

PLANNING COMMISSION
City of Campbell, California

Register in advance for this webinar:

February 9, 2020
Tuesday
Zoom

https://us02web.zoom.us/webinar/register/WN_NzKJ-P_VSSKGnb2e-J4YDA

After registration, you will receive a confirmation email containing information about joining the webinar. During the registration process, you will be asked if you would like to speak on any of the agenda items. Please provide detail on the items you would like to discuss.

AGENDA

CONVENE MEETING

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

The following members of the Planning Commission are listed to permit them to appear electronically or telephonically at the regular Planning Commission meeting on February 9, 2021: Chair Maggie Ostrowski, Vice-Chair Stuart Ching, Commissioners Adam Buchbinder, Andrew Rivlin; Nick Colvill, Michael Krey and Alan Zisser.

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

Those members of the public wishing to participate are asked to register in advance at: https://us02web.zoom.us/webinar/register/WN_NzKJ-P_VSSKGnb2e-J4YDA. After registering, you will receive a confirmation email containing information about joining the meeting.

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

ROLL CALL

APPROVAL OF THE MINUTES January 26, 2021

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

None

NEW BUSINESS

1. **Affordable Housing Developer Study Session.** Project Planner: *Daniel Fama, Senior Planner.*

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

ADJOURNMENT

Adjourn to the next regularly scheduled Planning Commission meeting of **February 23, 2021**, at 7:30 p.m., and likely to be conducted using Zoom.

Americans with Disabilities Act (ADA)

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

CITY OF CAMPBELL PLANNING COMMISSION
MINUTES

7:30 P.M.

TUESDAY

JANUARY 26, 2021
REMOTE ON-LINE ZOOM MEETING

The Planning Commission meeting on January 26, 2021, was called to order at 7:33 p.m. by Chair Ostrowski and the following proceedings were had, to wit:

ROLL CALL

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

Commissioners Absent: None

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

APPROVAL OF MINUTES

Motion: Upon motion by Commissioner Zisser, seconded by Commissioner Buchbinder, the Planning Commission minutes of the meeting of January 12, 2021, were approved as submitted. (7-0)

COMMUNICATIONS

None

AGENDA MODIFICATIONS OR POSTPONEMENTS

None

ORAL REQUESTS

None

PUBLIC HEARINGS

Chair Ostrowski asked the Commission if there were any disclosures for items on tonight's meeting items.

There were none.

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

1. **PLN-2020-85** Public Hearing to consider the application of Darko Dekovic for a Modification (PLN-2020-85) to a previously approved Planned Development Permit (ZC 81-12) to allow construction of an approximately 426 square-foot single-story addition to an existing single-family residence and a new approximately 1,011 square-foot accessory dwelling unit (ADU) on property located at **1409 Harriet Avenue**. Staff is recommending that this item be deemed Categorical Exempt under CEQA. Tentative City Council Meeting Date: February 16, 2021. Project Planner: *Naz Pouya Healy, Assistant Planner*.

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

Chair Ostrowski asked if there were questions for staff.

Commissioner Buchbinder clarified with staff that the original garage on site is where the new ADU will be located and a new garage constructed to be accessed from the street.

Planner Naz Pouya Healy replied yes, but the existing garage is accessed along the interior side and around the corner of the house.

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

The applicant chose not to speak when called upon.

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

Commissioner Krey:

- Stated that the revision resulting from SARC's recommendation was nice.
- Added that this is a perfectly straightforward approval.

Commissioner Buchbinder:

- Admitted that he is much in favor of ADUs.
- Stated that this one matches the house well and is a good addition to this neighborhood.
- Asked if requiring a Modification to a Planned Development is allowed per State regulations for ADUs.

Planner Naz Pouya Healy said that there is a specific section in our Code for this process.

City Attorney William Seligmann said that Code allows that any changes to the original approval be reconsidered as a whole under Planned Development zoning. This review is not simply for consideration of the ADU being added but also for the balance of what is occurring on this property.

Commissioner Buchbinder said that the addition of a new garage also makes sense for this site.

Motion: **Upon motion of Commissioner Ching, seconded by Commissioner Buchbinder, the Planning Commission adopted Resolution No. 4595 recommending Council approval of a Modification (PLN-2020-85) to a previously approved Planned Development Permit (ZC 81-12) to allow construction of an approximately 426 square-foot single-story addition to an existing single-family residence and a new approximately 1,011 square-foot accessory dwelling unit (ADU) on property located at 1409 Harriet Avenue, by the following roll call vote:**

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

Chair Ostrowski advised that this item would be considered by the City Council for final action tentatively at its meeting on February 16, 2021.

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

2. **PLN2019-235** Public Hearing to consider the application of Ana Manzo for a Site and Architectural Review Permit (PLN2019-235) to allow for the construction of a new 3,149 sq. ft. two-story single-family residence on property located at **1362 Hacienda Court**. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Stephen Rose, Senior Planner*.

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

Commissioner Ching provided the Site and Architectural Review Committee report as follows:

- SARC found this design to be very nice.
- Added that it is a contemporary architecture but fitting within the San Tomas Area Plan Neighborhood.
- Advised that the only detail concern discussed by SARC was the area above the new garage door for which SARC recommended consideration of the addition of a trellis feature there.
- Stated that the trellis above the garage door was added and works well.

Chair Ostrowski agreed.

Chair Ostrowski asked if there were any questions for staff.

Commissioner Buchbinder asked whether, due to the trapezoid shape of this parcel, whether an ADU could be added on this property.

Planner Stephen Rose replied that Campbell's ADU standards are pretty permissive. There is nothing to stop them from having an ADU given the parcel's shape.

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

Bess Wiersema, Project Designer:

- Advised that her clients, Drs. Chuang Kenji & Kerilyn Kawazo are also present this evening as well as Project Civil Engineer Velimir Sulic?
- Stated that she likes the way that SARC works and appreciates their efforts.
- Agreed that this property is an unusually shaped lot.
- Added that the architectural style of this home is more contemporary but with traditional forms and massing.
- Said that she was open to adding the trellis above the garage if the Planning Commission thinks it is needed. They are willing but she'd like to hear what the PC has to say about it.
- Informed the PC that she has a concern about one of the conditions of approval for an ADA curb cut requirement.
- Stated that requirement is not in the best interest of her clients at this time as the existing paving is in good shape.
- Suggested that updating to ADA standards could be brought up later when the rest of the area is brought up to current ADA standards. Perhaps via a deferred agreement.
- Said it would be best if that requirement is not entangled with the overall design approval.

Velimir Sulic, Project Civil Engineer:

- Said that the one condition they question comes from the City's Engineering Department. That requirement is to bring the existing curb, gutter and sidewalk up to current ADA standards.
- Reported that this area is a 33-foot-long frontage.

- Added that this ADA update would be a hardship for their clients.
- Pointed out that most of the area are at the old standards so it doesn't make sense at this juncture to put it in here.
- Stated that they are willing to enter into a deferred agreement.
- Asked that the Planning Commission remove that condition imposed by the Public Works Department.

