



Historic Preservation Board
REGULAR MEETING AGENDA
Tuesday, September 29, 2020 | 5:00 PM
Virtual Zoom Meeting

CALL TO ORDER / ROLL CALL

This Historic Preservation Board (HPB) meeting is conducted via telecommunication and is compliant with provisions of the Brown Act and Executive Order N-29-20 issued by the Governor.

The following Board Members are listed to permit them to appear electronically or telephonically at the Regular Historic Preservation Board meeting of September 29, 2020: Chair Mike Foulkes, Vice-Chair Yvonne Kendall, and Board Members Todd Walter, Susan Blake, and Laura Taylor Moore.

While members of the public will not be able to attend the meeting of the Campbell Historic Preservation Board in person, the meeting will be live-streamed on YouTube at (<https://www.youtube.com/user/CityofCampbell>).

Interested persons may register to electronically participate in this Zoom HPB meeting at Please click the link to join the webinar: <https://us02web.zoom.us/j/82313241745?pwd=Uk1BR0haOU9VZHdXWEgveTI4Q2l6Zz09>. The Passcode: 060504. After registering, you will receive a confirmation email containing information about joining the webinar. The complete agenda packet will be posted by Friday, September 25, 2020 on the City website at <https://www.ci.campbell.ca.us/AgendaCenter/Historic-Preservation-Board-4>, 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 Historic Preservation Board at, or prior to, the Public Hearing by email to planning@campbellca.gov. Questions may be addressed to the Daniel Fama, Board Secretary, at (408) 866-2193 or danielf@campbellca.gov.

AGENDA MODIFICATIONS OR POSTPONEMENTS

Board Members or the Board Secretary may request that agenzized items be considered in a different order than shown in the agenda or be postponed to a subsequent meeting.

APPROVAL OF MINUTES

1. **Approval of Minutes of July 22, 2020** (*Voice Vote*)
 - Meeting Minutes, 7/22/2020

ORAL COMMUNICATIONS

This portion of the meeting is reserved for individuals wishing to address the Board on matters of community interest that are not listed on the agenda. In the interest of time, the Chair may limit speakers to three minutes. Please be aware that State law prohibits the Board from acting on non-agendized items, however, the Chair may refer matters to staff for follow-up.

BOARD/STAFF ANNOUNCEMENTS

PUBLIC HEARINGS

NEW BUSINESS

2. Mills Act Program Update Discussion

The Board will discuss the preliminary recommendations made by the Mills Act *ad hoc* Subcommittee for the Mills Act Program update and any related potential revisions to the Historic Preservation Ordinance.

- Subcommittee Memorandum

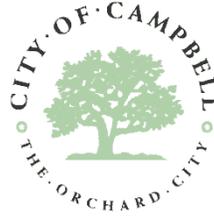
STUDY SESSION

ADJOURNMENT

Adjourn to the next regularly scheduled Historic Preservation Board meeting of **October 28, 2020**, at 5:00 PM to be conducted via 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@campbellca.gov or (408) 866-2140.



Historic Preservation Board
REGULAR MEETING MINUTES
Wednesday, July 22, 2020 | 5:00 PM
Zoom Meeting

CALL TO ORDER

The Regular Historic Preservation Board meeting of July 22, 2020, was called to order at 5:09 p.m., via Zoom, by Chair Foulkes, and the following proceedings were had to wit.

ROLL CALL

HPB Members Present:

Michael Foulkes, Chair
 Yvonne Kendall, Vice Chair
 Susan Blake
 Laura Taylor Moore
 Todd Walter

HPB Members Absent

None

Staff Members Present:

Daniel Fama, Senior Planner
 Corinne Shinn, Recording Secretary

AGENDA MODIFICATIONS OR POSTPONEMENTS

None

APPROVAL OF MINUTES

1. Approval of Minutes of January 22, 2020.

Motion: Upon motion of Member Kendall, seconded by Member Blake, the Historic Preservation Board approved the minutes of the meeting of January 22, 2020. (5-0)

2. Approval of Minutes of February 26, 2020.

Motion: Upon motion of Member Moore, seconded by Member Blake, the Historic Preservation Board approved the minutes of the meeting of February 26, 2020. (4-0-0-1; Member Kendall abstained)

ORAL REQUESTS

None

BOARD AND STAFF ANNOUNCEMENTS**3. 1940 Hamilton Avenue – Historic Review (*Informational Only – No Action Required*)**

The owner of 1940 Hamilton Avenue commissioned an historic review of the property, prepared an historic resource consultant. The consultant's materials were peer-reviewed by the City's Architectural Advisor Mark Sandoval, who concurred with the determination that the property does not meet any of the minimum threshold eligibility requirements needed to be listed on the California Register of Historic Resources or as a local historic resource by the City as either a Structure of Merit or a Landmark property.

