

PLANNING COMMISSION
City of Campbell, California

Register in advance for this webinar visit:

August 25, 2020
Tuesday
7:30 PM

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AGENDA

CONVENE MEETING

This Regular Planning Commission meeting will be conducted via telecommunication and is compliant with provisions of the Brown Act and Executive Order N-29-20 issued by the Governor.

The following members of the Planning Commission are listed to permit them to appear electronically or telephonically at the regular Planning Commission meeting on August 11, 2020: Chair Michael Krey, Vice-Chair Maggie Ostrowski, Commissioners Adam Buchbinder, Andrew Rivlin; Nick Colvill; Stuart Ching; and Terry Hines.

Members of the public will not be able to attend meetings at the Campbell City Council Chamber physically. The Planning Commission meeting will be live-streamed on Channel 26, the City's website, and YouTube (<https://www.youtube.com/user/CityofCampbell>).

Those members of the public wishing to participate are asked to register in advance at: <https://us02web.zoom.us/meeting/register/tZwrcu-tpzooHtF6qoBw57crCub5EgbJRmb4>. After registering, you will receive a confirmation email containing information about joining the meeting.

Public comment for the Planning Commission meetings will be accepted via email at planning@campbellca.gov prior to the start of the meeting. Written comments will be posted on the website and distributed to the PC. If you choose to email your comments, please indicate in the subject line "FOR PUBLIC COMMENT" and indicate the item number.

ROLL CALL

APPROVAL OF THE MINUTES August 11, 2020

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. **PLN-2020-70** Public Hearing to consider the application of Gary Kohlsaar for a Site and Architectural Review Permit (PLN-2020-70) to allow a façade improvement to an existing commercial building including installation of metal awnings, a new entry door and window, and replacement of decorative rock wall cladding with stucco, and associated parking lot restriping on property located at **1049 Dell Avenue**. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Daniel Fama, Senior Planner*.

2. **PLN-2020-82** Public Hearing to consider the application of David Wood for a Conditional Use Permit (PLN-2020-82) to allow a new medical service use (clinic) within an existing commercial tenant space on property located at **1760 S. Bascom Avenue, Suite 140**. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Stephen Rose, Senior Planner*.

MISCELLANEOUS

3. Discussion on Commercial and Industrial Floor Area Ratios (FAR) standards. Presenter: Commissioner Nick Colvill

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR**ADJOURNMENT**

Adjourn to the next regularly scheduled Planning Commission meeting of **September 8, 2020**, at 7:30 p.m., and likely to be conducted using Zoom.

Americans with Disabilities Act (ADA)

In compliance with the Americans with Disabilities Act, listening assistance devices are available for meetings held in the Council Chambers. If you require accommodation to participate in the meeting, please contact Corinne Shinn at the Community Development Department, at corinnes@cityofcampbell.com or (408) 866-2140.

CITY OF CAMPBELL PLANNING COMMISSION
MINUTES

7:30 P.M.

TUESDAY

AUGUST 11, 2020
REMOTE ON-LINE ZOOM MEETING

The Planning Commission meeting of August 11, 2020, was called to order at 7:30 p.m. by Chair Krey and the following proceedings were had, to wit:

ROLL CALL

Commissioners Present: Chair:	Michael Krey
Vice Chair:	Maggie Ostrowski
Commissioner:	Adam Buchbinder
Commissioner:	Stuart Ching
Commissioner:	Nick Colvill
Commissioner:	Terry Hines
Commissioner:	Andrew Rivlin

Commissioners Absent: None

Staff Present:	Community
Development Director:	Paul Kermoyan
Senior Planner:	Stephen Rose
Assistant Planner:	Naz Pouya Healy
City Attorney:	William Seligmann
Recording Secretary:	Corinne Shinn

APPROVAL OF MINUTES

Motion: Upon motion by Commissioner Buchbinder, seconded by Commissioner Colvill, the Planning Commission minutes of the meeting of July 28, 2020, were approved as submitted. (5-0-2; Vice Chair Ostrowski and Commissioner Rivlin abstained)

COMMUNICATIONS

None

AGENDA MODIFICATIONS OR POSTPONEMENTS

None

ORAL REQUESTS

None

Chair Krey asked if there were any disclosures from members of the Commission.

Commissioner Rivlin said he was concerned that he was located within 500 feet of Item No. 1 and might need to recuse from it. He estimates he's about 506 feet from the project site. He was advised that at 506 distance he could participate.

Commissioner Buchbinder advised that he visited all sites as he normally does but did not meet with anyone.

Commissioner Rivlin said that he recalculated the distance and finds he may be under 500 feet away so he will recuse himself due to being within noticing distance. He muted his microphone and left his computer.

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

PUBLIC HEARINGS

1. **PLN2019-234** Continued Public Hearing (from the Planning Commission meeting of June 23, 2020) to consider the application of Gordon Wong for an Administrative Planned Development Permit (PLN2019-234) to allow for the establishment of a small fitness studio and a Parking Modification Permit to allow a reduction in the number of required parking spaces at **85 Gilman Avenue** in the P-D (Planned Development) Zoning District. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: Stephen Rose, Senior Planner

Mr. Stephen Rose, Senior Planner, provided the staff report.

Chair Krey asked if there were questions for staff.

Commissioner Hines asked what the hours for this use will be.

Planner Stephen Rose:

- Advised that the applicant is requesting hours from 6 a.m. to 8 p.m. from Monday through Friday; and from 8 a.m. to 2 p.m. on Saturday and Sunday.
- Added that staff recommends hours from 6 a.m. through 8 p.m. daily, which provides more operational hours on the weekends.

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

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

Commissioner Buchbinder said that he had stated everything he wanted to at the last meeting. He thanked staff for providing a resolution for approval this evening.

Commissioner Hines said he agreed with Commissioner Buchbinder.

Chair Krey admitted that he was against this request originally and will still be voting against it.

Planner Stephen Rose shared a slide with proposed language change to the motion.

Motion: **Upon motion of Commissioner Buchbinder, seconded by Commissioner Hines, the Planning Commission adopted Resolution No. 4567 approving an Administrative Planned Development Permit (PLN2019-234) to allow for the establishment of a small fitness studio and a Parking Modification Permit to allow a reduction in the number of required parking spaces at 85 Gilman Avenue; as modified to remove the word “not” from one of the findings, by the following roll call vote:**

AYES: **Buchbinder, Ching, Colvill, Hines and Ostrowski**
NOES: **Krey**
ABSENT: **None**
ABSTAIN: **Rivlin**

Chair Krey advised that the Planning Commission action is final unless appealed in writing to the City Clerk within ten calendar days.

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

2. **PLN-2019-239** Public Hearing to consider the application of Dennis Shafer for a Site and Architectural Review Permit to allow a 285 square-foot second floor addition to an existing 3,339 square-foot two-story single-family home with a floor area ratio exceeding 45% (48.6% proposed) and a minimum side setback of 5-feet where a ±10-foot side setback would otherwise be required on property located at **1789 Hurst 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: Stephen Rose, Senior Planner

Mr. Stephen Rose, Senior Planner, provided the staff report.

Chair Krey asked if there were questions for staff.

Commissioner Buchbinder asked floor area ratios (FAR) include storage areas such as a shed.

Planner Stephen Rose replied that any fully enclosed area is counted against a property's FAR. That space does not have to be habitable.

Chair Krey:

- Pointed out that the proposed second-story addition doesn't infringe on the neighbor to the South.
- Asked staff what would happen if that neighbor one day wants to go from a one-story to a two-story home on his property.

Planner Stephen Rose replied that if the FAR is low enough and the setbacks can be met, it could be approved at staff level as it is not required to undergo design review.

Chair Krey asked for a SARC report.

Commissioner Ostrowski provided the Site and Architectural Review Committee Report as follows:

- Stated that SARC spent some time on issues of bulk and mass.
- Assured that this home will appear less bulky as seen in a three-dimensional view.
- Added that the roofline looks quite nice.
- Thanked Planner Stephen Rose for the detailed report he prepared of the existing homes in this neighborhood. It demonstrates that there are lots of large two-story homes in this neighborhood with similar design.

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

Bruno and Julie Zerbib, Property Owners:

- Stated their appreciation for the Commission's consideration of this application as well as the provision of the neighborhood analysis provided by Planner Stephen Rose.
- Added that this home is representative of its neighborhood and will not be over the top in its appearance.

Dennis Shafer, Project Architect:

- Assured that people will think this addition was part of the original home.
- Stated that the home would not appear bulky.
- Concluded that it is similar to other homes in this area.

Commissioner Buchbinder asked the Zerbibs what the motivation was for this expansion.

Mrs. Julie Zerbib, Owner, replied that their existing master bedroom is quite small with inadequate storage space. They want to expand that main bedroom.

Mr. Bruno Zerbib, Owner:

- Stated that privacy will be better both from his home and for his rear neighbors at the back.
- Advised that an existing balcony, that they never used, will be removed resulting in greater privacy for those two rear neighbors.

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

Commissioner Ching:

- Stated that this project meets the necessary findings.
- Added that it is in keeping with its neighborhood.
- Said that it provides a mutual benefit with the rear neighbors.
- Pointed out that the elevation drawing is actually misleading as to how this addition will fit on this home.
- Concluded he would be supportive.

Commissioner Hines:

- Stated that he also is supportive.
- Advised that this home has nice architecture and the addition will look off-set and create a consistent view as seen from the street.

Chair Krey said he too is also very supportive as this home addition will be very much in keeping with this neighborhood. It is fine.

Commissioner Rivlin said he is supportive and said this addition makes sense.

Commissioner Buchbinder:

- Stated his support.
- Said that replacing the balcony with just a window there instead is better.
- Pointed out that the home to the south will see a solid wall without windows facing it to ensure continued privacy there.
- Concluded that this addition seems to be something this house was supposed to originally have had architecturally.

Motion: **Upon motion of Commissioner Ching, seconded by Commissioner Ostrowski, the Planning Commission adopted Resolution No. 4568 approving a Site and Architectural Review Permit to allow a 285 square-foot second floor addition to an existing 3,339 square-foot two-story single-family home with a floor area ratio exceeding 45% (48.6% proposed) and a minimum side setback of 5-feet where a ±10-foot side setback would otherwise be required on property located at 1789 Hurst Avenue; by the following roll call vote:**

AYES: **Buchbinder, Ching, Colvill, Hines, Krey, Ostrowski and Rivlin**

NOES: **None**

ABSENT: **None**

ABSTAIN: **None**

Chair Krey advised that the Planning Commission action is final unless appealed in writing to the City Clerk within ten calendar days.

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

3. **PLN-2020-41** Public Hearing to consider the application of Chong Tseng for a Conditional Use Permit and Parking Modification Permit to allow establishment of a medical office use (JumpStart MD) within an existing office space on property located at **1626 W. Campbell 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: Naz Pouya Healy, Assistant Planner.

Ms. Naz Pouya Healy, Assistant Planner, provided the staff report.

Chair Krey asked if there were questions for staff.

Commissioner Buchbinder asked staff whether the entire shopping center here is under parked.

Planner Naz Pouya Healy replied yes.

Commissioner Buchbinder asked how many more spaces would be required in order to be conforming.

Commissioner Hines advised that the only reason the Commission is reviewing this is for the Parking Modification Permit.

Planner Naz Pouya Healy clarified that since this is a medical use, a Conditional Use Permit is required, which is brought to the Planning Commission for consideration and approval.

Commissioner Buchbinder pointed out that this use includes a maximum of four professionals and four patients on site at a time and are assigned eight parking spaces. How was that parking evaluated?

Planner Naz Pouya Healy replied that office use requires one parking space per 225 square feet of space. A medical use requires one parking space per 200 square feet of space.

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

Andy Wojnoonski, Architect for Project:

- Thanked Planner Naz Pouya Healy for her work on this project.
- Stated he is available for any questions.

Commissioner Hines asked Mr. Andy Wojnoonski whether from an architectural standpoint he is redesigning the interior of this space not the exterior.

Andy Woojnoonski said that is correct. He added that an exterior sign has been applied for under a separate sign application.

Commissioner Hines if he could ask about the types of medical services provided.

Dr. Sean Burk, JumpStartMD:

- Explained that JumpStartMD helps people to get to healthier and happier places.
- Assured they provide superior results to other types of weight management programs such as Weight Watchers, Jenny Craig and NutraSystem.
- Said that JumpStartMD is teaching its patients/clients how to eat whole fresh foods.
- Added offers the path to better health and well-being.
- Stated that it is gratifying to watch as people improve their health.
- Advised that they are excited to be coming to Campbell. This will be one of twelve offices they have in the Bay Area.

Commissioner Hines asked if treatment includes any prescriptions.

Dr. Sean Burk replied yes. He said there are novel and increasing uses for medication to help patients overcome their plateaus.

Commissioner Ching asked if they would utilize tele-medicine.

Dr. Sean Burk said that they shut down completely during the first six weeks of the Covid-19 closures. Now they can offer both in-person treatment or virtually tele-health.

Commissioner Hines thanked Dr. Burk for bringing this business to Campbell.

Dr. Sean Burk:

- Said this Campbell location seems like a great site.
- Advised that he is originally from Palo Alto so he doesn't know Campbell well.
- Added that they have an office in Los Gatos now but are likely to close it to replace it with this one in Campbell.

Commissioner Colvill:

- Stated that he loves a business that is helping people to achieve and sustain a healthy lifestyle.
- Asked Dr. Sean Burk how they differentiate themselves from other types of weight loss programs.

Dr. Sean Burk:

- Said that everyone makes claims.
- Reported that they have published a peer-reviewed study of their results. This is an evidence-based approach. People are eating real food.
- Added that there are personalized plans based on laboratory results for each patient.
- Pointed out that they are also one-on-one rather than group based.
- Concluded that they have now been in business for 14 years.

Commissioner Colvill said he visited their website and finds it to be well done. He asked how fitness is integrated with food.

Dr. Sean Burk:

- Admitted that he would love to work together with local health/fitness businesses.
- Stated that first, a new patient needs to learn what to eat then incorporate exercise.
- Said that they can make recommendations and would love to find people to partner with.

Dr. Chong Tseng, JumpStartMD:

- Explained that there is a Clinician Manager at each location and usually someone local.
- Added that those Clinician Managers are empowered to develop their own connections. That is a key to their success.

Commissioner Colvill said he loves what they are doing.

Director Paul Kermoyan:

- Suggested that the Commission focus on the medical clinic use as this proposed Conditional Use Permit lives (remains) with this location and not with the applicant.
- Admitted that while this concept is interesting, more focus this as a medical office use is more appropriate.

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

Chair Krey:

- Said that he lives right near this location but a bit over 500 feet away.
- Reported that in his 32 years living here parking has not been an issue at this center.
- Admitted that he could see the potential for parking issues if a couple of big uses were to go in there.

Commissioner Hines stated that a CUP is not a permanent forever use.

Director Paul Kermoyan clarified that once a CUP is approved it exists in perpetuity.

City Attorney William Seligmann added that a CUP runs with the land indefinitely.

Commissioner Hines said he was totally in support.

Commissioner Buchbinder:

- Said that this suite could be medical even if this use moves away and another medical provider could occupy.
- Stated he is in favor and appreciates a mix of neighborhood services.
- Opined that parking is not a significant issue.
- Concluded he is in favor and this is a fine use of space.

Motion: Upon motion of Commissioner Ching, seconded by Commissioner Ostrowski, the Planning Commission adopted Resolution No. 4569

approving a Conditional Use Permit and Parking Modification Permit to allow establishment of a medical office use (JumpStart MD) within an existing office space on property located at 1626 W. Campbell Avenue; by the following roll call vote:

AYES: Buchbinder, Ching, Colvill, Hines, Krey, Ostrowski and Rivlin
NOES: None
ABSENT: None
ABSTAIN: None

Chair Krey advised that the Planning Commission action is final unless appealed in writing to the City Clerk within ten calendar days.

Chair Krey called for a short recess at 8:27 p.m.

Chair Krey reconvened the meeting at 8:35 p.m.

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

4. **PLN-2020-45** Public Hearing to consider the application of Tannaz Haghayegh for a Conditional Use Permit and Parking Modification Permit to allow establishment of a 18,103-square foot grocery store (Grocery Outlet) with late-night hours and off-site general alcohol sales within an existing commercial building on property located at **100 N. San Tomas Aquino Road**. 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: Naz Pouya Healy, Assistant Planner.

Ms. Naz Pouya Healy, Assistant Planner, provided the staff report.

Chair Krey asked if there were questions for staff.

Commissioner Hines asked to see photographs of the adjacent residences and about the hours for CVS Pharmacy when they were in this location. Did they have 24 hour?

Planner Naz Pouya Healy replied that CVS did not operate 24 hours there.

Director Paul Kermoyan explained that what triggers a CUP for a grocery store is its size above 10,000 square feet, the sale of alcohol and extended hours beyond 11 p.m. and before 6 a.m.

Commissioner Buchbinder asked if other businesses must also operate without 24-hour deliveries.

Naz Pouya Healy:

- Said another example without 24-hour deliveries is the Whole Foods at Hamilton and Bascom. That Whole Foods is also adjacent to residential at the rear where deliveries are made.
- Advised that CUP is where the took conditions of approval to apply here as well.
- Reported that the Bascom Whole Foods location was approved in 2014.

Director Paul Kermoyan added that the newer Safeway on W. Hamilton Avenue also has restricted delivery hours.

Commissioner Buchbinder said he understands that there are residences located near this location under consideration tonight and that there is a loading dock there. He asked if the C-1 (Neighborhood Commercial) Zoning is intended to be mostly local serving.

Planner Naz Pouya Healy said that is one reason.

Commissioner Rivlin asked about potential deliveries at the front of the store.

Planner Naz Pouya Healy:

- Said that the applicant is proposing 24-hour operation with activities occurring inside.
- Added that some type of delivery at the front could be approved during late night hours.

Director Paul Kermoyan:

- Recounted that he had worked in grocery store for five years during college.
- Stated that at the front the received deliveries such as bread and large deliveries were to the rear of the store.

Commissioner Rivlin sought verification that they can work throughout the store itself after hours.

Chair Krey suggested that there be no use of forklifts or truck deliveries to the rear before 7 a.m. and/or after 7 p.m.

Planner Naz Pouya Healy replied yes.

Commissioner Hines questioned the need for the draft condition restricting against single-can liquor sales.

Planner Naz Pouya Healy:

- Advised that condition is applied consistently to grocery stores to maintain alcohol sales from that store to be for home consumption only. It is intended to discourage consumption a cold single container of alcohol in the parking lot immediately after purchase.
- Stated that this grocery store is not considered to be a liquor establishment. It is a grocery store with a license to sell just some liquor in addition to groceries.

Commissioner Hines asked if someone could purchase six bottles of wine with their groceries.

Planner Naz Pouya Healy replied yes.

Commissioner Rivlin asked if purchasing a single bottle of wine at this grocery store would be acceptable.

Planner Naz Pouya Healy replied yes.

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

Katy Schardt, Applicant for Grocery Outlet:

- Stated that they are excited about this location. They currently don't have a location in Campbell.
- Advised that Grocery Outlet provides great products at good prices. They will sell beer, wine and spirits including craft beer.
- Said that their customers primarily drive to their store as it is difficult for a customer to walk home with several bags of groceries.
- Stated that 24-hour operation will give this store the opportunity to stock, clean, receive some deliveries and other time-consuming activities that are not well suited to the store's customer hours from 6 a.m. to 11 p.m. when they are open to the public.
- Expressed the desire for allowing delivery hours between 7 a.m. and 7 p.m. at the back loading dock and 24-hour deliveries being allowed from the front of the store.
- Said they had asked for longer delivery hours at the back from 6 a.m. to 7 p.m. but staff is recommending 7 a.m. to 7 p.m.
- Reminded that her team present this evening are also available for any questions.

Commissioner Hines:

- Expressed his appreciation for the fact that Grocery Outlet is considering Campbell.
- Admitted that he is confused by the single-use purchase limitation.
- Suggested that there may be a way the wording of that condition could be worked with.

Katy Schardt:

- Asked that such a condition to restrict the sale of individual bottles/cans of craft beer not be applied to the sale of craft beers.
- Added that would be consistent with other grocery stores.
- Informed that the people who buy craft beer want to sample several brews rather than buy a six-pack of one kind. They want a variety.

Director Pal Kermoyan said that Condition 3(f) is concerning alcohol sales.

Planner Naz Pouya Healy said that's where any change to alcohol sales should be placed.

Director Paul Kermoyan said that operators that cater to single-can sales often create/result in harmful behavior at that location often in the parking lot.

Commissioner Colvill said it would behoove us to figure out what the community concerns might be about later deliveries occurring at the rear. What if 24/7 deliveries create anarchy?

Katy Schardt:

- Advised that operator(s) must be conscientious and make decisions that are right for both for their neighbors and themselves.
- Said that gives greater flexibility with when you can arrive and leave one location to get to the next store on that delivery schedule.

Commissioner Hines:

- Listed the considerations for the Commission to include:
 - 6 a.m. to 7 p.m. delivery hours to the rear loading dock is requested by applicant.
 - The ability to sell single-unit craft beer/wine and liquor bottles.
 - Allow 24/7 deliveries to the front of the store.
 - Approve a Parking Modification Permit for a reduction in parking by two spaces to allow for cart storage.
- Asked if that is correct.

Planner Naz Pouya Healy clarified that the original hours requested for deliveries to the rear dock began at 5 a.m.

Commissioner Hines said that they have compromised to 6 a.m. with 24-hour operations within the store.

Commissioner Ostrowski asked if there were different hours for weekends.

Planner Naz Pouya Healy replied the propose hours are seven days a week.

Katy Schardt:

- Said that 6 a.m. was already a compromise from their original 5 a.m.
- Added that they want the same hours daily.
- Stated that it does not mean deliveries would be constant but rather allows them to coordinate and schedule deliveries between Grocery Outlet's other locations.
- Assured that all alcohol would be consumed off site.
- Asked that the Commission allow single bottle/can sales of craft beers.
- Concluded that the Parking Modification Plan is self-explanatory.

Commissioner Ching asked if these are independently operated stores.

Katy Schardt:

- Replied yes.
- Stated their model is for independent ownership.
- Added that there are parameters for the Grocery Outlet model which give operator(s) some "skin in the game."

Commissioner Ching asked about deliveries including the number of deliveries, when they occur, and whether a majority occur before there are people in the store. He asked the impacts of a start time between 5 a.m., 6 a.m. and 7 p.m.

Katy Schardt said that most deliveries are in the morning and spaced out.

Darius Tehrani, Grocery Outlet:

- Agreed that most deliveries are in the early morning. As early as allowed.
- Added that later in the afternoon is when the refrigerated deli trucks arrive.
- Said that the remaining deliveries vary in timing.
- Clarify that about 50 percent of the deliveries come early with the rest scattered during the day in smaller trucks.

Commissioner Hines asked what the plan is for the proposed window treatments.

Katy Schardt:

- Stated that what they propose is not too different from what CVS Pharmacy has. It's a white opaque film that blocks views from inside but allows light to come in.
- Added that this coverage is needed in order to allow for the efficient layout of goods against those windows so they are not seen from outside.
- Advised that what they have proposed in their window coverings do have some graphics, including a logo and various food items.
- Reiterated that their purpose is to obscure shelving being located near the glass.

Commissioner Ching asked if the graphics would not include special offer advertising.

Katy Schardt said they can be flexible and change that. The Planning Commission can direct Grocery Outlet more specifically so those coverings can still be attractive.

Tannaz Haghayegh, Grocery Outlet, clarified that the window graphics would not include specific advertising but rather a general message.

Planner Naz Pouya Healy:

- Pointed out that the windows as shown on the elevation exhibit are considered to be signage.
- Admitted that as to the CVS film, she cannot say for certain that was actually ever approved.
- Said that the relocated CVS location within this center has the same condition in place as is proposed for Grocery Outlet so as not to obscure too much of their windows.

Commissioner Rivlin asked whether when considering whether to allow loading dock deliveries at 6 a.m., would those trucks need to idle while they unload or could those trucks be shut off.

Darius Tehrani, Grocery Outlet, said he could ask. He added that the deliveries are pretty quick.

Commissioner Rivlin:

- Said that possibility for the trucks to be shut off is important to him.
- Raised the subject of the trash enclosure which is situated right next to the adjacent residential properties.

- Asked if they (Grocery Outlet) would be willing to not start using those enclosures for dumping new garbage until after 8 a.m. Specifically the use of any compactor. Would they accept restricted start time for that potential noise impact.

Darius Tehranchi, Grocery Outlet:

- Said that not properly disposing of trash immediately can result in health and safety issues including drawing rodents and more. In the grocery business, pest control is an important issue.

Commissioner Ostrowski asked if these trucks need to back up and, if so, do they have to have a back-up beeper.

Darius Tehranchi, Grocery Outlet, replied that these trucks will need to back up. He added that he is not sure if these trucks all beep as they back up.

Commissioner Rivlin cautioned that he believes having back up beeping is a legal requirement for commercial sized trucks.

Commissioner Ching asked for verification that the trash bins are out back right next to the neighboring residences.

Commissioner Rivlin replied yes.

Chair Krey asked how big a deal it might be to not get either a 6 a.m. or 7 a.m. start time for deliveries to the rear loading dock.