Commissioner Zisser:

- Reported that he had driven by the project site yesterday and talked briefly with the property owner.
- Agreed that the design for this is nice and will fit in nicely with this cul-de-sac. It is good design.

Chair Ostrowski asked if the property owners would also like to speak.

They declined.

Commissioner Colvill asked Bess Wiersema what her role is in this project

Bess Wiersema replied that she is the architectural designer for the project.

Commissioner Colvill:

- Asked Ms. Wiersema what she thinks about the inclusion of the trellis.
- Inquired if she is just putting it in at the request of SARC and staff.
- Questioned whether she likes the trellis being added to her original design. "What do you think?"

Bess Wiersema, Project Designer:

- Added that from a purist's standpoint, the design is more pure as originally presented.
- Stated that the addition of trellis will help navigate the pedestrian experience while walking past.
- Admitted that the trellis is not of modern form, but she worked with Planner Rose and SARC to allow that trellis to be more streamlined and squarer. That was the best option for that addition of a trellis.

Commissioner Colvill said he appreciated Ms. Wiersema's input.

Commissioner Buchbinder:

- Pointed out that the trapezoid shape of this parcel will have a rectangular shaped house on it.
- Inquired whether they had considered designing a trapezoid shaped house.

Bess Wiersema, Project Designer:

- Agreed that the lot is unique. It is a very narrow slot, a long and skinny shoebox in which to design a home for.

- Said that the trapezoid shaped structure would create problems requiring a complex roof and stepped building form. That such an approach would be neither sensitive to budget or to the interior spaces such a form would create.

Commissioner Buchbinder thanked Ms. Wiersema for her thorough answer. He added he learned something.

Chair Ostrowski:

- Reported that within the Campbell Village Neighborhood Plan there is the provision to allow for a deferred agreement for the installation of ADA standard curb and driveway.
- Referred to the Public Works Condition 16 in the draft packet.
- Asked if constructing a new home brings forth the requirement to bring the frontage standards up to Code.
- Pointed out that an ADA accessible driveway apron requires it to be flush and level.
- Questioned whether “once improved, always improved” is the basis of disagreement.
- Inquired of the City Attorney whether this ADA upgrade is a requirement per Code in this circumstance. Is it the City’s position that this is a requirement?
- Added that the PC is not sure if a waiver of that requirement is even possible by the Commission. She would defer to the City Attorney to advise on that point.

City Attorney William Seligmann:

- Advised that he had spoken with the project’s attorney, Mr. Heckman, a long time ago.
- Added that there is procedure within Code.
- Said that one option could be a deferred improvement agreement.
- Informed that it is Public Works’ position that a deferred improvement agreement is cumbersome.
- Added that it is possible that other properties in the immediate area may not redevelop for quite a long time.
- Pointed out that if they (deferred improvement agreements) sit around too long, they can be lost or just forgotten.

Planner Stephen Rose:

- Said that this is a cul-de-sac lot with a 43 foot long frontage.
- Added that it is found to be consistent with the scope of this project to require the ADU improvements.
- Stated that Public Works felt this requirement to be both reasonable and adequate.
- Concluded that these improvements are proportional to the scope of work on site.

Commissioner Colvill asked if it might be time to close the public hearing to deliberate.

Commissioner Ching asked if the concerns for not including the ADA improvements is strictly financial.

Bess Wiersema, Project Designer:

- Said that cost is one concern.
- Added that the frontage is narrow.
- Stated they went from an attached ADA standard to a non-standard.

- Advised that the whole goal of the project was to maintain the existing access and driveway.
- Questioned why the City would create a condition to attach up-to-code ADA improvements to existing non-up-to-code (non-compliant) standard sidewalks.
- Concluded that would be an expensive waste of money and time.

Velimir Sulic, Project Civil Engineer:

- Reminded that per the City Attorney there is something in the Code to allow for deferred improvement agreements.
- Reiterated that at this stage it doesn't make sense to install these improvements now.
- Added that it would be a financial hardship to their clients at a cost of \$25,000.
- Asked the Planning Commission to help secure a waiver of that condition of approval (16) and/or secure a deferred agreement.

City Attorney William Seligmann:

- Cautioned that if the sole issue is financial that is not a solid reason.
- Pointed out that these improvements will only cost more if done later rather than now.

Planner Stephen Rose said that pursuing that option is not a part of the options up for discussion this evening.

City Attorney William Seligmann said that the PC cannot waive this condition at this time. He said that waiver procedures are under Title 11, which is not the purview of the PC.

Bess Wiersema, Project Designer:

- Stated that she is disappointed as she was unaware until now that they could have applied for a waiver.
- Suggested that they now consider seeking the deferred improvement option.
- Said that she would like for the house itself to pass tonight in order to get construction plans submitted to Building for review, approval and issuance of building permits.

Chair Ostrowski asked Director Kermoyan how best to proceed at this point.

Director Paul Kermoyan suggested closing the public hearing to bring this back to the PC for deliberation. He asked the City Attorney if he had advised the applicant's attorney (Heckman) on the options for a waiver or deferred improvement agreement.

City Attorney William Seligmann:

- Advised the Commission at the time he consulted with Attorney Heckman, he did discuss both options.

Commissioner Krey asked what exactly we are talking about when we consider ADA standards and uses. What is the difference?

Bess Wiersema, Project Designer:

- Reported that the current plans under review incorporate and meet the current ADA standards.

- Said they are asking the PC to allow Condition 16 requiring the ADA updated curb/gutter/sidewalk updates be deferred.
- Added that this issue must be separated from the application for approval of the plans themselves. For Building review, there will be different level of plans submitted.
- Stressed that she needs PC approval this evening in order to get construction plans submitted to building sooner rather than later.

Commissioner Krey said he was please to understand that the current plans reflect that condition for ADA improvements.

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

Director Paul Kermoyan:

- Explained that requiring the installation of public improvements is a common approach to improving the built environment including off-site improvements.
- Added that in this case said improvements being driveway and sidewalk.
- Reiterated that is a common condition in a project like this one.
- Advised that the cost of those improvements must be in relation to the house in this case. This is a \$25,000 improvement versus a \$500,000 house seems appropriate.
- Said that the PC needs to be aware that staff vets those issues when creating conditions.
- Said that it is usually deemed reasonable to have these required improvements installed with construction rather than delay it.
- Added that he has full faith and confidence that the City's Engineer did that assessment with this project.
- Stated that staff feels that this is the time. The improvements cover a short distance and it is important to connect these now.
- Advised that the PC is not in a position to delay those improvements.
- Suggested perhaps reworking the condition to add the potential for a deferred improvement agreement be entered into if the Public Works Director so approves.
- Recommended that they not remove Condition 16 from the draft resolution.

City Attorney William Seligmann:

- Reiterated that any decision on entering into a deferred improvement agreement rests with the City Engineer and not the Planning Commission.

Commissioner Ching asked if either a deferred improvement agreement or waiver are entered into for ADA public improvements with this project, what is the City's potential for liability.

City Attorney William Seligmann:

- Admitted that is a sensitive issue.
- Reported that there have been major lawsuits throughout the State of California to get cities moving to update improvements to reach current ADA compliance.
- Added that if the City has a plan in place for ADA updates, that could be satisfactory.

