



**SITE AND ARCHITECTURAL REVIEW COMMITTEE
TUESDAY, AUGUST 9, 2016
6:45 p.m.**

**Doetsch Conference Room/City Hall
70 N. First Street, Campbell, CA 95008**

AGENDA

ITEM/FILE NO.		ADDRESS	START TIME / DURATION	APPLICANT
1.	PLN2016-223	1266 W. San Tomas Aquino Rd	6:45 p.m.	Appellants: Sanjaya Srivastava & Shalini Shrivastava Prop owners: Brian Pirkil & Keiko Ichikawa
Appeal of an Administrative Planned Development Permit that approved the construction of a one and two-story addition to an existing single-family residence that falls within the STANP area. Project Planner: <i>Cindy McCormick, Senior Planner</i>				

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: Site and Architectural Review Committee **Date:** August 9, 2016
From: Cindy McCormick, Senior Planner *CM*
Via: Paul Kermoyan, Community Development Director *PK*
Subject: Administrative Site and Architectural Review Permit
File No.: PLN2016-102 ~ 1266 West San Tomas Aquino Road

PROPOSAL

The applicant is seeking approval of an Administrative Site and Architectural Review Permit (PLN2016-102) to allow construction of a 3,267 sq. ft. two-story single-family residence and attached garage (**Attachment 1** – Project Plans) on property located within the San Tomas Area Neighborhood.

BACKGROUND

On June 30, 2016, staff approved PLN2016-102 (**Attachment 3** – Administrative Action). On July 11, 2016, the decision was appealed by the property owner at 1276 West San Tomas Aquino Road, a neighbor living to the immediate right of the subject property (**Attachment 4** – Appeal letter). Pursuant to 21.42.020(B), new homes and additions to existing homes in the R-1-6 zoning district within the San Tomas Area may be approved administratively, subject to appeal to the Planning Commission.

PROJECT SITE

The project site is an approximately 11,355 square-foot (gross) lot located on the south side of West San Tomas Aquino Road, east of Margaret Lane, in the R-1-6 (Single-Family Residential) Zoning District (reference **Attachment 6** – Location Map). The site borders the City of San Jose and is located across the street from a channelized portion of the San Tomas Aquino Creek. The site is currently developed with a single-story single-family residence with attached garage built in 1947. Single-family residential properties border the site on all sides.

PROJECT DATA

Zoning Designation:	R-1-6 (Single-Family Residential)	
General Plan Designation:	Low-Density Residential (less than 6 units/gr. acre)	
Net Lot Area:	10,055 sq. ft.	
Height:	~24.5 feet	28 feet Maximum Allowed
Floor Area Ratio (FAR):	32.5%	45% Maximum Allowed
Building (Lot) Coverage:	21%	40% Maximum Allowed

Building Square Footage:

Existing 1st Floor Area:	1,318 square-feet
Proposed 1st Floor Area:	965 square-feet
Proposed 2nd Floor Area:	<u>984 square-feet</u>
Total Floor Area	3,267 square-feet

<u>Setbacks</u>	<u>Proposed</u>	<u>Minimum Required</u>
Front (Residence):	~25.5 feet	20 feet
Front (Garage):	~25.5 feet	25 feet
Right Side (1 st Story):	~7.5 feet	5 feet or 1/2 wall height
Right Side (2 nd Story):	~10.5 feet	1/2 wall height
Left Side (1 st Story):	~8.0 feet	5 feet or 1/2 wall height
Left Side (2 nd Story):	~32.5 feet	1/2 wall height
Rear:	~67.5 feet	20 feet

DISCUSSION

Project Description: The applicant is proposing a major addition to, and remodel of, an existing 1,318 square-foot single-story home. The project includes a 965 square-foot first-floor addition and a 984 square-foot second-floor addition for a total floor area of 3,267 square-feet.

Site Layout: The single-family residence is located on a large lot (~65' wide by ~150' deep), similar in size to the properties on either side of the subject property but larger than the property to the rear. The existing home has a forty-six foot (46') front yard setback, similar to the front setback of the homes on either side of the subject property. The project would comply with the minimum front yard and right-side yard setbacks. The project would also provide a larger than required left-side second-story setback (~32.5 feet where ~10 feet is required) and a larger than required rear yard setback (~67 feet where 20 feet is required).

Design: As proposed, the second-story addition would be located entirely on the right (west) side of the home. Following initial submittal of the application, staff recommended that the applicant redesign the second story addition so that it was balanced across the width of the first story (east-to-west) rather than disproportionately situated towards one side of the home. However, the applicant decided to move forward with the original proposal due to budget limitations and concerns that a different design would require more extensive foundation improvements. The applicant also submitted photos of other two-story homes in the neighborhood that were similar in style to the proposed project (reference **Attachment 5**).

Privacy: Given the applicant's desire to retain the current design of the second story, staff recommended raising the sill height of the second-story windows to minimize privacy impacts. Accordingly, the applicant raised the sill height of three windows and has proposed frosted glass on the fourth window (a bathroom) on the right-side second-story of the home.

Landscaping: The site plan depicts removal of two non-protected trees; a magnolia tree that is located near the garage and a fruit tree that is located in the front yard. However, the applicant would retain the large protected Cedar tree in the front yard. The applicant would also install new flowering bushes in front of the home.

Consistency with Design Guidelines: The project is subject to the City's San Tomas Area Neighborhood Plan (STANP). The STANP provides development standards (e.g., setback, building coverage, floor area, height, etc.) as well as design criteria for neighborhood compatibility, scale and mass, surface articulation, building orientation, and privacy. New homes and additions to existing homes should incorporate representative architectural features of homes in the San Tomas Area. Similarly, new homes and additions to existing homes should be located on the lot in a similar manner as adjacent homes within the current setback requirements. While the proposed home would be located closer to the front property line than currently situated, the applicant desires to retain the existing mature trees in the rear yard and has therefore located a majority of the addition towards the front of the property rather than the rear of the property.

Noticing and Public Comments: Prior to submitting their initial application, the applicant reached out to the three adjacent property owners. Two of the three neighbors had no comments (reference **Attachment 2**). The property owner at 1276 West San Tomas Aquino Road, who lives immediately right of the subject property, submitted comments and concerns related to privacy, neighborhood character, noise, hindrance to their stargazing hobby, and access to sunlight. Although staff considered all of the neighbor's concerns, staff ultimately determined that the proposed residence, as revised, was acceptable as presented and did not warrant further revisions. Concerns related to privacy were addressed by raising the sill height on three of the four second-story windows and proposing frosted glass on the fourth window. With regard to neighborhood character, there are other homes in the neighborhood that have a similar second-story style as the proposed home. The project will be subject to conditions of approval related to noise and construction related activities. The City does not have standards related to personal hobbies or sunlight exposure; however, there is a large open space area in the rear yard that would allow access to sunlight and viewing of the stars.

Notice, Administrative Action, and Appeal: Once the application was deemed complete, a notice of intent to approve the plans was sent to property owners within 300-feet of the subject property. Following the notice, the neighbor at 1276 West San Tomas Aquino Road submitted additional comments related to ground stability (reference **Attachment 4**). The Building Department will review the structural plans to ensure that the home is built to code and seismically safe. No other comments were received following public noticing.

After considering all of comments submitted before and after noticing, staff approved the application on June 30, 2016 (**Attachment 3**). On July 11, 2016, an appeal was filed by the property owner at 1276 West San Tomas Aquino Road (**Attachment 4**). In addition to providing information related to sunlight exposure, star gazing, and privacy concerns, the appellant has raised concerns about asbestos, lead based paints, and construction dust. The appellant has also provided pictures of existing homes in the neighborhood, a map of single-story and two-story homes in the neighborhood, an excerpt of page 12 from the STANP, and a single-story "alternate

option to build”. Although the appellant has also submitted design guidelines and findings from other jurisdictions, this information does not apply to the City of Campbell.

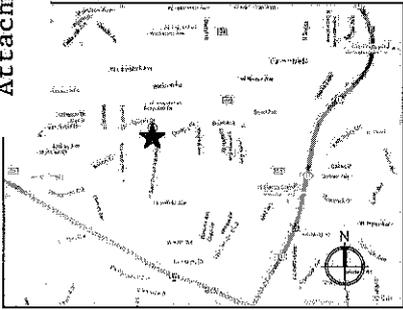
The applicant has provided a letter in response to the appeal (**Attachment 5**). The response letter includes photos of similarly styled two-story homes in the neighborhood and a simulation for the shadow effects on the Appellant’s property. The response letter also states that a two-story design is preferred in order to preserve two trees in the rear yard on the eastern side of the property.

OPTIONS

The SARC should review the project's proposed architecture, materials, and landscaping for compliance with the San Tomas Area Neighborhood Plan (STANP). If the SARC believes that the project meets the intent of the STANP and the findings for site and architectural review approval, it may recommend that the Planning Commission deny the appeal (thus recommending approval of the project as proposed). If the SARC does not believe the project meets the requirements for approval, the SARC could recommend approval of the appeal (thus recommending denial of the project). Alternatively, the SARC could recommend that the applicant make design changes so that the project is more in keeping with the intent of the STANP and the design review findings. For example, the SARC could ask the applicant to center the second story over the first story so that the design looks less “tacked on” (STANP page 16) or use a half-story or dormer style design to reduce the home’s perceived scale and mass (STANP page 12). Likewise, the SARC could recommend that the applicant redesign the second story so that a portion, or all, of the desired floor area is located on the ground level of the home.

Attachments:

1. Project Plans
2. Neighbor Notification Forms
3. Administrative Action
4. Appeal letter and supporting materials
5. Applicant response to appeal letter
6. Location Map



VICINITY MAP

PROJECT DATA

ADDRESS: 1266 W. SAN TOMAS AQUINO RD. CAMPBELL, CA
 SCOPE OF WORK:
 - DEMOLISH (E) GARAGE
 - 2 STORY ADDITION TO REPLACE (E) GARAGE

NOTE: OWNER INTENDS TO OCCUPY PREMISES DURING CONSTRUCTION

OWNER: BRIAN PIRKL
 ADDRESS: 1266/222
 STORY: 1-1 STORY
 OCCUPANCY: R-3 SINGLE FAMILY
 TYPE: VE - 1 AD
 ZONING: R-1.4C

SITE AREA: 10,058 SQ. FT.
 (E) FIRST FLOOR AREA: 1,314 SQ. FT.
 (N) FIRST FLOOR AREA: 2,299 SQ. FT.
 (N) SECOND FLOOR AREA: 884 SQ. FT.
 TOTAL (N) FLOOR AREA: 3,247 SQ. FT.

GARAGE AREA: 600 SQ. FT.
 DECK AREA: 32 SQ. FT.
 BLDG. FOOTPRINT AREA: 2,263 SQ. FT.
 LOT COVERAGE: 23%
 FLOOR AREA COVERAGE: 33%
 LANDSCAPE COVERAGE: 63%
 MAX BLDG. HEIGHT: 24'-4"

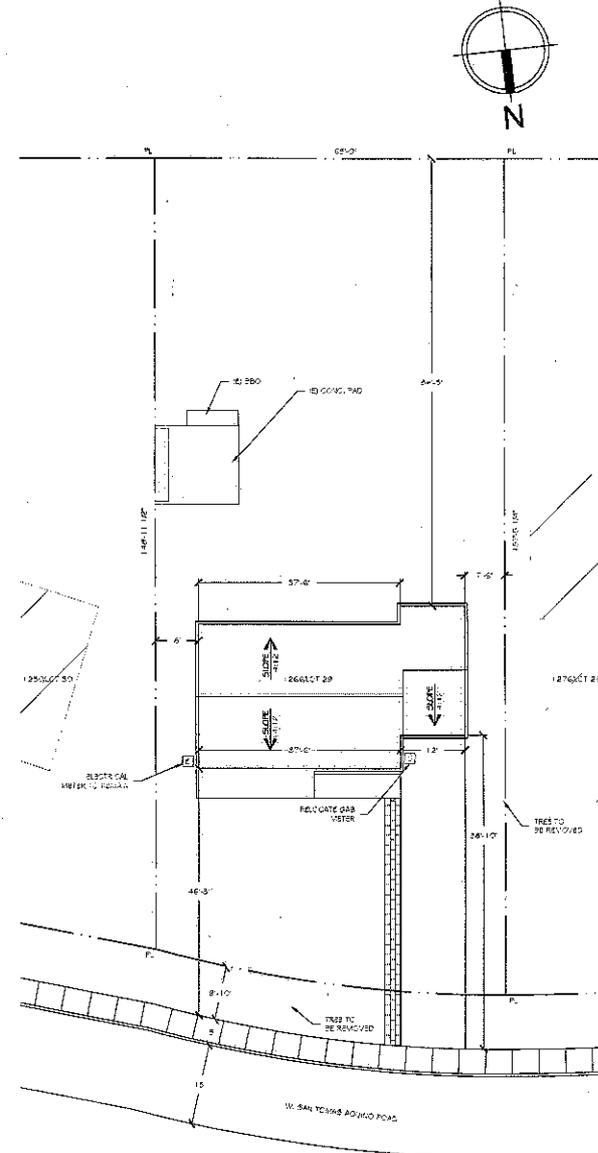
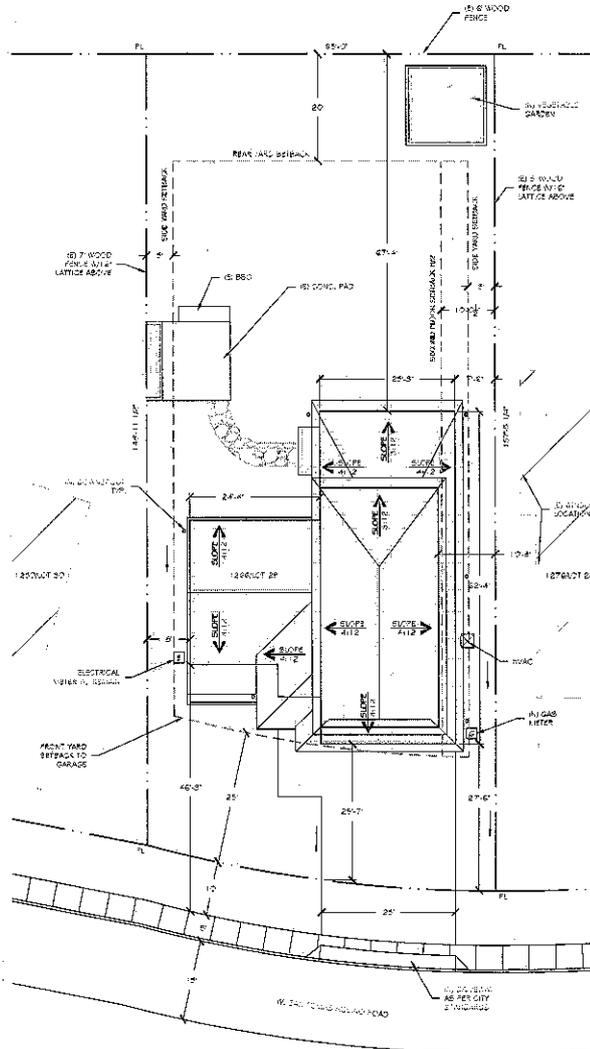
PAVED AREA IN FRONT SETBACK: 713 SQ. FT.
 TOTAL AREA IN FRONT SETBACK: 1,245 SQ. FT.
 PAVEMENT COVERAGE IN FRONT SETBACK: 43%

CODES AND REFERENCES

- ALL WORK TO CONFORM WITH:
- 2013 CALIFORNIA CIVIL CODE
- 2013 CALIFORNIA ELECTRICAL CODE
- 2013 CALIFORNIA MECHANICAL CODE
- 2013 CALIFORNIA LAND USE CODE
- 2013 CALIFORNIA ENERGY CODE
- 2013 CALIFORNIA FIRE CODE
- ALL OTHER STATE AND LOCAL ORDINANCES AND REGULATIONS

DRAWING INDEX

- A-1 SITE PLAN & PROJECT DATA
- A-2 (E) FIRST FLOOR PLAN & GENERAL NOTES
- A-3 (N) FIRST & SECOND FLOOR PLANS
- A-4 (E) & (N) ELEVATIONS
- A-5 LANDSCAPE PLAN
- A-6 STREETScape



FELTON DESIGN
 SAN FRANCISCO, CA 94134

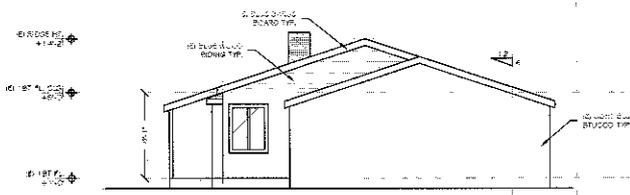
415-244-3520 feltondesign@aol.com

BRIAN PIRKL
 1266 W. SAN TOMAS AQUINO RD.
 CAMPBELL, CA

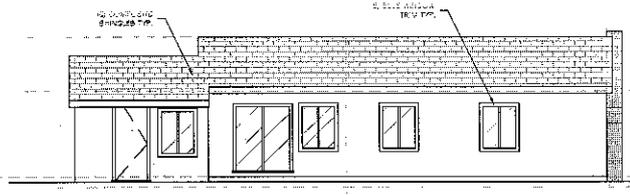
SITE PLAN & PROJECT DATA

REVISIONS:
 ▲
 ▲
 ▲
 ▲
 DATE: 2016-06-03
 DRAWN BY: EDL
 PROJECT:
 SHEET:

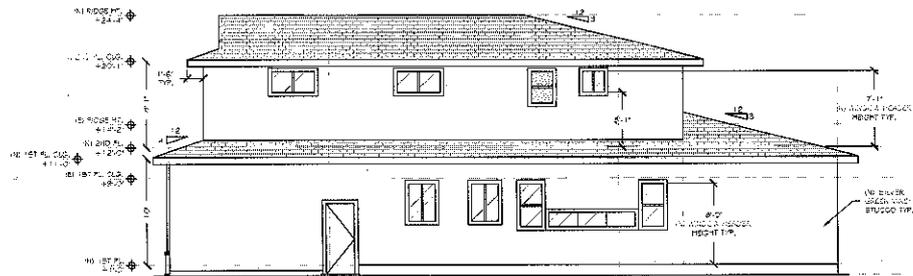
A-1



(E) WEST ELEVATION
SCALE: 3/16" = 1'-0"



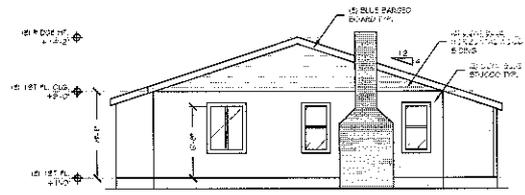
(E) SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



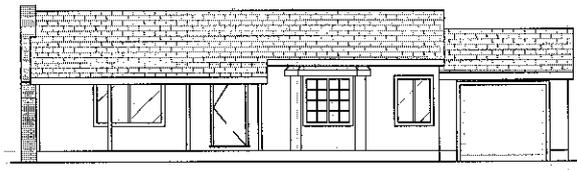
(N) WEST ELEVATION
SCALE: 3/16" = 1'-0"



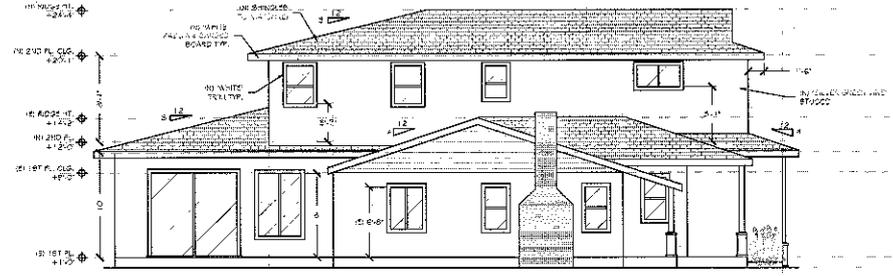
(N) SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



(E) EAST ELEVATION
SCALE: 3/16" = 1'-0"



(E) NORTH ELEVATION
SCALE: 3/16" = 1'-0"



(N) EAST ELEVATION
SCALE: 3/16" = 1'-0"



(N) NORTH ELEVATION
SCALE: 3/16" = 1'-0"

FELTON DESIGN
SAN FRANCISCO, CA 94134

415-244-2628 feltondesign@outlook.com

BRIAN PIRKLE
1286 W. SAN TOMAS AQUINO RD.
CAMPBELL, CA

(E) & (N) ELEVATIONS

REVISIONS:
 ▲
 ▲
 ▲
 ▲
 DATE: 2016-06-03
 DRAWN BY: EDL
 PROJECT:
 SHEET:

A-4



CITY OF CAMPBELL
Community Development Department

RECEIVED

MAR 18 2016

CITY OF CAMPBELL
PLANNING DEPT.Neighbor Acknowledgement FormAPPLICANT: BRIAN PIRALPROJECT ADDRESS: 1266 W. San Tomas Aquino Rd

APPLICATION NUMBER: PLN _____

Campbell CA 95008

Dear Neighbor,

I am proposing a residential project at the above stated address and would like to provide you with an opportunity to review the proposal and provide comments. All of the neighboring property owners that share a property line with my property are being provided this notice as a courtesy in advance of the standard City Notice which will be sent out prior to a decision being made on the project.

