



CITY OF CAMPBELL
Community Development Department

IN-N-OUT BURGER
FREQUENTLY ASKED QUESTIONS

1. What is In-N-Out proposing?

In-N-Out is proposing to demolish the existing Elephant Bar restaurant (located at the corner of Almarida and Hamilton) to construct a new drive-through restaurant. The proposed project plans, which may be viewed using this [link](#), illustrate a 3,800 square-foot restaurant building with a 22-vehicle drive-through and 60 on-site parking stalls. The restaurant would include an 84-seat dining room and a 40-seat outdoor patio. In-N-Out is also requesting a "late-night" closing time of 1:00 AM Monday to Thursday and 1:30 AM Friday and Saturday, with opening time of 10:00 AM.



2. Please explain the permit process.

The application is currently under review by the City's development review team, consisting of Planning, Engineering, Building, and Fire Department staff. Once the review is completed, the application will be reviewed by the following bodies:

- a. The [Site and Architectural Review Committee \(SARC\)](#), which is a sub-committee of the Planning Commission, will review the proposed architectural design of the project and site layout. If the SARC agrees with the proposed design plans, the application is forwarded to the Planning Commission.
- b. The [Planning Commission](#) will then review the application at a public meeting. In particular, the Planning Commission will look at the potential traffic, parking, circulation, public safety, noise, lighting, odor, and air quality impacts of the project. At this public meeting, comments from any member of the public will be heard. The Planning Commission takes these comments into consideration when making a decision to approve or deny the application. The Planning Commission's decision is final in 10 calendar days, unless an appeal is filed.
- c. If the decision is appealed, a public hearing with the [City Council](#) will be scheduled.

In-N-Out Frequently Asked Questions

3. Why did the City accept the application?

The City is obligated to accept an application that proposes a use of land and/or structure that is allowable under the City's Zoning Ordinance. However, the City's acceptance of an application for review does not require the City to approve the project.

4. Is the City looking at traffic impacts?

Yes. A traffic impact analysis (TIA), prepared by a third-party consultant, will be conducted to analyze the potential traffic impacts of the project. Specifically, the TIA will analyze intersection operations from Winchester to Bascom, the flow of traffic through the Hamilton Avenue corridor, potential increases to neighborhood traffic on residential streets, and the sufficiency of the drive-through queuing capacity.

5. Campbell already has a number of burger restaurants. Why does the City need another one?

The City does not regulate the type of food offered by restaurants. While the City may consider differences in traffic, parking, odor, or other factors based on specific aspects of the business operation – the decision as to what food to serve (e.g. Mexican, Italian), and how it is priced, is left up to the prospective tenant. If the business decides to move, or close, it is also important to consider that another restaurant could occupy the space without a public review. As such, the City's review of land use is longer term in nature.

6. Why can't the City attract a different restaurant?

Development of private property is generally a function of the property owner, brokers, and prospective business tenants. The City does not target specific businesses.

7. Has a decision been made? If not, when will a decision be made?

No, a decision will not be made until all required reviews have been completed and the application is considered by the Planning Commission in a public hearing. It is the Planning Commission that will render a decision. However, that decision can be appealed to the City Council (see Question #2 for process information).

8. Where and at what time are Planning Commission and City Council meetings held?

- The Planning Commission generally meets on the second and fourth Tuesday of every month.
- The City Council meets on the first and third Tuesday of every month.

Both meetings begin at 7:30 PM and are held in the City Council Chambers at City Hall, located at 70 N. First Street.

9. How can the public be involved and offer input?

The City has setup a public forum to solicit and collect community feedback, available at this [link](#). All comments from this forum will be included in the public record that will be forwarded to the Planning Commission and City Council. The public is also welcome to comment in person at the Planning Commission and/or City Council public hearings on the project.

If you cannot attend the meeting, the City will broadcast the Planning Commission meeting live on cable channel 26 and on our [website](#). The following day, an archived recording of the meeting can be accessed from the City's Agendas & Minutes [page](#).

In-N-Out Frequently Asked Questions

10. Can I provide input directly to the Planning Commission or City Council?

When the application is forwarded to the Planning Commission at a scheduled public meeting, all members of the public will be provided the opportunity to directly address the Planning Commission. However, any comments prior to the public meeting can be sent electronically to: planning@cityofcampbell.com. Correspondence will be forwarded, since Commissioners cannot be contacted directly via e-mail or phone. You may contact members of the City Council directly as follows:

Liz Gibbons, Mayor	lizg@cityofcampbell.com
Paul Resnikoff, Vice Mayor	paulr@cityofcampbell.com
Jeffrey Cristina, Councilmember	jeffc@cityofcampbell.com
Susan M. Landry, Councilmember	susanl@cityofcampbell.com
Rich Waterman, Councilmember	richw@cityofcampbell.com

11. Who can I contact if I have more questions?

Questions may be addressed to Senior Planner Daniel Fama at danielf@cityofcampbell.com or (408) 866-2193.