

PLANNING COMMISSION
City of Campbell, California

7:30 P.M.
City Hall Council Chambers

April 26, 2016
Tuesday

AGENDA

ROLL CALL

APPROVAL OF THE MINUTES April 12, 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. PLN2016-46** Public Hearing to consider the application of Velimir Sulic for a Tentative Parcel Map (PLN2016-46) to allow a two-lot single-family residential subdivision on property owned by Shahin Jahanbani located at **44 El Caminito Avenue** in 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. PLN2016-51** Public Hearing to consider the application of Natasha Muller for a Site and Architectural Review Permit (PLN2016-51) to allow an addition to an existing residence on property located at **816 Cambrian Avenue**. 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: *Cindy McCormick, Senior Planner*

3. **PLN2016-42** Public Hearing to consider the application of Eric Piech for a Conditional Use Permit (PLN2016-42) to allow the establishment of a fitness studio on property located at **356 E. McGlincy Lane**. 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: *Cindy McCormick, Senior Planner*
4. **PLN2016-69** Public Hearing to consider the application of Roy Watson and Margaret Eyerman on behalf of Maki Swim School for a Variance (PLN2016-69) to applicable development standards provided in Campbell Municipal Code Sec. 21.08.070 (R-3 Multiple-family Zoning District), Ch. 21.18 (Site Development Standards), and Sec. 21.36.020 (Accessory Structures) to formalize construction of an unpermitted swimming pool enclosure in association with a legal non-conforming commercial swim school on a single-family residential property located at **973 Apricot Avenue**. 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*

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

ADJOURNMENT

Adjourn to the next regularly scheduled Planning Commission meeting of **May 10, 2016**, at 7:30 p.m., in the City Hall Council Chambers, 70 North First Street, Campbell, California.

CITY OF CAMPBELL PLANNING COMMISSION
MINUTES

7:30 P.M.

TUESDAY

APRIL 12, 2016
CITY HALL COUNCIL CHAMBERS

The Planning Commission meeting of April 12, 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:	Pamela Finch
	Commissioner:	Ron Bonhagen
	Commissioner:	Philip C. Reynolds, Jr.
	Commissioner:	Donald C. Young
Commissioners Absent:	Commissioner:	Michael L. Rich
Staff Present:	Building Official:	Bill Bruckart
	Associate Planner:	Stephen Rose
	City Attorney:	William Seligmann
	Recording Secretary:	Corinne Shinn

APPROVAL OF MINUTES

Motion: Upon motion by Commissioner Kendall, seconded by Commissioner Bonhagen, the Planning Commission minutes of the meeting of March 22, 2016, were approved with corrections to page 4 (to reflect “dairy-free cheese not gluten free) and page 9 correcting the vote to include Chair Dodd and Commissioner Bonhagen as absent rather than present. (6-0-1: Commissioner Rich was absent)

COMMUNICATIONS

Two desk items were distributed relating to Agenda Item 1 (a neighbor comment letter and staff recommendation in response).

AGENDA MODIFICATIONS OR POSTPONEMENTS

None

ORAL REQUESTS

None

CONSENT

There were no consent items.

PUBLIC HEARINGS

Chair Dodd read Agenda Item No. 1 into the record as follows:

1. **PLN2015-305** Public Hearing to consider the application of Mike Paydar for
PLN2015-306 Planned Development Permit (PLN2015-305) for the
PLN2015-307 approval of site configuration, architectural design and to
PLN2015-308 create lots which do not have frontage on a public street,
PLN2015-310 Tentative Subdivision Map (PLN2015-306) to create five
PLN2016-068 single family lots and one commonly owned lot, Zoning Map
Amendment (PLN2015-307) to change the zoning from R-M
(Multiple-Family Residential) to P-D (Planned Development),
Parking Modification Permit (PLN2016-68) to allow
uncovered parking in lieu of covered, and Tree Removal
Permit (PLN2015-310) to allow the removal of protected
trees on property located at **180 Redding Road**. Staff is
recommending that a Mitigated Negative Declaration be
adopted for this project. Tentative City Council Meeting
Date: May 17, 2016. Project Planner: *Stephen Rose,*
Associate Planner

Mr. Stephen Rose, Associate Planner, presented the staff report.

Chair Dodd asked if there were questions of staff.

Commissioner Young asked why the Zone Change is proposed from the current R-M to P-D. He added that it seems both would allow the same number of units on this site.

Planner Stephen Rose said that a development with a private street must be zoned P-D. The P-D zoning also allows a greater deviation in setbacks and allows larger units and FAR.

Commissioner Kendall provided the Site and Architectural Review Committee report as follows:

- Recounted that she and Commissioner Rich found that there were not many trees on this property and they were suggesting the addition of more evergreen trees to the site.
- Added that SARC wanted the applicant to find ways to better distinguish guest parking spaces from the fire turnaround area.
- Said that SARC suggested the applicant reconsider relocating the second story bedroom windows on the east elevation. Those have been relocated.
- Reported that there was concern with the proposed 59 percent FAR but also discussed the fact that even if reduced to four units, it would not be that beneficial to the site.
- Said that the five foot second story setback was of concern and now the applicant proposes to increase the second story setback by an additional three feet to a total of eight feet.

Chair Dodd opened the Public Hearing for Agenda Item No. 1.

Lieh-Ting Tung, Resident on Shelly Ave:

- Reported that his home is on the right side behind this proposed development.
- Added that the development includes the removal of all trees on the site.
- Admitted that he is worried about the root systems from these trees that already come into his backyard. He is worried about his structure and potential for termites.
- Asked that the trees be kept.
- Pointed out that Unit 5 is larger than the other four units.
- Requested that the setback to Unit 5 be moved back to 10 feet.
- Suggested that the trees be retained as they are important for the ecosystem.

Yong-Dian Jian, Resident on Shelley Ave:

- Said he has the same concerns as well as others such as loss of trees, foundation impacts and sunlight impacts.
- Pointed out that there is a lot of space in the middle of this project site and perhaps they can use that area instead to leave room for sufficient setbacks.

Marilyn Asplund, Resident on Shelley Ave:

- Said that her property is to the far right corner of this proposed project.
- Added that she has resided in her home there for 33 years and has enjoyed the quiet.
- Advised that she always understood that something would be built there at some point but admitted that she was shocked by the minimal 5-foot setback.
- Asked for larger setbacks as privacy will be changed if there is too close a proximity.

- Stated that while some property values increase when projects such as this go in, she believes that the value of her single-family property will likely go down as a result.
- Said that she would like to save the one tree in her yard that over the years has grown over the fence. If they remove all the portions of the tree on their side, it will die on her side as a result.
- Stated that with the inclusion of larger setbacks from property line she is prepared to welcome this new project to the neighborhood.

Commissioner Bonhagen asked Ms. Asplund if her home is close to Unit 5.

Marilyn Asplund replied yes. It is right behind.

Commissioner Bonhagen asked Ms. Asplund what setback she'd like to see beyond the already expanded setback now proposed at 8 feet.

Marilyn Asplund said that she'd like to see 10 to 12 foot setbacks with the structure moved forward on the lot.

Jo-Ann Fairbanks, Resident on Hacienda Ave:

- Advised that she is opposed to the FAR proposed on this planned development.
- Said that she is here this evening to speak on behalf of trees.
- Pointed out that 15 existing trees on site are to be removed and just one retained.
- Suggested that there are three more trees that can be preserved. Referenced the Arborist's Report, page 3, and said that trees 9, 10, 11 and 12 can be saved.
- Admitted that she disagrees with staff on some of the findings and referenced page 16, Item E.
- Said that per Attachment 10, page 2 of 2, No. 9, she doesn't believe that the finding can be made.
- Said that per Attachment 10, #13, she does believe this tree can be retained.
- Said that per Attachment 11, #3 cannot apply as there is exclusion in the Ordinance for fruit trees.

Michael Belmares, Resident on Redding Road:

- Sought clarification that the oak tree located between 180 and 190 Redding Road would not be removed.

Planner Stephen Rose replied that oak is not being removed.

Michael Balmares:

- Advised that the two tenants currently residing on this project site at 180 Redding Road are letting the weeds grow.
- Added that it would be great if those weeds could be removed.

Chair Dodd closed the Public Hearing for Agenda Item No. 1.

Commissioner Young:

- Said that there are differences between R-M and P-D zoning.
- Noted that there are a lot of P-D's being developed these days.
- Referenced Attachment 6, page 2 of 3, Item 9, which calls for a variety of residential densities.
- Pointed out that most everything else nearby is P-D and similar to what is being proposed here.
- Reminded that there are no sidewalks on this street and water pools there.
- Said that it seems that a five-unit development could be accommodated on this property with its current R-M zoning and without the need to change to a P-D zoning designation.
- Suggested that more thought is needed here. This is not a bad development. It's okay but there are some elements that still need to be worked out.

Commissioner Kendall:

- Stated her agreement with Commissioner Young.
- Added that there are a variety of residential densities.
- Said that she is uncomfortable with the 5-foot setback and feels better with it enlarged to 8 feet but a 12-foot setback there would be even better.

Commissioner Bonhagen:

- Said that the townhomes in this proposed development look like duets rather than single-family attached.

Planner Stephen Rose said that townhomes/duets are on individually-owned fee simple lots and the units share walls. A duplex has a single owner of two units.

Commissioner Bonhagen said that this is closer to a single-family home than other townhomes that are nearby. He asked if there is any way to save some more of the existing trees.

Commissioner Bonhagen said that this is closer to a single-family home than other townhomes that are nearby. He asked if there is any way to save some more of the existing trees.

Planner Stephen Rose:

- Said that the applicant is now proposing a three foot shift to Unit 5 to create an 8-foot wide setback. With that change perhaps the trees there could be reevaluated.
- Added that the Commission could include in its recommendations that Council consider the preservation of some more of the existing trees on site.
- Reported that if a tree is included on an approved landscape plan that offers protection for that tree in the future.

Commissioner Finch:

- Said that she agrees.
- Added that this looks like a great project.
- Stated that she appreciates the applicant's willingness to move Unit 5 further north.

- Agreed with Commission Bonhagen that these are more duet homes than a long row of attached homes.
- Stated that she would like to see more trees preserved.

Commissioner Young:

- Reminded that the zoning map shows the densities.
- Advised that the need for a private road and to incorporate a fire turnaround in the middle of this site means that there is no way to change that area of the site's use.

Commissioner Reynolds:

- Admitted that he likes this project but is concerned about the density of this neighborhood
- Pointed out that the laws allow this sort of density.
- Said that he too likes the idea of adding 3 feet to the back setback.
- Suggested that staff see (prior to the Council hearing) if the whole project could be moved forward an additional 2 feet to allow the standard 10-foot setback.
- Said that with these densities developments are just packing them in.
- Advised that he supports forwarding this project on to Council.

Commissioner Finch:

- Stated that the amount of paving proposed for this site is of concern.
- Added that she'd like to see more landscaping placed along the fence.

Planner Stephen Rose advised that there is a very small landscaping sliver and that the proposed amount of pavement is the minimum required to provide parking and the fire turnaround.

Commissioner Finch said that she likes the use of uncovered parking versus roofed parking. She asked how wide that landscaping sliver is.

Planner Stephen Rose said it is approximately two feet wide.

Commissioner Finch said that is just wide enough for something like cypress.

Planner Stephen Rose said there is no room for trees there. It takes a four-foot area to plant a 24-inch box tree.

Commissioner Finch reiterated that she likes the project but is concerned about the paving.

Commissioner Bonhagen asked Commissioner Young if he is against supporting a zone change.

Commissioner Young said that the P-D zoning is needed to include a private road. Additional the P-D zoning allows for more density and reduced setbacks.

Commissioner Bonhagen asked Commissioner Young to clarify that he is okay with the change to P-D zoning but is concerned about the proposed FAR.

Commissioner Young replied correct.

Commissioner Kendall asked Commissioner Finch if she shares the concern regarding the amount of pavement. Would it be better if they incorporated different types of surfaces?

Commissioner Finch:

- Pointed out that there are lots of developments along Redding, Shelley and Hacienda that are solid concrete.
- Added that use of pavers are better than concrete.

Commissioner Kendall:

- Stated that there needs to be more trees on this site.
- Added that there should also be smaller buildings.
- Admitted that she is not able to make a decision tonight or it would have to be denial.

Chair Dodd:

- Pointed out that this applicant has attempted to blend the old with the new in this neighborhood.
- Reminded that the City has a certain amount of responsibility to provide housing.
- Said that more families want to move into our City.
- Stated that she likes the way these homes are set up.
- Agreed with Commission Young that there are conflicts between the two LUT's raised.
- Said that she supports this project.

City Attorney William Seligmann:

- Stated that he doesn't agree with the staff position that fruit trees depicted on a landscaping plan are protected from future removal without a permit.
- Said it is his interpretation that a fruit tree could still be removed in the future without requiring a permit.

Commissioner Bonhagen:

- Said he is in favor of the project but with a maximum FAR of 50 percent.
- Suggested that the proposed 59 percent FAR be reduced.
- Added that of the 15 trees proposed for removal, those in "fair" condition should be saved, which would be about half of them.
- Reiterated that with the extra three feet added to the back setback and a reduction in FAR to no more than 50 percent, this project can move forward.

Commissioner Young said he would encourage the Commission to consider continuing this item to allow the applicant and staff to make adjustments to the project per the recommendations made this evening.

Commissioner Reynolds asked the City Attorney if there is an established maximum FAR limit of 50 percent for a P-D zoned project. He understands that the P-D zoning allows for flexibility.

Planner Stephen Rose said that the 50 percent standard is within the existing R-M zoning. He recommended the continuance so the architect can provide a plan with smaller units.

Motion: **Upon motion of Commissioner Bonhagen, seconded by Commissioner Kendall, the Planning Commission CONTINUED TO A DATE UNCERTAIN the consideration of a Planned Development Permit (PLN2015-305) and associated applications for property located at 180 Redding Road, with the following recommended changes to the project proposal:**

- **Reduce the square footage of the units so they are at or below a 50 percent FAR;**
- **Increase setbacks,**
- **Retain more of the existing trees currently proposed for removal; and**
- **Not include any fruit trees in the approved landscape plan.**

(6-0-1; Commissioner Rich was absent)

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

Building Official Bill Bruckart had no additions to the Director’s Written Report.

ADJOURNMENT

The Planning Commission meeting adjourned at 8:31 p.m. to the next Regular Planning Commission Meeting of **April 26, 2016.**

SUBMITTED BY: _____
Corinne Shinn, Recording Secretary

APPROVED BY: _____
Cynthia Dodd, Chair

ATTEST: _____
Bill Bruckart, Acting Secretary



CITY OF CAMPBELL • PLANNING COMMISSION
Staff Report • April 26, 2016

**PLN2016-46 (TPM)
Sulic, V.**

Public Hearing to consider the application of Velimir Sulic for a Tentative Parcel Map (PLN2016-46) to allow a two-lot single-family residential subdivision of property owned by Shahin Jahanbani located at **44 El Caminito Avenue**, in 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 Tentative Parcel Map (PLN2016-46) to create a two-lot single-family subdivision, subject to the attached Conditions of Approval.

ENVIRONMENTAL DETERMINATION

Staff recommends that the Planning Commission find this project Categorical Exempt under Section 15315, Class 15, of the California Environmental Quality Act (CEQA) pertaining to the division of property in urbanized areas into four or fewer parcels when the division is in conformance with the City’s General Plan and Zoning Code.

PROJECT DATA

Zoning Designation:	R-1-6 (Single Family Residential – 6,000 sq. ft. min. lot size)
General Plan Designation:	Low Density Residential (less than 6 units/gr. acre)
Existing Gross Lot Area:	19,384 square feet
Existing Net Lot Area:	16,384 square feet
Existing Density:	2.24 units per gross acre
Proposed Parcel Sizes:	
Parcel 1 (front):	7,052 square feet (net) 7,592 square feet (gross)
Parcel 2 (rear):	7,784 square feet (area exclusive of driveway) 9,332 square feet (net area inclusive of driveway) 11,792 square feet (gross)
ROW Dedication:	N/A
Proposed Density:	
Parcel 1:	5.73 units/gr. acre
Parcel 2:	3.60 units/gr. acre
Adjacent Land Uses	
North:	Single Family Residential (R-1-6)
South:	Single Family Residential (R-1-6)
East:	Mixed-Use (PD; Planned Development)
West:	Single Family Residential (R-1-6)

DISCUSSION

Property Location: The subject property is located on the south side of El Caminito Avenue, west of Winchester Boulevard, and east of California Avenue (reference **Attachment 3** – Location Map). The property borders residential properties to the north, south, and west, and a vacant commercial lot to the east which is approved for a new mixed use development.

Proposal: The applicant is requesting approval of a Tentative Parcel Map to allow the division of one residential parcel into two parcels (reference **Attachment 4** – Tentative Parcel Map). The proposed lot configuration consists of one standard lot (Parcel 1) having an 82-foot wide public frontage along El Caminito and one rear/flag lot parcel (Parcel 2) with an 18-foot wide access frontage. The subject property is currently developed with a single-family residence that will be demolished as part of the subdivision.

ANALYSIS

General Plan: The Campbell General Plan represents the City's long term vision for the community and is intended to guide decision-making regarding the City's physical and economic growth. In this regard, the General Plan provides policies and strategies applicable to land use and development and organizes the City into a framework of distinct land use designations (i.e., commercial, residential, industrial, etc.), as codified by the General Plan Land Use Map. The General Plan land use designation for the project site is Low Density Residential (less than 6 units per gross acre). Residential density is determined by "gross" lot size, which includes titled property, as well as the adjacent right-of-way to street centerline. The current parcel has a gross lot area of approximately 19,384 square feet with an existing density of 2.24 units per gross acre. As proposed, Parcel 1 and Parcel 2 have gross lot areas of 7,592 square feet and 11,792 square feet, respectively, with resulting densities of 5.73 and 3.60 units per gross acre, consistent with the General Plan Land Use Designation.

In consideration of the applicant's proposal, the Land Use Element of the General Plan includes strategies aimed promoting and maintaining the character of residential neighborhoods which the Planning Commission may consider when rendering a decision on the permit request:

- 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.
- Strategy LUT-5.2: Residential Neighborhoods: Maintain safe, attractive, pedestrian friendly residential neighborhoods with identifiable centers and consistent development patterns and a range of public and private services.

Zoning: The subject property is zoned R-1-6 (single-family residential). The City's single-family "R-1" zoning districts are "intended to stabilize and protect the residential characteristics of the district[s] and to encourage a suitable environment for domestic home life." Consistent with this intent, the R-1-6 zoning district requires a minimum net lot area of 6,000 square feet for a single-family dwelling, a minimum lot width of 60 feet, and a minimum public frontage of 25-feet or 15-feet for a flag lot. The proposed lots satisfy the area, width, and access standards of the R-1-6 zoning district.

Action on Tentative Parcel Maps: The Campbell Subdivision and Land Development Code designates the Planning Director (Community Development Director) as the decision-making

authority for Tentative Parcel Maps. In review of an applicant’s proposal, the code provides simple and clear development standards for the decision-making body to consider when rendering a decision to approve (with or without conditions), or deny a request. While such latitude to “deny” a permit is stated, the code does not include a basis (i.e. findings) for a denial to occur when a permit satisfies all of the development regulations. As the proposal satisfies the development standards, review of this application would generally have been approved administratively. However, in response to public comments (see discussion on Public Comments) requesting consideration of other factors not stated in the code to support a conclusion of denial, and requesting a public meeting, the Community Development Director opted to forward the request to the Planning Commission for a decision.

Parcel Map Development Standards: The applicant’s proposal would create one standard lot and one rear/flag lot. Section 20.16.030 of the Campbell Municipal Code requires that new lots meet all the requirements of the zoning district within which they are located. In addition to meeting all of the requirements of the R-1-6 zoning district, the Subdivision and Land Development Code (Section 20.16.030) also requires a rear/flag lot to have an area which exceeds the minimum lot area by ten percent (exclusive of any access to a public street), and stipulates such access may not be over an easement but over land under the same ownership as the rear/flag lot.

	Lot 1 (Standard Lot)		Lot 2 (Rear/Flag Lot)	
	Min. Required	Provided	Min. Required	Provided
Lot Size	6,000 sq. ft.	7,052 sq. ft.	6,600 sq. ft.	7,784 sq. ft.*
Lot Width	60 feet	82 feet	60 feet	100 feet
Frontage	25 feet	82 feet	15 feet	18 feet

*: Area exclusive of driveway. Additional 1,548 sq. ft. driveway is provided over land under the same ownership.