I ask that you familiarize yourself with the preliminary project plans. These plans are **PRELIMINARY ONLY** and there may be modifications required by the project planner during the formal review period to ensure compliance with City Standards. In order to provide an opportunity to provide comment on any plan revisions, a notification of a public comment period will be mailed to the owner of your residence at least ten days prior to decision. You are invited to contact the City of Campbell's Planning Division at any time during the project review period to view the most recent project plans on file.

The City of Campbell asks that this form be signed by each neighbor to indicate that they have had an opportunity to review the proposal. In no way does your signature imply that you support the project. If you have further interest in the project, you may contact the City of Campbell at 408-866-2140 and speak with the assigned project planner.

My signature below certifies that I am aware of the proposed project and have reviewed the preliminary project plans.

Neighbor Name: Aurora T. McDowell Date: 2/29/16Signature: Aurora T. McDowellAddress: 686 Margaret LnCampbell Ca 95008



RECEIVED

MAR 18 2016

CITY OF CAMPBELL
Community Development Department

CITY OF CAMPBELL
PLANNING DEPT.

Neighbor Acknowledgement Form

APPLICANT: BRIAN PERKL

PROJECT ADDRESS: 1266 W. San Tomas Aquino Rd

APPLICATION NUMBER: PLN _____ - _____ Campbell CA 95008

Dear Neighbor,

I am proposing a residential project at the above stated address and would like to provide you with an opportunity to review the proposal and provide comments. All of the neighboring property owners that share a property line with my property are being provided this notice as a courtesy in advance of the standard City Notice which will be sent out prior to a decision being made on the project.

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My signature below certifies that I am aware of the proposed project and have reviewed the preliminary project plans.

Neighbor Name: MAHMUT SINANGIL Date: 03/01/16

Signature: [Handwritten Signature]

Address: 1250 W SAN TOMAS AQUINO RD. CAMPBELL CA 95008



RECEIVED

MAR 18 2016

CITY OF CAMPBELL
Community Development Department

CITY OF CAMPBELL
PLANNING DEPT.

Neighbor Acknowledgement Form

APPLICANT: BRIAN PIRKL

PROJECT ADDRESS: 1266 W. San Tomas Aquino Rd
Campbell, CA 95008

APPLICATION NUMBER: PLN _____ - _____

Dear Neighbor,

I am proposing a residential project at the above stated address and would like to provide you with an opportunity to review the proposal and provide comments. All of the neighboring property owners that share a property line with my property are being provided this notice as a courtesy in advance of the standard City Notice which will be sent out prior to a decision being made on the project.

I ask that you familiarize yourself with the preliminary project plans. These plans are **PRELIMINARY ONLY** and there may be modifications required by the project planner during the formal review period to ensure compliance with City Standards. In order to provide an opportunity to provide comment on any plan revisions, a notification of a public comment period will be mailed to the owner of your residence at least ten days prior to decision. You are invited to contact the City of Campbell's Planning Division at any time during the project review period to view the most recent project plans on file.

The City of Campbell asks that this form be signed by each neighbor to indicate that they have had an opportunity to review the proposal. In no way does your signature imply that you support the project. If you have further interest in the project, you may contact the City of Campbell at 408-866-2140 and speak with the assigned project planner.

My signature below certifies that I am aware of the proposed project and have reviewed the preliminary project plans.

Neighbor Name: SANJAYA SRIVASTAVA Date: 3/1/2016

Signature: *Sanjaya*

Address: 1276 W. San Tomas Aquino Rd. Campbell, CA 95008

Please see attached for concerns

A "Neighbor Acknowledgement Form" has been presented to us for the property at 1266 W San Tomas Aquino Rd Campbell 95008, as informing intention to build and it cannot be used as consent to obtaining any kind or type of permits. We have been notified with a preliminary layout plan. **Few concerns/objections we have to current proposed structure development but not limited to following:**

1. **Privacy:** All our bedrooms and bathrooms are east facing. This plan, in which all their rooms are built on their west side on second floor, presents serious risk to privacy.
2. **Sunlight:** All the bedrooms and bathrooms in our house have east facing windows. It's the only source of sunlight in all these rooms. A second floor in next dwelling, in close proximity, will block the only source of sunlight. We all agree having direct light in the room is imperative to health, development and keeping diseases away. Winters will be problematic too.
3. **Neighborhood look and feel:** One of the major decisions for us buying this property was semi-rural character of the area. Visual and look and feel will disappear with addition of second floor in the neighborhood.
4. **Added noise:** Since lower level noise has a barrier in form of fence, Noise from upper levels tends to be louder and travel longer.

RECEIVED

MAR 18 2016

CITY OF CAMPBELL
PLANNING DEPT.

Corinne Shinn

From: Sanjaya Srivastava <sanjaya.srivastava@gmail.com>
Sent: Monday, March 21, 2016 2:13 PM
To: Corinne Shinn
Subject: Proposed addition to 1266 W San Tomas Aquino rd., campbell, ca - 95008
Attachments: comet_lovejoy_C2014Q2.jpg; m82.png

Corinne,

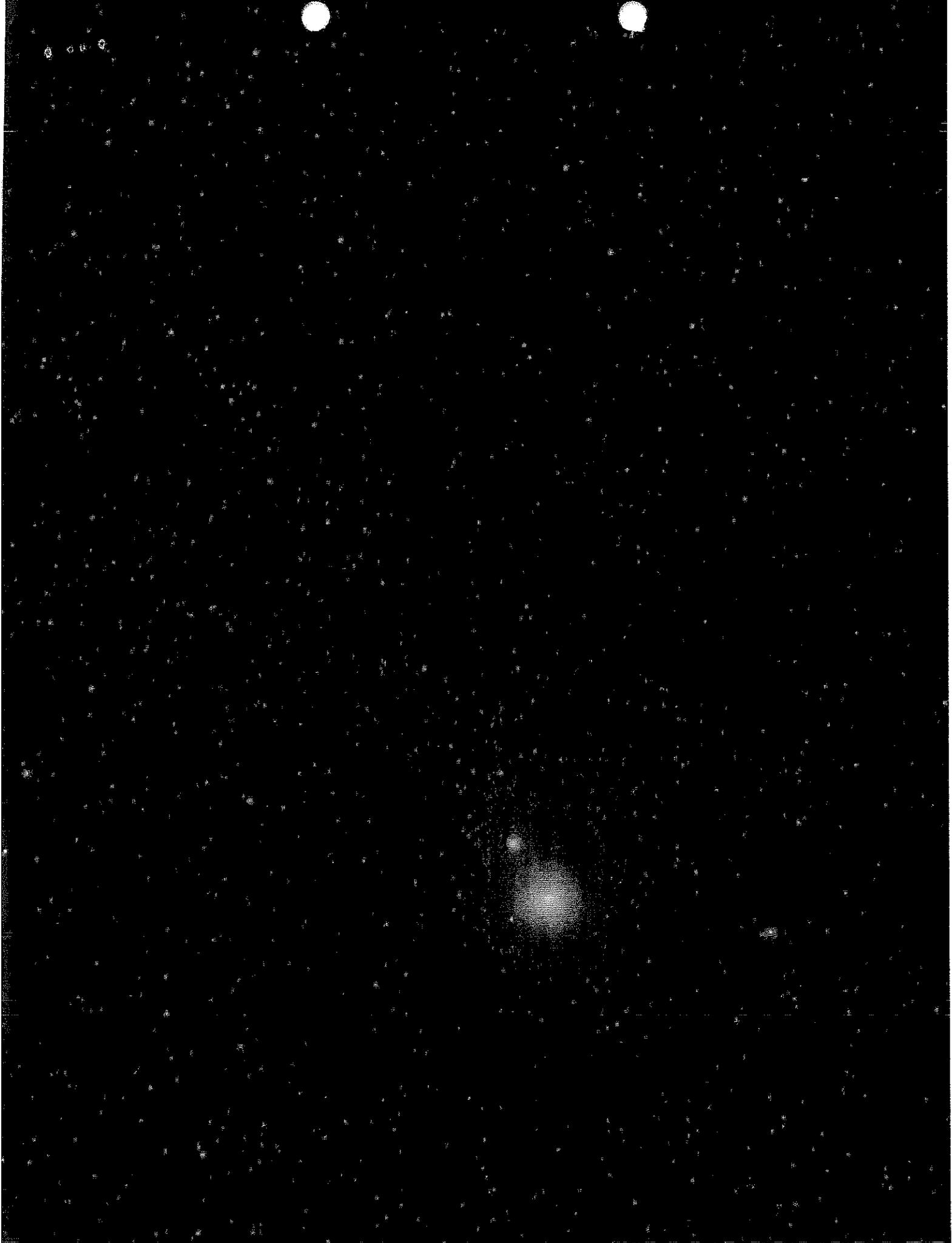
It was nice talking to you this afternoon. This is in reference to file PLN2016-102, for my neighbour, resident of 1266 W San Tomas Aquino Rd., Campbell, plans to construct an additional second floor on the above mentioned property. I do have concerns regarding the proposed addition. Some of the concerns are mentioned below, but these are not limited to following. Please keep me involved in any communication pertaining to this development.

1. **Privacy:** All our bedrooms and bathrooms are east facing. This plan, in which all their rooms are built on their west side on second floor, presents serious risk to privacy in all the **bedrooms**.
2. **Sunlight:** All the bedrooms and bathrooms in our house have east facing windows. It's the only source of sunlight in all these rooms. A second floor in next dwelling, in close proximity, will block the only source of sunlight. We all agree having direct light in the room is imperative to health, development and keeping diseases away. Winters will be problematic too.
3. **Neighborhood look and feel:** One of the major decisions for us buying this property was semi-rural character of the area. Visual and look and feel will disappear with addition of second floor in the neighborhood.
4. **Added noise:** Since lower level noise has a barrier in form of fence, Noise from upper levels tends to be louder and travel longer.
5. **Impact to hobby:** I'm an amateur astronomer and search for stars/comets both new and old. This has been another factor when we purchased this house. As all of objects in sky rise from east, a blocked view seriously impacts ability to image and watch for sky objects in early part of night. Added light pollution will be additional limiting factor. Attached images shows a supernova and comet images taken by me.

Thank you.

Regard.

...Sanjaya Srivastava
1276 W San Tomas Aquino Rd.



Community Director/Planning Division,
City of Campbell,
Campbell, CA-95008

Subject: File No.: PLN2016-102

In regards to above construction, I'm the immediate neighbor and most impacted by this construction. I have following objections to the construction.

1. **Privacy:** All Windows in our bedrooms and bathrooms are east facing. This plan, in which all their rooms are built on their west side on second floor, presents serious interference to our privacy.
2. **Sunlight:** All the bedrooms and bathrooms in our house have east facing windows. It's the only source of sunlight in all these rooms. A second floor in next dwelling, in close proximity, will block the only source of sunlight. We all agree having direct light in the room is imperative to health, development and keeping diseases away. Winters will be problematic too.
3. **Neighborhood look and feel:** One of the major decisions for us buying this property was semi-rural character of the area. Visual and look and feel will disappear with addition of second floor in the neighborhood. As specified in various city documentation. Building guidelines on page 3 and 4 of following documentation <http://www.ci.campbell.ca.us/DocumentCenter/View/142> specifies structures similar to neighbors. None in the neighborhood have second floor and does it will be out of scale. Relevant contents from above link illustrated in addendum 1.
4. **Ground stability:** A little while back a sewer pipeline was installed at the same address. The fence is leaning over along the line where ground was dug up. This is highly concerning as an expansion of concentrated loads of 2000 square feet will unduly stress and damage current and existing structures. The fence, with ropes and wires, has been anchored to ground and other support structures.
5. <http://www.cityofcampbell.com/DocumentCenter/View/167> which pertains to special section of city of Campbell, land use objective 2 states "New developments and additions to existing homes should be integrated with homes in the surrounding area". Other Homes are single story, ranch style homes. Many other guidelines support single story houses.

6. **Added noise:** Since lower level noise has a barrier in form of fence, Noise from upper levels tends to be louder and travel longer.

7. **Hindrance to hobby:** I'm an amateur astronomer and look for comets in the sky, both new and old. With second floor, things visible at 9PM will be visible at 1PM making hobby and recreational activity completely useless.



**ADMINISTRATIVE ACTION OF THE
COMMUNITY DEVELOPMENT DIRECTOR**

June 30, 2016

**PLN2016-102
Pirkl**

Application of Brian Pirkl for an Administrative Site and Architectural Review Permit (PLN2016-102) for construction of a 3,267 sq. ft. two-story single-family residence and attached garage on property located at 1266 W. San Tomas Aquino Road within the R-1-6 (Single-Family Residential) Zoning District in the San Tomas Area.

STAFF RECOMMENDATION

That the Community Development Director take the following action:

1. **Approve** the Administrative Site & Architectural Review Permit allowing construction of a 3,267 sq. ft. two-story single-family residence and attached garage.

ENVIRONMENTAL DETERMINATION

Staff recommends that the Community Development Director 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

Type	Existing/Proposed	Allowance/Requirement	Compliance(Y/N)
General Plan Designation	N/A	Low Density Residential (< 6 units/gr. Acre)	N/A
Zone District Designation	N/A	R-1-6	N/A
Lot Area (net)	10,055 sq. ft.	6,000 sq. ft. (Min)	Y
Floor Area First Floor \ Garage: Second Floor: Total Floor Area:	2,283 sq. ft. 984 sq. ft. 3,267 sq. ft. (32.5%)	4,524 sq. ft. (45% max)	Y
Lot Coverage House/Garage: Total Lot Coverage:	2,283 sq. ft. 2,283 sq. ft. (23%)	4,022 sq. ft. (40% max)	Y
Site Utilization Private Open Space: Front Yard Paving:	~5,000 sq. ft. 713 sq. ft. (43%)	750 sq. ft. max 822 sq. ft. min (50% of 1,645)	Y
Setbacks Front: Front (garage): Right Side (1 st story): Right Side (2 nd story): Left Side (1 st story): Left Side (2 nd story): Rear:	25 Feet, 7 inches 25 Feet, 7 inches 7 Feet, 6 inches 10 Feet, 8 inches 8 Feet 32 Feet, 4 inches 67 Feet, 4 inches	20 Feet 25 Feet 5 Feet or 50% wall height 50% wall height 5 Feet or 50% wall height 50% wall height 20 Feet	Y
Height	24 Feet, 4 inches	28 Feet	Y
Parking	2 covered	1 covered, 1 uncovered	Y

ANALYSIS

Considerations in review of application (CMC § 21.42.040)	Y/N
1. Will the traffic generated from the development avoid adverse affects on traffic conditions on abutting streets?	Y
2. Does the layout of the site provide adequate vehicular and pedestrian entrances, exit driveways, and walkways?	Y
3. Will the arrangement of off-street parking facilities prevent traffic congestion and adequately meet the demands of the users?	Y
4. Will the location, height, and material of walls, fences, hedges and screen plantings ensure harmony with adjacent development and/or conceal storage areas, utility installations, or other potentially unsightly elements of the project?	Y
5. Does the project maximize open space around the structures, for access to and around structures, and the establishment and maintenance of landscaping for aesthetic and screening purposes?	Y
6. Does the project minimize the unnecessary destruction of existing healthy trees?	Y
7. Will the project enhance the overall appearance of the city by improving the appearance of individual development projects within the city?	Y
8. Will the project complement the surrounding neighborhoods and produce an environment of stable and desirable character?	Y
9. Does the project enhance the city's character and avoid an adverse aesthetic impact upon existing adjoining properties, the environment, or the city in general?	Y
10. Will the project promote 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?	Y
11. Will the project promote maintenance of the public health, safety, general welfare, and property throughout the city?	Y
12. Is the project consistent with the city's general plan and all applicable design guidelines and special plans?	Y

If the answer is "No" to any of the above, list the number and provide a response as to why the proposed project does not comply as required pursuant to CMC § 21.42.040. If the project can be supported with minor modifications, provide a recommendation on how the project may be modified to comply with the stated Considerations and Findings.

