PLANNING COMMISSION

City of Campbell, California

7:30 P.M. March 10, 2020
City Hall Council Chambers Tuesday

AGENDA

ROLL CALL

APPROVAL OF THE MINUTES February 11, 2020 (February 25th meeting was cancelled)

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. **PLN2019-176** Continued Public Hearing (from the Planning Commission Meeting of December 10, 2019) to consider the application of Nandini Bhattacharya and Buddhadeb Basu for a Variance (PLN2019-176) to allow a reduced side-yard setback to legalize an unpermitted accessory dwelling unit (ADU) on property located at **309 Redding Road**. 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. **PLN2019-192** Public Hearing to consider the Appeal of the Community Development Director's denial of a Tree Removal Permit (PLN2019-192) to allow the removal of one (1) oak tree located in the rear yard of property located at **1698 Hyde Drive.** Staff is recommending that this item be deemed Statutorily 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.*

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

ADJOURNMENT

Adjourn to the next regularly scheduled Planning Commission meeting of **March 24, 2020**, at 7:30 p.m., in the City Hall Council Chambers, 70 North First Street, Campbell, California.

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

FEBRUARY 11, 2020
CITY HALL COUNCIL CHAMBERS

The Planning Commission meeting of February 11, 2020, was called to order at 7:30 p.m., in the Council Chambers, 70 North First Street, Campbell, California by Chair Krey and the following proceedings were had, to wit:

ROLL CALL

Commissioners Present:	Chair:	Michael Krey
	Commissioner:	Adam Buchbinder
	Commissioner:	Nick Colvill
	Commissioner:	Terry Hines
	Commissioner:	Andrew Rivlin
Commissioners Absent:	Vice Chair:	Maggie Ostrowski
	Commissioner:	Stuart Ching
Staff Present:	Community Development Director:	Paul Kermoyan
	Senior Planner:	Daniel Fama
	City Attorney:	William Seligmann
	Recording Secretary:	Corinne Shinn

APPROVAL OF MINUTES

Motion: **Upon motion by Commissioner Buchbinder, seconded by Commissioner Hines, the Planning Commission minutes of the meeting of January 28, 2020, were approved as submitted with a typo correction to page 8 from "feed" to "feet". (4-0-2-1; Commissioners Ostrowski and Ching were absent and Commission Rivlin abstained).**

COMMUNICATIONS

None

AGENDA MODIFICATIONS OR POSTPONEMENTS

None

ORAL REQUESTS

Mr Buddhadeb Basu, Resident on Redding Road:

- Said he would like to speak to the issue of the ADU Ordinance.
- Reported that he currently has a Code Enforcement Code underway for which City staff has been helping him quite effectively.
- Reported that there was a regional seminar on November 21, 2019, as part of the CalAPA Conference on the intent of the State to create more housing supply during the existing housing crisis.
- Suggested that the members of the Commission take a look at that seminar tape.
- Added that he hopes to see this Commission act as to what the State is intending in terms of ADUs.
- Pointed out that there are lots of existing but illegal ADUs.
- Cautioned that people (property owners) need to feel welcome to come into the City to work to get those unpermitted ADUs legalized.
- Stated that he would also approach the Council.
- Asked that Campbell be proactive in allowing ADUs.
- Thanked the Commission for the opportunity to address them on this issue.

Chair Krey reminded that the City has just adopted its newly updated ADU Ordinance.

Commissioner Buchbinder asked if there is a process to deal with existing illegal ADUs.

Planner Daniel Fama:

- Advised that there is a five-year delayed enforcement provision for those existing ADUs with Building Code violations.
- Said that while those with Building Code violations could be so deferred, that does not apply to Zoning violations.
- Added that if desired, Council could initiate the discussion of expanding the deferment to Zoning violations.

Commissioner Colvill asked staff he is able to address the Oral Request speaker.

Director Paul Kermoyan replied no. He added that the speaker (Mr. Basu) is currently going through a process that will formally bring him to the Planning Commission at a future date.

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PUBLIC HEARINGS

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

1. **PLN2019-238** Public Hearing to consider the application of Robson Homes for a Major Modification (PLN2019-238) to a previously-approved Planned Development Permit (PLN2018-178) to allow three accessory dwelling units (ADUs) within an approved six-lot single-family residential planned development, for properties located at **100-300 Haymarket Court** (formally 880 and 910 Harriet Avenue). Staff is recommending that this item be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Daniel Fama, Senior Planner*

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

Chair Krey asked if there were questions for staff.

Chair Krey asked what the difference is between allowing an extended FAR for an existing ADU versus an extended FAR for the construction of a new ADU.

Director Paul Kermoyan replied that there is latitude with Planned Development zoning such as in this request under consideration this evening.

Commissioner Hines said that SARC had similar question and learned that these developers could build their project without the desired ADUs and then simply build them after one year with a building permit.

Chair Krey said that seems to be a quirk in our rules.

Director Paul Kermoyan:
- Explained that, per a Planning standpoint, it is best if this project unfolds as the developer wants rather than these ADUs be done later and piecemeal.
- Added that it will be a better development for the community and this neighborhood.

Commissioner Colvill asked how often an ADU is build on top of a garage.

Planner Daniel Fama replied that these are the first ones.

Commissioner Colvill stated that this proposal is fantastic and will help set the tone. He is in support as long as what is proposed adheres to Code standards.

Commissioner Hines provided the Site and Architectural Review Committee report as follows:
- SARC was supportive of the design and proposed architecture of these added ADUs.
- Added that they found this to be consistent with the overall design of the original project.

- Stated that SARC questioned why including ADUs was not done before and learned that the new ADU Ordinance that would allow this had not yet been adopted.
- Advised that the project also received STACC (San Tomas Area Community Coalition) support including via a letter distributed this evening.
- Concluded that the proposed ADUs fit within the standards and it is best to build them up at the same time as the main residential structure(s) rather than later on.

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

Richard Yee, Project Representative, Robson Homes:
- Stated that they are very excited to be here.
- Admitted that they always had the vision for including ADUs as part of their project.
- Said he is available for any questions and hopes for approval.

Commissioner Buchbinder asked why just three ADUs rather than one for all six residences under construction.

Richard Yee replied that having one for the remaining three homes would compromise the rear yards as far as usable outdoor space while it was a natural fit atop the three units with detached garages.

Commissioner Colvill:
- Stated that this inclusion is great. Just phenomenal.
- Added that developers are responsible for so much of the development of our City.
- Stated that this developer is doing everything right and he applauds them for what they are doing.

Chair Krey pointed out that the value of the property goes up with the addition of an ADU on these three homes. He asked what the difference in sales price might be between one without an ADU and one with an ADU.

Richard Yee:
- Stated that he doesn't have that information at this time.
- Agreed that the lots with an ADU would have an impact in value.
- Admitted that his concentration is on project design rather than sales price.
- Concluded that allowing these ADUs will help the City to provide a more diverse housing product as intended by State law.

Chair Krey thanked Mr. Richard Yee.

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

Commissioner Buchbinder:
- Said that he likes the proposed design.
- Added that the developer has gone out of their way to fit these ADUs within the design of the main homes.
- Reminded that STACC is supportive of this request

- Pointed out that it is what we had in mind with the ADU Ordinance.
- Concluded that this change will increase this project from the original six to nine units of housing.

Commissioner Hines:
- Stated his agreement with the comments of Commissioner Buchbinder.
- Reported that Robson Homes worked diligently with the City and community to process an ADU design that meets the requirements of the City and the State.

Commissioner Colvill:
- Said the he loves this proposal.
- Declared that it would set the bar and tone moving forward for other developers.
- Agreed with previous statements that there is a great demand for housing.
- Reiterated that this is a great project for Campbell.

Commissioner Rivlin stated his support as proposed.

Chair Krey:
- Said he too supports this request.
- Admitted his concern about the second story with no enhanced (off-set) setback.
- Concluded that this proposal is a good fit here.
- Stated his loves the input received.

Motion: **Upon motion of Commissioner Hines, seconded by Commissioner Rivlin, the Planning Commission adopted Resolution No. 4560 recommending that the City Council approve a Major Modification (PLN2019-238) to a previously-approved Planned Development Permit (PLN2018-178) to allow three accessory dwelling units (ADUs) within an approved six-lot single-family residential planned development, for properties located at 100-300 Haymarket Court (formally 880 and 910 Harriet Avenue), by the following roll call vote:**
AYES: Buchbinder, Ching, Colvill, Hines, Krey and Rivlin
NOES: None
ABSENT: Ostrowski
ABSTAIN: None

Chair Krey advised that this item would be considered by the City Council for final action at its meeting on March 3, 2020.

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

NEW BUSINESS

2. Discussion about Planning Commission and City Council decision making.

Chair Krey said that this item is a follow up to the discussion held at the end of the last meeting during the Director's Report.

Director Paul Kermoyan:

- Stated that this item was agendized to provide the Planning Commission with an opportunity to speak in open session about concerns members may have.
- Explained that when evaluating a project to bring forth to the Planning Commission, staff looks at the project against codes and not what public input it receives.
- Added that issues of consideration are whether a site can support a proposed use or development as well as evaluate whether there are any potential impacts.
- Assured that staff has no preference one way or the other. It's not winning votes.
- Said that Council can take other issues into consideration including the weight of public preference.
- Added that hopefully staff is not putting too much pressure on the PC. What staff provides to PC is its recommendations. Staff follows Code and policy direction. Nothing else.
- Suggested that the Commissioners talk amongst themselves.
- Advised that the Commission can reach out to Council suggesting a joint CC/PC Study Session.
- Said that one means of outreach would be for a member to attend a Council meeting and address the Council under Oral Request/Public Comment.
- Stated that there are different avenues for the PC if there is an issue of concern to the Commission.

Commissioner Buchbinder:

- Said that one of his original general concerns was the boundaries of Commissioners to request items of discussion.
- Reminded that he had requested parking information as part of the review of the new brewery tasting room application. It was provided by staff via an intern.
- Questioned what might be considered outside of the Commission's mandate. Is it out of mandate to talk to a member of Council about an issue or topic? What is the extent of what we can discuss here and send on to Council?

Director Paul Kermoyan said that tonight the Commission's agenda description is a discussion about Planning Commission and City Council decision making.

Commissioner Buchbinder asked when we should go to Council versus raising an issue here at a Planning Commission meeting.

Director Paul Kermoyan assured the members of the PC that they are free individually to reach out to members of Council.

Commissioner Buchbinder said it seems more meaningful if the PC comes to a recommendation and brings it forward to Council. Gave input on the General Plan Update as one timely issue.

Director Paul Kermoyan:
- Said he was just trying to appease a simple request when he went ahead and had an intern research additional parking information requested by Commissioner Buchbinder for that Use Permit application. It was a simple request and a relevant assignment for our intern.
- Stated the greater question seems to be how the PC can forward items to Council.
- Suggested continuing tonight with their discussion on what types of items the PC seeks to bring to the attention of Council and in what form.

Commission Buchbinder said one issue he feels is important is the ADU Ordinance and taking on the amnesty option supported by the State and raised under Oral Request this evening.

Director Paul Kermoyan said that all comments made this evening are on the record and included in the meeting minutes. He added that as most Council Members watch the PC meetings, it is likely they have heard the comments of the last meeting.

Commissioner Buchbinder asked again how much discretion a Commissioner/the Commission has to forward items to Council.

Director Paul Kermoyan:
- Clarified that as an individual, each Planning Commissioner has total autonomy to reach out to members of Council.
- Added that if the PC is asking staff to prepare some form of formal document (manifesto) to forward a statement to Council memorializing a PC opinion or request, the PC is more confined.
- Advised that the “charge” of this Planning Commission is development and project review, Ordinance recommendations, and appeals of administrative decisions. That is the primary purpose for the PC.

Commissioner Buchbinder said that the Commission continues to run into issues where the existing General Plan is not in keeping with the current Codes. What are our options?

Director Paul Kermoyan:
- Said that the way to be effective is through meaningful communication.
- Added that it seems that one solution might be for the Planning Commission to recommend that the City Council convene an annual or bi-annual joint session together with the Planning Commission.
- Stated that those joint sessions tend to be broad discussions of issues.

Commissioner Buchbinder said that is a great idea.

Commissioner Hines agreed.

Director Paul Kermoyan:
- Said that if all Commissioners agree, staff can send a note to Council recommending such a meeting(s) be considered.
- Stated that would be the correct approach.

City Attorney William Seligmann added that the Commission should agendize an item on a future PC meeting at which time they can form a motion to pass this recommendation for annual joint PC/CC sessions on to Council.

Commissioner Hines:
- Pointed out that three very significant projects have gone through this Planning Commission on to Council at which time the Council decision was counter to the PC recommendation for all three.
- Reminded that a lot of Commission and staff time was spent reviewing those projects including feedback from the public. It reflects a lot of time spent.
- Added that it seems Council is not in the same mindset as Council.
- Stated that he would like to have (build) on each body's mindset rather that resulting on so many counter decisions.
- Admitted he is not sure that a joint session is the answer.
- Said that rather than a joint session he'd rather understand Council's thought process so the PC can also take that into consideration during its review and forwarding of recommendations.

Director Paul Kermoyan said that in the event that Council is supportive of establishing Joint PC/CC Study Sessions, what is discussed will depend on the quality of the agenda prepared for that joint meeting.

Commissioner Rivlin:
- Reminded that this Commission works on the General Plan and updates to other Codes.
- Added that the Council may or may not have to adhere to the same standards but rather are able to take other information into consideration.
- Said that the PC went with the General Plan rather than with its own personal preferences for what is supportable or not coming before the PC.
- Concluded that the PC serves at the behest of the City Council.

City Attorney William Seligmann added that one member of the PC could meet with up to two members of Council at any given time. To do other wise risks representing "serial" meetings that are against the provisions of the Brown Act.

Commissioner Hines said that as has been the case over his career in high tech to be sync with his bosses, as a Planning Commission he also wants to be aligned with his "Boss" which in this case is the City Council.

Commissioner Rivlin said that there is some frustration on the part of this Commission and desire to get to what is the root of our concerns given all of the items forwarded and overturned were carefully considered by this PC at multiple meetings.

Commissioner Colvill:

- Said that there seems to be a disconnect between the Planning Commission and City Council so having perhaps an annual Joint PC/CC Study Session is a fantastic idea.
- Stated that the PC is doing its best to work together with Council, but it feels like decisions go in a direction they shouldn't.
- Supported the idea of agendizing the concept of joint meetings and make a resolution to move that idea forward to the Council for consideration.
- Said he realizes we have to be more assertive to make motions and resolutions.
- Referenced Chapter 21 and the areas for which the PC has jurisdiction.
- Suggested that they discuss things we don't like on our own and pass it on to Council. Perhaps things that are not on their (Council's) radar.

Chair Krey said that both the possibility of including amnesty period for existing non-conforming ADUs and the issue of parking for the Downtown were both in context with items the PC was looking at.

Director Paul Kermoyan:

- Said that he gets the idea that what the PC is proposing represents new assignments for staff to undertake that have not been assigned or authorized by Council.
- Cautioned that at the present time, Planning is tapped out.
- Stated that he has no problem doing more but he needs more staff to get it done.

Commissioner Hines:

- Stated that the Council is tapped out as well. They have a lot of activities they have to do in relation to their service on Council.
- Added that he is not trying to add more work to staff's load but rather is seeking to understand how the PC is going to be better aligned with the standards of the Council.
- Said he wants the PC to take Council's direction into consideration in its own decision making.
- Pointed out that he is not asking for another Study Session, which would just overload everybody even more than they already are.

Director Paul Kermoyan:

- Suggested that annual Joint Sessions could represent a built-in mechanism to provide a check-in process.
- Added that he thought at least once a year a joint session is important.
- Stated that with that one session, the PC would get their Council's perspective.

Commissioner Buchbinder pointed out that some members of Council watch the PC meetings yet sometimes come up with something that doesn't make sense due to the work put into forwarding the PC recommendation on to Council.

Director Paul Kermoyan said that since the group all feel it is important to have at least one joint study session a year, he suggested one member make a motion and staff will deliver that message on to Council via the City Manager. He agreed that it was likely some if all Councilmembers could be watching this PC meeting right now.

Chair Krey suggested that members of the PC should perhaps watch some of the Council meetings to see how they debate items.

Commissioner Colvill:

- Stated that everyone is overburdened.
- Added that when looking into the Municipal Code, it advises that members of the PC should go to the Community Development Director for guidance and he is effective at providing it.
- Said that it is important for us to go to staff without feeling that we are over-burdening them.

Motion: **Upon motion of Commissioner Colvill, seconded by Commissioner Buchbinder, the Planning Commission took minute action to forward a suggestion on to the City Council that they consider establishing an Annual or Bi-Annual Joint PC/CC Study Session. (5-0-2; Commissioners Ostrowski and Ching were absent).**

Director Paul Kermoyan said staff would put this message together and get it to the City Manager. He added that the reason to meet is to discuss the Planning Commission's role and how we apply Code to review and decision making.

Commissioner Hines said he agrees with Director Kermoyan that the goal is to discuss process.

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REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

Director Paul Kermoyan had no additions to his written report.

ADJOURNMENT

The Planning Commission meeting adjourned at 8:22 p.m. to the next Regular Planning Commission Meeting of **March 10, 2020** as the Regular Planning Commission Meeting of February 25, 2020 is cancelled**.**

SUBMITTED BY: _____
Corinne Shinn, Recording Secretary

APPROVED BY: _____
Michael Krey, Chair

ATTEST: _____
Paul Kermoyan, Secretary

Resolution No. 4560

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING A MAJOR MODIFICATION (PLN2019-328) TO A PREVIOUSLY-APPROVED PLANNED DEVELOPMENT PERMIT (PLN2018-178) TO ALLOW THREE ACCESSORY DWELLING UNITS (ADUS) WITHIN AN APPROVED SIX-LOT SINGLE-FAMILY RESIDENTIAL PLANNED DEVELOPMENT, FOR PROPERTIES LOCATED AT **100, 200, AND 300 HAYMARKET COURT** (FORMALLY 880 AND 910 HARRIET AVE).

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

The Planning Commission finds as follows with regard to the recommended approval of a Major Modification (PLN2019-328):

Environmental Finding

1. The Proposed Project falls within the scope of a previously adopted Mitigated Negative Declaration (MND) as ADUs are considered incidental to a single-family residence under State law.

Evidentiary Findings

1. The Project Site is zoned P-D (Planned Development) on the City of Campbell Zoning Map.

2. The Project Site is designated *Low Density Residential* (Less than 6 units/gr. acre) on the City of Campbell General Plan Land Use diagram.

3. The Project Site is three parcels located on a private street know as Haymarket Court located east of Harriet Avenue.

4. The Project Site is subject to a Planned Development Permit (PLN2018-178) approved by the City Council on December 4, 2018 by Resolution No. 12384.

5. The Proposed Project is an application to modify the previously approved Planned Development Permit (PLN2018-178) to allow 435 square-foot accessory dwelling units (ADUs) atop of the three detached garages located on Lots 4, 5, and 6 within the Project Site.

6. The proposed project constitutes a "Major Modification" to the previously approved Planned Development Permit because it "proposes to add additional square footage or substantially alter the design or specifications approved by the site plan…" as specified Campbell Municipal Code (CMC) Sec. 21.12.030.H.3.b.

7. Although CMC Section 21.23.030.D species that an ADU may exceed the applicable Floor Area Ratio (FAR) to the extent necessary to allow an accessory dwelling unit no larger than 800 square feet, the Community Development Director has determined that this provision may only be exercised in association with existing homes and is therefore inapplicable for the Proposed Project.

8. The Proposed Project would increase the FAR of the affected lots beyond the 0.45 maximum specified by the San Tomas Area Neighborhood Plan (STANP), up to 0.514.

9. Notwithstanding the inapplicability CMC Section 21.23.030.D, the Proposed Project may nonetheless still exceed the maximum FAR specified by the STANP pursuant to CMS Section 21.23.100 which allows developers to seek “less restrictive standards” as means to promote ADU production, which may be approved by the City Council by ordinance.

10. The Proposed Project would be consistent with the General Plan Land Use Goal LUT-3 and Housing Element Policy H-5.3:

Goal LUT-3:	Options in ownership and rental housing in terms of style, size, and density that contribute positively to the surrounding neighborhood
Policy H-5.3:	Secondary Dwelling Units: Provide for the infill of modestly priced rental housing by encouraging secondary units in residential neighborhoods.

11. In review of the Proposed Project, the Planning Commission considered the site circulation, traffic congestion, and traffic safety effects of the project, including the effect of the site development plan on traffic conditions on abutting streets; the layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exit driveways, and walkways; the arrangement and adequacy of off-street parking facilities to prevent traffic congestion; the location, arrangement, and dimensions of truck loading and unloading facilities; the circulation patterns within the boundaries of the development, and; the surfacing and lighting of the off-street parking facilities.

12. The Planning Commission further considered the landscaping design of the proposed project, including the location, height, and material offences, walls, hedges, and screen plantings to ensure harmony with adjacent development or to conceal storage areas, utility installations, and other unsightly aspects of the development; the planting of groundcover or other surfacing to prevent dust and erosion, and the preservation of existing healthy trees.

13. The Planning Commission further considered the proposed project's architectural and site layout, including the general silhouette and mass, including location on the site, elevations, and relation to natural plant coverage, all in relationship to the surrounding neighborhood; the exterior design in relation to adjoining structures in terms of area, bulk, height, openings, and breaks in the facade facing the street; and appropriateness and compatibility of the proposed uses in relation to the adjacent uses and the area as a whole.

14. 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 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;

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

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

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

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

6. This project is Categorically Exempt under Section 15303 (Class 3) of the California Environmental Quality Act (CEQA) Guidelines pertaining to the construction of accessory (appurtenant) structures

THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Council adopt an ordinance (**Exhibit A**) approving a Major Modification (PLN2019-328) to a previously-approved Planned Development Permit (PLN2018-178) to allow three accessory dwelling units (ADUs) within an approved six-lot single-family residential planned development, for properties located at **100, 200, and 300 Haymarket Court** (formally 880 and 910 Harriet Ave).

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

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

APPROVED: _____
Michael Krey, Chair

ATTEST: _____
Paul Kermoyan, Secretar

EXHIBIT A

ORDINANCE NO. ____

BEING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAMPBELL APPROVING A MAJOR MODIFICATION (PLN2019-328) TO A PREVIOUSLY-APPROVED PLANNED DEVELOPMENT PERMIT (PLN2018-178) TO ALLOW THREE ACCESSORY DWELLING UNITS (ADUS) WITHIN AN APPROVED SIX-LOT SINGLE-FAMILY RESIDENTIAL PLANNED DEVELOPMENT, FOR PROPERTIES LOCATED AT **100, 200, AND 300 HAYMARKET COURT** (FORMALLY 880 AND 910 HARRIET AVE).

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

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

Environmental Finding

1. The Proposed Project falls within the scope of a previously adopted Mitigated Negative Declaration (MND) as ADUs are considered incidental to a single-family residence under State law.

Evidentiary Findings

1. The Project Site is zoned P-D (Planned Development) on the City of Campbell Zoning Map.

2. The Project Site is designated *Low Density Residential* (Less than 6 units/gr. acre) on the City of Campbell General Plan Land Use diagram.

3. The Project Site is three parcels located on a private street know as Haymarket Court located east of Harriet Avenue.

4. The Project Site is subject to a Planned Development Permit (PLN2018-178) approved by the City Council on December 4, 2018 by Resolution No. 12384.

5. The Proposed Project is an application to modify the previously approved Planned Development Permit (PLN2018-178) to allow 435 square-foot accessory dwelling units (ADUs) atop of the three detached garages located on Lots 4, 5, and 6 within the Project Site.

6. The proposed project constitutes a "Major Modification" to the previously approved Planned Development Permit because it "proposes to add additional square footage or substantially alter the design or specifications approved by the site plan…" as specified Campbell Municipal Code (CMC) Sec. 21.12.030.H.3.b.

7. Although CMC Section 21.23.030.D species that an ADU may exceed the applicable Floor Area Ratio (FAR) to the extent necessary to allow an accessory dwelling unit no larger than 800 square feet, the Community Development Director has determined that

this provision may only be exercised in association with existing homes and is therefore inapplicable for the Proposed Project.

8. The Proposed Project would increase the FAR of the affected lots beyond the 0.45 maximum specified by the San Tomas Area Neighborhood Plan (STANP), up to 0.514.

9. Notwithstanding the inapplicability CMC Section 21.23.030.D, the Proposed Project may nonetheless still exceed the maximum FAR specified by the STANP pursuant to CMS Section 21.23.100 which allows developers to seek “less restrictive standards” as means to promote ADU production, which may be approved by the City Council by ordinance.

10. The Proposed Project would be consistent with the General Plan Land Use Goal LUT-3 and Housing Element Policy H-5.3:

Goal LUT-3:	Options in ownership and rental housing in terms of style, size, and density that contribute positively to the surrounding neighborhood
Policy H-5.3:	Secondary Dwelling Units: Provide for the infill of modestly priced rental housing by encouraging secondary units in residential neighborhoods.

11. In review of the Proposed Project, the City Council considered the site circulation, traffic congestion, and traffic safety effects of the project, including the effect of the site development plan on traffic conditions on abutting streets; the layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exit driveways, and walkways; the arrangement and adequacy of off-street parking facilities to prevent traffic congestion; the location, arrangement, and dimensions of truck loading and unloading facilities; the circulation patterns within the boundaries of the development, and; the surfacing and lighting of the off-street parking facilities.

12. The City Council further considered the landscaping design of the proposed project, including the location, height, and material offences, walls, hedges, and screen plantings to ensure harmony with adjacent development or to conceal storage areas, utility installations, and other unsightly aspects of the development; the planting of groundcover or other surfacing to prevent dust and erosion, and the preservation of existing healthy trees.

13. The City Council further considered the proposed project's architectural and site layout, including the general silhouette and mass, including location on the site, elevations, and relation to natural plant coverage, all in relationship to the surrounding neighborhood; the exterior design in relation to adjoining structures in terms of area, bulk, height, openings, and breaks in the facade facing the street; and appropriateness and compatibility of the proposed uses in relation to the adjacent uses and the area as a whole.

14. 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 City Council further finds and concludes that:

1. 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;

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

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

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

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

6. This project is Categorically Exempt under Section 15303 (Class 3) of the California Environmental Quality Act (CEQA) Guidelines pertaining to the construction of accessory (appurtenant) structures

SECTION ONE: That this Ordinance be adopted to approve a Major Modification (PLN2019-328) to a previously-approved Planned Development Permit (PLN2018-178) to allow three accessory dwelling units (ADUs) within an approved six-lot single-family residential planned development, for properties located at **100, 200, and 300 Haymarket Court** (formally 880 and 910 Harriet Ave), subject to the attached Conditions of Approval (attached **Exhibit A**).

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

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

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

APPROVED: _____
Susan M. Landry, Mayor

ATTEST: _____
Wendy Wood, City Clerk

EXHIBIT A

CONDITIONS OF APPROVAL
Major Modification (PLN2018-328)

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 Major Modification (PLN2019-328) to a previously-approved Planned Development Permit (PLN2018-178) to allow three accessory dwelling units (ADUs) within an approved six-lot single-family residential planned development, for properties located at **100, 200, and 300 Haymarket Court** (formally 880 and 910 Harriet Ave). The design of garage/ADU structures shall substantially conform to the Revised Project Plans, stamped as received by the Planning Division on January 28, 2020. No other changes to the original Project Plans, stamped as received by the Planning Division on September 26, 2018, and approved by City Council Resolution No. 12384, are authorized.

2. Permit Expiration: The Major Modification approved herein ("Approval") shall be valid for one (1) year from the effective date of City Council approval (expiring April 16, 2021). Within this one-year period, an application for building permit(s) must be submitted. Failure to meet this deadline or expiration of an issued building permit will result in the Approval being rendered void.

3. Previous Conditions of Approval: The conditions of approval contained herein shall be considered additional to those provided by City Council Resolution No. 12384.

ITEM NO. 1

CITY OF CAMPBELL · PLANNING COMMISSION
Staff Report · March 10, 2020

PLN2019-176

Bhattacharya, N.
Basu, B.

Continued Public Hearing to consider the application of Nandini Bhattacharya and Buddhadeb Basu for a Variance (PLN2019-176) to allow a reduced side-yard setback to legalize an unpermitted accessory dwelling unit (ADU) on property located at **309 Redding Road** in the R-1-6 (Single Family Residential) Zoning District.

STAFF RECOMMENDATION

The Planning Commission take the following action:

1. **Adopt a Resolution** (reference **Attachment 1**), denying a Variance (PLN2019-176).

ENVIRONMENTAL DETERMINATION

Staff recommends that the Planning Commission find that this project is Statutorily Exempt under Section 15270(a) of the California Environment Quality Act (CEQA), pertaining to projects which a public agency rejects or disapproves.

PROJECT DATA

Zoning Designation:	R-1-6 (Single-Family Residential)	
General Plan Designation:	Low-Density Residential (less than 6units/gr. acre)	
Net Lot Area:	10,022 square-feet	
Density:	3.7 units/gr. acre	6 units/gr. acre. (Max. Allowed)
Building Height:	11 feet	16 feet (Max. Allowed)
Building Square Footage:		
Primary Home:	1,215 square feet	
ADU :	458 square feet	
Garage:	344 square feet	
Shed:	100 square feet	
	2,117 square feet	
Floor Area Ratio (FAR):	.21 (2,117 sq. ft.)	.45 (4,500 sq. ft.) (Max. Allowed)
Building (Lot) Coverage:	23% (2,327 sq. ft.)	40% (4,000 sq. ft.) (Max. Allowed)
Parking:	2 spaces (covered)	2 spaces (Min. Required)
Setbacks	Existing	Required
Front (south)	90 feet	20 feet
Side (east)	37 feet	4 feet
Side (west)	10 inches	4 feet
Rear (north)	43 feet	4 feet

BACKGROUND

The Planning Commission had previously considered this item at its meeting of December 10, 2020. Due to an even number of commissioners in attendance that evening, votes for denial and approval both failed on a 3-3 tie vote (reference **Attachment 2** – PC Meeting Minutes). To address the deadlock, the Commission continued the hearing to a date when all seven commissioners could confirm attendance.

Unfortunately, a hearing with all seven commissioners could not be scheduled. As such, in the interest of expediency as required by the Permit Streamlining Act, the Variance had to be rescheduled without guaranteed attendance of the entire Commission. If the Commission once again deadlocks, the applicants may file an appeal to allow the Variance request to be considered by the City Council.

Over the past three months, the applicants have also attempted to convince staff that the structure in question was lawfully permitted, thereby negating the need for a Variance. **Attachment 3** includes permit materials submitted by the applicant intended to substantiate the structure's legality. Staff has reviewed these materials and determined they only establish the lawfulness of the primary home and the original detached garage, not the expanded garage/workshop structure.

Additionally, historic aerial imagery clearly demonstrates that the detached garage was half the size at time of annexation into the City. Sometime later, the garage doubled in size meaning that it had been expanded unlawfully since no City permit records exist. This notwithstanding, questions of legality are an administrative function not within the Commission's purview. Moreover, by applying for a Variance, the applicants have effectively conceded that the structure is not legal. Otherwise, a Variance would not be necessary.

DISCUSSION

Project Site: The project site is a single-family residential parcel located on the north side of Redding Road, west of Bascom Avenue (reference **Attachment 4** – Location Map). The R-1-6 zoned property is large at 10,000 square-feet in lot area, but substandard in width at 55 ½ feet (rather than the standard 60-feet) for newly created parcels.

The property is developed with a single-family residence constructed in 1940, which was relocated to the site in 1974. Based on historic aerial imagery, an unpermitted accessory dwelling unit (ADU) was constructed as an addition to the original detached garage sometime between the late 1980's and early 1990's. Photographs of the ADU are provided as **Attachment 5**. The aerial image (2018) below, shows the primary residence located towards the street and the garage/ADU structure behind it:

History: The City received a citizen complaint regarding the unpermitted ADU in July of 2018. As part of the Code Enforcement process, the applicants were directed to submit a building permit application to legalize the ADU. This direction was provided under the assumption that the ADU was constructed from the original garage. Under that circumstance, State law allows a "garage conversion" without compliance with setback requirements. This allowance is predicated on the original garage structure being lawfully constructed prior to the conversion to an ADU.

However, during the review of the building permit application it became apparent that the ADU was constructed largely as an addition connected to the rear of the garage rather than as a conversion of the garage itself. As such, legalization of the ADU would require conformance to applicable setback requirements. Since the garage/ADU is located less than one foot from the side property line, to satisfy the setback requirements—4-feet under the new ADU ordinance and as specified by State law—would require significant demolition of the structure. As a result, the applicants' only other recourse was to apply for a Variance to request the Planning Commission grant a reduction to the setback requirement.

Application Request: The Variance request would allow legalization of the existing ADU with the existing substandard setback. The size and configuration of the ADU (458 SF, 1-bd/1-bth) would remain unchanged (reference **Attachment 6 –** Project Plans). The applicants' Project Description (reference **Attachment 7**) describes the circumstances that led them to purchase the property in 2015 and why they are requesting a Variance.

Variance Findings: In considering the Variance request, the Campbell Municipal Code (Sec. 21.48.040) requires that the Planning Commission make five specific findings in order to grant approval. These findings are intended to ensure that granting of a Variance is limited to those situations where the unique physical characteristics of a site make it difficult to develop under standard regulations. Through numerous public appearances at City meetings, the applicants' demonstration that they are somehow victims to the process are not grounds to justify support of a Variance. State law establishes the findings which the City must follow and those pertain to unique topographical features which render the ability to construct a code-conforming structure impossible. A Variance should only be granted to bring the disadvantaged property up to a level of use shared by nearby properties in the same zoning district.

The applicants have provided a revised Variance Justification Statement to address the findings (reference **Attachment 8**). The original Variance Justification Statement that had been addressed in the previous staff report, is included as **Attachment 9**.

The applicants' statements and staff's responses for each findings are provided below.

1. *The strict or literal interpretations and enforcement of the specified regulation(s) would result in a practical difficulty or unnecessary physical hardship inconsistent with the objectives of this Zoning Code;*

   Applicant Statement: **(1)** Moving the whole unit is not structurally feasible without demolishing it completely. Following the setback will reduce the area of the already small unit and the new bedroom will be unsafe and rather dangerous for our parents who are old and need access areas similar to handicapped people.

(2) My father is a cancer patient who has undergone colostomy and such small bedroom is not a feasible space for him. As a reference, a typical patient room size is 120 to 140 square feet, allowing a 4-foot clearance on each side of a bed.

(3) The kitchen is along the wall which is in question and addressing this setback will deprive us of having a proper ADU because if the kitchen has to be moved and building such an unit will cost us $150,000.00 in today's market and the expense will not be financially viable for us. Adding the wall will cost around $50000.00 which includes bringing the unit to a similar situation.

Staff Response: Although application of any code or standard may result in some degree of difficulty, codes and standards exists to further the purpose of the Zoning Code, to "protect the public health, safety, and general welfare while preserving and enhancing the aesthetic quality of the city" (CMC Sec. 21.01.030). The applicants' list of personal hardships are an expected outcome of purchasing a property with an unpermitted dwelling unit. Moreover, allowing a Variance to legalize a structure that was both illegally constructed and illegally converted does nothing to further the public health, safety, and general welfare nor to enhance the aesthetic quality of the city.

2. *The strict or literal interpretations and enforcement of the specified regulation(s) would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district*

Applicant Statement: **(1)** The city allows us to have an in-laws unit based on our land and zoning. However the narrow lot with 55 feet width limits our option of having an ADU situated optimally where we can follow zoning guidelines and still enjoy the lot with what it has to offer. **(2)** The unit was build 30 years back when zoning requirements were quite different. It impractical to map a structure to the present zoning rules, which was build decades before.

Staff Response: With a lot area of 10,000 square-feet, the subject property is more than adequately sized to accommodate an ADU irrespective of the substandard lot width. With regard to impracticality of modifying a decades-old structure, had the structure been lawfully constructed, the law provides for an expeditious means of converting it to a living unit. As such, the applicants are not being deprived of a privilege afforded to other similarly situated property owners.

3. *There are exceptional or extraordinary circumstances or conditions applicable to the subject property (i.e., size, shape, topography) which do not apply generally to other properties classified in the same zoning district;*

Applicant Statement: **(1)** The land was split in the 1950's and the 10,080 square foot lot width was assigned as 55 feet, so its not a standard lot within the zoning and more of a narrow strip. **(2)** A standard 10,000 sq feet lot falls under R-1-10 zoning with a lot width = 80 feet; we are 25 feet short.