Katy Schardt said it is important but they could go with a 7 a.m. start time instead of their preferred 6 a.m.

Jenna Markley, Grocery Outlet, advised that there's not a ton of backing up.

Amintha Petersen, Property Owner:

- Said that the garbage so close to the property line is troublesome.
- Reported that she has owned the adjacent apartment building for 36 years.
- Stated that in the past, the garbage container(s) on this commercial site were not well-maintained, smelled bad and drew rodents.
- Admitted that she is concerned about that here.

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

Commissioner Buchbinder:

- Said that there is some uncertainty about noise of trucks and smells of garbage enclosures.
- Questioned how comfortable this Commission might be if we deal with these concerns through conditions of approval.
- Added that if things don't go well, it's not a disaster as this use could be brought back to the Commission for modifications if it becomes necessary.

Commissioner Ching:

- Stated that both the potential for waste smells and truck noise are important issues to consider.
- Admitted he can see it a bigger issue having large waste bins located right next to residential.
- Added that he thinks the proposed window coverings could end up looking tacky.
- Said it seems that most of the deliveries to Grocery Outlet would occur in the early morning.
- Cautioned he is concerned about the idea of allow any trucks to arrive prior to 7 a.m.
- Reported that he is happy to allow the sale of single-serving craft beer.

Commissioner Hines:

- Stated his concern about limiting Grocery Outlet with conditions that make them unsuccessful or choose to leave the property.
- Agrees that a trash enclosure has a noise potential impact.
- Added that the Commission should consider having this trash thrown out right when collected.
- Said he supports 7 a.m. start time for truck delivery to the rear loading dock.
- Said that he supports the requested Parking Modification Permit to allow for two cart storage spaces.
- Concluded that he is okay with the white opaque film on the windows as proposed by the applicant.
- Opined that this center is currently dead. There is very little business in this center when compared to the Kirkwood Plaza Shopping Center nearby.
- Stated that Grocery Outlet will be great for this location.
- Pointed out that we also have Code Enforcement to rely upon should problems occur from this business.

Chair Krey:

- Reiterated that he lives real close.
- Advised that parking on this center is not an issue but he has concerns about the proposed window treatment and garbage management so close to residential.
- Stressed the need to have rules in place for this use that we have for everyone else with a similar business.
- Opined that having delivery hours at the back from 7 a.m. to 7 p.m. is not too confining for this business. Again, that dock is located right next to residential uses.
- Stated he is leaning against starting back there at 6 a.m. but okay with 7 a.m.
- Said that parking on site is fine as is the Parking Modification Permit to create two cart areas in place of two parking spaces.
- Said that trash should be managed the same as other grocery locations.

Director Paul Kermoyan said that the proposed window treatments are more of a design feature. Not having windows complete obscured is due to safety concerns when no one can see what is going on inside that business. He said that if the Commission is okay with obscuring glass, that is their call.

Commissioner Colvill:

- Said that Commissioner Hines had some great points.
- Added that the role of the Planning Commission is to take the applicant's proposed plan and do its best to help make it work.
- Stated that it is not his place to tell them (Grocery Outlet) how to make a grocery store run.
- Concluded that the Commission just wants to make it works as to noise impacts.

Commissioner Ostrowski:

- Agreed that she too can support the Parking Modification Permit and the 7 a.m. start for truck deliveries to the rear loading dock.
- Said that she sees the window treatment as a safety issue.
- Stated its important to consider safety and aesthetics as to design.

Commissioner Rivlin:

- Admitted that none of the issues he raised before are deal breakers.
- Advised that he would shop there.
- Added that a few extra stalls make sense.
- Said he could support either a 6 a.m. or 7 a.m. start time for truck deliveries to the rear of the building.
- Stated that the trash still concerns him.
- Pointed out that this applicant intends to be a good neighbor.

Chair Krey asked about single serving craft beer being allowed.

Commissioner Rivlin said he agrees and is fine with allowing the sale of single-serving alcohol in can or bottle.

Commissioner Ostrowski asked if that is all types regardless of size/ounces of said container(s).

Commissioner Hines said single-bottle, box-wine, beer and/or spirits.

City Attorney William Seligmann said the City doesn't have a definition of what a craft beer is. How to define it or enforce it.

Planner Naz Pouya Healy referred to condition of approval C-4, which is the same condition imposed on CVS Pharmacy in 2018.

Director Paul Kermoyan said with the Commission supporting the sale of single-serve, there's no reason to mention single-serve within the conditions at all.

Motion: **Upon motion of Commissioner Hines, seconded by Commissioner Colvill, the Planning Commission proposed the adoption of a resolution to approve a Conditional Use Permit and Parking Modification Permit to allow establishment of a 18,103 square foot grocery store (Grocery Outlet) with late-night hours and off-site general alcohol sales within an existing commercial building on property located at 100 N. San Tomas Aquino; with the following changes:**

- **Approve “as is”.**
- **Including approval of the Parking Modification Permit.**
- **Allowing 24-hour operations to occur from the front entrance and entirely within the store.**
- **Allowing truck deliveries to begin at the rear loading dock at 7 a.m. until 7 p.m.**
- **Allow the obscured windows.**

by the following roll call vote:

AYES: Buchbinder, Colvill and Hines
NOES: Ching, Krey, Ostrowski and Rivlin
ABSENT: None
ABSTAIN: None

The motion failed for lack of a majority.

Chair Krey suggested restricting the percentage of window that can be obscured to 40 to 50 percent.

Commissioner Rivlin added that there should be no use of logos.

Commissioner Ching reminded that the window coverings equate to frosting the windows to allow the store to place racks against the windows.

Commissioner Colvill said that if covering all the windows results in a safety/security issue, it could solve the potential for out-of-control signage. He said it is not a big deal to him but it is important to discuss.

City Attorney William Seligmann advised that the Sign Ordinance already has a limitation for signage on windows.

Director Paul Kermoyan said that standard is 25 percent or less.

Commissioner Ostrowski supported Director Kermoyan’s suggestion not to reference the window obscuring at all and simply have this business default to the existing 25 percent coverage allowance.

Director Paul Kermoyan clarified that the 25 percent standard in the Sign Ordinance is for signage and not the use of frosted/obscuring film on the windows. That is more of a design issue. There is nothing in the Code relating to frosting/obscuring windows of a business.

Commissioner Rivlin asked what signage CVS obtained via CUP approval for their new location within this same center after they relocated from this space to another.

Commissioner said that applying the Sign Ordinance’s window sign limitation to 25 percent coverage helps resolve the issues and concerns.

Commissioner Ching said he has no objection if they are complying with allowed square footage of window covering per the 25 percent Sign Ordinance standard.

Motion: **Upon motion of Commissioner Ostrowski, seconded by Commissioner Rivlin, the Planning Commission adopted Resolution No. 4570 approving a Conditional Use Permit and Parking Modification Permit to allow establishment of a 18,103 square foot grocery store (Grocery Outlet) with late-night hours and off-site general alcohol sales within an existing commercial building on property located at 100 N. San Tomas Aquino; by the following roll call vote:**

AYES: **Buchbinder, Ching, Colvill, Hines, Krey, Ostrowski and Rivlin**

NOES: **None**

ABSENT: **None**

ABSTAIN: **None**

Chair Krey advised that the Planning Commission action is final unless appealed in writing to the City Clerk within ten calendar days.

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

Director Paul Kermoyan had no additions to his written report but is available for any questions from the Commission.

Commissioner Buchbinder advised that he has tried again to reach out to the City Manager to request a joint session with the Planning Commission and City Council. He said he has not yet heard back.

Director Paul Kermoyan said he would inform the City Manager as he did following the last PC meeting at which time the City Manager advised him that he had tried to call Commissioner Buchbinder. Director Kermoyan will tell him again.

Commissioner Colvill said he wanted to discuss another zoning amendment. What is the process to do so?

City Attorney William Seligmann said that nothing can be discussed that has not been agendaized. However, Commissioner Colvill can put forth a motion this evening to put this topic on a future PC agenda for discussion.

Commissioner Colvill said what he'd like to put forth is a proposed Zoning Text Amendment in the review of the Floor Area Ratios in place for Industrial and Commercial Zoning Districts.

Commissioner Buchbinder asked Commissioner Colvill what is motivating this.

City Attorney William Seligmann it would be helpful if Commissioner Colvill can provide some clarification of what the issue is.

Motion: Upon motion of Commissioner Colvill, seconded by Commissioner Rivlin, the Planning Commission took minute action requesting staff to add a PC discussion of the existing Floor Area Ratio standards for both the Commercial and Industrial Zoning Districts in consideration of greater FAR; by the following roll call vote:

AYES: Buchbinder, Ching, Colvill, Hines, Krey, Ostrowski and Rivlin
NOES: None
ABSENT: None
ABSTAIN: None

ADJOURNMENT

The Planning Commission meeting adjourned 10:05 p.m. to the next Regular Planning Commission Meeting of **August 25, 2020**, which will be conducted on Zoom.

SUBMITTED BY: _____
Corinne Shinn, Recording Secretary

APPROVED BY: _____
Michael Krey, Chair

ATTEST: _____
Paul Kermoyan, Secretary

RESOLUTION NO. 4567

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL GRANTING APPROVAL OF ADMINISTRATIVE PLANNED DEVELOPMENT PERMIT (PLN2019-234) ALLOWING THE ESTABLISHMENT OF A SMALL HEALTH AND FITNESS STUDIO AND A PARKING MODIFICATION PERMIT TO ALLOW FOR A REDUCTION IN THE NUMBER OF REQUIRED PARKING SPACES AT **85 GILMAN AVENUE** IN THE P-D (PLANNED DEVELOPMENT) ZONING DISTRICT.

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 PLN2019-234.

Environmental Finding

1. The project may be found Categorically Exempt under Section 15301 of the California Environmental Quality Act (CEQA), pertaining to the operation and leasing, and minor alteration of an existing private structure.

Further Evidentiary Findings

1. The project site is located on the west side of Gilman Avenue, south of E. Campbell Avenue and north of Sam Cava Lane.
2. The rectangular 8,268 square-foot property is developed with a surface level parking lot at the front of the lot and an L-shaped two-story industrial building toward the back.
3. The project site is zoned P-D (Planned Development) and has a mixed-use General Plan Land Use Designation of Medium-High Density Residential/Commercial.
4. The project site is located within Sub-Area 3 of the SOCA (South of Campbell Avenue Area) Plan.
5. The applicant's proposal is for an Administrative Planned Development Permit (PLN2019-234) to allow the operation of a small health and fitness studio with a Parking Modification to allow for a reduction in the number of required parking spaces (9 parking spaces provided / 16 spaces required).
6. The scope of work entails a complete interior remodel of the first floor (adding a new reception area, office area, trash room, and new bathrooms with shower facilities), removal of the second floor (approximately 700 sq. ft.), installation of two new accessible paths of travel (extending along the southerly property line and in the public right of way behind the driveway), and removal of a trash enclosure, landscaping, and a shed.
7. The proposed site improvements would result in the removal of landscaping on the property in order to provide required accessible paths of travel.

85 Gilman Avenue

Administrative Planned Development Permit (PLN2019-234) and Parking Modification Permit

8. The Zoning code requires an Administrative Planned Development Permit for a change of use to a small health and fitness studio in the P-D (Planned Development Permit) Zoning District, subject to special provisions applying to small health and fitness studios specified in Campbell Municipal Code Chapter 21.36.095.
9. A small health and fitness studio with less than 12-students has a parking requirement of one parking space per 250 sq. ft. of gross floor area.
10. The proposed building size is 3,900 square feet (after the removal of a 700 sq. ft. interior second level).
11. The site will provide 9 parking spaces.
12. The parking demand for the small studio is 16 parking spaces (15.6 after rounding up in accordance with CMC 21.02.020.D. - Calculations - Rounding)
13. The applicant contends that less than the required number of parking spaces should be allowed based on the proximity to public transportation, proposal to add a bike rack and shower stalls, limited number of participants, and in consideration classes would be staggered by 15-minutes. Further, the applicant contents that many of the members live or work within .5 to 1.5 miles of the project site, have expressed an interest in supporting alternative modes of transportation, and in consideration that the business caters to fit clientele who utilize walking, biking and running in their daily lives and are therefore highly likely to arrive without driving.
14. The Community Development Director understands the neighborhood has an existing street parking issue and could not support the applicant’s proposal at a staff level.
15. The Community Development Director forwarded the project to the Planning Commission to consider the applicant’s proposal in accordance with CMC 21.38.020 – Authority for land use and zoning decisions.
16. A condition of approval provides the Community Development Director authority to require a loading and/or unloading area for safe and acceptable means of drop-off and pick-up of persons using the health and fitness center.
17. Applicable General Plan Policies considered by the Planning Commission included, but were not limited to, the following:

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

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

85 Gilman Avenue

Administrative Planned Development Permit (PLN2019-234) and Parking Modification Permit

18. The proposed use would offer group and personal/semi-personal fitness training sessions.
19. As conditioned, no more than 9 occupants would be in the building at any one time (including, but not limited to, all instructors, students, and staff).
20. As conditioned, the project's business/public (class) and operational (staff) hours shall be restricted from 6:00 a.m. to 8:00 p.m. daily.
21. 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:

22. There is a reasonable relationship and a rough proportionality between the conditions of approval and the impacts of the project.

Planned Development Permit Findings (CMC Sec. 21.12.030.H.6):

23. 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;
24. The proposed development will be compatible with the general plan and will aid in the harmonious development of the immediate area;
25. The proposed development will not result in allowing more residential units than would be allowed by other residential zoning districts which are consistent with the general plan designation of the property;
26. The proposed development will not be detrimental to the health, safety or welfare of the neighborhood or of the city as a whole; and

Parking Modification Permit Findings (CMC Sec. 21.12.030.H.7):

27. Due to the unique nature and circumstances of the project, or special development features, the anticipated number of parking spaces necessary to serve the use or structure is less than that required by the applicable off-street parking standard, and would be satisfied by the existing or proposed number of parking spaces, as supported by review of the applicant's documentation and/or a parking demand study prepared by a qualified transportation engineer accepted by the decision-making body; and
28. Approval of the parking modification permit will further the purpose of this chapter.

85 Gilman Avenue

Administrative Planned Development Permit (PLN2019-234) and Parking Modification Permit

Environmental Assessment Findings (CMC Sec. 21.38.050.A):

29. This project is Categorically Exempt under Section 15301 of the California Environmental Quality Act (CEQA), pertaining to the operation and leasing of an existing private structure.

30. 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.

THEREFORE, BE IT RESOLVED that the Planning Commission grants approval of an Administrative Planned Development Permit (PLN2019-234) to allow for the establishment of a small health and fitness studio and a Parking Modification Permit to allow for a reduction in the number of required parking spaces at 85 Gilman Avenue, subject to the attached Conditions of Approval (attached Exhibit A).

PASSED AND ADOPTED this 11th day of August, 2020, by the following roll call vote:

- AYES: Commissioners: Buchbinder, Ching, Colvill, Hines, Krey, and Ostrowski
- NOES: Commissioners:
- ABSENT: Commissioners:
- ABSTAIN: Commissioners: Rivlin

APPROVED: _____
Michael Krey, Chair

ATTEST: _____
Paul Kermoyan, Secretary

CONDITIONS OF APPROVAL**Administrative Planned Development Permit (PLN2019-234)
and Parking Modification Permit**

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 (PLN2019-234) to allow for the establishment of a small health and fitness studio and a Parking Modification Permit to allow for a reduction in the number of required parking spaces at 85 Gilman Avenue. The project shall substantially conform to the Project Plans stamped as received by the Planning Division on March 6, 2020, and Written Statement stamped as received by the Planning Division on January 28, 2020, except as may be modified by the Conditions of Approval contained herein.
2. Permit Approval Expiration: The Administrative Planned Development Permit and Parking Modification Permit approval shall be valid for one year from the effective date of the resolution. Within this one-year period all conditions of approval shall be fulfilled, and the use established. Failure to meet this deadline will result in the Administrative Planned Development Permit being void. Abandonment, discontinuation, or ceasing of operations for a continuous period of twelve months shall void the Administrative Planned Development Permit approved herein without the need for formal revocation by the decision-making body.
3. Revocation of Permit: Operation of an small health and fitness studio pursuant to the Administrative Planned Development approved herein is subject to Chapter 21.46 of the Campbell Municipal Code authorizing the appropriate decision making body to modify or revoke an Administrative Planned Development Permit if it is determined that its operation has become a nuisance to the City's public health, safety or welfare or for violation of the Administrative Planned Development Permit or any standards, codes, or ordinances of the City of Campbell. At the discretion of the Community Development Director, if the establishment generates three (3) verifiable complaints related to violations of conditions of approval and/or related to its operation within a six (6) month period, a public hearing may be scheduled to consider modifying conditions of approval or revoking the Administrative Planned Development Permit. The Community Development Director may commence proceedings for the revocation or modification of permits upon the occurrence of less than three (3) complaints if the Community Development Director determines that the alleged violation warrants such an action. In

exercising this authority, the decision-making body may consider the following factors, among others:

- a. The number and types of noise complaints at or near the establishment that are reasonably determined to be a direct result of patrons' actions or facility equipment;
 - b. The number of parking complaints received from residents, business owners and other citizens concerning the operation of an establishment; and
 - c. Violation of conditions of approval.
4. **Operational Standards:** Consistent with the submitted Written Description and City standards, any small health and fitness studio operating pursuant to the Administrative Planned Development Permit approved herein shall conform to the following operational standards. Significant deviations from these standards (as determined by the Community Development Director) shall require approval of a new Administrative Planned Development Permit.
- a. **Maximum Occupancy:** A maximum of 9 occupants (including all instructors, employees, students, and participants) shall be permitted on the premises at any time, which is further subject to the maximum occupancy capacities of certain rooms as determined by the California Building Code (CBC). It is the responsibility of the business owner to provide adequate entrance controls to ensure that participant occupancy is not exceeded. Maximum Occupancy signs shall be posted conspicuously within the premises.
 - b. **Hours of Operation:** Hours of operation shall be as follows. By the end of 'Business/Public Hours' all patrons shall have exited the premises. By the end of the 'Operational Hours' all employees shall be off the premises.

Operational/Staff:	6:00 AM – 8:00 PM, Daily
Business/Public:	6:00 AM – 8:00 PM, Daily

These hours are restricted in perpetuity.
 - c. **Parking Management:** In the event that a verifiable complaint is received by the City regarding parking, the Community Development Director may reduce the permitted occupancy, limit the hours of operation, require staggering of classes, require additional parking management strategies and/or forward the project to the Planning Commission for review.
 - d. **Smoking:** "No Smoking" signs shall be posted on the premises in compliance with CMC 6.11.060.
 - e. **Noise:** Outdoor speakers are prohibited. Unreasonable levels of noise, sounds and/or voices, including but not limited to indoor amplified sounds, indoor loud speakers, sounds from indoor audio sound systems or music, and/or indoor public address system or fitness equipment, generated or used by the establishment or its participants shall not be audible to a person of normal hearing capacity from outside the enclosed tenant space.

In the event that a verifiable complaint is received by the City regarding noise, the Community Development Director may reduce the permitted occupancy, limit the hours of operation, limit the permissible decibels, require the installation of a sound attenuation material between suites or rubber floor mat to absorb vibration/impacts, and/or forward the project to the Planning Commission for review.

- f. **Loitering:** There shall be no loitering allowed outside the business. The business owner is responsible for monitoring the premises to prevent loitering.
 - g. **Trash Disposal and Clean-Up:** All trash disposal, normal clean-up, carpet cleaning, window cleaning, sidewalk sweeping, etc. shall occur during the "operational hours."
 - h. **Business License:** The business shall be required to obtain and maintain a City business license at all times.
 - i. **Staggered Classes/Sessions:** Classes/sessions shall be staggered by at least 15-minutes to allow adequate turnover of parking spaces.
 - j. **Minimum Age of Participants/Students:** All students shall be 18 years old or older.
 - k. **Assigned Parking:** No assigned parking shall be allowed.
 - l. **Outdoor Activity:** No outdoor classes/instruction shall be allowed.
5. **Windows & Doors:** At no time shall an obscure wall or barrier (i.e. drapery, window tinting, blinds, furniture, inventory, shelving units, storage of any kind or similar) be installed along, behind or attached to windows or doorways that blocks visual access to the tenant space or blocks natural light.
6. **Property Maintenance:** The owner/operator of the subject property shall maintain all exterior areas of the business free from graffiti, trash, rubbish, posters and stickers placed on the property. Exterior areas of the business shall include not only the parking lot and private landscape areas, but also include the public right-of-way adjacent to the business. Trash receptacles shall be maintained within their approved enclosures at all times.
7. **Landscape Maintenance:** All landscaped areas shall be continuously maintained in accordance with City Landscaping Requirements (CMC 21.26). Landscaped areas shall be watered on a regular basis so as to maintain healthy plants. Landscaped areas shall be kept free of weeds, trash, and litter. Dead or unhealthy plants shall be replaced with healthy plants of the same or similar type.
8. **Signage:** No signage is approved as part of the development application approved herein. New signage shall not be installed prior to approval of a sign permit.

9. Location of Mechanical Equipment: No roof-mounted mechanical equipment (i.e. air conditioning units, ventilation ducts or vents), shall be added to the existing building without providing screening of the mechanical equipment from public view and surrounding properties. The screening material and method shall be architecturally compatible with the building and requires review and approval by the Community Development Director and Building Division prior to installation of such screening.
10. Outdoor Storage: No outdoor storage is permitted on the subject property. No equipment, materials or business vehicles shall be parked and/or stored outside the building or within the parking lot.
11. Building Permit Required: A building permit shall be required for review and approval of the parking and site circulation design, which shall be further subject to Fire Department review and approval.
12. Loading & Unloading Area: An area for the safe and acceptable means of drop-off and pick-up of persons using the health and fitness center use shall be provided at the discretion of the Community Development Director and in accordance with CMC 21.35.095.D.1. – Parking and Loading. This condition could require one or more parking spaces to be marked for loading/unloading only – and the installation and enforcement of a wall or pole mounted sign indicating such restricted use.
13. 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.
14. Automated External Defibrillator: An automated external defibrillator (AED) shall be installed, maintained, and made publicly available for any health and fitness studio activity operating pursuant to the Administrative Planned Development Permit approved herein in accordance with state law and manufacturer specifications and/or a written statement shall be provided in conjunction with the building permit submittal explaining why the facility is exempt from the requirement in accordance with state law (including, but not limited to, California Health and Safety Code § 104113) for review and approval by the Community Development Director.

BUILDING DIVISION

15. Permits Required: A building permit application shall be required for the proposed Tenant Improvements to the (e) vacant commercial space. The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit.
16. Construction Plans: The conditions of Approval shall be stated in full on the cover sheet of construction plans submitted for building permit.
17. Size Of Plans: The minimum size of construction plans submitted for building permits shall be 24 in. X 36 in.

18. Plan Preparation: This project requires plans prepared under the direction and oversight of a California licensed Engineer or Architect. Plans submitted for building permits shall be “wet stamped” and signed by the qualifying professional person.
19. Site Plan: Application for building permit shall include a competent site plan that identifies property and proposed structures with dimensions and elevations as appropriate. Site plan shall also include site drainage details. Site address and parcel numbers shall also be clearly called out. Site parking and path of travel to public sidewalks shall be detailed.
20. Title 24 Energy Compliance: California Title 24 Energy Standards Compliance forms shall be blue-lined on the construction plans. Compliance with the Standards shall be demonstrated for conditioning of the building envelope and lighting of the building.
21. Special Inspections: When a special inspection is required by C.B.C. Chapter 17, the architect or engineer of record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the building permits, in accordance with C.B.C Chapter 1, Section 106. Please obtain City of Campbell, Special Inspection forms from the Building Inspection Division Counter.
22. Non-Point Source Pollution: The City of Campbell, standard Santa Clara Valley Non-point Source Pollution Control Program specification sheet shall be part of plan submittal. The specification sheet (size 24” X 36”) is available at the Building Division service counter.
23. Title 24 Accessibility – Commercial: On site general path of travel shall comply with the latest California Title 24 Accessibility Standards. Work shall include but not be limited to accessibility to building entrances from parking facilities and public sidewalks.
24. 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
25. P.G.& E.: Applicant is advised to contact Pacific Gas and Electric Company as early as possible in the approval process. Service installations, changes and/or relocations may require substantial scheduling time and can cause significant delays in the approval process. Applicant should also consult with P.G. and E. concerning utility easements, distribution pole locations and required conductor clearances.

PUBLIC WORKS DEPARTMENT

26. The scope of this project triggers the requirement for Frontage Improvements as required by Campbell Municipal Code 11.24.040. The applicant will need to upgrade the existing driveways to be accessible (ADA) compliant and construct sidewalk transition from the new driveway to the existing sidewalk. The plan is showing

pedestrian ADA transition on the east side of the driveway and not on the west side of the driveway. Revise plan to show pedestrian ADA transition on the west side of the driveway.

27. Construction Drawings: The applicant shall submit the required Street Improvement Plans directly to the Public Works Department prior to, or concurrent with the Building permit application.