Number	Response
	n/a

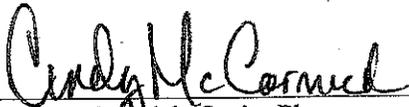
Materials Description
The home's exterior includes <i>greyish green</i> colored stucco, <i>white</i> trim. The composition roof will be in a <i>grey tone</i> .

Public Comments Received Explanation/Response
Three neighborhood notification forms were received. Two forms had no comments. One neighbor, who lives immediately right of the subject property, submitted three sets of comments with concerns related to privacy, neighborhood character, noise, ground stability, hindrance to stargazing hobby, and access to sunlight. Concerns related to privacy were addressed by raising the sill height on three of the four second-story windows facing this neighbor and proposing frosted glass on the 4 th window. With regard to neighborhood character, the applicant has provided photos of other homes in the neighborhood that have a similar 2 nd story style as the proposed home. With regard to ground stability, the Building Department will review structural plans to ensure that the home is built to code. The project will be subject to conditions of approval related to noise limitations. The City does not have standards related to sunlight exposure to living spaces within the home or to personal hobbies. However, there is a large open space area in the rear yard that would allow access to sunlight and viewing of the stars. No other comments were received following public noticing.

Attachments:

1. Findings for File No.: PLN2016-102
2. Conditions of Approval for File No.: PLN2016-102
3. Project Plans
4. Location Map

Prepared by:


Cindy McCormick, Senior Planner

Approved by:


Paul Kermoyan, Community Development Director

FINDINGS FOR APPROVAL OF FILE NO. PLN2016-102

SITE ADDRESS: 1266 W. San Tomas Aquino Road
APPLICANT: Brian Pirkl
PROPERTY OWNER: Brian Pirkl
DATE: June 30, 2016

Findings for Approval of an Administrative Site and Architectural Review Permit approving construction of a 3,267 sq. ft. two-story single-family residence and attached garage.

The Community Development Director finds as follows with regard to File No. PLN2016-102:

1. The density of the proposed project site is one unit per 10,055 gross square feet, which is consistent with the General Plan land use designation of Low Density Residential (less than 6 units per gross acre).
2. The project site is zoned R-1-6 (Single Family Residential - 6,000 sq. ft. lot size).
3. The project, as proposed and conditioned, is on a conforming lot within the R-1-6 Zoning District and meets the height restriction, building coverage, floor area ratio, and parking requirements of the R-1-6 Zoning District as specified within the San Tomas Area Neighborhood Plan.
4. The proposed project will result in a total floor area of 3,267 square-feet (32.5%) and lot coverage of 2,283 square-feet (23%) where a 45% floor area ratio and 40% building coverage are allowed.
5. The home includes two parking spaces in an enclosed garage.
6. The proposal incorporates representative architectural features of homes in the San Tomas Neighborhood including simple rectangular shaped forms and gabled roofs.

Based upon the foregoing findings of fact, the Community Development Director 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.
4. The 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 OF FILE NO. PLN2016-102

SITE ADDRESS: 1266 W. San Tomas Aquino Road
APPLICANT: Brian Pirkl
PROPERTY OWNER: Brian Pirkl
DATE: June 30, 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 an Administrative Site and Architectural Review Permit (PLN2016-102) for construction of a 3,267 sq. ft. two-story single-family residence and attached garage on property located at 1266 W. San Tomas Aquino Road. The project shall substantially conform to the Revised Project Plans dated as received by the Community Development Department on June 3, 2016, except as may be modified by the Conditions of Approval herein.
2. Planning Final Required: Planning sign off 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.
3. Permit Approval Expiration: The Administrative Site and Architectural Review Permit approval shall be valid for one year from the date of final approval. Within this one-year period a building permit must be obtained. Failure to meet this deadline will result in the Administrative Site and Architectural Review Permit being void.
4. Landscaping: 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). All landscaping shall be maintained in good health.
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. Contractor Contact Information Posting: The project site shall be posted with the name and contact number of the lead contractor in a location visible from the public street prior to the issuance of building permits.
7. On-Site Lighting: On-site lighting shall be shielded away from adjacent properties and directed on site. The design and type of lighting fixtures and lighting intensity of any proposed exterior lighting for the project shall be reviewed and approved by the Community Development Director prior to installation of the lighting for compliance with all applicable Conditions of Approval, ordinances, laws and regulations. Lighting fixtures shall be of a decorative design to be compatible with the residential development and shall incorporate energy saving features.
8. Construction Activities: The applicant shall abide by the following requirements during construction:
 9. 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.
 10. All construction equipment with internal combustion engines used on the project site shall be properly muffled and maintained in good working condition.
 11. Unnecessary idling of internal combustion engines shall be strictly prohibited.
 12. 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.
13. Use standard dust and erosion control measures that comply with the adopted Best Management Practices for the City of Campbell.

PUBLIC WORKS DEPARTMENT CONDITIONS OF APPROVAL

1. Storm Drain Area Fee: Prior to issuance of the building permit, the applicant shall pay the required Storm Drain Area fee, currently set at **\$2,120.00** per net acre, which is **\$530.00**
2. Water Meter(s) and Sewer Cleanout(s): Proposed water meter and sewer cleanout shall be installed on private property behind the public right-of-way line.
3. Encroachment Permit/Fees/Deposits: The applicant shall obtain an encroachment permit (including fees, surety and insurance) for the construction of a new ADA compliant driveway approach.
4. 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.

5. The following conditions only apply if the applicant has a need to install / upgrade utility services (water, sewer, gas, etc.) in the street:
 - a. Utility Encroachment Permit: Separate permits for the installation of utilities to serve the development will be required (including water, sewer, gas, electric, etc.). Applicant shall apply for and pay all necessary fees for utility permits for sanitary sewer, gas, water, electric and all other utility work.
 - 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. Joint 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. W. 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.
6. 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.

BUILDING DIVISION CONDITIONS OF APPROVAL:

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

To the satisfaction of the Building Division Manager/Building Official:

7. 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.
8. PROJECT DESCRIPTION: This project is proposed as a “remodel and addition to an existing dwelling”. The Building Inspection Division will consider this project as a Remodel & Addition, 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 to determine how this project is defined.
9. 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.
10. CONSTRUCTION PLANS: The conditions of Approval shall be stated in full on the cover sheet of construction plans submitted for building permit.
11. SIZE OF PLANS: The minimum size of construction plans submitted for building permits shall be 24 in. X 36 in.
12. 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.
13. SEISMIC REQUIREMENTS: Additions and Alterations to (e) residential structures shall comply with Section 3404 of the 2013 California Building Code (CBC).
14. 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.
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 Chapter 1, Section 106. Please obtain City of Campbell, Special Inspection forms from the Building Inspection Division Counter.
16. 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. San Jose Water Company (279-7900)
- e. School District:
 - i. Campbell Union School District (378-3405)
 - ii. Campbell Union High School District (371-0960)
 - iii. Moreland School District (379-1370)
 - iv. Cambrian School District (377-2103)

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

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. 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.
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. 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.
23. This project shall comply with the mandatory requirements for Residential Structures, Chapter 4 of the California Green Building Code 2013 ed.
24. This Structure, if classified as a new Single Family Dwelling under Chapter 18.32 of the Campbell Municipal Code, shall be equipped with residential fire sprinklers compliant with Section R313 of the California Residential Code 2013 ed.

To,

The office of clerk,
City of Campbell
CA - 95008

Application Number: PLN2016-102
APPELLANT NAME: Sanjaya Srivastava/Shalini Shrivastava
APPELLANT ADDRESS: 1276 W San Tomas Aquino Rd. Campbell, CA – 95008
CONTACT PERSON: Sanjaya Srivastava
Phone: Home: (408) 379 1195 Mobile: (415) 412 9684

Purpose: Appeal to Director or concerned authority for administrative design review approval at 1266 W San Tomas Aquino Rd, under project in PLN2016-102. A sufficient alternate plan is also presented in the end which can satisfy all the applicant expansion plan without inconveniences to neighbors.

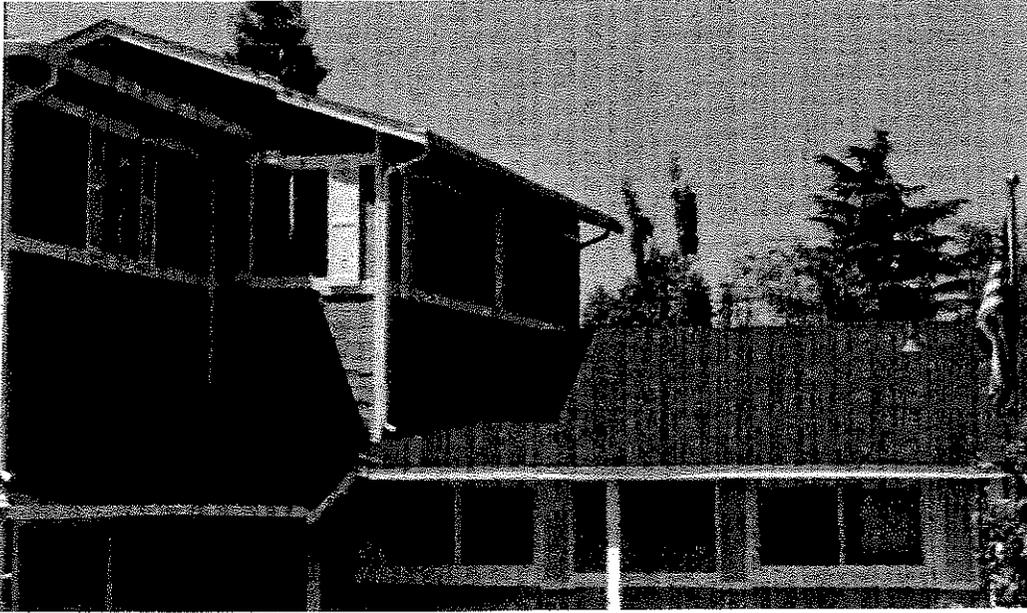
EXHIBITS:

1. City Staff approval letter and conditions.
2. Certificate of honor student
3. Experts from Wikipedia and National health institute for importance of sunlight and effects on health
4. City of SB consideration for sunlight.
5. Discussion and legislature for city of Piedmont for sunlight.
6. Picture of houses within a block of 1266 W San Tomas Aquino Rd. All of them are single story.
7. Scale and Mass criteria from San Tomas Neighbor Plan and how it resembles to non-desirable plan
8. An alternate option to build.

1. As noted and recognized, in approval notes, sunlight is an issue and lack of city ordinance regarding the same. I appeal to director of planning, city of Campbell, to view the lack of sunlight as health. This was pointed out in original concern but lacked description. Human body has a natural circadian biological clock. A disturbance in this cycle can lead to depression, anxiety, obesity, fatigue and other behavioral and health related issues. These health parameters, may impact negatively for a "straight A" and national Junior Honor Society member student. As a parent, we have to ensure a good wholesome development atmosphere to our children. The certificate is enclosed in Exhibit 2. Neither me or I expect a single city staff to be subject matter expert on disorder, thus re-consider health aspect and evaluate public health impact as in analysis point 11 differently. Following points highlight the rationale behind this objective.
 - a. All the habitable rooms are on east side. The sunlight coming to these rooms is from windows in east direction. This will be blocked by planned construction. Alternative of

using backyard, as highlighted in approval notes, is impractical since **morning sunlight** is key.

- b. Variety of scientific studies are available online which substantiate these. Exhibit 3 covers two online sources. Other cities have considered these factors in California and included along with this appeal as illustrated in exhibit 4 and 5.
 - c. Lighting concerns had been communicated and acknowledged by both city and neighbors verbally and in notes for approval. **A story pole study will help determine a significant loss of sunlight with this construction.** City of San Leandro, has adopted story pole to be provided along with application (<https://www.sanleandro.org/civicax/filebank/blobdload.aspx?blobid=3534>). Alternatively, a sun study prepared by professional will be of great value. Other neighboring city like Fremont, Corte Madera, SB, Palo Alto have evaluated these options.
2. As common with old houses pre 1980 built, lead based paints/products and asbestos are found. **Nothing in application or project analysis or plan covers safety and health aspect of these materials.** We would prefer to mitigation steps and plan so these can be reviewed and not cause public health and safety issues. I appeal to city of Campbell director and planning commission ask for these plans be available to neighbors and chance for neighbor's opinion, if lead and asbestos are discovered. **Without these details how is this project deemed health safe?**
 3. Privacy concerns of privacy are not mitigated. The window is 5ft high still not high enough. They should be a minimum of 5'8" from floor. An excerpt from article here summarizes privacy invasion (<http://petapixel.com/2013/05/16/new-yorkers-upset-over-photographers-secret-snaps-through-their-windows/>) . Photographer Arne Svenson lives on the second floor of an apartment building in the Tribeca neighborhood of New York City. For his project "The Neighbors," he pointed his camera at a luxury apartment building across the street and secretly photographed its inhabitants through open windows. Please see following **house with no windows on neighbor's side.** The e-mailed design plan has **other windows which satisfy safety and fire code requirements.**



- a. As I have myself witnessed, during numerous block gathering, open houses and many lunch and dinner at friend's places. People have natural curiosity to peek and observe. How many times owners and others have intentionally looked down into windows and gardens of neighbors? **This simply creates privacy issues.**
- b. How many times, while walking on road, we peek, unknowingly, through windows as to see what's playing on television, what's cooking, or a painting or even wall colors. The line of sight is never straight but it's field of vision that matters. These are all privacy issues and imagine the same 24x7, 365 days. The fear of someone watching puts physiological and psychological pressure and stress. Privacy is an issue exists here. If there are alternate plans, one of them presented here, is recommended to be adopted.
- c. In alternate plan is suggested which can address privacy and it's been provided as Exhibit 8.
- d. The following picture was sent with the building plan. It clearly shows the license plates of car parked. If you look into any public maps, license numbers, house numbers, people have been blurred. In summary, inconspicuous activities can invade privacy and make information public. It relates to privacy as this becomes a public document. Numerous Websites have spiders looking for these information and something available only to DMV or under subpoena becomes public information now. This demonstrates even little and deemed safe are potentially dangerous to safety and privacy.



4. The project PLN2016-102 does not specify any end dates. Technically if approved, it can last many years. My wife has asthma along with high blood pressure is on medication for a number of years. Contact construction noise and flying dust is detrimental to health. If construction is deemed suitable, I would like to know the construction tentative end dates.

With points mentioned above, it has been established there are potentially huge impacts to the resident **public health, safety and privacy**. A more detailed plan is required and made available to all neighbors for review to ensure appropriate health and safety concerns.

The points below highlight non-compliance with design guidelines. Later in the section, an alternate viable plan is presented.

5. For harmonious development, as indicated in point 4 of analysis, please see attached images and documents in Exhibit 7. The design is incoherent with the guidelines of "San Tomas Neighborhood Plan" hosted on cityofcampbell website. Some of the non-compliant design features have been originally raised. Some of the highlights are
 - a. Exhibit 7 show the same scale and mass discrepancy. Some of the pictures included of other two story construction in surrounding the neighborhood which have been built with San Tomas Area neighborhood plan page 12 for non-compliance of "scale and mass" as illustrated. City of Santa Barbara (<http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=17333>) has design guidelines regarding the scale & mass along with lighting. This is highlighted in the addendum II.
 - b. Garage is being extended and occupied 50%. The guidelines on page 15 specify prominence and should be considered and re-evaluate design.

- c. The pattern of development in the neighborhood is linear to extend horizontally. Not vertically. Pictures of few two story houses a few blocks away included. All of these are east west facing and not north south. Please see addendum II for these pictures.
-
6. Star Gazing is not only a hobby, it's another way to disconnect from work. This disconnection directly impacts general health, mental health and improves happiness. In today's high stress work environments, Doctors and Psychologists recommend developing hobbies. Businesses are promoting and spending a lot in capital expenses to find ways for people to find work life balance and reduce stress. This cannot be dismissed. Also east/North east remains same. All stars, including sun, rises from east. This pushes timelines from a comfortable 9PM to 1AM in the morning for east facing observing creating major inconveniences.

With above, I have demonstrated, beyond doubts, this construction is a risky to public health, safety of neighbors and needs to be re-evaluated. Without additional details and improved designs, a conclusion cannot be reached and. **Below is outlined an alternate suggestion.**

Alternatives to Upper Level Construction

Although the question about whether or not the applicant can reasonably achieve the desired addition without adding an upper level addition has been asked in every second story application. Have all the reasonable plans been considered and exhausted? The parcel size for 1266 W San Tomas Aquino Rd is 9945 Sq. feet. I feel addition on the back of the property is conducive to both the parties. This will minimize the shadow and light effects, keep the neighborhood look and feel and preserve the open space. Exhibit 8 shows the aerial picture of the parcel showing abundance of space. The marked lines are approx. 36 ft x 50 ft giving additional 1800 of living space. The plan to extend front of house by 20 ft gives additional 480 sq. ft.

This will address both lighting and privacy concerns. Health and safety concerns specially for lead based and asbestos material, stability, finish date concerns still needs to be outlined and detailed in the project plan. As a byproduct, it will help conserve water.

Summary

I have presented enough facts for health and safety issues, neighborhood look and feel and houses on the same street with preference for single story.

An alternate way to achieve the same/similar results exist. There will be inconveniences to both applicant and neighbors. Some of them are not comprisable and needs more thought from planning department.

Based on all the illustrations, health and safety shortfall, privacy shortfalls, I appeal to reconsider this decision in favor of alternate plan or a different plan as suitable to all parties.

Alternate plan to building up

An alternate proposal to building up (versus building out).



The lines above show an additional 1850 Sq (37 X 50) of living space making it a total of 2700 sq. ft of living space. As original plan suggests 20 ft of extension on the front side that will be additional 480. sq ft (24 X 20). This will make a total of 3280 sq. ft of living pure living space. These figures are approximate, an accurate measurement will definitely provide better calculations.

EXHIBIT 2



National Junior Honor Society

Certificate of Membership

This certifies that
Mridu Srivastava

was selected a member of the
Rolling Hills Middle School #5184

Chapter of the National Junior Honor Society.
Membership is based on Scholarship, Service,
Leadership, Character, and Citizenship.

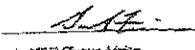
Presented at **Rolling Hills Middle School**

on **May 26th, 2016**

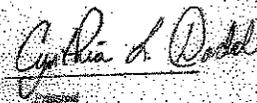


John D. Harbert
Executive Director
NASSP





NPHS Chapter Advisor



Principal

EXHIBIT 3

Excerpts from various web pages:

https://en.wikipedia.org/wiki/Circadian_rhythm

Importance in animals^[edit]

Circadian rhythmicity is present in the sleeping and feeding patterns of animals, including human beings. There are also clear patterns of core body temperature, brain wave activity, hormone production, cell regeneration, and other biological activities. In addition, photoperiodism, the physiological reaction of organisms to the length of day or night, is vital to both plants and animals, and the circadian system plays a role in the measurement and interpretation of day length.