Chair Ostrowski restated that entering into a deferred improvement agreement will not rest with this Planning Commission but rather with the City Engineer.

City Attorney William Seligmann replied correct.

Chair Ostrowski asked if there are any additional Commission comments on the project design.

Commissioner Buchbinder said that SARC did such a good job working with the applicant to add a trellis detail to the garage that is compatible with the home's modern architectural style. Concluded that the solar glass roof is pretty cool.

Commissioner Rivlin:

- Said that the trellis above the garage is a nice addition. He likes the garage door.
- Stated that the house fits within its neighborhood well.
- Concluded that he supports this project with conditions as set by staff.

Commissioner Krey agreed with Commissioner Rivlin and said he likes this project and finds the house to be beautiful.

Commissioner Zisser:

- Said that the ADA public improvements must be worked out with the Public Works Department.
- Asked for some clarification on what exactly is involved with upgrading the curb and sidewalk to meet ADA standards. "What's the difference between what's there and what needs to be there?"

Commissioner Buchbinder said that the plan details provided shows that.

Director Paul Kermoyan:

- Said that the walking surface needs to be level and a driveway apron hinders that with its slope.
- Stated that an ADA driveway moves the walking surface around the apron so it's constantly level.

Commissioner Zisser asked how that's different from curbing to street.

Planner Stephen Rose said that it requires rounding the corners to the cul de sac.

Commissioner Zisser asked if 43 feet is what will need to be replaced.

Planner Stephen Rose said that a continuous concrete surface is where leveling happens.

Chair Ostrowski:

- Sought clarification that it is not the entire sidewalk along both sides of this corner property to be replaced, just at the driveway and area connecting to existing sidewalk.

Commissioner Zisser:

- Said that he understands that both the Project Designer and Project Engineer are calling for a common-sense approach.
- Added that if not done now, 20 years from now it could still be non-compliant.
- Admitted that he appreciates the purpose for ADA regulations.
- Questioned the stated cost of \$25,000 for this work but is not himself a builder.
- Stated that the overall design of this house is good. He supports the inclusion of the added trellis above the garage.
- Suggested the applicants try to work out the ADA requirements with Public Works.

Commissioner Colvill said this is a beautiful home and he likes the trellis added above the garage. It looks fantastic.

Motion: **Upon motion of Commissioner Colvill, seconded by Commissioner Buchbinder, the Planning Commission adopted Resolution No. 4596 approving a Site and Architectural Review Permit (PLN2019-235) to allow for the construction of a new 3,149 sq. ft. two-story single-family residence on property located at 1362 Hacienda Court, by the following roll call vote:**

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

NOES: **None**

ABSENT: **None**

ABSTAIN: **None**

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

NEW BUSINESS

3. Housing Unit Production. Project Planner: *Stephen Rose, Senior Planner.*

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

Chair Ostrowski:

- Thanked Planner Rose for his report.
- Said that it is nice to see that people are coming forth to build ADUs.
- Expressed her surprise at the possible increase of our RHNA housing unit obligation by 319 percent.

Planner Stephen Rose:

- Said that with the updated Housing Element we will have to indicate what sites there are that would accommodate our allocated number of new units.

Chair Ostrowski asked if the various levels (very low, low or moderate units) would each be assessed at the same percentages as currently.

Planner Stephen Rose replied probably.

Chair Ostrowski asked how Campbell's housing unit production compares with other cities.

Planner Stephen Rose:

- Said he could provide that comparative information at another time.
- Stated that it's very low, perhaps just 99 percent deficient.
- Added that we are not unique in that regard.
- Pointed out that most cities are meeting their above moderate housing construction just like we are doing.
- Advised that staff encourages density bonus projects to help achieve more affordable units.

Director Paul Kermoyan:

- Stated that staff does not need the State to tell us how to create housing. We know how.
- Pointed out that housing developers need to make a profit.
- Added that they will not build more affordable units than the minimum required.
- Said that the next PC meeting will be a joint meeting with affordable housing developers.
- Stated that with the efforts of the Planning Commission and Council, we are today able to produce between six and seven new ADU building submittals per month.
- Cautioned that ADUs are not considered affordable units.
- Advised that with the next Housing Element, we will get credit for housing that we've met.

Commissioner Rivlin said that ADUs cost more.

Planner Stephen Rose said to have an ADU counted as affordable, the deed restriction needs to be in place for a prescribed period of time.

Director Paul Kermoyan said that legislation allows us to capture a portion of ADU units against our housing obligation.

Commissioner Buchbinder:

- Thanked Planner Rose for his housing unit update.
- Said it seems the range of processing time varies from just one day to 200 days.
- Asked if the City is compliant with the 60-day standard set by the State for ADUs.

Planner Stephen Rose:

- Said that the submittal process starts with initial review of submitted material for completeness. Once a submittal is found to be complete, an invoice is forwarded to the applicant. Once the fee is paid by the applicant, the file is assigned for review.
- Cautioned that oftentimes there can be a long delay between submittal of material, and payment of fees required to assign and begin work.

Commissioner Buchbinder asked if the unconstructed units called for via our RHNA obligation are added onto the next RHNA assignment.

Director Paul Kermoyan said he did not believe so.

Chair Ostrowski asked if there is a penalty for not meeting our RHNA numbers.

Planner Stephen Rose said that if a submitted project meets established objective standards, State regulations would force (require) that project to move forward to approval.

Commissioner Buchbinder asked if we are receiving three to four ADU applications a week.

Director Paul Kermoyan said it may be two to three.

Planner Stephen Rose said that the reduction in minimum lot size to allow for ADUs has opened up lots of opportunity for ADUs. He added that other reductions including setbacks has also created more opportunities.

Chair Ostrowski asked what the trends are for ADUs. Are they mostly in the San Tomas Area Neighborhood Plan area? Are most attached ADUs? Is it varied between attached and detached?

Planner Stephen Rose replied that the majority of the ADUs coming in now are on larger single-family residential lots.

Director Paul Kermoyan said that they run the full gamut between detached, JADU (Junior Accessory Dwelling Units), and garage conversions.

Chair Ostrowski said that's great.

Commissioner Zisser asked when they are counted? Is it when they are completely built?

Planner Stephen Rose:

- Said it is based on permit issuance.
- Pointed out that a unit issued in one year can be completed in the next.

Commissioner Zisser asked what's in the pipeline from 2020.

Director Paul Kermoyan:

- Reported that staff had anticipated the Cresleigh project to start soon but that has been delayed.
- Admitted that we are not seeing a lot of big projects at the present time.
- Added that the largest would be Mozart with 25 units. At SARC tonight, they looked at a 9-unit project.

Commissioner Krey said he's under the impression that ADUs don't count against our RHNA obligation.

Director Paul Kermoyan said that the above-moderate units do count.

Commissioner Buchbinder admitted that he had been hoping that the housing unit updates would be more granular to indicate the types of units.

Planner Stephen Rose:

- Directed Commissioner Buchbinder to the City's webpage (www.cityofcampbell.com) where there is a Housing Division Page.

