to 5% additional floor area when the Planning Commission finds that the scale and mass of the home is compatible with homes in the surrounding area, and that the house minimizes the use of design features that make it appear significantly larger than its surroundings (see discussion on **Design**; page 3).

With Planning Commission approval of a Site and Architectural Review Permit for a new two-story residence with an increased floor area ratio, the proposed project would be consistent with the zoning designation, the City's adopted Design Guidelines for Single Family Homes, and the development regulations of the R-1-6 Zoning District.

General Plan: The General Plan land use designation for the project site is Low Density Residential (less than 4.5 units per gross acre). The proposed two-story residence is consistent with the following General Plan Land Use Strategy through implementation of design features which integrate the structure with the neighborhood and minimize the buildings scale and massing and are responsive to the neighborhood context:

Strategy LUT-5.2a: Neighborhood Compatibility: Promote new residential development and substantial additions that are designed to maintain and support the existing character and development pattern of the surrounding neighborhood, especially in historic neighborhoods and neighborhoods with consistent design characteristics

Design: The applicant's request would allow for a floor area ratio of 49.9% where 50% is the maximum allowed subject to discretionary review and approval by the Planning Commission. In consideration of projects requesting for an increased floor area ratio, the following findings must be made:

- a. The perceived scale and mass of the home is compatible with the adjacent homes and the homes in the surrounding area.
- b. The home minimizes the use of design features that make it appear significantly larger than the adjacent homes and the homes in the surrounding area.

In response, the applicant provided a neighborhood map identifying 61 similarly sized homes in the neighborhood (reference **Attachment 5** – Assessment of Similarly Sized Homes) as well as a Written Statement (reference **Attachment 6**) which identifies the following design features which serve to minimize the scale and massing of the structure and integrate the structure with the neighborhood (additional points provided by staff are in *italics*):

- Placement of the second story toward the center of the house, resulting in a more balanced and less boxy feel for the home.
- Placement and size of the windows intended to convey a horizontal emphasis, and enhance privacy to neighbors.
- Incorporation of steps and breaks in otherwise long building walls to reduce mass and enhance visual interest.
- Use of different materials and finish to break up the façade and keep the home from appearing too massive or boxy.
- The craftsman architecture and material selections (asphalt shingle roofing, combination shingle and board and batten siding) (reference **Attachment 7** - Material Board) are highly responsive to the neighborhood context which exhibits similar features and designs (reference **Attachment 8** – Roof Plan & Surrounding Views).
- *The two-story home will not exceed 24-feet, 4.25-inches, which will help serve to integrate the structure in the neighborhood.*
- *In response to SARC comments, the project architect reduced the size of the home (two-square feet) and provided enhanced floor plans with furniture and dimensions for Planning Commission review.*
- *The project architect also redesigned the layout of the garage, placing it forward and slightly under the proposed second-story, resulting in an improved provision of open space and reducing the project lot coverage from 34% to 33%.*

In consideration of these points, the proposed project may be found consistent with the City's adopted Design Guidelines for Single Family Homes, development regulations of the R-1-6 Zoning District, and findings required for projects requesting an increase in floor area ratio.

Parking: There are a total of 2 covered parking spaces existing. No changes to the existing parking are proposed.

Landscaping: The applicant is not proposing to remove any protected trees. However, a smaller 8-inch tree in conflict with the proposed first story addition on the north side of the residence will be removed.

Site and Architectural Review Committee: The Site and Architectural Review Committee (SARC) reviewed the applicant's project plans on February 9, 2016 (reference **Attachment 9** – SARC Memo). The Site and Architectural Review Committee was generally supportive of the project (design, color, architecture), but raised a concerns with the request for additional floor area. To facilitate further review of this issue at Planning Commission, the SARC recommended the following (applicant responses have been noted below each point in italics):

- Consider providing enhanced floor plans to demonstrate the rooms are not significantly oversized and further justify the request for additional floor area.  
*The project architect has provided revised floor plans illustrating speculative furniture layouts and dimensions for Planning Commission review and consideration. Furthermore, the architect revised the site configuration resulting in an enhanced provision of open space, and slightly reduced the size of the home.*

At the meeting, a member of the public (Jo-Ann Fairbanks; not an immediate neighbor) raised a discussion of potential privacy impacts, particularly in regard to the property owner situated to the southwest. The SARC Commissioners noted their appreciation for the public input, but did not forward a recommendation to change the project design noting that the size, placement, and setback of the second-story from the adjoining properties to the south and southwest was appropriate as proposed.

Neighborhood Comment: Notice of this application was provided to all property owners within 300 feet of the subject property. No comments have been received as of the writing of this staff report.

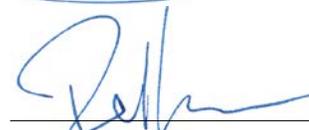
Attachments:

1. Findings for Approval of File No.: PLN2015-369
2. Conditions of Approval of File No.: PLN2015-369
3. Location Map
4. Project Plans
5. Assessment of Similarly Sized Homes
6. Written Statement
7. Material Board
8. Roof Plan & Surrounding Views
9. SARC Memo

Prepared by:

  
\_\_\_\_\_  
Stephen Rose, Associate Planner

Approved by:

  
\_\_\_\_\_  
Paul Kermoyan, Community Development Director

## **FINDINGS FOR APPROVAL OF FILE NO. PLN2015-369**

SITE ADDRESS: 283 Warwick Drive  
APPLICANT: Gabriela Navarrete  
OWNER: Luis Rangel  
P.C. MEETING: March 22, 2016

Findings for Approval of a Site and Architectural Review Permit to allow a new two-story residence (approximately 3,071 sq. ft.) reusing portions of the existing structure and resulting in a floor area ratio exceeding 45% (49% proposed) on property located at 283 Warwick Drive.

The Planning Commission finds as follows with regard to file number PLN2015-369:

### Environmental Finding

1. The project qualifies as a Categorically Exempt project per Section 15303, Class 3 of the California Environmental Quality Act (CEQA), pertaining to the construction of single-family dwellings.

### Evidentiary Findings

1. The project site is zoned R-1-6 (Single Family Residential) on the City of Campbell Zoning Map.
2. The project site is designated Low Density Residential (6 units/gr. acre) on the City of Campbell General Plan Land Use diagram.
3. The proposed project will be compatible with the R-1-6 (Single Family Residential) Zone District with approval of a Site and Architectural Review Permit due the proposed FAR of .499.
4. The project site is located at the west side of Warwick Drive, south of W. Latimer Avenue, and north of W. Campbell Avenue within the R-1-6 (Single-Family Residential) Zoning District.
5. The perceived scale and mass of the home is compatible with the adjacent homes and the homes in the surrounding area.
6. The home minimizes the use of design features that make it appear significantly larger than the adjacent homes and the homes in the surrounding area.
7. The project places the second story toward the center of the house, resulting in a more balanced and less boxy feel for the home.
8. The placement and size of the windows convey a horizontal emphasis, and enhance privacy to neighbors.

9. The project incorporates steps and breaks in otherwise long building walls to reduce mass and enhance visual interest.
10. The project uses different materials and finish to break up the façade and keep the home from appearing too massive or boxy.
11. The two-story home will not exceed 24-feet, 4.25-inches, which serves to integrate the structure in the neighborhood.
12. The craftsman architecture and material selections (asphalt shingle roofing, combination shingle and board and batten siding) are highly responsive to the neighborhood context which exhibits similar features and designs.
13. No substantial evidence has been presented which shows that the project, as currently presented and subject to the required Conditions of Approval, will have a significant adverse impact on the environment.
14. There is a reasonable relationship and a rough proportionality between the Conditions of Approval and the impacts of the project.
15. There is a reasonable relationship between the use of the fees imposed upon the project and the type of development project.

Based upon the foregoing findings of fact and pursuant to Campbell Municipal Code Sec. 21.42.060(B) the Planning Commission further finds and concludes that:

1. The project will be consistent with the General Plan;
2. The project will aid in the harmonious development of the immediate area; and
3. The project is consistent with applicable adopted design guidelines.

**CONDITIONS OF APPROVAL FOR FILE NO. PLN2015-369**

SITE ADDRESS: 283 Warwick Drive  
APPLICANT: Gabriela Navarrete  
OWNER: Luis Rangel  
P.C. MEETING: March 22, 2016

The applicant is hereby notified, as part of this application, that he/she is required to meet the following conditions in accordance with the ordinances of the City of Campbell and the State of California. Where approval by the Community Development Director, City Engineer, Public Works Director, City Attorney, or Fire Department is required, that review shall be for compliance with all applicable Conditions of Approval, adopted policies and guidelines, ordinances, laws and regulations, and accepted engineering practices for the item under review. Additionally, the applicant is hereby notified that he/she is required to comply with all applicable Codes or Ordinances of the City of Campbell and the State of California that pertain to this development and are not herein specified:

**COMMUNITY DEVELOPMENT DEPARTMENT****Planning Division**

1. Approved Project: Approval is granted for a (PLN2015-369) allowing construction of a new two-story residence (approximately 3,071 sq. ft.) reusing portions of the existing structure and resulting in a floor area ratio exceeding 45% (49% proposed) on property located at 283 Warwick Drive within the R-1-6 (Single-Family Residential) Zoning District. The project shall substantially conform to the project plans stamped as received by the Planning Division on February 25, 2016, except as may be modified by the conditions of approval herein.
2. Permit Expiration: The Site and Architectural Review Permit approval shall be valid for one year from the date of final approval (April 1, 2017). Within this one-year period, an application for a building permit must be submitted. Failure to meet this deadline will result in the Site and Architectural Review Permit being rendered void.
3. Planning Final Required: Planning Division clearance is required prior to Building Permit final. Construction not in substantial compliance with the approved project plans shall not be approved without prior authorization of the necessary approving body. Please add a note to the cover sheet of the project plans indicating this requirement (i.e. Planning Final Required).
4. Fences/Walls: Any newly proposed fencing and/or walls shall comply with Section 21.18.060 of the Campbell Municipal Code and shall be submitted for review and approval by the Community Development Department.
5. Compliance with Other Regulations: The applicant shall comply with other state, county, and city ordinances that pertain to the proposed project and where they are conducted.
6. Contractor Contact Information Posting: The project site shall be posted with the name and contact number of the lead contractor in a location visible from the public street prior to the issuance of building permits.

7. On-Site Lighting: On-site lighting shall be shielded away from adjacent properties and directed on site. The design and type of lighting fixtures and lighting intensity of any proposed exterior lighting for the project shall be reviewed and approved by the Community Development Director prior to installation of the lighting for compliance with all applicable Conditions of Approval, ordinances, laws and regulations. Lighting fixtures shall be of a decorative design to be compatible with the residential development and shall incorporate energy saving features.
8. Roof Vents: The applicant shall coordinate mechanical and plumbing plans to minimize the number of roof vents that are visible from the street frontage. The applicant shall provide the location of such vents on the building plan elevations and roof plans, to the satisfaction of the Community Development Director, prior to issuance of a building permit.
9. Utilities: All on-site utilities shall be installed underground per Section 21.18.140 of the Campbell Municipal Code for any new or remodeled buildings or additions. Applicant shall comply with all plan submittals, permitting, and fee requirements of the serving utility companies.
10. Grading Plan: The building permit construction plans shall include a grading and drainage plan prepared by a qualified engineer showing drainage indicating actual (not assumed) existing and proposed grades relative to existing grade and showing management of on-site drainage for review and approval by the Community Development Director. The existing grade shall be modified by the minimum necessary to ensure proper drainage.
11. Construction Activities: The applicant shall abide by the following requirements during construction:
  - a. Construction activities shall be limited to weekdays between 8:00 a.m. and 5:00 p.m. and Saturdays between 9:00 a.m. and 4:00 p.m. No construction shall take place on Sundays or holidays unless an exception is granted by the Building Official.
  - b. All construction equipment with internal combustion engines used on the project site shall be properly muffled and maintained in good working condition.
  - c. Unnecessary idling of internal combustion engines shall be strictly prohibited.
  - d. All stationary noise-generating construction equipment, such as air compressors and portable power generators, shall be located as far as possible from noise-sensitive receptors such as existing residences and businesses.
  - e. Use standard dust and erosion control measures that comply with the adopted Best Management Practices for the City of Campbell.

### **Building Division**

12. Permits Required: A building permit application shall be required for the proposed complete remodeling and addition to the existing structure. The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit.
13. Project Description: The Building Inspection Division considers this project as new construction, and fees will be calculated based on the comparative similarities to new construction. This project has been reviewed under the provisions of Chapter 18.32 of the City Campbell Municipal Code in determining how this project is defined.

14. Plan Preparation: Portions of this project require plans prepared under the direction and oversight of a California licensed Engineer or Architect. Plans submitted for building permits shall be “wet stamped” and signed by the qualifying professional person.
15. Construction Plans: The conditions of Approval shall be stated in full on the cover sheet of construction plans submitted for building permit.
16. Size Of Plans: The minimum size of construction plans submitted for building permits shall be 24 in. X 36 in.
17. Site Plan: Application for building permit shall include a competent site plan that identifies property and proposed structures with dimensions and elevations as appropriate. Site plan shall also include site drainage details.
18. Seismic Requirements: Additions and Alterations to (e) residential structures shall comply with Section 3404 of the 2013 California Building Code (CBC).
19. Title 24 Energy Compliance: California Title 24 Energy Compliance forms CF-1R and MF-1R shall be blue-lined on the construction plans. 8½ X 11 calculations shall be submitted as well.
20. Special Inspections: When a special inspection is required by C.B.C. Chapter 17, the architect or engineer of record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the building permits, in accordance with C.B.C Chapter 1, Section 106. Please obtain City of Campbell, Special Inspection forms from the Building Inspection Division Counter.
21. Non-Point Source Pollution: The City of Campbell, standard Santa Clara Valley Non-point Source Pollution Control Program specification sheet shall be part of plan submittal. The specification sheet (size 24” X 36”) is available at the Building Division service counter.
22. Approvals Required: The project requires the following agency approval prior to issuance of the building permit:
  - a. West Valley Sanitation District (378-2407)
  - b. Santa Clara County Fire Department (378-4010)
  - c. School District:
  - d. Campbell Union School District (378-3405)
  - e. Campbell Union High School District (371-0960)
  - f. Moreland School District (379-1370)
  - g. Cambrian School District (377-2103)

Note: To Determine your district, contact the offices identified above. Obtain the School District payment form from the City Building Division, after the Division has approved the building permit application.

- h. Bay Area Air Quality Management District (Demolitions Only)

- i. San Jose Water Company (279-7900)
23. P.G.& E.: Applicant is advised to contact Pacific Gas and Electric Company as early as possible in the approval process. Service installations, changes and/or relocations may require substantial scheduling time and can cause significant delays in the approval process. Applicant should also consult with P.G. and E. concerning utility easements, distribution pole locations and required conductor clearances.
24. Intent To Occupy During Construction: Owners shall declare their intent to occupy the dwelling during construction. The Building Inspection Division may require the premises to be vacated during portions of construction because of substandard and unsafe living conditions created by construction.
25. Construction Fencing: This project shall be properly enclosed with construction fencing to prevent unauthorized access to the site during construction. The construction site shall be secured to prevent vandalism and/or theft during hours when no work is being done. All protected trees shall be fenced to prevent damage to root systems.
26. Build It Green: Applicant shall complete and submit a “Build it Green” inventory of the proposed new single family project prior to issuance of building permit.
27. Storm Water Requirements: Storm water run-off from impervious surface created by this permitted project shall be directed to vegetated areas on the project parcel. Storm water shall not drain onto neighboring parcels.
28. Residential Structures: This project shall comply with the mandatory requirements for Residential Structures, Chapter 4 of the California Green Building Code 2013 ed.
29. Fire Sprinklers Required: This Structure, as a new Single Family Dwelling under Chapter 18.32 of the Campbell Municipal Code, shall be equipped with residential fire sprinklers compliant with Section R313 of the California Residential Code 2013 ed.

### **Public Works Division**

The scope of this project triggers the requirement for Frontage Improvements as required by Campbell Municipal Code 11.24.040. However, the existing frontage improvements are in good condition and the recent upgrade to the corner wheelchair ramp eliminates the need for the applicant to do that upgrade.

30. Water Meter: The project has an existing water meter installed in the public right-of-way. If the water service is required to be upsized as part of the project (i.e. due to fire sprinklers), then the new water meter shall be installed on private property behind the public right-of-way line. If the existing water service is not required to be upgraded, then the Property Owner can avoid the cost of relocating the water meter by executing a Private Improvements Agreement as listed in the following condition.
31. Private Fence: The project has an existing fence installed in the public right-of-way along the West Latimer Avenue frontage. If the applicant wishes to maintain that existing fence, then

the Property Owner must execute a Private Improvements Agreement and trim back the existing vegetation as to not impede pedestrians walking along West Latimer Avenue.

32. Private Improvements Agreement: Prior to issuance of any grading or building permits for the project, the owner shall execute an “Agreement for Private Improvements in the Public Right of Way”. This agreement would be required to allow the existing water meter and the existing fence located in the public right of way along the frontage of this property to remain.
33. Water Meter(s) and Sewer Cleanout(s): If installing new water meter and/or sewer cleanout then it shall be installed on private property behind the public right-of-way line.
34. Utility Coordination Plan: Prior to issuance of building permits for the site, the applicant shall submit a utility coordination plan and schedule for approval by the City Engineer for installation and/or abandonment of all utilities. The plan shall clearly show the location and size of all existing utilities and the associated main lines; indicate which utilities and services are to remain; which utilities and services are to be abandoned, and where new utilities and services will be installed. Joint trenches for new utilities shall be used whenever possible.
35. Pavement Restoration: Based on the utility coordination plan, the applicant shall prepare a pavement restoration plan for approval by the City Engineer prior to any utility installation or abandonment. The pavement restoration plan shall indicate how the street pavement shall be restored following the installation or abandonment of all utilities necessary for the project.
36. Utility Encroachment Permits: Separate City encroachment permits for the installation of utilities to serve the development will be required (including water, sewer, gas, electric, etc.). Applicant shall apply for and pay all necessary fees for utility permits for sanitary sewer, gas, water, electric and all other utility work.

# Location Map



ABBREVIATIONS

&	AND	KIT.	KITCHEN
∠	ANGLE	LT.	LIGHT
@	AT	MAX.	MAXIMUM
CL	CENTERLINE	MECH.	MECHANICAL
∅	DIAMETER OR ROUND	MEMB.	MEMBRANE
#	POUND OR NUMBER	MET.	METAL
(E)	EXISTING	MFR.	MANUFACTURER
BD.	BOARD	MFL.	MANHOLE
BTUM.	BITUMINOUS	MIN.	MINIMUM
BLDG.	BUILDING	MIR.	MIRROR
BLK.	BLOCK	MISC.	MISCELLANEOUS
BLKG.	BLOCKING	M.O.	MASONRY OPENING
BOT.	BOTTOM	MTD.	MOUNTED
CAB.	CABINET	MUL.	MULLION
CL.	CAST IRON	NO.#	NUMBER
CLG.	CEILING	NOM.	NOMINAL
CLO.	CLOSET	NTS	NOT TO SCALE
CLR.	CLEAR	O.A.	OVERALL
COL.	COLUMN	O/C	ON CENTER
CONC.	CONCRETE	OD	OUTSIDE DIAMETER
CONN.	CONNECTION	OPNG.	OPENING
CONST.	CONSTRUCTION	OPP.	OPPOSITE
CORR.	CORRIDOR	PL.	PLATE
CNTR.	COUNTER	PLAM.	PLASTIC LAMINATE
CTR.	CENTER	PLAS.	PLASTER
CTD.	CENTERED(ON SPACE)	PLYWD.	PLYWOOD
DBL.	DOUBLE	PR.	PAIR
DET.	DETAIL	PT.	POINT
DIA. ∅	DIAMETER	R.	PROPERTY LINE
DIM.	DIMENSION	PRCST.	PRE-CAST
D	DOWN	PTN	PARTITION
DN	DOWN	R	RISE
DR	DOOR	RAD.	RADIUS
DS.	DOWN SPOUT	REF.	REFERENCE
DWG.	DRAWING	REFR.	REFRIGERATOR
EA.	EACH	RGR.	REGISTER
E.J.	EXPANSION JOINT	REIN.	REINFORCED
EL.	ELEVATION	REQ.	REQUIRED
ELC.	ELECTRICAL	RESIL.	RESILIENT
EMER.	EMERGENCY	RM.	ROOM
ENCL.	ENCLOSURE	RO	ROUGH OPENING
EP.	ELECTRICAL PANEL	RWD.	REDWOOD
EQ.	EQUAL	RWL.	RAIN WATER LEADER
EQPT.	EQUIPMENT	SC	SOLID CORE
ETR.	EXISTING TO REMAIN	SCHED.	SCHEDULE
EXPO.	EXPOSED	SECT.	SECTION
EXP.	EXPANSION	S	SHIELF
EXT.	EXTERIOR	SHR.	SHOWER
FB	FLAT BAR	SHT.	DRAWING
FD	FLOOR DRAIN	SIM.	SIMILAR
FDN.	FOUNDATION	SFB	SPLIT FACE BLOCK
FIN.	FINISH	SHT. VIN.	SHEET VINYL
FL.	FLOOR	SPEC.	SPECIFICATION
FLASH.	FLASHING	SQ.	SQUARE
FLOOR.	FLOUORESCENT	SST.	STAINLESS STEEL
F/C	FACE OF CONCRETE	SS	SERVICE SINK
F/F	FACE OF FINISH	STA.	STATION
F/S	FACE OF STUDS	STD.	STANDARD
FX.	FIXED	STL.	STEEL
FS.	FULL SIZE	STOR.	STORAGE
FT.	FOOT OR FEET	STR.	STRUCTURAL
FTG.	FOOTING	SUSP.	SUSPENDED
FURR.	FURRING	SYM.	SYMMETRICAL
GA.	GAUGE	TRD.	TREAD
GALV.	GALVANIZED	TB	TOWEL BAR
GB.	GRAB BAR	TBD	TO BE DETERMINED
GL.	GLASS	TC	TOP OF CURB
GND.	GROUND	TEL.	TELEPHONE
GR.	GRADE	TER.	TERRAZZO
GWB.	GYPSUM WALL BOARD	THK.	THICK
GYP.	GYPSUM	TP	TOP OF PAVEMENT
H.C.	HOLLOW CORE	TV	TELEVISION
HDWD.	HARDWOOD	TW	TOP OF WALL
HDWE.	HARDWARE	TYP.	TYPICAL
HM	HOLLOW METAL	UNF.	UNFINISHED
HORIZ.	HORIZONTAL	VERT.	VERTICAL
H.R.	HAND RAIL	W	WASHER MACHINE
HT.	HEIGHT	WC	WATER CLOSET
I.D.	INSIDE DIAMETER	WD.	WOOD
INSUL.	INSULATION	W/O	WITHOUT
INT.	INTERIOR	WP	WATERPROOF
JT.	JOINT	WT.	WEIGHT

SYMBOLS LEGEND

	TRUE NORTH
	REFERENCE NORTH
	CALLED NORTH
	DIMENSION TO FINISH SURFACE
	DIMENSION TO FACE OF STUDS
	DIMENSION TO CENTER (LINE)
	DETAIL REFERENCE SECTION REFERENCE
	DETAIL REFERENCE
	DETAIL SECTION, PLAN, OR ELEVATION NUMBER
	ELEVATION VIEW REFERENCE
	ELEVATION LEVEL OR SECTION VIEW REFERENCE (IN ELEVATION)
	WINDOW SYMBOL, SEE SCHEDULE
	DOOR SYMBOL, SEE SCHEDULE
	HEIGHT ABOVE ELEVATION REFERENCE LEVEL
	PARTITION TYPE, SEE INTERIOR DETAILS

SCOPE OF WORK

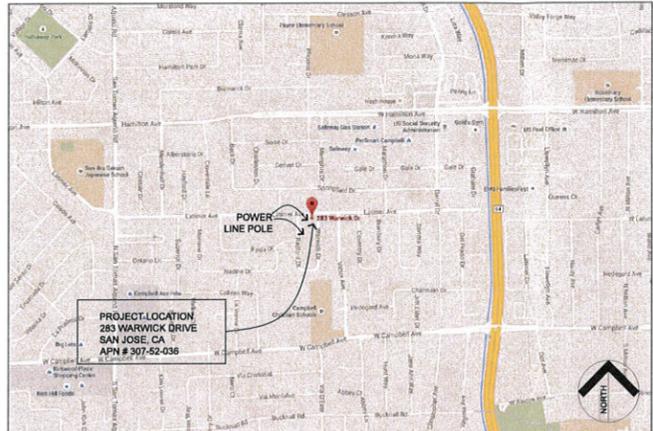
ADDITION AND REMODEL TO EXISTING SINGLE STORE HOUSE, ADD SECOND FLOOR, INCLUDING NEW ELECTRICAL, PLUMBING AND SPRINKLERS SYSTEM.

PLANNING DATA

HOUSE ADDITION / NEW:  
 APN #: 307-52-036  
 ZONE: R1-6  
 LOT SIZE: GROSS SQF (PROPERTY TO & FROM ST) 6,147 NET SQF  
 MAXIMUM LOT COVERAGE (FAR) 40 % - 2,458.80 SQF  
 MAXIMUM FLOOR AREA RATIO (FAR) 45 % - 2,766.15 SQF  
 ADDITION FLOOR AREA RATIO (FAR) 5 % - 307.35 SQF  
 TOTAL FLOOR AREA RATIO (FAR) 50% - 3,073.50 SQF  
 FRONT YARD: 20' 00"  
 GARAGE: NO LESS THAN 25' 00"  
 REAR YARD: 10' 00"  
 SIDE YARD: 5'00"  
 CORNER LOT STREET YARD SET BACK: 12'00"  
 PARKING: 2 STANDARD COVERT SPACES  
 LIVING & DINING AREA: 2,848.51 SQF  
 GARAGE AREA: 426.83 SQF  
 NUMBER OF BEDROOMS: 4  
 NUMBER OF STORIES: 2 STORIES  
 EXISTING FLOOR AREA: 1,959.64 SQF  
 AREA ADDED: 1,111.40 SQF  
 TOTAL: 3,071.04 SQF  
 FLOOR AREA RATIO (FAR) 49.95 %  
 ROOF FRAMING (AREA) IS PROPOSED TO BE REMOVED 69.66% 888.64 SQF  
 EXTERIOR WALLS (LF OF WALL) ARE REMOVED 48.63% 85' 2.34" LF  
 INTERIOR WALLS (LF OF WALL) ARE REMOVED 72.24% 115' 11" LF

DEVELOPMENT DATA

DEVELOPMENT DATA	SQUARE FEET		PERCENT OF SITE	
	EXISTING	PROPOSED	EXISTING	PROPOSED
BUILDING COVERAGE	1959.64 SQF	2,016.38 SQF	31.86%	32.84%
LANDSCAPE COVERAGE	3097.86 SQF	2,671.12 SQF	50.40%	48.33%
PAVING COVERAGE	1089.50 SQF	1195 SQF	17.72%	19.44%
FLOOR AREA RATIO: TOTAL BLDG SQF DIVIDED BY NET LOT SIZE	1959.64 SQF	3,071.04 SQF	31.86 %	49.95%



17 LOCATION MAP

NO SCALE

DRAWING INDEX

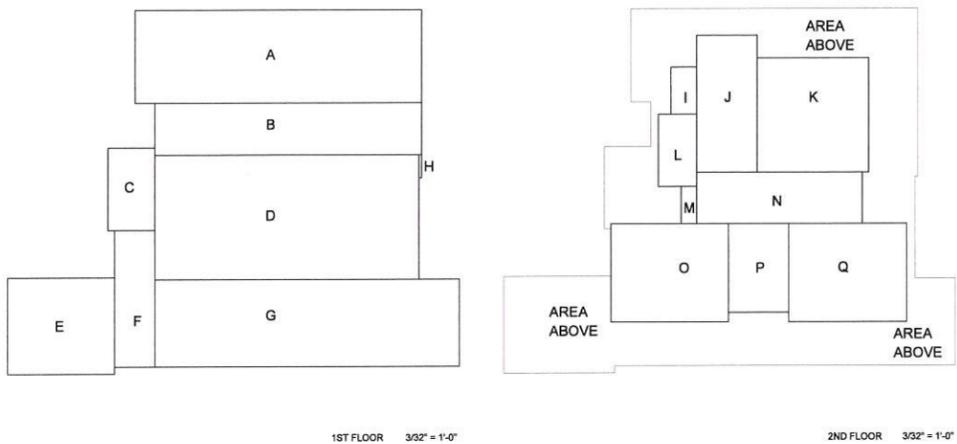
- A0 COVER SHEET & SITE PLAN
- A1 EXISTING PLANS
- A2 DEMOLITION PLANS
- A3 PROPOSED 1ST FLOOR PLAN
- A4 PROPOSED 2ND FLOOR PLAN
- A5 PROPOSED ROOF PLAN
- A6 PROPOSED BUILDING ELEVATIONS
- A7 PROPOSED BUILDING ELEVATION
- A8 PROPOSED BUILDING SECTIONS DOOR & WINDOW SCHEDULE
- A9 PROPOSED BUILDING COLOR ELEVATION
- A10 PROPOSED BUILDING COLOR ELEVATIONS
- A11 PROPOSED BUILDING COLOR ELEVATIONS

APPLICABLE CODES

1. 2013 CALIFORNIA BUILDING CODES
2. 2013 CALIFORNIA ELECTRICAL CODE
3. 2013 CALIFORNIA MECHANICAL CODE
4. 2013 CALIFORNIA PLUMBING CODE
5. 2013 CALIFORNIA ENERGY CODE
6. 2013 CALIFORNIA FIRE CODE
7. 2013 CALIFORNIA GREEN BUILDING CODES
8. ALL OTHER STATE AND LOCAL LAWS, ORDINANCES AND REGULATIONS

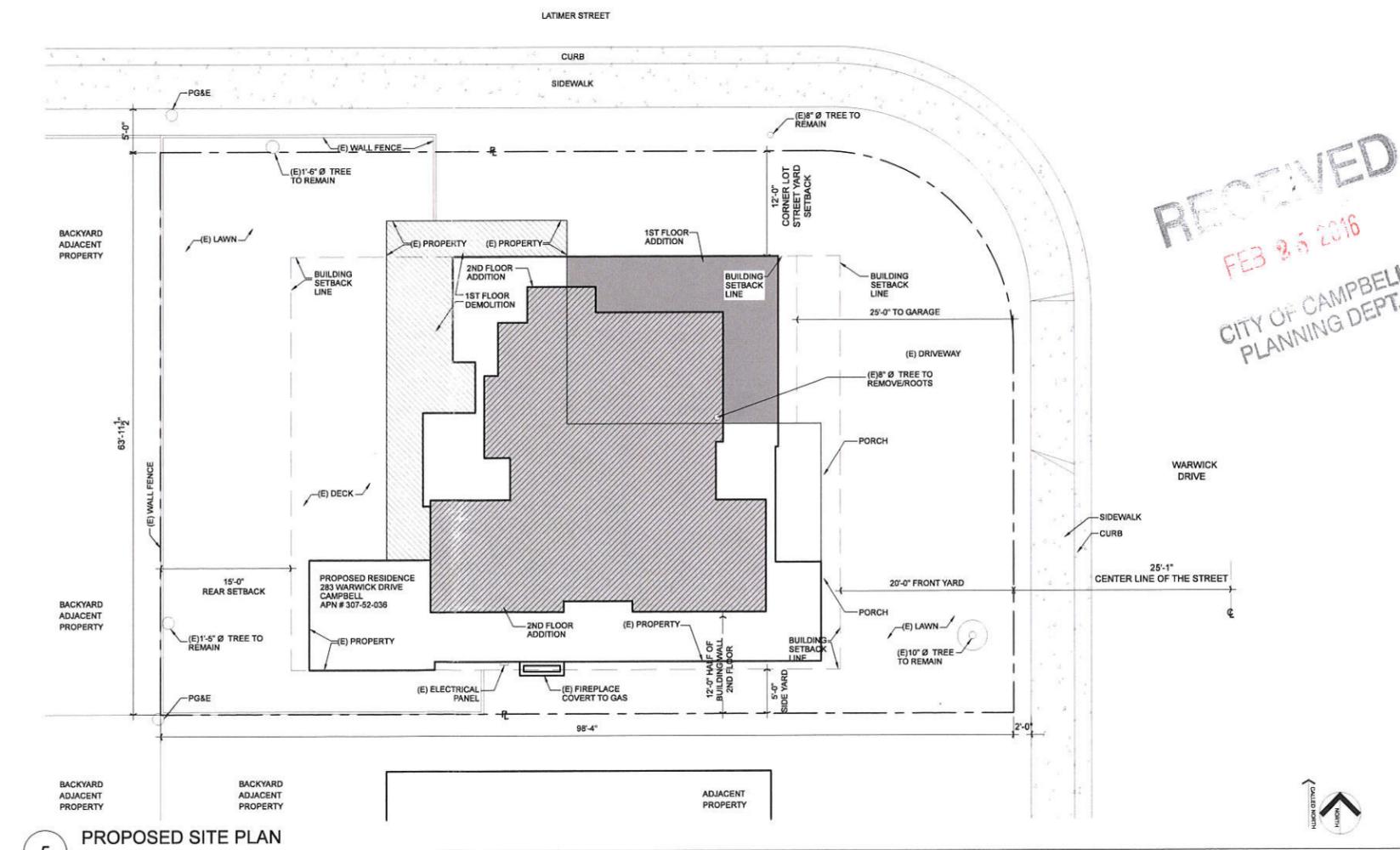
FLOOR AREA CALCULATION

LABEL	DIMENSIONS	AREA	LABEL	AREA
<b>1ST FLOOR</b>				
A	12' 0" X 37' 6"	449.47 SQF	M	4' 9 1/2" X 2' 0"
B	34' 1/2" X 10' 1/2"	233.12 SQF	N	6' 7" X 21' 8"
C	6' 1 1/2" X 10' 7 3/8"	85 SQF	O & Q	2 X (15' 5" X 12' 8 1/2") = 2 X 195.36
D	34' 6 1/2" X 16' 5 15/16"	554.93 SQF	P	7' 10" X 11' 6"
E	13' 11 3/4" X 12' 5 3/4"	174.12 SQF	1ST FLOOR (A-H)	2018.38 SQF
F	17' 8 1/8" X 5' 3"	92.36 SQF	2ND FLOOR (I-P)	1052.66 SQF
G	39' 9 3/4" X 11' 3 1/4"	448.39 SQF	TOTAL FLOOR AREA (A-P)	3071.04 SQF
H	4' X 2' 11 15/16"	0.99 SQF	MAXIMUM FLOOR AREA RATIO (FAR)	45% 2766.15 SQF
<b>2ND FLOOR</b>				
I	3' 4 1/2" X 6' 0 1/2"	20.12 SQF	EXTRA (FAR)	5% 307.35 SQF
J	17' 8" X 7' 10 1/2"	138.93 SQF	TOTAL MAX. FLOOR AREA RATIO (FAR)	50% 3073.50 SQF
K	14' 7 1/2" X 14' 8 7/8"	215.12 SQF	FLOOR AREA RATIO (FAR)	49.95 %
L	9' 4" X 5' 0"	46.36 SQF		



SYMBOLS LEGEND

	1ST FLOOR
	2ND FLOOR
	SET BACK
	PROPERTY LINE
	GRASS
	SIDE WALK
	LANDSCAPE / DIRT
	REMOVE WALL
	WALL - EXISTING TO REMAIN (ETR)
	REMOVE 2, 4, 6, 7 & 8
	WOOD FRAME WALLS (2x4 STUDS @ 16" O.C. 1/2" GYPSUM BOARD EACH SIDE), OR 2x4 STUD EXTERIOR WALL
	WOOD FRAMING (ROUGH)
	WOOD BLOCKING



5 PROPOSED SITE PLAN

1/8"=1'-0"



Rangel Residence

283 Warwick Drive  
Campbell, CA 95008

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PROPOSED SITE PLAN  
 ABBREV. & SYMB.LEGEND  
 SCOPE OF WORK  
 DRAWING INDEX  
 FLOOR AREA CALCULATION  
 APPLICABLE CODES  
 PLANNING DATA  
 LOCATION MAP

DRAWING NUMBER

A0

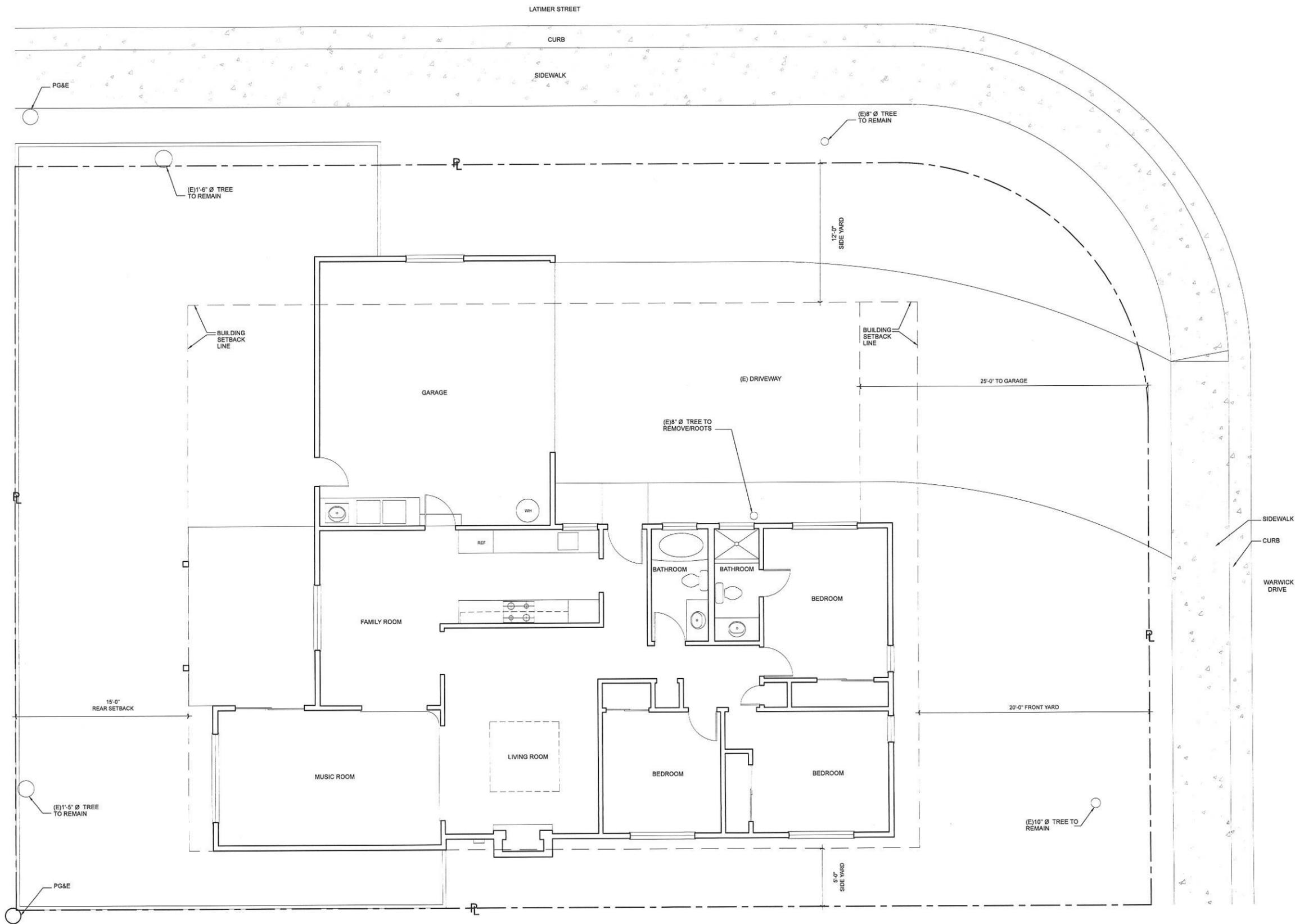
OF DRAWING(S)