Timely prediction of seasonal periods of weather conditions, food availability, or predator activity is crucial for survival of many species. Although not the only parameter, the changing length of the photoperiod ('daylength') is the most predictive environmental cue for the seasonal timing of physiology and behavior, most notably for timing of migration, hibernation, and reproduction.^[2]

[[And more]]

<https://sleepfoundation.org/sleep-topics/sleep-drive-and-your-body-clock>

Our internal circadian biological clocks, on the other hand, regulate the timing of periods of sleepiness and wakefulness throughout the day. The circadian rhythm dips and rises at different times of the day, so adults' strongest sleep drive generally occurs between 2:00-4:00 am and in the afternoon between 1:00-3:00 pm, although there is some variation depending on whether you are a "morning person" or "evening person." The sleepiness we experience during these circadian dips will be less intense if we have had sufficient sleep, and more intense when we are sleep deprived. The circadian rhythm also causes us to feel more alert at certain points of the day, even if we have been awake for hours and our sleep/wake restorative process would otherwise make us feel more sleepy.

[[And more]]

National Institute of Health

https://www.nigms.nih.gov/Education/Pages/Factsheet_CircadianRhythms.aspx

How does circadian rhythm research contribute to human health?

Understanding what makes biological clocks tick may lead researchers to treatments for sleep disorders, jet lag and other health problems. Learning more about the genes responsible for circadian rhythms will also enhance our understanding of biological systems and the human body.

[[And More]]

EXHIBIT 4

Residence design guidelines for other CA city (SB) highlighting light requirements.

CITY OF SANTA BARBARA SINGLE FAMILY RESIDENCE DESIGN GUIDELINES

INTRODUCTION

INTRODUCTION

According to the City of Santa Barbara General Plan, "Santa Barbara has, as its primary... [goal], the provision of a particularly desirable living environment." Single family homes have long contributed to the character of many neighborhoods in the City. Home designs which achieve the following contribute to a desirable living environment:

- compatible with the surrounding neighborhood
- preserve the City's visual resources
- promote long-term sustainability

NEIGHBORHOOD COMPATIBILITY

In recent decades, changes in the various neighborhoods throughout the City have raised quality-of-life concerns. Homes are built or remodeled in order to suit the changing needs and lifestyles of new and existing residents. As a result, neighborhood character gradually changes over time. When a change is made in an established neighborhood, it is essential to properly balance that change with a respect for the design features and characteristics of surrounding properties. Homes are more likely to be compatible when their volume and bulk are at an appropriate scale with their neighbors. This is the concept of neighborhood compatibility. New and remodeled houses can maintain a desirable living environment when they:

- have an appropriate volume, bulk, massing and scale

- have a size that is not significantly larger than the immediate neighborhood
- use materials and designs that are compatible with their surroundings
- are sited such that they do not block light and views for other existing homes
- minimize privacy impacts to surrounding properties

HILLSIDE NEIGHBORHOODS

The City's hillsides are a unique resource and pose additional design considerations. The General Plan Conservation Element states:

"Hillside developments provide vistas for residents who inhabit those structures. Yet, residential developments render hillsides less natural as topography and vegetation are modified."

Appropriately designed residential development in hillside areas can avoid threats to visual resources recognized by the Conservation Element, including:

- excessive grading
- views blocked by new structures or overly tall planted trees and hedges
- ridgeline development
- the loss of important trees

Applicants for hillside development projects need to follow the Compatibility, Two-Story Design Guidelines (if applicable) and Good Neighbor Guidelines, as well as the Hillside Design Guidelines.



City of Piedmont (north of Berkley) considerations for light requirements.

City of Piedmont
COUNCIL AGENDA REPORT

DATE: November 29, 2004
FROM: Kate Black, City Planner
SUBJECT: Further Discussion of Second Story Additions

RECOMMENDATION:

1. Direct staff to prepare an amendment to Chapter 17 to require specific findings for approval of all new upper level stories and upper level expansions to be required in addition to the findings already required under Section 17.20.9 (a), (b) and (c). The findings would be similar to the findings below:

- a. The distance between the proposed upper level addition/expansion and adjacent residences is reasonable and appropriate due to the existing topography and neighborhood development pattern. Upper level setbacks greater than the setbacks required for the lower level were considered in order to reduce losses of ambient and reflected light;
- b. The upper level construction has been designed in a way to minimize impacts on adjacent residences, including the location of the addition, and modifications such as lowering the height of the addition, and changing the ridge direction;
- c. The upper level construction will not create a significant loss of direct sunlight to one or more primary living space of an adjacent residence for most hours of the day, most days of the year, especially primary living spaces that have no other source of light (such as skylights or windows on another wall);
- d. The upper level construction will not create a major intrusion into a significant distant view (such as a view of the bay or Lake Merritt); and
- e. Other means of achieving the applicant's requested addition have been evaluated and determined to be infeasible because they would result in poor quality space or are unreasonably costly to construct. The size of the addition is commensurate with the size of the lot, and is in keeping with the existing neighborhood development pattern.

SHOWS
SUNLIGHT
IS CONSIDERED

EXHIBIT 5

**City of Piedmont
COUNCIL AGENDA REPORT**

DATE: November 29, 2004
FROM: Kate Black, City Planner
SUBJECT: Further Discussion of Second Story Additions

RECOMMENDATION:

1. Direct staff to prepare an amendment to Chapter 17 to require specific findings for approval of all new upper level stories and upper level expansions to be required in addition to the findings already required under Section 17.20.9 (a), (b) and (c). The findings would be similar to the findings below:

- a. The distance between the proposed upper level addition/expansion and adjacent residences is reasonable and appropriate due to the existing topography and neighborhood development pattern. Upper level setbacks greater than the setbacks required for the lower level were considered in order to reduce losses of ambient and reflected light;
- b. The upper level construction has been designed in a way to minimize impacts on adjacent residences, including the location of the addition, and modifications such as lowering the height of the addition, and changing the ridge direction;
- c. The upper level construction will not create a significant loss of direct sunlight to one or more primary living space of an adjacent residence for most hours of the day, most days of the year, especially primary living spaces that have no other source of light (such as skylights or windows on another wall);
- d. The upper level construction will not create a major intrusion into a significant distant view (such as a view of the bay or Lake Merritt); and
- e. Other means of achieving the applicant's requested addition have been evaluated and determined to be infeasible because they would result in poor quality space or are unreasonably costly to construct. The size of the addition is commensurate with the size of the lot, and is in keeping with the existing neighborhood development pattern.

SHOWS
SUNLIGHT
IS CONSIDERED

(a) Legislative Intent. The City of Piedmont recognizes the diversity and historical value of existing residences and encourages improvements of such homes. The City of Piedmont recognizes that remodeling an existing residence may require variances and design compromises which would not be necessary if the parcel were undeveloped and a new residence were proposed. Findings of hardship concerning design and construction are much more likely for a remodel of an existing residence in order to (1) accommodate the existing orientation of the house on the lot, (2) preserve the architectural heritage of the house and its compatibility with surrounding structures and (3) incorporate existing nonconformities into a reasonable adaptation to present-day residential patterns. On the other hand, if an undeveloped lot exists or is created by demolition, the opportunity is much greater, because of the lack of physical constraints, to design and construct a residence which will comply with existing regulations without the need for variances and design compromises.

Criteria and Standards of Design Review – Section 17.20.9.

The Planning Commission or Director of Public Works shall not approve any projects subject to design review unless the design of the project conforms to the following criteria and standards;

(a) The exterior design elements are aesthetically pleasing as a whole and harmonious with existing and proposed neighborhood development. These elements include but are not limited to: height, bulk, area openings, breaks in the facade, line and pitch of the roof, materials, arrangements of structures on the parcel, and concealment of mechanical and electrical equipment.

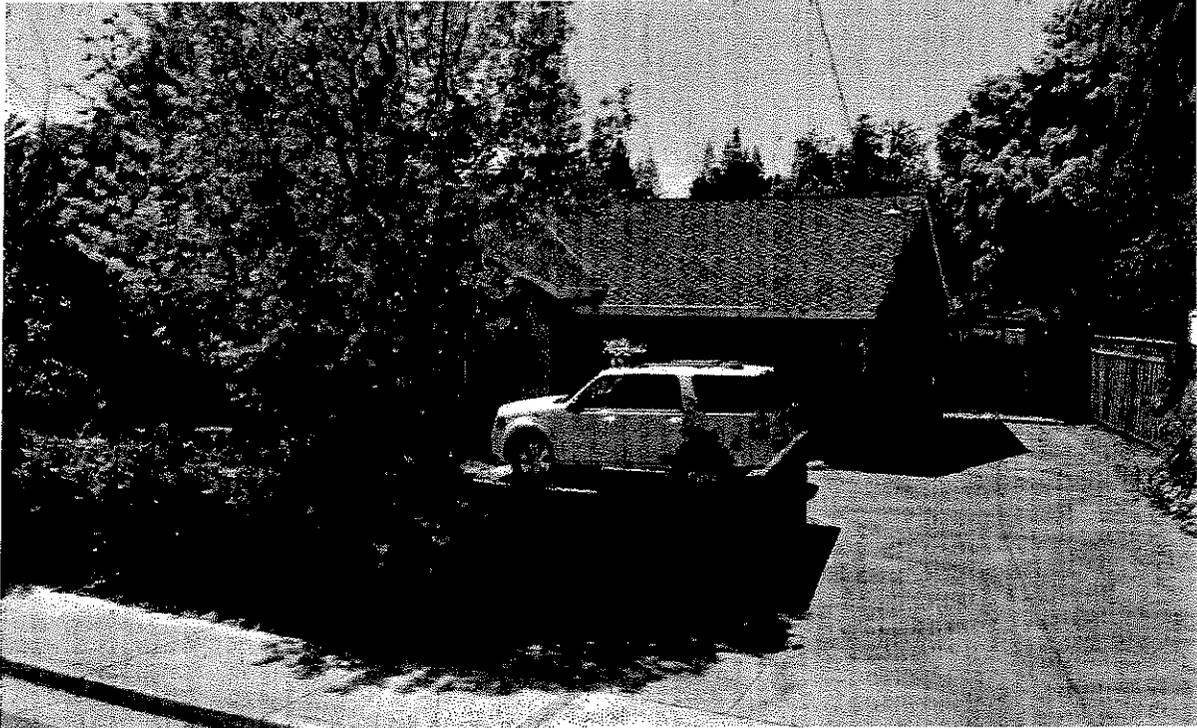
(b) The design is appropriate, considering its effect on neighboring properties' existing views, privacy and access to direct and indirect light.

(c) The safety of residents, pedestrians, and vehicle occupants and the free flow of vehicular traffic are not adversely affected, considering the circulation pattern, parking layout and points of ingress and egress.

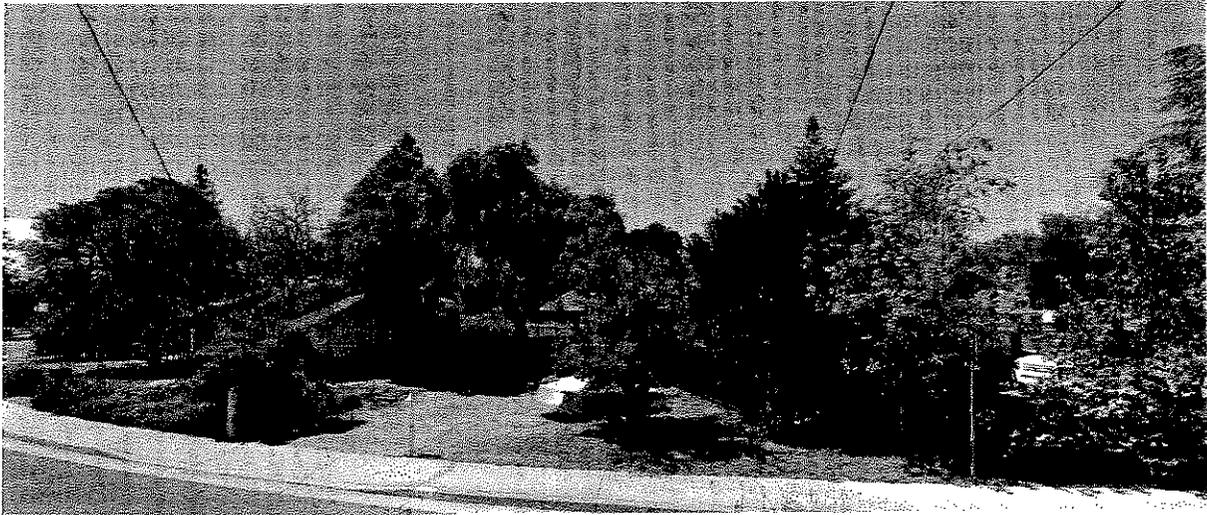
The City Council has adopted illustrated Design Review Guidelines for residential projects, which may be amended from time to time by the City Council, subject to prior review and recommendation by the Planning Commission. The Residential Design Review Guidelines shall be made available by the City to persons proposing residential projects subject to design review. The Residential Design Review Guidelines are not mandatory requirements but shall be a source of reference for the Planning Commission in determining whether a specific project conforms to the standards and criteria set forth in section 17.20.9.

EXHIBIT 6

The house to the immediate right of 1266 W San Tomas Aquino Rd. Please note this a complete new construction. The garage is detached and does not occupy the front of house. Also it's a single story.



Other houses on W San Tomas Aquino Rd





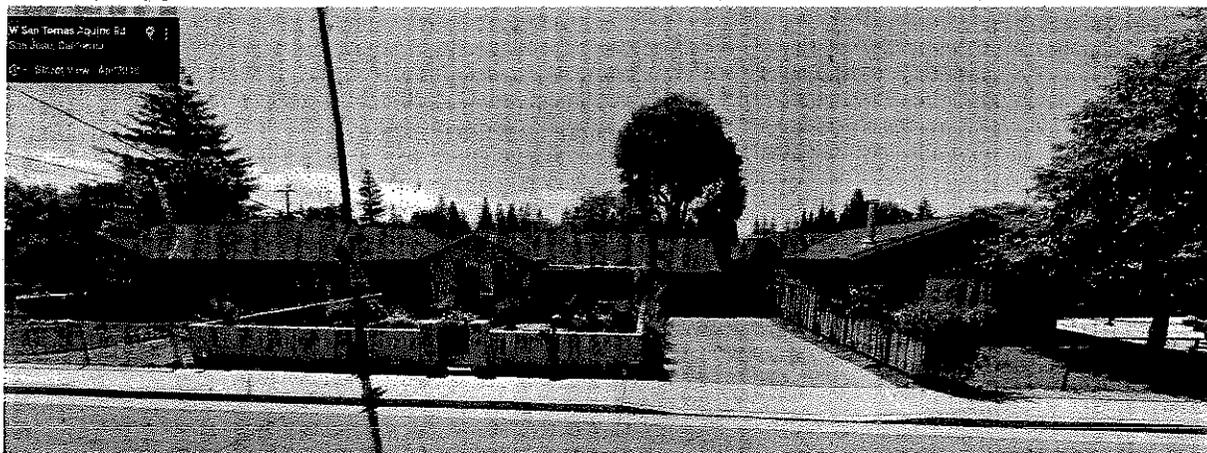
Houses on Margret lane, immediate cross street to West San Tomas Aquino rd.



House on Margret Lane and West San Tomas



Open Space and all single story on West San Tomas Aquino Rd.



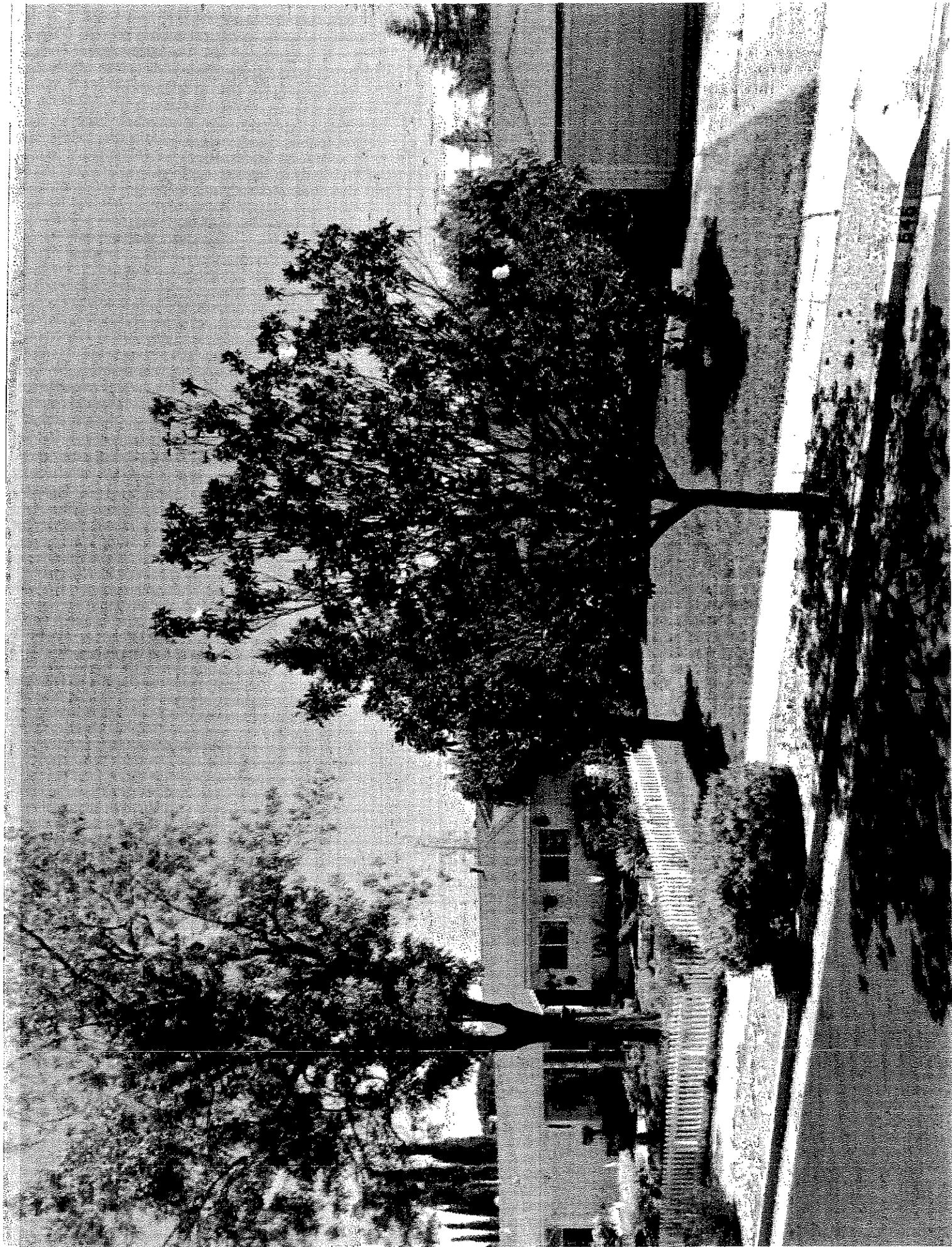
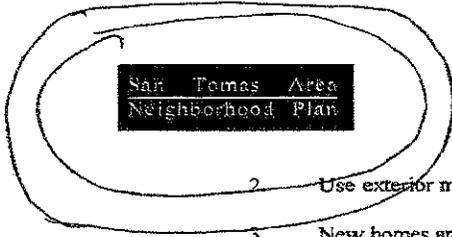


EXHIBIT 7

Scale and mass distribution

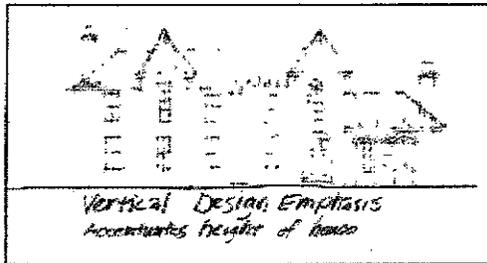


2. Use exterior materials compatible with homes in the San Tomas Area.
3. New homes and additions to existing homes should not be "walled-off" from adjacent homes as viewed from the street.
4. Front yard landscape similar to the adjacent home is encouraged.