- Historic Review Materials
- Peer-Review Memo (Mark Sandoval)

Planner Daniel Fama advised that this item is informational only as this property is not included on the HRI (Historic Resource Inventory).

Member Blake:

- Reported that she had reached out to this property's current owner to suggest consideration of addition to the HRI.
- Advised that that property owner was not interested at all in historic designation.
- Pointed out that this property was presented with a commendation after the remodeling of the house on this property for commercial use.
- Lamented that many years ago the then-owners of this house wanted to donate the structure to the City if the City found a property on which to relocate it.
- Admitted that "we" did not succeed in that task.

Chair Foulkes asked staff if any changes to the existing structure would be brought forth to the HPB.

Planner Daniel Fama replied no. He said that oversight would not be within the purview of the HPB but rather would be reviewed by the Planning Commission.

Member Moore:

- Pointed out that this situation reflects the "downside" of our preservation ability.
- Said in that in her opinion there is no question that this house should be considered potentially historic when one looks at it.
- Suggested that the consideration of materials salvageability should be looked into if/when this structure were to be completely demolished.

Planner Daniel Fama said that suggestion could be considered when this project is submitted. Either that the building be allowed to be relocated in whole or as architectural salvage of any viable materials.

Chair Foulkes:

- Stated that he was surprised about the data provided in the peer review responses.
- Admitted that he agrees with Member Moore that if this house is not considered historic-worthy, what is?

- Opined that this house seems to be the most historic in appearance. More than others that are on the HRI. However, this one is not included on the HRI.
- Reminded that the HPB wants to preserve its buildings rather than tearing them down. This structure seems more valuable than others that are on HRI.
- Reiterated that the goal of the HPB is to push hard to encourage worthy structures from being kept and well-maintained as historic structures.
- Stated that this situation here perplexes him.
- Added that he finds it unfortunate that review of plans for this structure will not come to us (HPB).

Member Moore:

- Reported that the original owner of this home was named Hamilton.
- Suggested it might behoove doing some research to see if this home is named for something unrelated to Campbell such as Mt. Hamilton.
- Stated perhaps the house was named by the circa 1840's original Hamilton Family that was important to Campbell.
- Pointed out that that Hamilton Avenue itself comes through their property and may be the reason for naming both the house and Hamilton Avenue.

Planner Daniel Fama said he, as a city planner, is not able to dispute what the owner's historic consultant has prepared. That report was properly peer-reviewed for the City by Mark Sandoval.

Member Kendall said that many properties included on the HRI are not considered to be either Structures of Merit or Historic Landmarks.

Planner Daniel Fama:

- Said that the HIR lists Structures of Merit, Historic Landmarks and potentially historic properties.
- Reminded that a property owner has to agree and sign-on in order to be added to the HRI.
- Added that the City would have required the owner to pay for a historic evaluation on this structure if they hadn't already had one prepared pro-actively as they did.
- Concluded that now when they bring forth their redevelopment proposal for a new office building, that requirement (box) is already checked.

Chair Foulkes:

- Agreed that the report provided has gone through all the right channels.
- Added that it serves as an example of why our current system doesn't work.
- Suggested that the process should work differently in the future.

Member Kendall asked staff what it would take to update the HPB Ordinance.

Planner Daniel Fama replied he would first need to discuss that topic with Director Kermoyan and get back to the HPB with a response.

Member Walter:

- Asked staff if there's a way HPB can have Mark Sandoval provide it with some "lessons learned" outline to help us moving forward with other structures(s) in the future.
- Suggested Mark Sandoval might be able to explain/compare other properties to this one.

Planner Daniel Fama:

- Said that the bigger issue is how the criteria is set up and how they interpret it.
- Added that he would see if Mark Sandoval is willing to provide that feedback.
- Suggested that request be postponed until he can get direction from Director Kermoyan and perhaps Council.
- Explained that Council has to buy off on new projects that require staff time to process such an update and ensure it is a priority to Council to allow it.

Chair Foulkes suggested taking further discussion of this proposal off-line and bring it back when appropriately sanctioned.

PUBLIC HEARING

4. 20 Alice Avenue – Tier 1 Historic Resource Alteration Permit (Resolution/Roll Call Vote)

Public Hearing to consider the application of Barzin Keyhankhadiv for a Tier 1 Historic Resource Alteration Permit (PLN-2020-12) to allow construction of an approximately 800 square-foot rear addition to an Alice Avenue Historic District property commonly known as the Mary Fablinger House, located at **20 Alice Avenue**. Staff is recommending that this project be deemed Categorically Exempt under CEQA.

