

City of Santa Clara

Meeting Agenda

Planning Commission

Wednesday, June 12, 2019	6:00 PM	City Hall Council Chambers
Study Session	- 6:00 PM Regular Mee	eting - 7:00 PM

6:00 PM STUDY SESSION

Confirmation of a Quorum

19-549 <u>El Camino Real Specific Plan Market Feasibility Analyses of</u> New Development

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. It 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 19-679 Planning Commission Meeting Minutes of May 22, 2019

Recommendation: Approve the Planning Commission Minutes of the May 22, 2019 Meeting.

1.B	19-642	Action on Use Permit for ABC License Type 47 and outdoor seating for Bloom Restaurant located at 202 Saratoga Avenue.
		Recommendation: Adopt a resolution approving a Use Permit for the sale and consumption of beer, wine and distilled spirits (ABC License Type 47) and outdoor seating for a Bloom restaurant located at 202 Saratoga Avenue, subject to conditions of approval.
1.C	19-653	Twelve-month Review of a Use Permit for the on-site sale and consumption of alcohol (ABC License Type 47) in the Yellow Chili restaurant located at 3555 Monroe Street.
		<u>Recommendation</u> : Note and file the twelve-month review of a Use Permit allowing the on-site sale and consumption of alcohol (ABC License Type 47) in the Yellow Chili restaurant

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. 19-714 <u>Action on a Conditional Use Permit for a new 190-room Hotel</u> <u>with onsite sales of beer, wine, and distilled spirits (ABC license</u> Type 47) at 2900 Lakeside Drive
 - **Recommendation:** Adopt a Resolution to Approve a Use Permit to allow a new 190-room hotel located at 2900 Lakeside Drive with on-site sale of beer, wine, and distilled spirits (ABC license Type 47), subject to conditions of approval.

located at 3555 Monroe Street.

3. 19-722 <u>Selection of Planning Commission Chair, Vice Chair and</u> Secretary

Recommendation: There is no staff recommendation.

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
- 4. Follow up from April 10, 2019 El Camino Real Specific Plan Study Session

ADJOURNMENT:

The next regular scheduled meeting is on July 24, 2019 at 6:00 PM in the City Hall Council Chambers.



Agenda Report

19-549

Agenda Date: 6/12/2019

REPORT TO PLANNING COMMISSION

SUBJECT

El Camino Real Specific Plan Market Feasibility Analyses of New Development

DISCUSSION

The El Camino Real (ECR) is the City's most visible and identifiable corridor. Historically the corridor is mostly developed with commercial uses, but more recently significant residential has been developed. The City's General Plan and Specific Plan goal for the ECR is to further transform the location from a series of automobile-oriented strip malls to a tree lined, transit oriented, pedestrian friendly corridor, with a mix of residential as well as commercial uses. Accordingly, Keyser Marston Associates (economic consultant) Rami & Associates and Van Meter Williams Pollack (urban design consultants) have collaborated on an analysis to identify the key factors to test current and near-term feasibility of representative development options (residential or vertical mixed-use (ground floor commercial above) on three selected development opportunity sites on ECR.

The consultants will provide a presentation on their feasibility analysis using the three sites listed below and then engage in discussion with the Planning Commission and the ECR Community Advisory Committee (CAC).

The study sites used for this feasibility testing are:

- Study Site #1: Monroe Street (0.35 acres)
- Study Site #2: Calabazas Blvd (2.45 acres)
- Study Site #3: Moonlight Center (14.4 acres)

ENVIRONMENTAL REVIEW

This study session does not constitute a "project" within the meaning of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(4) in that it is a informational session that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

FISCAL IMPACT

There is no impact to the City other than administrative staff time.

PUBLIC CONTACT

Public contact for this study session was made by email to the Community Advisory Committee and community members on our notification list. A complete agenda packet is available on the City's website and in the Community Development Department at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the Community Development Department at (408) 615-2450, email <u>Planning@santaclaraca.gov.</u>

Prepared by: Lesley Xavier, Principal Planner Approved by: Reena Brilliot, Planning Manager



Agenda Report

19-679

Agenda Date: 6/12/2019

SUBJECT

Planning Commission Meeting Minutes of May 22, 2019

RECOMMENDATION

Approve the Planning Commission Minutes of the May 22, 2019 Meeting.



City of Santa Clara

Meeting Minutes

Planning Commission

05/22/2019		6:00 PM	City Hall Council Chambers	
6:00 PM REGULAR ME	TING			
Call to Order				
	Chair Jain called the	e meeting to order at 6:07 p	o.m.	
Pledge of Allegiance a	d Statement of Val	ues		
Roll Call				
Present	Lance Saleme,	Steve Kelly, Chair Sudhans Commissioner Anthony Be Commissioner Priya Cheru	cker, Commissioner Nancy	
Absent	1 - Commissioner	Yuki Ikezi		
		e by Commissioner Becke eme to excuse Commissio	-	
Aye:		Kelly, Chair Jain, Commiss Becker, and Commissioner		
Absent:	1 - Commissioner	Ikezi		
Abstained:	1 - Commissioner	Cherukuru		
DECLARATION OF CO	MISSION PROCED	DURES		
	Chair Jain read the	Declaration of Commission	Procedures.	
CONTINUANCES/EXC	CONTINUANCES/EXCEPTIONS			

None.

CONSENT CALENDAR

Chair Jain pulled item 1.C from the Consent Calendar for discussion

A motion was made by Commissioner Kelly, seconded by Commissioner Biagini, that Items 1.A, 1.B, and 1.D be approved. Aye: 5 - Commissioner Kelly, Chair Jain, Commissioner Saleme, Commissioner Becker, and Commissioner Biagini

- Excused: 1 Commissioner Ikezi
- Abstained: 1 Commissioner Cherukuru
- **1.A** <u>19-556</u> Planning Commission Meeting Minutes of April 24, 2019

Recommendation: Approve the Planning Commission Minutes of the April 24, 2019 Meeting.

A motion was made by Commissioner Kelly, seconded by Commissioner Biagini, that this item be approved.

- **1.B** <u>19-331</u> Action on Vesting Tentative Subdivision Map for 2780 El Camino Real
 - **Recommendation:** Adopt a resolution to recommend the City Council approve the Vesting Tentative Subdivision Map to subdivide the existing parcel into seven condominium lots and 13 common lots at the property located at 2780 El Camino Real.

A motion was made by Commissioner Kelly, seconded by Commissioner Biagini, that this item be approved.

- 1.D19-501Consent: Action on Use Permit for ABC License Type 41 for Tender
Greens located at 2532 Augustine Drive
 - **Recommendation:** Adopt a Resolution approving a Use Permit for the sale and service of beer and wine (ABC License Type 41) in a new restaurant (Tender Greens), subject to conditions of approval.

A motion was made by Commissioner Kelly, seconded by Commissioner Biagini that this item be approved.

CONSENT ITEMS PULLED FOR DISCUSSION

- **1.C** <u>19-468</u> Consent: Action on a Conditional Use Permit for a new 190-room Hotel at 2900 Lakeside Drive
 - **Recommendation:** Adopt a Resolution to Approve a Use Permit to allow a new 190-room hotel located at 2900 Lakeside Drive, subject to conditions of approval.

Development Review Officer/Staff Liaison Gloria Sciara made the presentation.

Public Speaker: Applicant- Andrew Wood

A discussion took place and Commissioners requested that the applicant improve architecture of the Hotel.

A motion was made by Commissioner Kelly, seconded by Commissioner Biagini, to continue this item to the next Planning

Commission Meeting on June 12, 2019.

- Aye: 5 Commissioner Kelly, Chair Jain, Commissioner Saleme, Commissioner Becker, and Commissioner Biagini
- Excused: 1 Commissioner Ikezi
- **Abstained:** 1 Commissioner Cherukuru

PUBLIC PRESENTATIONS

None.

PUBLIC HEARING

- 2. <u>19-443</u> Actions on the proposed Catalina II Residential Development Project to develop 39 residential townhouses at 1433-1493 El Camino Real
 - <u>Recommendation:</u>
- Alternatives 1), 2), and 3): That the Planning Commission adopt resolutions for the Catalina II Residential Project located at 1433 -1493 El Camino Real recommending that the City Council:
- Approve a Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Catalina II Residential Development Project.
- 2 Approve a rezoning from Thoroughfare Commercial (CT) and General Office (OG) to Planned Development (PD) to allow development of 39 condominium townhome units, private street, landscaped open space, surface parking and site improvements.
- 3. Approve the Vesting Tentative Subdivision Map to create five condominium lots with 39 condominium units and four common interest lots to serve the development.

Associate Planner Debby Fernandez gave a presentation.

Public Speakers:

Cory Kesich, SCS Development Jim Sullivan, SCS Development Nick Kaspar, Santa Clara Chamber of Commerce Linda Knepper Amy Wang

A motion was made by Commissioner Becker, seconded by Commissioner Kelly, to approve Recommendation 1.

- Aye: 5 Commissioner Kelly, Chair Jain, Commissioner Saleme, Commissioner Becker, and Commissioner Biagini
- **Excused:** 1 Commissioner Ikezi
- Abstained: 1 Commissioner Cherukuru

A motion was made by Commissioner Biagini, seconded by

Commissioner Kelly to approve Recommendation 2 with the following conditions: prior to grading the Applicant shall contract with a qualified Archaeologist subject to the approval of the Director of Community Development and conduct an archaeological survey of the site and to adopt condition regarding noise levels proposed by the Director of Community Development as outlined in Item C28.

- Aye: 5 Commissioner Kelly, Chair Jain, Commissioner Saleme, Commissioner Becker, and Commissioner Biagini
- Excused: 1 Commissioner Ikezi
- Abstained: 1 Commissioner Cherukuru

A motion was made by Commissioner Kelly and seconded by Commissioner Becker to Approve Recommendation 3.

- Aye: 5 Commissioner Kelly, Chair Jain, Commissioner Saleme, Commissioner Becker, and Commissioner Biagini
- Excused: 1 Commissioner Ikezi
- Abstained: 1 Commissioner Cherukuru
- **3.** <u>19-462</u> Action on Amendments to the City Code Chapters 18.34, 18.36, 18.42, 18.56, 18.70, and 18.104 regarding Massage Establishments

Recommendation: Alternative 1:

Recommend that the City Council adopt the proposed Amendments to Chapters 18.34, 18.36, 18.42, 18.56, 18.70 and 18.104 of the Zoning Ordinance of the City Code regarding Massage Establishments.

Meeting went into Recess at 8:08 p.m. and Reconvened at 8:14 p.m.

Planning Manager Reena Brilliot provided a presentation.

A motion was made by Commissioner Jain, seconded by Commissioner Saleme to Adopt Alternative 1 with the exception that Hotels with more than 100 rooms shall be exempt from the locational requirements of the ordinance.

- Aye: 5 Commissioner Kelly, Chair Jain, Commissioner Saleme, Commissioner Becker, and Commissioner Biagini
- Excused: 1 Commissioner Ikezi
- Abstained: 1 Commissioner Cherukuru
- 4. <u>19-325</u> Recommendation on an Amendment to the Zoning Code, Santa Clara City Code Chapter 18.76 Architectural Review and other clarifying changes

Recommendation:

Alternative 1: Recommend the City Council adopt an Ordinance to amend Chapter 18.76 Architectural Review of the City of Santa Clara Zoning Code to replace the existing Architectural Committee with an administrative public hearing process for Architectural Review appealable to the City Council on a *de novo* basis and changes to the appeal procedures so that appeals are available to the applicant, property owners, and residents within 500 feet of the project boundary.

Principal Planner John Davidson made the presentation.

A motion was made by Chair Jain, seconded by Commisioner Becker to continue this item to July 24.

- Aye: 6 Commissioner Kelly, Chair Jain, Commissioner Saleme, Commissioner Becker, Commissioner Biagini, and Commissioner Cherukuru
- Excused: 1 Commissioner Ikezi

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items

Assistant City Attorney Alexander Abbe announced he will schedule a meeting regarding the Brown Act with new commissioners.

Commissioner Cherukuru noted she will not be in attendance at the June 12, 2109 Planning Commission Meeting.

Chair Jain asked if cameras can be prohibited in Airbnb properties. **Assistant City Attorney Alexander Abbe** will review this matter.

- 2. Board or Committee Assignments
- 3. Architectural Committee
- 4. Commissioner Travel and Training Reports, Requests to attend Trainings

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

Development Review Officer/Staff Liasion Gloria Sciara and Planning Manager Reena Brilliot provided updates.

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

Development Review Officer/Staff Liasion Gloria Sciara provided updates.

ADJOURNMENT:

Meeting adjourned at 10:17 p.m. The next regular scheduled meeting is on June 12, 2019.

