PLANNING COMMISSION
City of Campbell, California

7:30 P.M. June 28, 2016
City Hall Council Chambers Tuesday

AGENDA

ROLL CALL

APPROVAL OF THE MINUTES May 24, 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. **PLN2016-130** Public Hearing to consider the application of Jimmy Chang on behalf of Cambridge Educational Center dba C2 Education, for a Conditional Use Permit (PLN2016-130) to allow the establishment of a (small) tutoring center on property located at **509 E. Hamilton Avenue**. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Daniel Fama, Associate Planner*

2. **PLN2016-123** Public Hearing to consider the application of Terry Martin, AIA for a Site and Architectural Review Permit (PLN2016-123) to allow the construction of a new single-family residence reusing portions of the existing dwelling on property located at **1149 'A' S. San Tomas Aquino Road.** Staff is recommending that this item be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Stephen, Associate Planner*

3. **PLN2016-46** Continued 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

4. **PLN2016-143** Public Hearing to consider the application of Mike Masoumi for a Site and Architectural Review Permit (PLN2016-143) to allow for a allow for a 106 square foot second-story addition (converting balcony space to living space) to the rear of two units of an existing fiveplex on property located at **910 Michael Drive**. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Stephen Rose, Associate Planner*

5. **PLN2016-105** Public Hearing to consider the application of Steven Bonner for a Modification (PLN2016-105) to a previously-approved Conditional Use Permit (PLN2014-57/PLN2015-195) for an existing restaurant, to modify the approved alcohol service from beer & wine to "general" (distilled spirits), extend the business closing time from 10:00 PM to 12:00 AM ("late-night activity"), increase the number of approved bar seats, permit amplified live entertainment, and allow occasional outdoor seating and service in the rear parking lot for special events, on property located at **368 E. Campbell Ave**. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Tentative City Council Meeting Date: July 19, 2016. Project Planner: *Daniel Fama, Associate Planner*

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

ADJOURNMENT

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

CITY OF CAMPBELL

PLANNING COMMISSION

Date: Tuesday, June 28, 2016

Time: Immediately following the regular Planning Commission meeting

Place: City Council Chambers at Campbell City Hall
70 N. First Street
Campbell, CA 95008

Agenda

1, Pre-Application for Mixed Use Development (Del Grande Properties)
Project Planner: Cindy McCormick, Senior Planner

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Questions about this agenda can be directed to the Community Development Department, Planning Division, at (408) 866-2140 or by email at planning@cityofcampbell.com.

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CITY OF CAMPBELL PLANNING COMMISSION

MINUTES

7:30 P.M. TUESDAY

JUNE 14, 2016
CITY HALL COUNCIL CHAMBERS

The Planning Commission meeting of June 14, 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:	Philip C. Reynolds, Jr.
	Commissioner:	Michael L. Rich
	Commissioner:	Donald C. Young
Commissioners Absent:	Commissioner:	Ron Bonhagen
	Commissioner:	Pamela Finch
Staff Present:	Community Development Director:	Paul Kermoyan
	Senior Planner:	Cindy McCormick
	Associate Planner:	Daniel Fama
	Associate Planner:	Stephen Rose
	Acting City Attorney:	Heather Lenheart
	Recording Secretary:	Corinne Shinn

APPROVAL OF MINUTES

Motion: **Upon motion by Commissioner Young, seconded by Commissioner Rich, the Planning Commission minutes of the meeting of May 24, 2016, were approved as submitted. (5-0-2; Commissioners Bonhagen and Finch were absent)**

COMMUNICATIONS

1. Photo-simulation for Item 3 – 1600 W. Campbell Avenue
2. Memo to the Commission regarding Item 5 – 16146 Mozart Avenue
3. Letter from STACC re Item 7 – Density Bonus Update

AGENDA MODIFICATIONS OR POSTPONEMENTS

Chair Dodd suggested taking the three wireless applications on the tonight's agenda first so that Commissioner Kendall can then leave for the balance of the agenda after those three public hearings are completed. Since Commissioner Reynolds must recuse from the three wireless applications there would not be a quorum available if Commissioner Kendall is not present. The Commission agreed to this change in order.

ORAL REQUESTS

None

CONSENT

There were no consent items.

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DISCLOSURES

None

PUBLIC HEARINGS

Commissioner Reynolds advised the Commission that he must recuse from Agenda Items 3, 4 and 5 due to a professional conflict of interest. He left the dais and chambers.

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

3. **PLN2016-107** Public Hearing to consider the application of Donald Bordenave for a Conditional Use Permit (PLN2016-107) to allow for a new rooftop wireless facility (Verizon) which would be concealed in four new rooftop dormers affixed to the roof of an existing cupola on property located at **1600 W. Campbell Avenue**. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Stephen Rose, Associate Planner*

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

Chair Dodd asked if there were questions of staff. There were none

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

- SARC reviewed this proposal on May 24th and was basically supportive with some design modifications.

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

Chad Baran, Applicant's Representative, said that he was available for any questions.

There were no questions for the applicant.

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

Motion: **Upon motion of Commissioner Rich, seconded by Commissioner Young, the Planning Commission adopted Resolution No. 4297 approving a Conditional Use Permit (PLN2016-107) to allow for a new rooftop wireless facility (Verizon) which would be concealed in four new rooftop dormers affixed to the roof of an existing cupola on property located at 1600 W. Campbell Avenue, subject to the conditions of approval, by the following roll call vote:**

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

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

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Chair Dodd read Agenda Item No. 4 into the record as follows:

4 **PLN2015-386** Public Hearing to consider the application of Mackenzie Edwards for a Conditional Use Permit (PLN2015-386) to allow for the continued operation and expansion of an existing wireless facility (T-Mobile) installation on the roof of property located at **700 W. Hamilton Avenue**. Staff is recommending that this project be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Stephen Rose, Associate Planner*

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

Chair Dodd asked if there were questions of staff. There were none

Chair Dodd opened the Public Hearing for Agenda Item No. 4.

Chair Dodd closed the Public Hearing for Agenda Item No. 4.

Motion: **Upon motion of Commissioner Young, seconded by Commissioner Rich, the Planning Commission adopted Resolution No. 4298 approving a Conditional Use Permit (PLN2015-386) to allow for the continued operation and expansion of an existing wireless facility (T-Mobile) installation on the roof of property located at 700 W. Hamilton Avenue, subject to the conditions of approval, by the following roll call vote:**

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

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

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Chair Dodd read Agenda Item No. 5 into the record as follows:

5. **PLN2016-146** Public Hearing to consider the application of Annie Freeman for a Modification (PLN2016-146) to a previously approved Conditional Use Permit to allow three new antenna panels and associated equipment to be added to an existing monopole located at **16146 Mozart Avenue**. Staff is recommending that this project be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Stephen Rose, Associate Planner*

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

Chair Dodd asked if there were questions of staff. There were none.

Commissioner Kendall asked if it might be possible to ask in the future for conversion of this monopole into a monopine for aesthetic purposes.

Planner Stephen Rose replied yes but cautioned that there would be timing (and legal) challenges. There are Use Permit expiration date differences for the three wireless

providers co-locating on this site. The entitlements for all three providers would have to be in a position to concurrently expire, which is presently not the case.

Commissioner Rich asked staff to re-cap the discussion on Condition 20.

Planner Stephen Rose said that this was a modification of a previous condition of approval. Even if Condition 20 is stricken, that condition is still a part of the original permit. Staff is also recommending striking Condition 23 as well.

Commissioner Rich clarified that the original condition would still apply.

Chair Dodd opened the Public Hearing for Agenda Item No. 5.

Judith Justice, Applicant's Representative, said that she was here on behalf of Annie Freeman and is available for any questions.

Chair Dodd asked if there were any questions for the applicant. There were none.

Chair Dodd closed the Public Hearing for Agenda Item No. 5.

Motion: **Upon motion of Commissioner Young, seconded by Commissioner Kendall, the Planning Commission adopted Resolution No. 4299 approving a Modification (PLN2016-146) to a previously approved Conditional Use Permit to allow three new antenna panels and associated equipment to be added to an existing monopole located at 16146 Mozart Avenue, subject to the conditions of approval but with the removal of draft conditions 8, 20 and 23, by the following roll call vote:**

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

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

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Commissioner Reynolds returned to the chambers and dais following the conclusion of Item 5.

Commissioner Kendall excused herself and left for the remainder of the agenda as she is feeling unwell.

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

1. **PLN2016-91** Public Hearing to consider the application of Paul Fick for a Site and Architectural Review Permit (PLN2016-91) to allow an approximately 1,000 square-foot single-story rear addition to an existing single-family residence on property located at **363 Curtner Avenue**. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Daniel Fama, Associate Planner*

Mr. Daniel Fama, Associate Planner, presented the staff report.

Chair Dodd asked if there were questions of staff. There were none

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

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

Motion: **Upon motion of Commissioner Young, seconded by Commissioner Rich, the Planning Commission adopted Resolution No. 4300 approving a Site and Architectural Review Permit (PLN2016-91) to allow an approximately 1,000 square-foot single-story rear addition to an existing single-family residence on property located at 363 Curtner Avenue, subject to the conditions of approval, by the following roll call vote:**
AYES: Dodd, Reynolds, Rich and Young
NOES: None
ABSENT: Bonhagen, Finch and Kendall
ABSTAIN: None

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

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Chair Dodd read Agenda Item No. 2 into the record as follows:

2. **PLN2015-338** Public Hearing to consider the application of Zack Puckett for an Administrative Planned Development Permit (PLN2015-338) with a request for an exception to a parking setback contained within the Winchester Boulevard Master Plan, to allow for the redevelopment of an existing building and site (formerly Michi Sushi) on property located **at 2220 S Winchester Boulevard**. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Tentative City Council Meeting Date: July 19, 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 if work was done on this site without permits.

Planner Stephen Rose said some interior demolition work was done, a tree was removed from the site and a fence constructed. He advised that there will be a penalty imposed of about $1,800 for the improperly removed tree.

Commissioner Young pointed out that at this time the applicants don't know what type of business will be going in here. He stressed the importance of being consistent with this site as the Commission has been with other nearby sites.

Planner Stephen Rose reported that this item is going to go to Council to ask for clarification on that issue since this is an existing developed site.

Chair asked for clarification that the Commission will be forwarding its recommendation on to Council.

Planner Stephen Rose said that exceptions to the Winchester Plan must be considered by the Council. The Council can let staff and the Commission know if they feel differently on the recommendation forwarded.

Commissioner Reynolds asked staff what the City is gaining by granting an exception.

Planner Stephen Rose said that this site is requesting a two-foot wide landscape strip between the property line and parking spaces where typically an eight-foot landscaping strip is required.

Director Paul Kermoyan:

- Replied to Commissioner Reynolds that the City is gaining a lot. This exception would move parking to the rear of the building in what is currently a fenced in area that has accumulated trash and debris.
- Advised that the new owners are eager and started work on the demolition inside without necessary permits.
- Reminded that the existing nine-stall parking spaces on site are located on the side of the building.
- Added that staff is trying to embrace the broad intention of the Winchester Plan, which allows an exception written in the plan. That becomes a question for Council. Should we vary a standard so they have more parking?

Planner Stephen Rose:

- Pointed out that the existing nine parking spaces back directly onto the public street. The revised plan will dramatically improve traffic.

Director Paul Kermoyan added that the driveway onto Winchester is already there.

Commissioner Rich asked if there would be more parking on the back.

Planner Stephen Rose said that the site is gaining three additional spaces as proposed.

Chair Dodd opened the Public Hearing for Agenda Item No. 2.

Marvin Bamburg, Project Architect:
- Said that he is here this evening for the property owners. Additionally, a representative of the owners is also here.
- Stated that the staff report was good and he has nothing to add to it.
- Reported that these owners are eager to do what is necessary to make this building happen. The plans are almost complete and they'd like to get on with it.
- Advised that it will be a shell only initially and final tenant improvements will be installed later when a specific tenant is identified.

Rodel Hubilla, Resident on Sunnyside Avenue:
- Advised that he shares a fence with this location.
- Questioned how his fence will be protected from cars.
- Expressed concern about potential noise impacts at night on his property resulting from users of the parking area.

Marvin Bamburg:
- Reported that the shared fence with Mr. Hubilla was recently replaced by his clients.
- Added that as grading and building repairs are underway, they will have to raise the site grade to manage water drainage on site and this fence will likely have to be replaced again and his clients will pay for that again and not this neighbor.

Chair Dodd closed the Public Hearing for Agenda Item No. 2.

Commissioner Reynolds:
- Said that he would support this request.
- Reminded that the goal is to keep parking on site.
- Added that this offers an opportunity to add parking and keep that parking on site.

Commissioner Rich:
- Agreed that this exception is worthwhile and he would be supportive.

Commissioner Young:
- Said that he would support this request.
- Added that it would be better aligned with the Winchester Plan.

Commissioner Reynolds:
- Said that he has heard the neighbor's concerns.

- Assured that when the specific use comes before the Commission, issues such as noise and parking will be addressed at that time.

Director Paul Kermoyan:
- Clarified that this use would require an Administrative Planned Development Permit which is managed at the staff level.
- Assured that potential for impacts would be considered under that process as well.
- Added that as for protecting the fence, there will be parking blocks put in place that would stop tires from reaching the fence.

Chair Dodd:
- Said that she appreciates watching out for the neighbors/residents in the surrounding area.
- Added that the idea with this proposal is to provide safer parking and the means to enter and exit from the site.

Motion: **Upon motion of Commissioner Rich, seconded by Commissioner Reynolds, the Planning Commission adopted Resolution No. 4301 recommending that the City Council approve an Administrative Planned Development Permit (PLN2015-338) with the request for an exception to a parking setback contained within the Winchester Boulevard Master Plan, to allow for the redevelopment of an existing building and site (formerly Michi Sushi) on property located at 2220 S Winchester Boulevard, subject to the conditions of approval, by the following roll call vote:**

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

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

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Chair Dodd read Agenda Item No. 6 into the record as follows:

6. **PLN2016-19** Public Hearing to consider the application of Majid Sanenejad for a Tentative Parcel Map, Zoning Map Amendment and Planned Development Permit for a three unit townhome development, and Tree removal Permit (PLN2016-19) to allow the removal of one protected tree on property located at **1223 Walnut Drive**. Staff is recommending that a Negative Declaration be adopted for this project. Tentative City Council Meeting Date: July 19, 2016. Project Planner: *Cindy McCormick, Senior Planner*

Ms. Cindy McCormick, Senior Planner, presented the staff report.

Chair Dodd asked if there were questions of staff.

Commissioner Reynolds asked if the street improvements will be required.

Planner Cindy McCormick said that this street is exempt from improvements per the San Tomas Area Neighborhood Plan but Public Works is recommending the improvements as a condition of approval with this application.

Commissioner Rich referenced the proposed FAR at 58.4 percent.

Planner Cindy McCormick:
- Reminded that at its meeting on April 26th, SARC was okay with this project's proposed three-unit density, the setbacks, architectural style and colors but asked for a decrease in FAR and an increase in landscaping.
- Stated that staff is recommending a continuance of this item and ask the applicant to return to SARC with plans that have a FAR that is at 50 percent or less.

Chair Dodd opened the Public Hearing for Agenda Item No. 6.

Lou Dorcich, Project Architect:
- Pointed out that the lot coverage is well below 40 percent.
- Added that the FAR is the only issue in discussion.
- Admitted that the reason his client wants to have three units is economic. There are fixed development costs in such a project including public improvements.
- Added that units with less than 50 percent FAR will be a tough sell.
- Assured that this plan is workable and he hopes that the Planning Commission considers it as presented.

Sreeram R. Chakrovorthy, Resident on Hacienda Avenue:
- Said that the safety of his backyard is of concern.
- Added that there is a wooden fence separately his property from this property.
- Expressed concern over the potential loss of airflow and sunlight with this project as proposed. From what he understands the maximum height of this building is proposed to be 20 feet.

David Kison, Resident on Hacienda Avenue:
- Advised that his lives directly across the street from this "eyesore".
- Reported that there are traffic issues in their neighborhood.
- Reminded that Barracuda recently tried to turn a residential lot in their neighborhood into a parking lot.
- Cautioned that if three units are allowed on this parcel there will not be enough parking to serve those units.
- Informed that they already deal with visitors to the nearby apartment complex who are parking on their street.
- Stated that this parcel needs to stay residential single-family.

Majid Sanenejad, Applicant:
- Reported that he has been working with the Planning Department over the last 16 months.
- Added that he has reduced the FAR several times.
- Said that his proposed density is allowed per the General Plan.
- Pointed out that these homes are proposed at 1,550 to 1,580 square feet, minus the garage. These are not huge homes.
- Stated that another project was developed at a 56 percent FAR nearby.

Audrey Kiehtreiber, Resident on Walnut:
- Advised that she is the President of the San Tomas Area Community Coalition (STACC).
- Added that she had met with this applicant who is a very courteous gentleman.
- Said that she also submitted a written letter on behalf of STACC in opposition of this project as currently proposed.
- Stated that this project's architect, Mr. Dorcich, is an excellent architect.
- Suggested that he needs to go back to the drawing board as this proposal is too dense.
- Reminded that this area is designed with slightly larger homes that provide a more livable environment.
- Stated that two units on this parcel would be more acceptable although they would prefer to see a single very nice home there. Three units is too crammed. The lot is too small to support three units.
- Opined that this proposal doesn't do anything for this neighborhood and would be precedent setting.
- Asked the Commission to keep to the standards of the San Tomas Area Neighborhood Plan and preserve the look and feel of this neighborhood.
- Stated that she can understand the City's need to provide housing and as such can support two units on this parcel but not three.

Chair Dodd asked if there were questions for Ms. Kiehtreiber.

Commissioner Rich asked Ms. Kiehtreiber whether it is the number of proposed units or the total FAR that are of most concern.

Audrey Kiehtreiber:
- Said that it was both number of units and livability.
- Stated that they prefer to see more livable homes.
- Advised that there are R-1-10 lots in this neighborhood that allow for desirable homes with large backyards.
- Added that two townhomes on this site would be acceptable and a better fit into the community than would be three units there.

Mitch Stermer, Resident on Walnut:
- Said that he has been a resident in the neighborhood since 1988.

- Said that he too would prefer to see a single-family residence on this lot perhaps with a secondary living unit as well.
- Pointed out that this owner is trying to maximize his profit.
- Cautioned that changing the street frontage on this parcel will also change their neighborhood. That is the reason they have the San Tomas Area Neighborhood Plan.
- Asked the Commission to do what the residents want.

Chair Dodd closed the Public Hearing for Agenda Item No. 6.

Commissioner Reynolds:
- Admitted that he is leaning to a continuance as staff has recommended.
- Added that the Commission has heard from the community and he agrees with each of them.
- Said that development is changing our environment from what brought people here in the first place. We are being asked to cram more in on each property.
- Opined that this would not be a good fit.
- Stated that he doesn't like the idea of street improvements being required and reminded that is the reason for the existence of the STANP. He wants to do his part to see that continues.
- Said that this project needs to go back to the drawing board and reduce the FAR to less than 50 percent. Perhaps they need to reduce from three to two townhome units or consider one large home with a secondary unit as well on this lot.
- Stated that he is not concerned about the potential for profit but rather with the neighborhood itself.
- Said he supports either a continuance or a denial of the existing request.

Commissioner Rich:
- Inquired of Commissioner Reynolds what he would like to see should this project be continued.
- Asked if his focus is on the number of units or the maximum FAR?
- Can he support three units if they fall within the maximum of 50 percent FAR?
- Asked what guidance he would offer to the applicant if this item should be continued?
- Stated his preference to see the FAR under and/or closer to the maximum 50 percent FAR.

Commissioner Reynolds reminded that this will ultimately be a Council decision but he prefers a reduction to two units with a maximum 50 percent FAR. That is a reasonable compromise.

Commissioner Young asked if that meets that all lots in the future should only have two units and not three even if they fall within a 50 percent FAR?

Commissioner Reynolds replied that this is a single-family neighborhood.

Chair Dodd asked the Director for his comments on this.

Director Paul Kermoyan:
- Said that questioning density is a good discussion to have but this parcel is zoned differently.
- Added that reducing from three units to two units in this case would still be in compliance with the General Plan land use designation of 6-13 units per gross acre, which is the designated range for this particular property.

Commissioner Young:
- Pointed out that between Capri and Walnut there is most P-D (Planned Development) zoning.
- Said that additional information is needed to evaluate for optimum use. Maybe it's two units or maybe it's one.
- Suggested allowing staff to work further with the applicant in order to bring additional information back to the Commission.

Chair Dodd:
- Said that she understands the parking problems in this neighborhood and concerns over the long driveway proposed.
- Reminded that the underlying General Plan allows for 50 percent FAR.
- Stated that she doesn't want to impose a particular number of units for the site but rather leaves that up to staff and the architect to consider.
- Said that she is supportive of a 50 percent FAR.

Director Paul Kermoyan:
- Said that it appears there is a consensus of the Commission for a 50 percent maximum FAR.
- Pointed out that staff previously has had that conversation with the applicant.
- Asked if there is any consensus on the number of units.

Chair Dodd suggested letting them be creative.

Commissioner Rich suggested letting the FAR drive that as he is not comfortable restricting a particular number of units.

Motion: **Upon motion of Commissioner Young, seconded by Commissioner Rich, the Planning Commission CONTINUED TO A DATE UNCERTAIN the consideration of a Tentative Parcel Map, Zoning Map Amendment and Planned Development Permit for a three unit townhome development, and Tree removal Permit (PLN2016-19) to allow the removal of one protected tree on property located at 1223 Walnut Drive, then return a revised project to SARC with an FAR of 50 percent or less. (4-0-3; Commissioners Bonhagen, Finch and Kendall were absent)**

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Chair Dodd read Agenda Item No. 7 into the record as follows:

7. **PLN2016-135** Public Hearing to consider the City-initiated Text Amendment (PLN2016-135) to allow minor changes to the **Density Bonus Ordinance**. Staff is recommending that this project be deemed Categorically Exempt under CEQA. Tentative City Council Meeting Date: July 19, 2016. Project Planner: *Cindy McCormick, Senior Planner*

Ms. Cindy McCormick, Senior Planner, presented the staff report.

Chair Dodd asked if there were questions of staff. She asked for an example of equity sharing.

Planner Cindy McCormick explained the process of equity sharing between the City and BMR unit owner that would occur at the time of the sale of a BRM unit. It is a somewhat complicated calculation.

Commissioner Reynolds asked who takes the loss if there is one. If a BMR unit is trashed or otherwise devalued, who takes that loss? Is it the taxpayers?

Planner Cindy McCormick explained that the needed repairs would come out of the equity. If there is zero equity and/or the house sells for less, the loss is borne by the City.

Commissioner Rich clarified with Acting City Attorney that this Text Amendment is underway to conform with State law.

Heather Lenheart, Acting City Attorney, replied correct. She added that staff has explained the proposed text amendments very well.

Planner Cindy McCormick reminded the Commission of the table item distributed this evening from the San Tomas Area Community Coalition (STACC).

Chair Dodd opened the Public Hearing for Agenda Item No. 7.

Audrey Kiehtreiber, Resident on Walnut & President of STACC:

- Advised that she generated a letter as President of STACC after having heard from a number of people who were upset that developers are being given incentives that negatively impact existing residents.
- Added that STACC is opposed to reducing the required parking for BMR units as incentives for developers.
- Reiterated the need to restrict the use of parking reductions.
- Pointed out that an “affordable” unit in a million dollar development is $800,000. They will have cars.
- Asked that projects not be approved without adequate parking to serve them.

Commissioner Rich:

- Reminded Ms. Kiehtreiber that the text amendments being discussed this evening are to align existing Ordinances with existing State law.
- Said that as Planning Commissioners, "we all live in Campbell."
- Suggested that the focus of energy against these issues is better directed to the State level who adopts the laws that all cities must adhere to.

Jo-Ann Fairbanks, Resident on Hacienda:
- Said that she understands State laws.
- Stated that additional terms need to be defined. For example, she'd like to see a definition for "Affordable Housing".
- Said that she has heard that it (Affordable Housing) can be defined by a city itself.
- Admitted that some of the language in State Code particularly bothers her. State Code is taking parking out of the hands of the City.
- Suggested that a Parking Study should be initiated.
- Said that she is interested in understanding the inventory of prospective infill and transit-oriented housing sites in Campbell.
- Said that impact and spillover into surrounding neighborhoods needs to be considered.
- Suggested that the City look twice before eliminating commercial sites nestled within residential neighborhoods such as the Milk Farm located on San Tomas Aquino Road that was at one point proposed for conversion into a residential development site.
- Stated that concessions are confusing and she'd like to know more about that.
- Admitted that she is bothered by the State telling us what we are to decide.
- Concluded that this was her "feedback" to you this evening.

Planner Cindy McCormick:
- Advised that the existing Code does have a definition for "Affordable Housing" and can share it with Ms. Fairbanks and the Planning Commission. She read the formulas to the Commission.
- Added that the proposed Parking Study is a big undertaking at a large cost to the City. It is only good for seven years and then would have to be done again.

Chair Dodd closed the Public Hearing for Agenda Item No. 7.

Commissioner Reynolds:
- Admitted that mandates from the State have been bothering him for some time.
- Pointed out that transportation spending is shrinking while the requirement for local communities to increase transit-oriented housing is growing. If we want to grow housing we also need to grow transportation.
- Pointed out concerns with existing infrastructure that is deteriorating as evidenced by big sink holes cropping up in other communities.
- Questioned where in Campbell are there schools with class sizes as small as 20 as is recommended.
- Said that control is being taken away from us as decision makers. Growth needs to be done but in a balanced manner.

- Stated that he cannot say yes to this. It feels like caving in to the demands of Sacramento. He will not support this to send a message to Sacramento.

Chair Dodd asked staff what happens if the City does not update its Ordinance to comply with State laws.

Director Paul Kermoyan:
- Reminded that the action of the Planning Commission is advisory to Council.
- Advised that a Parking Study would be used to demonstrate why greater parking is needed.

Planner Cindy McCormick:
- Reported that the State law is already in effect.
- Added that this proposed Text Amendment is intended to bring the City's Code into compliance with State law.

Commissioner Young:
- Said that creative solutions regarding mass transportation are needed.
- Advised that he personally uses a lot of alternative transportation.
- Admitted that changing the culture of driving takes time.
- Stated that State law has changed and we must comply with it.
- Added that with the City's General Plan being amended perhaps it will be possible to create ways for local transportation.
- Suggested adopting this text amendment and consider other tools in the future as well.
- Said that if the Council wants to go against State law that is their prerogative.

Commissioner Rich asked Director Kermoyan if the Commission could send its message of concerns raised this evening on to Council.

Director Paul Kermoyan:
- Replied yes.
- Added that the essence of the conversation will be captured in the staff report that goes on to Council.
- Reminded that there will be the minutes of this meeting.
- Concluded that he was also confident that some members of the Council were likely watching this meeting now.
- Said that it is typical for local jurisdictions to have concerns and often ask, "How dare the State tell us how to grow."
- Cautioned that we could expose the City to litigation if we don't comply with State law.

Commissioner Rich:
- Said that he is in favor of this text amendment as he doesn't want to expose the City.
- Advised that he is a 20-plus-year Campbell resident.
- Agreed that there are quality of life issues from where it was to how it is.

- Admitted that he has concerns for his three children.
- Stated that it would be a good idea to bring the point to the attention of the State somehow.
- Added that Commissioner Reynolds has made some great points.

Chair Dodd:
- Reported that at her school they have a Walk n 'Roll to School day where students and staff walk, ride a bike, roller skate, etc., as an alternative to driving. That's the community taking charge.
- Added that she takes a few days during a school break in the spring to go to Sacramento to meet with lobbyists on issues of importance to her School District.
- Stated that she would like to see more activism from Campbell.
- Concluded that she would support this text amendment since it is law.

Commissioner Young said that Engineer to Engineer, he'd like to convince Commissioner Reynolds to support this amendment. He said that technology changes things fast and that he takes the train to work in San Francisco once a week as an effort to take advantage of alternate transportation.

Motion: **Upon motion of Commissioner Young, seconded by Commissioner Rich, the Planning Commission adopted Resolution No. 4302 recommending that the City Council approve a Text Amendment (PLN2016-135) to allow minor changes to the Density Bonus Ordinance, by the following roll call vote:**
AYES: **Dodd, Rich and Young**
NOES: **Reynolds**
ABSENT: **Bonhagen, Finch and Kendall**
ABSTAIN: **None**

Chair Dodd advised that this item would be considered by the City Council at its meeting on July 19, 2016.

***

Commissioner Reynolds suggested inviting Assemblyman Evan Low to attend the next Planning Commission meeting in order to discuss AB2101.

Director Paul Kermoyan advised that such an invitation would be more appropriately extended by the Mayor and City Manager.

Chair Dodd asked for the Commission to be kept apprised if such a meeting is to occur.

Director Paul Kermoyan said he would do so.

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

Director Paul Kermoyan added the following information to his written report:

- Advised that Council encourages training. The League of California Cities event sold out prior to any Campbell Commissioners could register.
- Reported that the American Planning Association is conducting its State Conference in Pasadena in October and he has the budget to send two members of the Planning Commission. He asked any interested members to let him know. If there are more than two interested, some form of "lottery" might be necessary to choose those to attend. Chair Dodd and Commissioner Rich both indicated an interest.

ADJOURNMENT

The Planning Commission meeting adjourned at 9:36 p.m. to the next Regular Planning Commission Meeting of **June 28, 2016**.

SUBMITTED BY: _____
Corinne Shinn, Recording Secretary

APPROVED BY: _____
Cynthia Dodd, Chair

ATTEST: _____
Paul Kermoyan, Secretary

RESOLUTION NO. 4297

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A CONDITIONAL USE PERMIT (PLN2016-107) FOR A NEW ROOFTOP WIRELESS FACILITY (VERIZON) CONCEALED IN FOUR NEW ROOFTOP DORMERS AFFIXED TO THE ROOF OF AN EXISTING CUPOLA AT **1600 W. CAMPBELL AVENUE.**
FILE NO. PLN2016-107

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

The Planning Commission finds as follows with regard to file number(s) PLN2016-107:

1. The project site located in the Kirkwood Plaza Shopping Center located on the south side of Campbell Avenue, west of San Tomas Aquino Road and east of Fulton Street

2. The project site is zoned C-1 (Neighborhood Commercial).

3. The General Plan land use designation for this property is *Neighborhood Commercial* and the proposed wireless telecommunications facility, as conditioned, is in compliance with the following policies of the General Plan:

   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-9.31: Wireless Telecommunication Facilities: Minimize the visual impact of wireless telecommunication facilities by designing them as an integral architectural feature to a structure.

   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.

4. Non-stealth wireless telecommunication facilities are permitted in the C-1 (Neighborhood Commercial) zoning district subject to the approval of a Conditional Use Permit.

5. The proposed wireless facility would be concealed in four new rooftop dormers affixed to the roof of an existing cupola.

6. The purpose of discretionary review of wireless telecommunications facilities is to minimize the adverse visual impacts and operational effects of these facilities using

appropriate design, siting and screening techniques while providing for the personal communications needs of residents, local business and government of the city and the region.

7. The proposed wireless facility is consistent with the standards set forth within the City's Wireless Telecommunication Ordinance regarding the height, placement and design of wireless facilities.

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 the approval of a Conditional Use Permit and complies, as conditioned, with all other applicable provisions of this Zoning Code and the Campbell Municipal Code.

2. The proposed use is consistent with the General Plan.

3. The proposed development would be consistent and compatible with the General Plan and will aid in the harmonious development of the immediate area.

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, as conditioned, 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, as conditioned, at the location proposed will not be detrimental to the comfort, health, morals, peace, safety, or general welfare of persons residing or working in the neighborhood of the proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.

8. The project will aid in the harmonious development of the immediate area.

9. The project is consistent with applicable adopted design guidelines.

10. The project is Categorically Exempt under Section 15303 Class 3 of the California Environment Quality Act (CEQA), pertaining to the construction of new small facilities and structures.

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Conditional Use Permit (PLN2016-107) for a new rooftop wireless facility (Verizon) concealed in four new rooftop dormers affixed to the roof of an existing cupola at **1600 W. Campbell Avenue**, subject to the attached Conditions of Approval (attached **Exhibit A**).

PASSED AND ADOPTED this 14th day of June, 2016, by the following roll call vote:

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

APPROVED: _____
Cynthia Dodd, Chair

ATTEST: _____
Paul Kermoyan, Secretary

CONDITIONS OF APPROVAL
Conditional Use Permit (PLN2016-107)

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

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. Approved Project: Approval is granted for Conditional Use Permit to allow for a new rooftop wireless facility (Verizon) concealed in four new rooftop dormers affixed to the roof of an existing cupola on property located at **1600 W. Campbell Avenue**. The project shall substantially conform to the Project Plans dated as received on March 23, 2016, and revised photo simulations submitted on June 8, 2016 and as provided as a desk item, except as modified by the Conditions of Approval contained herein.

2. Length of Permit Term: The Conditional Use Permit approved herein shall be valid for a period of ten (10) years from the effective date of the Planning Commission resolution, expiring June 24, 2026.

3. Revision to Plans: The building permit submittal construction plans shall incorporate the following revisions:

    a. Conditions of Approval: The conditions of approval shall be stated in full in the construction plans.

    b. Safety Requirements: The building permit plans shall reflect the incorporation of all safety recommendations and requirements outlined by the in the Radio Frequency (RF) Compliance Assessment.

    c. Dormers & Louver Design: The building permit plans shall include vertical seams on the sides of the dormers (to better match the appearance of the existing metal roof), and use heavier/wider gage louvers. Compliance with this requirement shall be to the satisfaction of the Director of Community Development.

4. Revocation of Permit: Operation of the use in violation of the Conditional Use Permit or any standards, codes, or ordinances of the City of Campbell shall be grounds for consideration of revocation of the Conditional Use Permit by the Planning Commission.

5. Cessation of Operations: The service provider shall provide written notification to the Director upon cessation of operations on the site exceeding a 90-day period. The service provider shall remove all obsolete or unused facilities from the site within 180 days of termination of its lease with the property owner or cessation of operations, whichever comes earlier.

6. New Permit Required: If a consecutive period of 180 days has lapsed since cessation of operations, a new Conditional Use Permit shall be required prior to use or reuse of the site.

7. Upgrading of Facility Required: If technological improvements or developments occur which allow the use of materially smaller or less visually obtrusive equipment, the service provider will be required to replace or upgrade the approved facility upon application of a new Use Permit application to minimize adverse effects related to land use compatibility, visual resources, public safety or other environmental factors.

8. Business License Required: Each service provider with a wireless telecommunications facility in the City shall obtain and maintain a valid city business license.

9. No Advertising: No advertising signage or identifying logos shall be displayed on wireless telecommunications facilities, except for small identification plates used for emergency notification or hazardous or toxic materials warning.

10. Maintenance: All maintenance on the antennas is to be performed between the hours of 7 a.m. and 9 p.m. with the exception of emergency repairs.

11. Maintenance of Finish: It is an ongoing obligation of the applicant, assignees and successors in interest to maintain all components of the antennas and the exterior finish of the structures and equipment approved by this permit in good order. Graffiti shall be removed by repainting the surface of the structure or equipment with a matching color as soon as practical.

12. Impact on Parking: The installation of wireless telecommunication facilities shall not reduce required parking on the site.

13. Safety:

    a. Public Access Restricted: Antennas are to be sited in such a way so that barriers and signage prevent a person from passing through areas that exceed the safety limits established by the FCC, in compliance with the adopted standards for controlled access.

    b. Warning Signs: Signage shall be maintained at the facility identifying all wireless telecommunication facility equipment and safety precautions for people nearing the equipment as may be required by any applicable FCC-adopted standards, including the RF radiation hazard warning symbol identified in ANSI C95.2-1982, to notify persons that the facility could cause exposure to RF emissions.

c. Emissions Conditions: It is a continuing condition of this authorization that the facilities be operated in such a manner so as not to contribute to ambient RF/EMF emissions in excess of the current FCC adopted RF/EMF emission standards; violation of this condition shall be grounds for revocation.

d. Hazardous Materials: If the contents of the equipment cabinet/building or base transceiver station contain toxic or hazardous materials, a sign shall be placed on or around the exterior of the base transceiver station or equipment cabinets and building warning the public.

e. Periodic Safety Monitoring: The wireless telecommunications service provider shall submit to the Director, 10 days after installation of the facilities and every two years thereafter, a certification attested to by a licensed engineer expert in the field of EMR/RF emissions that the facilities are and have been operated within the then current applicable FCC standards for RF/EMF emissions.

f. Compatibility with City Emergency Services: The facility shall not be operated or caused to transmit on or adjacent to any radio frequencies licensed to the City for emergency telecommunication services such that the City's emergency telecommunications system experiences interference.

g. Emergency Contact: The service provider shall provide signage as required, including phone numbers of the utility provider, for use in case of an emergency. The signs shall be visibly posted at the communications equipment cabinet.

14. Lighting: The use of lighting shall not be allowed on telecommunication facilities unless required as a public safety measure. Where lighting is used, it shall be shielded from public view and operated only during times of necessity by a maintenance operator.

15. Noise: The wireless telecommunication facility, including power source, ventilation and cooling facility, shall not generate noise discernible beyond the property lines.

16. Heat Generation: The wireless telecommunication facility, including power source and cooling facility, shall not be operated so as to cause the generation of heat that adversely affects other uses or structures.

17. Implementation and monitoring costs: The wireless telecommunications service provider or its successor shall be responsible for the payment of all reasonable costs associated with the monitoring of the conditions of approval contained in this authorization, including costs incurred by this department, the office of the City Attorney or any other appropriate City department or agency. The Community Development Department shall collect costs on behalf of the City.

18. Transfer of Operation: Any carrier/service provider authorized by the community development director or by the planning commission to operate a specific wireless telecommunications facility may assign the operation of the facility to another carrier licensed by the FCC for that radio frequency provided that the transfer is made known to the community development director in advance of the operation and all conditions of approval for the subject installation are carried out by the new carrier/service provider. However, the carrier/service provider may, without advance notification, transfer

operations of the facility to its general partner or any party controlling, controlled by or under common control with the carrier/service provider.

19. Complaints and Proceedings: Should any party complain to the wireless telecommunications service provider about the installation or operation of the facilities, which complaints are not resolved by the wireless telecommunications service provider, the wireless telecommunications service provider (or its appointed agent) shall advise the Community Development Director of the complaint and the failure to satisfactorily resolve such complaint. If the director determines that a violation of a condition of approval has occurred, the Community Development Director may refer the matter to the Planning Commission for consideration of modification or revocation of the permit.

20. Landscaping: The area around the proposed generator shall be landscaped and 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.

21. Severability: If any clause, sentence, section or any part of these Conditions of Approval is for any reason held to be invalid, such invalidity shall not affect or impair other of the remaining provisions, clauses, sentences, or sections of these conditions. It is hereby declared to be the intent of the City that these Conditions of Approval would have been adopted had such invalid sentence, clause or section or part thereof not been included herein.

Building Division:

22. Permits Required: A building permit application shall be required for the proposed antenna structure, and associated standard voltage wiring. The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit.

23. Construction Plans: The Conditions of Approval shall be stated in full on the cover sheet of construction plans submitted for building permit.

24. Size of Plans: The minimum size of construction plans submitted for building permits shall be 24 in. by 36 in.

25. 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.

26. Site Plan: Application for building permit shall include a competent site plan that identifies property and proposed structures with dimensions and elevations as appropriate.

27. 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.

28. 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 Appendix Chapter 1, Section 106. Please obtain City of Campbell, Special Inspection forms from the Building Inspection Division Counter.

29. Non-point Pollution Control Program: 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.

30. Approvals Required: The project requires the following agency approval prior to issuance of the building permit:

    a. Santa Clara County Fire Department (378-4010)

RESOLUTION NO. 4298

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A MODIFICATION (PLN2015-386) TO A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT (PLN2009-57) TO ALLOW FOR THE EXPANSION OF AN EXISTING ROOF-MOUNTED WIRELESS FACILITY (T-MOBILE) LOCATED AT 700 W. HAMILTON AVENUE**.**
FILE NO. PLN2015-386

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

The Planning Commission finds as follows with regard to file number PLN2015-386:

1. The General Plan land use designation for this property is Professional Office and the proposed wireless telecommunications facility, as conditioned, is in compliance with the following policies of the General Plan:

   Policy LUT-9.31: Wireless Telecommunication Facilities: Minimize the visual impact of wireless telecommunication facilities by designing them as an integral architectural feature to a structure.

   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.

2. The subject property is within the C-2 (General Commercial) zoning district.

3. The requested Modification (PLN2015-386) to the previously approved Conditional Use Permit (PLN2009-57) would allow for three (3) new antennas and associated equipment to be mounted onto the roof of an existing commercial building, raising the total number T-Mobile antennas to twelve.

4. Non-stealth wireless telecommunication facilities are permitted in the C-2 (General Commercial) zoning district subject to the approval of a Conditional Use Permit.

5. The purpose of use permit review of wireless telecommunications facilities is to minimize the adverse visual impacts and operational effects of these facilities using appropriate design, siting and screening techniques while providing for the personal communications needs of residents, local business and government of the city and the region.

6. The T-Mobile rooftop facility at 700 W. Hamilton Avenue was originally approved by Conditional Use Permit (UP95-22) on November 14, 1995 and was later superseded by Conditional Use Permit (PLN2009-57) on June 23, 2009.

7. On August 1, 2006, the City Council adopted Ordinance 2070, which codified the City's current wireless facilities development standards and procedural requirements under CMC 21.34 (Wireless Telecommunications Facilities).

8. On February 17, 2012, Congress passed the Middle Class Tax Relief and Job Creation Act, which contained Section 6409(a), known as the "Spectrum Act" for the regulation of wireless telecommunication facilities. Section 6409(a) mandates that local governments "may not deny, and shall approve" an Eligible Facilities Request ("EFR") provided that the request does not "substantially change the physical dimensions of the existing wireless tower of base station".

9. On January 8, 2015, the FCC published new rules implementing Section 6409(a) of the Middle Class Tax and Job Creation Act of 2012 ("Spectrum Act"), under the title "Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies" which included definitions, processing requirements, timelines and remedies for applications that seek to modify an existing wireless telecommunication facility – including thresholds to test whether an applicant's proposal for an EFR causes a 'substantial change'.

10. The proposed wireless facility modification does not exceed the thresholds outlined for an "Eligible Facility Request (EFR)".

Based upon the foregoing findings of fact and pursuant to Section 21.46.040 (Findings and Decision for a Conditional Use Permit) and Chapter 21.34 (Wireless Telecommunication Facilities) of the Campbell Municipal Code, the Planning Commission further finds and concludes that:

1. The proposed use is consistent with the General Plan.

2. The proposed use is allowed within the applicable zoning district with Conditional Use Permit approval, and complies with all other applicable provisions of this Zoning Code and the Campbell Municipal Code as conditioned.

3. The proposed development would be consistent and compatible with the General Plan and will aid in the harmonious development of the immediate area.

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, as conditioned, 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, as conditioned, at the location proposed will not be detrimental to the comfort, health, morals, peace, safety, or general welfare of persons residing or working in the neighborhood of the proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.

8. The project will aid in the harmonious development of the immediate area.

9. The project is consistent with applicable adopted design guidelines.

10. The proposed wireless facility is consistent with the standards set forth within the City's Wireless Telecommunication Ordinance regarding the height, placement and design of wireless facilities.

11. The applicant's proposal does not cause a 'substantial change' and therefore qualifies as an Eligible Facility Request.

12. As an Eligible Facility Request (EFR), the local jurisdiction's discretion is limited.

13. The project is Categorically Exempt under Section 15301, Class 1 of the California Environmental Quality Act (CEQA), pertaining to minor alterations to existing private structures.

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Modification (PLN2015-386) to a previously approved Conditional Use Permit (PLN2009-57) to allow for the expansion of an existing roof-mounted wireless facility (T-Mobile) located at 700 W. Hamilton Avenue, subject to the attached Conditions of Approval (attached **Exhibit A**).

PASSED AND ADOPTED this 14th day of June, 2016, by the following roll call vote:

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

APPROVED: _____
Cynthia Dodd, Chair

ATTEST: _____
Paul Kermoyan, Secretary

CONDITIONS OF APPROVAL
Conditional Use Permit (PLN2015-386)

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

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. Approved Project: Approval is granted for Modification (PLN2015-386) to a previously approved Conditional Use Permit (PLN2009-57) to allow for the expansion of an existing roof-mounted wireless facility (T-Mobile) located at **700 W. Hamilton Avenue**. The project shall substantially conform to the Project Plans and Photo-simulations dated as received on April 27, 2016, except as modified by the Conditions of Approval contained herein.

2. Length of Permit Term: As an "Eligible Facility Request (EFR)", the Modification approved herein does not serve to extend the expiration date of the previously approved Conditional Use Permit (PLN2009-57). As such, the Modification approved herein shall expire on June 23, 2019. If the use is to continue after that time, the applicant shall apply for a new permit.

3. Revision to Plans: The building permit submittal construction plans shall incorporate the following revisions:

    a. Safety Requirements: The building permit plans shall reflect the incorporation of all safety recommendations and requirements outlined by the in the Radio Frequency (RF) Compliance Assessment.

    b. Vicinity Map: The vicinity map places a black dot on the wrong building, prior to building permit submittal this shall be relocated to reflect the subject building.

4. Revocation of Permit: Operation of the use in violation of the Conditional Use Permit or any standards, codes, or ordinances of the City of Campbell shall be grounds for consideration of revocation of the Conditional Use Permit by the Planning Commission.

5. Security Required: Within thirty (30) days of Planning Commission approval, the applicant shall provide an irrevocable letter of credit or other reasonable form of security, satisfactory to the city attorney, in an amount reasonably sufficient to cover the cost of removal in the event that its use is abandoned or its use permit or site and architectural review permit expires or is terminated and the equipment is not voluntarily removed.

6. Upgrading of Facility Required: If technological improvements or developments occur which allow the use of materially smaller or less visually obtrusive equipment, the service provider will be required to replace or upgrade the approved facility upon application for a new Use Permit application to minimize adverse effects related to land use compatibility, visual resources, public safety or other environmental factors.

7. Business License Required: Each service provider with a wireless telecommunications facility in the City shall obtain a city business license.

8. No Advertising: No advertising signage or identifying logos shall be displayed on wireless telecommunications facilities, except for small identification plates used for emergency notification or hazardous or toxic materials warning.

9. Maintenance: All maintenance on the antennas is to be performed between the hours of 7 a.m. and 9 p.m. with the exception of emergency repairs.

10. Maintenance of Finish: It is an ongoing obligation of the applicant, assignees and successors in interest to maintain all components of the antennas and the exterior finish of the structures and equipment approved by this permit in good order. Graffiti shall be removed by repainting the surface of the structure or equipment with a matching color as soon as practical.

11. Impact on Parking: The installation of wireless telecommunication facilities shall not reduce required parking on the site.

12. Safety:
    a. Public Access Restricted: Antennas are to be sited in such a way and barriers and signage provided to prevent a person from passing within the safety limits established by the FCC-adopted standards for controlled access.

    b. Warning Signs: Signage shall be maintained at the facility identifying all wireless telecommunication facility equipment and safety precautions for people nearing the equipment as may be required by any applicable FCC-adopted standards, including the RF radiation hazard warning symbol identified in ANSI C95.2-1982, to notify persons that the facility could cause exposure to RF emissions.

    c. Emissions Conditions: It is a continuing condition of this authorization that the facilities be operated in such a manner so as not to contribute to ambient RF/EMF emissions in excess of the current FCC adopted RF/EMF emission standards; violation of this condition shall be grounds for revocation.

    d. Hazardous Materials: If the contents of the equipment cabinet/building or base transceiver station contain toxic or hazardous materials, a sign shall be placed on or around the exterior of the base transceiver station or equipment cabinets and building warning the public.

e. Periodic Safety Monitoring: The wireless telecommunications service provider shall submit to the Director, 10 days after installation of the facilities and every two years thereafter, a certification attested to by a licensed engineer expert in the field of EMR/RF emissions that the facilities are and have been operated within the then current applicable FCC standards for RF/EMF emissions.

f. Compatibility with City Emergency Services: The facility shall not be operated, nor caused to transmit on or adjacent to any radio frequencies licensed to the City for emergency telecommunication services such that the City's emergency telecommunications system experiences interference.

g. Emergency Contact: The service provider shall provide signage as required, including phone numbers of the utility provider, for use in case of an emergency. The signs shall be visibly posted at the communications equipment cabinet.

13. Lighting: The use of lighting shall not be allowed on telecommunication facilities unless required as a public safety measure. Where lighting is used, it shall be shielded from public view and operated only during times of necessity by a maintenance operator.

14. Noise: The wireless telecommunication facility, including power source, ventilation and cooling facility, shall not generate noise discernible beyond the property lines.

15. Back-Up Generators: Back-up generators shall comply with the noise standard referenced above and shall only be operated during power outages or for testing and maintenance between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

16. Heat Generation: The wireless telecommunication facility, including power source and cooling facility, shall not be operated so as to cause the generation of heat that adversely affects any building occupant.

17. Odors: The testing of back-up generators shall not produce odors that adversely affect persons occupying residential, office or commercial uses.

18. Implementation and monitoring costs: The wireless telecommunications service provider or its successor shall be responsible for the payment of all reasonable costs associated with the monitoring of the conditions of approval contained in this authorization, including costs incurred by this department, the office of the city attorney or any other appropriate city department or agency. The community development department shall collect costs on behalf of the city.

19. Transfer of Operation: Any carrier/service provider authorized by the community development director or by the planning commission to operate a specific wireless telecommunications facility may assign the operation of the facility to another carrier licensed by the FCC for that radio frequency provided that the transfer is made known to the community development director in advance of the operation and all conditions of approval for the subject installation are carried out by the new carrier/service provider. However, the carrier/service provider may, without advance notification,

transfer operations of the facility to its general partner or any party controlling, controlled by or under common control with the carrier/service provider.

20. Complaints and Proceedings: Should any party complain to the wireless telecommunications service provider about the installation or operation of the facilities, which complaints are not resolved by the wireless telecommunications service provider, the wireless telecommunications service provider (or its appointed agent) shall advise the Director of the complaint and the failure to satisfactorily resolve such complaint. If the director determines that a violation of a condition of approval has occurred, the Director may refer the matter to the Planning Commission for consideration of modification or revocation of the permit.

21. Supersession of Previous Conditions of Approval: Upon the effective date approving this Modification (PLN2015-386), the previously approved Conditions of Approval (PLN2009-57) as approved by the Planning Commission on June 23, 2009 shall be void and shall permanently be superseded in their entirety by the Conditions of Approval specified herein, except for the expiration date of the facility which has been carried forward in this permit.

22. Severability: If any clause, sentence, section or any part of these Conditions of Approval is for any reason held to be invalid, such invalidity shall not affect or impair other of the remaining provisions, clauses, sentences, or sections of these conditions. It is hereby declared to be the intent of the City that these Conditions of Approval would have been adopted had such invalid sentence, clause or section or part thereof not been included herein.

Building Division:

23. Permits Required: A building permit application shall be required for the proposed antenna structure and/or associated equipment. The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit.

24. Construction Plans: The Conditions of Approval shall be stated in full on the cover sheet of construction plans submitted for building permit.

25. Size of Plans: The minimum size of construction plans submitted for building permits shall be 24 in. by 36 in.

26. 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.

27. Site Plan: Application for building permit shall include a competent site plan that identifies property and proposed structures with dimensions and elevations as appropriate.

28. 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 Appendix Chapter 1, Section 106. Please obtain City of Campbell, Special Inspection forms from the Building Inspection Division Counter.

29. Non-point Pollution Control Program: 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.

30. Approvals Required: The project requires the following agency approval prior to issuance of the building permit:
    a. Santa Clara County Fire Department (378-4010)

RESOLUTION NO. 4299

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A MODIFICATION (PLN2016-146) TO A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT (PLN2013-119) TO ALLOW THREE NEW ANTENNA PANELS AND ASSOCIATED EQUIPMENT TO BE ADDED TO AN EXISTING MONOPOLE LOCATED AT **16146 E. MOZART AVENUE.**
FILE NO. PLN2016-146

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

The Planning Commission finds as follows with regard to file number PLN2016-146:

Environmental Finding

The project qualifies as a Categorically Exempt project per Section 15301, Class 1 of the California Environmental Quality Act (CEQA), pertaining to minor alterations to existing private structures.

Evidentiary Findings

1. The General Plan land use designation for this property is Professional Office and the proposed wireless telecommunications facility, as conditioned, is in compliance with the following policies of the General Plan:

   Policy LUT-9.31: Wireless Telecommunication Facilities: Minimize the visual impact of wireless telecommunication facilities by designing them as an integral architectural feature to a structure.

   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.

2. The subject property is within the P-O (Professional Office) zoning district.

3. The requested Modification to the previously approved Conditional Use Permit (PLN2013-119) would allow for three (3) new antennas and associated equipment to be installed on an existing 70-foot tall telecommunications monopole.

4. This wireless telecommunications facility was originally permitted by Santa Clara County in 2004 prior to annexation into the City of Campbell. As the subject property was annexed into the City of Campbell in 2006, the modification request is subject to

the City's Wireless Telecommunication Ordinance, whereby if stealth technology is not used, a use permit shall be required.

5. Non-stealth wireless telecommunication facilities are permitted in the P-O (Professional Office) zoning district subject to the approval of a Conditional Use Permit.

6. The purpose of use permit review of wireless telecommunications facilities is to minimize the adverse visual impacts and operational effects of these facilities using appropriate design, siting and screening techniques while providing for the personal communications needs of residents, local business and government of the city and the region.

7. On August 1, 2006, the City Council adopted Ordinance 2070, which codified the City's current wireless facilities development standards and procedural requirements under CMC 21.34 (Wireless Telecommunications Facilities).

8. On February 17, 2012, Congress passed the Middle Class Tax Relief and Job Creation Act, which contained Section 6409(a), known as the "Spectrum Act" for the regulation of wireless telecommunication facilities. Section 6409(a) mandates that local governments "may not deny, and shall approve" an Eligible Facilities Request ("EFR") provided that the request does not "substantially change the physical dimensions of the existing wireless tower of base station".

9. On October 8, 2013 the Planning Commission adopted Resolution No. 4119 approving a Conditional Use Permit (PLN2013-119) to modify an existing wireless antenna facility by adding a microwave dish to an existing freestanding monopole. The approval established an expiration date of October 18, 2023.

10. On January 8, 2015, the FCC published new rules implementing Section 6409(a) of the Middle Class Tax and Job Creation Act of 2012 ("Spectrum Act"), under the title "Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies" which included definitions, processing requirements, timelines and remedies for applications that seek to modify an existing wireless telecommunication facility – including thresholds to test whether an applicant's proposal for an EFR causes a 'substantial change'.

11. The proposed wireless facility modification does not exceed the thresholds outlined for an "Eligible Facility Request (EFR)".

Based upon the foregoing findings of fact and pursuant to Section 21.46.040 (Findings and Decision for a Conditional Use Permit) and Chapter 21.34 (Wireless Telecommunication Facilities) of the Campbell Municipal Code, the Planning Commission further finds and concludes that:

1. The proposed use is consistent with the General Plan.

2. The proposed use is allowed within the applicable zoning district with Conditional Use Permit approval, and complies with all other applicable provisions of this Zoning Code and the Campbell Municipal Code as conditioned.

3. The proposed development would be consistent and compatible with the General Plan and will aid in the harmonious development of the immediate area.

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, as conditioned, 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, as conditioned, at the location proposed will not be detrimental to the comfort, health, morals, peace, safety, or general welfare of persons residing or working in the neighborhood of the proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.

8. The project will aid in the harmonious development of the immediate area.

9. The project is consistent with applicable adopted design guidelines.

10. The proposed wireless facility is consistent with the standards set forth within the City's Wireless Telecommunication Ordinance regarding the height, placement and design of wireless facilities.

11. The applicant's proposal does not cause a 'substantial change' and therefore qualifies as an Eligible Facility Request.

12. As an Eligible Facility Request (EFR), the local jurisdiction's discretion is limited.

13. The project is Categorically Exempt under Section 15301, Class 1 of the California Environmental Quality Act (CEQA), pertaining to minor alterations to existing private structures.

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Modification (PLN2016-146) to a previously approved Conditional Use Permit (PLN2013-119) to allow three new antenna panels and associated equipment to be added to an existing monopole located at **16146 E. Mozart Avenue**, subject to the attached Conditions of Approval (attached **Exhibit A**).

PASSED AND ADOPTED this 14th day of June, 2016, by the following roll call vote:

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

APPROVED: _____
Cynthia Dodd, Chair

ATTEST: _____
Paul Kermoyan, Secretary

CONDITIONS OF APPROVAL
Modification to a Previously Approved Conditional Use Permit (PLN2016-146)

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

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. Approved Project: Approval is granted for Modification (PLN2016-146) to a previously approved Conditional Use Permit (PLN2013-119) to allow three new antenna panels and associated equipment to be added to an existing monopole located at **16146 E. Mozart Avenue**. The project shall substantially conform to the Project Plans and Photo-simulations dated as received on April 27, 2016, except as modified by the Conditions of Approval contained herein.

2. Length of Permit Term: As an "Eligible Facility Request (EFR)", the Modification approved herein does not serve to extend the expiration date of the previously approved Conditional Use Permit (PLN2013-119). As such, the Modification approved herein shall expire on October 18, 2023. If the use is to continue after that time, the applicant shall apply for a new permit.

3. Revision to Plans: The building permit submittal construction plans shall incorporate the following revisions:

    a. Safety Requirements: The building permit plans shall reflect the incorporation of all safety recommendations and requirements outlined by the in the Radio Frequency (RF) Compliance Assessment.

4. Revocation of Permit: Operation of the use in violation of the Conditional Use Permit or any standards, codes, or ordinances of the City of Campbell shall be grounds for consideration of revocation of the Conditional Use Permit by the Planning Commission.

5. Cessation of Operations: The service provider shall provide written notification to the Director upon cessation of operations on the site exceeding a 90-day period. The service provider shall remove all obsolete or unused facilities from the site within 180 days of termination of its lease with the property owner or cessation of operations, whichever comes earlier.

6. New Permit Required: If a consecutive period of 180 days has lapsed since cessation of operations, a new Conditional Use Permit shall be required prior to use or reuse of the site.

7. Length of Permit Term: This Use Permit shall expire on October 18, 2023. If the use is to continue after that time, the applicant shall apply for a new permit.

8. Business License Required: Each service provider with a wireless telecommunications facility in the City shall obtain a city business license.

9. No Advertising: No advertising signage or identifying logos shall be displayed on wireless telecommunications facilities, except for small identification plates used for emergency notification or hazardous or toxic materials warning.

10. Maintenance: All maintenance on the antennas is to be performed between the hours of 7 a.m. and 9 p.m. with the exception of emergency repairs.

11. Maintenance of Finish: It is an ongoing obligation of the applicant, assignees and successors in interest to maintain all components of the antennas and the exterior finish of the structures and equipment approved by this permit in good order. Graffiti shall be removed by repainting the surface of the structure or equipment with a matching color as soon as practical.

12. Impact on Parking: The installation of wireless telecommunication facilities shall not reduce required parking on the site.

13. Safety:
    a. Public Access Restricted: Antennas are to be sited in such a way so that barriers and signage prevent a person from passing through areas that exceed the safety limits established by the FCC, in compliance with the adopted standards for controlled access.

    b. Warning Signs: Signage shall be maintained at the facility identifying all wireless telecommunication facility equipment and safety precautions for people nearing the equipment as may be required by any applicable FCC-adopted standards, including the RF radiation hazard warning symbol identified in ANSI C95.2-1982, to notify persons that the facility could cause exposure to RF emissions.

    c. Emissions Conditions: It is a continuing condition of this authorization that the facilities be operated in such a manner so as not to contribute to ambient RF/EMF emissions in excess of the current FCC adopted RF/EMF emission standards; violation of this condition shall be grounds for revocation.

    d. Hazardous Materials: If the contents of the equipment cabinet/building or base transceiver station contain toxic or hazardous materials, a sign shall be placed on or around the exterior of the base transceiver station or equipment cabinets and building warning the public.

e. Periodic Safety Monitoring: The wireless telecommunications service provider shall submit to the Director, 10 days after installation of the facilities and every two years thereafter, a certification attested to by a licensed engineer expert in the field of EMR/RF emissions that the facilities are and have been operated within the then current applicable FCC standards for RF/EMF emissions.

f. Compatibility with City Emergency Services: The facility shall not be operated or caused to transmit on or adjacent to any radio frequencies licensed to the City for emergency telecommunication services such that the City's emergency telecommunications system experiences interference.

g. Emergency Contact: The service provider shall provide signage as required, including phone numbers of the utility provider, for use in case of an emergency. The signs shall be visibly posted at the communications equipment cabinet.

14. Lighting: The use of lighting shall not be allowed on telecommunication facilities unless required as a public safety measure. Where lighting is used, it shall be shielded from public view and operated only during times of necessity by a maintenance operator.

15. Noise: The wireless telecommunication facility, including power source, ventilation and cooling facility, shall not generate noise discernible beyond the property lines.

16. Back-Up Generators: No Back-up generator has been approved for this project.

17. Heat Generation: The wireless telecommunication facility, including power source and cooling facility, shall not be operated so as to cause the generation of heat that adversely affects any building occupant.

18. Odors: The testing of back-up generators shall not produce odors that adversely affect persons occupying residential, office or commercial uses.

19. Transfer of Operation: Any carrier/service provider authorized by the community development director or by the planning commission to operate a specific wireless telecommunications facility may assign the operation of the facility to another carrier licensed by the FCC for that radio frequency provided that the transfer is made known to the community development director in advance of the operation and all conditions of approval for the subject installation are carried out by the new carrier/service provider. However, the carrier/service provider may, without advance notification, transfer operations of the facility to its general partner or any party controlling, controlled by or under common control with the carrier/service provider.

20. Complaints and Proceedings: Should any party complain to the wireless telecommunications service provider about the installation or operation of the facilities, which complaints are not resolved by the wireless telecommunications service provider, the wireless telecommunications service provider (or its appointed agent) shall advise the Community Development Director of the complaint and the failure to satisfactorily resolve such complaint. If the director determines that a violation of a condition of

approval has occurred, the Community Development Director may refer the matter to the Planning Commission for consideration of modification or revocation of the permit.

21. Severability: If any clause, sentence, section or any part of these Conditions of Approval is for any reason held to be invalid, such invalidity shall not affect or impair other of the remaining provisions, clauses, sentences, or sections of these conditions. It is hereby declared to be the intent of the City that these Conditions of Approval would have been adopted had such invalid sentence, clause or section or part thereof not been included herein.

Building Division

22. Permits Required: A building permit application shall be required for the proposed antenna structure and/or associated equipment. The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit.

23. Construction Plans: The Conditions of Approval shall be stated in full on the cover sheet of construction plans submitted for building permit.

24. Size of Plans: The minimum size of construction plans submitted for building permits shall be 24 in. by 36 in.

25. 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.

26. Site Plan: Application for building permit shall include a competent site plan that identifies property and proposed structures with dimensions and elevations as appropriate.

27. 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 Appendix Chapter 1, Section 106. Please obtain City of Campbell, Special Inspection forms from the Building Inspection Division Counter.

28. Non-point Pollution Control Program: 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.

29. Approvals Required: The project requires the following agency approval prior to issuance of the building permit:
    a. Santa Clara County Fire Department (378-4010)

RESOLUTION NO. 4300

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A SITE AND ARCHITECTURAL REVIEW PERMIT (PLN2016-91) TO ALLOW AN APPROXIMATELY 1,000 SQUARE-FOOT REAR ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE ON PROPERTY LOCATED AT **363 CURTNER AVENUE.**
FILE NO. PLN2016-91

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

The Planning Commission finds as follows with regard to file number PLN2016-91:

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 Curtner Avenue.

5. The application is subject to design review under the City of Campbell Design Guidelines for Additions to Single Family Homes.

6. The project is compatible with the architecture of the existing home and the adjacent neighborhood in that the project utilizes simple architectural design that matches existing materials and colors of existing residence, with a design not out of conformance with the surrounding community.

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.

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Site and Architectural Review Permit (PLN2016-88) to allow an approximately 1,000 square-foot addition to an existing single-family residence on property located at **363 Curtner Avenue**, subject to the attached Conditions of Approval (attached **Exhibit A**).

PASSED AND ADOPTED this 14th day of June, 2016, by the following roll call vote:

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

APPROVED: _____
Cynthia Dodd, Chair

ATTEST: _____
Paul Kermoyan, Secretary

CONDITIONS OF APPROVAL
Site and Architectural Review Permit (PLN2016-91)

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

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. Approved Project: Approval is granted for a Site and Architectural Review Permit (PLN2016-91) to allow an approximately 1,000 square-foot single-story rear addition to an existing single-family residence located at **363 Curtner Avenue**. The project shall substantially conform to the revised project plans stamped as received by the Planning Division on May 2, 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 June 24, 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. Driveway: The construction drawings submitted for a building permit shall indicate that the existing concrete asphalt will be reconstructed with a new concrete driveway.

6. Fences/Walls: Any newly proposed fencing and/or walls shall comply with Section 21.18.060 of the Campbell Municipal Code and shall be submitted for review and approval by the Community Development Department.

7. Landscaping Plan: The construction drawings submitted for a building permit shall include a front yard landscaping plan, including irrigation details and associated

calculations, prepared in compliance with Campbell Municipal Code Chapter 21.26 (Landscaping Requirements) and with Chapter 2.7, Division 2, of Title 23 of the California Code of Regulations (Model Water Efficient Landscape Ordinance).

8. 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

9. Permits Required: A building permit application shall be required for the proposed addition to and remodeling of the existing structure. The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit.

10. 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.

11. Construction Plans: The Conditions of Approval shall be stated in full on the cover sheet of construction plans submitted for building permit.

12. Size of Plans: The minimum size of construction plans submitted for building permits shall be 24 in. X 36 in.

13. 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. Elevation bench marks shall be called out at all locations that are identified as “natural grade” and intended for use to determine the height of the proposed structure.

14. Title 24 Energy Compliance: California Title 24 Energy Compliance forms shall be blue-lined on the construction plans. 8½ X 11 calculations shall be submitted as well.

15. 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 Appendix Chapter 1, Section 106. Please obtain City of Campbell, Special Inspection forms from the Building Inspection Division Counter.

16. Non-point Pollution Control Program: 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.

17. 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. 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 school district, contact the offices identified above or visit: http://www.sccoe.k12.ca.us/resourcesfamilies/districtlocator. Obtain the School District payment form from the City Building Division, after the Division has approved the building permit application.

18. 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.

19. 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.

20. Build it Green: Applicant shall complete and submit a "Build it Green" inventory of the proposed new single family project prior to the issuance of a building permit.

21. Stormwater 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. CA Green Building Code: This project is subject to the mandatory requirements for new residential structures (Chapter 4) under the California Green Building Code, 2013 edition.

PUBLIC WORKS DEPARTMENT

The scope of this project triggers the requirement for Frontage Improvements as required by Campbell Municipal Code 11.24.040. This neighborhood is an older County pocket constructed with rolled curb and without sidewalk that was recently annexed into the City of Campbell as part of Cambrian No. 36. The City is actively working with the Campbell Village Neighborhood Association at this time to develop a master plan for street improvements. As this effort is in the early stages of the process, it is not appropriate at this time to require the property owner to reconstruct their frontage. However, the applicant is required to enter into a Deferred Street Improvement Agreement to participate in frontage improvements at a later date. Said agreement will need to be executed by the applicant prior to issuance of the Building permit.

23. Grant Deed: Prior to issuance of any grading, drainage, or building permits for the site, the applicant shall provide a copy of the Grant Deed for the property which will be used to prepare the Deferred Street Improvement Agreement and the Private Improvements Agreement detailed below.

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 **$424.**

25. Deferred Street Improvement Agreement: Prior to issuance of building permits for the site, the owner shall execute a deferred street improvement agreement for construction of standard street improvements. Unless otherwise approved by the City Engineer these improvements shall include, but are not limited to, installation of curb, gutter, sidewalk, ADA compliant driveways, street trees, streetlights, and necessary conforms to existing improvements.

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

27. Private Improvements Agreement: Prior to issuance of any grading or building permits for the project, the owner shall execute an “Agreement for Private Improvements in the Public Right of Way”. This agreement would be required to allow the existing water meter located in the public right of way along the frontage of this property to remain.

28. Water Meter(s) and Sewer Cleanout(s): Proposed water meter(s) and sewer cleanout(s) shall be installed on private property behind the public right-of-way line.

29. 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.

30. Pavement Restoration: Based on the utility coordination plan, the applicant shall prepare a pavement restoration plan for approval by the City Engineer prior to any utility installation or abandonment. The pavement restoration plan shall indicate how the street pavement shall be restored following the installation or abandonment of all utilities necessary for the project.

31. Utility Encroachment Permits: Separate City encroachment permits for the installation of utilities to serve the development will be required (including water, sewer, gas, electric, etc.). Applicant shall apply for and pay all necessary fees for utility permits for sanitary sewer, gas, water, electric and all other utility work.

32. 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.

RESOLUTION NO. 4301

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ADMINISTRATIVE PLANNED DEVELOPMENT PERMIT TO ALLOW FOR THE REDEVELOPMENT OF AN EXISTING BUILDING AND SITE, WITH AN EXCEPTION TO A PARKING SETBACK CONTAINED WITHIN THE WINCHESTER BOULEVARD MASTER PLAN, ON PROPERTY LOCATED AT 2220 S. WINCHESTER BOULEVARD**.** FILE NO. PLN2015-338

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

The Planning Commission finds as follows with regard to file number PLN2015-338:

1. The project site is located on the northeast corner of Winchester Boulevard and Sunnyside Avenue and is approximately 9,924 square feet in size.

2. After a 400 square foot dedication, the lot shall be approximately 9,524 square feet in size.

3. The project site is zoned P-D (Planned Development) on the City of Campbell Zoning Map.

4. The project site is designated Central Commercial on the City of Campbell General Plan Land Use Map.

5. No use (e.g. retail, office) is proposed with the subject application. The property owner will be required to apply for a separate discretionary review process (i.e. Administrative Planned Development Permit) once a use/tenant has been identified for the structure.

6. The project site is located within the Winchester Boulevard Master Plan.

7. The project site is bordered by residential uses to the east, and commercial uses to the north and across the street to the south (across Sunnyside) and west (across Winchester Blvd.).

8. The proposal may require the City Council to reduce the required eight-foot rear setback to allow parking spaces to encroach in the required setbacks.

9. The proposed project will be compatible with the underlying Central Commercial General Plan land use designation and the Winchester Boulevard Master Plan, as conditioned.

10. 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.

11. There is a reasonable relationship and a rough proportionality between the Conditions of Approval and the impacts of the project.

12. There is a reasonable relationship between the use of the fees imposed upon the project and the type of development project.

13. The Planning Commission's recommended Conditions of Approval are attached.

Based upon the foregoing findings of fact and pursuant to CMC Section 21.12.030(H6),, the Planning Commission further finds and concludes that:

1. The proposed development or uses clearly would result in a more desirable environment and use of land than would be possible under any other zoning district classification;

2. The proposed development would be compatible with the general plan and will aid in the harmonious development of the immediate area;

3. The proposed development will not result in allowing more residential units that would be allowed by other residential zoning districts which are consistent with the general plan designation of the property;

4. The proposed development would not be detrimental to the health, safety or welfare of the neighborhood or of the city as a whole; and

5. The project is Categorically Exempt under Section 15301 Class 1 of the California Environmental Quality Act (CEQA) pertaining to minor alterations to an existing private structure, involving negligible or no expansion of use.

THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Council approve an Administrative Planned Development Permit (PLN2015-338) to allow for the redevelopment of an existing building and site, with an exception to a parking setback contained within the Winchester Boulevard Master Plan, on property located at 2220 S. Winchester Boulevard, subject to the attached Conditions of Approval (attached **Exhibit A**).

PASSED AND ADOPTED this 14th day of June, 2016, by the following roll call vote:

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

APPROVED: _____
Cynthia Dodd, Chair

ATTEST: _____
Paul Kermoyan, Secretary

RECOMMENDED CONDITIONS OF APPROVAL
Administrative Planned Development Permit (PLN2015-338)

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

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. Approved Project: Approval is granted for an Administrative Planned Development Permit to allow the redevelopment of an existing building and site, with an exception to a parking setback contained within the Winchester Boulevard Master Plan, on property located at 2220 S. Winchester Boulevard. The project shall substantially conform to the revised project plans and color/materials board stamped as received by the Planning Division on May 31, 2016 except as may be modified by the conditions of approval herein.

2. Plan Revisions: The building permit submittal construction plans shall incorporate the following revisions:
   a. Fencing: Where fencing is replaced along the rear (east) property line, it shall be replaced with fencing matching the appearance of the existing ±7-foot wood fence with lattice. Conformance to this requirement shall be to the satisfaction of the Community Development Director.
   b. Signs: The proposed stop sign pole shall be relocated closer to the sidewalk interface with a white line painted across the drive aisle to demarcate the appropriate point for a vehicle to stop. In addition, or as an alternative to installation the stop sign pole, the applicant may stencil letters on the ground reading “STOP”.

3. Permit Expiration: The Administrative Planned Development Permit (PLN2015-338) shall be valid for two years from the date of final approval. The City Council will be the final approving authority. Within this two-year period an application for a building permit must be submitted. Failure to meet this deadline will result in the Administrative Planned Development Permit being rendered void.