The project plans (reference **Attachment 4** – Tentative Parcel Map) and preceding table confirm that both lots would exceed the minimum lot size, lot width, and access requirements of the R-1-6 Zoning District and Subdivision and Land Development Code.

Parcel Map Design: The site configuration, which places the rear/flag access driveway on the east side of the project site, would serve to buffer the residential uses to the west from the 16-unit mixed-use project under construction to the east.

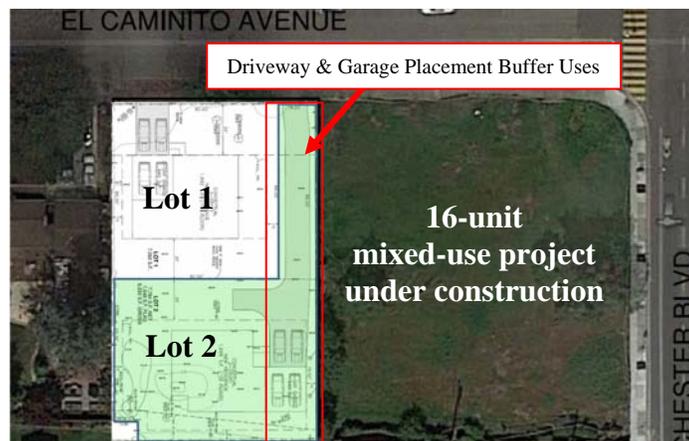


Figure 1 – Subdivision Design

As this layout also maintains the existing driveway location (which runs along the eastern property line to a detached garage at the rear of the property) and minimizes the necessity for on- and off-site tree removals and impacts to the streetscape, it represents the preferred rear/flag lot configuration for the property.

Building Layout and Architectural Design: The tentative parcel map depicts the possible layout of two future residences based on the minimum site development standards of the R-1-6 zoning district (reference **Attachment 4**, Tentative Parcel Map; Sheet 3). This information is provided for context only, as the unit layout is not bound by information provided on the subdivision plans. As these homes are located outside of the San Tomas Area Neighborhood Plan, the design of the homes will not require a discretionary review.

Parking: Single-family residential properties are required to provide a minimum of two onsite parking spaces (at least one must be covered) outside of a required front or side yard fronting a public street. The applicant's proposal illustrates a possible layout which would result in two covered parking spaces for the front unit, and two covered and two uncovered parking spaces for the rear unit, exceeding the minimum parking requirements. While the Tentative Parcel Map is not bound to this layout (see discussion on Site Layout and Architectural Design), any future development would be required to satisfy the minimum parking requirements for the property.

Neighborhood Compatibility & Rear/Flag Lot Proliferation: The Tentative Parcel Map would allow for the creation of two single-family residential lots, in a single-family residential neighborhood. Future development of those lots would be subject to the development standards (floor area ratio, lot coverage, setbacks, height, etc.) of the R-1-6 zoning ordinance, consistent with all other single-family properties in the neighborhood. As such, despite the proposal being compatible in terms of use (residential single-family), and conforming to the R-1-6 development standards, public comments emphasize a sentiment that the creation of a rear/flag lots in general should be prohibited even when such standards are satisfied. While the creation of additional rear/flag lots in the neighborhood is a possibility, it should first be acknowledged that flag lots are a permitted type of development, contrary to public sentiment. If flag lots were viewed as impactful, the City standards would have clear prohibitions. Unfortunately, the General Plan and the Campbell Municipal Code do not contain policies, strategies, or standards to discourage or prohibit their development.

Nonetheless, of the roughly one-hundred and twenty-three contiguous R-1-6 zoned parcels only eight (including the subject parcel) would satisfy the minimum development requirements to subdivide as configured (reference **Attachment 5** – Existing and Potential Lot Splits). Of these eight properties, the location of existing structures (homes, pools, etc.) would present significant barriers to subdivision. In the unlikely event that all eight properties were to subdivide, all at once or even over time, rear/flag lots would still remain a representative minority of the neighborhood and generally be situated toward the outer edges/fridges and in locations where neighboring land uses include commercial and higher residential density/two family uses already (e.g. R-D zoned properties across Budd Avenue to the south, P-D zoned properties along Winchester Blvd. to the east). As such, under existing conditions the potential for rear/flag logs proliferating into the community and disrupting the neighborhood would not be significant.

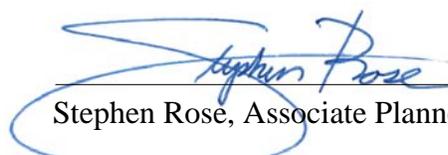
Traffic Generation, Overcrowding, & Crime: The proposed Tentative Parcel Map, and anticipated development of two single-family residences, would not result in a significant impact to traffic, overcrowding, or crime. The traffic generation (resulting from the removal of one unit, and the

addition of two units) would amount to a net gain of one new outbound am peak trip, and one inbound pm peak trip (based on ITE Trip Generation Rates). In terms of overcrowding, the General Plan land use designation for the property, and surrounding single-family residential neighborhood, allows for densities of up to 6 dwelling units per gross acre, where the proposed density is closer to 4.54 units per gross acre (average of Lots 1 & 2). It should be noted that while the creation of a flag lot is anticipated to contribute toward the creation of an additional household, as the existing property is over ten-thousand square feet such a household could already be established through the development of a secondary-dwelling unit. In that the proposed development would preclude the development of a secondary-dwelling unit(s) on either lot (Lots 1 & 2 would be less than 10,000 sq. ft.) the potential to create additional household units would remain the same. The removal and replacement of a single-family home, with two new single-family residences would not contribute to a significant increase in crime, or demand on police services.

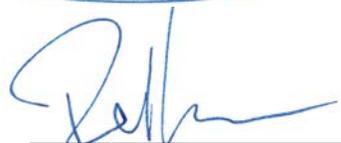
Street Improvements: This scope of this project triggers the requirement for frontage improvements as required by Campbell Municipal Code 11.24.040. To comply with this requirement, the applicant will be required to match the existing frontage improvements of the property, and design the new driveway to City standards. To accommodate the required street improvements one street tree will be removed as part of this project. A new street tree will be installed to replace the tree removed.

Public Comments: In response to public noticing, staff received several letters documenting concerns with the project from residents located on California, Catalpa, and El Caminito Avenue (reference **Attachment 6** – Public Comments). In general, the project related concerns focused on neighborhood compatibility, potential for further rear/flag lot proliferation in the neighborhood, traffic generation, overcrowding, crime, parking impacts, and a desire for the item to be publically heard by the Planning Commission. Discussions on these topics have been provided in the body of the report. In consideration of the public comments, the Community Development Director opted to refer the request to the Planning Commission for a decision.

Prepared by:


Stephen Rose, Associate Planner

Approved by:


Paul Kermoyan, Community Development Director

Attachments:

1. Findings for Approval of File No. PLN2016-46 (Tentative Parcel Map)
2. Conditions of Approval for File No. PLN2016-46 (Tentative Parcel Map)
3. Location Map
4. Tentative Parcel Map
5. Existing & Potential Lot Splits
6. Public Comments

**FINDINGS FOR APPROVAL OF FILE NO. PLN2016-46
(TENTATIVE PARCEL MAP)**

SITE ADDRESS: 44 El Caminito Avenue
APPLICANT: Velimir Sulic
OWNER: Shahin Jahanbani
P.C. MEETING: April 26, 2016

Findings for approval of a Tentative Parcel Map to create a two-lot single-family subdivision of property located at 44 El Caminito Avenue.

The Planning Commission finds as follows with regard to file number PLN2016-46:

Environmental Finding

1. The project is Categorically Exempt under Section 15315, Class 15, of the California Environmental Quality Act (CEQA) pertaining to the division of property in urbanized areas into four or fewer parcels when the division is in conformance with the City's General Plan and Zoning Code.

Evidentiary Findings

1. The project site is within the R-1-6 (Single-Family Residential) Zoning District.
2. The project site has a *Low Density Residential (less than 6 units/gr. ac.)* General Plan designation.
3. The proposed project is an application for a Tentative Parcel Map to allow a subdivision resulting in two single-family residential lots.
4. The proposed subdivision would result in two lots consistent with the applicable provisions of the Zoning and Subdivision and Land Development Codes, including minimum lot size, minimum width dimension, and minimum access way.
5. The proposed Tentative Parcel Map will result in densities of 5.73 and 3.60 units per gross acre for the new Parcel 1 and Parcel 2, respectively, which is consistent with the General Plan.
6. The Campbell Subdivision and Land Development Code designates the Planning Director (Community Development Director) as the decision-making authority for Tentative Parcel Maps.
7. Administrative decisions of the Community Development Director are considered pursuant to the administrative decision processes prescribed by CMC Chapter 21.71 of the Campbell Municipal Code.
8. The administrative decision process allows the Community Development Director to refer any request to the Planning Commission for a decision pursuant to CMC Section 21.38.020.

9. The Community Development Director decided to refer this permit to the Planning Commission for a decision in response to public concerns and requests for a public hearing.

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

1. The proposed Tentative Parcel Map does not impair the balance between the housing needs of the region and the public service needs of its residents and available fiscal and environmental resources.
2. The design of the Tentative Parcel Map provides, to the extent feasible, for future passive or natural heating and cooling opportunities.
3. The proposed development will aid in the harmonious development of the immediate area.
4. There is a reasonable relationship between the use of the fees imposed upon the project and the type of development project.
5. No substantial evidence has been presented from which a reasonable argument could be made that shows that the project, as currently presented and subject to the required conditions of approval, will have a significant adverse impact on the environment.
6. The conditions of approval imposed on the project are reasonable and necessary under the circumstances to maintain the character of the neighborhood.
7. The project is Categorical Exempt under Section 15315, Class 15, of the California Environmental Quality Act (CEQA).

**CONDITIONS OF APPROVAL FOR FILE NO. PLN2016-46
(TENTATIVE PARCEL MAP)**

SITE ADDRESS: 44 El Caminito Avenue
APPLICANT: Velimir Sulic
OWNER: Shahin Jahanbani
P.C. MEETING: April 26, 2016

The applicant is hereby notified, as part of this application, that (s)he is required to meet the following conditions in accordance with the ordinances of the City of Campbell and the State of California. The lead department with which the applicant will work is identified on each condition where necessary. 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 items under review. Additionally, the applicant is hereby notified that (s)he 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. Parcel Map Project: Approval is granted for a Tentative Parcel Map to allow the division of one residential parcel into two standard residential parcels on property located at **44 El Caminito Avenue**. The Final Parcel Map shall substantially conform to the Revised Tentative Parcel Map prepared by Donald R. Peoples (Engineer C29588, S2464), dated as received by the Planning Division on March 17, 2016.
2. Parcel Map Expiration: The Tentative Parcel Map approval is valid for a period of two (2) years from the effective date of approval. By this time the Final Map must be recorded.
3. Fencing Plan: The building permit plans for the new residences shall include a detailed "fencing plan" indicating placement of new fencing around the property.
4. Undergrounding of Utilities: In compliance with CMC 21.18.140, all existing overhead utilities (electrical, telephone, cable, etc.) serving the existing residence shall be replaced with underground service, prior to Parcel Map recordation. Applicant shall comply with all plan submittals, permitting, and fee requirements of the serving utility companies.
5. Park Impact Fee: A Park Impact Fee per unit is due upon development of the site. Credit will be given for the existing single-family residence. Prior to recordation of the Final Parcel Map, 75% of this fee is due. The remaining 25% is due prior to issuance of a certificate of building occupancy. Presently, the park impact fee is \$17,447 per unit. Should this fee change prior to final map submittal, the new fee will apply.

6. Other Agency Requirements: If additional requirements from local agencies are received prior to application of the Final Parcel Map, they shall be considered required for submittal of the Final Parcel Map.

PUBLIC WORKS DEPARTMENT

7. Parcel Map: Prior to issuance of any grading or building permits for the project, the applicant shall submit a Parcel Map for recordation upon approval by the City, pay various fees/deposits and submit the map in a digital format acceptable to the City.
8. Vacation of Public Easement: Tract Map No. 179 which created this lot also created a 25 foot "Building Line" to enforce building setbacks when this property was still in the County. If it is the applicant's intent to take advantage of the less restrictive R-1-6, 20 foot front setback, then the existing Building Line needs to be vacated / abandoned by City Council. Prior to issuance of any grading or building permits for the site, the applicant would need to fully complete the street vacation process, including approval by the City Council.
9. Monumentation for Parcel Map: Prior to recordation of the Parcel Map, the applicant shall provide a cash deposit (100% of the monument estimate) for setting all monuments shown on the map. Monuments shall be set per section 20.76.010 of the Campbell Municipal Code including but not limited to setting permanent pipe monuments (three-fourths inch galvanized steel pipe two feet long approximately six inches below finished grade) at each boundary of all lot corners within a subdivision, along the exterior boundary lines at intervals of approximately five hundred feet and at all beginning of curves and ending of curves on property lines, and monument boxes at intersections of all street monument line tangents.
10. Demolition: Prior to recordation of the Parcel Map, the applicant shall obtain a demolition permit and remove any nonconforming structures.
11. Soils Report: Upon submittal of the Parcel Map, applicant shall provide a soils report prepared by a registered geotechnical or civil engineer.
12. Grading and Drainage Plan: Prior to recordation of the Parcel Map, the applicant shall conduct hydrology studies based on a ten-year storm frequency, prepare an engineered grading and drainage plan, and pay fees required to obtain necessary grading permits. Prior to occupancy, the design engineer shall provide written certification that the development has been built per the engineered grading and drainage plans.
13. Storm Drain Area Fee: Prior to recordation of the Parcel Map, the applicant shall pay the required Storm Drain Area fee, currently set at **\$2,120.00** per net acre, which is **\$721.00**.
14. Stormwater Pollution Prevention Measures: Prior to issuance of any grading or building permits, the applicant shall comply with the National Pollution Discharge Elimination System (NPDES) permit requirements, Santa Clara Valley Water District requirements, and the Campbell Municipal Code regarding stormwater pollution prevention. The primary objectives are to improve the quality and reduce the quantity of stormwater runoff to the bay.

Resources to achieve these objectives include *Stormwater Best Management Practices Handbook for New Development and Redevelopment* ("CA BMP Handbook") by the

California Stormwater Quality Association (CASQA), 2003; *Start at the Source: A Design Guidance Manual for Stormwater Quality Protection* (“Start at the Source”) by the Bay Area Stormwater Management Agencies Association (BASMAA), 1999; and *Using Site Design Techniques to Meet Development Standards for Stormwater Quality: A Companion Document to Start at the Source* (“Using Site Design Techniques”) by BASMAA, 2003.

15. Tree Removals: To accommodate the required street improvements one street tree will be removed as part of this project. A new street tree will be installed to replace the tree removed.
16. Utilities: Utility locations shall not cause damage to any existing street trees. Where there are utility conflicts due to established tree roots or where a new tree will be installed, alternate locations for utilities shall be explored. Include utility trench details where necessary.
17. Water Meters and Sewer Cleanouts: Existing and proposed water meters and sewer cleanouts shall be relocated or installed on private property behind the public right-of-way line.
18. Utility Coordination Plan: Prior to recordation of the Parcel Map, 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.
19. 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. Streets that have been reconstructed or overlaid within the previous five years will require boring and jacking for all new utility installations. El Caminito Avenue has not been reconstructed or overlaid in the last 5 years. 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.
20. Street Improvement Agreements / Plans / Encroachment Permit / Fees / Deposits: Prior to recordation of the Parcel Map, the applicant shall execute a street improvement agreement, cause plans for public street improvements to be prepared by a registered civil engineer, pay various fees and deposits, post security and provide insurance necessary to obtain an encroachment permit for construction of the standard public street improvements, as required by the City Engineer. The plans shall include the following, unless otherwise approved by the City Engineer:
 - a. Show location of all existing utilities within the new and existing public right of way.
 - b. Removal of existing driveway approach and necessary sidewalk, curb and gutter.
 - c. Installation of City approved street trees at 30 feet on center.
 - d. Installation of City standard curb, gutter, sidewalk and ADA compliant driveway approach. Installation of engineered structural pavement section to centerline, as required by the City Engineer.

-
- e. Installation of asphalt concrete overlay per street pavement restoration plan for utility installation and/or abandonment, as required by the City Engineer.
 - f. Installation of service laterals for water, sanitary and storm drain utilities.
 - g. Installation of traffic control, stripes and signs.
 - h. Construction of conforms to existing public and private improvements, as necessary.
 - i. Submit final plans in a digital format acceptable to the City.
21. Street Improvements Completed for Occupancy and Building Permit Final: Prior to allowing occupancy of the last unit, the applicant shall have the required street improvements and pavement restoration installed and accepted by the City, and the design engineer shall submit as-built drawings to the City.
 22. Maintenance of Landscaping: Owner(s), current and future, are required to maintain the landscaped park strip and tree wells in the public right of way. This includes, but is not limited to: trees, lawn, plantings, irrigation, etc. Trees shall not be pruned in a manner that would not allow the tree to grow to a mature height.
 23. Utility Encroachment Permit(s): 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 encroachment permits for sanitary sewer, gas, water, electric and all other utility work.
 24. Additional Street Improvements: Should it be discovered after the approval process that new utility main lines, extra utility work or other work is required to service the development, and should those facilities or other work affect any public improvements, the City may add conditions to the development/project/permit, at the discretion of the City Engineer, to restore pavement or other public improvements to the satisfaction of the City.

FIRE DEPARTMENT

25. Limited Review: Review of this Development propose 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.

Location Map





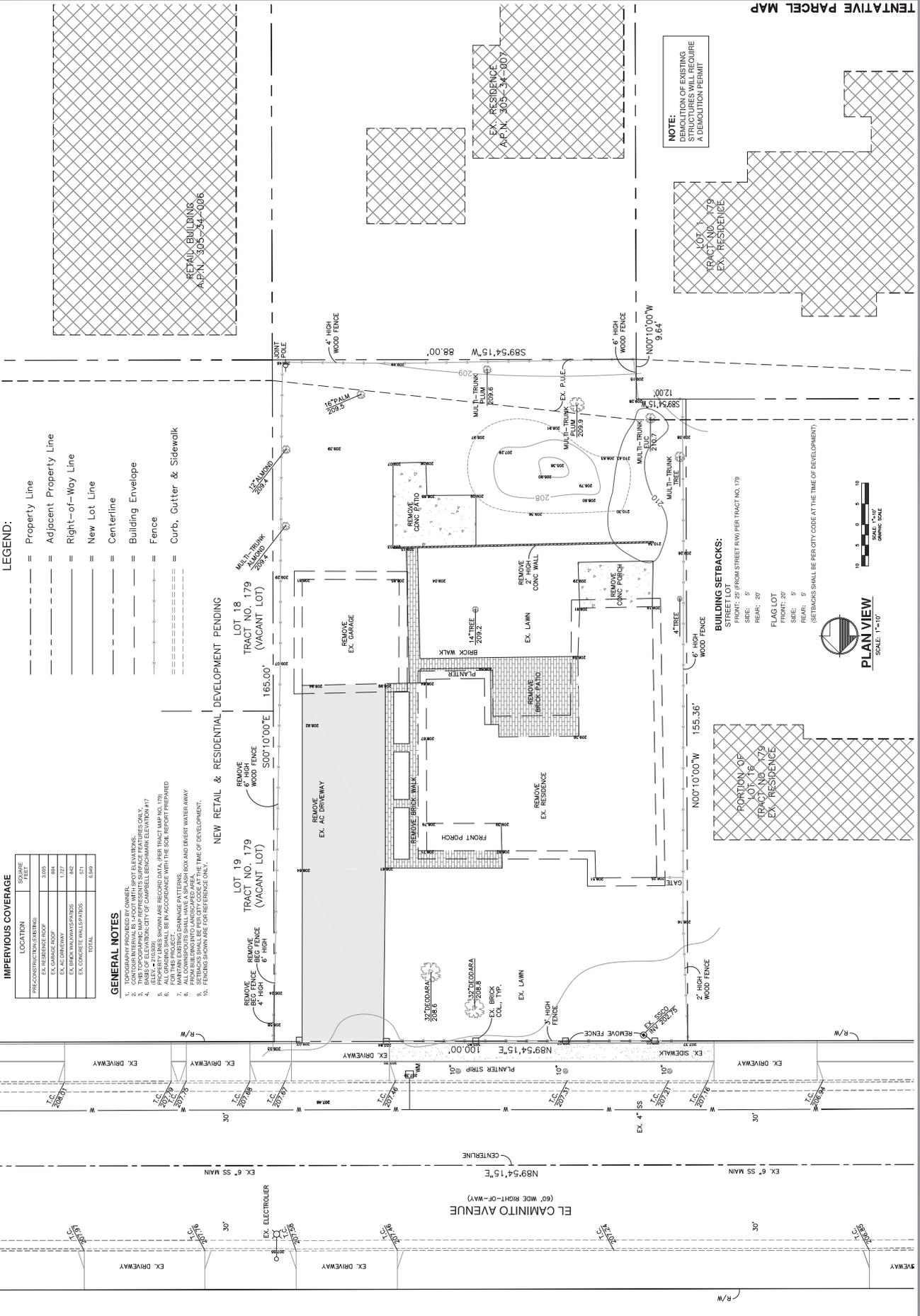
NO.	DATE	REVISION DESCRIPTION
1	02/08/16	ISSUED FOR CITY COMMENTS
2		REVISION TO CLIENT # CITY
3		
4		
5		
6		
7		
8		
9		
10		

DESIGNED BY: V.S.
 DRAWN BY: S.C.
 CHECKED BY: S.C.
 SCALE: AS SHOWN
 DATE: 2/08/16
 PROJECT NO: 29,988
 1998 Third Court
 Milpitas, CA 95035
 FOLK 408-937-9220
PEOPLES ASSOCIATES
 STRUCTURAL ENGINEERS

SITE PLAN
 (EXISTING CONDITIONS - DEVELOPMENT PLAN)
LANDS OF WU & JAHANBANI
 44 EL CAMINITO AVENUE
 CAMPBELL, CALIFORNIA

SHEET NUMBER: **2**
 OF 6 DRAWING NO. SHEETS: 16007-2

TENTATIVE PARCEL MAP



LEGEND:

- Property Line
- Adjacent Property Line
- Right-of-Way Line
- New Lot Line
- Centerline
- Building Envelope
- Fence
- Curb, Gutter & Sidewalk

IMPERVIOUS COVERAGE

LOCATION	SQUARE FEET
RECONSTRUCTION (EXISTING)	3005
EX. RESIDENCE ROOF	804
EX. GARAGE ROOF	1727
EX. AC DRIVEWAY	1227
EX. DRIVEWAY	1227
EX. CONCRETE WALKS/PATIO	671
TOTAL	6349

GENERAL NOTES

1. PROGRAM REQUIREMENTS BY OWNER.
2. CONTOUR INTERVAL IS 2-FOOT WITH SPOT ELEVATIONS.
3. ALL ELEVATIONS ARE IN FEET ABOVE MEAN SEA LEVEL.
4. BASIS OF ELEVATION: CITY OF CAMPBELL BENCHMARK ELEVATION #17.
5. EXISTING UTILITIES SHOWN ARE RECORD DATA. (PER TRACT MAP NO. 179)
6. ALL GRADING SHALL BE IN ACCORDANCE WITH THE SOIL REPORT PREPARED BY [REDACTED].
7. MAINTAIN EXISTING DRAINAGE PATTERNS.
8. FROM SOIL REPORT INTO LANDSCAPED AREA.
9. SETBACKS SHALL BE PER CITY CODE AT THE TIME OF DEVELOPMENT.
10. FENCING SHOWN IS FOR THE RESIDENCE ONLY.