- Said that there are all sorts of materials there.
- Added that Building does a monthly report that goes to the State's Department of Finance on housing units.

Chair Ostrowski asked if a monthly update to the Planning Commission could be achieved.

Commissioner Buchbinder said that seeing Building's monthly report would be great.

Planner Stephen Rose said he would look into that.

Commissioner Buchbinder asked if a monthly update, perhaps at the first meeting of each month might be achievable.

Director Paul Kermoyan:

- Said that is actually outside of the purview of the Planning Commission.
- Suggested that Commissioner Buchbinder reach out to the Building Division to inquire about their stats.

Commissioner Buchbinder said he was looking forward to the PC Study Session next meeting. It will be nice to see what we can do to do better.

Chair Ostrowski thanked Planner Rose for the nice update report on housing. She said it will be interesting to see how we can accelerate the creation of other income levels of housing stock (very low, low, moderate to above moderate).

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

Director Paul Kermoyan:

- Said that the Planning Commission session on February 9th has at least seven developers lined up as participants.
- Suggested that perhaps each be allocated a specified period of time to make a brief presentation on how to best expand on affordable units. Perhaps 5 minutes per developer in order to leave sufficient time for group discussion.

Commissioner Buchbinder:

- Reported that yesterday (January 25, 2021), he spoke at the Youth Commission Meeting on the "History of Housing Segregation."
- Advised that there was interest by some of the Youth Commissioners to be involved in the Housing Element Update.
- Asked if it would be possible to invite the members to participate in Housing Element Update meetings.

ADJOURNMENT

The Planning Commission meeting adjourned at 9:10 p.m. to the next Regular Planning Commission Meeting on **February 9, 2021**, which will be conducted on Zoom.

SUBMITTED BY: _____
Corinne Shinn, Recording Secretary

APPROVED BY: _____
Maggie Ostrowski, Chair

ATTEST: _____
Paul Kermoyan, Secretary

RESOLUTION NO. 4595

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL RECOMMENDING APPROVAL OF A MAJOR MODIFICATION (PLN-2020-85) TO A PREVIOUSLY APPROVED PLANNED DEVELOPMENT PERMIT (ZC 81-12) TO ALLOW CONSTRUCTION OF AN APPROXIMATELY 426 SQUARE-FOOT SINGLE-STORY ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE AND A NEW 1,011 SQUARE-FOOT ACCESSORY DWELLING UNIT (ADU) ON PROPERTY LOCATED AT **1409 HARRIET AVENUE**. FILE NO.: PLN-2020-85

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

The Planning Commission finds as follows with regard to file number PLN-2020-85:

Evidentiary Findings

1. The project site is located on the west side of Harriet Avenue, south of its intersection with Harriet Court, within the City's San Tomas Area Neighborhood Plan.
2. The project site is within the P-D (Planned Development) Zoning District and is designated with a *Low Density Residential* land use designation by the General Plan.
3. The project site was developed under a Zone Change and Planned Development Permit (ZC 81-12) granted by City Council Ordinance No. 1352 in 1981.
4. The project site is currently developed with a single-family residence to be retained and a detached garage to be demolished.
5. The proposed project is an application to modify the previously approved Planned Development Permit (ZC 81-12) to allow construction of an approximately 426 square-foot single-story addition to the existing single-family residence and a new 1,011 accessory dwelling unit (ADU).
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 shall be reviewed by the planning commission and approved by the City Council" pursuant to Campbell Municipal Code (CMC) Section 21.12.030.H.3.b. In addition, the proposed ADU constitutes a Major Modification requiring City Council approval because the property was the subject of a previous Planned Development Permit pursuant to CMC Section 21.12.030.D.
7. The proposed project, as conditioned, would be consistent with the following General Plan policies and strategies:
 - Goal LUT-3: Options in ownership and rental housing in terms of style, size, and density that contribute positively to the surrounding neighborhood.
 - Strategy LUT-5.2a: Neighborhood Compatibility: Promote new residential development and substantial additions that are designed to maintain and support the existing

character and development pattern of the surrounding neighborhood, especially in historic neighborhoods and neighborhoods with consistent design characteristics.

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

8. The proposed project, as conditioned, would be consistent with the City adopted San Tomas Area Neighborhood Plan.
9. The proposed project would be consistent with CMC Chapter 21.23 (Accessory Dwelling Units).
10. In review of the proposed project, the Planning Commission considered the site circulation, traffic congestion, and traffic safety, considerations relating to the landscaping and considerations relating to structure and site layout.
11. No substantial evidence has been presented which shows that the project, as currently presented and subject to the required conditions of approval, will have a significant adverse impact on the environment.

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

1. The proposed 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 15301 (Class 1) of the California Environmental Quality Act (CEQA) Guidelines pertaining to minor alterations to an existing private structure, involving negligible or no expansion of use.

THEREFORE, BE IT RESOLVED that the Planning Commission recommends approval of a Major Modification (PLN-2020-85) to a previously approved Planned Development Permit (ZC 81-12) to allow construction of an approximately 429 square-foot single-story addition to an existing single-family residence and a new 1,011 square-foot accessory dwelling unit (ADU) on property located at **1409 Harriet Avenue**, subject to the attached Conditions of Approval (attached Exhibit "A").

PASSED AND ADOPTED this 26th day of January, 2021, by the following roll call vote:

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

APPROVED: _____
Maggie Ostrowski, Chair

ATTEST: _____
Paul Kermoyan, Secretary

RECOMMENDED CONDITIONS OF APPROVAL
Major Modification to a Previously Approved Planned Development Permit
(PLN-2020-85)

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 (PLN-2020-85) to a previously approved Planned Development Permit (ZC 81-12) to allow construction of an approximately 426 square-foot single-story addition to an existing single-family residence and a new 1,011 square-foot accessory dwelling unit (ADU) on property located at **1409 Harriet Avenue**. The project shall substantially conform to the Project Plans and Revisions, stamped as received by the Planning Division on December 8, 2020 and January 14, 2021 respectively, except as modified by Conditions of Approval contained herein.
2. Permit Expiration: The Major Modification approved herein ("Approval") shall be valid for one (1) year from the date of City Council approval (expiring February 16, 2022). Within this one-year period, an application for building permit(s) must be submitted. Failure to meet this deadline or expiration of the building permit plan check or 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 Ordinance No. 1352 (ZC 81-12).
4. Rough Framing and Planning Final Inspections Required: Planning Division clearance is required prior to Rough Framing inspection and Building Permit final. Construction not in substantial compliance with the approved project plans shall not be approved without prior authorization of the necessary approving body.
5. Minor Modifications: Minor Modifications to the approved project plans are subject to review and approval by the Community Development Director. Minor modifications include alterations in floor area of no more than 50 square feet on the first floor (except for PD permits where additional floor area is considered a major modification), alterations to second story windows that are not oriented toward neighboring yards and result in an increase in window area of no more than one square foot and horizontal relocation of no more than one foot from the approved window location, and minor alterations to façade material. All other modifications are subject to review at a public hearing.