Staff Response: Although the property may be 10,000 square-feet in area, it is nonetheless zoned R-1-6, which requires only a 6,000 square-foot lot size and 60-foot lot width. Any comparison to the R-1-10 Zoning District, therefore, is irrelevant. Moreover,

although the subject property is 5-feet narrower than the standard 60-foot width required by the R-1-6 Zoning District, at 10,000 square-feet, it is also 66% larger than the typical lot size of 6,000 square-feet. The additional square-footage provides a greater amount of buildable area on the lot in order to accommodate an ADU that would comply with setbacks.

4. *The granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district; and*

   Applicant Statement: **(1)** The ADU adheres to all the new and old city rules except the setback. There are very few lots with such a constrained aspect ratio under the same zoning district. The 309 Redding lot is un-natural and with limited scope and this variance cannot be deemed as a special privilege.

   (2) In the city of Campbell, there are only 15 lots (greater than 10000 sq feet and Width less than 55 feet). These are on the following streets: WALTER (3 lots); CROCKETT (6 lots); STEINWAY (5 lots); [and] SONUCA (1 lot)

   (3) Even if we build in 2X error margin in the above, its 30 lots. Campbell has 18095 houses and it comes to 0.165% of the whole Campbell lots.

   (4) The percentage comes to 1.78% when we take into account all lots greater than 10,000 sq feet in Campbell city (1679 lots).

   (5) The 10000 sq feet lot has a standard width of 80 feet (Campbell municipal code-table 2-2, R-1 zoning district). The above numbers speaks for themselves and tell us that our lot is not the same when compared to lots with similar square footage (along with existing dwellings) & pose real architectural challenge.

   Staff Response: The "special privilege" of this application is the ability to legalize an unpermitted ADU with a substandard setback. Notwithstanding the applicants' statistics (which cannot be verified), should such a Variance be granted, numerous other individuals could claim disparate treatment by being forced to comply with the applicable setback requirement. Additionally, a moral hazard is created by treating those who ask for forgiveness rather than permission with preferential treatment. Overtime this would simply encourage individuals to seek permits after the fact.

5. *The granting of the Variance will not be detrimental to the public health, safety, or welfare, or be materially injurious to properties or improvements in the vicinity.*

   Applicant Statement: It has gone through and passed safety and inspection from -

   - Sewer department
   - Fire department
   - Building department
   - Code enforcement officer dropped by and reviewed the unit and was satisfied.
   - Without the variance the bedroom will be unsafe with restricted access points

Staff Response: Staff concurs with the applicants' statement, except for the last bullet point. Legalization of the ADU through issuance of a building permit and associated inspections would not result in a safety concern. Should a Variance not be approved and the applicants are compelled to modify the structure, a permit would not be issued unless it was in compliance with the Building Code.

Public Comment: Several letters regarding this application were provided and are included as **Attachment 10**.

Site and Architectural Review Committee: ADUs are not subject to architectural review by the City. As such, the Site and Architectural Review Committee did not review this application.

Attachments:
1. Draft Resolution
2. PC Meeting Minute (12/10/2019)
3. Applicant Permit Materials
4. Location Map
5. Site Photographs
6. Project Plans
7. Project Description
8. Variance Findings Statement (Revised)
9. Variance Findings Statement (Original)
10. Public Comment

Prepared by: _____

Daniel Fama, Senior Planner

Approved by: _____

Paul Kermoyan, Community Development Director

RESOLUTION NO. 455_

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL DENYING A VARIANCE (PLN2019-176) TO ALLOW A REDUCED SIDE-YARD SETBACK TO LEGALIZE AN UNPERMITTED ACCESSORY DWELLING UNIT (ADU) ON PROPERTY LOCATED AT **309 REDDING ROAD** IN THE R-1-6 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT.
FILE NO.: PLN2019-176.

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

The Planning Commission finds as follows with regard to file numbers PLN2019-144/196:

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

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

3. The Project Site is located on Redding Road, west of Bascom Avenue, outside of the boundaries of any neighborhood or area plan.

4. The Proposed Project is an application for a Variance (PLN2019-176) to allow a reduced side-yard setback to legalize an unpermitted accessory dwelling unit (ADU).

5. The Proposed Project would result in a building coverage of 23% and Floor Area Ratio (FAR) of 0.21.

6. Government Code 65852.2(e)(1)(A)(i) is intended to allow conversion of existing accessory structures without expansion.

7. Campbell Municipal Code Section 21.23.030.E (Setbacks), Table 3-1(b), specifically prohibits the expansion of a converted structure consistent with the intent of State law.

8. The Project Site is over 10,000 square-feet, which provides ample lot area to construct an ADU that conforms with the applicable setback requirements.

9. The Project Site is not encumbered by any unusual limitations that preclude reasonable use of the property, including construction of an ADU.

10. The financial consequences of resolving a code enforcement case is not a consideration for a Variance.

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

Variance Findings (CMC Sec. 21.48.040):

1. The strict or literal interpretations and enforcement of the specified regulation(s) would *not* result in a practical difficulty or unnecessary physical hardship inconsistent with the objectives of this Zoning Code;

2. The strict or literal interpretations and enforcement of the specified regulation(s) would *not* deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district

3. There are *not* exceptional or extraordinary circumstances or conditions applicable to the subject property (i.e., size, shape, topography) which do not apply generally to other properties classified in the same zoning district;

4. The granting of the Variance *will* constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district; and

Environmental Findings (CMC Sec. 21.38.050):

5. The project is Statutorily Exempt under Section 15270(a) of the California Environment Quality Act (CEQA), pertaining to projects which a public agency rejects or disapproves.

THEREFORE, BE IT RESOLVED that the Planning Commission denies a Variance (PLN2019-176) to allow a reduced side-yard setback to legalize an unpermitted accessory dwelling unit (ADU) on property located at **309 Redding Road**.

PASSED AND ADOPTED this 10th day of March, 2019, by the following roll call vote:

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

APPROVED: _____
Michael Krey, Chair

ATTEST: _____
Paul Kermoyan, Secretary

CITY OF CAMPBELL PLANNING COMMISSION

MINUTES

7:30 P.M. TUESDAY

DECEMBER 10, 2019
CITY HALL COUNCIL CHAMBERS

The Planning Commission meeting of December 10, 2019 was called to order at 7:30 p.m., in the Council Chambers, 70 North First Street, Campbell, California by Chair Rivlin and the following proceedings were had, to wit:

ROLL CALL

Commissioners Present:	Chair:	Andrew Rivlin
	Vice Chair:	Mike Krey
	Commissioner:	Adam Buchbinder
	Commissioner:	Nick Colvill
	Commissioner:	Terry Hines
	Commissioner:	Maggie Ostrowski
Commissioners Absent:	Commissioner:	Stuart Ching
Staff Present:	Community Development Director:	Paul Kermoyan
	Senior Planner:	Daniel Fama
	Senior Planner:	Cindy McCormick
	Assistant Planner:	Naz Pouya Healy
	City Attorney:	William Seligmann
	Recording Secretary:	Corinne Shinn

APPROVAL OF MINUTES

Motion: **Upon motion by Commissioner Krey, seconded by Commissioner Colvill, the Planning Commission minutes of the meeting of November 26, 2019, were approved as submitted. (5-0-1-1; Commissioner Ching was absent and Commissioner Ostrowski abstained she was absent from this meeting).**

COMMUNICATIONS

Director Paul Kermoyan listed the following item(s):

- Desk items – A staff memo together with copies of written correspondence received after the packet was distributed for Agenda Item 4 – 1700 Dell Avenue. This material was also forwarded by email to the members of the Commission as they were received by staff.

AGENDA MODIFICATIONS OR POSTPONEMENTS

None

ORAL REQUESTS

Ms. Joanne Carroll, Resident on Walnut Drive, Campbell:

- Reported that her residential property is boarded by five other parcels including one behind that is 1374 Stevens Court (distributed a written letter with picture of the area that includes her home and those surrounding it).
- Advised that she has problems with the house that is currently under construction on the adjacent parcel of 1374 Stevens Court that includes three huge windows facing her yard and home.
- Stated that she received no public noticing about this proposed house being reviewed by the City and should have as an adjacent property owner.
- Concluded that more noticing should be provided to neighbors in the future.

Director Paul Kermoyan said staff would review the noticing that occurred for this property at 1374 Stevens Court and get back to Ms. Carroll.

Chair Rivlin thanked Ms. Carroll for her input.

***

PUBLIC HEARINGS

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

1.	**PLN2019-24 (Appeal of TRP)**	Public Hearing to consider the Appeal by Elise Sias of the Administrative denial of a Tree Removal Permit (PLN2019-24) on property located at **31 Hardy 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: *Naz Pouya Healy, Assistant Planner*

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

Chair Rivlin asked if there were any disclosures from the Commission. There were none.

Chair Rivlin asked if there were questions for staff.

Commissioner Buchbinder said that the appellant/applicant did more research and discovered more damage on their property.

Planner Naz Healy:
- Said that staff initially felt that the desired home addition could be reconfigured around the tree.
- Reminded that the Planning Commission requested the applicant/appellant pay for a third-party arborist report about the tree.
- Added that as a result, the provision of additional information about the tree made staff comfortable supporting the removal of this tree.

Chair Rivlin sought clarification that only one of the available findings must be met.

Planner Naz Healy replied correct.

Chair Rivlin asked staff whether any of the other available findings could be found to be applicable in this request.

Planner Naz Healy replied no but reiterated that the third-party arborist report supported the removal of this tree.

Commissioner Colvill:
- Referenced Attach 3-6 and pointed out that the applicant/appellants intent was just to remove the tree.
- Added that it was down the line before these owners got to a point to propose their addition.
- Questioned how the Commission and City could e sure that these owners actually build an addition.
- Asked, "What if they don't"?"
- Suggested continuing consideration of this request.

Planner Naz Healy said that the economic hardship finding was initially found not to be applicable. However, the third-party arborist says damage is likely to occur.

Commissioner Colvill clarified that the third-party arborist report moved the consideration of this tree removal from not being necessary to address to supporting its removal. He sought ways to ensure that the proposed addition to this home is actually done.

Planner Naz Pouya said that the arborist report supports the structure damage finding.

Commissioner Colvill said confirmed with staff that there would be no further discussion of the home addition or further action on the Commission's part.

Planner Naz Healy replied correct. The appellants can choose to build their addition or not.

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

Ms. Elise Sias, Appellant/Property Owner:
- Reported that their addition plans have already been submitted to Building.
- Added that they are now just waiting for this decision on their requested Tree Removal Permit.
- Assured that they would construct their home.

Commissioner Colvill thanked Ms. Sias for that clarification.

Chair Rivlin asked Ms. Sias if she is still living in her home and if it was safe.

Ms. Elise Sias replied yes.

Chair Rivlin asked if the pluming was still an issue.

Ms. Elise Sias replied yes, monthly.

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

Commissioner Buchbinder said it sounds like originally there was not a good reason to support this tree removal. Now it appears that there is no reason not to support it.

Commissioner Ostrowski:
- Thanked Ms. Sias for providing the additional information requested by the Commission at the last meeting on this request.
- Added that additional information was needed to support the removal of this tree.
- Concluded that she is in support of this request at this time.

Commissioner Hines:
- Stated he feels the same.
- Pointed out that this tree is in the middle of their back door and should be gone so these owners can use their property as they want.

Commissioner Colvill said he too supports the removal of this tree. He asked if there would be any further discussion on the issue of the plumbing relocation.

Commissioner Krey said he's glad that the third-party arborist report was provided. He asked what is intended in regards of the plumbing.

Chair Rivlin:
- Said that whatever the decision is on the possible relocation of pluming it would be the applicant's decision to make not the Planning Commission's.

- Admitted that he is disappointed that this tree has to go. That loss is upsetting. This is an iconic tree to the City.
- Asked for a motion.

Motion: **Upon motion of Commissioner Krey, seconded by Commissioner Hines, the Planning Commission adopted Resolution No. 4552 APPROVING the appeal and OVERTURNING the Administrative Denial of a Tree Removal Permit (PLN2019-24) to allow the removal of one Redwood tree located in the rear yard of property located at 31 Hardy Avenue, by the following roll call vote:**

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

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

***

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

2. ***PLN2019-176 (V)*** Public Hearing to consider the application of Nandini Bhattacharya and Buddhadeb Basu for a Variance (PLN2019-176) to allow a reduced side-yard setback to legalize an unpermitted accessory dwelling unit (ADU) on property located at **309 Redding Road**. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: Daniel Fama, Senior Planner

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

Chair Rivlin asked if there were questions for staff.

Commissioner Krey:
- Said it seems the ADU was constructed in the 80's to 90's.
- Pointed out that these current (new) owners purchased this property in 2013.
- Stated that he can see their frustration.
- Asked if there's not some form of "Statute of Limitations?"

City Attorney William Seligmann said that within the area of land use, the statute of limitations renews daily. There is no statute of limitations.

Commissioner Ostrowski asked if this ADU that is located behind the garage also means that the garage setback is also reduced.

Planner Daniel Fama:
- Advised that if the garage was originally legal when constructed than converting that garage into an ADU would be easy.
- Advised that the expansion (ADU portion) of the garage has been illegal/unpermitted from the time it was built.
- Concluded that there is no way to legalize it.

Chair Rivlin asked if any part of the garage is in use.

Planner Daniel Fama replied yes.

Commissioner Buchbinder asked whether these owners would be required to tear down their ADU if this Variance is denied.

Planner Daniel Fama said that approximately four feet of the structure would have to be removed/reduced to create the required setback distance.

Commissioner Buchbinder asked if such a reduction to an existing structure is even possible.

Planner Daniel Fama said structurally the answer is yes but financially possibly not.

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

Ms. Nandini Bhattacharya, Appellant and Property Owner:
- Introduced her husband, Mr. Buddhadeb Basu, who is with her this evening as are their young twins.
- Advised that this ADU is the space her parents stay in whenever they come to visit from India. This is where their children play and where we pray.
- Stated that the existing garage will stay. The structure has received approval from Fire, Sanitation and Building. It is currently stuck in Planning, which is why they are her requesting a Variance to allow a reduced left side setback by just 1 ½ feet.

Mr. Buddhadeb Basu, Appellant and Property Owner:
- Recounted that at the time of decision as to whether or not to buy this home, they are desperate. They had made 40 other offers without success.
- Advised that his wife really wanted to live in Campbell. Their first apartment after they married was in Campbell. They want to raise their kids in Campbell.
- Added that they appreciate having a larger backyard.
- Admitted that the MLS listing for this home disclosed/advised of this illegal unit.
- Reported that the kitchen wall would have to be removed and then relocated inward within the ADU.
- Reported that they have spent a "pot of money" into this house. This house/ADU is well built and architecturally matched to the main house.
- Said that they use it for visitors and/or during festivals and parties.

- Explained that they did a permit search and found that this home was built in the 1940's. The land was split into two lots.
- Stated that this is our home and it would be a real hardship to reduce this ADU by 1 ½ feet.

Commissioner Colvill:
- Reiterated that this house was built in the 1940's.
- Added that the lot was split in the 1970's.
- Asked whether the garage was considered legal at the time of the lot split.

Planner Daniel Fama:
- Replied that it depends on whether it was constructed under County jurisdiction rather than as a part of Campbell.
- Added that this property came into Campbell in the 1980's.
- Stated that when lots are divided, they cannot result in non-conformance with existing standards.
- Said that any non-conformance must be addressed prior to subdivision.
- Stated that if not related to subdivision area, it could remain legal non-conforming.

Commissioner Colvill:
- Stated that he has respect and support for Mr. Buddhadeb Basu as he battles with cancer.
- Advised that the Commission looks at things carefully and enforces Code. We are a tool to ensure structures are conforming.
- Added that this structure does not conform.
- Stated that this is an objective matter. This large unit that is non-conforming.
- Pointed out that the owners could make a lot of money renting this unit out, but it would not be right to do so (rent a non-conforming structure).
- Admitted that it is hard to deal with the economic hardship claim to justify allowing that non-conforming structure to stay.

Commissioner Buchbinder questioned the setback non-conformance. The appellants say it is 1 ½ feet while staff says it is 10 inches.

Planner Daniel Fama clarified that the plans show an existing 10-inch setback as measured by the architect. They must comply was the minimum four-foot setback standard.

Commissioner Buchbinder sought clarification that no one was living in that unit.

Mr. Buddhadeb Basu said that when their parents visit, they stay there.

Commissioner Buchbinder asked Mr. Buddhadeb Basu what happens if their appeal fails.

Mr. Buddhadeb Basu said that their next step would be to see what they can do.

Ms. Nandini Bhattacharya:

- Declared that they hadn't thought of that (what they would do if their appeal was denied).
- Added that this ADU is nothing less than perfect. Nothing about it is unsafe.
- Reminded that if all other conditions are met, it's only just one side of wall that is not within legal setback.
- Admitted that she doesn't know what will happen.

Mr. Buddhadeb Basu said that the garage is just 24-feet from the unit.

Chair Rivlin:
- Said that's what Code requires.
- Stated that while he understands the appellants' situation, this is a clear-cut process within Code.

Commissioner Buchbinder asked what was on the other side of the ADU.

Mr. Buddhadeb Basu replied there is a structure, a shed there.

Commissioner Buchbinder asked Mr. Buddhadeb Basu if it might be possible for them to purchase a portion of the neighbor's property on that side to achieve the required setback.

Mr. Buddhadeb Basu replied that he was not sure if that would be possible. He hasn't spoken to that neighbor and that neighbor would have to move the shed if that were to occur.

Commissioner Buchbinder asked staff if that option might solve this setback problem.

Planner Daniel Fama said that lot adjustment would require the neighboring lot to be wide enough to be narrowed while staying within conforming lot size.

Commissioner Ostrowski asked about the shed that's within the neighbor's setback.

Planner Daniel Fama said that neighbor's shed seems to be on the property line, and he doesn't know if it's legal as placed. Under Campbell standards a five-foot setback is required for a shed.

Commissioner Colvill asked if a correction would still be required if this structure were just a garage without an ADU behind.

Planner Daniel Fama said it could be extended, if it were just a garage, at the existing 10-inch setback. One option is the conversion of the ADU back into garage/storage space.

Commissioner Colvill clarified that if these owners remove the livable unit and return/convert that space back into a part of the garage the space could stay as part of that garage.

Commissioner Ostrowski added there is a provision to extend a non-conforming garage along the same setback.

Planner Daniel Fama said that is correct. This is not an extension of the original garage but rather is an extension of an ADU.

Commissioner Ostrowski clarified with staff that the difference between a "living" unit versus a workshop is a toilet.

Planner Daniel Fama said it was inclusion of heating/cooling, kitchen and bathroom. A workshop cannot have a shower.

Director Paul Kermoyan added that the ADU Ordinance deliberately set the setback requirement at four feet. That was a conscientious effort to establish that standard.

Commissioner Buchbinder reminded that the City wanted a larger setback than four-feet.

Planner Daniel Fama said that's correct, but four-feet is what is required per State law. He added that the appellants could remove the kitchen and maintain the space for storage.

Commissioner Krey asked Mr. Buddhadeb Basu if it is true that it would cost about $150,000 to reduce this ADU to achieve the required setback distance.

Mr. Buddhadeb Basu replied yes. There are many things to move including gas line and plumbing.

Commissioner Krey asked Mr. Buddhadeb Basu if removing the kitchen is possible as they see it.

Ms. Nandini Bhattacharya asked whether once the unit is converted back into a garage it could then be converted from garage into ADU.

Planner Daniel Fama replied that the provisions of the ADU Ordinance are backdated so as not to allow that to occur.

Commissioner Buchbinder asked staff if this unit is considered to be between 20 and 30 years old.

Planner Daniel Fama said in looking at old aerials it seems to have been there for quite some time.

Commissioner Ostrowski said the interior looks recently done.

Ms. Nandini Bhattacharya said it was updated just prior to her purchase of the property.

Chair Rivlin asked if the appellants had spoken with the contractor that did the work.

Ms. Nandini Bhattacharya replied yes. She said she asked what was there before, but they were not willing to offer any information.

Ms. Ellen Dorsa, Resident on Walnut Drive:
- Declared that this ADU was there when they bought the property.
- Asked why the City didn't un-permit it.
- Stated that these owners are not the ones who did this.
- Concluded, "Let them have it."

Ms. Maggie Desmond, Campbell Resident:
- Said that she doesn't know these owners.
- Stated, "We need to find a loophole! This is their home!"

Mr. Raja Pallela, Resident on W. Hacienda:
- Stated that State law says there can be no minimum setback standard for an ADU.
- Reminded that this structure has existed for 25 or more years.
- Added that it could have started out as a workshop and more recently converted.

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

Commissioner Colvill:
- Said that this is a tricky situation but still is quite clear.
- Advised that he agrees with staff that we cannot allow something when it impacts on neighbors.
- Pointed out that it appears the neighbor has a non-conforming shed.
- Stated that we have a complaint about this ADU but not the shed.
- Reminded that the appellants bought this property well aware that this could happen.
- Admitted that he is surprised that Ms. Nandini Bhattacharya hadn't contemplated what they might do if they need to remove the ADU from the setback area.
- Reiterated that this ADU must comply with Code and he sides with staff on that.

Commissioner Hines:
- Said that he too is torn about this.
- Added that he doesn't like to see too many exceptions to the Code that the Commission is obliged to follow.
- Asked the appellants to work with staff to meet codes and still have a livable living space.

Commissioner Ostrowski:
- Said that there are nuisances to Code.
- Agreed that what is in place does not meet current Code.
- Pointed out that there seems to be a "grey area" as this garage was built in the 40's with a 10-inch setback. Per current Code they would be allowed to extend that original garage and be following Code as a non-compliant structure.
- Stated that garage seems to have been extended in the 80's but possibly as a shop and not originally as an ADU.

- Added that later (approximately 10 years ago or so) converted the space into an ADU. The current owners purchased the property in 2015.
- Stated that converting a "shop" into an ADU is allowed per the new ADU Ordinance so this may well be conforming.
- Reminded that part of the Commission's evaluation of a project includes environmental impacts, land use and even housing shortages.
- Added that the proposed removal of three feet of an existing wall of this ADU is not very environmentally friendly path of conforming this structure. That should be considered.

Commissioner Hines:
- Stated that Code would allow it had it been a garage or workshop that had been added to in steps in a progression over time.
- Said that State laws and City codes have also been added on under that progression.

Commissioner Colvill questioned how anyone can factually say that this living unit was created in steps from a workshop.

Commissioner Ostrowski asked staff to respond.

Commissioner Colvill also asked staff to respond.

Planner Daniel Fama:
- Reported that a permit for this ADU is currently under review in Building but is delayed.
- Said that City staff had encouraged these owners to continue their efforts to find any County building permits that could establish the legality of this structure as it stands.
- Advised that those permits were not found.

Director Paul Kermoyan:
- Said that he understands that this is the home for a young family.
- Admitted that the conversation amongst the Commission is somewhat confusing to staff given that together we all went through a lot of work in creating these ADU standards and are now being told they are wrong.
- Stated that together we deliberately set these standards and settled on a minimum of a four-foot setback which is the maximum-minimum setback per State mandate.
- Reminded that we could have set a zero-minimum setback. Again, these comments this evening are confusing.
- Informed that it is via State Law that mandatory findings must be met to allow for a Variance.
- Agreed that this is an unusual situation but there are ways that these owners can meet setbacks while keeping their ADU.
- Reiterated that they purchased their home with full knowledge of the unpermitted living unit that was disclosed.
- Advised that the City does not conduct property inspections at time of real estate sale of a home from one owner to a new owner.

Commissioner Ostrowski:
- Said that the new ADU Ordinance was well done. We all did a nice job.
- Added that this new ADU Ordinance is going to be a big benefit to property owners as well as to potential renters of ADUs as more are constructed.
- Stated that this particular situation goes so far back in time.

Commissioner Hines said that the Commission is not questioning the validity of the ADU Ordinance on future structures but perhaps the case can be made on existing structures.

Commissioner Colvill:
- Said that the owners' efforts to find permits have reached a dead end.
- Reminded that these owners had contacted the previous owners and was told by them that this ADU was unpermitted space.
- Pointed out that having an ADU is much more popular today that it used to be.
- Opined that there are way too many crazy units out there.

Commissioner Buchbinder:
- Said that if we don't conform there would be limited potential for 80's era structures being legalized.
- Stated there is a difference when permitting for a new ADU structure versus requiring existing structures to be taken down or physically being reduced in size.
- Reminded that there is a housing crisis in this area.
- Pointed out that this ADU appears to conform in all way except for this one setback.
- Asked if there is the possibility to consider some form of amnesty for existing unpermitted ADUs.

Commissioner Hines:
- Suggested a motion being made.
- Referred to Finding 7 and said he is looking at not requiring the tear down of this one. Rather, he is looking that this structure not be counted as converted in today's realm but rather as something constructed 30 years ago and unpermitted when constructed.
- Suggested the Commission build its resolution around this being a converted structure.

Planner Daniel Fama advised that staff has drafted a resolution for denial. To approve the retention of this ADU, it would need to be continued to January to allow staff the time to craft a resolution for approval.

Commissioner Krey asked staff how many illegal ADUs there are in Campbell.

Planner Daniel Fama:
- Replied there are high number of illegal living units in Campbell.
- Added that the City finds out about them via Code Enforcement complaints from a member of the community.
- Added that the Code Enforcement Officer, together with a Building Inspector, works with the owner resolve illegal units.

- Advised that with the newly adopted ADU Ordinance, many would of the existing unpermitted ADUs may now be able to be converted legally.

Commissioner Krey:
- Stated that setbacks are very important.
- Agreed that we all spent a lot of time developing our ADU standards.
- Reminded that these owners bought a property with a disclosed unpermitted second unit.
- Cautioned that a situation like this one could come up again.
- Concluded that he is against approving a Variance.

Chair Rivlin:
- Reminded that the findings provided don't support this Variance.
- Said that while he supports this Campbell Resident, their ADU doesn't meet the Code.
- Reiterated that these owners purchased their home with full knowledge of its unpermitted ADU.

Planner Daniel Fama:
- Said that staff worked with the applicants in searching for permit history and suggested the go to the County Assessor's Office to obtain a personal property record that is only released to the property owner.
- Advised that their personal property record indicated a 24-foot deep garage. The added ADU area was not permitted.

Chair Rivlin asked if the structure could remain if it was made part of the garage. If not, what must occur.

Planner Daniel Fama:
- Stated that if the Commission does not allow the ADU to remain via a Variance the property owners could appeal that action to the City Council.
- Added that they could also cut back the portion of the ADU that falls within the required setback.
- Said that they could choose to remove the ADU.
- Concluded that if none of those options are taken, the City would be forced to continue with its Code Enforcement efforts that could include daily fines until the matter is resolved and the code case can be closed.

Commissioner Ostrowski asked if it is possible to get a non-permitted building permitted. She asked the difference between the issue of it being non-permitted and having an inadequate setback.

Chair Rivlin suggested that they keep everything except for removal of the kitchen and bath that makes it a living unit.

Planner Daniel Fama said that there must be opening left between a storage area and the rest of the garage it is a part of. That requirement is intended to discourage use of a part

of the garage as living space. A garage may have limited plumbing of no more than two fixtures to make it hard to illegally convert a garage into and ADU.

Commissioner Buchbinder asked if it is possible to extend the property line.

Planner Daniel Fama replied, no, they were unable to get the information.

Chair Rivlin said that there is enough evidence this ADU is not legal. He suggested a continuance and asked Planner Daniel Fama to outline the alternatives again.

Planner Daniel Fama listed the three options as 1) appeal to Council; 2) convert the ADU back into a workshop/garage storage with permits; or 3) to remove a portion of the building to achieve the required setback.

Director Paul Kermoyan:

- Offered a new suggestion that these owners build a new wall at the required setback distance but within the ADU itself and relocate their ADU's kitchen to that new interior wall. The four-foot area created inside and up to the setback wall could then be connected to the garage and not the ADU and used for storage.

Commissioner Hines proposed approving the Variance request using Finding 7.

Chair Rivlin suggested a continuance to a date uncertain.

Commissioner Colvill said the Commission is here to bring closure and he would make a motion to deny the Variance.

Motion: **Upon motion of Commissioner Colvill, seconded by Commissioner Krey, the Planning Commission recommended denial of a Variance to allow the retention of an unpermitted ADU (Accessory Dwelling Unit) on property located at 309 Redding Road, by the following roll call vote:**

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

This motion failed without a majority.

Director Paul Kermoyan advised that this vote is a denial/non-decision.

City Attorney William Seligmann said that the Commission could continue consideration of this item to a meeting where all seven Commissioners can be present to see if the non-decision tie-vote can be broken.

Commissioner Hines suggested allowing the Variance using Finding 7 exception stating that this is not an expansion but rather a conversion of a structure that done progressively over many years.

Chair Rivlin asked if this is even legal.

City Attorney William Seligmann said there is an issue with the narrowness of the lot, and he is not sure exactly how Commissioner Hines wants to use Finding 7 since this space was never permitted. We can't just go back in time to make it lawful.

Director Paul Kermoyan:

- Clarified that Findings 1 through 10 are evidentiary findings. The Commission must also make the Variance findings that include the finding there is something unusual with the property that limits them from doing what others with similar property can do.
- Cautioned that if that finding is used other people will take advantage of this decision as representing a precedent.
- Added that if that is the case, there is a problem with the Code.

Chair Rivlin stated that all five of the Variance findings must be found true.

City Attorney William Seligmann again suggested a continuance to bring this matter back.

Motion: **Upon motion of Commissioner Hines, seconded by Commissioner Ostrowski, the Planning Commission recommended APPROVAL of a Variance to allow the retention of an unpermitted ADU (Accessory Dwelling Unit) on property located at 309 Redding Road, with the following proposed findings:**

1. The existing ADU unit has to be modified;
2. The ADU is not considered to be a new build but rather one that has been modified over time and was built before the 1980's; and
3. Allowing the retention of this ADU will not represent a special privilege as this is a pre-existing structure built before Codes,

by the following roll call vote:

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

This motion failed without a majority.

Chair Rivlin said this matter has now failed twice.

Director Paul Kermoyan suggested this matter be continued to a meeting date uncertain at which time all seven Commissioners are present and can deliberate until a majority vote is achieved. He said that in the meantime staff would continue to work with the appellants/property owners.

Motion: **Upon motion of Commissioner Ostrowski, seconded by Commissioner Buchbinder, the Planning Commission CONTINUED TO A DATE UNCERTAIN, the consideration of a Variance to allow the retention of an unpermitted ADU (Accessory Dwelling Unit) with a substandard side setback on property located at 309 Redding Road, to allow the participation of the full seven-member Planning Commission in order to reach a majority vote on this item, by the following roll call vote:**

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

Chair Rivlin advised that this item would return to a future Planning Commission meeting where all seven Commissioners are in attendance in order to deliberate further and then propose a motion that can pass with a majority vote.

Chair Rivlin called for a brief break at 9:15 p.m.

Chair Rivlin reconvened the meeting at 9:20 p.m.

***

Chair Rivlin asked if there were any disclosures.

Commissioner Krey said that as he has previously recused for projects on this street since he has a good friend living on the street and has discussed the area with that friend.

Commissioner Krey then left the dais and chamber before Item 3 began.

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

3. **PLN2019-221 (M)** Public Hearing to consider the application of Alison Love for Modification (PLN2019-221) of a previously approved Site and Architectural Review Permit (PLN2018-198) for a new two-story home on property on property located at **1384 Munro Avenue**. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Cindy McCormick, Senior Planner*

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

Director Paul Kermoyan:

- Said that a request such as this one is typically handled at staff level. However, he decided that instead of an Administrative decision, he would bring this to the Commission.

Daniel Fama

From: BUDDHADEB BASU <buddhadebb@yahoo.com>
Sent: Friday, February 28, 2020 2:24 PM
To: Daniel Fama
Cc: Hiya B.; Paul Kermoyan
Subject: Re: ADU: 309 Redding Rd (new permit #3205)
Attachments: Permit History Report.pdf; 6E054B26-5FAA-4EF5-A0F5-42EFE3C096C5_1_201_a.jpeg; C34B5A82-79BD-49BD-8176-D0D5DFE1A117_1_201_a.jpeg

Hi Mr Fama,

As mentioned before - please make sure you have the following 4 attached.
Mr Kermoyan already took copies for #3 and I have attached the remaining out here again for your reference

1. Santa Clara County permit #21156
2. Santa Clara County permit #3205
3. Signed copies of No-Objection certificates by immediate surrounding neighbors of 309 Redding Road, Campbell - establishes that they have no objection with the structure in question.
4. Two Permits issued by City of Campbell in 2015

Thanks
Nandini B & Buddhadeb B
Ph: 1-408-896-3042

On Friday, February 28, 2020, 01:18:55 PM PST, Daniel Fama <danielf@campbellca.gov> wrote:

Thank you. And just to confirm, you do not wish us to include any of the other materials that you had emailed previously?

From: BUDDHADEB BASU <buddhadebb@yahoo.com>
Sent: Friday, February 28, 2020 12:40 PM
To: Daniel Fama <danielf@campbellca.gov>
Cc: Hiya B. <nandini.bhattacharyya@gmail.com>; Paul Kermoyan <paulk@campbellca.gov>
Subject: Re: ADU: 309 Redding Rd (new permit #3205)

Hi Mr Fama,

Attached is the Variance justification statement

There are 2 files. One is the original and the other is signed and scanned.

PERMIT NUMBER	ISSUED BY	DATE
21156	BS	5-16-75

ADDRESS

STREET NUMBER: 309 REDDING ROAD

NEAREST CROSS STREET: PARSONS

POST OFFICE (CITY): CAMPBELL ZIP: 95008

OWNER: JACK M. FARNHAM PHONE: 377-2970

MAILING ADDRESS: 15572 WOODARD RD.

CITY: SAN JOSE, CAL. ZIP: 95124

ARCHITECT OR ENGINEER — PHONE

CONTRACTOR — SELF ☒ — LIC.NO. — CLASS

MAILING ADDRESS — PHONE

CITY — ZIP

BUILDING INSPECTION DIV.

LOT — TRACT — PLAN CHECK NO. 5857

BLOCK — A.P.N.

TYPE OF IMPROVEMENT: BUILD — REMODEL — ADD TO — REPAIR — MOVE — CONVERT — DEMOLISH

SQ. FT. SIZE — No. of FAMILIES: 1 — No. of STORIES: 1

PERMIT NUMBER: 21156 — USE OF STRUCTURE

MOVE ON

ONE FAM. RES. & DET. GAR

Moving Permit # 3205

APPROVED BY

CERTIFICATION OF COMPLIANCE — DATE

NOTE: TOTAL FEES EXCLUDE APPLICABLE ELECTRICAL, PLUMBING, AND MECHANICAL PERMIT FEES.

Requests for refunds or adjustments in fees paid must be made to the building official in writing in conformance with applicable section(s) of the Santa Clara County Ordinance Code.

APPLICATION FOR BUILDING PERMIT

DEPT. OF PUBLIC WORKS SANTA CLARA COUNTY
BUILDING INSPECTION DIVISION
1555 BERGER DRIVE SAN JOSE, CA. 95112 TEL. 299-2351

ENGINEERING SERVICES DIV.

LAND DEV. REQ. COMP. — DATE 5-12-75 — BY — ENG. — PARCEL NO.

COMPLETE BEFORE OCCUPANCY

EIR REQUIRED ☐ Yes ☐ No — EIR on file ☐ Yes — Date ☐ No

DWY APPROACH — INSPECTOR — DATE 10/27/75

ROAD IMP. — INSPECTOR — DATE

CONST. INSP.

COMPLETE BEFORE OCCUPANCY ☒ — BOND ☐ — DATE

APPROVED BY: — CERTIFICATION OF COMPLIANCE — DATE

HEALTH DEPT.

SAN DIST NO.: 4-22911 — SEP TK PERMIT NO. — APPROVAL REQUIRED?

APPROVED BY: — CERTIFICATION OF COMPLIANCE — DATE

FIRE MARSHAL DEPT.

APPROVAL REQUIRED?

APPROVED BY: D. R. Foote — Install fire alarm — CERTIFICATION OF COMPLIANCE — DATE 5/6/75

PLANNING DEPT.