BUILDING SETBACKS:

STREET LOT
 SETBACK: 25' FROM STREET (R/W) PER TRACT NO. 179
 SIDE: 20'
 REAR: 20'
 FLAG LOT
 FRONT: 30'
 REAR: 5'
 (SETBACKS SHALL BE PER CITY CODE AT THE TIME OF DEVELOPMENT)



NOTE:
 DEMOLITION OF EXISTING REQUIRE A DEMOLITION PERMIT

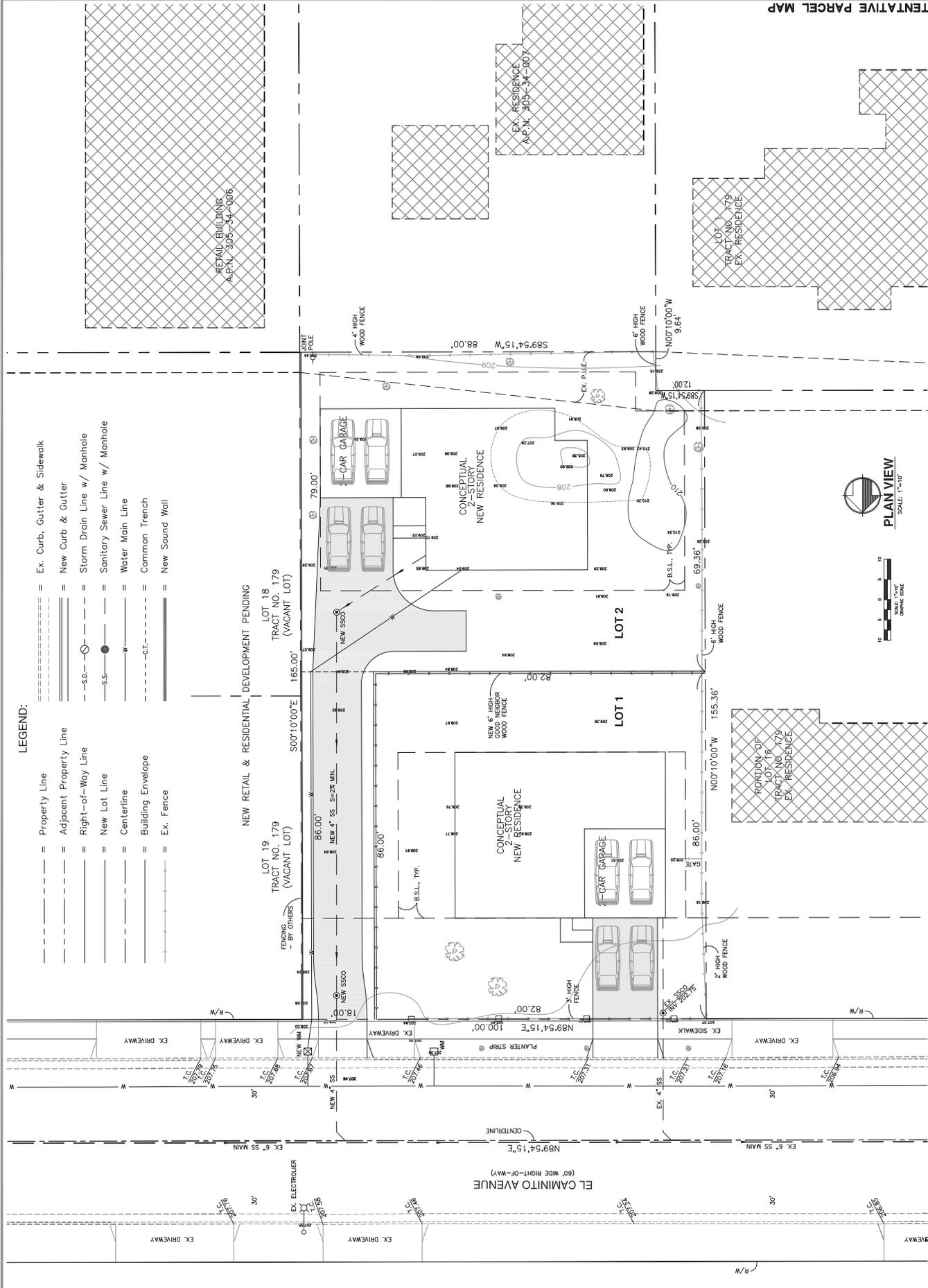


NO.	DATE	REVISION DESCRIPTION
1	02/08/16	ISSUED FOR CITY COMMENTS
2		REMOVED TO CLIENT & CITY
3		
4		
5		
6		
7		
8		
9		
10		

DESIGNED BY: V.S.
 DRAWN BY: R.S.C.
 CHECKED BY: V.S.
 SCALE: AS SHOWN
 DATE: 2-08-16
 PROJECT NO.: 29,988
 CLIENT: PEOPLES ASSOCIATES
 1998 Tenth Court
 Milpitas, CA 95035
 TEL: 408-957-9220
 FAX: 408-957-9221

CONCEPTUAL UTILITIES PLAN
 LANDS OF WU & JAHANBANI
 44 EL CAMINITO AVENUE
 CAMPBELL, CALIFORNIA
 SHEET NUMBER: 5
 OF 6 DRAWING NO. SHEETS: 16007-5

TENTATIVE PARCEL MAP



- LEGEND:**
- Property Line
 - Adjacent Property Line
 - Right-of-Way Line
 - New Lot Line
 - Centerline
 - Building Envelope
 - Ex. Fence
 - Ex. Curb, Gutter & Sidewalk
 - New Curb & Gutter
 - Storm Drain Line w/ Manhole
 - Sanitary Sewer Line w/ Manhole
 - Water Main Line
 - Common Trench
 - New Sound Wall



PEOPLES ASSOCIATES STRUCTURAL ENGINEERS

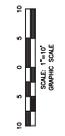


NO.	REVISION DESCRIPTION	DATE	BY	CHKD BY
1	ISSUED FOR CITY COMMENTS			
2	REVISED TO CLIENT & CITY			
3				
4				
5				
6				
7				
8				
9				
10				

SHEET NO. 29,988 DATE 7-08-16
 1998 Tarab Court
 Milpitas, CA 95035
 PEOPLES ASSOCIATES
 STRUCTURAL ENGINEERS
 408-927-9220
 FAX 408-957-9221

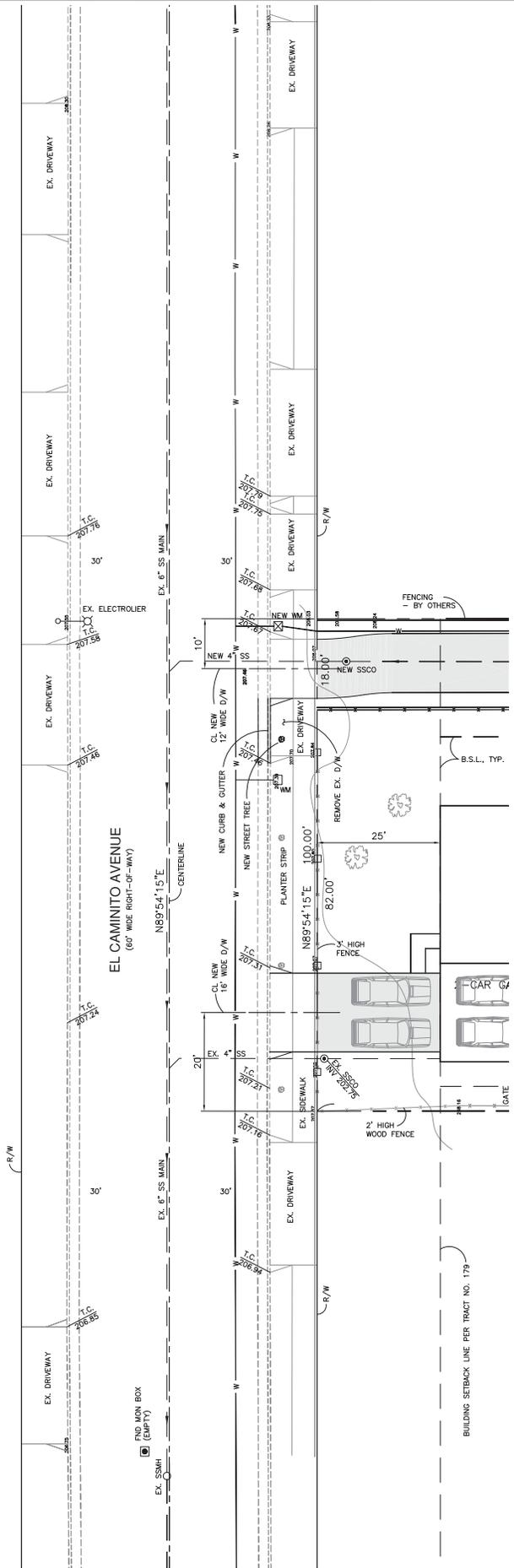
MINOR STREET
 IMPROVEMENTS
 LANDS OF WU & JAHANBANI
 44 EL CAMINITO AVENUE
 CAMPBELL, CALIFORNIA
 SHEET NUMBER 9
 OF 6 DRAWING NO. SHEETS
 16007-6

TENTATIVE PARCEL MAP



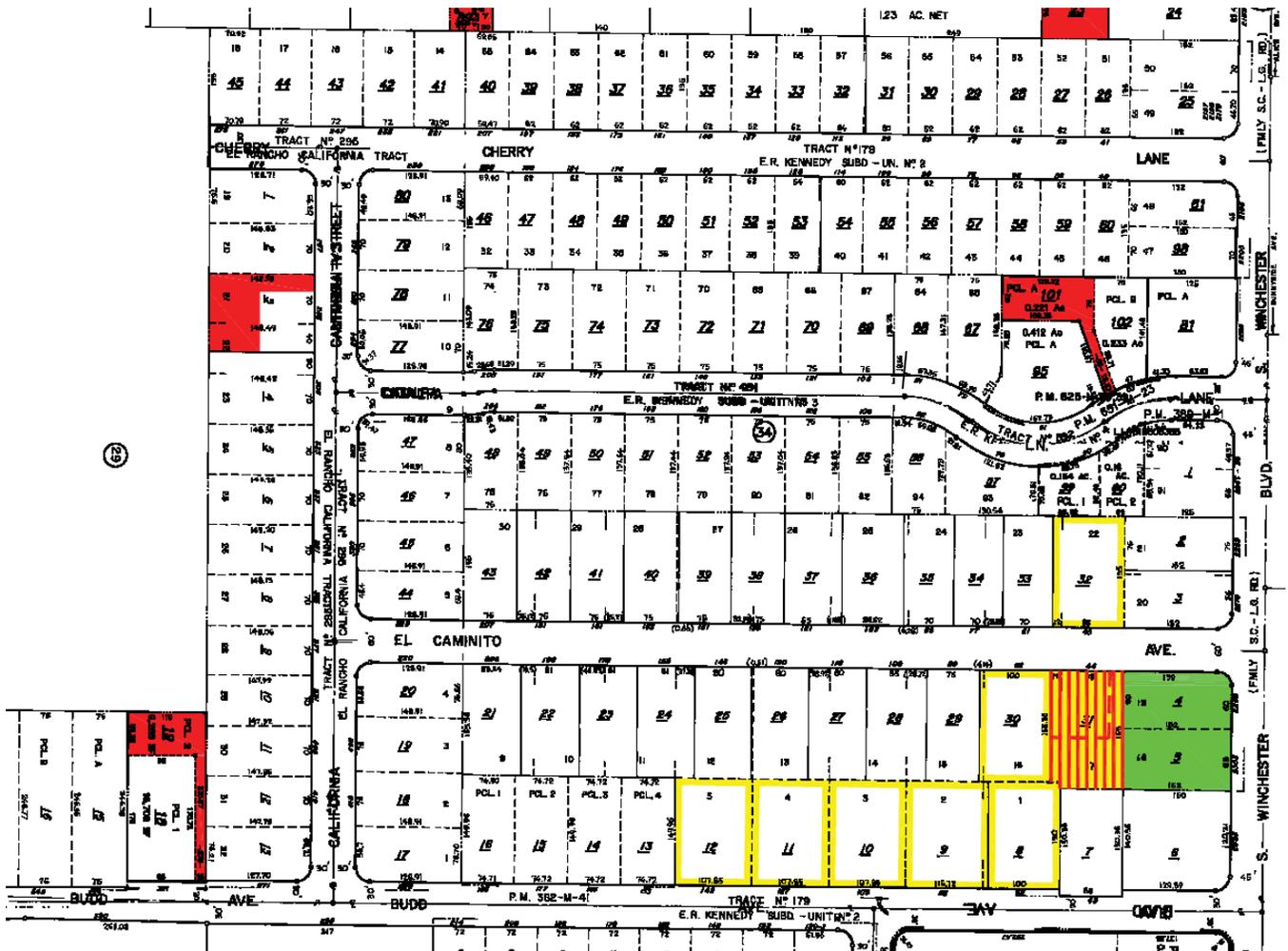
LEGEND:

- Property Line
- Ex. Curb, Gutter & Sidewalk
- Adjacent Property Line
- New Curb & Gutter
- Right-of-Way Line
- Storm Drain Line w/ Manhole
- New Lot Line
- Sanitary Sewer Line w/ Manhole
- Centerline
- Water Main Line
- Building Envelope
- Common Trench
- Ex. Fence
- New Sound Wall



BUILDING SETBACK LINE PER TRACT NO. 179

Existing & Potential Lot Splits



-  PROJECT SITE
-  EXISTING FLAG LOT
-  POTENTIAL LOT SPLIT / FLAG LOTS
-  APPROVED 16 UNIT CONDOS + RETAIL

Stephen Rose

From: captal44@aol.com
Sent: Saturday, April 02, 2016 10:48 AM
To: Stephen Rose
Subject: flag lots in campbell

Follow Up Flag: Follow up
Flag Status: Flagged

Sir:

Let me be brief and perfectly clear. The City administration is on a helter skelter pace to overbuild this city. Their philosophy of "Neighborhood Preservation" is non existent! The neighborhood of the proposed "Flag Lots" in the California / El Caminito .area does NOT WANT them. We want to "Preserve" our neighborhood as is. Stop crowding us out. No flag lots, no more commercial intrusion!

Al Lowder
351 California st.

Stephen Rose

From: Dominika <dominika.isabell@gmail.com>
Sent: Saturday, April 02, 2016 12:28 PM
To: Stephen Rose
Subject: Comment on Parcel Map Application, 44 El Caminito Ave

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr Rose,

I am writing to voice my concern on the parcel map of 44 El Caminito Ave, File No. PLN2016-46.

We are a young family that moved last year October to Campbell. We bought the house on 110 El Caminito Ave, because the street is quite and has only single family houses. We want to raise our children in this intimate environment, with low traffic and a good relationship to our neighbors.

I am concerned that this project will increase traffic and also change the character of the street/neighborhood, if multi-family housing/apartments will be permitted. I am sure that the frequency of new people moving in/out would increase and the relationship to the neighbors would become anonymous. This will likely decrease property value as well.

Even though this affects only one property, it is likely that others will see this as an example and will apply for the same. This will destroy the current character of the neighborhood.

I hope that you can understand that an approval would have a negative impact on our family. I want to trust that the City of Campbell is striving to keep the El Caminito Community as it is, a single-family residential area.

Best,

Dominika Soennichsen
110 El Caminito Ave
Campbell, CA 95008
phone 650-209-0970

Date: April 3, 2016
To: Stephen Rose
City of Campbell Planning Department

From: Danny and Shannon Thomas
Home Owner, 45 El Caminito Avenue



Re: File: PLN2016-46
44 El Caminito Avenue Lot Split

We are writing to express our strong opposition to the lot split at 44 El Caminito. Our home is located directly across the street and we have just completed an extensive remodel/new home on a similar lot size and feel allowing a lot split would not be appropriate to our street design and would negatively affect our property values and more importantly the character of our Campbell neighborhood.

We have lived on El Caminito for over 10 years and chose our neighborhood because we wanted a larger lot for more space between our neighbors, and allowing a new buyer to subdivide the lot and build two large homes is not the right fit for the neighborhood and the preservation of Campbell's ranch style feel.

We feel by allowing the subdivision of a lot on our street will start the process of developers doing the same along the street as houses turn over as our residents are often elderly and this will ruin the style and property values on our street. I know it is being done on one lot on California but that lot was a special circumstance, and the end lots on Catalpa that were developed several years ago were vacant and much larger. It does not need to happen on El Caminito as our lot of similar size will not be subdivided and we should not have to deal with the new driveway from the development on the corner that is being added along with two driveways if this lot is allowed to subdivide. It is dangerous for my children already in the driveway and this will further make it unsafe for them to ride their bikes in the street in front of our house. The recent "Bulbouts" that were put in at Budd keep the traffic from being able to turn right so it gets backed up so they speed down our street to cut through to San Tomas so adding the additional driveways will further cause issues with traffic on our street.

Is it necessary to keep approving everything that is proposed? and with all the high density development happening down Kennedy and Railway why doesn't the city want to keep the downtown core family friendly and safe and preserve the established neighborhoods? Do you see what has happened with Sunnyside street? It has no curb appeal and is a disaster of how it was developed. Would you allow this on Alice Street? Certainly not. We feel our street is one of the last remaining nice streets on this side of Winchester and it is the responsibility of the planning

department to maintain the integrity of the neighborhood and not allow it to be chopped up and affect the values for those homeowners who purchased homes for a higher price or recently remodeled so they could be in a neighborhood of ranch homes with large yards. Please strongly consider that we have a three story retail/apartment complex being built across the street already which were opposed to as it too will sit empty like everything that has been built along Winchester. This application for a lot split is unnecessary and negative for everyone except the developer. The City of Campbell should try and meet the needs of the current residents and not try and force all the unwanted density and apartments as this is forcing the families out who want to raise their children in a neighborhood.