4. Delegation of Authority: Modifications to the site or project shall default back to the decision making body specified in the Campbell Municipal Code and not otherwise require City Council approval except where expressly required.

5. 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.

6. Final Landscaping Plan: The applicant shall submit a final landscape and irrigation plan with the building permit construction plans in compliance with the City's Water Efficient Landscape Guidelines.

7. Grading Plan: The building permit construction plans shall include a grading and drainage plan prepared by a qualified engineer indicating actual (not assumed) existing and proposed grades relative to existing grade and showing management of on-site drainage, for review and approval by the Community Development Director. The existing grade shall be modified to the minimum extent necessary to ensure proper drainage as determined by the Community Development Director.

8. Height Measurements: The height measurements on the elevation sheets shall be revised on the building permit construction plans to be consistent with the grading and drainage plan. Height measurements should occur at three elevations; existing grade, finished floor, and top of structure.

9. Parking: All parking and driveway areas shall be maintained in compliance with the standards in Chapter 21.28 (Parking & Loading) of the Campbell Municipal Code and the Winchester Boulevard Master Plan except where explicitly granted an exception by the City Council.

10. Fines: Prior to Building Permit submittal, if not required earlier, the applicant shall pay $1,831.27 which reflects the value of the removed tree and a citation for work without permits.

11. Compliance with Other Regulations: The applicant shall comply with all state, county, and city regulations and laws that pertain to the proposed project.

12. 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 building lighting shall be reviewed by the Community Development Director prior to installation of the lighting for compliance with all applicable Conditions of Approval, ordinances, laws and regulations. The Director will have the authority to reject, approve or request modifications to the lighting design to achieve these goals.

13. Signage: No building signs have been considered as part of this Planned Development Permit. Future signage shall be considered pursuant to applicable City development standards and processes.

14. Construction Activities: The applicant shall abide by the following requirements during construction:

    c. 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 during all periods of construction.
    d. 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.

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

Building Division

15. Permits Required: A building permit application shall be required for the proposed renovations to the (e) commercial building. The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit. The building shall be made to comply with all the requirements necessary to the new buildings proposed occupancy.

16. Construction Plans: The conditions of Approval shall be stated in full on the cover sheet of construction plans submitted for building permit.

17. Size of Plans: The minimum size of construction plans submitted for building permits shall be 24 in. X 36 in.

18. 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.

19. 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.

20. 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.

21. 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.

22. Non-Point Source Pollution: The City of Campbell, standard Santa Clara Valley Non-point Source Pollution Control Program specification sheet shall be part of plan submittal. The specification sheet (size 24” X 36”) is available at the Building Division service counter.

23. 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.

24. Title 24 Accessibility – Commercial: this project shall comply fully with the provisions of Chapter 11B of the California Building Code 2013 ed.

25. Approvals Required: The project requires the following agency approval prior to issuance of the building permit:

    a. West Valley Sanitation District
    b. School District:
        i) Campbell Union School District (378-3405)
        ii) Campbell Union High School District (371-0960)
        iii) Moreland School District (874-2900)
        iv) Cambrian School District (377-2103)
    c. Santa Clara County Fire Department
    d. Santa Clara County Department of Environmental Health

26. 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.

27. LEED for New Construction: Applicant shall complete and return LEED Project Checklist prior to issuance of permit.

28. 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.

Public Works Department

29. Response Letter: Upon submittal of the Parcel Map, the Street Improvement Plans and the Grading and Drainage Plans, the applicant shall provide an itemized response letter verifying that all the Public Works Conditions of Approval have been met or addressed.

30. Preliminary Title Report: Prior to issuance of any grading or building permits for the site, the applicant shall provide a current (within the past 6 months) Preliminary Title Report.

31. Right-of-Way for Public Street Purposes: Prior to issuance of any grading or building permits for the site, the applicant shall fully complete the process to cause additional right-of-way to be granted in fee for public street purposes along the Sunnyside Avenue frontage to accommodate a 30-ft half street, unless otherwise approved by the City Engineer. The applicant shall submit the necessary documents for approval by the City

Engineer, process the submittal with City staff's comments and fully complete the right-of-way process. The applicant shall cause all documents to be prepared by a registered civil engineer/land surveyor, as necessary, for the City's review and recordation.

32. Grading and Drainage Plan: Prior to issuance of any grading or building permits for the site, 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.

33. Drainage System: Prior to occupancy clearance, the applicant shall refurbish, remodel, and reconstruct the on-site drainage system, as necessary, to demonstrate that the facilities are functioning normally in accordance with the requirements of the City.

34. 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 $2,650.00 per net acre, which is $610.00.

35. Storm Water Information: On the **grading plans** show the amount, in square footage, of:
    a. Existing impervious area.
    b. Proposed impervious area.
    c. Proposed pervious area.

36. Stormwater Pollution Prevention Measures (<10,000 SF Impervious Area): 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.

37. Plan Lines: Prior to issuance of any grading or building permits for the site, the applicant shall provide a plan layout showing the correct distance from the street centerline to the property line, dimensions of sidewalk and other relevant information in the public right of way.

38. Utilities: All on-site utilities shall be installed underground per Section 21.18.140 of the Campbell Municipal Code for any new or remodeled buildings or additions. Applicant

shall comply with all plan submittals, permitting, and fee requirements of the serving utility companies.

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.

39. Water Meter(s) and Sewer Cleanout(s): Existing and proposed water meter(s) and sewer cleanout(s) shall be relocated or installed on private property behind the public right-of-way line.

40. 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.

41. 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. Winchester Boulevard was reconstructed in 2012 and Sunnyside 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.

42. Street Improvement Agreements / Plans / Encroachment Permit / Fees / Deposits: Prior to issuance of any grading or building permits for the site, 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:

Winchester Boulevard

a. Show location of all existing utilities within the new and existing public right of way.
b. Relocation of all existing utilities including utility boxes, covers, poles, etc. outside of sidewalk area. No utility boxes, covers, etc. will be allowed in the sidewalk area.
c. Removal of existing two driveway approaches and necessary sidewalk, curb and gutter and installation of City standard curb, gutter, sidewalk.

d. Installation of City standard curb, gutter, 10 foot sidewalk and ADA compliant driveway approach along Winchester Boulevard (north limit). See City Standard Commercial Driveway Detail 18.
e. Installation of standard curb, gutter and 10' sidewalk to replace existing curb cut at the southern end.
f. Installation of an ADA ramp at the northeast corner of Winchester Boulevard and Sunnyside Avenue per Detail A88A of the Caltrans Specifications.
g. Installation of City approved street trees, 6'x6' tree well(s) and grate with structural soil and irrigation at 30 feet.
h. Installation of traffic control, stripes and signs. Restriping the entire frontage maybe required depending on the utility plan and the pavement restoration plan.
i. Construction of conforms to existing public and private improvements, as necessary.
j. Submit final plans in a digital format acceptable to the City.

Sunnyside Avenue:

a. Show location of all existing utilities within the new and existing public right of way.
b. Relocation of all existing utilities including utility boxes, covers, poles, etc. outside of sidewalk area. No utility boxes, covers, etc. will be allowed in the sidewalk area.
c. Removal of existing non-ADA driveway approach and necessary sidewalk, curb and gutter and installation of City standard curb, gutter, sidewalk.
d. Installation of City standard curb, gutter, 10 foot sidewalk and ADA compliant driveway approach along Sunnyside Avenue. Current driveway exceeds City's standards. Install City Standard Commercial Driveway Detail 18.
e. Installation of City approved street trees, tree well(s) and irrigation at 30 feet on center.
f. Installation of traffic control, stripes and signs. Restriping the entire frontage maybe required depending on the utility plan and the pavement restoration plan.
g. Construction of conforms to existing public and private improvements, as necessary.
h. Submit final plans in a digital format acceptable to the City.

43. Street Improvements Completed for Occupancy and Building Permit Final: Prior to allowing occupancy and/or final building permit signoff for any and/or all buildings, the applicant shall have the required street improvements installed and accepted by the City, and the design engineer shall submit as-built drawings to the City.

44. 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.

45. Utility Encroachment Permit: Separate encroachment permits for the installation of utilities to serve the development will be required (including water, sewer, gas, electric,

etc.). Applicant shall apply for and pay all necessary fees for utility permits for sanitary sewer, gas, water, electric and all other utility work.

46. 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.

Santa Clara County Fire Department

47. Comment #1: Review of this development proposal is limited to acceptability of site access and water supply as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work, the applicant shall make application to, and receive from, the Building Department all applicable construction permits.

48. Comment #2: All construction sites must comply with applicable provisions of the CFC Chapter 14 and our Standard Detail and Specifications SI-7.

RESOLUTION NO. 4302

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL RECOMMENDING THAT THE CITY COUNCIL ADOPT A ZONING TEXT AMENDMENT (PLN2016-135) TO ALLOW CHANGES TO SECTIONS 21.20 AND 21.24 REGARDING DENSITY BONUS REGULATIONS.

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

The Planning Commission finds as follows with regard to file number PLN2016-135:

Environmental Findings

1. The project consists of a Text Amendment amending Campbell Zoning Code: Chapter 21.20 of the Zoning Ordinance to be consistent with State law.

2. No substantial evidence has been presented from which a reasonable argument could be made that shows that the project will have a significant adverse impact on the environment.

3. The proposed Text Amendment is exempt from the California Environmental Quality Act under Section 15061.b.3 because it has no potential for resulting in a physical change to the environment.

Evidentiary Finding

1. The legislature of the State of California has, in Government Code Section 65915(a), required all cities and counties to adopt an ordinance that specifies how compliance with State Density Bonus Law will be implemented.

2. The proposed Zoning Text Amendment furthers the goals, objectives, and policies of the City's General Plan Housing Element to encourage the provision of housing affordable to a variety of household income levels.

3. Density bonuses and/or regulatory incentives/concessions facilitate the development of affordable and/or senior housing by reducing the costs of development.

4. Review and adoption of this Text Amendment is done in compliance with California Government Code Sections 65853 through 65857, which require a duly noticed public hearing of the Planning Commission whereby the Planning Commission shall provide its written recommendation to the City Council for its consideration

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

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

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

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

THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Council adopt the attached Ordinance (reference **Exhibit A**) recommending approval of the above described Zoning Text Amendment.

PASSED AND ADOPTED this 14th day of June, 2016, by the following roll call vote:

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

APPROVED: _____
Cynthia Dodd, Chair

ATTEST: _____
Paul Kermoyan, Secretary

Exhibit A

Ordinance No. _____

BEING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAMPBELL AMENDING CERTAIN SECTIONS OF TITLE 21 (Zoning) OF THE CAMPBELL MUNICIPAL CODE RELATING TO DENSITY BONUS

The City Council of the City of Campbell does ordain as follows:

SECTION 1. – **Purpose:** Campbell Municipal Code section 21.20.010 is amended to read as follows with underlining indicating new text and strikeouts (~~strikeout~~) indicating deleted text:

The purposes of this chapter of the Campbell Municipal Code, Revised are: (1) to provide incentives for the production of housing for very low-income, low-income, moderate-income, and senior households; (2) to provide incentives for the creation of rental housing serving lower and moderate-income households; (3) to provide incentives for the construction of childcare facilities serving very low-, low-, and moderate-income households; and (4) to implement Sections 65915, 65915.5 and 65917 of the California Government Code as required by Government Code Section 65915(a). In enacting this chapter it is also the intent of the city of Campbell to implement the goals, objectives, and policies of the city's General Plan Housing Element, which includes a goal to encourage the provision of housing affordable to a variety of household income levels and identifies a density bonus policy as one method to encourage the development of affordable housing (~~Goal H-5.1~~ Policy H-5.2 Regulatory Incentives, Program ~~5.1(a)~~ 5.2(a) Density Bonus).

SECTION 2. Campbell Municipal Code section 21.20.020 is amended to read as follows with underlining indicating new text:

21.20.020 - Definitions.

For purposes of this chapter, the following definitions shall apply. Unless specifically defined below, words or phrases shall be interpreted as to give this chapter its most reasonable interpretation.

"Affordable ownership cost" means average monthly housing costs, during the first calendar year of a household's occupancy, as determined by the city, including mortgage payments, loan issuance fees, if any, property taxes, reasonable allowances for utilities and property maintenance and repairs, homeowners insurance, and homeowners association dues, if any, which do not exceed the following:

1. For moderate-income households: one-twelfth of thirty-five percent of one hundred ten percent of area median income, adjusted for assumed household size based on presumed occupancy levels of one person in a studio apartment, two persons in a one-bedroom unit, three persons in a two-

bedroom unit and one additional person for each additional bedroom thereafter;

2. For lower-income households: one-twelfth of thirty percent of seventy percent of area median income, adjusted for assumed household size based on presumed occupancy levels of one person in a studio apartment, two persons in a one-bedroom unit, three persons in a two-bedroom unit and one additional person for each additional bedroom thereafter;

3. For very low-income households: one-twelfth of thirty percent of fifty percent of area median income adjusted for assumed household size based on presumed occupancy levels of one person in a studio apartment, two persons in a one-bedroom unit, three persons in a two-bedroom unit and one additional person for each additional bedroom thereafter.

"Affordable rent" means monthly rent, including utilities and all fees for housing services, which does not exceed the following:

1. For lower-income households: one-twelfth of thirty percent of sixty percent of area median income, adjusted for assumed household size based on presumed occupancy levels of one person in a studio apartment, two persons in a one-bedroom unit, three persons in a two-bedroom unit, and one additional person for each additional bedroom thereafter;

2. For very low-income households: one-twelfth of thirty percent of fifty percent of area median, adjusted for assumed household size based on presumed occupancy levels of one person in a studio apartment, two persons in a one-bedroom unit, three persons in a two-bedroom unit, and one additional person for each additional bedroom thereafter.

"Applicant" means a person or entity who applies for a residential project and, if the applicant does not own the property on which the residential project is proposed, also means the owner or owners of the property.

"Area median income" means area median income for Santa Clara County as published pursuant to California Code of Regulations, Title 25, Section 6932, (or its successor provision).

"Childcare facility" means a commercial child day care facility defined in Campbell Municipal Code, Revised Section 21.72.020 as a commercial or non-profit child day care facility not operated as a small or large child day care home and includes infant facilities, preschools, sick child facilities and school-age day care facilities.

"Density bonus" means a density increase, granted pursuant to this chapter, over the otherwise allowable maximum residential density on a site.

"Density bonus units" means living units granted pursuant to this chapter which exceed the otherwise allowable maximum residential density for a residential project.

"Development standard" means a condition that applies to the actual construction or physical site of a residential project (as opposed to standards for entitlement processing or fees) pursuant to any ordinance, general plan element, specific plan, or other local condition, law, policy, resolution or regulation.

"First approval" means the first of the following approvals to occur with respect to a residential project: building permit, planned development permit, tentative parcel map, tentative subdivision map, conditional use permit, site and architectural review permit, or other discretionary city land use approval.

"Household income" means the combined adjusted gross income for all adult persons living in a living unit as calculated for the purpose of the Section 8 Program under the United States Housing Act of 1937, as amended, or its successor.

"Incentives and concessions" means regulatory concessions as listed in Sections 21.20.050 and 21.20.110.

"Inclusionary unit" means an ownership or rental living unit which is required under Chapter 21.24 to be rented at affordable rents or sold at an affordable ownership cost to specified households.

"Living unit" means one or more rooms designed, occupied, or intended for occupancy as separate living quarters with cooking, sleeping and bathroom facilities.

"Lower-income household" means a household whose household income does not exceed the lower income limits applicable to Santa Clara County, as published and periodically updated by the California Department of Housing and Community Development pursuant to Section 50079.5 of the California Health and Safety Code.

<u>“Major transit stop” means an existing site, or a site included in the applicable regional transportation plan, containing a rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.</u>

"Market rate unit" means a living unit, which is not a target unit or an inclusionary unit.

"Maximum residential density" means the maximum number of living units permitted by the zoning ordinance on the date an application for a residential project is deemed complete. This definition is used to calculate a density bonus pursuant to this chapter.

"Minor modification" means a modification that is technical in nature, as opposed to substantive or material.

"Moderate-income household" means a household whose household income does not exceed the moderate income limits applicable to Santa Clara County, as published and periodically updated by the California Department of Housing and Community Development pursuant to Section 50093 of the California Health and Safety Code.

"Qualifying resident" means a senior citizen or other person eligible to reside in a senior housing project.

"Replace" shall mean:

1. As to dwelling units that are occupied on the date of application, "replace" shall mean to provide at least the same number of units of equivalent size or type, or both, to be made available at affordable rent or affordable housing cost to, and occupied by, persons and families in the same or lower income category as those households in occupancy;

2. As to dwelling units have been vacated or demolished in the five-year period preceding the application, "replace" shall mean to provide at least the same number of units of equivalent size or type, or both, as existed at the highpoint of those units in the five-year period preceding the application to be made available at affordable rent or affordable housing cost to, and occupied by, persons and families in the same or lower income category as those persons and families in occupancy at that time, if known. If the incomes of the persons and families in occupancy at the highpoint is not known, then one-half of the required units shall be made available at affordable rent or affordable housing cost to, and occupied by, very low income persons and families and one-half of the required units shall be made available for rent at affordable housing costs to, and occupied by, low-income persons and families.

"Residential project" means any parcel map, subdivision map, conditional use permit, site and architectural review permit, building permit, or other city approval, which authorizes the construction of five or more living units.

"Senior housing project" means a senior citizen residential development of thirty-five living units or more as defined in California Civil Code Section 51.3, or a mobilehome park that limits residency based on age requirements for older persons pursuant to California Civil Code Section 798.76 or 799.5.

"Special needs housing" means any housing, including supportive housing, intended to benefit, in whole or in part, persons identified as having special needs relating to any of the following: Mental health; Physical disabilities; Developmental disabilities, including, but not limited to, intellectual disability, cerebral palsy, epilepsy, and autism; the risk of homelessness; or housing intended to meet the housing needs of persons eligible for

mental health services funded in whole or in part by the Mental Health Services Fund, created by Section 5890 of the Welfare and Institutions Code.

"Target units" means living units that will be restricted for sale or rent to qualifying residents or will be restricted for sale or rent to, and affordable to, very low-, lower- or moderate-income households thereby qualifying a residential project for a density bonus under this chapter. Inclusionary units may not be target units unless they are offered at a lower income category as explained in Section 21.20.100(6).

"Unobstructed access" means a resident is able to access a major transit stop from a residential project without encountering natural or constructed impediments.

"Within one-half mile of a major transit stop" means that all parcels within the project have no more than 25 percent of their area farther than one-half mile from the stop or corridor and not more than 10 percent of the residential units or 100 units, whichever is less, in the project are farther than one-half mile from the stop or corridor.

"Very low-income household" means a household whose household income does not exceed the very low income limits applicable to Santa Clara County, as published and periodically updated by the State Department of Housing and Community Development pursuant to Section 50105 of the California Health and Safety Code.

SECTION 3. Campbell Municipal Code section 21.20.030 is amended to read as follows with underlining indicating new text and strikeouts (~~strikeout~~) indicating deleted text:

21.20.030 - Eligibility for density bonuses.

1. A residential project is eligible for a density bonus if it:

~~1~~ a. Creates at least five additional living units, not including any density bonus units;

~~2~~ b. Includes a request for a density bonus as part of an application for the first approval of a residential project; and

~~3~~ c. Meets the criteria for a density bonus established in Sections 21.20.030, 21.20.040, 21.20.060, 21.20.070 or 21.20.080.

2. A residential project shall be ineligible for a density bonus, incentive, concession, waiver, or modified parking provided by this Chapter unless it provides all replacement housing required in accordance with Section 21.20.080 of this Chapter.

SECTION 4. - Campbell Municipal Code section 21.20.080 is amended to read as follows with underlining indicating new text and strikeouts (~~strikeout~~) indicating deleted text:

21.20.080 - Density bonus for properties with existing rental units ~~condominium conversions~~.

1. A residential project for a conversion of existing rental apartments to condominiums may be eligible for a density bonus or other incentives of equivalent financial value as specified in Government Code Section 65915.5.

2. A residential project shall be ineligible for a density bonus incentive, concession, waiver, or modified parking provided by this Chapter if the housing development is proposed on any property that includes a parcel or parcels on which rental dwelling units are or have been (if the dwelling units have been vacated or demolished in the five-year period preceding the application) subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income, subject to any other form of rent or price control through the City's valid exercise of its police power, or occupied by lower or very low income households, unless the proposed housing development replaces those units, and either of the following applies:

a. The proposed housing development, inclusive of the units replaced pursuant to this Chapter contains affordable units at the percentages set forth in this Chapter.

b. Each unit in the development, exclusive of a manager's unit or units, is affordable to, and occupied by, either a lower or very low income household.

3. All replacement calculations resulting in fractional units shall be rounded up to the next whole number. If the replacement units will be rental dwelling units, these units shall be subject to a recorded affordability restriction for at least 55 years. If the proposed development is for-sale units, the units replaced shall be subject to the applicable provisions of this Chapter.

SECTION 5. - **Summary tables**. The Density Bonus Summary table in Campbell Municipal Code section 21.20.090 is amended to read as follows with underlining indicating new text and strikeouts (~~strikeout~~) indicating deleted text:

The following table summarizes the available density bonuses, incentives, and concessions.

Density Bonus Summary				
Types of Affordable Units Providing Eligibility for a Density Bonus	Minimum %	Bonus Granted	Additional Bonus for Each 1% Increase over the Minimum %	% Target Units Required for Maximum 35% Bonus
A density bonus may be selected from only one category, except that bonuses for land donation may be combined with others, up to a maximum of 35%, and an additional sq. ft. bonus may be granted for a childcare facility. As provided in Section 21.20.100(~~5~~6), in order for target units ~~provided must be in addition to, or provided to a lower income category than, those required by~~ to meet both the city's inclusionary housing requirements and State density bonus requirements, the units must meet both sets of criteria. For-sale moderate-income units qualify for a density bonus under State law *only* if they are located in a common interest development where all the units are offered for purchase; a single-family home subdivision that is not a common interest development is not eligible for a density bonus under State law, even if it includes affordable units				
Very low income	5%	20%	2.5%	11%
Lower income	10%	20%	1.5%	20%
Moderate income (ownership units only)	10%	5%	1%	40%
Senior housing project	100% senior	20%	—	—
Land donation for very low-income housing	10% of market-rate units	15%	1%	30% of market-rate units
Condominium conversion — moderate income	33%	25%(A)	—	—
Condominium conversion — lower income	15%	25%(A)	—	—
Childcare facility	—	Sq. ft. in childcare facility(A)	—	—

Notes:
(A) Or an incentive of equal value, at the city's option.

SECTION 6. **Calculation of density bonus.** Subsection 6 of Campbell Municipal Code section 21.20.100 is amended to read as follows with underlining indicating new text and strikeouts (~~strikeout~~) indicating deleted text:

6. ~~Inclusionary units will only be counted as target units qualifying a project for a density bonus, or incentives and concessions, if the inclusionary units are made available at a lower affordable rent income category or lower affordable ownership cost income category than mandated by the inclusionary requirements set forth in Chapter 21.24. Inclusionary units that are counted as target units shall remain affordable for the length of time required in Chapter 21.24, which is fifty-five years for rental units and forty-five years for owner-occupied units.~~

If an applicant desires affordable units to satisfy both the inclusionary requirements set forth in Chapter 21.24 and State density bonus requirements, the units must meet both the criteria of Chapter 21.24 and the State density bonus requirements as applied under this Chapter.

Example: An applicant proposes to develop a one hundred-unit residential ~~rental~~ for-sale project and seeks a twenty percent density bonus by reserving five percent of the living units, or five living units, for very low-income households.

The inclusionary requirements in Chapter 21.24 require that ~~six percent~~ 15% of the living units in a residential for-sale project shall be sold at affordable ownership cost to lower-income households and moderate-income households. ~~rental project be reserved for very low-income households (the "required very low-income inclusionary units") and nine percent of the living units must be reserved for lower-income households (the "required lower-income inclusionary units"). Thus, in this one hundred-unit residential project, the applicant is required to reserve six of the living units for very low-income households and nine of the units for lower-income households. Because the required inclusionary units do not count as target units qualifying a project for a density bonus unless the inclusionary units are reserved for a lower income category than required under Chapter 21.24,~~ Therefore an additional 10 inclusionary units are needed to meet the 15% inclusionary requirement. ~~t~~The income unit break down for this one hundred-unit project ~~w~~could be as follows:

Example					
	Inclusionary Units	Target Units	DB Units	Remaining Units	Total
Very low income:	~~6 (55 years)~~	5 ~~(30 years)~~			~~11~~ 5
Lower income:	~~9 (55 years)~~ 2				~~9~~ 2
Moderate income:	8				8

Market rate:			20	~~80~~ 85	~~100~~ 105
				Total units	120

~~However, if the applicant reserves any of the required lower-income inclusionary units for very low-income households, then these units will qualify as target units qualifying the project for a density bonus. If five of the required lower-income inclusionary units are reserved for very low-income units, then those five units would be considered target units qualifying the project for a density bonus. In this scenario, the income unit break down would be as follows:~~

	~~Inclusionary Units~~	~~Target/ Inclusionary Units~~	~~DB Units~~	~~Remaining Units~~	~~Total~~
~~Very low income:~~	~~6 (55 years)~~	~~5 (55 years)~~			~~11~~
~~Lower income:~~	~~4 (55 years)~~				~~4~~
~~Market rate:~~			~~20~~	~~85~~	~~105~~
				~~Total units~~	~~120~~

SECTION 7. - **Standards for density bonus residential developments**. The term of affordability for rental projects specified in Subsection 1 of Campbell Municipal Code section 21.20.120 is amended to read as follows with underlining indicating new text and strikeouts (~~strikeout~~) indicating deleted text:

1. Target units qualifying a residential project for a density bonus shall remain affordable as follows:
   a. Rental target units shall remain affordable to the designated income group for a minimum of ~~thirty~~ 55 years or for a longer period of time if required by any construction or mortgage financing assistance program, mortgage insurance program, rental subsidy program applicable to the living units~~, or if they are inclusionary units being counted as target units pursuant to Section 21.20.100(6)~~.

   ~~b. Owner-occupied target units shall remain affordable for forty-five years.~~

SECTION 8. **Standards for density bonus residential developments**. Subsection 4 of Campbell Municipal Code section 21.20.120 is amended to read as follows with underlining indicating new text and strikeouts (~~strikeout~~) indicating deleted text:

4. Parking Standards

   a. Upon the request of the developer, the city shall not require off-street parking for a residential project meeting the criteria of Sections 21.20.030 and 21.20.040~~(1) or (2)~~ that exceeds the following:

~~a.~~ (1) Studio to one-bedroom units: one (1) on-site parking space;
~~b.~~ (2) Two to three-bedroom units: two (2) on-site parking spaces;
~~c.~~ (3) Four and more bedroom units: two and one-half (2.5) parking spaces.

b. Upon the request of the developer, the city shall not require a vehicular parking ratio that exceeds the following ratios for housing developments that are eligible for a density bonus and meet the criteria below. However, if the city, at its cost, has conducted an area wide or citywide parking study in the last seven years, then the city may find, based on substantial evidence, that a higher parking ratio is required than shown in the following table. In no event may the required parking be greater than the ratio provided in subsection (a) of this section. The parking study must conform to the requirements of Government Code Section 65915(p)(7).

Type of development	**Off-street parking spaces**
Rental or ownership housing development with: 1. At least 11% very low income or 20% lower income units; and 2. Within one-half mile of a major transit stop; and 3. Unobstructed access to the major transit stop.	0.5 per bedroom
Rental housing development with: 1. All units affordable to lower income households except manager's unit(s); and 2. Within one-half mile of a major transit stop; and 3. Unobstructed access to the major transit stop.	0.5 per unit
Senior citizen rental housing development with All units affordable to lower income households except manager's unit(s); and either has paratransit service or is within one-half mile of fixed bus route service that operates 8 times per day, with unobstructed access to that service.	0.5 per unit
Special needs rental housing development with all units affordable to lower income households except manager's unit(s) and either has paratransit service or is within one-half mile of fixed bus route service that operates 8 times per day, with unobstructed access to that service.	0.3 per unit

c. Guest parking and handicapped parking shall be included within the maximum number of spaces that may be required. If the total number of parking spaces required for a residential project is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this section, a residential

project may provide on-site parking through tandem parking or uncovered parking, but not through on-street parking.

SECTION 9. Campbell Municipal Code section 21.20.130 is amended to read as follows with underlining indicating new text and strikeouts (~~strikeout~~) indicating deleted text:

21.20.130 - Affordable housing plan submittal; requirements for application for density bonus and other incentives.

1. An application for a density bonus, incentive, concession, waiver, modification, or ~~revised~~ reduced parking standard pursuant to this chapter shall be submitted as part of the first approval of the residential project. It shall be included in an affordable housing plan and processed concurrently with all other applications required for the residential project.
2. Upon submittal, the community development director shall determine if the affordable housing plan is complete and conforms to the provisions of this chapter. No application for a first approval for a residential project requesting a density bonus, incentives, concessions, ~~or~~ waivers, or reduced parking standards may be deemed complete unless an affordable housing plan is submitted conforming to the provisions of this section.
3. The affordable housing plan shall include the following information:
   a. A description of any requested density bonuses, incentives, concessions, waivers. ~~or~~ modifications of development standards, or ~~modified~~ reduced parking standards;
   b. Identification of the base project without the density bonus, number and location of all target units qualifying the project for a density bonus, level of affordability of the target units, and identification of the bonus units;
   c. The preferences given in selecting occupants shall be set forth;
   d. For all incentives and concessions except those listed in Section 21.20.110(2), a pro forma demonstrating that the requested incentives and concessions result in identifiable, financially sufficient and actual cost reductions;
   e. For waivers or modifications of development standards: (a) a pro forma demonstrating that the waiver or modification is necessary to make the residential project economically feasible based upon appropriate financial analysis and documentation; and (b) evidence that the development standards for which a waiver is requested will have the effect of precluding the construction of the residential project at the densities or with the incentives or concessions permitted by this chapter;
   f. The cost of reviewing any required pro forma data submitted in support of a request for a concession, incentive, waiver or modification, including, but not limited to, the cost to the city of hiring a consultant to review the pro forma, shall be borne by the applicant. The pro forma shall also include: (~~a~~i) the actual cost

reduction achieved through the incentive, concession, waiver, or modification; and (~~b~~ii) evidence that the cost reduction allows the developer to provide affordable rents or affordable sales prices;

g. If the applicant is proposing a modification of the requirement that the target units be constructed concurrently with the market rate units, the affordable housing plan shall describe the proposed phasing at the same level of detail as required in the application for the residential project, specify the security to be provided to the city to ensure that the target units will be constructed, and explain how the proposed phasing would provide greater public benefit than providing the target units concurrently with the market rate units;

h. If a density bonus or concession is requested for a senior housing project, the application shall provide that units in the residential project shall be occupied by qualified residents;

i. If a density bonus or concession is requested for a land donation, the application shall show the location of the land to be dedicated and provide evidence that each of the findings in Government Code Section 65915(h) can be made;

j. If a density bonus or concession is requested for a childcare facility, the application shall show the location and square footage of the childcare facility and provide evidence that the findings included in Government Code Section 65915(i) can be made;

k. If a mixed use building or development is proposed, the application shall provide evidence that the findings included in Section 21.20.110(4)(g) can be made;

l. For residential projects subject to the inclusionary housing requirements set forth in Chapter 21.24, the affordable housing plan shall also incorporate the requirements of Section 21.24.060(A), and only one affordable housing plan need be submitted;

m. A description of all dwelling units existing on the site in the five-year period preceding the date of submittal of the application and identification of any units rented in the five-year period. If dwelling units on the site are currently rented, income and household size of all residents of currently occupied units. If any dwelling units on the site were rented in the five-year period but are not currently rented, the income and household size, if known, of residents occupying dwelling units when the site contained the maximum number of dwelling units;

n. Description of any recorded covenant, ordinance, or law applicable to the site that restricted rents to levels affordable to very low or lower income households in the five- year period preceding the date of submittal of the application;

o. A statement that the project will provide all replacement housing required in accordance with Section 21.20.080 of this Chapter;

p. If a parking reduction is requested, a table showing parking required by the zoning ordinance and proposed parking. If a parking reduction is requested, evidence that the project is eligible for the requested parking reduction.

4. Upon submittal, the community development director shall determine if the affordable housing plan submitted in support of a request for a density bonus, incentive, concession, waiver, modification, or ~~revised~~ reduced parking standard is complete and conforms to the provisions of this chapter and Chapter 21.24. No application for a first approval for a residential project requesting a density bonus, incentives, concessions, or waivers may be deemed complete unless an affordable housing plan is submitted conforming to the provisions of this chapter.

SECTION 10. City review of application for density bonuses and other incentives. Subsection 1 of Campbell Municipal Code section 21.20.140 is amended to read as follows with underlining indicating new text and strikeouts (~~strikeout~~) indicating deleted text:

1. An application for a density bonus, incentive, concession, waiver, modification, or ~~revised~~ reduced parking standard pursuant to this chapter shall be reviewed as part of the first approval of the residential project by the approval body with authority to approve the residential project, unless additional review by the planning commission or City Council is required by Chapter 21.62. Any decision regarding a density bonus, incentive, concession, waiver, modification, or ~~revised~~ reduced standard may be appealed as part of an appeal of the residential project as provided in Chapter 21.62. In accordance with state law, neither the granting of a concession or incentive, nor the granting of a density bonus, shall be interpreted, in and of itself, to require a general plan amendment, zoning change or other discretionary approval.

SECTION 11. Developer affordable housing agreement. Campbell Municipal Code section 21.20.150 is amended to read as follows with underlining indicating new text and strikeouts (~~strikeout~~) indicating deleted text:

A. Developers requesting a density bonus, incentive, concession, waiver, modification, or ~~revised~~ reduced standard granted pursuant to this chapter, shall agree to enter into a developer affordable housing agreement with the city. A developer affordable housing agreement shall be made a condition of the discretionary planning permits for all residential projects pursuant to this chapter and shall be recorded as a restriction on any parcels on which the target units will be constructed. When the inclusionary requirements of Chapter 21.24 apply, one affordable housing agreement will be recorded incorporating the requirements of both chapters.

B. The developer affordable housing agreement shall be recorded prior to final or parcel map approval, or, where the residential project does not include a map, prior to issuance of a building permit for any structure in the residential projects. The developer affordable housing agreement shall run with the land and bind all future owners and successors in interest.

C. The developer affordable housing agreement shall be in a form provided by the city and shall include, without limitation, the following:

1. The total number of units approved for the residential project~~,~~;
2. The number, location, and level of affordability of the target units and the inclusionary units;
3. The number of replacement units in accordance with Section 21.20.080 of this Chapter;
4. Standards for determining affordable rent or affordable ownership cost for the target units and any inclusionary units;
5. The location, unit size in square feet, and number of bedrooms of target units and any inclusionary units;
6. Provisions to ensure initial and continuing affordability in accordance with the requirements of this chapter and Chapter 21.24, including the execution and recordation of subsequent agreements ensuring continued affordability pursuant to Sections 21.20.120 and 21.24.060;
7. A schedule for completion and occupancy of target units and inclusionary units in relation to construction of market rate units;
8. A description of any incentives, concessions, waivers, or reductions being provided by the city;
9. A description of remedies for breach of the agreement by either party. The city may identify tenants or qualified purchasers as third party beneficiaries under the agreement;
10. Procedures for qualifying tenants and prospective purchasers of target units, including preferences;
11. Provisions requiring maintenance of records to demonstrate compliance with this chapter;
12. Other provisions to ensure implementation and compliance with this chapter and Chapter 21.24, if applicable.

D. In the case of senior citizen housing developments, the developer affordable housing agreement shall provide that units in the residential development shall be occupied by qualified residents.

E. Developer affordable housing agreements for land dedication, childcare facilities, and condominium conversion shall ensure continued compliance with all conditions included in Sections 21.20.060, 21.20.070 and 21.20.080 respectively.

F. Fees. The building permit application shall be accompanied by the processing fees or deposits established by the city's schedule of fees and charges. All fees shall cover the costs of BMR eligibility determination and BMR document preparation, processing and administration, as established in Sections 21.20.160 and 21.20.180.

SECTION 12. Continued affordability and initial occupancy. Subsection A of Campbell Municipal Code section 21.20.160 is amended to read as follows with underlining indicating new text and strikeouts (~~strikeout~~) indicating deleted text:

~~A. Owner-Occupied Target Units. A resale restriction, covenant, deed of trust and/or other documents acceptable to the community development director or the director's designee, shall be recorded against each affordable for-sale unit. These documents shall, in the case of target units, which are initially sold, be for a term of forty-five years and shall be renewed at each change of title for a period of forty-five years. The resale restriction, or other documents authorized by this subsection, and any change in the form of any such documents which materially alters any policy in the documents, shall be approved by the community development director or his or her designee prior to being executed with respect to any residential project.~~

A. **For-Sale Target Units**. An applicant shall agree to, and the city shall ensure that, the initial occupant of all for-sale units that qualified the applicant for the award of the density bonus are persons and families of very low, low, or moderate income, as required, and that the units are offered at an affordable housing cost, as that cost if defined in Section 50052.5 of the Health and Safety Code. The City shall enforce any equity sharing agreement, unless it is in conflict with the requirement of another public funding source or law. The following apply to the equity sharing agreement:

1. Upon resale, the seller of the unit shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation. The city shall recapture any initial subsidy and its proportionate share of appreciation, which amount shall be used within five (5) years for any of the purposes described in subdivision (e) of Section 33334.2 of the Health and Safety Code that promote home ownership.
2. For purposes of this Subsection, the city's initial subsidy shall be equal to the fair market value of the home at the time of initial sale minus the initial sale price to the moderate-income household, plus the amount of any down payment assistance of mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value.
3. For purposes of this Subsection, the city's proportionate share of appreciation shall be equal to the ratio of the city's initial subsidy to the fair market value of the home at the time of initial sale.

SECTION 13. Continued affordability and initial occupancy. Subsection B of Campbell Municipal Code section 21.20.160 is amended to read as follows with underlining indicating new text and strikeouts (~~strikeout~~) indicating deleted text:

B. Rental Target Units. A regulatory agreement, covenant, deed of trust, and/or other documents acceptable to the community development director or the director's designee, shall be recorded against each residential project containing affordable rental units for a minimum term of ~~thirty~~ 55 years or more. A longer period of time may be specified if required by any construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program applicable to the residential project.

SECTION 14. GENERAL REQUIREMENTS. Subsection B of Campbell Municipal Code Section 21.24.040 is amended to read as follows with underlining indicating new text and strikeouts (~~strikeout~~) indicating deleted text:

B. **Exceptions**. ~~For purposes of calculating the number of affordable units required by this section, any additional units authorized as a density bonus pursuant to Chapter 21.20, (Density Bonus and Affordable Housing Incentives) of this code shall not be counted in calculating the required number of affordable units. Additionally, t~~The community development director may grant exceptions to the requirements of this chapter to residential projects located within the redevelopment project area, upon a finding that such exception is necessary to effective implementation of the redevelopment plan, while maintaining overall compliance with affordable housing production requirements set forth in Health and Safety Code Section 33413.

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

PASSED AND ADOPTED this _____ day of _____, 2016 by the following roll call vote:

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

APPROVED:

_____
Jason T. Baker, Mayor

ATTEST:

_____
Wendy Wood, City Clerk

ITEM NO. 1

CITY OF CAMPBELL · PLANNING COMMISSION
Staff Report · June 28, 2016

PLN2016-130
Chang, J.

Public Hearing to consider the application of Jimmy Chang on behalf of Cambridge Educational Center dba C2 Education, for a Conditional Use Permit (PLN2016-130) to allow the establishment of a (small) tutoring center on property owned by Almarida Place, LLC located at **509 E. Hamilton Avenue** in the C-2 (General Commercial) Zoning District.

STAFF RECOMMENDATION
That the Planning Commission take the following action:

1. **Adopt a Resolution**, incorporating the attached findings, approving a Conditional Use Permit (PLN2016-130) to allow establishment of a (small) tutoring center, subject to the attached conditions of approval.

ENVIRONMENTAL DETERMINATION
Staff recommends that the Planning Commission find that this project is Categorically Exempt under Section 15303, Class 3(c) of the California Environmental Quality Act (CEQA). This section exempts a change of use in a building of less than 10,000 square feet where only minor changes to the building are proposed.

PROJECT DATA

Net Lot Area:	367,127 sq. ft. (8.42 acres)
Zoning District:	C-2 (General Commercial)
General Plan Designation:	General Commercial
Site Utilization:	
Building Coverage:	74,818 sq. ft. (20%)
Landscape Coverage:	57,103 sq. ft. (16%)
Paving Coverage:	235,214 sq. ft. (64%)
Building Area:	98,554 sq. ft. (Building A – Kohl's)
	51,066 sq. ft. (Building B - Bed, Bath & Beyond)
Tenant Space:	1,468 sq. ft.
Parking:	635 parking spaces (1:235 parking ratio)
Hours of Operation:	9:00 AM to 9:00 PM, M-Sat. (varying through the year)
Number of Students/Employees:	6 Students / 4 Employees

DISCUSSION

Project Site: The project site is the shopping center located along Hamilton Avenue at the Highway 17 off-ramp, anchored by Bed, Bath, and Beyond, and Kohl's (reference **Attachment 3** – Location Map). In addition to the two main tenants, the center also includes a row of retail storefronts facing Hamilton Avenue occupied by various businesses including Panera, T-Mobile, and 18/8 Men's Salon. The subject tenant space was last occupied by Scottrade. The project site is located within the C-2 (General Commercial) Zoning District and has a General Plan land use designation of *General Commercial*.

Project Description: The requested Conditional Use Permit would allow establishment of a small tutoring center within the vacant tenant space (reference **Attachment 4** – Project Plans). As described by the applicant's written description (reference **Attachment 5**), the business would provide tutoring services to children in a small-scale environment, accommodating six students with up to four employees. Operating hours would vary with the school-year, but span from 9:00 AM to 9:00 PM.

ANALYSIS

General Plan: The General Plan land use designation for the project site is *General Commercial.* This land use district accommodates commercial development, including shopping centers, large format ("big box") retailers, grocery stores, restaurants, and comparable land use activities. A small tutoring center within an existing shopping center would be consistent with the purpose of the *General Commercial* designation. The General Plan Land Use Element also provides policies pertaining which may be taken into consideration by the Planning Commission in review of this project:

Policy LUT-5.3:	Variety of Commercial 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.

Zoning District: The property is located within the General Commercial (C-2) Zoning District. This district is intended to provide a wide range of commercial, business, and personal service uses to serve the daily needs of the general populous, both within the City and surrounding jurisdictions. A "tutoring center" is classified as a conditionally permitted use within the C-2 Zoning District, allowable subject to approval of a Conditional Use Permit by the Planning Commission. As it would provide a service need in the community, at a convenient location, with minimal displacement of more desirable retail activity, the Planning Commission may find its establishment consistent with the C-2 Zoning District.

Parking: A small tutoring center has a parking standard comparable to a personal service use (e.g., salons, day spa, etc.), which is less than that generally required of retail uses. Since the parking demand for the tutoring center would, therefore, be less than that of the shopping center, the proposal satisfies the applicable parking requirement.

Site and Architectural Review Committee: This application was not reviewed by the Site and Architectural Review Committee as no exterior changes are proposed.

Attachments:
1. Findings for Approval of File No. PLN2016-130
2. Conditions of Approval for File No. PLN2016-130
3. Location Map
4. Project Plans
5. Written Description

Prepared by: _____
Daniel Fama, Associate Planner

Approved by: _____
Paul Kermoyan, Community Development Director

Attachment #1

FINDINGS FOR APPROVAL OF FILE NO. PLN2016-130

SITE ADDRESS: 509 E. Hamilton Ave.
APPLICANT: Jimmy Chang
P.C. MEETING: June 28, 2016

Findings for Approval of Conditional Use Permit (PLN2016-130) to allow the establishment of a small tutoring center.

The Planning Commission finds as follows with regard to file number PLN2016-130:

1. The project site is located within an existing shopping center at the northwest corner of E. Hamilton Avenue and SB Highway 17 off-ramp.
2. The project site is zoned C-2 (General Commercial) as shown on the Campbell Zoning Map.
3. The project site is designated *General Commercial* as shown on the Campbell General Plan Map.
4. Surrounding uses include residential to the north, a freeway to the east, commercial to the south, and commercial and residential to the west.
5. The proposed project is a small tutoring center for children.
6. A small tutoring center is classified as a Conditional Use in the C-2 Zoning District.
7. The hours of operation shall be restricted to 9:00 AM to 9:00 PM, daily.
8. The project generates a parking demand less than the previous use, and therefore is complaint with the applicable parking standard.

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

1. The proposed project is consistent with the General Plan.
2. The proposed use is allowed within the applicable Zoning District with Conditional Use Permit approval, and complies with all other applicable provisions of this Zoning Code and the Municipal Code.
3. The proposed use will not create a nuisance due to litter, noise, traffic, vandalism, or other factors.
4. The proposed use will not significantly disturb the peace and enjoyment of the nearby residential neighborhood.
5. The proposed use will not significantly increase the demand on City services.
6. The 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.

7. The site is adequately served by streets of sufficient capacity to carry the kind and quantity of traffic the use would be expected to generate.
8. The project Categorically Exempt under Section 15303, Class 3(c) of the California Environmental Quality Act (CEQA), which exempts a change of use in a building of less than 10,000 square feet where only minor changes to the building are proposed.

CONDITIONS OF APPROVAL FOR FILE NO. PLN2016-130

SITE ADDRESS: 509 E. Hamilton Ave.
APPLICANT: Jimmy Chang
P.C. MEETING: June 28, 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 (PLN2016-130) to allow the establishment of a small tutoring center within an existing commercial building located at **509 E. Hamilton Avenue**. The project shall substantially conform to the Project Plans and the Project Description stamped as received by the Community Development Department on April 21, 2016, except as may be modified by the Conditions of Approval contained herein.

2. Permit Expiration: The Conditional Use Permit (PLN2016-130) approval shall be valid for one (1) year from the date of final approval. Within this one-year period an application for a building permit must be submitted. Failure to meet this deadline or expiration of an issued building permit will result in the Conditional Use Permit approval 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. Revocation of Permit: Non-compliance with these standards, or any other conditions of approval specified herein or any standards, codes, or ordinances of the City of Campbell or State of California shall be grounds for consideration of revocation of the Conditional Use Permit by the Planning Commission.

5. Operational Standards: Consistent with the submitted Project Description, operation of the small tutoring center pursuant to this Conditional Use Permit shall be required to conform to the following operational parameters. Significant deviations from these parameters (as determined by the Community Development Director) shall require approval of a Modification to the Conditional Use Permit approved herein.

    a. **Approved Use**: The approved use is a small tutoring center as defined by the Campbell Municipal Code.

b. **Number of Students**: The maximum number of students allowed at one time is twelve (12).

c. **Operational Hours**: Hours of operation for the small tutoring center shall be restricted to 9:00 AM to 9:00 PM, daily, exclusive of the customary and reasonable use of the facility for administrative activity.

d. **Noise**: Unreasonable levels of noise, sounds and/or voices, generated by the establishment or its participants shall not be audible to a person of normal hearing capacity from outside the enclosed tenant space.

e. **Property Maintenance**: The tutoring center shall maintain all exterior areas of the business free from graffiti, trash, rubbish, posters and stickers placed on the property.

f. **Outdoor Storage**: No equipment, materials or business vehicles shall be parked and/or stored outside or within the parking lot.

g. **Trash & Clean Up**: All trash, normal clean up, carpet cleaning, etc. shall be done during the approved operational hours.

h. **Parking**: The parking lot shall be maintained in compliance with the standards in Campbell Municipal Code. All parking and driveway areas shall be developed and maintained in compliance with the approved plans and Chapter 21.28 (Parking and Loading) of the Campbell Municipal Code. All parking areas shall be regularly swept and cleaned to remove litter and debris from the parking areas and driveways. Parking shall be restricted for on-site uses only.

Building Division:

6. Permits Required: A building permit application shall be required for the proposed Tenant Improvements to the (e) vacant commercial space. The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit.

7. Construction Plans: The Conditions of Approval shall be stated in full on the cover sheet of construction plans submitted for building permit.

8. Size of Plans: The minimum size of construction plans submitted for building permits shall be 24 in. X 36 in.

9. 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.

10. 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.

11. 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.

12. 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.

13. Non-Point Source: 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.

14. Approvals Required: The project requires the following agency approval prior to issuance of the building permit:

    a. Santa Clara County Fire Department (378-4010)
    b. West Valley Sanitation District (378-2407)

15. 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.

16. Stormwater 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.

Project Location Map

Attachment 3

Project Location: 509 E. Hamilton Ave.
Application Type: CUP
Planning File No.: PLN2016-130

0 500 1,000 Feet

N

CITY·OF·CAMPBELL
THE·ORCHARD·CITY

Community Development Department
Planning Division

C2 EDUCATE

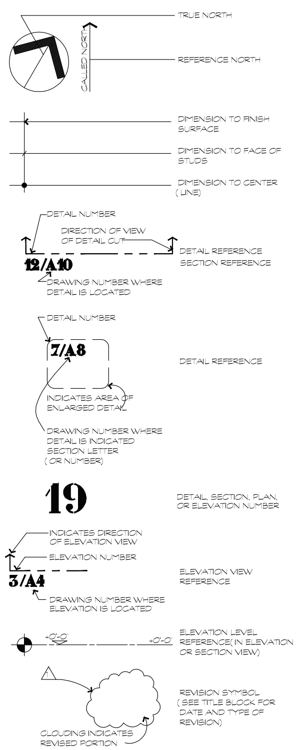
509 E. HAMILTON AVENUE, CAMPBELL, CA 95008

ABBREVIATIONS

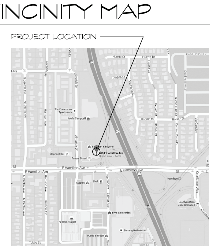
&	AND
∠	ANGLE
@	AT
℄	CENTERLINE
Φ	DIAMETER OR ROUND
#	POUND OR NUMBER
(E)	EXISTING
ACOUS.	ACCOUSTICAL
AD.	AREA DRAIN
ADJ.	ADJUSTABLE
AGGR.	AGGREGATE
AL.	ALUMINUM
APPROX.	APPROXIMATE
ASB.	ASBESTOS
ARCH.	ARCHITECTURAL
ASPH.	ASPHALT
BD.	BOARD
BITUM.	BITUMINOUS
BLDG.	BUILDING
BLK.	BLOCK
BLKG.	BLOCKING
BOT.	BOTTOM
CAB.	CABINET
CB	CATCH BASIN
CER.	CERAMIC
CI.	CAST IRON
CLG.	CEILING
CLO.	CLOSET
CLR.	CLEAR
COL.	COLUMN
CONC.	CONCRETE
CONN.	CONNECTION
CONST.	CONSTRUCTION
CORR.	CORRIDOR
CJ.	CONTROL JOINT
CNTR.	COUNTER
CTR.	CENTER
CTD.	CENTERED(ON SPACE)
DBL.	DOUBLE
DF.	DRINKING FOUNTAIN
DET.	DETAIL
DIA. Ø	DIAMETER
DIM.	DIMENSION
DISP.	DISPENSER
DN.	DOWN
DR.	DOOR
DWR.	DRAWER
DS.	DOWN SPOUT
DSP.	DRY STANDPIPE
DWG.	DRAWING
EA.	EACH
E.J.	EXPANSION JOINT
EL.	ELEVATION
ELEC.	ELECTRICAL
ELEV.	ELEVATOR
EMER.	EMERGENCY
ENCL.	ENCLOSURE
EP	ELECTRICAL PANEL
EQ.	EQUAL
EQPT.	EQUIPMENT
ETR.	EXISTING TO REMAIN
EWC.	ELECTRIC WATER COOLER
EXST.	EXISTING
EXPO.	EXPOSED
EXP.	EXPANSION
EXT.	EXTERIOR
FB	FLAT BAR
FD	FLOOR DRAIN
FDN.	FOUNDATION
FE.	FIRE EXTINGUISHER
FEC	FIRE EXTINGUISHER CABINET
F.H.C.	FIRE HOSE CABINET
FIN.	FINISH
FL.	FLOOR
FLASH.	FLASHING
FLUOR.	FLUORESCENT
F/C	FACE OF CONCRETE
F/F	FACE OF FINISH
F/S	FACE OF STUDS
FX.	FIXED
FS	FULL SIZE
FT.	FOOT OR FEET
FTG.	FOOTING
FURR.	FURRING
FUT.	FUTURE
GA.	GAUGE
GALV.	GALVANIZED
GB.	GRAB BAR
GL.	GLASS
GND.	GROUND
GR.	GRADE
GWB	GYPSUM WALL BOARD
GYP.	GYPSUM

MAX.	MAXIMUM
M.C.	MEDICINE CABINET
MECH.	MECHANICAL
MEMB.	MEMBREANE
MET.	METAL
MFR.	MANUFACTURER
MH.	MANHOLE
MIN.	MINIMUM
MIR.	MIRROR
MISC.	MISCELLANEOUS
M.O.	MASONRY OPENING
MTD.	MOUNTED
MUL.	MULLION
NIC	NOT IN CONTRACT
NO. #	NUMBER
NOM.	NOMINAL
NTS	NOT TO SCALE
O.A.	OVERALL
OBS.	OBSCURE
O/C	ON CENTER
OD	OUTSIDE DIAMETER
OFF.	OFFICE
OPNG.	OPENING
OPP.	OPPOSITE
PL.	PLATE
P.LAM.	PLASTIC LAMINATE
PLAS.	PLASTER
PLYWD.	PLYWOOD
PR.	PAIR
PT.	POINT
PTD	PAPER TOWEL DISPENSER
℄	PROPERTY LINE
PRCST.	PRE-CAST
PTN	PARTITION
PTR	PAPER TOWEL RECEPTICLE
QT	QUARRY TILE
R.	RISER
RAD.	RADIUS
REF.	REFERENCE
REFR.	REFRIGERATOR
RGTR.	REGISTER
REINF.	REINFORCED
REQ.	REQUIRED
RESIL.	RESILIENT
RM.	ROOM
RO	ROUGH OPENING
RWD.	REDWOOD
RWL	RAIN WATER LEADER
SC	SOLID CORE
SCD	SEAT COVER DISPENSER
SCHED.	SCHEDULE
SD	SOAP DISPENSER
SECT.	SECTION
S	SHELF
SHR.	SHOWER
SHT.	DRAWING
SIM.	SIMILAR
SFB	SPLIT FACE BLOCK
SHT. VIN	SHEET VINYL
SPEC.	SPECIFICATION
SQ.	SQUARE
SST.	STAINLESS STEEL
SS	SERVICE SINK
STA.	STATION
STD.	STANDARD
STL.	STEEL
STOR.	STORAGE
STRL.	STRUCTURAL
SUSP.	SUSPENDED
SYM.	SYMMETRICAL
TRD.	TREAD
TB	TOWEL BAR
TBD	TO BE DETERMINED
TC	TOP OF CURB
TEL.	TELEPHONE
TER.	TERRAZZO
T & G	
THK.	THICK
TP	TOP OF PAVEMENT
TPD	TOILET PAPER DISPENSER
TV	TELEVISION
TW	TOP OF WALL
TYP.	TYPICAL
UNF.	UNFINISHED
UNO.	UNLESS NOTED OTHERWISE
UR.	URINAL
VERT.	VERTICAL
VEST.	VESTIBULE

SYMBOLS



VINCINITY MAP



GENERAL NOTES

CONSTRUCTION NOTES:

1. EXISTING DIMENSIONS ARE(+/-) AND MUST BE FIELD VERIFIED PRIOR TO COMMENCING WITH THE WORK. SAID DIMENSIONS MAY AFFECT OTHER DIMENSIONS AS INDICATED WITH (+/-) SYMBOL.
2. THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF EXISTING DIMENSIONS AND CONDITIONS.
3. APPROVAL TO PROCEED WITH THE WORK IS SUBJECT TO VERIFICATION OF CONDITIONS AND COMPLIANCE WITH PROCEDURES WITH LOCAL GOVERNING AGENCY.
4. CONTRACTOR IS RESPONSIBLE FOR FULL COMPLIANCE WITH ALL REQUIREMENTS DICTATED BY THE LANDLORD'S FIRE PROTECTION SYSTEMS ENGINEER DURING CONSTRUCTION AND ALL SUBSEQUENT FIELD INSPECTIONS.
5. ALL MATERIALS MUST MEET FLAME RESISTANCE REQUIREMENT OF LOCAL CODES, BUT NO LESS THAN 25 IN UNSPRINKLED AREAS ABOVE THE CEILING; 75 ON STOREFRONT; AND 200 IN SPRINKLED AREAS.
6. WOOD BLOCKING, DECKING AND FRAMING MATERIALS ARE ONLY ALLOWED BELOW THE FINISHED CEILING LINE WHEN FIRE-RETARDANT TREATED AND MARKED AS SUCH.
7. SUPPORT WIRES FOR SUSPENDED CEILINGS MUST NOT CONNECT TO ANY OF THE LANDLORD'S MECHANICAL, ELECTRICAL, PLUMBING OR FIRE PROTECTION PIPING OR EQUIPMENT.
8. ANY PENETRATIONS OF OR MODIFICATIONS TO THE EXISTING STRUCTURAL SYSTEMS, CONCRETE, STEEL, ETC. MUST BE COORDINATED WITH THE LANDLORD AND LOCAL AUTHORITIES. ANY MODIFICATIONS MUST BE APPROVED BY THE LANDLORD AFTER SUBMISSION OF A DETAIL SCOPE OF WORK OUTLINE.

FIRE NOTES:

1. EXIT DOORS SHALL BE OPENABLE FROM INSIDE FROM INSIDE WITHOUT THE USE OF A KEY OR ANY SPECIAL KNOWLEDGE OR EFFORT.
2. EXIT SHALL BE ILLUMINATED AT ANY TIME THE BUILDING IS OCCUPIED WITH LIGHT HAVING INTENSITY OF NOT LESS THAN 1 FOOTCANDLE AT FLOOR LEVEL.
3. THE COLOR AND DESIGN OF LETTERING, ARROWS AND OTHER SYMBOLS SHALL BE IN HIGH CONTRAST WITH THEIR BACKGROUND. WORD ON THE SIGN SHALL BE IN BLOCK LETTER 6" IN HEIGHT WITH A STROKE OF NOT LESS THAN 3/4". APPROVED ADDRESS NUMBER SHALL BE PLACED IN SUCH A POSITION AS TO BE PLAINLY VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY.
4. PROVIDE A POTABLE FIRE EXTINGUSHER WITH A RATING OF NOT LESS THAN 2-A 10 BC WITHIN 75 FEET TRAVEL DISTANCE TO ALL PORTION OF THE BUILDING, AND AS REQUIRED BY FIRE INSPECTOR.
   - MOUNT MAX. 48" ABOVE FLOOR FOR ADA ACCESS.
   (FIRE EXINGUISHERS CERTIFIED BY A STATE LICENSING CO.)

DRAWING INDEX

1.0	GENERAL NOTES, LOCATION MAP, DRAWING INDEX, PLANNING DATA, SCOPE OF WORK, SITE PLAN
A1.0	EXISTING/DEMOLITION FLOOR PLAN, PROPOSED FLOOR PLAN
A1.1	REFLECTED CEILING PLAN
A1.2	HVAC PLAN
A2.0	ACCESSIBILITY DETAILS
A2.1	DETAILS
P1.0	PLUMBING PLAN
T24-1	TITLE 24
T24-2	TITLE 24

SCOPE OF WORK

TENANT IMPROVEMENTS TO AN EXISTING 1,468 SF OFFICE SPACE TO ONE ON ONE TUTORING OFFICE

APPLICABLE CODES

CALIFORNIA BUILDING CODE 2013
CALIFORNIA MECHANICAL CODE 2013
CALIFORNIA PLUMBING CODE 2013
CALIFORNIA ELECTRIC CODE 2013
CALIFORNIA FIRE CODE 2013
2013 CALIFORNIA ENERGY EFFICIENCY STANDARDS FOR NON-RESIDENTIAL AS ADOPTED BY THE CITY

DEFERRED SUBMITTAL

1. ALTERATION TO THE FIRE SPRINKLER SYSTEM REQUIRE A SEPARATE PERMIT SUBMITTAL TO THE CITY FIRE DEPARTMENT FOR AN APPROVAL
2. A SEPARATE DEFERRED FIRE ALARM PERMIT BY C-10 LICENSED CONTRACTOR FOR EXISTING OR NEW FIRE ALARM SYSTEM IS REQUIRED.

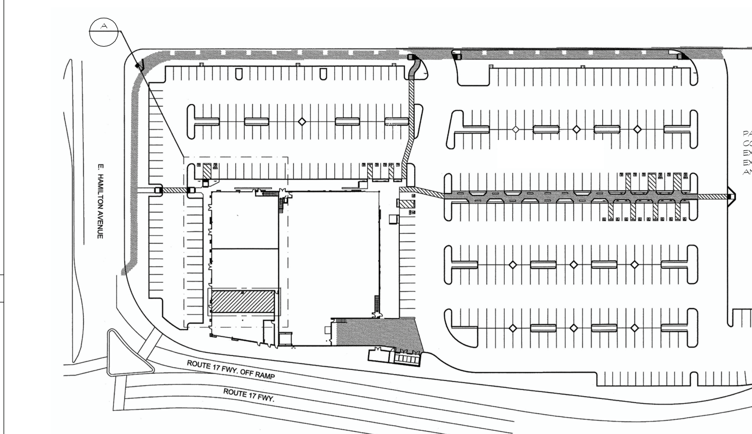
PLANNING DATA

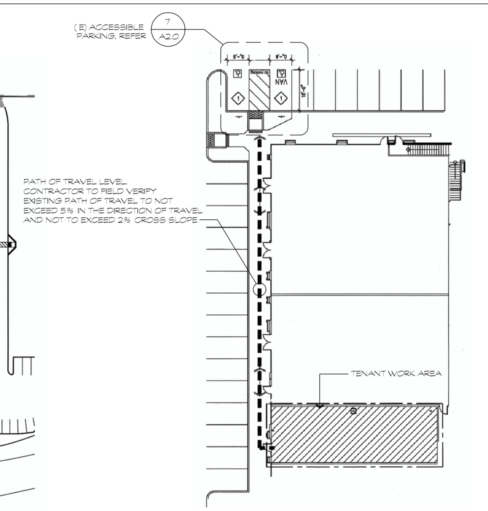
BUSINESS NAME:	C2 EDUCATE
PROJECT DESCRIPTION:	TENANT IMPROVEMENT TO AN EXISTING OFFICE SPACE
PROJECT LOCATION:	509 E. HAMILTON AVENUE CAMPBELL, CA 95008
CONSTRUCTION TYPE:	TYPE V - B
ZONING:	C-2 GENERAL COMMERCIAL
OCCUPANCY:	B
TENANT FLOOR AREA:	1,468 SF
STORIES:	TWO
SPRINKLERS:	FULLY SPRINKLERED
PARKING:	EXISTING TO REMAIN (NO CHANGE)

OCCUPANT LOAD CALCULATION: 45
NUMBER OF EXIT REQUIRED: 1

	USE	SQ. FT	LOAD FACTOR	OCCUPANT LOAD
A	ENTRY/RECEPTION	220	15	15
B	OFFICE	286	100	3
C	TUTORING	520	20	26
D	STORAGE	222	300	1
E	OTHER (BATHROOMS)	220	-	-
	TOTAL	1,468	-	45

SITE PLAN (N.T.S)





A PARKING/PATH OF TRAVEL PLAN

Radd
P. O. BOX 9375
SAN JOSE, CA 95157
TEL:(408) 316-6782
Email: lalloo76@gmail.com

ALL IDEAS, DESIGNS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWINGS ARE THE PROPERTY OF MR ENGINEERS AND DESIGN TEAM AND WERE CREATED AND DEVELOPED FOR USE ON AND IN CONNECTION WITH THIS SPECIFIC PROJECT. NONE OF SUCH DESIGNS AND PLANS SHALL BE USED BY OR DISCLOSED TO ANY OTHER PERSON, CORPORATION OR FIRM FOR ANY PURPOSE WITHOUT THE WRITTEN PERMISSION OF MR ENGINEERS AND DESIGN TEAM

REGISTERED PROFESSIONAL ENGINEER
KENNETH CAMPBELL
NO. C62580
EXP. 6/30/16
CIVIL
STATE OF CALIFORNIA

TENANT IMPROVEMENTS FOR:
C2 EDUCATE
509 E. HAMILTON AVENUE
CAMPBELL, CALIFORNIA 95008

REVISIONS

1	:
2	:
3	:
4	:
5	:
Scale	
Drawn	JC
Checked	JC
Job No	1531
Date	

Sheet Title
PLANNING DATA

Sheet No
1.0

PERMIT SET 03/11/16

DEMOLITION GUIDELINES

1. THE CONTRACTOR IS RESPONSIBLE TO VERIFY THE IMPACT TO THE STRUCTURE OF ALL COMPONENTS TO BE REMOVED AND PROVIDE THE NECESSARY SHORING TO INSURE THE STRUCTURAL STABILITY OF THE BUILDING AS A WHOLE AND THE VARIOUS COMPONENTS AFFECTED BY THE DEMOLITION. THE DRAWINGS NOTE VARIOUS ELEMENTS TO BE REMOVED AND WHETHER THESE ARE BELIEVED TO BE STRUCTURAL OR NON STRUCTURAL. THE GENERAL CONTRACTOR SHALL NOTIFY DESIGNER AND/OR ENGINEER IF IN FACT ANY ELEMENT THAT IS NOTED AS NON STRUCTURAL APPEARS TO BE AN INTEGRAL PART OF THE BUILDING'S STRUCTURAL SYSTEM. DURING THE COURSE OF DEMOLITION, THE GENERAL CONTRACTOR SHALL ADVISE AN DESIGNER WHEN FINISHES ARE REMOVED TO EXPOSE CONSTRUCTION SO DESIGNER COORDINATE WITH THE STRUCTURAL ENGINEER TO VISIT THE SITE.
2. USE SAW CUTS TO REMOVE MASONRY WHERE REMAINING MASONRY IS TO BE EXPOSED.
3. JUNCTURES BETWEEN EXISTING MASONRY AND PATCHES OR EXTENSIONS SHALL BE MADE TO CLEAN CUT LINES OR NEATLY TOOTHED IN.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VISITING THE SITE AND IDENTIFYING ALL ITEMS TO BE DEMOLISHED AND REMOVED, INCLUDING BUT NOT LIMITED TO PLUMBING FIXTURES, ELECTRICAL AND TELEPHONE OUTLET, LIGHT FIXTURES, CONDUITS, ELECTRICAL SUB PANELS, FLOOR MONUMENTS, MILLWORK AND FLOOR FINISHES WHETHER SPECIFICALLY INDICATED OR NOT. IF THERE ARE ANY ITEMS IN QUESTION, CONTACT DESIGNER.
5. ALL EXISTING CEILING ATTACHMENTS TO BE REMOVED AND NOT BEING REUSED IN NEW BUILD OUT.
6. ALL DEMOLITION REQUIRED FOR ELECTRICAL OR MECHANICAL SYSTEMS SHALL BE RE-FORMED BY TRADES RESPONSIBLE FOR THE NEW WORK RELATIVE TO THOSE SYSTEMS.
7. DEMOLITION PLAN INDICATES THE REMOVAL OF MAJOR COMPONENTS ONLY AND DOES NOT REFLECT CUTTING AND PATCHING OF EXISTING CONSTRUCTION REQUIRED FOR INSTALLATION OF NEW WORK.
8. AREAS NOTED EXISTING TO REMAIN SHALL BE LEFT UNDISTURBED AND DURING DEMOLITION CONTRACTOR SHALL MAKE ALL EFFORTS TO PROTECT EXISTING CONDITIONS FROM DAMAGE.
9. ALL DEMOLITION WORK SHALL BE PERFORMED IN A CLEAN AND ORDERLY MANNER TO AVOID DISRUPTION TO ADJACENT TENANTS.
10. CONTRACTOR SHALL COORDINATE WITH BUILDING OWNER DURING CONSTRUCTION AND SHALL VERIFY: LOCATIONS OF APPROPRIATE PARKING AND LOADING AREAS, HOURS OF OPERATION, PROTECTION REQUIREMENTS OF EXISTING BUILDING FINISHES, AND CONFORMING WORKING HOURS.

DEMOLITION NOTES

1. CONTRACTOR SHALL CARE DURING CONSTRUCTION SO AS NOT TO DAMAGE OR DISRUPT ANY UTILITIES OR SPRINKLER LINES WHICH MIGHT PASS THROUGH THIS SPACE TO SERVICE OTHER SPACES OR OTHER TENANTS. G.C. WILL BEAR SOLE RESPONSIBILITY OF ANY SUCH DISRUPTION OR DAMAGE.
2. CONTRACTOR SHALL NOTIFY OWNER IMMEDIATELY OF ANY SERIOUS DISCREPANCIES OR IRREGULARITIES DISCOVERED IN THE LEASE SPACE WHICH MAY AFFECT CURRENT STORE DESIGN. G.C. IS TO PAY SPECIAL ATTENTION TO AVAILABLE HEIGHT FOR INTENDED CEILING ELEVATION. MECHANICAL, DUCTWORK, ETC.
3. CONTRACTOR SHALL ERECT CONSTRUCTION BARRICADES/ SCREENS, IF REQUIRED, PER LANDLORD'S SPECIFICATIONS. CONTACT LANDLORD'S FIELD REPRESENTATIVE PRIOR TO THE COMMENCEMENT OF ALL CONSTRUCTION WORK.
4. CONTRACTOR SHALL VERIFY WITH ARCHITECT FOR EXISTING ITEMS NOTED TO BE UTILIZED IN REMODEL AND PROPERLY DISCARD REMOVED DEBRIS, TRASH AND DISCARDED ITEMS AT APPROPRIATE & APPROVED DUMP SITE PAYING FOR ITS DUMP FEES.
5. CAREFULLY REMOVE ITEMS DESIGNATED ON DEMOLITION PLAN.
6. ALL FINISH FLOORINGS - TILE, STAINED CONC., ETC., UNLESS NOTED OTHERWISE WITHIN THE PREMISE OF PROPOSED IMPROVEMENT AREA SHALL REMAIN.
7. CONTRACTOR SHALL CAP LINE, CONDUITS OR WIRING PER CODE IN THE REMOVAL OF EXISTING FIXTURES.
8. CONTRACTOR SHALL CHECK ALL DISTANCE, DATA, EXISTING STRUCTURES AND UTILITIES ABOVE OR BELOW FLOOR WITHIN THE LIMITS OF THE PROJECT.
9. PLACES WHERE EXISTING OBJECTS ARE REMOVED AS INDICATED ON THE DEMOLITION PLAN, TO BE PREPARED AND BLENDED W/ ADJACENT EXISTING CONDITION TO THE SATISFACTION OF LANDLORD.

KEYED NOTES

1. EXISTING 1 HR. RATED WALL TO REMAIN: CONTRACTOR TO FIELD VERIFY
2. REMOVE EXISTING NON-LOAD BEARING WALL
3. REMOVE EXISTING DOOR
4. ~~REMOVE EXISTING PLUMBING FIXTURES~~
5. REMOVE EXISTING FLOOR FINISHES

DOOR SCHEDULE

NO	WIDTH	HT.	MATERIAL	REMARKS
1	3/0	6/8	METAL/GLASS	STOREFRONT DOOR - EXISTING DOOR TO REMAIN
2	3/0	6/8	WOOD	
3	3/0	6/8	WOOD	
4	3/0	6/8	WOOD	
5	3/0	6/8	WOOD	
6	3/0	6/8	WOOD	SELF CLOSING & LATCHING HARDWARE. PROVIDE 1 DOOR UNDERCUT
7	3/0	6/8	WOOD	EXISTING DOOR. CONTRACTOR TO VERIFY SELF CLOSING & LATCHING HARDWARE. PROVIDE 1 DOOR UNDERCUT

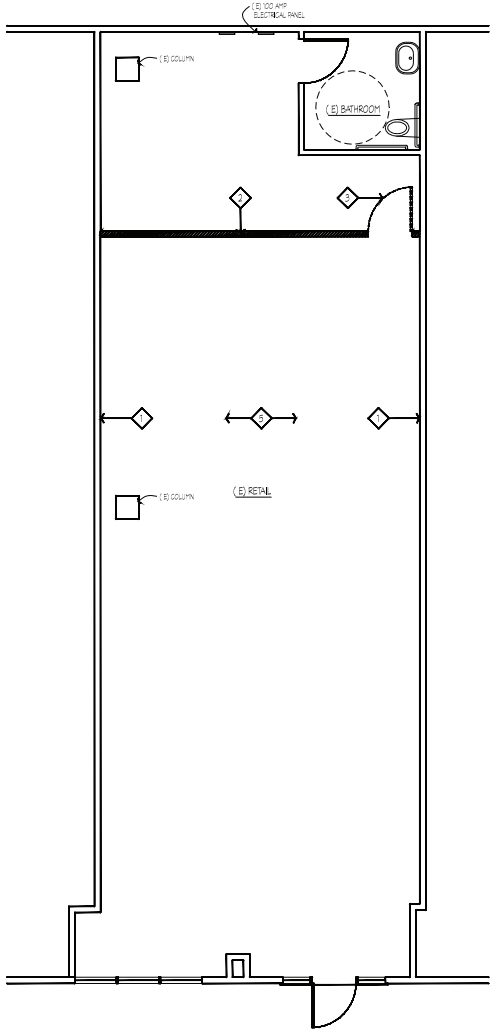
GENERAL NOTES:

1. ACCESSIBLE DOORS, DOOR #1, TO BE OPERABLE WITH A PUSH OR PULL FORCE OF NO MORE THAN 5 POUNDS
2. ACCESSIBLE DOOR OPENING HARDWARE IS TO BE MOUNTED AT A HEIGHT BETWEEN 30" TO 44" ABOVE THE FLOOR
3. THE BOTTOM 10" OF ACCESSIBLE DOORS TO BE SMOOTH SURFACE ON THE PUSH SIDE OF THE DOOR
4. CONTRACTOR TO VERIFY AND PROVIDE EXISTING STOREFRONT GLAZING WITHIN 18" OF A WALKING SURFACE TO BE TEMPERED.