Planner Daniel Fama:

- Reported that the applicant is requesting a Tier 1 Historic Resource Alteration Permit for a residence on 20 Alice Avenue. This home is located east of Winchester Boulevard.
- Said that the owners are proposing an approximately 800 square addition to an existing single-family residence.
- Advised that this home is not a Landmark but is located within an Historic District (Alice Avenue Historic District).
- Stated that staff has worked with the applicant to ensure compliance with standards.
- Pointed out that the addition is proposed for the back of the home.
- Said that the siding of the new portion of this home would be thicker so as to be obviously different from the older and new sections of this home.
- Recommending the HPB adopt a resolution approving this application.

Member Blake:

- Reminded that these applicants came before the HPB a few years ago with a larger addition.
- Added that HPB worked with them on their project and it then went on to the Planning Commission where it was approved.

- Pointed out that this proposal under consideration this evening is less large and doesn't affect the garage at the back as the original approval would have done.
- Stated that this is a very nice design and she supports it with no hesitation.

Member Moore concurred.

Member Kendall concurred as well.

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

There was no one present wishing to speak.

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

Chair Foulkes asked if there are any thoughts or comments from the HPB.

Member Kendall:

- Said that this is a well-designed project.
- Recounted that Alice Avenue is a narrow street with lots of street parking along both sides.
- Added that it can sometimes be challenging to drive down Alice Avenue.
- Suggested that as part of the site management condition of approve that the project be required to have its trucks arrive and depart from Winchester rather than driving a long way on Alice Avenue from the other direction.

Chair Foulkes:

- Echoed the comments of the other HPB Members.
- Said that this project provides thoughtful design.
- Added that it is the kind of project that the HPB likes to see that upgrades the livability of the home while retaining its historic architecture as seen from the street frontage.

Motion: Upon Motion of Member Blake, seconded by Member Moore, the Historic Preservation Board adopted Resolution 2020-04 approving a Tier 1 Historic Resource Alteration Permit (PLN-2020-12) to allow construction of an approximately 800 square-foot rear addition to an Alice Avenue Historic District property commonly known as the Mary Fablinger House, located at 20 Alice Avenue, with the added condition to require project construction related truck traffic to access the project site from Winchester Boulevard , by the following roll call vote:

AYES: Blake, Foulkes, Kendall, Moore and Walter

NOES: None

ABSENT: None

Abstain: None

NEW BUSINESS

Member Kendall advised that she has to recuse from participating on this item as she resides within noticing distance to this property. She left the meeting during the discussion on this request.

5. 204 Alice Avenue – Review of Windows

Approval of windows as required by an approved Tier 1 Historic Resource Alteration Permit (PLN2019-110) for property located at **204 Alice Avenue**.

Planner Daniel Fama:

- Reported that the Board needs to approve the windows being proposed for this property.
- Added that the proposed materials are identified in packet.
- Advised that the property owners are present this evening.

Chair Foulkes asked if there were questions for staff. There were none.

Chair Foulkes opened the Public Hearing for Item No. 5.

Marie & Kornel Kovacs, Applicant/Owners of 204 Alice Avenue, introduced themselves.

Marie Kovacs:

- Reminded that wood windows were originally approved for this house when the previous owners owned the home.
- Stated that she and her husband, Kornel, would like to consider use of wood-clad windows instead due to the cost and maintenance differences.

Kornel Kovacs:

- Showed examples of what was originally approved (all wood) with what they are now proposing instead (wood-clad).
- Pointed out that all-wood windows require lots of maintenance and upkeep while wood-clad windows offers the same outside appearance as wood but comes pre-finished. That equates to no maintenance being required for years to come. These wood-clad windows withstand weather better. They shrink less and stay as beautiful as the day they were installed into the future.
- Assured that these wood-clad windows would look exactly the same with a significant price difference. All-wood windows for this project would cost \$9,000 while the wood-clad windows for this project would cost \$5,000.

Chair Foulkes opened the Public Hearing for Item No. 5.

Chair Foulkes asked for comments from the HPB.

Member Walter:

- Pointed out that the HPB has allowed aluminum and similar wood-clad windows in previous projects as long as they match the house.

- Admitted that he is fine with this proposed product and would himself want to put in wood-clad windows versus solid wood.

Member Blake:

- Reminded that the Secretary of Interior Standards need to be reconsidered.
- Assured that architectural details can be matched as she did so herself.

Chair Foulkes said that what the Board has done in the past was to be a stickler for wood windows in the front elevation. He agreed that the Board needs to follow its prior more recent approvals that allowed other than wood windows.