The buyers/developers have bought not to live in our neighborhood but to build large and make money and that is all so why would the city support this? Why not just have one home that gets remodeled and makes the city better? They don't live in Campbell, they don't know anything about the neighbors and they don't care. Please drive by and look at that home and see the weeds growing on what was once the mayor of Campbell, Norman Paul's home, and then look what we have done to our home across the street. We built a beautiful home because we care about living in Campbell and want to stay so please don't force families out like us. We bought at the height of the home market back in 2005 and two homes on our street have been sold and for 1.4 million plus in the last year and they have built beautiful homes to raise their families, and the City needs to respect this and understand that they must try and preserve their high end streets and not allow all the development to ruin them. There is plenty of development going on all around us to not allow the start more in the few remaining neighborhoods in the downtown core area.

Please contact us if you have any questions and we will submit a hardcopy to the Planning Commission office on Monday, April 4, 2015 and our neighborhood will file an appeal if this lot subdivision is approved. Thank you for your consideration and feel free to contact us if you would like to discuss this matter further.

Stephen Rose
Associate Planner
Community Development Department
City of Campbell

Stephen,

These comments are in response to the proposed subdivision of 44 El Caminito in Campbell.

Although this property meets the size requirements to split, I believe the overall value, of this neighborhood has been missed and zero notable findings against the split have been cited. In the entire history of this neighborhood there has no flag lot splitting of an established property.

I believe the nod to 285 California St was a bad decision and should not be repeated. The original property owners, Gene Short and Brewster (Rusty) Hillard of 309 California St, purchased three of the Kennedy Tract lots and split them between both parties. They situated their houses equally upon each property with the idea of using the larger lots for their peace and happiness. This was the first affirmative on a flag lot in this neighborhood and apparently setting prescient as displayed by this request. Technically, another flag lot does exist as the result of the Watson house on Catalpa Lane developing the raw land adjacent to it. It is reasonable to point out that an existing lot in this instance was not "split" in this case but more accurately developed.

This subject will have repercussions throughout Campbell and should be heard in a public meeting. I am very concerned to hear from staff that the City ordinances are "old and don't provide the direction to oppose such a request". I am paraphrasing what I was told so this is not a quote. I think of all of the years of City leadership that protected our neighborhoods, I feel that to initiate such a change should certainly go beyond the discretion of the director.

I have much more to add to this subject but I think I will wait for a public forum. Thank you for your conscientious work, Stephen.

Russell Pfirman
266 California St
Campbell

Stephen Rose

From: John Meduri <jameduri@gmail.com>
Sent: Monday, April 04, 2016 3:36 PM
To: Stephen Rose
Cc: debbie.meduri@gmail.com
Subject: File PLN2016-46

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Stephen,

I live at 61 El Caminito Ave, diagonally across the street from the proposed subject development site and next door to Shannon Thomas, who had written to you earlier.

My wife and I have lived in this neighborhood for nearly 40 years and have always been attracted to the unique, custom homes and property it offers. Our concern about the proposed development plan is that it won't stop with this site. If that lot can be subdivided into two parcels, then the entire block can as well at some point (the lots are all large enough based on current city regulations). Is that what the city of Campbell wants down the road?

At this pace El Caminito Ave will turn into another Rincon Ave with all of its high density housing, parking problems and crime. With the influx of new businesses sprouting up in the city, tax revenues will continue to grow without the need to destroy the beauty of the neighborhoods just to increase the tax base.

Thank you for allowing me to opine on this issue. I appreciate the difficult job you have, but sincerely hope the city will give our concerns some serious consideration before making any final decisions.

Regards,

John and Debbie Meduri

Stephen Rose

From: Lee-Anne Farley <leeannefarley@gmail.com>
Sent: Monday, April 04, 2016 11:42 AM
To: Stephen Rose
Cc: Kevin Farley
Subject: PLN2016-46

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Mr. Rose:

Community Development Department

I live at 66 El Caminito Avenue in Campbell and wanted to express my serious concerns over the proposed approval to split the lot next door at 44 El Caminito Avenue into two lots. My concerns are based primarily on the following:

- This neighborhood is one of the last areas in Campbell that is zoned for single family homes on larger lots. This was one of our reasons for purchasing this property as we have young children and welcomed green space for them to play and become part of a community. The new owner of 44 El Caminito Avenue purchased the property based on current zoning which allows only a single story "granny quarters" to be built. I question why the City of Campbell would want to split these lots in what is one of the last green areas in the area.
- The property at the corner of El Caminito and Winchester has already been approved for multi use which already means a significant increase in traffic, lack of parking and safety for our community. Splitting the lot at 44 El Caminito Avenue will only compound these issues and to date, we have seen very little cooperation or proactive thought from the City of Campbell as to how this may be managed.
- As the closest neighbors to the proposed split lot, I am also very concerned about the potential change in privacy to my property as well as the impact of multiple dwellings, particularly if they are more than one level. Having been very diligent at preserving and maintaining original trees and plantings on and around the property, I am dismayed that this proposed development will change that with the cutting down of trees, plantings, etc. Having spoken with the new owners and learned of their plans to cut down the trees in front of the property, build two multi level buildings and several entrance / exit ways, my concerns are now heightened. Traffic concerns, parking issues, safety and access issues will become major issues.

Overall, I am very confused as to the overall plan for the City of Campbell and this proposal has compounded that confusion - I very much prefer to keep the zoning for El Caminito Avenue as is and am opposed to splitting the lot at 44 El Caminito Avenue.

Many thanks.

Lee-Anne and Kevin Farley
66 El Caminito Avenue
Campbell CA 95008



CITY OF CAMPBELL • PLANNING COMMISSION
Staff Report • April 26, 2016

PLN2016-41 Public Hearing to consider the application of Natasha Muller for a Site and Architectural Review Permit (PLN2016-41) allow construction of a 1,001 square foot addition to an existing single-story single-family residence for a total floor area of 3,029 square feet on property located at **816 Cambrian Drive** in the R-1-8 (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 to allow an addition to an existing single family residence, subject to the attached Conditions of Approval.

ENVIRONMENTAL DETERMINATION

Staff recommends that the Planning Commission find that this project is Categorical Exempt under Section 15301, Class 1 of the California Environmental Quality Act (CEQA), pertaining to additions to existing structures.

PROJECT DATA

Zoning Designation:	R-1-8 (Single-Family Residential)	
General Plan Designation:	Low-Density Residential (less than 4.5 units/gr. acre)	
Net Lot Area:	13,770 square-feet	
Building Height:	12 feet, 7 inches	28 feet Maximum Allowed
Building Area:		
Existing 1 st Floor Living:	1,720 square-feet	
Proposed 1 st Floor Living:	1,005 square-feet	
Existing Garage:	<u>304 square feet</u>	
Total floor area:	3,029 square-feet	
Porch/Patios:	603 square-feet	
Total lot coverage:	3,632 square-feet	
Floor Area Ratio (FAR):	22%	45% Maximum Allowed
Building (Lot) Coverage:	27%	40% Maximum Allowed

<u>Setbacks</u>	<u>Proposed</u>	<u>Minimum Required</u>
Garage:	52 feet, 8 inches	25 feet
Front:	52 feet, 8 inches	20 feet
Right Side:	9 feet	5 feet
Left Side:	7 feet, 10 inches	5 feet
Rear:	42 feet, 4 inches	5 feet

DISCUSSION

Project Location: The project site is an approximately 15,795 square-foot (gross) lot located on the south side of Cambrian Drive between Union Avenue to the west and Briarwood Way to the east, in the R-1-8 (Single-Family Residential) Zoning District (reference **Attachment 1** – Location Map). The site is currently developed with a single-family residence and detached garage built in 1948. Single-family residential properties border the site on all sides. Pursuant to 21.42.020, enlargement of a structure in the R-1-8 zoning district requires approval of a Site and Architectural Review Permit by the Planning Commission.

Project Description: The proposed single-story 3,029 square-foot residence and attached garage would maintain the original character of the existing home including overall massing and the beige colored adobe brick and matching stucco (reference **Attachment 4**). A new composition tile roof will replace the existing wood shingles in a similar brown shade. New windows and trim will be painted brown to match the existing home.

ANALYSIS

Zoning District: The project site was pre-zoned prior to annexation to the R-1-8 (Single-Family Residential) Zoning District. This zoning district maintains the same development standards (height, setbacks, FAR, etc.) of the more common R-1-6 Zoning District, with the exception of the minimum lot size required (8,000 square-feet). However, due to larger lots sizes—and the potential for larger homes with greater neighborhood impacts—new homes and additions to existing homes require approval of Site and Architectural Review Permit by the Planning Commission. As indicated under 'Project Data', the proposed addition conforms to applicable development standards.

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 residence would be consistent with the following General Plan Land Use Strategy:

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

Consistency with Design Guidelines: Review of the Site and Architectural Review Permit application is governed by the [City's Design Guidelines for Additions to Single-Family Homes](#) (“Guidelines”). 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 proposed design is consistent with the Guidelines in that the addition is compatible with the original home including scale and mass, colors and materials, window type, and roof slope. The home and garage will maintain the existing setback from the street, consistent with the adjacent residence. Privacy impacts are minimized by maintaining a single-story design and larger than required setbacks.

Site Layout: The single-story residence is located on a large lot and incorporates larger than required front, side, and rear yard setbacks.

Landscaping: The proposed site plan includes new and existing landscaping. The homeowner will preserve an approximately 35" ash tree in front of the home as well as retain existing healthy mature shrubs along the left side yard. The homeowner will replace the existing lawn in the front yard and plant new shrubs in front of the home.

"Remodel and Addition" vs. "New Dwelling": As submitted, the application is being considered an addition and remodel. However, if the applicant changes the roof framing, exterior walls, interior walls, and/or overall valuation such that the home would be considered a "new dwelling" (per City Code Section 18.32.010), then the applicant will be required to re-submit the project as a new dwelling. In this regard, a condition of approval will be included in the Resolution.

Site and Architectural Review Committee: The Site and Architectural Review Committee (SARC) reviewed this application at its meeting of April 12, 2016. The Committee was supportive of the project as presented.

Attachments:

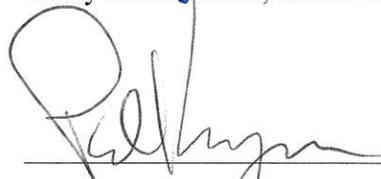
1. Findings for Approval of File No.: PLN2016-041
2. Conditions of Approval of File No.: PLN2016-041
3. Location Map
4. Project Plans

Prepared by:



Cindy McCormick, Senior Planner

Approved by:



Paul Kermoyan, Community Development Director

FINDINGS FOR APPROVAL OF FILE NO. PLN2016-041

SITE ADDRESS: 816 Cambrian Drive
APPLICANT: Natasha Muller
OWNER: David Gash
P.C. MEETING: April 26, 2016

Findings for Approval of a Site and Architectural Review Permit to allow an addition to an existing single family residence:

The Planning Commission finds as follows with regard to file number PLN2016-041:

1. The project site is zoned R-1-8 (Single Family Residential) on the City of Campbell Zoning Map.
2. The project site is designated Low Density Residential (4.5 units/gr. acre) on the City of Campbell General Plan Land Use diagram.
3. The proposed project will be compatible with the R-1-8 (Single Family Residential) Zone District with approval of a Site and Architectural Review Permit.
4. The project site is located along Cambrian Drive.
5. The application is subject to design review under the City of Campbell Design Guidelines for Additions to Single Family Homes.
6. The addition is compatible with the original home including scale and mass, colors and materials, window type, and roof slope. The home and garage will maintain the existing setback from the street, consistent with the adjacent residence. Privacy impacts are minimized by maintaining a single-story design and larger than required setbacks.
7. 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.

Based upon the foregoing findings of fact and pursuant to CMC Section 21.42.020, 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.
4. 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.

CONDITIONS OF APPROVAL FOR FILE NO. PLN2016-041

SITE ADDRESS: 816 Cambrian Drive
APPLICANT: Natasha Muller
OWNER: David Gash
P.C. MEETING: April 26, 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 Site and Architectural Review Permit (PLN2016-041) to allow a 1,001 square-foot addition to an existing single-family residence located at **816 Cambrian Drive**. The project shall substantially conform to the revised project plans stamped as received by the Planning Division on March 23, 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 (expiring April 26, 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.
4. 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.
5. Construction Activities: The applicant shall abide by the following requirements during construction:
 - a. 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.

- b. 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.
- c. All construction equipment with internal combustion engines used on the project site shall be properly muffled and maintained in good working condition.
- d. Unnecessary idling of internal combustion engines shall be strictly prohibited.
- e. 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.
- f. Use standard dust and erosion control measures that comply with the adopted Best Management Practices for the City of Campbell.

Building Division

Note: No building code issue has been reviewed at Development Review Committee; it will be reviewed in the Building Permit process. Please be aware that building codes are changing constantly; plans submitted for building permit shall comply with the code in effect at that time. Submit permit application together with required documents to the Building Inspection Division to obtain a building permit. No construction can be commenced without an appropriate building permit. To the satisfaction of the building division manager/building official:

- 6. **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.
- 7. **PROJECT DESCRIPTION:** This project is proposed as a “remodel and addition to an existing dwelling”. The scope of work proposed under this project more closely reflects the construction of a new single-family dwelling. The Building Inspection Division will consider this project as new construction, and fees will be calculated based on the comparative similarities to new construction. This project will be reviewed under the provisions of Chapter 18.32 of the City Campbell Municipal Code to determine how this project will be defined.
- 8. **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.
- 9. **CONSTRUCTION PLANS:** The conditions of Approval shall be stated in full on the cover sheet of construction plans submitted for building permit.
- 10. **SIZE OF PLANS:** The minimum size of construction plans submitted for building permits shall be 24 in. X 36 in.

11. **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.
 12. **SEISMIC REQUIREMENTS:** Additions and Alterations to (e) residential structures shall comply with Section 3404 of the 2013 California Building Code (CBC).
 13. **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.
 14. **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.
 15. 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.
 16. **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. Bay Area Air Quality Management District (Demolitions Only)
 - d. San Jose Water Company (279-7900)
 - e. School District:
 - i) Campbell Union School District (378-3405)
 - ii) Campbell Union High School District (371-0960)
 - iii) Moreland School District (379-1370)
 - iv) 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.
17. **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.
 18. **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.

19. **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.
20. **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.
21. **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.
22. This project shall comply with the mandatory requirements for Residential Structures, Chapter 4 of the California Green Building Code 2013 ed.
23. This Structure, if classified 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.

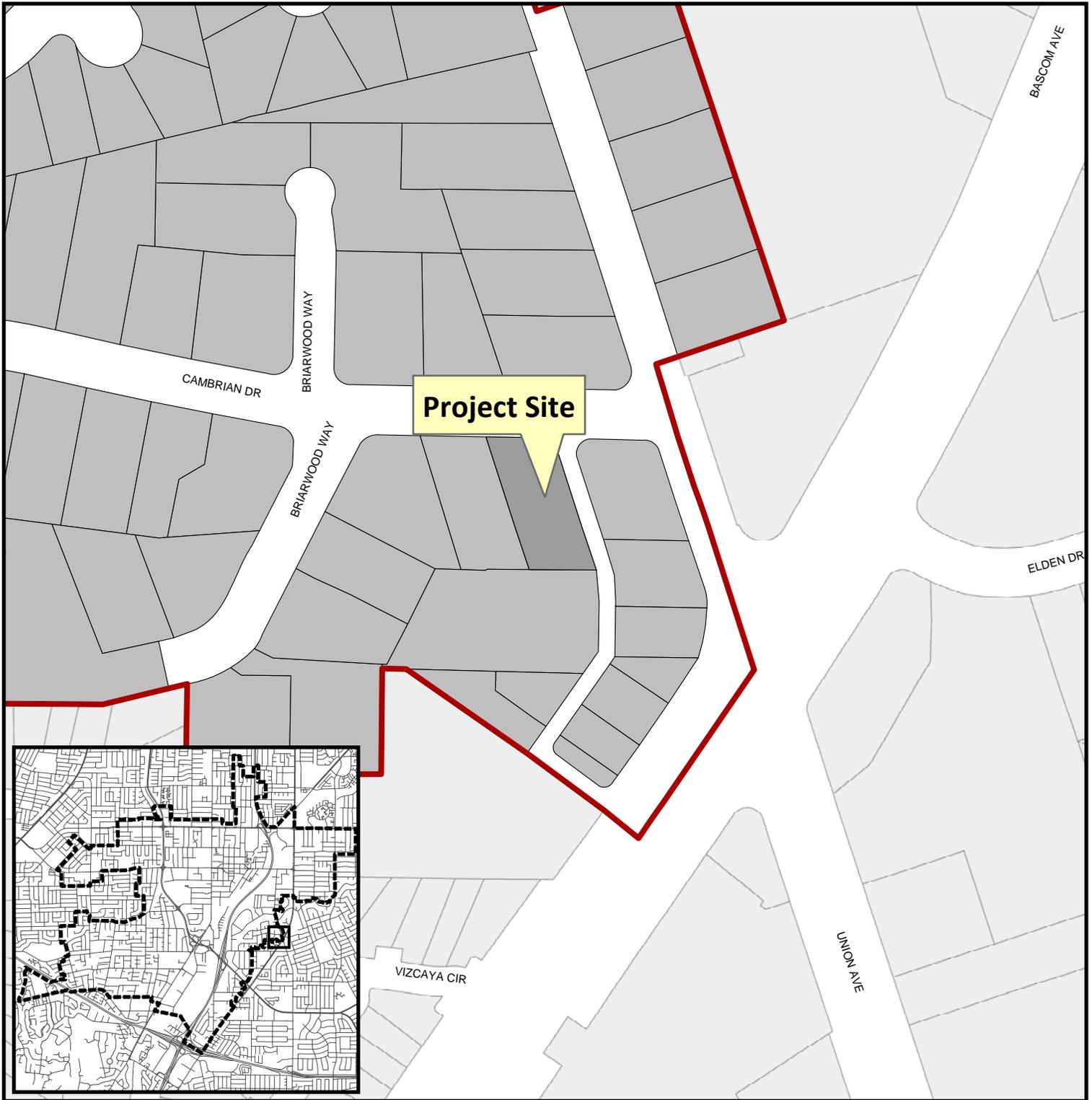
Public Works Division

24. Storm Drain Area Fee: Prior to issuance of any grading or building permits for the site, the applicant shall pay the required Storm Drain Area fee, currently set at **\$2,120.00** per net acre, which is **\$670.00**
25. Stormwater Pollution Prevention Measures: Prior to issuance of any grading or building permits, the applicant shall comply with the National Pollution Discharge Elimination System (NPDES) permit requirements, Santa Clara Valley Water District requirements, and the Campbell Municipal Code regarding stormwater pollution prevention. The primary objectives are to improve the quality and reduce the quantity of stormwater runoff to the bay.

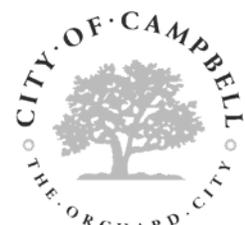
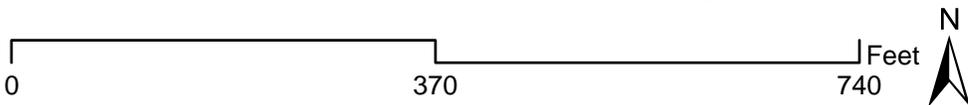
Resources to achieve these objectives include *Stormwater Best Management Practices Handbook for New Development and Redevelopment* (“CA BMP Handbook”) by the California Stormwater Quality Association (CASQA), 2003; *Start at the Source: A Design Guidance Manual for Stormwater Quality Protection* (“Start at the Source”) by the Bay Area Stormwater Management Agencies Association (BASMAA), 1999; and *Using Site Design Techniques to Meet Development Standards for Stormwater Quality: A Companion Document to Start at the Source* (“Using Site Design Techniques”) by BASMAA, 2003.
26. The following conditions only apply if the applicant has a need to install / upgrade utility services (water, sewer, gas, etc.) in the street:
27. Utility Encroachment Permit: Separate 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.

28. 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.
29. 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. Streets that have been reconstructed or overlaid within the previous five years will require boring and jacking for all new utility installations. [Cambrian Drive](#) has not been reconstructed or overlaid in the last 5 years. 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.

Project Location Map



Project Location: 816 Cambrian Dr
Application Type: Site and Architectural Review
Planning File No.: PLN2016-41
Description: 1,005 SF addition to existing house



Community Development Department
Planning Division

Attachment 4

RECEIVED

FEB 04 2016

CITY OF CAMPBELL
PLANNING DEPT.



