PLANNING COMMISSION
City of Campbell, California

7:30 P.M. November 22, 2016
City Hall Council Chambers Tuesday

AGENDA

ROLL CALL

APPROVAL OF THE MINUTES November 17, 2016 Special Meeting

COMMUNICATIONS

AGENDA MODIFICATIONS OR POSTPONEMENTS

ORAL REQUESTS

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

CONSENT CALENDAR

Note: All matters listed under consent calendar are considered by the Planning Commission to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a request is made by a member of Planning Commission, City staff, or a member of the public. Any person wishing to speak on any item on the consent calendar should ask to have the item removed from the consent calendar prior to the time the Planning Commission votes to approve. If removed, the item will be discussed in the order in which it appears.

1. **Accept a Tree Removal Permit for 180 Redding Road.**
   Recommended Action: Accept a copy of a Tree Removal Permit, approved by the Community Development Director, allowing the removal of a 15-inch diameter oak tree on property located at 180 Redding Road.

PUBLIC HEARINGS

1. **PLN2016-258** Public Hearing to consider the application of Michael Navone for a Conditional Use Permit (PLN2016-258) to allow a rear addition and interior remodel to a historic resource inventory property in a Historic District located at **235 S. First Street**. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner*: Cindy McCormick, Senior Planner*

2. **PLN2016-255** Public Hearing to consider the application of SINA Investments, LLC for a Conditional Use Permit (PLN2015-255) to allow a massage establishment in an existing tenant space on property located at **225 W. Hamilton Avenue**. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner*: Cindy McCormick, Senior Planner*

3. **PLN2016-313** Public Hearing to consider the application of Hema Venicatesan for a Conditional Use Permit (PLN2016-313) to allow the establishment of a large fitness studio (d.b.a. Club Pilates) with late night hours (opening at 5:45 a.m.) out of an existing commercial tenant space on property owned by M&M Properties, located at **10 E. Hamilton Avenue, Suite 300**, in the C-2 (General Commercial) Zoning District. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner*: Stephen Rose, Associate Planner*

4. **PLN2016-351** Public Hearing to consider the application of John Thomas for a Modification (PLN2016-351) to a previously approved Site and Architectural Approval to allow the installation of a new guardrail system along the perimeter of the roof of an existing commercial building located at **503 & 504 Vandell Way,** in the C-M/40 (Controlled Manufacturing) Zoning District. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner*: Stephen Rose, Associate Planner*

5. **PLN2016-290** Public Hearing to consider the application of Michael Bates for a Conditional Use Permit with Site and Architectural Review (PLN2016-290) to allow for the establishment of a major motor vehicle repair and maintenance facility (network operator) with vehicle painting and cleaning (d.b.a. “Caliber Collision”), and a Parking Modification Permit (PLN2016-354) to allow a reduction in the number of required parking spaces at **665 E. McGlincy Lane,** in the M-1 (Light Industrial) Zoning District. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner*: Stephen Rose, Associate Planner*

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

ADJOURNMENT

Adjourn immediately to a Study Session and subsequently to the next regularly scheduled Planning Commission meeting of **December 13, 2016**, at 7:30 p.m., in the City Hall Council Chambers, 70 North First Street, Campbell, California.

CITY OF CAMPBELL

PLANNING COMMISSION

Date: Tuesday, November 22, 2016

Time: Immediately following the regular Planning Commission meeting

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

Agenda

1, Pre-Application (PRE2016-03) for a proposed 7-lot subdivision on property located at **1180 Abbott Avenue**. *Project Planner: Cindy McCormick, Senior Planner*

In compliance with the American's with Disabilities Act, listening assistive devices are available for all meetings held in the City Council Chambers. If you require accommodation, please contact the Community Development Department, (408) 866-2140, at least one week in advance of the meeting.

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

CITY OF CAMPBELL PLANNING COMMISSION
SPECIAL MEETING

MINUTES

7:30 P.M. TUESDAY

NOVEMBER 17, 2016
CITY HALL COUNCIL CHAMBERS

The Planning Commission Special meeting of November 17, 2016, was called to order at 7:30 p.m., in the Council Chambers, 70 North First Street, Campbell, California by Chair Dodd and the following proceedings were had, to wit:

ROLL CALL

Commissioners Present:	Chair:	Cynthia L. Dodd
	Vice Chair:	Yvonne Kendall
	Commissioner:	JoElle Hernandez
	Commissioner:	Michael L. Rich
	Commissioner:	Donald C. Young
Commissioners Absent:	Commissioner:	Philip C. Reynolds, Jr.
Staff Present:	Community Development Director:	Paul Kermoyan
	Senior Planner:	Daniel Fama
	Acting City Attorney:	Heather Lenheart
	Recording Secretary:	Corinne Shinn

APPROVAL OF MINUTES

Motion: **Upon motion by Commissioner Young, seconded by Commissioner Hernandez, the Planning Commission minutes of the meeting of October 25, 2016, were approved as submitted. (5-0-1; Commissioner Reynolds was absent)**

COMMUNICATIONS

None

AGENDA MODIFICATIONS OR POSTPONEMENTS

None

ORAL REQUESTS

None

PUBLIC HEARINGS

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

1. **PLN2016-320,321** Public Hearing to consider the application of Martin East Coast Pizzeria, Inc., for a Conditional Use Permit (PLN2016-320) and a Modification (PLN2016-321) to a previously-approved Administrative Planned Development Permit (PLN2006-71) to allow beer and wine service ("liquor establishment") in conjunction with an existing restaurant (Sal's Pizza) on property located at **533 E. Campbell Avenue**. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: Daniel Fama, Senior Planner

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

Chair Dodd asked if there were questions of staff.

Commissioner Kendall asked if this business is located within the same center as the pending Steak n'Shake and whether there would be alcohol service at Steak n'Shake.

Planner Daniel Fama replied that yes, it is within the same center, and no, Steak n'Shake does not have alcohol service.

Commissioner Hernandez asked if there would be an actual "sit-down bar" within this pizza establishment and whether they would be adding televisions to the restaurant.

Planner Daniel Fama replied that there is no actual bar (or bar height seating) and he was unsure on the plan for adding televisions but the applicant would be able to respond to that question.

Director Paul Kermoyan referenced Condition 3-C that stipulates that the furnishings are to be of standard height.

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

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

Commissioner Kendall:
- Said that she is in favor of this request generally. It is a good idea.
- Pointed out that it is just outside of the core Downtown Area. There are no other places serving beer and wine in the immediate vicinity.
- Added that there are a limited number of seats within this establishment and that families patronize the location.
- Concluded that adding beer and wine service with pizza is a low risk activity.

Commissioner Rich:
- Said he has similar reactions and is supportive.
- Stated that people often like to have a beer or some wine with their pizza.

Commissioner Hernandez:
- Advised that Jalisco's, which is right next door to this pizza restaurant, has general alcohol sales. She can attest as she has enjoyed a margarita there with her meal in the past.
- Added that her only question is the sufficiency of parking on site especially once Steak n'Shake opens.
- Concluded that she is generally in favor of this request.

Chair Dodd:
- Said that she appreciates the comments provided by Commissioners Kendall and Hernandez.
- Agreed that a possible impact on parking when Steak n'Shake opens is of concern.

Motion: **Upon motion of Commissioner Rich, seconded by Commissioner Kendall, the Planning Commission adopted Resolution No. 4345 approving a Conditional Use Permit (PLN2016-320) and a Modification (PLN2016-321) to a previously-approved Administrative Planned Development Permit (PLN2006-71) to allow beer and wine service ("liquor establishment") in conjunction with an existing restaurant (Sal's Pizza) on property located at 533 E. Campbell Avenue., by the following roll call vote:**

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

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

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

2. **PLN2016-335** Public Hearing to consider a City-initiated Zoning Code Amendment (PLN2016-335) to replace Campbell Municipal Code Section 21.36.200 (Secondary dwelling units) with new Chapter 21.23 (Accessory Dwelling Units) and to amend various other sections of the Campbell Municipal Code to achieve consistency with California Senate Bill 1069 and Assembly Bill 2299 pertaining to the construction of accessory dwelling units. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Tentative City Council Meeting Date: December 6, 2016. Project Planner: Daniel Fama, Senior Planner

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

Director Paul Kermoyan clarified that an internal ADU would not require fire sprinklers. He asked Planner Daniel Fama if they would be needed if there were to be a completely remodeled residence with an internal ADU.

Planner Daniel Fama replied yes.

Commissioner Rich asked if there is a minimum size for the ADU.

Planner Daniel Fama said that it is possible to go smaller than the stated 700 square feet.

Commissioner Rich asked about detached garages that cannot be altered even by adding a second floor.

Planner Daniel Fama replied correct.

Commissioner Young:

- Said that with the relaxed parking requirement it seems that people could end up parked along the street.
- Asked if the sprinkler requirements for ADU's are aligned with Fire Codes?
- Asked why short term rental of ADU's are excluded?

Planner Daniel Fama explained that the intent of this change is to help provide permanent housing stock. A short-term rental is not housing stock.

Commissioner Young asked about reducing the minimum lot size to accommodate ADU's.

Planner Daniel Fama reported that Council considered that issue when the most recent Housing Element was prepared. They considered reducing the lot size from 10,000 to 8,000 square feet. They decided against that proposal.

Director Paul Kermoyan said that the City had previously reduced the minimum lot size from 12,000 to 10,000 square feet when the State changed ADU review processing from a Conditional Use Permit process to a ministerial process through building review and permits.

Commissioner Young asked about the reference to public improvements.

Planner Daniel Fama explained that the legislations intent is that ADU's are not separate dwellings but rather ancillary use on a residential property.

Commissioner Rich asked staff to clarify the minimum lot size. Is it a State requirement or a City requirement?

Planner Daniel Fama said the minimum lot size is a City requirement. Again, it was 12,000 square feet before being reduced to 10,000 square feet minimum lot size in about 2001 when the General Plan was last updated.

Commissioner Kendall verified with staff that this doesn't change building standards.

Planner Daniel Fama assured that SDU's must still meet all Code requirements.

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

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

Commissioner Young:
- Said that with this legislation the State is easing regulatory burdens on ADU's.
- Stated that the findings are aligned.
- Concluded that there is no reason to scrutinize any further.

Commissioner Rich:
- Said that he concurs.
- Concluded that he is in favor "as is".

Commissioner Kendall:
- Agreed.

Motion: **Upon motion of Commissioner Kendall, seconded by Commissioner Rich, the Planning Commission adopted Resolution No. 4346 recommending that the City Council adopt a Zoning Code Amendment (PLN2016-335) to replace Campbell Municipal Code Section 21.36.200 (Secondary dwelling units) with new Chapter 21.23 (Accessory Dwelling Units) and to amend various other sections of the Campbell Municipal Code to achieve consistency with California Senate Bill 1069 and Assembly Bill 2299 pertaining to the construction of accessory dwelling units, by the following roll call vote:**

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

Chair Dodd advised that this item would be considered by the City Council at its meeting on December 6, 2016.

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REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

Director Paul Kermoyan added to his written report as follows:

- Said that he appreciated the Commissioners' flexibility in scheduling this special meeting on a Thursday evening.
- Reported that the next meeting would include five items and a study session on a proposed seven-lot subdivision.

ADJOURNMENT

The Planning Commission meeting adjourned at 8 p.m. to the next Regular Planning Commission Meeting of **November 22, 2016**.

SUBMITTED BY: _____
Corinne Shinn, Recording Secretary

APPROVED BY: _____
Cynthia Dodd, Chair

ATTEST: _____
Paul Kermoyan, Secretary

RESOLUTION NO. 4345

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A CONDITIONAL USE PERMIT (PLN2016-320) AND A MODIFICATION (PLN2016-321) TO A PREVIOUSLY-APPROVED ADMINISTRATIVE PLANNED DEVELOPMENT PERMIT (PLN2006-71) TO ALLOW BEER AND WINE SERVICE ("LIQUOR ESTABLISHMENT") IN CONJUNCTION WITH AN EXISTING RESTAURANT ON PROPERTY LOCATED AT **533 E. CAMPBELL AVENUE** IN THE P-D (PLANNED DEVELOPMENT) ZONING DISTRICT. FILE NO.: PLN2016-320/321

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

The Planning Commission finds as follows with regard to file number PLN20160-320/321:

1. The project site is a 1.4 acre shopping center commonly known as Lloyd Square, located along East Campbell Avenue between Foot and Page Streets, consisting of a 12,600 square-foot building towards the rear and a smaller 5,000 square-foot building at the southwest corner of the site, improved with 86 parking stalls.

2. The project site is also within the boundaries of the East Campbell Avenue Master Plan.

3. The East Campbell Avenue Master Plan specifies that allowable land uses are the same as those allowed within the Historic Downtown core (i.e., within the C-3 Zoning District), with a specific emphasis on retail and restaurants on the ground floor:

   > In general, the vision for this Plan area shall be ground floor retail/restaurant, with upper floor residential/office. It is expected that a variety of ground floor retail businesses and eating establishments shall be maintained to achieve a balanced and distinctive pedestrian-oriented experience, without an overconcentration of any one type of use. [Pg. 30]

4. The Proposed Project is an application for a Conditional Use Permit (PLN2016-320) and a Modification (PLN2016-321) to a previously-approved Administrative Planned Development Permit (PLN2006-71) to allow beer and wine service ("liquor establishment") in conjunction with an existing restaurant.

5. Pursuant to the East Campbell Avenue Master Plan, a restaurant is an allowable land use subject to approval of an Administrative Planned Development Permit, except that alcohol service shall require approval of a Conditional Use permit

6. The approval of a Conditional Use Permit incorporates applicable operational standards of the Downtown Alcohol Beverage Policy.

7. Alcohol beverage service in the restaurant shall be ancillary and subordinate to the primary purpose of serving food.

8. Policies found within the Campbell General Plan and Downtown Campbell Development Plan articulate a desire to promote and enhance a downtown environment that provides a desirable balance of land uses including shopping,

services, and entertainment. This vision is evidenced in policies that encourage a mix of day and evening activities, a distinctive retail presence, a diversity of eating establishments, support for neighborhood-serving businesses, and protection of surrounding residential neighborhoods.

9. The over-concentration of late night alcohol serving establishments within a compact downtown district can create a cumulative impact that overwhelms the area creating an undesirable result such as drunk in public, vandalism, and disorderly conduct.

10. Alcohol beverage service in the restaurant shall be ancillary and subordinate to the primary purpose of serving food.

11. A public closing time of 10:00 PM for the restaurant is appropriate to ensure that alcohol service remains ancillary to food service and therefore would not result in an overconcentration of alcohol-serving (liquor) establishments.

Based upon the foregoing findings of fact, the City Council further finds and concludes that:

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

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

3. The proposed site is adequate in terms of size and shape to accommodate the fences and walls, landscaping, parking and loading facilities, yards, and other development features required in order to integrate the use with uses in the surrounding area;

4. The proposed site is adequately served by streets of sufficient capacity to carry the kind and quantity of traffic the use would be expected to generate;

5. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses on-site and in the vicinity of the subject property;

6. The establishment, maintenance, or operation of the proposed use at the location proposed will not be detrimental to the comfort, health, morals, peace, safety, or general welfare of persons residing or working in the neighborhood of the proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city;

7. The establishment will be consistent with the Campbell Downtown Alcohol Policy;

8. As conditioned, the establishment will not result in an over-concentration of these uses in the surrounding area;

9. As conditioned, the establishment will not create a nuisance due to litter, noise, traffic, vandalism, or other factors;

10. As conditioned, the establishment will not significantly disturb the peace and enjoyment of the nearby residential neighborhood;

11. As conditioned, the establishment will not significantly increase the demand on city services;

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

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

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

15. The project is Categorically Exempt under Section 15060(c)(2) of the California Environment Quality Act (CEQA), pertaining to activities that will not result in a direct or reasonably foreseeable indirect physical change to the environment.

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Conditional Use Permit (PLN2016-320) and a Modification (PLN2016-321) to a previously-approved Administrative Planned Development Permit (PLN2006-71) to allow beer and wine service ("liquor establishment") in conjunction with an existing restaurant , subject to the attached Conditions of Approval (attached **Exhibit A**).

PASSED AND ADOPTED this 17th day of November, 2016, by the following roll call vote:

AYES: Commissioners: Dodd, Hernandez, Young, Rich and Kendall
NOES: Commissioners:
ABSENT: Commissioners: Reynolds
ABSTAIN: Commissioners:

APPROVED: _____
Cynthia Dodd, Chair

ATTEST: _____
Paul Kermoyan, Secretary

Exhibit A

CONDITIONS OF APPROVAL
Conditional Use Permit (PLN2016-320/321)

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

COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division

1. Approved Project: Approval is granted for a Conditional Use Permit (PLN2016-320) and a Modification (PLN2016-321) to a previously-approved Administrative Planned Development Permit (PLN2006-71) to allow beer and wine service ("liquor establishment") in conjunction with an existing restaurant on property located at **533 E. Campbell Avenue**. The project shall substantially conform to the project plans and revised project description stamped as received by the Planning Division on October 6, 2016, respectively, except as may be modified by the conditions of approval contained herein.

1. Approval Expiration: The Approval granted herein shall be valid for one year from the effective date of Planning Commission action. Within this one-year period a Type 41 (On-Sale Beer and Wine for Bona Fide Public Eating Place) license from the Department of Alcoholic Beverage Control (ABC) must be secured. Failure to meet this deadline will result in the Approval being rendered void. Once established, this Approval shall be valid in perpetuity on the property, subject to continued maintenance of the Type 41 License. Discontinuation of alcohol service for a continuous period of twelve months, as evidenced by surrender or revocation of the ABC license, shall void the Approval. If this Approval expires or is voided, operation of the restaurant shall revert back to the original Administrative Planned Development Permit (PLN2006-171) as approved by the Community Development Director on January 2, 2007.

2. Previous Conditions of Approval: Upon the effective date of this Approval, the previously approved Conditions of Approval provided in Community Development Director's January 2, 2007 approval of an Administrative Planned Development Permit (PLN2006-171) shall be void and shall permanently be superseded in their entirety by the Conditions of Approval specified herein, except as noted by Condition No. 2.

3. Operational Standards: Consistent with Downtown Alcohol Beverage Policy and other City standards, any restaurant operating pursuant to the Conditional Use Permit approved herein shall conform to the following operational standards.

    a. **Restaurant Seating/Patron Occupancy**: Total indoor patron occupancy shall be limited to 39 seated persons, subject to the maximum occupancy capacities of certain rooms as determined by the California Building Code (CBC). At no time shall there be more than 39 patrons within the establishment, excluding

those waiting for service. It is the responsibility of the business owner to provide adequate entrance controls to ensure that patron occupancy is not exceeded. Maximum Occupancy signs shall be posted conspicuously within the premises.

b. **Bar Area Seating**: No bar area, as defined by the Campbell Municipal Code, is permitted in association with the restaurant.

c. **Floor Plan**: All chairs and tables shall consistent of standard-height furniture (i.e., not "high-top"). All tables and chairs shall be placed in such a manner to allow sufficient area for dining and shall not be stacked or removed from the dining area or placed outside. At no time shall the seating be reconfigured to created large open spaces for patrons to congregate, dance, drink, or socialize.

d. **Hours of Operation**: Hours of operation shall be as follows. By the end of 'Business Hours' all patrons shall have exited the restaurant. By the end of the 'Operational Hours' all employees shall be off the premises.

- Business Hours 10:00 AM – 10:00 PM, Sunday – Saturday
- Operational Hours 8:00 AM – 11:00 PM, Sunday – Saturday

e. **Food Service**: Full menu food service shall be provided at all times during the Business Hours (i.e., the kitchen shall not be closed).

f. **Live Entertainment**: No live entertainment is permitted as part of this Approval, including live music, disc jockey, karaoke, and dancing. Future requests for live entertainment shall require approval by the Planning Commission.

g. **Alcohol Beverage Service**: Alcohol beverage service shall only be allowed in conjunction with food service.

h. **Outdoor Seating**: Outdoor seating is not permitted by this Approval.

i. **Loitering**: There shall be no loitering allowed outside the business. The business owner is responsible for monitoring the premises to prevent loitering.

j. **Noise**: Unreasonable levels of noise, sounds and/or voices, including but not limited to amplified sounds, loud speakers, sounds from audio sound systems, music, and/or public address system, generated by the establishment shall not be audible to a person of normal hearing capacity from any residential property. In the event verified complaints are received by the City regarding such unreasonable noise, the Community Development Director may immediately modify the business hours/hours of operation, subject to the project being brought back to the Planning Commission for review.

k. **Smoking**: “No Smoking” signs shall be posted on the premises in compliance with CMC 6.11.060.

l. **Trash & Clean Up**: All trash, normal clean up, carpet cleaning, etc. shall occur during the approved 'Operational Hours'. Refuse and recycling receptacles shall be kept within the enclosure except during collection in compliance with Chapter 6.04 of the Campbell Municipal Code.

m. **Liquor License:** The applicant shall obtain and maintain in good standing a Type 41 (On-Sale Beer and Wine for Bona Fide Public Eating Place) license from the State Department of Alcoholic Beverage Control for the sale of beer and wine beverages in conjunction and restaurant. The license shall include the Business Hour restrictions consistent with the Conditional Use Permit approved herein. A copy of the issued license shall be provided to the Community Development Department prior to issuance of a Business License.

n. **Employee Training**: The establishment shall use an employee training manual that addresses alcoholic beverage service consistent with the standards of the California Restaurant Association and the Department of Alcoholic Beverage Control.

o. **Designated Driver Program**: The establishment shall maintain and actively promote a designated driver program (e.g., complimentary non-alcoholic beverages for designated drivers), including posting in a conspicuous place contact information for local designated driver services.

p. **Taxicab Service**: The establishment shall post in a conspicuous place the telephone numbers of local taxicab services.

q. **Outdoor Activity**: Other than outdoor seating as permitted by an Outdoor Seating Permit, no outdoor activity (e.g., cooking) is permitted in association with the establishment.

4. Revocation of Permit: Operation of the restaurant with beer and wine service pursuant to the Approval granted herein is subject to Sections 21.68.020, 21.68.030 and 21.68.040 of the Campbell Municipal Code authorizing the appropriate decision making body to modify or revoke a land use permit if it is determined that the sale of alcohol has become a nuisance to the City's public health, safety or welfare or for violation of the Conditional Use Permit or any standards, codes, or ordinances of the City of Campbell.

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

a. The number and types of Police Department calls for service at or near the establishment that are reasonably determined to be a direct result of patrons actions;

b. The number of complaints received from residents, business owners and other citizens concerning the operation of an establishment,

c. The number of arrests for alcohol, drug, disturbing the peace, fighting and public nuisance violations associated with an establishment;

d. The number and kinds of complaints received from the State Alcoholic Beverage Control office and the County Health Department; and

e. Violation of conditions of approval.

RESOLUTION NO. 4346

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE (ZONING CODE AMENDMENT) REPLACING CAMPBELL MUNICIPAL CODE SECTION 21.36.200 (SECONDARY DWELLING UNITS) WITH NEW CHAPTER 21.23 (ACCESSORY DWELLING UNITS) AND AMENDING VARIOUS OTHER SECTIONS OF THE CAMPBELL MUNICIPAL CODE TO ACHIEVE CONSISTENCY WITH CALIFORNIA SENATE BILL 1069 (WEICKOWSKI) AND ASSEMBLY BILL 2299 (BLOOM) PERTAINING TO THE CONSTRUCTION OF ACCESSORY DWELLING UNITS. FILE NO. PLN2016-335

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

The Planning Commission finds as follows with regard to file number PLN2016-335:

1. The project consists of a Zoning Code Amendment to replace Campbell Municipal Code Section 21.36.200 (Secondary dwelling units) with new Chapter 21.23 (Accessory Dwelling Units) and to amend various other sections of the Campbell Municipal Code to achieve consistency with California Senate Bill 1069 and Assembly Bill 2299 pertaining to the construction of accessory dwelling units

2. The proposed Zoning Code Amendment would be consistent with the General Plan in that it will allow the continued creation of accessory dwelling units consistent with Program H-5.3a of the Housing Element:

   Program H-5.3a: **Secondary Dwelling Units**: Provide for the infill of modestly priced rental housing by encouraging secondary units in residential neighborhoods.

   Program H-5.3a: Secondary Dwelling Units: A secondary dwelling unit is a separate dwelling unit that provides complete, independent living facilities for one or more persons. It includes permanent provisions for living, sleeping, cooking, eating, and sanitation on the same parcel as the primary unit is situated. Given the limited developable land remaining in Campbell, integrating secondary dwelling units in existing residential neighborhoods presents an opportunity for the City to accommodate needed rental housing. The development of secondary dwelling units is effective in dispersing affordable housing throughout the City and can provide housing to lower-income persons, including seniors and college students. Approximately 1,000 single-family parcels in Campbell are of sufficient size to add a secondary dwelling unit.

   Implementation Objective: The City will facilitate the construction of new secondary dwelling units by making information available to the public.

3. The legislature of the State of California has, in Government Code Sections 65302, 65560 and 65800, conferred upon local government units authority to adopt regulations designed to promote the public health, safety and general welfare of its citizenry;

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

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

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

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

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

4. Adoption of the proposed amendment, which is intended to modify existing local regulatory requirements to be consistent with State law, is exempt from the California Environmental Quality Act (CEQA) pursuant to Guideline Section 15061(b)(3) in that construction of accessory dwelling units on presently developed properties within the community has no potential to cause a significant effect on the environment.

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

PASSED AND ADOPTED this 17th day of November, 2016, by the following roll call vote:

AYES: Commissioners: Dodd, Hernandez, Young, Rich and Kendall
NOES: Commissioners:
ABSENT: Commissioners: Reynolds
ABSTAIN: Commissioners:

APPROVED: _____
Cynthia Dodd, Chair

ATTEST: _____
Paul Kermoyan, Secretary

Ordinance No. _____

BEING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAMPBELL REPLACING CAMPBELL MUNICIPAL CODE SECTION 21.36.200 (SECONDARY DWELLING UNITS) WITH NEW CHAPTER 21.23 (ACCESSORY DWELLING UNITS) AND AMENDING VARIOUS OTHER SECTIONS OF THE CAMPBELL MUNICIPAL CODE TO ACHIEVE CONSISTENCY WITH CALIFORNIA SENATE BILL 1069 (WEICKOWSKI) AND ASSEMBLY BILL 2299 (BLOOM) PERTAINING TO THE CONSTRUCTION OF ACCESSORY DWELLING UNITS. FILE NO. PLN2016-335

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

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

SECTION 1. The City Council finds and determines that the adoption of this ordinance, which is intended to modify existing local regulatory requirements to be consistent with State law, is exempt from the California Environmental Quality Act (CEQA) pursuant to Guideline Section 15061(b)(3) in that construction of accessory dwelling units on presently developed properties within the community has no potential to cause a significant effect on the environment.

SECTION 2. The City Council further finds and determines that the proposed ordinance is consistent with the goals, policies, and actions of the General Plan; would not be detrimental to the public interest, health, safety, convenience, or general welfare of the city; and is internally consistent with other applicable provisions of the Campbell Municipal Code.

SECTION 3. The City Council further finds and determines that adoption of this ordinance is consistent with the mandatory provisions of Senate Bill 1069 (Wieckowski) and Assembly Bill 2299 (Bloom), while maintaining locally appropriate standards for the construction and occupancy of accessory dwelling units.

SECTION 4. The City Council further finds and determines that the purpose of permitting accessory dwelling units is to allow more efficient use of the City's existing housing stock and to provide the opportunity for the development of small rental housing units designed to meet the special long-term housing needs of individuals and families, while preserving the integrity of single-family neighborhoods.

SECTION 5. <u>Deletion of Current Secondary Dwelling Unit Provisions</u>: Campbell Municipal Code Section 21.36.200 (Secondary dwelling units) is hereby deleted in its entirety from the Campbell Municipal Code.

SECTION 6. <u>Adopting of Accessory Dwelling Unit Chapter</u>: New Chapter 21.23 (Accessory Dwelling Units) is hereby added to Article 3 (Development and Operational Standards) of Title 21 (Zoning Code) of the Campbell Municipal Code:

CHAPTER 21.23 (ACCESSORY DWELLING UNITS)

21.23.010 - Purpose

This Chapter provides for the establishment of accessory dwelling units in compliance with Article 2 (Zoning Districts). The purpose of permitting accessory dwelling units is to allow more efficient use of the City's existing housing stock and to provide the opportunity for the development of small rental housing units designed to meet the special long-term housing needs of individuals and families, while preserving the integrity of single-family neighborhoods.

21.23.020 - Definitions

In addition to the terms defined by Article 6 (Definitions), the following terms shall have the following meanings as used in this Chapter:

"Accessory dwelling unit" means a dwelling unit ancillary to a primary dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, laundry, and sanitation on the same parcel as the primary dwelling unit is situated. An accessory dwelling unit also includes an efficiency unit, as defined in Section 17958.1 of the Health and Safety Code, and a manufactured home, as defined in Section 18007 of the Health and Safety Code.

"Attached accessory dwelling unit" means an accessory dwelling unit that is constructed as a physical expansion (i.e., addition) of a primary dwelling unit, and also includes an existing garage attached to a primary dwelling unit that is legally converted (fully or partially) to an accessory dwelling unit and construction of a new basement underneath a primary dwelling unit to accommodate an accessory dwelling unit.

"Detached accessory dwelling unit" means an accessory dwelling unit that is constructed as a separate structure from the primary dwelling unit, and also includes an existing garage detached from the primary dwelling unit that is legally converted (fully or partially) to an accessory dwelling unit.

"Interior accessory dwelling unit" means an accessory dwelling unit that is legally created entirely within the existing living area of a primary dwelling unit, including within an existing basement.

"Complete building permit application" means an application for a building permit that has been cleared for issuance by all reviewing departments and which the Building Official has determined may be issued to an appropriate individual upon payment of the necessary fees.

"Existing garage" means a legally constructed attached or detached garage that is in existence and/or granted a certificate of occupancy prior to January 1, 2017.

"Existing living area" means the legally constructed living area of a primary dwelling unit that is in existence and/or granted a certificate of occupancy prior to January 1, 2017.

"Living area" means the interior habitable floor area of a dwelling unit, including conditioned basements and attics, but not garages or other accessory structures, as measured to the outside surface of exterior walls.

"Flooorspace" means the gross floor area of a detached accessory dwelling unit as measured to the outside surface of exterior walls, including its living area, basement area whether conditioned or unconditioned, and any garage or other enclosed accessory structure attached to the detached accessory dwelling unit.

"Passageway" means a pathway that is unobstructed to the sky and extends from a street to the entrance of an accessory dwelling unit.

"Public transit" means one of the existing light rail passenger terminals located within the City of Campbell (i.e., Hamilton Station, Downtown Campbell Station, and Winchester Station).

21.23.030 - Minimum Standards for Eligibility

An accessory dwelling unit may only be constructed on parcels satisfying the following minimum standards:

A. Zoning district. A parcel located within an R-1 (Single-Family Residential) Zoning District.

B. Existing primary dwelling unit. A parcel that is presently developed with one primary dwelling unit. An accessory dwelling unit may not be constructed on a parcel without a primary dwelling unit or which is developed with more than one primary dwelling unit.

C. Minimum lot size. A parcel with a net lot area of 10,000 square feet or greater, inclusive of any public or private easements except for easements that establish a private street, subject to the living area or floorspace limitations specified by Table 3-1(a). The community development director may require preparation of a survey to verify the parcel size.

Table 3-1(a) – Minimum Lot Size by Living Area or Floorspace

Minimum Net Lot Area	Maximum Floorspace or Living Area
10,000-10,999 sq. ft.	700 sq. ft.
11,000-11,999 sq. ft.	800 sq. ft.
12,000-12,999 sq. ft.	900 sq. ft.
13,000-13,999 sq. ft.	1,000 sq. ft.

14,000-14,999 sq. ft.	1,100 sq. ft.
15,000 sq. ft. or greater	1,200 sq. ft.

D. Compliant parking. A parcel that is presently developed with the minimum number of parking spaces required for a primary dwelling unit (1 covered and 1 uncovered) or which will be developed with the required number parking spaces in conjunction with the creation of an accessory dwelling unit.

21.23.040 - Development Standards

An accessory dwelling unit may only be constructed in accordance with the following development standards:

A. General requirements. Except as otherwise specified by this Chapter, all accessory dwelling units shall satisfy the requirements applicable to a primary dwelling unit, including required yards, building height, distance between buildings, setbacks, floor area ratio, and lot coverage standards, as specified by the zoning district and/or area or neighborhood plan in which the parcel is located, as well as all applicable general performance, site development, landscaping, and parking standards (including those specified by Section 21.23.040.H). The requirements for accessory structures found in Section 21.36.020 (Accessory structures) do not apply to accessory dwelling units.

B. Existing garages. An existing garage that is fully (not partially) converted to an accessory dwelling unit is subject to all provisions of this Chapter except that no additional setback from property lines or to other existing structures shall be required, provided that the existing garage is not expanded. Any expansion of the structure shall comply with applicable setback requirements and shall not be permitted to exercise the setback exception for non-conforming structures provided for in Section 21.58.050.F (Exceptions).

C. Maximum size. The maximum floorspace for a detached accessory dwelling unit and the maximum living area for an attached or interior accessory dwelling unit shall be as specified in Section 21.21.030.C, Table 3-1(a), except that in no case shall the living area for an attached or interior accessory dwelling unit exceed fifty percent of the existing living area of the primary dwelling unit.

D. Maximum height and stories. A detached accessory dwelling unit shall be a maximum of fourteen feet in height and not exceed one story. An attached or interior accessory dwelling unit shall be limited to the ground floor or the basement of the primary dwelling unit.

E. Allowable rooms. Accessory dwelling units shall include no more than two bedrooms and two bathrooms. In no case shall an accessory dwelling unit include more than one kitchen.

F. Design. A detached accessory dwelling unit shall be constructed to incorporate the same or similar building materials and colors as the primary dwelling unit, except for manufactured homes which shall be required to incorporate only the same or similar building colors as the primary dwelling unit. Attached or interior accessory dwelling units shall maintain the appearance of the primary dwelling unit as that of a single-family dwelling. Garages that are converted to accessory dwelling units shall include removal of garage doors which shall be replaced with architectural features, including walls, doors, windows, trim and accent details that remove any appearance that the structure was originally a garage.

G. Entrances. An accessory dwelling unit shall include separate exterior access from the primary dwelling unit and may include an interior connection. However, the front door of an accessory dwelling unit shall not be oriented towards a public street. A passageway from the accessory dwelling unit to a public street may be created, but shall not be required by the City.

H. Parking. Off-street parking for accessory dwelling units, in addition to those parking spaces required for the primary dwelling unit (1 covered space and 1 uncovered space), shall be provided in compliance with the following provisions.

1. Number of parking spaces required.

    a. No additional parking shall be required for interior accessory dwelling units.

    b. Attached and detached accessory dwelling units shall provide one parking space (covered or uncovered) per bedroom provided that any existing parking spaces that are removed by conversion of an existing garage shall be replaced concurrently with creation of the accessory dwelling unit.

2. Parking configuration. Required and replacement covered parking spaces created by construction of a carport or garage and replacement uncovered spaces shall comply with all applicable development standards. Uncovered parking spaces required for an accessory dwelling unit may encroach into a required front-yard or street-side yard setback within an existing driveway that satisfies the minimum stall dimensions for a residential parking space, unless such a configuration is determined not to be feasible based upon fire and/or life safety conditions present on the property. Such a determination may be appealed as an interpretation of this Code in compliance with Section 21.02.030 (Procedures for interpretations).

3. Demolition of an existing garage. When an existing garage (or carport) is demolished in conjunction with the construction of an accessory dwelling unit, any required parking spaces contained within the garage (or carport)

shall be replaced concurrently with creation of the accessory dwelling unit. The replacement spaces shall comply with all applicable development standards except that the replacement spaces may be located in any configuration on the parcel, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts.

4. Exception to parking requirement. The parking requirement for an attached and detached accessory dwelling unit shall not apply in the following instances, which shall allow creation of an attached or detached accessory dwelling unit without provision of additional parking.

    a. The accessory dwelling unit is located on a parcel within a traversable distance of one-half mile of public transit.

    b. The accessory dwelling unit is located on a parcel within a designated historic district.

    c. The accessory dwelling unit is located within the boundaries of a permanent residential parking permit program, and where the City does not offer parking permits to the occupant(s) of the accessory dwelling unit.

    d. The accessory dwelling unit is located on a parcel within one block of a City-licensed car-share vehicle (as defined by the California Vehicle Code).

21.23.050 – General Requirements and Restrictions

The following requirements and restrictions apply to all existing and new accessory dwelling units:

A. Rentals. No more than one dwelling unit on the parcel, either the accessory dwelling unit or the primary dwelling unit, shall be leased or otherwise rented. Leases for durations of less than thirty (30) days, including short-term rentals (as defined by the California Government Code) are prohibited. The community development director shall require recordation of a deed restriction documenting these restrictions.

B. Subdivision and sales. No subdivision of land or air rights shall be allowed, including creation of a stock cooperative or similar common interest ownership arrangement.

C. Park impact fee. A fee in-lieu of parkland dedication land shall be paid in compliance with Chapter 13.08 (Park Impact Fees).

D. Building code. Accessory dwelling units shall comply with all applicable Building and Fire Codes as appropriate, except that the Building Official shall not require installation of fire sprinklers for an interior accessory dwelling unit if they would otherwise not be required for the primary dwelling unit, except if the creation of the accessory dwelling unit would result in creation of a "new dwelling using portions of the original structure" pursuant to Chapter 18.32 (Determination of scope of work).

E. Utilities. The Building Official shall coordinate with local utility agencies to ensure that accessory dwelling units are not considered new residential uses for the purpose of calculating local agency connection fees or capacity charges for utilities, including water and sewer services.

21.23.060 – Approval Process

The City shall issue a building permit for an accessory dwelling unit that is consistent with the provisions of this Chapter, as determined by issuance of a Zoning Clearance, within one hundred and twenty (120) days of submittal of a complete building permit application. However, physical expansion (i.e., addition) or exterior alteration to an existing primary dwelling unit located on a parcel that is subject to design review pursuant to Chapter 21.42 (Site and architectural review) or Chapter 21.33 (Historic preservation) shall first receive approval of the appropriate land use permit prior to a submittal of a building permit application for an accessory dwelling unit.

SECTION 7. Utility Meters: Campbell Municipal Code Section 18.20.030 (Utility meters) is amended to read as follows with underlining indicating new text and strikeouts (~~strikeout~~) indicating deleted text:

18.20.030 - Utility meters.

No parcel or lot located in an R-1 zoning district shall have more than one utility meter for each utility servicing the parcel or lot.

Exception: When necessary for installation of residential photo-voltaic battery storage systems, an additional utility electrical meter is allowed. This meter shall be used only in conjunction with a photo-voltaic system and shall not be used for providing power to an accessory dwelling unit ~~Secondary Dwelling Units~~.

SECTION 8. Accessory Structures: Campbell Municipal Code Section 21.36.020.A (Living quarters prohibited) is amended to read as follows with underlining indicating new text and strikeouts (~~strikeout~~) indicating deleted text:

A. Living quarters prohibited. An accessory structure shall not include sleeping quarters or a kitchen. The number of allowed plumbing fixtures shall be limited to two fixtures and may only include a toilet, sink, hot water heater or washing machine connection. Enclosed workshops with separate entrances are not allowed. Workshops with partial

bathrooms must be open to the rest of the structure by at least a six-foot opening. The community development director may require the recordation of a deed restriction stating that the structure will not be used as a dwelling unit. An accessory ~~living~~ dwelling unit may be approved in compliance with Chapter 21.23 (Accessory Dwelling Units) ~~Section 21.36.200 (Secondary Dwelling Units).~~

SECTION 9. Utility Undergrounding: Campbell Municipal Code Section 21.18.140.B.1.e is amended to read as follows with underlining indicating new text and strikeouts (~~strikeout~~) indicating deleted text:

e. An addition to an existing single-family dwelling that within a five-year period adds and/or replaces fifty percent or more to the dwelling's gross floor area except when located along a residential collector street. Existing and/or new detached garages, ~~secondary~~ accessory dwelling units, and other fully enclosed accessory structures shall be considered in this section; and

SECTION 10. R-1 Zoning District Permitted Uses: Campbell Municipal Code Section 21.08.030.B (Permitted uses in R-1 (Single-family) zoning district) is amended to read as follows with underlining indicating new text and strikeouts (~~strikeout~~) indicating deleted text:

B. Permitted uses in R-1 (Single-family) zoning district. The following uses are permitted with a zoning clearance in compliance with Chapter 21.40 (Zoning Clearances):

1. Accessory structures;

~~1.~~2. Accessory dwelling units;

~~2.~~3. Family child day care homes, small;

~~3.~~4. Garage/yard sales, private;

~~4.~~5. Groundwater recharge facilities;

~~5.~~6. Hobby car restoration;

~~6.~~7. Home occupations;

~~7.~~8. Manufactured housing (subject to architectural requirements within the parameters of State Law);

~~8.~~9. Parks, public;

~~9.~~10. Residential care homes, small;

~~10.~~11. Residential service facilities, small;

~~11.~~12. Satellite television or personal internet broadband dishes/antenna (less than three feet in diameter);

~~12.~~13. Schools - K-12, public;

~~13. Secondary dwelling units;~~

14. Single-family dwellings;
15. Supportive housing;
16. Transitional housing.

SECTION 11. Parking Requirements by Land Use (Table 3-1), Deletion of Secondary Dwelling Unit Requirement: Campbell Municipal Code Section 21.28.040, Table 3-1 (Parking Requirement by Land Use) is amended to read as follows with underlining indicating new text and strikeouts (~~strikeout~~) indicating deleted text, with the remainder of the table remaining unchanged, except as amended by Section 12:

~~Secondary dwelling units (including c~~Caretaker and employee housing~~)~~	2 spaces per unit, 1 of which must be covered.

SECTION 12. Parking Requirements by Land Use (Table 3-1), Addition of Accessory Dwelling Unit Requirement: Campbell Municipal Code Section 21.28.040, Table 3-1 (Parking Requirement by Land Use) is amended to insert the following row for "Accessory Dwelling Unit" before the row for "Child day care homes, large," with underlining indicating new text, with the remainder of the table remaining unchanged, except as amended by Section 11:

Accessory dwelling units	As specified by Section 21.23.040.H (Parking)

SECTION 13. Secondary Dwelling Unit Definition: Subsection S (DEFINITIONS, "S.") of Campbell Municipal Code Section 21.72.020 (Definitions of specialized terms and phrases) is amended to delete the definition of "secondary dwelling unit".

SECTION 14. Exception to Street Improvement Requirement: Campbell Municipal Code section 11.24.180.D is amended to read as follows with underlining indicating new text and strikeouts (~~strikeout~~) indicating deleted text:

E. Additions, alterations or repairs to any existing residential structure, including construction of an accessory dwelling unit, within a five-year period that add less than fifty percent of the size, measured in square feet, to the existing structural coverage shall be exempt from the requirement of this chapter to install street improvements unless the contemplated additions and use of the property in question will result in an immediate danger to the public safety, as determined by the city engineer.

SECTION 14: This Ordinance shall become effective thirty (30) days following its passage and adoption and shall be published, one time within fifteen (15) days upon passage and adoption in the Campbell Express, a newspaper of general circulation in the City of Campbell, County of Santa Clara.

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

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

APPROVED:

_____
Jason T. Baker, Mayor

ATTEST:

_____
Wendy Wood, City Clerk

CITY OF CAMPBELL · PLANNING COMMISSION
Staff Report · November 22, 2016

PLN2016-310
Paydar, M.

Note and File a Tree Removal Permit (PLN2016-310) approved for 180 Redding Road.

STAFF RECOMMENDATION

That the Planning Commission take the following action:

1. **Note and File** a copy of a Tree Removal Permit approved by the Community Development Director.

DISCUSSION

Purpose of Consent Calendar: A consent calendar generally groups several routine, noncontroversial, and/or informational items together to be voted on as one motion, rather than calling for multiple separate votes. The purpose of consent agendas is to help boards manage time so that they can focus on the most important matters.

Background: On June 7, 2016, the City Council approved a five-unit development at 180 Redding Road, and associated Tree Removal (PLN2015-310) which allowed for the removal of all but four oak trees (#1, #10, #11 & #12). The preservation of Tree #11 and Tree #12 had been a focus of discussion at both the Planning Commission and City Council meetings as a result of neighborhood interest in their preservation. While the developer initially sought the removal of both trees, citing conflict with the building foundations, when the rear setback of Unit 5 was increased from 5-feet to 10-feet, the preservation of Tree #11 was incorrectly assumed possible. When staking the building foundations, it became apparent that while Trees #1, #10, and #12 could be preserved, Tree #11 was still too close to the foundation of Unit 5. As such, the developer filed a Tree Removal Permit. The Community Development Director understood the controversy associated with the tree removal and felt the appropriate compromise was to approve the request on the condition that:

1. The applicant replace the removed tree with two (2) 24-inch box trees or one (1) 36-inch box tree, measuring ten-feet tall (where one 24-inch box tree is typically required).

2. Allow the Planning Commission the opportunity to opine on the permit request and place additional conditions if they feel necessary (**Attachment 1**).

'Note and File' as an Action: As a consent item, the Planning Commission action on this item would serve to simply be informed of a decision made by the Community Development Director. Should the Planning Commission want to pull the item from consent for discussion, they may do so at their discretion, and request the item to be placed on the public hearing agenda for reconsideration or to change conditions of approval.

Prepared by: _____

Stephen Rose, Associate Planner

Approved by: _____

Paul Kermoyan, Community Development Director

Attachments:

1. Approved Tree Removal Permit (PLN2016-310)

CITY OF CAMPBELL
Community Development Department

November 17, 2016

Mike Paydar
Access Development Group
Campbell, CA 95008

Re: **File No**: PLN2016-310
Address: 180 Redding Road
Application: Tree Removal Permit – Live Oak

Dear Mr. Paydar,

The Campbell Planning Division has completed review of your Tree Removal Permit application (PLN2016-310) for removal of one (1) oak tree located near the southwest corner of the subject property.

Pursuant to Campbell Municipal Code Sec. 21.32.080 (Campbell Tree Protection Ordinance), the Community Development Director may only approve a Tree Removal Permit after making at least one of the following findings:

1. Diseased or Danger of Falling - The tree or trees are diseased or presents a danger of falling that cannot be controlled or remedied through reasonable preservation and/or preventative procedures and practices such that the public health or safety requires its removal.

2. Structure Damage - The tree or trees can have caused or may imminently cause significant damage to the existing main structure(s) that cannot be controlled or remedied through reasonable modification of the tree's root or branch structure.

3. Utility Interference - The tree or trees have interfered with utility services where such interference cannot be controlled or remedied through reasonable modification/relocation of the utilities or reasonable modification of the tree's root or branch structure.

4. Overplanting - The tree(s) is crowding other protected tree(s) to the extent that removal is necessary to ensure the long-term viability of adjacent tree(s).

5. Economic Enjoyment and Hardship - The retention of the tree(s) restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly zoned and situated properties, and the applicant has demonstrated to the satisfaction of the approval authority that there are no reasonable alternatives to preserve the tree(s). A minor reduction of the potential number of residential units or building size due to the tree location does not represent a severe limit of the economic enjoyment of the property.

70 North First Street • Campbell, CA 95008-1423 • TEL (408) 866-2140 • FAX (408) 866-5140 • E-MAIL planning@cityofcampbell.com

The stated reason for removal is that the tree is 'diseased' and 'due to poor structure placing the tree in danger of falling' and 'that the foundation is too close to the tree'.

Based upon a review of the application materials and an inspection of the tree, the Community Development Director has approved removal of the tree because of its poor structure and danger of falling (satisfying Finding No. 1) and potential to cause damage to a primary building foundation (satisfying Finding No. 2).

PUBLIC COMMENT

The application was noticed to all property owners within a 300-foot radius. Staff received an email from a neighbor expressing an interest in preserving the tree, and if approved for removal, requiring that the developer be required to provide more trees, landscaping, or fencing (fencing was the least preferred option) to address potential privacy impacts. Further, the neighbor indicated that as roots of the tree are touching the foundation of their house (reference **Attachment 2**), and that the removal of the tree would leave these roots, which could attract termites. As such, the neighbor suggested that if the tree is removed, that the developer should be required to remove the roots as well and coordinate with offsite property owners as appropriate. These comments have been taken into consideration in the decision and reflected as part of the conditions of approval as appropriate[1].

APPROVAL

The Tree Removal Permit has been approved subject to the following Conditions of Approval:

1. Revised Landscaping Plan: The applicant shall be required to provide a revised landscaping plan, to be documented as part of the previously approved Planned Development Permit (PLN2015-305; adopted by City Council Resolution No. 11993), to reflect the removal of Tree #11, and indicate the planting of (2) 24-inch box trees (or one 36-inch box tree) as replacement plantings. The tree(s) shall be noted as at least 10-feet tall at time of planting, and generally placed in the same location as the original tree, except that the replacement tree(s) may be planted closer to the fence (south). The replacement trees shall be planted within 30 days of the effective date of this approval, unless accepted arboricultural practices dictate a preferential planting period for the species chosen as the replacement tree. Compliance with this Condition of Approval shall be to the satisfaction of the Director of Community Development.

2. Root Barriers: Root barriers shall be required between the tree and building foundation to ensure that replacement planting(s) do not compromise the foundation of the home. This condition shall not be required if it can be adequately demonstrated, to the satisfaction of the Director of Community Development, that such a barrier is not required based on the tree species selected.

3. Tree, Stump and Root Removal: The applicant shall remove the whole tree, stump, and root structure of the tree to the extent feasible. The applicant shall coordinate the

[1] The fence was recently rebuilt and appears to be 8-feet tall (6-feet, with 2-feet of lattice); as such, no change to the fence was required.

removal of roots associated with the tree which occur offsite, where such an interest is expressed.

4. Planning Commission Review: This item shall be placed on the November 22, 2016 Planning Commission meeting. The Commission may pull the item for discussion and, at their discretion, request the item to be scheduled for a public hearing to modify or impose additional conditions of approval.

This decision including the above condition of approval is final in 10 calendar days of the Community Development Director's decision, unless the Planning Commission requests the item to be scheduled for a public hearing and/or an appeal is received in writing at the City of Campbell Community Development Department, 70 North First Street, Campbell, on or before December 2, 2016. A written appeal must be accompanied by the required $200 appeal filing fee. If an appeal is received, you will be notified of its receipt. **If the Planning Commission does not request a public hearing for the item and no appeal is received you may remove the approved tree after the close of the 10-day appeal period.**

If you have any questions regarding this letter, please contact me by phone at (408) 866-2142 or by email at stephenr@cityofcampbell.com.

Sincerely,

Stephen Rose
Associate Planner

encl: Attachment 1 - Arborist Report, dated October 21, 2016
Attachment 2 - Photos of Tree Roots at Foundation of Neighboring Property

cc: Paul Kermoyan, Community Development Director

October 21, 2016

Mike Paydar
12385 Parker Ranch Road
Saratoga, CA 95070

Monarch Consulting Arborists LLC
P.O. Box 1010
Felton, CA 95018
831. 331. 8982

Regarding two coast live oaks (*Quercus agrifolia*) located in back of 180 Redding Road in Campbell, CA 95008. Both trees meet the findings for tree removal as stated in Section 21.32.080 subsections 1 and 2 because the required root cutting to accommodate the structures will cause them to become unstable.

Observations

The trees have trunk diameters of 18 and 15 inches and are both about 30 to 35 feet tall.

Tree 10: Tree 10 has a trunk diameter of 18 inches is located within a few feet from the house foundation and has some signs of sycamore borer (*Synanthedon resplendens*) on the trunk. The tree is upright with about fifty percent live crown ratio and normal foliar color, size and density (Image 1).

Image 1: Tree number 10

Tree number 11: Tree 11 has a trunk diameter of 15 inches and is also located in close proximity to the structure. This tree has a bowed stem with and abrupt angle and the foliage growing toward the west. The foliage is not centered over the trunk and the trunk is structurally defective. The tree has normal foliar color, size and density but is structurally defective (Image 2).

Image 2: Tree number 11

Discussion

Critical Root Zone: The Critical Root Zone (CRZ) is the area of soil around the trunk of the tree where roots are located that provide stability and uptake of water and nutrients required for survival. The CRZ is the minimum distance from the trunk that trenching or root cutting can occur and is defined by the trunk diameter as a distance of three times the diameter in feet, and preferably five times (Smiley, Fraedrich and Hendrickson, 2007). Because the building is located within the critical root zone of the coast live oaks the construction may destabilize the trees with significant consequences. The required root cutting or removal is needs to occur in order to construct the approved buildings. The minimum distance for any cutting to occur would need to be outside of eight feet and root cutting could predispose the tree to failure.

Tree number 11 has a bowed stem with a high likelihood for failure.

City Ordinance Findings: General criteria found in the City of Campbell Municipal Code Section 21.32.080. The approval authority shall approve a tree removal permit only after making at least one of the following findings:

1. Diseased or danger of falling. The tree or trees are diseased or presents a danger of falling that cannot be controlled or remedied through reasonable preservation and/or preventative procedures and practices such that the public health or safety requires its removal.

2. Structure Damage. The tree or trees have caused or may imminently cause significant damage to the existing main structure(s) that cannot be controlled or remedied through reasonable modification of the tree's root or branch structure.

3. Utility Interference. The tree or trees have interfered with utility services where such interference cannot be controlled or remedied through reasonable modification/relocation of the utility services and/or reasonable modification of the tree's root or branch structure.

4. Overplanting. The tree(s) is crowding other protected tree(s) to the extent that removal is necessary to ensure the long-term viability of adjacent tree(s).

5. Economic enjoyment and hardship. The retention of the tree(s) restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly zoned and situated properties, and the applicant has demonstrated to the satisfaction of the approval authority that there are no reasonable alternatives to preserve the tree(s). A minor reduction of the potential number of residential units or building size due to the tree location does not represent a severe limit of the economic enjoyment of the property.

Conclusion

Both trees meet the findings for tree removal as stated in Section 21.32.080 subsections 1 and 2. The required root removal for both trees will likely cause them to become unstable. Tree number 11 also has a defective trunk that cannot be corrected through any cultural practices.

Recommendations

I recommend retaining tree number 10 and removing tree number 11. Replace the trees with appropriate size, species and function in a desirable location.

Richard J. Gessner

ASCA Registered Consulting Arborist® #496
ISA Board Certified Master Arborist® WE-4341B
ISA Tree Risk Assessor Qualified

B-1
#4
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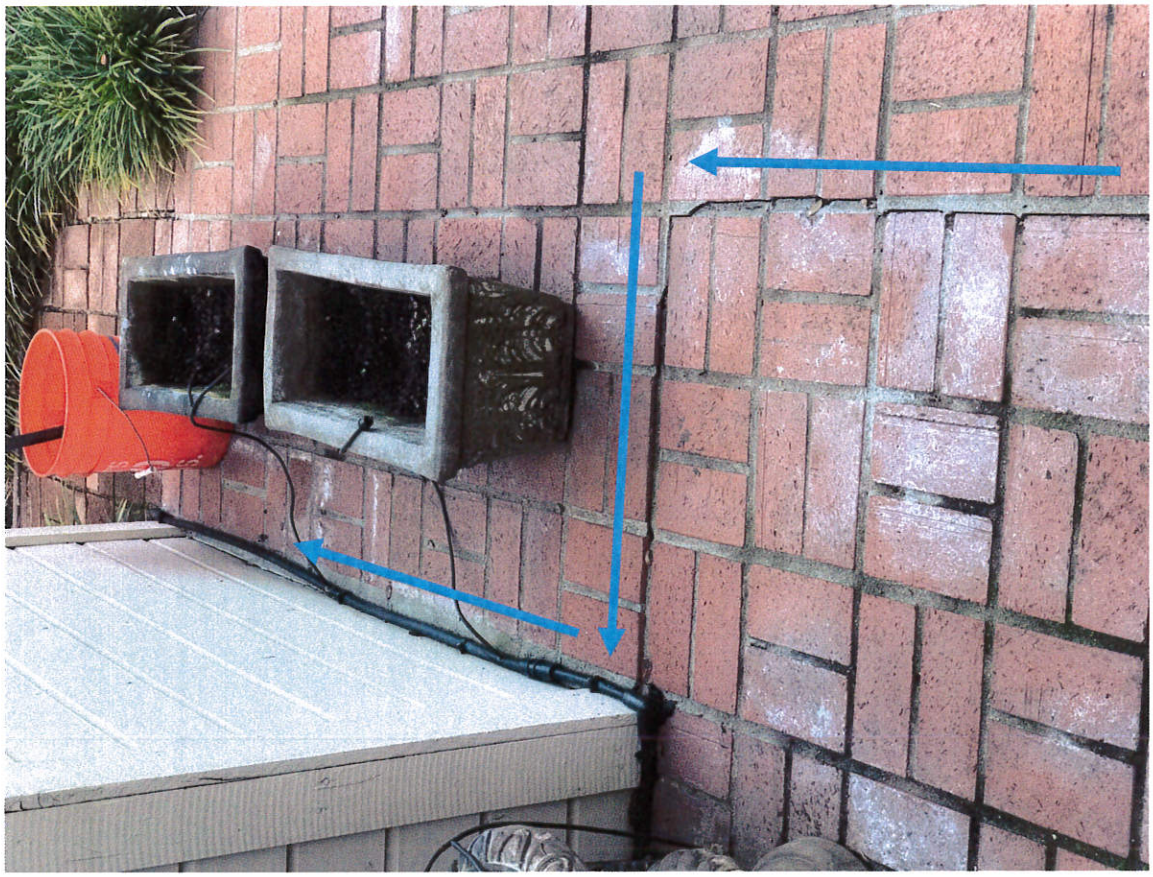


CITY OF CAMPBELL · PLANNING COMMISSION
Staff Report · November 22, 2016

PLN2016-258
Navone

Public Hearing to consider the application of Michael Navone for a Conditional Use Permit (PLN2016-258) to allow a rear addition and interior remodel to a historic resource inventory property in a Historic District located at **235 First Street** in the R-1-6 (Single-Family Residential) Zoning District.

STAFF RECOMMENDATION

That the Planning Commission take the following action:

1. **Adopt a Resolution**, incorporating the attached findings, approving a Conditional Use Permit) to allow a rear addition and interior remodel to a historic resource inventory property in a Historic District, subject to the attached Conditions of Approval.

ENVIRONMENTAL DETERMINATION

Staff recommends that the Planning Commission find that this project is Categorically Exempt under Section 15301, Class 1 of the California Environmental Quality Act (CEQA), pertaining to additions to existing structures that are constructed in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.

DISCUSSION

Project Location: The subject property is an approximately 3,238 square-foot non-conforming lot, located at the northwest corner of First Street and an unnamed alley (**Attachment 2**). The site is currently developed with a one-story Craftsman influence style single-family residence, circa 1930 (**Attachment 3**). The site is located in the Alice Avenue Historic District in the R-1-6 (Single-Family Residential) Zoning District, and is surrounded by single-family residences.

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:	3,238 square-feet	
Building Height:	14 feet, 6 inches	35 feet Maximum Allowed
Floor Area:		
Existing:	456 square-feet	
Addition (living):	448 square-feet	
Addition (garage):	293 square-feet	
Total floor area:	1,197 square-feet	
Floor Area Ratio (FAR):	~37%	45% Maximum Allowed
Total Lot Coverage:	~37%	40% Maximum Allowed

Setbacks	Proposed	Minimum Required
Front (existing):	14 feet	20 feet
Right Side:	5 feet	5 feet
Left Side:	5 feet	5 feet
Rear:	20 feet	5 feet

Applicant's Proposal: The project includes the addition of 448 square feet of living space and a 293 square foot garage to the rear of the existing 456 square foot single-story historic home for a total floor area of 1,197 square feet. The owner is also proposing to replace the double-hung wood sash window located within the existing front entry porch with a double-hung wood window from the rear exterior wall that will be removed to accommodate the new addition (**Attachments 4 and 5**).

ANALYSIS

Zoning Designation: The property is located in the R-1-6 (Single-Family Residential) zoning district and within the Alice Avenue Historic District / Historic Overlay.

General Plan Consistency: The General Plan land use designation for the project site is Low Density Residential (less than 6 units per gross acre). The General Plan Land Use Element and Conservation Element provides several policies and strategies pertaining to historic preservation, which should be taken into consideration by the Planning Commission in review of this project:

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

Policy LUT-8.1: Historic Buildings, Landmarks and Districts and Cultural Resources: Preserve, rehabilitate or restore the City's historic buildings, landmarks, districts and cultural resources and retain the architectural integrity of established building patterns within historic residential neighborhoods to preserve the cultural heritage of the community.

Policy CNR-1.1: Historic Resource Preservation: Ensure that the City and its citizens preserve historic resources as much as possible.

Historic Preservation Ordinance: The preservation of structures having aesthetic, archaeological, architectural, cultural, or historic significance is in the public interest of the City of Campbell. The purposes of the Historic Preservation Ordinance are contained in Campbell Municipal Code (CMC) Section 21.33.10, and include enhancing the visual character of the city by encouraging and regulating the compatibility of architectural styles within historic districts reflecting unique and established architectural traditions.

HPB Recommendation: An application for alteration of a structure in a Historic District requires review by the Historic Preservation Board (HPB). On October 26, 2016, the HPB held a Public Hearing regarding the proposed addition and considered, among other things, the architectural and historical value and significance of the historic resource and its relation to the historic district. The HPB unanimously recommended approval of the CUP, finding that the project is consistent with the purposes of the Historic Preservation Ordinance; consistent with the California Secretary of the Interior's Standards for the treatment of historic properties; and will not harm the structure's architectural and historic value (**Attachment 6**).

Conditional Use Permit (CUP): In addition to review by the HPB, City Code provides for the granting of a Conditional Use Permit (CUP) by the Planning Commission to ensure that any exterior change to a historic resource is consistent with the architectural style and character of the structure in context with the Historic District. In order to approve a request for additions/alterations of a property within the City's Historic District, the Planning Commission must make the standard findings for a Conditional Use Permit as well as the findings for Site and Architectural Review.

In addition to complying with City Code (e.g., height, setbacks, floor area, lot coverage) and being consistent with the General Plan's residential designation for the property, the site and the existing infrastructure (e.g., street) is adequate to accommodate the residential addition; the addition is compatible with the existing residence and other residences in the vicinity; the project will not have a significant impact on persons residing or working in the surrounding neighborhood; and the residence will not be detrimental or injurious to property and improvements in the neighborhood. In terms of Site and Architectural Review, the project is consistent with the *Design Guidelines for Historic Residential Buildings* and will aid in the harmonious development of the immediate area.

Site and Architectural Review Committee (SARC): On November 8, 2016, the SARC reviewed the application (**Attachment 7**) and considered the preservation principles and recommended practices provided in the *Design Guidelines for Historic Residential Buildings*. The SARC also considered whether the addition was consistent with the California Secretary of the Interior's Standards for the treatment of historic properties. The SARC found that the project was consistent with these guidelines and recommended approval of the project as presented. The SARC also recommended a historic color palette if the applicant decides to paint the home a different color after the addition is complete.

ATTACHMENTS

1. Resolution and Conditions of Approval.
2. Location Map
3. Primary Record
4. Project Plans
5. Historic Review and Project Summary Report, prepared by Mark Sandoval
6. Historic Preservation Board Staff Report and Resolution recommending approval
7. SARC Report

Prepared by: Cindy McCormick

Cindy McCormick, Senior Planner

Approved by:

Paul Kermoyan, Community Development Director

RESOLUTION NO. _____

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A CONDITIONAL USE PERMIT WITH SITE AND ARCHITECTURAL REVIEW (PLN2016-235) TO ALLOW AN ADDITION TO A HISTORIC RESOURCE WUTHIN A HISTORIC DISTRICT ON PROPERTY LOCATED AT **235 S. FIRST STREET**.

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

The Planning Commission finds as follows with regard to file number PLN2016-235:

1. The project site is zoned R-1-6 (Single Family Residential) on the City of Campbell Zoning Map.

2. The project site is designated Low Density Residential (less than 6 units/gr. acre) on the City of Campbell General Plan Land Use diagram.

3. The project site is located along S. First Street.

4. Exterior alterations to a historic resource in the Alice Avenue Historic District may occur with the approval of a Conditional Use Permit.

5. The exterior changes proposed by the project do not detract from the existing architectural character of the building or site and are consistent with the Historic Preservation Ordinance, the Secretary of Interior Standards, and the Design Guidelines for Historic Residential Buildings.

6. The exterior changes proposed by the project are consistent with the purpose of the Historic Preservation Ordinance to enhance the visual character of the city by encouraging and regulating the compatibility of architectural styles within historic districts reflecting unique and established architectural traditions and retain the established building patterns and architectural and cultural heritage of the community.

7. No substantial evidence has been presented which shows that the project, as currently presented and subject to the required Conditions of Approval, will have a significant adverse impact on the environment.

Based upon the foregoing findings of fact and pursuant to CMC Section 21.42.020, the Planning Commission further finds and concludes that:

1. The project will be consistent with the General Plan.

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

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

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

5. The proposed site is adequate in terms of size and shape to accommodate the fences and walls, landscaping, parking and loading facilities, yards, and other development features required in order to integrate the use with uses in the surrounding area.

6. The proposed site is adequately served by streets of sufficient capacity to carry the kind and quantity of traffic the use would be expected to generate.

7. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses on-site and in the vicinity of the subject property.

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

9. The action proposed is consistent with the purpose of the Historic Preservation Ordinance.

10. The action proposed is consistent with the Secretary of the Interior's Standards for the treatment of historic properties with guidelines for preserving, rehabilitating, restoring and reconstructing historic buildings.

11. The action proposed will not be detrimental to a structure or feature of significant aesthetic, architectural, cultural, or engineering interest or value of an historical nature.

12. The project is Categorically Exempt pertaining to additions to existing structures that are constructed in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Site and Architectural Review (PLN2016-235) to allow a 741 square-foot residential addition to a historic resource within a historic district on property located at 235 S First Street, subject to the attached Conditions of Approval (attached Exhibit “A”).

PASSED AND ADOPTED this 22nd day of November, 2016, by the following roll call vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners
ABSTAIN: Commissioners:

APPROVED: _____
Cynthia Dodd, Chair

ATTEST: _____
Paul Kermoyan, Secretary

EXHIBIT A

CONDITIONS OF APPROVAL
Conditional Use Permit with
Site and Architectural Review (PLN2016-235)

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

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. Approved Project: Approval is granted for a Conditional Use Permit with Site and Architectural Review (PLN2016-235) to allow a 741 square-foot residential addition to a historic resource within a historic district located at **235 S. First Street**. The project shall substantially conform to the revised project plans stamped as received by the Planning Division on September 10, 2016, except as may be modified by the Conditions of Approval herein.

2. Permit Expiration: The Conditional Use Permit with Site and Architectural Review approval shall be valid for one year from the date of final approval (expiring December 2, 2017). Within this one-year period, an application for a building permit must be submitted. Failure to meet this deadline will result in the Conditional Use Permit with Site and Architectural Review being rendered void.

3. Planning Final Required: Planning Division clearance is required prior to Building Permit final. Construction not in substantial compliance with the approved project plans shall not be approved without prior authorization of the necessary approving body.

4. Rehabilitation: All significant historic features should be rehabilitated wherever feasible. If any of these features are found to be deteriorated, careful repair is preferred treatment. If deterioration is severe enough so that the feature has failed, the replacement should match the original in design, color, texture, and materials.

5. Contractor - Unexpected Conditions: In the event that unexpected damage occurs or historic features (e.g. historic openings or brickwork) are discovered during the construction process, the contractor shall stop work on the affected portion of the project and seek written authorization of the Community Development Director prior to proceeding. To obtain authorization, the contractor shall work with the project architect/applicant to evaluate options to restore the existing material to the extent feasible. Where the severity of deterioration requires replacement, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence to the satisfaction of the Community Development Director.

6. Salvage: Where significant historic features cannot be restored in place, they shall be salvaged for use elsewhere on the site, donated to a historic agency, or used for interpretive display.

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:

   a. The project site shall be posted with the name and contact number of the lead contractor in a location visible from the public street prior to the issuance of building permits.

   b. Construction activities shall be limited to weekdays between 8:00 a.m. and 5:00 p.m. and Saturdays between 9:00 a.m. and 4:00 p.m. No construction shall take place on Sundays or holidays unless an exception is granted by the Building Official.

   c. All construction equipment with internal combustion engines used on the project site shall be properly muffled and maintained in good working condition.

   d. Unnecessary idling of internal combustion engines shall be strictly prohibited.

   e. All stationary noise-generating construction equipment, such as air compressors and portable power generators, shall be located as far as possible from noise-sensitive receptors such as existing residences and businesses.

   f. Use standard dust and erosion control measures that comply with the adopted Best Management Practices for the City of Campbell.

Building Division

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

9. 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.

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. PLAN PREPARATION: This project requires plans prepared under the direction and oversight of a California licensed Engineer or Architect. Plans submitted for building permits shall be “wet stamped” and signed by the qualifying professional person.

13. SITE PLAN: Application for building permit shall include a competent site plan that identifies property and proposed structures with dimensions and elevations as appropriate. Site plan shall also include site drainage details.

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. CONSTRUCTION FENCING: This project shall be properly enclosed with construction fencing to prevent unauthorized access to the site during construction. The construction site shall be secured to prevent vandalism and/or theft during hours when no work is being done. All protected trees shall be fenced to prevent damage to root systems

20. CALIFORNIA GREEN BUILDING CODE: This project shall comply with the mandatory requirements for additions to residential structures under the California Green Building Code 2013 edition. (Chapter 4)
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

Public Works Division

23. Proof of Ownership: Prior to issuance of any grading, drainage, or building permits for the site, the applicant shall provide a current Preliminary Title Report, grant deed, or other satisfactory proof of ownership.

24. Storm Drain Area Fee: Prior to issuance of any grading or building permits for the site, the applicant shall pay the required Storm Drain Area fee, currently set at **$2,120.00** per net acre, which is **$148.40**.

25. Street Improvement Agreements / Plans / Encroachment Permit / Fees / Deposits: Prior to issuance of any building permits for the site, the applicant shall execute a street improvement agreement for the installation of **one new City standard streetlight**, cause plans for public street improvements to be prepared, pay various fees and deposits, post security and provide insurance necessary to obtain an encroachment permit for construction of the standard public street improvements, as required by the City Engineer.

26. 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. South First Street 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.

27. 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 improvement and pavement restoration installed and accepted by the City, and the design engineer shall submit as-built drawings to the City.

28. 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.

Project Location Map

Attachment 2

Project Location: 235 S. First St
Application Type: Conditional Use Permit
Planning File No.: PLN2016-258
Description: Addition to home in Historic District.

N

0 287.5 575 Feet

CITY OF CAMPBELL · THE ORCHARD CITY

Community Development Department
Planning Division

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code
Other Listings _____
Review Code _____ Reviewer _____ Date _____

Page 1 of 3 *Resource Name or #:(Assigned by recorder): Hattie DePuy House

P1. Other Identifier: None

*P2. Location: ☐ Not for Publication ☒ Unrestricted

*a. County Santa Clara County and (P2c, P2e, and P2b or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad San Jose West Date 1980 Photo Revised T; 7S ; R IE; Mount Diablo B.M.

c. Address 235 South First St. City Campbell Zip 95008

d. UTM: (Give more than one for large and/or linear resources) Zone 10S , 593466 mE/ 4126820 mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

West side of South First Street south of Alice Avenue APN#: 412-04-072

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

This small single-family residence, built about 1930, is vernacular in construction with some influences of the Craftsman style that had been popular in the early 1900s through early 1920s. Knee braces and the simple low-pitched roof give the house its Craftsman appearance. The smooth stucco exterior and arched recessed entry are not typically Craftsman features, but a common architectural element found locally in the late 1920s and early 1930s. A wood frame building, it is set low on a concrete footing on a level lot that is within a block of the Alice Avenue Historic District near downtown Campbell.

The building has a rectangular floor plan and faces east. The walls are clad in stucco. A side-gable roof covered in asphalt composition shingles tops the house. A simple frieze board conceals the rafter tails, and knee braces support the rake eaves. Wood louvered attic vents are located at the apex of the gable ends.

Continued on page 3, DOR523L)

*P3b. Resource Attributes: (List attributes and codes) HP2. Single-family property

P5a. Photograph or Drawing (Photograph required for buildings, structures, and objects.)

*P4. Resources Present: ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)

*5b. Description of Photo: (view, date, accession #) View from southeast, 9/03.

*P6. Date Constructed/Age and Source:
☒ Historic ☐ Prehistoric ☐ Both
Circa 1930 (city directories)

*P7. Owner and Address:
John & Pierce C. Kunesch
7000 Silver Creek Rd.
San Jose, CA 95138

*P8. Recorded by: (Name, affiliation, and address)
F.Maggi, B.Montgomery, L.Dill
Archives & Architecture
1901 S. Bascom Ave, Suite 1530
Campbell, CA 95008

*P9. Date Recorded: 11/20/03

*P10. Survey Type: (Describe) Intensive.

*P11. Report Citation: (Cite survey report and other sources, or enter "none.") Archives & Architecture; Campbell Historic Resources Inventory Update 2003 for the City of Campbell.

*Attachments: ☐ None ☒ Location Map ☒ Continuation Sheet ☒ Building, Structure, and Object Record

☐Archaeological Record ☐District Record ☐Linear Feature Record ☐Milling Station Record ☐Rock Art Record
☐Artifact Record ☐Photograph Record ☐ Other (List):

BUILDING, STRUCTURE, AND OBJECT RECORD

 *NRHP Status Code 4R

Resource Name or # (Assigned by recorder) Hattie DePuy House

B1. Historic Name: Hattie DePuy House

B2. Common Name: None

B3. Original Use: Single-Family residential B4. Present Use: Single-family residential

***B5. Architectural Style:** Craftsman

***B6. Construction History:** (Construction date, alterations, and date of alterations)
Constructed circa 1930.

***B7. Moved?** ☒ No ☐ Yes ☐ Unknown **Date:** _____ **Original Location:** n/a

***B8. Related Features:**
Shed to rear along alley.

B9a. Architect: Unkown b. Builder: Otis Hyde (prob.)

***B10. Significance: Theme** Architecture and Shelter **Area** Campbell

Period of Significance 1915-1975 **Property Type** Residential **Applicable Criteria** A
(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

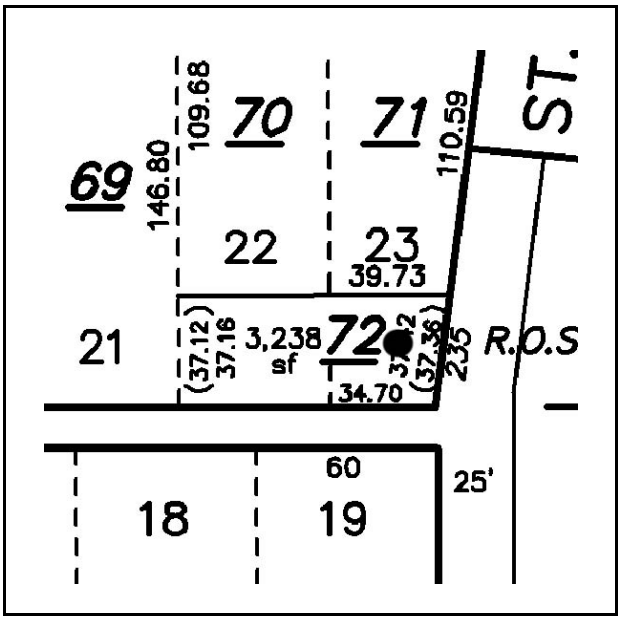
Hattie DePuy was the unmarried sister of local druggist Lucian Beall, who lived at 81 Alice Ave. She built this house around 1930 as her own residence at the back of the lot on which she had built 226 Alice Ave. in 1927. In 1930, George and Alice Hyde were renting the house from Miss DePuy. Their son Otis Hyde, a carpenter, was living with them at the time, and it is possible that he built the house for Miss DePuy. Newspaper reports indicate that Miss DePuy was friendly with the Hyde family and saw Otis Hyde socially. In 1943, Miss DePuy purchased the adjacent vacant lot, and three years later sold off the portion on which the house at 214 Alice Ave. was later built. This left the parcel as it is currently divided. She occupied the house until her death in 1962. Subsequent owners have not lived at this address, so it appears that the house has been used as a rental property since DePuy's death.
(Continued on page 3, DPR523L)

B11. Additional Resource Attributes: (List attributes and codes) None

***B12. References:**
County of Santa Clara Official Records.
Interview with W. Jack Burns by Tom King, as part of the 1977-78 City of Campbell Historic Survey, April 12, 1978.
San Jose and Los Gatos city directories, 1927-1964.
San Jose Mercury News, "Otis E. Hyde, Painter, Dies in Campbell," July 13, 1953.
State of California Death Records. 1905-1997.

B13. Remarks: None

***B14. Evaluator:** Franklin Maggi
***Date of Evaluation:** November 20, 2003



(This space reserved for official comments.)

CONTINUATION SHEET

*Recorded By F.Maggi, B.Montgomery, L.Dill *Date 11/20/2003 ☒ Continuation ☐ Update

(Continued from page 1, DPR523a, P3a)

On the north corner of the front façade is a low-recessed concrete porch with an original front door. Fenestration includes one-over-one, double-hung windows with wood sash set into the stucco with typical stucco moldings.

Located to the rear of the building is a small shed that faces an alley that is aligned with Alice Avenue. From the public-right-of-way, the property appears to possess integrity of location, setting ,design, feeling, association, workmanship, and design as its overall appearance and character-defining features have changed little since its construction.

(Continued from page 2, DPR523b,B10)

The Hattie DePuy House is within the original Hyde Residence Park consisting of 48 lots created along Alice Avenue in 1915. The subdivision was primarily developed over the next 25 years; none of the houses are known to be architect designed and most were built by the original owners or by local carpenters. The neighborhood's vernacular architecture reflects the made-in-Campbell pride that typified the town spirit when it was a fruit canning and packing center. Although most original Alice Avenue residents did not participate in the local canning and packing industries, they shaped the character of Campbell through their contributions as teachers, merchants, and community leaders. Most of the properties in the subdivision were first evaluated for historical significance in 1977. A subset of these properties were documented with DPR forms in 1984 and included in the Campbell Historic Resource Inventory. The subdivision was evaluated as a historic district in 1987. The Office of Historic Preservation (SHPO) found that the district may become eligible for the National Register but that it had not yet been adequately documented. This property was not included within the SHPO review for reasons not known. Subsequently, the Campbell City Council granted the local Alice Avenue Historic District under Ordinance 1640. The City Council included the Hattie DePuy House in the district, although it had never been documented as a part of any historic resources survey. The house has integrity to its original form and construction and would appear to be eligible for listing in a National Register District as a contributor under Criterion A, as it is consistent with the historic development pattern of the neighborhood and period of significance, and contributes to the neighborhood setting of the local Alice Avenue Historic District.

