



City of Santa Clara

Meeting Agenda

Planning Commission

Wednesday, December 12, 2018

7:00 PM

City Hall Council Chambers

7:00 PM REGULAR MEETING

Call to Order

Pledge of Allegiance and Statement of Values

Roll Call

DECLARATION OF COMMISSION PROCEDURES

CONTINUANCES/EXCEPTIONS

CONSENT CALENDAR

Consent Calendar items may be enacted, approved or adopted, based upon the findings prepared and provided in the written staff report, by one motion unless requested to be removed by anyone for discussion or explanation. If any member of the Planning Commission, staff, the applicant or a member of the public wishes to comment on a Consent Calendar item, or would like the item to be heard on the regular agenda, please notify Planning staff, or request this action at the Planning Commission meeting when the Chair calls for these requests during the Consent Calendar review. Items listed on the Consent Calendar with associated file numbers constitute Public Hearing items.

1.A 18-1624 [Planning Commission Meeting Minutes of November 28, 2018.](#)

Recommendation: Approve the Planning Commission Minutes of the November 28, 2018 Meeting.

1.B 18-1524 [Twelve-month Review of a Use Permit for the one-site sale and consumption of beer and wine for a restaurant within Nob Hill Foods at 3555 Monroe Street](#)

Recommendation: Note and file the twelve-month review of a Use Permit allowing the on-site sale and consumption of alcohol (ABC License Type 41) in the restaurant within Nob Hill Foods located at 3555 Monroe Street.

- 1.C 18-1525 [Twelve-month Review of a Use Permit for the one-site sale and consumption of beer and wine for a corporate café \(West Commons Café\) located at 2515 Augustine Drive](#)

Recommendation: Note and file the twelve-month review of a Use Permit allowing the on-site sale and consumption of alcohol (ABC License Type 41) in a corporate cafe located at 2515 Augustine Drive.

- 1.D 18-1537 [Action on Use Permit to allow a second drive-through lane for an existing fast food restaurant at 3509 Homestead Road.](#)

Recommendation: Adopt a Resolution approving amendment of the Use Permit (U.1838) to allow a second drive-through lane and site and building upgrades for an existing fast food restaurant at 3509 Homestead Road, subject to conditions of approval.

- 1.E 18-1555 [Action on Variance from Parking Requirement for the Property at 417 Maria Street](#)

Recommendation: Adopt a Resolution approving a Variance from the two covered parking spaces requirement for the property located at 417 Maria Street subject to conditions of approval.

PUBLIC PRESENTATIONS

Members of the public may briefly address the Commission on any item not on the agenda.

PUBLIC HEARING

Items listed above under Items for Council Action will be scheduled for Council review following the conclusion of hearings and recommendations by the Planning Commission. Due to timing of notices for Council hearings and the preparation of Council agenda reports, these items will not necessarily be heard on the date the minutes from this meeting are forwarded to the Council. Please contact the Planning Division office for information on the schedule of hearings for these items.

2. 18-1228 [Public Hearing: Action on a Rezone for the Development of Three Single-family Dwellings Located at 1444 Madison Street and 1411 Lewis Street](#)

Recommendation: 1. Recommend that the City Council approve the Rezone from Medium-density Multiple Dwelling (R3-36D) to Planned Development (PD) for the development of three detached single-family dwellings on the property located at 1444 Madison Street.

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items
2. Board or Committee Assignments
3. Architectural Committee
4. Commissioner Travel and Training Reports, Requests to attend Trainings

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

1. Planning Commission Budget Updates
2. Upcoming Agenda Items
3. City Council Actions

ADJOURNMENT:

The next regular scheduled meeting is on January 9, 2019 at 6:00 PM in the City Hall Council Chambers.



City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
santaclaraca.gov
[@SantaClaraCity](https://twitter.com/SantaClaraCity)

Agenda Report

18-1624

Agenda Date: 12/12/2018

SUBJECT

Planning Commission Meeting Minutes of November 28, 2018.

RECOMMENDATION

Approve the Planning Commission Minutes of the November 28, 2018 Meeting.



City of Santa Clara

Meeting Minutes

Planning Commission

11/28/2018

7:00 PM

City Hall Council Chambers

7:00 PM REGULAR MEETING

Call to Order

Chair Jain called the meeting to order at 7:01 p.m.

Pledge of Allegiance and Statement of Values

Roll Call

Present 6 - Vice Chair Raj Chahal, Commissioner Steve Kelly, Commissioner Yuki Ikezi, Chair Sudhanshu Jain, Commissioner Lance Saleme, Commissioner Anthony Becker

Absent 1 - Commissioner Shawn Williams

A motion was made by Commission Chahal, seconded by Commissioner Kelly to excuse Commissioner Williams from the meeting.

Aye: 6 - Commissioner Raj Chahal, Commissioner Steve Kelly, Commissioner Yuki Ikezi, Chair Sudhanshu Jain, Commissioner Lance Saleme, Commissioner Anthony Becker

Excused 1 - Commissioner Shawn Williams

DECLARATION OF COMMISSION PROCEDURES

ChairJain read the Declaration of Commission Procedures.

CONTINUANCES/EXCEPTIONS

None.

CONSENT CALENDAR

1.A [18-1446](#) Planning Commission Meeting Minutes of November 14, 2018.

Recommendation: Approve the Planning Commission Minutes of the November 14, 2018 Meeting.

A motion was made by Commissioner Kelly, seconded by Vice Chair Chahal that this item be approved with corrections made regarding modifications to section C-15 regarding project work hours.

Aye: 6 - Commissioner Kelly, Commissioner Chahal, Commissioner Ikezi, Chair Jain, Commissioner Saleme, Commissioner Becker

Absent: 1 - Commissioner Williams

PUBLIC PRESENTATIONS

None

PUBLIC HEARING

NONE

Chair Jain moved Reports of Commission/Board Liaison and Committee to take place before the Study Session.

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items
2. Board or Committee Assignments
3. Architectural Committee
4. Commissioner Travel and Training Reports, Requests to attend Trainings

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

1. Planning Commission Budget Updates

Staff Liaison Gloria Sciara provided budget updates.

A motion was made by Chair Jain and approved by Commissioner Ikezi to expend funds for purchasing Commissioner business cards to include city email address.

Aye: 6 - Commissioner Chahal, Commissioner Kelly, Commissioner Ikezi, Chair Jain, Commissioner Saleme, and Commissioner Becker

Absent: 1 - Commissioner Williams

2. Upcoming Agenda Items

Staff Liaison Gloria Sciara and Planning Manager Reena Brilliot provided updates.

3. City Council Actions

Planning Manager Reena Brilliot provided updates.

STUDY SESSION2. [18-1472](#) Study Session: Parking

Department of Public Works Senior Engineer Pratyush Bhatia, Santa Clara University Urban Planner and Assistant Professor in Environmental Studies and Sciences, Dr. C.J. Gabbe, and Executive Director, Friends of Caltrain Adina Levin provided a presentation on Parking.

Public Speaker(s): Betsy Megas
Karen Hardy, Former Planning Commissioner
Lou Mariani

ADJOURNMENT:

A motion was made by Commissioner Ikezi, seconded by Commissioner Kelly to adjourn the meeting.

Aye: 6 - Commissioner Chahal, Commissioner Kelly, Commissioner Ikezi, Chair Jain, Commissioner Saleme, and Commissioner Becker

Absent: 1 - Commissioner Williams

The meeting adjourned at 8:49 p.m. The next regular scheduled meeting is on Wednesday, December 12, 2018 at 7 p.m. in the City Hall Council Chambers.



Agenda Report

18-1524

Agenda Date: 12/12/2018

REPORT TO PLANNING COMMISSION

SUBJECT

Twelve-month Review of a Use Permit for the one-site sale and consumption of beer and wine for a restaurant within Nob Hill Foods at 3555 Monroe Street

BACKGROUND

On September 13, 2017, the Planning Commission approved a Use Permit (PLN2017-12719) to allow the on-site sale and consumption of alcohol, Alcohol Beverage Control (ABC) License Type 41, for a new restaurant located inside Nob Hills Foods. As a condition of approval (Permit Condition P1) a twelve-month review of the Use Permit is required once the applicant has obtained an active ABC License. An ABC License Type 41 was issued to the applicant on December 29, 2017.

The food service area of Nob Hill Foods grocery store is located within a multi-tenant mixed use development, commonly referred to as the Monticello Village Project. The development is at the north east corner of French Street and Monroe Street.

DISCUSSION

This twelve-month review is required by the Use Permit's conditions of approval (attached). The current Use Permit allows the sale of beer and wine with food service on Monday through Sunday from 6:00 a.m. to 8:00 p.m.

Since the issuance of the ABC license on December 29, 2017, there were no calls for service received by the City's Police Department related to the subject use. No zoning code violations are pending related to the subject use. All conditions of approval have been satisfied.

ENVIRONMENTAL REVIEW

Use Permit review does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT

There is no fiscal impact to sending the response other than administrative staff time and expense, typically covered by processing fees paid by the applicant.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

On November 30, 2018, the notice of public hearing for this item was posted in three conspicuous locations within 300 feet of the site and was mailed to property owners within 300 feet of the project site. At the time of preparation of this staff report no comments related to the proposal were received from the public.

RECOMMENDATION

Note and file the twelve-month review of a Use Permit allowing the on-site sale and consumption of alcohol (ABC License Type 41) in the restaurant within Nob Hill Foods located at 3555 Monroe Street.

Prepared by: Rebecca Bustos, Associate Planner

Reviewed by: Diana Fazely, Deputy City Attorney

Approved by: Reena Brilliot, Planning Manager

ATTACHMENTS

1. Conditions of Approval



**City of
Santa Clara**
The Center of What's Possible

Planning Division

September 21, 2017

Carlene Matchniff
Irvine Company
5451 Great American Pkwy
Santa Clara, CA 95054

Re: Use Permit for Raley's at 3555 Monroe – PLN2017-12719 (Use Permit)

Dear Mrs Matchniff:

Your request for a Use Permit to allow on-site sale and service of beer and wine (ABC License 41) in conjunction with meal service at a full-service restaurant at 3555 Monroe Avenue (Raley's in Nob Hill Foods) has been approved at Planning Commission meeting September 13, subject to the conditions specified in the attached Permit.

Should you have any questions, please feel free to contact Anna McGill, Associate Planner, at (408)615-2458/ AMcGill@santaclaraca.gov.

Sincerely,

Gloria Sciara, AICP
Development Review Officer

Attachment:

1. Use Permit

cc: Anna McGill

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USE PERMIT

Planning Division

Andrew Crabtree, Director of Community Development

File:

PLN2017-12719

Location:

3555 Monroe Street, a 2,600 square foot tenant space (Raley's) within a 16.03 acre mixed use development (Monticello Village); located at the northeast corner of Monroe Street and Lawrence Expressway (APN: 216-25-006).

Applicant/Owner:

Carlene Matchniff/Irvine Company

Request:

Use Permit to allow on-site sale and service of beer and wine (ABC License Type 41) in a full-service restaurant within Nob Hill Foods.

General Plan Designation:

Regional Mixed Use

Zoning Designation:

Planned Development (PD)

Environmental Determination:

Categorical Exemption per Section 15301, Class I Existing Facilities.

FACTS

The Director of Community Development finds that the following are the relevant facts regarding this proposed project pursuant to Planning Commission Resolution No. 17-033 adopted on September 13, 2017:

1. The project site has a Regional Mixed Use General Plan land use designation.
2. The project site is zoned Planned Development (PD) and is approximately 16.03 acre site located at 3555 Monroe Street, in the City of Santa Clara.
3. The project is a request for Use Permit to allow on-site sale and service of beer and wine in a full service restaurant (ABC License Type 41).
4. The project site is owned by Irvine Company and the applicant is Carlene Matchniff with the Irvine Company.
5. The project submittal includes business description and development plans and is attached to, and part of, this Use Permit.

FINDINGS

The Director of Community Development finds that based on an analysis of the facts presented above, that:

(a) That the establishment or operation of the use or building applied for, under the circumstances of the particular case, are essential or desirable to the public convenience or welfare, in that:

- The proposal contributes to the existing diversity of eating establishments serving beer and wine available along a commercial thoroughfare of the City to meet the needs of local customers and draw patrons from the greater region.

(b) That said use will not be detrimental to any of the following: 1. The health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use; 2. Property or improvements in the neighborhood of such proposed use; or 3. The general welfare of the City, in that:

- The proposal provides a restaurant that serves beer and wine in conjunction with food in a new commercial tenant space within the Monticello Village which meets all City of Santa Clara codes and regulations; the hours of operation will be limited to Monday – Sunday: 6:00 a.m. – 8:00 p.m.; and the project will comply with all California Department of Alcoholic Beverages Type 41 licensing requirements;
- The on-site sale and consumption of beer and wine will take place entirely within the proposed restaurant. The Monticello Village provides sufficient parking for shared use by all commercial and residential tenants;
- The proposal contributes to the variety of eating establishments providing beer and wine sales and service in conjunction with restaurant dining in a mixed use complex with sufficient parking available to support the proposed use.

(c) That said use will not impair the integrity and character of the zoning district, in that:

- The proposal is designed and conditioned in a manner to be consistent with adjacent commercial and residential development, on a developing parcel, with adequate parking.

(d) That said use is in keeping with the purposes and intent of the Zoning Code, in that:

- A restaurant that serves beer and wine in conjunction with food may be conditionally permitted when the use would not be objectionable or detrimental to the adjacent properties; the proposed use is expected to operate in a manner that is complimentary to the surrounding area.
- The project will comply with all California Department of Alcoholic Beverages Type 41 licensing requirements.

(e) That said use will not impair the integrity and character of the zoning district, in that:

- The proposal is designed in a manner to be consistent with adjacent commercial and residential development, with adequate parking.

(f) That said use is in keeping with the purposes and intent of the Zoning Code, in that:

- A restaurant offering on-site sale and consumption of alcohol may be conditionally permitted when the use would not be objectionable or detrimental to the adjacent properties.

APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

Conditions of Approval

GENERAL

- G1. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.

COMMUNITY DEVELOPMENT

- C1. Obtain required permits and inspections from the Building Official and comply with all building code requirements and conditions thereof.
- C2. No live entertainment or amplified music will be allowed, unless it is wholly incidental to the restaurant use.
- C3. Any other use or uses not similar to a food service within Nob Hill Foods grocery store with a full service menu accompanied with on-site consumption of beer and wine shall require an amendment to the Use Permit, subject to Planning Commission review and approval prior to commencement of such use.
- C4. Use shall be operated in a manner such that it does not create a public or private nuisance.
- C5. Any modification to the approved project description shall require an amendment to the Use Permit subject to Planning Commission review and approval prior to commencement of business.
- C6. The Director of Community Development may refer the Use Permit to the Planning Commission at any time to consider the initiation of revocation proceedings if the conditions of approval are violated or the operation is inconsistent with the approved project description. In addition, if complaints are received by the City with respect to this use, staff shall provide a review of the Use Permit to the Planning Commission within three months for consideration of revocation proceedings.
- C7. Applicant agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed against the City by reason of its approval of developer's project.
- C8. Full menu food service shall be available during all hours that the restaurant is open and alcoholic beverages are served.
- C9. The hours of operation shall be limited to the hours of Monday to Sunday: 6:00 a.m. to 8:00 p.m. Any change to hours of operation within two years of planning approval can be reviewed by zoning administrator action through a minor modification. The zoning administrator reserves the right to discretionary referral to the Planning Commission if deemed necessary.
- C10. The restaurant shall be allowed to have up to 39 indoor seats.
- C11. The Planning Commission shall review this Use Permit PLN2017-12719 twelve (12) months from the date that applicant obtains an active Alcoholic Beverage Control (ABC) License Type 41. After six months from obtaining the ABC license, the City shall conduct an administrative review of any ABC violations and police service calls, and shall report any significant occurrences to the Planning Commission.
- C12. Applicant is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.

ENGINEERING

- E1. Applicant shall pay all applicable development fees.
- E2. Obtain site clearance through Engineering Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Engineering Department at (408) 615-3000 for further information.
- E3. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be included within a **Single Encroachment Permit** issued by the City Engineering Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be

completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.

ELECTRICAL

No Comments

WATER

No Comments

POLICE

- P1. The business shall undergo a 6 month and 1 year review by the City of Santa Clara, including a check for ABC violations and police service calls.
- P2. All business or commercial establishments, of whatever nature, should have a comprehensive internal security plan, tailored to the specific use. This should include, but not limited to, employee security during working hours, after hours security, disaster preparation, etc. For retail uses, especially where there is cash on hand, robbery and cash security protocols should be established. Applicants are encouraged to contact the Santa Clara Police Department's Community Services Unit (408-615-4859) for assistance.
- P3. All business or commercial establishments, of whatever nature, should have an electronic intruder alarm system installed. The system should cover the interior and perimeter of structures determined to be a value target. Also, consideration should be given to exterior areas that are or contain value targets, such as a product display lot, company vehicle parking area, etc.
- P4. The installation and use of interior and exterior security cameras and recording devices is highly encouraged.
- P5. The business operator shall strictly adhere to the business hours as stated in the use permit.

FIRE

No comments

STREET

No comments

Approved:



Andrew Crabtree
Director of Community Development

Dated: September 22, 2017



Agenda Report

18-1525

Agenda Date: 12/12/2018

REPORT TO PLANNING COMMISSION

SUBJECT

Twelve-month Review of a Use Permit for the one-site sale and consumption of beer and wine for a corporate café (West Commons Café) located at 2515 Augustine Drive

BACKGROUND

On October 25, 2017, the Planning Commission approved a Use Permit (PLN2017-12739) to allow the on-site sale and consumption of alcohol, Alcohol Beverage Control (ABC) License Type 41, for a corporate café (West Commons Café). As a condition of approval (P1) a twelve-month review of the Use Permit is required following the applicant obtaining an active ABC License. An ABC License Type 41 was issued to the applicant on December 4, 2017.

West Commons Café is located within a multi-tenant mixed use development commonly referred to as Santa Clara Square. The development is at the north side of Augustine Drive and directly adjacent to Highway 101.

DISCUSSION

This twelve-month review is required by the Use Permit's conditions of approval (attached). The current Use Permit allows the sale of beer and wine with food service Monday through Friday from 7:30 a.m. to 9:00 p.m.

Since the issuance of the ABC license on December 4, 2017, there were no calls for service received by the City's Police Department related to the subject use. No zoning code violations are pending related to the subject use. All conditions of approval have been satisfied.

ENVIRONMENTAL REVIEW

Use Permit review does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT

There is no fiscal impact to sending the response other than administrative staff time and expense, typically covered by processing fees paid by the applicant.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

On November 30, 2018, the notice of public hearing for this item was posted in three conspicuous locations within 300 feet of the site and was mailed to property owners within 300 feet of the project site. At the time of preparation of this staff report no comments related to the proposal were received from the public.

RECOMMENDATION

Note and file the twelve-month review of a Use Permit allowing the on-site sale and consumption of alcohol (ABC License Type 41) in a corporate cafe located at 2515 Augustine Drive.

Prepared by: Rebecca Bustos, Associate Planner

Reviewed by: Diana Fazely, Deputy City Attorney

Approved by: Reena Brilliot, Planning Manager

ATTACHMENTS

1. Conditions of Approval



**City of
Santa Clara**
The Center of What's Possible

Planning Division

November 16, 2017

Steve Rawlings
Alcoholic Beverage Specialists
26023 Jefferson Avenue, Suite B
Murrieta, CA 92562

Re: Use Permit for Kitchen at the Commons 2515 Augustine Drive – PLN2017-12739

Dear Mr Rawlings:

Your request for a Use Permit to allow on-site sale and service of beer and wine (ABC License 41) in conjunction with meal service at a full-service restaurant at 2515 Augustine Drive (Kitchen at the Commons) has been approved at Planning Commission meeting October 25, subject to the conditions specified in the attached Permit.

Should you have any questions, please feel free to contact Anna McGill, Associate Planner, at (408) 615-2458/ AMcGill@santaclaraca.gov.

Sincerely,

Rebecca Bustos
Acting Development Review Officer

Attachment:

1. Use Permit
2. Sign Resolution

cc: Anna McGill

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USE PERMIT

Planning Division

Andrew Crabtree, Director of Community Development

File: PLN2017-12739

Location: 2515 Augustine Drive, a 8,615 square foot tenant space (Kitchen at the Commons) within a 47.57 acre mixed use development (Santa Clara Square), located on the north side of Augustine Drive and south of Highway 101; APN: 216-45-006; property is zoned Commercial Park (CP) with a General Plan designation of High Intensity Office/R&D.

Applicant/Owner: Steve Rawlings/Alcoholic Beverages Specialists

Request: Use Permit to allow on-site sale and consumption of beer and wine (ABC License Type 41) for Kitchen at the Commons, with proposed 118 indoor seats. Proposed hours of operation are Monday – Friday: 7:30 AM – 9:00 PM.

General Plan Designation: High Intensity Office/R&D

Zoning Designation: Commercial Park (CP)

Environmental Determination: Categorical Exemption per Section 15301, Class I Existing Facilities.

FACTS

The Director of Community Development finds that the following are the relevant facts regarding this proposed project pursuant to Planning Commission Resolution No. 17-047 adopted on October 25, 2017:

1. The project site has a High Intensity Office/R&D land use designation.
2. The project site is zoned Commercial Park (CP) and is approximately 47.57 acre site located at 2515 Augustine Drive, in the City of Santa Clara.
3. The project is a request for Use Permit to allow on-site sale and service of beer and wine in a full service restaurant (ABC License Type 41).
4. The project site is owned by 2505 Augustine Drive LLC and the applicant is Steve Rawlings with the Alcoholic Beverages Specialists.
5. The project submittal includes business description and development plans and is attached to, and part of, this Use Permit.

FINDINGS

The Director of Community Development finds that based on an analysis of the facts presented above, that:

(a) That the establishment or operation of the use or building applied for, under the circumstances of the particular case, are essential or desirable to the public convenience or welfare, in that:

- The proposal contributes to the existing diversity of eating establishments serving beer and wine available along a commercial thoroughfare of the City to meet the needs of local customers and draw patrons from the greater region.

(b) That said use will not be detrimental to any of the following: 1. The health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use; 2. Property or improvements in the neighborhood of such proposed use; or 3. The general welfare of the City, in that:

- The proposal provides a restaurant that serves beer and wine in conjunction with food in a new commercial tenant space within Santa Clara Square which meets all City of Santa Clara codes and regulations; the hours of operation will be limited to Monday – Sunday: 7:30 a.m. – 9:00 p.m.; and the project will comply with all California Department of Alcoholic Beverages Type 41 licensing requirements;
- The on-site sale and consumption of beer and wine will take place entirely within the proposed restaurant. Santa Clara Square provides sufficient parking for shared use by all commercial and residential tenants;
- The proposal contributes to the variety of eating establishments providing beer and wine sales and service in conjunction with restaurant dining in a mixed use complex with sufficient parking available to support the proposed use.

(c) That said use will not impair the integrity and character of the zoning district, in that:

- The proposal is designed and conditioned in a manner to be consistent with adjacent commercial and residential development, on a developing parcel, with adequate parking.

(d) That said use is in keeping with the purposes and intent of the Zoning Code, in that:

- A restaurant that serves beer and wine in conjunction with food may be conditionally permitted when the use would not be objectionable or detrimental to the adjacent properties; the proposed use is expected to operate in a manner that is complimentary to the surrounding area.
- The project will comply with all California Department of Alcoholic Beverages Type 41 licensing requirements.

(e) That said use will not impair the integrity and character of the zoning district, in that:

- The proposal is designed in a manner to be consistent with adjacent commercial and residential development, with adequate parking.

(f) That said use is in keeping with the purposes and intent of the Zoning Code, in that:

- A restaurant offering on-site sale and consumption of alcohol may be conditionally permitted when the use would not be objectionable or detrimental to the adjacent properties.

APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

GENERAL

- G1. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.

COMMUNITY DEVELOPMENT

- C1. Obtain required permits and inspections from the Building Official and comply with all building code requirements and conditions thereof.
- C2. No live entertainment or amplified music will be allowed, unless it is wholly incidental to the restaurant use.
- C3. Any other use or uses not similar to a food service within Kitchen at the Commons with a full service menu accompanied with on-site consumption of beer and wine shall require an amendment to the Use Permit, subject to Planning Commission review and approval prior to commencement of such use.
- C4. Use shall be operated in a manner such that it does not create a public or private nuisance.
- C5. Any modification to the approved project description shall require an amendment to the Use Permit subject to Planning Commission review and approval prior to commencement of business.
- C6. The Director of Community Development may refer the Use Permit to the Planning Commission at any time to consider the initiation of revocation proceedings if the conditions of approval are violated or the operation is inconsistent with the approved project description. In addition, if complaints are received by the City with respect to this use, staff shall provide a review of the Use Permit to the Planning Commission within three months for consideration of revocation proceedings.
- C7. Applicant agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed against the City by reason of its approval of developer's project.
- C8. Full menu food service shall be available during all hours that the restaurant is open and alcoholic beverages are served.
- C9. The hours of operation shall be limited to the hours of Monday to Friday: 7:30 a.m. to 9:00 p.m. Any change to hours of operation within two years of planning approval can be reviewed by zoning administrator action through a minor modification. The zoning administrator reserves the right to discretionary referral to the Planning Commission if deemed necessary.
- C10. The restaurant shall be allowed to have up to 129 indoor seats.
- C11. The Planning Commission shall review this Use Permit PLN2017-12739 twelve (12) months from the date that applicant obtains an active Alcoholic Beverage Control (ABC) License Type 41. After six months from obtaining the ABC license, the City shall conduct an administrative review of any ABC violations and police service calls, and shall report any significant occurrences to the Planning Commission.
- C12. Applicant is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.

ENGINEERING

- E1. Obtain site clearance through Engineering Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Engineering Department at (408) 615-3000 for further information.
- E2. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be included within a Single Encroachment Permit issued by the City Engineering Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.
- E3. Damaged curb, gutter, and sidewalk within the public right-of-way along property's frontage shall be repaired or replaced (to the nearest score mark) in a manner acceptable to the City Engineer or his designee. The extents of said repair or replacement within the property frontage shall be at the discretion of the City Engineer or his designee.
- E4. The following minimum bicycle parking facilities shall be provided at the main entrance or high visible areas: 1 Class I bicycle locker and 4 Class II bicycle parking spaces.

ELECTRICAL

No Comments

WATER

No Comments

POLICE

- P1. The business shall undergo a 6 month and 1 year review by the City of Santa Clara, including a check for ABC violations and police service calls.
- P2. All business or commercial establishments, of whatever nature, should have a comprehensive internal security plan, tailored to the specific use. This should include, but not limited to, employee security during working hours, after hours security, disaster preparation, etc. For retail uses, especially where there is cash on hand, robbery and cash security protocols should be established. Applicants are encouraged to contact the Santa Clara Police Department's Community Services Unit (408-615-4859) for assistance.
- P3. All business or commercial establishments, of whatever nature, should have an electronic intruder alarm system installed. The system should cover the interior and perimeter of structures determined to be a value target. Also, consideration should be given to exterior areas that are or contain value targets, such as a product display lot, company vehicle parking area, etc.
- P4. The installation and use of interior and exterior security cameras and recording devices is highly encouraged.
- P5. The business operator shall strictly adhere to the business hours as stated in the use permit.

FIRE

No comments

Use Permit – 2515 Augustine Drive
File: PLN2017-12739
November 16, 2017
Page 5 of 5

STREET

No comments

Approved:


Andrew Crabtree
Director of Community Development

Dated: November 16, 2017

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RESOLUTION NO. 17-047

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, APPROVING A USE PERMIT TO ALLOW ON-SITE SALE AND SERVICE OF BEER AND WINE (ABC LICENSE TYPE 41) IN A FULL-SERVICE CAFE WITH INDOOR SEATING, LOCATED AT 2515 AUGUSTINE DRIVE, SANTA CLARA, CA

PLN2017-12739 (Use Permit)

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, on July 31, 2017, Steve Rawlings ("Applicant") applied for a Use Permit to allow on-site sale and service of beer and wine in a new 8,615 square foot full-service Café, Kitchen at the Commons (ABC License Type 41) with 118 indoor seats, located within Santa Clara Square, 2515 Augustine Drive ("Site Location");

WHEREAS, the Site Location is currently zoned CP – Commercial Park and has the General Plan land use designation of High Intensity Office/R&D;

WHEREAS, in order to implement the proposed activity, the Site Location requires a Use Permit to allow beer and wine sales in conjunction with food service within the 8,615 square foot restaurant occupying a commercial tenant space in the Santa Clara Square ("Proposal"), as shown on the Development Plans attached to this resolution;

WHEREAS, the California Environmental Quality Act ("CEQA"), Public Resources Code § 21000 *et seq.*, requires a public agency to evaluate the environmental impacts of a proposed project. The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) per Section 15301, Class I existing facilities, in that the proposed use will occur inside a building that was recently constructed in the previously approved Santa Clara Square (PLN2014-10258);

WHEREAS, the Office Phases II and III of the Santa Clara Square Project are served by surface parking and parking garages. The approved parking ratio for Office Phase II and III is 3.3/1000;

WHEREAS, the Use Permit process enables a municipality to exercise control over the extent of certain uses, which, although desirable in limited numbers and specific locations, could have a detrimental effect on the community in specific instances;

WHEREAS, commercial uses including restaurants that serve alcoholic beverages are a conditionally permitted in the subject CP zoning district by the Planning Commission with the approval of a Use Permit;

WHEREAS, pursuant to SCCC Section 18.110.040, the Planning Commission cannot grant a Use Permit without first making specific findings related to the effect of the project on health, safety, peace, comfort, and general welfare, based upon substantial evidence in the record;

WHEREAS, on October 13, 2017, the notice of public hearing for the October 25, 2017 meeting date for this item was posted in three conspicuous locations within 300 feet of the Site Location and mailed to property owners within 300 feet of the Site Location; and,

WHEREAS, the Planning Commission held a duly noticed public hearing on October 25, 2017 to consider the Use Permit. At the public hearing, the Planning Commission invited and considered any and all verbal and written testimony offered in favor of and in opposition to the Proposal.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That the Planning Commission hereby finds that approving a Use Permit to allow sale and service of beer and wine in conjunction with food (ABC License Type 41) in a new 8,615 square foot commercial tenant space with 118 indoor seats is consistent with the commercial

uses contemplated in the development of the mixed use Santa Clara Square development to provide a variety of uses and services in the CP zoning district.

3. That the Planning Commission hereby finds as follows:

A. The establishment or operation of the use or building applied for, under the circumstances of the particular case, is essential or desirable to the public convenience or welfare, in that the proposal contributes to the existing diversity of eating establishments serving beer and wine available along a commercial thoroughfare of the City to meet the needs of local customers and draw patrons from the greater region.

B. Said use will not be detrimental to any of the following:

1) The health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, in that the proposal provides a café that serves beer and wine in conjunction with food in a new commercial tenant space within Santa Clara Square which meets all City of Santa Clara codes and regulations; the Santa Clara Square development provides sufficient parking for shared use by all commercial and residential tenants; the daily hours of operation will be limited to the hours of Monday to Friday: 7:30 AM to 9:00 PM

2) Property or improvements in the neighborhood of such proposed use, in that the on-site sale and consumption of alcohol will take place entirely within the existing café, and on-site parking is sufficient to service the proposed use and existing businesses;

3) The general welfare of the City, in that the proposal contributes to the variety of eating establishments providing beer and wine sales and service in conjunction with restaurant dining in a mixed use complex with sufficient parking available to support the proposed use. This would provide convenience to restaurant guests, further enhance a quality commercial use, meet the needs of local customers, and draw patrons from the greater region.

C. That said use will not impair the integrity and character of the zoning district, in that the proposal is designed and conditioned in a manner to be compatible with adjacent

commercial and residential development, on a developing parcel, with adequate parking, and properly designed ingress and egress points.

D. That said use is in keeping with the purposes and intent of the Zoning Code, in that a café that serves beer and wine in conjunction with food, may be conditionally permitted when the use would not be objectionable or detrimental to the adjacent properties. The proposal provides 118 indoor seats with adequate parking.

4. That the Planning Commission hereby approves a Use Permit PLN2017-12739 to allow on-site sale and service of beer and wine (ABC License Type 41) in a full-service café, Kitchen at the Commons, located at 2515 Augustine Drive, subject to the Conditions of Approval, attached hereto and incorporated herein by this reference.

5. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The City of Santa Clara, California, hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

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6. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 25th DAY OF OCTOBER, 2017, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS: Chahal, Ikezi, O'Halloran, Reinhardt

NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: Jain, Kelly

ABSTAINED: COMMISSIONERS: None

ATTEST:



ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments Incorporated by Reference:

1. Development Plans
2. Conditions of Approval

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Agenda Report

18-1537

Agenda Date: 12/12/2018

REPORT TO PLANNING COMMISSION

SUBJECT

Action on Use Permit to allow a second drive-through lane for an existing fast food restaurant at 3509 Homestead Road.

BACKGROUND

The applicant is proposing to remodel both the exterior and interior of an existing fast food restaurant (McDonald's). The exterior remodel will provide a new storefront design consistent with other McDonald's remodel proposals in the City. The proposal includes new canopies, exterior lighting systems and new finish materials and paint. In order to accomplish these improvements, the project proposes to demo the mansard roof and provide site accessibility compliance. The interior improvements include service counter modifications, interior décor updates, new seating layout, lighting, and accessibility compliance.

As part of the proposed remodel, the applicant is requesting an amendment of an existing Use Permit (U.1838) to reconfigure existing single lane drive-through to accommodate a dual lane ordering program. The drive-through lane will be widened to accommodate two ordering kiosks. The drive-through configuration, payment and pick-up windows will be optimized to increase queuing capacity and minimize the spill over into the parking areas.

No code enforcement cases were found to be associated with the restaurant. There were no calls for service from the Police Department that reflect negatively on the establishment or its customers from the drive-through activity. The Police Department noted that, as an on-going problem, neighbors complain about transients living out of their vehicles in the parking lot and noise from transients in their vehicles.

The existing McDonald's restaurant operates under a Use Permit (U.1838) with a single drive-through lane. The current configuration for the restaurant and drive-through was approved on January 24, 1990. The restaurant hours of operations are from 6:30 a.m. to 11:00 p.m. Sunday to Thursday and from 6:30 a.m. to 12 midnight on Fridays and Saturdays. The applicant notes there is no change to the restaurant hours of operations.

DISCUSSION

The McDonalds Corporation is in the process of re-imagining stores in North America. The applicant states that the proposed redesign of the store is an arcade concept to break up the scale of the building and incorporate a new color palette of earth tones. The proposed exterior wall finish is cement plaster with new canopies above the windows. The mansard roof, eave overhangs, and the brick finish will be removed, and the parapet squared off around the building. The existing Play Place parapet height will remain the same, while the remainder of the building will be raised.

The subject property has a General Plan land use designation of Neighborhood Mixed Use. This designation is intended for pedestrian-oriented development and focus on ground-level neighborhood-serving retail. Auto-oriented uses are generally not appropriate in the Neighborhood Mixed Use designation. As this is not a demolition and redevelopment of the site, Planning staff is supportive of the operational request to add the second drive-through lane since it is being proposed with several site and building upgrades. In addition, the drive through lane addition is not viewable from Homestead Road as it widens only the entrance to the drive through lane, which is located at the back of the site. The applicant, working with staff, has added additional site amenities including outdoor seating, bike racks and lockers, and an ADA pathway at the front of the restaurant to soften the interface with Homestead Road. These on-site and off-site improvements further the vision of the General Plan's goals and policies. The applicant states that by increasing the efficiency of the drive-through, the maximum queue length and time spent in queue will be decreased, which should eliminate any spillage of vehicles past the driveway lane.

Pursuant to the Santa Clara City Code (SCCC) section 18.36.040, a drive-through service facility may be established only by first securing a use permit. The existing restaurant operates a drive-through under a Use Permit (U.1838). The proposal amends the existing use permit to allow a second drive-through lane.

In review of the existing Use Permit, the Planning Division finds that the existing business is in compliance with the existing conditions of approval. Specifically, the mature trees towards the back of the property have been maintained and will not be impacted by the new curb for the drive-through. There are no changes proposed to the driveway entrances and parking other than to bring them into compliance with ADA accessibility requirements.

In addition to the request to expand the drive-through, the applicant is proposing to upgrade the exterior façade and other site upgrades, such as landscaping, signage and ADA upgrades. These improvements conform to the development standards for the Community Commercial Zoning District.

The applicant has provided a Project Narrative and Compliance Statement. To address the Police Department's concerns about transient activity previously on the site, the applicant will be providing new site lighting to optimize lighting levels and minimize spillage on the residents to the north. The new site lighting will be added as to the condition of approval. Improvements to the lighting and landscaping were recommended by the Police Department to address the nuisance and other security issues identified.

ENVIRONMENTAL REVIEW

The proposal to allow a second drive-through lane for an existing fast food restaurant is Categorically Exempt from the California Environmental Quality Act (CEQA) per Section 15301, Class 1 Existing Facilities, in that the proposed tenant improvements and use will make use of an existing developed restaurant with a drive-through, and the minor addition to the building floor area is to accommodate a payment booth window expansion.

FISCAL IMPACT

There is no impact to the City for processing the requested application other than administrative staff time and expense typically covered by processing fees paid by applicant.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

On November 30, 2018, the notice of public hearing for this item was posted within 300 feet of the site and was mailed to property owners within 300 feet of the project site. At the time of preparation of this staff report no comments related to the proposal were received from the public.

RECOMMENDATION

Adopt a Resolution approving amendment of the Use Permit (U.1838) to allow a second drive-through lane and site and building upgrades for an existing fast food restaurant at 3509 Homestead Road, subject to conditions of approval.

Prepared by: Yen Han Chen, Associate Planner

Reviewed by: Diana Fazely, Deputy City Attorney

Approved by: Reena Brilliot, Planning Manager

ATTACHMENTS

1. Resolution Approving the Amendment of Use Permit
2. Project Data
3. Applicant's Project Narrative
4. Applicant's Compliance Statement
5. Use Permit (U.1838)
6. Conditions of Approval
7. Development Plans

RESOLUTION NO. _____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SANTA CLARA, CALIFORNIA APPROVING
AMENDMENT OF A CONDITIONAL USE PERMIT TO ALLOW
SECOND DRIVE-THROUGH LANE FOR RESTAURANT AT
3509 HOMESTEAD ROAD, SANTA CLARA, CALIFORNIA**

PLN2018-13252 (Use Permit)

**BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS
FOLLOWS:**

WHEREAS, on May 9, 2018, Reece Miller, Stantec Architecture Inc. (“Applicant”) applied to amend the Use Permit (U.1838) to reconfigure existing single drive-through lane to accommodate a dual lane ordering program, and to upgrade the exterior façade, landscaping, signage, and ADA upgrades for an existing restaurant, located at 3509 Homestead Road (“Site Location”);

WHEREAS, the Site Location is currently zoned Community Commercial (CC) and has the General Plan land use designation of Neighborhood Mixed Use;

WHEREAS, in order to allow a second drive-through lane for the existing restaurant requires an amendment to the Use Permit, as shown on the Development Plans;

WHEREAS, the California Environmental Quality Act (“CEQA”), Public Resources Code § 21000 et seq., requires a public agency to evaluate the environmental impacts of a proposed project. The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) per Section 15301, Class 1 existing facilities, in that the proposed use will occur at an existing location involving negligible or no expansion of an existing use;

WHEREAS, pursuant to Santa Clara City Code (SCCC) section 18.36.040 a drive-through service facility may be established only by first securing a use permit in the Community Commercial (CC) Zoning District by the Planning Commission;

WHEREAS, pursuant to SCCC Section 18.110.040, the Planning Commission cannot grant a Use Permit without first making specific findings related to the effect of the project on health,

safety, peace, comfort, and general welfare, based upon substantial evidence in the record;
WHEREAS, the Use Permit process enables a municipality to exercise control over the extent of certain uses, which, although desirable in limited numbers and specific locations, could have a detrimental effect on the community in specific instances;

WHEREAS, on November 30, 2018, the notice of public hearing for the December 12, 2018 meeting date for this item was posted in three conspicuous locations within 300 feet of the Site Location and mailed to all property owners located within 300 feet of the Site Location; and

WHEREAS, on December 12, 2018, the Planning Commission conducted a public hearing, at which all interested persons were given an opportunity to present evidence and give testimony, both in support of and in opposition to the proposed Use Permit.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission hereby finds the above Recitals are true and correct and by this reference makes them a part hereof.
2. That the Planning Commission hereby finds that approving the requested amendment of a conditional use permit to allow a second drive-through lane for an existing restaurant on a property zoned Community Commercial (CC) is compatible with the Project Site's current land use designation (General Plan and Zoning).
3. That the Planning Commission hereby finds as follows:
 - A. The establishment or operation of the use or building applied for, under the circumstances of the particular case, are essential or desirable to the public convenience or welfare in that the proposed second drive-through lane would provide convenience to restaurant guests, meets the needs of local customers and residents;
 - B. Said use will not be detrimental to any of the following:

1) The health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, in that the drive-through has previously existing in its current configurations since the 1990's at this location;

2) The property or improvements in the neighborhood of such proposed use, in that the project proposes on-site and off-site improvements including landscape, lighting and ADA accessibilities;

3) The general welfare of the City, in that the proposed use expands the options, and increase queuing capacity for the local customers and patrons;

C. That said use will not impair the integrity and character of the zoning district, in that the proposal is designed and conditioned in a manner to be compatible with adjacent commercial and residential development, on a developed commercial parcel, with adequate parking, and properly designed ingress and egress points; and,

D. That said use is in keeping with the purposes and intent of the Zoning Code, in that the drive-through facility may be conditionally permitted with such use would not be objectionable or detrimental to the adjacent properties in this Community Commercial zoning district.

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4. That the Planning Commission hereby approves this Amendment (PLN2018-132552) of conditional Use Permit U.1838 to allow a second drive-through lane for an existing restaurant, located at 3509 Homestead Road, subject to the Conditions of Approval, attached hereto and incorporated herein by reference.

5. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ____ DAY OF _____, 2018, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments Incorporated by Reference:

1. Conditions of Approval
2. Development Plans

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Project Data

File: PLN2018-13252
Location: 3509 Homestead Road, an existing 6,524 square feet restaurant located on the north side of Homestead Road, approximately 180 feet west of Bing Drive; APN: 290-23-092, the property is zoned Community Commercial (CC).
Applicant: Stantac Architecture, Inc.
Owner: McDonald's USA, LLC
Subject: Amendment of Use Permit (U.1838) to allow a second drive-thru lane for existing fast food restaurant.
CEQA Determination: Categorically Exempt per Section 15301, Class I Existing Facilities
Project Planner: Yen Han Chen, Associate Planner

	Existing	Proposed
General Plan Designation	Neighborhood Mixed Use	Same
Zoning District	Community Commercial - CC	Same
Land Use	Restaurant	Same
Tenant Size	6,524 sqft.	6,546 sqft
Lot Size	1.4 acres	Same
Hours of Operation	Sun – Thur: 6:30 a.m. – 11:00 p.m. Fri - Sat: 6:30 a.m. – 12 Midnight	Same

Aerial Map





Stantec Architecture Inc.
1383 North McDowell Boulevard Suite 250, Petaluma CA 94954

September 20, 2018
File: 2014048022

City of Santa Clara Planning Division
1500 Warburton Avenue
Santa Clara, CA 95050

Reference: McDonald's – 3509 Homestead Road, Santa Clara, CA

PROJECT NARRATIVE

The proposed project is to re-image and remodel an existing McDonald's located at 3509 Homestead Road, Santa Clara, California. The renovation will include both exterior and interior work.

The proposed redesign of the store is a vertical concept with a palette of earth tone colors. The proposed exterior wall finish will introduce new paint to the cement plaster and new metal canopies above the windows. Accent colors will highlight the main frontages and create additional depth along the facades, while the signage remains respectful in scale. The hipped roof, brick, and existing stucco cornices will be removed, and the parapet squared off continuously around the building's perimeter. The parapet height will raise minimally to continue to screen the roof top mechanical units from the public so that additional screening will be unnecessary. A simulated wood batten system will be installed at corners and along the elevations. In addition, a metal panel reveal system will be installed as an accent at the top of the secondary facades.

The current site operation is primarily vehicle driven. McDonald's would like to develop a broader pedestrian client base and has integrated bike lockers, racks and outdoor dining at the front of the store. The path of travel from the public sidewalk to the entry doors will be barrier free and ADA compliant.

A concern has been noted that site lighting is inadequate – there currently is spillage onto the adjacent residents while providing poor lighting conditions on site. One being a nuisance and the other a security issue. The primary concern is the north eastern parking lot. McDonald's, under separate application will be providing new site lighting with attention placed on optimizing lighting levels at the parking lot while minimizing spillage on the residents to the north.

The current single lane drive thru will be reconfigured to accommodate a dual lane ordering program. The proposed side-by-side drive-thru order points (two ordering kiosks and two payment/pick-up windows) would both increase drive-thru queuing capacity and minimize potential queue spillover into the parking area. By increasing the efficiency of the drive-thru, the maximum queue length and time spent in queue is decreased. This results in a reduction of vehicle emissions.



September 20, 2018

Page 2 of 2

The sites mature landscape will be refreshed and irrigation repaired as required. In addition, three new trees will be added to the northern property line to provide a natural screen for the adjacent residential neighbors.

Project revisions will also address ADA accessibility compliance to meet current codes for site access, parking, and directional signage. Entry doors, restrooms, and interior pathways will be brought up to accessibility standards as well.

Please feel free to contact us for any additional information regarding this project.

Regards,

STANTEC ARCHITECTURE INC.

James Shively
Senior Architect
Phone: 707.933.7179
James.shively@stantec.com



Stantec Architecture Inc.
1383 North McDowell Boulevard Suite 250, Petaluma CA 94954

September 20, 2018
File: 2014048022

City of Santa Clara Planning Division
1500 Warburton Avenue
Santa Clara, CA 95050

Reference: McDonald's – 3509 Homestead Road, Santa Clara, CA

CONDITIONAL USE PERMIT COMPLIANCE

The proposed project is to re-image and remodel an existing McDonald's located at 3509 Homestead Road, Santa Clara, California. The renovation will include both exterior and interior work. The following issues have been identified

Bike Lockers

The current site operation is primarily vehicle driven and void of any bicycle storage units. McDonald's would like to develop a broader pedestrian client base and has integrated bike lockers and racks. The path of travel from the public sidewalk to the entry doors will be barrier free and ADA compliant. Bikers can access the site along this path with the racks and lockers at the front of the structure and isolated from the vehicular traffic.

Site Lighting

A concern has been noted that site lighting is inadequate – there currently is spillage onto the adjacent residents while providing poor lighting conditions on site. One being a nuisance and the other a security issue. The primary concern is the north eastern parking lot. McDonald's, under separate application will be providing new site lighting with attention placed on optimizing lighting levels at the parking lot while minimizing spillage on the residents to the north.

Drive Thru Lane

The current single lane drive thru will be reconfigured to accommodate a dual lane ordering program. The proposed side-by-side drive-thru order points (two ordering kiosks and two payment/pick-up windows) would both increase drive-thru queuing capacity and minimize potential queue spillover into the parking area. By increasing the efficiency of the drive-thru, the maximum queue length and time spent in queue is decreased. This results in a reduction of vehicle emissions.

Landscaping

The sites mature landscape will be refreshed and irrigation repaired as required. In addition, three new trees will be added to the northern property line to provide a natural screen for the adjacent residential neighbors.



September 20, 2018

Page 2 of 2

Please feel free to contact us for any additional information regarding this project.

Regards,

STANTEC ARCHITECTURE INC.

James Shively
Senior Architect
Phone: 707.933.7179
James.shively@stantec.com

AGENDA ITEM 11 for 1/24/90
AGENDA ITEM 18 for 12/13/89

File: U.1838 (1)

File: U.1838
Location: 3509 Homestead Road, approximately 1.44 acres
on the northside of Homestead Road, between
Bing Drive and Lawrence Expressway (APN 290-
23-060 and 082)
Applicant/Owner: McDonald's Corporation
Request: **Use Permit** to expand existing drive-thru
restaurant by replacement of the existing
2,500 square foot building to allow
construction of a 5,000 square foot facility

STAFF REPORT FOR THE MEETING OF DECEMBER 13, 1989

Current Use: McDonald's Restaurant
Current Zoning: CC (Community Commercial)

NEARBY PROPERTY

North: Condominiums, Zoned PD (Planned Development)
East: Convenience Market and Service Station, Zoned CN
(Neighborhood Commercial)
South: Community Shopping Center, Zoned CC
West: Community Shopping Center, Zoned CC

PROPOSAL

The applicant is proposing to remove the existing 2,500 square foot drive-thru restaurant and playland area and construct a 5,000 square foot drive-thru restaurant with a reduced playland area to be relocated to the front of the building. Currently the playland area occupies a significant portion of the lot at the rear of the restaurant. The parking area on the westerly side of the property, oriented to Bing Drive, will remain in its existing state. The proposed drive-thru will wrap around the building from the north property line along the west property line. An additional lane will be provided to allow exit from the main parking area to Homestead Road.

ENVIRONMENTAL IMPACT

Negative Declaration required. Potential impacts of vehicle exhaust emissions and noise related to the adjoining residential properties and mitigation measures may be required.

COMMUNITY IMPACT

The proposed new facility should provide improved service to

patrons. The revised drive-thru arrangement may result in some noise impacts on the adjoining condominiums to the north, with vehicle movement and idling, car radios and the like. Additionally, under certain weather conditions, exhaust fumes from idling vehicles may impact the adjoining 2-story condominium units.

GENERAL PLAN

This area is designated for Community Commercial shopping in the General Plan and the existing and proposed use are consistent with that designation, with use permit approval.

CONSIDERATIONS

The applicant states:

- "1. The ability to upgrade the restaurant facilities to Title 24 Handicap Standards, as well as eliminate existing remote restroom building.
2. Reorient and relocate building on site to provide a better drive-thru circulation, as well as develop parking spaces adjacent to building entrance.
3. Ability to upgrade building, as well as landscaping to better serve the neighborhood.
4. Eliminate remote storage area building and relocate existing trash corral."

The existing facility is deemed by the applicant to be undersized and inadequate to serve the community needs. The existing lot area will support a larger facility, when compared to other drive-thru operations in the City.

While more than the minimum required parking is provided for the remodelled facility, including all outdoor seating, and the drive-thru arrangement will facilitate movement through the site, there is a loss of some of the outdoor children's playground area as a amenity to the project. Additionally, there is concern about the impact of relocation of the drive-thru facility adjacent to the existing condominiums along the north property line.

Staff has been contacted by at least one adjoining neighbor, a resident of the condominium complex. That neighbor stated that she was concerned with the impacts on the adjacent two story units from the noise of vehicles 15 feet from the property line, as well as the potential for exhaust fumes and carbon monoxide penetration

AGENDA ITEM 11 for 1/24/90
AGENDA ITEM 18 for 12/13/89

File: U.1838 (3)

into the units and yard areas on the residential property. The proposed arrangement is an example of the type of drive-thru layout that staff would support in most cases. The current drive-thru facility approaches no closer than approximately 150 feet to the residential property.

It appears that some of the existing large trees at the rear of the playland area may be required to be removed to accommodate the drive-thru lane. This eliminates one potential mitigating factor.

If the trees can remain, additional consideration should be given for the drive-thru arrangement. Otherwise, staff would recommend that some revised drive-thru arrangement be considered to provide a greater separation between the existing residential property and the drive-thru lane.

A noise analysis related to the speaker box arrangement for the ordering board has been provided by the applicant. Staff is confident that with the restrictions imposed by the City's Noise Ordinance and the standard requirements imposed by conditions of approval for drive-thru's, noise from the speaker box can be minimized and impacts on surrounding properties mitigated.

STAFF RECOMMENDATION

Recommend that the Planning Commission continue this item to the meeting of January 10, 1990, in order to provide the applicant time to research additional drive-thru lane configurations to provide at least a 25 foot separation with landscaping between the driveway/drive-thru lane and the residential property line.

SUMMARY OF MINUTES FROM THE MEETING OF DECEMBER 13, 1989

The applicant was present for discussion on this item. There was opposition present.

Mr. Henriques reviewed the proposal and its relationship to surrounding properties. He noted how the drive-thru would be revised to encircle the proposed building and thereby result in it being closer to the adjoining residential property to the north. He stated that the applicant had submitted plans this evening and discussed them with staff showing that they could achieve a 5 foot increase in that landscape depth adjacent to the residential property, for a total of 20 feet from the property line to the curbing of the drive-thru and access lane.

Jim Klamet, construction manager for McDonald's, then addressed the Commission. He stated that the building had been opened originally in 1963 and it had various additions over the years.

PLANNING COMMISSION MINUTES
January 24, 1990

McDonald's Corporation

The facility, however, is hindered by the old design and the layout of the property, with the storage and restrooms being located in a separate building across the parking area from the restaurant. He stated that the proposal was intended to increase the ability to serve the public as well as incorporate those remote restrooms and storage to achieve a better working relationship with the restaurant. He indicated that the revised plan submitted to staff earlier in the evening provided a 20 foot wide planting area that would give them an ability to create a substantial buffer.

Cheryl Haight, representing The Gramercy Condominiums, located on the eastside of Bing Drive, then addressed the Commission. She stated their homeowners association was concerned with the concentration of restaurants in the general area and the traffic and noise impacts that resulted from these operations. She stated that an increase in the service capacity of this restaurant would directly impact the residential properties in the immediate area.

In response to a question from the Commission, the McDonald's representative indicated that their hours of operation are from 6:30 a.m. to 11 p.m. Monday through Thursday and from 6:30 a.m. to 12 midnight on Fridays and Saturdays.

Rita Carr of 832 Bing Drive, president of the homeowners' association of the project immediately north of the site, addressed the Commission and expressed concern about the increased noise and traffic anticipated with the proposal, as well as the impact of exhaust from idling vehicles. There were also concerns about problems with litter and deliveries on occasions in the past and concern about rodent infestations which may have been attributed to trash bins from this and surrounding commercial properties. She stated that although the restaurant closed at either 11 p.m. or midnight, typically the employees worked until a later hour cleaning up and also create noise. In response to a question from Commissioner Minister, she stated that the playground provides a better situation as the children are not playing out there late at night.

Mr. Carr, of 832 Bing, stated that the current arrangement works well for the homeowners and that the proposal will completely change the vehicle circulation pattern within the site and will carry most of the traffic in close proximity to their property.

Steve Henderson of 822 Bing Drive addressed the Commission, stating that he would rather have the noise of the children's playland adjacent to homes than the cars and radios associated with a drive-thru operation. He did state that he was not aware

AGENDA ITEM 11 for 1/24/90
AGENDA ITEM 18 for 12/13/89

File: U.1838 (5)

that the applicant had met with many of the neighbors regarding the proposal.

Susan Henderson, the area operations manager for McDonald's, addressed the Commission and stated that it is difficult to have deliveries made during business hours because of the current layout of the property. She stated that typically the drive-thru portion of the operation is very minimal after the hour of 8 p.m. in the evening.

Mr. Klamet stated that the October earthquake had changed their initial plans to remodel the existing building to now provide a completely new facility. He stated that, because of the short time frame, they had not had the opportunity to meet with the neighbors.

In response to a question from the Commission, Mr. Klamet stated that they would meet with the neighbors and consider revisions that would improve the situation.

Commissioner Minister stated that the proximity of the neighbors is a very important factor in considering redesign of the existing situation. She stated that although the property has a drive-thru now she could not support the proposal as it is with a greater impact being imposed upon those residential neighbors. Commissioner Raineri stated that although he was sympathetic to the neighboring properties, it is important to realize a second level unit is subject to greater impact because of its height above the ground and above the noise buffering masonry wall.

The public hearing was then closed.

After some discussion regarding redesign, the Commission acted to reopen the hearing to allow the applicant to return to the Planning Commission with a revised proposal after discussion of concerns with surrounding neighbors.

COMMISSION ACTION

It was moved by Commissioner Matos, seconded by Commissioner Raineri and unanimously approved (Commissioners Bambury and Burdick excused) that the Planning Commission continue this item with reposting to allow the applicant to work with the neighbors and provide a revised proposal to address those concerns.

STAFF REPORT FOR THE MEETING OF JANUARY 24, 1990

This item was last heard at the meeting of December 13, 1989. At that time the applicant had submitted revised plans indicating a

PLANNING COMMISSION MINUTES
January 24, 1990

McDonald's Corporation

AGENDA ITEM 11 for 1/24/90
AGENDA ITEM 18 for 12/13/89

File: U.1838 (6)

20 foot landscaped buffer between the vehicle lane and the residential property line. Following testimony from the applicant and neighboring residents the Commission continued the hearing to allow the applicant and the neighbors to meet in order to discuss any possible changes or mitigation of impacts upon the nearby residential properties.

The applicant and neighbors met at the subject McDonalds restaurant on the evening of January 4, 1990. Since that time, the applicant has submitted a reposting fee in order to address the Commission with their proposal.

No revised plans have been received, but the applicant has indicated that the revisions shall reflect an increased landscape buffer dimension at the residential property line. Absent revised plans at the time of writing this report or any consensus regarding an appropriate revision, the staff recommendation remains unchanged to continue the item for redesign to provide a minimum 25 foot separation between the property line and the vehicle travel lane/drive-thru lane.

STAFF RECOMMENDATION

Recommend that the Planning Commission continue this item to the meeting of February 28, 1990, in order to provide the applicant time to research additional drive-thru lane configurations to provide at least a 25 foot separation with landscaping between the driveway/drive-thru lane and the residential property line.