Member Blake said that she is excited that these owners will also include shutters. She is ecstatic about that addition.

Motion: Upon Motion of Member Walter, seconded by Member Moore, the Historic Preservation Board took action to approve a Tier 1 Historic Resource Alteration Permit (PLN2019-110) to allow fiber clad windows for property located at 204 Alice Avenue, with the requirement that said fiber-clad windows matches what is already there on this home, by the following roll call vote:

AYES: Blake, Foulkes, Moore and Walter

NOES: None

ABSENT: None

Abstain: Kendall

Member Kendall returned to the meeting at the conclusion of Item No. 5.

6. Certified Local Government Annual Report

Review and approve the 2018-2019 Certified Local Government Annual Report.

Planner Daniel Fama:

- Advised that this is opportunity for the Board to review and approve this annual report as required by our CLG status.
- Added that its submittal was delayed a bit.
- Stated that it is up to the HPB to review, approve and adopt a Resolution for this action.

Member Blake said that the report was straight and well said.

Member Moore concurred.

Member Walter as well.

Chair Foulkes said that in looking at attendance records he extends his congratulations to Members Blake and Walters for their perfect attendance records.

Motion: Upon motion of Member Kendall, seconded by Member Blake, the HPB Adopted a Resolution approving the 2018-2019 Certified Local Government Annual Report. (5-0)

OLD BUSINESS

7. Mills Act *ad hoc* Subcommittee Report

The Subcommittee will provide a monthly update on its activities to the Board.

Member Walter:

- Said that there are two parts to the actions of the Subcommittee.
- Advised he and Member Blake met in February with Planner Daniel Fama and Planning Intern Michael Sze. At that meeting they talked about the audit and discussed development of what criteria should be created to evaluate potential Mills Act approvals.
- Added that a letter was sent out to all eight current Mills Act holders. He and Member Blake each took on four.
- Reported that they received back information from each holder.
- Advised that the next step will be to look at materials provided by each owner and compare what was accomplished with what was included on the original Mills Act contract. This work will be split between City staff and members of the Mills Act *ad hoc* Subcommittee to determine if the materials for each home commemorate with the contract.

Planner Daniel Fama suggested that a meeting be scheduled with him and the Subcommittee.

Member Blake said that is a good idea.

Member Walter:

- Continued with the second part of the plan of the Subcommittee, which is looking at the Mills Act contract.
- Reported that they have scoured cities throughout the State to find good examples of a Mills Act Contract from which we can compare our program.
- Added that info was part of a desk item that Planner Daniel Fama sent out by email.
- Said they wrote out a first recommendation for everyone's input and revision suggestions. Once revised, the Mills Act topic would go back before the City Council with a recommendation for approval.
- Encouraged feedback from the rest of HPB.

Chair Foulkes asked if there are any initial comments from the Board.

Member Blake:

- Reminded that the City of Monrovia did a webinar that we all watched.
- Stated that it is exciting to see how they handled their Mills Act program.
- Admitted that she and Member Walter used a lot of information from Monrovia in preparing their initial draft.

Member Walter:

- Suggested that the Board send their individual comments to Planner Daniel Fama by email. Daniel can then forward them on to the Subcommittee.
- Stated that by the next meeting there can be a refined list based on the feedback received.

Planner Daniel Fama reminded all Members to use their City email not their personal.

Chair Foulkes:

- Stated that perhaps the whole next meeting could be devoted to the Mills Act.
- Pointed out that Monrovia shows just how flexible cities can be with their Mills Act contracts. Reporting and oversight can be implemented.
- Added that with issues such as windows could be assisted within the Mills Act.
- Opined that if property taxes for a Mills Act property are reduced and those savings can be used to defray rehab costs.
- Expressed support for the concept of a limited-duration Mills Act Contract. It would be nimbler.
- Said that we have unique issues in Campbell in regard to preservation. It seems as if we are not optimally utilizing the Mills Act Contracts with their long-term duration.

Member Walter referred to the desk item from Deb Craver and asked if Ms. Crave holds a Mills Act Contract.

Planner Daniel Fama replied yes.

Member Moore said that Ms. Craver provided the perfect balance for what we do. What we need to hear.

Member Blake encourage all members to review the draft materials.

Member Walter asked for Ms. Craver's address.

Member Blake replied 110 S. Second Street.

Member Walter asked if there are any questions for the Subcommittee at this time.

Chair Foulkes:

- Stated his appreciation for the time and effort of the Subcommittee.
- Added that he hopes HPB can focus on this Mills Act project.
- Pointed out that the Council has been asking for more information.
- Advised that he would be participating in a joint Zoom meeting the next day hosted by the Mayor and including all the other Board and Commission Chairs.
- Supported spending more time on this task so Member Kendall won't have to continue to recuse for much item once it is completed.