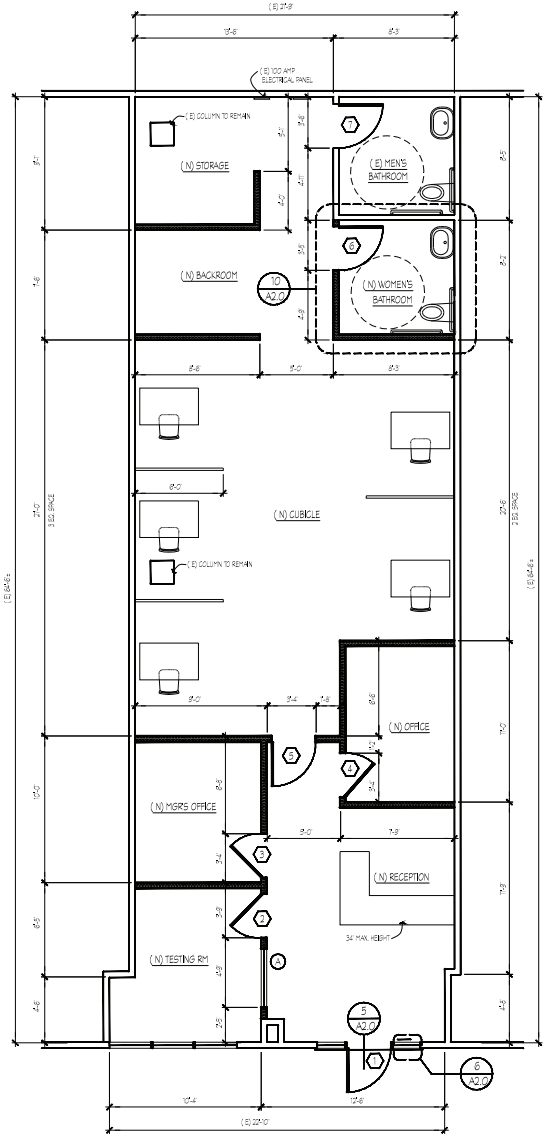
WALL LEGEND

EXISTING WALL TO REMAIN

NEW FULL WALL CONSTRUCTION
TYPICAL WALL PARTITION SHALL BE 1-LAYER OF 1/2" GYP. BD. ON EACH SIDE 20 GA x 3 5/8" METAL STUDS @ 16" O/C



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



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

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Sheet Title
EXISTING/DEMOLITION FLOOR PLAN
PROPOSED FLOOR PLAN

Sheet No
A1.0

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GENERAL NOTES

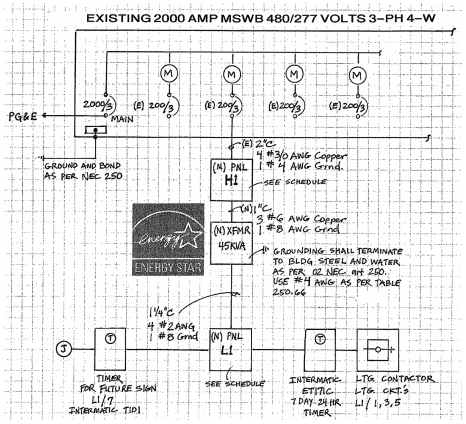
1. ELECTRICAL CONTRACTOR SHALL INSTALL ALL ELECTRICAL EQUIPMENTS IN PATIENT CARE AREAS IN ACCORDANCE WITH 2013 CBC ELECTRICAL CODE
2. ALL LIGHTING FIXTURES SHALL BE UL LISTED.

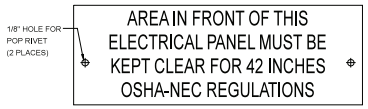
ELECTRICAL NOTE

1. PROVIDE ILLUMINATED AT A MINIMUM OF 1 FOOT-CANDLE PER SQUARE FOOT AND EMERGENCY LIGHTING WITH BATTERY BACKUP AT ALL EXIT PATHWAYS.

ELECTRICAL LEGEND

- SWITCH (4'-0" +/-)
- SWITCH (4'-0" +/-) W/ MOTION SENSOR
- 3-WAY SWITCH (4'-0" +/-)
- DUPLEX RECEPTACLE OUTLET 120V, +18" U.N.O. (ALL OUTLETS IN BATHROOMS AND EXTERIOR SHALL BE GROUND FAULT PROTECTED)
- FLUORESCENT LIGHT
- EMERGENCY EXIT LIGHT - LITHONIA LIGHTING ELM2 SD OR APPROVED EQUAL
- PH PHONE LINE
- CS DATA PORT
- EF EXHAUST FAN





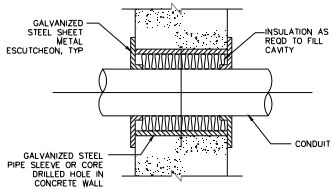
TOP 3 ROWS: 3/4" LETTERS
BOOTOM ROW: 1/2" LETTERS

BLACK LETTERING ON WHITE BACKGROUND

NOTE:

INSTALL AT SELECTED AREAS WHERE SHOWN ON DRAWINGS AND WHERE POSSIBILTY OF BLOCKING IS ANTICIPATED AS IN STORAGE ROOMS.

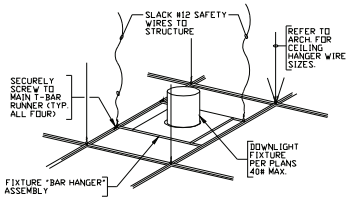
OSHA/NEC PLACARD (B)
NO SCALE



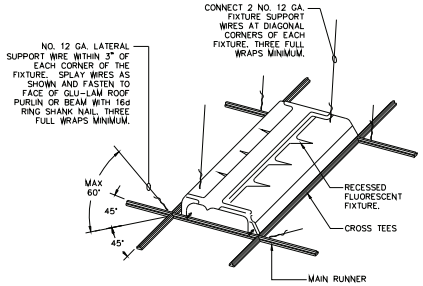
NOTE:

CONDUITS WHICH INDIVIDUALLY THRU AN INTERIOR WALL SHALL BE INSTALLED IN ACCORDANCE WITH THIS DETAIL. IF WALL IS A FIRE WALL, FILL CAVITY WITH FIRE STOP SEALANT SPECIFIED IN SECTION 7920

INTERIOR WALL PENETRATION (A)
NO SCALE

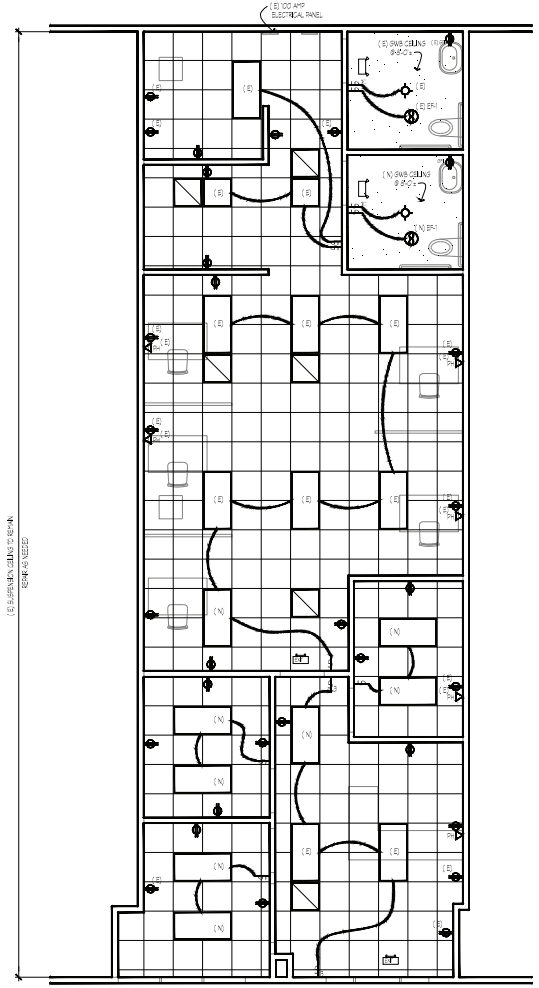


RECESSED DOWNLIGHT @ LAY-IN GRID DETAIL (D)
NO SCALE



LIGHT FIXTURE SUPPORT (C)
NO SCALE

2 DETAILS
SCALE : 1/4" = 1'-0"



1 REFLECTED CEILING PLAN
SCALE : 1/4" = 1'-0"

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REFLECTED CEILING PLAN

Sheet No
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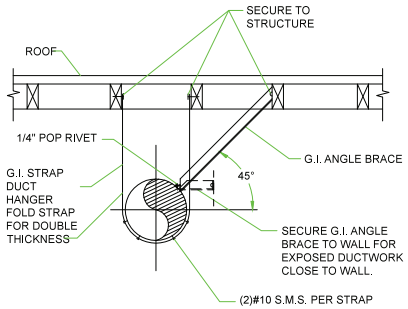
SUPPLY DIFFUSER SCHEDULE

I.D.	NECK SIZE	MANUFACTURER & MODEL	FACE SIZE	BORDER TYPE	DUCT CONN.	CEILING	CFM RANGE W/MAX NC 30
B CFM	8" ROUND NECK	TITUS FCS	24" X24"	3	8"Ø	T-BAR	0-245 CFM

EXHAUST FAN SCHEDULE(EXISTING)

NO.	MANUFACTURER & MODEL NO.	TYPE	CLASS	DIS-CHARGE	SERVICE	CFM	ESP	FAN RPM	MOTOR RPM	BHP	HP	SONES	ROOF OPENING	V/PH/HZ	OPER WT (LBS)	NOTES
EF 1	-	INLINE	B	CEILING	RESTROOM	100	0.5"	2711	-	-	61.7W	-	-	120V/1Ø/60HZ	20	



4 DUCT SEISMIC BRACE
NOT TO SCALE

DUCT CONSTRUCTION MINIMUM SHEET METAL THICKNESS

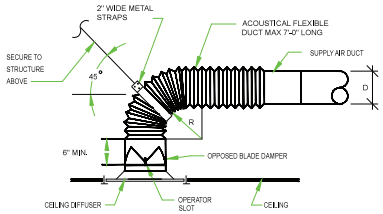
RECTANGULAR DUCTS

MAX. SIZE (INCHES)	STEEL (MIN. THICKNESS, NOMINAL)	ALUMINUM (MIN. THICKNESS, NOMINAL)
THROUGH 12	0.022 INCH (26 GA., GALV.)	0.020 INCH (NO. 24 B&S GA.)
13 THROUGH 30	0.028 INCH (24 GA., GALV.)	0.025 INCH (NO. 22 B&S GA.)
31 THROUGH 54	0.034 INCH (22 GA., GALV.)	0.032 INCH (NO. 20 B&S GA.)
55 THROUGH 84	0.040 INCH (20 GA., GALV.)	0.040 INCH (NO. 18 B&S GA.)
OVER 84	0.052 INCH (18 GA., GALV.)	0.051 INCH (NO. 16 B&S GA.)

ROUND DUCTS

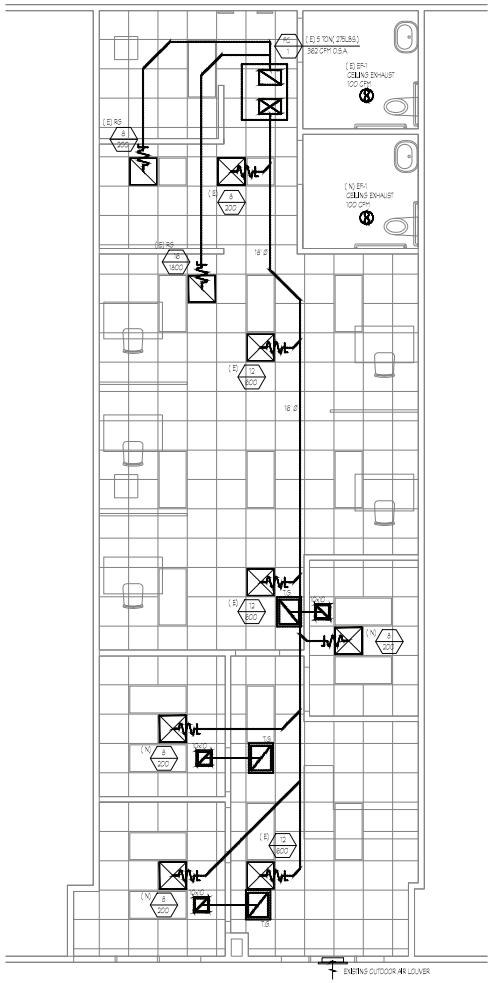
MAX. SIZE (INCHES)	SPIRAL SEAM DUCT STEEL (MIN. THICKNESS, NOMINAL)	LONGITUDINAL SEAM DUCT STEEL (MIN. THICKNESS, NOMINAL)	FITTINGS STEEL (MIN. THICKNESS, NOMINAL)
THROUGH 12	0.019 INCH (28 GA., GALV.)	0.022 INCH (26 GA., GALV.)	0.022 INCH (26 GA., GALV.)
13 THROUGH 18	0.022 INCH (26 GA., GALV.)	0.028 INCH (24 GA., GALV.)	0.028 INCH (24 GA., GALV.)
19 THROUGH 28	0.028 INCH (24 GA., GALV.)	0.034 INCH (22 GA., GALV.)	0.034 INCH (22 GA., GALV.)
29 THROUGH 36	0.034 INCH (22 GA., GALV.)	0.040 INCH (20 GA., GALV.)	0.040 INCH (20 GA., GALV.)
37 THROUGH 52	0.040 INCH (20 GA., GALV.)	0.052 INCH (18 GA., GALV.)	0.052 INCH (18 GA., GALV.)

3 SHEET METAL GAGES
NOT TO SCALE



NOTES:
IN LIEU OF ABOVE DETAIL METAL PLENUM MAY BE USED TO CONNECT THE BRANCH DUCT TO THE DIFFUSERS. ELBOW R/D=1.5

2 CEILING DIFFUSER
NOT TO SCALE



1 HVAC PLAN
SCALE : 1/4" = 1'-0"

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HVAC PLAN

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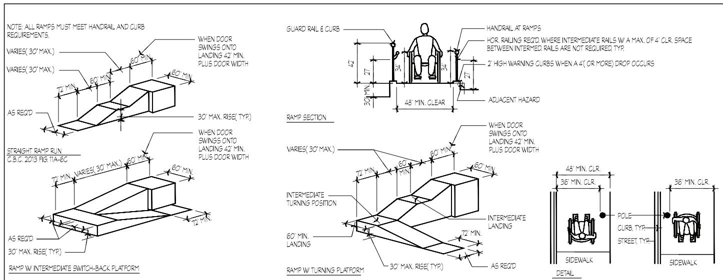
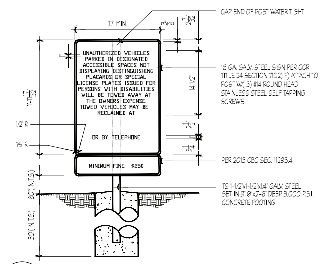
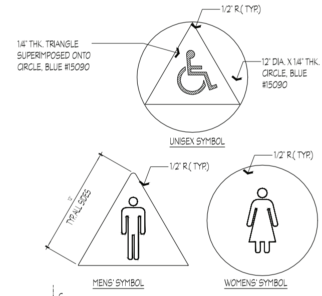


20 TYP. ACCESSIBLE RAMP
N.T.S.



18 ACCESSIBLE PARKING SIGN
N.T.S.



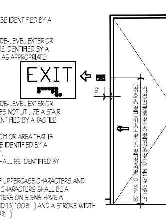
PERMANENT SIGNAGE TO BE INSTALLED ON THE WALL ADJACENT TO THE LATCH SIDE OF THE DOOR. MOUNTING LOCATE ALLOWS A PERSON TO APPROACH WITHIN 3" OF THE SIGNAGE WITHOUT ENCOUNTERING PROTRUDING OBJECTS OR STANDING WITHIN THE SWING OF A DOOR(AT DOUBLE LEAF DOORS AND WHEN THERE IS NO WALL SPACE AT THE LATCH SIDE, SIGNS SHALL BE PLACED ON THE NEAREST ADJACENT WALL, PREFERABLY ON THE RIGHT).

(2013 CBC SECT. 1011.3) TACTILE EXIT SIGNAGE

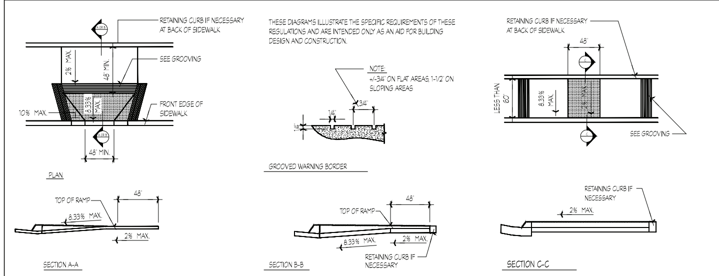
1. EACH GRADE LEVEL EXTERIOR EXIT DOOR SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE WORD, "EXIT"
2. EACH EXIT DOOR THAT LEADS DIRECTLY TO A GRADE-LEVEL EXTERIOR EXIT BY MEANS OF A STAIRWAY OR RAMP SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE FOLLOWING WORDS AS APPROPRIATE:
   A. "EXIT STAIR DOWN"
   B. "EXIT RAMP DOWN"
   C. "EXIT STAIR UP"
   D. "EXIT RAMP UP"
3. EACH EXIT DOOR THAT LEADS DIRECTLY TO A GRADE-LEVEL EXTERIOR EXIT BY MEANS OF AN EXIT ENCLOSURE THAT DOES NOT UTILIZE A STAIR OR RAMP, OR AN EXIT PASSAGEWAY SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE WORDS, "EXIT ROUTE"
4. EACH EXIT ACCESS DOOR FROM AN INTERIOR ROOM OR AREA THAT IS REQUIRED TO HAVE A VISUAL EXIT SIGN, SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE WORDS, "EXIT ROUTE".
5. EACH EXIT DOOR THROUGH A HORIZONTAL EXIT SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE WORDS "TO EXIT".

LETTERS ON SIGNS ARE RAISED 1/32", SANS SERIF UPPERCASE CHARACTERS AND ARE ACCOMPANIED BY GRADE 2 BRAILLE. RAISED CHARACTERS SHALL BE A MINIMUM OF 5/8" AND A MAXIMUM OF 2" HIGH. LETTERS ON SIGNS HAVE A WIDTH TO HEIGHT RATIO BETWEEN 3:5(60%) AND 1:1(100%) AND A STROKE WIDTH TO HEIGHT RATIO BETWEN 1:5(20%) AND 1:10(10%)

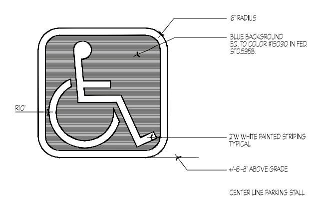
CHARACTERS AND BACKGROUND OF SIGNS IS EGGSHELL, MATTE, OR OTHER NON-GLARE FINISH. CHARACTERS CONTRAST WITH THEIR BACKGROUNDS(LIGHT CHARACTERS ON A DARK BACKGROUND, OR DARK CHARACTERS ON A LIGHT BACKGROUND).



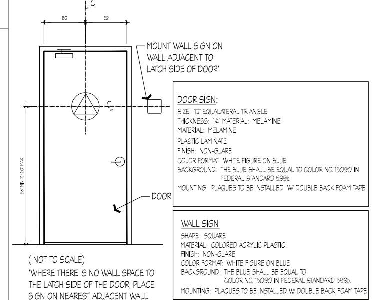
16 TACTILE EXIT SIGN
N.T.S.



15 CURB DETAIL
N.T.S.

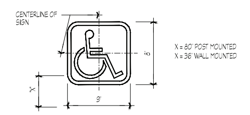


13 ACCESSIBILITY LOGO
N.T.S.



12 SIGNAGE & PICTOGRAMS
N.T.S.

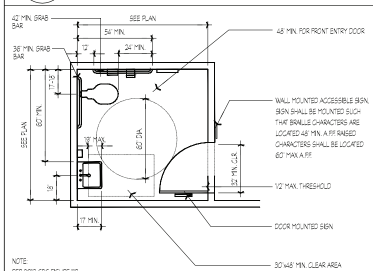
1. EACH PARKING SPACE RESERVED FOR THE HANDICAPPED SHALL BE IDENTIFIED BY A PERMANENTLY AFFIXED REFLECTORIZED SIGN OF PORCELAIN ON STEEL, BEADED TEXTURE OR EQUAL
2. SIGN SHALL DISPLAY THE INTERNATIONAL SYMBOL OF ACCESSIBILITY(A WHITE FIGURE ON A BLUE BACKGROUND)
3. THE BLUE SHALL BE EQUAL TO COLOR NO. 15090 IN THE FEDERAL STANDARD 595B
4. THE SIGN SHALL BE CENTERED AT THE INTERIOR END OF EACH PARKING SPACE AT A MIN. HEIGHT OF 'X' ABOVE FINISH GRADE OF THE PARKING SPACE



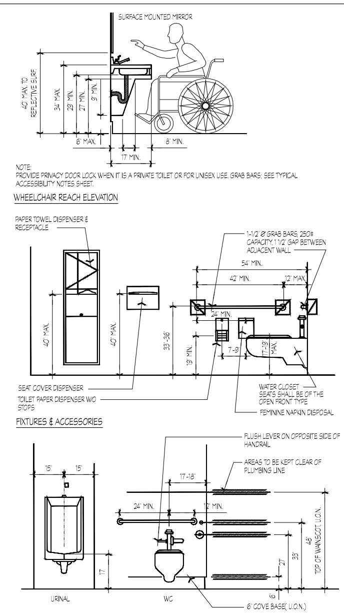
1. EACH SPACE SHALL HAVE, IN ADDITION, A SURFACE IDENTIFICATION DUPLICATING THE SYMBOL OF ACCESSIBILITY IN BLUE PAINT AT LEAST 3'-0" SQUARE
2. A SIGN(NOT LESS THAN 17"X22" IN SIZE, WITH LETTERS NOT LESS THAN 1" IN HEIGHT, WITH A WIDTH TO HEIGHT RATION BETWEEN 3:5 AND 1:1) SHALL ALSO BE POSTED, IN A CONSPICUOUS PLACE AT EACH ENTRANCE TO THE OFF STREET PARKING FACILITY WHICH STATES THE FOLLOWING:

"UNAUTHORIZED VEHICLES PARKED IN DESIGNATED ACCESSIBLE SPACES NOT DISPLAYING DISTINGUISHING PLACARDS OR SPECIAL LICENSE PLATES ISSUED FOR PERSONS WITH DISABILITIES WILL BE TOWED AWAY AT THE OWNER'S EXPENSE. TOWED VEHICLES MAY BE RECLAIMED AT ________ OR BY TELEPHONING ________ ."

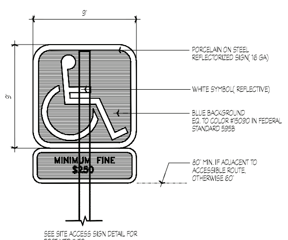
11 ACCESSIBLE SIGNAGE
N.T.S.



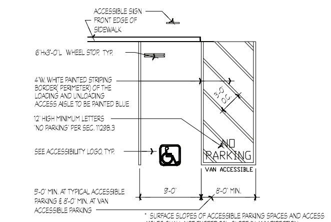
10 ACCESSIBLE BATHROOM, TYP.
1/4"=1'-0"



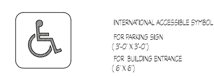
4 TYP. BATHROOM ELEVATIONS
N.T.S.



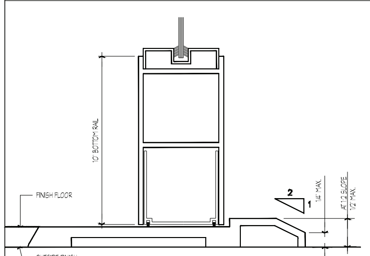
8 ACCESSIBLE PARKING SIGN
N.T.S.



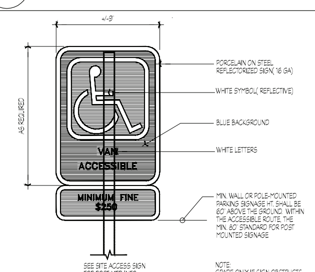
7 TYP. ACCESSIBLE PARKING STALL
N.T.S.



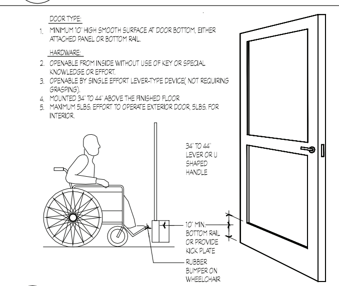
6 INTERNATIONAL SYMBOL OF ACCESSIBILITY
N.T.S.



5 DOOR THRESHOLD
N.T.S.



3 VAN ACCESSIBLE PARKING SIGN
N.T.S.



2 DOOR KICK PLATE
N.T.S.

R a d d
P.O.BOX 9375
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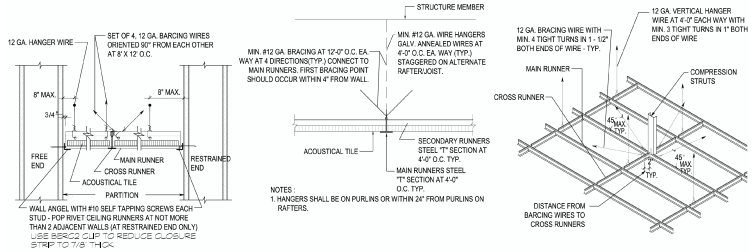
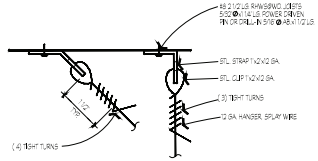
SUSPENDED CEILING NOTES

1. HEAVY DUTY T-BAR GRID SYSTEM SHALL BE USED.
2. HORIZONTAL RESTRAINT OF THE CEILING TO THE STRUCTURAL SYSTEM SHALL BE PROVIDED. THE TRIBUTARY AREAS OF THE HORIZONTAL RESTRAINTS SHALL BE APPROXIMATELY EQUAL.
3. THE WIDTH OF THE PERIMETER SUPPORTING ANGLE SHALL BE LESS THAN 2". IN EACH ORTHOGONAL HORIZONTAL DIRECTION, ONE END OF THE CEILING GRID SHALL BE ATTACHED TO THE CLOSURE ANGLE. THE OTHER END IN EACH HORIZONTAL SHALL HAVE A 0.75in. CLEARANCE FROM THE WALL AND SHALL REST UPON AND BE FREE TO SLIDE ON A CLOSURE ANGLE.
4. CEILING AREAS EXCEEDING 1,000 SF SHALL HAVE HORIZONTAL RESTRAINT OF THE CEILING TO STRUCTURAL SYSTEM.
5. CEILING AREAS EXCEEDING 2,500 SF SHALL HAVE A SEISMIC SEPARATION OR A FULL-HEIGHT PARTITION THAT BREAKS THE CEILING UP INTO AREAS NOT EXCEEDING 2,500 SF UNLESS STRUCTURAL ANALYSIS ARE PERFORMED OF THE CEILING BRACING SYSTEM FOR THE PRESCRIBED SEISMIC FORCES THAT DEMONSTRATE CEILING SYSTEM PENETRATIONS AND CLOSER ANGLES PROVIDE SUFFICIENT CLEARANCE TO ACCOMMODATE THE ANTICIPATED LATERAL DISPLACEMENT. EACH AREA SHALL BE PROVIDED WITH CLOSURE ANGLES IN ACCORDANCE WITH NOTE #3 AND HORIZONTAL RESTRAINTS OR BRACINGS.
6. SPRINKLER HEADS AND OTHER PENETRATIONS SHALL HAVE A 2 INCH OVERSIZE RING, SLEEVE OR ADAPTER THROUGH THE CEILING TILE TO ALLOW FOR FREE MOVEMENT OF AT LEAST 1 INCH IN ALL HORIZONTAL DIRECTIONS. ALTERNATELY, A SWING JOINT THAT CAN ACCOMMODATE 1 INCH IN ALL HORIZONTAL DIRECTIONS IS PERMITTED TO BE PROVIDED AT THE TOP OF THE SPRINKLER HEAD EXTENSION.
7. PROVIDE POSITIVE CEILING BRACING AT ANY CHANGES IN CEILING ELEVATION.
8. CABLE TRAYS AND ELECTRICAL CONDUITS MUST BE SUPPORTED INDEPENDENTLY OF THE CEILING.

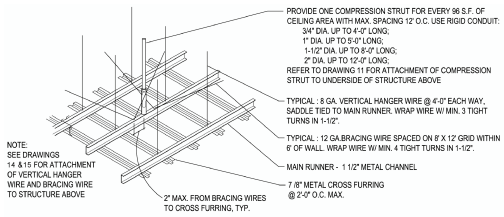


SUSP. T-BAR CEILING. SECTION | SUSP. T-BAR CEILING DETAIL | SUSP. T-BAR CEILING. ATTACHMENT

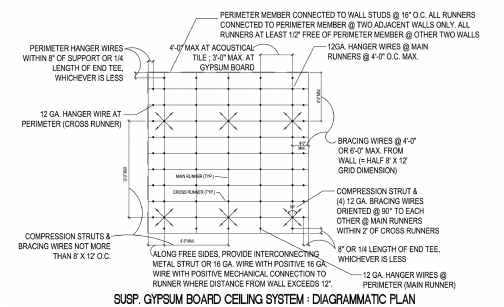
13 SUSPENDED CEILING DETAIL
N.T.S.



14 HANGER & BRACING WIRE
N.T.S.

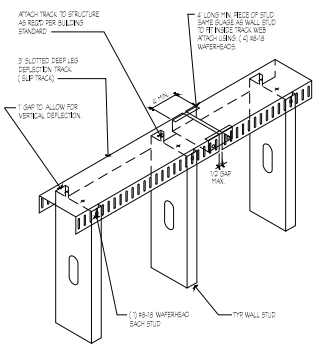


COMPRESSION STRUT AT SUSP. GYPSUM BOARD CEILING : ISOMETRIC



SUSP. GYPSUM BOARD CEILING SYSTEM : DIAGRAMMATIC PLAN

5 SUSPENSION CEILING SYSTEM DIAGRAM
N.T.S.



2 METAL STUD CONNECTION DETAIL
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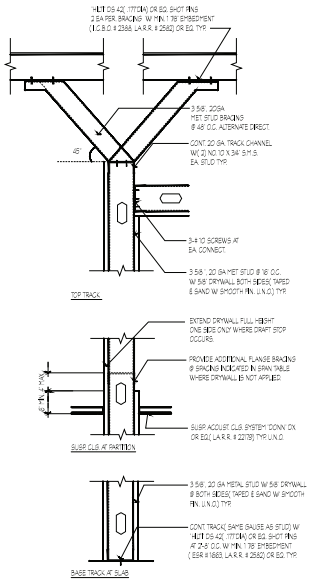

1 NON-BEARING WALL, TYP.
N.T.S.

Radd
P.O. BOX 9375
SAN JOSE, CA 95157
TEL (408) 916-9782
Email: bill.radd@gmail.com

ALL DESIGN DRAWINGS AND PLANS INDICATED OR REFERRED TO IN THESE DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND MAY NOT BE REPRODUCED OR USED IN ANY WAY WITHOUT THE CONSENT OF THE DESIGNER. NO ELECTRICAL, MECHANICAL OR STRUCTURAL DESIGN IS INCLUDED IN THIS SET OF PLANS. ALL ELECTRICAL, MECHANICAL AND STRUCTURAL DESIGN SHALL BE PROVIDED BY A LICENSED PROFESSIONAL ENGINEER. THE ENGINEER AND DESIGN TEAM

REGISTERED PROFESSIONAL ENGINEER
JOHN CAMPBELL
NO. C62580
EXP. 6/30/16
CIVIL
STATE OF CALIFORNIA

TENANT IMPROVEMENTS FOR:
C2 EDUCATE
509 E. HAMILTON AVENUE
CAMPBELL, CALIFORNIA 95008

REVISIONS
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Drawn	JC
Checked	JC
Job No	15131
Date	

Sheet Title
DETAILS

Sheet No
A2.1

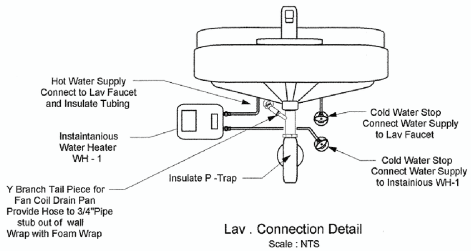
PERMIT SET 03/11/16

SHEET NOTES

1. EXISTING ITEMS NOT SHOWN ARE TO REMAIN.
2. ALL ITEMS NOT INDICATED AS EXISTING ARE NEW AND ARE INCLUDED IN THIS INSTALLATION.
3. DIRECT EMBEDMENT OF THE PIPING PENETRATION AT THE CONCRETE FOOTING IS PROHIBITED.

KEYED NOTES

1. (E) 4" MAIN BUILDING SANITARY SEWER LINE. FIELD VERIFY LOCATION, SIZE AND INVERT ELEVATION.
2. (E) 3/4" CW SUPPLY LINE FROM EXISTING WATER METER.
3. POINT OF CONNECTION. FIELD VERIFY.
4. RUN WASTE LINE ABOVE SLAB AND INSIDE WALL WITH 2% SLOPE.



Lav . Connection Detail
Scale : NTS

Material Specs.

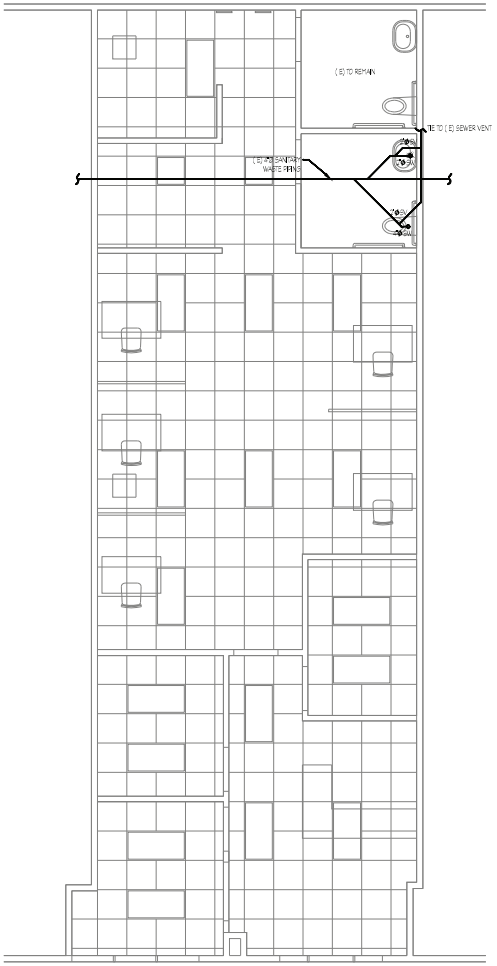
1. Under Floor Waste & Vent - No Hub Service Weight Cast Iron pipe & Fittings w/ No Hub Couplings
2. Above Floor Waste & Vent - No Hub Service Weight Cast Iron pipe & Fittings w/ No Hub Couplings or DWV Copper / Wrote Soilder Drainage Pattern Fittings.
3. Domestic Hot & Cold Water - Type L Hard Drawn Tube w/ wrote soilder Pressure fittings , only 100% Lead Free Soilder to be used on this project (No 50 / 50 or 95 / 5 will be allowed)
4. Domestic Water Hangers - Felt Lined J Hanger Type . (Galvanized)
5. Waste & Vent Hangers - IPS Size J or Clevis Type. (Galvanized)
6. Min of 3/8" Rod shall be used . (Galvanized)

Plumbing Notes

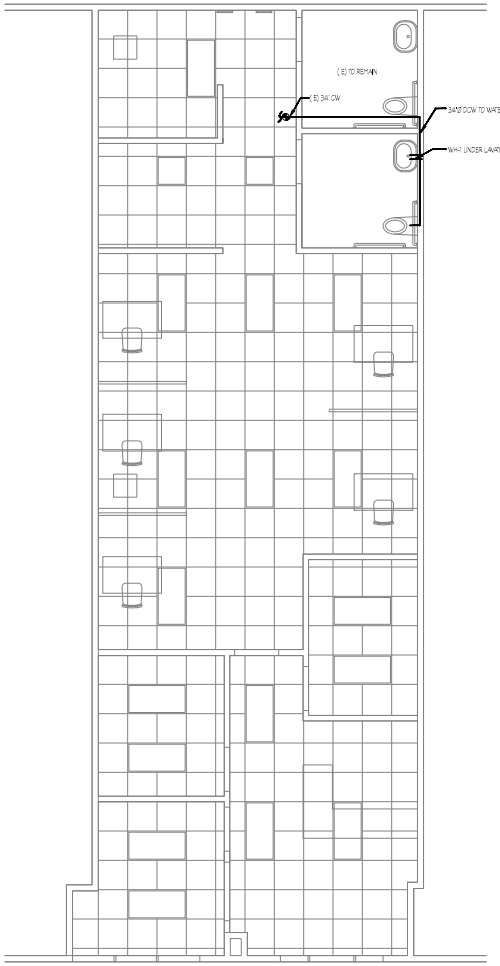
1. Provide Blocking for Plumbing Items .
2. Provide all Necessary Trim Items to form a Complete working Plumbing System.
3. Provide Trap Primmers on Floor Drains.
4. Provide Insulation on Hot water and P -Traps under Lavs.
5. Field Verify all Existing Waste & Water Point of Connection Locations.
6. Provide Fire Stop Caulking at all Fire rated Wall Penetrations. (Maintain Wall Fire Rating)
7. Seal all Floor Penetrations Water Tight , (Non shrink Grout or Butilmastic Caulk)
8. Plan Sheets are Diagramic and do not show all necessary offsets & Componants which may be required to form a complete working system , Provide as required.
9. Refer to Piping Specifications for Materials to Be Used.
10. Slope all Waste Piping 1/4" Per Ft . (DownStream)
11. Slope all Vent Pipe 1/4" per Ft (Upstream).
12. Install Plumbing Systems Per the Most Current UPC w/ Ca. Amendments & Local Amendments.
13. 4" Trap Arm not to Exceed 10'-0" from Wear of Trap.
14. 3" Trap Arm not to Exceed 6'-0" From Wear of Trap.
15. 2" Trap Arm not to Exceed 5'-0" from Wear of Trap.
16. 1 1/2" Trap Arm not to Exceed 30" from Wear of Trap.
17. Provide Clean Outs emeadiatly after Turns Exceeding 135 degrees on Horizontal Waste Pipeing.

Fixture Schedule

WC 1 - HC	Kohler (Highline Pressure Lite) # K - 3544 - BA Tank & Bowl Combonation , w / Elongated Open Front Seat . (ADA)
Lav 1 - HC	Kohler (Greenwitch) # K - 2030 Wall Hung , w / Delta Single Lever Faucet. (ADA) (Insulate Trap and Hot Water)
WH - 1	Chronomite Mdl # SR - 20 L , 208 Volt Instaintainous Water Heater (Mount on wall under Lav) .05 gpm , 57 degree rise , 4,160 watts , 208 Volt , 20 amp Breaker recommended .



2 WASTE AND VENT PLUMBING PLAN
SCALE : 1/4" = 1'-0"



1 DOMESTIC HOT&COLD WATER PLAN
SCALE : 1/4" = 1'-0"

Radd
P.O. BOX 9373
SAN JOSE, CA 95157
TEL (408) 916-9782
Email bill.radd@gmail.com

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REGISTERED PROFESSIONAL ENGINEER
KENNETH CAMPBELL
NO. C62580
EXP. 6/30/16
CIVIL
STATE OF CALIFORNIA

TENANT IMPROVEMENTS FOR:
C2 EDUCATE
509 E. HAMILTON AVENUE
CAMPBELL, CALIFORNIA 95008

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Drawn	JC
Checked	JC
Job No	1531
Date	

Sheet Title
PLUMBING PLAN

Sheet No
P1.0

PERMIT SET 03/11/16

6455 East John's Crossing Suite 402
Duluth, Ga. 30097
770-623-2800

March 11, 2016

City of Campbell Planning Department

Re: Cambridge Educational Center, Inc. at Campbell

Dear:

The name of our business is Cambridge Educational Center, Inc. We do business as C2 Education. C2's primary business is an one on one tutoring company. We intend to build out the space with 2 offices and a couple of partition walls. Our stores are typically set up in a similar office like environment. We will use the existing space to provide sales offices, tutoring services, and offices to provide support to our teachers.

Our business model is that we teach/tutor students from K- through 12th grade as well as SAT and ACT Prep. Approximately 60% of the students that come to C2 are between the ages of 14 to 17. The balance of students are under the age of 14. We intend to employ 1 full time people as well as 5 part time people. The part time people are teachers who will work based on student enrollment. During the school year our hours of operation will be 12:30 p.m. to 9:00 p.m. Monday thru Thursday, and 9:00 a.m. to 5:00 p.m. Saturday. During summer recess, our hours of operation will be Monday thru Thursday 9a.m. to 5p.m., and Saturday 9a.m. to 5p.m.

Based on the area demographics and store layout it is our belief that during the busy periods we would have as many as 6 students and 3-4 employees. Most of our students/customers are dropped off. There is no room for the parents to sit and wait (which is intentional, we do not want parents looking over their kids shoulders all the time) With this in mind we typically only have 1 person who is at the store all day long. The rest of the employees/customers come and go so the parking impact should be minimal.

Cordially,

John Thomas
Agent for Cambridge Educational Center, Inc

RECEIVED
APR 12 2016
CITY OF CAMPBELL
PLANNING DEPT.

ITEM NO. 2

CITY OF CAMPBELL · PLANNING COMMISSION
Staff Report ·June 28, 2016

PLN2016-123
Martin, T.

Public Hearing to consider the application of Terry Martin, AIA for a Site and Architectural Review Permit (PLN2016-123) to allow the construction of a new single-family residence reusing portions of the existing dwelling on property located at **1149 'A' S. San Tomas Aquino Road** in the R-1-9 (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 (PLN2016-123) to allow the construction of a new single-family residence reusing portions of the existing dwelling, subject to the attached Conditions of Approval.

ENVIRONMENTAL DETERMINATION

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

PROJECT DATA

Zoning Designation:	R-1-9 (Single-Family Residential)	
General Plan Designation:	Low-Density Residential (less than 4.5 units/gr. acre)	
Net Lot Area:	15,246 square-feet	(9,530 sq. ft. as calculated[1])
Building Height:	20 feet, 3 inches	28 feet Maximum Allowed
Building Wall Height:	9 feet, 8 inches	(N.G. to Top of Plate)
Floor Area:	3,142 square-feet[2]	
Floor Area Ratio (FAR):	33%	45% Maximum Allowed
Building (Lot) Coverage:	33%[3]	35% Maximum Allowed
Setbacks	Proposed	Minimum Required
Garage:	25 feet	25 feet
Front:	31 feet (porch post)	20 feet
Left (West) Side:	8 feet, 4.5 inches	**8 feet** or 60% of wall ht.
Right (East) Side:	12 feet, 7 inches	**10 feet** or 60% of wall ht.
Rear:	25 feet	25 feet

[1] In the San Tomas Area Neighborhood Plan, building coverage and FAR calculations are calculated based on the net lot area, exclusive of private streets, common areas or the stem of flag lots.
[2] Including 530 sq. ft. attached garage.
[3] Including an approximately 32 sq. ft. covered front porch.

DISCUSSION

Project Location: The project site is an approximately 15,246 square-foot property (9,530 sq. ft. exclusive of right of way) located along Turner Way, west of San Tomas Aquino Road, south of Westmont Avenue, and north of Hacienda Avenue within the City's San Tomas Area Neighborhood in the R-1-9 (Single-Family Residential) Zoning District (reference **Attachment 3** – Location Map). The site is currently developed with a 1,533 sq. ft. single-story single-family residence (reference **Attachment 4** – Project Plans). As illustrated on the Location Map (**Attachment 3**) the property extends 10-feet to the center line of Turner Way (a private street) and for a length of approximately 330 feet to the east and 89 feet to the west. Single-family residential properties border the site on all sides.

Project Description: The applicant is seeking approval of a Site and Architectural Review Permit to allow the construction of a new 3,142 sq. ft. single-story, single-family residence inclusive of a 530 sq. ft. attached garage (reference **Attachment 4** – Project Plans). While substantial portions of the existing residence would be retained, the scope of work, which doubles the size of the home, substantially remodels the interior of the dwelling, and reconstructs substantial portions of the building exterior, constitutes new construction.

ANALYSIS

General Plan: The General Plan land use designation for the project site is Low-Density Residential (less than 3.5 units per gross acre). The proposed single-family residence, in a single-family neighborhood 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

Zoning District: The project site has an R-1-9 (Single-Family Residential) Zoning District designation, and is within the boundaries of the San Tomas Area. Pursuant to the San Tomas Area Neighborhood Plan (STANP), construction of a single-family home on an "undeveloped lot" within this zoning district requires approval of a Site and Architectural Permit review by the Planning Commission. The Community Development Director determined that although portions of the existing home will be retained, the extent of demolition will render the lot "undeveloped" (e.g. new construction) and is therefore subject to Planning Commission review.

Architectural Design: The applicant is proposing to retain the 'California Ranch' style of the existing residence, while introducing a more prominent front entry, attached garage, and stone wainscoting to the streetscape. The home would include composition shingle roofs (grey), white stucco walls, and beige trim (eaves, window frames) similar to the existing home. The streetscape schematic (reference **Attachment 2** – Project Plans; Sheet A-5) indicates that the home would be complementary to the surrounding structures.

Trees & Landscaping:
The applicant is not proposing to remove any trees and intends to plant two new trees (for a total of five) in accordance with the STANP requirement for one tree for every 2,000 sq. ft.

of lot area for new construction. A condition of approval has been included by staff to reflect this requirement.

Site and Architectural Review Committee: The Site and Architectural Review Committee (SARC) reviewed this application at its meeting of June 14, 2016. At the meeting, the applicant presented revised plans which reflected the removal of a small portion of the building which encroached into a required rear setback. In consideration of the revised plans, the SARC was supportive of the project as presented.

Public Outreach: A notice was mailed to all property owners within 300-feet on the project. No public comments were received by the time the staff report was prepared.

Attachments:
1. Findings for Approval of File No.: PLN2016-123
2. Conditions of Approval of File No.: PLN2016-123
3. Location Map
4. Project Plans
5. Existing Residence & Surrounding Property Photos

Prepared by: _____
Stephen Rose, Associate Planner

Approved by: _____
Paul Kermoyan, Community Development Director

FINDINGS FOR APPROVAL OF FILE NO. PLN2016-123

SITE ADDRESS: 1149 'A' S. San Tomas Aquino Road
APPLICANT: Terry J. Martin, AIA
OWNER: Antoni Wandycz
P.C. MEETING: June 28, 2016

Findings for Approval of a Site and Architectural Review Permit to allow the construction of a new single-family residence reusing portions of the existing dwelling:

The Planning Commission finds as follows with regard to file number PLN2016-123:

1. The project site is zoned R-1-9 (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-1-9 (Single Family Residential) Zone District with approval of a Site and Architectural Review Permit.
4. The property is within the San Tomas Area Neighborhood Plan.
5. The project site is an approximately 15,246 square-foot property (9,530 sq. ft. exclusive of right of way) located along Turner Way, west of San Tomas Aquino Road, south of Westmont Avenue, and north of Hacienda Avenue.
6. The project is compatible with the architecture of the existing home and the adjacent neighborhood in that the project utilizes simple architectural design that matches existing materials and colors of existing residence, with a design not out of conformance with the surrounding community.
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;
3. The project is consistent with applicable adopted design guidelines; and
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. PLN2016-123

SITE ADDRESS: 1149 'A' S. San Tomas Aquino Road
APPLICANT: Terry J. Martin, AIA
OWNER: Antoni Wandycz
P.C. MEETING: June 28, 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 (PLN2016-123) to allow the construction of a new single-family residence reusing portions of the existing dwelling located at **1149 'A' S. San Tomas Aquino Road**. The project shall substantially conform to the revised project plans stamped as received by the Planning Division on June 14, 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 July 8, 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.

6. Tree Planting: Two additional trees shall be planted on the property to achieve a minimum of five trees based on the property lot size. The trees species selected shall not be a "fruit tree" or "eucalyptus tree" as defined in the Campbell Municipal Code.

7. Tree Removal Permit Required: The removal of any of the five required trees, irrespective of species or size, shall require review and approval through a Tree Removal Permit.

Building Division

8. Permits Required: A demolition permit is required for the structure to be removed. A building permit application shall be required for the proposed new single family structure. The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit.

9. Project Description: The scope of work proposed under this project constitutes 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.

10. 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.

11. Construction Plans: The conditions of Approval shall be stated in full on the cover sheet of construction plans submitted for building permit.

12. Size of Plans: The minimum size of construction plans submitted for building permits shall be 24 in. X 36 in.

13. 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. Elevation bench marks shall be called out at all

locations that are identified as "natural grade" and intended for use to determine the height of the proposed structure.

14. Seismic Requirements: Additions and Alterations to (e) residential structures shall comply with Section 3404 of the 2013 California Building Code (CBC).

15. Title 24 Energy Compliance: California Title 24 Energy Compliance forms shall be blue-lined on the construction plans. 8½ X 11 calculations shall be submitted as well.

16. Special Inspections: When a special inspection is required by C.B.C. Chapter 17, the architect or engineer of record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the building permits, in accordance with C.B.C Chapter 1, Section 106. Please obtain City of Campbell, Special Inspection forms from the Building Inspection Division Counter.

17. Non-Point Source Pollution: The City of Campbell, standard Santa Clara Valley Non-point Source Pollution Control Program specification sheet shall be part of plan submittal. The specification sheet (size 24" X 36") is available at the Building Division service counter.

18. Approvals Required: The project requires the following agency approval prior to issuance of the building permit:

    - West Valley Sanitation District (378-2407)
    - Santa Clara County Fire Department (378-4010)
    - Bay Area Air Quality Management District (Demolitions Only)
    - San Jose Water Company (279-7900)
    - School District:

        - Campbell Union School District (378-3405)
        - Campbell Union High School District (371-0960)
        - Moreland School District (379-1370)
        - 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.

19. 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.

20. 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.

21. 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.

22. California Green Building Code: This project is subject to the mandatory requirements for Residential Structures (Chapter 4) under the California Green Building Code, 2013 edition.

23. 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.

24. New Dwelling: This structure shall be classified as a new Single Family Dwelling under Chapter 18.32 of the Campbell Municipal Code and shall be equipped with residential fire sprinklers compliant with Section R313 of the California Residential Code 2013 ed.

Public Works Department

25. Reimbursements: Prior to issuance of any grading or building permits for the site, reimburse the City for previously constructed public improvements in the amount of $825.00.

26. 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 $464.00.

27. The following conditions only apply if the applicant has a need to install / upgrade utility services (water, sewer, gas, etc.) in S. San Tomas Aquino Road:

    a. Utility Encroachment Permit: Separate permits for the installation of utilities to serve the project 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.

    b. 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. Join trenches for new utilities shall be used whenever possible.

    c. 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. S. San Tomas Aquino Road 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.

28. Street Improvements Completed for Occupancy and Building Permit Final: Prior to allowing occupancy and/or final building permit signoff for any and/or all buildings, the applicant shall have the required street improvements and any pavement restoration installed and accepted by the City, and the design engineer shall submit as-built drawings to the City.

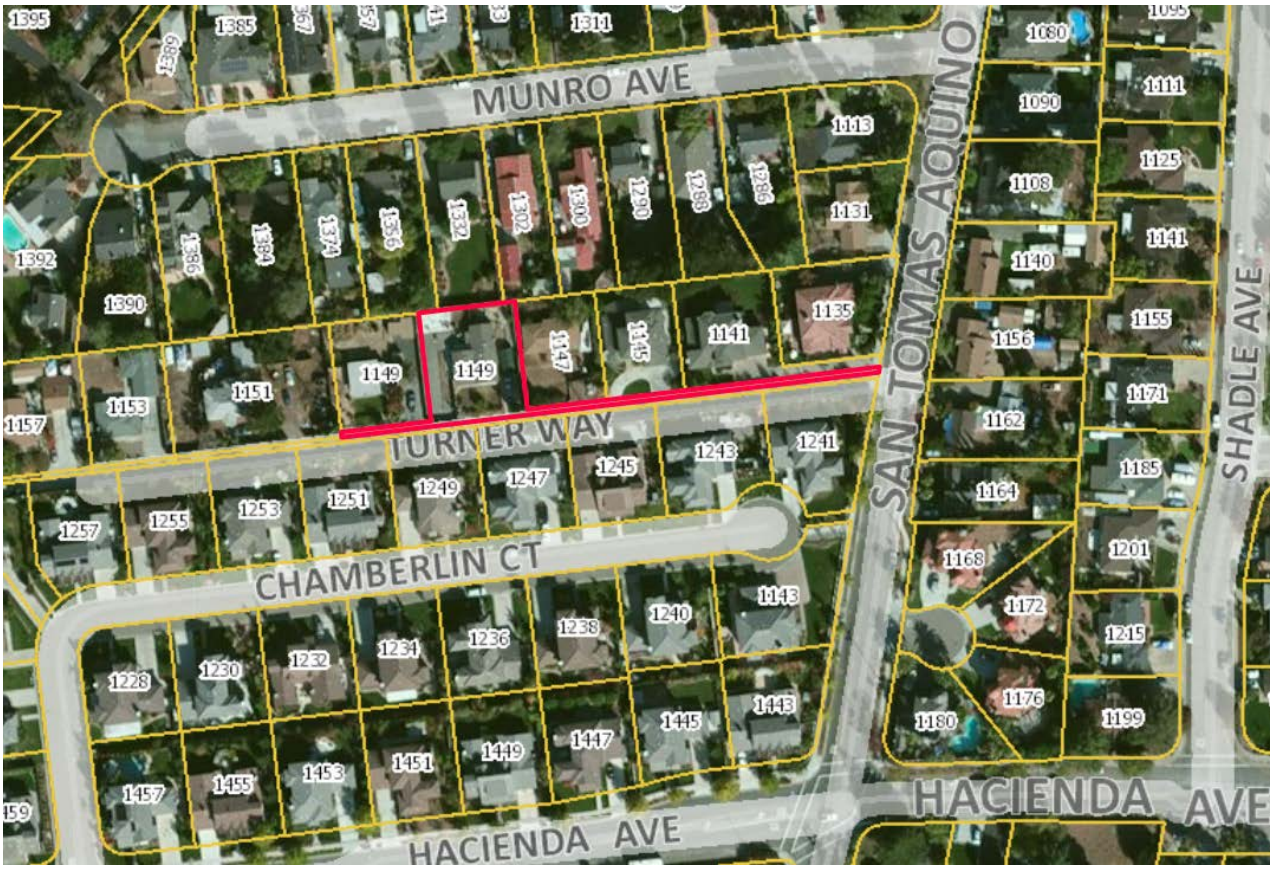
29. Stormwater Pollution Prevention Measures: Prior to issuance of any grading or building permits, the applicant shall comply with the National Pollution Discharge Elimination System (NPDES) permit requirements, Santa Clara Valley Water District requirements, and the Campbell Municipal Code regarding stormwater pollution prevention. The primary objectives are to improve the quality and reduce the quantity of stormwater runoff to the bay.

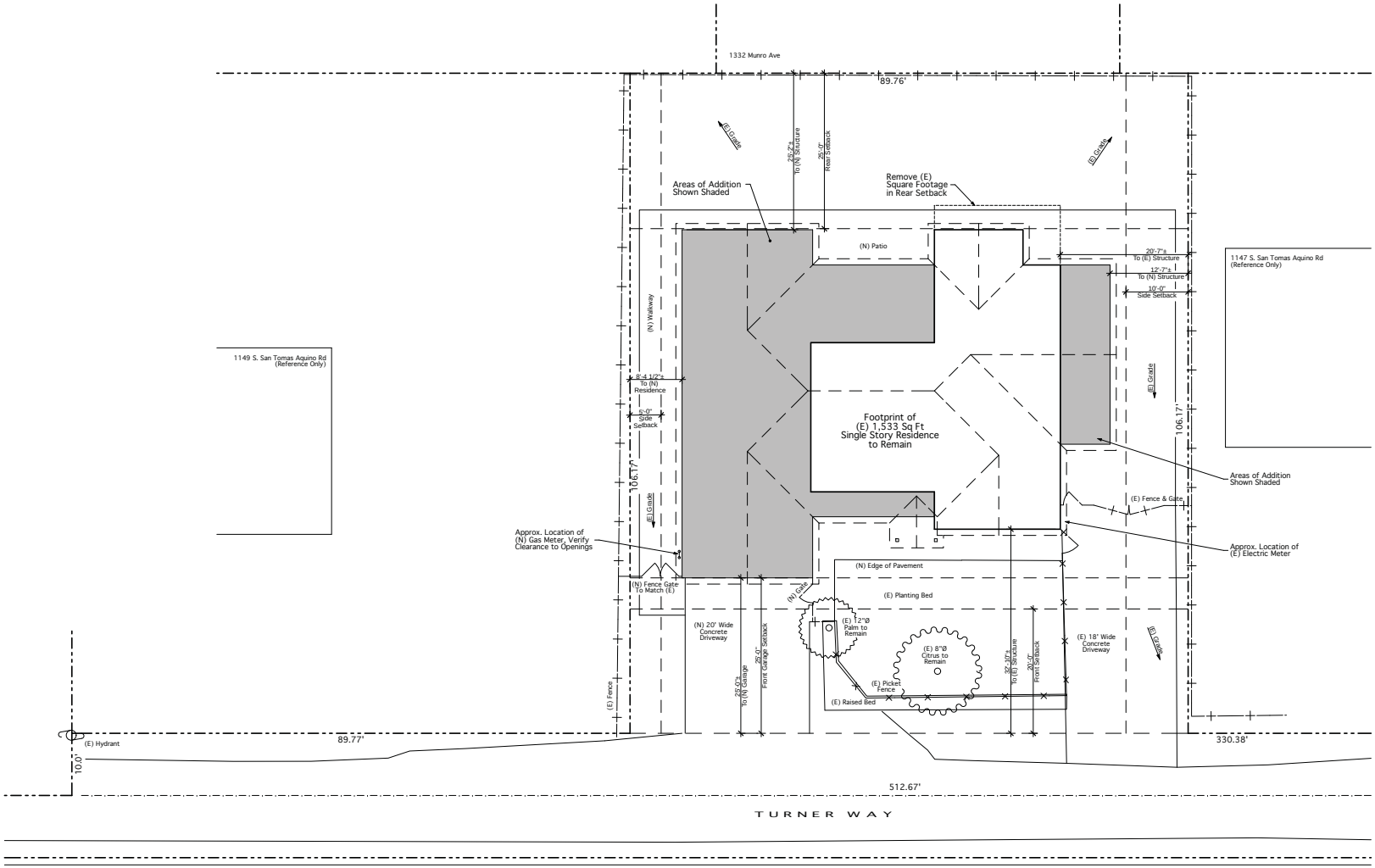
    Resources to achieve these objectives include *Stormwater Best Management Practices Handbook for New Development and Redevelopment* ("CA BMP Handbook") by the California Stormwater Quality Association (CASQA), 2003; *Start at the Source: A Design Guidance Manual for Stormwater Quality Protection* ("Start 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.

Fire Department

30. 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.

Location Map





DEVELOPMENTAL DATA	SQUARE FEET		% OF SITE	
	Existing	Proposed	Existing	Proposed
Building Coverage	1,533 sf	3,142 sf	16.1%	33.0%
Landscape Coverage	2,824 sf	3,431 sf	29.6%	36.0%
Paving Coverage	5,173 sf	2,957 sf	59.3%	31.0%
Floor Area Ratio (FAR)	1,533 sf	3,142 sf	16.1%	33.0%

SCHEMATIC SITE PLAN

PREP SITE FOR NEW CONSTRUCTION. VERIFY ALL DIMENSIONS & SITE CONDITIONS IN FIELD.
NOTIFY ARCHITECT OF DISCREPANCIES IMMEDIATELY IN WRITING.

Scale:1/8"=1'-0" (0' 8' 16')

NORTH

APN:	403-15-021
LOT SIZE:	15,246 Sq Ft ± (Assumed 9,530 Sq Ft for Calcs)
ZONING:	R-1-9
EXISTING SINGLE STORY RESIDENCE	1,533 Sq Ft
ALLOWABLE FAR:	4,289 Sq Ft @ 45%
ALLOWABLE LOT COVERAGE:	3,336 Sq Ft @ 35%

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Phone: 408-395-3316
Fax: 408-395-5312
terry@tjmarchitects.net

Print Date: 6/14/16

Rev	Description	Date:
	Building Permit Application	TBD
	Site & Arch Review Permit Application	04/04/2016

Project

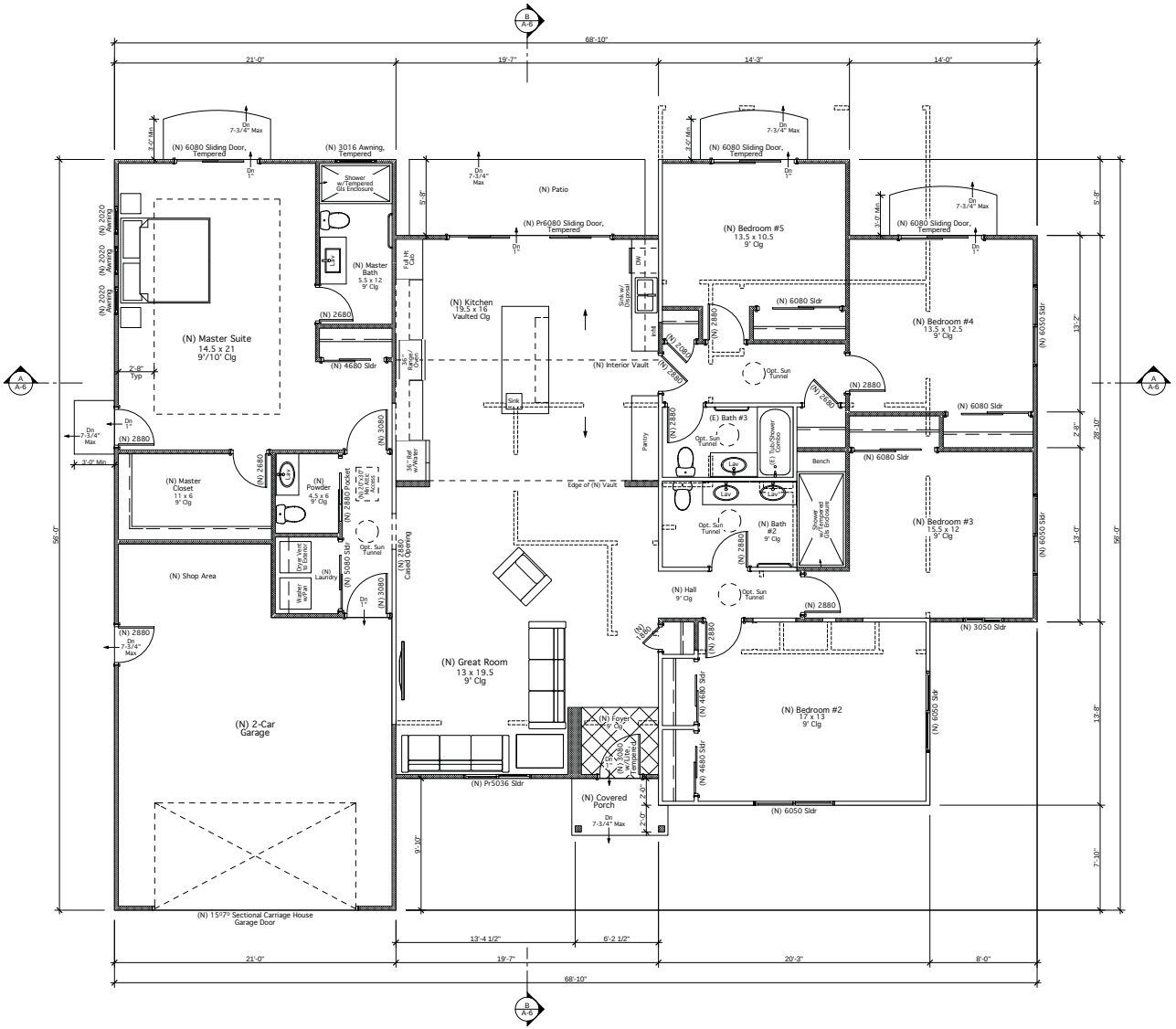
WANDYCZ RESIDENCE
Custom Home Addition & Remodel
1149 'A' S. San Tomas Aquino Road
Campbell, CA 95008

Date:	JAN 2016
Project:	#16001
Scale:	1/8" = 1'
Drawn by:	TJ

Sheet Title:

SCHEMATIC SITE PLAN

A-2



FLOOR PLAN

SEE DEMO NOTES & GENERAL NOTES, SHEET A-1, S-1 FOR ADDITIONAL REQMTS

Note: Confirm Extent of Demolition, Removal, and Salvage with Owners prior to commencing work.
Field Verify all Dimensions prior to commencing work.
Architectural Drawing override structural drawings for design intent, All dimensions are to Face of Stud UNO

Scale:1/4"=1'-0" (0' 4' 8')

(E) Main Level	1,533 Sq Ft
+ (N) Additions	1,204 Sq Ft
- (E) S.F. in Rear Setback	(115 Sq Ft)
Total Living	2,622 Sq Ft
+ (N) Attached Garage	520 Sq Ft
TOTAL FLOOR AREA	3,142 Sq Ft

NORTH

WALL LEGEND
(N) Wood Stud Wall Min 2x4 @ 16"OC Max
(E) Wall to be Removed
Existing Wall to Remain

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License # 12321

Print Date: 6/14/16

Rev	Description	Date:
	Building Permit Application	TBD
	Site & Arch Review Permit Application	04/04/2016

Project

WANDYCZ RESIDENCE

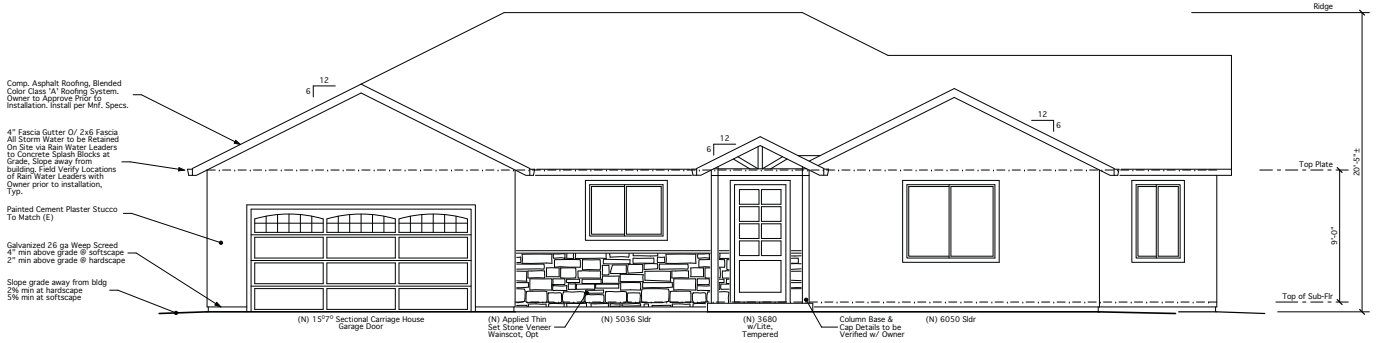
Custom Home Addition & Remodel
1149 'A' S. San Tomas Aquino Road
Campbell, CA 95008

Date:	JAN 2016
Project:	#16001
Scale:	1/4" = 1'
Drawn by:	TJ

Sheet Title:

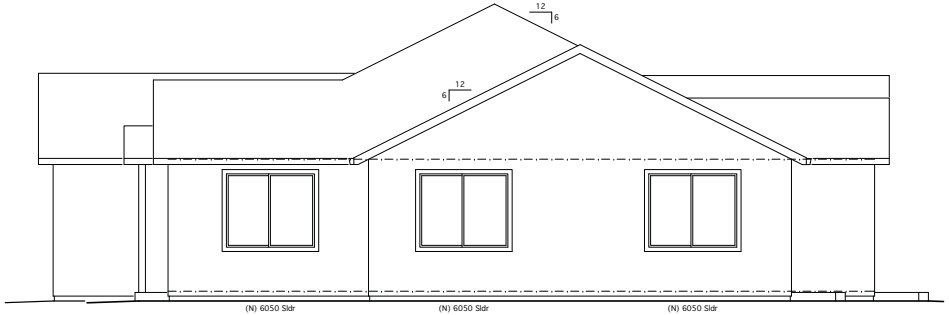
FLOOR PLAN

A-3



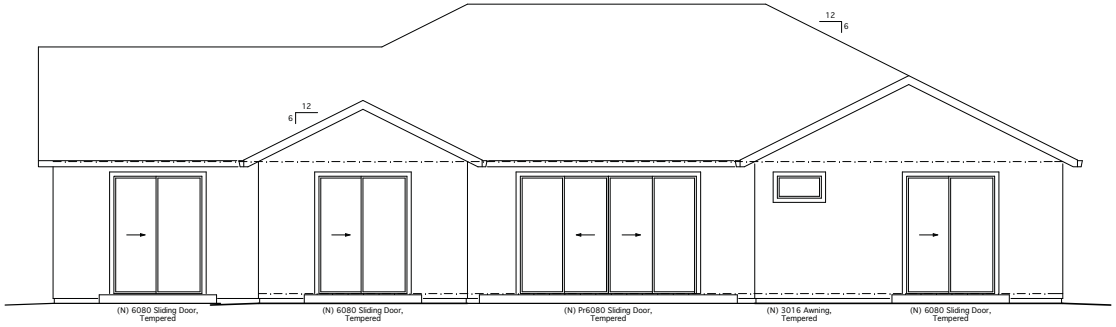
FRONT (SOUTH) ELEVATION

0' 4' 8'
Scale:1/4"=1'-0"



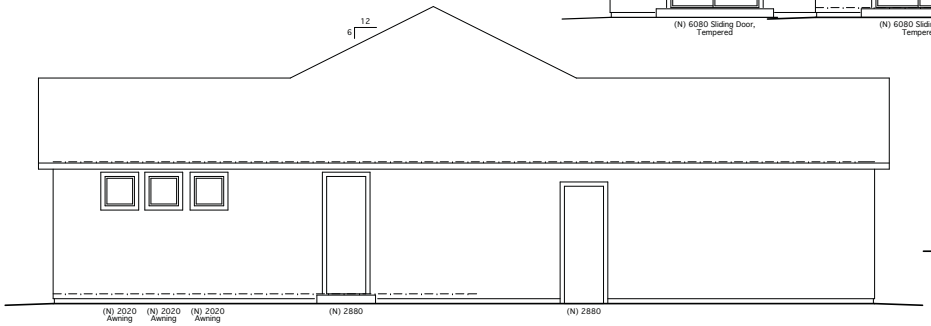
RIGHT SIDE (EAST) ELEVATION

0' 4' 8'
Scale:1/4"=1'-0"



REAR (NORTH) ELEVATION

0' 4' 8'
Scale:1/4"=1'-0"



LEFT SIDE (WEST) ELEVATION

0' 4' 8'
Scale:1/4"=1'-0"

SCHEMATIC STREETSCAPE

0' 16' 32'
Scale:1/16"=1'-0"

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Print Date: 6/14/16

Rev	Description	Date:
	Building Permit Application	TBD
	Site & Arch Review Permit Application	04/04/2016

Project

WANDYCZ RESIDENCE

Custom Home Addition & Remodel

1149 'A' S. San Tomas Aquino Road
Campbell, CA 95008

Date:	JAN 2016
Project:	#16001
Scale:	1/4" = 1'
Drawn by:	TJ

Sheet Title:

EXTERIOR ELEVATIONS & SCHEMATIC STREETSCAPE

A-5

ENVIRONMENTAL SETTING

Terry J. Martin Associates, A.I.A.
03/30/2016

Wandycz Residence
1149 S. San Tomas Aquino Rd
Campbell, CA 95008

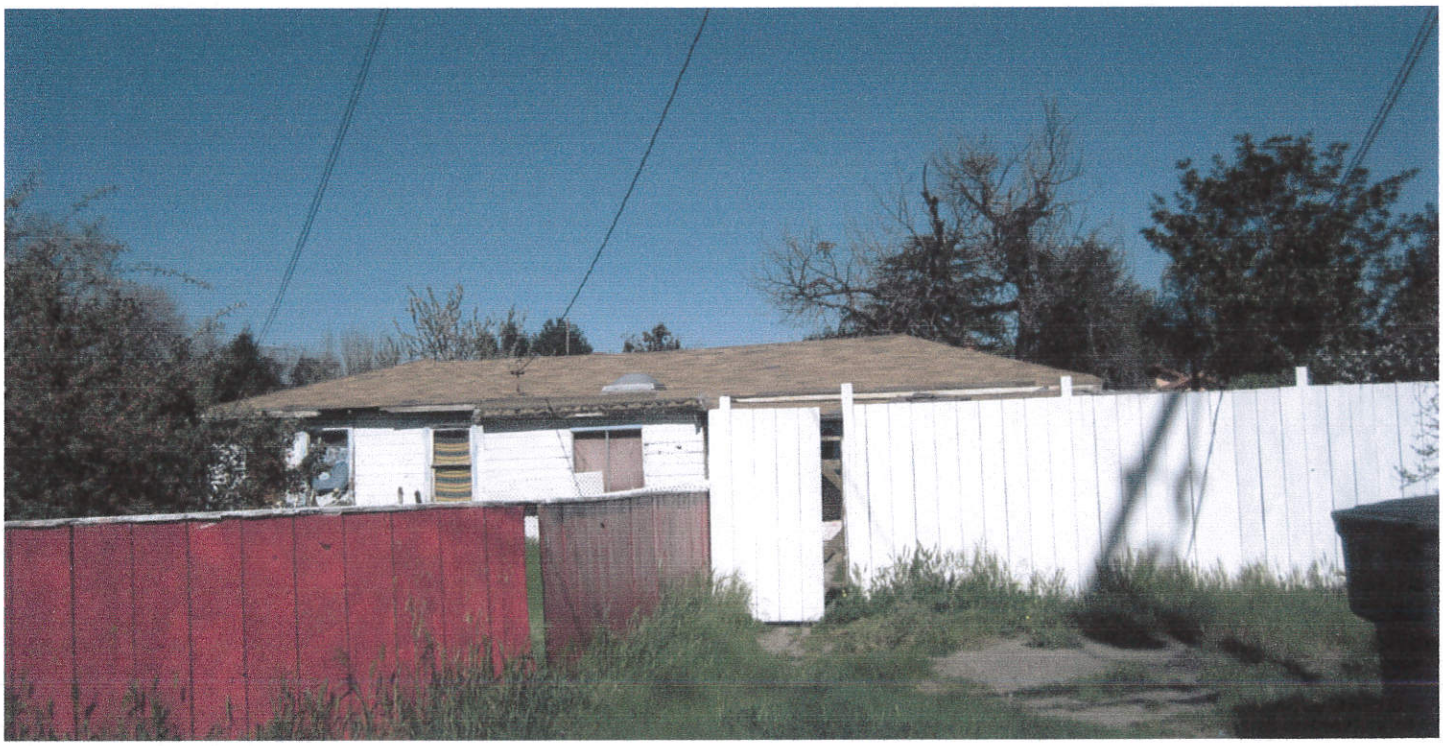
34. Existing project site:
    - Relatively flat topography
    - Stable soil
    - Little to no native plant and animal presence
    - No cultural, historical, or scenic aspects
    - Existing structure: one-story single-family dwelling, to remain, with main level additions

35. Surrounding properties:

- Low density residential neighborhood on all sides, composed of one- and two-story single-family dwellings
- Little to no native plant and animal presence
- No cultural, historical, or scenic aspects

Left Neighbor: 1149 S. San Tomas Aquino Rd

Right Neighbor: 1147 S. San Tomas Aquino Rd



Rear Neighbor: 1332 Munro Ave

36. Development applications associated with property:
    - None. Question not applicable.

ITEM NO. 3

CITY OF CAMPBELL · PLANNING COMMISSION
Staff Report June 28, 2016

PLN2016-46 (TPM)
Sulic, V.