816 CAMBRIAN DR
PROPOSED EXTERIOR - COLOR RENDER
NOT TO SCALE

Revisions	Date

Smart Space - Interior Design & Architectural Plans
 Natasha Müller - Founder + Lead Designer
 smartspaced@gmail.com
 www.smartspaced.com
 408.357.0067



REMODEL & ADDITION
 816 CAMBRIAN DR
 CAMPBELL, CA 95008

PROPOSED EXTERIOR
 COLOR RENDER

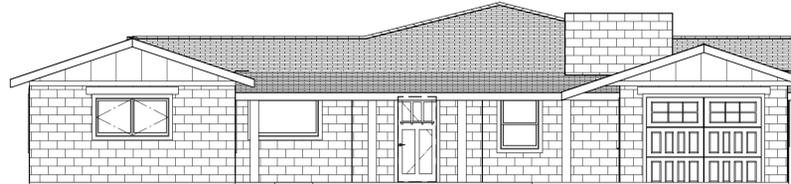
Date	FEB '16
Scale	SHOWN
Drawn By	NM
Job	CAMBRIAN DR
Sheet	



815 UNION AVE
LEFT NEIGHBOR

PUBLIC ALLEY
20' WIDE

816 CAMBRIAN DR
PROPOSED PROJECT



816 CAMBRIAN DR
PROPOSED REMODEL & ADDITION



816 CAMBRIAN DR
PROPOSED PROJECT

802 CAMBRIAN DR
RIGHT NEIGHBOR

STREET SCAPE VIEW

Revisions	Date
1	3.22.16

Smart Space - Interior Design & Architectural Plans
 Natasha Muller - Founder + Lead Designer
 smartspaceid@gmail.com
 www.smartspaceid.com
 408.357.0067



REMODEL & ADDITION
 816 CAMBRIAN DR
 CAMPBELL, CA 95008

TITLE SHEET & PROJECT DATA

Date	JAN '16
Scale	SHOWN
Drawn By	NM
Job	CAMBRIAN DR
Sheet	

A1

RESIDENTIAL REMODEL & ADDITION

816 CAMBRIAN AVE
 CAMPBELL, CA 95008

APN 412-41-031

OWNER :
 DAVID GASH
 (619) 574-0111

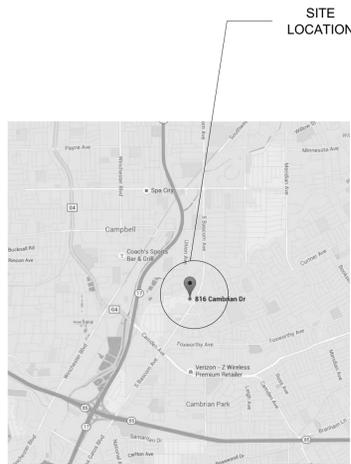
DESIGNER:
 SMART SPACE - NATASHA MULLER
 (408) 357-0067

PROJECT DESCRIPTION

EXISTING 2,024 SF:
 1,720 SF 2 BEDROOM, 1 BATH
 304 SF DETACHED SINGLE CAR GARAGE

ADDITION 1,005 SF:
 MASTER BEDROOM & GREAT ROOM AT REAR

REMODEL & ADDITION:
 EXISTING FRONT FACADE, DETACHED GARAGE AND ROOF REMAIN
 ADDITION OF MASTER BEDROOM & GREAT ROOM LOCATED AT REAR
 (E) WINDOWS REPLACED SIZE TO SIZE AND NEW WINDOWS & DOORS TO MATCH
 NEW UPGRADED ENERGY EFFICIENT UTILITIES: A/C, FAU & TANKLESS WATER HEATER
 NO TREES WILL BE REMOVED UNLESS DEEMED UNHEALTHY OR DECEASED



VICINITY MAP



ASSESSOR MAP

SHEET INDEX

- A-1 TITLE SHEET & PROJECT DATA
- A-2 SITE PLAN: SITE PLAN, LANDSCAPE PLAN, PRELIM DRAINAGE PLAN & BUILDING CROSS SECTION
- A-3 EXISTING / DEMO FLOOR PLAN & PROPOSED FLOOR PLAN
- A-4 EXISTING EXTERIOR ELEVATIONS
- A-5 PROPOSED EXTERIOR ELEVATIONS
- A-6 ROOF PLAN

PROJECT DATA

SITE INFO:

APN# 412-41-031
 EXISTING USE: RESIDENTIAL
 ZONING: R-1-8
 CONSTRUCTION TYPE: V-B
 MAX ALLOWED BUILDING HEIGHT: 30'
 PROPOSED BUILDING HEIGHT: 15'-3"

CALCULATIONS:

LOT SIZE: 81' x 170' = 13,770 SF
 FLOOR AREA RATIO 45% = 6,196 SF
 LOT COVERAGE 40% = 5,508 SF

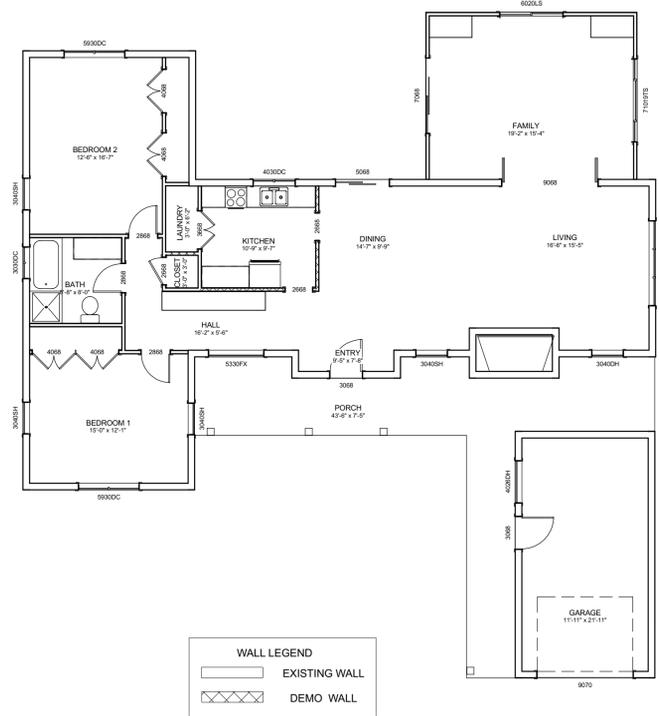
FLOOR AREA RATIO

(E) LIVING = 1,720 SF
 (N) LIVING = 1,005 SF
 (E) GARAGE = 304 SF
TOTAL FAR: 3,029 SF

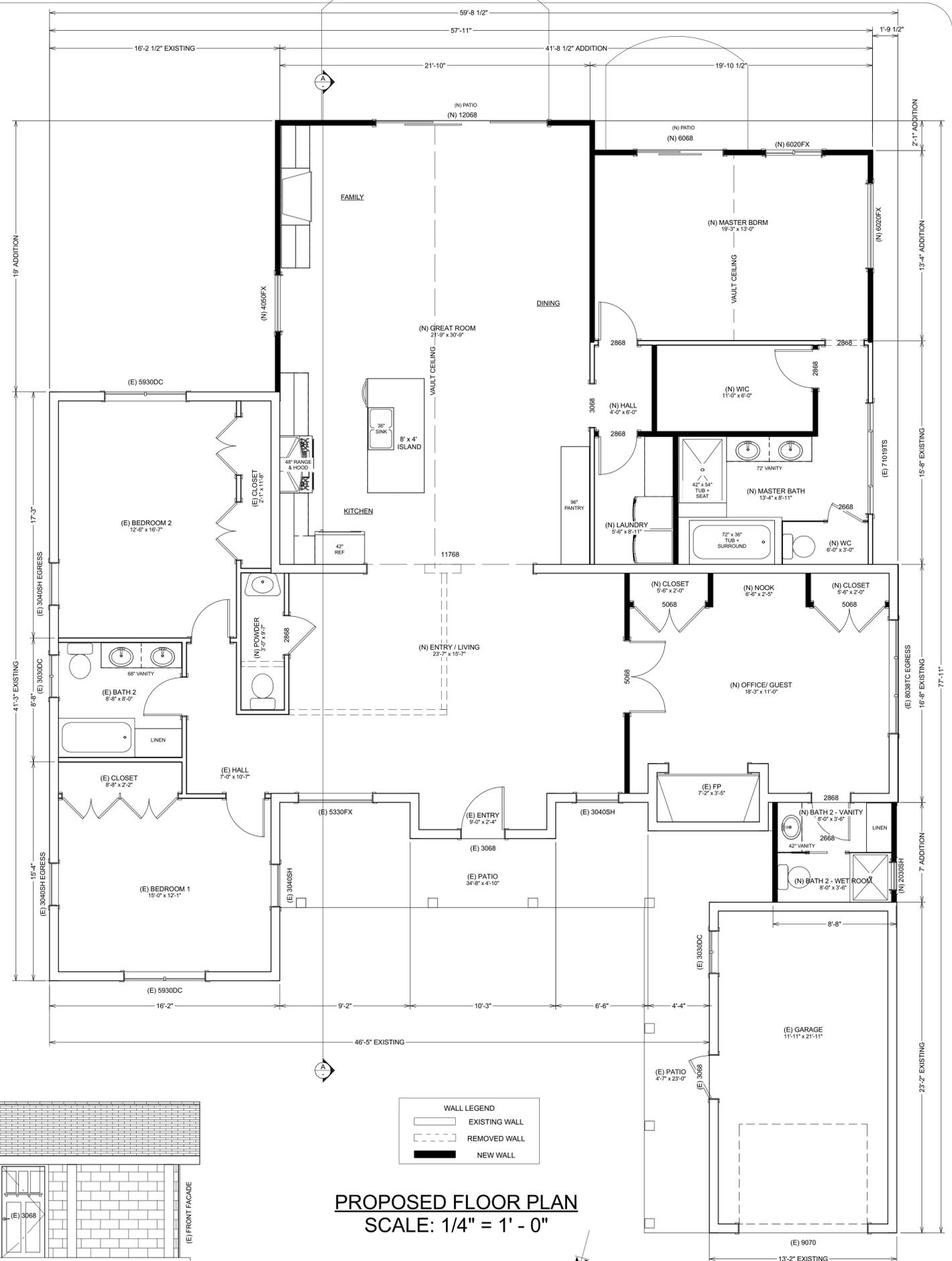
LOT COVERAGE:

FLOOR AREA = 3,029 SF
 CONCRETE PATIOS = 613 SF
TOTAL LOT COVERAGE: 3,642 SF

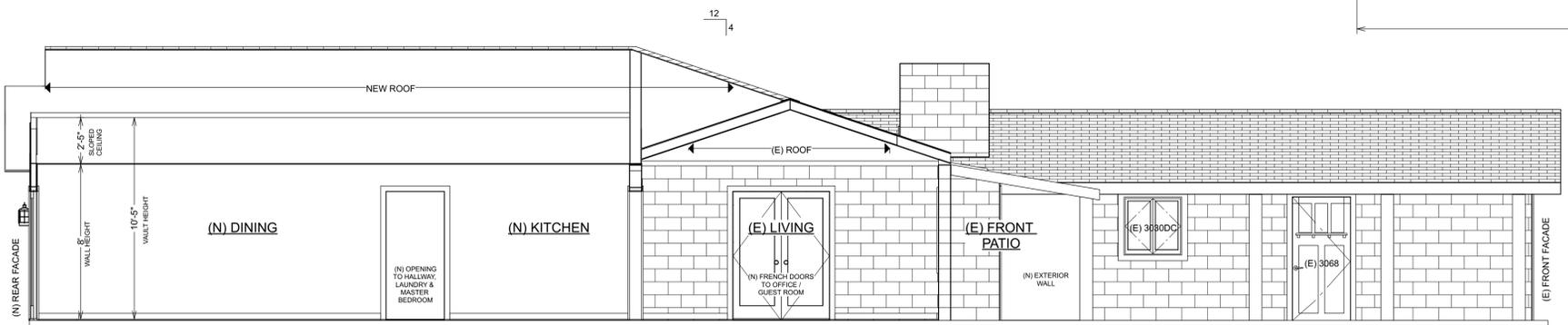
PROJECT SUMMARY				
ASSESSORS PARCEL NUMBER:	412 . 41 . 031			
LOT SIZE:	81' x 170'	Gross sq. ft. (Property to center line of street)		
	13,770	Net sq. ft.		
DEVELOPMENT DATA:				
	Existing	Proposed	Existing	Proposed
Building coverage	2,024	3,029	15.7%	22.7%
Landscaping coverage	15.7%	11.0%	15.7%	11.7%
Floor coverage	3.7%	6.1%	3.7%	5.7%
FLOOR AREA RATIO: Total Bldg x L divided by net lot size	15.7%	22.7%	15.7%	22.7%
ADJACENT LAND USES:				
	Use			
North	RESIDENTIAL			
South	RESIDENTIAL			
East	RESIDENTIAL			
West	RESIDENTIAL			
PARKING:				
# Standard Spaces	# Compact Spaces	# Disabled Spaces	# TOTAL PARKING	
RESTAURANT AND ASSEMBLY USES:				
Seating Count				
RESIDENTIAL PROJECTS:				
	UNIT TYPE A	UNIT TYPE B	UNIT TYPE C	UNIT TYPE D
Living Area (square footage)	2,024			
Garage Area (square footage)	304			
Total Area (square footage)	2,328			
Number of Bedrooms	2			
Total Number of Units per Type	1			



EXISTING / DEMO PLAN
 SCALE: 1/8" = 1' - 0"



PROPOSED FLOOR PLAN
 SCALE: 1/4" = 1' - 0"



A - CROSS SECTION
 SCALE: 1/4" = 1' - 0"

Revisions	Date
1	3.22.16

Smart Space - Interior Design & Architectural Plans
 Natasha Miller - Founder + Lead Designer
 www.smartspacedesign.com
 408.357.0067

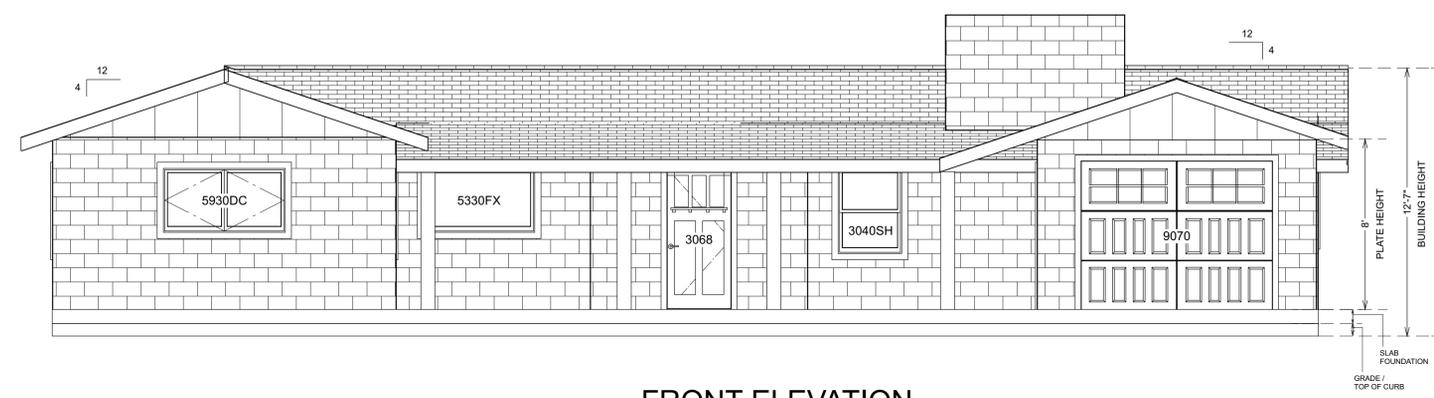
smart space
 interior design.

REMODEL & ADDITION
 816 CAMBRIAN DR
 CAMPBELL, CA 95008

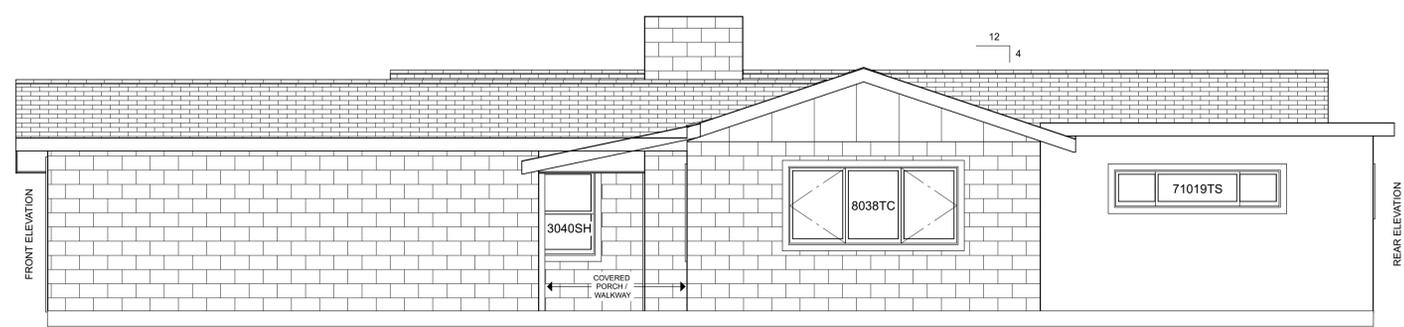
EXISTING DEMO & PROPOSED FLOOR PLAN

Date	JAN '16
Scale	SHOWN
Drawn By	NM
Job	CAMBRIAN DR
Sheet	

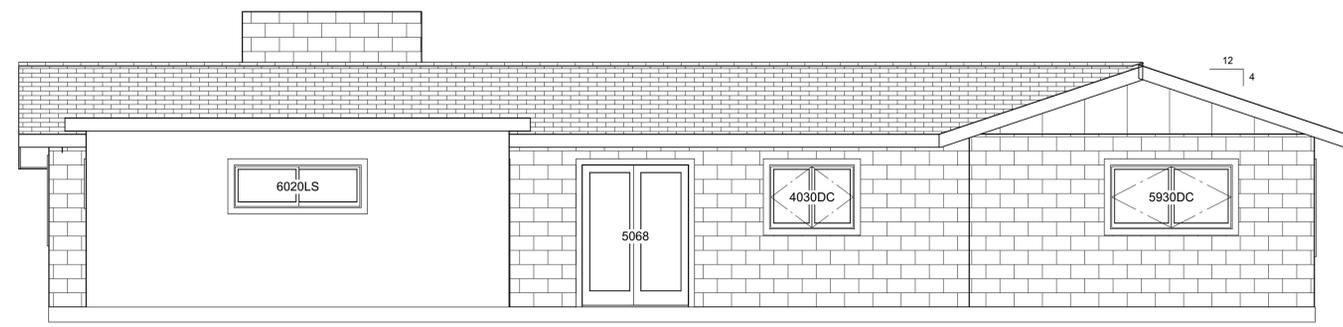
Revisions	Date
△	3.22.16



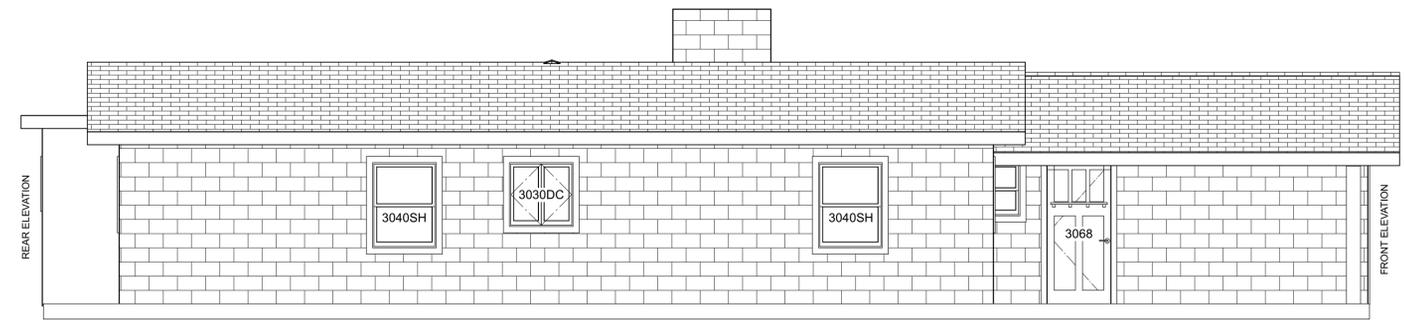
FRONT ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION

EXISTING EXTERIOR ELEVATIONS
SCALE: 1/4" = 1' - 0"

Smart Space - Interior Design & Architectural Plans
 Natasha Müller - Founder + Lead Designer
 smartspaceid@gmail.com
 www.smartspaceid.com
 408.357.0067



REMODEL & ADDITION
 816 CAMBRIAN DR
 CAMPBELL, CA 95008

EXISTING
 EXTERIOR ELEVATIONS

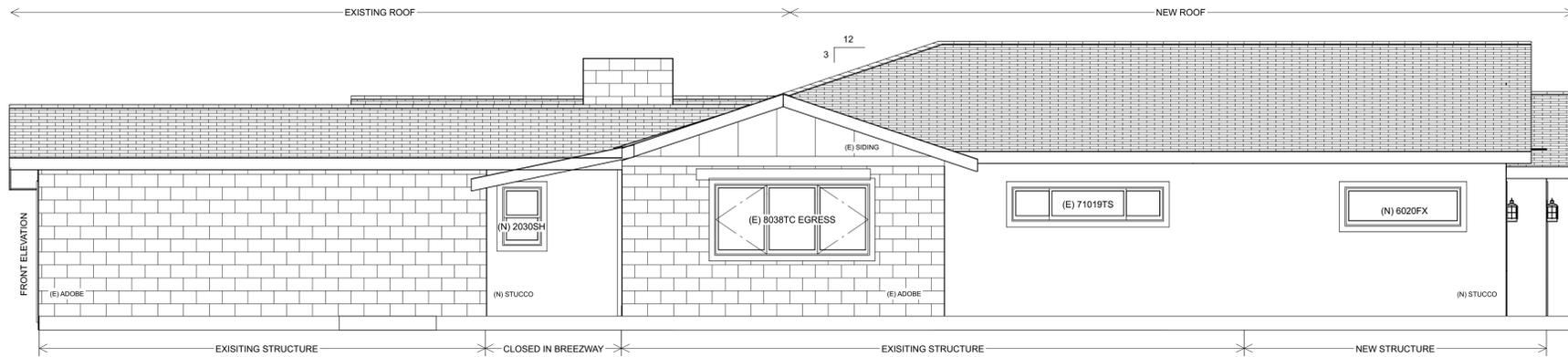
Date JAN '16
 Scale SHOWN
 Drawn By NM
 Job CAMBRIAN DR
 Sheet

EXTERIOR MATERIALS

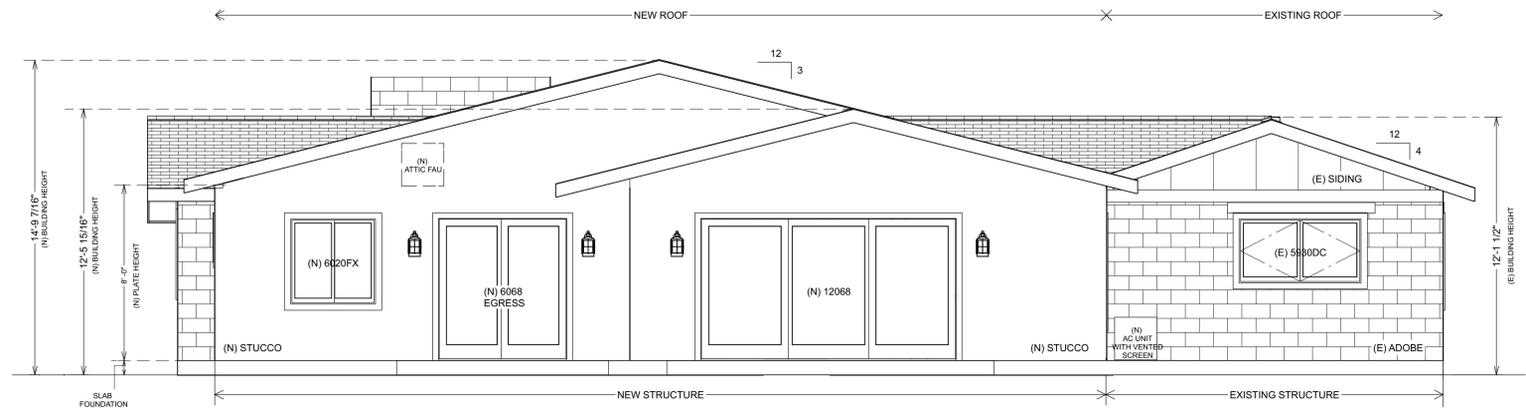
ROOF: (E) WOOD SHINGLES UPDATED TO (N) 25 YR COMPOSITION ROOF. (E) BROWN COLOR WILL BE LIKE FOR LIKE
 ADOBE WALLS: ANY (E) ADOBE WALLS TO REMAIN WILL RETAIN SAME CHARACTERISTICS. (E) BEIGE COLOR WILL REMAIN.
 STUCCO: (N) STUCCO WALLS WILL BE SAME COLOR AS (E) ADOBE WALLS.
 SIDING: IF (E) SIDING IS IN GOOD CONDITION, IT WILL REMAIN. OTHERWISE IT WILL BE CHANGED OUT LIKE FOR LIKE. IT WILL BE SAME COLOR AS (E) ADOBE WALLS.
 BAND: (N) BELLY BAND SEPARATING (E) SIDING & (E) ADOBE WILL BE ADDED FOR ARCHITECTURAL APPEAL. COLOR WILL MATCH (E) ADOBE WALLS.
 WOOD POSTS: POSTS WILL MATCH (E) BROWN ROOF COLOR.
 WINDOWS: (N) AND (E) UPGRADED WINDOWS WILL MATCH (E) BROWN ROOF COLOR.



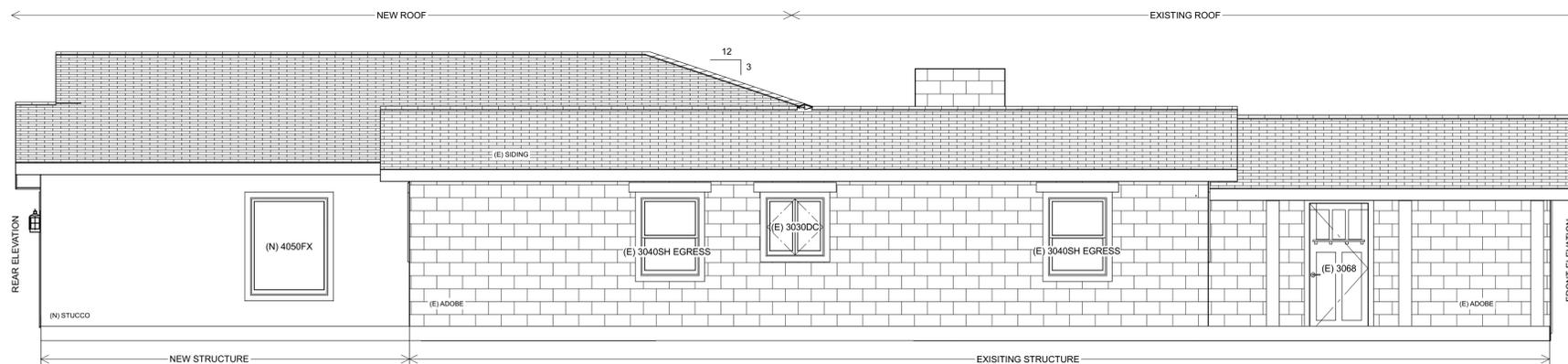
FRONT ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION

PROPOSED EXTERIOR ELEVATIONS
 SCALE: 1/4" = 1' - 0"

Revisions	Date
1	3.22.16

Smart Space - Interior Design & Architectural Plans
 Natasha Müller - Founder + Lead Designer
 smartspaceid@gmail.com
 www.smartspaceid.com
 408.357.0067

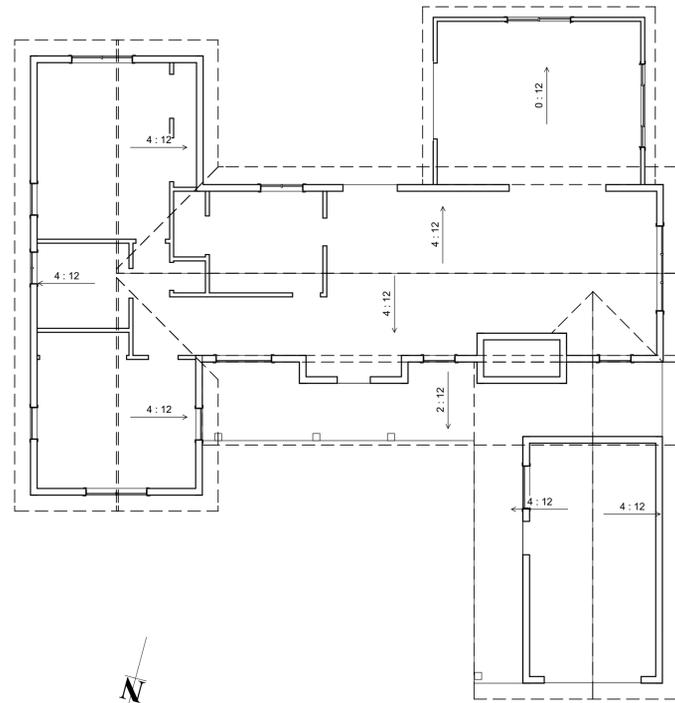


REMODEL & ADDITION
 816 CAMBRIAN DR
 CAMPBELL, CA 95008

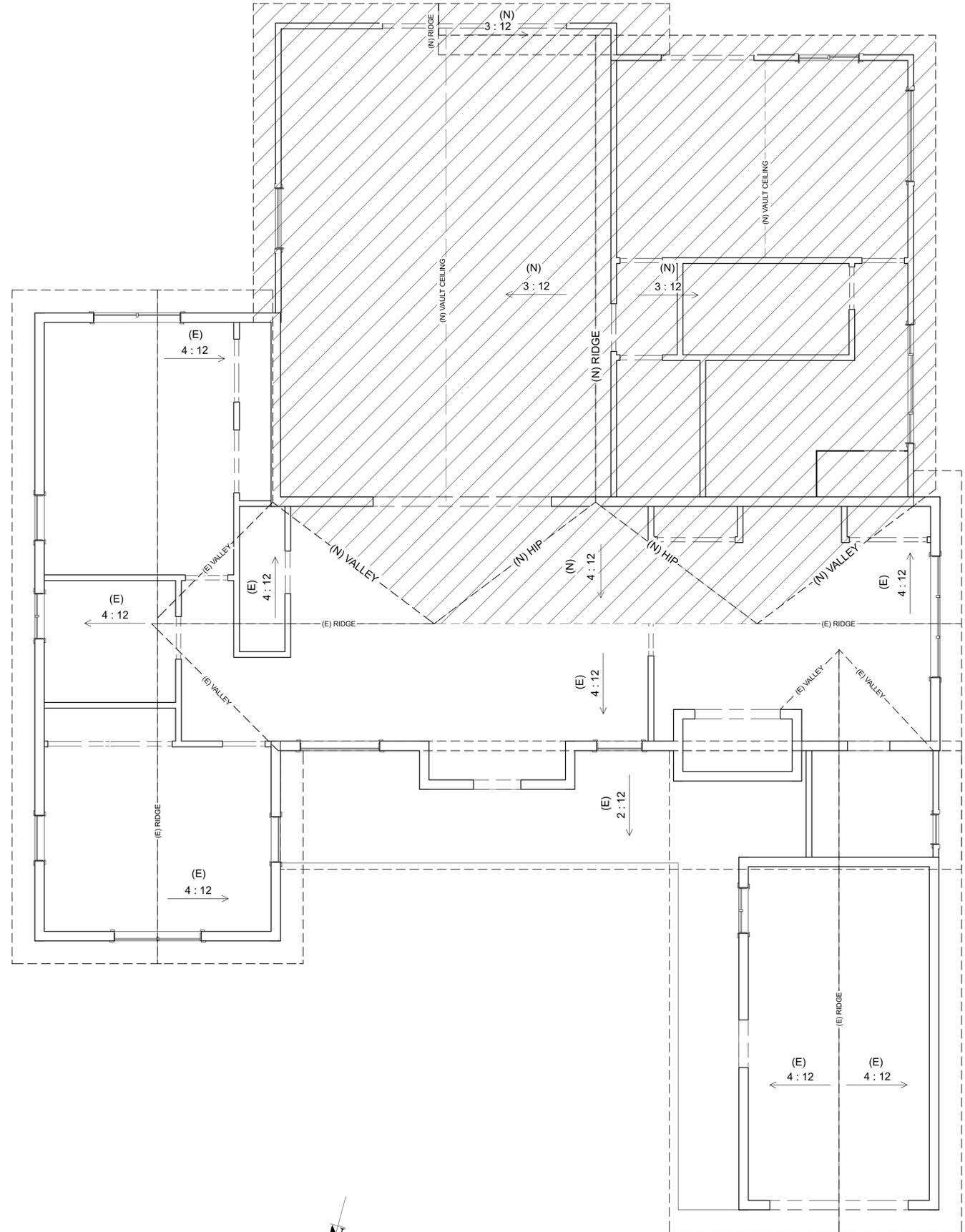
PROPOSED EXTERIOR ELEVATIONS

Date	JAN '16
Scale	SHOWN
Drawn By	NM
Job	CAMBRIAN DR
Sheet	

A5



EXISTING ROOF PLAN
SCALE: 1/8" = 1' - 0"



PROPOSED ROOF PLAN
SCALE: 1/4" = 1' - 0"

Revisions	Date
△	3.22.16

Smart Space - Interior Design & Architectural Plans
 Natasha Müller - Founder + Lead Designer
 smartspaceid@gmail.com
 www.smartspaceid.com
 408.357.0067



REMODEL & ADDITION
 816 CAMBRIAN DR
 CAMPBELL, CA 95008

EXISTING & PROPOSED
 ROOF PLAN

Date	JAN '16
Scale	SHOWN
Drawn By	NM
Job	CAMBRIAN DR
Sheet	

A6



CITY OF CAMPBELL • PLANNING COMMISSION
Staff Report • April 26, 2016

PLN2016-42
RLD Family

Public Hearing to consider the application of Eric Piech for a Conditional Use Permit (PLN2016-42) and Parking Modification Permit (PLN2016-97) to allow the establishment of a small fitness studio within an existing building located at **356 E McGlincey Lane** in the M-1 (Light Industrial) 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 and Parking Modification Permit allowing the establishment of a small fitness studio within an existing building located at 356 E McGlincey Lane, 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 southeastern side of E McGlincey Lane, between McGlincey Lane and Griffith Lane (**Attachment 3** – Location Map). The .56 acre property is developed with two (2) single-story buildings. The site plan depicts the business occupying a majority of Building 1, noting that the remaining portion of the building is currently vacant (**Attachment 4** – Plans).

PROJECT DATA

Zoning District:	M-1 (Light Industrial)
General Plan Designation:	Light Industrial
Net Lot Size:	24,733 sq. ft. (.56 acres)
Building 1:	
Proposed Tenant Space (Suite 4):	3,618 sq. ft.
Vacant Tenant Space (Suite 5):	1,964 sq. ft.
Building 2 (Suites 1,2,3):	<u>6,200 sq. ft.</u>
Total Building Area:	11,782 sq. ft.

Proposed Hours: 5:00 AM – 9:00 PM Daily (by appointment only)

Surrounding Uses

Northeast:	M-1 Zoning (masonry supply)
Northwest:	M-1 Zoning (commercial services)
Southeast:	R1-6 Zoning (single-family residential)
Southwest:	M-1 Zoning (warehouse)

Applicant's Proposal: The applicant is requesting approval of a Conditional Use Permit for a small fitness studio ("Fitness Movement") in an existing building. The applicant describes the business as a new "gymnasium/training studio facility" used exclusively for personal trainers and their clients "by appointment only", and is not otherwise open to the public (reference **Attachment 4** – Applicant's Summary). The applicant also states that the facility will be used for "up to 4 trainers at a time" in "one-on-one sessions with clients". Thus the total occupancy would be nine (9) persons (4 trainers, 4 clients, and 1 staff person). The applicant is also requesting approval of a Parking Modification Permit because small studios require more parking than industrial uses and there are not enough parking spaces on the property to meet the additional parking requirements. The proposal does not result in any additional floor area. Minor exterior changes to the existing building include converting a roll-up door to a window. The conversion will increase the distance between exit doors as required for the new use.

ANALYSIS

General Plan: The General Plan land use designation for the site is *Light Industrial*. The Light Industrial designation is intended for service commercial type uses. The General Plan Land Use Element provides several policies and strategies 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-5.6: Industrial Impact: Reduce the impact of existing industrial uses on adjacent residences, schools, and other sensitive 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.

Allowance of a small fitness studio on the subject property is consistent with the purpose of Light Industrial land use designation in that it would have a lower impact on the residential uses to the southeast in comparison to other uses that could locate there such as manufacturing. A small fitness studio would contribute to the variety of services in the area.

Zoning District: The property is located within the Light Industrial (M-1) Zoning District. The use is categorized as a "small studio" offering personal training for up to four participants at any one time. The use would not be considered a "Health/fitness centers" because it does not require

“membership for access” where members can “drop in” at any time during normal business hours. Rather, clients must have an appointment with a personal trainer in order to use the facility. Small studios are allowed within the M-1 Zoning District with the approval of a Conditional Use Permit (CMC Section 21.46).

Development Standards. Small studios are subject to the Special Use provisions of CMC Section 21.36.095, as provided below:

Conditional Use Permit (CUP) Expiration. CUPs for small studios in the M-1 Zoning Districts expire no later than five years from the date of approval; however the applicant may re-apply for additional time limited approvals prior to the five year expiration date, per CMC Section 21.36.095(C).

Parking and Circulation. The site has been designed to provide for safe and efficient vehicular and pedestrian circulation by locating parking stalls directly in front of each building. While the site does not meet the small studio parking requirement of one space for every 250 square feet of floor area, the existing parking on site is sufficient to accommodate the business, as described in the parking modification permit discussion below.

Hours of Operation. The proposed hours are 5:00 AM to 9:00 PM daily by appointment only; however the Planning Commission may require different hours of operation as a condition of approval.

Noise. The small fitness studio is not expected to exceed noise limitations set forth in the Zoning Ordinance and therefore should not unreasonably offend the senses or obstruct the free use and comfortable enjoyment of neighboring properties.

Overconcentration. There are no other public assembly, studio (small and large), or health and fitness center uses within 300 feet of the site. Therefore, the application conforms to the overconcentration limit in the M-1 Zoning District.

Signs. Signage is not part of this application review; however any future signage desired by the applicant shall comply with Chapter 21.30.

Parking Modification Permit: The site currently has 30 spaces, the minimum required if both buildings were occupied by industrial uses (one space per 400 square feet of floor area). The City’s parking standards require 14 parking spaces for a small fitness studio (one space per 250 square feet of floor area) while an industrial use would only require nine (9) parking spaces (one per 400 square feet of floor area). The applicant is requesting a parking modification permit allowing a reduction of 5 parking spaces. In order to approve the permit, the Planning Commission must find that the proposed personal training studio can be adequately served by nine (9) parking spaces due to the unique nature and circumstances of the business. The Commission must further find that approval of the parking modification permit will further the purpose of CMC Chapter 21.28 (Parking and Loading). If approved, conditions of approval must be incorporated into the project to ensure the long-term adequacy of the provided off-street parking.

The proposed small fitness studio is unique in that the personal training business is not open to drop-in patrons. Rather, clients must have an appointment and must be accompanied by a personal trainer. The maximum number of persons that would be onsite at any time would be nine (9) individuals (4 trainers, 4 clients, and 1 staff person). Given these circumstances, the parking needed for the nine (9) individuals would be consistent with available parking on-site which is consistent with the Light Industrial parking requirements (one space per 400 square feet of floor area). Conditions of approval will be included in the Resolution to ensure that the business operates as requested, unless otherwise approved by the City.