PROJECT TEAM

OWNER

MICHAEL NAVONE
10833 Northfield Square
Cupertino, California

ARCHITECT

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www.msandovalarchitects.com

Contact: Mark Sandoval, AIA

STRUCTURAL ENGINEERING CONSULTANT

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San Jose, CA
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Email: builders-energy.net

Contact: Darrel Kelly

INDEX TO DRAWINGS

ARCHITECTURAL

A0.1 TITLE SHEET, GENERAL NOTES, VICINITY MAP
A0.2 SQUARE FOOTAGE DIAGRAM
A1.1 SITE PLAN
A2.0.1 CONSTRUCTION NOTES AND
A2.0.2 CONSTRUCTION NOTES AND PRESERVATION TREATMENT NOTES
A2.1 EXISTING FLOOR AND ROOF DEMOLITION PLANS, EXISTING EXTERIOR ELEVATIONS
A2.3 PROPOSED FLOOR PLAN
A2.4 PROPOSED ROOF PLAN
A2.5 WINDOW SCHEDULE
A2.6 DOOR SCHEDULE
A3.1 BUILDING SECTIONS
A3.2 PROPOSED EXTERIOR ELEVATIONS
A8.1 ARCHITECTURAL EXTERIOR DETAILS
A8.2 ARCHITECTURAL EXTERIOR DETAILS
A9.1 ARCHITECTURAL INTERIOR DETAILS
A9.1 ARCHITECTURAL INTERIOR DETAILS

PLUMBING, MECHANICAL, AND ELECTRICAL DRAWINGS

ME.0 PLUMBING, MECHANICAL, AND ELECTRICAL NOTES
ME.1 PROPOSED PLUMBING,MECHANICAL, AND ELECTRICAL PLAN

T-24 COMPLIANCE FORMS

GB-1 MANDATORY MEASURES
T24.1 ENERGY COMPLIANCE DOCUMENTATION
T24.2 ENERGY COMPLIANCE DOCUMENTATION

SYMBOLS

BUILDING SECTION — SECTION IDENTIFICATION / SHEET NUMBER

DETAIL — SECTION IDENTIFICATION / SHEET NUMBER

ELEVATION POINT

COLUMN LINE GRID — A

INTERIOR ELEVATIONS — 1

DIRECTION IN ROOM / ELEVATION IDENTIFICATION / SHEET NUMBER

WINDOW NUMBER — 1

DOOR NUMBER — DOOR NUMBER / DOOR TYPE & HARDWARE GROUP

ROOM NUMBER — 100

WALL SYMBOLS

INDICATES EXISTING WALL OR PARTITION TO REMAIN

INDICATES EXISTING WALL OR PARTITION TO BE REMOVED

INDICATES NEW WALL OR PARTITION

WALL TYPE — A

ABBREVIATIONS

A.B.	Anchor Bolt
A.C.	Asp halted Concrete
ACOUS.	Acoustical
A.D.	Area Drain
ADJ.	Adjustable
A.F.F.	Above Finished Floor
AGGR.	Aggregate
AL.	Aluminum
ALT.	Alternate
APROX.	Approximate
ARCH.	Architectural
ABB.	Asbestos
ASPH.	Asphalt
BD.	Board
BET.	Between
BIT.	Bituminous
BULDG.	Building
BLK.	Blocking
BM.	Beam
BN.	Bullnose
BOT.	Bottom
CAB.	Cabinet
CEM.	Cement
CER.	Ceramic
C.G.	Cover Guard
C.I.	Cast Iron
C.J.	Ceiling Joists
CLG.	Ceiling
CLR.	Clear
C.M.U.	Cement Masonry Unit
C.O.	Clean Out
COL.	Column
CONC.	Concrete
CONN.	Connection
CONST.	Construction
CONT.	Continuous
CORR.	Corridor
COUNT.	Counter
CFM.	Cubic Feet Per Minute
C.T.	Collar Tie
DRY.	Dryer
DBL.	Double
DEPT.	Department
DET.	Detail
D.F.	Douglas Fir
D.N.	Down
DR.	Door
D.S.	Down Spout
DIF.	Diffuser
DWR.	Drawer
E.	East
EA.	Each
E.J.	Expansion Joint
EL.	Elevation
ELECT.	Electrical
ELEV.	Elevator
EMER.	Emergency
ENCL.	Enclosure
E.O.S.	Edge of Surface
EQ.	Equal
E.P.	Electrical Panel
EST.	Estimate
EXEC.	Excavate
EXT.	Extinguisher
F.A.	Fire Alarm
FAB.	Fabricate
F.A.U.	Forced Air Unit
F.O.C.	Face of Curb
F.D.	Floor Drain
FDN.	Foundation
F.E.	Fire Extinguisher
F.F.	Finish Floor
F.G.	Floor Girder
F.H.C.	Fire Hose Cabinet
F.O.F.	Face of Finish
F.O.S.	Face of Stud.
FP.	Fireplace
FTG.	Footing
FURN.	Furring
FURR.	Furnace
FIX.	Fixture
GA.	Galvanized
G.B.	Grab Bar
G.D.	Garbage Disposal
GL.	Glass
GLB.	Glue Laminated Timber
G.S.M.	Galvanized Sheet Metal
GYP. BD.	Gypsum Board
H.B.	Hose Bib
H.C.	Hollow Core
HD.	Head
HDR. BD.	Header Board
H.C.	Handicapped
HORIZ.	Horizontal
HGT.	Height
HTR.	Heater
HRD. WD.	Hard Wood
I.D.	Inside Diameter
INSUL.	Insulation
INT.	Interior
INV.	Invert
J.N.	Joist Number
JST.	Joist
LAV.	Lavatory
LOCK.	Locker
L.P.S.	Low Pressure Sodium
LT.	Light
M.B.	Machine Bolt
M.C.	Medicine Cabinet
MECH.	Mechanical
MED.	Medium
MEMB.	Membrane
M.H.	Manhole or Metal Halide
MIR.	Mirror
MISC.	Miscellaneous
MEZZ.	Mezzanine
MFR.	Manufacturer
M.O.	Masonry Opening
M.V.	Mercury Vapor
N.	North
N.I.C.	Not in Contract
NO.	Number
NORM.	Normal
N.T.S.	Not To Scale
O/	Over
OA.	Overall
OBS.	Obscure
O.C.	On Center
O.D.	Outside Diameter
OFF.	Office
OH.	Overhead
P.D.	Power Driven
PEN.	Plywood Edge Nailing
PERF.	Perforated
PL.	Property Line
PLAS.	Plasma Screen
P. LAM.	Plastic Laminate
PLAS.	Plaster
PLY.WD.	Plywood
PRE.FAB.	Prefabricated
PROJ.	Project
PROP.	Property
PROJ.	Projection
PT.	Point
P.T.D.	Paper Towel Dispenser
PR.	Pair
PRECAST.	Pre-cast
P.T.	Pressure Treated
PTN.	Partition
Q.T.	Quarry Tile
QTR.	Quarter
R.	Radius
R.B.	Roof Beam
R.C.	Reinforced Concrete
R.D.	Roof Drain
REF.	Reference
REFR.	Refrigerator
RESIL.	Resilient
RM.	Room
R.O.	Rough Opening
RD.WD.	Redwood
S.	South
S.C.	Solid Core
S.C.D.	Seat Cover Dispenser
SCHED	Schedule
S.D.	Soap Dispenser
SDG.	Siding
SECT.	Section
SHT.	Sheet
SIM.	Similar
SQ.	Square
S.SINK	Service Sink
S.S.	Stainless Steel
STA.	Station
STD.	Standard
STL.	Steel
STRUCT.	Structural
SURF.	Surface
SYM.	Symbol
SYS.	System
T.&B.	Top And Bottom
T.&.G.	Tongue And Groove
T.	Tread
T.B.	Towel Bar
T.P.H.	Toilet Paper Holder
T.P.D.	Toilet Paper Dispenser
TEL.	Telephone
THRU.	Through
T.O.C.	Top of Curb
T.O.P.	Top of Pavement
T.O.W.	Top of Wall
T.V.	Television
TYP.	Typical
U.L.	Underwriters Laboratories
U.O.N.	Unless Otherwise Noted
URN.	Urinal
VERT.	Vertical
V.G.	Vertical Grain
V.P.	Vent Pipe
W.	West
W.C.	Water Closet
W.H.	Wood
W.S.	Weather-stripping
W.W.F.	Welded Wire Fabric
YD.	Yard

TABULATIONS

PROJECT ADDRESS: 235 SOUTH FIRST STREET, CAMPBELL, CA

APN: 412-04-072

ZONING: R-1-8 H (HISTORIC OVERLAY)

FIRE SPRINKLER: NO

TYPE OF CONSTRUCTION: V-B

OCCUPANCY GROUP: R-3

EXISTING NON-CONFORMING LOT AREA = 3,238 SQ. FT.

EXISTING DEVELOPMENT AREA TABULATIONS

EXISTING HISTORIC HOME = 456 SQ. FT.

TOTAL EXISTING LOT COVERAGE = 17%

PROPOSED DEVELOPMENT AREA TABULATIONS

EXISTING HISTORIC HOME = 456 SQ. FT.

NEW BEDROOM AND BATH ADDITION = 448 SQ. FT.

NEW GARAGE = 293 SQ. FT.

TOTAL PROPOSED FLOOR AREA = 1,197 SQ. FT.

TOTAL PROPOSED LOT COVERAGE = 37% < 40%

TOTAL PROPOSED FLOOR AREA = 37%< 45%

DESCRIPTION OF WORK

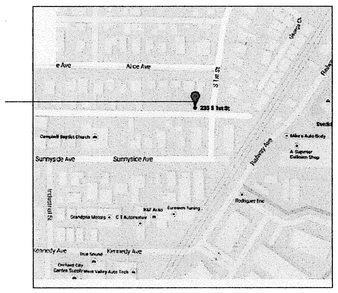
The scope of the proposed construction work shall be limited to adding a small room addition with garage and remodeling the interior of the Historic Hattie Depuy House located at 235 South First Street in Campbell, California. The work is to include some alterations and repairs of the existing structure to ensure a proper tie in of the new room addition and the following construction activities:

1. Adding the new room addition with single care garage as illustrated to the west exterior elevation of the home;
2. Adding all new plumbing, mechanical, and electrical services and placing the new electrical service to the building underground;
3. Reuse and relocate the building's original laundry room window and replacing it with the current Kitchen window that overlooks the entry porch on the building's east façade;
4. Adding new cabinetry and trim moldings to the building's interior;
5. Add and/or replace wall insulation in areas of the building that may be affected by the construction work;
6. Add, replace and/or supplement the current landscaping that may be disturbed by the construction work; and
7. Add new fences that may be affected as a consequence of the proposed work.

All work shall be executed in accordance with the these Drawings and Specifications herein in addition to all applicable referenced codes listed above, and in a manner consistent with the procedures and standards outlined in the US Department of the Interior: "Secretary of the Interior's Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, & Restoring Historic_Buildings and other recognized good preservation practices.

VICINITY MAP

PROJECT SITE



GENERAL NOTES

1. All construction work shall conform to the provisions outlined in the following Code of Regulations: 2013 California Building Code (CBC), 2013 California Residential Code (CRC), 2013 California Electrical Code (CEC), 2013 California Mechanical Code (CMC), 2013 California Plumbing Code (CPC), 2013 California Green Building Standards Code, 2010 Energy Code, 2010 California Historical Building Code, and the City of Campbell Ordinances including provision regulated and/or enforced by the Planning, Building, and Public Work Departments in addition to any State, or other applicable regulations imposed by any public agency having jurisdiction over any part of this Project.

   In addition to the above stipulated regulations governing all proposed improvements illustrated within these Drawings and Specifications for this Project, this property resides within the City of Campbell' s Historic Overlay District and because of this resource's age and integrity, requires additional procedures to be observed during the course of the construction process in an effort to avoid further damage to the existing historically important portions of the existing structure which is to be repaired, reconstructed, and/or restored as part of the work under this Contract.

   Therefore it shall be the Contractor's complete responsibility to ensure that all specified treatments, repairs, and new reconstruction work that is to be performed on the existing structure are faithfully executed in accordance with the specified procedures indicated herein and in a manner consistent with the applicable standards outlined in the US Department of the Interior: "Secretary of the Interior's Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, & Restoring Historic_Buildings. It shall be the Contractor's responsibility to familiarize him or her self with these above procedures and standards and to inform all employees and subcontractors, working in and around this project before work is to commence which might affect (directly or indirectly) any portion of the building's existing historical exterior features.

2. All contractors and subcontractors performing any general construction, mechanical, electrical, plumbing and/or any related type of work or activity, shall comply with all applicable sections of the above listed codes and regulations.
3. All addenda, bulletins and notices issued later by the Architect shall be considered as part of work.
4. The Contractor shall be responsible in providing all the necessary means including all temporary shoring and support apparatus, fencing, barriers, lighting, pedestrian and vehicular warning signs, coverings, fire protection, materials and equipment to protect the safety of all persons, property and site features including landscaping, through out the entire period of the Construction Contract.
5. It shall be the Contractor's responsibility to examine the Plans and Specifications, Codes and Standards and conditions at the job site before submitting his bid, to determine the extent of work to be done. No allowances will subsequently be made in the Contractor's behalf for any extra expense to which he may be put due to failure on his part to acquaint himself with these Plans and Specifications, or the conditions at the job site.
6. In the event there are found discrepancies or ambiguities in or omissions from the Specifications, and or the Drawings etc., or should there be doubt as to their meaning and intent, the Contractor shall notify the Architect in order to provide a written clarification.
7. The Contractor shall be responsible for continuous clean up of the site and of all debris created by his work or the failure of his subcontractors to clean up after their work.
8. It shall be the responsibility of the Contractor to obtain approval by the building inspector for all concealed work before closing up.
9. It shall be the responsibility of the Contractor to supervise all cutting and patching of finished work already installed if made necessary by errors, changes, or other reasons and all replacement work shall match adjoining surfaces.
10. All parts of the work which are noted in the Drawings or Specifications contained herein, to be reviewed for their conformance with the Contract Documents by the Architect and or the Project's consultants shall be the responsibility of the Contractor to notify the Architect seven days prior to the commencement of such work.
11. All shop drawings, samples, and or related materials requested by the Architect and /or the Owner shall be furnished in a timely manner not to delay the scheduling of the work, or impact the Project's construction time.

STANDARDS FOR RESTORATION

The following Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility:

1. A property shall be used for this historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of the property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather that replaced. Where the severity of deterioration requires replacement of distinctive features,the new features shall match the old design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions adjacent and/or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

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PROJECT:

New Foundation Repairs to the Historic Hattie Depuy House for

MICHAEL NAVONE

235 South First Street
Campbell, California

LICENSED ARCHITECT
MARK S. SANDOVAL
No.C23926
Rep. 6-30-17
STATE OF CALIFORNIA

REVISIONS:
1
2
3
4
5
6
7
8

SHEET DESCRIPTION:

GENERAL NOTES PROJECT TEAM, DESCRIPTION OF WORK, INDEX TO DRAWINGS, SYMBOLS & ABBREVIATIONS, VICINITY MAP

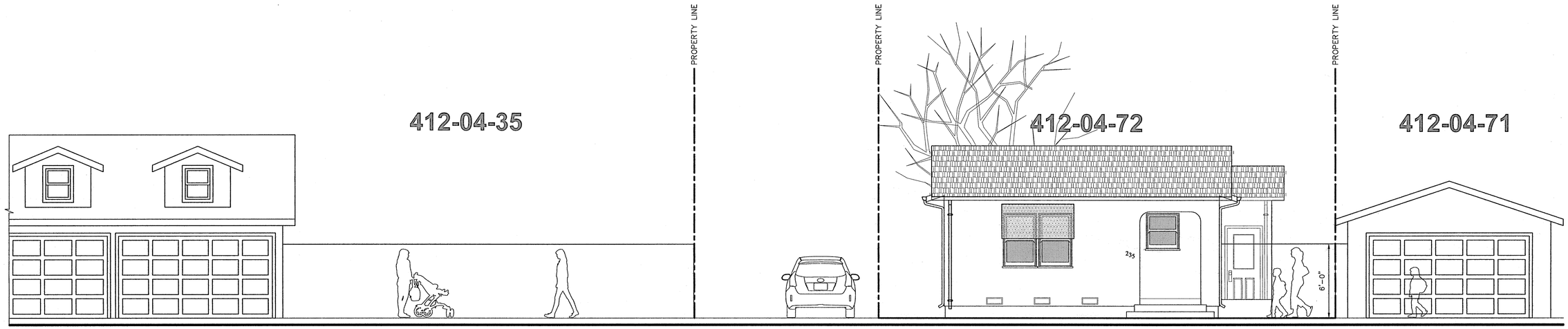
N0. 1412-01

DATE:	SCALE:
7/5/16	AS NOTED

DRAWN BY: CHECK BY:

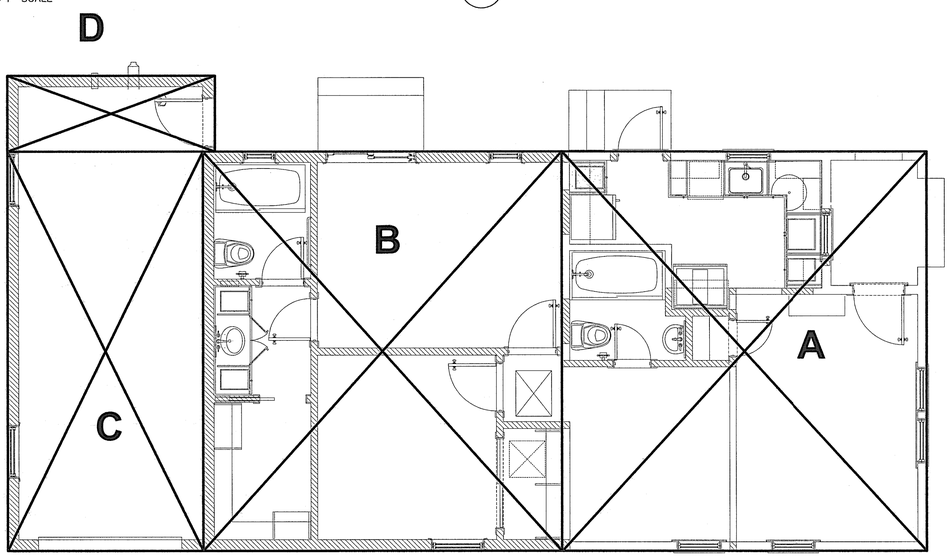
SHEET NUMBER:

A0.1



PARTIAL STREET ELEVATION (1 / A0.2)

1/4" SCALE



FLOOR AREA DIAGRAM (2 / A0.2)

1/4" SCALE

FLOOR DIAGRAM AREA TABULATIONS

A 20'-5" X 22'-4" = 456 SQ. FT.

B 20'-1" X 22'-4" = 448 SQ. FT.

C 10'-11" X 22'-4" = 244 SQ. FT.

D 11'-7" X 4'-3" = 49 SQ. FT.

PROPOSED FLOOR AREA TABULATIONS TAKEN FROM COMPUTER

EXISTING HISTORIC HOME = 456 SQ. FT.

NEW BEDROOM AND BATH ADDITION = 448 SQ. FT.
NEW GARAGE = 293 SQ. FT.

TOTAL PROPOSED FLOOR AREA = 1,197 SQ. FT.

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PROJECT:

Remodel & Room Additions to the Historic Hattie Depuy House for

MICHAEL NAVONE

235 South First Street
Campbell, California

LICENSED ARCHITECT
MARK S. SANDOVAL
No.C23926
Ren. 6-30-17
STATE OF CALIFORNIA

REVISIONS:
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SHEET DESCRIPTION:

STREET ELEVATION & FLOOR AREA DIAGRAM

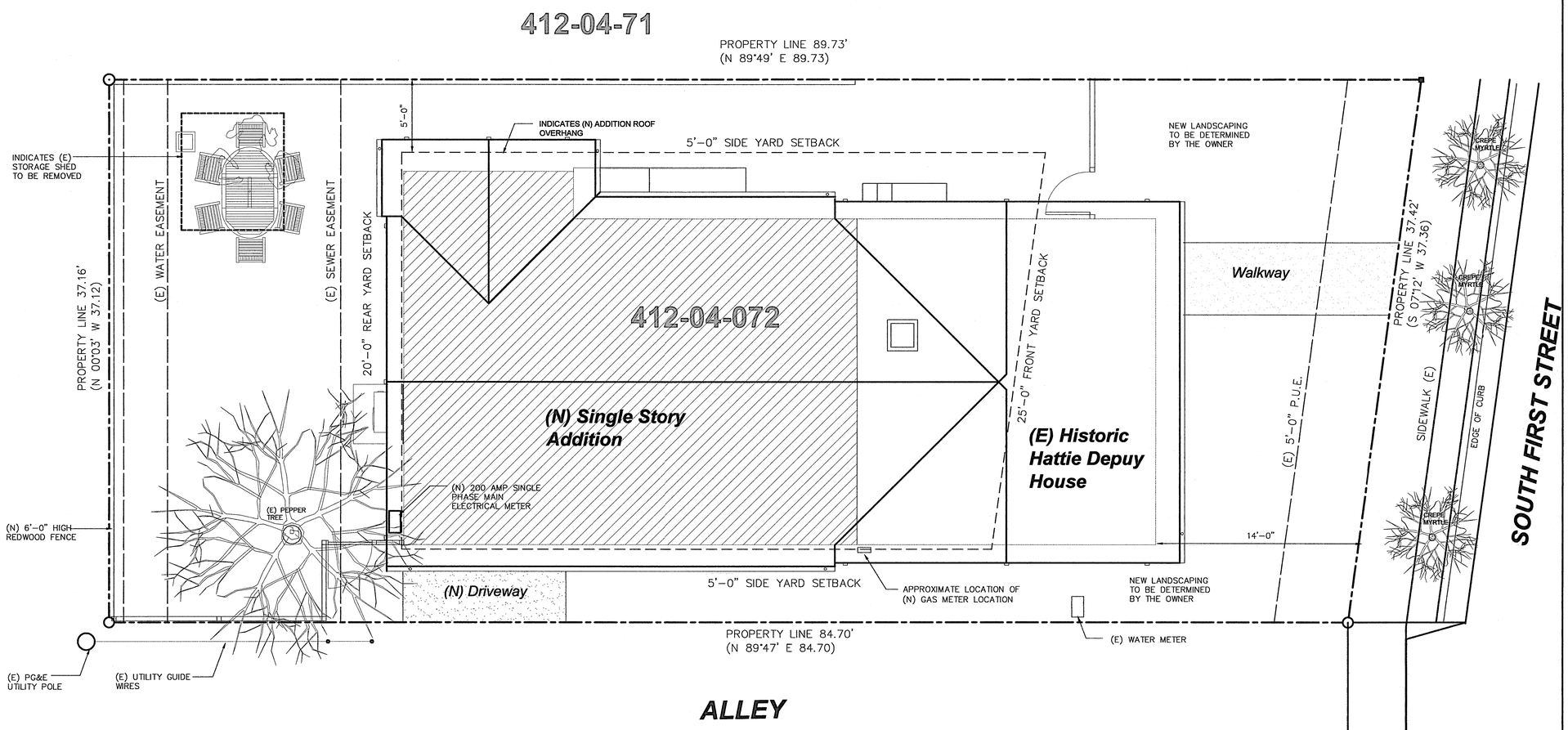
NO. 1412-01

DATE:	SCALE:
7/5/16	AS NOTED

DRAWN BY: CHECK BY:

SHEET NUMBER:

A0.2



NOTE: ALL EXISTING OVERHEAD ELECTRICAL UTILITY LINES SERVING THIS HOME SHALL BE PLACED UNDERGROUND IN ACCORDANCE WITH CITY OF CAMPBELL'S MUNICIPAL CODE SECTION 21.18.140. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE BUILDING CODES, REGULATIONS, AND STANDARDS THAT MAY BE REQUIRED TO PROPERLY EXECUTE ALL PHASES OF THIS WORK.

PROPOSED SITE PLAN

1/8" SCALE

1 / A1.1

GENERAL NOTES

SITE WORK

1. The Contractor shall ensure that positive drainage away from foundations and other building structures is provided with a fall of not less than 6 inches in the first 10 feet (2% minimum slope). If obstructions or lot lines prohibit the 10' horizontal distance, provide alternative method of diverting water as approved by the Architect. If swales are to be used, all swales shall have a minimum of 2% if within 10' of foundation.
2. The Contractor shall review in the field with the Architect all final placement and arrangement of all surface including roof drainage connection lines, clean outs, all waterproofing system installations, depth and width of all utility and irrigation trenches, surface and subsurface drainage lines or other such related systems that may be proposed as part of this Division of the Work, before the back fill and compaction operation is to commence.
3. The Contractor shall be responsible for the survey of adjacent structures and the proposed improvements to establish the exact elevations at fixed points and to act as benchmarks. clearly identify these benchmarks and record the existing elevations. locate datum level used to establish benchmark elevations at sufficient distance so as not to be affected by movement resulting from excavation work.
4. It shall be the responsibility of the Contractor to promptly notify this office of any discrepancies, or conflicts with the drawings and the specifications, in relationship to the existing conditions encountered at the job site before proceeding with the work.
5. The Contractor agrees that he shall assume sole and complete responsibility for the job site conditions during the course construction of the project including, safety of all persons and property; that this requirement shall apply continuously and not be limited to normal working hour; at that the contractor shall defend, indemnify, and hold the owner and m. sandoval architects, inc., harmless from any and all liability, real or alleged, in connection with the performance of work on this project, except for liability arising from the sole negligence of the Owner or Architect.
6. M. SANDOVAL ARCHITECTS, INC. assumes no responsibility beyond the adequacy of their design contained herein.

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PROJECT:

Remodel & Room Additions to the Historic Hattie Depuy House for

MICHAEL NAVONE

235 South First Street
Campbell, California

LICENSED ARCHITECT
MARK S. SANDOVAL
No.C23926
Ren. 6-30-17
STATE OF CALIFORNIA

REVISIONS:
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SHEET DESCRIPTION:

PROPOSED SITE PLAN

N0. 1605-02

DATE:	SCALE:
6/6/16	AS NOTED
DRAWN BY:	CHECK BY:

SHEET NUMBER:

A1.1

CONSTRUCTION NOTES

1.0 GENERAL ACCESS OPENING ROOM SIZE REQUIREMENTS

A. Provide a minimum crawl space opening of not less than 18 inches by 24 inches (457mm by 610 mm).

B. Accessible under floor areas shall be provided with an 18 inch by 24 inch (457mm by 610 mm) access crawl hole. Pipes, ducts and other nonstructural construction shall not interfere with the accessibility to or within under floor areas

C. Provide attic access of not less than 20 inches by 30 inches (559 mm by 762 mm). Provide a minimum of 30 inches (762 mm) of clear height at or above access opening.

D. Every dwelling unit shall have at least one habitable room that shall have not less than 120 square feet (11 m2) of gross floor area. Other habitable rooms shall have a floor area of not less than 70 square feet (6.5 m2) per R304.2. Minimum dimensions of all habitable rooms shall not be less than 7 feet (2134 mm). Portions of any room with a sloping ceiling measuring less than 5 feet (1524 mm) or a furred ceiling measuring less than 7 feet (2134 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required habitable area for that room.

2.0 LIGHT, VENTILATION AND HEATING

A. All habitable rooms shall have an aggregate glazing area of not less than 8 percent of the floor area of such rooms. Natural ventilation shall be through windows, doors, louvers or other approved openings to the outdoor air. Such openings shall be provided with ready access or shall otherwise be readily controllable by the building occupants. The minimum open able area to the outdoors shall be 4 percent of the floor area being ventilated per Section R303.1.

Exceptions:

1. Glazed areas need not be openable where the opening is not required by Section R310 and a whole-house mechanical ventilation system is installed in accordance with the California Mechanical Code.

2. The glazed areas need not be installed in rooms where Exception 1 above is satisfied and artificial light is provided capable of producing an average illumination of 6 foot candles (65 lux) over the area of the room at a height of 30 inches (762 mm) above the floor level.

3. Use of sunroom and patio covers, as defined in Section R202, shall be permitted for natural ventilation if in excess of 40 percent of the exterior sunroom walls are open, or are enclosed only by insect screening.

4. The windows, doors, louvers and other approved closeable openings not required by Section R310 may open into a passive solar energy collector for ventilation required by this section. The area of ventilation openings to the outside of the passive solar energy collector shall be increased to compensate for the openings required by the interior space.

5. Glazed openings may open into a passive solar energy collector provided the area of exterior glazed opening (s) into the passive solar energy collector is increased to compensate for the area required by the interior space. For the purpose of determining light and ventilation requirements, any room shall be considered as a portion of an adjoining room when at least one-half of the area of the common wall is open and unobstructed and provides an opening of not less than one-tenth of the floor area of the interior room but not less than 25 square feet (2.3 m2) per Section R303.2.

3.0 VENTILATION

A. The under-floor space between the bottom of the floor joists and the earth under any building (except space occupied by a basement) shall have ventilation openings through foundation walls or exterior walls. The minimum net area of ventilation openings shall not be less than 1 square foot (0.0929 m2) for each 150 square feet (14 m2) of under-floor space area, unless the ground surface is covered by a Class 1 vapor retarder material. When a Class 1 vapor retarder material is used, the minimum net area of ventilation openings shall not be less than 1 square foot (0.0929 nl) for each 1,500 square feet (140 m2) of under-floor space area. One such ventilating opening shall be within 3 feet (914 mm) of each corner of the building.

B. Openings for under-floor ventilation. The minimum net area of ventilation openings shall not be less than square foot (0.0929 m2) for each 150 square feet (14 m2) of under-floor area. One ventilation opening shall be within 3 feet (915 mm) of each corner of the building.

C. Access shall be provided to all under-floor spaces. Access openings through the floor shall be a minimum of 18 inches by 24 inches (457 mm by 610 mm). Openings through a perimeter wall shall be not less than 16 inches by 24 inches (407 mm by 610 mm). When any portion of the through-wall access is below grade, an areaway not less than 16 inches by 24 inches (407 mm by 610 mm) shall be provided.

D. The finished grade of under-floor surface may be located at the bottom of the footings; however, where there is evidence that the groundwater table can rise to within 6 inches (152 mm) of the finished floor at the building perimeter or where there is evidence that the surface water does not readily drain from the building site, the grade in the under-floor space shall be as high as the outside finished grade, unless an approved drainage system is provided.

E. All enclosed attics and enclosed rafter spaces formed where ceilings are applied directly to the underside of roof rafters shall have cross ventilation for each separate space by ventilating openings protected against the entrance of rain or snow. Ventilation openings shall have a least dimension of 1/16 inch (1.6 mm) minimum and 1/4 inch (6.4 mm) maximum. Ventilation openings having a least dimension larger than 1/4 inch (6.4 mm) shall be provided with corrosion-resistant wire cloth screening, hardware cloth, or similar material with openings having a least dimension of 1/ 16 inch (1.6 mm) minimum and 1/4 inch (6.4 mm) maximum

4.0 ATTIC ACCESS

A. Buildings with combustible ceiling or roof construction shall have an attic access opening to attic areas that exceed 30 square feet (2.8 m2) and have a vertical height of 30 inches (762 mm) or greater. The vertical height shall be measured from the top of the ceiling framing members to the underside of the roof framing members. The rough-framed opening shall not be less than 22 inches by 30 inches (559 mm by 762 mm) and shall be located in a hallway or other readily accessible location. when located in a wall, the opening shall be a minimum of 22 inches wide by 30 inches high (559 mm wide by 762 mm high). when the access is located in a ceiling, minimum unobstructed headroom in the attic space shall be 30 inches (762 mm) at some point above the access measured vertically from the bottom of ceiling framing members. see the california mechanical code for access requirements where mechanical equipment is located in attics.

5.0 EXTERIOR WALL CONSTRUCTION

A. All exterior walls shall provide the building with a weather-resistant exterior wall envelope. The exterior wall envelope shall include flashing as described in Section R703.8. R703.1.1 Water resistance. The exterior wall envelope shall be designed and constructed in a manner that prevents the accumulation of water within the wall assembly by providing a water-resistant barrier behind the exterior veneer as required by Section R703.2 and a means of draining to the exterior water that enters the assembly. Protection against condensation in the exterior wall assembly shall be provided in accordance with the California Energy Code.

6.0 WINDOWS AND DOORS

A. Exterior Door Assemblies: All exterior door assemblies shall conform to the performance requirements of standard SFM 12-7A-1 or shall be of approved noncombustible, or solid core wood having stiles and rails of not less than 1 3/8 inches thick with interior field panel thickness no less than 1 ¼" thick, or shall have a fire resistance rating of not less than 20 minutes when tested accordance to ASTM E 2074.

B. The Contractor shall provide and properly install in accordance with the manufacturer's specifications all window and door units shown in these Drawings.

C. Review with the Owner final finish and accessories desired before ordering.

D. Glass type: shall be Clear; Low E and shall meet the specific WUI requirements outlined by SFM and under CBC Section 2406.1 Safety Glazing

E. Other: Structural Glass for entry canopy to be designed for required loads and for span between support hardware. Refer to structural calculations for design requirements.

F. All windows and doors shall come equipped with factory installed jamb extension for wall thickness as required for proper installation and shall match the interior frame finish

G. All insect screens shall be Factory installed and shall be fabricated out of a screen mesh 18 X 16 charcoal fiber glass HI-Tran mesh. Verify color with the Owner before ordering.

H. The Contractor shall be responsible in verifying all conditions before proceeding with the installation of each unit to ensure that all openings are plumb, square, and at the proper dimensions required for each unit. Report any frame defects or unsuitable conditions to the Architect immediately before proceeding.

I. As part of the Project's Close Out procedures, the Contractor shall be responsible in removing all visible labels and adhesive residue using means and methods approved by the manufacturer and leave windows and glass in a thoroughly clean and presentable condition

7.0 GARAGE DOORS

A. Automatic garage door openers shall be provided meeting the requirements of Section R309.4 and shall be listed and labeled in accordance with UL 325. See Health and Safety Code Sections 19890 and 19891 for additional provisions for residential garage door openers.

B. Fire sprinklers (if required by the Building Department and/or Fire Department): Private garages shall be protected by fire sprinklers where the garage wall has been designed based on Chapter 3 of the CRC, Table R302.1(2), Footnote a. Sprinklers in garages shall be connected to an automatic sprinkler system that complies with Section R313. Garage sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a density of 0.05 gpmlfe. Garage doors shall not be considered obstructions with respect to sprinkler placement. R309.6 Fire sprinklers attached garages, and carports with habitable space above. Attached garages, and carports with habitable space above shall be protected by fire sprinklers in accordance "with this section and Section R313. Protection shall be provided in accordance with one of the following:

1. Residential sprinklers installed in accordance with their listing.

2. Extended coverage sprinklers discharging water not less than their listed flow rate for Light Hazard in accordance with NFPA 13.

3. Quick-response spray sprinklers at light hazard spacing in accordance with NFPA 13 designed to discharge at 0.05 gpm/jf density (minimum). The system demand shall be permitted to be limited to the number of sprinklers in the compartment but shall not exceed two sprinklers for hydraulic calculation purposes. Garage doors shall not be considered obstructions and shall be permitted to be ignored for placement and calculation of sprinklers.

   Exception: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing carports and/or garages that do not have an automatic residential fire sprinkler system previously installed.

8.0 SAFETY GLAZING

A. All windows, doors, or other glazed openings subject to human impact shall be furnished with safety glazing in accordance with CBC §R308. Refer to the drawings and correlate with the following provisions:

1. In all glazed doors.

2. At wall, enclosure or door for tub, shower, sauna, etc., including window if bottom is less than 60" above standing surface.

3. Adjacent to a door where window is within 24" arc of either edge of door in closed position or less than 60" above walking surface.

4. Where area of a pane is greater than 9 sf. and window bottom is less than 18" above floor and top is more than 36" above floor and walking surface is within 36" horizontally.

5. In guards and railings.

6. In walls and fences enclosing indoor or outdoor swimming pools and spas, where glazing is less than 60" above a walking surface on the pool or spa side, and within 60" horizontally of the pool or spa.

7. Adjacent to stairs, landings and ramps within 36" horizontally of a walking surface, if within 60" above the plane of the walking surface.

8. Within 60" horizontally of bottom tread of stairway if less than 60" above tread nose.

9.0 ROOF GENERAL NOTES

A. Roof system as illustrated in these drawings shall be installed per roof manufacturer's specifications and requirements along with all applicable provisions of CBC Chapter 9. §R905, and in accordance with the best recommended standards outlined in the most recent edition of the NRCA Roofing and Waterproofing Manual published by the National Roofing Contractors Association

B. All roof assemblies and covering shall have a Class A fire-retardant rating in accordance with requirements listed in CRC §R902.1

C. Size all leaders and gutters as described in CPC §1106.1, and provide as part of the final submittal to the Architect before commencing with ordering or proceeding with any of the work under this Division of the Work.

10. INTERIOR FINISHES

A. Decorative finishes and materials shall be restricted by combustibility and flame propagation performance criteria of NFPA 701 and in accordance with the applicable Sections under the Chapter 8 Interior Finishes of the California Building Code. Refer to Table 803.5 for interior wall and ceiling requirements by individual occupancy.

11.0 ARCHITECTURAL WOODWORK AND FINISHES

A. All architectural woodwork depicted within these drawings shall be installed in accordance with the most recent edition of the Manual of Millwork Standards of the Woodwork Industry for Arizona, California, Nevada and Oregon, published by the Woodwork Institute of California. Copies may be obtained through the Administration Office or on-line at

B. The Contractor shall review all room finishes, stains, paint colors, etc., with the Owner before proceeding with the painting operation phase of the work. Properly protect all work in place from damage or from over spray of paint. Review what surfaces are to receive stains or other clear finishes and those which are to be left natural without any special coatings or sealants.

C. Unless otherwise specified within these drawings or specifications, all walls and ceiling surfaces shall receive a Level 4 Gypsum Board Finish with the exception of the Garage and utility areas. Installation of wall board shall be in accordance with the latest edition of the Gypsum Construction Guide published by Gold Bond Building Products Technical Services Department, 2001 Rexford Road, Charlotte, N.C. 28211.

D. The Contractor shall provide an optional quotation for the Owner's consideration for adding radius outside corners to all walls and drop beam and header conditions.

12.0 TOILET, BATH AND SHOWER SPACES

A. Bathrooms, water closet compartments and other similar rooms shall be provided with aggregate glazing area in windows of 110t less than 3 square feet (0.3 mZ), one-half of which must be operable. (R303.3)

Exception: The glazed areas shall not be required where artificial light and a local exhaust system are provided. The minimum local exhaust rates shall be 50 cubic feet per minute (25 Us) for intermittent ventilation or 20 cubic feet per minute (10 Us) for continuous ventilation in accordance with the California Mechanical Code, Chapter 4. Exhaust air from the space shall be exhausted directly to the outdoors.

B. Each bathroom containing a bathtub, shower or tub/shower combination shall be mechanically ventilated for purposes of humidity control in accordance with the California Mechanical Code, Chapter 4; and the California Green Building Standards Code, Chapter 4, Division 4.5. Note: Window operation is not a permissible method of providing bathroom exhaust for humidity control. (R303.3.1)

C. All plumbing fixtures shall be spaced in accordance with the California Plumbing Code. R307.2 and all bathtub and shower floors and walls with installed shower heads and in shower compartments shall be finished with a nonabsorbent surface. Such wall surfaces shall extend to a height of not less than 6 feet (1829 mm) above the floor.

13.0 LIFE SAFETY

A. Smoke Alarms: All smoke alarms shall be listed and labeled in accordance with UL 217 and installed in accordance with the provisions of Section R314 and the household fire warning equipment provisions of NFP A 72. Systems and components shall be California State Fire Marshal listed and approved in accordance with California Code of Regulations, Title 19, Division 1 for the purpose for which they are installed. All smoke alarms shall be maintained and/or replaced in accordance with Section R314.3.2

B. Smoke Detection Systems: Household fire alarm systems installed in accordance with NFP A 72 that include smoke alarms, or a combination of smoke detector and audible notification device shall be installed in accordance with Section R314.2 and shall provide the same level of smoke detection and alarm as required by smoke alarms. Where a household fire warning system are installed using a combination of smoke detector and audible notification device(s), it shall become a permanent fixture of the occupancy and owned by the homeowner. The system shall be monitored by an approved supervising station and be maintained in accordance with NFP A 72.

Exception: Where smoke alarms are provided meeting the requirements of Section R314.4. R314.3

C. Locations: Smoke alarms shall be installed in the following locations:

1. In each sleeping room.

2. Outside each separate sleeping area in the immediate vicinity of the bedrooms.

3. On each additional story of the dwelling, including basements and habitable attics but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

D. Where more than one smoke alarm is required to be installed within an individual dwelling or sleeping unit, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed per Section R314.5.

E. Carbon Monoxide Alarms: An approved carbon monoxide alarm shall be installed in dwelling units and in sleeping units within which fuel-burning appliances are installed and in dwelling units that have attached garages. Carbon monoxide alarms shall be listed as complying with UL 2034 and be installed and maintained in accordance with NFPA 720 and the manufacturer's instructions.

F. All carbon monoxide detectors shall be listed as complying with UL 2075. R315.1.2 and shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery back-up. Alarm wiring shall be directly connected to the permanent building wiring without a disconnecting switch other than as required for overcurrent protection.

Exceptions:

1. Where there is no commercial power supply, the carbon monoxide alarm may be solely battery operated.

2. Other power sources recognized for use by NFPA 720.

G. Where more than one carbon monoxide alarm is required to be installed within the dwelling unit or within a sleeping unit, the alarm shall be interconnected in a manner that activation of one alarm shall activate all of the alarms in the individual unit per Section R315.1.3.

14.0 ADDRESS NUMBERS

A. Buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure.

16.0 FIRE RESISTANCE CONSTRUCTION

A. Exterior walls. Construction, projections, openings and penetrations of exterior walls of dwellings and accessory buildings shall comply with Table R302.1(1); or dwellings and accessory buildings equipped throughout with an automatic residential fire sprinkler system installed in accordance with Section R313 shall comply with Table R302.1(2).

Exceptions:

1. Walls, projections, openings or penetrations in walls perpendicular to the line used to determine the fire separation distance.

2. Walls of dwellings and accessory structures located on the same lot.

3. Detached tool sheds and storage sheds, playhouses and similar structures exempted from permits are not required to provide wall protection based on location on the lot. Projections beyond the exterior wall shall not extend over the lot line.

4. Detached garages accessory to a dwelling located within 2 feet (610 mm) of a lot line are permitted to have roof eave projections not exceeding 4 inches (102 mm).

5. Foundation vents installed in compliance with this code are permitted.

B. Blocking in combustible construction shall be installed to cut off concealed draft openings (both vertical and horizontal) and shall form an effective barrier between floors, between a top story and a roof or attic space.

C. Fire blocking material shall consist of 2-inch (51 mm) nominal lumber with broken lap joints or one thickness of 0.719-inch (18.3 mm) wood structural panel with joints backed by .75-inch (19 mm) particleboard with joints backed by .75-inch (19 mm) particleboard. Gypsum board, cement fiber board, batts or blankets of mineral wool, glass fiber or other approved materials in stalled in such a manner as to be securely retained in place shall be permitted as an acceptable fire block. Batts or blankets of mineral or glass fiber or other approved non-rigid materials shall be permitted or compliance with the 10-foot (3048 mm) horizontal fire blocking in wall constructed using parallel rows of studs or staggered studs. Loose-fill insulation material shall not be used as a fire block unless specifically tested in the form and manner intended for use to demonstrate its ability to remain in place and to retard the spread of the fire and hot gases. The integrity of the fire blocks shall be maintained.

17.0 OCCUPANCY SEPARATION

A. The Contractor shall ensure that a fire separation of private garage from the dwelling unit is maintained per CRC §R302.5, Table R302.6. Garage interior wall construction shall have a minimum of ½" gypsum board on the garage side of the wall separating garage from dwelling unit and its attic extending from the bottom sill plate to the under roof deck.

B. In locations where garage or carport ceiling is next to habitable rooms of the home, then 5/8" Type X gypsum board must be substituted. All joints of wall board to be properly taped and penetrations fire caulked and taped to achieve the appropriate fire protection rating.

C. For door openings between garage and dwelling install a minimum of 1 3/8" thick solid core wood door with a solid steel or honeycomb core steel door, or a 20-minute rated door complying with CRC §R302.5.1. Doors shall be equipped with self-closing and self-latching hardware

D. All mechanical ducts shall be fabricated with 26-gage sheet steel in the garage area and in areas penetrating the walls or ceilings that separate the garage from the dwelling. Ducts may have no openings into the garage in accordance with CRC R302.5.2.

18.0 EMERGENCY & ESCAPE AND RESCUE OPENINGS

A. Basements, habitable attics and every sleeping room shall have at least one operable emergency escape and rescue opening in accordance with R310.1. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room. Where emergency escape and rescue openings are provided they shall have the bottom of the clear opening not greater than 44 inches (1118 mm) measured from the floor.

B. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with Section R310.3. The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside.

C. Emergency escape and rescue openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with Section R310.2. Emergency escape and rescue openings shall open directly into a public way, or to a yard or court that opens to a public way

D. Exception: Basements used only to house mechanical equipment and not exceeding total floor area of 200 square feet (18.58 m2).

E. All emergency escape and rescue openings shall have a minimum net clear opening of 5.7 square feet (0.530 m2). (R310.1.1)

Exception: Grade floor openings shall have a minimum net clear opening of 5 square feet (0.465 m2).

F. Minimum opening height. The minimum net clear opening height shall be 24 inches (610 mm).

G. Minimum opening width per R310.1.3 and a minimum clear opening width of 20 inches (508 mm).

H. Operational constraints. Emergency escape and rescue openings shall be maintained free of any obstructions other than those allowed by this section and shall be operational from the inside of the room without the use of keys, tools or special knowledge per R310.1.4

I. Emergency escape and rescue openings along with any exit door shall be maintained free of any obstructions and shall be operational from the inside of the room. Decorative bars, grilles, grates or other similar device may be permitted provided that such device shall be releasable or removable from the inside of the room without the use of a key, tool, special knowledge or effort or force than that which is required for normal operation of the escape and rescue opening.

19.0 LANDINGS AT DOORS AND STAIRS

A. Where exterior landings or floors serving the required egress door are not at grade, they shall be provided with access to grade by means of a ramp in accordance with 2013 California Residential Code Section R311.8 or by a stairway in accordance with Section R311.7. R311.3.2

B. Floor elevations for other exterior doors: Doors other than the required egress door shall be provided with landings or floors not more than 7 ¾" inches (196 mm) below the top of the threshold.

C. Exception: A landing is not required where a stairway of two or fewer risers is located on the exterior side of the door, provided the door does not swing over the stairway.

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PROJECT:

Remodel & Room Additions to the Historic Hattie Depuy House for

MICHAEL NAVONE

235 South First Street
Campbell, California

LICENSED ARCHITECT
MARK S. SANDOVAL
No.C23926
Ren. 6-30-17
STATE OF CALIFORNIA

REVISIONS:
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SHEET DESCRIPTION:

CONSTRUCTION NOTES

NO. 1605-02

6/6/16

DATE: SCALE:

DRAWN BY: CHECK BY:

SHEET NUMBER:

A2.0.1

PRESERVATION TREATMENT NOTES

PRESERVATION TREATMENT GENERAL NOTES

A. Please note that the following Recommended Preservation Treatments are to be used by the Contractor only as a guide, and may not address all conditions that may be found on or around the building during the implementation of all work proposed under this Contract. It is therefore extremely important to keep this in mind during the preparation of the bid for the Owner's consideration so that all work (labor and materials) is included and for those items that are unknown, that the Contractor clearly stipulate these exclusions.

B. HISTORICAL SIGNIFICANCE: The Hattie Depuy House is a historically important building and is listed as a contributing historic building in the City of Campbell's Historic Downtown District and being of historical importance to the city, it is essential that special precautions be taken during the performance of the Work outlined in these Drawings and Specifications to avoid further damage to historically important portions of the building not being renovated or restored during the course of the construction work. Therefore it shall be the Contractor's responsibility to take great precautions to ensure that all of the work under this contract be executed faithfully under all referenced code provisions that appear under the general notes on the title sheet of these Drawings (Sheet A0.1), but also follow the general methods and preservation treatments outline below. The intention of these extra measures is to better align the strategies used in the performance of the construction work so they meet the recommended provisions outlined under the "Secretary of the Interior's STANDARDS FOR TREATMENT OF HISTORIC PROPERTIES with Guidelines for Preserving, Rehabilitating, & Restoring Historic Buildings" published by the National Park Service, US Department of the Interior.

RECOMMENDED PRESERVATION TREATMENTS

1.0 RECOMMENDED PRESERVATION TREATMENT – WOOD SASH WINDOW REPAIR

A. Remove grime, dirt, cobwebs, mildew and debris from the exterior window sash, frame and exterior trim by using a light household detergent with a minimum soft bristle brush and scrubbing by hand. Rinse thoroughly and permit to dry before proceeding with further inspection of window areas. Check soundness of existing glazing putty. If sections are missing or if there are visible signs of cracking carefully remove glass if needed to remove remaining putty from channel. Care should be taken not to damage any of the surrounding glass panes during this operation. Before reinstalling glass, clean channel to remove any rust or foreign matter, then apply primer coats and let dry thoroughly. Once this phase is complete, apply glazing compound putty around the channel to seal glass in frame. Press glass into place and set glazing points and apply final formed bevel glazing putty. Finish sprinkle with a little whiting or plaster dust on the putty with a clean cotton rag and carefully wipe away all the smears. After the putty thoroughly dries, paint with two coats of oil–based paint (ensure that paint extends over the putty no less than 1/16" and no greater than 3/32" to create a water–tight seal.

B. Decayed Wood: If only small localized areas exist not requiring the removal of the unit, then the Contractor may carefully remove decayed or rotten wood from these small localized areas then prepare for either wood epoxy and/or compound filler applications following the manufacture's specification requirements. Smaller cracks and imperfections may be repaired by using painters caulking and primer coats.

C. If it is determined by the Architect that the only appropriate preservation treatment intervention requires the removal of the of the existing window unit from its frame, then the Contractor shall make arrangements with a window shop facility that specializes in this type of restoration and repair work. They are better equipped to properly rebuild these windows under a more controlled environment rather than trying to perform this work in the field. Requirements for the execution of this work must be coordinated with the Owner and the Architect and should include some the following:

1. Providing a means to seal and secure the window opening once the sash has been removed from its frame (without damage to existing interior and/or exterior surfaces)
2. Prevent leakage and possible unwanted entry of pests or unauthorized personnel
3. Maintain a secure and water tight enclosure
4. Once the window has been safely delivered to the window shop the repairs can commence which may include some of the following items:
5. Remove glass and strip wood sash
6. Renovate as necessary by replacing deteriorated parts, remove
7. Realign and glue tendon joints so they are plumb and square
8. Add weather stripping and recondition or replace damaged hardware. Replace broken glass panes with new glass of a similar time period or with similar visual characteristics as the original glass
9. Reglaze with putty or with new bead stops matching the profile and dimensional characteristics as the original
10. Prepare surfaces for primer coats, let dry, properly wrap to protect from damage
11. Deliver to the site and reinstall
12. Regulate all hardware to ensure proper function and operation.

2.0 RECOMMENDED PRESERVATION TREATMENT – SEVERE DETERIORATED WOOD MILLWORK TRIM REPAIR

D. Remove all decayed wood, filler surface compounds, or any other unsound material from the exterior window trim and window sill, that may prevent the proper adhesion or bonding of liquid wood consolidant, wood epoxy or other similar filler compounds needed to repair wood area. Use a fungicidal preservative treatment approved in advance by the Architect. Apply in strict observance of the manufacturer's specifications. Let dry completely before preparing area for liquid wood consolidant and wood epoxy filler operation. Clean all surfaces and apply liquid wood consolidant in accordance with the manufacturer's recommendations. Add epoxy filler compound as required to adequately fill all voids in exterior window trim and sill. Use enough material to fully replicate profile and surface contours of the existing historic millwork profile. Let cure and carefully sand by hand or by orbital sander to match surface level and appearance of the surrounding material. Upon achieving the desired profile and appearance, clean surface thoroughly and apply primer coats.

3.0 RECOMMENDED PRESERVATION TREATMENT – EXTERIOR STUCCO REPAIR

A. General Notes: Before any work under this Division of the Work is to proceed both the Contractor and the subcontractor performing this work shall consult these recommendation along with other treatments listed within the Drawings and Specifications herein, to ensure that such methods and treatments are all properly observed before the work is to commence.

B. If any questions or if any extant conditions may be uncovered during the initial exploratory demolition of wall surface materials that could reveal important information on either the past occupants of the building and/or its architecture, the Contractor shall be responsible for immediately notifying the Architect before continuing with the work in this area. Once notified, the Architect will provide the Contractor with written instructions as to how best to proceed with the work in question.

C. PLANNING THE REPAIR

The following stucco repair treatment recommendations have been taken from Brief 22, The Preservation and Repair of Historic Stucco by Anne E. Grimmer, published by the National Park Service, US Department of the Interior, dated October 1990.

1. Once the Contractor has determined the extent of damage, a number of repair options may be considered. Small hairline cracks usually are not serious and may be sealed with a thin slurry coat consisting of the finish coat ingredients, or even with a coat of paint.

2. Commercially available caulking compounds are not suitable materials for patching hairline cracks. Because their consistency and texture is unlike that of stucco, they tend to weather differently, and attract more dirt; as a result, repairs made with caulking compounds may be highly visible, and unsightly. Larger cracks will have to be cut out in preparation for more extensive repair. Most stucco repairs will require the skill and expertise of a professional plasterer.

3. The overall goal should be to save and preserve as much as the historic stucco as possible; patching rather than whole replacement of material is preferable. When repairing heavily textured surfaces, it is not usually necessary to replace an entire wall section, as the textured finish, if well–executed, tends to conceal patches, and helps them to blend in with the existing stucco. However, because of the nature of smooth–finished stucco, patching a number of small areas scattered over one elevation may not be a successful repair approach unless the stucco has been previously painted, or is to be painted following the repair work. On unpainted stucco such patches are hard to conceal, because they may not match exactly or blend in with the rest of the historic stucco surface. For this reason it is recommended, if possible, that stucco repair be carried out in a contained or well–defined area, or if the stucco is scored, the repair patch should be "squared–off" in such a way as to follow existing scoring. In some cases, especially in a highly visible location, it may be preferable to restucco an entire wall section or feature. In this way, any differences between the patched area and the historic surface will not be so readily apparent.

4. Repair of historic stucco generally follows most of the same principles used in plaster repair. First, all deteriorated, severely cracked and loose stucco should be removed down to the lath (assuming that the lath is securely attached to the substrate), or down to the masonry if the stucco is directly applied to a masonry substrate. A clean surface is necessary to obtain a good bond between the stucco and substrate. The areas to be patched should be cleaned of all debris with a bristle brush, and all plant growth, dirt, loose paint, oil or grease should be removed. If necessary, brick or stone mortar joints should then be raked out to a depth of approximately 5/8" to ensure a good bond between the substrate and the new stucco.

5. To obtain a neat repair, the area to be patched should be squared–off with a butt joint, using a cold chisel, a hatchet, a diamond blade saw, or a masonry bit. Sometimes it may be preferable to leave the area to be patched in an irregular shape which may result in a less conspicuous patch. Proper preparation of the area to be patched requires very sharp tools, and extreme caution on the part of the plasterer not to break keys of surrounding good stucco by "over–sounding" when removing deteriorated stucco.

6. To ensure a firm bond, the new patch must not overlap the old stucco. If the stucco has lost its bond or key from wood lath, or the lath has deteriorated or come loose from the substrate, a decision must be made whether to try to reattach the old lath, to replace deteriorated lath with new wood lath, or to leave the historic wood lath in place and supplement it with modern expanded metal lath. Unless authenticity is important, it is generally preferable (and easier) to nail new metal lath over the old wood lath to support the patch. Metal lath that is no longer securely fastened to the substrate may be removed and replaced in kind, or left in place, and supplemented with new wire lath.

7. When repairing lime–based stucco applied directly to masonry, the new stucco should be applied in the same manner, directly onto the masonry surface. The stucco will bond onto the masonry itself without the addition of lath because of the irregularities in the masonry or those of its mortar joints, or because its surface has been scratched, scored or otherwise roughened to provide an additional key. Cutting out the old stucco at a diagonal angle may also help secure the bond between the new and the old stucco. For the most part it is not advisable to insert metal lath when restuccoing historic masonry in sound condition, as it can hasten deterioration of the repair work. Not only will attaching the lath damage the masonry, but the slightest moisture penetration can cause metal lath to rust. This will cause metal to expand, eventually resulting in spalling of the stucco, and possibly the masonry substrate too.

8. If the area to be patched is properly cleaned and prepared, a bonding agent is usually not necessary. However, a bonding agent may be useful when repairing hairline cracks, or when dealing with substrates that do not offer a good bonding surface. These may include dense stone or brick, previously painted or stuccoed masonry, or spalling brick substrates. A good mechanical bond is always preferable to reliance on bonding agents. Bonding agents should not be used on a wall that is likely to remain damp or where large amounts of salts are present. Many bonding agents do not survive well under such conditions, and their use could jeopardize the longevity of the stucco repair.

9. A stucco mix compatible with the historic stucco should be selected after analyzing the existing stucco. It can be adapted from a standard traditional mix of the period, or based on one of the mixes included here. Stucco consisting mostly of portland cement generally will not be physically compatible with the softer, more flexible lime–rich historic stuccos used throughout the eighteenth and much of the nineteenth centuries. The differing expansion and contraction rates of lime stucco and portland cement stucco will normally cause the stucco to crack.

10. Choosing a stucco mix that is durable and compatible with the historic stucco on the building is likely to involve considerable trial and error, and probably will require a number of test samples, and even more if it is necessary to match the color. If the test samples are not executed on the building, they should be placed next to the stucco remaining on the building to compare the color, texture and composition of the samples with the original. The number and thickness of stucco coats used in the repair should also match the original.

11. After thoroughly dampening the masonry, the first, scratch coat should be applied to the masonry substrate, and or metal lath, in a thickness that corresponds to the original if extant, or generally about 1/4" to 3/8". The scratch coat should be scratched or crosshatched with a comb to provide a key to hold the second coat. It usually takes 24–72 hours and longer in cold weather, for each coat to dry before the next coat can be applied. The second coat should be about the same thickness as the first, and the total thickness of the first two coats should generally not exceed about 5/8". This second or leveling coat should be roughened using a wood float with a nail protruding to provide a key for the final or finish coat. The finish coat, about 1/4" thick, is applied after the previous coat has initially set. If this is not feasible, the base coat should be thoroughly dampened when the finish coat is applied later. The finish coat should be worked to match the texture of the original stucco.

12. Note that it is very important to have a skilled professional plasterer preform this work to avoid some of the pitfalls that would hinder someone less experienced in this trade. General suggestions for successful stucco repair parallel those involving restoration and repair of historic mortar or plaster. In addition, the following principles are important to remember:

13. Mix only as much stucco as can be used in one and one–half to two hours. This will depend on the weather (mortar will harden faster under hot and dry, or sunny conditions); and experience is likely to be the best guidance. Any remaining mortar should be discarded; it should not be retempered.
14. Stucco mortar should not be over–mixed. (Hand mix for 10–15 minutes after adding water, or machine mix for 3–4 minutes after all ingredients are in mixer.) Over–mixing can cause crazing and discoloration, especially in tinted mortars. Over–mixing will also tend to make the mortar set too fast, which will result in cracking and poor bonding or keying to the lath or masonry substrate.
15. Masonry substrate, but not metal lath, must be thoroughly wetted before applying stucco patches so that it does not draw moisture out of the stucco too rapidly. To a certain extent, bonding agents also serve this same purpose. Wetting the substrate helps retard drying.
16. To prevent cracking, it is imperative that stucco not dry too fast. Therefore, the area to be stuccoed should be shaded, or even covered if possible, particularly in hot weather. It is also a good idea in hot weather to keep the newly stuccoed area damp, at approximately 90 per cent humidity, for a period of 48 to 72 hours.

17. Stucco repairs, like most other exterior masonry work, should not be undertaken in cold weather (below 40 degrees Fahrenheit, and preferably warmer), or if there is danger of frost.

Early twentieth century Portland Cement Stucco

1 part portland cement
2–1/2 parts sand
Hydrated lime = to not more than 15% of the cement's volume
Water to form a workable mix.
The same basic mix was used for all coats, but the finish coat generally contained more lime than the undercoats.

American Portland Cement Stucco Specifications (c. 1929)

Base Coats:
5 pounds, dry, hydrated lime
1 bag portland cement (94 lbs.)
Not less than 3 cubic feet (3 bags) sand (passed through a #8 screen)
Water to make a workable mix.
Finish Coat:
Use WHITE portland cement in the mix in the same proportions as above.
To color the stucco add not more than 10 pounds pigment for each bag of cement contained in the mix.

Note: All of the above mixes are to be used only as a general guide. It shall be the Contractor's responsibility to provide mix composition data formulas for the Architect's review and approval before work under this Division of the Work is to commence.

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Campbell, California

LICENSED ARCHITECT
MARK S. SANDOVAL
No.C23926
Ren. 6-30-17
STATE OF CALIFORNIA

REVISIONS:
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SHEET DESCRIPTION:

PRESERVATION TREATMENT NOTES

N0. 1605-02

DATE: 6/6/16
SCALE:
DRAWN BY:
CHECK BY:

SHEET NUMBER:
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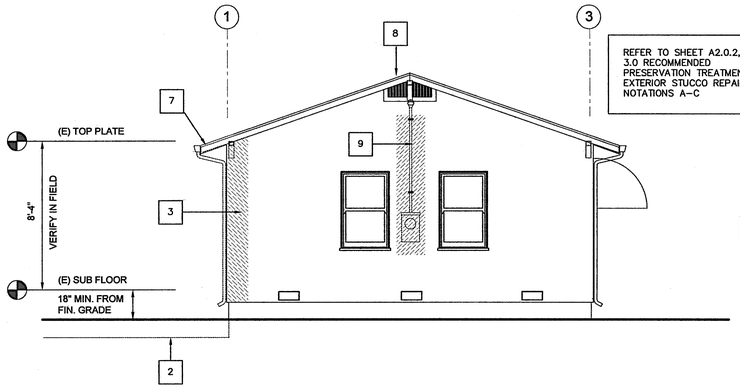
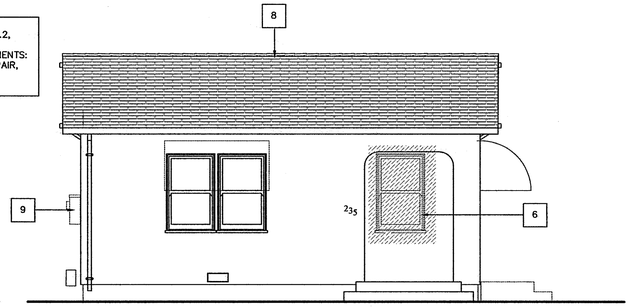


EXISTING EXTERIOR SOUTH ELEVATION

1 / A2.1

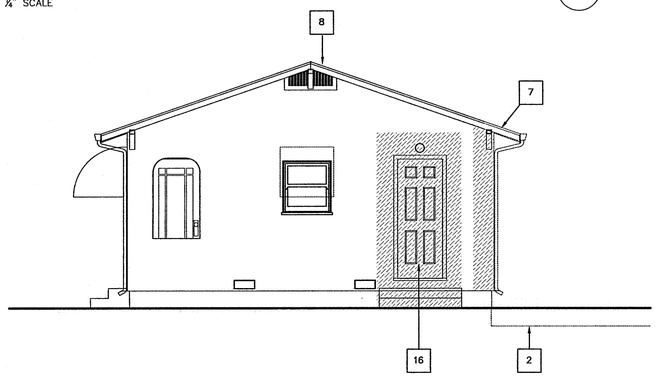
¼" SCALE



EXISTING EXTERIOR EAST ELEVATION

2 / A2.1

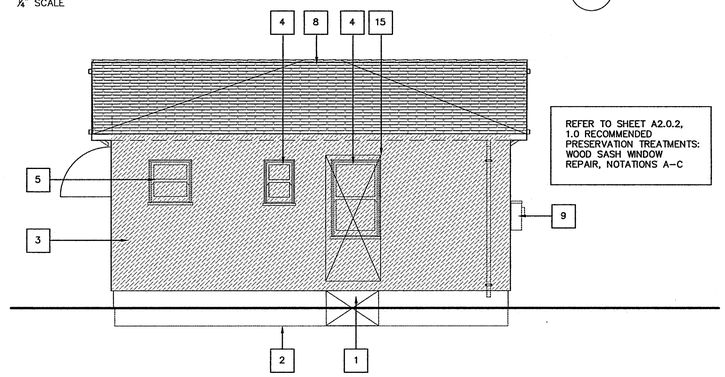
¼" SCALE



EXISTING EXTERIOR NORTH ELEVATION

3 / A2.1

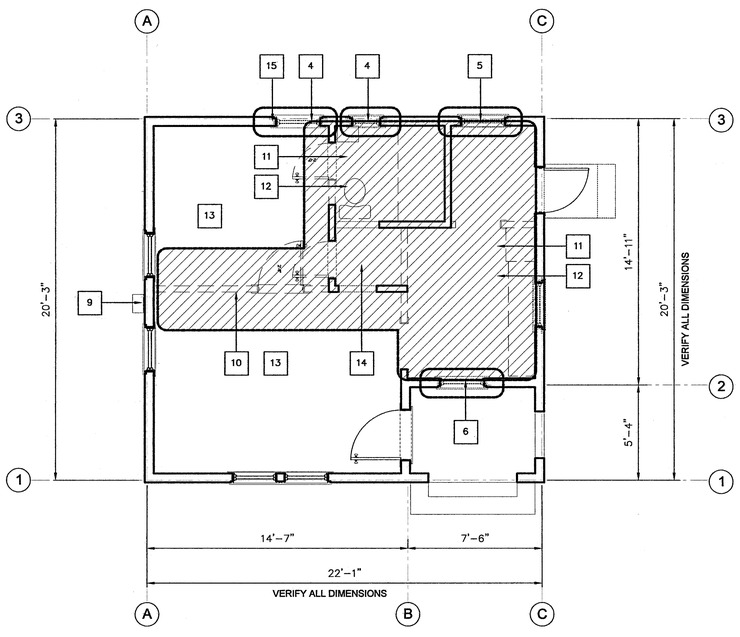
¼" SCALE



EXISTING EXTERIOR WEST ELEVATION

4 / A2.1

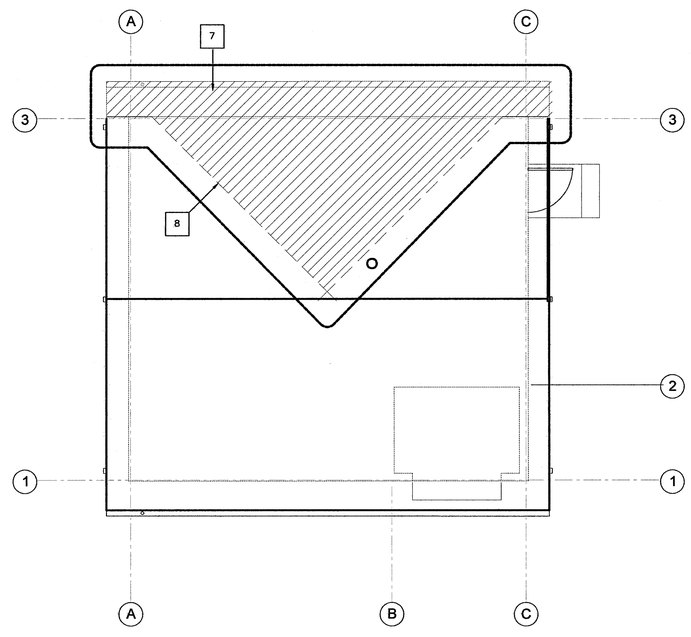
¼" SCALE



EXISTING FLOOR AND DEMOLITION PLAN

5 / A2.1

¼" SCALE



EXISTING ROOF AND DEMOLITION PLAN

6 / A2.1

¼" SCALE

SHEET NOTES

1. Indicates new penetration through existing concrete perimeter footing for crawl space access; carefully saw cut localized area without damaging existing floor and/or wall framing above; refer to structural foundation and new floor framing plan for additional requirements
2. Indicates general location to be excavated for the new room addition's foundation system; see structural foundation drawings for requirements
3. indicates existing stucco wall surface material to be removed; care shall be observed to ensure that stud wall is not damaged by operation; repair as needed for new work
4. Indicates existing window to be removed; re–frame and repair as needed for new work
5. Indicates existing wood double hung window to be removed and reused in place of existing widow at front porch area; repair as needed
6. Existing wood double hung window to be remove; re–frame and repair existing all wall surfaces as needed for reuse of existing window taken from rear facade of the home
7. Carefully remove existing roof tail rafters, solid sheathing, gutter and downspout as required for new room addition to the home; remove only material that is essential for the proper tie in and construction of work shown
8. Indicates approximate line of existing composition roof material to be removed for new California framed roof system; carefully remove localized areas of the existing roof that may be needed for adequate attic access for new mechanical, skylight, and general access clearance around plumbing within both attic spaces
9. Existing electrical main power feed and meter to be removed; patch and repair existing wall surfaces as needed
10. Indicates existing interior wall and/or partition to be removed; patch and repair all adjacent finishes as needed for new work
11. Remove all existing interior finishes, cabinetry, baseboard and trim; prepare wall surfaces as needed for new work
12. Carefully remove existing mechanical, plumbing, and electrical in room that is not to be modified or to be incorporated as part of the new remodeling improvements to the space; patch and prepare room area for new interior wall construction layout and rough–in of all new work as indicated in the drawings
13. Carefully retain all existing floor surface material as directed by the Owner
14. Remove existing furnace equipment, gas connection and ductwork; patch and repair existing floor, wall and ceiling framing in area and prepare all surfaces for new work
15. Indicates approximate location of new hallway penetration; refer to proposed floor plan
16. Indicates existing manufactured exterior door, jamb, and light fixture to be removed; reframe and repair as needed for new work; see Sheet A2.3 and A3.3 requirements

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SHEET DESCRIPTION:

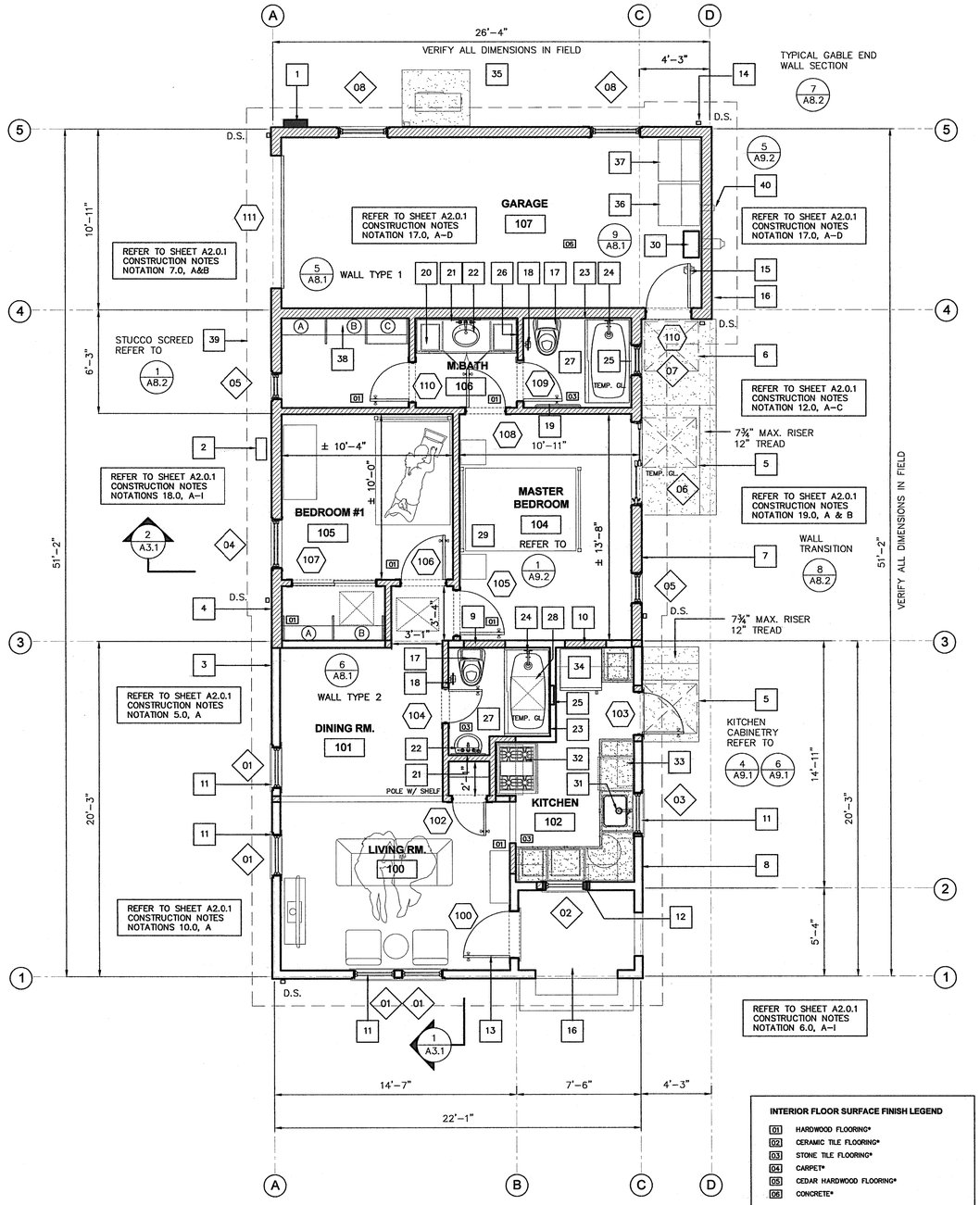
EXISTING BUILDING ELEVATIONS, FLOOR AND ROOF DEMOLITION PLANS

NO. 1605–02

DATE:	SCALE:
7/5/16	AS NOTED
DRAWN BY:	CHECK BY:

SHEET NUMBER:

A2.1



PROPOSED FLOOR PLAN

1/4" SCALE

INTERIOR FLOOR SURFACE FINISH LEGEND

01	HARDWOOD FLOORING*
02	CERAMIC TILE FLOORING*
03	STONE TILE FLOORING*
04	CARPET*
05	CEDAR HARDWOOD FLOORING*
06	CONCRETE*

* CONTRACTOR TO REVIEW ALL FLOOR TYPES AND FINISH REQUIREMENTS WITH THE OWNER PRIOR TO BID FOR REQUIREMENTS.

SHEET NOTES

1. Indicates new 200 Amp Service 1P main Panel location with UFFER grounding electrode
2. New gas meter location; coordinate reattachment to main entry gas line to building with PG&E
3. Indicates existing exterior stucco wall to remain; patch and repair as needed for proper tie in to new room addition wall framing
4. Indicates new cement plaster stucco applied over self-furring wire lath; over 2 layers of Grade "D" building paper; over substrate sheathing CDX Plywood (matching dimension thickness of original sheathing; over 2 x wall framing; refer to structural drawings for shearwall locations (Note: final surface application to match both the physical properties and visual characteristics of the original material; prepare for new paint application)
5. Indicates new concrete porch with steps; ensure that new scored surface pattern if used matches the overall visual appearance and overall characteristics of the original porch
6. New walk material to be determined by the Owner
7. Indicates new plaster stucco foundation 14" x 6" vent screen
8. Existing plaster stucco over wire lath with moisture barrier over ¾" redwood horizontal sheathing; patch and repair as needed for new plaster stucco application; final surface application to match both the physical properties and visual characteristics of the original material; prepare for new paint application
9. Indicates existing double hung wood sash windows to be removed
10. Indicates existing double hung sash wood window to be removed; repaired, refurbish, and re-glaze if required for reuse at front porch area; refer to "Historic Window Repair Notes" for further requirements; ensure that exact placement is coordinated with interior casework layout; review with the Architect before rough-in framing
11. Indicates existing wood double hung sash window to remain
12. Indicates existing wood double hung sash window to be remove; re-frame opening as required for reuse of existing wood double hung window
13. Indicates existing wood and divided glass door
14. Indicates new metal O.G. profile gutter with down spouts from roof above; provide concrete splash blocks to divert rainwater away from the building new foundation system
15. New painted wood stile and rail exterior swing door with upper tempered glass panel with raised panels below. The Contractor shall be required to furnish catalogue cut sheets for the Architect's and City approval of door manufacturer including all selected door hardware; prior ordering.
16. Existing concrete porch and steps
17. Indicates toilet with toilet seat (1.28 g.p.m. max.)
18. Indicates tissue holder
19. Indicates towel bar
20. Indicates stone counter top
21. Mirror
22. Lavatory sink with faucet fixture (1.2 g.p.m. max.)
23. All bathroom and shower areas are to have a durable smooth nonabsorbent surface application; see the owner for bidding instructions; in shower locations this waterproof material must extend no less than 72 inches above the top of the finish floor surface
24. New tub with shower combination (2.0 g.p.m. max.)
25. indicates recessed soap ledge
26. Recessed medicine cabinet
27. New tempered glass tub/shower enclosure (see the Owner for bidding instructions)
28. Indicates skylight above
29. Indicates approximate location of new high efficiency attic furnace with exhaust and fresh air intake to the outside of building above
30. New tank less water gas water heater; refer to manufacturer's specifications also sheet A9.1 for details
31. Stainless steel kitchen under mount sink w/ faucet (1.8 g.p.m. max.)/w sink garbage disposal.
32. Indicates 36" range oven combination w/ microwave hood combination witch upper cabinet above; all wall surfaces in area to be tile; install residential equipment per manufacturer's installation and clearance specifications
33. Under counter dishwasher, see the Owner for bidding instructions
34. 30" refrigerator with ice maker; provide water connection
35. HVAC Condenser unit mounted to concrete pad
36. Clothes dryer with exhaust to outside of building
37. Washing machine
38. Indicates closet organizers (see Architectural Drawings Sheet A9.1)
39. Indicates overhang of roof above
40. Clothes dryer vent location

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SHEET DESCRIPTION:

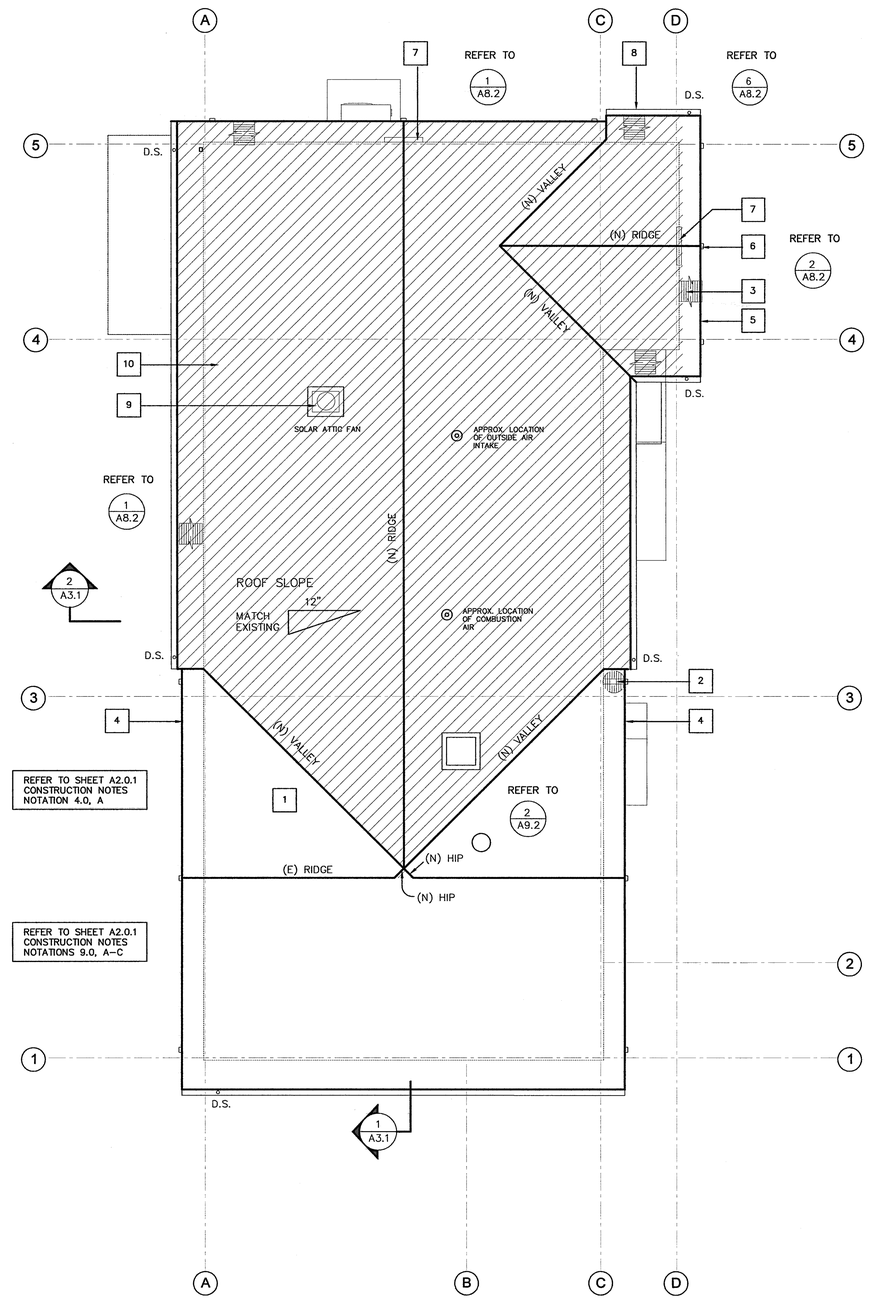
PROPOSED FLOOR & ROOF PLANS

NO. 1605-02

7/5/16	AS NOTED
DATE:	SCALE:
DRAWN BY:	CHECK BY:

SHEET NUMBER:

A2.3



PROPOSED ROOF PLAN

1/4" SCALE

2
A2.4

SHEET NOTES

1. Existing composition asphalt shingle Class A roof system; repair as needed for proper tie in of new roof transition
2. Indicates existing bead board solid roof deck sheathing (beneath roof eave); modify and/or repair as needed for new roof tie in transition
3. Indicates new bead board solid roof sheathing (beneath roof eave) to match all dimensional and visual characteristics of existing sheathing material
4. Indicates existing redwood 2 x barge rafter with wood trim board; repair as needed for new work
5. Indicates new 2 x barge rafter with wood trim board; size to match all dimensional and visual characteristics of original material
6. Indicates new knew brace to match all dimensional and visual characteristics of the original. Attachment to building to replicate method of original,
7. Indicates location of new wood screened attic gable vent to match visual appearance and size of original vents (see architectural exterior elevations)
8. Indicates new metal O.G. profile gutter with down spouts; provide concrete splash blocks to divert rainwater away from the building to landscape areas with permeable soils
9. Indicates approximate location of solar roof mounted attic fan (see attic ventilation calculations for requirements)
10. New composition asphalt shingle Class A roof system to match existing roof product; install per manufacturer's installation requirements; ensure that nailing of roof product does not penetrate the depth of T and G eave sheathing surfaces which may be exposed to view from below

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SHEET DESCRIPTION:

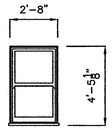
PROPOSED ROOF PLAN

N0. 1605-02

DATE:	SCALE:
6/23/16	AS NOTED
DRAWN BY:	CHECK BY:

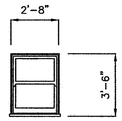
SHEET NUMBER:

A2.4



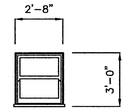
EXISTING DOUBLE HUNG WOOD WINDOW (SINGLE PANE GLAZING)

01



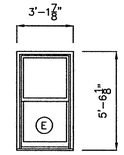
EXISTING DOUBLE HUNG WOOD WINDOW (SINGLE PANE GLAZING)

02



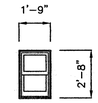
EXISTING DOUBLE HUNG WOOD WINDOW (SINGLE PANE GLAZING)

03



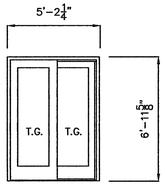
DOUBLE HUNG WOOD WINDOW

04



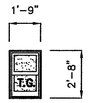
DOUBLE HUNG WOOD WINDOW

05



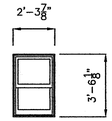
FRENCH SLIDING DOOR

06



DOUBLE HUNG WOOD WINDOW (TRANSLUCENT)

07



DOUBLE HUNG WOOD WINDOW

08

WINDOW SCHEDULE NOTES

1. Exterior Glazing. Exterior windows, window walls, glazed doors, and glazed openings within the exterior doors shall be double insulating-glass units (except where noted otherwise) with a minimum of one tempered pane, or glass block units, or have a fire resistance rating of not less than 20 minutes, when tested according to ASTM E 2010, or conform to the performance requirements of SFM 12-7A-2. Refer to exterior elevations for those window units to be furnished with triple pane 1¾" thick clear glass.
2. The Contractor shall provide and properly install in accordance with the manufacturer's specifications all window and door units shown in these Drawings. All units shall be manufactured by Kolbe and Kolbe Windows, Heritage Traditional Series (except where noted). Review with the Owner final finish and accessories desired before ordering.
3. Glass type: shall be clear; Low E and shall meet the specific WUI requirements outlined by SFM and under CRC Section R308 Glazing.
4. All windows and doors shall come equipped with factory installed jamb extension (if applicable) for wall thickness as required for proper installation and shall match the interior frame finish
5. All insect screens shall be Factory installed and shall be fabricated out of a screen mesh 18 X 16 charcoal fiber glass Hi-Tran mesh. Verify color with the Owner before ordering.
6. The Contractor shall be responsible in verifying all conditions before proceeding with the installation of each unit to ensure that all openings are plumb, square, and at the proper dimensions required for each unit. Report any frame defects or unsuitable conditions to the Architect immediately before proceeding.
7. As part of the Project's Close Out procedures, the Contractor shall be responsible in removing all visible labels and adhesive residue using means and methods approved by the manufacturer and leave windows and glass in a thoroughly clean and in a presentable condition.
8. The Contractor shall be responsible in providing complete shop drawings for the Architect's review and written approval of all window and door units illustrated above prior to ordering. Include as part of this submittal as appropriate, samples of all manufacturer's standard color finishes, glazing and hardware options, and installation specifications.