A motion was made by Commissioner Becker, seconded by Commissioner Biagini to adjourn the meeting.

- Aye: 7 Commissioner Kelly, Chair Jain, Commissioner Saleme, Commissioner Becker, Williams, Commissioner Biagini, and Commissioner Cherukuru
- Excused: 1 Commissioner Ikezi



Agenda Report

19-642

Agenda Date: 6/12/2019

REPORT TO PLANNING COMMISSION

<u>SUBJECT</u>

Action on Use Permit for ABC License Type 47 and outdoor seating for Bloom Restaurant located at 202 Saratoga Avenue.

REPORT IN BRIEF

<u>Project</u>: Use Permit to allow on-site sale and consumption of beer, wine and distilled spirits (ABC Type 47 License) for a new Bloom restaurant with outdoor seating
 <u>Applicant</u>: Reza Manion, Bloom
 <u>General Plan</u>: Community Mixed Use
 <u>Zoning</u>: Community Commercial (CC)
 <u>Site Area</u>: 2,500 square foot existing tenant space with 206 square foot outdoor seating on the shared sidewalk.
 <u>Existing Site Conditions</u>: Existing tenant space within the Pruneridge Shopping Center

<u>Surrounding Land Uses (adjacent to Pruneridge Shopping Center)</u> <u>North:</u> Pruneridge Golf Course <u>South:</u> Residential Planned Development across San Tomas Expressway <u>East</u>: Residential Planned Development across Saratoga Avenue West: R1-6L Single Family homes across San Tomas Expressway

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

<u>Staff Recommendation</u>: Adopt a resolution approving the Use Permit, subject to conditions of approval

BACKGROUND

The applicant is requesting a Use Permit to allow on-site sale and consumption of beer, wine and distilled spirits (ABC License Type 47) in a new Bloom restaurant located at the Pruneridge Shopping Center. The restaurant will occupy a 2,500 square foot tenant space with 82 indoor seats and 12 outdoor seating (206 square foot) on the shared sidewalk. There is no enclosed patio for the outdoor seating. The proposed restaurant hours of operation, along with the sale and service of beer and wine, are Monday through Thursday from 7:00 a.m. to 10:00 p.m., Friday through Saturday from 7:00 a.m. to 11:00 p.m. and Sunday from 7:00 a.m. to 9:00 p.m. The applicant is not proposing live entertainment in the restaurant at this time.

DISCUSSION

Consistency with the General Plan:

The subject property has a General Plan designation of Community Mixed Use. This classification is a combination of the Community Commercial and Medium Density Residential designations and is

intended to encourage a mix of residential and commercial uses along major streets. The project is also consistent with the following General Plan policies:

5.3.3-P1 - Provide a mix of retail and commercial uses to meet the needs of local customers and draw patrons from the greater region. The proposal is consistent with this policy in that the new restaurant will provide another eatery option within the larger mall complex.

5.3.3 P5 - Encourage public amenities and active uses in commercial centers and along commercial corridors. The proposal is consistent with this policy in that it will provide evening hours of operation until 10:30 p.m. that will allow for this public amenity to be available during regular mall hours.

Zoning Conformance:

The zoning designation is Community Commercial (CC). Under the CC zoning designation for the Pruneridge Shopping Center, restaurant uses are allowed by right, while establishments selling alcoholic beverages are considered conditional uses. Therefore, a Use Permit is required to establish and maintain the proposed sales and on-site consumption of beer, wine, and distilled spirits. Outdoor seating is also subject to a Use Permit, per section 18.36.040 of the CC Zoning District allowing outdoor activity. The applicant has provided a letter of justification to support the Use Permit request. The leasing space is located within the Pruneridge Shopping Center, which provides 361 shared parking spaces that are available to all patrons visiting the shopping center. Included in the Conditions of Approval (C8) is a requirement for the Planning Commission to review the Use Permit within 12 months from the date the applicant obtains an ABC Type 47 License. After six months from obtaining the ABC license, the City shall conduct an administrative review of ABC violations and police service calls and shall report any significant occurrences to the Planning Commission.

Conclusion:

The proposal is consistent with the General Plan and Zoning designations for the existing Pruneridge Shopping Center. The proposed on-site sale and consumption of beer, wine and distilled spirits is an ancillary use which would provide convenience to restaurant guests that would further enhance a quality commercial use, meet the needs of local customers, and draw patrons from the greater region.

ENVIRONMENTAL REVIEW

The action being considered is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Class I Existing Facilities, in that the activity consists of the permitting of a proposed use that will occur inside an existing building involving negligible or no expansion of use.

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 May 31, 2019 the notice of public hearing of this item was posted in three conspicuous locations

19-642

within 300 feet of the project site and mailed to property owners within 300 feet of the project site. Planning Staff has not received public comments for this application.

RECOMMENDATION

Adopt a resolution approving a Use Permit for the sale and consumption of beer, wine and distilled spirits (ABC License Type 47) and outdoor seating for a Bloom restaurant located at 202 Saratoga Avenue, subject to conditions of approval.

Prepared by: Nimisha Agrawal, Assistant Planner I Reviewed by: Diana Fazely, Deputy City Attorney Approved by: Reena Brilliot, Planning Manager

ATTACHMENTS

- 1. Statement of Justification
- 2. Development Plan
- 3. Resolution Approving a Use Permit
- 4. Conditions of Approval



18 March 2019

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

RE: BLOOM (a restaurant) Use Permit 202 Saratoga Avenue

Dear Sirs;

Please accept the following information, application and drawings for consideration of issuance of a Use Permit for my new restaurant, BLOOM.

Background: Late last year, after nearly 35 years of operation, the Golden Mushroom Pizza and Pasta restaurant closed. The restaurant operators sold their interest in the lease space to me. I propose to open a new breakfast and lunch restaurant with food service to accompany beverage service.

The planned hours of operation will be;

Monday through Thursday, 7am to 10pm Friday and Saturday, 7am to 11pm Sunday, 7am to 9pm

The Golden Mushroom was previously approved for 82 seats inside the restaurant. I have adjusted the seating arrangement to match that count. I would also like to add 16 additional seats via 4 tables of 4, outside. I acknowledge that this is a new request.

I currently plan for 10 to 12, week day employees with 15 weekend employees.

I have attached our planned menu.

Other than the outside food service and building signage change, we plan no changes to the exterior of the building. In the interior, we plan to demo all of the old and worn finishes and upgrade to a more modern, open format look. The kitchen and restrooms will remain in the same locations as we plan to utilize as much utility infrastructure as possible.

I believe this is the information, along with the drawings and application, that you have requested. Should you have any further questions, please do not hesitate in calling or emailing me, rmanion541@gmail.com. I look forward to hearing from you.

Best regards,

Reza "Ross" Manion Owner

Attachments: Menu, Planning Application and Drawings

Bloom

202 Saratoga Ave Santa Clara, CA 95050 Hours: Monday-Friday 7am-2pm Saturday & Sunday 7am-3pm



Bloom's Signatures

-Bloom Breakfast Burrito	\$12
-Sweet Potato Shishito Hash	\$15
-Chicken and Waffles	\$20
-Chilaquiles	\$14
-Steak and eggs	\$20
-Chicken fried steak	\$16

Lite bites

-Oatmeal	\$8
-Pesto/egg white/spinach avocado toast	\$12
-Yogurt Parfait	\$10

Bloom's Benedict's

•	Traditional Eggs Bene	\$14
•	California Bene	\$14
•	Southwest	\$14
•	Veggie	\$14
•	Crab cake	\$16

Bloom's Basics

2 Eggs any style	Add \$
- Bacon - sausage	Add \$
-Linguisca -ham	Add \$

Scrambles/Frittatas

•	All Meat	\$14
•	Garden	\$14
•	Mexican	\$14
•	Chicken Apple Sausage	\$14

Bloom's Sweets

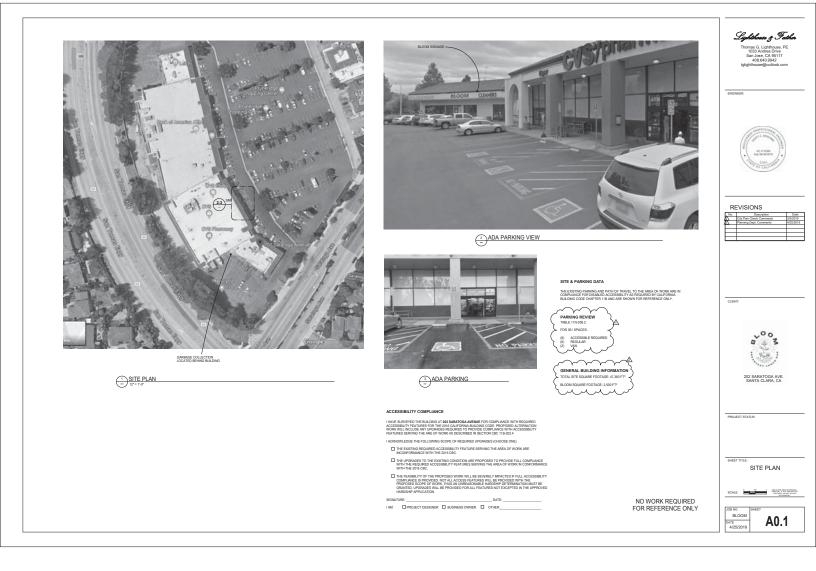
- Traditional French toast . \$14
- Cornflake Crusted French Toast • \$14
- Cinnamon Roll French Toast • \$14
- Coconut Banana Macadamia Nut Cakes • \$14
- Berry Cakes • \$14
- **Buttermilk Cakes** • \$14
- Belgian waffle . \$14

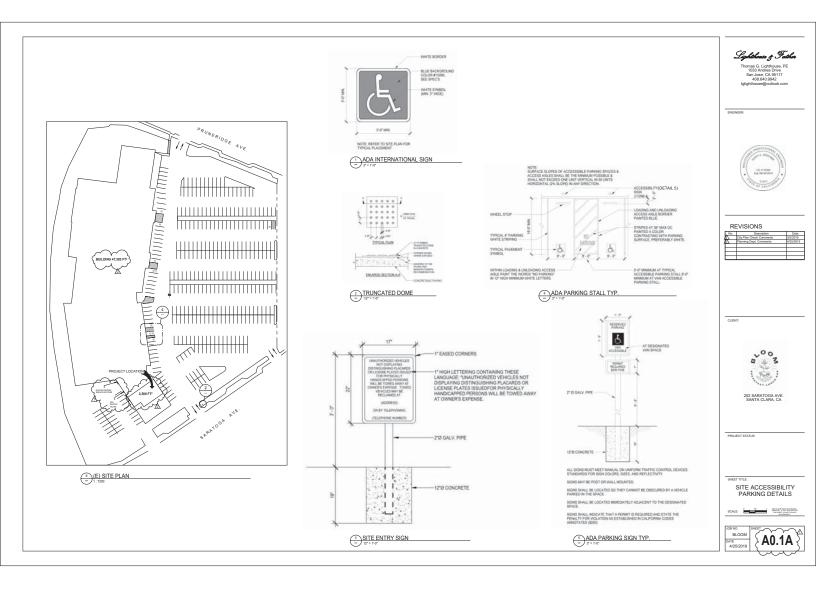
Lunch

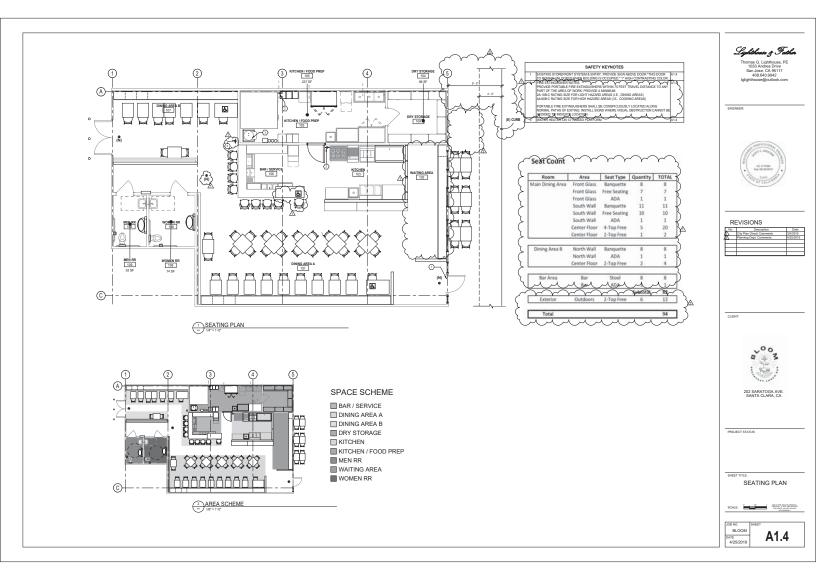
Chef seasonal soup	\$10
sweet gem Cesar salad	\$13
Ahi tuna salad	\$18
Roasted chicken salad	\$16
Fried chicken sandwich	\$16
Bloom burger	\$18
Impossible burger	\$20
Penne arrabiata	\$18
Vegan lasagna	\$17

Bloom Cocktails

Stella Artios	\$8
805	\$8
Negra Modelo	\$8
Modelo Especial	\$8
Bloom Bloody Mary	\$12
Old fashioned	\$12
Manhattan	\$12
Cosmopolitan	\$11
Ramos Gin Fizz	\$11
French 79	\$13







RESOLUTION NO.