6. Plan Revisions: Upon prior approval by the Community Development Director, all Minor Modifications to the approved project plans shall be included in the construction drawings submitted for Building Permit. Any modifications to the Building plan set during construction shall require submittal of a Building Permit Revision and approval by the Building Official prior to Final Inspection.

7. Water Efficient Landscape Standards: As a remodel/addition/rehabilitation project **with a total project landscape area equal to or less than 2,500 square feet**, this project is subject to the updated California Model Water Efficient Landscape Ordinance (MWELo) and may comply with the Prescriptive Compliance Option in Appendix D. This document is available at: <http://www.cityofcampbell.com/DocumentCenter/View/176> or on the Planning Division's Zoning and Land Use webpage through www.cityofcampbell.com. The building permit application submittal shall demonstrate compliance with the applicable MWELo and landscaping requirements and shall include the following:
 - a. Planting and Irrigation Plans that meet all requirements of the Prescriptive Compliance Option in Appendix D.
 - b. The front yard landscaping shall include a combination of trees, shrubs, and cover spread throughout the yard.
 - c. The rear yard shall include existing and/or new tree plantings along the rear and north side property lines for screening.
 - d. A completed Landscape Information Form.
 - e. A note on the Cover Sheet in minimum 1/2" high lettering stating "Planning Final Required. The new landscaping indicated on the plans must be installed prior to final inspection. Changes to the landscaping plan require Planning approval."

Note: If the project landscape area increases during the course of the project, additional requirements will apply.

8. Fences/Walls: Any newly proposed fencing and/or walls shall comply with Campbell Municipal Code Section 21.18.060 and shall be submitted for review and approval by the Community Development Department.

9. On-Site Lighting: On-site lighting shall be shielded away from adjacent properties and directed on site. The design and type of lighting fixtures and lighting intensity of any proposed exterior lighting for the project shall be reviewed and approved by the Community Development Director prior to installation of the lighting for compliance with all applicable Conditions of Approval, ordinances, laws and regulations. Lighting fixtures shall be of a decorative design to be compatible with the residential development and shall incorporate energy saving features.

10. Contractor Contact Information Posting: The project site shall be posted with the name and contact number of the lead contractor in a location visible from the public street prior to the issuance of Building Permits.

11. Construction Activities: The applicant shall abide by the following requirements during construction:
- a. The project site shall be posted with the name and contact number of the lead contractor in a location visible from the public street prior to the issuance of building permits.
 - b. Construction activities shall be limited to weekdays between 8:00 a.m. and 5:00 p.m. and Saturdays between 9:00 a.m. and 4:00 p.m. No construction shall take place on Sundays or holidays unless an exception is granted by the Building Official.
 - c. All construction equipment with internal combustion engines used on the project site shall be properly muffled and maintained in good working condition.
 - d. Unnecessary idling of internal combustion engines shall be strictly prohibited.
 - e. All stationary noise-generating construction equipment, such as air compressors and portable power generators, shall be located as far as possible from noise-sensitive receptors such as existing residences and businesses.
 - f. Use standard dust and erosion control measures that comply with the adopted Best Management Practices for the City of Campbell.

Building Division

12. Permit Required: A Building Permit application shall be required for the proposed project. The Building Permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit.
13. Conditions of Approval: The Conditions of Approval shall be stated in full on the cover sheet of construction plans submitted for building permit.
14. Construction Fencing: This project shall be properly enclosed with construction fencing to prevent unauthorized access to the site during construction. The construction site shall be secured to prevent vandalism and/or theft during hours when no work is being done.

PUBLIC WORKS DEPARTMENT

15. Plan Review: Revise plan to show the existing 5' public walkway easement adjacent to the northern property line.
16. Vacation of Walkway Easement: Tract Map Number 7229 recorded a 5' walkway easement for the construction and maintenance of sidewalks for public use. The walkway easement is located within the 6 buildable lots adjacent to the property lines on Harriet Court. The project plan is showing a side setback from Harriet Court of 3.5' which is conflict of the 5' walkway easement. Prior to issuance of Building Permit, the applicant shall submit a vacation application of the 5' walkway easement for approval by the City Engineer, pay the current application processing fee, process the application with City staff's comments and fully complete the easement vacation.

17. Park Impact Fee: Senate Bill No. 13 (SB13) allows the assessment of impact fees to accessory dwelling unit of 750 square feet or more. SB13 also states that the fee should be proportional to the square footage of the primary dwelling unit. Currently, the Park Impact Fee for single family is \$24,480.00 and the maximum Park Impact Fee that can be assessed for an accessory dwelling unit is \$7,771. Prior to allowing occupancy and/or final building permit signoff for any and/or all units, the applicant shall pay the Park Impact Fee for the proposed 841 square feet accessory dwelling unit currently calculated to be \$7,771.00.

18. Harriet Avenue Sidewalk Project: The City of Campbell is moving forward with a project to install missing pedestrian improvements on Harriet Avenue between Westmont Avenue and Van Dusen Lane. The improvements include concrete sidewalks, curbs, gutters, ADA compliant curb ramps and signing & striping. The applicant is strongly encouraged to complete any required utility work in advance of the City project. More information about this project can be found here: <https://www.ci.campbell.ca.us/1148>

19. Stormwater Pollution Prevention Measures: Prior to issuance of any grading or building permits, the applicant shall comply with the National Pollution Discharge Elimination System (NPDES) permit requirements, Santa Clara Valley Water District requirements, and the Campbell Municipal Code regarding stormwater pollution prevention. The primary objectives are to improve the quality and reduce the quantity of stormwater runoff to the bay.

Resources to achieve these objectives include Stormwater Best Management Practices Handbook for New Development and Redevelopment (“CA BMP Handbook”) by the California Stormwater Quality Association (CASQA), 2003; Start at the Source: A Design Guidance Manual for Stormwater Quality Protection (“Start at the Source”) by the Bay Area Stormwater Management Agencies Association (BASMAA), 1999; and Using Site Design Techniques to Meet Development Standards for Stormwater Quality: A Companion Document to Start at the Source (“Using Site Design Techniques”) by BASMAA, 2003.

20. Utilities: All on-site utilities shall be installed underground per Section 21.18.140 of the Campbell Municipal Code for any new or remodeled buildings or additions. Applicant shall comply with all plan submittals, permitting, and fee requirements of the serving utility companies. Utility locations shall not cause damage to any existing street trees. Where there are utility conflicts due to established tree roots or where a new tree will be installed, alternate locations for utilities shall be explored. Include utility trench details where necessary.

21. Pavement Restoration: The applicant shall restore the pavement in compliance with City standard requirements. In the event that the roadway has recently received a pavement treatment or reconstruction, the project will be subject to the City’s Street Cut Moratorium. The applicant will be required to perform enhanced pavement restoration consistent with the restoration requirements associated with the Street Cut Moratorium. The City’s Pavement Maintenance Program website

(<https://www.ci.campbell.ca.us/219>) has detailed information on the streets currently under moratorium and the enhanced restoration requirements.

22. Utility Encroachment Permit: Separate encroachment permits for the installation of utilities to serve the development will be required (including water, sewer, gas, electric, etc.). Applicant shall apply for and pay all necessary fees for utility permits for sanitary sewer, gas, water, electric and all other utility work.