SAFETY GLAZING: All windows, doors, or other glazed openings subject to human impact shall be furnished with safety glazing in accordance with CBC §R308. Refer to the drawings and correlate with the following provisions:

a. In all glazed doors.

b. At wall, enclosure or door for tub, shower, sauna, etc., including window if bottom is less than 60" above standing surface.

c. Adjacent to a door where window is within 24" arc of either edge of door in closed position or less than 60" above walking surface.

d. Where area of a pane is greater than 9 sf. and window bottom is less than 18" above floor and top is more than 36" above floor and walking surface is within 36" horizontally.

e. Adjacent to stairs, landings and ramps within 36" horizontally of a walking surface, if within 60" above the plane of the walking surface.

f. Within 60" horizontally of bottom tread of stairway if less than 60" above tread nose

EMERGENCY & ESCAPE AND RESCUE WINDOW

a. The minimum size of emergency escape and rescue opening shall have a minimum of 5.7 square feet (.46 m sq.) with a minimum net clear opening height dimension of 24 inches (610 mm). The minimum net clear width dimension shall be 20 inches 508 mm). The net clear opening dimensions shall be the result of normal operation of the opening.

b. The maximum height from floor for the emergency escape and rescue openings shall have a bottom of the clear opening not greater than 44 inches (1118 mm) measured from the floor.

c. Emergency escape and rescue openings along with any exit door shall be maintained free of any obstructions and shall be operational from the inside of the room. Decorative bars, grilles, grates or other similar device may be permitted provided that it complies with Section 1026.2 and that such device shall be releasable or removable from the inside of the room without the use of a key, tool, special knowledge or effort or force than that which is required for normal operation of the escape and rescue opening. Section 1026.4

LEGEND

(E) INDICATES EGRESS WINDOW COMPLYING WITH R310 CRC REQUIREMENTS

T.G. INDICATES TEMPERED SAFETY GLAZING

NOTE: Dimensions illustrated are unit frame sizes and may not necessarily reflect the manufacturer's actual frame dimensions. It shall be the contractor's responsibility to correlate these drawings with those window units that most closely match the dimensions as depicted above. Once all window units have been tentatively selected, the contractor shall provide the architect with complete and dimensioned shop drawings for his review and approval before proceeding with procurement of any of these items. In addition to these drawings, provide all pertinent manufacturer's installation specifications assembly details, warrantee information, glazing, finish, hardware and all accessory options that might help the owner in making final selections of all items under this division of the work.

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SHEET DESCRIPTION:

WINDOW SCHEDULE

N0. 1605-02

6/9/16

DATE: SCALE:

DRAWN BY: CHECK BY:

SHEET NUMBER:

A2.5

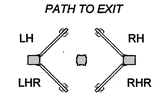
DOOR TYPES

DOOR HARDWARE SCHEDULE

DOOR SCHEDULE

NOMNAL SIZE				DOOR STYLE	DOOR TYPE				RATING		HARDWARE	COMMENTS
DOOR NUMBER	WIDTH	HEIGHT	THICKNESS	DOOR OPERATION		GLAZING REQUIREMENTS	JAMB THICKNESS	JAMB WIDTH	FRAME	DOOR		
MAIN FLOOR												
100	3'-0"	6'-8"	1¾"	RHR SWING EXTERIOR DOOR W/ DIVIDED GLASS	STILE & RAIL	–	–	–	–	–	–	EXISTING DOOR TO REMAIN
102	2'-0"	6'-8"	1⅜"	RHR SWING DOOR W/ FLAT CENTER PANEL	STILE & RAIL	–	–	–	–	–	CLOSET	TO BE SELECTED BY THE OWNER; DOOR AND HARDWARE TO BE FURNISHED AND INSTALLED BY CONTRACTOR
103	3'-0"	6'-8"	1¾"	RH SWING EXTERIOR DOOR	STILE & RAIL	–	–	–	–	–	–	EXISTING DOOR TO REMAIN
104	2'-0"	6'-8"	1⅜"	RHR SWING DOOR W/ FLAT CENTER PANEL	STILE & RAIL	–	–	–	–	–	BATHROOM	TO BE SELECTED BY THE OWNER; DOOR AND HARDWARE TO BE FURNISHED AND INSTALLED BY CONTRACTOR
105	2'-6"	6'-8"	1⅜"	LHR SWING DOOR W/ FLAT CENTER PANEL	STILE & RAIL	–	–	–	–	–	PASSAGE	TO BE SELECTED BY THE OWNER; DOOR AND HARDWARE TO BE FURNISHED AND INSTALLED BY CONTRACTOR
106	2'-6"	6'-8"	1⅜"	LHR SWING DOOR W/ FLAT CENTER PANEL	STILE & RAIL	–	–	–	–	–	PASSAGE	TO BE SELECTED BY THE OWNER; DOOR AND HARDWARE TO BE FURNISHED AND INSTALLED BY CONTRACTOR
107	2'-6"	6'-8"	1⅜"	PAIR OF SLIDING CLOSET DOORS W/ FLAT CENTER PANEL	SIDING	–	–	–	–	–		TO BE SELECTED BY THE OWNER; DOOR AND HARDWARE TO BE FURNISHED AND INSTALLED BY CONTRACTOR
108	2'-6"	6'-8"	1⅜"	RHR SWING DOOR W/ FLAT CENTER PANEL	STILE & RAIL	–	–	–	–	–	BATHROOM	TO BE SELECTED BY THE OWNER; DOOR AND HARDWARE TO BE FURNISHED AND INSTALLED BY CONTRACTOR
109	2'-6"	6'-8"	1⅜"	LHR SWING DOOR W/ FLAT CENTER PANEL	STILE & RAIL	–	–	–	–	–	BATHROOM	TO BE SELECTED BY THE OWNER; DOOR AND HARDWARE TO BE FURNISHED AND INSTALLED BY CONTRACTOR
110	3'-0"	6'-8"	1⅜"	RHR SWING EXTERIOR DOOR W/ FLAT CENTER PANEL	STILE & RAIL	–	–	–	–	–	ENTRANCE	TO BE SELECTED BY THE OWNER; DOOR AND HARDWARE TO BE FURNISHED AND INSTALLED BY CONTRACTOR

PATH TO EXIT



PRIMARY ROOM

DOOR SCHEDULE SWING CONFIGURATION LEGEND

NOTE: THE CONTRACTOR SHALL PROVIDE ALL CATALOGUE CUT SHEETS FOR ALL HARDWARE ITEMS LISTED ABOVE FOR THE ARCHITECT'S REVIEW AND APPROVAL BEFORE COMMENCING WITH ANY ORDERING OF ITEMS LISTED ABOVE. ALL HARDWARE INCLUDING FINISHES MUST BE APPROVED WRITING BY THE ARCHITECT AND/OR THE OWNER BEFORE ORDERING. REPRESENTATIVE PRODUCT OR FINISH SAMPLES MAY BE REQUESTED AS PART OF THE SUBMITTAL REVIEW PROCESS BY THE ARCHITECT OR THE OWNER. REVIEW ALL BIDDING INSTRUCTIONS WITH THE THE ARCHITECT OR OWNER WHICH MAY AFFECT THE WORK PROPOSED UNDER THIS DIVISION BEFORE SUBMITTING FINAL BID..

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PROJECT:

Remodel & Room Additions to the Historic Hattie Depuy House for

MICHAEL NAVONE

235 South First Street
Campbell, California

REVISIONS:
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SHEET DESCRIPTION:

DOOR SCHEDULE

N0. 1605-02

7/5/16

DATE: SCALE:

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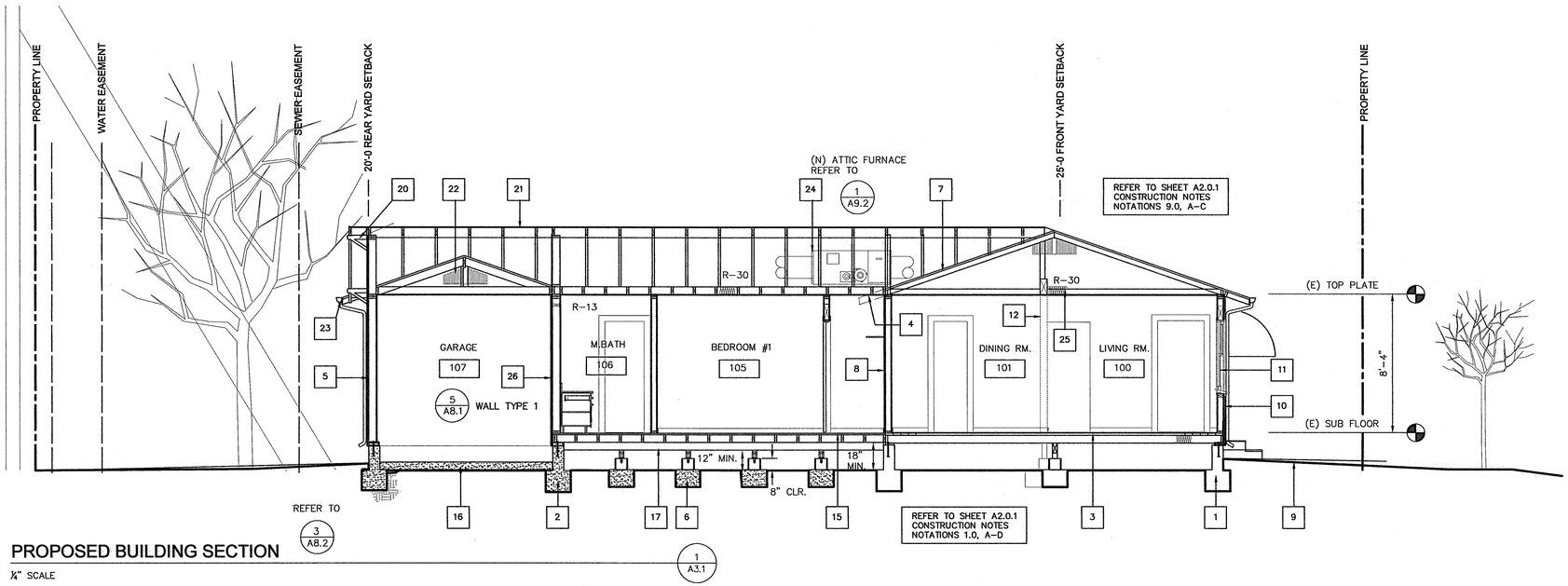
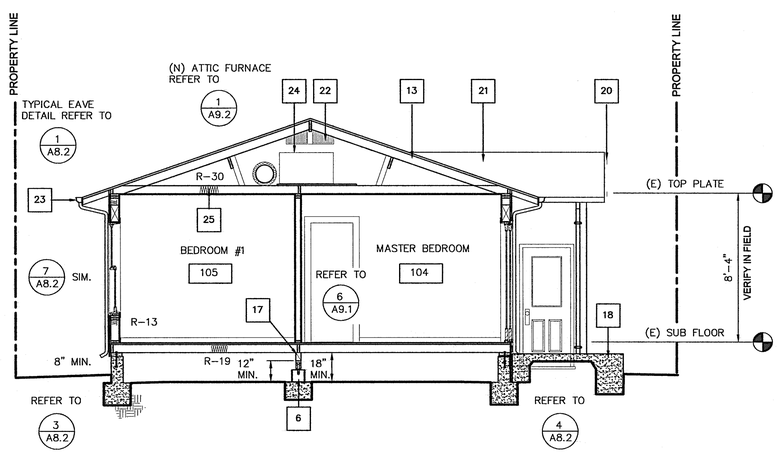
SHEET NUMBER:

A2.6



PROPOSED BUILDING SECTION

¼" SCALE



PROPOSED BUILDING SECTION

¼" SCALE

2/A3.1

SHEET NOTES

1. Indicates existing concrete perimeter foundation and floor framing to remain; provide crawl space access in locations show for access from existing under floor area to new room addition
2. Indicates new reinforced concrete foundation system; refer to structural drawings for details and other requirements
3. Indicates existing sub floor over existing floor framing; repair and replace as required for new addition
4. Indicates existing roofing material, rafter tails, and roof framing to be removed as required for proper room addition tie in; prepare surfaces as needed for new work
5. Indicates new cement plaster stucco applied over self–furring wire lath; over 2 layers of Grade "D" building paper; over substrate sheathing CDX Plywood (matching dimension thickness of original sheathing; over 2 x wall framing; refer to structural drawings for shearwall locations (Note: final surface application to match both the physical properties and visual characteristics of the original material; prepare for new paint application)
6. Indicates new isolated concrete pier; refer to structural drawings for requirements
7. Existing 2 x roof framing repair and/or as needed for new work as indicated
8. Existing wall framing; repair and patch plaster as required
9. Indicates finish grade elevation
10. Existing plaster stucco over wire lath with moisture barrier over ¾" redwood horizontal sheathing; patch and repair as needed for new plaster stucco application; final surface application to match both the physical properties and visual characteristics of the original material; prepare for new paint application
11. Indicates existing wood double hung sash window to remain
12. Indicates existing interior wall to be removed; provide new support beam in ceiling and repair all existing wall and ceiling surfaces as required for a seamless transition between new and existing surfaces
13. Indicates new roof framing; see structural drawings for details and other requirements
14. Indicates new ceiling framing
15. Indicates new sub floor and floor framing; refer to structural drawings for details and other requirements
16. New reinforced concrete garage slab over moisture barrier; see structural drawings for details and other requirements
17. New 4X girder; see foundation and floor framing plan for requirements
18. Indicates new concrete stoop
19. New redwood 2 x barge rafter with wood trim board to match dimensional size, profile, and overall visual characteristics of existing
20. Indicates new wood gable knee brace to match visual characteristics of the original.
21. New Class A composition asphalt shingle roof system to match existing manufactured roof system
22. Indicates new wood attic gable ventilators to match existing
23. Indicates new metal O.G. profile gutter with down spouts; provide concrete splash blocks to divert rainwater away from the building new foundation system
24. New attic HVAC unit with platform and light above; ensure that access to attic allows for the minimum clearance required for the largest piece of equipment; install in accordance with all applicable codes and the manufacturer's specifications
25. indicates batt insulation; see T–24 mandatory measures for specifications requirements
26. Indicates 1 hour construction separation between garage and living space; refer to Construction Notes on Sheet A2.0, 17 Occupancy Separation, notations A through D

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235 South First Street
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LICENSED ARCHITECT
MARK S. SANDOVAL
No.C23926
Ren. 6-30-17
STATE OF CALIFORNIA

REVISIONS:
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SHEET DESCRIPTION:

PROPOSED BUILDING SECTIONS

NO. 1605–02

DATE:	SCALE:
7/5/16	AS NOTED
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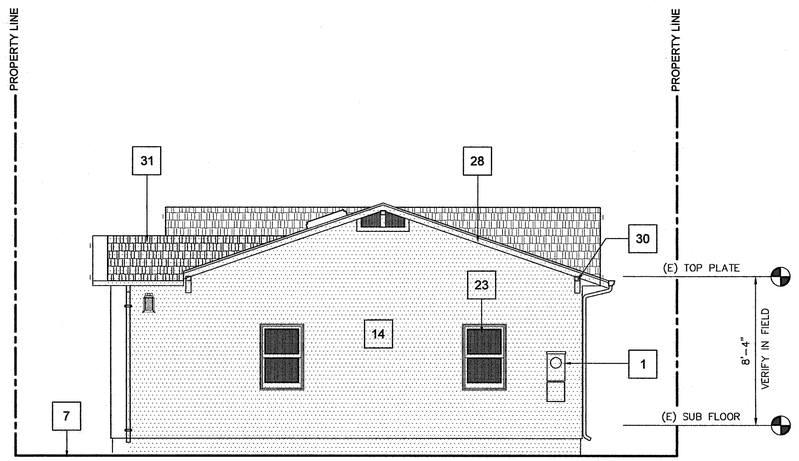
A3.1

PROPOSED EAST EXTERIOR ELEVATION - SOUTH FIRST STREET

1/4" SCALE

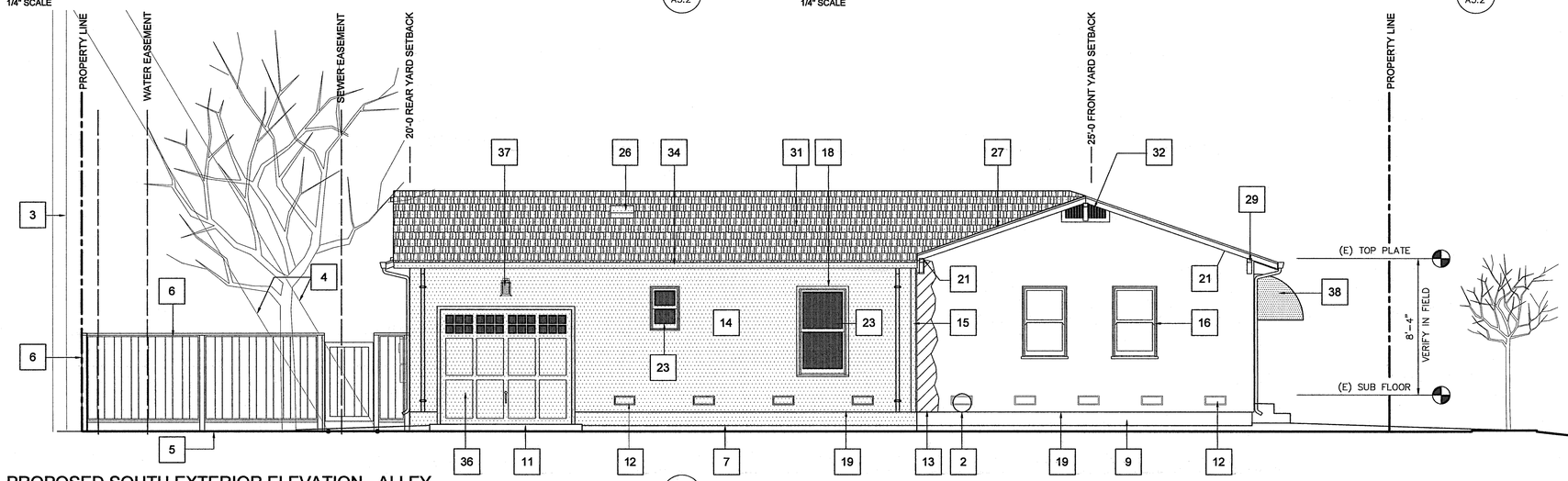
1 / A3.2



PROPOSED WEST EXTERIOR ELEVATION - BACK SIDE

1/4" SCALE

2 / A3.2



PROPOSED SOUTH EXTERIOR ELEVATION - ALLEY

1/4" SCALE

3 / A3.2

PROPOSED NORTH EXTERIOR ELEVATION - RIGHT SIDE

1/4" SCALE

4 / A3.2

SHEET NOTES

1. New 200 electrical main services
2. New gas meter location
3. Indicates existing PG&E utility pole
4. Existing utility guide wires
5. Existing gravel Alley
6. 6'-0" redwood fence
7. Indicates finish grade elevation
8. Indicates existing concrete entry porch with steps
9. Indicates new concrete perimeter foundation refer to structural drawings for requirements
10. New concrete stoop, stairs and/or patio
11. Indicates new concrete driveway
12. Indicates new plaster stucco foundation 14" x 6" vent screen
13. Existing plaster stucco over wire lath with moisture barrier over ¾" redwood horizontal sheathing; patch and repair as needed for new plaster stucco application as required; final surface application to match both the physical properties and visual characteristics of the original material; prepare for new paint application
14. Indicates new plaster stucco over self-furring wire lath over 2 layers of Grade "D" building paper over ½" CDX plywood; final surface application to match both the physical properties and visual characteristics of the original material
15. Indicates new vertical 5/8" x 2" painted redwood transition trim board (separating the existing historic home from the new addition); refer to architectural drawings for requirements
16. Indicates existing double hung sash wood window; repair, refurbish, and re-glaze as required; refer to "Historic Window Repair Notes" for further requirements
17. Indicates original salvaged double hung sash wood kitchen window to be relocated in location as illustrated; repair and re-glaze as necessary; refer to "Historic Window Repair Notes" for further requirements
18. Indicates new "Z" painted galvanized iron head flashing (typical)
19. Indicates new plaster stucco drip screed
20. Indicates existing wood and divided glass door; repair and regulate existing hardware as needed to return to proper and full working operation
21. Indicates existing wood bead board eave roof sheathing; repair and or replace with material of equal dimensional and overall visual characteristics
22. Indicates new wood bead board eave roof sheathing to match overall visual characteristics of existing material
23. New wood double hung manufactured wood window with stucco wood trim to match size and general shape of original window trim, see Window Schedule for requirements
24. New manufactured patio French sliding door; see Window Schedule for requirements
25. New operable skylight; Velux or equal quality manufacturer
26. New solar attic roof vent; refer to building ventilation requirement calculations
27. Indicates existing redwood 2 x barge rafter with wood trim board; replace all weather related damaged boards as required with material of similar dimensional size, profile, and overall visual characteristics; refer to architectural details for other requirements
28. New redwood 2 x barge rafter with wood trim board to match dimensional size, profile, and overall visual characteristics of existing
29. Indicates existing wood gable triangular knee braces; repair as needed; review with the Architect any brace that requires replacement. If replacement is required, Contractor shall reconstruct item so that it matches the overall dimensional and visual characteristics of the original. Attachment to building shall follow similar methods used in installing the original brace, unless otherwise directed by the Architect.
30. Indicates new wood gable triangular knee brace; match overall dimensional and visual characteristics of original.
31. New Class A composition asphalt shingle roof system
32. Indicates existing wood attic ventilators; clean and repair as needed; replace attic interior mesh screen; prepare as needed for new paint application
33. New custom fabricated redwood attic ventilators with interior screen to match visual appearance of existing gable vent, provide shop drawings for the Architects approval before fabrication is to commence
34. Indicates new metal O.G. profile gutter with downspouts; provide concrete splash blocks to divert rainwater away from the building new foundation system
35. New exterior wood stile and rail swing door, frame and threshold
36. New garage door (style to be selected by the Owner)
37. Approximate location of new exterior light fixture (to be selected by the Owner)
38. Refurbished existing fabric awning with metal support wall mounted frame
39. Indicates address numbers; refer to Construction Notes on Sheet A2.0, 14.0, A

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PROPOSED EXTERIOR ELEVATIONS

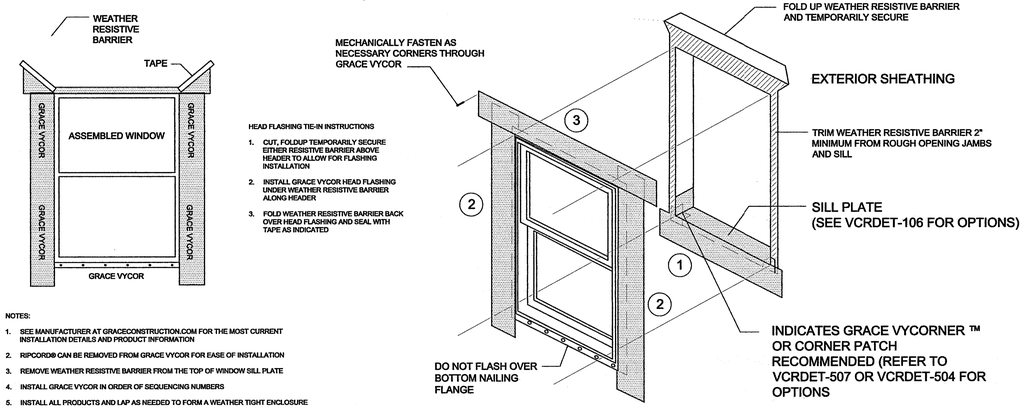
NO. 1605-02

DATE:	SCALE:
7/5/16	AS NOTED

DRAWN BY: CHECK BY:

SHEET NUMBER:

A3.2



HEAD FLASHING TIE-IN INSTRUCTIONS

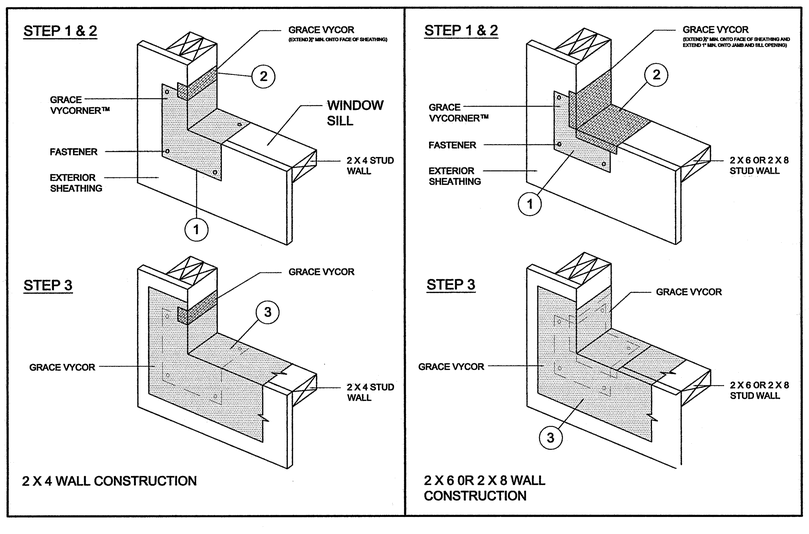
1. CUT, FOLDUP TEMPORARILY SECURE EITHER RESISTIVE BARRIER ABOVE HEADER TO ALLOW FOR FLASHING INSTALLATION
2. INSTALL GRACE VYCOR HEAD FLASHING UNDER WEATHER RESISTIVE BARRIER ALONG HEADER
3. FOLD WEATHER RESISTIVE BARRIER BACK OVER HEAD FLASHING AND SEAL WITH TAPE AS INDICATED

NOTES:

1. SEE MANUFACTURER AT GRACECONSTRUCTION.COM FOR THE MOST CURRENT INSTALLATION DETAILS AND PRODUCT INFORMATION
2. RIPCORD® CAN BE REMOVED FROM GRACE VYCOR FOR EASE OF INSTALLATION
3. REMOVE WEATHER RESISTIVE BARRIER FROM THE TOP OF WINDOW SILL PLATE
4. INSTALL GRACE VYCOR IN ORDER OF SEQUENCING NUMBERS
5. INSTALL ALL PRODUCTS AND LAP AS NEEDED TO FORM A WEATHER TIGHT ENCLOSURE
6. DETAIL ALSO RELEVANT FOR GRACE VYCOR V40 AND VYCOR BUTYL

FLANGED WINDOW INSTALLATION AFTER WEATHER RESISTIVE BARRIER

GRACE VYCOR® SELF ADHERING FLASHING



NOTES:

1. SEE MANUFACTURER AT GRACECONSTRUCTION.COM FOR THE MOST CURRENT INSTALLATION DETAILS AND PRODUCT INFORMATION
2. INSTALL IN ORDER OF SEQUENCING AS SHOWN
3. MECHANICALLY FASTEN THE GRACE VYCORNER IN CORNERS AS NECESSARY WITH NON CORROSIVE NAILS OR STAPLES
4. CHECK WITH LOCAL BUILDING CODES FOR WEATHER RESISTIVE BARRIER REQUIREMENTS AND INSTALL GRACE VYCOR WITH WEATHER RESISTIVE BARRIER TO FORM A WATER SHEDDING LAPS
5. INSTALL GRACE VYCOR FLASHING AT WINDOW (REFER TO MANUFACTURER VCRDET-100 TO 111)
6. INSTALL GRACE VYCORNER AT BOTH CORNERS OF WINDOW SILL AND EXTEND AS SPECIFIED BY INSTALLATION INSTRUCTIONS
7. DETAILS ARE RELEVANT FOR GRACE VYCOR V40 AND VYCOR BUTYL

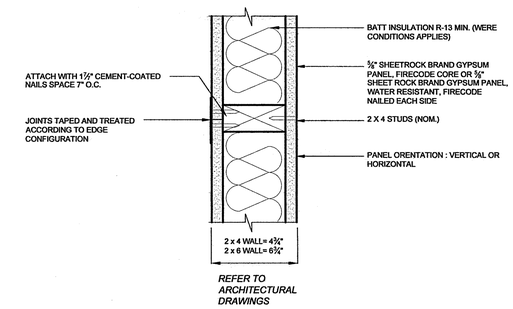
FLANGED WINDOW INSTALLATION BEFORE WEATHER RESISTIVE BARRIER

GRACE VYCORNER™ PREFABRICATED CORNERS FOR DOORS AND WINDOWS

STANDARD WEATHER RESISTIVE BARRIER DETAILS | N/S | 1

UL DESIGN U305
DRYWALL SYSTEM

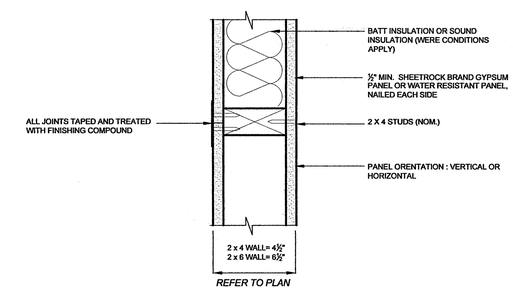
1 HOUR FIRE



NOTE: THE CONSTRICTOR TO CORRELATE DETAIL WITH STRUCTURAL DRAWINGS TO VERIFY IF SHEARWALL CONDITION MAY APPLY. IF WALL IS INDICATED IN THE STRUCTURAL DRAWINGS AS A SHEARWALL, THE STRUCTURAL DRAWINGS TAKE PRECEDENT OVER THE ABOVE ILLUSTRATED DETAIL AS TO WALL DIMENSIONS AS SHOWN. WITH THE EXCEPTION OF ANY ADDED SHEARWALL PLYWOOD, ALL OTHER WALL CONSTRUCTION MATERIALS AND ASSEMBLIES ARE TO REMAIN WHERE APPLICABLE

TYPE 1 - LOAD BEARING PARTITION | N/S | 5

TYPICAL INTERIOR WALL DETAIL



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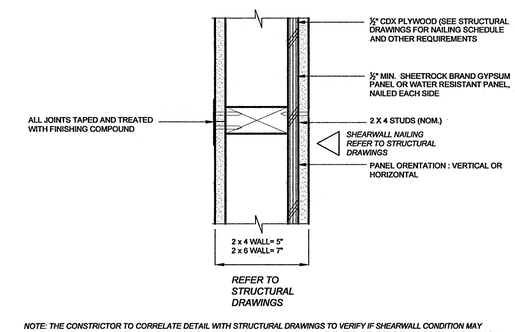
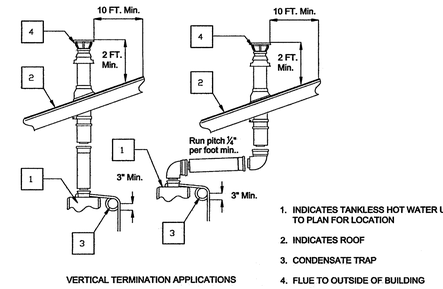
TYPE 2 - LOAD BEARING PARTITION | N/S | 6

TYPICAL INTERIOR SHEARWALL DETAIL



NOTE: THE CONSTRICTOR TO CORRELATE DETAIL WITH STRUCTURAL DRAWINGS TO VERIFY IF SHEARWALL CONDITION MAY APPLY. IF WALL IS INDICATED IN THE STRUCTURAL DRAWINGS AS A SHEARWALL, THE STRUCTURAL DRAWINGS TAKE PRECEDENT OVER THE ABOVE ILLUSTRATED DETAIL AS TO WALL DIMENSIONS AS SHOWN. WITH THE EXCEPTION OF ANY ADDITIOANL ADDED SHEARWALL PLYWOOD, ALL OTHER WALL CONSTRUCTION MATERIALS AND ASSEMBLIES ARE TO REMAIN WHERE APPLICABLE

TYPE 3 - SHEARWALL PARTITION | N/S | 7



1. INDICATES TANKLESS HOT WATER UNIT, REFER TO PLAN FOR LOCATION
2. INDICATES ROOF
3. CONDENSATE TRAP
4. FLUE TO OUTSIDE OF BUILDING

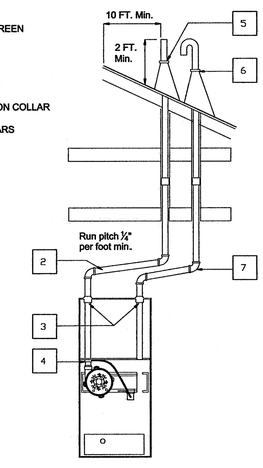
VERTICAL TERMINATION APPLICATIONS

GENERAL NOTES

1. Tankless water heater diagrams shown above are for illustration purposes only. The Contractor shall review all applicable code sections found in the latest editions of the , California Building Code, California Plumbing Code, California Energy Code, in addition to the attached Energy Compliance Forms found in these drawings, along with the manufacturer's installation manual before proceeding with the installation of water heater equipment depicted herein these drawings.
2. The Contractor shall provide all labor and material for the complete and total installation of all work depicted in this diagram. Secure written approval from the Owner and the Architect be proceeding with any procurement of item indicated.

TANK-LESS WATER HEATER DETAIL | N/S | 8

1. FLUE PIPE SCREEN (INSIDE PIPE)
2. FLUE PIPE
3. PVC COLLARS
4. CONDENSATION COLLAR
5. STORM COLLARS
6. FLASHING
7. AIR INTAKE



GENERAL NOTES

1. Refer to appropriate tables for proper pipe sizing, vent length and the number of elbows allowed, and air intake length and number of elbows allowed per CMC code provisions
2. Do not install air restrictor plate in any direct vent installation. Install in unit in accordance with manufacturer's installation requirements and procedures
3. Note that flue pipe screen should be installed at the termination flue pipe. Do not place any flue pipe screen at air intake termination
4. For proper operation, ensure that vent and air intake pipe is installed under the same pressure zone. Horizontal venting if used, must be on the same side of the building and placed within the following parameters as recommended by the unit's manufacturer.
5. Direct vent furnaces diagram shown is for illustration purposes only. The Contractor shall review all applicable code sections found in the latest editions of the , California Building Code, California Mechanical Code, California Energy Code, in addition to the attached Energy Compliance Forms found in these drawings, along with the manufacturer's installation manual before proceeding with the installation of any mechanical equipment depicted herein these drawings.

DIRECT VENT COUNTERFLOW
VERTICAL VENT APPLICATION

FURNACE VENTING DETAIL | N/S | 9

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SHEET DESCRIPTION:

ARCHITECTURAL EXTERIOR DETAILS

N0. 1605-02

6/23/16

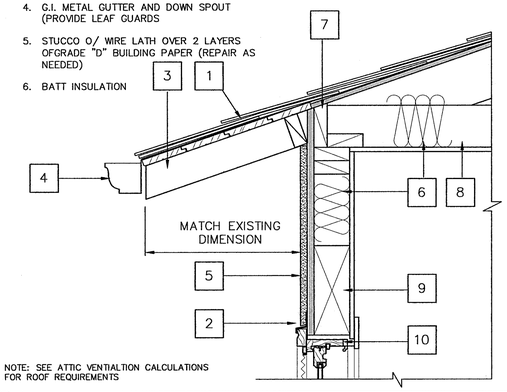
DATE: SCALE:

DRAWN BY: CHECK BY:

SHEET NUMBER:

A8.1

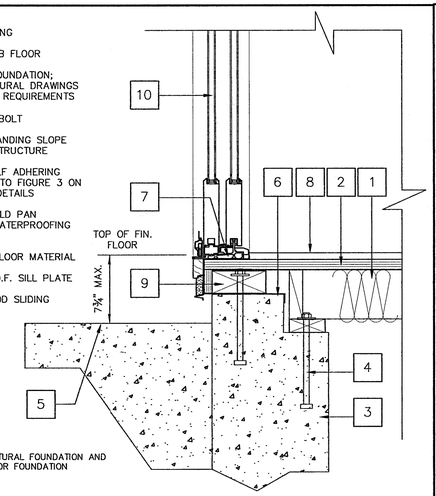
1. INDICATES COMPOSITION SHINGLE OVER #30 FELT O/ ½ CDX PLYWOOD SHEATHING
2. INDICATES METAL LATH "Z: FLASHING
3. 2 X RAFTER TAIL (MATCH EXISTING PROFILE)
4. G.I. METAL GUTTER AND DOWN SPOUT (PROVIDE LEAF GUARDS
5. STUCCO O/ WIRE LATH OVER 2 LAYERS OFGRADE "D" BUILDING PAPER (REPAIR AS NEEDED)
6. BATT INSULATION
7. 2 X BLOCKING
8. INDICATES CEILING JOIST
9. HEADER
10. NEW WOOD TRADITIONAL SASH WINDOW



NOTE: SEE ATTIC VENTIALTION CALCULATIONS FOR ROOF REQUIREMENTS

EAVE VENT DETAIL | 1½" | 1

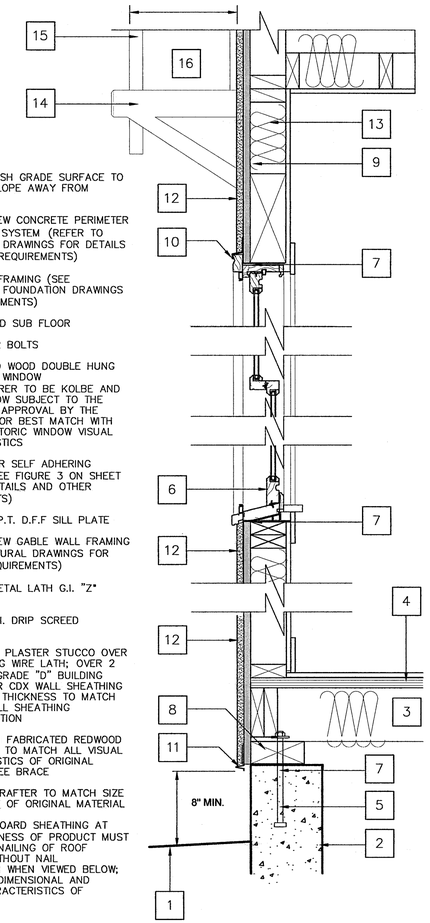
1. NEW FLOOR FRAMING
2. NEW PLYWOOD SUB FLOOR
3. NEW CONCRETE FOUNDATION; REFER TO STRUCTURAL DRAWINGS FOR DETAILS AND REQUIREMENTS
4. ⅝" DIA. ANCHOR BOLT
5. NEW CONCRETE LANDING SLOPE 2% AWAY FROM STRUCTURE
6. GRACE VYCOR SELF ADHERING FLASHING, REFER TO FIGURE 3 ON SHEET A8.1 FOR DETAILS
7. NEW G.I. THRESHOLD PAN FLASHING OVER WATERPROOFING MEMBRANE
8. FINISH INTERIOR FLOOR MATERIAL
9. NEW 3 X 6 P.T. D.F. SILL PLATE
10. NEW PAINTED WOOD SLIDING FRENCH DOOR



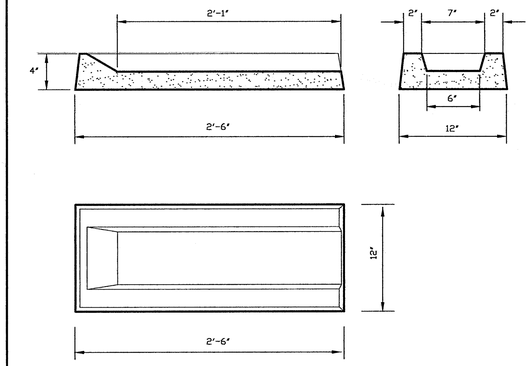
NOTE: REFER TO STRUCTURAL FOUNDATION AND FLOOR FRAMING PLAN FOR FOUNDATION REQUIREMENTS

SLIDING FRENCH DOOR THRESHOLD DTL. | 1½" | 4

1. EXISTING FINISH GRADE SURFACE TO SLOPE 2% SLOPE AWAY FROM STRUCTURE
2. INDICATES NEW CONCRETE PERIMETER FOUNDATION SYSTEM (REFER TO STRUCTURAL DRAWINGS FOR DETAILS AND OTHER REQUIREMENTS)
3. NEW FLOOR FRAMING (SEE STRUCTURAL FOUNDATION DRAWINGS FOR REQUIREMENTS)
4. NEW PLYWOOD SUB FLOOR
5. NEW ANCHOR BOLTS
6. NEW PAINTED WOOD DOUBLE HUNG TRADITIONAL WINDOW (MANUFACTURER TO BE KOLBE AND KOLBE WINDOW SUBJECT TO THE REVIEW AND APPROVAL BY THE ARCHITECT FOR BEST MATCH WITH EXISTING HISTORIC WINDOW VISUAL CHARACTERISTICS
7. GRACE VYCOR SELF ADHERING FLASHING (SEE FIGURE 3 ON SHEET A8.1 FOR DETAILS AND OTHER REQUIREMENTS)
8. NEW 3 X 6 P.T. D.F.F SILL PLATE
9. INDICATES NEW GABLE WALL FRAMING (SEE STRUCTURAL DRAWINGS FOR FRAMING REQUIREMENTS)
10. INDICATES METAL LATH G.I. "Z" FLASHING
11. INDICATES G.I. DRIP SCREED FLASHING
12. NEW CEMENT PLASTER STUCCO OVER SELF FURRING WIRE LATH; OVER 2 LAYERS OF GRADE "D" BUILDING PAPER; OVER CDX WALL SHEATHING PLYWOOD IN THICKNESS TO MATCH EXISTING WALL SHEATHING
13. BATT INSULATION
14. NEW CUSTOM FABRICATED REDWOOD KNEE BRACE TO MATCH ALL VISUAL CHARACTERISTICS OF ORIGINAL HISTORIC KNEE BRACE
15. NEW BARGE RAFTER TO MATCH SIZE AND PROFILE OF ORIGINAL MATERIAL
16. NEW BEAD BOARD SHEATHING AT EAVE (THICKNESS OF PRODUCT MUST ALLOW FOR NAILING OF ROOF SHINGLES WITHOUT NAIL PENETRATION WHEN VIEWED BELOW; MATCH ALL DIMENSIONAL AND VISUAL CHARACTERISTICS OF ORIGINAL)



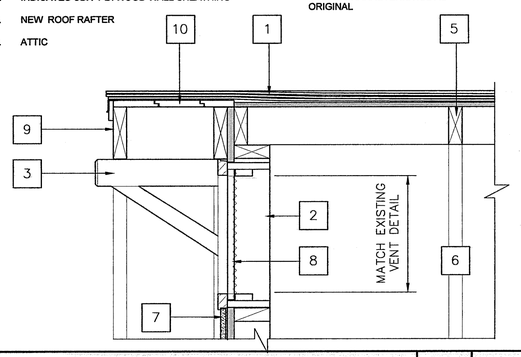
TYPICAL GABLE WALL SECTION | N/S | 7



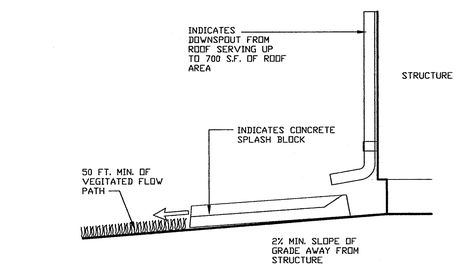
NOTE: DRAWING OF TYPICAL CONCRETE SPLASH BLOCK PRODUCED BY CENTURY GROUP P.O. BOX 228 SULFUR, LA 70664 PHONE (800) 527-5232 - FAX (337) 527-8028; CONTRACTOR MAY PROPOSE AN ALTERNATE MANUFACTURER FOR THIS ITEM, SUBJECT TO THE REVIEW AND THE APPROVAL BY THE ARCHITECT.

TYPICAL SPLASH BLOCK DETAIL | N/S | 5

1. INDICATES COMPOSITION ASPHALTSHINGLE ROOF SYSTEM ; INSTALL IN ACCORDANCE WITH MANUFACTURER'S REQUIREMENTS ROOF FELT O/ (E) WOOD SHEATHING
2. INDICATES 2 x GABLE WALL FRAMING BEYOND
3. REDWOOD KNEE BRACE REPAIR OR REPLACE W CUSTOM FABRICATED PRODUCT MATCHING ALL VISUAL CHARACTERISTICS OF ORIGINAL
4. INDICATES CDX PLYWOOD WALL SHEATHING
5. NEW ROOF RAFTER
6. ATTIC
7. STUCCO O/ SELF FURRING WIRE LATH OVER TWO LAYERS OF GRADE "D" BUILDING PAPER
8. NEW CUSTOM FABRICATED GABLE VENT TO MATCH EXISTING
9. BARGE RAFTER TO MATCH SAME VISUAL CHARACTERISTICS AS REST OF HOME
10. SOLID BEAD BOARD SHEATHING; MATCH VISUAL CHARACTERISTICS AS ORIGINAL



RAKE DETAIL @ GABLE | 1½" | 2

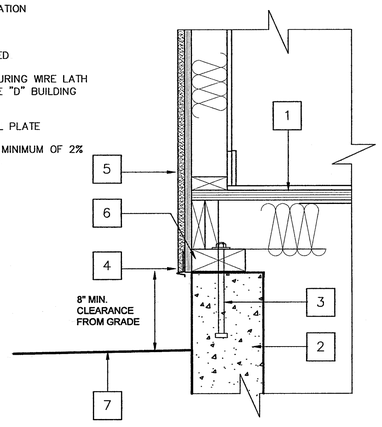


NOTES:

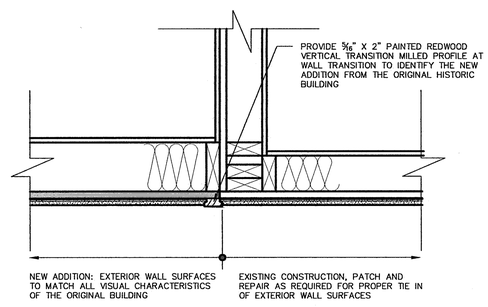
1. All storm water shall remain on site in accordance with the city's best management practices.
2. The Contractor shall ensure that a minimum of 2% slope away from the entire structure to so that rainwater does not collect around the perimeter of the foundation or in crawl space.
3. A maximum of 700 square feet of roof area may drain to each splash block.
4. The downstream dispersion path from each splash block shall include a minimum of 50 feet of undisturbed native vegetation or 50 feet of area of pervious soils.
5. The width of the dispersion area shall be at least 10 feet. When flow paths of multiple splash blocks are combined, the vegetated flow path width shall be increased by 50 percent with each additional splash block.
6. Splash block alternative is a crushed rock pad 2-feet wide by 3-feet long by 6-inches deep.

TYPICAL SPLASH BLOCK DISPERSION DETAIL | N/S | 6

1. (E) SUB FLOOR & FLOOR FRAMING
2. (N) CONCRETE FOUNDATION
3. (N) ANCHOR BOLT
4. (N) STUCCO DRIP SCREED
5. (N) STUCCO O/ SELF FURING WIRE LATH O/ 2 LAYERS OF GRACE "D" BUILDING PAPER
6. (N) 3 X 6 P.T. D.F. SILL PLATE
7. FINISH GRADE SLOPE A MINIMUM OF 2% AWAY FROM STRUCTURE

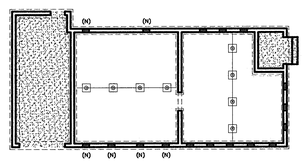


TYPICAL SCREED DETAIL | N/S | 3



EXTERIOR

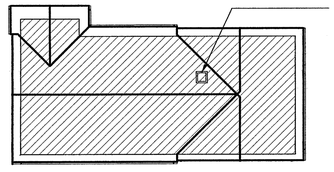
EXTERIOR STUCCO WALL WALL TRANSITION | N/S | 8



MINIMUM FOUNDATION VENTILATION AREA REQUIRED = 756 SF. / 150 = 5 SF. MIN.. PROVIDED 17 VENTS X .48 SF. = 8.16 SF.

USE 17 MIN. SILVER #V27 14" X 6" FOUNDATION VENT OR EQUAL QUALITY MANUFACTURER

FOUNDATION VENTILATION REQUIREMENTS



USE REMINGTON SOLAR ATTIC FAN MODEL #SF30-BLK; 1,550 CFM GOOD FOR UP TO 2,500 SQ.FT. OF ATTIC SPACE

ATTIC VENTILATION REQUIREMENTS

BUILDING VENTILATION REQUIREMENTS | N/S | 9

M. SANDOVAL ARCHITECTS INC.

145 Corte Madera Town Center #404
Corte Madera, California 94925

San Francisco, Marin and North Bay Region
Phone: 415.924.7059
Fax: 415.924.7269
Peninsula and South Bay Region
Phone: 650.941.8048
Fax: 650.941.8069

msa@msandovalarchitects.com
www.msandovalarchitects.com

PROJECT:

Remodel & Room Additions to the Historic Hattie Depuy House for

MICHAEL NAVONE

235 South First Street
Campbell, California

LICENSED ARCHITECT
MARK S. SANDOVAL
No.C23926
Ren. 6-30-17
STATE OF CALIFORNIA

REVISIONS:
1
2
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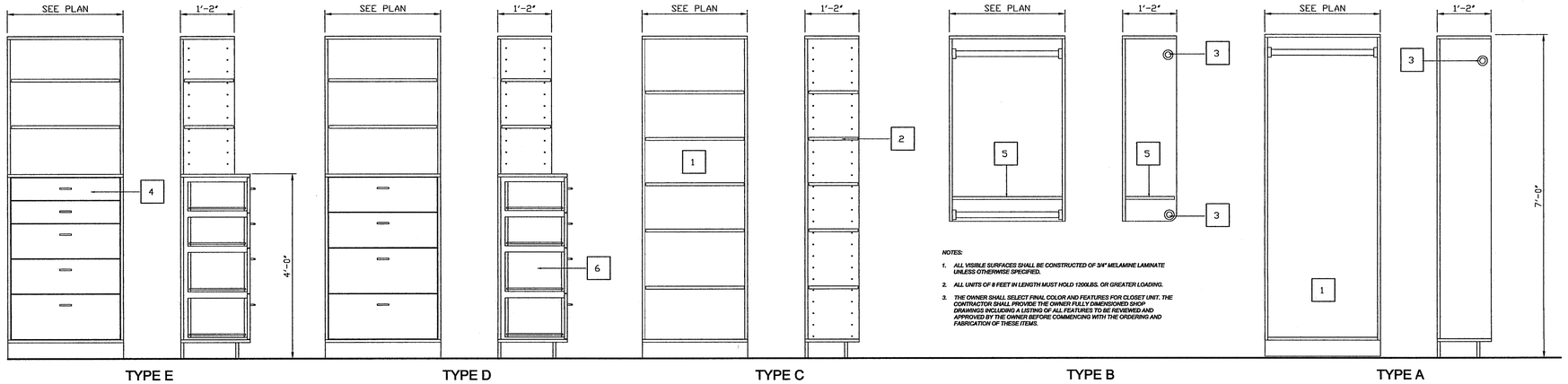
SHEET DESCRIPTION:

ARCHITECTURAL EXTERIOR DETAILS

N0. 1605-02

DATE: 6/23/16
SCALE:
DRAWN BY:
CHECK BY:

SHEET NUMBER: A8.2



1. 3/4" MELAMINE LAMINATE (U.O.N.)
2. ADJUSTABLE SHELVES
3. CHROME HANG RAIL
4. JEWELRY STORAGE
5. FIXED SHELF
6. INDICATES FULL EXTENSION DRAWERS

NOTES:

1. *ALL VISIBLE SURFACES SHALL BE CONSTRUCTED OF 3/4" MELAMINE LAMINATE UNLESS OTHERWISE SPECIFIED.*
2. *ALL UNITS OF 8 FEET IN LENGTH MUST HOLD 1200LBS. OR GREATER LOADING.*
3. *THE OWNER SHALL SELECT FINAL COLOR AND FEATURES FOR CLOSET UNIT. THE CONTRACTOR SHALL PROVIDE THE OWNER FULLY DIMENSIONED SHOP DRAWINGS INCLUDING A LISTING OF ALL FEATURES TO BE REVIEWED AND APPROVED BY THE OWNER BEFORE COMMENCING WITH THE ORDERING AND FABRICATION OF THESE ITEMS.*

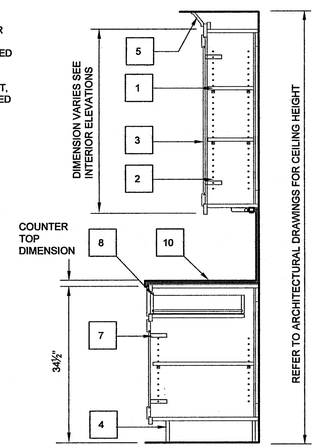
SUBMITTAL OF SHOP DRAWINGS ARE REQUIRED

The Contractor shall be responsible for providing the Architect for his review and written approval complete Shop Drawings of all items depicted or illustrated in this Drawing before any fabrication is to commence. All Shop Drawings shall accurately account for all dimensional requirements including those existing conditions which may affect the seamless assembly, execution, and final installation of such work as diagrammed. Shop Drawings must be adequately detailed and show all pertinent aspects of the Work so they may convey all aesthetic effects and, where indicated, qualities of materials, methods of execution, construction, connection assemblies, special fabrication procedures, testing requirements to ensure full conformance with the design intent outlined in these Drawings and/or Specifications herein. In addition it shall be the Contractor's responsibility to furnish samples along with any full size mockups of the Work depicted if required by the Architect as part of the submittal, to ensure conformance of the Work and to establish the standard by which the final Work shall be judged.

CLOSET ORGANIZER TYPE ELEVATIONS

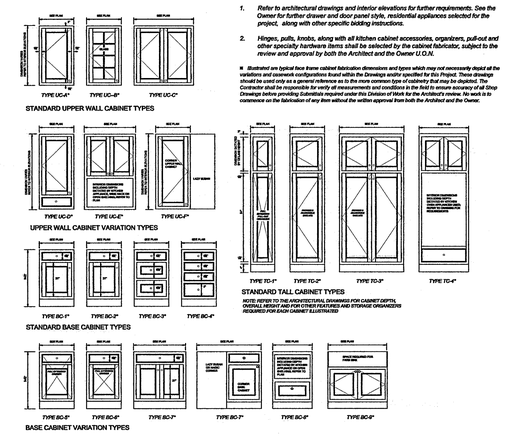
N/S | 1

1. ADJUSTABLE WOOD SHELF
2. ¼" BORE HOLE SPACE 1 1/4" O.C. FOR ADJUSTABLE SHELF SUPPORT HARDWARE FINISH TO BE DETERMINED BY THE OWNER
3. STAIN OR PAINT GRADE DOOR FRONT, PATTERN AND FINISH TO BE SELECTED BY THE OWNER
4. STAIN OR PAINT GRADE WOOD BASE
5. INDICATES STAIN OR PAINT GRADE WOOD CROWN MOLDING
6. MOUNTING CLEATS
7. INDICATES CABINET HINGE (SEE REQUIREMENTS)
8. INDICATES FULL EXTENSION SELF CLOSING DRAWER RUNNER
9. UNDER CABINET LED LIGHT FIXTURE WITH PLUG MOLD STRIP
10. INDICATES FINISH COUNTER TOP MATERIAL TO BE SELECTED BY THE OWNER



BASE AND UPPER WALL CABINET SECTION

N/S | 4



NOTES:

1. *Refer to architectural drawings and interior elevations for further requirements. See the Owner for further drawer and door panel style, residential appliances selected for the project, along with other specific bidding instructions.*
2. *Hinges, pulls, knobs, along with all kitchen cabinet accessories, organizers, pull-out and other specialty hardware items shall be selected by the cabinet fabricator, subject to the review and approval by both the Architect and the Owner U.O.N.*

** Illustrated are typical face frame cabinet fabrication dimensions and types which may not necessarily depict all the variations and exposure configurations found within the Drawings and/or specified for this Project. These drawings should be used as a general guideline only. It is the intent of the Drawings and/or Specifications that the Contractor shall be responsible for verify all measurements and conditions in the field to ensure accuracy of all Shop Drawings before providing Submittals required under this Division of Work for the Architect's review. No work is to commence on the fabrication of any item without the written approval from both the Architect and the Owner.*

CABINET DOOR PROFILE TYPES

N/S | 6

GENERAL CABINETRY SPECIFICATIONS

FRONT FRAMES

1. Front frames to be made from solid ¾" x 1 ½" wide natural wood with mortise and tendon joints, glued and stapled
2. Front frames shall be shop fabricated using the very best of selected wood products selected for best appearance and overall grain match. All frames shall be glued and clamped to cabinet bodies until set

SIDES

1. Use ½" (unfinished) or 5/8" (finished) veneer plywood grooved to receive top, bottom, and back. Tongues on front edge to receive front frames and all exposed sides are to be sanded flush with frame.

BASE BOTTOMS AND WALL TOPS

1. Use ½" natural birch veneer plywood set into machined ends, glued and pinned or stapled

BACKS

1. Use ¼" natural birch set into grooved ends, glued and stapled into sides, top, and cabinet bottoms. Ensure proper recessed to allow for scribe

DRAWERS

1. All drawer fronts shall be constructed of ¾" solid stock material; drawer sides shall be made of 5/8" hardwood with bullnose top
2. Drawer box fronts and backs are to be constructed of 5/8" hardwood. Use ½" natural veneer plywood for all drawer bottoms U.O.N.
3. All drawer box fronts and backs shall be joined to sides with hardwood dowels and precision squared glued and stapled
4. Unless otherwise noted all drawer runners shall be Blum Tandem fully concealed self-closing action with a minimum loading capacity 100 lbs. with self-lubricating nylon rollers with under mount locking device clip

DOORS

1. All doors and drawer faces along with wood species shall be selected by the Owner and/or by the by the Architect. Doors shall be constructed of ¾" lumber with mortise and tenon joints between rails and stiles.
2. All doors are to be doweled, glued with interior panels securely pinned to prevent movement. Ensure that panels are glued and that edges of raised panel doors are prefinished to allow for climatic conditions

INTERIORS

1. All interiors shall be U.O.N. constructed of natural birch throughout sealed and sanded. Ensure that interiors are delivered to the jobsite with stain varnish and/or pain application to match door finish. If casework exteriors are to be finished on the jobsite, then ensure that all interiors, shelves are delivered to the jobsite with a clear durable finish unless interior is to match exposed exterior finish appearance.

SHELVES

1. All shelves U.O.N. shall be constructed of ¾" natural birch veneer plywood with edge banding to match veneer on front face edge. Shelf supports shall be fully adjustable in 1 ½" increments with metal peg machined into the underside of shelves.

FINISH

1. Call cabinets and architectural casework shall be finished in a manner and in a visual appearance approved by the Owner. The Contractor in addition to being responsible for providing complete and fully dimensional Shop Drawings for the review and approval by the Architect and the Owner before commencing with any fabrication of any of the work under this Division of the Work must also provide representative samples of each stain and/or paint color that is to be applied to each cabinet.

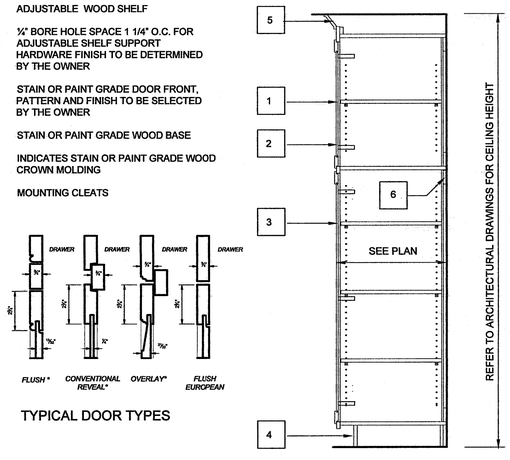
DECORATIVE HARDWARE

1. All decorative pulls, hinges, knobs, back plates and related materials shall be selected by the Owner and/or the Architect. Once selected the Contractor shall be responsible in provide samples of each type so that the Owner and/or Architect may confirm appearance, finish, and overall style prior to ordering item.

OTHER REQUIREMENTS:

1. Please note that all work shall conform to the minimum standards and specifications outlined under all applicable sections found in the latest version of the Architectural Woodwork Standards adopted and published jointly by the Architectural Woodwork Institute, Architectural Woodwork Manufacturers Association of Canada and the Woodwork Institution. Copies of this document may be found at , and
2. The Contractor shall be responsible for verifying all dimensions and conditions in the field before submitting final Shop Drawings to ensure complete accuracy of all field dimensions.

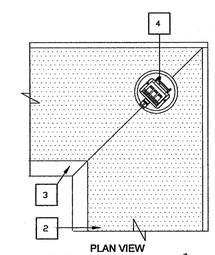
1. ADJUSTABLE WOOD SHELF
2. ¼" BORE HOLE SPACE 1 1/4" O.C. FOR ADJUSTABLE SHELF SUPPORT HARDWARE FINISH TO BE DETERMINED BY THE OWNER
3. STAIN OR PAINT GRADE DOOR FRONT, PATTERN AND FINISH TO BE SELECTED BY THE OWNER
4. STAIN OR PAINT GRADE WOOD BASE
5. INDICATES STAIN OR PAINT GRADE WOOD CROWN MOLDING
6. MOUNTING CLEATS



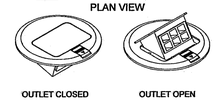
TYPICAL DOOR TYPES

STANDARD TALL WALL CABINET SECTION

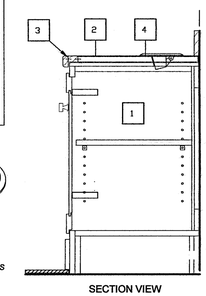
N/S | 5



1. INDICATES BASE CABINET
2. INDICATES PLASTIC LAMINATE TOP, FINISH TO MATCH COLOR AND VISUAL CHARACTERISTICS OF THE WOOD CABINET FINISH
3. INDICATES SOLID 5/ WOOD EDGE BAND WITH 2 1/8" DIMENSION EXPOSURE ON TOP, MITER TYPICAL
4. INDICATES PUFP- SD POP-UP G.F.I.C. ELECTRICAL RECEPTACLE. LEW ELECTRICAL FITTINGS COMPANY, 1891 W. ST CHARLES RD., MAYWOOD, IL 60153, PHONE: 708.345.2075



NOTE: THE CONTRACTOR SHALL COORDINATE THE EXACT LOCATION OF ALL ELECTRICAL RECEPTACLES WITH THE CABINET MAKER AND ELECTRICIAN TO ENSURE THE CORRECT PLACEMENT AND INSTALLATION OF ITEM ILLUSTRATED ABOVE



PUFP-SD ELECTRICAL RECEPTACLE

N/S | 7

M. SANDOVAL ARCHITECTS INC.

145 Corte Madera Town Center #404
Corte Madera, California 94925

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Peninsula and South Bay Region
Phone: 650.941.8048
Fax: 650.941.8069

msa@msandovalarchitects.com
www.msandovalarchitects.com

PROJECT:

Remodel & Room Additions to the Historic Hattie Depuy House for

MICHAEL NAVONE

235 South First Street
Campbell, California

LICENSED ARCHITECT
MARK S. SANDOVAL
No.C23926
Ren. 6-30-17
STATE OF CALIFORNIA

REVISIONS:
1
2
3
4
5
6
7
8

SHEET DESCRIPTION:

ARCHITECTURAL INTERIOR DETAILS

N0. 1605-02

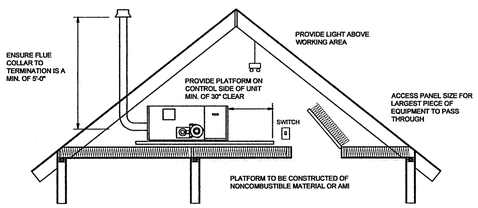
6/23/16

DATE: SCALE:

DRAWN BY: CHECK BY:

SHEET NUMBER:

A9.1



NOTE: THE CONTRACTOR SHALL BE RESPONSIBLE IN PLACING UNIT IN THE ATTIC SO AS TO ENSURE THAT NO ADDED LOADS ARE BEYOND THOSE OF ACCOUNTED FOR IN THE STRUCTURAL DESIGN OF BUILDING

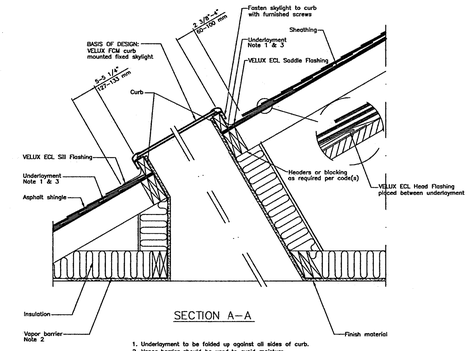
GENERAL ILLUSTRATION

NOTES

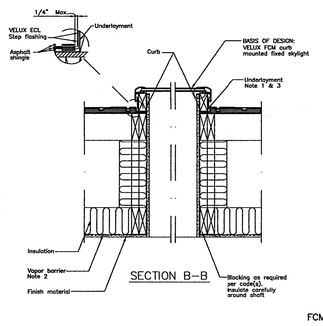
The following are general requirements for an attic furnace based on the 2013 CA Mechanical Code. Please note that this illustration is intended to provide only general information and is not meant to to depict actual field conditions or specific specifications or other requirements needed for the proper installation of the mechanical equipment required under the scope of the work for this project. For further information contact the Building & Safety Division and consult CMC Section 904.10 Appliances in Attics and Under-Floor Spaces and the equipment manufacturer's installation manual and specifications.

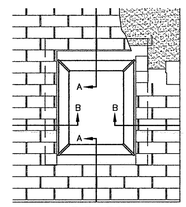
1. An attic or under-floor space in which an appliance is installed shall be accessible through an opening and passageway not less than the largest component of the applicant, and not less than 22 inches by 30 inches (559 mm by 762 mm).
2. 904.10.1 Length of Passageway.
3. Where the height of the passageway is less than 6 feet (1829 mm), the distance from the passageway access to the appliance shall not exceed 20 feet (6096 mm) measured along the center line of the passageway. [NFPA 54:9.5.2]
4. 904.10.2 Width of Passageway.
5. The passageway shall be unobstructed and shall have solid flooring not less than 24 inches (610 mm) wide from the entrance opening to the appliance. [NFPA 54:9.5.1.2]
6. 904.10.3 Work Platform: A level working platform or grade surface not less than 30 inches (762 mm) by 30 inches (762 mm) shall be provided in front of the service side of the appliance. [NFPA 54:9.5.2]
7. Exception: A working platform need not be provided where the furnace is capable of being serviced from the required access opening. The furnace service side shall not exceed 12 inches (305 mm) from the access opening.
8. 904.10.4 Lighting and Convenience Outlet. A permanent 120-volt receptacle outlet and lighting fixture shall be installed near the appliance. The switch controlling the lighting fixture shall be located at the entrance to the passageway. [NFPA 54:9.5.3]
9. 904.10.5 Furnace (Upright and Horizontal). Upright furnaces shall be permitted to be installed in an attic, furred, or under-floor space exceeding 5 feet (1524 mm) in height, provided the required listings and furnace and duct clearances are observed. Horizontal furnaces shall be permitted to be installed in an attic, furred, or under-floor space, provided the required listings and furnace and duct clearances are observed.

TYPICAL ATTIC FURNACE REQUIREMENTS | N/S | 1



1. Underlayment to be folded up against all sides of curb.
2. Vapor barrier should be used to avoid moisture.
3. Wrap curb in underlayment. VELUX recommends use of VELUX type ZOZ 216 adhesive underlayment.

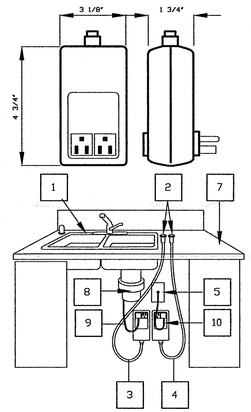




ELEVATION

FCM–Residential/Commercial FCM–01–1108

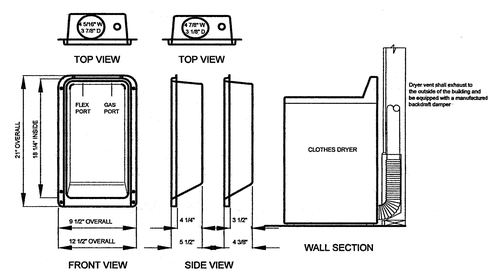
VELUX RESIDENTIAL SKYLIGHT DETAILS | N/S | 2



1. INDICATES KITCHEN SINK, REFER TO MANUFACTURER'S SPECIFICATIONS FOR INSTALLATION REQUIREMENTS
2. PNEUMATIC ACTIVATOR BUTTONS, REVIEW FINAL PLACEMENT WITH THE ARCHITECT BEFORE COMMENCING WITH COUNTER TOP FABRICATION, VERIFY WITH THE OWNER FINISH SELECTION
3. AIR TUBING TO GARBAGE DISPOSAL BUTTON IN COUNTER TOP
4. AIR TUBING TO LIGHT FIXTURE BUTTON IN COUNTER TOP
5. PROVIDE ELECTRICAL BOX WITH PLUG/GROUND CONNECTION TO HARDWIRED LIGHT FIXTURE ABOVE SINK AREA FOR AIR SWITCH BUTTON ON/OFF OPERATION
6. PROVIDE WALL OUTLET BELOW SINK FOR GARBAGE DISPOSAL
7. INDICATES TOP OF COUNTER
8. INDICATES UNDER SINK GARBAGE DISPOSAL
9. GARBAGE DISPOSAL PLUG
10. INDICATES LIGHT FIXTURE PLUG.

NOTE:
Air Switch Manufacturer: The Contractor shall install 2 Mountain Plumbing Products MT951, Classic Touch Air Switches or similar devices from manufacturer of equal quality. Review installation with local Building Department for further installation requirements.