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, WINE, AND DISTILLED SPIRITS (ABC LICENSE TYPE 47) AND AUTHORIZING AN OUTDOOR DINING AREA AT THE BLOOM RESTAURANT LOCATED AT 202 SARATOGA AVENUE, SANTA CLARA, CA

PLN2018-13804 (Use Permit)

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

WHEREAS, on March 23, 2019, Reza Manion for Bloom restaurant ("Applicant") applied for a

Use Permit to allow on-site sale and service of beer, wine and distilled spirits (ABC License

Type 47) in a new Bloom restaurant within an existing 2,500 square feet tenant space and the

proposed 206 square foot outdoor seating, located at 202 Saratoga Avenue, within the

Pruneridge Shopping Center ("Site Location");

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

WHEREAS, in order to implement the proposed activities, the Site Location requires a Use Permit to allow beer, wine and distilled spirits sales and consumption in conjunction with food service, as well as to authorize the outdoor dining area, at the restaurant occupying a commercial tenant space in the existing Pruneridge Shopping Center, 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, restaurants that serve alcoholic beverages and outdoor seating are conditionally permitted uses in the Community Commercial (CC) zoning district, which includes the Pruneridge Shopping Center, with the approval of a Use Permit 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, on May 31, 2019, the notice of public hearing for the June 12, 2019 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 June 12, 2019, 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 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, wine and distilled spirits at a bona fide eating place (ABC License Type 47) in the 2,500 square feet restaurant with 82 indoor seats and 206 square foot outdoor seating area on shared sidewalk, is consistent with the commercial uses contemplated under the Community Commercial Zoning District where the existing Pruneridge Shopping Center is located.

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 proposal would serve to expand the options available to local and regional

customers by providing a neighborhood restaurant use within an existing shopping mall to meet the interests of local customers and residents 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 restaurant that serves beer, wine and distilled spirits with outdoor seating as part of a new commercial restaurant within an existing shopping center which meets all City of Santa Clara codes and regulations; the restaurant will be routinely manned and maintained; and the restaurant will comply with all City and state laws regarding the sale of alcoholic beverages;

 The property or improvements in the neighborhood of such proposed use, in that the proposed use will occur in an existing retail tenant space, and on-site parking is sufficient and available to service the proposed uses and the existing businesses;

3) The general welfare of the City, in that the proposed use expands the options available to the local and regional population by providing a restaurant use serving beer, wine and distilled spirits to support businesses and residents in the vicinity of the Site Location;

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 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 a restaurant that serves beer, wine and distilled spirits in conjunction with food with outdoor seating, may be conditionally permitted when the use would not be objectionable or detrimental to the adjacent properties in this Community Commercial zoning district.

4. That the Planning Commission hereby approves Use Permit PLN2019-13804 to allow on-site sale and service of beer, wine and distilled spirits at a bona fide eating place (ABC License Type 47) and outdoor seating at a restaurant located at 202 Saratoga Avenue, subject

to the Conditions of Approval and development plans, attached hereto and incorporated herein by this reference.

5. <u>Effective date</u>. 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 JUNE,

2019, 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. Development Plans 2. Conditions of Approval

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CONDITIONS OF APPROVAL

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

<u>GENERAL</u>

- 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 all building code requirements and conditions thereof.
- C2. The project shall comply with all California Department of Alcoholic Beverage Control licensing requirements.
- C3. 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.
- C4. Full menu food service shall be available during all hours that the restaurant is open and alcoholic beverages are served.
- C5. The hours of operation shall be limited to the hours of 10:00 a.m. to 11 p.m., Sunday to Thursday, and 10:00 am to midnight Friday and Saturday.
- C6. On-site consumption of alcohol shall be limited to within the restaurant and the designated patio seating area.
- C7. The Planning Commission shall review this Use Permit twelve (12) months from the date that applicant obtains an active Alcoholic Beverage Control (ABC) License Type 23. 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.
- C8. 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. Install 4 Class II bicycle rack spaces at the main entrance and/or high visible areas.

<u>WATER</u>

- W1. A fire service upgrade may be required if the existing fire service is below ground. Applicant's fire service upgrade shall adhere to the requirements in Water and Sewer Utilities Standard Detail No. 31.Enter conditions of approval here
- 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.
- W3. All food service projects conducting commercial cooking operations including dishwashing activities and equipment cleaning that generate grease-laden wastewater are subject to review from the Water and Sewer Utilities Department, for FOG Control and grease interceptor installation requirements. All food service projects are required to have an approved stamp from the Santa Clara County Department of Environmental Health before plans can be accepted for review. Contact Compliance Division of the Water and Sewer Utilities at (408) 615-2002 for a Food Service Checklist to initiate the process.



Agenda Report

19-653

Agenda Date: 6/12/2019

REPORT TO PLANNING COMMISSION

<u>SUBJECT</u>

Twelve-month Review of a Use Permit for the on-site sale and consumption of alcohol (ABC License Type 47) in the Yellow Chili restaurant located at 3555 Monroe Street

REPORT IN BRIEF

<u>Project:</u> Twelve-month review of a Use Permit for the on-site sale and consumption of alcoholic beverages (ABC Type 47 License) <u>Applicant:</u> Eric Shepard Architects/ Yogesh Gupta, The Yellow Chili Owner: Carlene Matchniff/ Irvine Company <u>General Plan:</u> Regional Mixed Use <u>Zoning:</u> Planed Development (PD) <u>Site Area:</u> 4,218 square foot of tenant space <u>Existing Site Conditions:</u> Existing tenant space within the Monticello Village Development

<u>Surrounding Land Uses (adjacent to</u> Monticello Village Development <u>North:</u> Multi-Family residential uses <u>South:</u> Multi-Family residential and commercial uses along Monroe Street <u>East: Public/ Quasi Public Uses</u> <u>West:</u> City Boundary, Lawrence Expressway

Staff Recommendation: Note and file the twelve-month review of the Use Permit (PLN2017-12521).

BACKGROUND

On May 10, 2017, the Planning Commission approved a Use Permit (PLN2017-12521) to allow the on-site sale and consumption of alcohol, Alcohol Beverage Control (ABC) License Type 47, for the Yellow Chili restaurant. As a condition of approval (Permit Condition P11) a twelve-month review of the Use Permit is required once the applicant has obtained an active ABC License. An ABC License Type 47 was issued to the applicant on January 12, 2018. The restaurant opened later in March, 2018.

The Yellow Chili restaurant is located within a multi-tenant mixed use development, commonly referred to as the Monticello Village Development. 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, wine, and distilled spirits with food service on Monday to Thursday from 9:00 a.m. to 11:00 p.m. and Friday to Sunday from 9:00 a.m. to 11:30 p.m.

19-653

Agenda Date: 6/12/2019

Since the issuance of the ABC license on January 12, 2018 there were no calls for service received by the City's Police Department related to the subject use. There were a few drunk in public calls, but not specifically related to the Yellow Chili restaurant. The calls were related to service requests at Monticello Village which has many retail tenants. There are no disciplinary actions or history on the Alcohol and Beverage Control website for this restaurant. 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 May 31, 2019 the notice for the twelve-month review 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. Planning Staff has not received public comments at the time of preparation of this report.

RECOMMENDATION

Note and file the twelve-month review of a Use Permit allowing the on-site sale and consumption of alcohol (ABC License Type 47) in the Yellow Chili restaurant located at 3555 Monroe Street.

Prepared By: Nimisha Agrawal, Assistant Planner I Reviewed by: Diana Fazely, Deputy City Attorney Approved by: Reena Brilliot, Planning Manager

ATTACHMENTS

1. Conditions of Approval

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.

PLANNING AND BUILDING INSPECTION

- P1. Obtain required permits and inspections from the Building Official and comply with all building code requirements and conditions thereof.
- P2. No live entertainment or amplified music will be allowed, unless it is wholly incidental to the restaurant use.
- P3. Any other use or uses not similar to a restaurant 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.
- P4. Use shall be operated in a manner such that it does not create a public or private nuisance.
- P5. 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.
- P6. 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.
- P7. 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.
- P8. Full menu food service shall be available during all hours that the restaurant is open and alcoholic beverages are served.
- P9. The hours of operation shall be limited to the hours of Monday to Thursday: 9:00 a.m. to 11:00 p.m. and Friday-Sunday: 9:00 a.m. to 11:30 p.m.
- P10. The restaurant shall be allowed to have up to 145 indoor seats.
- P11. The Planning Commission shall review this Use Permit PLN2017-12521 twelve (12) months from the date that applicant obtains an active Alcoholic Beverage Control (ABC) License Type 47. 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.
- P12. 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 <u>Single Encroachment Permit</u> 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

<u>WATER</u>

No Comments

POLICE

- P13. 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.
- P14. 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.
- P15. 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.
- P16. The installation and use of interior and exterior security cameras and recording devices is highly encouraged.
- P17. The business operator shall strictly adhere to the business hours as stated in the use permit.

<u>FIRE</u>

No comments

<u>STREET</u>

No comments

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Agenda Report

19-714

Agenda Date: 6/12/2019

REPORT TO PLANNING COMMISSION

<u>SUBJECT</u>

Action on a Conditional Use Permit for a new 190-room Hotel with onsite sales of beer, wine, and distilled spirits (ABC license Type 47) at 2900 Lakeside Drive

REPORT IN BRIEF

<u>Project</u>: Use Permit to allow a new Cambria Hotel with onsite sales of beer, wine, and distilled spirits (ABC license Type 47) <u>Applicant</u>: Andrew Wood, Stratus Development Partners, LLC <u>General Plan</u>: Low Intensity Office / Research & Development (R&D) <u>Zoning</u>: Light Industrial (ML) <u>Site Area</u>: 1.96 acres <u>Existing Site Conditions</u>: One existing two-story office building

<u>Surrounding Land Uses</u> <u>North:</u> Hotel use <u>South:</u> Office use across Tannery Way <u>East:</u> Commercial use across Lakeside Drive <u>West:</u> Office use

<u>Issues:</u> Consistency with the City's General Plan and Zoning Ordinance. Architectural design.

<u>Staff Recommendation</u>: Adopt the resolution approving the Use Permit, subject to conditions of approval

BACKGROUND

The project was continued from the Planning Commissioning meeting of May 22, 2019, to address the Commission's concerns regarding architecture for the hotel, particularly the Lakeside Drive frontage that may be visible from Highway 101. There were no public speakers during the public comment period. The Planning Commission continued the project to this June 12, 2019 to allow the applicant to revise the design and provide improvement to the overall design in consideration of the Use Permit request. The Use Permit authorizes the hotel use in the industrial zoning district only. The applicant as a condition of approval of the Use Permit will need to obtain an Architectural Review permit for the architectural design of the hotel.

DISCUSSION

The applicant submitted revised elevations as shown in Attachment 1. The project proposes a contemporary architectural design integrating a mixed pattern and palette of materials to enhance the building façade. The building walls are primarily natural stone and integral plaster. The elevations

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also show rendering of the redwood trees along Tannery Way and Lakeside Drive for a more accurate perspective of the views which may be visible from Highway 101.

A complete background and analyses of the Use Permit is attached as Planning Commission Staff Report from May 22, 2019. Should the Planning Commission approve the Use Permit, subject to conditions, the proposal will go before the Architectural Committee for final design approval.

Conclusion

The proposal contributes to the variety of commercial service uses available in the industrial area of the City and is designed to be compatible with the industrial offices, with sufficient parking to support the proposed use. A non-industrial use, such as a hotel, may only be conditionally permitted when the use is appropriate for an industrial area and would not be objectionable or detrimental to the industrial area or adjacent properties. Based on the operational description of the proposed hotel use provided by the applicant, the use would be compatible with the adjacent land uses.

ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) per section 15332 of the CEQA Guidelines (Class 32 - In-fill Development), in that the project is consistent with the applicable general plan designation and all applicable general plan policies, which allow hotel uses north of the Caltrain corridor on sites with an FAR less than 2.0, as well as with the applicable zoning designation and regulations, which allow for a hotel in the ML zone with the approval of a use permit. The project is located on a project site of less than five acres (1.96 acres) substantially surrounded by urban uses (a hotel, a commercial use, and two office buildings), and the project site has no value as habitat for endangered species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality and the site can be served by all required utilities and public services.