SET BACKS FEET — FRONT (FROM CENTER LINE OF R/W) — SIDE — REAR — ZONE R1-8

VARIANCE OR SPEC REQ. — DEV REQ COMP BY: — DATE

ARCH. SITE APPROVAL BY:

Residence & detached garage as per plan

APPROVED BY: — CERTIFICATION OF COMPLIANCE — DATE 5-6-75

Survey/1 hr. $10 min.	VALUATION		TOTAL FEES
	11,640.00	SEPTIC TANK	
ISSUANCE PERMIT FEE		FIRE MARSHALL	
		PLAN CHECK	30.00
5.00		PERMIT	60.00 + 5.00 = 65

CERTIFICATION OF COMPLIANCE IS REQUISITE TO ISSUANCE OF CERTIFICATE OF OCCUPANCY. CERTIFICATION SIGNIFIES COMPLIANCE WITH ALL APPLICABLE SANTA CLARA COUNTY ORD. CODES UNDER DEPARTMENTAL PURVIEW.

THIS SPACE FOR INSPECTOR'S USE ONLY

INSPECTION RECORD

1. FOUNDATION FORMS	5-20-75	R.E.M.	PARTIAL
2. FORMS	6-9-75	G.C.	6-11-75 JR
POUR NO CONCRETE UNTIL THE ABOVE HAS BEEN SIGNED			
3. HEATING - DUCTS			
4. COMFORT COOLING			
5. GIRDERS	10-21-75	G.C.	
DO NOT COVER FLOORS UNTIL THE ABOVE HAS BEEN SIGNED			
6. BOND BEAMS (CONC. BLK.)			
7. ROUGH PLBG. PARTIAL			
8. ROUGH PLBG. COMPLETE			
9. SEWER INSPECT	10-17-75	JR	
10. GAS PRESSURE	10-17-75	JR	
11. ROUGH ROOF FRAME FLUES			
DO NOT WIRE UNTIL THE ABOVE HAS BEEN SIGNED			
12. ROUGH ELEC WIRING			
COVER NO WALLS UNTIL THE ABOVE HAS BEEN SIGNED			
13. STUCCO WIRE OR LATH	8-15-75	JR	
14. SHEET ROCK			
15. PLUMBING FINAL (Fixtures)	10-21-75	G.C.	
16. GAS APPLIANCES			
17. ELECTRICAL FINAL (Fixtures)	10-21-75	G.C.	
18. BUILDING COMPLETE	10-24-75	G.C.	
NO UTILITIES WILL BE CLEARED UNTIL "BUILDING COMPLETE" HAS BEEN SIGNED			

MAY-16-75	17178	•	• 5857 (5) — A	30.00
MAY-16-75	17179	•	• 21156 (1) — A	65.00

Application For Moving Permit

COUNTY OF SANTA CLARA
BUILDING INSPECTION DIVISION
20 W. Hedding St., San Jose 10, Calif. - Phone 299-2351

DATE 8/27/74	PRESENT ADDRESS 185 UNION AVE, CAMPBELL		APPLICATION # 3205
	NEAREST CROSS STREET CAMPBELL AVE		
BUILDING TO BE USED AS: 1-FAMILY	TYPE OF CONSTRUCTION: FRAME	FUTURE ADDRESS 309 REDDING RD S.J.	
BLDG. HEIGHT 18 / BLDG. WIDTH 26	BLDG. LENGTH 49 / NO. OF PARTS 3	NEAREST CROSS STREET 50 BASCOM ST.	DIST. #
ADDITIONAL STRUCTURES - WIDTH 21, 20	LENGTH 24, 21	EQUIPMENT USED IN MOVING PT. DOLLIES	

PROPOSED ROUTE - COUNTY ROADS ONLY
UNION TO SO. BASCOM TO REDDING RD TO SITE

LIST IMPROVEMENTS TO BUILDING - SEE SURVEY SECTION BELOW

COMPLETION AGREEMENTS REQUIRED ☐ YES ☐ NO	BOND $	ABOVE IMPROVEMENTS TO BE COMPLETED BY:	
NEW OWNER JACK FARNHAM	ADDRESS	CITY	ZONE
HOUSE MOVER GALBRAITH	SIGNATURE OF HOUSE MOVER OR AUTHORIZED REPRESENTATIVE D. Galbraith By V. Brown		

DO NOT WRITE BELOW THIS LINE

CONDITION OF BUILDING
Good

CONDITION OF PLUMBING
Good

CONDITION OF ELECTRIC
Good - 100 Amp Min. Service

REQUIRED IMPROVEMENTS
Meet all applicable codes.
Repaint Exterior

SUITABLE TO MOVE ☒ YES ☐ NO	INSPECTED BY: Robert H. Shipley	DATE POSTED 9-3-74	BUILDING PERMIT NO. 21156	MOVING PERMIT NO. 3205
ZONING, NEW LOC. R1-8	REQUIRED YARD AREAS FRONT 25 SIDE 8 REAR 25	LOT NO.	ISSUED BY: Merlin Thorpe	
COUNTY ENGINEERS ROUTE APPROVED BY:		ROUTE APPROVAL EXPIRES: 10/27/74	BLDG. SITE APPROVAL REQUIRED ☐ YES ☐ NO	SURVEY OR SUB. LOT ON ☐ YES ☐
CHECKED BY:		DATE	ISSUED BY:	DATE ISSUED

REMARKS: FOR ROUTE APPROVAL ONLY. A ROAD PERMIT MUST BE OBTAINED PRIOR TO MOVE

NOTE: COUNTY COMMUNICATIONS (299-2501) MUST BE NOTIFIED BEFORE STREET IS ENTERE

Y NO.	POSTING & SURVEY FEE $10.00	THIS SPACE FOR MACHINE VALIDATION AUG-30-74 07362 • • 3205 (6) — B
Y NO.	PERMIT FEE $ 12.50	THIS SPACE FOR MACHINE VALIDATION MAY-16-75 17188 • • 3205 (6) — A

PERMIT

CITY OF CAMPBELL – BUILDING DIVISION
70 N. 1ST STREET, CAMPBELL, CA 95008
PHONE: (408) 866-2130, FAX: (408) 866-8361

Permit Number: **BLD2015-00481**

Job Address: 309 REDDING RD
APN: 41433009
Issued: 5/7/15 By: KO
Received by: KATHLEENO
Plan Chk By:
Type of Construction: Type V-B
Existing Use:
Occupancy: R-3 — Single family residential
Square Footage:

Owner: SOCHA M J;ELIZABETH J
309 REDDING RD
CAMPBELL CA 95008
Primary:

Contractor: PALO ALTO HOME IMPRO
1337 LINCOLN AVE
PALO ALTO CA 94301
Lic. No:
Primary:

Description of Permitted Work:

T/O WOOD SHINGLE, RR COMP SHINGLE. 30SQ

TOTAL VALUATION: $ 17,000.00

Permit Trades Involved:

Mechanical:
Electric:
Building:
Re-Roof: Yes
Plumbing:

Fees: (Not all may be shown)

Roadway Maintenance Fee	$51.00
Building Permit Fee	$375.00
Digital Imaging fee	$2.00
CA Bldg. Stnds. Commission Fee	$1.00
Total Fees:	$429.00

Issuing Agent: _____

To Schedule Inspections Call (408) 866-2706

This Permit shall expire by limitation if major inspections are not performed and passed within 180 days of issuance or if work is abandoned for more than 180 days.

Declarations

Please initial all applicable line(s)

LICENSED CONTRACTOR DECLARATION

PR I hereby affirm under penalty of perjury that I am licensed under provisions of Chapter 9 (commencing with Section 7000) if Division 3 of the Business and Professions Code, and my license is in full force and effect.

_____ I am exempt under Sec. 7051 of the B.&P.C. for this reason: A licensed structural pest control operator acting within the scope of his or her license.

OWNER-BUILDER DECLARATIONS

_____ I hereby affirm that I am exempt from the Contractor's License Law (C.L.L.) for the following reason (Sec 7031.5 B.&P.C.): Any city which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he/she is licensed pursuant to the provisions of C.L.L. Chapter 9 (commencing with Section 7000 of Division 3 B.&P.C.) or that he/she is exempt there from and the basis for the alleged exemption. Any violation of Sec. 7031.5 by any applicant for a permit subjects the applicant to the civil penalty of not more than five hundred dollars ($500).

_____ I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, B.&P.C.). The C.L.L. does not apply to an owner of property who builds or improves thereon, and who does such work himself or through his own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he/she did not build or improve for the purpose of sale.

_____ I, as owner of the property, am exclusively contracting with licensed contractors to construct the projects (Sec. 7044, B.&P.C., the C.L.L. does not apply to an owner of property who holds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the C.L.L.)

_____ Property Owner

WORKERS COMPENSATION DECLARATION

I hereby affirm under penalty of perjury one of the following declarations.

_____ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code. My workers' compensation insurance and policy numbers are:

Carrier: _____

Policy Number: _____

(This section need not be completed if the permit is for one hundred dollars ($100) or less)

PR I certify that in the performance of the work for which this permit is issued, I shall not employ any person in and manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

_____ I have and will maintain a certificate of consent to self-insure for workers' compensation as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

WARNING:

FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS, IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3707 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

Date 5.7.15 Applicant: Peter Ryczkowski

ALL APPLICANTS

PR I certify that I have read this application and state that all the above information, whether provided by initial or write-in, is true and correct. I agree that I am solely responsible for complying with and that I will comply with all City ordinances and I hereby authorize representatives of the City to enter upon the above identified property for inspection purposes.

PR I (we) agree to defend, indemnify, and hold harmless the City and its officers, employees and agents against all claims, actions and liabilities of any kind which may arise or occur in consequence of any acts or omissions of the City and its officers, employees or agents, in granting this permit, whether or not such acts or omissions are intentional or negligent or whether they are active or passive and to pay all costs and expenses, claims and actions.

Print Peter Ryczkowski — 5.7.15
OWNER/BUILDER OR CONTRACTOR NAME — DATE

1337 Lincoln Avenue — 6502808663
ADDRESS — PHONE

PR
SIGNATURE OF OWNER/BUILDER OR CONTRACTOR

CONSTRUCTION LENDING AGENCY

I hereby affirm that there is a construction Lending agency for the performance of the work for which this permit is issued. (Sec. 3097, Civil Code C.)

Lender's Name: _____

BUILDING PERMIT INSPECTION SIGNATURE CARD
POST IN A CONSPICUOUS PLACE

CODE	INSPECTION TYPE	DATE	INSPECTOR	COMMENTS
	FOUNDATION INSPECTIONS			
B01	Bld Set Backs / Location			
B02	Forms & Steel			
B03	Footings			
B04	Hold Down Placement			
B05	Foundation Combo B01-B04			
	STRUCTURAL INSPECTIONS			
B06	Under Floor Framing / Shear			
B07	Floor Joist			
B08	Under Floor Insulation			
B09	Roof Tear Off (Reroof)			
B10	Roof Deck Nailing	05/13/15	DB	
B11	Exterior Shear Nailing			
B12	Interior / Exterior Lath			
B13	Rough Frame Inspection			
B14	Interior Shear Nailing			
B15	Ceiling Insulation			
B16	Wall Insulation			
B17	Miscellaneous Inspections			
B18	Drywall Nailing Inspection			
B19	T-Bar Ceiling Inspection			
B20	Pool Pre Plaster			
	BUILDING FINAL INSPECTIONS			
B21	Smoke Detectors	05/19/15	DB	
B22	Pool/Spa Final			
B23	Title 24 / Insulation Certificate			
B24	Disabled Access / Miscellaneous			
B25				
B26	Final Fence			
B27	Final Roof Screens			
B28	Final Grading			
B29	Final Fire Dept. Inspection			
B30	Final Planning Division Inspection			
B31	Final Public Works Dept. Inspection			
B32	Health/W.V.S.D./Others			
B33	Special Inspections Complete			
B34	Final Building Inspection	05/19/15	DB	
	ELECTRICAL INSPECTIONS			
E01	Grounding Electrode (UFER)			
E02	Underground Electrical			
E03	Rough Wall Electrical			
E04	Rough Ceiling Electrical			
E05	Electric Grounding			
E06	Final Electrical Inspection			
E07	P.G.&E. Electrical Release			
	PLUMBING INSPECTIONS			
P01	Under Floor Rough Plumbing			
P02	Building Drain			
P03	Building Sewer			
P04	Sewer Back Water Device			
P05	Septic Tank Abatement			
P06	Rough Plumbing			
P07	Rough Gas Line Test			
P08	Property Line Clean Out			
P09	Water System			
P10	Water Pressure Regulator			
P11	Plumbing Top Out			
P12	Hot Water Heater & T&P Valve			
P13	Storm Drainage System			
P14	Final Gas Test			
P15	Final Plumbing Inspection			
P16	P.G.&E. Gas Meter Release			
P17	Roof Drain Over Flows			
	MECHANICAL INSPECTIONS			
M01	Rough Mechanical			
M02	Fireplaces/Stove/Inserts			
M03	Furnace/ Boiler			
M04	Kitchen Hoods / Shaft			
M05	Fire Dampers			
M06	HVAC Equipment			
M07	Final Mechanical Inspection			
M08	Under Floor Ductwork			

FINAL INSPECTION: THIS BUILDING MUST NOT BE OCCUPIED UNTIL FINAL INSPECTION HAS BEEN CALLED FOR AND APPROVED BELOW

INSPECTOR'S SIGNATURE: _____ **Date:** 05/19/15

PERMIT

CITY OF CAMPBELL – BUILDING DIVISION
70 N. 1ST STREET, CAMPBELL, CA 95008
PHONE: (408) 866-2130, FAX (408) 866-8381

Permit Number: **BLD2015-00038**

Job Address: 309 REDDING RD
APN: 41433009
Issued: 1/12/15 By: KO
Received by: KATHLEENO
Plan Chk By:
Type of Construction: Type V-B
Existing Use:
Occupancy: R-3 Single family residential
Square Footage:

Owner:
SOCHA M J;ELIZABETH J
309 REDDING RD
CAMPBELL CA 95008

Contractor:
PALO ALTO HOME IMPRO
1337 LINCOLN AVE
PALO ALTO CA 94301

Primary:

Lic. No:

Primary

Description of Permitted Work:

2-1/2 BATHROOMS AND KITCHEN UPDATES. NO CHANGE TO LAYOUT. NO NEW FIXTURE COUNT. NEW INTERIOR DOORS

TOTAL VALUATION: $ 24,000.00

Permit Trades Involved:

Mechanical: Yes
Electric: Yes
Building: Yes
Re-Roof:
Plumbing: Yes

Fees: (Not all may be shown)

General Plan Maintenance Fee	$38.40
Roadway Maintenance Fee	$72.00
Building Permit Fee	$515.00
Plan Review Fee	$158.40
Electrical Permit Fee	$137.00
Total Fees:	$1,200.92

Some fees not shown here

Issuing Agent: KO

To Schedule Inspections Call (408) 866-2706

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Please initial all applicable line(s)

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Date: 1.12.15 Applicant: P.R.

ALL APPLICANTS

P.R. I certify that I have read this application and state that all the above information, whether provided by initial or write-in, is true and correct. I agree that I am solely responsible for complying with and that I will comply with all City ordinances and I hereby authorize representatives of the City to enter upon the above identified property for inspection purposes.

P.R. I(we) agree to defend, indemnify, and hold harmless the City and its officers, employees and agents against all claims, actions and liabilities of any kind which may arise or occur in consequence of any acts or omissions of the City and its officers, employees or agents, in granting this permit, whether or not such acts or omissions are intentional or negligent or whether they are active or passive and to pay all costs and expenses, claims and actions.

Print PETER RYCZKOWSKI 1.12.15
OWNER/BUILDER OR CONTRACTOR NAME DATE

1337 LINCOLN AVENUE 6502808663
ADDRESS PHONE

P.R.
* SIGNATURE OF OWNER/BUILDER OR CONTRACTOR

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M05	Fire Dampers			
M06	HVAC Equipment			
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M08	Under Floor Ductwork			

FINAL INSPECTION: THIS BUILDING MUST NOT BE OCCUPIED UNTIL FINAL INSPECTION HAS BEEN CALLED FOR AND APPROVED BELOW

INSPECTOR'S SIGNATURE: _____ **Date:** 06/05/15

Location Map

376 0 188 376 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
Campbell IT, GIS Services

Scale 1: 2,257

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.

A Second Dwelling Unit For:

Basu Residence

309 Redding Rd. Campbell, CA 95008

RDS
Rolm Design Studio
1622 W Campbell Ave. Suite 108
Campbell, CA 95008

mehran@rolmdesignstudio.com
www.rolmdesignstudio.com
(925) 949-6062

RESERVED TO COMMON LAW COPYRIGHT THEIR THESE PLANS, THESE PLANS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER TO ANY OTHER PERSON WHOSOEVER, WITHOUT THE PERMISSION AND CONSENT OF OURSELVES.

CODE INFORMATION

- JURISDICTION: CAMPBELL
- ZONING: R-1-6
- APN: 41433009
- LOT SIZE: 10,022 +/- SF.
- OCCUPANCY TYPE : R3/U
- TYPE OF CONSTRUCTION : VB
- MAXIMUM LOT COVERAGE : 4,008.8 SF, OR 40%
- MAXIMUM FLOOR AREA: 4,509.9 OR 45%
- MAXIMUM ADU HEIGHT: 14 FT.
- EXISTING FLOOR AREA INCLUDE GARAGE: 2017 SF.
- EXSITING LOT COVERAGE: 2170 SF.
- PROPOSED ADU FLOOR AREA: 458 SF.

- SPRINKLER: NOT REQUIRED

BUILDING AREA	Existing	Proposed	Total SF	%
Main Dwelling	1215 SF.		1215 SF.	12.0
Garage	344 SF.		344 SF.	3
Accessory Dwelling	458 SF.		458 SF.	4.5
Covered Patio(s)	210 SF.		210 SF.	2
Other (e.g., Shed)	100 SF.		100 SF.	1
TOTAL	2327 SF.		2327 SF.	23

SETBACKS	Wall Height	Required Setback	Proposed Setback
Front of Structure/Dwelling		20'-0"	34'-10"
Front of Garage/Carport		25'-0"	89'-9"
Left Side ADU		5'-0"	10"
Left Side Main Dwelling		5'-0"	13'-2 1/2"
Right Side ADU		5'-0"	37'-3"
Right Side Main Dwelling		5'-0"	7'-7"
Rear ADU	10'-0"	5'-6"	42'-10 1/4"
Rear Main Dwelling	11'-0"	5'-6"	103'-1 1/2"

SCOPE OF WORK

THIS IS A CONVERTION OF EXISTING RECREATION ROOM TO A SECOND DWELLING UNIT, PROPOSED WORK INCLUDES INTERIOR IMPROVEMENTS:

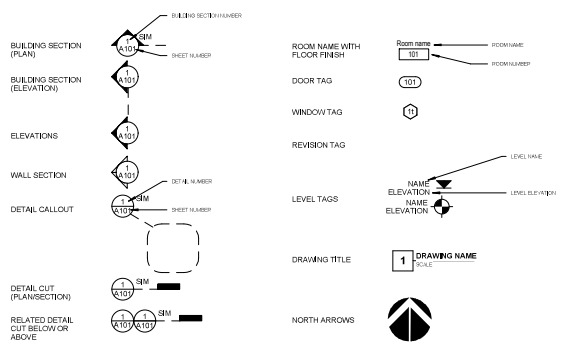
- CONSTRUCTION OF PARTITIONS.
- NEW FLOORING.
- REPLACING DOORS AND WINDOWS AT EXISTING LOCAITON/SAME SIZE.
- CONSTRUCTION OF CEILINGS .
- NEW TANKELESS WATER HEATER.
- ONE BEDROOM , ONE FULL BATH ROOM, KITCHEN AND LIVING ROOM.

NO SITE IMPROVEMENT PROPOSED
NO TREE REMOVAL PROPOSED

NOTE FOR CONTRACTOR:

1. ALL WORK DESCRIBED IN THE DRAWINGS SHALL BE VERIFIED FOR DIMENSION, GRADE, EXTENT, AND COMPATIBILITY TO THE EXISTING SITE. ANY DISCREPANCIES AND UNEXPECTED CONDITIONS THAT AFFECT OR CHANGE THE WORK DESCRIBED IN THE CONTRACT DOCUMENTS SHALL BE BROUGHT TO THE ROLM DESIGN STUDIO'S ATTENTION IMMEDIATELY. DO NOT PROCEED WITH THE WORK IN THE AREA OF DISCREPANCIES UNTIL ALL SUCH DISCREPANCIES ARE RESOLVED. IF THE CONTRACTOR CHOOSES TO DO SO HE SHALL BE PRECEDING AT HIS OWN RISK. OMISSIONS FROM THE DRAWINGS AND SPECIFICATIONS OR THE MISDESCRIPTION OF THE WORK WHICH IS MANIFESTLY NECESSARY TO CARRY OUT THE INTENT OF THE DRAWINGS AND SPECIFICATIONS, OR WHICH IS CUSTOMARILY REFORMED, SHALL NOT RELIEVE THE CONTRACTOR FROM PERFORMING SUCH OMITTED OR MIS-DESCRIBED DETAILS OF THE WORK AS IF FULLY AND COMPLETELY SET FORTH AND DESCRIBED IN THE DRAWINGS AND SPECIFICATIONS. SITE CONDITIONS: ALL CONTRACTORS AND SUB-CONTRACTORS SHALL VERIFY DIMENSIONS AND CONDITIONS AT THE SITE PRIOR TO COMMENCEMENT OF THEIR WORK. FAILURE TO DO SO SHALL NOT RELEASE THEM FROM THE RESPONSIBILITY OF ESTIMATING THE WORK, IF ANY VARIATION, DISCREPANCY OR OMISSION (BETWEEN THE INTENT OF THESE CONTRACT DOCUMENTS AND THE EXISTING CONDITIONS ARE FOUND, THE CONTRACTOR OR SUBCONTRACTOR SHALL NOTIFY ROLM DESIGN STUDIO IN WRITING AND OBTAIN WRITTEN RESOLUTION FROM ROLM DESIGN STUDIO PRIOR TO PROCEEDING WITH ANY RELATED WORK.

DRAWING SYMBOL LEGEND



APPLICABLE CODES

- 2016 CALIFORNIA RESIDENTIAL CODE
- 2016 CALIFORNIA BUILDING CODE
- 2016 CALIFORNIA MECHANICAL CODE
- 2016 CALIFORNIA PLUMBING CODE
- 2016 CALIFORNIA ELECTRICAL CODE
- 2016 CALIFORNIA GREEN BUILDING CODE
- 2016 CALIFORNIA ENERGY CODE

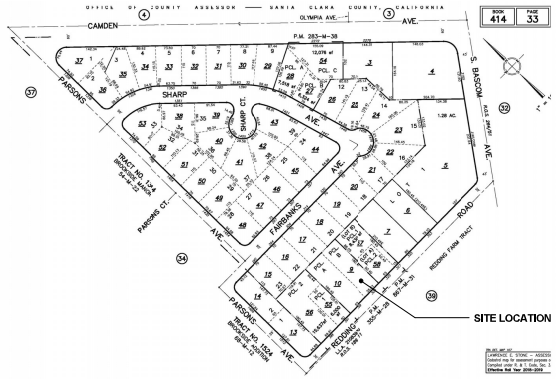
OWNER

Buddhadeb Basu
309 Redding Rd.
Campbell, CA 95008
P: 408-896-3042
F:
E: dev3042@gmail.com
CONTACT: Buddhadeb Basu

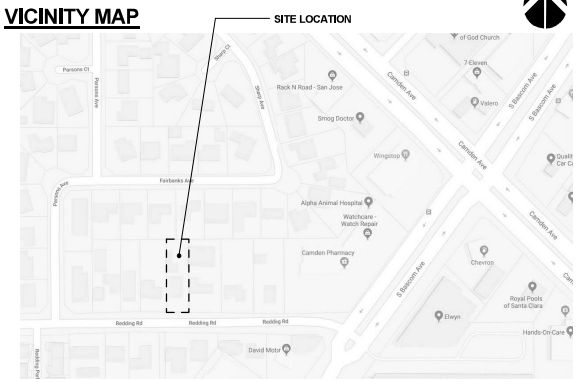
DESIGNER

Rolm Design Studio
5048 McCoy Ave.
San Jose, CA 95130
P: 925.949.6062
F:
E: mehran@rolmdesignstudio.com
CONTACT: Mehran Sofanzadeh

PARCEL MAP



VICINITY MAP



DRAWING INDEX AND ISSUE DATES

Sheet Number	Sheet Name	Submittal Date 08.01.19
ARCHITECTURAL		
A1.02	SITE PHOTOS	O
A0.00	COVER SHEET	O
A0.06	GENERAL NOTES	O
A0.07	BEST MANAGEMENT PRACTICES	O
A1.01	EXISTING SITE PLAN	O
A2.11	EXISTING AND DEMOLITION AND IMPROVEMENT FLOOR PLAN	O
A2.21	REFLECTED CEILING PLAN AND ROOF PLAN	O
A2.22	ROOF FRAMING	O
A2.23	ELECTRICAL AND LIGHTING FLOOR PLAN	
A3.01	ELEVATIONS	O
A4.01	BUILDING SECTIONS	O
A8.01	DETAILS	O
A8.02	DETAILS	O

A Second Dwelling Unit For:
Buddhadeb Basu
309 Redding Rd. Campbell, CA 95008

Revisions			
No.	Date	Revision Description	
1	1/31/19	PLNC 01	

Description
COVER SHEET

Project Date	11/12/2018
Drawn by	RDS
Checked by	RDS
Project Number	180711
Scale	1/2" = 1'-0"

A0.00

8/1/2019 4:26:20 PM

General Notes

1 ALL WORK DESCRIBED IN THE DRAWINGS SHALL BE VERIFIED FOR DIMENSION, GRADE, EXTENT, AND COMPATIBILITY TO THE EXISTING SITE. ANY DISCREPANCIES AND UNEXPECTED CONDITIONS THAT AFFECT OR CHANGE THE WORK DESCRIBED IN THE CONTRACT DOCUMENTS SHALL BE BROUGHT TO THE ROLM DESIGN STUDIO'S ATTENTION IMMEDIATELY. DO NOT PROCEED WITH THE WORK IN THE AREA OF DISCREPANCIES UNTIL ALL SUCH DISCREPANCIES ARE RESOLVED. IF THE CONTRACTOR CHOOSES TO DO SO HE SHALL BE PRECEDING AT HIS OWN RISK. OMISSIONS FROM THE DRAWINGS AND SPECIFICATIONS OR THE MISDESCRIPTION OF THE WORK WHICH IS MANIFESTLY NECESSARY TO CARRY OUT THE INTENT OF THE DRAWINGS AND SPECIFICATIONS, OR WHICH IS CUSTOMARILY REFORMED, SHALL NOT RELIEVE THE CONTRACTOR FROM PERFORMING SUCH OMITTED OR MIS-DESCRIBED DETAILS OF THE WORK AS IF FULLY AND COMPLETELY SET FORTH AND DESCRIBED IN THE DRAWINGS AND SPECIFICATIONS. SITE CONDITIONS: ALL CONTRACTORS AND SUB-CONTRACTORS SHALL VERIFY DIMENSIONS AND CONDITIONS AT THE SITE PRIOR TO COMMENCEMENT OF THEIR WORK. FAILURE TO DO SO SHALL NOT RELEASE THEM FROM THE RESPONSIBILITY OF ESTIMATING THE WORK. IF ANY VARIATION, DISCREPANCY OR OMISSION (BETWEEN THE INTENT OF THESE CONTRACT DOCUMENTS AND THE EXISTING CONDITIONS ARE FOUND, THE CONTRACTOR OR SUBCONTRACTOR SHALL NOTIFY ROLM DESIGN STUDIO IN WRITING AND OBTAIN WRITTEN RESOLUTION FROM ROLM DESIGN STUDIO PRIOR TO PROCEEDING WITH ANY RELATED WORK.

2 ALL EXTERIOR LIGHTS WILL BE SHEILDED AND DOWNWARD DIRECTED.

3 EXCAVATION ACTIVITIES ASSOCIATED WITH THE PROPOSED SCOPE OF WORK SHALL OCCUR NO CLOSER THEN 10-FEET FROM THE EXISTING STREET TREE, OR AS APPROVED BY THE URBAN FORESTRY DIVISION CONTACT 650-496-5953. ANY CHANGES SHALL BE APPROVED BY THE SAME.

4 DRYER VENTING SHALL TERMINATE ON THE EXTERIOR OF THE BUILDING AND WILL HAVE A BACK DRAFT DAMPER (FLAPPER). SCREENS SHALL NOT BE PERMITTED OR INSTALLED AT THE DRYER VENT TERMINATION. CLOTHES DRYER VENT PIPES SHALL NOT PASS THROUGH OR EXTEND INTO TO DUCTING OR PLENUMS. DRYER DUCTING SHALL NOT BE FASTENED WITH SCREW TYPE FASTENERS WHICH MAY IMPEDE THE AIR FLOW OR CATCH LINT, YET MUST BE FASTENED AND SEALED SUBSTANTIALLY AIRTIGHT AT EACH JOINT. (AN APPROVED FASTENING SYSTEM IS ALUMINUM DUCT TAPE) A MINIMUM OF A 4-INCH DIAMETER DUCT IS REQUIRED.

5 CLOTHES DRYER VENT DUCTS SHALL BE METAL AND SHALL HAVE A SMOOTH INTERIOR SURFACE. AN APPROVED FLEXIBLE DUCT CONNECTOR OF NOT MORE THAN 6 FEET IN LENGTH MAY BE USED TO CONNECT THE DRYER TO THE DRYER VENT PIPE. FLEXIBLE DUCT CONNECTORS SHALL NOT BE CONCEALED WITHIN THE CONSTRUCTION. (FLEX DUCT CONNECTORS SHALL NOT PASS INTO OR THROUGH A CONCEALED SPACE. THIS INCLUDES CABINETS, WALLS AND ATTIC SPACES).

6

7 DISHWASHERS ARE REQUIRED TO HAVE A LISTED AIR GAP FITTING ON THE DISCHARGE SIDE OF THE DISHWASHING MACHINE. THE LISTED AIR GAP SHALL BE INSTALLED WITH THE FLOOD-LEVEL (FL) MARKING AT OR ABOVE THE FLOOD LEVEL OF THE SINK OR DRAIN-BOARD, WHICHEVER IS HIGHER.

8 WINDOW & DOOR SIZES SHOWN ARE FOR DESIGN PURPOSES ONLY. ACTUAL WINDOW & DOOR SIZES SHALL BE FRAMED & SET PER MFG. SPECIFICATIONS. MAKE & MODEL NUMBERS SHALL BE CALLED OUT PER SUPPLIER'S AND/OR OWNER'S SPECIFICATIONS. WINDOWS TO BE DUAL-PANED.

9

10 ALL EXTERIOR DOORS SHALL BE AT LEAST 1 3/4" THICK.

11 ALL GLASS DOORS, GLASS WITHIN 24" OF DOORS & WITHIN 18" OF FLOORS, GLASS SUBJECT TO HUMAN IMPACT, ETC. SHALL BE SAFETY TEMPERED.

12 BEDROOM WINDOWS SHALL HAVE MAX 44" HIGH SILL & MIN. NET CLEAR OPENINGS OF 20" IN WIDTH & 24" IN HEIGHT W/ MIN. CLEAR OPENING OF 5.7 FEET PER C.B.C.

13 PROVIDE MOISTURE RESISTANT UNDERPAYMENT TO A MIN. HEIGHT OF 72" ABOVE DRAIN IN ALL SHOWERS w/ TEMPERED GLASS ENCLOSURE PER CBC.

14 PROVIDE TEMPERATURE MIXING VALVE @ ALL SHOWERS PER C.P.C.

15 WATER HEATERS & FURNACES TO BE C.E.C. CERTIFIED. WATER HEATERS TO HAVE PRESSURE & TEMPERATURE RELIEF DEVICES & DISCHARGE TO OUTSIDE.

16 CONTRACTOR SHALL PROVIDE ALL DOCUMENTATION FOR WASTE MANAGEMENT PLAN TO THE JURISDICTION PRIOR OF FIRST INSPECTION.

17 ALL ADHESIVES, SEALANT, CAULKS, PAINTS, COATINGS, AND AEROSOL PAINT CONTAINERS MUST REMAIN ON THE SITE FOR FILED VERIFICATION BY THE BUILDING INSPECTOR.

18 PRIOR THE FINAL INSPECTION, A LETTER SIGNED BY THE GENERAL CONTRACTOR OR OWNER MUST BE PROVIDED TO THE TOWN OF LOS GATOS BUILDING OFFICIAL CERTIFYING THAT ALL ADHESIVES, SEALANTS, CAULKS, PAINTS, COATING, AEROSOL PAINTS, AEROSOL COATING, CARPET SYSTEM, RESILIENT FLOORING SYSTEM, AND COMPOSITE WOOD PRODUCTS INSTALLED ON THIS PROJECT ARE WITHIN THE EMISSION LIMITS SPECIFIED IN CGBSC SECTION 4.504.

19 DEFERRAL OF ANY SUBMITTAL ITEMS SHALL HAVE THE PRIOR APPROVAL OF THE BUILDING OFFICIAL.

20 WATER-RESISTANT GYPSUM BACKING BOARD SHOULD NOT BE USED IN THE FOLLOWING LOCATIONS PER CBC: a) OVER A VAPOR RETARDER. b) IN AREAS SUBJECT TO CONTINUOUS HIGH HUMIDITY. c) ON CEILING WHERE FRAME SPACING EXCEEDS 12 INCHES CENTER.

21 PROVIDE FIRE-STOPS IN OPENINGS @ FLOOR & CEILINGS OF ALL FIREPLACES PER C.B.C.

22 PROVIDE AC/DC SMOKE DETECTORS WITHIN EACH SLEEPING ROOM & CENTRALLY LOCATED IN CORRIDORS OR AREAS GIVING ACCESS TO EACH SLEEPING AREA ALL DETECTORS TO BE INTERCONNECTED TYPICAL WRAP ALL EXTERIOR WALLS WITH CDX PLYWOOD TYPICAL THROUGHOUT.

23 PROVIDE 16" DEEP x 12" TALL GYPSUM BOARD SOFFIT o/ UPPER CABINETS @ KITCHEN & LAUNDRY ROOM.

24 ALL HOSE BIBBS SHALL HAVE NON-REMOVABLE TYPE BACK-FLOW PREVENTION DEVICE.

25 BASEMENTS (EXCEPT THOSE ONLY FOR MECHANICAL EQUIPMENT AND NOT OVER 200 SQFT IN FLOOR AREA), HABITABLE ATTICS AND EVERY SLEEPING ROOM SHALL HAVE AT LEAST ONE OPERABLE EMERGENCY ESCAPE AND RESCUE OPENING. R310.1 A) MIN. NET CLEAR OPENABLE DIMENSION OF 24 INCHES IN HEIGHT. R310.1.2 B) MIN. NET CLEAR OPENABLE DIMENSION 20 INCHES IN WIDTH. R310.1.3 C) MIN. NET CLEAR OPENABLE DIMENSION OF 5.7 SQFT IN AREA. GRADE FLOOR OPENINGS SHALL HAVE A MIN. NET CLEAR

26 OPENING OF 5 SQFT. 310.1.1 OPENING SHALL HAVE A SILL HEIGHT OF NOT MORE THAN 44 INCHES MEASURED FROM THE FLOOR. 310.

27 FOR KITCHEN, A CLEAR PASSAGEWAY OF NOT LESS THAN 3-FEET BETWEEN THE COUNTER FRONTS AND APPLIANCES OR COUNTER FRONTS AND WALLS. CBC 1208.1 SHOWER COMPARTMENTS AND WALL ABOVE BATHTUBES WITH INSTALLED SHOWER HEADS SHALL BE FINISHED WITH A SMOOTH, NONABSORBENT SURFACE TO THE HEIGHT NOT LESS THAN 72 INCHES (6 FT). CRC R307.2

28 THE DOOR BETWEEN GARAGE AND ENTRY REQUIRED TO BE SELF LATCHING AND SELF CLOSING, SOLID CORE DOOR NOT LESS THAN 1-3/8 INCH THICK.

29 THE MAXIMUM RISER HEIGHT CAN BE 7.75-INCHES. MINIMUM TREAD DEPTH CAN BE 10-INCHES. FOR ANY TREAD DEPTH LESS THAN 11-INCHES, A NOSING OF NOT LESS THAN 0.75-INCHES, BUT NOT MORE THAN 1.25-INCHES SHALL BE PROVIDED.