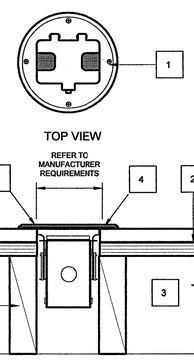
KITCHEN COUNTER AIR SWITCH DETAILS | N/S | 4



NOTES:

1. *The Contractor shall provide a recessed wall mount clothes dryer vent hose receptacle at each clothes dryer location shown on the drawings (Use In-0-Vate Technologies, Inc. or equal product manufacturer). All items furnished must be UL listed.*
2. *Clothes dryer vents shall convey the moisture to the outdoors - no clothes dryer vent shall terminate in the interior space. Clothes dryer routing shall not exceed a total combined horizontal and vertical length of 14 feet including 2 ninety degree (90)elbows in accordance with UMC 504.3.2.2.*
3. *Vents shall not be connected with any sheet-metal screws or fastening means which extend into the vent length. Each exhaust vent shall be equipped with a manufactured backdraft damper. Vents shall be constructed of minimum 0.016-inch-thick (0.406 mm) rigid metal ducts, having smooth interior surfaces with joints running in the direction of air flow, except that an approved flexible duct connectors may be used in connection with domestic dryer to exhaust duct unless otherwise prohibited by the equipment manufacturer.*

CLOTHES DRYER VENT DTL. | N/S | 5

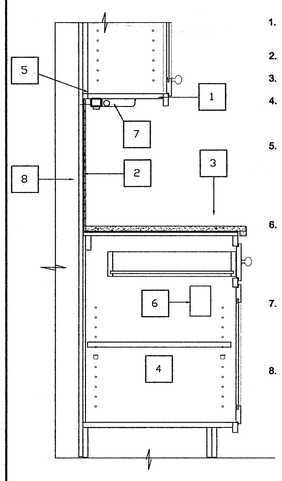


1. RACO 6239BP ADJUSTABLE WOOD FLOOR BOX KIT WITH BRASS COVER PLATE; 15A, 125 V TAMPER RESISTANT RECEPTACLE; REMOVABLE NEOPRENE GASKET
2. SUBFLOOR PLYWOOD
3. FLOOR FRAMING
4. GASKET
5. FINISH FLOOR MATERIAL
6. BLOCKING

NOTES:

1. *THE CONTRACTOR PROVIDES ALL LABOR AND MATERIAL NECESSARY FOR A COMPLETE AND FULL INSTALLATION OF THE ABOVE ITEM. FOR CONCRETE FLOORS, FLOOR BOXES AND ACCESSORIES SHOULD BE APPROVED FOR USE WITH THIS TYPE OF APPLICATION BY MANUFACTURER. MAKE SURE THAT ALL FLOOR BOXES ALLOW FOR ADJUST ABILITY FOR FINISH FLOOR MATERIAL AND PROVIDE SERVICE FOR BOTH POWER OR VOICEDATA .*
2. *SECURE THE APPROVAL FROM THE ARCHITECT OF ALL PRODUCTS ILLUSTRATED BEFORE ORDERING.*
3. *REVIEW WITH THE OWNER ALL LOCATIONS OF FLOOR BOXES PRIOR TO ROUGH-IN ELECTRICAL. DO NOT PROCEED WITH INSTALLATION OF WORK WITHOUT SECURING THE WRITTEN APPROVAL FROM THE OWNER OF EACH FLOOR BOX LOCATION*

RACO FLOOR BOX DETAIL | N/S | 3



1. UPPER CABINET WITH LIGHTING VALANCE SPACE 1-1/2" MINIMUM FROM UNDER SIDE OF CABINET
2. INDICATES BACK SPLASH FINISH MATERIAL
3. INDICATES FINISH COUNTER MATERIAL
4. BASE KITCHEN CABINET WITH DRAWER, SEE INTERIOR ELEVATIONS FOR DRAWER AND DOOR CONFIGURATION
5. WIREMOLD PLUGMOLD WIRE SECTIONS CUT TO SIZE WITH END POWER FEED FITTING FOR HARDWIRE ASSEMBLY. USE LEGRAND OR EQUAL PRODUCT MANUFACTURER. INSTALL IN ACCORDANCE WITH MANUFACTURER'S INSTALLATION REQUIREMENTS.
6. INDICATES GROUND INTERRUPTED SWITCH FOR UNDER CABINET PLUGMOLD APPLICATION WHERE PLUG OUTLETS ARE WITHIN 5'-0" FROM A SINK. MOUNT TO SIDE PANEL OF SINK CABINET OR IN OTHER LOCATION AS DIRECTED BY THE ARCHITECT.
7. INDICATES HARDWIRED UNDER CABINET LED WARM WHITE LIGHTING FIXTURE, SELECT SIZE FOR UPPER CABINET SIZE REQUIREMENTS. INSTALL IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS.
8. WALL

KITCHEN CABINET PLUGMOLD DTL. | N/S | 7

M. SANDOVAL ARCHITECTS INC.

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PROJECT:

Remodel & Room Additions to the Historic Hattie Depuy House for

MICHAEL NAVONE

235 South First Street
Campbell, California

LICENSED ARCHITECT
MARK S. SANDOVAL
No.C23926
Ren. 6-30-17
STATE OF CALIFORNIA

REVISIONS:
1
2
3
4
5
6
7
8

SHEET DESCRIPTION:

ARCHITECTURAL INTERIOR DETAILS

N0. 1605-02

6/23/16

DATE: SCALE:

DRAWN BY: CHECK BY:

SHEET NUMBER:

A9.2

FIXTURE SCHEDULE

EXL–01	16 ¼" X 8" OUTDOOR LANTERN W/ TRANSLUCENT GLASS SHIELD, ENERGY STAR QUALIFIED 13 W CFL BULB; TO BE SELECTED BY THE OWNER	CONTRACTOR TO REVIEW REQUIREMENTS W/ THE OWNER BEFORE ELECTRICAL ROUGH–IN
EXL–02	EXISTING CEILING MOUNT LIGHT FIXTURE TO REMAIN 60 WATT MAX	CLEAN AND/OR SERVICE AS NEEDED OR AS DIRECTED BY THE OWNER
L–01	DECORATIVE WALL MOUNT LIGHT FIXTURE LED 42 WATT	TO BE SELECTED BY THE OWNER
L–02	DECORATIVE CEILING MOUNT LIGHT FIXTURE LED 17 WATT	TO BE SELECTED BY THE OWNER
L–03	SURFACE MOUNT FLUORESCENT 40 WATT	TO BE SELECTED BY THE OWNER
CF–01	44 INCH CEILING FAN W/ LIGHT AND HAND HELD REMOTE CONTROL LED 17 WATT	TO BE SELECTED BY THE OWNER; REVIEW REQUIREMENTS WITH THE OWNER PRIOR TO SUBMITTING BID
BF–01	BATHROOM HUMIDITY SENSING EXHAUST FAN; 110 CFM; MANUFACTURER TO BE SELECTED BY CONTRACTOR	TO BE SELECTED BY THE CONTRACTOR, SUBJECT TO THE REVIEW AND APPROVAL OF THE OWNER AND ARCHITECT
T–01	SURFACE MOUNT LOW VOLTAGE TRACK LIGHT W/ 5 LAMP HOLDERS 50 WATT PER LAMP HOLDER	TO BE SELECTED BY THE OWNER
RCL–01	RECESSED LED 4" LED AIR TIGHT CEILING FIXTURE	TO BE SELECTED BY THE CONTRACTOR SUBJECT TO THE REVIEW AND APPROVAL OF THE OWNER
RCL–02	RECESSED LED 5" LED AIR TIGHT CEILING FIXTURE	TO BE SELECTED BY THE CONTRACTOR SUBJECT TO THE REVIEW AND APPROVAL OF THE OWNER

SYMBOLS

GENERAL SYMBOLS

SUB	SUB STATION UNIT
TRAN	TRANSFORMER
V-1	UTILITY VAULT
—SW—	STORM WATER
—W—	WATER LINE
—G—	GAS LINE
—SS—	SANITARY SEWER LINE
	SURFACE DRAIN

PLUMBING SYMBOLS

	HOSE BIBB
	WATER SHUT OFF VALVE
GM	GAS METER
	GAS SHUT OFF VALVE
WH-1 WH-1	HOT WATER HEATER UNIT
SUMP	SUMP PUMP
CO	CLEAN OUT
W	WATER METER
PUMP	PUMP EQUIPMENT
	DRAIN

MECHANICAL SYMBOLS

F-1	FURNACE UNIT
AC-1	AIR CONDITIONING UNIT
HP-1	HEAT PUMP
AH-1	AIR HANDLER UNIT
CH	CHILLIER UNIT
CT-1	COOLING TOWER UNIT
B-1	BOILER UNIT
REF-1	REFRIGERATION UNIT
	SYSTEM MODULATION VALVE
RHWS	RADIANT HEATING HOT WATER STORAGE TANK
	MANIFOLD UNIT
	CEILING SUPPLY DIFFUSER
	CEILING RETURN REGISTER
	FLOOR SUPPLY GRILLE
	FLOOR RETURN REGISTER GRILLE
WS	WALL SUPPLY GRILLE
WR	WALL RETURN GRILLE
T	PROGRAMMABLE THERMOSTAT CONTROL
EF 1	GARAGE EXHAUST FAN
T	FAN

AUXILIARY SYSTEMS

FEC F	FIRE EXTINGUISHER CABINET
FHC	FIRE HOSE CABINET
F	FIRE BELL
FA	FIRE ALARM ACTIVATION DEVICE
FPC	FIRE PROTECTION SPRINKLER RISER
	FIRE DEPARTMENT SIAMESE CONNECTION POINT
F	FIRE PROTECTION SYSTEM CHECK VALVE
F	FIRE PROTECTION SYSTEM SHUT OFF VALVE
F_D	FIRE PROTECTION SYSTEM DRAIN
C_R	ACCESS CONTROL CARD READER
E	ELECTRONIC ACCESS LOCKING DEVICE
R_X	EXIT MOTION DETECTOR
P_D	POWER ACTIVATED DOOR HINGE
	SINGLE DOOR ALARM DEVICE
	CLOSE CIRCUIT CAMERA
S_M	SECURITY MONITOR
REC	SECURITY RECORDING DEVICE
LF–01	FIXTURE DESIGNATION
	DOWN LIGHT TRIM
	WALL WASH TRIM
	ADJUSTABLE RECESSED TRIM
	SLOPE RECESSED TRIM
	MINATURE RECESSED DOWN LIGHT TRIM

S_{KP}	SECURITY KEY PAD DEVICE
S_M	SECURITY MAIN PANEL
EXIT	EMERGENCY EXIT LIGHT W/ BATTERY BACK UP LIGHTS
EXIT	ILLUMINATED EXIT LIGHT
EXIT	EMERGENCY CEILING MOUNT BACK UP EXIT LIGHT FIXTURE
	EMERGENCY WALL MOUNTED BACK UP LIGHT
S	SECURITY LIGHT FIXTURE
GP-1	EMERGENCY POWER GENERATOR
BP-1	EMERGENCY POWER BATTERY STORAGE UNIT
SD	SMOKE DETECTOR CARBON MONOXIDE SENSOR COMBINATION W/ BATTERY BACK UP
S_{CM}	CARBON MONOXIDE DETECTOR W/ BATTERY BACK UP
V	VACUUM CONNECTION PORT
V_E	VACUUM EQUIPMENT
	SOLAR PANEL
S_C	SOLAR CONTROLLER
S_P	SOLAR POWER INVERTER EQUIPMENT
S_{SC}	SOLAR COLLECTOR DEVICE
	POWER SHUT OFF SWITCH
	ANNUNCIATION MICROPHONE
	OUTSIDE PHONE RECEPTACLE
	INTERCOM
S_P	AUDIO/VISUAL SPEAKER
M_C	AUDIO/VISUAL MAIN CONTROL EQUIPMENT
	PROJECTOR
SCREEN	PROJECTION SCREEN

ELECTRICAL SYMBOLS

	MAIN ELECTRICAL PANEL
PANEL-	ELECTRICAL SUB PANEL
J	JUNCTION BOX
	PUSH BUTTON
	BUZZER
C	CHIME OR BELL
S	SINGLE POLE SWITCH
$S_{3,4,5}$	MULTIPLE ACTIVATED SWITCH
S_{WP}	WATER PROOF SWITCH
S_D	SWITCH WITH DIMMER CONTROL
S_{MS}	MOTION SENSOR ACTIVATION SWITCH
S_{OS}	OCCUPANCY SENSOR ACTIVATION SWITCH
S	DOOR ACTIVATED SWITCHING DEVICE
AS	AIR ACTIVATED SWITCHING DEVICE
	DUPLEX CONVENIENCE RECEPTACLE
4	CONVENIENCE OUTLET OTHER THAN DUPLEX
220	220 VOLT RECEPTACLE
S	SPECIAL ELECTRICAL RECEPTACLE
	FLOOR ELECTRICAL OUTLET OR RECEPTACLE
	DUPLEX CONVENIENCE OUTLET ½ SWITCH ACTIVATED
GFI	GROUND FAULT INTERRUPTED CIRCUIT RECEPTACLE
WP	WATERPROOF ELECTRICAL RECEPTACLE
	PLUG MOLD POWER RECEPTACLE
SP	SPECIAL ELECTRONICS PORT (2–100 BASE T/CAT5, 1–MULTI–MEDIA TV, 2–TELEPHONE, 1–BLANK)
	CEILING MOUNT LIGHT FIXTURE
	WALL MOUNTED LIGHT FIXTURE
	WALL SCONCE OR AISLE LIGHT FIXTURE
	RECESSED CEILING LIGHT FIXTURE
OS	REMOTE OCCUPANCY SENSOR DEVICE
MS	REMOTE MOTION SENSOR DEVICE
	FLUORESCENT LIGHT FIXTURE
	INDICATES LED UNDER CABINET STRIP LIGHT FIXURE
	RECESSED WATERPROOF OR SHOWER LIGHT TRIM
	RECESSED ADJUSTABLE SLOT TRIM
	PUCK TYPE LIGHT FIXTURE
	RECESSED TILT TRIM
	DECORATIVE CEILING FAN FIXTURE
	DECORATIVE CEILING LIGHT COMBINATION LIGHT FIXTURE
	LOW VOLTAGE COVE TYPE FIXTURE W/ REMOTE TRANSFORMER

PLUMBING, MECHANICAL & ELECTRICAL GENERAL NOTES

PLUMBING GENERAL NOTES

1. Gas piping shall not enter building below grade if piping is embedded in or below concrete slab within the building.
2. All building water supply systems in which quick acting valves are installed shall be provided with devices to absorb the hammer caused by high pressures resulting from the quick closing of these valves. Water pressure–absorbing devices shall be installed as close as possible to these valves
3. All water outlets with hose attachments and hose bibs must have approved non–removable type back–flow prevention devices
4. Note: The general arrangement of plumbing fixtures and equipment, as shown in the drawings are diagrammatic and approximately correct as to locations. Where minor changes are required because of structural conditions or for the convenience of the Owner, such changes shall be made without additional expense to the Owner. The Contractor shall be responsible for the accurate locations of all items depicted with respect to the work of others.
5. All plumbing fixtures shown are to be Water Conserving fixtures per CPC 402 and as follows:

   Water Closet fixtures: 1.28 gal per flush
   Shower Head: 2.5 max gpm at 80 psi
   Faucets: (kitchen, lavatory)– 2.2 max gpm at 60 psi
   Urinal fixtures: .5 gal per flush
6. The Contractor shall make all final connections to Owner–furnished equipment.
7. The Contractor shall keep up–to–date a complete "as–built" record set of drawings which shall be corrected daily to show every change from original drawings and specification and the exact "as–built" location of plumbing system. Drawings for this purpose may be obtained without cost from the Owner. These sets of drawings shall be kept on the premises and shall be used only as a record set. On completion of the work, these sets of "as–built" drawings (clearly marked in a manner satisfactory to the Architect) shall be turned over to the Owner for his records prior to final payment. As–built drawings will be reviewed periodically to verify compliance with these requirements.
8. The notching and boring of structural members must be held to an absolute minimum. Lay out the work and obtain the approval of the Architect for necessary holes and notches before proceeding with the installation. Where notches and holes are approved, they shall be carefully held to the sizes actually required.
9. Install equipment and plumbing so that noise and vibration will not be transmitted through out the building or its components.
10. All plumbing vents shall be a minimum of 10'–0" from operable skylights refer to drawings.
11. Ensure that a working space at water heaters and furnaces with dimensions not less than 30" in depth, width and height as prescribed in CMC §304.
12. If water heater and/or furnace is located in attic, installation must be in the accordance with the manufacturer's specifications and in compliance with CPC §509.4 and/or CMC §904.11
13. For water heater only provide watertight pan with min. ¾" drain to approved location in accordance with CPC §508.4. Ensure that water heater pressure/temperature relief valve is routed to drain outside of building or other approved location in accordance with CPC §505.4 to 505.6.
14. If furnace or water heater is located in crawlspace, install in accordance with the manufacturer's installation requirements and with provisions under CMC §904.3, CPC §508.3, and CEC §210.63 and 210.70(A)(3)
15. Locate water heater no further than 20' from the access opening if passage way is less than 6' high
16. Provide a non–removable backflow prevention device or vacuum breaker device on all exterior hose bibbs, and lawn sprinkler/irrigation systems as required by CPC §603.4.6
17. Provide showers and tub–shower combinations with individual control valves of the pressure balance, thermostatic, or combination pressure balance/thermostatic mixing valve type, conforming to ASSE 1016. Installer shall adjust such valves per manufacturer's instructions to deliver a maximum mixed water setting of 120°F. CPC §418.0
18. Provide valves for bathtub fillers (without shower) and/or whirlpool tub fillers that will limit hot water temperature to 120°F. The water heater thermostat shall not be considered a control for meeting this provision. CPC §414.5.
19. Shower receptors (other than tubs) shall be of an approved type and conform to CPC §411.5 and 411.6. If shower receptor is constructed on–site, it shall be constructed to conform to CPC §411.8.
20. Showers: All shower stalls shall be installed and designed in accordance with CPC §411.7 & 411.10 so that the interior of shower can encompass at least a 30" circle.
21. All shower control valves shall be placed so that bather can adjust the valves without stepping into shower spray.
22. Toilet Compartment: A 30" minimum width and 24" minimum front clearance space shall be provided in accordance with CPC §407.6
23. All condensate drain lines from cooling equipment or cooling coils shall be in accordance with provisions outlined in CMC §309.
24. Provide min. ¾" condensate drain line to approved location.
25. For units installed in attic provide secondary drain pan with a minimum of ¾" drain line and/or provide a standing overflow and separate secondary line of a minimum ¾" dimension for the primary drain pan. Route the secondary drain discharge to an approved location that can be readily observed.
26. ABS and PVC drains and vents are not allowed for 3–story or taller building per CPC §701.2.2 and 903.1.3. All drains and vent stacks shall be cast iron unless otherwise approved in advance by the Architect. Wrap all waste lines in wall areas with sound absorbing insulation.

MECHANICAL GENERAL NOTES

1. The Contractor shall be responsible for providing all labor and materials necessary for the complete and total installation of a mechanical heating system for this building. This system shall be capable of maintaining a temperature of 68°F in all interior spaces intended for human occupancy and installed in accordance with CBC §1204.
2. If cooling efficiency rating (SEER) greater than 13.0 is credited in the energy report, then this cooling equipment must meet that efficiency and must be installed (not merely prepped) or energy report must be revised to use SEER = 13.0. Refer to T–24 Energy Report for details.
3. Mechanical equipment shall be mounted on a concrete pad or other approved anchorage base for exterior grade–level mechanical equipment in accordance with CMC §303.4.
4. Provide seismic anchorage for new and/or existing water heater tanks per CPC §508.2. Provide steel straps within upper and lower one–third of unit and a lower strap at least 4" above controls.
5. Equipment must be elevated at least 18" above the top of floor
6. Provide bollard imbedded in concrete to protect equipment from vehicle impact.
7. Provide 26 ga. galvanized steel for air ducts on garage side of fire separation in accordance with CRC 302.5.2.
8. Note that all appliances shall have adequate combustion air as required by CMC Chapter 7 or CPC §507 for fuel–burning unless equipment specified is direct vent type, refer to CMC Chap. 7, CPC §507.
9. If combustion air is taken from interior space or garage the Contractor shall verify that space has adequate volume (minimum is 50 cu. ft. per 1,000 Btu/h total input; assume all doors closed, or use the method described in CMC §701.2. or CPC §507.2) to properly serve requirements of the equipment.
10. All openings shall be furnished with corrosion resistant screen of min. ¼" mesh.
11. The combination indoor and outdoor combustion air method (CMC §701.5 or CPC §507.5) shall not be used where the indoor space is conditioned, unless the energy conservation analysis can rationally account for the heat loss and heat gain path that is thus created.
12. If water heater and/or furnace is located in attic, installation must be in the accordance with the manufacturer's specifications and in compliance with CPC §509.4 and/or CMC §904.11:
13. Provide access large enough to remove largest piece of equipment, but not less than 22" by 30"
14. Provide unobstructed passage way with solid flooring with a minimum of 24" wide between the access opening and the water heater.
15. Provide min. 30" by 30" work platform on service side of equipment
16. Provide a receptacle outlet and lighting fixture near the appliance. Locate light switch at the entrance to the passageway
17. If furnace or water heater is located in crawlspace, install in accordance with the manufacturer's installation requirements and with provisions under CMC §904.3, CPC §508.3, and CEC §210.63 and 210.70(A)(3)
18. Provide noncombustible flooring or slab for mounting and anchorage of all equipment.
19. For water heater supported from the ground, provide concrete or other approved base extending not less than 3' above adjoining ground level.
20. Provide receptacle outlet within 25' of equipment requiring servicing.
21. Provide lighting outlet at or near the equipment with switch at the point of entry to the space.
22. Mechanical Equipment Closets: Provide closet door with a listed, gasketed door assembly. Door shall have a self–closing device and shall swing easily and freely however this device must be able to close and latch the door each time it is opened and shall not have any hold–open feature.
23. Clothes Dryer: Unless otherwise stated along with the washing machine shall be furnished by the Owner unless otherwise noted in the Drawings or Specifications. The Contractor shall be responsible for furnishing all labor and materials necessary to complete the installation of these appliances in accordance with the manufacturer's installation specifications and in accordance with the provisions under CMC §504.3, 905.0.
24. Vent the dryer to the outside of the building in general location vent terminus location refer to floor plan.
25. All appliance vents that terminate outside a wall shall comply with CMC §802.8 and/or CPC §510.8 refer to Fig. 5–12.
26. Mechanical Vent Terminations: Mechanical draft vents must terminate as follows:

    3' minimum above any forced air inlet located within 10'.

    4' minimum below or horizontally or 1' above any door or operable window or air inlet
27. Vents for direct vent appliances must terminate as follows:

    6" minimum from air openings for input rating up to 10k Btu/hr

    9" minimum for input over 10k up to 50k Btu/hr

    12" minimum for input over 50k Btu/hr
28. Vents must terminate at least 1' above grade and may not terminate within the area near a property line where protected opening is required.
29. For FAU and/or water heater installed in the garage or where combustion air is taken from garage per CMC §308, CPC §508.14:
30. Duct run shall not exceed 14' (total of horizontal and vertical).
31. If gas dryer is located in a closet ensure that a minimum of 100 sq. in. opening for makeup air is provided (louvered doors may be used instead).

ELECTRICAL GENERAL NOTES

1. Installation instructions for all listed equipment shall be provided to field inspector at the time of inspection.
2. All electrical outlet boxes on the opposite sides of the garage firewall shall be separated by a horizontal distance of 24 inches
3. All recessed lighting fixture cans shall be I.C. rated and certified as airtight by manufacturer.
4. Electrical materials and equipment shall be new and shall be listed by Underwriter's Laboratories and bear their label, or listed and certified by a nationally recognized testing authority where UL does not have an approval. Custom made equipment must have complete test data submitted by the manufacturer attesting to its safety.
5. All items such as service conduit, conductors, ducts, pad mount, risers, pull boxes and protective covering from service point location shall be provided and/or installed and shall be verified with the serving utility company. The Contractor shall install the service in compliance with the service utility company and to pay all charges levied by the serving utility.
6. The Contractor shall verify all dimensions in field. In the event there are found discrepancies or ambiguities in or omissions from the Specifications, and or Drawings etc., or should there be doubt as to their meaning and intent, the Contractor shall notify the Architect in order to provide a written clarification.
7. This Contractor shall be responsible for all trenching and backfilling as required to complete his work.
8. The Contractor shall supply power to and make connection to all motors and equipment requiring electrical connections as shown on the mechanical and plumbing drawings, including all fractional horsepower motors.
9. It shall be the Contractor's responsibility to review all locations and fixture types with the Owner prior to ordering. All recessed light fixtures shall be IC rated and shall be furnished by the Contractor unless otherwise instructed by the Owner.
10. Note: The general arrangement of outlets, and equipment, as shown in the drawings are diagrammatic and approximately correct as to locations. Where minor changes are required because of structural conditions or for the convenience of the Owner, such changes shall be made without additional expense to the Owner. The Contractor shall be responsible for the accurate locations of all outlets, etc., with respect to the work of others. The Owner prior to rough in shall approve exact location of all outlets and light fixtures.
11. Note that electrical panels are not permitted in bathroom, or in vicinity of easily ignitable material such as in a clothes closet, or where they may be exposed to physical damage in accordance with CEC §240.24 (C through E).
12. All panels and sub panels shall be installed so that a 30" wide by 36" deep by 6.5' high illuminated clear working area be provided in front of each panel in accordance with CEC §110.26.
13. No over current devices is to be located over steps in accordance with CEC 240.24 (F)
21. Any surface mounted switch or circuit breaker in a damp or wet location shall be enclosed in a weatherproof enclosure or cabinet that shall comply with CEC 312.2. Switches installed within wet locations in tub or shower spaces shall only be installed as part of the listed tub or shower assembly in accordance with CEC 404.4.
22. The Contractor shall provide electrical safety for spas, hot tubs and Jacuzzi or hydro–massage type tubs, as required by CEC §680.40 to 680.44, and 680.70:
23. Provide the City Building Department the U.L. or I.A.P.M.O listing for tub unit prior to installation.
24. Provide GFCI protection on all electrical components as follows:
25. Indoor spas or hot tubs (n/a for Jacuzzi or hydro–massage tub)
26. Light fixtures, lighting outlets, and/or paddle fans that are located within 5' horizontally of tub, and specify fixtures suitable for damp locations (unless over 12' above max. water level).
27. Provide at least one receptacle outlet between 5' and 10' from tub.
28. On all receptacles within 10' of tub
29. Receptacles shall not be installed within or directly over a bathtub or shower stall. CEC 406.8(C) and wall switches shall be placed no closer than 5' from tub.
30. Ensure that receptacle outlets are placed in all locations as required by CEC §210.52:
31. ivide the island into two separate countertop spaces, each requiring an outlet.
32. In each bathroom, on wall within 36" of outside of each basin.
33. Other Requirements: Provide at least one non–dedicated outlet in each basement and each garage (unless garage is detached and unpowered). If a portion of the basement is finished, the unfinished portion requires at least one outlet and in each hallway 10' or more in length. All areas specified in CEC 210.52 shall have 125 volt, 15 and 20 ampere tamper resistant receptacles in accordance with CEC 406.11
34. All wall switched lighting outlets shall be in accordance with requirements specified in CEC §210.70.
35. Contractor shall make all final connections to Owner–furnished equipment.
36. Provide at least two separate 20 amp circuits for small appliances in kitchen, pantry, dining room and similar areas, with no other outlets on the circuits in accordance with CEC §210.11(C)(1), 210.52(B).
37. Provide at least one separate 20 amp circuit to laundry appliances with no other outlets on the circuit. §210.11(C)(2).
38. Provide at least one 20 amp circuit for bathroom outlets, with no other outlets on the circuit. §210.11(C)(3).
39. Clothes closet light fixture clearances shall conform to §410.16. Incandescent fixtures with open or partially enclosed lamps and pendant fixtures or lamp holders are not allowed in closets.
40. Light fixtures in tub or shower enclosures or other wet/damp locations shall be labeled "suitable for damp or for wet locations" if subject to shower spray or rain in accordance with §410.10(A) and (D)
41. Hydromassge bathtubs and their associated electrical components shall be on an individual branch circuit(s) protected by a readily accessible GFCI per CEC 680.71
42. The interior of enclosures or raceways installed underground shall be considered a wet location. Insulated conductors and cables installed in these enclosures or raceways in underground installations shall be listed for use in wet locations and shall comply with CEC 310.8. Any connection or splice in an underground installation shall be approved for wet locations per CEC 300.5(B)
43. All outlet locations shall be coordinated with architectural elevations prior to installation or in locations as directed by the Owner.
44. Final inspection and acceptance: After all requirements of the specifications and/or the drawings have been fully completed, representatives of the Owner will inspect the work. The Contractor shall provide competent personnel to demonstrate the operation of any item or system, the full satisfaction of each representative. Final acceptance of the work will be made by the Owner only after receipt of approval and recommendation of acceptance from each representative.
45. The Contractor shall furnish one (1) year written guarantee on material and workmanship from date of acceptance.
46. The Contractor shall keep up–to–date a complete "as–built" record set of drawings which shall be corrected daily to show every change from original drawings and specification and the exact "as–built" location, size and kind of every fixture and run of wire and conduit. Drawings for this purpose may be obtained without cost from the Owner. These sets of drawings shall be kept on the premises and shall be used only as a record set. On completion of the work, these sets of "as–built" drawings (clearly marked in a manner satisfactory to the Architect) shall be turned over to the Owner for his records prior to final payment. As–built drawings will be reviewed periodically to verify compliance with these requirements.

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PROJECT:

Remodel & Room Additions to the Historic Hattie Depuy House for

MICHAEL NAVONE

235 South First Street
Campbell, California

LICENSED ARCHITECT
MARK S. SANDOVAL
No.C23926
Ren. 6-30-17
STATE OF CALIFORNIA

REVISIONS:
1
2
3
4
5
6
7
8

SHEET DESCRIPTION:

PLUMBING, MECHANICAL & ELECTRICAL GENERAL NOTES

N0. 1605-02

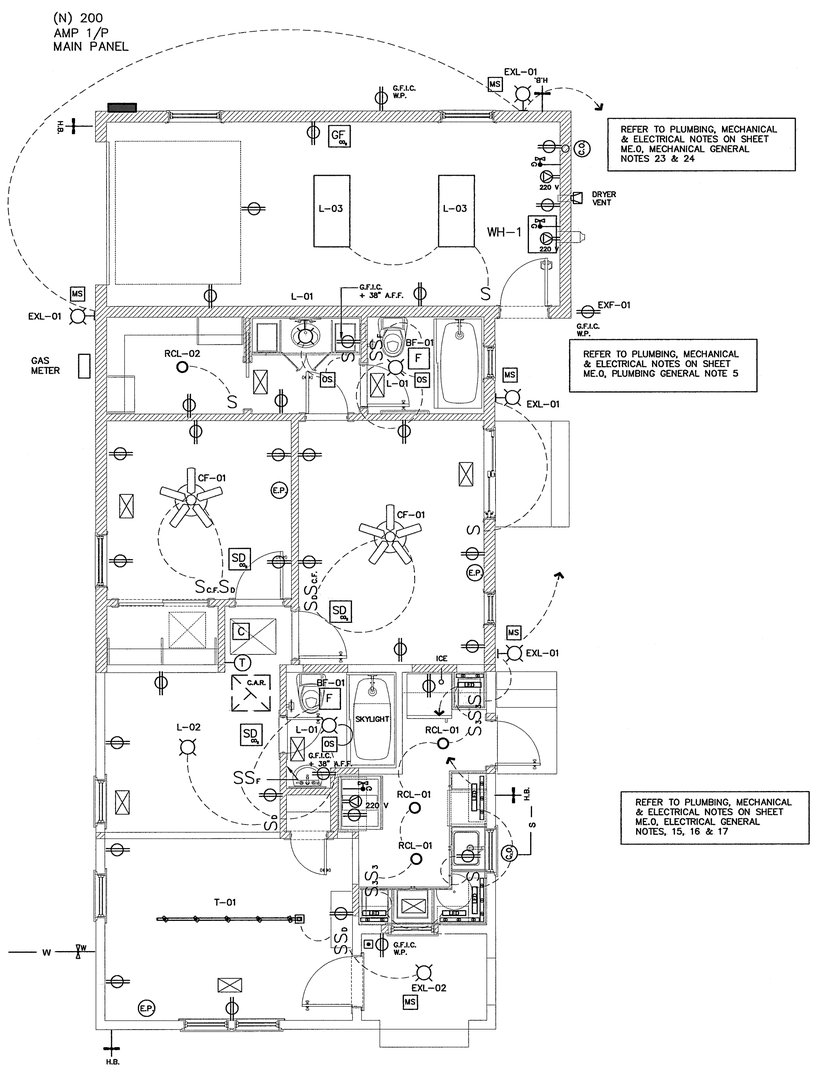
6/23/16

DATE: SCALE:

DRAWN BY: CHECK BY:

SHEET NUMBER:

ME.0



PLUMBING, MECHANICAL & ELECTRICAL PLAN

1/4" SCALE

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SHEET NOTES

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SHEET DESCRIPTION:

PLUMBING, MECHANICAL & ELECTRICAL PLAN

N0. 1605-02

DATE:	SCALE:
6/23/16	AS NOTED

DRAWN BY: CHECK BY:

SHEET NUMBER:

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Attachment 5

THE HISTORIC HATTIE DEPUY
235 South First Street, Campbell, CA

Historic Review and Project Summary

Prepared for
Michael Navone
235 South First Street
Campbell, CA

MSA Inc. M. SANDOVAL ARCHITECTS, INC.
Architecture - Historic Preservation - Design

August 20, 2016

Figure 1: Drawing of the historic Hattie DePuy House as viewed from South First Street

BACKGROUND

The Hattie DePuy House located at 235 South First Street is believed to have been built around 1930. It is in the construction vernacular with influences of the Craftsman style which was popular in the early 1900s through the early 1920s. Typified by details such as knee braces, low-pitch roofs provide the reference features that clearly associate this building with the Craftsman style. The use of stucco cladding and the arched recessed main entry are not typical for this architectural style, but are common design elements found locally during the early 1930's.

This small modest home was designed on a simple rectangular floor plan with its primary façade facing eastwardly towards the street. The south exterior of the building faces a narrow alleyway that connects South First Street to Winchester Boulevard to the west. The walls are stucco and the structure is topped with a side gable roof with small louvered gable vents placed at the apex of the gable ends. The roof is constructed with a composition shingle roof attached by solid roof sheathing with tongue and groove milled decking placed at all exposed roof projections. Fenestration includes one-over-one, double hung wood windows of various sizes and a painted multi-pane stile and rail main entry door that appears to be original to the home. On the north façade, a small concrete porch with steps has been placed to access the kitchen of the home.

Recent construction improvements to the home have included replacing the existing foundation, front porch, and stucco wall; repairing and replacing the damaged original historic wood windows; performing miscellaneous dry rot repairs; and upgrading plumbing and electrical systems. This repair work, although significant and affecting much of the original historic fabric of the building, has been performed in a manner consistent with the Secretary of the Interior Standards and has not compromised the integrity of this location, setting, design, feeling, association, workmanship, or overall appearance. This phase of the work has had the oversight of this office to ensure consistency and that the execution of the work in the field met the recommendations outlined in the project's drawings and specifications.

SIGNIFICANCE

Hattie DePuy was an unmarried sister of the local druggist Lucian Beall who lived at 81 Alice Avenue. In 1930, she built this structure as he own residence at the back of her property at 226 Alice Avenue. During

this same period, George and Alice Hyde were renting the house from Miss DePuy and it is speculated that Otis Hyde, the son of George and Alice may have constructed the home.

The Hattie DePuy House is within the original Hyde Residence Park consisting of 48 lots created along Alice Avenue in 1915. “The neighborhood’s vernacular architecture reflects the made-in-Campbell pride that typified the town sprit when it was a fruit canning and packing center”[1].

The State Office of Historic Preservation (SHPO) found that the district might be eligible for the National Register but had not yet been adequately documented. This property was not included within the SHPO review for reasons not known. Subsequently, the City of Campbell designated the local Alice Avenue Historic District under Ordinance 1640. The City Council included the Hattie DePuy House in the district, although it had never been documented as a part of any historic resource survey. The house has integrity to the original form and construction and would appear to be eligible for the listing in a National Register District as a contributor under Criterion A, as it is consistent with the historic development pattern of the neighborhood and period of significance, and contributes to the setting of the local Alice Avenue Historic District.[2]

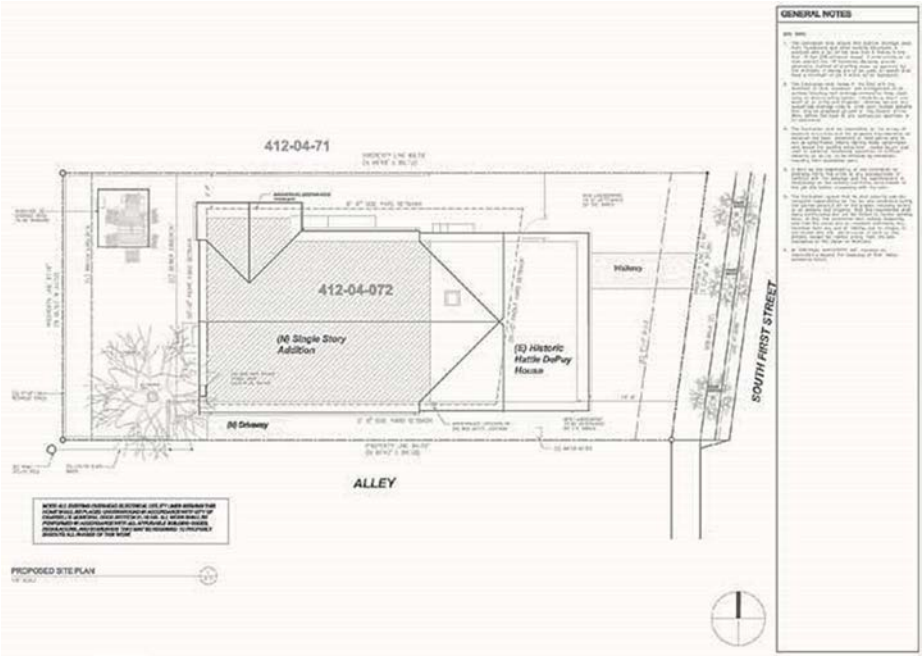


Figure 2: Site plan with new proposed addition to the back of the home.

THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

The design for this project is intended to follow the federally adopted *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* and *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (Weeks and Grimmer, 1995).

[1] DPR53A Continuation Sheet, prepared 11/20/2003 (Page 3)
[2] Ibid

These Standards apply to historic buildings of all periods, styles, types, materials, and sizes. They apply to both the exterior and the interior of historic buildings. The Standards also encompass related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. They stipulate the following requirements:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

PROJECT DESCRIPTION

The property owner wishes to add a small new bedroom, bath, and garage addition to the historic Hattie DePuy House. The existing home is only 456 square feet and with the new habitable area (448 square feet) and new garage (293 square feet), the total square footage of the home would be 1,197 square feet, which is significantly smaller in size than most of the other homes within the Alice Avenue Historic District. The historic single-story home resides on a small non-conforming lot of approximately 3,238 square feet.

In addition to the added square footage to the home, the owner will be upgrading all of the existing plumbing, mechanical and electrical systems to meet current building codes and shall be making modest alterations to the interior of the existing home without adversely affecting, obscuring, or irreversibly altering the visible character of the original historic building as viewed from the street. The owner is also proposing to replace the existing historic one-over-one wood double-hung window located within the existing front entry porch, with another existing one-over-one double-hung wood window that is currently placed in the laundry room on the back wall of the home. The window is slightly smaller in overall height

and width so that it can provide the additional space needed to extend the new kitchen base cabinets and countertop along this wall, allowing for a more functional and efficient kitchen space.

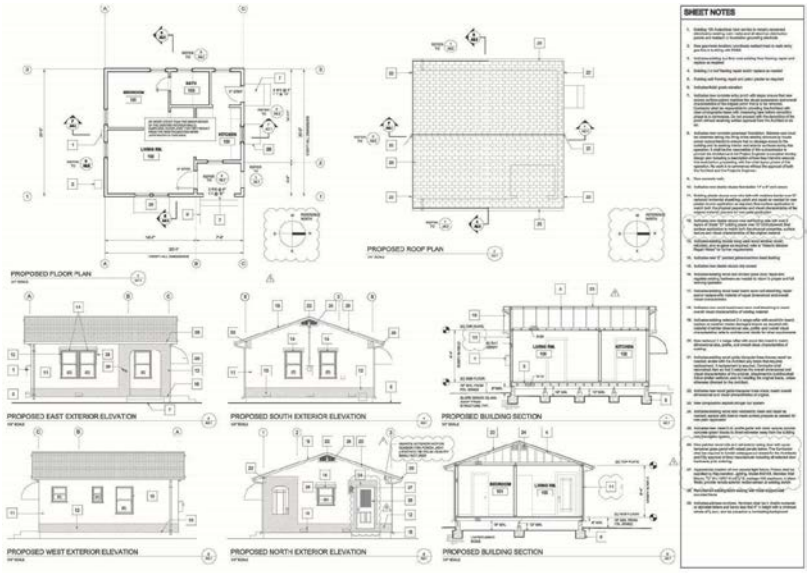


Figure 3: Architectural drawings of the recent completed exterior and structural repair work performed on the home

The work will also include adding new interior cabinetry, paint and floor finishes, energy-efficient appliances, and windows and doors for the new addition. Exterior site improvements will include work as required for the new single car garage, which will be accessed from the gravel alleyway to the south, and other necessary concrete work, which is illustrated in the project's drawings prepared by this office.

DESIGN GOALS

The underlining goals for this project were to develop a design that incorporated pertinent recommendations found in the Secretary of the Interior's Standards and to apply them in a reasonable manner, taking into consideration the economic interests and program needs of the property owner as well as what is realistic and technically feasible.

METHODOLOGY

Applicable Standards specific to the construction work under consideration are as follows:

Standard 1 of the Secretary of the Interior's Standards for Rehabilitation, states "a property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment," the addition should be designed to be compatible with the historic character of the building.

Standard 9 also states "New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment."

Standard 10 continues with the following language, “New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.”

In developing the final design for the needed room addition and remodeling improvements to this small historic home, it was critical to fully incorporate the above Standards into the final design solution. So often new additions which are added to historic buildings, if not properly conceived and designed, cause significant irreversible changes in the appearance and character of the historic building and potentially destroy or obscure significant historic architectural features as a consequence. They also have the tendency to confuse the public, making it sometimes impossible to differentiate the old and genuinely historic from the new.

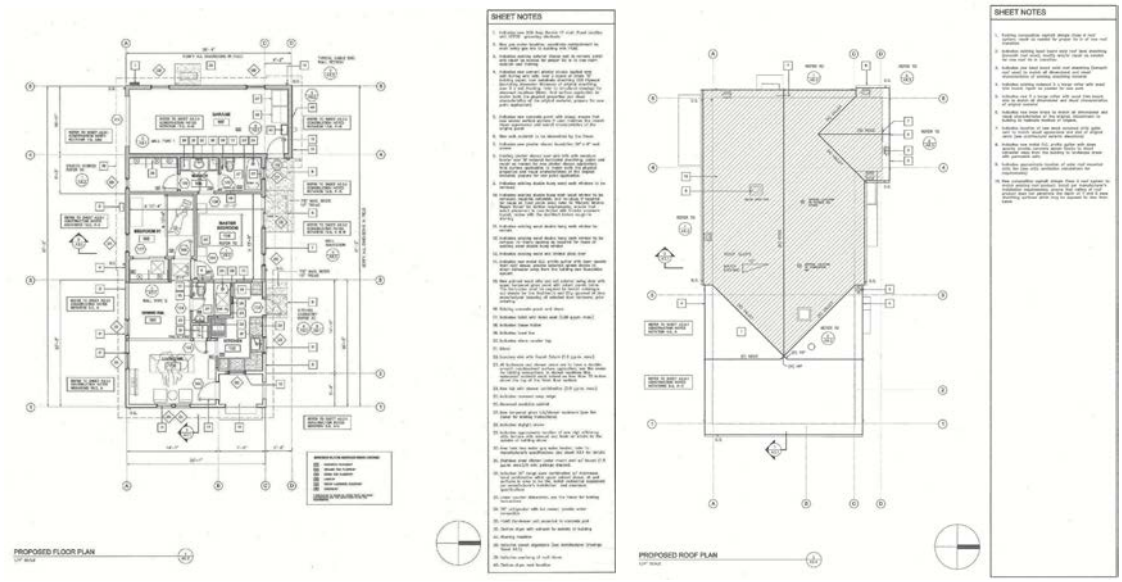


Figure 4: Architectural drawings of the new proposed floor plan and roof plan

To meet the overall goals objectives of these Standards above, we approached the approached the design for this project with the following objectives in mind:

1. Preserve significant historic materials, features and form;
2. Create a cohesive design that would be compatible in form, style, character, and scale to the original home; and
3. Differentiated the new addition from the existing historic structure.

In an effort to minimize the physical and visual impact of the new addition on the historic building, we placed it on the rear exterior of the home. Placing the new addition on the site in this manner helps to preserve the building's historic form and the relationship to its site and setting, as viewed from the primary street (South First Street) and the home’s secondary view from the narrow alleyway.

We also wanted to maintain the original building's design, roof shape, materials, color, and general rhythms of the existing window and door placement. The historic portions of the home we separated from the new by placing vertical trim boards separating the old and new exterior stucco wall areas and by

starting the new addition roof line transitions so they could be easily distinguishable from the original historic roof form.

As is recommended in Standard 10, the new addition is constructed in a manner that could allow its removal in the future, without irreversibly damaging or impairing the essential form, character, and integrity of this historic property.

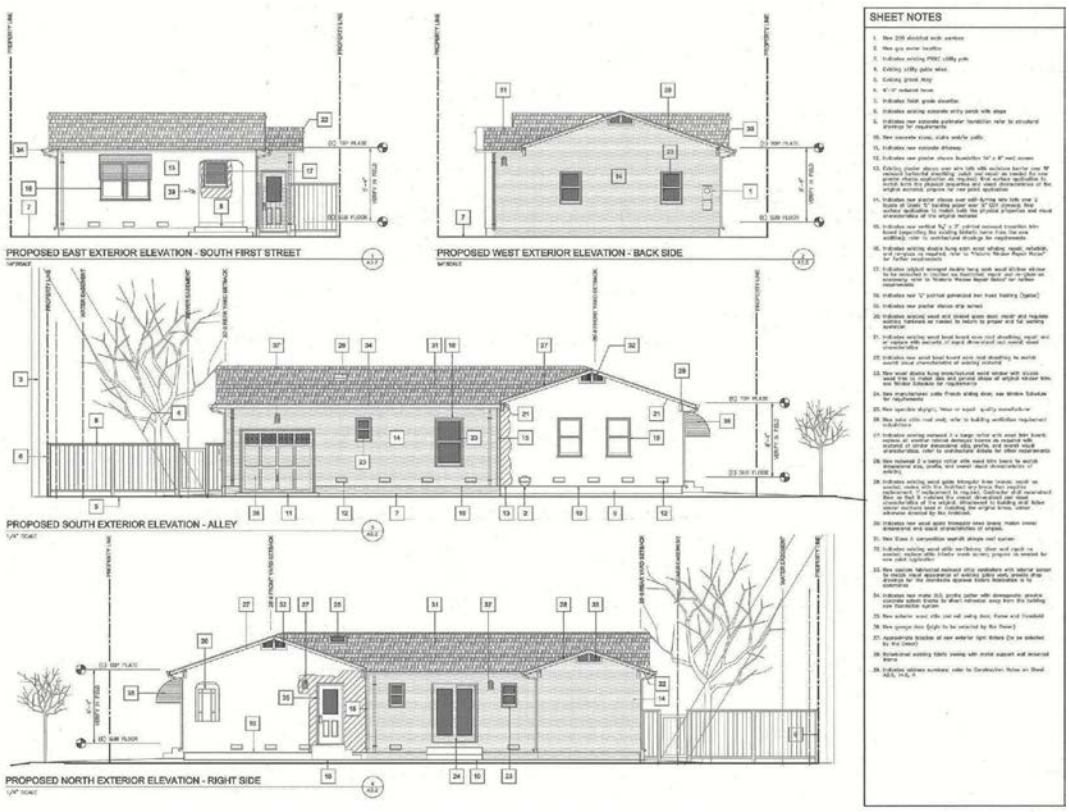


Figure 5: Architectural drawings of the proposed exterior elevations showing the new room

PROPOSED SITE WORK

With the exception of the addition of new replacement redwood fences and some landscaping (to replace damaged planting resulting from the construction operation), there are no significant site features, trees, or landscaping proposed to be removed or otherwise altered.

As stated in Standard 1, "A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment." and as stated in Standard 2, "The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided."

The previous window repair and structural foundation repair work performed on the Hattie DePuy House recently completed, retained and preserved the historic character defining features of the home. The new

proposed alterations to the home are intended to maintain this compatibility in architectural style, mass, and building form, in addition to continuing to preserve these important historic features of the home.

PROPOSED MATERIALS

All proposed exterior building materials including design elements such as knee brace brackets, gable vents, fascia profiles, and eave projections with exposed tongue and groove eave roof sheathing, are consistent with the existing building's Craftsman style, and are compatible in their scale and detail and in the manner of application with the original home.

BUILDING MASSING

It is recommended that the overall form, materials and features of an original historic roof be preserved and maintained. This includes maintaining the perceived line and orientation of the roof as seen from the street. Roof overhangs and roof forms also contribute to the perception of the building's historic scale. New additions should be subordinate in nature and should be, whenever possible, single-story and ideally placed on a secondary side or rear elevation of the building. This makes new additions less visible as viewed from the public street, and helps to preserve the building's historic form and relationship to its site and setting.

Since the new addition is single-story and utilizes in a similar manner many of the existing Craftsman style architectural design elements, forms, and materials found on the home, it should continue to maintain a compatible relationship with the historic home without compromising its integrity or historic character.

WINDOWS

Standard 6 recommends the following regarding replacement of historic features: "Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence." In addition, the City of Campbell Design Guidelines for Historic Building also contains language specific to historic windows "For a remodel/addition, where the architectural style of the original residence is being retained, maintains proportions, detailing and materials of original windows."[3]

During the recent structural foundation repair work phase, the owner had carefully removed a number of damaged historic wood double-hung windows and installed new and reconditioned windows that matched, in every detail, the visual appearance of the original historic wood window replaced. These replacement windows were located on the primary and secondary elevations of the building.

As mentioned earlier, the owner is proposing to replace an existing historic one-over-one wood double-hung window located within the existing front entry porch, with another historic window that is currently placed in the laundry room on the back wall of the home. The window is slightly smaller in both width and height. This window substitution is needed so that additional space might be provided below the sill of this window so that the kitchen base cabinets and countertop may be placed along this wall, providing a bit more space for the existing tiny kitchen space.

[3] *City of Campbell Guidelines for Historic Residential Buildings,* May 2006 (Page 26)

Although such window replacement doesn't fully adhere to not fully adhering to the language of Standard 6, which reads, "new feature shall match the old in design, color, texture, and other visual qualities", because the new window differs in overall size from the original historic window it replaces, it seems to have been a policy of the City in the past to allowed for similar window substitutions on other homes within this historic district. It is important to note that since this salvaged replacement double hung wood window is setback from the front wall plane of the home and is placed within the existing window opening and the front covered porch, this change to the east façade of the building would be almost visually negligible from the street and the alleyway.

ALICE AVENUE HISTORIC DISTRICT

The fabric of historic districts is made up of the materials, details and scale of each of the individual homes. Alice Avenue is unique in that it is made up of a collective array of various architectural home styled homes of different shapes and sizes. It is important that new additions to the homes within this historic district be designed and constructed so they continue to preserve the significant materials, architectural features, and overall historic character of the home, as well as the district as a whole. Changes in scale and massing can affect the overall unity, consistency, and cohesion of the streetscape, it is important to take into account the indirect effect they have on both the historic home as well as the surrounding district. With this in mind, we crafted the new addition design to be sensitive in scale, use of materials, massing, sightlines, and architectural style, in an effort to preserve the important historic fabric and character of the original structure.

CONCLUSION

It is my belief that the proposed project provides a sensitive approach by largely retaining the existing historic character-defining features of this small modest home and, at the same time, offers the minimum space needed to expand the current home to meet the needs of a small family requiring a two-bedroom home with two bathrooms and a small single-car attached garage in which to live.

As mentioned above and outlined on the Preservation Treatment Notes that appear on Sheet A2.0.2, in the proposed architectural drawings for the project, all work and preservation treatments are intended to follow the recommendations outlined in the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings and The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.* In this way, the proposed new construction work and interior remodeling improvements to the historic Hattie DePuy House; are compatible in size, scale, and form, with the neighboring properties located within the Alice Avenue Historic District, as well as maintaining and preserving the original historic character of this small but important historic building.

CITY OF CAMPBELL · HISTORIC PRESERVATION BOARD
Staff Report · OCTOBER 26, 2016

PLN2016-258 Navone Application of Michael Navone to allow construction of an addition to, and remodel of, an existing historic resource (Hattie DePuy House) located at **235 S. 1st Street** in the Alice Avenue Historic District in the R-1-6 (Single Family Residential) Zoning District.

STAFF RECOMMENDATION

That the Historic Preservation Board take the following action:

1. **Adopt a Resolution**, incorporating the attached findings, recommending that the Planning Commission approve a Conditional Use Permit application (PLN2016-258) to allow construction of an addition to, and remodel of, an existing historic resource (Hattie DePuy House) located at **235 S. 1st Street** in the Alice Avenue Historic District in the R-1-6 (Single Family Residential) Zoning District

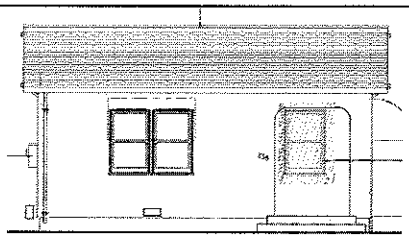
ENVIRONMENTAL DERTERMINATION

The project is Categorically Exempt under Section 15301, Class 1 of the California Environmental Quality Act (CEQA), pertaining to additions to existing structures, so long as the addition and remodel is constructed in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.

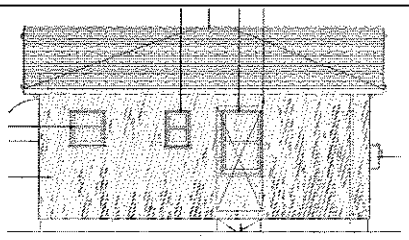
DISCUSSION

Project Location: The subject property is an approximately 3,238 square-foot non-conforming lot, located at the northwest corner of 1st Street and an unnamed alley (**Attachment 2**). The site is currently developed with a one-story Craftsman influence style single-family residence, circa 1930. The site is located in the Alice Avenue Historic District (described below) in the R-1-6 (Single-Family Residential) Zoning District, and is surrounded by single-family residences.

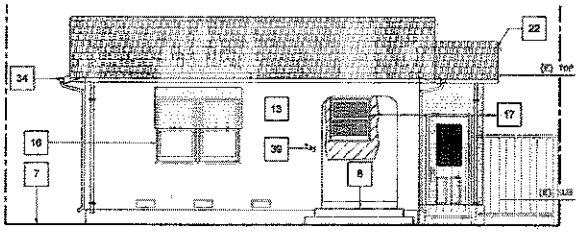
Project Proposal: The applicant has applied for a Conditional Use Permit (CUP) to construct a 448 square foot addition to the existing 456 square foot home. The project also includes construction of a new 293 square foot detached garage for a total floor area of 1,197 square feet. The owner is also proposing to replace the double-hung wood sash window located within the existing front entry porch with a double-hung wood window from the rear exterior wall that will be removed to accommodate the new addition (reference pages 1 to 3 of **Attachment 5**). As shown in the East Elevation on the next page, the window is slightly smaller in overall height allowing for countertops under the window (reference floor plan on page 3 of this report).



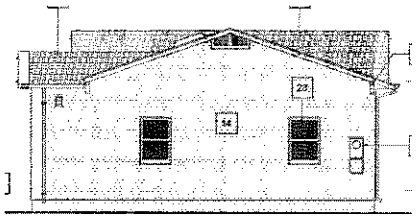
Existing East Elevation (Alice Avenue)



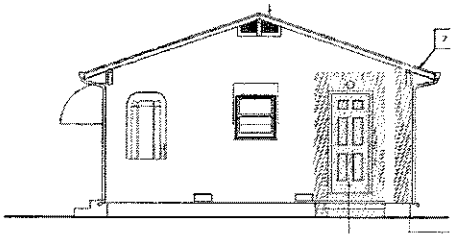
Existing West Elevation (rear)



Proposed East Elevation (Alice Avenue)

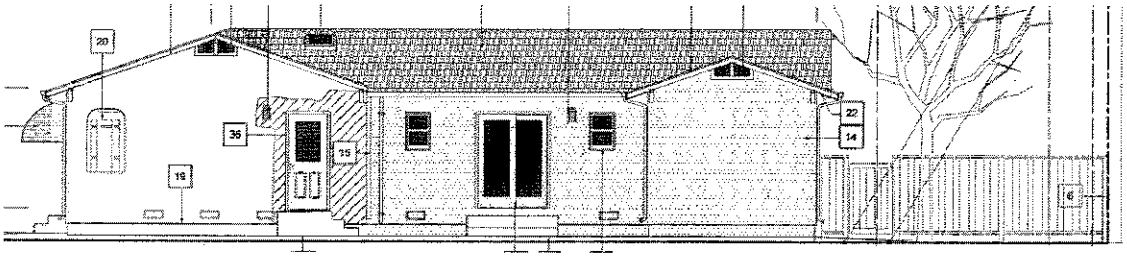


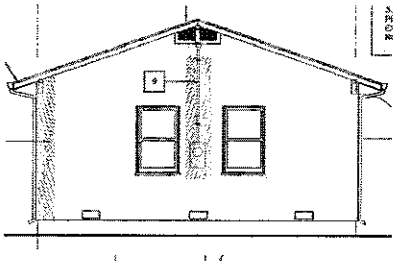
Proposed West Elevation (rear)



Existing North (right side) Elevation

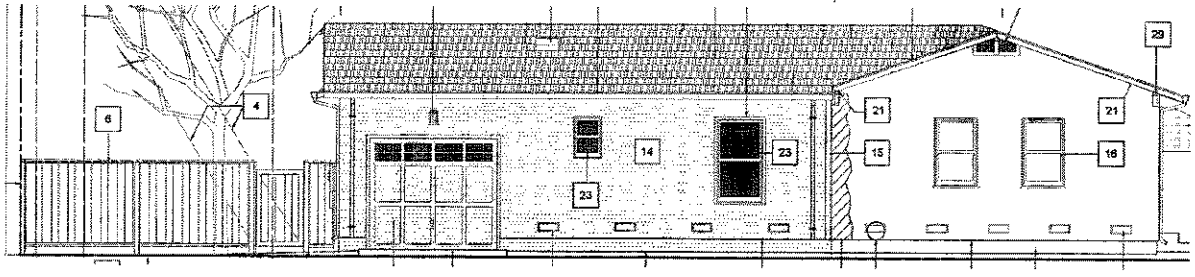
Proposed North (right side) Elevation

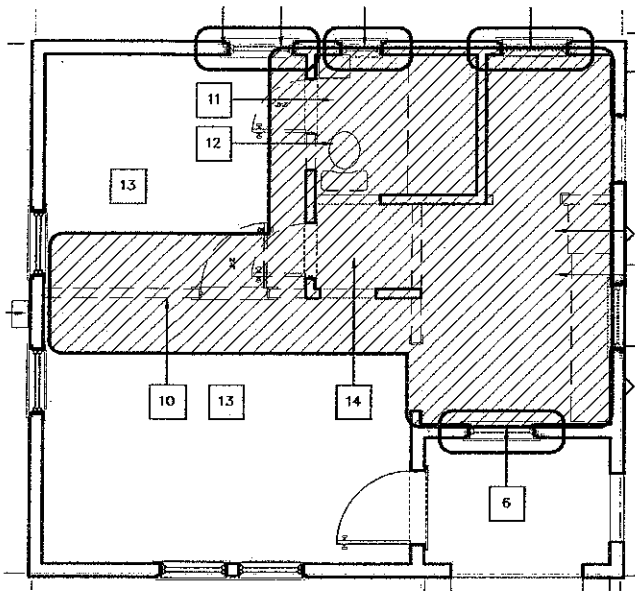




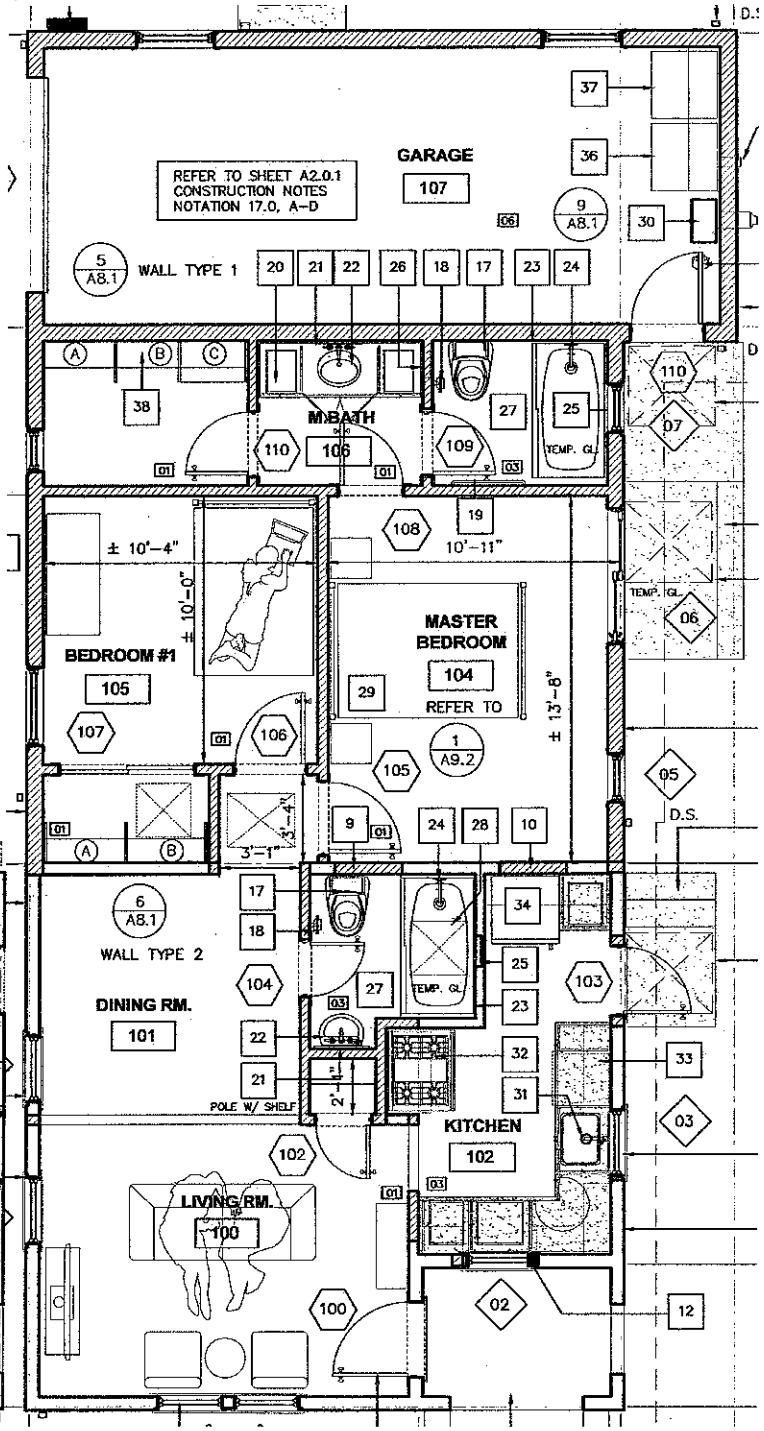
Existing South (left side) Elevation

Proposed South (left side) Elevation





Existing Floor Plan



Proposed Floor Plan

ANALYSIS

Historic Significance: The Hattie DePuy House is located within the Alice Avenue Historic District and was one of the original 48 Hyde Residence Park lots created along Alice Avenue in 1915. The home, which was built for Hattie DePuy in approximately 1930, may have been built by Otis Hyde, a carpenter, and the son of George and Alice Hyde. Ms. DePuy occupied the house until her death in 1962. According to the City's Primary Record of this property (**Attachment 6**), the house may be eligible for listing in a National Register as it is consistent with the historic development pattern of the period of significance, and contributes to the neighborhood setting of the local Alice Avenue Historic District. Moreover, the Office of Historic Preservation apparently found that the Alice Avenue Historic District may also be eligible for the National Register, although this has not yet been adequately documented.

Conditional Use Permit (CUP): Any alteration to a historic resource in a Historic District requires approval of a CUP by the Planning Commission after review and recommendation by the HPB. The HPB may recommend approval, approval with modifications, or denial of the application as it finds reasonable and necessary to preserve the historic significance of the home. In making a recommendation for approval, the HPB shall find that:

1. The project is consistent with the purposes of the Historic Preservation Ordinance; and
2. The project is consistent with the Secretary of the Interior's Standards for the treatment of historic properties with guidelines for preserving, rehabilitating, restoring and reconstructing historic buildings; and
3. The project will not be detrimental to a structure or feature of significant aesthetic, architectural, cultural, or engineering interest or value of an historical nature.

A brief discussion of staff's review of the project as it relates to the above criteria can be found on page 4 of this report. The HPB shall consider, among other things, the purposes of the Historic Preservation Ordinance and the architectural and historical value and significance of the home and the historic district in which it is located. The HPB shall also consider the material and context of the structure including fences, landscaping, parking, signs, site plan, and the relationship of the features to similar features of other structures within the historic district, and the position of the structure in relation to the street or public way and to other neighboring structures.

Historic Preservation Ordinance: The preservation of structures having aesthetic, archaeological, architectural, cultural, or historic significance is in the public interest of the City of Campbell. The purposes of the Historic Preservation Ordinance are contained in Campbell Municipal Code (CMC) Section 21.33.10, and include safeguarding the heritage of the City by providing for the protection of landmarks representing significant elements of the City's history. Another purpose of the Ordinance is to encourage the preservation of existing culturally and historically significant structures as well as landmark features on structures and sites.

Secretary of the Interior's Standards: The City refers to the Secretary of the Interior's Standards for the treatment of historic properties, including alterations and new additions. The Standards offer four distinct approaches to the treatment of historic properties: *Preservation* places a high premium on the retention, conservation, maintenance and repair of a historic resource's materials, features, finishes, spaces, and spatial relationships that, together, give a property its historic character. *Rehabilitation* emphasizes the retention and repair of historic materials, but allows replacement when materials are deteriorated. *Restoration* focuses on the retention of materials from the most significant time in a property's history, while permitting the removal of materials from other periods. *Reconstruction* establishes limited opportunities to re-create a non-surviving site, landscape, building, structure, or object in all new materials.

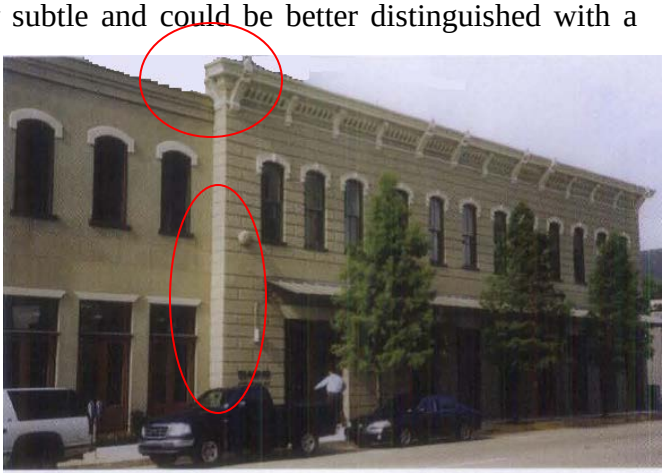
The following Standards are neither technical nor prescriptive, but are intended to help building owners, architects, and municipalities incorporate responsible historic rehabilitation practices:

1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*
2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*
3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*
4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*
5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*
6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.*
7. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*
8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*
9. *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*
10. *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

Of the four treatments, only the *Rehabilitation* Standards provides guidance for alterations and additions to a historic resource. Under these guidelines, it is recommended that the new addition limit the loss of historic materials so that character-defining features are not obscured, damaged, or destroyed. The addition should also be designed in a manner that makes clear what is historic and what is new. In other words, the addition should not duplicate the exact form, material, style, and detailing of the historic building so that the new construction appears to be part of the historic building. Furthermore, the addition should not imitate a historic style or period of architecture.

Applicant's Approach: With regard to the Secretary of the Interior's Standards, the applicant has stated that the overall approach in the design of the project was to: 1) Preserve significant historic materials, features and form; 2) Create a cohesive design that would be compatible in form, style, character, and scale to the original home; and 3) Differentiate the new addition from the existing historic structure. As stated on pages 5 and 6 of **Attachment 4**, the addition was placed on the rear of the home to minimize the physical and visual impact to the building's historic form, as viewed from South First Street and the narrow alleyway. The architect also wanted to maintain the original building's design, roof shape, materials, color, and general rhythms of the existing window and door placement. To differentiate the addition from the historic portions of the home, the applicant proposes vertical trim boards between the old and new exterior stucco wall areas, a smooth stucco surface on the new addition, and a roof line transition where the addition is proposed. Furthermore, the addition was designed to be removed without significantly damaging the essential form, character, and integrity of the original structure.

Staff Review: From staff's perspective, the applicant has done an excellent job of maintaining the historic character of the home as it relates to the streetscape, thereby meeting the general purposes of the Ordinance (Criteria 1 and 3). However, staff did raise some concerns to the applicant that it may not be readily apparent to the public what is historic and what is new (Criteria 2)[1]. The exterior of both the historic portion of the home and the new addition would be stucco as currently proposed. While the stucco on the new addition will have a different texture than the historic portion of the home (reference pages 5 and 6 of **Attachment 5**), it is not apparent that the difference in texture will clearly differentiate historic from new. Furthermore, the proposed vertical trim boards and new roof line are very subtle and could be better distinguished with a more prominent architectural transition.



A review of the floor plan and elevations shows the lack of clear transition between original floor plan and the addition. As shown in the image to the right, an offset in the wall plane and/or plate height of the new addition would provide a more distinctive transition. Similarly, a different exterior material (e.g., wood siding) would distinguish the historic home from the new addition.

[1] *Rehabilitation* Standard #9 states that "new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment."

In response to staff's concerns, the applicant has stated that the goal was "to create an addition that complements the historic nature of the original home, not to create a visual mismatch to the original home." In this regard, the HPB should determine if the applicant has met the delicate balance of maintaining compatibility with the architectural style and character of the historic structure (e.g., materials, features, size, scale, proportion, and massing) while also clearly differentiating the non-historic features from the historic features of the home. If the HPB does not find the project to be consistent with the Secretary of the Interior's Standards for the treatment of historic properties, then the Board may recommend design changes as appropriate. The attached Resolution would need to be amended if any changes or conditions of approval are recommended (**Attachment 1**).

HPB Review: The following is a list of discussion items to consider in review of this application:

1. Is the project consistent with the purposes of the Historic Preservation Ordinance?
2. Is the project consistent with the Secretary of the Interior's Standards?
3. Will the project be detrimental to the structure's architectural features or historic value?

NEXT STEPS

The HPB's recommendation (including any recommended changes or conditions of approval) will be forwarded to the Planning Commission. The Planning Commission is the final decision making body for the CUP, unless the decision is appealed to the City Council.

ALTERNATIVES

1. If substantial changes are recommended or additional information is requested, the HPB can request the application be continued and brought back to the HPB for further review.

2. If the HPB cannot find the project to be consistent with the CUP approval criteria for historic resources, the HPB can forward a recommendation of denial to the Planning Commission.

Attachments:

1. Resolution and Recommended Conditions of Approval for the Project.
2. Location Map
3. Project Plans
4. Historic Review and Project Summary Report, prepared by Mark Sandoval
5. Preservation Notes (excerpted from the project plans for reference)
6. Primary Record

Prepared by: Cindy McCormick

Cindy McCormick, Senior Planner

Approved by:

Paul Kerymoyan, Community Development Director

RESOLUTION NO. 2016-___

BEING A RESOLUTION OF THE HISTORIC PRESERVATION BOARD OF THE CITY OF CAMPBELL RECOMMENDING THAT THE PLANNING COMMISSION APPROVE A CONDITIONAL USE PERMIT (PLN2016-258) TO ALLOW CONSTRUCTION OF AN ADDITION TO, AND REMODEL OF, AN EXISTING HISTORIC RESOURCE (HATTIE DEPUY HOUSE) LOCATED AT 235 S. 1ST STREET IN THE ALICE AVENUE HISTORIC DISTRICT.

After due consideration of all evidence presented, the Historic Preservation Board did find as follows with respect to the proposed Conditional Use Permit (PLN2016-258).

1. The zoning designation for the project site is R-1-6 (Single Family Residential).

2. Exterior alterations to a historic resource in the Alice Avenue Historic District may occur with the approval of a Conditional Use Permit.

3. The project consists of a 448 square foot addition to the existing 456 square foot home and construction of a new 293 square foot attached garage for a total floor area of 1,197 square feet. The project also includes replacement of one double-hung wood sash window located within the existing front entry porch with a double-hung wood window from the rear exterior wall that will be removed to accommodate the new addition.

4. The changes proposed by the project are consistent with the Historic Preservation Ordinance and the Secretary of Interior Standards and do not detract from the existing architectural character of the building or site.

5. The proposed exterior changes are consistent with the purpose of the Historic Preservation Ordinance to enhance the visual character of the city by encouraging and regulating the compatibility of architectural styles within historic districts reflecting unique and established architectural traditions and retain the established building patterns and architectural and cultural heritage of the community.

6. The project will be reviewed by the Planning Commission at a public hearing to determine conformance with the City's zoning regulations. At such time, the Historic Preservation Board's recommendation for approval will be taken into consideration.

Based upon the foregoing findings of fact, the Historic Preservation Board further finds and concludes that:

1. The action proposed is consistent with the purpose of the Historic Preservation Ordinance.
2. The action proposed is consistent with the Secretary of the Interior's Standards for the treatment of historic properties with guidelines for preserving, rehabilitating, restoring and reconstructing historic buildings.
3. The action proposed will not be detrimental to a structure or feature of significant aesthetic, architectural, cultural, or engineering interest or value of an historical nature.

THEREFORE, BE IT RESOLVED that the Historic Preservation Board recommends Planning Commission approve a Conditional Use Permit (PLN2016-258) to allow construction of an addition to, and remodel of, an existing historic resource (Hattie DePuy House) located at 235 S. 1st Street in the Alice Avenue Historic District subject to the attached Conditions of Approval (attached Exhibit "A").

PASSED AND ADOPTED this 26th day of October 2016, by the following roll call vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:
ABSTAIN: Commissioners:

APPROVED: Susan Blake
Susan Blake, Chair

ATTEST: Cindy McCormick
Cindy McCormick, Secretary

CONDITIONAL USE PERMIT FILE NO. PLN2016-258
CONDITIONS FOR APPROVAL

SITE ADDRESS: 235 S. 1st Street
APPLICANT: Michael Navone
OWNER: Michael Navone
HPB MEETING: October 26, 2016

1. Approved Project: Approval granted for a Conditional Use Permit (PLN2016-258) to allow construction of an addition to, and remodel of, an existing historic resource (Hattie DePuy House) located at **235 S. 1st Street** in the Alice Avenue Historic District. The project shall substantially conform to the Project Plans stamped as received by the Community Development Department on September 10, 2016, except as may be modified by the Conditions of Approval specified herein.

2. Rehabilitation: All significant historic features should be rehabilitated wherever feasible. If any of these features are found to be deteriorated, careful repair is preferred treatment. If deterioration is severe enough so that the feature has failed, the replacement should match the original in design, color, texture, and materials.

3. Contractor - Unexpected Conditions: In the event that unexpected damage or historic features (e.g. signage, murals, historic openings or brickwork) are discovered during the construction process, the contractor shall stop work on the affected portion of the project and seek written authorization of the Community Development Director prior to proceeding. To obtain authorization, the contractor shall work with the project architect/applicant to evaluate options to restore the existing material to the extent feasible. Where the severity of deterioration requires replacement, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence to the satisfaction of the Community Development Director.

4. Salvage: Where significant historic features cannot be restored in place, they shall be salvaged for use elsewhere on the site, donated to a historic agency, or used for interpretive display.

MEMORANDUM

Community Development Department
Planning Division

To: Site and Architectural Review Committee **Date**: September 27, 2016

From: Cindy McCormick, Senior Planner

Via: Paul Kermoyan, Community Development Director

Subject: New office building - 95 E. Hamilton Ave

File No.: Site & Architectural Review Permit (PLN2015-74)

BACKGROUND

A Site and Architectural Review/Conditional Use Permit (PLN2009-06) and Tree Removal Permit (PLN2009-11) was previously approved for the subject property and the adjacent property (109 E. Hamilton Ave) to allow the construction of a new 4,332 square foot medical laboratory office building with 24-hour operation. The original application requested a parking exception to permit 19 spaces where 22 spaces[1] were required. The approved permits expired in 2010 and again in 2011 following a one-year extension. The two lots have since been merged and the existing buildings were removed. The property was sold and a new application was submitted, as provided herein.

PROJECT SITE

The subject property is situated on a 15,093 square foot site (net), located on the north side of E. Hamilton Avenue between Winchester Boulevard and N. Central Avenue (Attachment **1**, Location Map). The property is surrounded by single-family residences to the north and west and office uses to the east and south. The project site is located in the P-O (Professional Office) Zoning District.

PROJECT DATA

Zoning District: Professional Office
General Plan Designation: Professional Office

Surrounding Uses

North: Residential use (zoned residential R-1-6)
South: Professional Office use (zoned planned development)
East: Medical Office use (zoned professional office)
West: Residential use (zoned professional office)

Required Parking: 26 spaces (one space per 225 sq. ft. gross floor area for office uses)
Proposed Parking: 24 regular spaces plus 8 motorcycle spaces[2].

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[1] Medical services/laboratories require one space per 200 sq. ft. gross floor area
[2] See parking discussion next page.

DISCUSSION

The applicant is proposing construction of a new two story 5,839 sq. ft. office building on a vacant parcel. The purpose of the Site and Architectural Review Committee's (SARC) review is to provide a recommendation to the Planning Commission on the architectural design, landscaping (including tree removal), and site layout (including parking and circulation).

Building Design: The proposed project consists of a two-story office building. The modern design incorporates quality building materials including dark brown metal siding, beige limestone tiles, grey cement panels, and white plaster (reference page A107 of **Attachment 2**). The design also includes a large amount of glazing accented by blackened steel mullions. A portion of the second story is designed as a podium over the parking lot entrance while the right side of the building features a large upper story deck, created by setting back the second story. The design of the second story helps reduce the massing of the building while retaining the desired floor area and necessary site circulation and parking.

Site Layout and Parking: The building is located on the southeastern portion of the lot, allowing for parking and site circulation to the right side and rear of the building. The entrance faces Hamilton Avenue. The project requires 26 parking spaces[3]. The project proposes 24 regular parking spaces (22 standard plus 2 ADA) and eight (8) motorcycle spaces. Per Campbell Municipal Code (CMC) Section 21.28.065, the project can substitute up to two (2) standard parking spaces with eight (8) motorcycle spaces[4]. As discussed at the beginning of this report, the previously approved project included an exception for three (3) parking spaces.

The SARC should determine if the proposed motorcycle spaces are appropriate for the proposed use. The SARC has several options in this regard: recommend that the Planning Commission approve the motorcycle parking; recommend a parking exception whereby the motorcycle parking would not be needed; recommend a redesign of the project so that the substitution is not needed; or propose a hybrid solution (e.g., remove 225 sq. ft. from the building and allow four (4) motorcycle spaces in place of one (1) standard space). A parking exception could have the added benefit of preserving one or more protected redwood trees, as discussed below.

Tree Removal: The application requires a Tree Removal Permit to remove four protected Redwood trees. One of the trees, a very large Redwood in the middle of the property, would likely cause significant damage to the proposed building that cannot be controlled or remedied through reasonable modification of the tree's root or branch structure. The other three trees are located towards the rear of the lot where the new parking lot is proposed (reference page A104 of **Attachment 2**). Retention of these trees would restrict the economic enjoyment of the property by severely limiting the use of the property in a manner not typically experienced by owners of similarly zoned and situated properties. While a minor reduction in the building size would not represent a severe limit of the economic enjoyment of the property, the building would likely need to be made significantly smaller to reduce the required parking spaces enough to preserve the trees. Alternatively, the parking would need to be built underground, at considerable expense to the applicant. However, the required parking spaces could be reduced to help preserve the one or more trees at the rear of the lot, as was done for the previously approved project.

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[3] 5,839 / 225 = 26 (where office uses require one space per 225 sq. ft. of floor area)

[4] Developments that provide 20 or more parking spaces may substitute up to five spaces or 10% (whichever is less) of required vehicle parking with motorcycle parking, where one (1) standard space = our (4) motorcycle spaces.

The SARC should determine if removal of all four trees is warranted due to an undue hardship (economic enjoyment of the property), or if the project should be redesigned, or the parking reduced, to save one or more trees. The previously approved project was allowed to reduce the number of required parking spaces (from 22 spaces to 19 spaces) in order to preserve trees.

The applicant will be required to plant new trees to replace any protected trees that are removed. Two protected Redwood trees would be retained in the northwestern corner of the lot. One street tree, a Crape Myrtle tree would also be retained.

On/Off-Site Improvements: The project triggers the requirement for frontage improvements as required by CMC Section 11.24.040. The applicant will also be required to appropriately locate storm drain connections. The Public Works Department will also require the project to be compliant with stormwater pollution prevention requirements.

OPTIONS

The SARC should discuss the project's proposed site layout and architecture, including building form and orientation, colors and materials, site circulation, parking, and landscaping. Consideration should be given to the following:

- Is the proposed parking (standard and motorcycles spaces) appropriate for the site?
- Does the project need to be redesigned (or parking reduced) to save one or more trees?
- Is the overall site layout and architectural design respectful of the single-family residences to the rear of the property?
- Is the building's architecture compatible with the Hamilton Avenue corridor?

If the SARC believes that the project satisfies approval criteria related to site and architecture, it may recommend approval to the Planning Commission as proposed. If the SARC believes that there are elements of the project that can be improved or refined, it can recommend specific revisions as a condition of recommending approval.

Attachments:

1. Location Map
2. Project Plans

CITY OF CAMPBELL · PLANNING COMMISSION
Staff Report · November 22, 2016

PLN2016-255
SINA Invest.

Public Hearing to consider the application of SINA Investments LLC for a Conditional Use Permit (PLN2016-255) for a Massage Establishment use in an existing chiropractic medical office at **225 W. Hamilton Avenue** in the P-O (Professional Office) Zoning District.

STAFF RECOMMENDATION

That the Planning Commission take the following action:

1. **Adopt a Resolution**, incorporating the attached findings, approving a Conditional Use Permit for a chiropractic medical establishment and a massage establishment (with a maximum of one massage therapist) in an existing 1,855 square-foot one-story medical office building located at **225 W. Hamilton Avenue**, subject to the attached Conditions of Approval.

ENVIRONMENTAL DETERMINATION

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

PROJECT DATA

Zoning Designation:	P-O (Professional Office)
General Plan Designation:	Professional Office
Hours of Operation:	7:00 AM – 7:00 PM, Daily
Existing Parking:	8 parking spaces (7 standard spaces and 1 ADA space)[1]

DISCUSSION

Project Site: The project site is located on the northeast corner of W. Hamilton Avenue and Eden Avenue (**Attachment 2**) and is bordered by professional offices to the east, an elementary school to the west, single-family residential properties to the north, and multiple-family residential to the south (across Hamilton Avenue). The site is currently improved with a new 1,855 square-foot medical (chiropractic) office building. The building includes a receptionist area, patient waiting area, four medical exam rooms, an x-ray room, physical therapy/exercise room, a private office, and an employee break room (**Attachment 3**, Sheet A-2).

[1] See background discussion on page 1 of this report.

Background: In 2013, the Planning Commission reviewed a Conditional Use Permit and Site and Architectural Review Permit for a new 1,855 square-foot chiropractic office building (**Attachment 6**). The Commission also considered a Parking Modification Permit allowing eight parking spaces where nine spaces were required[2]. The rational for the parking exception was a condition of approval allowing a maximum of three (3) employees and four (4) patients on site at any one time. Furthermore at the time of application, the existing 1,966 square-foot office building had been operating with a parking deficiency of two (2) spaces.

During the Public Hearing, the Planning Commission discussed the operational characteristics of the chiropractic office. Commissioners asked how the limited staff (3 maximum), limited patients (4 maximum) and staggered appointments (every 15 minutes) would be managed given the different services being offered. The applicant (Dr. Ali Tootoonchi) explained that he had worked with City staff on the appropriate number of persons on-site based on the parking availability. He also stated that the chiropractic facility would ideally operate between 9 a.m. and 5 p.m., five days per week, with the flexibility of being open 7 days per week from 7 a.m. to 7 p.m., depending on patient needs. Dr. Tootoonchi stated that he did not anticipate operating on Sundays unless an emergency came up. When asked how many doctors would be on-site, Dr. Tootoonchi stated that there would be one doctor at all times but no need for two, adding that if the business grows larger, they would simply need a second location. Director Kermoyan further stated that the CUP could be limited to chiropractic rather than a more general medical use to help retain a definable intensity of use. During the motion for approval, the Commission modified the allowed use to specify "chiropractic office" and required that any future non-chiropractic medical uses for the site be brought forth to the Planning Commission for approval (**Attachment 7**). The chiropractic office opened for business in September 2016 and the owners are now looking to add massage services.

Applicant's Proposal: The applicant is requesting approval of a new Conditional Use Permit (CUP) to allow a Massage Establishment use in an existing chiropractic medical building. The proposed use is considered a second operation that would be conducted on weekends when the chiropractic office is closed. The massage establishment would be managed by a different operator than the existing chiropractors. No changes to the building are proposed. The new CUP would replace the existing CUP that was approved by the Planning Commission in 2013. The building will continue to be used as a chiropractic office with the added service of therapeutic massage by a certified massage therapist. The applicant has stated that the chiropractors do not work 7 days a week and therefore the owner would like full utilization of the facility when not in use by the chiropractors. The applicant is requesting approval for at least two (2) massage therapists.

ANALYSIS

Zoning Designation: The zoning designation for the project site is P-O (Professional Office). The P-O Zoning District allows massage establishment uses with a Conditional Use Permit.

[2] medical office uses require one space per 200 square-feet of building area

General Plan Consistency: The General Plan land use designation for the project site is Professional Office. The purpose of this Land Use designation is to provide a buffer between residential and commercial/industrial uses. In this case, the medical building represents a transitional land use from the arterial traffic of Hamilton Avenue to the single-family residential neighborhood to the rear of the subject property. The General Plan Land Use Element provides several policies and strategies pertaining to land use compatibility, which may be taken into consideration by the Planning Commission in review of this project:

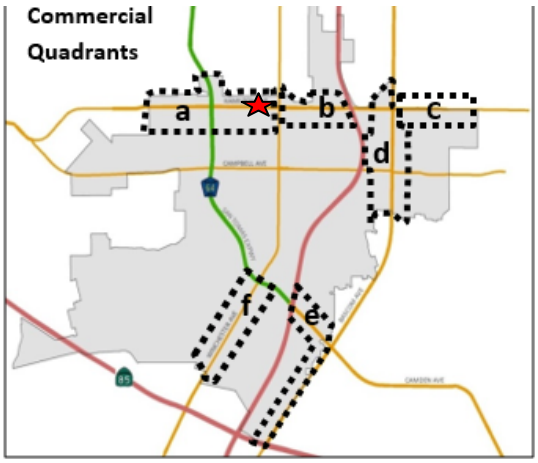
Policy LUT-5.1: Neighborhood Integrity: Recognize that the City is composed of residential, industrial and commercial neighborhoods, each with its own individual character; and allow change consistent with reinforcing positive neighborhood values, while protecting the integrity of the city's neighborhoods.

Policy LUT-13.1: Variety of Uses: Attract and maintain a variety of uses that create an economic balance within the City while maintaining a balance with other community land use needs, such as housing and open space, and while providing high quality services to the community.

Massage Regulations: In 2015, the City adopted new regulations for massage establishments. These regulations are provided in Campbell Municipal Code (CMC) Chapter 5.48 (Massage Establishments and Therapists) and Chapter 21.36 (Provisions Applying to Special Uses).

CMC Section 5.48.210(K) requires that "at all times that a massage establishment is open for business, the massage establishment shall have on the premises at least one person who is not actively engaged in the performance of a massage to ensure that the premises remain open". CMC Section 21.36.270 provides that no massage establishment shall be located in any zone in the city other than the C-2 (General Commercial) and P-O (Professional Office) zoning districts and a massage establishment use shall not be located within 300 feet of another existing massage establishment use.