PROJECT:  
RANGEL RESIDENCE

DRAWN BY: B. MILO  
DESIGNED BY: G. NAVARRETE

DATE:

February, 2016



# Rangel Residence

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## (E) FLOOR PLAN

DRAWING NUMBER

# A1

OF DRAWING(S)

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DESIGNED BY: G. NAVARRETE

DATE:  
February, 2016



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DEMOLITION FLOOR PLANS

DRAWING NUMBER

## A2

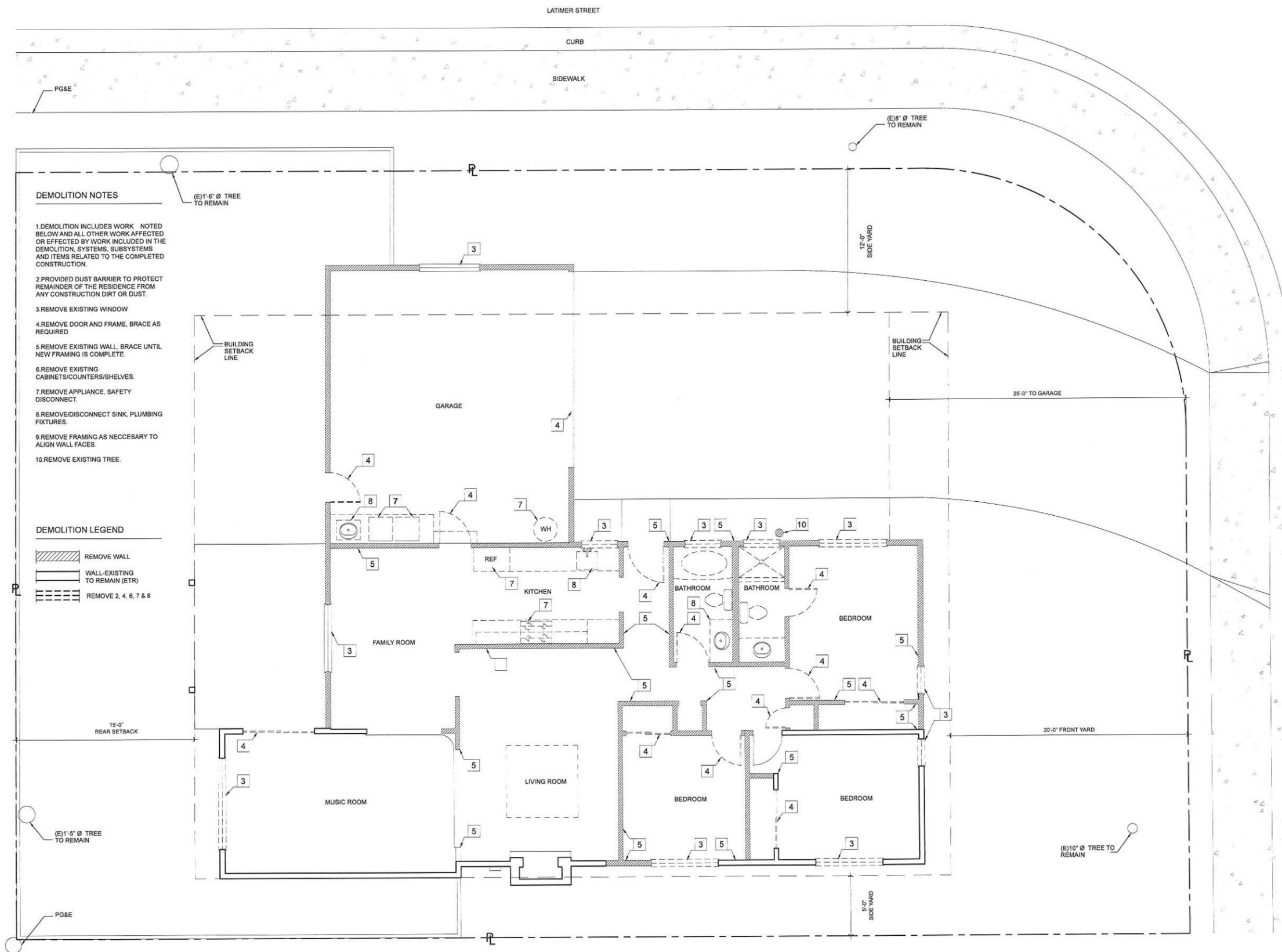
OF DRAWING(S)

PROJECT:  
RANGEL RESIDENCE

DRAWN BY: B. MILO  
DESIGNED BY: G. NAVARRETE

DATE:

February, 2016



### DEMOLITION NOTES

1. DEMOLITION INCLUDES WORK NOTED BELOW AND ALL OTHER WORK AFFECTED OR EFFECTED BY WORK INCLUDED IN THE DEMOLITION, SYSTEMS, SUBSYSTEMS AND ITEMS RELATED TO THE COMPLETED CONSTRUCTION.
2. PROVIDED DUST BARRIER TO PROTECT REMAINDER OF THE RESIDENCE FROM ANY CONSTRUCTION DIRT OR DUST.
3. REMOVE EXISTING WINDOW
4. REMOVE DOOR AND FRAME, BRACE AS REQUIRED
5. REMOVE EXISTING WALL, BRACE UNTIL NEW FRAMING IS COMPLETE.
6. REMOVE EXISTING CABINETS/COUNTERS/SHELVES.
7. REMOVE APPLIANCE, SAFETY DISCONNECT.
8. REMOVE/DISCONNECT SINK, PLUMBING FIXTURES.
9. REMOVE FRAMING AS NECESSARY TO ALIGN WALL FACES.
10. REMOVE EXISTING TREE.

### DEMOLITION LEGEND

- REMOVE WALL
- WALL-EXISTING TO REMAIN (ETR)
- REMOVE 2, 4, 6, 7 & 8



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1ST FLOOR PLAN

DRAWING NUMBER

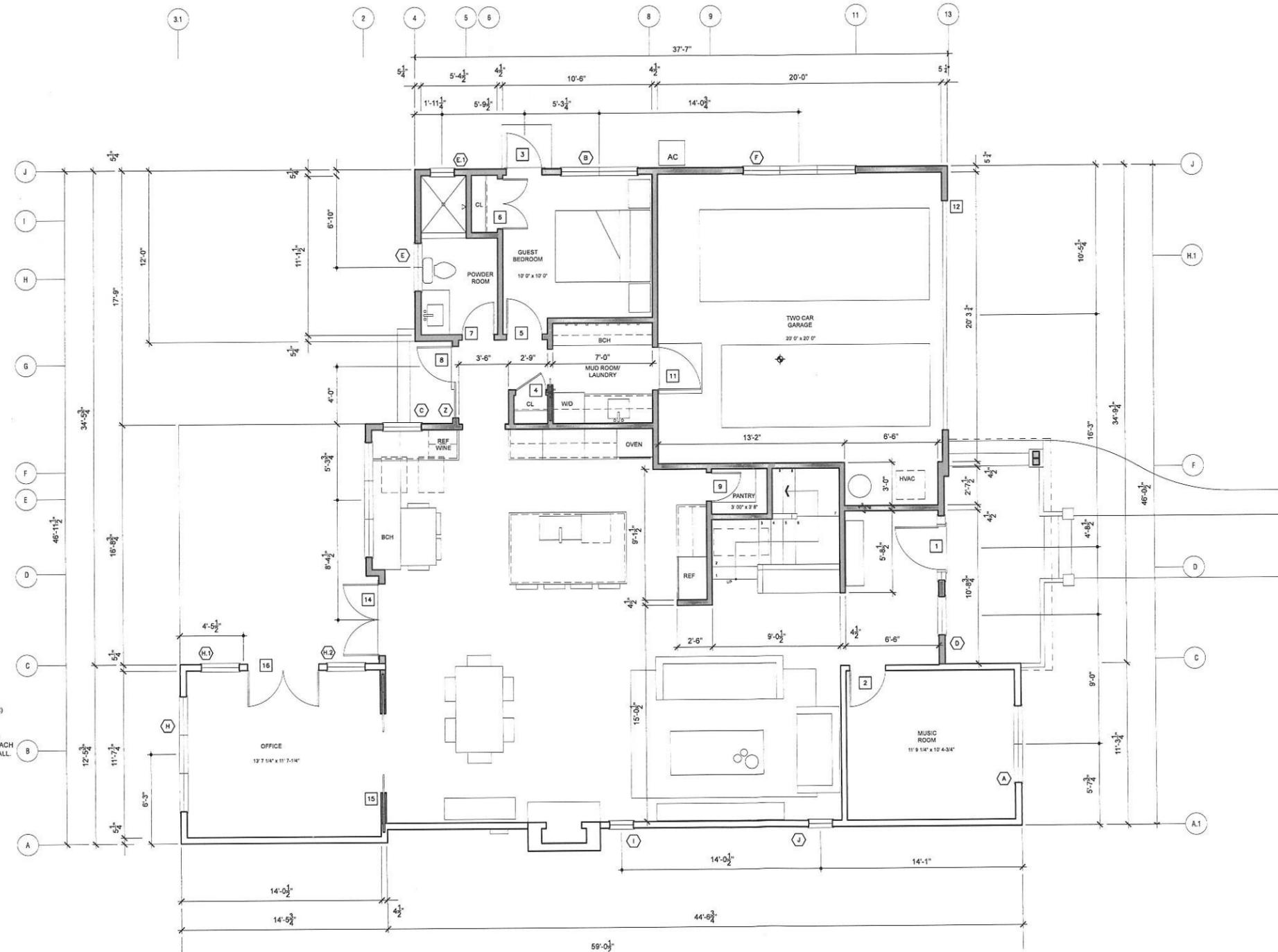
**A3**

OF DRAWING(S)

PROJECT:  
RANGEL RESIDENCE

DRAWN BY: B. MILO  
DESIGNED BY: G. NAVARRETE

DATE:  
February, 2016



### SYMBOLS LEGEND

- WALL - EXISTING TO REMAIN (ETR)
- WOOD FRAME WALLS (2x4 STUDS @ 16" O/C, 1/2" GYPSUM BOARD EACH SIDE), OR 2x4 STUD EXTERIOR WALL.

**FIRE SPRINKLER SYSTEM NOTES:**  
INSTALL N.F.P.A. 13D FIRE SPRINKLER SYSTEM COMPLYING WITH LOCAL AMENDMENTS. PROVIDE PERMANENT DRAIN TO SANITARY SEWER FOR ALL SPRINKLER DISCHARGE.  
FIRE SPRINKLER SYSTEM DESIGN TO BE COMPLETED AS A DEFERRED SUBMITTAL AFTER PLANNING APPLICATION APPROVAL IS RECEIVED.

25 1ST FLOOR PLAN

NOTE: DIMENSIONS TO FINISH SURFACE



1/4"=1'-0"

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2ND FLOOR PLAN

DRAWING NUMBER

**A4**

OF DRAWING(S)

PROJECT:  
RANGEL RESIDENCE

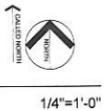
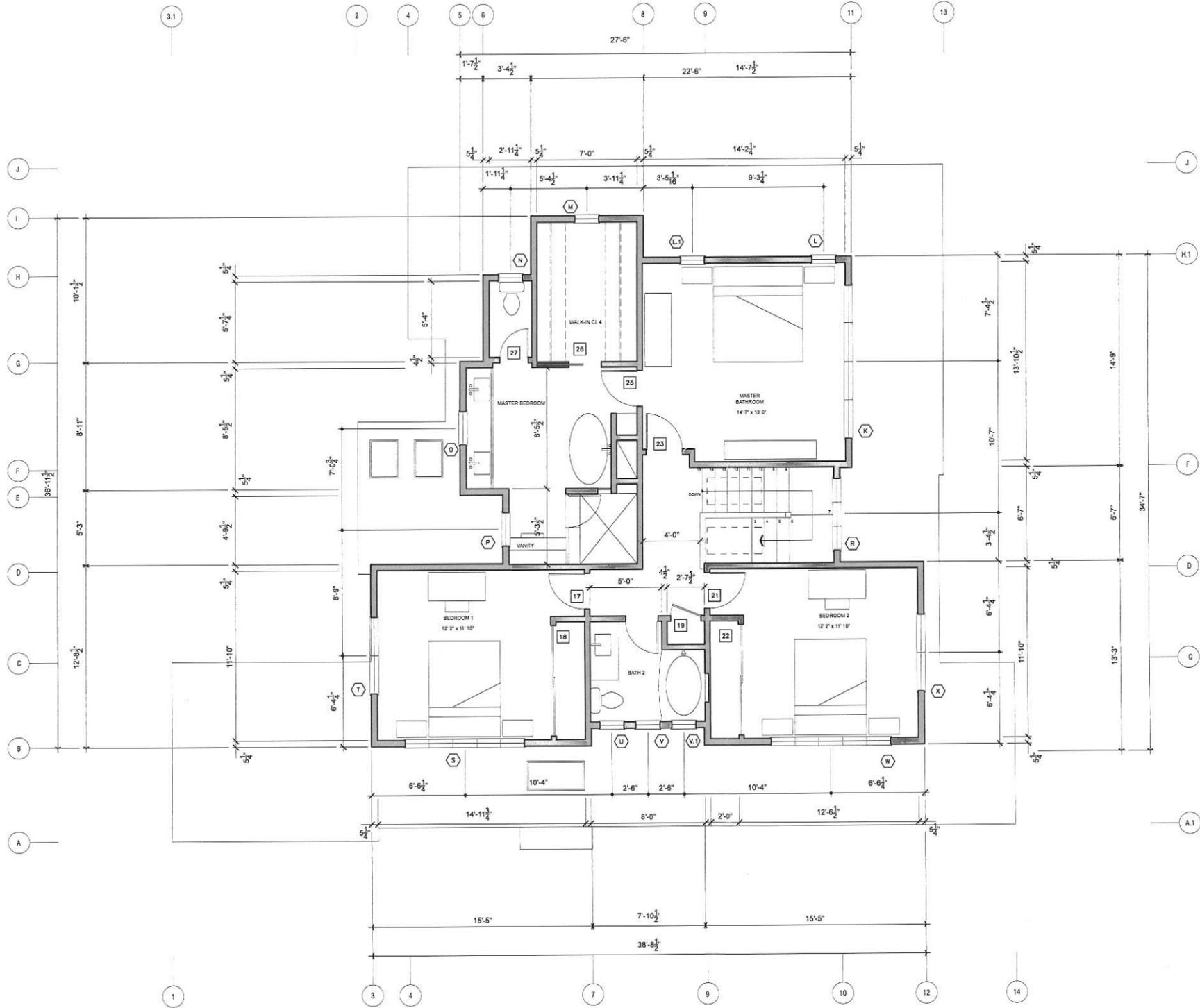
DRAWN BY: B. MILO  
DESIGNED BY: G. NAVARRETE

DATE:  
February, 2016

## SYMBOLS LEGEND

-  WALL - EXISTING TO REMAIN (ETR)
-  WOOD FRAME WALLS (2x4 STUDS @ 16" O.C. 1/2" GYPSUM BOARD EACH SIDE), OR 2x4 STUD EXTERIOR WALL.

**FIRE SPRINKLER SYSTEM NOTES:**  
INSTALL N.F.P.A. 13D FIRE SPRINKLER SYSTEM COMPLYING WITH LOCAL AMENDMENTS. PROVIDE PERMANENT DRAIN TO SANITARY SEWER FOR ALL SPRINKLER DISCHARGE.  
FIRE SPRINKLER SYSTEM DESIGN TO BE COMPLETED AS A DEFERRED SUBMITTAL AFTER PLANNING APPLICATION APPROVAL IS RECEIVED.



1/4"=1'-0"

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EAST ELEVATION  
NORTH ELEVATION

DRAWING NUMBER

**A9**

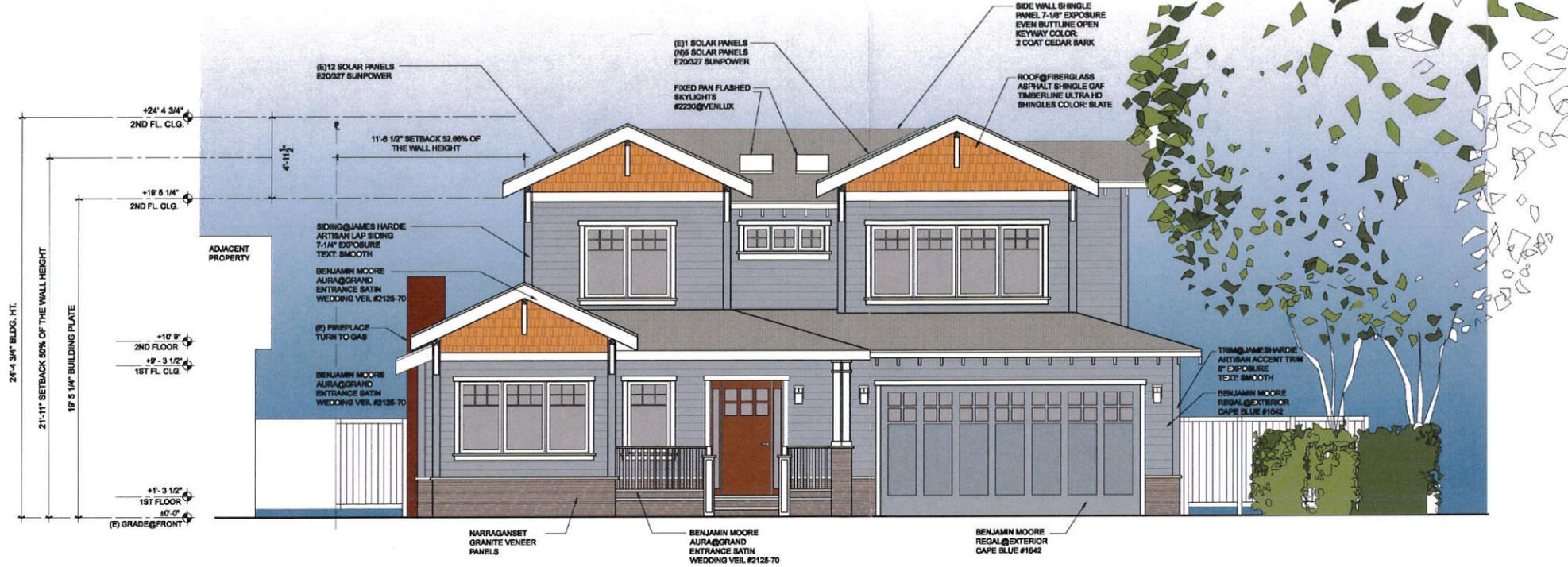
OF DRAWING(S)

PROJECT:  
RANGEL RESIDENCE

DRAWN BY: B. MILO  
DESIGNED BY: G. NAVARRETE

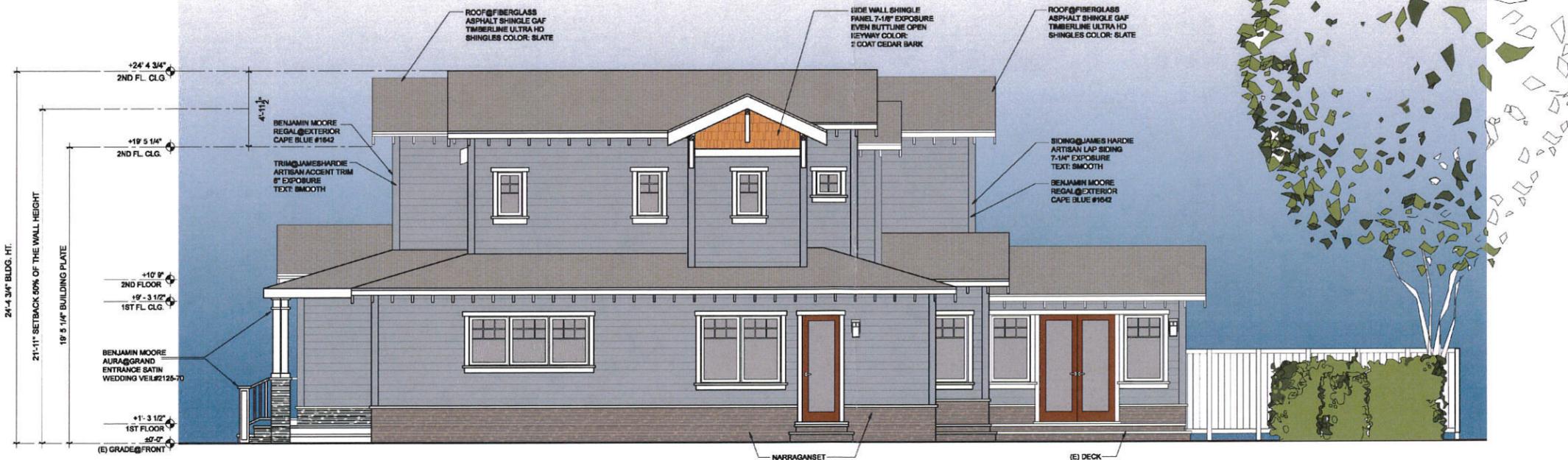
DATE:

February, 2016



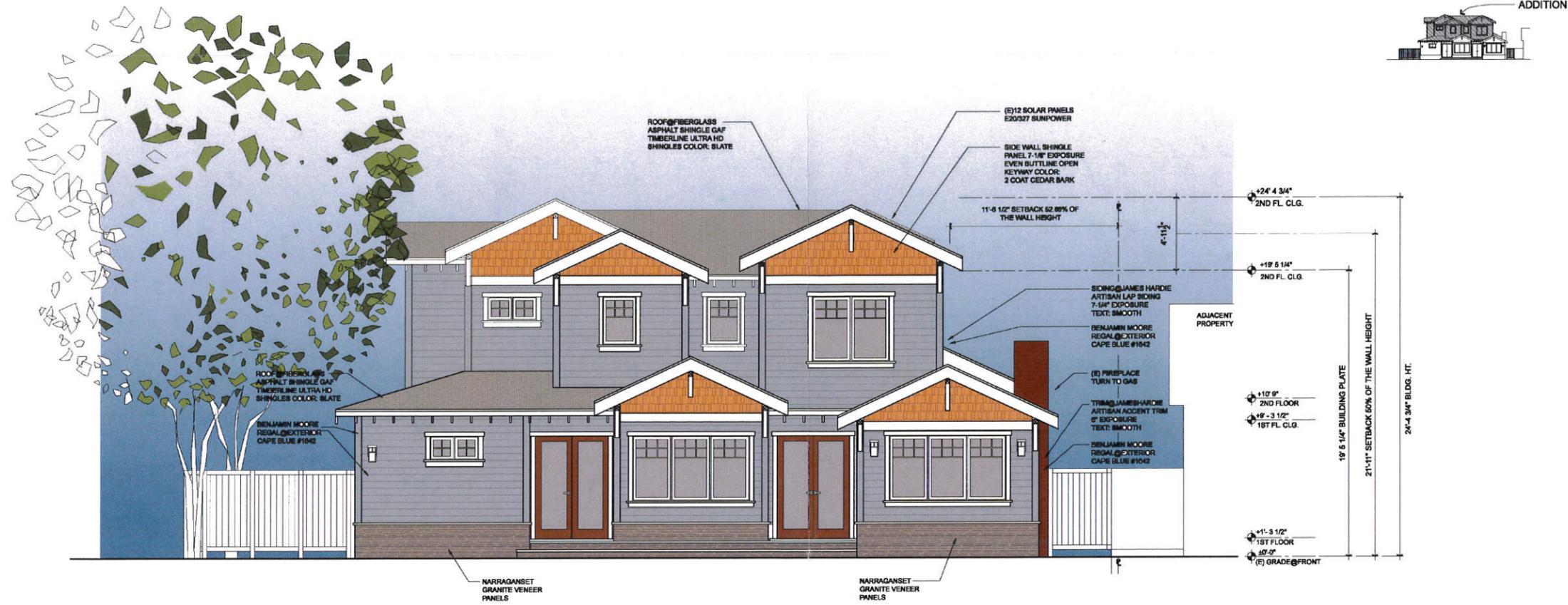
23 EAST ELEVATION  
NOTE: DIMENSIONS TO FINISH SURFACE

1/4"=1'-0"



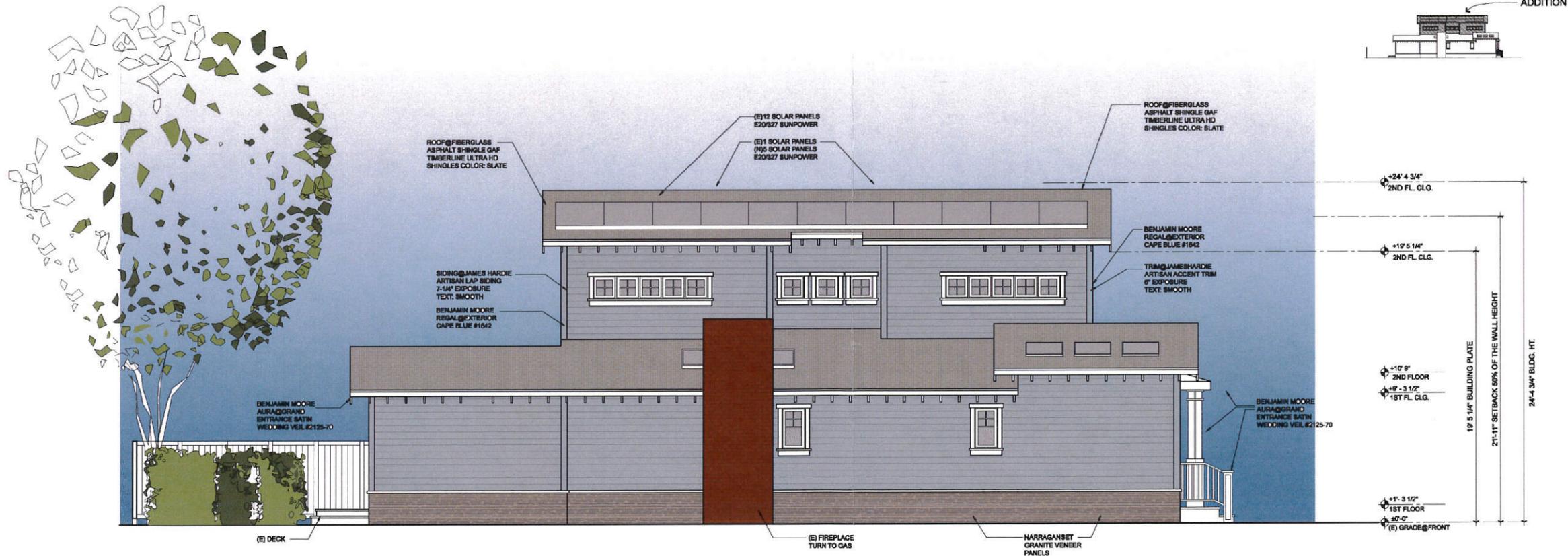
25 NORTH ELEVATION  
NOTE: DIMENSIONS TO FINISH SURFACE

1/4"=1'-0"



23 WEST ELEVATION  
NOTE: DIMENSIONS TO FINISH SURFACE

1/4"=1'-0"



25 SOUTH ELEVATION  
NOTE: DIMENSIONS TO FINISH SURFACE

1/4"=1'-0"



ADDITION

# Rangel Residence

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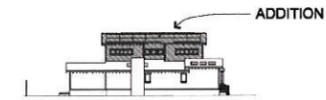
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ADDITION

## WEST ELEVATION & SOUTH ELEVATION

DRAWING NUMBER

# A10

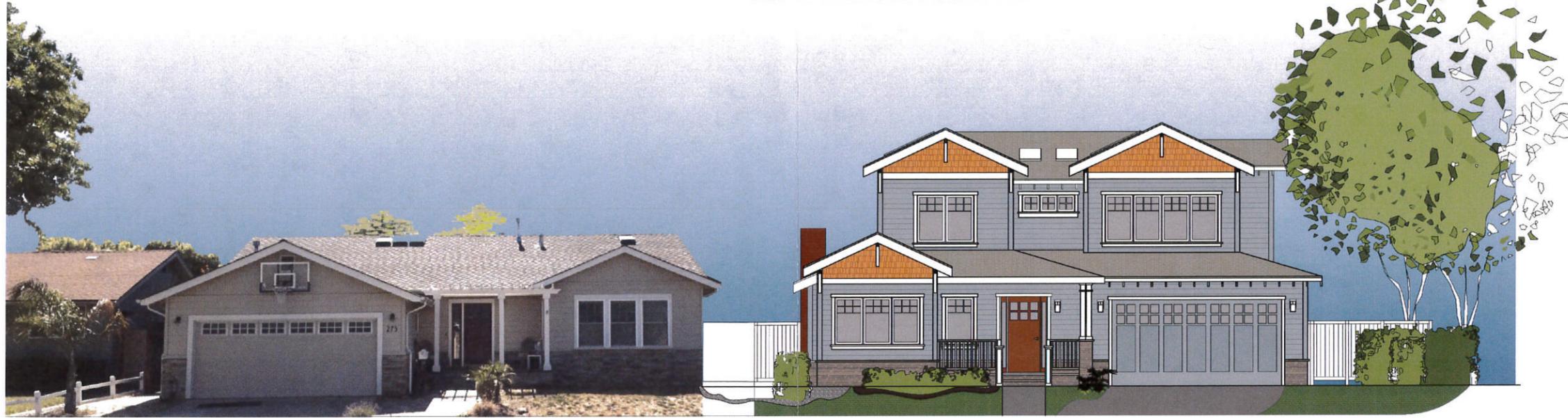
OF DRAWING(S)

PROJECT:  
RANGEL RESIDENCE

DRAWN BY: B. MILO  
DESIGNED BY: G. NAVARRETE

DATE:

February, 2016



23 EAST ELEVATION  
NOTE: DIMENSIONS TO FINISH SURFACE

3/16"=1'-0"



25 NORTH ELEVATION  
NOTE: DIMENSIONS TO FINISH SURFACE

3/16"=1'-0"

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EAST ELEVATION & NORTH ELEVATION

DRAWING NUMBER

A11

OF DRAWING(S)

PROJECT:  
RANGEL RESIDENCE

DRAWN BY: DESIGNED BY:  
B. MILO G. NAVARRETE

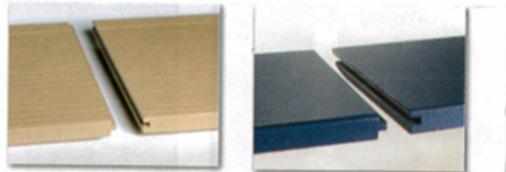
DATE:  
February, 2016



TRIM@JAMESHARDIE  
ARTISAN ACCENT TRIM 6"  
EXPOSURE  
TEXT: SMOOTH

TRIM@JAMESHARDIE  
ARTISAN ACCENT TRIM 6"  
EXPOSURE  
TEXT: SMOOTH

BENJAMIN MOORE  
AURA@GRAND  
ENTRANCE SATIN  
WEDDING  
VEIL#2125-70



Texture	Woodgrain			Smooth		
Thickness	5/8"			5/8"		
Weight	4.55 lbs/sq. ft.			4.55 lbs/sq. ft.		
Length	12' planks			12' planks		
Specs	Widths	Exp.	Pcs./Sq.	Widths	Exp.	Pcs./Sq.
	5.25"	4"	27	5.25"	4"	27
	7.25"	6"	18	7.25"	6"	18
	8.25"	7"	15	8.25"	7"	15



Texture	ARTISAN® ACCENT TRIM SMOOTH	
Thickness	1.5"	
Weight	8 lbs/sq. ft.	
Length	12' boards	
Specs	Widths	Pcs./Pallet
	3.5"	192
	5.5"	120



SIDE WALL SHINGLE PANEL 7-1/8" EXPOSURE  
EVEN BUTTLINE OPEN KEYWAY COLOR:  
2 COAT CEDAR BARK



ROOF@FIBERGLASS  
ASPHALT SHINGLE  
GAF TIMBERLINE  
ULTRA HD SHINGLES  
COLOR: SLATE



BENJAMIN MOORE  
REGAL@EXTERIOR CAPE  
BLUE #1642



BENJAMIN MOORE  
AURA@GRAND  
ENTRANCE SATIN  
WEDDING VEIL#2125-70



NARRAGANSET GRANITE  
VENEER PANELS



1 EAST ELEVATION  
NOTE: DIMENSIONS TO FINISH SURFACE

3/32"=1'-0"

Rangel  
Residence  
283 Warwick Drive  
Campbell, CA 95008

This drawing & the information  
enclosed herein is the property  
navarreteStudio 2015©

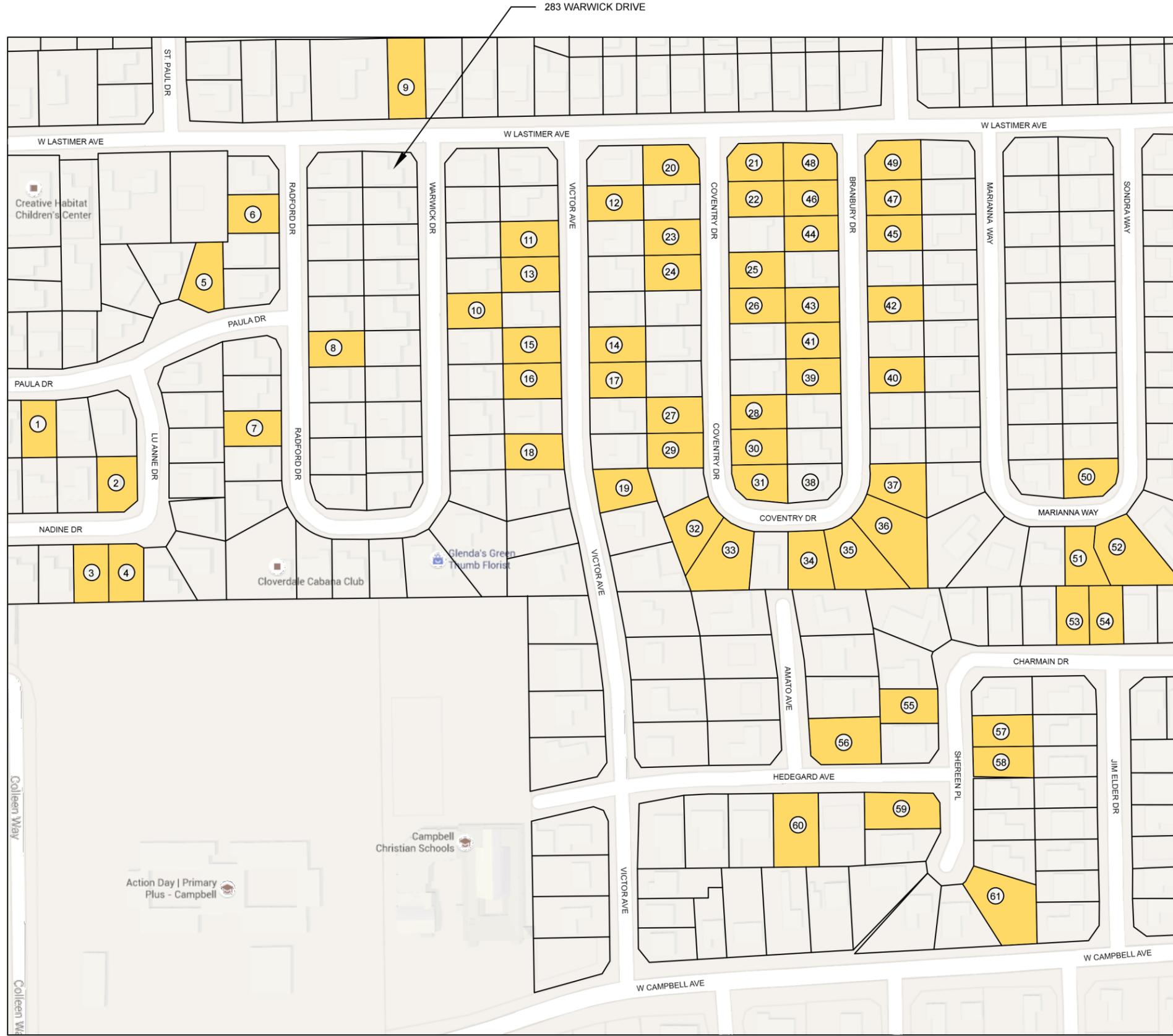
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Gabriela Navarrete  
Assoc. AIA 304 068 97

PO BOX 8348  
San Jose, CA 95155  
(408) 849-3799  
www.navarreteStudio.com

SAMPLE BOARD  
November, 2015

61 SIMILARLY SIZED HOMES (APPROX.)



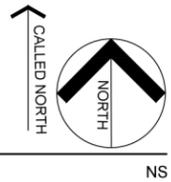
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283 WARWICK DR.  
 NEIGHBORHOOD

January, 2016

Gabriela Navarrete  
Designer Assoc. AIA

283 Warwick Drive  
Campbell, CA  
95008

June 11, 2016

Planning Commission  
City of Campbell  
70. N. First Street  
Campbell. 95008

One of my most important challenges in designing the remodel for 283 Warwick Dr. was to keep it in scale with the surrounding neighborhood. Within a few blocks of the project there are 61 similarly sized homes like our proposal. After a careful review of the neighborhood I set a goal for myself to keep the finished project as near as I could to the surrounding remodels in the neighborhood while trying to meet the clients requirements.