Fire Department

23. Review of this development proposal is limited to acceptability of site access, water supply and may include specific additional requirements as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work the applicant shall make application to, and receive from, the Building Division all applicable construction permits.
24. This review shall not be construed to be an approval of a violation of the provisions of the California Fire Code or of other laws or regulations of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of the Fire Code or other such laws or regulations shall not be valid. Any addition to or alteration of approved construction documents shall be approved in advance. [CFC Ch.1, 105.3.6]

RESOLUTION NO. 4596

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL APPROVING A SITE AND ARCHITECTURAL REVIEW PERMIT (PLN2019-235) TO ALLOW FOR THE CONSTRUCTION OF A NEW 3,149 SQ. FT. TWO-STORY SINGLE-FAMILY RESIDENCE ON PROPERTY LOCATED AT **1362 HACIENDA COURT.**

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(s) PLN2019-235:

1. The project site is zoned R-1-10 (Single Family Residential) on the City of Campbell Zoning Map and within the boundaries of the San Tomas Area Neighborhood Plan (STANP).
2. The project site is designated Low Density Residential (<3.5 units/gr. acre) on the City of Campbell General Plan Land Use diagram.
3. The project site is a 7,036 square-foot lot located at the end of Hacienda Court, south of W. Hacienda Avenue and west of Burrows Road.
4. The proposed project consists of the construction of a new approximately 3,149 square-foot two-story single-family residence.
5. The proposed project will result in a building coverage of approximately 25% and a Floor Area Ratio (FAR) of 44.7%, where a maximum 40% building coverage and 45% FAR are allowed in the R-1-10 Zoning District.
6. The proposed project will provide two covered parking spaces within an attached garage, satisfying the minimum parking requirement to provide two parking spaces at least one of which shall be covered.
7. The proposed project will be compatible with the R-1-10 (Single Family Residential) Zone District with approval of a Site and Architectural Review Permit.
8. The project is compatible with the architecture of the adjacent neighborhood in that the project incorporates representative architectural features of homes in the San Tomas Area including hipped and gabled roof forms and simple rectangular shaped forms.
9. The proposal is consistent with the City adopted San Tomas Area Neighborhood Plan (STANP).

10. The proposal is consistent with the Considerations in Review of Applications (CMC Section 21.42.040) subject to Site and Architectural Review.

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

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

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

1. The project will be consistent with the General Plan;
2. The project will aid in the harmonious development of the immediate area;
3. The project is consistent with applicable adopted design guidelines, development agreement, overlay district, area plan, neighborhood plan, and specific plan(s); and

Environmental Findings (CMC Sec. 21.38.050):

4. This project is Categorically Exempt under per Section 15303 of the California Environmental Quality Act (CEQA), pertaining to the construction of single-family dwellings.
5. No unusual circumstances exist that would prevent the project from qualifying as Categorically Exempt per Section 15300.2.c. of the CEQA Guidelines.

THEREFORE, BE IT RESOLVED that the Planning Commission approves a Site and Architectural Review Permit to allow the construction of a new approximately for the construction of a new 3,149 sq. ft. two-story single-family residence on property located at 1362 Hacienda Court, subject to the attached Conditions of Approval (attached "Exhibit A").

PASSED AND ADOPTED this 26th day of January, 2021, by the following roll call vote:

AYES: Commissioners: Buchbinder, Ching, Colvill, Krey, Ostrowski, Rivlin & Zisser
NOES: Commissioners: None
ABSENT: Commissioners: None
ABSTAIN: Commissioners: None

APPROVED: _____
Maggie Ostrowski, Chair

ATTEST: _____
Paul Kermoyan, Secretary

CONDITIONS OF APPROVAL
Site & Architectural Review Permit (PLN2019-235)

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

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division:

1. Approved Project: Approval is granted for a Site and Architectural Review Permit (PLN2019-235) to allow the construction of an approximately 3,149 square-foot two-story single-family residence on property located at **1362 Hacienda Court**. The project shall substantially conform to the Project Plans included as Attachment 3 in the Planning Commission Staff Report dated January 26, 2021, except as may be modified by the Conditions of Approval herein.
2. Permit Expiration: The Site and Architectural Review Permit shall be valid for one year from the date of final approval (expiring February 5, 2022). Within this one-year period, an application for a Building Permit must be submitted. Failure to meet this deadline or expiration of an issued building permit will result in the Site and Architectural Review Permit being rendered void.
3. Rough Framing and Planning Final Required: Planning Division clearance is required prior to rough framing and final Building Permit clearance. Construction not in substantial compliance with the approved project plans shall not be approved without prior authorization of the necessary approving body.
4. Required Revisions: Prior to Building Permit submittal the applicant shall make the following changes to the plans to the satisfaction of the Community Development Director:
 - a. Decorative Trellis: A decorative trellis shall be added over the garage in substantial conformance with the Trellis Plans provided in Attachment 4 in the Planning Commission Staff Report dated January 26, 2021. The exact design (i.e. size, placement, color, and material) of the trellis shall be to the satisfaction of the Community Development Director.
 - b. Roofing: The plans shall indicate the proposed roofing material which may either be a standing seam metal roof or a solar glass roof. The color of the roofing shall be to the satisfaction of the Community Development Director.

5. Minor Modifications: Minor Modifications to the approved project plans are subject to review and approval by the Community Development Director. Minor Modifications include alterations in floor area of no more than 50 square feet on the first floor (except for PD permits where additional floor area is considered a major modification), alterations to second story windows that are not oriented toward neighboring yards and result in an increase in window area of no more than one square foot and horizontal relocation of no more than one foot from the approved window location, and minor alterations to façade material. All other modifications are subject to review at a public hearing.
6. Plan Revisions: Upon prior approval by the Community Development Director, all Minor Modifications to the approved project plans shall be included in the construction drawings submitted for Building Permit. Any modifications to the Building plan set during construction shall require submittal of a Building Permit Revision and approval by the Building Official prior to Final Inspection.
7. Fences/Walls: Any newly proposed fencing and/or walls shall comply with Campbell Municipal Code Section 21.18.060 and shall be submitted for review and approval by the Community Development Department.
8. Water Efficient Landscape Standards: As a new construction project with a total project landscape area equal to or less than 2,500 square feet, this project is subject to the updated California Model Water Efficient Landscape Ordinance (MWELo) and may comply with the Prescriptive Compliance Option in Appendix D. This document is available at: <http://www.cityofcampbell.com/DocumentCenter/View/176> or on the Planning Division's Zoning and Land Use webpage through www.cityofcampbell.com. The building permit application submittal shall demonstrate compliance with the applicable MWELo and landscaping requirements and shall include the following:
 - a. Planting and Irrigation Plans that meet all requirements of the Prescriptive Compliance Option in Appendix D.
 - b. The front yard landscaping shall include a combination of trees, shrubs, and groundcover spread throughout the yard.
 - c. A completed Landscape Information Form.
 - d. A note on the Cover Sheet in minimum 1/2" high lettering stating "Planning Final Required. The new landscaping indicated on the plans must be installed prior to final inspection. Changes to the landscaping plan require Planning approval."
9. Landscaping: Landscape areas in the aforementioned landscaping plan shall consist of a mix of plants including natural turf, ornamental grasses, groundcovers, shrubs, and trees and/or synthetic turf throughout and shall be provided with permanent irrigation, in compliance with the Water Efficient Landscape Standards and Campbell Municipal Code.