28. Right-of-Way for Public Street Purposes: The applicant prior to issuance of any grading or building permits for the site shall fully complete the process to cause additional right-of-way to be granted in fee for public street purposes along the Gilman Avenue project frontage to accommodate the ADA compliant driveway approach, unless otherwise approved by the City Engineer. The applicant shall submit the necessary documents for approval by the City Engineer, process the submittal with City staff's comments and fully complete the right-of-way process. The applicant shall cause all documents to be prepared by a registered civil engineer/land surveyor, as necessary, for the City's review and recordation.

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

30. 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.

31. 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.

32. 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.
33. 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.
34. Pavement Restoration: The applicant shall restore the pavement in compliance with City standard requirements. In the event that the roadway has recently received a pavement treatment or reconstruction, the project will be subject to the City's Street Cut Moratorium. The applicant will be required to perform enhanced pavement restoration consistent with the restoration requirements associated with the Street Cut Moratorium. The City's Pavement Maintenance Program website (<https://www.ci.campbell.ca.us/219>) has detailed information on the streets currently under moratorium and the enhanced restoration requirements.
35. Encroachment Permit, Plans, Fees and Deposits: Prior to issuance of any building permits for the site, the applicant shall 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 sidewalk area.
 - c. Removal of existing driveway approach and necessary sidewalk, curb and gutter.
 - d. Installation of City standard curb, gutter, sidewalk and ADA compliant driveway approach.
 - e. Construction of conforms to existing public and private improvements, as necessary.
 - f. Submit final plans in a digital format acceptable to the City.
36. Street Improvements Completed for Occupancy and Building Permit Final: Prior to allowing occupancy and/or final building permit signoff for any and/or all buildings, the applicant shall have the required street improvements installed and accepted by the

City, and the design engineer shall submit as-built drawings to the City.

37. 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.
38. 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.
39. Additional Street Improvements: Should it be discovered after the approval process that new utility main lines, extra utility work or other work is required to service the development, and should those facilities or other work affect any public improvements, the City may add conditions to the development/project/permit, at the discretion of the City Engineer, to restore pavement or other public improvements to the satisfaction of the City.

FIRE DEPARTMENT

40. Formal Plan Review: Review of this development proposal is limited to accessibility of site access and water supply and may include specific additional requirements as they pertain to fire department operations and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work the applicant shall make application to, and receive from, the Building Division all applicable construction permits.
41. Fire Apparatus Access Roads Required for Buildings and Facilities: (As noted on Sheet A005) Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or with the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. [CFC, Section 503.1.1]. A 20' wide clear path is designated as fire lane from Gilman to the building, to comply with this section.
42. Fire Lanes Required: (As noted on Sheet A005) The minimum clear width of fire department access roads shall be 20 feet. The minimum outside turning radius is 42 feet for required circulating access roadways. Fire apparatus access roads shall be designated and marked as a fire lane as set forth in Section 22500.1 of the California Vehicle Code and SCCFD A-6 Standard. Please check standard for signage wording requirement.
43. Address identification: (As noted on Sheet A005) New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.

These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. CFC Sec. 505.1.

44. Construction Site Fire Safety: (As noted on Sheet A000) All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification SI-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chp. 33.
45. No Violation: This review shall not be construed to be an approval of a violation of the provisions of the California Fire Code or of other laws or regulations of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of the fire code or other such laws or regulations shall not be valid. Any addition to or alteration of approved construction documents shall be approved in advance. [CFC, Ch. 1, 105.3.6]

RESOLUTION NO. 4568

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A SITE AND ARCHITECTURAL REVIEW PERMIT (PLN2019-239) TO ALLOW A SECOND FLOOR ADDITION TO AN EXISTING 3,339 SQUARE-FOOT TWO-STORY SINGLE-FAMILY HOME WITH A FLOOR AREA RATIO EXCEEDING 45% (48.6% PROPOSED) AND A MINIMUM SECOND-STORY SIDE SETBACK OF 5-FEET WHERE A ±10-FOOT SIDE SETBACK WOULD OTHERWISE BE REQUIRED AT **1789 HURST 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 number PLN2019-239:

Environmental Finding

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

Continued Evidentiary Findings

2. The project site is zoned R-1-6 (Single Family Residential) on the City of Campbell Zoning Map.
3. The project site is designated Low Density Residential (<6 units/gr. acre) on the City of Campbell General Plan Land Use diagram.
4. The project site is a single-family residential property located on the west side of Hurst Avenue, north of Montemar Way and south of Hamilton Avenue within the R-1-6 (Single-Family Residential) Zoning District. The project site is not subject to the requirements of an area plan (i.e. San Tomas Area Neighborhood Plan).
5. The project would allow for a 285 square-foot second floor addition to an existing 3,339 square-foot two-story single-family home with a floor area ratio exceeding 45% (48.6% proposed) and a minimum second-story side setback of 5-feet where a ±10-foot side setback would otherwise be required.
6. The project requires review and approval of a Site and Architectural Review Permit due the request for a floor area ratio exceeding 45 percent, and requires the approval of additional findings for the increase in floor area ratio as well as for the approval a second-story side setback of 5-feet.
7. The project will also result in the removal of a second-story balcony on the rear of the building.

8. The overall building form, which is characterized by a long and low hipped roof, with a second-story which is offset from the first by nearly 22-feet, and a total of 47-feet from the street, diminishes the prominence of the home and proposed addition when viewed from the street.
9. The prominence of the second story and proposed addition is lessened by the overall height of the building which is 12-feet lower than what is allowed by code (23-feet vs 35-feet)
10. The building architecture and materials are consistent with the neighborhood which exhibits similar/matching features and designs.
11. The proposed addition would be designed to match the existing residence (same colors and materials).
12. The addition is located to the north of the closest adjoining property (1803 Hurst) which does not have a second story reducing the impact of shadows.
13. The closest adjoining property (1803 Hurst) to the addition does not have a second story increasing airflow between properties.
14. The proposed addition does not have any windows on the south facing wall.
15. The project uses different materials to break up the façade and keep the home from appearing too massive or boxy.
16. While the home would be the among the largest the immediate area, other homes in the vicinity could be larger without requiring discretionary review due to their larger lot sizes.
17. 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.
18. There is a reasonable relationship and a rough proportionality between the Conditions of Approval and the impacts of the project.
19. There is a reasonable relationship between the use of the fees (if any) imposed upon the project and the type of development project.

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

Findings to allow a minimum side setback of five feet for a second-story addition – CMC 21.08.030 (Table 2-3)

- 20. The side setback would not be detrimental to the health, safety, peace, comfort or general welfare of persons in the neighborhood, or the city as a whole; and
- 21. The side setback would not unreasonably interfere with the ability of adjoining property owners to enjoy access to air, privacy, sunlight, and quiet enjoyment of the owner's property.

Findings to allow a FAR up to 50% - CMC 21.08.030 (Table 2-3)

- 22. The perceived scale and mass of the home is compatible with the adjacent homes and the homes in the surrounding area.
- 23. The home minimizes the use of design features that make it appear significantly larger than the adjacent homes and the homes in the surrounding area.

Site and Architectural Review Permit Findings (CMC 21.42.060.B)

- 24. The project will be consistent with the general plan;
- 25. The project will aid in the harmonious development of the immediate area; and
- 26. The project is consistent with applicable adopted design guidelines, development agreement, overlay district, area plan, neighborhood plan, and specific plan(s).

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Site and Architectural Review Permit (PLN2019-239) to allow a second floor addition to an existing 3,339 square-foot two-story single-family home with a floor area ratio exceeding 45% (48.6% proposed) and a minimum second-story side setback of 5-feet where a ±10-foot side setback would otherwise be required at 1789 Hurst Avenue subject to the attached Conditions of Approval (attached Exhibit "A").

PASSED AND ADOPTED this 11th day of August, 2020, by the following roll call vote:

AYES: Commissioners: Buchbinder, Ching, Colvill, Hines, Krey, Ostrowski, and Rivlin
NOES: Commissioners:
ABSENT: Commissioners
ABSTAIN: Commissioners:

APPROVED: _____
Michael Krey, Chair

ATTEST: _____
Paul Kermoyan, Secretary

**CONDITIONS OF APPROVAL
Site and Architectural Review Permit (PLN2019-239)**

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

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. Approved Project: Approval is granted for a Site and Architectural Review Permit (PLN2019-239) to allow a second floor addition to an existing 3,339 square-foot two-story single-family home with a floor area ratio exceeding 45% (48.6% proposed) and a minimum second-story side setback of 5-feet where a ± 10 -foot side setback would otherwise be required at 1789 Hurst Avenue. The project shall substantially conform to the project plans stamped as received by the Planning Division on June 22, 2020, except as may be modified by the conditions of approval herein.
2. Plan Revisions: Prior to Building Permit submittal, the project plans shall be revised to identify the correct location of the front property line, which occurs six-inches behind the back of sidewalk.
3. Permit Expiration: The Site and Architectural Review Permit approval shall be valid for one year from the date of final approval (August 21, 2021). Within this one-year period, an application for a building permit must be submitted. Failure to meet this deadline will result in the Site and Architectural Review Permit being rendered void.
4. Planning Final Required: Planning Division clearance is required prior to Building Permit final. Construction not in substantial compliance with the approved project plans shall not be approved without prior authorization of the necessary approving body. Please add a note to the cover sheet of the project plans indicating this requirement (i.e. Planning Final Required).
5. Fences/Walls: Any newly proposed fencing and/or walls shall comply with Section 21.18.060 of the Campbell Municipal Code and shall be submitted for review and approval by the Community Development Department.
6. Compliance with Other Regulations: The applicant shall comply with other State, County, and City ordinances that pertain to the proposed project and where they are conducted.
7. Contractor Contact Information Posting: The project site shall be posted with the name and contact number of the lead contractor in a location visible from the public street prior to the issuance of building permits.

8. On-Site Lighting: On-site lighting shall be shielded away from adjacent properties and directed on site. The design and type of lighting fixtures and lighting intensity of any proposed exterior lighting for the project shall be reviewed and approved by the Community Development Director prior to installation of the lighting for compliance with all applicable Conditions of Approval, ordinances, laws and regulations. Lighting fixtures shall be of a decorative design to be compatible with the residential development and shall incorporate energy saving features.
9. Roof Vents: The applicant shall coordinate mechanical and plumbing plans to minimize the number of roof vents that are visible from the street frontage. The applicant shall provide the location of such vents on the building plan elevations and roof plans, to the satisfaction of the Community Development Director, prior to issuance of a building permit.
10. Construction Activities: The applicant shall abide by the following requirements during construction:
 - a. Construction activities shall be limited to weekdays between 8:00 a.m. and 5:00 p.m. and Saturdays between 9:00 a.m. and 4:00 p.m. No construction shall take place on Sundays or holidays unless an exception is granted by the Building Official.
 - b. All construction equipment with internal combustion engines used on the project site shall be properly muffled and maintained in good working condition.
 - c. Unnecessary idling of internal combustion engines shall be strictly prohibited.
 - d. All stationary noise-generating construction equipment, such as air compressors and portable power generators, shall be located as far as possible from noise-sensitive receptors such as existing residences and businesses.
 - e. Use standard dust and erosion control measures that comply with the adopted Best Management Practices for the City of Campbell.

Building Division

11. Permits Required: A Building Permit application shall be required for the proposed remodeling and addition to the existing structure. The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit.
12. Plan Preparation: This addition may require plan prepared under the direction and oversight of a California licensed Engineer or Architect. When applicable, 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. 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.
16. Title 24 Energy Compliance: California Title 24 Energy Compliance forms shall be blue-lined on the construction plans. 8½ X 11 calculations shall be submitted as well.
17. 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.
18. Non-Point Source: The 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.
19. Approvals Required: The project requires the following agency approval prior to issuance of the building permit:
 - a. West Valley Sanitation District (378-2407)
 - b. Santa Clara County Fire Department (378-4010)
 - c. School District:
 - 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.

 - d. Bay Area Air Quality Management District (Demolitions Only)
 - e. San Jose Water Company (279-7900)
20. 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.
21. Intent to Occupy During Construction: Owners shall declare their intent to occupy the (e) dwelling during construction. The Building Inspection Division may require the premises to be vacated during portions of construction because of substandard and unsafe living conditions created by construction.

22. California Green Building Code: This project shall comply with the mandatory requirements for Residential Structures, Chapter 4 of the California Green Building Code 2013 ed.
23. Storm Water Requirements: Storm water run-off from impervious surface created by this permitted project shall be directed to vegetated areas on the project parcel. Storm water shall not drain onto neighboring parcels.

Public Works Division

24. Storm Drain Area Fee: Prior to (issuance of any grading or building permits for the site)(recordation of the Parcel Map/Final Map), the applicant shall pay the required Storm Drain Area fee, currently set at \$2,120.00 per net acre, which is \$369.00 (set for R-1/multi family/commercial land use).
25. Pavement Restoration: The applicant shall restore the pavement in compliance with City standard requirements. In the event that the roadway has recently received a pavement treatment or reconstruction, the project will be subject to the City's Street Cut Moratorium. The applicant will be required to perform enhanced pavement restoration consistent with the restoration requirements associated with the Street Cut Moratorium. The City's Pavement Maintenance Program website (<https://www.ci.campbell.ca.us/219>) has detailed information on the streets currently under moratorium and the enhanced restoration requirements.
26. Maintenance of Landscaping: Owner(s), current and future, are required to maintain the landscaped park strip in the public right of way. This includes, but is not limited to: lawn, plantings, irrigation, etc. Trees shall not be pruned by the property owner.
27. Additional Street Improvements: Should it be discovered after the approval process that new utility main lines, extra utility work or other work is required to service the development, and should those facilities or other work affect any public improvements, the City may add conditions to the development/project/permit, at the discretion of the City Engineer, to restore pavement or other public improvements to the satisfaction of the City.

RESOLUTION NO. 4569

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A CONDITIONAL USE PERMIT AND PARKING MODIFICATION PERMIT (PLN-2020-41) TO ALLOW ESTABLISHMENT OF A MEDICAL OFFICE USE (WEIGHT LOSS CLINIC) WITHIN AN EXISTING OFFICE SPACE LOCATED AT **1626 W. CAMPBELL 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 number PLN-2020-41:

1. The project site is zoned C-1 (Neighborhood Commercial) and designated *Neighborhood Commercial* by the General Plan.
2. The project site is located within Kirkwood Plaza, a 12-acre commercial shopping center comprised of eight buildings located on the south side of W. Campbell Avenue, between Fulton Street and S. San Tomas Aquino Road.
3. The subject tenant space is located within an existing office space on the second floor of an existing office/retail building near the middle of the shopping center.
4. The proposed project is an application to allow the establishment of a medical office use which is allowed in the C-1 Zoning District with the approval of a Conditional use Permit.
5. The proposal does not involve expansion of the building and includes only minor exterior changes to the existing property for site accessibility.
6. The hours of operation would be limited to 6:00 AM to 7:30 PM daily.
7. The business/public hours would be limited to 7:00 AM – 6:00 PM daily.
8. The maximum number of occupants at any one time is eight staff members and/or patients.
9. Pursuant to CMC Section 21.28.040(A) the previous office use requires eight parking spaces and the proposed medical use requires nine parking spaces.
10. Based on the varied uses with different peak hours and the existing 620 parking spaces in the shopping center, a deficit of one parking space is not anticipated to create a parking issue.
11. 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, the Planning Commission further finds and concludes that:

1. The proposed use is allowed within the applicable zoning district with Conditional Use Permit approval, and complies with all other applicable provisions of this Zoning Code and the Campbell Municipal Code;
2. The proposed use is consistent with the General Plan;
3. The proposed site is adequate in terms of size and shape to accommodate the fences and walls, landscaping, parking and loading facilities, yards, and other development features required in order to integrate the use with uses in the surrounding area;
4. The proposed site is adequately served by streets (W. Campbell Avenue & S. San Tomas Aquino Road) of sufficient capacity to carry the kind and quantity of traffic the use would be expected to generate;
5. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses on-site and in the vicinity of the subject property;
6. The establishment, maintenance, or operation of the proposed use at the location proposed will not be detrimental to the comfort, health, morals, peace, safety, or general welfare of persons residing or working in the neighborhood of the proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.
7. Due to the unique nature and circumstances of the project, or special development features, the anticipated number of parking spaces necessary to serve the use or structure is less than that required by the applicable off-street parking standard, and would be satisfied by the existing or proposed number of parking spaces, as supported by review of the applicant's documentation and/or a parking demand study prepared by a qualified transportation engineer accepted by the decision-making body;
8. Conditions of approval have been incorporated into the project to ensure the long-term adequacy of the provided off-street parking; and
9. Approval of the parking modification permit will further the purpose of this chapter.
10. The project is Categorically Exempt under Section 15301, Class 1 of the California Environmental Quality Act (CEQA), pertaining to the operation and leasing of an existing private structure.

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Conditional Use Permit and Parking Modification Permit (PLN-2020-41) to allow establishment of a medical office use (weight loss clinic) within an existing office space located at **1626 W. Campbell Avenue**, subject to the attached Conditions of Approval (attached Exhibit "A").

PASSED AND ADOPTED this 11th day of August, 2020, by the following roll call vote:

AYES: Commissioners: Buchbinder, Ching, Colvill, Hines, Krey, Ostrowski, and Rivlin

NOES: Commissioners:

ABSENT: Commissioners

ABSTAIN: Commissioners:

APPROVED: _____

Michael Krey, Chair

ATTEST: _____

Paul Kermoyan, Secretary

**CONDITIONS OF APPROVAL
Conditional Use Permit (PLN-2020-41)**

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

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

1. Approved Project: Approval is granted for a Conditional Use Permit and Parking Modification Permit (PLN-2020-41) to allow a medical office use within an existing office space located at **1626 W. Campbell Avenue**. The project shall substantially conform to the Project Plans and Written Statements stamped as received by the Planning Division on May 15, 2020 and March 13, 2020, except as may be modified by the Conditions of Approval contained herein.
2. Permit Approval Expiration: The Conditional Use Permit approval shall be valid for one year from the date of final approval. Within this one year period all conditions of approval shall be fulfilled and the use established. Failure to meet this deadline will result in the Conditional Use Permit being void. Abandonment, discontinuation, or ceasing of operations for a continuous period of twelve months shall void the Conditional Use Permit approved herein.
3. Operational Standards: Consistent with the submitted Written Descriptions and City standards, any medical office use operating pursuant to the Conditional Use Permit approved herein shall conform to the following operational standards. Significant deviations from these standards (as determined by the Community Development Director) shall require approval of a Modification to the Conditional Use Permit.
 - a. **Maximum Occupancy**: A maximum of eight staff members and/or patients shall be permitted on the premises at any time, which is further subject to the maximum occupancy capacities of certain rooms as determined by the California Building Code (CBC). It is the responsibility of the business owner to provide adequate entrance controls to ensure that occupancy is not exceeded.
 - b. **Hours of Operation**: Hours of operation shall be as follows. By the end of 'Business Hours', all patients shall have exited the premises. By the end of the 'Operational Hours' all employees shall be off the premises.

Operational/Staff:	6:00 AM – 7:30 PM, Daily
Business/Public:	7:00 AM – 6:00 PM, Daily
 - c. **Parking Management**: In the event that a verifiable complaint is received by the City regarding parking, the Community Development Director may reduce the permitted occupancy, limit the hours of operation, require greater staggering of

- appointments, require additional parking management strategies and/or forward the project to the Planning Commission for review.
- d. **Smoking:** "No Smoking" signs shall be posted on the premises in compliance with CMC 6.11.060.
 - e. **Loitering:** There shall be no loitering allowed outside the business. The business owner is responsible for monitoring the premises to prevent loitering.
 - f. **Trash Disposal and Clean-Up:** All trash disposal, normal clean-up, carpet cleaning, window cleaning, sidewalk sweeping, etc. shall occur during the "operational hours."
 - g. **Business License:** The business shall be required to obtain and maintain a City business license at all times.
4. **Storefront Windows & Doors:** At no time shall an obscure wall or barrier (i.e. drapery, window tinting, blinds, furniture, inventory, shelving units, storage of any kind or similar) be installed along, behind or attached to windows or doorways that blocks visual access to the tenant space or blocks natural light without first obtaining written approval by the Community Development Director.
5. **Landscape Maintenance:** All landscaped areas shall be continuously maintained in accordance with City Landscaping Requirements (CMC 21.26). Landscaped areas shall be watered on a regular basis so as to maintain healthy plants. Landscaped areas shall be kept free of weeds, trash, and litter. Dead or unhealthy plants shall be replaced with healthy plants of the same or similar type.
6. **Signage:** No signage is approved as part of the development application approved herein. New signage shall not be installed prior to approval of a sign permit.
7. **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.
8. **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.
9. **Parking and Driveways:** All parking and driveway areas shall be maintained in compliance with the standards in Chapter 21.28 (Parking & Loading) of the Campbell Municipal Code. Parking spaces shall be free of debris or other obstructions.

BUILDING DIVISION

10. Expect this application to require approval from the following:
- Campbell Planning Department
 - Campbell Public Works Department

- Campbell Civil Engineering Department
- Campbell Building Department
- West Valley Sanitation District
- San Jose Water District (279-7900)
- Outside structural and energy plan check
- Outside structural and energy and complete code plan check
- Santa Clara County Fire Department
- HAZMAT
- Santa Clara County Department of Environmental Health
-

11. This Development Review Committee (DRC) preliminary review is from Campbell's Building Department. The intent is to identify major elements of concerns or omissions and to identify an expected process for project approval and permit issue. It is not a substitute for plan check and may not identify elements that may be observed during plan check. Time needed for a plan review cannot be accurately estimated at this time. The type of project, the quantity of plan review departments and the quality of the project documents will all contribute to time needed for review and eventual approval.

12. All our permit applications are now done online. From our website www.ci.campbell.ca.us get to → Community Development → Building Inspection Division and begin the online application. You may choose from about 80 different type permits that are grouped into 10 Application Categories. Read the Application Guide as it will list the required documents as well as the required naming of files and provide links to design elements. Upload your drawings and any calculations or documents that are listed on the guide and be sure to including a completed Acknowledgement Statement. When we receive the application, we will review it. If some of the documents are missing or not named correctly, we will return it for adjustment. After acceptance, we will assess plan check fees that may be paid online and then proceed with the routing process (Fire, Planning, PW, etc.).

13. This application will require these documents (available at www.ci.campbell.ca.us)

- Demolition permit
- Acknowledgement Statement (all online submittals)
- Intent to Occupy
- Owner Builder Acceptance of Liability for concurrent Planning and Building review
- West Valley Sanitation District approval letter
- Special Inspection checklist (signed by owner, eng'r, and plans examiner)
- Structural Calculations and Design
- Truss Design and Calculations
- Soil Evaluation Report
- Construction Tax Exemption
- Request for classification of new vs. remodel vs. new using portions of existing
- Title-24 Energy Report

- Clean Bay – Santa Clara Valley Non-point Pollution Control specification sheet
- California Accessibility Hardship Exemption
- Receipt of Park Fees paid to Campbell Public Works Department
- Receipt of school district payment for developer fees
 - Campbell Union School District (378-3405)
 - Campbell Union High School District (371-0960)
 - Campbell Union High School District (371-0960)
 - Moreland School District (874-2900)
 - Cambrian School District (377-2103)

14. Any commercial project will require the plans to be developed by an architect.
15. Commercial projects are subject to \$0.198 per sq ft developer fees. Contact the Building Division (408) 866-2130 to obtain fee payment forms and pay fees directly to the applicable school district(s).
16. Include the standard, Santa Clara Valley Non-point Source Pollution Control Program specification sheet in your plan submittal package. The specification sheet (size 24" X 36") is available at: <http://ca-campbell.civicplus.com/DocumentCenter/View/112>

FIRE DEPARTMENT

17. Formal Plan Review: Review of this development proposal is limited to accessibility of site access and water supply as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work the applicant shall make application to, and receive from, the Building Division all applicable construction permits.
18. No Violation: This review shall not be construed to be an approval of a violation of the provisions of the California Fire Code or of other laws or regulations of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of the fire code or other such laws or regulations shall not be valid. Any addition to or alteration of approved construction documents shall be approved in advance. [CFC, Ch.1, 105.3.6]

RESOLUTION NO. 4570

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A CONDITIONAL USE PERMIT AND PARKING MODIFICATION PERMIT (PLN-2020-45) TO ALLOW ESTABLISHMENT OF AN 18,103 SQUARE FOOT GROCERY STORE (GROCERY OUTLET) WITH LATE-NIGHT HOURS AND OFF-SITE GENERAL ALCOHOL SALES WITHIN AN EXISTING COMMERCIAL BUILDING ON PROPERTY LOCATED AT **100 N. SAN TOMAS AQUINO ROAD.**

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

The Planning Commission finds as follows with regard to file number PLN-2020-45:

1. The project site is zoned C-1 (Neighborhood Commercial) and designated *Neighborhood Commercial* by the General Plan.
2. The project site is located within San Tomas Plaza, a 122,000 square foot shopping center comprised of three buildings located at the northeast corner of N. San Tomas Aquino Road and W. Campbell Avenue.
3. The subject tenant space would be created within an 18,103 square foot portion of an existing 25,289 square foot tenant space formerly occupied by a drugstore that recently relocated to a different tenant space within San Tomas Plaza.
4. The proposed project is an application to allow the establishment of a grocery store over 10,000 square feet with late-night activities and off-site general alcohol sales which is allowed in the C-1 Zoning District with the approval of a Conditional Use Permit.
5. Based on the trip generation for the shopping center, establishment of a new grocery store creates less than significant VMT impacts under CEQA and generates a negligible number of added trips.
6. The subject tenant space includes an existing delivery area at the rear of the building adjacent to residential properties.
7. The operational/staff hours for activities within the building and at the front of the building would be 24 hours a day.
8. As conditioned, deliveries to and use of the rear alley and rear building entries would be limited to 7:00 AM – 7:00 PM daily.
9. The business/public hours would be limited to 6:00 AM – 11:00 PM daily.
10. As conditioned, alcohol sales would be ancillary to the primary use as a grocery store.