SUMMARY OF DISCUSSION OF THE MEETING OF JANUARY 24, 1990

The applicant was present. There was opposition present for discussion.

Mr. Henriques described the previous and a revised proposal and its relationship to the surrounding properties. He indicated that McDonald's had submitted the revised plans since the meeting of December 13, 1989. These revised plans had been submitted too late for the staff report but could be discussed this evening if the Commission agreed. He noted that staff was recommending some changes including the closing of the northern most driveway onto Bing Drive and a change in the parking, landscape areas and circulation patterns.

Krystal Krull, representing McDonald's Corporation, then addressed the Commission. She stated that McDonald's has been making every effort to work with staff and the neighborhood to present a favorable project. They have revised the plans twice and on

PLANNING COMMISSION MINUTES
January 24, 1990

McDonald's Corporation

AGENDA ITEM 11 for 1/24/90
AGENDA ITEM 18 for 12/13/89

File: U.1838 (7)

January 4, 1990 met with the adjacent Homeowner's Association to work out their concerns. She then presented a synopsis of that meeting. Among items discussed were traffic, noise, trash and vermin.

Commissioner Raineri questioned whether McDonald's was actually contributing to the rodent problem.

Ms. Krull mentioned that the steps McDonald's were taking included the policing of the area for trash, the keeping of the tops of trash bins closed and the removal of the extensive use of ivy as landscaping.

Rita Karr, President of the Bing Drive Homeowner's Association then spoke. She stated that they had met with McDonald's and their concerns have been addressed. She agreed with staff's recommendation to close the second Bing Drive exit and endorsed the current plans.

Steve Henderson, 822 Bing Drive, also spoke in favor of the proposal but he did have a concern with the brightness and intrusion of the lighting at the rear of the project.

Susan Robinson, 835 Bing Drive, and a member of the Grammercy Park Homeowner's Association, spoke next. She stated her basic concerns were the drive-thru being moved closer to the homes on Bing Drive and that the circulation pattern would now encourage the use of Bing Drive as an entrance. She also said she felt that McDonald's does impact the area with respect to traffic, noise and trash and would favor the closing of one of the Bing Drive exits.

Christa Grassl, President of the Grammercy Park Association, then reiterated what Susan Robinson said regarding the impact of the area with traffic noise and trash. She also stated she was against all expansion.

Gary Griffin, also a property owner at 835 Bing Drive, then spoke. He stated the closing of the northern driveway would have a positive effect but that many of the problems mentioned during the meeting are out of the hands of McDonald's, especially car noise, exhaust fumes and littering. And, as the expansion of McDonald's will only increase these problems, he is opposed to this project.

Ms. Krull then spoke in rebuttal. She said that although this proposal is called an expansion, the number of seats will actually decrease from 218 seats to 130 seats. Also, the increased lighting in the back lot should reduce the impact of people parking there after hours.

PLANNING COMMISSION MINUTES
January 24, 1990

McDonald's Corporation

AGENDA ITEM 11 for 1/24/90
AGENDA ITEM 18 for 12/13/89

File: U.1838 (8)

The public hearing was then closed.

Mr. Henriques then recommended further conditions to include:

Condition #26. Close northerly driveway on Bing Drive and revise parking lot to the satisfaction of the Director of Planning and Inspection.

Condition #27. No parking lot sweeping or deliveries between 11:00 p.m. and 6:00 a.m.

Condition #28. Outside seating area to the north of the drive-thru to be closed at 9:00 p.m.

Condition #29. Maximum of 110 interior seats and 20 exterior seats.

COMMISSION ACTION

It was moved by Commissioner Raineri, seconded by Commissioner Bambury and unanimously approved (Commissioners Minister and Matos excused) that the Planning Commission find based upon the staff report and the public testimony that the proposed enlargement of the restaurant facility **as revised** is appropriate and beneficial to the surrounding area to provide improved patron service, that the proposed use is not detrimental to surrounding streets or properties, that adequate stacking for the drive-thru lane can be provided and a buffer arrangement can be provided adjacent to the residential properties and that the proposal meets the intent of the General Plan and Zoning Ordinance for a drive-thru restaurant and approve this **revised** request for use permit to allow reconstruction of an existing drive-thru restaurant facility as proposed. In addition to complying with all applicable codes, regulations, ordinances or resolutions, the following conditions are recommended:

1. Clear development fees by appropriate method prior to issuance of building permit.
2. Any relocation of existing public facilities will be at the developer's expense.
3. Obtain required permits and inspection from the Building Official and comply with the conditions thereof.
4. All driveways in the public right-of-way shall be constructed

to City Standard Type "C", any deviation from City Standards requires prior approval of the City Engineer.

5. Damaged curb and gutter shall be repaired in a manner acceptable to the City Engineer.
6. Unused driveways in the public right of way shall be replaced with City Standard curb, gutter and sidewalk in a manner acceptable to the City Engineer.
7. Visual obstructions over three (3') feet in height will not be allowed within the driver's sight "triangle of safety" near driveways and corners.
8. For any work in the public right-of-way, obtain street opening permit and pay all appropriate fees prior to issuance of building permit.
9. Proper signs and pavement markings shall be placed within the parking area to safely coordinate vehicle traffic (e.g. ONE-WAY and DO NOT ENTER SIGNS as well as arrows on pavement, indicating direction) to the satisfaction of the Director of Planning and Inspection.
10. Dedicate any required on-site easements to serve the subject property at time of service request to suit utility design layout.
11. Electric service to be underground. Developer to construct to City standards, electric underground conduits, boxes, etc.
12. Submit planting specifications and details and irrigation plans for review and comment by City Staff.
13. Approved fire apparatus access roads shall be provided to within 150 feet of all exterior walls of any building (exceptions may apply - consult Fire Department for more information).
14. Fire apparatus access roads shall be capable of supporting imposed load of fire apparatus, have an all-weather driving surface, minimum 20 foot width, minimum 13-1/2 foot vertical clearance and minimum 36 foot turning radius.
15. Dead-end fire apparatus access roads which exceed 150 feet in length shall be provided with 75 foot diameter vehicle turnaround.

AGENDA ITEM 11 for 1/24/90
AGENDA ITEM 18 for 12/13/89

File: U.1838 (10)

16. Fire hydrants shall be in place and operable within 150 feet of any combustible construction. Submit construction fire safety plan to Fire Department for review and approval prior to starting combustible construction or delivery of lumber to site.
17. 2A10BC rated fire extinguishers required within a maximum of 75 feet travel distance to any part of the building.
18. Trash enclosures located within 5 feet of building shall be sprinklered.
19. Hood and duct extinguishing system required (separate Fire Department permit required).
20. Site plan shall be submitted which includes all existing public fire hydrants and existing roadway access.
21. Submit detailed plans to the Planning Division for architectural review and approval prior to issuance of building permits.
22. Maintain all existing mature trees within Caboose party grounds to minimize impacts of drive-thru and exit lane on abutting residential properties. Provide detailed plans showing existing trees and trees to be removed. Remaining and new trees are identified as mitigation measures and shall be included and approved in final plans. The Planning Inspection Department shall be responsible to assure provision of these measures according to CEQA monitoring and reporting requirements per Section 21081.6 of the Public Resources Code.
23. Hours of operation shall be from 6:30 a.m. to 11 p.m. Sunday through Thursday and from 6:30 a.m. to 12 midnight on Fridays and Saturdays.
24. Restaurant operator shall be responsible for policing of trash and debris within 500 feet of the property. A decorative trash receptacle shall be provided at each customer entry/exit from the building or other eating area.
25. Outdoor speaker boxes or other apparatus shall comply with the City's standards of the Noise Ordinance.
26. Close northerly driveway on Bing Drive and revise parking lot to the satisfaction of the Director of Planning and Inspection.

PLANNING COMMISSION MINUTES
January 24, 1990

McDonald's Corporation

AGENDA ITEM 11 for 1/24/90
AGENDA ITEM 18 for 12/13/89

File: U.1838 (11)

27. No parking lot sweeping or deliveries between 11:00 p.m. and 6:00 a.m.
28. Outside seating area to the north of the drive-thru to be closed at 9:00 p.m.
29. Maximum of 110 interior seats and 20 exterior seats.

Mr. Henriques advised the applicant that this action was final at this hearing unless appealed within 7 days or if appealed by the City Council at the time of their review of these minutes, normally 13 days from this date. In the event of an appeal, whether filed by a proponent, opponent or by the City Council, a new public hearing date will be set and the area will be posted with notices of the date of the hearing.

Conditions of Approval
PLN2018-13252 (Updated from U.1838)

GENERAL

- G1. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.
- G2. Comply with all applicable codes, regulations, ordinances and resolutions.

ATTORNEY'S OFFICE

- A1. The Developer agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed by a third party against the City by reason of its approval of developer's project.

COMMUNITY DEVELOPMENT

- C1. Obtain required permits and inspections from the Building Official and comply with the conditions thereof.
- C2. Submit plans for final architectural review to the Planning Division and obtain architectural approval prior to issuance of building permits. Said plans to include, but not be limited to: site plans, floor plans, elevations, outdoor patio seating area design and landscaping, exterior lighting and signage. Landscaping installation shall meet City water conservation criteria in a manner acceptable to the Director of Community Development.
- C3. Project shall continue to comply with Use Permit U.1838 Conditions of Approval.
- C4. Hours of operation shall be from 6:30 a.m. to 11:00 p.m. Sunday through Thursday and from 6:30 a.m. to 12 midnight on Fridays and Saturdays.
- C5. Maintain all existing mature trees north of the drive-thru to minimize impacts of drive-thru and exit lane on abutting residential properties.
- C6. Restaurant operator shall be responsible for policing of trash and debris within 500 feet of the property. A decorative trash receptacle shall be provided at each customer entry/exit from the building or other eating area.
- C7. Outdoor speaker boxes or other apparatus shall comply with the City's standards for the Noise Ordinance.
- C8. No parking lot sweeping or deliveries between 11:00 p.m. and 6:00 a.m.
- C9. Maximum of 110 interior seats and 20 exterior seats.
- C10. Allow a second drive-through lane as shown on the development plans dated September 21, 2018.
- C11. Provide new site lighting to optimize lighting levels and minimize spillage on the residents to the north. The lighting plan shall be incorporated into the building permit application and subject to review and approval by the planning division.

ENGINEERING

- E1. Obtain site clearance through Engineering Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Engineering Department at (408) 615-3000 for further information.
- E2. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be included within a Single Encroachment Permit issued by the City Engineering Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to

- commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.
- E3. All proposed sidewalk, walkway, and driveway(s), shall be per ADA compliant City standard.
 - E4. Show and comply with City's driveway vision triangle requirements at proposed driveway. Visual obstructions over three feet in height will not be allowed within the driver's sight triangle near driveways and intersections in order to allow an unobstructed view of oncoming traffic. Contact Traffic Engineering at (408) 615-3000 for further information.
 - E5. Provide ADA walkway connecting the proposed buildings to public sidewalk.
 - E6. All traffic striping, messages, and symbols shall be thermoplastic.
Provide a minimum of 1 Class I bicycle locker space per 30 employees and 4 Class II bicycle rack spaces at the main entrance and/or high visibility area.

STREETS

SOLID WASTE

- ST1. If cooking (instead of reheating) takes place, then pre-treatment devices and tallow bins shall be installed at all food establishments. Tallow bins shall be placed within a trash enclosure when possible. If enclosure is not sized to include the tallow bin(s), a separate dedicated enclosure with drainage to sanitary sewer shall be provided.

STORMWATER

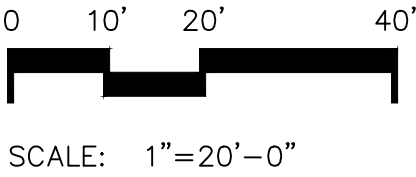
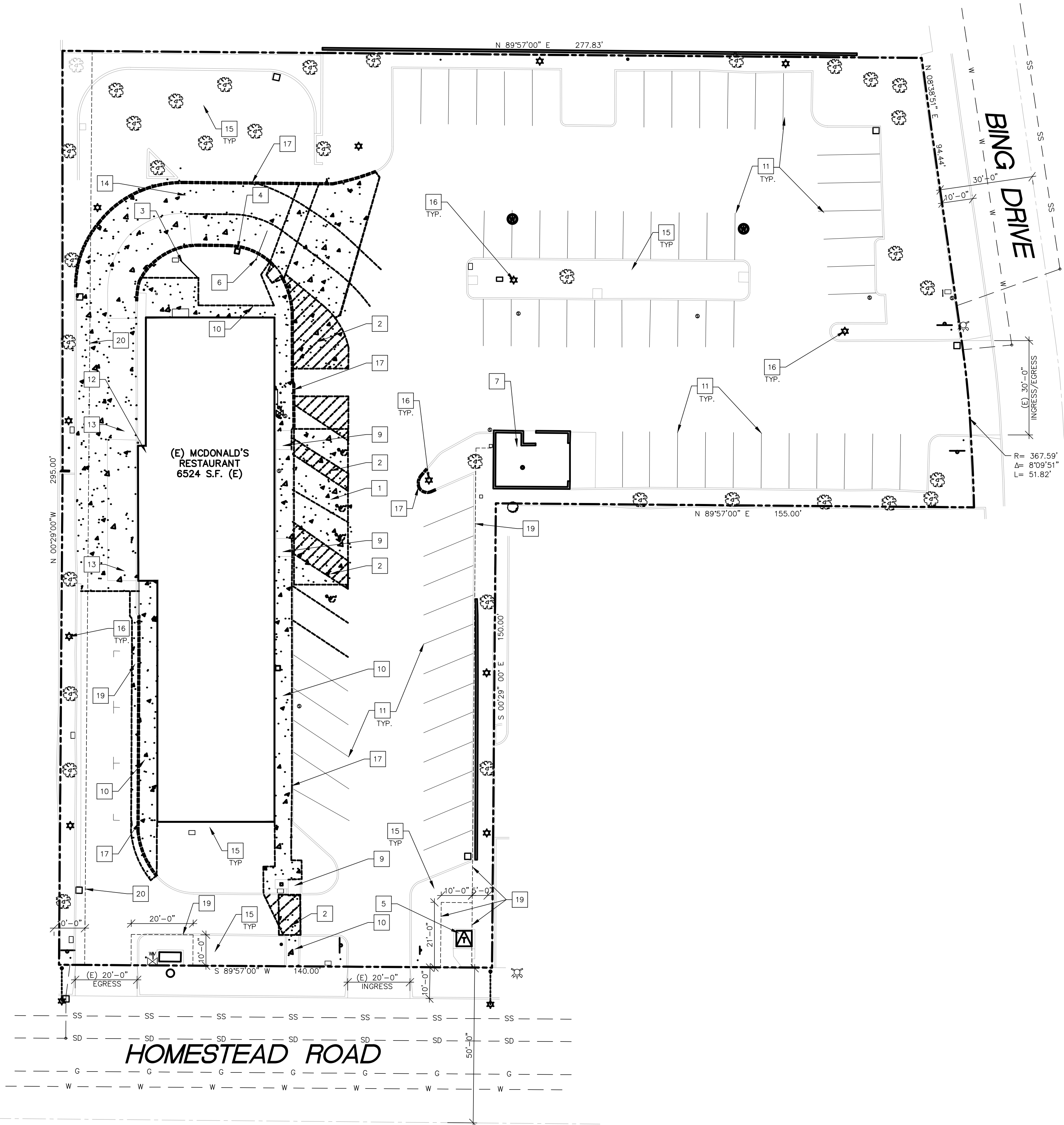
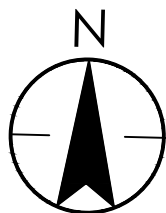
- ST2. Interior floor drains shall be plumbed to the sanitary sewer system and shall not be connected to storm drains.

WATER

- W1. Applicant shall adhere to and provide a note indicating all horizontal and vertical clearances. The applicant shall maintain a minimum 12" of vertical clearance at water service crossing with other utilities, and all required minimum horizontal clearances from water services: 10' from sanitary sewer utilities, 10' from recycled water utilities, 8' from storm drain utilities, 5' from fire and other water utilities, 3' from abandoned water services, 5' from gas utilities, and 5' from the edge of the propose or existing driveway. For sanitary sewer, water, and recycled water utilities, the applicant shall maintain a minimum horizontal clearance of 10' from existing and proposed trees. If applicant installs tree root barriers, clearance from tree reduces to 5' (clearance must be from the edge of tree root barrier to edge of water facilities)
- W2. Approved backflow prevention device(s) are required on all potable water services. The applicant shall submit plans showing the location of the approved backflow prevention device(s). Note that all new water meters and backflow prevention devices shall be located behind the sidewalk in a landscape area.

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Pre-plot: [AUG 09, 2011 09:50-ogutierrez] Xref: "x_bdr" site mages: "aerial.jpg" site.jpg

1 SITE DEMOLITION PLAN
SP0 1" = 20'-0"



DEMOLITION NOTES

- GC TO COORDINATE WITH McDONALD'S PROJECT MANAGER THE REMOVAL AND SALVAGE OF SIGNAGE, AND MENUBOARDS.
- GC TO LOCATE AND CAP EXISTING UTILITY LATERALS
- GC TO ENSURE THAT PROJECT DEMOLITION DEBRIS IS PROPERLY RECYCLED OR DISPOSED OF PER THE LOCAL JURISDICTION'S REQUIREMENTS.
- ALL (E) PAVEMENT MARKINGS TO BE REMOVED. SEAL COAT WHERE PAVEMENT MARKINGS ARE REMOVED, TYP.

KEY NOTES

- REMOVE (E) ASPHALT PAVING FOR ADA UPGRADES AND GRADING, SEE CIVIL DRAWINGS FOR DETAILS
- (E) STRIPING AND PAVEMENT MARKINGS TO BE REMOVED AS SHOWN
- (E) MENUBOARD TO BE REMOVED, REMOVE CONCRETE BASE, CONDUIT
- REMOVE (E) SPEAKER BOX
- (E) TRANSFORMER TO REMAIN, PROTECT IN PLACE
- REMOVE (E) CLEARANCE BAR
- (E) TRASH ENCLOSURE TO REMAIN, PAINT TO MATCH BUILDING
- (E) SIGN TO REMAIN
- (E) CURB RAMP TO BE RESURFACED/REMOVED TO ACHIEVE COMPLIANT GRADES. SALVAGE (E) TRUNCATED DOME PAVERS TO BE REUSED
- (E) CONC. TO BE RESURFACED/REMOVED TO ACHIEVE COMPLIANT GRADES. VERIFY (E) CONDITION IN FIELD.
- (E) PARKING STRIPING TO REMAIN
- DEMO AREA FOR NEW CASH BOOTH ADDITION
- SAW CUT & REMOVE PORTION OF (E) PAVING FOR (N) LOOP DETECTORS IF NOT ALREADY PRESENT.
- REMOVE PORTION OF (E) ASPHALT PAVING FOR NEW DRIVE-THRU, SEE CIVIL DRAWINGS FOR GRADING DETAILS
- (E) LANDSCAPING TO REMAIN. REPAIR AND REFRESH AS REQUIRED
- (E) YARD LIGHTING TO REMAIN. TYP
- REMOVE PORTION OF (E) CURB AS INDICATED, SEE CIVIL DRAWINGS FOR DETAILS
- REMOVE PORTION OF (E) ASPHALTIC CONCRETE AS INDICATED, SEE CIVIL DRAWINGS FOR DETAILS
- FULL DEPTH AC REPLACEMENT 2'-0" FROM FACE OF CURB SEE CIVIL DRAWINGS FOR DETAILS
- (E) ELECTRICAL AND COMMUNICATION UTILITIES EASEMENT
- (E) SANITARY SEWER AND STORM DRAIN EASEMENT

PARKING INFORMATION (EXISTING)

TOTAL SPACES	ACCESSIBLE		STANDARD	
	4	SPACES	71	SPACES
75				

PLAN LEGEND

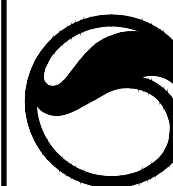
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COL = COLUMN
EX = EXISTING
EQ = EQUAL
F.O.C. = FACE OF CURB
F.O.S. = FACE OF STUD
F.O.F. = FACE OF FOUNDATION
P.O.C. = POINT OF CURVATURE
R = RADIUS
R.O.W. = RIGHT OF WAY
SHT. = SHEET
SIM. = SIMILAR
TYP. = TYPICAL
FSE = FINISH SLAB ELEVATION

- EXISTING TO REMAIN
===== CURB OR STRIPING TO BE REMOVED
..... ASPHALT PAVING TO BE REMOVED
..... CONCRETE PAVING TO BE REMOVED
..... LANDSCAPING TO BE REMOVED

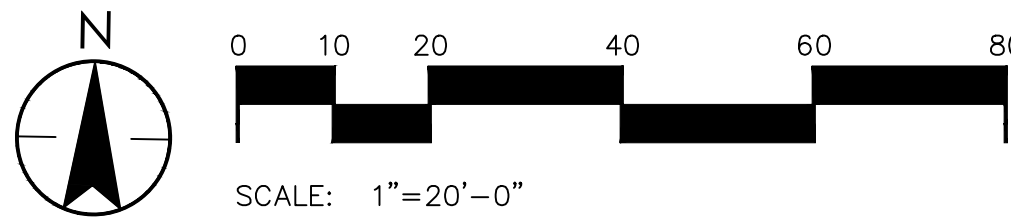
PREPARED FOR:
McDonald's USA, LLC
These drawings and specifications are the confidential and proprietary information of McDonald's USA, LLC. They are prepared for use on this specific site in conjunction with its issue date and are not to be used for any other project without the written authorization of McDonald's USA, LLC. Reproduction of these drawings for reference or example on another project requires the services of properly licensed architects and engineers. Reproduction of the contract documents for reuse on another project is not authorized.

BRAND REVIEW
05/07/18
PLANNING
05/07/18
PERMIT
-
-
CONSTRUCTION
-

DRAWING TITLE:
DEMOLITION SITE PLAN
PROJECT ADDRESS:
**3509 HOMESTEAD RD
SANTA CLARA, CA 95051**
PROJECT CAD FILE:
2014048002
STATE SITE CODE:
004-0166

**Stantec**
Stantec Architecture Inc.
38 Technology Drive
Irvine, CA U.S.A. 92618
Tel. 949.923.6000
Fax. 949.923.6190
www.stantec.com

REV	DATE	DESCRIPTION
2	05/07/18	PLANNING SUBMITTAL
1	05/07/18	LEGAL CLEARANCE
		BY

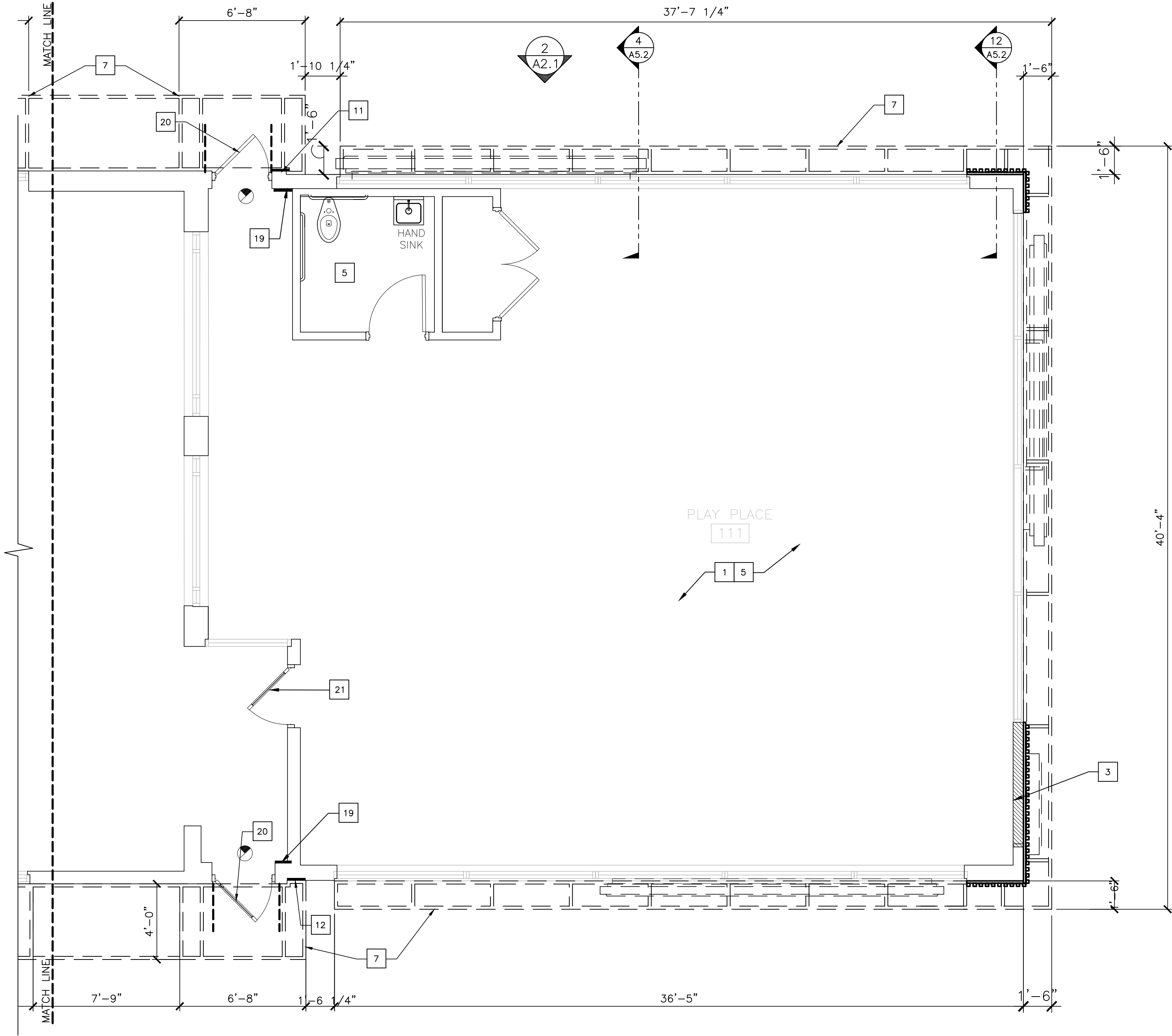


SHEET NO. **SP1**

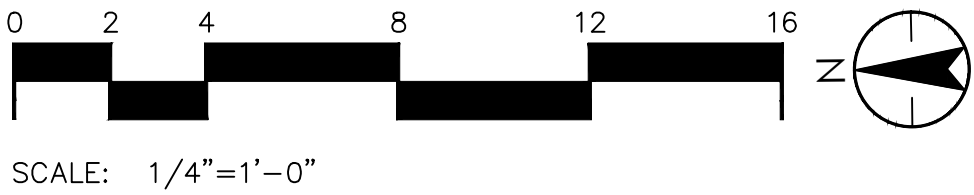
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1 PARTIAL FLOOR PLAN
A1.0B 1/4" = 1'-0"
(SEE SHEET A1.0A FOR CONTINUATION OF PLAN)



GENERAL NOTES

1. ALL DOOR CLOSER TO ALLOW 5lbs MAX OPENING FORCE (TYP. OF ALL DOORS), OR REPLACE CLOSER W/LCN4021X18 (FOR EXT. DOORS) AND LCN-1461 (FOR RESTROOMS DOORS). DOOR CLOSING SPEED FROM 90 DEGREES OPEN, TO AN OPEN POSITION 12 DEGREES FROM LATCH SHALL BE AT LEAST 5 SECONDS.
2. 5% OF (E) DINING AREA SEATS TO BE ACCESSIBLE w/ MIN. KNEE SPACE 27"H x 30"W x 19"D. EACH ACCESSIBLE TABLE SHALL BE DESIGNATED w/ THE INTERNATIONAL SYMBOL OF ACCESSIBILITY. (BY OTHERS)
3. SEE 7/A3.0 FOR EXTERIOR WALL ASSEMBLY TYPES.
4. SEE EXTERIOR ELEVATIONS FOR WINDOW TYPES
5. SEE SITE PLAN FOR SIDEWALKS, RAMPS, ETC.
6. GC TO PROVIDE ADA SIGNAGE PACKAGE AND INSTALL SIGNS AT LOCATIONS AND POSITIONS INDICATED IN PACKAGE OR AS REQUIRED BY LOCAL CODES. SIGNAGE PACKAGE SUPPLIED BY: FORREST PERMA-SIGN 1-800-214-8765 9292 1ST ST., BOX 588 www.forrestpermasigns.com NEW ROCHELLE, NY 10802

KEYNOTES

- | | | | |
|----|--|----|---|
| 1 | (N) SEATING BY DECOR, UNDER SEPARATE PERMIT | 11 | (N) ISA DIRECTIONAL SIGNAGE, SEE DETAIL 19/SD1 |
| 2 | (N) MODULAR COUNTER, SEE DECOR DWGS. | 12 | (N) ISA ENTRANCE SIGNAGE, SEE DETAIL 20/SD1 |
| 3 | (N) WALL INFILL AT (E) WINDOW OPENING | 13 | (N) FLOOR AND WALL FINISHES IN CASH BOOTH TO MATCH EXISTING |
| 4 | (N) FINISHES AT SSBB, SEE DECOR DRAWINGS | 14 | OCCUPANT LOAD SIGN (TYP. OF 2) CONFIRM LOCATION WITH CONSTRUCTION MANAGER. |
| 5 | (N) FLOOR FINISHES, SEE DECOR DRAWINGS | 15 | RELOCATED (E) DOOR WITH (N) CLOSER - 5 LBS. MAX. OPERATING PRESSURE AND SWEEP PERIOD FROM 90 DEGREES OPEN TO 12 DEGREES FROM LATCH TO BE 5 SECONDS MIN.UPDATE HARDWARE AS REQUIRED. |
| 6 | (N) ALUMINUM CANOPY SYSTEM ABOVE - SEE ROOF PLAN FOR DIMENSIONS | 16 | (N) DRIVE-THRU WINDOW, INSTALL PER MANUFACTURER'S SPECIFICATIONS |
| 7 | (N) TRELLIS SYSTEM ABOVE - SEE 8/A5.0 FOR NOTES - SEE ROOF PLAN FOR DIMENSIONS | 17 | RELOCATE DOOR PULL TO BE CENTERED BETWEEN 34"-44" A.F.F REMOVE SURFACE DOOR STOP |
| 8 | (E) DOORS TO REMAIN, ALL (E) DOOR CLOSERS TO BE REMOVED AND REPLACED | 18 | (N) ASSISTANCE SIGN AT SSBB SEE DETAIL 12/SD1 |
| 9 | (E) DOOR WITH (N) CLOSER - 5 LBS. MAN OPERATING PRESSURE AND SWEEP PERIOD FROM 90 DEGREES OPEN TO 12 DEGREES FROM LATCH TO BE 5 SECONDS MIN. | 19 | (N) ACTIVE EXIT SIGN, SEE 3/5.3 |
| 10 | (N) ASSISTANCE SIGN #779 AT CUSTOMER SERVICE COUNTER, SEE DETAIL 16/SD1 | 20 | EXIT ONLY DOOR REMOVE EXTERIOR DOOR HARDWARE |

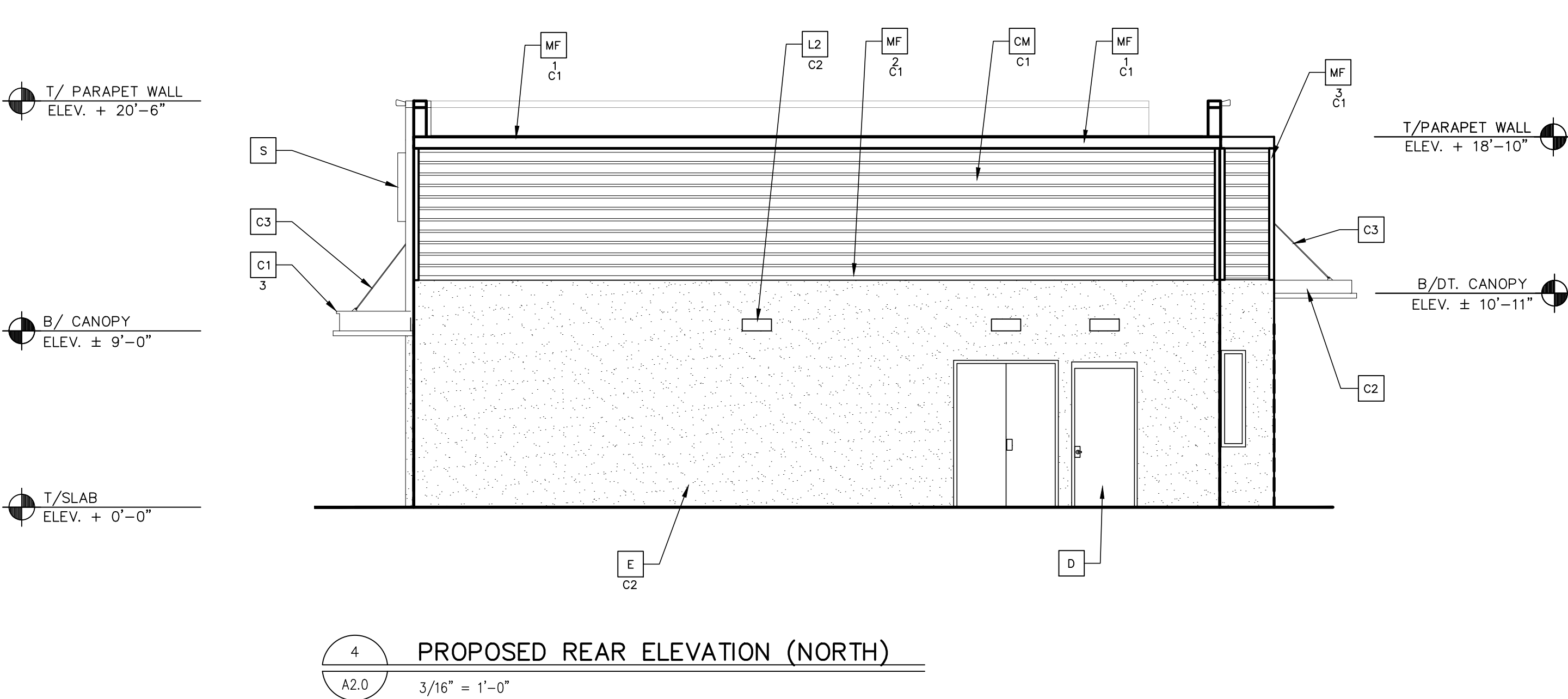
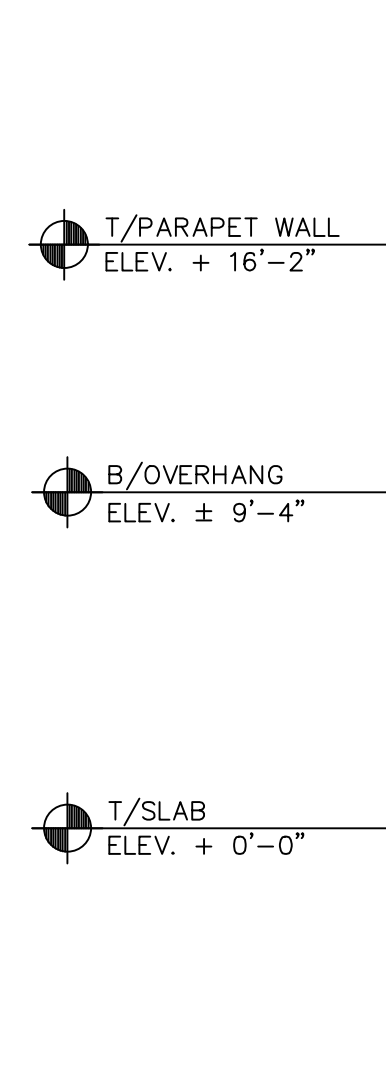
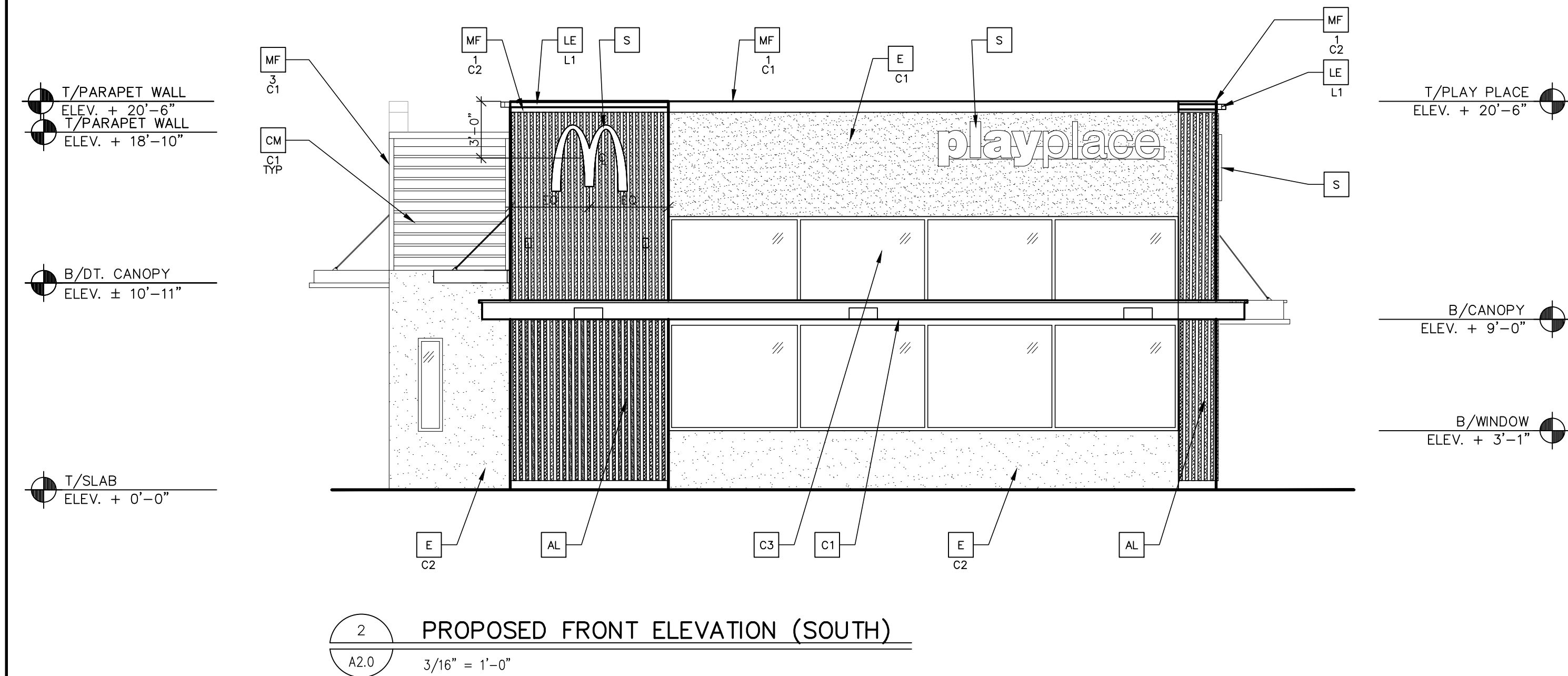
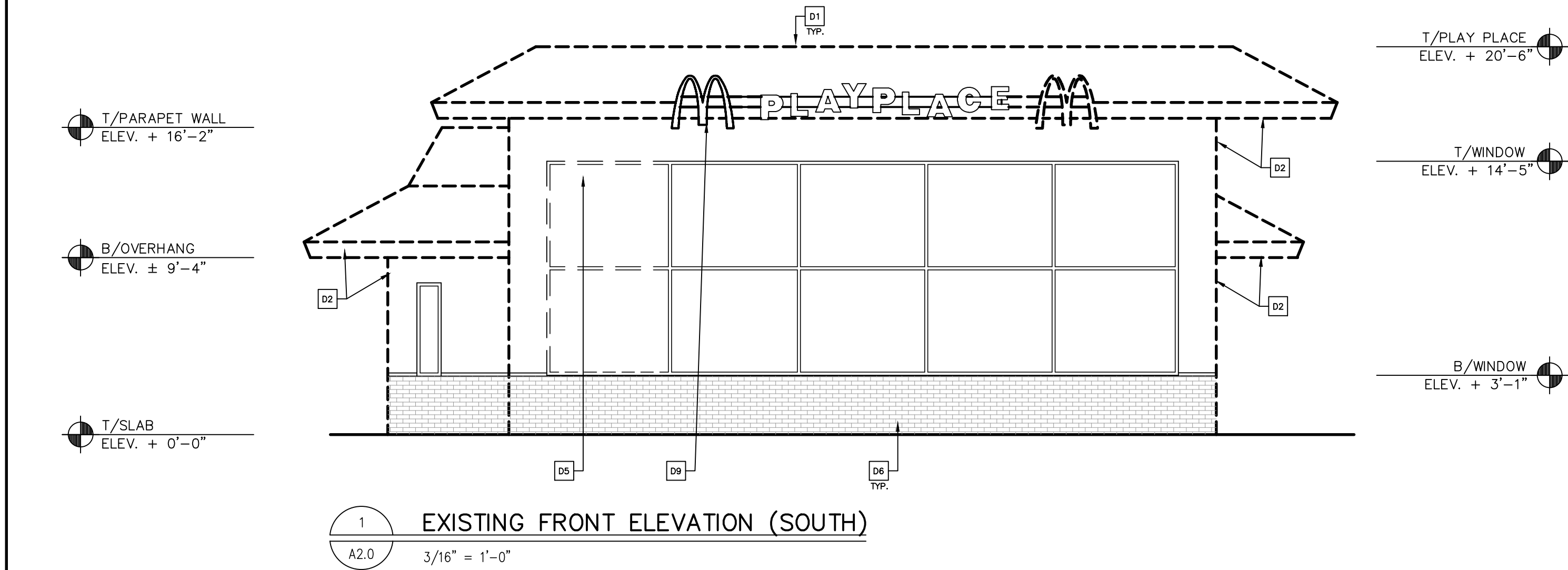
SYMBOL LEGEND

- | | |
|-----|--|
| X | KEY NOTE |
| (X) | WALL TYPE |
| (X) | DOOR TYPE |
| (X) | WINDOW TYPE |
| --- | EXISTING WALLS TO REMAIN |
| /// | NEW EXTERIOR WALLS |
| --- | NEW PARTIAL HT. INTERIOR WALLS, SEE DECOR DRAWINGS |
| --- | NEW INTERIOR PARTITION |
| XXX | WALL INFILL |
| --- | PATH OF TRAVEL |

SHEET NO.	DRAWING TITLE:	PROJECT ADDRESS: 3509 HOMESTEAD RD SANTA CLARA, CA 95051	PROJECT CAD FILE: 2014048002	STATE SITE CODE: 004-0166	BRAND REVIEW 05/07/18 PLANNING 05/07/18 PERMIT - BID - CONSTRUCTION -	PREPARED FOR: McDonald's USA, LLC	©2012 McDonald's USA, LLC These drawings and specifications are the confidential and proprietary information of McDonald's USA, LLC. They are prepared for use on this specific site in conjunction with its issue date and are not to be used for any other project without written authorization. The contract documents were prepared for use on this specific site in conjunction with its issue date and are not to be used for any other project without written authorization. Reproduction of these drawings for reference or example on another project requires the services of properly licensed architects and engineers. Reproduction of the contract documents for reuse on another project is not authorized.	 Stantec Architecture Inc. 38 Technology Drive Irvine, CA U.S.A. 92618 Tel. 949.923.6000 Fax. 949.923.6190 www.stantec.com	REV	DATE	DESCRIPTION	BY

PLOT SCALE: 1"=1' MDA-B08

\\us1279-101\workgroup\2014\active\2014048002\architecture\drawing\A2-A2.0.dwg LTscale:1 Plot[Time:Jul26,2018-12:05pm Login:remiller]
Pre-plot:[AUG 09, 2011 09:50-aguilerez] Xrefs: "x_bdr" "x_elev" Images:



DEMOLITION NOTES:

- D1 PORTION OF (E) MANSARD TO BE REMOVED TO RECEIVE NEW FACADE
- D2 (E) BUILDING FOOTPRINT TO ALIGN WITH ROOF REMOVAL
- D3 REMOVE (E) LIGHT BEAM SYSTEM
- D4 (E) STOREFRONT DOOR TO REMAIN
- D5 REMOVE (E) STOREFRONT WINDOW
- D6 REMOVE (E) BRICK VENEER
- D7 (E) BRICK VENEER TO REMAIN.
- D8 (E) DRIVE-THRU WINDOW TO REMAIN

- D9 REMOVE (E) CORPORATE SIGNAGE
- D10 (E) STOREFRONT DOOR TO BE REMOVED
- D11 PORTION OF EXTERIOR WALL TO BE REMOVED, SEE SHEET A0.1
- D12 (E) MECHANICAL SCREEN TO BE REMOVED.

KEY NOTES:

- AL ALUMINUM BATTEN SYSTEM
MFR: ANNEX
SIZE: 2"x2" PROFILE
COLOR: WOOD GRAIN, BACKRAIL UNFINISHED, ENDCAP PAINTED TO MATCH
SUBSTRATE: 1/2" LP SMARTBOARD
SUBSTRATE: RAL 7022
- AP ALPOLIC METAL PANEL (COLOR: RAL 7022)
- BR MODULAR-FAGEBRICK-
- B1 COLOR: -
- B1 = "STEEL GREY" K12-3608 BY GLEN-GERY-
- C1 ALUMINUM CANOPY SYSTEM W/FASCIA
COLOR: WHITE

- C2 ALUMINUM CANOPY SYSTEM
COLOR: CHARCOAL
- C3 ALUMINUM CANOPY TIEBACK
COLOR: CHARCOAL
- CJ CONTROL JOINT
1 -TYPE: 1 = EIFS
7" REVEAL METAL WALL PANEL SYSTEM BY METAL ERA
- CM -COLOR: C1 = WEATHERED ZINC
- D HOLLOW METAL DOOR
PAINT: MATCH C2
- DE VINYL DECAL BY GRAPHICS SUPPLIER (SUPPLIER VARIES PER REGION)
PAINT: RAL 7022
- GR GUARD RAIL -SEE SITE PLAN FOR EXACT LOCATION AND LENGTH
PAINT: RAL 7022
- L1 RECESSED DOWN LIGHT FIXTURE - SEE ELECTRICAL

- E EXTERIOR INSULATION FINISH SYSTEM (E.I.F.S.)
C1-COLOR: C1 = RAL 7022 C2 = SHERWIN WILLIAMS SW7019 "GAUNTLET GRAY"
- EJ EXPANSION JOINT, SEE DETAIL 7/A4.1
- FB C02 C02 = BULK C02 FILL BOX (EQPM SCHEDULE ITEM 49.00)
B0 = BULK OIL FILL BOX (EQPM SCHEDULE ITEM 700.18)
- L2 RADIAL SCONCE LIGHT FIXTURE - SEE ELECTRICAL
C1-COLOR: C1= WHITE C2= PLATINUM SILVER
- LE ACCENT LIGHTING - SEE ELECTRICAL
L1-LED LIGHT;
L1 = SLIM LED (DOWN ONLY)
L2 = INTEGRAL CANOPY FIXTURE
L3 = UP ONLY FLOOD FIXTURE

- L2 RADIAL SCONCE LIGHT FIXTURE - SEE ELECTRICAL
C1-COLOR: C1= WHITE C2= PLATINUM SILVER
- LE ACCENT LIGHTING - SEE ELECTRICAL
L1-LED LIGHT;
L1 = SLIM LED (DOWN ONLY)
L2 = INTEGRAL CANOPY FIXTURE
L3 = UP ONLY FLOOD FIXTURE
- MF METAL FASCIA
C1-TYPE: 1 = PRE-FAB ANCHOR-TITE FASCIA 2 = BOTTOM TRIM AT METAL REVEAL PANEL 3 = VERTICAL TRIM AT METAL REVEAL PANEL CORNERS, CLOSURES
COLOR: C1= WEATHERED ZINC C2= RAL 7022
- PB PIPE BOLLARD - PAINTED YELLOW
- PT (RMHC) COIN COLLECTOR
MODEL: #WPT STD
CALL 1-888-743-7435 TO ORDER
- RO ROOF DRAIN OVERFLOW PIPE PAINT TO MATCH SURROUNDING MATERIAL

- S McDONALD'S SIGNAGE BY OTHERS - UNDER SEPARATE PERMIT.
- UN METAL UNDERSCORE
COLOR: GOLD
- W1 EXTERIOR WINDOW ASSEMBLY - TEMPERED GLASS
COLOR: EXTRA DARK BRONZE
- W2 DRIVE-THRU WINDOW BY READY ACCESS
MODEL: 600 SERIES, 36" SERVICE HEIGHT WITH TRANSOM, MANUAL OPEN; ELECTRONIC RELEASE
COLOR: DEEP BRONZE
SLIDE DIRECTION: RL = RIGHT TO LEFT LR = LEFT TO RIGHT

DRAWING TITLE:

BUILDING ELEVATIONS

PROJECT ADDRESS:
3509 HOMESTEAD RD
SANTA CLARA, CA 95051

PROJECT CAD FILE: 2014048002

STATE SITE CODE: 004-0166

PREPARED FOR: McDonald's USA, LLC

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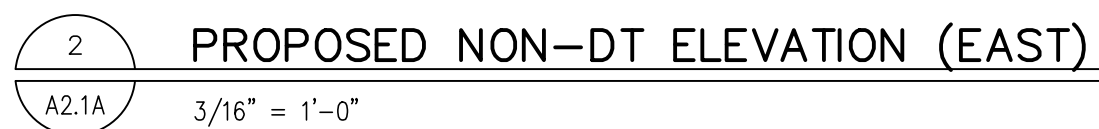
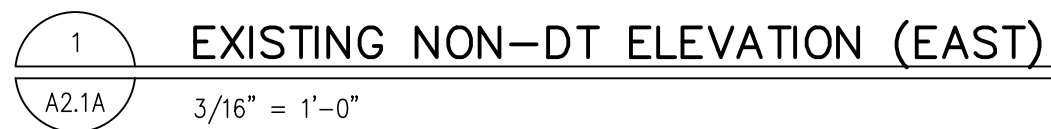
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www.stantec.com

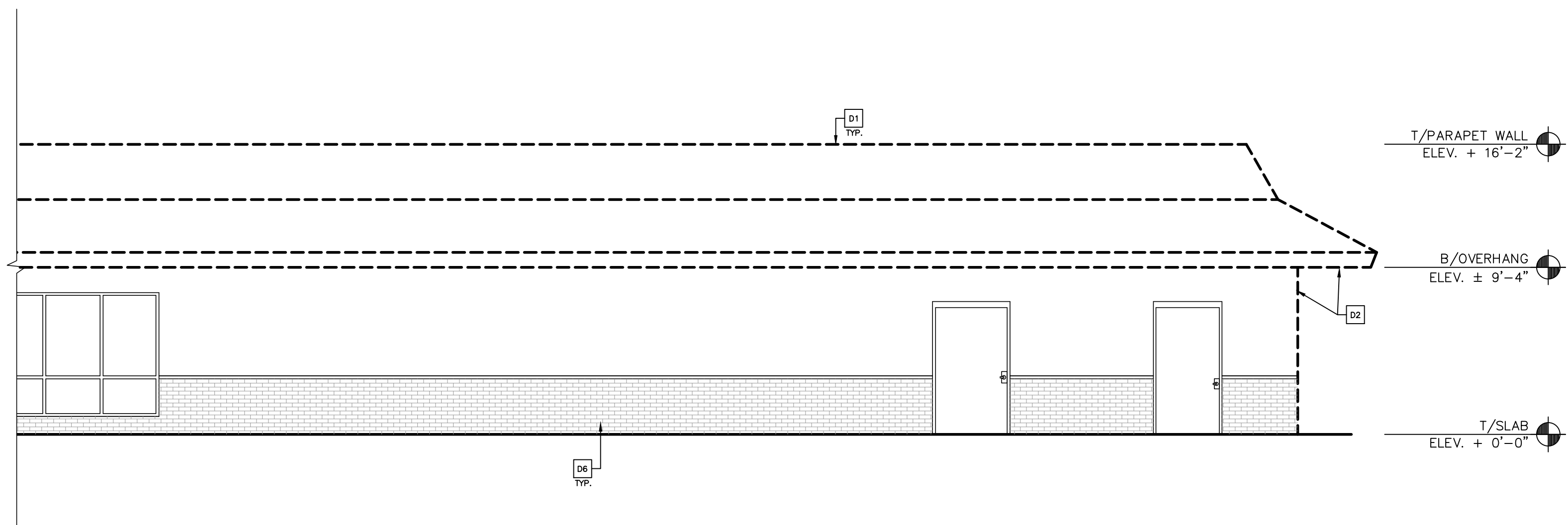
REV	DATE	DESCRIPTION	BY
1	05/07/18	LEGAL CLEARANCE	DL
2	05/07/18	PLANNING SUBMITTAL	DL

PROJECT SCALE: 1"=1' MOD-BOR

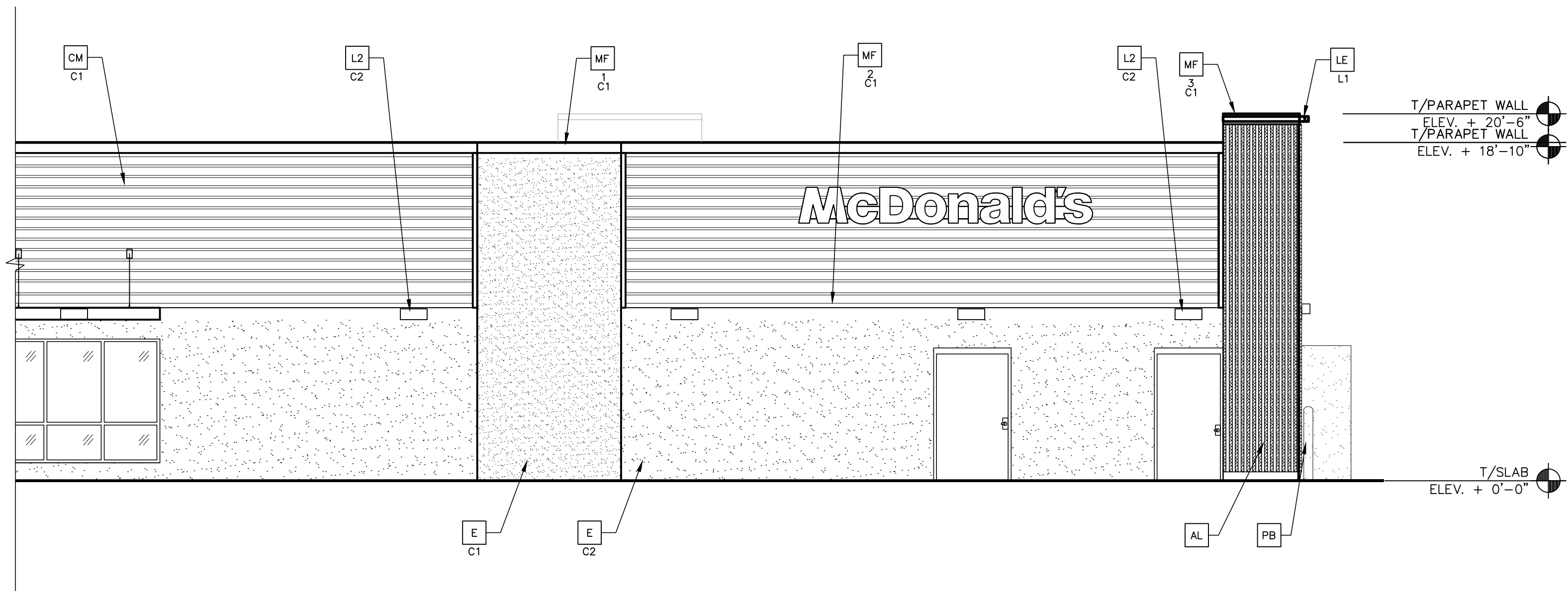


DEMOLITION NOTES:			KEY NOTES:		
D1	PORTION OF (E) MANSARD TO BE REMOVED TO RECEIVE NEW FACADE	D9	REMOVE (E) CORPORATE SIGNAGE	AL	ALUMINUM BATTEN SYSTEM MFR: ANNEX SIZE: 2"x2" PROFILE COLOR: WOOD GRAIN, BACKRAIL UNFINISHED, ENDCAP PAINTED TO MATCH SUBSTRATE: 1/2" LP SMARTBOARD SUBSTRATE: RAL 7022
D2	(E) BUILDING FOOTPRINT TO ALIGN WITH ROOF REMOVAL	D10	(E) STOREFRONT DOOR TO BE REMOVED	C2	ALUMINUM CANOPY SYSTEM COLOR: CHARCOAL
D3	REMOVE (E) LIGHT BEAM SYSTEM	D11	PORTION OF EXTERIOR WALL TO BE REMOVED, SEE SHEET A0.1	C3	ALUMINUM CANOPY TIEBACK COLOR: CHARCOAL
D4	(E) STOREFRONT DOOR TO REMAIN	D12	(E) MECHANICAL SCREEN TO BE REMOVED.	CJ	CONTROL JOINT 1-TYPE: 1 = EIFS
D5	REMOVE (E) STOREFRONT WINDOW			CM	7" REVEAL METAL WALL PANEL SYSTEM BY METAL ERA C1-COLOR: C1 = WEATHERED ZINC
D6	REMOVE (E) BRICK VENEER			FB	CO2 = BULK CO2 FILL BOX (EQPM SCHEDULE ITEM 49.00) BO = BULK OIL FILL BOX (EQPM SCHEDULE ITEM 700.18)
D7	(E) BRICK VENEER TO REMAIN.			D	HOLLOW METAL DOOR PAINT: MATCH C2
D8	(E) DRIVE-THRU WINDOW TO REMAIN			DE	VINYL DECAL BY GRAPHICS SUPPLIER (SUPPLIER VARIES PER REGION) SURFACE APPLIED, FIELD INSTALLED.
				E	EXTERIOR INSULATION FINISH SYSTEM (E.I.F.S.) C1-COLOR: C1 = RAL 7022 C2 = SHERWIN WILLIAMS SW7019 "GAUNTLET GRAY"
				EJ	EXPANSION JOINT, SEE DETAIL 7/44.1
				LE	ACCENT LIGHTING - SEE ELECTRICAL L1-LED LIGHT: L1 = SLIM LED (DOWN ONLY) L2 = INTEGRAL CANOPY FIXTURE L3 = UP ONLY FLOOD FIXTURE
				L2	RADIAL SCONCE LIGHT FIXTURE - SEE ELECTRICAL C1-COLOR: C1 = WHITE C2 = PLATINUM SILVER
				MF	METAL FASCIA 1-TYPE: 1 = PRE-FAB ANCHOR-TITE FASCIA 2 = BOTTOM TRIM AT METAL REVEAL PANEL 3 = VERTICAL TRIM AT METAL REVEAL PANEL CORNERS, CLOSURES COLOR: C1 = WEATHERED ZINC C2 = RAL 7022
				PB	PIPE BOLLARD - PAINTED YELLOW
				PT	(RMHC) COIN COLLECTOR MODEL: #WPT STD CALL 1-888-743-7435 TO ORDER
				RO	ROOF DRAIN OVERFLOW PIPE PAINT TO MATCH SURROUNDING MATERIAL
				S	MCDONALD'S SIGNAGE BY OTHERS - UNDER SEPARATE PERMIT.
				UN	METAL UNDERSCORE COLOR: GOLD
				W1	EXTERIOR WINDOW ASSEMBLY - TEMPERED GLASS COLOR: EXTRA DARK BRONZE
				W2	DRIVE-THRU WINDOW BY READY ACCESS MODEL: 600 SERIES, 36" SERVICE HEIGHT WITH TRANSOM, MANUAL OPEN; ELECTRONIC RELEASE COLOR: DEEP BRONZE
				XX	SLIDE DIRECTION: RL = RIGHT TO LEFT LR = LEFT TO RIGHT