Once I understood the clients requirements and their style preference the project came together to meet both their needs as well as the neighborhoods aesthetic. The clients desire to have Craftsman style elements as part of the design allowed me to break up the facades into more varied forms while adding details that are both interesting and beautiful.

The addition of the second floor was located towards the center of the house. This allowed it to be away from the setbacks which created a more balanced and less boxy house overall.

Our placement and size of the windows were done to make the house feel more horizontal. The placement of the windows were also chosen to provide privacy for both the client as well as the neighbors. We also added steps and breaks to long walls to reduce apparent mass and add visual interest. By using different finish materials we helped to break up the facade and keep the house from appearing massive or boxy.

All these exterior elements are also in scale with the interior of the house. I believe the clients needs were met on this project and that it will be a beautiful addition to the neighborhood and the city of Campbell.

Thanks for your consideration.



Gabriela Navarrete

Gabriela Navarrete Designer Assoc. AIA

Rangel  
Residence  
283 Warwick Drive  
Campbell, CA 95008

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enclosed herein is the property  
navarreteStudio 2015©

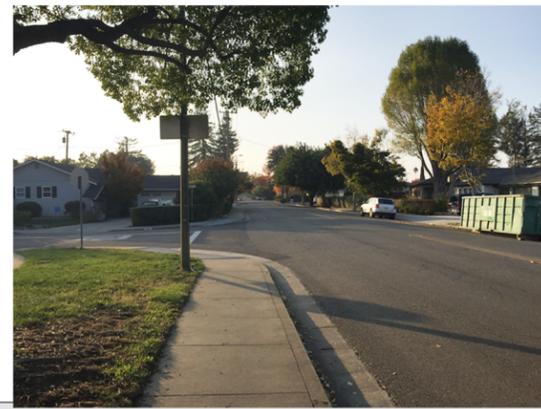
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W LATIMER AVE



W LATIMER AVE



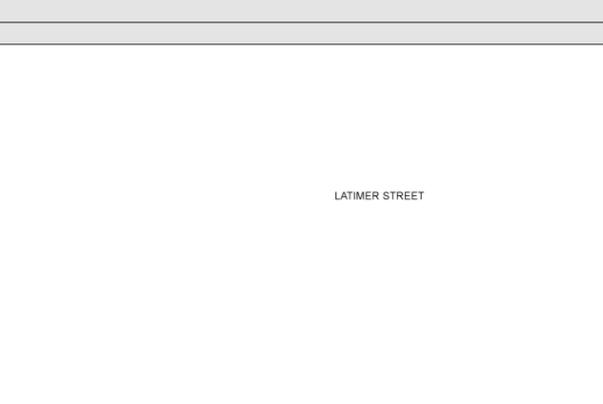
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W LATIMER AVE



LATIMER STREET



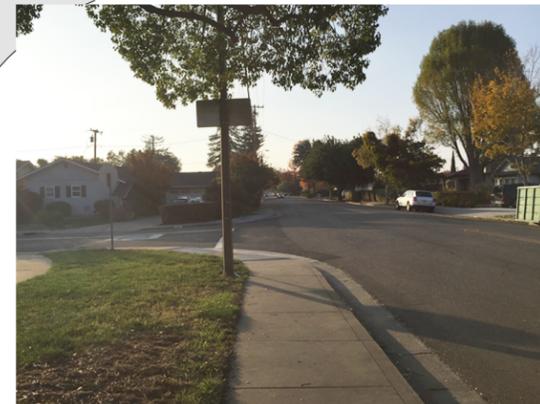
CORNER WARWICK DR &  
W LATIMER AVE



WARWICK DR



WARWICK  
DRIVE



CORNER WARWICK DR &  
W LATIMER AVE



WARWICK DR

1 ROOF PLAN

NOTE: DIMENSIONS TO FINISH SURFACE



1/16"=1'-0"

PHOTOGRAPHS

November, 2015

**MEMORANDUM**

Community Development Department  
Planning Division

**To:** Site and Architectural Review Committee **Date:** February 9, 2016  
**From:** Stephen Rose, Associate Planner  
**Via:** Paul Kermoyan, Community Development Director *PK*  
**Subject:** Site and Architectural Review Permit  
**File No.:** PLN2015-369 ~ 283 Warwick Drive

**PROPOSAL**

The applicant is seeking approval of a Site and Architectural Review Permit to allow for a new two-story residence (approximately 3,073 sq. ft.) reusing portions of the existing structure and resulting in a floor area ratio exceeding 45% (49% proposed) (reference **Attachment 1** – Project Plans).

**PROJECT SITE**

The project site is a single-family residential property located at the west side of Warwick Drive, south of W. Latimer Avenue, and north of W. Campbell Avenue within the R-1-6 (Single-Family Residential) Zoning District.

**PROJECT DATA**

Zoning Designation:	R-1-6 (Single-Family Residential)	
General Plan Designation:	Low-Density Residential (less than 6 units/gr. acre)	
Net Lot Area:	6,147 square feet	
Building Height:	24-feet, 4.5-inches	35 feet Maximum Allowed
Building Square Footage:		
Existing Living Area:	1,959.64 square-feet	
Proposed Living Area:	<u>1,113.43 square-feet</u>	
	3,073.12 square-feet	3,073.5 square feet Maximum w/PC
Floor Area Ratio (FAR):	49.99%	50% Maximum (w/ PC Approval) 45% Maximum (Ministerial Review)
Building (Lot) Coverage:	34.03%	40% Maximum Allowed
Setbacks	<u>Proposed</u>	<u>Required</u>
Front (east):	20 feet	20 feet
Side (north):	<i>7 feet, 8 inches*</i>	12 feet (street side setback)
Side (south):	5 feet	5 feet or half the wall height
Rear (west):	17 feet	5 feet or half the wall height
Garage:	77 feet	25 feet

\*: Existing legal nonconforming setback. The second story addition complies with current code requirements.

Parking: 2 Parking Spaces 2 Parking Spaces

## DISCUSSION

Design: Review of the Site and Architectural Review Permit application is governed by the *City's Design Guidelines for Additions to Single-Family Homes*, which is available on the City's website at <http://www.cityofcampbell.com/166/Zoning-and-Land-Use>). This document provides design guidance in terms of architectural compatibility, scale and mass, surface articulation, building orientation, and privacy. The guidelines are not meant to prescribe any particular style, but rather provide an overall framework for ensuring that additions to homes are compatible with both the existing structure and surrounding neighborhood.

The applicant's request would allow for a floor area ratio of 49.9% where 50% is the maximum allowed subject to discretionary review and approval by the Planning Commission. In consideration of projects requesting for an increased floor area ratio, the following findings must be made:

- a. The perceived scale and mass of the home is compatible with the adjacent homes and the homes in the surrounding area.
- b. The home minimizes the use of design features that make it appear significantly larger than the adjacent homes and the homes in the surrounding area.

In consideration of the required findings, the applicant provided a neighborhood map identifying 61 similarly sized homes in the neighborhood (reference **Attachment 3** – Assessment of Similarly Sized Homes) as well as a Written Statement (reference **Attachment 4**) which identifies the following design features which serve to minimize the use of design features:

- Placement of the second story toward the center of the house, resulting in a more balanced and less boxy feel for the home.
- Placement and size of the windows intended to convey a horizontal emphasis,, and enhance privacy to neighbors.
- Incorporation of steps and breaks in otherwise long building walls to reduce mass and enhance visual interest.
- Use of different materials and finish to break up the façade and keep the home from appearing too massive or boxy.

While not mentioned in the applicant's Written Statement, it is also worth noting that the home is proposed to not exceed 24-feet, 4.25-inches, which will dramatically minimize the apparent scale and mass of the home, in an otherwise predominantly one-story neighborhood. Moreover, the craftsman architecture and material selections (asphalt shingle roofing, combination shingle and board and batten siding) (reference **Attachment 5**- Material Board) is highly responsive to the neighborhood context which exhibits similar features and designs (reference **Attachment 6** – Roof Plan & Surrounding Views).

In consideration of these points, staff considers the design to successfully minimize any impacts resulting from the increase in floor area, and thereby satisfy the required findings and the City's Design Guidelines.

Tree Removal: The applicant is not proposing to remove any protected trees. However, a smaller 8-inch tree in conflict with the proposed first story addition on the north side of the residence will be removed.

## **OPTIONS**

The SARC should discuss the project for compliance with the *City's Design Guidelines for Additions to Single-Family Homes* and the aforementioned findings. If the SARC believes that the applicant has adequately addressed any concerns the Committee may have, it may recommend approval to the Planning Commission as proposed, or subject to specific revisions.

### Attachments:

1. Location Map
2. Project Plans
3. Assessment of Similarly Sized Homes
4. Written Statement
5. Material Board
6. Roof Plan & Surrounding Views



**CITY OF CAMPBELL • PLANNING COMMISSION**  
**Staff Report • March 22, 2016**

**PLN2016-23** Public Hearing to consider the application of Steve Rawlings for a Conditional Use Permit to allow beer and wine sales for onsite consumption in conjunction with a new restaurant (Mod Pizza) located at **2000 S. Bascom Avenue, Suite 110** in the C-2 (General Commercial) Zoning District.

**STAFF RECOMMENDATION**

That the Planning Commission take the following action:

1. **Adopt a Resolution**, incorporating the attached findings, approving a Conditional Use Permit to allow beer and wine sales for onsite consumption in conjunction with a new restaurant (Mod Pizza), subject to the attached Conditions of Approval.

**ENVIRONMENTAL DETERMINATION**

Staff recommends that the Planning Commission find that this project is Categorically Exempt under Section 15301, Class 1 of the California Environmental Quality Act (CEQA) pertaining to the operation, permitting, and minor alterations of an existing private structure involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.

**DISCUSSION**

Project Location: The project site is located on the east side of S. Bascom Avenue between E. Campbell Avenue and Arroyo Seco Drive (reference **Attachment 3** – Location Map). The “L” shaped, 1.25 acre property is currently developed with a single-story 5,172 sq. ft. restaurant building at the northwest corner of the project site and a larger 9,742 sq. ft. multi-tenant commercial building which runs along the southern property line.

**PROJECT DATA**

Zoning District:	C-2 (General Commercial)
General Plan Designation:	General Commercial
Net Lot Size:	53,121 sq. ft. (1.22 acres)
Total Commercial Area:	14,914 sq. ft.
Mod Pizza Tenant Space:	2,522 sq. ft.
Proposed Business/Public Hours:	8:00 AM – 10:00 PM, Sunday through Thursday 8:00 AM – 10:30 PM, Friday & Saturday
Proposed Operational Hours:	7:30 AM – 10:30 PM, Sunday through Thursday 7:30 AM – 11:00 PM, Friday & Saturday
Seats:	56 seats
Parking:	77 parking spaces (shared amongst all tenants)

### Surrounding Uses

North: Commercial (U.S. Bank)

South: Commercial (Kitty Hotel, Bay Area Pain Care Center, etc.)

East: Residential (Single Family Homes)

West: S. Bascom Avenue (Shell Gas Station across)

Applicant's Proposal: The applicant is requesting approval of a Conditional Use Permit to allow beer and wine sales in conjunction with a new restaurant (Mod Pizza). No exterior changes to the building or site are proposed.

### **ANALYSIS**

Zoning District: The property is located within the General Commercial (C-2) Zoning District. Within the C-2 Zoning District, restaurants with alcohol sales—technically defined as "liquor establishments"—are classified as a conditionally permitted use (restaurants without alcohol are permitted uses) subject to special findings contained in CMC 21.46.070. These include the potential overconcentration of similar alcohol establishments in the surrounding area, the potential to create a nuisance or disturb the neighborhood, and the potential demand for City services.

In review of this application, the Planning Commission must consider the findings contained in both CMC 21.46.040 (Findings and decision) and CMC 21.46.070 (Special findings for liquor establishments) for special findings in consideration of the Conditional Use Permit. In general, the findings contained in these sections call for an assessment of the adequacy of the existing center to support the use (size/parking/circulation/safety) as well as a review of the specific operational characteristics (hours/intensity/compatibility) and potential detrimental impacts to the comfort, health, morals, peace, safety, city services, or general welfare of persons residing or working in the neighborhood of the proposed use. As such, a discussion of the existing center, proposed business operations, available parking, circulation, and potential impacts associated with providing on-sale beer and wine service in conjunction with the new restaurant (Mod Pizza) has been provided as part of this report for review and consideration.

General Plan: The General Plan land use designation for the project site is *General Commercial*. This land use designation encourages uses that require high vehicular and pedestrian exposure in order to support the success and viability of the City's retail and business centers. A restaurant providing on-sale beer and wine for onsite consumption would be in keeping with the purpose of this land use designation. The General Plan Land Use Element provides several policies and strategies pertaining to land use compatibility and site design, which may be taken into consideration by the Planning Commission in review of this request:

- Policy LUT-5.1: Neighborhood Integrity: Recognize that the City is composed of residential, industrial and commercial neighborhoods, each with its own individual character; and allow change consistent with reinforcing positive neighborhood values, while protecting the integrity of the city's neighborhoods.
- Policy LUT-11.2a: Services Within Walking Distance: Encourage neighborhood serving commercial and quasi-public uses, such as churches, schools, and meeting halls to locate within walking distance of residential uses.
- Policy LUT-13.1: Variety of Uses: Attract and maintain a variety of uses that create an economic balance within the City while maintaining a balance with other community land use needs, such as housing and open space, and while providing high quality services to the community.

Operations & Floor Plan: Mod Pizza is part of a chain of fast casual restaurants which focuses on creating “authentic, fresh, hand-made products” made to order. In addition to pizza, their menu includes salads, cinnamon strips, garlic strips, self-serve soda, house-made ice teas and lemonades, handspun milkshakes, and (with the approval of the subject permit) draft beer and wine (reference **Attachment 7** – Mod Pizza Menu). The business/public hours will be Sunday through Thursday 9:30 a.m. – 10:00 p.m. and Friday & Saturday: 9:30 a.m. – 10:30 p.m., with operational hours reflecting a request for an additional thirty-minutes before opening and after closing to provide sufficient time to clean-up, and for employees to lock-up. The applicant has indicated that the number of staff will range between 5 and 12 employees per shift (reference **Attachment 4** – Statement of Operations).

The proposed floor plan depicts a 2,446 sq. ft. rectangular tenant space with 52 seats (32 high-top & 20 standard), a large gas fired oven, and a single point of sale machine used for both food and alcohol purchases. While tenant improvements only show 52 seats, the applicant would retain the option to have up to 56 seats, consistent with the maximum number allowed for the tenant space (see discussion on Parking). Whereas the majority of seats and tables would be “high top” (reference **Attachment 8** –Restaurant Photos), the business does not seek to resemble a bar atmosphere. Conditions of approval have been included as part of operational standards to clarify this distinction, requiring full menu food service at all times, prohibiting a separate point of sale system prioritizing alcohol purchases from food, and empowering the Community Development Director to curtail the number of high top tables and chairs in the event that the subject tenant, or future tenants operating under this Use Permit, begin to resemble a bar atmosphere.

Beer & Wine Service: In addition to Mod Pizza there are seven restaurants (Habit Burger, Baja Fresh, Taco Bravo, Wienerschnitzel, Denny’s, Mr. Pickle’s Sandwich Shop & The Original Hickory Pit) within 500-feet of the project site. Of these restaurants, only the Hickory Pit offers beer and wine service and there are no bars or liquor stores in the vicinity which could otherwise contribute to an overconcentration of alcohol establishments.

For the sale of alcohol, the prospective tenants would be required to obtain a Type 41 liquor license, which permits the sale of beer and wine (but not distilled spirits) as part of a bone fide public eating place. While a Type 41 liquor license from the California Department of Alcohol and Beverage Control allows for on- and off-site sale of beer and wine, the business would not offer any liquor for sale or consumption off the premises. To mitigate potentially adverse impacts resulting from the sale of alcohol, staff has included a condition of approval requiring any business serving beer and wine to operate in accordance with the standards pertaining to the serving of alcohol as established by the California Restaurant Association and the California Department of Alcoholic Beverage Control. The business would also be required to post telephone numbers of local taxicab services in a conspicuous place to provide a safe alternative transportation option for customers who use their service.

As Mod Pizza would be the one of only two restaurants in the vicinity with alcohol service, effectively serves to replace a former restaurant (Thai Pepper) which had beer and wine service, and would have measures in place to mitigate any potentially adverse impacts, the Planning Commission may find that the proposed use is both compatible with the surrounding uses and properties, and would not result in an overconcentration of alcohol establishments in the area.

Approved Parking: The parking requirements and land use restrictions for the commercial center were approved by the Planning Commission on July 25, 1989 under 'S' 89-08. This "S" (Site Approval) allowed for a 4,630 sq. ft. retail addition to a shopping center already developed with a 4,700 sq. ft. retail building and 5,300 sq. ft. restaurant building. As the site was served by only 76 parking spaces at the time (currently 77), the 'S'89-08 approval accepted an 8 stall parking deficiency, provided that the restaurant building (formerly Thai Pepper) was restricted to 113 seats as a condition of approval. As a result, the 'S'89-08 approval established a "retail" baseline (1:200 sq. ft.) for future tenants, and a 113 seating cap for the restaurant. On January 27, 2015 the Planning Commission effectively carried this seating cap forward in its approval of a new two-tenant restaurant building, by dividing the 113 seats amongst two speculative tenant spaces. The front and slightly larger suite (Habit Burger) was resultantly allotted 57 seats, whereas the rear and slightly smaller suite (Mod Pizza) was restricted to 56 seats (reference **Attachment 6 – Parking Analysis**). As a new restaurant, Mod Pizza has complied with this requirement by restricting its operation to 56 seats.

Signage: Signage is not part of this application review.

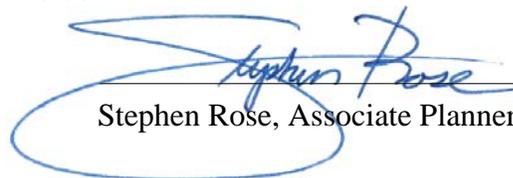
Neighborhood Impacts: The proposed use is not anticipated to result in adverse neighborhood impacts. The proposed restaurants shall be conducted entirely inside an enclosed tenant space (no outdoor seating), with all music played indoors and at low levels (no live entertainment), with minimal odors (gas fired oven), and adequate parking provided onsite. The proposed restaurant shall not operate as a traditionally defined "liquor establishment", (i.e. bar) in that the sale of beer and wine shall be restricted only to restaurant patrons.

Police Department Review: The Campbell Police Department reviewed this application and does not have any concerns with the proposal as conditioned.

Attachments:

1. Findings for Approval of File No. PLN2016-23
2. Conditions of Approval for File No. PLN2016-23
3. Location Map
4. Statement of Operations
5. Project Plans
6. Parking Analysis
7. Mod Pizza Menu
8. Restaurant Photos

Prepared by:

  
Stephen Rose, Associate Planner

Approved by:

  
Paul Kermoyan, Community Development Director

**FINDINGS FOR APPROVAL OF FILE NO. PLN2016-23**

SITE ADDRESS: 2000 S. Bascom Avenue, Suite 110  
APPLICANT: Steve Rawlings  
OWNER: OT Martin Trust  
P.C. MEETING: March 22, 2016

Findings for approval of a Conditional Use Permit (PLN2016-23) to allow beer and wine sales for onsite consumption in conjunction with a new restaurant (Mod Pizza).

The Planning Commission finds as follows with regard to file number PLN2016-23:

1. The project site is zoned C-2 (General Commercial) and designated *General Commercial* by the General Plan.
2. The project site is located on the east side of S. Bascom Avenue between E. Campbell Avenue and Arroyo Seco Drive.
3. The proposed project is an application for a Conditional Use Permit to allow beer and wine service in association with a new restaurant. No exterior changes to the property are proposed with the subject permit.
4. Sale of alcohol within a restaurant is considered a “liquor establishment”, subject to approval of a Conditional Use Permit, consistent with CMC 21.46.070.
5. The business/public hours would be limited to 8:00 AM to 10:00 PM, Sunday through Thursday and 8:00 AM to 10:30 PM, Friday and Saturday. Furthermore, the operational/staff hours would be limited to 7:30 AM to 10:30 PM, Sunday through Thursday and 7:30 AM to 11:00 PM. on Friday & Saturday. The application would therefore not constitute a late-night activity.
6. All sales and consumption of alcohol will occur entirely inside the existing tenant space.
7. The Police Department has reviewed the project and does not have any concerns with the proposal as conditioned.
8. Policies found within the Campbell General Plan articulate a desire to promote and allow change consistent with reinforcing positive neighborhood values and protecting the integrity of the city’s neighborhood, encouraging neighborhood serving commercial uses within walking distance of residential uses, and attracting and maintaining a variety of uses that create an economic balance within the city while providing high quality services to the community.

Based upon the foregoing findings of fact, the Planning Commission further finds and concludes that:

1. The proposed use is allowed within the applicable zoning district with Conditional Use Permit approval, and complies with all other applicable provisions of this Zoning Code and the Campbell Municipal Code;
2. The proposed use is consistent with the General Plan;
3. The proposed site is adequate in terms of size and shape to accommodate the fences and walls, landscaping, parking and loading facilities, yards, and other development features required in order to integrate the use with uses in the surrounding area;
4. The proposed site is adequately served by streets (S. Bascom Avenue & E. Campbell Avenue) of sufficient capacity to carry the kind and quantity of traffic the use would be expected to generate;
5. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses on-site and in the vicinity of the subject property;
6. The establishment, maintenance, or operation of the proposed use at the location proposed will not be detrimental to the comfort, health, morals, peace, safety, or general welfare of persons residing or working in the neighborhood of the proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city;
7. The establishment will not result in an over-concentration of these uses in the surrounding area;
8. The establishment will not create a nuisance due to litter, noise, traffic, vandalism, or other factors;
9. The establishment will not significantly disturb the peace and enjoyment of the nearby residential neighborhood;
10. The establishment will not significantly increase the demand on city services;
11. The project is Categorical Exempt under Section 15301, Class 1 of the California Environmental Quality Act (CEQA) pertaining to the operation, permitting, and minor alterations of an existing private structure involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

**CONDITIONS OF APPROVAL FOR FILE NO. PLN2016-23**

SITE ADDRESS: 2000 S. Bascom Avenue, Suite 110  
APPLICANT: Steve Rawlings  
OWNER: OT Martin Trust  
P.C. MEETING: March 22, 2016

The applicant is hereby notified, as part of this application, that he/she is required to meet the following conditions in accordance with the ordinances of the City of Campbell and the State of California. Where approval by the Community Development Director, City Engineer, Public Works Director, City Attorney, or Fire Department is required, that review shall be for compliance with all applicable Conditions of Approval, adopted policies and guidelines, ordinances, laws and regulations, and accepted engineering practices for the item under review. Additionally, the applicant is hereby notified that he/she is required to comply with all applicable Codes or Ordinances of the City of Campbell and the State of California that pertain to this development and are not herein specified:

**COMMUNITY DEVELOPMENT DEPARTMENT**

**Planning Division**

1. Approved Project: Approval is granted for a Conditional Use Permit (PLN2016-23) to allow beer and wine sales in conjunction with a new restaurant (Mod Pizza) located at 2000 S. Bascom Suite, 110. The project shall substantially conform to the Project Plans, stamped as received by the Planning Division on February 3, 2016, except as may be modified by the conditions of approval contained herein.
2. Conditional Use Expiration: Approval of the Conditional Use Permit allowing on-sale beer and wine service shall be valid for one year from the date of final approval (expiring April 1, 2017). Within this one-year period, a Type 41 liquor license shall be obtained and the approved use established on site. The entitlement approval shall be valid in perpetuity with continued operation of the use. Abandonment, discontinuation, or ceasing of operations for a continuous period of twelve months shall void the Conditional Use Permit approved herein.
3. Operational Standards: Consistent with City standards, any restaurant operating pursuant to the Conditional Use Permit approved herein shall conform to the following operational standards:
  - a. **Restaurant Seating**: Total indoor seating shall be limited 56 seats. This seating limitation is also subject to the maximum occupancy capacities of certain rooms as determined by the California Building Code (CBC). It is the responsibility of the business owner to provide adequate entrance controls to ensure that patron occupancy is not exceeded. Maximum Occupancy signs shall be posted conspicuously within the premises.
  - b. **Bar Area**: No separate bar area, as defined by the Campbell Municipal Code, shall be permitted within the restaurant.
  - c. **Point of Sale**: No separate point of sale shall be allowed for beer and wine purchases, apart from the system used for food purchase. This restriction is

intended to preclude the business from establishing a more bar like atmosphere by prioritizing or separating drink purchases from purchase of food.

- d. **High Top Tables & Chairs:** The Community Development Director shall retain the ability to curtail the number of high top tables and chairs in the event that the subject tenant, or future tenants operating under pursuant to the Conditional Use Permit adopted herein, begin to resemble a bar atmosphere. The subject tenant shall have no more than sixty-days to replace the interior seating with new furniture subject to the review and approval of the Community Development Director. Failure to remove furniture within this time period shall be grounds to take the permit back to the Planning Commission for consideration of revocation.
- e. **Floor Plan:** At no time shall the seating be reconfigured to create large open spaces for patrons to congregate, dance, drink, or socialize. All tables and chair shall be placed in such a manner to allow sufficient area for dining. At no time shall tables and chairs be stacked or removed from the identified dining area or placed outside.
- f. **Food Service:** Full menu food service shall be provided at all times the business is in operation (i.e., the kitchen shall not be closed during the Business/Public Hours).
- g. **Live Entertainment:** No live entertainment is permitted as part of the Conditional Use Permit, including live music, disc jockey, karaoke, and dancing.
- h. **Alcohol Beverage Service:** Alcohol beverage service shall only be allowed in conjunction with food service. The dining room area shall not be converted to a bar or dance area.
- i. **Hours of Operation:** Hours of operation shall be as follows. By the end of 'Business Hours' all patrons shall have exited the restaurant. By the end of the 'Operational Hours' all employees shall be off the premises.
  - Business/Public Hours: 8:00 AM – 10:00 PM, Sunday through Thursday  
8:00 AM – 10:30 PM, Friday & Saturday
  - Operational Hours: 7:30 AM – 10:30 PM, Sunday through Thursday  
7:30 AM – 11:00 PM, Friday & Saturday
- j. **Liquor License:** Tenants shall obtain and maintain in good standing a Type 41 license, from the State Department of Alcoholic Beverage Control for any sale of beer and wine in conjunction with a bone fide eating establishment. The license shall include Business Hour, a limitation prohibiting the off-site sale of alcohol, and other applicable restrictions consistent with the Conditional Use Permit approved herein. A copy of the issued license shall be provided to the Community Development Department prior to issuance of a Business License.
- k. **Outdoor Seating:** Outdoor seating is not approved with the subject permit.
- l. **Loitering:** There shall be no loitering allowed outside the business. The business owner is responsible for monitoring the premises to prevent loitering.

- m. **Noise:** Music shall be played indoors and at a low level at all times. Unreasonable levels of noise, sounds and/or voices, including but not limited to amplified sounds, loud speakers, sounds from audio sound systems, music, and/or public address system, generated by the establishment shall not be audible to a person of normal hearing capacity from any residential property. No speakers shall be permitted to be installed outdoors.
  - n. **Taxicab Service:** The establishment shall post in a conspicuous place the telephone numbers of local taxicab services.
  - o. **Smoking:** “No Smoking” signs shall be posted on the premises in compliance with CMC 6.11.060.
  - p. **Trash & Clean Up:** All trash, normal clean up, carpet cleaning, etc. shall occur during the approved ‘Operational Hours’.
  - q. **Outdoor Cooking:** No outdoor cooking (i.e., grilling, smoking, etc.) is permitted in association with the establishment.
  - r. **Training:** The business shall operate in accordance with the standards pertaining to the serving of alcohol as established by the California Restaurant Association and the California Department of Alcoholic Beverage Control.
4. **Determination of Use:** Prior to issuance a business license for a tenant proposing to serve beer and wine in association with this use permit, a detailed business description and floor plan shall be submitted for review and approval by the Community Development Director. The Director of Community Development shall review the business for conformance with the operational standards and conditions of approval approved herein. If the Director determines the use to be inconsistent with the operational standards and/or conditions of approval, no business license shall be issued and the use shall not be permitted to establish. If the use is determined to be inconsistent, the applicant reserves the right to appeal such determination to the Planning Commission.
5. **Revocation of Permit:** Operation of a “full service restaurant” with beverage (including beer and wine) and food sales pursuant to the Conditional Use Permit approved herein is subject to Sections 21.68.020, 21.68.030 and 21.68.040 of the Campbell Municipal Code authorizing the appropriate decision making body to modify or revoke a Conditional Use Permit, if it is determined that its operation has become a nuisance to the City’s public health, safety or welfare or for violation of the Conditional Use Permit, or any standards, codes, or ordinances of the City of Campbell. At the discretion of the Community Development Director, if the establishment generates three (3) verifiable complaints related to violations of conditions of approval and/or related to its operation within a six (6) month period, a public hearing before the Planning Commission may be scheduled to consider modifying conditions of approval or revoking its Conditional Use Permit. The Community Development Director may commence proceedings for the revocation or modification of permits upon the occurrence of less than three (3) complaints if the Community Development Director determines that the alleged violation warrants such an action. In exercising this authority, the decision making body may consider the following factors, among others:

- a. The number and types of noise or odor complaints at or near the establishment that are reasonably determined to be a direct result of patrons actions or facility equipment;
  - b. The number of parking complaints received from residents, business owners and other citizens concerning the operation of an establishment; and
  - c. Violation of conditions of approval.
6. Alcohol Sales for Off-Site Consumption: The sale of alcohol for off-site consumption is prohibited.
  7. Location of Mechanical Equipment: No roof-mounted mechanical equipment, i.e. air conditioning units, shall be located on the roof of the building without providing screening of the mechanical equipment from public view and surrounding properties. Screening material and method shall require review and approval by the Community Development Director prior to installation of such mechanical equipment screening.
  8. Outdoor Storage: No outdoor storage is permitted on the property.
  9. Storefront Windows & Doors: At no time shall an obscure wall or barrier (i.e. drapery, window tinting, blinds, furniture, inventory, shelving units, storage of any kind, or similar) be installed along, behind or attached to storefront windows or doorways that blocks visual access to the tenant space or blocks natural light without prior written approval of the Director of Community Development.

### **Building Division**

10. Permits Required: A building permit application shall be required for the proposed Tenant Improvements to the (e) commercial space. The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit.
11. Construction Plans: The Conditions of Approval shall be stated in full on the cover sheet of construction plans submitted for building permit.
12. Size of Plans: The minimum size of construction plans submitted for building permits shall be 24 in. X 36 in.
13. Plan Preparation: This project requires plans prepared under the direction and oversight of a California licensed Engineer or Architect. Plans submitted for building permits shall be “wet stamped” and signed by the qualifying professional person.
14. Site Plan: Application for building permit shall include a competent site plan that identifies property and proposed structures with dimensions and elevations as appropriate. Site plan shall also include site drainage details. Site address and parcel numbers shall also be clearly called out. Site parking and path of travel to public sidewalks shall be detailed.
15. Title 24 Energy Compliance: California Title 24 Energy Standards Compliance forms shall be blue-lined on the construction plans. Compliance with the Standards shall be demonstrated for conditioning of the building envelope and lighting of the building.
16. Special Inspections: When a special inspection is required by C.B.C. Chapter 17, the architect or engineer of record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the building permits, in accordance

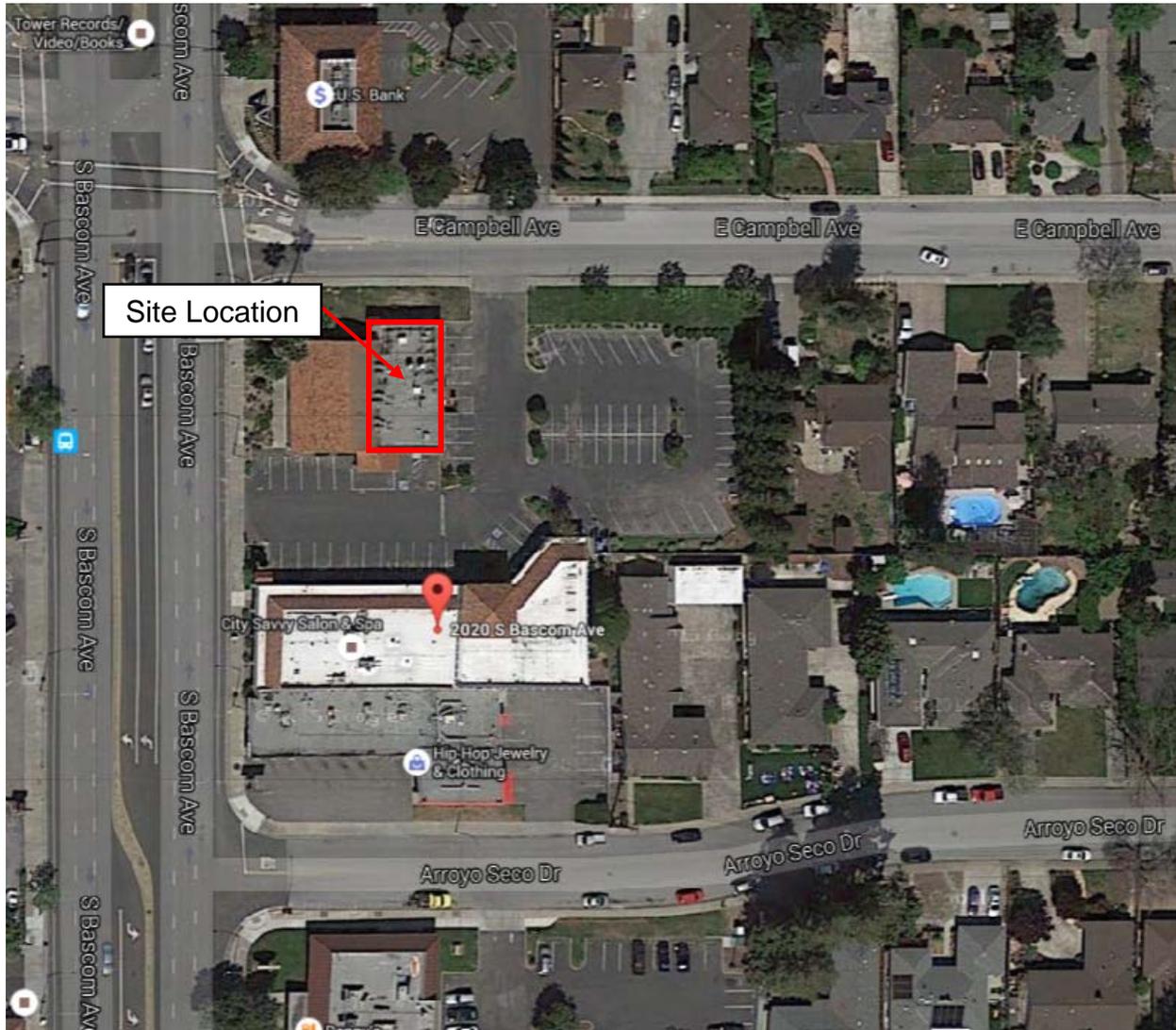
with C.B.C Chapter 1, Section 106. Please obtain City of Campbell, Special Inspection forms from the Building Inspection Division Counter.

17. Non-Point Source Pollution: The City of Campbell, standard Santa Clara Valley Non-point Source Pollution Control Program specification sheet shall be part of plan submittal. The specification sheet (size 24" X 36") is available at the Building Division service counter.
18. Title 24 Accessibility – Commercial: On site general path of travel shall comply with the latest California Title 24 Accessibility Standards. Work shall include but not be limited to accessibility to building entrances from parking facilities and sidewalks.
19. Title 24 Accessibility – Commercial: This project shall comply fully with the provisions of Chapter 11B of California Building Code 2013 ed.

### **Santa Clara County Fire Department**

20. Review: Review of this Developmental proposal is limited to acceptability of site access and water supply as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work the applicant shall make application to, and receive from, the Building Department all applicable construction permits.
21. Cooking Oil: Storage of cooking oil (grease) in commercial cooking operations shall comply with Chapter 57. Systems used to store cooking oils in larger than 60-gallon (227 L) above ground tanks shall also comply with Sections 610.2 through 610.5. For purposes of this section, cooking oil shall be classified as a Class IIIB liquid unless otherwise determined by testing. CFC Sec. 610

# Location Map



**Statement of Operations**

**MOD Super Fast Pizza**

2000 South Bascom Avenue, Suite #110, Campbell, CA

February 3, 2016

**Proposed Use:** Serve beer and wine for on-site consumption (ABC Type 41 License) within a restaurant specializing in pizza and salads.

**Hours:**

Proposed Operational Hours: 7:30 AM – 10:30 PM, Sunday through Thursday  
7:30 AM – 11:00 PM, Friday & Saturday

Proposed Business/Public Hours: 8:00 AM – 10:00 PM, Sunday through Thursday  
8:00 AM – 10:30 PM, Friday & Saturday

**Dine-In and Take Out Ratios:** 90% Dine-In/10% Take Out

**Average Dine-In Time:** 30 minutes

**Number of Employees:** 5 to 12 per shift.

**Employee Training:** The management and staff will take an ABC approved alcohol service training program within 60 days of their first day of employment.

**Beer and Wine Service:** Beer and wine are ordered at the walkup counter and is poured into a cup and only handed to a patron that has showed proper identification. Only one drink is served at a time to a person with valid identification.