11. The proposed project is exempt from the limitations and requirements for "liquor stores" pursuant to CMC Section 21.36.110 due to the ancillary nature of the alcohol sales in association with the grocery store.
12. Pursuant to CMC Section 21.28.040(A) the previous drugstore use and proposed grocery store both require one parking space per 200 square feet of floor area. However two parking spaces would be replaced with shopping cart storage areas and the shopping center is underparked.
13. Based on the varied uses with different peak hours and the existing 519 parking spaces in the shopping center, eliminating two parking spaces to create designated areas for shopping carts is not anticipated to result in a parking issue.
14. In review of the proposed project, the Planning Commission considered the proposed project's traffic safety, traffic congestion, site circulation, landscaping, structure design, and site layout.
15. In review of the proposed project, the Planning Commission also weighed the public need for, and the benefit to be derived from, the project, against any impacts it may cause.
16. 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, the Planning Commission further finds and concludes that:

1. The proposed use is allowed within the applicable zoning district with Conditional Use Permit approval, and complies with all other applicable provisions of this Zoning Code and the Campbell Municipal Code;
2. The proposed use is consistent with the General Plan;
3. The proposed site is adequate in terms of size and shape to accommodate the fences and walls, landscaping, parking and loading facilities, yards, and other development features required in order to integrate the use with uses in the surrounding area;
4. The proposed site is adequately served by streets of sufficient capacity to carry the kind and quantity of traffic the use would be expected to generate;
5. As conditioned, the design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses on-site and in the vicinity of the subject property;
6. As conditioned, the establishment, maintenance, or operation of the proposed use at the location proposed will not be detrimental to the comfort, health, morals, peace, safety, or general welfare of persons residing or working in the neighborhood of the

proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.

7. Due to the unique nature and circumstances of the project, or special development features, the anticipated number of parking spaces necessary to serve the use or structure is less than that required by the applicable off-street parking standard, and would be satisfied by the existing or proposed number of parking spaces, as supported by review of the applicant's documentation and/or a parking demand study prepared by a qualified transportation engineer accepted by the decision-making body;
8. Conditions of approval have been incorporated into the project to ensure the long-term adequacy of the provided off-street parking; and
9. Approval of the parking modification permit will further the purpose of this chapter.
10. The project is Categorically Exempt under Section 15060(c)(2) of the California Environmental Quality Act (CEQA) pertaining to activities that will not result in a direct or foreseeable indirect physical change to the environment.

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Conditional Use Permit and Parking Modification Permit (PLN-2020-45) to allow establishment of an 18,103 square foot grocery store (Grocery Outlet) with late-night hours and off-site general alcohol sales within an existing commercial building located at **100 N. San Tomas Aquino Road**, subject to the attached Conditions of Approval (attached Exhibit "A").

PASSED AND ADOPTED this 11th day of August, 2020, by the following roll call vote:

AYES: Commissioners: Buchbinder, Ching, Colvill, Hines, Krey, Ostrowski, and Rivlin
NOES: Commissioners:
ABSENT: Commissioners
ABSTAIN: Commissioners:

APPROVED: _____
Michael Krey, Chair

ATTEST: _____
Paul Kermoyan, Secretary

CONDITIONS OF APPROVAL
Conditional Use Permit (PLN-2020-45)

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

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

1. Approved Project: Approval is granted for a Conditional Use Permit and Parking Modification Permit (PLN-2020-45) to allow establishment of an 18,103 square foot grocery store with late-night hours and off-site general alcohol sales within an existing commercial building on property located at **100 N. San Tomas Aquino Road**. The project shall substantially conform to the Project Plans and Written Statements stamped as received by the Planning Division on July 1, 2020, except as may be modified by the Conditions of Approval contained herein.
2. Permit Expiration: The Conditional Use Permit ("Approval") shall be valid for one (1) year from the effective date of Planning Commission action (expiring August 21, 2021). Within this one-year period a Type 21 (Off-Sale General) alcohol license from the Department of Alcoholic Beverage Control (ABC) must be secured. Failure to meet this deadline, failure to obtain a building permit, or expiration of an issued building permit will result in the Approval being rendered void.

Once established, this Approval shall be valid in perpetuity on the property subject to continued operation of the grocery store and maintenance of a valid ABC liquor license. Abandonment, discontinuation, or ceasing of operations for a continuous period of twelve months shall void the approval.

3. Operational Standards: The operation of the grocery store shall be subject to the following operational standards. Significant deviations from these standards (as determined by the Community Development Director) shall require approval of a Modification to the Conditional Use Permit.
 - a. **Approved Use**: The approved use is a grocery store with late night activities and ancillary off-site general alcohol sales, as defined by the Campbell Municipal Code (CMC). Activity inconsistent with the CMC, including, but not limited to, primary use as a "liquor store," is prohibited.
 - b. **Business Hours**: The 'Business Hours,' during which the grocery store is open to the general public, shall be limited to 6:00 AM to 11:00 PM, daily.
 - c. **Operational Hours**. The 'Operational Hours,' during which the grocery store is occupied by store employees, shall be permitted 24-hours a day. Activity

occurring outside of the 'Business Hours' shall be non-disruptive in nature, such as stocking or janitorial activity.

- d. **Delivery Hours:** Deliveries to the rear (alley) delivery area shall be limited to the hours of 7:00 AM to 7:00 PM, daily. Deliveries to the front entrance of the store are permitted 24-hours a day.
- e. **Alley Usage:** Employee usage of the rear alleyway (including dumping of trash/recycling) shall be limited to 7:00 AM to 7:00 PM, consistent with the 'Delivery Hours'. Doors opening to the alley shall remain closed except between 7:00 AM to 7:00 PM. A notice on the inside doors to the alley shall be posted to inform and remind employees of this requirement.
- f. **Alcohol Sales:** The sale of beer and wine products within the grocery store shall be subject to the following restrictions:
 - (1) The applicant shall obtain a Type 21 (Off-Sale General) license from the State Department of Alcoholic Beverage Control prior to the sale of alcoholic beverages.
 - (2) The applicant shall, at all times, maintain in good standing the Type 21 License from the State Department of Alcoholic Beverage Control for the sale of alcoholic products.
 - (3) The sale of alcohol products shall remain ancillary to the primary purpose of the grocery store which is the sale of food items and household supplies.
 - (4) The sale of alcoholic products shall be limited to 10% of the gross floor area of the grocery store gross floor area.
 - (5) The Community Development Director may require specific signage or locked cabinet shelving, or similar measures, to prevent the unauthorized selling of alcohol.
- g. **Noise:** During the Business Hours and Delivery Hours, audible noise shall not be of a level that would unreasonably interfere with the comfortable enjoyment of neighboring residents. Outside of the Business Hours and Delivery Hours, noise shall not be audible to neighboring residents. In the event the city receives three verifiable complaints in violation of this standard, the Planning Commission may review the Conditional Use Permit in a public hearing. Upon review, if the Planning Commission finds that there is substantial evidence that the grocery store is creating unreasonable disturbance to the adjacent residents in violation of this standard, the Planning Commission may take reasonable measures to mitigate such noise, including reducing the Business Hours, Operational Hours, and/or Delivery Hours.
- h. **Outdoor Display:** Product displays at the front entry of the grocery store shall be maintained in good order and shall not impede the accessible path-of-travel into or out of the grocery store, or through the arcade. Seasonal displays (e.g., Christmas trees), may not encroach into the parking lot unless approved by the Community Development Director in compliance with Campbell City Council Policy 9.8.

- i. **Refuse Management:**
 - (1) Refuse and recycling containers shall be kept in the enclosures at all times except when being emptied by collection personnel.
 - (2) If necessary to maintain the refuse areas, as based on verified complaints, the Community Development Director may require expansion of the refuse areas and/or more frequent collection.
 - (3) If necessary to secure the refuse areas, as based on verified complaints, the Community Development Director may require use of locking refuse and recycling bins.
 - j. **Shopping Cart Retention:** If necessary to secure shopping carts from theft and abandonment, as based on verified complaints, the Community Development Director reserves the right to require installation of wheel-locking devices that preclude removal of the shopping carts from the property.
 - k. **Security Cameras:** The property shall be required to maintain a minimum of 16 security cameras in working condition as indicated in the submitted Written Statement. The security cameras shall be high-definition and wide angle. The recordings of these cameras shall be stored for no less than thirty (30) days and made available to assist the Police Department upon request.
 - l. **Smoking:** "No Smoking" signs shall be posted on the premises in compliance with CMC 6.11.060.
 - m. **Loitering:** There shall be no loitering allowed outside the business. The business owner is responsible for monitoring the premises to prevent loitering.
 - n. **Business License:** The business shall be required to obtain and maintain a City business license at all times.
 - o. **Property Maintenance:** The store operator shall maintain all exterior areas of the business free from graffiti, trash, rubbish, posters and stickers placed on the property.
4. **On-Site Lighting:** On-site lighting shall be shielded away from adjacent properties and directed on site. The design and type of lighting fixtures and lighting intensity of any proposed exterior lighting for the project shall be reviewed and approved by the Community Development Director for compliance with the Campbell Lighting Design Standards (CMC Sec. 21.18.090) as demonstrated by a photometric plan to be included within the construction plans submitted for a building permit.
 5. **Storefront Windows & Doors:** At no time shall an obscure wall or barrier (i.e. drapery, window tinting, blinds, furniture, inventory, shelving units, storage of any kind or similar) be installed along, behind or attached to windows or doorways that blocks visual access to the tenant space or blocks natural light without first obtaining written approval by the Community Development Director.
 6. **Powered Equipment:** The use of powered equipment shall be limited to the hours of 8:00 AM and 7:00 PM, Monday through Friday, and between the hours of 9:00 AM and 6:00 PM Saturday, Sunday and nationally recognized holidays.

7. Landscape Maintenance: All landscaped areas shall be continuously maintained in accordance with City Landscaping Requirements (CMC 21.26). Landscaped areas shall be watered on a regular basis so as to maintain healthy plants. Landscaped areas shall be kept free of weeds, trash, and litter. Dead or unhealthy plants shall be replaced with healthy plants of the same or similar type.
8. Signage: No signage is approved as part of the development application approved herein. New signage shall not be installed prior to approval of a sign permit.
9. Location of Mechanical Equipment: No roof-mounted mechanical equipment (i.e. air conditioning units, ventilation ducts or vents), shall be added to the existing building without providing screening of the mechanical equipment from public view and surrounding properties. The screening material and method shall be architecturally compatible with the building and requires review and approval by the Community Development Director and Building Division prior to installation of such screening.
10. Outdoor Storage: No outdoor storage is permitted on the subject property. No equipment, materials or business vehicles shall be parked and/or stored outside the building or within the parking lot.
11. Parking and Driveways: All parking and driveway areas shall be maintained in compliance with the standards in Chapter 21.28 (Parking & Loading) of the Campbell Municipal Code. Parking spaces shall be free of debris or other obstructions.
12. Revocation of Permit: Operation of the grocery store 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 land use permit if it is determined that the sale of alcohol and/or hours of operation, has become a nuisance to the City's public health, safety or welfare or for violations of the land use permit or any standards, codes, or ordinances of the City of Campbell. The business owner shall be obligated to cover the actual cost of all staff time associated with revocation proceedings. This obligation may be enforced by the City as permitted by law.

At the discretion of the Community Development Director, if the establishment generates three (3) verifiable complaints related to violations of conditions of approval, noise, and/or the sale of alcohol within a one (1) year 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 of the Approval upon the occurrence of less than three (3) complaints if the Community Development Director determines that the alleged violation warrants such an action. The Director may also at such time, restrict the establishment's hours of operation. 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

13. Expect this application to require approval from the following:

- Campbell Planning Department
- Campbell Public Works Department
- Campbell Civil Engineering Department
- Campbell Building Department
- West Valley Sanitation District
- San Jose Water District (279-7900)
- Outside structural and energy plan check
- Outside structural and energy and complete code plan check
- Santa Clara County Fire Department
- HAZMAT
- Santa Clara County Department of Environmental Health
-

14. This Development Review Committee (DRC) preliminary review is from Campbell's Building Department. The intent is to identify major elements of concern or omissions and to identify an expected process for project approval and permit issue. It is not a substitute for plan check and may not identify elements that may be observed during plan check. Time needed for a plan review cannot be accurately estimated at this time. The type of project, the quantity of plan review departments and the quality of the project documents will all contribute to time needed for review and eventual approval.

15. All permit applications are now submitted online. From website www.ci.campbell.ca.us get to → Community Development → Building Inspection Division and begin the online application. You may choose from about 80 different type permits that are grouped into 10 Application Categories. Read the Application Guide as it will list the required documents as well as the required naming of files and provide links to design elements. Upload your drawings and any calculations or documents that are listed on the guide and be sure to including a completed Acknowledgement Statement. When the application is received, staff will review it. If some of the documents are missing or not named correctly, staff will return it for adjustment. After acceptance, staff will assess plan check fees that may be paid online and then proceed with the routing process (Fire, Planning, PW, etc.).

16. This application will require these documents (available at www.ci.campbell.ca.us)

- Demolition permit
- Acknowledgement Statement (all online submittals)
- Online re-submittal and upload of pdf drawings and documents
- Owner Builder Acceptance of Liability for concurrent Planning and Building review
- West Valley Sanitation District approval letter
- Special Inspection checklist (signed by owner, eng'r, and plans examiner) (Submitted but not signed, may not even be required by the AofR or EofR)
- Structural Calculations and Design
- Truss Design and Calculations
- Soil Evaluation Report
- Construction Tax Exemption
- Request for classification of new vs. remodel vs. new using portions of existing
- Title-24 Energy Report
- Clean Bay – Santa Clara Valley Non-point Pollution Control specification sheet
- California Accessibility Hardship Exemption
- Receipt of Park Fees paid to Campbell Public Works Department
- Receipt of school district payment for developer fees
 - Campbell Union School District (378-3405)
 - Campbell Union High School District (371-0960)
 - Campbell Union High School District (371-0960)
 - Moreland School District (874-2900)
 - Cambrian School District (377-2103)

17. Any commercial project will require the plans to be developed by an architect.

18. Commercial projects are subject to \$0.198 per sq. ft. developer fees. Contact the Building Division (408) 866-2130 to obtain fee payment forms and pay fees directly to the applicable school district(s).

19. Include the standard, Santa Clara Valley Non-point Source Pollution Control Program specification sheet in your plan submittal package. The specification sheet (size 24" X 36") is available at: <http://ca-campbell.civicplus.com/DocumentCenter/View/112>

20. The master sets of drawings for this project were received by the building department in early May. They have been reviewed against the original comments by Bill Bruckart sent out in March. Items remaining: West Valley Sanitation District clearance letter, a completed special inspection direction letter from either the architect or engineer of record.

PUBLIC WORKS DEPARTMENT

21. Trash Capture: This property is identified on the City of Campbell – Full Trash Capture and Trash Management Area Map as being in the High category. Applicant to install trash capture inserts (KriStar FloGard or approved equal) in all on-site storm drain catchbasins.

FIRE DEPARTMENT

22. Formal Plan Review: Review of this development proposal is limited to accessibility of site access and water supply as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work the applicant shall make application to, and receive from, the Building Division all applicable construction permits.
23. Fire Sprinklers Required: Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.18 whichever is the more restrictive. For the purposes of this section, firewalls used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations. In other than residential buildings which require the installation of fire sprinklers for all new buildings according to the California Residential Code, an automatic sprinkler system shall be provided throughout all new buildings and structures. Exceptions: a) Buildings and structures that do not exceed 1,000 SF of building area. b) Group S-2 or U occupancies used exclusively for vehicle parking and meeting all of the following conditions: i) Noncombustible construction ii) Maximum building area not to exceed 5,000 SF. Iii) Structure is open on three or more sides. Iv) Minimum of 10 feet separation from existing buildings unless area is separated by fire walls complying with CBC 706. NOTE: The owner(s), occupant(s) and any contractor(s) or subcontractor(s) are responsible for consulting with the water purveyor of record in order to determine if any modification or upgrade of the existing water service is required. **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. 903.2 as adopted and amended by CBLMC. (See sheet G1.0 BLD-2020-124)**
24. Fire Alarm Requirements: Refer to CFC Sec. 907 and the currently adopted edition of NFPA 72. Submit shop drawings (3 sets) and a permit application to the SCCFD for approval before installing or altering any system. Call (408) 378-4010 for more information.(See sheet G1.0 BLD -2020-124)
25. Water Supply Requirements: Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water-based fire protection systems, and/or fire suppression water supply systems or storage containers that may be physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record. Final approval of the system(s) under consideration will not be granted by 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). 2019 CFC Sec. 903.3.5 and Health and Safety Code 13114.7.

26. Address identification: New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. CFC Sec. 505.1.
27. Construction Site Fire Safety: All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification S1-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chp. 33.
28. Buildings and Facilities Access: Fire department access to the site, the building, and to all fire protection systems shall be maintained at all times, in accordance with CFC Chapter 5.
29. No Violation: This review shall not be construed to be an approval of a violation of the provisions of the California Fire Code or of other laws or regulations of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of the fire code or other such laws or regulations shall not be valid. Any addition to or alteration of approved construction documents shall be approved in advance. [CFC, Ch.1, 105.3.6]



CITY OF CAMPBELL • PLANNING COMMISSION
Staff Report • August 25, 2020

PLN-2020-70
Kohlsaas, G.

Public Hearing to consider the application of Gary Kohlsaas for a Site and Architectural Review Permit (PLN-2020-70) to allow a façade improvement to an existing commercial building including installation of metal awnings, a new entry door and window, and replacement of decorative rock wall cladding with stucco, and associated parking lot restriping on property located at **1049 Dell Avenue** in the M-1 (Light Industrial) Zoning District.

STAFF RECOMMENDATION

That the Planning Commission take the following action:

1. **Adopt a Resolution** (reference **Attachment 1**), approving a Site and Architectural Review Permit (PLN-2020-70) to allow a façade improvement to an existing commercial building.

ENVIRONMENTAL DETERMINATION

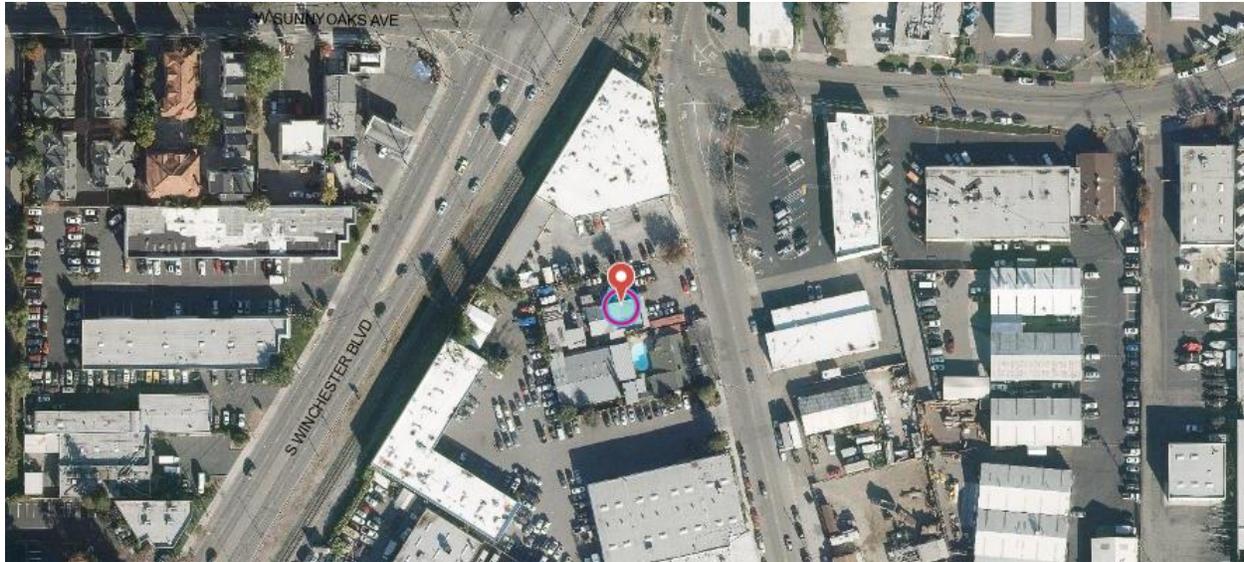
Staff recommends that the Planning Commission find that this project is Categorical Exempt under Section 15301 (Class 1) of the California Environmental Quality Act (CEQA) Guidelines, pertaining to alterations to existing private structures involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.

PROJECT DATA

Zoning Designation:	M-1 (Light Industrial)	
General Plan Designation:	Light Industrial	
Lot Size:	13,287 square-feet	
Building Height:	14 feet	45 feet Maximum Allowed
Existing Building Area:	3,980 square feet (no change)	
Floor Area Ratio (FAR):	.30	.45 Maximum Allowed
Setbacks - Main Building:	<u>Existing</u>	<u>Required</u>
Front (east) :	60 feet	10 feet
Rear (west) :	110 feet	10 feet
(R) Side (north) :	2 feet	5 feet
(L) Side (south):	35 feet	5 feet

DISCUSSION

Project Site: The project site is a 13,000 square-foot industrial parcel located along Dell Avenue, south of Sunnyoaks Avenue within the M-1 (Light Industrial) Zoning District. The site is developed with a 2,000 square-foot commercial building located towards the street and a 1,200 square-foot warehouse structure at the rear. The property is encumbered by a 20-foot wide easement that provides vehicular access to the property behind it. Industrial uses surround the property on all sides, as shown on the aerial map on the following page.



Proposal: The application for a Site and Architectural Review Permit would allow a façade improvement to the commercial building including installation of metal canopies, a modified storefront system, and replacement of decorative rock wall cladding with stucco (reference **Attachment 2** and **3** – Project Plans and Written Description).¹ Additionally, new parking stalls will be striped consistent with a restriping plan approved by the City in 1999.

ANALYSIS

Zoning: The project site is located within the Light Industrial (M-1) Zoning District. This zoning district is meant to provide an environment conducive to sound industrial development such as light manufacturing, industrial processing, storage and distribution, warehousing, and motor vehicle repair facilities. The façade improvements would maintain the viability of the subject building for this purpose.

Customarily, changes of the type proposed may be approved at the staff level pursuant to the authority granted by the Zoning Code to the Community Development Director to allow "minor changes" that "will not substantially change the overall appearance, character, and scale of the proposed development" (CMC Sec. 21.42.020.C.4). However, this authority is predicated on a structure having "previously been approved by the planning commission." According to City records, these structures are non-conforming in that their construction predates the property's annexation into the City of Campbell. Therefore, the Zoning Code requires Planning Commission approval for any architectural change and/or expansion.

General Plan Consistency: The General Plan land use designation for the project site is Light Industrial. The Light Industrial designation is intended to protect industrial lands for a wide range of light manufacturing, industrial processing, general service, warehousing, storage and distribution, and automobile repair uses. Improving an existing building maintains its commercial viability in furtherance of the General Plan's intent as well as the following policies and strategies:

¹The stucco installation and storefront modifications have already been performed such that approval of a Site and Architectural Permit would serve to formalize this work.

- Policy LUT-5.4: Industrial Neighborhoods: Safeguard industry’s ability to operate effectively, by limiting the establishment of incompatible uses in industrial neighborhoods and encouraging compatible uses.
- Policy LUT-5.5: Industrial Diversity: Promote a variety of industrial use opportunities that maintain diversified services and a diversified economic base.
- Policy LUT-5.7: Industrial Areas: Industrial development should have functional and safe vehicular, bicycle and pedestrian circulation, good site and architectural design, be sensitive to surrounding uses, connect to public transit, and be energy efficient. New projects should contribute to the positive character of industrial areas and the overall image of the City.

Design: The proposed design changes seek to modestly refresh the property's appearance by replacing a dated awning and stone cladding with new contemporary metal canopies and white stucco wall plastering, and installation of a new entry door and front window (reference **Attachment 4** – Color/Material Sheet). Although the City does not have design guidelines for industrial properties, General Plan Strategy LUT-5.7a directs the City to "require varied, high-quality, finished construction materials such as glass, stucco, plaster, or brick. No exposed concrete block or flat sheet metal." As the proposal satisfies this direction, the application may be found consistent with the General Plan.



PROPOSED FRONT



EXISTING FRONT

Parking: The property is currently lacking any defined parking stalls. However, at staff’s direction, the plans have been modified to depict striping of 11 parking stalls, including an accessible stall. This configuration is consistent with a zoning clearance approval to allow establishment of a terminate business issued in 1999, which was contingent on the striping of these parking stalls (reference **Attachment 5** – 1999 Restriping Plan). The quantity of parking complies with current parking standards for an industrial use (1 stall per 400 square-feet).