Pre-plot: [AUG 09, 2011 09:50-aguierrez] Xrefs: "x_bdr" x_elev Images:
 Dimscale: 1 Plot: [Time: jul26.2018--12:09pm Login: remiller]
 L7Scale: 1



1	EXISTING NON-DT ELEVATION (EAST)
A2.1B	3/16" = 1'-0"

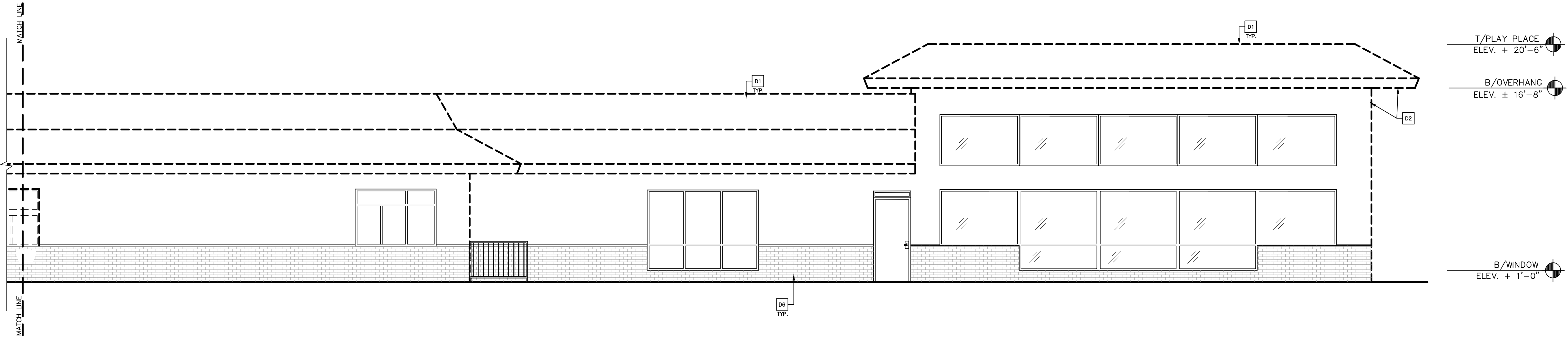


2 PROPOSED NON-DT ELEVATION (EAST)
A2.1B $3/16'' = 1'-0''$

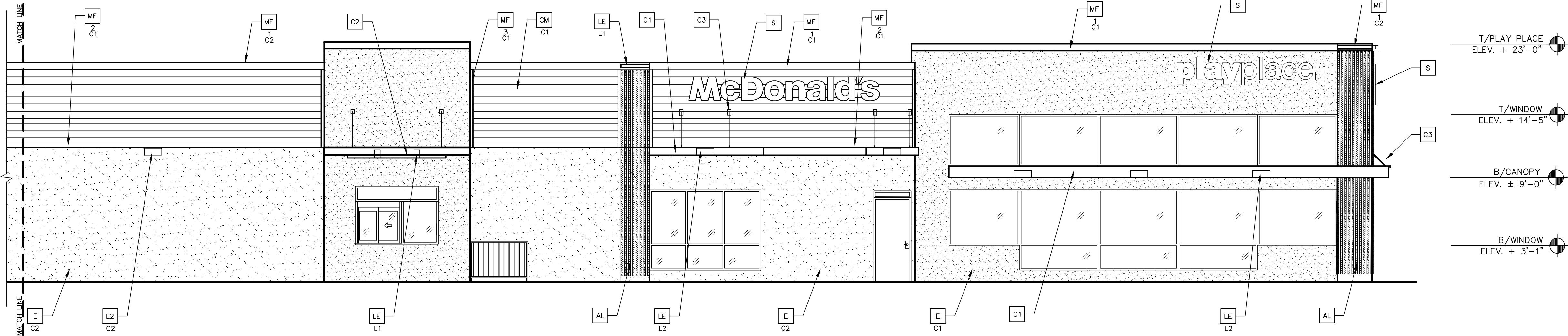
DEMOLITION NOTES:		KEY NOTES:	
D1	PORTION OF (E) MANSARD TO BE REMOVED TO RECEIVE NEW FACADE	D9	REMOVE (E) CORPORATE SIGNAGE
D2	(E) BUILDING FOOTPRINT TO ALIGN WITH ROOF REMOVAL	D10	(E) STOREFRONT DOOR TO BE REMOVED
D3	REMOVE (E) LIGHT BEAM SYSTEM	D11	PORTION OF EXTERIOR WALL TO BE REMOVED, SEE SHEET AO.1
D4	(E) STOREFRONT DOOR TO REMAIN	D12	(E) MECHANICAL SCREEN TO BE REMOVED.
D5	REMOVE (E) STOREFRONT WINDOW		
D6	REMOVE (E) BRICK VENEER		
D7	(E) BRICK VENEER TO REMAIN.		
D8	(E) DRIVE-THRU WINDOW TO REMAIN		
		AL	ALUMINUM BATTEN SYSTEM MFR: AMNEX SIZE: 2"x2" PROFILE COLOR: WOOD GRAIN BACKRAIL UNFINISHED, ENDCAP PAINTED TO MATCH SUBSTRATE: 1/2" LP SMARTBOARD SUBSTRATE: RAL 7022
		C2	ALUMINUM CANOPY SYSTEM COLOR: CHARCOAL
		C3	ALUMINUM CANOPY TIEBACK COLOR: CHARCOAL
		CJ	CONTROL JOINT 1-TYPE: 1 = EIFS
		AP	ALPOLIC METAL PANEL (COLOR: RAL 7022)
		CM	7" REVEAL METAL WALL PANEL SYSTEM BY METAL ERA C1-COLOR: C1 = WEATHERED ZINC
		BR	MODULAR FACEBRICK COLOR: #1 = "STEEL GREY" K12-3008 BY GLEN GERV
		D	HOLLOW METAL DOOR PAINT: MATCH C2
		C1	ALUMINUM CANOPY SYSTEM W/FASCIA COLOR: WHITE
		DE	VINYL DECAL BY GRAPHICS SUPPLIER (SUPPLIER VARIES PER REGION) SURFACE APPLIED, FIELD INSTALLED,
		E	EXTERIOR INSULATION FINISH SYSTEM (E.I.F.S.) C1-COLOR: C1 = RAL 7022 C2 = SHERWIN WILLIAMS SW0719 "GAUNTLET GRAY"
		EJ	EXPANSION JOINT, SEE DETAIL 7/AA.1
		FB	CO2 = BULK CO2 FILL BOX (EQPM SCHEDULE ITEM 49.00) BO = BULK OIL FILL BOX (EQPM SCHEDULE ITEM 700.18)
		GR	GUARD RAIL -SEE SITE PLAN FOR EXACT LOCATION AND LENGTH PAINT: RAL 7022
		11	RECESSED DOWN LIGHT FIXTURE - SEE ELECTRICAL
		L2	RADIAL SCONCE LIGHT FIXTURE - SEE ELECTRICAL C1-COLOR: C1 = WHITE C2 = PLATINUM SILVER
		LE	ACCENT LIGHTING - SEE ELECTRICAL L1-LED LIGHT: L1 = SLIM LED (DOWN ONLY) L2 = INTEGRAL CANOPY FIXTURE L3 = UP ONLY FLOOD FIXTURE
		MF	METAL FASCIA C1-TYPE: 1 = PRE-FAB ANCHOR-TITE FASCIA 2 = BOTTOM TRIM AT METAL REVEAL PANEL 3 = VERTICAL TRIM AT METAL REVEAL PANEL CORNERS, CLOSURES COLOR: C1 = WEATHERED ZINC C2 = RAL 7022
		PB	PIPE BOLLARD - PAINTED YELLOW
		PT	(RMHC) COIN COLLECTOR MODEL: #WPT STD CALL 1-888-743-7435 TO ORDER
		RO	ROOF DRAIN OVERFLOW PIPE PAINT TO MATCH SURROUNDING MATERIAL
		S	MCDONALD'S SIGNAGE BY OTHERS - UNDER SEPARATE PERMIT.
		UN	METAL UNDERSORE COLOR: GOLD
		W1	EXTERIOR WINDOW ASSEMBLY - TEMPERED GLASS COLOR: EXTRA DARK BRONZE
		W2	DRIVE-THRU WINDOW BY READY ACCESS MODEL: 600 SERIES, 36" SERVICE HEIGHT WITH TRANSOM, MANUAL OPEN; ELECTRONIC RELEASE COLOR: DEEP BRONZE SLIDE DIRECTION: RL = RIGHT TO LEFT LR = LEFT TO RIGHT

SHEET NO.	DRAWING TITLE:	BUILDING ELEVATIONS	BRAND REVIEW 05/07/16
PLOT SCALE: 1"=1'	PROJECT ADDRESS: 3509 HOMESTEAD RD SANTA CLARA, CA 95051	PLANNING 05/07/16	PERMIT -
MCA#	PROJECT CAD FILE: 2010A48002	STATE SITE CODE: 004-0166	CONSTRUCTION -
<p>PREPARED FOR:</p> <div style="text-align: center;">  <p>McDonald's USA, LLC © 2012 McDonald's USA, LLC</p> </div> <p>These drawings and specifications are the confidential and proprietary property of McDonald's USA, LLC and shall not be copied or reproduced without written authorization. The contract documents were prepared for use on this specific site in conjunction with its issue date and are intended to represent the design intent for the project. Reproduction of these drawings for reference or example on another project requires the services of properly licensed architects and engineers. Reproduction of the contract documents for reuse on another project is not authorized.</p>			
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		REV	DATE
		1	05/07/16
		2	05/07/16
			PLANNING SUBMITTAL
			LEGAL CLEARANCE
			DESCRIPTION

\\us1279-001\workgroup\2014\active\2014048002\architecture\drawing\A2-A2.2.dwg Dimscale:1 LTScale:1 Plot[Time:Jul26,2018-12:20pm Login:remiller]
Pre-plot:[AUG 09, 2011 09:50-agulterez] Xref: "x_bdr" "x_elev" Images:



1
A2.2A EXISTING DT ELEVATION (WEST)
3/16" = 1'-0" SEE DEMOLITION KEYNOTES BELOW



2
A2.2A PROPOSED DT ELEVATION (WEST)
3/16" = 1'-0"

DEMOLITION NOTES:

- | | | | |
|----|--|-----|--|
| D1 | PORTION OF (E) MANSARD TO BE REMOVED TO RECEIVE NEW FACADE | D9 | REMOVE (E) CORPORATE SIGNAGE |
| D2 | (E) BUILDING FOOTPRINT TO ALIGN WITH ROOF REMOVAL | D10 | (E) STOREFRONT DOOR TO BE REMOVED |
| D3 | REMOVE (E) LIGHT BEAM SYSTEM | D11 | PORTION OF EXTERIOR WALL TO BE REMOVED, SEE SHEET A0.1 |
| D4 | (E) STOREFRONT DOOR TO REMAIN | D12 | (E) MECHANICAL SCREEN TO BE REMOVED. |
| D5 | REMOVE (E) STOREFRONT WINDOW | | |
| D6 | REMOVE (E) BRICK VENEER | | |
| D7 | (E) BRICK VENEER TO REMAIN. | | |
| D8 | (E) DRIVE-THRU WINDOW TO REMAIN | | |

KEY NOTES:

- | | | | | | | | | | | | |
|----|--|----|--|----|--|----|--|----|--|----|---|
| AL | ALUMINUM BATTEN SYSTEM
MFR: AWNEX
SIZE: 2"x2" PROFILE
COLOR: WOOD GRAIN, BACKRAIL UNFINISHED, ENDCAP PAINTED TO MATCH
SUBSTRATE: 1/2" LP SMARTBOARD
SUBSTRATE: RAL 7022 | C2 | ALUMINUM CANOPY SYSTEM
COLOR: CHARCOAL | E | EXTERIOR INSULATION FINISH SYSTEM (E.I.F.S.)
C1—COLOR:
C1 = RAL 7022
C2 = SHERWIN WILLIAMS SW7019 "GAUNTLET GRAY" | L2 | RADIAL SCONCE LIGHT FIXTURE — SEE ELECTRICAL
C1—COLOR:
C1= WHITE
C2= PLATINUM SILVER | MF | METAL FASCIA
C1—TYPE:
1 = PRE-FAB ANCHOR-TITE FASCIA
2 = BOTTOM TRIM AT METAL REVEAL PANEL
3 = VERTICAL TRIM AT METAL REVEAL PANEL CORNERS, CLOSURES
COLOR:
C1= WEATHERED ZINC
C2= RAL 7022 | S | McDONALD'S SIGNAGE BY OTHERS — UNDER SEPARATE PERMIT. |
| AP | ALPOLIC METAL PANEL (COLOR: RAL 7022) | CJ | CONTROL JOINT
1 —TYPE: 1 = EIFS | EJ | EXPANSION JOINT, SEE DETAIL 7/A4.1 | LE | ACCENT LIGHTING — SEE ELECTRICAL
L1—LED LIGHT;
L1 = SLIM LED (DOWN ONLY)
L2 = INTEGRAL CANOPY FIXTURE
L3 = UP ONLY FLOOD FIXTURE | PB | PIPE BOLLARD — PAINTED YELLOW | W1 | EXTERIOR WINDOW ASSEMBLY — TEMPERED GLASS
COLOR: EXTRA DARK BRONZE |
| BR | MODULAR-FAGEBRICK—
COLOR:
B1 = "STEEL GREY" K12-3608 BY GLEN-GERY | CM | 7" REVEAL METAL WALL PANEL SYSTEM BY METAL ERA
C1—COLOR:
C1 = WEATHERED ZINC | FB | CO2 — CO2 = BULK CO2 FILL BOX (EQPM SCHEDULE ITEM 49.00)
BO = BULK OIL FILL BOX (EQPM SCHEDULE ITEM 700.18) | GR | GUARD RAIL —SEE SITE PLAN FOR EXACT LOCATION AND LENGTH
PAINT: RAL 7022 | PT | (RMHC) COIN COLLECTOR
MODEL: #WPT STD
CALL 1-888-743-7435 TO ORDER | W2 | DRIVE-THRU WINDOW BY READY ACCESS
MODEL: 600 SERIES, 36" SERVICE HEIGHT WITH TRANSOM, MANUAL OPEN; ELECTRONIC RELEASE
COLOR: DEEP BRONZE
SLIDE DIRECTION: RL = RIGHT TO LEFT
LR = LEFT TO RIGHT |
| C1 | ALUMINUM CANOPY SYSTEM W/FASCIA
COLOR: WHITE | D | HOLLOW METAL DOOR
PAINT: MATCH C2 | L1 | RECESSED DOWN LIGHT FIXTURE — SEE ELECTRICAL | | | RO | ROOF DRAIN OVERFLOW PIPE PAINT TO MATCH SURROUNDING MATERIAL | | |
| DE | VINYL DECAL BY GRAPHICS SUPPLIER (SUPPLIER VARIES PER REGION)
SURFACE APPLIED, FIELD INSTALLED, SEE DETAIL 7/A4.1 | | | | | | | | | | |

PREPARED FOR: McDonald's USA, LLC

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BRAND REVIEW

05/07/18

PLANNING

05/07/18

PERMIT

BID

CONSTRUCTION

—

DRAWING TITLE:

BUILDING ELEVATIONS

PROJECT ADDRESS:

3509 HOMESTEAD RD
SANTA CLARA, CA 95051

PROJECT CAD FILE:

2014048002

STATE SITE CODE:

004-0166

SHEET NO.

A2.2A

PROJECT SCALE: 1"=1'

MODEL: BDR

DATE: 05/07/18

BY: DL

REV: 1

DESCRIPTION: LEGAL CLEARANCE

DATE: 05/07/18

REV: 2

DESCRIPTION: PLANNING SUBMITTAL

DATE: 05/07/18

REV: 1

DESCRIPTION: PLANNING SUBMITTAL

DATE: 05/07/18

REV: 2

DESCRIPTION: PLANNING SUBMITTAL

DATE: 05/07/18

REV: 1

DESCRIPTION: PLANNING SUBMITTAL

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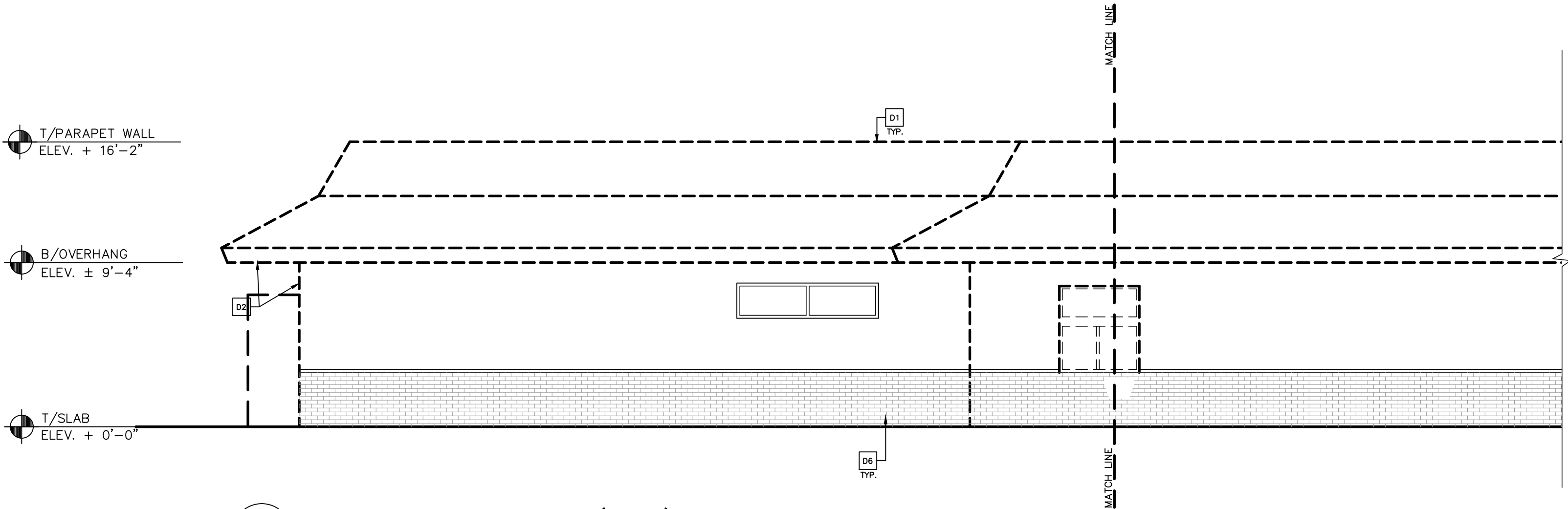
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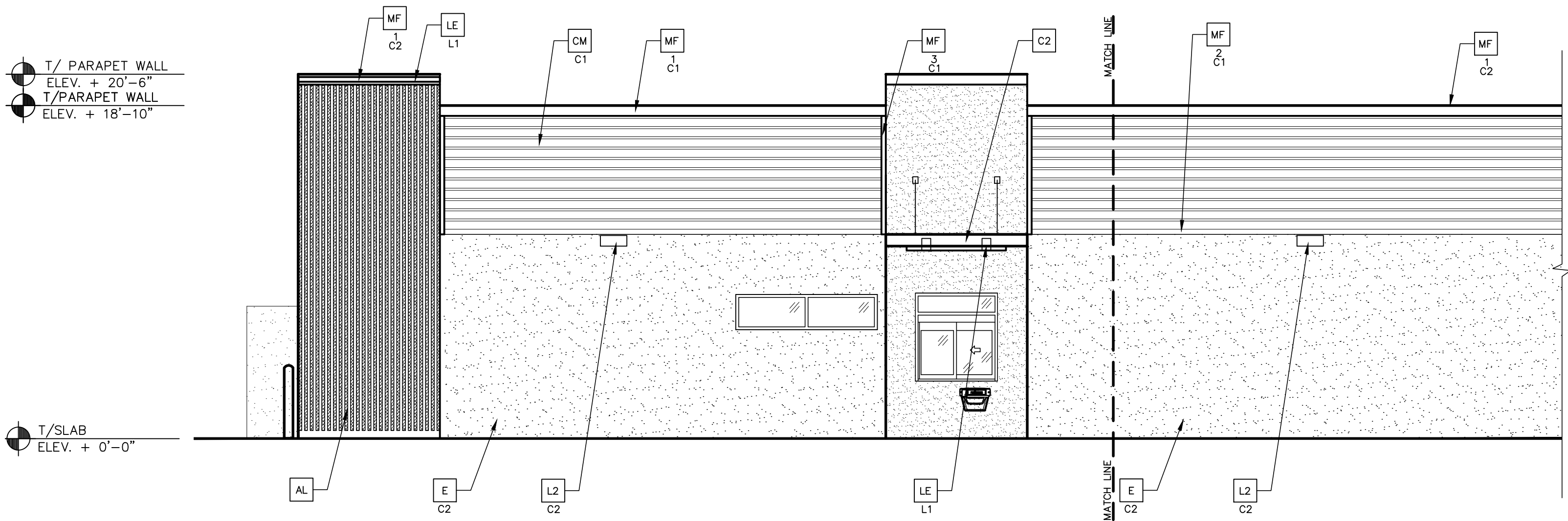
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REV: 1

\\us1279-101\workgroup\2014\active\2014048002\architecture\drawing\A2-C-A2.4.dwg Dimscale:1 Plot[Time:Jul26,2018-12:20pm Login:remiller] Pre-plot:[AUG 09, 2011 09:50-aguilerez] Xrefs: "x_bdr" "x_elev" Images:



1
A2.2B 3/16" = 1'-0" SEE DEMOLITION KEYNOTES BELOW



2
A2.2B 3/16" = 1'-0"

DEMOLITION NOTES:

- | | |
|--|---|
| <div>D1</div> PORTION OF (E) MANSARD TO BE REMOVED TO RECEIVE NEW FACADE | <div>D9</div> REMOVE (E) CORPORATE SIGNAGE |
| <div>D2</div> (E) BUILDING FOOTPRINT TO ALIGN WITH ROOF REMOVAL | <div>D10</div> (E) STOREFRONT DOOR TO BE REMOVED |
| <div>D3</div> REMOVE (E) LIGHT BEAM SYSTEM | <div>D11</div> PORTION OF EXTERIOR WALL TO BE REMOVED, SEE SHEET A0.1 |
| <div>D4</div> (E) STOREFRONT DOOR TO REMAIN | <div>D12</div> (E) MECHANICAL SCREEN TO BE REMOVED. |
| <div>D5</div> REMOVE (E) STOREFRONT WINDOW | |
| <div>D6</div> REMOVE (E) BRICK VENEER | |
| <div>D7</div> (E) BRICK VENEER TO REMAIN. | |
| <div>D8</div> (E) DRIVE-THRU WINDOW TO REMAIN | |

KEY NOTES:

- | | | | | | |
|--|--|---|--|--|---|
| <div>AL</div> ALUMINUM BATTEN SYSTEM
MFR: AWNEX
SIZE: 2"x2" PROFILE
COLOR: WOOD GRAIN, BACKRAIL UNFINISHED, ENDCAP PAINTED TO MATCH
SUBSTRATE: 1/2" LP SMARTBOARD
SUBSTRATE: RAL 7022 | <div>C2</div> ALUMINUM CANOPY SYSTEM
COLOR: CHARCOAL | <div>E</div> EXTERIOR INSULATION FINISH SYSTEM (E.I.F.S.)
C1—COLOR:
C1 = RAL 7022
C2 = SHERWIN WILLIAMS SW7019 "GAUNTLET GRAY" | <div>L2</div> RADIAL SCONCE LIGHT FIXTURE — SEE ELECTRICAL
C1—COLOR:
C1= WHITE
C2= PLATINUM SILVER | <div>MF</div> METAL FASCIA
C1—TYPE:
1 = PRE-FAB ANCHOR-TITE FASCIA
2 = BOTTOM TRIM AT METAL REVEAL PANEL
3 = VERTICAL TRIM AT METAL REVEAL PANEL CORNERS, CLOSURES
COLOR:
C1= WEATHERED ZINC
C2= RAL 7022 | <div>S</div> MCDONALD'S SIGNAGE BY OTHERS — UNDER SEPARATE PERMIT. |
| <div>AP</div> ALPOLIC METAL PANEL (COLOR: RAL 7022) | <div>C3</div> ALUMINUM CANOPY TIEBACK
COLOR: CHARCOAL | <div>EJ</div> EXPANSION JOINT, SEE DETAIL 7/A4.1 | <div>LE</div> ACCENT LIGHTING — SEE ELECTRICAL
L1—LED LIGHT;
L1 = SLIM LED (DOWN ONLY)
L2 = INTEGRAL CANOPY FIXTURE
L3 = UP ONLY FLOOD FIXTURE | <div>UN</div> METAL UNDERSCORE
COLOR: GOLD | <div>W1</div> EXTERIOR WINDOW ASSEMBLY — TEMPERED GLASS
COLOR: EXTRA DARK BRONZE |
| <div>BR</div> MODULAR-FACEBRICK—
B1—COLOR:
B1 = "STEEL GREY" K12-3608 BY GLEN-GERY | <div>CJ</div> CONTROL JOINT
1 —TYPE: 1 = EIFS | <div>FB</div> C02— C02 = BULK C02 FILL BOX (EQPM SCHEDULE ITEM 49.00)
B0 = BULK OIL FILL BOX (EQPM SCHEDULE ITEM 700.18) | <div>PT</div> (RMHC) COIN COLLECTOR
MODEL: #WPT STD
CALL 1-888-743-7435 TO ORDER | <div>W2</div> DRIVE-THRU WINDOW BY READY ACCESS
MODEL: 600 SERIES, 36" SERVICE HEIGHT WITH RELEASE
COLOR: DEEP BRONZE
SLIDE DIRECTION: RL = RIGHT TO LEFT
LR = LEFT TO RIGHT | |
| <div>CM</div> 7" REVEAL METAL WALL PANEL SYSTEM BY METAL ERA
C1—COLOR:
C1 = WEATHERED ZINC | <div>D</div> HOLLOW METAL DOOR
PAINT: MATCH C2 | <div>GR</div> GUARD RAIL —SEE SITE PLAN FOR EXACT LOCATION AND LENGTH
PAINT: RAL 7022 | <div>RO</div> ROOF DRAIN OVERFLOW PIPE PAINT TO MATCH SURROUNDING MATERIAL | | |
| <div>C1</div> ALUMINUM CANOPY SYSTEM W/FASCIA
COLOR: WHITE | <div>DE</div> VINYL DECAL BY GRAPHICS SUPPLIER (SUPPLIER VARIES PER REGION)
SURFACE APPLIED, FIELD INSTALLED, SEE DETAIL 7/A4.1 | <div>L1</div> RECESSED DOWN LIGHT FIXTURE — SEE ELECTRICAL
COLOR: GOLD | | | |

PREPARED FOR: McDonald's USA, LLC

McDonald's USA, LLC

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BRAND REVIEW
05/07/18

PLANNING
05/07/18

PERMIT
—

BID
—

CONSTRUCTION
—

DRAWING TITLE:
BUILDING ELEVATIONS

PROJECT ADDRESS:
3509 HOMESTEAD RD
SANTA CLARA, CA 95051

PROJECT CAD FILE:
2014048002

STATE SITE CODE:
004-0166

SHEET NO.
A2.2B

PROJECT SCALE: 1"=1' MDA-BOR



Stantec Architecture Inc.
38 Technology Drive
Irvine, CA U.S.A. 92618
Tel. 949.923.6000
Fax. 949.923.6190
www.stantec.com

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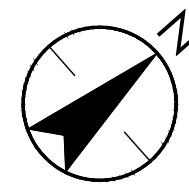
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PROJECT CAD FILE:
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STATE SITE CODE:
004-0166

SHEET NO.
A2.2B

PROJECT SCALE: 1"=1' MDA-BOR



GENERAL NOTES

1. ALL PLANTING AREAS SHALL HAVE A 2" LAYER OF ORGANIC COMPOST ROTOTILLED TO A DEPTH OF 4", THEN COVERED WITH RECYCLED PAPER AS A BIODEGRADABLE WEED SUPPRESSANT AND TOPDRESSED WITH A 3" (MINIMUM) DEEP LAYER OF 3/4" MINUS WOOD CHIP MULCH.
2. REFER TO ARCHITECTURAL AND CIVIL PLANS FOR DESCRIPTIONS OF ELEMENTS NOT IDENTIFIED ON THIS PLAN.
3. OBSERVE THE FOLLOWING MINIMUM SETBACK DISTANCES FOR TREE PLANTING :

BETWEEN STREET TREES	= 30 FT.
DRIVEWAY CUTS AND FIRE HYDRANTS	= 7 FT.
UTILITY BOXES, MANHOLE AND OTHER UTILITY VAULTS, TELEPHONE AND OTHER UTILITY POLES, GAS AND WATER METER, AND MAINS	= 5 FT.
4. ALL SURFACE AND SUB-SURFACE SWALES, DRAINAGE STRUCTURES AND PATTERNS SHALL BE MAINTAINED.
5. A LICENSED LANDSCAPE MAINTENANCE CONTRACTOR WILL BE RETAINED TO PERFORM ROUTINE MAINTENANCE DUTIES.
6. LOCATIONS AND QUANTITIES OF EXISTING LANDSCAPE MATERIALS ARE APPROXIMATE.
7. PLANTER SOIL SHALL BE AMENDED AS DESCRIBED BY A LABORATORY SOIL ANALYSIS. ORGANIC COMPOST AND AMENDMENT TO BE USED.
8. LANDSCAPE CONSTRUCTION WASTE TO BE RECYCLED PER LOCAL CODES AND REQUIREMENTS.
9. NO PLANTS SELECTED REQUIRE SHEARING
10. OBTAIN ALL MATERIALS LOCALLY (WITHIN 50 MILES) AS POSSIBLE.
11. EROSION CONTROL MATTING TO BE USED ON ALL SLOPES 3:1 AND GREATER.
12. EXISTING TREES TO REMAIN TO BE PROTECTED PER ISA CERTIFIED ARBORIST AND/OR LOCAL TREE ORDINANCE.

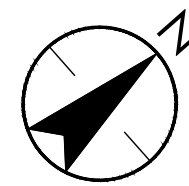


** GROUND COVERS TO EXTEND UNDER SHRUBS AND TREES WHICH IS NOT SHOWN ON THE PLAN DUE TO LEGIBILITY. CONTRACTOR TO INCLUDE SUFFICIENT PLANTS TO ACCOMPLISH THE SPACING SHOWN IN SHRUB BEDS TO WITHIN 3' OF EACH PLANTED SHRUB.

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Agenda Report

18-1555

Agenda Date: 12/12/2018

REPORT TO PLANNING COMMISSION

SUBJECT

Action on Variance from Parking Requirement for the Property at 417 Maria Street

BACKGROUND

The applicant requests approval of a variance to the covered parking requirement of the R1-6L Single Family Zoning District in order to move forward with a proposed 980 square foot living area addition to the rear of an existing house. The property was originally developed with a house and attached one-car garage in 1951, predating the City's requirement for two covered parking spaces pursuant to Section 18.12.120(a) of the Santa Clara City Code (SCCC).

The proposal is subject to the parking requirements of the Zoning Code unless a variance is granted by the Planning Commission.

Pursuant to Chapter 18.108 of the City's Zoning Ordinance, where practical difficulties, unnecessary hardships and effects inconsistent with the general purposes of the Zoning Code may result from the strict application of certain provisions, variances may be granted.

DISCUSSION

The application proposes to remodel the existing two-bedroom and one-bathroom house, and to add two additional bedrooms, one and one-half additional bathrooms and to expand the kitchen, dining and living room common area of the house. The proposed addition would result in a four-bedroom/two and one-half bathroom house. The project proposes to maintain an existing legal non-conforming one-car garage with substandard inside dimensions of 10'4" in width and 22'4" in depth.

To meet the City's two-car covered parking requirement with the living area addition, a significant alteration to the existing floor plan would be necessary to accommodate construction of a new garage or carport for two-car covered parking. The interior clearance requirements for new garage/carport construction are 20 feet by 20 feet for side-by-side parking of two vehicles. The subject property is a relatively narrow lot measuring 50 feet in width, where properties in R1-6L zoning districts are required to be at least 60 feet in width. The existing residence measures 38'9" in width, and construction of a new two-car garage would result in a home design that overemphasizes the garage and would thereby appear out of character with the other houses with mostly one-car garages on the block. The construction of an attached two-car garage would also require reduction to the covered front entry porch, relocation of the front bedroom and living area to another part of the house, and reconfiguration of open living area and bedrooms in the home.

Consistency with the General Plan and Zoning

General Plan Consistency

The project site has a General Plan land use designation of Very Low Density Residential. This designation is intended for residential densities up to 10 units per acre and is typically represented in detached single-family neighborhoods. The proposed project to maintain an existing one-car garage is consistent with General Plan Land Use Policy 5.3.1-P3: Support high quality design consistent with the adopted design guidelines and the City's architectural review process. The required two-car garage would cause the design of the house to depart from the established neighborhood character of homes with predominantly one-car attached garages. The project is further supported by the following General Plan Residential Land Use Goals:

5.3.2 G2: A variety of housing types, sizes, location and tenure in order to maintain social and economic diversity in the City.

5.3.2 G4: Respect for the existing character and quality of adjacent neighborhoods from new residential development and redevelopment.

Zoning Conformance

The project is consistent with the R1-6L zoning designation for the property, in that the proposed addition complies with the minimum side yard and rear yard building setback requirements, maintains useable private rear yard open space, does not exceed allowable lot coverage for the property, and would continue to be in keeping with the neighborhood character.

However, the project is not consistent with SCCC Section 18.12.120(a), minimum parking requirements, which requires each single-family property provide two covered parking spaces. As the subject property is located within a tract of one-story homes with attached one-car garages as originally constructed, a two-car garage would be less consistent with the building form and architecture of existing residences along the streetscape, and may be difficult to design in keeping with the neighborhood character as required through the City's architectural review process under Chapter 18.76 of the Zoning Ordinance. Therefore, the Variance is being sought to address the parking requirement. The expansion would not intensify the existing use of the property since it would remain a single family detached dwelling, and be occupied by a single housekeeping unit. Therefore the existing parking provided would continue to support one household. Additionally, one existing uncovered parking space is available in front of the existing garage, and the applicant proposes to widen the driveway by nine feet to provide two off-street driveway parking spaces for the property in front of the one car garage.

Circulation and Parking

An existing one-car wide driveway pad measuring approximately 17 feet wide x 24 feet deep in front of the garage provides access to the one-car garage. While it would be difficult to provide the required two covered parking spaces on this property, the applicant is proposing to improve the off-street parking by relocating an existing washing machine and door to the house within the garage to achieve the minimum required 20-foot depth while still allowing the residents to gain entry to the home from the garage. The applicant is further proposing to widen the driveway in the front yard by approximately nine feet to provide room for an additional off street parking space in the front yard, bringing the proposed front yard paving to just over fifty percent (less than the maximum 65 percent allowed).

Conclusion

Given the substandard lot width and location in which the house was constructed on the property, it is not possible to enlarge the garage outward to the side without encroaching into the required side yard setback; and is not practicably possible to enlarge the garage inward into the living area of the house without substantial demolition and reconstruction of the existing structure. Therefore, the proposed project meets the purpose and intent of the Zoning Code in that the enforcement of the two covered parking requirement for this property would result in practical difficulties and create unnecessary hardship for the applicant to implement a minor expansion of the single family residence. The findings required for a variance are included in the attached resolution.

ENVIRONMENTAL REVIEW

The proposed is categorically exempt from the California Environmental Quality Act (CEQA) per Section 15303(a), Class 3 New Construction or Conversion of Small Structures, which exempts the construction of up to three single-family residences on properties in urbanized areas.

FISCAL IMPACT

There is no cost to the City other than administrative staff time and expense for the typically covered by processing fees paid by the applicant.

COORDINATION

This report was coordinated with the City Attorney's Office.

PUBLIC CONTACT

On November 30, 2018, a notice of public hearing of this item was posted in three conspicuous locations within 300 feet of the project site and mailed to property owners within 300 feet of the project site. At the time of preparation of this report no comments related to this project were received from the public.

RECOMMENDATION

Adopt a Resolution approving a Variance from the two covered parking spaces requirement for the property located at 417 Maria Street subject to conditions of approval.

Prepared by: Jeff Schwilk, AICP, Associate Planner

Reviewed by: Diana Fazely, Deputy City Attorney

Reviewed by: Reena Brilliot, Planning Manager

ATTACHMENTS

1. Project Summary Data and Maps
2. Development Plans
3. Statement of Justification
4. Resolution Approving the Variance
5. Conditions of Approval

1. Project Summary Data and Maps – 417 Maria Street

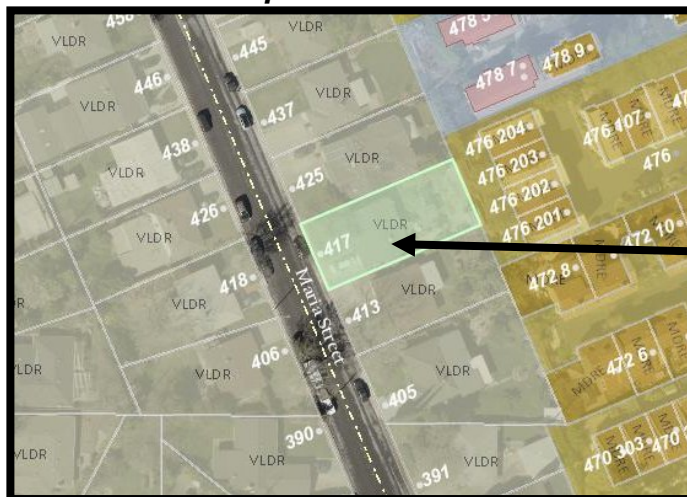
File: PLN2018-13361
Location: 417 Maria Street, a 5,800 square foot lot, located on the east side of Maria Street Drive, approximately 470 feet south of Bellomy Street, APN: 269-39-064.
Applicant / Owner: Beulah Johns
CEQA Determination: Categorically Exempt Per Section 15303(a) – New Construction

	Existing	Proposed
General Plan Designation	Very Low density Residential	Same
Zoning District	Single Family Residential (R1-6L)	Same
Land Use	Single Family Residential	Same
Lot Size	5,800	Same
Living Area	832	1,812
Garage	262	262
Accessory Building/Shed	82	82
Porch Cover	24	24
Gross Floor Area (sf)	1,094	2,074
Lot Coverage	1,282 / 5,800 = 22%	2,180 / 5,995 = 36%
Bedrooms/Bathrooms	2 / 1	4 / 2.5

Site Location and Context

Surrounding Land Uses: The project site is located in a residential tract developed predominantly with one-story single family homes having attached one-car garages. The residences bordering the project site to the north and south and across Maria Street to the west are one-story ranch style single family homes with attached one-car garages. The project site is bordered to the east (rear) by a residential planned development consisting of attached two-story townhouses.

General Plan Map



The General Plan designation for the project site and surrounding properties is Very Low Density Residential. This designation allows residential densities of up to 10 units per acre with development that is single family in scale and character.

Project Site
 Very Low Density Residential

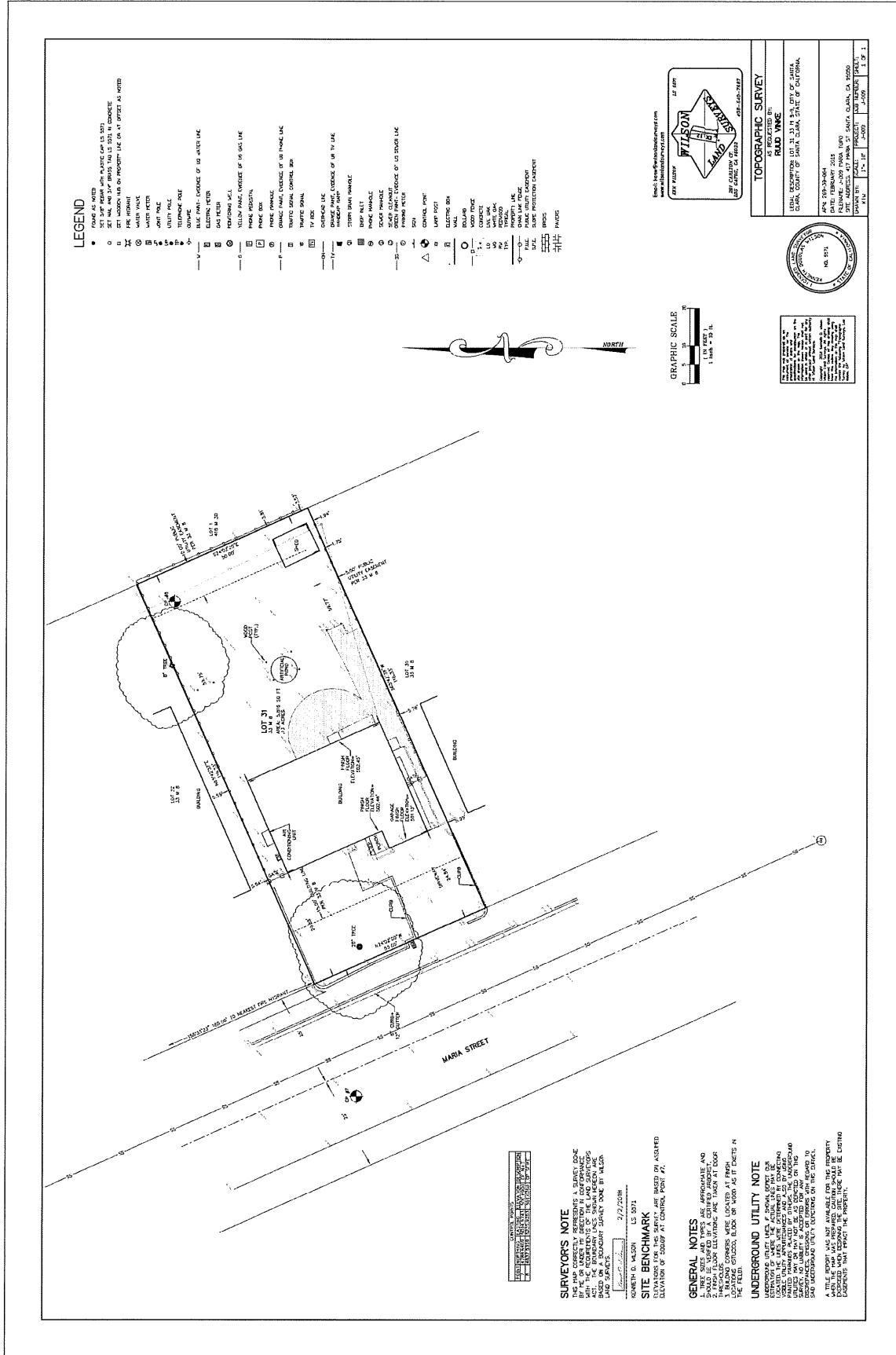
1. Project Summary Data and Maps – 417 Maria Street

Zoning Map



The project site and bordering properties to the north, south and east are zoned R1-6L, and the two-story townhouses bordering the site to the east are zoned PD - Planned Development.

Project Site
Single Family Residential



SCALE: AS NOTED
DE-AN 2N;
DATE: 10-03-18
SHEET TITLE:
EXISTING/ DEMO FLOOR PLAN 1-1.0

Architectural floor plan of an existing building, labeled "EXISTING/ DEMO FLOOR PLAN" and "SCALE: 1/8" = 1'-0". The plan shows a complex layout with multiple rooms, including a large central hall, several smaller rooms, and a kitchen area. Dimensions are provided for various sections and overall building measurements. A north arrow is located in the upper right corner.



417 MARA ST.
SANTA ANA, CA 92705

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8	2014/15
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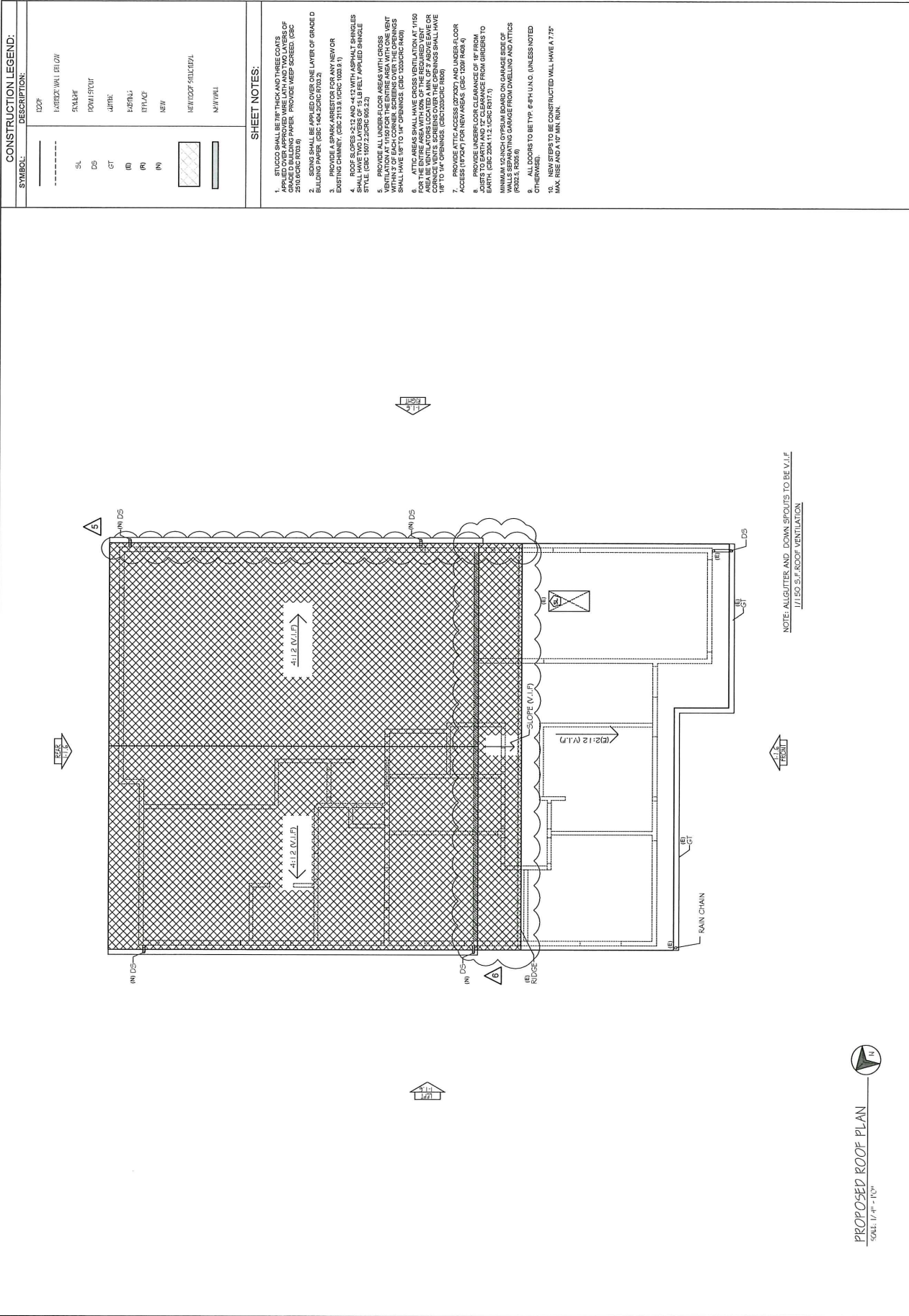
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DATE: 10-03

SHEET TITLE:

PROPOSED
PLAN
1-11

$$50.1 - 10.4 = 39.7$$



1. STUCCO SHALL BE 7/8" THICK AND THREE COATS APPLIED TO SPACING REINFORCING BARS OF GRADE D BUILDING PAPER. PROVIDE WEEP SCREEN. (CSC 2510 & CSC 2702.6)
2. SIDING SHALL BE APPLIED OVER ONE LAYER OF GRADE D BUILDING PAPER. (CSC 1602.2 AND CSC 2702.2)
3. PROVIDE A SPARK ARRESTOR FOR ANY NEW OR EXISTING CHIMNEY. (CSC 1003.1)
4. ROOF SLOPES 2:12 AND 4:12 WITH ASPHALT SHINGLES SHALL HAVE TWO LAYERS OF 15 LB FELT APPLIED SINGLE STYLE. (CSC 1507.2 & CSC 605.2)

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[illegible]

EXISTING
EXTERIOR
ELEVATIONS
1-1.5

① SCALE: 1/4" = 1'-0"



SCALE 1/4" = 1'-0"



5. 01-11-01



SCALE: 1" = 1'-0"



EXISTING EXTERIOR ELEVATIONS

Ruud Vinke and Zong Ying Su
417 Maria St
Santa Clara, CA 95050
650-646-8402

City of Santa Clara, Planning Commission
1500 Warburton Ave
Santa Clara, CA 95050

Subject: Statement of justification for Variance application

October 16th, 2018

Dear Planning Commission Chair,

We are submitting this Variance application for expanding our house towards the rear side at 417 Maria St, Santa Clara. Without this expansion, we face great personal hardship due to limited accommodation, comprising of only two small bedrooms, and only one bathroom. We bought this two-bedroom house in May 2016 with the intention of expanding the house to accommodate the needs of our family. We eagerly worked together with our home designer but were surprised to learn that for any addition over 500 square feet, it requires the homes to have a 2 car garage, instead of keeping the existing 1-car garage.

After discussing various options with experts, we have concluded that adding another parking space to this property is very challenging for us. The narrow width of the lot would necessitate a major reconstruction of the front of the house. Specifically, the garage would need to be extended towards the living room, presenting practical difficulties, as a complete redesign and reconstruction of the living room would be necessary as well. Such a project would be very expensive and would likely damage aspects of the house that we love. The overall ambiance would be disturbed and make the house an oddity in the middle of most of the single-garage houses in the immediate neighborhood.

Such an undertaking would also be significantly beyond our budget. That would likely force us to give up our home and the neighborhood we have grown to love. Our neighbors are kind and considerate, and socially we are well integrated with them. In all respects, it is a lovely neighborhood well suited for a quiet living and raising children. We would not want to uproot ourselves from here.

We have also learned that several home owners in the neighborhood have previously submitted a Variance request in the past for similar house extensions over 500 square feet, while keeping a 1-car garage, and were approved by the City.

We are a small but growing family and while we are grateful for what we have, our current living space is not adequate and this has caused great impact on our quality of life. As mentioned, the proposed expansion is towards the rear side of the house. It would not in any manner have a negative impact on the neighborhood.

We are proposing to relocate the washer to the back wall, to meet the city requirement of 20 feet depth for the existing 1 car garage.

We request the City Council to consider our hardships and grant our request for Variance so that we can truly enjoy this home as we had hoped to when we bought it.

Sincerely,

Ruud Vinke and Zong Ying Su
Homeowners 417 Maria St, Santa Clara

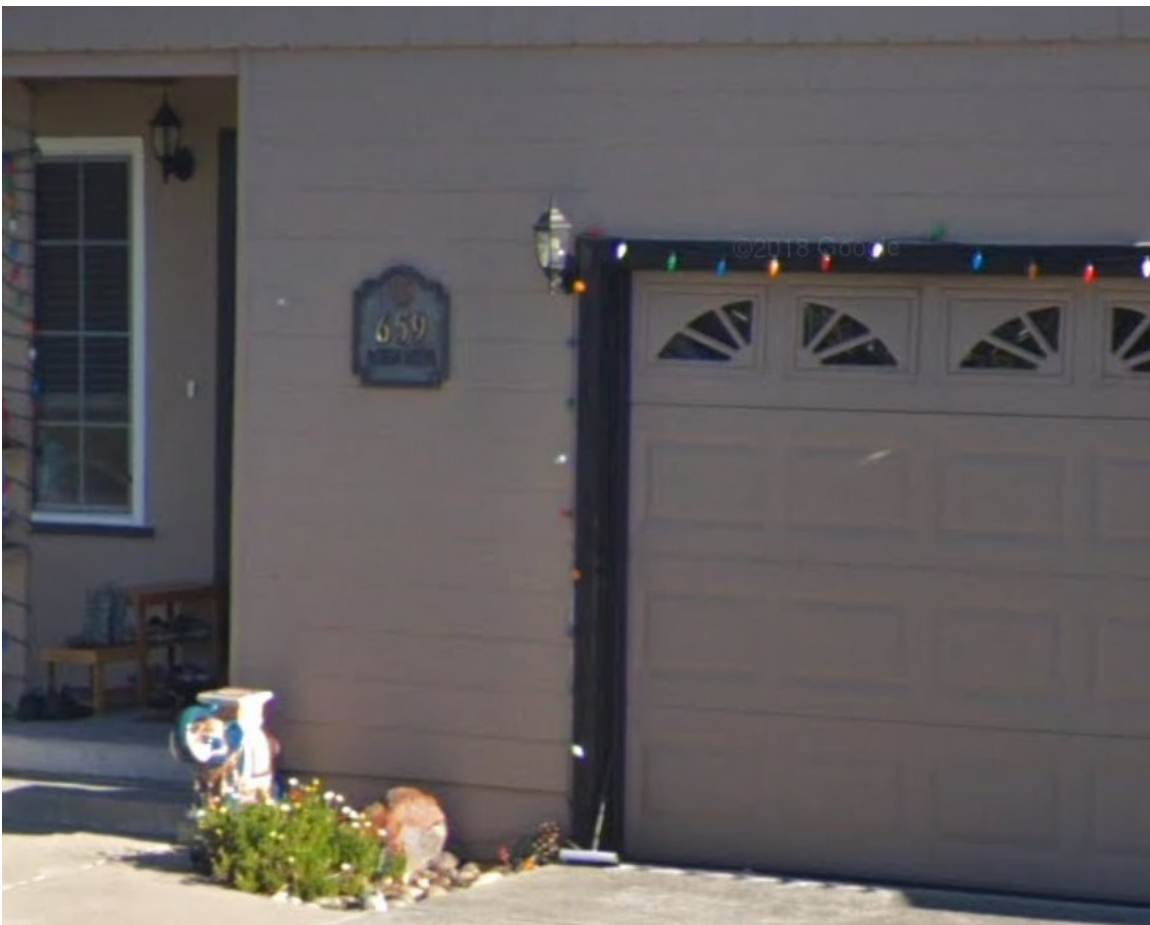
Approved variance requests for house extensions over 500 square feet with a 1-car garage:

425 Maria St, Santa Clara



Approved variance requests for house extensions over 500 square feet with a 1-car garage:

659 Robin Dr, Santa Clara



RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA APPROVING A VARIANCE TO THE TWO-CAR COVERED PARKING REQUIREMENT TO CONSTRUCT A 980 SQUARE FOOT ADDITION TO A SINGLE FAMILY RESIDENCE WITH AN ATTACHED ONE-CAR GARAGE LOCATED AT 417 MARIA STREET, SANTA CLARA

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, Andrea Su and Ruud Vinke (“Property Owner”) filed a Planning Application (PLN2018-13361) requesting a Variance for the property located at 417 Maria Street (APN: 269-39-064) (“Project Site”) in the City of Santa Clara;

WHEREAS, the Project Site is zoned Single Family Residential (R1-6L);

WHEREAS, the General Plan designation for the Project Site is Very Low Density Residential, which is intended to allow up to 10 dwelling units per acre; and,

WHEREAS, the Property Owner has submitted an application for a Variance to the City’s two-car covered parking requirement in order to construct a 980 square foot living area addition at the rear of an existing two-bedroom and one-bathroom single family residence with attached one-car garage, resulting in a four-bedroom, two- and one-half-bathroom house with an attached one-car garage;

WHEREAS, the Project is Categorically Exempt per Section 15303(a), New Construction or Conversion of Small Structures, of the Guidelines of the California Environmental Quality Act (“CEQA”), Public Resources Code § 21000 *et seq*, which exempts the construction of up to three single-family residences on properties in urbanized areas, in that the project would increase the floor area of the existing single-family residence by more than 50 percent from 832 square feet to 1,812 square feet;

WHEREAS, on November 30, 2018 the notice of meeting date for this item was posted within 300 feet of the Project Site and mailed to property owners within a 300 foot radius of the Project Site; and,

WHEREAS, on December 12, 2018 the Planning Commission held a duly noticed public hearing to consider the Variance application, during which the Planning Commission invited and considered any and all verbal and written testimony and evidence offered in favor of and in opposition to the proposed Variance.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That the Planning Commission hereby approves the Variance to the two-car covered parking requirement in order to allow construction of a 980 square foot addition to the existing single family residence with an attached one-car garage that is to remain.
3. That pursuant to SCCC Section 18.108.040, the Planning Commission determines that the following findings exist in support of the Variance:

A. That there are unusual conditions applying to the land or building, in the same district, in that the property is a narrow lot and that replacement construction of the existing one-car garage with a two-car garage would occupy a large percentage of the lot frontage and require significant demolition and reconstruction of the home, thereby creating a practical difficulty for the Property Owner. Furthermore, the property is located in a residential neighborhood originally constructed with one-story homes with attached one-car garages, and that replacement construction of the existing garage with a two-car garage would result in a house design less compatible with the established neighborhood.