CMC Section 21.36.270 also provides that massage establishments may only be permitted in a designated commercial quadrant and there shall be more than two massage establishments in each commercial quadrant. There are six (6) designated commercial quadrants in the City, two of which are currently full[3]. The proposed massage establishment would be located in commercial "Quadrant a" as shown in the map to the right. There are no other massage establishments currently located in "Quadrant a"; therefore approval of this application would leave one opening in "Quadrant a".



[3] Quadrants "d" and "e" are full and closed to any additional massage establishments. There is no massage establishment currently located in "Quadrant f"; leaving two openings for a new massage establishment in "Quadrant f".

Number of Massage Therapists: As previously discussed, the existing CUP allows a maximum of three (3) employees on-site at any one time. Per the City's Massage Establishment Permit (MEP) licensing requirements[4], at least one employee must be available at all times to assist the public while massage services are being provided. Thus, the maximum number of massage therapists that could actively provide massage services at this location is two (2).

However, staff is recommending that the number of independent massage therapists[5] be limited to one (1) and that a licensed chiropractor be on-site with the massage therapist. Accordingly, conditions of approval have been included in the Resolution regarding the number of massage therapists and the requirement for an on-site licensed chiropractor (reference COA #1, #6c, and #6e of **Attachment 1**).

While the city recognizes that massage is a viable professional field offering valuable health and therapeutic services to the public, the city further recognizes that massage establishments may be associated with unlawful activity unless properly regulated. Historically, the Police Department has found that massage establishments employing multiple therapists present more of a risk for illicit or illegal behavior. Given this elevated potential for illicit activity, the purpose and intent of the conditions of approval are to protect the public health, safety, and welfare of nearby residents and school age children within the immediate vicinity. Moreover, the City supports massage therapy as a use that complements chiropractic care. In this regard, the massage operation should be aligned more closely with the chiropractic care operation in order to achieve a combined health care facility operated by one entity; the chiropractors.

The applicant, however, has indicated that one (1) massage therapist would not be sufficient to see a return on their investment in their business, and has requested approval for at least two (2) massage therapists (different business owners) who would operate independently of the chiropractic office on weekends. To further consider the applicant's request, Planning Division and Police Department staff met with the applicants Dr. Ali Tootoonchi (Chiropractor) and Iman Tootoonchi (Kinesiologist) on October 19th. During the meeting, several options were suggested by City staff in an effort to work cooperatively with the applicant.

> Option 1: Recognizing that massage therapy is an integral component of chiropractic wellness care, one option would be to hire massage therapists as salaried employees of the chiropractor thus negating the need for a Massage Establishment Permit[6]. However, the applicant has indicated that this option was not acceptable because of the high cost to employ salaried massage therapists.
>
> Option 2: It was then suggested by staff that if return on investment was the sole reason for requesting approval of independent massage therapists who could work on days or times when chiropractic services are not provided, a second option could be to lease out a portion

[4] CMC Section 5.48.210(K)
[5] A massage therapist that is an "independent contractor" requires a separate Massage Establishment Permit because the massage therapist does not work directly for the chiropractor, but rather pays a fee for use of the facility while collecting fees from their clients independent of the chiropractor.
[6] CMC Section 5.48.060 exempts state certified Massage therapists from obtaining a massage establishment permit while under the direct supervision and medical recommendation of a licensed chiropractor.

of their building to another medical use (as opposed to massage). This option would still require an amendment of their CUP[7], but adding additional medical services would potentially allow the applicant to reap the full economic benefit of being open seven days per week from 7:00am to 7:00pm. Currently, the business is not open seven days per week due to the limited staff.

Option 3: A third option considered by staff was to amend the condition of approval (COA) regarding the number of persons allowed on site at any one time. As noted previously, the current COA allows a maximum of three (3) employees and four (4) patients on-site at any one time for a total of seven (7) individuals. The Planning Commission has already approved a parking modification permit allowing eight (8) parking spaces in lieu of the nine (9) required spaces. The Planning Commission could change the COA to allow eight (8) persons on-site given that there are eight (8) parking spaces. Although one of the spaces is for accessibility, City Code does not discount accessible parking spaces in the calculation of parking requirements. Thus, it would not be unreasonable to allow eight (8) persons on-site where eight (8) parking spaces exist. It is also not unreasonable to think that at least one of the chiropractic patients may have an ADA vehicle placard. Under this option, it is still recommended that the number of independent massage therapists be limited to one (1). Allowing one (1) additional person on-site would allow the applicant to add massage therapy while still maintaining their core business as a chiropractor.

Option 4: Given the applicant's request for more than one massage therapist, a fourth option to staff's recommendation could be to allow two (2) massage therapists that would work in coordination with an on-site chiropractor. The applicant has further requested the flexibility of allowing any licensed medical provider such as a physiotherapist (**Attachment 4**) to be on-site with the massage therapist. However, staff does not support this flexibility. Massage establishments are a conditional use and are therefore subject to conditions of approval that are intended to ensure that the operating characteristics of the use are compatible with nearby land uses and will not be detrimental to their comfort, health, morals, peace, safety, or general welfare. Requiring a licensed chiropractor to be on-site with the massage therapist(s) will reduce the likelihood for illicit behavior by providing more awareness of activities that might otherwise go unmonitored. Furthermore, a licensed chiropractor will be more invested in the core chiropractic business than a non-chiropractor. Under this option, the two (2) massage therapists would have to work under a single Massage Establishment Permit, given that two massage establishments shall not be located within 300 feet of each other.

If any of the options listed above are considered, the Resolution of Approval will need to be amended, as discussed below and on the next page.

Massage Establishment Permit: In addition to a CUP, the applicant must apply for a Massage Establishment Permit (MEP). The Resolution includes a condition of approval (COA #2) that the CUP is contingent on the granting of a MEP by the Chief of Police, pursuant to CMC Section 5.48[8]. As such, this application was reviewed by the Police Department in order to identify any

[7] The 2013 motion for approval required that any future non-chiropractic medical uses for the site be brought back to the Planning Commission for approval

[8] CMC Chapter 5.48 includes additional operational requirements not discussed in this staff report (e.g., dress code).

issues that may preclude the granting of the MEP. Staff's recommendations regarding the number of massage therapists and the requirement for an on-site chiropractor reflect staff's combined review and discussion of this application.

Window Coverage: Pursuant to CMC Section 21.36.270, no more than 10% of the exterior windows or door to the reception / waiting area located along the street may be covered, although the windows for any exam rooms which face the street may be covered for privacy reasons. The reception area for the chiropractic office faces Hamilton Avenue.

Signage: Signage is not part of this application. Any future signage proposal shall comply with the City of Campbell Sign Ordinance standards for office uses and CMC section 5.48.210(J) regarding advertisement of massage services.

Six-Month Review: The 2013 Resolution included a condition of approval that the City shall conduct a six-month administrative review of the approved medical use to ensure compliance with all Conditions of Approval. The business opened in September 2016. To date, no complaints have been received. For consistency, the new Resolution (**Attachment 1**) also includes a condition of approval requiring administrative review of the business after 6 months of operation.

Public Comments: On October 19th, the City received a letter of opposition from a neighboring resident. It appears from the content of the letter that the resident may be confusing the subject property with the dentist office next door[9]. The resident, who lives in (or owns?) the Apartment building to the right of the Dentist Office has concerns about spillover parking onto residential streets from both the dental office and the school (**Attachment 5**).

ALTERNATIVE CONDITIONS OF APPROVAL

If any of the options listed on page 5 of this report are approved by the Planning Commission, the Resolution of Approval will need to be amended as follows:

OPTION 1: Hire salaried massage therapy employees as opposed to an independent contractor. The applicant has indicated that this is not a preferred option. However, if the applicant accepts this option, the Resolution should be amended to strike any language in reference to a "massage establishment permit" and replace that language with "ancillary massage therapy" where the massage therapist would be a salaried employee under the direct supervision and medical recommendation of a licensed chiropractor.

OPTION 2: Allow additional medical uses on-site as opposed to an independent massage therapist. If the applicant elects to lease out a portion of the building for another medical use (as opposed to an independent massage therapist), the application should be continued to obtain additional information regarding such use for full review by the Planning Commission.

[9] "Happy Dental Care" is located at 215 Hamilton Avenue, to the right of the subject property. The resident did not provide a means to contact them for more information or to clarify their concerns.

OPTION 3: Allow a maximum of eight (8) individuals on-site at any one time. If this option is chosen, COA#6f should be amended as follows with underlining indicating new text and strikeouts (~~strikeout~~) indicating deleted text:

> **(COA#6f) Patient Appointments**: A maximum of ~~four (4)~~ five (5) patient appointments shall be scheduled for the same period of time. All other appointments shall be staggered at least 15 minutes apart in order to ensure an adequate parking supply on-site and to minimize any queuing.

OPTION 4: Allow two (2) massage therapists to work in coordination with an on-site chiropractor. If this option is chosen, COA#6e and COA#6f should be amended as follows with underlining indicating new text and strikeouts (~~strikeout~~) indicating deleted text:

> **(COA#6e) Number of Employees**: A maximum of three (3) employees (including up to a maximum of ~~one (1)~~ two (2) massage therapists) shall be on site at any one time.
>
> **(COA#6f) Patient Appointments**: A maximum of ~~four (4)~~ five (5) patient appointments shall be scheduled for the same period of time. All other appointments shall be staggered at least 15 minutes apart in order to ensure an adequate parking supply on-site and to minimize any queuing.

Attachments:

1. Resolution
2. Location Map
3. Site plan and floor plan
4. Applicant correspondence
5. Letter from resident
6. 2013 CUP Resolution and Conditions of Approval
7. December 2013 Minutes

Prepared by: _____
Cindy McCormick, Senior Planner

Approved by: _____
Paul Kermoyan, Community Development Director

RESOLUTION NO. _____

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A CONDITIONAL USE PERMIT (PLN2016-255) FOR MEDICAL (CHIROPRACTIC) USES AND A MASSAGE ESTABLISHMENT IN AN EXISTING OFFICE BUILDING ON PROPERTY LOCATED AT **225 W. HAMILTON AVENUE.**

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

The Planning Commission finds as follows with regard to file numbers PLN2016-255:

Environmental Finding

1. The project qualifies as a Categorically Exempt project per Section 15303 of the California Environmental Quality Act (CEQA), 15301, Class 1 of the California Environmental Quality Act (CEQA), pertaining to the operation and leasing of an existing private structure.

Evidentiary Findings

2. The Project Site is zoned P-O (Professional Office) on the City of Campbell Zoning Map.

3. The Project Site is designated *Professional Office* on the City of Campbell General Plan Land Use diagram.

4. The Project Site is composed of one parcel with a net lot area of 9,119 square-feet, located at the northeast corner of W. Hamilton Avenue and Eden Avenue, and bordered by single-family residential properties to the north, professional offices to the east, an elementary school to the west, and multiple-family residential to the south (across Hamilton Avenue).

5. The Project Site is currently developed with a 1,855 square-foot chiropractic office building.

6. The site previously received a Site and Architectural Review Permit and associated parking modification permit allowing 8 parking spaces, including one accessible space, where 9 parking spaces are required.

7. The site previously received a conditional use permit for chiropractic services with a condition that any change in use would require approval by the Planning Commission.

8. The hours of the business are currently restricted from 7 AM to 7 PM and are proposed to remain as such.

9. The applicant proposes to include massage therapy in addition to chiropractic services at the subject property. The proposed use requires a new conditional use permit and a massage establishment permit.

10. Government Code Sections 51030—51034 provide authority for the legislative bodies of California cities to license and regulate the business of massage.

11. The city council of the City of Campbell has found that unless properly regulated, the practice of massage and the operation of massage establishments may be associated with unlawful activity and pose a threat to the quality of life in the community.

12. Campbell Municipal Code Chapter 5.48 and Zoning Ordinance Section 21.36.270 provide licensing procedures, permit requirements, operational standards, and development standards regarding massage establishments.

13. The purpose and intent of the City's massage establishment permit regulations is to protect public health, safety, and welfare, protect and preserve the quality of commercial and residential properties, and deter criminal activity.

14. The proposed massage establishment is located on property within a designated commercial quadrant in a P-O (Professional Office) zoning district and is not within 300-feet of another massage establishment.

15. The proposed uses will be compatible with the P-O (Professional Office) Zoning District with approval of a Conditional Use Permit and subject to the attached conditions of approval.

16. The Campbell Police Department has found that massage establishments employing multiple therapists present a higher risk for illicit or illegal behavior.

17. The condition of approval requiring a licensed chiropractor to be on-site at all times that massage therapy is provided will reduce the risk for illicit or illegal behavior by providing oversight of the operation of the massage establishment.

18. The condition of approval limiting the number of massage therapists is intended to ensure that the operating characteristics of the use is compatible with nearby land uses and will not be detrimental to their comfort, health, morals, peace, safety, or general welfare.

19. The condition of approval limiting the number of employees and patients is intended to minimize traffic impacts due to the limited on-site parking availability.

20. No substantial evidence has been presented which shows that the project, as currently presented and subject to the required Conditions of Approval, will have a significant adverse impact on the environment.

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

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

Based upon the foregoing findings of fact, and pursuant to the Campbell Municipal Code, the Planning Commission further finds and concludes that:

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

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

25. The attached Conditions of approval will help ensure the long-term adequacy of the provided off-street parking as permitted by the previously approved parking modification permit.

26. The proposed site is adequate in terms of size and shape to accommodate the fences and walls, landscaping, parking and loading facilities, yards, and other development features required in order to integrate the use with uses in the surrounding area.

27. The proposed site is adequately served by streets of sufficient capacity to carry the kind and quantity of traffic the use would be expected to generate.

28. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses on-site and in the vicinity of the subject property.

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

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Conditional Use Permit (PLN2016-255) for chiropractic medical uses and a massage establishment on property located at **225 W. Hamilton Avenue.**

PASSED AND ADOPTED this 25th day of October, 2016, by the following roll call vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners
ABSTAIN: Commissioners:

APPROVED: _____
Cynthia Dodd, Chair

ATTEST: _____
Paul Kermoyan, Secretary

CONDITIONS OF APPROVAL
Conditional Use Permit (PLN2016-255)

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

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division:

1. Approved Project: Approval is granted for a Conditional Use Permit (PLN2016-255), for a chiropractic medical establishment and a massage establishment (with a maximum of one massage therapist) in an existing 1,855 square-foot one-story medical office building located at **225 W. Hamilton Avenue**. The allowed uses shall be located within the existing building as previously approved by the Planning Commission on December 10, 2013 (PLN2013-228), except as may be modified by the conditions of approval contained herein.

2. Massage Establishment Permit: The massage business shall not commence operation until a massage establishment permit has been issued by the Chief of Police pursuant to the provisions of Campbell Municipal Code Chapter 5.48

    a. **Number of Permits**: A maximum of one (1) Massage Establishment Permit shall be located on the subject property.

    b. **Annual Renewal Application**: The holder of the massage establishment permit (MEP) shall annually make application to the chief of police for renewal of the permit no less than ninety days before the permit expiration date. Failure to acquire a renewed MEP will render the permit null and void on its expiration date.

    c. **Massage Therapist Registration**: The holder of the massage establishment permit shall provide the Campbell Police Department with a list containing the full name, residence address and birth date of any person who will be performing massage at the establishment, and the date that each person was issued their state massage certification. No one other than a person identified on the list shall perform massage at the establishment. The operator shall update the list to include any new persons who will be providing massage at the establishment prior to the commencement of their services.

d. **Non-Transferrable**: The massage establishment permit is not transferable, either as to the permittee or the location. Any attempt to transfer shall render the permit invalid and no further massages may be conducted as such.

3. Revocation of Conditional Use Permit: Operation of the use in violation of the Conditional Use Permit, the Massage Establishment Permit, or any standards, codes, or ordinances of the City of Campbell shall be grounds for consideration of revocation of the Conditional Use Permit by the Planning Commission. In the event that the Massage Establishment Permit is revoked by the Police Department, the Planning Commission could amend the CUP to continue to allow medical (chiropractor) services, while removing the allowance for massage services.

4. Conditional Use Permit Approval (CUP) Expiration: The CUP shall be valid for one year from the effective date of Planning Commission approval. Failure to establish the massage use and obtain a massage establishment permit within one year of the effective date of this approval will result in the amended CUP (PLN2016-255) being void.

5. Change in use: The Conditional Use Permit (CUP) allows the operation of a Chiropractic Office and Massage Establishment. Any change in use shall require a new Conditional Use Permit.

6. Operational Standards: The chiropractic medical establishment and massage establishment shall be subject to the following operational standards. Non-compliance with these standards, or any other conditions of approval specified herein or any standards, codes, or ordinances of the City of Campbell or State of California shall be grounds for consideration of revocation of the Conditional Use Permit by the Planning Commission.

   a. **Conformance with City Code**: The massage establishment must conform with all applicable Municipal Code requirements, including but not limited to Campbell Municipal Code Chapter 5.48 (Massage Establishments and Therapists) and Chapter 21.36 (Provisions Applying to Special Uses).

   b. **Operational Hours**: The hours of operation, including when employees may be on site, shall be limited to 7:00 AM to 7:00 PM daily.

   c. **On-Site Chiropractor**: A licensed chiropractor shall be on-site at all times that massage therapy is provided.

   d. **Open Premises**: If massage services are being provided, at least one (1) person who is not actively engaged in the performance of massage shall be available at all times to ensure that the premises remain open and to assist the public at all times while massage services are being provided.

e. **Number of Employees**: A maximum of three (3) employees (including up to a maximum of one (1) massage therapist) shall be on site at any one time.

f. **Patient Appointments**: A maximum of four (4) patient appointments shall be scheduled for the same period of time. All other appointments shall be staggered at least 15 minutes apart in order to ensure an adequate parking supply on-site and to minimize any queuing.

g. **Window Coverage**. No more than 10% of any exterior windows or glass door to the reception / waiting area located along the public street may be covered with curtains, closed blinds, tints, or any other material that obstructs, blurs, or unreasonably darkens the view into the premises.

h. **Vehicle Storage**: Overnight storage of vehicles is prohibited.

i. **Parking**: The applicant shall provide eight parking spaces on site at all times.

j. **Lobby signage for "on-site parking"**: The applicant shall maintain appropriate signage within the patient lobby directing all employees, patients, and visitors to park on-site at all times. Vehicles associated with the office are prohibited from parking on the public street.

k. **Noise**: Unreasonable levels of noises, sounds and/or voices, including but not limited to amplified sounds from radio and loud speakers, the use of tools outdoors, or any unavoidable noise unrelated to the business activities on site shall not be audible to a person of normal hearing acuity from any residential property. In the event verified complaints are received by the City regarding noise, the Community Development Director may immediately modify the hours of operation or level of activity, and bring the use before the Planning Commission for review.

g. **Property Maintenance**: The property owner shall maintain all exterior areas of the business/property free from graffiti, trash, rubbish, posters, stickers, etc.

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

7. Site and Architectural Review Permit conditions: All applicable conditions of approval of Site and Architectural Review Permit (PLN2013-228) remain valid, including but not limited to on-site lighting, mechanical equipment, and utilities.

8. Six-Month Review: The City shall conduct a six-month administrative review of the business following establishment of the massage use to ensure compliance with all Conditions of Approval. If the Community Development Director finds that the business is negatively impacting the surrounding neighborhood due to excessive vehicular activity or is in violation of the Conditions of Approval set forth herein, the Director may immediately modify the business operations and bring the project before the Planning Commission for review.

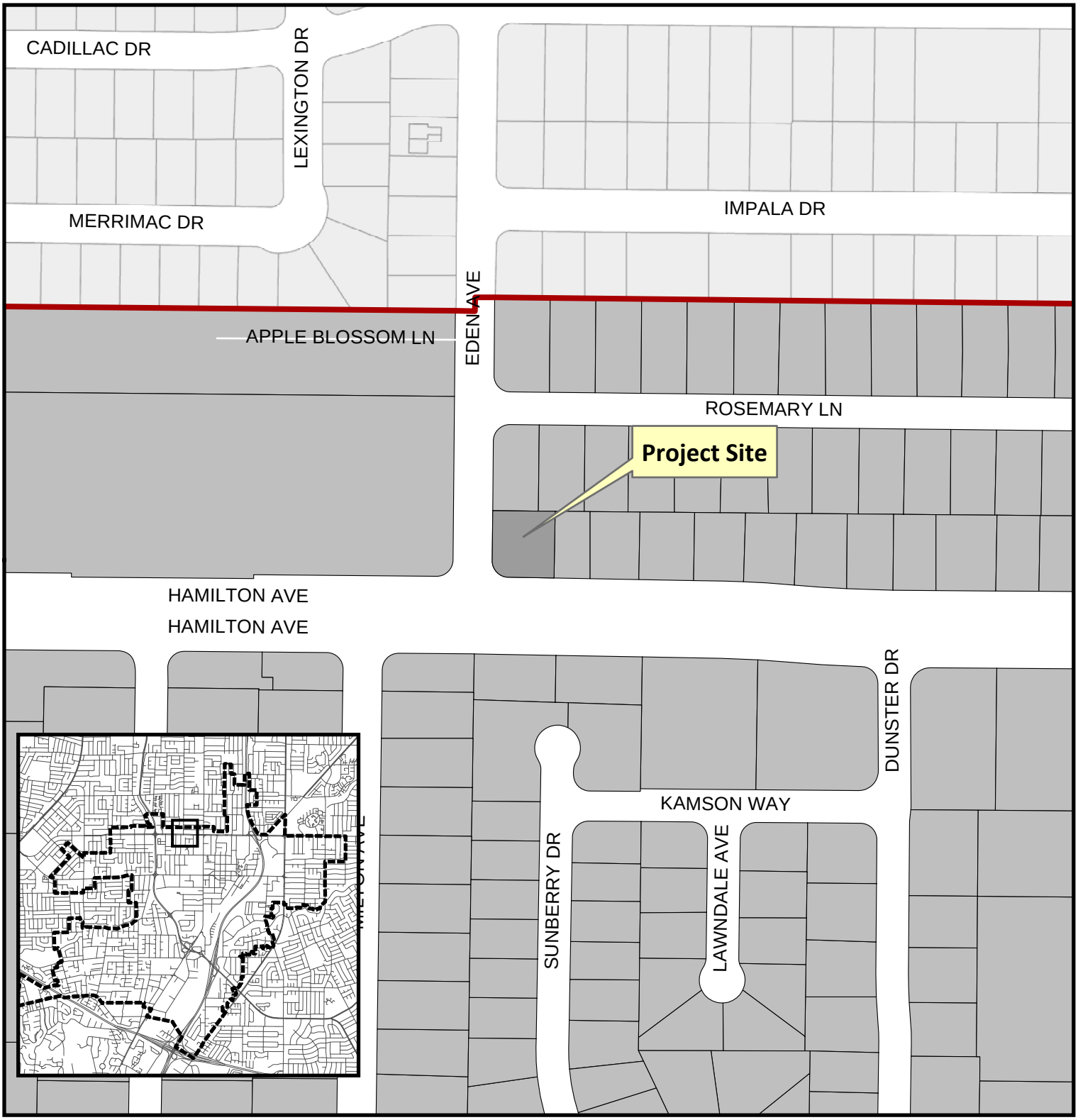
9. Signage: No signage is approved as part of the development application approved herein. All future signage shall be installed and maintained consistent with the provision of the Sign Ordinance, Chapter 21.30 of the Campbell Municipal Code.

10. Trash & Clean Up: Trash collection shall not occur in the late evening or early morning hours. All clean up (carpet cleaning, etc.) shall be done between 7:00 AM and 7:00 PM daily. Refuse and recycling containers shall be kept in the enclosure at all times except when being emptied by collection personnel.

11. Site Maintenance: The owner/operator of the property shall provide on-going maintenance of the on-site parking and driveway areas and landscape areas, as previously approved for the Site and Architectural Review Permit (PLN2013-228).

Project Location Map

Attachment 2

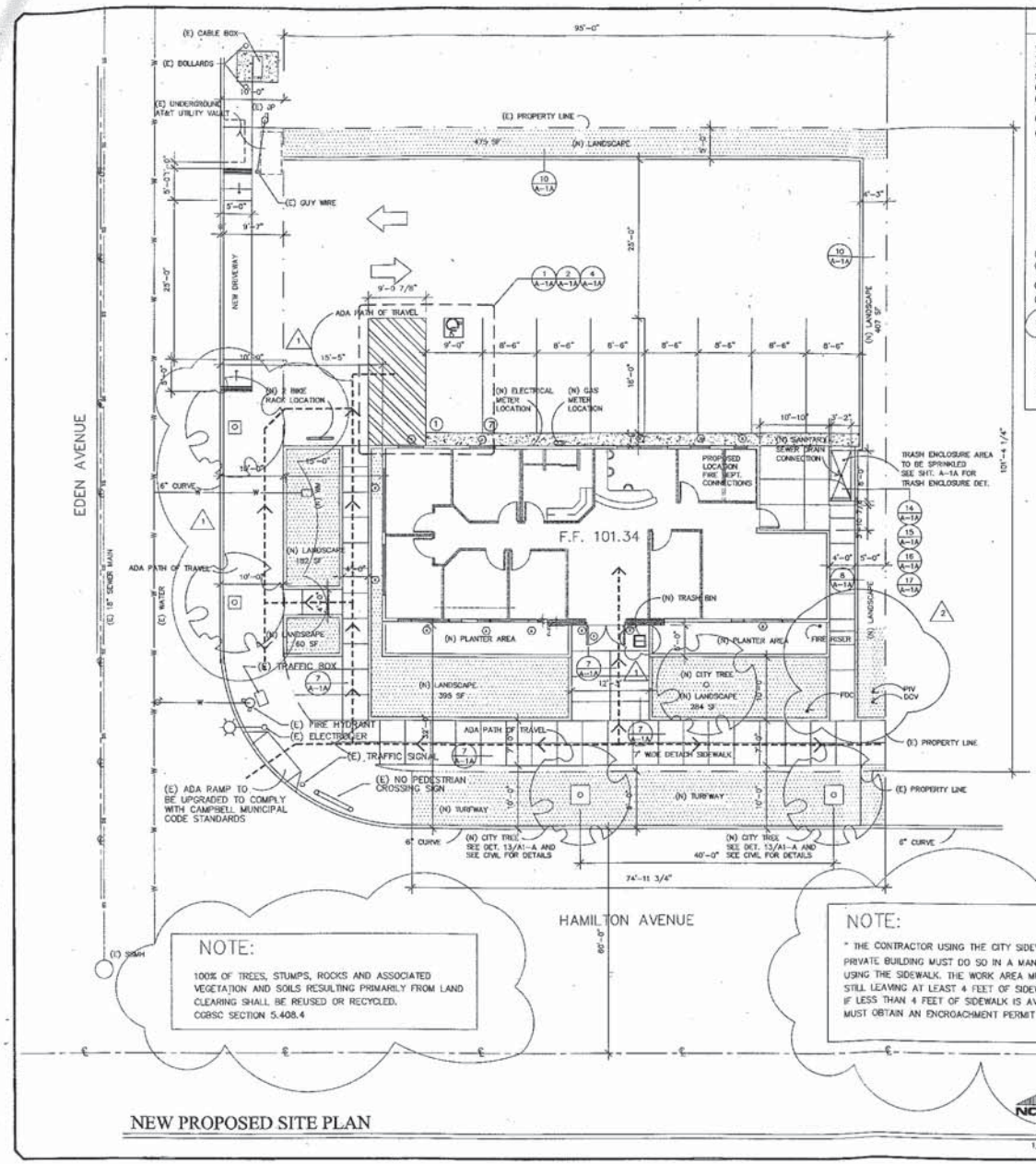


Project Location: 225 W. Hamilton Ave.
Application Type: Conditional Use Permit
Planning File No.: PLN2016-255
Description: Massage Establishment Permit in an existing medical building

N

CITY OF CAMPBELL · THE ORCHARD CITY

Community Development Department
Planning Division



NEW PROPOSED SITE PLAN

NOTE:

100% OF TREES, STUMPS, ROCKS AND ASSOCIATED VEGETATION AND SOILS RESULTING PRIMARILY FROM LAND CLEARING SHALL BE REUSED OR RECYCLED.
CGBSC SECTION 5.408.4

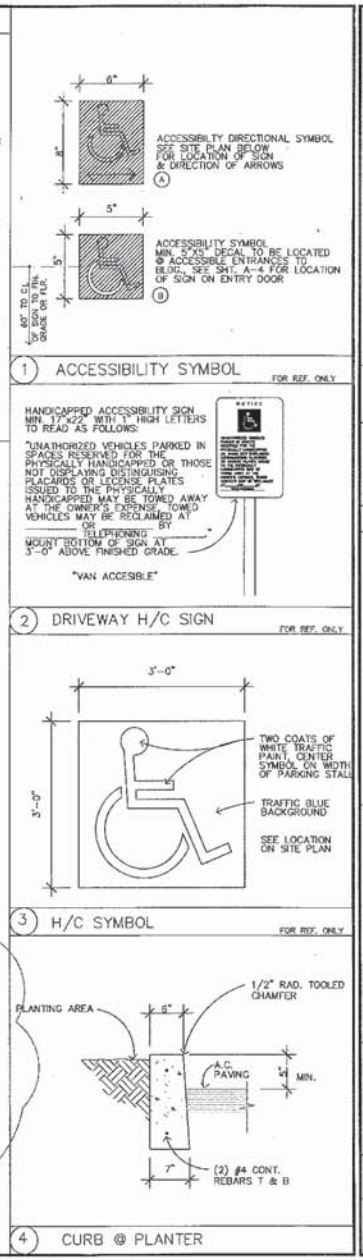
NOTE:

" THE CONTRACTOR USING THE CITY SIDEWALK WORK ON AN ADJACENT PRIVATE BUILDING MUST DO SO IN A MANNER THAT IS SAFE FOR PEDESTRIANS USING THE SIDEWALK. THE WORK AREA MUST BE CONED OR TAPE OFF WHILE STILL LEAVING AT LEAST 4 FEET OF SIDEWALK FOR PEDESTRIAN USE.
IF LESS THAN 4 FEET OF SIDEWALK IS AVAILABLE FOR PEDESTRIANS, THE CONTRACTOR MUST OBTAIN AN ENCROACHMENT PERMIT FROM PUBLIC WORKS TO CLOSE THE SIDEWALK."

City of Campbell
Building Inspection Division
* PLAN APPROVED *
This plan with attached documents has been reviewed for compliance with The City of Campbell and State of California Codes. This plan shall not be changed or modified without authorization from the Building Official. Work performed related to this plan shall be done in accordance with this plan and all applicable codes. This approval not be held to permit or understood as to be an approval of a violation of any City of State Law.
Approved
Permit 2014-00425 Date 01-05-15

BUILDING ANALYSIS

APN#	305-04-030
ZONING	C-1/P-O
TYPE OF CONST.	V-A
SITE/ LOT AREA:	9,759 SQ.FT.
(E) HARDSCAPE AREA:	5,671 SQ.FT.
(E) LANDSCAPE AREA:	1,418 SQ.FT.
(E) BUILDING AREA GROSS:	1,966 SQ.FT.
(E) SITE COVERAGE:	1,966/9,759 = .20%
EXISTING OCCUPANCY CBC 2013 "B"" OFFICE/RESIDENTIAL	
(E) PARKING	
STANDARD:	4
HANDICAP:	1
TOTAL PARKING	5
(N) HARDSCAPE AREA:	5,461 SQ.FT.
(N) LANDSCAPE AREA:	1,803 SQ.FT.
(N) BUILDING AREA GROSS:	1,855 SQ.FT.
(N) SITE COVERAGE:	1,855/9,759 = .19%
PROPOSED OCCUPANCY CBC 2013 "B"" MEDICAL USE	
(N) PARKING	
STANDARD:	7
HANDICAP:	1
TOTAL PARKING	8



ARCHITEX BUILDERS
1281 Lawrence Station Rd Ste 100 Sunnyvale CA 650-300-9285

BY	REVISIONS	DATE
1	C.O.C.B.D.	09-29-14
2	C.O.C.B.D.	10-24-14

(N) PROPOSED SITE PLAN

MEDICAL OFFICES
225 W HAMILTON AVE
CAMPBELL, CA

DATE	07-25-13
SCALE	1/8"=1'-0"
DRAWN	MB
JOB	2008

A-1

EXIT ANALYSIS

ROOM NAME	USE	OCCUPANCY GROUP	OCCUPANT LOAD FACTOR (OLF)	SQUARE FOOTAGE SQ.FT.	OCCUPANT LOAD OL=(SQ.FT.)/(OLF)	REQUIRED EXIT WIDTH (OL X 0.2)	EXIT WIDTH PROVIDED
100 WAITING AREA	WAITING AREA	B	100	192 S.F.	1.9	.4	60 IN.
101 OFFICE	OFFICE	B	100	115 S.F.	1.1	.2	36 IN.
102 MEDICAL/THERAPEUTIC RM.	THERAPEUTIC RM.	B	100	107 S.F.	1	.2	36 IN.
103 MEDICAL/THERAPEUTIC RM.	THERAPEUTIC RM.	B	100	116 S.F.	1.1	.2	36 IN.
104 MEDICAL/THERAPEUTIC RM.	JANITOR/STG. AREA	B	100	134 S.F.	1.3	.3	36 IN.
105 MEDICAL/THERAPEUTIC RM.	THERAPEUTIC RM.	B	100	123 S.F.	1.2	.2	36 IN.
106 JANITOR/BRAKE RM.	JANITOR/BRAKE RM	B	100	137 S.F.	1.3	.3	36 IN.
107 RECEPTIONIST AREA	RECEPTIONIST	B	100	111 S.F.	1.1	.2	36 IN.
108 (N) ADA UNISEX RESTRM.	UNISEX RESTRM.	---	---	---	---	---	36 IN.
109 SHOWER AREA	SHOWER	---	---	---	---	---	36 IN.
110 RECOVERY/EXERCISE RM.	THERAPEUTIC RM.	B	100	292 S.F.	2.9	.6	36 IN.
111 X-RAY RM.	X-RAY RM.	B	100	102 S.F.	1	.2	36 IN.
112 OPEN CORRIDOR AREA	OPEN AREA	B	100	187 S.F.	1.8	.4	36 IN.

OCCUPANT LOAD

SQ. FTG.= 1,208 S.F.

OCC. LOAD FACTOR= 100

1,855 SQ.F.T. / 200 = 10 OCC. LOAD

SINCE 12<49, BY (CBC 2013) TABLE 1004.1.2 AND 1015.1 ONLY 1 EXIT IS REQ'D.

NOTES:

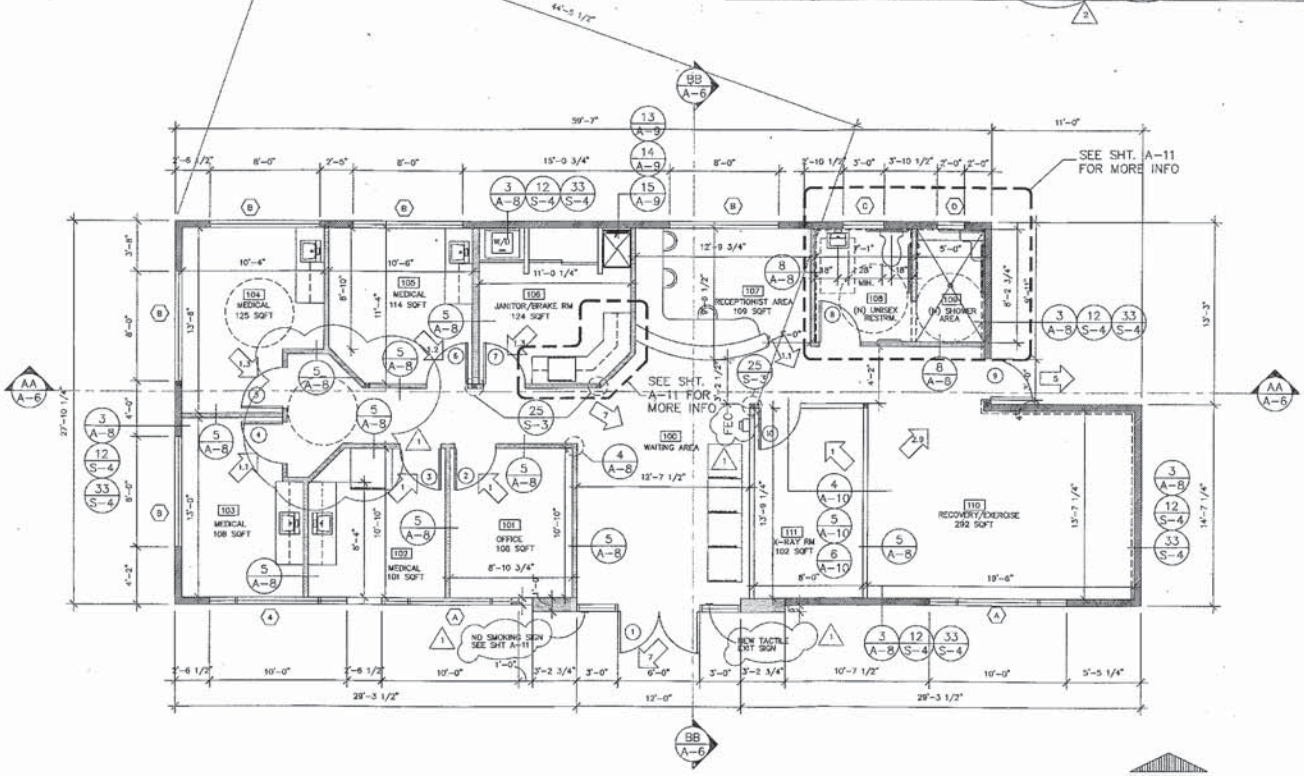
1. SEE A-1 SHEET FOR OVERALL (N) SITE PLAN
2. SPRINKLER CONTRACTOR TO INSTALL SPRINKLER HEAD DROPS & SUBMIT TO CITY OF CAMPBELL FOR APPROVAL.
3. FIRE EXTINGUISHERS REQ. PER UNIFORM FIRE CODE. ONE PER 3,000 SQ FT., NO GREATER THAN 75 FT. TRAVEL DISTANCE. USE 2-A:10BC IN OFFICES. CONTRACTOR TO OBTAIN LOCATION OF EXTINGUISHERS THROUGH FIRE MARSHAL

OCCUPANT LOAD NOTES

TOTAL OCCUPANT LOAD 12 MIN 1 EXIT REQ'D. PER ~~2010~~ 2013 CBC TABLE 1004.1.2

EXIT ANALYSIS APPLIES TO ALL OCCUPIED SPACES

1. EXIT WIDTH SHALL NOT BE LESS THAN THE TOTAL OCCUPANT LOAD SERVED BY THE MEANS OF EGRESS MULTIPLIED BY THE FACTORS IN TABLE 1005.2 (2013 CBC)
2. THE MINIMUM WIDTH OF EACH DOOR OPENING SHALL SUFFICIENT FOR THE OCCUPANT LOAD SERVED AND SHALL PROVIDE A CLEAR WIDTH OF NO LESS THAN 32" (2013 CBC 1008.1.1)
3. OCCUPANT LOAD AND REQUIRED NO OF EXITS PER (CBC 2013) TABLE 1004.1.2 AND 1015.1 EXIT MAY BE THRU INTERVENING ROOM. 1014.2 (2013 CBC)
4. SPECIFY A SIGN ON OR ADJACENT TO THE MAIN EXIT DOOR STATING THAT DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED." 1008.1.9.3 (2.2) (2013 CBC)
5. EXIT DOORS SHALL BE OPENABLE FROM THE INSIDE W/O THE USE OF A KEY OR ANY SPECIAL KNOWLEDGE OR EFFORT. (2013 CBC 1008.1.9)
6. PER SECTION 1014-2013 CBC "EXIT ACCESS, ROOMS SHALL NOT PASS THROUGH ADJOINING OR INTERVENING ROOMS OR AREAS, EXCEPT WHERE SUCH ADJOINING ROOMS OR AREAS ARE ACCESSORY TO THE AREA SERVED ARE NOT A HIGH-HAZARD OCCUPANCY AND PROVIDE A DISCERNIBLE PATH OF EGRESS TRAVEL TO AN EXIT
7. WALL MOUNTED TACTILE EXIT SIGN SHALL BE REQUIRED AT EACH GRADE-LEVEL EXTERIOR EXIT DOOR AND SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE WORD "EXIT" (2013 CBC 1011.3)



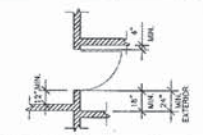
PROPOSED FLOOR PLAN

1,829 SQ.FT.

1/4"=1'-0"

LEGEND

- 2X6 STUDS AT 16" O.C.
- FULL HGT. PARTITION W/ 1 LAYER OF 5/8 TYPE "X" GYP. BD. INSIDE WALL & STUCCO FINISH OUTSIDE FOR 1 HR. FIRE RATED
- (N) 2X4 STUDS AT 16" O.C. W/SOUND ATTENUATION INS.
- 5/8" GYP. BD. TYPE "X" MIT TAPED, TEXT. TAPED, TEXT. & PAINTED W/ 4'-0" FRP. ALONG PLUMB. WALLS AND TRIM PROVIDED BY CONTRACTOR
- FEC — FIRE EXTINGUISHER CABINET MAX. OF 150'-0" INSTALLATION 2-A:10-BC MIN. SIZE
- DIRECTION OF EGRESS W/ OCCUPANT LOAD
- DOOR NO
- WIND. LETTER
- GLASS / GLAZING



(A) MIN. DOOR CLEARANCE

City of Campbell
Building Inspection Division
* PLAN APPROVED *
This plan with attached documents has been reviewed for compliance with The City of Campbell and State of California Codes. This plan shall not be changed or modified without authorization from the Building Official. Work performed related to this plan shall be done in accordance with this plan and all applicable codes. This approval not be held to permit or construed as to be an approval of a violation of any City of State Law.

Approved ____

Per 2014-00425 Date ~~01-05-15~~

ARCHITEX BUILDERS
1281 Lawrence station rd. ste.100 Sunnyvale CA 650-3309285

BY	REVISIONS	DATE
1	C.O.C.B.D. 09-29-14	
2	C.O.C.B.D. 10-24-14	

(E) & (N) FLOOR PLAN

MEDICAL OFFICES
225 W HAMILTON AVE
CAMPBELL, CA

DATE	04-29-14
SCALE	1/4"=1'-0"
DRAWN	MB
JOB	03-3020

A-2

SINA Investments LLC.
1321 S. Winchester Blvd – # 130
San Jose, CA 95128
Phone: 408-691-3349

November 7, 2016

City of Campbell
Attention: Cindy McCormick
70 N 1st St,
Campbell, CA 95008

Re: Massage Use Permit at 225 W Hamilton Ave, Campbell, CA 95008

Dear Mrs. McCormick and Planning Commission Committee,

Thank you for organizing our meeting with the Police department and Mr. Kermoyan. After looking at the different options that were provided to us at the meeting, the best choice is the following; having two licensed massage therapists and one licensed medical provider (chiropractor, medical doctor, physiotherapist,...) every hour, with each massage therapist seeing one client per hour and the medical provider seeing three patients per hour. This will comply with the parking regulations, user permit for a medical office and the worries of the Police department.

The main reason we have invested time and money to build a state of the art building, is to have a long term community based medical clinic for the city of Campbell. One of the first steps we have taken to help our community is to work with the Rosemary School in educating students and parents about a healthier life style. Together we are organizing community events, such as talks and hands on workshops, to help educate healthier eating habits and living an active lifestyle. We are committed to growing in the city of Campbell and helping our patients and its citizens become healthier by providing them outstanding alternative patient based medical services.

Thank you in advance for helping us grow our city into a healthier and safer community.

In service to health,

Ali Tootoonchi, DC, CCN

USE PERMIT (PLN 2015-255)

RECEIVED
OCT 19 2016
CITY OF CAMPBELL
PLANNING DEPT.

I am opposed to a massage establishment at 225 W. Hamilton Ave in Campbell. I have an apt. complex for over 20 years half way between Burger King Rest. and the proposed location. The dentist office that is presently there has their clients parking over halfway down Hamilton in front of many apts and keeping any visitors or tenants from being able to park in my tapable curb. The dentist office has parking but it is mostly full from their employees, etc, or clients.

No one in the last 20 years clean my front curb except me. Your Hamilton Ave is a raceway and a piece of crumbling asphalt !!!

When asking for better control the community service officer knows nothing and the police rarely know where Hamilton Ave is. Control and radar would be a big help because of the school also. The noise level is beyond standards during the day. Fix it or remove it – dirt road is much ~~quiet~~ quieter.

yours Campbell ave and side streets get sealed when not needed but other streets are forgotten. Also painting at the driveways curb is legal in Seattle, Wash but not here. It is very difficult to get out of a driveway with a SUV parked up to it but who cares.

Please obtain some common sense and visit Japan !! Super clean, no pot holes, no graffiti, no cigarette butts and a very caring and well run country. Ours looks like a garbage dump with only 1/3 the population!

Mary Bianconi

PS Don't put a bike lane down Hamilton ave. – no one uses them. Sidewalk is the route everywhere 99% of the time. – Also is much safer.

RESOLUTION NO. 4127

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A CONDITIONAL USE PERMIT WITH SITE AND ARCHITECTURAL REVIEW (PLN2013-228) AND A PARKING MODIFICATION PERMIT TO DEMOLISH AN EXISTING STRUCTURE AND CONSTRUCT A NEW 1,855 SQUARE FOOT ONE-STORY CHIROPRACTIC OFFICE BUILDING ON PROPERTY LOCATED AT **225 W. HAMILTON AVENUE.**

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

The Planning Commission finds as follows with regard to file numbers PLN2013-228:

Environmental Finding

1. The project qualifies as a Categorically Exempt project per Section 15303 of the California Environmental Quality Act (CEQA), Class 3 of the California Environmental Quality Act (CEQA), pertaining to new construction of a commercial structure not exceeding 2,500 square-feet in floor area.

Evidentiary Findings

2. The Project Site is zoned P-O (Professional Office) on the City of Campbell Zoning Map.

3. The Project Site is designated *Professional Office* on the City of Campbell General Plan Land Use diagram.

4. The Project Site is currently developed with a one-story story single-family residence that was lawfully converted into a professional office building in 1974. The property is located at the northeast corner of W. Hamilton Avenue and Eden Avenue. The site is bordered by single-family residential properties to the north, professional offices to the east, an elementary school to the west, and multiple-family residential to the south (across Hamilton Avenue).

5. The Project Site is composed of one parcel with a net lot area (after land dedication) of 9,119 square-feet.

6. The Proposed Project consists of the demolition of an existing commercial structure and the construction of a new 1,855 square-foot one-story commercial structure and the establishment of a chiropractic medical office.

7. The Proposed Project will be compatible with the P-O (Professional Office) Zoning District with approval of a Conditional Use Permit incorporating Site and Architectural Review and a parking modification for reduced parking.

8. The project provides 8 parking spaces, including one disabled loading space, where 9 parking spaces (rounded down) are required.

9. The hours of the business open to the public shall be restricted to 7 AM to 7 PM.

10. No substantial evidence has been presented which shows that the project, as currently presented and subject to the required Conditions of Approval, will have a significant adverse impact on the environment.

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

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

Based upon the foregoing findings of fact, and pursuant to CMC§21.42.060 and CMC §21.46.040, the Planning Commission further finds and concludes that:

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

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

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

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

17. Due to the unique nature and circumstances of the project, or special development features, the anticipated number of parking spaces necessary to serve the use or structure is less than that required by the applicable off-street parking standard, and would be satisfied by the existing or proposed number of parking spaces, as supported by review of the applicant's documentation accepted by the decision-making body.

18. Conditions of approval have been incorporated into the project to ensure the long-term adequacy of the provided off-street parking.

19. Approval of the parking modification permit will further the purpose of the Zoning Code.

20. The proposed site is adequate in terms of size and shape to accommodate the fences and walls, landscaping, parking and loading facilities, yards, and other development features required in order to integrate the use with uses in the surrounding area.

21. The proposed site is adequately served by streets of sufficient capacity to carry the kind and quantity of traffic the use would be expected to generate.

22. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses on-site and in the vicinity of the subject property.

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

24. The proposed site is adequately served by streets of sufficient capacity to carry the kind and quantity of traffic the use would be expected to generate;

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Conditional Use Permit with Site and Architectural Review (PLN2013-228) and Parking Modification Permit to demolish an existing structure and construct a new 1,856 square foot one-story chiropractic office building on property located at **225 W. Hamilton Avenue.**

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

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division:

1. Approved Project: Approval is granted for a Conditional Use Permit (PLN2013-228), incorporating Site and Architectural Review and a Parking Modification, to allow the demolition of an existing 1,966 square-foot structure and the construction of a 1,855 square-foot one-story medical office building with eight parking spaces and the establishment of a chiropractic medical use located at **225 W. Hamilton Avenue**. The project shall substantially conform to the Revised Project Plans, Color Elevation, and Operational statement received by the Community Development Department on October 16, 2013 and August 8, 2013, respectively, except as may be modified by additional conditions specified herein:

2. Planning Final Required: Planning clearance is required prior to Building Permit final. Construction not in substantial compliance with the approved project plans shall not be approved without prior authorization of the necessary approving body.

   a. Conditional Use Permit Approval Expiration: The Conditional Use Permit, incorporating Site and Architectural Approval and Parking Modification, shall be

valid for one year from the effective date of Planning Commission approval. Within this one-year period a Building Permit for the construction of the 1,855 square-foot commercial structure must be obtained and construction commenced. The approved medical office use shall be established within one year of building permit final. Failure to meet these deadlines will result in the Conditional Use Permit being void.

3. Transferability: The Conditional Use Permit allows the operation of a Chiropractic Office as described in the business description provided by the applicant as modified by the Conditions of Approval herein. Any change to a medical use other than Chiropractic services shall require a new Conditional Use Permit. Prior to issuance of a business license and pursuant to this Conditional Use Permit, the owners shall sign a copy of the approved Resolution acknowledging that they have read and understand the approved set of Conditions of Approval.

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

5. Operational Standards: The operation of the chiropractic medical office shall be subject to the following operational standards. Non-compliance with these standards, or any other conditions of approval specified herein or any standards, codes, or ordinances of the City of Campbell or State of California shall be grounds for consideration of revocation of the Conditional Use Permit by the Planning Commission.

   a. **Operational Hours**: The hours that the use may be open to the public shall be limited to 7:00 AM to 7:00 PM Sunday through Saturday. The total business operating hours, when employees may be on site, shall be limited to 7:00 AM to 7:00 PM Sunday through Saturday.

   b. **Number of Employees on Site**: A maximum of three employees (including chiropractors) shall be on site at any one time due to the limited on-site parking available.

   c. **Patient Appointments**: A maximum of four patient appointments shall be scheduled for the same period of time. All other appointments shall be staggered at least 15 minutes apart in order to ensure an adequate parking supply on-site and to minimize any queuing.

   d. **On-Site Parking**: The applicant shall install appropriate signage within the patient lobby directing all employees, patients, and visitors to park on-site at all times. The required signage shall be reviewed for appropriateness by the City of Campbell Planning Division prior to installation and shall be installed prior to final inspection of the Building Permit.

   e. **Vehicle Storage**: The overnight storage of vehicles is prohibited. Vehicles associated with the approved use are prohibited from parking on the public street.

f. **Noise**: Unreasonable levels of noises, sounds and/or voices, including but not limited to amplified sounds from radio and loud speakers, the use of tools outdoors, or any unavoidable noise unrelated to the business activities on site shall not be audible to a person of normal hearing acuity from any residential property.

In the event verified complaints are received by the City regarding noise, the Community Development Director may immediately modify the hours of operation or level of activity, and bring the project before the Planning Commission for review.

f. **Parking**: The applicant shall provide eight parking spaces on site at all times. The eastern landscape area adjacent to the 25 foot wide drive aisle shall be reduced in width to no more than 2 feet to improve vehicular access to the easternmost parking space.

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

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

6. Trash & Clean Up: All trash, normal clean up, carpet cleaning, etc. shall not be done in the late evening or early morning hours. All clean up and trash collection shall be done between 7:00 AM and 7:30 PM daily. Refuse and recycling containers shall be kept in the enclosure at all times except when being emptied by collection personnel.

7. Landscape Maintenance: The owner/operator of the property shall provide on-going maintenance of the existing and proposed on-site landscaping. In accordance with the Tree Protection Ordinance (Chapter 21.32), all trees planted pursuant to this approval shall be considered "protected" and subject to the established removal requirements and restrictions.

8. Six-Month Review: The City shall conduct a six-month administrative review of the approved medical use after establishment to ensure compliance with all Conditions of Approval. If the Community Development Director finds that the medical use is negatively impacting the surrounding neighborhood due to excessive vehicular activity or is in violation of the Conditions of Approval set forth herein, the Director may immediately modify the business operations and bring the project before the Planning Commission for review.

9. On-Site Lighting: Any proposed 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 exterior lighting shall be reviewed and approved by the Community Development Director, prior to issuance of a building permit. Lighting fixtures shall be of a decorative design to be compatible with the development and shall incorporate energy saving features.

10. Location of Mechanical Equipment: No roof-mounted mechanical equipment (i.e. air conditioning units, ventilation ducts or vents), shall be constructed without adequate screening of the mechanical equipment from public view and surrounding properties.

The screening material and method shall be architecturally compatible with the building and requires review and approval by the Community Development Director and Building Division prior to installation of such screening.

11. Utility Boxes and Back-Flow Preventers: The applicant shall submit a plan prior to installation of any PG&E transformers and San Jose Water Company back-flow preventers, if required, indicating the location of the facilities and screening (if the facilities are above ground) for review and approval by the Community Development Director.

12. Signage: No signage is approved as part of the development application approved herein and all signage references on the project plans are for reference only. All future signage shall be installed and maintained consistent with the provision of the Sign Ordinance, Chapter 21.30 of the Campbell Municipal Code.

13. Operation of Mechanical Equipment: Pursuant to the Campbell Municipal Code, operation of power equipment (i.e. "power-washer"), shall be limited to the hours of 8:00 AM and 7:00 PM Monday through Friday, and between the hours of 9:00 AM and 6:00 PM Saturday, Sunday and nationally recognized holidays.

14. Parking and Driveways: All parking and driveway areas shall be maintained in compliance with the standards in Chapter 21.28 (Parking & Loading) of the Campbell Municipal Code.

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

    a. Construction activities shall be limited to weekdays between 8:00 a.m. and 5:00 p.m. and Saturdays between 9:00 a.m. and 4:00 p.m. No construction shall take place on Sundays or holidays unless an exception is granted by the Building Official.
    b. Truck routes to and from the construction site should be established and submitted to the City for review and approval prior to issuance of a building permit. These truck routes shall avoid access to the project site via residential streets where possible.
    c. All construction equipment with internal combustion engines used on the project site shall be properly muffled and maintained in good working condition.
    d. Unnecessary idling of internal combustion engines shall be strictly prohibited.
    e. All stationary noise-generating construction equipment, such as air compressors and portable power generators, shall be located as far as possible from noise-sensitive receptors such as existing residences and businesses.
    f. Prior to the issuance of building permits, the project site shall be posted with the name and contact number of the lead contractor in a location visible from the public street so that the contractor can be made aware of noise complaints.
    g. Construction equipment, vehicles, and workers associated with the development of the project shall not be permitted to park on any residential streets.
    h. Use dust-proof chutes for loading construction debris onto trucks.

i. Water or cover stockpiles of debris, soil, and other materials that can be blown by the wind.
j. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
k. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at the construction site.
l. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets, as directed by the City Engineer.
m. Enclose, cover, water twice daily or, or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).

Building Division:

16. Permits Required: A building permit application shall be required for the proposed demolition of the existing commercial building. A building permit application shall be required for the proposed new commercial building. The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit. The building shall be made to comply with all the requirements necessary to I-3 Occupancy.

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

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

19. Plan Preparation: This project requires plans prepared under the direction and oversight of a California licensed Engineer or Architect. Plans submitted for building permits shall be "wet stamped" and signed by the qualifying professional person.

20. Site Plan: Application for building permit shall include a competent site plan that identifies property and proposed structures with dimensions and elevations as appropriate. Site plan shall also include site drainage details. Site address and parcel numbers shall also be clearly called out. Site parking and path of travel to public sidewalks shall be detailed.

21. Title 24 Energy Compliance: California Title 24 Energy Standards Compliance forms shall be blue-lined on the construction plans. Compliance with the Standards shall be demonstrated for conditioning of the building envelope and lighting of the building.

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

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

24. Title 24 Accessibility - Commercial: On site general path of travel shall comply with the latest California Title 24 Accessibility Standards. Work shall include but not be limited to accessibility to building entrances from parking facilities and sidewalks.

25. Title 24 Accessibility - Commercial: Projects seeking to use the Title 24 Hardship exemption clause shall blue-line completed, City of Campbell "20%" exemption form on submitted construction plans. Form is available at Building Division service counter.

26. PG&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. & E. concerning utility easements, distribution pole locations and required conductor clearances.

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

28. Storm Water Requirements: Storm water run-off from impervious surface created by this permitted project shall be directed to vegetated areas on the project parcel. Storm water shall not drain onto neighboring parcels.

29. California Green Building Code: This project shall comply with the California Green Building Code, Chapter 5.

30. Approvals Required: The project requires the following agency approval prior to issuance of the building permit:
    a. West Valley Sanitation District
    b. Santa Clara County Fire Department
    c. Santa Clara County Department of Environmental Health
    d. San Jose Water Company

PUBLIC WORKS DEPARTMENT

31. Permits Required: Three separate permits will be required:
    a. Encroachment Permit issued by Public Works.
    b. Building Permit issued by the Building Division.
    c. Grading Permit issued by Public Works.

32. Preliminary Title Report: Prior to issuance of any grading or building permits for the site, the applicant shall provide a current (within the past 3 months) Preliminary Title Report.

33. Right-of-Way for Public Street Purposes: **Prior to issuance of any grading or building permits** for the site the applicant shall fully complete the process to cause additional right-of-way to be granted in fee for public street purposes along the Hamilton Avenue frontage to accommodate a 10-foot park strip and a 7-foot sidewalk and a 30 -foot right-of-way along Eden Avenue, unless otherwise approved by the City Engineer. The applicant shall submit the necessary documents for approval by the City Engineer process the submittal with City staff's comments and fully complete the right-of-way process. The applicant shall cause all documents to be prepared by a registered civil engineer/land surveyor, as necessary, for the City's review and recordation.

    For Street Dedication Requirements visit the City's Website at:
    http://www.cityofcampbell.com/PublicWorks/LandDevelopment.htm
    Contact Public Works when ready to submit these documents.

34. Grading and Drainage Plan: Prior to issuance of any grading or building permits for the site, the applicant shall conduct hydrology studies based on a ten-year storm frequency, prepare an engineered grading and drainage plan, and pay fees required to obtain necessary grading permits. Prior to occupancy, the design engineer shall provide written certification that the development has been built per the engineered grading and drainage plans. Visit the City's Website at:

    http://www.cityofcampbell.com/PublicWorks/Resources/Checklist%20for%20Grading%20and%20Drainage%20Plans.pdf

35. Utilities: All on-site utilities shall be installed underground per Section 21.18.140 of the Campbell Municipal Code for any new or remodeled buildings or additions. Applicant shall comply with all plan submittals, permitting, and fee requirements of the serving utility companies.

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

37. 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.

38. 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. Hamilton Avenue and Eden Avenue have not reconstructed or overlaid in the last five 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.

39. Street Improvements: **Prior to issuance of any grading or building permits for the site**, the applicant shall execute a street improvement agreement, cause plans for public street improvements to be prepared by a registered civil engineer, pay various fees and deposits, post security and provide insurance necessary to obtain an encroachment permit for construction of the standard public street improvements, as required by the City Engineer. The plans shall include the following, unless otherwise approved by the City Engineer: Visit the City's Website at: www.cityofcampbell.com/PublicWorks/Resources/Checklist%20for%20Street%20Improvement%20Plans.pdf

W. Hamilton Avenue

a. Show location of all existing utilities within new and existing public right of way.
b. Relocation of all existing utilities including utility boxes, covers, poles, etc. outside of sidewalk area. No utility boxes, covers, etc. will be allowed in the sidewalk area.
c. Removal of existing sidewalk, curb and gutter to accommodate the Streetscape treatment.
d. Installation of ADA curb ramp at northeast corner of Hamilton Avenue and Eden Avenue. Street Improvement Plans shall include this note:
   RAMP NOTE FOR PLANS: Construct curb ramp per Caltrans Std plan A88A Case ___. See detail ___ on sheet___. Detectable warning surface shall be precast 1' x 1' x 2" ADA compliant detectable warning concrete pavers – Wausau Terra pavers, ADA-2, FDX 5008 as manufactured by Wausau Tile or approved equal. Contractor shall provide a sample paver a minimum of 14 days prior to installation. City reserves the right to change paver specifications.
e. Installation of Streetscape treatment consisting of 10' landscape park strip, 7' City Standard sidewalk, curb, gutter, street, turf and irrigation.
f. Retrofit all the existing pedestrian push buttons near the curb ramp at the northeast corner to meet ADA compliance.
g. Installation of asphalt concrete overlay per street pavement restoration plan for utility installation and/or abandonment, as required by the City Engineer.
h. Installation of traffic control, stripes and signs as necessary.
i. Construction of conforms to existing public and private improvements, as necessary.
j. Submit final plans in a digital format acceptable to the City.

Eden Avenue

a. Show location of all existing and proposed utilities within the new and existing public right of way.
b. Relocation of all existing utilities including utility boxes, covers, poles, etc. outside of sidewalk area. No utility boxes, covers, etc. will be allowed in the sidewalk area.

c. Removal of existing driveway approaches, sidewalk, curb and gutter.
d. Installation of City approved street trees and tree wells, sod park strip and irrigation.
e. Installation of City standard curb, gutter, sidewalk and ADA compliant driveway approach. See Detail D-18. See also Detail 1 for Residential Separated Walk. Two-way driveway approaches shall have a minimum 25ft width.
f. Installation of asphalt concrete overlay per street pavement restoration plan for utility installation and/or abandonment, as required by the City Engineer.
g. Remove existing private landscaping in the public right of way. No new private landscaping shall be installed in public right of way.
h. Installation of traffic control, stripes and signs, as necessary.
i. Construction of conforms to existing public and private improvements, as necessary.
j. Submit final plans in a digital format acceptable to the City.

40. Maintenance of Landscaping: Owner(s), current and future, are required to maintain the landscaped park strip and tree wells in the public right of way. This includes, but is not limited to: trees, lawn, plantings, irrigation, etc. Trees shall not be pruned in a manner that would not allow the tree to grow to a mature height.

41. 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.

42. Additional Street Improvements: Should it be discovered after the approval process that new utility main lines, extra utility work or other work is required to service the development, and should those facilities or other work affect any public improvements, the City may add conditions to the development/project/permit, at the discretion of the City Engineer, to restore pavement or other public improvements to the satisfaction of the City.

43. 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. Specifically the project must include source control, site design and treatment measures to achieve compliance with Provision C.3. of the NPDES Permit. Measures may include, but are not limited to, minimization of impervious surface area, vegetated swales, infiltration areas, and treatment devices. 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.

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

45. City Standard Details: City Detail 1, City Detail 12, City Detail 13, City Detail A-3, City Detail 18, City Detail 20, and Caltrans Detail A88A shall be used as reference documents for all Public Works conditions.

COUNTY FIRE DEPARTMENT

46. Fire Sprinklers Required: Approved automatic systems in new and existing buildings and structures shall be provided in the locations described in the Section or in Sections 903.2.1 through 903.2.18 whichever is the more restrictive. For the purposes of this section, firewalls used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations. An automatic sprinkler system shall be provided throughout all new buildings and structures. Exception: Group A, B, E, F, I, L, M, S and U occupancy and structures that do not exceed 1,000 square-feet of building area. Note: The owner(s), occupants(s) and any contractor(s) or subcontractor(s) are responsible for consulting with the water purveyor of record in order to determine if any modification or upgrade of the existing water service is required. A State of California licensed (C-16) Fire Protection Contractor shall submit plans, calculations, a completed permit application and appropriate fees to the Fire Department for review and approval prior to beginning their work. CFC Sec. 903.2 as adopted and amended by CMC.

47. Water Supply Requirements: Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water-based fire protection systems, and/or fire suppression water supply systems or storage containers that may be physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record. Final approval of the system(s) under consideration will not be granted by the Fire Department until compliance with the requirements of the water purveyor of record are documented by that purveyor as having been met by the applicant(s). 2010 CFC Sec, 903.3.5 and Health and Safety Code 13114.7.

48. Premise Identification: Approved numbers or addresses shall be placed on all new and existing buildings in such a position to be plainly visible and legible from the street or

road fronting the property. Numbers shall contrast with their background. Note: Interior hallways and offices shall be clearly identified and marked.

49. Construction Site Fire Safety: All construction sites must comply with applicable provisions of the CFC Chapter 14 and Fire Department Detail and Specification SI-7.

PASSED AND ADOPTED this 10th day of December, 2013, by the following roll call vote:

AYES:	Commissioners:	Dodd, Finch, Kendall, Resnikoff, Rich, and Roseberry
NOES:	Commissioners:	Reynolds
ABSENT:	Commissioners	None
ABSTAIN:	Commissioners:	None

APPROVED: _____
Philip C. Reynolds, Jr., Chair

ATTEST: _____
Paul Kermoyan, Secretary

CITY OF CAMPBELL PLANNING COMMISSION

MINUTES

7:30 P.M. TUESDAY

DECEMBER 10, 2013
CITY HALL COUNCIL CHAMBERS

The Planning Commission meeting of December 10, 2013, was called to order at 7:30 p.m., in the Council Chambers, 70 North First Street, Campbell, California by Chair Reynolds and the following proceedings were had, to wit:

ROLL CALL

Commissioners Present:	Chair:	Philip C. Reynolds, Jr.
	Vice Chair:	Paul Resnikoff
	Commissioner:	Cynthia L. Dodd
	Commissioner:	Pam Finch
	Commissioner:	Yvonne Kendall
	Commissioner:	Michael L. Rich
	Commissioner:	Bob Roseberry
Commissioners Absent:	None	
Staff Present:	Comm. Dev. Director:	Paul Kermoyan
	Planning Manager:	Aki Honda Snelling
	Associate Planner:	Steve Prosser
	City Attorney:	William Seligmann
	Recording Secretary:	Corinne Shinn

APPROVAL OF MINUTES

Motion: **Upon motion by Commissioner Finch, seconded by Commissioner Rich, the Planning Commission minutes of the meeting of November 26, 2013, were approved. (5-0-0-2; Commissioners Dodd and Roseberry abstained)**

COMMUNICATIONS

There were no communications items.

AGENDA MODIFICATIONS OR POSTPONEMENTS

There were no agenda modifications or postponements.

ORAL REQUESTS

There were no oral requests.

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PUBLIC HEARINGS

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

1. **PLN2013-228 Sina Investments, LLC** Public Hearing to consider the application of Sina Investments, LLC, for a Conditional Use Permit with Site and Architectural Review (PLN2013-228) to demolish an existing structure and construct a new 1,855 square foot one-story medical office building to establish a chiropractic office on property located at **225 W. Hamilton Avenue**. Staff is recommending that the project be deemed Categorically exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Steve Prosser, Associate Planner*

Mr. Steve Prosser, Associate Planner, presented the staff report as follows:

- Reported that the applicant is seeking approval for a Conditional Use Permit with Site and Architectural Review as well as a Parking Modification Permit to allow the construction of a new one-story medical office on the northeast corner of Hamilton & Eden Avenues.
- Explained that in 1974, a previous single-family residence constructed in 1954 was converted to professional office use and has been office use since that time.
- Said that the applicant now proposes to demolish a 1,966 square foot office and construct a new 1,855 square foot medical office fronting along Hamilton Avenue. The associated eight parking spaces will be located to the rear and accessed via Eden Avenue.
- Stated that this proposal conforms to all standards including setbacks, FAR, building height, except for parking provision. Where nine spaces are required, eight spaces are proposed requiring a Parking Modification Permit for a deficiency of one space. Parking will include disabled parking.
- Advised that the applicant's proposed floor plan includes four exam rooms, a physically training space, a waiting room and staff break room. This layout is consistent with typical small medical offices. The building is proposed as a single-story building with entry access via an entrance at the building frontage on Hamilton. To the east of the building there is a door for employee use only to access the trash enclosure. There is no patient access to the building from the rear parking area.
- Described the proposed building as consisting of contemporary architecture with a prominent entry feature and utilizing a variety of textures and colors to create a

pleasing aesthetic that is desirable for the area and a great improvement for the site.

- Said that a Conditional Use Permit with Site and Architectural Review is required to establish a chiropractic use. The proposed operational hours are between 7 a.m. and 7 p.m. There will be no more than three employees on site at any given time and no more than four patients. Appointments will be staggered by 15-minute intervals to reduce the potential of exceeding that maximum on site thereby ensuring that this use is compatible with its surrounding area and not adversely impact the adjacent residences.
- Explained that calculating the parking standards for a medical office for this building would equal nine spaces where eight are provided.
- Said that staff evaluated the history of parking on site and learned that it was lawfully converted with a parking deficiency of two spaces fewer than required at that time. The new building is proposed at approximately 100 fewer square feet in space, which reduces the existing deficiency from two to one parking space. Due to existing site constraints and requirement for land dedication along both Hamilton and Eden Avenues, the site is reduced in its ability to provide any additional parking.
- Said that SARC reviewed this project on November 12, 2013, and provided three comments. One request was for staff to evaluate the intersection of Hamilton and Eden to investigate possible mitigation measures. Staff worked with the City's Traffic Engineer to inspect and evaluate possibilities and determined that all appropriate calming measures are already in place and no additional measures were deemed necessary.
- Recommended approval of this request subject to the proposed Conditions of Approval.

Commissioner Kendall asked if the parking space at the back far right side is the handicapped space.

Planner Steve Prosser said no. The space to the left is the accessible space.

Commissioner Kendall asked why the only entrance for patient use is located at the front of the building.

Planner Steve Prosser said that the building's design is intended to direct all activity along the Hamilton Avenue frontage as part of pedestrian-friendly design. Therefore, an unused or "false front entry" is not wanted along Hamilton.

Commissioner Kendall pointed out that a lot of different medical specialties will be offered on site at the same time. How will the applicant manage to limit its staffing levels to no more than three on site at any given time given the different services offered?

Planner Steve Prosser said he would defer that explanation to the applicant, who will be both the owner and operator of this chiropractic clinic.

Commissioner Rich asked to verify that the adjacent use to the north is residential and whether that owner had been notified of this proposal.

Planner Steve Prosser replied yes. He describe the surrounding uses as being Professional Office to the north; a public school to the west; multi-family residential to the south and single-family residential to the north. All owners received public hearing notifications. He added that the residential neighbor to the north is in the audience this evening.

Commissioner Rich asked if any phone calls were received following the noticing.

Planner Steve Prosser said yes, from this resident to the north.

Commissioner Rich asked for verification that this building is currently commercial.

Planner Steve Prosser said it has historically been an office use.

Commissioner Rich asked if the proposed traffic for this chiropractic office is anticipated to be different from before.

Planner Steve Prosser said that it has been vacant for a long time. He compared the parking ratios for Professional Office (one space per 225 square feet of office space) to Medical Office (one space per 180 square feet of medical office space). He added that there is a five-foot landscaping area proposed between the parking spaces and the residence. On the adjacent residential property there is a detached garage and solid wall.

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

- SARC reviewed this project on November 12, 2013.
- Said that SARC asked staff to evaluate the intersection of Hamilton and Eden to see if traffic calming measures are required. As a result of that evaluation by the City's Traffic Engineer, no additional measures were found to be necessary.
- Stated that one condition was added to limited the number of employees on site as well as the number of patients and that appointments be staggered by at least 15 minutes.
- Added that a condition requiring the Community Development Director to review this use after six months to ensure compliance with the imposed conditions of approval. If staff finds a negative impact, the Director may immediately modify the operations and bring this use back to the Planning Commission for resolution.

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

Lynn Huff, Resident on Rosemary Lane:

- Stated that her residence is located just behind this site.
- Said that her main concern is with parking and the proposed long hours of operation between the hours of 7 a.m. and 7 p.m.

- Added that the staggering of appointments means a lot of traffic over a longer period of day.
- Reported that this area is already inundated with cars associated with the school. There is no place for everyone to park. She is even unable to park in front of her own house already because of overflow parking from the nearby apartments.
- Added the she can't even put her garbage cans out on Tuesday nights because people move them out of the way to park there and as a result the garbage collectors won't pick them up if they are not properly in place.
- Said that her main concern is she doesn't want her driveway to be blocked. She will call for a tow if she can't get out.
- Recounted that the school traffic, including parents, are very rude. She was once told by one parent that she shouldn't have bought a home near a school. However, she bought this home 40 years ago.
- Stated that parking in this neighborhood is already impacted and another business with deficient parking together with long hours could be an added problem where there is already a mess in place.

Commissioner Rich asked Ms. Huff how long ago the previous office use on this site became vacant.

Lynn Huff said it has probably been about one-and-a-half years. She added that she never saw them. Their employees parked on site. There were no impacts from that office use. It worked really well. She added that she's not even sure what they did there.

Commissioner Rich said it appears that her problems are not directly related to having had a business next door.

Lynn Huff agreed but said that the area traffic and parking problems have gotten worse within the last year or so.

Commissioner Finch reported that she too once parked in front of Ms. Huff's home when she was visiting the Rosemary School campus to perform volunteer work. She extended her apologies.

Lynn Huff said she has to deal with it every day.

Commissioner Finch asked if there are any parking permits and/or restrictions in place.

Lynn Huff said no. She added that there is a lot of traffic there and she can't believe that the traffic review decision was that no mitigations are necessary.

Commissioner Dodd asked if the added traffic over the last year or so is related to the school or other businesses.

Lynn Huff:
- Replied, "All of the above."

- Added that within the last year a dental office opened nearby that includes parking right next to her fence.
- Reported that she has to back into her driveway to be able to leave her property in the morning during school drop off times. Traffic doesn't want to stop to let her out.

Dr. Ali Tootoonchi, Applicant:
- Said that they are proposing to construct a new office building in Campbell.
- Added that he has been in business for over 12 years now.
- Said that he has worked closely with Planner Steve Prosser and the Community Development Department in preparing this proposal over the last six to eight months to get to this point. There have been many different designs to deal with issues of traffic, building placement, lighting, and more.
- Assured that they don't want to cause anyone any headaches but rather they want to add to Campbell, to be a part of Campbell and to help enhance the City.
- Advised that they worked to determine the number of people on site that can be accommodated by site parking.
- Reminded that they are dedicating land to improve the boulevard treatment.
- Added that the neighboring properties will increase in value both with the public and site improvements.
- Said that the dental office next door has fewer visits per hour than does a chiropractic office so he is not sure why their staff must park off-site instead of on-site.
- Explained that he and his business partner will work at this location as owner/operators. Each of them offers several specialties. Their front desk staff has been with them for eight years now.
- Reported that they are ready to invest and own their own facility rather than leasing. The looked for years to find the right place.
- Advised that the proposed 7 a.m. to 7 p.m. hours will allow them to see patients longer without jamming too many on site at any given time.
- Stated that all landscaping requirements, streetscape improvements and utility undergrounding requirements are costly but worth it in order for them to create this facility for their practice.
- Thanked the Commission for considering their request.

Commissioner Finch asked about the staggering of patients and what happens if someone shows up early. Is that a reason for lengthening their operational hours?

Dr. Ali Tootoonchi:
- Explained that they will not work all seven days of the week between 7 a.m. and 7 p.m. but rather need the flexibility to do so as patient need requires.
- Said that they don't anticipate any Sunday hours unless an emergency comes up.
- Said that ideally they will work between 9 a.m. and 5 p.m., five days per week.
- Assured that they want their clients to be comfortable coming to their clinic.

Commissioner Finch asked if they normally work back to back client appointments.

Dr. Ali Tootoonchi said no. He added that the work they do is very physical and they could not work back-to-back patients for that many hours a day.

Commissioner Resnikoff asked if there would be two doctors on site at the same time.

Dr. Ali Tootoonchi:
- Replied no. There will be one doctor at all times but there is no need for two.
- Added that if they grow larger, they would simply need a second location.
- Stated that sharing the facility means they can both have time off as well.
- Pointed out that one of their employees carpools and is dropped off.
- Added that he runs or walks to work.
- Stated that while they would like to have more parking available, what is proposed is enough.

Commissioner Resnikoff asked about typical staffing in addition to administrative staff and doctors. How about an X-ray technician given there is an x-ray room?

Dr. Ali Tootoonchi:
- Explained that they do that function as well.
- Reported that at a previous location they worked at with 18 exam rooms, they had an x-ray technician on staff. However, this smaller facility will not require that position.
- Advised that all chiropractors in the State of California are licensed to take and read x-rays.

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

Commissioner Dodd:
- Said that she likes having a new business to occupy a currently vacant site.
- Added that there are nearby residences with existing parking complications.
- Suggested consideration of some sort of parking restrictions including possibly limited hours, red curbs and/or permit parking. Are those options viable?

City Attorney William Seligmann:
- Said those would require an Ordinance approval by Council.
- Added that he is not certain if that is the case as well for limited hour parking impositions. Perhaps that is up to the discretion of the Police and/or the Public Works Departments.
- Concluded that no matter what, it is in the hands of the City not this applicant and it is not something the Planning Commission should condition on this applicant.

Commissioner Rich asked how this should be approached.

Director Paul Kermoyan:
- Said that it should be approached with the Public Works Department including the City's Traffic Engineer.

- Agreed that there has been a history of congestion and parking problems in this immediate area.
- Added that it is necessary to consider the existing problems with street traffic and parking separately from this proposal. Those concerns cannot be ignored but also solutions for all of those existing conditions can't be imposed on this site.
- Concluded that it is important to make sure that this project is contained on its own site.

Commissioner Kendall suggested perhaps a restriction against street parking on Tuesdays when garbage is picked up.

Director Paul Kermoyan:
- Reminded that the Commission's focus should be on the proposed use of the site and the architectural review of the proposed new building.
- Said that Professional Office is the permitted use for the site and may actually have a greater impact than this proposed chiropractic practice. There are nuances in office use. Medical service clinics are conditionally permitted in this zone.
- Added that if the Commission feels the hours proposed need to be adjusted or parking looked at, they can do so.

Commissioner Kendall asked what can be done to ensure no impacts result if the operator of this Conditional Use changes in the future from these occupants.

Commissioner Resnikoff:
- Said that the proposed conditions limit the number of persons on site as well as spacing between appointments. Other types of office uses such as a real estate office could not function with that limitation.
- Said that the issue of traffic was raised at SARC and he is surprised that the Traffic Engineer's report indicated that nothing additional was needed there. He does not agree with that report.
- Suggested the installation of signage for right turns.
- Stressed the need to focus and said that the Commission really can't fix the existing parking problem on the street.
- Reminded that Condition 6-d requires vehicles coming to this site to park on site and not on the public street. He would suggest placing signage in their front office advising their patients of that restriction.
- Added that Condition 7 requires a six-month review of this use by the Community Development Director to ensure there are no negative impacts.
- Suggested expanding that to require that the adjacent neighbors be contacted at the time of that six-month review and encouraged the neighbors to call in if problems come up.
-

Commissioner Roseberry:
- Stated that he agrees with Commissioner Resnikoff.
- Suggested that educating the staff and patrons of this clinic on where they should and should not park will be important.

- Agreed that it can be frustrating when you can't park in front of your own house and he understands that frustration.
- Stated that the parking problem in this neighborhood is larger than the one-space parking deficiency on this parcel. This applicant is attempting to improve the appearance of the neighborhood.
- Concluded that he is inclined to support this project with conditions.

Commissioner Finch:
- Expressed agreement with Commissioners Resnikoff and Roseberry.
- Agreed that parking in the neighborhood needs to be looked at but it can't be addressed here. There are valid concerns.
- Added that based on the applicant's description of this practice, their appointments will not be back-to-back.
- Supported conditions to require education on where patients should park as well as the requirement for a six-month review.
- Admitted that she would love to see that corner improved and is excited about that possibility.
- Concluded that she would be supporting this request.

Commissioner Resnikoff said that he lives near the Downtown and realizes that it can be infuriating when your driveway is blocked when large events, such as festivals, occur in the downtown bringing parking into the nearby residential areas.

Chair Reynolds:
- Suggested flushing out what the six-month review would entail as it could have budgetary impacts to have pro-active rather than the typical reactive enforcement only if problems come up. Code Enforcement is generally complaint driven.
- Suggested conditioning a review but to wait to see if complaints have come up.
- Agreed that a lot of issues are existing issues and not related to this business location. The applicant can't control those existing conditions. It is more for the City and the school district to do so.
- Admitted that he has trouble with Condition 7. He could support this without Condition 7.
- Said he also questions how Condition 6-c (staggered appointments) can be monitored and enforced. If it can't be enforced, why put it in?
- Questioned whether other chiropractic uses have had the same condition imposed.
- Reminded that the Commission is focusing on traffic and parking issues based on the school and residences, which are beyond the applicant's scope of control.