Landscaping: The City's landscaping code requires that existing properties improve landscaping to the "greatest extent feasible" "whenever an existing use or structure is expanded...". Since the proposal would not expand the structure nor any existing use on the property, provision of additional landscaping is not required.

Site and Architectural Review Committee: The Site and Architectural Review Committee (SARC) reviewed this application at its meeting of August 12, 2020. The Committee was supportive of the project's design and configuration as presented.

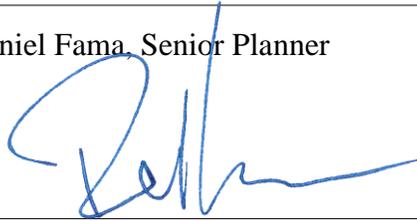
Attachments:

1. Draft Resolution
2. Project Plans
3. Written Description
4. Color/Material Board
5. 1999 Parking Plan



Prepared by:

Daniel Fama, Senior Planner



Approved by:

Paul Kermoyan, Community Development Director

RESOLUTION NO. 45__

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A SITE AND ARCHITECTURAL REVIEW PERMIT (PLN-2020-70) TO ALLOW A FAÇADE IMPROVEMENT TO AN EXISTING COMMERCIAL BUILDING INCLUDING INSTALLATION OF METAL AWNINGS, A NEW ENTRY DOOR AND WINDOW, AND REPLACEMENT OF DECORATIVE ROCK WALL CLADDING WITH STUCCO, AND ASSOCIATED PARKING LOT RESTRIPING ON PROPERTY LOCATED AT **1049 DELL 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 No. PLN-2020-70:

1. The Project Site is a 13,287 square-foot parcel improved with a 2,000 square-foot commercial building located towards the street and a 1,200 square-foot warehouse structure at the rear.
2. The Project Site is located along Dell Avenue, south of Sunnyoaks Avenue.
3. The project site is zoned M-1 (Light Industrial) as shown on the Campbell Zoning Map.
4. The Project Site is designated *Light Industrial* as shown on the Campbell General Plan Map.
5. The Proposed Project is an application for a Site and Architectural Review Permit (PLN-2020-70) to allow a façade improvement to an existing commercial building including installation of metal awnings, a new entry door and window, and replacement of decorative rock wall cladding with stucco, and associated parking lot restriping
6. On July 19, 1999, the City determined that there are no "previous site approvals" for the improvements found on the Project Site, such that the buildings are considered non-conforming and that no changes may be made without approval of a Site and Architectural Review Permit.
7. The July 19, 1999 determination is consistent with CMC Sec. 21.42.020.C.4 that allows the Community Development Director to approved "minor changes" that "will not substantially change the overall appearance, character, and scale of the proposed development," but only when a structure had "previously been approved by the planning commission."
8. The July 19, 1999 letter also approved a parking layout that will be implemented as part of this Site and Architectural Review Permit. This letter constitutes a Zoning

Clearance that will allow parking within the required front setback that otherwise would not be permitted by CMC Sec. 21.28.080.B.3.

9. CMC Sec. 21.26.030.A requires that existing properties improve landscaping to the "greatest extent feasible" "whenever an existing use or structure is expanded...". Since the proposal would not expand the structure nor any existing use on the property, provision of additional landscaping is not required.
10. The Proposed Project would be consistent with the following General Plan policy and strategies:

- | | |
|--------------------|---|
| Policy LUT-5.4: | <u>Industrial Neighborhoods</u> : Safeguard industry's ability to operate effectively, by limiting the establishment of incompatible uses in industrial neighborhoods and encouraging compatible uses. |
| Policy LUT-5.5: | <u>Industrial Diversity</u> : Promote a variety of industrial use opportunities that maintain diversified services and a diversified economic base. |
| Policy LUT-5.7: | <u>Industrial Areas</u> : Industrial development should have functional and safe vehicular, bicycle and pedestrian circulation, good site and architectural design, be sensitive to surrounding uses, connect to public transit, and be energy efficient. New projects should contribute to the positive character of industrial areas and the overall image of the City. |
| Strategy LUT-5.7a: | <u>Industrial Design Guidelines</u> : Develop Industrial Design Guidelines with specific policies including, but not limited to the following: <ul style="list-style-type: none">➤ Require varied, high-quality, finished construction materials such as glass, stucco, plaster, or brick. No exposed concrete block or flat sheet metal. |

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

1. The project will be consistent with the general plan;
2. The project will aid in the harmonious development of the immediate area; and
3. The project is consistent with applicable adopted design guidelines.
4. The project Categorically Exempt under Section 15301 (Class 1) of the California Environmental Quality Act (CEQA) Guidelines, pertaining to alterations to existing private structures involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Site and Architectural Review Permit (PLN-2020-70) to allow a façade improvement to an existing commercial building including installation of metal awnings, a new entry door and window, and replacement of decorative rock wall cladding with stucco, and associated parking lot restriping on property located at **1049 Dell Avenue**, subject to the attached recommended Conditions of Approval (attached **Exhibit A**).

PASSED AND ADOPTED this 25th day of August, 2020, by the following roll call vote:

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

APPROVED: _____
Michael Krey, Chair

ATTEST: _____
Paul Kermoyan, Secretary

CONDITIONS OF APPROVAL
Site and Architectural Review Permit (PLN-2020-70)

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

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. Approved Project: Approval is granted for a Site and Architectural Review Permit (PLN-2020-70) to allow a façade improvement to an existing commercial building including installation of metal awnings, a new entry door and window, and replacement of decorative rock wall cladding with stucco, and associated parking lot restriping on property located at **1049 Dell Avenue**. The project shall substantially conform to the revised project plans and revised color/material board, stamped as received by the Community Development Department on July 23, 2020, except as may be modified by the Conditions of Approval contained herein.
2. Building Permit Required: At the discretion of the Building Official, the applicant shall either submit revised plans for the already submitted building permit (BLD-2020-149) or submit a new building permit application, for the building and site improvements authorized by the Site and Architectural Review Permit.
3. Permit Expiration: The Site and Architectural Review Permit approval shall be valid for one (1) year from the date of final approval. Within this one-year period an application for a building permit must be submitted. Failure to meet this deadline or expiration of an issued building permit will result in the Site and Architectural Review Permit being rendered void.
4. Planning Final Required: Planning Division clearance is required prior to Building Permit final. Construction not in substantial compliance with the approved project plans shall not be approved without prior authorization of the necessary approving body.
5. Subsequent Building Improvements: Exterior improvements to other on-site buildings that are determined to be consistent with the architectural design provided in the approved project plans may be administratively reviewed and approved by the Community Development Director.
6. Property Maintenance: The property owner shall maintain the property free from graffiti, trash, and rubbish.

7. Fences/Walls: Any newly proposed fencing and/or walls shall comply with Section 21.18.060 of the Campbell Municipal Code and shall be submitted for review and approval by the Community Development Department.
8. Parking Areas: All parking and driveway areas shall be maintained in compliance with the approved plans and Chapter 21.30 (Parking and Loading) of the Campbell Municipal Code.
9. 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:

10. Permits Required: A building permit application shall be required for the building and site improvements.
11. Accessibility: 20% of the remodel cost must be assigned to accessibility upgrades. Cost of the door may meet that requirement but an estimate and hardship exemption will still be needed and made part of the plan set. Should any additional funds be available in the 20% accessible striping and parking and path of travel is also needed.

PUBLIC WORKS DEPARTMENT

12. 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 \$2,620.00 per net acre, which is \$807.47 (commercial land use).

13. 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.

14. Site Plan: The site plan on the construction drawings submitted for a building permit shall include a revise plan sheet A-1 to address the following:

- a. Include a dimension between the existing face-of-curb and existing property line.
- b. Plan for Dell Avenue is to install 10’ wide City standard sidewalk. Show on plan the future right-of-way line which will be 10’ from the existing face-of-curb. The project should not install private improvements within this area (existing and future right-of- way).
- c. Remove the 10’ ROW easement.
- d. Show the closure of the driveway cut opposite parking stall 5 & 6.

15. Plans / Encroachment Permit / Fees / Deposits: *Prior to issuance of any grading or building permits for the site*, the applicant shall 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. Removal of existing southern driveway cut and replace with City standard curb and gutter.
- b. Construction of conforms to existing public and private improvements, as necessary.
- c. Submit final plans in a digital format acceptable to the City.

16. Street Improvements Completed for Occupancy and Building Permit Final: Prior to allowing occupancy and/or final building permit signoff for any and/or all buildings, the

applicant shall have the required *street improvements* installed and accepted by the City, and the design engineer shall submit as-built drawings to the City.

17. 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.

**CALIFORNIA
UNREASONABLE HARDSHIP EXEMPTION
20% RULE**

Accessibility for Existing Buildings
2016 CBC, Section 1134 B.2.1, Exception 1
2019 Valuation Threshold

Title Sheet

NOTE:

1. 20% rule applies to valuation thresholds under \$ 166,157.00 (Revised Jan. 2019)

To qualify for a hardship exemption, projects must provide the following:

- Applicant must demonstrate that full access compliance will create an "unreasonable hardship".

- Applicant must provide a maximum amount of 20% of the determined valuation of the permitted project toward access improvements in the following priority:

- Accessible Entrance.
- Accessible route to the altered areas.
- Accessible restroom(s).
- Accessible drinking fountains.
- Additional accessible elements.

2. For projects with determined valuations in excess of \$ 166,157.00, the building being remodeled shall be made fully compliant with State Access requirements.

The valuation for this project has been established and confirmed by the City Building Division as:
\$ 6,120.00

This project has requested to be granted an "Unreasonable Hardship" exemption. Under this provision, 20% of the valuation above is:
\$ 1,224.00

The amount established above shall be directed to accessible improvements according to the following distribution:

- Parking striping and loading area **\$ 1,000.00**
- Handicap sign **\$ 280.00**
- \$**
- \$**
- \$**

Total Expenditure: \$ 1,280.00

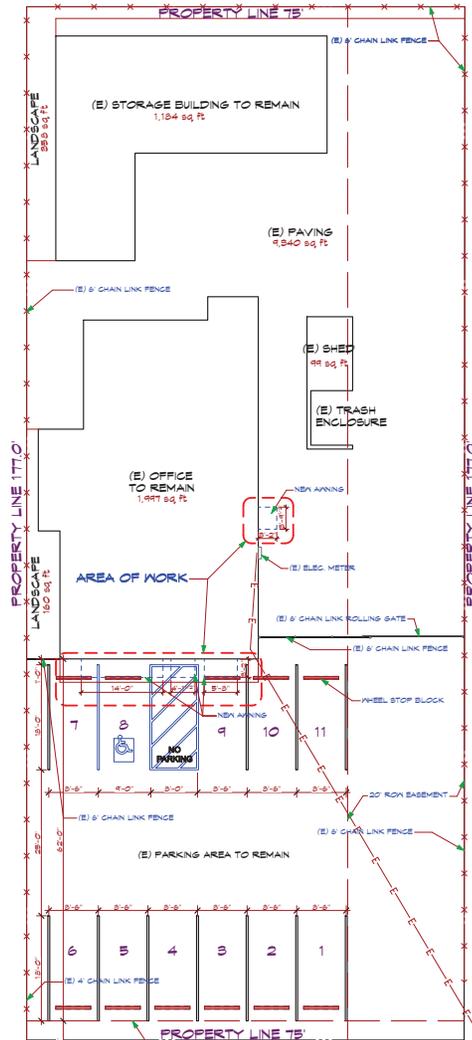


PROPOSED FRONT

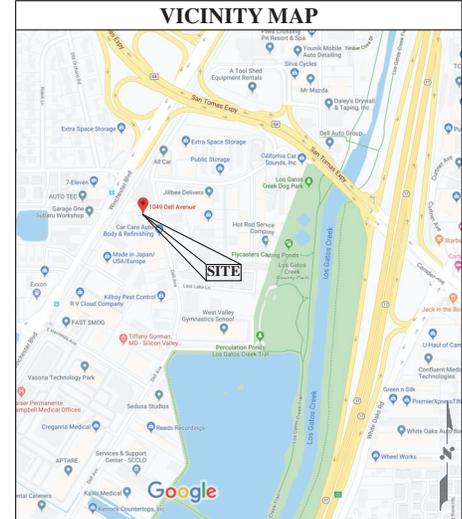


EXISTING FRONT

NOTE:
PROVIDE LOADING & UNLOADING ACCESSIBLE BORDER PAINTED BLUE
PROVIDE STRIPES @ 36" OC PAINTED A COLOR CONTRASTING WITH THE PARKING SURFACE, PREFERABLY BLUE OR WHITE
PROVIDE ACCESSIBILITY SIGN THAT IS REFLECTORIZED WITH A MIN. AREA OF 10 SQUARE INCHES.
DIMENSION TO CENTERLINE OF STRIPE
PROVIDE TYPICAL INTERNATIONAL SYMBOL OF ACCESSIBILITY @ 36" X 36"
PROVIDE INTAIN THE LOADING & UNLOADING ACCESSIBLE, PAINT THE WORDS "NO PARKING" IN 12" HIGH MIN. WHITE LETTERS.
PROVIDE WHEEL STOP



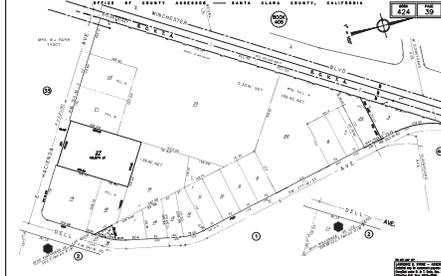
SITE PLAN



PROJECT DATA

PROJECT ADDRESS:	1049 DELL AVE CAMPBELL, CA 95008
OWNER:	RIAN BARTH & FLORIAN BARTH TENANTS IN COMMON 1846 LOS GATOS BLVD SUITE 104-105 LOS GATOS, CA 95032 (408) 859-9552
APN:	424-59-008
ZONING:	M-1
CONSTRUCTION TYPE:	V-E-U, NO SPRINKLERS
OCCUPANCY GROUP:	B
STORIES:	1
SITE AREA:	19,227 SF 40% = 7,701 SF
ALLOWABLE FLOOR AREA:	19,227 SF 1,997 SF
LOT AREA:	1,194 SF
OFFICE:	498 SF
STORAGE:	919 SF
LANDSCAPING:	4,840 SF

PLOT MAP



CODE COMPLIANCE

THIS PROJECT SHALL COMPLY WITH THE 2019 CBC PART 2, CRC PART 2.5, CEC PART 8, CMC PART 4, CPC PART 5, CBEESC PART 6, CHBC PART 8, CIBC PART 10, CIBSC PART 11 AS WELL AS ALL APPLICABLE STATE & LOCAL CODES.

SCOPE OF WORK

ADD METAL AWNINGS TO EXISTING BUILDING & NEW SKIM COAT STUCCO ON FRONT FACADE, RESTRIKE PARKING LOT, ADD HANDICAP PARKING AREA & SIGN.

SHEET INDEX

A-1	TITLE SHEET/SITE PLAN
CB	BLUEPRINT FOR A CLEAN BAY
EA-2	ELEVATIONS/SECTION
S-1	STRUCTURAL PLANS

REVISIONS

1	PLAN CHECK COMPLETE	6/12/20
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A COMMERCIAL REMODEL OF:
DELL AVE. BUILDING
1049 DELL AVE.
CAMPBELL, CA. 95008

DATE: 6/12/20
SCALE: AS SHOWN

SHEET
A-1
1 OF 4

FRESH CONCRETE AND MORTAR APPLICATION

BEST MANAGEMENT PRACTICES FOR:

- Masons and bricklayers
- Sidewalk construction crews
- Patio construction workers
- Construction inspectors
- General contractors
- Home builders
- Developers

- When cleaning up after driveway or sidewalk construction, wash fines onto dirt areas, not down the driveway or into the street or storm drain.
- Place hay bales or other erosion controls down slope to capture runoff carrying mortar or cement before it reaches the storm drain.

GENERAL BUSINESS PRACTICES

- Both at your yard and the construction site, always store both dry and wet materials under cover, protected from rainfall and runoff. Protect dry materials from wind.
- Secure bags of cement after they are open. Be sure to keep wind-blown cement powder away from gutters, storm drains, rainfall, and runoff.
- Wash out concrete mixers only in designated wash-out areas in your yard, where the water will flow into containment ponds or onto dirt. Whenever possible, recycle washout by pumping back into mixers for reuse. Never dispose of washout into the street, storm drains, drainage ditches, or streams.

- When breaking up paving, be sure to pick up all the pieces and dispose properly.
- Recycle large chunks of broken concrete at a landfill.
- Dispose of small amounts of excess dry concrete, grout, and mortar in the trash.
- Never bury waste material.

STORM DRAIN POLLUTION FROM MASONRY AND PAVING

Fresh concrete and cement-related mortars that wash into lakes, streams, or estuaries are toxic to fish and the aquatic environment. Disposing of these materials to the storm drains or creeks causes serious problems and is prohibited by law.

DURING CONSTRUCTION

- Don't mix up more fresh concrete or cement than you will use in a day.
- Set up and operate small mixers on tarps or heavy plastic drop cloths.

LANDSCAPING, GARDENING, AND POOL MAINTENANCE

BEST MANAGEMENT PRACTICES FOR THE:

- Landscapers
- Gardeners
- Swimming pool/spa service and repair workers
- General contractors
- Home builders
- Developers

POOL/FOUNTAIN/SPA MAINTENANCE

- Never discharge pool or spa water to a street or storm drain.
- OR
- When emptying a pool or spa, let chlorine dissipate for a few days, and then recycle/reuse water by draining it gradually onto a landscaped area.

GENERAL BUSINESS PRACTICES

- Protect stockpiles and landscaping materials from wind and rain by storing them under tarps or secured plastic sheeting.
- Store pesticides, fertilizers, and other chemicals indoors or in a shed or storage cabinet.
- Schedule grading and excavation projects for dry weather.
- Use temporary check dams or ditches to divert runoff away from storm drains.
- Protect storm drains with hay bales or other erosion controls.
- Revegetation is an excellent form of erosion control for any site.

LANDSCAPING/GARDEN MAINTENANCE

- Use up pesticides, insecticides, and use rinse water as product. Dispose of rinsed water in the trash.
- Dispose of unused pesticides as hazardous waste.
- Collect lawn and garden clippings, pruning waste, and tree trimmings. Chip if necessary, and compost.
- In communities with curbside yard waste recycling, leave clippings and pruning waste for pickup in approved bags or containers. Or, take to a landfill that composts yard waste.
- Do not place yard waste in gutters.
- Do not blow or rake leaves, etc. into the street.

STORM DRAIN POLLUTION FROM LANDSCAPING AND SWIMMING POOL MAINTENANCE

Many landscaping activities decompose soils and increase the likelihood that earth and garden chemicals will runoff into the storm drains during irrigation or when it rains. Swimming pool water containing chlorine and copper-based algaecides should never be discharged to storm drains. These chemicals are toxic to aquatic life.

HEAVY EQUIPMENT OPERATION

BEST MANAGEMENT PRACTICES FOR THE:

- Vehicle and equipment operators
- Site supervisors
- General contractors
- Home builders
- Developers

SITE PLANNING AND PREVENTIVE VEHICLE MAINTENANCE

- Designate one area of the construction site, well away from streams or storm drain inlets, for auto and equipment parking, refueling, and routine vehicle and equipment maintenance.
- Maintain all vehicles and heavy equipment. Inspect frequently for leaks.
- Perform major maintenance, repair jobs, vehicle and equipment washing off site.
- If you must drain and replace motor oil, radiator coolant, or other fluids on site, use drip pans or drop cloths to catch drips and spills. Collect all spent fluids, store in separate containers, and recycle whenever possible.
- Do not use diesel oil to lubricate equipment or parts.
- Clean up spills immediately when they happen.

STORM DRAIN POLLUTION FROM HEAVY EQUIPMENT ON THE CONSTRUCTION SITE

Poorly maintained vehicles and heavy equipment leaking fuel, oil, antifreeze or other fluids on the construction site are common sources of storm water pollution. Prevent spills and leaks by isolating equipment from runoff channels, and by watching for leaks and other maintenance problems. Remove construction equipment from the site as soon as possible.

PAINTING AND APPLICATION OF SOLVENTS AND ADHESIVES

BEST MANAGEMENT PRACTICES FOR THE:

- Painters
- Paperhangers
- Plasterers
- Graphic artists
- Floor covering installers
- General contractors
- Home builders
- Developers

PAINTING CLEANUP

- Never clean brushes or rinse paint containers into a street, gutter, storm drain, or stream.
- For water based paints, paint out brushes to the extent possible, and rinse to the sanitary sewer.

Keep all liquid paint products and wastes away from the gutter, street, and storm drains. Liquid residues from paints, thinners, solvents, glues and cleaning fluids are hazardous wastes. When they are thoroughly dry, empty paint cans, spent brushes, rags, and drop cloths may be disposed of as trash.

PAINT REMOVAL

- Chemical paint stripping residue is a hazardous waste.
- Chips and dust from marine paints or paints containing lead or tributyltin are hazardous wastes. Dry sweep and dispose of appropriately.
- Paint chips and dust from non-hazardous dry stripping and sand blasting may be swept up and disposed as trash.
- When stripping or cleaning building exteriors with high-pressure water, block storm drains. Wash water onto a dirt area and spade into soil. Or, check with the local wastewater treatment authority to find out if you can collect (mop or vacuum) building cleaning water and dispose to the sanitary sewer.

WHAT CAN YOU DO?

- Recycle/reuse leftover paints whenever possible.
- Recycle excess water-based paint, or use up. Dispose of excess liquid, including sludges, as hazardous waste.
- Reuse leftover oil-based paint. Dispose of excess liquid, including sludges, as hazardous waste.

STORM DRAIN POLLUTION FROM PAINTS, SOLVENTS, AND ADHESIVES

All paints, solvents, and adhesives contain chemicals that are harmful to the wildlife in our creeks and Bay. Toxic chemicals may come from liquid or solid products or from cleaning residues or rags. It is especially important not to clean brushes in an area where paint residues can flow to a gutter, street, or storm drain.

Blueprint for a Clean Bay

BEST MANAGEMENT PRACTICES FOR THE CONSTRUCTION INDUSTRY.

SANTA CLARA VALLEY NONPOINT SOURCE POLLUTION CONTROL PROGRAM

EARTH MOVING ACTIVITIES

BEST MANAGEMENT PRACTICES FOR THE:

- Bulldozers, backhoe, and grading machine operators
- Dump truck drivers
- Site supervisors
- General contractors
- Home builders
- Developers

DURING CONSTRUCTION

- Remove existing vegetation only when absolutely necessary.
- Consider planting temporary vegetation for erosion control on slopes or where construction is not immediately planned.

DETECTING CONTAMINATED SOIL OR GROUNDWATER

As you know, contaminated groundwater is a common problem in the Santa Clara Valley. It is essential that all contractors and subcontractors involved in excavation and grading know what to look for in detecting contaminated soil or groundwater, and test ponded groundwater before pumping. See Blueprint for a Clean Bay, A construction best management practices guide available from the Santa Clara Valley Nonpoint Source Pollution Control Program.

WATCH FOR ANY OF THESE CONDITIONS:

- Unusual soil conditions, discoloration, or odor
- Abandoned underground tanks
- Abandoned wells
- Burred barrels, debris, or trash

STORM DRAIN POLLUTION FROM EARTH-MOVING ACTIVITIES

Soil excavation and grading operations loosen large amounts of soil that can flow or blow into storm drains if handled improperly. Soil erodes due to a combination of decreased soil stability, increased runoff, and increased flow velocity. Some of the most effective erosion control practices reduce the amount of runoff crossing a site and slow the flow with check dams or roughened ground surfaces.

GENERAL BUSINESS PRACTICES

- Schedule excavation and grading work for dry weather.
- Perform major equipment repairs away from the job site.
- When refueling or vehicle/equipment maintenance must be done on site, designate a location away from storm drains.
- Do not use diesel oil to lubricate equipment or parts.

ROADWORK AND PAVING

BEST MANAGEMENT PRACTICES FOR THE:

- Road Crews
- Driveways/sidewalk/parking lot construction crews
- Seal coat contractors
- Operators of: grading equipment paving machines dump trucks concrete mixers
- Construction inspectors
- General contractors
- Developers

WHAT CAN YOU DO?

- Develop and implement erosion/sediment control plans for embankments.
- Schedule excavation and grading work for dry weather.
- Check for and repair leaking equipment.
- Perform major equipment repairs in designated areas at your yard away from the construction site.

GENERAL BUSINESS PRACTICES

- When refueling or vehicle/equipment maintenance must be done on site, designate a location away from storm drains and creeks.
- Do not use diesel oil to lubricate equipment or parts.
- Recycle used oil, concrete, broken asphalt, etc. whenever possible.

DURING CONSTRUCTION

- Avoid paving and seal coating in wet weather, or when rain is forecast before fresh pavement will have time to cure.
- Cover and seal catch basins and manholes when applying seal coat, slurry seal, fog seal, etc.
- Use check dams, ditches, or berms to divert runoff around excavations.