Member Blake said that the Mills Act is pretty interesting.

Member Moore agreed.

Member Walter said that it is amazing just the variety of different Mills Acts out there. We may well have the best of all by including the best aspects of others out there.

Ms. Maria Kovacs stepped forward and said she is currently going through the application packet for a Mills Act Contract. She asked if she could ask questions. They are looking to paint their home and wonders if she needs to present her proposed paint colors for approval.

Planner Daniel Fama suggested that Ms. Kovacs call him directly about the Mills Act application process and also advised her that she doesn't need approval for her paint choices. She is free to select her own paint colors.

ADJOURNMENT

Adjourned at 6:05 p.m. to the next Regular Historic Preservation Board meeting scheduled for **August 26, 2020**, at 5:00 PM, using Zoom.

PREPARED BY: _____
Corinne Shinn, Recording Secretary

APPROVED BY: _____
Michael Foulkes, Chair

ATTEST: _____
Daniel Fama, HPB Staff Liaison

RESOLUTION NO. 2020-04

BEING A RESOLUTION OF THE HISTORIC PRESERVATION BOARD OF THE CITY OF CAMPBELL APPROVING A TIER 1 HISTORIC RESOURCE ALTERATION PERMIT (PLN-2020-12) TO ALLOW CONSTRUCTION OF AN APPROXIMATELY 800 SQUARE-FOOT REAR ADDITION TO AN ALICE AVENUE HISTORIC DISTRICT PROPERTY COMMONLY KNOWN AS THE MARY FABLINGER HOUSE, LOCATED AT **20 ALICE AVENUE** IN THE R-1-6-H (SINGLE-FAMILY RESIDENTIAL / HISTORIC OVERLAY) COMBINING ZONING DISTRICT.

After notification and public hearing, as specified by law and after presentation by the Board Secretary, proponents and opponents, the hearing was closed.

The Historic Preservation Board finds as follows with regards to file number PLN-2020-12:

1. The project site is a 7,371 square-foot single-family residential property located on Alice Avenue, east of Winchester Boulevard , within the Alice Avenue Historic District.
2. The project site is zoned R-1-6-H (Single-Family Residential / Historic Overlay) on the City of Campbell Zoning Map.
3. The project site is designated *Low Density Residential* on the City of Campbell General Plan Land Use diagram.
4. The project site is developed with a single-family residence, a non-landmark historic district resource constructed in 1938 in a vernacular style, commonly known as the Mary Fablinger House.
5. The proposed project is an application for a Tier 1 Historic Resource Alteration Permit (PLN2019-110) to allow construction of an approximately 800 square-foot rear addition.
6. Campbell Municipal Code (CMC) Section 21.33.080 (Historic Resource Alteration Permit (Tier 1)) requires that any alteration to a landmark or historic district property be reviewed through "Tier 1" Historic Resource Alteration Permit.
7. The proposed project would be consistent with the following General Plan policies:

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

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

Policy LUT-20.1b: Building Patterns: Ensure that new development is designed to blend in with the existing building patterns of the neighborhood. For example, if the majority of the garages on the street are at the rear of the site, the new building should be designed to accommodate a rear garage.

8. No substantial evidence has been presented which shows that the project, as currently presented will have a significant adverse impact on the environment.

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

Historic Resource Alteration Permit – Tier 1 Findings (CMC Sec. 21.33.080):

1. The proposed action is consistent with the purposes of this chapter and the applicable requirements of the Municipal Code;
2. The proposed action is consistent with the applicable design guidelines, including, but not limited to, the Historic Design Guidelines for Residential Buildings;
3. The proposed action will not have a significant impact on the aesthetic, architectural, cultural, or engineering interest or historical value of the historic resource or district;
4. The proposed action is consistent with the Secretary of the Interior's Standards, as follows:
 - a. The proposed action will preserve and retain the historic character of the historic resource and will be compatible with the existing historic features, size, massing, scale and proportion, and materials.
 - b. The proposed action will, to the greatest extent possible, avoid removal or significant alteration of distinctive materials, features, finishes, and spatial relationships that characterize the historic resource.
 - c. Deteriorated historic features will be repaired rather than replaced to the greatest extent possible.
 - d. New additions will be differentiated from the historic resource and will be constructed such that the essential form and integrity of the historic resource shall be protected if the addition is removed in the future.

Environmental Findings (CMC Sec. 21.38.050):

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

THEREFORE, BE IT RESOLVED that the Historic Preservation Board approves a Tier 1 Historic Resource Alteration Permit (PLN-2020-12) to allow an approximately 800 square-foot rear addition to an Alice Avenue Historic District property commonly known as the Mary Fablinger House, located at **20 Alice Avenue**, subject to the attached Conditions of Approval (attached Exhibit "A").