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

Building Division:

13. Permit Required: A building permit application shall be required for the proposed new 2-story single family dwelling structure.
14. Conditions of Approval: The Conditions of Approval shall be stated in full on the cover sheet of construction plans submitted for building permit.
15. Construction Fencing: This project shall be properly enclosed with construction fencing to prevent unauthorized access to the site during construction. The construction site shall be secured to prevent vandalism and/or theft during hours

when no work is being done. All protected trees shall be fenced to prevent damage to root systems.

Public Works Department:

16. Frontage Improvements Required: The scope of this project triggers the requirement for Frontage Improvements as required by Campbell Municipal Code 11.24.040. The San Tomas Neighborhood Plan has designated Hacienda Court to be fully improved with curb, gutter and sidewalk improvements. The applicant will need to upgrade the existing driveways to be accessible (ADA) compliant and construct sidewalk transition from the new driveway to the existing sidewalk.
17. Stormwater Pollution Prevention Measures: Prior to issuance of any grading or building permits, the applicant shall comply with the National Pollution Discharge Elimination System (NPDES) permit requirements, Santa Clara Valley Water District requirements, and the Campbell Municipal Code regarding stormwater pollution prevention. The primary objectives are to improve the quality and reduce the quantity of stormwater runoff to the bay.

Resources to achieve these objectives include Stormwater Best Management Practices Handbook for New Development and Redevelopment ("CA BMP Handbook") by the California Stormwater Quality Association (CASQA), 2003; Start at the Source: A Design Guidance Manual for Stormwater Quality Protection ("Start at the Source") by the Bay Area Stormwater Management Agencies Association (BASMAA), 1999; and Using Site Design Techniques to Meet Development Standards for Stormwater Quality: A Companion Document to Start at the Source ("Using Site Design Techniques") by BASMAA, 2003.

18. The following conditions only apply if the applicant has a need to install/upgrade utility services (water, sewer, gas, etc.) in the street:
 - a. Utility Encroachment Permit: Separate permits for the installation of utilities to serve the development will be required (including water, sewer, gas, electric, etc.). Applicant shall apply for and pay all necessary fees for utility permits for sanitary sewer, gas, water, electric and all other utility work.
 - b. Utility Coordination Plan: Prior to issuance of building permits for the site, the applicant shall submit a utility coordination plan and schedule for approval by the City Engineer for installation and/or abandonment of all utilities. The plan shall clearly show the location and size of all existing utilities and the associated main lines; indicate which utilities and services are to remain; which utilities and services are to be abandoned, and where new utilities and services will be installed. Joint trenches for new utilities shall be used whenever possible.
 - c. Pavement Restoration: The applicant shall restore the pavement in compliance with City standard requirements. As Hacienda Court has been recently slurry sealed, the project will be subject to the City's Street Cut

Moratorium. The applicant will be required to perform enhanced pavement restoration consistent with the restoration requirements associated with the Street Cut Moratorium. The City's Pavement Maintenance Program website (<https://www.ci.campbell.ca.us/219>) has detailed information on the streets currently under moratorium and the enhanced restoration requirements.

19. Water Meter(s) and Sewer Cleanout(s): Existing and proposed water meter(s) and sewer cleanout(s) shall be relocated or installed on private property behind the public right-of-way line.
20. Utility Coordination Plan: Prior to issuance of building permits for the site, the applicant shall submit a utility coordination plan and schedule for approval by the City Engineer for installation and/or abandonment of all utilities. The plan shall clearly show the location and size of all existing utilities and the associated main lines; indicate which utilities and services are to remain; which utilities and services are to be abandoned, and where new utilities and services will be installed. Joint trenches for new utilities shall be used whenever possible.
21. Pavement Restoration: The applicant shall restore the pavement in compliance with City standard requirements. Hacienda Court has been recently slurry sealed, the project will be subject to the City's Street Cut Moratorium. Street Cut Moratorium for Hacienda Court is effective up to 10/26/2023. The applicant will be required to perform enhanced pavement restoration consistent with the restoration requirements associated with the Street Cut Moratorium. The City's Pavement Maintenance Program website (<https://www.ci.campbell.ca.us/219>) has detailed information on the streets currently under moratorium and the enhanced restoration requirements.
22. Encroachment Permit, Plans, Fees and Deposits: Prior to issuance of any grading or building permits for the site, the applicant shall submit plans for public street improvements, pay various fees and deposits, post security and provide insurance necessary to obtain an encroachment permit for construction of the standard public street improvements, as required by the City Engineer. The plans shall include the following, unless otherwise approved by the City Engineer:
 - a. Show location of all existing utilities within the existing public right of way.
 - b. Removal of existing driveway approach and necessary sidewalk, curb and gutter.
 - c. Installation of City standard curb, gutter, sidewalk and ADA compliant driveway approach.
 - d. Construction of conforms to existing public and private improvements, as necessary.
 - e. Submit final plans in a digital format acceptable to the City.

23. Street Improvements Completed for Occupancy and Building Permit Final: Prior to allowing occupancy and/or final building permit signoff for any and/or all buildings, the applicant shall have the required street improvements installed and accepted by the City, and the design engineer shall submit as-built drawings to the City.
24. Maintenance of Landscaping: Owner(s), current and future, are required to maintain the landscaped park strip in the public right of way. This includes, but is not limited to: lawn, plantings, irrigation, etc. Trees shall not be pruned by the property owner.
25. Utility Encroachment Permit: Separate encroachment permits for the installation of utilities to serve the development will be required (including water, sewer, gas, electric, etc.). Applicant shall apply for and pay all necessary fees for utility permits for sanitary sewer, gas, water, electric and all other utility work.

FIRE DEPARTMENT

26. Fire Sprinklers Required: (As Noted on Sheet A1.1) An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings as follows: 1) In all new one- and two family dwellings and in existing one- and two-family dwellings when additions are made that increase the building area to more than 3,600 square feet. **Exception**: One or more additions made to a building after January 1, 2011 that do not total more than 1,000 square feet of building area. 2) In all new basements and in existing basements that are expanded by more than 50%. **NOTE**: The owner(s), occupant(s) and any contractor(s) or subcontractor(s) are responsible for consulting with the water purveyor of record in order to determine if any modification or upgrade of the existing water service is required. A State of California licensed (C-16) Fire Protection Contractor shall submit plans, calculations, a completed permit application and appropriate fees to this department for review and approval prior to beginning their work. CRC Sec. 313.2 as adopted and amended by CBLMC.
27. Fire Sprinklers Required: Construction Site Fire Safety: (As Noted on Sheet A1.1) All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification S1-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chp. 33
28. Water Supply Requirements: As Noted on Sheet A1.1) Potable water supplies shall be protected from contamination caused by fire protection water supplies. It is the responsibility of the applicant and any contractors and subcontractors to contact the water purveyor supplying the site of such project, and to comply with the requirements of that purveyor. Such requirements shall be incorporated into the design of any water based fire protection systems, and/or fire suppression water supply systems or storage containers that may be physically connected in any manner to an appliance capable of causing contamination of the potable water supply of the purveyor of record.