B. That the granting of the Variance is necessary for the preservation and enjoyment of substantial property rights of the Property Owner, in that the proposal would

provide additional living area to meet family needs without necessitating a significant remodel and reconstruction of the home, creating a greater hardship than is generally expected for similar requests.

C. That the granting of such Variance will not, under the circumstances of the particular case, materially affect adversely the health, safety, peace, comfort, or general welfare of persons residing or working in the neighborhood of the Project Site, and will not be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood, in that the proposed Project is the construction of a rear addition to the existing single family residence that is not visible from the street; is designed in keeping with the existing building form, materials and roofline; and, retains the existing one-car garage. Furthermore, the expansion would not intensify the existing use of the property since it would remain a single family dwelling.

D. That the granting of the Variance is in keeping with the purpose and intent of the Zoning Ordinance, in that the Project is compatible with the use, scale and architectural style of the homes in the surrounding neighborhood and is consistent with City's Single Family and Duplex Residential Design Guidelines.

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3. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 12th DAY OF DECEMBER, 2018, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments Incorporated by Reference:
1. Conditions of Approval
2. Development Plans

I:\PLANNING\2018\Project Files Active\PLN2018-13361 417 Maria St\Resolution Approving the Variance.doc

CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL

In addition to complying with all applicable codes, regulations, ordinances and resolutions, the following **conditions of approval** are recommended:

GENERAL

- G1. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.
- G2. Comply with all applicable codes, regulations, ordinances and resolutions.

ATTORNEY'S OFFICE

- A1. The Developer agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed by a third party against the City by reason of its approval of developer's project.

COMMUNITY DEVELOPMENT

- C1. Obtain required permits and inspections from the Building Official and comply with the conditions thereof.
- C2. The 2016 California Residential Building Code, Section R313.2, requires the installation of an automatic sprinkler system in a new or rebuild single family home. The definition of "rebuild" used by the City of Santa Clara Building Division is:
 - 1. More than 50% of the existing exterior walls or existing roof are demolished, OR,
 - 2. Greater than 75% of the interior space is being reconfigured.Note: it is important to note that the existing walls to remain shall have existing exterior or interior finishes remaining on one side of walls. Existing walls without finishes on both sides will be considered as new walls.
- C3. Submit plans to the Planning Division for final architectural review and approval prior to application for building permits.
- C4. The existing on-site driveway pad in the front yard shall be widened by nine feet toward the interior as indicated on the project site plan to accommodate one additional on-site parking space, for an overall width of approximately 24 feet allowing for the addition of a few feet of landscaping along the south side property line. The attached one-car garage shall remain accessible and unobstructed for vehicle parking.

ENGINEERING

- E1. Obtain site clearance through Engineering Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Engineering Department at (408) 615-3000 for further information.
- E2. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be included within a Single Encroachment Permit issued by the City Engineering Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.
- E3. Existing shed shall be removed from public utility easement.
- E4. Reconstruct driveway approach to current City standards, ST-4 (modified).

CONDITIONS OF APPROVAL

ELECTRICAL

- EL1. Prior to submitting any project for Electric Department review, applicant shall provide a site plan showing all existing utilities, structures, easements and trees. Applicant shall also include a "Load Survey" form showing all current and proposed electric loads. A new customer with a load of 500KVA or greater or 100 residential units will have to fill out a "Service Investigation Form" and submit this form to the Electric Planning Department for review by the Electric Planning Engineer. Silicon Valley Power will do exact design of required substructures after plans are submitted for building permits.
- EL2. The Developer shall provide and install electric facilities per Santa Clara City Code chapter 17.15.210.
- EL3. Electric service shall be overhead. See Electric Department Rules and Regulations for available services.
- EL4. Installation of underground facilities shall be in accordance with City of Santa Clara Electric Department standard UG-1000, latest version, and Santa Clara City Code chapter 17.15.050.
- EL5. Overhead services shall be installed per City of Santa Clara Electric Department standard OH-550, MS-G6, and MS-G7 latest revision.
- EL6. The developer shall grant to the City, without cost, all easements and/or right of way necessary for serving the property of the developer and for the installation of utilities (Santa Clara City Code chapter 17.15.110).
- EL7. All trees, existing and proposed, shall be a minimum of five (5) feet from any existing or proposed Electric Department facilities. Existing trees in conflict will have to be removed. Trees shall not be planted in PUE's or electric easements.
- EL8. Any relocation of existing electric facilities shall be at Developer's expense.
- EL9. The developer shall provide the City, in accordance with current City standards and specifications, all trenching, backfill, resurfacing, landscaping, conduit, junction boxes, vaults, street light foundations, equipment pads and subsurface housings required for power distribution, street lighting, and signal communication systems, as required by the City in the development of frontage and on-site property. Upon completion of improvements satisfactory to the City, the City shall accept the work. Developer shall further install at his cost the service facilities, consisting of service wires, cables, conductors, and associated equipment necessary to connect a customer to the electrical supply system of and by the City. After completion of the facilities installed by developer, the City shall furnish and install all cable, switches, street lighting poles, luminaries, transformers, meters, and other equipment that it deems necessary for the betterment of the system (Santa Clara City Code chapter 17.15.210 (2)).
- EL10. Electrical improvements (including underground electrical conduits along frontage of properties) may be required if any single non-residential private improvement valued at \$200,000 or more or any series of non-residential private improvements made within a three-year period valued at \$200,000 or more (Santa Clara City Code Title 17 Appendix A (Table III)).
- EL11. Encroachment permits will not be signed off by Silicon Valley Power until Developers Work substructure construction drawing has been completed.
- EL12. All SVP-owned equipment is to be covered by an Underground Electric Easement (U.G.E.E.) This is different than a PUE. Only publically-owned dry utilities can be in a UGEE. Other facilities can be in a joint trench configuration with SVP, separated by a 1' clearance, providing that they are constructed simultaneously with SVP facilities. See UG 1000 for details.
- EL13. Proper clearance must be maintained from all SVP facilities, including a 5' clearance from the outer wall of all conduits. This is in addition to any UGEE specified for the

CONDITIONS OF APPROVAL

facilities. Contact SVP before making assumptions on any clearances for electric facilities.

- EL14. All existing SVP facilities, onsite or offsite, are to remain unless specifically addressed by SVP personnel by separate document. It is the Developers responsibility to maintain all clearances from equipment and easements. Developer to contact SVP outside of the PCC process for clear definitions of these clearance requirements. Developer should not assume that SVP will be removing any existing facilities without detailed design drawings from SVP indicating potential removals. *Simply indicating that SVP facilities are to be removed or relocated on conceptual plans does not imply that this action has been approved by SVP.*
- EL15. Applicant is advised to contact SVP (CSC Electric Department) to obtain specific design and utility requirements that are required for building permit review/approval submittal. Please provide a site plan to Leonard Buttitta at 408-615-6620 to facilitate plan review.

WATER

- W1. If fire sprinkler is required, the applicant shall abandon existing 5/8" water service and install new 1" water service to meeting the fire sprinkler water usage demand.
- W2. If fire flow information is needed, applicant shall coordinate with Water Department at (408) 615-2000.
- W3. The applicant must indicate the disposition of all existing water and sewer services and mains on the plans.
- W4. Applicant shall adhere to and provide a note indicating all horizontal and vertical clearances. The applicant shall maintain a minimum 12" of vertical clearance at water service crossing with other utilities, and all required minimum horizontal clearances from water services: 10' from sanitary sewer utilities, 10' from recycled water utilities, 8' from storm drain utilities, 5' from fire and other water utilities, 3' from abandoned water services, 5' from gas utilities, and 5' from the edge of the propose or existing driveway. For sanitary sewer, water, and recycled water utilities, the applicant shall maintain a minimum horizontal clearance (edge to edge) of 10' from existing and proposed trees. If applicant installs tree root barriers, clearance from tree reduces to 5' (clearance must be from the edge of tree root barrier to edge of water facilities).

PARKS AND RECREATION

- PR1. A dwelling unit tax (DUT) is due based on the number of additional bedrooms per City Code Chapter 3.15. The Project includes an addition resulting in a four bedroom residence (two additional bedrooms) for a total DUT of \$10.
- PR2. Calculations may change if the project scope changes or does not conform to City Code Chapter 17.35 or Chapter 3.15.



Agenda Report

18-1228

Agenda Date: 12/12/2018

REPORT TO PLANNING COMMISSION

SUBJECT

Public Hearing: Action on a Rezone for the Development of Three Single-family Dwellings Located at 1444 Madison Street and 1411 Lewis Street

REPORT IN BRIEF

Project: Rezoning to Planned Development (PD) and subdivision of a parcel into three parcels to support the construction of three new single-family dwellings

Applicant: Greg Mussallem

General Plan: Very Low Density Residential

Zoning: Medium-density Multiple Dwelling (R3-36D)

Site Area: 13,175 square feet (0.3 acres)

Existing Site Conditions: Developed with a two-story single family house with a detached garage (1411 Lewis Street), and a duplex (1444 Madison Street)

Surrounding Land Uses

North: Multifamily apartments

South: One- and two-story single-family residences

East: One- and two-story single-family residences

West: Multifamily apartments

Issues: Consistency with the City's General Plan, Zoning Ordinance and Design Guidelines

Staff Recommendation: Alternative 1: Recommend that the City Council approve the Rezone from Medium-density Multiple Dwelling (R3-36D) to Planned Development (PD) for the development of three detached single-family dwellings on the property located at 1444 Madison Street.

BACKGROUND

The site is at the northwest corner of Madison Street and Lewis Street. The project site is currently developed with two primary structures, a two-story single family house with a detached garage (1411 Lewis Street), and a duplex (1444 Madison Street). A number of smaller sheds are also situated on the property. The proposed development would demolish all existing structures.

Prior to submitting the current applications, the project site was reviewed for historical significance by the Historical and Landmarks Commission (HLC) based on the age and Vernacular style of the residence on 1411 Lewis Street. At a noticed public hearing on April 5, 2018, the HLC reviewed the historical eligibility of the existing structures on the property for listing on the City's Historical Resource Inventory (HRI) and made a recommendation that the City Council deem the site ineligible for listing on the HRI and also recommended that the City require submittal of a replacement plan prior to granting approval of demolition. Subsequently at the May 29, 2018 Council meeting the City

Council deemed the site ineligible for listing on the HRI, allowing the applicant to conduct demolition of the existing residence in conjunction with a development proposal for the site without additional analysis for historical impacts.

The current application for rezoning and subdivision of the property was also subsequently reviewed by the HLC on October 4, 2018 because the property is located within 200 feet of three listed resources on the HRI. The HLC determined the current proposal to be compatible with the neighborhood and adjacent historic resources and consistent with the City's Design Guidelines as they pertain to historical compatibility. Excerpts of the HLC meeting minutes are attached to this report.

DISCUSSION

The primary issues for consideration are the consistency of the proposed rezoning with the City's General Plan, Zoning Ordinance and Design Guidelines. Pursuant to Santa Clara Code Section 17.05.110, the proposed Parcel Map application is referred directly to the City Council for consideration and the Planning Commission does not make recommendation on minor subdivisions of four or fewer lots.

General Plan:

The 2010-2035 General Plan land use designation for the subject property is Very Low Density Residential and the property is zoned for Medium-Density Multiple Dwelling. The project data, aerial map, zoning map, and General Plan map are provided in the attached Project Data Sheet.

The proposed development is consistent with the General Plan land use in that the proposal is within the density range of up to 10 dwelling units per acre and is compatible with the immediate neighborhood that has a mix of residential types including multi-family apartments, mixed-use development and single-family residences. The proposal would provide three new homeownership residences for the City's housing stock and activate the northwest corner of Madison Street and Lewis Street with new landscape and sidewalk improvements.

The proposed single-family home is consistent with other General Plan Transitional Goals and Policies (Goals 5.5.2-G2 and 5.5.2-G3; Policies 5.5.2-P5 and 5.5.2-P6) that focus on preserving neighborhood identity, ensuring continuity in design, and providing an appropriate transition between existing land uses.

Zoning Ordinance

The existing development standards for the R3-36D zoning district do not allow three detached single-family residences to be developed on the project site. The proposed PD zoning district would allow flexible development standards such as lot size, setbacks, and height to integrate the proposed residential development to implement the General Plan's vision for residential development.

The proposed zone change will conserve property values, protect or improve the existing character and stability of the area in question, and will promote the orderly and beneficial development of such area. The proposal redevelops an underutilized property and visually improves the project site and surrounding neighborhood with physical and financial investment in the construction of an aesthetically pleasing residential subdivision development with on-site parking, site improvements, landscaping, and streetscape enhancements. The proposed zone change is required by public necessity, public convenience, or the general welfare of the City in that the proposed zone change

provides residential development contemplated by the General Plan to provide Very Low Density Residential development and increase the City's housing stock. Finally, the proposed zone change would allow imaginative planning and design concepts to be utilized that would otherwise be restricted in other zoning districts in that the proposed zone change would allow flexibility in the development standards to construct a high quality residential subdivision project that is compatible with existing residential neighborhood. The proposed project modifies zoning development standards to maximize the efficient use of the project site.

Design Guidelines

The proposal is consistent with the City's Single-family and Duplex Design Guidelines based on the following standards of architectural design.

- The development provides two covered parking spaces to meet the intent of the City's General Plan and Single-family Zoning District.
- The designs proposed for the new single-family residences are in keeping with the character of the existing block and the larger Old Quad neighborhood in that they all would have a two-story scale and massing similar to the surrounding single-family homes to the south and west.
- The architectural styles in the immediate neighborhood vary between Craftsman, Vernacular Prairie, Queen Anne, and modern apartments. The proposed project is designed to include similar vernacular architectural elements. Unit 1 at the corner of Madison and Lewis Street will be developed in the vernacular architectural style similar to the existing two-story building that it replaces. Unit 2 and Unit 3 have similar design as Unit 1 with variation on siding types and sizes. Unit 2 is comprised of hardy-plank shingle above the horizontal siding and Unit 3 incorporates board and batten. Unit 3 is also differentiated by craftsman style columns on the front porch.
- The second story windows will not create privacy concerns to the multi-family residence to the east among the proposed residences, in that the all proposed second-story windows are not directly facing one another or have at least a twenty-five feet distance apart from other second-story windows.

Community Meeting

On Thursday, September 27, 2018, the applicant conducted an outreach meeting at the Senior Center on Fremont Street from 7:00 pm to 8:30 pm to get feedback on the proposed project. No community members were present at the meeting.

Conclusion:

The project proposes three designs that are consistent with the character of the existing block and the larger Old Quad neighborhood by incorporating similar architecture and massing of the surrounding single-family homes. The proposed rezoning from the R3-36D to the PD zoning district would support the development of three new residences that are consistent with the City's Design Guidelines and be compatible with the character of the immediate neighborhood. The PD zoning district would allow unique setbacks and development standards that enable the project to provide new home ownership opportunities consistent with the General Plan's vision for a very low density development. Based upon the public outreach conducted for the project, the project appears to be consistent with community expectations for new development within the existing neighborhood context.

FISCAL IMPACT

There is no impact to the City for processing the requested application other than administrative staff time and expense typically covered by processing fees paid by the applicant.

ENVIRONMENTAL REVIEW

The development proposal on the 0.3 acre site is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Class 3, Section 15303(a), "New Construction or Conversion of Small Structures," which exempts projects for the construction and location of limited numbers of new, small facilities or structures, as the activity consists of the development of not more than three single-family residences in an urbanized area.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

The applicant sent notice letters to property owners within 500 feet of the project site for a community meeting at the Senior Center on Fremont Street on Thursday, September 27, 2018.

On November 30, 2018, the notice of public meeting for this item was posted at three conspicuous locations within 300 feet of the project site and was mailed to property owners within 500 feet of the project site. No public comments have been received at the time of preparation of this report.

ALTERNATIVES

1. Recommend that the City Council approve the Rezone from Medium-density Multiple Dwelling (R3-36D) to Planned Development (PD) for the development of three detached single-family dwellings on the property located at 1444 Madison Street.
2. Recommend that the City Council deny the Rezone from Medium-density Multiple Dwelling (R3-36D) to Planned Development (PD) for the development of three detached single-family dwellings on the property located at 1444 Madison Street.

RECOMMENDATION

1. Recommend that the City Council approve the Rezone from Medium-density Multiple Dwelling (R3-36D) to Planned Development (PD) for the development of three detached single-family dwellings on the property located at 1444 Madison Street.

Reviewed by: Andrew Crabtree, Director of Community Development

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Excerpt of Historical and Landmarks Commission Meeting Minutes of April 5, 2018
2. HLC Staff Report of October 4, 2018
3. Excerpt of Historical and Landmarks Commission Meeting Minutes of October 4, 2018
4. Project Data
5. Justification Packet
6. Development Plans with Tentative Parcel Map
7. Resolution Recommending the Rezoning from R3-36D to PD
8. Conditions of Approval for Rezoning

**Excerpt Historical and Landmarks Commission
1444 Madison Street (PLN2018-13427)
Meeting Minutes of October 4, 2018**

8.A.	File No.(s):	PLN2018-13427 and PLN2018-13428
	Location:	1444 Madison Street, a 13,175 square foot parcel at the northwest corner intersection of Lewis and Madison Street; APN: 269-03-034; property is zoned Medium Density Multiple Dwelling (R3-36D)
	Applicant:	Holly Hartman
	Owner:	Greg Mussallem
	Request:	Consideration of a Rezone and Tentative Parcel Map for the Development of Three Single-family Dwellings Located at 1444 Madison Street
	CEQA Determination:	Categorically Exempt per Section 15332, In-fill Development
	Project Planner:	Steve Le, Assistant Planner I
	Staff Recommendation:	Approved , subject to conditions

Notice: The notice of public meeting for this item was posted within 300 feet of the site and was mailed to property owners within 500 feet.

Recommendation: Staff recommends that the Commission forward a recommendation of approval of the Rezone and Tentative Parcel Map for the development of three single-family dwellings located at 1444 Madison Street.

Discussion: Assistant Planner Steve Le presented the project. The applicant gave a brief presentation and answered questions posed by the Commissioners. Two members of the public spoke on the project in regards to more notification effort such as posting community outreach meeting online and construction practices and conditions. Staff addressed comments on construction best practices, and need for coordinated enforcement between building, planning and code compliance.

Motion/Action: A motion was made by Commissioner Biagini and seconded by Commissioner Vargas-Smith to recommend approval of the proposal and further recommend monitoring of construction impacts and increasing community engagement (6-0-0-1, Standifer absent).

REPORT TO HISTORICAL AND LANDMARKS COMMISSION

SUBJECT

..Title

Public Hearing: Consideration of a Rezone and Tentative Parcel Map for the Development of Three Single-family Dwellings Located at 1444 Madison Street

..Report

BACKGROUND

On July 24, 2018, the owner submitted a formal application requesting the rezone of the property at 1444 Madison Street from R3-36D to Planned Development, and a Tentative Parcel Map to subdivide one parcel to three parcels and construct three new single-family dwellings with two-car detached garages. The project is referred to the Historical and Landmarks Commission (HLC) for neighborhood compatibility and consistency with the City's Design Guidelines, as the property is located within 200 feet of three listed resources on the Historical Resource Inventory (HRI). The listed properties are located at 1390 Madison Street, 1360 Madison Street, and 1455 Jefferson Street.

Prior to the formal application, the applicant went before the HLC at the noticed public hearing on April 5, 2018. The Commission reviewed the historical eligibility of the property to consider historical eligibility determination and proposed demolition. An excerpt of the HLC meeting minutes and the prior justification packet are attached to this report. Subsequently at the noticed public hearing of May 29, 2018, the City Council deemed the site ineligible for listing on the HRI and allows the applicant to submit a demolition and development proposal for the site.

DISCUSSION

The project site is a 13,175 square foot site developed with two primary structures, a two-story single family house with a detached garage (1411 Lewis Street), and a duplex (1444 Madison Street). The single-family house constructed circa 1880 in a vernacular style of that period and the single-story duplex constructed in 1948 in the post-war minimal traditional style. A number of smaller sheds are also situated on the property. The evaluation report for the existing structures is provided as part of the attached justification packet.

The proposed project is consistent with the General Plan land use of Very Low Density Residential, in that the proposal is within the density range and is compatible with the neighborhood with mixed residential types including multi-family apartments, mixed-use development and single-family residences. The architectural styles in the immediate neighborhood vary with Craftsman, Vernacular Prairie, Queen Anne, and modern apartments.

Design:

The proposed development of three new single-family residences is consistent with the character of the existing block and the larger Old Quad neighborhood in that the project proposes two-story residences of like use and massing similar to the surrounding

single-family homes. Unit 1 at the corner of Madison and Lewis Street will be developed in the architectural style similar to the existing two-story building. Unit 2 and Unit 3 have similar design as Unit 1 with the differences on siding types and sizes. Unit 2 is comprised of hardy-plank shingle above the horizontal siding and Unit 3 has board and batten in similar areas. Unit 3 is also differentiated by a distinguish craftsman style column at the front porch.

Historical:

The property is not a listed historical resource and was deemed by City Council as ineligible for listing on the HRI. However, for development projects that require Architectural Committee review and located within 200 feet of an HRI property, the Historic Preservation Ordinance requires review by the Historical and Landmarks Commission for neighborhood compatibility and consistency with the City's Design Guidelines, and recommendation to the Architectural Committee. The project site does not immediately adjoin any historically listed properties, but is located within 200 feet of three listed resources: 1390 Madison Street (Queen Anne Cottage), 1360 Madison Street (Greek Revival Cottage), and 1455 Jefferson Street (Vernacular Prairie School).

The properties at 1390 and 1360 Madison Street are located directly south and across Lewis Street from project site. They both have frontages facing Madison Street while Unit 1 would retain the existing frontage towards Lewis Street. The property at 1360 Madison Street has a two-story single-family home and the property at 1390 Madison Street has two two-story residences that are currently operating as Madison Street Inn, a bed and breakfast inn. The single-family residence at 1455 Jefferson Street was built in 1915 and is located along Jefferson Street with an apartment separating the project site to the rear. The proposed development would not be visible from this historical resource. The images of the three HRI properties are included in the attached Project Data along with the historical evaluation surveys (DPR Form).

Public Outreach:

On Thursday, September 27, 2018, the applicant conducted an outreach meeting at the Senior Center on Fremont Street to get feedback on the proposed project.

Conclusion:

The project proposes three designs that are consistent with the character of the existing block and the larger Old Quad neighborhood in that the project proposes two-story residences of similar architecture and massing to the surrounding single-family homes. The proposed development would be partly visible from two listed properties on Madison Street and no visibility from the residence at 1455 Jefferson Street, and would therefore not have an adverse impact to the character of the block or the nearby HRI properties.

ENVIRONMENTAL REVIEW

As requested, the development proposal is exempt from the CEQA environmental review requirements per CEQA Section 15332, In-fill Development. The project is a .30 acre site that would be developed consistent with the General Plan land use of Very

Low Density Residential. |

PUBLIC CONTACT

The applicant sent notice letters to property owners within 500 feet of the project site for a community meeting at the Senior Center on Fremont Street on Thursday, September 27, 2018.

On September 21, 2018, the notice of public meeting for this item was posted at three conspicuous locations within 500 feet of the project site and was mailed to property owners within 500 feet of the project site. No public comments have been received at the time of preparation of this report.

ALTERNATIVES

Staff recommends that the Commission forward a recommendation of denial of the Rezone and Tentative Parcel Map for the development of three single-family dwellings located at 1444 Madison Street. |

RECOMMENDATION

..Recommendation

Staff recommends that the Commission forward a recommendation of approval of the Rezone and Tentative Parcel Map for the development of three single-family dwellings located at 1444 Madison Street. |

..Staff

Prepared by: Steve Le, Assistant Planner I

Approved by: Gloria Sciara, Development Review Officer |

ATTACHMENTS

1. Excerpt of Historical and Landmarks Commission Meeting Minutes of April 5, 2018
2. Project Data
3. Justification Packet
4. Development Plan
5. 1455 Jefferson Street DPR Form
6. 1390 and 1360 Madison Street DPR Form |

**Excerpt Historical and Landmarks Commission
1411 Lewis Street (PLN2018-13102)
Meeting Minutes of April 5, 2018**

8.A.	File No.(s):	PLN2018-13102
	Location:	1411 Lewis Street and 1444 Madison Street, a 13,175 square foot parcel at the northwest corner intersection of Lewis Street and Madison Street; APN: 269-03-034: property is zoned Medium Density Multiple Dwelling (R3-36D)
	Applicant / Owner:	Greg Mussallem
	Request:	Determination of eligibility for listing of 1411 Lewis Street and 1444 Madison Street on the City of Santa Clara Historical Resources Inventory (HRI), in consideration of a future development of the property with three single-family detached homes; the proposal would include removal of the existing two-story residence, single-story duplex, and a detached two car garage. <i>(No formal application has been received on the development proposal)</i>
	CEQA Determination:	Categorically Exempt per CEQA Sections 15061(b)(3)
	Project Planner:	Steve Le, Assistant Planner I
	Staff Recommendation:	Determine eligibility and refer to City Council

Notice: The notice of public meeting for this item was posted within 300 feet of the site and was mailed to property owners within 300 feet.

Discussion: Mr. Le provided an overview of the project to the Commission. The applicant Greg Mussallem was present for the discussion and answered questions.

Seven members of the public addressed the Commission to express support and concerns on the proposed request. Five community members were against the demo due to the age of the house, one neighbor noted the need to remove the blight and move a project forward, and one neighbor was in support of the demo due to neglect.

The Commission discussed the eligibility of the two residences with consideration of the applicant's intent to demolish the structures on the site. The Commission supports the demolition of the duplex residence at 1444 Madison Street and focused the discussion on the 1880 residence at 1411 Lewis Street. The Commission discussed the eligibility of the 1880 residence and concluded that vernacular style architecture due to the age and period of construction can be eligible for listing based on City's Criterion for Architectural Significance. The Commission discussed rehabilitation and preservation of the vernacular style building, demolition without replacement plan, and options to relocate the structure.

Motion/Action: Motion was made by Commissioner Cherukuru, seconded by Commissioner Estes to recommend Council not to add the duplex residence at 1444 Madison Street to the HRI as it is not a contributing historical or architectural resource (7-0-0-0).

Motion/Action: Motion was made by Commissioner Estes, seconded by Commissioner Biagini to recommend Council find based on City's Criterion for Architectural Significance, due to the age and time period of construction for 1411 Lewis Street, that a building of vernacular style is eligible for listing on the HRI (7-0-0-0).

Motion/Action: Motion was made by Commissioner Estes, seconded by Commissioner Biagini to recommend Council not allow demolition of existing structures until such time development plan is approved (7-0-0-0).

Motion/Action: Motion was made by Commissioner Estes, seconded by Commissioner Cherukuru to recommend Council that the preservation and rehabilitation of the original portion of the building at 1411 Lewis Street would help to maintain the integrity of the Old Quad (6-1-0-0, Johns opposed).

Project Data Sheet

File: PLN2018-13427 and PLN2018-13428

Location: 1444 Madison Street, a 13,175 square foot parcel at the northwest corner intersection of Lewis and Madison Street; APN: 269-03-034; property is zoned Medium Density Multiple Dwelling (R3-36D)

Applicant: Holly Hartman

Owner: Greg Mussallem

Request: **Rezone** to Planned Development and a **Tentative Parcel Map** to subdivide one lot into three lots for the development of three new single-family residences with detached two-car garages. All existing structures will be demolished.

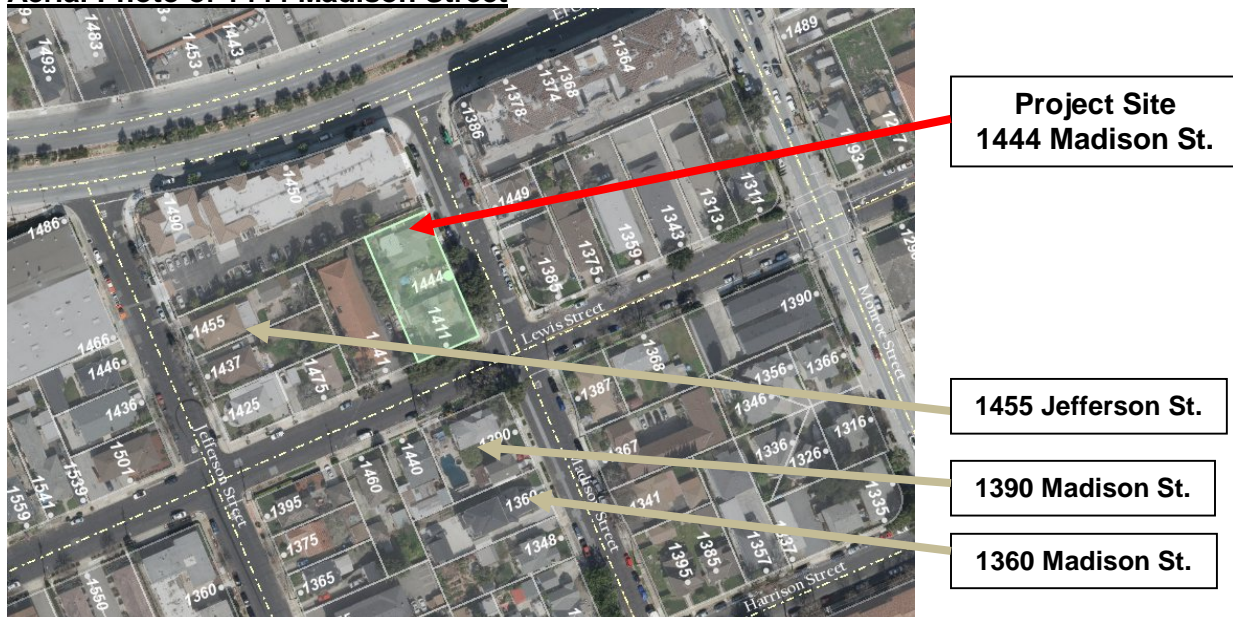
CEQA Determination: Categorically Exempt per Section 15332, In-fill Development

Project Planner: Steve Le, Assistant Planner I

Staff Recommendation: Approval

	Existing	Proposed
General Plan Designation	Very Low Density Residential	Same
Zoning District	R3-36D - Medium Density Multiple Dwelling	PD – Planned Development
Lot Size	13,175 sf.	Lot 1: 4,675 sf. Lot 2 and Lot 3: 4,250 sf.
Land Use	Single-family Residential	Same
Commercial Square Footage	N/A	N/A
Residential Units	1	3
Bedrooms/Bathrooms	N/A	4/3
Public Open Space	N/A	N/A
Stories / Total Height	One- and two-story	Two-story
Parking	Two-car garage	Three new two-car garage

Aerial Photo of 1444 Madison Street



Corner Elevation of 1444 Madison Street (Project Site):



Elevation from Madison Street (Project Site):



1390 Madison Street (HRI Property):



1360 Madison Street (HRI Property):



1455 Jefferson Street (HRI Property):



Project Proposal
1411 Lewis Street and 1444 Madison Street
Santa Clara, California



For submittal to:
City of Santa Clara – Planning Department
1500 Warburton Drive, Santa Clara, California

MADISON AND LEWIS STREET PROJECT DESCRIPTION

Location: 1411 Lewis Street and 1444 Madison Street

March 5, 2018

Dear Planning Department:

We are interested in developing the properties listed above.

Our intent is to remove the existing structures; one uninhabitable single-family home, one two-car detached garage and one duplex. Although the zoning would allow us to construct a 5-unit apartment complex we are instead proposing to construct three single family detached homes as a Planned Development. We believe this would be more consistent in keeping with the theme of the Old Quad Neighborhood than an apartment complex.

We have worked with your staff in the past on another project and we are open to working with staff again on design and layout of the new structures.

Please find enclosed an existing site plan, our preliminary site plan for the new homes and information on the existing (uninhabitable) home at 1411 Lewis Street.

Please feel free to contact me with any questions at (408) 499-0276.

Sincerely,

Greg Mussallem

TABLE OF CONTENTS

Enclosed documents for 1411 Lewis Street / 1444 Madison Street

1. Authorization letter from current owners
2. Historical Evaluation Report prepared by Archaeological Resource Management
3. Termite Report – Note a minimum cost of \$411,750.00
4. Engineering Report by Apex Engineering explaining challenges and expense to make the existing residence meet current seismic, structural and safety code requirements
5. Asbestos Report by Asbestos Testing Inspection, Inc.
6. Letter from Kelly Brothers House Movers (Bay Area business for over one hundred years) with an opinion of the lack of Historical significance and the challenges faced to try and raise and support the structure in its dilapidated state
7. Pictures of existing condition of the home at 1411 Lewis Street and other structures on the property and along surrounding properties
8. Architectural renderings of new homes

**Alzira Nunes
516 Saratoga Ave.
Santa Clara, CA 95050
(408) 375-2169**

January 3, 2018

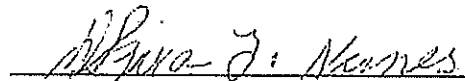
City of Santa Clara
Planning Department

Re: 1411 Lewis St.
Santa Clara, CA 95050


Dear City of Santa Clara Planning Department,

I, Alzira Nunes, am the current owner of 1411 Lewis Street in Santa Clara, California. We are currently in contract with Robert Bothman to purchase my property. I hereby acknowledge and agree to have Robert Bothman and or his designated consultants submit plans for Preliminary Review to the City of Santa Clara for the demolition of the existing structures and development of the property situated at 1411 Lewis Street.

Sincerely,


Alzira Nunes Owner

1-3-18
Date


Francisco Nunes Trustee

1/3/18
Date

Archaeological Resource Management

*Robert R. Cartier, Ph.D.
496 North 5th Street
San Jose, CA 95112
Telephone (408) 295-1373
Fax (408) 286-2040
email: armcartier@netscape.net*

Mr. Bob Bothman
20385 Iron Springs Road
Los Gatos, CA 95033

February 12, 2018

RE: HISTORIC EVALUATION OF THE PROPERTY AT 1411 LEWIS STREET IN THE
CITY OF SANTA CLARA

Dear Mr. Bothman,

As per your request our firm is submitting the enclosed historical evaluation of the property at 1411 Lewis Street (and 1444 Madison Street) in the City of Santa Clara. Based upon the requirements of the City of Santa Clara, a methodology was designed which included the following services:

- an evaluation of the structure based on the criteria of the NRHP and CRHR
- an evaluation of the structure using the criteria of the City of Santa Historic Preservation and Resource Inventory
- State Historic Resources Evaluation forms (DPR 523) for the structure

The structures at 1411 Lewis Street are not currently listed on the City of Santa Clara Historic Preservation and Resource Inventory, the California Register of Historic Resources (CRHR), or the National Register of Historic Places (NRHP). In addition, they does not appear to be eligible for listing in any of these registers. Although the residence at 1411 Lewis Street was constructed circa the late 1880's, it is lacking in architectural detailing and does not appear to be architecturally significant. The property is not associated with persons or events of historic importance and is thus does not appear to be historically or culturally significant. However, the property is located within the historic Old Quad area of the City of Santa Clara, and is partially within the 200 foot "Area of Historic Sensitivity" of three identified historic resources on adjacent properties.

Thus the structures at 1411 Lewis Street do not appear to be historically significant. However, due to the historic character of the neighborhood, and its location within identified "areas of historic sensitivity" it is recommended that any proposed new construction on the property be designed in a manner stylistically compatible with the surrounding neighborhood, and that any

proposed new construction be analyzed for potential visual or physical impacts to the surrounding identified historic properties.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Cartier". The signature is fluid and cursive, with the first name "Robert" and last name "Cartier" clearly distinguishable.

Robert Cartier, Ph.D.
Principal Investigator

RC/dj

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____
Other Listings _____

Review Code _____ Reviewer _____ Date _____

Page 1 of 32

Resource Name or # 1411 Lewis Street

P1. Other Identifier: 1444 Madison Street

P2. Location: _____ Not for Publication ☒ Unrestricted *a. County Santa Clara
and (P2b and P2c or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad: San Jose W., CA Date: 2012 T ; R ; 1/4 of 1/4 of Sec ; BM

c. Address: 1411 Lewis Street

City: Santa Clara, CA

Zip: 95050

d. UTM: 10S 5 92 853mE, 41 34 429mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

APN 269-03-034

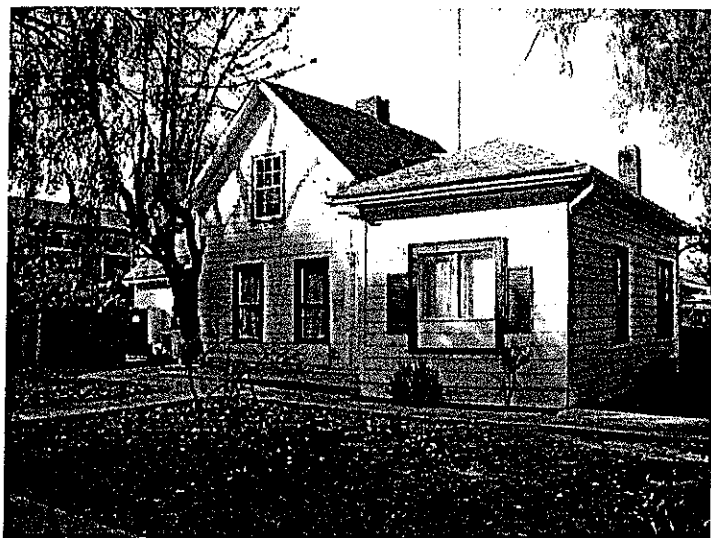
*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries.)
The primary structure on the property is a one-and-a-half story vernacular residence in poor condition, somewhat modified from its original form. The home features a mixture of roof formations; the central portion of the roof is front gabled, the eastern wing roof is hipped and the western addition roof is side gabled. Composition shingles cover the entire roof. The eaves are moderately broad and boxed, with enclosed rafters. The exterior walls are surfaced with broad horizontal wooden siding, in a shiplap configuration. This siding is damaged in multiple areas, most notably the western addition.

See Continuation Sheet, Page 4

*P3b. Resource Attributes: HP02 (2 SFR), HP04

*P4. Resources Present: ☒ Building ☒ Structure ☐ Object District ☐ Element of District ☐ Site ☐ Other

P5a. Photo or drawing (Photo required for buildings, structures, objects.)



P5b. Description of Photo: (View, date, accession #)
View of the residence at 1411 Lewis Street from the southeast.

*P6. Date Constructed/Age and Sources

Historic ☒ Prehistoric ☐ Both ☐
Constructed circa the late 1880's

*P7. Owner and Address:

Alzira J. Nunes
516 Saratoga Avenue
Santa Clara, CA 95050

*P8. Recorded by:

Robert Cartier
Archaeological Resource Management
496 North 5th Street
San Jose, CA 95112

*P9. Date Recorded:

*P10. Survey Type: (Describe)

*P11. Report Citation: (Cite Survey Report and other sources, or enter "none.")

* Attachments: ☐ None ☒ Location Map ☐ Sketch Map ☒ Continuation Sheet ☒ Building, Structure, and Object Record
☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record ☐ Artifact
Record ☐ Photographic Record ☐ Other (List):

BUILDING, STRUCTURE, AND OBJECT RECORD

Page 2 of 32

*NRHP Status Code _____

*Resource Name or # (Assigned by recorder) 1411 Lewis Street

B1. Historic Name: 1411 Lewis Street

B2. Common Name: 1411 Lewis Street

B3. Original Use: residential

B4. Present Use: vacant

*B5. Architectural Style: vernacular

*B6. Construction History: (Construction date, alterations, and date of alterations)

Based upon visual evaluation and available documentation, the residence at 1411 Lewis Street was originally constructed circa the late 1880's. Since that time several modifications have been made to the residence including the addition of the western wing of the home (pre-1891), reroofing, replacement of many of the original wooden framed windows with vinyl, and replacement of all interior fixtures.

*B7. Moved? x No Yes Unknown Date: Original Location:

*B8. Related Features:

Also present on the property is a secondary residence with its own address, 1444 Madison Street, constructed 1948, built in the post-war minimal traditional style. This residence has undergone several additions, including separation into two units, and is lacking in architectural detailing. A small detached garage is situated between the two homes. A number of smaller sheds and other informal structures are also situated on the property.

B9a. Architect: unknown

b. Builder: unknown

*B10. Significance: Theme architecture and shelter Area Santa Clara, CA

Period of Significance 1870-1918 Property Type private residential Applicable Criteria N/A

The property at 1411 Lewis Street is located near the northern boundary of the Old Quad area of the City of Santa Clara. It makes up a portion of Block 5 North, Range 5 West as designated on the Map of the Town & Sublots of Santa Clara, Santa Clara County, California compiled by J.J. Bowen, County Surveyor in July of 1866 (Book B of Maps, Page 103). Based upon visual evaluation and available documentation, the residence was constructed circa the late 1880's. The original owners of the home appear to have been Rev. John G. and Elvira E. Gasman. John Gasman is listed as residing in Santa Clara in the Journal of the Thirty-Seventh Annual Convention of the Protestant Episcopal Church in the Diocese of California (Pacific Churchman Press 1887). John G. Gasman is listed in the Polk Directory of San Jose and Santa Clara County of 1889 as residing on Lewis Street, the 1890 entry more specifically lists him as residing at the corner of Lewis and Madison, and notes that he was a pastor at the Episcopal Church.

See Continuation Sheet, Page 4

B11. Additional Resource Attributes: (List attributes and codes) N/A

*B12. References:

See Continuation Sheet, Page 8

B13. Remarks:

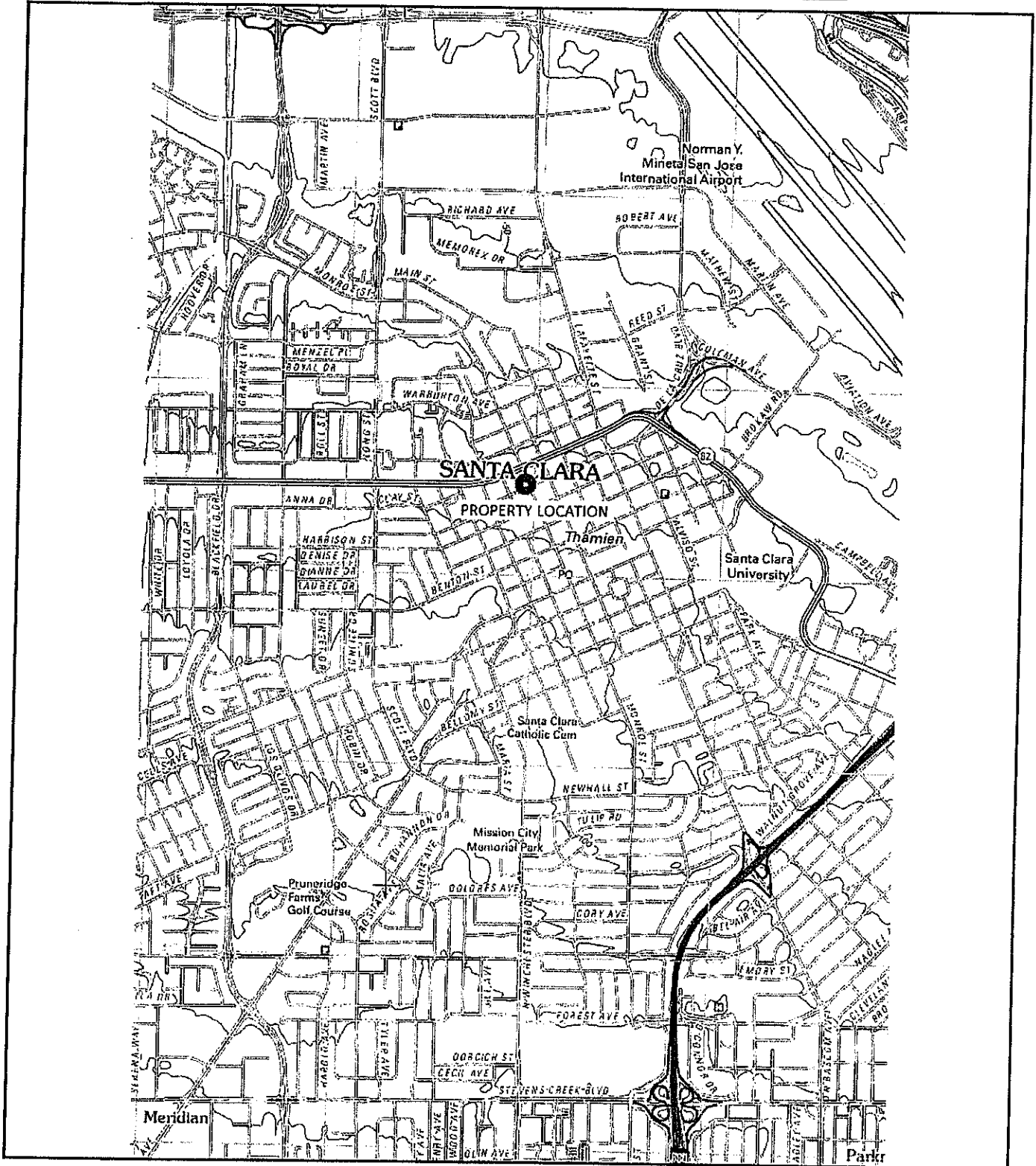
*B14. Evaluator: Robert Cartier

*Date of Evaluation: 12/1/2017

(This space reserved for official comments.)

LOCATION MAP

Page 3 of 32 Resource Name or # (Assigned by recorder) 1411 Lewis Street
*Map Name: San Jose West, CA *Scale: 7.5 Minute *Date of Map: 2012



State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 4 of 32

*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☒ Update

Continued from P3a:

Fenestration throughout the residence is primarily wooden framed and in a double-hung sash configuration, however several windows have been replaced with vinyl frames.

The interior of the home is in every poor condition. Flooring throughout has been stripped and removed, and the walls and ceiling suffer from large holes in the plaster, cracks, and water damage. None of the interior fixtures appear to be original. The interior of the western addition has been entirely stripped, exposing the bare flooring and lathe walls. The flooring in the addition is also rotting out and unstable.

Continued from B10:

The Gasmann's owned the property until July 16, 1902, when it was granted by them to Carrie S. Loomis (Book 257 of Deeds, Page 455).

Carrie Loomis (1858-1927) was the wife of Rev. Charles H. Loomis (1857-1922) who was at various times listed in the Polk Directory as a pastor at the Free Methodist Church, a stove repairman, and a laborer. Carrie Loomis retained ownership of the property until the year of her death; on June 29, 1927 the property passed to Charles and Carrie's son, H (Howard) B. Loomis (Book 357 of Official Records, Page 334). On November 6, 1927 the property was granted by H. B. Loomis and his wife Irene to Manuel C. and Carlota C. Silva (Book 359 of Official Records, Page 78). On July 29, 1943 the property was granted to Jack and Carmen Garcia (Book 1152 of Official Records, Page 299). The property was sold again on January 21, 1946, when it was granted to Emideo and Carmen Ordonez (Book 1312 of Official Records, Page 561). Shortly after purchasing the property, the Ordonez's constructed the second house (1444 Madison Street) on the property, circa 1948. The property would remain under the ownership of the Ordonez family for over fifty years. For much of this period the homes were rented out. Approximately 30 years ago, the Ordonez family were informed by their insurance carrier that due to insufficiencies in its foundation, the home at 1411 Lewis Street was no longer insurable. The tenants were moved to the residence at 1444 Madison Street, and the Lewis Street residence has been vacant since that time (Personal Communication with project representatives, 2017). On July 21, 1998 the property was granted by Emig, Rose, and Edward Ordonez to Jose F. and Alzira J. Nunes (Assessor's Doc. #14294567). The property is currently owned by Alzira J. Nunes as trustee of the Jose F. and Alzira J. Nunes Trust of September 25, 2002 (Assessor's Doc #21499647).

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____

HRI # _____

Trinomial _____

Page 5 of 32

*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☒ Update

California Register of Historic Resources Criteria

A cultural resource is considered "significant" if it qualifies as eligible for listing in the California Register of Historic Resources (CRHR). Properties that are eligible for listing in the CRHR must meet one or more of the following criteria:

1. Association with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States;
2. Association with the lives of persons important to local, California, or national history;
3. Embodying the distinctive characteristics of a type, period, region, or method of construction, or representing the work of a master, or possessing high artistic values; or
4. Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

A property may be automatically listed in the CRHR if it is formally determined eligible for the National Register of Historic Places. Properties that are formally determined eligible for the NRHP are those that are designated as such through one of the federal preservation programs administered by the California Office of Historic Preservation (i.e., the National Register, Tax Certification, and Section 106 review of federal undertakings). The CRHR interprets the integrity of a cultural resource based upon its physical authenticity. An historic cultural resource must retain its historic character or appearance and thus be recognizable as an historic resource. Integrity is evaluated by examining the subject's location, design, setting, materials, workmanship, feeling, and association. If the subject has retained these qualities, it may be said to have integrity. It is possible that a cultural resource may not retain sufficient integrity to be listed in the National Register of Historic Places yet still be eligible for listing in the CRHR. If a cultural resource retains the potential to convey significant historical/scientific data, it may be said to retain sufficient integrity for potential listing in the CRHR.

The structure at 1411 Lewis Street is not currently listed on the California Register of Historical Resources. In addition, the structure does not appear to qualify as potentially eligible under any of the criteria listed above. The home is not associated with any known significant historical events, thus it does not appear to qualify as potentially eligible under criterion 1. No historically significant persons appear to have been associated with the property, thus it does not appear to qualify as potentially eligible under criterion 2. It does not appear to embody the distinctive characteristics of any architectural style, and thus does not appear eligible for listing under criterion 3. In addition, the structure does not appear to have the potential to yield significant historical information, and thus does not appear eligible under criterion 4. Furthermore, the alterations to the house as well as its very poor condition constitute some loss of historic and architectural integrity.

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 6 of 32

*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☒ Update

National Register Criteria

The National Register of Historic Places was first established in 1966, with major revisions in 1976. The register is set forth in 36 CFR 60 which establishes the responsibilities of the State Historic Preservation Officers (SHPO), standards for their staffs and review boards, and describes the statewide survey and planning process for historic preservation. Within this regulation guidelines are set forth concerning the National Register of Historic Places (36 CFR 60.6). In addition, further regulations are found in 36 CFR 63-66, 800, and Bulletin 15 which define procedures for determination of eligibility, identification of historic properties, recovery, reporting, and protection procedures. The National Register of Historic Places was established to recognize resources associated with the accomplishments of all peoples who have contributed to the country's history and heritage. Guidelines were designed for Federal and State agencies in nominating cultural resources to the National Register. These guidelines are based upon integrity and significance of the resource. Integrity applies to specific items such as location, design, setting, materials, workmanship, feeling, and association. Quality of significance in American history, architecture, archaeology, engineering and culture is present in resources that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and meet at least one of the following criteria:

- A. That are associated with events that have made a significant contribution to broad patterns of our History;
- B. That are associated with the lives of persons significant in our past;
- C. That embody distinctive characteristics of type, period, or method of construction, or that represent the work of master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction;
- D. That have yielded, or are likely to yield, information important in prehistory or history.

Integrity is defined in Bulletin 15: How to Apply the National Register Criteria for Evaluation, (U.S. Department of the Interior, National Park Service 1982) as:

the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's historic or prehistoric period. If a property retains the physical characteristics it possessed in the past then it has the capacity to convey association with historical patterns or persons, architectural or engineering design and technology, or information about a culture or peoples.

There are also seven aspects of integrity which are used. These aspects are:

- | | |
|--------------|----------------|
| 1. location | 5. workmanship |
| 2. design | 6. feeling |
| 3. setting | 7. association |
| 4. materials | |

The structure at 1411 Lewis Street is not currently listed on the National Register of Historic Places. In addition, the property does not appear to be potentially eligible for listing in this register. The home is not associated with significant historic events or persons, thus it does not appear to be potentially eligible for listing under criteria A or B. It is not a good example of any architectural style or method of construction, thus the structure does not appear to qualify as eligible for the NRHP under criterion C. The property does not appear to be likely to yield information important in prehistory or history, thus it does not appear to qualify as potentially eligible under criterion D. In addition, the structure is somewhat lacking in integrity, due to modifications and its very poor condition.

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 7 of 32

*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☒ Update

City of Santa Clara Historic Preservation and Resource Inventory Criteria

Any building, site, or property in the City that is 50 years old or older and meets certain criteria of architectural, cultural, historical, geographical or archeological significance is potentially eligible.

Criterion for Historical or Cultural Significance

To be historically or culturally significant, a property must meet at least one of the following criterion:

1. The site, building or property has character, interest, integrity and reflects the heritage and cultural development of the city, region, state, or nation.
2. The property is associated with a historical event.
3. The property is associated with an important individual or group who contributed in a significant way to the political, social and/or cultural life of the community.
4. The property is associated with a significant industrial, institutional, commercial, agricultural, or transportation activity.
5. A building's direct association with broad patterns of local area history, including development and settlement patterns, early or important transportation routes or social, political, or economic trends and activities. Included is the recognition of urban street pattern and infrastructure.
6. A notable historical relationship between a site, building, or property's site and its immediate environment, including original native trees, topographical features, outbuildings or agricultural setting.

Criterion for Architectural Significance

To be architecturally significant, a property must meet at least one of the following criterion:

1. The property characterizes an architectural style associated with a particular era and/or ethnic group.
2. The property is identified with a particular architect, master builder or craftsman.
3. The property is architecturally unique or innovative.
4. The property has a strong or unique relationship to other areas potentially eligible for preservation because of architectural significance.
5. The property has a visual symbolic meaning or appeal for the community.
6. A building's unique or uncommon building materials, or its historically early or innovative method of construction or assembly.
7. A building's notable or special attributes of an aesthetic or functional nature. These may include massing, proportion, materials, details, fenestration, ornamentation, artwork or functional layout.

Criterion for Geographic Significance

To be geographically significant, a property must meet at least one of the following criterion:

1. A neighborhood, group or unique area directly associated with broad patterns of local area history.
2. A building's continuity and compatibility with adjacent buildings and/or visual contribution to a group of similar buildings.
3. An intact, historical landscape or landscape features associated with an existing building.
4. A notable use of landscaping design in conjunction with an existing building

The property at 1411 Lewis Street is not currently listed on the City of Santa Clara Historic Preservation and Resource Inventory. An evaluation of the property based upon the individual criteria is included below:

Historical and Cultural Significance

1. The site, building and property do not have character, interest, integrity or reflects the heritage and cultural development of the city, region, state, or nation.
2. The property is not associated with a historical event.
3. The property is not associated with an important individual or group who contributed in a significant way to the political, social and/or cultural life of the community.
4. The property is not associated with a significant industrial, institutional, commercial, agricultural, or transportation activity.
5. The building is not directly associated with broad patterns of local area history, including development and settlement patterns, early or important transportation routes or social, political, or economic trends and activities.
6. There is no notable historical relationship between a site, building, or property's site and its immediate environment, including original native trees, topographical features, outbuildings or agricultural setting.

Criterion for Architectural Significance

To be architecturally significant, a property must meet at least one of the following criterion:

1. The property does not characterize an architectural style associated with a particular era and/or ethnic group.
2. The property is not identified with a particular architect, master builder or craftsman.
3. The property is not architecturally unique or innovative.
4. The property does not have a strong or unique relationship to other areas potentially eligible for preservation because of architectural significance.
5. The property does not have a visual symbolic meaning or appeal for the community.
6. The building's does not include unique or uncommon building materials, or historically early or innovative methods of construction or assembly.
7. The building has no notable or special attributes of an aesthetic or functional nature. Such as massing, proportion, materials, details, fenestration, ornamentation, artwork or functional layout.