**About MOD Super Fast Pizza**

**[www.ModPizza.com](http://www.ModPizza.com)**

In 2008, a couple in Seattle had an idea. It was inspired by their love of pizza and simple pleasures, and motivated by their need to feed four hungry boys. It was a complicated time—the financial crisis was brewing and many were stressed. Wouldn't it be cool to bring a bit of lightness and hope into people's daily lives?

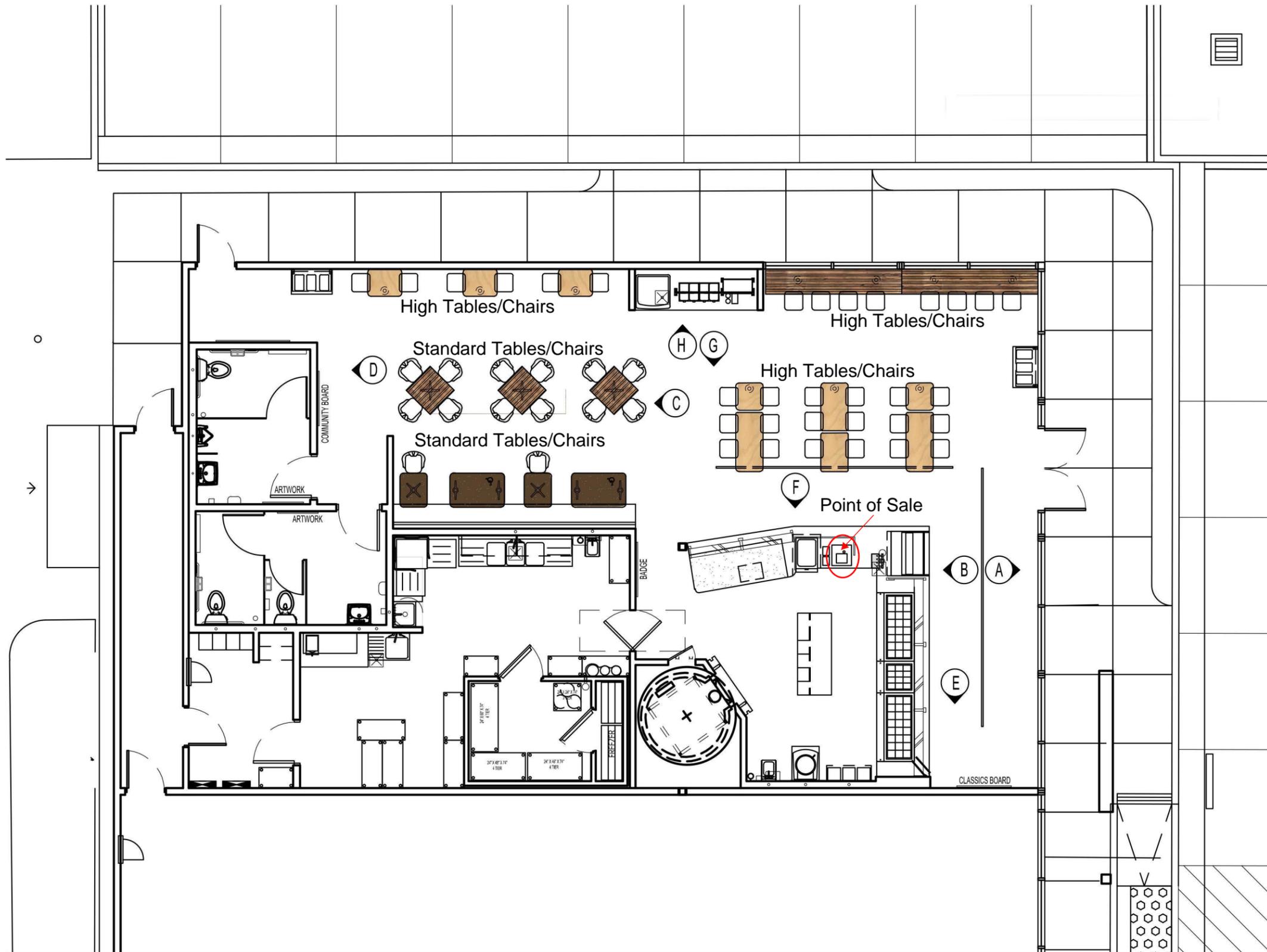
They were motivated to create something unique: an honest, inspiring and memorable experience for customers and team members alike. They started by asking whether it would be possible to create an authentic, fresh, hand-made product super fast? With the help of some really smart, experienced friends they figured it out. Next came the fun part—how to make the experience unique?

What would happen if they allowed customers to choose exactly what they wanted without charging more (a true "no catch" offer)? How low could they set the price and still keep the doors open? It was an experiment, so let's give it a shot, they thought. And to really make this thing worthwhile, let's see how well we can pay the team while we're at it. Charging customers as little as possible while paying the team as much as possible ... what a concept!

From the beginning, MOD was an experiment—motivated by the desire to create something really special and inspired by some shared values. How the experiment would turn out, though, was uncertain. How would customers react? Would the team get it? Was the experiment worth the blood, sweat and tears required to go the distance?

Well, something pretty cool happened after they opened their doors in the crazy fall of 2008. They attracted some special people who decided to make it their own. The “MOD Squad” which emerged helped turn MOD into a place where you want to take your family, and where it feels like family. A place that prides itself on providing a special experience to customers and MOD Squaders alike. Like magic, a spirit of individuality, teamwork, and service emerged. That’s what we call MODness. And, the best part is, it’s just starting to spread.

MOD Pizza. Simple food for complex times.



**SEATING COUNT**

INDOOR SEATING		
SEATING TYPE	QTY.	# SEATS
4 TOP SQUARE TABLE	3	12
2 TOP BANQUETTE	2	4
4 TOP BANQUETTE	2	4
2 TOP HIGH TABLE WALL	3	6
BUDDY BAR 4 TOP	2	8
6 TOP HIGH TABLE RAIL	3	18
<b>TOTAL INDOOR SEATING</b>		<b>52</b>

High Tables/Chairs  
High Tables/Chairs

High Tables/Chairs: 32  
Standard Tables/Chairs: 20

OUTSIDE SEATING		
SEATING TYPE	QTY.	# SEATS
4 TOPS	---	---
<b>TOTAL OUTDOOR SEATING</b>		<b>---</b>

**STORE INFO**

STORE TYPE	CORE
INTERIOR	2,446 SQ. FT.
PATIO	0 SQ. FT.
BUDGET REC APPROVED	\$XXX,XXX (GROSS) \$XXX,XXX (NET)

**A** FLOOR PLAN  
SCALE: 1/8"=1'-0"  NORTH



**MOD PIZZA CAMPBELL**  
2000 SOUTH BASCOM AVENUE  
CAMPBELL, CA 95008

**GENERAL NOTE:**  
THESE DRAWINGS ARE PROVIDED AS AN ATTACHMENT TO THE LEASE IN THE NEGOTIATION BETWEEN THE LANDLORD AND MOD SUPERFAST PIZZA. ALL DRAWINGS ARE PRELIMINARY AND REFLECT THE INTENT OF THE DESIGN FOR THE DEMISED SPACE(S) AND EXTERIOR AREA(S). SHOULD THERE BE ANY CONCERNS, QUESTIONS, AND/OR POTENTIAL CONFLICTS WITH THE INFORMATION REFLECTED IN THESE DOCUMENTS THE LANDLORD SHOULD CONTACT MOD PIZZA WITH CLARIFICATIONS AND/OR PROPOSED REVISIONS.

**SHEET NO:** 2 of 7  
**DATE:** 08/19/2015  
**DRAWN BY:** SG

Parking Analysis					
Space	Tenant	Classification	Area	Parking Required per Table 3-1	Req. Parking
Suite A1	Heinz Klein DMD	Medical	1,205	1/200 SF	6.0
Suite A2	Bay Area Pain Care	Medical	933	1/200 SF	4.7
Suite B	The Kitty Hotel	Services, General	1,590	1/250 SF	6.4
Suite C	Cedavivienda Realty	Professional Office	1,035	1/225 SF	4.6
Suite E/F	City Savvy Salon	Services, General	2,167	1/250 SF	8.7
Suite D	"The Bar Method"	Large Studio	2,056	1 / 4 students plus 1 per instructor (25 students, 2 staff at peak) <b>but not less than 1/200 SF</b>	<b>10.3</b>
Suite G (upstairs)	Vacant	Professional Office	756	1/225 SF	3.4
Pad	Habit Burger & Mod Pizza	Restaurant	5,172 (113 seats)	1/ 3 seats + 1/200 sq. ft. of non-dining area	38.7**
			14,914	<b>Total Parking Required</b>	83*
				Total Parking Provided (shared)	77
				<b>Deficit/Surplus</b>	<b>6*</b>

\*: After rounding up in accordance with CMC 21.28.040.F. (Rounding of Quantities).

\*\* : Parking based on 1:3 seats, plus one additional stall for the increased building size as approved by PLN2014-157.

\*\*\*: 'S'89-08 approval accepted a parking deficiency of up to 8 stalls.



**ORDER ONLINE**

**SIMPLE MENU**

# ENDLESS OPTIONS

Here's our **Top 10**. They're a great place to start if you're not sure what you want (it's OK, we all have those days). Take them as they are, or add or subtract any ingredients you like. It's always the same price.



## **DOMINIC**

white sauce, asiago, fresh chopped basil, red onion, sliced tomatoes, mild sausage



## **MAD DOG**

mozzarella, pepperoni, mild sausage, ground beef, MOD red sauce



## **TRISTAN**

mozzarella, asiago, roasted red peppers, mushrooms, pesto



## **LUCY SUNSHINE**

mozzarella, parmesan, artichokes, garlic, dollops of MOD red sauce



## **JASPER**

mozzarella, mushrooms, spicy italian  
sausage, MOD red sauce



## **DILLON JAMES**

mozzarella, asiago, fresh chopped  
basil, garlic, sliced tomatoes, MOD  
red sauce



## **CALEXICO - It's Hot**

mozzarella, gorgonzola, chicken,  
jalapenos, hot buffalo sauce, MOD  
red sauce



## **CASPIAN**

mozzarella, gorgonzola, BBQ  
chicken, barbecue sauce, sliced red  
onions



## **PIZZA SALAD**

Create your own salad on a warm  
asiago pizza crust



## MADDY

classic cheese pie

### GLUTEN-FREE CRUST OPTION UPON REQUEST

While we try hard to maintain the integrity of our gluten free crust, please be aware that it does run the risk of exposure to wheat-based products. Due to the risk of cross contamination, MOD DOES NOT RECOMMEND this pizza for those with celiac disease or other gluten allergies.

# FEELING INSPIRED? EXPRESS YOURSELF THROUGH PIZZA

Get every topping or none. Or any pizza from our Top 10 with any MODification you want. Be creative. If you don't like it, you get a do-over free of charge. (Everyone makes mistakes sometimes).

### Sauce

MOD red sauce

MOD white sauce

pesto

BBQ sauce

garlic rub

### Cheese

mozzarella

parmesan

gorgonzola

asiago

feta

dairy-free cheese

### Meat

pepperoni

italian sausage (mild or spicy)

bacon

ground beef

grilled chicken

salami

canadian bacon

anchovies

### Veggies & good stuff

green bell peppers

Mama Lil's

spinach

peppers

artichokes

tomatoes

roasted red	arugula
peppers	cilantro
jalapenos	seasonal roasted
pineapples	vegetables
red onion	croutons
mushrooms	roasted garlic
black olives	rosemary
sun-dried	chopped basil
tomatoes	

### **Finish it**

BBQ swirl	ranch
pesto drizzle	balsamic fig glaze
hot buffalo sauce	sri-rancha
red sauce dollops	

---

## **SIDES AND SALADS**



**SIMPLE SALAD** Greens, roasted red peppers, asiago



**CAESAR SALAD**

Romaine lettuce, Parmesan cheese, asiago cheese, diced tomatoes, caesar dressing, lemon wedge



**DELUXE**

Greens, chicken, salami, green bell peppers, garbanzos, tomatoes, olives, basil and parmesan



**MOD SALAD**

Choose either romaine or mixed greens and any combination of toppings to make it your MOD



## **CINNAMON STRIPS**

Dip into chocolate, strawberry or cinnamon glaze



## **GARLIC STRIPS**

Dip into red sauce, pesto, ranch or spicy ranch

---

# **BEVERAGES**



## **MODSHAKES**

Hand spun milkshakes  
Chocolate, Strawberry & Vanilla

## MIX-INS

Cappuccino Crunch, Cookie Dough,  
Mint Chocolate Chip, Sea Salt Toffee,  
& OREO® Cookie Pieces

### WE ALSO HAVE

Self-serve soda, house-  
made iced teas and  
lemonades, draft beer  
and wine

## Nutritional Information

Got a question about nutritional facts or allergens? Please check out the links below. Detailed information is also available in all of our locations. If you have any questions, just ask your local MOD Squad!

[Allergens, Nutritional, and Ingredients Information](#)

[EXECUTIVE SQUAD](#) [FAQ](#)

[FRANCHISING](#) [SITE MAP](#)

[GROWTH](#) [CONTACT US](#)

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**CITY OF CAMPBELL • PLANNING COMMISSION**  
**Staff Report • March 22, 2016**

**PLN2015-313** Public Hearing to consider the application of CRP Vasona LLC for a Master Sign Plan (PLN2015-313) with a Sign Exception for the Vasona Technology Park on properties located at **1315 Dell Avenue, 1353 Dell Avenue, 210 E. Hacienda Avenue, and 200 E. Hacienda Avenue** in the C-M/80 (Controlled Manufacturing) Zoning District.

**STAFF RECOMMENDATION**

That the Planning Commission take the following action:

1. **Adopt a Resolution**, incorporating the attached findings, approving a Master Sign Plan with a Sign Exception, subject to the attached conditions of approval.

**ENVIRONMENTAL DETERMINATION**

Staff recommends that the Planning Commission find that this project is Categorically Exempt under Sections 15311, Class 11 of the California Environmental Quality Act (CEQA) pertaining to the construction or placement of on premise signs.

**DISCUSSION**

Project Location: The project site is the Vasona Technology Park, which is located at the southeast corner of South Winchester Boulevard and East Hacienda Avenue (reference **Attachment 3** – Location Map). The 18-acre business park is comprised of four parcels that are developed with a total of seven commercial buildings. The site encompasses a variety of research and development, medical (Kaiser Permanente), and professional office uses. The park was purchased by the Carlyle Group in 2015 from Hines.

Background: The Planning Commission approved a Master Sign Plan (MSP) in December 2000 that allowed tenant wall signage, as well as several free-standing signs within the park and along the property's perimeter. In 2014, the Planning Commission approved a modification to the MSP to allow additional signage for Kaiser Permanente. Last year, the Commission also approved a Site and Architectural Review Permit to allow an exterior remodel of the center and associated site improvements in order modernize the property. The new proposal will constitute the third sign program in the last 16 years and the second in the last two years.

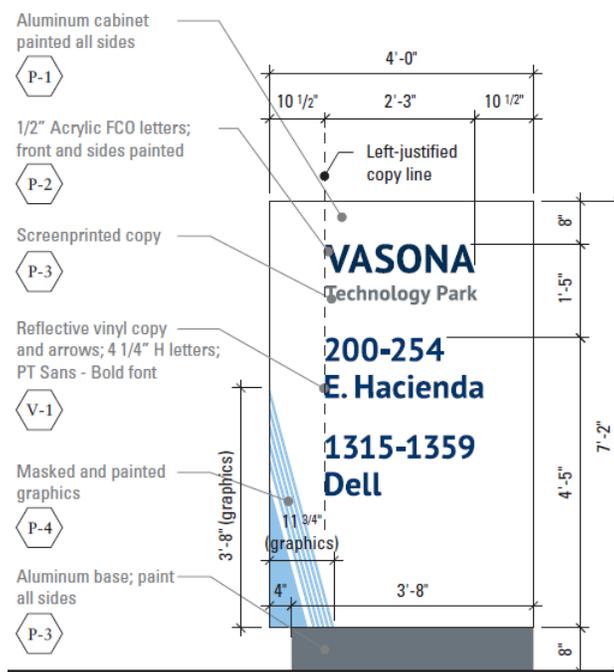
Proposal: The Carlyle Group has prepared a new MSP that would provide a revised signage scheme consistent with the approved architectural improvements (reference **Attachment 4**). The proposed MSP incorporates provisions for "exempt" signage (such as directional signs, addressing, etc.), new *tenant* monument and walls signs, new *site* (i.e., Vasona Technology Park) monument signs, as well as retention of several signs contained within the current MSP, including the recently approved Kaiser Permanente signs (free-standing and wall):

**Site Signage.** Two types of monument signs would be used to identify the business park; Type 'A' (Corner Monument ID) and Type 'B' (Main Entrance Monument). The Type 'A' signs would be located at the property's two street corners; Winchester/Hacienda and Hacienda/Dell. The Type 'B' signs are shown at the main Hacienda and Dell entrances. Both signs would consist of aluminum cabinets atop painted concrete bases with acrylic push-thru lettering.

Type	Quantity	Size	Total Area	Height
A	2	35 sf.	70 sf.	4 ft., 8-in.
B	2	26 sf.	52 sf.	7 ft., 2-in



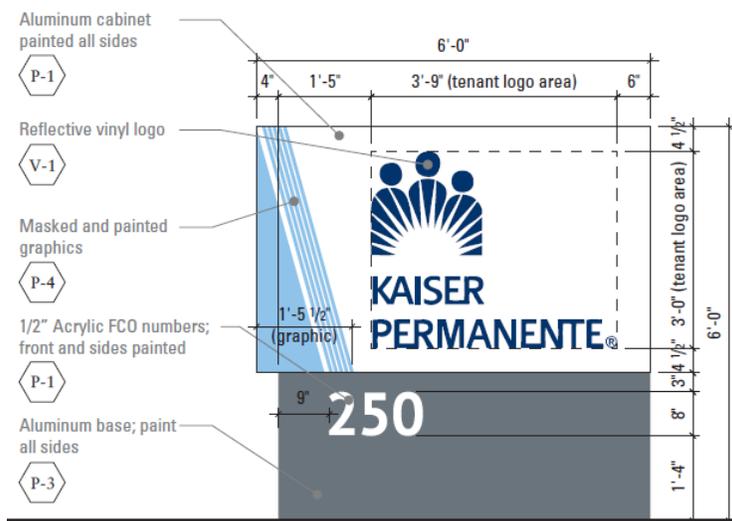
**Sign Type 'A' – Corner Monument**



**Sign Type 'B' – Main Entrance Monument**

**Tenant Signage (Monument).** Each building (tenant) entrance would be afforded one free-standing monument sign (Type 'C') of 23 square-feet, placed at the building entrance. The business park's seven buildings have 12 main entrances resulting in the allowance of 12 tenant monument signs. Eight of these signs would face inward, one towards Hacienda and three towards Dell. Additionally, the previously approved Kaiser Permanente sign, located at the Hacienda entrance, would be modified to match the design aesthetic of the other proposed signs with no increase in sign area or sign height.

Type	Quantity	Size	Total Area	Height
C	12	23 sf.	276 sf.	6-ft.
Q	1	41 sf.	41 sf.	10-ft



**Sign Type 'C' – Tenant Monument**



**Previously Approved Sign**



**Sign Type 'Q' – Main Tenant Monument**

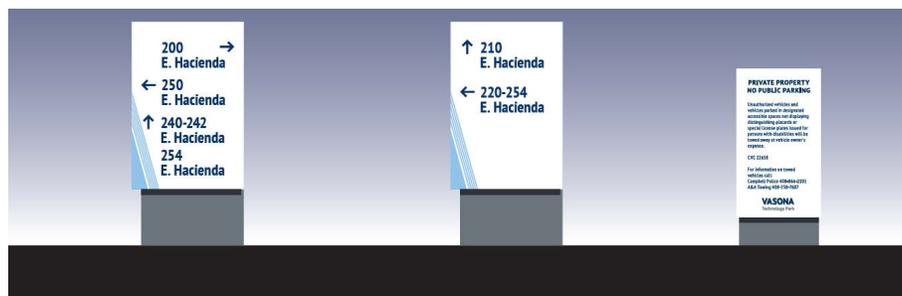
**Wall Signage.** To allow for additional visibility for major tenants, any tenant occupying an *entire building* would be allowed one wall sign (Type 'K') not to exceed 50 square feet. Currently four tenants meet this criteria, with Kaiser Permanente and Santa Clara Family Health Plan, each already having a wall sign of approximately 30 square-feet. As there are seven buildings, a total of seven walls could eventually be installed. Allowable materials are proposed as either LED acrylic face or reverse-halo illuminated metal channel letters. Placement would vary by building, but generally a sign could be placed either on the roof fascia (green) or on the metal wall paneling (red). Additionally, the previously approved Kaiser Permanente 90 square-foot sign (Type 'N') on the back of the building facing Winchester Boulevard would be incorporated into the MSP without any changes.

Type	Quantity	Size	Total Area
'K'	7	50 sf.	350 sf.
'N'	1	92 sf.	92 sf.



Sign Type 'K' – Placement Options

**Exempt Signage.** The Sign Ordinance exempts certain signs, including directional signs, informational signs, and addressing signs, from otherwise applicable restrictions. As such, these signs are not generally subject to normal permitting requirements. However, to ensure design consistency, staff does request their inclusion with a Master Sign Plan. The exempt signage presented in the package, as shown below, would match the proposed monument signs.



E - Vehicular Directional Primary

F - Vehicular Directional Secondary

G - Private Property Right to Pass

"Exempt" Signs

## ANALYSIS

Purpose: The City governs the appearance and placement of commercial signage to achieve several goals, including improvement of the visual character of the City, elimination of distracting signs that pose a hazard to pedestrians and motorists, ensuring the architectural compatibility of signs with the surrounding environment, and supporting the economic development of the City. The City's Sign Ordinance balances these goals with the desire of businesses to maximize their visibility by allowing a reasonable amount of signage "by right", while providing flexibility for the Planning Commission to allow increases on a case-by-case basis. In terms of shopping centers and business parks, the Sign Ordinance requires a comprehensive signage scheme (Master Sign Plan) to ensure that signs are consistent in terms of materials, design, and placement. This is intended to provide for a fair distribution of signage among a center's tenants, maintain the appearance of centers, and minimize visual clutter caused by excessive signage.

Master Sign Plan: The proposed Master Sign Plan would replace existing outdated site signage, representing a significant aesthetic improvement to the Vasona Technology Park. The consistent design across different sign types would also be in keeping with the modern redesign of the buildings, as well as satisfy the design requirements for a Master Sign Plan indicated by the Sign Ordinance ([CMC Sec. 21.30.030.H.2](#)), as noted below:

Design elements. Signs covered by a master sign plan shall have the following elements:

- a. Uniform background in terms of color, illumination, and materials;
- b. Letter colors that are consistent with the approved master sign plan;
- c. Uniform sign type (e.g., channel letters or cabinet sign); and
- d. Uniform location with building's design.

Additional Signage: As a research and development campus, Vasona Technology Park falls under the signage allowances for "commercial/industrial" uses, which allow one wall sign per tenant no larger than 50 square feet, and one free-standing sign for each parcel or center, *whichever is less* ([CMC Sec. 21.30.080.A.](#)). As the Master Sign Plan would allow for a multiple free-standing signs, the application also includes a request for additional signs (i.e., a "Sign Exception"). To approve such a request, the Planning Commission must make certain findings, which pertain to allowing the minimum number of signs necessary to ensure adequate visibility ([CMC 21.30.030.C.4](#)).

Given the sheer size of the business parking—18 acres—and the linear extent of the building, additional signage is warranted to ensure businesses are easily identified by visitors, particularly by motorist unfamiliar with the property. Although staff discussed the potential for "sign clutter" with the SARC, this concern is minimized by the fact that the tenant free-standing signs are half (23 square-feet) the maximum allowed (50 square-feet), would be dispersed over such a large area, and would be minimally visible from the public street. In terms of the free-standing signs along the property's street frontage, four are *site identification* signs to identify Vasona Tech and guide visitors to their desired building. Had each of the four parcels that comprise the Vasona Technology Park operated independently—not collectively as one center—four free-standing signs would be allowed. In this regard, the number is commensurate with overall size and scale of the center.

Site and Architectural Review Committee: The Site and Architectural Review Committee (SARC) reviewed this application at its meetings of February 9, 2016. The SARC was generally supportive of the aesthetic approach found in the Master Sign Plan. However, the SARC questioned the need for each tenant entry to be identified by a free-standing sign and a wall sign. The resulting consensus was to allow the proposed individual tenant monument signs (12 count), but allowing a wall sign only when a tenant assumes an *entire* building. The applicant was agreeable and submitted revised materials.

Subsequent Changes: A Master Sign Plan is intended to provide a comprehensive signage scheme that establishes consistent standards that may be implemented over a period of many years. As noted, the property's previous ownership modified the Master Sign Plan less than two years ago. Although preparation of a new Master Sign Plan in such a short period would not normally be appropriate or necessary, the approved architectural improvements necessitated reconsideration of the signage scheme in this particular circumstance. Should the Planning Commission concur with the SARC's recommendation, it should be made clear to the property ownership that the new Master Sign Plan represents the maximum amount of signage the City will accept for the property. In this regard, any future changes, particularly changes that seek to add or enlarge the signage, will be strictly scrutinized.

Attachments:

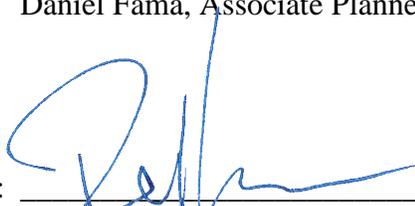
1. Findings for Approval for File No.: PLN2015-313
2. Conditions of Approval for File No. PLN2015-313
3. Location Map
4. Master Sign Plan (MSP)

Prepared by:



\_\_\_\_\_  
Daniel Fama, Associate Planner

Approved by:



\_\_\_\_\_  
Paul Kermoyan, Community Development Director

**FINDINGS FOR APPROVAL OF FILE NO. PLN2015-313**

SITE ADDRESS: 1315 Dell Avenue, 1353 Dell Avenue, 210 E. Hacienda Avenue, and 200 E. Hacienda Avenue  
APPLICANT: CRP Vasona LLC  
OWNER: CRP Vasona LLC  
P.C. MEETING: March 22, 2016

Findings for Approval of a Master Sign Plan (PLN2015-313) with a Sign Exception

The Planning Commission finds as follows with regard to File No. PLN2015-313:

1. The project site is the Vasona Technology Park, which is composed of seven commercial buildings incorporating 307,000 square-feet of leasable floor area, over 18 acres.
2. The project site is located along Hacienda Avenue, east of Winchester Boulevard and West of Dell Avenue.
3. Preparation of a Master Sign Plan is required for a nonresidential project with four or more tenants, which seeks approval of two or more signs.
4. The proposed project is a request to allow a new Master Sign Plan to incorporate existing signage as previously approved, and to allow new wall and free-standing signage.
5. Allowance for tenant wall and free-standing signage and increased site identification signage is necessary to ensure sufficient visibility commensurate with the scale of the office center.

Based on the foregoing findings of fact, pursuant to Sec. 21.30.030.H.3, Sec. 21.30.030.C.4, and Sec. Sec. 21.30.030.C.5, of the Campbell Municipal Code the Planning Commission further finds and concludes that:

1. The signs otherwise allowed would not be visible to the public due to issues of distance or obstructions that are beyond the control of the owner of the site on which the signs are or would be located;
2. The signs otherwise allowed would not be visible to the public due to issues of distance or obstructions that are beyond the control of the owner of the site on which the signs are or would be located;
3. The signs could not be made visible and intelligible to a person of normal sight by allowing an increase in the area or height of the sign;
4. The additional signs comply with all the other requirements, except for the limitations on the number of signs;
5. The number of signs allowed does not exceed the minimum number of signs necessary to

make the signs visible to the public due to issues of distance or obstructions that are beyond the control of the owner of the site on which the signs are or would be located, which could not be accomplished by the number of signs otherwise allowed;

6. The design complies with the applicable design elements criteria;
7. Both the location of the proposed signs and the design of their visual elements (lettering, words, figures, colors, decorative motifs, spacing, and proportions) are legible under normal viewing condition;
8. The location and design of the proposed signs do not obscure existing or adjacent signs from view; and
9. The project is Categorical Exempt under Sections 15311, Class 11 of the California Environmental Quality Act (CEQA) pertaining to the construction or placement of on premise signs.

**CONDITIONS OF APPROVAL OF FILE NO. PLN2015-313**

SITE ADDRESS: 1315 Dell Avenue, 1353 Dell Avenue, 210 E. Hacienda Avenue, and 200 E. Hacienda Avenue  
APPLICANT: CRP Vasona LLC  
OWNER: CRP Vasona LLC  
P.C. MEETING: March 22, 2016

The applicant is hereby notified, as part of this application, that he/she is required to meet the following conditions in accordance with the ordinances of the City of Campbell and the State of California. Where approval by the Community Development Director, City Engineer, Public Works Director, City Attorney, or Fire Department is required, that review shall be for compliance with all applicable Conditions of Approval, adopted policies and guidelines, ordinances, laws and regulations, and accepted engineering practices for the item under review. Additionally, the applicant is hereby notified that he/she is required to comply with all applicable Codes or Ordinances of the City of Campbell and the State of California that pertain to this development and are not herein specified:

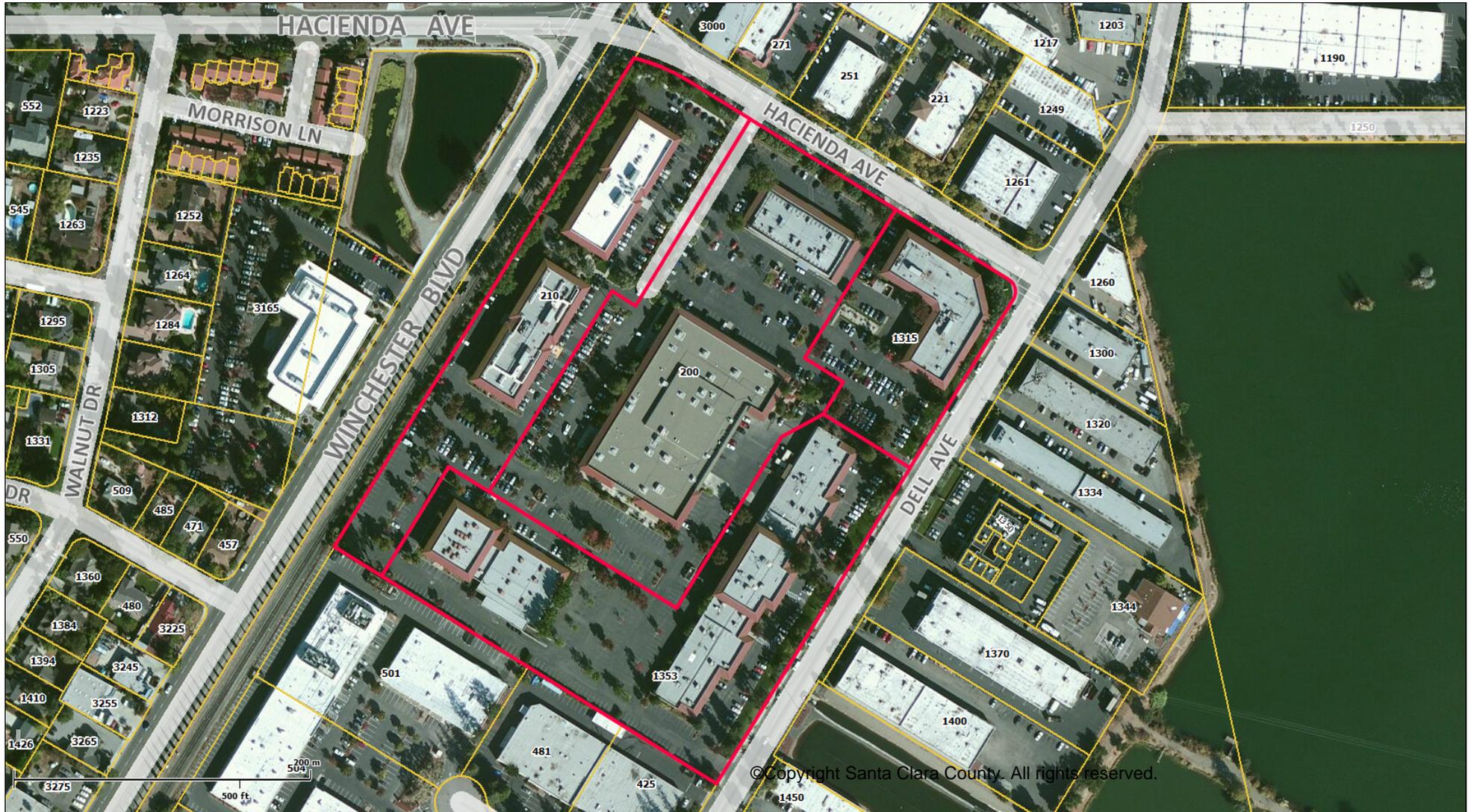
**COMMUNITY DEVELOPMENT DEPARTMENT**

1. Approved Project: Approval is granted for Master Sign Plan (PLN2015-313) with a Sign Exception for the Vasona Technology Park located at **1315 Dell Avenue, 1353 Dell Avenue, 210 E. Hacienda Avenue, and 200 E. Hacienda Avenue**. All new signage on the site shall substantially conform to the revised "Vasona Technology Park Master Sign Program", dated February 18, 2016, except as modified by the conditions of approval herein.
2. Approval Expiration: The approval for the Master Sign Plan shall be valid indefinitely with continued operation and occupancy of the business park.
3. Previous Approval: Upon the effective date of this Resolution, the previously approved Modified Master Sign Plan, approved by Planning Commission Resolution No. 4164, shall be void and permanently superseded by the Master Sign Plan approved herein.
4. Sign Permit Required: All signs permitted under the Master Sign Plan shall require a Sign Permit prior to installation.
5. Sign Maintenance: The signs shall be maintained in good condition at all times and shall be repaired or replaced as necessary.
6. Building Permits Required: The applicant shall obtain all necessary building and/or electrical permits from the Building Division prior to the installation of any new signs.

# Location Map

## Vasona Technology Park

Thu Jul 24 2014



THE GIS DATA IS PROVIDED "AS IS". THE COUNTY MAKES NO WARRANTIES, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION, ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND/OR FITNESS FOR A PARTICULAR PURPOSE, REGARDING THE ACCURACY, COMPLETENESS, VALUE, QUALITY, VALIDITY, MERCHANTABILITY, SUITABILITY, AND CONDITION, OF THE GIS DATA. USERS OF COUNTY'S GIS DATA ARE HEREBY NOTIFIED THAT CURRENT PUBLIC PRIMARY INFORMATION SOURCES SHOULD BE CONSULTED FOR VERIFICATION OF THE DATA AND INFORMATION CONTAINED HEREIN. SINCE THE GIS DATA IS DYNAMIC, IT WILL BY ITS NATURE, BE INCONSISTENT WITH THE OFFICIAL COUNTY ASSESSMENT ROLL FILE PRODUCED BY THE OFFICE OF THE ASSESSOR. ANY USE OF COUNTY'S GIS DATA WITHOUT CONSULTING CURRENT PUBLIC RECORDS FOR VERIFICATION IS DONE EXCLUSIVELY AT THE RISK OF THE PARTY MAKING SUCH USE.

# **VASONA** Technology Park

**MASTER SIGN PROGRAM**

**EAST HACIENDA AVENUE & DELL AVENUE  
CAMPBELL, CALIFORNIA**

**REV. FEBRUARY 18, 2016**



SQUARE PEG DESIGN

# TABLE OF CONTENTS

## SECTION ONE

Site Plan / Sign Locations / Sign Area Calculations

## SECTION TWO

New Sign Program

## SECTION THREE

Existing Signs



# SECTION ONE

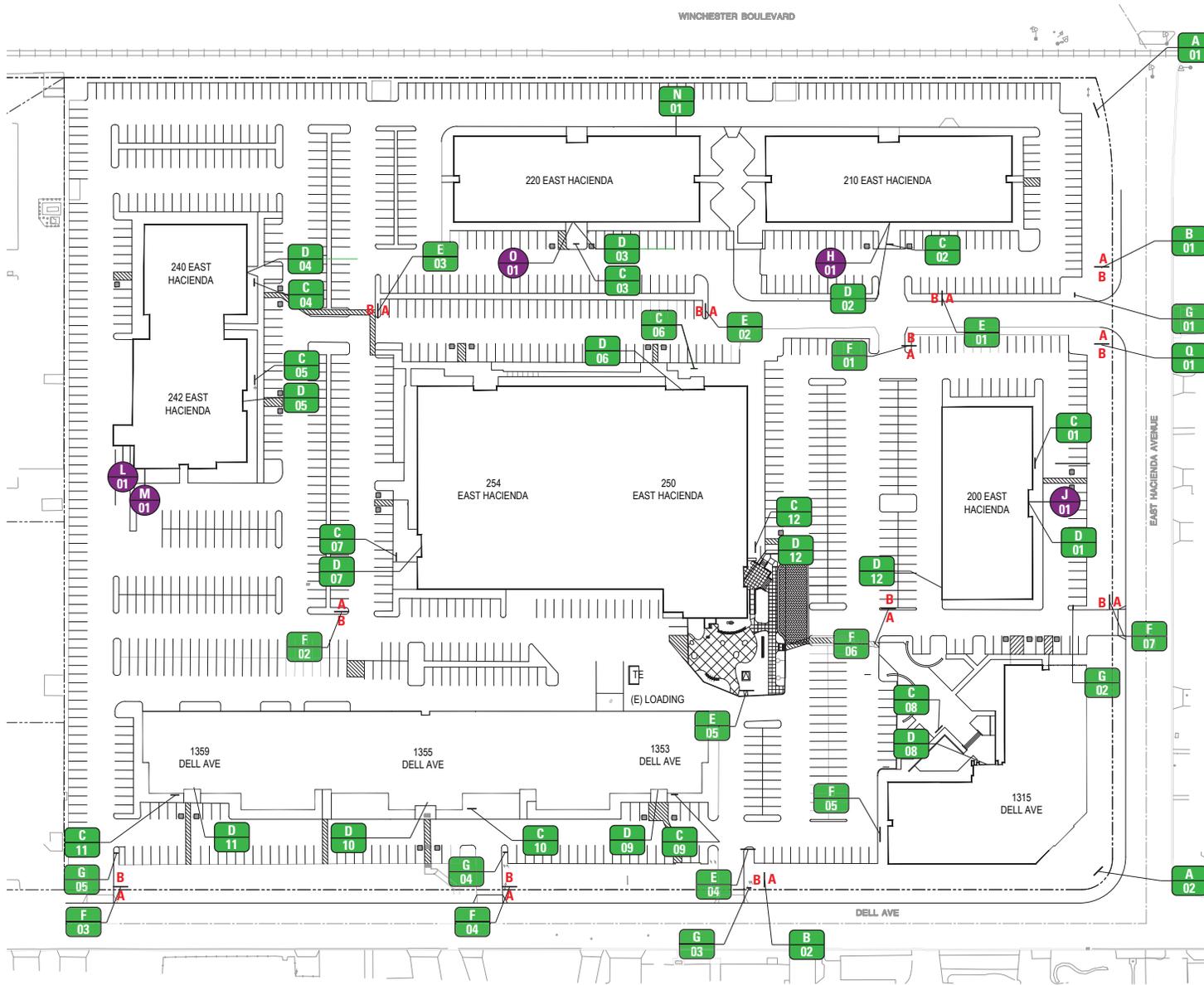
SITE PLAN

SIGN LOCATIONS

SIGN AREA CALCULATIONS



WINCHESTER BOULEVARD



**NEW SIGN TYPES TO REPLACE EXISTING**

X ##

- A - Corner Monument ID
- B - Main Entrance Monument ID with Address
- C - Tenant Monument ID with Address
- D - Building ID - Address - \* EXEMPT
- E - Vehicular Directional - Primary - \* EXEMPT
- F - Vehicular Directional - Secondary - \* EXEMPT
- G - Private Property Right to Pass - \* EXEMPT
- N - Tenant ID - Existing 92' Building Mounted ID
- Q - Main Tenant Entrance Monument ID
- R - Entry Door Tenant ID (not located) - \* EXEMPT

**SIGNAGE AREA**

NEW SIGN TYPE	PROPOSED QUANTITY	AREA PER SIGN
A	2	35
B	2	26
C	12	23
N	1	92
Q	1	41

Total New Signage Area = 531 s.f.