PASSED AND ADOPTED this 22 day of July, 2020, by the following roll call vote:

AYES: Board Members: Kendall, Blake, Foulkes, Moore, and Walter
NOES: Board Members:
ABSENT: Board Members:
ABSTAIN: Board Members:

APPROVED: _____
Mike Foulkes, Chair

ATTEST: _____
Daniel Fama, Secretary

CONDITIONS OF APPROVAL
Historic Resource Alteration Permit (PLN-2020-4)

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 Tier 1 Historic Resource Alteration Permit (PLN-2020-12) to allow an approximately 800 square-foot rear addition to an Alice Avenue Historic District property commonly known as the Mary Fablinger House, located at **20 Alice Avenue**. The project shall substantially conform to the Project Description stamped as received by the Community Development Department on March 3, 2020, except as may be modified by conditions of approval contained herein.
2. Permit Expiration: The Tier 1 Historic Resource Alteration Permit approval shall be valid for one year from the date of final approval (expiring August 3, 2021). 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 Historic Resource Alteration Permit being rendered void.
3. Side Material: Prior to issuance of a building permit, the applicant shall provide an example of the new siding for the Community Development Director's review and approval.
4. Rough Framing and Planning Final Required: Planning Division clearance is required prior to rough framing and final Building Permit clearance. Construction not in substantial compliance with the approved project plans shall not be approved without prior authorization of the necessary approving body.
5. Minor Modifications: Minor Modifications to the approved project plans are subject to review and approval by the Community Development Director. Minor modifications include alterations in floor area of no more than 50 square feet on the first floor, alterations to second story windows that are not oriented toward neighboring yards and result in an increase in window area of no more than one square foot and horizontal relocation of no more than one foot from the approved window location, and minor alterations to façade material. All other modifications are subject to review at a public hearing.
6. Plan Revisions: Upon prior approval by the Community Development Director, all Minor Modifications to the approved project plans shall be included in the construction drawings submitted for Building Permit. Any modifications to the

Building plan set during construction shall require submittal of a Building Permit Revision and approval by the Building Official prior to Final Inspection.

7. Fences/Walls: Except as noted below, any newly proposed fencing and/or walls shall comply with Campbell Municipal Code Section 21.18.060 and shall be submitted for review and approval by the Community Development Department.
8. Water Efficient Landscape Standards: As a **remodel/addition/rehabilitation project with a total project landscape area equal to or less than 2,500 square feet**, this project is subject to the landscaping and irrigation standards in Chapter 21.26 of the Campbell Municipal Code. The building permit application submittal shall include compliant Planting and Irrigation Plans and shall include the following:
 - a. A completed Landscape Information Form.
 - b. A note on the Cover Sheet in minimum 1/2" high lettering stating "Planning Final Required. The new landscaping indicated on the plans must be installed prior to final inspection. Changes to the landscaping plan require Planning approval."
9. 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.
10. 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.
11. Construction Activities: The applicant shall abide by the following requirements during construction:
 - a. The project site shall be posted with the name and contact number of the lead contractor in a location visible from the public street prior to the issuance of building permits.
 - b. Construction activities shall be limited to weekdays between 8:00 a.m. and 5:00 p.m. and Saturdays between 9:00 a.m. and 4:00 p.m. No construction shall take place on Sundays or holidays unless an exception is granted by the Building Official.
 - c. All construction equipment with internal combustion engines used on the project site shall be properly muffled and maintained in good working condition.
 - d. Unnecessary idling of internal combustion engines shall be strictly prohibited.
 - e. All stationary noise-generating construction equipment, such as air compressors and portable power generators, shall be located as far as possible from noise-sensitive receptors such as existing residences and businesses.

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

Building Division:

11. Permits Required: A building permit application shall be required for the proposed addition to and remodeling of the existing structure. The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit.
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. Compliance with the Standards shall be demonstrated for conditioning of the building envelope and lighting of the building.
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. San Jose Water Company (279-7900)
 - d. School District:
 - i. Campbell Union School District (378-3405)
 - ii. Campbell Union High School District (371-0960)
 - iii. Moreland School District (379-1370)
 - iv. Cambrian School District (377-2103)

Note: To determine your 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.