Criterion for Geographic Significance

To be geographically significant, a property must meet at least one of the following criterion:

1. A neighborhood, group or unique area directly associated with broad patterns of local area history. Although the structure at 1411 Lewis Street is located within the historic Old Quad neighborhood, it does not contribute to the architecture or history of the neighborhood.
2. A building's continuity and compatibility with adjacent buildings and/or visual contribution to a group of similar buildings. Although compatible with the general chronology of the neighborhood, the Lewis Street structure does not visually contribute to the neighborhood, and is not architecturally similar to the other buildings within.
3. An intact, historical landscape or landscape features associated with an existing building. What little landscaping is present is not historic in nature.
4. A notable use of landscaping design in conjunction with an existing building. There is no particular landscape design in conjunction with the building.

The Lewis Street property does not meet the criteria described for Historic and Cultural Significance, Architectural Significance, or Geographic Significance. Architecturally, the structure is not consistent with the general character of the Old Quad neighborhood, and is not an example of any architectural style. In addition, the home is in very poor condition, with extensive damage to both the interior and the exterior. The property is located within the Old Quad neighborhood, and portions of the property are located within the 200 foot "Areas of Historic Sensitivity." Due to this historic sensitivity, it is recommended that any replacement or modification of buildings on the Lewis Street property conform to the historic character of the Old Quad neighborhood.

CONTINUATION SHEET

Page 9 of 32

*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☐ Update ☐

Continued from B12:

Assessor's Office, County of Santa Clara

2017 Record search of assessed value and associated taxes for the property at
1411 Lewis Street.

Calloway, S. and E. Cromley

1996 *The Elements of Style: A Practical Encyclopedia of Interior Architectural
Details from 1485 to the Present, Revised Edition.* New York: Simon
& Schuster.

City Directories

1881- Record search of City Directories on file at the California Room, Dr. Martin
1979 Luther King, Jr. Main Library, San Jose Public Library, San Jose,
California.

City of Santa Clara

2010 General Plan Section 8.9: Historic Preservation and Resource Inventory.

Douglas, J.

1993 *Historical Footnotes of Santa Clara Valley.* San Jose: San Jose Historical Museum Association.

McAlester, Virginia and Lee McAlester

1997 *A Field Guide to American Houses.* Alfred A. Knopf, New York

Pacific Churchman Press

1887 *Journal of the Thirty-Seventh Annual Convention of the Protestant Episcopal Church in the Diocese of
California.* Pacific Churchman Press, San Francisco, California.

Payne, S.

1987 *Santa Clara County: Harvest of Change.* Northridge, California: Windsor Publications.

Recorder's Office, County of Santa Clara

2017 Record search of recorded information for the property at 1411 Lewis Street.

Thompson & West

1876 *Historical Atlas of Santa-Clara County, California.* San Francisco: Thompson & West.

US Department of the Interior

1990 The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic
Buildings

US Department of the Interior

1982 Bulletin 15 - "How to Apply the National Register Criteria for Evaluation."

Whiffen, Marcus

1992 *American Architecture since 1780, Revised Edition.* The MIT Press, Cambridge Mass.

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET.

Primary # _____

HRI # _____

Trinomial _____

Page 10 of 32

*Resource Name or # (Assigned by recorder) _____

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☒ Update

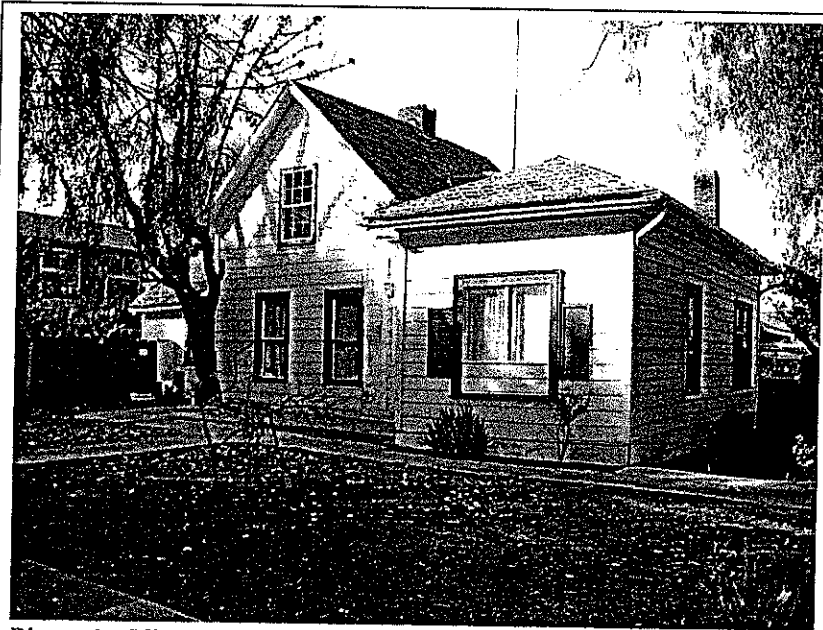


Photo 1: View of the front façade of 1411 Lewis Street



Photo 2: View of the eastern portion of the front façade.

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 11 of 32

*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation

☒ Update

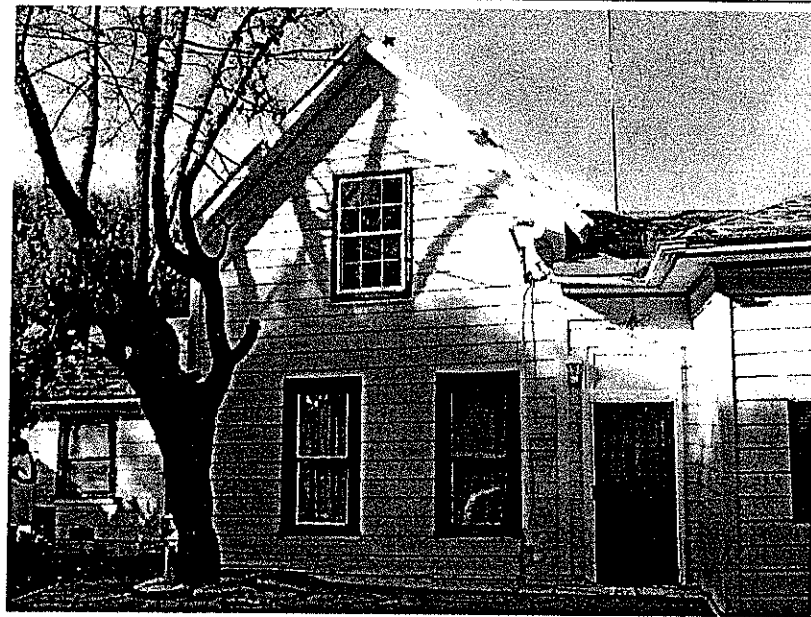


Photo 3: View of the central (two story) portion of the front façade.

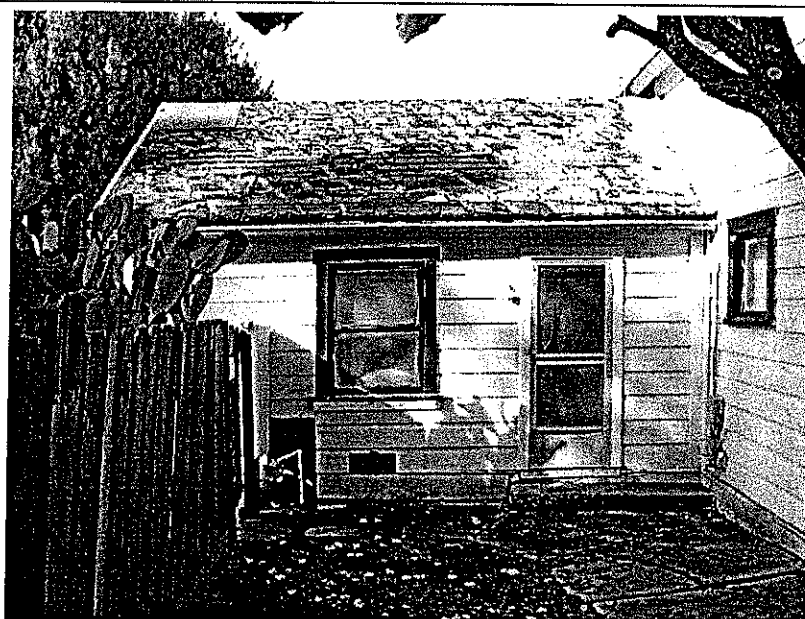


Photo 4: View of the western (addition) portion of the front façade.

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 12 of 32

*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☒ Update



Photo 5: View of the front porch/entry area of the front façade.



Photo 6: Detail of eaves showing deterioration.

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 13 of 32

*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☒ Update



Photo 7: Detail of windows resized and replace with vinyl.

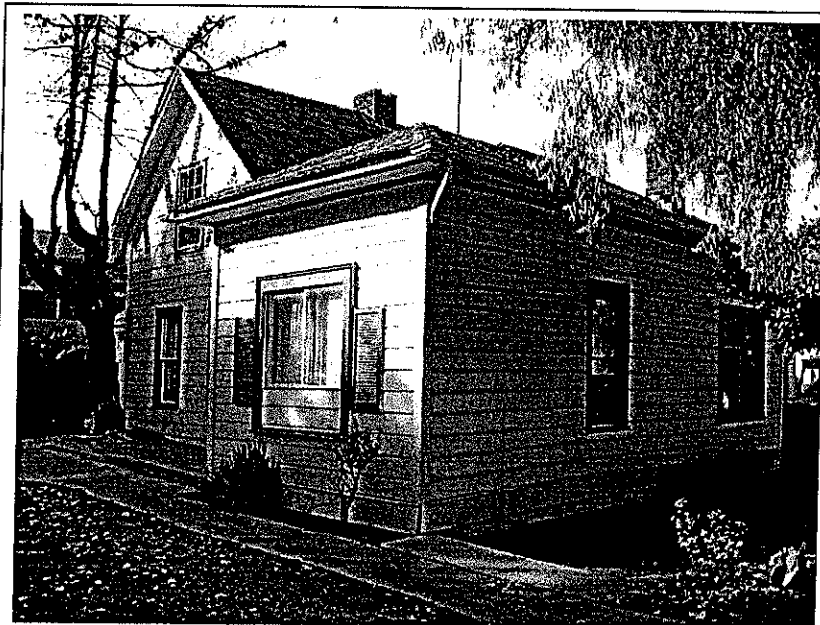


Photo 8: Oblique view of the residence from the southeast.

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 14 of 32

*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☐ Update ☐



Photo 9: View along the front portion of the eastern façade.



Photo 10: View of the upper portion of the rear façade.

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 15 of 32

*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☒ Update

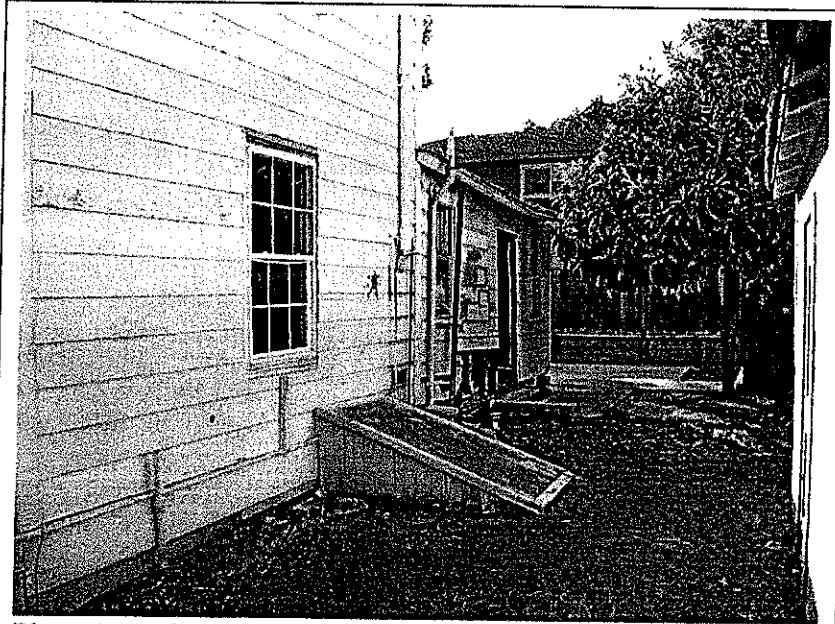


Photo 11: View of the lower portion of the rear façade.

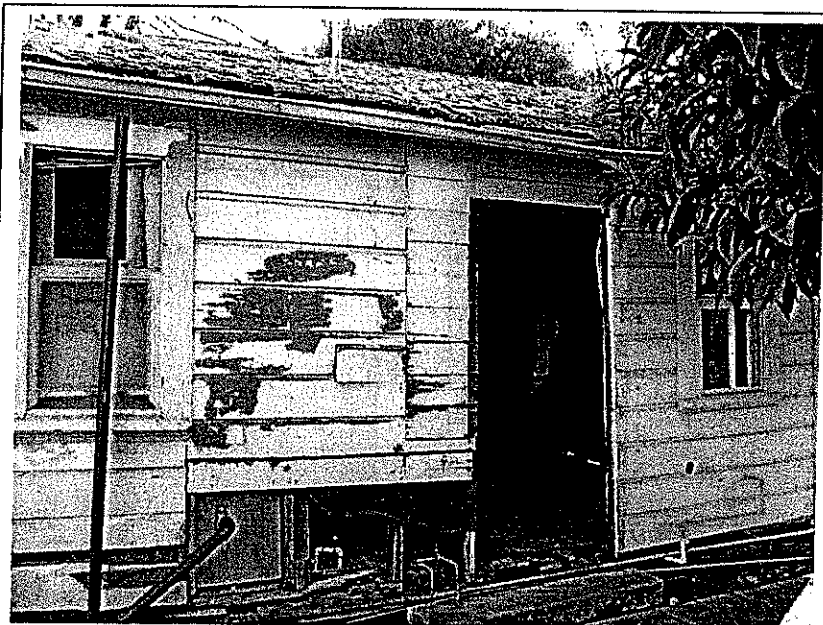


Photo 12: View of rear portion of the western addition.

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 16 of 32

*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☒ Update

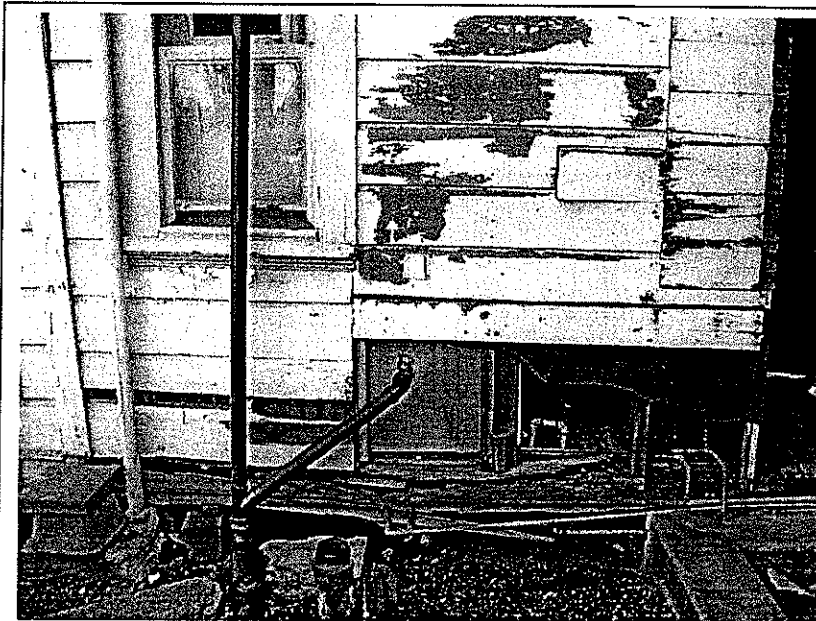


Photo 13: Detail of extensive damage and deterioration on addition.

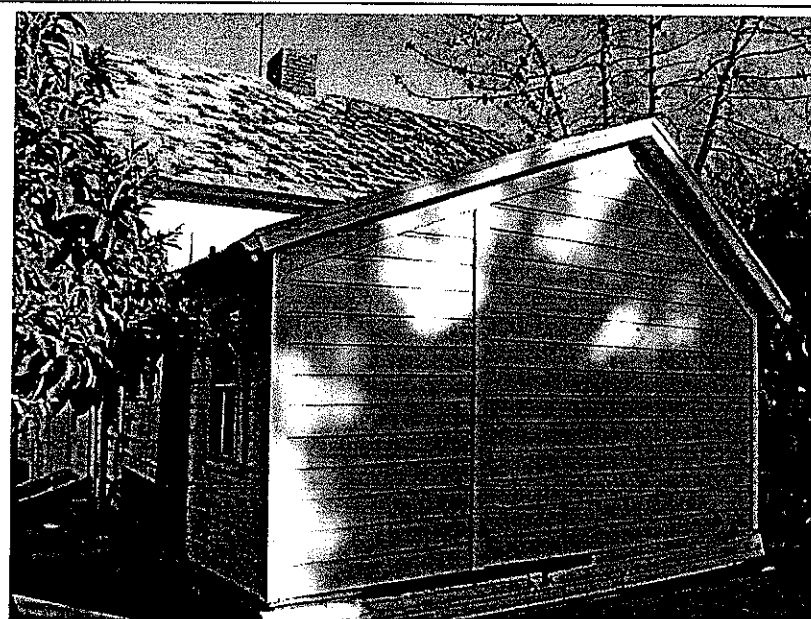


Photo 14: View of the addition from the west.

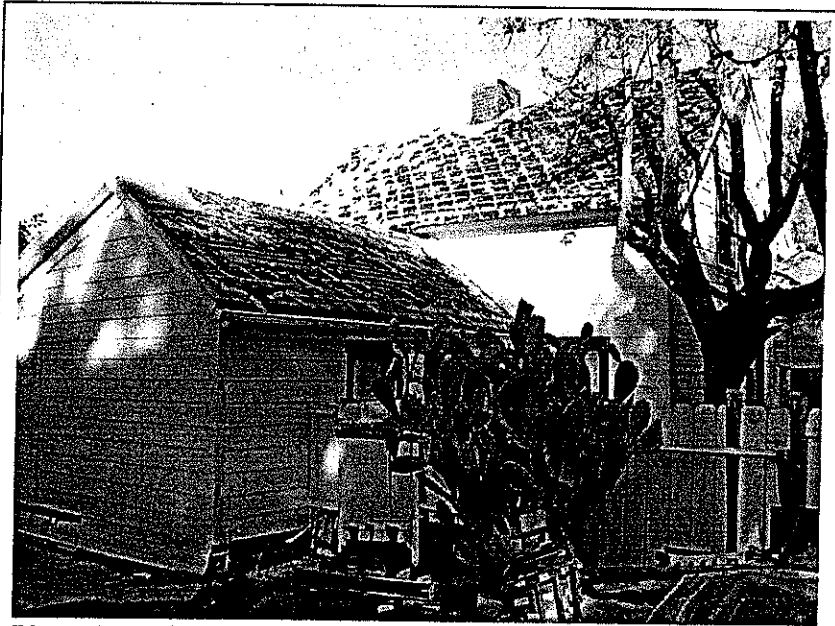


Photo 15: Oblique view of the residence from the southwest.

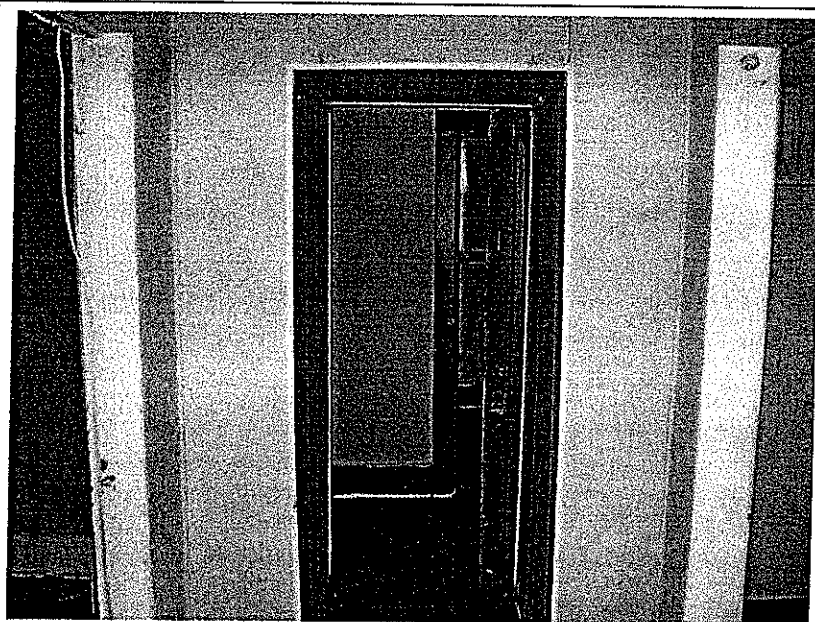


Photo 16: Interior view of the front entry room.

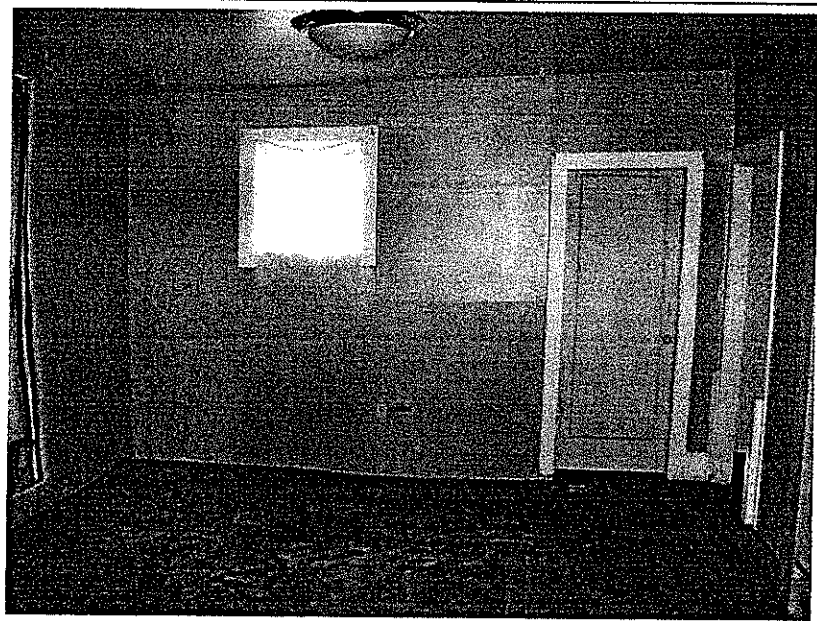


Photo 17: View of the living room.



Photo 18: Detail of the stripped and damage flooring in the living room.

Primary # _____

HRI # _____

Trinomial _____

Page 19 of 32

*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☒ Update

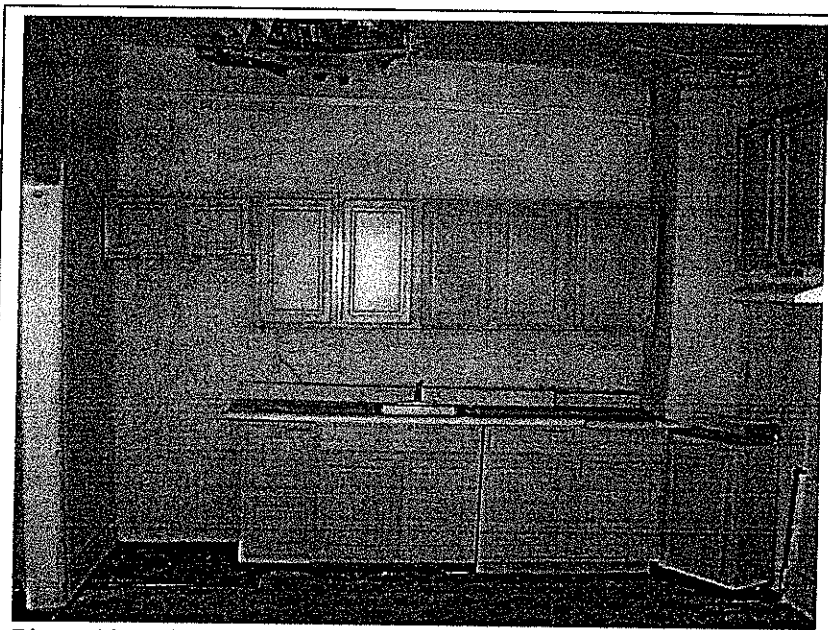


Photo 19: View of kitchen, note non-original cabinets, fixtures.

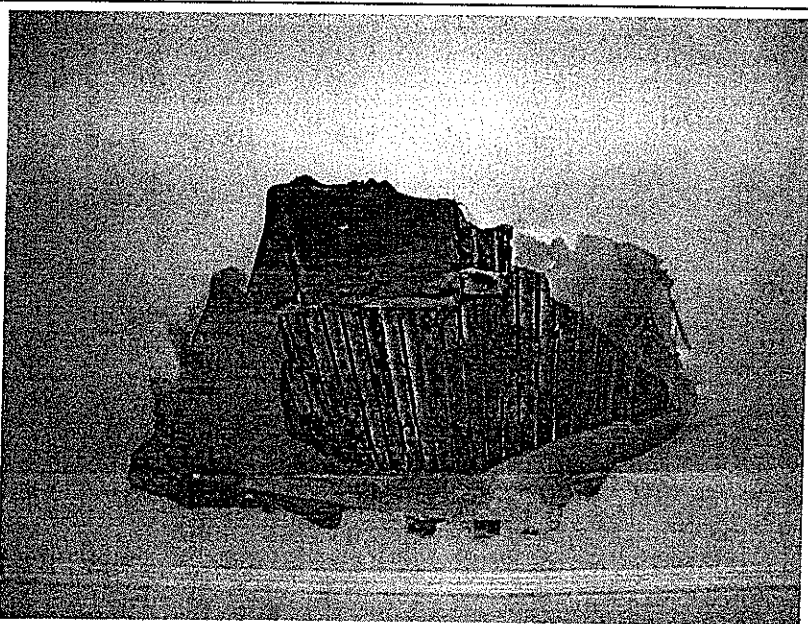


Photo 20: Detail of exposed lathe in the kitchen ceiling.

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 20 of 32

*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☒ Update

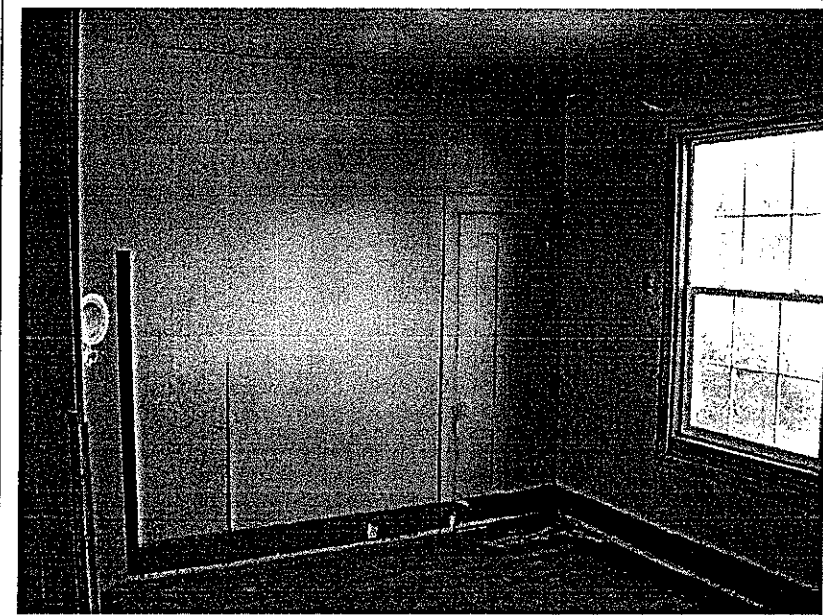


Photo 21: View of a bedroom.

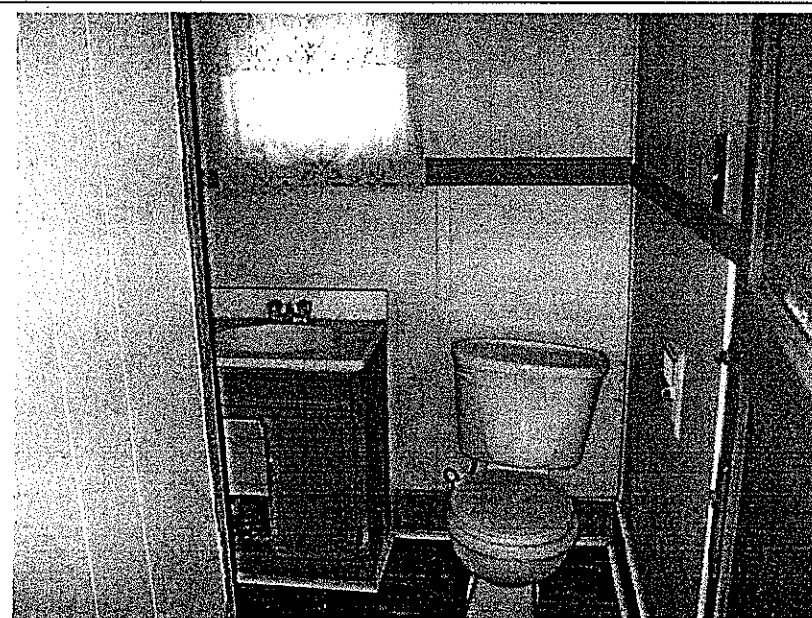


Photo 22: View of the bathroom, note non-original fixtures.

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 21 of 32

*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☐ Update ☐

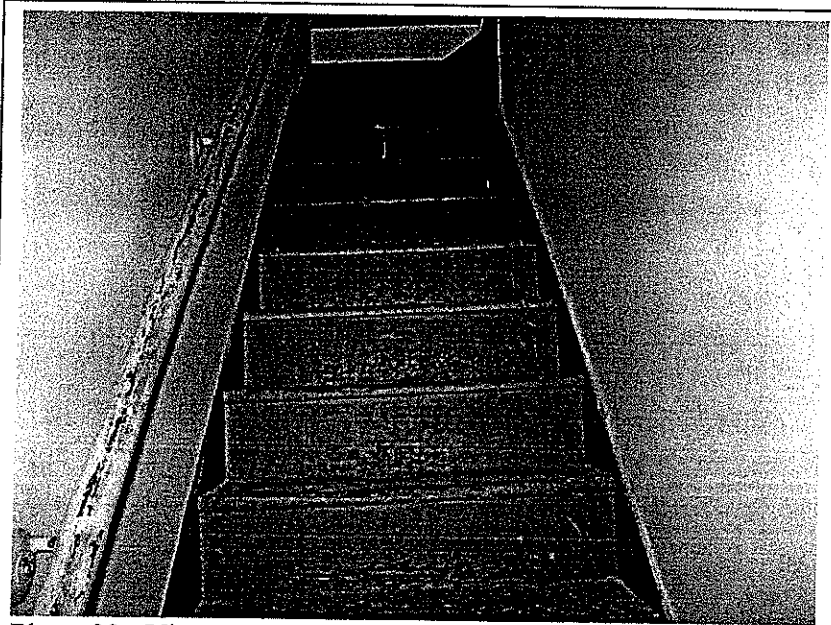


Photo 23: View up the stairs.

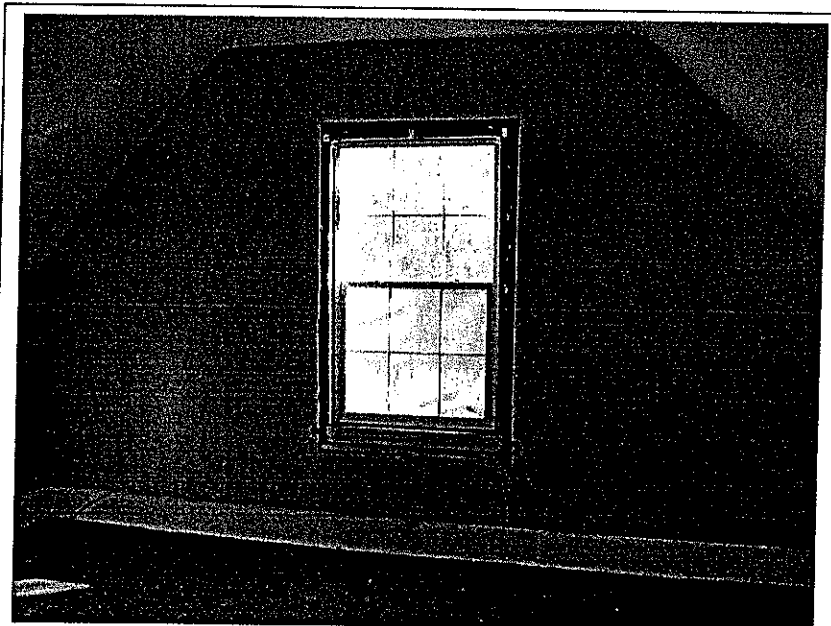


Photo 24: View of the upstairs loft area.

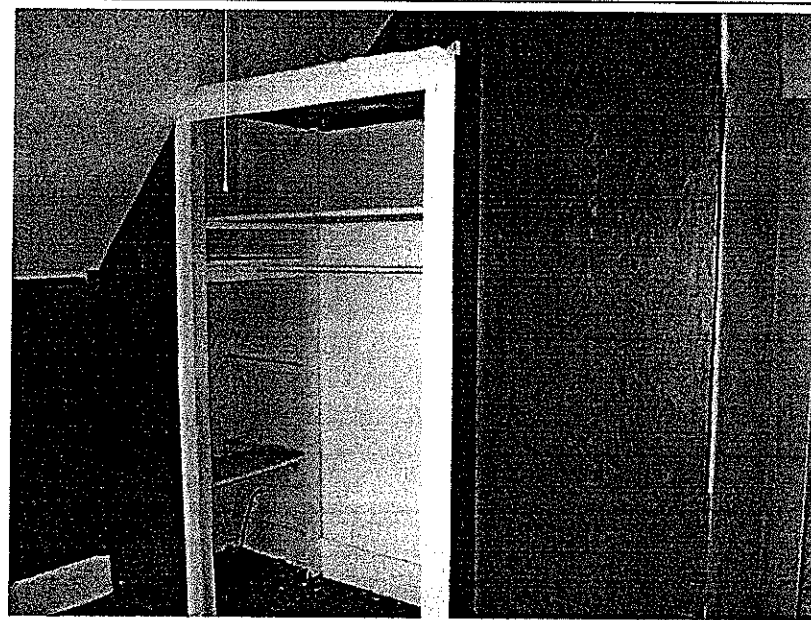


Photo 25: View of inset closet space in the upstairs loft area.

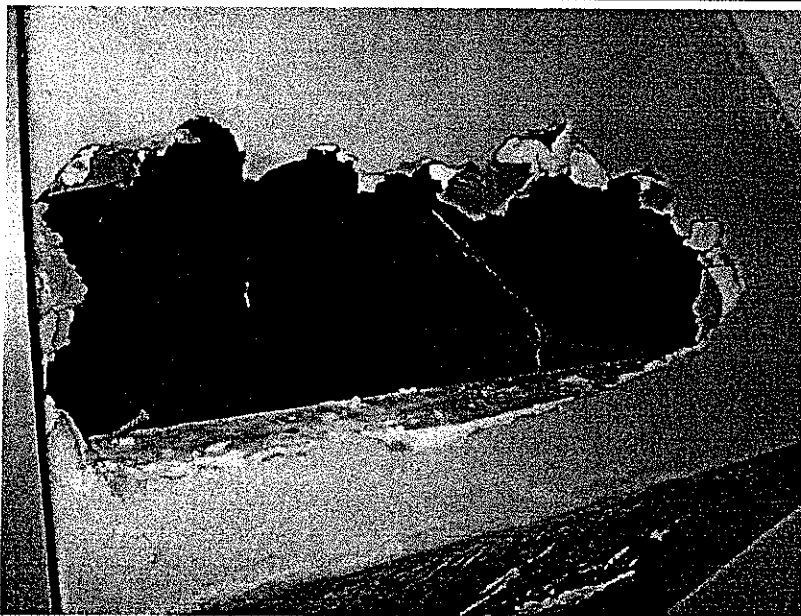


Photo 26: Detail of hole in drywall in the upstairs loft area.

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 23 of 32

*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☒ Update

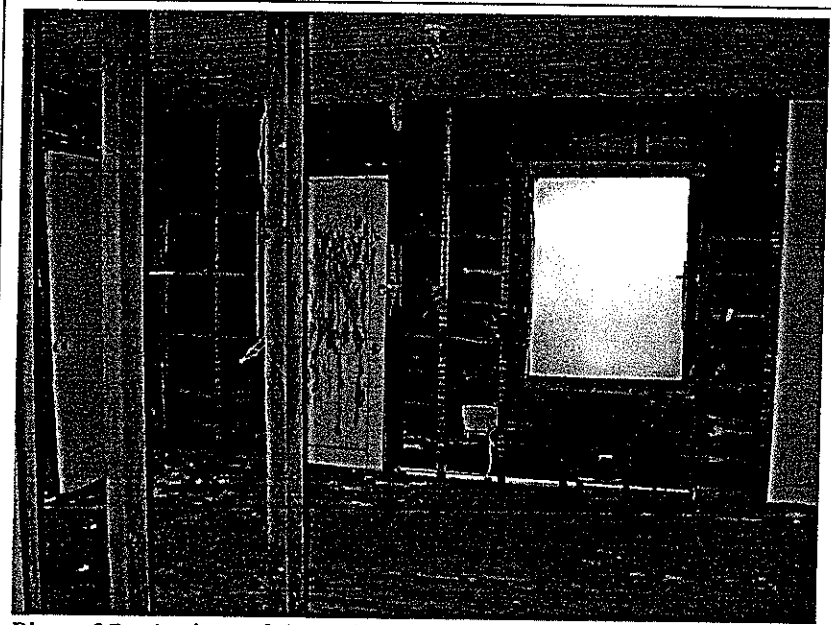


Photo 27: A view of the stripped interior of the western addition.

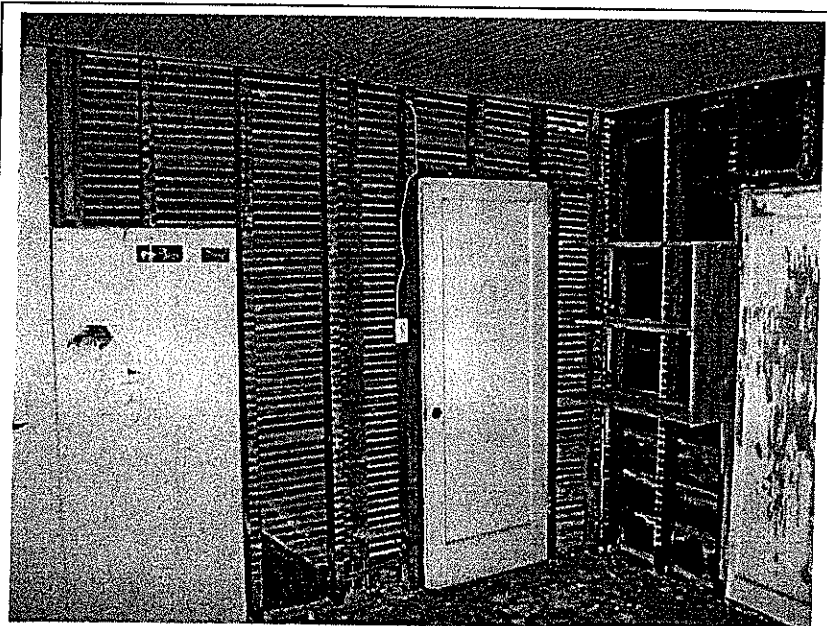


Photo 28: Another view of the western addition interior.

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 24 of 32

*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☒ Update

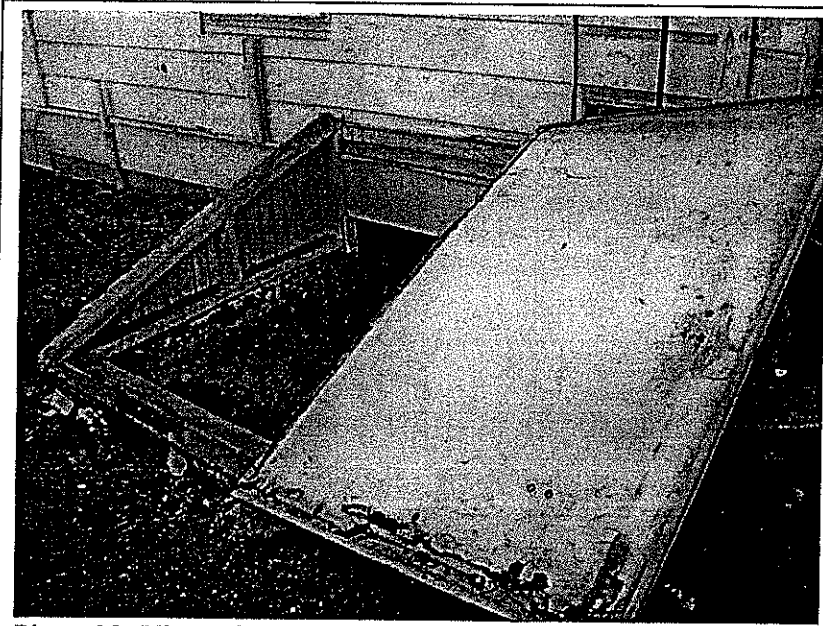


Photo 29: View of the exterior storm door basement entry.

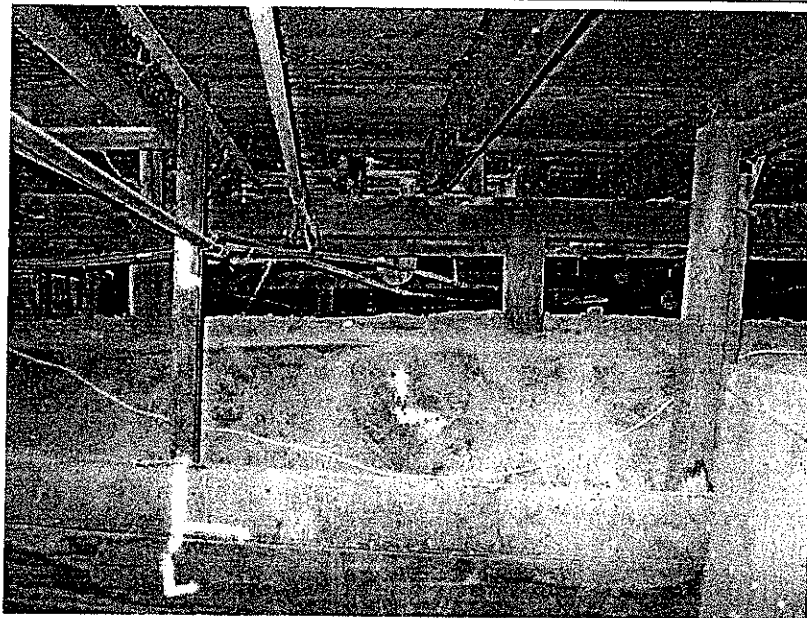


Photo 30: View of the basement and foundation posts.

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____

HRI # _____

Trinomial _____

Page 25 of 32

*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☒ Update

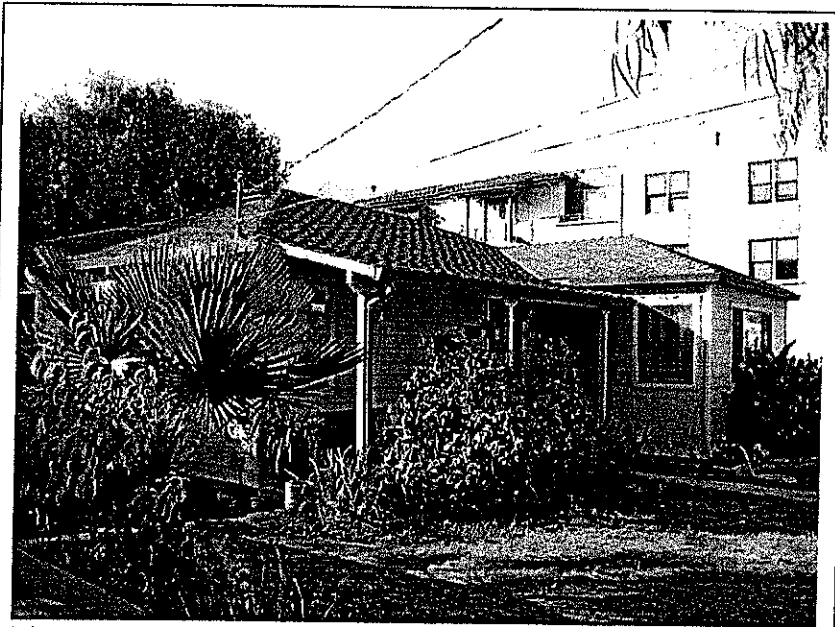


Photo 31: Oblique view of 1444 Madison Street.



Photo 32: View of the front façade of 1444 Madison Street.

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 26 of 32

*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☒ Update

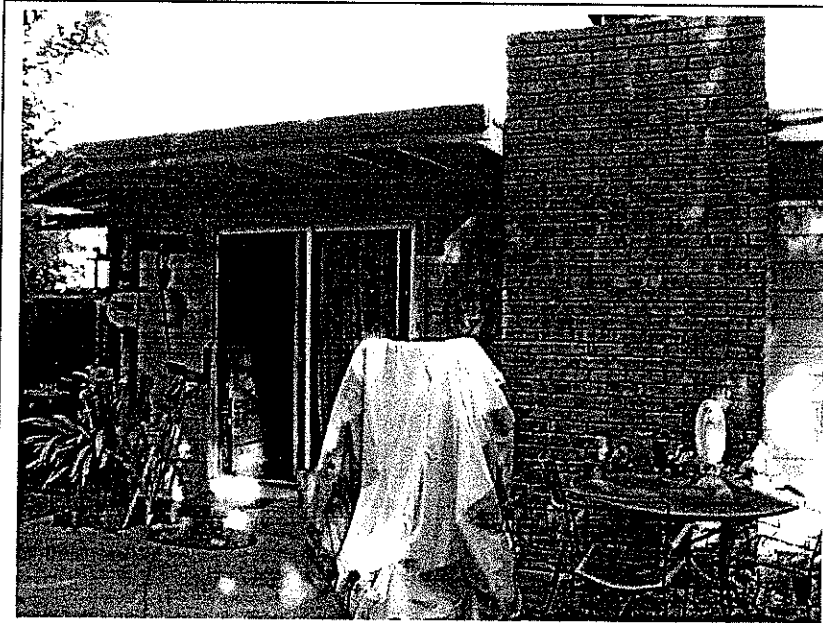


Photo 33: View of the entry to the rear unit, and chimney.

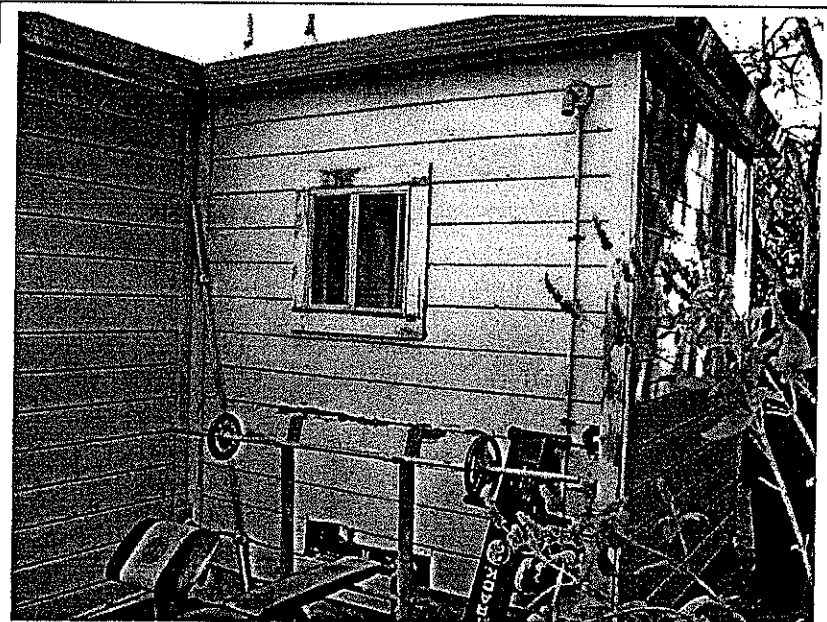


Photo 34: View of addition in rear area of 1444 Madison Street.

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 27 of 32

*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☒ Update

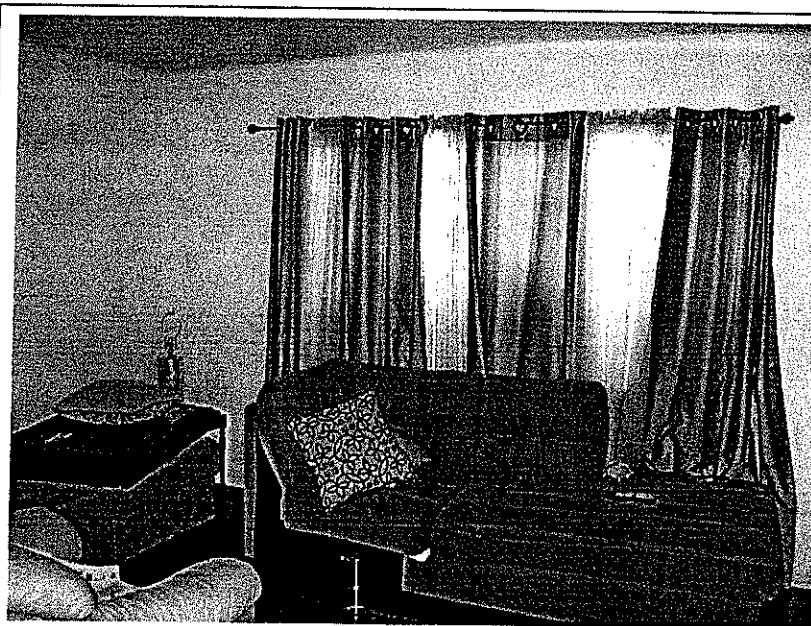


Photo 35: Interior view of the living room in front unit, 1444 Madison Street.

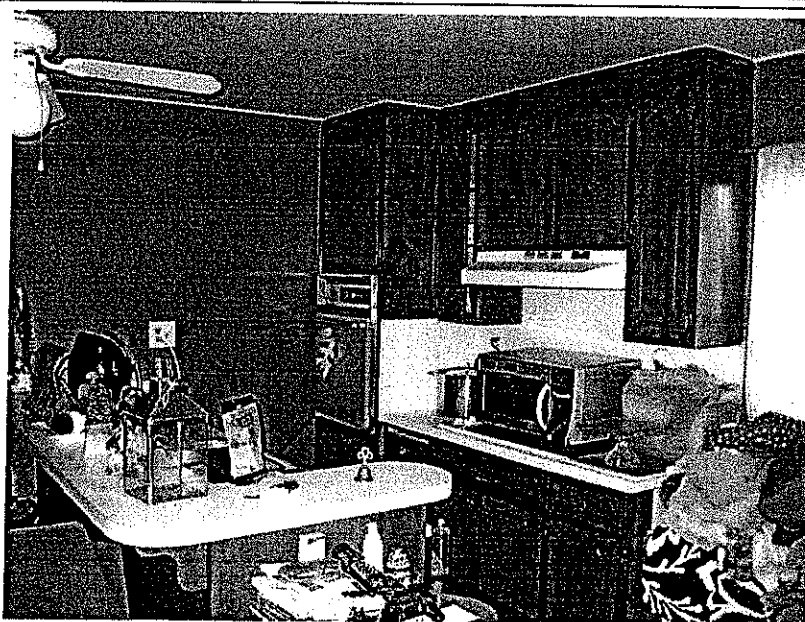


Photo 36: View of the kitchen in the front unit.

Primary # _____

HRI # _____

Trinomial _____

Page 28 of 32

*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☒ Update

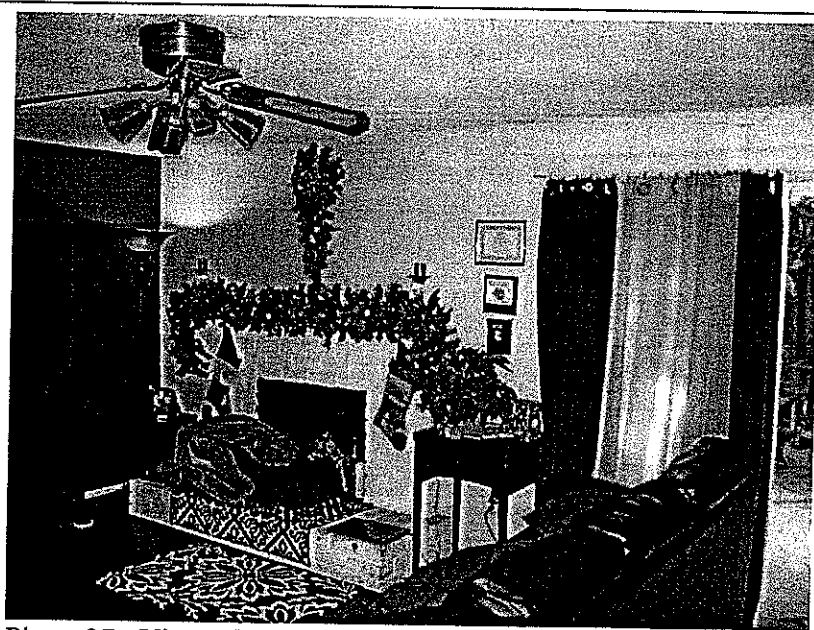


Photo 37: View of the living room in the rear unit.

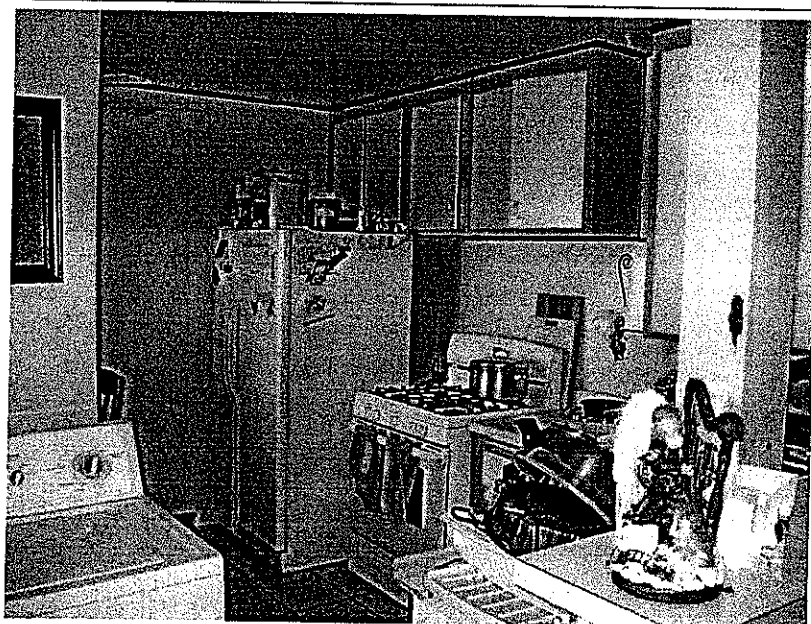


Photo 38: View of the kitchen in the rear unit.

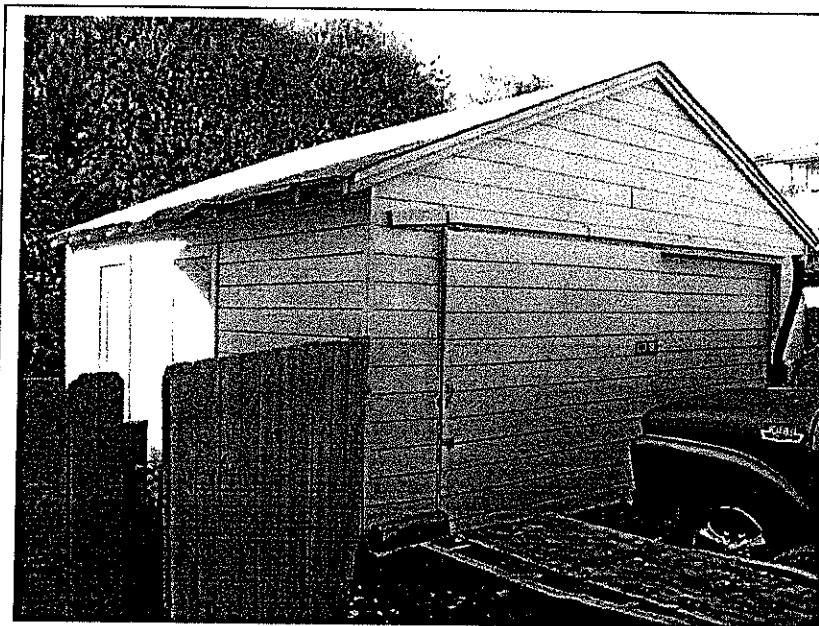


Photo 39: View of the detached garage between the two residences.