**EXISTING SIGN TYPES TO REMAIN**

X ##

- H - Tenant ID - 210 E. Hacienda
- J - Tenant ID - 200 E. Hacienda
- L - Tenant ID - 242 E. Hacienda
- M - Directional - 242 E. Hacienda - \* EXEMPT
- O - Tenant ID - 220 E. Hacienda
- P - H/C Parking Stall ID (not located) - \* EXEMPT

**SIGNAGE AREA**

EXISTING SIGN TYPE	EXISTING QUANTITY	AREA PER SIGN
H	1	30
J	1	5
L	1	8
O	1	35

Total Existing Signage Area = 78 s.f.

**BUILDING MOUNTED TENANT SIGN**

- K - Tenant ID - Max 50 s.f. building mounted sign allowed when tenant occupies an entire building

1 SITE PLAN / SIGN LOCATION PLAN  
Scale: 1" = 100'

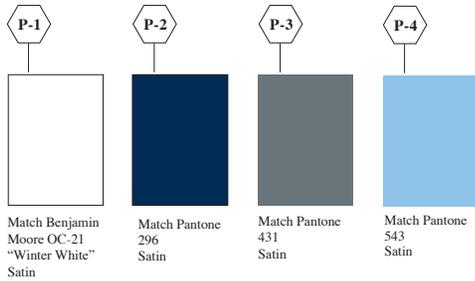


# SECTION TWO

NEW SIGN PROGRAM



## Color Palette



## Materials



## Logo



## Typography

**PT Sans - Bold**  
ABCDEFGHIJKLMNOPQRSTUVWXYZ  
abcdefghijklmnopqrstuvwxyz  
1234567890

**PT Sans Narrow - Bold**  
ABCDEFGHIJKLMNOPQRSTUVWXYZ  
abcdefghijklmnopqrstuvwxyz  
1234567890

## Symbols





SCALE: 1/8" = 1'-0"

C - Tenant Monument ID with Address    D - Building ID - Address    R - Entry Door Tenant ID



SCALE: 3/8" = 1'-0"

A - Corner Monument ID

B - Main Entrance Monument ID with Address

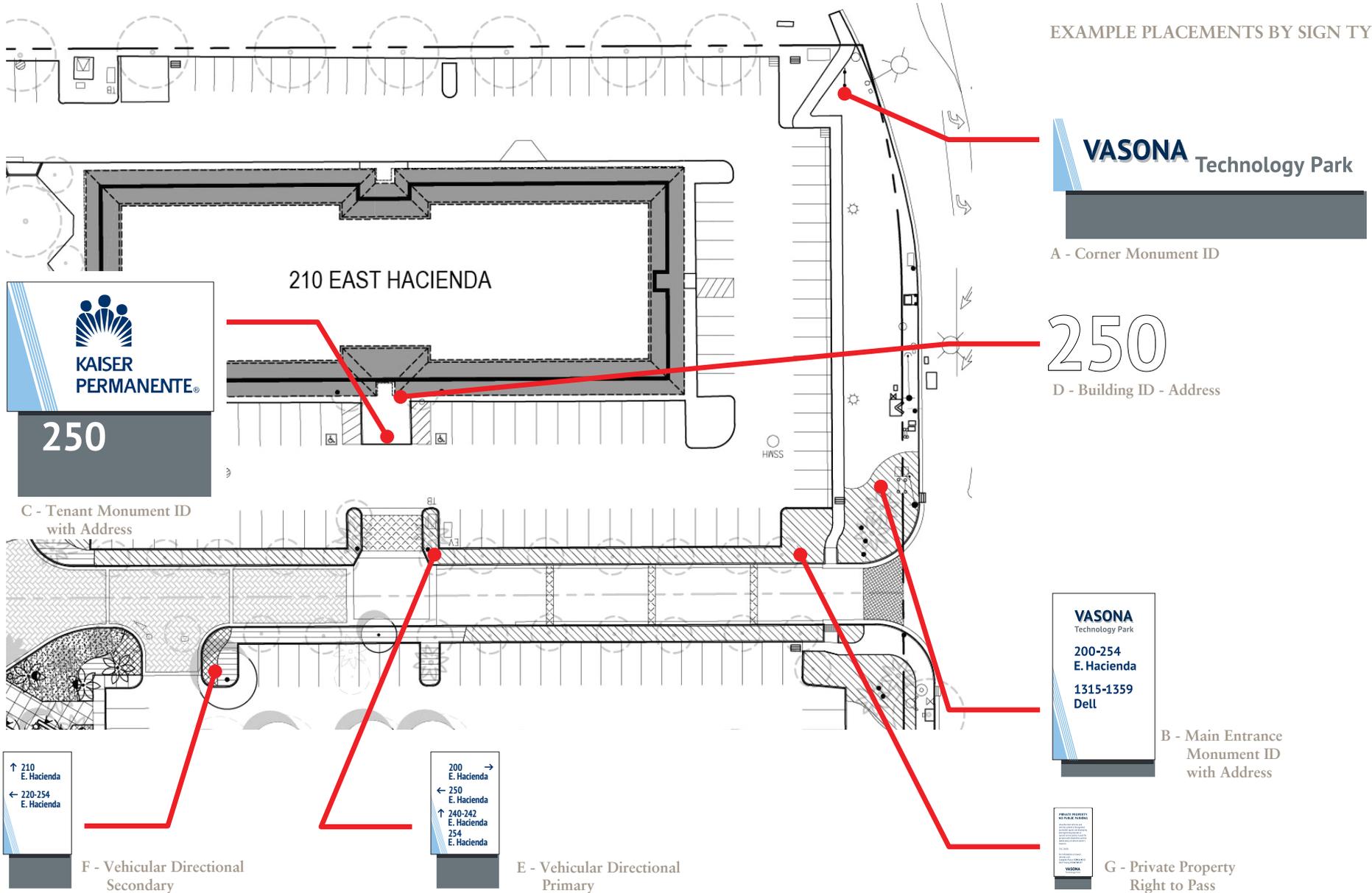
E - Vehicular Directional Primary

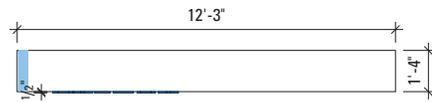
F - Vehicular Directional Secondary

G - Private Property Right to Pass

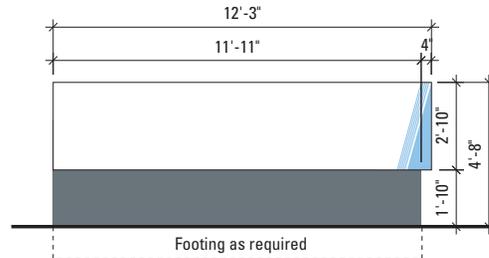


EXAMPLE PLACEMENTS BY SIGN TYPE





5 TOP VIEW  
Scale: 1/4" = 1' - 0"



4 BACK ELEVATION  
Scale: 1/4" = 1' - 0"

Screenprinted copy



Aluminum cabinet painted all sides



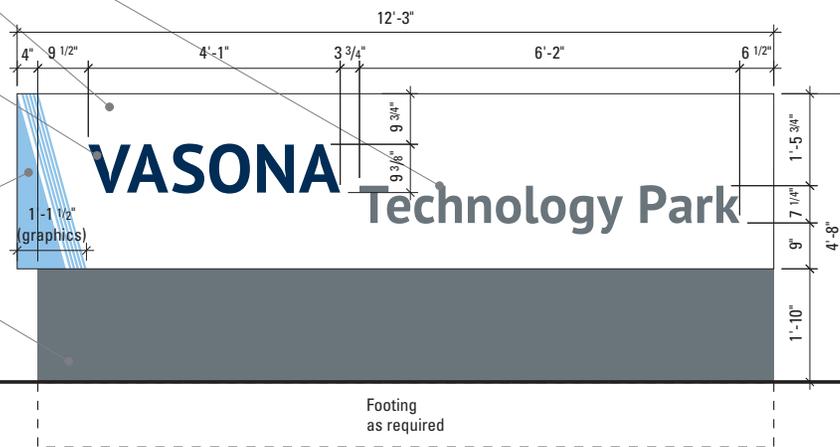
1/2" Proud push-thru clear acrylic letters; opaque front face painted



Masked and painted graphics



Concrete base; paint all sides



1 FRONT ELEVATION  
Scale: 1/2" = 1' - 0"

NOTES:

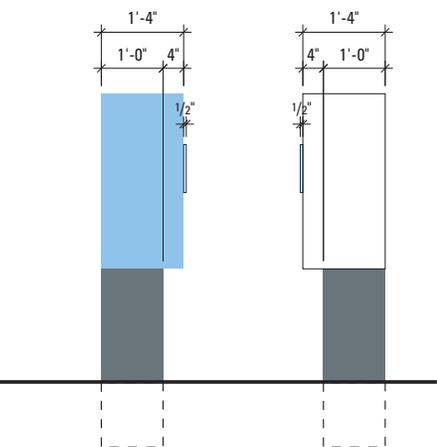
Rectangular aluminum cabinet over poured concrete base; painted finish all sides.

Internal illumination behind push-thru letters; white LED.

Sign is single sided. "VASONA" made of 1/2" proud push-thru acrylic letters; opaque front face painted as specified. Graphic stripes and angle shapes to be masked and painted as specified.

General note:

All foundations to be engineered and installed by sign fabricator. Installed sign should be rigid and secure. Installation method should provide for removal and replacement should sign cabinet become damaged.



2 SIDE ELEVATION  
Scale: 1/2" = 1' - 0"

3 SIDE ELEVATION  
Scale: 1/2" = 1' - 0"





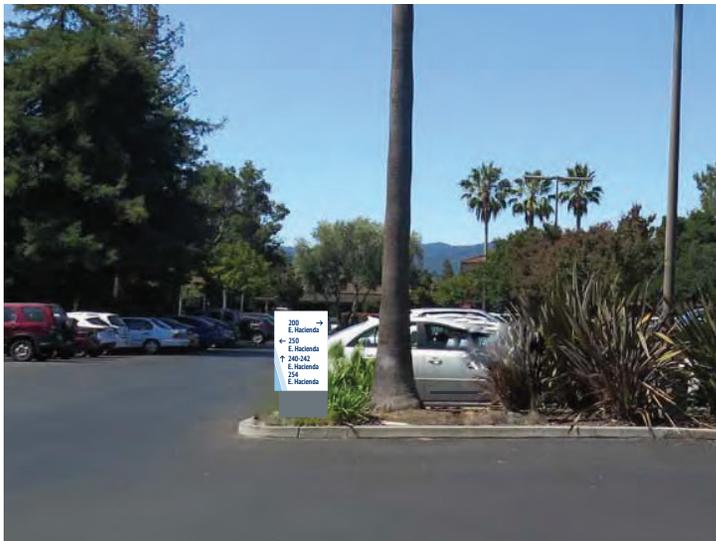
A - Corner Monument ID



G - Private Property Right to Pass



B - Main Entrance Monument ID with Address

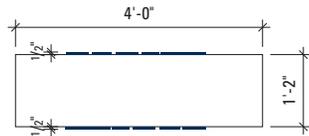


E - Vehicular Directional - Primary



F - Vehicular Directional - Secondary





5 TOP VIEW  
Scale: 1/2" = 1' - 0"

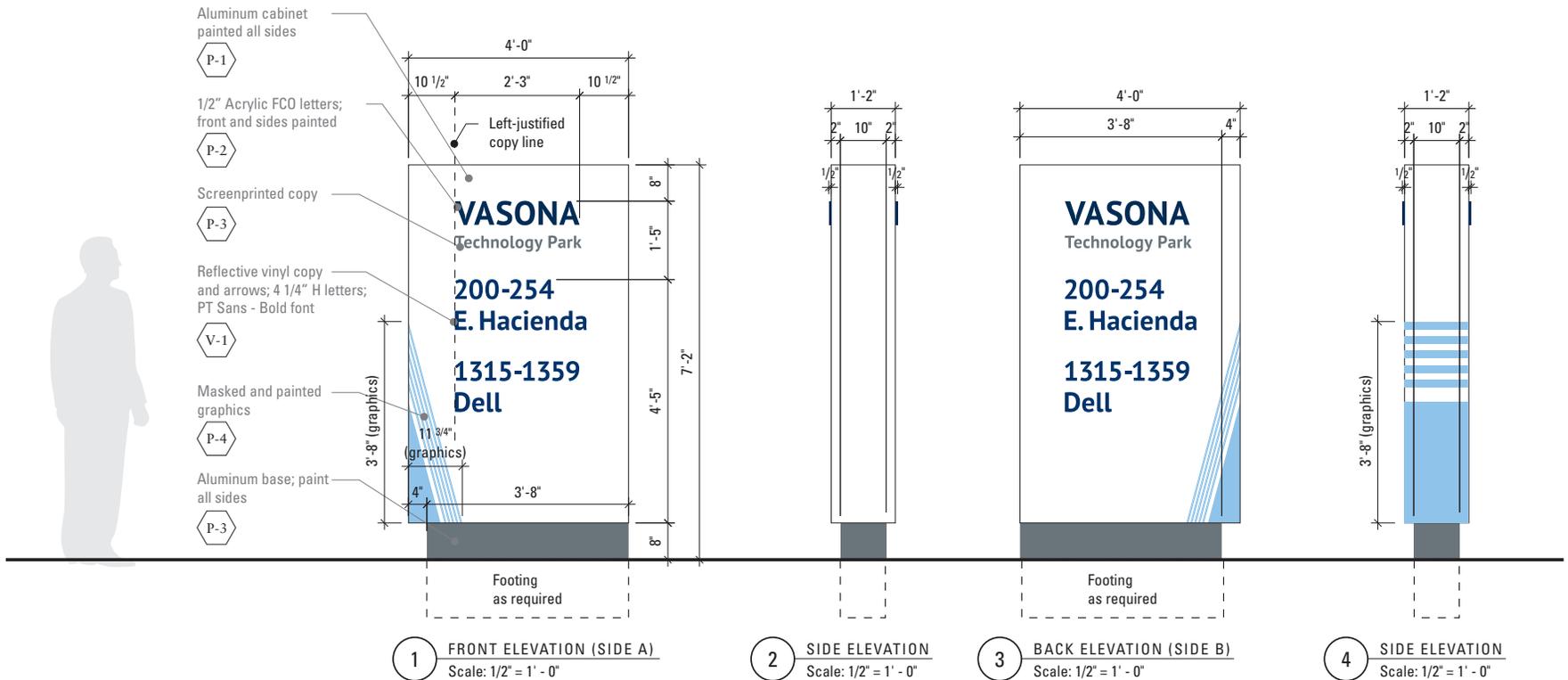
NOTES:

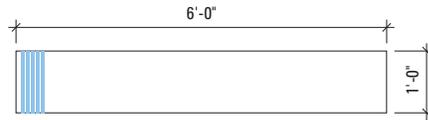
Rectangular aluminum cabinet over poured concrete base; painted finish all sides.

Sign is double sided. Reflective vinyl copy. "VASONA" made of 1/2" FCO acrylic letters; painted front and sides. Graphic stripes and angle shapes to be masked and painted as specified.

General note:

All foundations to be engineered and installed by sign fabricator. Installed sign should be rigid and secure. Installation method should provide for removal and replacement should sign cabinet become damaged.





**5** TOP VIEW  
Scale: 1/2" = 1' - 0"

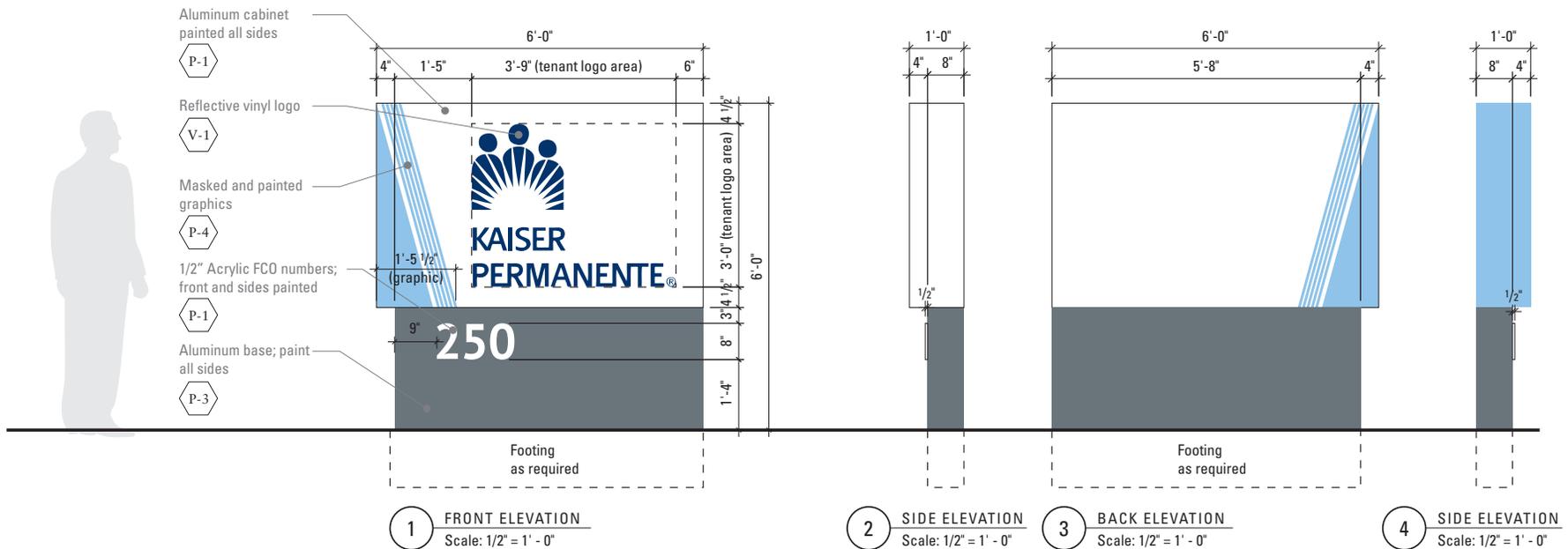
**NOTES:**

Rectangular aluminum cabinet over poured concrete base; painted finish all sides.

Sign is single sided. Reflective vinyl copy. Address numbers made of 1/2" FCO acrylic letters; painted front and sides.

**General note:**

All foundations to be engineered and installed by sign fabricator. Installed sign should be rigid and secure. Installation method should provide for removal and replacement should sign cabinet become damaged.



\* EXEMPT SIGN PER CMC 21.30.040

NOTES:

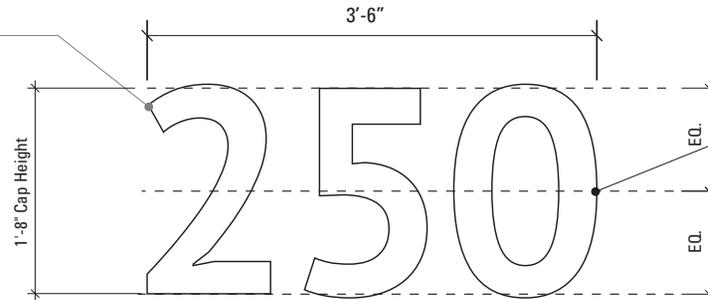
1" D Acrylic FCO numbers, painted all sides, PT Sans - Bold font.

Pin mount to building fascia where specified (TBD).

6 Sq. Ft. Sign Area Max per Tenant



1" D Acrylic FCO numbers  
painted all sides; PT Sans  
Bold font



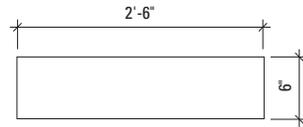
Address centered  
vertically within  
fascia at location  
specified (TBD)

1 FRONT ELEVATION  
Scale: 1" = 1' - 0"



2 SIDE ELEVATION  
Scale: 1" = 1' - 0"





5 TOP VIEW  
Scale: 1" = 1' - 0"

\* EXEMPT SIGN PER CMC 21.30.040

NOTES:

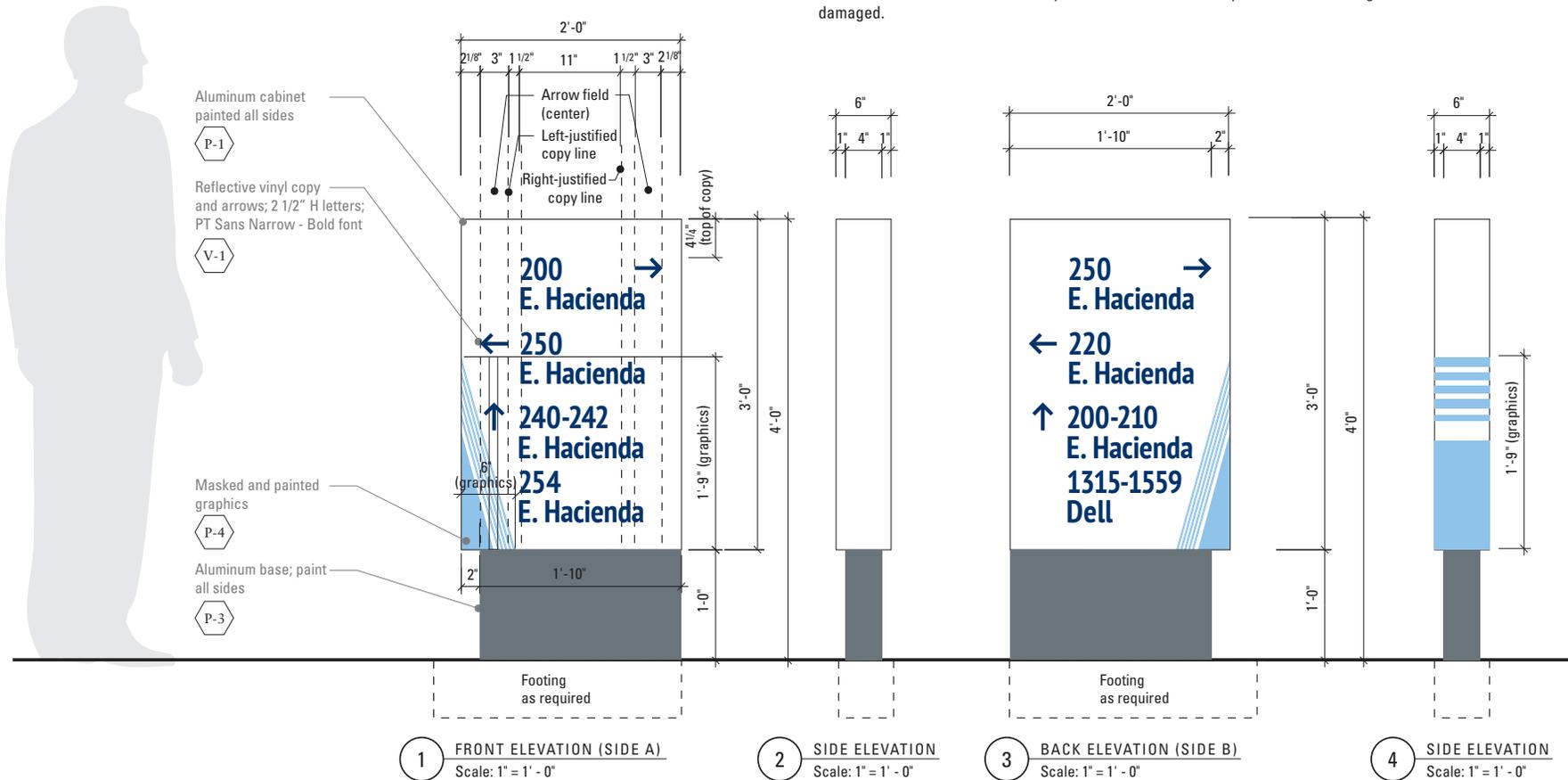
Rectangular aluminum cabinet over poured concrete base; painted finish all sides.

Sign is double sided. Reflective vinyl copy and arrows.

Graphic stripes and angle shapes to be masked and painted as specified.

General note:

All foundations to be engineered and installed by sign fabricator. Installed sign should be rigid and secure. Installation method should provide for removal and replacement should sign cabinet become damaged.



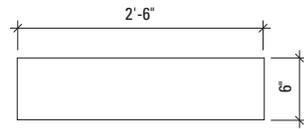
1 FRONT ELEVATION (SIDE A)  
Scale: 1" = 1' - 0"

2 SIDE ELEVATION  
Scale: 1" = 1' - 0"

3 BACK ELEVATION (SIDE B)  
Scale: 1" = 1' - 0"

4 SIDE ELEVATION  
Scale: 1" = 1' - 0"





**5** TOP VIEW  
Scale: 1" = 1' - 0"

\* EXEMPT SIGN PER CMC 21.30.040

NOTES:

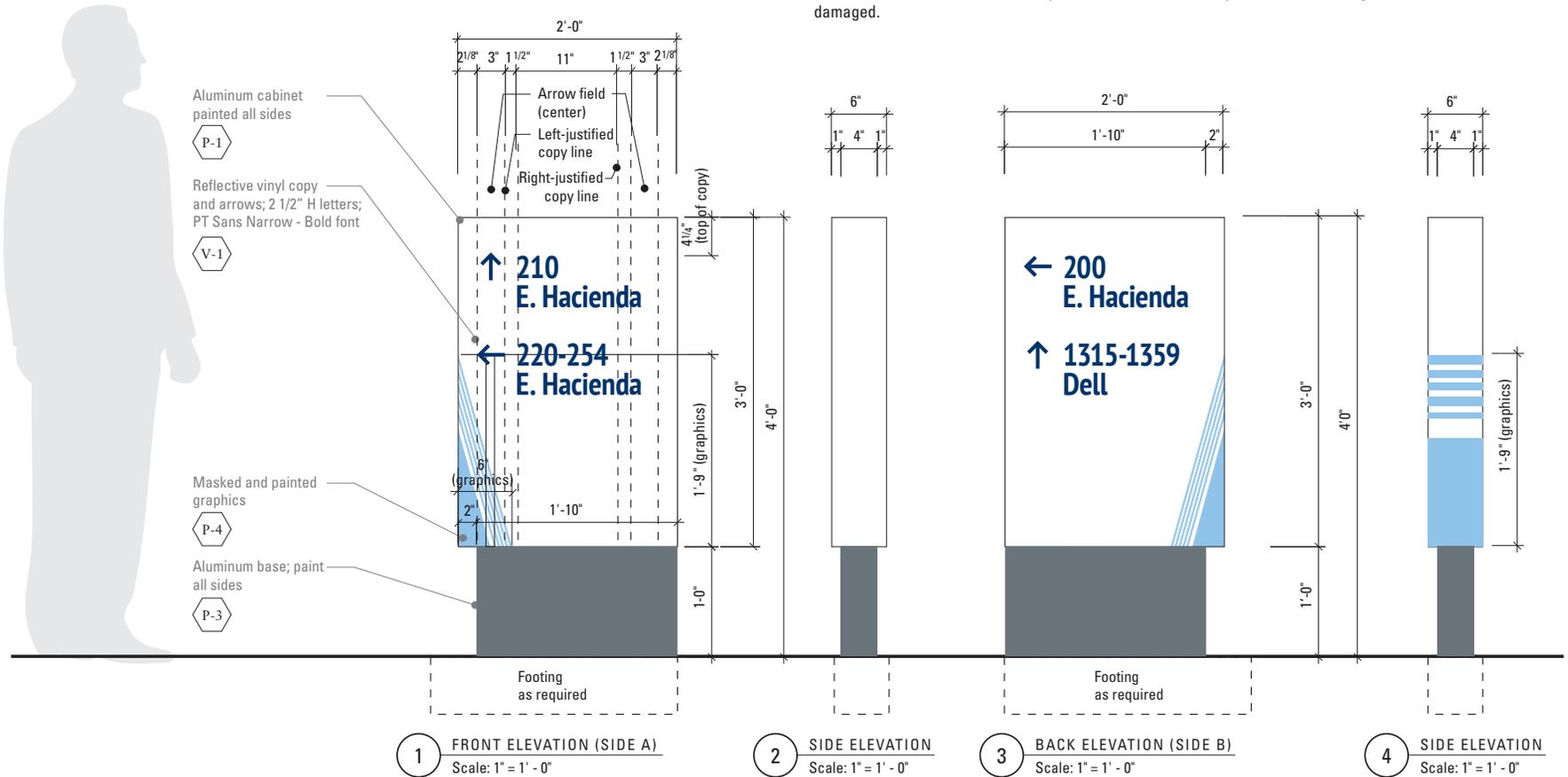
Rectangular aluminum cabinet over poured concrete base; painted finish all sides.

Sign is double sided. Reflective vinyl copy and arrows.

Graphic stripes and angle shapes to be masked and painted as specified.

General note:

All foundations to be engineered and installed by sign fabricator. Installed sign should be rigid and secure. Installation method should provide for removal and replacement should sign cabinet become damaged.



**NOTES:**

Rectangular aluminum cabinet over poured concrete base; painted finish all sides.

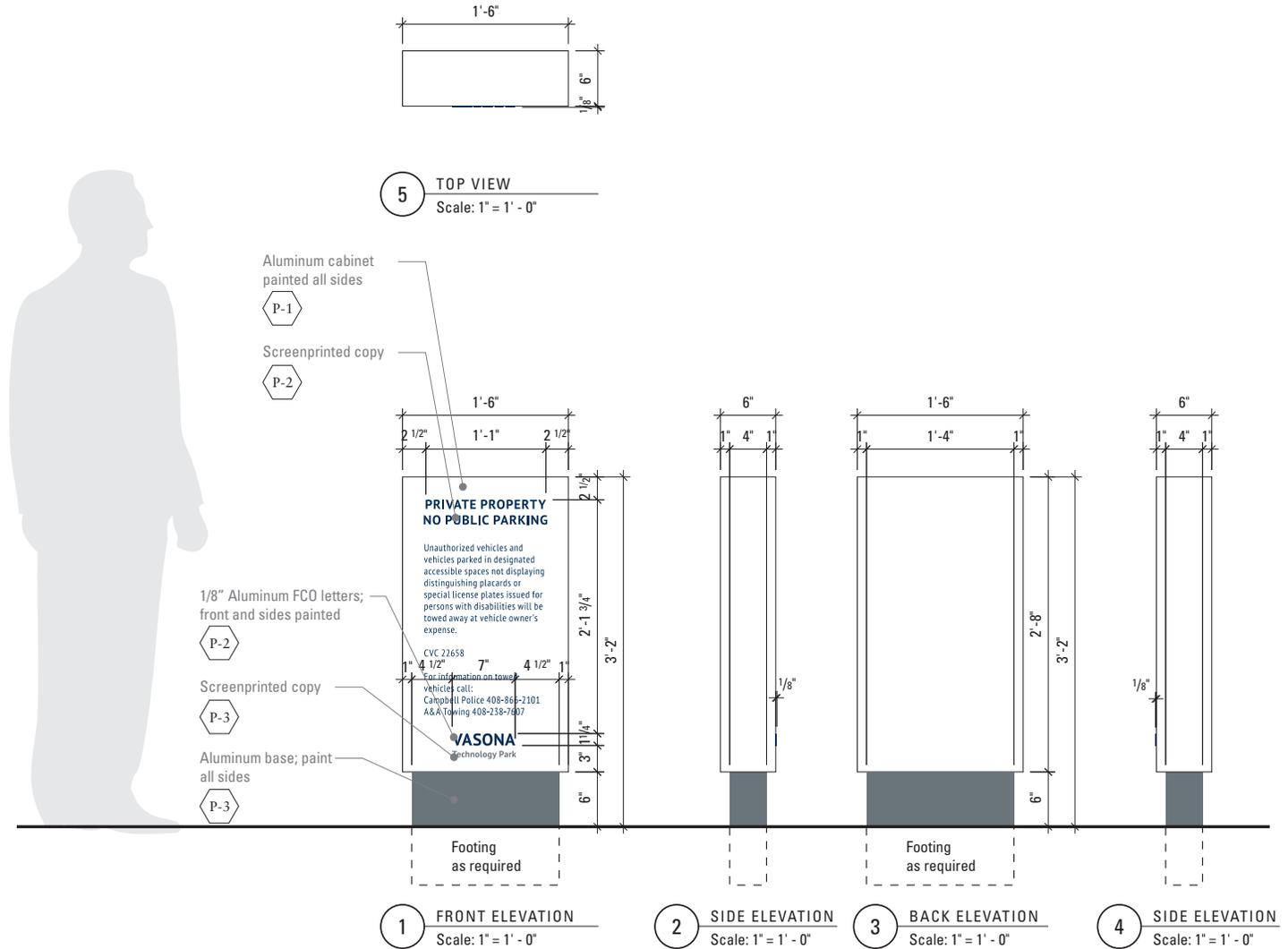
Sign is single sided. Screenprinted copy.

"VASONA" made of 1/8" FCO aluminum letters; painted front and sides.

**General note:**

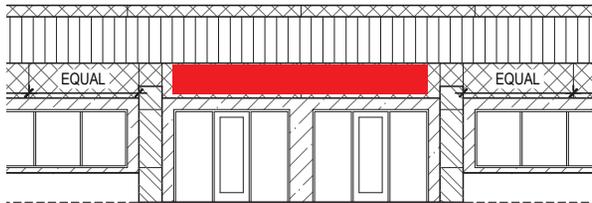
All foundations to be engineered and installed by sign fabricator. Installed sign should be rigid and secure. Installation method should provide for removal and replacement should sign cabinet become damaged.

\* EXEMPT SIGN PER CMC 21.30.040

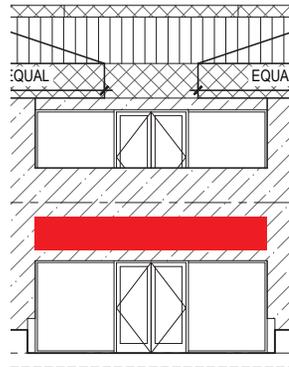


**SIGN TYPE K - MAX 50SF**

Tenant ID - Max 50 s.f. building mounted sign allowed when tenant occupies an entire building.



1 PARTIAL NORTH ELEVATION  
200 EAST HACIENDA  
Scale: 3/32" = 1' - 0"



2 PARTIAL EAST ELEVATION  
210 & 220 EAST HACIENDA  
Scale: 3/32" = 1' - 0"



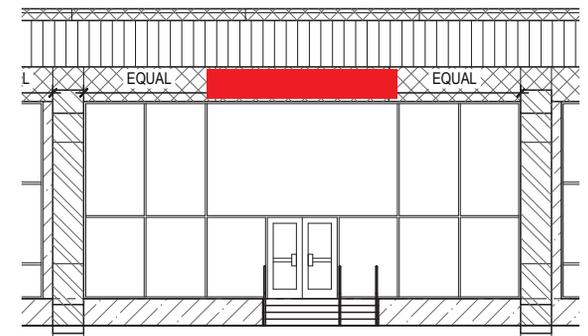
3 PARTIAL NORTH ELEVATION  
240 EAST HACIENDA  
Scale: 3/32" = 1' - 0"



4 PARTIAL NORTH ELEVATION  
242 EAST HACIENDA  
Scale: 3/32" = 1' - 0"



5 PARTIAL NORTH ELEVATION  
250 EAST HACIENDA  
Scale: 3/32" = 1' - 0"



6 PARTIAL WEST ELEVATION  
250 EAST HACIENDA  
Scale: 3/32" = 1' - 0"

Red Area indicates potential location of tenant sign. Maximum size with in indicated area is 50 s.f typical



**SIGN TYPE K - MAX 50SF**

Tenant ID - Max 50 s.f. building mounted sign allowed when tenant occupies an entire building.