FISCAL IMPACT

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

PUBLIC CONTACT

On May 10, 2019, 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 500 feet of the project site. Planning Staff has not received public comments for this application.

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RECOMMENDATION

Adopt a Resolution to Approve a Use Permit to allow a new 190-room hotel located at 2900 Lakeside Drive with on-site sale of beer, wine, and distilled spirits (ABC license Type 47), subject to conditions of approval.

Prepared by: Steve Le, Assistant Planner Approved by: Reena Brilliot, Planning Manager

ATTACHMENTS

- 1. Revised Elevations
- 2. Revised Description 6.12.19
- 3. Planning Commission Staff Report from May 22, 2019
- 4. Project Description
- 5. Project Data
- 6. Development Plans
- 7. Resolution Approving a Use Permit
- 8. Conditions of Approval





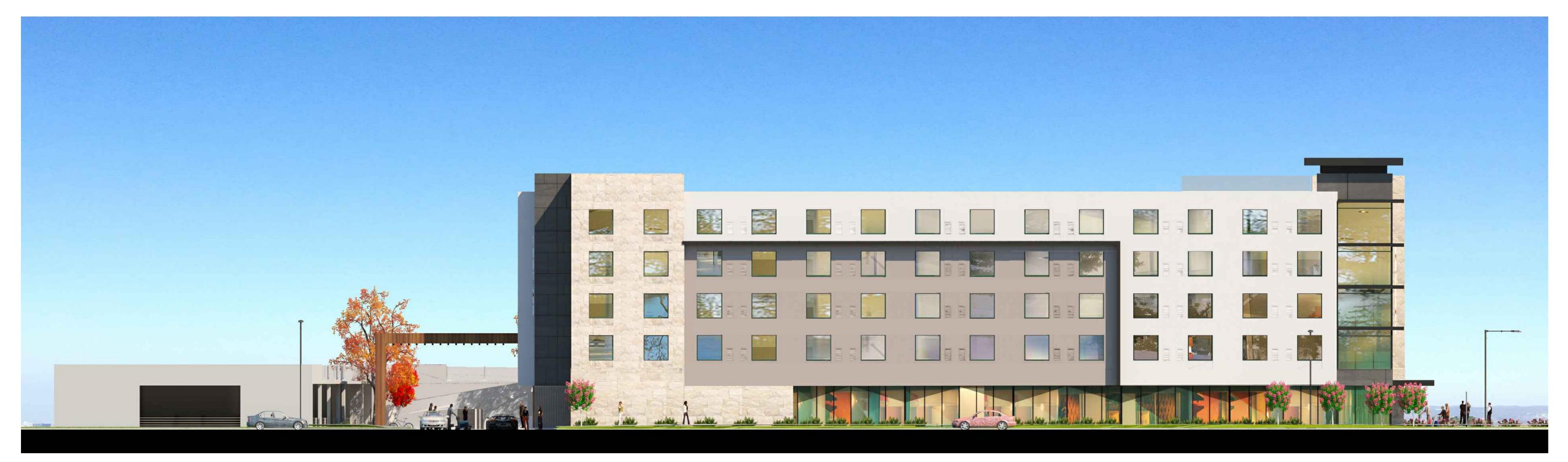
CAMBRIA HOTEL SANTA CLARA

Santa Clara, CA

EAST ELEVATION



A1.2





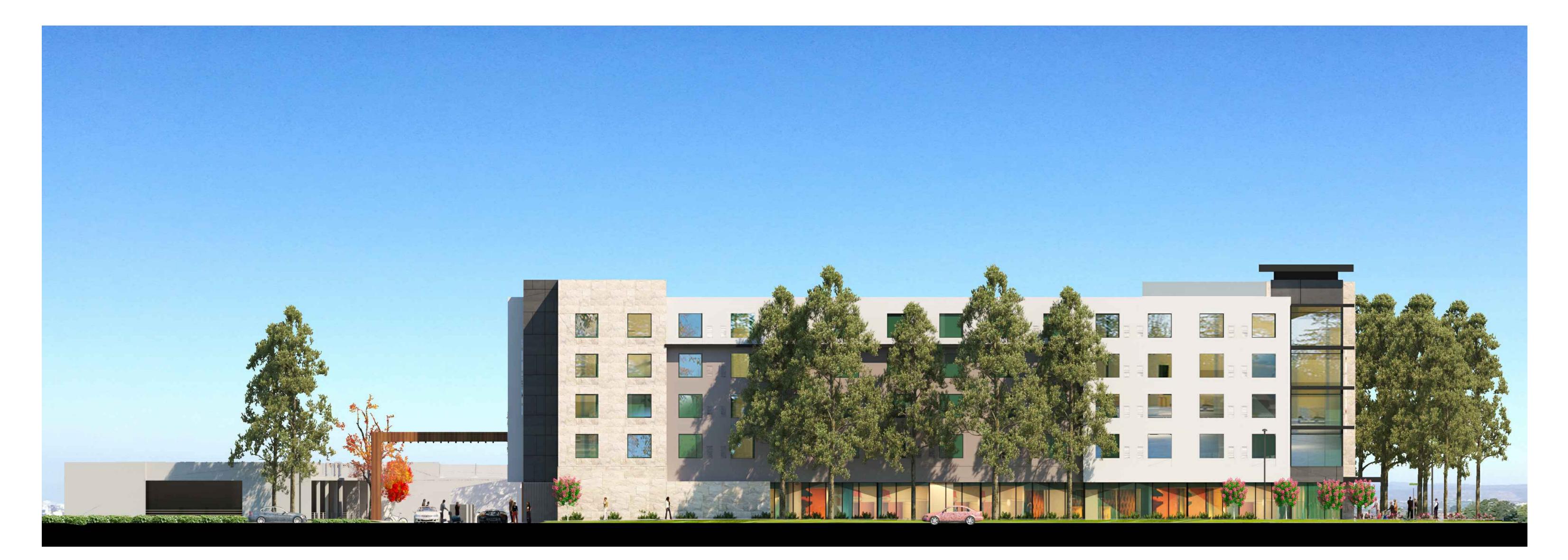
CAMBRIA HOTEL SANTA CLARA

Santa Clara, CA

SOUTH ELEVATION



A1.4





CAMBRIA HOTEL SANTA CLARA

Santa Clara, CA

SOUTH ELEVATION



17 Corporate Plaza, Suite 200 Newport Beach, CA 92660 PHONE: (949) 294-6990







CAMBRIA HOTEL SANTA CLARA

Santa Clara, CA

EAST ELEVATION



17 Corporate Plaza, Suite 200 Newport Beach, CA 92660 PHONE: (949) 294-6990





CAMBRIA HOTEL

UPDATE PROJECT DESCRIPTION

This Cambria Hotel project architecture has been updated to further enhance the quality of the community environment through its timeless contemporary architectural design. The building architecture is contemporary and aspirational with a pleasing design, strong brand identity and unique design statement.

The Cambria Hotel utilizes a straightforward and timeless palette of materials to break up the building massing including natural stone, corner tower, harmonious linear and vertical architectural elements. The exterior colors are timeless, consisting primarily of natural stone, grey and integral plaster colors and native landscaping. The Hotel has been thoughtfully layout out to take advantage of the mature Redwood trees along the property.

The Hotel pedestrian entrance is inviting and further activates the streetscape. A glass zipper designed ground floor layout harmoniously communicates an inviting design hotel guest experience.



Area Map

The Cambria Hotel will not be directly visible from the 101:

- The new 91' 7-story AC Marriott Hotel at 2950 Lakeside Drive sits between the Cambria Hotel site and Highway 101
- The Cambria Hotel is a 5-story building and 59' tall; 32' shorter and behind the new AC Hotel
- In addition, the building sits behind the mature redwoods located on the site









Agenda Report

19-468

Agenda Date: 5/22/2019

REPORT TO PLANNING COMMISSION

SUBJECT

Consent: Action on a Conditional Use Permit for a new 190-room Hotel at 2900 Lakeside Drive

REPORT IN BRIEF

<u>Project</u>: Use Permit to allow a new Cambria Hotel <u>Applicant</u>: Andrew Wood, Stratus Development Partners, LLC <u>General Plan</u>: Low Intensity Office / Research & Development (R&D) <u>Zoning</u>: Light Industrial (ML) <u>Site Area</u>: 1.96 acres <u>Existing Site Conditions</u>: One existing two-story office building

<u>Surrounding Land Uses</u> <u>North:</u> Hotel use <u>South:</u> Office use across Tannery Way <u>East:</u> Commercial use across Lakeside Drive <u>West:</u> Office use

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

<u>Staff Recommendation</u>: Adopt the resolution approving the Use Permit, subject to conditions of approval

BACKGROUND

The applicant, Andrew Wood, filed an application on October 17, 2018 to allow a new hotel with 190 rooms and an onsite guest dining amenity that will sell and serve beer, wine, and distilled spirits under the California Alcohol Beverage Control license type 47. The proposed hotel would provide occasional live guitar music in the lobby for guests.

The project site is located at the northwest corner of Lakeside Drive and Tannery Way. There is a two -story office building on site with a surface parking lot. The site is immediately south from the recently approved AC hotel. The site is zoned Light Industrial (ML) and the General Plan land use designation is Low Intensity Office and R&D.

DISCUSSION

The project proposes to demolish the existing two-story office building and construct a five-story Cambria Hotel on the 1.96-acre site located at 2900 Lakeside Drive. The Cambria Hotels International proposal includes 190 rooms, meeting space, outdoor resort pool, fitness center, and a guest diner. The guest diner will sell and serve alcohol under California Alcohol Beverage Control license type 47. The sale and service of alcohol will be available with food during the restaurant's

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Agenda Date: 5/22/2019

operating hours between 6 a.m. to 2 a.m. daily. Parking and other transportation modes are provided on-site. The proposed hotel would provide occasional live guitar music in the lobby for guests during the afternoons. The Project Description provided by the applicant is attached to this report.

The project proposes a contemporary architectural design integrating a mixed pattern and palette of materials to enhance the building façade. The building walls are primarily natural stone, wood, and integral plaster. The hotel will incorporate sustainable and water efficient operating systems and fixtures. Further details regarding Cambria Hotels sustainability programming can be found in Attachment 1, Project Description.

Most of the existing trees will be retained on site, and any trees removed will be replaced according to the City's replacement ratio of 2:1 at 24" box or 1:1 at 36" box. The street frontage will retain the mature redwood trees and incorporate a meandering sidewalk.

The primary issues for the project are consistency with the City's General Plan and Zoning Code and parking requirements.

General Plan Conformance

The subject property has a General Plan designation of Low Intensity Office / R&D. This land use classification primarily serves as a transition between light industrial and higher intensity office and R&D uses. Although a hotel is not listed as one of the primary types of allowable uses, the district does envision accessory uses and supporting retail to serve both employees and visitors in the area. More significantly, the proposed project is consistent with the following Discretionary Use Policy:

 5.5.1 P13 Allow hotel development north of the Caltrain corridor in any land use designation, except Light and Heavy Industrial, at a maximum FAR of 2.0, provided that the property is annexed to the City's Community Facilities Assessment District, or similar district, and that the use is compatible with planned uses on neighboring properties and consistent with other applicable General Plan policies.

The proposal is a hotel development about a mile north of Caltrain corridor with a proposed FAR of 1.35, and the project will participate in the City of Santa Clara Community Facilities District. As such, the project conforms to the General Plan.

Zoning Conformance

A hotel is not permitted by right in the Light Industrial (ML) zoning district. Pursuant to Section 18.48.040(e) of the Santa Clara City Code, uses that are not permitted by right but that are appropriate for an industrial area, such as lodges and bingo halls, can be conditionally permitted in the ML zone, provided that the proposed use and structure would not be objectionable or detrimental to adjacent properties or to the industrial area in general by reason of traffic, parking, noise, inappropriate design or signs. The proposed hotel is a compatible use in the industrial area and will support visitors and the work force to this area.

Parking

The proposal is to provide 132 stalls in the two-level parking structure and 19 stalls at-grade for a total of 151 parking stalls, with two ingress and egress points. The project is parked at .79 parking spaces per room ratio where the City Code ordinarily requires one parking space per room. The project is conditioned to obtain a Zoning Administrator Modification for reduced the required on-site

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Agenda Date: 5/22/2019

parking while ensuring sufficient and available parking to service the proposed use. To support this request, the applicant will be providing shuttle service to San Jose International Airport and other attractions, ride-share parking spaces for the trending mode of transportation, and valet parking service. The applicant also provided similar parking ratios from other Cambria Hotels that are currently opened and in development. Based on these operational considerations and provided information, staff supports the Zoning Administrator Minor Modification request for reduced parking. The parking justification and examples are included in the attached Project Description.