30 DOORS AND PANELS OF SHOWER AND BATHTUB ENCLOSURES SHALL BE FULLY TEMPERED, LAMINATED SAFETY GLASS OR APPROVED PLASTIC. CBC 2406.3. GLAZING IN SHOWERS OR BATHTUB ADJACENT WALL OPENINGS WITHIN 60 INCHES ABOVE A STANDING SURFACE AND DRAIN INLET SHALL BE FULLY TEMPERED, LAMINATED SAFETY GLASS OR APPROVED PLASTIC. CBC 2406.3, #5
GLAZING IN AN INDIVIDUAL FIXED OR PORTABLE PANEL ADJACENT TO A DOOR WHERE THE NEAREST EXPOSED EDGE OF THE GLAZING IS WITHIN A 24-INCH ARC OF EITHER VERTICAL EDGE OF THE DOOR IN A CLOSED POSITION AND WHERE THE BOTTOM EXPOSED EDGE OF GLAZING IS LESS THAN 60-INCHES ABOVE THE WALKING SURFACE SHALL BE FULLY TEMPERED, LAMINATED SAFETY GLASS OR APPROVED PLASTIC (I.E. SIDE LIGHT AT NEW MAIN ENTRY DOOR). CBC 2406.3, #6
DOORS AND PANELS OF SHOWER AND BATHTUB ENCLOSURES SHALL BE FULLY TEMPERED, LAMINATED SAFETY GLASS OR APPROVED PLASTIC. CBC 2406.3. GLAZING IN SHOWERS OR BATHTUB ADJACENT WALL OPENINGS WITHIN 60 INCHES ABOVE A STANDING SURFACE AND DRAIN INLET SHALL BE FULLY TEMPERED, LAMINATED SAFETY GLASS OR APPROVED PLASTIC. CBC 2406.3, #5
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General Notes

31 MINIMUM 36" DEEP LANDING IN THE DIRECTION OF TRAVEL AT NEW EXTERIOR DOORS SHALL BE PROVIDED. LANDING TO BE NOT MORE THAN 7-¾ INCHES LOWER THAN THE DOOR'S THRESHOLD FOR IN-SWINGING AND SLIDING GLASS DOORS AND NOT MORE THAN 7" FOR IN-SWINGING AND MAIN ENTRY DOOR.

32 1/2" GYPSUM BOARD FROM FOUNDATION TO ROOF SHEATHING TO BE INSTALLED ON THE GARAGE SIDE AT SEPARATION WALL BETWEEN GARAGE AND RESIDENCE. (GARAGE MUST BE SEPARATED FROM THE DWELLING AND ITS ATTIC AREA) CRC SEC. R302.6 AND TABLE R302.6 ALSO 5/8" TYPE "X" GYP. BOARD FINISH ON THE GARAGE SIDE OF THE WALL IS REQUIRED.

33 1/2" GYPSUM BOARD FROM FOUNDATION TO ROOF SHEATHING TO BE INSTALLED ON THE GARAGE SIDE AT SEPARATION WALL BETWEEN GARAGE AND RESIDENCE. (GARAGE MUST BE SEPARATED FROM THE DWELLING AND ITS ATTIC AREA) CRC SEC. R302.6 AND TABLE R302.6 ALSO 5/8" TYPE "X" GYP. BOARD FINISH ON THE GARAGE SIDE OF THE WALL IS REQUIRED.

34 22" MIN SHOWER DOOR CLEARANCE TEMPER GLAZING FOR THE SHOWER DOOR AND SLIDING WINDOWS FOR BATHROOMS AND KITCHEN

35 CEMENT BOARD SUBSTRATE FOR SHOWER WALLS REQUIRED.

36 THE FINISH GRADE WITHIN 10' OF HOUSE SHALL HAVE A 5% SLOPE AWAY FROM FOUNDATION.

37 EXISTING DRAINAGE SHALL REMAIN THROUGHOUT CONSTRUCTION.

38 PORTABLE WATER SUPPLY SHALL BE PROTECTED FROM CONTAMINATION CAUSED BY FIRE PROTECTION WATER SUPPLY PER 2016 CFC SEC. 903.3.5

39 APPROVED NUMBERS OR ADDRESSES SHALL BE PLACE DOMN ALL NEW AND EXISTING BUILDINGS IN SUCH A POSITION AS TO BE PLAINLY VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. PER 2016 CFC SEC. 505

40 PHOTOELECTRIC SMOKE DETECTORS SHALL BE PROVIDED AT BOTH THE TOP AND BOTTOM OF THE STAIRCASE.

41 PHOTOELECTRIC SMOKE ALARMS SHALL BE PROVIDED IN AREAS LEADING TO SLEEPING ROOMS AND ON EVERY LEVEL. SMOKE ALARMS WITHIN SLEEPING ROOMS SHALL BE DUAL SENSOR PHOTOELECTRIC/IONIZATION.

42 SMOKE DETECTORS AND CARBON MONOXIDE DETECTORS SHALL BE INTERCONNECTED PER CBC. IN SHOWERS & TUB/SHOWER COMBINATIONS, CONTROL VALVES MUST BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER CPC.

43 WATER HEATERS SHALL BE STRAPPED WITHIN THE UPPER & LOWER 1/3 OF THE HEATER STRAPS SHALL BE LOCATED A MIN. OF 4" FROM ANY CONTROLS. WATER HEATER TO BE ON PLATFORM 18" MIN. A.F.F. – TYPICAL.

44 PROVIDE A NON-COMBUSTIBLE HEARTH SLAB WITH NON-COMBUSTIBLE SUPPORTS IN FRONT OF FIREPLACE.

45 COMBUSTIBLE MATERIAL SHOULD NOT BE PLACED WITHIN 6" OF THE FIREPLACE OPENING.

46 COMBUSTIBLE MATERIALS WITHIN 12" OF THE FIREPLACE OPENING SHOULD NOT PROJECT MORE THAN _" FOR EACH 1" CLEARANCE FROM THE FIREPLACE OPENING.

47 GUEST ROOMS AND HABITABLE ROOMS WITHIN A DWELLING UNIT OR CONGREGATE RESIDENCE SHALL BE PROVIDED WITH NATURAL LIGHT BY MEANS OF EXTERIOR GLAZED OPENINGS WITH AN AREA NOT LESS THAN ONE TENTH OF THE FLOOR AREA OF SUCH ROOMS WITH A MINIMUM OF 10 SQUARE FEET.

48 WATER EFFICIENCY AND CONSERVATION INDOOR WATER USE (CGC 5.303) PLUMBING FIXTURES (WATER CLOSETS AND URINALS) SHALL COMPLY WITH THE FOLLOWING:
THE EFFECTIVE FLUSH VOLUME OF ALL WATER CLOSETS SHALL NOT EXCEED 1.28 GAL/FLUSH (CGC 403.1.1
THE EFFECTIVE FLUSH VOLUME OF URINALS SHALL NOT EXCEED 0.5 GAL/FLUSH (CGC 403.1.2)
FITTINGS (FAUCETS AND SHOWERHEADS) HAVE ALL REQUIRED STANDARDS LISTED ON PLANS AND ARE IN ACCORDANCE TO CGC 4.303.1.3 AND CGC 403.1.4 AUTOMATIC IRRIGATION SYSTEM CONTROLLER FOR LANDSCAPING PROVIDED BY THE BUILDER AND INSTALLED AT THE TIME OF FINAL INSPECTION SHALL COMPLY WITH CGC 4.304
ENHANCED DURABILITY AND REDUCED MAINTENANCE

49 ANNULAR SPACES AROUND PIPES, ELECTRIC CABLES, CONDUITS OR OTHER OPENINGS IN SOLE/BOTTOM PLATES AT EXTERIOR WALLS SHALL BE RODENT PROOFED BY CLOSING SUCH OPENINGS WITH CEMENT MORTAR, CONCRETE MASONRY, OR SIMILAR METHOD ACCEPTABLE TO THE ENFORCING AGENCY PER CGC 4.406.1

50 CONSTRUCTION WASTE REDUCTION, DISPOSAL, AND RECYCLING (CGC 5.408) A MINIMUM OF 65% OF THE NON-HAZARDOUS CONSTRUCTION AND DEMOLITION WASTE GENERATED AT THE SITE SHALL BE DIVERTED TO AN OFFSITE RECYCLE, DIVERSION, OR SALVAGE FACILITY PER CGC 4.408

51 ENVIRONMENTAL QUALITY: ANY GAS FIREPLACES SHALL BE A DIRECT-VENT SEALED-COMBUSTIBLE TYPE. ANY WOOD STOVE OR PELLET STOVE SHALL COMPLY WITH US EPA PHASE II EMISSION LIMITS PER CGC 4.503.1

52 POLUTANT CONTROL (CGC 5.504) AT THE TIME OF ROUGH INSTALLATION, DURING STORAGE ON THE CONSTRUCTION SITE AND UNTIL FINAL STARTUP OF THE HEATING, COOLING AND VENTILATING EQUIPMENT, ALL DUCT AND OTHER RELATED AIR DISTRIBUTION COMPONENTS OPENINGS SHALL BE COVERED WITH TAPE, PLASTIC, SHEET METALS, OR OTHER METHODS ACCEPTABLE TO THE ENFORCING AGENCY TO REDUCE THE AMOUNT OF WATER, DUST OR DEBRIS, WHICH MAY ENTER THE SYSTEM PER CGC 4.504.1.

53 PAINTS AND COATINGS SHALL COMPLY WITH VOC LIMITS PER CGC 4.504.2.2. AEROSOL PAINTS AND COATINGS SHALL MEET THE PRODUCT-WEIGHTED MIR LIMITS FOR ROC AND OTHER REQUIREMENTS PER CGC 4.504.2.3. DOCUMENTATION WILL BE PROVIDED, AT THE REQUEST OF THE BUILDING DIVISION, TO VERIFY COMPLIANCE WITH VOC FINISH MATERIALS PER CGC 4.504.2.4. CARPET SYSTEM INSTALLED IN THE BUILDING INTERIOR SHALL MEET THE TESTING AND PRODUCT REQUIREMENT PER CGC 4.504.3. WHERE RESILIENT FLOORING IS INSTALLED, AT LEAST 80% OF THE FLOOR AREA RECEIVING RESILIENT FLOORING WILL COMPLY WITH THE REQUIREMENTS PER CGC 4.504.4. HARDWOOD PLYWOOD, PARTICLEBOARD AND MEDIUM DENSITY FIBERBOARD COMPOSITE WOOD PRODUCTS USED ON THE INTERIOR AND EXTERIOR OF THE BUILDING SHALL COMPLY WITH THE LOW FORMALDEHYDE EMISSION STANDARDS PER CGC 4.504.5.

54 INTERIOR MOISTURE CONTROL: A CAPILLARY BREAK SHALL BE INSTALLED IF A SLAB ON GRADE FOUNDATION SYSTEM IS USED. THE USE OF A 4" THICK BASE OF ½" OR LARGER CLEAN AGGREGATE UNDER A 6 MIL VAPOR RETARDER WITH JOINT LAPPED NOT LESS THAN 6" WILL BE PROVIDED PER CGC 4.505.2 AND CRC R506.2.3. BUILDING MATERIALS WITH VISIBLE SIGNS OF WATER DAMAGE SHALL NOT BE INSTALL. WALL AND FLOOR FRAMING SHALL NOT BE ENCLOSED WHEN THE FRAMING MEMBERS EXCEED 19% MOISTURE CONTENT. MOISTURE CONTENT SHALL BE CHECKED PRIOR TO FINISH MATERIAL BEING APPLIED PER CGC 4.505.3.

55 INDOOR AIR QUALITY AND EXHAUST FANS, WHICH ARE ENERGY STAR COMPLIANT AND BE DUCTED TO TERMINATE OUTSIDE THE BUILDING, SHALL BE PROVIDED IN EVERY BATHROOM PER CGC 4.506.1

56 HEATING AND AIR-CONDITIONING SYSTEM SHALL BE SIZED, DESIGNED AND HAVE THEIR EQUIPMENT SELECTED USING THE FOLLOWING METHODS:
HEAT LOSS/HEAT GAIN VALUES IN ACCORDANCE WITH ANSI/ACCA 2 MANUAL J-2004 OR EQUIVALENT.
DUCT SYSTEMS ARE SIZED ACCORDING TO ANSI/ACCA 1, MANUAL D-2009 OR EQUIVALENT.
SELECT HEATING AND COOLING EQUIPMENT IN ACCORDANCE WITH ANSI/ACCA 3, MANUAL S-2004 OR EQUIVALENT.
INSTALLER SPECIAL INSPECTOR QUALIFICATION HVAC SYSTEM INSTALLERS SHALL BE TRAINED AND CERTIFIED IN THE PROPER INSTALLATION OF HVAC SYSTEMS AND EQUIPMENT BY A RECOGNIZE TRAINING OR CERTIFICATION PROGRAM PER CGC 702.1.

57 MIXING VALVE IN A SHOWER SHALL BE PRESSURE BALANCING SET A MAX. 120 °F. WATER-FILLER VALVE IN BATHTUBS SHALL HAVE A TEMP. LIMITING DEVICE SET AT 120 °F MAX.

58 SHOWER STALLS SHALL BE A MIN. FINISHED INTERIOR OF 1,024 SQ. INCHES,CLEAR CEENTER DIMENSION OF A 30", & DOORS SHALL SWING OUT WITH OPENINGS 22" MIN.

59 THE WATER CLOSET SHALL HAVE MIN. CLEARANCES OF 30" WIDTH (15" ON AND 24" IN THE FRONT.

60 i.ALL RECEPTACLES SHALL BE GFCI AND TAMPER-RESISTANT (TR). NEW OUTLETS SHALL HAVE A DEDICATED 20-AMP CIRCUIT.

61 HYDRO-MASSAGE TUBS SHALL HAVE MOTOR ACCESS, A DEDICATED CIRCUIT, AND BE UL LISTED. ALL METAL, CABLES, FITTINGS, PIPING, ETC. WITHIN 5' OF THE INSIDE WALL OF THE TUB SHALL BE PROPERLY BONDED WITH AN ACCESS PANEL.

62 LIGHTING FIXTURES LOCATED WITHIN 3' HORIZONTALLY AND 8' VERTICALLY OF THE TUB/SHOWER SHALL BE LISTED FOR A DAMP LOCATION, OR WET LOCATIONS IF THE SUBJECT TO SHOWER SPRAY.

63 AN EXHAUST FAN SHALL BE INSTALLED AND BE ON A SEPARATE SWITCH FROM THE LIGHTING. GLAZING IN TUB SHOWER ENCLOSURES SHALL BE SAFETY GLAZING WHEN > 60"ABOVE THE STANDING SURFACE GLAZING WITHIN 60" OF A TUB/SHOWER AND LESS THAN 60" ABOVE THE FINISHED FLOOR SHALL BE SAFETY GLAZING.

64 INSTALLER SPECIAL INSPECTOR QUALIFICATION HVAC SYSTEM INSTALLERS SHALL BE TRAINED AND CERTIFIED IN THE PROPER INSTALLATION OF HVAC SYSTEMS AND EQUIPMENT BY A RECOGNIZE TRAINING OR CERTIFICATION PROGRAM PER CGC 702.1.

General Notes

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68 LIGHTING FIXTURES LOCATED WITHIN 3' HORIZONTALLY AND 8' VERTICALLY OF THE TUB/SHOWER SHALL BE LISTED FOR A DAMP LOCATION, OR WET LOCATIONS IF THE SUBJECT TO SHOWER SPRAY.

69 RECESSED LIGHTING FIXTURES SHALL BE RATED AS AIR-TIGHT (AT) AND, WHEN INSTALLED IN AN INSULATED CEILING SHALL HAVE AN APPROVED ZERO CLEARANCE INSULATION COVER (IC).

70 CLOSET LIGHTS SHALL BE FLOURESCENT OR HAVE A SEALED LENS. (2016 CEC 410.16)

71 LUMANIRIES OR CONTROLLED BY A VACANCY SENSOR THAT COMPLIES WITH CEC SECTION 110.9(b) AND SHALL NOT HAVE A CONTROL THAT ALLOWS THE LUMINARIES TO BE TURNED ON AUTOMATICALLY OR THAT HAS AN OVERRIDE ALLOWING THE LUMINARIES TO BE ALWAYS ON.

72 WHERE EMERGENCY AND RESCUE OPENINGS ARE PROVIDED THEY SHALL HAVE THE BOTTOM OF THE CLEAR OPENING NOT GREATER THAN 44" (1118 MM) MEASURED FROM THE FLOOR.(R310.1)

73 ALL EMERGENCY ESCAPE AND RESCUE OPENINGS SHALL HAVE A MINIMUM OPENING OF 5.7 SQ.F. (0.503 SQ.M.)

74 GRADE FLOOR OPENINGS SHALL HAVE A MINIMUM NET CLEAR OPENING OF 5 SQ.F. (0.465 SQ.M.) R310.1.1

75 THE MINIMUM NET CLEAR OPENING HEIGHT SHALL BE 24" (610MM) R310.1.2

76 THE MNIMUM NET CLEAR OPENING WIDTH SHALL BE 20" (508MM) R310.1.3

77 EMERGENCY ESCAPE AND RESCUE OPENINGS SHALL BE MAINTAINED FREE OF ANY OBSTRUCTION OTHER THAN THOSE ALLOWED BY THIS SECTION AND SHALL BE OPERATIONAL
FROM THE INSIDE OF THE ROOM WITHOUT THE USE OF KEYS, TOOLS OR SPECIAL KNOWLEDGE. R310.1.4
TUCCO SHALL BE 7/8" THICK AND THREE COAT APPLIED OVER APPROVED WIRE LATH AND TWO LAYERS OF GRADE 'D' BUILDING PAPER. PROVIDE WEEP SCREED. (CBC 2510.6 /CRC R703.6)

78 SIDING SHALL BE APPLIED OVER ONE LAYER OF GRADE 'D' BUILDING PAPER. (CBC 1404.2/CRC R703.2)

79 PROVIDE A SPARK ARRESTOR FOR ANY NEW OR EXISTING CHIMNEY. (CBC 2113.9.1/CRC 1003.9.1)

80 ROOF SLOPES >2:12 AND <4:12 WITH ASPHALT SHINGLES SHALL HAVE TWO LAYERS OF 15 LB FELT APPLIED SHINGLE STYLE. (CBC 1507.2.2/CRC 905.2.2)

81 PROVIDE ALL UNDER-FLOOR AREAS WITH CROSS VENTILLATION AT 1/150 FOR THE ENTIRE AREA WITH 50% OF THE REQUIRED VENT AREA BE VENTILLATORS LOCATED A MINIMUM OF 3' ABOVE EAVE OR CORNICE VENTS.

82 PROVIDE ATTIC ACCESS (22" X 30") AND UNDER-FLOOR ACCESS (18" X 24") FOR NEW AREAS. (CBC 1209/R408.4)

83 PROVIDE UNDER-FLOOR CLEARANCE OF 18" FOR JOISTS TO EARTH AND 12" CLEARANCE FROM GIRDERS TO EARTH. (CBC 2304.11.2.1/CRC R317.1)

84 ALL ENVIRONMENTAL AIR DUCTS SHALL BE A MINIMUM 3 FEET FROM ANY OPENINGS INTO THE BUILDING

85 THE PROPERTY SHALL BE IN COMPLIANCE WITH THE VEGETATION MANAGEMENT REQUIREMENTS PRESCRIBED IN CALIFORNIA FIRE CODE SECTIONS 4906, INCLUDING CALIFORNIA PUBLIC RESOURCES CODE 4291 OR CALIFORNIA GOVERNMENT CODE SECTION 51182 PER CRC R327.1.5

RDS
Rolm Design Studio
1622 W Campbell Ave. Sutie 108
Campbell, CA 95008

mehran@rolmdesignstudio.com
www.rolmdesignstudio.com
(925) 949-6052

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A Second Dwelling Unit For:
Buddhadeb Basu
309 Redding Rd. Campbell, CA 95008

Revisions		
No.	Date	Revision Description

Description
GENERAL NOTES

Project Date	11/12/2018
Drawn by	RDS
Checked by	RDS
Project Number	180711
Scale	

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Blueprint for a Clean Bay

BEST MANAGEMENT PRACTICES FOR THE CONSTRUCTION INDUSTRY.

SANTA CLARA VALLEY NONPOINT SOURCE POLLUTION CONTROL PROGRAM

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

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.

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.
- 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.
- 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.

LANDSCAPING, GARDENING, AND POOL MAINTENANCE

BEST MANAGEMENT PRACTICES FOR THE:

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

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.

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.
- Contact the local sewage treatment authority. You may be able to discharge to the sanitary sewer by running a hose to a utility sink or sewer pipe cleanout junction.
- Do not use copper-based algaecides unless absolutely necessary. Control algae with chlorine or other alternatives to copper-based pool chemicals. Copper is a powerful herbicide. Sewage treatment technology cannot remove all of the metals that enter a treatment plant.

LANDSCAPING/GARDEN MAINTENANCE

- Use up pesticides. Rinse containers, and use rinse water as product. Dispose of rinsed containers in the trash.
- Dispose of unused pesticide 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 soil 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.
- Never hose down dirty pavement or impermeable surfaces where fluids have spilled. Use dry cleanup method (absorbent materials, cat litter, and/or rags) whenever possible. If you must use water, use just enough to keep the dust down.
- Sweep up spilled dry materials immediately. Never attempt to wash them away with water or bury them. Use as little water as possible for dust control.
- Clean up spills on dirt areas by digging up and properly disposing of contaminated soil.
- Report significant spills to the appropriate spill response agencies immediately.

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
- Dry wall crews
- Floor covering installers
- General contractors
- Home builders
- Developers

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 tributyl tin 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 vacum) building cleaning water and dispose to the sanitary sewer.

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.
- For oil based paints, paint out brushes to the extent possible, filter and reuse thinners and solvents. Dispose of excess liquids and residue as hazardous waste.

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 residue can flow to a gutter, street, or storm drain.

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.
- Protect downslope drainage courses, streams, and storm drains with hay bales or temporary drainage swales.
- Use check dams or ditches to divert runoff around excavations.
- Cover stockpiles and excavated soil with secured tarps or plastic sheeting.

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.

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, for details.

WATCH FOR ANY OF THESE CONDITIONS:

- Unusual soil conditions, discoloration, or odor
- Abandoned underground tanks
- Abandoned wells
- Buried 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.

ROADWORK AND PAVING

BEST MANAGEMENT PRACTICES FOR THE:

- Road Crews
- Driveway/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?

GENERAL BUSINESS PRACTICES

- 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.
- 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.
- 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.

ASPHALT/CONCRETE REMOVAL

- Avoid creating excess dust when breaking asphalt or concrete.
- After breaking old pavement, be sure to remove all chunks and pieces.
- Make sure broken pavement does not come in contact with rainfall or runoff.
- Shovel or vacuum saw-cut slurry and remove from the site. Cover or barricade storm drain during saw-cutting if necessary.
- Never hose down streets to clean up tracked dirt.

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 materials 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. Check frequently for leaks.

MATERIALS/WASTE/HANDLING

- 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

In the Santa Clara Valley, storm drains flow directly to local creeks and San Francisco Bay, with no treatment. Storm water pollution s a serious problem for wildlife dependent on our waterways and for the people who live near polluted streams or baylands. Some common sources of this pollution include spilled oil, fuel, and fluids from vehicles and heavy equipment; construction debris; landscaping runoff containing pesticides or weed killers; and materials such as used motor oil, antifreeze, and paint products that people pour or spill into a street or storm drain.

Thirteen valley cities have joined together with Santa Clara County and the Santa Clara Valley Water District to educate local residents and businesses and fight storm drain pollution.

Note: The property owner and the contractor share ultimate responsibility for the activities that occure on a construction site. Owner and contractor may be held responsible for any environmental damage caused by the subcontractors or employees.

Spill Response Agencies

1. Dial 911
2. Santa Clara Valley Water District Environmental Compliance Division (408) 927-0710.
3. 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, Montain 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.

No.	Revision	Date	By	Chkd

Date: 07/01/03
Drawn By:
Designed By:

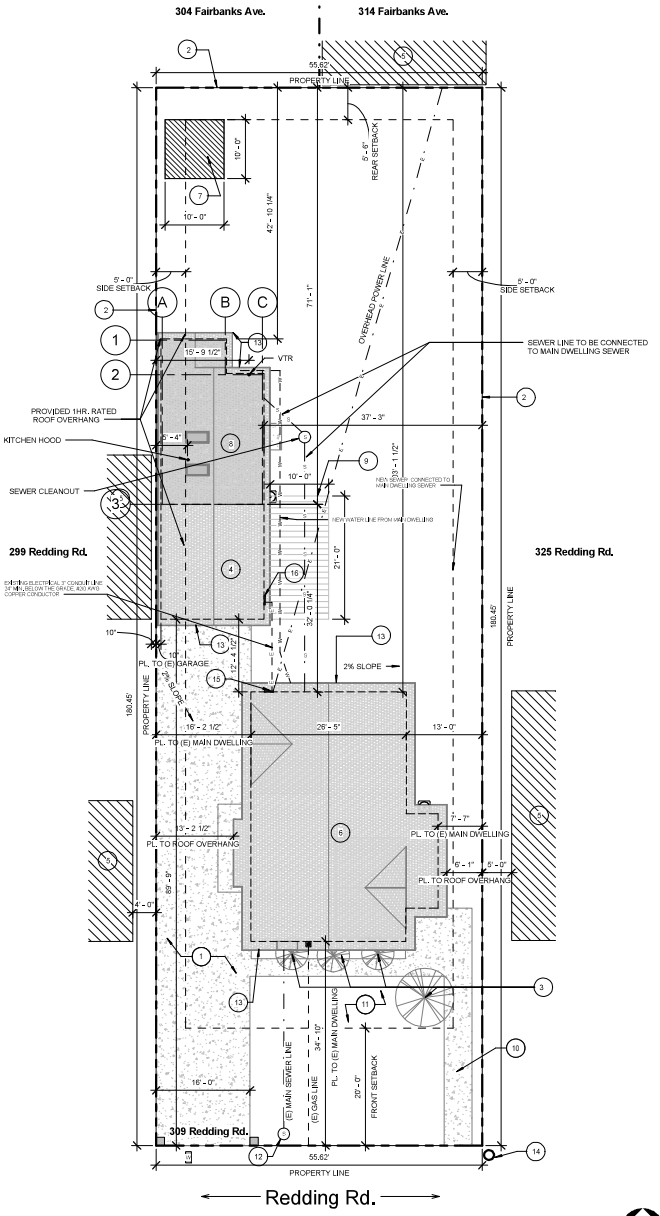
PLAN FOR THE IMPROVEMENT OF
BLUEPRINT FOR A CLEAN BAY
ENCROACHMENT PERMIT NO.

CITY OF CAMPBELL · THE ORCHARD CITY

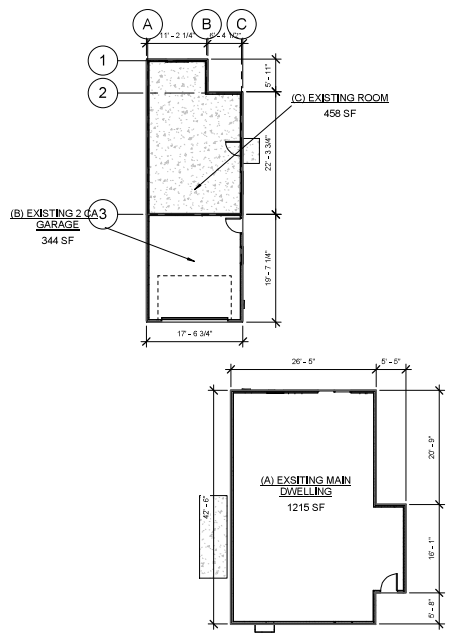
SCALE: N.T.S.

SHEET: OF

J:\Land Dev\Title Sheets\Blueprint for a clean bay



1 EXISTING SITE PLAN
1" = 10'-0"



2 EXISTING GROUND LEVEL
3/32" = 1'-0"

GENERAL NOTES

A. ALL WORK DESCRIBED IN THE DRAWINGS SHALL BE VERIFIED FOR DIMENSION, GRADE, EXTENT, AND COMPATIBILITY TO THE EXISTING SITE. ANY DISCREPANCIES AND UNEXPECTED CONDITIONS THAT AFFECT OR CHANGE THE WORK DESCRIBED IN THE CONTRACT DOCUMENTS SHALL BE BROUGHT TO THE ROLM DESIGN STUDIO'S ATTENTION IMMEDIATELY. DO NOT PROCEED WITH THE WORK IN THE AREA OF DISCREPANCIES UNTIL ALL SUCH DISCREPANCIES ARE RESOLVED. IF THE CONTRACTOR CHOOSES TO DO SO HE SHALL BE PRECEDING AT HIS OWN RISK. OMISSIONS FROM THE DRAWINGS AND SPECIFICATIONS OR THE MISDESCRIPTION OF THE WORK WHICH IS MANIFESTLY NECESSARY TO CARRY OUT THE INTENT OF THE DRAWINGS AND SPECIFICATIONS, OR WHICH IS CUSTOMARILY REFORMED, SHALL NOT RELIEVE THE CONTRACTOR FROM PERFORMING SUCH OMITTED OR MIS-DESCRIBED DETAILS OF THE WORK AS IF FULLY AND COMPLETELY SET FORTH AND DESCRIBED IN THE DRAWINGS AND SPECIFICATIONS. SITE CONDITIONS: ALL CONTRACTORS AND SUB-CONTRACTORS SHALL VERIFY DIMENSIONS AND CONDITIONS AT THE SITE PRIOR TO COMMENCEMENT OF THEIR WORK. FAILURE TO DO SO SHALL NOT RELEASE THEM FROM THE RESPONSIBILITY OF ESTIMATING THE WORK. IF ANY VARIATION, DISCREPANCY OR OMISSION BETWEEN THE INTENT OF THESE CONTRACT DOCUMENTS AND THE EXISTING CONDITIONS ARE FOUND, THE CONTRACTOR OR SUBCONTRACTOR SHALL NOTIFY ROLM DESIGN STUDIO IN WRITING AND OBTAIN WRITTEN RESOLUTION FROM ROLM DESIGN STUDIO PRIOR TO PROCEEDING WITH ANY RELATED WORK.
B. EXCAVATION ACTIVITIES ASSOCIATED WITH THE PROPOSED SCOPE OF WORK SHALL OCCUR NO CLOSER THEN 10-FEET FROM THE EXISTING STREET TREE, OR AS APPROVED BY THE URBAN FORESTRY DIVISION CONTACT 650-496-5953. ANY CHANGES SHALL BE APPROVED BY THE SAME.
C. MOVABLE EQUIPMENT, FURNITURE, ETC., SHALL BE REMOVED BY OWNER PRIOR TO COMMENCEMENT OF DEMOLITION WORK.
D. CONTRACTOR SHALL MAINTAIN THE BUILDING IN A WEATHER TIGHT CONDITION.
E. CONTRACTOR SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT DAMAGE TO CONSTRUCTION TO REMAIN OR OCCUPIED AREAS WHERE VARIOUS SYSTEM CONNECTIONS OR EXTENSIONS ARE REQUIRED.
F. THE OWNER WILL RETAIN SALVAGE ITEMS AS DESIGNATED BY THE OWNER'S REPRESENTATIVE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LEGAL REMOVAL OF CONSTRUCTION DEBRIS AND/OR ITEMS NOT RETAINED BY THE OWNER. THE CONTRACTOR IS RESPONSIBLE FOR STORAGE AND PROTECTION OF SALVAGE ITEMS WHICH MAY BE REUSED.
G. REMOVE MISCELLANEOUS EQUIPMENT ATTACHED TO WALLS, FLOORS OR CEILING WHERE INDICATED.
H. REMOVE FLOORING AND BASE THROUGHOUT U.N.O.
I. WHERE REMOVAL OF FLOOR COVERINGS AND WALL BASE ARE REQUIRED, REMOVE ONLY MATERIAL NECESSARY TO COMPLETE DEMOLITION. DEMOLITION INCLUDES OF ADHESIVES, GROUTING BEDS, ETC.; AND REQUIRES REMAINING REMOVAL SURFACES TO BE PREPARED FOR NEW CONSTRUCTION.
J. CONTRACTOR SHALL PREVENT ACCESS OF UNAUTHORIZED PERSONS TO PARTLY DEMOLISHED STRUCTURES OR AREAS. PROVIDE BARRICADES OR RIBBONED OFF ZONES.
K. ALL ITEMS FOR RE-USE SHALL BE STORED BY CONTRACTOR ON SITE IN OWNER'S BUILDING AT SPECIFIED LOCATION. ITEMS TO BE RE-USED ARE TO BE CLEANED, PATCHED, REFINISHED, PAINTED OR REPAIRED AS REQUIRED PRIOR TO INSTALLATION.
L. ITEMS NOT TO BE RETAINED BY OWNER SHALL BE DISPOSED OF BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE. THE STOCKPILING OF EXCESS MATERIAL ON-SITE WILL NOT BE ALLOWED.
M. DISCONNECT AND REMOVE ELECTRICAL EQUIPMENT AND WIRING BACK TO SOURCE FOR ALL EQUIPMENT AND LIGHTING TO BE DEMOLISHED.
N. ALL EXISTING ON-SITE UTILITIES SHALL REMAIN UNLESS DESIGNATED FOR REMOVAL OR SHOULD THEY INTERFERE WITH PROJECT CONSTRUCTION. CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES TO REMAIN.
O. CONTRACTOR SHALL COORDINATE ALL DEMOLITION WORK WITH APPROPRIATE UTILITY COMPANIES PRIOR TO STARTING WORK.
P. IF THE PROJECT DAMAGES THE CITY'S SIDEWALK OR CURB AND GUTTER AS RESULT OF CONSTRUCTION ACTIVITIES, THE PROPERTY OWNER WILL BE RESPONSIBLE TO REMOVE AND REPLACE ANY DAMAGES AS DIRECTED BY THE PUBLIC WORKS INSPECTOR. AN ENCROACHMENT PERMIT WILL ALSO BE REQUIRED.
Q. PUBLIC WORKS' NOTES:
- 1) APPROVAL OF THESE PLANS DOES NOT RELEASE THE OWNER AND/OR CONTRACTOR OF THE RESPONSIBILITY FOR THE CORRECTIONS OF MISTAKES, ERRORS, OR OMISSIONS CONTAINED THEREIN. IF DURING THE COURSE OF CONSTRUCTING IMPROVEMENTS, PUBLIC INTEREST REQUIRES A MODIFICATION OF/OR A DEPARTURE FROM THE CITY OF CUPERTINO SPECIFICATION OR THESE IMPROVEMENT PLANS, THE CITY ENGINEER SHALL HAVE THE AUTHORITY TO REQUIRE SUCH MODIFICATION OR DEPARTURE AND TO SPECIFY THE MANNER IN WHICH THE SAME IS TO BE COMPLETED, AT THE SOLE EXPENSE OF THE OWNER AND/OR CONTRACTOR.
- 2) CONTACT PUBLIC WORKS, (408) 777-3104, FOR INSPECTION OF GRADING, STORM DRAINAGE, AND PUBLIC IMPROVEMENTS.
- 3) ALL PUBLIC IMPROVEMENTS MUST BE COMPLETED PRIOR TO OCCUPANCY.
- 4) CONTRACTOR IS RESPONSIBLE FOR DUST CONTROL AND ENSURING THE AREA ADJACENT TO THE WORK IS LEFT IN A CLEAN CONDITION.
- 5) CONTRACTOR SHALL REVIEW CITY DETAIL 6-4 ON TREE PROTECTION PRIOR TO ACCOMPLISHING ANY WORK OR REMOVING ANY TREES.
- 6) UTILIZE BEST MANAGEMENT PRACTICES (BMP'S), AS REQUIRED BY THE STATE WATER RESOURCES CONTROL BOARD, FOR ANY ACTIVITY, WHICH DISTURBS THE SOIL.
- 7) A WORK SCHEDULE OF GRADING AND EROSION & SEDIMENT CONTROL PLAN SHALL BE PROVIDED TO THE CITY ENGINEER BY AUGUST 15. NO HILLSIDE GRADING SHALL BE PERFORMED BETWEEN OCTOBER 1 AND APRIL 15.
- 8) TO INITIATE RELEASE OF BONDS, CONTACT THE PUBLIC WORKS INSPECTOR FOR FINAL INSPECTION.
- 9) ALL DOWNSPOUTS TO BE RELEASED TO THE GROUND SURFACE, DIRECTED AWAY FROM BUILDING FOUNDATIONS AND DIRECTED TO LANDSCAPED AREAS.
- 10) PRIOR TO BEGINNING ANY WORK WITHIN THE PUBLIC RIGHT OF WAY, THE CONTRACTOR WILL BE RESPONSIBLE FOR PULLING AN ENCROACHMENT PERMIT FROM THE PUBLIC WORKS DEPARTMENT.