Continued 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 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.

BACKGROUND

On April 26, 2016, the Planning Commission held its first of two public hearings on this item taking comment from the applicant, property owner, and neighboring residents. The Commission's discussion focused on questions of consistency with the strategies and policies contained in the General Plan, neighborhood compatibility and potential impacts. After due consideration, the Commission's motion resulted in a split vote, 2 in favor, and 2 in opposition to the applicant's proposal with three commissioners absent. In consideration of the split vote, the applicant requested that the item be continued to a future meeting date when more members of the Planning Commission would be in attendance.

On May 24, 2016, the Planning Commission held its second meeting on the item. With all Planning Commissioners in attendance, the discussion focused on minimizing impacts to the neighborhood through the imposition of development restrictions. The motion, which continued the item to June 28, requested staff to analyze the prevalent development pattern of the neighborhood and recommend development restrictions which would establish a consistent front setback for the development, minimize second-story impacts (with an emphasis on height & privacy), and require the retention of the two deodar cedars in the front yard (reference **Attachment 13** – May 24, 2016 - Planning Commission Meeting Minutes).

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 4** – 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 5** – 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

Continuance Report: As a continued public hearing item, this report serves to expand on the key discussion points raised at the May 24, 2016 Planning Commission meeting. Please refer to the April 26, 2016 Planning Commission Staff Report (reference **Attachment 10**) & May 24, 2016 Planning Commission Staff Report (reference **Attachment 12**) for a summary of the project data, and an analysis of the General Plan, Zoning, procedural requirements, development standards, parcel map design, building layout and architecture, parking, neighborhood compatibility and flag/rear lot proliferation, traffic generation, overcrowding and crime, and street improvements as they pertain to the applicant's proposal.

Development Restrictions on Tentative Parcel Maps: The Planning Commission may impose such conditions "as are deemed necessary to protect the best interests of the surrounding property or neighborhood…" (CMC 20.16.030). In consideration of the applicant's proposal, such conditions could include requiring greater first or second-story setbacks, reducing the allowable height, number of stories, floor area ratio, or lot coverage of future development, or including a requirement to retain or plant additional trees or provide a greater number of onsite parking spaces. Should the Planning Commission decide to impose one or more development restrictions on the parcel map, great care should be taken to ensure that the condition(s) serve to mitigate a clear and significant impact to a specific goal, strategy or policy of the General Plan. In forming conditions, the Planning Commission should also consider if the restriction(s) should apply to one, or both of the lots created by the parcel map (i.e. front lot ~ Lot 1, or rear/flag lot ~ Lot 2). For ease of reference, a summary of applicable policies, contained in the Land Use Element of the General Plan, have been provided as follows:

Goal LUT-5: Preservation and enhancement of the quality character and land use patterns that support the neighborhood concept.

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

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.

Policy LUT-10.1a: Natural Feature Retention: Encourage site design that incorporates or otherwise retains natural features such as mature trees, terrain, vegetation, wildlife and creeks.

In response to the direction provided by the Planning Commission at the May 24, 2016 meeting (see Background), staff has provided an analysis of the prevalent development pattern of homes on El

Caminito Avenue (reference **Attachment 7** – El Caminito Study) and recommended the inclusion of development standards which promote various goals, policies and strategies of the General Plan and serve to mitigate potentially adverse impacts to surrounding properties (reference **Attachment 1 & 2**).

Front Setback Requirement: In the R-1-6 (Residential Single Family) zoning district, a 20-foot front setback is required for new development. Evaluating the existing setbacks of developed homes on El Caminito Avenue (measuring from back of sidewalk to the face of the building[1]), the average setback is roughly 29-feet and the most common setback is 25-feet (reference **Attachment 7** – El Caminito Study). In consideration of the applicant's proposal, staff would support a 29-foot front setback (from back of sidewalk to face of building) for the front lot (Lot 1) and a 20-foot front setback for the rear/flag lot (Lot 2).

El Caminito Avenue – Front Setback Analysis			
	R-1-6 Standard	**Proposed**	**Difference**
Front Lot (Lot 1)	20-feet	29-feet	+9-feet greater front setback
Rear/Flag Lot (Lot 2)	20-feet	20-feet	0

By requiring a 29-foot front setback for the front lot (Lot 1), the project would promote Strategy LUT-5.2a by 'maintaining and supporting the existing character and development pattern of the neighborhood' given that the subject property already has a 25-foot setback, and a 29-foot setback would provide additional distance to be more in line with the immediately adjacent homes[2]. Staff would recommend retaining the 20-foot front setback[3] of the R-1-6 zoning district for the rear parcel, as a 20-foot front setback between the front lot (Lot 1) and the rear/flag lot (Lot 2) would allow the building to be placed furthest from residential uses to the south, thereby minimizing impacts to offsite properties.

Minimizing Second-Story Impacts: Single-family homes in the R-1-6 zoning district are limited to 35-feet (2½ stories) in height and require a setback of 5-feet or half the building wall height (whichever is most restrictive) from interior side and rear property lines. While the majority of homes on El Caminito Avenue are single-story (reference **Attachment 7** – El Caminito Study), three[4] of the homes are two-stories in height (reference **Attachment 8** – Two Story Homes on El Caminito Avenue). Outside of a discretionary design review process, the most effective means of minimizing second-story impacts would be to limit the maximum allowable height, limit the number of stories, or increase setback requirements. In consideration of the prevalent development pattern of the neighborhood, staff would recommend establishing a 28-foot (two-story) restriction on the front lot (Lot 1) and an 18-foot (one-story) restriction on the rear/flag lot (Lot 2).

El Caminito Avenue – Second-Story / Height Analysis			
	R-1-6 Standard	**Proposed**	**Difference**
Front Lot (Lot 1)	35-feet (2½ stories)	28-feet (2-stories)	7 feet (½ story)
Rear/Flag Lot (Lot 2)	35-feet (2½ stories)	18-feet (1-story)	17 feet (1½ story)

[1] The back of sidewalk is approximately 6-inches away from the property line. Setbacks referenced are from back of sidewalk, except where referenced from the Campbell Municipal Code which are measured from the property line.
[2] The home to the west of the project site has a 38-foot setback, whereas the home across and diagonally across the street have 42-foot, and 32-foot setbacks respectively.
[3] As a 20-foot front setback is already the minimum allowed in the R-1-6 zoning district, findings in support of an established, and uniformly applicable development standard are not required.
[4] Note: Attachment 7 – El Caminito Study was prepared by the project engineer and identifies 89, 110, 181, and 191 El Caminito Avenue as two-story homes. Staff does not consider 191 El Caminito Avenue to be a two-story home and have enhanced the exhibit to reflect this distinction and to provide a bar chart illustrating the distribution of setbacks.

The reason why a one-story, 18-foot maximum height standard is recommended for the rear/flag lot (Lot 2) is because a second-story could create privacy impacts. Locating a two-story home in proximity to several adjacent rear yards had the potential to create such impacts. A tall structure will also have the ability to obstruct solar exposure to the adjacent western property.

The imposition of reduced height standard on future development would be consistent with Strategy LUT-5.2a by 'maintaining and supporting the existing character and development pattern of the neighborhood' in that a 35-foot tall, 2½ story tall building (as otherwise allowed by the R-1-6 zoning district) would be inconsistent with the neighborhood which is predominantly comprised of one and two-story residences. The imposition of a 28-foot (2-story) restriction on the front lot (Lot 1) correlates to the height of the closest two-story home on El Caminito Avenue, and is considered a well-established[5] height limit for two-story single-family development in the City of Campbell. An 18-foot (one-story) restriction on the rear/flag lot (Lot 2) is a necessary development restriction to protect the "best interests of the surrounding property or neighborhood" (CMC 20.16.030) by mitigating potential privacy and solar exposure impacts to adjoining properties.

Retention of Deodar Cedars: Two large deodar cedar trees occur in front of the existing home on 44 El Caminito Avenue. As the trees measure greater than 12-inches in diameter, are of a protected tree species (cedar), and are of good health and structure from staff's observations, these trees are already protected by the City's Tree Protection Ordinance (CMC 21.32 – Tree Protection Regulations). However, in response to Planning Commission direction, a condition of approval has been proposed which would require any application for a permit to remove either or both of these trees to require Planning Commission review and consideration. The imposition of development restrictions to require the retention of the two deodar cedar trees is consistent with Policy LUT-5.2 in that it serves to 'maintain a safe, attractive, pedestrian friendly neighborhood' and Strategy LUT-10.a by promoting a site design and layout that 'retains natural features such as mature trees'.

Public Comments: Since the last meeting, no further public comments have been received. Correspondence provided as desk items at the May 24, 2016, Planning Commission meeting have been combined into the public comments (reference **Attachment 7**) or included as a separate exhibit (reference **Attachment 6** –Existing and Potential Lot Splits - Enhanced).

Alternatives: Staff has provided two alternatives for this proposal:

1. **Approve the Request**, striking one or more development restrictions proposed on the parcel map or adding to them with supporting findings.
2. **Deny the Request**, completing sections left blank in Attachment #5 and providing robust findings explaining how and why the determination is able to be made.

Prepared by: _____
Stephen Rose, Associate Planner

Approved by: _____
Paul Kermoyan, Community Development Director

[5] The San Tomas Area Neighborhood Plan (STANP) allows for a 28-foot, two-story height limit for R-1-6 properties.

Attachments:

1. Findings for Approval of File No. PLN2016-46 (Tentative Parcel Map) with Development Restrictions
2. Conditions of Approval for File No. PLN2016-46 (Tentative Parcel Map) with Development Restrictions
3. Findings for Denial of File No. PLN2016-46 (Tentative Parcel Map) with Blank Framework
4. Location Map
5. Tentative Parcel Map
6. Existing & Potential Lot Splits
7. El Caminito Study
8. Two-Story Homes on El Caminito Avenue
9. Public Comments
10. April 26, 2016 – Planning Commission Staff Report
11. April 26, 2016 – Planning Commission Meeting Minutes
12. May 24, 2016 – Planning Commission Staff Report
13. May 24, 2016 – Planning Commission Meeting Minutes

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: June 28, 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.

10. The neighborhood (which includes El Caminito, Cherry, Catalpa, & California) is predominantly comprised of one and two-story residences, and the closest two-story home on El Caminito Avenue is approximately 28-feet in height, and is considered a well-established height for two-story single-family development in the City of Campbell.

11. The imposition of a 28-foot (2-story) restriction on the front lot (Lot 1) correlates to the height of the closest two-story home on El Caminito Avenue, and is necessary to protect the best interests of the surrounding properties and supports the existing character, integrity and development pattern of the surrounding neighborhood.

12. Construction of a two-story home on the rear lot would create undesirable privacy impacts on the adjoining parcels, as a two story home would overlook existing rear yards of the adjoining homes, and impinge on the solar exposure of the adjacent western property.

13. The imposition of an 18-foot height limit for the rear/flag lot (Lot 2) is necessary to protect the best interests and integrity of the surrounding properties or neighborhood by serving to mitigate the potential for privacy impacts and retain solar exposure for the adjacent western property.

14. The average front setback on El Caminito is roughly 29-feet, and the immediately adjacent homes have greater than average front setbacks.

15. By requiring a 29-foot front setback for the front lot (Lot 1), the project would promote Strategy LUT-5.2a by 'maintaining and supporting the existing character and development pattern of the neighborhood' given that the subject property already has a 25-foot setback, considering that the average setback for El Caminito Avenue is closer to 29-feet, and a 29-foot setback would provide additional distance to be more in line with the immediately adjacent homes.

16. The imposition of development restriction to require the retention of the two deodar cedar trees for the front lot (Lot 1) is consistent with Policy LUT-5.2 in that it serves to 'maintain a safe, attractive, pedestrian friendly neighborhood' and Strategy LUT-10.a by promoting a site design and layout that 'retains natural features such as mature trees'.

17. Development restrictions on the parcel map have been included as Conditions of Approval which are necessary to protect the best interests of the surrounding property or neighborhood (CMC 20.16.030) and mitigate clear and significant impacts which would otherwise be inconsistent with specific goals, strategies or policies contained within the City of Campbell General Plan and/or the City of Campbell Municipal Code.

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 applicant's proposal, as conditioned, would be consistent with the following goals, policies, and strategies of the City of Campbell General Plan:

   Goal LUT-5: Preservation and enhancement of the quality character and land use patterns that support the neighborhood concept.

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

   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.

   Policy LUT-10.1a: Natural Feature Retention: Encourage site design that incorporates or otherwise retains natural features such as mature trees, terrain, vegetation, wildlife and creeks.

7. The conditions of approval imposed on the project are reasonable and necessary under the circumstances to maintain the character of the neighborhood and protect the best interests of the surrounding properties and neighborhood.

8. The project is Categorically 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: June 28, 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. Tentative 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 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 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. 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.

5. 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.

6. Development Restrictions: The following restrictions shall apply to the future development of the properties approved herein:

    a. Front Lot (Lot 1):
        1. Front Setback: A 29-foot minimum front setback shall be required from back of sidewalk, or 28½ feet back from the front property line, whichever is more restrictive.
        2. Height: Future development shall be restricted to 28-feet and two-stories.
        3. Deodar Cedar Trees: The two large deodar cedar trees located in the front yard of Lot 1 shall be retained in accordance with the City's Tree Protection Ordinance. Removal of either or both trees shall require review and approval by the Planning Commission. Dead trees may be removed with a dead tree removal permit, and shall not require Planning Commission review or approval.
    b. Rear/Flag Lot (Lot 2):
        1. Height: Future development shall be restricted to 18-feet and one-story.

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.

FINDINGS FOR DENIAL OF FILE NO. PLN2016-46
(PARCEL MAP)

SITE ADDRESS: 44 El Caminito Avenue
APPLICANT: Velimir Sulic
OWNER: Shahin Jahanbani
P.C. MEETING: June 28, 2016

Findings for denial of a 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. Denial of the project is Statutorily Exempt under Section 15270(a) of the California Environment Quality Act (CEQA), pertaining to projects which a public agency rejects or disapproves.

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 Parcel Map to allow a subdivision resulting in two single-family residential lots.
4. The Campbell Subdivision and Land Development Code designates the Planning Director (Community Development Director) as the decision-making authority for Parcel Maps.
5. 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.
6. 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.
7. 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.
8. The applicant's proposal would be inconsistent with the following section(s) of the Campbell Municipal Code _____.
9. The applicant's proposal would be inconsistent with the aforementioned section(s) of the Campbell Municipal Code because _____.
10. The applicant's proposal would be inconsistent with the following policies and/or strategies of the City of Campbell General Plan _____.

11. The applicant's proposal is inconsistent with the aforementioned policies and/or strategies of the City of Campbell General Plan because _____.

12. The applicant's proposal is inconsistent with the neighborhood because _____.

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

13. The Planning Commission cannot affirmatively find that the project is consistent with the General Plan, and/or Campbell Municipal Code.

14. The denial of the project is Statutorily Exempt under Section 15270(a) of the California Environment Quality Act (CEQA), pertaining to projects which a public agency rejects or disapproves.

Attachment #4

Location Map

VICINITY MAP
N.T.S.

PLANS FOR

TENTATIVE PARCEL MAP

2-LOT SUBDIVISION

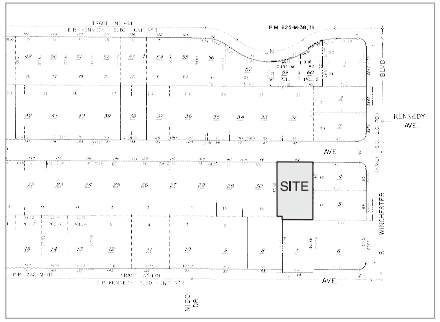
LANDS OF WU & JAHANBANI

A.P.N. 305-34-031

44 EL CAMINITO AVENUE
Campbell, California

SHEET INDEX

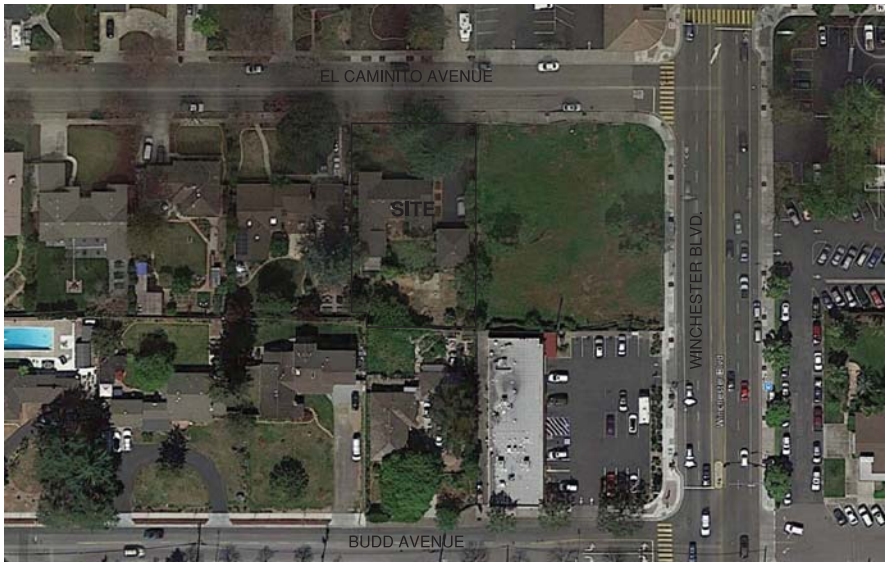
SHEET NO.	DESCRIPTION
1	TITLE SHEET
2	SITE PLAN (EXISTING CONDITIONS - DEMOLITION PLAN)
3	NEW SITE PLAN
4	CONCEPTUAL GRADING & DRAINAGE PLAN
5	CONCEPTUAL UTILITY PLAN
6	MINOR PUBLIC STREET IMPROVEMENTS



LOCATION MAP
N.T.S.

ABBREVIATIONS

A.D.	=	Area Drain
A.C. or A.C.	=	Asphalt Concrete
B.C.	=	Begin Curve
B.S.L.	=	Building Setback Line
B.V.C.	=	Begin Vertical Curve
B.W.	=	Bottom of Wall
C. & G.	=	Curb and Gutter
C.B.	=	Catch Basin
C.O.	=	Clean Out
C.T.	=	Common Trench
CL	=	Centerline
Conc.	=	Concrete
D.W	=	Driveway
E.C.	=	End Curve
E.P.	=	Edge of Pavement
E.V.A.E.	=	Emergency Vehicle Access Easement
E.V.C.	=	End Vertical Curve
Ex. or Exist.	=	Existing
F.F.	=	Finish Floor
F.G.	=	Finish Grade
F.H.	=	Fire Hydrant
F.L.	=	Flow Line
F.O.C.	=	Face of Curb
Fnd.	=	Found
Horiz.	=	Horizontal
I. & E.E.	=	Ingress and Egress Easement
Inv.	=	Invert
IP.	=	Iron Pipe
L.E.	=	Landscape Easement
L.F.	=	Linear Feet
L.L.	=	Lot Line
M.H.	=	Manhole
Max.	=	Maximum
Min.	=	Minimum
Mon.	=	Monument
N.T.S.	=	Not To Scale
NAT.	=	Natural
P.R.C.	=	Point of Reverse Curve
P.S.E.	=	Public Service Easement
P.U.E.	=	Public Utility Easement
P.V.I.	=	Point of Vertical Intersection
Pav.	=	Pavement
PL or Prop.	=	Property Line
R.C.E.	=	Road Construction Easement
R/W	=	Right-of-Way
Ret.	=	Retaining
S.D.	=	Storm Drain
S.D.E.	=	Storm Drain Easement
S.E.	=	Slope Easement
S.S.	=	Sanitary Sewer
S.S.E.	=	Sanitary Sewer Easement
S/W	=	Sidewalk
Sta.	=	Station
T.C.	=	Top of Curb
T.O.C.	=	Top of Cable
T.O.P.	=	Top of Pipe
T.W.	=	Top of Wall
Tel.	=	Telephone
TP.	=	Top of Pavement
U.E.	=	Utilities Easement
Vert.	=	Vertical
W	=	Water
W.E.	=	Water Easement
W.M.	=	Water Meter



AERIAL VIEW
N.T.S.

GENERAL NOTES

OWNER: HELEN WU & SHAHIN JAHANBANI

OWNER REPRESENTATIVE: SHAHIN JAHANBANI
6130 OAK FOREST WAY
SAN JOSE, CA 95120
(408) 915-8665

DEVELOPER: HELEN WU & SHAHIN JAHANBANI
(SAME AS OWNER)

ENGINEER: SEE TITLE BLOCK

PROPERTY ADDRESS: 44 EL CAMINITO AVENUE
CAMPBELL, CA 94303

EXISTING ZONING: R-1-6 (SINGLE FAMILY)

PROPOSED ZONING: R-1-6 (SINGLE FAMILY)

NET ACREAGE: 16,384 S.F. (0.3761 Acres)

EXISITNG USE: SINGLE FAMILY RESIDENCE

PROPOSED USE: SINGLE FAMILY RESIDENCE

STORM: CITY OF CAMPBELL
EXISTING IN EL CAMINITO AVENUE

SANITARY: WEST VALLEY SANITATION DISTRICT
EXISTING IN EL CAMINITO AVENUE

WATER: SAN JOSE WATER CO.
EXISTING IN EL CAMINITO AVENUE

GAS: P.G.&E.
EXISTING IN EL CAMINITO AVENUE

ELECTRIC: P.G.&E.
EXISTING IN EL CAMINITO AVENUE

TELEPHONE: AT&T
EXISTING IN EL CAMINITO AVENUE

CABLE TV: COMCAST
EXISTING IN EL CAMINITO AVENUE

A.P.N. 305-34-031

OWNER: _____
SHAHIN JAHANBANI

GENERAL NOTES

1. TOPOGRAPHY PROVIDED BY OWNER.
2. CONTOUR INTERVAL IS 1-FOOT WITH SPOT ELEVATIONS.
3. THIS TOPOGRAPHIC MAP REPRESENTS SURFACE FEATURES ONLY.
4. BASIS OF ELEVATION: CITY OF CAMPBELL BENCHMARK ELEVATION #17 (ELEV. = 210.339)
5. PROPERTY LINES SHOWN ARE RECORD DATA. (PER TRACT MAP NO. 179)
6. ALL GRADING SHALL BE IN ACCORDANCE WITH THE SOIL REPORT PREPARED FOR THIS PROJECT.
7. MAINTAIN EXISTING DRAINAGE PATTERNS.
8. ALL DOWNSPOUTS SHALL HAVE A SPLASH BOX AND DIVERT WATER AWAY FROM BUILDING INTO LANDSCAPED AREA.
9. SETBACKS SHALL BE PER CITY CODE AT THE TIME OF DEVELOPMENT.
10. FENCING SHOWN ARE FOR REFERENCE ONLY.

TENTATIVE PARCEL MAP

REV.	DATE	REVISION DESCRIPTION	BY
1	03.14	REVISED PER CITY COMMENTS	V.S.
0	03.14	RELEASED TO CLIENT & CITY	V.S.

DESIGNED BY: V.S.
DRAWN BY: R.S.C.
CHECKED BY: V.S.
SCALE: AS SHOWN

PEOPLES ASSOCIATES
STRUCTURAL ENGINEERS
1996 Tarob Court • Milpitas, CA 95035
408-957-9220 Fax 408-957-9221
R.E. no. 28,588

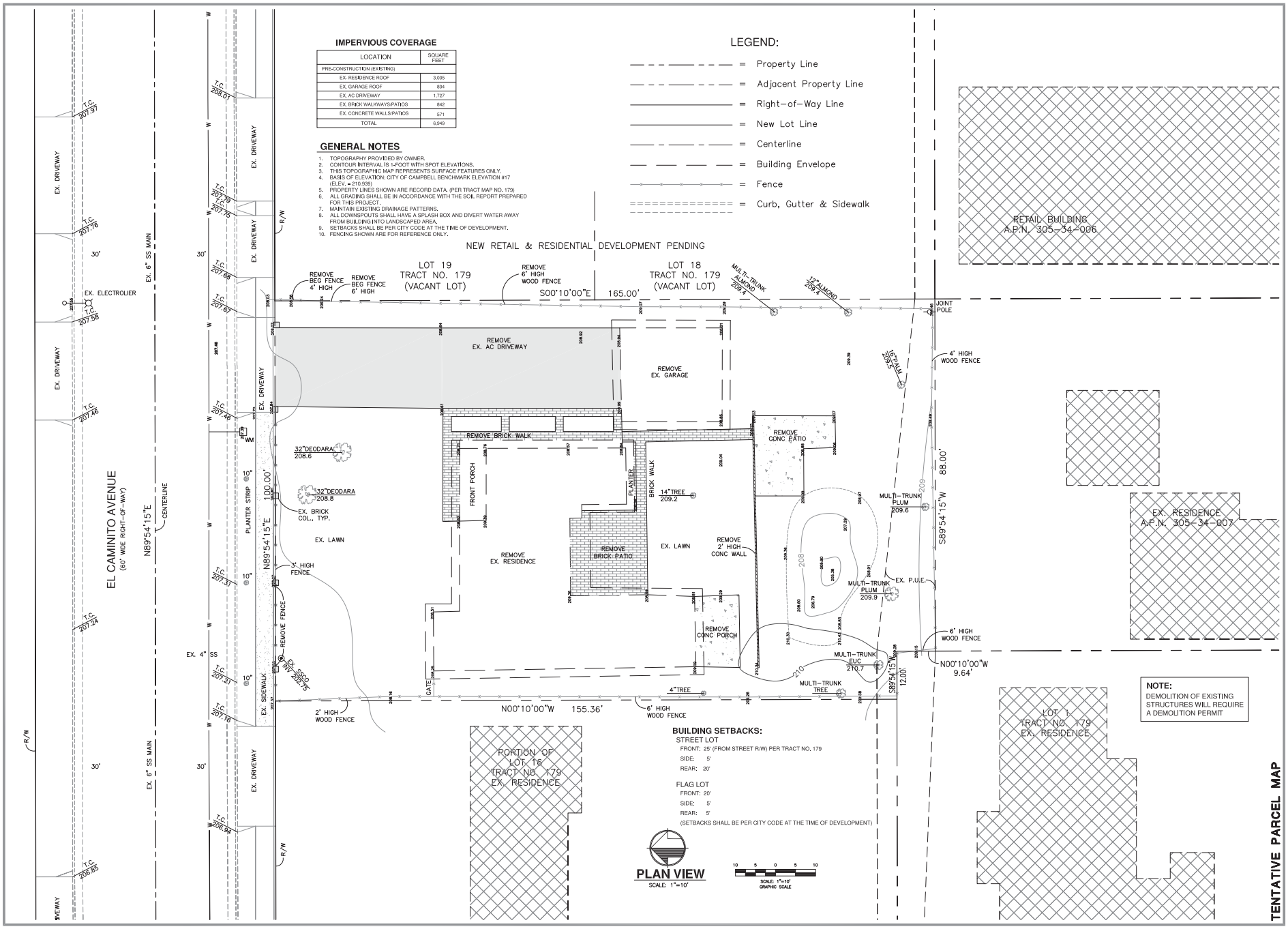
DATE: 2-26-16

APPROVED BY:

REGISTRATION EXPIRES MARCH, 31, 2017

TITLE SHEET
LANDS OF WU & JAHANBANI
44 EL CAMINITO AVENUE
CAMPBELL, CALIFORNIA

SHEET NUMBER
1
OF 6 SHEETS
DRAWING NO.
16007-1



IMPERVIOUS COVERAGE

LOCATION	SQUARE FEET
PRE-CONSTRUCTION (EXISTING)	
EX. RESIDENCE ROOF	3,065
EX. GARAGE ROOF	804
EX. AC DRIVEWAY	1,727
EX. BRICK WALKWAYS/PATIOS	842
EX. CONCRETE WALLS/PATIOS	571
TOTAL	6,949

GENERAL NOTES

1. TOPOGRAPHY PROVIDED BY OWNER.
2. CONTOUR INTERVAL IS 1-FOOT WITH SPOT ELEVATIONS.
3. THIS TOPOGRAPHIC MAP REPRESENTS SURFACE FEATURES ONLY.
4. BASIS OF ELEVATION: CITY OF CAMPBELL BENCHMARK ELEVATION #17 (ELEV. = 210.939)
5. PROPERTY LINES SHOWN ARE RECORD DATA. (PER TRACT MAP NO. 179)
6. ALL GRADING SHALL BE IN ACCORDANCE WITH THE SOIL REPORT PREPARED FOR THIS PROJECT.
7. MAINTAIN EXISTING DRAINAGE PATTERNS.
8. ALL DOWNSPOUTS SHALL HAVE A SPLASH BOX AND DIVERT WATER AWAY FROM BUILDING INTO LANDSCAPED AREA.
9. SETBACKS SHALL BE PER CITY CODE AT THE TIME OF DEVELOPMENT.
10. FENCING SHOWN ARE FOR REFERENCE ONLY.

LEGEND:

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

BUILDING SETBACKS:

STREET LOT
FRONT: 25' (FROM STREET R/W) PER TRACT NO. 179
SIDE: 5'
REAR: 20'

FLAG LOT
FRONT: 20'
SIDE: 5'
REAR: 5'
(SETBACKS SHALL BE PER CITY CODE AT THE TIME OF DEVELOPMENT)

NOTE:
DEMOLITION OF EXISTING STRUCTURES WILL REQUIRE A DEMOLITION PERMIT

TENTATIVE PARCEL MAP

SITE PLAN
(EXISTING CONDITIONS - DEMOLITION PLAN)
LANDS OF WU & JAHANBANI

44 EL CAMINITO AVENUE
CAMPBELL, CALIFORNIA

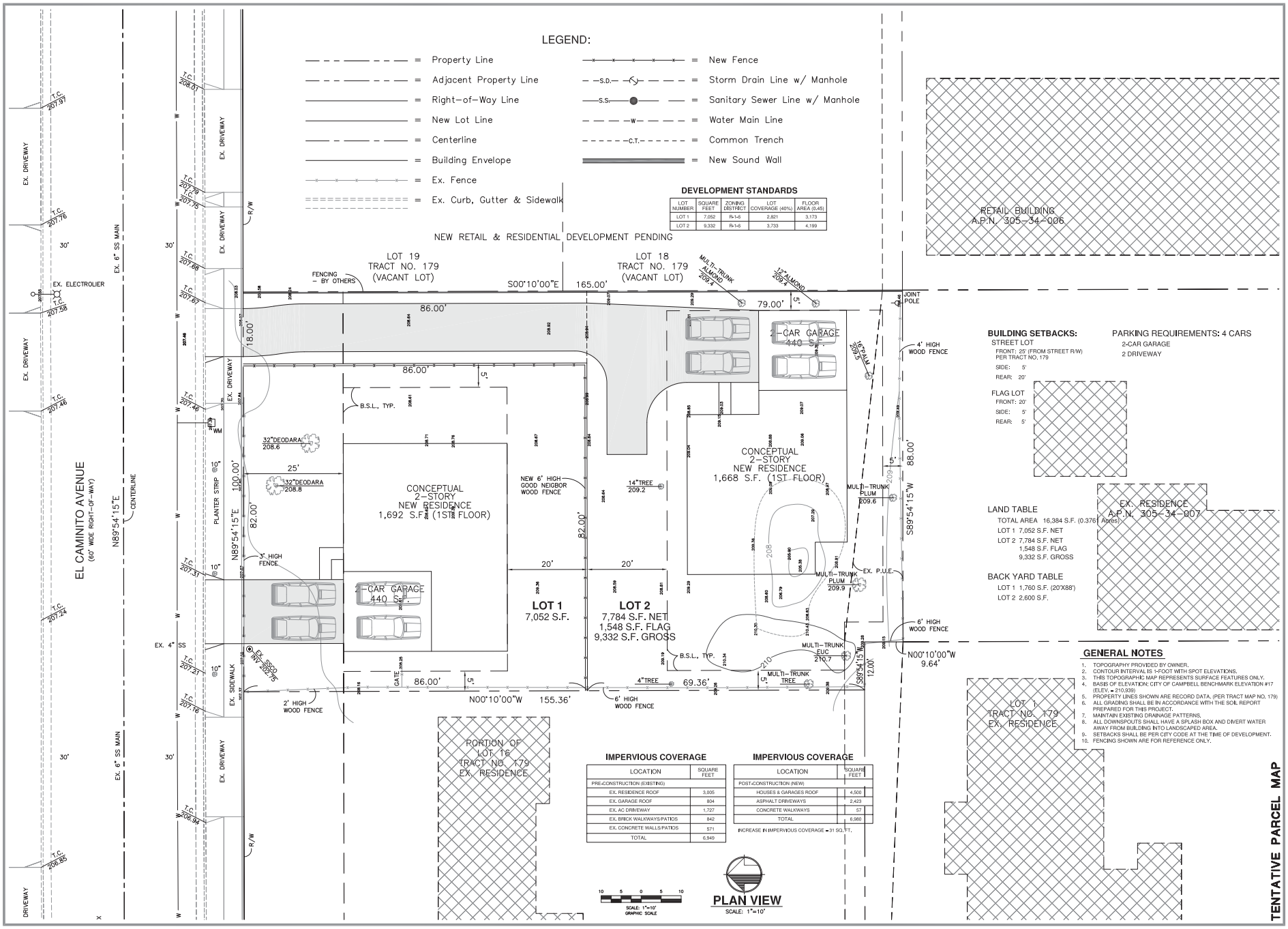
REV.	DATE	REVISION DESCRIPTION	BY
1	03.16	REVISED PER CITY COMMENTS	V.S.
0	03.14	RELEASED TO CLIENT & CITY	V.S.

DESIGNED BY: V.S.
DRAWN BY: R.S.C.
CHECKED BY: V.S.
SCALE: AS SHOWN
DATE: 2-26-16
APPROVED BY:

PEOPLES ASSOCIATES
STRUCTURAL ENGINEERS
1996 Tarob Court • Milpitas, CA 95035
408-957-9220 Fax 408-957-9221
R.E. no. 28,588

REGISTRATION EXPIRES MARCH 31, 2017

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



DEVELOPMENT STANDARDS

LOT NUMBER	SQUARE FEET	ZONING DISTRICT	LOT COVERAGE (40%)	FLOOR AREA (0.45)
LOT 1	7,052	R-1-6	2,821	3,173
LOT 2	9,332	R-1-6	3,733	4,199

BUILDING SETBACKS:

STREET LOT
FRONT: 25' (FROM STREET R/W) PER TRACT NO. 179
SIDE: 5'
REAR: 20'

FLAG LOT
FRONT: 20'
SIDE: 5'
REAR: 5'

PARKING REQUIREMENTS: 4 CARS
2-CAR GARAGE
2 DRIVEWAY

LAND TABLE

TOTAL AREA 16,384 S.F. (0.376 Acres)
LOT 1 7,052 S.F. NET
LOT 2 7,784 S.F. NET
1,548 S.F. FLAG
9,332 S.F. GROSS

BACK YARD TABLE

LOT 1 1,760 S.F. (20'X88')
LOT 2 2,600 S.F.

GENERAL NOTES

1. TOPOGRAPHY PROVIDED BY OWNER.
2. CONTOUR INTERVALIS 1-FOOT WITH SPOT ELEVATIONS.
3. THIS TOPOGRAPHIC MAP REPRESENTS SURFACE FEATURES ONLY.
4. BASIS OF ELEVATION: CITY OF CAMPBELL BENCHMARK ELEVATION #17 (ELEV. = 210.939)
5. PROPERTY LINES SHOWN ARE RECORD DATA. (PER TRACT MAP NO. 179)
6. ALL GRADING SHALL BE IN ACCORDANCE WITH THE SOIL REPORT PREPARED FOR THIS PROJECT.
7. MAINTAIN EXISTING DRAINAGE PATTERNS.
8. ALL DOWNSPOUTS SHALL HAVE A SPLASH BOX AND DIVERT WATER AWAY FROM BUILDING INTO LANDSCAPED AREA.
9. SETBACKS SHALL BE PER CITY CODE AT THE TIME OF DEVELOPMENT.
10. FENCING SHOWN ARE FOR REFERENCE ONLY.

IMPERVIOUS COVERAGE

LOCATION	SQUARE FEET
PRE-CONSTRUCTION (EXISTING)	
EX. RESIDENCE ROOF	3,005
EX. GARAGE ROOF	804
EX. AC DRIVEWAY	1,727
EX. BRICK WALKWAYS/PATIOS	842
EX. CONCRETE WALLS/PATIOS	571
TOTAL	6,949

IMPERVIOUS COVERAGE

LOCATION	SQUARE FEET
POST-CONSTRUCTION (NEW)	
HOUSES & GARAGES ROOF	4,500
ASPHALT DRIVEWAYS	2,423
CONCRETE WALKWAYS	57
TOTAL	6,980

INCREASE IN IMPERVIOUS COVERAGE = 31 SQ. FT.

TENTATIVE PARCEL MAP

NEW SITE PLAN

LANDS OF WU & JAHANBANI

44 EL CAMINITO AVENUE
CAMPBELL, CALIFORNIA

REV.	DATE	REVISION DESCRIPTION	BY
1	03.14	REVISED PER CITY COMMENTS	V.S.
0	03.14	RELEASED TO CLIENT & CITY	V.S.

DESIGNED BY: V.S.
DRAWN BY: R.S.C.
CHECKED BY: V.S.
SCALE: AS SHOWN
DATE: 2-06-16

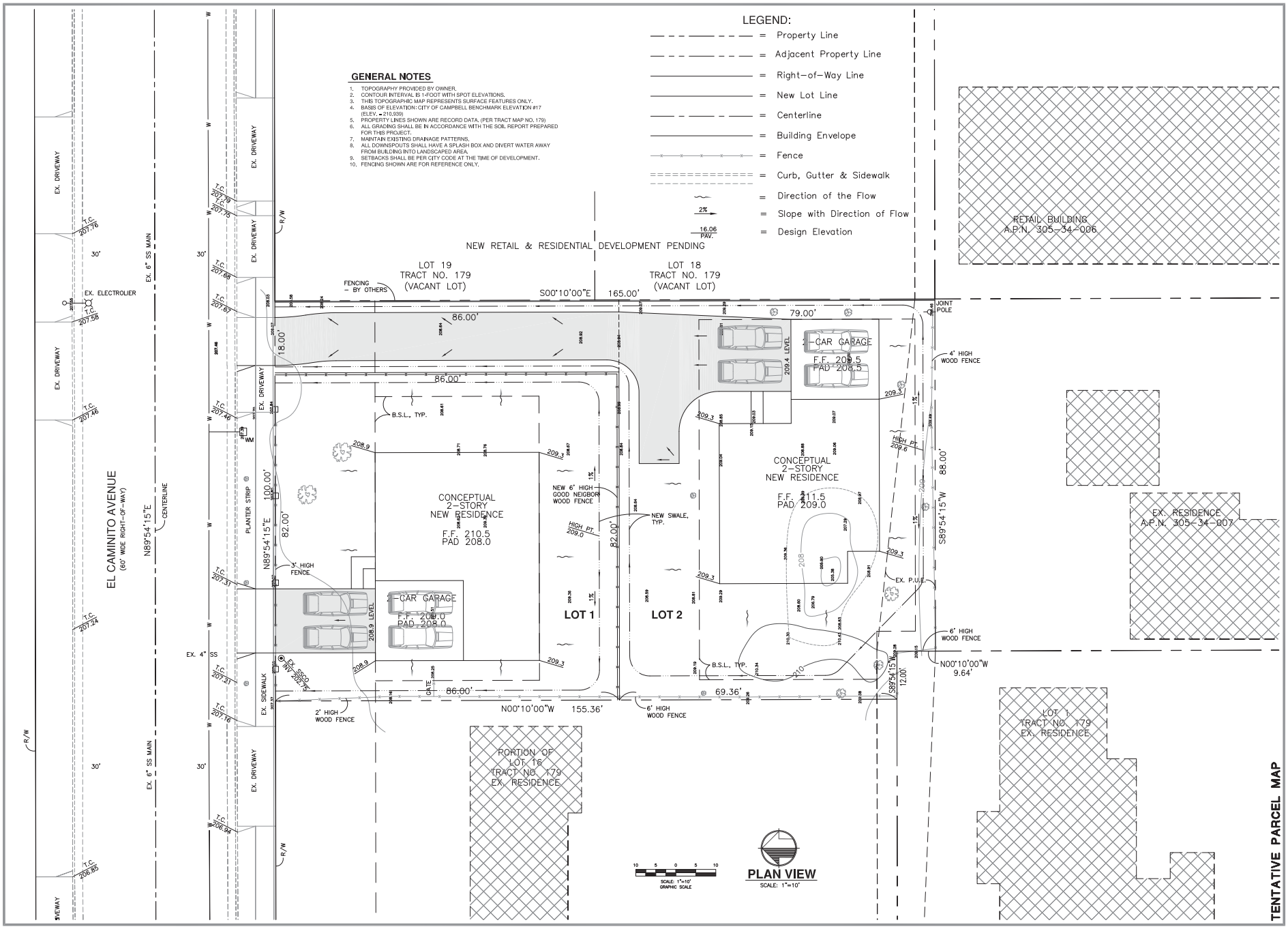
PEOPLES ASSOCIATES
STRUCTURAL ENGINEERS
1996 Tarob Court • Milpitas, CA 95035
408-957-9220 Fax 408-957-9221
R.E. no. 28,588

APPROVED BY:

REGISTRATION EXPIRES: MARCH, 31, 2012

SHEET NUMBER 3 OF 6 SHEETS

DRAWING NO. 16007-3



TENTATIVE PARCEL MAP

REV.	DATE	REVISION DESCRIPTION	BY
1	03.14	REVISED PER CITY COMMENTS	V.S.
0	03.14	RELEASED TO CLIENT & CITY	V.S.

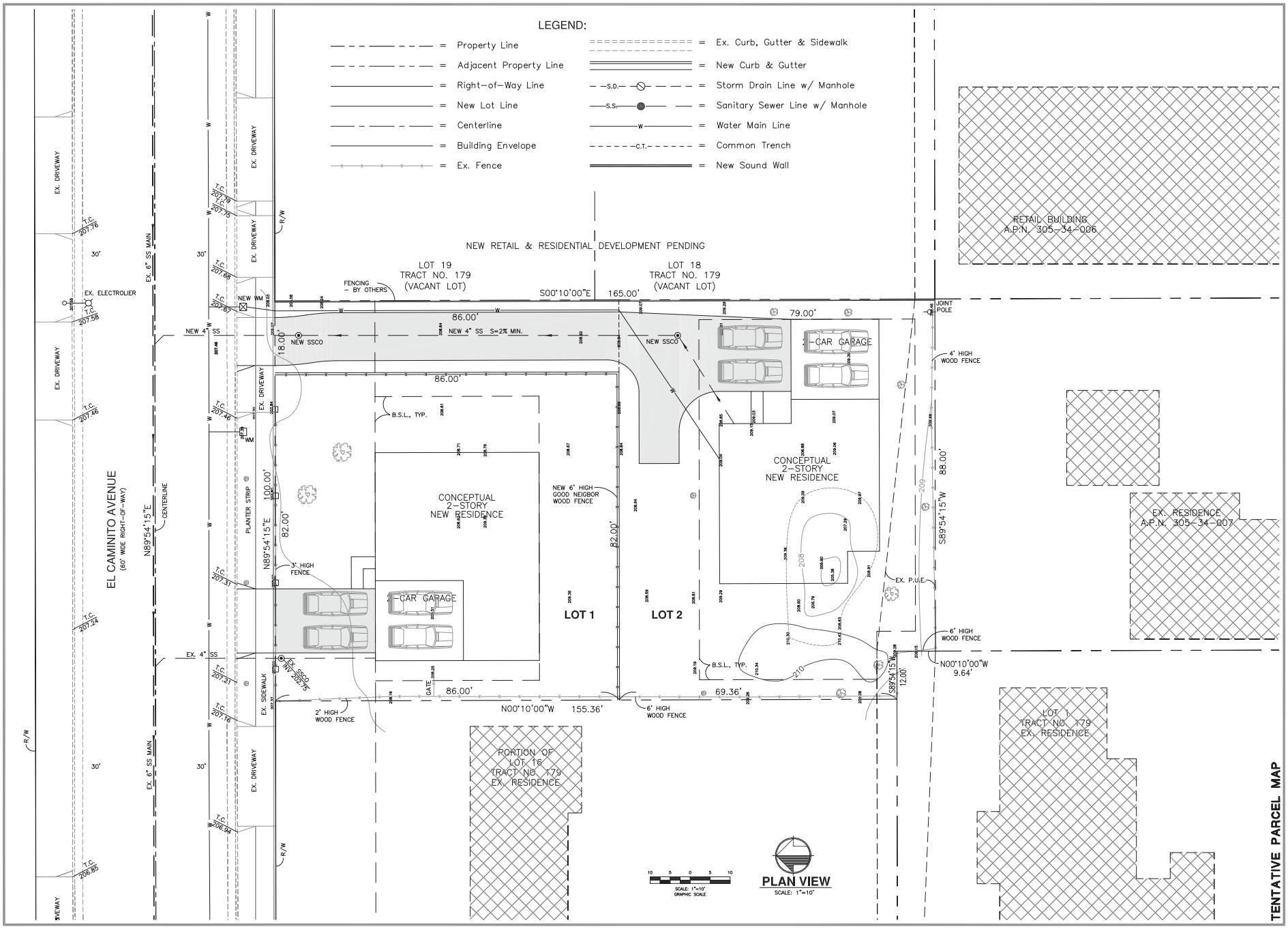
DESIGNED BY: V.S.
DRAWN BY: R.S.C.
CHECKED BY: V.S.
SCALE: AS SHOWN
APPROVED BY:

PEOPLES ASSOCIATES
STRUCTURAL ENGINEERS
1996 Tarob Court • Milpitas, CA 95035
408-957-9220 Fax 408-957-9221
R.E. no. 28,588 DATE 2-26-16

REGISTRATION EXPIRES MARCH 31, 2017

CONCEPTUAL GRADING & DRAINAGE PLAN
LANDS OF WU & JAHANBANI
44 EL CAMINITO AVENUE
CAMPBELL, CALIFORNIA

SHEET NUMBER 4 OF 6 SHEETS
DRAWING NO. 16007-4



TENTATIVE PARCEL MAP

REV.	DATE	REVISION DESCRIPTION	BY
1	03.16	REVISED PER CITY COMMENTS	V.S.
0	03.16	RELEASED TO CLIENT & CITY	V.S.

DESIGNED BY: V.S.
DRAWN BY: R.S.C.
CHECKED BY: V.S.
SCALE: AS SHOWN
DATE: 2-26-16
APPROVED BY:

PEOPLES ASSOCIATES
STRUCTURAL ENGINEERS
1996 Tarob Court • Milpitas, CA 95035
408-957-9220 Fax 408-957-9221
R.E. no. 28,588

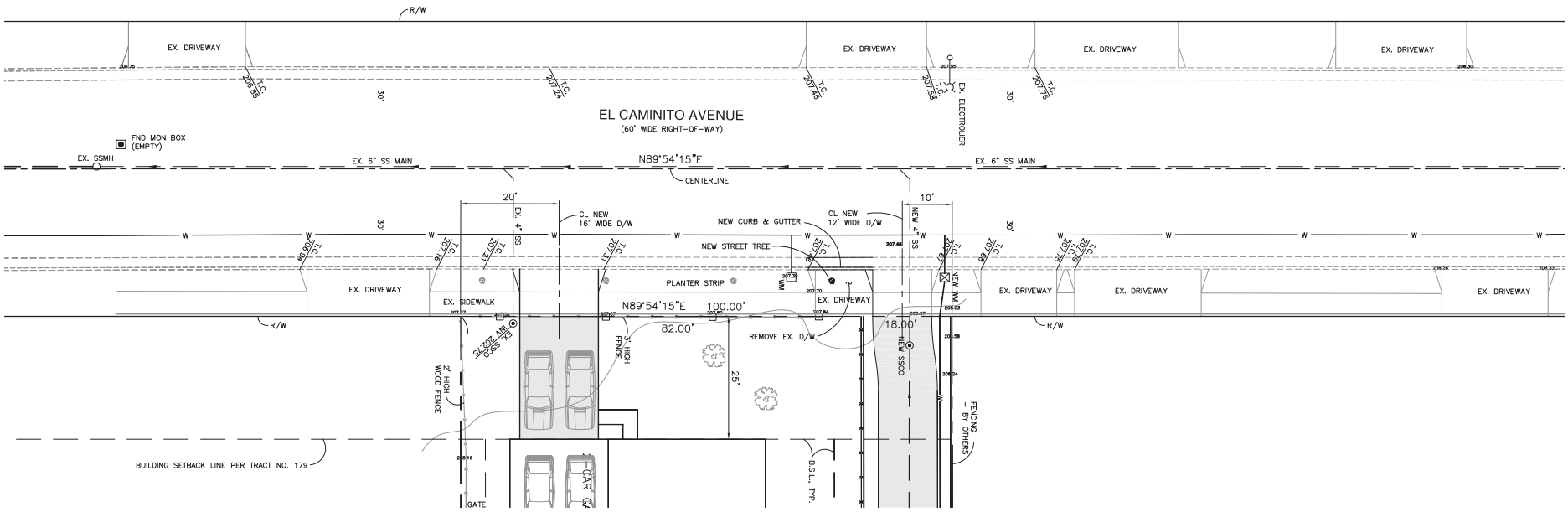
REGISTRATION EXPIRES MARCH 31, 2017

CONCEPTUAL UTILITIES PLAN
LANDS OF WU & JAHANBANI
44 EL CAMINITO AVENUE
CAMPBELL, CALIFORNIA

SHEET NUMBER
5
OF 6 SHEETS
DRAWING NO.
16007-5

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



SCALE: 1"=10'
GRAPHIC SCALE

PLAN VIEW
SCALE: 1"=10'

TENTATIVE PARCEL MAP

REV.	DATE	REVISION DESCRIPTION	BY
1	03.16	REVISED PER CITY COMMENTS	V.S.
0	03.16	RELEASED TO CLIENT & CITY	V.S.

DESIGNED BY: V.S.
DRAWN BY: R.S.C.
CHECKED BY: V.S.
SCALE: AS SHOWN
DATE: 2-09-16
R.E. no. 28,588
REGISTRATION EXPIRES: MARCH 31, 2017

PEOPLES ASSOCIATES
STRUCTURAL ENGINEERS
1996 Tarob Court • Milpitas, CA 95035
408-957-9220 Fax 408-957-9221

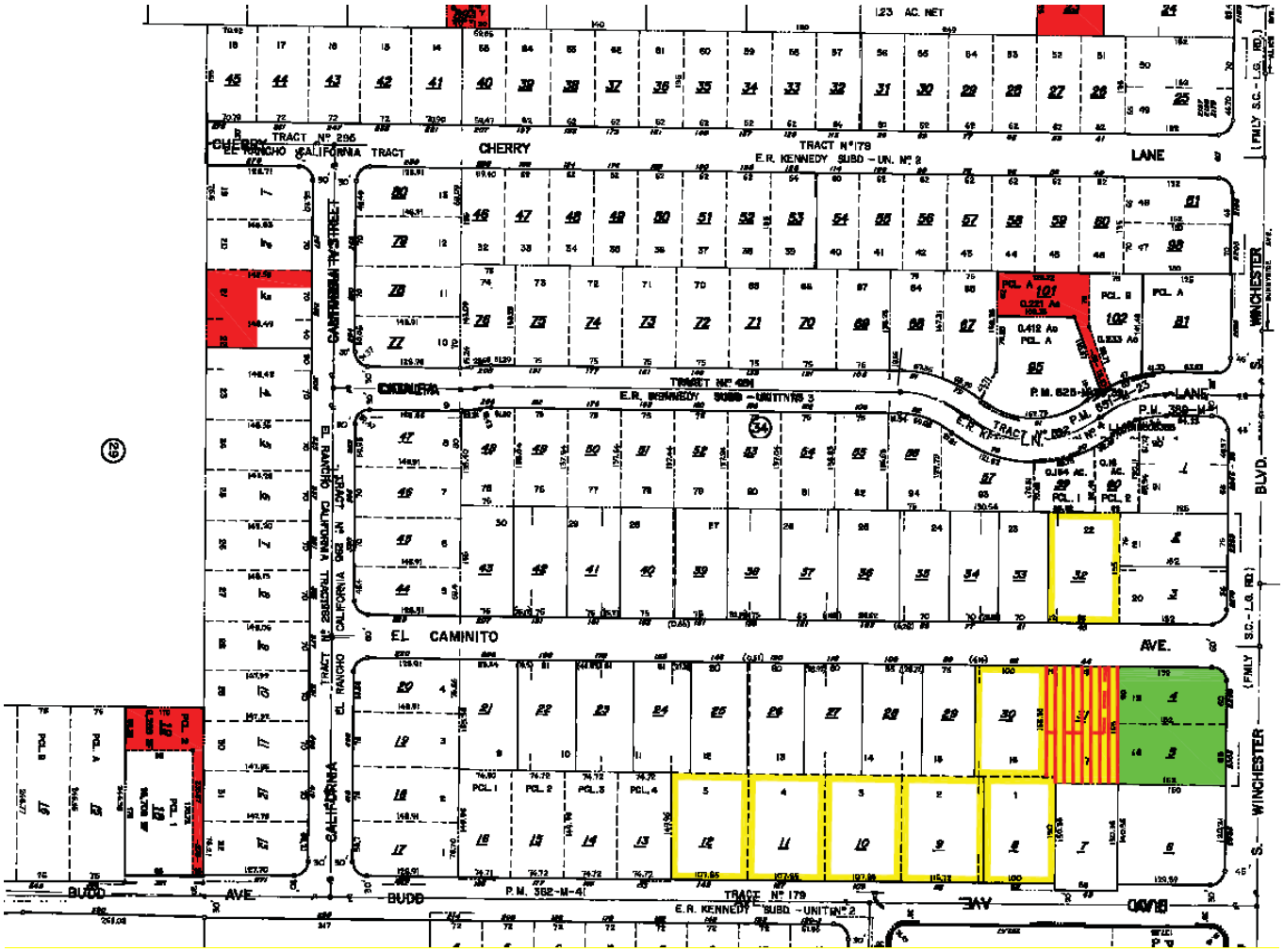
APPROVED BY:

MINOR STREET IMPROVEMENTS
LANDS OF WU & JAHANBANI
44 EL CAMINITO AVENUE
CAMPBELL, CALIFORNIA

SHEET NUMBER
6
OF 6 SHEETS
DRAWING NO.
16007-6

Attachment #6

Existing & Potential Lot Splits

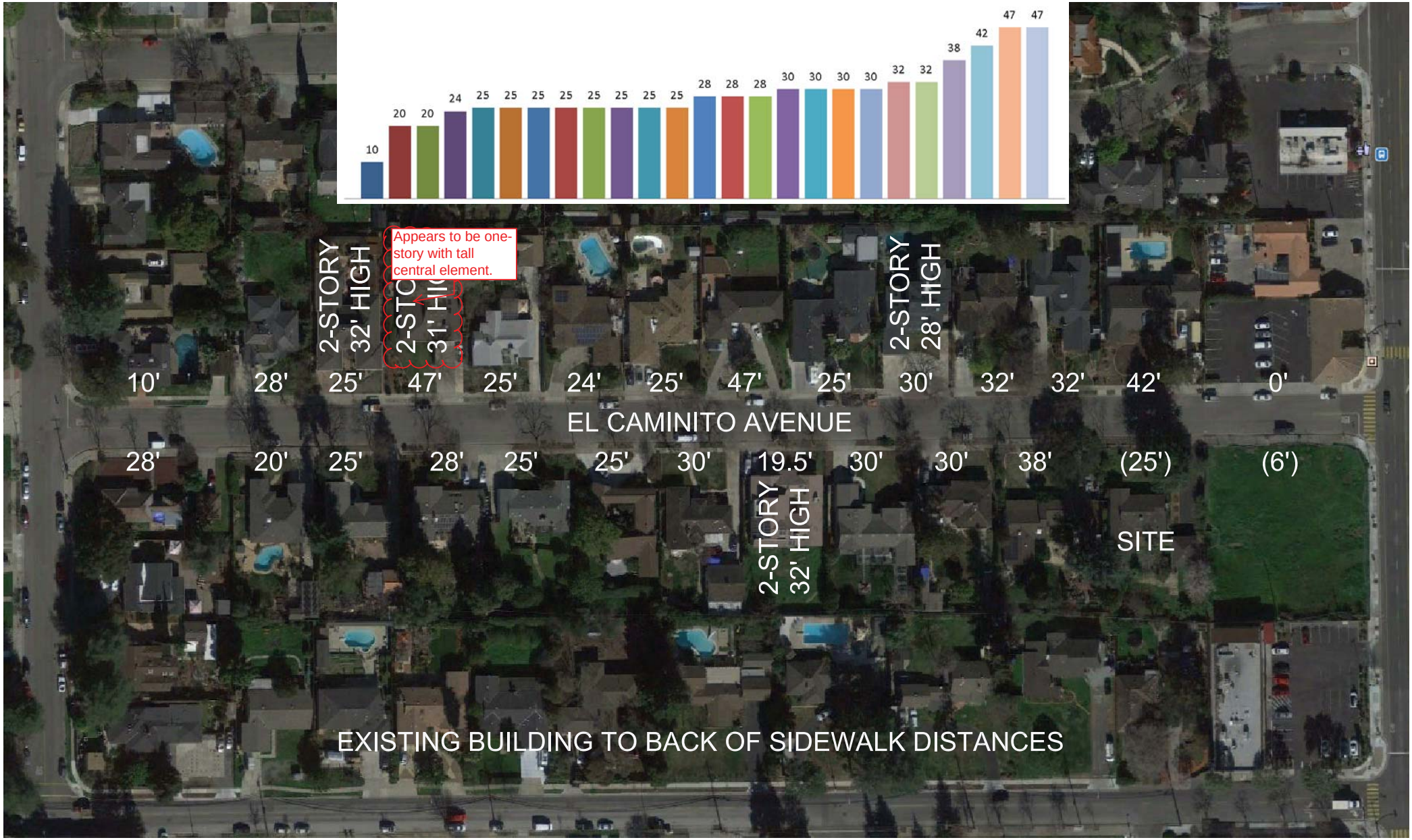


PROJECT SITE

EXISTING FLAG LOT

POTENTIAL LOT SPLIT / FLAG LOTS

APPROVED 16 UNIT CONDOS + RETAIL


Setbacks on El Caminito
10
20
20
24
25
25
25
25
25
25
25
25
28
28
28
30
30
30
30
32
32
38
42
47
47
Appears to be one-story with tall central element.
2-STORY
32' HIGH
2-STORY
28' HIGH
10'
28'
25'
47'
25'
24'
25'
47'
25'
30'
32'
32'
42'
0'
EL CAMINITO AVENUE
28'
20'
25'
28'
25'
25'
30'
19.5'
30'
30'
38'
(25')
(6')
2-STORY
32' HIGH
SITE
EXISTING BUILDING TO BACK OF SIDEWALK DISTANCES

Attachment #8

Two-Story Homes on El Caminito Avenue

89 El Caminito Avenue (est. 28-feet high)

110 El Caminito Avenue (est. 32-feet high)

181 El Caminito Avenue (est. 31-feet high)

Stephen Rose

From: Melinat <melinatdesigns@att.net>
Sent: Monday, May 23, 2016 5:20 PM
To: Stephen Rose
Subject: Flag-lot on El Caminito

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Stephen Rose,
I am writing because I am out of town and cannot attend the planning commission meeting tomorrow night. I am very alarmed with what the planning commission and the city council are doing to Campbell. Both departments seems to be striving to squeeze us as tight as can possibly be done to all of Campbell. PLEASE stop and think more clear headed about the consequences of your vision. You seem to want Campbell to be an "apartment dwelling" kind of town. Campbell residents don't want this squeezed-in mentality. Why aren't either departments listening to the people who own property here. The developers don't care about our town. They just want to make the big bucks and leave. Is it the $'s for the city that is the big motivation? How much is enough? Now you are coming into established neighborhoods and allowing flag-lots to be developed. This will ruin the neighborhoods on Cherry, Catalpa, California and El Caminito. Have you driven down the neighborhood on Sunnyside Ave where flag-lots were developed? It's awful! There is no sense of a intimate neighborhood! It is a scar of a neighborhood. Is this a done deal for 285 California street ?
No one wants this type of development at 44 El Caminito Ave. Please listen to those of us who live on these streets, don't strip our intimate neighborhood and turn it into an ugly scar of something that is serene and a quiet place to live. Thank you for reading this and I hope gives everyone pause about how Campbell is being developed. You will leave office one day, but decisions made now will have far reaching consequences.
Kind Regards,
Roxanne and Edward Melinat
163 El Caminito Avenue
Campbell, Ca
Sent from my iPhone

44 El Caminito two lot subdivision

To whom it may concern,

We are neighbor of 44 El Caminito Ave property in Campbell, and we support the flag lot split at 44 El Caminito.

Name: FRASER M. LONGFORD.

Property address: 85 Budd Ave. Campbell, CA 95008

Signature: Fraser M Longford

Date: 4/20/2016

44 El Caminito two lot subdivision

To whom it may concern,

We are neighbor of 44 El Caminito Ave property in Campbell, and we support the flag lot split at 44 El Caminito.

Name: JAMES M. LANGFORD

Property address: 109 Budd Ave. Campbell, CA 95008

Signature: James M. Langford

Date: 4/14/2016

44 El Caminito two lot subdivision

To whom it may concern,

We are neighbor of 44 El Caminito Ave property in Campbell, and we support the flag lot split at 44 El Caminito.

Name: Mary Langford

Property address: 65 Budd Avenue

Signature: Mary Langford

Date: 4/14/16

April 25, 2016

To: Commissioner Dodd, Commissioner Kendall, Commissioner Finch, Commissioner Young, Commissioner Reynolds, Commissioner Rich and Commissioner Bonhagen

RE: PLN2016-46 44 El Caminito Ave

I am unable to attend the Planning Commission meeting on April 26th due to business travel but wanted to relay my concerns and opinions regarding Shahin Jhanbani's request to split the lot at 44 El Caminito.

This request is in direct conflict with the following excerpt from the Land Use Element of the General Plan! A flag lot with 2 Two Story Homes conflicts with the existing character of El Caminito Ave.

"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."

There are no flag lots on El Caminto; I recommend we keep it that way regardless of eligibility! This area contains the last of the big lots in the City of Campbell. I would ask that this be considered in an effort to preserve the option of large lots for future and existing residents of the City rather than limiting to small or zero lots with very little green space per residence. I realize only a few lots on the street currently qualify to be split but feel strongly that allowing this one will merely lead to future requests to make an exception to or amend the current guidelines.

Currently the majority of homes on El Caminito Ave, California, Catalpa and Cherry represent a late 1930's to early 1950's custom ranch home community. I would like to see this preserved and am willing to get involved to make that happen. Let's look for ways to preserve some of the heritage that makes Campbell such a great community.

I ask that you exercise your vote to represent the community/neighborhood and the existing character of El Caminito and against a developer who has no personal investment in this community other than to make a profit by flipping this property.

Thank you!

Lee Ann and Tom Kuntz

206 El Caminito Ave

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 Pfirrman
266 California St
Campbell

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 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.

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.

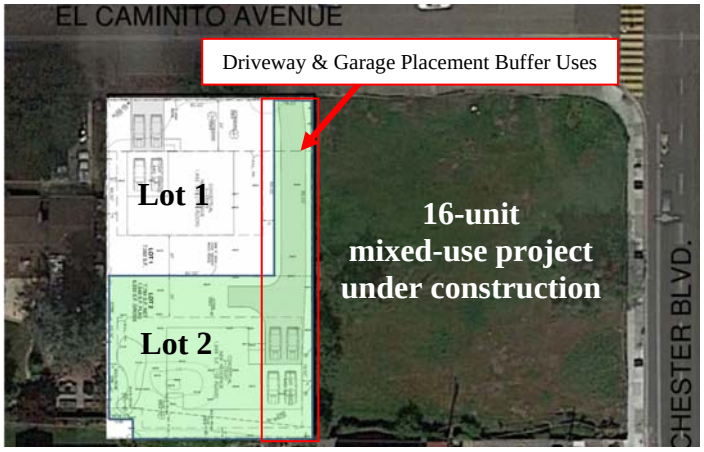


Figure 1 – Subdivision Design

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

COMMUNICATIONS

Letter of support for Agenda Item 1.

AGENDA MODIFICATIONS OR POSTPONEMENTS

None

ORAL REQUESTS

None

CONSENT

There were no consent items.

***

PUBLIC HEARINGS

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

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*

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

Acting Chair Kendall asked if there were questions of staff.

Commissioner Rich clarified that of the 123 lots in the neighborhood there are eight lots of sufficient size to split.

Planner Stephen Rose said that lots must be about 14,000 square feet in size to split since the rear lots are required to be 10 percent larger plus the access “flagpole” that belongs to the rear lot.

Commissioner Finch asked the size of the five lots on Budd.

Planner Stephen Rose said that they are about 16,000 square feet.

Acting Chair Kendall opened the Public Hearing for Agenda Item No. 1.

Velimir Sulic, Applicant:
- Thanked Planner Stephen Rose for an excellent presentation of this proposal.
- Reported that this is a 16,000 square foot lot that is located adjacent to a site to be developed with 16 condominium units with retail.
- Added that this request is for a two lot subdivision that conforms to all standards.
- Assured that there would be no multi-family or commercial uses on these two residential parcels, just one single-family residence per lot.
- Advised that no major tree would be cut or removed especially the two large cedars in front.
- Explained that two owners own the property. One lives in the existing house and will build their dream house.

Helen Wu:
- Said that her family is living on the property.
- Added that her husband was raised in Campbell and is a Del Mar High School graduate. Her mother-in-law has been a Campbell resident for more than 30 years.
- Stated that she loves this location and is looking forward to constructing her dream home there.

Velimir Sulic said that they were in support of the conditions of approval and ask for approval of this request to split this parcel.

Danny Thomas, Resident on El Caminito:
- Said that his home is located across the street from the proposed site.
- Stated that he does not support this project.
- Reported that he bought his property 10 years' ago and did so because of the character of this neighborhood.
- Said that he just remodeled his home and elected not to subdivide his property and also took pains to build his house in a way that matches the character of the neighborhood.
- Pointed out that this neighborhood is already impacted by the Winchester Boulevard Master Plan.
- Said that allowing one more house on a property intended for one home equates to impact on the neighborhood.

LeeAnn Farley, Resident on El Caminito:
- Said that her home is located directly next to this subject site.
- Said that there is a lack of support for this proposal to split this parcel.
- Explained that she bought her home about seven years' ago. She also owns a property on Sunnyside Avenue, across Winchester Boulevard. They moved from there to here due to the amount of development underway on Sunnyside and the resulting increase in traffic and noise.
- Reiterated that the lack of neighborhood support equals a lack of compatibility to this neighborhood. This proposal has an impact on them (neighbors) and it is a negative impact.

Russell Pfermann, Resident on California Street:

- Said that there had previously not been a lot split in his neighborhood until a 16,000 square foot parcel on California was recently split.
- Said that in spite of the R-1-6 Zoning, most of the properties in this neighborhood are 9,000 square feet or more. An average lot is 12,000 square feet. The overall average in the Four C's Neighborhood is 8,000 square feet.
- Said that retaining larger lots allows options of choice in order to stay. Owners can enlarge existing homes on their larger parcel as necessary to serve their growing families.
- Asked that this lot split be denied. The Planning Commission has the discretion to deny this.

John Maderi, Resident on El Caminito:

- Said his property is located diagonally across the street.
- Stated his concurrence with the comments of his neighbors.
- Pointed out that even if just one or two lots on a street are split from single to flag lots a neighborhood is changed.
- Added that he would hate to see densities of Sunnyside and Rincon occur in this neighborhood.
- Said that there is already the pending commercial construction on the corner and the traffic impacts that could have on that corner. This proposed lot split will help add to congestion in this neighborhood.

Acting Chair Kendall closed the Public Hearing for Agenda Item No. 1.

Commissioner Finch recalled that when the mixed residential-commercial project on the corner was approved the Commission had a lengthy discussion about related traffic and directed that traffic from that site be routed away from the neighborhood and directed east instead.

Planner Stephen Rose said he was not there at the time.

Director Paul Kermoyan:

- Said that a Traffic Circulation Study was prepared and reviewed.
- Added that the Planning Commission felt that the distribution of trips was found to be acceptable.

Commissioner Finch:

- Admitted that she is conflicted on this request.
- Pointed out that the Zoning Code says it can be built.
- Added that she doesn't think that the five lots on Budd, if they should be subdivided in the future, would adversely impact El Caminito.
- Reported that she is familiar with the lot at California and Catalpa that was recently split.
- Stated that she sees that a split will change the character but the site is zoned for what is proposed.

- Added that the width of an original lot has a lot to do with the ability to subdivide and create a flag lot and as such there will not be a proliferation.

Commissioner Rich:
- Admitted that he too is conflicted.
- Added that while this property fits within the requirements the community has genuine concerns.
- Stated that while he has no concerns that there will be traffic impacts with this one additional home, he can see a concern developing with a gradual change in character for the neighborhood.

Commissioner Reynolds:
- Stated that he is not conflicted.
- Said that the General Plan spells out clearly the obligation to retain the character of a neighborhood. This is a single-family residential neighborhood that is designed for single-family parcels.
- Added that while there are a minimum number of properties that could be subdivided into two parcels, he can see even that limited number creating a strain on existing infrastructure.
- Said that the General Plan and the Municipal Code do not discourage or prohibit creation of flag lots. However, he feels that may be something that should be reviewed further by the City Council.
- Reiterated his concerns about the potential for impacts on existing infrastructure by adding density to a single-family neighborhood.
- Pointed out that Campbell is growing and growing. This neighborhood is still trying to digest the impacts of the Winchester Boulevard Master Plan.
- Said that high density should be located near Light Rail and that the integrity of the single-family neighborhoods must be maintained. Subdividing a parcel changes the character and impacts existing neighbors. They bought into a single-family community with larger lots and we owe it to them to maintain that integrity of their neighborhood.
- Advised that he would not be supporting this application.