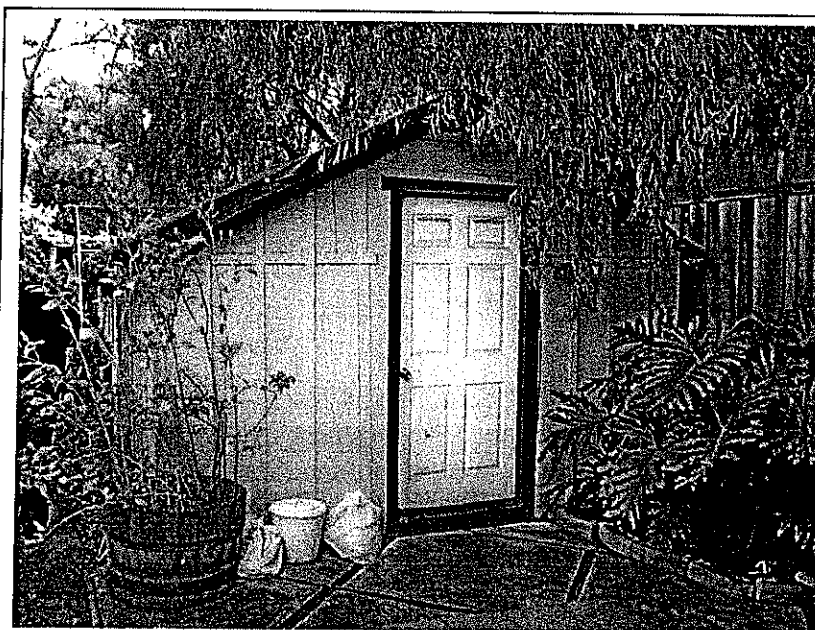


Photo 40: View of prefab shed in rear of 1444 Madison Street.

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____

HRI # _____

Trinomial _____

Page 30 of 32

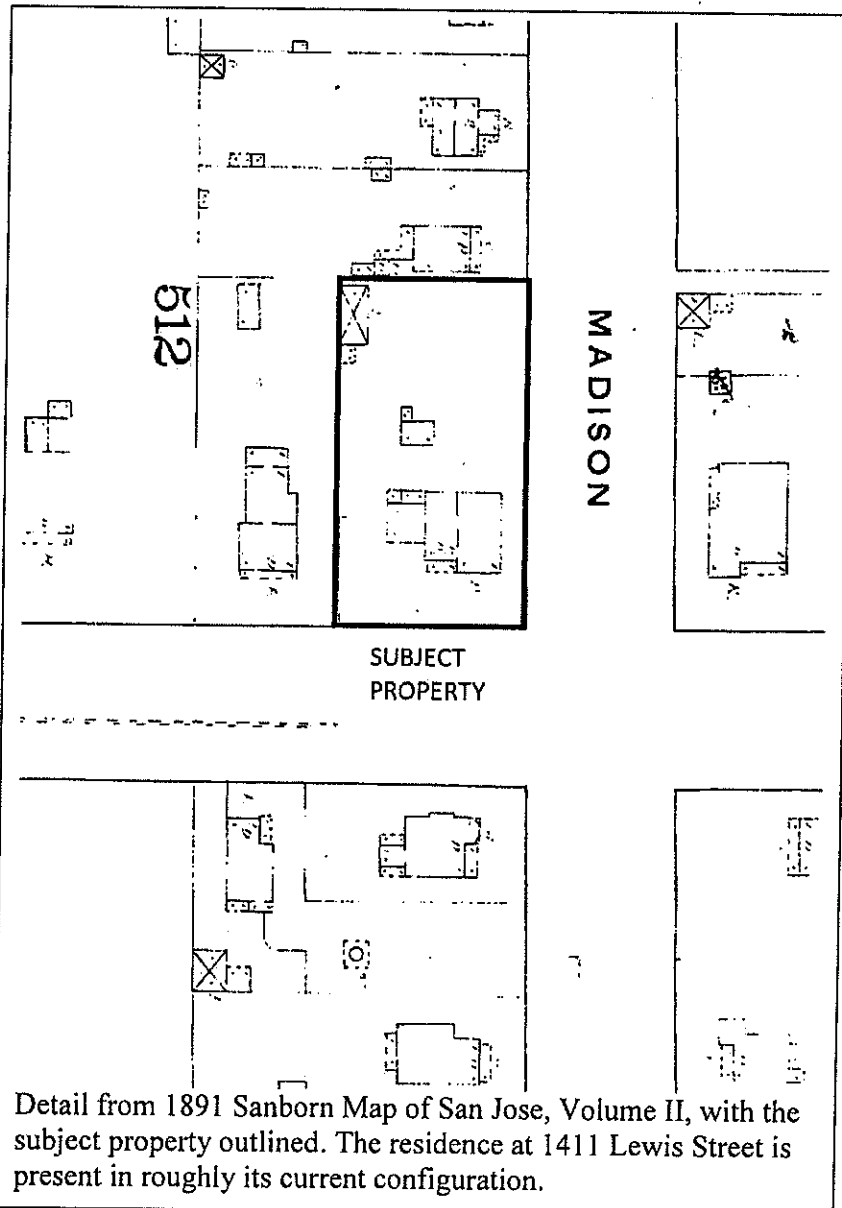
*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☒ Update



Detail from 1891 Sanborn Map of San Jose, Volume II, with the subject property outlined. The residence at 1411 Lewis Street is present in roughly its current configuration.

State of California - The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
 HRI # _____
 Trinomial _____

Page 31 of 32

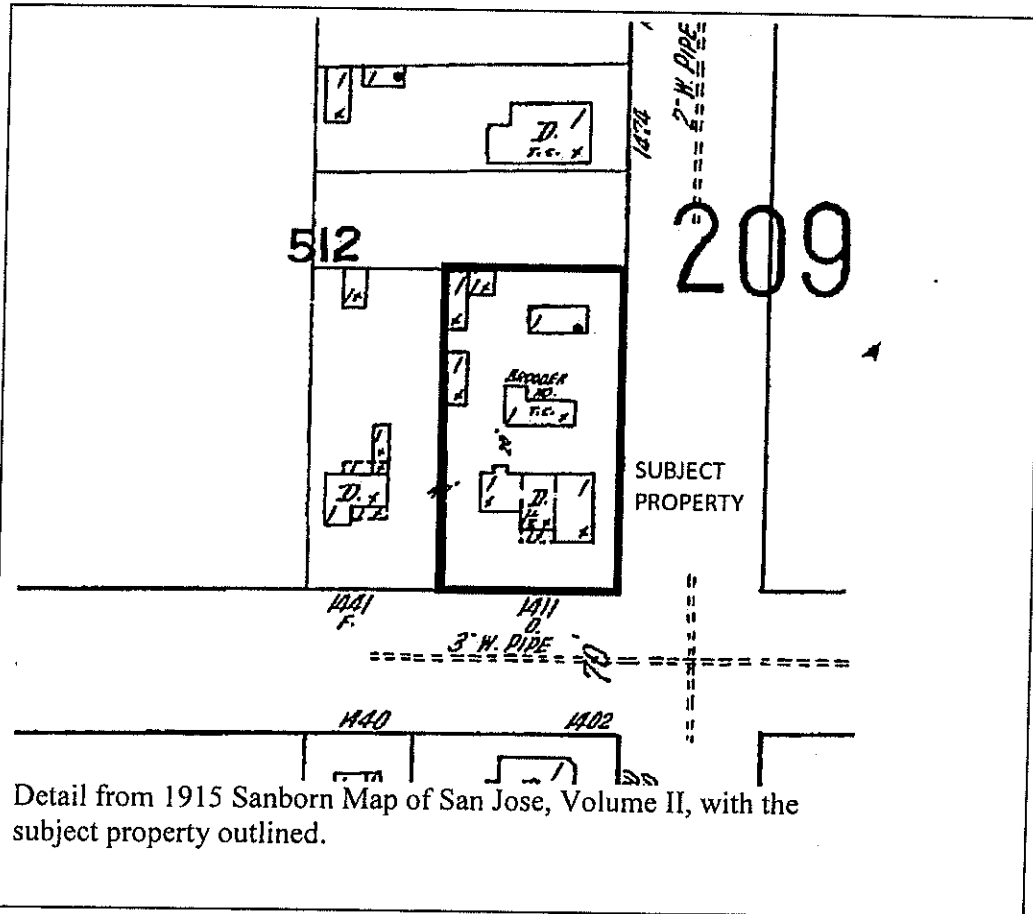
*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☒ Update



State of California - The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
 HRI # _____
 Trinomial _____

Page 32 of 32

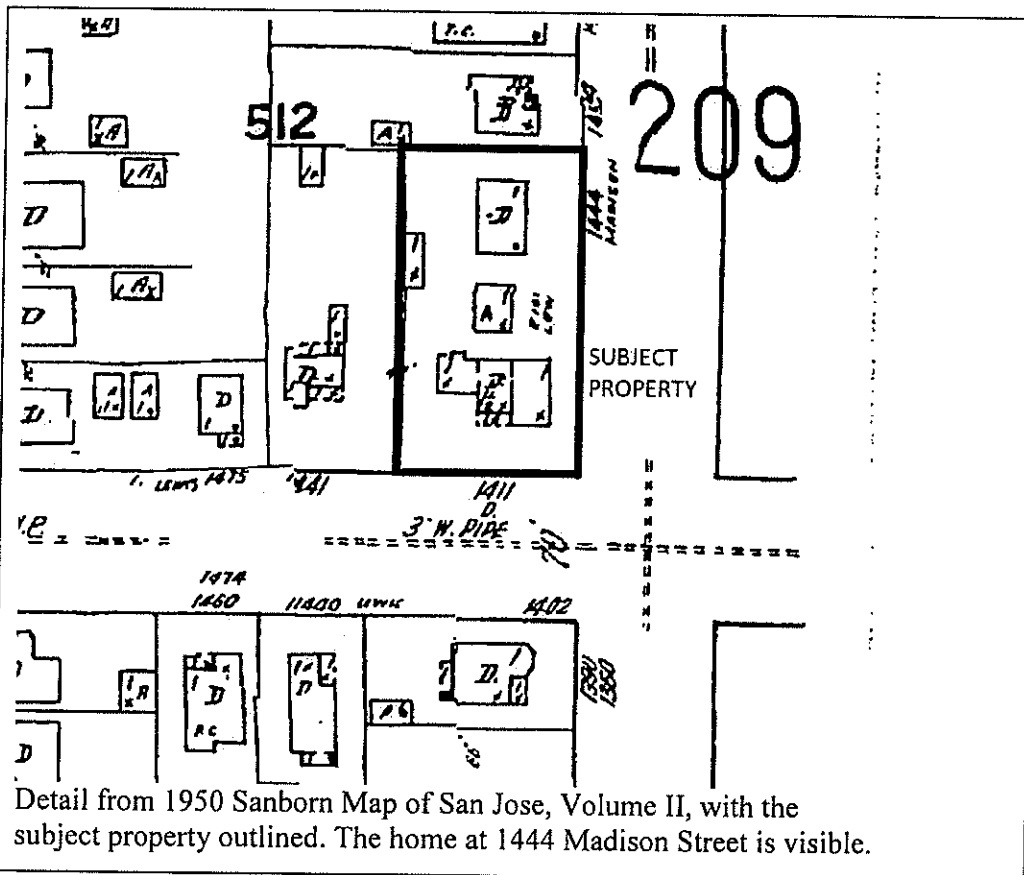
*Resource Name or # (Assigned by recorder)

1411 Lewis Street

*Recorded by Archaeological Resource Management

Date 12/1/2017

Continuation ☐ Update ☒



WOOD DESTROYING PESTS AND ORGANISMS INSPECTION REPORT

Building No. 1411	Street Lewis Street	City Santa Clara	Zip 95050	Date of inspection 12/18/17	Number of Pages 1 of 11
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Silver Creek Termite Control
PO Box 8361
San Jose, CA 95155
Phone: 408 224-4688 Fax: 408 707-1309

Registration # PR4922

Report # 4661

Ordered by: Alain Pinel Realtors Ralph Rodriguez 5560 Arezzo Drive San Jose, CA 95138 W: 408 807-3073	Property Owner and/or Party of Interest:	Report sent to: Alain Pinel Realtors Ralph Rodriguez 5560 Arezzo Drive San Jose, CA 95138 W: 408 807-3073
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COMPLETE REPORT ☒
 LIMITED REPORT ☐
 SUPPLEMENTAL REPORT ☐
 REINSPECTION REPORT ☐

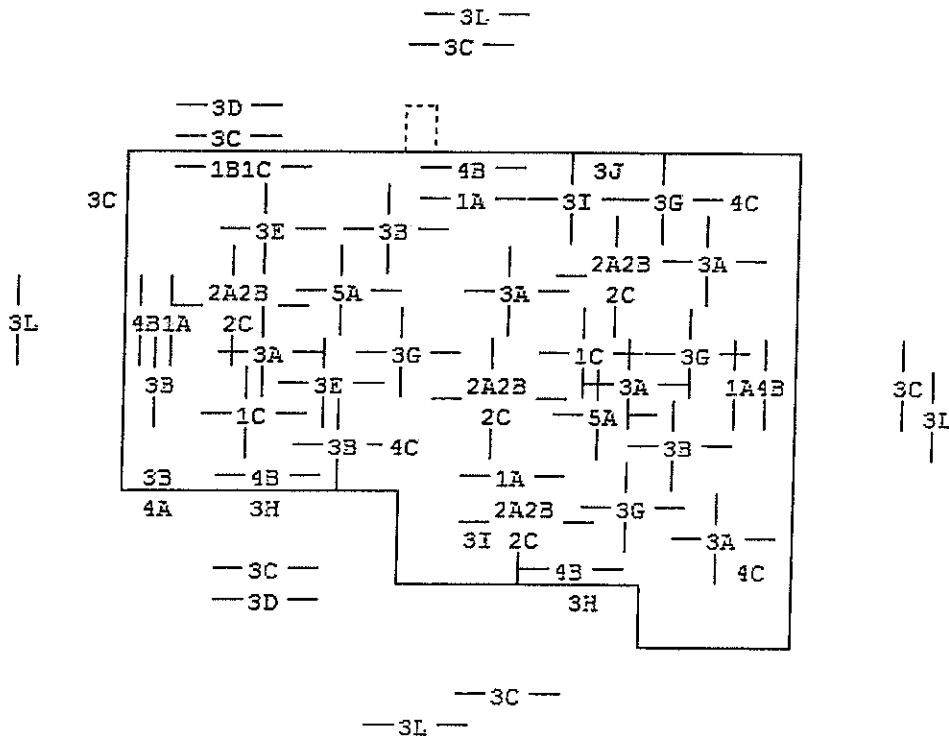
General Description: Two story, single family, wood siding, composition roof, crawl space and basement, vacant	Inspection Tag Posted: Basement Other Tags Posted:
---	---

An inspection has been made of the structure(s) shown on the diagram in accordance with the Structural Pest Control Act. Detached porches, detached steps, detached decks and any other structures not on the diagram were not inspected.

Subterranean Termites ☒
 Drywood Termites ☒
 Fungus / Dryrot ☒
 Other Findings ☒
 Further Inspection ☒

If any of the above boxes are checked, it indicates that there were visible problems in accessible areas. Read the report for details on checked items.

NOT TO SCALE



Inspected by: **GORAN SUBOTIN**

State License No. **OPR11955**

Signature

Goran Subotin

You are entitled to obtain copies of all reports and completion notices on this property reported to the Structural Pest Control Board during the preceding two years. To obtain copies contact: Structural Pest Control Board, 2005 Evergreen Street, Suite 1500, Sacramento, California, 95815.

NOTE: Questions or problems concerning the above report should be directed to the manager of the company. Unresolved questions or problems with services performed may be directed to the Structural Pest Control Board at (916) 561-8706, (800) 737-8188 or www.pestboard.ca.gov.

43M-41 (REV. 10/01)

WOOD DESTROYING PESTS AND ORGANISMS INSPECTION REPORT

Building No.	Street	City	Zip	Date of Inspection	Report #	Page
1411	Lewis Street	Santa Clara	95050	12/18/17	4661	2 of 11

STANDARD PRACTICES, POLICIES AND DISCLAIMERS

PLEASE READ THIS COMPLETE REPORT, FROM BEGINNING TO END. WE HAVE COMPILED THIS REPORT USING GENERALLY ACCEPTED STANDARDS OF PRACTICE BASED ON THE CALIFORNIA PEST CONTROL BOARD ACT RULES AND REGULATIONS.

THE PEST CONTROL INDUSTRY RECOGNIZES A STRUCTURE TO HAVE CERTAIN AREAS BOTH INACCESSIBLE AND NOT INSPECTED. THESE AREAS INCLUDE BUT ARE NOT LIMITED TO: INACCESSIBLE AND/OR INSULATED ATTICS OR PORTIONS THEREOF, ATTICS WITH LESS THAN 18 INCHES CLEAR CRAWL SPACE, INSULATED SUBFLOOR STRUCTURE; THE INTERIOR HOLLOW WALLS, COMMON WALLS, THE CRAWL SPACE UNDERNEATH A DECK LESS THAN 12 INCHES; COVERED CEILINGS, AREAS/PLUMBING/UTILITIES ABOVE DROPPED AND/OR FINISHED CEILINGS AND BEHIND CLOSED WALLS, OPEN BEAM CEILINGS; SPACES BETWEEN A FLOOR OR PORCH DECK, AND THE CEILING BELOW; AREAS WHERE THERE IS NO ACCESS WITHOUT DEFACING OR TEARING LUMBER, MASONRY OR FINISHED WORK; AREAS UNDERNEATH, BEHIND OR BELOW APPLIANCES OR BENEATH FLOOR COVERINGS, FURNISHING AND/OR STORED ITEMS, LOCKED AREAS, AND AREAS REQUIRING AN EXTENSION LADDER, I.E. SECOND STORY EAVES; AREAS WHERE ENCUMBRANCES, STORED ITEMS, CONDITIONS AND/OR LOCKS MAKE INSPECTION IMPRACTICAL; CONCEALED EAVES; SOFFITED EAVES/AREAS; EAVES OVER PATIO(S); INTERIOR OF ENCLOSED ABUTMENTS OR HOLLOW STUCCO WALLS; AREAS UNDER WATER HEATER PEDESTALS; ENCLOSED AREAS UNDER DECKS, STAIRS, PATIOS, ETC.

MOLDS, SOMETIMES CALLED MILDEW, ARE NOT WOOD-DESTROYING ORGANISMS AND IS OUTSIDE THE SCOPE OF THIS INSPECTION. BRANCH 3 LICENSEES DO NOT HAVE THE DUTY UNDER THE STRUCTURAL PEST CONTROL ACT AND RELATED REGULATIONS TO CLASSIFY MOLDS. OUR COMPANY DOES NOT TAKE ANY RESPONSIBILITY FOR MOLD-RELATED ISSUES. IF YOU WISH YOUR PROPERTY TO BE INSPECTED FOR MOLD OR MOLD-LIKE CONDITIONS, PLEASE CONTACT A MOLD PROFESSIONAL.

NOTICE: THE STRUCTURAL PEST CONTROL BOARD ENCOURAGES COMPETITIVE BUSINESS PRACTICES AMONG REGISTERED COMPANIES. REPORTS ON THIS STRUCTURE PREPARED BY VARIOUS REGISTERED COMPANIES SHOULD LIST THE SAME FINDINGS (i.e. TERMITE INFESTATIONS, TERMITE DAMAGE, FUNGUS DAMAGE, etc.) HOWEVER, RECOMMENDATIONS TO CORRECT THESE FINDINGS MAY VARY FROM COMPANY TO COMPANY. YOU HAVE THE RIGHT TO SEEK A SECOND OPINION FROM ANOTHER COMPANY.

NOTICE: THE CHARGE FOR SERVICE THIS COMPANY SUBCONTRACTS TO ANOTHER PERSON OR ENTITY MAY INCLUDE THE COMPANY'S CHARGES FOR ARRANGING AND ADMINISTERING SUCH SERVICES THAT ARE IN ADDITION TO THE DIRECT COSTS ASSOCIATED WITH PAYING THE SUBCONTRACTOR.

THIS COMPANY DOES NOT INSPECT ROOFS AS IT IS BEYOND THE SCOPE OF OUR LICENSE. THE EXTERIOR SURFACE OF THE ROOF WAS NOT INSPECTED. IF YOU WANT THE WATER TIGHTNESS OF THE ROOF DETERMINED, YOU SHOULD CONTACT A ROOFING CONTRACTOR WHO IS LICENSED BY THE CONTRACTORS' STATE LICENSE BOARD.

WE CANNOT GUARANTEE WORK DONE BY THE OWNERS OR THE OWNERS AGENT. WE MAKE NO GUARANTEE AGAINST FUTURE INFECTIONS, ADVERSE CONDITIONS OR CONDITIONS PRESENT BUT NOT EVIDENT AT THE TIME OF OUR INSPECTION.

SHOULD FURTHER INSPECTION ITEMS NOTED IN THIS REPORT NOT BE PERFORMED, OUR COMPANY WILL ASSUME NO LIABILITY FOR ANY INFESTATIONS OR INFECTION(S) WHICH MAY BE CONCEALED IN THESE AREAS.

WOOD DESTROYING PESTS AND ORGANISMS INSPECTION REPORT

Building No.	Street	City	Zip	Date of Inspection	Report #	Page
1411	Lewis Street	Santa Clara	95050	12/18/17	4661	3 of 11

NOTE: OUR BID FOR TILE/VINYL IS BASED ON STANDARD GRADE TILE/VINYL. ALL UPGRADES.

MINIMUM CHARGE FOR REPAIRS PERFORMED BY THIS COMPANY IS \$150.00.

MINIMUM CHARGE FOR CLEARANCE OF WORK PERFORMED BY OTHERS IS \$175.

NOTE: IF LOCAL BUILDING CODES REQUIRE PERMITS OR ADDITIONAL WORK WHICH IS NOT OUTLINED IN THIS REPORT, A CHANGE WORK ORDER WILL BE ISSUED. THE CHANGE ORDER WILL INCLUDE THE CITY REQUIREMENTS AND AN ADDITIONAL COST ESTIMATE TO PERFORM THE WORK.

THIS COMPANY DOES NOT DO SLAB INSPECTIONS AS IT IS BEYOND THE SCOPE OF OUR LICENSE. FLOOR COVERING MAY CONCEAL CRACKS IN THE SLAB THAT WILL ALLOW INFESTATIONS TO ENTER. INFESTATIONS MAY BE CONCEALED BY PLASTER, SHEET ROCK, OR OTHER WALL COVERINGS. IF WOOD DESTROYING PESTS OR ORGANISMS HAVE CAUSED DAMAGE DIRECTLY RESULTING FROM THE CONDITION AT THE FOUNDATION AND IT IS OBSERVED AT THE TIME OF INSPECTION, THEN OUR REPORT WILL INDICATE THIS OTHERWISE IT IS RECOMMENDED THAT A FOUNDATION PROFESSIONAL BE CONTACTED.

THIS COMPANY SHALL EXERCISE DUE CARE DURING INSPECTIONS AND TREATMENTS BUT ASSUMES NO LIABILITY FOR ANY DAMAGE TO TILES, SLATES, SHINGLES OR OTHER ROOFING MATERIALS, INCLUDING BUT NOT LIMITED TO PATIO COVERS, ALUMINUM AWNINGS, SOLAR HEATING, PLANTS, SHRUBBERY OR PAINT DURING ANY TYPE OF TREATMENT.

UPON COMPLETION OF OUR WOOD REPAIRS IN AREAS AT THE ROOF LINE AND/OR ASSOCIATED WITH THE ROOF STRUCTURE (I.E. EAVES, RAFTER TAILS, FASCIA BOARDS, BARGE RAFTERS, ETC.), THE ROOF COVERING AND/OR THE GUTTERS COULD BE DAMAGED OR IT MAY HAVE BEEN REMOVED IN ORDER TO EFFECT REPAIRS. IT WILL BE NECESSARY FOR THE OWNER, UPON COMPLETION OF OUR WOOD REPAIRS, TO HAVE A ROOFING CONTRACTOR AND/OR SHEET METAL CONTRACTOR, OR SOMEONE IN THAT LINE OF WORK, REPAIR THE ROOF COVERING AND/OR GUTTERS AS NECESSARY. ANY GUARANTEE AGAINST LEAKAGE THROUGH THE ROOF COVERING SHOULD BE SECURED FROM WHOEVER DOES THE ROOF COVERING REPAIR. OUR BID DOES NOT INCLUDE ANY ROOF COVERING AND/OR GUTTER REPAIR COSTS.

GUTTER(S) AND/OR DOWNSPOUTS MAY NEED TO BE REMOVED AS PART OF OUR REPAIRS. WE ARE NOT RESPONSIBLE FOR REINSTALLING GUTTER AND/OR DOWNSPOUTS. CLIENT WILL NEED TO EMPLOY SOMEONE IN THIS LINE OF WORK.

IN ORDER TO PERFORM CORRECTIVE MEASURES, IT MAY BE NECESSARY TO DRILL INTO CONCEALED AREAS AND/OR CUT OR REMOVE PLANTS. THE TERMITE EXTERMINATOR WILL NOT BE LIABLE FOR PLUMBING, HEATING, ELECTRICAL, GAS LINE(S) AND EQUIPMENT IN OR UNDER A SLAB, NOR FOR PLANTS WHICH MAY BE DAMAGED DURING TREATMENTS AND/OR REPAIRS.

RE-INSPECTIONS AND WORK DONE BY OTHERS:

IF REQUESTED BY THE PERSON WHO ORDERED AN ORIGINAL REPORT, A RE-INSPECTION OF THE STRUCTURE WILL BE PERFORMED IF AN ESTIMATE OR BID FOR MAKING REPAIRS WAS GIVEN WITH THE ORIGINAL REPORT, OR THEREAFTER. THIS COMPANY WILL RE-INSPECT REPAIRS DONE BY OTHERS WITHIN FOUR MONTHS OF THE

WOOD DESTROYING PESTS AND ORGANISMS INSPECTION REPORT

Building No.	Street	City	Zip	Date of Inspection	Report #	Page
1411	Lewis Street	Santa Clara	95050	12/18/17	4661	4 of 11

ORIGINAL INSPECTION. A CHARGE, IF ANY, CAN BE NO GREATER THAN THE ORIGINAL INSPECTION FEE FOR EACH RE-INSPECTION. THE RE-INSPECTION MUST BE DONE WITHIN TEN(10) WORKING DAYS OF REQUEST. A RE-INSPECTION IS A VISUAL INSPECTION ONLY. INSPECTION(S) OF WORK IN PROGRESS WILL BE NECESSARY. A FEE WILL APPLY FOR EACH RE-INSPECTION/VISIT TO THE PROPERTY. ANY DAMAGED MATERIAL SHOULD BE REMOVED AND AREAS LEFT OPEN. THE RE-INSPECTION SHOULD BE SCHEDULED AND PERFORMED BEFORE ANY REPAIRS ARE COMPLETED AND AREAS OTHERWISE INACCESSIBLE ARE CLOSED/COVERED IN ORDER TO ENSURE THERE IS NO HIDDEN DAMAGE AND DAMAGE DOES NOT EXTEND IN TO INACCESSIBLE AREAS. ANY GUARANTEES MUST BE RECEIVED FROM PARTIES PERFORMING REPAIRS.

WE CANNOT PROVIDE WARRANTIES, GUARANTEES OR CLEARANCE ON TREATMENTS PERFORMED BY OTHERS, INFORMATION CONCERNING WARRANTIES, GUARANTEES OR CLEARANCE SHOULD BE SOUGHT FROM THE COMPANY THAT PERFORMED THE TREATMENT(S)

IF DURING THE PERFORMANCE OF ANY REPAIRS, RE-INSPECTIONS BY THIS COMPANY OR AT ANY OTHER TIME, INACCESSIBLE AREAS BECOME ACCESSIBLE AND IF INFESTATIONS AND/OR DAMAGE IS FOUND TO EXTEND INTO ANY INACCESSIBLE AREAS THAT WERE NOT EVIDENT AT THE TIME OF THE ORIGINAL INSPECTION, WE WILL ISSUE A SUPPLEMENTAL REPORT LISTING ADDITIONAL FINDINGS, RECOMMENDATIONS, AND COST(S) TO REPAIR.

GUARANTEE POLICY:

THIS GUARANTEE EXCLUDES STRUCTURE WITH SUB SLAB HEATING/AIR CONDITIONING SYSTEMS, PLENUM CONSTRUCTION WITH AIR CONDITIONING AND HEATING DUST IN USE, A WELL OR CISTERN WITHIN FIFTY FEET AND AREAS THAT ARE INACCESSIBLE FOR TREATMENT. ADDITIONAL EXCLUSIONS INCLUDE STRUCTURES WITH DAMAGE TO OR FROM EXCESSIVE MOISTURE, INADEQUATE CONSTRUCTION, AREAS OF INACCESSIBILITY, DETERIORATING MATERIALS, MASONRY FAILURE, GRADE ALTERATION, PIPES AND CONDUITS BENEATH CONCRETE SLAB, FURNISHINGS OR CONTENTS/STORED ITEMS, ETC. NO GUARANTEE WILL BE ISSUED FOR ANY WORK THAT IS A SECONDARY RECOMMENDATION OR WORK COMPLETED BY OTHERS. A THIRTY(30) DAY GUARANTEE APPLIES TO PLUMBING, GROUTING, CAULKING AND RESETTING OF COMMODOES, SINKS AND/OR ENCLOSURES. ALL OTHER WORK PERFORMED BY THIS COMPANY SHALL BE GUARANTEED FOR THE DURATION OF ONE YEAR FROM THE TIME THE WORK WAS COMPLETED.

OUR COMPANY ASSUMES NO LIABILITY FOR, NOR DO WE GUARANTEE, WORK DONE BY OTHERS. ALL GUARANTEES, WARRANTIES, AND PERMITS SHOULD BE OBTAINED FROM THE PARTIES PERFORMING REPAIRS.

THE OWNER OF THIS STRUCTURE HAS CERTAIN OBLIGATIONS REGARDING MAINTENANCE AND PERTAINING TO THE DETERRENCE OF WOOD DESTROYING ORGANISMS. MAINTENANCE PROCEDURES INCLUDE BUT ARE NOT LIMITED TO; REASONABLE CLEANING, UPKEEP OF ROOFS, GUTTERS, AND DOWNSPOUTS,; PAINTING AND SEALING EXPOSED SURFACES; CAULKING DOORS AND WINDOWS; GROUTING ABOUT COMMODOES, TUB AND SHOWER ENCLOSURES; STORING ITEMS, MATERIALS ONE FOOT AWAY FROM THE STRUCTURE AND FOUNDATION; PROVIDING ADEQUATE VENTILATION, MAINTAINING PROPER DRAINAGE AWAY FROM THE STRUCTURE (INCLUDING IRRIGATION SYSTEMS); KEEPING SOIL LEVELS BELOW THE TOP OF THE FOUNDATION(S) AND PROHIBITING EARTH CONTACT WITH WOOD SURFACES AND COMPONENTS OF THE STRUCTURE(S).

WORK COMPLETED BY THIS COMPANY DOES NOT INCLUDE FINISH PAINTING, TEXTURING AND/OR SANDING. OWNER IS RESPONSIBLE FOR THESE ITEMS.

WOOD DESTROYING PESTS AND ORGANISMS INSPECTION REPORT

Building No. 1411	Street Lewis Street	City Santa Clara	Zip 95050	Date of Inspection 12/18/17	Report # 4661	Page 5 of 11
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SECTION REPORTING:

A SEPARATE REPORT INCLUDES SECTION I AND/OR II CONDITIONS EVIDENT ON THE DATE OF THIS INSPECTION. SECTION I CONTAINS ITEMS WHERE THERE IS EVIDENCE OF ACTIVE INFESTATION, INFECTION AND/OR CONDITIONS THAT HAVE RESULTED IN OR ARE FROM INFESTATION OR INFECTION. SECTION II ITEMS ARE CONDITIONS DEEMED LIKELY TO LEAD TO INFESTATION BUT WHERE NO VISIBLE EVIDENCE OF SUCH WAS FOUND OR OBSERVED. FURTHER INSPECTION ITEMS ARE DEFINED AS RECOMMENDATIONS TO INSPECT AREA(S) WHICH DURING THE ORIGINAL INSPECTION DID NOT ALLOW THE INSPECTOR ACCESS TO COMPLETE THE INSPECTION AND CANNOT BE DEFINED AS SECTION I OR II.

(1) SUBTERRANEAN TERMITES

1A. FINDING: Evidence of subterranean termite infestation was observed in one or more locations at the structure, noted as 1A on the diagram.

RECOMMENDATION: Perform a guaranteed soil treatment around the entire foundation for the control of subterranean termites using a registered termiticide. (Section I Item)

In the performance of the above recommendation, we propose to use the chemical Termidor (Fipronil).

The soil treatments will be performed in compliance with the Termidor SC Post Construction Exterior Perimeter/Localized Interior (EP/LI) Label Instructions.

The treatment outlined in the item above will guarantee the entire structure against infestations by subterranean termites for a period of one year from completion.

We will be unable to guarantee an exact match at the areas that are drilled and then patched. This will include painted surfaces, aggregate, brick, tile, grout, etc.

Silver Creek Termite Control, Inc. assumes no liability for any damage to any plumbing lines, gas lines or electrical lines which could be concealed below the slabs and other surfaces to be drilled. Although Silver Creek Termite Control, Inc. uses caution, we assume no liability for broken and/or chipped bricks, tiles, etc. due to drilling. Please remove stored items (if applicable) 3 feet away from interior walls in garage prior to treatment. (SECTION I ITEM)

1B. FINDING: Evidence in the form of shelter tubes for subterranean termites was observed and noted as 1B on the diagram.

RECOMMENDATION: Remove all shelter tubes. (Section I)
(SECTION I ITEM)

1C. FINDING: Subterranean termite damage was observed at the mud sills, girders and joists throughout, noted as 1C on the diagram.

RECOMMENDATION: Remove and replace damaged wood members. (Section I)

NOTE: If damage extends into inaccessible areas, we will issue a supplemental report with our findings, recommendations and costs for repairs.

NOTE: Bid is an estimate only.
(SECTION I ITEM)

WOOD DESTROYING PESTS AND ORGANISMS INSPECTION REPORT

Building No.	Street	City	Zip	Date of Inspection	Report #	Page
1411	Lewis Street	Santa Clara	95050	12/18/17	4661	6 of 11

(2) DRYWOOD TERMITES

2A. FINDING: Evidence of drywood termites was observed at the areas noted as 2A on the diagram.

RECOMMENDATION: Tarp, seal, and fumigate with lethal gas, Vikane or other similar chemical. (Section I)

NOTE: While care and caution will be exercised by the fumigation crew, no responsibility is taken for possible damage to roof, TV antennae, shrubbery, plants around the building. Occupants should make arrangements should make arrangements to be away from the property for approximately 72 hours. If customer has to cancel fumigation, we must be given one week advance notice or a cancellation fee of \$100.00 will be charged to the customer.

NOTE: It should be noted that the price quoted is for the fumigation and prep work unless otherwise noted. Any prep work assigned to the owner will be the owner's responsibility and at the owner's expense.

NOTE: Please note the cost for the fumigation is not always included in the total costs for Section I. Once the property has been measured for fumigation, we will send an updated Contract with the cost for the fumigation. (SECTION I ITEM)

2B. FINDING: Evidence of drywood termites, in the form of drywood pellets, was observed, noted as 2B on the diagram.

RECOMMENDATION: Mask and/or remove all pellets that are accessible. (Section I) (SECTION I ITEM)

2C. FINDING: Subterranean termite damage was observed at the framing, subfloor and floors throughout, noted as 2C on the diagram.

RECOMMENDATION: Remove and replace damaged wood members. (Section I)

NOTE: If damage extends into inaccessible areas, we will issue a supplemental report with our findings, recommendations and costs for repairs.

NOTE: Bid is an estimate only.
(SECTION I ITEM)

(3) FUNGUS/DRYROT

3A. FINDING: Fungus damage was observed at the roof framing and sheathing throughout, noted as 3A on the diagram.

RECOMMENDATION: Remove and replace damaged wood members. (Section I)

NOTE: If damage extends into inaccessible areas, we will issue a supplemental report with our findings, recommendations and costs for repairs.

(SECTION I ITEM)

3B. FINDING: Fungus damage was observed at the mud sill, joists and framing throughout, noted as 3B on the diagram.

RECOMMENDATION: Remove and replace damaged wood members. If possible, we will chisel or cut out the damage and fill with a plastic or wood filler. (Section I)

WOOD DESTROYING PESTS AND ORGANISMS INSPECTION REPORT

Building No. 1411	Street Lewis Street	City Santa Clara	Zip 95050	Date of Inspection 12/18/17	Report # 4661	Page 7 of 11
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NOTE: If damage extends into inaccessible areas, we will issue a supplemental report with our findings, recommendations and costs for repairs.

NOTE:
(SECTION I ITEM) Bid is an estimate only.

3C. FINDING: Fungus damage was observed at the siding, trim and framing throughout, noted as 3C on the diagram.

RECOMMENDATION: Remove and replace damaged wood members. If possible, we will chisel or cut out the damage and fill with a plastic or wood filler. (Section I)

NOTE: If damage extends into inaccessible areas, we will issue a supplemental report with our findings, recommendations and costs for repairs.

NOTE:
(SECTION I ITEM) Bid is an estimate only.

3D. FINDING: Fungus damage was observed at the fascia board(s) throughout, noted as 3D on the diagram.

RECOMMENDATION: Remove and replace damaged wood members. If possible, we will chisel or cut out the damage and fill with a plastic or wood filler. Primer paint only. (Section I)

NOTE: If damage extends into inaccessible areas, we will issue a supplemental report with our findings, recommendations and costs for repairs.

NOTE:
(SECTION I ITEM) Bid is an estimate only.

3E. FINDING: Fungus, drywood termite and subterranean termite damage was observed at the floors throughout, noted as 3E on the diagram.

RECOMMENDATION: Remove and replace damaged wood members. (Section I)

NOTE: If damage extends into inaccessible areas, we will issue a supplemental report with our findings, recommendations and costs for repairs.

NOTE:
(SECTION I ITEM) Bid is an estimate only.

3F. FINDING: Fungus damage was observed at the basement door and door framing, noted as 3F on the diagram.

RECOMMENDATION: Remove and replace damaged wood members. (Section I)

NOTE: If damage extends into inaccessible areas, we will issue a supplemental report with our findings, recommendations and costs for repairs.

NOTE:
(SECTION I ITEM) Bid is an estimate only.

WOOD DESTROYING PESTS AND ORGANISMS INSPECTION REPORT

Building No. 1411	Street Lewis Street	City Santa Clara	Zip 95050	Date of Inspection 12/18/17	Report # 4661	Page 8 of 11
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3G. FINDING: Fungus, drywood termite and subterranean termite damage was observed at the girders, posts, joists, subfloor and floors, noted as 3G on the diagram.

RECOMMENDATION: Remove and replace damaged wood members. (Section I)

NOTE: If damage extends into inaccessible areas, we will issue a supplemental report with our findings, recommendations and costs for repairs.

NOTE: Bid is an estimate only.
(SECTION I ITEM)

3H. FINDING: Fungus damage was observed at the door and trim, noted as 3H on the diagram.

RECOMMENDATION: Remove and replace damaged wood members. (Section I)

NOTE: If damage extends into inaccessible areas, we will issue a supplemental report with our findings, recommendations and costs for repairs.

NOTE: Bid is an estimate only. (SECTION I ITEM)

3I. FINDING: Fungus damage was observed at the walls/framing and ceilings/framing throughout, noted as 3I on the diagram.

RECOMMENDATION: Remove and replace damaged walls and ceilings. (Section I)

NOTE: If damage extends into inaccessible areas, we will issue a supplemental report with our findings, recommendations and costs for repairs.

NOTE: Bid is an estimate only. (SECTION I ITEM)

3J. FINDING: Fungus damage was observed at the bathroom components, noted as 3J on the diagram.

RECOMMENDATION: Remove and replace damaged components. (Section I)

NOTE: If damage extends into inaccessible areas, we will issue a supplemental report with our findings, recommendations and costs for repairs.

NOTE: Bid is an estimate only.
(SECTION I ITEM)

3K. FINDING: Fungus damage was observed at the kitchen components, noted as 3K on the diagram.

RECOMMENDATION: Remove and replace damaged wood members. (Section I)

NOTE: If damage extends into inaccessible areas, we will issue a supplemental report with our findings, recommendations and costs for repairs.

NOTE: Bid is an estimate only.
(SECTION I ITEM)

3L. FINDING: Fungus damage was observed at the windows/framing/trim, noted as 3L on the diagram.

WOOD DESTROYING PESTS AND ORGANISMS INSPECTION REPORT

Building No.	Street	City	Zip	Date of inspection	Report #	Page
1411	Lewis Street	Santa Clara	95050	12/18/17	4661	9 of 11

RECOMMENDATION: Remove and replace damaged wood members. (Section I)

NOTE: If damage extends into inaccessible areas, we will issue a supplemental report with our findings, recommendations and costs for repairs.

NOTE: Bid is an estimate only. (SECTION I ITEM)

3M. FINDING: Fungus damage was observed at the interior doors throughout, noted as 3M on the diagram.

RECOMMENDATION: Remove and replace damaged wood members. (Section I)

NOTE: If damage extends into inaccessible areas, we will issue a supplemental report with our findings, recommendations and costs for repairs.

NOTE: Bid is an estimate only.
(SECTION I ITEM)

(4) OTHER FINDINGS

4A. FINDING: No metal flashing was observed at the fence to house transition. This condition is considered to be conducive to infestation and/or infection.

RECOMMENDATION: Owner to install flashing. (Section II) (SECTION II ITEM)

4B. FINDING: Earth to wood contact was observed at the framing and mud seal, noted as 4B on the diagram. When wood is in contact with soil it retains moisture, which attracts wood destroying organisms.

RECOMMENDATION: Owner to have the proper tradesperson repair as necessary. (Section II) (SECTION II ITEM)

4C. FINDING: Water stains, mold and/or mildew was/were observed at the walls and ceiling throughout.

RECOMMENDATION: Owner to remove mold/mildew. (Section II) (SECTION II ITEM)

(5) FURTHER INSPECTION

5A. FINDING: The crawl space area(s) noted as 5A was/were not inspected due to a lack of clearance space and/or ductwork and/or plumbing.

RECOMMENDATION: This company makes no recommendations for this area and will not be held responsible for any damage that may be concealed because of lack of clearance and/or ductwork. If requested, once area has been made accessible, this company will return to inspect the concealed areas for an extra charge. (Further Inspection) (FURTHER INSPECTION ITEM)

5B. FINDING: There was no access to the attic space.

RECOMMENDATION: Owner to provide access at which time we will return and re-inspect for an additional charge. We will issue a supplemental report with our findings, recommendations and costs to repair if necessary. (Further Inspection) (FURTHER INSPECTION ITEM)

AREAS NOT INSPECTED, PLEASE READ (UNOCCUPIED STRUCTURE) This is a report of an inspection for wood destroying pests to a unoccupied structure. Some areas of the structure are inaccessible for inspection due to floor coverings. We did not inspect areas immediately under carpets. We did not inspect inside finished walls or ceilings. Inspection of these areas are not practical. Our inspection does not include inspection of the electrical, plumbing, heating, or mechanical systems of the structure. We did not inspect the roof covering. Our inspection will not detect building code violations. If any information is desired about any of these areas, a company who makes home inspections should be engaged. It is possible for wood

WOOD DESTROYING PESTS AND ORGANISMS INSPECTION REPORT

Building No.	Street	City	Zip	Date of Inspection	Report #	Page
1411	Lewis Street	Santa Clara	95050	12/18/17	4661	10 of 11

destroying organisms, infestations and infections to be concealed and not evident at the time of our inspection.

NOTE: There was no foundation at this property. Structure was built on mud sill plates.

NOTE: Water was not turned on at the time of the inspection preventing inspection of all water-related aspects of the home. Plumbing issues such as water leaks could not be detected as a result.

NOTE: Evidence of rodents was observed throughout.

WE DID NOT INSPECT ENCLOSED ABUTMENTS.

The attic was visually inspected from the access opening only. Areas of the attic were not fully inspected as a result.

Our company has always strived to provide its customers with the safest and most efficient methods of pest control. Knowing that we deal with toxic materials, we keep ourselves educated so we can provide our customers with the best possible service results, and so we can use pesticides in the safest possible manner for our customers and ourselves.

In accordance with our sense of responsibility for the safety of our customers and employees, we ask that you read the following.

State Law requires that you be given the following information:

CAUTION – PESTICIDES ARE TOXIC CHEMICALS

Structural Pest Control Companies are registered and regulated by the Structural Pest Control Board, and apply pesticides which are registered and approved for use by the California Department of Food and Agriculture and the United States Environmental Protection Agency. Registration is granted when the state finds that based on existing scientific evidence there are no appreciable risks if proper use conditions are followed or that the risks are outweighed by the benefits. The degree of risk depends upon the degree of exposure, so exposure should be minimized.

If within 24 hours following application you experience symptoms similar to common seasonal illness comparable to the flu, contact your physician or poison control center (telephone number listed below) and our company immediately.

For further information, contact any of the following:

Silver Creek Termite Control - (408) 224-4688 For Health Questions -- the County Health Department Alameda County (415) 540-3063; Contra Costa County (415) 646-2286; San Francisco County (415) 554-2500; San Joaquin County (209) 468-3420; San Mateo County (415) 363-4305; Santa Clara County (408) 792-5586.

For Application information - the County Agricultural Commissioner: Alameda County (415) 670-5156; Contra Costa County (415) 646-5250; San Francisco County (415) 285-5010; San Joaquin County (415) 468-3300; San Mateo County (415) 363-4700; Santa Clara County (408) 918-4600.

For Regulatory Information - the Structural Pest Control Board: (916) 263-2544, 1418 Howe Avenue, Suite 18, Sacramento,

WOOD DESTROYING PESTS AND ORGANISMS INSPECTION REPORT

Building No.	Street	City	Zip	Date of Inspection	Report #	Page
1411	Lewis Street	Santa Clara	95050	12/18/17	4661	11 of 11

CA 95825-3280.

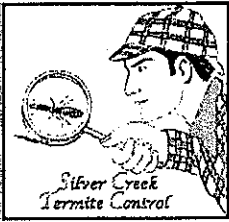
Pesticides that may be used on your property during the course of our work is listed below. The active ingredients are also listed.

Dampwood Termites -__ TRIBUTE; Cyano (3-phenoxyphenyl) methyl 4-choloro-alpha (1-methylethyl) benzeneacetate. Contains 2 pounds of fenvalerate per undiluted gallon. Drywood Termites (Fumigation) -__ VIKANE; Sulfuryl Flouride with Chloropicrin as the warning agent. Drywood Termites (Local Treatment) -__ CY-KICK; Cyfluthrin__ TERMIDOR SC; Fipronil__ TIM-BOR; Disodium Octaborate Tetrahydrate__ DRIONE; Pyrethrins, Piperonyl Butoxide-Technical, Amorphous Silica Gel and Petroleum Distillate.__ TRIBUTE; Cyano (3-phenoxyphenyl) methyl 4-choloro-alpha (1-methylethyl) benzeneacetate. Contains 2 pounds of fenvalerate per undiluted gallon.__ TRI-DIE PT230; Pyrethrins, Piperonyl Butoxide-Technical, Silica Gel Fungus and/or Dryrot -__ COPPER GREEN; Copper Napthenate, Copper salts of Naphthenic Acids__ TIM-BOR; Disodium Octaborate Tetrahydrate Subterranean Termites -__ PREMISE; Imidacloprid__ TERMIDOR SC; Fipronil__ TRIBUTE; Cyano (3-phenoxyphenyl) methyl 4-chloro-alpha-(1-methylethy) benzeneacetate. Contains 2 pounds of fenvalerate per undiluted gallon.__ ADVANCE TBC II; Diflubenzuron

Wood Destroying Beetles (Fumigation) -__ VIKANE; Sulfuryl Flouride with Chloropicrin as the warning agent Wood Destroying Beetles (Local Treatment) -__ TRI-DIE PT230; Pyrethrins, Piperonyl Butoxide-Technical, Silica Gel __ CY KICK; Cyfluthrin Carpenter Bees (Local Treatment)-__ CY KICK; Cyfluthrin

WORK AUTHORIZATION CONTRACT

Building No. Street 1411 Lewis Street	City Santa Clara	Zip 95050	Date of Inspection 12/18/17	Page No. 1
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Silver Creek Termite Control
 PO Box 8361
 San Jose, CA 95155
 Phone: 408 224-4688
 Fax: 408 707-1309

Registration # PR4922

For Report # 4661

ITEMIZED COST BREAKDOWN (Refer to items on the report)


	Primary Work Bid	Secondary Work Bid
SECTION 1:	1A: \$2400.00 1B: \$375.00 1C: \$15000.00 2A: Call for Bid 2B: \$475.00 2C: \$20000.00 3A: Roofer 3B: \$60000.00 3C: \$65000.00 3D: \$3500.00 3E: \$45000.00 3F: \$5000.00 3G: \$75000.00 3H: \$5000.00 3I: \$60000.00 3J: \$10000.00 3K: \$10000.00 3L: \$20000.00 3M: \$15000.00 *** TOTAL: \$411750.00	*** TOTAL: \$0.00
SECTION 2:	4A: Owner 4B: Owner 4C: Owner *** TOTAL: \$0.00	*** TOTAL: \$0.00
FURTHER INSPECTION:	5A: No Bid 5B: Call for Bid *** TOTAL: \$0.00	*** TOTAL: \$0.00

THIS IS A BINDING CONTRACT between SILVER CREEK TERMITE CONTROL, INC. and the client. Items on the report may contain provisions for additional costs over and above the original estimate. Please read the report carefully and completely.

CONDITIONS:

1. This offer is limited to 4 months from the date of the report.
2. If further inspection is recommended, or if additional work is required, we will provide prices or recommendations for correction. Interested parties will be notified prior to any work being done.
3. Notice to owner of Mechanic's Lien as required by the Structural Pest Control Board: Under the California Mechanics Lien Law, any structural pest control operator who contracts to do work for you, any contractor, subcontractor, laborer, supplier or other person who helps to improve your property, but is not paid for his work or supplies, has a right to enforce a claim against your property. This means that after a court hearing, your property could be sold by a court officer and the proceeds of the sale used to satisfy the indebtedness. This can happen even if you have paid your contractor in full if the subcontractor, laborers or suppliers remain unpaid. To preserve their right to file a claim or lien against your property, certain claimants such as subcontractors or

WORK AUTHORIZATION CONTRACT

Building No. Street 1411 Lewis Street	City Santa Clara	Zip 95050	Date of Inspection 12/18/17	Page No. 2
 <div>Silver Creek Termite Control PO Box 8361 San Jose, CA 95155 Phone: 408 224-4688 Fax: 408 707-1309 Registration # PR4922</div>				
For Report # 4661				

material suppliers are required to provide you with a document entitled "Preliminary Notice". General contractors and laborers for wages do not have to provide this notice. A Preliminary Notice is not a lien against your property. Its purpose is to notify you of persons who may have a right to file a lien against your property if they are not paid.

4. We will use due caution and diligence in their operations and care will always be taken to minimize any damage, but assumes no responsibility for matching existing colors and styles, or for incidental damage to roof coverings, TV antennas, solar panels, rain gutters, plant life, paint or wall coverings. There may be health related issues associated with the structural repairs reflected in the inspection report referenced by this work authorization contract. These health issues include but are not limited to the possible release of mold spores during the course of repairs. We are not qualified to and do not render any opinion concerning such health issues or any special precautions. We recommend that the client vacate the property for 4 to 6 hours for all local treatments. Any questions concerning health issues or any special precautions to be taken prior to or during the course of such repairs should be directed to a Certified Industrial Hygienist before any such repairs are undertaken. By executing this work authorization contract, customer acknowledges that he or she has been advised of the foregoing and has had the opportunity to consult with a qualified professional.

5. This report is limited to the accessible areas of the structure shown on the diagram. Please refer to the report for areas not inspected and further information.

6. TERMS OF PAYMENT. We agree to pay the sum of \$_____ upon issuance of Notice of Work Completed. Accounts are past due thirty days after date of completion unless prior arrangements have been made.

7. If this contract is to be paid out of escrow impound, we, the buyers and/or sellers agree to pay a \$100 escrow fee and to provide SILVER CREEK TERMITE CONTROL, INC. with all escrow billing information, and to notify us of any changes associated with the escrow impound or escrow company. We understand that we are responsible for payment, and if escrow does not close within 30 days of completion of work, we will pay the amount due in full including the escrow fee, and upon notification late fees may apply if payment is not made.

8. Warranty: Subterranean termites (two years in areas treated), local treatment for drywood termites (one year only in areas treated), local treatment for wood boring beetles (one year only in areas treated), local treatment for carpenter ants (one year only in areas treated), fumigations (three years). Warranty is made from the date of completion and applies to work performed by SILVER CREEK TERMITE CONTROL, INC.

9. We authorize this company to perform items

_____ for a contract price
of \$_____.

NAME OF PERSON TO CONTACT FOR ACCESS: _____ PHONE # _____

SIGNED _____ DATE _____ FAX # _____

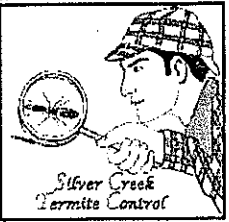
_____ EMAIL ADDRESS _____

OWNER OR OWNER'S AGENT

FAX CONTRACT TO: (408) 707-1309 OR SCAN AND EMAIL TO: office@sctermite.com

It is assumed that if an agent orders work on the owners behalf, and that they were notified prior by said agent, that if payment is not made by the agent or escrow company it will be the responsibility of the owner to produce payment.

WORK AUTHORIZATION CONTRACT

Building No. Street 1411 Lewis Street	City Santa Clara	Zip 95050	Date of Inspection 12/18/17	Page No. 3
<div><p>Silver Creek Termite Control PO Box 8361 San Jose, CA 95155 Phone: 408 224-4688 Fax: 408 707-1309 Registration # PR4922</p></div> <p>For Report # 4661</p>				

IS PROPERTY OCCUPIED OR VACANT? (Please circle one)

IF PROPERTY IS VACANT, PLEASE PROVIDE COMBO OR LOCATION OF KEY FOR ACCESS _____

PREFERRED DATE OF SERVICE _____ PREFERRED DATE OF COMPLETION _____

NOTE: We will make every effort to accomodate your requested schedule. Typically it takes approximately one to two weeks to schedule work (depending on the size of the job). Execptions can be made, but this is a good rule of thumb. Please take this into consideration when planning the work that needs to be completed.

****PLEASE PROVIDE ALL EMAIL ADDRESSES TO RECEIVE NOTICE OF COMPLETION AND INVOICE****

APEX Engineering • *Engineers@TheStructurals.com*

7176 Santa Teresa Boulevard • Suite B • San Jose • CA • 95139

Telephone: 408.379.2068

Wednesday, December 20, 2017

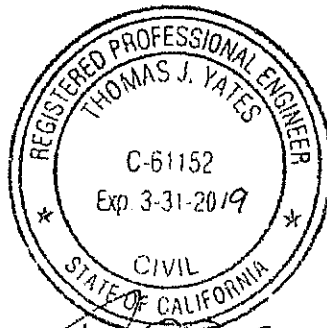


Wednesday, December 20, 2017
STRUCTURAL CONDITION REPORT
for

1444 Madison St
Santa Clara, CA 95050

Prepared for:

Greg Mussallem
P.O. Box 8305
San Jose, CA 95155



[Handwritten Signature]
THOMAS J.
YATES, PE



Wednesday, December 20, 2017

PURPOSE

The City of Santa Clara Planning Department has solicited a structural evaluation report prepared by a licensed professional engineer of an existing vacant residential building. This report describes the physical condition of the building and its components so that cost can be approximated to rehabilitate the structure to the current code requirements. This report will aid the owner, architect and builder to recommend if the building should be rehabilitated or demolished.



Figure 1: Residence as seen from Lewis St



EXISTING BUILDING CONSTRUCTION

There is one residential dwelling structure on the project site. The building is a two-story residential structure constructed about 1890s with additions at each side. The original structure and additions are rectangular and of wood construction with wood exterior finish. The roof is wood framed with composition shingles with gabled ends and guttered eaves.

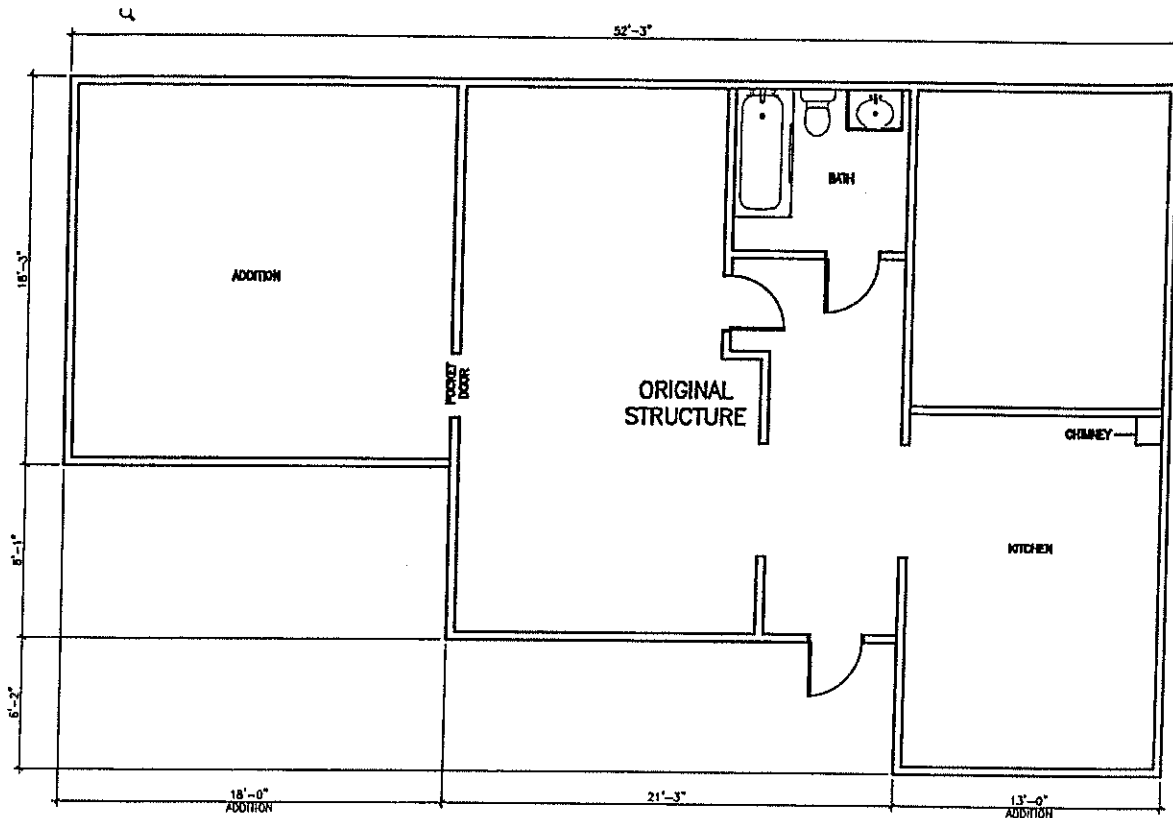


Figure 2: Plan view of structure at foundation level.