KEYNOTES

1. EXISTING DRIVEWAY, CON.PAVERS TO REMAIN.
2. EXISTING 6' HT. FENCE.
3. EXISTING TREE TO REMAIN.
4. NOT IN SCOPE, EXISTING 2 CAR GARAGE.
5. EXISTING NEIGHBOR BUILDING.
6. NOT IN SCOPE, EXISTING MAIN DWELLING UNIT.
7. EXISTING SHED TO REMAIN.
8. GRAY POCHE INDICATE PROPOSED ADU OUTLINES.
9. EXISTING WOOD TRELLIS TO REMAIN.
10. EXISTING WALKWAY, CON.PAVERS TO REMIAN.
11. EXISTING LAWN AND SHRUBS TO REMIAN.
12. EXISTING SEWER LINE TO REMAIN.
13. EXISTING ROOF LINE.
14. EXISTING UTILITY POLE.
15. 200 AMP. EXISTING ELECTRICAL PANEL.
16. EXISTING SUB-PANEL

Area Schedule (Gross Building)

Number	Name	Area
1	(A) EXSITING MAIN DWELLING	1215 SF
2	(C) EXISTING ROOM	458 SF
3	(B) EXISTING 2 CAR GARAGE	344 SF
TOTAL FLOOR AREA		2017 SF

TOTAL LOT COVERAGE:

2017 SF. + 100 SF. (EXISTING SHED) + 210 (EIXSTING TRELLIS)= 2327 SF.

RDS
Rolm Design Studio
1622 W Campbell Ave. Suite 108
Campbell, CA 95008
mehran@rolmdesignstudio.com
www.rolmdesignstudio.com
(925) 949-8062

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A Second Dwelling Unit For:
Buddhadeb Basu
309 Redding Rd, Campbell, CA 95008

Revisions		
No.	Date	Revision Description
1	1/31/19	PLNC 01
2	6/7/19	PLNC 02

Description
EXISTING SITE PLAN

Project Date	11/12/2018
Drawn by	RDS
Checked by	RDS
Project Number	180711
Scale	As indicated

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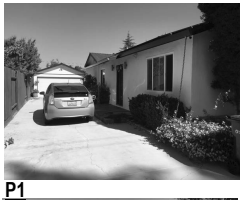
P3

P2



P1

P6

P7

BIRD EYE VEIW 01

BIRD EYE VEIW 02

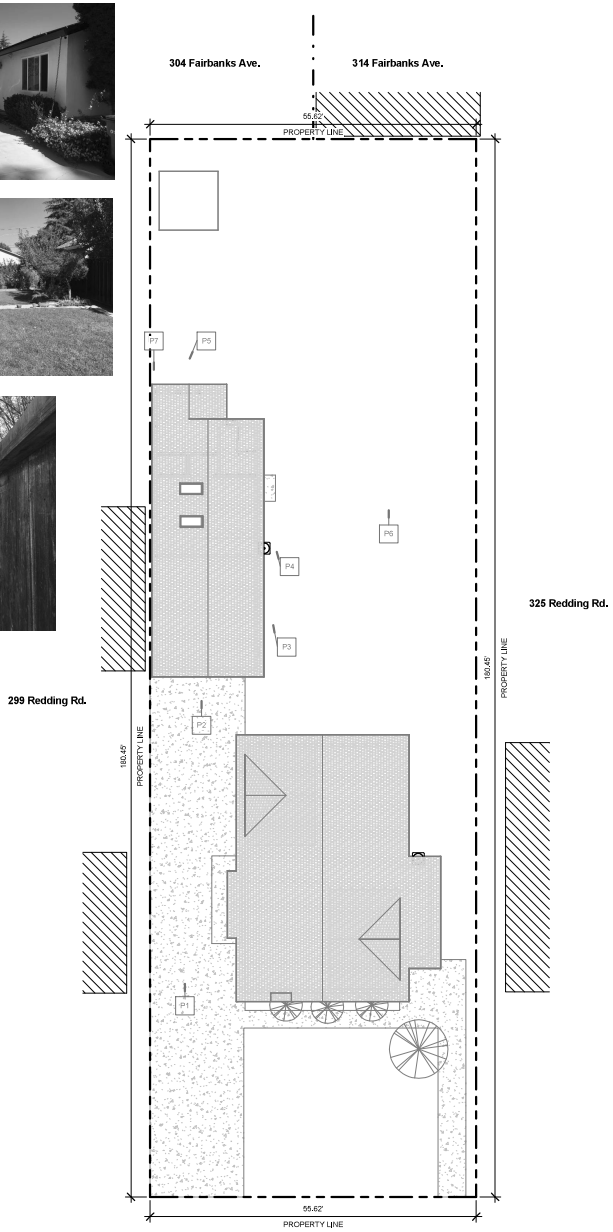
BIRD EYE VEIW 03

GOOGLE EARTH PHOTO JULY 2007

GOOGLE EARTH PHOTO SEP. 2008

GOOGLE EARTH PHOTO SEP. 2012

GOOGLE EARTH PHOTO AUG. 2018



1 KEY PLAN
1" = 10'-0"

RDS
Rolm Design Studio
1622 W Campbell Ave. Suite 108
Campbell, CA 95008

mehran@rolmdesignstudio.com
www.rolmdesignstudio.com
(925) 949-8062

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A Second Dwelling Unit For:

Buddhadeb Basu

309 Redding Rd. Campbell, CA 95008

Revisions		
No.	Date	Revision Description

Description
SITE PHOTOS

Project Date	11/12/2018
Drawn by	RDS
Checked by	RDS
Project Number	180711
Scale	1" = 10'-0"

A1.02

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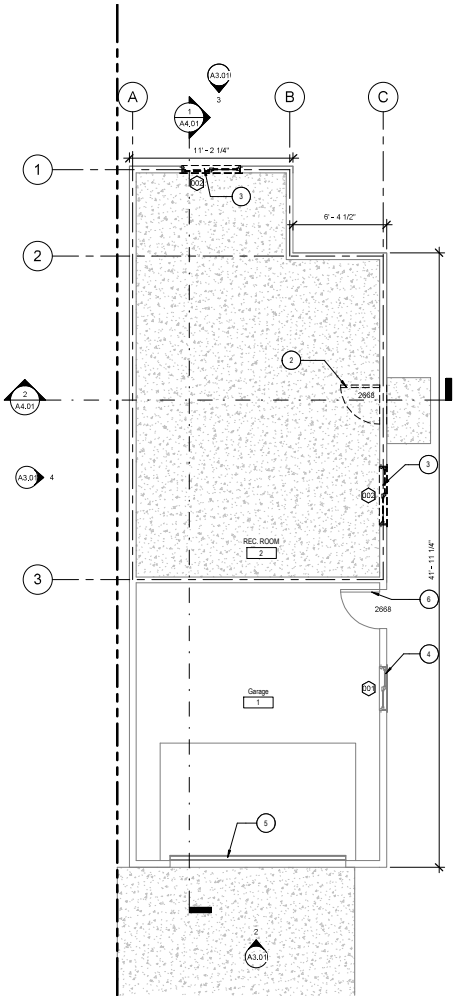
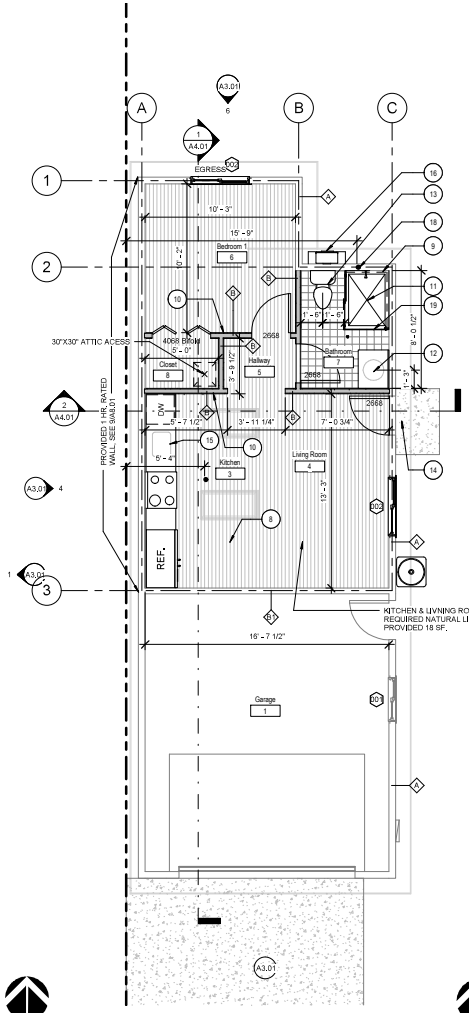
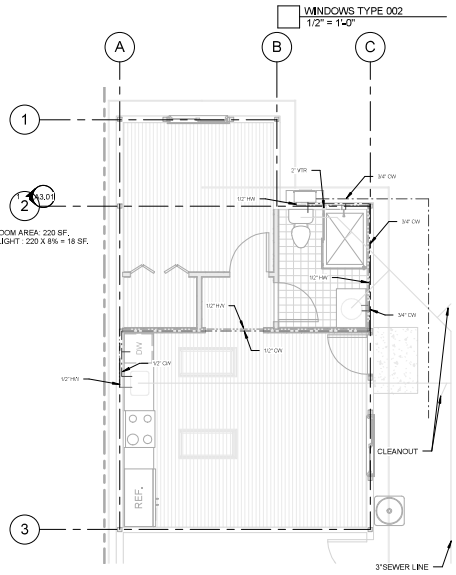


1 EXISTING AND DEMOLITION FLOOR PLAN
1/4" = 1'-0"



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

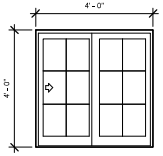


3 PLUMBING FLOOR PLAN
1/4" = 1'-0"

RESIDENTIAL BATHROOM NOTES (2016 CRC,CPC)

A. MIXING VALVE IN A SHOWER SHALL BE PRESSURE BALANCING. SET A MAX. 120 °F. WATER-FILLER VALVE IN BATHTUBS SHALL HAVE A TEMP. LIMITING DEVICE SET AT 120 °F MAX.
B. SHOWER STALLS SHALL BE A MIN. FINISHED INTERIOR OF 1,024 SQ. INCHES, CLEAR CEENTER DIMENSION OF A 30", & DOORS SHALL SWING OUT WITH OPENINGS 22" MIN.
C. THE WATER CLOSET SHALL HAVE MIN. CLEARANCES OF 30" WIDTH (15" ON CENTER) AND 24" IN THE FRONT.
D. ALL RECEPTACLES SHALL BE GFCI AND TAMPER-RESISTANT (TR). NEW OUTLETS SHALL HAVE A DEDICATED 20-AMP CIRCUIT.
E. HYDRO-MASSAGE TUBS SHALL HAVE MOTOR ACCESS, A DEDICATED CIRCUIT, AND BE UL LISTED. ALL METAL, CABLES FITTINGS, PIPING, ETC. WITHIN 5" OF THE INSIDE WALL OF THE TUB SHALL BE PROPERLY BONDED WITH AN ACCESS PANEL.
F. LIGHTING FIXTURES LOCATED WITHIN 3' HORIZONTALLY AND 8' VERTICALLY OF THE TUB/SHOWER SHALL BE LISTED FOR A DAMP LOCATION, OR WET LOCATIONS IF THE SUBJECT TO SHOWER SPRAY.
G. AN EXHAUST FAN SHALL BE INSTALLED AND BE ON A SEPARATE SWITCH FROM THE LIGHTING.
H. GLAZING IN TUB SHOWER ENCLOSURES SHALL BE SAFETY GLAZING WHEN > 60" ABOVE THE STANDING SURFACE.
I.
J. GLAZING WITHIN 60" OF A TUB/SHOWER AND LESS THAN 60" ABOVE THE FINISHED FLOOR SHALL BE SAFETY GLAZING.
K. LIGHTING SHALL BE HIGH EFFICACY FIXTURES (E.G. FLOURESCENT) OR BE CONTROLLED BY A SWITCH WHICH REQUIRES MANUAL ACTIVATION AND AUTOMATICALLY TURNS OFF WITHIN 30 MINS. AFTER THE ROOM IS VACATED.
L. THE CALIFORNIA CIVIL CODE REQUIRES THAT ALL EXISTING NON-WATER EFFICIENT PLUMBING FIXTURES THROUGHOUT THE HOUSE BE UPGRADED. HOUSES CONSTRUCTED AFTER JANUARY 1, 1994 ARE EXEMPT:
- TOILETS: >1.6 GALLONS, SHALL BE REPLACED WITH 1.28 GALLONSFLUSH
- SHOWERHEADS: > 2.5 GALLONS/MINUTE SHALL BE REPLACED WITH MAX. 2.0 GALLONS/MINUTE
- BATH SINK FAUCETS: > 2.2 GALLONS/MINUTE SHALL BE REPLACED WITH MAX. 1.2 GALLONS/MINUTE
- KITCHEN SINK FAUCET: >2.2 GALLONS/MINUTE SHALL BE REPLACED WITH MAX. 1.8 GALLONS/MINUTE

OVERALL WINDOW SCHEDULE			
TYPE MARK	WIDTH	HEIGHT	Comments
001	3' - 0"	3' - 0"	Vinyl Slider Window
002	4' - 0"	4' - 0"	Vinyl Slider Window
003	1' - 10 1/2"	3' - 11 1/4"	Fixed deck mtd. Skylight



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B. ALL EXTERIOR LIGHTS WILL BE SHEILDED AND DOWNWARD DIRECTED.
C. EXCAVATION ACTIVITIES ASSOCIATED WITH THE PROPOSED SCOPE OF WORK SHALL OCCUR NO CLOSER THEN 10-FEET FROM THE EXISTING STREET TREE, OR AS APPROVED BY THE URBAN FORESTRY DIVISION CONTACT 650-496-5953. ANY CHANGES SHALL BE APPROVED BY THE SAME.
D. DRYER VENTING SHALL TERMINATE ON THE EXTERIOR OF THE BUILDING AND WILL HAVE A BACK DRAFT DAMPER (FLAPPER). SCREENS SHALL NOT BE PERMITTED OR INSTALLED AT THE DRYER VENT TERMINATION. CLOTHES DRYER VENT PIPES SHALL NOT PASS THROUGH OR EXTEND INTO TO DUCTING OR PLENUMS. DRYER DUCTING SHALL NOT BE FASTENED WITH SCREW TYPE FASTENERS WHICH MAY IMPEDE THE AIR FLOW OR CATCH LINT. YET MUST BE FASTENED AND SEALED SUBSTANTIALLY AIRTIGHT AT EACH JOINT. (AN APPROVED FASTENING SYSTEM IS ALUMINUM DUCT TAPE)
E. A MINIMUM OF A 4-INCH DIAMETER DUCT IS REQUIRED.
F. CLOTHES DRYER VENT DUCTS SHALL BE METAL AND SHALL HAVE A SMOOTH INTERIOR SURFACE. AN APPROVED FLEXIBLE DUCT CONNECTOR OF NOT MORE THAN 6 FEET IN LENGTH MAY BE USED TO CONNECT THE DRYER TO THE DRYER VENT PIPE. FLEXIBLE DUCT CONNECTORS SHALL NOT BE CONCEALED WITHIN THE CONSTRUCTION. (FLEX DUCT CONNECTORS SHALL NOT PASS INTO OR THROUGH A CONCEALED SPACE. THIS INCLUDES CABINETS, WALLS AND ATTIC SPACES).
G. A DRYER VENT DUCT SHALL NOT EXCEED THE MAXIMUM LENGTH (HORIZONTAL AND/OR VERTICAL) OF 14 FEET INCLUDING TWO (90-DEGREE) TURNS WITHOUT A MECHANICAL UPGRADE. TWO FEET OF LENGTH SHALL BE DEDUCTED FOR EACH ADDITIONAL 90-DEGREE TURN.
H. MOVABLE EQUIPMENT, FURNITURE, ETC, SHALL BE REMOVED BY OWNER PRIOR TO COMMENCEMENT OF DEMOLITION WORK.
I. CONTRACTOR SHALL MAINTAIN THE BUILDING IN A WEATHER TIGHT CONDITION.
J. CONTRACTOR SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT DAMAGE TO CONSTRUCTION TO REMAIN OR OCCUPIED AREAS WHERE VARIOUS SYSTEM CONNECTIONS OR EXTENSIONS ARE REQUIRED.
K. THE OWNER WILL RETAIN SALVAGE ITEMS AS DESIGNATED BY THE OWNER'S REPRESENTATIVE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LEGAL REMOVAL OF CONSTRUCTION DEBRIS AND/OR ITEMS NOT RETAINED BY THE OWNER. THE CONTRACTOR IS RESPONSIBLE FOR STORAGE AND PROTECTION OF SALVAGE ITEMS WHICH MAY BE REUSED.
L. REMOVE MISCELLANEOUS EQUIPMENT ATTACHED TO WALLS, FLOORS OR CEILING WHERE INDICATED.
M. REMOVE FLOORING AND BASE THROUGHOUT U.N.O.
N. WHERE REMOVAL OF FLOOR COVERINGS AND WALL BASE ARE REQUIRED, REMOVE ONLY MATERIAL NECESSARY TO COMPLETE DEMOLITION. DEMOLITION INCLUDES OF ADHESIVES, GROUTING BEDS, ETC.; AND REQUIRES REMAINING REMOVAL SURFACES TO BE PREPARED FOR NEW CONSTRUCTION.
O. CONTRACTOR SHALL PREVENT ACCESS OF UNAUTHORIZED PERSONS TO PARTLY DEMOLISHED STRUCTURES OR AREAS. PROVIDE BARRICADES OR RIBBONED-OFF ZONES.
P. ALL ITEMS FOR RE-USE SHALL BE STORED BY CONTRACTOR ON SITE IN OWNER'S BUILDING AT SPECIFIED LOCATION. ITEMS TO BE RE-USED ARE TO BE CLEANED, PATCHED, REFINISHED, PAINTED OR REPAIRED AS REQUIRED PRIOR TO INSTALLATION.
Q. ITEMS NOT TO BE RETAINED BY OWNER SHALL BE DISPOSED OF BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE. THE STOCKPILING OF EXCESS MATERIAL ON-SITE WILL NOT BE ALLOWED.
R. DISCONNECT AND REMOVE ELECTRICAL EQUIPMENT AND WIRING BACK TO SOURCE FOR ALL EQUIPMENT AND LIGHTING TO BE DEMOLISHED.
S. ALL EXISTING ON-SITE UTILITIES SHALL REMAIN UNLESS DESIGNATED FOR REMOVAL OR SHOULD THEY INTERFERE WITH PROJECT CONSTRUCTION. CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES TO REMAIN.
T. CONTRACTOR SHALL COORDINATE ALL DEMOLITION WORK WITH APPROPRIATE UTILITY COMPANIES PRIOR TO STARTING WORK.

KEYNOTES

1. NOT IN SCOPE.
2. EXISTING DOOR, FRAME , HARDWARE, TO BE REMOVED. PATCH AND REPAIR AT DOOR OPENING WHERE IT'S OCCURED.
3. EXISTING WINDOW,FRAME, HARDWARE, TO BE REMOVED. PATCH AND REPAIR AT WINDOW OPENING WHERE IT'S OCCURED.
4. EXISTING WINDOW TO REMAIN.
5. EXISTING GARAGE DOOR TO REMAIN
6. EXISTING DOOR TO REMAIN
7. NO GYP BD. IN THE BATHROOM.
8. NEW HARDWOOD FLOORING.
9. NONE-ABSERBONT SURFACE WITH +6'-0" MIN. HEIGHT ABVOE THE FINISH FLOOR.
10. NEW INTERIOR WOOD FRAME WALL WITH GYP. BOARD, REFER TO PARTION TYPE A SHEET A2.11
11. NEW SHOWER WITH TEMPERED GLAZING AND SHOWERHEAD SELECTED BY OWNER. SHOWERHEAD SHALL COMPLY WITH CALIFORNIA GREEN BLDG. RESIDENTIAL MANDOTRY MEASURES., SEE 12/A8.01 FOR TILE DETAIL
12. NEW SINK, CABINET, AND FAUCET SELECTED BY OWNER. BATH SINK FAUCET SHALL COMPLY WITH CALIFORNIA GREEN BLDG. RESIDENTIAL MANDOTRY MEASURES.
13. NEW FLOOR MOUNT TWO PIECES WATER CLOSET SELECTED BY OWNER. WATER CLOSET SHOWERHEAD SHALL COMPLY WITH CALIFORNIA GREEN BLDG. RESIDENTIAL MANDOTRY MEASURES.
14. NEW CONCRETE STEPS WITH 3'-0" MIN. LANDING.
15. NEW SINKDISPOSAL AND KITCHEN CABINETS, KITCHEN FAUCET SELECTED BY OWNER AND SHALL COMPLY WITH CALIFORNIA GREEN BLDG. RESIDENTIAL MANDOTRY MEASURES.
16. NEW 40 TANKLESS WATER HEATER
17. EXISTING ATTIC FURNACE 40 TON.
18. 2" VTR, SEE VTR CALCUALTION , SHEET 2.31 AND 2/A8.02
19. FRAME-LESS 3/8" THICK TEMPERED GLASS PANEL WITH 1" ANODIZED ALUM. U-CHANNEL AT BOTTOM.
20. EXISTING GAS METER

DEMOLITION FLOOR PLAN SYMBOLS LEGEND

WALL TO BE REMOVED
WALL TO REMAIN
WINDOW TO REMAIN
WINDOW TO BE REMOVED
DOOR TO REMAIN
DOOR TO BE REMOVED

FLOOR PLAN SYMBOLS LEGEND

NEW WALL, SEE WALL TYPE NOTES
EXISTING WALL
NEW WINDOW
EXISTNG WINDOW
NEW DOOR
EXISTING DOOR
8"X14" G.I. FOUNDATION VENT

WALL TYPE

A R13 HIGH DENSITY FIBERGLASS BATT INSULATION IN 2X4 EXTERIOR WOOD FRAMED WALL CAVITIES TYPICAL THROUGHOUT. 7/8" MIN. STUCCO (3-COAT) W/WIRE LATH O2-LAYER GRADE 'D' PAPER TO MATCH EXISTING AND A LAYER OF GYP. BD. INSIDE. AND PROVIDE 26 GA. GALVANIZED WEEP SCREED WITH A MINIMUM VERTICAL ATTACHMENT FLANGE OF 3 ½ INCHES SHALL BE PROVIDED AT FOUNDATION PLATE LINE AT LEAST 4" ABOVE GRADE OR 2 INCHES ABOVE CONCRETE OR PAVING AND SHALL BE OF A TYPE THAT WILL ALLOW TRAPPED WATER TO DRAIN TO THE EXTERIOR OF THE BUILDING.

B 2X4 INTERIOR WOOD FRAMED WALL WITH 1/2" GYPSUM WALLBOARD ON BOTH SIDES.

B1 SAME AS WALL TYPE B EXCEPT: A LAYER OF 5/8" TYPE "X" GYP. BOAR AT GARAGE SIDE. THIS WALL TO BE EXTENDED TO ROOF SHEATHING

RDS
Rolm Design Studio
1622 W Campbell Ave. Suite 108
Campbell, CA 95008
mehran@rolmdesignstudio.com
www.rolmdesignstudio.com
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A Second Dwelling Unit For:
Buddhadeb Basu
309 Redding Rd, Campbell, CA 95008

Revisions		
No.	Date	Revision Description
1	1/31/19	PLNC 01
2	6/7/19	PLNC 02

Description
EXISTING AND DEMOLITION AND IMPROVEMENT FLOOR PLAN

Project Date	11/12/2018
Drawn by	RDS
Checked by	RDS
Project Number	180711
Scale	As indicated

A2.11

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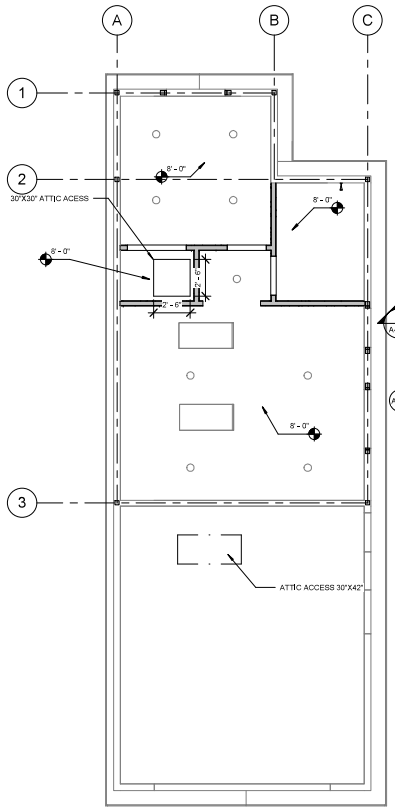
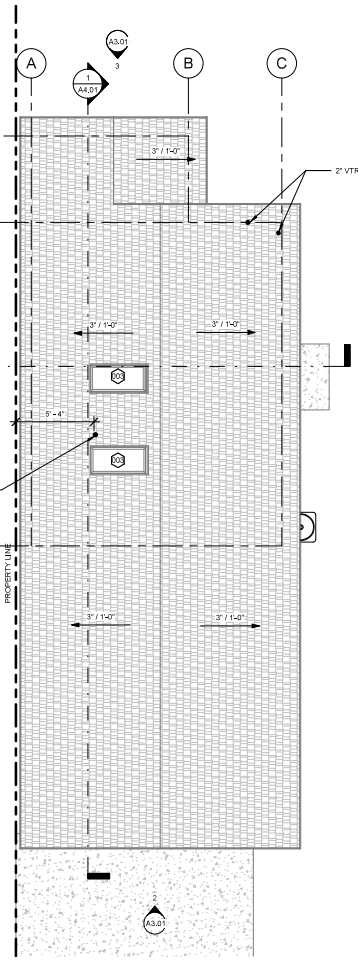
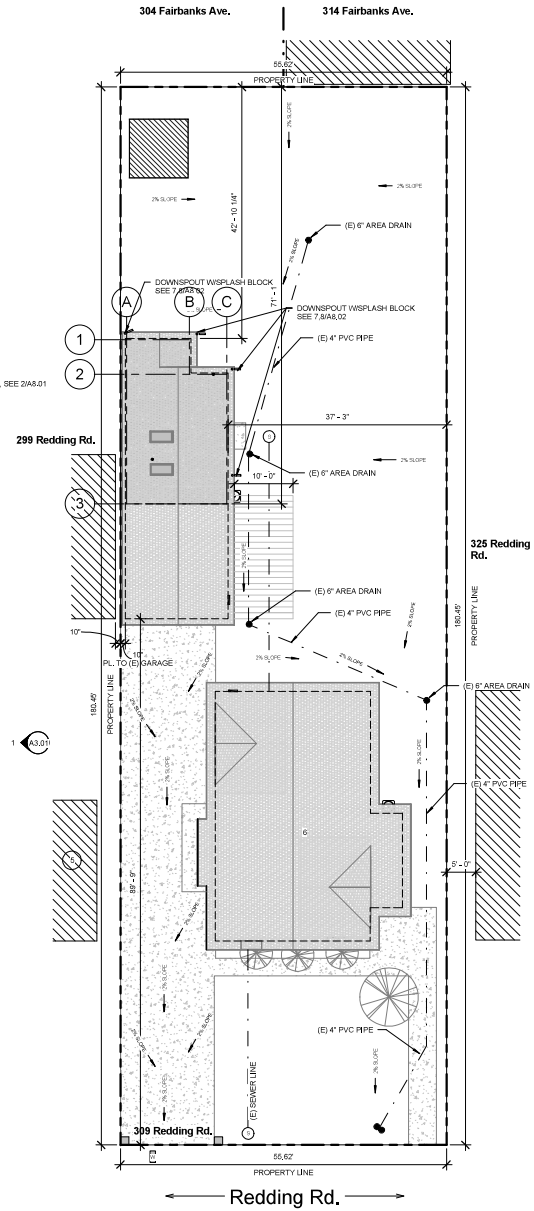


1 MAIN FLOOR - REFLECTED CEILING PLAN
1/4" = 1'-0"



2 ROOF PLAN
1/4" = 1'-0"



3 EXISTING SITE DRAINAGE PLAN
1" = 10'-0"

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T. CONTRACTOR SHALL COORDINATE ALL DEMOLITION WORK WITH APPROPRIATE UTILITY COMPANIES PRIOR TO STARTING WORK.
U. APPROVAL OF THESE PLANS DOES NOT RELEASE THE OWNER AND/OR CONTRACTOR OF THE RESPONSIBILITY FOR THE
V. CORRECTIONS OF MISTAKES, ERRORS, OR OMISSIONS CONTAINED THEREIN. IF DURING THE COURSE OF CONSTRUCTING IMPROVEMENTS, PUBLIC INTEREST REQUIRES A MODIFICATION OF/OR A DEPARTURE FROM THE CITY OF CUPERTINO SPECIFICATION OR THESE IMPROVEMENT PLANS, THE CITY ENGINEER SHALL HAVE THE AUTHORITYTO REQUIRE SUCH MODIFICATION OR DEPARTURE AND TO SPECIFY THE MANNER IN WHICH THE SAME IS TO BE COMPLETED, AT THE SOLE EXPENSE OF THE OWNER AND/OR CONTRACTOR.
W. CONTACT PUBLIC WORKS, (408) 777-3104, FOR INSPECTION OF GRADING, STORM DRAINAGE, AND PUBLIC IMPROVEMENTS.
X. ALL PUBLIC IMPROVEMENTS MUST BE COMPLETED PRIOR TO OCCUPANCY.
Y. CONTRACTOR IS RESPONSIBLE FOR DUST CONTROL AND ENSURING THE AREA ADJACENT TO THE WORK IS LEFT IN A CLEAN CONDITION.
Z. CONTRACTOR SHALL REVIEW CITY DETAIL 6-4 ON TREE PROTECTION PRIOR TO ACCOMPLISHING ANY WORK OR REMOVING ANY TREES.
AA. UTILIZE BEST MANAGEMENT PRACTICES (BMPS), AS REQUIRED BY THE STATE WATER RESOURCES CONTROL BOARD, FOR ANY ACTIVITY, WHICH DISTURBS THE SOIL.
AB. A WORK SCHEDULE OF GRADING AND EROSION & SEDIMENT CONTROL PLAN SHALL BE PROVIDED TO THE CITY ENGINEER BY AUGUST 15. NO HILLSIDE GRADING SHALL BE PERFORMED BETWEEN OCTOBER 1 AND APRIL 15.
AC. TO INITIATE RELEASE OF BONDS, CONTACT THE PUBLIC WORKS INSPECTOR FOR FINAL INSPECTION.
AD. ALL DOWNSPOUTS TO BE RELEASED TO THE GROUND SURFACE, DIRECTED AWAY FROM BUILDING FOUNDATIONS AND DIRECTED TO LANDSCAPED AREAS.
AE. PRIOR TO BEGINNING ANY WORK WITHIN THE PUBLIC RIGHT OF WAY, THE CONTRACTOR WILL BE RESPONSIBLE FOR PULLING AN ENCROACHMENT PERMIT FROM THE PUBLIC WORKS DEPARTMENT.
AF. "GASCOIGNE DR. IS RECENTLY PAVED; THEREFORE, A STREET CUT MORATORIUM IS IN PLACE FOR A PERIOD OF THREE YEARS. HOWEVER, EXCEPTIONS CAN BE GRANTED WITH PROPER PAVEMENT RESTORATION SUCH AS SLURRY SEAL. THEREFORE, ADDITIONAL COST MAY BE ADDED TO ANY UTILITY WORK IN THE PAVEMENT."
AG. "IF THE PROJECT DAMAGES THE CITY'S SIDEWALK OR CURB AND GUTTER AS RESULT OF CONSTRUCTION ACTIVITIES, THE PROPERTY OWNER WILL BE RESPONSIBLE TO REMOVE AND REPLACE ANY DAMAGES AS DIRECTED BY THE PUBLIC WORKS INSPECTOR. AN ENCROACHMENT PERMIT WILL ALSO BE REQUIRED."