Commissioner Finch:
- Said that she goes back and forth on this.
- Pointed out that two neighbors, one from across the street and the other from next door, have indicated that they would not be subdividing their properties.
- Said that she is concerned with implementing the guidelines of the City.
- Added that she feels for these people but Codes say this lot split is possible.
- Said that there are also rights of those who have bought this property. They also have property rights. They bought for the reason of subdividing.
- Admitted that she is leaning to supporting this request that would result in just one additional home with lots that are still larger than typical 6,000 square foot lots.
- Stated that the proposed new home would be brought before SARC. SARC can see that the design of the new home fits within this neighborhood.

Director Paul Kermoyan:

- Said that typically a subdivision comes before the Planning Commission together with a Planned Development Permit for what is proposed on the new lots.
- Advised that in this case, this is not a subdivision but rather a lot split.
- Said that the Subdivision Code provides direction to the City to approve.
- Explained that someone can take down an existing house and build a new house without design review being required. That means there would be no SARC review in this case.
- Added that there are no findings that direct the City when to approve or deny such a request. The request has to adhere to Code standards.
- Stated that there is no provision in our Code to deny a flag lot outright.

City Attorney William Seligmann said that what Director Kermoyan says is correct. He added that it is also true that an approval has to be consistent with the City's General Plan.

Acting Chair Kendall:
- Said that it is hard to determine if this proposal is changing the character of this neighborhood as there is no planned residence(s) yet.
- Added that the driveway is where it is.
- Stated that there is an existing ranch-style home on this property already.
- Said that she knows that this lot split should not result in an excessive strain on existing infrastructure.

Commissioner Rich:
- Said that "character" is in the eye of the beholder.
- Stated that residents have spoken their concerns of possible impairment on their neighborhood. That is what they feel.
- Said that he doesn't have concern about traffic infrastructure as a result on one addition residential lot.
- Added that he is listening to the community members as they express their concerns about development within their community.
- Admitted that he is on the fence here.
- Agreed that this property owner also has rights while the neighbors want to retain the character of their existing neighborhood.

Commissioner Reynolds:
- Said he too supports personal property rights 100 percent. Those rights also apply to existing neighbors and their expectations.
- Said that the question is, "Is this flag lot reasonable?"
- Added that question sends him back to the General Plan. He said that the City's Codes are guidelines based on the General Plan. They don't specify that the Commission "has" to approve this request.
- Stated his support for the existing character and development pattern of this neighborhood. It is black and white and not a gray area. That helps him in considering any personal property rights issue.
- Reiterated that these are single-family developed lots.

Commissioner Rich said that a 7,000 or larger lot is a decent single-family lot. That is his struggle.

Commissioner Reynolds:

- Said that he's now been on this Planning Commission for seven years.
- Added that he tended to go along with the staff recommendation early on but has learned over time that flag lots really take a lot more review as they change the character of our community when splitting one lot into two.
- Said that comparing this area to the San Tomas Area, the San Tomas Area is more of a rural environment while this is a single-family neighborhood with larger lots. To approve this request is to change that incrementally. Cumulatively, it will change the area down the road.
- Reminded that the General Plan calls to maintain and support the character of existing neighborhoods.

Commissioner Finch:

- Stated her disagreement with Commissioner Reynolds. One new home will not impact existing infrastructure.
- Said that these are fairly large residential lots as proposed and will result in single-family homes within a single-family neighborhood. There is no high-rise proposed here.
- Said that she has driven down that street many times and notes that there are several two-story homes in that area.
- Stated that this will not change the character but rather is consistent with single-family homes proposed for a single-family neighborhood.
- Reiterated that there is already precedence for two-story homes here.
- Reminded that these are still good-sized lots that match this neighborhood and they will not impact infrastructure.
- Concluded that she would be supportive of this request.

Motion: **Upon motion of Commissioner Finch, seconded by Chair Kendall, the Planning Commission moved to approve 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, subject to the conditions of approval, by the following roll call vote:**

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

Director Paul Kermoyan:

- Advised that this tie vote is a vote of no decision. As this is not a full Commission the applicant can request a continuance to allow the full Commission to vote on this matter after those who are absent have watched this meeting and reviewed all materials.

CITY OF CAMPBELL · PLANNING COMMISSION
Staff Report May 24, 2016

PLN2016-46 (TPM)
Sulic, V.

Continued 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 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.

BACKGROUND

At its meeting of April 26, 2016, the Planning Commission held a public hearing on the project, taking comment from the applicant, property owner, and neighboring residents. The Commission's discussion focused on questions of consistency with the strategies and policies contained in the General Plan, neighborhood compatibility and potential for neighborhood impacts as reflected in the meeting minutes (reference **Attachment 9**) and discussed in greater detail below. After due consideration, the Commission motion resulted in a split vote, 2 in favor, and 2 in opposition to the applicant's proposal with three commissioners absent. In consideration of the split vote, the applicant requested that the item be continued to a future meeting date when more members of the Planning Commission would be in attendance.

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 4** – 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 5** – 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

Continuance Report: As a continued public hearing item, this report serves to expand on the key discussion points raised at the April 26, 2016 Planning Commission meeting. Please refer to the previous Planning Commission Staff Report (reference **Attachment 8**) for a summary of the project data, and previously provided analysis of the General Plan, Zoning, procedural requirements, development standards, parcel map design, building layout and architecture, parking, neighborhood compatibility and flag/rear lot proliferation, traffic generation, overcrowding and crime, and street improvements.

Consistency with the General Plan: The General Plan is implemented through a combination of special project areas (e.g. San Tomas Area Neighborhood Plan), overlay districts (e.g. Alice Avenue Historic Preservation District), and administrative and development requirements (e.g. procedures and setbacks) outlined in the Campbell Municipal Code (CMC). Together, these documents serve to provide transparency for property owners and the tools necessary for staff and decision makers to implement various goals, policies and strategies of the General Plan. When a standard is inconsistent with the General Plan, the General Plan will generally indicate what needs to change and through what process that change should occur (e.g. amend the code, conduct a study of an area, or adopt an area plan). In consideration of Title 20 (Subdivision and Land Development) of the CMC, no such guidance to amend the code has been provided by the General Plan, nor is there a basis provided in the CMC to deny a permit (i.e. findings) when a Tentative Parcel Map conforms with the applicable development standards (e.g. minimum lot size, lot width, frontage requirements).

Often there is a tendency to cite broad policy objectives contained in the General Plan to oppose a project, even when the project can be found consistent with more specific or targeted implementation measures (i.e. development standards, or area plans). This practice can create uncertainty in the decision making process, challenge private property rights, and run counter to the area plans and development standards which have been established with the intent of implementing and reinforcing objectives of the General Plan. As such, a decision to deny an applicant's proposal should extend beyond being responsive to neighborhood opposition from individuals who may not be representative of an entire neighborhood or community[1]. Taken to the extreme, a denial based solely on public sentiment is tantamount to finding that the creation of a flag lot would only be appropriate when a complaint is not received. As such, should the voting majority of the Planning Commission conclude that a denial is warranted for the subject application an alternative set of findings has been attached which provides an open ended framework for such a determination to be rendered (reference **Attachment 3-** Findings for Denial). While conflicts with the General Plan and/or Municipal Code may be cited as a basis for denial, it is recommended to articulate the reason why a flag/rear lot is inconsistent in the specific instance, as to not set the tone for an unintentionally broad precedent (especially when a proposal may be approved under otherwise similar circumstances).

Neighborhood Compatibility: At the public hearing, comments from members of the public and the Planning Commission referred to the proposal as not being 'single-family residential'. To clarify, this proposal would create two separate conforming single-family lots (not a duplex, or small lot development), in a single-family residential neighborhood, consistent with the development standards of the zoning district (R-1-6), and density range outlined in the General Plan for the neighborhood. If the creation of a flag lot or other aspects of the proposal are not considered to be single-family in

[1] Letters from residents of the surrounding neighborhood in support to the application have been included as part of the Public Comments (reference **Attachment 7**).

'character' or appropriate for this particular neighborhood, the basis of this determination would need to be clearly presented in the findings. However, as there are several other flag lots in the neighborhood (reference **Attachment 6** – Existing and Potential Lot Splits), and provided that the creation of a flag lot is a permitted and not discouraged type of development in this neighborhood by code, and the City has not received complaints with these types of configured parcels, additional clarification should be offered to explain how these factors have been taken into account in the determination.

Neighborhood Impacts: Within the April 26, 2016 Planning Commission Staff Report (reference **Attachment 8**) an evaluation of public comments and assessment of potential impact(s) (traffic, parking, crime, overcrowding) from the creation of an additional single-family residential property had been provided. At the Planning Commission meeting, the discussion focused on 'aesthetics' but stopped short of articulating which parts of the proposal (or anticipated development of the properties) would or could be visually inconsistent with the neighborhood. In that the existing property already could develop a second-driveway, and a secondary dwelling unit at the rear of the property without a discretionary review permit process, it has proven challenging for staff to identify the visual impact that is intended to be mitigated through a denial of the applicant's proposal. The following table serves to summarize the key differences between what could be built under existing conditions, and what could be built if the flag lot were approved:

	Existing Development Potential (Single Lot)	**Proposed Condition** (Front Lot & Rear/Flag Lot)
Second-Driveway	Yes	Yes
Second House	No	Yes
Secondary Dwelling Unit	Yes	No
Floor Area / Lot Coverage	7,373 sq. ft. / 6,553 sq. ft. (One large unit, or divided with second unit)	No Change (Proportionately Divided Between Lots)
Allowable Height	35-feet & 14-feet[2]	35-feet
Design Review Req.	No	No

As illustrated by the preceding table, the most significant differences would be that the development of a second/rear house would be allowed to be built up to 35-feet in height where a detached secondary dwelling unit and that the developer would need to proportionately divide the floor area of the structures between the proposed lots. Other changes resultant from the proposal, such as ownership, and the location of property lines would not in and of themselves result in a design concern. Should the Planning Commission consider these, or other impacts identified during discussion significant, restrictions on the parcel map necessary could be proposed as conditions of approval on one or both of the lots (e.g. height restrictions, floor area or lot coverage limitations).

Public Comments: Since the last meeting, no further public comments have been received. Correspondence provided as desk items at the April 26, 2016 Planning Commission meeting have been combined into the public comments (reference **Attachment 7**).

Alternatives: Staff has provided two alternatives for this proposal:

1. **Deny the Request**, completing sections left blank in Attachment #3 and providing robust findings explaining how and why the determination is able to be made.

[2] Secondary dwelling units are restricted in height to 14-feet and one-story when detached; when attached they shall meet the height restrictions for the zone in which it is located (i.e. 35-feet).

2. **Approve the Request**, imposing restrictions on the parcel map to control future development (e.g. height limitations, floor area, setbacks, number of stories).

Should an alternative be favored over staff's recommendation, it would be requested that the Planning Commission review the General Plan[3] (with an emphasis on the Land Use Element – Pg. 28 // LUT-1 through LUT-65) and be prepared to reference specific goals, policies and implementation measures to support the alternative. When imposing restrictions on the parcel map as conditions of approval, the Planning Commission should first identify General Plan inconsistencies or focuses as to how it applies to the proposed development and how the application of the conditions will mitigate impacts (i.e. limit future development to not exceed two-stories, as other homes in the neighborhood do not exceed two-stories).

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. Findings for Denial of File No. PLN2016-46 (Tentative Parcel Map) with blank framework
4. Location Map
5. Tentative Parcel Map
6. Existing & Potential Lot Splits
7. Public Comments
8. April 26, 2016 – Planning Commission Staff Report
9. April 26, 2016 – Planning Commission Meeting Minutes

[3] The General Plan can be found online as follows: http://www.cityofcampbell.com/DocumentCenter/View/2664.

Chair Dodd asked if there were questions of staff. There were none

Commissioner Rich gave the Site and Architectural Review Committee report as follows:

- SARC reviewed this proposal and was supportive as presented.

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

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

Motion: **Upon motion of Commissioner Finch, seconded by Commissioner Reynolds, the Planning Commission adopted Resolution No. 4295 approving a Site and Architectural Review Permit (PLN2016-88) to allow a 77 square foot addition to an existing single-family residence on property located at 879 Sweetbriar Drive, subject to the conditions of approval, by the following roll call vote:**

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

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

***

Chair Dodd read Agenda Item No. 2 into the record as follows:

2. **PLN2016-46** Continued 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*

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

Chair Dodd asked if there were questions of staff.

Commissioner Kendall sought clarification on her understanding that if this lot is not split, the owner can still build a large house at the back, which they could use themselves and/or rent out. She asked if it could be rented as an AirBnB.

Planner Stephen Rose cautioned that AirBnb's are a whole different issue. He clarified that one of the two homes on the property could be rented but not both units. The property owner would be required to reside in one of the units.

Commissioner Finch asked for clarity on the fact that a second home constructed on this property could be a fairly large home of several thousand square feet.

Planner Stephen Rose advised that since this parcel is 250 percent the size of the standard minimum lot size for the zoning district it is possible for two full sized homes to be located on this property but that neither home could be sold to a separate property owner.

Director Paul Kermoyan added that another aspect that could limit the size of a proposed second home at the back would be the physical dimensions of the lot itself as it relates to meeting setbacks.

Planner Stephen Rose added that the maximum height would be 14-feet for a home constructed at the back if this parcel is not subdivided.

Commissioner Finch referenced a similar request on Latimer Avenue and questioned how large that lot was.

Planner Stephen Rose said he was not personally involved with that project and is not familiar with that lot's size.

Director Paul Kermoyan said he recalls the Latimer location to be smaller than this lot and within a different zoning designation.

Chair Dodd opened the Public Hearing for Agenda Item No. 2.

Barton Hechtman, Esq., Attorney for Applicants, 848 The Alameda, San Jose:

- Distributed a document to the members of the Commission.
- Advised that he is here this evening with the applicant and property owners.
- Encouraged the Planning Commission to adopt staff's recommendation to approve this lot split.
- Added that this request is consistent with the City's zoning standards and General Plan as well as the Parcel Map development standards. The site is subject to the R-1-6 standards.
- Pointed out that flag lots are expressly allowed by Cody Codes. There are five flag lots in this neighborhood currently and eight more properties are of a sufficient size to consider subdividing into flag lots. At this time, current owners have indicated that they have no plans in the foreseeable future to split their larger lots.
- Stated that while it may be possible for the City to change its regulations that currently allow flag lots that has not yet been done so they remain possible.
- Said that the original houses in this neighborhood were smaller (between 1,100 and 1,500 square feet). As these smaller homes are being remodeled, they are

being expanded to include second stories. On some parcels second living units are being added. As a result, this neighborhood is intensifying.
- Suggested that there is the same impact to the neighborhood resulting from homes adding bedrooms.
- Reminded that all property owners have rights including this owner.
- Stated that there is no justification to deny his clients and encouraged the Planning Commission to adopt staff's recommendation.

Chair Dodd asked if there were questions of this speaker. There were none.

Lee-Ann Farley, Resident on El Caminito Avenue:
- Said that her home is right next door to this site.
- Said that she has concerns and objections to this proposal to split 44 El Caminito into a flag lot.
- Pointed out that a chief purpose of the City's General Plan is to enhance its neighborhoods. This proposed lot split will not improve this neighborhood.
- Stated her fears that this could actually decrease the value of her property, which would then be next door to a flag lot parcel.
- Reported that her home is set back from the street by 50 feet. The existing home at 44 El Caminito is currently set back 40 feet. If the property is split and new home constructed on both parcels, the home on the front parcel could conceivably be set back much less than 40 feet.
- Advised that her primary concern is that this proposal would detract from their neighborhood. The flag lot configuration does not add to anyone's privacy.
- Recounted that she also has a second property on Sunnyside, which over time has become a much more densely developed area. Her El Caminito property is within the character of its neighborhood while allow 44 El Caminito to split into a flag lot is in conflict with the General Plan.

Commissioner Kendall asked Ms. Farley how she knows where a new residence on 44 El Caminito might be placed.

Lee-Ann Farley replied that there was a sample layout drawing prepared.

Commissioner Kendall cautioned that the existing house on 44 El Caminito could become a two-story structure without the requirement for a public hearing.

Director Paul Kermoyan:
- Explained that when the Commission looks at a subdivision it is not just a land division but also reflects the potential for development. This applicant had provided a theoretical example.
- Stated that it is possible that if a new home is constructed on the front lot it could be situated closer to the street than the existing home.
- Agreed that most homes on this street do have larger setbacks.

LeeAnn Kuntz, Resident on El Caminito:

- Stressed the need to maintain and support the existing development pattern of their neighborhood.
- Pointed out that most homes on the street have 30 or more foot front setbacks.
- Stated that people chose this neighborhood based on its larger lots.
- Gave the example of a neighbor that recently remodeled his home and did so in a manner that was compatible to the neighborhood.
- Reminded that the Municipal Code calls for the preservation of existing neighborhoods.
- Asked for the denial of this request.

Joanne Danforth, Resident on El Caminito:

- Read from the Campbell Municipal Code of the intent to "preserve and enhance…" existing residential neighborhoods.
- Suggested that Campbell has met its requirements for higher density housing.
- Asked that the Commission ensure compatibility of this site with its neighborhood.
- Pointed out that the applicant's conceptual plan included two 1,600 square foot two-story homes. It is possible that the new homes on these lots could range in size from 2,800 to 3,100 square feet and two-story as well.
- Said that this proposal is not in keeping with this neighborhood nor does it meet the intent of the Campbell Municipal Code.

Commissioner Rich asked Ms. Danforth whether she thought that the sections she had read aloud from the Code were subjective or objective standards.

Joanne Danforth replied that she was not certain.

John Meduri, Resident on El Caminito:

- Explained that he lives diagonally across the street from this property.
- Added that he sees four existing flag lots.
- Pointed out that a recent lot split on California Street was approved without a public notice or opportunity to speak about it. He said he was not sure how that happened.
- Stated that what is proposed for 44 El Caminito is not in keeping with this neighborhood.
- Predicted that he would be able to see any home constructed on this new flag lot from his property across the street.
- Said that since the average lot size in their neighborhood is about 12,000 square feet he wonders why the zoning is only R-1-6.

Director Paul Kermoyan reported that the lot on California Street simply processed a lot-line adjustment, a process which does not require a noticed hearing. That is consistent with State law.

Russell Pfirrman, Resident on California Street:

- Said that goals of preserving and enhancing the community are common themes within the General Plan.

- Added that splitting such lots as this one means that they are gone forever. It destroys them forever.
- Reported that there is the potential to have a two-story home constructed on each of these two lots if the lot is split.
- Said that this proposal changes this neighborhood and devalues its adjacent properties.
- Urged the Commission to deny this request.
- Opined that even if the "minimum" guideline standards may be met here that doesn't mean that this is the best option.

Al Lowder, Resident on California Street:
- Referencing a detailed map that was provided this evening, he asked the Commission whether this was what they would want to see happen if this proposal was within their own neighborhood.
- Stated that this is a nice neighborhood.

Bart Hechtman, Attorney for Applicant:
- Spoke in rebuttal to some comments made this evening.
- Reported that he often hears claims of loss in property values as a concern.
- Opined that in reality, investment in a new home increases values in a neighborhood.
- Said as to the question of compatibility, there are a variety of architectural styles and front setback distances in this neighborhood.
- Questioned the claim made by one neighbor that the average lot size in this neighborhood is 12,000 square feet. If that was the case than half of all lots on the street could likely be split.
- Rebutted the concerns about the need to preserve this neighborhood, this proposal is for low-density residential within a low-density residential neighborhood.
- Said that there is an evolution within a neighborhood and everyone's interests are guarded by the City's General Plan and its Zoning Code, which frames the intensification that is allowed.
- Reminded that this property is located adjacent to a higher density site. Creating this flag lot configuration at this location actually helps to "feather" in the pending mixed-use project with the low density residential along this street.

Chair Dodd closed the Public Hearing for Agenda Item No. 2.

Commissioner Bonhagen:
- Thanked all of the neighbors who spoke. It was helpful to have heard from them, especially those who live near this location.
- Reported that this is an "easy" and unemotional decision for him.
- Advised that he has been a real estate broker for about 10 years and he doesn't believe that this proposal for a lot split devalues real estate values of nearby properties in any way.
- Reminded that right now there is an older home at the front. It will likely be demolished when the property is split to create two parcels and two new homes

may be constructed, one per parcel. That will increase values in the surrounding neighborhood.
- Said he also hears concerns about setbacks.
- Said that this this is the first house in the neighborhood that is off Winchester, this site could serve as a buffer between the mixed-use development underway adjacent to this project site.
- Reminded that in this neighborhood only three parcels can be developed with flag lots. One owner has already indicated that he would not split his parcel.
- Stated that El Caminito is a beautiful neighborhood with beautiful homes.
- Said that on the other hand, Budd Avenue is a very different neighborhood than is El Caminito. Budd is a thoroughfare. There is the potential for five flag lots on Budd Avenue.
- Concluded that he would support this request.

Commissioner Rich:
- Reminded that he was here for the first hearing on April 26th.
- Admitted that he struggled with the differences between subjective and objective criteria. The opposition that has been articulated is subjective in nature while objective criteria are pretty clean cut.
- Agreed that this is a beautiful neighborhood.
- Pointed out that only a few lots on the street could split into flag lots.
- Said that based on those facts, he is going to reverse his vote from the last meet and now is in favor of approving this request.
- Said that he cannot refute this request if the lot sizes created meets the criteria.

Commissioner Kendall:
- Said that she felt the emotional bond of these neighbors.
- Stated that the General Plan clearly says that the owners should be able to split this property.
- Suggested perhaps relocating the driveway to the other side with the two driveways side to side.

Commissioner Young said that the Commission could impose limits as to the driveways.

Commissioner Kendall:
- Suggested that the Deodar Cedars be preserved and retained via conditions of approval.
- Said that while they are proposing two driveways perhaps one common driveway might be considered instead.
- Admitted that she is reluctant to put height limitations or restrict to just a single-story home.

Commissioner Finch:
- Stated her agreement with the comments by Commissioner Bonhagen.
- Advised that she has been a Certified Appraiser for more than 26 years.

- Said that she can agree that property values are enhanced and not decreased with improvements on nearby parcels.
- Added that the feathering effect of this lot split as a buffer between single-family and the mixed-use development beginning construction at the corner with Winchester may be a plus for the homes further down the residential street.
- Suggested that this owner is actually “taking one for the neighborhood.”
- Referenced a flag lot configuration on Union Avenue that includes a number of houses at the back of the flag and the inclusion of a whole lot of concrete area.
- Referenced an existing flag lot configuration on Union Avenue that includes a number of houses at the back of the flag and the inclusion of a whole lot of concrete area as a much less desirable example of a flag lot.
- Reiterating her belief that adjacent properties will not see a decrease in their property values if this flag lot is created.
- Stated that her concern is the driveway(s) and her desire not to see too much concrete in one area as seen from El Caminito.
- Suggested separating the two with the existing cedars in the middle.

Commissioner Young:
- Said that in evaluating this proposal he considered the questions asked by staff.
- Said that one question is whether there is a Special Pan for the Central Campbell Area. The answer is no.
- Stated that another question is whether what is proposed is incompatible. The answer is no.
- Suggested that the proposed flagpole driveway might actually result in safer egress for vehicles leaving this site that is so near this corner and the mixed-use development site currently under construction. Vehicles will be coming out head first rather than backing out onto El Caminito, which will provide better visibility. The same driveway exiting will occur from the adjacent mixed-use site.
- Said that there are “no worries’ about existing infrastructure being able to absorb this flag lot. The proposal is aligned with the General Plan land use designation. It is not an increase in density. It is a consistent development pattern to the existing neighborhood.
- Stated that the three-story mixed-use development under construction will be somewhat buffered down if there are two-story homes on the new flag lot and the lot at the front of this site.
- Concluded that the draft findings are supportable. The right thing to do is approve this based on the law and the Codes.
- Added that setbacks can help optimize yet minimize the impact of the second story.
- Suggested the maximum retention of open space per the conditions of approval.
- Concluded that this is the best of both worlds and it is important to be sure that integrity of this neighborhood is maintained.

Commissioner Reynolds:
- Said that the applicant’s attorney said that the laws are applicable and should be followed.
- Stated that is open to interpretation.

- Pointed out that the community has shown up tonight. They've interpreted the General Plan in the interest of preserving their neighborhood.
- Added that the General Plan is a living document that changes over time. Our community is evolving and density is increasing like never before. These residents are seeing their neighborhood change right before their eyes.
- Assured that he too wants to see their neighborhood preserved.
- Said that the neighbors see this as an encroachment into their neighborhood.
- Agreed that the General Plan is intended to enhance and preserve our community.
- Admitted that he probably would not have approved the other flag lots already in this neighborhood. It's up to the Planning Commission to "stop the bleeding".
- Advised that he supports personal property rights and that those who spoke up this evening have those same rights.
- Declared that he would be opposing this request once again and stick to his original decision to deny this lot split.

Chair Dodd:
- Reported that she was not at the April 26th original hearing on this request but has since watched that meeting's video and read everything related to the project.
- Said that she evaluates how a project is going to become a part of a neighborhood.
- Said that this may not decrease property values but impacts existing neighborhood in a long-term effect.
- Stated that she didn't want to be a part of a decision that she later regrets.
- Said that parcels on El Caminito don't have a lot of concrete currently. There is a lot of open space, green space and trees.

Commissioner Kendall:
- Agreed with Chair Dodd.
- Said that is the reason that she suggested a shared driveway to reduce concrete.
- Pointed out that some homes on this street have improved materials driveways such as pavers.

Director Paul Kermoyan:
- Advised that the lot split is the document that imposes conditions.
- Added that conditions such as maintaining the appearance of staggered driveways. Perhaps impose a condition requiring one shared driveway.
- Said if an issue is privacy at the rear lot, a condition can be imposed that the structure be no higher than a specified number of feet in height.
- Stated that the Commission can identify its issues and justify each one with appropriate conditions of approval.

Commissioner Kendall also suggested imposing a specified minimum front setback. Perhaps if a two-story is proposed it can be an architectural style of home with a single roofline such as a Cape Cod.

Commissioner Young:
- Said that it would be helpful to find a number for the minimum setback that makes sense.

- Pointed out that setbacks will help accomplish the open space requirements.
- Asked that staff help the Commission by developing some of these ideas into draft conditions.

Commissioner Bonhagen:
- Stated that the Commission needs to be careful not to place too many restrictions at the Commission meeting level.
- Said that as a realtor shared driveways are a big concern and issue.
- Agreed that use of pervious pavers in lieu of concrete for the driveway(s) is a great idea.
- Said that in his opinion this one flag lot does not change anything in this neighborhood. If every property had the potential for a flag lot that would be different. That's not the case here. Only three lots can possibly have a flag lot and two owners are currently against it for their properties.
- Agreed that this is a great neighborhood. While he would not want flag lots throughout this neighborhood, this one at the end of El Caminito next to a mixed-used development he can support.

Director Paul Kermoyan said that staff could canvass the street and determine the patterns of the existing front setbacks.

Commissioner Rich:
- Said that he was leaving the issue of setback recommendations to staff.
- Added that the spacing of driveways should be considered further.
- Listed a few outstanding issues including whether the second (flag) lot should be allowed a two-story structure or require to be developed with just a single-story home.

Commissioner Finch:
- Pointed out that a fence will separate the front and back lots here.
- Added that there will be plenty of landscaping.
- Said that the driveway as depicted is less than18 feet wide.
- Agreed that the existing cedar trees are spectacular and it is important to make sure that they are preserved.
- Suggested that if a two-story home is allowed on the front lot one should also be allowed on the flag lot. If the front lot is limited to a single-story home than so should the flag lot be so limited.
- Pointed out that you cannot always see the back (flag lot) house from the street.
- Opined that this split with new homes on each lot will increase nearby property values.
- Said that he dislikes the density discussion in this case.
- Stated that the lots on Cherry are well under an average of 9,000 square feet.

Commissioner Kendall proposed a motion that includes continuance to a date uncertain, ask staff to research and make recommendations on the opportunities to optimize front setbacks and to minimize second story impacts as well as the maintenance of the two large cedar trees.

City Attorney William Seligmann said that if the continuance is to a date uncertain this item would need to be re-noticed. However, if continued to a specific meeting date, no re-noticing would be necessary.

Director Paul Kermoyan pointed out that the next agenda on June 14th already has seven items on it.

Commissioner Kendall asked about the June 28th meeting instead.

Director Paul Kermoyan said that June 28th should work.

Motion: **Upon motion of Commissioner Kendall, seconded by Commissioner Finch, the Planning Commission CONTINUED TO ITS MEETING ON JUNE 28, 2016, the consideration of a Tentative Parcel Map (PLN2016-46) to allow a two-lot single-family residential subdivision on property located at 44 El Caminito Avenue, to allow staff to do additional research and draft conditions to help deal with concerns raised by the neighbors and Commission, by the following roll call vote:**

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

***

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

3. **PLN2016-115** Public Hearing to consider the City-Initiated Revocation (PLN2016-115) of a previously modified Site Approval (S 69-07) on property located at **665 E. McGlincy Lane** due to a lack of compliance with conditions of approval. Staff is recommending that the project be deemed exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. *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 Rich asked if the inspections of this site were scheduled or non-scheduled.

Planner Stephen Rose replied that they were unscheduled and involved driving past the site.

ITEM NO. 4

CITY OF CAMPBELL · PLANNING COMMISSION

Staff Report · June 28, 2016

PLN2016-143
Masoumi, M.

Public Hearing to consider the application of Mike Masoumi for a Site and Architectural Review Permit (PLN2016-143) to allow for a 106 square foot second-story addition (converting balcony space to living space) to the rear of two units of an existing fiveplex on property located at 910 Michael Drive within the R-3 (Multi-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 (PLN2016-143) to allow for a 106 square foot second-story addition (converting balcony space to living space) to the rear of two units of an existing fiveplex on property located at 910 Michael Drive, subject to the attached Conditions of Approval.

ENVIRONMENTAL DETERMINATION

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

PROJECT DATA

Zoning Designation:	R-3 (Multi-Family Residential)	
General Plan Designation:	High-Density Residential (21-27 units/gr. acre)	
Net Lot Area:	10,807 square feet	
Building Height:	24-feet	40 feet / 3 stories
Building Square Footage:		
Total Existing Area:	4,096 square-feet	1,920 rear unit + 2,176 front unit
Proposed Addition:	+106 square-feet	Added to second story of rear unit
	4,202 square-feet	5493 square-feet maximum
Floor Area Ratio (FAR):	39%	55% maximum
Building (Lot) Coverage:	33% (3,575 sq. ft.)	40% maximum
Setbacks	Existing/Proposed	Required
Front (east):	36 feet / No Change	20 feet
Side (west):	13 feet / No Change	5 feet or half the wall height
Side (east):	5 feet / No Change	5 feet or half the wall height
Rear (west):	13 feet / 10 feet	5 feet or half the wall height[1]

[1] Rear wall height is 19 feet; half the wall height reflects a 9½ feet requirement where 10 feet is proposed.

Parking:	8 Parking Spaces	8 Parking Spaces

Project Location: The project site is located on the south side of Michael Drive, south of E. Campbell Avenue, north of Apricot Avenue, east of Union Avenue, and west of S. Bascom Avenue in the R-3 (Multi-Family Residential) Zoning District (reference **Attachment 3** – Location Map). The property is developed with a two-story fiveplex which has two units stacked at the front, and three units (one below, two above) at the rear of the property.

DISCUSSION

Background: On August 16, 1971 the Planning Commission approved "S" 71-55 (Site Approval) which allowed for a duplex to be moved from 1980 S. Bascom Avenue onto the property. On November 15, 1971 the Planning Commission approved a 'move-in' triplex (two units above, one below), which was placed at the rear of the property. The two structures, while originally considered a separate duplex and triplex respectively, where thereafter referred to as a single fiveplex.

On or around July 17, 2015, the three rear units of the fiveplex were severely damaged in a fire resulting in the units being rendered unsafe for habitation. Since that time, the three rear units have remained boarded up and unoccupied (reference **Attachment 5** – Property Photos).

Applicant's Proposal: The applicant is seeking approval of a Site and Architectural Review Permit to allow for a 106 square foot second-story addition (converting balcony space to living space) to the rear of two units of an existing fiveplex (reference **Attachment 4** – Project Plans).

ANALYSIS

General Plan: The General Plan land use designation for the project site is High Density Residential (21-17 units per gross acre). The project is consistent with the following General Plan Land Use Strategy through implementation of design features which integrate the structure with the neighborhood and minimize the buildings scale and massing and are responsive to the neighborhood context:

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

Zoning Designation: The subject property is zoned R-3 (Multiple Family Residential) which is intended to provide a variety of high density dwelling types at locations that are convenient to community facilities. Pursuant to CMC 21.42.020 (Site and architectural review permit required.) no use or structure may be enlarged in the R-3 zoning district until a Site and Architectural Review Permit is approved by the Planning Commission. As such, the subject application is governed by the City of Campbell General Plan, the R-3 Zoning Ordinance, and 'considerations in review of applications' for projects subject to Site and Architectural Review (CMC21.42.040). Generally these documents serve to provide development standards and guidelines to minimize potentially adverse impacts to surrounding properties and the environment, and promote compatibility with the site and surrounding neighborhood. With the

approval of a Site and Architectural Review Permit, the applicant's proposal would be consistent with the R-3 Zoning District.

Applicant's Proposal: The applicant's proposal, which encloses an existing second-story balcony, does not appear to present any significant design, privacy[2], or neighborhood compatibility concerns. The enclosed area will be fabricated to match the existing building walls (beige stucco) and install windows which maintain the symmetry of the existing design of the second-story (reference **Attachment 4** – Project Plans).

Site and Architectural Review Committee: The Site and Architectural Review Committee (SARC) reviewed the applicant's project plans on June 14, 2016 (reference **Attachment 7** – SARC Memo). The Site and Architectural Review Committee was supportive of the project design, but requested the applicant to identify a new location for trash storage as the location approved in the 1970's is insufficiently sized for the type and number of bins in use today. To facilitate further review of this issue at the Planning Commission meeting, the SARC recommended the following (applicant responses have been noted below each point in italics):

- Evaluate trash bin storage opportunities to the side or rear of parking stall #2 with either substantive landscaping (such as non-invasive bamboo) or fencing as screening.
  The project applicant was supportive of the request and indicated that a revised exhibit, illustrating this detail, would be provided as a desk item at the Planning Commission meeting. Note: As this item was not provided to staff at the time the staff report was prepared, a condition of approval has been included to reflect this requirement.

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

Attachments:
1. Findings for Approval
2. Conditions of Approval
3. Location Map
4. Project Plans
5. Property Photos
6. "S"71-70 – Project Site Plan
7. SARC Memo, June 14, 2016

Prepared by: _____

Stephen Rose, Associate Planner

Approved by: _____

Paul Kermoyan, Community Development Director

[2] Generally, balconies are considered to impact privacy more than enclosed second-story areas. Moreover, trees separate the property from a driveway of a development to the south.

FINDINGS FOR APPROVAL OF FILE NO. PLN2016-143

SITE ADDRESS: 910 Michael Drive
APPLICANT: Mike Masoumi
OWNER: Mike Masoumi
P.C. MEETING: June 28, 2016

Findings for Approval of a Site and Architectural Review Permit to allow for a 106 square foot second-story addition (converting balcony space to living space) to the rear of two units of an existing fiveplex on property located at 910 Michael Drive.

The Planning Commission finds as follows with regard to file number PLN2016-143:

Environmental Finding

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

Evidentiary Findings

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 proposed project will be compatible with the R-M (Multiple Family Residential) Zone District with approval of a Site and Architectural Review Permit.

4. The project site is located on the south side of Michael Drive, south of E. Campbell Avenue, north of Apricot Avenue, east of Union Avenue, and west of S. Bascom Avenue.

5. The applicant's proposal would allow for a 106 square foot second-story addition (converting balcony space to living space) to the rear of two units of an existing fiveplex. As conditioned, the proposal would also establish a new location for trash storage which would be adequately screened.

6. The enclosed area will be fabricated to match the existing building walls (beige stucco) and install windows which maintain the symmetry of the existing design of the second-story, and improve the appearance of the building which had been damaged by fire.

7. The applicant's proposal would not disrupt any trees, or result in an appreciable impact to landscaping, open space, traffic, circulation or result in an adverse aesthetic impact.

8. 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.

9. There is a reasonable relationship and a rough proportionality between the Conditions of Approval and the impacts of the project.

10. There is a reasonable relationship between the use of the fees imposed upon the project and the type of development project.

Based upon the foregoing findings of fact and pursuant to Campbell Municipal Code Sec. 21.42.020 the Planning Commission further finds and concludes that:

1. The traffic generated from the development will not have adverse affects on traffic conditions on abutting streets;

2. The layout of the site provides adequate vehicular and pedestrian entrances, exit driveways, and walkways;

3. The arrangement of off-street parking facilities prevents traffic congestion and adequately meet the demands of the users;

4. The location, height, and material of walls, fences, hedges and screen plantings will ensure harmony with adjacent development and/or conceal storage areas, utility installations, or other potentially unsightly elements of the project;

5. The project maximizes open space around structures, for access to and around structures, and the establishment and maintenance of landscaping for aesthetic and screening purposes;

6. The project maximizes areas of improved open space to protect access to natural light, ventilation, and direct sunlight, to ensure the compatibility of land uses, to provide space for privacy, landscaping, and recreation;

7. The project minimizes the unnecessary destruction of existing healthy trees;

8. The project enhances the overall appearance of the city by improving the appearance of individual development projects within the city;

9. The project complements the surrounding neighborhoods and produce an environment of stable and desirable character;

10. The project enhances the city's character and should not have an adverse aesthetic impact upon existing adjoining properties, the environment, or the city in general;

11. The project promotes the use of sound design principles that result in creative, imaginative solutions and establish structures of quality design throughout the city and which avoid monotony and mediocrity of development;

12. The project promotes maintenance of the public health, safety, general welfare, and property throughout the city;

13. The project, as conditioned, is consistent with the city's general plan and all applicable design guidelines and special plans;

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

CONDITIONS OF APPROVAL FOR FILE NO. PLN2016-143

SITE ADDRESS: 910 Michael Drive
APPLICANT: Mike Masoumi
OWNER: Mike Masoumi
P.C. MEETING: June 28, 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 to allow a 106 square foot second-story addition (converting balcony space to living space) to the rear of two units of an existing fiveplex on property located at 910 Michael Drive within the R-M (Multiple Family Residential) Zoning District. The project shall substantially conform to the project plans stamped as received by the Planning Division on April 28, 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 (July 8, 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. Plan Revisions: Prior to building permit submittal, the applicant shall revise the project plans to reflect the following changes and revisions:

    a. Accessory Structures: The plans shall indicate the two sheds on the property. The structure against the carport shall be noted as “to be removed” and that the shed at the rear of the property (if it can comply with setbacks) shall be noted as “to be repaired to original condition” if it is to be retained.
    b. Wires: Several loose wires extend overhead between buildings providing cable and other utility services. With the reconstruction of the rear unit, please note on the plans that such wires shall be integrated into the structure (installed inside the walls), run through conduit (painted to match the building walls) or placed underground, to eliminate the need for overhead connections between units.
    c. Landscaping: Please note on the plans that patches of landscaping throughout the site, which were damaged by weeds, are to be replanted and irrigated pursuant to the original “S”71-70 approval.

4. Planning Final Required: Planning Division clearance is required prior to Building Permit final**.** Construction not in substantial compliance with the approved project plans shall not be approved without prior authorization of the necessary approving body. Please add a note to the cover sheet of the project plans indicating this requirement (i.e. Planning Final Required).

5. Fences/Walls: Any newly proposed fencing and/or walls shall comply with Section 21.18.060 of the Campbell Municipal Code and shall be submitted for review and approval by the Community Development Department.

6. Compliance with Other Regulations: The applicant shall comply with other state, county, and city ordinances that pertain to the proposed project and where they are conducted.

7. Contractor Contact Information Posting: The project site shall be posted with the name and contact number of the lead contractor in a location visible from the public street prior to the issuance of building permits.

8. 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.

9. Roof Vents: The applicant shall coordinate mechanical and plumbing plans to minimize the number of roof vents that are visible from the street frontage. The applicant shall provide the location of such vents on the building plan elevations and roof plans, to the satisfaction of the Community Development Director, prior to issuance of a building permit.

10. Construction Activities: The applicant shall abide by the following requirements during construction:
    a. Construction activities shall be limited to weekdays between 8:00 a.m. and 5:00 p.m. and Saturdays between 9:00 a.m. and 4:00 p.m. No construction shall take place on Sundays or holidays unless an exception is granted by the Building Official.
    b. All construction equipment with internal combustion engines used on the project site shall be properly muffled and maintained in good working condition.
    c. Unnecessary idling of internal combustion engines shall be strictly prohibited.
    d. All stationary noise-generating construction equipment, such as air compressors and portable power generators, shall be located as far as possible from noise-sensitive receptors such as existing residences and businesses.
    e. Use standard dust and erosion control measures that comply with the adopted Best Management Practices for the City of Campbell.

11. Landscape Maintenance: The owner/operator of the property shall provide on-going maintenance of the required landscaping for the project.

Building Division

12. Permits Required: A building permit application shall be required for the proposed complete remodeling and addition to the existing structure. The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit.

13. Project Description: The Building Inspection Division considers this project as new construction, and fees will be calculated based on the comparative similarities to new construction. This project has been reviewed under the provisions of Chapter 18.32 of the City Campbell Municipal Code in determining how this project is defined.

14. Plan Preparation: Portions of this project require plans prepared under the direction and oversight of a California licensed Engineer or Architect. Plans submitted for building permits shall be "wet stamped" and signed by the qualifying professional person.

15. Construction Plans: The conditions of Approval shall be stated in full on the cover sheet of construction plans submitted for building permit.

16. Size Of Plans: The minimum size of construction plans submitted for building permits shall be 24 in. X 36 in.

17. Site Plan: Application for building permit shall include a competent site plan that identifies property and proposed structures with dimensions and elevations as appropriate. Site plan shall also include site drainage details.

18. Seismic Requirements: Additions and Alterations to (e) residential structures shall comply with Section 3404 of the 2013 California Building Code (CBC).

19. Title 24 Energy Compliance: California Title 24 Energy Compliance forms CF-1R and MF-1R shall be blue-lined on the construction plans. 8½ X 11 calculations shall be submitted as well.

20. Special Inspections: When a special inspection is required by C.B.C. Chapter 17, the architect or engineer of record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the building permits, in accordance with C.B.C Chapter 1, Section 106. Please obtain City of Campbell, Special Inspection forms from the Building Inspection Division Counter.

21. Non-Point Source Pollution: The City of Campbell, standard Santa Clara Valley Non-point Source Pollution Control Program specification sheet shall be part of plan submittal. The specification sheet (size 24" X 36") is available at the Building Division service counter.

22. Approvals Required: The project requires the following agency approval prior to issuance of the building permit:

    a. West Valley Sanitation District (378-2407)
    b. Santa Clara County Fire Department (378-4010)
    c. School District:

d. Campbell Union School District (378-3405)
e. Campbell Union High School District (371-0960)
f. Moreland School District (379-1370)
g. Cambrian School District (377-2103)

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

h. Bay Area Air Quality Management District (Demolitions Only)
i. San Jose Water Company (279-7900)

23. P.G.& E.: Applicant is advised to contact Pacific Gas and Electric Company as early as possible in the approval process. Service installations, changes and/or relocations may require substantial scheduling time and can cause significant delays in the approval process. Applicant should also consult with P.G. and E. concerning utility easements, distribution pole locations and required conductor clearances.

24. Intent To Occupy During Construction: Owners shall declare their intent to occupy the dwelling during construction. The Building Inspection Division may require the premises to be vacated during portions of construction because of substandard and unsafe living conditions created by construction.

25. Construction Fencing: This project shall be properly enclosed with construction fencing to prevent unauthorized access to the site during construction. The construction site shall be secured to prevent vandalism and/or theft during hours when no work is being done. All protected trees shall be fenced to prevent damage to root systems.

26. Build It Green: Applicant shall complete and submit a "Build it Green" inventory of the proposed new single family project prior to issuance of building permit.

27. Storm Water Requirements: Storm water run-off from impervious surface created by this permitted project shall be directed to vegetated areas on the project parcel. Storm water shall not drain onto neighboring parcels.

28. Residential Structures: This project shall comply with the mandatory requirements for Residential Structures, Chapter 4 of the California Green Building Code 2013 ed.

29. Fire Sprinklers Required: This Structure, as a new Single Family Dwelling under Chapter 18.32 of the Campbell Municipal Code, shall be equipped with residential fire sprinklers compliant with Section R313 of the California Residential Code 2013 ed.

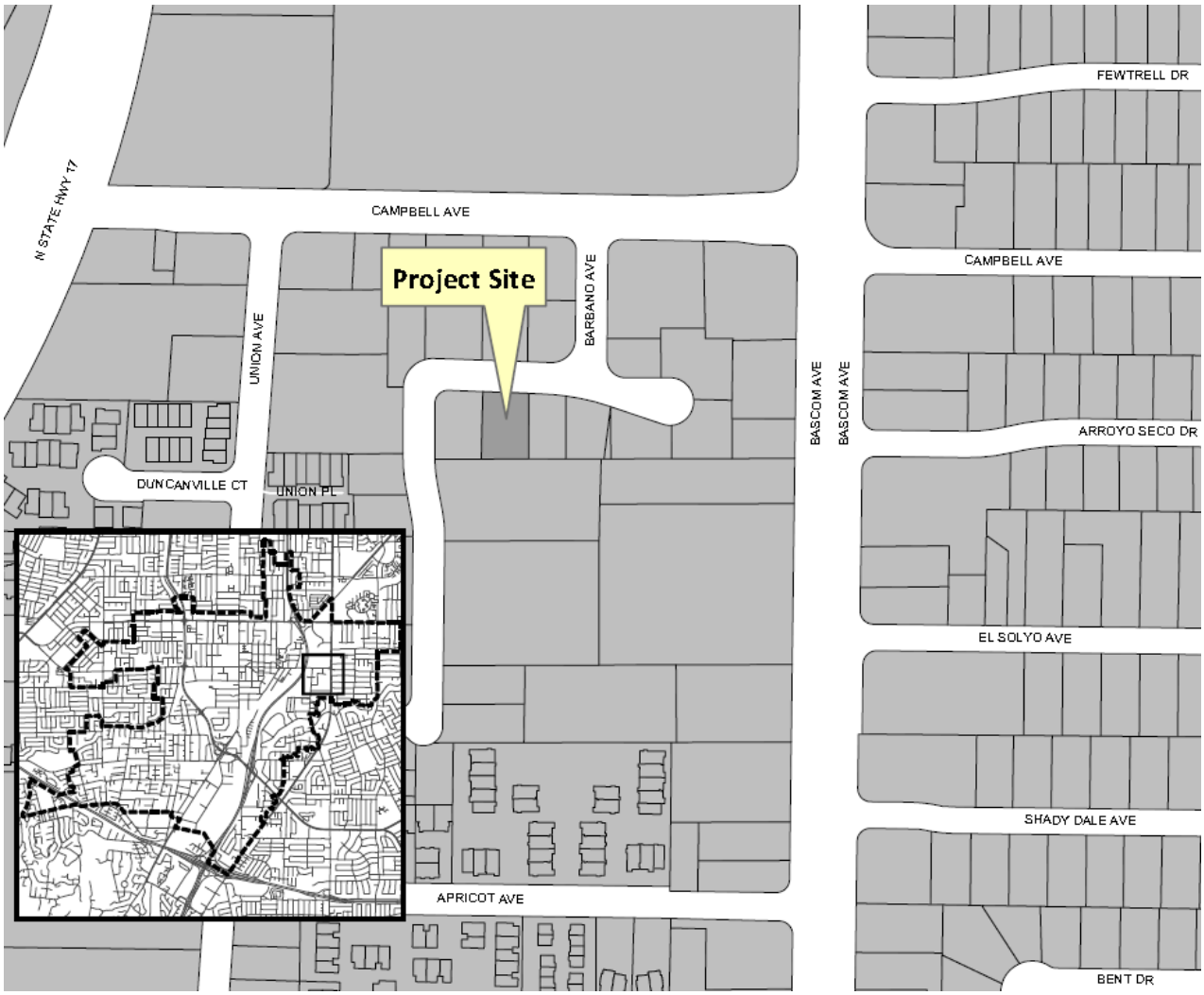
FIRE DEPARTMENT

30. 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

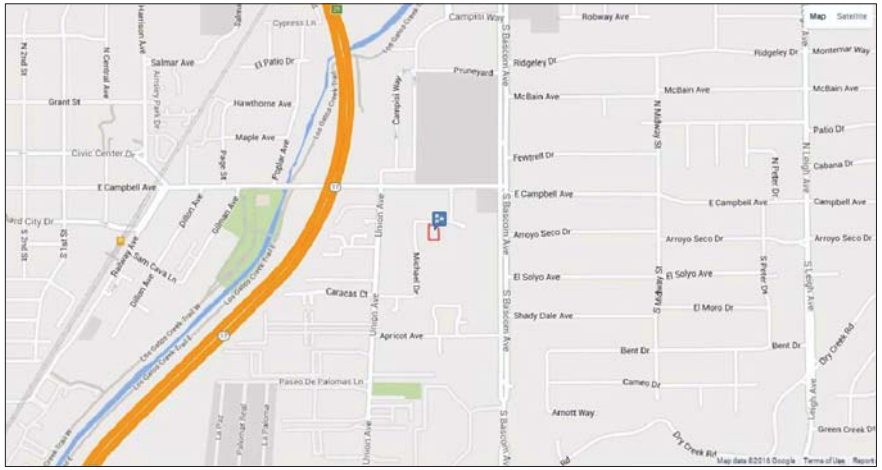
codes. Prior to performing any work the applicant shall make application to, and receive from, the Building Division all applicable construction permits.

31. Construction Site Fire Safety: All construction sites must comply with applicable provisions of the CFC Chapter 14 and our Standard Detail and Specification SI-7.

Location Map



FIRE REPAIR & REMODEL AT:
910 MICHAEL DRIVE, CAMPBELL, CA



NORTH

VICINITY MAP

910 MICHAEL DRIVE, CAMPBELL, CA
CAMPBELL, CA 95008

MIKE MASOUMI

(408) 666-2112

APN # 412-10-033

ZONING : MR
MUTI FAMILY RESIDENTIAL

LOT AREA: 10,750 SQ. FT.

EXISITNG TOTAL UNITS: 5 UNITS IN 2 BUILDINGS
(FRONT BLDG. 2 UNITS / REAR BLDG. 3 UNITS)

EXISITNG PARKING: 8 STALLS
5 COVERED, 3 UN-COVERED

PROJECT SCOPE:

REPAIR AND REMODEL OF THE FIRE DAMAGED
REAR STRUCTURE

NO CHANGE PROPOSED AT THE FRONT STRUCTURE
OPEN SPACE OR EXSITING PARKING.

TOTAL EXSITING SQUARE FOOTAGE: 4,096 SQ. FT.
PROPOSED SQUARE FOOTAGE: 4,202 SQ. FT.

REAR UNITS :

EXISTING REAR BUILDING :1.920 SQ. FT.
PROPOSED REMODELED REAR UNIT : 2,026 SQ. FT.
ADDTION : 106 SQ. FT.

FRONT UNITS :

EXISTING FRONT BUILDING: 2,176 SQ. FT. (NO CHANGE)

NO CHANGE PROPOSED TO EXTERIOR ELEVATIONS DESIGN

EXSITING FAR: 38%

PROPOSED FAR: 39%

SHEET INDEX

A1 PROJECT DATA
A1.1 SITE PLAN
A1.2 OPEN SPACE ANALYSIS
A2.1 LOWER LEVEL FLOOR PLAN
A2.2 UPPER LEVEL FLOOR PLAN

SHEET INDEX

PROJECT SUMMARY

REVISIONS	BY
-	△

CB
BASSAL
Architecture
916.435.0605
408.674.2077

PROJECT SUMMARY

NEW PROJECT AT:
180 REDDING AVENUE
CAMPBELL, CA

DATE: 4-15-2016
SCALE: -
DRAWN CB
JOB NO -
SHEET NO. A1
OF SHEETS

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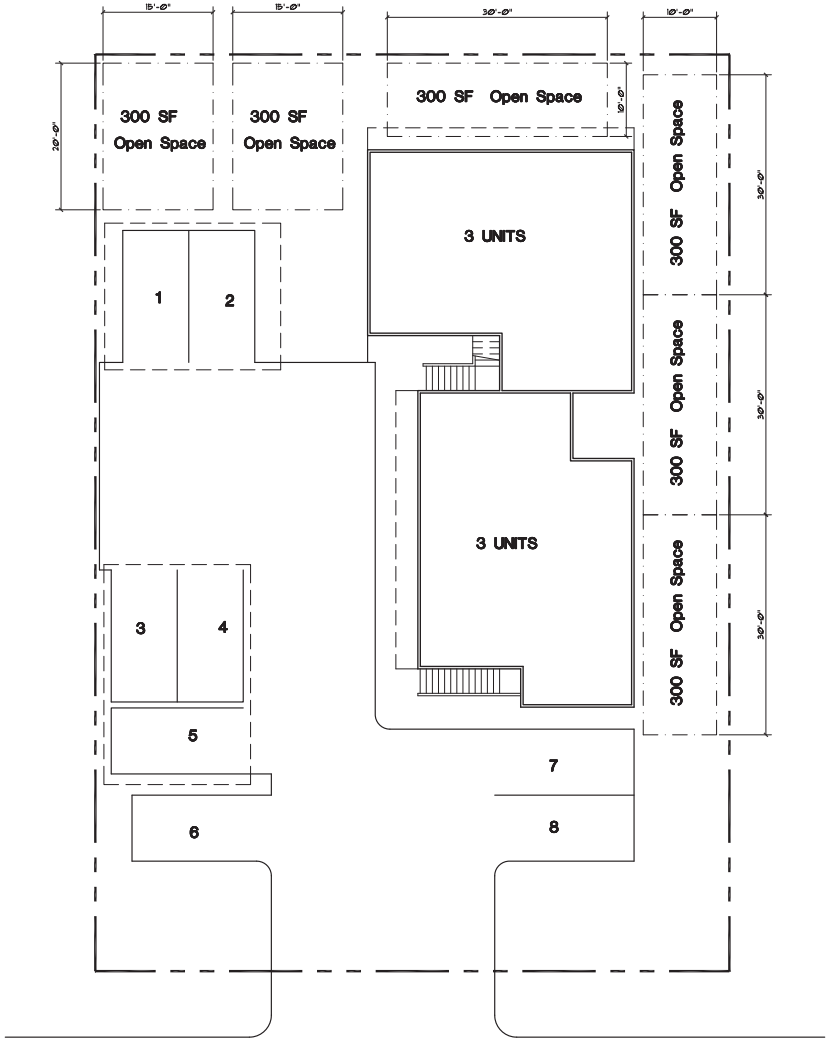
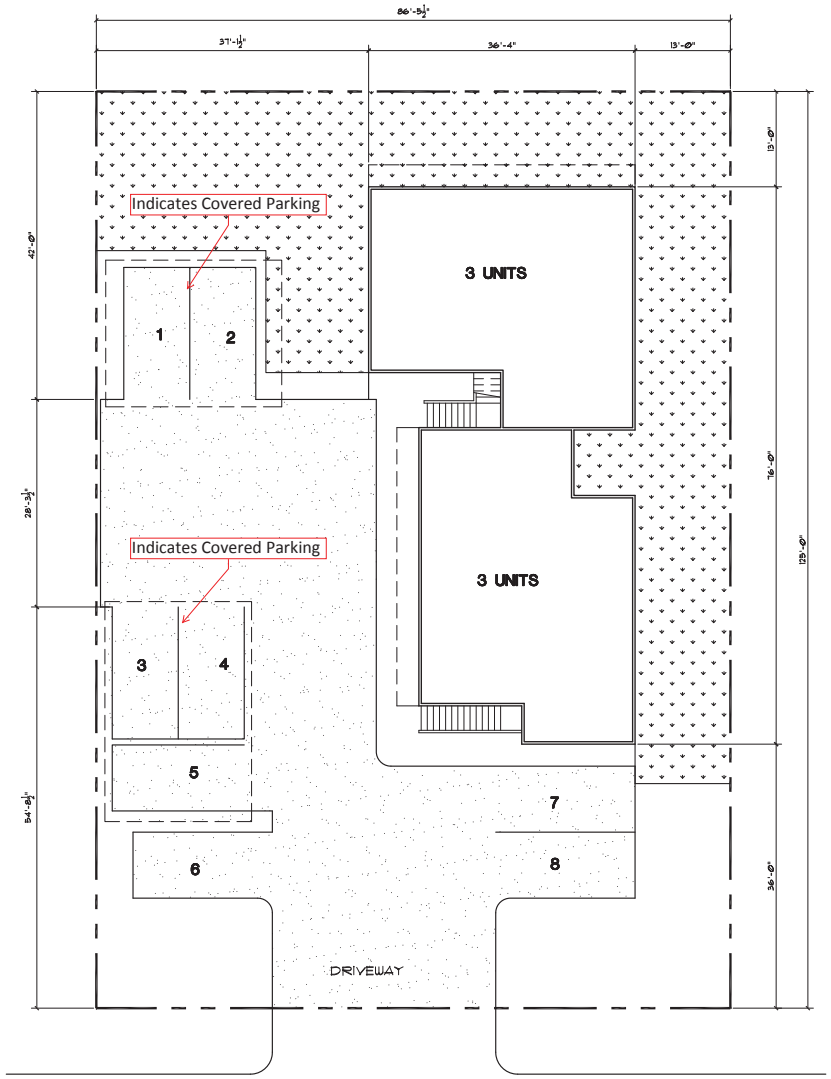
Attachment 4



910 MICHAEL DRIVE

PROVIDED AT LEAST 300 SQ. FT. OPEN SPACE PER UNIT

OPEN SPACE ANALYSIS 1/8"=1'-0"



910 MICHAEL DRIVE

INDICATES TOTAL OPEN SPACE: 2,600 SQ. FT.

SITE PLAN 1/8"=1'-0"

REVISIONS	BY
--	
--	

CB

BASSAL Architecture
916.435.0605
4982 BRADFORD PL.
ROCKLIN, CA 95765

SITE PLAN

PROPOSED REMODEL AT :
910 MICHAEL DRIVE
CAMPBELL, CALIFORNIA

DATE: 3-10-2016
SCALE: 1/8"=1'-0"
DRAWN CB
JOB NO -
SHEET NO. A1.1
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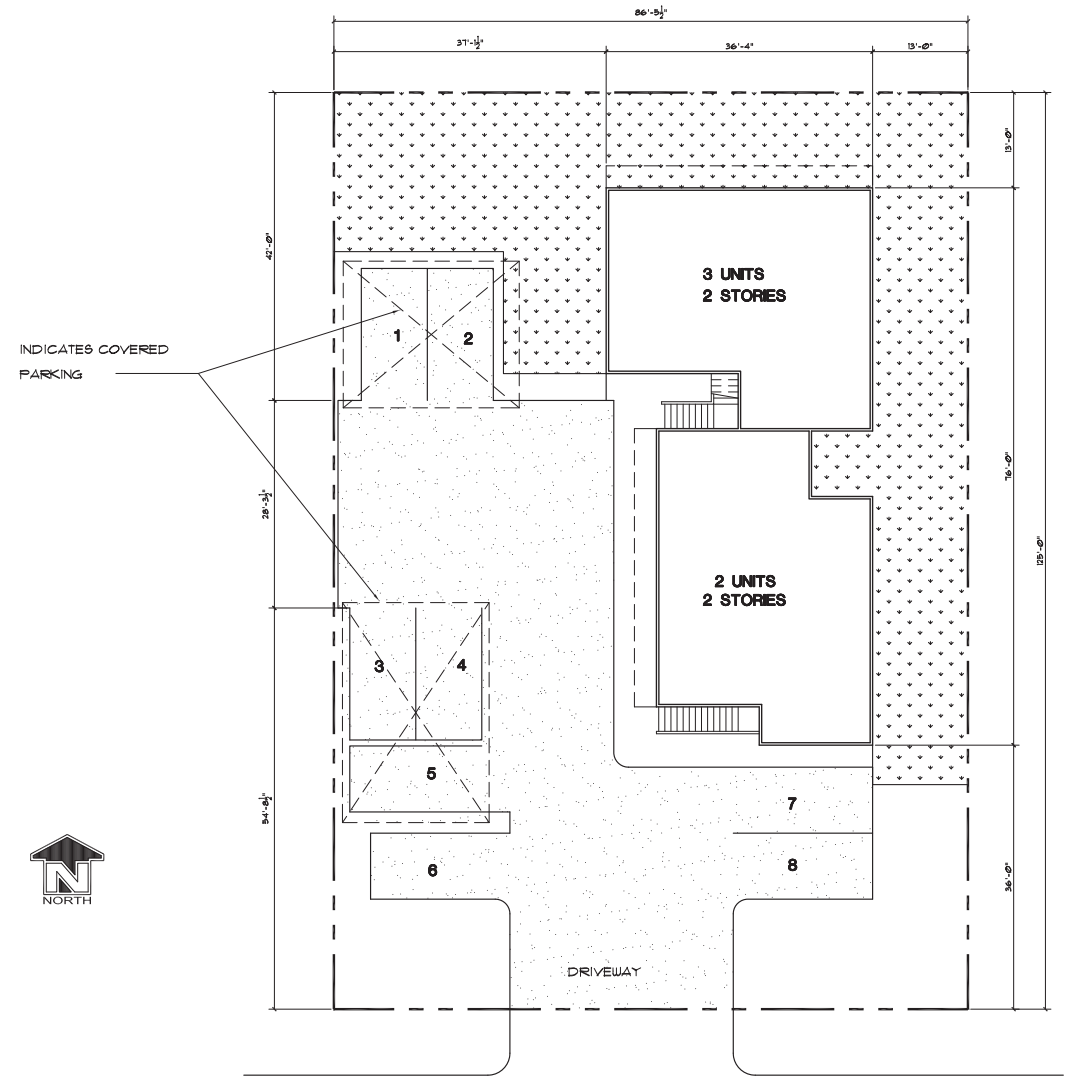

910 MICHAEL DRIVE

INDICATES TOTAL OPEN SPACE: 2,600 SQ. FT.

SITE PLAN 1/8"=1'-0"

REVISIONS	BY
--	
--	

CB
BASSAL
Architecture
916.433.0605
4982 BRADFORD PL.
ROCKLIN, CA 95765

SITE PLAN

PROPOSED REMODEL AT :
910 MICHAEL DRIVE
CAMPBELL, CALFORNIA

DATE: 4-15-2016
SCALE: 1/8"=1'-0"
DRAWN CB
JOB NO -
SHEET NO. A1.1
OF SHEETS

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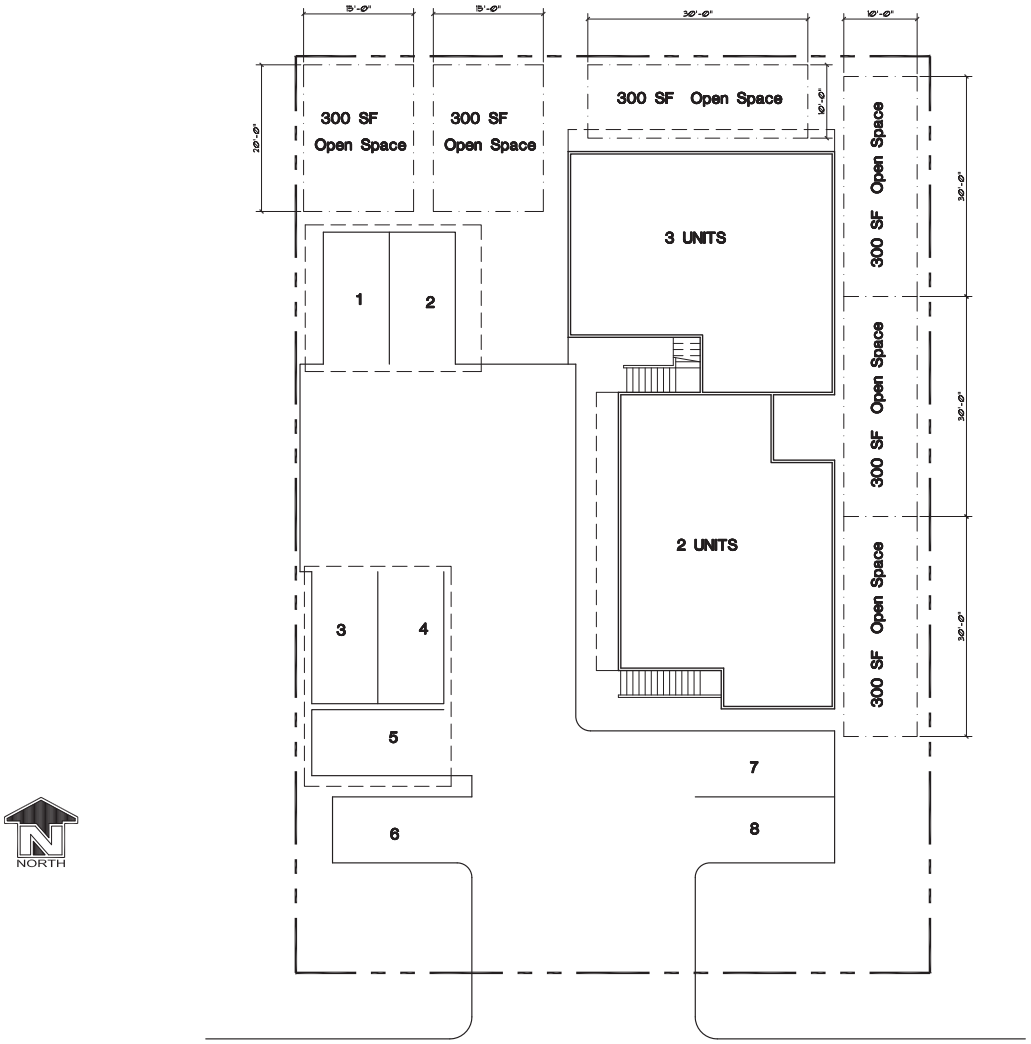

910 MICHAEL DRIVE

PROVIDED AT LEAST 300 SQ. FT. OPEN SPACE PER UNIT

OPEN SPACE ANALYSIS

1/8"=1'-0"

REVISIONS	BY
--	
--	

CB
BASSAL
Architecture
916.433.0605
4982 BRADFORD PL.
ROCKLIN, CA 95765

OPEN SPACE ANALYSIS

PROPOSED REMODEL AT :
910 MICHAEL DRIVE
CAMPBELL, CALIFORNIA

DATE: 4-15-2016
SCALE: 1/8"=1'-0"
DRAWN CB
JOB NO -
SHEET NO. A1.2
OF SHEETS

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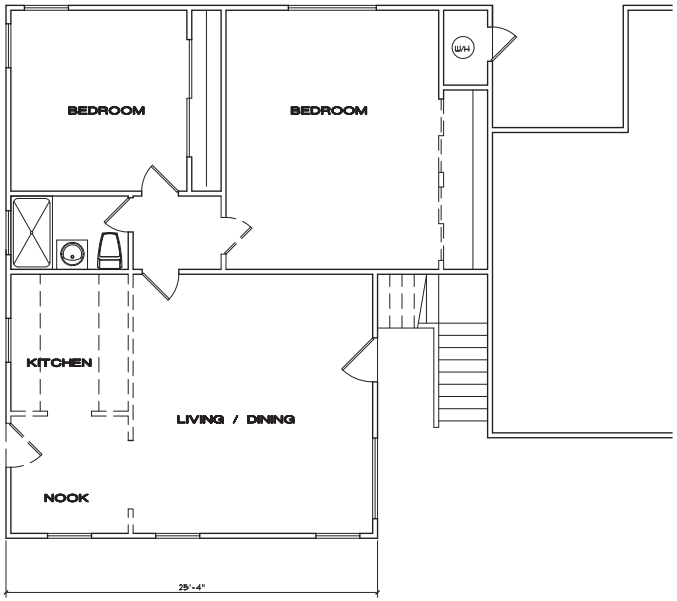

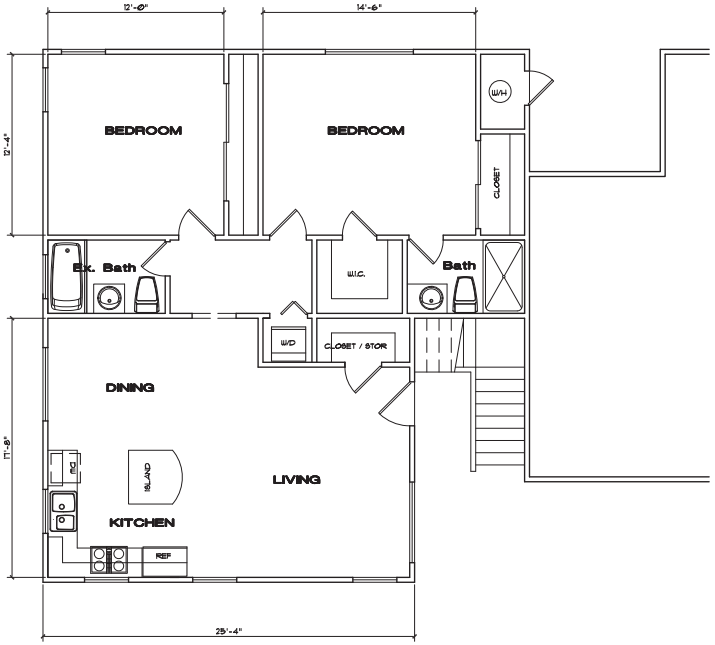

WALLS LEGEND:

- INDICATES NEW WALLS (2 X4 DF#2 @ 16" O.C.)
- INDICATES EXISTING WALLS TO REMAIN
- INDICATES WALLS TO BE REMOVED

EXISTING LOWER LEVEL

+/- 1,030 SQ. FT.

PROPOSED LOWER LEVEL

+/- 1,030 SQ. FT.
(NO CHANGE)

LOWER LEVEL FLOOR PLAN | 1/4"=1'-0"

REVISIONS	BY
--	
--	

CB
BASSAL
Architecture
916.435.0605
4982 BRADFORD PL.
ROCKLIN, CA 95765

LOWER LEVEL
FLOOR PLAN

PROPOSED REMODEL AT :
910 MICHAEL DRIVE
CAMPBELL, CALFORNIA

DATE: 4-15-2016
SCALE: 1/4"=1'-0"
DRAWN: CB
JOB NO: -
SHEET NO. A2.1
OF SHEETS

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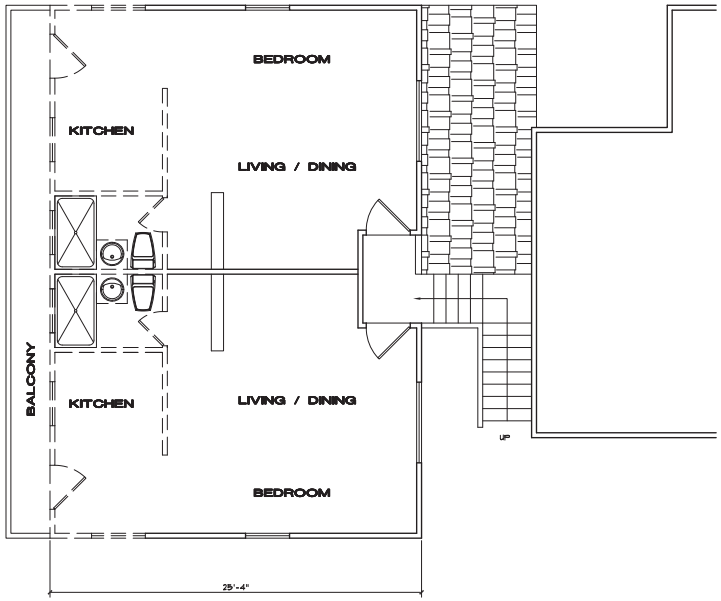


EXISTING UPPER LEVEL

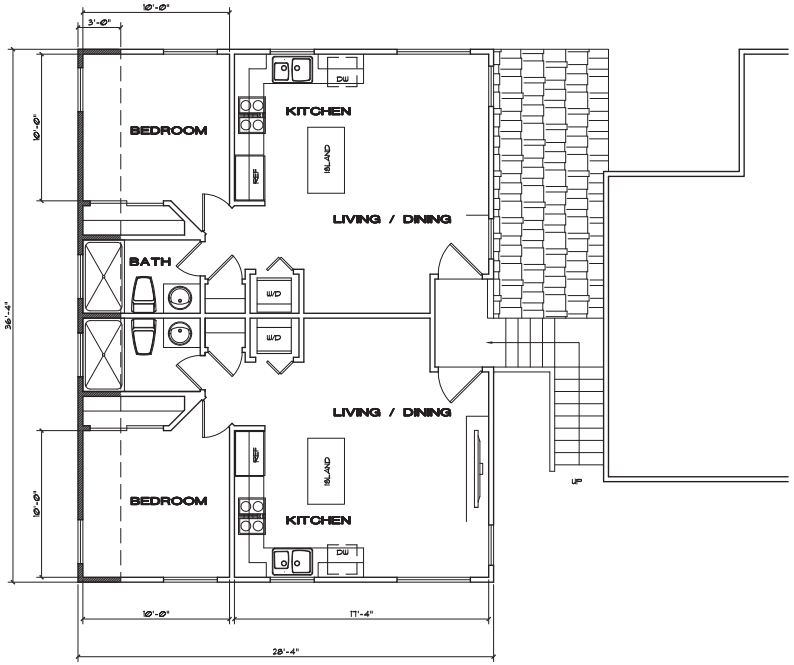
+/- 890 SQ. FT.