ASPHALT/CONCRETE REMOVAL

BEST MANAGEMENT PRACTICES FOR THE:

- Never wash excess material from exposed aggregate concrete or similar treatments into a street or storm drain. Collect and recycle, or dispose to dirt area.
- Cover stockpiles (asphalt, sand, etc.) and other materials with plastic tarps. Protect from rainfall and prevent runoff with temporary roofs or plastic sheets and berms.
- Catch drips from paver with drip pans or absorbent material (cloth, rags, etc.) placed under machine when not in use.
- Clean up all spills and leaks using "dry" methods (with absorbent materials and/or rags), or dig up and remove contaminated soil.
- Collect and recycle or appropriately dispose of excess abrasive gravel or sand.
- Avoid over application by water trucks for dust control.

STORM DRAIN POLLUTION FROM ROADWORK

Road paving, surfacing, and pavement removal happen right in the street, where there are numerous opportunities for storm drain contamination by asphalt, saw-cut slurry, or excavated material. Extra planning is required to store and dispose of materials properly and guard against pollution of storm drains and creeks.

GENERAL CONSTRUCTION AND SITE SUPERVISION

BEST MANAGEMENT PRACTICES FOR THE:

- Construction industry

WHAT CAN YOU DO?

- Designate one area of the site for auto parking, vehicle refueling, and routine equipment maintenance. The designated area should be well away from streams or storm drain inlets, and bermed if necessary. Make major repairs off-site.
- Keep materials out of the rain-prevent runoff contamination at the source. Cover exposed piles of soil of construction materials with plastic sheeting or temporary roofs. Before it rains, sweep and remove materials from surfaces that drain to storm drains, creeks, or channels.
- Keep pollutants off exposed surfaces. Place trash cans and recycling receptacles around the site to minimize litter.
- Clean up leaks, drips, and other spills immediately so they do not contaminate soil or groundwater or leave residue on paved surfaces.
- Never hose down "dirty" pavement or surfaces where fluids have spilled. Use dry cleanup methods whenever possible. If you must use water, use just enough to keep the dust down.
- Cover and maintain dumpsters. Check frequently for leaks. Place dumpsters under roofs or cover with tarps or plastic sheeting secured around the outside of the dumpster. Never clean a dumpster by hosing it down on the construction site.
- Make sure portable toilets are in good working order.

MATERIALS/WASTEHANDLING

BEST MANAGEMENT PRACTICES FOR THE:

- Practice Source Reduction-minimize waste when you order materials. Order only the amount you need to finish the job.
- Use recyclable materials whenever possible.
- Dispose of all wastes properly. Many construction materials and wastes, including solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and cleared vegetation can be recycled. (See the references list of recyclers at the back of Blueprint for a Clean Bay.) Materials that cannot be recycled must be taken to an appropriate landfill or disposed of as hazardous waste. Never bury waste materials or leave them in the street or near a creek or stream bed.

STORM DRAIN POLLUTION FROM CONSTRUCTION ACTIVITIES

Construction sites are common sources of storm water pollution. Materials and wastes that blow or wash into a storm drain, gutter or street have a direct impact on local creeks and the Bay. As a contractor, site supervisor, owner or operator of a site, you may be responsible for any environmental damage caused by your subcontractors or employees.

BEST MANAGEMENT PRACTICES FOR STORM WATER POLLUTION PREVENTION

Spill Response Agencies

- Dial 911
- Santa Clara Valley Water District Environmental Compliance Division (408) 927-0710.
- Governor's Office of Emergency Services Warning Center (800) 852-7550 (24 hours).

Local Pollution Control Agencies

- Santa Clara County Office of Toxics and Solid Waste Management (408) 441-1195
- Santa Clara Valley Water District (408) 927-0710
- San Jose/Santa Clara Water Pollution Control Plant (408) 945-5300
- Serving Campbell, Cupertino, Los Gatos, Milpitas, Monte Sereno, San Jose, Santa Clara and Saratoga
- Sunnyvale Water Pollution Control Plant (408) 730-7270
- Palo Alto Regional Water Quality Control Plant (415) 329-2598
- Serving East Palo Alto, Los Altos, Los Altos Hills, Mountain View, Palo Alto, and Stanford

ORDINANCE OF THE CITY OF CAMPBELL ESTABLISHING REQUIREMENTS FOR STORM WATER POLLUTION CONTROL

- A. Criminal Penalties.** Any person who violates any provision of this article shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by imprisonment for a term not to exceed six (6) months or by a fine not to exceed \$1000 or by both. Each and every violation of this chapter shall constitute a separate offense. Every day each such violation continues shall be an additional offense.
- B. Civil Penalties.** Any person who violates any provision of this chapter shall be civilly liable to the City of Campbell in a sum not to exceed \$1000 per day for each day in which the violation occurs. Each and every violation of this chapter shall constitute a separate offense. Every day each such violation continues shall be an additional offense.
- C. Civil Liability.** Any person who violates any provision of this chapter shall be civilly liable to the City of Campbell for all costs, including attorneys fees, associated with the investigation and remediation of environmental conditions caused by the discharge of pollutants into the Municipal Storm Drain System or a Watercourse in violation of this chapter.
- D. Remedies Cumulative.** The remedies provided for in this chapter are cumulative and not exclusive and shall be in addition to any and all other remedies available to the City of Campbell under State and Federal Law.

DATE: 07/01/03
 DRAWN BY:
 DESIGNED BY:
 SCALE: N.T.S.
 SHEET: of

PLAN FOR THE IMPROVEMENT OF ENCROACHMENT PERMIT NO.

BLUEPRINT FOR A CLEAN BAY

REVISIONS	
1	PLAN CHECK COMPLETE 12.22.20

KOHLSAAT & ASSOCIATES
 51 UNIVERSITY AVE., 11TH FLOOR, LONG BEACH, CA 90801 • (562) 592-2555



A COMMERCIAL REMODEL OF:
DELL AVE. BUILDING
 1049 DELL AVE. CAMPBELL, CA. 95008

NOTE: This is a conceptual drawing and not a final architectural drawing. It is intended to show the general appearance of the proposed project and is not to be used for construction purposes. The final design and construction shall be based on the final architectural drawings and specifications prepared by the architect.

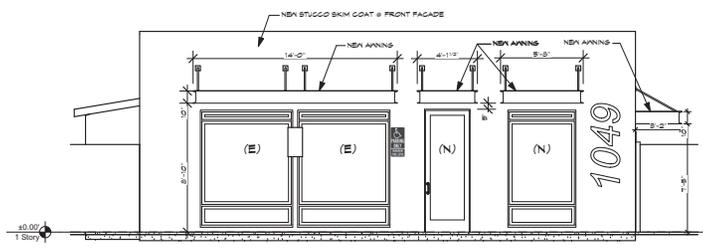
DATE: 6/12/20

SCALE: AS SHOWN

SHEET

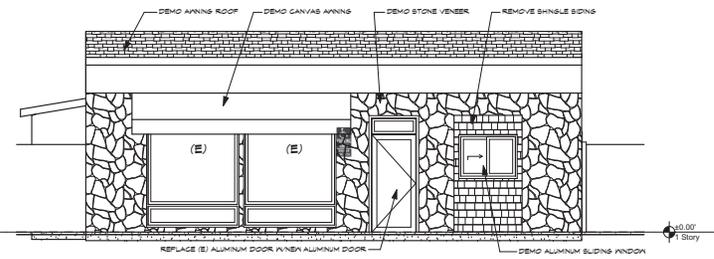
A-2

3 OF 4



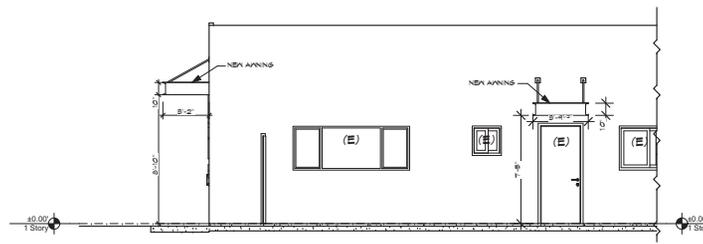
PROPOSED FRONT ELEVATION

SCALE 1/4" = 1'-0"



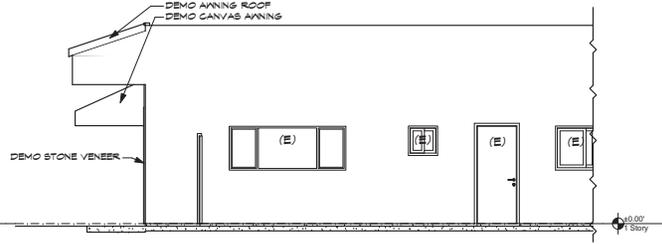
EXISTING LEFT ELEVATION

SCALE 1/4" = 1'-0"



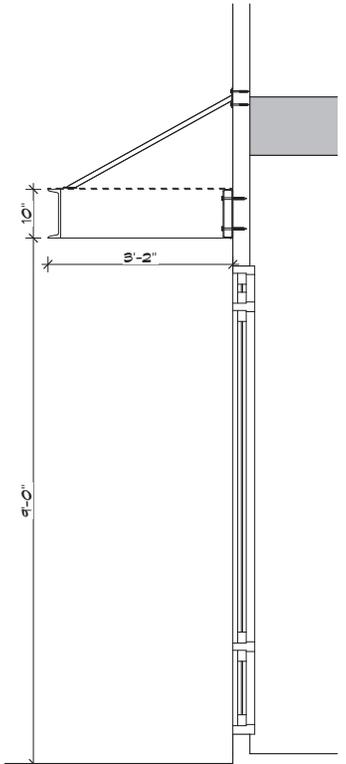
PROPOSED RIGHT ELEVATION

SCALE 1/4" = 1'-0"



EXISTING LEFT ELEVATION

SCALE 1/4" = 1'-0"



SECTION A-A

SCALE 1" = 1'-0"

		<p>7 CANOPY PLAN VIEW - 14'-0" WIDE CANOPY</p> <p>SCALE: 3/8"=1'-0" 4</p>
		<p>8 CANOPY PLAN VIEW - CANOPY < 6'-0" WIDE</p> <p>SCALE: 3/8"=1'-0" 5</p>
		<p>9</p>
	<p>5 CANOPY DETAIL</p> <p>SCALE: 1/2"=1'-0" 2</p> <p>NOTES:</p> <ol style="list-style-type: none"> VERIFY (E) MEMBER EXISTS @ LAG BOLT INSTALLATION LOCATIONS. ALL WELDS TO BE BEVEL, GROOVE OR FILLET WITH SIZE EQUAL TO THE THINNER MEMBER BEING CONNECTED. 	
	<p>6 STRUCTURAL STEEL NOTES</p> <p>SCALE: N.T.S. 3</p> <p>STRUCTURAL STEEL NOTES:</p> <ol style="list-style-type: none"> STRUCTURAL STEEL SHALL BE SUPPLIED, DETAILED, FABRICATED & ERECTED IN ACCORDANCE WITH A.I.S.C. SPECIFICATIONS LATEST EDITION. <ol style="list-style-type: none"> WF BEAMS ASTM A992 STEEL TUBES ASTM A500 GR. B BASE PLATES ASTM A572 GR. 50 SHEAR TABS & ANGLES ASTM A501 BOLTS ASTM A501 WELDINGS SHALL CONFORM TO AWS SPECIFICATION & BE PERFORMED BY CERTIFIED WELDERS. <ol style="list-style-type: none"> DECKING, GRATINGS, AND ALL ACCESSORIES SHALL BE FORMED FROM STEEL SHEETS CONFORMING TO ASTM A446, GRADE A. THE STEEL SHALL HAVE A METAL PROTECTIVE COATING OF ZINC CONFORMING TO ASTM A565 CLASS 660. WELD STEEL DECK & GRATINGS TO SUPPORTS AS FOLLOWS: <ol style="list-style-type: none"> PLUG WELDS WITH EFFECTIVE FUSION DIAMETER OF 1/2" AT EACH FLUTE AT EACH SUPPORT INCLUDING END SUPPORTS. 1/2" SEAM WELDS @ 24" o.c. AT DECK SIDE SEAMS. PLUG WELDS WITH EFFECTIVE FUSION DIAMETER OF 1/2" AT ALL PANEL EDGE FLUTES LANDING ON BEAMS PARALLEL TO FLUTES. AT EDGE FORM CLOSURE PLATES, FLASHING, ETC. NOT OTHERWISE NOTED, SHALL BE 16 GAUGE MINIMUM. ALL EXPOSED STEEL TO BE GALVANIZED STEEL. TOP OF STEEL ELEVATION VARIES, SEE ARCHITECTURAL DRAWINGS. 	

Drawings and written material appearing herein constitute original and unexpired work of the Structural Engineer and may not be duplicated, used or disclosed without written consent of the Structural Engineer.
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No.	Description	Date

Client:

A COMMERCIAL REMODEL OF:
DELL AVE. BUILDING
1049 DELL AVE. CAMPBELL, CA 95008



FBA Job No.	2020-
Drawn	PLC
Checked	CB

Title
CANOPY DETAILS

Sheet
S-1



Planning Department
City of Campbell
70 N. First Street
Campbell, CA 95008

June 11, 2020

**Re: 1048 Dell Avenue
BLD-2020-149**

Attn: Paula Rufinelli

The following is a description of the scope of this project as well as the brief history of the progression to this point. As you are aware, this project was originally submitted to the building department for new awnings at the front facade over the doors and windows. We were unaware of the need for a formal design review.

The property owner wants to give this old, tired building a fresh face, and in so doing also modernize this neighborhood of warehouses and industrial buildings. At the start, the intent was to clean up the front facade by removing the cheap fake stone and fixing anything that needed repair. Upon further discovery, it was found that the upper awning was in very bad shape. The awning was constructed only with plywood and had no solid framing. Because it had no structural integrity and was obviously very old and deteriorating, it was falling apart. Out of concern for safety, the owner removed the old awning and the badly applied stone veneer without getting the necessary approvals from the city.

The scope of the project now includes a fresh skim coat of stucco, the steel awnings at the doors and windows as shown, and a new front door and windows at the front facade. No structural elements are being touched. No additional square footage is proposed. The window and door replacements are exact 'like for like' sizes.

Included in this submittal are the plans with color views of the existing building and proposed. It also includes a materials board of the two new materials, the stucco and metal.

If you have any questions or comments, please feel free to give us a call.

Sincerely,

A handwritten signature in black ink, appearing to read "Jaclyn Greenmyer".

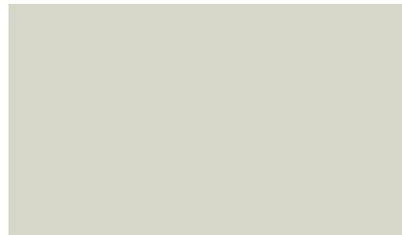
Jaclyn Greenmyer

**KOHLSAAT
& ASSOCIATES**

ARCHITECTURE

COLOR SAMPLES BOARD

1049 Dell Avenue



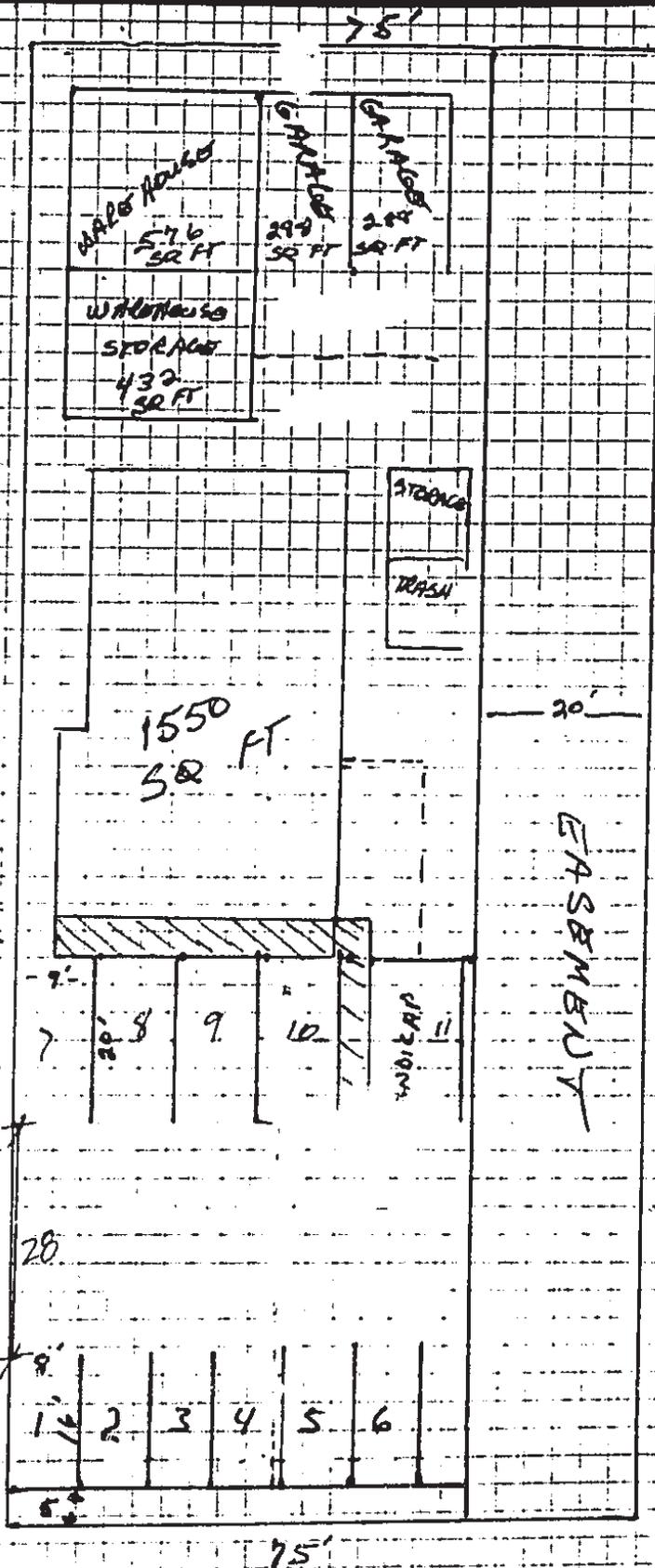
STUCCO:
INTEGRAL COLOR COAT STUCCO -
BENJAMIN MOORE - BALBOA MIST



WINDOWS & DOORS:
BLACK ANODIZED ALUMINUM

FAX 379-0700

7/19/99 - ok to provide 11 parking spaces in front of the building per this plan.
Wesley L. Lane
Planner I



1" = 20' APPROX

DBLL



CITY OF CAMPBELL · PLANNING COMMISSION
Staff Report · August 25, 2020

PLN-2020-82
Wood, D.

Public Hearing to consider the application of David Wood for a Conditional Use Permit (PLN-2020-82) to allow a new medical service use (clinic) within an existing commercial tenant space on property located at **1760 S. Bascom Avenue, Suite 140.**

STAFF RECOMMENDATION

That the Planning Commission take the following action:

1. **Adopt a Resolution**, approving a Conditional Use Permit (PLN-2020-82) allowing the establishment of a new medical service use (clinic) within an existing commercial tenant space on property located at 1760 S. Bascom Avenue, Suite 140.

ENVIRONMENTAL DETERMINATION

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

DISCUSSION

Project Location: The project site is the Hamilton Shopping Center located on the east side of Bascom Avenue, south of Hamilton Avenue (reference **Attachment 2** – Location Map). The 11.5-acre property is developed with two buildings and a large parking lot. The property is anchored by Whole Foods and shares reciprocal pedestrian, vehicular access and parking rights¹ with 1790 S. Bascom Avenue (smaller parcel to the southwest), which is under the same ownership.

Applicant's Proposal: The applicant is requesting approval of a Conditional Use Permit (PLN-2020-82) allowing the establishment of a new medical service use (clinic) within an existing commercial tenant space on property located at 1760 S. Bascom Avenue, Suite 140.

PROJECT DATA

Property Information

Zoning District:	C-2 (General Commercial)
General Plan Designation:	General Commercial
Net Lot Size:	11.5 acres
Building Area:	158,029 sq. ft. (including 1790 S. Bascom)
Subject Tenant Space:	3,832 sq. ft.

¹ Planning Commission Resolution No. 3881, approving the 8,000 sq. ft. commercial building at 1790 S. Bascom Avenue, required the recordation of a reciprocal pedestrian, vehicular access, and parking right easement. Review of the applicant's title report revealed that the reciprocal easement between properties was not recorded. A condition of approval has been incorporated into the draft resolution reiterating and reinforcing this outstanding requirement.

Operational Information

Operational & Business Hours:	9:00 AM – 7:00 PM, Daily ²
Maximum Employees:	9 at peak operations
Maximum Customers:	10 at peak operations
Required Parking:	19 spaces (1:200 sq. ft.) (same as prior use)
Total Parking Provided:	712 spaces (shared)

Surrounding Uses

North: Hamilton Avenue
South: Commercial & Single-Family Residential
East: Medium Density Residential
West: S. Bascom Avenue

ANALYSIS

Zoning District: The property is located within the C-2 (General Commercial) Zoning District. Within the C-2 Zoning District, the subject use is technically defined as a "medical services, clinic" which is allowed with the approval of a Conditional Use Permit and acceptance of the required findings contained in CMC Section 21.46.040 (Findings and Decision)

As a discretionary land use, the activity may not be appropriate in all locations or at the intensity sought by the applicant. In consideration of the request, the Planning Commission should weigh the public need and benefit of the specific use against any impacts it may cause. Further, the Commission should consider whether the imposition of any project specific conditions or restrictions on the use would be appropriate to reduce or prevent an identified impact.

General Plan: The General Plan land use designation for the project site is *General Commercial*. This land use designation is intended to serve commercial uses that need exposure to high volumes of automobile traffic or access to transit corridors. Most of the land in Campbell that is designated for General Commercial is located along both sides of Bascom and Hamilton Avenues and parts of Winchester Boulevard. These locations are highly visible and therefore may best suit activities which would benefit from that visibility. Allowance of a medical service use (clinic), may be found consistent with the purpose of this land use designation in certain situations. The General Plan Land Use Element provides several policies and strategies pertaining to land use compatibility and site design, which may be taken into consideration by the Planning Commission in review of this request:

- Policy LUT-5.1: Neighborhood Integrity: Recognize that the City is composed of residential, industrial and commercial neighborhoods, each with its own individual character; and allow change consistent with reinforcing positive neighborhood values, while protecting the integrity of the city's neighborhoods.
- Policy LUT-11.2: Services Within Walking Distance: Encourage neighborhood services within walking distance of residential uses.

² The staff recommended hours serve to capture and expand on the hours requested to provide maximum flexibility without constituting a late-night use.

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

Strategy LUT-13.1c: Fiscal Effects of Land Use: Evaluate the fiscal effects of different land uses on City revenues and services.

Operations: The applicant intends to operate a medical service clinic (d.b.a. Carbon Health) offering “convenient and accessible” urgent care (e.g., treatment of allergic reactions, nausea, back pain, and pneumonia) and primary health care services (e.g., health promotion, disease prevention, patient education, and diagnosis). The applicant’s written statement (reference **Attachment 3**) indicates that the business would not conduct overnight stays or receive patients via ambulance. At peak operations the applicant specifies that there would be a maximum of nine (9) employees and ten (10) customers and operate between the hours of 9:00 AM and 7:00 PM daily.

The rectangular floor plan depicts an open customer check-in and seating area, seven (7) wellness rooms, one (1) x-ray room, a large staff hub and lounge, as well as a laboratory, environmental services (EVS) and consultation room. The facility would also have several ancillary rooms including separate customer and employee restrooms, a storage room, and a rear electrical service room along a rear exit hallway (reference **Attachment 4** – Project Plans).

Parking: Medical clinics are required to provide at least one parking space per 200 square-feet of gross floor area. For a 3,832 square-foot tenant space, this translates to a parking requirement of nineteen (19) spaces. As the prior use (formerly a retail department store³) had the same parking demand per-code (one parking space per 200 sq. ft. of gross floor area), no ‘per code’ parking impact would occur. Further, as the total number of occupants, nine (9) employees and ten (10) customers, is equal to the parking requirement of the space, it can be reasonably concluded that a limited parking impact (if any) would occur.

Fiscal Impacts: The applicant’s request would result in the conversion of retail floor area (a sales tax generating land use) to a medical service use in a key commercial shopping center. In consideration of request, the General Plan calls for an evaluation of fiscal impacts on City revenues and services (LUT-13.1c). While staff would typically discourage the conversion of prime retail area for medical use, staff can find support in the applicant’s proposal for the following reasons:

1. Limited Medical Uses: With the approval of the subject application, less than 3% of the shopping center would be used for medical service uses⁴ (reference **Attachment 5** – Tenant Summary). In consideration that most of the shopping center would remain comprised of retail and sales tax generating uses, the fiscal impact of an approval would be limited.
2. Location: While located in a key shopping center, the tenant space is located interior to the site. As such, the tenant space does not benefit from the added visibility of tenant spaces adjacent to a public street – which should be reserved for uses which benefit from impulse passerby traffic (i.e. retail/restaurant tenants).

³ The tenant space is to be subdivided from a portion of ‘Ross – Dress for Less’.

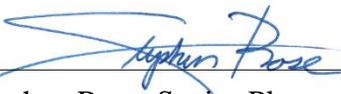
⁴ Planning Commission Resolution 4118 approved a ‘drop-in clinic’ within the existing CVS Pharmacy, but limited the use to a maximum of 205 square feet.

3. Vacancy Rate: At the time of application submittal, almost 30% of the gross floor area in the shopping center was vacant. Adding additional uses to fill vacant space can result in added vibrancy and activity to existing retail uses in the center and serve to attract new tenants.