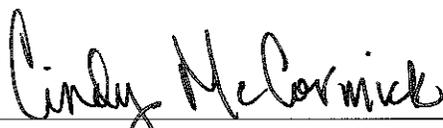
Parking Summary				
	Tenant	Floor Area	Parking Standard	# Spaces*
Building 1	Small Studio (proposed)	3,618 sq. ft.	1/250 SF	14
	Vacant	1,964 sq. ft.	1/400 SF (assumed industrial)	5
Building 2	Manufacturing	6,200 sq. ft.	1/400 SF	16
Parking Required				35
Parking Provided				30
Parking Deficit				(5)

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

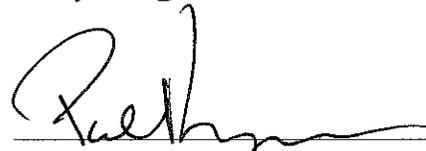
Attachments:

1. Findings for Approval of File No. PLN2016-42
2. Conditions of Approval for File No. PLN2016-42
3. Location Map
4. Applicant's Project Summary
5. Project Plans

Prepared by:


Cindy McCormick, Senior Planner

Approved by:


Paul Kermoyan, Community Development Director

FINDINGS FOR APPROVAL OF FILE NO. PLN2016-42

SITE ADDRESS: 356 E. McGlincey Lane
APPLICANT: Eric Piech
OWNER: RLD Family L.P.
P.C. MEETING: April 26, 2016

Findings for approval of a Conditional Use Permit (PLN2016-42) allowing the establishment of a small fitness studio within an existing building located at **356 E McGlincey Lane** in the M-1 (Light Industrial) Zoning District.

The Planning Commission finds as follows with regard to file number PLN2016-42:

1. The project site is zoned M-1 (Light Industrial) and designated *Light Industrial* by the General Plan.
2. The project site is located on the southeastern side of E McGlincey Lane, between McGlincey Lane and Griffith Lane
3. The proposed project is an application for a Conditional Use Permit to allow the establishment of a small fitness studio.
4. Small fitness studios are allowed within the M-1 Zoning District with the approval of a Conditional Use Permit.
5. The proposal does not result in any additional floor area. Minor exterior changes to the existing building include converting a roll-up door to a window.
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 5:00 AM to 9:00 PM daily.
8. 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.
9. Policies found within the Campbell General Plan articulate a desire to protect the integrity of the city's neighborhoods, reduce the impact of industrial uses on adjacent residences, and promote a variety of uses that create an economic balance within the city.
10. The proposed small fitness studio is unique in that the maximum number of persons that would be onsite at any time would be nine (9) individuals whom would be adequately serviced by the nine (9) available parking spaces on the site.

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.
2. The proposed use would be adequately served by the nine (9) available parking spaces and otherwise complies with all other applicable provisions of this Zoning Code and the Campbell Municipal Code;
3. The proposed use is consistent with the General Plan;
4. 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;
5. The proposed site is adequately served by streets of sufficient capacity to carry the kind and quantity of traffic the use would be expected to generate;
6. 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;
7. 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
8. 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. PLN2016-42

SITE ADDRESS: 356 E. McGlincey Lane
APPLICANT: Eric Piech
OWNER: RLD Family L.P.
P.C. MEETING: April 26, 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 (PLN2016-42) to allow the establishment of a small fitness studio within an existing building located at **356 E. McGlincey Lane**. The use shall substantially conform to the Project Plans and Project Summary stamped as received by the Planning Division on February 5, 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 (May 7, 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 the 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 Project Summary and City standards, any small fitness studio 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 nine (9) individuals 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.
 - b. **Maximum Occupancy Sign:** The business owner shall install a maximum occupancy sign of a size to be determined by the Community Development Director, conspicuously posted within the premises, limiting occupancy to nine (9) individuals.
 - c. **Hours of Operation:** Hours of operation shall be 5:00 AM to 9:00 PM daily.
 - d. **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 personal training sessions, require additional parking management strategies and/or forward the project to the Planning Commission for review.
 - e. **Smoking:** "No Smoking" signs shall be posted on the premises in compliance with CMC 6.11.060.
 - f. **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, and/or forward the project to the Planning Commission for review.
- g. **Loitering:** There shall be no loitering allowed outside the business. The business owner is responsible for monitoring the premises to prevent loitering.
 - h. **Trash Disposal and Clean-Up:** All trash disposal, normal clean-up, carpet cleaning, window cleaning, sidewalk sweeping, etc. shall occur during business hours.
 - i. **Business License:** The business shall be required to obtain and maintain a City business license at all times.
6. **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.
7. **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.
8. **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.
9. **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.
10. **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.
11. **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

Note: No building code issue has been reviewed at Development Review Committee; it will be reviewed in the Building Permit process. Please be aware that building codes are changing constantly; plans submitted for building permit shall comply with the code in effect at that time. Submit permit application together with required documents to the Building Inspection Division to

obtain a building permit. No construction can be commenced without an appropriate building permit. It is recommended that this item be forwarded to the Planning Commission for review, with the following conditions. To the satisfaction of the building division manager/building official:

12. PERMITS REQUIRED: A building permit application shall be required for the proposed conversion of use to "Fitness Studio". The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit.
13. CONSTRUCTION PLANS: The conditions of Approval shall be stated in full on the cover sheet of construction plans submitted for building permit.
14. SIZE OF PLANS: The minimum size of construction plans submitted for building permits shall be 24 in. X 36 in.
15. 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.
16. 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.
17. 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.
18. 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 Section 106. Please obtain City of Campbell, Special Inspection forms from the Building Inspection Division Counter.
19. 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.
20. 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.
21. TITLE 24 ACCESSIBILITY – COMMERCIAL: This project is not subject to "Hardship Exemption". This space shall full comply with current California Access Requirements.

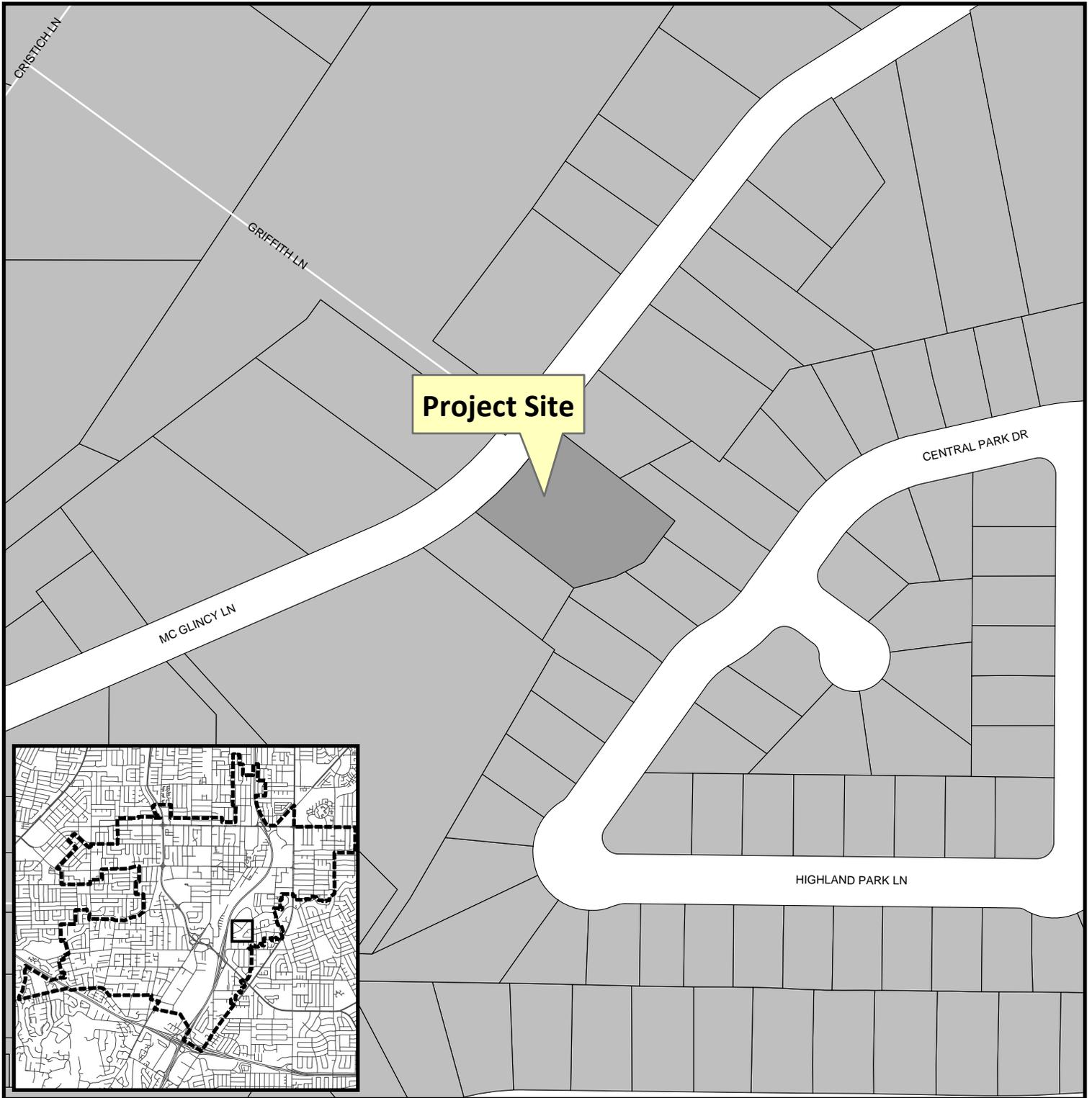
22. **APPROVALS REQUIRED:** The project requires the following agency approval prior to issuance of the building permit:
- a. West Valley Sanitation District
 - b. Santa Clara County Fire Department
23. **P.G.& E.:** Applicant is advised to contact Pacific Gas and Electric Company as early as possible 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

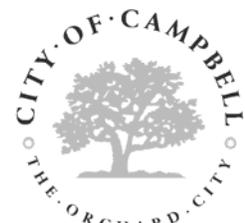
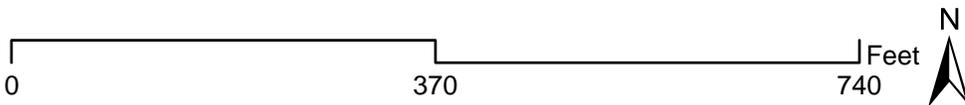
25. Formal Plan Review: Review of this development proposal is limited to accessibility of site access and water supply as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing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

Project Location Map

Attachment 3



Project Location: 356 E McGlincey Lane
Application Type: Conditional Use Permit
Planning File No.: PLN2016-42
Description: Fitness Studio



Community Development Department
Planning Division

RECEIVED

FEB 05 2016

CITY OF CAMPBELL
PLANNING DEPT.

Application for a Conditional Use Permit
Fitness Movement
356 McGlincy Lane
Campbell, CA 95008

Project summary:

wayne renschow
architect

111 West Saint John St.
Suite 950
San Jose, CA 95113

408 288 8033 phone
408 999-6637 fax

wayne@wr-architect.com

Fitness movement is a new gymnasium/training studio facility that will be dedicated to personal trainers and the individuals that they train; Use of the facility will be exclusively for personal trainers and is by appointment only - there will be no "open" or "drop-in" hours for clients to use the equipment without their trainers. The facility will be available for up to 4 trainers at a time.

Construction will include removal of existing interior improvements (returning the suite to a shell condition) and then the construction of two new toilet rooms and a utility room. The rest of the suite will remain open gymnasium area.

Site improvements: minor restriping of existing parking stalls. Install new storefront window in existing overhead door opening (to meet exiting requirements), demolition of existing non-bearing improvements, install new accessible toilet rooms and utility room.

February 4, 2016

Parking:

Parking demand:

Health and fitness facilities:	1 space for each 150 sf.
General manufacturing, industrial, and storage:	1 space for each 400 sf

Existing building 1 area:	6,200 sf
Existing building 2 area:	5,582 sf
Total area:	11,782 sf

Gymnasium:	$3,618 / 150 = 24.12$ spaces
Industrial:	$8,164 / 400 = 20.41$ spaces
Total required:	

Available parking: 30 spaces.

Parking Justification: Fitness Movement is a non-traditional gymnasium: it is available by appointment only, and will be used by personal trainers in one-on-one session with clients. Four clients, four trainers and one staff person will equal 9 people and 9 parking spaces, which is identical to the parking demand that is provided for the space if it was used for industrial space. As the facility operates by appointment only, the ownership has full control over their clients and how they will use the facility. Given that most of the clients are working people, it is expected that most of the parking demand will be for early morning hours and after dinner hours – times when the adjacent tenant suites are typically closed and the parking spaces are empty anyway. With these factors in mind, we feel that parking demand will not be an issue for this facility.

Hours:

5:00 am to 9:00 pm, seven days per week. Open hours are by appointment only.

Staff: up to four personal trainers at one time plus one management person.

architecture
planning
computer
aided design
visualization
rendering

existing condition notes

1. EXISTING LANDSCAPE BED, TO REMAIN. NO WORK IS PROPOSED IN THIS AREA.
2. EXISTING PARKING LOT STRIPING, TO REMAIN THIS SIDE. NO CHANGES ARE PROPOSED.
3. EXISTING PARKING LOT STRIPING, THIS SIDE. REMOVE LINES SHOWN WITH A DASHED LINE AND RESTRIPE AS SHOWN ON THE SITE PLAN.
4. DEMOLISH EXISTING NON-ACCESSIBLE TOILET ROOMS. SEE FLOOR PLAN FOR NEW TOILET ROOM LAYOUT.
5. EXISTING ROLL-UP DOOR MOUNTED ON THE INSIDE FACE OF CONCRETE BLOCK WALL. ROLL DOOR INTO FULLY OPEN POSITION AND LOCK IN PLACE. SEE FLOOR PLAN FOR NEW STOREFRONT WINDOW INFILL.
6. EXISTING TRASH ENCLOSURE, TO REMAIN.
7. EXISTING VALLEY GUTTER, TO REMAIN.
8. REMOVE EXISTING DEMISING WALL AND COMBINE ADJACENT SUITES INTO A SINGLE TENANT SPACE.
9. EXISTING CONCRETE BLOCK FENCE ON PROPERTY LINE, TO REMAIN.



wayne renschow
architect

111 W. Saint John St #950
San Jose, CA 95113
(408) 288 8033
fax 297 7908

consultant

consultant

- general notes**
1. This sheet is part of a set and is not to be used alone.
 2. This sheet is not to be used for construction unless the architect's stamp and signature appear on drawings and status box indicates drawings have been released for construction.
 3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
 4. Copyright Wayne Renschow, Architect 2015.

Fitness Movement

Conditional Use Permit

356 McGlincey Ave
Suite 4 & 5
Campbell, CA

#	description	date

revision history

release status

client review	date
<input type="radio"/>	

date 3/14/16

proj num 1549

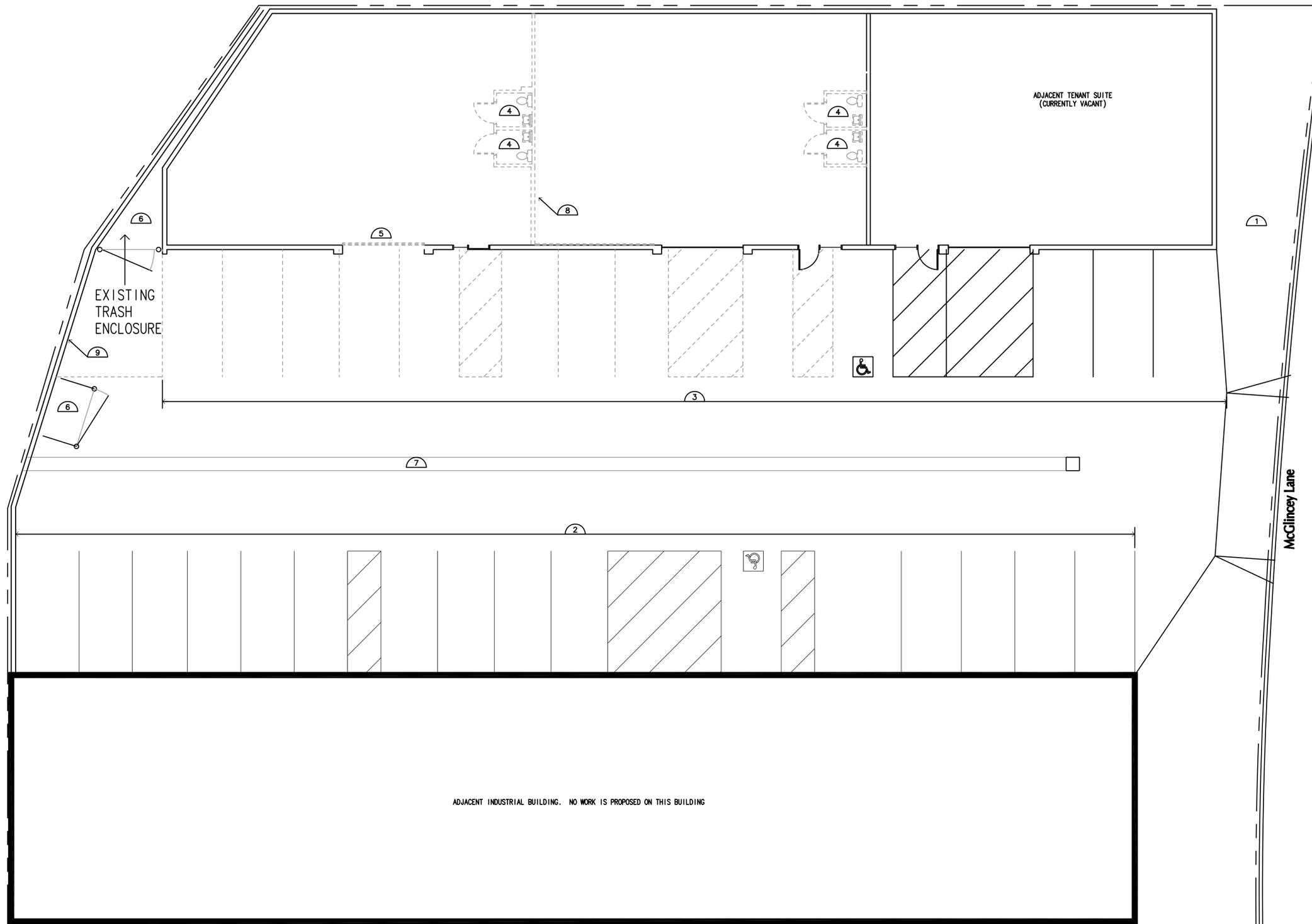
proj mgr WR

proj arch WR

scale 1/8"=1'-0" 0 5 10

existing conditions

sheet number A2.0





CITY OF CAMPBELL • PLANNING COMMISSION
Staff Report • April 26, 2016

PLN2016-69 Public Hearing to consider the application of Roy Watson and Margaret Eyerman on behalf of Maki Swim School for a Variance (PLN2016-69) to applicable development standards provided in Campbell Municipal Code Sec. 21.08.070 (R-3 Multiple-family Zoning District), Ch. 21.18 (Site Development Standards), and Sec. 21.36.020 (Accessory Structures) to formalize construction of an unpermitted swimming pool enclosure in association with a legal non-conforming commercial swim school on a single-family residential property located at **973 Apricot Avenue**.

STAFF RECOMMENDATION

That the Planning Commission take the following action:

1. **Adopt a Resolution**, incorporating the attached findings, approving a Variance (PLN2016-69) to applicable development standards to formalize construction of an unpermitted swimming pool enclosure, subject to the attached Conditions of Approval.

ENVIRONMENTAL DETERMINATION

Staff recommends that the Planning Commission find this project is Categorically Exempt under Section 15302 of the California Environmental Quality Act (CEQA). This subsection of the CEQA Guidelines exempts from environmental review reconstruction of an existing structure where the new structure will be located on the same site and have substantially the same purpose and capacity as the previous structure.

PROJECT DATA

Zoning Designation:	R-3 (Multiple Family Residential)	
General Plan Designation:	High Density Residential (21-27 Units/Gr. Acre)	
Gross Lot Area:	7,650 square feet (.18 acre)	
Net Lot Area:	6,650 square feet (.15 acre)	
Building Square Footage:	2,400 square feet (residence and accessory structures)	
Residential Density:	5 units/gr. acre	
Proposed Site Utilization:		
Building Coverage:	4,778 sq. ft. (72%)	40% maximum allowed
Paving Coverage:	777 sq. ft. (12%)	
Landscaping Coverage:	1,095 sq. ft. (16%)	
Floor Area Ratio (FAR):	.36	.55 maximum allowed
Building Height:	14 ft., 3 in.	14 ft. maximum allowed
Open Space:	1,872 sq. ft.	300 sq. ft. minimum required

Pool Cover Setbacks:	<u>Provided</u>	<u>Minimum Required</u>
Front (south):	69 ft.	20 ft.
Rear (north):	5 ft.	5 ft., 6 in. (½ building wall height)
Side (east):	2 ft.	5 ft.
Side (west):	10 ft.	5 ft.

DISCUSSION

Project Site: The project site, located on Apricot Avenue, near its intersection with Bascom Avenue (reference **Attachment 3** – Location Map), is developed with a single family home at the front and a nonconforming commercial swim school in the rear. The property is zoned R-3 (Multiple Family Residential) with a corresponding General Plan Land Use designation of High Density Residential (21-27 Units/Gr. Acre). Adjoining uses include condominiums to the east and commercial uses to the north, south, and west.