WALLS LEGEND:

INDICATES NEW WALLS (2 X4 DFF2 @ 16" O.C.)

INDICATES EXISTING WALLS TO REMAIN

INDICATES WALLS TO BE REMOVED



PROPOSED UPPER LEVEL

+/- 996 SQ. FT.

UPPER LEVEL FLOOR PLAN | 1/4"=1'-0"

REVISIONS	BY
--	
--	

CB

BASSAL Architecture
916.433.0605
4982 BRADFORD PL.
ROCKLIN, CA 95765

UPPER LEVEL FLOOR PLAN

PROPOSED REMODEL AT :
910 MICHAEL DRIVE
CAMPBELL, CALFORNIA

DATE: 4-15-2016
SCALE: 1/4"=1'-0"
DRAWN: CB
JOB NO: -
SHEET NO. A2.2
OF SHEETS

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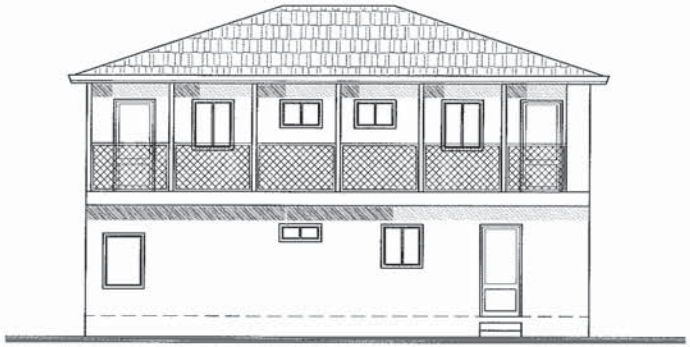
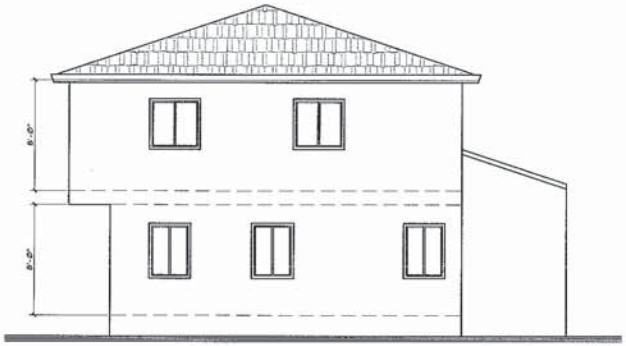


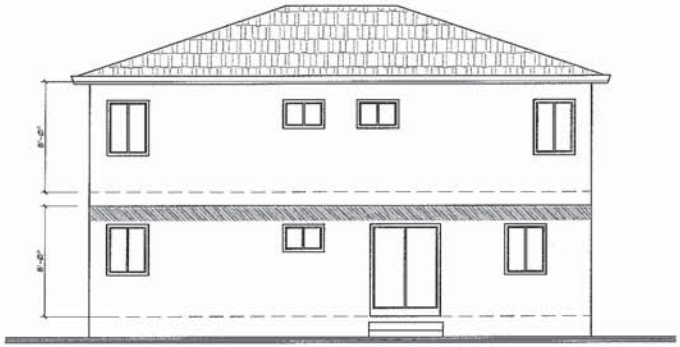
EXISITNG REAR ELEVATION - NORTH



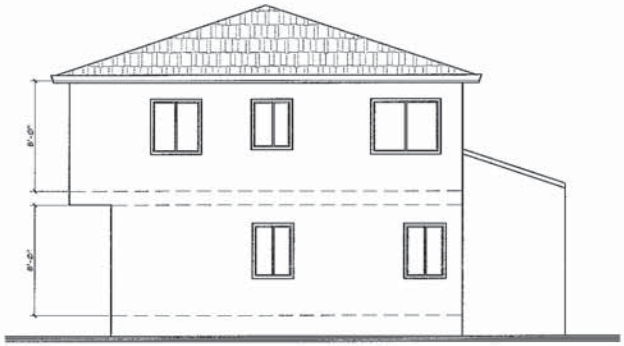
EXISITNG SIDE ELEVATION - WEST

EXISITNG SIDE ELEVATION - EAST

EXISITNG ELEVATIONS 1/4"=1'-0"



NEW REAR ELEVATION - NORTH



NEW SIDE LEVATION - WEST

NEW SIDE LEVATION - EAST

PROPOSED NEW ELEVATIONS 1/4"=1'-0"

REVISIONS	BY
--	
--	

CB
BASSAL
Architecture
916.435.0605
4981 BRADFORD PL.
ROCKLIN, CA 95765

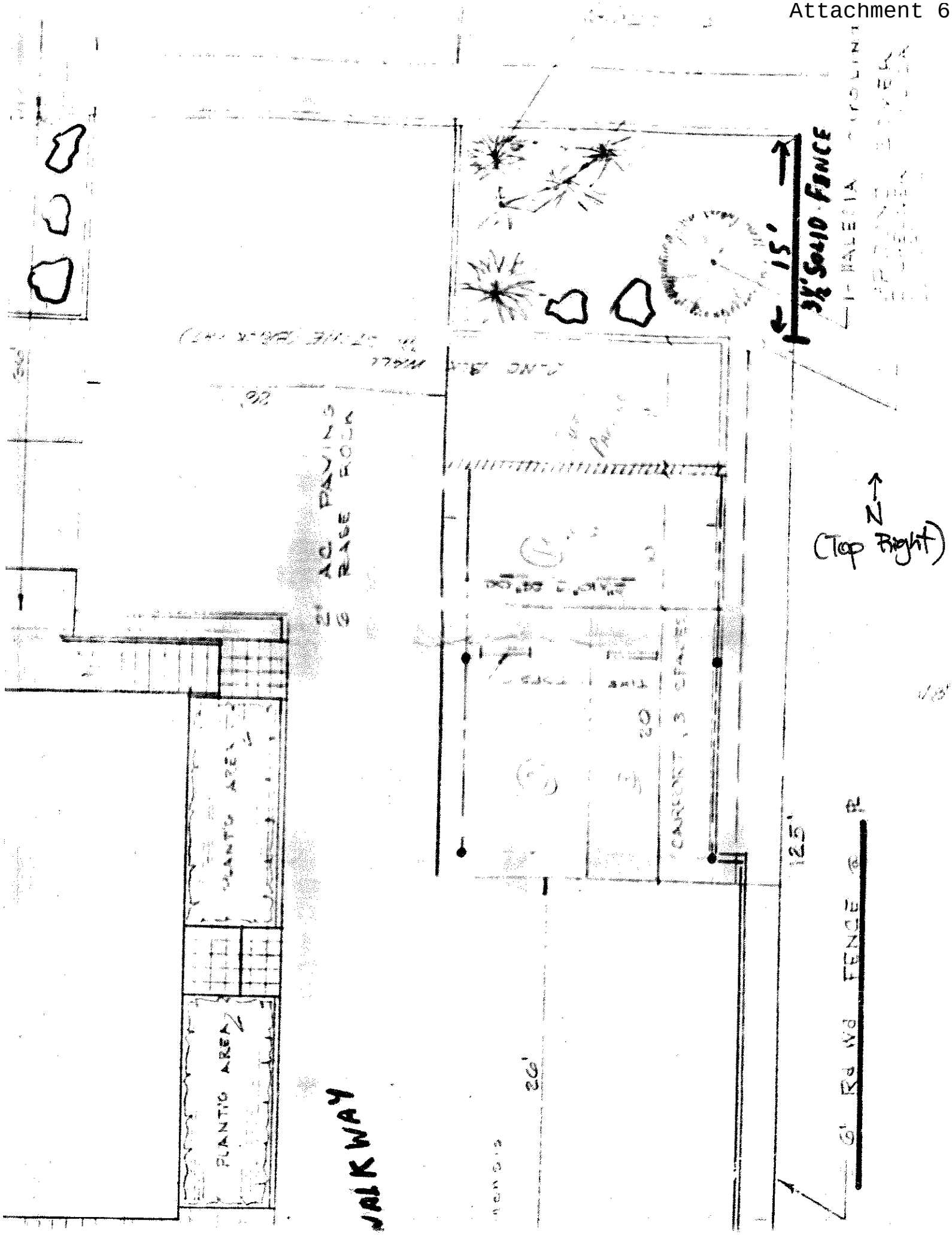
EXTERIOR ELEVATIONS

PROPOSED REMODEL AT :
910 MICHAEL DRIVE
CAMPBELL, CALIFORNIA

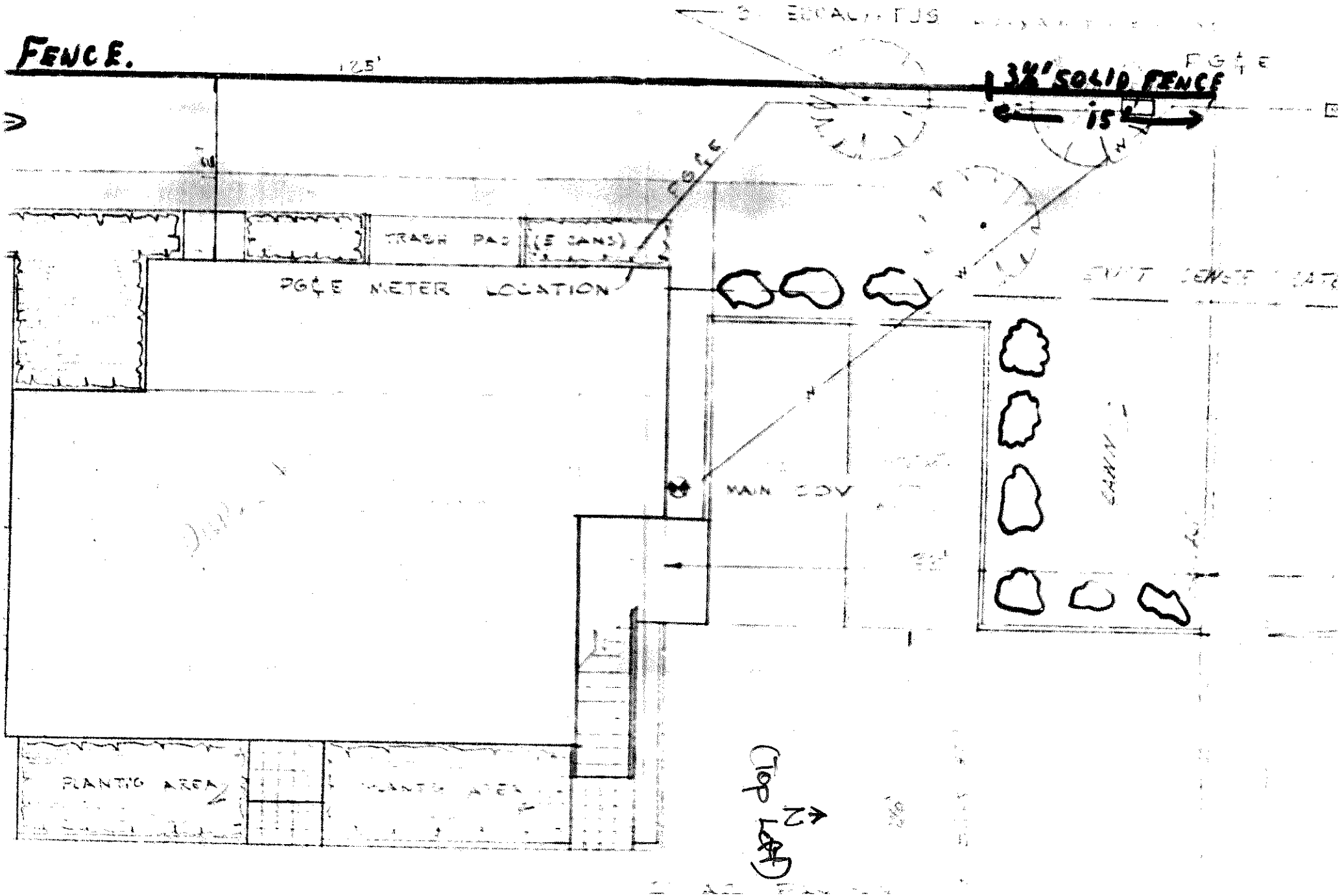
DATE: 4-28-2016
SCALE: 1/4"=1'-0"
DRAWN: CB
JOB NO. -
SHEET NO. A3.1
OF SHEETS

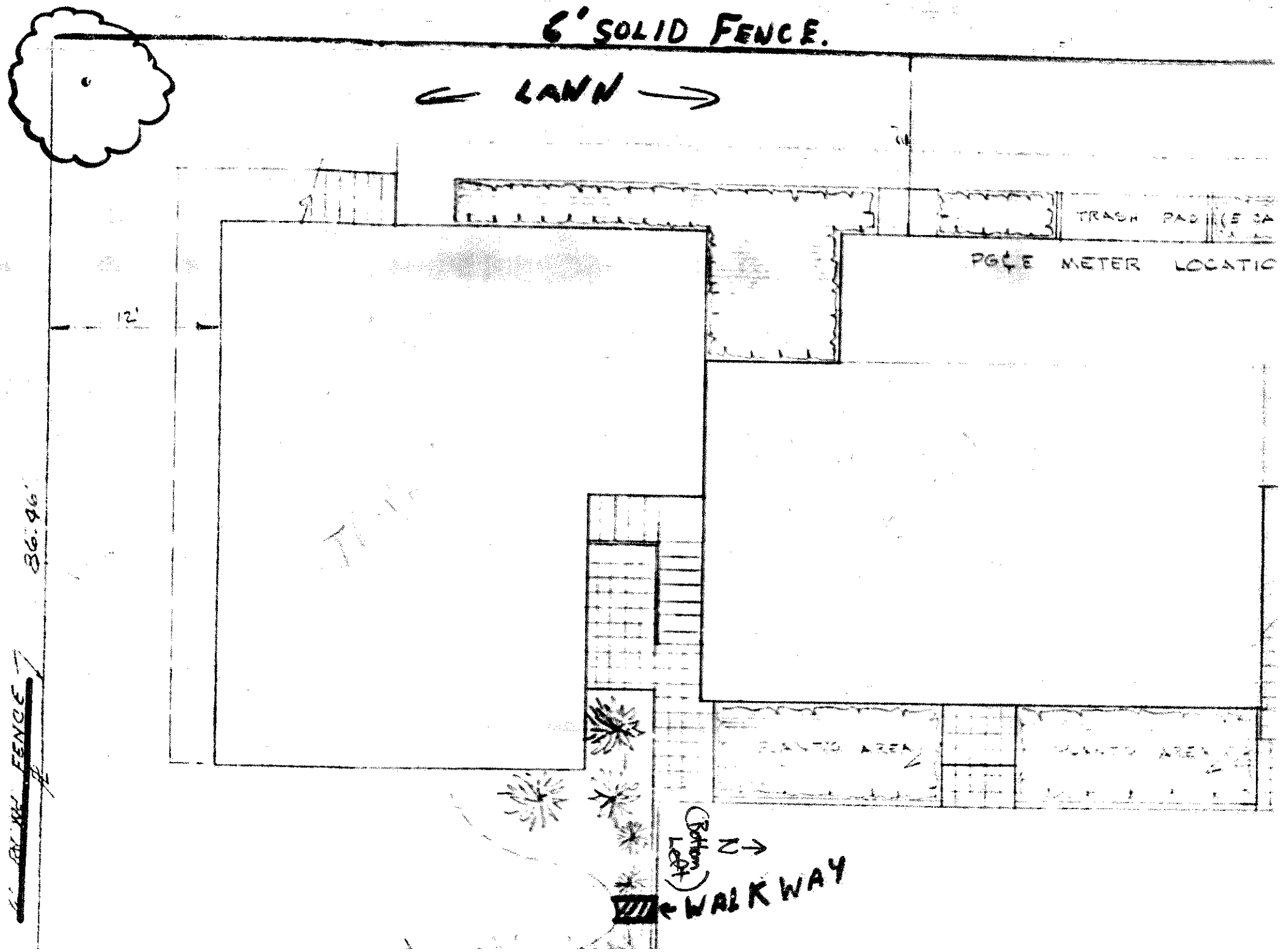
PRUNEYARD TERRACE 910

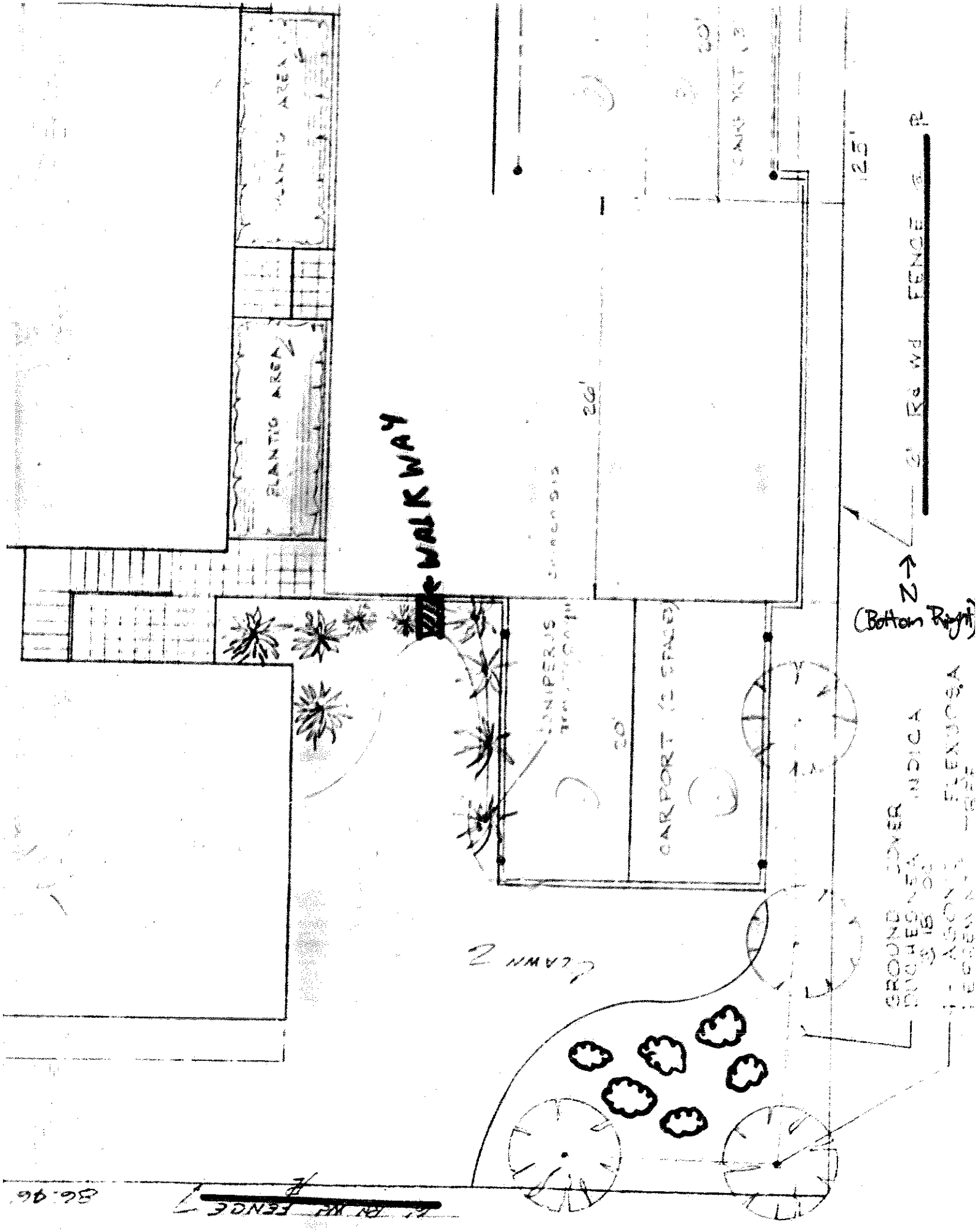
PRUNEYARD TERRACE 910


15'
3½' SOLID FENCE
N
(Top Right)
AC PAVING
BASE ROCK
PLANTING AREA
PLANTING AREA
CARPORT & DRIVE
125'
26'
6' Rd Wd FENCE @ R
WALKWAY

FENCE.


125'
3 EUCALYPTUS
GATE
36" SOLID FENCE
15'
PG&E
TRASH PAD
(5 CANS)
PG&E METER LOCATION
MAIN ENT
PLANTING AREA
(Top of Bank)


6' SOLID FENCE.
LAWN
TRASH PAD
PG&E METER LOCATIO
12'
36.96'
6' SOLID FENCE
PLANTED AREA
PLANTED AREA
(Bottom Left)
WALKWAY


PLANTING AREA
PLANTING AREA
WALKWAY
20'
JUNIPERUS
20'
CARPORT (2 CARS)
25'
FENCE
N
(Bottom Right)
GROUND COVER
INDICA
FLEXUSA
LAWN 2

MEMORANDUM

Community Development Department
Planning Division

To: Site and Architectural Review Committee **Date**: June 14, 2016

From: Stephen Rose, Associate Planner

Via: Paul Kermoyan, Community Development Director PK

Subject: Site and Architectural Review Permit

File No.: PLN2015-143 ~ 910 Michael Drive

PROPOSAL

The applicant is seeking approval of a Site and Architectural Review Permit to allow for a 106 square foot second-story addition (converting balcony space to living space) to the rear of two units of an existing fiveplex (reference **Attachment 1** – Project Plans).

PROJECT SITE

The project site is located on the south side of Michael Drive, south of E. Campbell Avenue, north of Apricot Avenue, east of Union Avenue, and west of S. Bascom Avenue in the R-3 (Multi-Family Residential) Zoning District. The property is developed with a two-story fiveplex which has two units stacked at the front, and three units (one below, two above) at the rear of the property.

PROJECT DATA

Zoning Designation:	R-3 (Multi-Family Residential)	
General Plan Designation:	High-Density Residential (21-27 units/gr. acre)	
Net Lot Area:	10,807 square feet	
Building Height:	24-feet	40 feet / 3 stories
Building Square Footage:		
Total Existing Area:	4,096 square-feet	1,920 rear unit + 2,176 front unit
Proposed Addition:	+106 square-feet	Added to second story of rear unit
	4,202 square-feet	5493 square-feet maximum
Floor Area Ratio (FAR):	39%	55% maximum
Building (Lot) Coverage:	33% (3,575 sq. ft.)	40% maximum allowed
Setbacks	Existing/Proposed	Required
Front (east):	36 feet / No Change	20 feet
Side (west):	13 feet / No Change	5 feet or half the wall height
Side (east):	5 feet / No Change	5 feet or half the wall height
Rear (west):	13 feet / 10 feet	5 feet or half the wall height[1]
Parking:	8 Parking Spaces	8 Parking Spaces

[1] Rear wall height is 19 feet; half the wall height reflects a 9½ feet requirement where 10 feet is proposed.

DISCUSSION

Background: On August 16, 1971 the Planning Commission approved "S" 71-55 (Site Approval) which allowed for a duplex to be moved from 1980 S. Bascom Avenue onto the property. On November 15, 1971 the Planning Commission approved a 'move-in' triplex (two units above, one below), which was placed at the rear of the property. The two structures, while originally considered a separate duplex and triplex respectively, where thereafter referred to as a single fiveplex.

On or around July 17, 2015[2], the three rear units of the fiveplex were severely damaged in a fire resulting in the units being rendered unsafe for habitation. Since that time, the three rear units have remained boarded up and unoccupied (reference **Attachment 3** – Property Photos).

Design: Review of the subject application is governed by the General Plan, the R-3 Zoning Ordinance, and 'considerations in review of applications' subject to Site and Architectural Review (CMC21.42.040). Generally these documents are not meant to prescribe any particular style, but serve to provide developments standards and guidelines to minimize potentially adverse impacts to surrounding properties and the environment, and promote compatibility with the site and surrounding neighborhood.

The applicant's proposal, which encloses an existing second-story balcony, does not appear to present any significant design, privacy[3], or neighborhood compatibility concerns. The enclosed area will be fabricated to match the existing building walls (beige stucco) and install windows which maintain the symmetry of the existing design of the second-story.

Trash Bins: When the project site was originally developed, the City's trash collection agency did not require or provide waste bins for residential properties to recycle materials. As such, the original site design anticipated a total of five waste bins (one for each unit) which were to be located on the west side of the property on a concrete pad near the PG&E meters (reference **Attachment 4** – "S"71-70 – Project Site Plan. Over the years, the demand for varied waste disposal bins has exceeded the capacity of this area which has resulted in larger (combined) waste bins being stored in parking stall #6, which detracts from the available number of guest parking spaces and is highly visible from the street. As such, staff is recommending the SARC consider appropriate screening (such as a wooden fence) and location for the trash bins such as adjacent or behind parking stall #2, or #7, or as an expansion of their original location next to the PG&E gas meters.

Tree Removal: The applicant is not proposing to remove any protected trees. Several branches of existing trees were damaged in the fire, but through coordination with staff have since been pruned to remove deadwood and improve their appearance.

Misc. Items: The following items do not fall under a particular category of interest, or warrant a discussion on their own, and as such have been summarized and numbered for convenience:

1) Accessory Structures: Two sheds occur on the property, which are not reflected on the project plans (reference **Attachment 3** – Property Photos). As a consideration on the

[2] Santa Clara County Fire Department responded to a fire incident at the subject address on July 17, 2015. The property owner noted that the fire occurred on or around November 2015. Google Earth imagery appears to indicate that the fire occurred between June and October of 2015, consistent with the SCC Fire Dept. incident report.
[3] Generally, balconies are considered to impact privacy more than enclosed second-story areas. Moreover, trees separate the property from a driveway of a development to the south.

permit, staff is recommending that the structure against the carport is removed and that the shed at the rear of the property (if it can comply with setbacks) be repaired.

2) Wires: Several loose wires extend overhead between buildings providing cable and other utility services. Staff is requiring, with the reconstruction of the rear unit, that such wires are integrated into the structure (installed inside the walls), run through conduit (painted to match the building walls) or placed underground, to eliminate the need for overhead connections between units.
3) Landscaping: Patches of landscaping throughout the site which were damaged by weeds are to be replanted pursuant to the original "S"71-70 approval.

OPTIONS

The SARC should discuss the project for compliance with the applicable policy documents. If the SARC believes that the applicant has adequately addressed any concerns the Committee may have, it may recommend approval to the Planning Commission as proposed, or subject to specific revisions. The following option(s) are intended to facilitate discussion of the project's site and architectural review:

- Should a new trash area be proposed for the waste bins? Should smaller/individual (residential sized) bins be required? If so, where should the new trash area be located?

After discussion the SARC may recommend approval to the Planning Commission as proposed, or subject to specific revisions.

Attachments:

1. Location Map
2. Project Plans
3. Property Photos
4. "S"71-70 – Project Site Plan

ITEM NO. 5

CITY OF CAMPBELL · PLANNING COMMISSION
Staff Report · June 28, 2016

PLN2016-105
Bonner, S.

Public Hearing to consider the application of Steven Bonner for a Modification (PLN2016-105) to a previously-approved Conditional Use Permit (PLN2014-57/PLN2015-195) for an existing restaurant, to modify the approved alcohol service from beer & wine to "general" (distilled spirits), extend the business closing time from 10:00 PM to 12:00 AM ("late-night activity"), increase the number of approved bar seats, permit amplified live entertainment, and allow occasional outdoor seating and service in the rear parking lot for special events, on property located at **368 E. Campbell Ave**. in the C-3 (Central Business District) Zoning District.

STAFF RECOMMENDATION

That the Planning Commission take the following action:

1. **Adopt a Resolution**, incorporating the attached findings, recommending the City Council approve a Modification (PLN2016-105) to a previously approved Conditional Use Permit (PLN2012-255/PLN2015-195), subject to the attached Conditions of Approval.

ENVIRONMENTAL DETERMINATION

Staff recommends that the Planning Commission find that this project is Categorically Exempt under Sec. 15060(c)(2) of the California Environment Quality Act (CEQA), pertaining to activities that will not result in a direct or reasonably foreseeable indirect physical change to the environment, and recommend such finding to the City Council.

PROJECT DATA

Lot Size:	8,200 square feet
Total Building Area:	6,500 square feet
Zoning District:	C-3 (Central Business District)
General Plan Land Use:	Central Commercial
Existing (Public) Hours:	6:00 AM – 10:00 PM, daily
Proposed (Public) Hours:	6:00 AM – 12:00 AM, daily
Existing Indoor Seating:	49 seats (9 bar/40 dining area)
Proposed Indoor Seating:	49 seats (12 bar/37 dining area)
Parking Required:	Not Applicable (no change of occupancy)
Surrounding Uses:	
North:	Campbell Avenue and commercial uses
South:	Office Building (Water Tower II)
East:	Salon
West:	Central Avenue and commercial uses

DISCUSSION

Project Location: The project site is located at the southeast corner of E. Campbell and Central Avenues (reference Attachment **3** – Location Map), and is developed with a two-story retail and office building known as the "Schrader Building." The ground floor is occupied by the Socialight Restaurant with professional office space on the second floor.

Background: The Socialight restaurant was established by the City Council's June 17, 2014 approval of a Conditional Use Permit allowing beer and wine service, early-morning operational hours ("late-night" activity), and (acoustic) live entertainment limited to two performers. Following observation of various violations and issuance of an administrative citation, the Community Development Director convened revocation proceedings with the Planning Commission and City Council, which concluded with the Council's July 21, 2015 involuntary modification of the Conditional Use Permit (reference **Attachment 4**). This action imposed a more restrictive violation clause (2 verifiable warnings within 24 months), mandated payment for enforcement costs, and reiterated compliance with the approved floor plan.

Applicant's Proposal: Now, eleven months later, the applicant, Mr. Steven Bonner, proprietor of the Socialight restaurant, has submitted a request (reference **Attachment 5**) to modify the Conditional Use Permit to allow the following operational changes. The project plans (reference **Attachment 6**) depict the proposed interior (i.e., additional bar seats) and outdoor configuration associated with the request.

- **Public Closing Time**: Extend the closing time from 10:00 PM (daily) to 12:00 AM (daily).
- **Alcohol Service**: Change the alcohol license from beer & wine to general (distilled spirits).
- **Bar Seating**: Increase the seating count at the bar from 9 seats to 12 seats, maintaining the total occupancy of 49.
- **Live Entertainment**: Allow amplified instruments for live entertainment, not just acoustical.
- **Special Event Seating**: Allow occasional outdoor seating in the rear parking lot.

ANALYSIS

Closing Time: The Downtown Alcohol Beverage Policy ("Policy") establishes the general criteria by which requested alcohol service in association with restaurants may be reviewed. A key component is a limitation on the public closing time, which the Policy urges to be "no later than 12:00 AM", allowing the City to exercise discretion on a case-by-case basis. A restaurant's public closing time is an important factor in ensuring that restaurants remain food-centered.

In the years since the Policy was adopted, the Planning Commission and City Council have increasingly struggled with granting closing times of up to midnight largely due to the increasing number of restaurants with such late hours. However, the applicant's restaurant is particularly restricted with a daily 10:00 PM public closing, which is shared with only one other Downtown restaurant, Naschmarkt, as indicated on **Attachment 7**. In terms of parity, the Planning Commission's most recent decision on a restaurant Conditional Use Permit was for (what is now) The Vesper. The Planning Commission allowed an 11:30 PM closing, subject to the last patron entry at 11:00 PM. This decision was a compromise between the applicant's request for an 11:30 PM closing and staff's recommendation for maintaining an 11:00 PM closing, and would also be appropriate for the Socialight.

Bar Seating: The Policy indicates that the "bar area"[1] should constitute no more than 25% of the restaurant's total seating capacity. Mr. Bonner's request to increase the number of bar seats from nine to twelve would be consistent with this standard, as the bar would now constitute 25% of the overall 49-seat (interior) capacity. Increasing the bar seating will mean that the dining room seating will need to be reduced accordingly to maintain the 49-seat maximum.

Live Entertainment: The Policy states that, "Live entertainment is limited to live musicians complimentary to the primary purpose of providing meal service…and shall not be permitted past 11:00 PM". As with the limitation on closing time, this restriction is intended to ensure that meal service, as opposed to entertainment, is the primary characteristic of a restaurant. The current restriction of acoustic (non-amplified) performance, however, is rather restrictive and not representative of other approvals for live entertainment. Since the concern this restriction was intended to address was the volume of the amplified live entertainment, another solution may be considered. The most recent Conditional Use Permit approval for the pending restaurant in the Grower's National Bank requires that amplification be limited to a *built-in* speaker system. By controlling amplification in this manner, the restaurant management can easily adjust the volume to ensure the music does not become a nuisance.

Alcohol Service: The allowance of alcohol-service is predicated on the decision-making body establishing several findings:

- Over concentration of uses. The establishment will not result in an over concentration of these uses in the surrounding area;
- Not create a nuisance. The establishment will not create a nuisance due to litter, noise, traffic, vandalism, or other factors;
- Not disturb the neighborhood. The establishment will not significantly disturb the peace and enjoyment of the nearby residential neighborhood; and
- Not increase demand on services. The establishment will not significantly increase the demand on city services.

In large part, establishment of these findings has been grounded in conformance with the Policy in that a restaurant that maintains alcohol service as ancillary to food service is unlikely to create a nuisance, disturb the neighborhood, or increase the demand to City services. However, the Planning Commission must still determine whether allowing a restaurant with full alcohol service would result in an "overconcentration". Although neither the Zoning Code nor the Policy specifically define overconcentration, the City Council has conveyed that conformance to the Policy should not be construed as an automatic determination that no overconcentration exists.

Downtown currently has 26 alcohol-serving establishments (approved and/or in operation), including two full bars, one wine bar, 18 restaurants with full alcohol service, and five restaurants with beer and wine service, including the Socialight. In numeric terms, the proposed use change would not result in the creation of another alcohol-serving establishment or increase in approved seating capacities, since the establishment is already approved for beer and wine service.

However, as illustrated by the attached spreadsheet (reference **Attachment 8**), there has been an evident increase in the number of alcohol-serving establishments during the last decade, particularly restaurants either "upgrading" or opening with full alcohol service. Moreover, in

[1] Defined as "separate area, tables, or a room intended primarily for serving alcoholic beverages." (CMC Sec. 21.10.060.F.1.b)

terms of geographic distribution, this block of East Campbell Avenue—between Central Avenue and the tracks—already has the highest concentration of restaurants licensed for full alcohol service, as shown in the attached aerial map (reference **Attachment 9**). With the addition of the Socialight, this block would have nearly 50% (9 of 19) of such restaurants within the Downtown. Arguably, this would represent an overconcentration of restaurants with full-service alcohol. As a result, staff recommends denial of this request.

Special Event Seating: Mr. Bonner's request to occasionally utilize the rear (covered) parking area for special event seating presents several concerns, which have lead staff to recommend against this request:

- **Parking**: The use of parking spaces for other activity, even on an occasional basis, would constitute a violation of several provisions found in CMC Section 21.28.030, which require parking stalls be reserved for parking of vehicles.
- **Security**: Additional seating for use during special events will in effect create an open air drinking area. This presents security issues, particularly underage drinking and overconsumption, that require additional Police resources to monitor and enforce.
- **Exiting**: The need to barricade the seating area to control access creates an exiting concern, particularly because the use of the rear downstairs door out for emergency egress would be encumbered.

Enforcement: The recommended Conditions of Approval would maintain the existing enforcement standard that "triggers" revocation proceedings should the restaurant generates two (2) verifiable complaints related to violations of conditions of approval and/or related to the service of alcohol within a twenty-four (24) month period. There have been no formal violations documented since the City Council's July 21, 2015 meeting. However, at the Boogie on the Avenue, Mr. Bonner placed an oyster station in front of the restaurant without the Chamber's approval. Despite Campbell Police's request to remove it on Saturday, it reappeared on Sunday. After much discussion, the oyster bar was eventually moved back into the restaurant.

Site and Architectural Review Committee: The Site and Architectural Review Committee did not review this application since no exterior alterations are associated with the Modification request.

Attachments:
1. Findings Recommending Approval of File No. PLN2016-105
2. Recommended Conditions of Approval for File No. PLN2016-105
3. Location Map
4. City Council Resolution No. 11866
5. Project Request
6. Project Plans
7. Downtown Alcohol-Serving Establishments – Table
8. Downtown Alcohol-Serving Establishments – Spreadsheet
9. Downtown Alcohol-Serving Establishments – Aerial Map

Prepared by: _____

Daniel Fama, Associate Planner

Approved by: _____

Paul Kermoyan, Community Development Director

Attachment #1

FINDINGS RECOMMENDING APPROVAL OF FILE NO. PLN2016-105

SITE ADDRESS: 368 E. Campbell Ave.
APPLICANT: Steven Bonner
OWNER: Cheryl Schrader
P.C. MEETING: June 28, 2016

Findings recommending approval of a Modification (PLN2015-106) to a previously approved Conditional Use Permit (PLN2014-57/PLN2015-195):

The Planning Commission finds as follows with regard to file number PLN2016-105:

1. The project site is zoned C-3 (Central Business District) and designated *Central Commercial* by the General Plan Land Use Element.

2. The project site is located at the southeast corner of Campbell and Central Avenues.

3. The project site consists of an 8,200 square-foot parcel, improved with a 6,500 square-foot two-story building with retail and office.

4. On June 17, 2014, a Conditional Use Permit (PLN2014-57) was approved by the City Council, establishing a restaurant use, The Socialight, to occupy the site with beer and wine sales, late night activities (an early morning 5:00 a.m. operational hour opening), and live entertainment in the building.

5. On July 21, 2015, the City Council modified (PLN2015-195) the previously approved Conditional Use Permit to establish new conditions to resolve outstanding code enforcement violations.

6. The requested Modification (PLN2016-105) to the previously approved Conditional Use Permit (PLN2014-57 / PLN2015-195) would modify the approved alcohol service from beer & wine to "general" (distilled spirits), extend the business closing time from 10:00 PM to 12:00 AM ("late-night activity"), increase the number of approved bar seats, and permit amplified live entertainment, allow occasional outdoor seating and service in the rear parking lot for special events.

7. The approval of a Modified Conditional Use Permit incorporates applicable operational standards of the Downtown Alcohol Beverage Policy.

8. Alcohol beverage service in the restaurant shall be ancillary and subordinate to the primary purpose of serving food.

9. Policies found within the Campbell General Plan and Downtown Campbell Development Plan articulate a desire to promote and enhance a downtown environment that provides a desirable balance of land uses including shopping, services, and entertainment. This vision is evidenced in policies that encourage a mix of day and evening activities, a distinctive retail presence, a diversity of eating establishments, support for neighborhood-serving businesses, and protection of surrounding residential neighborhoods.

10. The City Council adopted the 'Downtown Alcohol Beverage Policy', as an implementation tool of the Campbell General Plan and Downtown Development Plan. The Policy is intended to balance the health and safety of the community while still maintaining the commercial viability of the downtown in which restaurants have an essential role.

11. Conformance to the provisions of the Downtown Alcohol Beverage Policy is the basis to which the City shall review new applications for alcohol beverage service. Restrictions to the hours of operation, amount of bar area seating, and alcohol beverage service, are necessary to protect the public health, safety and welfare.

12. The Downtown Alcohol Beverage Policy strongly recommends that Conditional Use Permits for establishments for on-site consumption of alcohol beverages be limited to a closing time of no later than 12:00 AM. However, the Planning Commission retains the discretion to allow lesser hours as necessary to satisfy the required findings provided for in CMC Secs. 21.46.070 and 21.46.040. To satisfy such findings, a public closing time of 11:30 PM subject to the last patron entry 11:00 PM is necessary.

13. The block of Campbell Avenue, between Central Avenue and the railroad tracks, where the subject restaurant is located would have 9 of 19 restaurants—nearly 50%—licensed for full-alcohol service within the Downtown. As such the conversion from beer and wine to general (distilled spirits) would result in an overconcentration of such activity. The over-concentration alcohol-serving establishments within a compact downtown district can create a cumulative impact that overwhelms the area creating an undesirable result such as drunkeness in public, vandalism, and disorderly conduct.

14. Use of the rear parking area for occasional seating creates parking, security, and exiting issues, which preclude this activity.

15. The approval of a Conditional Use Permit Modification incorporates applicable operational standards of the Downtown Alcohol Beverage Policy.

16. Alcohol beverage service in the restaurant shall be ancillary and subordinate to the primary purpose of serving food.

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

1. The proposed use is allowed within the applicable zoning district with Conditional Use Permit approval, and complies with all other applicable provisions of this Zoning Code and the Campbell Municipal Code;

2. The proposed use is consistent with the General Plan;

3. The proposed site is adequate in terms of size and shape to accommodate the fences and walls, landscaping, parking and loading facilities, yards, and other development features required in order to integrate the use with uses in the surrounding area;

4. The proposed site is adequately served by streets of sufficient capacity to carry the kind and quantity of traffic the use would be expected to generate;

5. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses on-site and in the vicinity of the subject property.

6. The establishment, maintenance, or operation of the proposed use at the location proposed will not be detrimental to the comfort, health, morals, peace, safety, or general welfare of persons residing or working in the neighborhood of the proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.

7. The establishment will not result in an over-concentration of these uses in the surrounding area;

8. The establishment will not create a nuisance due to litter, noise, traffic, vandalism, or other factors;

9. The establishment will not significantly disturb the peace and enjoyment of the nearby residential neighborhood;

10. The establishment will not significantly increase the demand on city services;

11. As conditioned, the establishment will be consistent with the Campbell Downtown Alcohol Policy.

12. The project is Categorically Exempt under Section 15060(c)(2) of the California Environment Quality Act (CEQA), pertaining to activities that will not result in a direct or reasonably foreseeable indirect physical change to the environment.

RECOMMENDED CONDITIONS OF APPROVAL FOR FILE NO. PLN2016-105

SITE ADDRESS: 368 E. Campbell Ave.
APPLICANT: Steven Bonner
OWNER: Cheryl Schrader
P.C. MEETING: June 28, 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:

Planning Division:

1. Approved Project: Approval is granted for a Modification (PLN2016-105) to a previously approved Conditional Use Permit (PLN2014-57/PLN2015-195) to extend the business closing time from 10:00 PM to 11:30 PM ("late-night activity"), increase the number of approved bar seats, and allow amplified live entertainment, in association with an existing restaurant with beer and wine service, located at **368 E. Campbell Avenue**. The project shall substantially conform to the Revised Project Plans and Project Description stamped as received by the Planning Division on April 21, 2016 and March 22, 2016, respectively, except as may be modified by the conditions of approval contained herein.

2. Approval Expiration: The Modified Conditional Use Permit approval shall be valid in perpetuity on the property subject to continued operation of the use. Abandonment, discontinuation, or ceasing of operations for a continuous period of twelve months shall void the approval.

3. Previous Conditions of Approval: The previously approved Conditions of Approval provided in City Council Resolution No. 11866 shall be void and shall permanently be superseded in their entirety by the Conditions of Approval specified herein.

4. Operational Standards: Consistent with Downtown Alcohol Beverage Policy and other City standards, any restaurant operating pursuant to the Conditional Use Permit approved herein shall conform to the following operational standards.

    a. **Restaurant Seating/Patron Occupancy**: Total indoor patron occupancy shall be limited to 49 seated persons, composed of 37 dining room seats and 12 bar seats, subject to the maximum occupancy capacities of certain rooms as determined by the California Building Code (CBC). At no time shall there be more than 49 patrons within the establishment, excluding those waiting for service. It is the responsibility of the business owner to provide adequate entrance controls to ensure that patron occupancy is not exceeded.

b. **Maximum Occupancy Sign**: The business owner shall install a new maximum occupancy sign of a size to be determined by the Community Development Director, conspicuously posted within the premises, which shall include the maximum occupancy noted herein and include a visual depiction on the final floor plan configuration.

c. **Bar Area Seating**: The bar area shall be composed of no more than twelve (12) bar seats as shown on the approved project plans. No part of the dining area shall be considered part of the bar area.

d. **Floor Plan**: All chairs and tables within the dining area shall consistent of standard-height furniture (i.e., not "high-top"). All tables and chairs shall be placed in such a manner to allow sufficient area for dining and shall not be stacked or removed from the dining area or placed outside. At no time shall the seating be reconfigured to created large open spaces for patrons to congregate, dance, drink, or socialize.

e. **Hours of Operation**: Hours of operation shall be as follows. By the end of 'Business Hours' (11:30 PM) all patrons shall have exited the restaurant, however, patrons shall not be permitted to enter after 11:00 PM. By the end of the 'Operational Hours' (12:00 AM) all employees shall be off the premises.

- Business Hours 11:00 AM – 11:30 PM, daily
- Operational Hours 9:00 AM – 12:00 AM, daily

f. **Food Service**: Full menu food service shall be provided at all times during the Business Hours in the dining, outdoor seating, and bar areas (i.e., the kitchen shall not be closed).

g. **Live Entertainment**: Live entertainment, limited to two (2) musicians for the purpose of providing ambient music, shall be permitted 11:00 AM to 10:00 PM, daily, subject to approval of a Live Entertainment Permit in compliance with CMC 5.24 Amplification shall be limited to the establishment's built-in speaker system. On-site security shall be provided as required by the Police Department. The door shall remain closed at all times when live entertainment is occurring, except for the entering and existing of patrons and staff.

h. **Dancing Prohibited**: At no time shall the business owner allow any form of dancing.

i. **Doors and Windows**: Doors and windows shall remain closed after 10:00 PM and during live entertainment performances.

j. **Cover Charge**: At no time shall a cover charge be required or a donation necessary in order to patronize the establishment.

k. **Alcohol Beverage Service**: Alcohol beverage service in the dining area shall only be allowed in conjunction with food service. The dining area shall not be converted to a bar area or dance area.

l. **Bar Area Meal Service**: Meal service shall be available in the bar area at all times.

m. **Outdoor Seating**: Outdoor seating shall be considered part of the dining area subject to all restrictions herein. Total patron occupancy in the outdoor seating shall be limited to the number of approved seats as specified by an approved Outdoor Seating Permit.

n. **Loitering**: There shall be no loitering allowed outside the business and within the outside dining area that may be approved pursuant to an Outdoor Seating Permit. The business owner is responsible for monitoring the premises to prevent loitering.

o. **Noise**: Unreasonable noise—defined as noise, regardless of decibel level, which obstructs the free use of neighboring properties so as to unreasonably interfere with the comfortable enjoyment of the neighboring residents—shall not be generated by the live entertainment. In the event verified complaints are received by the City regarding such unreasonable noise, the Community Development Director may immediately modify the business hours and/or impose additional restrictions on the live entertainment, including but not limited to, reducing the number of performers, and prohibiting amplified entertainment, subject to the project being brought back to the Planning Commission for review.

p. **Smoking**: "No Smoking" signs shall be posted on the premises in compliance with CMC 6.11.060.

q. **Trash & Clean Up**: All trash, normal clean up, carpet cleaning, etc. shall occur during the approved 'Operational Hours'. If determined necessary by the Community Development Director to protect the public health and safety, the existing refuse enclosure shall be modified to incorporate a roof covering and sanitary drain connection. Refuse and recycling receptacles shall be kept within the enclosure except during collection in compliance with Chapter 6.04 of the Campbell Municipal Code.

r. **Liquor License**: The business owner shall maintain in good standing a Type 41 license (On-Sale Beer and Wine for Bona Fide Public Eating Place) from the State Department of Alcoholic Beverage Control for the sale of alcoholic (beer and wine) beverages. The license shall include Business Hour and other applicable restrictions consistent with the Conditional Use Permit approved herein. A copy of the issued license shall be provided to the Community Development Department prior to issuance of a Business License.

s. **Alcohol Sales**: The monthly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period, consistent with ABC licensing regulations. The business owner shall provide sales records on demand to the City to verify compliance with this standard.

t. **Employee Training**: The establishment shall use an employee training manual that addresses alcoholic beverage service consistent with the standards of the California Restaurant Association and the Department of Alcoholic Beverage Control.

u. **Designated Driver Program**: The establishment shall maintain and actively promote a designated driver program (e.g., complimentary non-alcoholic beverages for designated drivers), including posting in a conspicuous place contact information for local designated driver services.

v. **Taxicab Service**: The establishment shall post in a conspicuous place the telephone numbers of local taxicab services.

w. **Outdoor Activity**: Other than outdoor seating as permitted by an Outdoor Seating Permit, no outdoor activity, including cooking, and "special event" activities, is permitted in association with the establishment.

5. Revocation of Permit: Operation of the restaurant and bar pursuant to the Conditional Use Permit approved herein is subject to Sections 21.68.020, 21.68.030 and 21.68.040 of the Campbell Municipal Code authorizing the City Council to modify or revoke a Conditional Use Permit if it is determined that the sale of alcohol 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 two (2) verifiable complaints related to violations of conditions of approval and/or related to the service of alcohol within a twenty-four (24) month period, a public hearing before the City Council, upon recommendation of the Planning Commission, 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 use permits upon the occurrence of less than two (2) 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 Police Department calls for service at or near the establishment that are reasonably determined to be a direct result of patrons actions;

   b. The number of complaints received from residents, business owners and other citizens concerning the operation of an establishment,

   c. The number of arrests for alcohol, drug, disturbing the peace, fighting and public nuisance violations associated with an establishment;

   d. The number and kinds of complaints received from the State Alcoholic Beverage Control office and the County Health Department; and

   e. Violation of conditions of approval.

Project Location Map

Attachment 3

Project Location: 368 E. Campbell Ave.
Application Type: CUP Modification
Planning File No.: PLN2016-105

0 265 530 Feet

N

CITY OF CAMPBELL · THE ORCHARD CITY

Community Development Department
Planning Division

RESOLUTION NO. 11866

BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL MODIFYING A CONDITIONAL USE PERMIT (PLN2014-57) ESTABLISHING NEW CONDITIONS TO RESOLVE CODE ENFORCEMENT VIOLATIONS THAT INCLUDE A NEW "REVOCATION OF PERMIT" PERIOD OF TWO (2) VERIFIABLE COMPLAINTS WITHIN TWENTY-FOUR (24) MONTHS PRIOR TO TRIGGERING THE NEED TO CONSIDER PERMIT REVOCATION, REQUIRING THE OWNER TO PAY FOR ALL ADMINISTRATIVE FINES FOR FUTURE VIOLATIONS, VOIDING THE CONDITIONAL USE PERMIT IF THE USE IS ABANDONED FOR SIX (6) MONTHS, LIMITING BAR AREA TO NO MORE THAN NINE (9) PERSONS, AND REQUIRING THE FLOOR PLAN TO BE CONSISTENT WITH THE ORIGINAL APPROVAL

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

The City Council finds as follows with regard to file number PLN2014-57 as modified from the original approval:

1. The project site is zoned C-3 (Central Business District) and designated *Central Commercial* by the General Plan Land Use Element.

2. The project site is located at the southeast corner of Campbell and Central Avenues.

3. The project site consists of an 8,200 square-foot parcel, improved with a 6,500 square-foot two-story building with retail and office.

4. The approved Conditional Use Permit currently allows late night (early morning) operation, beer and wine sales, and live entertainment in conjunction with a new restaurant and bar.

5. The approved Conditional Use Permit incorporates applicable operational standards of the Downtown Alcohol Beverage Policy.

6. Alcohol beverage service in the restaurant shall be ancillary and subordinate to the primary purpose of serving food.

7. Policies found within the Campbell General Plan and Downtown Campbell Development Plan articulate a desire to promote and enhance a downtown environment that provides a desirable balance of land uses including shopping, services, and entertainment. This vision is evidenced in policies that encourage a mix of day and evening activities, a distinctive retail presence, a diversity of eating establishments, support for neighborhood-serving businesses, and protection of surrounding residential neighborhoods.

8. The over-concentration of late night alcohol serving establishments within a compact downtown district can create a cumulative impact that overwhelms the area creating an undesirable result such as drunk in public, vandalism, and disorderly conduct.

9. Alcohol beverage service in the restaurant shall be ancillary and subordinate to the primary purpose of serving food.

10. A public closing time of 10:00 PM for the restaurant and bar is appropriate to ensure that alcohol service remains ancillary to food service and therefore would not result in an overconcentration of alcohol-serving (liquor) establishments.

11. Establishment, maintenance and operation of outdoor seating for the restaurant needs to be maintained consistent with an approved Outdoor Seating Permit to avoid impacts to the comfort, health, morals, peace, safety, or general welfare of persons residing, walking or working in the neighborhood of the proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.

12. On July 15, 2014, the City conducted a general meeting with Downtown Campbell restaurant and bar owners as part of an educational code enforcement program for the purpose to address repetitive complaints about various businesses not complying with their conditions of approval.

13. Staff met with Mr. Bonner on August 22, 2014 to review his specific conditions of approval and respond to any questions or need for clarification of the conditions.

14. Condition #4 the Conditional Use Permit (PLN2014-57) requires the Community Development Director to begin the revocation proceedings upon three (3) verifiable complaints or violations of the Permit within a six (6) month period.

15. On May 9, 2015, the Campbell Police Department documented that 6 to 8 guests were located within the business after 11:00 p.m. when the business, including employees, should be out of the building.

16. On May 17, 2015, the Community Development Director documented that the outside seating and tables greatly exceeded the quantity and type approved as part of the Outside Seating Permit.

17. On May 21, 2015, the Campbell Police Department documented that 8 to 10 guests were in the business after 10:00 p.m. when the business is required to be closed to the public at 10:00 p.m.

18. The Community Development Department staff identified that there were eighteen (18) bar stools at the bar where only nine (9) were permitted.

19. The Planning Commission conducted CUP revocation proceedings on June 23, 2015 and accepted public testimony.

20. The Planning Commission reviewed various options to amend the conditions of approval and impose penalties in an attempt to resolve the CUP violations.

21. The re-inspection and enforcement costs involved in these revocation/modification proceedings exceed $2,500.

22. The Planning Commission recommended that a $2,500 fine be imposed to recoup administrative costs associated with resolving the violations and modified Condition #4 requiring a CUP revocation proceedings threshold of three (3) verifiable complaints within a 12-month period.

23. The City Council conducted a public hearing on July 21, 2015 and considered all of the evidence, including public testimony prior to making a decision.

Based upon the foregoing findings of fact, the City Council further finds and concludes that:

24. The proposed modifications to the Conditional Use Permit will not result in a direct or reasonably foreseeable indirect physical change to the environment.

25. More than one of the conditions of the permit has not been substantially fulfilled or has been violated.

26. The manner of operation has constituted or has created a nuisance, in that the violations of the conditions or the conditional use permit and the outdoor seating approval are declared to be a nuisance pursuant to Campbell Municipal Code sections 21.03.020.D and 6.10.020 (a)(6)(S).

THEREFORE, BE IT RESOLVED that the City Council of the City of Campbell hereby modifies the conditions of the original Conditional Use Permit (PLN2014-57) to read as set forth in the attached Conditions of Approval (attached Exhibit "A").

PASSED AND ADOPTED this 21st day of July, 2015, by the following roll call vote:

AYES: COUNCILMEMBERS: Resnikoff, Kotowski, Cristina
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: Baker
ABSTAIN: COUNCILMEMBERS: Gibbons

APPROVED: _____
Jeffrey R. Cristina, Mayor

ATTEST: _____
Wendy Wood, Acting City Clerk

Exhibit A

CITY COUNCIL CONDITIONS OF APPROVAL FOR FILE NO. PLN2014-57
(Modified from original Approval)

SITE ADDRESS:	368 E. Campbell Avenue
APPLICANT:	The Socialight (Steve Bonner)
OWNER:	Cheryl Schrader
P.C. MEETING:	June 23, 2015
C.C. MEETING:	July 21, 2015

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 to modify a previously issued Conditional Use Permit (PLN2014-57) as part of permit revocation proceedings to allow a restaurant with beer and wine sales, late night operation, and live entertainment on property located at **368 E. Campbell Avenue** to continue operations subject to modified conditions of approval. The project shall substantially conform to the project plans and revised project description stamped as received by the Planning Division on February 20, 2014 and April 14, 2014, respectively, except as may be modified by the conditions of approval contained herein.

2. Payment of Administrative Costs: If future violations occur, the business owner will be responsible to pay for all administrative fines as deemed necessary by the Community Development Director.

3. Approval Expiration: The approval shall be valid for one year from the date of final approval. Within this one-year period, a building permit for the tenant improvements for the restaurant and a Type 41 Alcoholic Beverage Control (ABC) license must be secured or the Conditional Use Permit shall be rendered void. Once established, approval for the restaurant with beer and wine sales, late night operation, and live entertainment, shall be valid in perpetuity on the property, subject to continued operation of the use. Abandonment, discontinuation, or ceasing of operations for a continuous period of six (6) months shall void the Conditional Use Permit approved herein.

4. Operational Standards: Consistent with Downtown Alcohol Beverage Policy and other City standards, any restaurant operating pursuant to the Conditional Use Permit approved herein shall conform to the following operational standards.

   a. **Restaurant Seating/Patron Occupancy**: Total indoor patron occupancy shall be limited to 49 seated persons, consistent with the 40 dining area seats and nine bar area seats, subject to the maximum occupancy capacities of certain rooms as determined by the California Building Code (CBC). At no time shall there be more than 49 patrons within the establishment, excluding those waiting for service. It is the responsibility of the business owner to provide adequate entrance controls to ensure that patron occupancy is not exceeded. Maximum Occupancy signs shall be posted conspicuously within the premises.

   b. **Bar Area Seating**: The bar area shall be composed of nine (9) bar seats as shown on the approved project plans. Only nine (9) persons are allowed at the bar regardless if they are seated or standing. No part of the dining area shall be considered part of the bar area.

   c. **Floor Plan**: All chairs and tables within the dining area shall consistent of standard-height furniture (i.e., not "high-top"). All tables and chairs shall be placed in such a manner to allow sufficient area for dining and shall not be stacked or removed from the dining area or placed outside. At no time shall the seating be reconfigured to created large open spaces for patrons to congregate, dance, drink, or socialize. The City Council's revised condition, per the July 21, 2015 revocation proceedings require staff to inspect the as-built floor plan in comparison to what the City approved. Any deviations will need to be returned to the original City approved floor plan. Every item found in non-compliance with the approved plan will need to be corrected within 30 days of such notice.

   d. **Hours of Operation**: Hours of operation shall be as follows. By the end of 'Business Hours' all patrons shall have exited the restaurant. By the end of the 'Operational Hours' all employees shall be off the premises.

      - Business Hours 6:00 AM – 10:00 PM, Sunday – Saturday

      - Operational Hours 5:00 AM – 11:00 PM, Sunday – Saturday

   e. **Food Service**: Full menu food service shall be provided at all times during the Business Hours in the dining, outdoor seating, and bar areas (i.e., the kitchen shall not be closed).

   f. **Live Entertainment**: Live entertainment, limited to two musicians with non-amplified instruments, for the purpose of providing ambient music, shall be permitted 11:00 AM to 10:00 PM, daily, subject to approval of a Live Entertainment Permit in compliance with CMC 5.24. On-site security shall be provided as required by the

Police Department. The door shall remain closed at all times when live entertainment is occurring, except for the entering and existing of patrons and staff.

g. **Alcohol Beverage Service**: Alcohol beverage service in the dining area shall only be allowed in conjunction with food service. The dining area shall not be converted to a bar area or dance area.

h. **Bar Area Meal Service**: Meal service shall be available in the bar area at all times.

i. **Outdoor Seating**: Outdoor seating shall be considered part of the dining area subject to all restrictions herein. Total patron occupancy in the outdoor seating shall be limited to the number of approved seats as specified by an approved Outdoor Seating Permit.

j. **Loitering**: There shall be no loitering allowed outside the business and within the outside dining area that may be approved pursuant to an Outdoor Seating Permit. The business owner is responsible for monitoring the premises to prevent loitering.

k. **Noise**: Unreasonable levels of noise, sounds and/or voices, including but not limited to amplified sounds, loud speakers, sounds from audio sound systems, music, and/or public address system, generated by the establishment shall not be audible to a person of normal hearing capacity from any residential property. In the event verified complaints are received by the City regarding such unreasonable noise, the Community Development Director may immediately modify the business hours/hours of operation, subject to the project being brought back to the Planning Commission for review.

l. **Smoking**: "No Smoking" signs shall be posted on the premises in compliance with CMC 6.11.060.

m. **Trash & Clean Up**: All trash, normal clean up, carpet cleaning, etc. shall occur during the approved 'Operational Hours'. If determined necessary by the Community Development Director to protect the public health and safety, the existing refuse enclosure shall be modified to incorporate a roof covering and sanitary drain connection. Refuse and recycling receptacles shall be kept within the enclosure except during collection in compliance with Chapter 6.04 of the Campbell Municipal Code.

n. **Liquor License:** The applicant shall obtain and maintain in good standing a Type 41 (On-Sale Beer and Wine for Bona Fide Public Eating Place) license from the State Department of Alcoholic Beverage Control for the sale of beer and wine beverages in conjunction and restaurant. The license shall include the Business Hour restrictions consistent with the Conditional Use Permit approved herein. A copy of the issued license shall be provided to the Community Development Department prior to issuance of a Business License.

o. **Employee Training**: The establishment shall use an employee training manual that addresses alcoholic beverage service consistent with the standards of the California Restaurant Association and the Department of Alcoholic Beverage Control.

p. **Designated Driver Program**: The establishment shall maintain and actively promote a designated driver program (e.g., complimentary non-alcoholic beverages for designated drivers), including posting in a conspicuous place contact information for local designated driver services.

q. **Taxicab Service**: The establishment shall post in a conspicuous place the telephone numbers of local taxicab services.

r. **Outdoor Activity**: Other than outdoor seating as permitted by an Outdoor Seating Permit, no outdoor activity (e.g., cooking) is permitted in association with the establishment.

5. Revocation of Permit: Operation of the restaurant and bar pursuant to the Conditional Use Permit approved herein is subject to Sections 21.68.020, 21.68.030 and 21.68.040 of the Campbell Municipal Code authorizing the appropriate decision-making body to modify or revoke a Conditional Use Permit if it is determined that the sale of alcohol 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 two (2) verifiable complaints related to violations of conditions of approval and/or related to the service of alcohol within a twenty-four (24) month period, a public hearing before the City Council (upon recommendation by the Planning Commission) 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 the Conditional Use Permit upon the occurrence of two (2) 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 Police Department calls for service at or near the establishment that are reasonably determined to be a direct result of patrons actions;

b. The number of complaints received from residents, business owners and other citizens concerning the operation of an establishment,

c. The number of arrests for alcohol, drug, disturbing the peace, fighting and public nuisance violations associated with an establishment;

d. The number and kinds of complaints received from the State Alcoholic Beverage Control office and the County Health Department; and

e. Violation of conditions of approval or applicable laws.

Building Division:

6. Permits Required: A building permit application shall be required for the proposed bar/restaurant use in the existing commercial structure. The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit.

7. Construction Plans: The Conditions of Approval shall be stated in full on the cover sheet of construction plans submitted for building permit.

8. Size of Plans: The minimum size of construction plans submitted for building permits shall be 24 in. X 36 in.

9. 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.

10. 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.

11. Title 24 Energy Compliance: California Title 24 Energy 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.

12. 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 Appendix Chapter 1, Section 106. Please obtain City of Campbell, Special Inspection forms from the Building Inspection Division Counter.

13. Non-point Pollution Control Program: 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.

14. 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.

15. Title 24 Accessibility – Commercial: Projects seeking to use the Title 24 Hardship exemption clause shall blue-line completed, City of Campbell "20%" exemption form on submitted construction plans. Form is available at 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. Santa Clara County Dept. of Environmental Health (918-3400)

d. City of San Jose Dept. of Environmental Services (535-8550)

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.

PUBLIC WORKS

18. 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 $2,650 per net acre, which is $477 (set for commercial land use).

RECEIVED
MAR 22 2016
CITY OF CAMPBELL
PLANNING DEPT.

The Socialight

January 28, 2016

City of Campbell
Stephen Rose

Dear Mr. Rose:

This letter is to outline the Socialight requests for changes to our operation. As a general summary of the past year, there were some initial hiccups in the very beginning of the opening of The Socialight which were all cured and never recurred. Aside from the upcoming discussion on a window which is not a violation but a discussion on what should be done, there is nothing remaining on our CUP nor have there been any issues. Since our opening, The Socialight has become a town favorite and has already won "Best Restaurant" in Campbell from the Campbell Express. There have been no issues at all including no police matters of any kind. We have been involved with several issues that took place in Campbell and provided video to Campbell police to assist them in their investigations of crashes outside our restaurant, etc. The restaurant is a hit and packed most nights with repeat diners from Campbell. Our local following has been fantastic and we are hoping to improve their experience.

It is believed that in the beginning of this restaurant venture, there needed to be proof of operation and delivering on what was promised, "a high end, classy restaurant focused on 5-star food". As words have been spoken before to the City of Campbell and permits issued based on those words, I perceived a concern from the city to not be "burned" again by a "bait and switch" and did my best to understand this position. Some abnormal regulations were imposed to help protect against this occurring. Some of these regulations are very crippling and the Socialight is hoping to have them lifted so we can operate more efficiently and successfully for the City of Campbell.

Request #1: **HOURS OF OPERATION**
Originally, the Socialight applied for operation hours to serve until 12:00am. As discussion over other matters were tossed around, it was decided to cut these hours of operation to 10pm as a compromise and get the restaurant opened. From the customer's standpoint, this has been very difficult and at times infuriating to them. They have made many comments about this not working for them and they are not coming back because they did not have time to finish their dinner, could not order dessert, could not finish the SF Giants baseball game (we have had to shut off our TV's many times to comply with this curfew), Golden State Warrior basketball games and occasionally San Jose Sharks. We are predominantly a local's restaurant where many gather to enjoy life in general. Many guests want to dine at 8:15 or 8:30pm. This is not possible at the Socialight because it is often a 2-hour experience. We cannot offer reservations at 7pm because that would tie up one table the entire evening which has happened on many occasions. I could go into much detail but I think it is reasonably obvious on this request, it is very damaging to all involved and serves no benefit or positive purpose for anyone and not consistent with the other restaurants in town.

Please allow The Socialight Restaurant to be open for business until 12:00am.

Request #2: **COUNTER SEATS INCREASED UP TO 12 SEATS.**
We currently are limited to 9 counter stools. Please allow the legal code amount of 12 stools at our counter. Note, this does not change the occupancy of 49 max. but simply allows the flexibility of our guests to sit where they desire at that given moment.

Please increase our seat limit at the counter to 12 seats.

Request #3: **ENTERTAINMENT PERMIT TO ALLOW FOR AMPLIFICATION.**
Our current permit allows for entertainment but none amplified. For the first time ever this week, we had an entertainer come in and play acoustic guitar singing Nora Jones and singing and playing various Jazz classics in addition to originals. It was great night for all diners and all asked if we would be doing this more. We received some very positive feedback and 5-star yelp reviews. The vibe and pleasantness brought about by the live performer was great for all who dined at The Socialight that night. The acoustic guitar filled the restaurant reasonably well but the performer, Mark Rodriguez commented how difficult it was to sing loud enough for guests to hear for an extended period of time.

The Socialight is a classy upscale place with a professional demographic that will never be conducive to loud bands or even anything anyone could hear outside. But we do need amplification to some extent for the performers to entertain properly.

Please allow for our entertainment permit to provide for amplified live music.

Request #4: **LIQUOR LICENSE ALLOWED TO BE APPLIED FOR: Type 47**
In the beginning, The City of Campbell had a concern on having a full liquor license. As discussed above, this was probably a reasonable concern considering some recent history. However, with nearly a year of providing Campbell residents with the best food in town, I am hoping the probationary period can be over and the Socialight will be allowed to provide full service to its guests. Virtually every day we have guests that tell us about how someone in their party does not like or want beer or wine so they are going to Willard Hicks, Naschmarkt, Sushi Confidential, Pino's Trattoria, Blue Line Pizza, Liquid Bread, etc. The Socialight cannot service these guests and loses diners and revenue daily because of this. We have proven to be an upscale dining establishment which I think we all know is not where any of the problems of Campbell is coming from.

Please allow The Socialight the ability to apply to the ABC for a Type 47 liquor license.

Request #5: **EVENT DAYS**
The Socialight is unique in that it has its own parking. It has been requested at the Campbell Oktoberfest, Campbell Boogie on the Avenue and other special days like that to have extended outside seating by many Campbell residents and event workers. We have an area that we can rope off, decorate nicely and not effect traffic in any way but provide good quality outside seating that is shaded under the overhand of our building. Anyone who comes to these events or operates them will say the number one complaint is there is not

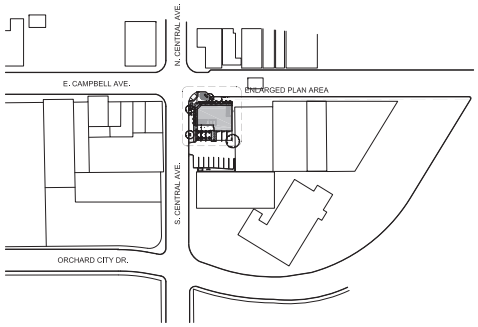
enough places to sit down out of the sun. It would be nice to provide this and on these days, increase our service and revenues to take advantage of the events optimally. Of course we would also abide by all conditions of ABC, Enclosure, Security, etc.

Please allow extended outside seating to include the described area attached.

Sincerely,

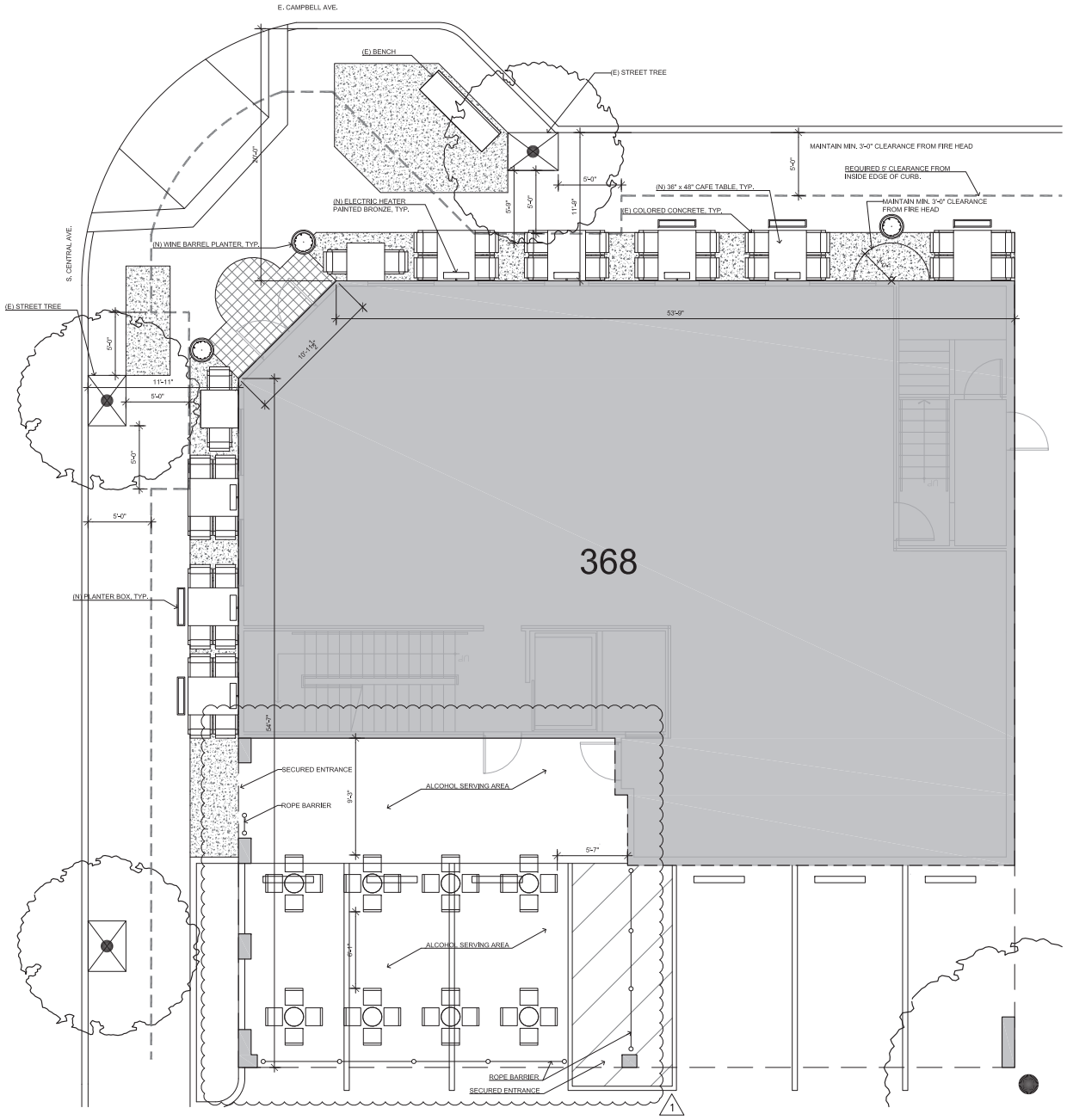
Steve Bonner
Managing Member

Attachment 6



1. KEY PLAN

SCALE: 1" = 100'-0"



2. SITE PLAN

SCALE: 1/4" = 1'-0"

PROJECT LOCATION

PROJECT ADDRESS
368 EAST CAMPBELL AVE.
CAMPBELL, CA 95008

LEGAL DESCRIPTION
APN 412-07-044
ZONE C-3 (CENTRAL BUSINESS DISTRICT)

SITE NOTES:

1. THIS IS NOT A SURVEY. IT IS PROVIDED FOR BUILDING AND SITE WORK LAYOUT ONLY. THE CONTRACTOR SHALL VERIFY ON SITE ALL GRADES, EXISTING IMPROVEMENTS, PROPERTY LINES, EASEMENTS, SETBACKS, UTILITIES, AND SUB-STRUCTURES. WHERE DISCREPANCIES OCCUR, CONTACT ARCHITECT.
2. FINISH GRADE SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING.
3. ALL ROOF DRAINAGE SHALL BE PIPED TO STREET OR APPROVED DRAINAGE FACILITY.
4. IRRIGATION SYSTEM SHALL BE DESIGNED TO PREVENT THE SATURATION OF SOIL ADJACENT TO BUILDING.
5. PROVIDE EXPANSION AND CONTROL JOINTS IN ALL EXTERIOR CONCRETE SLABS. SPACING OF JOINTS SHALL BE PER INDUSTRY STANDARD.
6. PAD GRADE UNDER BUILDING SHALL HAVE POSITIVE SLOPE TO A PERFORATED DRAIN PIPE SET IN A GRAVEL TRENCH. EXTEND PIPE TO ALL PORTIONS OF UNDERFLOOR AREA. PIPE SHALL DISCHARGE TO STREET OR APPROVED DRAINAGE FACILITY.
7. A PERFORATED DRAIN SET IN A GRAVEL TRENCH SHALL BE INSTALLED AROUND THE ENTIRE PERIMETER OF THE NEW FOUNDATION. THE DRAIN SHALL DISCHARGE INTO THE STREET OR APPROVED DRAINAGE FACILITY.