Attachments:

1. Draft Resolution
2. Location Map
3. Applicant's Written Description
4. Project Plans
5. Tenant Summary

Prepared by:



Stephen Rose, Senior Planner

Approved by:



Paul Kermoyan, Community Development Director

RESOLUTION NO.

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A CONDITIONAL USE PERMIT (PLN-2020-82) ALLOWING THE ESTABLISHMENT OF A NEW MEDICAL SERVICE USE (CLINIC) WITHIN AN EXISTING COMMERCIAL TENANT SPACE ON PROPERTY LOCATED AT **1760 S. BASCOM AVENUE, SUITE 140.**

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

The Planning Commission finds as follows with regard to file number PLN-2020-82:

Environmental Finding(s)

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

Further Evidentiary Finding(s)

2. The project site is zoned C-2 (General Commercial) and designated *General Commercial* by the General Plan.
3. The proposed project, as conditioned, may be found consistent with the following General Plan goals, policies and/or strategies:

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

Policy LUT-11.2: Services Within Walking Distance: Encourage neighborhood services within walking distance of residential uses.

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

Strategy LUT-13.1c: Fiscal Effects of Land Use: Evaluate the fiscal effects of different land uses on City revenues and services.

4. The project site is the Hamilton Shopping Center located on the east side of Bascom Avenue, south of Hamilton Avenue.
5. The 11.5-acre property is developed with two commercial buildings and a large shared parking lot. The property is anchored by Wholefoods and shares reciprocal pedestrian,

vehicular access and parking rights with 1790 S. Bascom Avenue (smaller parcel to the southwest), which is under the same ownership.

6. Planning Commission Resolution No. 3881, approving the 8,000 sq. ft. commercial building at 1790 S. Bascom Avenue, required the recordation of a reciprocal pedestrian, vehicular access, and parking right easement. Review of the applicant's title report revealed that the reciprocal easement between properties was not recorded. A condition of approval has been incorporated into this resolution reiterating and reinforcing this outstanding requirement.
7. The subject tenant space has access to 712 parking shared parking spaces which are shared between the subject property and 1790 S. Bascom Avenue. A reciprocal
8. The subject tenant space is located on the ground floor of the larger building located along the rear (east) property line.
9. The subject tenant space, 1760 S. Bascom Avenue, Suite 140, measures 3,832 square feet in gross floor area.
10. The proposed project is an application to allow the establishment of a medical service use (clinic) which is allowed in the C-2 Zoning District with the approval of a Conditional use Permit.
11. The tenant space represents approximately 2.4% of the gross floor area of the shopping center (158,029 sq. ft.).
12. There is only one other medical service use present in the shopping center (d.b.a. CVS Minute Clinic) which is restricted to 205 square feet in gross floor area.
13. At the time of application submittal, almost 30% of the gross floor area in the shopping center was vacant.
14. The proposal does not involve physical expansion of the building.
15. The hours of operation would be limited to 9:00 AM to 7:00 PM daily.
16. The business/public hours would be limited to 9:00 AM to 7:00 PM daily.
17. A maximum of nine (9) employees and ten (10) customers would be allowed at any one time.
18. Medical clinics are required to provide at least one parking space per 200 square-feet of gross floor area.
19. The previous use of the existing commercial area/tenant space (retail department store) had the same parking demand per-code (one parking space per 200 sq. ft. of gross floor area) as the proposed medical clinic use.

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

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

Conditional Use Permit Findings (CMC Sec. 21.46.040):

21. As conditioned, 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;

22. As conditioned, the proposed use is consistent with the General Plan;

23. As conditioned, 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;

24. As conditioned, 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;

25. As conditioned, 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;

26. As conditioned, 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; and

Environmental Finding(s) (CMC Sec. 21.38.050):

27. The project is Categorically Exempt under Section 15301 of the California Environmental Quality Act (CEQA), pertaining to the operation and leasing, and minor alteration of an existing private structure.

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Conditional Use Permit (PLN-2020-82) to allow the establishment of a new medical service use (clinic) within an existing commercial tenant space on property located at **1760 S. Bascom Avenue, Suite 140**, subject to the attached Conditions of Approval (attached Exhibit "A").

PASSED AND ADOPTED this 25th day of August, 2020, by the following roll call vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

APPROVED: _____
Michael Krey, Chair

ATTEST: _____
Paul Kermoyan, Secretary

**CONDITIONS OF APPROVAL
Conditional Use Permit (PLN-2020-82)**

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

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

1. Approved Project: Approval is granted for a Conditional Use Permit (PLN-2020-82) to allow a new medical service use (clinic) within an existing commercial tenant space on property located at **1760 S. Bascom Avenue, Suite 140**. The project shall substantially conform to the Project Plans stamped as received by the Planning Division on July 2, 2020 and Applicant's Written Statement stamped as received by the Planning Division on July 2, 2020 and on August 13, 2020, except as may be modified by the Conditions of Approval contained herein.
2. Permit Approval Expiration: The Conditional Use Permit approval shall be valid for one-year from the date of final approval (expiring September 4, 2021). Within this one-year period all conditions of approval shall be fulfilled, and the use established. Failure to meet this deadline will result in the Conditional Use Permit being void. Abandonment, discontinuation, or ceasing of operations for a continuous period of twelve months shall void the Conditional Use Permit approved herein.
3. Reciprocal Ingress/Egress Easement: Prior to building occupancy the easement shall be recorded memorializing the reciprocal pedestrian, vehicular access, and parking right easement required by Planning Commission Resolution No. 3881. If the easement is not recorded prior to occupancy the applicant shall enter into a Cash Deposit for Faithful Performance agreement with the City of Campbell at an amount determined by the Community Development Director. The applicant shall also pay to cover the cost of the preparation of the Cash Deposit for Faithful Performance Agreement as established by the City's adopted Fee Schedule.
4. Operational Standards: Consistent with the submitted Written Descriptions and City standards, any medical service use (clinic) operating pursuant to the Conditional Use Permit approved herein shall conform to the following operational standards. Significant deviations from these standards (as determined by the Community Development Director) shall require approval of a Modification to the Conditional Use Permit.
 - a. **Maximum Occupancy**: A maximum of nine (9) employees and ten (10) patients shall be permitted on the premises at any time, which is further subject to the maximum occupancy capacities of certain rooms as determined by the California

Building Code (CBC). It is the responsibility of the business owner to provide adequate entrance controls to ensure that occupancy is not exceeded.

- b. **Hours of Operation:** Hours of operation shall be as follows. By the end of 'Business Hours', all patients shall have exited the premises. By the end of the 'Operational Hours' all employees shall be off the premises.

Operational/Staff: 9:00 AM – 7:00 PM, Daily

Business/Public: 9:00 AM – 7:00 PM, Daily

- c. **Parking Management:** In the event that a verifiable complaint is received by the City regarding parking, the Community Development Director may reduce the permitted occupancy, limit the hours of operation, require appointments, require staggering of appointments, require additional parking management strategies and/or forward the project to the Planning Commission for review.
- d. **Smoking:** "No Smoking" signs shall be posted on the premises in compliance with CMC 6.11.060.
- e. **Loitering:** There shall be no loitering allowed outside the business. The business owner is responsible for monitoring the premises to prevent loitering.
- f. **Trash Disposal and Clean-Up:** All trash disposal, normal clean-up, carpet cleaning, window cleaning, sidewalk sweeping, etc. shall occur during the "operational hours."
- g. **Business License:** The business shall be required to obtain and maintain a City business license at all times.
5. **Storefront Windows & Doors:** At no time shall an obscure wall or barrier (i.e. drapery, window tinting, blinds, furniture, inventory, shelving units, storage of any kind or similar) be installed along, behind or attached to windows or doorways that blocks visual access to the tenant space or blocks natural light without first obtaining written approval by the Community Development Director.
6. **Landscape Maintenance:** All landscaped areas shall be continuously maintained in accordance with City Landscaping Requirements (CMC 21.26). Landscaped areas shall be watered on a regular basis so as to maintain healthy plants. Landscaped areas shall be kept free of weeds, trash, and litter. Dead or unhealthy plants shall be replaced with healthy plants of the same or similar type.
7. **Signage:** No signage is approved as part of the development application approved herein. New signage shall not be installed prior to approval of a sign permit.
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. 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.

- 10. Parking and Driveways: All parking and driveway areas shall be maintained in compliance with the standards in Chapter 21.28 (Parking & Loading) of the Campbell Municipal Code. Parking spaces shall be free of debris or other obstructions.

BUILDING DIVISION

- 11. Building Permit Review: Expect this application to require approval from the following:
 - Campbell Planning Department
 - Campbell Public Works Department
 - Campbell Civil Engineering Department
 - Campbell Building Department
 - West Valley Sanitation District
 - San Jose Water District (279-7900)
 - Outside structural and energy plan check
 - Outside structural and energy and complete code plan check
 - Santa Clara County Fire Department
 - HAZMAT
 - Santa Clara County Department of Environmental Health
 -

- 12. Development Review Committee Review: This Development Review Committee (DRC) preliminary review is from Campbell’s Building Department. The intent is to identify major elements of concerns or omissions and to identify an expected process for project approval and permit issue. It is not a substitute for plan check and may not identify elements that may be observed during plan check. Time needed for a plan review cannot be accurately estimated at this time. The type of project, the quantity of plan review departments and the quality of the project documents will all contribute to time needed for review and eventual approval.

- 13. Online Application: All our permit applications are now done online. From our website www.ci.campbell.ca.us get to → Community Development → Building Inspection Division and begin the online application. You may choose from about 80 different type permits that are grouped into 10 Application Categories. Read the Application Guide as it will list the required documents as well as the required naming of files and provide links to design elements. Upload your drawings and any calculations or documents that are listed on the guide and be sure to including a completed Acknowledgement Statement. When we receive the application, we will review it. If some of the documents are missing or not named correctly, we will return it for adjustment. After acceptance, we will assess plan check fees that may be paid online and then proceed with the routing process (Fire, Planning, PW, etc.).

14. Required Documents: This application will require these documents (available at www.ci.campbell.ca.us)

- Demolition permit
- Acknowledgement Statement (all online submittals)
- Intent to Occupy
- Owner Builder Acceptance of Liability for concurrent Planning and Building review
- West Valley Sanitation District approval letter
- Special Inspection checklist (signed by owner, eng'r, and plans examiner)
- Structural Calculations and Design
- Truss Design and Calculations
- Soil Evaluation Report
- Construction Tax Exemption
- Request for classification of new vs. remodel vs. new using portions of existing
- Title-24 Energy Report
- Clean Bay – Santa Clara Valley Non-point Pollution Control specification sheet
- California Accessibility Hardship Exemption
- Receipt of Park Fees paid to Campbell Public Works Department
- Receipt of school district payment for developer fees
 - Campbell Union School District (378-3405)
 - Campbell Union High School District (371-0960)
 - Campbell Union High School District (371-0960)
 - Moreland School District (874-2900)
 - Cambrian School District (377-2103)

15. Architect Required: Any commercial project will require the plans to be developed by an architect.

16. Developer Fees: Commercial projects are subject to \$0.198 per sq ft developer fees. This fee is subject to change and the fee in effect at the time of collection shall be the fee due. Contact the Building Division (408) 866-2130 to obtain fee payment forms and pay fees directly to the applicable school district(s).

17. Non-Point Pollution Control: Include the standard, Santa Clara Valley Non-point Source Pollution Control Program specification sheet in your plan submittal package. The specification sheet (size 24" X 36") is available at: <http://ca-campbell.civicplus.com/DocumentCenter/View/112>

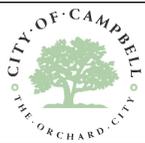
FIRE DEPARTMENT

18. Limited Review: Review of this Developmental proposal is limited to acceptability of site access, water supply and may include specific additional requirements 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.

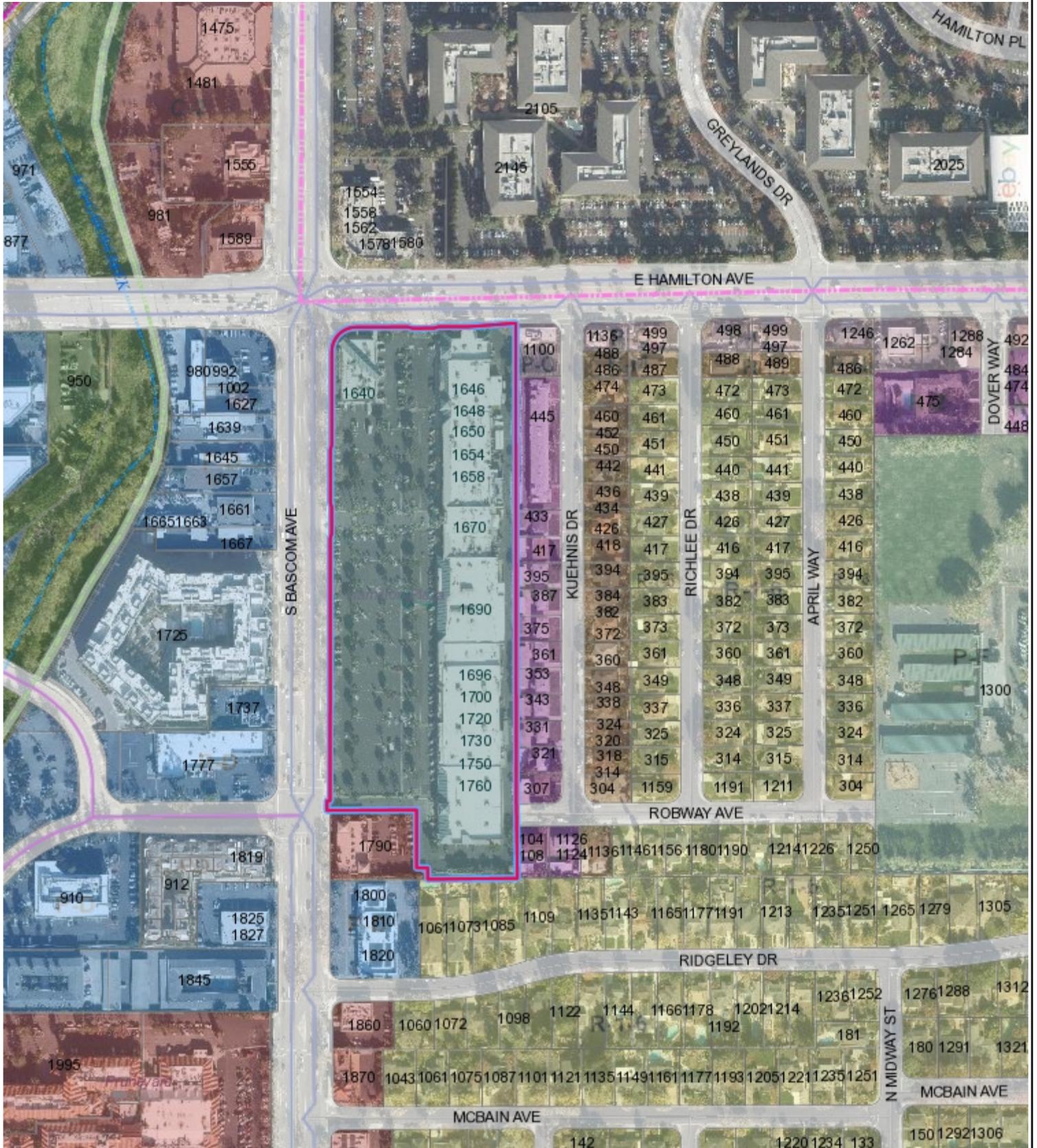
19. Fire Sprinklers Required: Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.18 whichever is the more restrictive. For the purposes of this section, firewalls and fire barriers used to separate building areas shall be constructed in accordance with the CBC and shall be utilized as a means of area reduction for the purposes of circumventing automatic fire sprinkler system installation requirements. An approved automatic sprinkler system shall be provided throughout all new buildings and structures. Exceptions: a) Buildings and structures that do not exceed 1,000 SF of building area. b) Group S-2 or U occupancies used exclusively for vehicle parking and meeting all of the following conditions: i) Noncombustible construction ii) Maximum building area not to exceed 5,000 SF. iii) Structure is open on three (3) or more sides. iv) Minimum of 10 feet separation from existing buildings unless area is separated by fire walls complying with CBC 706. NOTE: The owner(s), occupant(s) and any contractor(s) or subcontractor(s) are responsible for consulting with the water purveyor of record in order to determine if any modification or upgrade of the existing water service is required. 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. 903.2 as adopted and amended by CBLMC.
20. Fire Alarm System Modifications: Any modifications to the current system will require submittal of shop drawings (3 sets) and a permit application to the Fire Prevention Division for review and approval before installing the system. Call (408) 341-4420 for more information.
21. Address Identification: New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. [CFC Sec. 505.1].
22. Water Supply Requirements: Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water-based fire protection systems, and/or fire suppression water supply systems or storage containers that may be physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record. Final approval of the system(s) under consideration will not be granted by 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). 2019 CFC Sec. 903.3.5 and Health and Safety Code 13114.7

23. Construction Site Fire Safety: All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification S1-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. [CFC Chp. 33].
24. No Violation: This review shall not be construed to be an approval of a violation of the provisions of the California Fire Code or of other laws or regulations of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of the fire code or other such laws or regulations shall not be valid. Any addition to or alteration of approved construction documents shall be approved in advance. [CFC, Ch.1, 105.3.6]



Hamilton Shopping Center



WGS_1984_Web_Mercator_Auxiliary_Sphere
Campbell IT, GIS Services

This map is based on GIS Information and reflects the most current information at the time of this printing. The map is intended for reference purposes only and the City and its staff is not responsible for errors.



April 9, 2020

To Whom It May Concern:

RE: Building Permit Application for Essential Services

Carbon Health owns and operates convenient and accessible medical clinics throughout the state of California and Nevada. We have tested over a thousand COVID-19 patients in our own clinics as well as pop-up locations throughout the region. As a result, we are very familiar with Executive Order N-33-20 that directs all California residents to stay home except as needed to maintain continuity of operations of essential critical infrastructure sectors.

As defined in the state definition of Essential Services, the delivery of the health care services we provide qualifies as an Essential Service. As such, our doors have remained open every day throughout this pandemic.

Furthermore, local orders deem Construction Projects associated with Healthcare Operations, including creating or expanding Healthcare Operations an Essential Service, provided that such construction is directly related to the COVID-19 response. The healthcare facilities operated by Carbon Health Technologies are a critical component in testing patients today to gauge the spread of the virus, and these clinics will be equally instrumental in the testing required to determine when regulations can be relaxed in the future. As such, we firmly believe that the work associated with our healthcare facility project responds directly to the current health crisis in the Country and qualifies as "Essential".

To read more about Carbon Health's efforts to contain the spread of this virus, please see our website at: CarbonHealth.com/coronavirus

Regards,
CARBON HEALTH TECHNOLOGIES

A handwritten signature in black ink that reads "Scott Cheeseman". The signature is written in a cursive style and is positioned above a light gray rectangular background.

Scott Cheeseman
Chief Development Officer

attachment:
Essential Critical Infrastructure Workers.pdf
Coblentz Patch Duffy & Bass LLP





PLN-APP700

1760 S. Bascom Ave.

Carbon Health

Project Description: Single tenant renovation of existing space on ground floor. Scope of work includes selective demolition, new non-load bearing partitions, ceiling, FFE, millwork and MEP work.

Proposed Use: Medical Clinic

Project Goals and Public Benefit: Please see letter on following pages prepared by Carbon Health which explains their operations, goals, facilitation of COV-19 testing and other important information

Hours of Operation: 9am-7pm

Anticipated construction start date: September 7, 2020



From: Scott Cheeseman <scott@carbonhealth.com>
Sent: Thursday, August 13, 2020 10:24 AM
To: Melissa Cullinan <Melissa@hunterproperties.com>
Cc: Badstubner, Jeff <Jeff.Badstubner@am.jll.com>
Subject: Re: FW: 1760 S. Bascom Avenue, Suite 140 | PLN-2020-82 - Complete

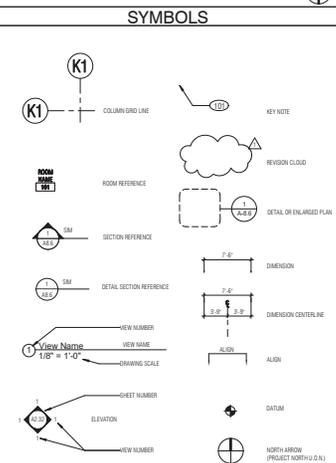
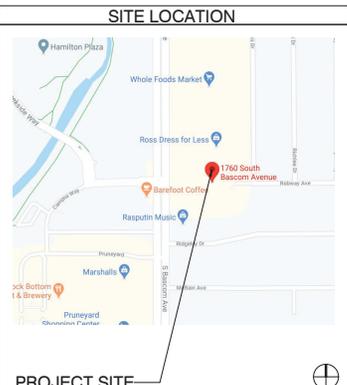
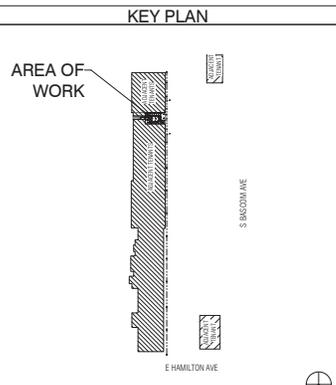
Hi Melissa,

At one time, our maximum occupancy would be 9 employees and 9-10 patients (6 in the exam rooms and 3-4 in the waiting area). So a maximum of 19 total people in the space at one time.

Scott Cheeseman
Chief Development Officer
650.387.0613
carbonhealth.com

ABBREVIATIONS table with columns for ABBR, Comments, and ABBR, Comments. Lists various construction abbreviations like A, AND, B, BACK, etc.

CONTRACT DOCUMENT NOTES table with numbered notes (1-30) detailing construction requirements, material specifications, and coordination instructions.



PROJECT INFORMATION table containing project details such as PROJECT ADDRESS, PROJECT DESCRIPTION, BUILDING OCCUPANCY, and ADDITIONAL REQUIREMENTS.

ISSUED FOR PERMIT

30' MIN. CLEAR FOR CONSTRUCTION

DRAWN BY: HND

CHECKED BY: MFB

REVISIONS table with columns for REV #, DATE, DESCRIPTION, and BY. Lists revision history for the drawing.

HAZARDOUS MATERIALS NOTES table with numbered notes (1-3) regarding hazardous materials, asbestos, and lead-based paint testing and removal.

CODE REFERENCES table listing various building codes and standards applicable to the project, such as CALIFORNIA BUILDING CODE and GREEN BUILDING STANDARDS CODE.

SHEET INDEX table listing the contents of the drawing sheets, including structural, electrical, and mechanical details.

(CH-18) HAMILTON MARKETPLACE



1760 S BASCOM AVE, CAMPBELL, CA 95008

PROJECT NO. 20-20993

DATE 6/1/2020

SHEET TITLE PROJECT INFORMATION

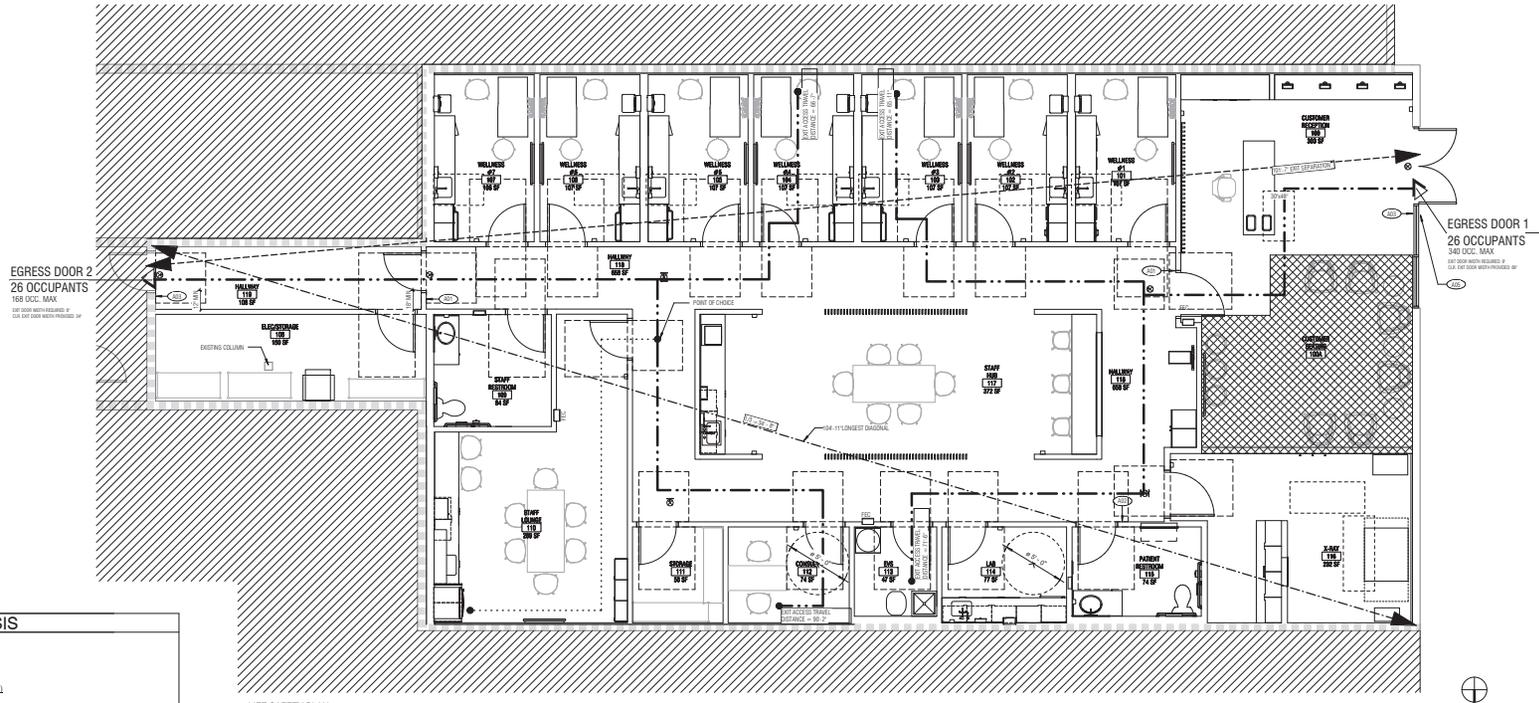
SHEET NO. AN-1.0

FURNITURE, FLOOR CORE & LIGHTING COORDINATION table with columns for Type, Company Name, Main Account Contact, Main Contact Email, Main Contact Phone, Alternate Contact Name, Alternate Contact Email, and Alternate Contact Phone.