Other parking accommodations include six electrical vehicle parking stalls that are turn-key ready and 17 additional spaces will be pre-wired. There are also 28 bicycle parking spaces available at high visible locations near both drive-way entrances.

Conclusion

The proposal contributes to the variety of commercial service uses available in the industrial area of the City and is designed to be compatible with the industrial offices, with sufficient parking to support the proposed use. A non-industrial use, such as a hotel, may only be conditionally permitted when the use is appropriate for an industrial area and would not be objectionable or detrimental to the industrial area or adjacent properties. Based on the operational description of the proposed hotel use provided by the applicant, the use would be compatible with the adjacent land uses.

ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) per section 15332 of the CEQA Guidelines (Class 32 - In-fill Development), in that the project is consistent with the applicable general plan designation and all applicable general plan policies, which allow hotel uses north of the Caltrain corridor on sites with an FAR less than 2.0, as well as with the applicable zoning designation and regulations, which allow for a hotel in the ML zone with the approval of a use permit. The project is located on a project site of less than five acres (it is 1.96 acres) substantially surrounded by urban uses (a hotel, a commercial use, and two office buildings), and the project site has no value as habitat for endangered species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality and the site can be served by all required utilities and public services.

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.

COORDINATION

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

PUBLIC CONTACT

On May 10, 2019, 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 500 feet of the project site. Planning Staff has not received public comments for this application.

RECOMMENDATION

19-468

Adopt a Resolution to Approve a Use Permit to allow a new 190-room hotel located at 2900 Lakeside Drive, subject to conditions of approval.

Prepared by: Steve Le, Assistant Planner Reviewed by: Alexander Abbe, Assistant City Attorney Approved by: Reena Brilliot, Planning Manager

ATTACHMENTS

- 1. Project Description
- 2. Project Data
- 3. Development Plans
- 4. Resolution Approving a Use Permit
- 5. Conditions of Approval



CAMBRIA HOTEL

PROJECT DESCRIPTION

The project proposes to remove the existing commercial building on-site and construct a 5-story, 190-room hotel on the 1.96 acre site. Parking will be provided on-site.

The proposed Cambria Hotel by Choice Hotels International is located along 2900 Lakeside Drive Santa Clara, California. The new hotel development will take place on a developed 1.96 acre site. The Cambria Hotel will be a leisure and business oriented hotel consisting of 190 rooms, meeting space, out-door resort pool and state-of-the-art fitness center. The project consists of one 5-story building.

The project will provide 151 parking spaces onsite at grade and in a one-story parking structure located within the site. The hotel will include pedestrian circulation improvements to public sidewalks along the street frontages. On site amenities such as open space, planters and seating areas are proposed around the project. The project is especially pedestrian and bicycling friendly with numerous enhanced pedestrian connections, bike parking and pedestrian access to the hotel. The service and support activities of the hotel is sited towards the rear of the project to make efficient use of, and activate the street frontages.

The program of the building along Lakeside Drive and Tannery Way is designed to active the public realm with public hotel activity. New public improvements along the project's street frontage will create a pedestrian and bicycle linkage throughout the community, enhancing further development in the specific area. The project will strive for environmental sustainability and include programs to promote public transportation and ride sharing which are readily available to this location. A garden courtyard, pool deck and lounge areas will provide an amenity for the public and guests. The existing site trees will be preserved wherever possible through a tree preservation and removal plan. The project has been designed to comply with the General Plan and Zoning Code established by the City of Santa Clara.

The Cambria Hotel, will be furnished with a breakfast area, lounge, pool, fitness center and pedestrian access into the hotel. The hotel open lounge reception concept enhances the guest arrival experience along both Lakeside Drive and Tannery Way. The hotel will have occasional acoustical live guitar music in the lobby for guests in afternoons. Local flora and fauna will blend the building and site parking into the surrounding landscape.

This hotel project is designed to further enhance the quality of the community environment through its timeless contemporary architectural design. The building architecture is contemporary and timeless. The hotel utilizes a straightforward and timeless palette of



materials to break up the building massing including natural stone, architectural elements and plaster. The exterior colors are timeless, consisting primarily of natural stone, grey and integral plaster colors and native landscaping.

The hotel, once opened, will incorporate the most current hotel operational sustainability systems including high efficiency HVAC systems, natural lighting, energy efficient light bulbs, motion sensor and timed light switches in offices, store rooms, and public restrooms, and LED Exit signs. Sensors and water conserving faucets in public restrooms will be provided. Low flow toilets, water faucets and showerheads in guestrooms and common area. Water efficient commercial dishwashers and laundry washing machines will be used. The Landscaping will use tie into the City of Santa Clara recycled water program, will have a drip system with drought tolerant plants and shrubs. For Lighting, the parking lot will have LED lights with timers and there will be charging stations for guest Electric Vehicles.

HOTEL SHUTTLE AND RIDE SHARING

On-site ride sharing pick up and drop off areas for guests in addition to a hotel shuttle van will facilitate shared transportation to the Hotel from the area job centers, San Jose International Airport and Levi's Stadium.

BICYCLE PARKING

Bike racks shall be located along the Hotel for use by both employees and hotel guests.

HOTEL VALET PARKING

The hotel will provide valet parking as needed for guest during peak hours and dates.

PEDESTRIAN ACCESS

The project is designed to be especially pedestrian and bike friendly with numerous enhanced pedestrian connections, walkways along the property, bike parking and pedestrian access onto the Hotel property.

GUEST ROOM AMENITIES

Guests will enjoy a curated hotel experience with boutique amenities and thoughtful,

modern touches, including:

- Recharge Beautyrest® Mattress
- Luxe Pillow Top Bedding
- Spa-Like Bathroom with a Walk-In Shower
- Spacious, Well-Lit Work Area
- Bluetooth Mirror in Bathroom
- 55" RoomioTV for Streaming Online Content
- Free, Fast, and Reliable 500Mbps WiFi



- Plenty of Outlets and USB Ports
- In-Room Safe
- Mini-Fridge
- Hair Dryer
- Cuisinart Coffee Maker

DELIVERIES

Deliveries to the hotel be made by delivery trucks or vans to designated parking areas, and will occur on-site at the designated Loading Zones accessed from the driveways on Tannery Way and Lakeside Drive. Deliveries will be limited to between normal operating hours.

ABC LICENSE TYPE 47 REQUEST

The Cambria Hotel restaurant for guests will make the request for an ABC License Type 47 to authorize the sale of beer, wine and distilled spirits for consumption on the premises.

CAMBRIA HOTELS

- ✓ Cambria Trip Advisor ranking is #1 in the upscale segment with a 4.4 out of 5 stars
- Choice Privileges was rated the #1 Guest Loyalty Program by USA Today in 2018
- Choice Privileges rewards program is the fastest growing in the industry and has 42M members, Choice added 8.1M new members in 2018

HOTEL PARKING TRENDS – RIDE SHARING

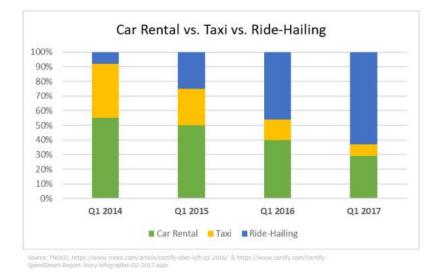
Transportation Network Companies ("TNCs") or ride sharing companies like Uber and Lyft are changing driving habits and having a material impact on parking demand for Hotels.

Hotel parking demand has decreased due to TNC use by travelers; travelers are choosing to use TNCs instead of rental cars to get to and from hotels.

Travel and expense management service provider Certify found that 59% of individuals using transit for for work related purposed opted to use TNC services instead of a taxis or car as the majority share of ground transportation in 2017; up 4% from the previous year.

Hotels are taking advantage of the market trend and accommodation ride hauling services by designating areas for TNC pick up and drop offs.





Hotel Travelers

CAMBRIA HOTEL BRAND STANDARD SUMMARY

Choice hotels in the 2nd largest lodging company in the United States with over 6,800 hotels. The Cambria hotel flag is the fastest growing select service upper scale boutique inspired hotel in the US with over 30 Cambria Hotels opening in the next 18-months. Hotel parking and amenities are designed to capture ride sharing trends in the hospitality industry.



CAMBRIA HOTEL SANTA CLARA

Sample New Cambria Hotels Opened and In Development

Brand Standard Parking Ratio

<u>.</u>	Keys	Parking	Ratio		
Austin, TX	212	61	0.29		
Houston, TX	226	84	0.37		
Orlando, FL	158	65	0.41		
Nashville, TN	255	124	0.49		
Los Angeles, CA	248	53	0.21		
Milwaukee, WI	128	17	0.13		
Boulder, CO	140	55	0.39		
Washington DC	182	110	0.60		
Chicago, IL	215	No on-	No on-site parking		
Dallas, TX	177	No on-	site parking		
Philidelphia, PA	223	No on-	site parking		
Phoenix, AZ	136	96	0.71		
Miami, FL	122	68	0.56		
Asheville, NC	136	101	0.74		
New Orleans, LA	162	No on-s	site parking		

Project Data

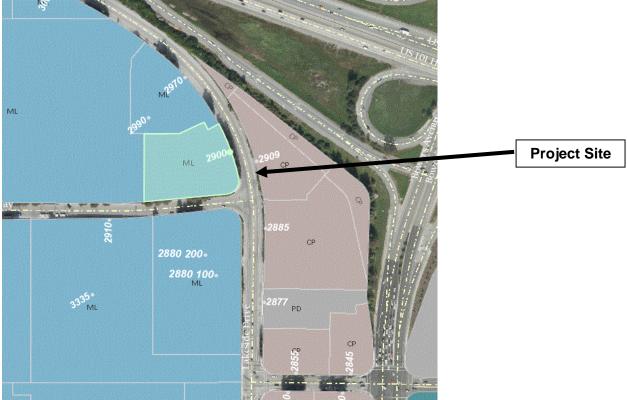
File:	PLN2018-13582
Location:	2900 Lakeside Drive, a 1.96 acre property located on the northwest corner of Lakeside Drive and Tannery Way, APN: 216-30-048; property is zoned ML – Light Industrial
Applicant:	Andrew Wood, Stratus Development Partners, LLC
Owner:	Same as Applicant
Request:	Use Permit to allow a 190-room hotel in the Light Industrial Zoning District
CEQA Determination:	Categorically Exempt per CEQA Section 15332, In-fill Development
Project Planner:	Steve Le, Assistant Planner
Recommendation:	Approve, subject to conditions.

	Existing	Proposed
General Plan Designation	Low Intensity Office/R&D	Same
Zoning District	Light Industrial	Same
Lot Size	1.96 acres	Same
Land Use	One two-story office building	Five-story hotel and three- story parking structure
Stories / Total Height	two stories	five stories
Parking Spaces	n/a	151