ATTIC VENTILATION AND VTR CALCULATION

- **PROVIDE 4"X16" ATTIC VENTS EVENLY SPACED AROUND PERIMETER OF ROOF FOR CROSS VENTILATION REQUIREMENTS.**
VENT NEW ATTIC 1/150 SF MIN. REQ.
ATTIC AREA 458 SF
- **50% X 458 SF. = 229 SF.**
- **229 SF./150 = 1.52 SF. - 2 SF.**
- **2 SF. X 144 = 288 SQ. IN.**
- **FREIZE VENT SIZE 4" X 16" = 64 SQ. IN. EA.**
- **288/64 = 5**

- **5 ATTIC VENTS MIN. REQ. IN LOWER PORTION**

OR

- **PROVIDE 21"X24" EYEBROW VENTS EVENLY SPACED AROUND PERIMETER OF ROOF FOR CROSS VENTILATION REQUIREMENTS.**

- **50% X 458 SF. = 229 SF.**
- **229 SF./150 = 1.52 SF. - 2 SF.**
- **2 SF. X 144 = 288 SQ. IN.**
- **EYEBROW VENT TYP 21" X 24" = 504 SQ. IN. EA.**
- **288 /504 = 1**

OR **1 EYEBROW VENTS MIN. REQ. IN UPPER PORTION**

- **VTR CALCULATION:**

1 X 2" VENT = 1 X 3.1416
~4

RDS
Rolm Design Studio
1622 W Campbell Ave. Suite 108
Campbell, CA 95008
mahran@rolmdesignstudio.com
www.rolmdesignstudio.com
(925) 949-8062

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A Second Dwelling Unit For:
Buddhadeb Basu
309 Redding Rd, Campbell, CA 95008

Revisions		
No.	Date	Revision Description
1	1/31/19	PLNC 01
2	6/7/19	PLNC 02

Description:
REFLECTED CEILING PLAN AND ROOF PLAN

Project Date	11/12/2018
Drawn by	RDS
Checked by	RDS
Project Number	180711
Scale	As indicated

A2.21

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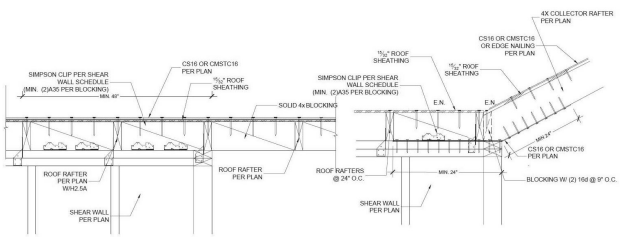
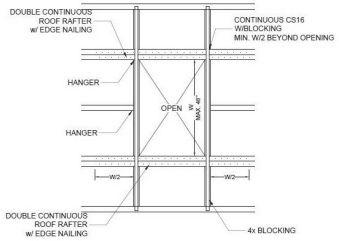


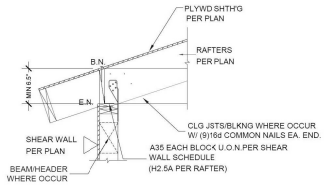
10 ROOF DIAPHRAGM STRAP

NTS



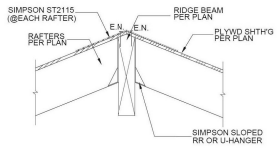
11 OPENING IN ROOF

NTS



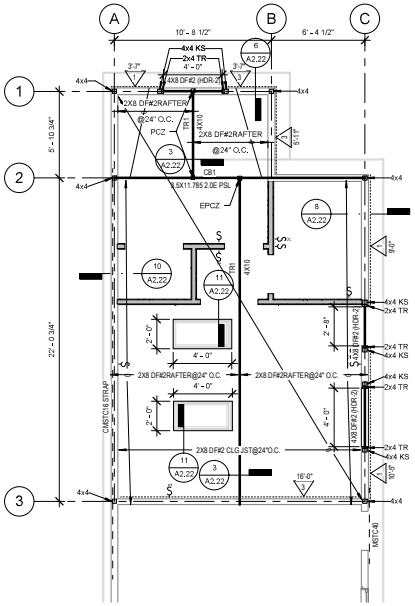
8 SHEAR TRANSFER AT SHEAR WALL

NTS



9 TOP RIDGE BEAM CONNECTION

NTS



ROOF RAFTER:
- 2X8 D.F. NO.2 @ 24" W/LSSU28 FOR RAFTER SPAN UP TO 12'
- 2X10 D.F. NO.2 @ 24" W/LSSU28 FOR RAFTER SPAN UP TO 15'
- 2X12 D.F. NO.2 @ 24" W/LSSU210 FOR RAFTER SPAN UP TO 18'

CEILING JOIST:
- 2X6 D.F. NO.2 @ 24" O.C. W/LUS26 MAX 12'
- 2X8 D.F. NO.2 @ 24" O.C. W/LUS28 MAX 16'
- 2X10 D.F. NO.2 @ 24" O.C. W/LUS28 MAX 20'

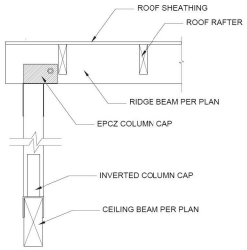
HEADER (U.N.O):
- 4X8 D.F NO.1 SPAN UP TO 6'
- 4X10 D.F. NO.1 SPAN UP TO 8'
- 4X12 D.F. NO.1 SPAN UP TO 10'

ALL BEAM TO POSTS WITH EPCZ POST CAP UNLESS NOTED OTHERWISE IN DETAILS OR PLAN

5 FRAMING PLAN

1/4" = 1'-0"

REFRENCE ONLY



6 KING POST SUPPORT

NTS

MARK	SHEATING	EDGE NAIL	SHEAR TRANSFER: PLATE NAIL	SHEAR TRANSFER: SHEAR CLIP	SILL PLATE ANCHORS	ALLOWABLE SHEAR(plf)
1	15/32" Sheathing	10d @ 6"	16d @ 6" O.C.	A35 @ 24"	5/8" x 12" @ 4'-0"	310
2	15/32" Sheathing	10d @ 4"	16d @ 4" O.C.	A35 @ 16"	5/8" x 12" @ 3'-0"	460
3	15/32" Sheathing	10d @ 3"	16d @ 3" O.C.	A35 @ 12"	5/8" x 12" @ 2'-0"	600
4	15/32" Sheathing	10d @ 2"	16d @ 2" O.C.	A35 @ 9"	5/8" x 12" @ 1'-6"	770
5	15/32" Sheathing Both Sides	10d @ 3"	SDS25500 @ 3" O.C.	LTP4 @ 12" BOTH SIDES	5/8" x 12" @ 1'-0"	1200
6	15/32" Sheathing Both Sides	10d @ 2"	SDS25500 @ 3" O.C.	LTP4 @ 8" BOTH SIDES	5/8" x 12" @ 8"	1540

SHEAR WALL NOTES:

1. CONTRACTOR SHALL REVIEW ALL TYPICAL SHEAR WALL CONNECTION DETAILS PRIOR TO START CONSTRUCTION.
2. SHEAR WALL SHEATHING SHALL BE 15/32" CD, CC OR BETTER PLYWD. w/ ALL EDGES BLOCKED AND NAILED PER THE SHEAR WAIL SCHEDULE.
3. TYPICAL FASTENERS: 10d COMMON UNLESS OTHERWISE NOTED. NAILS EXPOSED TO THE EXTERIOR SHALL BE GALVANIZED. FIELD NAILING IS 10d @ 12" O.C.
4. LTP4 CAN BE USED INSTEAD OF A35 SHEAR CLIP.
5. FRAMING: 2x D.F. TYP. @ 16" O.C.
6. FRAMING AT ADJOINING PANEL EDGES SHALL BE 3" NOMINAL OR WIDER AND NAIL SHALL BE STAGGERED WHERE SPACING IS 3" OR LESS ON CENTER.
7. END NAIL STUDS TO SILL PLATE WITH (2) 20d BOX NAIL INSTEAD OF (2) 16d COMMON NAILS.
8. IF NEW ANCHOR BOLTS "REQUIRED AT EXISTING FOUNDATION, PROVIDE 5/8" X MIN. 12" EMBEDMENT INTO EXISTING CONCRETE EPOXIED ANCHOR BOLTS SPACING SHOWN AT SHEAR WALL SCHEDULE. PROVIDE 3"X3"X1/4" PLATE WASHER.
9. CONTRACTOR TO VERIFY THE EXISTING PLYWOOD EDGE NAILING, TYPE OF PLYWOOD USED AND SPACING ON EXISTING ANCHOR BOLTS IN FILED.
10. SPECIAL INSPECTION BY INSPECTOR REQUIRED FOR HOLD DOWN INSTALLATION INTO EXISTING FOUNDATION.
11. SPECIAL INSPECTION IS REQUIRED FOR STRUCTURAL WOOD SHEAR WALL COMPONENTS WITH NAIL SPACING CLOSER THAN 4" OC PER CBC 1705.11.2.

3 SHEAR WALL SCHUDLE

NTS

RDS
Rolm Design Studio
1622 W Campbell Ave, Suite 108
Campbell, CA 95008

mehran@rolmdesignstudio.com
www.rolmdesignstudio.com
(925) 949-8062

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A Second Dwelling Unit For:

Buddhadeb Basu

309 Redding Rd, Campbell, CA 95008

Revisions		
No.	Date	Revision Description
2	6/7/19	PLNC 02

Description:
ROOF FRAMING

Project Date	11/12/2018
Drawn by	RDS
Checked by	RDS
Project Number	180711
Scale	As indicated

A2.22

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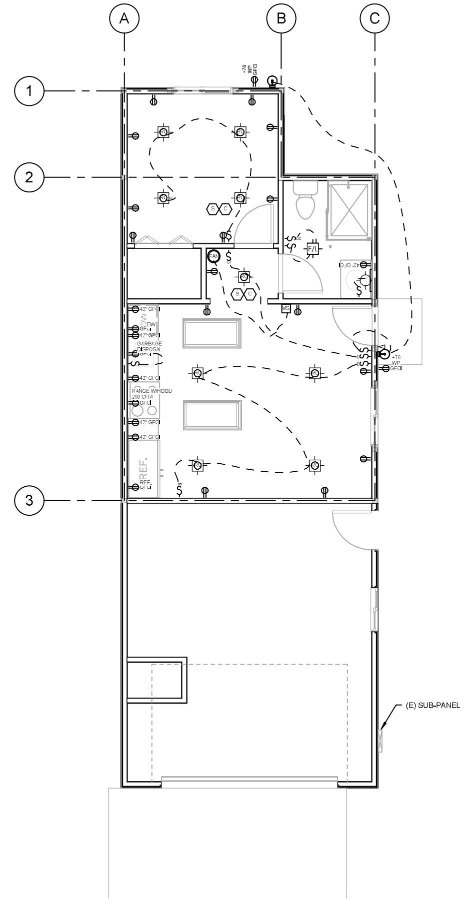

GENERAL NOTES

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b. ALL EXTERIOR LIGHTS WILL BE SHEILDED AND DOWNWARD DIRECTED.
c. MOVABLE EQUIPMENT, FURNITURE, ETC, SHALL BE REMOVED BY OWNER PRIOR TO COMMENCEMENT OF DEMOLITION WORK.
d. CONTRACTOR SHALL MAINTAIN THE BUILDING IN A WEATHER TIGHT CONDITION.
e. CONTRACTOR SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT DAMAGE TO CONSTRUCTION TO REMAIN OR OCCUPIED AREAS WHERE VARIOUS SYSTEM CONNECTIONS OR EXTENSIONS ARE REQUIRED.
f. THE OWNER WILL RETAIN SALVAGE ITEMS AS DESIGNATED BY THE OWNER'S REPRESENTATIVE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LEGAL REMOVAL OF CONSTRUCTION DEBRIS AND/OR ITEMS NOT RETAINED BY THE OWNER. THE CONTRACTOR IS RESPONSIBLE FOR STORAGE AND PROTECTION OF SALVAGE ITEMS WHICH MAY BE REUSED.
g. REMOVE MISCELLANEOUS EQUIPMENT ATTACHED TO WALLS, FLOORS OR CEILING WHERE INDICATED.
h. REMOVE FLOORING AND BASE THROUGHOUT U.N.O.
i. WHERE REMOVAL OF FLOOR COVERINGS AND WALL BASE ARE REQUIRED, REMOVE ONLY MATERIAL NECESSARY TO COMPLETE DEMOLITION. DEMOLITION INCLUDES OF ADHESIVES, GROUTING BEDS, ETC.; AND REQUIRES REMAINING REMOVAL SURFACES TO BE PREPARED FOR NEW CONSTRUCTION.
j. CONTRACTOR SHALL PREVENT ACCESS OF UNAUTHORIZED PERSONS TO PARTLY DEMOLISHED STRUCTURES OR AREAS. PROVIDE BARRICADES OR RIBBONED-OFF ZONES.
k. ALL ITEMS FOR RE-USE SHALL BE STORED BY CONTRACTOR ON SITE IN OWNER'S BUILDING AT SPECIFIED LOCATION. ITEMS TO BE RE-USED ARE TO BE CLEANED, PATCHED, REFINISHED, PAINTED OR REPAIRED AS REQUIRED PRIOR TO INSTALLATION.
l. ITEMS NOT TO BE RETAINED BY OWNER SHALL BE DISPOSED OF BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE. THE STOCKPILING OF EXCESS MATERIAL ON-SITE WILL NOT BE ALLOWED.
m. DISCONNECT AND REMOVE ELECTRICAL EQUIPMENT AND WIRING BACK TO SOURCE FOR ALL EQUIPMENT AND LIGHTING TO BE DEMOLISHED.
n. ALL EXISTING ON-SITE UTILITIES SHALL REMAIN UNLESS DESIGNATED FOR REMOVAL OR SHOULD THEY INTERFERE WITH PROJECT CONSTRUCTION. CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES TO REMAIN.
o. CONTRACTOR SHALL COORDINATE ALL DEMOLITION WORK WITH APPROPRIATE UTILITY COMPANIES PRIOR TO STARTING WORK.

RESIDENTIAL ENERGY REQUIREMENT NOTES

a. RECESSED DOWNLIGHT LUMINAIRES IN CEILINGS SHALL BE LISTED FOR ZERO CLEARANCE, SHALL BE CERTIFIED AS AIRTIGHT (INCLUDING EXHAUST FAN HOUSINGS), SHALL BE SEALED WITH A GASKET OR CAULK BETWEEN THE LUMINAIRE HOUSING AND CEILING, SHALL NOT CONTAIN SCREW BASE SOCKETS, AND ALL LIGHT SOURCES SHALL BE MARKED WITH "JA8-2016-E" AS SPECIFIED IN REFERENCE JOINT APPENDIX JA8.
b. ALL FORWARD PHASE CUT DIMMERS USED WITH LED LIGHT SOURCES SHALL COMPLY WITH NEMA SSL 7A.
c. EXHAUST FANS SHALL BE SWITCHED SEPARATELY FROM LIGHTING SYSTEM.
d. LUMINAIRES SHALL BE SWITCHED WITH READILY ACCESSIBLE CONTROLS THAT PERMIT THE LUMINAIRES TO BE MANUALLY SWITCHED ON AND OFF.
e. IN BATHROOMS GARAGES, LAUNDRY ROOMS, AND UTILITY ROOMS, AT LEAST ONE LUMINAIRE IN EACH OF THESE SPACES SHALL BE CONTROLLED BY A VACANCY SENSOR.
f. DIMMERS OR VACANCY SENSORS SHALL CONTROL ALL LUMINAIRES (EXCEPTIONS: LUMINAIRES IN CLOSETS LESS THAN 70 SQ. FT. AND IN HALLWAYS).
g. UNDER CABINET LIGHTING SHALL BE SWITCHED SEPARATELY FROM OTHER LIGHTING SYSTEMS.
h. RESIDENTIAL OUTDOOR LIGHTING SHALL BE CONTROLLED BY A MANUAL ON AND OFF SWITCH WITH PHOTOCELL AND MOTION SENSOR.
i. RECESSED DOWNLIGHT LUMINAIRES IN CEILINGS SHALL BE LISTED FOR ZERO CLEARANCE, SHALL BE CERTIFIED AS AIRTIGHT (INCLUDING EXHAUST FAN HOUSINGS), SHALL BE SEALED WITH A GASKET OR CAULK BETWEEN THE LUMINAIRE HOUSING AND CEILING, SHALL NOT CONTAIN SCREW BASE SOCKETS, AND ALL LIGHT SOURCES SHALL BE MARKED WITH "JA8-2016-E" AS SPECIFIED IN REFERENCE JOINT APPENDIX JA8.
j. ALL FORWARD PHASE CUT DIMMERS USED WITH LED LIGHT SOURCES SHALL COMPLY WITH NEMA SSL 7A.
k. EXHAUST FANS SHALL BE SWITCHED SEPARATELY FROM LIGHTING SYSTEM.
l. LUMINAIRES SHALL BE SWITCHED WITH READILY ACCESSIBLE CONTROLS THAT PERMIT THE LUMINAIRES TO BE MANUALLY SWITCHED ON AND OFF.
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o. UNDER CABINET LIGHTING SHALL BE SWITCHED SEPARATELY FROM OTHER LIGHTING SYSTEMS.
p. RESIDENTIAL OUTDOOR LIGHTING SHALL BE CONTROLLED BY A MANUAL ON AND OFF SWITCH WITH PHOTOCELL AND MOTION SENSOR.
q. COMPLETED CF2R-LTG-01-E FORM MUST BE PROVIDED TO THE BUILDING INSPECTOR, PRIOR TO FINAL INSPECTION. A CONDENSATE DRAIN THAT IS NO MORE 2" HIGHER THAT BASE OF THE INSTALLED WATER HEATER, AND ALLOWS NATURAL DRAINING WITHOUT PUMPS ASSISTANCE. PROVIDED VENTILATION HEATING AND AIR CONDITIONING SYSTEM WITH MERV 6 FILTERS OR BETTER.
r. ALL BRANCH CIRCUITS THAT SUPPLY OUTLETS INSTALLED IN DWELLING UNIT KITCHENS, FAMILY ROOMS, DINING ROOMS, LIVING ROOMS, PARLORS, LIBRARIES, DENS, BEDROOMS, SUNROOMS, RECREATIONS ROOMS, CLOSETS, HALLWAYS, LAUNDRY AREAS, OR SIMILAR ROOMS OR AREAS SHALL BE PROTECTED BY AN ARC-FAULT CIRCUIT INTERRUPTER.
s. TERMINATION OF ENVIRONMENTAL AIR DUCTS. ENVIRONMENTAL AIR DUCT EXHAUST SHALL TERMINATE A MINIMUM OF THREE (3) FEET (914 MM) FROM PROPERTY LINE AND THREE (3) FEET (914 MM) FROM OPENINGS INTO THE BUILDING.
t. LIGHTING TO BE HIGH EFFICIENCY.

ELECTRICAL LEGEND

ALL BRANCH CIRCUITS THAT SUPPLY OUTLETS INSTALLED IN DWELLING UNIT KITCHENS, FAMILY ROOMS, DINING ROOMS, LIVING ROOMS, PARLORS, LIBRARIES, DENS, BEDROOMS, SUNROOMS, RECREATIONS ROOMS, CLOSETS, HALLWAYS, LAUNDRY AREAS, OR SIMILAR ROOMS OR AREAS SHALL BE PROTECTED BY AN ARC-FAULT CIRCUIT INTERRUPTER. SEE ELECTRICAL OUTLET HEIGHT AT 11/A8.02.

EXTERIOR WALL MOUNTED LIGHT - MOTION SENSOR WITH INTEGRATED PHOTO CELL - WATER PROOF

WP GFI — WATERPROOF/GFCI DUPLEX. PROTECTE BY AN ARC-FAULT CIRCUIT INTERRUPTER

STANDARD DUPLEX. PROTECTE BY AN ARC-FAULT CIRCUIT INTERRUPTER / TO BE INSTALLED +15" ABV. F.F

220 GFCI — 220V OUTLET / GFCI

F/L — WATER PROOF EXUST FAN/LIGHT-PANASONIC 150 CFM

WL — WET LOCATION ADJUSTABLE 6" RECESSED CAN W/ WP SOLID LENS

GFCI — GROUND FAULT CIRCUIT INTERRUPTER

SINGLE SWITCH /DIMMER

FAN — 24/7 FAN - 110 CFM W/ 0.3 SONE-WhisperCeiling/Panasonic 24/7 CONTINUOUS 458 sf. /100 =(5 +(1+1))(7.5)= 53 cfm

SUB PANEL

THREE OR FOUR WAY SWITCH /DIMMER

MS — MOTION SWITCH

HARDWIRE DOORBELL /BUZZER

OC — OCCUPANCY SWITCH

C — NEW CARBON MONOXIDE DETECTOR INTERCONNECTED 110V W/ 10 YR. BATTERY LIFE BACK-UP **

WALL MOUNNT VANITY MIRROR LED LIGHT

RC — 4" CEILING RECESSED LED LIGHT

S — NEW SMOKE DETECTOR INTERCONNECTED 120V W/ 10 YR. BATTERY LIFE BACK-UP *

* KIDDE - RF-SM-ACDC
POWER SOURCE: 120VAC; 9V BATTERY BACKUP
AUDIO ALARM: 85DB AT 10FT
TEMPERATURE RANGE: 40F (4.4C) TO 100F (37.8C)
HUMIDITY RANGE: UP TO 85% RELATIVE HUMIDITY (RH)
SENSOR: IONIZATION
WIRING: QUICK CONNECT PLUG WITH 8" PIGTAILS
SIZE: 5.75" IN DIAMETER X 1.25" DEPTH
WEIGHT: .5LB
INTERCONNECTS: UP TO 24 DEVICES (OF WHICH 18 CAN BE INITIATING)

** KIDDE - KN-COPP-B-LPM
POWER SOURCE: THREE AA BATTERIES (INCLUDED)
SENSOR: ELECTROCHEMICAL
AUDIO ALARM: 85DB AT 10FT
TEMPERATURE RANGE: 40°F (4.4°C) TO 100°F (37.8°C)
HUMIDITY RANGE: 5% TO 95% RELATIVE HUMIDITY (RH)
SIZE: 4.5"L X 2.75"H X 1.5" D
WEIGHT: .66LBS (WITH BATTERIES)
WIRING: NO
INTERCONNECTS: NO
WARRANTY: 10 YEAR LIMITED

THE EXHAUST SYSTEM SHALL TERMINATE AS FOLLOWS

a. OUTSIDE THE BUILDING WITH A FAN OR DUCT.THROUGH THE ROOF, OR TO THE ROOF FROM OUTSIDE, AS IN SECTION 510.8.2, OR THROUGH A WALL, AS IN SECTION 510.8.3.ROOFTOP TERMINATIONS.
b. ROOFTOP TERMINATIONS SHALL BE ARRANGED WITH OR PROVIDED WITH THE FOLLOWING:
c. A MINIMUM OF TEN (10) FEET (3,048 MM) OF CLEARANCE FROM THE OUTLET TO ADJACENT BUILDINGS, PROPERTY LINES, AND AIR INTAKES. WHERE SPACE LIMITATIONS ABSOLUTELY PREVENT A TEN (10) FOOT (3,048 MM) HORIZONTAL SEPARATION FROM AN AIR INTAKE, A VERTICAL SEPARATION SHALL BE PERMITTED, WITH THE EXHAUST OUTLET BEING A MINIMUM OF THREE (3) FEET (914 MM) ABOVE ANY AIR INTAKE LOCATED WITHIN TEN (10) FEET (3,048 MM) HORIZONTALLY.
d. THE EXHAUST FLOW DIRECTED UP AND AWAY FROM THE SURFACE OF THE ROOF AND A MINIMUM OF FORTY (40) INCHES (1,016 MM) ABOVE THE ROOF SURFACE.
e. THE ABILITY TO DRAIN GREASE OUT OF ANY TRAPS OR LOW POINTS FORMED IN THE FAN OR DUCT NEAR THE TERMINATION OF THE SYSTEM INTO A COLLECTION CONTAINER THAT IS NONCOMBUSTIBLE, CLOSED, RAINPROOF, STRUCTURALLY SOUND FOR THE SERVICE TO WHICH IT IS APPLIED, AND WILL NOT SUSTAIN COMBUSTION. A GREASE COLLECTION DEVICE THAT IS APPLIED TO EXHAUST SYSTEMS SHALL NOT INHIBIT THE PERFORMANCE OF ANY FAN.
f. EXCEPTION: GREASE CONTAINERS THAT ARE EVALUATED FOR EQUIVALENCY WITH THE PRECEDING REQUIREMENTS AND LISTED AS SUCH.
g. A LISTED GREASE DUCT COMPLYING WITH SECTION 510.4, OR WITH DUCTWORK COMPLYING WITH SECTION 510.5.
h. A HINGED UPBLAST FAN SUPPLIED WITH FLEXIBLE WEATHERPROOF ELECTRICAL CABLE AND SERVICE
i. HOLDOPEN RETAINER TO PERMIT PROPER INSPECTION AND CLEANING THAT IS LISTED FOR COMMERCIAL
j. COOKING EQUIPMENT, PROVIDED THE DUCTWORK EXTENDS A MINIMUM OF EIGHTEEN (18) INCHES
k. (457 MM) ABOVE THE ROOF SURFACE AND THE FAN DISCHARGES A MINIMUM OF FORTY (40) INCHES
l. (1,016 MM) ABOVE THE ROOF SURFACE (SEE SECTION 511.1.1.).
m. OTHER APPROVED FAN, PROVIDED (1) IT MEETS THE REQUIREMENTS OF SECTIONS 510.8.2(C) AND 511.1.3, AND (2) ITS DISCHARGE OR ITS EXTENDED DUCT DISCHARGE MEETS THE REQUIREMENTS OF SECTION 510.8.2(B).

RDS
Rolm Design Studio
1622 W Campbell Ave. Sutie 108
Campbell, CA 95008
mehran@rolmdesignstudio.com
www.rolmdesignstudio.com
(925) 949-6052

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A Second Dwelling Unit For:
Buddhadeb Basu
309 Redding Rd. Campbell, CA 95008

Revisions		
No.	Date	Revision Description
3	7/2/19	PLNC03

Description
ELECTRICAL AND LIGHTING FLOOR PLAN

Project Date	11/12/2018
Drawn by	RDS
Checked by	RDS
Project Number	180711
Scale	As indicated

A2.23

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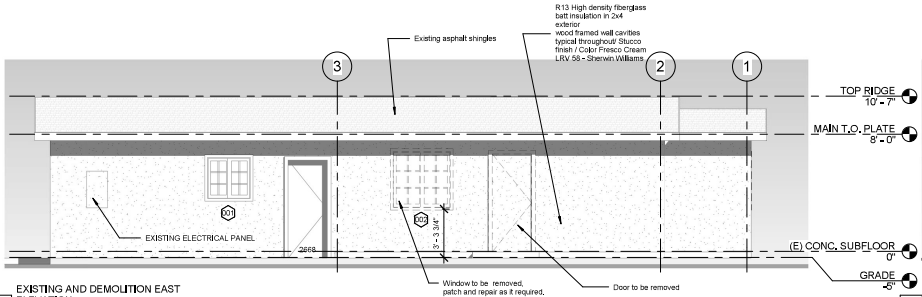
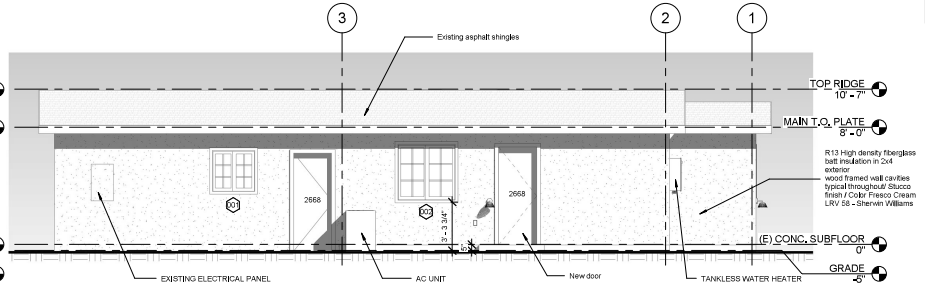
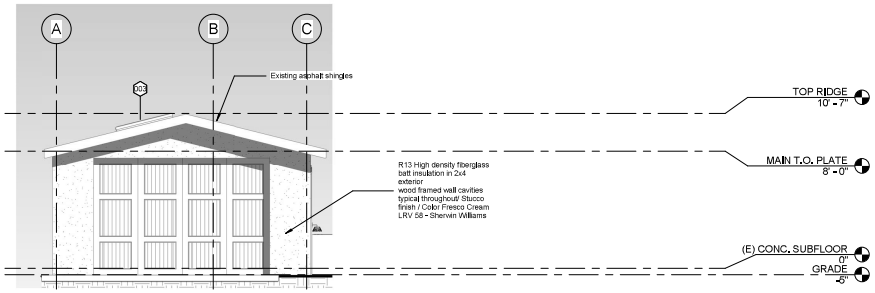


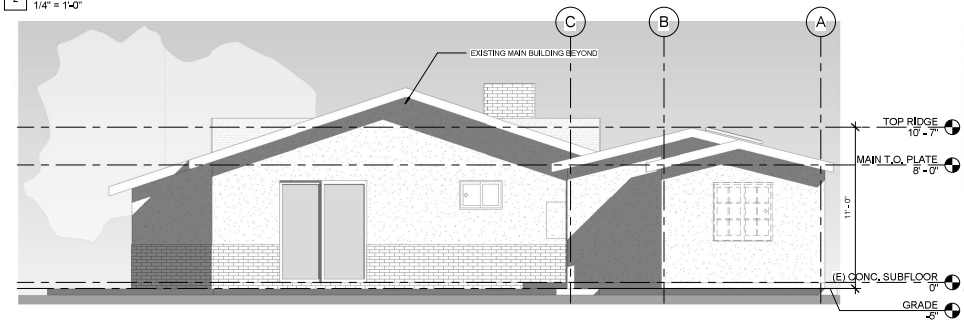
1 EXISTING AND DEMOLITION EAST ELEVATION
1/4" = 1'-0"



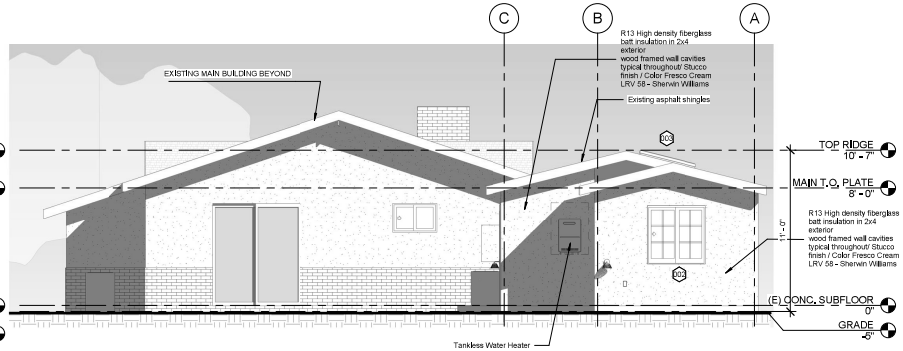
5 EAST ELEVATION
1/4" = 1'-0"



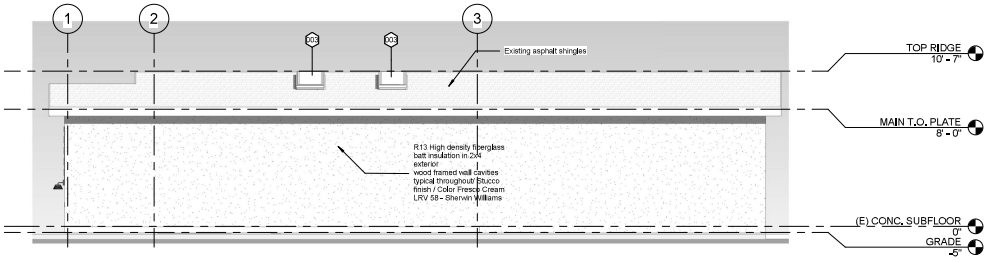
2 SOUTH ELEVATION
1/4" = 1'-0"



3 EXISTING AND DEMOLITION NORTH ELEVATION
1/4" = 1'-0"



6 NORTH ELEVATION
1/4" = 1'-0"



4 WEST ELEVATION
1/4" = 1'-0"

RDS
Rolm Design Studio
1622 W Campbell Ave. Suite 108
Campbell, CA 95008
mehran@rolmdesignstudio.com
www.rolmdesignstudio.com
(925) 949-8062

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A Second Dwelling Unit For:

Buddhadeb Basu

309 Redding Rd, Campbell, CA 95008

Revisions		
No.	Date	Revision Description

Description
ELEVATIONS

Project Date	11/12/2018
Drawn by	RDS
Checked by	RDS
Project Number	180711
Scale	1/4" = 1'-0"

A3.01

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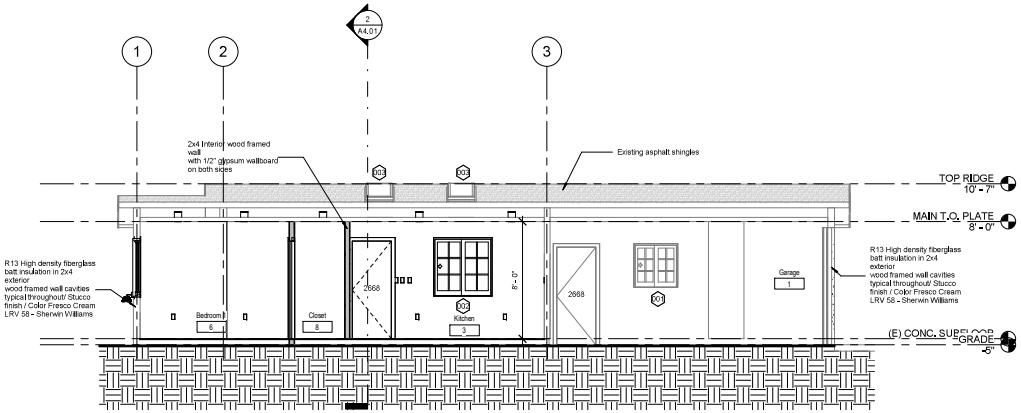

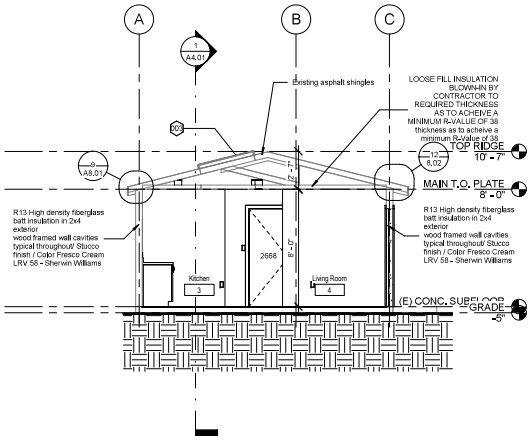

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B. EXCAVATION ACTIVITIES ASSOCIATED WITH THE PROPOSED SCOPE OF WORK SHALL OCCUR NO CLOSER THEN 10-FEET FROM THE EXISTING STREET TREE, OR AS APPROVED BY THE URBAN FORESTRY DIVISION CONTACT 650-496-5953. ANY CHANGES SHALL BE APPROVED BY THE SAME.

C. MOVABLE EQUIPMENT, FURNITURE, ETC, SHALL BE REMOVED BY OWNER PRIOR TO COMMENCEMENT OF DEMOLITION WORK.

D. CONTRACTOR SHALL MAINTAIN THE BUILDING IN A WEATHER TIGHT CONDITION.

E. CONTRACTOR SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT DAMAGE TO CONSTRUCTION TO REMAIN OR OCCUPIED AREAS WHERE VARIOUS SYSTEM CONNECTIONS OR EXTENSIONS ARE REQUIRED.

F. THE OWNER WILL RETAIN SALVAGE ITEMS AS DESIGNATED BY THE OWNER'S REPRESENTATIVE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LEGAL REMOVAL OF CONSTRUCTION DEBRIS AND/OR ITEMS NOT RETAINED BY THE OWNER. THE CONTRACTOR IS RESPONSIBLE FOR STORAGE AND PROTECTION OF SALVAGE ITEMS WHICH MAY BE REUSED.

G. REMOVE MISCELLANEOUS EQUIPMENT ATTACHED TO WALLS, FLOORS OR CEILING WHERE INDICATED.

H. REMOVE FLOORING AND BASE THROUGHOUT U.N.O.

I. WHERE REMOVAL OF FLOOR COVERINGS AND WALL BASE ARE REQUIRED, REMOVE ONLY MATERIAL NECESSARY TO COMPLETE DEMOLITION. DEMOLITION INCLUDES OF ADHESIVES, GROUTING BEDS, ETC.; AND REQUIRES REMAINING REMOVAL SURFACES TO BE PREPARED FOR NEW CONSTRUCTION.

J. CONTRACTOR SHALL PREVENT ACCESS OF UNAUTHORIZED PERSONS TO PARTLY DEMOLISHED STRUCTURES OR AREAS. PROVIDE BARRICADES OR RIBBONED-OFF ZONES.

K. ALL ITEMS FOR RE-USE SHALL BE STORED BY CONTRACTOR ON SITE IN OWNER'S BUILDING AT SPECIFIED LOCATION. ITEMS TO BE RE-USED ARE TO BE CLEANED, PATCHED, REFINISHED, PAINTED OR REPAIRED AS REQUIRED PRIOR TO INSTALLATION.

L. ITEMS NOT TO BE RETAINED BY OWNER SHALL BE DISPOSED OF BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE. THE STOCKPILING OF EXCESS MATERIAL ON-SITE WILL NOT BE ALLOWED.

M. DISCONNECT AND REMOVE ELECTRICAL EQUIPMENT AND WIRING BACK TO SOURCE FOR ALL EQUIPMENT AND LIGHTING TO BE DEMOLISHED.

N. ALL EXISTING ON-SITE UTILITIES SHALL REMAIN UNLESS DESIGNATED FOR REMOVAL OR SHOULD THEY INTERFERE WITH PROJECT CONSTRUCTION. CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES TO REMAIN.

O. CONTRACTOR SHALL COORDINATE ALL DEMOLITION WORK WITH APPROPRIATE UTILITY COMPANIES PRIOR TO STARTING WORK.

P. GASCOIGNE DR IS RECENTLY PAVED: THEREFORE. A STREET CUT MORATORIUM IS IN PLACE FOR A PERIOD OF THREE YEARS. HOWEVER, EXCEPTIONS CAN BE GRANTED WITH PROPER PAVEMENT RESTORATION SUCH AS SLURRY SEAL. THEREFORE, ADDITIONAL COST MAY BE ADDED TO ANY UTILITY WORK IN THE PAVEMENT.

Q. IF THE PROJECT DAMAGES THE CITY'S SIDEWALK OR CURB AND GUTTER AS RESULT OF CONSTRUCTION ACTIVITIES, THE PROPERTY OWNER WILL BE RESPONSIBLE TO REMOVE AND REPLACE ANY DAMAGES AS DIRECTED BY THE PUBLIC WORKS INSPECTOR. AN ENCROACHMENT PERMIT WILL ALSO BE REQUIRED.