Wednesday, December 20, 2017



PHOTO 2: Front Elevation

STRUCTURAL BUILDING SYSTEM

This residential, light framed wood structure dwelling is founded on a wood posts driven into native soil or bear on planks which have been laid into the soil. There is no continuous foundation system observable, but the wood post may have been founded on some grout or concrete deep into the soil as this was observed in the basement where the soil had sluffed off into the basement pit near a floor girder post. The floor system is a typical 2x planks laid over 2x joists at 2' on center. Floor girders appear to be 4x6 material. There does not appear to be a continuous rim joist around the edge of the floor system. The siding may have originally served this purpose. The foundation system will need to be replaced with a reinforced concrete foundation system. We recommend contacting a qualified geotechnical engineering professional to determine the appropriate foundation system.

The interior is 4x framed walls with a plaster lathe finish. There was no evidence of the wall finishes being replaced with the more modern drywall finish. The lath and plaster and other finishes, interior and exterior would need to be removed to allow for current code seismic upgrades. There are complications with installing modern seismic and wind lateral load path through this type of framing. In some cases it is not possible and it is required to replace the floor and walls to construct the load path which complies with the 2016 CBC. The exterior is a

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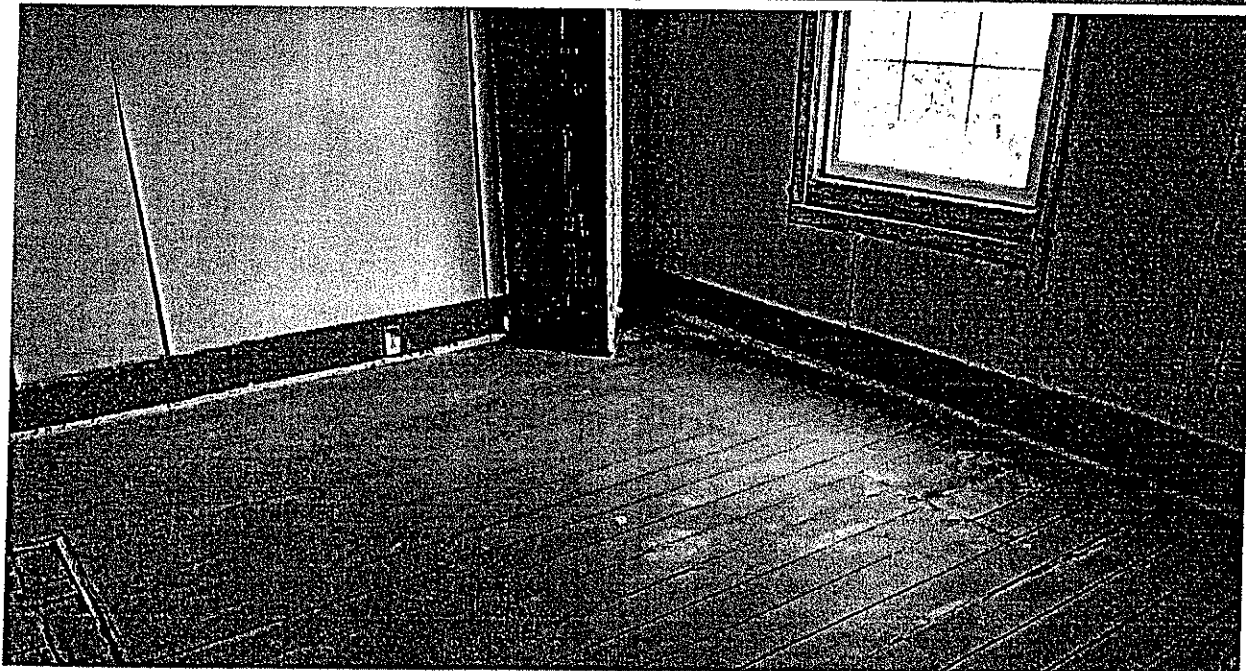
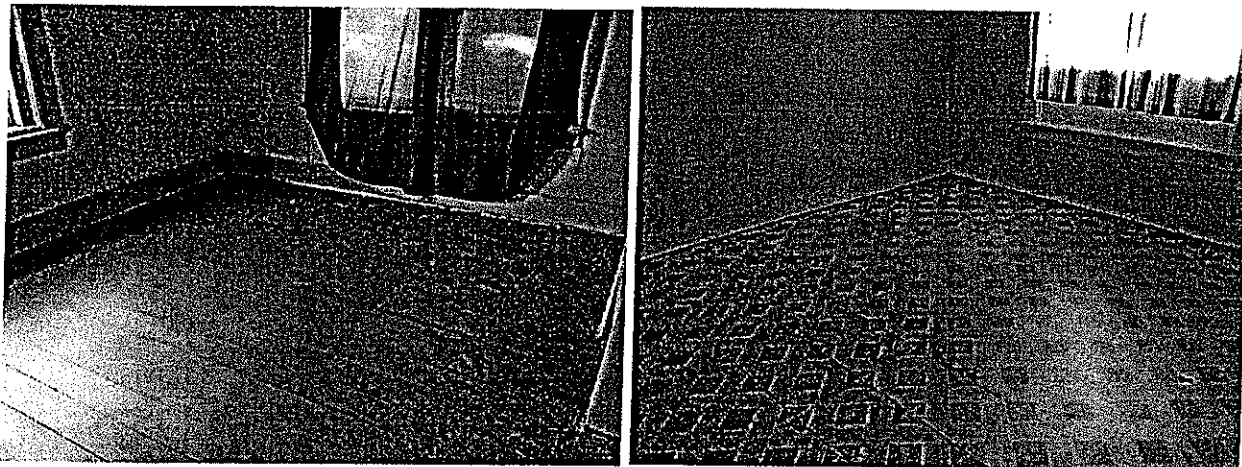
Wednesday, December 20, 2017

wood ship lap siding which would need to be removed to install modern shearwalls. All skip sheathing or board substrates would need to be removed and replaced with CDX or OSB diaphragm to transfer lateral loads through the roof and floor diaphragms into the walls. The roof composite with several deteriorating layers of shingles. We recommend that qualified termite and rot specialist be consulted to determine the full extent of pest damage and rot.

OBSERVATIONS

1. Floors

Typical of every room in the house, there is a readily observable slope in the floor towards the exterior walls. It is our opinion that the lack of a concrete foundation had allowed the wood supporting posts to subside into the soil. Since posts along the exterior of the structure are exposed to a soil that tends to have more moisture than that found near the interior of the house, we would expect those post to subside at a faster rate. We also observed significantly sagging in the floor near the pocket door at the common wall at the addition to the left of the structure.





Wednesday, December 20, 2017

2. Chimney

The wall and floor of the kitchen near the chimney have sagged several inches. It is our opinion that the chimney had been poorly founded and has subsided considerable thus dragging the adjacent floor and wall down with it. Interestingly, the exterior of the house near the same chimney is not experiencing the same distress, which suggests the chimney might not be positively connected to the exterior wall.

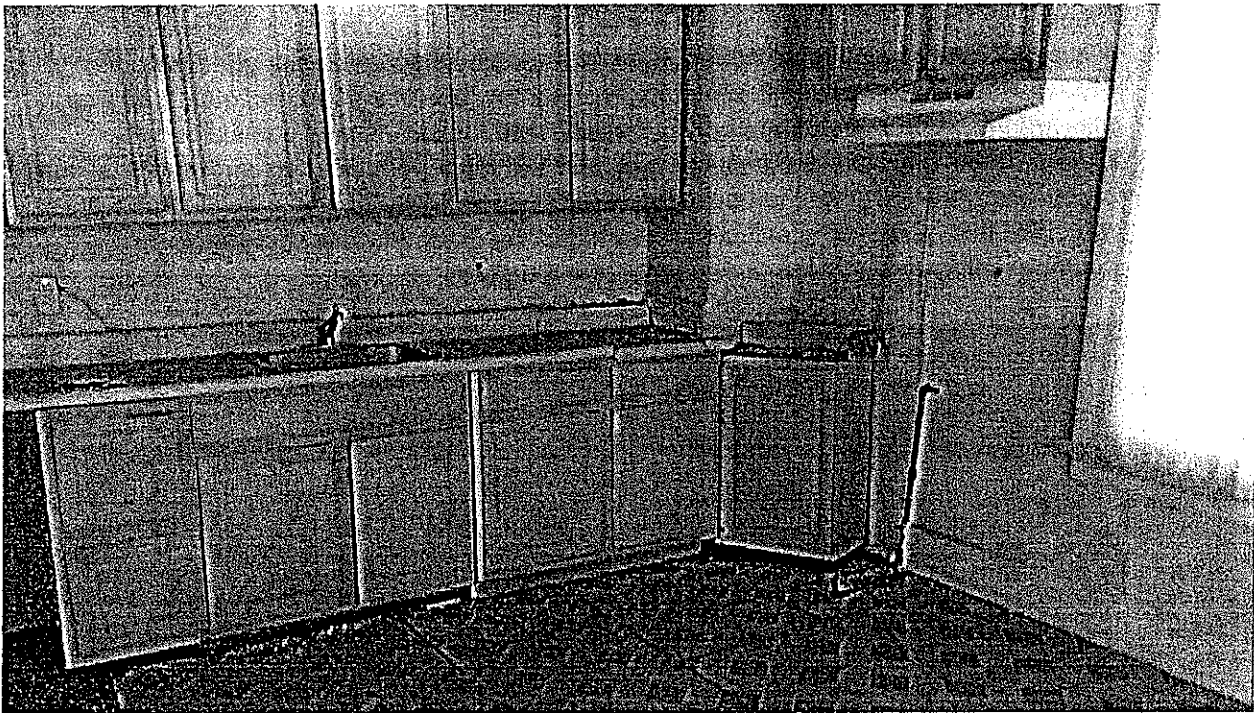


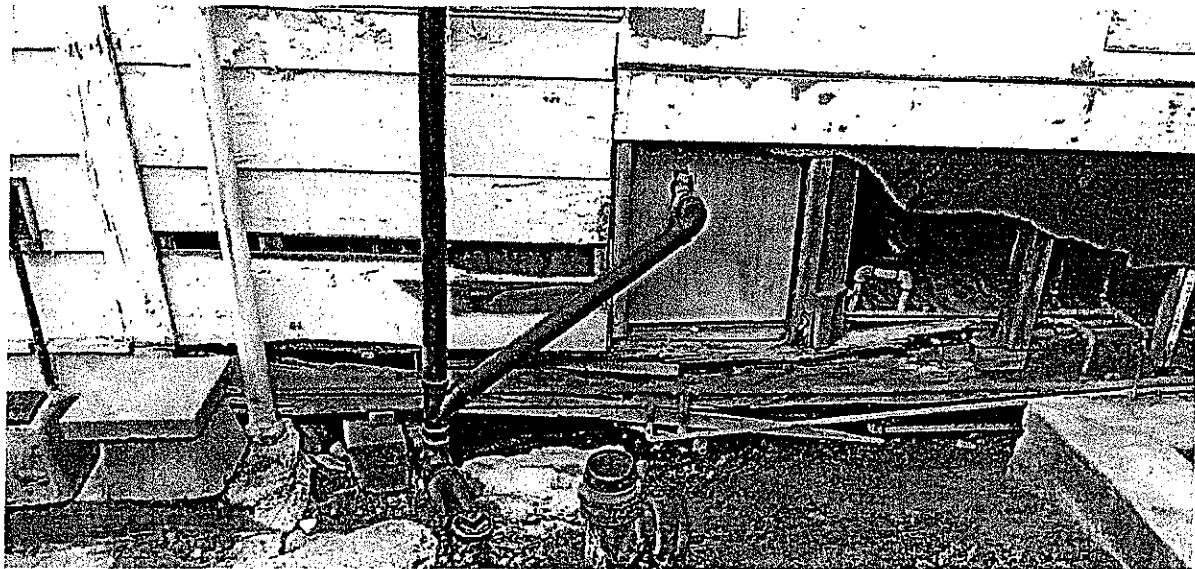
Figure 4: Kitchen looking toward chimney.



Wednesday, December 20, 2017

3. Termites

A large portion of the rear foundation area of the structure was open due to missing siding along the rear of the house at the ground level. Severe termite damage was apparent on all of the wood framing members at the edge of the floor.



4. Roof

The roof has several layers of composite shingles. The edges look quite weathered and perhaps even attacked by mold. Despite the deterioration at the edges, the roof lines still appear straight which indicates that the framing underneath is likely sound. We did not observe any sagging in the roof with is an obvious sign of persistent water penetration.

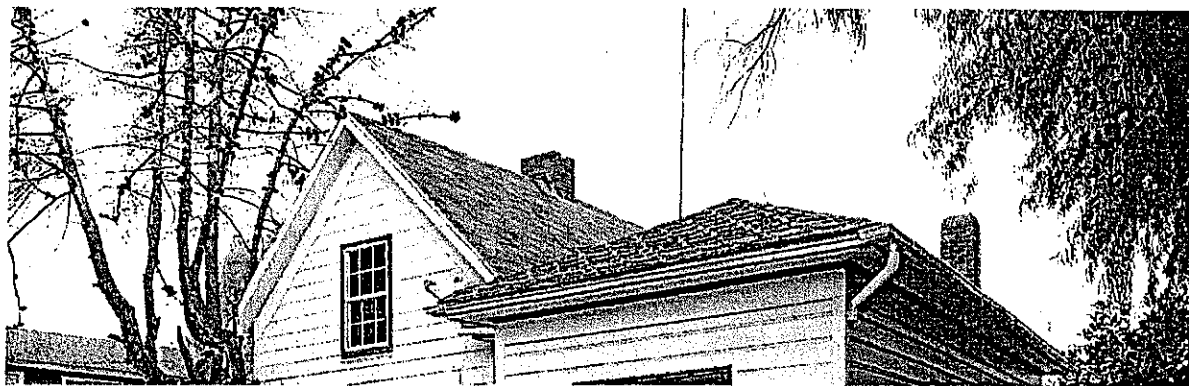


Figure 5: Main roof and kitchen addition.



Wednesday, December 20, 2017



Figure 6: Roof at left side of structure

CONCLUSION

APEX would not recommend any structural upgrades to the structure without first investigating the extent of termite damage report and destructive testing. At a minimum this involves removing interior and exterior finishes which will need to be removed and replaced anyways. For a house that has been unused and poorly maintained for a considerable amount of time, it is not difficult to imagine the extent of termite damage that is possible. Given that the damage is already externally evident, it is possible that very little sound framing remains with which to work.

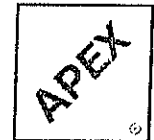
Apart from possible termite damage, the structure requires a foundation. We can see several factors that would multiply the foundation work which is already typically a costly endeavor.

1. No existing foundation.
2. No rim joist or continuous rim framing.
3. Shallow crawlspace might not meet current code requirements.

We would expect that this type of work would require extensive temporary supports of the house. Even after a new foundation has been installed, the entire floor system would have to be set on new CBC compliant post footings and releveled. The entire connection between the existing floor framing, rim, and exterior wall would have to be retrofit around the entire perimeter of the foundation. The foundation system will need to be replaced with a reinforced concrete foundation system.

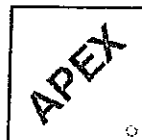
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Telephone: 408.379.2068



Wednesday, December 20, 2017

We recommend contacting a qualified geotechnical engineering professional to determine the appropriate foundation system. The lath and plaster and other finishes, interior and exterior would need to be removed to allow for current code seismic upgrades. There are complications with installing modern seismic and wind lateral load path through this type of framing. In some cases it is not possible and it is required to replace the floor and walls to construct the load path which complies with the 2016 CBC. The exterior is a wood skip lap siding which would need to be removed to install modern shearwalls. All skip sheathing or board substrates would need to be removed and replaced with CDX or OSB diaphragms/shearwalls to transfer lateral loads through the roof and floor diaphragms into the walls. The roof composite with several deteriorating layers of shingles. We recommend that qualified termite and rot specialist be consulted to determine the full extent of pest damage and rot. Once the pest, rot and geotechnical reports have been compiled APEX can attempt to salvage selective framing. The costs of this work is often cost prohibitive and it is likely for the probation to occur in this case. The actual cost estimate is outside the scope of this report.



ASBESTOS TESTING & INSPECTIONS INC.

Date: December 20, 2017

Bob Bothman

E-Mail: rbothman@bothman.com

Re: Asbestos Sample Collection
1411 Lewis St.
Santa Clara, CA

Dear Mr. Bothman,

In accordance with our agreement, Asbestos Testing & Inspections Inc. conducted a limited sample collection for assumed asbestos-containing materials (ACM) at 1411 Lewis St., Santa Clara, CA on December 15, 2017. Asbestos Testing & Inspections Inc. inspected materials in general accordance with the demolition requirements of Environmental Protection Agency (EPA) and National Emission Standards for Hazardous Air Pollutants (NESHAP).

The scope of this asbestos survey included visual and tactile inspection to identify friable and non-friable, asbestos-containing materials (ACM) in the subject building, the collection of samples of suspect ACM and submittal to an EPA-certified analytical laboratory, and preparation of a report describing the results of the survey. An asbestos abatement contractor can use this report for proper removal/handling of identified ACM, then utilize this information during demolition activities. This asbestos survey consisted of examination of all accessible interior and exterior areas. If, during demolition, suspect materials are discovered, Asbestos Testing & Inspections Inc. recommends the contractor contact us to do additional testing.

The property at 1411 Lewis St. is a residential home. The exterior of the home is wood. The roof is composition over wood shingles. There is one asbestos transite pipe on the exterior of the home. The interior walls and ceilings are a mixture of sheetrock with texture and plaster. The mixture is random throughout the home. The sheetrock texture came back as 2% asbestos. The plaster came back as less than 1% asbestos. All of the texture and the plaster should be considered asbestos. The kitchen has two layers of sheet flooring and one layer of floor tile. The heating system (that is exposed) is electric.

PHONE 408-710-7979 * Email mike@haztesting.com
14680 SECRETARIAT CT., MORGAN HILL, CA 95037

ASBESTOS TESTING & INSPECTIONS INC.

Suspect materials tested:

- Plaster interior
- Sheetrock texture
- Sheetrock & joint compound
- 12x12 floor tile (kitchen)
- Sheet flooring (kitchen – middle layer)
- Sheet flooring (kitchen – bottom layer)
- Window caulking
- Composition shingles
- Foundation concrete
- Slab concrete
- Transite pipe

These materials came back containing asbestos:

	OSHA	BAAQMD
Plaster interior	Class 2	RACM/friable
Sheetrock texture	Class 2	RACM/friable
Sheetrock joint compound	Class 2	RACM/friable
Transite pipes – exterior	Class 2	Non-friable

Recommendations:

Asbestos Testing & Inspections Inc. recommends that a licensed asbestos contractor perform the removal of all asbestos materials, prior to demolition/renovation activities.

Attached you will find the accompanying lab results from Patriot Environmental Laboratory Services, Inc.

We appreciate this opportunity to provide professional services for this project. If we can be of further assistance, or if you have any questions concerning this report, please do not hesitate to contact our office at (408) 710-7979.

Sincerely,

Mike Hickey

Mike Hickey
Certified Asbestos Consultant
Certification #10-4676

PHONE 408-710-7979 * Email mike@haztesting.com
14680 SECRETARIAT CT., MORGAN HILL, CA 95037

Certificate of Analysis
PLM Asbestos Identification

tel - 714-899-8900
free - 888-743-0998
fax - 714-899-7098
www.patriotlab.com

1041 S. Placentia Avenue, Fullerton, CA 92831



Asbestos Testing & Inspection
Mike Hickey
14680 Secretariat Ct.
Morgan Hill, CA 95037

Report Number: 693108
Project Number:
Project Name: COC - 1411 Lewis St Santa Clara CA
Project Location: COC - 1411 Lewis St.
Santa Clara, CA

Date Collected: 12/15/2017
Date Received: 12/15/2017
Date Analyzed: 12/19/2017
Date Reported: 12/19/2017

Collected By: Mike Hickey
Claim Number:
PO Number:
Number of Samples: 16

Lab/Client ID/Layer	Location	Material Description	Color	Composition (%)
693108-001 1	Hallway	Sheetrock Texture	Beige	93% Carbonate 5% Paint
Chrysotile	2 %			
Total Asbestos	2 %			
693108-002 2	Family Room	Sheetrock Texture	Beige	93% Carbonate 5% Paint
Chrysotile	2 %			
Total Asbestos	2 %			
693108-003 3	Upstairs	Sheetrock Texture	Beige	93% Carbonate 5% Paint
Chrysotile	2 %			
Total Asbestos	2 %			
693108-004 4	Upstairs	Sheetrock and Joint Compound	Off White	86% Sulfate 7% Cellulose 5% Carbonate 2% Paint
Chrysotile	<1 %			
Total Asbestos	<1 %			
693108-005 5	Downstairs	Sheetrock and Joint Compound	Off White	86% Sulfate 7% Cellulose 5% Carbonate 2% Paint
Chrysotile	<1 %			
Total Asbestos	<1 %			

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Collected By: Mike Hickey
Claim Number:
PO Number:
Number of Samples: 16

Lab/Client ID/Layer	Location	Material Description	Color	Composition (%)
693108-006 6	Downstairs Bedroom	Plaster	Beige	85% Minerals 13% Carbonate 2% Paint
Chrysotile	<1 %			
Total Asbestos	< 1%			
693108-007 7	Downstairs Front Bed	Plaster	Beige	85% Minerals 13% Carbonate 2% Paint
Chrysotile	<1 %			
Total Asbestos	< 1%			
693108-008 8	Kitchen	Plaster	White	85% Minerals 13% Carbonate 2% Paint
Total Asbestos	None Detected			
693108-009 9	Kitchen 12x12	Tile	Off White	100% Non-Fibrous Material
Total Asbestos	None Detected			
693108-010 10	Kitchen Middle Layer	Sheet Flooring	Brown	70% Non-Fibrous Material 25% Cellulose 5% Glass Fibers
Total Asbestos	None Detected			

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Collected By: Mike Hickey
Claim Number:
PO Number:
Number of Samples: 16

Lab/Client ID/Layer	Location	Material Description	Color	Composition (%)
693108-011 11	Kitchen Bottom Layer	Sheet Flooring	Blue	70% Non-Fibrous Material 25% Cellulose 5% Glass Fibers
Total Asbestos	None Detected			
693108-012 12	Bathroom Middle Layer	Sheet Flooring	Grey	70% Non-Fibrous Material 25% Cellulose 5% Glass Fibers
Total Asbestos	None Detected			
693108-013 13	Window	Caulk	Red	100% Non-Fibrous Material
Total Asbestos	None Detected			
693108-014 14	Roof	Comp	Black	62% Cellulose 18% Tar 20% Minerals
Total Asbestos	None Detected			
693108-015 15	Foundation	Concrete	Grey	95% Minerals 5% Carbonate
Total Asbestos	None Detected			

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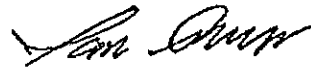
Collected By: Mike Hickey
Claim Number:
PO Number:
Number of Samples: 16

Lab/Client ID/Layer	Location	Material Description	Color	Composition (%)
693108-016 16	Slab	Concrete	Grey	95% Minerals 5% Carbonate

Total Asbestos None Detected



Sharon Craig - Analyst



Ian Reyes - Approved By

Bulk sample(s) submitted was (were) analyzed in accordance with the procedure outlined in the US Federal Register 40 CFR 763, Subpart F, Appendix A; EPA-600/R-93/116 (Method for Determination of Asbestos in Building Materials), and EPA-600/M4-82-020 (US EPA Interim Method for the Determination of Asbestos in Bulk Insulation Samples). Samples were analyzed using Calibrated Visual Estimations (CVES); therefore, results may not be reliable for samples of low asbestos concentration levels. Samples of wall systems containing discrete and separable layers are analyzed separately and reported as composite unless specifically requested by the customer to report analytical results for individual layers. This report applies only to the items tested. Results are representative of the samples submitted and may not represent the entire material from which the samples were collected. "None Detected" means that no asbestos was observed in the sample. "<1%" (less than one percent) means that asbestos was observed in the sample but the concentration is below the quantifiable level of 1%. This report was issued by a NIST/NVLAP (Lab Code 200358-0) and CADOHS- ELAP (Cert. No. 2540) accredited laboratory and may not be reproduced, except in full without the expressed written consent of Patriot Environmental Laboratory Services, Inc. This report may not be used to claim product certification, approval or endorsement by NIST, NVLAP, ELAP or any government agency.

Lab Use Only

Report Number:

693108

tel - 408-452-9700

free - 855-346-8900

fax - 408-638-0945

www.PatriotLab.com

2186 Paragon Drive, San Jose, CA 95131



CHAIN OF CUSTODY

Client: Asbestos Testing & Inspections Inc.	Project No.:
Contact Person: Mike Hickey	Project Name: COC - 1411 Lewis St., Santa Clara, CA
Client Address: 14680 Secretariat Ct., Morgan Hill, CA 95037	Project Location: COC - 1411 Lewis St., Santa Clara, CA
Contact Phone: 408-710-7979	Sample(s) Collected By: Mike Hickey
Contact Fax:	Authorized by: mjh Claim #: PO #:
How do you want your report? (Circle) Mail Fax Web E-mail: mike@haztesting.com	

Special Instructions:

Analysis Requested

Turnaround Time (business hours/days)

RUSH (4 hours) ☐ RUSH (8 hours) ☐ 24 Hr ☐ 48 Hr ☒ 72 Hr ☐ Other (specify) ☐

Notes: 4HR TAT available until 1PM. Viable fungi samples require 5-7 days turnaround minimum. Bacterial cultures require minimum 30hr TAT. STLC/CAL-WET and TCLP minimum TAT are 72hrs.

Asbestos PCM (fiber count) NIOSH 7400A ☐ PLM (bulk asbestos) EPA 600/R-93/116 ☒ Point Count 400 ☐
 CARB 435 ☐ Point Count 1000 ☐
 Gravimetric Reduction (Gravimetric Reduction Requires Minimum 10hr TAT) ☐

Microbiology

Fungi

Non-Viable Air Spore Trap, SOP IV.4.1m/2m ☐ Viable (Colony ID & Enumeration) Air ☐ Swab/Bulk ☐
 Non-Viable Surface Tape Lift/Swab/Bulk, SOP IV.4.3m/4m ☐

Bacteria (Samples must be received by the laboratory within 24hrs of collection or results may be invalid)Total Coliform and E. coli - Surfaces, Swabs, and Bulk Solids, Liquids (non-potable, non-wastewater) - Presence / Absence ☐

Chemistry

Lead by Flame AA - EPA 3050B/7420mod, NIOSH 7082mod: Paint ☐ Air ☐ Dust Wipe ☐ Water (non-potable) ☐ Soils/Solids ☐

Lead Waste Profile (by Flame AA)

1: TTLC Total Threshold by EPA 3050B mod ☐ 2: STLC/CAL WET Title 22 CCR Ch11 Article 5 App 2 ☐ 3: TCLP EPA 1311 ☐
 Note: Please provide at approx. 200 grams (approx. 1/2 lb.) of sample for complete profile. Check here to perform all test necessary for disposal ☐

Rotometer Calibration ☐pH testing (soils, misc. solids, & liquids) EPA 9045 ☐

Client Sample ID	Sample Type	Date Sampled	Location Sampled	Description of Sample (Material type, dimensions, etc)	Start Time	Stop Time	Avg. (LPM)	Total Min.	Total Vol (Flow x Tot. Min)
1		12/14/17	Hallway	Sheetrock texture					
2			Family room	Sheetrock texture					
3			Upstairs	Sheetrock texture					
4			Upstairs	Sheetrock & joint compound					
5			Downstairs	Sheetrock & joint compound					

Relinquished By: (Print) Mike Hickey Sign: *Mike Hickey* Date: Time:Received By: (Print) BRANDON THREES Sign: *[Signature]* Date: 12-15-17 Time: 1:30 PM

Relinquished By: (Print) Sign: Date: Time:

Received By: (Print) Sign: Date: Time:

Method of Shipment / Preservation During Shipment:

Condition of Samples: Acceptable: YES / NO
Comments:

Note: Patriot's holding time for all samples submitted is 30 days for solid samples, 7 days for digests, and immediate for lead in air after analytical results are reported. Unless customer provides written instructions to extend holding time, samples will be disposed of in accordance with local, state and federal laws.

693108

PATRIOT
Environmental Laboratory Services, Inc.

Relinquished By: (Print)	Sign:	Date:	Time:
Received By: (Print)	Sign:	Date:	Time:
Relinquished By: (Print)	Sign:	Date:	Time:
Received By: (Print)	Sign:	Date:	Time:

Page of

v.B.16.2014
L-Drive/Patriot CoC

Kelly Bros. House Movers

2306 Almaden RD ste 160/pmb
161
San Jose, CA 95125
Email-kellybrothers@mail.com
Phone 408-287-9755

408-639-0525
1411 Lewis Street
Santa Clara, California

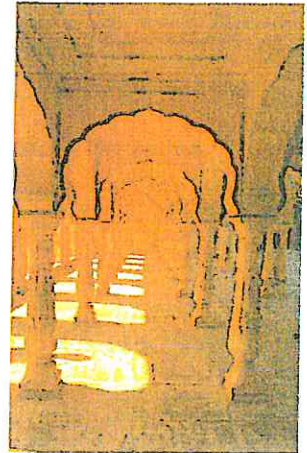
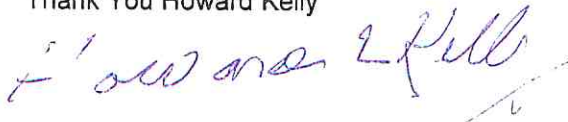
To whom it may concern:

My name is Howard Kelly; I am third generation owner of Kelly Brothers House Movers that has been in business since 1908. I have owned the company since 1969, and have worked for Kelly Brothers since I was a kid. Our company has worked on many historic houses in my experience, and I am a great believer in preserving historic buildings.

After inspecting the house at 1411 Lewis Street in Santa Clara, it is my view that the house is not worth attempting saving. Both the interior and exterior are not up to current building codes. The complete understructure would have to be replaced, as the floor joists sustained water damage due to contact with the ground, and have become warped. The interior of building would need to be stripped in order to place or replace wall studs, faulty wiring and sockets, etc. In order to raise the house and repair the existing issues, largely all of the house would need to be rebuilt.

In my opinion, rasing the house, pouring a new foundation, rebuilding the understructure, reconstructing the interior, replacing the electrical system, replacing the roof, plumbing and remodeling is not in the best econmic interest of the owner or party involved.

Thank You Howard Kelly





1425 MADISON STREET – THIS IS THE DUPLEX DIRECTLY ACROSS
THE STREET FROM 1411 LEWIS STREET



1449 MADISON STREET – BUILT IN 2005
THIS IS THE HOME DIRECTLY ACROSS FROM 1444 MADISON



GARAGE BETWEEN 1444 MADISON AND 1411 LEWIS



MULTI FAMILY UNIT AND MADISON AND EL CAMINO REAL



EXISTING GARAGE ON MADISON



EXISTING DUPLEX AT 1444 MADISON STREET



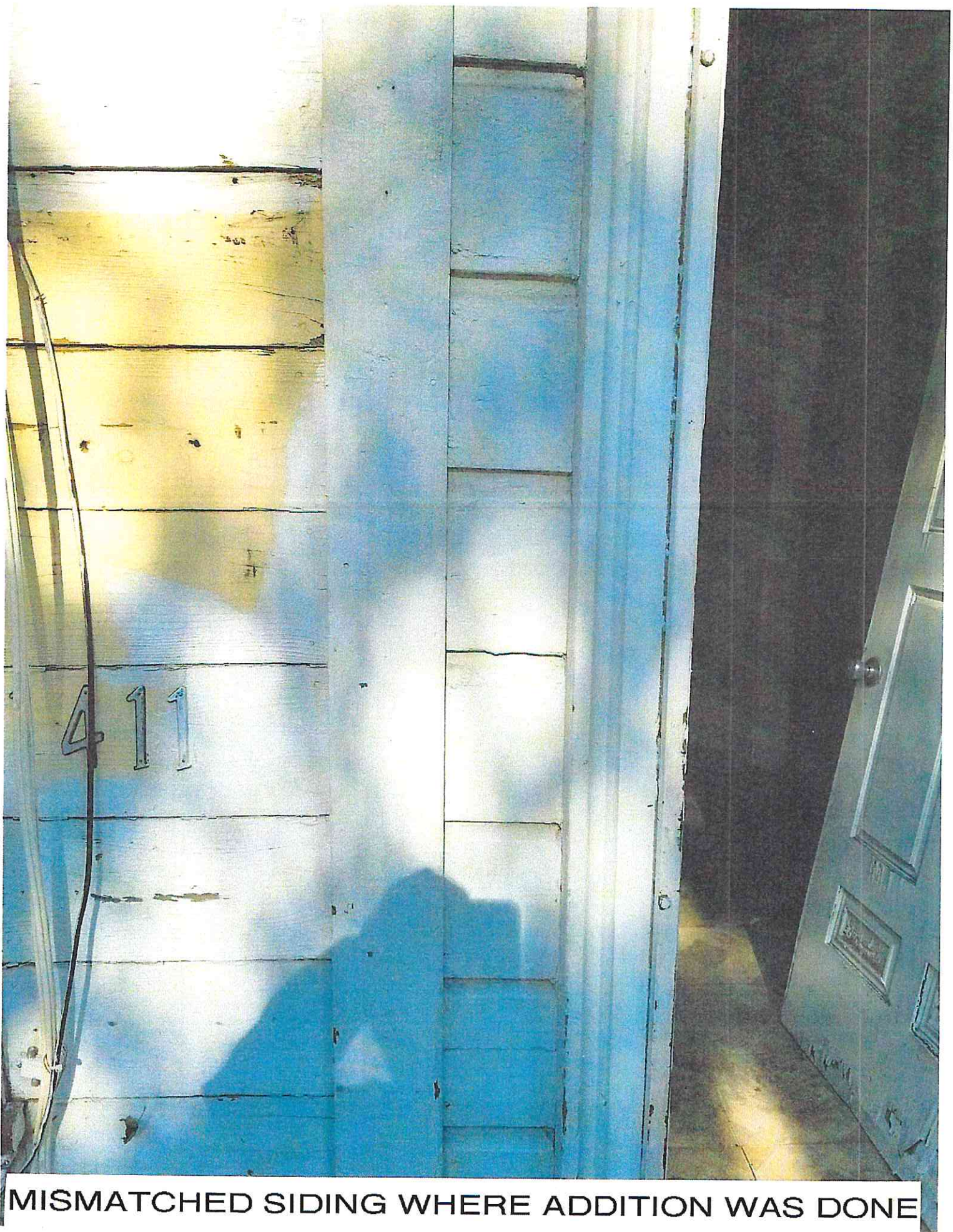
MULTI FAMILY UNIT AT MADISON AND EL CAMINO REAL
ADJACENT TO 1444 MADISON STREET DUPLEX



EXISTING UNINHABITABLE HOME ON 1411 LEWIS STREET



FRONT ENTRY DOOR – 1411 LEWIS STREET



MISMATCHED SIDING WHERE ADDITION WAS DONE



PLUMBING ADDED

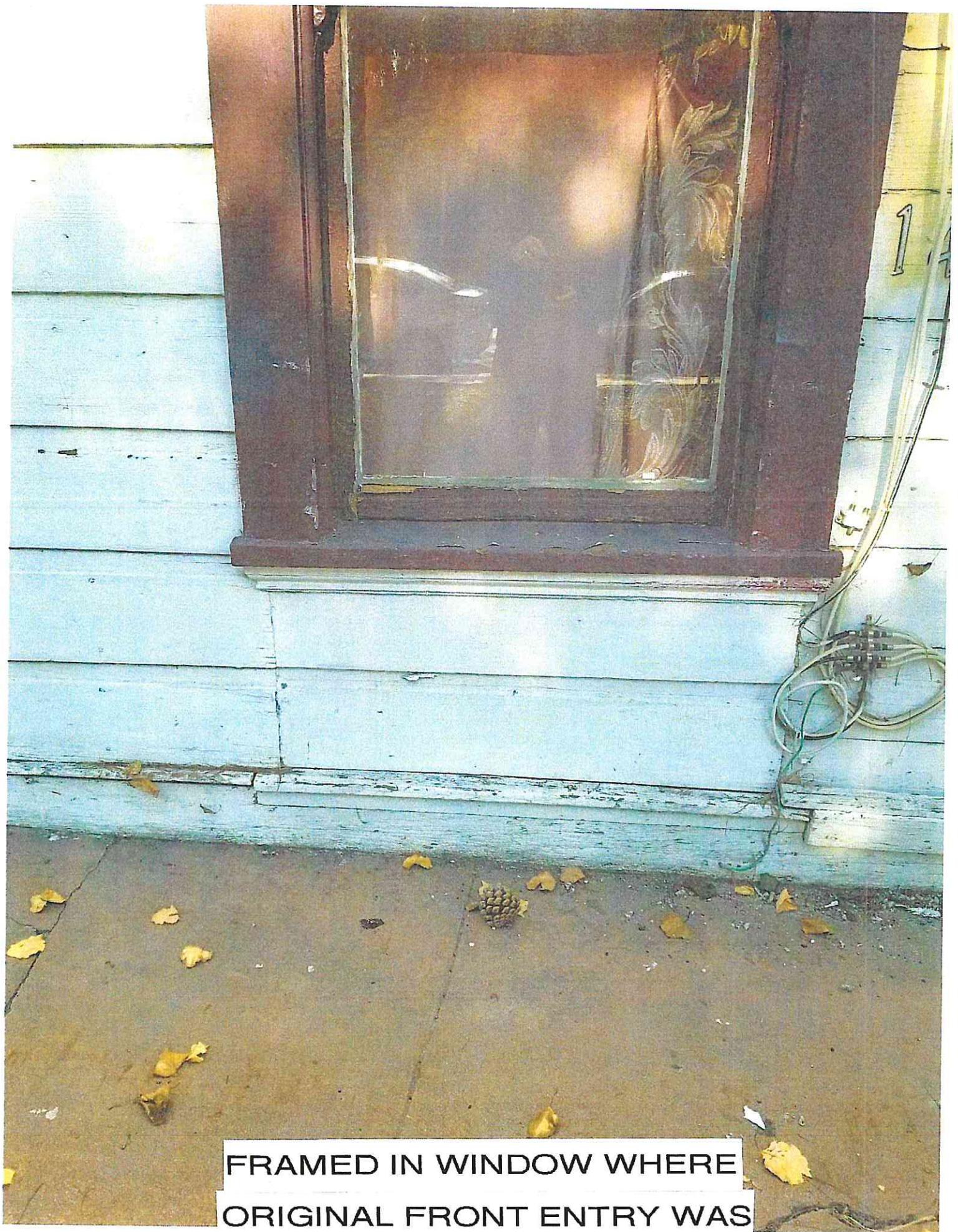
DETERIORATED FRAMING, SIDING AND FOUNDATION

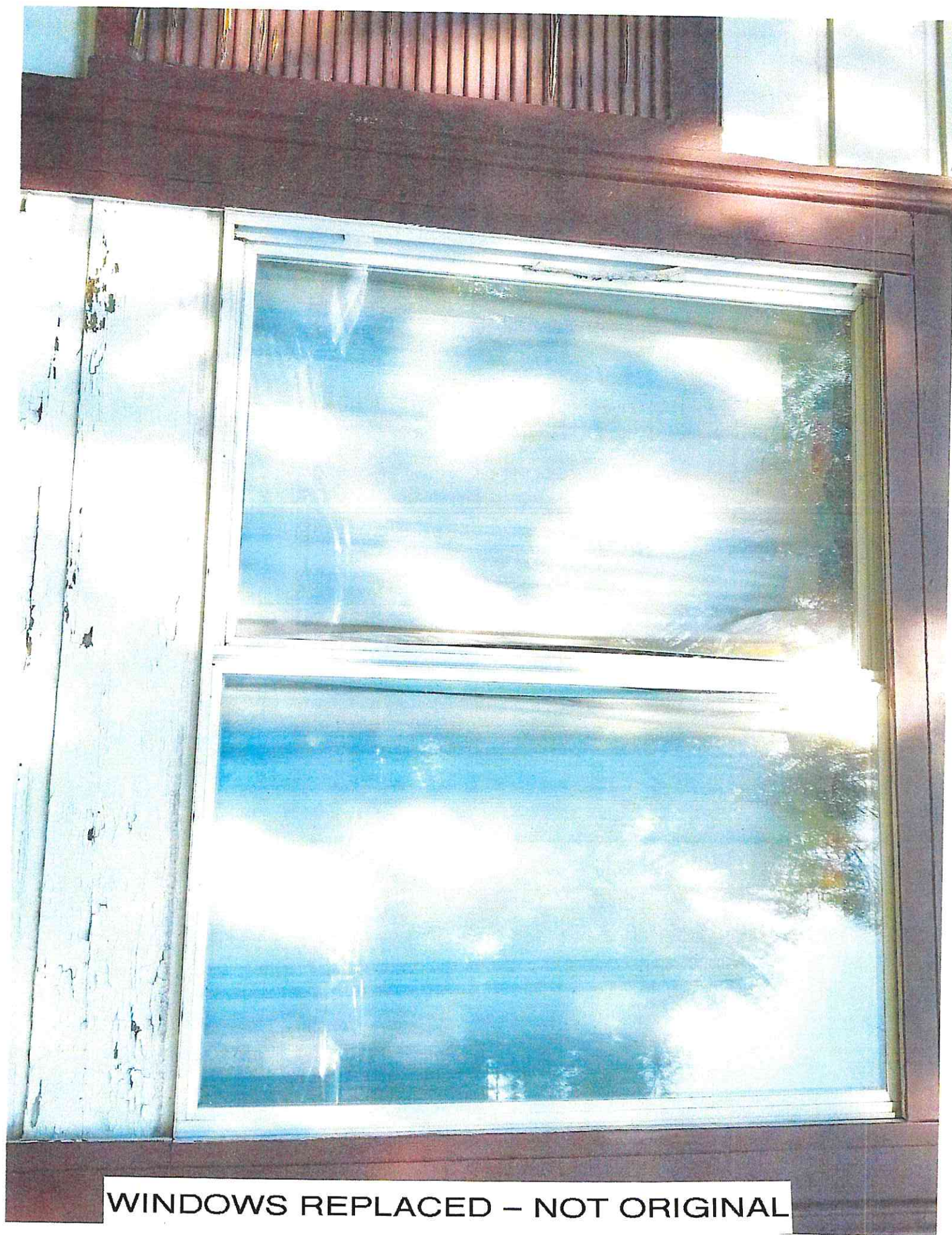


DETERIORATED WOOD FLOOR, FOUNDATION AND FRAMING

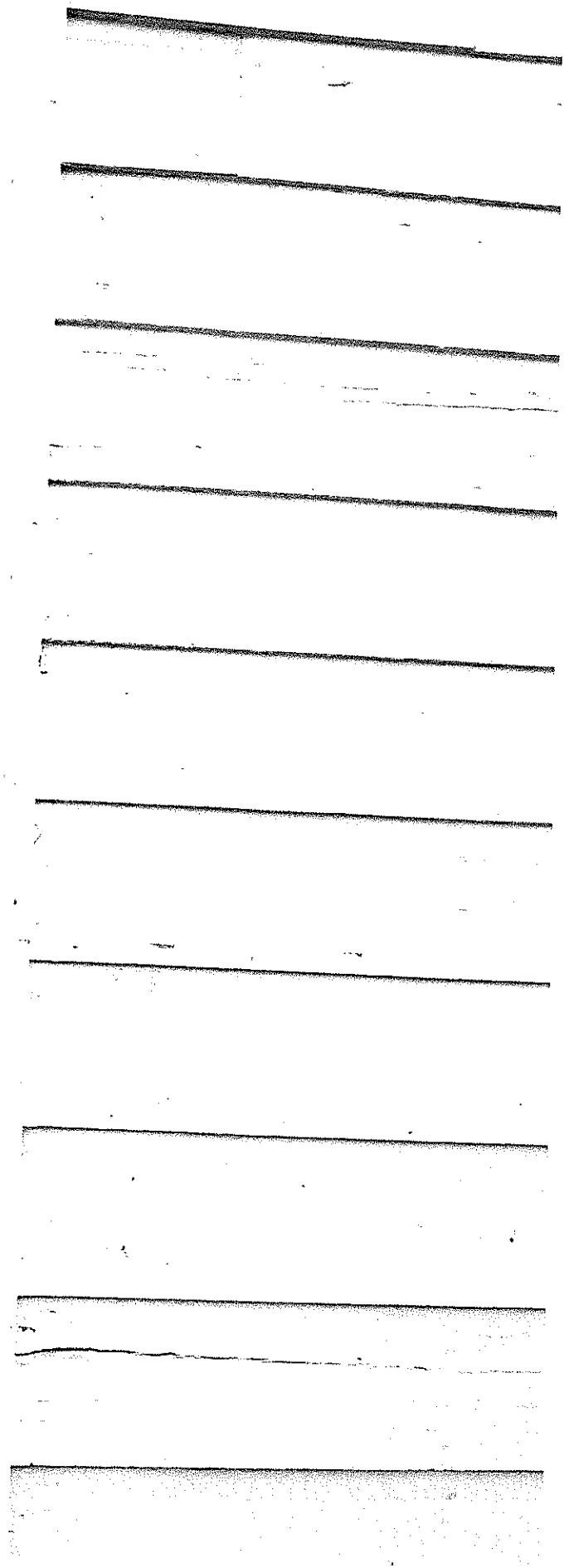
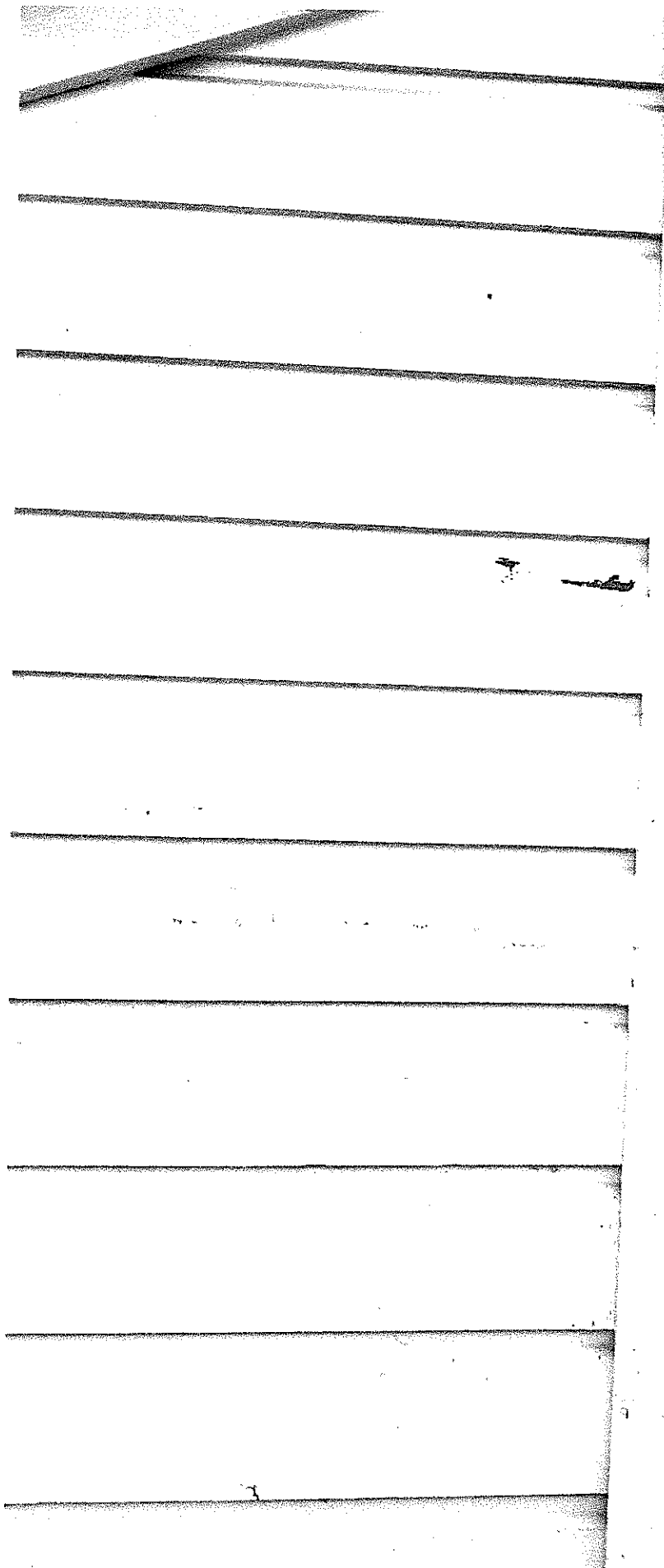


DETERIORATED FRAMING, FOUNDATION AND SUB-FLOOR

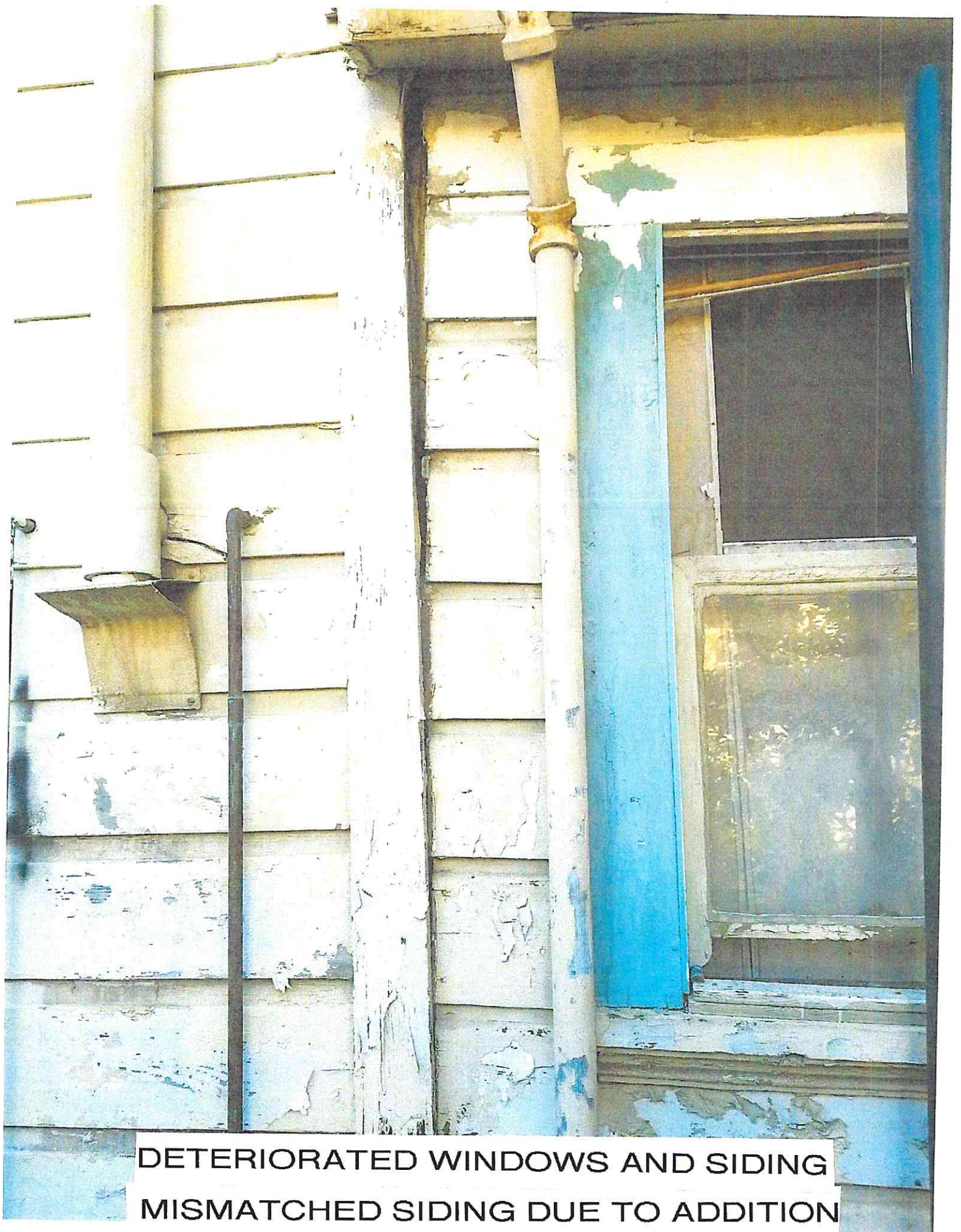




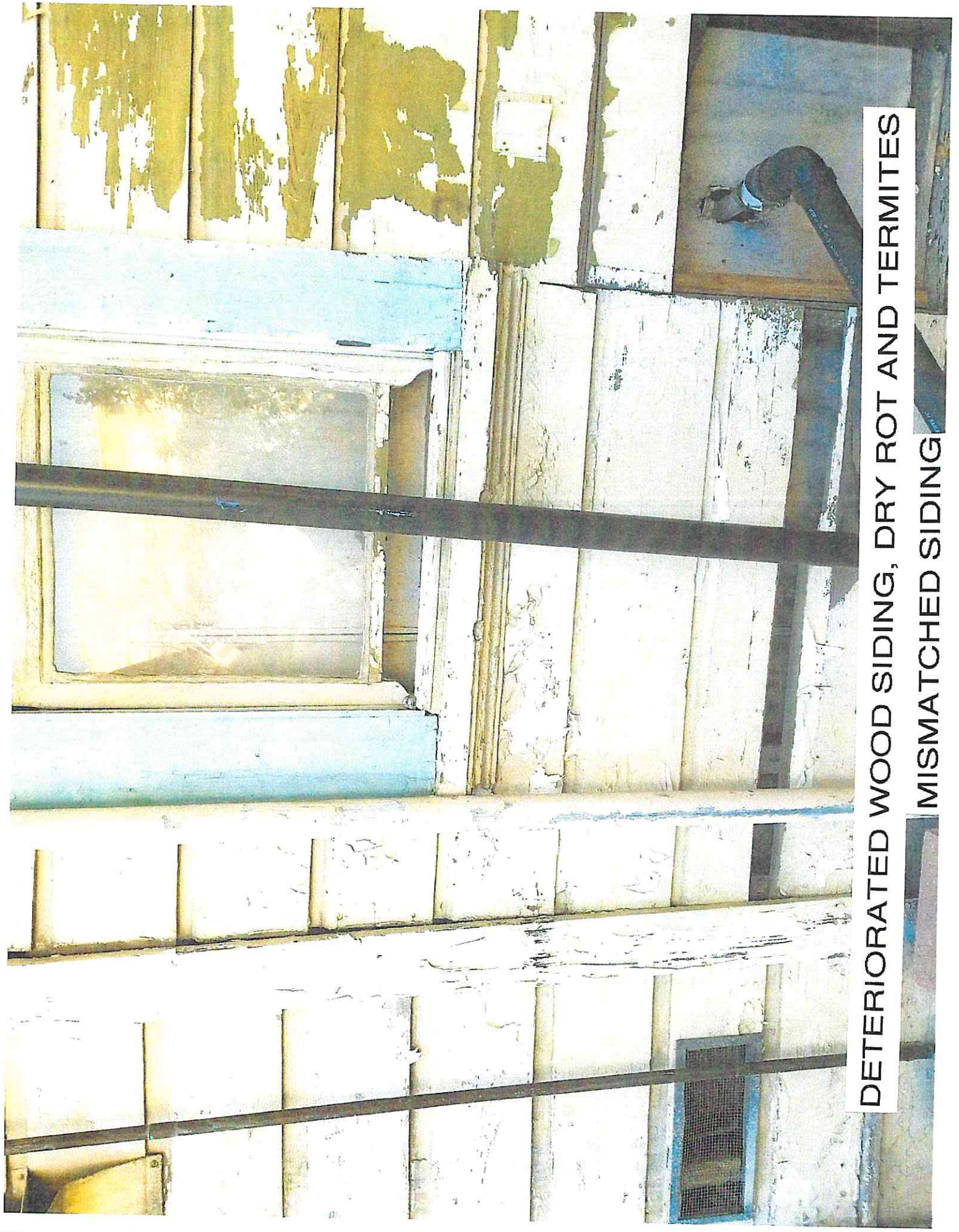
WINDOWS REPLACED - NOT ORIGINAL



MISMATCHED SIDING WHERE ADDITION WAS DONE



DETERIORATED WINDOWS AND SIDING
MISMATCHED SIDING DUE TO ADDITION



DETERIORATED WOOD SIDING, DRY ROT AND TERMITES
MISMATCHED SIDING



ODD ROOF FRAMING

INFILL AND

NEW DOOR

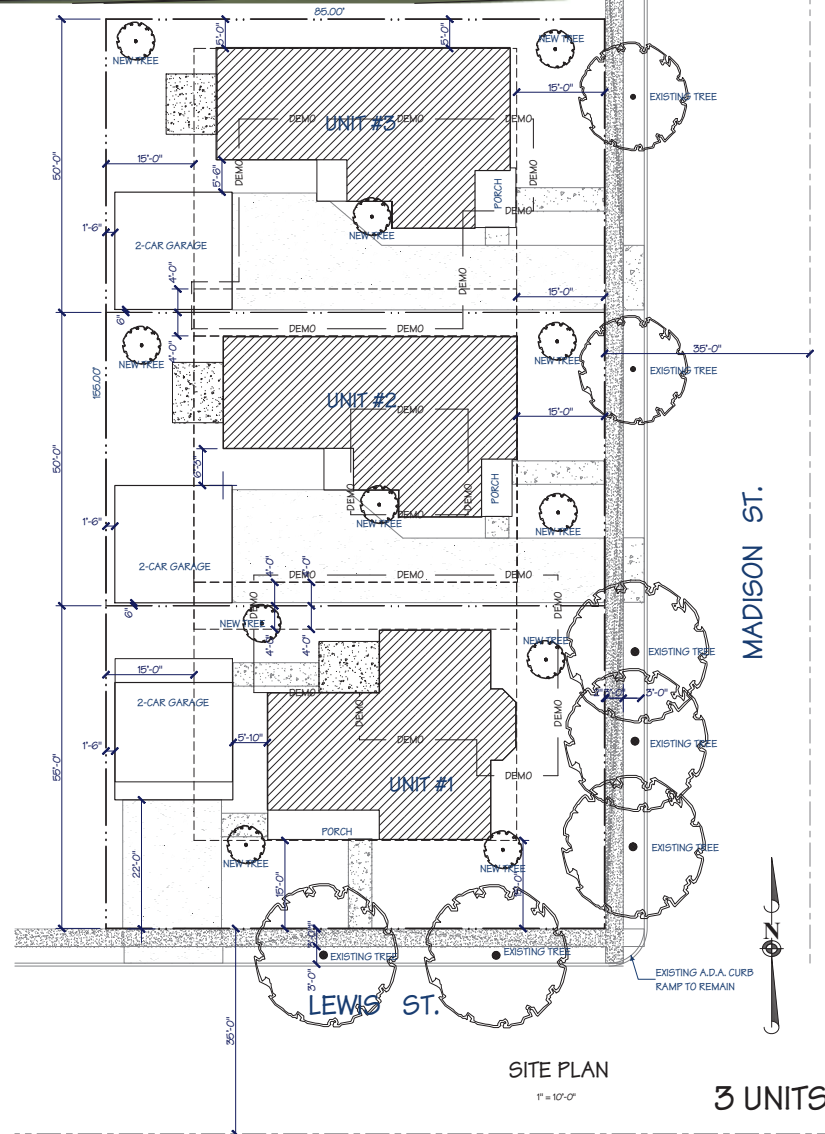
OPENING

ADDITION









A.P.N.: 269 - 03 - 034

ZONING: R-3 - 36

LOT SIZE: 13,175 S.F.