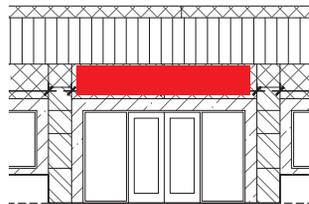
7 PARTIAL SOUTH ELEVATION  
254 EAST HACIENDA  
Scale: 3/32" = 1' - 0"



8 PARTIAL WEST ELEVATION  
1315 DELL AVENUE  
Scale: 3/32" = 1' - 0"



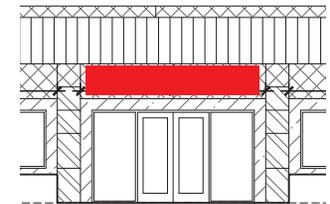
9 PARTIAL SOUTH ELEVATION  
1315 DELL AVENUE  
Scale: 3/32" = 1' - 0"



10 PARTIAL EAST ELEVATION  
1359 DELL AVENUE  
Scale: 3/32" = 1' - 0"



11 PARTIAL EAST ELEVATION  
1355 DELL AVENUE  
Scale: 3/32" = 1' - 0"

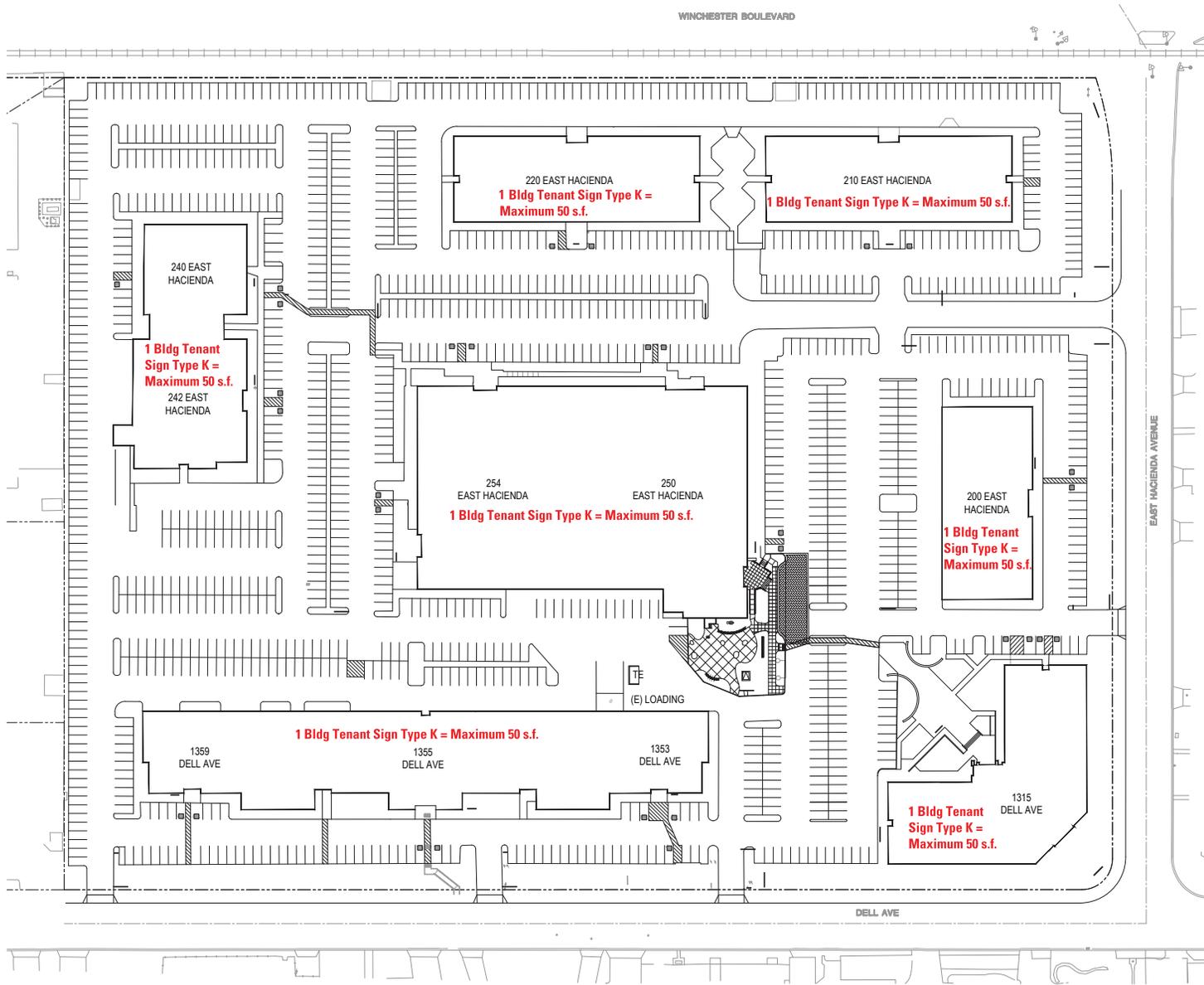


12 PARTIAL EAST ELEVATION  
1353 DELL AVENUE  
Scale: 3/32" = 1' - 0"

Red Area indicates potential location of tenant sign.  
Maximum size with in indicated area is 50 s.f typical



WINCHESTER BOULEVARD



**SIGN TYPE K**  
Tenant ID - Max 50 s.f. building mounted sign allowed when tenant occupies an entire building.

**NOTE:** If existing tenant sign H, J, L, O are replaced in the future, they will be replaced by Sign Type K - Max 50 S.F.

**Total of all bldg mounted Tenant Signs = MAX 7 QTY.**

1 SITE PLAN / SIGN LOCATION PLAN  
Scale: 1" = 100'





ALLOWED - Reverse Channel Halo Lit Logo / Letters - NIGHT



ALLOWED - Reverse Channel Halo Lit Logo / Letters - DAY



ALLOWED - Channel Face Lit Logo / Letters - NIGHT



ALLOWED - Channel Face Lit Logo / Letters - DAY

LED Face or Halo illuminated metal channel letters and/or logo are acceptable. Illuminated sign box cabinets with not be allowed



NOT ALLOWED - Channel Face Lit Logo / Letters - NIGHT

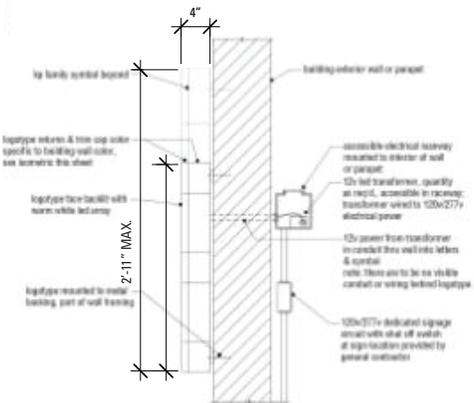


NOT ALLOWED - Channel Face Lit Logo / Letters - DAY





① FRONT VIEW  
1/4" = 1'-0"



② FRONT VIEW  
1" = 1'-0"



③ FRONT VIEW  
SCALE: NTS



④ FRONT VIEW  
SCALE: NTS

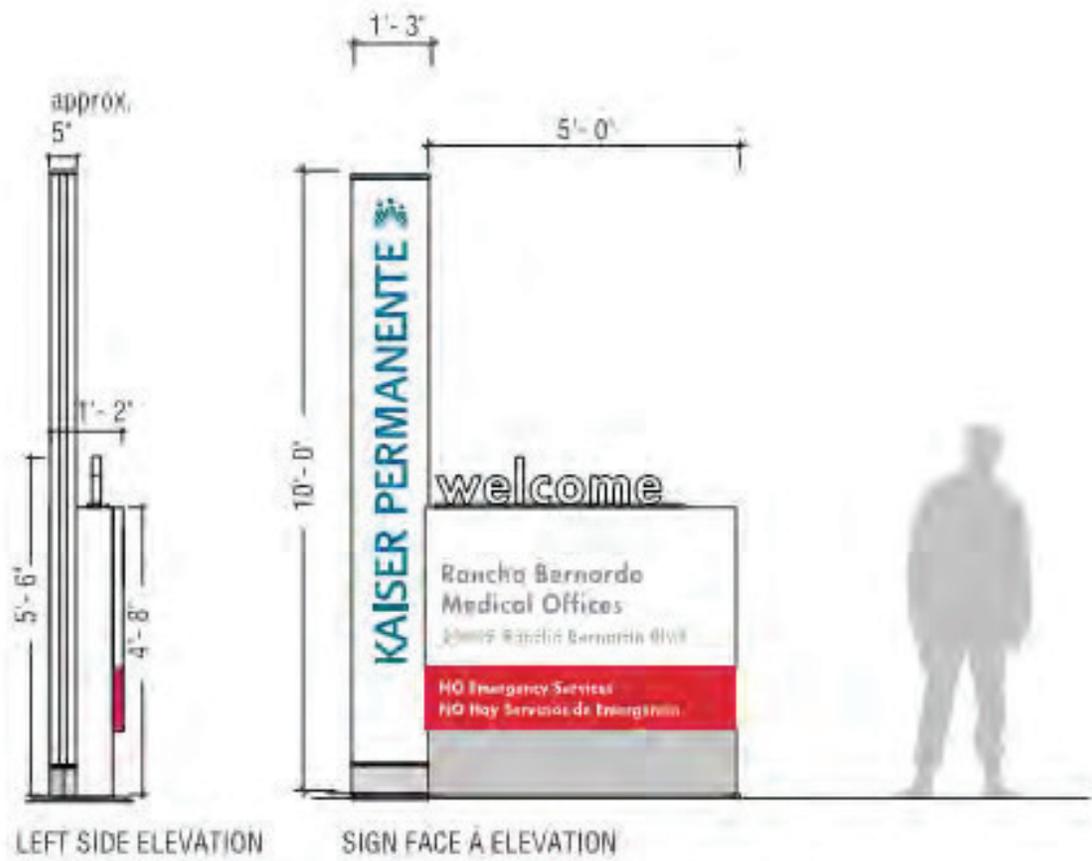


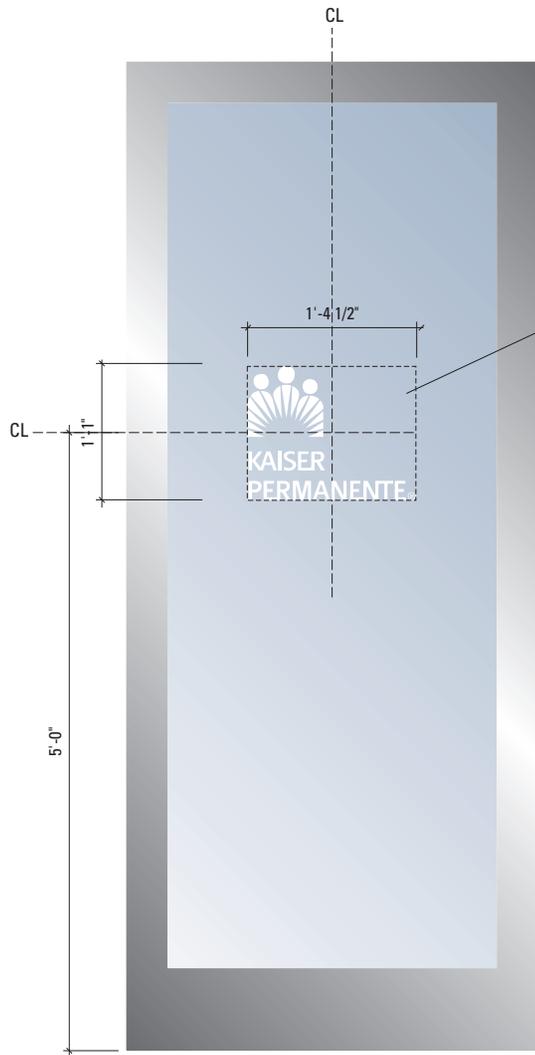
220 E. Hacienda - West side

Notes:

1. Internally illuminated
2. Aluminum channel letters with translucent acrylic faces
3. Perforated graphic film or translucent film may be applied to acrylic faces.







1 TYPICAL ELEVATION  
Scale: 1" = 1'-0"

\* EXEMPT SIGN PER CMC 21.30.040

NOTES:

Laser-cut white vinyl applied to storefront glazing on second surface. Area of logo graphic limited to 1 1/2 square feet within dashed area shown. Apply to left hand exterior door where double-door condition occurs.

1 1/2 sf is the maximum allowable tenant signage area.



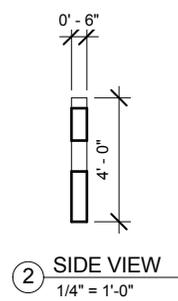
2 TYPICAL LOCATION ELEVATION  
Scale: NTS



# SECTION THREE

EXISTING SIGNS





EXISTING SIGN

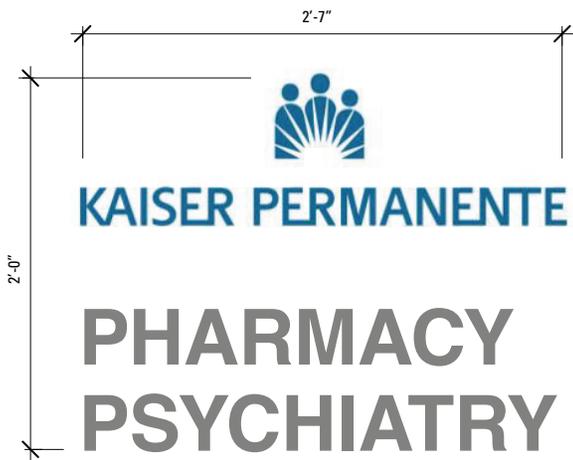


LOCATION:  
210 E. Hacienda - West side

**Notes:**

1. Internally illuminated
2. Channel letters & company logo with acrylic face





1 FRONT VIEW  
SCALE: 1 1/2" - 1'

EXISTING SIGN

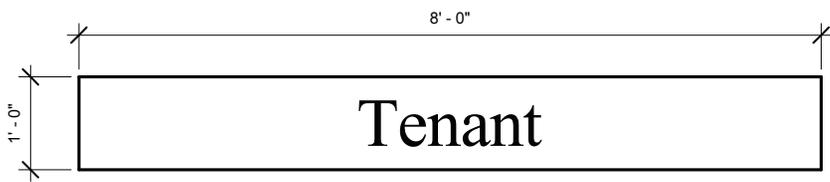


LOCATION:  
200 E. Hacienda - South side

Notes:

1. Non-illuminated
2. Painted raised lettering & logo





① FRONT VIEW  
3/4" = 1'-0"

EXISTING SIGN

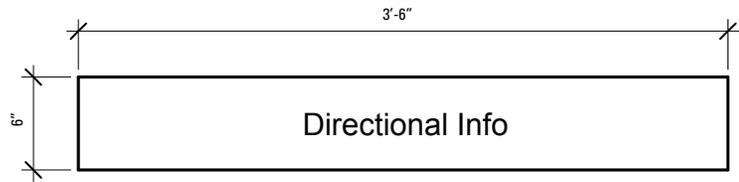


LOCATION:  
242 E. Hacienda - East side

*Notes:*

1. Non-illuminated
2. Film applied letters on painted panel





① FRONT VIEW  
1 1/2" = 1'-0"

EXISTING SIGNS



LOCATION:  
242 E. Hacienda - East side

Notes:

1. Non-illuminated
2. Film applied letters on painted panel



EXISTING SIGN



LOCATION:  
220 E. Hacienda - South side

Notes:

1. Internally Illuminated
2. Channel letters & Company logo with acrylic face





**CITY OF CAMPBELL • PLANNING COMMISSION**  
**Staff Report • March 22, 2016**

**PLN2016-24**  
**Siri, A.**

Public Hearing to consider the application of Anthony Siri for a term-limited Conditional Use Permit (PLN2016-24) to allow the establishment of an indoor athletic fitness facility (d.b.a. Sirius Baseball) within an existing commercial building located at **1520 Dell Avenue, Suites A & B** in the C-M (Controlled Manufacturing) Zoning District.

**STAFF RECOMMENDATION**

That the Planning Commission take the following action:

1. **Adopt a Resolution**, incorporating the attached findings, approving a term-limited Conditional Use Permit allowing the establishment of an indoor athletic fitness facility (d.b.a. Sirius Baseball) within an existing commercial building located at 1520 Dell Avenue, Suites A & B, subject to the attached Conditions of Approval.

**ENVIRONMENTAL DETERMINATION**

Staff recommends that the Planning Commission find that this project is Categorically Exempt under Section 15301, Class 1 of the California Environmental Quality Act (CEQA), pertaining to the operation and leasing of an existing private structure.

**DISCUSSION**

Project Location: The project site is located on the east side of Dell Avenue, between Vandell Way and Division Street (reference **Attachment 3** – Location Map). The rectangular shaped, .97 acre property is developed with a two-story commercial building that runs along the southwest property line.

**PROJECT DATA**

Zoning District: C-M (Controlled Manufacturing)  
 General Plan Designation: Research and Development

Net Lot Size: 42,396 sq. ft. (.97 acres)

Total Commercial Area: 18,177 sq. ft.

Sirius Baseball Tenant Space: 13,626 sq. ft.

**Proposed Hours:**

Summer

10:00 AM – 7:00 p.m., Mon. – Fri.

Fall, Winter & Spring

12:00 PM – 9:00 PM, Mon. – Fri.

8:00 AM – 6:00 PM (afternoon), Sat.

10:00 AM – 5:00 PM, Sun.

**Staff Recommended Hours\*:**

Operational/Staff: 7:30 AM – 9:30 PM, Daily

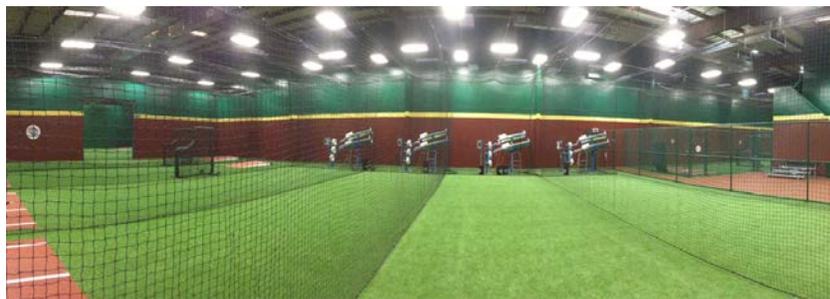
Business/Public: 8:00 AM – 9:00 PM, Daily

\*: The staff recommended hours serve to simplify the maximum range of all activities proposed (irrespective of seasons), and provides a thirty-minute operational buffer on either end for business opening and closing.

Surrounding Uses

North: R&D Zoning (R.C. Parts Supplier, Summerwinds Nursery, ARC Printing)  
South: R&D Zoning (Signature Custom Framing, Scrapgrlz Scrapbooking)  
East: R&D Zoning (Noel Biotechnologies, & M-Cubed Global)  
West: R&D Zoning (Lawrence Furnishings)

Applicant's Proposal: The applicant is requesting approval of a term-limited Conditional Use Permit to allow for the operation of an indoor athletic training facility (d.b.a. Sirius Baseball). The floor plan depicts the business occupying Suites A & B, and notes the remaining portion of the building, Suite C, as unoccupied. The applicant is proposing to install six batting cages and one unenclosed training area, and repurpose existing restrooms, storage, office, and conference rooms for their use (reference **Attachment 5** – Project Plans).



**Figure 1** –Example of an Indoor Baseball Training Facility

With the exception of minor accessibility improvements (flat work), and a requirement to provide two loading/unloading spaces as a condition of approval, no exterior changes are proposed to the building or site in association with this application.

**ANALYSIS**

Zoning District: The property is located within the Controlled Manufacturing (C-M) Zoning District. Within the C-M Zoning District, the subject use is technically defined as an athletic "health and fitness center" which is allowed within the C-M Zoning District with the approval of a Conditional Use Permit (CMC Section 21.46).

Fitness centers locating in an industrial area are further subject to the Special Use provisions for Health & Fitness Facilities (CMC Section 21.36.095). In addition to standard requirements (such as establishing adequate parking), these provisions place a 5 year limit on approvals from the date of approval, require the provision of acceptable drop-off and pick-up locations, and restrict similar uses (as well as public assembly) from being located within 300 feet of each other unless the Planning Commission grants a special exception. Discussions of these operational restrictions have been provided under the sections pertaining to Operations, Circulation, & Overconcentration as applicable.

General Plan: The General Plan land use designation for the project site is *Research and Development*. This land use designation accommodates campus-like environments for corporate headquarters, research and development facilities, and offices. Allowance of a baseball training facility (athletic development facility) may be found consistent with the purpose of this land use designation. The General Plan Land Use Element provides several policies and strategies

pertaining to land use compatibility and site design, which may be taken into consideration by the Planning Commission in review of this request:

- Policy LUT-5.1: Neighborhood Integrity: Recognize that the City is composed of residential, industrial and commercial neighborhoods, each with its own individual character; and allow change consistent with reinforcing positive neighborhood values, while protecting the integrity of the city's neighborhoods.
- Policy LUT-5.4: Industrial Neighborhoods: Safeguard industry's ability to operate effectively, by limiting the establishment of incompatible uses in industrial neighborhoods and encouraging compatible uses.
- Policy LUT-5.5: Industrial Diversity: Promote a variety of industrial use opportunities that maintain diversified services and a diversified economic base.
- Strategy LUT-5.5a: Services in Industrial Areas: Encourage convenient retail and commercial services (restaurants and hotels) in industrial areas to support businesses, their customers and their employees.
- Policy LUT-5.5b: Incubator Businesses: Maintain industrial space for small start-up and incubator businesses.
- Policy LUT-13.1: Variety of Uses: Attract and maintain a variety of uses that create an economic balance within the City while maintaining a balance with other community land use needs, such as housing and open space, and while providing high quality services to the community.

Operations: The applicant intends to operate a term-limited (5-year) baseball training facility for the purpose of teaching students (predominantly children and young adults) how to maximize their baseball potential. The facility would provide hitting and pitching lessons, which typically range from thirty-minutes to one-hour in duration. The applicant's written statement (reference **Attachment 4**) indicates that roughly ninety-percent of operations would be scheduled appointments with the remainder of customers resulting from walk-in traffic.

At peak operations the applicant estimates that there would be a maximum of twenty (20) students and ten (10) staff, with day to day operations running closer to twelve (12) customers and five (5) staff. While the operational and business hours proposed by the applicant reflect seasonal deviations, the hours proposed by staff serve to capture the hours requested in a more simplified and flexible format, by allowing operational/staff hours from 7:30 AM to 9:30 PM (Daily), with normal business/public hours occurring between the hours of 8:00 AM to 9:00 PM (Daily).

Circulation: During the review process, staff examined pedestrian, bicycle, and vehicle safety issues related to the center. To comply with the special use provisions for Health and Fitness Facilities (CMC Section 21.36.095) the facility would be required to provide acceptable drop-off and pick-up locations for the proposed use. As conditioned, the facility will be required to identify two parking spaces, directly in front of the proposed tenant space, with 10 minute parking signs for the purpose of passenger l and unloading.

Parking: For this application, the parking requirement for a "baseball training facility" is based on a combination of two standards: 1) the number of batting cages, and 2) the gross floor area used for ancillary uses. In consideration of the applicant's proposal, and anticipating future

office/warehouse occupancy of Suite C, the number of required parking spaces for the building is as follows:

Parking Summary					
Space(s)	Tenant/Classification	Classification	Batting Cages/ Building Area	Parking Required per Table 3-1	
Suites A & B	Sirious Baseball (proposed tenant)	Baseball Training Facility	6 batting cages	6 batting cages	12.0
			8,186 sq. ft.	1/300 SF	27.0
Suite C	N/A - Vacant	Warehouse	3,415 sq. ft.	1/400 SF	8.5
		Office	2,172 sq. ft.	1/200 SF	9.6
				<b>Total Parking Required</b>	57*
				Total Parking Provided (shared)	63
				Deficit/Surplus	+6

\*: After rounding down in accordance with CMC 21.28.040.F. (Rounding of Quantities).

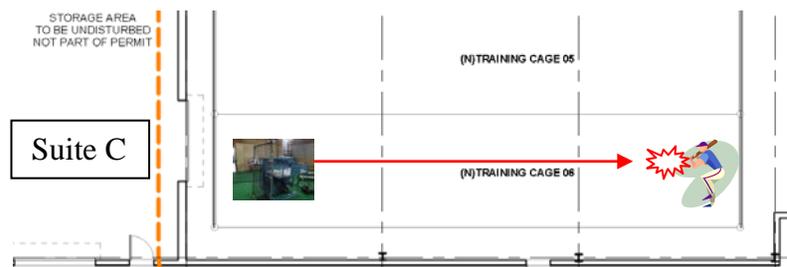
As illustrated by the preceding table, a surplus of six (6) parking spaces would result from the proposed use. Therefore, no parking impacts are anticipated to occur.

**Signage:** Signage is not part of this application review. A separate sign permit shall be required for review and approval.

**Noise:** Although the Municipal Code does not provide a numeric standard for noise, a finding of approval requires that the use not create a nuisance “due to litter, noise, traffic, vandalism, or other factors” nor “significantly disturb the peace and enjoyment of the nearby residential neighborhood” (CMC Section 21.46.070).

In that the proposed baseball training facility is located over one thousand feet away from the nearest residential area, the operation of the business would not result in disturbances to a “nearby residential neighborhood”. Furthermore, noise impacts to Suite C (presently vacant) which could result from balls hitting walls, bats striking balls, or from the operation of the facility’s pitching machines, would be mitigated in the following ways:

- The applicant would install fabric nets throughout the interior of the cages to deaden balls before they impact walls.
- The applicant would place batters on the far side of the batting cage, away from Suite C.
- The applicant would use “[Iron Mike Pitching Machines](#)” which would be separated by a solid wall (with the exception of one bay door located at the end of training cage 6) and would be placed in locations abutting storage/warehouse areas of the adjoining tenant space.



Figures 2 & 3 – Example of an Iron Mike Pitching Machine & Enhanced floor plan detail

In addition to requiring these sound attenuation measures as part of the permit, standard conditions of approval have also been included which limit the use of music and loudspeakers (only indoors and at low levels), and specifying that the permit may be brought back to the Planning Commission should the use generate three verifiable complaints within a six (6) month period.

Overconcentration: Fitness facilities are restricted from locating within 300-feet of a similar use (including public assembly uses) in an industrial area unless the Planning Commission grants a special exception. As part of the project review, staff researched permits issued near the project site, concluding that no such conflicts would occur<sup>1</sup> (the closest permitted facility is located at 1610 Dell Avenue - d.b.a. SJ Bodyfit Bootcamp).



**Figure 4 – 300-Foot Radius Map**

Neighborhood Impacts: The proposed use is not anticipated to result in adverse neighborhood impacts. The proposed athletic fitness facility shall be conducted entirely inside an enclosed tenant space, with adequate measures to mitigate potential sound impacts, and with more than adequate parking provided onsite.

Attachments:

1. Findings for Approval of File No. PLN2016-24
2. Conditions of Approval for File No. PLN2016-24
3. Location Map
4. Applicant's Written Statement
5. Project Plans

Prepared by:

  
\_\_\_\_\_  
Stephen Rose, Associate Planner

Approved by:

  
\_\_\_\_\_  
Paul Kermoyan, Community Development Director

<sup>1</sup> One unpermitted facility, subject to code enforcement, occurs at 1600 Dell Avenue, Suite C.

**FINDINGS FOR APPROVAL OF FILE NO. PLN2016-24**

SITE ADDRESS: 1520 Dell Avenue, Suites A & B  
APPLICANT: Anthony Siri  
OWNER: WTA Dell LLC  
P.C. MEETING: March 22, 2016

Findings for approval of a Conditional Use Permit (PLN2016-24) allowing the establishment of an indoor athletic fitness facility (d.b.a. Sirius Baseball) within an existing commercial building located at **1520 Dell Avenue, Suites A & B** in the C-M (Controlled Manufacturing) Zoning District.

The Planning Commission finds as follows with regard to file number PLN2016-24:

1. The project site is zoned C-M (Controlled Manufacturing) and designated *Research and Development* by the General Plan.
2. The project site is located on the east side of Dell Avenue, between Vandell Way and Division Street.
3. The proposed project is an application for a Conditional Use Permit to allow the establishment of an indoor athletic fitness facility (d.b.a. Sirius Baseball).
4. The proposed indoor athletic fitness facility is technically defined as a "health and fitness facility" which is allowed within the C-M Zoning District with the approval of a Conditional Use Permit.
5. The proposal does not result in any additional floor area or exterior changes to the existing buildings.
6. The proposal does not result in the removal of any onsite trees or landscaping.
7. As conditioned, the hours of operation would be limited to 7:30 AM to 9:30 PM, Daily.
8. As conditioned, the business/public (class) hours would be limited to 8:00 AM – 9:00 PM, Daily.
9. As conditioned, the project's operational standards will serve attenuate sound from the batting cages, pitching machines, to acceptable levels.
10. The proposed project is not located within 300-feet of another health and fitness center/studio or public assembly use and therefore does not result in an overconcentration of similar uses.
11. Policies found within the Campbell General Plan articulate a desire to promote and allow change consistent with reinforcing positive neighborhood values and protecting the integrity of the city's neighborhood, and attracting and maintaining a variety of uses that create an economic balance within the city while providing high quality services to the community, and protecting industrial neighborhoods by limiting the establishment of incompatible uses,

encouraging convenient retail and commercial services in industrial areas, and maintaining space for small start-up and incubator businesses.

Based upon the foregoing findings of fact, the Planning Commission further finds and concludes that:

1. The proposed use is allowed within the applicable zoning district with Conditional Use Permit approval, and complies with all other applicable provisions of this Zoning Code and the Campbell Municipal Code;
2. The proposed use is consistent with the General Plan;
3. The proposed site is adequate in terms of size and shape to accommodate the fences and walls, landscaping, parking and loading facilities, yards, and other development features required in order to integrate the use with uses in the surrounding area;
4. The proposed site is adequately served by streets (Dell Avenue) of sufficient capacity to carry the kind and quantity of traffic the use would be expected to generate;
5. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses on-site and in the vicinity of the subject property;
6. The establishment, maintenance, or operation of the proposed use at the location proposed will not be detrimental to the comfort, health, morals, peace, safety, or general welfare of persons residing or working in the neighborhood of the proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the
7. The project is Categorical Exempt under Section 15301, Class 1 of the California Environmental Quality Act (CEQA), pertaining to the operation and leasing of an existing private structure.

**CONDITIONS OF APPROVAL FOR FILE NO. PLN2016-24**

SITE ADDRESS: 1520 Dell Avenue, Suites A & B  
APPLICANT: Anthony Siri  
OWNER: WTA Dell LLC  
P.C. MEETING: March 22, 2016

The applicant is hereby notified, as part of this application, that he/she is required to meet the following conditions in accordance with the ordinances of the City of Campbell and the State of California. Where approval by the Community Development Director, City Engineer, Public Works Director, City Attorney, or Fire Department is required, that review shall be for compliance with all applicable Conditions of Approval, adopted policies and guidelines, ordinances, laws and regulations, and accepted engineering practices for the item under review. Additionally, the applicant is hereby notified that he/she is required to comply with all applicable Codes or Ordinances of the City of Campbell and the State of California that pertain to this development and are not herein specified:

**COMMUNITY DEVELOPMENT DEPARTMENT**

**Planning Division**

1. Approved Project: Approval is granted for a Conditional Use Permit (PLN2016-24) to allow the establishment of an indoor athletic fitness facility (d.b.a. Sirius Baseball) within an existing commercial building located at **1520 Dell Avenue, Suites A & B**. The project shall substantially conform to the Project Plans and Written Statement stamped as received by the Planning Division on February 20, 2016, except as may be modified by the Conditions of Approval contained herein.
2. Limited Term Permit: The Conditional Use Permit approved herein shall be valid for a period of five (5) years from the effective date of the resolution (April 1, 2021) adopted by the Planning Commission. The Conditional Use Permit shall be void and the use abandoned at such time unless an Extension of Approval is granted by the appropriate decision-making body.
3. Permit Approval Expiration: The Conditional Use Permit approval shall be valid for one year from the effective date of the resolution. Within this one year period all conditions of approval shall be fulfilled and the use established. Failure to meet this deadline will result in the Conditional Use Permit being void. Abandonment, discontinuation, or ceasing of operations for a continuous period of twelve months shall void the Conditional Use Permit approved herein.
4. Revocation of Permit: Operation of an indoor athletic fitness facility pursuant to the Conditional Use Permit approved herein is subject to Chapter 21.46 of the Campbell Municipal Code authorizing the appropriate decision making body to modify or revoke an Conditional Use Permit if it is determined that its operation has become a nuisance to the City's public health, safety or welfare or for violation of the Conditional Use Permit or any standards, codes, or ordinances of the City of Campbell. At the discretion of the Community Development Director, if the establishment generates three (3) verifiable complaints related

to violations of conditions of approval and/or related to its operation within a six (6) month period, a public hearing may be scheduled to consider modifying conditions of approval or revoking the Conditional Use Permit. The Community Development Director may commence proceedings for the revocation or modification of permits upon the occurrence of less than three (3) complaints if the Community Development Director determines that the alleged violation warrants such an action. In exercising this authority, the decision making body may consider the following factors, among others:

- a. The number and types of noise complaints at or near the establishment that are reasonably determined to be a direct result of patrons actions or facility equipment;
  - b. The number of parking complaints received from residents, business owners and other citizens concerning the operation of an establishment; and
  - c. Violation of conditions of approval.
5. Operational Standards: Consistent with the submitted Written Description and City standards, any indoor athletic fitness facility operating pursuant to the Conditional Use Permit approved herein shall conform to the following operational standards. Significant deviations from these standards (as determined by the Community Development Director) shall require approval of a Modification to the Conditional Use Permit.
- a. **Maximum Occupancy**: A maximum of ten (10) staff and twenty (20) participants shall be permitted on the premises at any time, which is further subject to the maximum occupancy capacities of certain rooms as determined by the California Building Code (CBC). It is the responsibility of the business owner to provide adequate entrance controls to ensure that participant occupancy is not exceeded. Maximum Occupancy signs shall be posted conspicuously within the premises.
  - b. **Loading/Unloading Zone**: Two (2) parking spaces, located directly in front of the proposed tenant space, shall be identified with 10 minute parking signs (mounted to a metal post) for the purpose of passenger loading and unloading. Upon cessation of the use, the 10 minute parking signs shall be required to be removed.
  - c. **Hours of Operation**: Hours of operation shall be as follows. By the end of 'Business/Public Hours' all patrons shall have exited the premises. By the end of the 'Operational Hours' all employees shall be off the premises.
 

Operational/Staff:	7:30 AM – 9:30 AM, Daily
Business/Public:	8:00 AM – 9:00 PM, Daily

These hours are restricted in perpetuity.
  - d. **Netting**: The applicant shall be required to install netting around the interior of all areas where baseballs are in play. Sufficient separation shall be provided to ensure that balls are deadened before hitting a solid surface such as a wall or fence.

- e. **Pitching Machines:** The applicant shall be permitted to install “Iron Mike Pitching Machines” or similar ball pitching equipment as determined by the Community Development Director. The facility shall be limited to six (6) pitching machines, and installed consistent with the intent of minimizing potential noise, vibration, and associated impacts to adjoining uses.
  - f. **Batting Locations:** Batters shall hit from the northwest side of the batting cage with the intent of minimizing noise impacts to the abutting tenant space. .
  - g. **Parking Management:** In the event that a verifiable complaint is received by the City regarding parking, the Community Development Director may reduce the permitted occupancy, limit the hours of operation, require greater staggering of classes, require additional parking management strategies and/or forward the project to the Planning Commission for review.
  - h. **Smoking:** "No Smoking" signs shall be posted on the premises in compliance with CMC 6.11.060.
  - i. **Noise:** Outdoor speakers are prohibited. Unreasonable levels of noise, sounds and/or voices, including but not limited to indoor amplified sounds, indoor loud speakers, sounds from indoor audio sound systems or music, and/or indoor public address system or fitness equipment, generated or used by the establishment or its participants shall not be audible to a person of normal hearing capacity from outside the enclosed tenant space.  

In the event that a verifiable complaint is received by the City regarding noise, the Community Development Director may reduce the permitted occupancy, limit the hours of operation, limit the permissible decibels, require the installation of a solid wall where a bay door occurs between Suites B & C, and/or forward the project to the Planning Commission for review.
  - j. **Loitering:** There shall be no loitering allowed outside the business. The business owner is responsible for monitoring the premises to prevent loitering.
  - k. **Trash Disposal and Clean-Up:** All trash disposal, normal clean-up, carpet cleaning, window cleaning, sidewalk sweeping, etc. shall occur during the "operational hours."
  - l. **Business License:** The business shall be required to obtain and maintain a City business license at all times.
6. **Windows & Doors:** At no time shall an obscure wall or barrier (i.e. drapery, window tinting, blinds, furniture, inventory, shelving units, storage of any kind or similar) be installed along, behind or attached to windows or doorways that blocks visual access to the tenant space or blocks natural light.
7. **Property Maintenance:** The owner/operator of the subject property shall maintain all exterior areas of the business free from graffiti, trash, rubbish, posters and stickers placed on the property. Exterior areas of the business shall include not only the parking lot and private

landscape areas, but also include the public right-of-way adjacent to the business. Trash receptacles shall be maintained within their approved enclosures at all times.

8. Landscape Maintenance: All landscaped areas shall be continuously maintained in accordance with City Landscaping Requirements (CMC 21.26). Landscaped areas shall be watered on a regular basis so as to maintain healthy plants. Landscaped areas shall be kept free of weeds, trash, and litter. Dead or unhealthy plants shall be replaced with healthy plants of the same or similar type.
9. Signage: No signage is approved as part of the development application approved herein. New signage shall not be installed prior to approval of a sign permit. All signage shall be installed and maintained pursuant to a Master Sign Program. No window signs or advertisement posters or placards, shall be permitted unless specifically allowed by the Master Sign Program.
10. Location of Mechanical Equipment: No roof-mounted mechanical equipment (i.e. air conditioning units, ventilation ducts or vents), shall be added to the existing building without providing screening of the mechanical equipment from public view and surrounding properties. The screening material and method shall be architecturally compatible with the building and requires review and approval by the Community Development Director and Building Division prior to installation of such screening.
11. Outdoor Storage: No outdoor storage is permitted on the subject property. No equipment, materials or business vehicles shall be parked and/or stored outside the building or within the parking lot.
12. Parking and Driveways: All parking and driveway areas shall be maintained in compliance with the standards in Chapter 21.28 (Parking & Loading) of the Campbell Municipal Code. Parking spaces shall be free of debris or other obstructions.