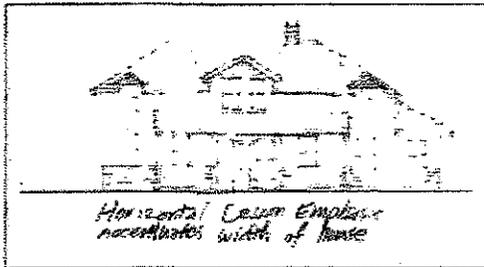
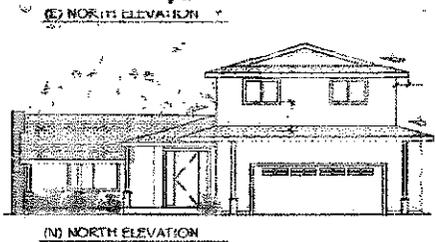
Scale & Mass

Building scale refers to the proportional relationship of a structure in relation to objects next to it, such as other buildings or people. Building mass is the size of a structure.

1. The perceived scale and mass of new homes should be compatible with homes in the surrounding area. Minimize the use of design features that accentuates the size of new houses so that they do not appear significantly larger than the adjacent homes. This can be accomplished by minimizing the use of two story vertical design elements such as turrets and two story entry ways. where possible, use one and a half story designs with dormers or partial two story designs.



more like this Not Desirable



OR THIS

Desirable

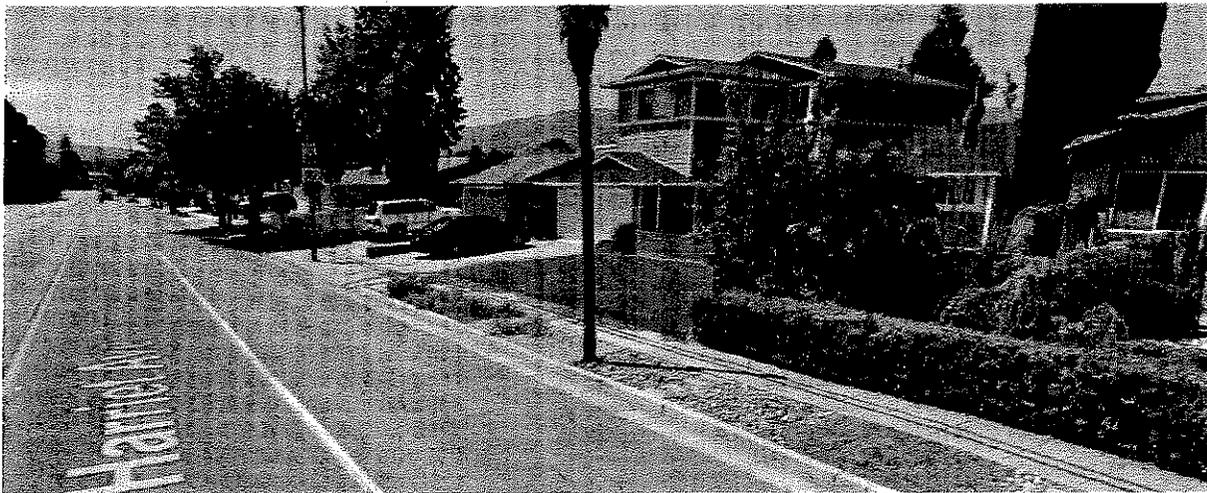
PROPOSED PLAN

Some Two story house construction few blocks away following appropriate scale and mass

Pictures of houses in the area but not immediate neighborhood with correct scale and mass distribution as per San Tomas area neighborhood plan on a house on W San Tomas Aquino Rd.



A Two story house on Harriet Ave with NO WINDOWS towards neighbor's house addressing the privacy concerns



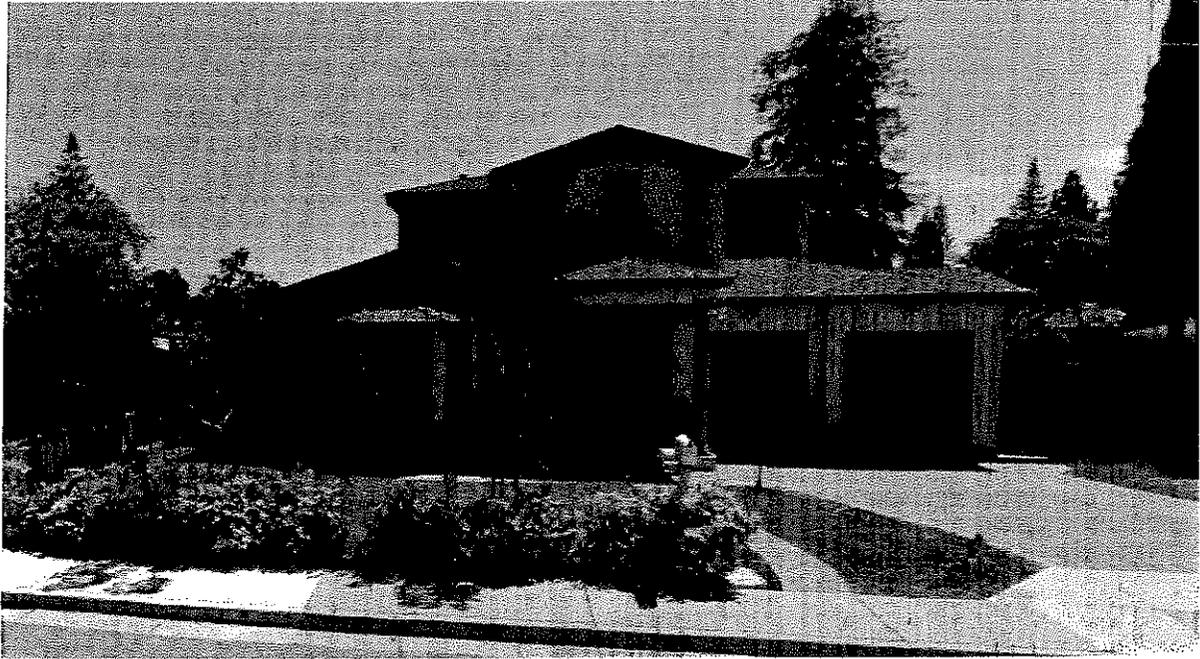


EXHIBIT 8

Alternate plan to building up

An alternate proposal to building up (versus building out).



The lines above show an additional 1850 Sq (37 X 50) of living space making it a total of 2700 sq. ft of living space. As original plan suggests 20 ft of extension on the front side that will be additional 480. sq ft (24 X 20). This will make a total of 3280 sq. ft of living pure living space.

Addendum III illustrates alternate ways to achieve the same/similar results. There will be inconveniences to both applicant and neighbors. Some of them are not comprisable and needs more thought from planning department.

Based on all the illustrations, health and safety shortfall, privacy shortfalls, I appeal to reconsider this decision in favor of alternate plan or a different plan as suitable to all parties.

Google Maps



Imagery ©2016 Google, Map data ©2016 Google 10 ft

Measure distance

Total distance: 77.05 ft (23.48 m)

Map of 2-story homes
in neighborhood



Cover Page

Response to Appeal as submitted by Sanjaya Srivastava / Shalini Shrivastva

Planning Application Number: PLN2016-102

Prepared by:

Brian Pirkl
1266 W. San Tomas Aquino Rd
Campbell, CA 95008
Mobile: 408-355-0655

Table of Contents

<u>Cover Page</u>	<u>1</u>
<u>Response Summary</u>	<u>2</u>
<u>Response to Planning Department Staff alternate design proposal</u>	<u>2</u>
<u>Detailed Responses to Appeal</u>	<u>3-4</u>
<u>Second story homes in the surrounding neighborhood</u>	<u>5</u>
<u>Similar Neighborhood Home Designs (map & pictures)</u>	<u>6-17</u>
<u>Sun & Shadow Simulation</u>	<u>18-31</u>

Response Summary

My wife and I sold a beautiful old craftsman home that we had lovingly restored in San Jose so that we could move to Campbell and put our two kids (12 & 10) in the Campbell school district. We rented for three years before we could find something within our budget. We bought this home knowing that it would require an addition and we are prepared to accept the challenges and difficulties involved in living in a house during construction. We also bought the home knowing that the septic tank would need to be abated and connected to city sewer. We have done this as a prior requirement for an addition. We plan to stay here for a long time and contribute to the community with school and volunteer activities. Our home was built in 1947 and has reached its expected lifetime. We are convinced that the addition will provide needed neighborhood revitalization and it will have an overall net positive effect on property values. We understand that the Appellant has concerns with the proposed design. We have met several times to discuss the design and have altered the design where possible to accommodate their concerns. We are excited to move beyond the planning stage to the building permit authorization and construction phase. It is our hope that you will agree with the decision of planning staff and support our application to the Planning Commission.

Response to Planning Department Staff alternate design proposal

In our first meeting with Cindy McCormick she proposed to us an alternate the 2nd floor design where the addition could be added over the basic footprint of the existing home running East/West as opposed to our proposed 2nd floor addition that runs North/South. While this would be an attractive design it does not work for our particular situation for several reasons.

1. Our budget requires that we live in the home during construction. This proposed design would make that impossible.
2. This proposed design would require new/upgraded foundations to support the 2nd story. It would also require up-graded shear walls on all the existing exterior walls. We have planned for 10 ft. ceilings on the 1st floor for the remodeled/ addition areas where now we only have 8 ft. ceilings in the existing home. If we did this it would require all new exterior walls. Considering all this work it would probably be easier / cheaper to do a tear down and build a new house. A new house is completely out of the realm of possibilities based upon budget.
3. Neighborhood average home price – making this large and new construction home would most likely have an estimated price point above what the neighborhood can support based upon current market values.

Detailed Responses to Appeal

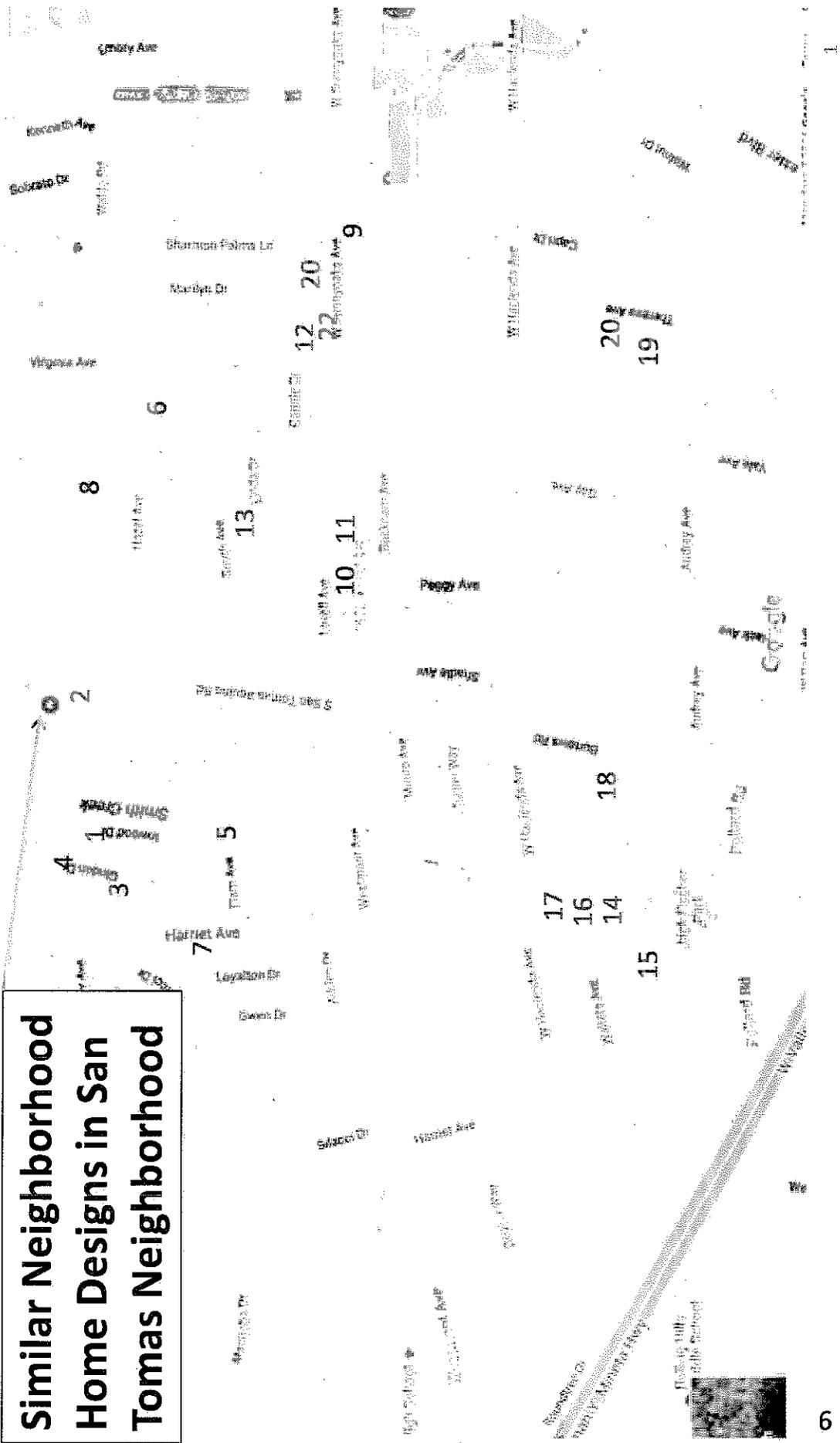
1. Sunlight - We have prepared a simulation for the shadow effects on the Appellant's property (1276 W. San Tomas Aquino). This was done at different times of the year based upon the different angles of the sun during the day. The simulation shows both the existing and planned models and then shows the differences in shadow between the two designs. The difference in light to Eastern facing windows on the Appellant's property is minimally affected. During the winter months the effect is near zero and in the summer there is approximately 30 minutes of additional shade to those windows. We feel that this is not a significant impact.
*Please note – it is our understanding that Sunlight is not a mitigating concern for the city's review of the planning application.
2. Public Health Hazard – construction techniques and existing materials will be handled as part of the building permit and approval process. This should not be addressed by the planning application.
3. Privacy Concerns – Based upon our discussions with the Appellant and the planning department we revised our window schemes on the west side of the house as an accommodation to the Appellant. For us privacy is a two-way street – we each want privacy from each other. The solution was to increase the height of the windows off the floor so it will still allow light into the second floor rooms but disallow full standard window visual area to look down into the neighbor's property and vice-versa. This accommodation was deemed acceptable to planning staff.
 - a. Natural Curiosity to Peek - Addressed above
 - b. Stress from Privacy - Addressed above
 - c. Alternatives to Upper Level Construction – while we appreciate the input from the Appellant in terms of an alternative design concept for a single level addition, we do not see this as a viable alternative. There are two beautiful large and vibrant trees on the eastern side of the property within close proximity to the house. An addition to the existing home on either the North-Eastern or South-Eastern side of the house is not practical because of the impact on these trees.
 - d. License plate of parked car – As part of our application we were instructed to provide pictures of the neighbor's homes. It was not our intent to compromise anyone's privacy. We apologize for any errors in judgement.
4. Project Time Line and End Dates - this should be handled by the building department - not as part of planning.

5. Consistency with San Tomas Neighborhood Plan Guidelines – the proposal is in line with the guidelines as established in the San Tomas Neighborhood Plan. The appearance of the remodel home meets the requirement that it looks like a native home in Campbell. It satisfies all the requirements for setbacks. It meets all the requirements in terms of percentages for land use and is deemed as a remodel - and not new construction.
 - a. Scale and mass discrepancy - - Addressed above
 - b. Garage is being extended and occupied 50% - - Addressed above
 - c. Neighborhood pattern is horizontal not vertical - There are plenty of homes in the San Tomas neighborhood that have similar designs to our proposed design that are also two stories. We have attached separately a document that shows 22 homes along with addresses that are of similar design. See pages 6-17. Additionally there are homes in the immediate area that are two stories. Please see page 5.

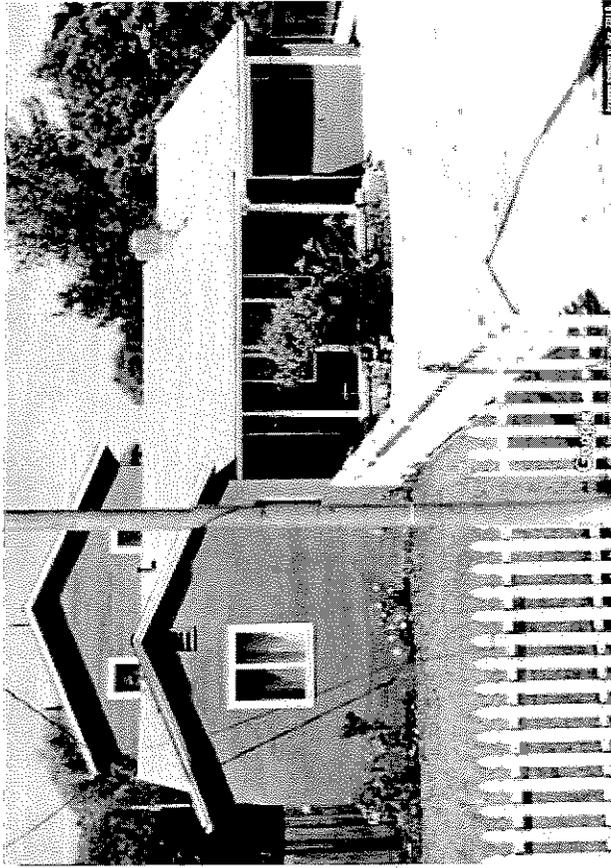
6. Star Gazing – it is our opinion that the proposed design will have minimal impact on the Appellant’s hobby. Technically this should not be a consideration of the planning process.

7. Alternatives to Upper Level Construction – while we appreciate the input from the Appellant in terms of an alternative design concept for a single level addition, we do not see this as a viable alternative. There are two beautiful large and vibrant trees on the eastern side of the property within close proximity to the house. An addition to the existing home on either the North-Eastern or South-Eastern side of the house is not practical because of the impact on these trees.

Similar Neighborhood Home Designs in San Tomas Neighborhood



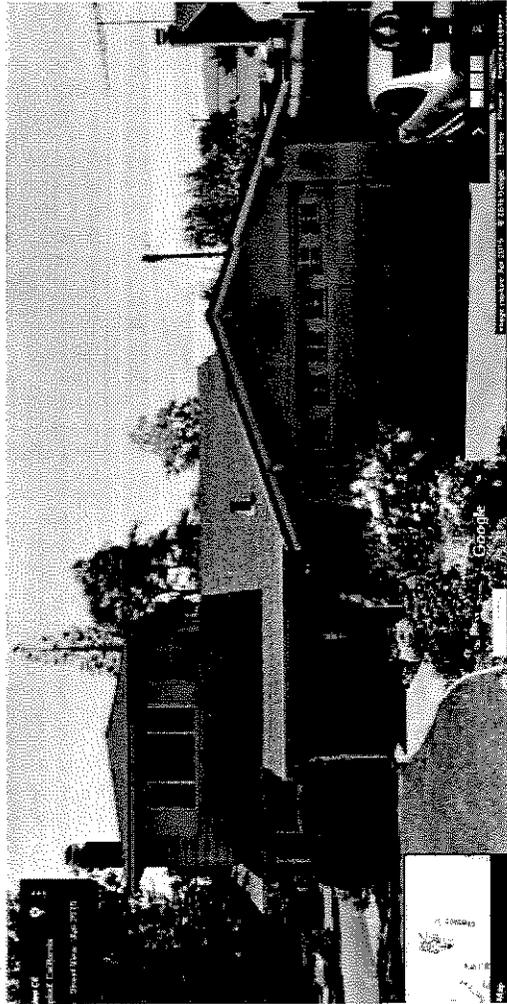
2. S. San Tomas Aquino Rd



1. 661 Inwood Drive



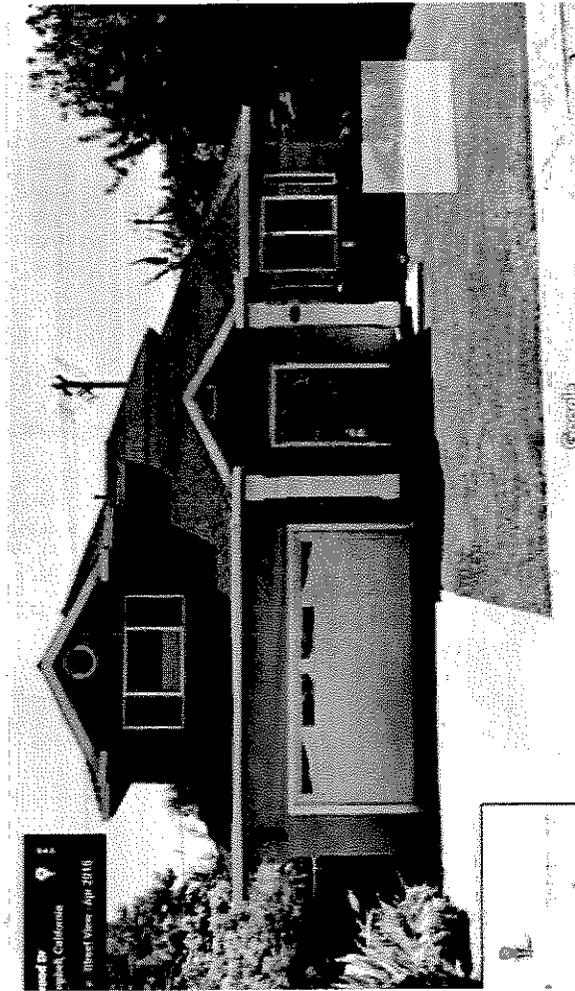
3. Ginden Court



4. 624 Ginden Drive



5. 824 Inwood Drive



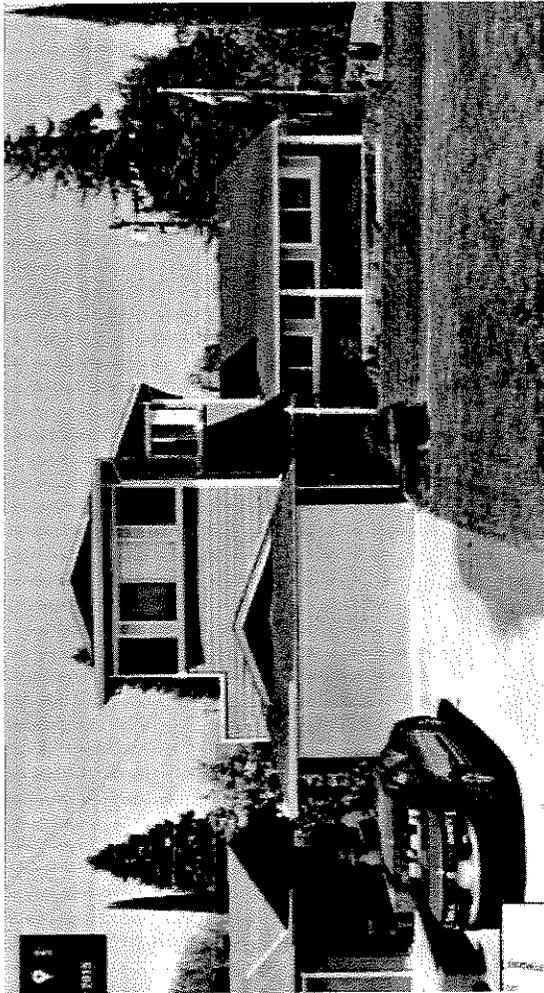
6. Hazel Ave.