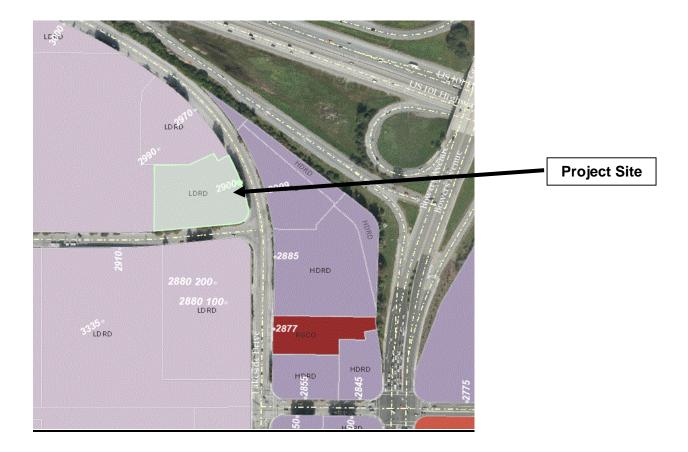
Aerial Map



Zoning Map



<u>General Plan Map</u>



CAMBRIA HOTEL AND SUITES

SANTA CLARA, CALIFORNIA





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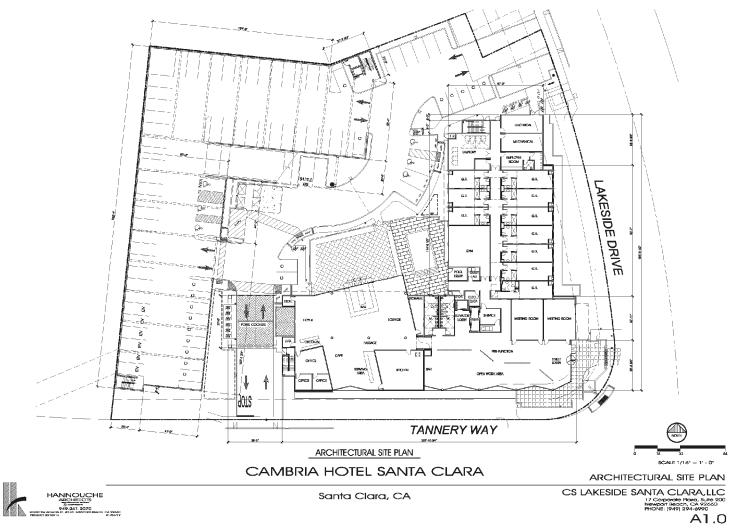
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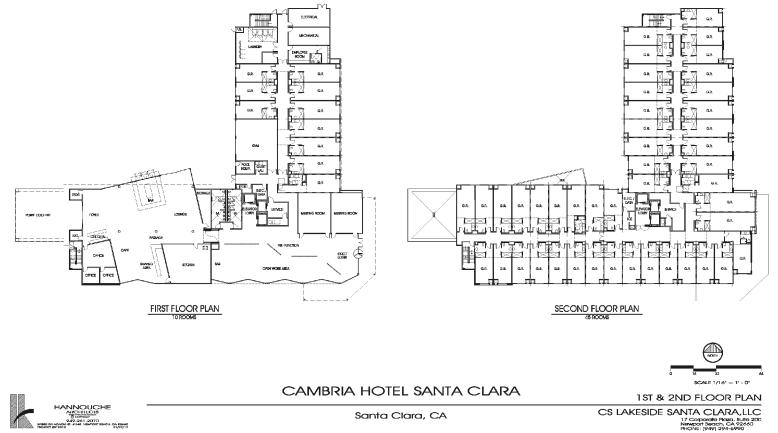
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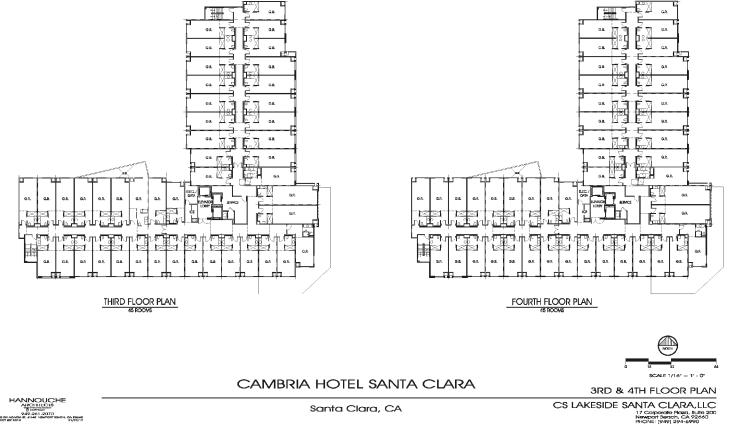
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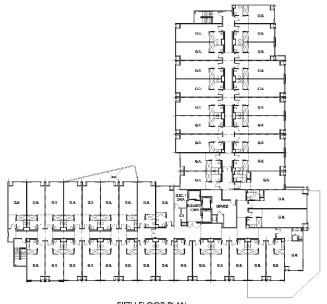
GUEST ROOMS: 190

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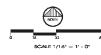








FIFTH FLOOR PLAN 45 ROOMS

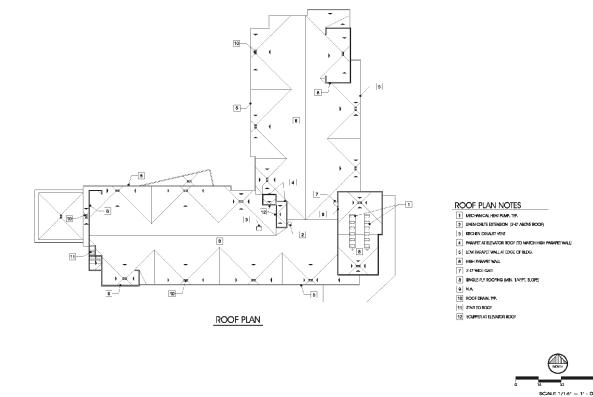


CAMBRIA HOTEL SANTA CLARA



Santa Clara, CA

5TH FLOOR PLAN CS LAKESIDE SANTA CLARA, LLC 17 Corporation Plana, Salin 200 herokie: (049) 204-0400

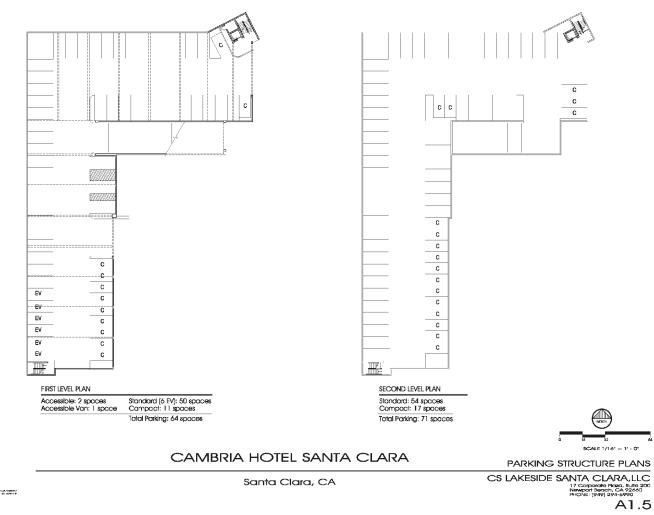


CAMBRIA HOTEL SANTA CLARA

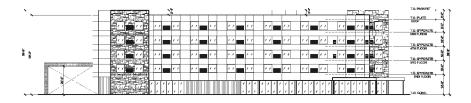


Santa Clara, CA

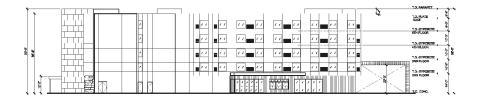
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SOUTH ELEVATION



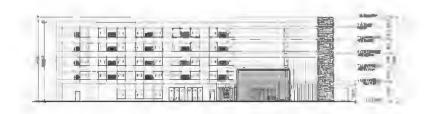
NORTH ELEVATION

CAMBRIA HOTEL SANTA CLARA

SCALE 1/16" = 1'- 0" ELEVATIONS

Santa Clara, CA

CS LAKESIDE SANTA CLARA, LLC 17 Corporate Plano, Bute 200 Newport Becch, CA 92000 PHONE: (949) 294-0990 A1.6



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EAST ELEVATION

CAMBRIA HOTEL SANTA CLARA

SCALE 1/16' 1'-0' ELEVATIONS

Santa Clara, CA

CS LAKESIDE SANTA CLARA, LLC 17 Corporate Plana, Sulle 200 Newport Beach, CA 92660 PHONE: (949) 994-6990 A1.7

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	Santa Clara, CA	CS LAKESIDE SANTA CLARA,LLC 17 Corporate Razz, Bulle 200 Newport Beach, CA 92560 PHONE: 1994) 2924 3990
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EAST ELEVATION (WITH LANDSCAPING) CAMBRIA HOTEL SANTA CLARA

COLORED ELEVATIONS CS LAKESIDE SANTA CLARA, LLC 17 Controle Place, Bulle 200 Newport Beach, CA 92660 PHONE: 1949 1924 0990 A2.3

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Santa Clara, CA

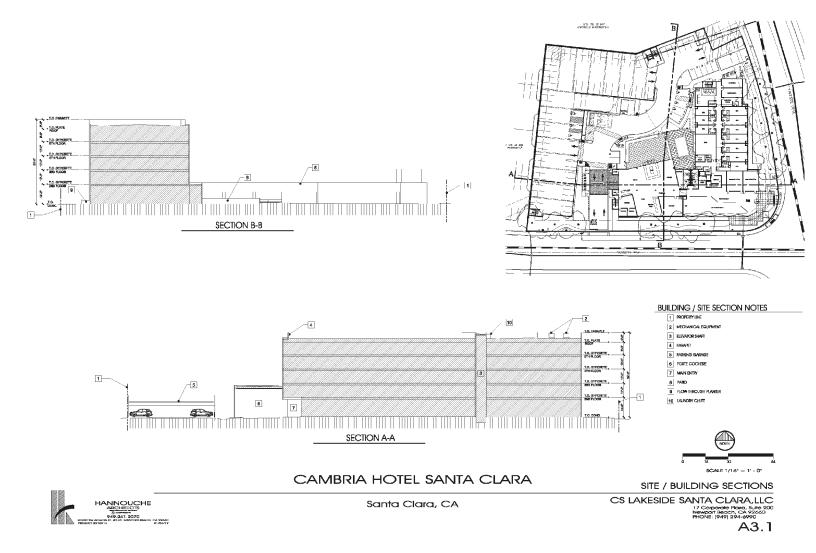


CAMBRIA HOTEL SANTA CLARA



Santa Clara, CA

N.1.4. COLORED RENDERING CS LAKESIDE SANTA CLARA, LLC 17 CONCENT RADE 1842 200 PHONE: (949) 324-3900 PHONE: (949) 324-3900 PHONE: (949) 324-3900 PHONE: (949) 324-3900 PHONE: (949) 324-3900







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TREE MAGES

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PLANT SCHEDULE

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Cupinosus sempervisions L Weler Use

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BOTANICAL NAME

Abela x March Gras M Water Use

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Autumn Blaze Maple

Bowhall Red Maple

Muskogee Crape Mystle

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COMMON NAME

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GROUND COVER

Festuca mainel L. Water Use

Luncus pelans Elk Blue

Lomandra longifota 'Oresze L Water use

Phonosum lenex Purpures' L Walter Uso

Phormum tenex 'Yellow Wave L Water Use

Tulbaghis violeces Silver Local L.Water use

Ceanothus maritimus Valley Violet L Water Use

BOTANICAL MAME

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New Zealand Flax

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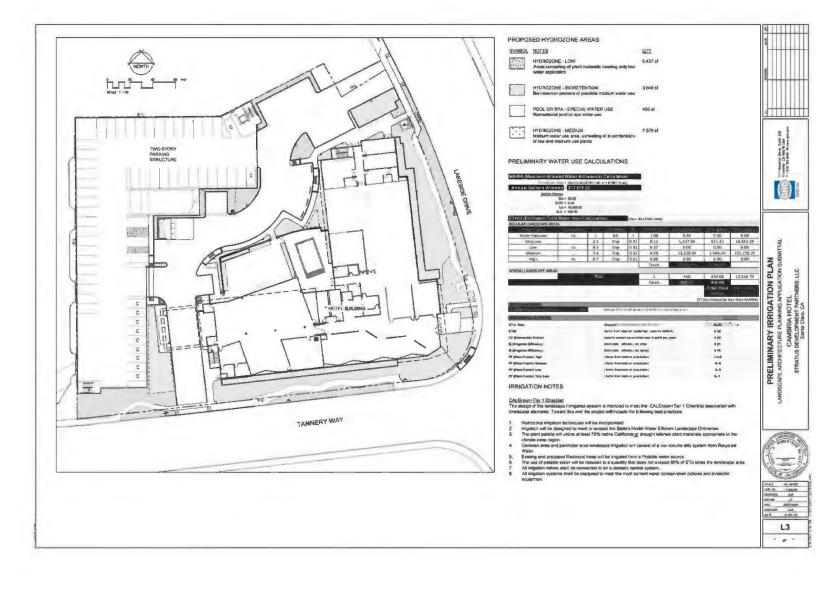
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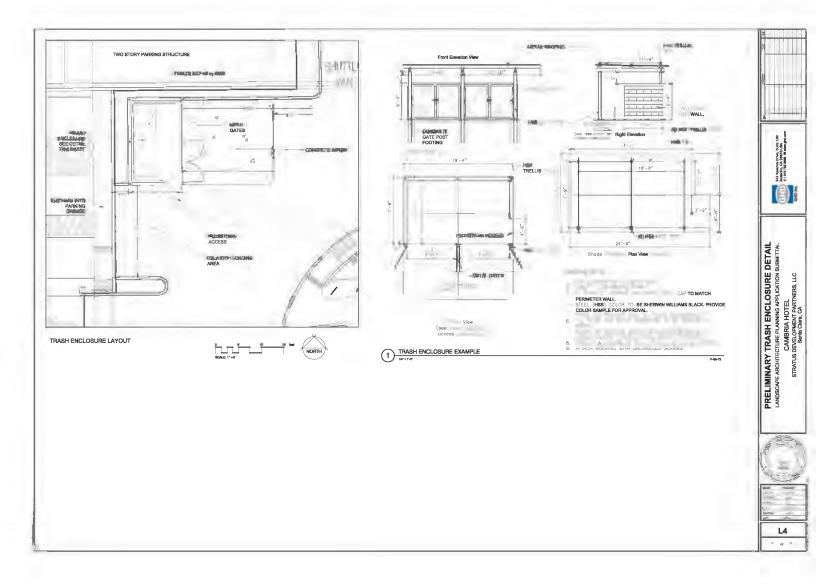
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CITY OF SANTA CLARA ARBORIST NOTES