## **BUILDING DIVISION**

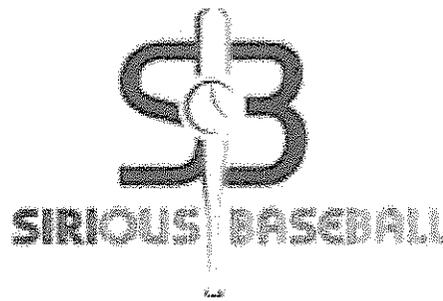
13. Permits Required: A building permit application shall be required for the proposed Tenant Improvements to the (e) vacant commercial space. The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit.
14. Construction Plans: The conditions of Approval shall be stated in full on the cover sheet of construction plans submitted for building permit.
15. Size Of Plans: The minimum size of construction plans submitted for building permits shall be 24 in. X 36 in.
16. Plan Preparation: This project requires plans prepared under the direction and oversight of a California licensed Engineer or Architect. Plans submitted for building permits shall be “wet stamped” and signed by the qualifying professional person.

17. Site Plan: Application for building permit shall include a competent site plan that identifies property and proposed structures with dimensions and elevations as appropriate. Site plan shall also include site drainage details. Site address and parcel numbers shall also be clearly called out. Site parking and path of travel to public sidewalks shall be detailed.
18. Title 24 Energy Compliance: California Title 24 Energy Standards Compliance forms shall be blue-lined on the construction plans. Compliance with the Standards shall be demonstrated for conditioning of the building envelope and lighting of the building.
19. Special Inspections: When a special inspection is required by C.B.C. Chapter 17, the architect or engineer of record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the building permits, in accordance with C.B.C Chapter 1, Section 106. Please obtain City of Campbell, Special Inspection forms from the Building Inspection Division Counter.
20. Non-Point Source Pollution: The City of Campbell, standard Santa Clara Valley Non-point Source Pollution Control Program specification sheet shall be part of plan submittal. The specification sheet (size 24" X 36") is available at the Building Division service counter.
21. Title 24 Accessibility – Commercial: On site general path of travel shall comply with the latest California Title 24 Accessibility Standards. Work shall include but not be limited to accessibility to building entrances from parking facilities and public sidewalks.
22. Approvals Required: The project requires the following agency approval prior to issuance of the building permit:
  - a. West Valley Sanitation District
  - b. Santa Clara County Fire Department
23. P.G.& E.: Applicant is advised to contact Pacific Gas and Electric Company as early as possible in the approval process. Service installations, changes and/or relocations may require substantial scheduling time and can cause significant delays in the approval process. Applicant should also consult with P.G. and E. concerning utility easements, distribution pole locations and required conductor clearances.
24. Storm Water Requirements: Storm water run-off from impervious surface created by this permitted project shall be directed to vegetated areas on the project parcel. Storm water shall not drain onto neighboring parcels.

## **FIRE DEPARTMENT**

25. Formal Plan Review: Review of this development proposal is limited to accessibility of site access and water supply as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work the applicant shall make application to, and receive from, the Building Division all applicable construction permits.





## Sirious Baseball

Sirious Baseball is a training facility geared to kids and young adults who want to maximize their baseball potential through one on one training sessions. Sirious Baseball is devoted to youth baseball in the south bay. Sirious Baseball is a proud sponsor of several Little Leagues in the area. We train kids from Cambrian Park LL, Los Gatos LL, Saratoga LL, Campbell LL and Quito LL just to name a few. Sirious Baseball has become a fixture in these communities as brand of Baseball that kids and parents are and have been embracing for years.

The building use is for hitting and pitching lessons and will be 90% scheduled appointments with very little walk-ups. Sirious Baseball will have four coin-operated cages with pitching machines, two pitching cages as well as a training area. Due to the fact we are scheduled appointments, we can almost predict the parking and will NEVER have a parking issue. Most of our clients don't drive and are dropped off by their parents.

Hours of operation during the summer will be Monday – Friday  
10:00am – 7:00pm

During the Fall, Winter and Spring hours of Operation will be  
Monday – Friday 12:00pm – 8:00pm Saturday 8:00am -  
6:00pm - Sunday 10:00am – 5:00pm

Noise Generation will be very low and being a standalone building will not effect surrounding business / neighbors. We have the best cage builder in California, Mark Avrech, as he built our last facility in Campbell in 2006. Mark has also help build the multi-million dollar facility at Santa Clara University for their baseball team as well as other Colleges in and around Northern California. With the type of netting we use, Poly #36, this will help deaden the noise of the balls that are hit in any of our cages. This is a proven method in all top-notch baseball facilities. We will also have hitting pads around the cages to assist with eliminating noise of batted and thrown balls.

Sirious Baseball will have two full time employees and several contracted instructors. The upstairs portion of the building that includes three offices and a conference room is allocated for our staff to use for meetings and office work. I encourage you to visit our website to learn more about our operation.  
[www.siriousbaseball.com](http://www.siriousbaseball.com)

Sirious Baseball is very excited about the opportunity to become a longtime fixture in the Campbell Community. We eagerly wait and look forward to your response.

Thank you in advance for your time.

Anthony Siri  
Owner  
Sirious Baseball  
408-206-9079









**CITY OF CAMPBELL • PLANNING COMMISSION**  
**Staff Report • March 22, 2016**

**PLN2016-32** Public Hearing to consider the City-initiated Zoning Text Amendment  
**Text** (PLN2016-32) to amend Campbell Municipal Code Sec. 21.18.140  
**Amendment** (Undergrounding of Utilities) to exempt development of single-family residential properties located along local streets from the utility undergrounding requirements.

**STAFF RECOMMENDATION**

That the Planning Commission take the following action:

1. **Adopt a Resolution**, incorporating the attached findings, recommending that the City Council adopt the attached draft ordinance.

**ENVIRONMENTAL DETERMINATION**

An amendment to the Zoning Ordinance is considered a "project" under Section 15378(a)(1) of the California Environmental Quality Act (CEQA) Guidelines, typically subject to environmental review. However, such an action may be exempted from environmental review if the City finds that there is no possibility that it will have a significant effect on the environment (Sec. 15061(b)(3)). Since the proposed text amendment represents a minor adjustment to an existing development standard, it would not result in new activity that would alter the physical environment. Therefore, staff recommends that the project be found categorically exempt.

**DISCUSSION**

Background: During the Council's January Priority Setting Workshop, amending the City's utility undergrounding requirements to exempt single-family residential properties located on local streets was identified as an issue that needed resolution prior to the end of the fiscal year. As a result, the Community Development Department was directed to prepare a Zoning Text Amendment to address this matter.

Current Requirement: On May 7, 2013, the City Council adopted Ordinance No. 2166, approving revisions to the City's undergrounding of utility requirements contained in [Campbell Municipal Code \(CMC\) Sec. 21.18.140](#). The City has two utility underground requirements; one for "service lines" and another for "frontage lines". Service lines extend from a utility pole to a structure providing utility service to a single property, while frontage lines extend from utility pole to utility pole conveying utility services throughout the community.

Removal of overhead service lines, to be replaced with new underground service, is required on *any* property upon construction of a new primary structure (i.e., single-family dwelling, retail building, etc.), major additions and remodels (equal to or exceeding 50% of the structure's existing square-footage), or upon subdivision of a property. Removal of existing frontage lines is required with construction of any non-residential structure (e.g., retail, office, or industrial

building), a multi-family residential development (i.e., condominiums, townhomes, and apartments) with five or more residential units, or a residential/non-residential subdivision creating five or more new parcels.

Since the intent of the frontage line requirement is the eventual elimination of utility poles, its application was limited to only those streets where such a goal is feasible, which is to say arterial or collector streets as defined by the General Plan, Figure LUT 3 – Roadway Classifications Diagram (reference **Attachment 3**). There is no expectation that utility poles located on local streets will ever be removed. However, since the service line requirement applies throughout the City, there is an appearance of inconsistency between the two requirements.

Proposed Change: The proposed zoning text amendment would modify the service line requirement to apply only to properties located along arterial or collector street, aligning it with the frontage line requirement. The revision would primarily affect single-family residential properties which are predominately found on local streets. Although the amendment will not affect the scores of single-family homeowners that have already undergrounded their utilities, any existing project currently under review or in construction will be granted relief from the requirement retroactively.

Additionally, the proposed zoning text amendment will grant City Engineer greater flexibility with regard to the placement of new utility poles associated with development projects, to minimize the need for utility Variances.

## **ANALYSIS**

Pursuant to CMC Sec. 21.60.070, an amendment to the Municipal Code may only be approved if the decision-making body finds that: (1) the proposed amendment is consistent with the goals, policies, and actions of the General Plan; (2) the proposed amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the city; and (3) the proposed amendment is internally consistent with other applicable provisions of the Zoning Code. Staff believes that these findings can be favorably established, as discussed below:

### **1. The proposed amendment is consistent with the goals, policies, and actions of the General Plan;**

The proposed amendment would be consistent with the General Plan by ensuring greater uniformity in application of the City's existing utility underground requirements. The amendment would, therefore, further compliance with Strategy LUT-7.2C:

Strategy LUT-7.2C:

Undergrounding of Utilities: Adopt an ordinance for ensuring that certain utilities, such as electricity (including main overhead lines), cable and communications facilities, are placed underground along the street frontage (boundary lines) and from the street to the new structures (service drops) for new projects, and for substantial remodeling projects.

### **2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the city;**

The proposed amendment would maintain the existing condition of the City's neighborhoods. Moreover, by removing a significant improvement cost, homeowners may be more willing and able to invest in their properties.

**3. The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.**

The proposed amendment does not conflict with any other provision of the Zoning Code.

**NOTIFICATION**

Notice of this public hearing for the proposed Zoning Text Amendment was published in the local newspaper as required by Zoning Code.

Attachments:

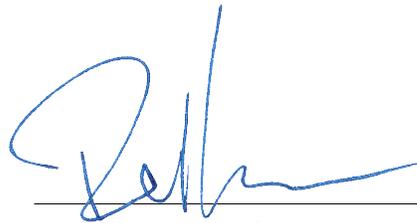
1. Findings for Recommendation
2. Draft City Council Ordinance
3. Figure LUT-3 – Roadway Classification Diagram

Prepared by:



\_\_\_\_\_  
Daniel Fama, Associate Planner

Approved by:



\_\_\_\_\_  
Paul Kermoyan, Community Development Director

**FINDINGS FOR APPROVAL OF FILE NO. PLN2016-32**

APPLICANT: City-Initiated  
P.C. MEETING: March 22, 2016

Findings for recommending City Council adopting an Ordinance to amend Campbell Municipal Code Sec. 21.18.140 (Undergrounding of Utilities) to exempt development of single-family residential properties located along local streets from the utility undergrounding requirements:

The Planning Commission finds as follows with regard to File No. PLN2016-32:

1. The project consists of a Zoning Text Amendment to the Campbell Municipal Code Sec. 21.18.140 (Undergrounding of Utilities) to exempt properties located along "local" streets, as defined by the Figure LUT-3 (Roadway Classifications Diagram), which would principally affect single-family residential properties.
2. The proposed Zoning Text Amendment would be consistent with the General Plan by ensuring greater uniformity in application of the City's existing utility underground requirements, in compliance with Strategy LUT-7.2C:

Strategy LUT-7.2C: Undergrounding of Utilities: Adopt an ordinance for ensuring that certain utilities, such as electricity (including main overhead lines), cable and communications facilities, are placed underground along the street frontage (boundary lines) and from the street to the new structures (service drops) for new projects, and for substantial remodeling projects.

3. The legislature of the State of California has, in Government Code Sections 65302, 65560 and 65800, conferred upon local government units authority to adopt regulations designed to promote the public health, safety and general welfare of its citizenry;
4. Review and adoption of this Text Amendment is done in compliance with California government Code Sections 65853 through 65857, which require a duly noticed public hearing of the Planning Commission whereby the Planning Commission shall provide its written recommendation to the City Council for its consideration.

Based upon the foregoing findings of fact, the Planning Commission further finds and concludes that:

1. The proposed amendment is consistent with the goals, policies, and actions of the General Plan;
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the city; and
3. The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.
4. The Proposed Text Amendment is exempt from review under the California Environmental Quality Act as there is no possibility for the project to have a significant effect on the environment, pursuant to §15061(b)(3).

Ordinance No. \_\_\_\_\_

**BEING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAMPBELL AMENDING CAMPBELL MUNICIPAL CODE SECTION 21.18.140 (UNDERGROUNDING OF UTILITIES) TO EXEMPT DEVELOPMENT OF SINGLE-FAMILY RESIDENTIAL PROPERTIES LOCATED ALONG LOCAL STREETS FROM THE UTILITY UNDERGROUNDING REQUIREMENTS.**

After notification and public hearing, as specified by law and after presentation by the Community Development Director, proponents and opponents, the hearing was closed.

After due consideration of all evidence presented, the City Council of the City of Campbell does ordain as follows:

**SECTION 1:** The City Council finds and determines that the adoption of the proposed Text Amendment qualifies as Exempt from the California Environmental Quality Act (CEQA) under Section 15061.b.3. which states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA review.

**SECTION 2:** Section 21.18.140 (Undergrounding of Utilities) of the Campbell Municipal Code is hereby amended as set forth in attached **Exhibit A**. Additions are indicated by underlined text and deletions are indicated by ~~strikethrough~~ text. Portions of Section 21.18.140 not shown in underlined text or strikethrough type are not changed.

**SECTION 3:** This Ordinance shall become effective thirty (30) days following its passage and adoption and shall be published, one time within fifteen (15) days upon passage and adoption in the Campbell Express, a newspaper of general circulation in the City of Campbell, County of Santa Clara.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016 by the following roll call vote:

- AYES: Councilmembers:
- NOES: Councilmembers:
- ABSENT: Councilmembers:

APPROVED:

\_\_\_\_\_  
Jason T. Baker, Mayor

ATTEST:

\_\_\_\_\_  
Wendy Wood, City Clerk

**21.18.140 - Undergrounding of utilities.**

All development and remodels, shall provide for the undergrounding of existing and proposed utility facilities in compliance with this section, unless expressly exempted.

A. Definitions. As used in this section, the following terms shall have the meaning set forth below. All other terms shall have the same meaning as defined in Chapter 21.72, (Definitions).

1. Addition means construction that expands a structure's existing gross floor area or replaces existing floor area that was demolished.
2. Arterial street means a Class I Arterial or Class II Arterial, as identified by the City of Campbell Roadway Classifications Diagram.
3. Collector street means a commercial/industrial collector or residential collector, as identified by the City of Campbell Roadway Classifications Diagram.
4. Remodel means any rebuilding or structural alteration which changes the supporting members of a structure, such as bearing walls, columns, beams or girders. It shall not include interior tenant improvements or structural alterations solely to meet code.

B. Applicability. The following site improvements require the undergrounding of utility services as set forth below:

1. Service lines. Excluding utility poles, New utilities, and all existing overhead utility lines, ~~excluding utility poles,~~ servicing property located along an arterial or collector street shall be installed underground with:
  - a. Construction of a single-family dwelling;
  - b. Construction of a residential development with two or more dwelling units;
  - c. Construction of a non-residential main structure;
  - d. An addition, remodel, or combination thereof, to an existing non-residential main structure that remodels or expands the structure's existing gross floor area by fifty percent or more in the aggregate over the preceding five-year period;
  - e. An addition to an existing single-family dwelling that within a five-year period adds and/or replaces fifty percent or more to the dwelling's gross floor area. Existing and/or new detached garages, secondary dwelling units, and other fully enclosed accessory structures shall be considered in this section; and
  - f. A residential or non-residential subdivision that is subject to the provisions of Title 20, (Subdivision and Land Development) of the Campbell Municipal Code.

A variance to the requirements of this subsection may be granted in compliance with Chapter 21.48, (Variances).
2. Frontage lines and poles. Existing utility poles and associated overhead utility lines located along an arterial or collector street abutting the frontage(s) of a development

site shall be removed and the utilities replaced underground in association with the site improvements set forth below:

- a. Construction of a non-residential main structure;
- b. Construction of a residential development with five or more dwelling units; and
- c. A residential or non-residential subdivision that is subject to the provisions of Title 20, (Subdivision and Land Development) of the Campbell Municipal Code resulting in five or more parcels, exclusive of parcels created solely to provide access into a development site.

A variance to the ~~number of poles to be removed and/or~~ linear feet of overhead utility lines to be replaced underground may be granted in compliance with Chapter 21.48, (Variances).

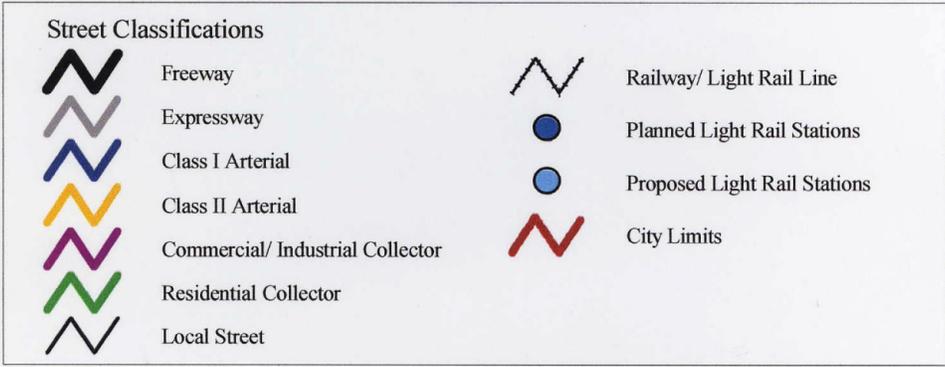
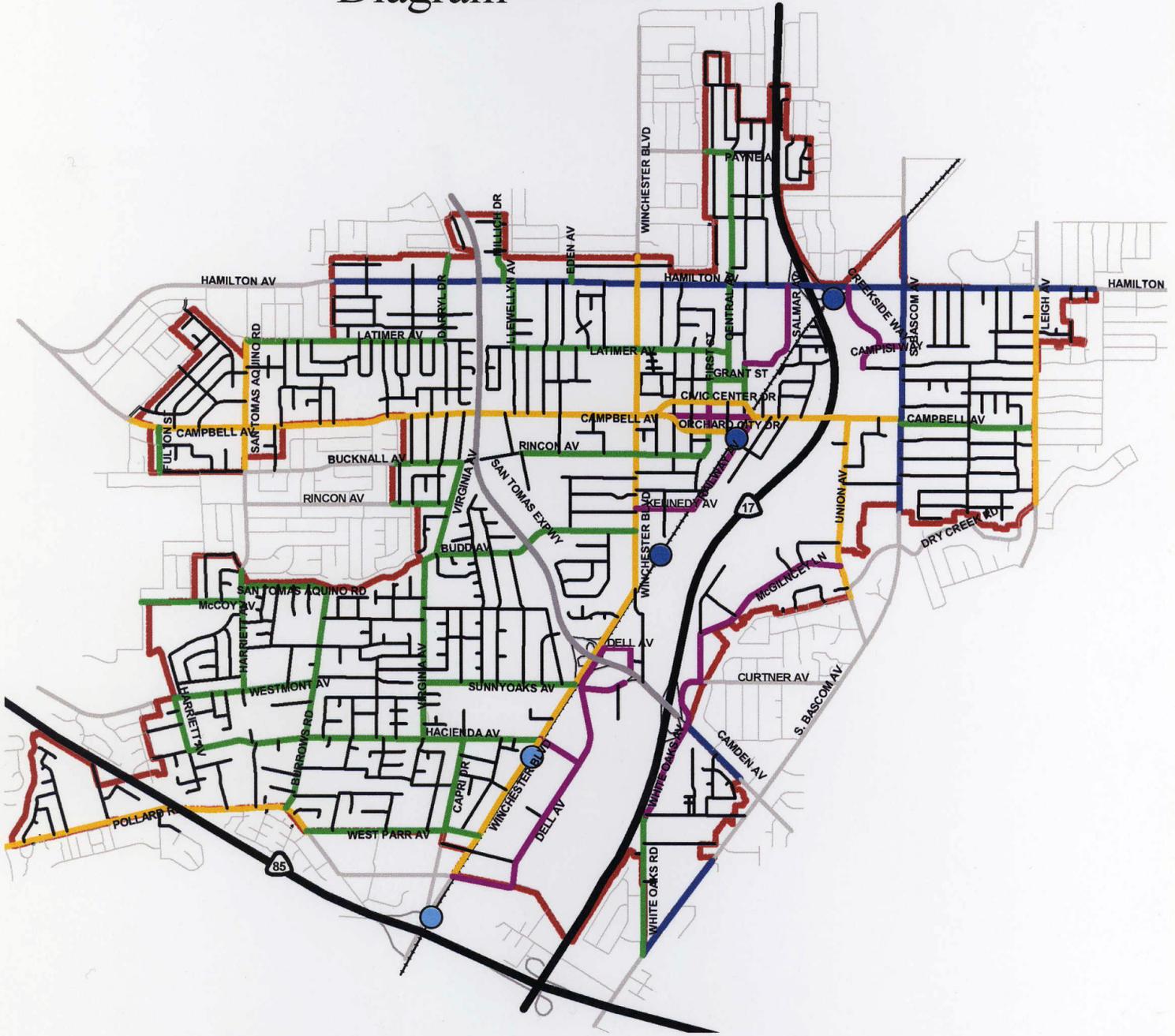
- C. Development requirements. All new and existing electric, telecommunications, and cable television lines to be installed on the site to serve a proposed development shall be installed underground at the time of development except for surface mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts and other similar equipment appurtenant to underground facilities. All utilities shall be taken from the nearest aboveground utility service, ~~and no~~ No new poles or overhead lines shall be allowed, except as determined necessary by the city engineer to accomplish the removal of frontage lines and poles required by subsection B.2, above.
- D. Screening Requirements. Aboveground equipment (e.g., utility control boxes and similar cabinets) shall be screened from view and deterred from graffiti vandalism by using a combination of landscaping and screen walls.
- E. Exemptions. The requirements of this section do not apply to:
1. Existing or proposed major electrical transmission lines;
  2. A service upgrade, modification, or relocation of an existing electrical panel that is unrelated to site improvements that would otherwise require undergrounding of utilities in compliance with this section, and which would not result in an increase in overhead utility line length;
  3. Underground installations that would require substantially crossing the rear yard of an adjacent single-family residential property; and
  4. Underground installations precluded by a topographical, soil, or other environmental condition.
- 4.5. Single family dwellings on property located along a local street.
- Applicability of an exemption shall be determined by the community development director, which may be appealed as an interpretation of this Code in compliance with section 21.02.030 (Procedures for interpretations).

(Ord. 2070 § 1 (Exh. A)(part), 2006: Ord. 2043 § 1 (part), 2004).

(Ord. No. 2166, § 2(Exh. A), 5-7-2013)



# Figure LUT-3 Roadway Classifications Diagram



N  
Scale  
1" = 3,000 ft.

Campbell  
Community  
Development  
Department  
2001



**CITY OF CAMPBELL • PLANNING COMMISSION**  
**Staff Report • March 22, 2016**

**PLN2014-253** Public Hearing to consider the application of Steven Bonner for a Modification  
**PLN2014-254** (PLN2016-18) to a previously-approved Site and Architectural Review Permit  
**Sequoia** (S 98-17 / PLN2015-120) to allow reconsideration of a previous Planning  
**Equities** Commission requirement to incorporate artwork into a storefront window, on  
 property located at **368 E. Campbell Avenue** in the C-3 (Central Business  
 District) Zoning District.

**STAFF RECOMMENDATION**

That the Planning Commission take the following action:

1. **Adopt a Resolution**, incorporating the attached findings, denying a Modification (PLN2016-18) to a previously-approved Site and Architectural Review Permit (S 98-17 / PLN2015-120)

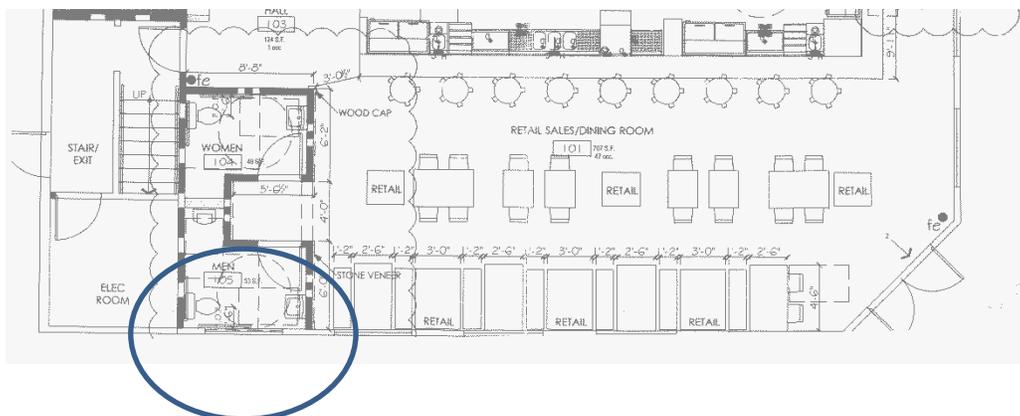
**ENVIRONMENTAL DETERMINATION**

Staff recommends that the Planning Commission find that this request is Statutorily Exempt under Section 15270(a) of the California Environment Quality Act (CEQA), pertaining to projects which a public agency rejects or disapproves.

**DISCUSSION**

Project Site: The project site, located at the southeast corner of East Campbell and Central Avenues, is developed with a two-story building constructed in 2003, known as the "Schrader Building." The building is characterized by a simplified mission revival architectural style, incorporating a smooth off-white stucco exterior, arched storefront windows, a scalloped parapet, and painted wrought-iron detailing. A single ground floor commercial tenant space is currently occupied by the Socialight restaurant, operated by Mr. Steven Bonner, who also has offices on the upper floor of the building.

Background: The City approved a Conditional Use Permit for the Socialight restaurant in June 2014, followed by issuance of a building permit for the interior "tenant improvement" work later that year. During construction in early 2015, a plan revision was approved to allow placement of the men's restroom adjacent to a storefront window:

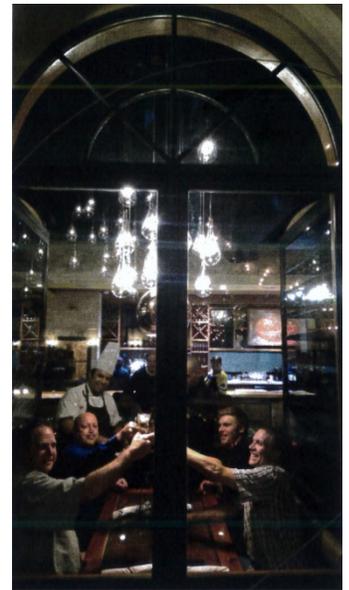


Although this decision reflected certain structural and interior space planning limitations, as conveyed to staff at the time, it resulted in the obstruction of a storefront window from the street. The Community Development Director subsequently determined that this revision was approved in error as it constituted a "major change" to the building's original approval, which could only be granted by the Planning Commission.

The matter was brought forward to the Planning Commission at an April 28, 2015 public hearing for an after-the-fact consideration. The Commission discussed the effect of obscuring the window on the East Campbell Avenue streetscape, ultimately deciding that maintaining the tinting was inconsistent with the Downtown Development Plan and the building's original approval (reference **Attachment 2** – Meeting Minutes). Although the Commission could have denied the modification request entirely—requiring Mr. Bonner to relocate the restroom—the Planning Commission instead allowed the window to remain obscured, under the condition that it be treated with artwork representative of the interior of the restaurant.

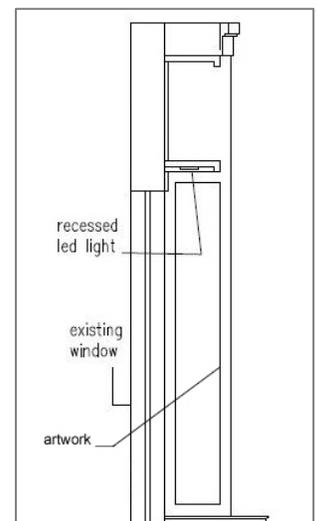
The adopted resolution (reference **Attachment 3** – Resolution No. 4204), included a condition of approval requiring that the artwork be installed on the interior of the window as to better emulate the restaurant's interior. The condition further required Mr. Bonner to consult with an artist and present a proposal to the Community Development Director within 30 days of the Commission's decision. Upon approval by the Community Development Director, installation of the artwork was to be completed within 21 days. To allow timely issuance of a Certificate of Occupancy for the restaurant, this obligation was also to be secured with a \$5,000 cash deposit.

Following the Planning Commission meeting Mr. Bonner entered into a Cash Deposit for Faithful Performance Agreement with the City (reference **Attachment 4**). He subsequently submitted a proposal for a vinyl screen adhered to *exterior* of the window glass depicting a photographic representation of the restaurant (image, right). Although the concept of a photographic wrap was agreeable, the Community Development Director denied the Mr. Bonner's proposal requiring that the screening be applied to the interior of the window.



It was further conveyed that the preferred approach would be to install a false wall behind the window, setback a few inches from the glass, where the artwork would be adhered (example section detail, right). The spacing between the window glass and the artwork would then allow for overhead lighting, creating an appearance akin to a display window, but shallower.

Mr. Bonner has conveyed that installation of any artwork within the interior of the window would be a costly and burdensome endeavor. As a result, he has not submitted a revised proposal consistent with the condition of approval. Since the Community Development Director never approved an artwork proposal and Mr. Bonner never submitted a revised proposal, no progress has been made over the past 11 months. The resulting impasse has caused this matter to return to the Commission for further consideration (at Mr. Bonner's cost).



Applicant's Request: Mr. Bonner is seeking the Planning Commission's reconsideration of the requirement for the artwork (reference **Attachment 5**). In addition to the financial concerns, Mr. Bonner's letter asserts that artist that he has consulted have not expressed interest in performing the work. As such, Mr. Bonner is requesting that the existing window tinting be allowed to remain as it currently exists (image, below):



## ANALYSIS

As was discussed in the April 28, 2015 Planning Commission staff report (reference **Attachment 6**) retention of transparent windows is necessary and appropriate in the Downtown setting. Although staff erred in allowing the relocation of the men's restroom, that mistake need not be compounded by further diminishing the pedestrian experience. Maintaining some element of an "active" window display is supported by CMC Sec. 21.10.060.J.6 (Storefronts), below. Subsections 'c' and 'f' speak to maintaining elements of visual interest, going as far as to specifically discourage heavily tinted or reflective glass.

### 21.10.060.J.6 - Storefronts.

- c. Walls facing pedestrian ways should have elements of visual interest, such as fenestration, displays, signing, or landscaping, unless the effect of such elements would be clearly contrary to the purposes of this chapter. Large areas of blank walls should not be permitted unless it is demonstrated that such blank areas are clearly more appropriate and harmonious than would be the case if elements of visual interest were incorporated.
- f. Doors and windows shall be of clear glass. Unglazed wood doors, screen doors and doors or windows of **heavily tinted or reflective glass** should not be approved unless it is demonstrated that such doors and windows are the only structurally or architecturally suitable form for the particular project or location.

Moreover, this design guidance is further supported by the Downtown Development Plan Strategies D-2.1b and D-2.1e, which also encourage "creative and attractive display windows" while discouraging covered or shaded windows (for offices uses) along the ground floor of East Campbell Avenue.

- Strategy D-2.1b: Creative and attractive display windows shall be encouraged on the ground floor to enliven the pedestrian street environment.
- Strategy D-2.1e: Office uses along Campbell Avenue shall provide elements of visual interest along the street. Covered windows or shaded windows shall not be allowed, particularly on the ground floor.

Consistent with the Commission's previous decision, staff recommends that Mr. Bonner's request be denied and that the window be treated with an artistic or photographic representation of the interior of the restaurant. An interior installation, particularly, with the downward lighting, would result in aesthetically superior design that would be visible in the nighttime and be resistant to defacement. An exterior installation, on the other hand, will likely wear with weather, be victim to vandalism, and would not be visible during the evening.

In terms of the financial considerations, Mr. Bonner had previously contended via email that installation of the artwork on the interior of the window would require extensive interior demolition costing upwards of \$25,000 and closure of the men's restroom for three weeks. The Community Development Director questioned this assertion, noting that the window could be accessed through the metal studs requiring only cutting through the drywall; an understanding was supported by the Building Official (reference **Attachment 7** – Email Chain). To date, Mr. Bonner has not provided any evidence to support the financial burden he contends would result from installation of the artwork on the interior of the window. Although staff does not dispute that the artwork installation will come with some cost, the cost of relocating the bathroom would have been substantially greater.

Attachments:

1. Findings for Denial of File No. PLN2016-18
2. Planning Commission Meeting Minutes, dated April 28, 2015
3. Planning Commission Resolution No. 4204, adopted April 28, 2015
4. Cash Deposit for Faithful Performance Agreement
5. Request Letter
6. Planning Commission Staff Report, dated April 28, 2015
7. Email Correspondence

Prepared by:



Daniel Fama, Associate Planner

Approved by:



Paul Kermoyan, Community Development Director

## **FINDINGS FOR DENIAL OF FILE NO. PLN2016-18**

SITE ADDRESS: 368 E. Campbell Ave.  
APPLICANT: Steven Bonner  
P.C. MEETING: March 22, 2016

### Modification (PLN2016-18) to a previously-approved Site and Architectural Review Permit (S 98-17 / PLN2015-120) to allow reconsideration of a previous Planning Commission requirement

The Planning Commission finds as follows with regard to file number PLN2016-18:

1. The project site is zoned C-3 (Central Business District) and designated *Central Commercial* by the General Plan Land Use Map.
2. The project site is located on the southeast corner of East Campbell Avenue and Central Avenue.
3. On June 17, 2014, the City Council approved a Conditional Use Permit to allow the establishment of a restaurant on the first floor of the subject building.
4. As part of the interior construction for the new restaurant, a street-facing window was allowed to be "blacked-out" with heavy window tinting. This change constituted a "major change," requiring approval of a Modification to the "S 98-17" Site and Architectural Approval pursuant to the Campbell Municipal Code Sec. 21.56.060.
5. On April 28, 2015, the Planning Commission approved a Modification (PLN2015-120) to a previously approved Site and Architectural Review Permit (S 98-17) to allow obstruction of a window subject to the window being treated with artwork representative of the interior of the restaurant. The Planning Commission determined that allowing the window to be obscured with heavy tinting was inconsistent with the S 98-17 and the Downtown Development Plan.
6. Requiring the window to be treated with artwork is consistent with the Downtown Development Plan:
  - Strategy D-2.1b: Creative and attractive display windows shall be encouraged on the ground floor to enliven the pedestrian street environment.
  - Strategy D-2.1e: Office uses along Campbell Avenue shall provide elements of visual interest along the street. Covered windows or shaded windows shall not be allowed, particularly on the ground floor.
7. Prohibiting the heavy tinting of the building is consistent with CMC Sec. 21.10.006.J.6, subsections 'c,' and 'b,' below:
  - c. Walls facing pedestrian ways should have elements of visual interest, such as fenestration, displays, signing, or landscaping, unless the effect of such elements would be clearly contrary to the purposes of this chapter. Large areas of blank walls should not be permitted unless it is demonstrated that such blank areas are clearly more appropriate and harmonious than would be the case if elements of visual interest were incorporated.
  - f. Doors and windows shall be of clear glass. Unglazed wood doors, screen doors and doors or windows of heavily **tinted or reflective glass** should not be approved unless it is demonstrated that such doors and windows are the only structurally or architecturally suitable form for the particular project or location.

Based upon the foregoing findings of fact, the Planning Commission further finds and concludes that:

1. The project will is not consistent with the general plan;
2. The project will not aid in the harmonious development of the immediate area; and
3. The project is not consistent with applicable adopted design guidelines.

CITY OF CAMPBELL PLANNING COMMISSION

MINUTES

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7:30 P.M.

TUESDAY

APRIL 28, 2015  
CITY HALL COUNCIL CHAMBERS

---

The Planning Commission meeting of April 28, 2015, was called to order at 7:30 p.m., in the Council Chambers, 70 North First Street, Campbell, California by Chair Finch and the following proceedings were had, to wit:

**ROLL CALL**

Commissioners Present:	Chair:	Pamela Finch
	Commissioner:	Ron Bonhagen
	Commissioner:	Yvonne Kendall
	Commissioner:	Philip C. Reynolds, Jr.
	Commissioner:	Michael L. Rich
	Commissioner:	Donald C. Young

Commissioners Absent:	Vice Chair:	Cynthia L. Dodd
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Staff Present:	Community Development Director:	Paul Kermoyan
	Planning Manager:	Aki Honda Snelling
	Senior Planner:	Cindy McCormick
	Associate Planner:	Daniel Fama
	Associate Planner:	Stephen Rose
	City Attorney:	William Seligmann
	Recording Secretary:	Corinne Shinn

**APPROVAL OF MINUTES**

**Motion:** Upon motion by Commissioner Kendall, seconded by Commissioner Young, the Planning Commission minutes of the meeting of April 14, 2015, were approved as submitted. (6-0-1; Vice Chair Dodd was absent)

Chair Finch read Agenda Item No. 3 into the record as follows:

3. **PLN2015-120** Public Hearing to consider the application of The Sociallight for a Modification (PLN2015-120) to a previous Site and Architectural Review Permit (S 98-17) to allow changes to the original floor plan including obscuring one exterior storefront window on property located at **368 E. Campbell Avenue** in the C-3 (Central Business District) Zoning District. Staff is recommending that this project be deemed Categorical Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Aki Honda Snelling, Planning Manager*

Ms. Aki Honda Snelling, Planning Manager, presented the staff report.

Commissioner Kendall asked what is located behind this window. Is it possible to walk back there?

Planning Manager Aki Honda Snelling said that it is not possible to walk behind this obscured window. The wall is part of the men's restroom.

Director Paul Kermoyan:

- Stated that staff does not have the authority to make a change of this significance in a project that had previously been approved by the Planning Commission. It was an inadvertent error.
- Said that the options include leaving as it is or have the applicant take out the restroom.
- Suggested that one option would be to paint the glazing so that it looks like the inside of the restaurant.
- Added that he doesn't suggest removal of the window for replacement with a wood-painted mural.

Commissioner Kendall suggested having the painted window depict the same window treatments that will be visible from the other real windows.

Director Paul Kermoyan said another option might be to paint the scene on the wall inside and return the glazing to clear.

Commissioner Young said that he thinks the window belongs there.