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ARCHITECTURE INTERIOR PLANNING
STUDIO WEST
1900 POWELL STREET SUITE 460, EMERYVILLE CA 94608
T: 510 646 8150

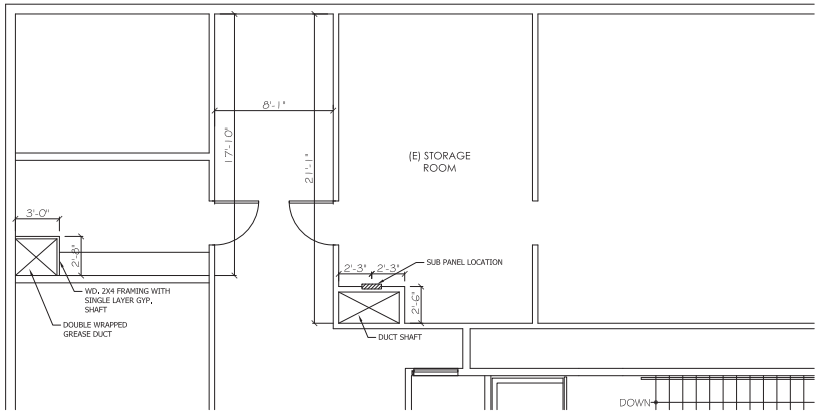
SOCIALIGHT WINEBAR
368 EAST CAMPBELL AVE.
CAMPBELL, CA 95008

ISSUED FOR:	DATE:
1 SPECIAL EVENT SPACE	04.19.2016

N

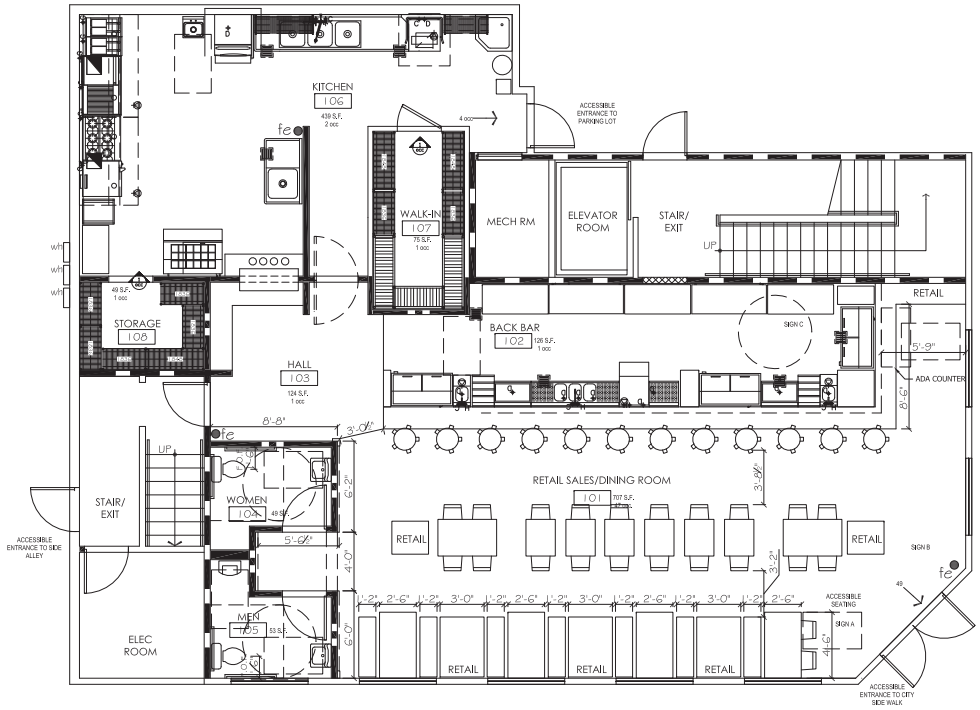
A1.01
SITE PLAN

PROJECT NO. 15010



2. SECOND FLOOR PLAN AT MECHANICAL CHASE LOCATIONS

SCALE: 1/4" = 1'-0"



1. FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

OCCUPANCY - A2 RESTAURANT:

ROOM/NUMBER	LOAD FACTOR	SQUARE FEET	OCCUPANTS
101 DINING AREA	1/15	718	49
102 BACK BAR	1/200	126	1
103 HALL	1/100	124	2
104 RESTROOM	1/100	49	1
105 RESTROOM	1/100	52	1
106 KITCHEN	1/200	436	3
107 WALK-IN	1/300	75	1
TOTAL			58

SEAT COUNT:

BAR:	12
ADA BAR:	1
OPEN SEATING:	20
BOOTH:	16
TOTAL	49

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ARCHITECTURE INTERIOR PLANNING
STUDIO WEST
1900 POWELL STREET SUITE 460, EMERYVILLE CA 94608
T: 510 646 8150

SOCIALIGHT WINEBAR
368 EAST CAMPBELL AVE.
CAMPBELL, CA 95008

ISSUED FOR: DATE:

1 04/08/2015 PLAN CHECK COMMENTS

13001

N

A2.01
FLOOR PLAN

PROJECT NO. 15010 65

12/18/2013 1:22:36 PM 13001 20000 WRIGHT DR.

Attachment 7

California Department of Alcoholic Beverage Control
For the city of CAMPBELL- (On-Sale Licenses)

June 2016

License Number	License Type (Current and Previous)	Issue Date	Primary Owner and Premises Addr.	Business Name	CUP	Occupancy/Seating Capacity		Hours of Operation (Shadow = late-night hours)
						Indoor	Outdoor	
420123	47 (General Liquor) Restaurant	1/19/2005	SONOMA FOOD LLC 200 E CAMPBELL AVE	**CAMPBELL BREWING CO.**	UP 98-01 PLN2002-90	255 seats (bar and dining)	44 seats	Monday – Saturday & Holidays 8:00 a.m. to 2:00 am. Sunday 8:00 a.m. to 12:00 a.m.
444464	47 (General Liquor) Restaurant	4/16/2007	O M INC 201 E CAMPBELL AVE	**AQUI CAL MEX**	PLN2005-162	170 seats (116 dining and 54 bar)	60 seats	Monday – Thursday 10:00 a.m. to 10:00 p.m. Friday 10:00 a.m. to 12:00 a.m. Saturday and Sunday 7:30 a.m. to 10:30 p.m.
520177	47 (General Liquor) Restaurant Previous: Type 41 (Beer and Wine)	5/16/2012	PROJECT WHITELIGHT LLC 245-247 E CAMPBELL AVE	**SUSHI CONFIDENTIAL**	PLN2012-36	92 seats (87 dining and 5 bar)	20 seats	Daily 10:00 a.m. to 12:00 a.m
569632	48 (General Liquor) Bar	4/18/2003	MR FAMILIES LLC 260 E CAMPBELL AVE	**CARDIFF LOUNGE**	PLN2004-63	Undefined (posted at 160 patrons)	N/A	Daily 12:00 p.m. to 2:00 a.m.
449414	47 (General Liquor) Restaurant	1/30/2008	MARIO CORPORATION 360 E CAMPBELL AVE	**PINO'S TRATTORIA**	PLN2007-183	44 seats	32 seats	Daily 6:00 a.m. to 11:00 p.m.
343296	47 (General Liquor) Restaurant	9/1/1998	KATIE BLOOMS INC II 369 E CAMPBELL AVE	**KATIE BLOOMS**	UP 97-21	129 seats (per Building Permit)	40 seats	Daily 7:00 a.m. to 2:00 a.m. 7:00 a.m. to 10:00 p.m. (outdoor)

License Number	License Type (Current and Previous)	Issue Date	Primary Owner and Premises Addr.	Business Name	CUP	Occupancy/Seating Capacity		Hours of Operation (Shadow = late-night hours)
						Indoor	Outdoor	
537228	47 (General Liquor) Restaurant Previous: Type 41 (Beer and Wine)	8/8/2012	LIQUID BREAD CAMPBELL 379 E CAMPBELL AVE	**LIQUID BREAD**	PLN2013-244	42 seats (38 dining and 4 bar)	8 seats	Daily 8:00 a.m. to 12:00 a.m
426357	47 (General Liquor) Restaurant	3/10/2006	MARIO CORPORATION 373 E CAMPBELL AVE	**LA PIZZERIA**	PLN2006-02	44 seats	Undefined	Sunday – Wednesday 8:00 a.m. to 12:00 a.m. Thursday – Saturday 8:00 a.m. to 2:00 a.m.
514621	47 (General Liquor) Restaurant Previous: Type 41 (Beer and Wine)	1/11/2012	NASCHMARKT LLC 384 E CAMPBELL AVE	**NASCHMARKT**	PLN2011-287	50 seats (36 dining and 12 bar)	6 seats	Daily 11:00 a.m. to 10:00 p.m.
444530	47 (General Liquor) Restaurant	11/16/2007	TIGELLERIA LLC 76 E CAMPBELL AVE	**TIGELLERIA RESTAURANT**	PLN2012-269/270	56 seats	8 seats	Sunday – Thursday 11:00 a.m. to 10:00 p.m. Friday – Saturday 11:00 a.m. to 11:00 p.m.
486509	47 (General Liquor) Restaurant	12/3/2010	CRITES, AARON ANDREW 201 ORCHARD CITY DR	**THE SPOT**	UP97-09 PLN2004-03	125 seats (98 dining and 27 bar)	16 seats	Monday – Wednesday 7:00 a.m. to 1:00 a.m. Thursday - Saturday 7:00 a.m. to 2:00 a.m.
167789	48 (General Liquor) Bar	2/22/1985	B C B ENTERPRISES INC 300 ORCHARD CITY DR, STE 101	**KHARTOUM**	PLN2011-283	145 patrons (maximum of 49 within the "game room")	N/A	Daily 11:00 am to 2:00 am

License Number	License Type (Current and Previous)	Issue Date	Primary Owner and Premises Addr.	Business Name	CUP	Occupancy/Seating Capacity		Hours of Operation (Shadow = late-night hours)
						Indoor	Outdoor	
414340	41 (Beer & Wine) Restaurant	7/9/2004	KNYF INC 300 ORCHARD CITY DR, STE 110	**KOMATSU JAPANESE CUISINE**	N/A	Undefined	N/A	11:00 p.m closing (per CMC)
406651	47 (General Liquor) Restaurant	2/25/2004	EZMZPJ GROUP INC 33 S CENTRAL AVE 96	**A BELLAGIO**	N/A	Undefined	Undefined	11:00 p.m closing (per CMC)
530144	41 (Beer & Wine) Restaurant	4/10/2013	SPREAD CAMPBELL LLC 193 E CAMPBELL AVE.	**SPREAD DELI**	PLN2013-133	25 seats (15 dining and 10 counter)	20 seats	Monday – Friday, 11 a.m. to 11:00 p.m. Saturday & Sunday 9 a.m. to 11:00 p.m.
511799	47 (General Liquor) Restaurant	12/6/2011	PIZZA ALLIANCE 1 LLC THE 415 E CAMPBELL AVE	**BLUE LINE PIZZA**	PLN2011-137	79 seats (70 dining and 9 bar)	16 seats	Sunday – Thursday 11:00 a.m to 10:00 p.m. Friday – Saturday 11:00 am to 11:00 pm
525435	47 (General Liquor) Restaurant	6/6/2013	YAMASHITA RESTAURANT GROUP LLC 397 E CAMPBELL AVE	**BROWN COW BROWN CHICKEN**	PLN2012-02	36 seats (28 dining and 8 bar)	32 seats	Monday – Friday, 11 a.m. to 12:00 a.m. Saturday & Sunday 9 a.m. to 12:00 a.m.
518411	41 (Beer & Wine) Restaurant	3/29/2012	YOU'LL FLIP FOR MORE dba STACKS 139 E CAMPBELL AVE	**STACKS RESTAURANT**	N/A	90 seats	Undefined	Daily 7 a.m. to 2:30 p.m.
550583	47 (General Liquor) Restaurant	5/16/2013	CHRISTENI GROUP LLC 280 E CAMPBELL AVE	**WILLARD HICKS**	PLN2014-47	157 seats (118 dining and 39 bar)	22 seats	Daily 11 a.m. to 12:00 a.m.
525498	47 (General Liquor) Restaurant	7/22/2013	OPA CAMPBELL L-PSHIP dba OPA AUTHENTIC GREEK CUISINE 276 E CAMPBELL AVE	**OPA!**	PLN2012-196	94 seats (78 dining and 16 bar)	66 seats	Daily 11 a.m. to 12:00 a.m.

License Number	License Type (Current and Previous)	Issue Date	Primary Owner and Premises Addr.	Business Name	CUP	Occupancy/Seating Capacity		Hours of Operation (Shadow = late-night hours)
						Indoor	Outdoor	
570051	47 (General Liquor) Restaurant Previous: Type 41 (Beer and Wine)	Pending	LVL UP (dba) 400 E CAMPBELL AVE	***LVL UP***	PLN2015-202	129 seats (115 dining, 14 bar)	N/A	Sunday – Wednesday 11:00 a.m. to 10:00 p.m. Thursday – Saturday 11:00 a.m. to 11:00 p.m.
515013	47 (General Liquor) Restaurant Previous: Type 41 (Beer and Wine)	11/11/2012	EL GUAPOS TACOS LLC 266 E CAMPBELL AVE, Ste. A & B	**EL GUAPO'S**	PLN2012-81	64 seats (48 dining and 16 bar)	30 seats (until 11:00 p.m.)	Sunday – Wednesday 8:00 a.m. to 1:00 a.m. Thursday – Saturday & Holidays 8:00 a.m. to 1:30 a.m. Alcohol Service to 12:00 a.m.
531863	41 (Beer & Wine) Wine Bar	9/17/2013	POUYA, CAROL ANN dba TESSORAS BARRA DI VINO 234 E CAMPBELL AVE	**TESSORA'S**	PLN2015-91	49 seats	24 seats	Tuesday – Thursday 12:00 p.m. to 11:00 p.m. Friday & Saturday 12:00 p.m. to 12:00 a.m. Sunday 2:00 p.m. to 8:00 p.m.
543573	47 (General Liquor) Restaurant Previous: Type 41 (Beer and Wine)	3/4/2016	STUMP, JAMES ALVIN 394 E CAMPBELL AVE	**THE VESPER**	PLN2015-247	101 seats	7	Daily 11 a.m. to 11:30 p.m. (last patron to enter at 11:00 p.m.)
546636	41 (Beer & Wine) Restaurant	1/2/2015	AFN SERVICES LLC 368 E CAMPBELL AVE	**THE SOCIALIGHT**	PLN2015-195 PLN2014-57	49 seats (40 dining and 9 bar)	36	Daily 6 a.m. to 10 p.m.
535089	41 (Beer & Wine) Wine Bar	10/23/2014	LUCKYS BREAKFAST JOINT LLC 278 E CAMPBELL AVE	**MO'S THE BURGER JOINT**	N/A	59	34	11:00 p.m closing (per CMC)

Attachment 8

Approved Alcohol-Serving Establishments in the Downtown Area

Site Address	Number of Establishments by Year Approved*													
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
	11	10	12	14	16	16	15	15	16	21	24	26	26	26
300 Orchard City Dr.	Khartoum	Khartoum	Khartoum	Khartoum	Khartoum	Khartoum	Khartoum	Khartoum	Khartoum	Khartoum	Khartoum	Khartoum	Khartoum	Khartoum
260 E. Campbell Ave.	Cardiff	Cardiff	Cardiff	Cardiff	Cardiff	Cardiff	Cardiff	Cardiff	Cardiff	Cardiff	Cardiff	Cardiff	Cardiff	Cardiff
33 S. Central Ave.	Giuseppe's	A' Bellagio	A' Bellagio	A' Bellagio	A' Bellagio	A' Bellagio	A' Bellagio	A' Bellagio	A' Bellagio	A' Bellagio	A' Bellagio	A' Bellagio	A' Bellagio	A' Bellagio
201 Orchard City Dr.	King's Head	King's Head	King's Head	King's Head	King's Head	King's Head	King's Head	The Spot	The Spot	The Spot	The Spot	The Spot	The Spot	The Spot
200 E. Campbell Ave.	Stoddard's	Chicken Coup	Chicken Coup	Chicken Coup	Chicken Coup	Chicken Coup	Chicken Coup	Chicken Coup	Chicken Coup	Chicken Coup	Chicken Coup	Chicken Coup	Campbell Brewing	Campbell Brewing
369 E. Campbell Ave.	Katie Blooms	Katie Blooms	Katie Blooms	Katie Blooms	Katie Blooms	Katie Blooms	Katie Blooms	Katie Blooms	Katie Blooms	Katie Blooms	Katie Blooms	Katie Blooms	Katie Blooms	Katie Blooms
300 Orchard City Dr.	Komatsu	Komatsu	Komatsu	Komatsu	Komatsu	Komatsu	Komatsu	Komatsu	Komatsu	Komatsu	Komatsu	Komatsu	Komatsu	Komatsu
422 E. Campbell Ave.	Shebele	Shebele	Shebele	Shebele	Shebele	Shebele	(Restaurant converted to a retail store)							
360 E. Campbell Ave.	Alies Café	Alies Café	Alies Café	Rico's Café	Rico's Café	Café Campbell	Café Campbell	Café Campbell	Café Campbell	Café Campbell	Café Campbell	Pino's Trattoria	Pino's Trattoria	Pino's Trattoria
349 E. Campbell Ave.	Orchard Valley	(License Not Renewed)												
384 E. Campbell Ave.	Mio Vicino	Mio Vicino	Mio Vicino	Olio	Olio	Olio	Olio	Olio	Nashmarkt	Nashmarkt	Nashmarkt	Nashmarkt	Nashmarkt	Nashmarkt
201 E. Campbell Ave.			Aqui Cal-Mex	Aqui Cal-Mex	Aqui Cal-Mex	Aqui Cal-Mex	Aqui Cal-Mex	Aqui Cal-Mex	Aqui Cal-Mex	Aqui Cal-Mex	Aqui Cal-Mex	Aqui Cal-Mex	Aqui Cal-Mex	Aqui Cal-Mex
247 E. Campbell Ave.			Twist	Twist	Twist	Twist	Twist	Twist	Twist	Sushi Confidential	Sushi Confidential	Sushi Confidential	Sushi Confidential	Sushi Confidential
373 E. Campbell Ave.				La Pizzeria	La Pizzeria	La Pizzeria	La Pizzeria	La Pizzeria	La Pizzeria	La Pizzeria	La Pizzeria	La Pizzeria	La Pizzeria	La Pizzeria
379 E. Campbell Ave.				Good Tastes	Good Tastes	Good Tastes	Cyprus Bistro	Cyprus Bistro	Cyprus Bistro	Liquid Bread	Liquid Bread	Liquid Bread	Liquid Bread	Liquid Bread
76 E. Campbell Ave.					Tigelleria	Tigelleria	Tigelleria	Tigelleria	Tigelleria	Tigelleria	Tigelleria	Tigelleria	Tigelleria	Tigelleria
266 E. Campbell Ave.					Slice	Slice	Slice	Chacho's	Chacho's	El Guapo's	El Guapo's	El Guapo's	El Guapo's	El Guapo's
415 E. Campbell Ave.									Blue Line Pizza	Blue Line Pizza	Blue Line Pizza	Blue Line Pizza	Blue Line Pizza	Blue Line Pizza
139 E. Campbell Ave.										Stack's	Stack's	Stack's	Stack's	Stack's
193 E. Campbell Ave.										BYR	Spread	Spread	Spread	Spread
397 E. Campbell Ave.										Brown Chicken Brown Cow	Brown Chicken Brown Cow	Brown Chicken Brown Cow	Brown Chicken Brown Cow	Brown Chicken Brown Cow
276 E. Campbell Ave.										Opa!	Opa!	Opa!	Opa!	Opa!
280 E. Campbell Ave.										Campbell Gastro Pub	Ciano's	Ciano's	Willard Hicks	Willard Hicks
234 E. Campbell Ave.											Tessora's Wine Bar	Tessora's Wine Bar	Tessora's Wine Bar	Tessora's Wine Bar
400 E. Campbell Ave.											*Regale Wine Bar*	*Regale Restaurant*	*Regale Restaurant*	*LVL UP*
278 E. Campbell Ave.											Mo's the Burger Joint	Mo's the Burger Joint	Mo's the Burger Joint	Mo's the Burger Joint
394 E. Campbell Ave.												Rendezvous Wine Bar	Rendezvous Wine Bar	Rendezvous Wine Bar
368 E. Campbell Ave.												The Socialight	The Socialight	The Socialight

Color Key

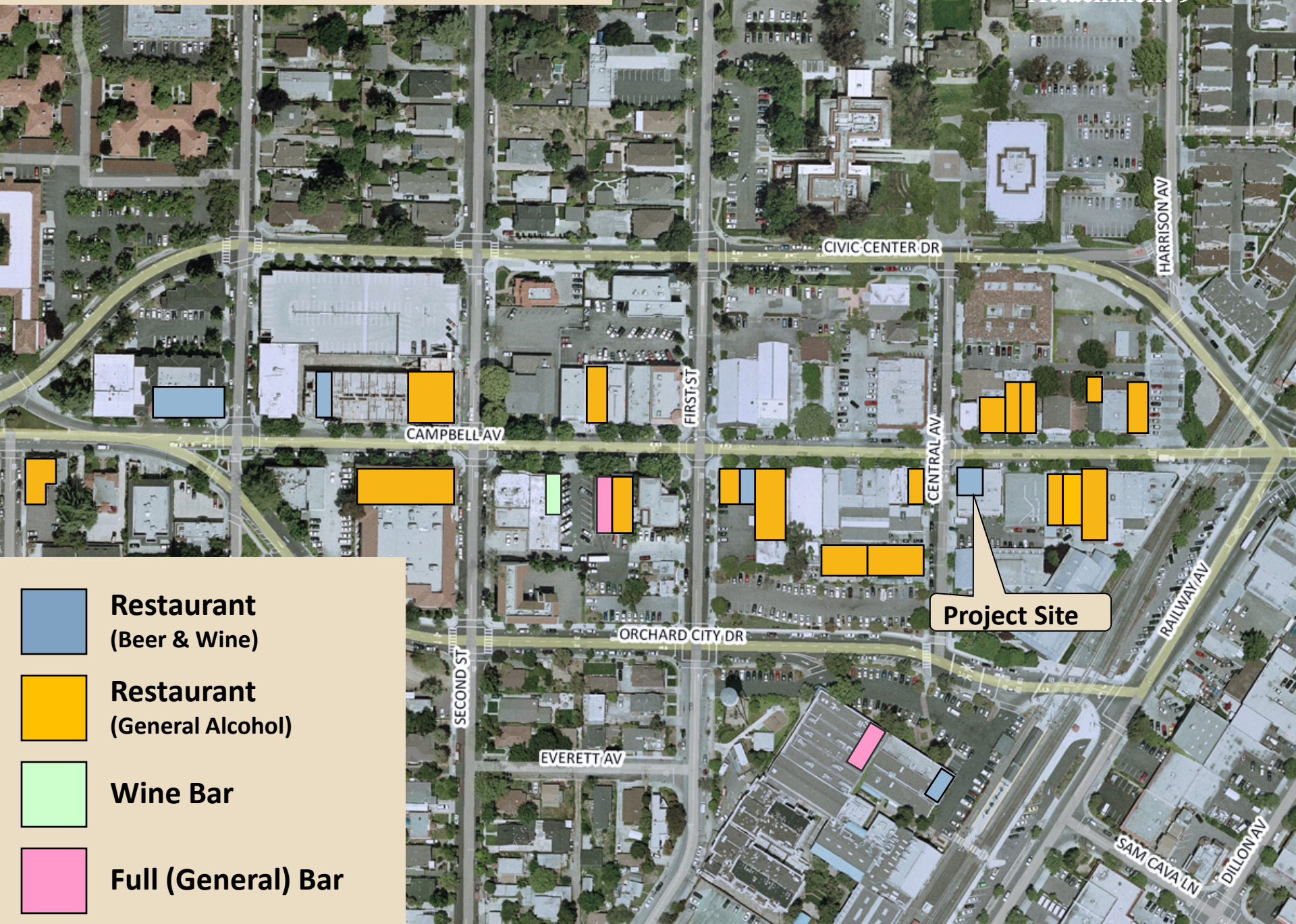
- = Restaurant with General Alcohol Sales ("Type 47" License)
- = Restaurant with Beer and Wine Sales ("Type 41" License)
- = Wine Bar ("Type 42" or "Type 41" License)
- = Full (General) Bar ("Type 48" License)

*Year that CUP was approved or ABC License was issued (if no CUP was required).

Prepared by Campbell Planning Division - June 2016

Downtown Alcohol-Serving Establishments

Attachment 9



CITY OF CAMPBELL

PLANNING COMMISSION

Date: Tuesday, June 28, 2016

Time: Immediately following the regular Planning Commission meeting

Place: City Council Chambers at Campbell City Hall
70 N. First Street
Campbell, CA 95008

Agenda

1, Pre-Application for Mixed Use Development (Del Grande Properties)
Project Planner: Cindy McCormick, Senior Planner

In compliance with the American's with Disabilities Act, listening assistive devices are available for all meetings held in the City Council Chambers. If you require accommodation, please contact the Community Development Department, (408) 866-2140, at least one week in advance of the meeting.

Questions about this agenda can be directed to the Community Development Department, Planning Division, at (408) 866-2140 or by email at planning@cityofcampbell.com.

MEMORANDUM

Community Development Department
Planning Division

To: Chair Dodd and Planning Commissioners **Date**: June 28, 2016

From: Cindy McCormick, Senior Planner

Via: Paul Kermoyan, Community Development Director

Subject: **Pre-Application (PRE2016-02) Study Session – Mixed-Use Development Project**

PURPOSE

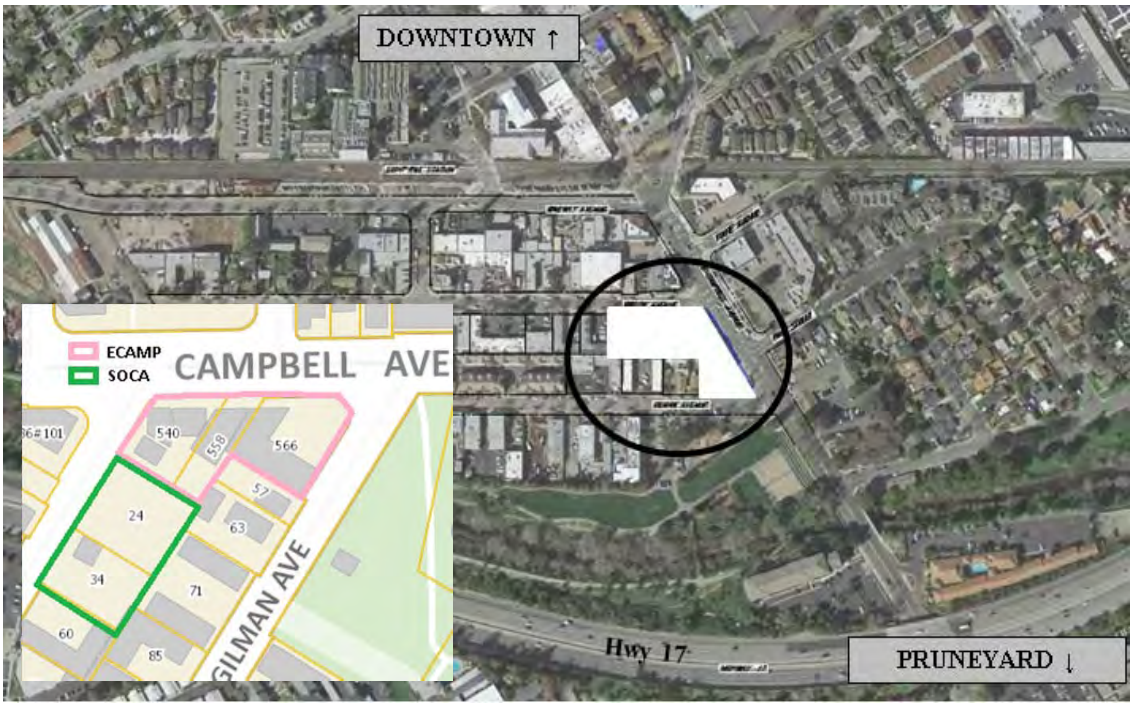
The purpose of this study session is to present a preliminary application (PRE2016-02) and conceptual elevations for a mixed-use development. The Planning Commission study session is required pursuant to Campbell Municipal Code Chapter 21.41 for projects involving over 40 dwelling units or resulting in commercial/residential adjacencies on parcels exceeding 20,000 square feet. The pre-application process does not replace, but is ancillary to a formal land use application process and does not result in, nor can the Planning Commission or Community Development Director, render a decision with regard to land use entitlements. Moreover, comments are not binding upon the Planning Commission as to any determination made later on a formal application.

The intent of this process is to provide feedback during the early stages of the planning process. Review of the preliminary project plans is limited to the overall project design concept. Pre-application comments are considered advisory recommendations to avail an applicant of concerns prior to submitting a formal application.

PROJECT SUMMARY

The conceptual proposal is a four-story mixed-use project with ground level retail and three stories of residential for-sale condominium units (further described in **Attachments 1** and **2**). The L-shaped project site is an assemblage of five parcels comprising approximately 1.63 (gross) acres (formerly the Del Grande Auto Center). Three parcels are located at 540, 558 and 566 East Campbell Avenue and two parcels are located at 24 and 34 Dillon Avenue, between Downtown Campbell and the Pruneyard Shopping Center and adjacent to Campbell Park.

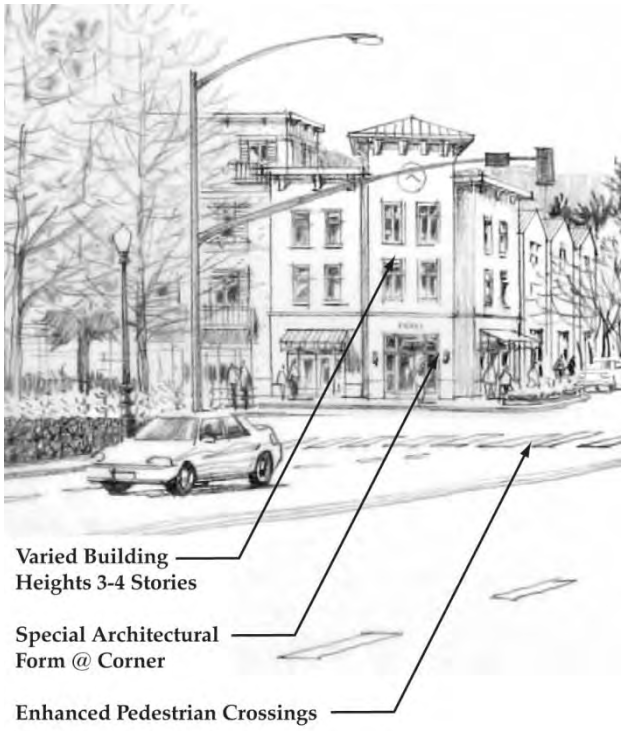
The General Plan Land Use Designation for the three parcels facing East Campbell Avenue is *Central Commercial* while the Land Use Designation for the two parcels on Dillon Avenue is *Medium to High Density Residential / Commercial*. All five parcels are zoned P-D (Planned Development). The two parcels facing either Gilman Avenue or Dillon Avenue are in "South of Campbell Avenue" (SOCA) plan area. The three parcels fronting East Campbell Avenue are located in the “East Campbell Avenue Master Plan” (ECAMP) area. A discussion of the SOCA and ECAMP development standards and design guidelines is described in **Attachment 1**.



BACKGROUND

In 2006, the City Council initiated a community process to develop a master plan for East Campbell Avenue; the *East Campbell Avenue Master Plan* (ECAMP).

The ECAMP is rooted in the Downtown Development Plan (DDP) which had a goal to expand the Downtown's boundaries. The intent of the ECAMP is to create a more connected and attractive corridor between historic Downtown Campbell and the Pruneyard Office and Shopping Center. To illustrate the vision for East Campbell Avenue, an artist rendering was created showing a building with varied roof heights, variation between three and four stories, and special architectural features at the corners. This illustration embraces small, segmented storefronts consistent with the City's downtown. Roof forms change throughout the elevation to minimize the appearance of a uniform expression. Individual storefronts are treated with different awnings, canopies, or nothing at all. Window design and glazing are also varied throughout the illustration. The Commission should review the ECAMP as the foundation for design / development guidance.



City Council Study Session Feedback

On May 3, 2016 the City Council held a study session (reference Memo, **Attachment 1**) to discuss the proposal. During the study session several residents, including individuals who had worked on the East Campbell Avenue Master Plan (ECAMP), provided comments on the preliminary drawings (reference Minutes, **Attachment 1**). Many of these comments were echoed by the City Council. In general, the Council and attending members of the public stated that the proposal (see image below) did not represent Campbell and did not meet the goals and objectives of the General Plan to maintain the City's small town charm. Also repeated was the sentiment that the project should flow with the development pattern, scale, and fabric of the East Campbell Avenue corridor, serving as a gateway between the Downtown and the Pruneyard Shopping Center.

The Council emphasized that the City has spent time and effort to beautify the Downtown and the pedestrian portals. Moreover, this development will serve as the cornerstone for future development along East Campbell Avenue and the Greylands property across the street. Words used to describe the property included iconic, unique, and special. The applicant was advised to look around and think about what will be built in the future, what will stay and what will go, how the development will relate to the adjacent underdeveloped lots, and how the development can serve as a destination between the Downtown, the Pruneyard, and the adjacent Park.

Design: With regard to design, there was specific direction to: open up or split the building; vary the design, height, and articulation of the building(s); divide the building(s) into multiple storefronts; reduce the overall mass; design smaller units (reduce the floor area); and to activate the corners of the building(s).

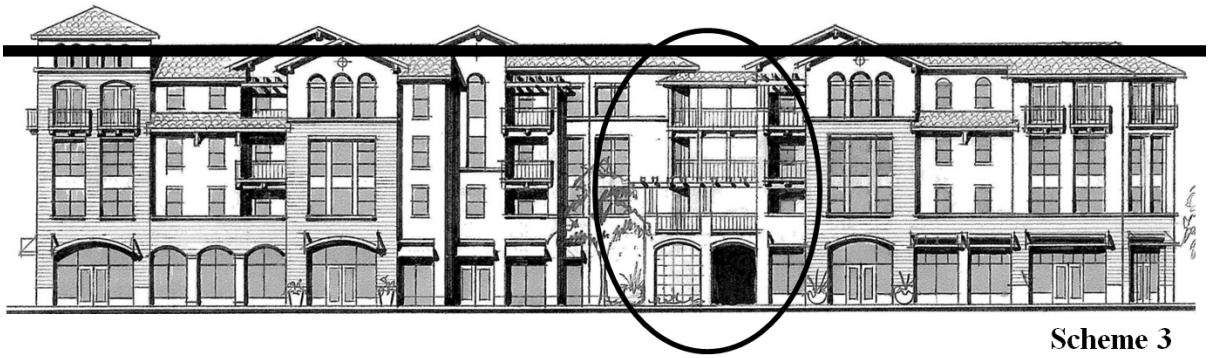
Site Layout: With regard to the site layout, there was direction to: increase the rear setback; increase the common usable open space (e.g., roof gardens); reduce the number of tandem parking spaces, and revise the overall parking circulation including the vehicle back up space and the ramp that connects the at-grade parking with the underground parking. Some additional ideas included incorporating artwork along the East Campbell Avenue frontage and recessing the outdoor seating so as not to block the sidewalk or disrupt the street energy.

The applicant was encouraged to take their time revising the proposal and to present at least three (3) completely different design concepts to the Planning Commission. The applicant is seeking feedback on the East Campbell Avenue elevation prior to moving forward with making changes to the Dillon Avenue and Gilman Avenue elevations or the site layout and parking circulation.

DISCUSSION

Following the City Council study session, staff met with the applicant on May 13th to review two new conceptual elevations and design inspiration photos (**Attachment 2**). While the conceptual elevations showed a little more articulation than the original renderings, staff thought that the revised elevations were not quite ready for presentation to the Planning Commission. For example, in Scheme 2 (image below), the roof line of the building is uniform across the façade (*note the black bar across the top of the drawing*) with the exception of a few gable roof lines peaking above the hip roof line. Scheme 3 provides a little more relief by breaking up the building with a mid-block plaza; however the roofline is still rather uniform across the two sections of the building. The window styles and use of materials is also rather uniform across the building's façade.

Scheme 2



Scheme 3

On June 9th, staff met with the applicant to review a third set of conceptual elevations, providing an additional four (4) concepts for Planning Commission review (**Attachment 2**).

The applicant describes *Concept A* as "an eclectic mix of Mission, Modern and Classic architectural styles" which are then individually represented in *Concepts B, C, and D*. The applicant points out that the new concepts setback a portion of the upper story, (reference upper floor plan on page 6 of this memo). Moreover, the applicant states that these latest concepts provide more visual interest and defined corners than the original drawings. The applicant drew inspiration for the mission style from the surrounding area and the old Campbell High School, while the more traditional red brick corner element of *Concept A* is said to be reminiscent of the Farley/Bank of Campbell building.

While staff believes that the new conceptual drawings are a step in the right direction, there remains very little articulation along the roof line and height of the building (*as illustrated with the black bar*). This is primarily due to the fact that the applicant has retained four (4) floors throughout the building, in all seven renderings. The applicant also needs to add more design variation to the ground floor retail component to break up the uniformity and accentuate the individual commercial spaces as unique storefronts (*as illustrated with the lower black bar*).

Stepping down to three levels in two or three sections of the building would help reduce the mass, but would require the applicant to reduce either the number of units or the size of the units (i.e., floor area). Rather than separate the upper portion of the building at mid-block, the applicant could fill this void with additional units while stepping down the elevation to three levels in two to three areas to reduce the mass. A very rough edit (below) of "Scheme 3" shows how eliminating the 4th floor in three areas helps reduce the mass and provide a more downtown feel.

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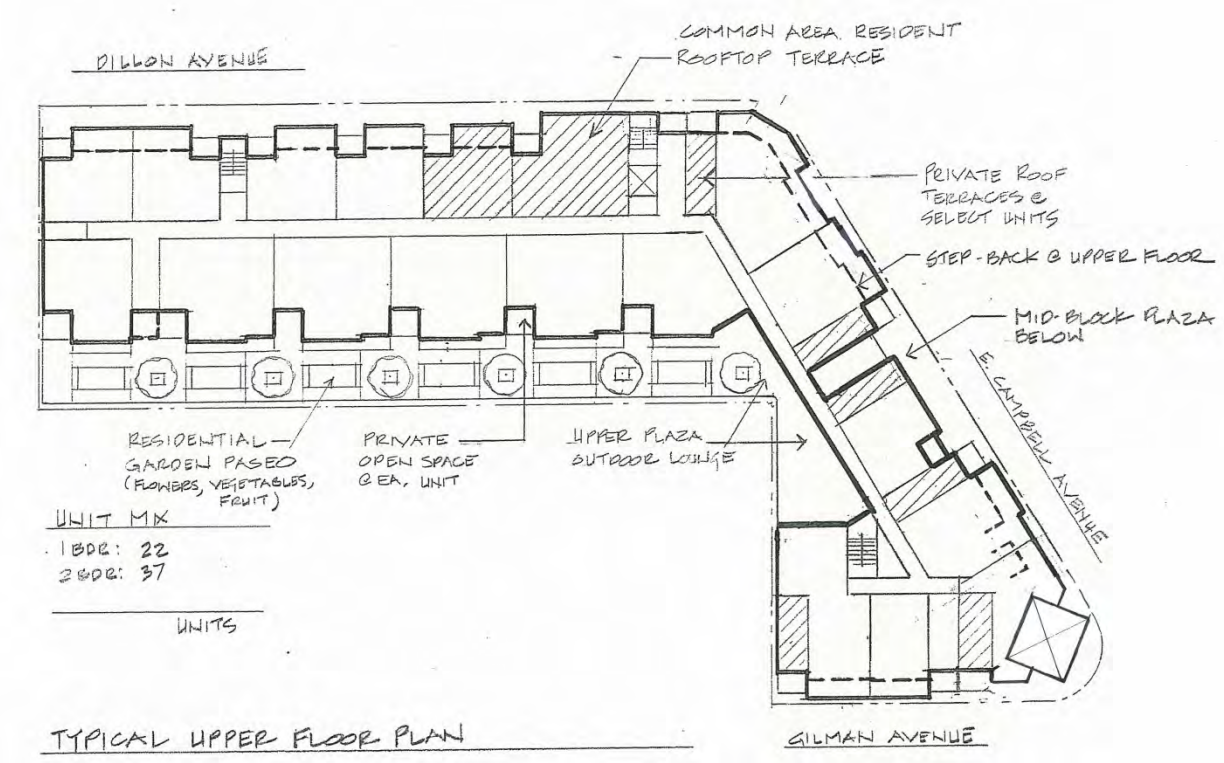


PLANNING COMMISSION FEEDBACK

The following questions may help inform the Planning Commission's feedback on the design as it relates to the vision of the East Campbell Avenue Master Plan. When commenting, members of the Planning Commission should identify which rendering(s), or discreet components of a rendering(s), has informed their impressions. Considering massing, height, scale, architectural style, façade treatment, building materials, and architectural elements, do the conceptual proposal(s):

- Comply with the overall vision of the East Campbell Avenue Master Plan?
- Expand on and complement Downtown's small-town feel, diverse character and scale, and general development pattern?
- Create a pedestrian-friendly and attractive environment?
- Create an attractive transition between the historic Downtown core and the Pruneyard?
- Include special architectural features or other desirable elements at the building's corners?
- Include appropriate storefront detailing, materials, and windows to promote retail activity?
- Provide enough variation in roofline, building plane and materials?
- Vary enough in height and/or building articulation to achieve an eclectic rhythm?
- Include an appropriate mix of high quality finishing materials, craftsmanship, and/or façade ornamentation?

PUBLIC OUTREACH

Although a Study Session does not require a formal Public Hearing or formal noticing, staff mailed a meeting notice to property owners within 500 feet of the subject property. The City also announced the study session on the City's website and Nextdoor.com and reached out to both the Downtown Campbell Business Association and the Downtown Campbell Neighborhood Association.

NEXT STEPS

The project will require formal application for a Planned Development Permit, Subdivision Map and Zoning Map Amendment (for condominiums). The project will require a Traffic Impact Analysis and Initial Study under CEQA to review a variety of environmental factors including traffic, air-quality, light and glare, noise, geology, and exposure to hazardous materials. Upon completion of the Initial Study, staff will determine what level of environmental review is appropriate (e.g., Mitigated Negative Declaration). The draft environmental review document will be completed and provided to the public and the Planning Commission for comment prior to a formal Public Hearing before the Planning Commission.

Attachments:

1. City Council May 3, 2016 Study Session Memo and meeting minutes (Video link)
2. Cresleigh Homes Conceptual Elevations / Plans
   a. Revised conceptual renderings (East Campbell Avenue elevation) – 06/09/16
   b. Revised conceptual renderings (East Campbell Avenue elevation) – 05/13/16
   c. Preliminary plans presented at the May 3rd City Council study session
3. Location Map

Attachment 1

MEMORANDUM

City of Campbell

To: Mayor Baker and Council Members **Date:** May 3, 2016

From: Cindy McCormick, Senior Planner

Via: Paul Kermoyan, Community Development Director
Mark Linder, City Manager

Subject: Study Session - Conceptual plans for a mixed-use commercial/residential development on East Campbell Avenue between Dillon and Gilman Avenue

BACKGROUND

Cresleigh Homes is in contract for the property located at the intersection of East Campbell Avenue, Dillon Avenue and Gilman Avenue, between downtown Campbell and the Pruneyard (the Del Grande property). Staff has been periodically meeting with Cresleigh Homes (the applicant) for the past several months to discuss the Builder's plan for the site. The purpose of this study session is to present the conceptual mixed-use commercial / residential development proposal to the City Council for review and feedback. The pre-application will also be reviewed by the Planning Commission at a separate study session on May 24th as required by Campbell Municipal Code Chapter 21.41 (Pre-Applications). Because the City Council will be the ultimate decision maker on a project to develop the site, Council's feedback will inform the applicant, staff, and the Planning Commission as the applicant moves forward with a formal application.

DISCUSSION

PROJECT SUMMARY: The project concept is proposed by Cresleigh Homes, a residential homebuilder based in San Francisco (reference **Attachment 1** – Project Narrative). The project site is an assemblage of five parcels comprising approximately 1.63 (gross) acres located on East Campbell Avenue between Dillon Avenue and Gilman Avenue (540, 558, 566 E Campbell Ave and 24, 34 Dillon Ave), adjacent to Campbell Park.

The conceptual proposal is a four-story mixed-use project with ground level retail and three stories of residential for-sale condominium units (**Attachment 2** – Conceptual Plans). As currently proposed, the project would include sixty (60) 1BR, 2BR, and 3BR residential units ranging from 853 square feet to 1,580 square feet in area. The proposal also includes 7,495 square feet of retail tenant space along E. Campbell Avenue. The project would take advantage of the City's Density Bonus program which allows more units and reduced parking standards in exchange for providing below market rate housing. The conceptual drawings also include roof-top garden terraces that take advantage of the views of the Campbell Water Tower, downtown Campbell, and Campbell Park.

GENERAL PLAN: The General Plan provides land use policies and strategies that encourage coordinated land use and transportation planning and higher density mixed-use developments that connect the Campbell Downtown to the Pruneyard Shopping Center while maintaining a small town image and pedestrian scale. The General Plan Land Use Designation is *Medium to High Density Residential / Commercial*. This Land Use Designation occurs near Downtown and the Light Rail Station in the South of Campbell Avenue (SOCA) area. These parcels are designated for a mix of uses, promoting commercial on the ground floor and residential above, and are considered similar to the uses along Campbell Avenue in Downtown Campbell. The subject property is also identified in the *Housing Element* as a housing opportunity site area.

Strategy LUT-1.5a: Transit-Oriented Development: Encourage transit-oriented development including employment centers such as office and research and development facilities and the city's highest density residential projects by coordinating the location, intensity, and mix of land uses with transportation resources, such as Light Rail.

Strategy LUT-3.1c: High Density Residential: Allow higher residential densities in the NOCA, SOCA, and areas near the Light Rail stations as an incentive to redevelop older, less intensive uses.

Policy H-4.3: Planned For Densities: To encourage the efficient and sustainable use of land, the City encourages residential development that is proposed near existing light rail stations (within 1/4 mile radius) and/or within the boundaries of the Winchester Boulevard Plan and East Campbell Avenue plan areas, to achieve at least 75 percent of the maximum General Plan Land Use category densities.

Strategy CPT-1.1d: Pedestrian connections shall be enhanced between the downtown and the Community Center on the west and the Los Gatos Creek Trail / Pruneyard Shopping Center on the east.

AREA PLANS: Area Plans implement the Campbell General Plan. The three parcels fronting East Campbell Avenue are located in the "East Campbell Avenue Master Plan (ECAMP) area and the two parcels facing either Gilman Avenue or Dillon Avenue are in "South of Campbell Avenue" (SOCA) area, as shown on the map on the following page. Prior to the ECAMP being adopted, the Del Grande site fell within the Downtown Development Plan (DPP). As discussed on the next page, the ECAMP is rooted in the DPP which provides goals and polices for expanding the Downtown, eastward:

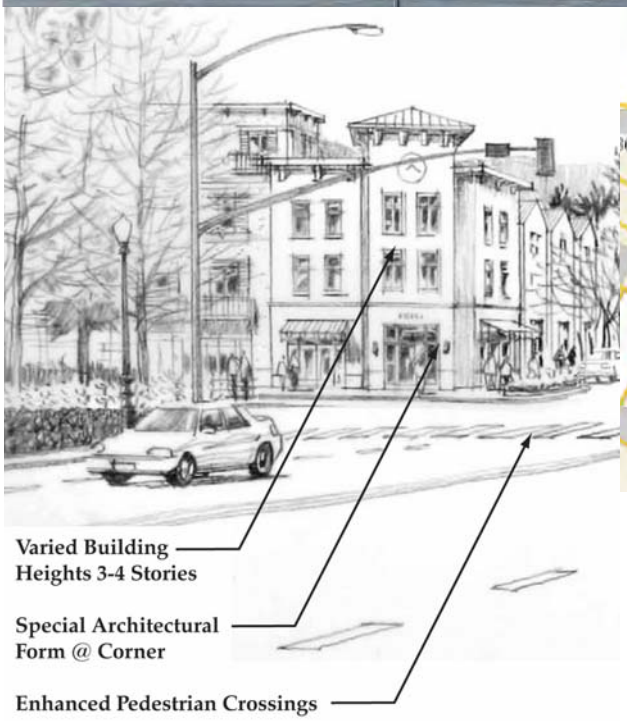
DDP Policy LU-5.1: Mixed Use Projects: Encourage property owners and developers to consider residential mixed use projects where appropriate, particularly east of the light rail tracks, to facilitate housing adjacent to mass transit and to help create a "24 hour" Downtown community.

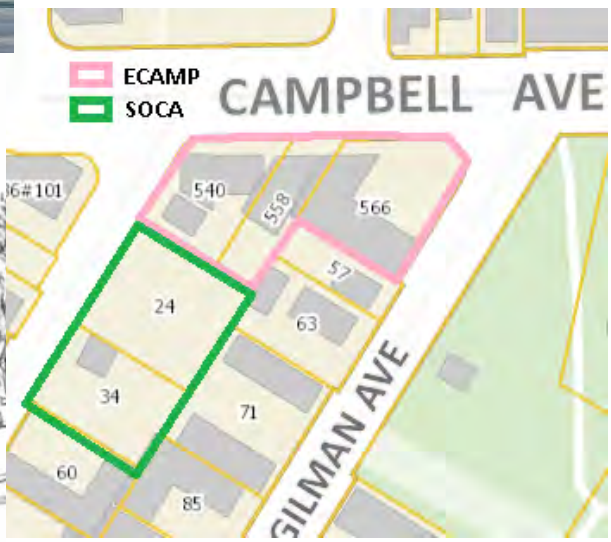
DDP Policy LU-6.1: Expansion of Downtown: Facilitate and encourage the evolution of the Downtown beyond the loop streets, eastward to the Hwy 17 overpass and westward to the Community Center, through public improvements, urban design and land use patterns that connect, both visually and physically this stretch of Campbell Avenue.

DDP Strategy LU-6.1a: Expansion of Downtown: Expand the Downtown boundaries while maintaining a scale that is in keeping with the "small town" image identifiable in the community and create a comfortable experience for the pedestrian.

SOCA: The *South of Campbell Avenue* (SOCA sub-area 3) Plan allows mixed-use developments with residential and commercial uses that would be permitted in the C-3 Downtown Business District. The allowable residential density is 12 to 27 dwelling units per gross acre. The SOCA plan encourages development at a pedestrian scale to reduce the perceived mass of buildings in the area.

ECAMP: In 1995 and again in 2006, the City's Downtown Development Plan (DDP) was amended with a goal to expand the Downtown's boundaries. In September 2006, the City Council initiated a community process to develop a master plan for East Campbell Avenue. The intent of the *East Campbell Avenue Master Plan* (ECAMP) is to create a more connected and attractive corridor between historic Downtown Campbell and the Pruneyard Office and Shopping Center. Development should expand on and complement Downtown's small-town feel, but not attempt to duplicate it in form. While wider streets and a somewhat increased scale will differentiate the two areas, they will be architecturally compatible. Example images from the ECAMP shows how the expanded Downtown might look if the ECAMP were fully implemented. The example image below illustrates the East Campbell Avenue and Gilman Avenue corner of the Del Grande site; leaving the guessing work out of the design review process.





ECAMP Development Standards & Design Guidelines

The ECAMP contains development standards and design guidelines to address massing, architecture, height, setbacks, retail floor area, and a general development pattern that would best accomplish the physical changes needed to create an attractive transition between Downtown and the Pruneyard. While wider streets in the ECAMP area can accommodate larger buildings than the historic Downtown, such buildings should be divided into multiple storefronts or similarly-scaled elements to create a pedestrian-oriented environment that complements the Downtown's small-town feel and creates diversified architectural interest.

Building Height: The maximum building height is allowed up to 45 feet[1], but shall vary in height along the facade without precluding taller architectural elements at street corners. The 45-foot height limit is intended to accommodate two to three floors of residential units above the ground floor commercial frontage. Ground floor ceiling heights shall be at least 15 feet to accommodate retail operations.

> Staff Observation: The proposal should be redesigned in accordance with the ECAMP which calls for variation in building height, wall planes and roof elements in order to reduce a building's perceived mass, highlight multiple store fronts, and provide an interesting pedestrian experience. In this regard, not all building forms have to be at the same level. In other words, some elements could be at three levels while others could be at four.

Floor Area Ratio (F.A.R.): While the commercial component has a maximum FAR of 1.5, there is no maximum standard for residential uses.

> Staff Observation: Total floor area for the 60 units is 73,959 sq. ft. Bedroom sizes are relatively high (e.g., there are (14) 1,338 sq. ft. 2-BR units). A reduction in floor area could achieve greater open space or help displace some of the bulk in the building's façade. Altering levels of building stories could also decrease floor area without decreasing the number of units.

Setbacks: The ECAMP calls for zero-foot front and side yard setbacks on the ground floor to create a pedestrian-accessible retail experience. However, the ECAMP allows the Council to permit deeper setbacks to accommodate outdoor seating areas, special architectural features, or pedestrian or vehicular access ways. The minimum rear setback shall be 10 feet, given residential adjacencies.

> Staff Observation: The project should meet the minimum 10-foot rear setback. However, deeper setbacks at the two corner side yards could be considered to accommodate outdoor seating or other desirable amenities. If the Developer has no intention to attract food uses at these corners, then the building walls should extend out to the property lines to more appropriately frame the street.

[1] The same building height maximum applies to the C3 Central Business District.

Service Areas: Service areas (e.g., trash and deliveries) shall take access from the rear parking area and shall be screened by architectural walls, fencing, and/or planting as appropriate with consideration for residential adjacencies.

> Staff Observation: The commercial space and service areas should be designed with features (e.g., air shafts, etc.) that can accommodate a variety of land uses (e.g., restaurants) in the building.

Parking:

Residential: The applicant is proposing 60 residential units comprised of (20) 1-BR units, (31) 2-BR units and (9) 3-BR units. In exchange for providing below market rate housing, the applicant is requesting reduced parking standards for the residential uses, per CMC Section 21.20.120(4), as shown in the first table below. The minimum residential parking requirement, as shown in the second table below is 100 parking spaces.

Density Bonus Residential Parking Standards	
Number of bedrooms	Maximum number of off-street parking spaces
0 – 1	One (1)
2 – 3	Two (2)
4 +	Two and one-half (2.5)

Retail: The applicant is proposing 7,455 sq. ft. of retail floor area. The minimum parking requirement for retail uses is one space per 200 square feet of gross floor area. This standard remains unaffected by a density bonus request. Thus, the minimum parking requirement for the retail use is 37 spaces (rounded down). The applicant is providing 42 retail parking spaces; a surplus of five (5) additional spaces to serve commercial uses that might require more parking (e.g., a restaurant).

Parking Summary				
	Units	**Parking Ratio**	**Parking Required**	**Parking Provided**
(1 Bed)	20	1 space per unit	20	20
(2 Bed)	31	2 spaces per unit	62	62
(3 Bed)	9	2 spaces per unit	18	18
Condos	**60**	Varies	**100**	**100** (5 at grade, 95 below grade)
Retail	**7,455 sq. ft.**	1 space per 200 sq.ft.	**37**	**42**
Total Parking Required			**137**	
Total Parking Provided				**142**
Deficit/Surplus Parking				**+5 retail**

Staff Observation (Residential Parking): The applicant is proposing a total of 60 residential units consisting of 57 residential units above grade and three (3) residential units at grade. The three (3) residential units at grade require five (5) parking spaces. Parking at grade is sufficient to serve the three (3) residential units; however, the location of the two required parking spaces for the 3-BR unit at grade is not very convenient. The 3-BR unit is located off Gilman Avenue but the parking spaces are located in the parking garage off Dillon Avenue. Thus, the homeowners are likely to park on Gilman Avenue for convenience (reference **Attachment 2, Project Plans, sheet A1**).

Parking for the 57 residential units is provided in the below grade parking garage. The total parking required for the 57 units is 95 spaces. Per density bonus law, the parking requirement may be met with tandem spaces and are inclusive of ADA and guest parking. While the applicant is providing the 95 required spaces, only 48 of those spaces are single-stall. The remaining 47 parking spaces include 4 motorcycle spaces (which count as (1) space), one (1) single-stall ADA space, one (1) tandem-stall ADA space, and 44 (22 x 2) tandem spaces (reference **Attachment 2, Project Plans, sheet A2**).

While tandem parking is allowed in a density bonus project, it may not be very practical, especially when one of the tandem spaces is located behind an ADA stall. Offsetting some of the 2-BR or 3-BR units with 1-BR units may help minimize this issue because 1-BR units require fewer parking spaces.

Parking Structure Circulation: City standards require a 25 foot back up space as well as adequate room for turning movements.

Staff Observation: The parking structure will need to be redesigned to meet the 25-foot back-up standard and address the narrow turning radius in the northwest corner of the below grade parking garage. Access ways to the rear parking lot should be well lit and easily identifiable to patrons and guests (e.g., through signage and architectural elements).

A focused traffic study will be needed to study impacts from vehicles entering and exiting the parking structure onto Dillon Avenue. If Cresleigh Homes is able to acquire additional parcels on Gilman Avenue, the proposal should be redesigned so that cars enter and exit the parking structure from Gilman where the new traffic signal will be located.

Landscaping: Street trees (e.g., deciduous shade trees) should be installed 30’ – 40’ on center, with grated tree wells similar to the historic Downtown. Historic streetlights should be installed to provide continuity along the East Campbell Avenue frontage.

Staff Observation: The formal submittal shall include a comprehensive landscape plan showing tree size, type, location, etc.; hardscape materials; and details of all light fixtures, outdoor furniture, etc.

Open Space: The quantity of open space required for housing is specified in CMC Section 21.08.030. In a P-D district, this standard is flexible. In addition, the quantity of open space provided for housing developments should be commensurate with the development's location. In this particular situation, the development would be located in an urban setting which offers a different set of amenities as compared to developments located in a suburban setting. While the ECAMP area is primarily within an urban setting, the Del Grande site is located next to Campbell Park, a 4.9 acre[2] Community Park. The site is also located next to the Los Gatos Creek Trail. In certain respects, the outdoor environment provides the open space associated with a downtown housing development. Nevertheless, the conceptual drawings include private open space in the form of rooftop decks, as well as a small common area rooftop terrace (reference **Attachment 2, sheet A7**).

> Staff Observation: Currently, private roof deck patios greatly exceed the common open space area. The project should increase the common area open space for the development. The applicant should provide a calculation for the total area (in square feet) of private versus open space per unit. The amount of common area open space should also be reflective of the unit size (floor area) proposed.

Design Guidelines: Per page 33 of the ECAMP, the design should avoid large uninterrupted expanses of horizontal and vertical wall surface by varying wall planes, roof planes, and/or materials every 25 to 50 feet. The building should include special corner features such as rounded or cut corners and corner roof features. Building corners should be recessed to allow for outdoor dining and public areas.

Architectural elements should add scale and interest, giving the appearance of multiple storefronts that complement (but not replicate) the historic downtown. The design should reinforce an active pedestrian-oriented environment and promote retail activity. Special attention to detail should be given to finishing materials, façade ornamentation, fenestration, recessed storefront entrances, expansive storefront windows, lighting, flower boxes, planters, and decorative pavers.

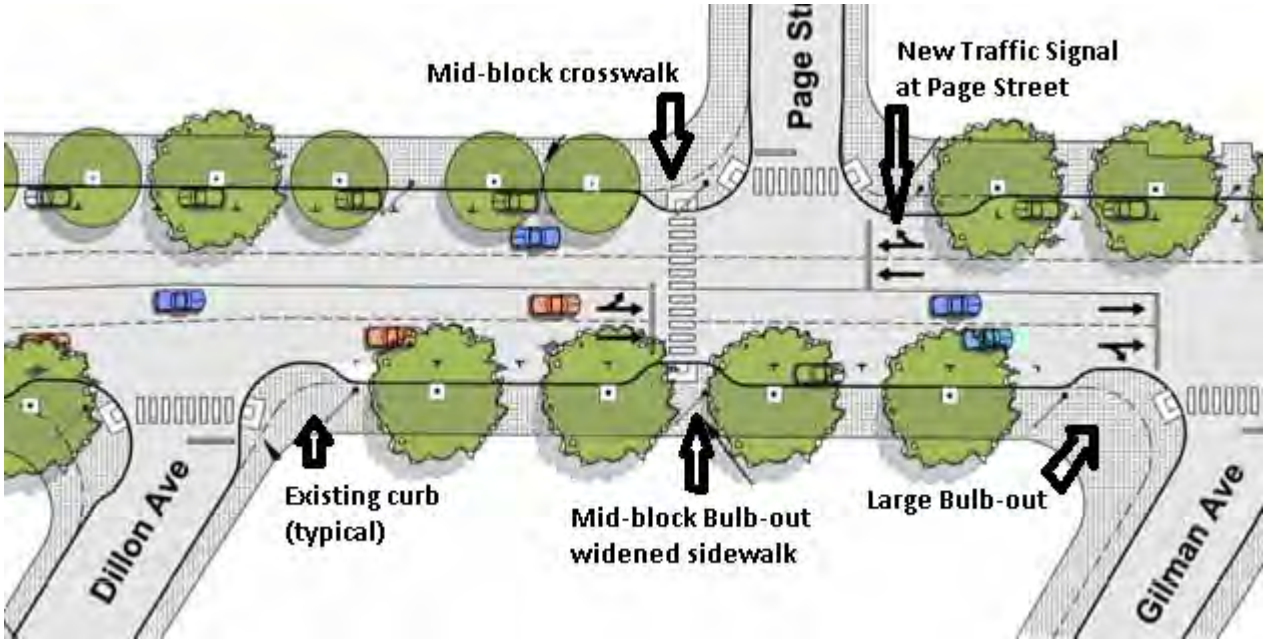
> Staff Observation: The current design does not appear to connect historic Downtown Campbell to the Pruneyard shopping center; the primary objective of the East Campbell Avenue Master Plan. It does not have the rhythm of a traditional downtown as the ECAMP had envisioned. The vision illustration leaves little guessing of what should be achieved; small individual storefronts with different roof types and building materials. As currently proposed, the building has little articulation or design variation. More attention should be paid to varying the building height, roof types, and building materials; adding interest at the building's corners; and incorporating special storefront features such as expansive ground floor windows and recessed entrances that are attractive and inviting to pedestrians.

[2] Includes 1.44 acres owned by Santa Clara County but developed as part of Campbell Park.

Intersection and Pedestrian Crossing Improvements: A key element of the ECAMP is improving the environment for storefront commercial businesses and pedestrians by creating an attractive environment for walking along the street frontage and improving safety and convenience at street crossings.

As shown in the graphic on the next page, a large corner bulb-out is recommended at Gilman Avenue to provide space for sidewalk amenities and accommodate new ADA-compliant curb ramps. The sidewalk should be widened to 16 feet and a highly-visible mid-block bulb-out and pedestrian crosswalk is also recommended to improve pedestrian visibility, reduce street crossing distances, and generally promote slower traffic on the street. The adjacent roadway will be re-striped for a shared through turn lane in both directions, with curbside parking along both frontages.

Also shown in the following graphic is a new traffic signal that will be installed at Page Street. The new signal will be coordinated with the existing signal at Gilman Avenue and will allow for safe and predictable access and egress, as well as "permissive-protected" left turns. The Developer will be required to install the new signal due to the proximity to their site. The developer will be reimbursed some of the cost which will be shared amongst other nearby developments including St. Antons on Railway Avenue and the Greylands site across the street (pending future redevelopment).



Density Bonus

The preliminary plans indicate that the gross site area is 1.63 acres which (at 27 units per acre) would permit 44 dwelling units. The applicant is preliminarily requesting a maximum density bonus of 35%, which would provide an additional 15.4 units which when rounded up (per Density Bonus Law) provide a total unit count of 60 units. The applicant has not yet determined what level of affordability they would provide for the 35% density bonus. In any case, either 40% of the 44 units would be designated as "moderate-income" (18 moderate-income target units); or 20% of the 44 units would be designated as "low-income" (9 low-income target units); or 11% of the 44 units would be designated as "very-low income" (5 very-low income target units). By way of comparison, if the developer chooses not to pursue a density bonus, seven (7) inclusionary units would be required, divided between moderate and low-income.

In exchange for providing the additional affordable target units, the applicant is entitled to up to three incentives and/or concessions[3] depending on the level of affordability provided, as shown in the following table:

Incentives and Concessions Summary[4]		
Unit Type	**Percent of Affordable Units**	**# of Incentives / Concessions**
Very Low Income Units	10% or greater	2
	15% or greater	3
Low Income Units	20% or greater	2
	30% or greater	3
Moderate Income Units	30% or greater	3

Based on the above table and the assumption that the applicant will apply for the maximum density bonus, the applicant would be entitled to at least two incentives or concessions. As part of the formal submittal and in accordance with CMC Section 21.20.130, the applicant shall provide, amongst other items: a description of any requested density bonuses; incentives and concessions; waivers or modifications of development/parking standards; and appropriate financial analysis and documentation (e.g., a pro forma) demonstrating that the requested incentives and concessions result in identifiable, financially sufficient and actual cost reductions. The analysis shall also show that the requested waiver or modification is necessary to make the residential project economically feasible.

[3] A density bonus project which requests incentives or concessions must show that the requested concessions are required to provide for affordable rents or affordable housing costs, as applicable.

[4] The table has been simplified based on the assumption that the applicant would provide the maximum number of units required for a 35% density bonus.

SUMMARY

Based on the discussion points raised in this memorandum, staff requests direction on the following items:

ECAMP Vision: Does the conceptual proposal reflect the vision of the East Campbell Avenue Master Plan to expand on and complement Downtown's small-town feel and create a more pedestrian-friendly and attractive environment?

Building Height: Does the building vary in height enough to achieve an eclectic rhythm both within and between buildings?

Floor area: Is the proposed floor area appropriate considering the amount of open space provided and the use of tandem spaces to meet parking requirements?

Setbacks: Are the front and side yard setbacks sufficient to accommodate outdoor seating and create a pedestrian-accessible retail experience? Is the proposed rear setback appropriate to minimize impacts on residential adjacencies?

Design: Does the massing, architectural styles, height, and the general development pattern accomplish the physical changes needed to create an attractive transition between the historic Downtown core and the Pruneyard?

Open Space: Does the proposal provide sufficient open space for the development?

The following questions, based on the ECAMP design guidelines may help inform the Council's feedback on the design:

- Does the façade treatment and massing reflect Downtown's diverse character and scale through variation in roofline, building plane and materials?
- Do the elevations include an appropriate mix of high quality finishing materials, craftsmanship, façade ornamentation, and/or building articulation?
- Do the building materials and architectural elements add scale and interest?
- Does the conceptual proposal include special architectural features or other desirable elements at the building's corners?
- Does the conceptual proposal include appropriate storefront detailing, materials, and windows that promote retail activity and an attractive pedestrian-oriented environment?

NEXT STEPS

Planning Commission Study Session: Pursuant to CMC Chapter 21.41, the Planning Commission will review the preliminary application on May 24, 2016. Staff will provide the Planning Commission with feedback from the May 3rd City Council study session.

Required Entitlements: The project will require a Planned-Development Permit, Subdivision Map and Zoning Map Amendment (for condominiums), CEQA Review and Traffic Impact Analysis.

Environmental Review: Upon formal application submittal, the project will require an Initial Study to review a variety of environmental factors including traffic, air-quality, light and glare, noise, geology, and exposure to hazardous materials. Upon completion of the Initial Study, staff will determine what level of environment review is appropriate (e.g., Mitigated Negative Declaration). The draft environmental review document will be completed and provided to the public and the Planning Commission for comment prior to the Commission's Public Hearing.

PUBLIC OUTREACH

Due to the land use sensitivities of the project site, staff prepared a 300-foot notice for the City Council study session. The notice was also sent to the Downtown Business Association and the Downtown Campbell Neighborhood Association.

Attachments

1. Applicant's Project Narrative
2. Conceptual Plans

CITY COUNCIL MINUTES

City of Campbell, 70 North First Street, Campbell, California

CAMPBELL CITY COUNCIL STUDY SESSION
Tuesday, May 3, 2016 - 6:00 p.m.
Council Chamber – 70 N. First Street

This Study Session was duly noticed pursuant to open meeting requirements of the Ralph M. Brown Act (G.C. Section 54956).

This meeting was recorded and can be viewed in its entirety at www.cityofcampbell.com/agendacenter.

NOTE: No action may be taken on a matter under Study Session other than direction to staff to further review or prepare a report. Any proposed action regarding items on a Study Session must be agendized for a future Regular or Special City Council meeting.

The City Council of the City of Campbell convened this day in the Council Chambers of City Hall, 70 N. First Street, Campbell, California, to discuss the conceptual plans for a mixed–use commercial/residential development on East Campbell Ave between Dillon and Gilman Avenue.

CALL TO ORDER

Present: Councilmembers: Kotowski, Resnikoff, Cristina, Gibbons

Absent: Councilmembers: Baker

Staff Present: Mark Linder**,** City Manager; Bill Seligmann, City Attorney; Wendy Wood, City Clerk; Paul Kermoyan, Community Development Director; and Cindy McCormick, Senior Planner.

NEW BUSINESS

1. **Conceptual Plans for a Mixed-use Commercial/Residential Development on East Campbell Avenue between Dillon and Gilman Avenue.**
   Recommended Action: Conduct Study Session and provide direction to staff.

   Senior Planner McCormick presented staff report dated May 3, 2016.

   Deana Ellis, representative from Cresleigh Homes, spoke about the company and previous developments.

   Ron Metzker, representative from LPSA Architecture & Design, gave a presentation on the proposed project.

PUBLIC COMMENT

Janet Tate, Campbell resident, spoke about traffic concerns with this project at Page and Popular.

Vikki Essert, Campbell resident, spoke about the density calculations that are currently being used and is concerned about overbuilding.

Judy Pisano, Campbell resident, spoke about concerns with the appearance of the project and would like to see a more pedestrian oriented environment.

Kirk Heinrichs, Campbell resident, stated that the proposed development falls short of meeting the goals and objectives of the East Campbell Avenue Master Plan.

Jo-Ann Fairbanks, Campbell resident, spoke about density in regards to units per acre, the floor area ratio, the common open usable spaces, and issues with the density bonus law.

Joe Hernandez, Campbell resident, spoke about the East Campbell Avenue Master Plan, does not feel the current proposed project meets the master plan, and would like the developer to bring back several different plans.

Joseph Gemignani, Campbell resident, stated he would like a project that ties in with the Pruneyard and the downtown, and would like a more traditional style of architecture.

Scott Rees, Campbell resident, stated concerns with the appearance of the proposed project, the height of the building, amount of storage, and size of the units.

Susan Blake, Campbell resident, spoke about the East Campbell Avenue Master Plan, does not feel the current proposed project meets the master plan, and would like the developer to revise the project.

Barry Shilman, Campbell resident, stated concerns about the appearance of the project and would like the developer to incorporate the Pruneyard and the downtown in the design.

Armida Costello, Campbell resident, stated concerns about the appearance of the project.

Council listened to the presentation and public comment, and made general remarks.

ADJOURN

Vice Mayor Gibbons adjourned the meeting at 7:13 p.m.