Both the residential and commercial uses existed on the property prior to its 1970 annexation into the City of Campbell. After a 1974 City Council decision to amend the property's land use designation to residential, the swim school was rendered a legal nonconforming use. Historically a temporary structure of approximately 1,400 square feet was used to cover the pool during the winter months. This "dome" would be erected and removed seasonally. In 2013-2014, the dome was replaced with a permanent pool enclosure of approximately 2,000 square feet. This new enclosure was installed without approval by the Planning or Building Divisions and the property became the subject of an active code enforcement case following a referral from the County Fire District.

City Council Meeting: To address the code enforcement issue, this matter was referred to the City Council for authorization of a General Plan Amendment to change the property's land use designation to General Commercial, which would allow the swim school to operate as a conforming use. However, at the February 2, 2016 meeting, the Council took action instead to authorize submittal of a variance application to formalize approval of the noncompliant aspects of the pool facility related to zoning regulations (size, location, etc.), as a short-term measure to resolve public health and safety issues. Long-term, the Council will consider amending the land use designation and zoning to correspond to the property's use as part of the Envision Campbell process. The City Council provided direction to obtain the necessary building permits subsequent to a Variance approval.

Proposal: The applicant has submitted an application for a Variance (PLN2016-69) to allow deviation from applicable development standards, including maximum lot coverage, maximum size for an accessory structure, maximum height of an accessory structure, side and rear setbacks, and separations between accessory structures, in order to formalize construction of the unpermitted swimming pool enclosure (reference **Attachment 4** – Project Plans).

ANALYSIS

Zoning District: The project site has an R-3 (Multiple-Family) Zoning District designation. The pool enclosure is defined as an "accessory structure," which is an allowable use within the R-3 Zoning District subject to approval of the appropriate land use permit. Normally, an accessory structure may be approved by the Community Development Director by issuance of a Zoning Clearance. However, the non-complaint aspects of the structure necessitate Planning Commission approval of a Variance.

Variance Request: The applicant's Variance request would grant relief from various development standard requirements, as noted above. In considering the Variance request, the Campbell Municipal Code (Sec. 21.48.040) requires the Planning Commission to make five specific findings in order to approve the Variance request:

1. The strict or literal interpretations and enforcement of the specified regulation(s) would result in a practical difficulty or unnecessary physical hardship inconsistent with the objectives of this Zoning Code;
2. The strict or literal interpretations and enforcement of the specified regulation(s) would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district;
3. There are exceptional or extraordinary circumstances or conditions applicable to the subject property (i.e., size, shape, topography) which do not apply generally to other properties classified in the same zoning district;
4. The granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district; and
5. The granting of the Variance will not be detrimental to the public health, safety, or welfare, or be materially injurious to properties or improvements in the vicinity.

These findings are intended to ensure that granting of a Variance is limited to those situations where the unique characteristics of a site make it difficult to develop under standard regulations. A Variance should only be granted to bring a unique property up to a level of use enjoyed by nearby properties in the same zoning district. In this regard, the "big picture" intent of the Variance is to allow relief from regulations in **specific and unique** situations where their strict application would lead to a result inconsistent with the Zoning Code or General Plan.

The practical effect of the Variance should also be considered. The swimming pool and the surrounding deck, which are the primary component of the swim school, are already located in proximity to property lines in which the setbacks are nonconforming. The enclosure would not alter this relationship, nor would it affect the manner in which the swimming pool has historically been used, with or without a cover. In effect, the enclosure duplicates the use and functionally of the previous dome structure without intensifying the operation of the nonconforming commercial swim school. Additionally, the lack of permanent walls—plastic drop down panels are used—minimizes the enclosure's visual presence from the street and adjoining properties, addressing a concern that setbacks are intended to address.

Ultimately, strict application of the Zoning Standards would effectively preclude creation of a new pool cover structure, which would diminish the swim school's operations. The applicants are the operators of a long-standing commercial swim school that predates the property's annexation into Campbell. Its continued operation is allowed by the Zoning Code, and arguably, even encouraged by the General Plan (as noted below). Considering these circumstances, the Variance would allow a relatively minor deviation to development standards that would allow the operators to provide a modest covering over the swimming pool without expanding the pool or otherwise increasing the school's capacity. In this regard, the Variance would allow for a minimum departure from applicable zoning standards in a unique circumstance not found elsewhere in the City.

General Plan: In review of this application, the Planning Commission may also take into consideration the following General Plan strategies and policies, which encourage neighborhood serving businesses, a variety of uses in the community, and retention of existing businesses.

- Strategy 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-5.3: Variety of Commercial and Office Uses: Maintain a variety of attractive and convenient commercial and office uses that provide needed goods, services and entertainment.
- 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
- Policy LUT-13.1b: Business Retention and Attraction: Develop programs to retain and attract businesses that meet the shopping and service needs of Campbell residents.

Code Compliance: Following an affirmative decision on the Variance by the Planning Commission, the applicants will be required to make a formal submittal for a building permit that will need to address fire protection, separation, occupancy load, accessibility, exiting, etc. This will require the applicants to procure the services of an appropriate design professional such as an architect or engineer. A preliminary review by the Fire District suggests that the pool enclosure as it currently exists likely cannot be permitted since it would be defined as a "structure" under the Building Code, necessitating installation of an automatic sprinkler system, which would be cost prohibitive and technically infeasible to install.

The best case scenario is that the enclosure would need to come down for six months out of the year so that it could be classified as a "tent," which is subject to less restrictive code standards. However, until a formal plan submittal is made, the exact extent of the code requirements is unknown. If the applicants are unable or unwilling to take this step the City will order the pool enclosure remove pursuant to the Conditions of Approval.

Site and Architectural Review Committee: As this structure is not subject to Site and Architectural Review, it was not reviewed by the Site and Architectural Review Committee (SARC).

Attachments:

1. Findings for Approval of File No.: PLN2016-69
2. Conditions of Approval of File No.: PLN2016-69
3. Location Map
4. Project Plans

Prepared by: 
Daniel Fama, Associate Planner

Prepared by: 
Naz Pouya, Project Planner

Approved by: 
Paul Kermoyan, Community Development Director

FINDINGS FOR APPROVAL OF FILE NO. PL2016-69

SITE ADDRESS: 973 Apricot Ave.
APPLICANT: Roy Watson and Margaret Eyerman
OWNER: Gina Ambrose
P.C. MEETING: April 26, 2016

Findings for approval for a Variance to applicable development standards provided in Campbell Municipal Code Sec. 21.08.070 (R-3 Multiple-family Zoning District), Ch. 21.18 (Site Development Standards), and Sec. 21.36.020 (Accessory Structures) to formalize construction of an unpermitted swimming pool enclosure in association with a legal non-conforming commercial swim school

The Planning Commission finds as follows with regard to file number PLN2016-69:

1. The project site is zoned R-3 (Multiple-Family Residential) on the City of Campbell Zoning Map.
2. The project site is designated High Density Residential (21-27 units/gr. acre) on the City of Campbell General Plan Land Use diagram.
3. The project site is located on Apricot Avenue, near its intersection with Bascom Avenue.
4. The project site is developed with a single family home at the front and a nonconforming commercial swim school in the rear.
5. The non-conforming commercial swim school existed at time of the property's 1970 annexation into the City of Campbell.
6. Historically a temporary structure of approximately 1,400 square feet was used to cover the pool during the winter months. This "dome" would be erected and removed seasonally.
7. In 2013-2014 the temporary "dome" structure was replaced with a permanent pool enclosure of approximately 2,000 square feet.
8. The pool enclosure constitutes an accessory structure as defined by the Campbell Municipal Code.
9. As an accessory structure that did not increase the size of the swimming pool nor increase the school's capacity, the pool enclosure did not expand or otherwise intensify the non-conforming swim school use.
10. The proposed project is a Variance application to formalize the unpermitted construction of the swimming pool enclosure by granting relieve to applicable development standards, including, but not limited to, maximum lot coverage, maximum size for an accessory structure, maximum height of an accessory structure, side and rear setbacks, and separations between accessory structures, provided in Campbell Municipal Code Sec. 21.08.070 (R-3 Multiple-family Zoning District), Ch. 21.18 (Site Development Standards), and Sec. 21.36.020 (Accessory Structures).
11. Strict application of the Zoning Standards would effectively preclude creation of a new pool enclosure, which would diminish the swim school's operations.

12. Allowed continued operation of the swim school is supported by the following General Plan policies and strategies:

- Strategy 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-5.3: Variety of Commercial and Office Uses: Maintain a variety of attractive and convenient commercial and office uses that provide needed goods, services and entertainment.
- 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
- Policy LUT-13.1b: Business Retention and Attraction: Develop programs to retain and attract businesses that meet the shopping and service needs of Campbell residents.

13. The Variance would allow for a minimum departure from applicable zoning standards in a unique circumstance not found elsewhere in the City.

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

1. The strict or literal interpretations and enforcement of the specified regulation(s) would result in a practical difficulty or unnecessary physical hardship inconsistent with the objectives of this Zoning Code;
2. The strict or literal interpretations and enforcement of the specified regulation(s) would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district;
3. There are exceptional or extraordinary circumstances or conditions applicable to the subject property (i.e., size, shape, topography) which do not apply generally to other properties classified in the same zoning district;
4. The granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district;
5. The granting of the Variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity;
6. This project is exempt from the California Environmental Quality Act (CEQA) per Section 15302 which exempts from replacement or reconstruction of existing structures where the new structure will be located on the same site and have substantially the same purpose and capacity as the previous structure.

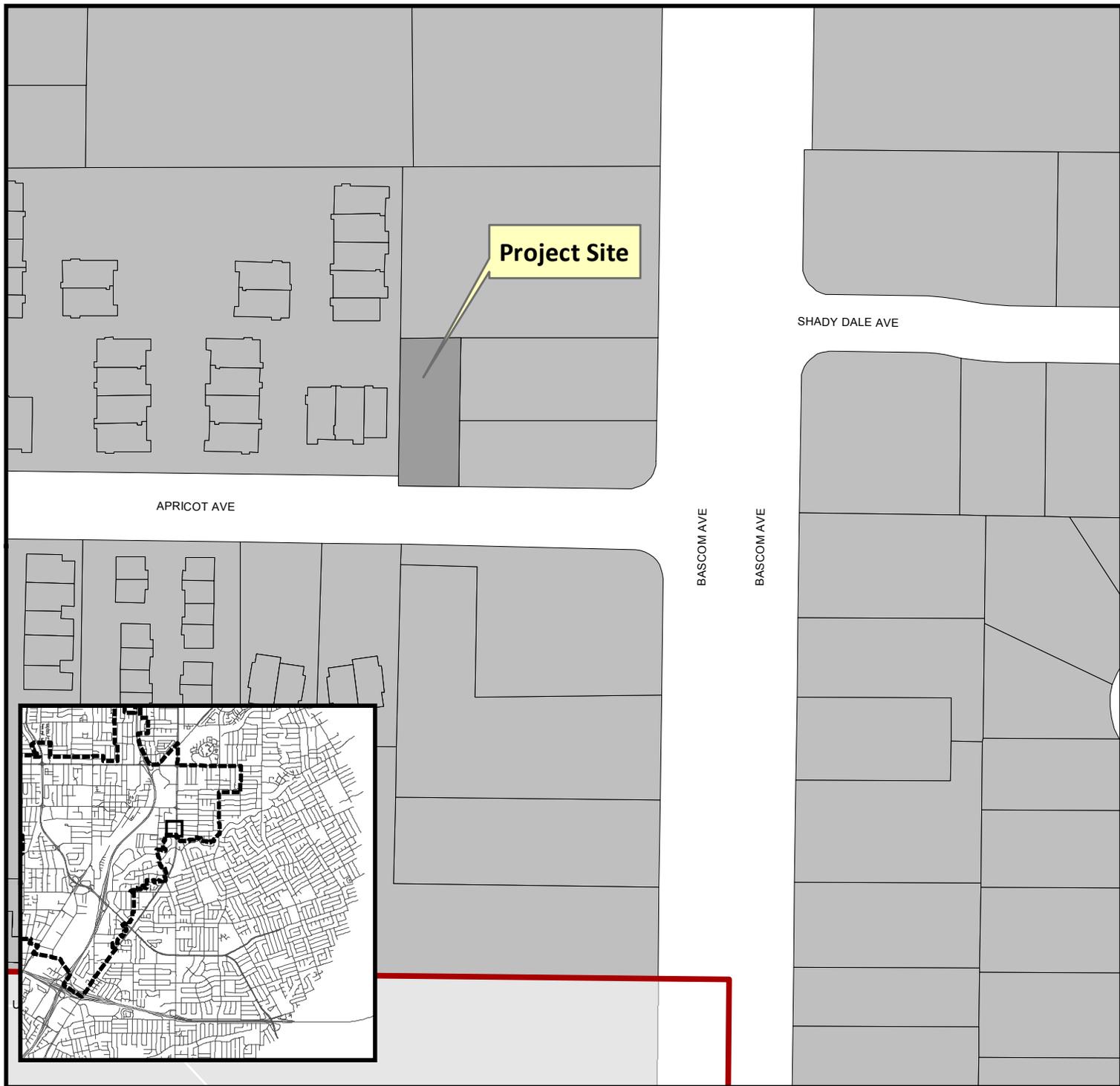
CONDITIONS OF APPROVAL FOR FILE NO: PLN2016-69

SITE ADDRESS: 973 Apricot Ave.
APPLICANT: Roy Watson and Margaret Eyerman
OWNER: Gina Ambrose
P.C. MEETING: April 26, 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:

1. Approved Project: Approval is granted for a Variance (PLN2016-69) to applicable development standards provided in Campbell Municipal Code Sec. 21.08.070 (R-3 Multiple-family Zoning District), Ch. 21.18 (Site Development Standards), and Sec. 21.36.020 (Accessory Structures) to formalize construction of an unpermitted swimming pool enclosure in association with a legal non-conforming commercial swim school on a single-family residential property located at **973 Apricot Avenue**. The project shall substantially conform to the Project Plans stamped as received by the Planning Division on February 24, 2016, respectively, except as may be modified by the Conditions of Approval herein.
2. Building Permit Required: The applicant shall submit an application for a building permit in compliance with the Title 17 (Fire Protection) and Title 18 (Building Codes and Regulations) of the Campbell Municipal Code no later than **June 7, 2016**. Upon submittal, the applicant shall diligently pursue issuance of a building permit by providing revised plans and additional materials as required with the City, and shall secure a building permit no later than **August 2, 2016**. Upon issuance of a building permit, the applicant shall cause all necessary improvements to be completed and secure a certificate of occupancy (permit "final") for the pool enclosure no later than **August 30, 2016**.
3. Expiration of Approval and Abatement of Violation: If the applicant fails to satisfy the any of the deadline requirements of Condition No. 2, this Variance shall be deemed void. The property owner shall therein, upon order of the Community Development Director, remove the pool enclosure. Should the property owner fail to remove the pool enclosure, the City shall take all necessary and appropriate action to abate the violation. Any and all cost associated with abatement shall be liened against the property as allowed by law.
4. Acceptance of Permit and Requirements: Should the applicants fail to file a valid and timely appeal of this permit approval (Variance) within the applicable appeal period, pursuant to Campbell Municipal Code Sec. 21.62.030, such inaction shall be deemed to constitute acceptance of permit approval and all associated requirements by the applicants and property owner.

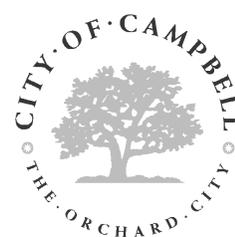
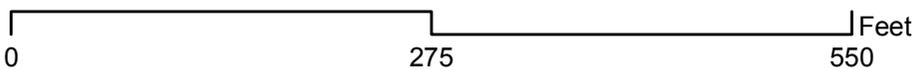
Project Location Map



Project Location: 973 Apricot Avenue

Application Type: Variance

Planning File No.: PLN2016-69

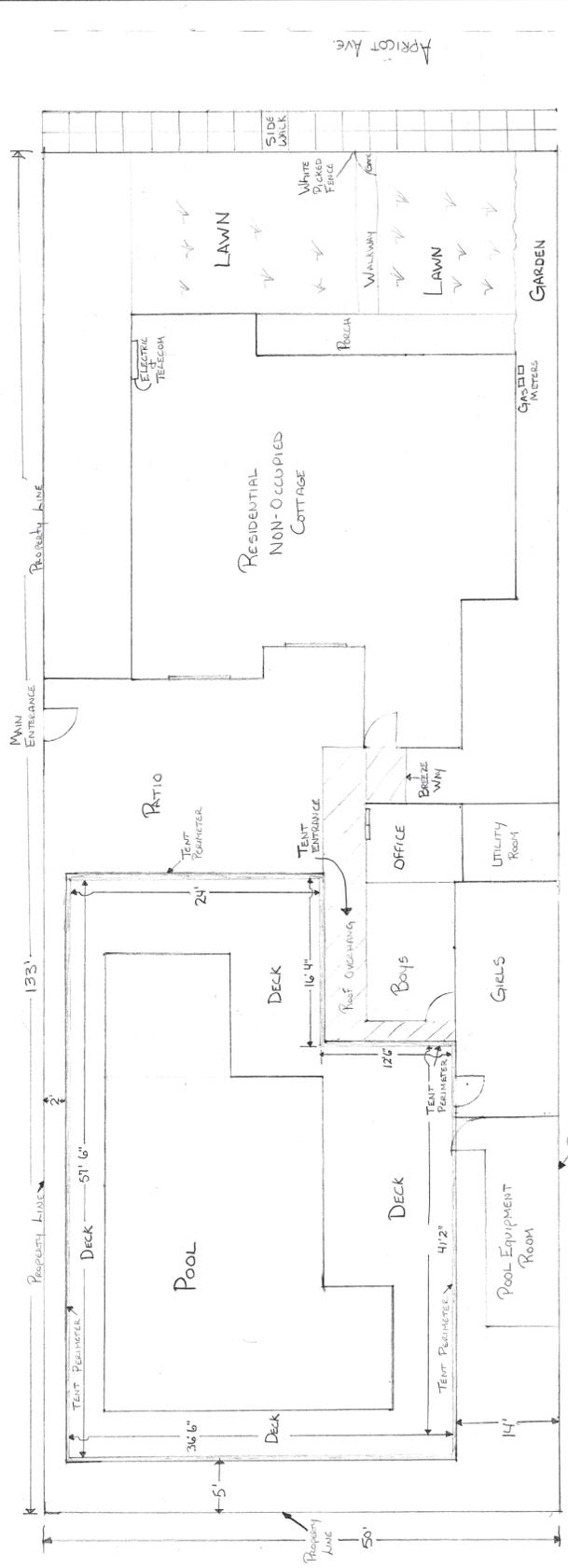
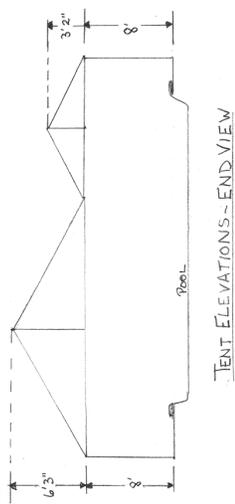


Community Development Department
Planning Division

REVISIONS	BY

Attachment 4

Date: 12/15/2010
 Scale: 1" = 5'-0"
 Drawn: J. [unclear]
 Job: 073 APRICOT AVE
 Sheet: 1 of 1
 Of: Sheets



973 APRICOT AVE

3. City initiated Text Amendment to allow minor changes to the **Density Bonus Ordinance**.
 4. Application of Mike Paydar for Planned Development Permit (PLN2015-305) for the approval of site configuration, architectural design and to create lots which do not have frontage on a public street, Tentative Subdivision Map (PLN2015-306) to create five single family lots and one commonly owned lot, Zoning Map Amendment (PLN2015-307) to change the zoning from R-M (Multiple-Family Residential) to P-D (Planned Development), Parking Modification Permit (PLN2016-68) to allow uncovered parking in lieu of covered, and Tree Removal Permit (PLN2015-310) to allow the removal of protected trees on property located at **180 Redding Road**.
- B. **SARC Meeting of April 26, 2016:** On April 26th, SARC will review two items as follows:
1. PLN2016-19 – 1223 Walnut Dr – Planned Development Permit, Tentative Parcel Map, Zoning Map Amendment and Tree Removal Permit to allow the construction of three townhomes.
 2. PLN2015-268 – 773 Union Ave – Site and Architectural Review Permit to allow the construction of a new single-family residence.