Commissioner Resnikoff:
- Opined that the six-month review under Condition 7 does not set precedent. Rather SARC suggested it because of concerns over existing traffic and parking.
- Agrees that this applicant is not responsible for what is there now. The purpose of the condition is to ensure that this new use does not make the situation worse.
- Admitted that he doesn't agree with the Traffic Engineer.
- Added that he is still in favor of Condition 7 for a six-month review.

- Said that if the applicant abides by the conditions, it will ease parking and traffic concerns.

Chair Reynolds:
- Reiterated that Condition 7 states, "…shall conduct six-month review."
- Asked what this review is looking at versus the standard complaint-driven actions.

Commissioner Rich:
- Said that the Commission is looking for a middle ground here between proactive and reactive review and enforcement.
- Said that at the six-month review, staff can look at any complaints that may have been received up to that point, if any.

Chair Reynolds said that is the current standard. Again, it is complaint driven so that if no complaints are received, no action is required. He reminded that there is a cost to the City in imposing a condition that makes unnecessary demands on staff time.

Commissioner Dodd pointed out that there is already a complaint in place.

Chair Reynolds said that this complaint is not related to this applicant but rather to existing area conditions.

Commissioner Roseberry:
- Said that a six-month review is a good tool.
- Agreed that it is not needed every time but when there is a higher likelihood of problems, it can be imposed.
- Added that the resident's concern is traffic.
- Opined that the Commission doesn't need to hash this out this much.
- Agreed that it is not enforceable unless it becomes a problem. If so, the conditions of approval can be utilized.

Commissioner Dodd reminded that Condition 6-c requires appointments be staggered by 15 minutes. She wants that condition in place for possible future uses on site.

Commissioner Kendall stated her agreement with Commissioner Rich. Condition 6-c is an excellent idea for possible future uses there.

Director Paul Kermoyan:
- Confirmed that Chair Reynolds is correct that enforcement is complaint driven. If a complaint is received, it is responded to right away.
- Added that if complaints are repetitive, staff works with the business owner. If it persists, staff will bring the use back to the Planning Commission for consideration.
- Agreed that a six-month review can be included in the conditions.
- Suggested a minor change to the site plan to move parking over a short distance to give more landscaping space.
- Added that this Conditional Use Permit could be limited to chiropractic office rather than a more general medical use. That will help retain a definable intensity of use.

Commissioner Finch asked if the Commission needs to change anything to incorporate the Director's proposed modification to the parking area.

Commissioner Roseberry suggested leaving that to the discretion of the Director.

Motion: **Upon motion of Commissioner Roseberry, seconded by Commissioner Kendall, the Planning Commission adopted Resolution No. 4127 approving a Conditional Use Permit with Site and Architectural Review (PLN2013-228) and a Parking Modification Permit to demolish an existing structure and construct a new 1,855 square foot one-story medical office building to establish a chiropractic office on property located at 225 W. Hamilton Avenue, subject to the conditions of approval with the following modifications:**

- **Modify the use to specify "Chiropractic Office" and requiring that any future non-chiropractic medical uses of this site be brought forth to the Planning Commission for approval;**
- **Leave approval of the final striping of the parking to the discretion of the Director in order to provide better access to the most east parking stall; and**
- **Require placement of signs in the lobby directing patients to park only on site,**

by the following roll call vote:

AYES: **Dodd, Finch, Kendall, Resnikoff, Rich, and Roseberry**
NOES: **Reynolds**
ABSENT: **None**
ABSTAIN: **None**

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

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

2. **PLN2012-183 City** Public Hearing to consider the City-initiated application for a **Text Amendment** to identify ancillary retail in conjunction with a wholesale distribution facility as a conditionally permitted use within the **M-1 (Light Industrial) Zoning District**. Adoption of Negative Declaration is proposed for this project. Tentative City Council Meeting Date: January 7, 2014. Project Planner: *Steve Prosser, Associate Planner*

Mr. Steve Prosser, Associate Planner, presented the staff report as follows:

- Reported that this Text Amendment is proposed to modify Campbell Municipal Code Section 21.10.

- Added that the modification would identify ancillary retail uses in conjunction with a wholesale distribution facility as a conditionally permitted use in the M-1 (Light Industrial) zoning.
- Informed that in 2009, an existing business owner sought tenant improvements to create showroom space within an existing warehouse facility. Staff found that introducing ancillary retail was inconsistent with the light industrial zoning. This matter was discussed through 2011 at which time Council directed staff to bring this Text Amendment forward.
- Described the M-1 areas as including: Dell & Sunnyoaks; White Oaks & Highway 17; and McGlincy & Cristich. It involves about 300 parcels zoned M-1 (Light Industrial).
- Said that the amendments will allow the addition of ancillary retail within a lawful use with a Conditional Use Permit subject to Planning Commission review.
- Added that while manufacturing and wholesale distribution uses are the most desirable uses in this zoning, a small amount of retail can be compatible as long as the primary uses remain wholesale or light industrial.
- Reported that any Text Amendment requires findings for approval. Staff finds that this proposal is consistent with the General Plan, is not detrimental to the public's health, safety and general welfare. It has undergone CEQA review and is consistent with the Zoning Code.
- Recommended that the Planning Commission adopt a resolution that recommends Council adopt an Ordinance to approve this Text Amendment.

Commissioner Resnikoff asked if there had been any response to the public notifications.

Planner Steve Prosser:
- Said that there had been calls from some property and business owners requesting clarification on the intent of the amendment.
- Added that some were concerned that the City was attempting to restrict or eliminate industrial uses.

Commissioner Resnikoff asked if there were any objections once the intent was explained.

Planner Steve Prosser said no.

Commissioner Rich asked staff to differentiate between "primary" and "ancillary" retail uses.

Planner Steve Prosser said that the primary focus of a use on an M-1 zoned property must remain one that is listed "by right" in the Ordinance. Retail can only be limited or ancillary to that primary use.

Commissioner Rich asked if square footage is the key to determining that.

Planner Steve Prosser said yes.

Chair Reynolds said that he sees a lot of pros in adopting this amendment. He asked if there are any cons or drawbacks.

Director Paul Kermoyan:
- Said that a "pro" is to capture and legalize some pre-existing ancillary retail already occurring in industrial zones. That use has been silent. This amendment will codify what is already happening.
- Added that it may require a Conditional Use Permit to increase the amount of existing ancillary retail.
- Pointed out that wholesale typically has a certain component of retail.

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

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

Commissioner Roseberry:
- Said that this is a great idea.
- Added that perhaps the only drawback is if it becomes too popular that it may possibly cause a parking impact to the M-1 areas.
- Stated it would be important to take a long and hard look at potential impacts.

Commissioner Resnikoff:
- Stated his agreement with Commissioner Roseberry.
- Added that he really likes the way this Ordinance is written, including such language as "site specific conditions."
- Agreed that this is not setting precedent as there is a right to turn them down.
- Concluded that he would be supportive.

Chair Reynolds thanked staff for the thought process used to develop this Ordinance amendment. He agreed that it was well written.

Motion: **Upon motion of Commissioner Resnikoff, seconded by Commissioner Dodd, the Planning Commission adopted Resolution No. 4128 recommending approval of a Text Amendment (PLN2012-183) to identify ancillary retail in conjunction with a wholesale distribution facility as a conditionally permitted use within the M-1 (Light Industrial) Zoning District, by the following roll call vote:**

AYES: **Dodd, Finch, Kendall, Resnikoff, Reynolds, Rich, and Roseberry**
NOES: **None**
ABSENT: **None**
ABSTAIN: **None**

Chair Reynolds advised that this item would be considered by the City Council at its meeting of January 7, 2014.

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SELECTION OF THE 2014 CHAIR AND VICE CHAIR

Motion: **Upon motion of Commissioner Finch, seconded by Commissioner Kendall, the Planning Commission elected Commissioner Resnikoff to serve as Planning Commission Chair for 2014. (7-0)**

Motion: **Upon motion of Commissioner Dodd, seconded by Commissioner Rich, the Planning Commission elected Commissioner Roseberry to serve as Planning Commission Vice Chair for 2014. (7-0)**

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REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

Director Paul Kermoyan advised that he had no additions to his written report.

ADJOURNMENT

The Planning Commission meeting adjourned at 9:02 p.m. to the next Regular Planning Commission Meeting of **January 14, 2014.**

SUBMITTED BY: _____
Corinne Shinn, Recording Secretary

APPROVED BY: _____
Philip C. Reynolds, Jr., Chair

ATTEST: _____
Paul Kermoyan, Secretary

CITY OF CAMPBELL · PLANNING COMMISSION
Staff Report · November 22, 2016

PLN2016-313
Venkatesan, H.

Public Hearing to consider the application of Hema Venkatesan for a Conditional Use Permit (PLN2016-313) to allow the establishment of a large fitness studio (d.b.a. Club Pilates) with late night hours (opening at 5:45 a.m.) out of an existing commercial tenant space on property owned by M&M Properties, located at **10 E. Hamilton Avenue, Suite 300**, in the C-2 (General Commercial) Zoning District.

STAFF RECOMMENDATION

That the Planning Commission take the following action:

1. **Adopt a Resolution,** approving a Conditional Use Permit (PLN2016-313) allowing the establishment of a large fitness studio (d.b.a. Club Pilates) with late night hours (opening at 5:45 a.m.).

ENVIRONMENTAL DETERMINATION

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

DISCUSSION

Project Location: The project site is located southeast of the intersection of Hamilton Avenue and Winchester Blvd. in the Gateway Square Shopping Center (reference **Attachment 2** – Location Map). The tenant space is located between FedEx Kinko's and Sushi Boat in the smaller (13,600 sq. ft.) retail building located at the northwest corner of the site (reference **Attachment 4** – Project Plans). No exterior changes are proposed in association with this application.

PROJECT DATA

Zoning District:	C-2 (General Commercial)
General Plan Designation:	General Commercial
Proposed Hours:	
Operational/Staff:	5:45 AM[1] – 9:15 PM, Mon. – Fri. 7:45 AM – 6:15 PM, Sat. & Sun.
Business/Public (Classes):	6:00 AM – 9:00 PM, Mon. – Fri. 8:00 AM – 6:00 PM, Sat. & Sun.
Tenant Space:	1,566 sq. ft.
Maximum Number of Staff:	13
Maximum Number of Students:	3

[1] See discussion regarding "Business & Late Night Hours" on Page 3.

Surrounding Uses
North: FedEx (San Jose Camera & Video across Hamilton Avenue)
South: Sushi Boat
East: Parking Lot
West: Chase Bank across Winchester Boulevard

Applicant's Proposal: The applicant's proposal would allow for the establishment of a large fitness studio (d.b.a. Club Pilates) offering instructor-led physical fitness classes and ancillary retail sales within an existing commercial tenant space (formerly occupied by Wells Fargo) (reference **Attachment 4 -** Project Plans).

ANALYSIS

Zoning District: The property is located within the General Commercial (C-2) Zoning District. Within the C-2 Zoning District, the subject use is technically defined as a "large studio" with "late night activities" which is allowed within the C-2 Zoning District with the approval of a Conditional Use Permit.

General Plan: The General Plan land use designation for the project site is *General Commercial*. This land use designation encourages uses that require high vehicular and pedestrian exposure in order to support the success and viability of the City's retail and business centers. Allowance of a large fitness studio with late night hours is consistent with the purpose of this land use designation. The General Plan Land Use Element provides several policies and strategies pertaining to land use compatibility and site design, which may be taken into consideration by the Planning Commission in review of this request:

Policy LUT-5.1: Neighborhood Integrity: Recognize that the City is composed of residential, industrial and commercial neighborhoods, each with its own individual character; and allow change consistent with reinforcing positive neighborhood values, while protecting the integrity of the city's neighborhoods.

Policy LUT-11.2a: Services Within Walking Distance: Encourage neighborhood serving commercial and quasi-public uses, such as churches, schools, and meeting halls to locate within walking distance of residential uses.

Policy LUT-13.1: Variety of Uses: Attract and maintain a variety of uses that create an economic balance within the City while maintaining a balance with other community land use needs, such as housing and open space, and while providing high quality services to the community.

Operations: As a large 'fitness' studio, Club Pilates would offer fitness classes which make use of reformers, mats, and TRX machines designed to "improve physical strength, flexibility, and posture all by using the trainer's body weight rather than heavy weights used in a traditional gym setting" (reference **Attachment 3** – Applicant's Written Statement). At peak operations, there would be up to 13 students (12 in one class, plus a one-on-one training in the clinical reformer room), and 3 staff (1 front desk, two instructors). Classes would be between 45-50 minutes long, allowing for a 10-minute turnover between classes (thereby reducing potential traffic and parking impacts by staggering classes).

Business & Late Night Hours: The business is requesting early morning operational hours on weekdays to allow employees to enter the building at 5:45 a.m. to setup, with classes (including

music & instruction) starting at 6:00 a.m. in the morning. Since 6:00 a.m. is the earliest permitted time for a business to open, the business is considered to include "late night activities" as employees would be allowed to enter the building fifteen minutes early. In that no activity (music/class instruction) would take place inside the building during these fifteen minutes, no adverse impacts are anticipated.

Parking: For this application, the parking requirement for a "large studio" is based on the greater of two standards: 1) the number of students and staff, or 2) one parking space per 200 square feet of gross floor area. In consideration of the applicant's proposal, the number of required parking spaces is as follows:

Required Parking				
Tenant	**Classification**	**Students/Instructors or Building Area**	**Parking Required per Table 3-1**	**Req. Parking**
"Club Pilates"	Large Studio	13 students, 3 instructors	1 / 4 students plus 1 per instructor	6* (3.25 + 3)
		1,566 square feet	1:200 SF	**8****

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

As illustrated by the preceding table, the parking required for the large studio would be based on the gross floor area standard (which yields the greater requirement of 8 spaces). As the gross floor area standard requires one parking space per 200 sq. ft. of gross floor area, which is the same baseline established for the property, no parking impact per code would result from the proposed use.

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

Circulation: During the review process, staff examined pedestrian, bicycle, and vehicle safety issues related to the center. Staff did not identify any significant issues with the parking arrangement or onsite circulation. However, as the site has limited bicycle parking opportunities (one bike rack occurs near the two-story medical office building), a condition of approval has been included which requires at least one bike rack be provided near the subject tenant space.

Noise: Although the Municipal Code does not provide a numeric standard for noise, a finding of approval requires that the use not create a nuisance "due to litter, noise, traffic, vandalism, or other factors" nor "significantly disturb the peace and enjoyment of the nearby residential neighborhood" (CMC 21.46.070). To ensure that reasonable levels of noise are maintained at all times, a condition of approval has been included indicating that music shall only be played indoors at low levels and if the use generates three verifiable complaints within a six (6) month period, a public hearing before the Planning Commission may be scheduled to consider modifying the conditions of approval.

Neighborhood Impacts: The proposed use is not anticipated to result in adverse neighborhood impacts. The proposed large studio shall be conducted entirely inside an enclosed tenant space, with low impact equipment (minimal vibration or noise), and with all music played indoors and at low levels, and adequate parking provided onsite. A condition of approval has been included restricting the use of equipment to low impact equipment, consistent with the applicant's written description.

Prepared by: _____
Stephen Rose, Associate Planner

Reviewed by: _____
Paul Kermoyan, Community Development Director

Attachments:
1. Resolution for Approval of File No. PLN2016-313
2. Location Map
3. Applicant's Written Statement
4. Project Plans
5. Property Photos

RESOLUTION NO.

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A CONDITIONAL USE PERMIT (PLN2016-313) TO ALLOW A LARGE FITNESS STUDIO (D.B.A. CLUB PILATES) WITH LATE NIGHT HOURS AT **10 E. HAMILTON AVENUE, SUITE 300**.

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

The Planning Commission finds as follows with regard to the approval of a Conditional Permit (PLN2016-313):

1. The project site is zoned C-2 (General Commercial) and designated *General Commercial* by the General Plan.

2. The project site is located southeast of the intersection of Hamilton Avenue and Winchester Blvd. in the Gateway Square Shopping Center.

3. The proposed project is an application for a Conditional Use Permit to allow the establishment of a large fitness studio (d.b.a. Club Pilates) with late night hours (staff starting at 5:45 a.m.).

4. The proposed fitness studio with late night hours is technically defined as a "large studio" with “late night activities” which is allowed within the C-2 Zoning District with the approval of a Conditional Use Permit.

5. The proposed tenant space is 1,566 square feet in size.

6. The proposal does not result in any additional floor area or exterior changes to the existing buildings.

7. The proposal does not result in the removal of any onsite trees or landscaping.

8. As conditioned, the hours of operation would be limited to 5:45 AM to 9:15 PM, Mon. – Fri., and from 7:45 PM – 6:15 PM, Sat. & Sun. in perpetuity.

9. As conditioned, the business/public (class) hours would be limited to 6:00 AM – 9:00 PM, Mon. – Fri. and from 8:00 AM – 6:00 PM, Sat. & Sun. in perpetuity.

10. Whereas these hours constitute a “late night activity” classes and instruction would not start until 6:00 a.m. in the morning.

11. Policies found within the Campbell General Plan articulate a desire to promote and allow change consistent with reinforcing positive neighborhood values and protecting the integrity of the city’s neighborhood, encouraging neighborhood serving commercial uses within walking distance of residential uses, and attracting and maintaining a variety of uses that create an economic balance within the city while providing high quality services to the community.

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

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

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

3. The proposed site is adequate in terms of size and shape to accommodate the fences and walls, landscaping, parking and loading facilities, yards, and other development features required in order to integrate the use with uses in the surrounding area;

4. The proposed site is adequately served by streets (Hamilton Avenue & Winchester Boulevard) of sufficient capacity to carry the kind and quantity of traffic the use would be expected to generate;

5. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses on-site and in the vicinity of the subject property; and

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

7. The project is Categorically Exempt under Section 15301, Class 1 of the California Environmental Quality Act (CEQA), pertaining to the operation and leasing of an existing private structure.

THEREFORE, BE IT RESOLVED that the Planning Commission recommends approval of a Conditional Use Permit (PLN2016-313) for the Project located at **10 E. Hamilton Avenue, Suite 300**, subject to the attached Conditions of Approval (attached Exhibit “A”).

PASSED AND ADOPTED this 22nd day of November, 2016, by the following roll call vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners
ABSTAIN: Commissioners:

APPROVED: _____
Cynthia Dodd, Chair

ATTEST: _____
Paul Kermoyan, Secretary

EXHIBIT A

CONDITIONS OF APPROVAL
Conditional Use Permit (PLN2016-313)

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

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. Approved Project: Approval is granted for a Conditional Use Permit (PLN2016-313) to allow a large 'fitness' studio with late night activities within an existing commercial tenant space located at **10 E. Hamilton Avenue, Suite 300**. The project shall substantially conform to the Project Plans and Written Statement stamped as received by the Planning Division on September 29, 2016, except as may be modified by the Conditions of Approval contained herein.

2. Permit Approval Expiration: The Conditional Use Permit approval shall be valid for one year from the date of final approval. Within this one year period all conditions of approval shall be fulfilled and the use established. Failure to meet this deadline will result in the Conditional Use Permit being void. Abandonment, discontinuation, or ceasing of operations for a continuous period of twelve months shall void the Conditional Use Permit approved herein.

3. Revocation of Permit: Operation of a large 'fitness' studio use with late night activities pursuant to the Conditional Use Permit approved herein is subject to Chapter 21.68 of the Campbell Municipal Code authorizing the appropriate decision making body to modify or revoke an Conditional Use Development Permit if it is determined that its operation has become a nuisance to the City's public health, safety or welfare or for violation of the Conditional Use Permit or any standards, codes, or ordinances of the City of Campbell. At the discretion of the Community Development Director, if the establishment generates three (3) verifiable complaints related to violations of conditions of approval and/or related to its operation within a six (6) month period, a public hearing may be scheduled to consider modifying conditions of approval or revoking the Conditional Use Permit. The Community Development Director may commence proceedings for the revocation or modification of permits upon the occurrence of less than three (3) complaints if the Community Development Director determines that the alleged violation warrants such an action. In exercising this authority, the decision making body may consider the following factors, among others:

    a. The number and types of noise complaints at or near the establishment that are reasonably determined to be a direct result of patrons actions or facility equipment;

b. The number of parking complaints received from residents, business owners and other citizens concerning the operation of an establishment; and

c. Violation of conditions of approval.

4. Operational Standards: Consistent with the submitted Written Description and City standards, any large studio use operating pursuant to the Conditional Use Permit approved herein shall conform to the following operational standards. Significant deviations from these standards (as determined by the Community Development Director) shall require approval of a Modification to the Conditional Use Permit.

   a. **Classes**: No more than one class shall be permitted at any one time. No use of the facility outside of instructor led classes shall be permitted.

   b. **Maximum Occupancy**: A maximum of three (3) staff and thirteen participants shall be permitted on the premises at any time, which is further subject to the maximum occupancy capacities of certain rooms as determined by the California Building Code (CBC). It is the responsibility of the business owner to provide adequate entrance controls to ensure that participant occupancy is not exceeded. Maximum Occupancy signs shall be posted conspicuously within the premises.

   c. **Retail Sales**: Retail sales are permitted in association with the proposed use.

   d. **Hours of Operation**: Hours of operation shall be as follows. By the end of 'Business Hours' all patrons shall have exited the premises. By the end of “Class Hours” all class activities, and operation of equipment are to cease with no exception. By the end of the 'Operational Hours' all employees shall be off the premises.

Operational/Staff:	5:45 AM – 9:15 PM, Mon. – Fri. 7:45 AM – 6:15 PM, Sat. & Sun.
Business/Public (Classes):	6:00 AM – 9:00 PM, Mon. – Fri. 8:00 AM – 6:00 PM, Sat. & Sun.

   These hours are restricted in perpetuity.

   e. **Fitness Equipment**: The fitness equipment shall be limited to light hand weights, mats, exercise balls, stretching straps, TRX Machines, reformers, and other equipment as determined by the Community Development Director to be consistent with the intent of minimizing potential noise, vibration, and associated impacts to adjoining uses.

   f. **Parking Management**: In the event that a verifiable complaint is received by the City regarding parking, the Community Development Director may reduce the permitted occupancy, limit the hours of operation, require greater staggering of classes, require additional parking management strategies and/or forward the project to the Planning Commission for review.

g. **Smoking**: "No Smoking" signs shall be posted on the premises in compliance with CMC 6.11.060.

h. **Noise**: Outdoor speakers are prohibited. Unreasonable levels of noise, sounds and/or voices, including but not limited to indoor amplified sounds, indoor loud speakers, sounds from indoor audio sound systems or music, and/or indoor public address system or fitness equipment, generated or used by the establishment or its participants shall not be audible to a person of normal hearing capacity from outside the enclosed tenant space.

In the event that a verifiable complaint is received by the City regarding noise, the Community Development Director may reduce the permitted occupancy, limit the hours of operation, limit the permissible decibels, limit the type of fitness equipment permitted, and/or forward the project to the Planning Commission for review.

i. **Staggered Classes**: Classes shall be staggered such that classes end a minimum of ten (10) minutes before the start of the next session.

j. **Loitering**: There shall be no loitering allowed outside the business. The business owner is responsible for monitoring the premises to prevent loitering.

k. **Trash Disposal and Clean-Up**: All trash disposal, normal clean-up, carpet cleaning, window cleaning, sidewalk sweeping, etc. shall occur during the "operational hours."

l. **Business License**: The business shall be required to obtain and maintain a City business license at all times.

5. Bicycle Rack: Prior to occupancy, the applicant shall install one additional bicycle rack on the property near the tenant space. The exact location and design of the bicycle rack shall be subject to review and approval by the Community Development Director.

6. Storefront Windows & Doors: At no time shall an obscure wall or barrier (i.e. drapery, window tinting, blinds, furniture, inventory, shelving units, storage of any kind or similar) be installed along, behind or attached to storefront windows or doorways that blocks visual access to the tenant space or blocks natural light.

7. Property Maintenance: The owner/operator of the subject property shall maintain all exterior areas of the business free from graffiti, trash, rubbish, posters and stickers placed on the property. Exterior areas of the business shall include not only the parking lot and private landscape areas, but also include the public right-of-way adjacent to the business. Trash receptacles shall be maintained within their approved enclosures at all times.

8. Landscape Maintenance: All landscaped areas shall be continuously maintained in accordance with City Landscaping Requirements (CMC 21.26). Landscaped areas shall be watered on a regular basis so as to maintain healthy plants. Landscaped areas shall

be kept free of weeds, trash, and litter. Dead or unhealthy plants shall be replaced with healthy plants of the same or similar type.

9. Signage: No signage is approved as part of the development application approved herein. New signage shall not be installed prior to approval of a sign permit. All signage shall be installed and maintained pursuant to a Master Sign Program. No window signs or advertisement posters or placards, shall be permitted unless specifically allowed by the Master Sign Program.

10. Location of Mechanical Equipment: No roof-mounted mechanical equipment (i.e. air conditioning units, ventilation ducts or vents), shall be added to the existing building without providing screening of the mechanical equipment from public view and surrounding properties. The screening material and method shall be architecturally compatible with the building and requires review and approval by the Community Development Director and Building Division prior to installation of such screening.

11. Outdoor Storage: No outdoor storage is permitted on the subject property. No equipment, materials or business vehicles shall be parked and/or stored outside the building or within the parking lot.

12. Parking and Driveways: All parking and driveway areas shall be maintained in compliance with the standards in Chapter 21.28 (Parking & Loading) of the Campbell Municipal Code. Parking spaces shall be free of debris or other obstructions.

BUILDING DIVISION

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

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

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

16. Plan Preparation: This project requires plans prepared under the direction and oversight of a California licensed Engineer or Architect. Plans submitted for building permits shall be “wet stamped” and signed by the qualifying professional person.

17. Site Plan: Application for building permit shall include a competent site plan that identifies property and proposed structures with dimensions and elevations as appropriate. Site plan shall also include site drainage details. Site address and parcel numbers shall also be clearly called out. Site parking and path of travel to public sidewalks shall be detailed.

18. Title 24 Energy Compliance: California Title 24 Energy Standards Compliance forms shall be blue-lined on the construction plans. Compliance with the Standards shall be demonstrated for conditioning of the building envelope and lighting of the building.

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

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

21. Title 24 Accessibility – Commercial: On site general path of travel shall comply with the latest California Title 24 Accessibility Standards. Work shall include but not be limited to accessibility to building entrances from parking facilities and sidewalks.

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

    a. West Valley Sanitation District
    b. Santa Clara County Fire Department

23. P.G.& E.: Applicant is advised to contact Pacific Gas and Electric Company as early as possible in the approval process. Service installations, changes and/or relocations may require substantial scheduling time and can cause significant delays in the approval process. Applicant should also consult with P.G. and E. concerning utility easements, distribution pole locations and required conductor clearances.

FIRE DEPARTMENT

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

25. Fire Sprinklers: this building is equipped with a fire sprinkler system. Any interior remodel may require modification of this system, and it is the responsibility of the owner/manager and tenant to ensure that any such modifications be performed in compliance with applicable codes and standards. A State of California licensed (C-16) Fire Protection Contractor shall submit plans, calculations, a completed permit application and appropriate fees to this department for review and approval prior to beginning their work. NOTE: The owner(s), occupant(s) and any contractor(s) or subcontractor(s) are responsible for consulting with the water purveyor of record in order to determine if any modification or upgrade of the existing water service is required.

26. Address identification: New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. CFC Sec. 505.1

27. Construction Site Fire Safety: All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification SI-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chp. 33

28. Avoid Delays: To prevent plan review and inspection delays, the above noted Developmental Review Conditions shall be addressed as "notes" on all pending and future plan submittals and any referenced diagrams to be reproduced onto the future plan submittal.

Attachment #2

Location Map

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Attachment 3

Club Pilates, Campbell – *Written Statement*

1. Proposal

The application to establish a fitness studio (d.b.a Club Pilates) offering instructor-led physical fitness classes and ancillary retail sales within an existing commercial tenant space (formerly occupied by Wells Fargo) at 10 E Hamilton Ave, Suite 300 for which a Conditional Use Permit is requested.

2. Project Site

The proposed location is part of Gateway Square on the ground floor at the southeast corner of the intersection of Hamilton Ave and Winchester. The property is surrounded by Hwy17 to the east, and commercial uses to the west, north and south. The site is currently developed with a FedEx Kinko's Office, "Sushi Boat" Japanese restaurant, Walgreens, Charles Schwab and a Medical facility (Physicians Skin and Weight Centers). The space chosen is approximately 1566 SF (27' x58') and is located in-between FexEx and Sushi Boat.

3. Club Pilates Executive Summary:

a. Club Pilates will provide the service of a boutique fitness studio focusing on Pilates and other exercise classes.
b. At peak operations, the studio will serve no more than 13 clients in a single one-hour class (no more than one class at a time) and 2 staff.
c. Club Pilates will fill in the needs of customers who wish for a low-cost and intimate exercise studio that offers targeted exercises for core strength.
d. Club Pilates will provide state-of-the-art exercise equipment with trained professional instructors and quality customer service.
e. Heart disease and obesity are record high causing increased health club demand.
f. Low income market segment is ignored by key competitors.
g. Club Pilates will also have other revenue streams including merchandise sales and instructor training revenue.

4. Company Description

a. <u>Club Pilates Corporate</u>

Club Pilates Franchise, LLC is situated in Costa Mesa, California. Club Pilates was first founded in 2007 by Ms. Allison Beardsley in San Diego. Club Pilates was purchased by Mr. Anthony Geisler in March 2015 and he has been the CEO since then.

b. <u>Nature of business and market segment served</u>

The nature of our business is to offer customers the service of a boutique fitness studio that provides Pilates and other exercise classes. We use reformers, mats and TRX machines designed to improve physical strength, flexibility, posture all by using the trainer's body weight rather than heavy weights used in a traditional gym setting.

Gym membership has grown rapidly in the past five years as consumers have become increasingly health conscious. However, the emergence of budget-conscious gym members has transformed the industry's landscape, and the provision of low-cost, contract-free memberships has hampered profitability among gyms unable to maintain high customer retention rates.

Club Pilates seeks to operate in this low-cost, contract-free, boutique fitness industry and cater to the fitness needs of busy individuals looking for targeted exercise classes in an intimate setting that is different from an all-inclusive gym.

5. Company Ownership

Venkat Ananthan and Hema Venkatesan are the owners of Hema Studio LLC which owns the franchise rights to build, own and operate Club Pilates studios in Campbell, Mountain View and Santa Clara. Venkat Ananthan is currently working as a Manager at ON Semiconductor and Hema Venkatesan is currently working as a lead Sonographer at Palo Alto Medical Foundation.

6. Community Benefits

It is well-known that there is an obesity epidemic in the United States. Club Pilates promotes and encourages a healthier and more active lifestyle. The Mayo Clinic lists the following benefits of Pilates in their website

a. Improved core strength and stability
b. Improved posture and balance
c. Improved flexibility
d. Prevention and treatment back pain

The target customers include anyone who is looking to build strength in their core muscles for better posture, balance and flexibility. These customers are also working professionals with busy schedules. Many of them may have monthly gym memberships but are also looking for affordable and specialized boutique fitness studios for targeted exercise.

Other customers may include those who have suffered an injury or seniors who are not looking to build muscle in a traditional gym but are looking to build core strength and stability in a more comfortable setting like ours.

7. Potential Traffic Generation

The impact of traffic due to opening a Club Pilates Studio at the corner of Winchester and Hamilton in Campbell is expected to be minimal. The number of clients in the studio at any time will not exceed 13. Clients will also sign up for classes over the Club Pilates website thus eliminating the need for driving to the studio for anything other than a Pilates class. This reduces traffic and parking requirements.

8. Parking

The requirement for parking is one parking space per 200 sq. ft of gross floor area. As such, for this studio with an area of 1566 sq. ft, the requirement for parking is 7 spaces. No parking impact per code is expected from the proposed use. Also, we intend to stagger classes at a minimum of 10 minutes to allow parking spaces to turnover between classes. Some of the tenants in the proposed location do not conduct business after 5PM which will relieve parking constraints in the evening.

9. Potential Noise Generation

As a fitness studio, the request is to play music that is appropriate with the use of the facility. No live entertainment is requested with this application. Music will only be played indoors and at low levels so as not to create a nuisance nor significantly disturb the peace and enjoyment of the nearby tenants. Also, Pilates exercises use the trainer's body weight and should have very little noise from the exercise equipment itself.

10. Neighborhood Impacts

The proposed use is not anticipated to result in adverse neighborhood impacts. The proposed fitness classes will be conducted entirely inside an enclosed space, with equipment causing minimal vibration and noise, low levels of music played indoors and with adequate parking provided onsite.

11. Hours of Operation

Operational/Staff:

Mon-Fri:	5:45am to 9:15pm
Sat-Sun:	7:45am to 6.15pm

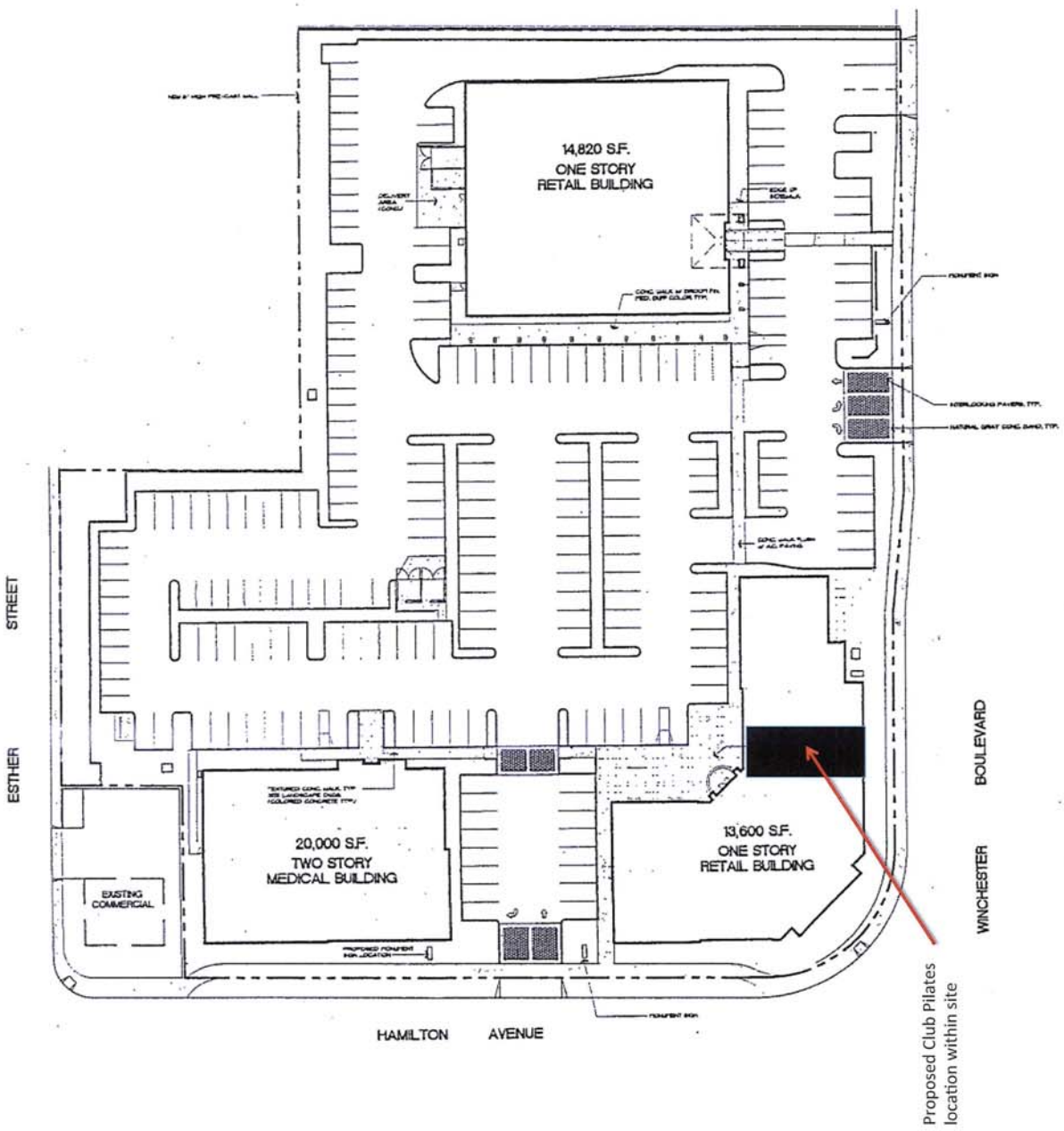
Business/Public (Classes)

Mon-Fri:	6am to 9pm
Sat –Sun:	8am to 6pm

12. Number of Employees:

We project our number of employees to be 5, which includes one general manager and 4 Club Pilates instructors. Most of the time, the studio will be staffed with just one manager and one instructor. During certain hours, one additional instructor might be available to train a client privately for 50 minutes in the private training room by scheduled appointment.

Campbell Gateway Square SITE PLAN



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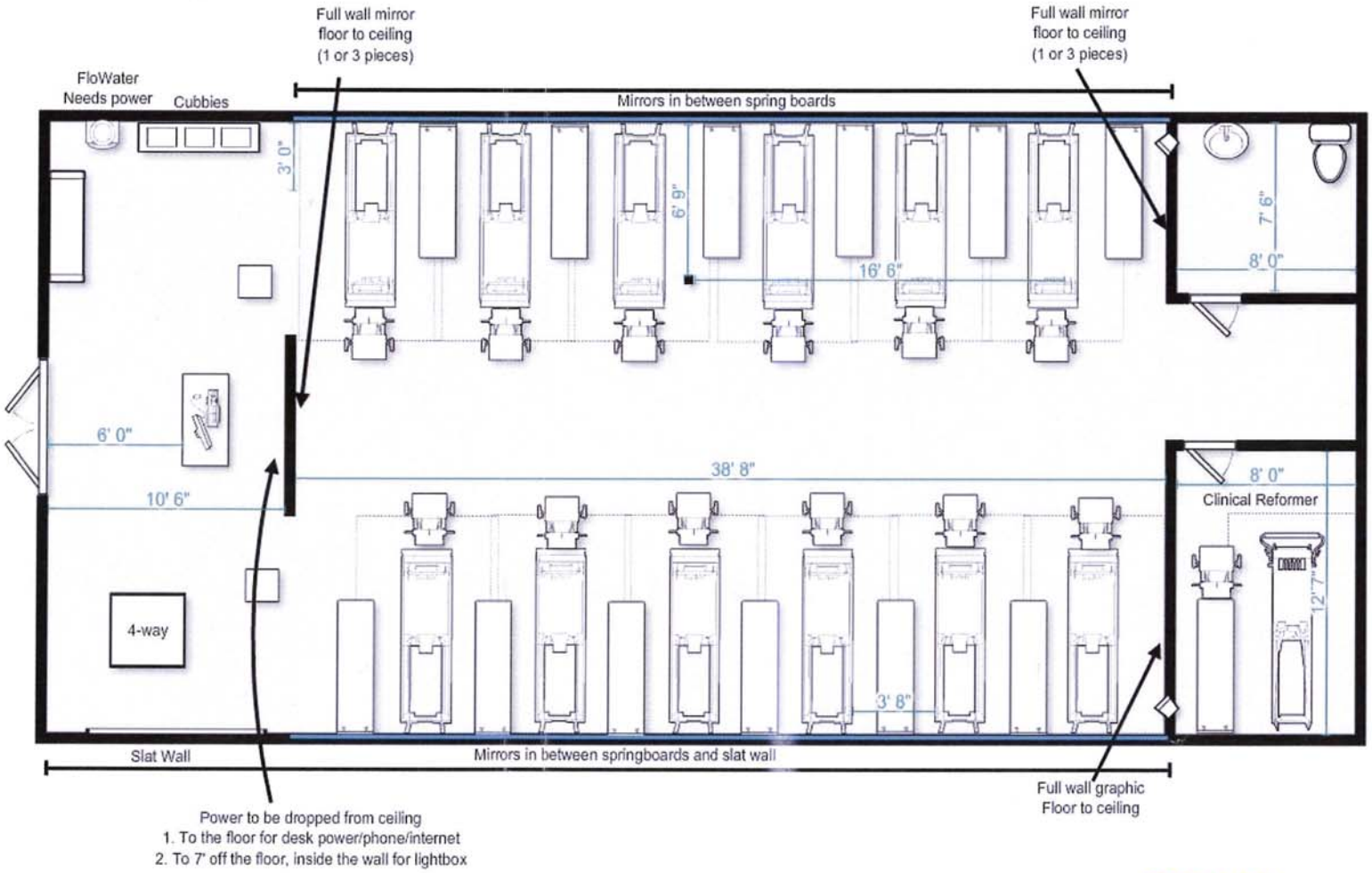
FLOOR PLAN

LIGHTING:
Flourescent 2x4 lighting throughout studio
Seperate on/off switches for:
1. Retail area
2. Reformer area
3. Private Training room
4. Bathroom
5. Office/storage (when applicable)

1 Dimmer switch for can lighting in reformer area

Blue LED strip lighting full length of reformer space to be installed after Gym Wrench on top of maple boards



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FRONT OF BUILDING OPENING FACING THE PARKING LOT

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BACK OF BUILDING FACING WINCHESTER BLVD

CITY OF CAMPBELL · PLANNING COMMISSION
Staff Report · November 22, 2016

PLN2016-351
Thomas, J.

Public Hearing to consider the application of John Thomas for a Modification (PLN2016-351) to a previously approved Site and Architectural Approval to allow the installation of a new guardrail system along the perimeter of the roof of an existing commercial building located at **503 & 504 Vandell Way,** in the C-M/40 (Controlled Manufacturing) Zoning District.

STAFF RECOMMENDATION

That the Planning Commission take the following actions:

1. **Adopt a Resolution**, approving a Modification (PLN2016-351) to a previously approved Site and Architectural Approval to allow the installation of a new guardrail system along the perimeter of a roof of an existing commercial building.

ENVIRONMENTAL DETERMINATION

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

PROJECT DATA

Zoning Designation:	C-M/40 (Controlled Manufacturing / 40,000 sf. min. parcel size)
General Plan Designation:	Research and Development
Parcel 1 (503 Vandell):	2.42 acres
Parcel 2 (504 Vandell):	2.41 acres
Project Site Area:	4.83 acres
Building 501 (Parcel 1):	20,393 sq. ft.
Building 502 (Parcel 1):	**20,393 sq. ft. (Subject Building)**
Building 503 (Parcel 2):	**21,312 sq. ft. (Subject Building)**
Building 504 (Parcel 2):	21,312 sq. ft.
Existing Building Area:	83,410 sq. ft.
Height of Railing:	2-feet, 1-inch above parapet

DISCUSSION

Background: On December 17, 1973 the City of Campbell Planning Commission approved an application ('S'73-56) which allowed for the construction of four (4) industrial buildings on property located at 501 through 504 Vandell Way.

Project Site: The project site is the Allergan manufacturing and storage facility located at the west end of Vandell Way (a cul-de-sac), east of Winchester Blvd. (across the light rail tracks),

south of Hacienda Avenue and north of Division Street (reference **Attachment 2** – Location Map). The manufacturing and storage facility is comprised of two parcels that are developed with a total of four commercial buildings, built in 1974.

Proposal: The proposed Modification (PLN2016-351) of the previously approved Site and Architectural Review Permit ('S'73-56) would allow for the installation of a new 'ParaRail Guardrail System' along the perimeter of the roof of an existing commercial building.

ANALYSIS

Zoning: The project site is located within the Controlled Manufacturing (C-M) Zoning District. This zoning district is meant to provide a commercial environment conducive to specialized manufacturing operations, research and development labs, corporate headquarters, and other businesses compatible with these principle uses. Investing in the safety of an existing building used for research and development is in keeping with the purpose of this zoning district.

General Plan Consistency: The General Plan land use designation for the project site is Research and Development. The Research and Development designation is identified as serving campus-like environments for corporate headquarters, research and development facilities, and professional offices. The proposed roof safety system would contribute to the building's continued viability, consistent with the following General Plan policies and strategies:

Strategy LUT-5.3d:	Commercial Centers: Review the design, use and upgrading of commercial centers via the discretionary permit process, and ensure that conditions of approval are adopted that require businesses to be well kept and operated in a way that limit impacts to adjacent uses
Policy LUT-5.4:	Industrial Neighborhoods: Safeguard industry's ability to operate effectively, by limiting the establishment of incompatible uses in industrial neighborhoods and encouraging compatible uses.
Policy LUT-5.5:	Industrial Diversity: Promote a variety of industrial use opportunities that maintain diversified services and a diversified economic base.
Policy LUT-5.7:	Industrial Areas: Industrial development should have functional and safe vehicular, bicycle and pedestrian circulation, good site and architectural design, be sensitive to surrounding uses, connect to public transit, and be energy efficient. New projects should contribute to the positive character of industrial areas and the overall image of the City.

Design: The 'ParaRail Guardrail' system (reference **Attachment 4**) would extend 2-feet, 1-inch above the existing parapet, and run 420 feet long (on the front/east and rear/west side of the building) by 94 feet wide (on the north and south sides of the building) parallel to the roof of the 17 foot tall one-story commercial building. While the rail itself would be painted white to 'blend in' with the building, the sheer length and 'gaps' between vertical and horizontal pipes could be considered to detract from clean/simple form of the building.

Figure 1: Example of a ParaRail Guardrail System

In consideration of the proposed design, the Planning Commission should discuss the visibility and whether or not an alternative design, such as a raised parapet or mechanical screen wall, should be required on one or more sides of the roof to create a more seamless transition. Brief discussions on each of these points have been provided below:

Visibility: Figure 1 (below) highlights the four major vantage points of the project site as viewed from Winchester Boulevard to the west (#1), Vandell Way to the east (#4), and the rear parking lots of adjoining office and research development buildings (#2 & 3) to the north and south respectively.

Figure 2: Visibility from Various Vantage Points

In consideration of these vantage points, the view from Winchester Blvd. (#1) is anticipated to be the most visible.

Figure 3: View Traveling Northbound on Winchester Blvd.

Design Alternatives: If the design/visibility of the safety railing is determined to present an aesthetic concern, the Planning Commission may consider requiring an alternative design (e.g. raised parapet or mechanical equipment screen) which could be implemented on one or more sides of the roof. As the frontage facing Winchester Blvd. would be the most visible, an alternative recommendation has been presented by staff which would require the parapet to be raised on this west side of the building (reference Alternatives).

Figure 4 – Extended Parapets & Mechanical Equipment Screen on Dell Avenue

Site and Architectural Review Committee: The Site and Architectural Review Committee (SARC) did not review this application (minor modification with no increase in floor area).

ALTERNATIVES

- **Adopt a Resolution**, approving a Modification (PLN2015-270) to a previously approved Site and Architectural Approval to allow the installation of a new guardrail system along the perimeter of a roof of an existing commercial building, with a Condition of Approval requiring that the roof parapet is raised on the west (Winchester facing) side of the building, with adequate returns stepping down on the north and south sides of the building, to the satisfaction of the Community Development Director.

- Continue the item, requiring changes to the plans to be made and presented to the Planning Commission and/or to be worked out SARC.

Prepared by: _____

Stephen Rose, Associate Planner

Approved by: _____

Paul Kermoyan, Community Development Director

Attachments:
1. Resolution for Approval of File No. PLN2016-351
2. Location Map
3. Project Plans
4. Sample Images of ParaRail Guardrail System

RESOLUTION NO.

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A MODIFICATION (PLN2016-351) TO A PREVIOUSLY-APPROVED SITE AND ARCHITECTURAL REVIEW PERMIT (S 73-56) TO ALLOW THE INSTALLATION OF A NEW GUARDRAIL SYSTEM ALONG THE PERIMETER OF THE ROOF OF AN EXISTING COMMERCIAL BUILDING LOCATED AT **503 & 504 VANDELL WAY.** FILE NO.: PLN2016-351

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

The Planning Commission finds as follows with regard to file number PLN2016-351:

1. The project site is zoned C-M/40 (Controlled Manufacturing) on the City of Campbell Zoning Map.

2. The project site is designated Research and Development on the City of Campbell General Plan Land Use diagram.

3. The project site is the Allergan manufacturing and storage facility located at the west end of Vandell Way (a cul-de-sac), east of Winchester Blvd. (across the light rail tracks), south of Hacienda Avenue and north of Division Street.

4. The proposed project would allow for the installation of a new 'Pararail Guardrail System' along the perimeter of the roof of an existing commercial building.

5. The proposed project will not result in the increase of any floor area or change to lot coverage.

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

1. The project will be consistent with the General Plan;

2. The project will aid in the harmonious development of the immediate area; and

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

4. The project is Categorically Exempt under Section 15301 of the California Environmental Quality Act (CEQA), pertaining to alterations to existing private structures involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Modification (PLN2016-351) to a previously-approved Site and Architectural Review Permit ('S' 73-56) to allow for the installation of a new 'Pararail Guardrail System' along the perimeter of the roof of an existing commercial building on property located at **503 & 504 Vandell Way**, subject to the attached Conditions of Approval (attached Exhibit "A").

PASSED AND ADOPTED this 22nd day of November, 2016, by the following roll call vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners
ABSTAIN: Commissioners:

APPROVED: _____
Cynthia Dodd, Chair

ATTEST: _____
Paul Kermoyan, Secretary

EXHIBIT A

CONDITIONS OF APPROVAL
Modification (PLN2016-351) to Site and Architectural Review Permit (S 73-56)
503 & 504 Vandell Way

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

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. Approved Project: Approval is granted for a Modification (PLN2016-351) to a previously approved Site and Architectural Review Permit (S 73-56) to allow for the installation of a new 'Pararail Guardrail System' along the perimeter of the roof of an existing commercial building on property located **503 & 504 Vandell Way**. The project shall substantially conform to the project plans received by the Planning Division on October 31, 2016, except as may be modified by the Conditions of Approval herein.

2. Plan Revisions: The building permit submittal construction plans shall incorporate the following revisions:

    a. Color: The 'ParaRail' Guardrail System shall be indicated to be painted 'white' to match the existing building.

3. Permit Expiration: The Modification to a Site and Architectural Review Permit approval shall be valid for one-year from the date of final approval (expiring December 2, 2017). Within this one-year period, an application for a building permit must be submitted. Failure to meet this deadline or expiration of an issued building permit will result in the approval being rendered void.

4. Planning Final Required: Planning Division clearance is required prior to final Building Permit clearance. Construction not in substantial compliance with the approved project plans shall not be approved without prior authorization of the necessary approving body.

5. 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.

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

   a. The project site shall be posted with the name and contact number of the lead contractor in a location visible from the public street prior to the issuance of building permits.

   b. Construction activities shall be limited to weekdays between 8:00 a.m. and 5:00 p.m. and Saturdays between 9:00 a.m. and 4:00 p.m. No construction shall take place on Sundays or holidays unless an exception is granted by the Building Official.

   c. All construction equipment with internal combustion engines used on the project site shall be properly muffled and maintained in good working condition.

   d. Unnecessary idling of internal combustion engines shall be strictly prohibited.

   e. All stationary noise-generating construction equipment, such as air compressors and portable power generators, shall be located as far as possible from noise-sensitive receptors such as existing residences and businesses.

   f. Use standard dust and erosion control measures that comply with the adopted Best Management Practices for the City of Campbell.

Building Division

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

9. Plan Preparation: This project requires plans prepared under the direction and oversight of a California licensed Engineer or Architect. Plans submitted for building permits shall be “wet stamped” and signed by the qualifying professional person.

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

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

14. Special Inspections: When a special inspection is required by C.B.C. Chapter 17, the architect or engineer of record shall prepare an inspection program that shall be

submitted to the Building Official for approval prior to issuance of the building permits, in accordance with C.B.C Chapter 1, Section 106. Please obtain City of Campbell, Special Inspection forms from the Building Inspection Division Counter.

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

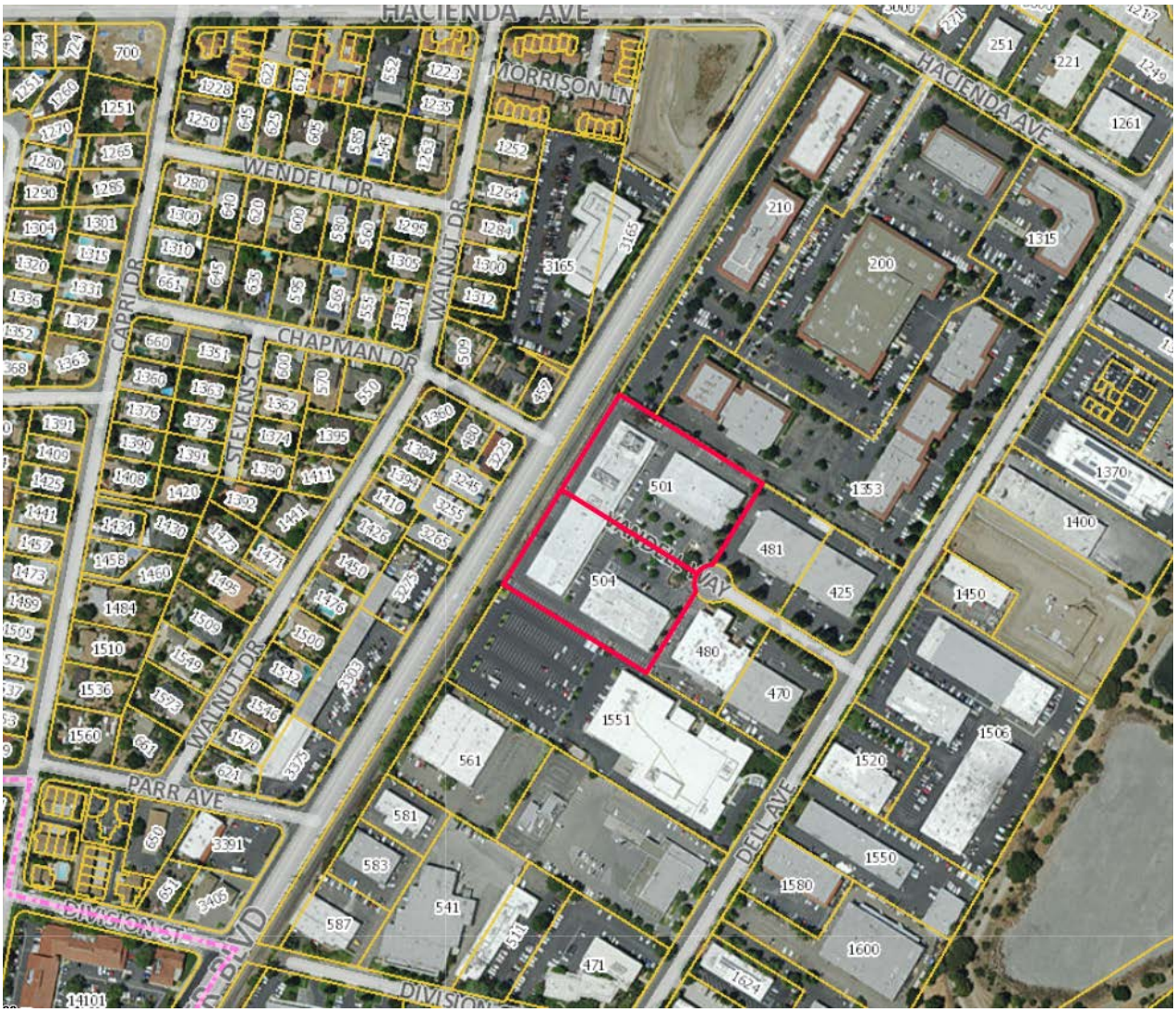
16. Approvals Required: The project requires the following agency approval prior to issuance of the building permit:

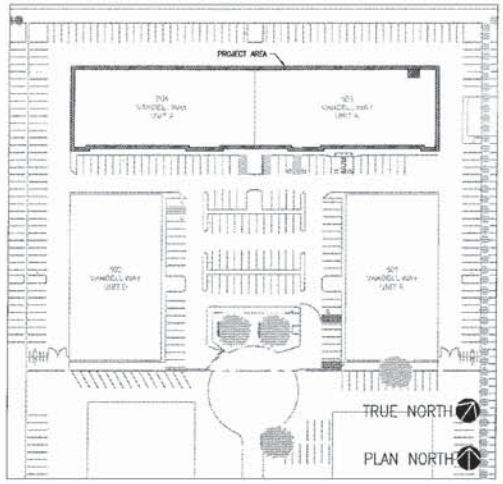
    - Santa Clara County Fire Department (378-4010)

17. 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.

Attachment #2

Location Map





SITE PLAN

Allergan

MANUFACTURING AND STORAGE FACILITY
VANDELL WAY CAMPUS - BLDG'S 503 AND 504
CAMPBELL, CALIFORNIA 95008

FALL PROTECTION
PLANNING COMMISSION REVIEW

SCOPE OF WORK:

INSTALL FALL PROTECTION ON ROOFS OF BUILDINGS 503 AND 504.

SITE MAP TRUE NORTH

SITE/BUILDING DATA

PROJECT AREA	528 SQ FT
SITE	210,538 SQ FT
BUILDING 501	20,393 SQ FT
BUILDING 502	20,393 SQ FT
BUILDING 503	21,312 SQ FT
BUILDING 504	21,312 SQ FT

OCCUPANCY TYPE (ALL BLDG'S)	F-1, B
CONSTRUCTION TYPE	III-B
FIRE SPRINKLER	FULLY SPRINKLERED OCCUPIED SPACE
NUMBER OF STORIES	1
APN	424-33-100 (BLDGS 503 & 504) 424-33-099 (BLDGS 501 & 502)
PARKING	
REQUIRED	242
PROVIDED	245, AUTOMOBILE 48, MOTORCYCLE 6, HANDICAP (INCLUDED IN TOTAL PROVIDED)

APPLICABLE CODES AND REGULATIONS:
2013 CALIFORNIA BUILDING CODE
2013 CALIFORNIA FIRE CODE
2103 CALIFORNIA MECHANICAL CODE
2013 CALIFORNIA PLUMBING CODE
2013 CALIFORNIA ELECTRICAL CODE
2013 CALIFORNIA GREEN BUILDING STANDARD

DRAWINGS IN PACKAGE

NUMBER	DRAWING TITLE	REV
COVER PAGE		
G001	TITLE SHEET	0
EQUIPMENT		
EQ101	SITE PLAN	0
EQ102	PLAN - ROOF	0
EQ103	VIEWS	0
EQ104	VIEWS	0
EQ202	ELEVATIONS	0
EQ402	ENLARGED PLAN - ROOF	0
EQ501	DETAILS	0

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REV	DATE	DESCRIPTION
0	10/28/16	ISSUED FOR PLANNING COMMISSION SUBMITTAL

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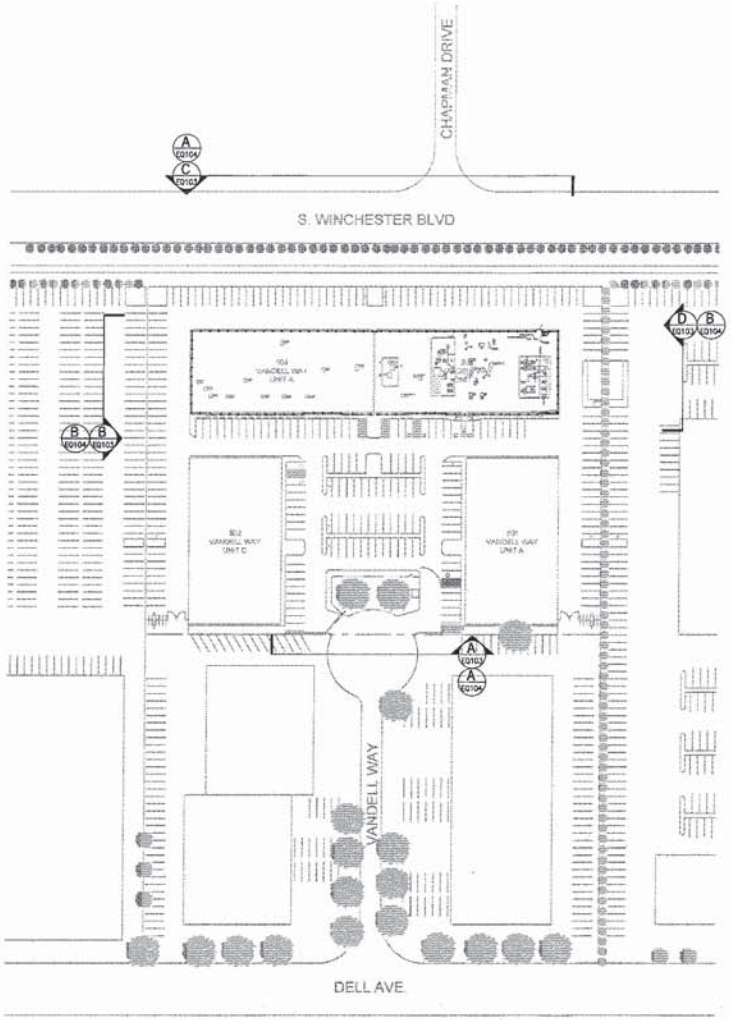
VANDELL WAY CAMPUS
CAMPBELL, CALIFORNIA 95008

ALLERGAN - BSL CAMPBELL
FALL PROTECTION - ROOF
TITLESHEET

DRAWN BY: S. MAGEE | SUPERVISED BY: W. JOHNSON
DESIGNED BY: W. JOHNSON | SCALE: AS NOTED
PROJECT NAME:
SHEET: G001 OF
PROJECT NUMBER: 2016-6231 | REV: D

File: \\SEGSRV01\Projects\Allergan\2016-6231 Roof fall protection\PLANNING COMMISSION SUBMITTALL\2015-6231-G001.dwg Date: 10/28/16 - 1:44PM



ALLERGAN SITE PLAN
SCALE: NTS

TRUE NORTH
PLAN NORTH

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ALLERGAN - BSL CAMPBELL
FALL PROTECTION - ROOF
SITE
PLAN

DRAWN BY: D. MADEE
MANAGED BY: M. JOHNSON
DESIGNED BY: M. JOHNSON
SCALE: AS NOTED
PROJECT NAME:
SHEET: EQ101
PROJECT NUMBER: 2016-6231
SIZE: D

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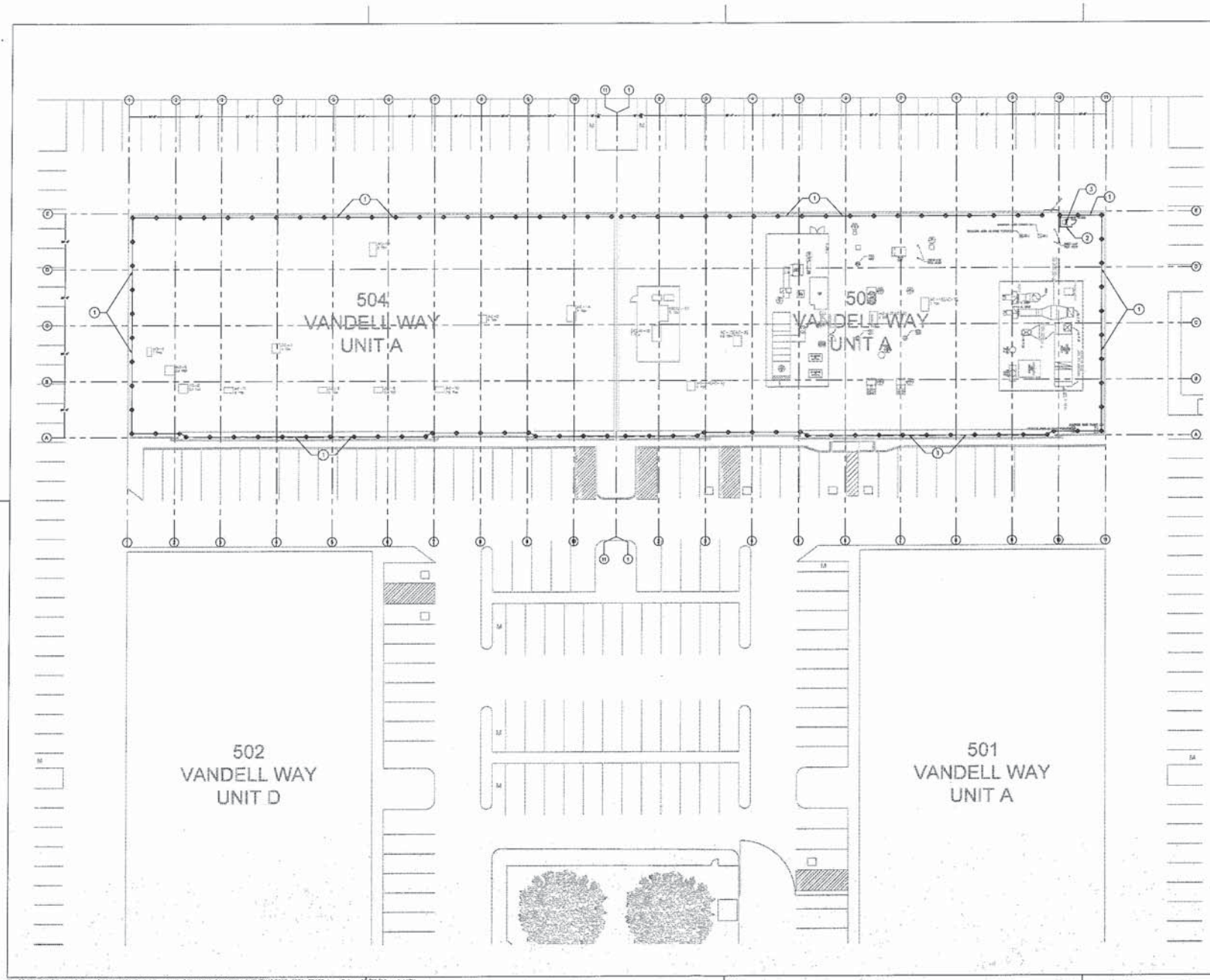

KEYED NOTES:

1. (N) FALL PROTECTION RAIL, PARAPAIL SAFETY RAIL 2000 SERIES BY BLUE WATER MANUFACTURING OR EQUIVALENT, MOUNTED ALONG ENTIRE ROOF PERIMETER OF BUILDINGS 503 AND 504. SEE KEYED NOTE 1 ON ENLARGED PLAN E0402.
2. (N) BLUEWATER MFG. HATCH DEFENDER AROUND (E) ROOF HATCH. SEE ENLARGED PLAN E0402.
3. (N) ROOF ACCESS LADDER. SEE ENLARGED PLAN B/E0202.

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ALLERGAN - BSL CAMPBELL
FALL PROTECTION - ROOF

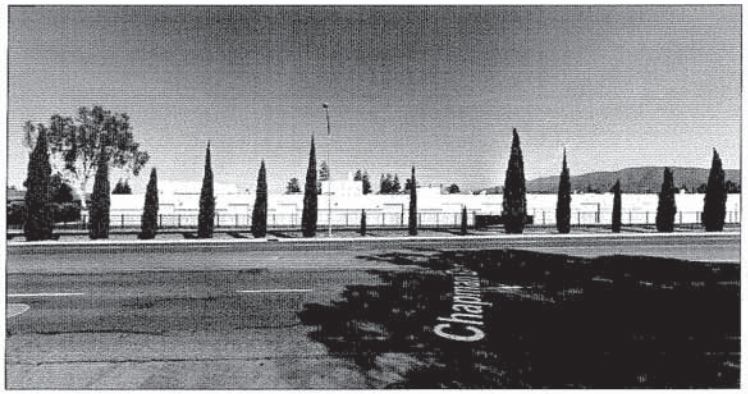
PLAN

DRAWN BY: B. MAGEE	REVIEWED BY: W. JOHNSON
DESIGNED BY: W. JOHNSON	SCALE: AS NOTED
PROJECT NAME:	
SHEET: EQ102	
PROJECT NUMBER: 2016-6231	SIZE: D

File: \\SEGSRV01\Projects\Allergan\2016-6231 Roof fall protection\PLANNING COMMISSION SUBMITALL\2016-6231-EQ102.dwg Date: 10/26/16 - 1:44PM

A PLAN NORTH VEIW

B PLAN EAST VEIW



C PLAN SOUTH VIEW

D PLAN WEST VIEW

TRUE NORTH

PLAN NORTH

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ALLERGAN - BSL CAMPBELL
FALL PROTECTION - ROOF

BLDG'S 503 & 504 VIEWS

DRAWN BY: G. MADEE
MANAGED BY: W. JOHNSON
DESIGNED BY: W. JOHNSON
SCALE: AS NOTED
PROJECT NAME:
DATE:
EQ103
PROJECT NUMBER: 2016-6231
REV: D

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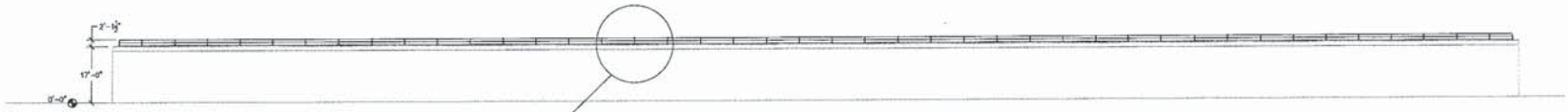

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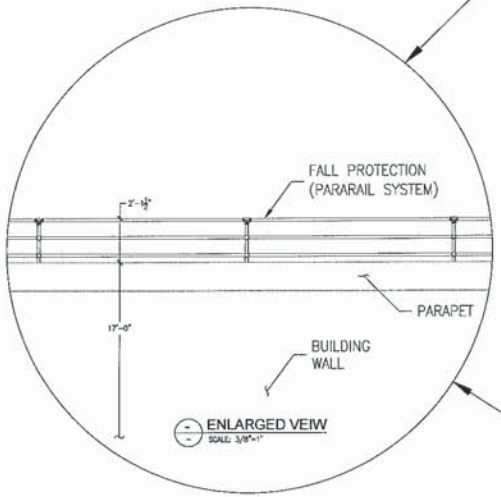

ENLARGED VEIW
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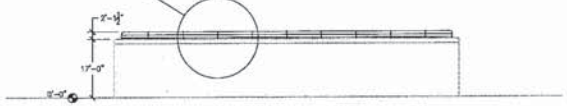

B TYPICAL EAST/WEST ELEVATION VEIW
SCALE: 1/16"=1'

TRUE NORTH
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ALLERGAN - BSL CAMPBELL
FALL PROTECTION - ROOF

BLDG'S 503 & 504 VIEWS

DRAWN BY: B. MACEE
CHECKED BY: W. JOHNSON
W. JOHNSON
SCALE: AS NOTED
PROJECT NAME:
SHEET: EQ104
PROJECT NUMBER: 2016-6231
REV: D

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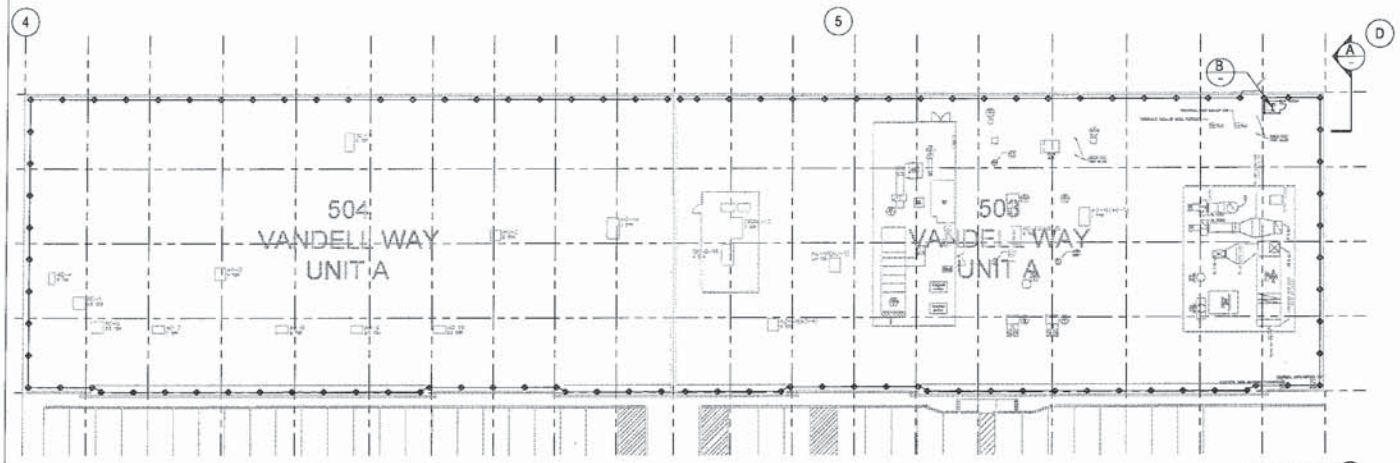

1 ROOF TOP, PLAN VIEW
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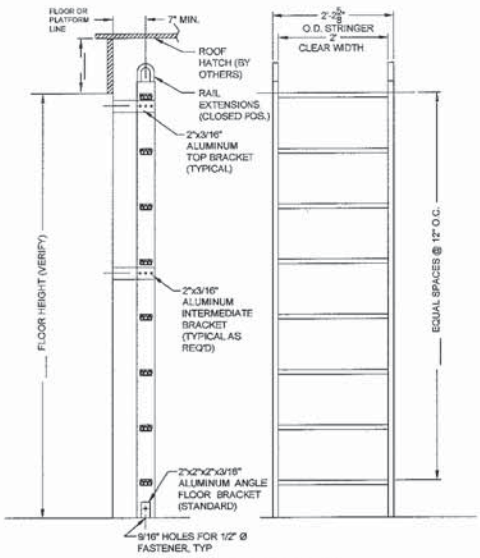

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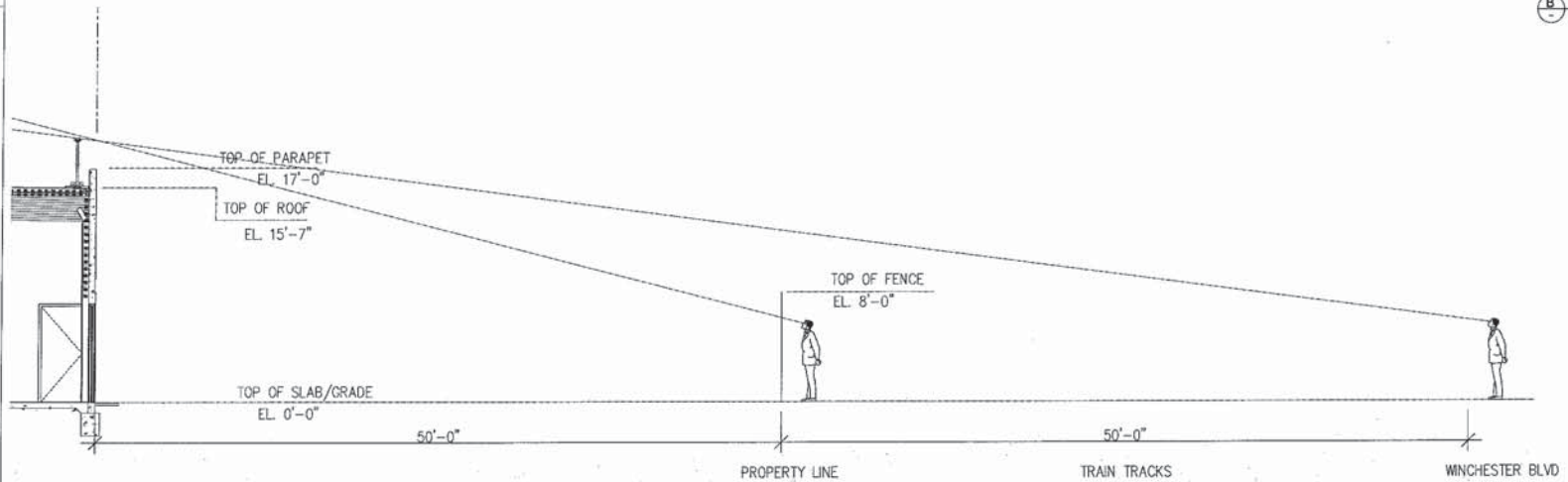
SCALE: NTS



A LINE OF SITE
SCALE: NTS

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Allergan

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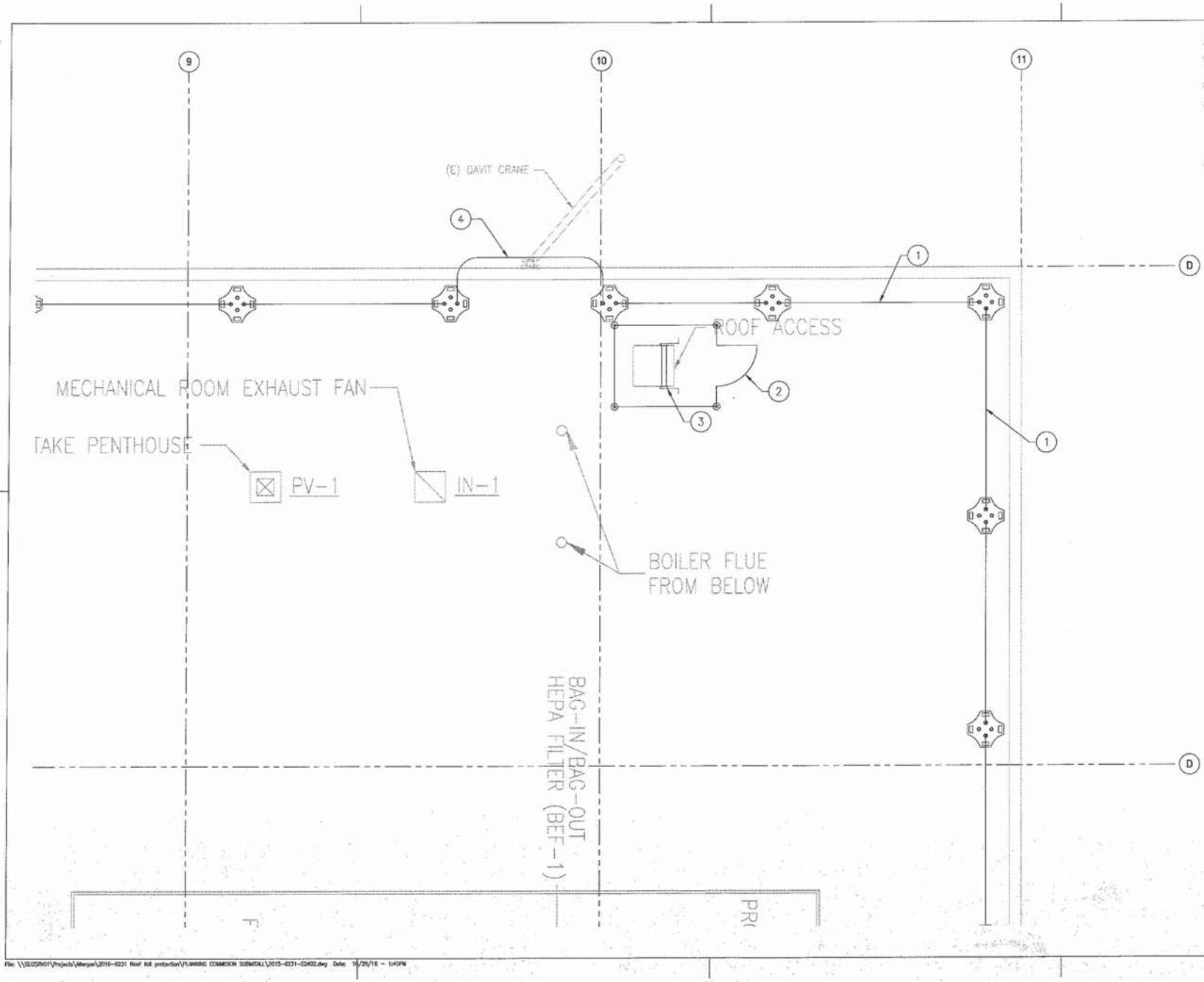
CAMPBELL, CALIFORNIA 95008

ALLERGAN - BSL CAMPBELL
FALL PROTECTION - ROOF
ELEVATIONS

DRAWN BY: B. MACEE
MANAGED BY: M. JOHNSON
DRAWING BY: M. JOHNSON
SCALE: AS NOTED
PROJECT NAME:
SHEET: EQ202
PROJECT NUMBER: 2016-6231
REV: D

File: \\SEGSRV01\Projects\Allergan\2016-6231 Roof fall protection\PLANNING COMMISSION SUBMITTALL\2015-6231-EQ202.dwg Date: 10/28/16 – 1:45PM



KEYED NOTES:

1. (N) FALL PROTECTION SYSTEM, PARAPAIL SAFETY RAIL 2000 SERIES BY BLUE WATER MANUFACTURING OR APPROVED EQUIVALENT, MOUNTED ALONG ENTIRE ROOF PERIMETER OF BUILDINGS 503 AND 504.
2. (N) BLUEWATER MFG. HATCH DEFENDER WITH GATE AROUND (E) ROOF HATCH.
3. (N) ROOF ACCESS LADDER, SURE STEP STANDARD MODEL HL BY ROYALITE MANUFACTURING. DISTANCE FROM CENTERLINE OF RUNG TO NEAREST PERMANENT OBJECT OBJECT ON CLIMBING SIDE OF LADDER SHALL BE 30". A CLEAR WIDTH OF AT LEAST 15" SHALL BE PROVIDED EACH WAY FROM THE CENTERLINE OF THE LADDER IN THE CLIMBING SPACE. THE DISTANCE FROM THE CENTERLINE OF THE RUNGS, CLEATS OR STEPS TO THE NEAREST PERMANENT OBJECT IN THE BACK OF THE LADDER SHALL NOT BE LESS THAN 7". SEE DETAIL ON R/EQ202.
4. (N) FALL PROTECTION RAIL ROOF EDGE EXTENSIONS BY BLUE WATER MANUFACTURING OR APPROVED EQUIVALENT, WITH LATCHING GATE TO PROVIDE ACCESS TO (E) DAVIT CRANE.