Commissioner Rich said that there will be outside seating placed in front of that false window partially blocking it.

Planning Manager Aki Honda Snelling agreed that there will be two-seat tables placed along this building frontage.

Chair Finch asked if it is true that the sheer wall is impenetrable. Is it just a cost issue or is it simply not possible?

Planning Manager Aki Honda Snelling said that the applicant explained that the site floor layout needed to be revised because of inability to cut into the sheer wall. The Building Official concurred with that assessment.

Director Paul Kermoyan said that while it may be possible to require the relocation of the men's restroom but to do so would result in fragmenting the interior space and cut away from its functionality.

Chair Finch said it seems the sheer wall can be cut into and has been.

Chair Finch opened the Public Hearing for Agenda Item No. 3.

Kirk Heinrichs, Resident on Lovell:

- Said that he likes the discussion that is going on.
- Stated that the demand for space in Campbell is going up, especially for restaurants.

- Said that the concern about floor plans challenges to impact the streetscape frontages.
- Added that this proposal has an adverse impact on the building frontage.
- Stated his hope that the Commission, staff and applicant can work out a solution that gives a better result.
- Reminded that the Downtown wasn't always this successful and he wouldn't want to see chinks in the armor.
- Advised that once a space is converted into a restaurant use, it tends to stay a restaurant use as it is a very expensive process with much investment. It will be a restaurant for a long time.
- Stated that it is not fair to ask this business owner to remove this restroom.
- Reiterated that he would hate to see a blacked out window there.

Commissioner Reynolds asked Kirk Heinrichs if he has a specific recommendation.

Kirk Heinrichs:

- Said that he supports the suggested made by Director Paul Kermoyan and agrees that it provides an opportunity for art in some shape or form.
- Stressed the importance of working together to come up with something appropriate but he has no specific suggestion to offer. Others can give constructive advice.
- Stated that he is confident that staff and the applicant can work it out.

Steve Bonner, Applicant and Business Owner, The Sociallight:

- Said that he relied on the advice of his Architect and a Structural Engineer on the issue of cutting into the sheer wall.
- Added that the Architect didn't know it was a sheer wall. The Structural Engineer said that span of sheer wall cannot be taken down or the building would collapse. As a result that came up with an alternative placement for the restroom. He hired the best and considered every possible option.
- Admitted that it "killed" them all to cover up that window.
- Assured that he is amiable to great ideas and can work with staff.
- Added that he loves murals.
- Opined that they are creating the finest and most classy restaurant to now be found in Downtown Campbell.
- Said that he would take the time to work with muralists as it wants to make it as good as it can be. They will come up with something great.
- Stated he was available for questions.

Commissioner Reynolds reported that he stopped by The Sociallight this afternoon to see the interior and spoke with the applicant at that time.

Commissioner Young asked if they would be opening soon.

Steve Bonner replied yes.

Commissioner Young asked about an interior wall mural.

Steve Bonner said that the Health Department has lots of rules and that might not be possible.

Commissioner Young said that he doesn't want to delay the opening.

Chair Finch closed the Public Hearing for Agenda Item No. 3.

Commissioner Rich:

- Stated that he is not in favor of a mural on Campbell Avenue.
- Added that murals are open up to interpretation on issues such as what will not offend and what is appropriate.
- Said that he is open to other suggestions and is in favor of what is seen here.

Director Paul Kermoyan:

- Said that Mr. Bonner is creating a beautiful interior for his restaurant.
- Suggested that an interior view of the restaurant be painted on the window as if the window is not blacked out. It can be placed either outside on the glazing or on the interior wall. He suggested interior light as well.

Commissioner Rich said that the window frame should be kept intact.

Commissioner Young said that it is something to make this more attractive. It is important to get it resolved as quickly as possible.

Commissioner Reynolds asked if the recommendation is for a continuance.

Commissioner Young said that it makes sense. The owner is willing to take the time to make the best solution.

Commissioner Reynolds:

- Agreed that a continuance would allow ideas to be developed.
- Said that he likes the idea of having the painting on this window reflect what's occurring inside the restaurant.
- Added that perhaps the window could be changed so that it opens in case there are interior changes that would need to be reflected in this painting to match.
- Asked if a continuance is appropriate.

Director Paul Kermoyan:

- Explained that the reason this application was brought forth in a rush was because final occupancy is contingent upon a decision on this detail.
- Added that is why this is now before the Commission.
- Cautioned that a continuance would delay the opening.

City Attorney William Seligmann said that if the Commission specifies what they want to see there they can approve this tonight with a condition of approval calling out what is required.

Commissioner Young asked if a conditioned occupancy is possible.

City Attorney William Seligmann said that he never recommends that. Once occupancy has occurred, it can be more difficult to reach compliance.

Commissioner Rich said that he could approve this as is with the ability to change the obscured window after the Commission is given the opportunity to review the proposed scene to be painted on the obscured window. He asked if it is possible to approve "as is" and have the changes brought back to the Planning Commission.

City Attorney William Seligmann said that is possible

Commissioner Rich said that is the only option that will not delay the opening.

City Attorney William Seligmann suggested that the condition be specific.

Commissioner Rich said that he wants to see exactly what will be reflected in the painting.

Commissioner Kendall said that she dislikes that idea and prefers something more generic and local such as orchard views. Something iconic that can represent a restaurant for a long time.

Commissioner Rich said that he could not decide that today.

Director Paul Kermoyan said the question is, "If the window wasn't blocked out what would you see?" The answer is the inside of the restaurant.

Commissioner Young asked how much space there is between the wall and the obscured window.

Director Paul Kermoyan cautioned that bringing a decision on art to the Planning Commission is possibly a First Amendment conflict. He suggested putting conditions in place to allow the staff and applicant to work together to come up with something appropriate.

Commissioner Bonhagen said he likes the idea of a picture of the inside of the restaurant.

Director Paul Kermoyan said that it perhaps could be returned to clear glass with a board behind it.

Commissioner Rich said he would like to see depicted on the window what is inside. He doesn't specifically know how to accomplish that.

Commissioner Kendall proposed that the picture represent lighted curtains with vague images of people behind them to match the curtains at the other windows.

Commissioner Reynolds said that it could be conditioned that the appearance reflects what's on the inside of the restaurant to the approval of the Community Development Director. That would allow the opening day to go through as planned.

Commissioner Rich said he likes that approach. He asked about the time line and suggested that a reasonable time line be established.

Commissioner Reynolds said he'd like a time line to be imposed and suggested six months for conceptual approval.

Director Paul Kermoyan:

- Recommended imposing a condition of approval requiring a \$5,000 cash bond at time of occupancy with a time incentive to get artwork completed.
- Suggested setting a time line with concept required within 30 days.
- Added that the cash bond would be returned upon completion of the work.

Chair Finch:

- Said she is sorry this came to this point due to an unfortunate staff error.
- Added that she hopes to avoid such errors in the future.
- Said that she agrees this needs to be approved because it was a staff error.
- Stated that she is in favor of a condition of approval requiring a cash bond with an agreement on design developed within 30 days. The bond will be returned upon completion of the artwork.

Commissioner Reynolds said that he took a tour of this restaurant building today and the interior is absolutely gorgeous. The concept of the interior is quite an asset to the City.

Chair Finch suggested that the mural be painted on the back (interior) side of the window so that it won't be damaged.

Director Paul Kermoyan said that the mural would need to be maintained.

**Motion:** Upon motion of Commissioner Reynolds, seconded by Commissioner Bonhagen, the Planning Commission adopted Resolution No. 4204 approving a Modification (PLN2015-120) to a previous Site and Architectural Review Permit (S 98-17) to allow changes to the original floor plan including obscuring one exterior storefront window on property located at 368 E. Campbell Avenue, with the following additions:

- **Modifying condition 4 to require the applicant to provide a surety bond in the amount of \$5,000 with a 30-day deadline to provide conceptual artwork for review and approval by the Community Development Director;**
- **Strike "removal of black obscured glass" from condition 2, and**

- **Require that the artwork design reflects the interior environment of the restaurant, by the following roll call vote:**

**AYES:** Bonhagen, Finch, Kendall, Reynolds, Rich and Young  
**NOES:** None  
**ABSENT:** Dodd  
**ABSTAIN:** None

Chair Finch advised that this action is final unless appealed in writing to the City Clerk within 10 calendar days.

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**REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR**

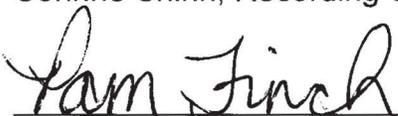
Director Paul Kermoyan added the following update(s) to his written report:

- Clarified Item 1B to advise that the pilot parking permit program would continue for the balance of the six month period and reconsidered further by Council thereafter.

**ADJOURNMENT**

The Planning Commission meeting adjourned at 10:22 p.m. to the next Regular Planning Commission Meeting of **May 12, 2015**.

SUBMITTED BY:   
 Corinne Shinn, Recording Secretary

APPROVED BY:   
 Pam Finch, Chair

ATTEST:   
 Paul Kermoyan, Secretary

**RESOLUTION NO. 4204**

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A MODIFICATION (PLN2015-120) TO A PREVIOUS SITE APPROVAL ("S" 98-17) ALLOWING CHANGES TO THE ORIGINAL FLOOR PLAN RESULTING IN THE INCORPORATION OF ARTWORK ON THE INTERIOR OF THE EASTERNMOST STOREFRONT WINDOW ALONG E. CAMPBELL AVENUE TO BE REVIEWED AND APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR ON PROPERTY LOCATED AT **368 E. CAMPBELL AVENUE**. FILE NO. PLN2015-120.

After notification and public hearing, as specified by law and after presentation by the Community Development Director, proponents and opponents, the hearing was closed.

The Planning Commission finds as follows with regard to file number PLN2015-120:

1. The project site is zoned C-3 (Central Business District) and designated *Central Commercial* by the General Plan Land Use Map.
2. The project site is located on the southeast corner of East Campbell Avenue and Central Avenue.
3. On June 17, 2014, the City Council approved a Conditional Use Permit to allow the establishment of a restaurant on the first floor of the subject building and retention of office uses on the second floor.
4. The proposed modification will allow for the relocation of the restroom to a location for which there are no other alternatives.
5. The modification to the exterior of the building elevation and window does not have an adverse aesthetic impact on the building or the surrounding area.
6. The proposed project requires approval of a Modification to the "S 98-17" Site and Architectural Approval pursuant to the Campbell Municipal Code Sec. 21.56.060 as a "major change".

Based upon the foregoing findings of fact, the Planning Commission further finds and concludes that:

1. The proposed modification, as conditioned, is consistent with the General Plan.
2. The project will aid in the harmonious development of the immediate area.
3. The project is consistent with the applicable adopted design guidelines.
4. The project is Categorically Exempt under Section 15301 Class 1 of the California Environment Quality Act (CEQA), pertaining to minor alterations to an existing private

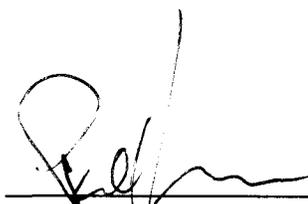
structure, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Modification (PLN2015-120) to a previous Site Approval ("S" 98-17) to allow changes to the original floor plan resulting in the incorporation of artwork on the interior of the easternmost storefront window facing E. Campbell Avenue on property located at **368 E. Campbell Avenue**, subject to the attached Conditions of Approval (attached Exhibit "A").

PASSED AND ADOPTED this 28th day of April, 2015, by the following roll call vote:

AYES:	Commissioners:	Reynolds, Bonhagen, Rich, Kendall, Young, Finch
NOES:	Commissioners:	None
ABSENT:	Commissioners:	Dodd
ABSTAIN:	Commissioners:	None

APPROVED:   
Pamela Finch, Chair

ATTEST:   
Paul Kermoyan, Secretary

**CONDITIONS OF APPROVAL**  
**Modification to a Site Approval (PL2015-120)**

Where approval by the Director of Community Development, City Engineer, Public Works Director, City Attorney or Fire Department is required, that review shall be for compliance with all applicable conditions of approval, adopted policies and guidelines, ordinances, laws and regulations and accepted engineering practices for the item under review. Additionally, the applicant is hereby notified that he/she is required to comply with all applicable Codes or Ordinances of the City of Campbell and the State of California that pertain to this development and are not herein specified.

**COMMUNITY DEVELOPMENT DEPARTMENT**

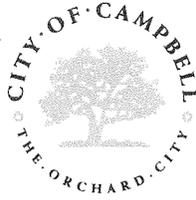
1. Approved Project: Approval is granted for a Modification (PLN2015-120) to a previously- approved Site and Architectural Approval (S 98-17) to allow the relocation of a restroom to the area adjacent to the easternmost storefront arched window, and install artwork to be painted on the inside of the easternmost storefront window along E. Campbell Avenue to conceal the restroom location, on property located at **368 E. Campbell Avenue**. The project shall substantially comply with the approved floor plan of the approved Building Plans per Attachment 5 of the staff report, except as modified by the Conditions of Approval herein.
2. Previous Conditions of Approval: Upon the effective date of the Resolution approving this Modification (PLN2015-120), the previously approved Conditions of Approval under PLN2014-57 provided in City Council Resolution No. 11694 and the previously approved Site and Architectural Approval S 98-17 provided in Planning Commission Resolution No. 3206 shall still remain in effect, except for the modification approved herein.
3. Approval Expiration: The entitlement approval granted by the Modified Site and Architectural Permit Approval shall be valid for one year from the date of final approval (expiring April 28, 2016). Within this one-year period, an application for a building permit must be submitted. Failure to meet this deadline will result in the Site and Architectural Review Permit being rendered void.
4. Window Artwork: The applicant shall submit a drawing prepared by an artist reflecting the inclusion of window painting that simulates the interior of the restaurant as viewed from pedestrians on the sidewalk. The artwork shall be applied to the interior of the window. The artwork shall be painted so that it will not be defaced. When applied to the interior, the artist may consider including window lighting that could be adjusted to achieve consistency with the lighting levels of the interior.

Within 30 days of the Planning Commission's decision, the applicant shall consult with an artist and present a sketch of the art to the Community Development Director. At that time, the Director will either approve or reject the sketch if it does not clearly depict the actual restaurant interior. Any future restaurant at this site will need to alter the artwork to maintain consistency with the interior.

Prior to any Final Occupancy of the business, the applicant shall submit a \$5,000 cash bond to ensure that this condition is satisfied. Upon completion of the artwork, the City shall release the cash bond in its entirety including interest.

Said work shall be completed within 21 days following the Director's approval of the artwork. Staff will then inspect to ensure compliance.

5. Signage: No signage has been approved as part of this development application. New signage shall not be installed prior to approval of a sign permit as required by CMC 21.10.060.K. The allowable sign materials for the project site shall include enameled metal, painted wood, cast metal, painted fabric (awning signage), and similar materials. Plastic signage of any type, whether individual letters or as part of a box (or cabinet), shall not be approved. No signage shall be placed on any of the windows on the building.
  
6. Restroom: The restroom facilities shall be located in the location as shown on the approved floor plan of the approved Building Plans adjacent to the easternmost arched storefront window facing East Campbell Avenue. The restrooms shall not be expanded to further encroach and create visibility impacts on other windows.



**CITY OF CAMPBELL**  
Community Development Department

**CASH DEPOSIT FOR FAITHFUL PERFORMANCE**  
**Planning File No.: PLN2015-120**

Steve Bonner, proprietor of the restaurant known as The Socialight, located on property at 368 E. Campbell Avenue, Campbell, California (herein after "Owner"), is providing to the City of Campbell, a municipal corporation under the laws of the State of California (hereinafter "City"), the sum of **FIVE THOUSAND DOLLARS** (\$5,000.00) as a deposit for the faithful performance of the following obligation:

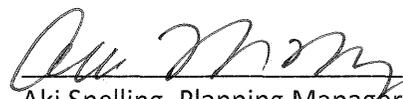
**Obligation:** The installation of window artwork as required by Planning Commission Resolution No. 4204 (Condition of Approval No. 4). In consideration of final clearance of Building Permit No. BLD2014-00654 and grant of occupancy for the restaurant prior to installation of the aforementioned window artwork, the Owner shall present a preliminary sketch of the window artwork to the Community Development Director for his review no later than **May 28, 2015**, and upon approval, cause the artwork to be installed within **twenty-one (21) days** of said approval.

Now, therefore, if Owner shall complete the installation of aforementioned window artwork within the above prescribed time period and if he shall satisfy all claims and demands incurred under this agreement, and shall fully indemnify and save harmless the City from all costs and damages which it may suffer by reason of failure to do so, and shall reimburse and repay the City all outlay and expense which the City may in curing any default, then this obligation shall be deemed satisfied and the full deposit shall be refunded.

If at such time, the City determines that Owner has failed to satisfy the obligation set forth in this agreement, Owner acknowledges and submit to forfeiture of the deposit provided herein. The submitted deposit described within this agreement shall be used to cover all enforcement costs incurred by the City to abate the violation (non-compliance with a Condition of Approval). Should the enforcement costs incurred for the obligation described above exceed the original cash deposit, the City reserves the right to collect additional monies from Owner over and above the original cash deposit or lien the property for any uncollected balance pursuant to Campbell Municipal Code Section 21.70.070 (Code Enforcement Fees).

In witness, the parties have executed this agreement as of **May 8, 2015**.

(City)

  
\_\_\_\_\_  
Aki Snelling, Planning Manager  
For: City of Campbell

(Owner)

  
\_\_\_\_\_  
Steve Bonner  
For: The Socialight



RECEIVED

JAN 21 2016

CITY OF CAMPBELL  
PLANNING DEPT.

January 15, 2016

City of Campbell  
Stephen Rose

Dear Mr. Rose:

This letter is to outline the Sociallight recommendation and to accompany the application. In summary, it was decided upon by the planning commission with some adverse opinion to that decision to paint a mural from the inside on the first window furthest to the East on Campbell Ave.

After interviewing some muralists to perform the task who voiced some valid concerns, it appeared many complications might arise out of this process. Then pictures were taken with views in the day and night and those concerns were validated. Then new data came to light that we believe might change the outcome of the decision made.

In short, the muralist's did not believe it would look good as the windows are all tinted, almost black in parts of the day. From the inside, the mural would not be very visible if left tinted. If removed and made clear it would also not look very good as the building has a flow of reflective tinted windows. Both declined to quote the project as they did not want their name on it. One of them stated that the detail in the picture would not be clear and distinct as the photo we were trying to replicate and probably in the end be asked to be removed.

In looking at the window as shown in the pictures provided in the application, it appears to have a very consistent black reflection in the glass and as it is now, looks very good and preferred by most all polled. Some planning commissioners have mentioned they felt like they may not have had all the data when the decision was made or understood the data, but certainly did not have the new data now and might have a different vote on the window treatment if presented again.

It is our recommendation to ask the Planning Commission to reconsider the initial decision in light of new information and challenges to implementation of the mural and general aesthetic detriment to the building and to continue with the black out of the top arched window to keep the consistent reflection and feel of the restaurant front. With this successfully accomplished, the matter would be finished.

Sincerely,

Steve Bonner  
Managing Member

**ITEM NO. 3**



**CITY OF CAMPBELL • PLANNING COMMISSION**  
**Staff Report • April 28, 2015**

**PLN2015-120** Public Hearing to consider the application of The Sociallight for a Modification  
**Bonner, S.** (PLN2015-120) to a previous Site and Architectural Approval (S 98-17) to allow changes to the original floor plan that would result in obscuring the visibility of one exterior storefront window on property located at **368 E. Campbell Avenue** in the C-3 (Central Business District) Zoning District

**STAFF RECOMMENDATION**

That the Planning Commission take the following action:

1. **Adopt a Resolution**, incorporating the attached findings, approving a Modification (PLN2015-120) to a previously-approved Site and Architectural Approval (S 98-17), subject to the attached Conditions of Approval.

**ENVIRONMENTAL DETERMINATION**

Staff recommends that the Planning Commission find that this project is Categorically Exempt under Section 15301, Class 1, of the California Environmental Quality Act (CEQA) pertaining to minor alterations to an existing private structure, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

**DISCUSSION**

Project Location: The project site is located at 368 E. Campbell Avenue on the southeast corner of East Campbell Avenue and Central Avenue (See **Attachment 3** – Location Map). It is a two-story building constructed in 2003, known as the “Schrader Building,” having commercial on the first floor and office on the second floor. The site was previously occupied by a retail art store, OM Gallery. Surrounding businesses include Pino’s Trattoria restaurant to the west across Central Avenue, office and restaurant uses to the north, and a hair salon to the east.

Background: On November 24, 1998, the Planning Commission granted approval of a Site and Architectural Approval (S 98-17) to construct a 5,523 square foot, two-story retail and office commercial building on the subject property. The architecture of the building was approved with a simplified mission revival style with a stucco exterior, arched storefront windows, and a scalloped parapet to accent the façade at the street corner. It is further articulated by a wrought-iron balcony on the second floor corner of the building and includes decorative stucco cornice treatments and recessed windows.

On June 17, 2014, the City Council approved a Conditional Use Permit (PLN2014-57) for a new restaurant to occupy the site with beer and wine sales, late night activities (with a 12 a.m. public closing), and live entertainment in the building, upon consideration of an appeal filed by the applicant and restaurant owner, Steve Bonner. The Conditional Use Permit was approved with a floor plan showing the location of the restrooms near the kitchen area (See **Attachment 4** for

approved Floor Plan). The appeal occurred as a result of the May 13, 2014 Planning Commission public hearing, during which time the Planning Commission was not able to approve the project with a majority vote.

Following the December 2, 2014, City Council approval, the Building Department issued a building permit allowing tenant improvement construction to convert the former retail space into a restaurant. During construction in early 2015, the applicant approached the Building Official indicating that the floor plans needed to be revised since the restrooms could not be constructed near the kitchen given that the shear (structural) wall could not be compromised. Therefore, the applicant provided revised floor plans showing the relocation of the restrooms to an area adjacent to one of the decorative arched storefront windows facing East Campbell Avenue.

When the applicant provided the revised plans to the Building Official, the applicant explained that there was no other alternative location to accommodate the restrooms without disrupting the interior floor plan. The periphery of the space appeared to be the most logical location, save for the window. The Building Official concurred and asked the project planner to review and approve the revised restroom location while reviewing the plans at the public counter (See **Attachment 5** for Floor Plan approved with the Building Permit). As a result, the restroom was constructed, and the project planner was not aware of the impact the placement of the restrooms would have on the site and architectural approval of the building. Subsequently, the Community Development Director became aware and felt the correct process was not followed. Therefore, this Modification Application is being returned to the Planning Commission for de facto consideration.

The photos below indicate the placement of a black obscure material behind the window facing East Campbell Avenue to conceal the restroom (See photo below). This essentially modified the architecture of the building façade.



Black obscure material behind storefront window to the left

## ANALYSIS

### Site and Architectural Issues

Per the original 1998 Site and Architectural Approval, the elevations indicate five arched storefront windows facing Campbell Avenue and two arched storefront windows along the Central Avenue elevation (See **Attachment 6**), in addition to the arched entryway at the corner. These windows were meant to provide visibility into the retail commercial portion of the first floor of the building. Additionally, one of the original conditions of approval for this project states that “75% of the window space of the windows on the building shall be unobscured from inside or outside to maintain visibility of the premises,” indicating that the intention is to retain storefront visibility through the windows. In certain respects, obscuring the window architecturally affects the prominent storefront.

Further, the Downtown Development Plan encourages the retention of creative and attractive storefront windows to enliven the pedestrian environment. Removing visibility of one of these windows somewhat reduces this ability and alters the original design intent.

As noted earlier, the applicant has completed the restrooms (See photo below), which if revised, would have to be done at considerable expense to the applicant. The applicant’s restaurant tenant improvements are nearly complete and he intends to open the restaurant within a few weeks.



Socialight restroom near storefront window

Although the previously constructed bathroom obscures the transparency of a prominent storefront window, staff has recognized several positive features that remain:

- During the day, the reflection off of the window appears no different than the others; however, at night, the window will be dark and will appear as if the area behind it is not occupied.
- The retention of the window, although obscured, retains the continuity of the window spacing (e.g. rhythm) along this elevations.

- Allowing the bathroom location to remain provides a more functional floor plan “space” to encourage a viable use.

At this point, staff is recommending that the Planning Commission allow the improvements to remain as installed. Staff has reviewed other alternatives, such as removal of this particular window and filling in the archway with a wall and stucco, as has been done to the adjacent archway. Nonetheless, staff believes this would further deteriorate the architectural intent of the building.

Alternative: If the Planning Commission is not able to support the modification, then the applicant will need to relocate the bathroom to open up the window.

Attachments:

1. Findings for Approval of File No. PLN2015-120
2. Conditions of Approval for File No. PLN2015-120
3. Location Map
4. Floor plans approved with the Conditional Use Permit (PLN2014-57)
5. Floor plans approved with restroom revisions on the Building Permit
6. Originally Approved Elevations from S 98-17

Prepared by:

  
Aki Snelling, Planning Manager

Approved by:

  
Paul Kermoyan, Community Development Director

**Daniel Fama**

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**From:** Paul Kermoyan  
**Sent:** Thursday, June 25, 2015 9:33 AM  
**To:** 'Steve Bonner'  
**Cc:** 'James B Little'; 'Ray Diaz'; 'Jeff Hansen'; 'Lee Hernandez'; Daniel Fama; Stephen Rose  
**Subject:** RE: Vinyl Wrap

Hi Steve – Daniel just reminded me that the “window” condition was under a separate application (the one for the building’s original construction) that was considered by the Planning Commission. Although you initiated the window discussion at Tuesday’s Planning Commission meeting, it was not made a part of the Conditional Use Permit that the Commission was considering revocation. In this regard, the City Council will be unable to consider waiving the window requirements since only the Commission’s recommendation on the Conditional Use Permit will be before them. I apologize for this confusion. In this regard, you remain required to implement the requirements to install a photo of the restaurant’s interior within the inside of the window. Please submit your plan ASAP so we can continue to achieve compliance. Thanks.

Paul Kermoyan, AICP, CGBP | Director  
Community Development Department  
[paulk@cityofcampbell.com](mailto:paulk@cityofcampbell.com)  
408.866.2141 | 408.871.5140  
70 N. First Street, Campbell, CA 95008

## Daniel Fama

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**From:** Paul Kermoyan  
**Sent:** Thursday, June 25, 2015 9:10 AM  
**To:** 'Steve Bonner'  
**Cc:** 'James B Little'; 'Ray Diaz'; 'Jeff Hansen'; 'Lee Hernandez'; Daniel Fama; Stephen Rose  
**Subject:** RE: Vinyl Wrap

Hello Steve – I'm following up to confirm that you are making a diligent effort to submit a revised plan to install the interior "picture", "wrap", "photo" or some equivalent expression of the restaurant's interior within the interior of the window. I realize this issue may be undecided in your opinion but it remains a condition of approval. I have scheduled the Planning Commission's Tuesday's recommendation to the **City Council's July 21 meeting**. Although you'll have the opportunity to raise this requirement in anticipation that they will amend or remove it, you are still obligated to continue to demonstrate how you intend to satisfy the condition.

Your characterization of how the requirement will be accomplished is over exaggerated in that the bathroom wall does not need to be torn down. The "wall system" consists of a metal frame with drywall attached to the metal studs. A drywall knife will be able to neatly cut through the dry wall exposing the metal studs and window. The studs do not need to be removed because they are separated 16 inches on center providing easy access to the window. Once exposed, the window film can be removed and the "picture", "wrap", "photo" or some equivalent expression of the restaurant's interior can be installed. Lighting can also be installed while the window is exposed, connecting into the existing electrical located within the bathroom. You will probably need to install a lighting dimmer to achieve the desired light intensity commensurate with the restaurant lighting. Then you can replace the neatly removed drywall, tape it, mud it and then paint it. In no way would this process take three weeks minimum and \$20,000 as you reported at the Planning Commission meeting. The City's Building Official confirmed my understanding of the steps needed to achieve compliance.

Please continue to proceed with a plan to comply with the condition and submit it to my attention for review as soon as possible. My hope is that you will submit a plan that I will be able to approve. Following the approval, I am willing to postpone the actual work until you have the opportunity to address the City Council at the July 21 meeting. Please contact me if you have questions or seek clarification. Thank you in advance.

Paul Kermoyan, AICP, CGBP | Director  
Community Development Department  
[paulk@cityofcampbell.com](mailto:paulk@cityofcampbell.com)  
408.866.2141 | 408.871.5140  
70 N. First Street, Campbell, CA 95008

[City Home](#) | [Planning Division](#) | [Municipal Code](#)

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**From:** Steve Bonner [mailto:Steve@alliedfinancialnetwork.com]  
**Sent:** Monday, June 22, 2015 10:07 PM  
**To:** Aki Snelling; Stephen Rose  
**Cc:** 'James B Little'; 'Ray Diaz'; Jeff Hansen; Lee Hernandez; Paul Kermoyan  
**Subject:** RE: Vinyl Wrap

Aki,

I am not sure why you are addressing the inside installation concern. You have already made that point and that is not what anyone is referring to at this point. I am not addressing the "Exterior" issue you reference below.

I am responding to Paul as to why I am supplying the spec sheets for the wrap per your request. I showed you the pictures, you thought it might be a good idea as well to do a wrap but asked me if I had information of the composition of the vinyl. I provided that just so I am giving you everything you asked for so I would not be considered to be failing in any way.

I am not discussing inside installation with these past emails.

Regarding your email requesting installation information and process for the murals. Here is the process:

- Socialight closes down the men's bathroom for a minimum of 3 weeks.
- Demolition team comes in and tears down the interior wall of the bathroom closest to the window. Very challenging to do as the studs all tie together with the other walls. Further, the ceiling ties together with the wall, all of which can be complicated, challenging and costly.
- Sinks, plumbing removed as it will get ruined in the demolition process.
- Electrician will need to cut and remove electrical.



- Once the wall is safely removed, the window will be cleaned from the black paint already applied.
- Once there is a clean surface, the muralist will need to come in and paint the picture I have provided you to the best of his ability. This will take at least a week at 8 hours a day with no delays.
- Once the mural is completed, the wall will be put back starting with the framers then the electrician, then the drywall, tape and texture subs to deliver level 5 smooth surface (4 days),
- Then the painters will be brought back in to paint and blend but probably will need to paint entire bathroom.
- Then ADA railing reinstalled, etc.

All of this will take a lot of time and money and is also very challenging. The ceramic tile that butts into the demolition wall will quite likely get chipped or broke and then repairs to the tile will need to be done. When the new epoxy floor is damaged, that will need to be repaired.

So that is the process. Lots of subs, lots of time without a bathroom, lots of money and lots of more headache. This is easily a \$25,000 hardship I am being forced into performing that was not my fault or my issue.

Although I am aware you are just following orders, the reflection off the glass will not allow the mural to be seen very well except after dark when painted from the inside. If you look at any of the windows, they all reflect and it is hard to see inside. I truly believe this needs to be revisited by the planning commission as the black is the best solution. The reflection off all the glass in the day is now the same using the black we have done. It is consistent with the other glass and blends in. If you view the windows together in the day, you really see no difference as they all reflect. At night, you do not notice any obscurity or oddness as it is dark. It really blends in very well as you can see in the photo provided by just using the black out.

Regarding the artwork, I have provided pictures for your review depicting a group of people as if you were looking in the restaurant. If there is one you like better, please advise. Otherwise I guess I will just pick one. Please let me know if you have any further questions or any thoughts as to how we might be able to solve this problem more efficiently. If there is anything more you need from me, please let me know.

Please confirm I have given you what you were requesting and assuming no changes to this plan, I guess I will be forced to tear down a bathroom soon.

Please advise.

*Steven Bonner*

OWNER



368 E. CAMPBELL AVE  
CAMPBELL, CA 95008

TEL: (408) 364-1564

DIR: (408) 680-2929

FAX: (408) 680-2935

[www.sociallightCA.com](http://www.sociallightCA.com)

"Open all Day"



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**From:** Aki Snelling [<mailto:akis@cityofcampbell.com>]

**Sent:** Monday, June 22, 2015 3:31 PM

**To:** Steve Bonner; Stephen Rose

**Cc:** James B Little; Ray Diaz; Jeff Hansen; Lee Hernandez; Paul Kermoyan

**Subject:** RE: Vinyl Wrap

Steve,

As I had indicated to you in the below email in response to our meeting on May 27<sup>th</sup> and to your email, I made it very clear that the vinyl could not be installed on the exterior of the window and would have to be installed interior, in accordance with the conditions of approval. I did not convey this information incorrectly to you or to our Director Paul Kermoyan. You had indicated that you would be providing me with the details on how your proposed artwork was to be installed, and with the understanding as I reiterated in the meeting, that the artwork would need to be installed on the interior of the window per the Planning Commission's conditions of approval. The reason for the email below was to remind you that the City

had not yet received any details from you on the installation of the vinyl wrap as a result of our meeting.

Thanks,

Aki

**From:** Aki Snelling  
**Sent:** Wednesday, June 17, 2015 11:40 AM  
**To:** 'Steve Bonner'  
**Cc:** Paul Kermoyan; Stephen Rose; Charlotte Andreen  
**Subject:** RE: The Socialight case number IWQ2015-1200

Hi Steve,

Greetings. I wanted to follow up with you regarding our May 27<sup>th</sup> meeting, at which time we also discussed your proposed artwork as the photo vinyl window wrap on the window. As I mentioned to you, the condition of approval for the approval of the artwork explicitly states that the artwork shall be applied to the interior of the window, and should include window lighting that could be adjusted to achieve consistency with the lighting levels of the interior. You had indicated that you would be providing me with the details of the installation of the artwork; however, to date, I have not received this information. Please do let me know at your soonest within the next week, by Thursday, June 25, 2015, how this artwork will be installed to meet Condition No. 4 of Planning Commission Resolution No. 4204 for the approval of the artwork.

Thanks,

Aki

Aki Honda Snelling, AICP  
Planning Manager  
Community Development Department  
City of Campbell  
70 N. First Street  
Campbell, CA 95008  
(408) 866-2732  
[akis@cityofcampbell.com](mailto:akis@cityofcampbell.com)

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**From:** Paul Kermoyan  
**Sent:** Monday, June 22, 2015 1:46 PM  
**To:** 'Steve Bonner'; Aki Snelling; Stephen Rose  
**Cc:** 'James B Little'; 'Ray Diaz'; 'Jeff Hansen'; 'Lee Hernandez'  
**Subject:** RE: Vinyl Wrap

Steve – Your email was sent to the Planning Commission. As I stated in my last email, please follow the condition of approval which requires the interior image to be located within the interior of the window. My understanding of your conversation with Aki was that she attempted to understand more about your preferred plans to place a vinyl wrap on the exterior. In no way did she state that placing such a wrap is acceptable. I apologize if that was your impression.

Paul Kermoyan, AICP, CGBP | Director  
Community Development Department  
[paulk@cityofcampbell.com](mailto:paulk@cityofcampbell.com)  
☎ 408.866.2141 | 📠 408.871.5140  
✉ 70 N. First Street, Campbell, CA 95008

**From:** Steve Bonner [<mailto:Steve@alliedfinancialnetwork.com>]  
**Sent:** Monday, June 22, 2015 9:41 AM  
**To:** Paul Kermoyan; Aki Snelling; Stephen Rose  
**Cc:** 'James B Little'; 'Ray Diaz'; Jeff Hansen; Lee Hernandez  
**Subject:** RE: Vinyl Wrap

Paul,

I am not trying to push the vinyl wrap idea. I brought it up as an option in the meeting with Aki as that is whom you had me report to and she said she liked the idea but wanted technical specifications on the Vinyl. If I did not comply with her request, then I am probably in violation of some sort. This is why I have went to the man doing the wrap and asked him. This is why I then researched the net to find the specs. This is why I delivered to the city the specs as well as emailed to the city so there was confirmation I did what I was asked. I am doing what I am asked and trying to put the best solution together for this matter, not trying to change the requirement. I am not trying to change or push for anything one way or another as I really do not care. I think it is a bad idea all the way around. I offered the option and Aki wanted more information on it so I needed to deliver.

Unless things change, we will take one of the photos from our submission to you already and do a mural the best the artist can render.

This is disappointing that the conversations with Aki, your appointed liaison with this matter, are not being conveyed accurately to you.

Please make sure this email reaches all planning commissioners as a matter of record.

*Steven Bonner*

OWNER



**368 E. CAMPBELL AVE  
CAMPBELL, CA 95008**

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**From:** Paul Kermoyan [<mailto:paulk@cityofcampbell.com>]  
**Sent:** Monday, June 22, 2015 8:00 AM  
**To:** Steve Bonner; Aki Snelling; Stephen Rose  
**Cc:** James B Little; Ray Diaz; Jeff Hansen; Lee Hernandez  
**Subject:** RE: Vinyl Wrap

Hi Steve – I will not accept the vinyl wrap as it does not comply with the condition of approval. I believe Aki explained that to you but you appear instant to pursue a wrap. Please follow the condition of approval which requires the interior image to be located within the interior of the window with lighting. You and I discussed that you would likely need to remove the bathroom drywall to remove the window film.

Paul Kermoyan, AICP, CGBP | Director  
Community Development Department  
[paulk@cityofcampbell.com](mailto:paulk@cityofcampbell.com)  
☎ 408.866.2141 | 📠 408.871.5140  
✉ 70 N. First Street, Campbell, CA 95008

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**From:** Steve Bonner [<mailto:Steve@alliedfinancialnetwork.com>]  
**Sent:** Friday, June 19, 2015 5:59 PM  
**To:** Paul Kermoyan; Aki Snelling; Stephen Rose  
**Cc:** 'James B Little'; 'Ray Diaz'; Jeff Hansen; Lee Hernandez  
**Subject:** Vinyl Wrap

Paul,

Attached please find the vinyl wrap spec sheet requested by Aki that I also delivered hard copy in person today at 1:13pm.

I consider all information requested of me for this matter to be submitted. Please advise if you have anything more you would like me to perform.

*Steven Bonner*  
OWNER



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- B. **SARC Meeting of March 22, 2016:** This SARC meeting will be the first to include a separate report provided by the City's newly selected Architectural Advisor, Marvin Bamberg. Specifically he will be providing a design analysis report of the Pruneyard project. This report will be in addition to the staff SARC memorandum. SARC will review two items on March 22<sup>nd</sup>: