

PLANNING COMMISSION
City of Campbell, California

7:30 P.M.
City Hall Council Chambers

January 10, 2017
Tuesday

AGENDA

ROLL CALL

APPROVAL OF THE MINUTES December 13, 2016

COMMUNICATIONS

AGENDA MODIFICATIONS OR POSTPONEMENTS

ORAL REQUESTS

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

PUBLIC HEARINGS

- 1. PLN2016-331** Public Hearing to consider the 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**. Staff is recommending that this item be deemed Categorical 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*
- 2. PLN2016-343** Public Hearing to consider the application of Robert and Desoree Osorio for a Site and Architectural Review Permit (PLN2016-343) to allow the construction of a new single-family residence on property located at **910 Emory Avenue**. Staff is recommending that this item be deemed Categorical 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*

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

ADJOURNMENT

Adjourn to the next regularly scheduled Planning Commission meeting of **January 24, 2017**, at 7:30 p.m., in the City Hall Council Chambers, 70 North First Street, Campbell, California.

CITY OF CAMPBELL PLANNING COMMISSION
MINUTES

7:30 P.M.

TUESDAY

DECEMBER 13, 2016
CITY HALL COUNCIL CHAMBERS

The Planning Commission meeting of December 13, 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:	Philip C. Reynolds, Jr.
	Commissioner:	Michael L. Rich
	Commissioner:	Donald C. Young

Commissioners Absent: None

Staff Present:	Community Development
	Director: Paul Kermoyan
	Senior Planner: Daniel Fama
	Senior Planner: Cindy McCormick
	City Attorney: William Seligmann
	Recording Secretary: Corinne Shinn

APPROVAL OF MINUTES

Motion: Upon motion by Commissioner Reynolds, seconded by Commissioner Rich, the Planning Commission minutes of the meeting of November 22, 2016, were approved as submitted. (5-0-0-1; Chair Dodd abstained)

COMMUNICATIONS

Director Paul Kermoyan listed the communications items as follows:

- One Desk Item for Agenda Item 1.
- Two Desk Items for Agenda Item 2.

AGENDA MODIFICATIONS OR POSTPONEMENTS

None

ORAL REQUESTS

None

PUBLIC HEARINGS

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

1. **PLN2016-170/171/297** Public Hearing to consider the 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**. Staff is recommending that this item be deemed Categorical 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.

Chair Dodd asked for verification of where the lounge area and bar would be located and whether patrons would have to have bought a movie ticket in order to patronize the bar within the theater.

Planner Daniel Fama said he would have to defer that question to the applicant.

Commissioner Kendall pointed out that Planner Daniel Fama had referenced the Pruneyard during his report. Is that just as an example?

Planner Daniel Fama replied yes.

Commissioner Hernandez said she too was wondering if patrons could enter the bar area without a theater ticket. She asked if alcohol service would remain with this site if the theatre use were to be discontinued.

Planner Daniel Fama replied no. It would become a different use which must be reconsidered.

Commissioner Hernandez asked when service of food and drink would stop.

Planner Daniel Fama replied that food must be available the entire time that alcohol is served. The end of service for alcohol per ABC regulations is 2 a.m.

Commissioner Hernandez sought clarification about the service of alcohol as it seems that at one point it is indicated that alcohol can only be purchased at the stand/bar but elsewhere is a reference to servers bringing the order to the patron within the theater.

Planner Daniel Fama explained that the language in the conditions is intended to prevent persons "hawking" alcohol beverages within the theatre but alcohol can be delivered to patrons who are within the theater. The language is verbatim from ABC standards.

Commissioner Hernandez asked if the servers will be able to take drink orders inside the theater.

Planner Daniel Fama said he believed so.

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

Paul Gunsky, Applicant:

- Thanked the Commission for their time this evening.
- Advised that he had a PowerPoint presentation prepared for tonight.
- Reported that his family has operated movie theaters since 1966. The Plaza was their first theater. They are based and founded in Campbell. The own additional theaters in Willow Glen, Capitola, Scotts Valley and Morgan Hill.
- Explained that theaters must evolve with the times, particularly when one is operating a smaller theater facility.
- Informed that their most recent theater upgrade project is currently underway in Capitola and is almost complete.
- Stated that these theaters need visual prominence to look inviting to patrons.

Chair Dodd asked if there were questions for this applicant.

Commissioner Hernandez asked Mr. Gunsky if it is possible for patrons to go into the bar without a theater ticket.

Paul Gunsky replied that theaters can sell concessions to patrons without a ticket. Patrons would be able to purchase alcohol less expensively elsewhere so it is not anticipated that there would be demand for service from those not patronizing the theater itself. He added that food and beverages would be delivered to the guest.

Kelly Bybee, Resident of Campbell:

- Advised that he is 100% supportive of this application.
- Added that he has lived in the area his entire life and in Campbell itself for the last 25 years.
- Opined that this is the finest run business in Campbell if no within Santa Clara County. Their theater is immaculately maintained.
- Said he has no question that this upgraded theater will be run tip-top quality and to the satisfaction of the residents of Campbell.
- Stated that it is the jewel of the Campbell Plaza Center already.

Dave Cantanho, Resident on Midway:

- Reported that he is a frequent patron of this theater.
- Added that they offer a senior discount which he appreciates.
- Advised that he has gone to the Santa Cruz theaters and the Scotts Valley one that offers beer and wine and is very nice.
- Said that bringing the beer and wine service to the Campbell location will be convenient.
- Stated that he is a 38-year resident of Campbell. He likes Campbell a lot and it has really improved over the years.
- Concluded that he is in support of this request.

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

Director Paul Kermoyan:

- Advised that staff was not aware of the ability for customers to purchase alcohol from this theater even if they were not patrons who were there for a movie experience.
- Added that as a result, staff did not review it at that level. This use was reviewed as a theater use with alcohol service being no different from a coke or red vines.
- Suggested that the Commission could draft a condition of approval to link the service of alcohol to patrons with tickets for a show.
- Said that if that is not the case, the Commission may have to reconsider the parking demand if there is potential that this use would draw non-theater patrons to the site and thus expanding the demand for parking not considered.

Commissioner Hernandez:

- Agreed that she sees this use as primarily being a movie theater with alcohol service being an ancillary use.

Chair Dodd suggested that when the Commission reaches that part of the discussion on this request that staff help create defining language.

Director Paul Kermoyan said that was possible.

Commissioner Reynolds:

- Reported that he has patronized this theater many times and takes his grandkids there.
- Stated that this theater is an asset to the community and he is excited to have this opportunity coming to our community. It is an opportunity to keep business loyalty here in Campbell.
- Pointed out that the Police Department is okay with this proposal.
- Added that people are not going to go to this theater specifically for alcohol but rather for a movie experience.
- Concluded that he would support this application.

Commissioner Kendall:

- Informed the rest of the Commission that SARC was very supportive.
- Added that her support for this proposal continues.
- Stated that she is glad that this owner wants to stay in Campbell and improve the site.

Commissioner Hernandez:

- Said that she also supports this application and is glad this theater is staying in Campbell.
- Added that she was just worried about any potential for this location becoming a bar.
- Stated that she really likes the art deco style of the sign and marquee.
- Questioned the operational hours of 6 a.m. to 2 a.m.

Commissioner Young:

- Said that he agrees with everyone else.
- Pointed out that the findings are aligned.
- Said that a reduction in seats also reducing the parking demand by 31 spaces.
- Stated that even if alcohol were to draw some patrons the available on-site parking should still suffice.

Chair Dodd:

- Said that it seems the Commission should look at separation of bar and theater and make sure that the theater patrons are the ones using the theater bar.
- Stated that she is really in favor of this project.
- Recounted how years ago, when she was principal of the nearby school, this theater allowed students who had achieved specified grades could come to see an early viewing of the film Hunger Games.

Commissioner Kendall pointed out that the sign is also a part of this application.

Commissioner Young:

- Pointed out that there are other places to receive alcohol service right there in the shopping center.

Commissioner Rich:

- Agreed with Commissioner Young.
- Said that it is pretty standard for a theater to allow concession sales to non-theater-attending patrons.

Commissioner Hernandez:

- Said that the question is, "Is this a theater or a bar?"
- Added that if it is both than parking demand should be considered.
- Admitted that she does not want to see this site serving as a bar as well as a theater.
- Stated that she is all for being logical but it doesn't always end up that way.

Director Paul Kermoyan:

- Said that there are three items being raised. Condition 6-b references alcohol service coming from theater employees only. It could perhaps be strengthened to include "only from a CineLux employee." Condition 6-d could be kept. Condition 6-h could language, "alcohol service only for patrons of the theater."

Chair Dodd said she was okay with verbiage that ties alcohol service to customers of the theater.

Commissioner Kendall said that would be overkill. It would be inconvenient to have to show a ticket stub in order to buy alcohol. That seems to be making a mountain out of a molehill.

Commissioner Reynolds:

- Said that he agreed with Commissioner Kendall.
- Reminded that there is already an existing bar in this center over near the Safeway store.
- Added that there is also a pizza restaurant nearby in the center and plenty of other opportunities to purchase alcohol.
- Concluded that he doesn't see this as a problem.

Commissioner Hernandez:

- Pointed out that it is this Commission's responsibility to make sure the verbiage of the conditions are clear.
- Asked whether the bar is set behind the entrance lobby or up front.

Planner Daniel Fama said that is an operational question best answered by the applicant.

Chair Dodd re-opened the Public Hearing for Agenda Item 1.

Commissioner Hernandez:

- Asked if there will be access to the bar area from outside or at the ticket counter area.

Paul Gunsky:

- Said that customers enter via the lobby. There is signage indicating that concessions are open for non-theater-goers.
- Reported that they have added beer and wine services about 3 ½ years ago at their Scotts Valley location. It's a movie theater that serves more than popcorn, soda and goobers.
- Reminded that it will be cheaper for non-theater patrons to drink elsewhere in places already available nearby.
- Recounted that the concentration of theaters that a small city like Campbell enjoys is amazing.
- Cautioned that it could be a deal-breaker if a ticket is required to purchase concessions. He'd hate to have his theater more restrictive than others nearby.

Chair Dodd re-closed the Public Hearing for Agenda Item 1.

Commissioner Rich:

- Said that he sees a convenience for parent arriving early to pick up child/children who are attending a movie and being able to sit in the lobby with a beverage until the film lets out thereby preventing the need for the children to wait outside for any period of time for their ride home.
- Added that he doesn't want to disadvantage this theater from others.

Commissioner Young pointed out that the bar area is sectioned off and reminded that there is the standard condition of approval whereby upon three verified complaints a use can be brought back to the Planning Commission for further consideration.

Chair Dodd said that she feels much better after the applicant came back to speak a second time.

Director Paul Kermoyan said if the restaurant/lounge were to be treated as a stand-alone use apart from the theater, the 30 seats it includes would call for 10 parking spaces and the bar area would require one space per every 200 square feet of space. Parking should be fine given the reduction in theater seats from the current.

Motion: **Upon motion of Commissioner Rich, seconded by Commissioner Reynolds, the Planning Commission took the following actions:**

- 1. adopted Resolution No. 4352 approving 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 and 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 including the revised operational hours between 6 a.m. and 2 a.m. daily; and**
- 2. Adopted Resolution 4353 approving a Sign Permit (PLN2016-297) to allow a marquee sign in association with a remodel, on**

property located at 2501 S. Winchester Boulevard, subject to the conditions of approval, by the following roll call vote:

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

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

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

2. **PLN2015-274/275** Public Hearing to consider the 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**. Staff is recommending that this item be deemed Categorical 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*

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

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

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

Vishaal Dokras, Project Architect:

- Advised that they had taken the Planning Commission's suggestions under consideration and have brought their experts with them tonight in case they are needed.
- Reported that architectural changes have been made to allow for a safe path of travel to meet ADA requirements.
- Added that they have included two extra EV charging stations at the rear of the lot.
- Said that they are removing parking to preserve trees.

Commissioner Hernandez:

- Referenced the eight motorcycle parking spaces that are taking the place of two regular vehicle parking spaces. Why not just four motorcycle spaces and keep one additional regular vehicle space?

Vishaal Dokras said that the tenants that will occupy this building include more motorcycle users than car.

Commissioner Hernandez asked if he thinks it will include more than four motorcycles parked on site at any given time.

Vishaal Dokras replied yes.

Commissioner Rich asked the applicant if they take issue with the City's Arborist's recommendations as supported by staff via Option 1.

Vishaal Dokras said that they are suggesting removing all trees. Option A was their compromise. They are also good with Option 1.

Commissioner Kendall:

- Pointed out that the only difference between Option A and Option 1 is that in Option 1, the City's Arborist's recommendations are that the proposed Italian Cypress are not the best choice of replacement tree.
- Asked staff if the letter received from Jo-Ann Fairbanks with the request to be put into the record must be read aloud into the record.

Director Paul Kermoyan replied no.

Commissioner Hernandez pointed out that the City Arborist's recommendations include going without the bio-retention pipe. It's more than just the change from Cypress replacement trees.

Vishaal Dokras advised that they are not using the piping system anymore.

Mark Beaudoin, Applicant's Consulting Arborist:

- Stated that the issue is whether it is worth the trouble to save trees that are not native to this environment.
- Said that doing an improvement on this site will require earth compaction that will offer more pressure on the long-term survival of the existing Redwood trees.
- Questioned whether sometimes it goes against nature to save trees and it may be best to replace with more appropriate trees for the site and area.
- Pointed out that the parking lot will be a desert like environment for Redwoods that relish a coastal cool and damp environment. This site when the parking lot is in place will provide a lot of reflected heat onto the trees. Redwoods drop a lot of debris. There is not a lot of natural moisture beneath these trees.
- Concluded that the trees located further back on site have the highest potential for survival.

Rick Gessner, City's Consulting Arborist, Felton, CA:

- Advised that he has provided a report to the City after being asked to evaluate the current health of the trees on this property as well as projected impacts to said trees from the proposed construction.
- Advised that tree survival depends upon the design of a project.
- Cautioned that if there is concrete lying right up to a tree equates to no chance of survival.

- Said that measures could be taken to protect the trees that require the evaluation of measures worth taking.
- Stated that as an arborist, his opinion is to save what can be saved and attempt some of the techniques available to preserve those trees.

Chair Dodd said that the largest impacts to make more.

Rick Gessner said that any grading, compaction and/or construction of parking lot, leveling, sub-base material, non-permeable materials will destroy roots underneath. All water must be diverted from the area.

Chair Dodd closed the public hearing for Agenda Item 2.

Commissioner Young:

- Stated that the report from Mr. Gessner is extremely helpful and shows that changes to this location will impact the existing trees.
- Opined that removal of Trees 401 and 406 makes sense. He is concerned about keeping 405 and 403. Tree 402 is very close to concrete curb and future parking lot.
- Said that Option 1 makes the most sense.

Commissioner Hernandez:

- Echoed Commissioner Young's comments.
- Said that Redwood trees are included on the City's protected list in Campbell. Therefore these trees should be protected until they are no longer included on the protected tree species list.
- Stated that there is a difference between what's healthy and what's non-healthy.
- Said that she appreciates the report provided by the City's Consulting Arborist. That report is appropriate for this site.
- Stated her support for Option 1 to allow the removal of Trees 401/404/406 and strict adherence to the Arborist's recommendations.

Commissioner Reynolds:

- Agreed.
- Said he is okay with Option 1 with the Independent Arborist's recommendations.
- Stated that it might make sense for the Commission to consider if what we're doing is just prolonging the agony of these trees. Are we doing them justice?
- Admitted that question sits on his mind to allow parking lot over these roots.

Commissioner Kendall:

- Stated that at the last public hearing held on this project, the Commission heard the point expressed that Campbell seems to be giving free reign to development tree removal requests versus residential tree removals.
- Said that the intent is not to keep every tree on a site but also not to clear a lot completely.
- Advised that she believes in keeping our heritage trees.

- Informed that she had looked at this tree. The very large tree needs to go in order to put a building in on the site.
- Said if there are more smaller trees put onto the site it will improve the environmental impacts of trees.
- Stressed the need to base decisions on facts and less on emotion.
- Agreed with others who feel Option 1 is the best option.
- Said that it is important to do everything to preserve trees that are possible.
- Reported that she had read Ms. Fairbanks' letter and found some of her points to be compelling.
- Suggested perhaps asking that the wood from the removed Redwood trees be retained and perhaps made available for local artisans to create something lasting with them for use within the community. This idea is worth considering.

Chair Dodd said that suggestion was well stated.

Commissioner Young:

- Pointed out that a pretty good compromise has been reached between the applicant and the City.
- Said that the trees at the back of the site serve to provide screening separation for adjacent residential neighbors.
- Added that the Arborist's Report recommends preserving the last two trees located against the back fence line.

Commissioner Reynolds asked the City Attorney if the tree from a cut tree is considered personal property.

City Attorney William Seligmann said that it is private property just as the lot itself is private property. He said that the Commission would need to find some nexus between the proposed project and the condition imposed such as requiring the provision of the wood from the cut down trees. It could be possible to draw such a connection.

Commissioner Reynolds questioned what if this applicant/property owner wanted to use the wood themselves. Can the City require he turn it over?

City Attorney William Seligmann reiterated that the Commission must see if there is a sufficient nexus to require it.

Director Paul Kermoyan said that local reuse of the removed trees could represent a level of sustainability perhaps by incorporating it back into the project as ground cover.

Commissioner Young said while he cannot offer a legal opinion he offers an anecdotal one. Sometimes someone is willing to do it but there is a cost. While he likes the idea it does depend if the owner is willing.

Commissioner Kendall suggested asking the applicant directly. If he has no plans for it it's just going to be hauled off anyway.

Chair Dodd cautioned that from experience that the price one pays for tree removal includes the tree company getting the wood for reuse.

Commissioner Rich said that this is a bigger process issue. First we can ask the applicant for the use of the cut tree wood.

Commissioner Hernandez reported that from her experience on the Historic Preservation Board, when historic homes were to be demolished the HPB would ask that the house be photography, inventoried and any reusable items removed prior to demolition such as doors, doorknobs, etc.

Chair Dodd said that it is better to just recommend that the applicant keep his mind open about this possible request.

Commissioner Rich asked staff is it is possible for the Planning Commission to bring up to Council the development of a process to deal with possible local reuse of wood from tree removals.

Director Paul Kermoyan said that the Commission can always forward its recommendations on to Council. The Tree Ordinance will be updated soon. We can ask to see if Council wants to add it to the existing work plan.

Commissioner Reynolds expressed thanks to the applicant for his cooperation in working with the City.

Commissioner Kendall said that she likes this project. She likes the look of their building and did the first time she saw it. This will be a great looking building for a long time.

Motion: **Upon motion of Commissioner Reynolds, seconded by Commissioner Kendall, the Planning Commission adopted Resolution No. 4354 approving a Site and Architectural Review Permit (PLN2015-274) to allow the construction of a new 5,790 square foot office building and a Tree Removal Permit (PLN2015-275) to allow the removal of four trees on property located at 95 E. Hamilton Avenue, subject to the conditions of approval with the staff recommended Option 1, by the following roll call vote:**

AYES: **Dodd, Hernandez, Kendall, Reynolds, Rich and Young**

NOES: **None**

ABSENT: **None**

ABSTAIN: **None**

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

MISCELLANEOUS

3. Selection of 2017 Chair and Vice Chair.

Motion: Upon motion of Commissioner Young, seconded by Chair Dodd, the Planning Commission elected Commissioner Kendall to serve as Planning Commission Chair for 2017. (6-0)

Motion: Upon motion of Commissioner Kendall, seconded by Commissioner Reynolds, the Planning Commission elected Commissioner Rich to serve as Planning Commission Vice Chair for 2017. (6-0)

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

Director Paul Kermoyan had no additions to his written report.

ADJOURNMENT

The Planning Commission meeting adjourned at 9:17 p.m. to the next Regular Planning Commission Meeting of **January 10, 2017**.

SUBMITTED BY: _____
Corinne Shinn, Recording Secretary

APPROVED BY: _____
Cynthia Dodd, Chair

ATTEST: _____
Paul Kermoyan, Secretary

RESOLUTION NO. 4352

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING 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 AND 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 ON PROPERTY LOCATED AT **2501 S. WINCHESTER BOULEVARD**. FILE NO: PLN2016-170/171

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. PLN2016-170/171:

1. The proposed project includes a request for an Administrative Planned Development Permit (PLN2016-171) to allow an interior and exterior renovation of an existing movie theater (Cinelux Plaza Theatre), including expansion into an adjoining tenant space and 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.
2. The project site is the Campbell Plaza Shopping Center, located along South Winchester Boulevard, south of Budd Avenue.
3. The project site is developed with a shopping center which includes a Safeway grocery store and supporting retail within several commercial buildings divided into individual tenant spaces. The shopping center abuts commercial buildings to the south and is adjacent to residential development to the west.
4. The project site is within the P-D (Planned Development) Zoning District and is designated *Commercial/Office/Residential* by the General Plan.
5. The project site is within the boundaries of the Winchester Boulevard Master Plan.
6. The Winchester Boulevard Master Plan was adopted by the City Council in 2009 with the goal of transforming "Winchester Boulevard into a vibrant mixed-use, pedestrian oriented street, lined with ground-level businesses with residential or office above".
7. The Master Plan was adopted pursuant to General Plan Strategy LUT-5.3j in furtherance of the area's predominant Central Commercial General Plan Land Use Designation:

Strategy LUT-5.3j: Winchester Boulevard Plan: Develop an Area Plan for Winchester Boulevard. The Area Plan should address specific boundaries, mix of uses, street amenities, landscaping, building and site design.

8. The Winchester Boulevard Master Plan specifies that allowable land uses are the same as those allowed within the C-3 Zoning District (i.e., Historic Downtown Campbell), with a specific emphasis on retail and restaurants on the ground floor and comparable active uses. As such, an expanded movie theater with beer and wine service is an allowable use, consistent with the Master Plan.

...The subject parcels predominantly have a General Plan designation of Central Commercial (C-3), therefore Permitted, Conditional and Prohibited Uses shall be those set forth in the C-3 zoning district.... 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.

9. The proposed project would further the following General Plan strategies and policies:

Strategy LUT-5.3c: Revitalization of Shopping Centers: Encourage the maintenance and revitalization of commercial shopping centers.

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-5.3: Variety of Commercial and Office Uses: Maintain a variety of attractive and convenient commercial and office uses that provide needed goods, services and entertainment.

Strategy LUT-11.a: 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.

10. The over-concentration of alcohol-serving establishments can create a cumulative impact that overwhelms the area creating an undesirable result such as drunk in public, vandalism, and disorderly conduct.
11. There are four alcohol-serving establishments within the 11-acre project site (Campbell Plaza Shopping Center). The addition of beer and wine service in association with the existing movie theater would not result overconcentration of alcohol-serving establishments.
12. The approval of a Conditional Use Permit incorporates operational standards consistent with those adopted by the California Department of Alcohol Beverage Control (ABC).
13. As the project would reduce the theaters capacity by 93 seats, the project would result in a net decrease of parking demand of 31 stalls.
14. The Planning Commission's review of the proposed project encompassed zoning and General Plan land use conformance, noise impacts, parking, property maintenance, odors, security and enforcement, and neighborhood impacts.

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

Conditional Use Permit Finding (CMC Sec. 21.45.040):

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; 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.

Liquor Establishment Findings (CMC Sec. 21.46.070):

7. The establishment will not result in an over concentration of these uses in the surrounding area;
8. The establishment will not create a nuisance due to litter, noise, traffic, vandalism, or other factors;
9. The establishment will not significantly disturb the peace and enjoyment of the nearby residential neighborhood; and
10. The establishment will not significantly increase the demand on city services.

Administrative P-D Permit Findings (CMC Sec. 21.12.030.H.6):

11. 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;
12. The proposed development would be compatible with the general plan and will aid in the harmonious development of the immediate area;

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

"Late-Night Activity" Findings (CMC Sec. 21.12.030.H.7):

14. The establishment will not create a nuisance due to litter, noise, traffic, vandalism or other factors;

15. The establishment will not significantly disturb the peace and enjoyment of the nearby residential neighborhood; and

16. Proposed conditions of approval (if any), are sufficient to mitigate any detrimental impacts specified that may be caused by the late-night establishment.

Environmental Findings (CMC Sec. 21.38.050):

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

THEREFORE, BE IT RESOLVED that the Planning Commission approves an Administrative Planned Development Permit (PLN2016-171) to allow an interior and exterior renovation of an existing movie theater (Cinelux Plaza Theatre), including expansion into an adjoining tenant space and 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, subject to the attached Conditions of Approval (attached **Exhibit A**).

PASSED AND ADOPTED this 13th day of December, 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
Administrative Planned Development Permit and Conditional Use Permit
(File No.: PLN2016-170 and 171)

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

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. Approved Project: Approval is granted for an Administrative Planned Development Permit (PLN2016-171) to allow an interior and exterior renovation of an existing movie theater (Cinelux Plaza Theatre), including expansion into an adjoining tenant space and 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, on property located at **2501 S. Winchester Boulevard**. The project shall substantially conform to the Revised Project Plans and Revised Project Description stamped as received by the Planning Division on October 13, 2016 and September 9, 2015, respectively, except as may be modified by the conditions of approval contained herein.
2. Approval Expiration: This Approval shall be valid for one year from the effective date of the Planning Commission action (**December 23, 2017**). Within this one-year period, applications for a building permit for tenant improvements and a Type 41 (Beer and Wine) License must be submitted to the Campbell Building Division and the Department of Alcoholic Beverage Control, respectively. Failure to meet this deadline or expiration of an issued building permit will result in the Approval being rendered void. Once established, the Approval shall be valid in perpetuity on the property, subject to continued operation of the use in compliance with conditions of approval contained herein. Abandonment, discontinuation, or ceasing of operations for a continuous period of twelve months shall void the Approval.
3. Signage: Signage for the movie theater is subject to a separate permit approval.
4. Lighting: The construction drawings submitted for a building permit shall include new lighting fixtures on the west wall of the south theater to illuminate the adjacent parking lot. The lighting fixtures shall be in an art-deco style complementary to remodeled movie theater and consistent with the City's Lighting Design Standards.
5. Planning Final Required: Planning Division clearance is required prior to Building Permit final. Construction not in substantial compliance with the approved project plans shall not be approved without prior authorization.

6. Alcohol Service Standards: The on-site sale of beer and wine beverages, pursuant to a valid Type 41 (On-Sale Beer and Wine for Bona Fide Public Eating Place) issued by the California Department of Alcoholic Beverage Control (ABC) shall be subject to the following restrictions:
 - a. At all times when the premises is exercising the privileges of their license, the sale of food, in compliance with Section 23038 of the Business and Professions Code, shall be offered and available for purchase.
 - b. All sales and service of alcoholic beverages for consumption in the general spectator seating areas shall be made only from concession stands, portable stands or bars, or fixed bars, and shall not be sold, served, or delivered to customers by individual ambulatory vendors, commonly known as “hawkers”.
 - c. Points of sale of alcoholic beverages shall not be maintained within the theater auditoriums.
 - d. Notwithstanding conditions 'b' and 'c', above, alcoholic beverages may be sold or served by waiters or waitresses in the general spectator seating areas under the following conditions:
 - Only persons occupying seats in the designated theaters shall be permitted to order and be served alcoholic beverages.
 - Orders from patrons seated in these theaters must be made to the waiter or waitress serving that area, and the alcoholic beverages must be personally delivered to the patron by the waiter or waitress who took the order.
 - The waiter or waitress serving in the theaters shall not carry a supply of unordered alcoholic beverages.
 - e. No more than two (2) alcoholic beverages shall be sold or served to any one (1) person during any transaction.
 - f. Alcoholic beverages shall be served in containers which significantly differ in appearance from those containers utilized for non-alcoholic beverages. Containers for beer shall not exceed 16 ounces. This condition does not preclude the service of alcoholic beverages in their original containers.
 - g. At all times when the premises is exercising the privileges of their license, an employee of the premises shall enter and monitor the activity within the theaters on a regular basis, but no less than once every 30 minutes.
7. General Operational Standards: In addition to the standards for alcohol service set forth above, the following standards shall apply to the general operation of the movie theater:
 - a. **Occupancy**: The movie theater shall have the following occupancies:
 - North Theater: Three (3) Auditoriums / 351 Seats
 - South Theater: Five (5) Auditoriums / 363 Seats

- b. **Hours of Operation:** The hours of operation for the movie theater shall be limited to 6:00 AM to 2:00 AM, daily, inclusive of all business activity, including preparation and cleanup.
 - c. **Live Entertainment:** No live entertainment, as defined by the Campbell Municipal Code, is permitted within the movie theater.
 - d. **Loitering:** There shall be no loitering allowed outside the business. The business owner is responsible for monitoring the premises to prevent loitering.
 - e. **Smoking:** “No Smoking” signs shall be posted on the premises in compliance with CMC 6.11.060.
 - f. **Trash & Clean Up:** All trash, normal clean up, carpet cleaning, etc. shall occur during the approved Hours of Operation. Refuse and recycling receptacles shall be kept within the enclosure except during collection in compliance with Chapter 6.04 of the Campbell Municipal Code.
 - g. **Outdoor Activity:** No outdoor activity (e.g., cooking) is permitted in association with the establishment.
 - h. **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.
 - i. **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 hours of operation, subject to the project being brought back to the Planning Commission for review.
 - j. **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.
8. 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.
9. Revocation of Permit: Operation of the movie theater pursuant to this Approval 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 discretionary permit if it is determined that the sale of alcohol and/or late-night activity

has become a nuisance to the City's public health, safety or welfare or for violation of the conditions of approval contained herein, 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, noise, and/or late-night activity, 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 Approval. 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.

Building Division:

10. Permits Required: A building permit application shall be required for the proposed Remodeling & Renovations to the (e) commercial building. The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit. The building shall be made to comply with all the requirements necessary to the buildings existing occupancy.
11. Construction Plans: The Conditions of Approval shall be stated in full on the cover sheet of construction plans submitted for building permit.
12. Size of Plans: The minimum size of construction plans submitted for building permits shall be 24 in. X 36 in.
13. Plan Preparation: This project requires plans prepared under the direction and oversight of a California licensed Engineer or Architect. Plans submitted for building permits shall be "wet stamped" and signed by the qualifying professional person.
14. Site Plan: Application for building permit shall include a competent site plan that identifies property and proposed structures with dimensions and elevations as

appropriate. Site plan shall also include site drainage details. Site address and parcel numbers shall also be clearly called out. Site parking and path of travel to public sidewalks shall be detailed.

15. Title 24 Energy Compliance: California Title 24 Energy Compliance forms shall be blue-lined on the construction plans. Compliance with the Standards shall be demonstrated for conditioning of the building envelope and lighting of the building.
16. Special Inspections: When a special inspection is required by C.B.C. Chapter 17, the architect or engineer of record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the building permits, in accordance with C.B.C Appendix Chapter 1, Section 106. Please obtain City of Campbell, Special Inspection forms from the Building Inspection Division Counter.
17. Non-point Pollution Control Program: The City of Campbell, standard Santa Clara Valley Non-point Source Pollution Control Program specification sheet shall be part of plan submittal. The specification sheet (size 24" X 36") is available at the Building Division service counter.
18. Title 24 Accessibility – Commercial: On site general path of travel shall comply with the latest California Title 24 Accessibility Standards. Work shall include but not be limited to accessibility to building entrances from parking facilities and sidewalks.
19. Title 24 Accessibility – Commercial: 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.
20. Approvals Required: The project requires the following agency approval prior to issuance of the building permit:
 - a. West Valley Sanitation District
 - b. School District:
 - i) Campbell Union School District (378-3405)
 - ii) Campbell Union High School District (371-0960)
 - iii) Moreland School District (874-2900)
 - iv) Cambrian School District (377-2103)
 - c. Santa Clara County Fire Department
 - d. Santa Clara County Department of Environmental Health
 - e. City of San Jose Department of Environmental Services
21. 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.

22. Stormwater: Storm water run-off from impervious surface created by this permitted project shall be directed to vegetated areas on the project parcel. Storm water shall not drain onto neighboring parcels.

FIRE DISTRICT

23. Scope of Review: Review of this Developmental proposal is limited to acceptability of site access and water supply as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work the applicant shall make application to, and receive from, the Building Department all applicable construction permits.
24. Fire Sprinkler System: The facility is currently equipped with a fire sprinkler system. The remodel would necessitate a complete redesign and new installation reflecting this significant change. 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. CFC Sec. 903, as adopted and amended by CBLMC.
25. Fire Alarms: A fire alarm system complying with currently adopted codes and Standards, shall be installed. CFC Sec. 907 and NFPA 72, as adopted and amended by CBLMC.
26. Water Supply. It shall be the responsibility of the owner/applicants and any and all subcontractors hired for the purpose of designing and installing the required fire sprinkler system, to ensure that an adequate water supply exists to serve the requirements of the project. 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 this office 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
27. Fire Department Access: Compliance with Chapter 5 of the currently adopted edition of the California Fire Code must be demonstrated. This includes, but is not limited to, emergency vehicle access and clearly marked Fire Dept. zones, Emergency personnel access, including any required Knox hardware, and properly located and marked fire appliances. Contact this office with any questions or concerns.

28. Emergency Responder Radio Coverage: All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

Exceptions:

- (1) Where approved by the building official and the fire code official, a wired communication system in accordance with Section 907.2.13.2 shall be permitted to be installed or maintained in lieu of an approved radio coverage system.
- (2) Where it is determined by the fire code official that the radio coverage system is not needed.
- (3) In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency responder radio coverage system.

RESOLUTION NO. 4353

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A SIGN PERMIT (PLN2016-297) TO ALLOW A MARQUEE SIGN IN ASSOCIATION WITH A REMODEL OF AN EXISTING MOVIE THEATER ON PROPERTY LOCATED AT **2501 S. WINCHESTER BOULEVARD**. FILE NO: PLN2016-297

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. PLN2016-297:

1. The project site is the Campbell Plaza Shopping Center, located along South Winchester Boulevard, south of Budd Avenue.
2. The project site is developed with a shopping center which includes a Safeway grocery store and supporting retail within several commercial buildings divided into individual tenant spaces. The shopping center abuts commercial buildings to the south and is adjacent to residential development to the west.
3. The project site is within the P-D (Planned Development) Zoning District and is designated *Commercial/Office/Residential* by the General Plan.
4. The proposed Sign Permit would allow for a marquee sign in association with a remodel of an existing movie theater.
5. The proposed marquee sign is part of a remodel of the existing movie theater pursuant to an Administrative Planned Development Permit (PLN2016-171).
6. The proposed sign would be affixed to a projecting wall feature of the movie theater, similar to a two-side free-standing sign.

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

7. Inspection of the site and the proposed sign and review of the plans disclose that the signs will comply with all of the regulations of the Sign Ordinance; and
8. The owner and/or applicant agree to abide by the sign regulations and conditions imposed.
9. The proposed sign is part of an overall project (movie theater remodel) that is Categorically Exempt under Section 15301 Class 1 of the California Environmental Quality Act (CEQA) pertaining to minor alterations to an existing private structure, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Sign Permit to allow a marquee sign in association with the remodel of an existing movie theater, subject to the attached Conditions of Approval (attached **Exhibit A**).

PASSED AND ADOPTED this 13th day of December, 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
Sign Permit (File No.: PLN2016-297)

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 Sign Permit to allow installation of a marquee sign in in association with the remodel of an existing movie theater (Cinelux Plaza Theatre), on property located **2501 S. Winchester Boulevard**. The sign shall substantially conform to the Sign Plans dated as October 13, 2016.
2. Approval Effectiveness: The Sign Permit approval shall only be effective on conjunction with the separately approved Administrative Planned Development Permit (PLN2016-171) for the remodel of an existing movie theater (Cinelux Plaza Theatre). A building permit for the marquee sign shall not be issued until a building permit for the movie theater remodel has been issued.
3. Approval Expiration: The Sign Permit approval shall be valid for one year from the effective date of the Planning Commission action (**December 23, 2017**). Within this one-year period, an application for a building permit for installation of the approved sign must be submitted.
4. Existing Building Signage: The existing building signs to be removed, as noted on the Project Plans approved by the Administrative Planned Development Permit (PLN2016-171), shall be removed concurrently with or prior to installation of the approved marquee sign.
5. Sign Maintenance: The approved sign shall be maintained in good condition at all times and shall be repaired or replaced as necessary.
6. Building Permits Required: The applicant shall obtain all necessary building and/or electrical permits from the Building Division prior to the installation of the approved sign.

RESOLUTION NO. 4354

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A SITE & ARCHITECTURAL REVIEW PERMIT (PLN2015-274) AND TREE REMOVAL PERMIT (PLN2015-275) FOR A NEW 5,790 SQUARE FOOT OFFICE BUILDING ON PROPERTY LOCATED AT **95 E. 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 PLN2015-274 and PLN2015-275:

Environmental Finding

1. The project is Categorical Exempt per Section 15303, Class 3 of the California Environmental Quality Act (CEQA), pertaining to new construction of small structures which allows up to four (4) commercial buildings with a floor area not exceeding 10,000 square feet in area in an urbanized 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 proposed project will be compatible with the P-O (Professional Office) Zone District with approval of a Site and Architectural Review Permit.
5. The subject property is situated on a 14,520 square foot site (net), located on the north side of E. Hamilton Avenue between Winchester Boulevard and N. Central Avenue. 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.
6. There is a reasonable relationship and a rough proportionality between the Conditions of Approval and the impacts of the project.
7. There is a reasonable relationship between the use of the fees imposed upon the project and the type of development project.
8. There are six protected coast redwood trees (**trees #401-406**) and one crape myrtle street tree (**#407**) located on the property.

9. Removal of trees greater than 12-inches in diameter requires a Tree Removal Permit under the City's Tree Protection requirements (CMC 21.32).
10. All of the coast redwood trees, including a double-trunked redwood tree (19.8" + 23.6"), are greater than 24-inches in diameter.
11. An Arborist Report was prepared for the City by Monarch Consulting Arborists LLC, dated December 1, 2016 ("Arborist Report"). The Arborist Report included: a tree assessment which evaluated each tree's size, health, value, and suitability for protection; a review of the proposed project including potential impacts to the trees and the life expectancy of trees to be retained; tree protection measures and post construction tree care and maintenance; and tree replacement recommendations.
12. Removal of **tree #401** complies with the City's tree protection ordinance criteria for removal in that its size and central location on the lot 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.
13. Removal of **tree #404** complies with the City's tree protection ordinance due to its declining health, thus meeting the criteria for removal of diseased or dying trees.
14. Removal of **tree #406** complies with the City's tree protection ordinance due to its declining health, thus meeting the criteria for removal of diseased or dying trees.
15. **Trees #402, 403 and 405** will be highly impacted by the project without specific design changes as provided in the Arborist Report and the attached conditions of approval.
16. The 4.6-inch crape myrtle street tree (**#407**) would be impacted by required street improvements and will be removed and replaced in accordance with the attached conditions of approval from the Public Works Department.
17. A parking modification for **one (1) parking space** is needed to accommodate site design changes that will create an island around **trees #402 and 403**. Approval of the parking modification permit will further the purpose of the Zoning Ordinance by allowing for adequate protection of **trees #402 and 403**. Conditions of approval have been incorporated into the project to ensure the long-term adequacy of the provided off-street parking.
18. Any trees that are not approved for removal will be retained and preserved in accordance with the attached conditions of approval.
19. Any protected trees that are approved for removal will be replaced in compliance with the City's Tree Preservation Ordinance.

20. The proposed replacement trees, and/or in-lieu fee, will be a sufficient replacement for the trees to be removed. Replacement trees, planted on- or off-site, will continue the diversity of tree species found in the community.
21. 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 the Campbell Municipal Code, the Planning Commission further finds and concludes that:

22. The project will be consistent with the General Plan;
23. The project will aid in the harmonious development of the immediate area; and
24. The project is consistent with applicable adopted design guidelines.
25. There are no reasonable alternatives to preserve **tree #401** due to site constraints and **trees #404 and 406** should be removed due to their declining health and poor suitability for preservation.
26. Staff recommends that the Planning Commission find that this project is Categorically Exempt under Section 15303, Class 3 of the California Environmental Quality Act (CEQA), pertaining to the construction of commercial (office) buildings.

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Site & Architectural Review Permit (PLN2015-274) and Tree Removal Permit (PLN2015-275) on property located at **95 E. Hamilton Avenue**.

PASSED AND ADOPTED this 13th day of December, 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
Site & Architectural Review Permit (PLN2015-274)
and Tree Removal Permit PLN2015-275)

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

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division:

1. Approved Project: Approval is granted for a Site & Architectural Review Permit (PLN2015-274) and Tree Removal Permit PLN2015-275) for a new **5,790 square foot** office building on a vacant parcel located at **95 E. Hamilton Avenue** in the P-O (Professional Office) Zoning District. The project shall substantially conform to the Revised Project Plans, received by the Community Development Department on December 2, 2016, except as may be modified by the Planning Commission, the Community Development Director, and/or as conditioned herein.
2. Planning Final Required: Planning clearance is required prior to Building Permit final. Construction not in substantial compliance with the approved project plans, or as modified herein, shall not be approved without prior authorization of the necessary approving body.
3. Site and Architectural Review Expiration: The Site and Architectural Review shall be valid for one year from the date of final approval (expiring December 23, 2017). Within this one-year period, applications for building permits must be submitted and substantial construction efforts must commence. Failure to meet this deadline will result in the Site and Architectural Review component of the permit (PLN2015-274) being rendered void.
4. Parking Modification / Parking Requirements: The applicant has received a parking modification permit allowing a reduction of **one (1) parking space** in order to preserve protected trees on-site. The applicant shall maintain a minimum of 21 standard parking spaces, one (1) van accessible parking space, and eight (8) motorcycle spaces on site at all times. If one or more retained trees (**#402, 403 and 405**) are removed at any time for any reason (e.g., the tree is dead or dying), the applicant shall be required to install additional parking stalls as may reasonably be accommodated to meet City Code requirements at the time of removal.

5. Allowed Uses: Allowed uses on the site shall comply with the Campbell Municipal Code and shall not create a parking deficiency beyond the limits of the approved parking modification permit.
6. Arborist Deposit: The applicant shall be required to submit a minimum deposit of **\$2,000** prior to review of revised plans and as needed to pay for the services of Monarch Consulting in meeting the conditions of approval herein.
7. Tree Protection Plan: The applicant shall submit a Tree Protection Plan for review and approval by the Community Development Director in consultation with Monarch Consulting Arborists LLC, prior to building permit submittal. The Tree Protection Plan shall substantially comply with the recommendations of the Arborist Report, or as may be amended by the Community Development Director.
8. Revised Plans to be submitted and approved: The applicant shall submit revised plans (site plan, grading and drainage plans, etc.) for review and approval by the Community Development Director in consultation with Monarch Consulting Arborists LLC, prior to building permit submittal. The revised plans shall substantially comply with the Tree Protection Plan and shall include sufficient detail (e.g., materials, construction methods, etc.) to determine that trees will be adequately protected.
9. Parking Lot Design and Construction: The parking lot shall be designed and constructed to minimize aeration deficit (compaction) and water deficit (dehydration) to the greatest extent feasible. The design of the parking lot shall substantially comply with the recommendations of the Arborist Report, or as may be amended by the Community Development in consultation with Monarch Consulting Arborists LLC.
10. Tree Protection Measures: The applicant shall comply with all tree protection recommendations in the Arborist Report, except as may be modified by the Community Development Director in consultation with Monarch Consulting Arborists LLC.
11. Tree Preservation: The applicant shall retain **trees #402, 403 and 405**.
12. Pre-Construction Meeting with Arborist: Prior to beginning work, all contractors involved with the project shall attend a pre-construction meeting with Richard Gessner from Monarch Consulting to review the tree protection guidelines.
13. Tree Removal: The applicant may only remove **trees #401, 404 and 406** in conjunction with a building permit, subject to the conditions of approval herein. The applicant shall work with the Public Works Department on removal of **tree #407**.

14. Replacement Trees: The applicant shall replace **trees #401, 404 and 406** with three (3) 36-inch box trees, or pay an in-lieu fee, as required by the Planning Commission or the Community Development Director. **Tree #407** shall be replaced as required by the Public Works Department.

15. Final Landscaping and Irrigation Plan: Prior to the issuance of building permits for the project, the applicant shall submit a detailed landscape and irrigation plan prepared by a licensed Landscape Architect for review and approval by the Community Development Director in consultation with Monarch Consulting Arborists LLC.
 - a. Irrigation shall be appropriate for existing and proposed trees.
 - b. All replacement trees shall comply with the conditions of approval herein. Shrubs shall be a minimum of 5-gallon size.
 - c. All landscaping installed as required per the approved landscape plan shall be maintained in good health.
 - d. All landscaping shall be installed prior to building occupancy.
 - e. All hardscape items (i.e. walkways to front entrance) shall be reviewed and approved by the Community Development Director prior to issuance of building permits.

All landscape areas shall be protected by 6-inch high poured in place concrete curbs, unless otherwise approved by the Community Development Director.

16. Water Efficient Landscape Standards: The final Landscape and Irrigation Plans shall demonstrate conformance with the California Model Water Efficient Landscape Ordinance guidelines, including submittal of a landscape documentation package prepared by a licensed landscape architect, if applicable.

17. 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.

18. Tree Removal Permit Required: The removal of any tree, irrespective of species or size, which is shown on the approved project plans or final landscaping plan (existing trees to remain, replacement trees, and new trees), shall require review and approval through a Tree Removal Permit.

19. Signage: No signage is approved as part of the development application. The applicant shall apply for a sign permit as required by City Code. All future signage shall be installed and maintained consistent with the provision of the Sign Ordinance, Chapter 21.30 of the Campbell Municipal Code.

20. Bicycle parking facilities: Short-term and long-term bicycle parking facilities shall be provided in compliance with City and State codes.
21. 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, and as conditioned herein.
22. Outdoor Storage: No outdoor storage is permitted on the property.
23. Site Maintenance: The owner/operator of the property shall provide on-going maintenance of the on-site parking and driveway areas and landscape areas.
24. 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.
25. 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.
26. 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.
27. 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:

- 28. PERMITS REQUIRED: A building permit application shall be required for the proposed new commercial structure. The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit.
- 29. CONSTRUCTION PLANS: The conditions of Approval shall be stated in full on the cover sheet of construction plans submitted for building permit.
- 30. SIZE OF PLANS: The minimum size of construction plans submitted for building permits shall be 24 in. X 36 in.
- 31. 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.
- 32. 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.

33. SOILS REPORT: Two copies of a current soils report, prepared to the satisfaction of the Building Official, containing foundation and retaining wall design recommendations shall be submitted with the building permit application. This report shall be prepared by a licensed engineer specializing in soils mechanics.
34. FOUNDATION INSPECTIONS: A pad certificate prepared by a licensed civil engineer or land surveyor shall be submitted to the project building inspector upon foundation inspection. This certificate shall certify compliance with the recommendations as specified in the soils report and the building pad elevation and on-site retaining wall locations and elevations are prepared according to approved plans. Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered civil engineer for the following items:
 - a. pad elevation
 - b. finish floor elevation (first floor)
 - c. foundation corner locations
35. 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.
36. 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.
37. 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.
38. 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.
39. TITLE 24 ACCESSIBILITY – NEW COMMERCIAL: This project shall comply fully with Chapter 11B of the California Building Code 2013 ed.
40. 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. School District:
 - Campbell Union School District (378-3405)
 - Campbell Union High School District (371-0960)
 - Moreland School District (874-2900)
 - Cambrian School District (377-2103)
 - d. Bay Area Air Quality Management District (Demolitions Only)
 - e. Santa Clara County Department of Environmental Health
 - f. San Jose Water Company (279-7900)
41. 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.
42. CALIFORNIA GREEN BUILDING CODE: This project is subject to the mandatory requirements of Chapter 5 of the California Green Building Code 2013.

PUBLIC WORKS DEPARTMENT

43. Response Letter: Upon submittal of the Street Improvement Plans and the Grading and Drainage Plans, the applicant shall provide an itemized response letter verifying that all the Public Works Conditions of Approval have been addressed.
44. Preliminary Title Report: Prior to issuance of any grading or building permits for the site, the applicant shall provide a current (within the past 6 months) Preliminary Title Report.
45. Soils Report: Upon submittal of the Parcel/Final Map, applicant shall provide a soils report prepared by a registered geotechnical or civil engineer.
46. Storm Drain Area Fee: Prior to issuance of any grading or building permits for the site, the applicant shall pay the required Storm Drain Area fee, currently set at \$2,650.00 per net acre, which is \$833.00.
47. 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. In addition, a plan review letter will be required of the Geotechnical engineer for the entire grading and drainage system which should include but is not limited to a review of the subsurface of the non-compacted biotreatment material that may have potential for subsurface failure and surface failure due to vehicle loads.

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

49. 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.

The parking lot shall be constructed with materials approved by the Public Works Department and Community Development Department in consultation with the Arborist. A maintenance agreement and plan will be required so that City staff can make yearly inspections.

50. Street Tree Removal(s): To accommodate the required street scape plan, the existing Crape Myrtle street tree, will be removed as part of this project. Three (3) ash trees (e.g., evergreen ash or purple ash) will be installed as part of the streetscape plan.
51. Utilities: All on-site utilities shall be installed underground per Section 21.18.140 of the Campbell Municipal Code for any new or remodeled buildings or additions. Applicant shall comply with all plan submittals, permitting, and fee requirements of the serving utility companies. Utility locations shall not cause damage to any existing street trees. Where there are utility conflicts due to established tree roots or where a new tree will be installed, alternate locations for utilities shall be explored. Include utility trench details where necessary.

52. 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. Sheet C-2 shows the (N) SCO in the public right-of-way. Also on Sheet C-2 a water meter is shown to be on private property in the (N) driveway approach. Verify with SJW if this is an acceptable location. If not, the (N) water meter needs to be relocated elsewhere on the property.

53. 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.

Sheet C-2 shows the replacement of a 4" lateral to a 6" lateral. Work directly with WVSD on details and design requirements. The Off-Site Civil plans will incorporate a dedicated sheet for WVSD design and details. Applicant will need to coordinate with WVSD during the plan check and review process.

54. 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 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.

Pavement restoration work will extend to the south side of E Hamilton Avenue and incorporate both the water lateral and sanitary sewer lateral to create one large rectangular restoration area. There will need to be a review of the traffic control plan and how this work will be accomplished during normal business hours.

55. Street Improvement Agreements / Plans / Encroachment Permit / Fees / Deposits: Prior to issuance of any grading or building permits for the site, applicant shall execute a street improvement agreement, cause plans for public street improvements to be prepared by a registered civil engineer, pay various fees and deposits, post security and provide insurance necessary to obtain an encroachment permit for construction of the standard public street improvements, as required by the City Engineer. The plans shall include the following, unless otherwise approved by the City Engineer:

- a. Show location of all existing utilities within the new and existing public right-of-way.
 - b. 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 7' sidewalk area.
 - c. Removal of existing driveway approaches and necessary sidewalk, curb and gutter.
 - d. Removal of existing curb and gutter, existing sidewalk, driveway approaches and par strip, and install new city streetscape standard.
 - e. Installation of a minimum of three (3) City approved street trees and irrigation at 40 feet on center. One tree will be located west of the new driveway; two will be located east of the two driveways.
(There is a requirement for a 10' landscaped buffer behind private property fronting Hamilton Avenue). Park strip ground cover shall be no mow (fine fescue and hair grass *Deschampsia*) turf with sub-surface drip irrigation such as Eco-Mats (or approved equal).
 - f. This project is subject to the City's Streetscape Standards for Hamilton Avenue, which requires a 10 foot landscaped park strip with City approved street trees 40 feet on center, and a 7 foot sidewalk.
 - 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. Should the any striping work be cut due to utility trench work, the applicant will be required to restripe the entire street frontage and not just the areas that need replaced.
 - i. Construction of conforms to existing public and private improvements, as necessary. The sidewalks will need to conform at each end at a 90 degree angle with at least a minimum of 4' wide sidewalk to connect to the existing sidewalks. This will be finalized in the plan check review process.
 - j. All existing utility boxes and its covers, that will remain in the park strip will require readjustments and must be level to the sidewalk, or as required by the City Engineer.
 - k. Submit final plans in a digital format acceptable to the City.
56. 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.
57. 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.

58. 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.
59. 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.
60. Trash Enclosure Requirements:
- a. NPDES Permit No. CAS612008 (CRWQCB): C.3.a.i. (7):

For all new development and redevelopment projects that are subject to the Permittee's planning, building, development, or other comparable review, but not regulated by Provision C.3, encourage the inclusion of adequate source control measures to limit pollutant generation, discharge, and runoff.

These source control measures should include covered trash, food waste, and compactor enclosures.
 - b. Campbell Municipal Code 14.02.030 "Stormwater Pollution Control / Requirements". The code states that no pollutants or water containing pollutants can be discharged into the City's storm drain system. Trash enclosures contain pollutants. During a rain event (or during general cleaning) water washes over and into roofless enclosures, collecting pollutants and discharging to the City's storm drain system. Applicants are required to show how new trash enclosures will not discharge pollutants into the storm drain system. One possible method is to provide a sanitary drain in the trash enclosure.
 - c. West Valley Sanitation District (WVSD) the local sanitary sewer agency's authority and standards: If a sanitary connection will be installed, WVSD requires a roof on the enclosure.



CITY OF CAMPBELL · PLANNING COMMISSION
Staff Report · January 10, 2017

PLN2016-331 Public Hearing to consider the application of Carol Whitsett for a
Whitsett, C. 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 within in the C-M (Controlled Manufacturing) Zoning District.

STAFF RECOMMENDATION

That the Planning Commission take the following action:

1. **Adopt a Resolution**, approving a Modification to a previously approved Conditional Use Permit to allow a five-year extension of approval for a large fitness studio (Sedusa Studios).

ENVIRONMENTAL DETERMINATION

Staff recommends that the Planning Commission find that this project is 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.

PROJECT DATA

Net Lot Area:	24,394 square feet	
Tenant Space:	3,600 square feet	
Gross Building Area:	7,200 square feet	
Existing Site Utilization:		
Building Coverage:	7,200 sq. ft.	29.5%
Paving Coverage:	15,530 sq. ft.	63.7%
Landscaping Coverage:	1,664 sq. ft.	6.8%
Floor Area Ratio (FAR):	.30	
Parking Available (Site):	20 Spaces	
Parking Required:	18 Spaces	
Surrounding Uses:	North:	Commercial
	South:	Commercial
	East:	Los Gatos County Park
	West:	Commercial
Hours of Operation:	9:00 AM – 12:00 PM, Monday – Friday	
	5:00 PM – 10:00 PM, Monday – Friday	
	10:00 AM – 10:00 PM, Saturday – Sunday	

DISCUSSION

Background: At its meeting of February 23, 2010, the Planning Commission approved a two-year term-limited Conditional Use Permit to allow operation of [Sedusa Studios](#), a "large" fitness studio. In February of 2012, the Planning Commission granted a five-year extension of the Conditional Use Permit, which is set to expire on March 9th. This application is a request to extend the approval period for an additional five years to 2022.

Location: The subject property is located on the west side of Dell Avenue, at the intersection of Hacienda Avenue (reference Attachment 2 – Location Map). The site abuts the Los Gatos County Park to the east and commercial buildings in the other three directions. The fitness studio is located within a 7,200 square-foot commercial building on a site that shares common ingress/egress with an adjacent parcel.

Operational Description: The applicant has provided copies of the previously submitted materials (reference **Attachments 3 and 4** – Project Description and Project Plans) for the business. The fitness studio specializes in aerobic dance for women, with sessions typically averaging eight to twelve women. The majority of the sessions are held in the evening, Monday through Friday after 5:00 PM—as not to conflict with the adjacent businesses on the property—with occasional classes being held in the mornings. The fitness studio is open on the weekends for private "parties," which are essentially private group sessions.

The floor plan shows the layout of the fitness studio, which consists of a primary fitness floor (as shown on the photograph below), an elevated stage, storage area, reception, changing room, and a boutique for incidental retail sales of fitness accessories.



ANALYSIS

General Plan Consistency: The General Plan land use designation for the project site is Research and Development. The existing fitness studio is compatible with the land use designation in that it provides a unique service to the community, near places of work, pursuant to the following General Plan Land Use Policy:

Strategy LUT-5.5a: Services in Industrial Areas: Encourage convenient retail and commercial services (restaurants and hotels) in industrial areas to support businesses, their customers and their employees.

Zoning Consistency: The project site is located within the C-M (Controlled Manufacturing) Zoning District, which allows for fitness studios with approval of a Conditional Use Permit. Fitness studios within this zoning district are subject to additional development standards specified in Campbell Municipal Code (CMC) Sec. 21.36.095 with respect to parking, site circulation, hours of operation, noise, and overconcentration of similar uses. Additionally, approvals for such uses are limited to a term of no more than five years. These restrictions were enacted in 2008 to limit non-industrial activities so as to ensure the long-term viability of the City's industrial districts as well as to protect the public health, safety, and welfare.

In review of zoning consistency, consideration should be given to on-going compliance with the terms of the Conditional Use Permit and the overall operation of the business. The applicant has indicated that the business operation has remained substantially the same as when the Planning Commission last reviewed the permit (although with a stronger economy, more classes are held than five years ago). In the years since, the Community Development Department has not received any complaints regarding the business (i.e., parking, noise, etc.). Similarly, the Police Department reports no history of quality-of-life disturbances related to the property. As such, the use continues to be consistent with the terms of its Conditional Use Permit and the requirements of CMC Sec. 21.36.095. Resultingly, allowing a five year extension of approval would be consistent with the Zoning Ordinance.

Site and Architectural Review Committee: The Site and Architectural Review Committee did not review this application as the proposal does not include exterior modifications.

Attachments:

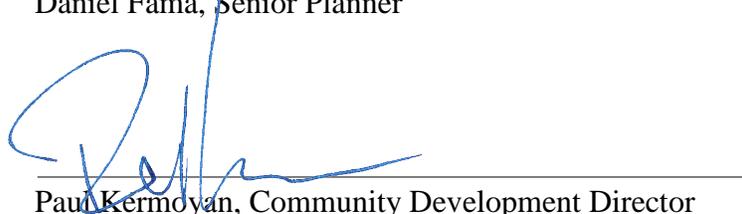
1. Draft Resolution
2. Location Map
3. Project Description
4. Project Plans

Prepared by:



Daniel Fama, Senior Planner

Approved by:



Paul Kermoyan, Community Development Director

RESOLUTION NO. 4_____

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING 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**.
FILE NO.: PLN2016-331

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 Planning Commission did find as follows with respect to application PLN2016-331:

1. The project was previously approved by the Planning Commission through Conditional Use Permit No. PLN2009-134 and extended by Modification No. PLN2012-331
2. The project site is designated Research and Development on the General Plan Land Use Element Map.
3. The project site is designated C-M (Controlled Manufacturing) on the Zoning Map.
4. A fitness studio may be approved in C-M (Controlled Manufacturing) Zoning District with a Conditional Use Permit, subject to the provisions of Section 21.36.095 of the Campbell Municipal Code.
5. The submitted operational descriptions describes the various fitness sessions provided by the fitness studio.
6. The project site is located on the west side of Dell Avenue, at the intersection of Hacienda Avenue.
7. The project site consists of a 24,394 sq. ft. parcel, currently developed with a three-tenant commercial building.
8. The hours of operation shall be restricted to 9:00 AM to 12:00 PM, M-F, 5:00 PM to 10:00 PM, M-F, and 10:00 AM-10:00 PM, Sat/Sun, exclusive of the customary and reasonable use of the facility for administrative activity.
9. The project is not within 300 feet of a fitness center, although it is within 300 feet of a public assembly use, requiring the Planning Commission to grant an exception to allow an overconcentration of fitness and public assembly uses.

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

CONDITIONS OF APPROVAL
Conditional Use Permit (PLN2016-331)

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

COMMUNITY DEVELOPMENT DEPARTMENT

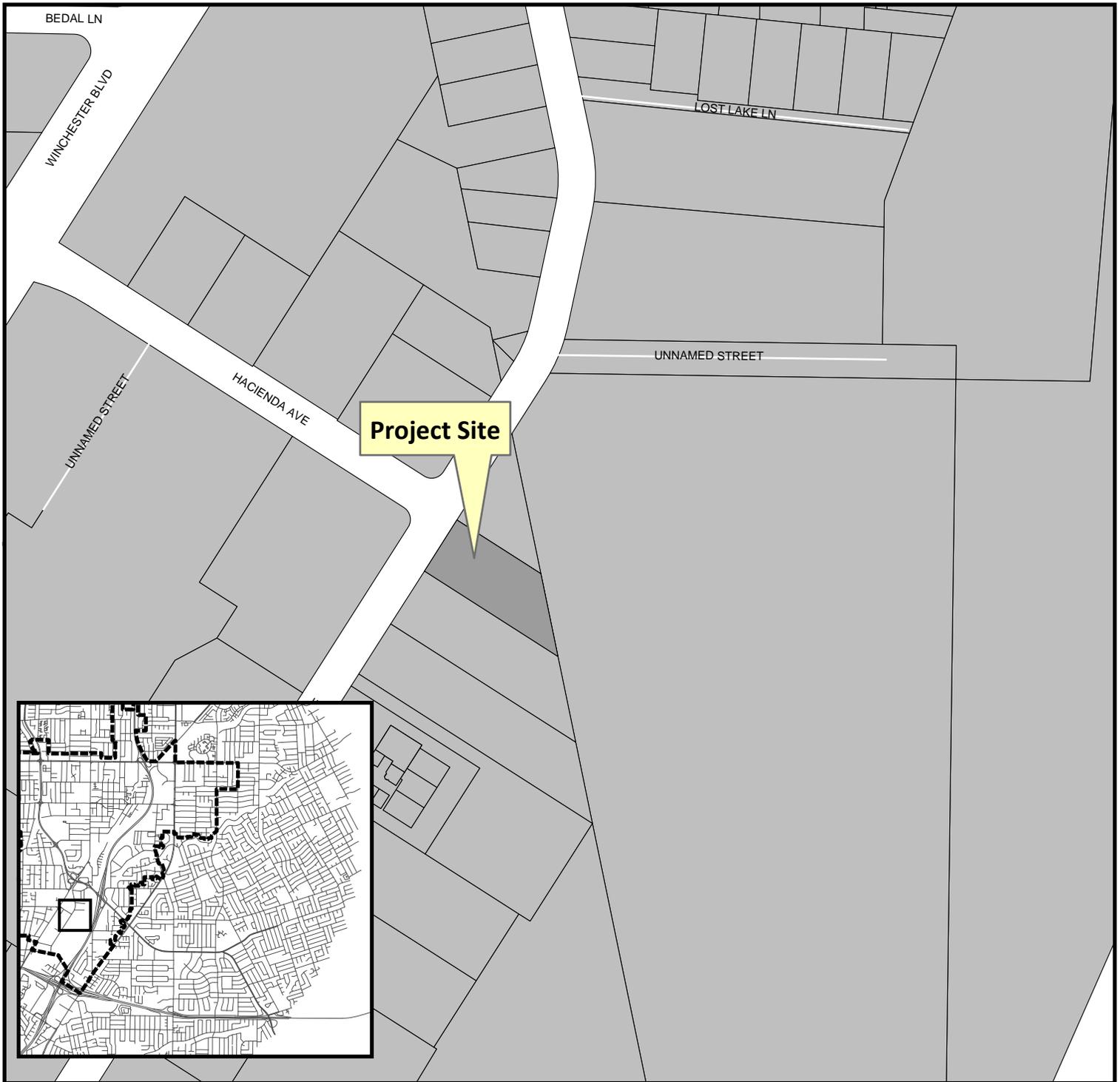
1. Approved Project: Approval is granted for a Modification (PLN2016-331) to a term-limited Conditional Use Permit (PLN2012-10) to extend the approval period for an existing large fitness studio (Sedusa Studios) for five (5) years on property located at **1300 Dell Avenue**. The project shall substantially conform to the Project Description and Project Plans stamped as received by the Community Development Department on October 8, 2016, except as may be modified by the Conditions of Approval specified herein.
2. Previous Conditions of Approval: Upon the effective date of the Resolution approving this Modification (PLN2016-331), the previously approved Conditions of Approval as provided in Resolution No. 4047 shall be void and shall permanently be superseded in their entirety by the Conditions of Approval specified herein.
3. Limited Term Permit: The Modified Conditional Use Permit approved herein shall be valid for a period of five (5) years from the effective date of the Resolution (until January 20, 2022) adopted by the Planning Commission. The Modified Conditional Use Permit shall be void and the use abandoned at such time unless an application to extend the approval period is granted by the appropriate decision-making body.
4. Operational Parameters: Consistent with the submitted Project Description, any business operating pursuant to this Modified Conditional Use Permit shall be required to conform to the following operational parameters. Significant deviations from these parameters (as determined by the Community Development Director) shall require approval of a Modification to the Modified Conditional Use Permit approved herein.
 - a. **Approved Use**: The approved use is a large fitness studio, as defined by the Campbell Municipal Code, specializing in dance-based exercise.
 - b. **Participants**: Fitness sessions shall not exceed 20 participants per session.
 - c. **Hours of Operation**: The hours of operation shall be restricted as follows, exclusive of the customary and reasonable use of the facility for administrative activity:
 - Mon. – Fri.: 9:00 AM – 12:00 PM / 5:00 PM – 10:00 PM
 - Sat. – Sun.: 9:00 AM – 10:00 PM

- d. **Instruction Area:** Consistent with the approved project plans, the fitness studio is limited to a single open instructional space.
 - e. **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.
 - f. **Noise:** Any noises, sounds and/or voices, including but not limited to amplified sounds, loud speakers, sounds from audio sound systems, and/or music, generated by the subject use shall not be audible to a person of normal hearing capacity from any residential property. Public address systems of all types are strictly prohibited.
5. **Revocation of Permit:** Operation of the large fitness studio 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 use 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, 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; and
- c. Violation of conditions of approval.

Project Location Map

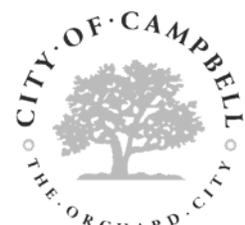
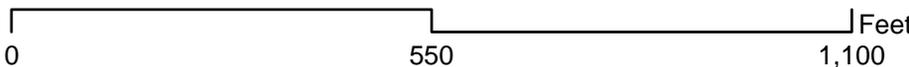


Project Location: 1600 Dell Avenue

Application Type: Modification

Planning File No.: PLN2016-331

Description: To extend the approval period for an existing large fitness studio (Sedusa Studios) for five (5) years.



Community Development Department
Planning Division

Sedusa Studios

December 28, 2011

Community Development Department,
Planning Division
City of Campbell
70 N. First Street
Campbell, California 95008

Attention: Daniel Fama, Asst. Planner
danielf@cityofcampbell.com

RE: Sedusa Studio, Inc./CUP

Dear Mr. Fama:

You should be receiving a signed copy from my Landlord Roland Buehler, this week via the mail. Everything else you have asked me for should be enclosed in this packet.

Sedusa Studio, Inc./Nature and Details of Business

Sedusa Studio is an after-hours fitness studio whose customers pay for a series of fitness classes, such as a 4-week series for \$80. The form of exercise is dance.

The fitness studio operates Monday – Sunday from 5:00pm - 9:00pm, with occasional classes offered from 9:00am – noon. The normal number of classes per week is ~15. The number of clients for each class approximates 8-12. Fitness instructors include Carol Whitsett, owner of Sedusa Studio, Inc., and four, non-employee instructors who work 4-6 hours each week.

Purpose of business. Sedusa Studios is a health/fitness studio offering dance workout classes.

Number of Classes Typically Offered. 3 per night.

Style of Classes include:

Pole Fitness Workout Class
Pole Dance
Ballet Pole Dance
Burlesque Workout Dance

GoGo Workout Dance
Pussycat Workout Dance
Video Vixen Workout Dance
Sensual Dance
Stiletto Basics Class

If there is anything else you need let me know.

Regards,

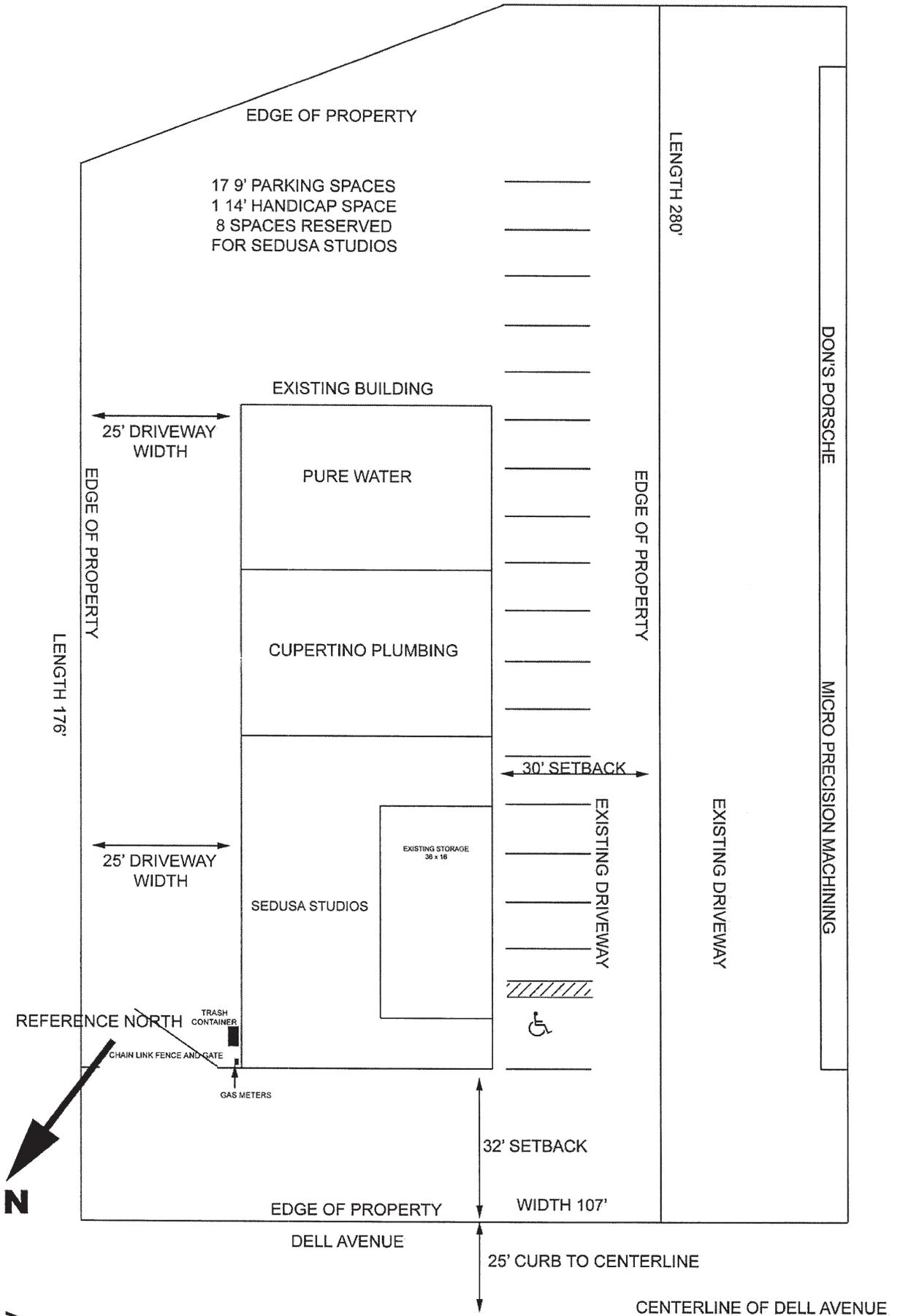


Carol Whitsett
Sedusa Studios
408-867-2224



VICINITY MAP (NOT TO SCALE)

COUNTY PARK



17 9' PARKING SPACES
1 14' HANDICAP SPACE
8 SPACES RESERVED
FOR SEDUSA STUDIOS

EDGE OF PROPERTY

EXISTING BUILDING

PURE WATER

CUPERTINO PLUMBING

SEDUSA STUDIOS

EXISTING STORAGE
30 x 16

LENGTH 280'

LENGTH 176'

25' DRIVEWAY
WIDTH

EDGE OF PROPERTY

EDGE OF PROPERTY

30' SETBACK

EXISTING DRIVEWAY

EXISTING DRIVEWAY

DON'S PORSCHE

MICRO PRECISION MACHINING

REFERENCE NORTH

TRASH CONTAINER

CHAIN LINK FENCE AND GATE

GAS METERS

32' SETBACK

WIDTH 107'

EDGE OF PROPERTY

DELL AVENUE

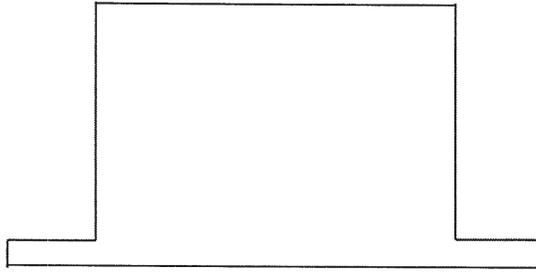
25' CURB TO CENTERLINE

CENTERLINE OF DELL AVENUE

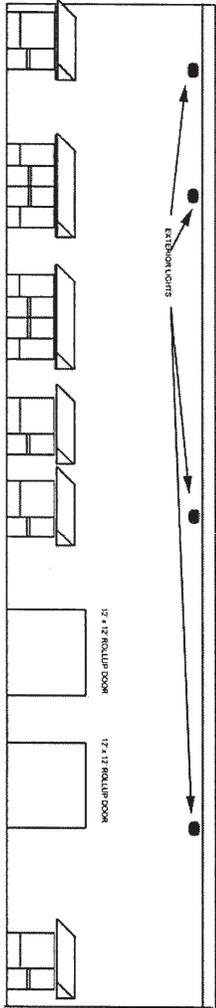
A2

PLOT PLAN 1300 DELL AV

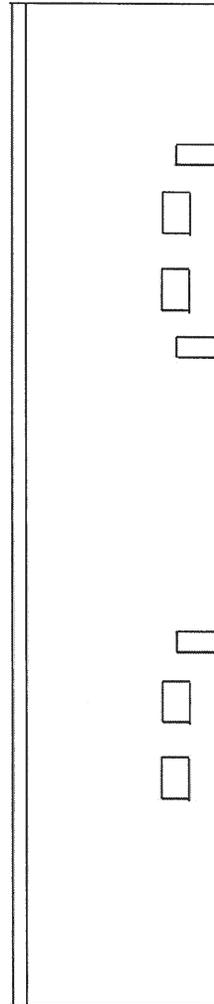
NORTH FACING



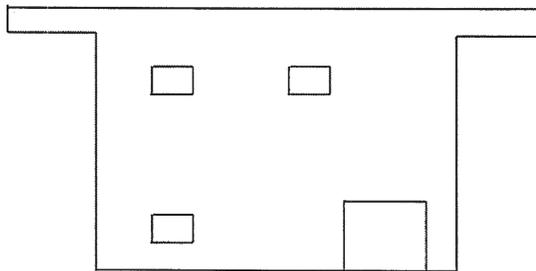
WEST FACING



EAST FACING



SOUTH FACING



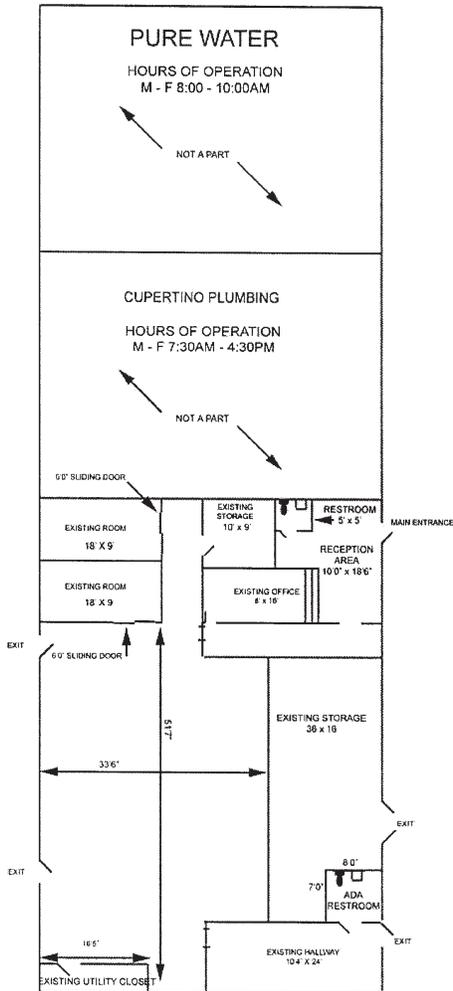
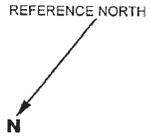
ROOF HEIGHT 19'3"



1/8" = 1'-0"

A3

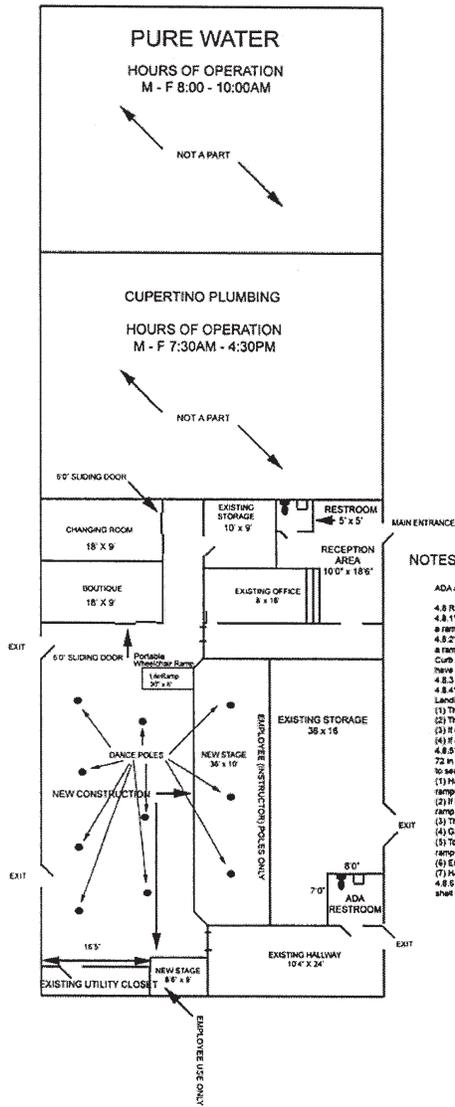
ELEVATIONS 1300 DELL



0.11 = 8.0

REFERENCE NORTH

N



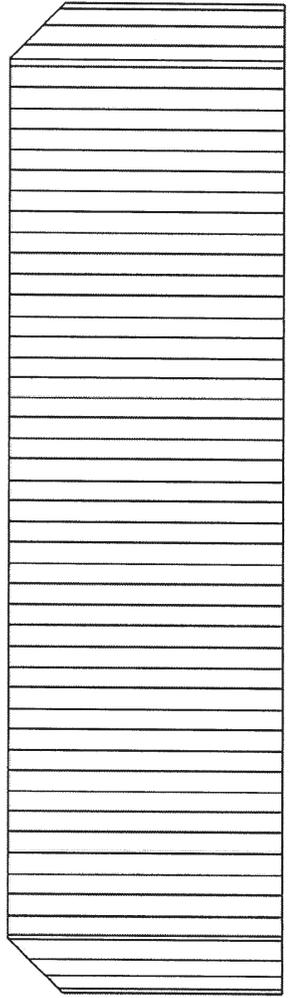
NOTES:

ADA Accessibility Guidelines for Buildings and Facilities

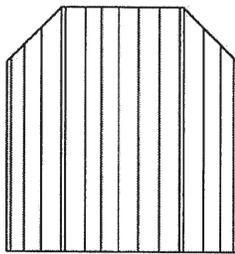
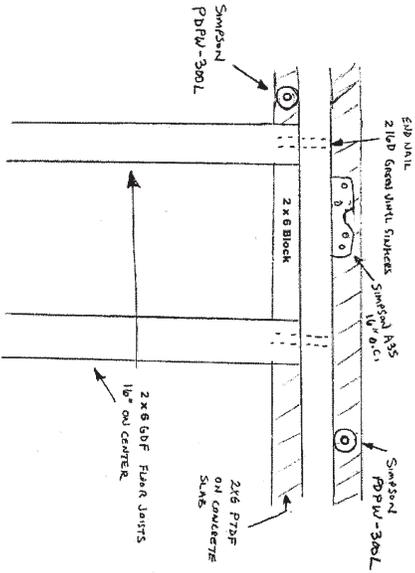
- 4.8 Ramps.
- 4.8.1 General. Any part of an accessible route with a slope greater than 1:20 shall be considered a ramp and shall comply with 4.8.
- 4.8.2 Slope and Rise. The least possible slope shall be used for any ramp. The maximum slope of a ramp in new construction shall be 1:12. The maximum rise for any run shall be 30 in (762 mm). Curb ramps and ramps to be constructed on existing sites or in existing buildings or facilities may have slopes and rises as allowed in 4.1.3.2(a) if space limitations prohibit the use of a 1:12 slope or less.
- 4.8.3 Clear Width. The minimum clear width of a ramp shall be 36 in (915 mm).
- 4.8.4 Landings. Ramps shall have level landings at bottom and top of each ramp and each ramp run. Landings shall have the following features:
 - (1) The landing shall be at least as wide as the ramp run leading to it.
 - (2) The landing length shall be a minimum of 60 in (1525 mm) clear.
 - (3) If a ramp changes direction at a landing, the minimum landing size shall be 60 in by 60 in (1525 mm by 1525 mm).
 - (4) If a doorway is located at a landing, then the area in front of the doorway shall comply with 4.13.6.
- 4.8.5 Handrails. If a ramp run has a rise greater than 6 in (150 mm) or a horizontal projection greater than 72 in (1830 mm), then it shall have handrails on both sides. Handrails are not required on curb ramps or adjacent to seating in assembly areas. Handrails shall comply with 4.26 and shall have the following features:
 - (1) Handrails shall be provided along both sides of ramp segments. The whole handrail on a wheelchair or doging ramp shall always be continuous.
 - (2) If handrails are not continuous, they shall extend at least 12 in (305 mm) beyond the top and bottom of the ramp segment and shall be parallel with the floor or ground surface.
 - (3) The clear space between the handrail and the wall shall be 1 - 1/2 in (38 mm).
 - (4) Gripping surfaces shall be continuous.
 - (5) Top of handrail gripping surfaces shall be mounted between 34 in and 38 in (865 mm and 965 mm) above ramp surfaces.
 - (6) Ends of handrails shall be either rounded or returned smoothly to floor, wall, or post.
 - (7) Handrails shall not rotate within their fittings.
- 4.8.6 Cross Slope and Surfaces. The cross slope of ramp surfaces shall be no greater than 1:50. Ramp surfaces shall comply with 4.9.

D-1 - 08/1

A5	NEW FLOOR PLAN 1300 DELL		WHITSETT CONSTRUCTION 44 REDDING ROAD CAMPBELL, CA 95008 (408) 813-1525 FAX: (408) 377-3689	REVISIONS BY
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MAIN STAGE
 2" X 6" GRADED DOUGLAS FIR FLOOR JOISTS ATTACHED TO FLAT 2" X 6" PRESSURE TREATED DOUGLAS FIR WITH SIMPSON A35 HARDWARE.
 GALVANIZED NAILS USED WITH GREEN PRESSURE TREATED MEMBERS. P11DF-2" X 6" ATTACHED TO CONCRETE WITH SIMPSON PDPW-300L FASTENERS.
 FLOOR JOISTS 16" ON CENTER.



SIDE STAGE
 2" X 6" GRADED DOUGLAS FIR FLOOR JOISTS
 5/8" T&G PLYWOOD SUBFLOOR

1/2" = 1'0"



CITY OF CAMPBELL • PLANNING COMMISSION
Staff Report • January 10, 2017

PLN2016-343 Public Hearing to consider the application of Omid Shakeri for a Site and
PLN2016-414 Architectural Review Permit to allow construction of a new 4,189 square foot
Shakeri single-story single-family residence with attached garage (PLN2016-343) and
a Tree Removal Permit request to remove five (5) on-site trees (PLN2016-414)
on property located at **910 Emory Avenue** in the R-1-16 (Single-Family
Residential) Zoning District.

STAFF RECOMMENDATION

That the Planning Commission take the following action:

1. **Adopt a Resolution**, incorporating the attached findings, approving a Site and Architectural Review Permit to allow construction of a new single family residence and removal of protected trees at 910 Emory 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 15303, Class 3 of the California Environmental Quality Act (CEQA), pertaining to the construction of single-family dwellings.

PROJECT DATA

Zoning Designation:	R-1-16 (Single-Family Residential)	
General Plan Designation:	Low-Density Residential (less than 3.5 units/gr. acre)	
Net Lot Area:	19,078 square-feet	
Building Height:	~21 feet	28 feet Maximum Allowed
Floor Area:		
<i>Existing (to be removed):</i>	<i>(2,206 square-feet)</i>	
New single-story home	3,754 square-feet	
Attached Garage:	<u>435 square-feet</u>	
Total floor area:	4,189 square-feet	
Floor Area Ratio (FAR):	~22%	45% Maximum Allowed
Lot Coverage:		
Residence/Garage:	4,189 square-feet	
Porch:	<u>185 square-feet</u>	
Total lot coverage:	4,374 square-feet	
Building (Lot) Coverage:	~23%	35% Maximum Allowed
Parking:	2-Car Garage	1 Covered, 1 Uncovered Required

<u>Setbacks</u>	<u>Proposed</u>	<u>Minimum Required</u>
Front:	~27 feet	25 feet
Right Side:	~17 feet	10 feet or 60% of wall height
Left Side:	8 feet	8 feet or 60% of wall height
Rear:	~95 feet	25 feet

DISCUSSION

Project Location: The project site is an approximately 22,078 square-foot (gross) lot located on the east side of Emory Avenue, north of W. Sunnyside Avenue, in the R-1-16 (Single-Family Residential) Zoning District (**Attachment 2**). The site is located in the San Tomas Area Neighborhood and is currently developed with a single-family residence built in 1947, a large detached garage and an accessory building, all of which would be removed. Single-family residential properties border the site on all sides. Pursuant to 21.42.020, a new residential structure in the R-1-16 zoning district requires approval of a Site and Architectural Review Permit by the Planning Commission.

Project Description: The new 4,189 square-foot single-story residence with attached garage would include a large front porch with tapered columns and a defined entry. The colors and materials include a grey/brown composition roof, beige stucco exterior, stone accents, and cream colored trim (**Attachment 3**).

ANALYSIS

Zoning District: The project site is located in the R-1-16 (Single-Family Residential) Zoning District and the San Tomas Area Neighborhood.

General Plan: The General Plan land use designation for the project site is Low Density Residential (less than 3.5 units per gross acre). The proposed residence would be consistent with the following General Plan Land Use Strategy:

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

Consistency with Design Guidelines: The project is subject to the San Tomas Area Neighborhood Plan (STANP). The proposed project incorporates representative architectural features of homes in the San Tomas Area including a single-story design, front porch, composition roof, and stucco exterior. Privacy impacts are minimized by maintaining a single-story design and larger than required setbacks.

Site Layout and Landscaping: The single-story residence would be located on a large lot with larger than required front, side, and rear yard setbacks. The proposed landscaping includes hedges along the side property lines, and flowering shrubs, rose bushes, and perennial plants in the front yard (reference sheet L1 of **Attachment 3**).

Tree Removal and Preservation: The property currently has 20 existing trees. Thirteen (13) trees are proposed to remain, including a 32-inch coast live oak tree. However, only four (4) of the 13 remaining trees are reported to be in “good” condition according to the tree survey prepared by the applicant’s Arborist (**Attachment 4**). The existing trees to remain meet the STANP requirement of one tree per 2,000 square feet of net lot area; however the applicant will also be required to plant new trees to replace the protected trees being removed. The applicant is proposing to remove five (5) on-site trees. As provided in the Resolution of Approval, all five trees may be removed because they are either exempt from the Tree Protection Ordinance or they meet the findings for removal, as follows, pursuant to Campbell Municipal Code Section 21.32.080.

Tree #16 is a 16-inch red cedar tree which is in poor condition and dying from the top down (meeting finding 1: diseased or danger of falling). Tree #10 is a 12-inch double trunked holly oak tree that is in “fair” condition but is growing too close to nearby trees to ensure its long-term viability (meeting finding 4: overplanting). Tree #7 is a 16-inch pepper tree that is considered a public nuisance and may therefore be removed without approval of a tree removal permit. Trees #11 (10-inch holly oak tree) and #15 (6-inch holly oak tree) can be removed without a permit because they are both below the minimum 12-inch threshold.

The applicant is also proposing to remove two street trees, an 11-inch valley oak tree and a 6-inch holly oak tree. The applicant has indicated that the holly oak street tree is unhealthy and is crowding the other trees while the valley oak street tree poses a fire hazard because it is located under the PG&E lines. While removal of street trees requires approval from the Public Works Department, not the Planning Commission, staff is providing this information since their removal is shown on the site plan. The applicant will be required to apply for an encroachment permit from the Public Works Department prior to removal of any street trees. At that time, the Public Works Department will determine whether either of the street trees should be removed. The City Arborist has visited the site and determined that the small holly oak tree in the city’s right of way is not suitable for saving due to its poor structural form, interference with the overhead powerlines, and crowding of the nearby oak tree

Site and Architectural Review Committee: The Site and Architectural Review Committee (SARC) reviewed this application at its meeting of December 13, 2016. The Committee was supportive of the project as presented, including the removal of the five (5) on-site trees. The SARC suggested that the new replacement trees could be planted along the side property lines as a screening measure between properties.

Public Comments: The applicant met with the San Tomas Area Community Coalition (STACC) to discuss his plans. Audrey Kiehtreiber, on behalf of STACC, submitted a letter in support of the proposed project, including the proposed removal of trees. While no affected neighbors provided comments, STACC requested obscure windows in the bathroom. STACC also suggested that the applicant consider using permeable materials for the driveway and front pathway and replacing the holly oak trees with olive trees or citrus trees. The applicant has agreed and the plans before the Planning Commission reflect this change. Nevertheless, staff does not typically recommend project changes or conditions of approval unless there is an identifiable impact or inconsistency with City Code. The STACC’s request for obscure window(s) in a single-story home was not supported with any evidence of its necessity. In this regard, staff does not support such a request

despite the fact that the property owner accepted the request to avoid opposition. Additionally, fruit trees are not protected by City Code and therefore should not be used as a replacement tree.

Attachments:

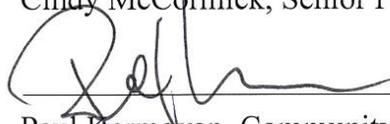
1. Resolution and Conditions of Approval
2. Location Map
3. Project Plans
4. Tree Survey

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 SITE AND ARCHITECTURAL REVIEW PERMIT (PLN2016-343) FOR A NEW 4,189 SQUARE FOOT SINGLE-STORY SINGLE-FAMILY RESIDENCE WITH ATTACHED GARAGE AND TREE REMOVAL PERMIT (PLN2016-414) FOR REMOVAL OF FIVE (5) ON-SITE TREES ON PROPERTY LOCATED AT 910 EMORY 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 PLN2016-343 and PLN2016-414:

Environmental Finding

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

Evidentiary Findings

2. The project site is zoned R-1-16 (Single Family Residential) on the City of Campbell Zoning Map.
3. The project site is designated Low Density Residential (<3.5 units/gr. acre) on the City of Campbell General Plan Land Use diagram.
4. The project site is an approximately 22,078 square-foot (gross) lot located on the east side of Emory Avenue, surrounded by single-family residential properties.
5. The proposed project consists of a single-story 4,189 square-foot single-family residence with a lot coverage ratio of 23% and a floor area ratio of 22% where a maximum lot coverage of 40% and floor area ratio of 45% is allowed.
6. The proposed residence provides two covered parking spaces, satisfying the applicable parking requirement to provide two spaces, one of which shall be covered.
7. The proposal is consistent with the City adopted San Tomas Area Neighborhood Plan (STANP).
8. The proposal is consistent with the Considerations in Review of Applications (CMC21.42.040) subject to Site and Architectural Review.

9. Removal of trees greater than 12-inches in diameter requires a Tree Removal Permit under the City's Tree Protection requirements (CMC 21.32).
10. Five (5) trees are proposed for removal and have been evaluated in a tree survey prepared for the property. Tree #16 is a 16-inch red cedar tree which is in poor condition and dying from the top down (meeting finding 1: diseased or danger of falling). Tree #10 is a 12-inch double trunked holly oak tree that is in "fair" condition but is growing too close to nearby trees to ensure its long-term viability (meeting finding 4: overplanting). Tree #7 is a 16-inch pepper tree that is considered a public nuisance and may therefore be removed without approval of a tree removal permit. Trees #11 (10-inch holly oak tree) and #15 (6-inch holly oak tree) can be removed without a permit because they are both below the minimum 12-inch threshold.
11. Thirteen (13) existing trees will remain on the property, exceeding the ten-tree minimum requirement for this property (one tree per 2,000 square feet of net lot area).
12. The applicant will also be required to plant new 24-inch box trees to replace any protected removed trees in accordance with CMC Section 21.32.100. The replacement trees will be a sufficient replacement for the trees to be removed and will continue the diversity of tree species found in the community.
13. No substantial evidence has been presented which shows that the project, as currently presented and subject to the required Conditions of Approval, will have a significant adverse impact on the environment.

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

1. The project will be consistent with the General Plan;
2. The project will aid in the harmonious development of the immediate area;
3. The project is consistent with applicable adopted design guidelines; and
4. All five trees may be removed because they are either exempt from the Tree Protection Ordinance or they meet the findings for removal pursuant to Campbell Municipal Code Section 21.32.080; and
5. This project is Categorically Exempt under per Section 15303 of the California Environmental Quality Act (CEQA), pertaining to the construction of single-family dwellings.

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Site and Architectural Review Permit (PLN2016-343) for a new 4,189 square foot single-story single-family residence with attached garage and a Tree Removal Permit (PLN2016-414)

removal of protected trees on property located at 910 Emory Avenue, subject to the attached Conditions of Approval (attached Exhibit "A").

PASSED AND ADOPTED this 10th day of January, 2017, 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
Site & Architectural Review Permit (PLN2016-343)
and Tree Removal Permit (PLN2016-414)

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 new 4,189 square foot single-story single-family residence with attached garage (Site and Architectural Review Permit PLN2016-343) and removal of five (5) on-site trees (Tree Removal Permit PLN2016-414) in the R-16 (Residential) Zoning District. The project shall substantially conform to the Revised Project Plans, received by the Community Development Department on December 21, 2016, except as may be modified by the Planning Commission, the Community Development Director, and/or as conditioned herein.
2. Permit Expiration: The Site and Architectural Review Permit & Tree Removal Permit approval shall be valid for one year from the date of final approval (expiring January 20, 2018). Within this one-year period, an application for a building permit must be submitted. Failure to meet this deadline will result in the Site and Architectural Review Permit & Tree Removal Permit being rendered void.
3. 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.
4. Time of Removal: The trees may only be removed in conjunction with demolition of existing on-site structures, subject to the conditions of approval for the Site and Architectural Review Permit.
5. Replacement Trees: All protected tree shall be replaced at a minimum of a one-to-one ratio in accordance with CMC 21.32.100, Table 3-5 (Replacement Tree Requirements) to be noted with the project's "final" landscaping plan.
6. Fences/Walls: Any newly proposed fencing and/or walls shall comply with Campbell Municipal Code Section 21.18.060 and shall be submitted for review and approval by the Community Development Department.

7. Landscaping: Prior to the issuance of building permits for the project, the applicant shall submit a detailed landscape and irrigation plan prepared by a licensed Landscape Architect for review and approval by the Community Development Director. Landscape and irrigation plans shall be consistent with the City's Water Efficient Landscaping Standards.
 - a. The front yard shall be landscaped and paving shall not exceed 50% of the front yard pursuant to Campbell Municipal Code (CMC) Sections 21.26.030(B) and 21.18.070 respectively.
 - b. The landscape plans should indicate the square footage of disturbed/re-landscaped planting areas or new planting areas.
 - c. If the project landscape area is 500 square feet or greater, the applicant shall submit a *landscape documentation package* demonstrating compliance with the 2015 California Model Water Efficient Landscape Ordinance (MWELo).
 - i. If the landscape area is 2,500 square feet or less, the project may comply with the prescriptive option (Appendix D) per Section 490.1(c) of the MWELo.
 - ii. If the landscape area is over 2,500 square feet, submit a landscape documentation package prepared by a *licensed landscape architect* demonstrating compliance with the full MWELo requirements.
 - d. All street trees and on-site streets shall be a minimum 24-inch box size. Shrubs shall be a minimum of 5-gallon size.
 - e. All landscaping installed as required per the approved landscape plan shall be maintained in good health.
 - f. All landscaping shall be installed prior to building occupancy.
 - g. All landscape areas shall be protected by 6-inch high poured in place concrete curbs.
8. On-Site Lighting: On-site lighting shall be shielded away from adjacent properties and directed on site. The design and type of lighting fixtures and lighting intensity of any proposed exterior lighting for the project shall be reviewed and approved by the Community Development Director prior to installation of the lighting for compliance with all applicable Conditions of Approval, ordinances, laws and regulations. Lighting fixtures shall be of a decorative design to be compatible with the residential development and shall incorporate energy saving features.
9. 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.

10. 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:

11. PERMITS REQUIRED: A building permit application shall be required for the proposed new commercial structure. The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit.
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. CONSTRUCTION PLANS: The conditions of Approval shall be stated in full on the cover sheet of construction plans submitted for building permit.
14. SIZE OF PLANS: The minimum size of construction plans submitted for building permits shall be 24 in. X 36 in.
15. SOILS REPORT: Two copies of a current soils report, prepared to the satisfaction of the Building Official, containing foundation and retaining wall design recommendations shall be submitted with the building permit application. This report shall be prepared by a licensed engineer specializing in soils mechanics.

16. **SITE PLAN:** Application for building permit shall include a competent site plan that identifies property and proposed structures with dimensions and elevations as appropriate. Site plan shall also include site drainage details. 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.
17. **FOUNDATION INSPECTIONS:** A pad certificate prepared by a licensed civil engineer or land surveyor shall be submitted to the project building inspector upon foundation inspection. This certificate shall certify compliance with the recommendations as specified in the soils report and the building pad elevation and on-site retaining wall locations and elevations are prepared according to approved plans. Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered civil engineer for the following items:
- a. pad elevation
 - b. finish floor elevation (first floor)
 - c. foundation corner locations
18. **SPECIAL INSPECTIONS:** When a special inspection is required by C.B.C. Chapter 17, the architect or engineer of record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the building permits, in accordance with C.B.C Chapter 1, Section 106. Please obtain City of Campbell, Special Inspection forms from the Building Inspection Division Counter.
19. The City of Campbell, standard Santa Clara Valley Non-point Source Pollution Control Program specification sheet shall be part of plan submittal. The specification sheet (size 24” X 36”) is available at the Building Division service counter.
20. **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. San Jose Water Company (408) 279-7900 (Customer Service)
 - d. Bay Area Air Quality Management District (Demolitions Only)
 - 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.

21. P.G.& E.: Applicant is advised that Secondary Dwelling Units on Residential lots are not able to have separate electrical and gas service. Gas and Electric service must be provided from the services associated with the main residential structure.
22. CALIFORNIA GREEN BUILDING CODE: This project is subject to the mandatory requirements for new residential structures (Chapter 4) under the California Green Building Code, 2013 edition.
23. 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.
24. 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.
25. AUTOMATIC FIRE SPRINKLER SYSTEMS: This project shall comply with Section R313 of the California Residential building Code 2013 edition, and be equipped with a complying Fire Sprinkler system.
26. STORM WATER REQUIREMENTS: Storm water run-off from impervious surface created by this permitted project shall be directed to vegetated areas on the project parcel. Storm water shall not drain onto neighboring parcels.

PUBLIC WORKS DEPARTMENT

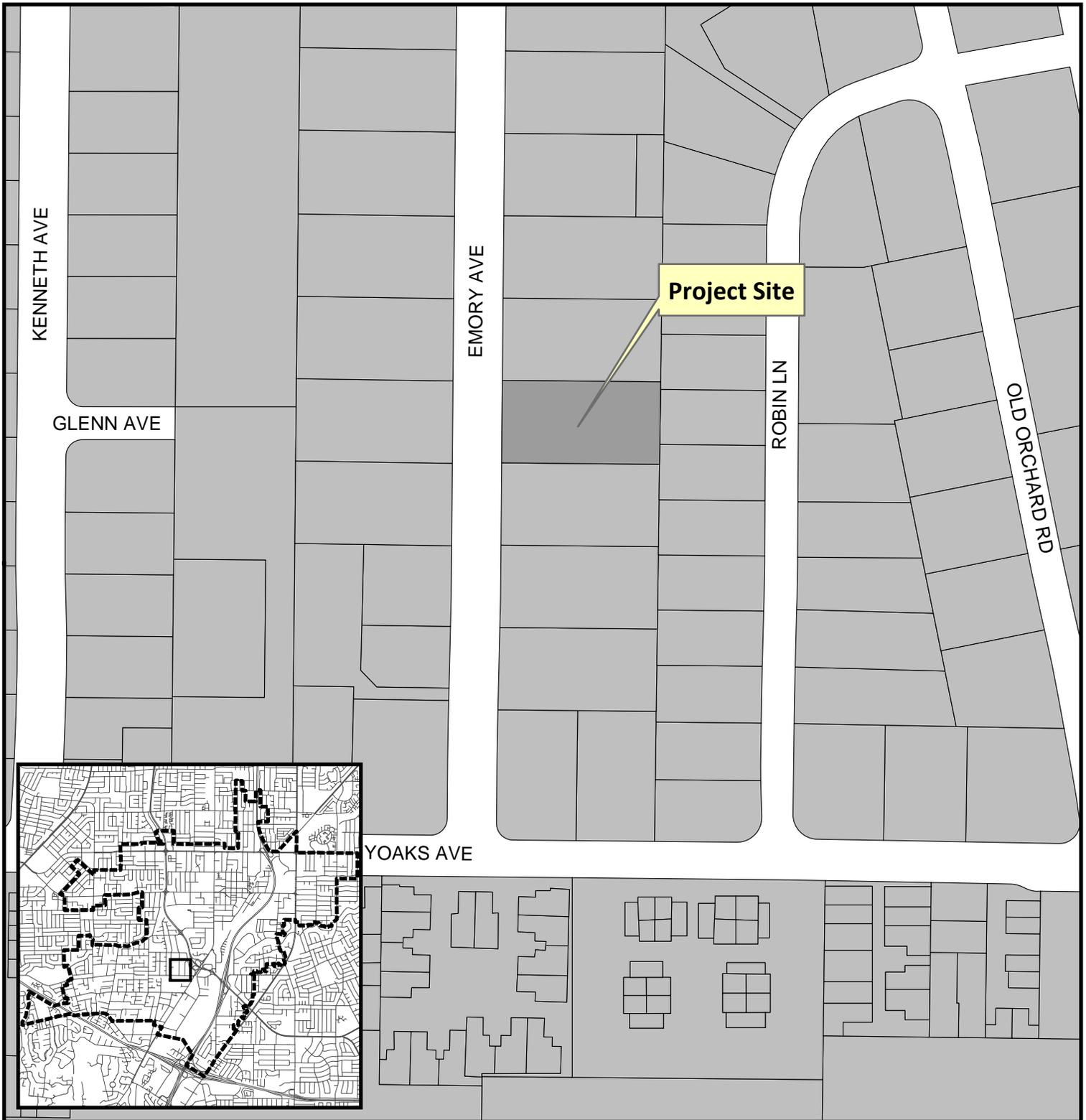
27. Vacation of Public Easement: Per Tract Map No. 284, the property is encumbered with an old County Light and Air easement that is shown on the map as a 35 foot Building Setback Line. If the applicant wishes to construct the new structure within that area, then the applicant shall fully complete the easement vacation process prior to issuance of the building permit. The applicant shall submit a vacation of the building setback line application for approval by the City Engineer, pay the current application processing fee, process the application with City staff's comments and fully complete the vacation.
28. 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 \$928.00
29. Water Meter(s) and Sewer Cleanout(s): Proposed water meter and sewer cleanout shall be installed on private property behind the public right-of-way line.
30. 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. Emory Avenue has not been reconstructed or overlaid in the last 5 years. The pavement restoration plan shall indicate how the street pavement shall be restored following the installation or abandonment of all utilities necessary for the project.
31. 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

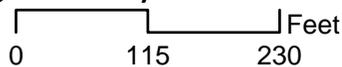


Project Location: 910 Emory Avenue

Application Type: Site and Arch Review Permit /
Tree Removal Permit

Planning File No.: PLN2016-343

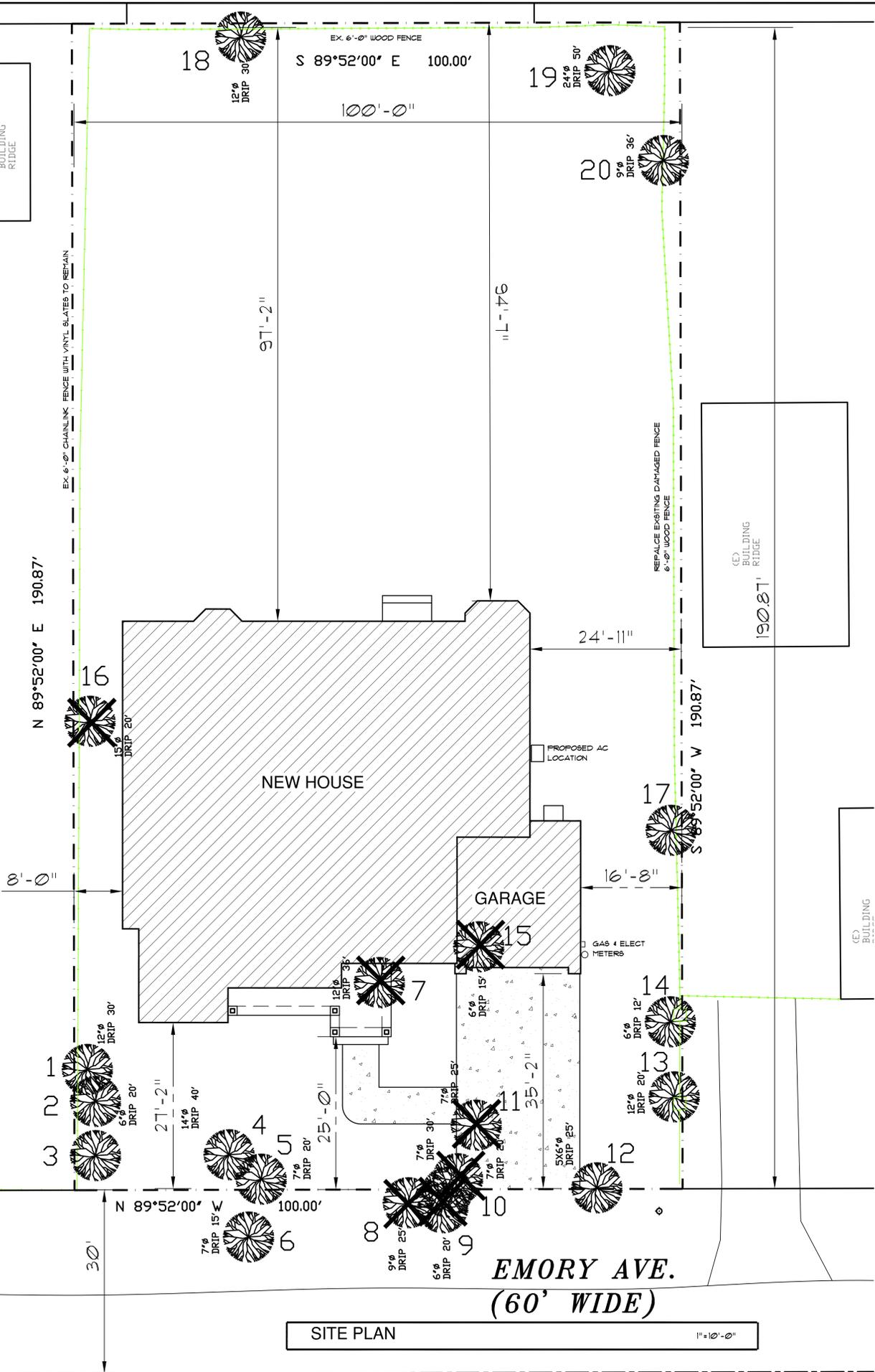
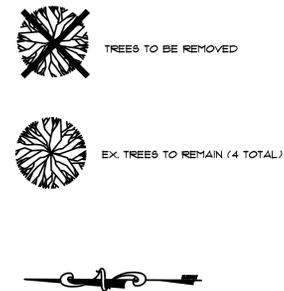
Description: New single-story, single-family residence.
Removal of protected trees.



Community Development Department
Planning Division

TREE INVENTORY TABLE

- List of trees (Numbered on map)
- 1) Holly Oak, (Quercus ilex) 12" DBH, 20' tall, one sided tree, fair condition
 - 2) Holly Oak, 6" DBH, (Double trunk) 20' tall, fair condition.
 - 3) Holly Oak, 6" DBH, 6 Multiple trunks, 18' tall, fair condition.
 - 4) Live Oak (Quercus agrifolia), 16" DBH, 30' tall, good condition.
 - 5) Holly Oak, 8" DBH, one sided tree, 18' tall, fair condition
 - 6) Holly Oak, 8" DBH, 18' tall, fair condition
 - 7) California Pepper (Shinus molle), 16" DBH, 20' tall Fair condition
 - 8) Valley Oak, (Quercus lobata), 11" DBH, 25' tall, in the wires, been cut hard by power company, fair condition.
 - 9) Holly Oak, 6" DBH, 16' tall, one sided tree, fair condition.
 - 10) Holly Oak, (2 trees, same size) 12" DBH, 25' tall, fair condition, one sided trees.
 - 11) Holly Oak, 10", 20' tall, one sided, fair condition.
 - 12) Holly Oak, multi trunk 5" DBH, 18' tall, fair condition.
 - 13) Holly Oak, 13" DBH, 25' tall, good condition
 - 14) Pyrocantha (bush) 6" DBH, 10' tall, fair condition.
 - 15) Holly Oak, 6" DBH, 16' tall, (too close to house) fair condition
 - 16) Red Cedar (Thuja plicata), 16" DBH, 28' tall, tree is dying from the top down. poor.
 - 17) Loquat (Eriobotryia japonica), 6" DBH, 16' tall, good condition.
 - 18) Privet (Ligustrum sp.), 16" DBH (multi trunk), 26' tall, good condition
 - 19) Live Oak, 32" DBH, 40'tall, fair condition (This tree is infested with wood bores).
 - 20) Holly Oak, 11" DBH, 18' tall, (growing under the Live Oak, fair condition.



PROPOSED HOUSE AT: 910 EMORY AVE CAMPBELL, CA 95008

OWNER:

ECCO BUILDERS INC.
OMID SHAKERI
(408) 666-6556

PROJECT SCOPE:

PROPOSED NEW ONE STORY SINGLE FAMILY RESIDENCE WITH ATTACHED 2 CARS GARAGE TO REPLACE THE EXSITING HOUSE HOUSE DESIGN AND STYLE TO COMPLY WITH CAMPBELL DESIGN GUIDELINE AND COMPATIBLE WITH THE NEW HOUSES IN THE NEIGHBORHOOD. NO PROTECTED TREES ARE PROPOSED FOR REMOVAL
APN 404-29-029

GROSS LOT AREA: 22,078 SQ. FT.
NET LOT AREA: 19,078 SQ. FT.

ZONING: R1-16

SQUARE FOOTAGE SUMMARY	
	SQ. FT.
PROPOSED LIVING AREA	3,754 SQ. FT.
ATTACHED GARAGE	435 SQ. FT.
PROPOSED TOTAL NEW HOUSE (FAR)	4,189 SQ. FT.
COVERED FRONT PORCH	185 SQ. FT.
EXISTING HOUSE, GARAGE & shed TO BE DEMOLISHED	(2,206 SQ. FT.)

	SQUARE FEET		PERCENT OF SITE		
	EXISTING	PROPOSED	EXISTING	PROPOSED	ALLOWED
LOT COVERAGE	2,206 SQ. FT.	4,374 SQ. FT.	12.0 %	23.0 %	35 %
LANDSCAPE COVERAGE (Pervious Areas)	13,897 SQ. FT.	13,819 SQ. FT.	73.0 %	72.0 %	
PAVING COVERAGE (Driveway/Walkways & Landings)	2,975 SQ. FT.	885 SQ. FT.	15.0 %	5.0 %	
TOTAL SITE AREA	19,078 SQ. FT.	19,078 SQ. FT.	100 %	100 %	
FLOOR AREA RATIO		4,189 SQ. FT.		22 %	45 %

PROJECT SUMMARY

- A1 PROJECT DATA / VICINITY MAP
- SITE PLAN
- A1.1 DEMOLITION PLAN
- A2 FLOOR PLAN
- A3.1 EXTERIOR ELEVATIONS
- A3.2 EXTERIOR ELEVATIONS
- A4 STREETScape / SECTION
- A5 ROOF PLAN / FLOOR AREA CALCULATION
- C1 GRADING AND DRAINAGE PLAN



SHEETS INDEX

VICINITY MAP

ALL EXISTING AND NEW UTILITIES SHALL BE PLACED UNDERGROUND WITHOUT EXCEPTION

REVISIONS	BY



BASSAL
Architecture
916.435.0605
4912 BRADFORD PL
ROCKLIN, CA 95765
bassalarchitecture.com

SITE PLAN - PROJECT DATA

PROPOSED HOUSE AT:
ECCO BUILDERS INC.
910 EMORY AVE
CAMPBELL, CA 95008

DATE:	10-24-2016
SCALE:	NOTED
DRAWN:	CB
JOB NO:	-
SHEET NO.:	A1
OF SHEETS:	-

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REVISIONS	BY



BASSAL
Architecture
 916.435.0605
 4912 BRADFORD PL
 ROCKLIN, CA 95765
 bassalarchitecture.com

EXISTING SITE PLAN
 DEMOLITION PLAN

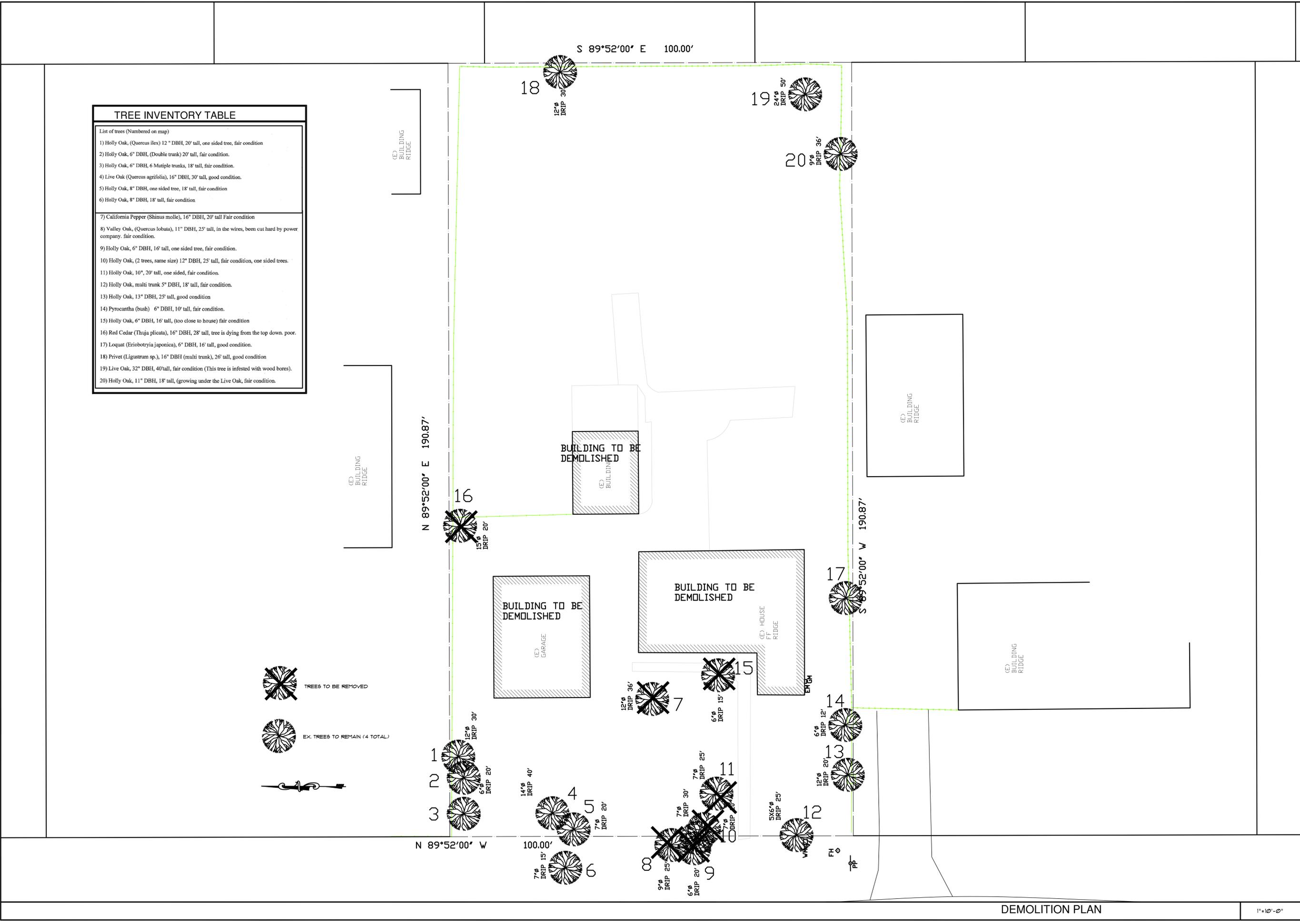
EZAT RESIDENCE
 531 SUNNYBROOK CT
 CAMPBELL, CA

DATE: 10-24-2016
 SCALE: NOTED
 DRAWN: CB
 JOB NO: -

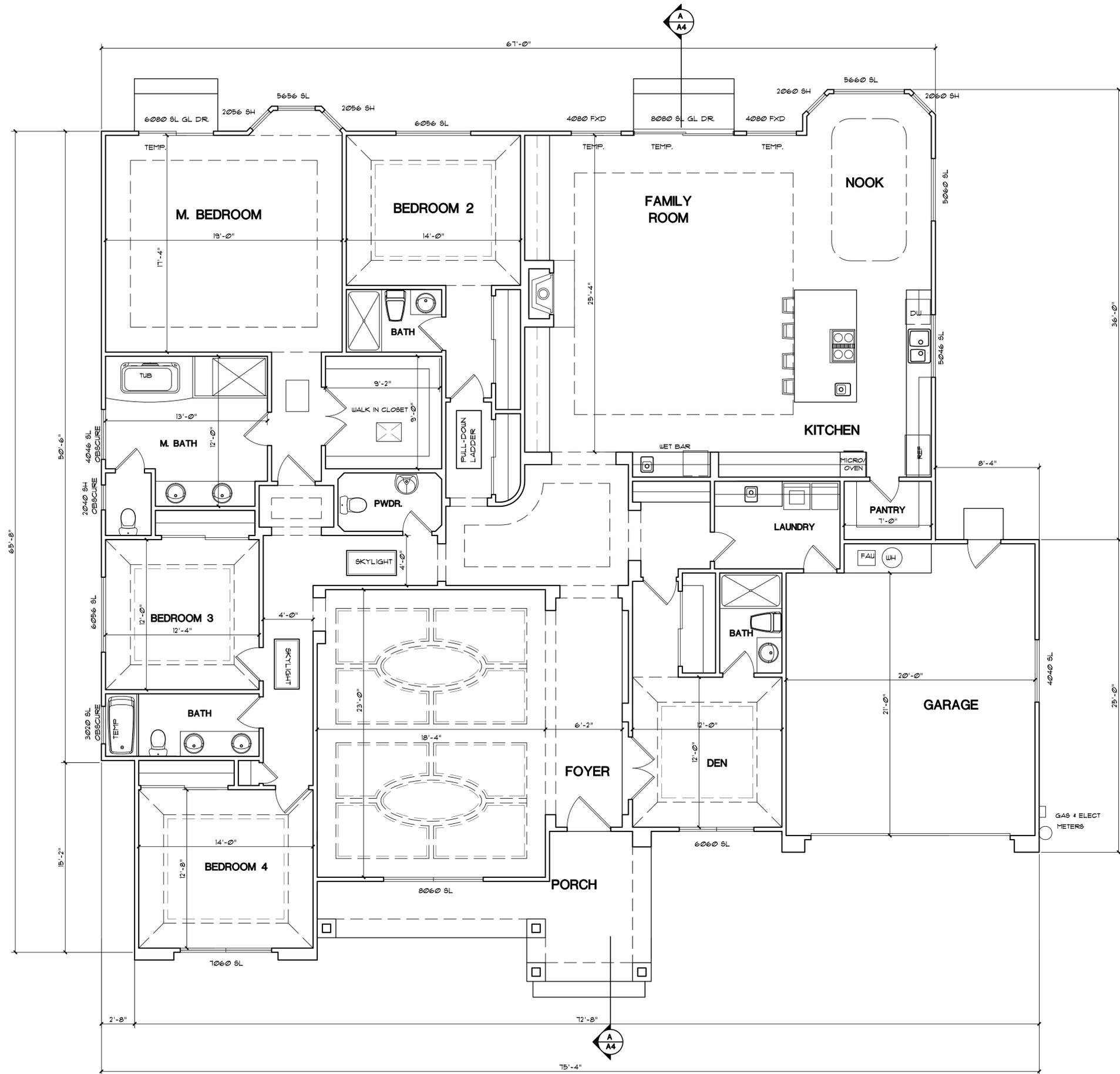
SHEET NO.
A11
 OF SHEETS

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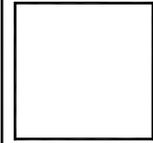
DEMOLITION PLAN 1" = 10'-0"



REVISIONS	BY



BASSAL
Architecture
 916.435.0605
 408.674.2077



FLOOR PLAN

PROPOSED HOUSE AT:
ECCO BUILDERS INC.
910 EMORY AVE
CAMPBELL, CA 95008

DATE: 10-24-16
 SCALE: 1/4" = 1'-0"
 DRAWN: CB
 JOB NO:

SHEET NO.
A2.1
 OF SHEETS

FLOOR PLAN 1/4"=1'-0"

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FRONT ELEVATION

- EXTERIOR FINISHES:**
- ROOFING:** "CERTAINTEED" COMPOSITION
- ① MAX DEF WEATHERED WOOD
- BUILDING COLORS BY: KELLY-MOORE**
- ② MAIN COLOR: DOESKIN 202
- ③ TRIM COLOR: SWISS COFFEE K1 23
- CULTURED STONE: ELDORADO STONE**
- ④ SHADOW ROCK - BRONZE

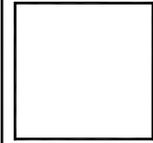


REAR ELEVATION

REVISIONS	BY



BASSAL
Architecture
 916.435.0605
 408.674.2077



ELEVATIONS

PROPOSED HOUSE AT:
 ECCO BUILDERS INC.
 910 EMORY AVE
 CAMPBELL, CA 95008

DATE: 10-24-16
 SCALE: -
 DRAWN: CB
 JOB NO: -

SHEET NO.
A3.1
 OF SHEETS

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REVISIONS	BY



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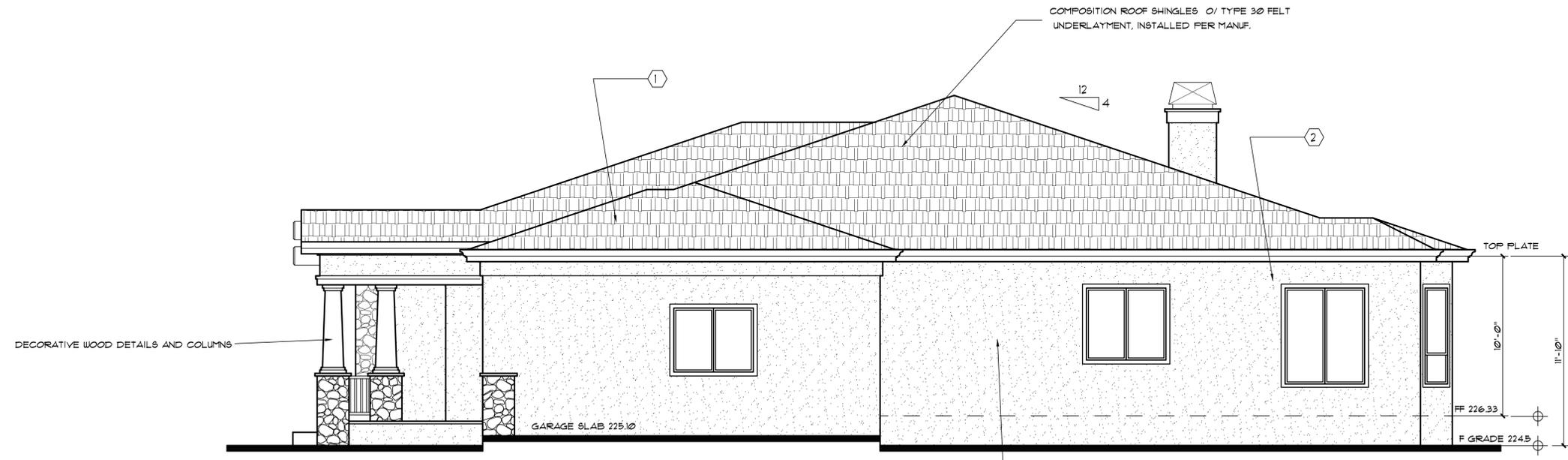
ELEVATIONS

PROPOSED HOUSE AT:
ECCO BUILDERS INC.
 910 EMORY AVE
 CAMPBELL, CA 95008

DATE: 10-24-16
 SCALE:
 DRAWN: CB
 JOB NO:

SHEET NO.
A3.2
 OF SHEETS

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RIGHT SIDE ELEVATION

1/8" 3-COAT STUCCO FINISH OVER METAL LATH
 O/ 2- LAYERS OF GRADE "D" BUILDING PAPER

EXTERIOR FINISHES:

ROOFING: "CERTAINTEED" COMPOSITION

① MAX DEF WEATHERED WOOD

BUILDING COLORS BY: KELLY-MOORE

② MAIN COLOR: DOESKIN 202

③ TRIM COLOR: SWISS COFFEE KM 23

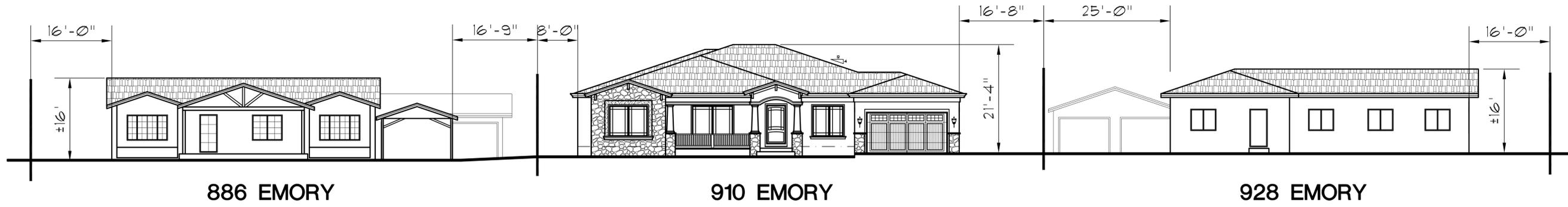
CULTURED STONE: ELDORADO STONE

④ SHADOW ROCK - BRONZE



LEFT SIDE ELEVATION

ELEVATIONS 1/4"=1'-0"

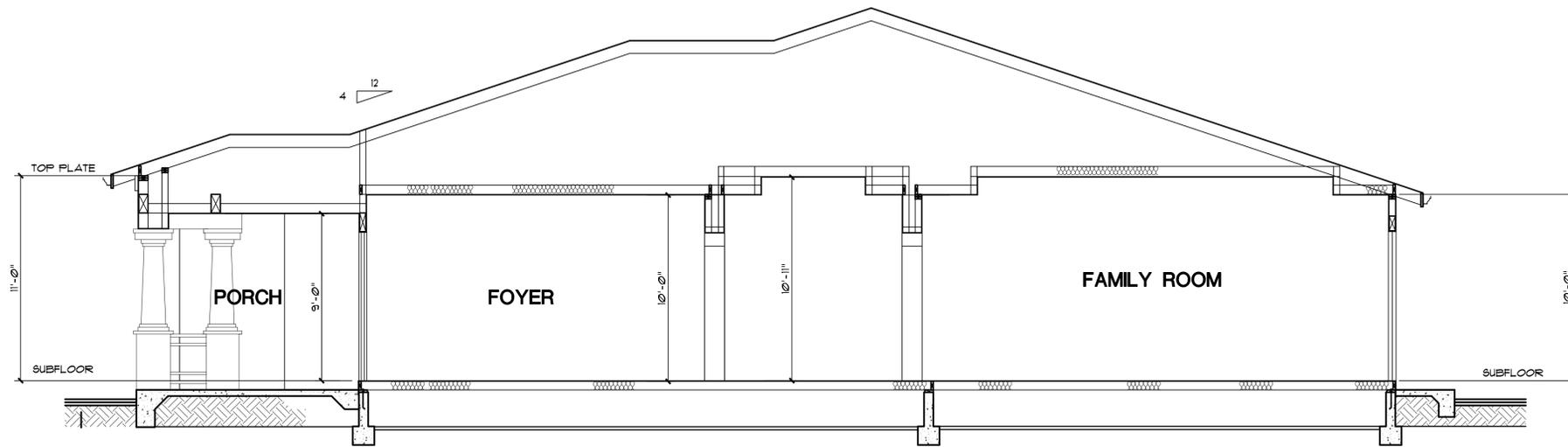


886 EMORY

910 EMORY

928 EMORY

STREETSCAPE 1/8"=1'-0"



A BUILDING SECTION
A4

BUILDING SECTION 1/4"=1'-0"

REVISIONS	BY



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Architecture
916.435.0605
408.674.2077

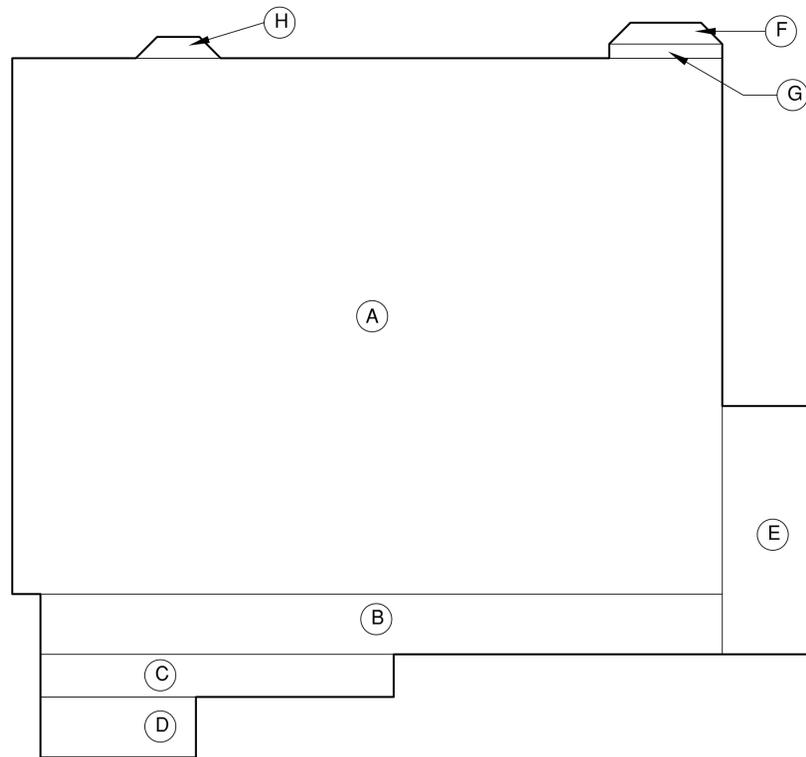
STREETSCAPE
BUILDING SECTION

PROPOSED HOUSE AT:
ECCO BUILDERS INC.
910 EMORY AVE
CAMPBELL, CA 95008

DATE: 10-24-16
SCALE:
DRAWN: CB
JOB NO:

SHEET NO.
A4
OF SHEETS

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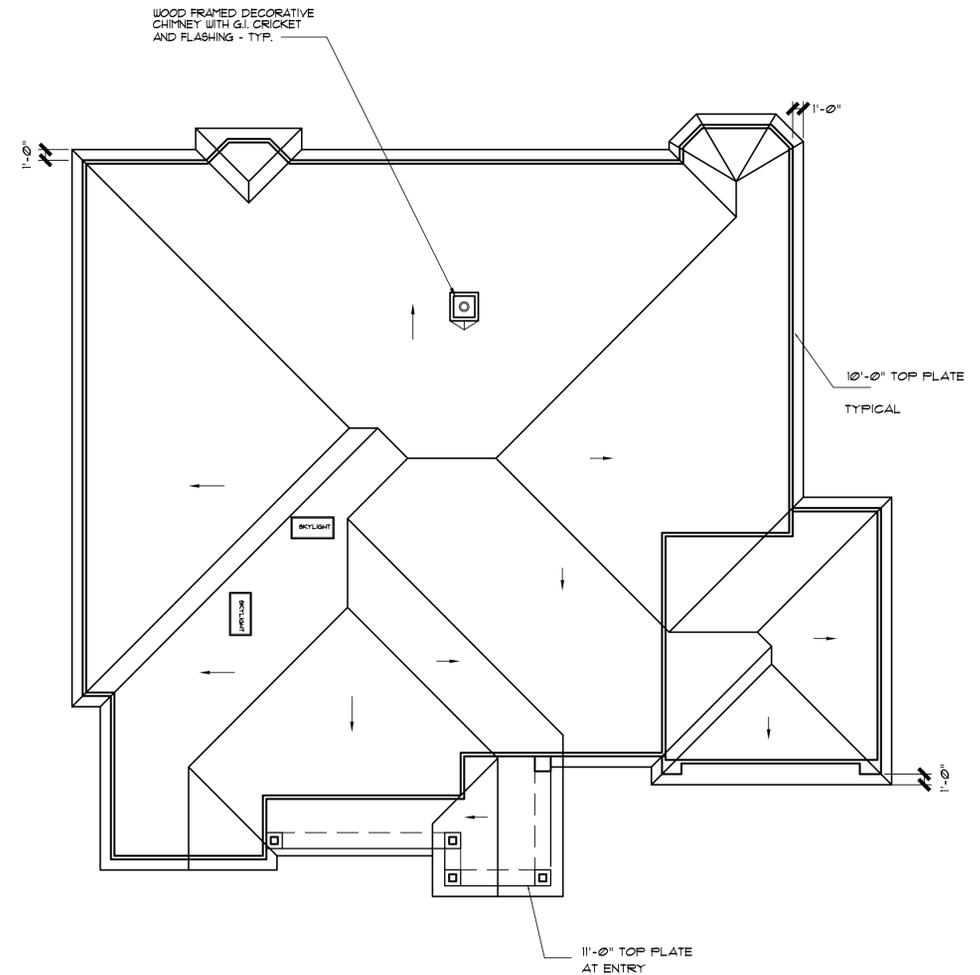
SQUARE FOOTAGE:

- A 76' X 50.33' = 3,812 SF.
- B 64.33' X 5.66' = 364 SF.
- C 33.33' X 4' = 133 SF.
- D 14.66' X 5.66' = 83 SF.
- E 8.33' X 23.33' = 194 SF.
- F 17 SF.
- G 10.66' X 13.3' = 14 SF.
- H 12 SF.

TOTAL : 4,189 SF.

TOTAL PROPOSED FLOOR AREA = 4,189 SQ. FT. (FAR 22 %)

ALLOWED FAR 45% = 8,550 SF



ROOF NOTES:

1. TYPICAL ROOF SLOPES: 4 : 12
2. COMPOSITION SHINGLES ROOFING OVER 3/8" BLDG. PAPER OVER FLYWOOD SHEATHING, CLASS "A"
3. ALL ROOF OVERHANGS TO BE 12" - TYPICAL
4. PROVIDE NECESSARY FLASHING AT ALL VALLEYS AND ROOF TO WALL CONNECTIONS.

→ INDICATES DIRECTION OF ROOF SLOPE

REVISIONS	BY



BASSAL
Architecture
 916.435.0605
 408.674.2077



SITE PLAN

PROPOSED HOUSE AT:
ECCO BUILDERS INC.
910 EMORY AVE
CAMPBELL, CA 95008

DATE: 10-18-16
 SCALE: 1" = 10'-0"
 DRAWN: CB
 JOB NO: 16-001

SHEET NO.
A5
 OF SHEETS

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Saratoga Tree Service

13745 Skyline Blvd.

Los Gatos, CA 95033

11-18-2016

Omid Shakeri

2898 Joseph Ave. Suite C

Campbell, CA 95008

Re: 910 Emory Ave

I have inspected the trees at the above address and you will find my comments listed below. I have assigned a number for each tree, on the provided map. This property has been neglected for a long time and many of the trees growing here, (primarily the Holly Oaks), are inferior sprouted trees with multi trunks and growing much too close together. As this is a new construction demolition, very few of the trees around the structure are worth keeping in a new landscape. Because of the excessive crowding, many of these sucker trees have developed into one sided trees that will not evolve into viable landscape trees. I was told that the Pepper Tree is too close to the new footprint and the client would like to see it gone. Some of the trees along the side of the property will be useful for privacy and even though they are too crowded, you might want to preserve them. Sadly, because this property has been neglected for so long, the trees are for the most part, in fair to poor condition.

Trees proposed for removal are #7, #8, #9, #10, #11, #15 and # 16

List of trees (Numbered on map)

- 1) Holly Oak, (*Quercus ilex*) 12 " DBH, 20' tall, one sided tree, fair condition
- 2) Holly Oak, 6" DBH, (Double trunk) 20' tall, fair condition.
- 3) Holly Oak, 6" DBH, 6 Mutiple trunks, 18' tall, fair condition.
- 4) Live Oak (*Quercus agrifolia*), 16" DBH, 30' tall , good condition.
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- 18) Privet (*Ligustrum sp.*), 16" DBH (multi trunk), 26' tall, good condition
- 19) Live Oak, 32" DBH, 40'tall, fair condition (This tree is infested with wood bores).
- 20) Holly Oak, 11" DBH, 18' tall, (growing under the Live Oak, fair condition.

Tree Protection Guidelines are generally indicated by the city where the work is to be performed.

These include, fencing off to protect the trees from construction impact, compaction or spills. Do not store materials under the canopy of the trees to be protected. It is advisable to add a protective layer of mulch to help minimize water loss during construction. Maintain irrigation during the project. Have all tree pruning performed by a qualified tree worker or Arborist. Trenching that goes under the canopy of the trees needs to be done in a manner that does not compromise the root system.

Respectfully submitted

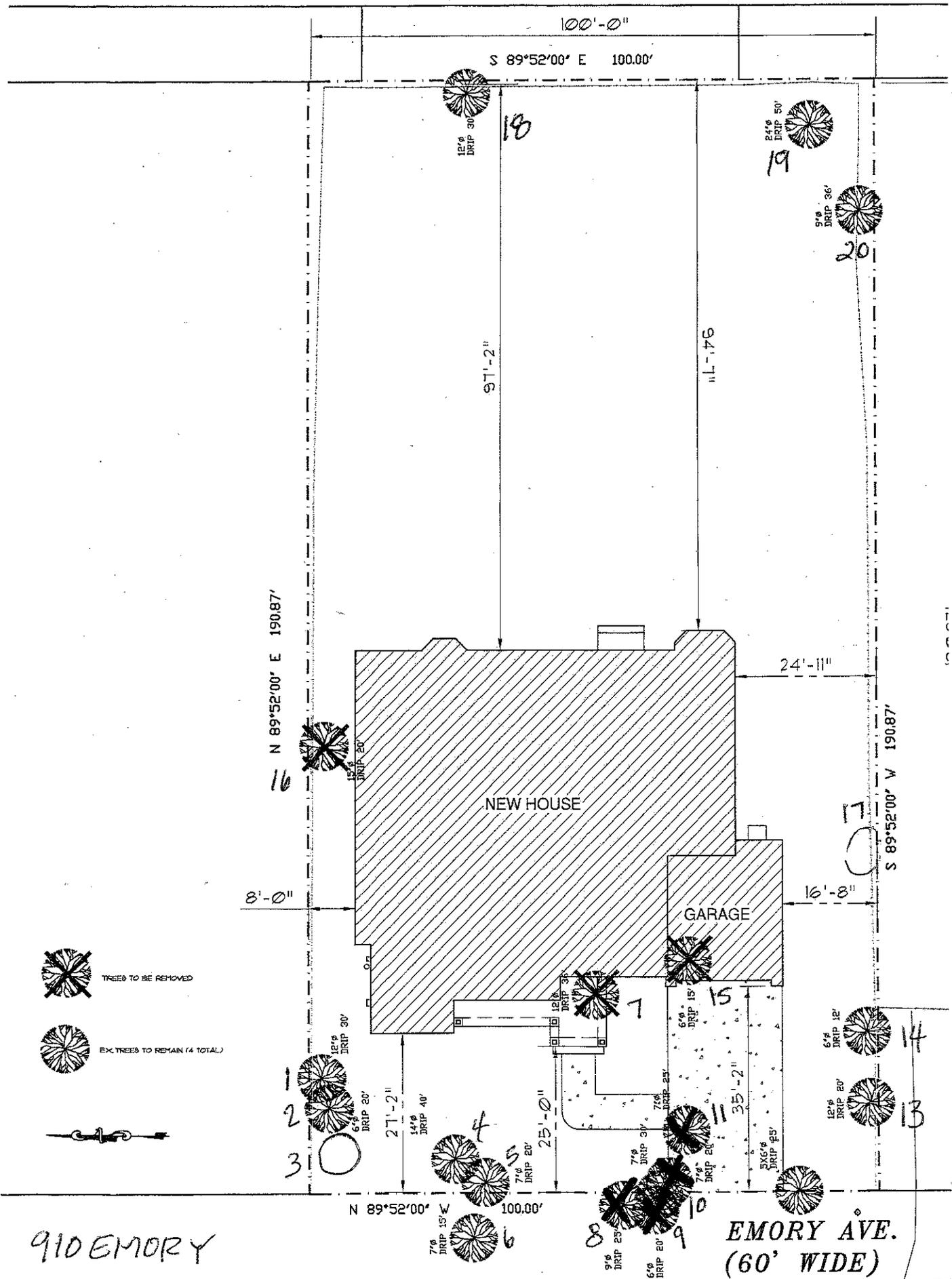
Blair Glenn

I.S.A. Certified Arborist #WC654A

State of California Contractors License #652522

Attachment:

Tree Survey Map



SITE PLAN