PLAN NORTH

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PH: 408-293-8008 / FAX: 408-299-8018
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REV	DATE	DESCRIPTION
0	10/28/16	ISSUED FOR PLANNING COMMISSION SUBMITTAL

Allergan

MANUFACTURING & STORAGE FACILITY
VANDELL WAY CAMPUS
CAMPBELL, CALIFORNIA 95008

ALLERGAN - BSL CAMPBELL
FALL PROTECTION - ROOF
ENLARGED
PLAN

DRAWN BY: B. WAGZ	CHECKED BY: W. JOHNSON
DESIGNED BY: W. JOHNSON	SCALE: AS NOTED

SHEET: EQ402

PROJECT NUMBER: 2016-6231 | REV: D

ParaRail GUARDRAIL SYSTEM

Description

Rusik Use

OSHA Compliance

Features

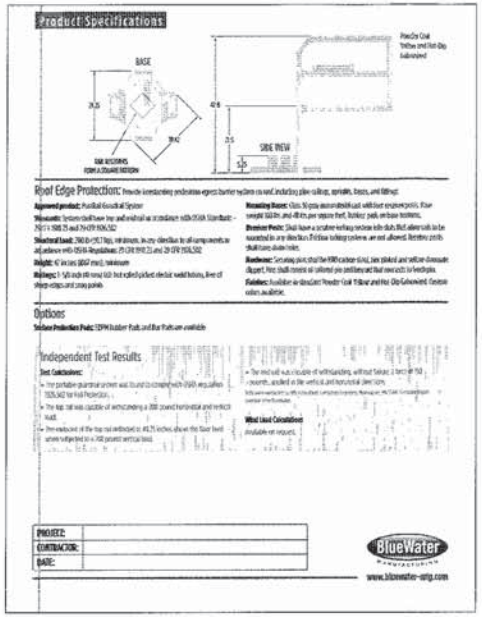
Easy and full access to edges of fall hazards that complies with OSHA regulations.

Minimum Requirements

See reverse side for additional specifications and test results.

BlueWater

A COMPANY OF INNOVATION – BOT IMITATION



Product Specifications

BASE

SIDE VIEW

Roof Edge Protection

Options

Independent Test Results

PROJECT:	
CONTRACTOR:	
DATE:	

BlueWater

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FOR REFERENCE

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REV	DATE	DESCRIPTION
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MANUFACTURING & STORAGE FACILITY
VANDELL WAY CAMPUS
CAMPBELL, CALIFORNIA 95008

ALLERGAN - BSL CAMPBELL
FALL PROTECTION - ROOF
DETAILS

DRAWN BY: B. MAGEE	APPROVED BY: N. JOHNSON
DESIGNED BY: N. JOHNSON	SCALE: AS NOTED
PROJECT NAME:	
SHEET: EQ501	
PROJECT NUMBER: 2016-6231	REV: D

File: \\SEGSRV01\Projects\Allergan\2016-6231 Roof fall protection\PLANNING COMMISSION SUBMITTAL\2016-6231-EQ501.dwg - Date: 10/28/16 - 1:45PM

ParaRail GUARDRAIL SYSTEM

Description

The ParaRail is a passive fall protection system that allows workers complete access to a leading edge while still being protected by the guardrail. It provides the portability and economy of a self-supporting, no drill installation. The system can be used as a permanent guardrail or moved to different locations as needed. Rail sections are constructed of 1-5/8" inch steel tubing. The rails secure to 108 pound cast iron bases that have four ports, allowing the rails to be placed in infinite positions.

Basic Use

The ParaRail Guardrail System provides a free-standing fall protection system that allows full access to the leading edge of a flat roof or parapet. The system can be used as a permanent guardrail or moved to different locations as needed. The ParaRail provides fall protection for a variety of tasks including maintenance for security cameras, antennas, lights, drain cleaning and hoisting of tools and materials. It provides the economies of a fully portable system for commercial, industrial and worksite applications such as office buildings, airports, high-rises, parking lots, raised docks, shopping centers, mezzanines, and bridges.

Easy and full access to edges of fall hazards that complies with OSHA regulations.

OSHA Compliance

Compliant with regulations for guardrails:

- 29 CFR 1910.23
- 29 CFR 1923.502

Features

- Can be used as a portable or permanent guardrail
- Quick installation
- No drilling needed
- Deemed OSHA compliant by an independent accredited engineering firm
- Custom manufactured in-house
- Two week turnaround time
- Powder Coat and Galvanized finishes available
- Custom colors available from the RAL Color Codes
- Optional EPDM rubber pads and BUR pads available for added roof surface protection

Minimum Requirements

In order to meet OSHA regulations for fall protection, outriggers must be utilized (returns/counter weights). Whether the Danger Side Run is 5' or 1000' in length, you must have these in place at the beginning and at the end of the run. Outriggers are standard rail kits that are connected at approximately 90° to the Danger Side Run of each end rail section.

RECEIVED

OCT 31 2016

CITY OF CAMPBELL
PLANNING DEPT.

See reverse side for additional specifications and test results

BlueWater MANUFACTURING

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Chaska, MN 55318
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Fax 952-448-3685
www.bluewater-mfg.com
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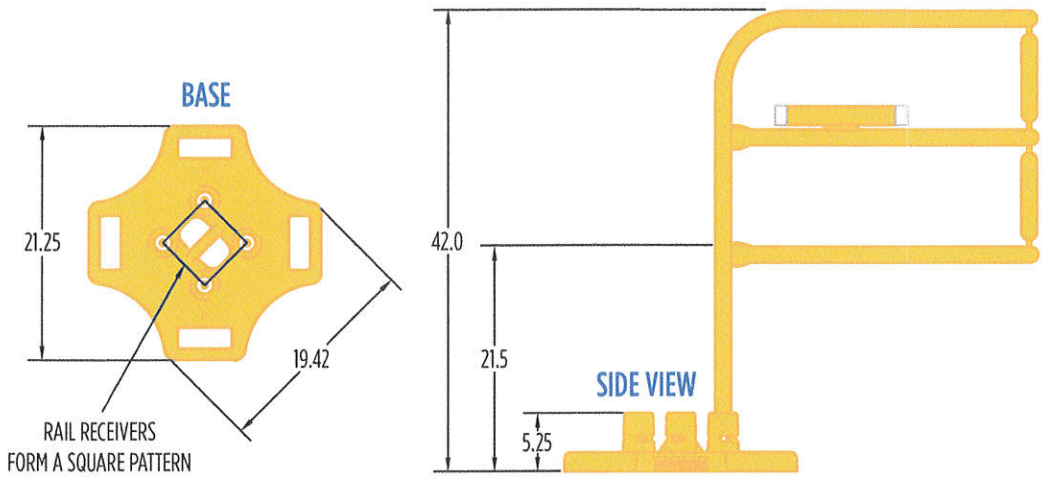
Product Specifications



Powder Coat
Yellow and Hot-Dip
Galvanized

Roof Edge Protection: Provide freestanding pedestrian egress barrier system on roof, including pipe railings, uprights, bases, and fittings

Approved product: ParaRail Guardrail System

Standards: System shall have top and mid rail in accordance with OSHA Standards – 29 CFR 1910.23 and 29 CFR 1926.502

Structural Load: 200 lb (90.7 kg), minimum, in any direction to all components in accordance with OSHA Regulations 29 CFR 1910.23 and 29 CFR 1926.502

Height: 42 inches (1067 mm), minimum

Railings: 1- 5/8 inch (41 mm) O.D. hot rolled picked electric weld tubing, free of sharp edges and snag points

Mounting Bases: Class 30 gray iron material cast with four receiver posts. Base weight 108 lbs and 48 lbs per square foot. Rubber pads on base bottoms.

Receiver Posts: Shall have a positive locking system into slots that allow rails to be mounted in any direction. Friction locking systems are not allowed. Receiver posts shall have drain holes.

Hardware: Securing pins shall be 1010 carbon steel, zinc plated and yellow chromate dipped. Pins shall consist of collared pin and lanyard that connects to lynch pin.

Finishes: Available in standard Powder Coat Yellow and Hot-Dip Galvanized. Custom colors available.

Options

Surface Protection Pads: EDPM Rubber Pads and Bur Pads are available

Independent Test Results

Test Conclusions:

- The portable guardrail system was found to comply with OSHA regulation 1926.502 for Fall Protection.
- The top rail was capable of withstanding a 200 pound horizontal and vertical load.
- The midpoint of the top rail deflected to 40.75 inches above the floor level when subjected to a 200 pound vertical load.
- The mid rail was capable of withstanding, without failure, a force of 150 pounds, applied in the vertical and horizontal directions.

Tests were conducted by GME Consultants, Consulting Engineers, Minneapolis, MN 55447. Complete Report available from BlueWater.

Wind Load Calculations

Available on request.

PROJECT:	
CONTRACTOR:	
DATE:	

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ITEM NO. 5

CITY OF CAMPBELL · PLANNING COMMISSION
Staff Report ·November 22, 2016

PLN2016-290 (CUP)
PLN2016-354 (PMP)
Bates, M.

Public Hearing to consider the application of Michael Bates for a Conditional Use Permit with Site and Architectural Review (PLN2016-290) to allow for the establishment of a major motor vehicle repair and maintenance facility (network operator) with vehicle painting and cleaning (d.b.a. "Caliber Collision"), and a Parking Modification Permit (PLN2016-354) to allow a reduction in the number of required parking spaces at 665 E. McGlincy Lane, in the M-1 (Light Industrial) Zoning District.

STAFF RECOMMENDATION

That the Planning Commission take the following action:

1. **Adopt a Resolution**, approving a Conditional Use Permit with Site and Architectural Review (PLN2016-290) to allow for the establishment of a major motor vehicle repair and maintenance facility (network operator) with vehicle painting and cleaning (d.b.a. "Caliber Collision"), and a Parking Modification Permit (PLN2016-354) to allow a reduction in the number of required parking spaces.

ENVIRONMENTAL DETERMINATION

Staff recommends that the Planning Commission find that this project is Categorically Exempt under Section 15301 of the California Environmental Quality Act (CEQA), pertaining to the operation and leasing, and minor alteration of an existing private structure, and Section 15303 pertaining to the installation of small new equipment/facilities and conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structures.

PROJECT LOCATION

The project site is located northwest of the intersection of E. McGlincy Lane and Forman Drive (reference **Attachment 3** – Location Map). Two structures are located on the 18,100 sq. ft. site, which include a 6,720 square foot rectangular building which runs along the rear (west) property line and a detached trash enclosure which is located at the northeast corner of the property. Two driveways, one on each street frontage, provide access to the site. Industrial uses border the site on all sides.

PROJECT DATA

Zoning District:	M-1 (Light Industrial)
General Plan Designation:	Light Industrial

Project Site Summary			
	Existing	**Proposed**	**Requirement**
Net Lot Area	18,100 sq. ft. (.42 acres)	No Change (.42 acres)	6,000 sq. ft. min.
Building Area:	6,980 sq. ft. (6,720 sq. ft. primary building & 260 sq. ft. trash enclosure)	No Change	N/A
Floor Area Ratio:	38%	No Change	40% max.
Landscaping Coverage:	844 sq. ft. (5%)	1,052 sq. ft. (6%)	1,448 sq. ft.** (8% min.)

Parking	**Proposed**	**Required**	**Deficiency**
	20	22	-2*

*: See "Parking" discussion.
*: See "Landscaping" discussion.

Operational Hours: 6:00 AM – 10:00 PM, Daily (No Change)
Business/Public Hours: 7:30 AM – 9:30 PM, Daily (No Change)

Number of Staff: 10 at Peak Operations (three more than existing)

DISCUSSION

Background: On May 24, 2016, the Planning Commission adopted a Resolution to revoke a previously Modified Site Approval (S69-07) which allows the operation of the existing major automotive repair and maintenance facility (d.b.a. Modern Bench) at the subject property. The Planning Commission action was the result of years of neighborhood complaints and code violations, and decision of the business to continue to park and drop-off vehicles in the public right-of-way[1], despite having been informed to discontinue the practice, and granted a previous reprieve by the Planning Commission at its May 12, 2015 meeting (reference **Attachment 6** – Administrative Record).

On June 3, 2016, Stephan Barber, counsel for Modern Bench Operations Inc. and its owner Pete Bovenberg, filed an appeal of the Planning Commission's decision to revoke the previously Modified Site Approval (S69-07) (reference **Attachment 8** – Appeal Letter; June 3, 2016). In addition to the appeal, the appellant filed an exhaustive Public Records Request (PRR), which sought copies of all emails, files, building permits, code enforcement cases, and police records pertaining to the property. While compiling this information staff postponed taking the appeal of the Planning Commission decision to the City Council. A decision by the Council on the appeal is still pending at this time.

On September 9, 2016, Michael Bates, on behalf of Caliber Collision, applied for a Conditional Use Permit to allow a new motor vehicle repair business at the subject property (see discussion

[1] The business/owner did take action to correct all other violations on the property requested by the Planning Commission.

on Applicant's Proposal). Caliber intends to purchase the business from Modern Bench (not the property) if the subject permit request is granted. As a significant financial investment, Caliber Collision is well informed on the history and past revocation proceedings, but remains confident that their business operation will be a good neighbor and use for the property.

Applicant's Proposal: The applicant is requesting a Conditional Use Permit with Site and Architectural Review (PLN2016-290) to allow for the establishment of a major motor vehicle repair and maintenance facility (network operator[2]) with vehicle painting and cleaning (d.b.a. Caliber Collision) at 665 E. McGlincy Lane. As a "major" vehicle repair facility, the business would provide comprehensive service to entire vehicles, including body repairs, maintenance and vehicle painting. The business is also proposing vehicle cleaning, washing and detailing for vehicles under their service and care. The applicant's request would also allow minor site improvements (i.e. adding an additional driveway entrance on Foreman Drive and enhanced landscaping) and serve to reestablish a 'Site Approval' for the existing buildings and site[3]. As the proposal to add an additional driveway on Foreman Drive would result in the loss of onsite parking spaces, the applicant's proposal also requires the approval of a Parking Modification Permit (PLN2016-354) to allow the removal of three onsite parking spaces.

Should the Planning Commission approve the subject permit, the applicant has proposed to rescind the appeal of the Planning Commission's decision to revoke the Modified Site Approval (S69-7) as a Condition of Approval. Once rescinded, the decision to revoke the previous approval for the property would stand, avoiding a situation where one or more land use entitlements would be valid on the property at any one point in time (e.g. two Conditional Use Permits or two Site and Architectural Approvals) and eliminate the need for the appeal to be heard by the City Council.

ANALYSIS

General Plan Consistency: The General Plan land use designation for the project site is *Light Industrial*. This land use designation is intended to provide and protect industrial lands for a wide range of light manufacturing, industrial processing, general service, warehousing, storage and distribution and service commercial uses, such as automobile repair facilities. The General Plan Land Use Element provides policies and strategies that may be taken into consideration by the Planning Commission in review of this project:

Policy LUT-5.1: Neighborhood Integrity: Recognize that the City is composed of residential, industrial and commercial neighborhoods, each with its own individual character; and allow change consistent with reinforcing positive neighborhood values, while protecting the integrity of the city's neighborhoods.

Policy LUT-5.4: Industrial Neighborhoods: Safeguard industry's ability to operate effectively, by limiting the establishment of incompatible uses in industrial neighborhoods and encouraging compatible uses.

[2] See Analysis under Zoning District Consistency for a more detailed definition of the proposed land use.
[3] The Planning Commission's decision to revoke the previously Modified Site Approval (S69-7) would invalidate both the Land Use and Site and Architectural Approval of the building/property.

Strategy LUT-5.4.c: Redevelopment: Facilitate redevelopment opportunities in the McGlincy Lane area.

Strategy LUT-5.6.b: Visual Barriers: Reduce the visual impact of excessive lighting and glare, mechanical equipment, trash enclosures, outdoor storage and loading docks.

Strategy LUT-5.6.b: Physical Buffers: Provide landscaped buffers, sidewalks and equipment screening to provide a visual and noise-abating buffer between uses.

Policy LUT-5.7: Industrial Areas: Industrial development should have functional and safe vehicular, bicycle and pedestrian circulation, good site and architectural design, be sensitive to surrounding uses, connect to public transit, and be energy efficient. New projects should contribute to the positive character of industrial areas and the overall image of the City.

Policy LUT-5.7c: Screening: Screen the service portion of industrial buildings such as outdoor storage, trash enclosures and loading areas, especially those adjacent to roadways or public amenities, with extensive landscaping and architectural treatments

Policy LUT-5.7d: Auto Repair Facility Design: Promote the design of auto repair facilities that provide sufficient screened vehicle staging areas that are independent from the parking required for customers, employees and loading.

Policy LUT-13.1: Variety of Uses: Attract and maintain a variety of uses that create an economic balance within the City while maintaining a balance with other community land use needs, such as housing and open space, and while providing high quality services to the community.

Zoning District Consistency: The project site is located in the M-1 (Light Industrial) Zoning District which is consistent with the Light Industrial land use designation of the General Plan. This zoning district is intended to encourage sound industrial development (e.g. light manufacturing, industrial processing, storage and distribution, warehousing), in addition to service commercial uses (e.g., motor vehicle repair facilities), in the City providing and protecting an environment exclusively for this type of development.

While aspects of the applicant's proposal would satisfy the definition of a "Motor vehicle – repair and maintenance, minor and major", and "Motor vehicle painting" pursuant to CMC 21.72.020 (Definitions), which are Conditional Uses in the M-1 Zoning District, a 'network operator' is not a listed or defined land use. Pursuant to CMC 21.02.020.F. (Allowable uses of land.) when a proposed use of land is not specifically listed, the Community Development Director may determine that the use is allowed as either a 'permitted' or 'conditional use' when found similar to an existing land use. As a 'network operator', while still a 'conditional' use, the use would be considered less intensive than a 'stand-alone' facility (i.e. Modern Bench), as it would rely on the presence of more than one business location to operate[4] and provide services (e.g. insurance, billing, parts & vehicle storage, and scheduling), in whole or part, offsite.

As presented, only a similarly situated 'network operator' would be permitted under the subject permit. As such, should 'Caliber Collision' elect not to proceed with leasing the property, Modern Bench (or any 'stand-alone' automotive repair facility for that matter) would not be

[4] See **Attachment 1**- Condition of Approval #3 – Operational Standards.

allowed to assume operations without first obtaining authorization for such activity part of a new or modified Conditional Use Permit.

In evaluation of the applicant's proposal, the Planning Commission must consider the findings applicable to the Conditional Use Permit (CMC 21.46.040) as well as those applicable to Site and Architectural Review (CMC 21.42.060), and a Parking Modification Permit (CMC 21.28.050.G.) which together call for an assessment of the adequacy of the property to support the use (size/parking/circulation/safety) as well as a review of the specific operational characteristics (hours/intensity/compatibility), adopted design guidelines, and potential detrimental impacts to the comfort, health, morals, peace, safety, city services, or general welfare of persons residing or working in the neighborhood of the project. Additionally, CMC 21.36.140 (Motor vehicle repair facilities)(reference **Attachment 7**) outlines specific locational and operational standards for motor vehicle repair facilities (e.g. requiring all work within an enclosed structure, requiring adequate screening and buffering, prohibiting storage of vehicles on public streets, and ensuring adequate vehicular circulation) in consideration of the subject proposal. As such, a detailed discussion of the existing property, proposed business operations, available parking, circulation, and potential impacts associated with the motor vehicle repair facility with vehicle painting and cleaning have been provided as part of this report for review and consideration.

Operations: The applicant intends to operate a full service automotive repair shop providing full body collision, painting, mechanical repair and diagnostic services for vehicles (reference **Attachment 4** – Written Description). The business would have office staff to assist with processing insurance claims and coordinating vehicle appointments and pickup. While ancillary to the primary use, the business also is proposing to wash vehicles in preparation of those undergoing vehicle painting, and as a service to those vehicles under their service. The business is not intending to operate as a "car wash" and specific conditions of approval have been added to clarify this distinction. All repair activities will be conducted inside the existing service/maintenance buildings, while the painting related activities will be conducted inside the existing spray booth. The proposed operational hours are from 6:00 a.m. to 10:00 p.m., Daily. The proposed business hours are from 7:30 a.m. to 9:30 p.m., Daily. No business is to occur on Sundays. At peak operations, the business would be limited to a maximum of ten staff on the property (three more than Modern Bench).

As a 'network operator', Caliber has over 10 locations in the South Bay[5] and manages work through a call center. Caliber does not accept customers on a walk-in/drive-up basis, and provides online estimating, and scheduling and a live chat feature (for questions) through its website at (http://calibercollision.com). These serves are not commonly offered by a 'stand-alone' business, and serves to reduce demand for office workers onsite[6].

The majority of business/customer traffic (roughly 90-95%) is from customers dropping off their own vehicles. Only on rare occasions would vehicles be dropped off by a tow-truck company, as vehicles requiring such an extensive degree of service after a collision are often totaled by the

[5] Caliber Collision is the nation's largest collision repair company with over 430 repair centers in the United States.
[6] Caliber Collision has its corporate call/live chat center located in Texas.

insurance companies. Nonetheless, Caliber would not have any tow-truck deliveries after hours, and intends to inform their tow-truck operators that they must deliver all vehicles onsite.

Nearby Caliber Locations: As a 'network operator', Caliber Collision has over ten locations in the south bay, including locations in San Jose, Sunnyvale and Los Gatos. The following list represents a random sampling of nearby Caliber Collision facilities:

1. 3517 Hillcap Avenue, San Jose, CA 95136
2. 1802 Angela Street, San Jose, CA 95125
3. 438 W. Maude Avenue, Sunnyvale, CA 94085
4. 904 E. Arques Avenue, Sunnyvale, CA 94085
5. 17462 Shelburn Way, Los Gatos, CA 95030

In discussions with Code Enforcement and Community Service staff in each of the three jurisdictions (San Jose, Sunnyvale, & Los Gatos), Caliber Collision was free of any pending or active code enforcement cases and generally noted as a business of 'good standing' in their respective communities.

Site Design, Circulation & Access: Pursuant to CMC 21.36.140 (Motor vehicle repair facilities), motor vehicle repair facilities are required to provide adequate vehicular circulation to ensure free ingress and egress, and safe and unimpeded onsite circulation. In consideration of the applicant's proposal, staff recommended the applicant to consider how the physical existing site conditions may have contributed to past violations, including the adequacy of parking, storage, number of bay doors/repair stations to parking, number of customer and employee parking spaces. In response, the applicant noted that the facility they operate in Sunnyvale (904 E. Arques Ave.) has a comparable lot size (15,500 sq. ft. vs. 16,100 sq. ft.), building size (6,000 sq. ft. vs. 6,980 sq. ft.), number of parking stalls (21 vs. 23), bay doors (5 vs. 7), and repair stalls (12 vs. 16), as the subject site and has been operated without neighborhood concerns.

Figure 1: 904 E. Arque's Avenue, Sunnyvale – Comparable Caliber Collision Repair Facility

Despite the business's success in Sunnyvale, the applicant has proposed to install a new driveway on Foreman Avenue which could accommodate tow-truck deliveries after hours, when the gate is closed[7] (reference **Attachment 5** – Project Plans).

[7] Staff suggested the applicant to evaluate onsite/physical site conditions which could have contributed to the past violations. The lack of circulation outside of the gated vehicle storage area was identified as an area for potential improvement. Tow-truck companies may not need this driveway to access the spaces if they back into the site.

Parking: Pursuant to CMC 21.28.040.D. (Expansion/remodeling of structure or change in use), except where a parking modification has been previously granted, the number of parking spaces for the new use shall be the same as the requirement for the previous use, regardless of the number of spaces actually provided. As the applicant is proposing to install a new driveway entrance on Foreman Drive, three onsite spaces (and two street parking spaces) would be removed, resulting in an onsite parking deficiency of three spaces. As previously discussed under Site Design, Circulation & Access, the driveway was proposed as a potential physical improvement to the property which would accommodate tow-truck deliveries at all hours (even when the gate is closed). The business indicates that tow-truck deliveries are a small component of their business practice (5-10%) and would only occur during business hours as the tow-truck drivers must maintain responsibility for the vehicle until a 'transfer' is made. As such, the Planning Commission may determine that a second driveway would not be warranted (or defer it as a requirement if a problem were to occur) in favor of maintaining street side and onsite parking spaces, and installing signs on the property directing tow-truck drivers to conduct their deliveries onsite. If this approach is favored by the Planning Commission, an Alternative has been provided which would remove the second driveway, thereby eliminating the need for a Parking Modification Permit.

Screening: Pursuant to CMC 21.36.140 (Motor vehicle repair facilities) all damaged or wrecked motor vehicles awaiting repair require a six-foot high decorative masonry wall or other opaque barrier serving to screen them from view from any public street or adjoining property. The subject property has a six-foot tall chain link fence with gray vertical slats with one-foot of barbed wire for security[8], which serves this function.

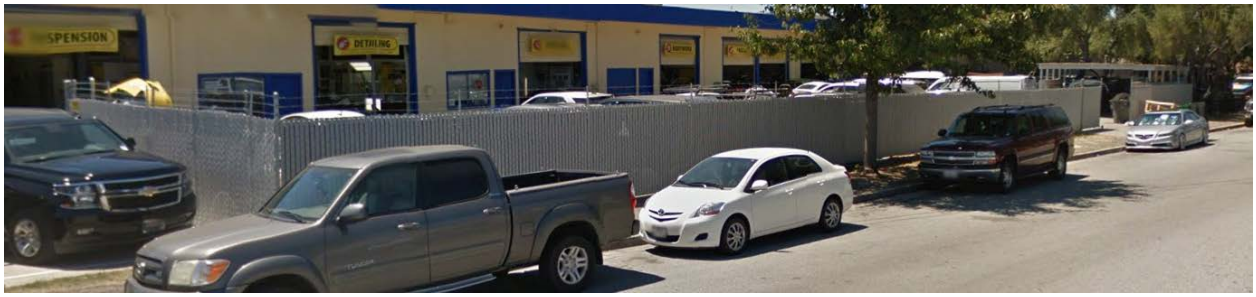


Figure 1: Existing Fencing with Barbed Wire

Landscaping: Pursuant to CMC 21.36.140, the landscaping requirement for an M-1 (Light Industrial) zoned property is eight percent (8%) of the net site area, where five (5%) is existing, and six (6%) percent has been proposed. In addition to adding 206 sq. ft. of new landscape area on the property, the applicant has proposed to install new street trees along Foreman Drive. As the applicant is not proposing a redevelopment of the property, requiring complete adherence to the onsite landscaping requirements for the site is not strictly required.

Neighborhood Impacts: Typical neighborhood impacts associated with motor vehicle repair facilities include parking in the public right-of-way, noise, and unsightly vehicle and parts storage on the property. In response, the City identified specific locational and operational

[8] The one-foot of barbed wire would be approved as part of this permit request.

standards as part of the Municipal Code (CMC21.36.140 - Motor vehicle repair facilities) to regulate the operation of facilities to minimize any adverse impacts associated with the use of a motor vehicle repair facility. The applicant's written statement provides responses as to how their business would comply with these requirements which has been further reflected and incorporated into the project plans and Conditions of Approval[9].

The applicant also worked with staff to also identify what could be done to improve relations with the neighbors and prevent potential impacts which result despite their best intentions. As a result of these discussions, the applicant has proposed to relocate the 2-hour parking signs (presently installed on the east side of Foreman Avenue) to the west side of Forman, and install directional signs to delivery vehicles (including tow-truck drivers) on the perimeter fencing and near the business entrances indicating to conduct their activities on the premises.

Alternative Uses: In consideration of the applicant's proposal, the Planning Commission may consider that there are thirty-four (34) 'permitted', and thirty-seven (37) 'conditional' uses, unrelated to automotive repair which may be established in the M-1 (Light Industrial) zoning district. One or more of these uses may be better suited to the physical constraints of the property, which have contributed to the operations of the existing automotive repair facility (Modern Bench) overflowing into the public domain. Notwithstanding this discussion, it should be reiterated that the proposed land use, as a 'network operator', is considered distinct from the existing operation.

PUBLIC COMMENT

The application was noticed to all property owners within a 300-foot radius. No responses were received as of the preparation of this staff report. Materials provided to staff in advance of the meeting will be included as desk items.

KEY DISCUSSION POINTS

In deliberating the item, the following points should be discussed:

1. Is automotive repair, as a land use, a good use for the subject property?
2. Should a new driveway on Forman Drive be installed and a Parking Modification Permit granted?
3. Should the number of onsite staff be increased from 7 to 10?
4. Should barbed wire be allowed on the fencing?
5. Should any other changes to the building or property be required (e.g. add more landscaping, convert any repair bays into storage/parking)?
6. Should any additional operational restrictions be proposed on the use or serve to define the business as a 'network operator' (e.g. must have 'x' number of locations within 50 miles)?
7. Should additional directional or informational signs, beyond those already proposed as part of the Conditions of Approval, be required on the property?

[9] Caliber Collision normally uses a paging horn to communicate with onsite personnel, but indicated that a Nextel type system could be utilized as an alternative. The Conditions of Approval reflect a requirement for the use of a paging system rather than a horn or speaker.

ALTERNATIVES

If the Planning Commission is generally supportive of the proposal, but is not confident that the removal of onsite (and public) parking spaces to accommodate an additional driveway on Foreman Avenue would result in an improved site condition, the following action may be considered:

- **Adopt a Resolution**, approving a Conditional Use Permit with Site and Architectural Review (PLN2016-290) to allow for the establishment of a major motor vehicle repair and maintenance facility (network operator) with vehicle painting and cleaning (d.b.a. "Caliber Collision") with a Condition of Approval requiring that the project plans are revised to eliminate the proposed driveway on Forman and retain the onsite and street side parking spaces to the satisfaction of the Community Development Director and denying a Parking Modification Permit (PLN2016-354) to allow a reduction in the number of required parking spaces as it is not required.

Further, should the Planning Commission consider it appropriate to deny the request; the following motion would be recommended:

- **Continue the Item**, to a date certain (i.e. December 13, 2016) directing staff to return with a Resolution and findings supporting denial of the permit request.

Prepared by: _____
Stephen Rose, Associate Planner

Approved by: _____
Paul Kermoyan, Community Development Director

Attachments:
1. Resolution for Approval of File No. PLN2016-290
2. Resolution for Approval of File No. PLN2016-354
3. Location Map
4. Written Description
5. Project Plans
6. Administrative Record
7. CMC 21.36.140 – Motor vehicle repair facilities.
8. Appeal Letter; June 3, 2016

RESOLUTION NO.

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A CONDITIONAL USE PERMIT WITH SITE AND ARCHITECTURAL REVIEW (PLN2016-290) TO ALLOW FOR THE ESTABLISHMENT OF A MAJOR MOTOR VEHICLE REPAIR AND MAINTENANCE FACILITY (NETWORK OPERATOR) WITH VEHICLE PAINTING AND CLEANING (D.B.A. "CALIBER COLLISION") ON PROPERTY LOCATED AT **665 E. MCGLINCY LANE**

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

The Planning Commission finds as follows with regard to the approval of a Conditional Use Permit with Site and Architectural Review (PLN2016-290):

Environmental Finding

1. This project is Categorically Exempt under Section 15301 of the California Environmental Quality Act (CEQA) pertaining to minor alterations to an existing private structure, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination and Section 15303 pertaining to the installation of small new equipment/facilities and conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structures.

Evidentiary Findings

2. The project site is zoned M-1 (Light Industrial).

3. The General Plan designation of the property is Light Industrial.

4. The project site is located at the northwest corner of E. McGlincy Lane and Foreman Drive.

5. The project site includes a range of addresses which range from 661 to 667 E. McGlincy Lane.

6. Two structures are located on the 18,100 sq. ft. site, which include a 6,720 square foot rectangular building which runs along the rear (west) property line and a detached trash enclosure which is located at the northeast corner of the property.

7. Two driveways, one on each street frontage, provide access to the site.

8. Industrial uses border the site on all sides.

9. On February 17, 1969, the City of Campbell Planning Commission approved Site Application (S69-7) which authorized the construction of an industrial building and associated site improvements (e.g. landscaping, trash enclosure, parking lot).

10. On August 1, 2006, the City Council adopted Ordinance 2070 approving a City Initiated Text Amendment which established a two-year amortization period for legal non-conforming motor vehicle repair facilities to comply with the requirements outlined under CMC 21.36.146 (Motor vehicle repair facilities).

11. On May 12, 2015, the Planning Commission approved a Modification to the previously-approved Site Approval (S69-7), rather than revoke the businesses ability to operate, imposing new operational restrictions (e.g. hours of operation, staff limitations, vehicle identification requirements), reinforced existing operational restrictions (e.g. requiring all work within an enclosed structure, required adequate screening and buffering, prohibited storage of vehicles on public streets, and ensuring adequate vehicular circulation) already imposed on the business, and compelling the property owner to remove unpermitted structures and complete required site improvements.

12. On May 24, 2016, the Planning Commission adopted a Resolution to revoke the previously Modified Site Approval (S69-07) which allows the operation of the existing major automotive repair and maintenance facility (d.b.a. Modern Bench) at the subject property. This

13. On June 3, 2016, Stephan Barber, counsel for Modern Bench Operations Inc. and its owner Pete Bovenberg, filed an appeal of the Planning Commission's decision to revoke the previously Modified Site Approval (S69-07).

14. On September 9, 2016, Michael Bates, on behalf of Caliber Collision, applied for a Conditional Use Permit to allow a new motor vehicle repair and maintenance facility (network operator) with vehicle painting and cleaning at the subject property.

15. A 'network operator' is not a listed or defined land use in the Campbell Municipal Code and M-1 Zoning District.

16. Pursuant to CMC 21.02.020.F. (Allowable uses of land.) when a proposed use of land is not specifically listed, the Community Development Director may determine that the use is allowed as either a 'permitted' or 'conditional use' when found similar to an existing land use.

17. The Community Development Director found the proposed land use is similar to the definition of a "Motor vehicle – repair and maintenance, minor and major", and that of a "Motor vehicle painting" with ancillary vehicle cleaning, except that as a 'network operator' the business would be considered less intensive, as it would rely on the presence of more than one business location to operate, and provide services (e.g. insurance, billing, parts & vehicle storage, and scheduling), in whole or part, offsite.

18. Caliber Collision has over ten locations in the south bay, including locations in San Jose, Sunnyvale and Los Gatos.

19. Caliber Collision operates on an appointment only basis, and does not accept drive-in/walk-in customers.

20. The majority of business/customer traffic (roughly 90-95) is from customers dropping off their own vehicles. Only on rare occasions would vehicles be dropped off by a tow-truck company.

21. Caliber Collision would not have any tow-truck deliveries after hours, and intends to inform their tow-truck operators that they must deliver all vehicles onsite.

22. The subject permit would apply to the entire project site.

23. The project would be consistent with the following General Plan policies and strategies:

    Policy LUT-5.1: Neighborhood Integrity: Recognize that the City is composed of residential, industrial and commercial neighborhoods, each with its own individual character; and allow change consistent with reinforcing positive neighborhood values, while protecting the integrity of the city's neighborhoods.

    Policy LUT-5.4: Industrial Neighborhoods: Safeguard industry's ability to operate effectively, by limiting the establishment of incompatible uses in industrial neighborhoods and encouraging compatible uses.

    Strategy LUT-5.4.c: Redevelopment: Facilitate redevelopment opportunities in the McGlincy Lane area.

    Strategy LUT-5.6.b: Visual Barriers: Reduce the visual impact of excessive lighting and glare, mechanical equipment, trash enclosures, outdoor storage and loading docks.

    Strategy LUT-5.6.b: Physical Buffers: Provide landscaped buffers, sidewalks and equipment screening to provide a visual and noise-abating buffer between uses.

    Policy LUT-5.7: Industrial Areas: Industrial development should have functional and safe vehicular, bicycle and pedestrian circulation, good site and architectural design, be sensitive to surrounding uses, connect to public transit, and be energy efficient. New projects should contribute to the positive character of industrial areas and the overall image of the City.

    Policy LUT-5.7c: Screening: Screen the service portion of industrial buildings such as outdoor storage, trash enclosures and loading areas, especially those adjacent to roadways or public amenities, with extensive landscaping and architectural treatments

Policy LUT-5.7d: Auto Repair Facility Design: Promote the design of auto repair facilities that provide sufficient screened vehicle staging areas that are independent from the parking required for customers, employees and loading.

Policy LUT-13.1: Variety of Uses: Attract and maintain a variety of uses that create an economic balance within the City while maintaining a balance with other community land use needs, such as housing and open space, and while providing high quality services to the community.

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

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

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

3. The proposed site is adequate in terms of size and shape to accommodate the fences and walls, landscaping, parking and loading facilities, yards, and other development features required in order to integrate the use with uses in the surrounding area.

4. The proposed site is adequately served by streets of sufficient capacity to carry the kind and quantity of traffic the use would be expected to generate.

5. The design, location, size, and operating characteristics of the proposed use, as conditioned, are compatible with the existing and future land uses on-site and in the vicinity of the subject property.

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

7. The establishment will not significantly increase the demand on city services.

8. The traffic generated from the development should not have adverse effects on traffic conditions on abutting streets.

9. The layout of the site should provide adequate vehicular and pedestrian entrances, exit driveways, and walkways.

10. The arrangement of off-street parking facilities should prevent traffic congestion and adequately meet the demands of the users.

11. The location, height, and material of walls, fences, hedges and screen plantings should ensure harmony with adjacent development and/or conceal storage areas, utility installations, or other potentially unsightly elements of the project.

12. The project maximizes open space around structures, for access to and around structures, and the establishment and maintenance of landscaping for aesthetic and screening purposes.

13. The project maximizes areas of improved open space to protect access to natural light, ventilation, and direct sunlight, to ensure the compatibility of land uses, to provide space for privacy, landscaping, and recreation; and

14. The project minimizes the unnecessary destruction of existing healthy trees.

15. The project enhances the overall appearance of the city by improving the appearance of individual development projects within the city.

16. The project complements the surrounding neighborhoods and produces an environment of stable and desirable character.

17. The project enhances the city's character and should not have an adverse aesthetic impact upon existing adjoining properties, the environment, or the city in general.

18. The project promotes the use of sound design principles that result in creative, imaginative solutions and establish structures of quality design throughout the city and which avoid monotony and mediocrity of development.

19. The project will be consistent with the general plan.

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

21. The project is consistent with all applicable design guidelines and special plans.

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Conditional Use Permit with Site and Architectural Review (PLN2016-290) to allow for the establishment of a major motor vehicle repair and maintenance facility (network operator) with vehicle painting and cleaning (d.b.a. “Caliber Collision”) on property located at **-667 E. McGlincy Lane,** subject to the attached Conditions of Approval (attached Exhibit “A”).

PASSED AND ADOPTED this 22nd day of November, 2016, by the following roll call vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners
ABSTAIN: Commissioners:

APPROVED: _____
Cynthia Dodd, Chair

ATTEST: _____
Paul Kermoyan, Secretary

EXHIBIT A

CONDITIONS OF APPROVAL
Conditional Use Permit with Site and Architectural Review (PLN2016-290)

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

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. Approved Project: Approval is granted for a Conditional Use Permit with Site and Architectural Review (PLN2016-290) to allow the establishment of a major motor vehicle repair and maintenance facility (network operator) with vehicle painting and cleaning (d.b.a. "Caliber Collision"). The project site and proposed use shall substantially conform to Sheet A2, A3, and A4 of the Project Plans and Written Description stamped as received November 11, 2016, except as may be modified by the conditions of approval contained herein.

2. Permit Expiration and Vesting: The Conditional Use Permit with Site and Architectural Review (PLN2016-290) approval shall be valid for one year from the date of final approval. Within this one year period all conditions of approval shall be fulfilled and the use established. Failure to meet this deadline will result in the Conditional Use Permit with Site and Architectural Review being void. Abandonment, discontinuation, or ceasing of operations for a continuous period of twelve months shall void the Conditional Use Permit with Site and Architectural Review approved herein.

   To vest the permit, Stephan Barber and the property owner(s) shall be required to rescind the appeal of the Planning Commission's decision to revoke the Modified Site Approval (S69-7). This action shall be provided in writing and signed by all required parties, no later than 10-days after final approval. Rescinding the appeal and vesting the permit shall be considered a concurrent action for all intents and purposes. Once rescinded, the Planning Commission's decision to revoke the Modified Site Approval (S69-7) shall stand and the previously Modified Site Approval (S69-7) shall no longer be considered a valid land use entitlement for any purpose or activity.

3. Business License Required: The business shall obtain and maintain a city business license at all times.

4. Revocation of Permit: Operation of a "major motor vehicle repair and maintenance facility (network operator) with vehicle painting and cleaning" pursuant to the Conditional Use Permit with Site and Architectural Review approved herein is subject to Sections 21.68.020, 21.68.030 and 21.68.040 of the Campbell Municipal Code authorizing the appropriate decision making body to modify or revoke a permit if it is determined that its operation has become a nuisance to the City's public health, safety

or welfare or for violation of the Conditions of Approval or any standards, codes, or ordinances of the City of Campbell. At the discretion of the Community Development Director, if the establishment generates three (3) verifiable complaints related to violations of conditions of approval and/or related to its operation within a six (6) month period, a public hearing before the Planning Commission may be scheduled to consider modifying conditions of approval or revoking its permit. The Community Development Director may commence proceedings for the revocation or modification of permit(s) upon the occurrence of less than three (3) complaints if the Community Development Director determines that the alleged violation warrants such an action. In exercising this authority, the decision making body may consider the following factors, among others:

a. The number and types of noise complaints at or near the establishment that are reasonably determined to be a direct result of patrons actions or facility equipment;
b. The number of parking complaints received from residents, business owners and other citizens concerning the operation of an establishment; and
c. Violation of conditions of approval.

5. Operational Standards: Any business operating pursuant to the approved Conditional Use Permit with Site and Architectural Review approved herein shall be required to conform to the following operational standards, except as otherwise noted, of this entitlement and thereafter in perpetuity. Significant deviations from these parameters shall require approval of a Modification to establish new Conditions of Approval.

   a. **Approved Use**: The approved use is considered similar to, but less intensive than, a “Motor vehicle repair and maintenance, minor and major” and “Motor vehicle painting” service as defined by the Campbell Municipal Code with ancillary cleaning of vehicles, in that as a ‘network operator’ the business will provide services (e.g. insurance, billing, parts & vehicle storage and scheduling), in whole or part, offsite. Under no condition shall a ‘stand-alone’ minor or major motor vehicle repair and maintenance facility with vehicle painting service and ancillary cleaning of vehicles be permitted to operate under this entitlement, which is considered a more intensive land use.

   b. **Hours of Operation**: Hours of operation shall be as follows. By the end of the 'Operational Hours' all employees shall be off of the premises. By the end of 'Business/Public Hours' all patrons shall have exited the facility. Furthermore, the fenced/gated area shall remain open to the public during business/public hours, and shall be locked closed outside of the business/public hours.
      i. Operational Hours 6:00 AM – 10:00 PM, Daily
      ii. Business/Public Hours 7:30 AM – 9:30 PM, Daily

   c. **Deliveries**: All parts and vehicle deliveries (tow-trucks) shall occur within the Operational Hours of the business and onsite. The property owner and business operator shall be responsible to inform delivery companies of this requirement and shall be held accountable for any violations. No deliveries after hours shall be permitted.

d. **Operations**: All automotive related work must be completed within the existing building.

e. **Appointment Only**: No drive-up/walk-in business shall be accepted. All business shall be conducted through appointments in order to control the number of vehicles on the property at any time.

f. **Staffing**: No more than ten (10) staff members shall be permitted on the site at any time.

g. **Vehicle Identification**: All vehicles awaiting or undergoing repair shall be identified by a label on the dash of every vehicle. The size and location of the label shall be to the satisfaction of the Community Development Director.

h. **Ledger**: The business shall keep a ledger of all vehicles under their care at all times, and make the list available to City staff on request. The list shall be used to confirm if vehicles under the care of the operator are parked in the street and/or not appropriately identified.

i. **Vehicle Washing**: Vehicle washing shall be an ancillary service offered only to vehicles under service and care for motor vehicle collision and repair services and in designated areas on the project plans. No outdoor vehicle washing shall be permitted. Consistent with City standards, no waste water will be disposed of through the storm sewers.

j. **Noise**: Noise from bells, speakers and/or tools shall not be audible from residentially zoned or occupied parcels between the hours of seven p.m. and seven a.m. on weekdays and Saturdays, and before ten a.m. and after seven p.m. on Sunday and nationally recognized holidays. Paging horns, loudspeakers, and public address systems shall be prohibited at all times.

k. **Lighting**: Artificial light shall be designed to reflect away from adjoining properties.

l. **Circulation**: During business hours the motor vehicle repair facility shall provide adequate vehicular circulation to ensure free ingress and egress, and safe and unimpeded on-site circulation through the site.

m. **Property Maintenance**: All exterior areas of the business are to be maintained free from graffiti, trash, rubbish, posters and stickers. Except when placed for collection, trash receptacles shall be maintained within their approved enclosures at all times. Parking lot striping and paving shall be maintained in good condition.

n. **Landscape Maintenance**: All landscaped areas shall be continuously maintained in accordance with City Landscaping Requirements (CMC 21.26). Landscaped areas shall be watered on a regular basis so as to maintain healthy plants. Landscaped areas shall be kept free of weeds, trash, and litter. Dead or

unhealthy plants shall be replaced with healthy plants of the same or similar type.

o. **Loitering**: There shall be no loitering allowed in the area, in the parking lot, or along the property's frontages. The business owner and property owner are responsible for monitoring the premises to prevent loitering. Increased security patrols, and other measures as appropriate, shall be used to reduce the incidence of loitering on the property.

p. **Smoking**: "No Smoking" signs shall be posted and maintained on the premises in perpetuity in compliance with CMC 6.11.060.

q. **Storage**: No outdoor storage shall be permitted. This provision shall not include parts carts which are in active use during business hours, provided that they remain outside of required drive aisles and parking spaces and do not exceed six-feet in height, and brought inside the facility (indoors) at the end of operational hours every day. No parts, parts carts or tools shall remain outdoors after operational hours.

r. **Signs**: New signage shall not be installed prior to approval of a sign permit as required by Chapter 21.53 of the Campbell Municipal Code.

s. **Network Operator**: As a network operator the business shall provide estimating and scheduling services at an offsite location. The business shall also be required to maintain a minimum of five (5) motor vehicle repair facilities (offering comparable services) in the San Francisco South Bay Area at all times. Cities within this area shall include San Jose, Santa Clara, Milpitas, Cupertino, Mountain View, Sunnyvale, Saratoga, Campbell, Los Gatos, Palo Alto, Los Altos, Los Altos Hills, Morgan Hill, and Gilroy.

t. **Parking**: Parking spaces located outside of the gated area shall be reserved for customer parking and shall not be used for vehicle storage or employee parking, and shall be empty by the end of the business hours. No vehicle parking on public streets, and no use of required parking spaces for purposes other than parking a vehicle, shall be permitted at any time. No tandem parking shall be allowed behind the gated area unless approval is first granted in writing by the Director of Community Development. In granting tandem parking, the Director shall confirm that the layout shall not result in access conflicts with the Fire Department or on/offsite circulation issues with the City's Traffic Engineer.

6. Signs: New signage shall not be installed prior to approval of a sign permit as required by Chapter 21.53 of the Campbell Municipal Code.

7. Location of Mechanical Equipment: No roof-mounted mechanical equipment, i.e. air conditioning units, shall be located on the roof of the building without providing screening of the mechanical equipment from public view and surrounding properties. Screening material and method shall require review and approval by the Community Development Director prior to installation of such mechanical equipment screening.

8. Temporary Parking Signs: The applicant shall work with the Public Works Department to relocate the time-limited parking signs on Forman Drive to the west side of the street to the satisfaction of the Director of Public Works. The full cost of relocating the signs shall be covered by the applicant.

9. Acceptance of Permit and Requirements: Should the applicants fail to file a valid and timely appeal of this permit approval within the applicable appeal period, pursuant to Campbell Municipal Code Sec. 21.62.030, such inaction shall be deemed to constitute acceptance of permit approval and all associated requirements by the applicants and property owner.

Building Division

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

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

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

13. Plan Preparation: This project requires plans prepared under the direction and oversight of a California licensed Engineer or Architect. Plans submitted for building permits shall be “wet stamped” and signed by the qualifying professional person.

14. Site Plan: Application for building permit shall include a competent site plan that identifies property and proposed structures with dimensions and elevations as appropriate. Site plan shall also include site drainage details. Site address and parcel numbers shall also be clearly called out. Site parking and path of travel to public sidewalks shall be detailed.

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

16. Storm Water Requirements: Storm water run-off impervious surface created by this project shall be directed to vegetated areas on the project parcel. Storm water shall not drain onto neighboring parcels.

Public Works Division

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

18. Reimbursements: Prior issuance of any building permits, or prior to occupancy should no building permits be needed, reimburse the City for previously constructed public improvements along East McGlincy Lane in the amount of $8,736.00.

19. 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.

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

21. 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.

22. 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. 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.

23. Street Improvement Agreements / Plans / Encroachment Permit / Fees / Deposits: Prior issuance of any building permits, or prior to occupancy should no building permits be needed, the applicant shall execute a street improvement agreement, cause plans for public street improvements to be prepared by a registered civil engineer, pay various fees and deposits, post security and provide insurance necessary to obtain an encroachment permit for construction of the standard public street improvements, as required by the City Engineer. The plans shall include the following, unless otherwise approved by the City Engineer:

Forman Drive

a. Show location of all existing utilities within the new and existing public right of way.

b. Relocation of all existing utilities including utility boxes, covers, poles, etc. outside of sidewalk area. No utility boxes, covers, etc. will be allowed in the sidewalk area.

c. Removal of existing driveway approach and necessary sidewalk, curb and gutter.

d. Installation of City approved street trees, *tree wells and irrigation* at 30 feet on center.

e. Installation of City standard commercial curb, gutter, sidewalk and ADA compliant driveway approaches.

f. Installation of asphalt concrete overlay per street pavement restoration plan for utility installation and/or abandonment, as required by the City Engineer.

g. Installation of streetlights, conduits, conductors and related facilities in accordance with the City of Campbell's Street Lighting Policies.

h. Installation of traffic control, stripes and signs.

i. Construction of conforms to existing public and private improvements, as necessary.

j. Submit final plans in a digital format acceptable to the City.

24. Tree Removal: To accommodate the required street improvements an existing tree in the right-of-way will be removed as part of this project. Four new trees will be installed to replace the tree removed.

25. 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 pavement restoration installed and accepted by the City, and the design engineer shall submit as-built drawings to the City.

26. Maintenance of Landscaping: Owner(s), current and future, are required to maintain the landscaped tree wells in the public right of way. This includes, but is not limited to: trees, plantings, irrigation, etc. Trees shall not be pruned in a manner that would not allow the tree to grow to a mature height.

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

28. Additional Street Improvements: Should it be discovered after the approval process that new utility main lines, extra utility work or other work is required to service the

development, and should those facilities or other work affect any public improvements, the City may add conditions to the development/project/permit, at the discretion of the City Engineer, to restore pavement or other public improvements to the satisfaction of the City.

RESOLUTION NO.

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A PARKING MODIFICATION PERMIT (PLN2016-354) TO ALLOW A REDUCTION IN THE NUMBER OF REQUIRED PARKING SPACES ON PROPERTY LOCATED AT **665 E. MCGLINCY LANE**.

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

The Planning Commission finds as follows with regard to File No. PLN2016-354:

Environmental Finding

1. This project is Categorically Exempt under Section 15301 of the California Environmental Quality Act (CEQA) pertaining to minor alterations to an existing private structure, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination and Section 15303 pertaining to the installation of small new equipment/facilities and conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structures.

Evidentiary Findings

2. The project site is zoned M-1 (Light Industrial).

3. The General Plan designation of the property is Light Industrial.

4. The project site is located at the northwest corner of E. McGlincy Lane and Foreman Drive.

5. The project site includes a range of addresses which range from 661 to 667 E. McGlincy Lane.

6. Two structures are located on the 18,100 sq. ft. site, which include a 6,720 square foot rectangular building which runs along the rear (west) property line and a detached trash enclosure which is located at the northeast corner of the property.

7. Two driveways, one on each street frontage, provide access to the site.

8. Industrial uses border the site on all sides.

9. Pursuant to CMC 21.28.040.D. (Expansion/remodeling of structure or change in use), except where a parking modification has been previously granted, the number of

parking spaces for the new use shall be the same as the requirement for the previous use, regardless of the number of spaces actually provided.

10. Three onsite spaces would be removed, resulting in an onsite parking deficiency of three spaces.

11. The removal of onsite parking spaces is to accommodate a second driveway which serves to improve onsite circulation and access to existing parking spaces.

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

1. Due to the unique nature and circumstances of the project, or special development features, the anticipated number (type) of parking spaces necessary to serve the use or structure is less than that required by the applicable off-street parking standards, and would be satisfied by the proposed number of parking spaces.

2. Conditions of approval have been incorporated into the project to ensure the long-term adequacy of the provided off-street parking.

3. Approval of the parking modification permit will further the purpose of Campbell Municipal Code Chapter 21.28 (Parking and Loading).

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

5. No substantial evidence has been presented from which a reasonable argument could be made that shows that the project, as currently presented and subject to the required conditions of approval, will have a significant adverse impact on the environment.

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Parking Modification Permit (PLN2016-354) to allow a reduction in the number of required parking spaces on property located at 665 E. McGlincy Lane, subject to the attached recommended Conditions of Approval (attached **Exhibit A**).

PASSED AND ADOPTED this 22nd day of November, 2016, by the following roll call vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners
ABSTAIN: Commissioners:

APPROVED: _____
Cynthia Dodd, Chair

ATTEST: _____
Paul Kermoyan, Secretary

EXHIBIT A

RCONDITIONS OF APPROVAL
Parking Modification Permit (PLN2016-364)

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

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. Approved Project: Approval is granted for a Parking Modification Permit (PLN2016-354) to allow the removal of three onsite parking spaces, in conjunction with and subject to a Conditional Use Permit with Site and Architectural Review (PLN2016-290) allowing the establishment of a major motor vehicle repair and maintenance facility (network operator) with vehicle painting and cleaning (d.b.a. “Caliber Collision”), on property located at **665 E. McGlincy Lane**. The project shall substantially conform to Sheet A2, A3, and A4 of the Project Plans dated November 11, 2016 except as may be modified by the Conditions of Approval herein.

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

3. Planning Final Required: Planning Division clearance is required prior to Building Permit final.

4. Approval Expiration: The Parking Modification Permit approval is valid for a period of one year from the date of final Planning Commission approval unless an extension is granted prior to the expiration date. A building permit must be obtained within this two-year period to vest the permit or the Parking Modification Permit shall be void.

Attachment #3

Location Map

MB Technical Services
Design & Environmental Consultants

City of Campbell
Community Development Dept.
70 North First St.
Campbell, CA 95008

November 10, 2016

Re: 665 E. McGlincy Lane

Community Development Dept.,
This Use Permit application is to allow the Caliber Collision Center to operate the existing auto body repair facility at this location. Caliber Collision is the nation's largest chain of auto body repair shops in the Country. Caliber operates over 200 facilities in CA. alone, with 14 of these shops in the greater San Jose area. The shop plans to operate daily with 10 employees for no more than the hours of 6:00 am – 10:00 pm for employees and 7:30 – 9:30 pm for the public. This is consistent with the hours granted under the previously approved Site Application (S69-7). The operations on site include:

- The removal and replacement of damaged vehicle parts,
- Preparing the vehicle for painting by covering the non-damaged areas,
- Painting the repaired areas inside of the paint spray booths,
- Cleaning/detailing the vehicle prior to customer pick-up.

The average repair time for vehicle repair is 1week for smaller repairs and 2 weeks for all others.

The shop is equipped with an existing oil/water separator (clarifier) for vehicle washing. Vehicle washing will occur in stall #11 and #12 as shown on the floor plan (Sheet A-3). The facility also has an enclosed spray booth for painting. All vehicle painting will occur within the spray booth. The paint booth utilizes fiberglass filters to capture any overspray produced during the painting process. As a regular part of the vehicle repair process, hazardous materials are used and stored. These include oil, antifreeze, paints, and thinners. All of these items will be stored in flammable liquid storage cabinets or in drums with secondary containment. All waste products generated will be picked up by a licensed waste hauler.

All body repair activities will be conducted inside of the existing service/maintenance buildings. The only activity that can occur outside of the building is a quality control inspection of each completed vehicle to insure that the finished product meets the manufacturer's standards. This will occur within the one of the stalls designated for awaiting repair or pickup. The facility can accommodate the following quantity of vehicles on site at any given time, as follows:

Site Plan Option A (Sht. A-1)	**Site Plan Option B (Sht. A-2)**
36 total vehicles with,	34 total vehicles with,
-14 inside under repair	-14 inside under repair
-10 outside for employee parking	-10 outside for employee parking
-7 outside awaiting repair or pickup	-7 outside awaiting repair or pickup
-5 outside for customer parking	-3 outside for customer parking

P.O. BOX 9130
Long Beach, CA 90810
(562) 426-3453 (562) 989-0338 Fax
www.mbtechnicalservices.com
mb@mbtechnicalservices.com

While under repair, the company uses a parts cart device that includes all parts to be replaced and all parts removed. This device remains with the vehicle during the entire repair process (see attached photo). This process reduces clutter and increases efficiency. Parts are anticipated to be delivered daily to also reduce clutter and maintain efficiency. Uniforms are delivered and picked up on a weekly basis. This delivery/pickup will take place within the fenced area only. The existing office area will be used for estimating, office personnel, and customer waiting. The office intends to utilize a paging horn to communicate as needed with on-site personnel. This is biggest noise producer on the site. However, if required, the company can use a Nextel type system for this purpose.

The company does not operate as a walk up (drive up) facility as the current operator. Caliber has a call center to manage the work load in each region. The shop assignment process for the shops in a particular region is conducted as follows:

- A client is given the number to the Caliber's call center by the insurance company.
- The client contacts the call center.
- The call center directs the client to one of the shop in the area. (In this case, the Campbell location will be 1 of 15 that client can be directed to.
- The client contacts the shop to schedule their vehicle drop off time appointment and arranges for a rental. If a client comes to the shop without an appointment, they will be directed to contact the call center for an appointment. Signage stating "BY APPOINTMENT ONLY" currently does not exist, but can be added if required by the City.

Caliber anticipates 2-3 vehicle deliveries by tow truck in any given week. This process is also managed by the call center and is by appointment only. A space within the fenced area has been designated for tow truck deliveries (see sheets A-1 & A-2). Vehicles will not be allowed to be delivered to the public way.

This process allows Caliber to maintain its promised repair turnaround time to its clients and prevents too many vehicles on site at any one time. This allows Caliber to operate its facilities in harmony with the communities they serve.

As part of this approval request, Caliber will replace and maintain the missing trees along Foreman. This will be accomplished with coordination by the City's arborist. In addition, a new curb and gutter system, sidewalk, and an additional driveway (if required) will be added along Foreman per City standards. We believe this will assist the site in having a softer visual affect for those driving by (see Site Plan).

Caliber operates its facilities in compliance with all local, state, and federal requirements. This allows them to operate without being a nuisance to their neighbors and the general community at large. Caliber believes in maintaining a "good citizen" status in all of the communities they serve. Caliber operates shops of a similar size to the one under consideration without any constraints or complaints from neighbors. For example, there is an existing shop in Sunnyvale at 904 E. Argues Ave. that is of a similar size. The features of each are offered below:

Caliber-Campbell

Lot size = 16,100 S.F.
Bldg. size = 6,685 S.F.
Parking stalls = 23 (prior to 2nd driveway)
Repair Bay Doors = 7
Repair stalls = 16

Caliber-Sunnyvale

Lot size = 15,500 S.F.
Bldg. size = 6,000 S.F.
Parking stalls = 21
Repair Bay Doors = 5
Repair stalls = 12

We believe because of Caliber's unique business operating model, their desire to coexist with the other businesses in the area, their reputation throughout the industry, and the abundance of repair shops in the area able to take in a car, this Use Permit Application should be approved.

Please see the proposed plans for any other information or details not discussed above.

If you have any questions, please call me at 562.426.3453, or e-mail me at mb@mbtechnicalservices.com.

Thanks,

Michael L. Bates PE
M.B. Technical Services
Representing Caliber Collision

RECEIVED
11/22/2016
City of Campbell
Planning Division

CONDITIONAL USE PERMIT FOR:
CALIBER COLLISION CENTER

665 McGLINCY LANE CAMPBELL CA. 95008

PROJECT DATA:

APN:	412-30-029
ZONING:	M-1 (LIGHT INDUSTRIAL)
LAND USE:	COMMERCIAL
OCCUPANCY:	S3 (AUTO REPAIR)
CONST. TYPE:	VN (EXISTING BUILDINGS)
FIRE PROTECTION:	NON-SPRINKLERED
PARCEL AREA:	.413 ACRES
FLOOR AREA RATIO:	.37

SHEET LIST:

A1 SITE PLAN OPTION A
A2 SITE PLAN OPTION B
A3 FLOOR PLAN
A4 ELEVATIONS

CODE SUMMARY:

CALIFORNIA STATE STANDARDS TITLE 24

(2013 CALIFORNIA BUILDING CODE T24 PT.2)

(2013 CALIFORNIA ELECTRICAL CODE T24 PT.3)

(2013 CALIFORNIA MECHANICAL CODET24 PT.4)

(2013 CALIFORNIA PLUMBING CODE T24 PT.5)

(2013 CALIFORNIA ENERGY CODE T24 PT.6)

NATIONAL FIRE PROTECTION ASSOCIATION STANDARDS (NFPA)

ALL COMPRESSED GASES AND HAZARDOUS MATERIALS USE AND STORAGE TO COMPLY WITH THE CALIFORNIA FIRE CODE.

GRAPHIC SYMBOLS:

SECTION
Section Identification
Drawing where section is drawn

DETAIL
Detail Information
Drawing where detail is drawn

INTERIOR ELEVATIONS
Elevation Identification
(Unfold elevations clockwise)

PROJECT DESCRIPTION:

SCOPE OF WORK:

UPGRADE THE EXTERIOR HARDSCAPE AND SURFACE AREA AROUND THE EXISTING BUILDING THAT IS CURRENTLY USED FOR AN AUTO REPAIR SHOP.

THIS CONDITIONAL USE WILL ADD NEW STREET IMPROVEMENTS ALONG FORMAN DRIVE AND PROPOSES AN OFF-SITE 2HOUR PARKING AND LOADING ZONE

SPECIFICALLY THE PROJECT SHALL CONSIST OF UNDERGROUND UTILITIES, GRADING, LANDSCAPING, PAVING, DRAINAGE AND STRIPING FOR PARKING SPACES.

PROJECT TEAM:

CLIENT:

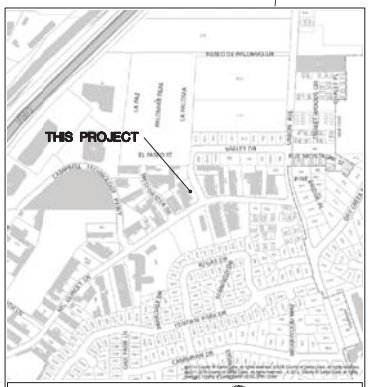
CALIBER COLLISION CENTER
CORPORATE HEADQUARTERS
HOUSTON, TEXAS

CONSULTING ENGINEER:

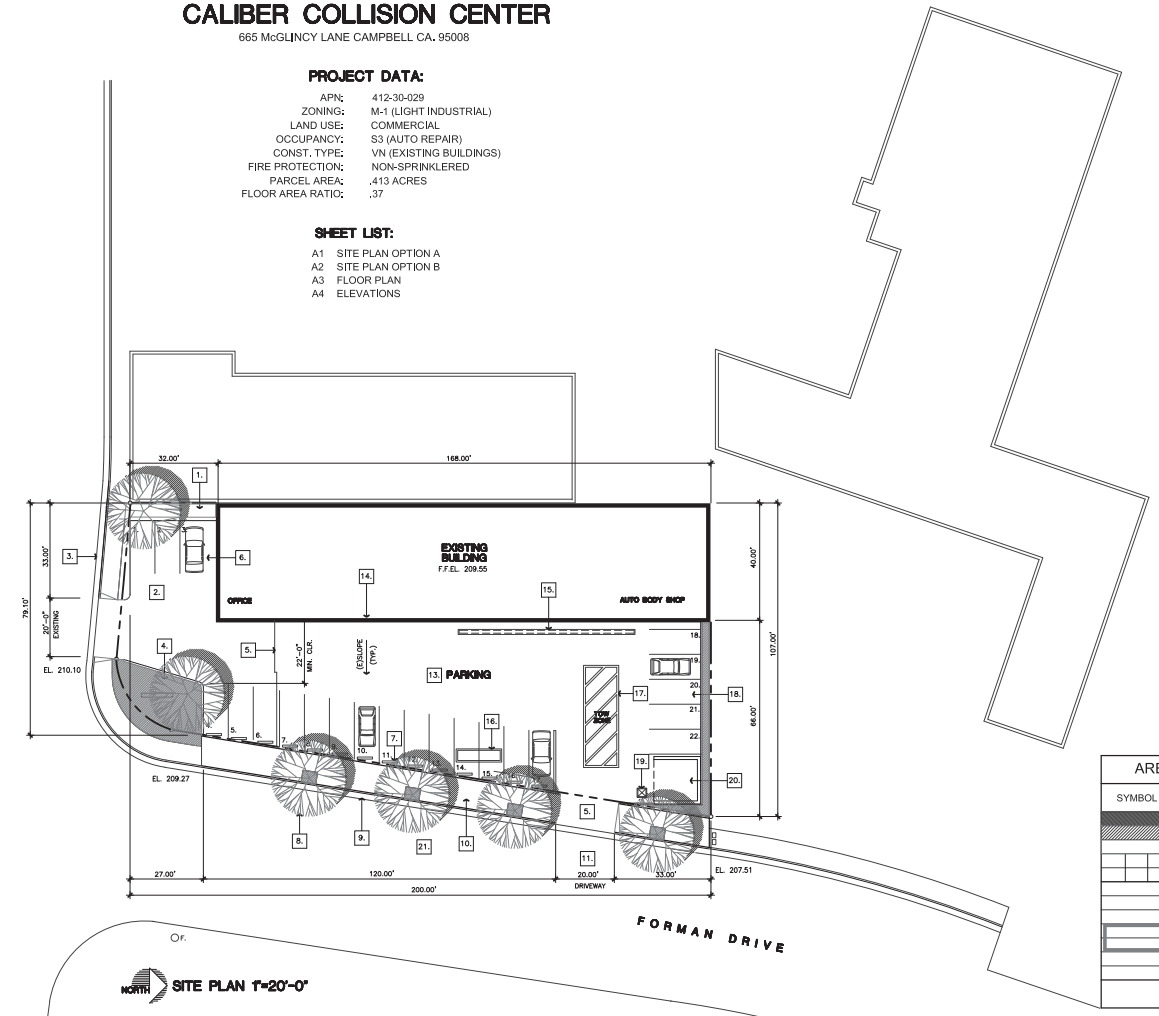
MICHAEL L. BATES PE
M.B. TECHNICAL SERVICES
REPRESENTING CALIBER COLLISION
mb@mbtechnicalservices.com
562 426 3453

PROJECT ARCHITECT:

RALF W. SCHMIDTMEIER, AIA
120 SANDPIPER LN.
APTOS, CA 95003
bauhaus@cruzio.com
831 685 3297



VICINITY MAP



SITE PLAN 1"=20'-0"

SPECIFIC NOTES:

1. NEW CONCRETE CURB SEPARATION WALL FOR EXISTING RAISED PLANTER (SEE SITE DETAIL DWGS. TYP.)
2. TYPICAL GUEST PARKING SPACES MARKED AS VISITOR ONLY WITH WHITE PAINT (SEE CIVIL DWGS. TYP.)
3. EXISTING STREET CURB GUTTER AND SIDEWALKS (TYP.).
4. BERMED PLANTING WITH LOW PROFILE SIGNAGE AS PER CITY STD.(SEE DWGS.)
5. MECHANICAL METAL ROLLING GATE TO BE LOCKED AFTER BUSINESS HOURS AND ACCESSIBLE FOR EMERGENCY VEHICLES ONLY (SEE LOCKBOX ACCESS).
6. ADA VEHICLE PARKING WITH INTERNATIONAL BLUE PARKING SYMBOL, MARKINGS AND CLEARLY VISIBLE SIGNAGE (TYP.).
7. NEW CONCRETE AUTOMOBILE WHEEL STOPS AT VEHICLE LOCATIONS 14. THROUGH 17. (SEE SITE DETAIL DWGS.).
8. NEW TREE WELL WITH NEW STREET TREES AS PER CITY ARBORIST (SEE LANSCAPE DWGS.) (TYP.).
9. EXISTING CURB AND GUTTER TO BE REPLACED ALONG FORMAN DRIVE (TYP.)
10. PLANTING ALONG FORMAN DRIVE (SEE LANDSCAPE DWGS.).
11. NEW CURB CUT AND DRIVEWAY ALONG FORMAN DRIVE (STREET IMPROVEMENTS).
12. NEW ADA STREET CROSSWALK ACCESS RAMP (SEE SITE DETAILS SHT).
13. EXISTING SLOPED CONCRETE PARKING AREA TO REMAIN (TYP.)
14. EXISTING AUTOMOTIVE REPAIR FACILITY TO REMAIN AS SHOWN (SEE SHT. A2).
15. EXISTING APPROVED TRENCH DRAIN WITH CLARIFIER CHANNEL AND CLEANOUT .
16. EXISTING APPROVED 3 STAGE OIL GREASE FILTER WITH METAL COVER ACCESS PANEL (INSPECT AND VERIFY).
17. 10'-0"X20'-0" TOW TRUCK DROP-OFF AREA DIAGONALLY STRIPED YELLOW PAINT AREA TO REMAIN CLEAR OF VEHICLES DURING BUSINESS HOURS (TYP.).
18. ON SITE EMPLOYEE PARKING ONLY
19. EXISTING ON SITE CATCH BASIN AS SHOWN.
20. EXISTING TRASH ENCLOSURE FOR SORTING AND RECYCLING MATERIALS.

AREA TABULATION:

SYMBOL	DESCRIPTION	AREA	COVERAGE	
	LANDSCAPE AREA	1,265 S.F.	7%	
	PERMEABLE SURFACE AREA			
	EXISTING PARKING	10,150 S.F.	63%	
	TOTAL EXTERIOR AREA	11,415 S.F.		70%
	EXISTING BUILDING	6,685 S.F.		30%
	TOTAL AREA (PARCEL)	18,100 S.F.	100%	

NO.	PARKING DESIGNATION:
4	SPACES FOR BUSINESS HOURS GUEST PARKING
1	ADA DISABLED SPACE
10	AUTOMOBILES FOR EMPLOYEES ONLY
7	AUTOMOBILES FOR STORAGE OR REPAIR
22	TOTAL STANDARD PARKING SPACES

RECEIVED
November 11, 2016
City of Campbell
Planning Division

LICENSED ARCHITECT
RALF W. SCHMIDTMEIER
NO. 15440
REN.6-30-17
STATE OF CALIFORNIA

CALIBER COLLISION CENTER
Site Improvements
665 McGlincy Lane Campbell, CA 95008

Ralf W. Schmidtmeier, Architect
120 SANDPIPER LN. APTOS, CA 95003 tel 831 685 3297

1 Revisions 9/8/16
Scale Noted
Date AUGUST 9, 2016

SITE PLAN A1

CONFIDENTIAL
THE INFORMATION ON THIS DOCUMENT IS CONSIDERED CONFIDENTIAL AND PROPRIETARY TO RALF W. SCHMIDTMEIER, ARCHITECT AND IS NOT TO BE DISCLOSED TO OTHER THAN THE RECIPIENT'S EMPLOYEES, OFFICERS OR AGENTS ENGAGED IN THIS PROJECT.

CONDITIONAL USE PERMIT FOR:
CALIBER COLLISION CENTER

665 McGLINCY LANE CAMPBELL CA. 95008

CODE SUMMARY:

CALIFORNIA STATE STANDARDS TITLE 24

(2013 CALIFORNIA BUILDING CODE T24 PT.2)

(2013 CALIFORNIA ELECTRICAL CODE T24 PT.3)

(2013 CALIFORNIA MECHANICAL CODET24 PT.4)

(2013 CALIFORNIA PLUMBING CODE T24 PT.5)

(2013 CALIFORNIA ENERGY CODE T24 PT.6)

NATIONAL FIRE PROTECTION ASSOCIATION STANDARDS (NFPA)

ALL COMPRESSED GASES AND HAZARDOUS MATERIALS USE AND STORAGE TO COMPLY WITH THE CALIFORNIA FIRE CODE.

GRAPHIC SYMBOLS:

SECTION
Section Identification
Drawing where section is drawn

DETAIL
Detail Information
Drawing where detail is drawn

INTERIOR ELEVATIONS
Elevation Identification
(Unfold elevations clockwise)

PROJECT DESCRIPTION:

SCOPE OF WORK:

UPGRADE THE EXTERIOR HARDSCAPE AND SURFACE AREA AROUND THE EXISTING BUILDING THAT IS CURRENTLY USED FOR AN AUTO REPAIR SHOP.

THIS CONDITIONAL USE WILL ADD NEW STREET IMPROVEMENTS ALONG FORMAN DRIVE AND PROPOSES AN OFF-SITE 2HOUR PARKING AND LOADING ZONE

SPECIFICALLY THE PROJECT SHALL CONSIST OF UNDERGROUND UTILITIES, GRADING, LANDSCAPING, PAVING, DRAINAGE AND STRIPING FOR PARKING SPACES.

PROJECT TEAM:

CLIENT:

CALIBER COLLISION CENTER
CORPORATE HEADQUARTERS
HOUSTON, TEXAS

CONSULTING ENGINEER:

MICHAEL L. BATES PE
M.B. TECHNICAL SERVICES
REPRESENTING CALIBER COLLISION
mb@mbtechnicalservices.com
562 426 3453

PROJECT ARCHITECT:

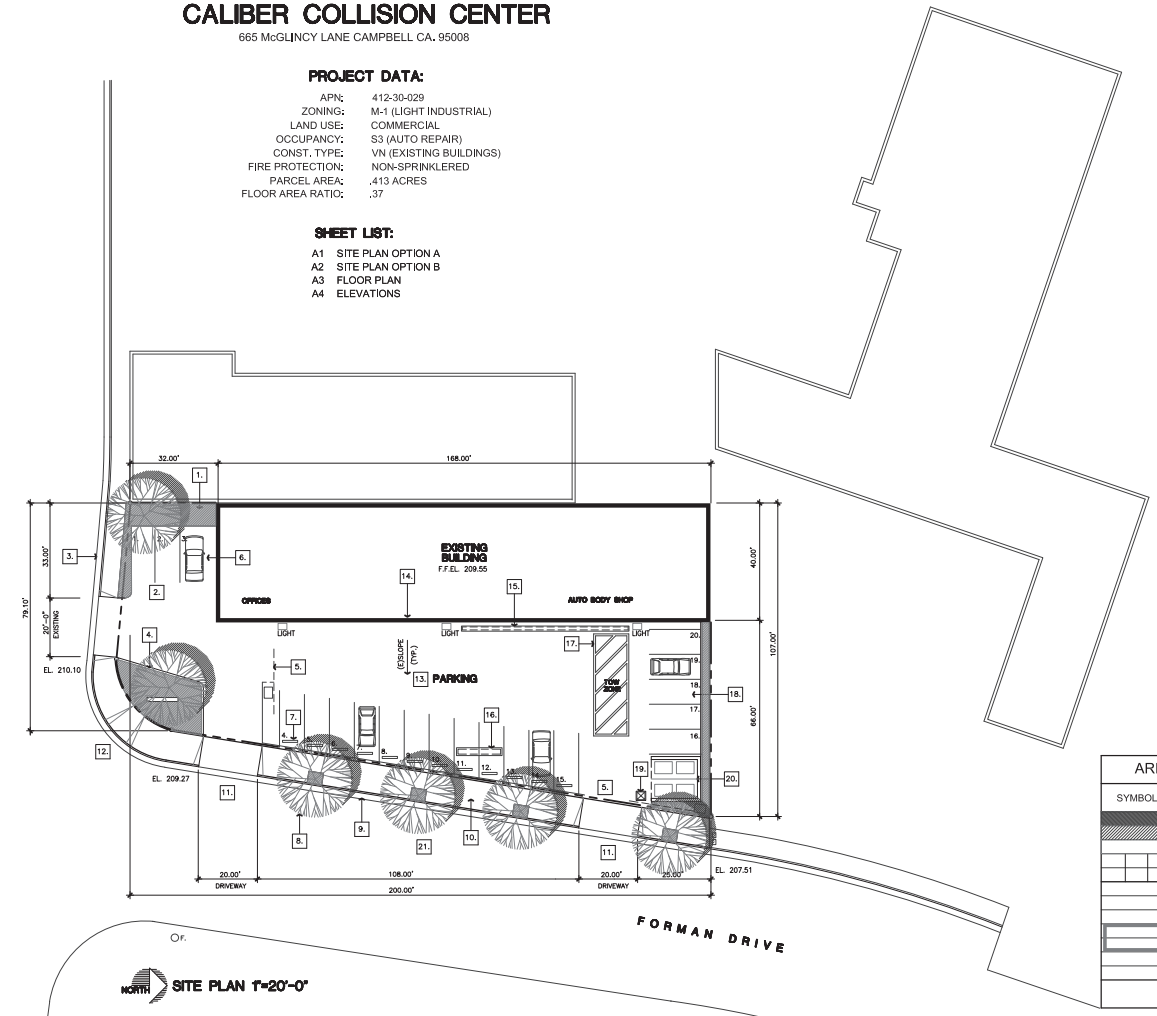
RALF W. SCHMIDTMEIER, AIA
120 SANDPIPER LN.
APTOS, CA 95003
bauhaus@cruzio.com
831 685 3297

PROJECT DATA:

APN:	412-30-029
ZONING:	M-1 (LIGHT INDUSTRIAL)
LAND USE:	COMMERCIAL
OCCUPANCY:	S3 (AUTO REPAIR)
CONST. TYPE:	VN (EXISTING BUILDINGS)
FIRE PROTECTION:	NON-SPRINKLERED
PARCEL AREA:	.413 ACRES
FLOOR AREA RATIO:	.37

SHEET LIST:

A1 SITE PLAN OPTION A
A2 SITE PLAN OPTION B
A3 FLOOR PLAN
A4 ELEVATIONS



NORTH SITE PLAN 1"=20'-0"

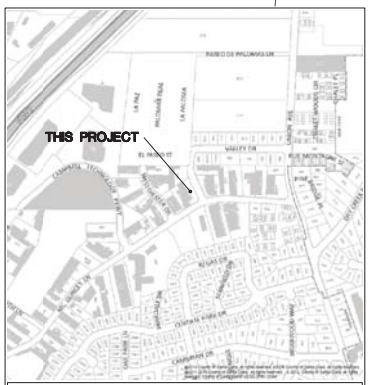
SPECIFIC NOTES:

1. NEW CONCRETE CURB SEPARATION WALL FOR EXISTING RAISED PLANTER (SEE SITE DETAIL DWGS. TYP.)
2. TYPICAL GUEST PARKING SPACES MARKED AS VISITOR ONLY WITH WHITE PAINT (SEE CIVIL DWGS. TYP.)
3. EXISTING STREET CURB GUTTER AND SIDEWALKS (TYP.).
4. BERMED PLANTING WITH LOW PROFILE SIGNAGE AS PER CITY STD.(SEE DWGS.)
5. MECHANICAL METAL ROLLING GATE TO BE LOCKED AFTER BUSINESS HOURS AND ACCESSIBLE FOR EMERGENCY VEHICLES ONLY (SEE LOCKBOX ACCESS).
6. ADA VEHICLE PARKING WITH INTERNATIONAL BLUE PARKING SYMBOL, MARKINGS AND CLEARLY VISIBLE SIGNAGE (TYP.).
7. NEW CONCRETE AUTOMOBILE WHEEL STOPS AT VEHICLE LOCATIONS 14. THROUGH 17. (SEE SITE DETAIL DWGS.).
8. NEW TREE WELL WITH NEW STREET TREES AS PER CITY ARBORIST (SEE LANSCAPE DWGS.) (TYP.).
9. EXISTING CURB AND GUTTER TO BE REPLACED ALONG FORMAN DRIVE (TYP.)
10. PLANTING ALONG FORMAN DRIVE (SEE LANDSCAPE DWGS.).
11. NEW CURB CUT AND DRIVEWAY ALONG FORMAN DRIVE (STREET IMPROVEMENTS).
12. NEW ADA STREET CROSSWALK ACCESS RAMP (SEE SITE DETAILS SHT).
13. EXISTING SLOPED CONCRETE PARKING AREA TO REMAIN (TYP.)
14. EXISTING AUTOMOTIVE REPAIR FACILITY TO REMAIN AS SHOWN (SEE SHT. A2).
15. EXISTING APPROVED TRENCH DRAIN WITH CLARIFIER CHANNEL AND CLEANOUT .
16. EXISTING APPROVED 3 STAGE OIL GREASE FILTER WITH METAL COVER ACCESS PANEL (INSPECT AND VERIFY).
17. 10'-0"X20'-0" TOW TRUCK DROP-OFF AREA DIAGONALLY STRIPED YELLOW PAINT AREA TO REMAIN CLEAR OF VEHICLES DURING BUSINESS HOURS (TYP.).
18. ON SITE EMPLOYEE PARKING ONLY
19. EXISTING ON SITE CATCH BASIN AS SHOWN.
20. EXISTING TRASH ENCLOSURE FOR SORTING AND RECYCLING MATERIALS.