Final approval of the system(s) under consideration will not be granted by this office until compliance with the requirements of the water purveyor of record are documented by that purveyor as having been met by the applicant(s). 2019 CFC Sec. 903.3.5 and Health and Safety Code 13114.7.

29. Address Identification: (As Noted on Sheet A1.1) New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. CFC Sec. 505.1.

This review shall not be construed to be an approval of a violation of the provisions of the California Fire Code or of other laws or regulations of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of the fire code or other such laws or regulations shall not be valid. Any addition to or alteration of approved construction documents shall be approved in advance. [CFC, Ch.1, 105.3.6]

MEMORANDUM



City of Campbell
Planning Division

To: Chair Ostrowski and Planning Commission **Date:** February 9, 2021
From: Daniel Fama, Senior Planner *DF*
Via: Paul Kermoyan, Community Development Director *PK*
Subject: Affordable Housing Meeting

On January 12, 2021, at the request of Commissioner Buchbinder, the Planning Commission asked for a meeting with affordable housing developers/advocates to discuss impediments to construction of affordable housing within the Campbell community. Staff sent invitations to various organizations identified by Commissioner Buchbinder for a February 9th roundtable study session meeting.

Chair Ostrowski and Commissioner Buchbinder discussed how to organize the meeting and determined the following:

- The meeting will commence with an introduction by the Chair.
- Invitees will each be given 5 minutes to introduce themselves, explain who their organization is, and describe what barriers they see to building more affordable housing.
- The Chair will summarize the high-level themes expressed by the invitees.
- The Commission will engage in a Q&A with the invitees.



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

MEMORANDUM

To: Members of the Planning Commission **Date:** February 9, 2021
From: Paul Kermoyan, Community Development Director
Subject: Report of the Community Development Director

I. **CITY COUNCIL:** The City Council met on Tuesday, **February 2, 2021**, and considered the following items of interest to the Planning Commission:

- A. **Extension of Declaration of Local Emergency:** Council adopted a Resolution extending the December 15, 2020 City Council proclamation declaring the existence of a local emergency resulting from community spread of COVID-19 in the City of Campbell to April 13, 2021.
- B. **Authorization to Proceed with a General Plan Amendment – 700 W. Hamilton Avenue:** Council adopted a resolution authorizing an application for a General Plan Amendment subject to a Development Agreement to provide an increased percentage of below-market-rate (BMR) housing units.
- C. **Zoning Code Amendment – Adding new Chapter 21.45:** Council continued the item to a date uncertain in order to make minor changes.

II. **MISCELLANEOUS**

- A. **Regular SARC Meeting on February 9, 2021:** SARC will consider the following items:
 - 1. Application (PLN-2020-160) of Amandeep Dulay for a Site and Architectural Review Permit to allow construction of a new approximately 3,245 square-foot one-story single-family residence with an approximately 495 square-foot junior accessory dwelling unit (JADU) on property located at **1495 Theresa Avenue**.
 - 2. Application (PLN-2020-54) of Pruneyard Office Investors LLC for an Amendment to the Pruneyard Master Use Permit for consideration of (1) a revised phasing plan to allow the approved office building and a partial expansion of the existing parking structure to be constructed as Phase 3 ahead of the approved retail buildings (as new Phase 4), further expansion of the existing parking structure in Phase 4, and a four-year extension of the permit deadline for new Phase 4 from December 2022 to December 2026, (2) minor architectural changes, a nominal increase in building area, and elimination of the underground parking to the approved office building, and associated site/parking layout changes, (3) a revised design for the parking structure expansion to incorporate enhanced architectural treatment and associated site layout/circulation changes around the traffic circle to increase pedestrian connectivity, (4) a change to the land use program to allow medical service clinics as a permitted use within the office parcel, and (5) revise the parking management plan to allow exclusive use of approximately 60 parking stalls for the new office building tenant(s) during typical office hours, (6) require implementation of the valet parking program only at the completion of Phase 3 (which is not required at the current phase) when certain occupancy thresholds are met, and (7) various non-material text clarifications; and a Tentative Parcel Map to allow creation of a fourth parcel created from the existing office parcel, for property located at **1875, 1887, 1901, 1919, 1995, & 1999 S. Bascom Avenue** and **777 E. Campbell Avenue**.

- B. **Next Regular Zoom Planning Commission Meeting of February 23, 2021:** The next regular meeting will consider the following items:
1. Application of Amandeep Dulay for a Site and Architectural Review Permit (PLN-2020-160) to allow construction of a new approximately 3,245 square-foot one-story single-family residence with an approximately 495 square-foot junior accessory dwelling unit (JADU) on property located at **1495 Theresa Avenue**.
 2. Application of Akbar Abdollahi for a Planned Development Permit (PLN-2018-225) to allow the construction of nine (9) single family residences; a Tentative Subdivision Map to subdivide the site into nine (9) single-family lots with one (1) common lot; a Parking Modification Permit to allow a reduction in the number of required parking spaces; a Tree Removal Permit to allow the removal of one (1) fruitless mulberry tree; and a Variance to allow the retention of existing overhead utility lines and/or the placement of new poles for property located at **202 W. Rincon Avenue**.
- C. **Use of Zoom for remote on-line PC Meetings until further notice:** This and all of your regular schedule of PC meetings will continue to be conducted via Zoom for the foreseeable future. This Planning Commission meeting will be conducted via telecommunication and is compliant with provisions of the Brown Act and Executive Order N-29-20 issued by the Governor. The following Commissioners of the Campbell Planning Commission are listed to permit them to appear electronically or telephonically at the Regular Planning Commission meeting on February 9, 2021: Chair Maggie Ostrowski, Vice Chair Stuart Ching and Commissioners Adam Buchbinder, Nick Colvill, Michael Krey, Andrew Rivlin and Alan Zisser.

While members of the public will not be able to attend the meeting of the Campbell City Planning Commission physically, the meeting will be live-streamed on YouTube at (<https://www.youtube.com/user/CityofCampbell>). Interested persons may register to participate at https://us02web.zoom.us/webinar/register/WN_NzKJ-P_VSSKGnb2e-J4YDA.

After registering, you will receive a confirmation email containing information about joining the webinar itself on February 9, 2021, at 7:30 p.m. Additionally, the complete agenda packet will be posted by Friday, February 5, 2021, on the website at <https://www.ci.campbell.ca.us/AgendaCenter/Planning-Commission-6>, and will include all materials for this meeting. Please be advised that if you challenge the nature of the above project in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this Notice, or in written correspondence delivered to the City of Campbell Planning Commission at, or prior to, the Public Hearing by email to planning@campbellca.gov. Questions may be addressed to the Community Development Department at (408) 866-2140.