I GENERAL

1 NO CUTTING OF ANY PART OF CITY TREES, INCLUDING ROO"S, SHALL BE DONE WITHOUT BECURING APPROVAL AND DRIECT SUPERVISION FROM THE CITY ARBORIST OR ARBORIST EMPLOYED BY CITY (404 613-008)

- 2. NO CUTTING OF ANY PART OF PRIVATE TREES, INCLUDING ROOTS, SHALL BE DONE WITHOUT DIREC* SUPERVISION OF AN INTERNATIONAL SOCIETY OF ARBONICULTURE (I.S.A.) CERTIFIED ARBONST
- 3. WHEN CONSTRUCTION OCCURS WITHIN THE DRIP LINE OF EXISTING TREES, CONTRACTOR SHALL PILE THE SOL ON THE SUDE AWAY FROM THE TREE. WHEN THIS IS NOT POSSIBLE, PLACE SOL ON PLYWOOD, TARP, OR 1-5" THEOR BOD OF MUCH, THIS IS TO THE PREVENT CUTTING INTO THE BOIL SURFACE VIEW THE BACKINGE OR TRACTOR BLADE REFILLS THE TRENCH
- 4 REFILL OPEN TRENCHES QUICKLY WITHIN HOURS OF EXCAVATION WHEN THEY OCCUR WITHIN THE DRP LINE OF EXISTING TREES. IF THIS IN OT POSSIBLE AND THE WEATHER IS NOT. DRY, OR WINOY, CONTRACTOR MUST KEEP FOOT ENDS MOST BY COVENING THEM WITH WE BUILLAR. IF THE TEMPERATURE IS ANY OR DREATER, THE BUILAR MIST BE INSPECTED EVENT HOUR AND REWET AS RECESSARY TO BAILTAIN A. CONSTANT COOL MOST CONTON IF THE TEMPERATURE IS BELOW IN, THE BUILAR MUST BE INSPECTED EVENT HOURS AND TEMPERATURE IS BELOW IN, THE BUILAR MUST BE INSPECTED EVENT HOURS AND DRY OUT AND IN HIT IN SUMMER LARGER ROOTS CAN BUICQUING IN AN HOUR OR LESS UNDER UNFAVORABLE WEATHER CONDITIONS
- 6. WHEN ROOTS 2' OR LARGER ARE RECIVERED TO BE CUT. SHOVEL BY NAMD HEAR THE ROOTS AND PRUNE THE ROOTS WITH AN INDUSTRY-APPROVED PRUNING TOOL, ROOTS THAT ARE ACCIDENTALITY RORIEDS HOULD BE PRUNED TO DECKES FROM THE CAMAGED END. CUTI HOUTS OR TOMN ROOTS ARE MORE LIKELY TO ALLOW DECAY TO BERIN BWARPLY CUT ROOTS PRODUCE A FLUGHO ME WROFT RELINED THE THEY TO PRECOVER FROM THE NUMPY.
- 6 CONTRACTOR SHALL NOTIFY THE CITY ARBORIST OR ARBORIST EMPLOYED BY CITY 72 HOURS IN ADVANCE OF ANY WORK REQUIRING DISGING AROUND OR WITHIN THE DRIPLINE OF EXISTING TREES.
- 7 A CLEAR SYSTEM OF PLAGGING NUST BE PROVIDED AROUND TREES WITHIN 20' OF THE PROPOSED GRADING, CONTRACTOR SHALL SECURE APPROVAL OF BUCH BYSTEM FROM THE CITY ARBORNET OR ARBORIST EMPLOYED BY GITY
- 5. MATERIALS, EQUIPMENT, TEMPORARY BUILDINGS, PUELS, PAINTS AND OTHER CONSTRUCTION ITEMS SHALL NOT BE PLACED WITHIN THE DRP LINE OF EXISTING TREES
- S. PENCE ALL TREES TO BE RETARED TO COMPLETEL VECTOR THE OF EXEMPTION TREES.
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- 11. ANY CUITING OF EXISTING ROOTS OF CITY TREEG SMALL BE DONE WITH APPROVED LIGHT ECUIPMENT UNDER THE CIRECT BUEENWINDN OF THE THE CITY ARBORING OR ARBORING EMPLOYED BY CIT. ANY CUTTING OF EXISTING ROOTS OF PRIVATE TREES MALL BE DONE WITH APPROVED EQUIPMENT UNDER THE DIRECT BUPERVIEION OF AN L3.A CERTIFICO ARBORIST.
- 12. GRADING SHOULD NOT CREATE ORAINAGE PROBLEMS FOR TREES BY CHANNELING WATER INTO THEM, OR CREATING SUNKEN AMEAS

3. ALL ORADING WITHIN THE CRIP LINE OF CITY TREES SHALL BE DONE WITH APPROVED LIGHT ECONPART UNDER THE CRIPCT SUPERVISION OF THE CITY AREONET OF A RECORET EVEN-OPEN Approved Bootherst Invices the Direct Supervision of the ECONE WITH Approved Bootherst Invices the Direct Supervision of an ILLS. CERTIFICO AREONETS THE ORIGINAL GRAD AT THE BASE OF RESTING THESE SHALL NOT BE MODIFICE IF A CARDE INTERABLE IN RECESSARY. DWY RELEASING WITH ADD BUT DO INCOMENT OF A RADE INTERABLE IN RECESSARY. DWY RELEASING THE BUT DE USED 14 WHEN TRENCHING IS ALLOWED, THE CONTRACTOR MUST FIRST CUT ROOTS WITH A VERIGER ROOT CUTTER PEROR TO ANY TRENCHING TO AVOID TUGGIND OR PULLING OF ROOTS. 4

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SUBMITTAL

CITY ARBORIST NOTES DE ARCHTECTURE PLANNING APPLICATION SU CAMBRIAN HOTEL STRATUS DEVELOMBINA PARTNERS, LLC Sama Dira, CA

LANDSCAPE

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- 19 TREES THAT ARE DETERMINED TO BE REMOVED BY THE CITY ARBORDT ON ARBONNET EMPLOYED BY CITY DUE TO AN UNFORMER CIRCUMSTANCE DURING CONSTRUCTION EMALL DE REPLACE BY THE CONTRACTOR. THE CITY ARBORST OR ARBORDET ANNUATES AND BY ACTIVE SMALL DETERMINE THE REPLACEMENT SPECIE, SIZE, QUANTITY, AND BY ACHO.
- 15_PLACE 4"-5" THICK MULCH AROUND ALL EXISTING TREES (GUT TO THER DRIP LINE) THAT ARE TO BE RETAINED PROR TO A VY CONSTRUCTION. THIS WILL NELP MAINTAIN MOISTURE UNDER THE TREE BUTTINN THE RENDE AREA.
- 17 BORE PITS ARE NOT ALLOWED WITHIN THE DRIP LINE OF ANY TREE

II. BORING

- WHERE THERE IS INSUFFICIENT SPACE TO BYPARS THE DRIP LINE BY TRENCHING ALJACENT TO ALL EXISTING THEES IN EXCESS OF 9" D. B.H., THE INSTALLATION INUST BE MADE BY DORMO, THE BROWINHO, ADD ROWING DISTANCE OF THE RORE FROM THE FACE OF THE THERE IN ANY OWERCTOIN IS DETERMINED BY THE DLAMETER OF THE TREE AS SPECIFIED BY THE ACCOMPANTING TABLE
- WHEN THE TREE DIAMETER AT 14) FEET BI-TRENCHING WILL BE REPLACED BY BORING AT THIS WINIMUM DISTANCE FAOAN THE FACE OF THE TIRE IN ANY DIRECTION 15 MICHIES 1: 17:00-12 A HICKIES - 24/BLT, 6-4 INCHES - 54/BET, 10-14 INCHES 10 - FEET 13-19 INCHES 12 - FEET, OVER 19 INCHES. 13 - FEET
- TREE DIAMETER (MINIMUM) DEFTH OF BORE \$ INCHES OR LESS 2 \$-FEET: 10-14 WGHES- 3.0 FEET 15-19 (INCHES: 3.5 -FEET; 20 INCHES OR INDRE: 4.0 FEET

ILTREE PROTECTION

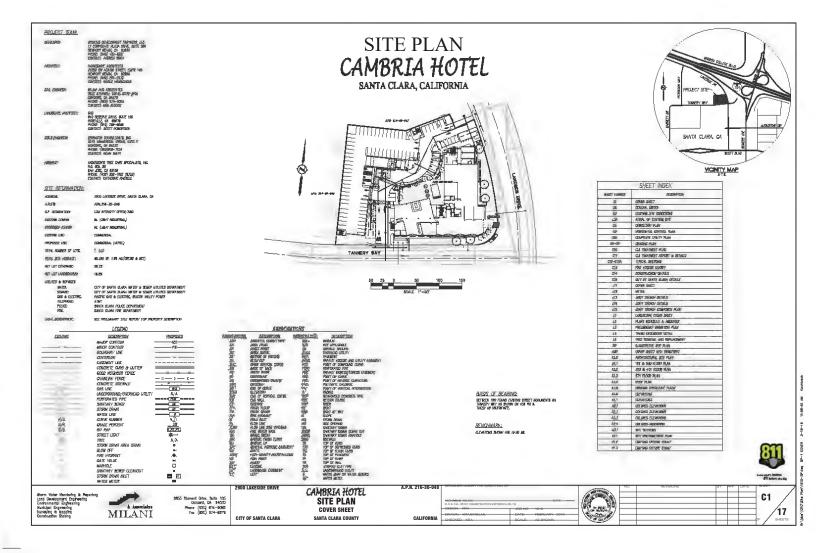
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ebruary 8, 2019



CITY OF SANTA CLARA GENERAL NOTES

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CITY OF SANTA CLARA PUBLIC WATER SYSTEM NOTES (CONTINUED)