AREA TABULATION:

SYMBOL	DESCRIPTION	AREA	COVERAGE	
	LANDSCAPE AREA	1,265 S.F.	7%	
	PERMEABLE SURFACE AREA			
	EXISTING PARKING	10,150 S.F.	63%	
	TOTAL EXTERIOR AREA	11,415 S.F.		70%
	EXISTING BUILDING	6,685 S.F.		30%
	TOTAL AREA (PARCEL)	18,100 S.F.	100%	

NO.	PARKING DESIGNATION:
2	SPACES FOR BUSINESS HOURS GUEST PARKING
1	ADA DISABLED SPACE
10	AUTOMOBILES FOR EMPLOYEES ONLY
7	AUTOMOBILES FOR STORAGE OR REPAIR
20	TOTAL STANDARD PARKING SPACES



NORTH VICINITY MAP

LICENSED ARCHITECT
RALF W. SCHMIDTMEIER
NO. 15440
REN.6-30-17
STATE OF CALIFORNIA

CALIBER COLLISION CENTER
Site Improvements
665 McGlincy Lane Campbell, CA 95008

Ralf W. Schmidtmeier, Architect
120 SANDPIPER LN. APTOS, CA 95003 tel 831 685 3297

1 Revisions 9/8/16
Scale Noted
Date AUGUST 9, 2016

SITE PLAN A2

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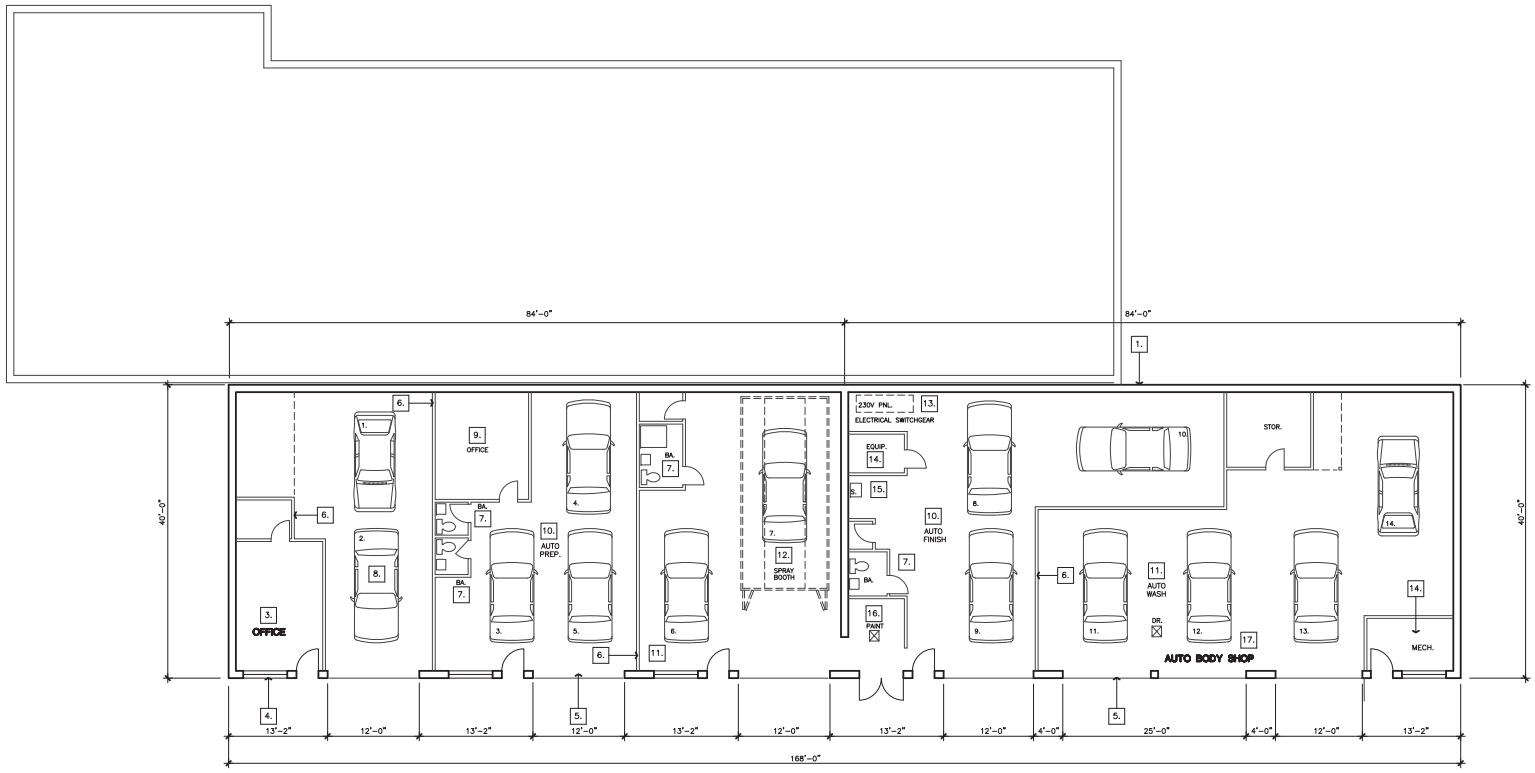

NORTH

EXISTING FLOOR PLAN 1/8"=1'-0"

SPECIFIC NOTES:

1. EXISTING CONCRETE 4HR WALL SEPARATION CONSTRUCTION (SEE STRUCT. DWGS. TYP.) (SEE SITE DETAIL DWGS. TYP.)
2. SEE SITE PLAN (TYP.)
3. EXISTING OFFICE AND GUEST WAITING AREA (TYP.).
4. EXISTING GLAZED AREA (TYP.). AS SHOWN.
5. EXISTING METAL ROLL-UP DOOR BE LOCKED AFTER BUSINESS HOURS
6. EXISTING INTERIOR WOOD STUD DEMOUNTABLE WALLS VERIFY STRUCT.
7. EXISTING BATHROOMS (SEE HEALTH DEPT. REQUIREMENTS). (SEE PLUMBING DWGS.).
8. AUTOMOTIVE REPAIR (STANDARDS BY OWNER) (SEE EQUIP. DWGS.) (TYP.).
9. EXISTING OFFICE.
10. AUTOMOTIVE PREPARATION (AUTO REPAIR BAY)
11. AUTO WASH AREA.
12. EXISTING METAL SPRAY BOOTH CONNECTED TO AIR FITER EQUIP. ON ROOF (TYP.)
13. EXISTING ELECTRICAL SWITCHGEAR WITH 3PHASE 230V PANEL.
14. EXISTING AUTOMOTIVE EQUIPMENT ROOM TO REMAIN AS SHOWN (SEE SHT).
15. EXISTING UTILITY SINK (SEE PLUMBING DWGS.) FLOOR CLEANOUT TO REMAIN.
16. EXISTING PAINT MIX ROOM FILTER WITH METAL INSPECTION ACCESS COVER (VERIFY).
17. AUTOMOTIVE BODY SHOP (EQUIPMENT BY OWNER)
18. SEE SITE PLAN (TYP.)
19. EXISTING ON SITE CATCH BASIN TO REMAIN AS SHOWN. SEE SITE PLAN (TYP.)
20. EXISTING TRASH ENCLOSURE FOR SORTING AND RECYCLING MATERIALS. SEE SITE PLAN (TYP.)

LICENSED ARCHITECT
RALF W. SCHMIDTMEIER
NO. 15440
REN.6-30-17
STATE OF CALIFORNIA

CALIBER COLLISION CENTER
Site Improvements
665 McGlincy Lane Campbell, CA 95008

Ralf W. Schmidtmeier, Architect
120 SANDPIPER LN. APTOS, CA 95003 tel 831 685 3297

1 Revisions 9/8/16
Scale Noted
Date AUGUST 9, 2016

FLOOR PLAN **A3**

CONFIDENTIAL
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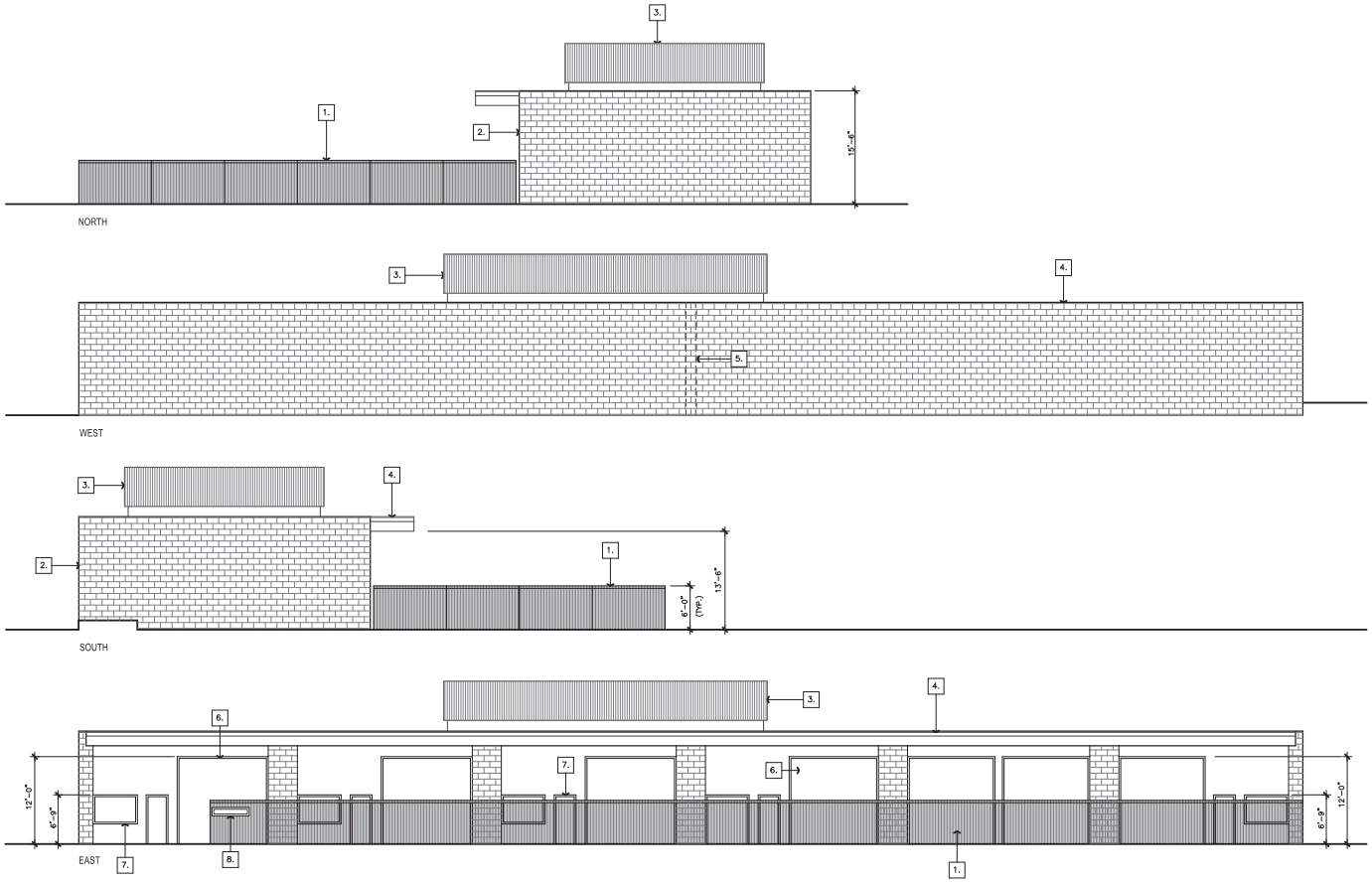

EXISTING BUILDING ELEVATIONS 1/8"=1'-0"

SPECIFIC NOTES:

1. METAL CHAIN LINK FENCE WITH VERTICAL RWD. PRIVACY SLATS AS SHOWN (TYP.). (SEE SITE DETAIL DWGS.)
2. EXISTING 4HR. CONCRETE MASONRY UNIT BUILDING WALL (SEE STRUCT. DWGS. TYP.)
3. EXISTING MECHANICAL ROOF SCREEINING FOR AIR FILTER EQUIP. (TYP.)
4. EXISTING BUILDING ROOF MEMBRANE (TYP.)
5. EXISTING CONCRETE MASONRY UNIT INTERIOR SHEAR WALL (VERIFY STRUCT. TYP.).
6. EXISTING METAL ROLL-UP DOOR (TYP.). REMOVE VISIBLE SIGNAGE (TYP.).
7. ENTRY WINDOW AND DOOR COMBINATION (TYP.). (DWGS.) (TYP.).
8. SIGNAGE DIRECTING CUSTOMERS TO GUEST PARKING AREA AT FRONT OF BUILDING (TYP.).

LICENSED ARCHITECT
RALF W. SCHMIDTMEIER
NO. 15440
REN.6-30-17
STATE OF CALIFORNIA

CALIBER COLLISION CENTER
Site Improvements
665 McGlincy Lane Campbell, CA 95008

Ralf W. Schmidtmeier, Architect
120 SANDPIPER LN. APTOS, CA 95003 tel 831 685 3297

1 Revisions 9/8/16
Scale Noted
Date AUGUST 9, 2016

ELEVATIONS A4

CONFIDENTIAL
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Administrative Record

The following is an abridged summary of significant events pertaining to the subject property and vicinity dating back to the original site entitlement until present.

—

On February 17, 1969, the City of Campbell Planning Commission approved Site Application (S69-7) which authorized the construction of an industrial building and associated site improvements (e.g. landscaping, trash enclosure, parking lot). The original configuration of the building was divided into separate bays (661-667), which were capable of being subleased by separate tenants.

On May 25, 1985, Pete Bovenberg obtained a business license for the operation of an auto body shop performing vehicle repair and collision service (d.b.a. Modern Bench).

On April 8, 1986, the Planning Commission approved plans and elevations to allow a 1,280 sq. ft. addition to the existing building (S86-05).

On April 14, 1987, the Planning Commission approved a one year reinstatement R87-02 of the previously approved Site Approval (S86-05).

On April 14, 1988, without building permits having been issued the reinstatement (R87-02) of the previously approved Site Approval (S86-05) lapsed and is now null and void.

On March 13, 1989, the Planning Department sent a notice of violation identifying the following violations on the property:

- Outdoor storage of vehicles in designated parking areas.
- Inadequate striping of parking stalls within the fenced parking area.
- No marked handicapped parking space.
- No approval of signs erected on the premises or sign permits issued for the business.
- Storage of junk and rubbish outside the premises when no outdoor storage has been approved on the site plan, or site & architectural permit issued.
- Auto repair and/or dismantling outside the building.

On March 30, 1989, the Building Department sent a notice of a special inspection identifying numerous violations pertaining to unpermitted work in violation of various Plumbing, Electrical, and Building Codes.

On April 24, 1990, the Planning Department provided a follow up letter regarding the ongoing zoning code violations resulting from the operation of the business.

On July 30, 1999, an application was filed for a Modification (M99-08) of the previously approved Site Approval (S69-08). A search of Planning Commission resolutions revealed the permit never reached the Planning Commission, and therefore lapsed and is now considered null and void.

On August 19, 1999, the subject business obtained approval of a Sign Permit Application approving wall signs and a freestanding sign on the property (SA98-33).

On October 2, 2000, a Code Enforcement Case (COD2000-62) was created noting the auto body repair use was in violation of the Site Approval. The case was subsequently closed December 26, 2001.

On October 7, 2005, a Code Enforcement Case (COD2005-240) was created citing the storage of vehicles and equipment in public view, property maintenance issues, and unapproved use of the property in violation of the Site Approval. The case was subsequently closed June 14, 2006.

On August 1, 2006 the City Council adopted Ordinance 2070 approving a City Initiated Text Amendment to establish locational and operational standards for motor vehicle repair facilities. The Ordinance established a two-year amortization period for non-conforming automotive land uses, requiring non-conforming businesses (including Modern Bench) to comply by August 1, 2008.

On January 24, 2011, a Code Enforcement Case (COD2011-18) was opened noting the construction of a 20-foot tall, and 50-foot long structure being built on the property line to cover up cars stacked up on the property. The case was never closed, remaining open up until present day.

On March 25, 2014, a renewed complaint was received regarding the ongoing/open code enforcement case. The Code Enforcement Department reviewed the open file, conducted an inspection of the property, and established a new code case file number (IWQ2014-688).

On March 26, 2014, a Warning Noise was mailed to Pete Bovernberg, having observed the following violations:

- Erection of a large metal structure on the property without permits.
- Erection of two smaller metal structures (carports) as having been erected near the rear (north side) of the property.
- Observation of work being conducted on vehicles outside the business, whereas all work is to be performed within a fully enclosed structure.
- Storage of damaged and wrecked vehicles on the property, which are not screened from view from the public street or neighbors as required.
- Storage of damaged and wrecked vehicles on the Public Street and right-of-way.
- Storage of automotive parts on the roof of the building.

The warning notice stipulated a deadline of April 17, 2014, to remediate the violations noting that failure to respond being subject to criminal prosecution, civil suits, or administrative proceedings.

On April 22, 2014, a Second Warning Notice was sent noting the same violations, and stipulating a deadline of May 7, 2014, to correct the violations.

On May 15, 2014, a notice of an Intent to Cite was mailed noting the same violations, stipulating a deadline of June 1, 2014 to correct the violations subject to expanded actions including monetary penalties.

On July 15, 2014, the City received an email from Pete Bovernberg summarizing an account of a recent meeting with staff and indicating that a special meeting of the board members was held to discuss the City's letter and concerns. The letter indicated that an action plan would be developed.

On July 15, 2014, the Campbell Police Department responded to a call regarding abandoned vehicles on E. McGlincy Lane and Forman Drive. The police report identified twenty (20) vehicles noted w/repair notices on Forman & McGlincy Drive. One of the vehicles was cited for having no plates.

On July 30, 2014, a Third Notice of Municipal Code/Adopted Code Violations was sent indicating that the previous deadline of June 1, 2014, has long since passed and that the business was subject to further action.

On September 8, 2014, the property owner was cited for fines totaling $7,426.

On October 28, 2014, a site visit was conducted by Planning Department meeting was held with City Staff and Pete Bovenberg and Gary E. Gamel (Attorney). The meeting provided direction on known violations and guidance on the administrative options available to correct known violations.

On November 14, 2014, a follow up letter was sent by the Planning Department reiterating all known violations to date and clearly prescribing procedural "Options" to be taken for corrective action. The letter noted the following additional violations:

- Potential storage of vehicles and/or parts at 260 E. McGlincy Lane (Mello Pipe Line) where not permitted.
- Unpermitted barbed wire fencing along the property perimeter.
- Removal of landscaping around the project perimeter; including three street trees.
- Improper storage of debris and material around the property.
- Removal of numerous parking stalls.
- Unpermitted wash area at the northeast corner of the property.

On December 2, 2014, a subsequent meeting was held with the Building and Public Works department to guide Pete Bovenberg through the application processes to correct all known violations to date.

On December 8, 2014, a follow up meeting was held with Public Works to identify what corrective actions/drawings would be required to remediate the tree removals. At the meeting, it was determined that the trees had been removed by the Public Works Department and no corrective action would be required.

On January 13, 2015, a follow up email was sent by Planning Staff reiterating actions to date and requiring further progress addressing the violations to be demonstrated as part of a “Task List” which would set self-imposed dates identifying when corrective actions would be taken for review and approval.

On January 23, 2015, a Task List was sent to the Planning Department identifying code issues, resolution procedure, and generally establishing vague completion dates for compliance, with the exception of setting April 23, 2015, (i.e. within 90-days) as a date by which all parts would be removed from the roof of the building.

On February 13, 2015, the Planning Department established February 27, 2015, as the deadline to submit plans and all required materials for a Conditional Use Permit application to address ongoing violations and bring the property into compliance with CMC21.36.140 (Motor vehicle repair facilities).

On or around February 24, 2015, the Public Works Department installed two-hour parking signs on the east side of Foreman Drive, limiting parking from 7 a.m. to 6 p.m. except Sundays.

On February 27, 2015, an application for a Conditional Use Permit (PLN2015-71) to allow the establishment of a screened outdoor vehicle storage area with tandem parking and razor wire fencing was submitted for review.

On April 23, 2015, the self-imposed deadline to remove of all rooftop storage within 90-days (see January 23, 2015 – Task List) was not achieved.

On March 27, 2015, the permit was determined to be incomplete lacking sufficient information and accurate enough plans for all departments (i.e. Fire Department) to provide complete comments. The incompleteness letter stipulated a deadline of April 13, 2015, to resubmit plans for review by City Staff, noting that failure to comply or adequately respond to the comments being subject to the existing land use entitlement (S69-7) being called back to the Planning Commission for consideration of revocation.

On May 12, 2015, the Planning Commission approved a Modification to the previously-approved Site Approval (S69-7), rather than revoke the businesses ability to operate, imposing new operational restrictions (e.g. hours of operation, staff limitations, vehicle identification requirements), reinforced existing operational restrictions (e.g. requiring all work within an enclosed structure, required adequate screening and buffering, prohibited storage of vehicles on public streets, and ensuring adequate vehicular circulation) already imposed on the business, and compelling the property owner to remove unpermitted structures and complete required site improvements.

Between May 12, 2015 and February 29, 2016, Planning, Building, and Code Enforcement staff continued to coordinate with Modern Bench to remove unpermitted structures and comply with conditions of approval.

On March 1, 2016, Planning Department staff conducted a follow up inspection of the property, and met with neighboring businesses which prompted renewed complaints about the operations of Modern Bench.

Between March 2, 2016, and present day, staff has received a series of complaints and photographs from reporting parties of parking and delivery violations attributed to Modern Bench.

On March 21, 2016, Planning Department staff reached out to the manager of Campbell Towing to inform their business of the operational restrictions on Modern Bench, and directing their drivers to loading/unload vehicles on the project site instead of in the public right of way.

On March 22, 2016, Planning Department staff sent an email to Pete Bovenberg of Modern Bench, strongly advising that drastic measures be taken to avoid the permit from being pulled back for revocation.

On March 24, 2016, Campbell Police Officers observed three Modern Bench vehicles parked in the public right of way.

On March 24, 2016, CSO Steven Serassio observed several MBO vehicles parked in the public right of way.

On March 28, 2016, CSO Adam Alameda observed several MBO vehicles parked in the public right of way.

On or around March 29, 2016 the City Manager and a Council Member conducted an inspection of the property in response to community complaints. During the inspection, several MBO vehicles were observed as being parked in the public right of way, prompting the permit to be scheduled for reconsideration and potential revocation by the Planning Commission.

On March 30, 2016, Pete Bovenberg was informed that the business was in the process of being scheduled for revocation.

On March 31, 2016, Pete Bovenberg was provided with the tentative hearing date of May 24, 2016.

On April 11, 2016, the property owner met with the City Manager to discuss the ongoing concerns with the operation of Modern Bench.

On April 16, 2016, the property owner provided a letter as a follow up to the meeting with the City Manager, indicating additional steps which were to be taken to reduce the impact on local businesses resulting from the operation of Modern Bench.

On April 28, 2016, Associate Planner Stephen Rose, and Code Enforcement Officer Charlotte Andreen conducted an inspection of the property. While on site, staff observed two customer cars

stored in the employee/customer parking area, trash bins not stored in the trash enclosure, and the trash enclosure being used for storage of materials and supplies.

On April 29, 2016, staff provided a follow up email informing the property owner of the violations observed on site.

Between May 4, 2016, and May 9, 2016, Pete Bovenberg sent a series of photographs demonstrating to staff that the violations observed by staff at its April 28, 2016 inspection had been resolved.

On May 24, 2016 the Planning Commission adopted a Resolution to revoke the previously Modified Site Approval (S69-07) as a result of the business (Modern Bench) continuing to park and drop-off vehicles in the public right-of-way.

On May 31, 2016, Stephan Barber, filed a Public Records Request (PRR) with the City requesting copies of all emails, files, building permits, code enforcement cases, and police records pertaining to the property.

On June 3, 2016, Stephan Barber, counsel for Modern Bench Operations Inc. and its owner Pete Bovenberg, filed an appeal of the Planning Commission's decision to revoke the previously Modified Site Approval (S69-07).

On September 9, 2016, Michael Bates, on behalf of Caliber Collision, applied for a Conditional Use Permit to allow a new motor vehicle repair business at the subject property.

21.36.140 - Motor vehicle repair facilities.

This section provides locational and operational standards for the establishment of motor vehicle repair facilities, in compliance with Article 2, (Zoning Districts), which shall be subject to the following criteria and standards.

A. The motor vehicle repair facility shall provide adequate vehicular circulation to ensure free ingress and egress, and safe and unimpeded on-site circulation.

B. All work shall be performed within a fully enclosed structure.

C. Structures shall be sufficiently soundproofed to prevent a disturbance or become a nuisance to the surrounding properties.

D. Artificial light shall be designed to reflect away from adjoining properties.

E. Screening and buffering.

1. A six-foot high solid masonry wall shall be maintained along the exterior boundaries of the motor vehicle repair facility, excluding the front yard setback area, those locations approved for ingress and egress, and areas adjoining a street, other than an alley.

2. All damaged or wrecked motor vehicles awaiting repair shall be effectively screened from view from any public street or highway, or adjoining properties, by a six-foot high decorative masonry wall or other opaque material approved by the community development director.

F. Motor vehicles associated with the subject use shall not be parked or stored on a public street or alley.

G. Motor vehicles shall not be stored at the site for purposes of sale (unless the use is also a vehicle sales lot).

H. Noise from bells, loudspeakers, public address systems, or tools shall not be audible from residentially zoned or occupied parcels between the hours of seven p.m. and seven a.m. on weekdays and Saturdays, and before ten a.m. and after seven p.m. on Sundays and nationally recognized holidays.

I. Service bay doors shall not directly face or be viewable from adjoining public rights-of-way or a residential development or zoning district.

J. Residential uses shall not be allowed on a site containing a motor vehicle repair facility.

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

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ROPERS MAJESKI KOHN BENTLEY

stephan.barber@rmkb.com

June 3, 2016

City Council of Campbell
c/o City Clerk
70 N. First Street
Campbell, CA 95008

Re: Appeal by Modern Bench Operations from the May 24, 2016 Resolution of the Planning Commission to Revoke Modified Site Approval

Dear Members of the City Council:

I am counsel for Modern Bench Operations, Inc., and its owner, Pete Bovenberg (collectively "MBO"). Please accept this letter as MBO's appeal from the Planning Commission's revocation of MBO's Modified Site Approval on May 24, 2016. This appeal is made pursuant to the Campbell Municipal Code ("CMC"), sections 21.62.030, et seq. The $200 filing fee was paid when this letter was filed.

INTRODUCTION

MBO is a motor vehicle body repair shop. MBO has been operating its business located at 665 E. McGlincy Lane, Campbell, for approximately 31 years. Mr. Bovenberg has been a Campbell resident for approximately 33 years.

MBO's building was constructed with all requisite approvals in 1969. On May 25, 1985, the City of Campbell issued a business license to MBO. At that time, Campbell ordinances did not require a Conditional Use Permit. On August 1, 2006, the City Council adopted an ordinance which established a two-year amortization period for legal, non-conforming motor vehicle repair facilities to comply with the newly-enacted CMC 21.36.146 (Motor vehicle repair facilities).

For approximately 30 years, MBO lawfully operated its facility under its February 17, 1969 Site Approval (S69-7). On May 12, 2015, the Planning Commission approved a resolution modifying the original Site Approval ("Modified Site Approval").

On May 19, 2016, the staff for the Planning Commission mailed a notice to MBO. This notice advised MBO that the Planning Commission was holding a hearing on May 24, 2016 to consider adopting a resolution to revoke MBO's Modified Site Approval. After a relatively brief hearing on the late evening of May 24, 2016, the Planning Commission orally adopted a resolution revoking MBO's Modified Site Approval without prejudice.

Pursuant to CMC 21.62.040B., the filing of MBO's appeal has the effect of suspending the effective date of the Planning Commission's Resolution, thereby preventing any further action or proceedings in reliance on the Planning Commission's decision being appealed except as allowed by the outcome of this appeal.

STATEMENT SPECIFYING THE BASES FOR THE APPEAL AND THE SPECIFIC ASPECT OF THE PLANNING COMMISSION'S DECISION BEING APPEALED

MBO appeals from the entire May 24, 2016 Planning Commission Resolution wherein MBO's Modified Site Approval was revoked without prejudice. In addition, MBO appeals from the Planning Commission's decision to adopt said Resolution without considering the Alternatives proposed by staff, which included continuing the item for a period of three or six months, modifying the previously Modified Site Approval (S69-7), establishing clarified or more restrictive conditions of approval, or directing staff to levy fine for each continued violation of the conditions of approval.

The entire package of written materials presented to the Planning Commission is attached for the Council's convenience to this letter. The video of the hearing can be accessed on the City's website.

LEGAL AND FACTUAL BASES FOR THE APPEAL

1. **The May 12, 2015 Modified Site Approval is illegal in part, improperly delegates authority and discretion to the Community Development Director, and is impossible to comply with.**

The Modified Site Approval purports to make MBO accountable for any violations of the Operational Hours of MBO's vendors making deliveries. The Modified Site Approval purports to impose the onus on MBO of policing the public streets by stating: "No vehicle parking on public streets shall be permitted at any time." The Modified Site Approval imposes several conditions on MBO such as having trash enclosures and screening of roof-mounted mechanical equipment that are not imposed on MBO's neighbors. The Modified Site Approval is vague as to what is or is not an act by a third party which can be imputed to MBO. The Modified Site Approval improperly delegates discretion and authority to the Community Development Director to begin revocation proceedings based upon a single, unverified complaint by any member of the public, including a disgruntled neighboring business owner, in violation of CMC section 23.68.020. The terms of the Modified Site Approval are such that an unverified complaint or criticism by any member of the public or a neighboring business owner can trigger a revocation. The Modified Site Approval contains rules and requirements that are not included

or contemplated by CMC 21.36.140, the ordinance which specifically applies to motor vehicle repair facilities. The evidence shows that this Modified Site Approval was adopted at the behest of an outspoken business owner, Nathan Lambert, who has appointed himself as MBO's watchdog, and who bypasses the normal protocol for citizen complaints by going directly to the City Manager.

2. **The City gave inadequate and improper notice of the Planning Commission's Proposed Action, thereby depriving MBO of due process and procedural fairness.**

The Modified Site Approval specifically states that the revocation of MBO's permit is subject to CMC sections 21.68.020, 21.68.030, and 21.68.040. Section 21.68.020 requires the following before a Site Approval can be modified or revoked. The provisions of section 21.68.020 can be summarized as follows:

> (A) The Community Development Director issues a notice of non-compliance for any failure to comply with a condition of a permit or for failure to comply with any code, law, ordinance, regulation, or statute of the City, State or Federal governments, or if the use creates a nuisance; (B) If the non-compliance or nuisance is not abated, corrected or rectified within the time specified in the notice, the Community Development Director may set a date for a public hearing; (C) The decision-making body that originally approved the permit may hold a public hearing to revoke or modify any permit; (D) 10 days before the hearing, notice shall be delivered in writing to the applicant and the owner of the property for which the permit was granted at least 10 days before the public hearing; and (E) Delivery of the notice is deemed delivered two days after being mailed, first class, to the owner and project applicant.

Here, there was no notice of non-compliance by the Community Development Director. The notice of the revocation hearing was mailed by regular mail to the owner and applicant on May 19, 2016, only five days before the hearing. The notice was delivered by MBO and Mr. Bovenberg by the USPS on the weekend and was not opened until May 23, 2016, the day before the hearing. The notice should have been mailed no later than May 12, 2016 so as to give MBO the proper and required notice and the opportunity to prepare and present its defenses. The

City failed to follow its own rules for giving notice and violated MBO's procedural due process rights.

3. **MBO was denied procedural due process because it did not have sufficient or fair opportunity to be heard or present evidence at the Planning Commission meeting.**

As a result of the short and improper notice, MBO and its counsel did not have sufficient time to prepare for the hearing on the revocation or to garner witnesses to testify or speak on MBO's behalf. At the "hearing," MBO's counsel, Stephan A. Barber, was given a total of five minutes to speak. Mr. Bovenberg was given another five minutes to speak. The complaining business owner, Nathan Lambert, appeared and was given five minutes to speak, plus he had submitted lengthy correspondence prior to the hearing. MBO and its counsel were not given any opportunity for rebuttal or closing comments.

4. **There was no evidence of any violations of law presented at the hearing.**

The photographs of vehicles presented to the Planning Commission show vehicles parked in designated parking places on a public street. There is no evidence that these vehicles are violating any Campbell ordinance related to parking. Further, parking violations are enforced under the California Vehicle Code, not by the Planning Commission. (See, CMC section 10.24.150.) The Planning Commission wrongly turned lawfully parked vehicles into a claimed violation of 3.q. of the Modified Site Approval, which states: "No vehicle parking on public streets shall be permitted at any time." This requirement is vague at best and imposes an unlawful and impossible burden on MBO to regulate the activities of third-party vehicle owners who may have no relationship whatsoever to MBO.

No evidence was presented at the Planning Commission hearing that MBO or Mr. Bovenberg violated any City of Campbell ordinances. The revocation decision seemed to be based on some of the Commissioners' belief that MBO is not a "good neighbor" to Lambert & Sons Floors and that MBO should be put out of business because third parties parked vehicles on the street near MBO's and Lambert's places of business.

While MBO agrees that being a good neighbor is desirable, there are no guidelines in the Modified Site Approval or the municipal codes applicable to MBO's business as to what a "good neighbor" means. The "good neighbor" standard employed by the City is purely subjective and can mean different things to different people. One Commissioner might believe that a particular

act is not "neighborly" while another Commissioner would have no problem. How can anyone be judged using a subjective, variable and unwritten standard? It is not fair or reasonable to take away a person's livelihood based on some amorphous, subjective standard that is applied after the fact.

5. **The revocation Resolution was based upon unsubstantiated hearsay and inconsequential photographs.**

California requires a fair administrative hearing before a neutral and unbiased decision-maker. The decision-maker is not supposed to be an advocate. (California Code of Civil Procedure section 1094.5(b); *Nightlife Partners v. City of Beverly Hills* 108 Cal.App.4th 81.) Hearsay testimony, which essentially consists of one person at a hearing repeating what another person supposedly said or saw, is generally not admissible or credible evidence. (California Evidence Code sections 1200-1203.)

It is fundamental that a person is innocent of criminal or civil wrongdoing unless proven guilty. Another fundamental concept is that the accuser must prove the accusations; the accused does not have the burden of proving innocence. Finally, it has always been a principle of American justice that the punishment should fit the crime or infraction.

At the hearing, Mr. Lambert made several accusations without offering any corroborating evidence or sufficient support. He alluded to events which supposedly happened years ago and before the Modified Site Approval went into effect on May 12, 2015. The Commissioners seemed to believe everything Mr. Lambert said without any substantiation of his hearsay statements or giving Mr. Bovenberg or any other person the chance to rebut the unsubstantiated statements. The staff report supporting the revocation resolution contained several photographs of cars parked on the street. A couple of the cars had some dents in them. There was no evidence tying any of the cars parked on the street to MBO or any evidence that MBO had custody and control of any of the cars parked on the street at the time the photographs were taken. Mr. Lambert personally took photographs of a car parked in another business' parking lot and a tow truck lawfully parked in front of MBO's business. Lambert claimed that these vehicles were present for purposes of doing business with MBO. Lambert and staff claimed that the presence of these vehicles violated the Modified Site Approval, thereby supposedly justifying revocation and conveniently ignored the evidence that these vehicles were moved off the street at the request of MBO shortly after the photographs were taken.

During the middle of MBO's statements at the hearing, the staff stated that there were supposedly other verified violations that were observed by Campbell Police and Code Enforcement Officers. This is a mischaracterization of the staff's report. The report stated that these officers observed "MBO vehicles parked in the right of way." The report is devoid of any evidence of what an "MBO vehicle refers to or why the officers concluded that these cars were "MBO vehicles." The photos of these cars show that they are lawfully parked in designated public parking spaces, not blocking the street as implied by the staff report. A couple of the vehicles have dents which someone circled on the photos. The fact that a parked vehicle has a dent does not prove that this was an "MBO vehicle" or that MBO had any connection with or control over the vehicles depicted in the moment-in-time photos. No person who claims to have observed violations spoke at the hearing. MBO and its counsel had no opportunity or ability to respond to the staff's statements.

6. **The Planning Commission's Resolution was not decided by a neutral or unbiased decision-making body.**

It is evident from the Planning Commission's May 24, 2016 hearing that some or all of the Commissioners had made up their minds to revoke the Modified Site Approval before the hearing and/or that many of the Commissioners were biased against MBO and/or Mr. Bovenberg. The Commissioners gave short shrift to the presentation of Mr. Bovenberg and his counsel and many of the Commissioners made derogatory or unflattering comments on the record when casting his or her vote. Many of the Commissioners seemed to believe that the standard for deciding whether a business can remain in operation is whether the business owner is a "good neighbor." Some of the Commissioners also based their decision on unspecified and unproven years of alleged violations by MBO.

During the vote, Commissioner Philip C. Reynolds, Jr. made the following comments: that there have been "27 years of [unspecified] violations by MBO;" that he believes a business should be a "good neighbor;" that for 27 years, MBO "has not been a good neighbor;" that MBO will continue to operate in "this manner"; and that MBO believes regulations do not apply to it. Mr. Reynolds also stated that Mr. Bovenberg made "defensive comments" and that he was "negative" during Mr. Reynolds' questioning of Mr. Bovenberg.

Commissioner Yvonne Kendall stated: that there was a "long-established pattern of not following [unspecified] codes" by MBO; that she would not stay married to someone "who does

this" without specifying what "this" means; and, that if MBO was her child, she would "put it in rehab." In sum, she characterized MBO/Bovenberg as a bad spouse and drug addict.

Commissioner Ron Bonhagen stated: that there are "still multiple, multiple infractions" without citing any evidence in the record as to the identity of these supposed multiple infractions; that MBO is "not a good neighbor"; and, that it is "not treating his neighbor [i.e., Nathan Lambert] well."

Commissioner Pam Finch stated: that she believes there should have been more revocation hearings and that there is no "sliver of something."

The aforementioned comments, as well as other comments, demonstrate that Commissioners had made up their minds long before the hearing, that they were apparently influenced by unsubstantiated "facts" and allegations, and that they should revoke the Modified Site Approval at the behest of Nathan Lambert.

7. **The Findings and Conclusions for Revocation are not Supported by the Evidence.**

Prior to the Planning Commission's hearing, the staff prepared a three-page "Findings for Revocation (PLN 2016-115) of a Previously Modified Site Approval S69-7 Without Prejudice." None of these Findings was modified or deleted to reflect what was stated by Mr. Bovenberg or his counsel at the hearing. The Commissioners adopted the Findings without any meaningful critique or analysis. These "Findings" are twenty supposed factual findings and five conclusions. None of the key "Findings" which supposedly support revocation are established by any competent or reliable evidence.

Findings Nos. 1-10 are recitations of historical events and have no bearing on alleged violations of MBO. MBO does not contest the veracity of Findings Nos. 1-10.

Finding No. 11 states that MBO "has continued to park vehicles in the public right-of-way in violation of Condition of Approval #5.q of PC Resolution 4208, as documented by photographs ..." This Finding is without evidentiary support. The photographs submitted in support of the proposed resolution show vehicles lawfully parked in public parking spots on the street. There is no evidence that MBO had care, custody, or control of any of these vehicles at the time the photographs were taken, that MBO parked them there, or that these vehicles were parked there at MBO's direction.

Finding No. 13 is essentially a restatement of No. 11: "As the business parked damaged vehicles in the public right-of-way … a finding that the business will comply with these requirements can no longer be made in the affirmative." Again, there is no evidence that any of the "damaged" vehicles were in the care, custody, or control of MBO at the time the photographs were taken. There is no evidence that MBO does not intend to comply with the Modified Site Approval to the best of its ability.

Finding No. 15 is nothing more than a restatement of unsupported Finding Nos. 11 and 13: "The business has continued to store damaged vehicles in the public right-of-way which has diminished the City's character and has had an adverse aesthetic on the City in general."

Finding No. 16 states: "The Modified Site Approval (S69-7) was granted on the basis (finding) that the arrangement of off-street parking facilities would prevent traffic congestion an adequately meet the demands of the users." Mr. Bovenberg stated at the hearing that he has some 23 parking spaces on MBO's property and that he had hired another company to move excess vehicles and park them in an off-site parking lot. This evidence directly contradicts Finding No. 16, but was apparently ignored by the Commissioners, perhaps because this Finding was written before the hearing.

Finding No. 17 is simply a restatement of unsupported Finding Nos. 11, 13, and 15: "Modern Bench has continued to rely on the use of the public right-of-way to park/store damaged vehicles and have deliveries made by tow trucks, it can be reasonably concluded that the off-street parking facility inadequately meets the demands of the users." Again, this Finding is based on nothing more than evidence of vehicles lawfully parked in public parking spaces without evidence of any connection between those vehicles and MBO or evidence that MBO was somehow controlling their owners' conduct.

Finding No. 18 states: "The Modified Site Approval (S69-7) was granted on the basis (finding) that the arrangement of off-street parking facilities should prevent traffic congestion and adequately meet the demands of the uses." No evidence was presented at the hearing or in the written documents that there has been any traffic congestion in the area or that MBO has the power or ability to "prevent traffic congestion."

Finding Nos. 19 and 20 state that there has been a "significant increase in the demand for Police, Code Enforcement and Planning Services" as a result of MBO's violations. No competent evidence of any "significant increase" was presented and these findings assume that there have, in fact, been violations by MBO.

The "Conclusions" are essentially redundant and based upon the unsupported Findings discussed above.

Conclusion No. 1 states: "The Planning Commission cannot affirmatively find that the operation of the facility is consistent with the approved modification in previously approved Site Approval (S69-7), and/or the Campbell Municipal Code." This "Conclusion" is vague, but necessarily based upon the unsupported Findings regarding the parking of vehicles on the public street. There is no evidence that MBO had care, custody, or control of any of the vehicles depicted in the photographs. There is no conclusion as to what MBO reasonably can do to prevent vehicles over which it has no control from lawfully parking on a public street near its business.

Conclusion No. 2 is a restatement of Conclusion No. 1: "The circumstances which the permit was granted have been changed by the applicant to a degree that one or more of the findings contained in the original permit can no longer be made in a positive manner, and the public convenience, health, interest, safety, or welfare require the revocation." This self-serving "Conclusion" is simply a recitation of the language of the ordinance that permits the Planning Commission to revoke MBO's Modified Site Approval under certain circumstances. There is no evidence that parked cars or MBO did anything to affect the "public convenience, health, interest, safety, or welfare."

Conclusion No. 3 is another recitation of the CMC: "The permit was issued, in whole or in part, on the basis of this representation or omission of the material statement in the application, or in the applicant's testimony presented during the public hearing, for the permit." No evidence of any "misrepresentation or omission" by MBO or Mr. Bovenberg is in the record. In fact, the record is directly contrary.

Conclusion No. 4 states: "One or more of the conditions of the permit have not been substantially fulfilled or have been violated." The only possible basis for this Conclusion is the parked cars discussed above. There is no evidence in the record that the parked cars were violating any laws or ordinances at the time the subject photographs were taken or that MBO had care, custody, or control of any of these vehicles when the photographs were taken.

Conclusion No. 5 simply states that the revocation is "Categorically Exempt under … CEQA …" MBO does not dispute this Conclusion. However, it is immaterial validity of the revocation.

RELIEF SOUGHT BY MBO

MBO respectfully requests the following relief from the City Council:

1. That pending a hearing on MBO's appeal before the full City Council, the City Clerk or Council issue subpoenas to be prepared and presented by MBO's counsel to the following persons: City Manager Mark Linder, Community Development Director Paul Kermoyan, Stephen Rose, and Nathan Lambert.

2. That pending a hearing on MBO's appeal before the full City Council, the City Clerk or Council issue subpoenas for the production of documents and things to be prepared and presented by MBO's counsel to City Manager Mark Linder and his staff, Community Development Director Paul Kermoyan and his staff, Nathan Lambert and Lambert & Sons Floors, the Campbell Police Department, and Campbell Code Enforcement.

3. That the City Council hold a public hearing of MBO's appeal where evidence and testimony can be presented, with the hearing taking place at a regular or special City Council meeting in September or October, 2016.

4. That the City Council reverse the May 24, 2016 Resolution by the Planning Commission revoking MBO's Modified Site Approval.

5. That the City Council adopt a further Modified Site Approval for 665 E. McGlincy Lane, Campbell, California and/or refer the matter back to the Community Development Director for further consideration. MBO will present a proposed Site Approval for the City's consideration.

Thank you for your attention and consideration.

Yours very truly,

ROPERS, MAJESKI, KOHN & BENTLEY

Stephan A. Barber

SAB:mc
Attachment
cc: William Seligmann, City Attorney
Pete Bovenberg

City of Campbell -- Community Development Department
70 N. First Street, Campbell, CA 95008

MEMORANDUM

To: Members of the Planning Commission **Date:** November 22, 2016

From: Paul Kermoyan, Community Development Director

Subject: Report of the Community Development Director

I. <u>CITY COUNCIL ACTIONS</u>: The City Council met on Tuesday, **November 15, 2016**, and discussed the following items of interest to the Planning Commission:

A. **<u>Mills Act Application for 226 Alice Avenue within Alice Avenue Historic District</u>**: Council adopted a resolution authorizing the City Manager to enter into a Mills Act contract with the property owners of 226 Alice Avenue.

B. **<u>Building Code Revisions & Adoption</u>**: Council introduced an ordinance amending Title 1, 17 and 18 of the Campbell Municipal Code.

II. <u>MISCELLANEOUS</u>

A. **<u>SARC Meeting of November 22, 2016:</u>** SARC did not meet on November 22nd.

B. **<u>Next Regular Planning Commission Meeting to be held on December 13, 2016</u>**: This agenda will include the following Items:

1. Application of Carol Whitsett for a Modification (PLN2016-331) to a term-limited Conditional Use Permit (PLN2012-10) to extend the approval period for an existing large fitness studio (Sedusa Studios) for five (5) years, on property located at **1300 Dell Avenue**.
2. Application of GKW Architects for an Administrative Planned Development Permit (PLN2016-171) to allow an interior and exterior renovation of an existing movie theater, including expansion into an adjoining tenant space, a Conditional Use Permit (PLN2016-170) to allow beer and wine service ("liquor establishment") in association with the existing movie theater with late-night operational hours; and a Sign Permit (PLN2016-297) to allow a marquee sign, on property located at **2501 S. Winchester Boulevard**.
3. Application of Saul Flores for a Site and Architectural Review Permit (PLN2015-274) and a Tree Removal Permit (PLN2015-275) to allow the construction of a new office building on property located at **95 E. Hamilton Avenue**
4. Selection of 2017 Chair and Vice of the Planning Commission.

MEMORANDUM

Community Development Department
Planning Division

To: Chair Dodd and Planning Commissioners **Date**: November 22, 2016

From: Cindy McCormick, Senior Planner

Via: Paul Kermoyan, Community Development Director

Subject: **Pre-Application Study Session ~ 1180 Abbott Avenue**

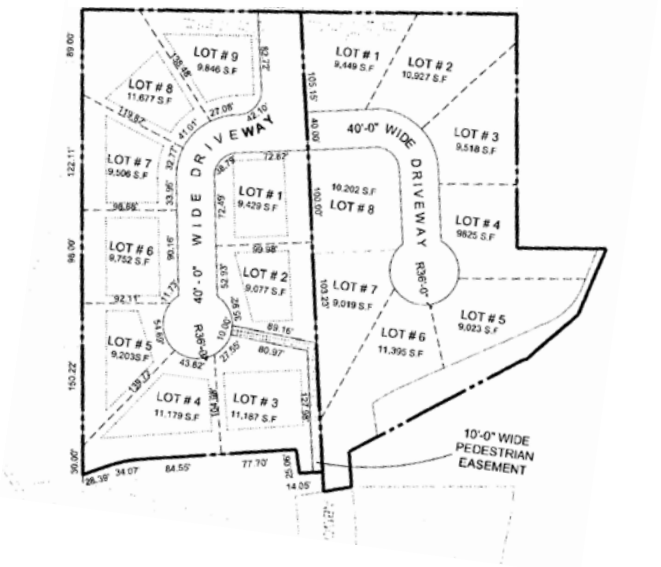
PURPOSE

The purpose of this study session is to present a proposal to subdivide the property located at 1180 Abbott Avenue. A study session review by the Planning Commission is required pursuant to Campbell Municipal Code (CMC) 21.41 because the subject property is over two acres in size. Comments are considered advisory recommendations for the use of the applicant and are not binding upon the Planning Commission as to the formal application.

BACKGROUND

In May 2012, the Planning Commission reviewed a pre-application for the adjacent property at 1181 Abbott Avenue (now "Laurence Hill Court"). At that time, a conceptual site plan for the subject property at 1180 Abbott Avenue was provided as context given the potential for a similar project at the subject property in the future. At that time, eight lots (see image below) were envisioned for the subject property, as opposed to the 7 lots now being proposed (see next page).

2012 Conceptual Plan
(shown for reference only)

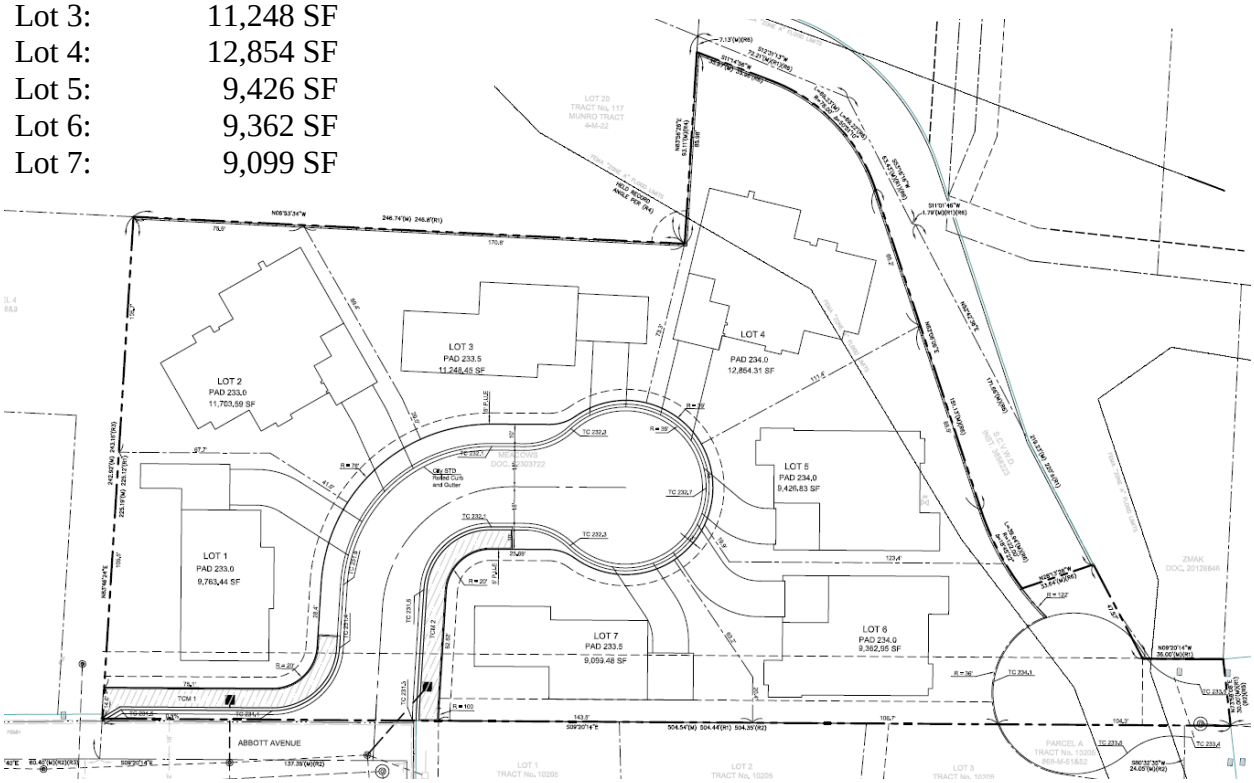


PROJECT DATA

Zoning Designation:	R-1-9 (Single Family Residential) (min 9,000 SF lot size)
General Plan Designation:	*Low Density Residential* (less than 4.5 units per acre).
Area Plan:	San Tomas Area Neighborhood Plan (STANP)

Net Lot Size: 2.1 Gross Acres

Proposed	Lot Area
Lot 1:	9,763 SF
Lot 2:	11,703 SF
Lot 3:	11,248 SF
Lot 4:	12,854 SF
Lot 5:	9,426 SF
Lot 6:	9,362 SF
Lot 7:	9,099 SF



DISCUSSION

SITE CHARACTERISTICS

The 2.1 acre project site is located between Westmont Avenue and Hacienda Avenue, bisecting Abbott Avenue (**Attachment 1**). The project site is zoned R-1-9 (Single-Family Residential) and is subject to the San Tomas Area Neighborhood Plan (STANP). The corresponding General Plan Land Use Designation is *Low Density Residential (less than 4.5 units/gr. acre)*. The site is mostly unimproved, with the exception of a single-family residence and several small sheds—all of which would be removed. The site also has a number of protected trees that would be affected by the proposed subdivision (see discussion on page 4). The southern portion of the site is located within a Special Flood Hazard Area (SFHA). The applicant intends to obtain a FEMA Map Amendment/Revision to remove the subject property from the SFHA. If that is unsuccessful, the applicant will be required to design the project in conformance with the Federal Emergency Management Agency (FEMA) standards and the City's flood plain ordinance.

PROPOSED PROJECT

Consistent with the site's R-1-9 zoning, the proposed project is a standard subdivision of the property into seven (7) conforming residential parcels ranging in size from 9,099 to 12,854 square feet (**Attachment 2**). The proposed lots are comparable in size to the lots in the Laurence Hill Court subdivision. Access to the subdivision would be taken from the north side of Abbott Avenue, off Hacienda Avenue, where it connects with the Laurence Hill Court subdivision.

A number of issues discussed and addressed as part of the Laurence Hill Court subdivision guided the proposed subdivision at 1180 Abbott Avenue, including roadway classification, public improvements, stormwater treatment, and land use compatibility. These issues are briefly discussed below to assist the Commission's discussion of the proposed project.

Roadway Classification: A key issue in the Laurence Hill Court subdivision was the discussion of whether a private street or a public street was appropriate and whether Abbott Avenue should be connected (it is currently bisected by the subject property and Laurence Hill Court). Using the General Plan policies and strategies as guidance, it was determined that extending and connecting Abbott Avenue was not desirable. First, Abbott Avenue serves more as a "Local Street" as opposed to a "Residential Collector" (e.g., Harriet Avenue) or a "Class II Arterial" (e.g. S. San Tomas Aquino Road) and there was concern that connecting Abbott Avenue would result in increased traffic on Abbott Avenue. Second, there was concern that connecting Abbott Avenue could result in cut-through traffic that would disrupt nearby residential neighborhoods in terms of increased traffic, speeding, and related pedestrian safety. Third, it was determined that there was insufficient right-of-way (i.e., lane width and turning lanes) along the northern portion of Abbott Avenue to accommodate excess traffic. It was also determined that a public street was more desirable than a private street because it would allow the subdivision to remain zoned as R-1-9 as opposed to being rezoned as a Planned Development[1].

Public Improvements: Similar to the Laurence Hill Court subdivision, the project would result in a 40-foot wide public street with rolled curb, terminating with a cul-de-sac within the new subdivision. The developer will also be required to terminate the southern portion of Abbott Avenue with a cul-de-sac. The developer will also be required to grant a five foot public service easement along the proposed new street frontage (unless otherwise approved by the City Engineer). All on-site utilities and overhead utility lines along the public street frontage will be installed underground per Campbell Municipal Code Section 21.18.140.

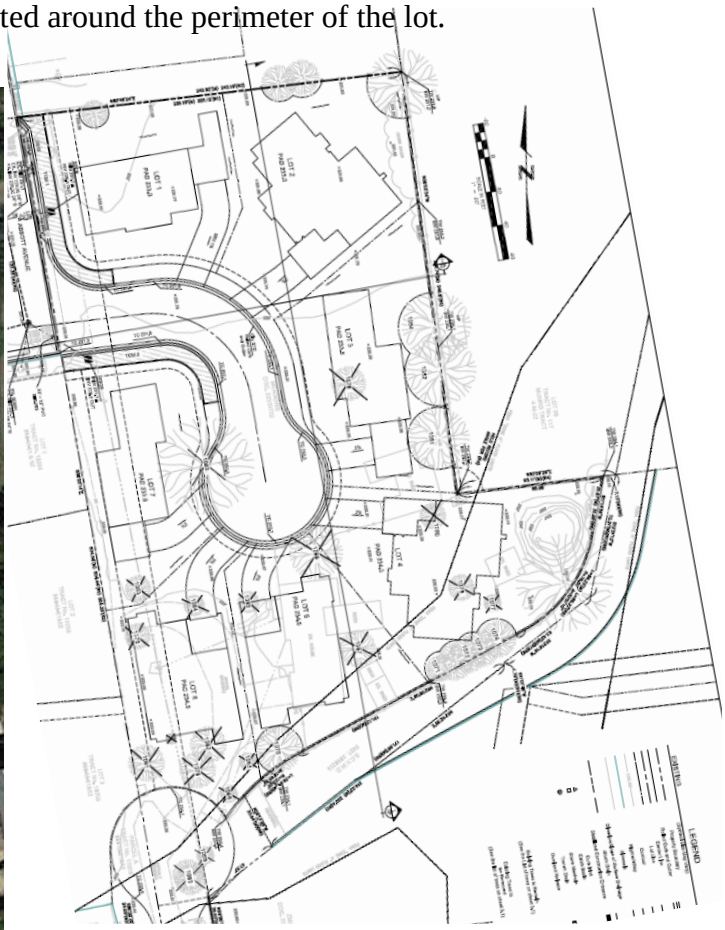
Stormwater Treatment: The project is subject to the National Pollution Discharge Elimination System (NPDES) permit requirements, Santa Clara Valley Water District requirements, and the Campbell Municipal Code regarding stormwater pollution prevention. Specifically the project must include source control, site design and treatment measures which may include for example vegetated swales. The primary objectives are to reduce the quantity and improve the quality of stormwater runoff to the bay. Similar to the Laurence Hill Court Subdivision, stormwater treatment areas would be located on private property but would be maintained via a Community

[1] A subdivision that creates lots which do not have frontage on a public street requires re-zoning as a Planned Development.

Facilities District (CFD) that collects special tax assessments from property owners to pay for public services.

Land Use Compatibility: When reviewing the Laurence Hill Court subdivision, the Planning Commission considered various land use alternatives, including rezoning the property to R-1-6 which would have allowed 6,000 square-foot parcels, consistent with properties to the north and west. Another alternative was to or processing the Laurence Hill Court subdivision as a "planned development". However, it was ultimately determined that the Laurence Hill Court subdivision should maintain a minimum 9,000 square foot lot size to be compatible with the larger residential properties in the area.

Tree Removal: Unlike the Laurence Hill Court Subdivision, there are several protected trees on the property (most notably the southern portion) as shown below. Twenty-six (26) trees were inventoried on the site (**Attachment 3**), 18 of which are proposed for removal. Two (2) coast live oak trees would be removed to accommodate the cul-de-sac at the southern end of the property while one (1) valley oak tree would be removed to accommodate the cul-de-sac within the subdivision. One (1) valley oak tree is proposed for removal to accommodate site improvements on lot 5 while three (3) coast redwood trees and one (1) Douglas fir tree are proposed for removal on lots 6 and 7. Eight (8) additional trees are proposed for removal, including two (2) pecan trees, a hickory tree, a mimosa tree, an olive tree, a pistache tree, and a mulberry tree. Of the 26 trees, eight (8) trees are proposed to remain including four (4) coast redwood trees and four (4) valley oak trees located around the perimeter of the lot.



A tree removal permit would not be issued until a Site and Architectural Review permit was approved by the Planning Commission. The applicant will also be required to submit a detailed Arborist Report describing the current condition of each tree and their viability for survival given potential impacts from site development. The applicant should respect existing site constraints and design each lot to preserve trees to the greatest extent possible. The Planning Commission's pre-application comments will help inform the applicant's formal submittal for Site and Architectural Review including any request for tree removal.

ANALYSIS

GENERAL PLAN CONSISTENCY

The proposed subdivision is consistent with the following General Plan policies and strategies that promote low-density residential development, larger than minimum lot sizes, and site planning that is compatible with the surroundings.

Policy LUT-9.3: Design and Planning Compatibility: Promote high quality, creative design and site planning that is compatible with surrounding development, public spaces, and natural resources.

Policy LUT-17.1: San Tomas Area Neighborhood Plan (STANP): Comply with the requirements of the STANP.

Strategy LUT-17.1a: Lot Sizes: Ensure that new development and renovation provides low-density residential development and encourage larger than minimum lot sizes.

SAN TOMAS AREA NEIGHBORHOOD PLAN (STANP) CONSISTENCY

The property is located within the San Tomas Area Neighborhood. The San Tomas Area Neighborhood Plan (STANP) is part of the General Plan; therefore development of the site must be consistent with the STANP, as provided above. The STANP encourages larger than minimum lot sizes to maintain the unique rural character of the San Tomas Area. The project would be compatible with surrounding residential properties by maintaining a minimum 9,000 square foot lot size. Moreover, several of the lots are larger than 9,000 square feet (**Attachment 2**).

Construction of new a new home on an undeveloped lot is subject to Planning Commission review and approval. The STANP's development standards for the R-1-9 Zoning District allow construction of two-story homes with a maximum floor area ratio (FAR) of 45%, a maximum lot coverage ratio of 40%, and a maximum height of 28 feet. As such, the development could include homes upwards of 4,000 square-feet to a maximum 5,784 square-feet on the larger 12,854 square-foot lot. Development of the site must be consistent with the STANP which provides design guidance in terms of scale and mass, surface articulation, building orientation, and privacy impacts. Furthermore, to encourage design variation within the subdivision, the STANP requires that no more than 25% of the homes have the same architectural elevation and that no two identical elevations should be adjacent to one another or directly across from one another. The applicant has submitted conceptual colored elevations for initial feedback (**Attachment 4**), allowing the Planning Commission to provide preliminary comments to the Developer before a formal Site and Architectural Review permit application is submitted.

REQUIRED ENTITLEMENTS

In addition to a Tentative Subdivision Map, Site and Architectural Review Permit, and a Tree Removal Permit, the project will require environmental review. Completion of an Initial Study and preparation of a Mitigated Negative Declaration will be required prior to formal review of the subdivision application by the Planning Commission. In this regard, the applicant has submitted documents related to air-quality, noise, geology, biological resources, tree removal, the flood zone area, stormwater pollution prevention, and exposure to hazardous materials. These documents are currently being reviewed by staff and will be presented to the Planning Commission during formal review of the subdivision application.

PUBLIC OUTREACH

Due to the land use sensitivities of the site, staff prepared a 300-foot notice for the study session.

NEXT STEPS

The Planning Commission is the decision-making authority for a Tentative Subdivision Map and Site and Architectural Review, pursuant to CMC Section 20.12.020(a) while the public street would require acceptance by the City Council. Applications for Site and Architectural Review of each lot may be reviewed concurrently with the subdivision application or could be submitted at a later date. If not reviewed concurrently, the applicant could sell the lots as undeveloped parcels. The Planning Commission's pre-application comments will help inform the applicant's (or future applicants') formal submittal for Site and Architectural Review including potential tree removal.

Prepared by: Cindy McCormick

Cindy McCormick, Senior Planner

Approved by:

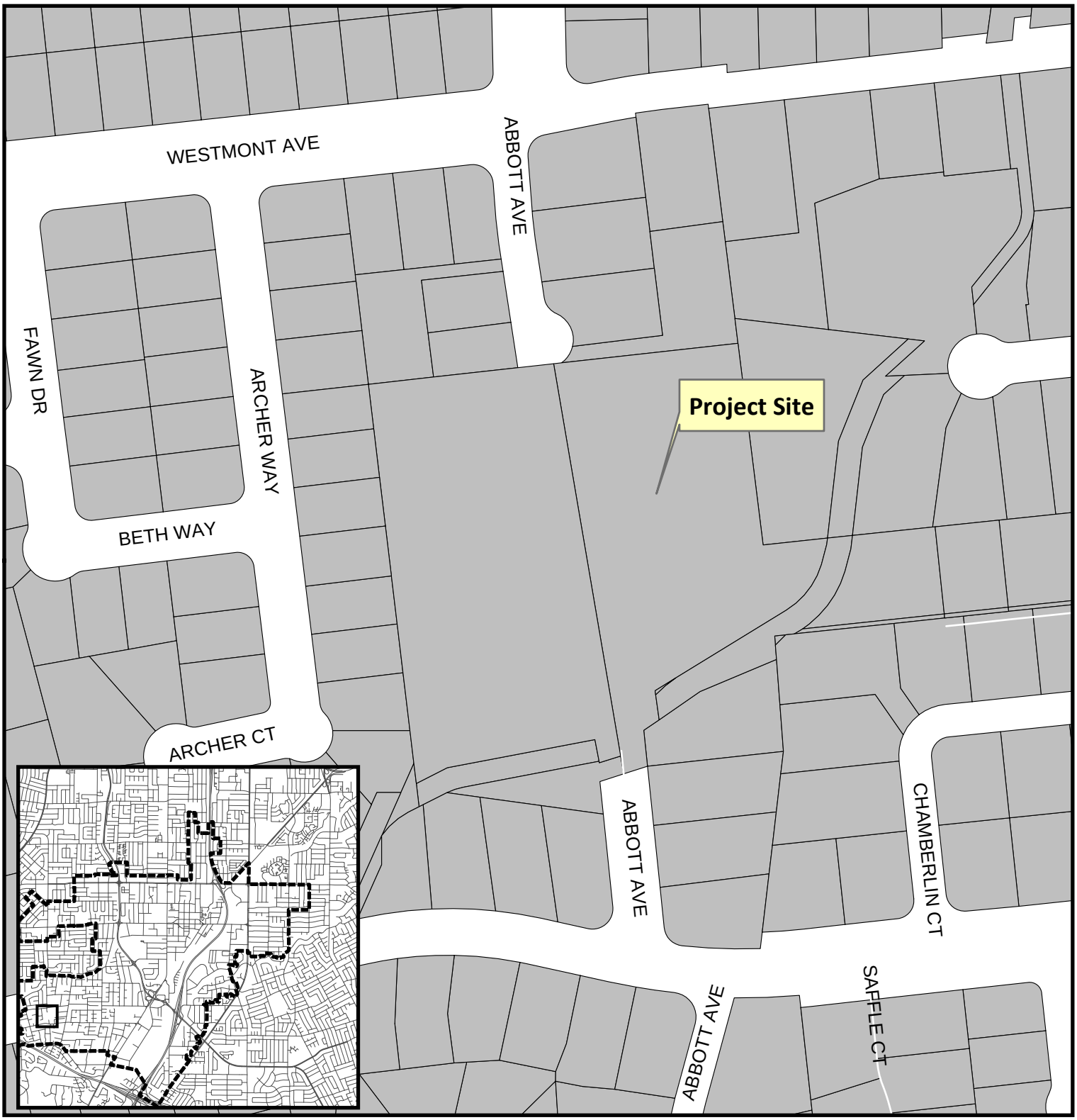
Paul Kermoyan, Community Development Director

Attachments:

1. Location Map
2. Site Plan and Grading Plan
3. Tree Survey
4. Colored Elevations

Project Location Map

Attachment 1



Project Location: 1180 Abbott Ave
Application Type: Pre-application Study Session
Planning File No.: PRE2016-03
Description: 7-lot subdivision; 9,000+ sq.ft. lots

0 115 230 Feet

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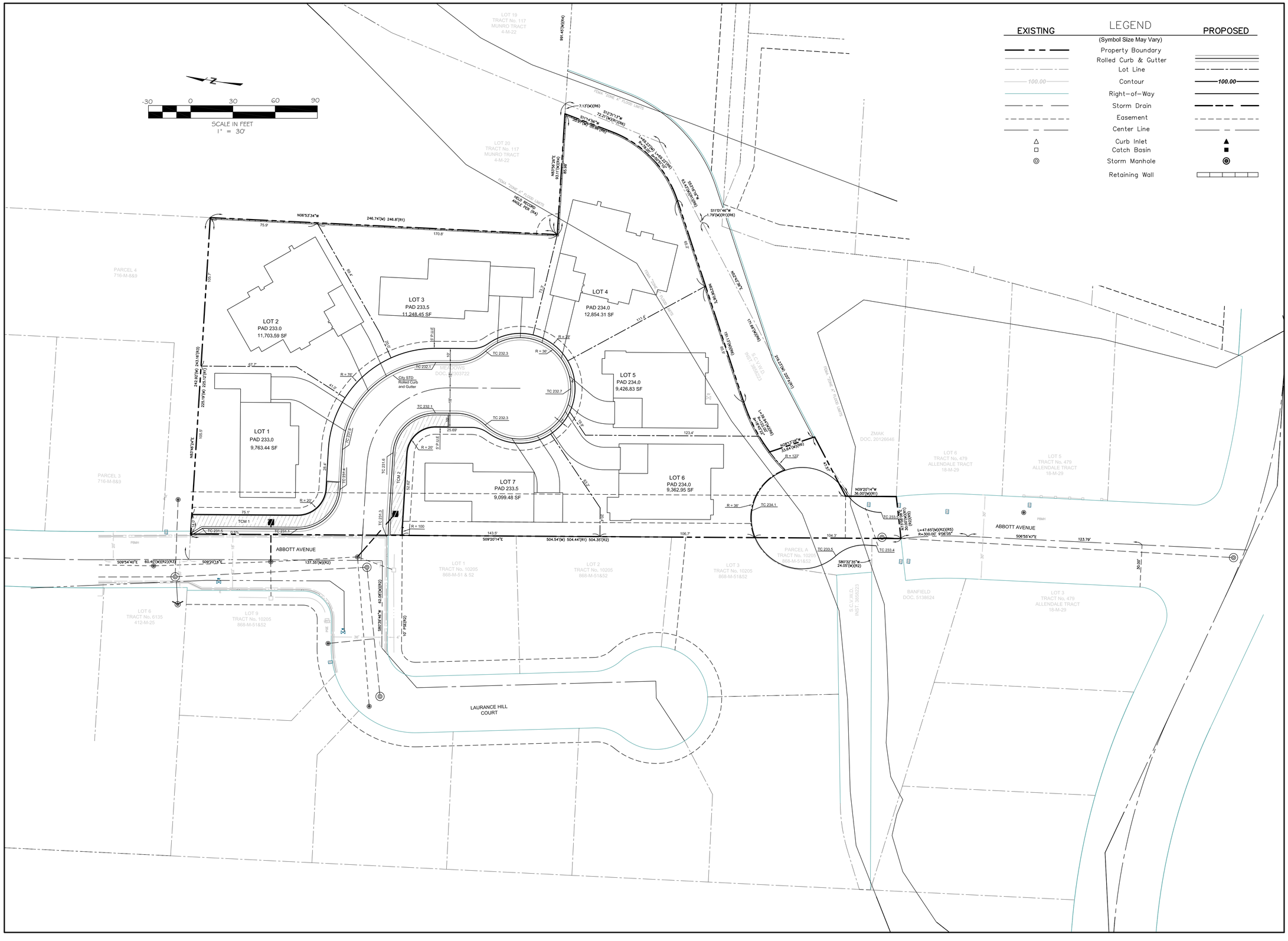
Community Development Department
Planning Division



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PLAN DEVELOPMENT PERMIT
1180 ABBOTT AVE
PROPOSED SITE PLAN

CAMPBELL CALIFORNIA

NO	DATE	DESCRIPTION
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REVISIONS

PROJECT:	2016.567
FILE:	2016.567 SITE PLAN.DWG
DATE:	OCT 24, 2016
SCALE:	
DESIGNED BY:	DRR
DRAWN BY:	SY
REVIEWED BY:	DRR

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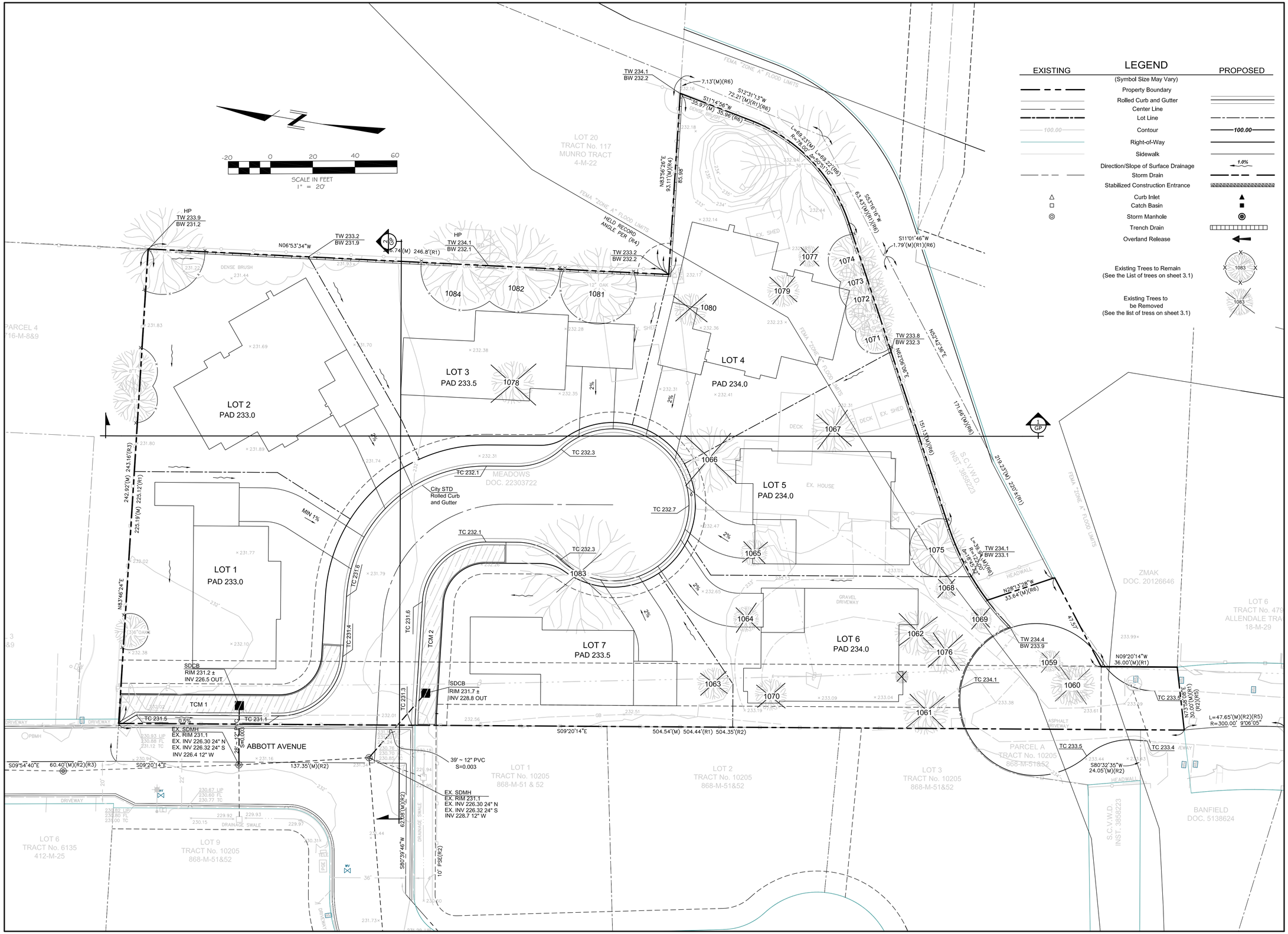
SHEET 2.1 OF 10



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PLAN DEVELOPMENT PERMIT
1180 ABBOTT AVE
GRADING PLAN

CAMPBELL CALIFORNIA

NO	DATE	DESCRIPTION
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REVISIONS

PROJECT:	2016.567
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SCALE:	
DESIGNED BY:	DRR
DRAWN BY:	SY
REVIEWED BY:	DRR

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RECEIVED
OCT 19 2016
CITY OF CAMPBELL
PLANNING DEPT.

ENVIRONMENTAL DESIGN & DAVEY

September 2nd, 2016

Pinn Bros. Development
3031 Tisch Way, Suite 1010
San Jose, CA 95128
408-252-9131
408-252-2632 f

Arborist Report and Tree Survey

Location: 1180 Abbott 2.7 acres
Species: quercus agrifolia, Quecus lobata, carya, sequoia sempreviren,

Inspection date: August 31st, 2016

Findings:

Upon inspection of this site the trees appear to be in good to average health. The canopies require a Class 2 pruning as a minimal approach to lift the canopies and eliminate the dead wood. A weight reduction of the scaffold limbs will also prolong the longevity of the mature trees. All trees are currently in moderate drought stress.

Tree Survey:

Tree#	Species	Size	Location
1083	Quercus lobata	26"	Center backyard west
1084	Quercus lobata	16"	On fence line east
1082	Quercus lobata	17"	On fence line east
1081	Quercus lobata	12"	10' off fence line east

1080	**Twin stem mimosa**	**6-6"**	**Backyard north and east side**
1079	**Carya-pecan**	**12"**	**East barn area**
1078	**Carya-hickory**	**16"**	**East side barn area**
1077	**Carya-pecan**	**6"**	**Backyard**
1076	**Quercus lobata**	**16"**	**Backyard**
1075	**Quercus lobata**	**46"**	**Southeast corner of property**
1074	**Sequoia sempervirens**	**22"**	**South property line**
1073	**Sequoia sempervirens**	**21"**	**South property line**
1072	**Sequoia sempervirens**	**19"**	**South property line**
1071	**Sequoia sempervirens**	**14"**	**South property line**
1070	**Sequoia sempervirens**	**11"**	**South property line**
1069	**Elaeagnus-olive**	**Multi stem**	**Backyard**
1068	**Pistache**	**6"**	**Backyard**
1067	**Mulberry**	**21"**	**Backyard near existing home**
1066	**Quercus lobata**	**20"**	**Side yard**
1065	**Washatonia robusta palm**	**60'**	**Front yard**
1064	**Abies pseudotsuga (Doug fir)**	**19"**	**Front yard**
1063	**Sequoia sempervirens**	**18"**	**Front yard**
1062	**Quercus lobata**	**15"**	**Front yard**
1061	**Sequoia sempervirens**	**18"**	**Front yard**
1060	**Quercus agrifolia**	**20"**	**Front yard**
1059	**Quercus agrifolia**	**26"**	**Front yard**

Notes:
1) Various other landscape plants and manipulated woody species were determined to be nuisance, non-native or invasive plants and therefore, were not inventoried.
2) Tree #1067 mulberry is a weak species. This tree is very shallow rooted and is about to fail. There are weak crotches and included bark throughout its scaffold limbs.
3) Most of the trees identified in the "front yard" are in close proximity to one another. Should an attempt be made to utilize them; consideration should be given to only the best specimens due to their root systems conjoining.
4) No disease or pest management issues were observed. All inventoried trees were observed to be in average health with proper dominant leaders attached and secure attachments of scaffold limbs.

Recommendations: Begin supplemental watering's at least 3 days prior to any root pruning operations. All root pruning or transplanting should be done through a licensed arboriculture firm experienced in moving large trees. All root investigations and prunings should be done with clean sharp instruments specifically designed for arboriculture. Post

care shall commence immediately and last for a maintenance period of 3 years. A light fertilization in early spring followed by an aggressive fertilization in late summer with Davey Arborgreen Pro* is prescribed. Continue monthly inspections for diseases and pest management. Apply borer prevention sprays and systemic (astro/merit) applications twice annually.

Sincerely,

David B. Cox
Western Region Vice President
Environmental Design-J. Arnaz Tree Movers
Ca. License #761864 C27
Paul M. Cox
ISA Certified Arborist # TX-1298