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 new residential structures (Chapter 4) under the California Green Building Code, 2016 edition.
23. Build It Green: Applicant shall complete and submit a "Build it Green" inventory of the proposed new single family project prior to issuance of building permit.
24. 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.
25. Site Management: This project shall use the following Site Management policies:
 - **Job Site Manager.** Every permitted job must have an identified person to manage the work and be responsive to issues that come up during construction. It is important to identify this person and provide contact information to the Building Inspector at the beginning of the construction process. When a change is made concerning site manager, the inspector should be made aware of the new person and contact information.
 - **Construction Debris.** At the end of each construction day, attention should be made to collect and manage construction waste and debris. Trash must be covered and removed from the site as soon as reasonable. Respect the neighbors and keep a clean site! Sites that fail to manage trash can and will be cited.
 - **Construction Hours.** Every Permitted job is required to observe the permitted hours of construction. Construction work is allowed from 8:00am to 5:00pm Monday thru Friday. Construction is allowed on Saturdays from 9:00am to 4:00pm. No work is allowed on Sundays or Legal U.S. Holidays. Workers showing up at job sites before the permitted times may create a problem and should be discouraged from arriving earlier than 15 minutes before permitted times. Material deliveries should never be scheduled before permitted hours. It is the responsibility of the Contractor to manage and coordinate deliveries.

Citations and/or Stop Work Notices will be issued to Contractors violating the permitted hours.

- **Dust and Dirt.** Many jobs will create dust and dirt on the street. When it rains, sites may have mud running into the sidewalk and street. All job sites must keep all rain runoff on the site and prevent water from running from the site into the gutter and street. Vehicles tracking mud and dirt into the street require cleanup and keeping the sidewalks and streets clean. If you fail to manage your dirt, dust and mud, your site may be issued a 'Stop Work' notice and/or a citation.
- **Music and Unnecessary Noise.** Radios and loud music or other noise not related to construction is discouraged and will keep the neighbors from complaining. Earbuds are a good way to keep the music playing and not a problem for the neighbors. Job sites are not a good place for a worker's dog. Animals should be left at home.
- **Construction Vehicles.** Construction vehicles shall access the property only from S. Winchester Boulevard and shall not travel westbound on Alice Avenue except to leave the project site.

PUBLIC WORKS DEPARTMENT

The scope of this project triggers the requirement for Frontage Improvements as required by Campbell Municipal Code 11.24.040. The applicant will be required to apply for an Encroachment permit to construct frontage improvements as listed below. The building permit and grading permit will not be issued until all Public Works Conditions of Approval have been satisfied.

26. Storm Drain Area Fee: Prior to issuance of any grading or building permits for the site, the applicant shall pay the required Storm Drain Area fee, currently set at \$2,120.00 per net acre, which is \$357.00

27. 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.

28. 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.

29. 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.
30. 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.
31. 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.
32. Street Improvement Agreements / Plans / Encroachment Permit / Fees / Deposits: Prior to issuance of any grading or building permits for the site, the applicant shall execute a street improvement agreement, cause plans for public street improvements to be prepared by a registered civil engineer, pay various fees and deposits, post security and provide insurance necessary to obtain an encroachment permit for construction of the standard public street improvements, as required by the City Engineer. The plans shall include the following, unless otherwise approved by the City Engineer:
 - a. Show location of all existing utilities within the existing public right of way along Alice Avenue and the alley project frontages.
 - b. Remove and replace broken existing driveway apron and necessary sidewalk, curb and gutter along Alice Avenue project frontage.
 - c. Remove and replace broken and uplifted sidewalk along Alice Avenue project frontage. Sidewalk replacement should be from score mark to score mark.
 - d. Remove and replace broken curb along Alice Avenue project frontage
 - e. Install City approved 2 - 24 inch box Sapium sebiferiums aka chinese tallow tree along Alice Avenue project frontage. Spacing to be determined at encroachment permit stage.

- f. Construction of conforms to existing public and private improvements, as necessary.
 - g. Submit final plans in a digital format acceptable to the City.
33. 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.
34. 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. Street trees shall not be pruned by the property owner.
35. 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.
36. 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.

City of Campbell
Suggested Mills Act Additions

Date: 3/18/20

To: HPB members, Daniel Fama and Michael Shwe

From: Mills Act Subcommittee – Susan Blake and Todd Walter

The subcommittee reviewed a number of different Mills Act programs throughout California Cities and the following are items this subcommittee suggests to be included in the revised City of Campbell Mills Act Program.

Fees: Although the fee should be developed by the city most fees we found were around \$1,000 and one as high as \$4,000. Some cities required an annual fee to manage the contract per property. Campbell may want to include a fee for the 5 yr inspection or other city required services to maintain each Mills Act contract.

Application deadline: Many cities had one or two times a year when the Mills Act application was due. We suggest implementing a similar approach but Campbell will need to review their typical staffing requirements to determine what time each year would be the most appropriate for a due date, along with how this will impact time for HPB and City Council to review the application.