R. PUBLIC WORKS' NOTES:

- 1) APPROVAL OF THESE PLANS DOES NOT RELEASE THE OWNER AND/OR CONTRACTOR OF THE RESPONSIBILITY FOR THE CORRECTIONS OF MISTAKES, ERRORS, OR OMISSIONS CONTAINED THEREIN. IF DURING THE COURSE OF CONSTRUCTING IMROVEMENTS, PUBLIC INTEREST REQUIRES A MODIFICATION OF/OR A DEPARTURE FROM THE CITY OF CUPERTINO SPECIFICATION OR THESE IMPROVEMENT PLANS, THE CITY ENGINEER SHALL HAVE THE AUTHORITY TO REQUIRE SUCH MODIFICATION OR DEPARTURE AND TO SPECIFY THE MANNER IN WHICH THE SAME IS TO BE COMPLETED, AT THE SOLE EXPENSE OF THE OWNER AND/OR CONTRACTOR.
- 2) CONTACT PUBLIC WORKS, (408) 777-3164, FOR INSPECTION OF GRADING, STORM DRAINAGE, AND PUBLIC IMROVEMENTS.
- 3) ALL PUBLIC IMPROVEMENTS MUST BE COMPLETED PRIOR TO OCCUPANCY.
- 4) CONTRACTOR IS RESPONSIBLE FOR DUST CONTROL AND ENSURING THE AREA ADJACENT TO THE WORK IS LEFT IN A CLEAN CONDITION.
- 5) CONTRACTOR SHALL REVIEW CITY DETAIL 6-4 ON TREE PROTECTION PRIOR TO ACCOMPLISHING ANY WORK OR REMOVING ANY TREES.
- 6) UTILIZE BEST MANAGEMENT PRACTICES (BMP'S), AS REQUIRED BY THE STATE WATER RESOURCES CONTROL BOARD, FOR ANY ACTIVITY, WHICH DISTURBS THE SOIL.
- 7) A WORK SCHEDULE OF GRADING AND EROSION & SEDIMENT CONTROL PLAN SHALL BE PROVIDED TO THE CITY ENGINEER BY AUGUST 15. NO HILLSIDE GRADING SHALL BE PERFORMED BETWEEN OCTOBER 1 AND APRIL 15.
- 8) TO INITIATE RELEASE OF BONDS, CONTACT THE PUBLIC WORKS INSPECTOR FOR FINAL INSPECTION.
- 9) ALL DOWNSPOUTS TO BE RELEASED TO THE GROUND SURFACE, DIRECTED AWAY FROM BUILDING FOUNDATIONS AND DIRECTED TO LANDSCAPED AREAS.
- 10) PRIOR TO BEGINNING ANY WORK WITHIN THE PUBLIC RIGHT OF WAY, THE CONTRACTOR WILL BE RESPONSIBLE FOR PULLING AN ENCROACHMENT PERMIT FROM THE PUBLIC WORKS DEPARTMENT.

RDS
Rolm Design Studio
1622 W Campbell Ave. Suite 108
Campbell, CA 95008

mahren@rolmdesignstudio.com
www.rolmdesignstudio.com
(925) 949-8062

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A Second Dwelling Unit For:

Buddhadeb Basu

309 Redding Rd, Campbell, CA 95008

Revisions		
No.	Date	Revision Description

Description
BUILDING SECTIONS

Project Date	11/12/2018
Drawn by	RDS
Checked by	RDS
Project Number	180711
Scale	1/4" = 1'-0"

A4.01

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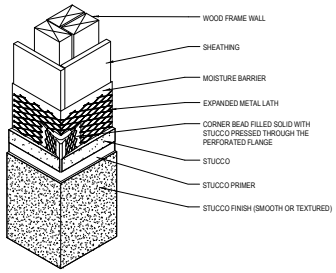
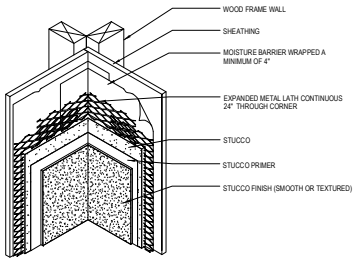


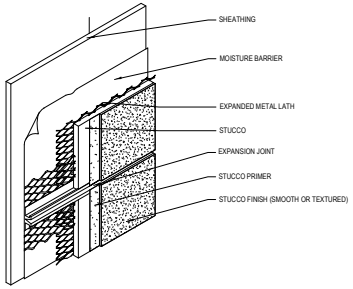
10 STUCCO AT OUTSIDE CORNER

6"=1'-0"



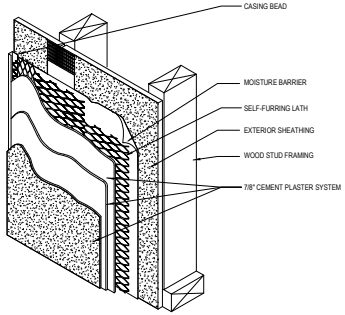
7 STUCCO INSIDE CORNER

6"=1'-0"



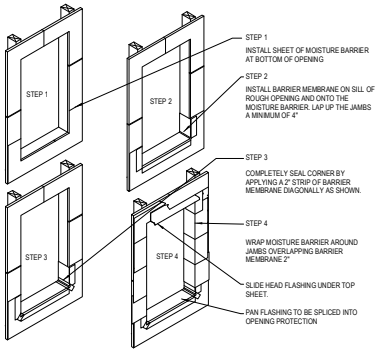
4 STUCCO CONTROL JOINT

NTS



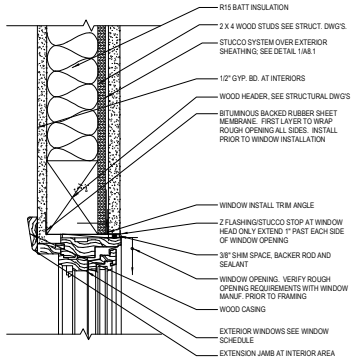
1 TYPICAL EXTERIOR THREE-COAT STUCCO SYSTEM OVER CEMENT BOARD

NTS



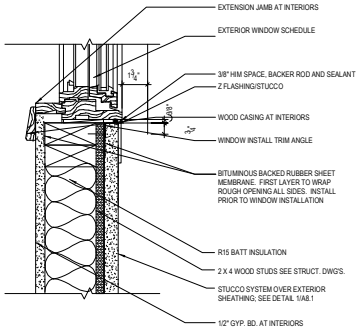
11 STUCCO - PREPARATION OF ROUGH OPENING

3/4" = 1'-0"



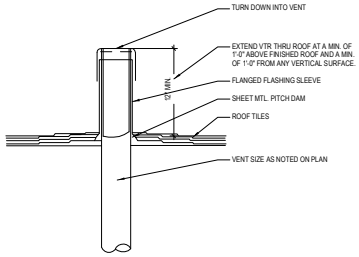
8 TYP. WINDOW HEAD DETAIL

3"=1'-0"



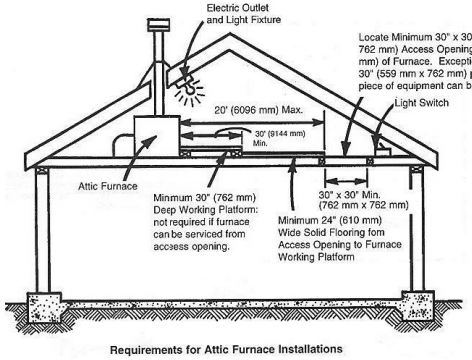
5 WINDOW SILL DETAIL

3"=1'-0"



2 VENT TRHU ROOF DETAIL

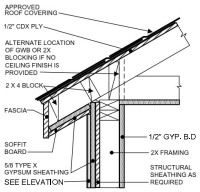
1 1/2" = 1'-0"



Requirements for Attic Furnace Installations

12 FURNANCE AT ATTIC DETAIL

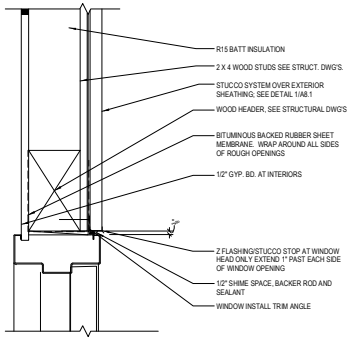
NTS



1-HOUR RATED WALL AND PROTECTED EAVE OVERHANG

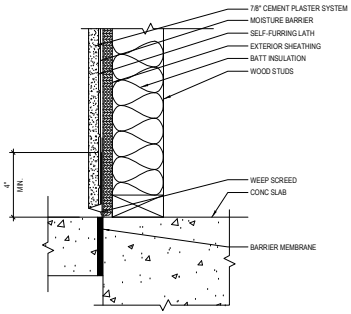
9 TYPICAL EAVE DETAIL - 1 HR. RATED

3/8" = 1'-0"



6 DOOR JAMB AT STUCCO

3"=1'-0"



3 STUCCO TERMINATION AT SLAB EDGE

3"=1'-0"

RDS
Rolm Design Studio
1622 W Campbell Ave, Suite 108
Campbell, CA 95008
mehran@rolmdesignstudio.com
www.rolmdesignstudio.com
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A Second Dwelling Unit For:

Buddhadeb Basu

309 Redding Rd, Campbell, CA 95008

Revisions		
No.	Date	Revision Description

Description
DETAILS

Project Date	11/12/2018
Drawn by	RDS
Checked by	RDS
Project Number	180711
Scale	As indicated

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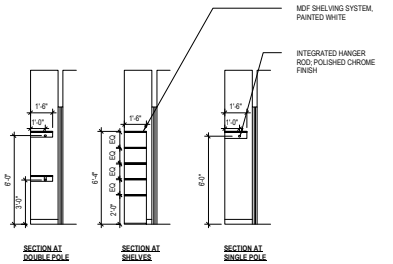
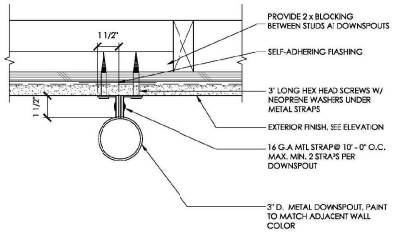


NOTE:
BLOCKING REQUIRED TO INSTALL ALL WALL ATTACHMENTS. CONTRACTOR TO DETERMINE LOCATION OF REQUIRED BLOCKING

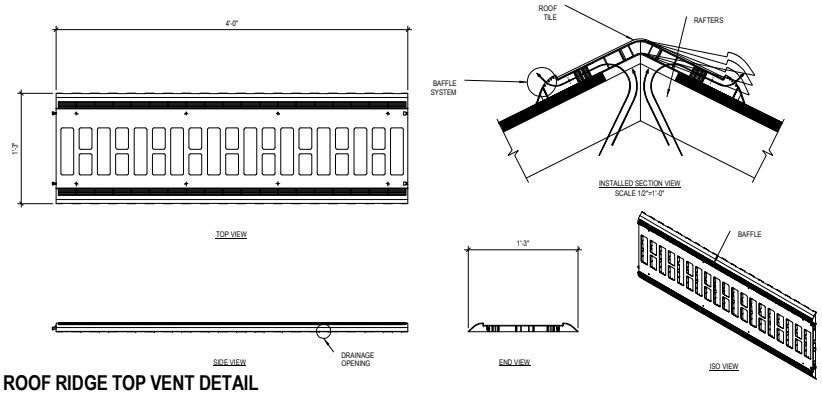
10 CLOSET SECTIONS

1/4" = 1'-0"



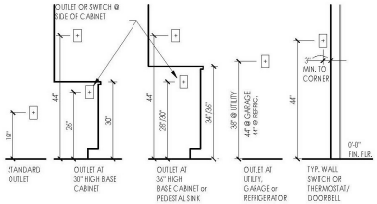
7 DOWNSPOUT ATTACHMENT DETAIL

3" = 1'-0"



4 ROOF RIDGE TOP VENT DETAIL

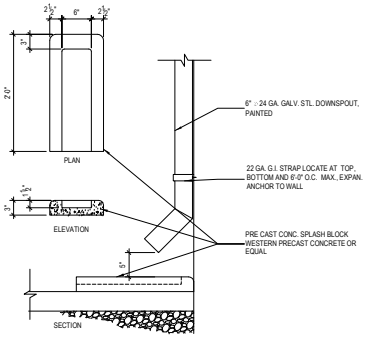
NTS



SWITCHES/CONTROLS/THERMOSTATS, ETC., SHALL BE INSTALLED AT A RANGE OF 15-44" A.F.F. FOR OVER COUNTER REACH. MAXIMUM COUNTER DEPTH SHALL BE 24".

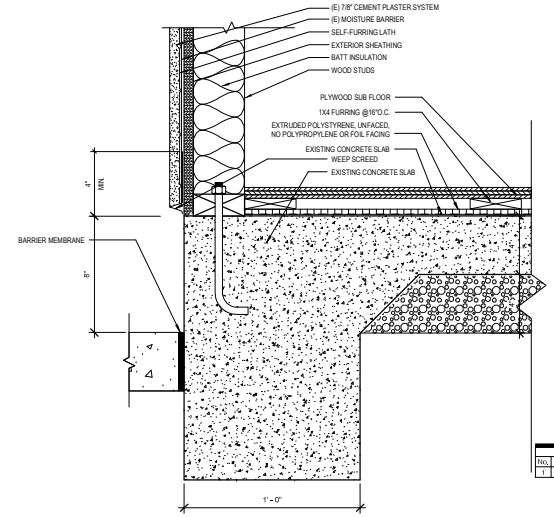
11 ELECTRICAL FIXTURE HEIGHTS

1/4" = 1'-0"



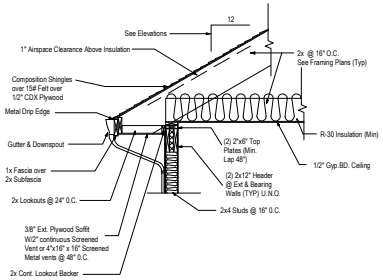
8 DOWNSPOUT SPLASH BLOCK

1" = 1'-0"



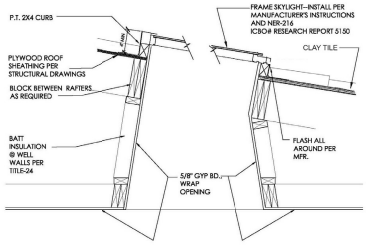
3 EXTERIOR FOOTING AND SLAB DETAIL AT NEW LIVABLE AREA

3"=1'-0"



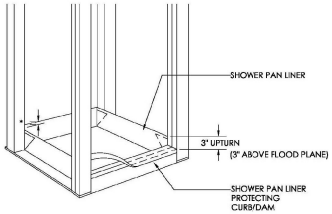
12 NON- RATED ROOF EAVE VENTILATION

1" = 1'-0"



9 SKYLIGHT DETAIL

3/8" 1'-0"



*NAILS USED TO SECURE SHOWER PAN LINER TO BLOCKING/JOISTS SHOULD BE IN UPPER 1/2" OF UPTURNS.

6 SHOWER PAN LINER

3"=1'-0"

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Rolm Design Studio
1622 W Campbell Ave, Suite 108
Campbell, CA 95008
mehran@rolmdesignstudio.com
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A Second Dwelling Unit For:

Buddhadeb Basu

309 Redding Rd, Campbell, CA 95008

Revisions		
No.	Date	Revision Description
1	1/31/19	PLNC 01

Description
DETAILS

Project Date	11/12/2018
Drawn by	RDS
Checked by	RDS
Project Number	180711
Scale	As indicated

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RECEIVED
SEP 09 2019
CITY OF CAMPBELL
PLANNING

9/7/2019

To
The Campbell City Office

Respected Sir,

We reside at **309 Redding Rd, Campbell CA** - 95008 with our family which includes my husband and twin kids of 6 years along with myself.
Our first apartment after marriage was at the Hamilton Road and we loved the surroundings and developed a sentiment which made us look only at the Campbell area when we were able to afford a house for ourselves.
We looked at numerous houses and after a process of more than 2 years and 40 failed offers we got the 309 Redding Rd in 2015.
Housing in the years 2015 was scarce due to limited inventory and you can imagine our position (we felt nothing less than winning a lottery). So much so, that we did not question much about the un-permitted in-laws unit that the house came with.
The unit in question is a 458 sq feet accessary dwelling unit with 1 bed and 1 bath with a living space. The unit is attached to our detached garage
We were told that its been always there and looking around the neighborhood we noticed a lot of houses having similar structures.
We were happy to get an extra room which was very well build and have been using it as the kids playroom and for gatherings for visiting family, friends and common gatherings. Its a part of our home now.

Its been difficult from the beginning of 2018 with my husband being diagnosed with non-hodgekin lymphoma and starting his treatment.
We have a saying - "bad news does not come alone.." We received a code enforcement letter from the city around the mid of 2018 after staying in the same house for 4 years.. We were prompt and wanted to do the right thing.
However we were disappointed with the fact that someone could use the city as a tool to aid to his vengeance in spite of having multiple houses with similar issues if not more. We felt cornered but were told that the system is reactive rather than proactive.

When we started looking at this in detail we realized that the house was build in **1950** and the **land was split** in between before the last parcel drawing in **1970's**.
The in-laws unit is build in accordance with the main dwelling unit with similar building materials and finish.
We have been in constant follow up with the city office and tried to do everything by the book and as advised.

1. Went through the city code enforcement inspection
2. Hired a good architect to get the plans ready and make sure that things are done professionally.
3. Reviewed the house through sanitation department to make sure everything is in order.
4. Reviewed the fire safety through the fire department.
5. Get the house approved by Planning department

Right now the paperwork is in the building department. The unit in question was not there in the parcel drawing and hence we need to request for a variance so that we can get the in-laws unit permitted.

Sincerely

Thanking you

Nandini Bhattacharya

309 Redding Rd

Campbell, CA- 95008

Date: 10th March 2020

TO,
THE CITY OF CAMPBELL

RE: FILE NO: PLN2019-176
ADDRESS: 309 REDDING RD.
APPLICATION: VARIANCE

Respected Sir,
We appreciate the time and the opportunity to hear our case.

We (my husband and twin kids) live at the above-mentioned address which we call home. We purchased this house in 2015 after a tiresome 18 months process of putting multiple offers. When 309 Redding Rd came into market and our non-contingent offer was accepted for the first time, we had run out of options. The MLS did not list the ADU as unpermitted but after paying the Escrow deposit money of 3% ($36000.00), when the loan appraisal mentioned the ADU as illegal, we still decided to purchase the house to avoid the legal trouble and losing the Escrow deposit money.

The unit in question has an issue with the side offset. The new ADU ordinance requirement = 4 feet but we have 10 inches (falling short of 3.2 feet) and we are requesting a variance for this.

The ADU is perfectly build and I will like to take a moment and request you to note the following:

1. *There are exceptional or extraordinary circumstances or conditions applicable to the subject property (i.e. size, shape, topography) which do not apply generally to other properties classified in the same zoning district -*
    1. [RESPONSE]: The land was split in the 1950's and the **10,080** square feet lot width was assigned as **55 feet**, so its not a standard lot within the zoning and more of a narrow strip.
    2. A standard 10000 sq feet lot falls under **R-1-10** zoning with a lot width = **80 feet**; we are **25 feet** short.
2. *The strict or literal interpretations and enforcement of the specified regulation(s) would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district-*
    1. [RESPONSE]: The city allows us to have an in-laws unit based on our land and zoning. However the narrow lot with 55 feet width limits our option of having an ADU situated optimally where we can follow zoning guidelines and still enjoy the lot with what it has to offer.
    2. The unit was build 30 years back when zoning requirements were quite different. It impractical to map a structure to the present zoning rules, which was build decades before.

3. *The strict or literal interpretations and enforcement of the specified regulation(s) would result in a practical difficulty or unnecessary physical hardship inconsistent with the objectives of this Zoning Code*
    1. [RESPONSE]: Moving the whole unit is not structurally feasible without demolishing it completely. Following the setback will reduce the area of the already small unit and the new bedroom will be unsafe and rather dangerous for our parents who are old and need access areas similar to handicapped people.
    2. My father is a cancer patient who has undergone colostomy and such small bedroom is not a feasible space for him. As a reference, a typical patient room size is 120 to 140 square feet, allowing a 4-foot clearance on each side of a bed.
    3. The kitchen is along the wall which is in question and addressing this setback will deprive us of having a proper ADU because if the kitchen has to be moved and building such an unit will cost us $150,000.00 in today's market and the expense will not be financially viable for us. Adding the wall will cost around $50000.00 which includes bringing the unit to a similar situation.
4. *The granting of the Variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.*
    1. [RESPONSE]: It has gone through and passed safety and inspection from -
        1. Sewer department
        2. Fire department
        3. Building department
        4. Code enforcement officer dropped by and reviewed the unit and was satisfied.
        5. Without the variance the bedroom will be unsafe with restricted access points
5. *The granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district -*
    1. [RESPONSE]: The ADU adheres to all the new and old city rules except the setback. There are very few lots with such a constrained aspect ratio under the same zoning district. The 309 Redding lot is **un-natural** and with limited scope and this variance cannot be deemed as a special privilege.
    2. In the city of Campbell, there are only **15** lots (greater than 10000 sq feet and Width less than 55 feet). These are on the following streets:
        1. WALTER (3 lots)
        2. CROCKETT (6 lots)
        3. STEINWAY (5 lots)
        4. SONUCA (1 lot)
    3. Even if we build in **2X error margin** in the above, its **30** lots. Campbell has **18095** houses and it comes to **0.165%** of the whole Campbell lots.
    4. The percentage comes to **1.78%** when we take into account all lots greater than 10,000 sq feet in Campbell city (1679 lots).
    5. The 10000 sq feet lot has a standard width of 80 feet (Campbell municipal code-table 2-2, R-1 zoning district). The above numbers speaks for themselves and tell

us that our lot is not the same when compared to lots with similar square footage (along with existing dwellings) & pose real architectural challenge.

I will urge Campbell city to take the above numbers and the design challenges (with **existing structures**) into consideration during the variance decision.

We will request you to consider the fact that given the land characteristics and the nature of construction it will be restrictive and be a big challenge if we have to address the 3.2 feet setback fallout.
Its not a safety hazard and does not in-convene our next door neighbors. We have received a signed "**No-Objection**" letter from each of our immediate neighbors and request to treat this variance as a **routine uncontested** item.

These houses were build more than (30-40) years back at which point the city rules were different and everything was not documented in such detail. The city has no records of old building plans or permits and even if there were any, it is lost when the house changed hands 3 times after the structure was build.

This ADU has become part of our home and we will like the Campbell City office to consider all the above for our case.

Thanks.

Nandini Bhattacharya & Buddhadeb Basu
Email: Nandini.bhattacharyya@gmail.com & buddhadebb@yahoo.com
Cell: 408-807-5232

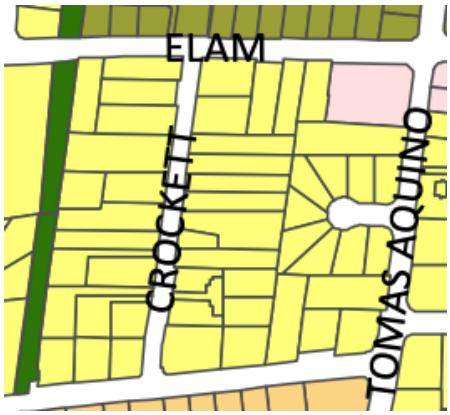
CAMPBELL CITY ZONING CHART(Municipal code) –

https://library.municode.com/ca/campbell/codes/code_of_ordinances?nodeId=TIT21ZO_ART2ZODI_CH21.08REDI_21.08.030SIMIZODI

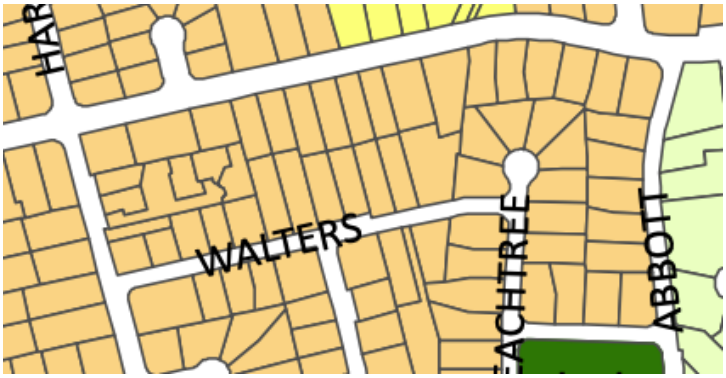
Table 2-2
Minimum Parcel Sizes for Newly Created Parcels in the R-1 Zoning District

Zoning Map Symbol	Minimum Parcel Area: Square Feet/Net Acre	Minimum Lot Width: Feet
R-1-6	6,000	60
R-1-8	8,000	70
R-1-9	9,000	70
R-1-10	10,000	80
R-1-16	16,000	80

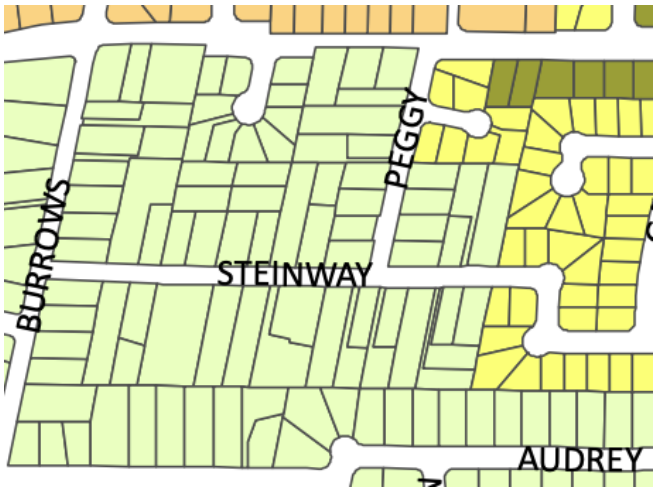
LOTS with area > 10000 sq feet and WIDTH <= 55 feet



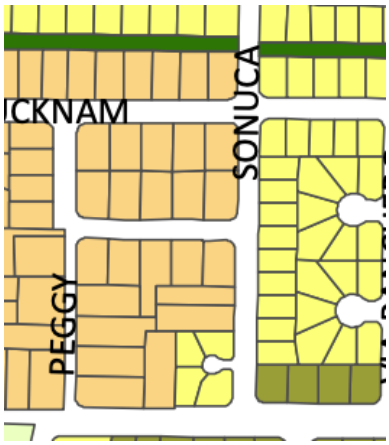
CROCKETT (6)



WALTERS (3)



STEINWAY (5)



SONUCA (1)

Date: 19th November 2019

TO,

THE CITY OF CAMPBELL

RE: FILE NO: PLN2019-176

ADDRESS: 309 REDDING RD.

APPLICATION: VARIANCE

Respected Sir,
We appreciate the time and the opportunity to hear our case.

We (my husband and twin kids) live at the above-mentioned address which we call home. We purchased this house in 2015 after a tiresome 18 months process of putting multiple offers. When 309 Redding Rd came into market and our offer was accepted for the first time, we had run out of options and so inspite of knowing it has an un-permitted garage extension(ADU), we decided to purchase the house.
The unit in question has an issue with the side offset. The new ADU ordinance requirement = 4 feet but we have 2.5 feet (falling short of 1.5 feet) and we are requesting a variance for this.

The ADU is perfectly build and I will like to take a moment and request you to note the following:

1. *There are exceptional or extraordinary circumstances or conditions applicable to the subject property (i.e. size, shape, topography) which do not apply generally to other properties classified in the same zoning district -*
    1. [RESPONSE]: The land was split in the 1950's and the 10,000 square feet lot width was assigned as **55 feet**, so its not a standard lot within the zoning and more of a

narrow strip.

    1. We were told that the unit has always been there as an extension of the Garage (which has the same 2.5 feet setback)

2. *The strict or literal interpretations and enforcement of the specified regulation(s) would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district-*
    1. [RESPONSE]: The city allows us to have an in-laws unit based on our land and zoning. Our unit is also a partial conversion - The county records show the length of the garage as **24 feet**. However the present Garage is of **20 feet** length
3. *The strict or literal interpretations and enforcement of the specified regulation(s) would result in a practical difficulty or unnecessary physical hardship inconsistent with the objectives of this Zoning Code*
    1. [RESPONSE]: The kitchen is along the wall which is in question and addressing this setback will deprive us of having an ADU because if the kitchen has to be moved and building such an unit will cost us $150,000.00 in today's market and the expense will not be financially viable for us.
4. *The granting of the Variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.*
    1. [RESPONSE]: It has gone through and passed safety and inspection from -
        1. Sewer department
        2. Fire department
        3. Building department
        4. Code enforcement officer dropped by and reviewed the unit and was satisfied.
5. *The granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district -*
    1. [RESPONSE]: The ADU adheres to all the new and old city rules
        1. Front and rear setbacks and distance from the

main unit passes the old+new requirements

2. The paint, roof and build quality is exactly same as the main unit.

We will request you to consider the fact that given the land width and the nature of construction it will be restrictive and pretty much a demo if we have to address the 1.5 feet setback fallout. Its not a safety hazard and does not in-convene our next door neighbor.
These houses were build more than 50 years back at which point the city rules were different and everything was not documented in such detail.

This ADU has become part of our home and we will like the Campbell City office to consider all the above for our case.

Thanks.

Nandini Bhattacharya

BBasu

Nandini Bhattacharya & Buddhadeb Basu
Email: Nandini.bhattacharyya@gmail.com & buddhadebb@yahoo.com
Cell: 408-807-5232

To,
The City of Campbell Office
70 N 1st St,
Campbell, CA 95008

RECEIVED
DEC 18 2019
CITY OF CAMPBELL
PLANNING DEPT.

[Subject]: No objection to in-laws unit at 309 Redding Rd, Campbell CA (458 sq feet)

Resident at address: 327 Redding Rd.
Campbell CA – 95008

We were informed about the unpermitted in-laws unit at 309 Redding Rd as well as the Variance request for 4 feet setback to the left wall. Till date we had no inconvenience due to the in-laws/ADU(Auxillary Dwelling Unit) unit.

We have no objection to its existence and legalization.

Thanks

Signed by owner: Terefi Abere

Date: 15 December, 2019

To,
The City of Campbell Office
70 N 1st St,
Campbell, CA 95008

RECEIVED
DEC 18 2019
CITY OF CAMPBELL
PLANNING DEPT.

[Subject]: No objection to in-laws unit at 309 Redding Rd, Campbell CA (458 sq feet)

Resident at address: 294 FAIRBANKS Ave
Campbell CA – 95008

We were informed about the unpermitted in-laws unit at 309 Redding Rd as well as the Variance request for 4 feet setback to the left wall. Till date we had no inconvenience due to the in-laws/ADU(Auxillary Dwelling Unit) unit.

We have no objection to its existence and legalization.

Thanks

Sameer Vaidya

Signed by owner: SAMEER VAIDYA

Date: 15 December, 2019

To,
The City of Campbell Office
70 N 1st St,
Campbell, CA 95008

RECEIVED
DEC 18 2019
CITY OF CAMPBELL
PLANNING DEPT.

[Subject]: No objection to in-laws unit at 309 Redding Rd, Campbell CA (458 sq feet)

Resident at address: 325 Redding Rd
Campbell CA – 95008

We were informed about the unpermitted in-laws unit at 309 Redding Rd as well as the Variance request for 4 feet setback to the left wall. Till date we had no inconvenience due to the in-laws/ADU(Auxillary Dwelling Unit) unit.

We have no objection to its existence and legalization.

Thanks

Swanand Wakankar

Signed by owner:

Date: 15 December, 2019

To,
The City of Campbell Office
70 N 1st St,
Campbell, CA 95008

RECEIVED
DEC 18 2019
CITY OF CAMPBELL
PLANNING DEPT.

[Subject]: No objection to in-laws unit at 309 Redding Rd, Campbell CA (458 sq feet)

Resident at address: 294 redding Rd. Campbell
Campbell CA – 95008

We were informed about the unpermitted in-laws unit at 309 Redding Rd as well as the Variance request for 4 feet setback to the left wall. Till date we had no inconvenience due to the in-laws/ADU(Auxillary Dwelling Unit) unit.

We have no objection to its existence and legalization.

Thanks

Brooks Song
Signed by owner:

Date: 15 December, 2019

To,
The City of Campbell Office
70 N 1st St,
Campbell, CA 95008

RECEIVED
DEC 18 2019
CITY OF CAMPBELL
PLANNING DEPT.

[Subject]: No objection to in-laws unit at 309 Redding Rd, Campbell CA (458 sq feet)

Resident at address: 310 Redding Rd.
Campbell CA – 95008

We were informed about the unpermitted in-laws unit at 309 Redding Rd as well as the Variance request for 4 feet setback to the left wall. Till date we had no inconvenience due to the in-laws/ADU(Auxillary Dwelling Unit) unit.

We have no objection to its existence and legalization.

Thanks

Kathi Manzagol

Signed by owner: Kathi Manzagol

Date: 15 December, 2019

ITEM NO. 2

CITY OF CAMPBELL · PLANNING COMMISSION
Staff Report · March 10, 2020

PLN2019-192
Srivastava, N.

Public Hearing to consider the Appeal of the Community Development Director's denial of a Tree Removal Permit (PLN2019-192) to allow the removal of one (1) oak tree located in the rear yard of property located at **1698 Hyde Dr** in the R-1-6 (Single-Family Residential) Zoning District.

STAFF RECOMMENDATION

The Planning Commission take the following action:

1. **Adopt a Resolution**, denying the appeal and upholding the Community Development Director's denial of a Tree Removal Permit (PLN2019-192) for the removal of one (1) oak tree from the subject property.

ENVIRONMENTAL DETERMINATION

Staff recommends that the Planning Commission find that this project is Statutorily Exempt under Section 15270(a) of the California Environmental Quality Act (CEQA) pertaining to projects which are disapproved. CEQA does not apply to projects which a public agency rejects or disapproves.

BACKGROUND

On October 4, 2019 the applicant submitted a Tree Removal Permit application (PLN2019-192) requesting the removal of one (1) Coast Live Oak tree located in the rear yard of the subject property at the side/rear property line (reference **Attachment 3** – Tree Removal Permit Application). Pursuant to Campbell Municipal Code (CMC) Section 21.32.080, approval of a Tree Removal Permit may only be granted when the approval authority can make at least one of the following findings of the Campbell Tree Protection Ordinance: 1) Diseased or Danger of Falling, 2) Structure Damage, 3) Utility Interference, 4) Overplanting, 5) Economic Enjoyment and Hardship. The application stated the reason for removal of the oak tree is proximity to the home and damage to a retaining wall and concrete walkway. Finding No. 2 (Structure Damage) states:

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

The Tree Protection Ordinance includes the following definitions:

> "Main structure" means a primary structure allowed under the zoning district in which a property is located to provide reasonable economic use of a property. For developed single-family properties, this specifically includes

dwelling units, in-ground swimming pools, detached garages, and other accessory structures over two hundred square feet.

"Significant damage" means structural damage to a building foundation, floor framing, roof framing, or exterior walls, or to the wall of a swimming pool.

Based upon a review of the submitted materials and an inspection of the tree and the existing home where no signs of damage were observed, the Community Development Director determined that the required findings had not been met. The determination included an assessment that the oak tree was able to adapt to its constrained environment for many years and replacement of the wood retaining wall would improve the tree's retention. On November 21, 2019 the Planning Division sent a notice informing the applicant that the Tree Removal Permit application has been denied for the oak tree (reference **Attachment 4** – Tree Removal Permit Denial).

DISCUSSION

On December 2, 2019 the applicant appealed the denial and is requesting approval to remove the oak tree due to a lean towards the home, damage to the paved walkway, retaining wall, and fencing, and difficulties repairing the retaining wall (reference **Attachment 5** – Appeal Application).

The oak tree appears to have developed a lean as a young tree, possibly due to its location between a building wall and fence, in order to reach more sunlight. On its own a lean does not substantiate the Diseased/Danger of Falling finding (No. 1) and the tree appears to be healthy otherwise. A sudden lean can be an indication of root damage or decay but the soil around the base does not appear to be lifting or cracking, though the examination was limited to the subject property's side of the fence. Staff's attempt to contact the rear neighbor and access their rear yard was unsuccessful. Staff also requested the appellant's assistance in obtaining access or photos without success, so the tree was not inspected from the other side of the fence.

As described, the Structure Damage finding (No. 2) applies to main structures. Staff inspected the building's exterior and did not observe any signs of damage to the foundation from tree roots and there are no large limbs located low enough on the trunk to create a conflict with the roof.

Damage to the walkway, retaining wall, and fencing does not constitute Structure Damage as these features can reasonably be replaced or repaired to preserve the existing tree. The existing retaining wall is constructed with posts and boards made of wood, a material susceptible to deterioration/failure with constant exposure to soil. To protect both the home and tree, a new retaining wall should be

constructed with a more durable, lasting material such as masonry or concrete.

ALTERNATIVES

Due to the level of staff time required to bring this appeal forward, if the Planning Commission does not feel adequate information was provided by the appellant, staff recommends denying the appeal rather than continuing the item. The appellant may submit any new information as part of a new Tree Removal Permit for consideration by staff.

As an alternative to the provided recommendation (deny the appeal and uphold the Community Development Director's decision), the Planning Commission may instead take the following action:

1. Approve the appeal, allowing removal of the oak tree subject to replacement pursuant to CMC Section 21.32.100. If the Commission selects this option, staff recommends continuing the item to the next meeting so that an approval resolution can be returned.