8. 1030 Hazelwood Ave



7. 785 Harriet Ave



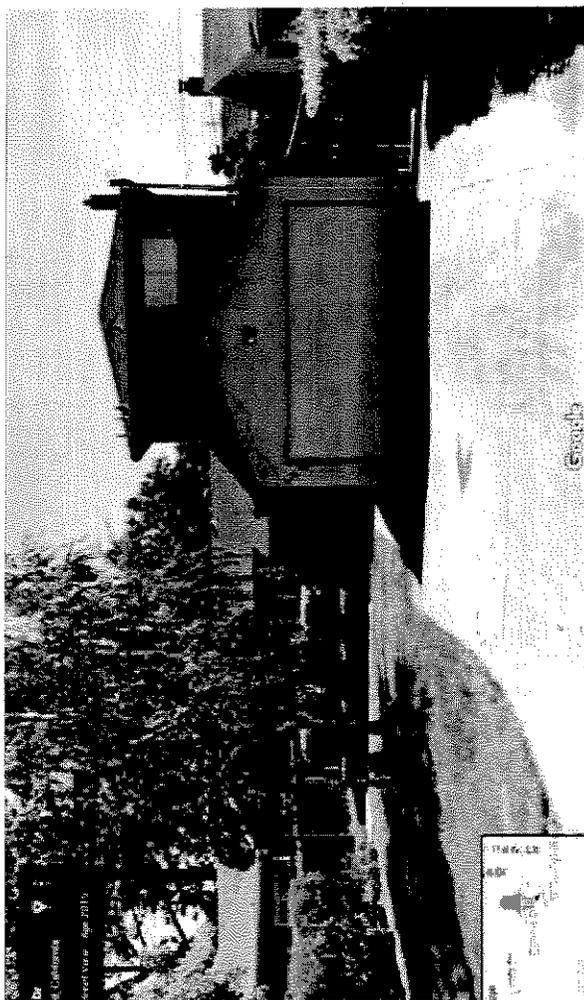
9. W Sunnyoaks



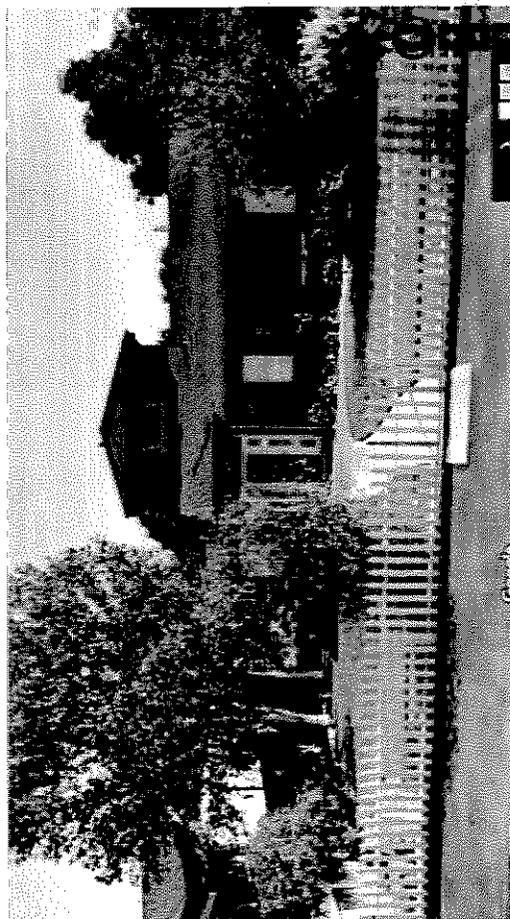
10. Lovell Ave



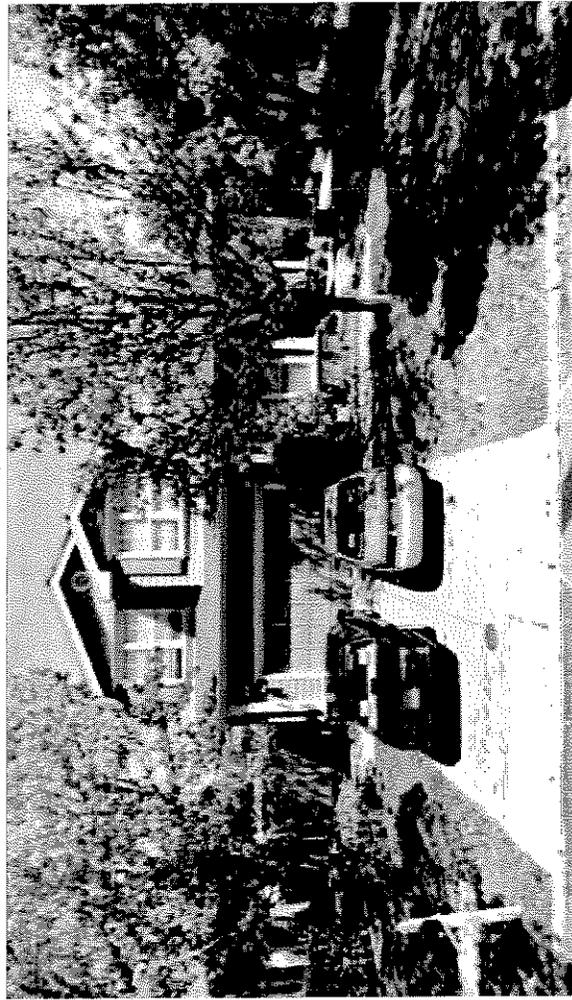
12. 850 Connie Drive



11. Lovell Ave



14. 803 Miller Ave



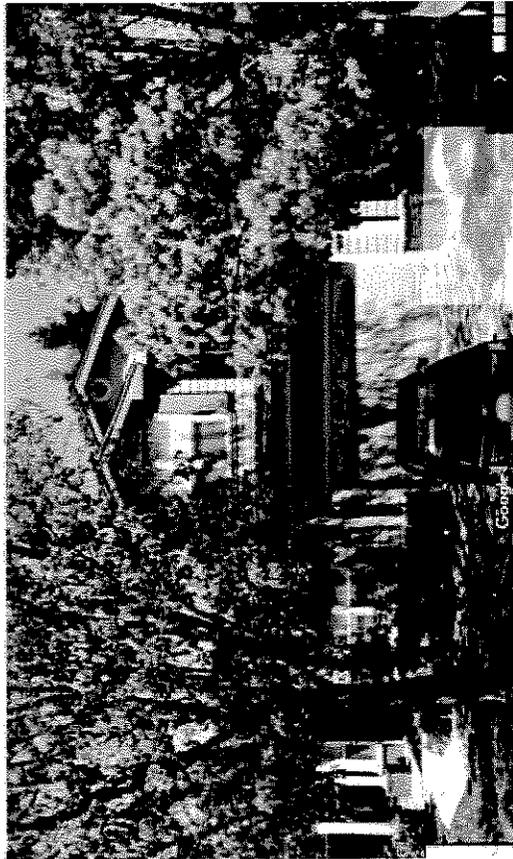
13. 1069 Linda Drive



16. 1355 Abbott Ave



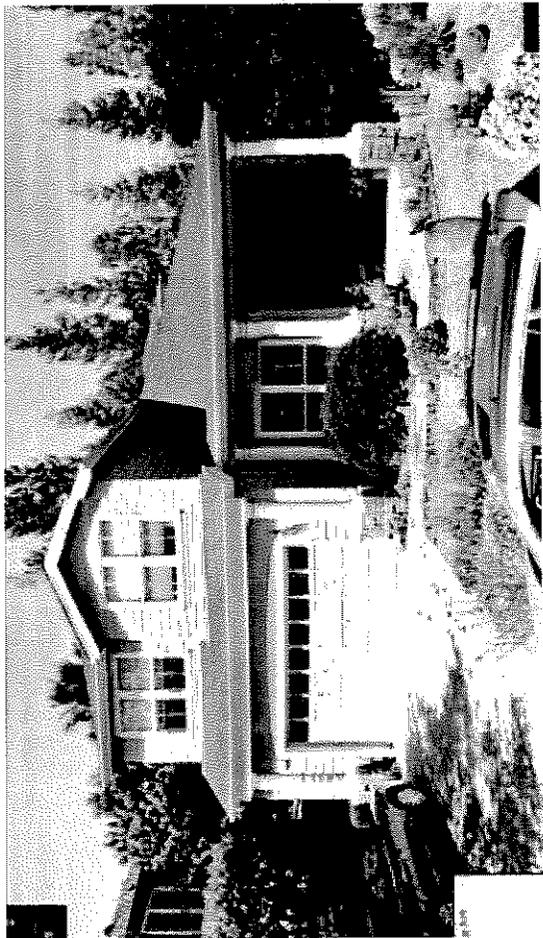
15. 535 Peachtree Ct



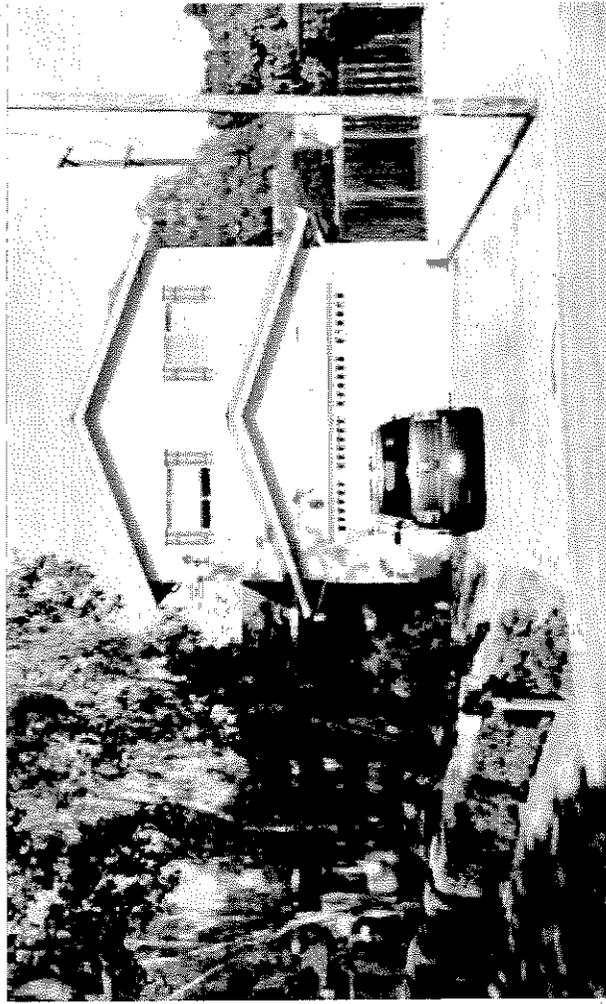
18. 1305 Juanita Way



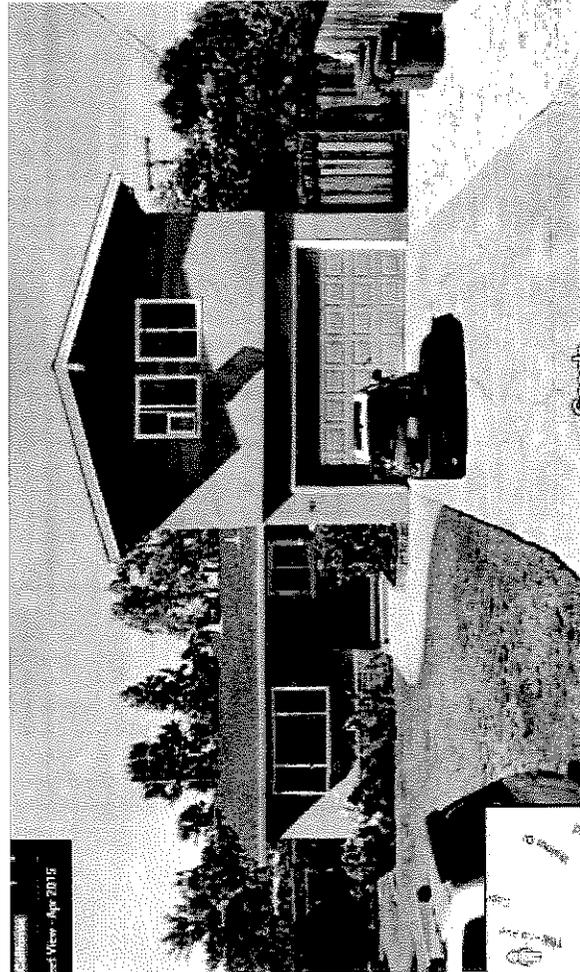
17. 1347 Abbott Ave



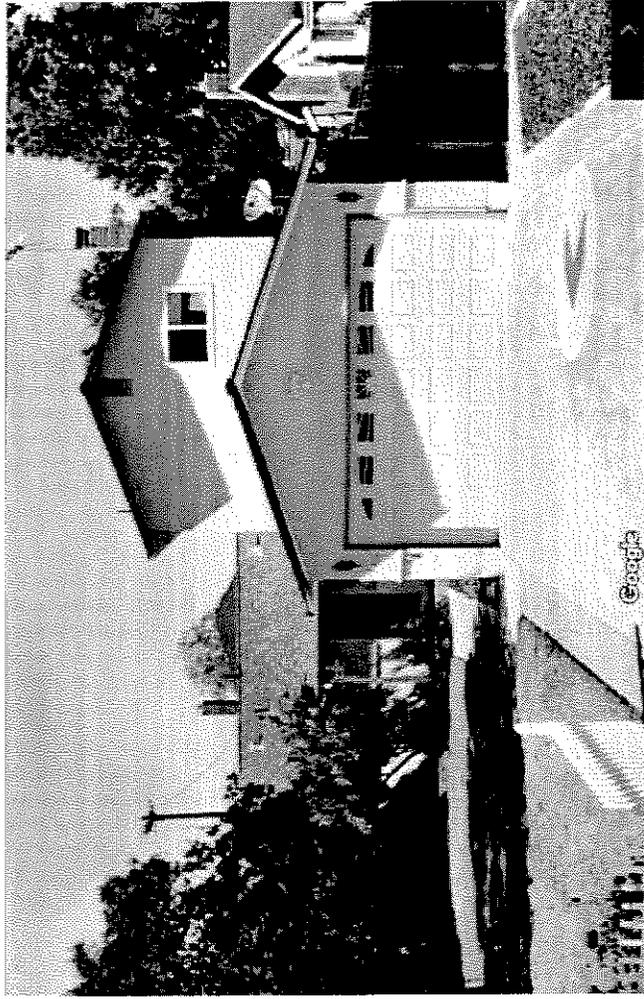
20. 801 Virginia Ct



19. 787 Chapman Drive



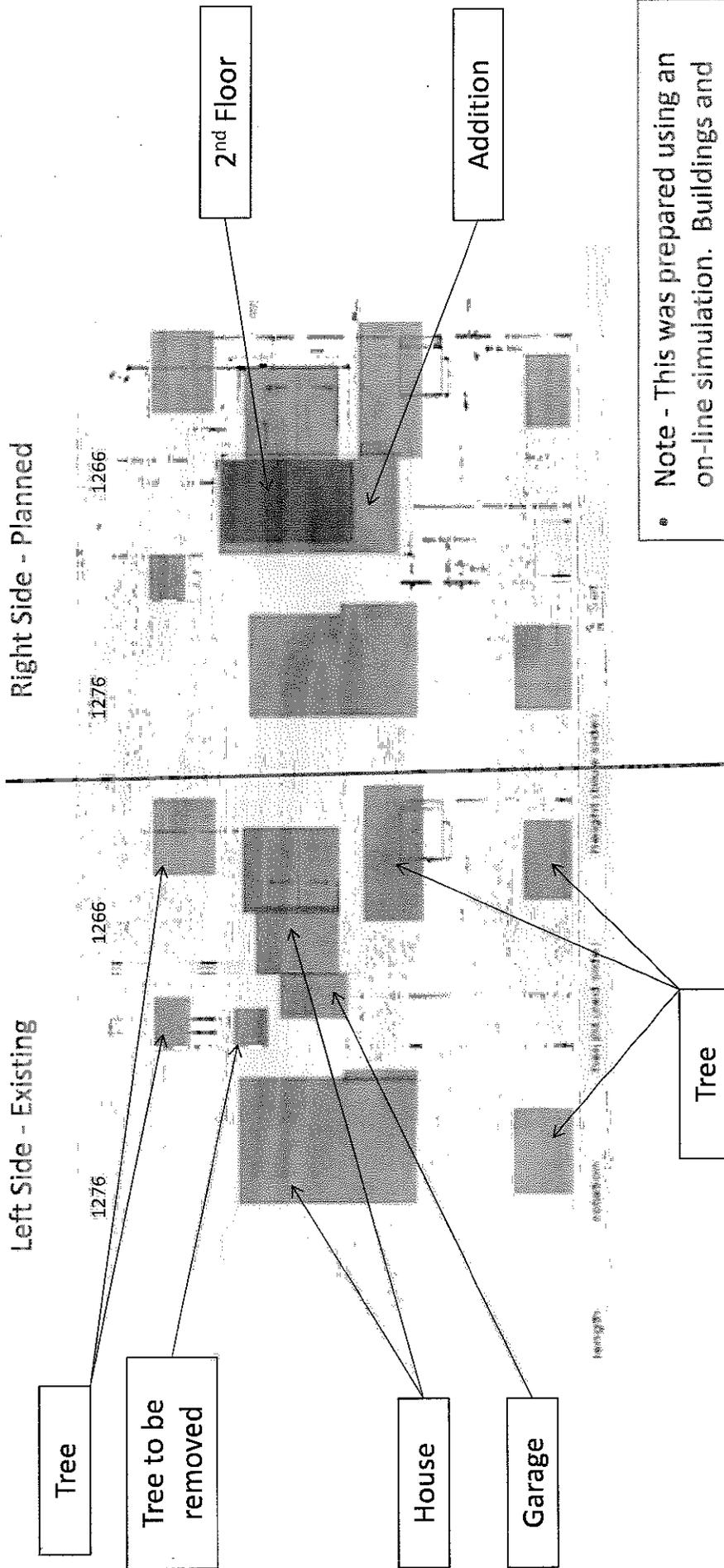
22. 859 W Sunnyoaks Ave



21. 956 Marilyn



Sun & Shadow Simulation – building and tree description



8:15am December 20

Screen drawing tool.

Displayed Time: <Prev Time 06:15 (GMT+0) Acctmsh 476 31 Mmplyr 6 65 > Next >

Background image: Choose File. Capture ce 720 16.F110 Image size: position. **Copy** **Contain** **Reset** **Remove**



Selected: width

length

height (red side)

height (blue side)

release

Size

Auto Update

Help

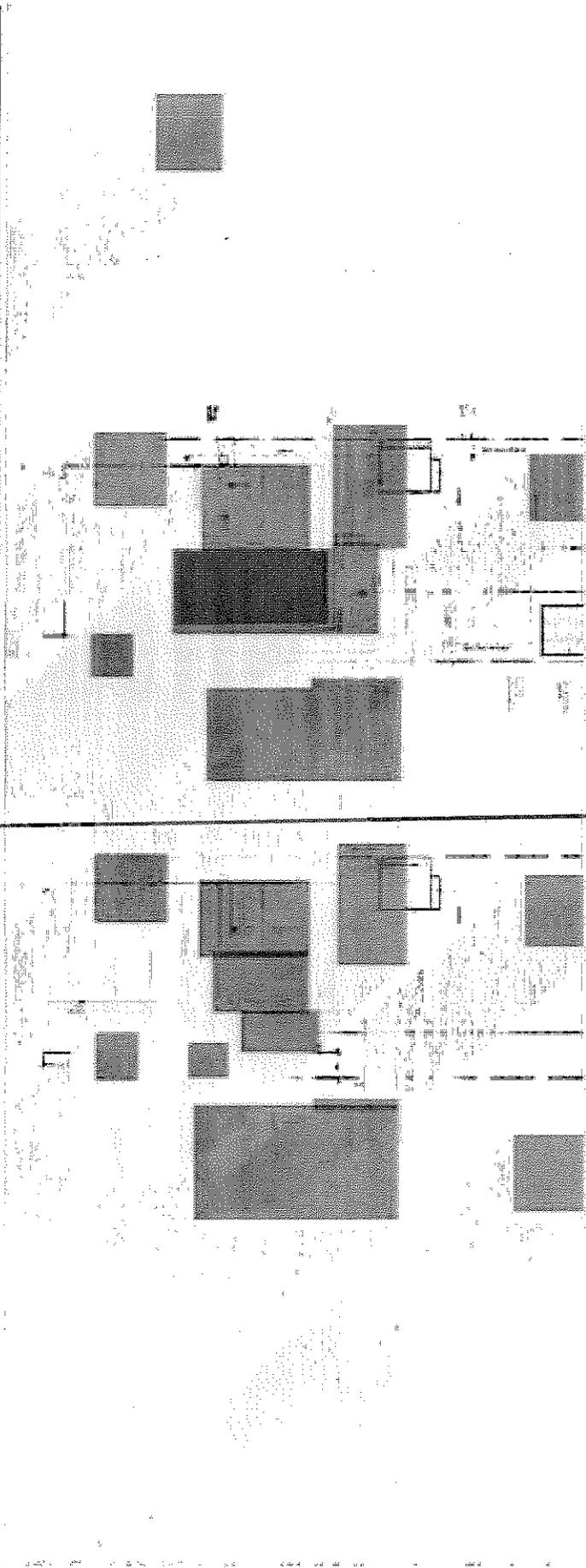
9:15 am December 20

Scene drawing tool:

Deployed Time: 08:15:28PT © by Acmetek 199-32-1111, or 3.24. Next: [Pause]

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Cover **Contain** **Reset** **Remove**



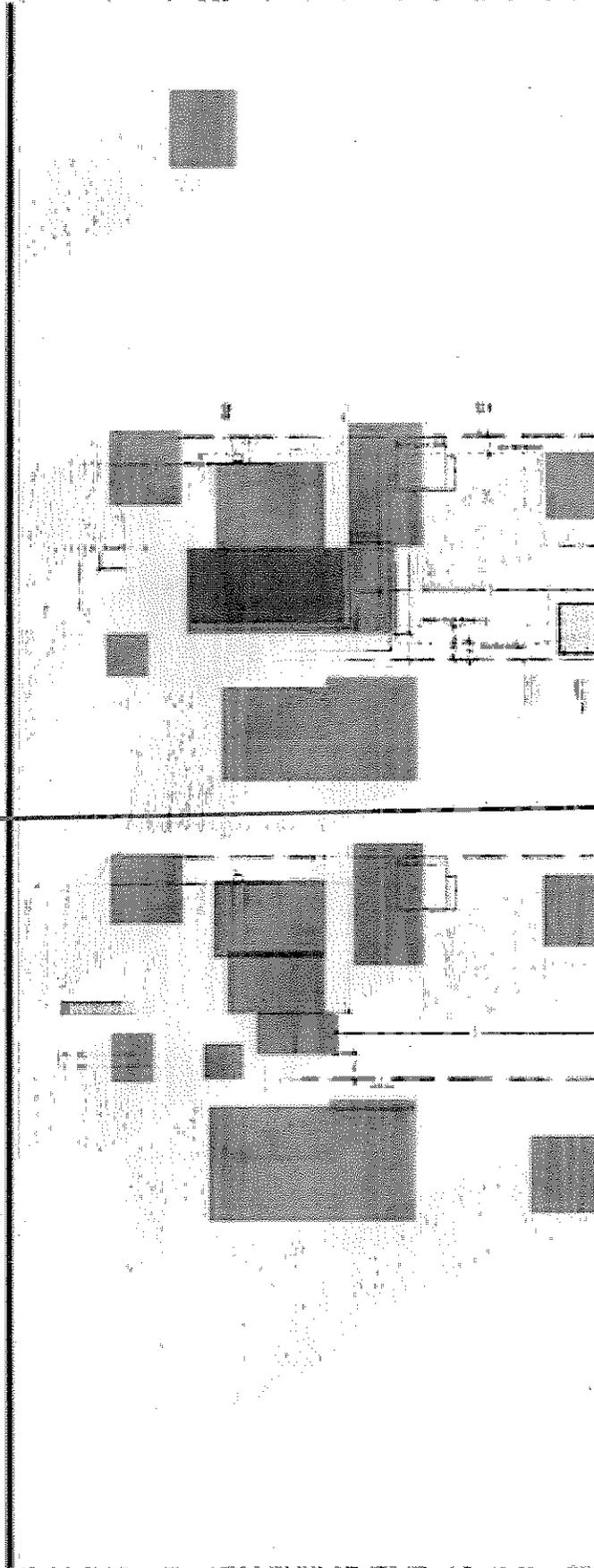
Selection width length rotation height (base side) height (top side) Set

10:15am December 20

Scene drawing tool:

Displayed Time: < Prev Time 10:15 (GMT-8): Account 152 at 10/1/2014 2:25 | Next > | Page 1
Background image: | Stage file: | Capture as: | First key: | Image size: position: |

Cover | Contain | Reset | Remove



600,000

1 Set

Height (mm)

Rotation

Length

Selection: none

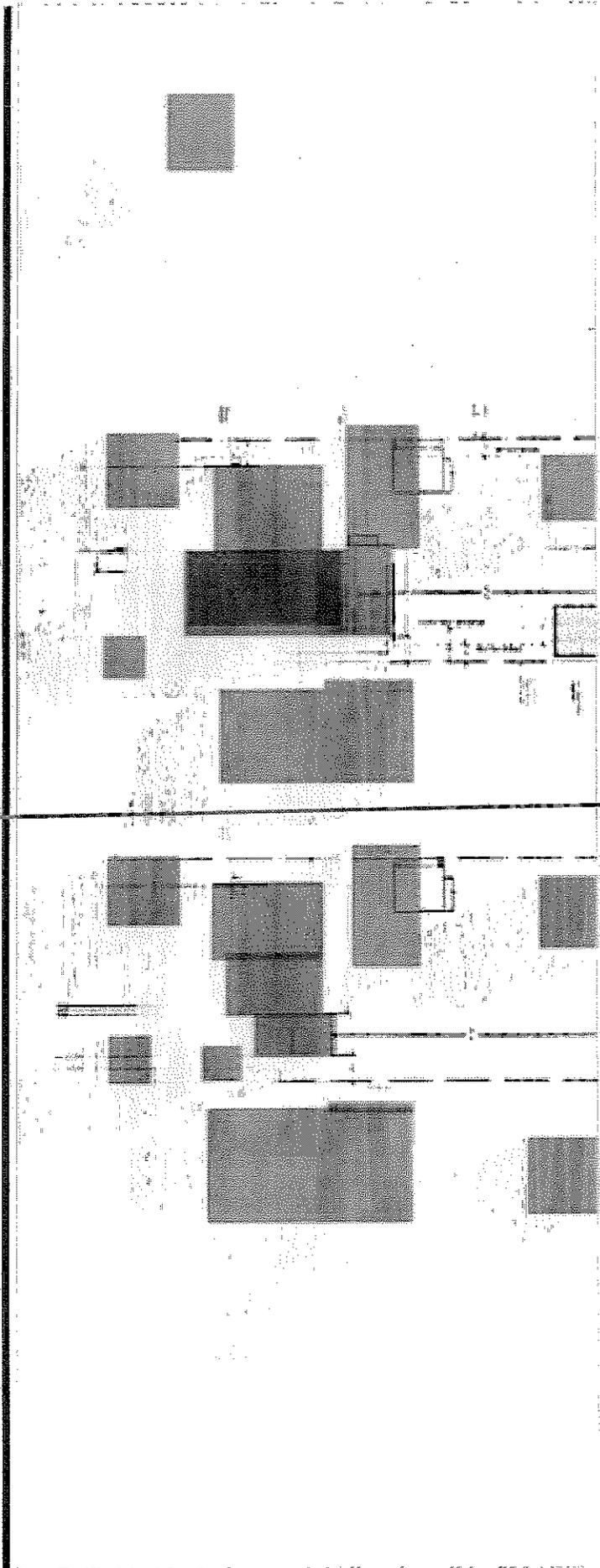
Help

10:30 am December 20

Scene drawing tool:

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Background image: Choose File | Capture as TIF | PNG image size: position | Cover | Contain | Resize | Remove



Selection: select | length | rotation | height (blue side) | width (blue side) | 1.5m

Help

Auto Rotate

8:00 am March 20

Pause

Next

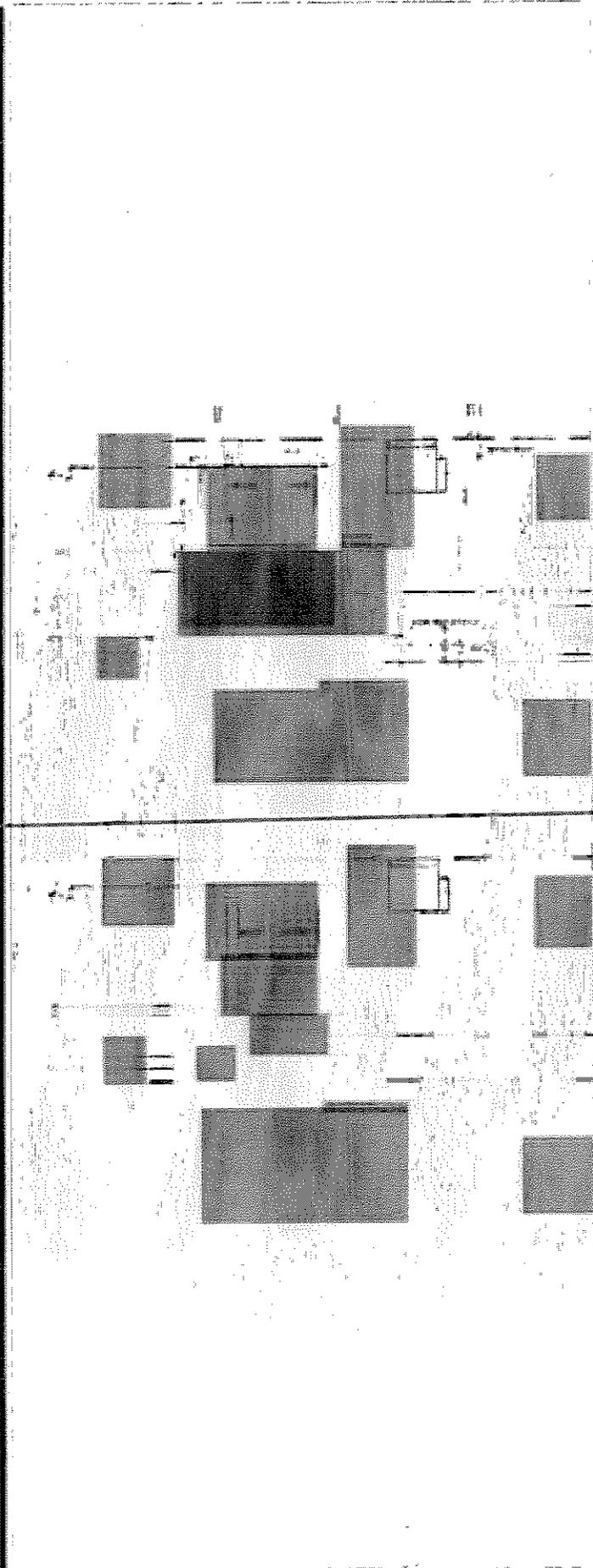
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Contain