EXISTING S.F.F.: 1,600 S.F. 3 BEDROOM, 2 BATHS

EXISTING DUPLEX: 1,840 S.F. 2 BEDS, 2 BATHS + 1 BED, 1 BATH

	FIRST FLOOR:	SECOND FLOOR:	TOTAL:	LOT SIZE:
UNIT #1	1,105	984	2,089 S.F.	4,250 S.F.
UNIT #2	1,180	884	2,064 S.F.	4,250 S.F.
UNIT #3	1,180	884	2,064 S.F.	4,675 S.F.

GARAGES: 400 S.F. EACH

TYPE OF CONSTRUCTION: VB

OCCUPANCY GROUP: R-3, U

THIS PROJECT SHALL COMPLY WITH 2016 CBC, CRC, CMC, CFC, CEC, CAL GREEN, CAL ENERGY CODE, AND LOCAL ORD.

SITE DATA

SHEET INDEX

- A-1 SITE PLAN
- A-2 UNIT 1 FLOOR PLAN, ELEV
- A-3 UNIT 2 FLOOR PLAN, ELEV
- A-4 UNIT 3 FLOOR PLAN, ELEV

- C-1 TOPO & DEMO PLAN
- C-2 GRADING & DRAINAGE PLAN &
TENTATIVE MAP

- L-1 TENTATIVE LANDSCAPE PLAN

REVISIONS	BY
PLANNING 10-23-18	

HOMETEC
ARCHITECTURE, INC.

555 4B MERIDIAN AVENUE, SAN JOSE, CA. 95126

RICHARD A. HARTMAN
AIA

408.995.6496
HartmanArch@aol.com

NEW PLANNED DEVELOPMENT FOR:
GREG B. MUSSALLEM
1444 MADISON STREET, SANTA CLARA, CA. 95050

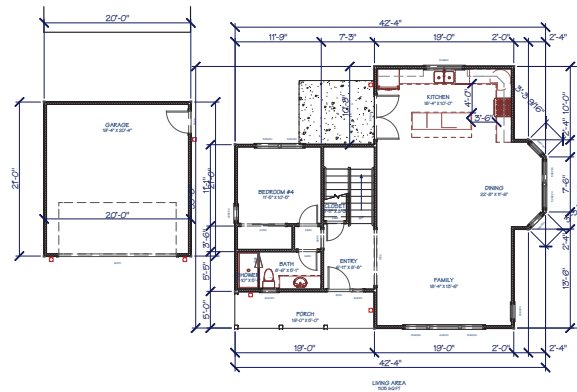
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Scale	1/4" = 1'-0"
Drawn	RAH
Job	17-040
Sheet	
A-1	
of	Sheets



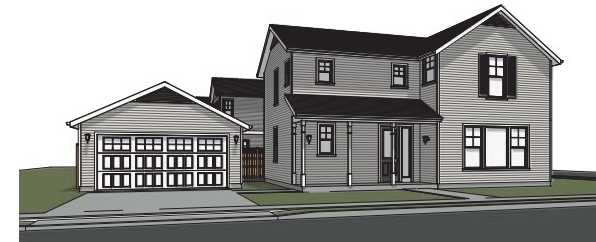
NORTH ELEVATION



SOUTH ELEVATION



FIRST FLOOR PLAN

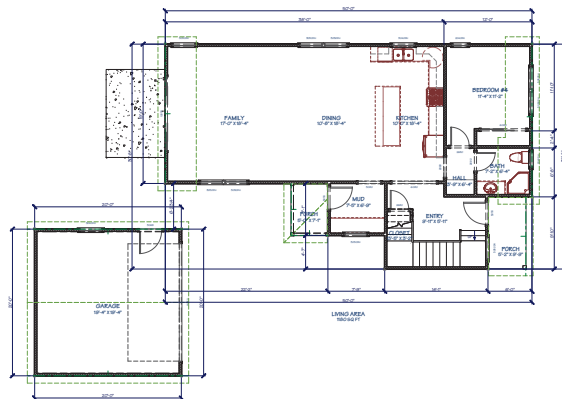
[illegible]



Architectural drawing of the East Elevation of a two-story house. The drawing includes a garage on the left, a central entry door, and several windows. Annotations specify materials:

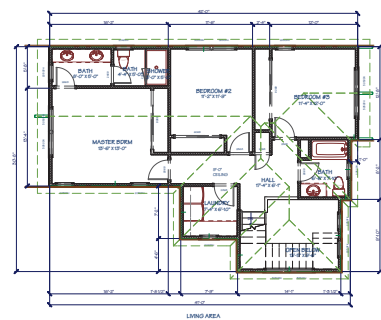
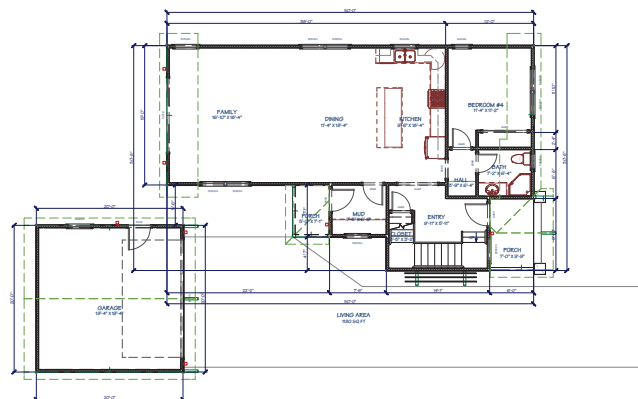
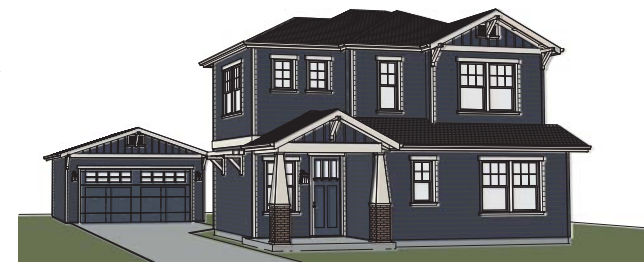
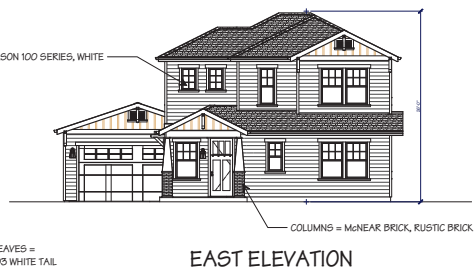
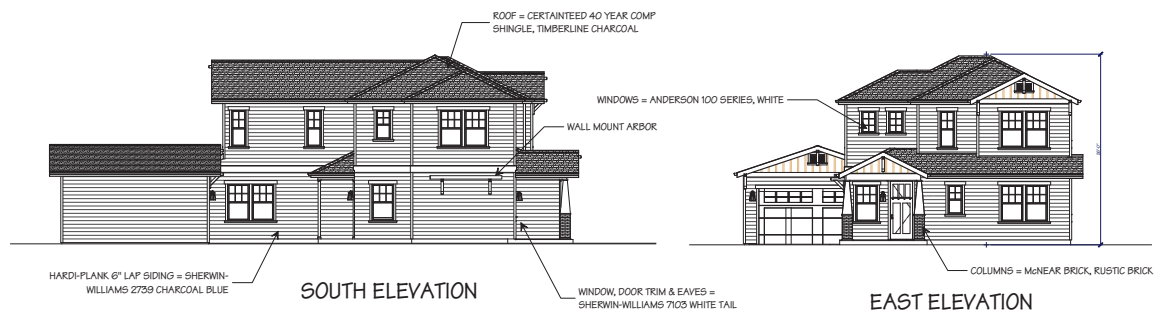
- ROOF = CERTAINTIED 40 YEAR COMP SHINGLE, TIMBERLINE HD WEATHERED WOOD
- HARDI-PLANK SIDING = SHERWIN-WILLIAMS 7641 COLONNADE GRAY
- WINDOWS = ANDERSON 100 SERIES, WHITE
- WINDOW, DOOR TRIM & EAVES = SHERWIN-WILLIAMS 6365 DOVER WHITE
- ENTRY DOOR = SHERWIN-WILLIAMS 7591 RED BARN
- HARDI-PLANK SHINGLES

EAST ELEVATION



The floor plan shows a rectangular building layout. The Master Room (12'0" x 12'0") is located on the left side. To its right is Bedroom #1 (10'0" x 10'0"). Further right is Bedroom #2 (10'0" x 10'0"). At the top left is Bath #1 (5'0" x 5'0"). At the top right is Bath #2 (5'0" x 5'0"). The Kitchen (10'0" x 10'0") is located below the Master Room. The Living Area (12'0" x 12'0") is located below the Kitchen. A Living Area below (12'0" x 12'0") is located at the bottom of the plan. The plan includes dimensions for walls, windows, and doors, as well as a north arrow.

— **N** —



REVISIONS	B
PLANNING 10-23-18	

HOMETEC
ARCHITECTURE, INC.

555 #B MERIDIAN AVENUE, SAN JOSE, CA. 95126
408-595-6496
Hometec@aol.com

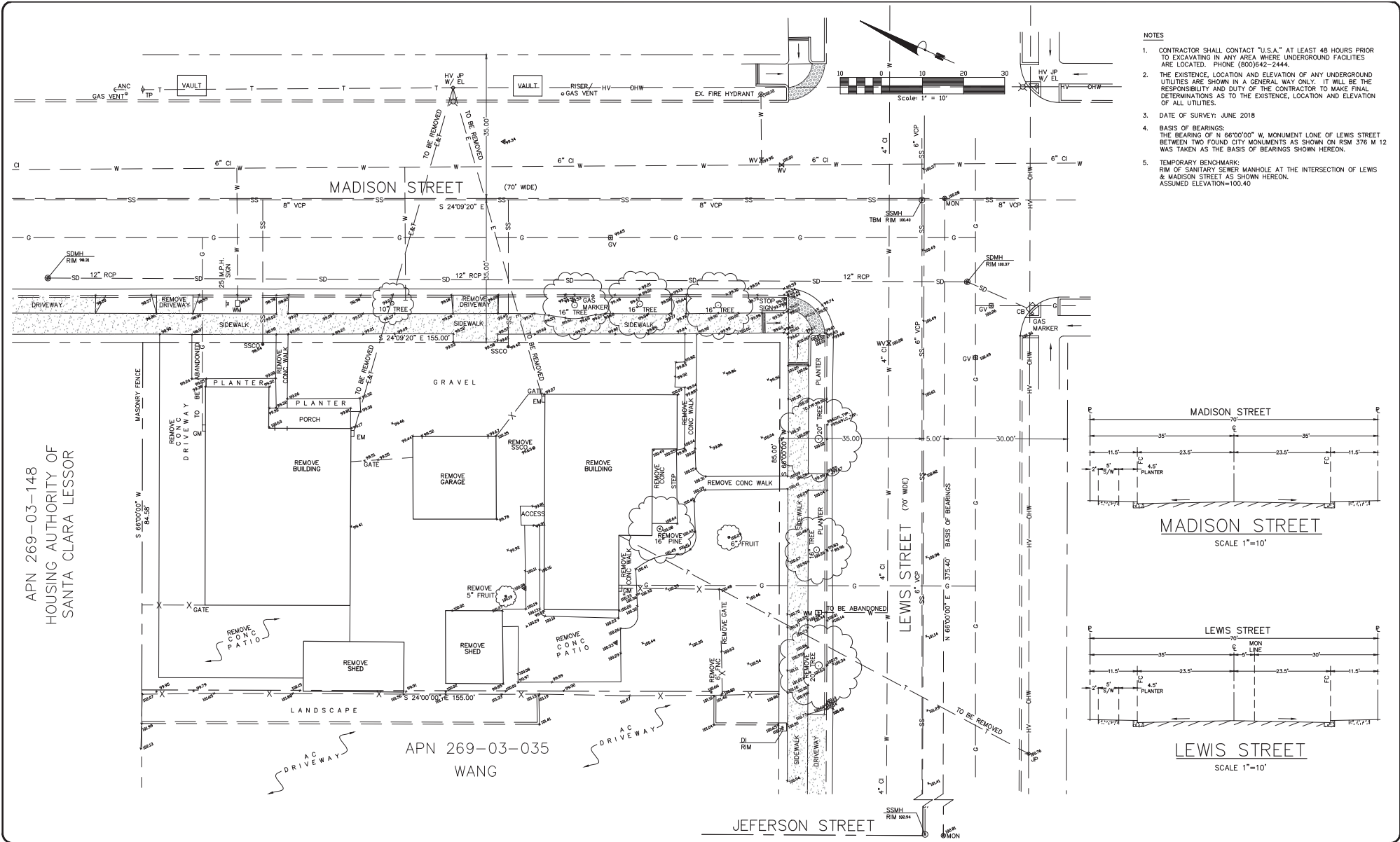
RICHARD A. HARTMAN
A.I.A.

NEW PLANNED DEVELOPMENT FOR:
GREG B. MUSSALLEM
1444 MADISON STREET, SANTA CLARA, CA 95050

Date	10 - 30 - 18
Scale	1/4" = 1'-0"
Drawn	RAH
Job	17-040
Sheet	

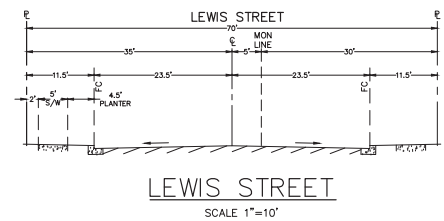
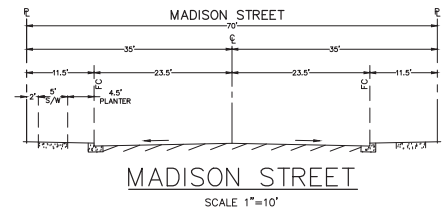
A-4

UNIT #3



NOTES

- CONTRACTOR SHALL CONTACT "U.S.A." AT LEAST 48 HOURS PRIOR TO EXCAVATING IN ANY AREA WHERE UNDERGROUND FACILITIES ARE LOCATED. PHONE (800)642-2444.
- THE EXISTENCE, LOCATION AND ELEVATION OF ANY UNDERGROUND UTILITIES ARE SHOWN IN A GENERAL WAY ONLY. IT WILL BE THE RESPONSIBILITY AND DUTY OF THE CONTRACTOR TO MAKE FINAL DETERMINATIONS AS TO THE EXISTENCE, LOCATION AND ELEVATION OF ALL UTILITIES.
- DATE OF SURVEY: JUNE 2018
- BASIS OF BEARINGS: THE BEARING OF N 66°00'00" W, MONUMENT LONE OF LEWIS STREET BETWEEN TWO FOUND CITY MONUMENTS AS SHOWN ON RSM 376 M 12 WAS TAKEN AS THE BASIS OF BEARINGS SHOWN HEREON.
- TEMPORARY BENCHMARK: RIM OF SANITARY SEWER MANHOLE AT THE INTERSECTION OF LEWIS & MADISON STREET AS SHOWN HEREON. ASSUMED ELEVATION=100.40

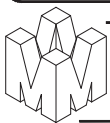


APN 269-03-148
HOUSING AUTHORITY OF
SANTA CLARA LESSOR

APN 269-03-035
WANG

PRELIMINARY

TOPOGRAPHIC & DEMOLITION PLAN
1444 MADISON STREET
APN 269-03-034
IN THE CITY OF SANTA CLARA, CALIFORNIA



DANIEL NUNES, R.C.E. 76449-EXPIRES 12-31-18, L.S. 9212-EXPIRES 09-30-19
PLANNING • LAND SURVEYING • CIVIL ENGINEERING • CONSTRUCTION STAKING
MISSION ENGINEERS, INC.
RESPONSIVE, RELIABLE RESULTS SINCE 1953
2355 De La Cruz Blvd. Santa Clara, California 95050
Ph: (408) 727-8262 FAX: (408) 727-8285 E-mail: mission@missionengineersinc.com

REVISIONS				CHKD	DATE
DATE	BY	DESCRIPTION			

SCALE: 1"=10'
DATE: 09-27-18
DWN: JS ME16
JOB NO. 18026
DWG NO. L14911

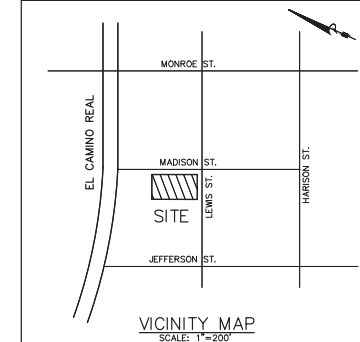
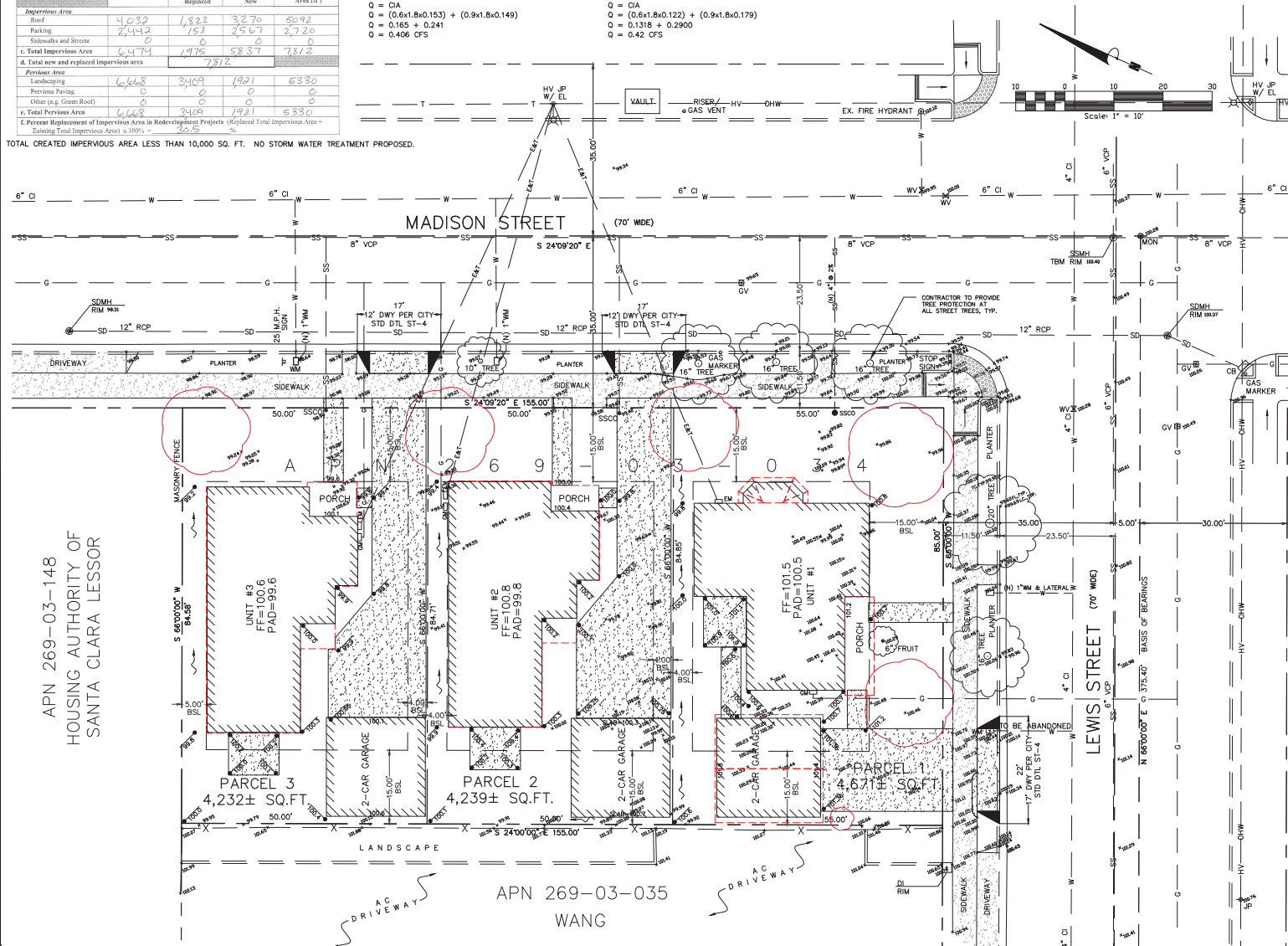
SHEET
C1
OF 2 SHEET

IMPERVIOUS/PERVIOUS TABLE				
a. Total Site Area:	Co. 56.17	acre	b. Total Site Area Disturbed:	0.3017
			(including clearing, grading, or construction)	
	Existing Area (SF)	Replaced	New	Total Post-Project Area (SF)
Impervious Area				
Roof	4,032	1,822	3,210	5092
Parking	2,442	163	2,567	2,720
Sidewalks and Streets	0	0	0	0
c. Total Impervious Area	6,474	1,975	5,837	7,812
d. Total new and replaced impervious area		7,812		
Pervious Area				
Landscaping	6,468	3,409	1,921	6,330
Previous Paving	0	0	0	0
Other (e.g. Green Roof)	0	0	0	0
e. Total Pervious Area	6,468	3,409	1,921	5,330
f. Percent Replacement of Impervious Area in Redevelopment Project (Replaced Total Impervious Area ÷ Existing Total Impervious Area) x 100% =		30.5	%	

TOTAL CREATED IMPERVIOUS AREA LESS THAN 10,000 SQ. FT. NO STORM WATER TREATMENT PROPOSED.

PREDEVELOPMENT FLOW (10YR STORM, I=1.8 IN/HR)
 PERVIOUS AREA=6,668 S.F. = 0.153 AC (C=0.60)
 IMPERVIOUS AREA=6,474 S.F. = 0.149 AC (C=0.90)
 $Q = CIA$
 $Q = (0.6x1.8x0.153) + (0.9x1.8x0.149)$
 $Q = 0.165 + 0.241$
 $Q = 0.406 CFS$

POST DEVELOPMENT FLOW (10YR STORM, I=1.8 IN/HR)
 PERVIOUS AREA=5,330 S.F. = 0.122 AC (C=0.60)
 IMPERVIOUS AREA=7,812 S.F. = 0.179 AC (C=0.90)
 $Q = CIA$
 $Q = (0.6x1.8x0.122) + (0.9x1.8x0.179)$
 $Q = 0.1318 + 0.2900$
 $Q = 0.42 CFS$



NOTES

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- THE EXISTENCE, LOCATION AND ELEVATION OF ANY UNDERGROUND UTILITIES ARE SHOWN IN A GENERAL WAY ONLY. IT WILL BE THE RESPONSIBILITY AND DUTY OF THE CONTRACTOR TO MAKE FINAL DETERMINATIONS AS TO THE EXISTENCE, LOCATION AND ELEVATION OF ALL UTILITIES.
- DATE OF SURVEY: JUNE 2018
- BASIS OF BEARINGS: THE BEARING OF N 66°00'00" W, MONUMENT LONE OF LEWIS STREET BETWEEN TWO FOUND CITY MONUMENTS AS SHOWN ON RSM 376 M 12 WAS TAKEN AS THE BASIS OF BEARINGS SHOWN HEREON.
- TEMPORARY BENCHMARK: RM OF SANITARY SEWER MANHOLE AT THE INTERSECTION OF LEWIS & MADISON STREET AS SHOWN HEREON. ASSUMED ELEVATION=100.40
- SETBACK: 15' FRONT & BACK, 5' SIDE

ASSESSOR'S PARCEL NO.: 269-03-034
 EXISTING USE: MULTI FAMILY 10 UNITS LESS
 PROPOSED USE: SINGLE FAMILY RESIDENTIAL
 EXISTING ZONING: R3-360-MEDIUM DENSITY MULTIPLE DWELLING
 PROPOSED ZONING: VERY LOW DENSITY RESIDENTIAL
 GENERAL PLAN: 1
 EXISTING PARCELS: 3
 PROPOSED PARCELS: 3

GAS SUPPLY: PACIFIC GAS & ELECTRIC CO.
 ELECTRIC SUPPLY: SILICON VALLEY POWER
 WATER SUPPLY: CITY OF SANTA CLARA
 SANITARY SEWER: CITY OF SANTA CLARA
 STORM DRAINAGE: CITY OF SANTA CLARA
 STREET TREES: TO CONFORM TO CITY OF SANTA CLARA STANDARDS
 STREET IMPROVEMENTS: TO CONFORM TO CITY OF SANTA CLARA STANDARDS
 PUBLIC AREAS: NONE

FLOOD ZONE: ZONE X, PANEL NO. 06085C 0227 H, DATED: MAY 18, 2009
 AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

AREAS : GROSS : 13,142± SQ. FT. = 0.3017± ACRES
 NET : 13,142± SQ. FT. = 0.3017± ACRES

EXISTING	AREA (SF)	PROPOSED	AREA (SF)
APN 224-27-048	13,142	PARCEL #1	4,871
		PARCEL #2	4,239
		PARCEL #3	4,232
TOTAL	13,142	TOTAL	13,142



DANIEL NUNES, R.C.E. 76449-EXPIRES 12-31-18, L.S. 9212-EXPIRES 09-30-19

PLANNING • LAND SURVEYING • CIVIL ENGINEERING • CONSTRUCTION STAKING
MISSION ENGINEERS, INC.

RESPONSIVE, RELIABLE RESULTS SINCE 1953

2355 De La Cruz Blvd. Santa Clara, California 95050

Ph: (408) 727-8262 FAX: (408) 727-8285 E-mail: mission@missionengineersinc.com

PRELIMINARY

GRADING & DRAINAGE PLAN/ TENTATIVE MAP

1444 MADISON STREET

APN 269-03-034

IN THE CITY OF SANTA CLARA, CALIFORNIA

REVISIONS

DATE	BY	DESCRIPTION

SCALE: 1"=10'	SHEET C2 OF 2 SHEET
DATE: 09-27-18	
DWG: JS ME16	
JOB NO. 18026 DWG NO. L14911	

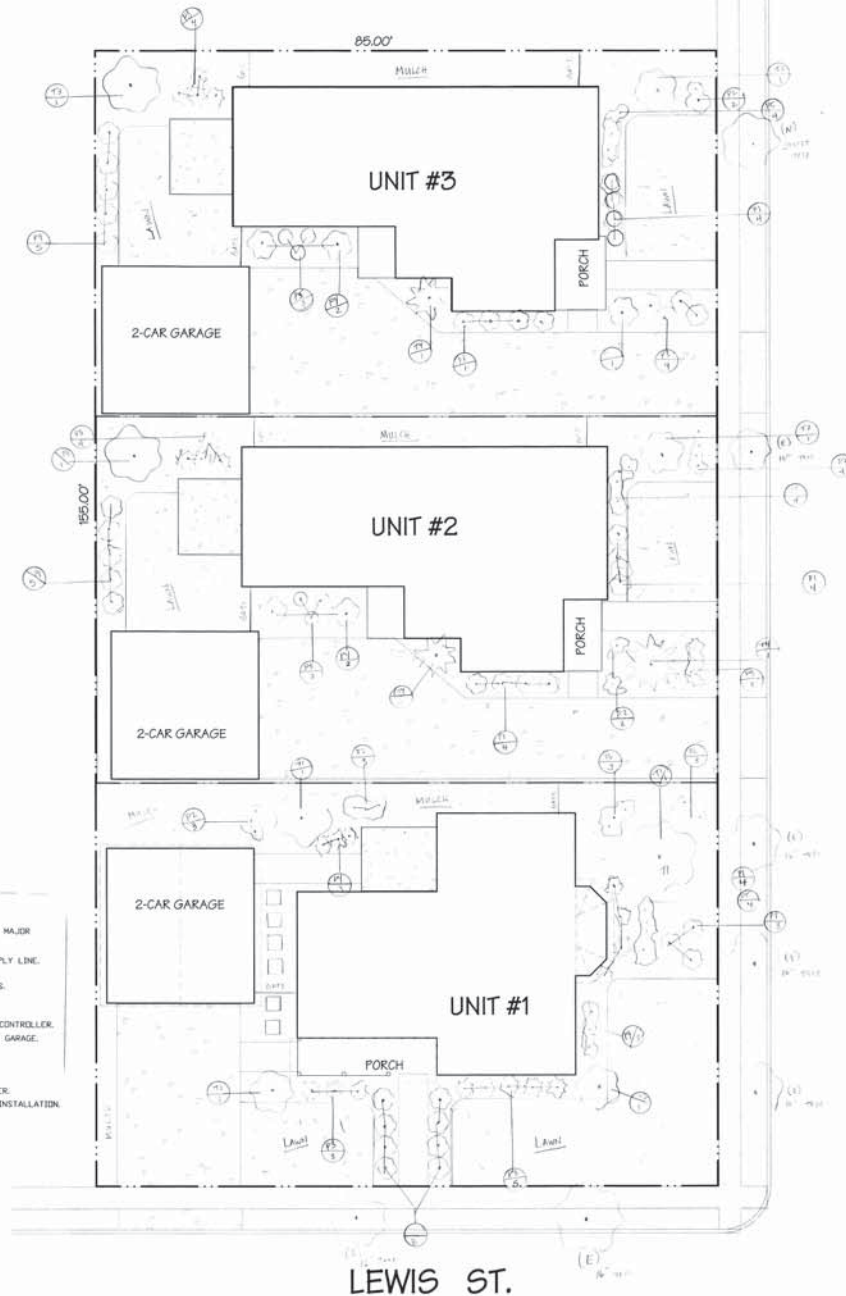
PLANT LIST

- P1 - (12) ROSMARIUS TUSCAN BLUE- 5 GAL
- P2 - (10) ACHILLEA MILLEFOLIUM- 1 GAL
- P3 - (18) ROSA ICEBERG- 5 GAL
- P4 - (10) HYDRANGEA QUERCIFOLIA- 5 GAL
- P5 - (11) LAVENDULA HICCOTE- 5 GAL
- P6 - (6) DANELLA CLARITY BLUE -1 GAL
- P7 - (4) CHONDOPELALUM TECTORIAN- 5 GAL
- P8 - (11) STACHYS B- 1 GAL
- P9 - (10) PRUNUS COMPACTA -15 GAL
- T1 - (2) LAGESTROMEIA MUSKEGEE - 15 GAL
- T2 - (4) ARCTOSTAPHYLOS - 15 GAL
- T3 - (2) GINKGO BILOBA - 15 GAL
- T4 - (3) ROSEBLOOD JAPANESE MAPLE - 15 GAL

IRRIGATION PERFORMANCE SPECIFICATION:

NOTE: BE AWARE OF ALL EXISTING TREES ON SITE, AND THEIR DRIP LINES. LOCATE DRIP TRENCHES AWAY FROM MAJOR TREE ROOTS. DO NOT CUT ANY TREE ROOT OVER 2" DIAMETER.

1. PROVIDE A MANUAL BRASS GATE VALVE AT IN GROUND VALVE BOX AT IRRIGATION CONNECTION TO DOMESTIC SUPPLY LINE.
2. IMMEDIATELY AFTER VALVE, LOCATE ONE BRASS REDUCED PRESSURE VACUUM BREAKER.
3. CONNECT THE VACUUM BREAKER WITH SCHEDULE 40 PVC PIPE MAIN LINE AT 18" DEPTH TO ALL IRRIGATION VALVES.
4. ALL IRRIGATION VALVES TO BE "RAINBIRD" DV SERIES DRIP VALVES.
5. LOCATE ALL VALVES IN BELOW GROUND PLASTIC BOXES WITH LIDS FLUSH WITH FINISH GRADE BY "BROOKS".
6. CONNECT ALL VALVES WITH DIRECT BURIAL WIRE, TAPED TO IRRIGATION MAIN LINE AND CONNECT TO IRRIGATION CONTROLLER.
7. THE AUTOMATIC IRRIGATION CONTROLLER SHALL BE A 4 STATION CLOCK BY "HUNTER" MOUNTED ON INSIDE WALL OF GARAGE.
8. CONNECT ALL SURFACE DRIP LINES WITH BELOW GROUND CLASS 200 PVC PIPE LATERALS.
9. IRRIGATE ALL PLANTS WITH SURFACE POLY-DRIP TUBING BURIED UNDER 2-3 INCHES OF WOOD CHIP MULCH.
10. PROVIDE ONE EMITTER AT 1 GAL. PLANTS, 2 EMITTERS AT 5 GAL. PLANTS AND 3 EMITTERS AT 15 GAL. PLANTS.
11. INSTALL ONE RAIN-SENSOR DEVICE OUTSIDE OF TREE DRIP LINES OR ROOF OVERHANG AND CONNECT TO CONTROLLER.
12. INSTRUCT OWNER ON OPERATION OF COMPLETED SYSTEM AND PROVIDE A ONE YEAR WARRANTY ON ALL PARTS AND INSTALLATION.



MADISON ST.

LEWIS ST.

REVISIONS	BY

NEW PLANNED DEVELOPMENT FOR:
GREG B. MUSSALLEM
 1444 MADISON STREET, SANTA CLARA, CA 95050

Date: 6-7-18
 Scale: 1/8" = 1'-0"
 Drawn: -
 Job: 17-040
 Sheet: **L-1**
 of: 2 Sheets

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF SANTA CLARA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE A REZONING FROM MEDIUM-DENSITY MULTIPLE DWELLING (R3-36D) TO PLANNED DEVELOPMENT (PD) TO ALLOW A RESIDENTIAL SUBDIVISION PROJECT FOR THE PROPERTY LOCATED AT 1444 MADISON STREET AND 1411 LEWIS STREET, SANTA CLARA

PLN2018-13427 (Rezone)

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, on July 24, 2018, Greg Mussalem ("Applicant") filed an application to allow the development on the property located at 1444 Madison Street and 1411 Lewis Street ("Project Site");

WHEREAS, the applicant requests a rezoning of the 13,175 square foot property from Medium-Density Multiple Dwelling (R3-36D) to Planned Development (PD) and a Tentative Parcel Map to subdivide the property into three parcels to allow the development of three detached single-family residences with detached garages and site improvements ("Project"), as shown on the Development Plans, attached hereto and incorporated herein by this reference;

WHEREAS, the Project is exempt from formal review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Class 3, Section 15303(a), "New Construction or Conversion of Small Structures," which exempts projects for the construction and location of limited numbers of new, small facilities or structures, as the activity consists of the development of not more than three single-family residences in an urbanized area;

WHEREAS, Santa Clara City Code (SCCC) Section 18.112.040 provides for the review and recommendation of the City's Planning Commission of all rezoning requests before action is to be taken by the City Council;

WHEREAS, on November 16, 2018, the notice of public hearing for the November 28, 2018, Planning Commission meeting for this item was posted in three conspicuous locations within 300 feet of the project site and was mailed to property owners within a 500 foot radius; and

WHEREAS, on November 28, 2018, the Planning Commission held a duly noticed public hearing to consider the rezoning application, during which all interested persons were given an opportunity to give testimony and present evidence, both in support of and in opposition to the proposed rezoning.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.

2. That the Planning Commission hereby recommends that the City Council rezone the Project Site from Medium-Density Multiple Dwelling (R3-36D) to Planned Development (PD) to allow the development of three detached single-family residences with detached garages and site improvements, as shown on the attached Development Plans and conditioned as specified in the attached Conditions of Approval, incorporated by this reference.

3. Pursuant to SCCC Section 18.112.010, the Planning Commission determines that the following findings exist in support of the rezoning:

A. The existing zoning is inappropriate or inequitable, in that the existing zoning for the Project Site does not allow residential development and creation of housing opportunities with a subdivision of three parcels that would be consistent with the density range allowed in the 2010-2035 General Plan. The Planned Development (PD) zoning would allow a residential subdivision of three detached single-family residences that closely implements the General Plan's vision for residential development.

B. The proposed zone change will conserve property values, protect or improve the existing character and stability of the area in question, and will promote the orderly and

beneficial development of such area, in that the proposal redevelops an underutilized property and visually improves the Project Site and surrounding neighborhood with physical and financial investment in the construction of an aesthetically pleasing residential subdivision development with on-site parking, site improvements, landscaping, and streetscape enhancements.

C. The proposed zone change is required by public necessity, public convenience, or the general welfare of the City, in that the proposed zone change provides residential development contemplated by the General Plan to provide Very Low Density Residential development and increase the City's housing stock.

D. The proposed zone change would allow imaginative planning and design concepts to be utilized that would otherwise be restricted in other zoning districts, in that the proposed zone change would allow flexibility in the development standards to construct a high quality residential subdivision project that is compatible with existing residential neighborhood. The proposed project modifies zoning development standards to maximize the efficient use of the Project Site.

4. That based on the findings set forth in this resolution and the evidence in the City Staff Report, the Planning Commission recommends that the City Council rezone the Project Site as set forth herein.

5. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION
PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF
SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE
___ DAY OF NOVEMBER, 2018, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments Incorporated by Reference:

1. Conditions of Rezoning Approval
2. Development Plans

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CONDITIONS OF REZONING APPROVAL

In addition to complying with all applicable codes, regulations, ordinances and resolutions, the following **conditions of approval** are recommended:

GENERAL

- G1. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.
- G2. Comply with all applicable codes, regulations, ordinances and resolutions.

ATTORNEY'S OFFICE

- A1. The Developer agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed by a third party against the City by reason of its approval of developer's project.

COMMUNITY DEVELOPMENT

- C1. Obtain required permits and inspections from the Building Official and comply with the conditions thereof.
- C2. An erosion control plan shall be prepared and copies provided to the Building Inspection Division for review and approval prior to the issuance of grading permits or building permits that involve substantial disturbance of substantial ground area.
- C3. Submit plans for final architectural review to the Planning Division and obtain architectural approval prior to issuance of building permits. Said plans to include, but not be limited to: site plans, floor plans, elevations, landscaping, lighting and signage. Landscaping installation shall meet City water conservation criteria in a manner acceptable to the Director of Community Development.
- C4. Comply with all requirements of Building and associated codes (the CBC, CEC, CMC, CPC, California Green Building Code, the California Energy Code, etc.) current at the time of application for Building Permit, that includes grading and site utility permits.
- C5. Prior to issuance of a demolition permit, Applicant/Owner shall have an asbestos survey of the proposed site performed by a certified individual. Survey results and notice of the proposed demolition are to be sent to the Bay Area Air Quality Management District (BAAQMD). No demolition shall be performed without a demolition permit and BAAQMD approval and, if necessary, proper asbestos removal.
- C6. A complete landscape plan that includes, type, size and location of all plant species shall be required as part of architectural review of the project. Review and approval of the complete landscape plan, including water conservation calculations and irrigation plan shall be required prior to issuance of building permits. Installation of landscaping is required prior to occupancy permits.

- C7. Site landscaping shall be maintained in good condition throughout the life of the Development and no trees shall be removed without City review and approval.
- C8. Trees permitted by the City for removal shall be replaced at a 2:1 ratio with 24-inch box, a 1:1 with 36" box specimen trees reviewed, or equal alternative as approved by the Director of Community Development.
- C9. Site landscaping shall be maintained in good condition throughout the life of the Project and no trees shall be removed without City review and approval.
- C10. It shall be the Developer's responsibility through his engineer to provide written certification that the drainage designs for the subject property will prevent flood water intrusion in the event of a storm of 100-year return period. The Developer's engineer shall verify that the site will be protected from off-site water intrusion by designing the on-site grading and storm water collection system using the 100-year hydraulic grade line elevation provided by the City's Engineering Department or the Federal Flood Insurance Rate Map, whichever is more restrictive. Said certification shall be submitted to the City Building Inspection Division prior to issuance of building permits.
- C11. Incorporate Best Management Practices (BMPs) into construction plans and incorporate post construction water runoff measures into project plans in accordance with the City's Urban Runoff Pollution Prevention Program standards prior to the issuance of permits. Proposed BMPs shall be submitted to and thereafter reviewed and approved by the Planning Division and the Building Inspection Division for incorporation into construction drawings and specifications.
- C12. Construction activity not confined within a building shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays and not permitted on Saturdays and Sundays for projects within 300 feet of a residential use. Construction activity confined within a building shall be limited to the hours of 7:00 A.M. to 6:00 P.M. following on weekdays other than holidays, Monday through Friday, inclusive; and within the hours of 9:00 A.M. to 6:00 P.M. following, inclusive, on any Saturday which is not a holiday. Construction activity shall not be allowed on recognized State holidays, as noted in Section 9.10.230 of the SCCC, as amended.
- C13. Developer is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.

ENGINEERING

- E1. Obtain site clearance through Engineering Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Engineering Department at (408) 615-3000 for further information.
- E2. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be included within a Single Encroachment Permit issued by the City Engineering Department.
- E3. Submit public improvement plans prepared in accordance with City Engineering Department procedures which provide for the installation of public improvements.

Plans shall be prepared by a Registered Civil Engineer and approved by the City Engineer prior to approval and recordation of final map and/or issuance of building permits.

- E4. Developer is responsible for cost of relocation or modification of any public facility necessary to accommodate subject development.
- E5. File and record Parcel Map for proposed development and pay all appropriate fees prior to Building Permit issuance.
- E6. Sanitary sewer laterals to be reused shall be videoed to verify they are in good condition. Laterals in poor condition shall be replaced as required.
- E7. Sanitary sewer and storm drain mains and laterals shall be outside the drip line of mature trees or 10' clear of the tree trunk whichever is greater.
- E8. Damaged curb, gutter, and sidewalk within the public right-of-way along property's frontage shall be repaired or replaced (to the nearest score mark) in a manner acceptable to the City Engineer or his designee. The extents of said repair or replacement within the property frontage shall be at the discretion of the City Engineer or his designee.
- E9. All proposed sidewalk, walkway, and driveways shall be ADA compliant per City Standard.
- E10. All proposed driveways shall be City Standard ST-5 driveways.
- E11. Show and comply City's driveway Triangle of Safety (sight distance) requirement at proposed driveways and City's Intersection Visibility Obstruction Clearance (sight distance) at the southeast corner of the Brokaw Road/Coleman Avenue intersection. No trees and/or structures obstructing drivers' view are allowed in the Triangle of Safety and Corner Visibility Obstruction areas.

ELECTRICAL

- EL1. Prior to submitting any project for Electric Department review, applicant shall provide a site plan showing all existing utilities, structures, easements and trees. Applicant shall also include a "Load Survey" form showing all current and proposed electric loads. A new customer with a load of 500KVA or greater or 100 residential units will have to fill out a "Service Investigation Form" and submit this form to the Electric Planning Department for review by the Electric Planning Engineer. Silicon Valley Power will do exact design of required substructures after plans are submitted for building permits.
- EL2. The Developer shall provide and install electric facilities per Santa Clara City Code chapter 17.15.210.
- EL3. Electric service shall be overhead. See Electric Department Rules and Regulations for available services.
- EL4. Installation of underground facilities shall be in accordance with City of Santa Clara Electric Department standard UG-1000, latest version, and Santa Clara City Code chapter 17.15.050.
- EL5. Overhead services shall be installed per City of Santa Clara Electric Department standard OH-550, MS-G6, and MS-G7 latest revision.
- EL6. Underground service entrance conduits and conductors shall be "privately" owned, maintained, and installed per City Building Inspection Division Codes.

Electric meters and main disconnects shall be installed per Silicon Valley Power Standard MS-G7, Rev. 2.

- EL7. The developer shall grant to the City, without cost, all easements and/or right of way necessary for serving the property of the developer and for the installation of utilities (Santa Clara City Code chapter 17.15.110).
- EL8. If the “legal description” (not “marketing description”) of the units is condominium or apartment, then all electric meters and services disconnects shall be grouped at one location, outside of the building or in a utility room accessible directly from the outside. If they are townhomes or single-family residences, then each unit shall have its own meter, located on the structure. A double hasp locking arrangement shall be provided on the main switchboard door(s). Utility room door(s) shall have a double hasp locking arrangement or a lock box shall be provided. Utility room door(s) shall not be alarmed.
- EL9. All trees, existing and proposed, shall be a minimum of five (5) feet from any existing or proposed Electric Department facilities. Existing trees in conflict will have to be removed. Trees shall not be planted in PUE’s or electric easements.
- EL10. Any relocation of existing electric facilities shall be at Developer’s expense.
- EL11. Electric Load Increase fees may be applicable.
- EL12. The developer shall provide the City, in accordance with current City standards and specifications, all trenching, backfill, resurfacing, landscaping, conduit, junction boxes, vaults, street light foundations, equipment pads and subsurface housings required for power distribution, street lighting, and signal communication systems, as required by the City in the development of frontage and on-site property. Upon completion of improvements satisfactory to the City, the City shall accept the work. Developer shall further install at his cost the service facilities, consisting of service wires, cables, conductors, and associated equipment necessary to connect a customer to the electrical supply system of and by the City. After completion of the facilities installed by developer, the City shall furnish and install all cable, switches, street lighting poles, luminaries, transformers, meters, and other equipment that it deems necessary for the betterment of the system (Santa Clara City Code chapter 17.15.210 (2)).
- EL13. Electrical improvements (including underground electrical conduits along frontage of properties) may be required if any single non-residential private improvement valued at \$200,000 or more or any series of non-residential private improvements made within a three-year period valued at \$200,000 or more (Santa Clara City Code Title 17 Appendix A (Table III)).
- EL14. Encroachment permits will not be signed off by Silicon Valley Power until Developers Work substructure construction drawing has been completed.
- EL15. All SVP-owned equipment is to be covered by an Underground Electric Easement (U.G.E.E.). This is different than a PUE. Only publically-owned dry utilities can be in a UGEE. Other facilities can be in a joint trench configuration with SVP, separated by a 1’ clearance, providing that they are constructed simultaneously with SVP facilities. See UG 1000 for details.
- EL16. Proper clearance must be maintained from all SVP facilities, including a 5’ clearance from the outer wall of all conduits. This is in addition to any UGEE

specified for the facilities. Contact SVP before making assumptions on any clearances for electric facilities.

- EL17. All existing SVP facilities, onsite or offsite, are to remain unless specifically addressed by SVP personnel by separate document. It is the Developers responsibility to maintain all clearances from equipment and easements. Developer to contact SVP outside of the PCC process for clear definitions of these clearance requirements. Developer should not assume that SVP will be removing any existing facilities without detailed design drawings from SVP indicating potential removals. Simply indicating that SVP facilities are to be removed or relocated on conceptual plans does not imply that this action has been approved by SVP.
- EL18. Applicant is advised to contact SVP (CSC Electric Department) to obtain specific design and utility requirements that are required for building permit review/approval submittal. Please provide a site plan to Leonard Buttitta at 408-615-6620 to facilitate plan review.
- EL19. This will most likely be an Overhead service that converts to underground. As a result EL2, 4, 5, 6, are correctly listed in these conditions.

WATER

- W1. The applicant must indicate the disposition of all existing water and sewer services and mains on the plans. If the existing services will not be used, then the applicant shall properly abandon these services to the main per Water & Sewer Utilities standards and install a new service to accommodate the water needs of the project.
- W2. The applicant shall submit a composite utility plan showing all utilities (including electrical) and landscaping (trees/shrubbery) so that the Water Department can verify conflicts for proposed water services. Note that all new water meters and backflow prevention devices shall be located behind the sidewalk in a landscape area.
- W3. Applicant shall adhere to and provide a note indicating all horizontal and vertical clearances. The applicant shall maintain a minimum 12" of vertical clearance at water service crossing with other utilities, and all required minimum horizontal clearances from water services: 10' from sanitary sewer utilities, 10' from recycled water utilities, 8' from storm drain utilities, 5' from fire and other water utilities, 3' from abandoned water services, 5' from gas utilities, and 5' from the edge of the propose or existing driveway. For sanitary sewer, water, and recycled water utilities, the applicant shall maintain a minimum horizontal clearance of 10' from existing and proposed trees. If applicant installs tree root barriers, clearance from tree reduces to 5' (clearance must be from the edge of tree root barrier to edge of water facilities).
- W4. Applicant shall submit plans showing proposed water, sanitary sewer, and fire service connected to a public main in the public right-of-way to the satisfaction of the Director of Water & Sewer Utilities. Different types of water use (domestic, irrigation, fire) shall be served by separate water services, each separately tapped at the water main. Tapping on existing fire service line(s) is prohibited.
- W5. Upon completion of construction and prior to the City's issuance of a Certificate of Occupancy, the applicant shall provide "as-built" drawings of the on-site public water

utility infrastructure prepared by a registered civil engineer to the satisfaction of the Director of Water & Sewer Utilities.

- W6. Prior to issuance of Building Permits, the applicant shall provide the profile section details for utilities crossing water, sewer, or reclaimed water mains to ensure a 12" minimum vertical clearance is maintained.
- W7. The applicant must indicate the pipe material and the size of existing water and sewer main(s) on the plans.
- W8. If fire flow information is needed, applicant shall coordinate with Water and Sewer Utilities Department, for fire flow information at (408)615-2000.
- W9. Prior to issuance of Building Permits, the applicant shall submit design plans for construction of water utilities that comply with the latest edition of the Water & Sewer Utilities Water Service and Use Rules and Regulations, Water System Notes, and Water Standard Details and Specifications. In addition, prior to the City's issuance of Occupancy, the applicant shall construct all public water utilities per the approved plans. The Water & Sewer Utilities will inspect all public water utility installations and all other improvements encroaching public water utilities.

POLICE

- PD1. The property should be fenced off during demolition and construction as a safety barrier to the public and deterrent to theft and other crime. Consider not having any screening material on the fence so passing Police Patrol checks will be able to see into the site.
- PD2. Address numbers of the individual residential buildings shall be clearly visible from the street and shall be a minimum of six (6) inches in height and a color contrasting with the background material. Ideally, numbers would be illuminated during hours of darkness so first responders can easily identify the address. Individual apartment numbers shall be a minimum of six (6) inches in height and a color contrasting to the background material, and either visible from the street or from the center area of the project. Where multiple units/buildings occupy the same property, unit/building addresses shall be clearly visible. A monument sign, preferably at all dedicated entrances to the property, shall be prominently displayed, showing all unit/building numbers, addresses, etc. A map is recommended for large complexes with multiple streets or walkways.
- PD3. Landscaping should follow the National Institute of Crime Prevention standards. That standard describes bushes/shrubs not exceeding 2' in height at maturity, or maintained at that height, and the canopies of trees should not be lower than 6' in height. Crime-deterrent vegetation is encouraged along the fence and property lines and under vulnerable windows.
- PD4. Lighting for the project to be at the IES (Illuminating Engineering Society of North America) standards and include the features listed below:
- White light source
 - Pedestrian Scale
 - Full cut-off or shoebox design
 - Unbreakable exterior
 - Tamperproof Housings
 - Wall mounted lights/10' high

These features increase natural surveillance, support and/or enhance security camera capabilities, and increase Police Patrol effectiveness

FIRE

- F1. Prior to any demolition contact Fred Chun, Hazmat Division Chief, at 408-615-4961 to inquire what type of demolition permits may be necessary.

STREETS

- ST1. Include Arborist Notes to all plans.
ST2. Applicant must protect any street trees along Lewis Street and Madison Street frontages.

Solid Waste

- ST3. For projects that involve construction, demolition or renovation of 5,000 square feet or more, the applicant shall comply with City Code Section 8.25.285 and recycle or divert at least fifty percent (50%) of materials generated for discard by the project during demolition and construction activities. No building, demolition, or site development permit shall be issued unless and until applicant has submitted a construction and demolition debris materials check-off list. Applicant shall create a Waste Management Plan and submit a Construction and Demolition Debris Recycling Report through the City's online tracking tool at <http://santaclara.wastetracking.com/>.

Stormwater

- ST4. The applicant shall incorporate Best Management Practices (BMPs) into construction plans and incorporate post-construction water runoff measures into project plans in accordance with the City's Urban Runoff Pollution Prevention Program standards prior to the issuance of Building or Grading Permits. Proposed BMPs shall be submitted to and thereafter reviewed by the Planning Division and the Building Inspection Division for incorporation into construction drawings and specifications.
- ST5. For single-family homes and other small projects that create and/or replace 2,500 – 10,000 square feet of impervious surface area, the applicant shall implement at least one of the following site design measures:
- a. Direction of roof runoff into cisterns or rain barrels
 - b. Direction of roof, sidewalk, walkway, patio, driveway, or parking lot runoff onto vegetated areas
 - c. Construction of sidewalks, walkways, patios, bike lanes, driveways, and parking lots with permeable surfaces
- Plans shall specify which site design measures are selected for the project and show the direction of flow from impervious surfaces to the selected site design measures. All measures shall meet the design criteria in the SCVURPPP C.3 Stormwater Handbook, Appendix K: Standard Specifications for Lot-Scale Measures for Small Projects.
- ST6. Developer shall install an appropriate stormwater pollution prevention message such as "No Dumping – Flows to Bay" on any storm drains located on private property.

PARKS AND RECREATION

- PR1. The Project is a subdivision and the Quimby Act provisions will apply.
- PR2. Application for Credit. Currently, the Project has not requested credit and it is unlikely the Project could achieve the requirements needed to qualify for credit; therefore, the Project would not be eligible for 50% credit against any fees due in lieu of parkland dedication.
- PR3. The City will accept a fee in lieu of parkland dedication for this 3 unit development – the equivalent fee due is \$14,476 based on the net new residents.

- PR4. Any in lieu fees imposed under Chapter 17.35 shall be due and payable to the City prior to issuance of a building permit for each dwelling unit.
- PR5. A dwelling unit tax (DUT) is also due based on the number of units and additional bedrooms per City Code Chapter 3.15. Records show the property was built in 1948, which is prior to Santa Clara City Code Chapter 3.15; therefore DUT is owed for all bedrooms. The project mix includes 3 four bedroom units: [(\$15 x 3 bedrooms) + (\$5 x 9 additional bedrooms)] for a total DUT of \$90.
- PR6. Calculations may change if the number of units changes, if any areas do not conform to the Ordinance and City Code Chapter 17.35, if the fee schedule for new residential development fees due in lieu of parkland dedication changes before this Project is deemed complete by Planning, and/or if City Council makes any changes.

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