CORING OF POST TENSIONED SLAB (WHERE APPLICABLE) table with columns for NO., SHEET #, ROOM OR AREA, ALTERNATE, and BASE DESIGN. Includes notes on coring procedures and safety.

PROJECT DIRECTORY table listing key project personnel including ARCHITECT OF RECORD, TENANT COORDINATOR, and CLIENT, with their respective contact information.

LEGEND table defining various symbols and line types used in the drawings, categorized by ELECTRICAL, MECHANICAL, and STRUCTURAL.



1 LIFE SAFETY PLAN
1/4" = 1'-0"

CODE ANALYSIS

- PROPOSED TENANT SPACE USE GROUP (CBC SECTION 304)
 - B (BUSINESS) (CBC SECTION 304)
- EXISTING OVERALL BUILDING TYPE OF CONSTRUCTION (CBC SECTION 601)
 - IIA (EXISTING)
- AREA OF WORK FOOTPRINT (area including exterior) 3,143 SF
- AREA OF WORK (area including exterior) 3,143 SF
- BUILDING AREA (CBC TABLE 509.2) (area within exterior walls)

FIRST FLOOR	ALLOWABLE:	50,000 SF	EXISTING TO REMAIN
TYPE B	ACTUAL:		
- BUILDING HEIGHT (CBC TABLE 504.2 AND 504.4)

FIRST FLOOR	ALLOWABLE:	4 STORIES (88 FT)	EXISTING TO REMAIN
TYPE B	ACTUAL:		
- EXIT ACCESS TRAVEL DISTANCE (CBC TABLE 1017.2)
 - TRAVEL DISTANCE WITH SPRINKLER SYSTEM - 300' MAX.
 - NUMBER OF EXITS REQUIRED (CBC TABLE 1006.2)
 - MINIMUM NUMBER OF EXITS OR ACCESS TO EXITS FROM STORY (COMMON PATH OF EGRESS TRAVEL IS LESS THAN 100') - 1 MIN. REQUIRED
 - EXISTING NUMBER OF EXITS - 2 PROVIDED
- DESIGN OCCUPANT LOAD (CBC TABLE 1006.5)

WAITING ROOM	15 SF NET	=	16 OCC
BUSINESS/MEDICAL OFFICE	150 SF GROSS	=	24 OCC
TOTAL			40 OCCUPANTS
- MINIMUM EGRESS WIDTH (PER CBC SECTION 1005.2.2)

DOORS	0.2 INCHES PER PERSON	=	8" REQUIRED
			102" H. PROVIDED
- PANIC AND FIRE EXIT HARDWARE (CBC SECTION 1010.1.3)
 - EXCEPTION 2: PANIC HARDWARE IS NOT REQUIRED ON THE EGRESS DOORS AS THE OCCUPANT LOAD IS LESS THAN 50 OCCUPANTS.
- MINIMUM CORRIDOR WIDTH (CBC TABLE 1009.2)
 - WITH AN OCCUPANT LOAD OF LESS THAN 50: MINIMUM WIDTH = 36"
- CORRIDOR FIRE RESISTANCE RATING (CBC TABLE 1009.1)
 - REQUIRED RESISTANCE WITH SPRINKLER SYSTEM - 0 HOUR REQUIRED
- INTERIOR WALL AND CEILING FINISH REQUIREMENTS (CBC TABLE 803.1.1)

(WITH SPRINKLER SYSTEM)		
EXIT ENCLOSURES & EXIT PASSAGEWAYS	CLASS (B)	
CORRIDORS	CLASS (C)	
ROOMS AND ENCLOSED SPACES	CLASS (C)	
- FIRE RESISTANCE PER (CBC TABLE 602)

PRIMARY STRUCTURAL FRAME	1 HOUR
BEARING WALLS - EXTERIOR	2 HOUR
BEARING WALLS - INTERIOR	1 HOUR
NON-BEARING WALLS - EXTERIOR	SEE CBC TABLE 602
NON-BEARING WALLS - INTERIOR	0 HOUR
FLOOR CONSTRUCTION	1 HOUR
ROOF CONSTRUCTION	1 HOUR
- EXTERIOR WALLS PER (CBC TABLE 602)

FIRE SEPARATION DISTANCE	<5	<10	<30	>30
NON-LOAD BEARING	1 HR	1 HR	1 HR	0 HR

PLUMBING FIXTURE REQUIREMENT	
• CBC 2015 - CHAPTER 4 PLUMBING SYSTEMS PLUMBING FIXTURES REQUIRED & PROVIDED BASED UPON PLUMBING DESIGN OCCUPANT LOAD: SECTION 602, TABLE 4 - OCCUPANT LOAD FACTOR 3,743 SF / 100 GROUP B OCCUPANT LOAD FACTOR: 19 OCCUPANTS 19 OCCUPANTS / 2 = 19 MALE OCCUPANTS, 19 FEMALE OCCUPANTS SEPARATE FACILITIES (CBC SECTION 412.2) EXCEPTION 3: SEPARATE TOILET FACILITIES ARE NOT REQUIRED TO BE PROVIDED FOR EACH SEX IN BUSINESS OCCUPANCIES WITH A TOTAL OCCUPANT LOAD OF 50 OR LESS. DRINKING FOUNTAIN ALTERNATIVE (CBC SECTION 415.2) DRINKING FOUNTAINS SHALL NOT BE REQUIRED FOR AN OCCUPANT LOAD OF 30 OR LESS.	
REQUIRED: FEMALE: 1 WATER CLOSET (@ 1 PER 15 OCCUPANTS) 1 LAVATORIES (@ 1 PER 50 OCCUPANTS)	PROVIDED: COMBINED: 2 WATER CLOSETS 2 LAVATORIES 1 WATER COOLER IS PROVIDED 1 SERVICE SINK
MALE: 1 WATER CLOSET (@ 1 PER 30 OCCUPANTS) 1 LAVATORIES (@ 1 PER 50 OCCUPANTS)	
GENERAL: 0 DRINKING FOUNTAIN (PER 415.2) 1 SERVICE SINK PER FLOOR	
LEGEND	
	BUSINESS (1710)
	SMALL ASSEMBLY (1713)
	AREA NOT IN CONTACT

SHEET NOTES	
1. IF ANY EXISTING RATED CONSTRUCTION IS SHOWN TO REMAIN, CONCULATED CONSTRUCTION BY OTHER DOCUMENTS PRIOR TO START OF CONSTRUCTION, THE CONTRACTOR IS REQUIRED TO CONFIRM AS BUILT FIELD CONDITIONS AND DOCUMENTED, SHOULD UPGRADE TO EXISTING RATED ASSEMBLIES BE REQUIRED. CONTRACTOR TO INFORM ARCHITECT IN WRITING PRIOR TO PROCEEDING WITH THE WORK.	
EXITING LEGEND	
COMP-X - EXIT X (XXX) OCCUPANTS (XXX) OCC. MAX.	
	EXIT SIGNAGE
	EXIT ACCESS TO EXIT
	FIRE EXTINGUISHER AND CABINET
	WALL MOUNTED KEYPAD LOCK
	NEW CONSTRUCTION
	EXISTING CONSTRUCTION TO REMAIN
	NON-FIRE RESISTANT PARTITION
	EXISTING FIRE RESISTANT PARTITION
	EXISTING 2HR FIRE RESISTANT PARTITION
	NON-MULLION WITH OVERHEAD CABINETS
	EXIT ACCESS - LESS THAN 800 IN SPRINKLED BUILDING
	COMMON PATH OF EGRESS - LESS THAN 100 IN SPRINKLED BUILDING

KEYNOTES	
EXIT: PROVIDE EXIT SIGN WITH THE WIDEST VIEW ROUTE ON THE LEADING SIDE OF DOOR. REFER TO TYP. SIGNAGE DETAILS FOR MOUNTING HEIGHTS AND ADDITIONAL INFORMATION. SEE A1.6.	EXIT: PROVIDE EXIT SIGN WITH THE WIDEST VIEW ROUTE ON THE LEADING SIDE OF DOOR. REFER TO TYP. SIGNAGE DETAILS FOR MOUNTING HEIGHTS AND ADDITIONAL INFORMATION. SEE A1.6.
EXIT: PROVIDE FACILITY EXIT SIGNAGE WITH THE WORDS "EXIT" ON THE LEADING SIDE OF DOOR. REFER TO TYP. SIGNAGE DETAILS FOR MOUNTING HEIGHTS AND ADDITIONAL INFORMATION. SHEET A1.6.	EXIT: PROVIDE FACILITY EXIT SIGNAGE WITH THE WORDS "EXIT" ON THE LEADING SIDE OF DOOR. REFER TO TYP. SIGNAGE DETAILS FOR MOUNTING HEIGHTS AND ADDITIONAL INFORMATION. SHEET A1.6.
EXIT: PROVIDE FACILITY EXIT SIGNAGE WITH THE WORDS "EXIT" ON THE LEADING SIDE OF DOOR. REFER TO TYP. SIGNAGE DETAILS FOR MOUNTING HEIGHTS AND ADDITIONAL INFORMATION. SHEET A1.6.	EXIT: PROVIDE FACILITY EXIT SIGNAGE WITH THE WORDS "EXIT" ON THE LEADING SIDE OF DOOR. REFER TO TYP. SIGNAGE DETAILS FOR MOUNTING HEIGHTS AND ADDITIONAL INFORMATION. SHEET A1.6.
SIGNAGE	
COMPLETE SIGNAGE SHALL BE PROVIDED AT LOCATIONS INCLUDING BUT NOT LIMITED TO: - GRADE LEVEL EXIT DOORS - EXIT DOORS LEADING TO GRADE LEVEL EXIT DOORS - EXTERIOR LOADING DOCKS FROM DRIVEWAYS - EXIT DOORS LEADING TO GRADE LEVEL EXTERIOR ELEVATOR - EXIT ACCESS DOORS LEADING FROM ROOM OR AREA WITH VISUAL EXIT SIGNAGE - ELEVATOR EMERGENCY EVACUATION	COMPLETE SIGNAGE SHALL BE PROVIDED AT LOCATIONS INCLUDING BUT NOT LIMITED TO: - GRADE LEVEL EXIT DOORS - EXIT DOORS LEADING TO GRADE LEVEL EXIT DOORS - EXTERIOR LOADING DOCKS FROM DRIVEWAYS - EXIT DOORS LEADING TO GRADE LEVEL EXTERIOR ELEVATOR - EXIT ACCESS DOORS LEADING FROM ROOM OR AREA WITH VISUAL EXIT SIGNAGE - ELEVATOR EMERGENCY EVACUATION
COMPLETE SIGNAGE SHALL BE PROVIDED AT LOCATIONS INCLUDING BUT NOT LIMITED TO: - GRADE LEVEL EXIT DOORS - EXIT DOORS LEADING TO GRADE LEVEL EXIT DOORS - EXTERIOR LOADING DOCKS FROM DRIVEWAYS - EXIT DOORS LEADING TO GRADE LEVEL EXTERIOR ELEVATOR - EXIT ACCESS DOORS LEADING FROM ROOM OR AREA WITH VISUAL EXIT SIGNAGE - ELEVATOR EMERGENCY EVACUATION	COMPLETE SIGNAGE SHALL BE PROVIDED AT LOCATIONS INCLUDING BUT NOT LIMITED TO: - GRADE LEVEL EXIT DOORS - EXIT DOORS LEADING TO GRADE LEVEL EXIT DOORS - EXTERIOR LOADING DOCKS FROM DRIVEWAYS - EXIT DOORS LEADING TO GRADE LEVEL EXTERIOR ELEVATOR - EXIT ACCESS DOORS LEADING FROM ROOM OR AREA WITH VISUAL EXIT SIGNAGE - ELEVATOR EMERGENCY EVACUATION
SELF-ILLUMINATING FLOOR LEVEL EXIT SIGNAGE SHALL BE PROVIDED AT 7' AND 10' OCCUPANCY. I.E. TRITANIUM SHALL ILLUMINATING FOR 10 YEARS. GREEN FACE WHITE BACKING ON BRANVA.	SELF-ILLUMINATING FLOOR LEVEL EXIT SIGNAGE SHALL BE PROVIDED AT 7' AND 10' OCCUPANCY. I.E. TRITANIUM SHALL ILLUMINATING FOR 10 YEARS. GREEN FACE WHITE BACKING ON BRANVA.



ISSUED FOR PERMIT



NOT RELEASED FOR CONSTRUCTION

DRAWN BY: HND
CHECKED BY: MFS

REV#	DATE	DESCRIPTION	BY

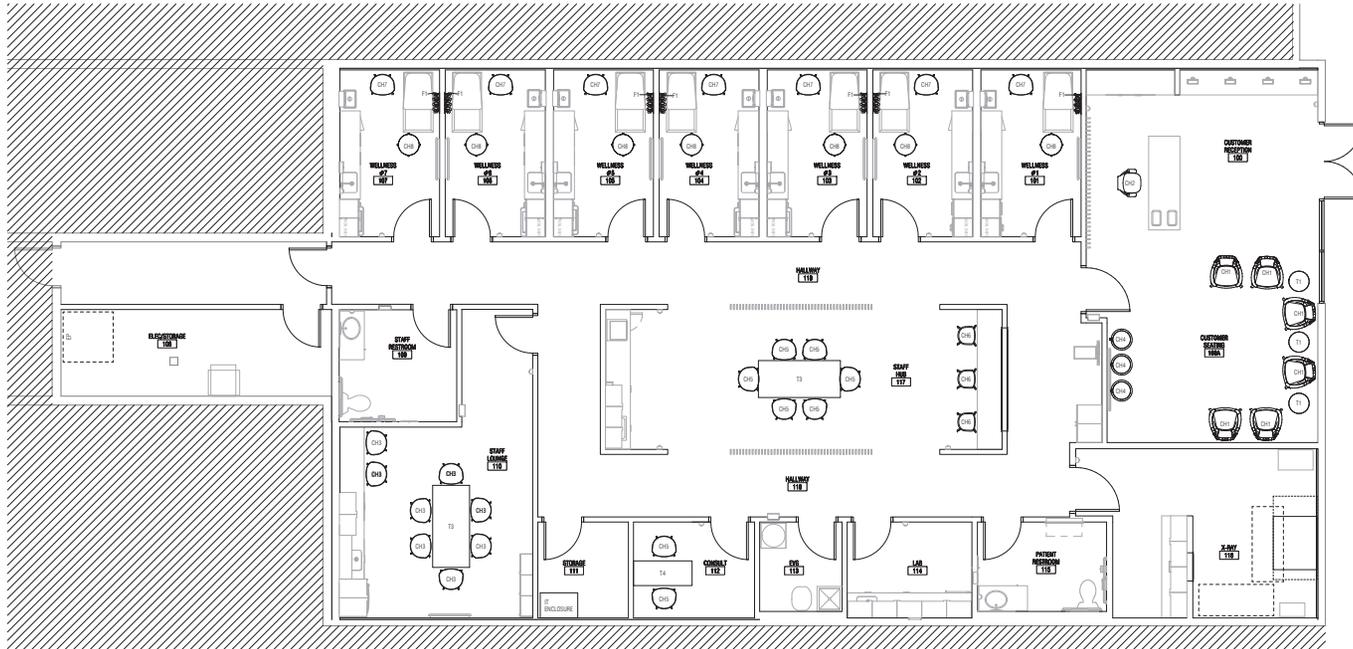
(CH-18)
HAMILTON
MARKETPLACE

1760 S BASCOM
AVE, CAMPBELL,
CA 95008

PROJECT NO. 20-20093
DATE 6/1/2020

SHEET TITLE
ACCESSIBILITY AND
EXITING DIAGRAM

SHEET NO. AN-4.0



01 FURNITURE PLAN
1/4" = 1'-0"

ISSUED FOR PERMIT

THIS SHEET IS FOR REFERENCE ONLY.

NOT RELEASED FOR CONSTRUCTION

DRAWN BY: HND
CHECKED BY: MPS

REVISIONS		
REV #	DATE	DESCRIPTION

(CH-18)
HAMILTON
MARKETPLACE

1760 S BASCOM
AVE, CAMPBELL,
CA 95008

PROJECT NO. 20-20093
DATE 6/1/2020

SHEET TITLE
FURNITURE PLAN

SHEET NO. A-5.0

FURNITURE LEGEND						SHEET NOTES	KEY NOTES
MARK	DESCRIPTION	MANUFACTURER	MODEL	QUANTITY	COMMENTS		
CH1	LOUNGE CHAIR	NAUGHTON	ALWAYS LOUNGE CHAIR PRODUCT HULLBOWD FINISH: OAK LEIS, FULLY UPHOLSTERED 033 OXYE (2 TOTAL) AND 008 SYCAMORE (4 TOTAL) [EACH CHAI]	7	LOCATED IN CUSTOMER LOBBY	1. SEE ALL SHEET SERIES FOR ADDITIONAL NOTES AND DIMENSIONS. 2. GO TO PROVIDE ACCESS TO THE SPACE FOR INTERIOR INVESTMENTS INSTALLATION TEAM. 3. GO TO COORDINATE WITH INTERIOR INVESTMENTS AND ALL OTHER TRADES. USE RESPONSIBILITY MATRIX FOR CONTACT INFORMATION. 4. GO TO COVER ALL FURNITURE AND FINISHES WITH PLASTIC DROP CLOTHS AND MAKE EVERY EFFORT TO PROVIDE FURNITURE. 5. INTERIOR INVESTMENTS TO SHIP, RECEIVE AND INSTALL ALL FURNITURE, FINISHES, AND SEATING REFERENCED IN SCHEDULE. GO TO HAVE AREA CLEAN OF ALL ITEMS AND READY TO ACCEPT FURNITURE.	
CH2	DESK CHAIR	HERMAN MILLER	SAVI TASK CHAIR PRODUCT BASISA FINISH: SUSPENSION GREEN APPLE (79), SEAT CUSHION GREEN APPLE (3002), ARMS & BASE STUDIO WHI...	1	LOCATED AT RECEPTION DESK		
CH3	CHAIR	HAY	ABOUT A CHAIR PRODUCT #A4C23 FINISH: POLYPROPYLENE SHELL, NON-UPHOLSTERED CONCRETE, BASE MATT LAQUERED OAK	8	LOCATED IN STAFF LOUNGE		
CH4	LOUNGE OTTOMAN	HIGHTOWER	KONA HOURGLASS KT COLLECTION FINISH (2 OPTIONS): STYLE #1523/B COLOR SPRING, STYLE #1523/B COLOR: SUNSHINE	7	LOCATED IN CUSTOMER LOBBY		
CH5	HUB CHAIR	HAY	ABOUT A CHAIR PRODUCT #A4C23 FINISH: A: FULLY UPHOLSTERED 033 OXYE, BASE MATT LAQUERED OAK VENEER...	8	LOCATED AT HUB TABLE AND CONSULT ROOM		
CH6	HUB STOOL	HAY	ABOUT A STOOL FINISH: FULLY UPHOLSTERED OR POLYPROPYLENE TBC, BASE MATT LAQUERED OAK VENEER	3	LOCATED AT WORKSPACE COUNTER		
CH7	WELLNESS GUEST CHAIR	HAY	ABOUT A STOOL PRODUCT #A4C42 FINISH: WHITE SHELL WITH UNHOLSTERED SEAT CUSHION MAHARAM MODE, 008 SYCAMORE, BASE MAT.	7			
CH8	PHYSICIAN EXAM STOOL	HERMAN MILLER	PEDESTAL STOOL FINISH: POLISHED CHROME BASE, FABRIC CLEAN SLATE 2.0 COLOR MAIZE, NUMBER CLN226	7	ON CASTERS		
F1	WALL MOUNTED COAT RACK	HERMAN MILLER	FAMES-HANG IT-ALL FINISH: WHITE WITH MULTICOLOR	7	LOCATED IN WELLNESS ROOM ON WALL WITH SHARED TV, MIDWAY BETWEEN TV AND WALL		
T1	SIDE TABLE	HAY	CPI DEUX 220 DIA72 (T80)	4	LOCATED IN CUSTOMER LOBBY		
T2	ROUND TABLE	HAY	COPENHAUGE ROUND TABLE PRODUCT #CPI 20 FINISH: CIP WHITE LINOSEUM TOP WITH MATT LAQUERED OAK LEGS	0	LOCATED IN STAFF LOUNGE OR HUB		
T3	RECTANGULAR TABLE	NAUGHTONE	FOLD FINISH: TOP: WHITE MIMOF WITH REVERSE CHAMFER, POLISHED MDF EDGE, BASE: WHITE POWDER COATED METAL LEGS, POWERS, FLIP TOP POWERS & DATA FLUROPERON, POWERS, LEGS CABLE CAP	2	LOCATED IN STAFF HUB AND LOUNGE		
T4	RECTANGULAR TABLE - CONSULT	T80	T80	1	LOCATED IN CONSULT ROOM		

Tenant Summary

Hamilton Shopping Center

Tenant Name	Use	Floor Area
Sola Salon (Gateway VI Investments, LLC)	Personal Service	6,109
Supercuts	Personal Service	1,168
House of Bagels	Restaurant/Café	1,350
T-Mobile/Sprint Spectrum	Retail	2,400
Una Mas	Restaurant	2,016
Profile Sanford (Gel Ventures Inc.)	Retail	1,939
Ross Dress for Less	Retail	21,168
Carbon Health (Proposed)	Medical Service (Clinic)	3,832
See's Candies	Retail	1,100
Wells Fargo Bank	Bank	4,289
Patelco	Bank	2,208
Yogurtland	Restaurant/Café	1,562
Whole Foods	Grocery Store	31,838
Starbucks	Restaurant/Café	1,650
Panda Express	Restaurant	2,000
CVS Store	Retail/Pharmacy	25,995
CVS Minute Clinic	Medical Service (Clinic)	205
Vacant (Dress Barn; vacant 18 months)	Retail	14,000
Vacant (formerly Office Max; vacant 38 months)	Retail	26,500
Vacant (formerly Performance Bike; 14 months)	Retail	5,200
Vacant (formerly Performance Bike; 14 months)	Retail	1,500
	Total	158,029

Vacant	47,200	29.9%
Occupied	110,829	70.1%

Retail /Formerly Retail	99,802	63.2%
Grocery Store	31,838	20.1%
Personal Service	7,277	4.6%
Restaurant	8,578	5.4%
Medical Service (Clinic)	4,037	2.6%
Bank	6,497	4.1%

- C. **Use of Zoom for remote on-line PC Meetings until further notice:** This and all of your regular schedule of PC meetings will continue to be conducted via Zoom for the foreseeable future. This Planning Commission meeting will be conducted via telecommunication and is compliant with provisions of the Brown Act and Executive Order N-29-20 issued by the Governor. The following Commissioners of the Campbell Planning Commission are listed to permit them to appear electronically or telephonically at the Regular Planning Commission meeting on August 25, 2020: Chair Michael Krey, Vice-Chair Maggie Ostrowski, Commissioners Adam Buchbinder, Andrew Rivlin; Nick Colvill; Stuart Ching; and Terry Hines.

While members of the public will not be able to attend the meeting of the Campbell City Planning Commission physically, the meeting will be live-streamed on YouTube at (<https://www.youtube.com/user/CityofCampbell>). Interested persons may register to participate at https://us02web.zoom.us/webinar/register/WN_uavFQC2sT1m_-cJvrGV1oA

After registering, you will receive a confirmation email containing information about joining the webinar itself on August 25th at 7:30 p.m. Additionally, the complete agenda packet will be posted by Friday, August 20, 2020 on the website at <https://www.ci.campbell.ca.us/AgendaCenter/Planning-Commission-6>, and will include all materials for this meeting. Please be advised that if you challenge the nature of the above project in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this Notice, or in written correspondence delivered to the City of Campbell Planning Commission at, or prior to, the Public Hearing by email to planning@campbellca.gov. Questions may be addressed to the Community Development Department at (408) 866-2140.