Cover

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Remove



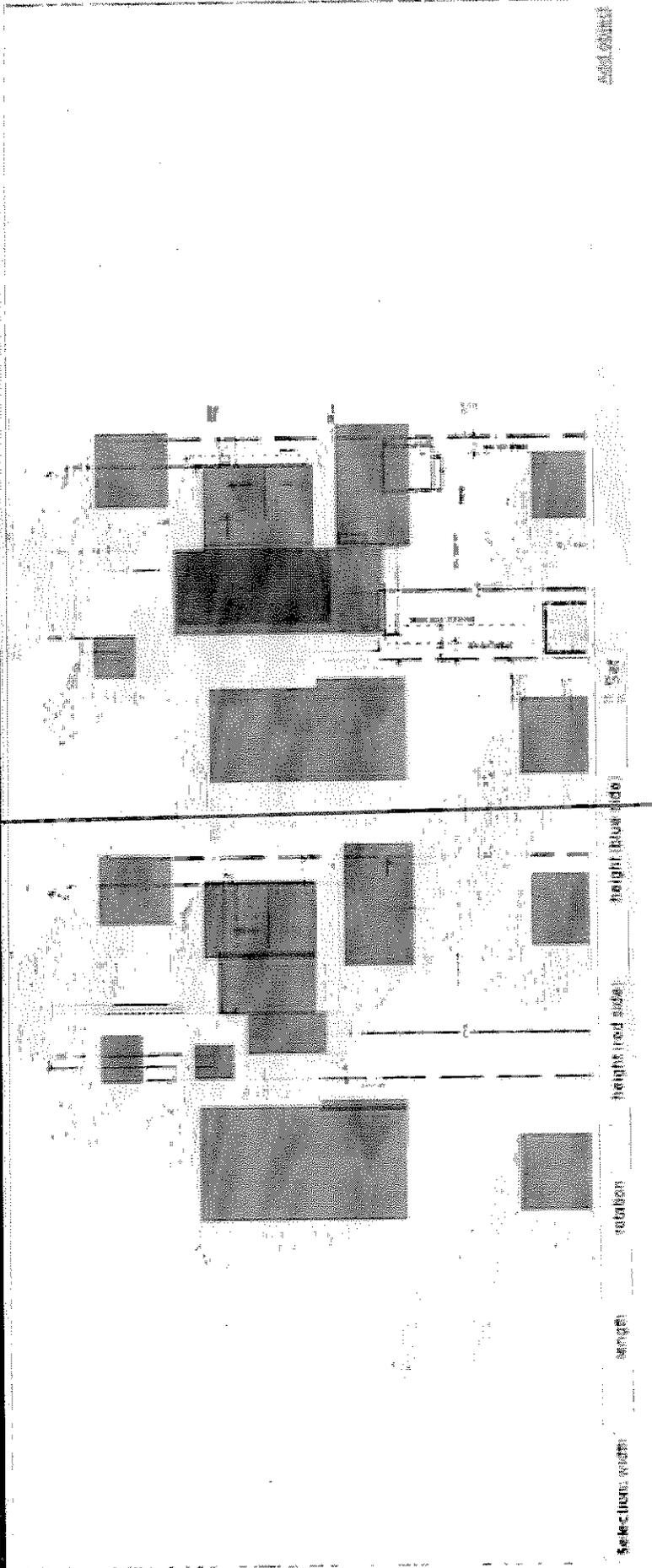
Select an option: width, height, height (red area), restore (blue area), B. Set

9:45 am March 20

Next (Pause)

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10am March 20

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Next: [Pause]

Display Time: 0:00

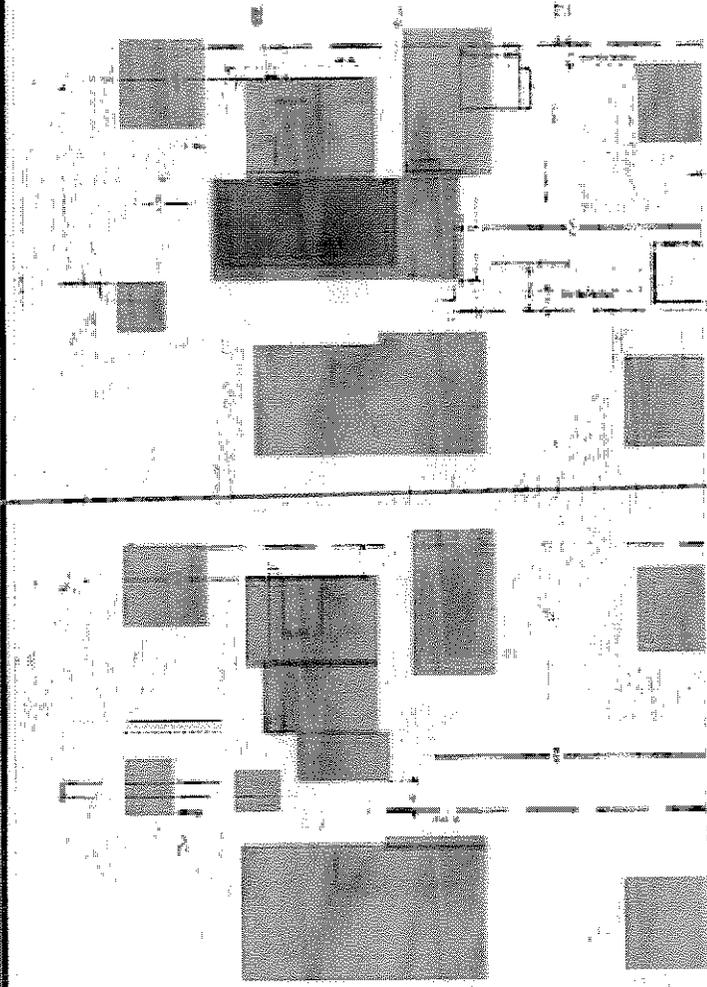
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Reset

Continue

Cont

Display Time: 0:00



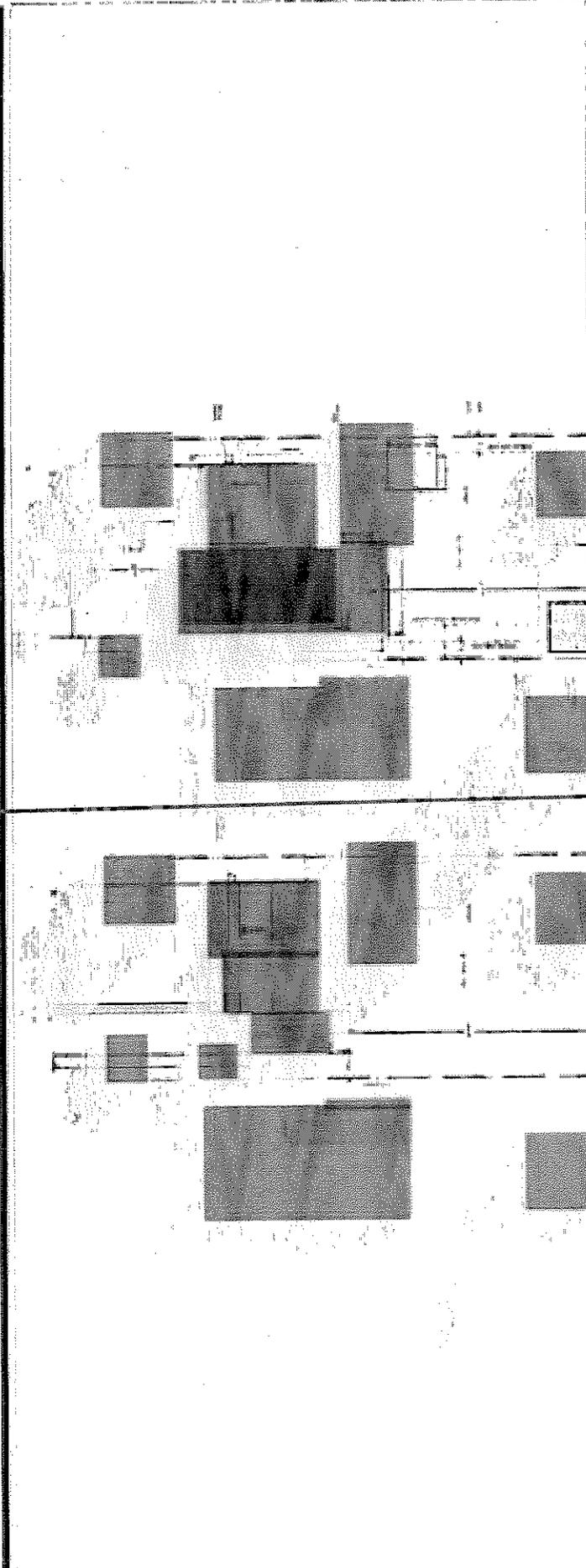
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Help

10:15 am March 20

Displayed Time: <Prev | Time 10:15:00 (M-T-S) | Refresh | 13002 | MultiPage 1 of 5 | Next >
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Pause
Cover
Reset
Remove



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height (blue area)

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region

image

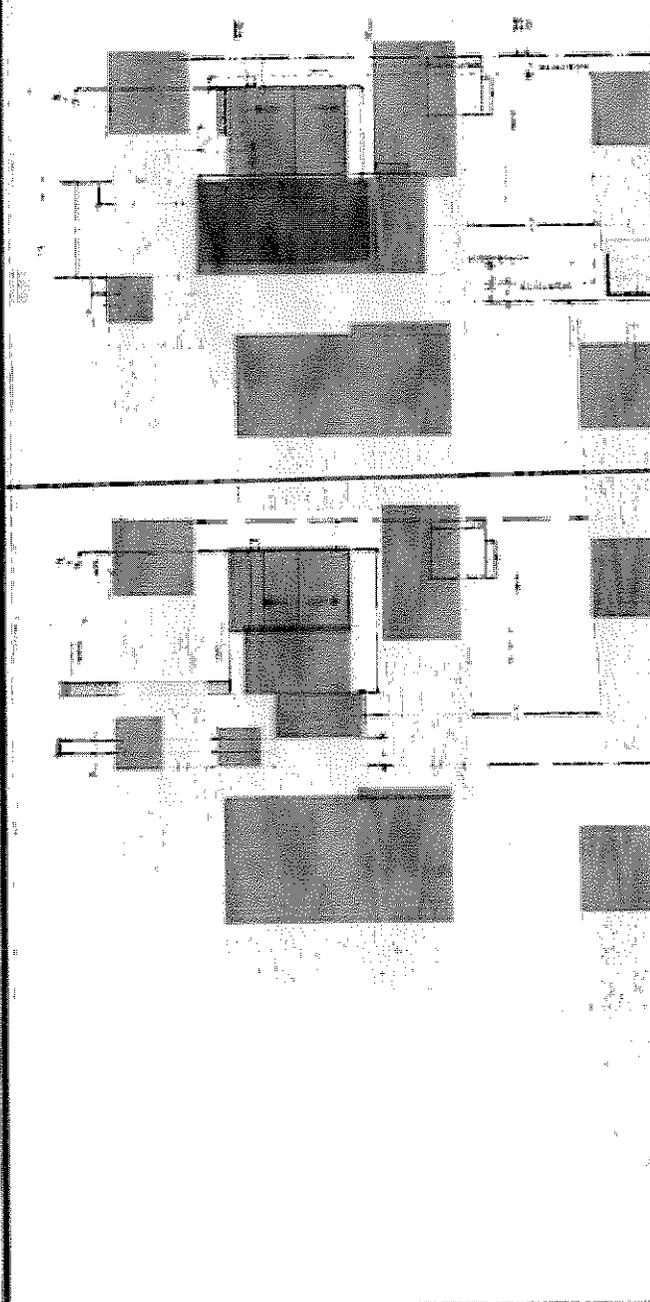
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Help

8:00 am June 20

www.industryshadows.com | 2016-06-20 08:00:00 (GMT-07:00) | 141 | * Next | Pause |

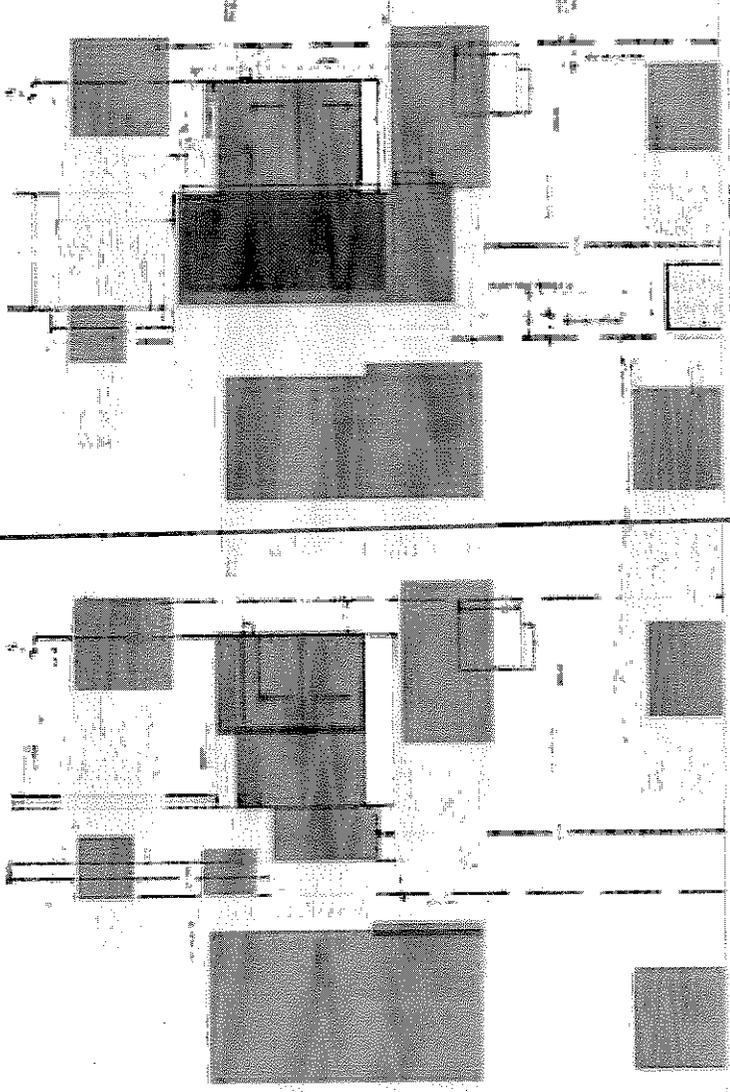
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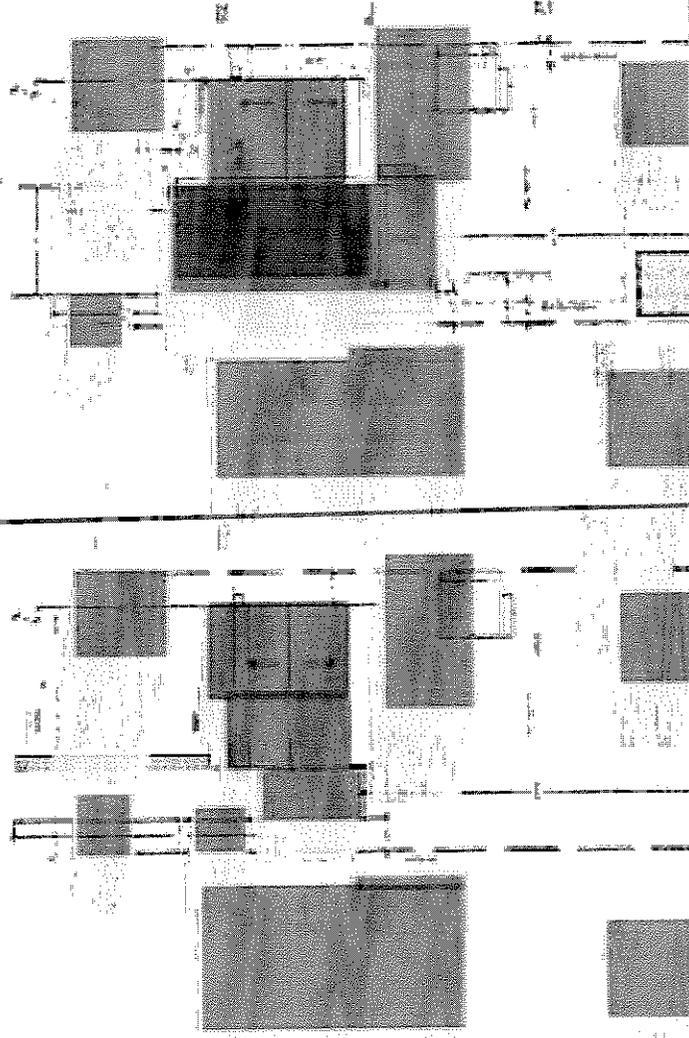
Help

9:00 am June 20



ADDITIONAL INFORMATION

9:30 am June 20



show both views length rotation height (red side) height (blue side) if set

Help:

Use the controls above to draw and rotate

10:00 am June 20



31.00

II Cut

height (over side)

height (over side)

radius

height

selection width

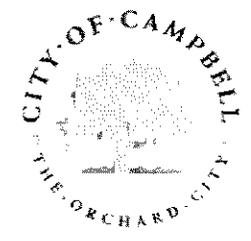
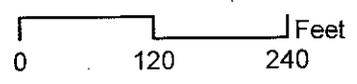
Map

Use the selection shape to place cut after scene

Project Location Map



Project Location: 1266 W. San Tomas Aquino Rd
Application Type: Admin Site and Arch Review
Planning File No.: PLN2016-102
Description: Second story additon to existing single-story home.



Community Development Department
Planning Division