Attachments:
1. Draft Resolution
2. Location Map
3. Tree Removal Permit Application
4. Tree Removal Permit Denial
5. Appeal Application

Prepared by: _____
Naz Pouya Healy, Assistant Planner

Approved by: _____
Paul Kermoyan, Community Development Director

RESOLUTION NO. 45XX

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL DENYING AN APPEAL AND UPHOLDING THE COMMUNITY DEVELOPMENT DIRECTOR'S DENIAL OF A TREE REMOVAL PERMIT (PLN2019-192) FOR THE REMOVAL OF ONE (1) OAK TREE LOCATED ON PROPERTY LOCATED AT **1698 HYDE DRIVE.**

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 PLN2019-192:

1. The property is zoned R-1-6 (Single-Family Residential) and currently developed with a single-family residence.

2. One (1) oak tree is located in the rear yard at the side/rear property line and requires approval of a Tree Removal Permit to remove.

3. The applicant submitted a Tree Removal Permit application to remove one (1) oak tree on October 4, 2019, which was denied on November 21, 2019.

4. The applicant submitted an Appeal application to request removal of the one (1) oak tree on December 2, 2019 due to damage to the paved walkway, retaining wall, and fencing, a lean towards the home, and difficulties repairing the retaining wall.

5. Pursuant to Campbell Municipal Code Section 21.32.080, approval of a Tree Removal Permit may only be granted when at least one of the following findings can be made: 1) Diseased or Danger of Falling, 2) Structure Damage, 3) Utility Interference, 4) Overplanting, 5) Economic Enjoyment and Hardship.

6. The oak tree appears to have developed a lean as a young tree and on its own a lean does not substantiate the Danger of Falling finding.

7. A sudden lean can be an indication of root damage or decay, but the soil around the base does not appear to be lifting or cracking, though the examination was limited to the subject property's side of the fence. Staff's attempts at inspecting the tree or obtaining photos from the adjacent property were unsuccessful.

8. The Structure Damage finding applies to main structures however no signs of damage to the home's foundation from the tree roots or signs of damage to the roof from the limbs or trunk were observed.

9. Damage to the walkway, retaining wall, or fencing does not constitute Structure Damage as these features can reasonably be replaced or repaired to preserve the existing tree.

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

1. The application does not demonstrate that the tree in is danger of falling.

2. The application does not demonstrate that the tree has caused or will cause structure damage to the existing home.

3. The application does not demonstrate any of the other required findings.

4. The project qualifies as a Statutorily Exempt project under Section 15270 of the California Environmental Quality Act (CEQA) pertaining to projects which a public agency disapproves.

THEREFORE, BE IT RESOLVED that the Planning Commission denies an Appeal and upholds the Community Development Director's denial of a Tree Removal Permit (PLN2019-192) for the removal of one (1) oak tree located on property located at **1698 Hyde Drive**.

PASSED AND ADOPTED this 10th day of March, 2020, by the following roll call vote:

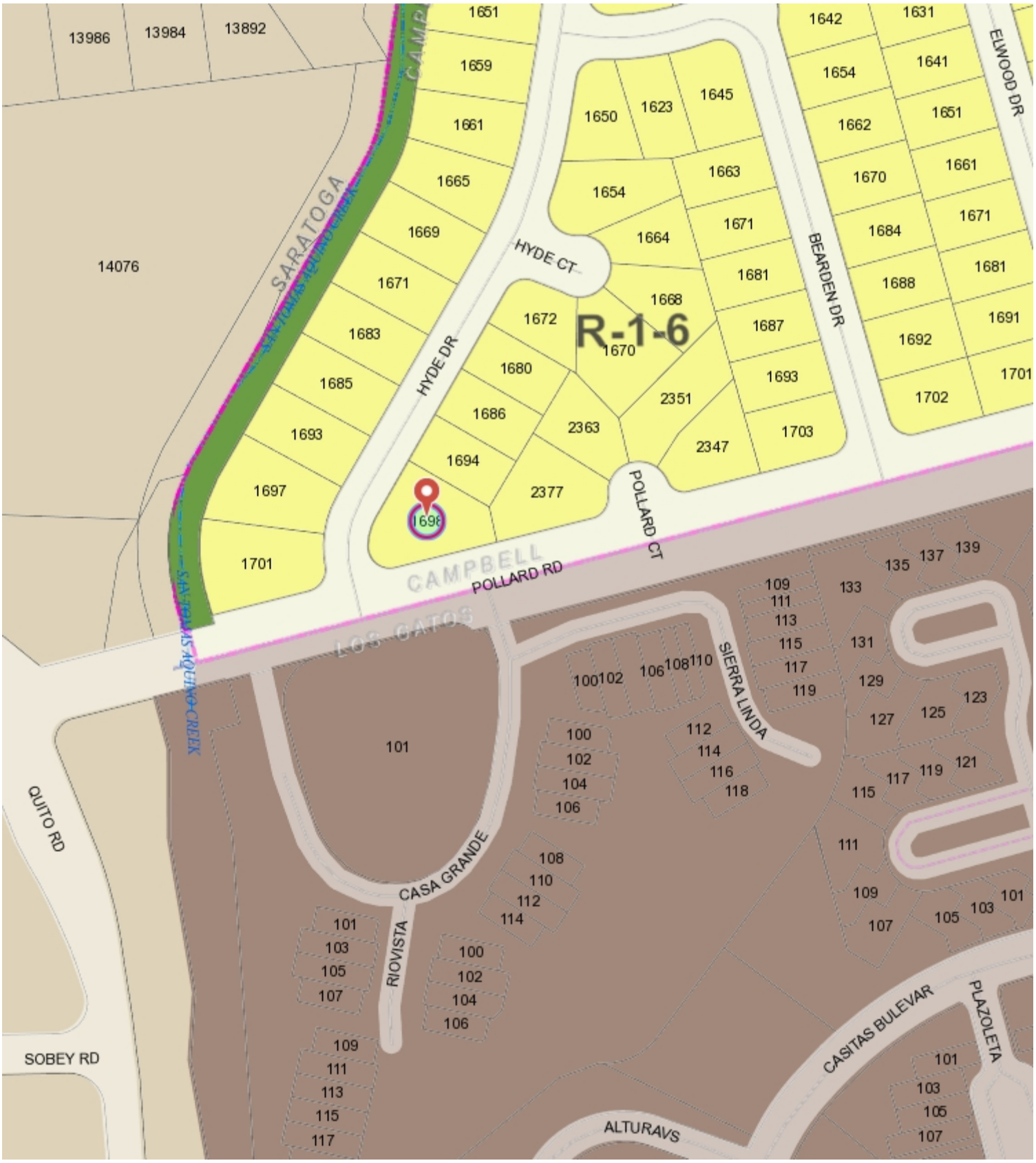
AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:
ABSTAIN: Commissioners:

APPROVED: _____
Michael Krey, Chair

ATTEST: _____
Paul Kermoyan, Secretary

1698 Hyde Dr

Attachment No. 2



376 0 188 376 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
Campbell IT, GIS Services

Scale 1: 2,257

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.

Attachment No. 3

DATE RECEIVED
(City Date Stamp)

RECEIVED
OCT 04 2019
CITY OF CAMPBELL
PLANNING DEPT

CITY OF CAMPBELL
Community Development Department

PROJECT INTAKE
(City Use Only)

File No(s): PLN2019-192

Checked in by: PR

TREE REMOVAL PERMIT APPLICATION

Filed Independent of a Development Application

Property Address 1698 HYDE DR. CAMPBELL Community Name (if applicable) _____

Name of Property Owner NITIN SRIVASTAVA Phone 408-368-8239 Email NITUKS@HOTMALL.COM

Property Owner's Mailing Address 1698 HYDE DR. CAMPBELL

Name of Applicant NITIN SRIVASTAVA Phone 408-368-8239 Email NITUKS@HOTMALL.COM

Applicant's Mailing Address 1698 HYDE DR. CAMPBELL

Species of Tree(s) (see last page for a list of "protected trees")	**Size of Tree(s)** (diameter measured 4- ft. above grade)	**Reason for Removal** (Must meet criteria of Section 21.32.080 of the Tree Protection Ordinance – see last page)*
OAK	15 inch	STRUCTURAL DAMAGE: The tree has grown very close to home & broken the retaining wall.

*If the tree(s) is dead or dying, please complete the 'Authorization to Remove a Dead or Dying Tree' form instead of this application.

SUBMITTAL REQUIREMENTS:

1. ____ Color photographs of trees proposed for removal (depicting reason for requested removal);
2. ____ Site Plan (see attached details);
3. _____ Tree Replanting Plan (see attached details); and
4. _____ Application Filing Fee $244 + $76 each additional tree (single-family properties exempted from

ARBORIST REPORTS

PLEASE DO NOT SUBMIT AN ARBORIST REPORT WITH YOUR APPLICATION

An arborist report is **NOT** required, except when the condition or viability of the tree(s) or its impact to property is not readily evident. In such a circumstance, the City may require outside preparation of an arborist report at the applicant's expense. The planner assigned to your application will inform you if an arborist report is necessary.

Property Owner's Signature: _____ Date: 10-4-19

Applicant's Signature: _____ Date: 10-4-19

Homeowners Assoc. President's Signature: _____ Date: _____

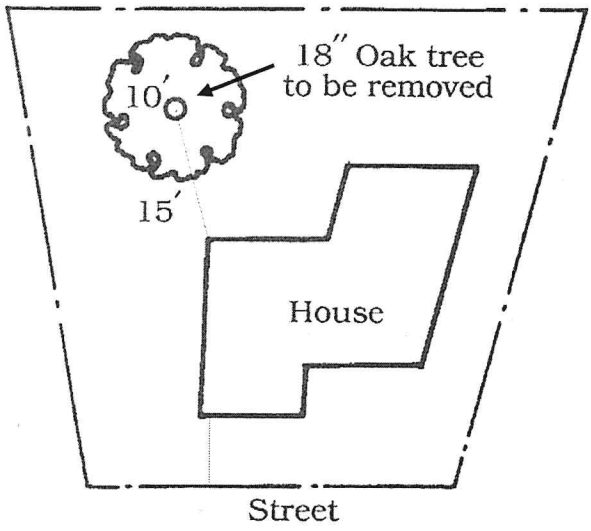
Homeowners Assoc. President's Name: _____

SITE PLAN

Sketch a site plan (aerial view) of location of tree(s) and their drip line(s) showing:

1. Location, size and species of protected trees to be removed; and
2. Existing and/or proposed footprint of the structure(s), paving, and landscape areas.

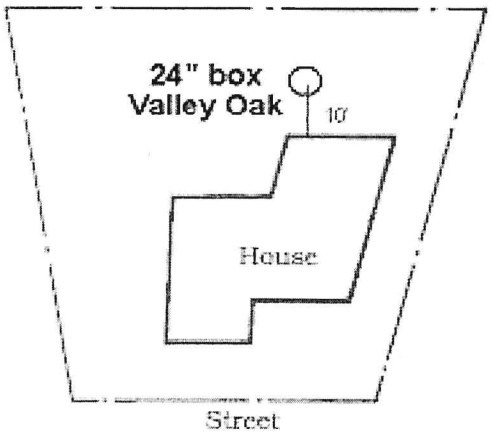
EXAMPLE:



REPLANTING PLAN

Sketch a site plan indicating the location, size and specie(s) of replacement tree(s) as required by the 'Replacement Tree Requirements' table on the following page.

EXAMPLE:



36″ box tree

TREE REPLACEMENT REQUIREMENTS

Number and Size: The number and size of replacement trees is based on the number and size of trees approved for removal, as indicated in the table below. If you are replacing a tree that was required as a part of an approved Landscaping Plan, the replacement species must be consistent with the Landscaping Plan. Otherwise, the replacement tree may be of any species that continues the diversity of trees found in the community (i.e., not a fruit bearing tree or any variety of Eucalyptus).

REPLACEMENT TREE REQUIREMENTS

Trunk Size of Removed Tree (measured at 4 feet above grade)		**Replacement Ratio Required (per tree removed)**	
Diameter (inches)	*Circumference (inches)*	*Number of replacement trees*	*Minimum Size*
12 to 24	38 to 75	1	24 inch box
Greater than 24	Greater than 75	1	36 inch box
Heritage Trees		1	48 inch box

In Lieu Fee: If the site layout cannot reasonably accommodate the number of trees required in compliance with the above table, at the discretion of the Community Development Director, payment of an in-lieu fee equal to fair market value of a standard City street tree, delivered and installed, may be accepted (currently $500 per tree).

Other Requirements: The following requirements and standards apply to all Tree Removal Permit applications:

a. **Cost of Replacement Trees**: Replacement trees shall be obtained and planted at the expense of the applicant.

b. **Replanting Period**: Replacement trees shall be installed within thirty days from the date the tree removal permit is issued unless accepted arboricultural practices dictate a preferential planting period for the species chosen as the replacement tree.

c. **Inspection**: City staff shall be permitted to enter the property to verify the installation of the replacement trees.

d. **Maintenance of Replacement Trees**: Any person who is required to plant replacement trees as a condition of a tree removal permit shall maintain such trees in a healthy condition to ensure their long term survival.

e. **Maintenance Bond**. A faithful performance bond, maintenance bond or other security deposit may be required to be paid to the City prior to the issuance of the Tree Removal Permit. The bond shall be in an amount of money and for a period of time determined by the Community Development Director to ensure acquisition and proper planting and maintenance of the replacement trees.

PROCESSING REQUIREMENTS

Protected Trees: The following trees are considered "protected" and require approval of a Tree Removal Permit:

a. **All Properties**: (1) Any tree shown on an approved landscaping plan or required to be planted or retained as a condition of approval of a development application, a building permit, or a tree removal permit; (2) Any tree designated as a "Heritage Tree" by the Historic Preservation Board.

b. **Single-Family Residential Properties**. Any Oak, Redwood, Cedar, or Ash tree measuring 12-inches in diameter or greater (as measured 4-feet above grade).

c. **All Other Properties**. Any tree measuring 12-inches in diameter or greater (as measured 4-feet above grade).

Exceptions: Regardless of size, fruit trees and Eucalyptus trees, are not considered "protected" and do not require a Tree Removal Permit.

Determination on an Application Request: The Community Development Director may only approve a Tree Removal Permit after making at least one of the following findings:

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

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

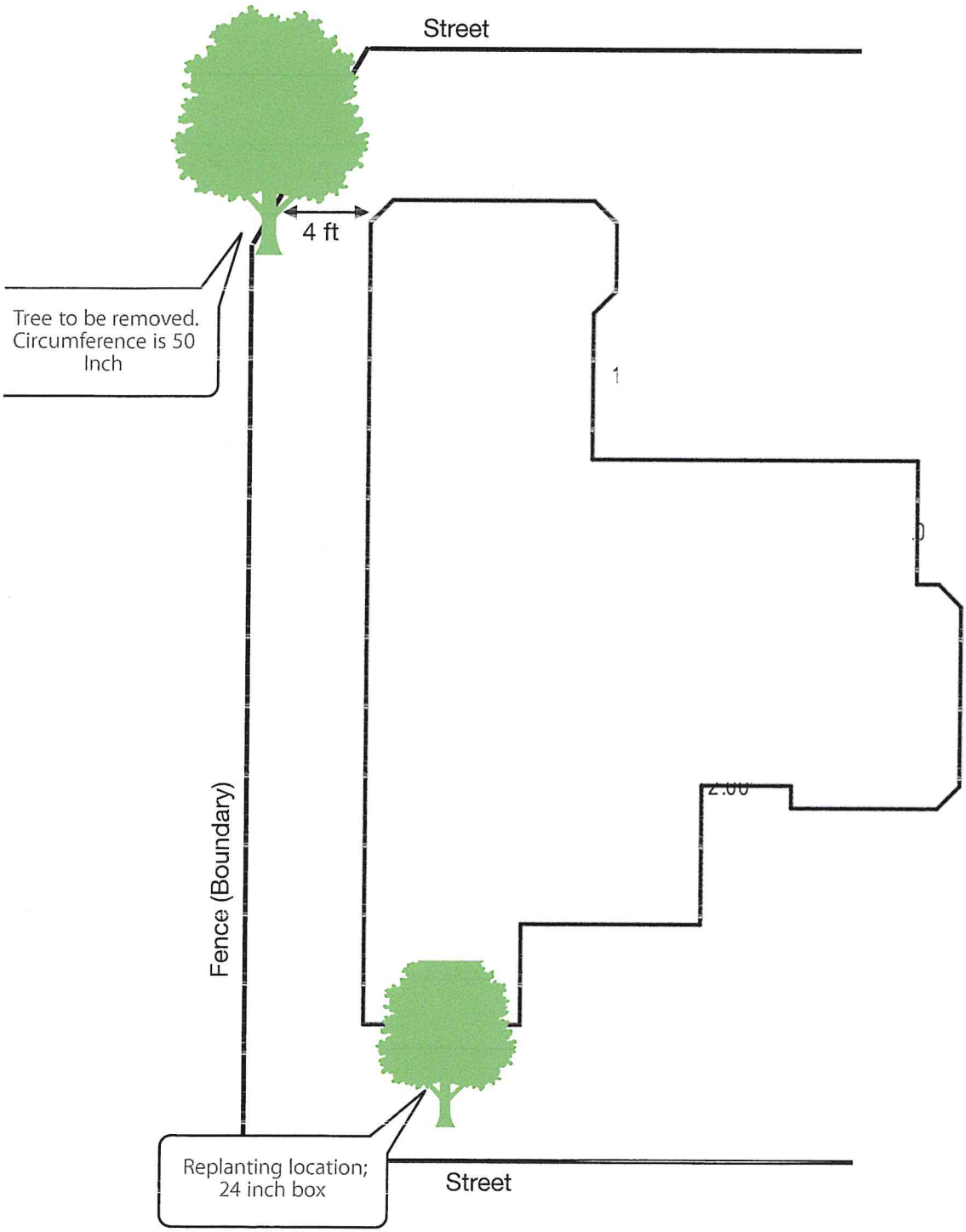
c. **Utility Interference**. The tree or trees have interfered with utility services where such interference cannot be controlled or remedied through reasonable modification/relocation of the utility services and/or reasonable modification of the tree's root or branch structure.

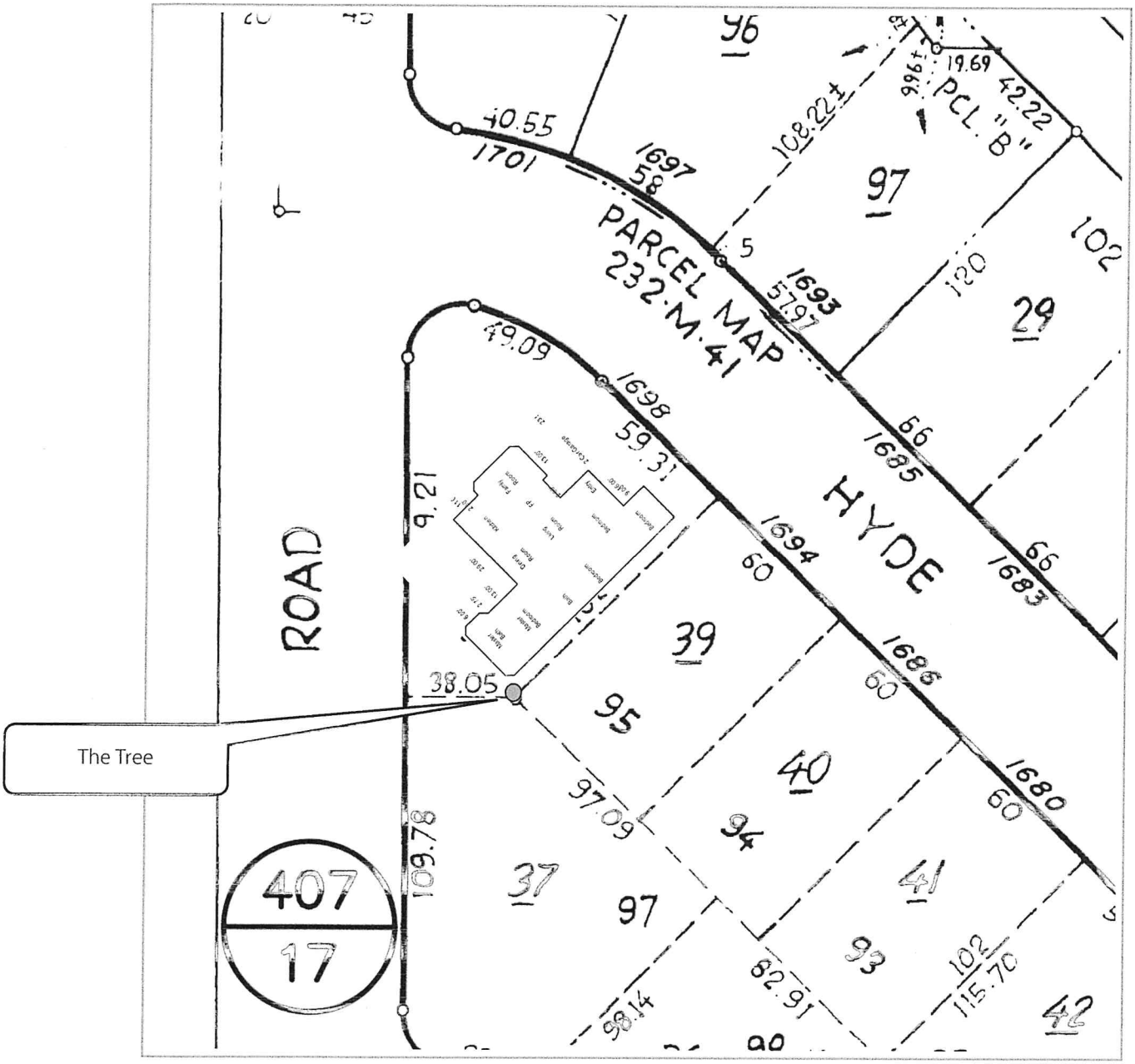
d. **Overplanting**. The tree(s) is crowding other protected tree(s) to the extent that removal is necessary to ensure the long-term viability of adjacent tree(s).

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

Public Noticing (Single-Family Residential): Upon rendering a decision on an application, the Community Development Director will mail a notice to neighboring property owners informing them of the decision. This notice will begin a 10 day appeal period. If an appeal is not received, the tree(s) may be removed once the appeal period has passed.

Public Noticing (All Other Properties): After an application is submitted and reviewed, a notice will be mailed to the owners of record within a 300-foot radius of the subject property. The notice will be mailed a minimum of 10 calendar days before a decision is rendered. Once a decision is rendered, a 10 day appeal period will begin. If an appeal is not received, the tree(s) may be removed once the appeal period has passed.


Street
4 ft
Tree to be removed. Circumference is 50 Inch
Fence (Boundary)
Replanting location; 24 inch box
Street


The Tree
407
17
ROAD
HYDE
PARCEL MAP
232-M-41
PCL. "B"
40.55
1701
1697
58
108.22±
19.69
42.22
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97
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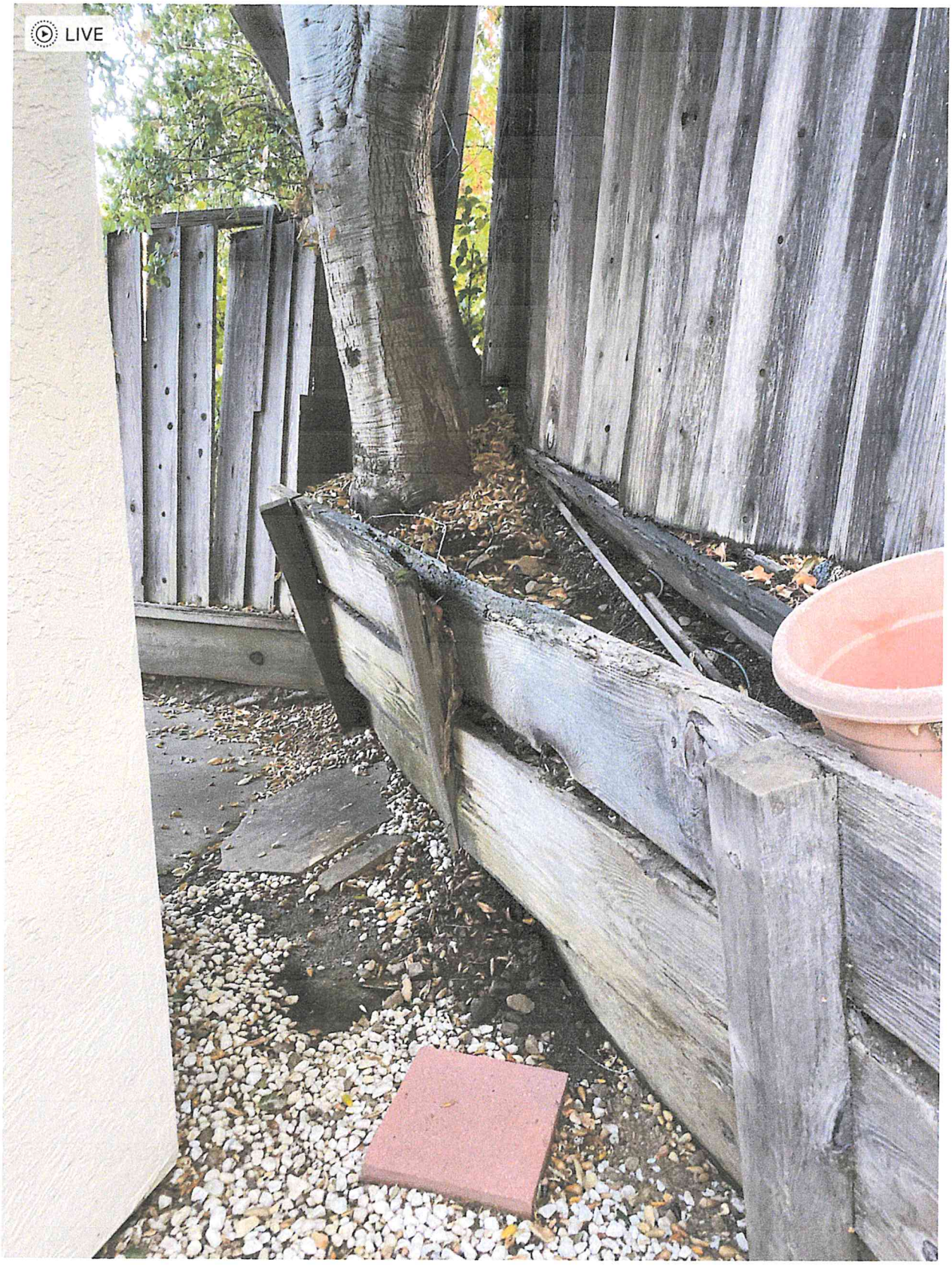
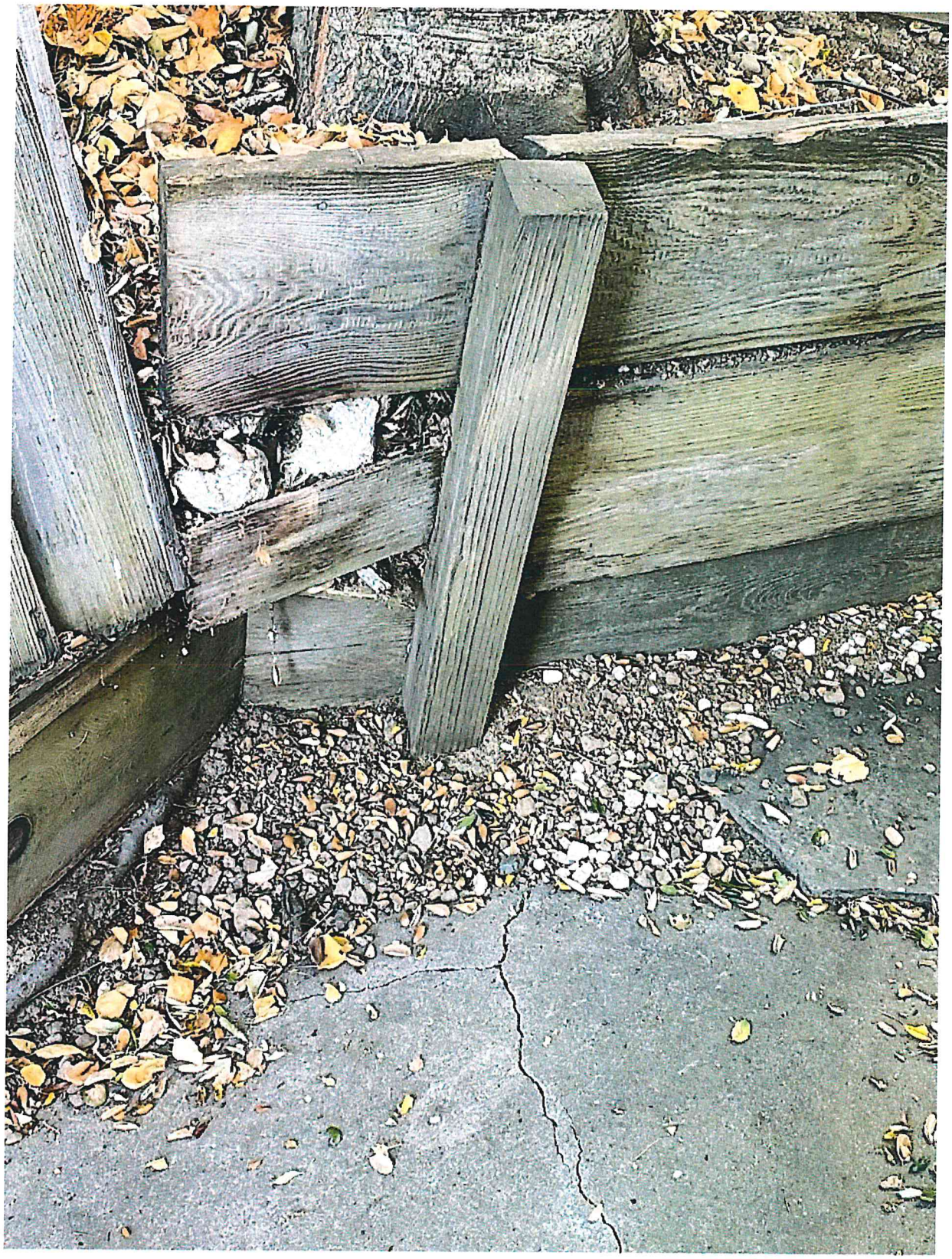

LIVE



On Nov 12, 2019, at 8:36 AM, Paula Ruffinelli <paular@campbellca.gov> wrote:

Re: Request to remove Tree

Nitin Srivastava <nituks@hotmail.com>
Tue 11/12/2019 9:20 AM
To: Paula Ruffinelli <paular@campbellca.gov>

WARNING: This email originated from an external sender!

Hi Paula -

Here is the pics that show the crack. The crack in the cement has increased significantly which is troubling and points to roots of the trees moving towards the house.

However my major concern is the retaining wall, which the tree is pushing out, and breaking. With seasonal rain and storm that may be coming, I'm worried that if I don't get the tree removed and fix the retaining wall, it will create liability and issue for me.

Based on what you saw, in person, do you have doubts on the removal?

Thx
Nitin

Nitin,

I am reviewing the tree removal permit and had to trace back to this email regarding a crack in the cement. I did not see any crack when I did an inspection, do you have any photos of this?

Thank you

Paula

From: Nitin Srivastava <nituks@hotmail.com>
Sent: Tuesday, October 1, 2019 9:42 AM
To: Planning Division <planning@campbellca.gov>
Subject: Request to remove Tree

WARNING: This email originated from an external sender!

Hello,

I'm a Campbell resident (1698 HYDE DR. CAMPBELL CA 95008). We have an Oak Tree in our property which has grown significantly in last few year. As such it has broken our retaining wall, is creating a crack on the foundation and cement floor.

I understand Oak tree is protected tree. I also counseled with few retaining wall constructors and all said that the tree must be removed to save the house. I would like to seek permission to remove the tree. Please let me know the process and next steps.

Thanks,
Nitin Srivastava

CITY OF CAMPBELL
Community Development Department

November 20, 2019

Nitin Srivastava
1648 Hyde Dr
Campbell, Ca, 95008

Re: **File No**: PLN2019-192
Address: 1648 Hyde Dr
Application: Tree Removal Permit
Status: Denied

Dear Applicant,

The Campbell Planning Division has completed review of your Tree Removal Permit application (PLN2019-192) for removal of one (1) Oak Tree measuring 15" in diameter located at the back of the abovementioned property.

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

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

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

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

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

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

The stated reason for removal states structural damage because the home has grown very close to the home and broken the retaining wall.

Based upon a review of the application documents, the Community Development Director has determined that the required findings for approval have not been met and the application is denied.

Finding #2 applies to main structure(s) which, per Section 21.32.020 of Campbell Municipal Code, includes dwelling units, in-ground swimming pools, detached garages, and other accessory structures over 200 square feet. Damage to walkways, patios, fences, retaining walls or other paved areas, which are not considered main structures, cannot substantiate a request for removal. Based on the areas staff was allowed to inspect, staff did not observe signs of damage or imminent damage to the existing structure, foundation or the rear neighbor's property.

This decision is final in 10 calendar days of the Community Development Director's decision, unless an appeal is received in writing at the City of Campbell Community Development Department, 70 North First Street, Campbell, on or before December 2 2019. A written appeal must be accompanied by the required $200 appeal filing fee.

If you have any questions regarding this letter, please contact me by phone at (408) 866-2732 or by email at paular@cityofcampbell.com.

Sincerely,

Paula Ruffinelli
Planning Technician

cc: Paul Kermoyan, Community Development Director

Date: Dec-2

RECEIVED
DEC 02 2019
CITY OF CAMPBELL
PLANNING DEPT.

Sub: APPEAL to Reconsider
File: PLN2019-192

I want to appeal the decision to DENY my request to remove the tree from my backyard. As I pointed out in my application and in my discussions with Paula Ruffinelli, that the tree is posing a danger to house, and us.

My words can'to articulate the risks, if the tree is not removed, but I sent pictures and talked to Paula few times. Here is the summary, again,

1. The Crack on the contrete floor, leading up to basement
2. The tree is sitting on retaing wall and has broken the wall. It has also broken the fences.
3. The tree is inclining towards the house, and makes it risky to fix the retaining wall. Aagain the pics and details have been provided in previous communications.

I will request you to reconsider your decision.

Thank you

Nitin Srivastava
1698 HYDE DR, LOS GATOS CA 95032

City of Campbell -- Community Development Department
70 N. First Street, Campbell, CA 95008

MEMORANDUM

To: Members of the Planning Commission **Date:** March 10, 2020

From: Paul Kermoyan, Community Development Director

Subject: Report of the Community Development Director

I. CITY COUNCIL: The City Council met on Tuesday, **March 3, 2020**, and considered the following items of interest to the Planning Commission:

A. **Ordinance Amending Title 21 and Title 5 of Campbell Muni Code**: Council took second reading and adopted an Ordinance amending Title 21 and Title 5 of the Campbell Municipal Code to establish a new list of allowable land uses for the C-3 Zoning District.

B. **PD Permit – 1700 Dell Avenue**: The City Council adopted a Resolution certifying a Final EIR and adopting a Mitigation Monitoring and Reporting Program and adopting a Statement of Overriding Considerations; introduced an Ordinance approving a Zoning Map Amendment; introduced an Ordinance approving a Planned Development Permit with Site and Architectural Review; and adopted a resolution approving a Tree Removal Permit to allow the construction of a 161,870 square foot, four-story Office Building, a 146,478 square foot, five-story parking garage with one level of underground parking, additional surface parking and on-site open space.

C. **Major Modification to Planned Development to allow three ADUs - 100-300 Haymarket Court**: Council took first reading of an Ordinance approving a Major Modification to a previously-approved Planned Development Permit to allow three ADU (Accessory Dwelling Units) within an approved six-lot single-family residential planned development.

II. MISCELLANEOUS

A. **Cancellation of SARC Meeting on March 10, 2020**: SARC will not meet.

B. **Next Regular Planning Commission Meeting of March 24, 2020**: The Commission will consider the following item(s):

1. Application of Antje Paiz for a Site and Architectural Review Permit (PLN2019-215) to allow the construction of an approximately 3,800 square-foot one-story single-family residence and an increase to the allowable fence height, on property located at **596 Emory Avenue.**