APPROVED:

ATTEST:

_____
Elizabeth Gibbons, Vice Mayor

_____
Wendy Wood, City Clerk

Attachment 2

0

FT

SCALE: 1/16" = 1'-0"

East Campbell Avenue

Campbell, CA

ELEVATION A

DATE: 06/13/16
PROJECT NO: 1193-0002
SCALE: 1/16" = 1'-0"
SHEET: A

CresleighHomes

LPAS

2484 Natomas Park Drive, Suite 100 Sacramento CA 95833
916 643 0320 lpasdesign.com Architecture + Design

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FT

SCALE: 1/16" = 1'-0"

East Campbell Avenue

Campbell, CA

ELEVATION B

DATE: 05/31/16
PROJECT NO: 1193-0002
SCALE: 1/16" = 1'-0"
SHEET: B

CresleighHomes

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916 443 9335 lpasdesign.com Architecture • Design

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FT

SCALE: 1/16" = 1'-0"

East Campbell Avenue

Campbell, CA

ELEVATION C

DATE: 05/31/16
PROJECT NO: 1193-0002
SCALE: 1/16" = 1'-0"
SHEET: C

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FT

SCALE: 1/16" = 1'-0"

East Campbell Avenue

Campbell, CA

ELEVATION D

DATE: 05/31/16
PROJECT NO: 1193-0002
SCALE: 1/16" = 1'-0"
SHEET: D

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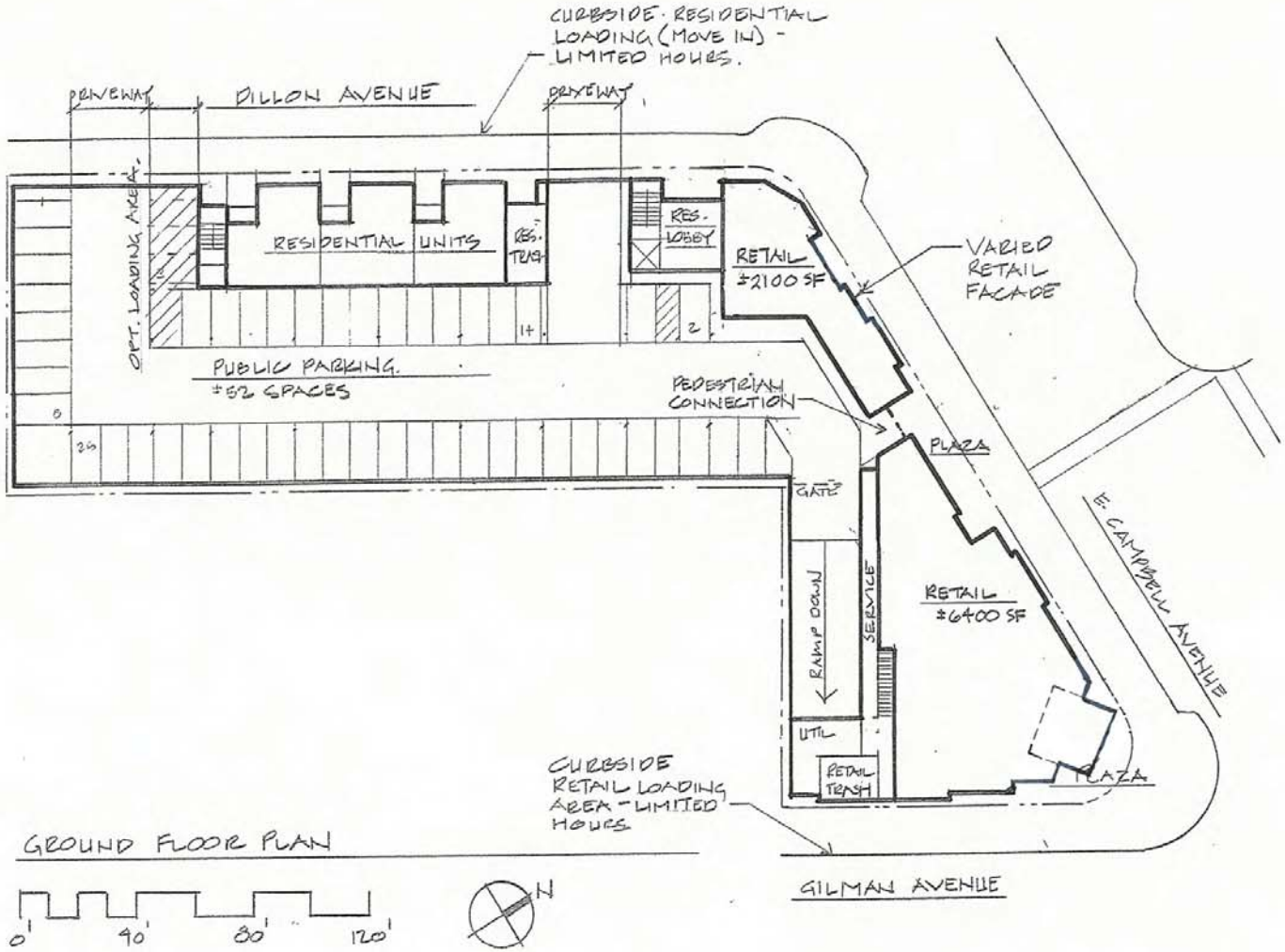
Architecture + Design



GROUND FLOOR PLAN

EAST CAMPBELL AVENUE

Scheme 3

Campbell, Ca

PROJECT NO: 1193-0002
SCALE:
SHEET:

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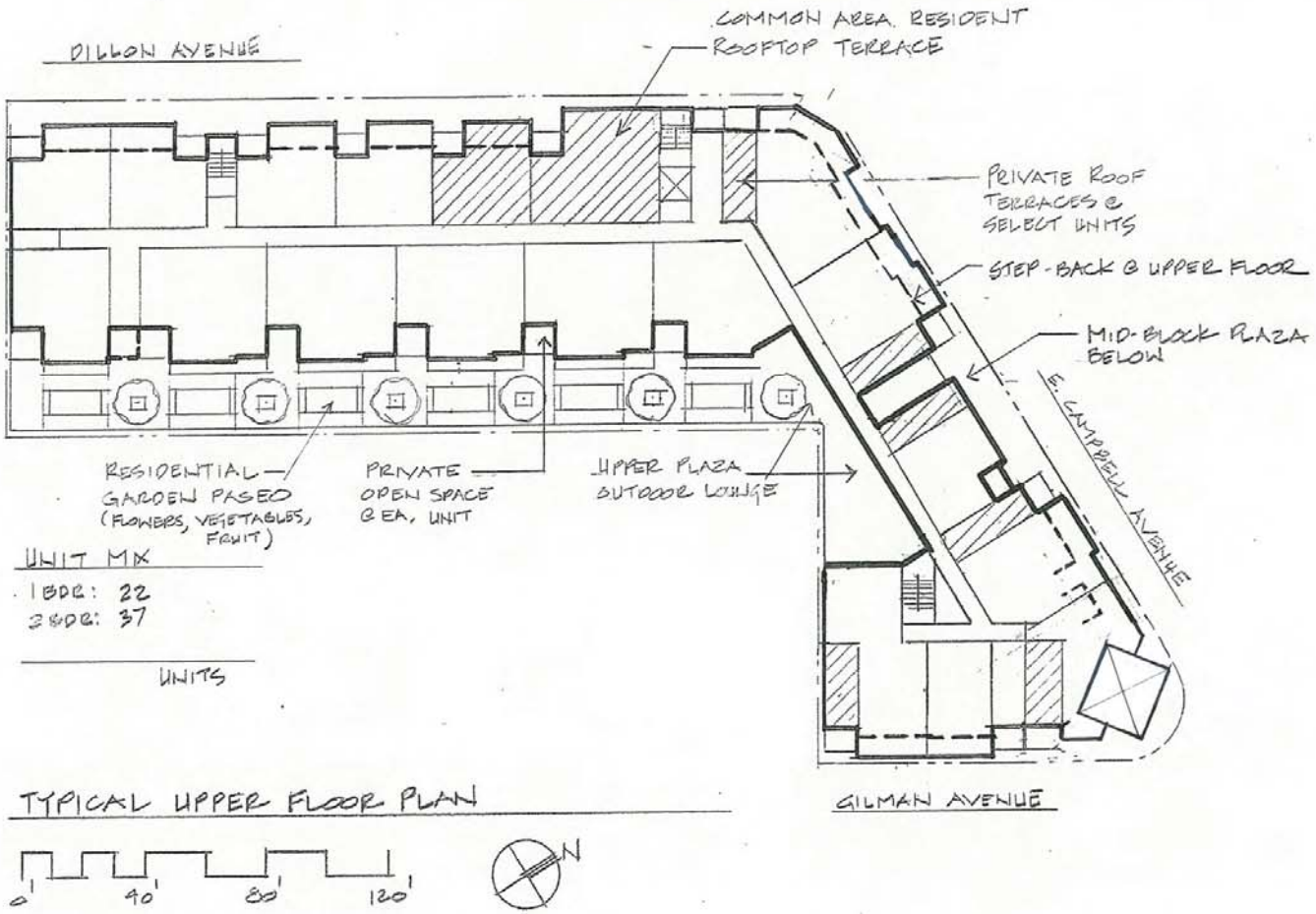
916 443 0935 lpsadesign.com



UNIT MIX

1BDR: 22
2BDR: 37

UNITS

TYPICAL UPPER FLOOR PLAN

0' 40' 80' 120'

EAST CAMPBELL AVENUE

Scheme 3

Campbell, Ca

PROJECT NO: 1193-0002
SCALE:
SHEET:

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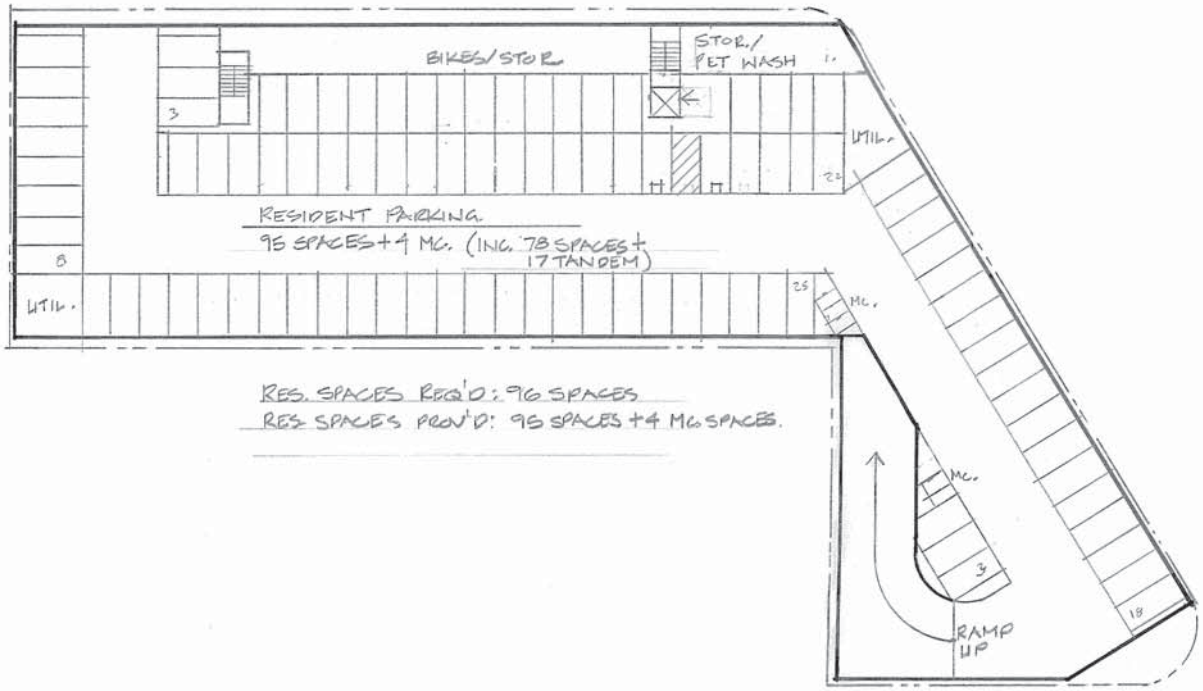

EAST CAMPBELL AVENUE

Scheme 3

Campbell, Ca

DATE:
PROJECT NO: 1193-0002
SCALE:
SHEET:

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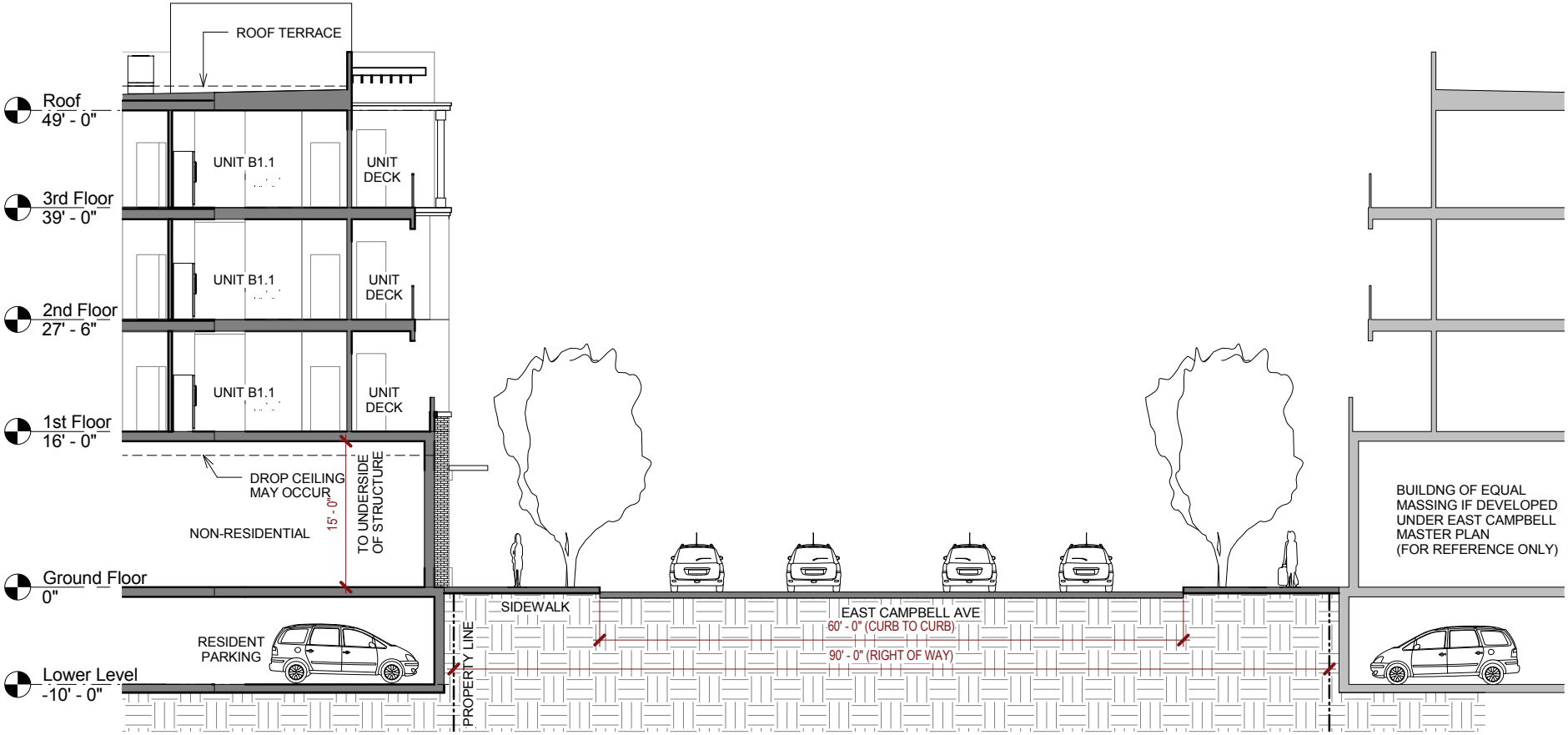

SCALE: 3/32" = 1'-0"

East Campbell Avenue

Campbell, CA

STREET SECTION

DATE: 06/13/16
PROJECT NO: 1193-0002
SCALE: 3/32" = 1'-0"
SHEET: F

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EAST CAMPBELL AVENUE ELEVATION

0' 20' 40' 60'

EAST CAMPBELL AVENUE ELEVATION - SCHEME 2

EAST CAMPBELL AVENUE

Scheme 2

Campbell, Ca

PROJECT NO: 1193-0002
SCALE:
SHEET:

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East Campbell Avenue

Campbell, Ca

Prescedent Studies

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East Campbell Avenue

Campbell, Ca

Outdoor Space Studies

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OWNER/DEVELOPER:

CRESLEIGH HOMES
3005 DOUGLAS BLVD., SUITE 110
ROSEVILLE, CA 95661

CONTACT: DEANA ELLIS
916.781.6020
DELLIS@CRESLEIGH.COM

ARCHITECT:

LPAS ARCHITECTURE + DESIGN
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CONTACT: CHRIS KELLY
916.443.0335
CKELLY@LPAS.COM

LANDSCAPE ARCHITECT:

LPAS ARCHITECTURE + DESIGN
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CONTACT: MIKE MILLETT
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MMILLETT@LPAS.COM

CIVIL ENGINEER:

CIVIL ENGINEERING ASSOCIATES
224 AIRPORT PARKWAY, SUITE 525
SAN JOSE, CA 95110

CONTACT: SHANE ADRIAN
408.453.1066
SADRIAN@CEAINC.NET

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FT

A0	COVER SHEET
C1	SITE DIAGRAM
C2	AERIAL
C3	PROJECT AREA EXHIBIT
A1	SITE PLAN
A2	LOWER LEVEL FLOOR PLAN
A3	GROUND FLOOR PLAN
A4	FIRST FLOOR PLAN
A5	SECOND FLOOR PLAN
A6	THIRD FLOOR PLAN
A7	ROOF PLAN
A8	CAMPBELL AVENUE VIEW
A9	DILLON AVENUE VIEW
A10	CONTEXT ELEVATION
A11	CONTEXT ELEVATION
A12	EXTERIOR ELEVATIONS
A13	EXTERIOR ELEVATIONS
A14	BUILDING SECTIONS
A15	CIRCULATION MAP
A16	UNIT PLANS
A17	UNIT PLANS
A18	SITE CONTEXT PHOTOGRAPHS

East Campbell Avenue

Campbell, CA

CresleighHomes

COVER SHEET

DATE: 03/05/16
PROJECT NO: 1193-0002
SCALE:
SHEET: A0

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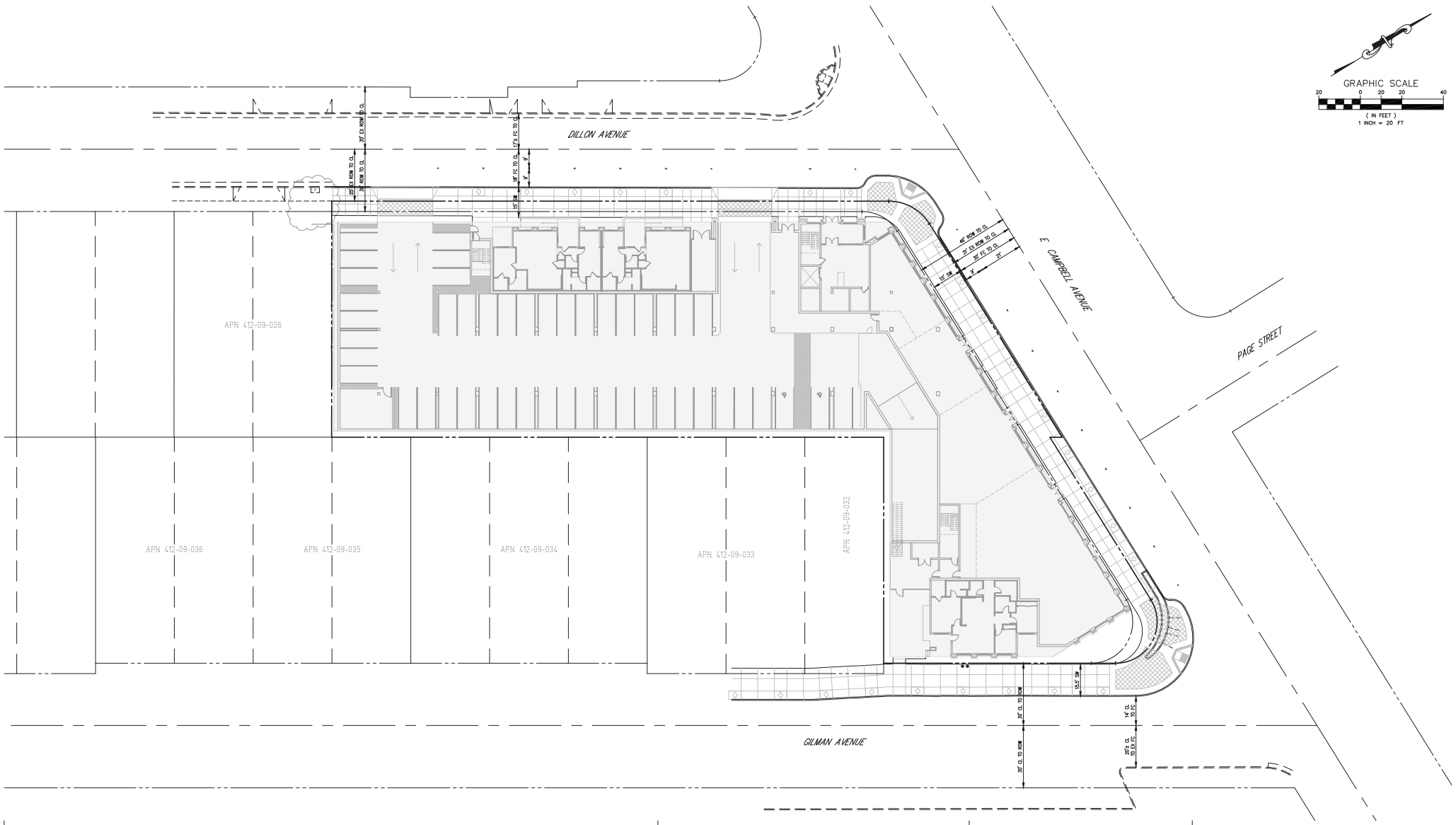


East Campbell Avenue Apartments

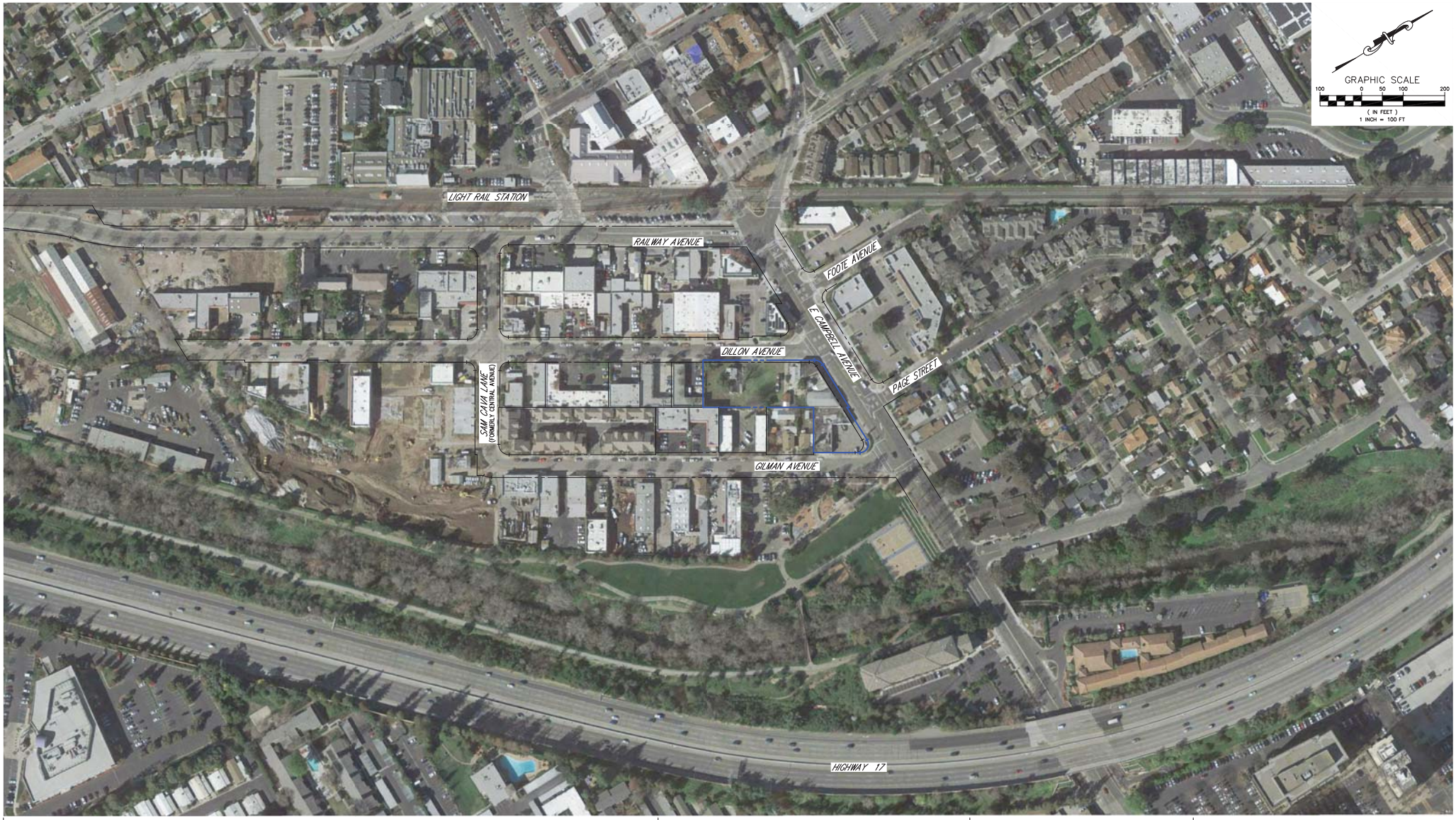
Campbell, Ca

SITE DIAGRAM

DATE: 3/4/2016
PROJECT NO: 15-122
SCALE: 1"=20'
SHEET: 2A

Civil Engineering Associates
Civil Engineers • Planners • Surveyors
224 Airport Parkway
Suite 525
San Jose, CA 95110
T: (408) 453-1066

2A-SITE DIAGRAM.dwg Mar 04, 2016



East Campbell Avenue Apartments

Campbell, Ca

AERIAL

DATE: 3/4/2016
PROJECT NO: 15-122
SCALE: 1"=100'
SHEET: 2G

Civil Engineering Associates
Civil Engineers • Planners • Surveyors
224 Airport Parkway
Suite 525
San Jose, CA 95110
T: (408) 453-1066

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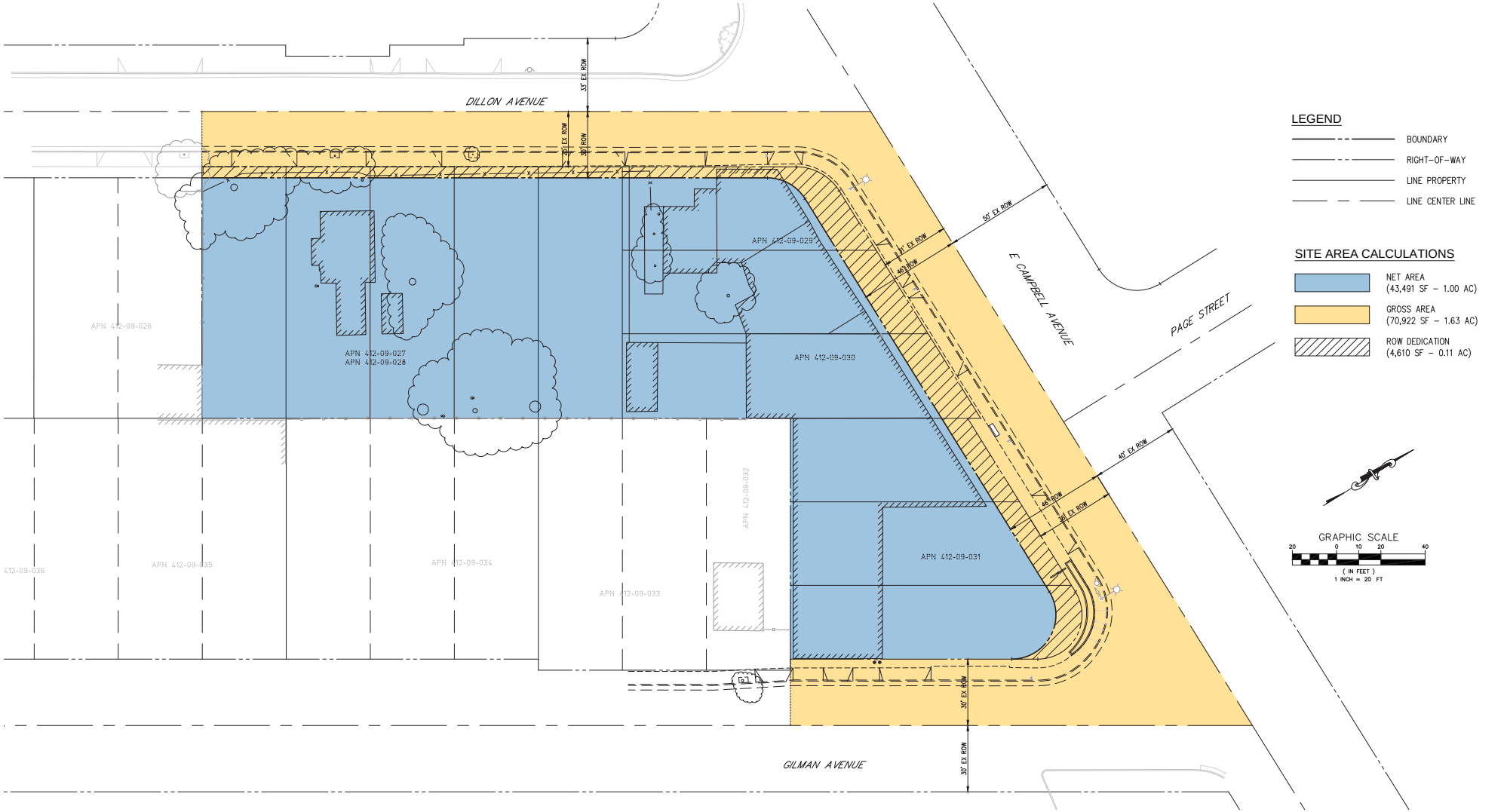

East Campbell Avenue Apartments

Campbell, Ca

PROJECT AREA EXHIBIT

DATE: 3/4/2016
PROJECT NO: 15-122
SCALE: 1"=20'
SHEET: 3

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224 Airport Parkway
Suite 525
San Jose, CA 95110
T: (408) 453-1066

3 PROJECT AREA EXHIBIT.dwg Mar 04, 2016

PROJECT DATA

GENERAL INFORMATION:

ASSESSORS PARCEL NUMBERS : 412-09-027 THRU 412-09-031

GROSS ACRES: 1.63
NET ACRES: 1.00
DWELLING UNITS: 60
BASELINE DENSITY: 44 DU/ GROSS AC
DENSITY BONUS 35% MAX: 60 UNITS(ROUNDED UP 59.41)

ZONING: C-3 CENTRAL COMMERCIAL PLANNED DEVELOPMENT EAST CAMPBELL MASTER PLAN

BUILDING COVERAGE: 88% OF NET 1.0 ACRE SITE

CONSTRUCTION TYPE: TYPE V OVER TYPE I

RESIDENTIAL UNIT SUMMARY:

NAME	BEDROOMS	SQUARE FEET	UNIT TOTAL
UNIT A1	1	853	15
UNIT A1.1	1	997	1
UNIT A2	1	1,191	3
UNIT A3	1	1,111	1
UNIT B1	2	1,338	14
UNIT B1.1	2	1,305	6
UNIT B2	2	1,280	3
UNIT B3	2	1,320	3
UNIT B4	2	1,471	4
UNIT B5	2	1,305	1
UNIT C1	3	1,486	3
UNIT C2	3	1,578	3
UNIT C3	3	1,580	3
		NET SALEABLE: 73,959	**60 UNITS**

NONRESIDENTIAL AREA: 7,455 SQ FT

PARKING SUMMARY:

	REQUIRED	PROVIDED
RESIDENTIAL (CA DENSITY BONUS STDS)	100	100
NON-RESIDENTIAL (1 PER 200 SF)	38	44

TOTAL PARKING SPACES: 144

RESIDENTIAL BREAKDOWN: 94 BELOW GRADE, 2 ACCESSIBLE BELOW GRADE, 3 ON GRADE, 4 MOTORCYCLE

NON-RESIDENTIAL BREAKDOWN: 38 ON GRADE, 2 ACCESSIBLE, 4 ADDITIONAL SPACES

East Campbell Avenue

Campbell, CA

SITE PLAN

DATE: 03/05/16
PROJECT NO: 1193-0002
SCALE: 1/16" = 1'-0"
SHEET: A1

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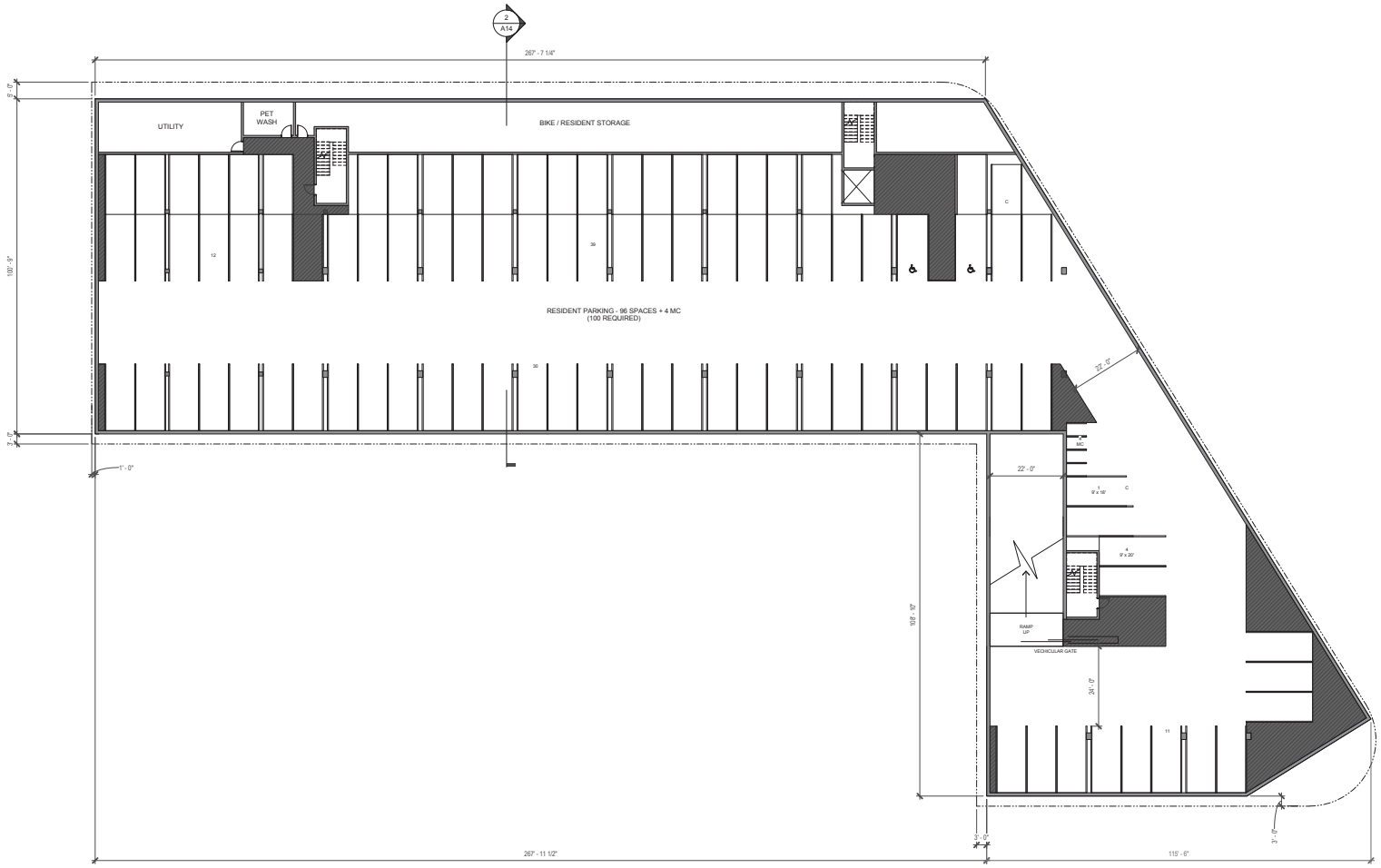

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SCALE: 1/16" = 1'-0"

East Campbell Avenue

Campbell, CA

0 8 16 24 FT

SCALE: 1/16" = 1'-0"

LOWER LEVEL FLOOR PLAN

DATE: 03/05/16
PROJECT NO: 1193-0002
SCALE: 1/16" = 1'-0"
SHEET: A2

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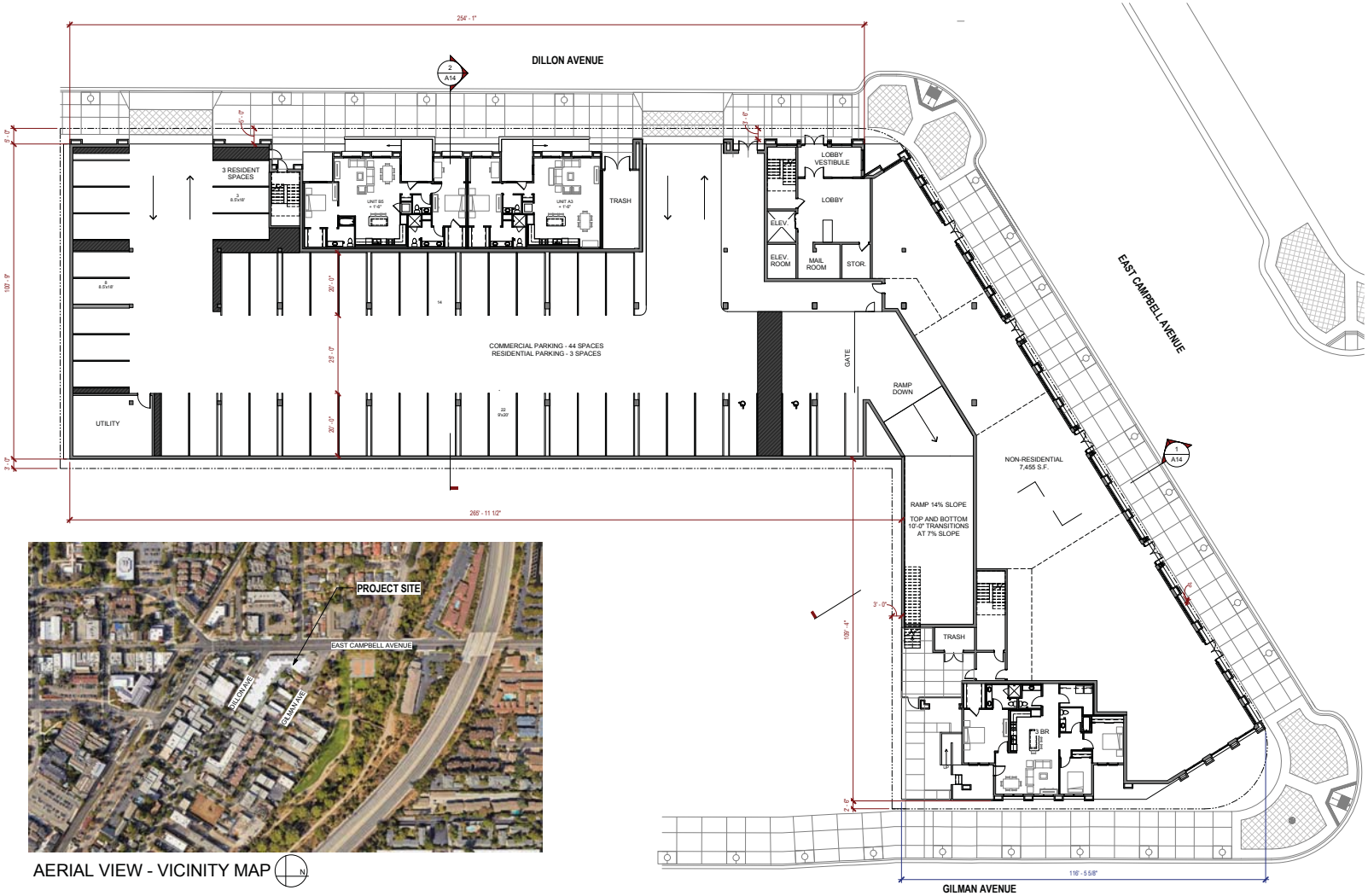

AERIAL VIEW - VICINITY MAP

East Campbell Avenue

Campbell, CA

SCALE: 1/16" = 1'-0"

GROUND FLOOR PLAN

DATE: 03/05/16
PROJECT NO: 1193-0002
SCALE: 1/16" = 1'-0"
SHEET: A3

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FT

SCALE: 1/16" = 1'-0"

East Campbell Avenue

Campbell, CA

0 8 16 24 FT

SCALE: 1/16" = 1'-0"

FIRST FLOOR PLAN

DATE: 03/05/16
PROJECT NO: 1193-0002
SCALE: 1/16" = 1'-0"
SHEET: A4

CresleighHomes

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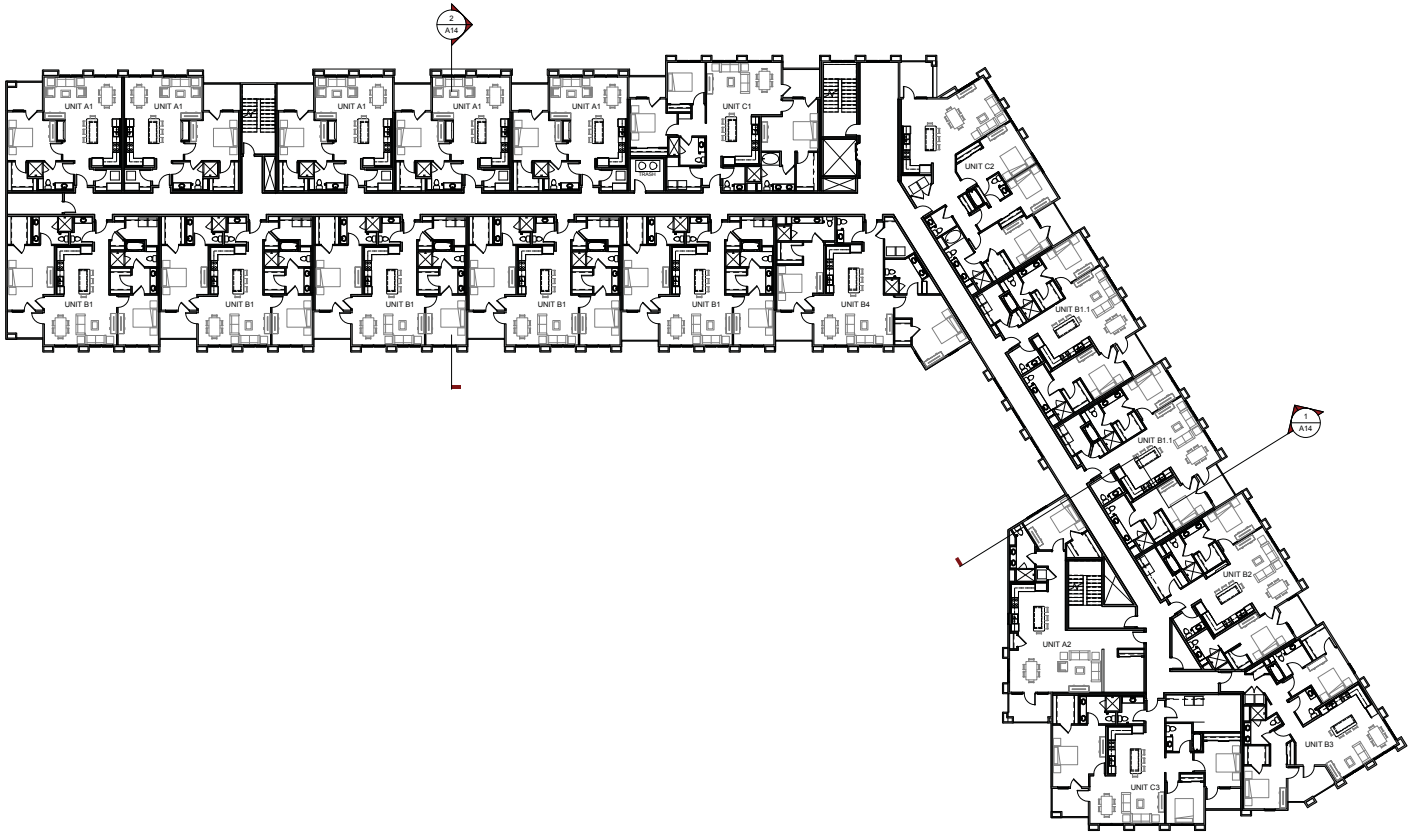

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SCALE: 1/16" = 1'-0"

East Campbell Avenue

Campbell, CA

0 8 16 24 FT

SCALE: 1/16" = 1'-0"

SECOND FLOOR PLAN

DATE: 03/05/16
PROJECT NO: 1193-0002
SCALE: 1/16" = 1'-0"
SHEET: A5

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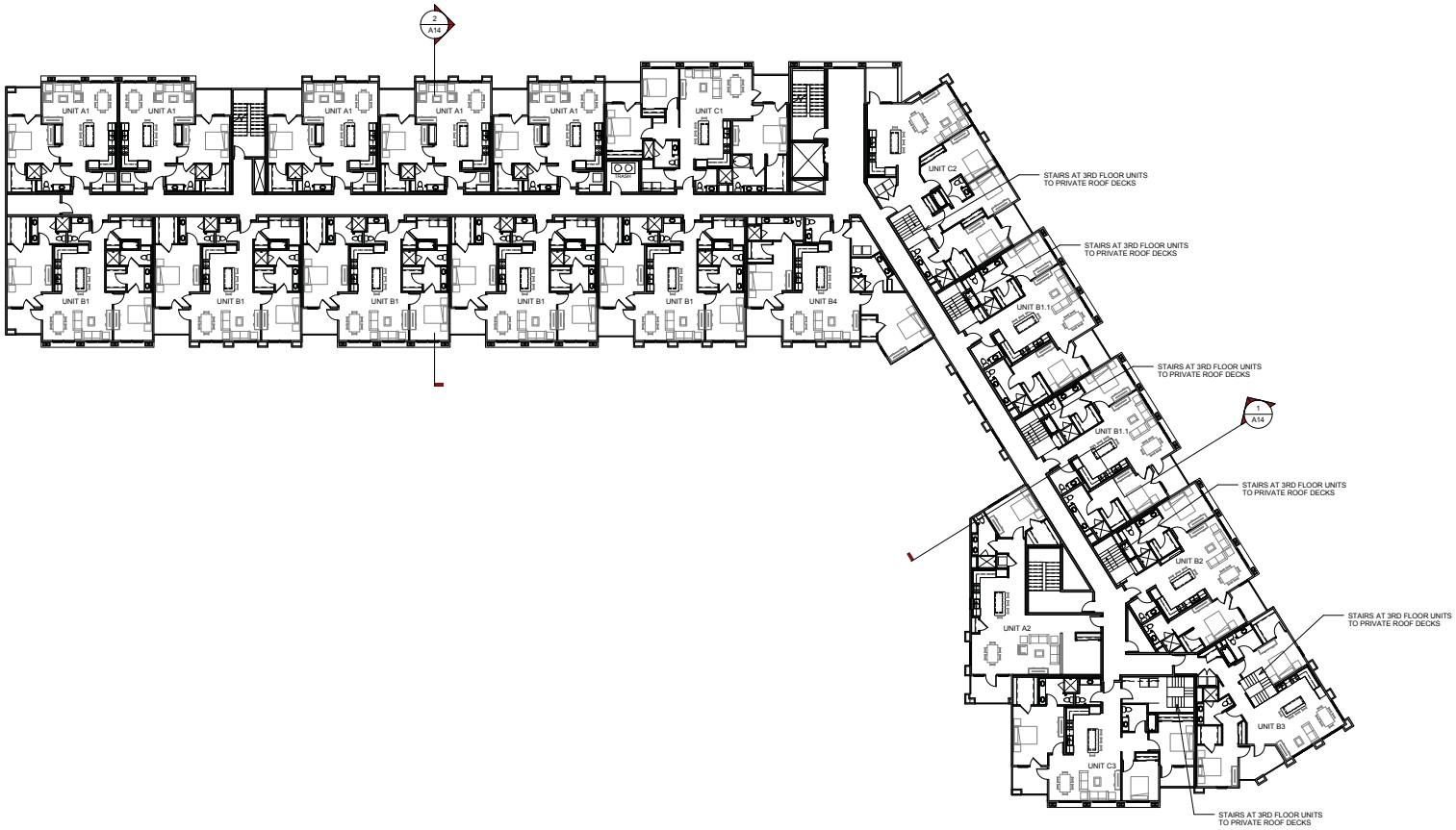

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SCALE: 1/16" = 1'-0"

East Campbell Avenue

Campbell, CA

0 8 16 24 FT

SCALE: 1/16" = 1'-0"

THIRD FLOOR PLAN

DATE: 03/05/16
PROJECT NO: 1193-0002
SCALE: 1/16" = 1'-0"
SHEET: A6

CresleighHomes

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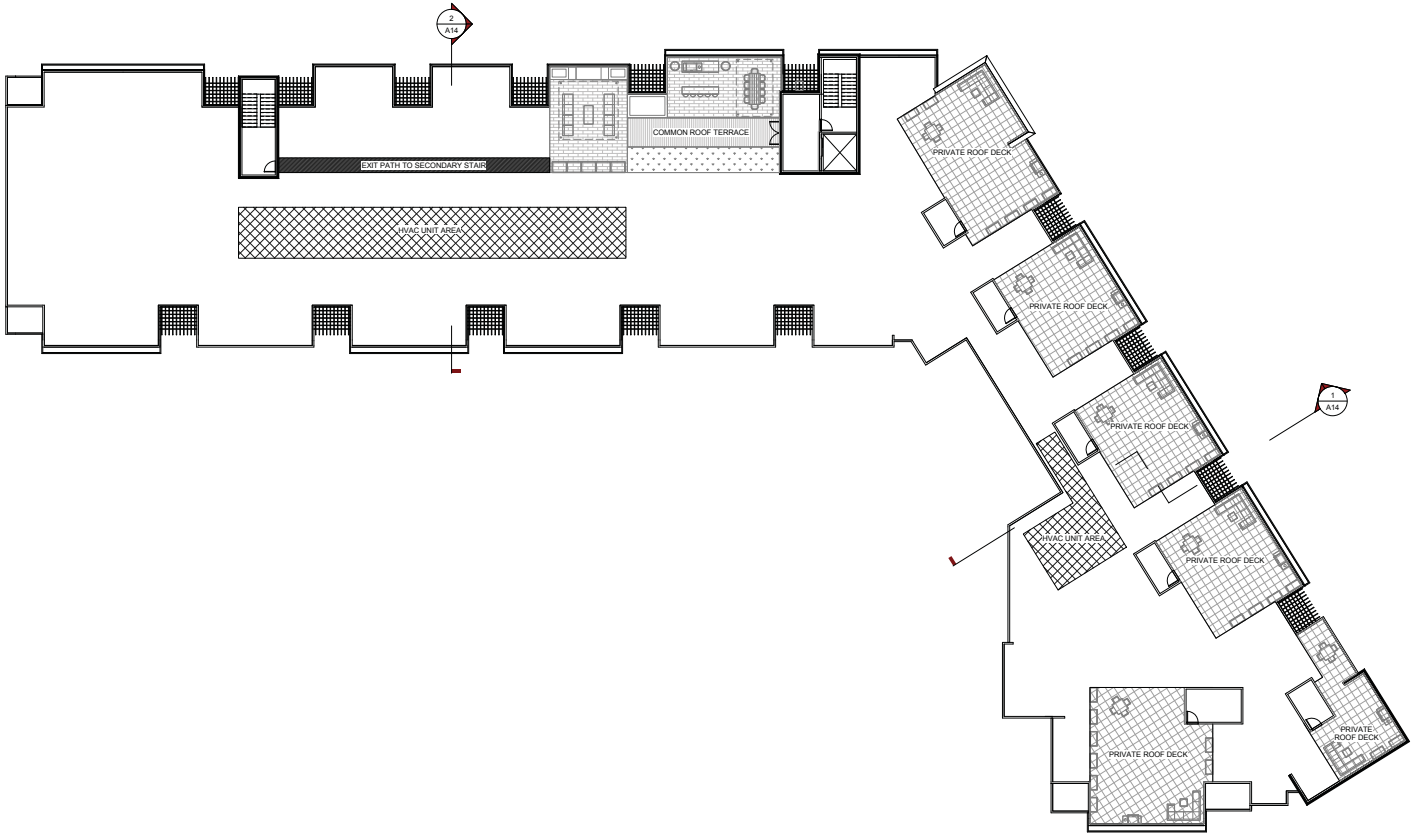

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FT

SCALE: 1/16" = 1'-0"

East Campbell Avenue

Campbell, CA

0 8 16 24 FT

SCALE: 1/16" = 1'-0"

ROOF PLAN

DATE: 03/05/16
PROJECT NO: 1193-0002
SCALE: 1/16" = 1'-0"
SHEET: A7

CresleighHomes

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0

FT

SCALE: N.T.S.

East Campbell Avenue

Campbell, CA

CAMPBELL AVENUE VIEW

DATE: 03/05/16
PROJECT NO: 1193-0002
SCALE: N.T.S.
SHEET: A8

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916 443 0335 lpasdesign.com Architecture + Design

0

FT

SCALE: N.T.S.

East Campbell Avenue

Campbell, CA

CresleighHomes

DILLON AVENUE VIEW

DATE: 03/03/16
PROJECT NO: 1193-0002
SCALE: N.T.S.
SHEET: A9

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FT

SCALE: N.T.S.

East Campbell Avenue

Campbell, CA

CONTEXT ELEVATION

DATE: 03/05/16
PROJECT NO: 1193-0002
SCALE: N.T.S.
SHEET: A10

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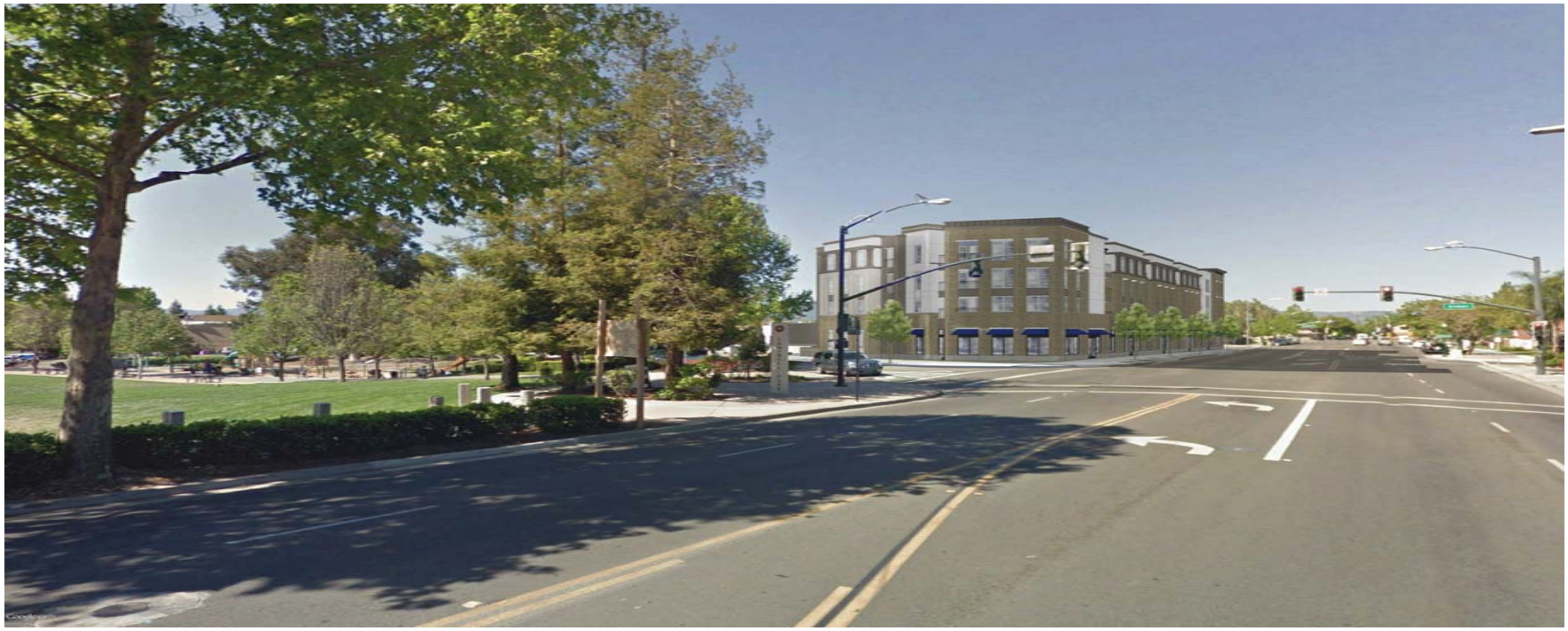

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FT

SCALE: N.T.S.

East Campbell Avenue

Campbell, CA

CresleighHomes

CONTEXT ELEVATION

DATE: 03/04/16
PROJECT NO: 1193-0002
SCALE: N.T.S.
SHEET: A11

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DILLON AVENUE 1/16" = 1'-0" | 1

CAMPBELL AVENUE 1/16" = 1'-0" | 2

KEY NOTES

1. CEMENT PLASTER
2. THIN BRICK VENEER
3. SIMULATED WOOD COLUMNS
4. ALUMINUM FRAMED WINDOWS
5. DECORATIVE TUBE STEEL DECK RAILING
6. SIMULATED WOOD TRELLIS W/ WOOD GRAIN FINISH
7. CONCRETE COLUMN
8. CANVAS SHADE AWNING
9. STEEL SHADE AWNING
10. PRIVATE ROOF DECK ACCESS
11. ACCESS STAIRS TO PODIUM LEVEL
12. ALUMINUM STOREFRONT WINDOWS
13. COMMON ROOF DECK ACCESS

0

FT

SCALE: 1/16" = 1'-0"

East Campbell Avenue

Campbell, CA

EXTERIOR ELEVATIONS

DATE: 03/05/16
PROJECT NO: 1193-0002
SCALE: 1/16" = 1'-0"
SHEET: A12

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GILMAN AVENUE 1/16" = 1'-0" 1

SOUTH ELEVATION 1/16" = 1'-0" 2

KEY NOTES

1. CEMENT PLASTER
2. THIN BRICK VENEER
3. SIMULATED WOOD COLUMNS
4. ALUMINUM FRAMED WINDOWS
5. DECORATIVE TUBE STEEL DECK RAILING
6. SIMULATED WOOD TRELLIS W/ WOOD GRAIN FINISH
7. CONCRETE COLUMN
8. CANVAS SHADE AWNING
9. STEEL SHADE AWNING
10. PRIVATE ROOF DECK ACCESS
11. ACCESS STAIRS TO PODIUM LEVEL
12. ALUMINUM STOREFRONT WINDOWS
13. COMMON ROOF DECK ACCESS

0 FT

SCALE: 1/16" = 1'-0"

East Campbell Avenue

Campbell, CA

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EXTERIOR ELEVATIONS

DATE: 03/05/16
PROJECT NO: 1193-0002
SCALE: 1/16" = 1'-0"
SHEET: A13

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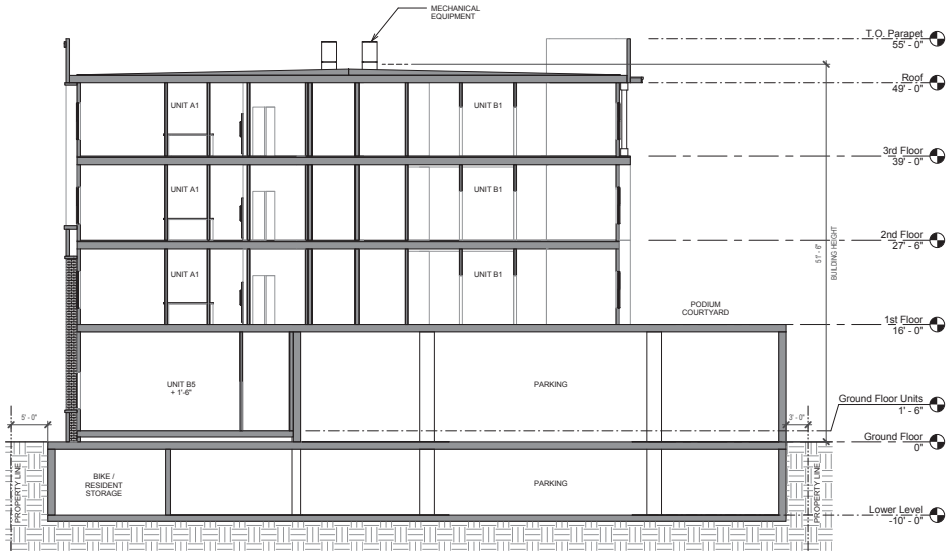
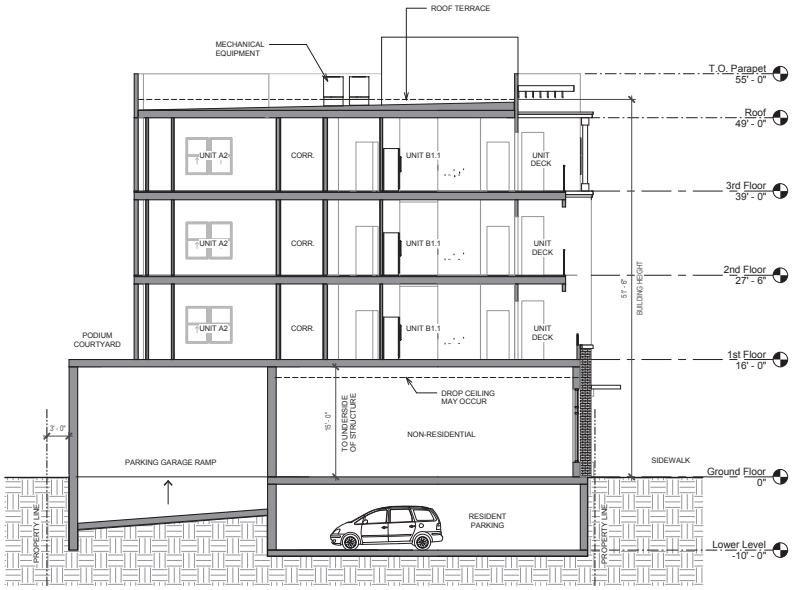


BUILDING SECTION 2 | 2
1/8" = 1'-0"



BUILDING SECTION 1 | 1
1/8" = 1'-0"

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

East Campbell Avenue

Campbell, CA

BUILDING SECTIONS

DATE: 03/05/16
PROJECT NO: 1193-0002
SCALE: 1/8" = 1'-0"
SHEET: A14

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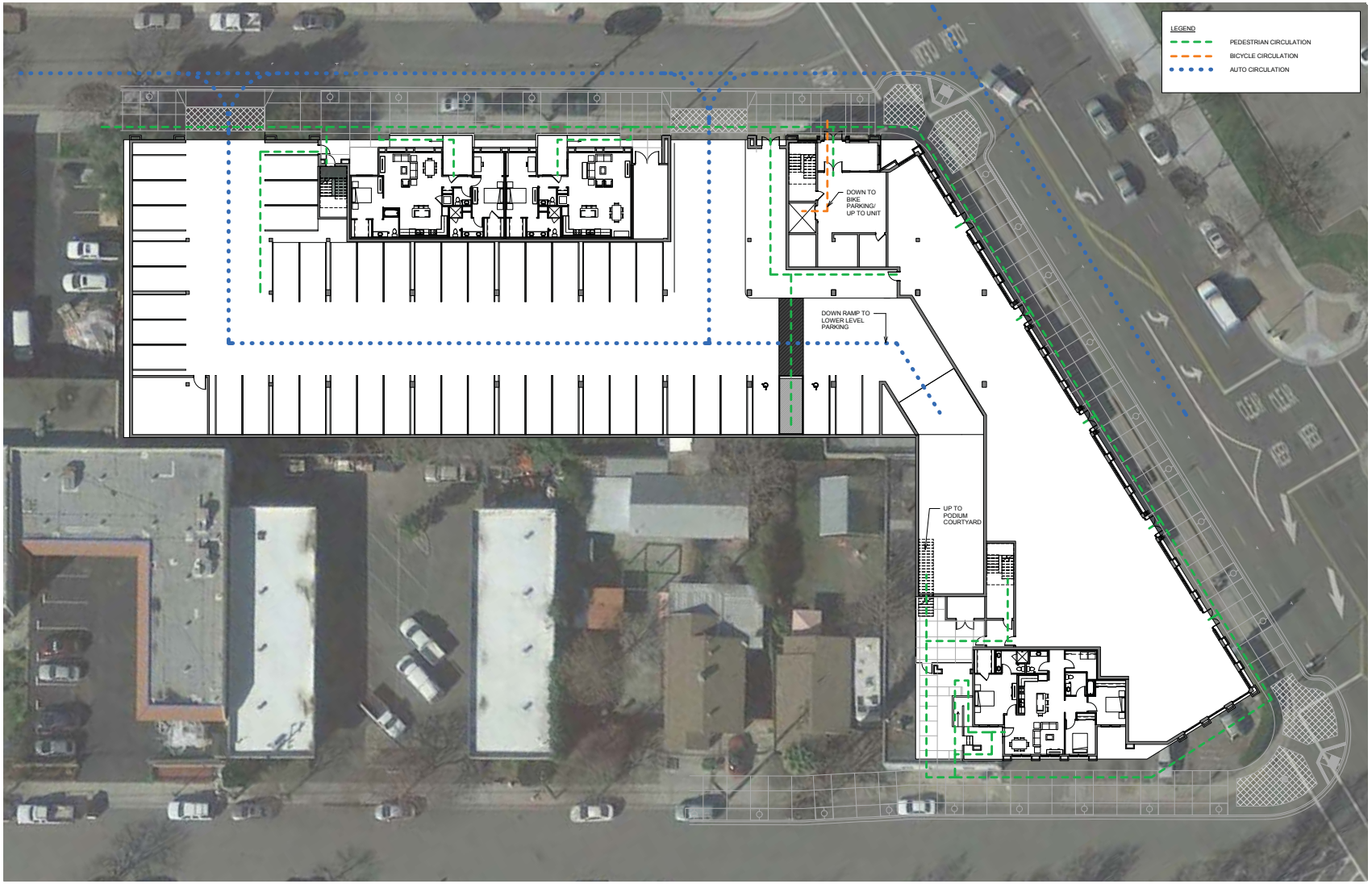

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FT

SCALE: 1/16" = 1'-0"

East Campbell Avenue

Campbell, CA

CIRCULATION MAP

DATE: 03/05/16
PROJECT NO: 1193-0002
SCALE: 1/16" = 1'-0"
SHEET: A15

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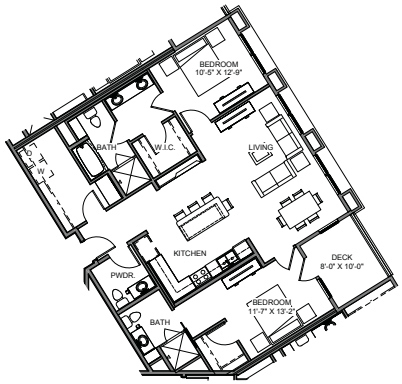
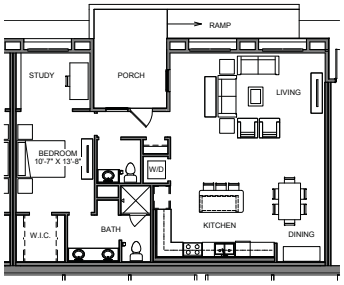
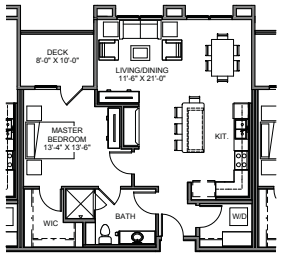


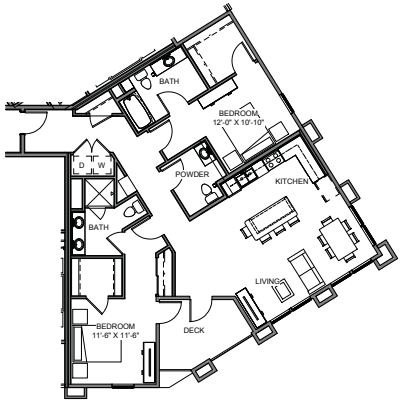
UNIT B2 - 2 BEDROOM - 1,280 S.F. 5
1/8" = 1'-0"



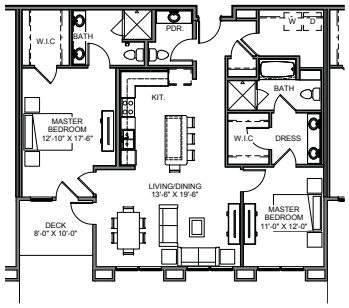
A3 UNIT PLAN - 1 BEDROOM - 1,111 S.F. 3
1/8" = 1'-0"



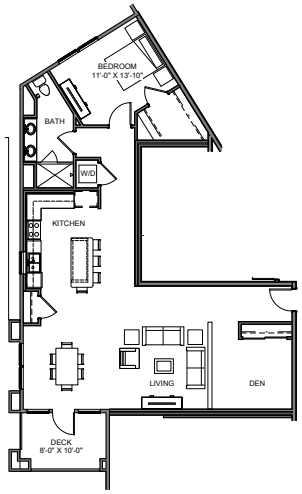
A1 UNIT PLAN (A1.1 SIM.) - 1 BEDROOM - 853 S.F. 1
1/8" = 1'-0"



UNIT B3 - 2 BEDROOM - 1,320 S.F. 6
1/8" = 1'-0"



UNIT B1 (B1.1 SIM.) - 2 BEDROOM - 1,338 S.F. 4
1/8" = 1'-0"



UNIT A2 - 1 BEDROOM - 1,191 S.F. 2
1/8" = 1'-0"

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

East Campbell Avenue

Campbell, CA

UNIT PLANS

DATE: 03/05/16
PROJECT NO: 1193-0002
SCALE: 1/8" = 1'-0"
SHEET: A16

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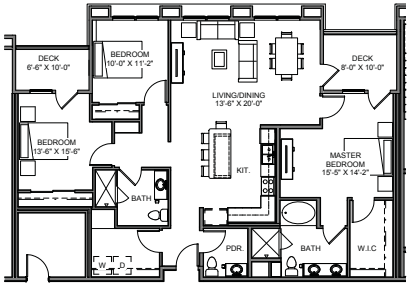
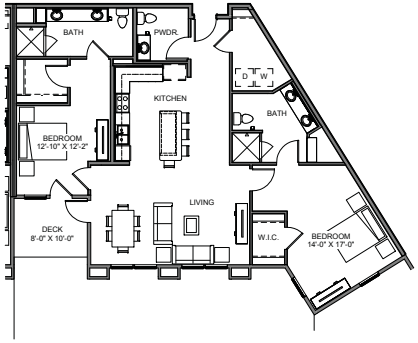
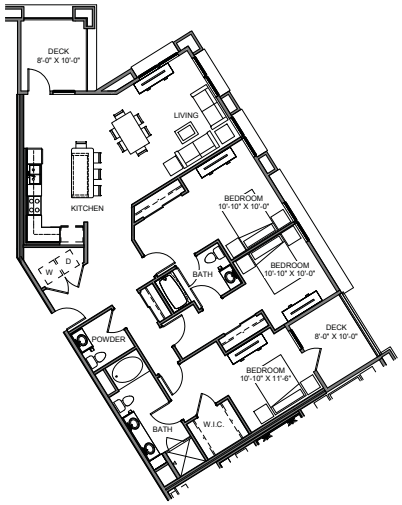


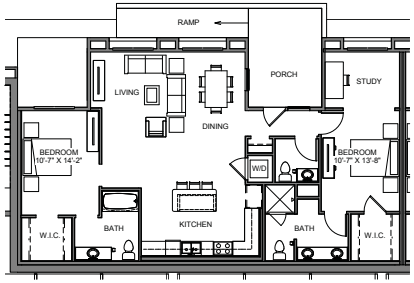
UNIT C1 - 3 BEDROOM - 1,486 S.F. | 3
1/8" = 1'-0"



UNIT B4 - 2 BEDROOM - 1,471 S.F. | 1
1/8" = 1'-0"



UNIT C2 - 3 BEDROOM - 1,580 S.F. | 4
1/8" = 1'-0"



UNIT B5 - 2 BEDROOM - 1,305 S.F. | 2
1/8" = 1'-0"

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

East Campbell Avenue

Campbell, CA

UNIT PLANS

DATE: 03/05/16
PROJECT NO: 1193-0002
SCALE: 1/8" = 1'-0"
SHEET: A17

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FT

SCALE: N.T.S.

East Campbell Avenue

Campbell, CA

SITE CONTEXT PHOTOGRAPHS

DATE: 03/05/16
PROJECT NO: 1193-0002
SCALE: N.T.S.
SHEET: A18

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Project Location Map

Attachment 3

Project Location: E. Campbell Ave. @ Gilman Ave and Dillon Ave

Application Type: Pre-Application - Mixed Use Development

Planning File No.: PRE2016-002

0 265 530 Feet

N

Community Development Department
Planning Division