FAQ: Many cities had FAQ and we suggest including this in the program to assist owners. One specific item to include is a statement that depending how long the applicant has owned the property their prop 13 taxes will be lower than the Mills Act calculation therefore, applying for this program is not warranted.

Contract Duration: Most cities listed a 10 year contract with the automatic renewal so that the contract was always a 10 year duration. One city set the limit to 15 years max. Campbell and their legal team should review this item and determine what is appropriate that still meets the Mills Act requirements.

HRI/Register: All cities required the property to be designated in order to apply for the Mills Act.

Approval process: Most cities require the application to be submitted to planning for review. Once planning completed their review and found it was acceptable there was a public hearing to review the application. This occurred either at the historic commission or some cities had this occur at the city council level with no historic commission review. Some cities required a pre-inspection with the applicant and the city within a few weeks after the application is submitted. This appears to assist the owner and the city to determine if the proposed scope of work meets the Mills Act intent and the cities intent prior to reviewing or approving the application. We feel the pre-inspection is a good idea and will assist everyone by setting a base line of what the property looks like and the most appropriate items to be rehabilitated. It also makes sense to continue with our current process which requires the applicant to submit to the planning department, they review for completeness and accuracy, then HPB reviews via a public hearing and then the final recommendation goes to city council for their review.

Requirements/Conditions of Approval: Most cities cite the work to be done shall follow the Secretary of Interiors Standards and they did not list specific elements like the Campbell application. Most cities also indicate the work shall cover health and safety items such as foundations, roofing, electrical, plumbing and mechanical but not in any great detail. We suggest following this similar approach and remove our current project specific list from the application.

Some cities also included a requirement regarding the max value of the property. Houses could not exceed \$1.5m and commercial properties could not exceed \$3m. We may or may not want to include such similar language.

Rehabilitation / Maintenance Plan: All cities had some sort of a requirement to include a plan indicating the proposed work, when it will be completed and a professional cost estimate. Some cities also require photos of the structure and the areas of proposed work. They also required a site plan and some required proof that all previous and current permits were closed.

Priority consideration: Most cities indicated the following would be the priority for consideration and we suggest following these items as well.

1. Structure in danger of deterioration or structural upgrades requiring substantial rehabilitation.
2. Financial assistance.
3. Additions do not qualify for program, so do not submit this type of work.
4. _____
5. _____

Oversite/Accountability: As noted above some cities require a pre-inspection as part of the application process. Most cities require annual reports from the owner and periodic inspections at 5 year intervals. One city required inspections every 2 years up to 10 years and then every 5 years after the first 10 years. We suggest a pre-inspection, annual reports with photos and receipts for completed work and inspections every 5 years.

What features does the contract cover (exterior / interior): All cities stated the Secretary of Interiors Standards is the basis of the program and includes exterior and interior. We need to discuss if we agree the interior should be included? Some cities stated that landscape was included but not costly rehabilitation. We have a heritage tree program so we can address trees under this program and not include it in the application process unless we feel the cost of the repairs and maintenance of the trees should be allowed in the Mills Act? Again, we should discuss if we feel this is appropriate to include in our program.

Is an architectural/engineering report required: One city required this report if structural repairs were included in the application. We suggest the applicant include a letter stating if any structural repairs are included and they would submit plans and calculations to the building department as required to receive a permit if their Mills Act application was approved. This way they do not have to spend more money up front to have an engineer prepare a report, unless the applicant has an engineer reviewing their property prior to the application and request they provide a simple letter stating what they found. Then the applicant can include this document in their application.

Maximum number of contracts awarded per year: Some cities set a limit on the number of contracts they would approve each year. This is open to discussion if Campbell should or needs to add this provision to the program. Currently there are less than 10 contracts and not many owners have submitted an application over the years so limiting contracts per year may not be necessary.

Pre-application workshop requirement: Once city required the owners who were planning to submit an application attend a 2 hour workshop. We do not suggest adding this to our program, but the information that would be provided at this workshop may be useful if we provided it on our website so potential applicants can review.

Electronic submittal: Some cities had an online application process and others required the application to be submitted via a thumb drive, DVD or other similar electronic process. We suggest implementing the latter so Campbell can be "Green" and the documents would already be archived and easy to access.

Application package check-off list: Most cities include an application check list to assist the applicants in preparing and submitting the correct documents. We agree a check list should be included in our application.

Attachments: Once the above items have been discussed and we agree with the broad picture changes we can then discuss detailed items such as the proper forms and attachments we want to include in the revised application.

Other:

1. Should we include language that the applicant should spend roughly equal to or exceed the property tax savings?
2. ?
3. ?