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CAMBRIA HOTEL

SITE PLAN

GENERAL NOTES

SANTA CLARA COUNTY

REVIEW COPY SUBJECT TO REVISION NOT FINAL

A P N 216-30-048

CALIFORNIA

E.C.E. No. 351211

WN: KRA/SMS/LML

9-30-19 JOB NO: 1210 DATE: FEBRUARY 2019 SCALE: AS SHOWN

PHOTOMETRICS

900 LAKESIDE DRIVE

CITY OF SANTA CLARA

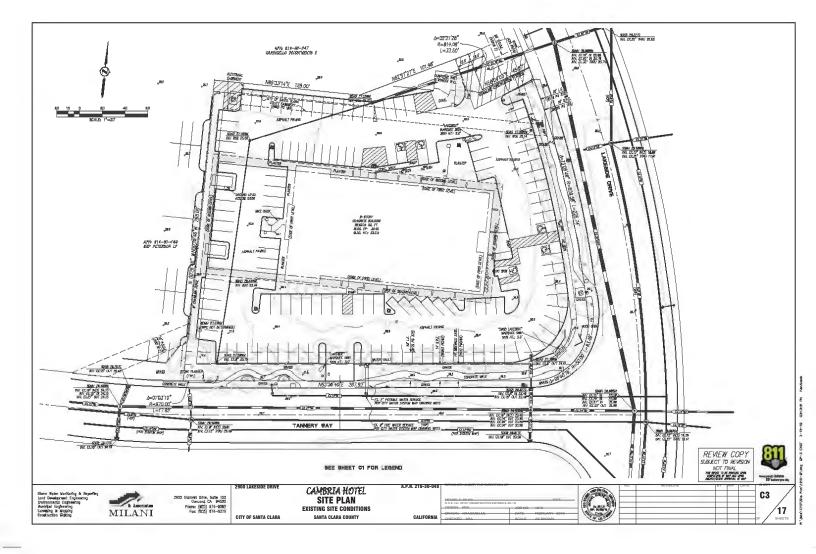
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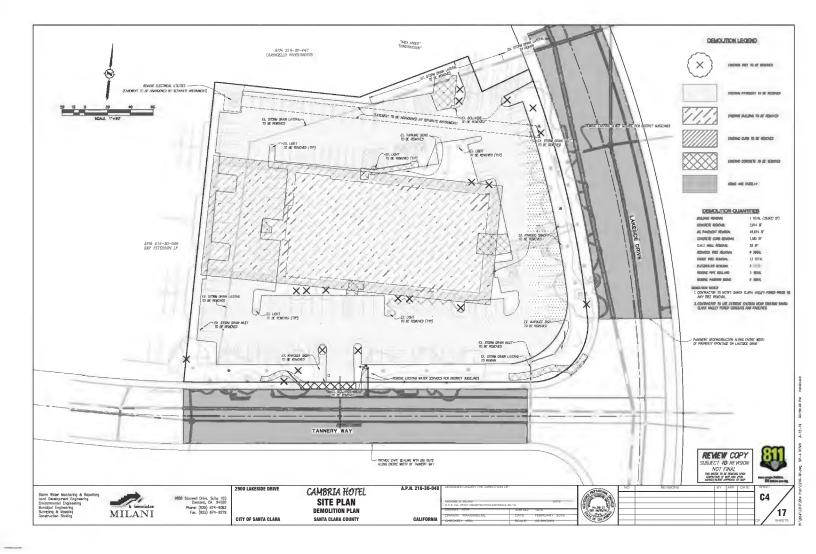
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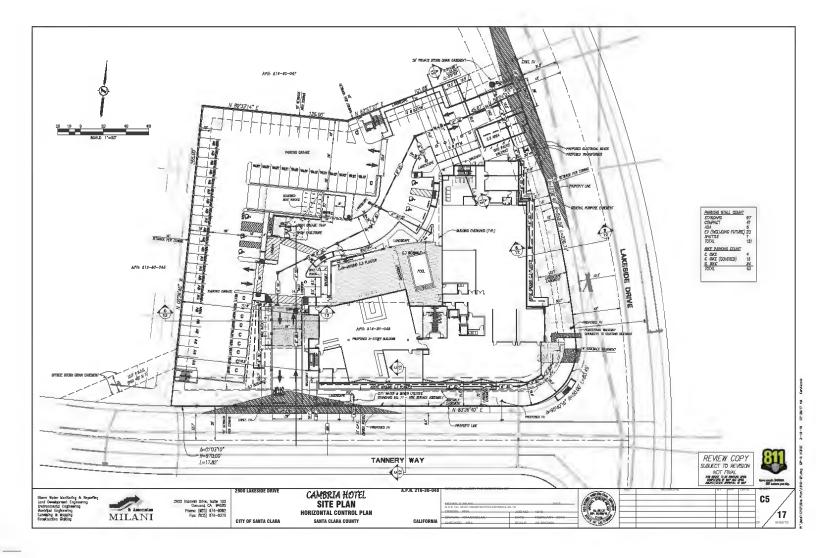
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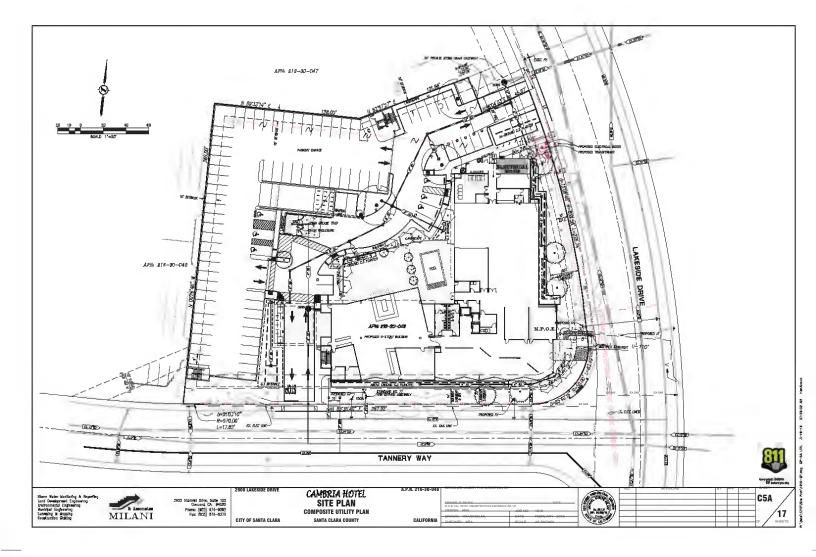
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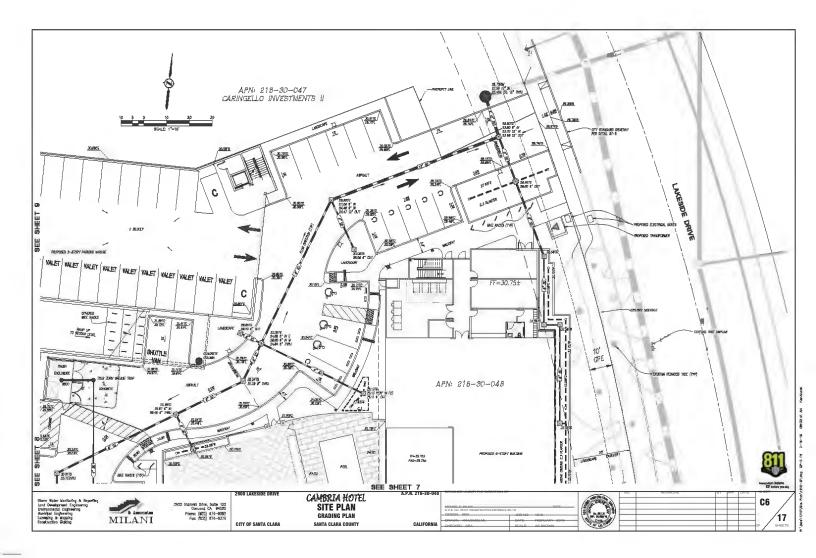


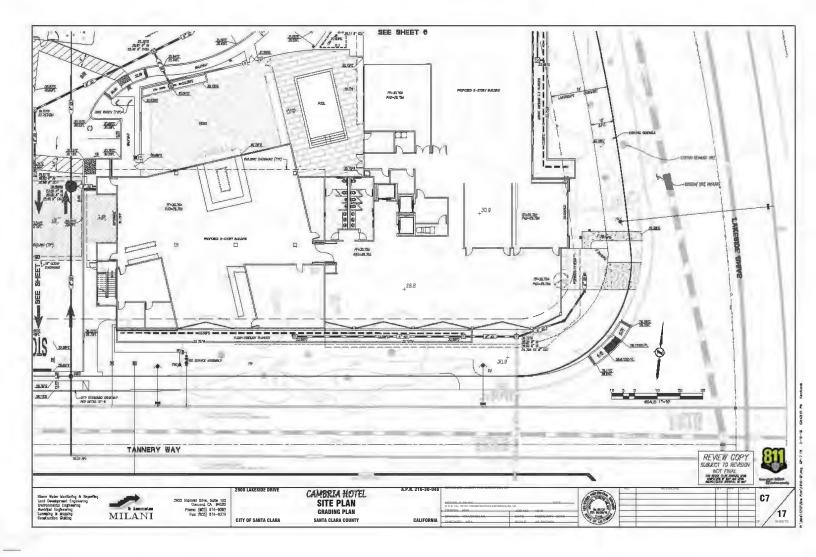


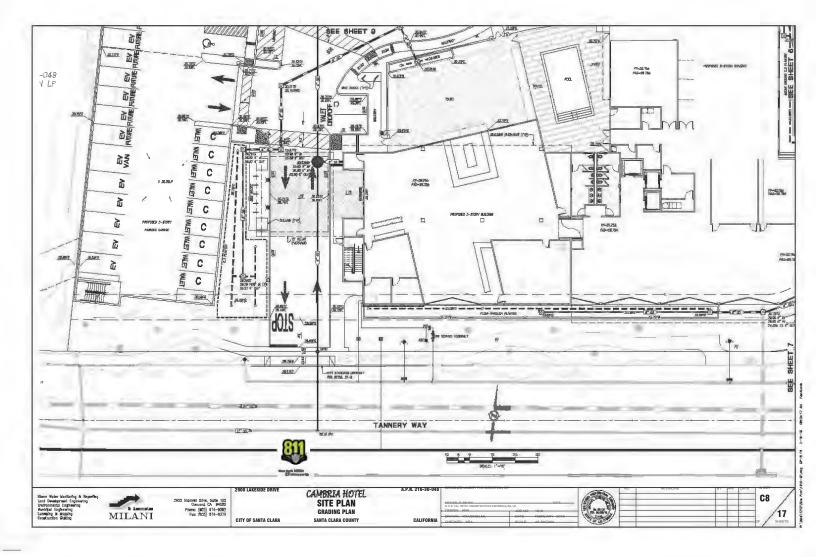


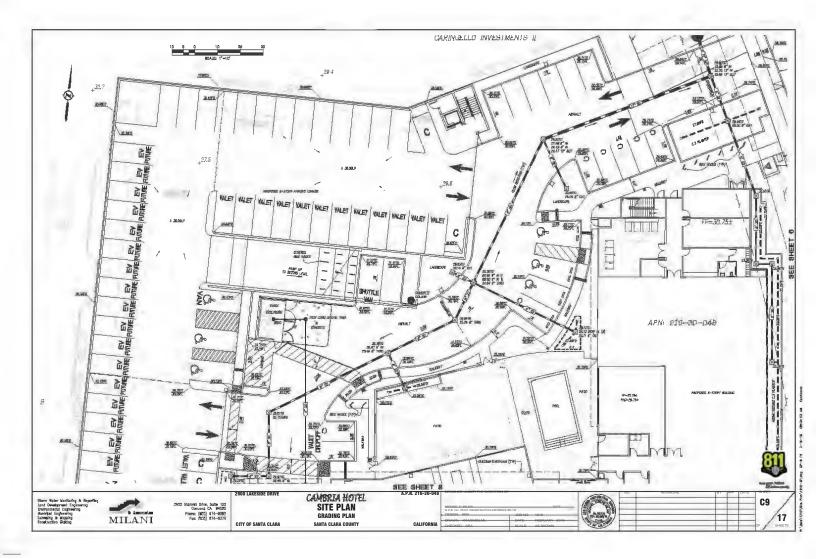


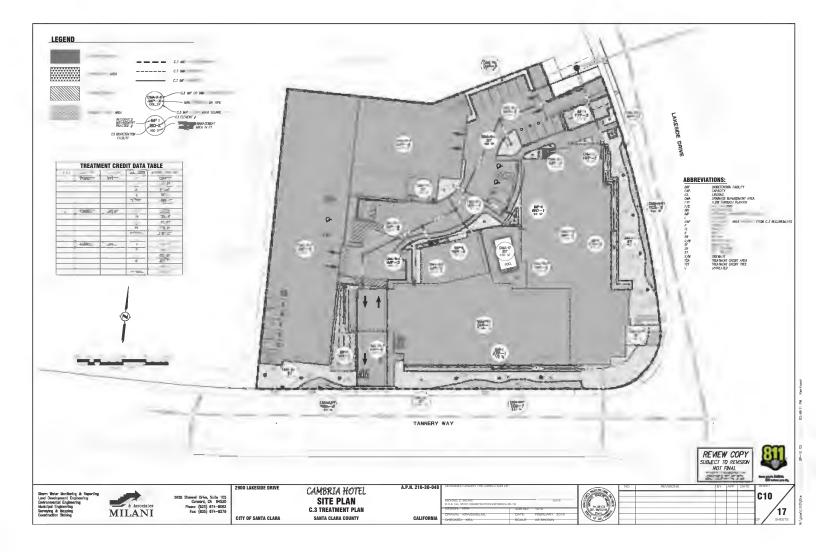


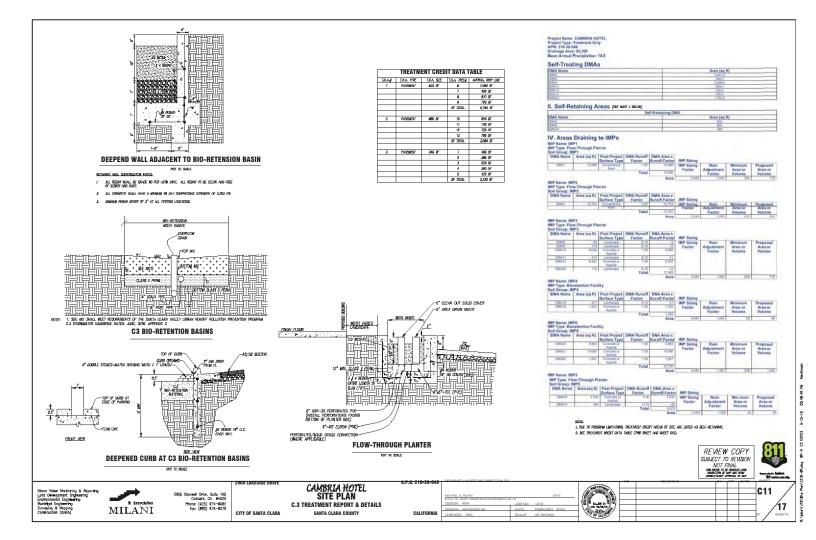


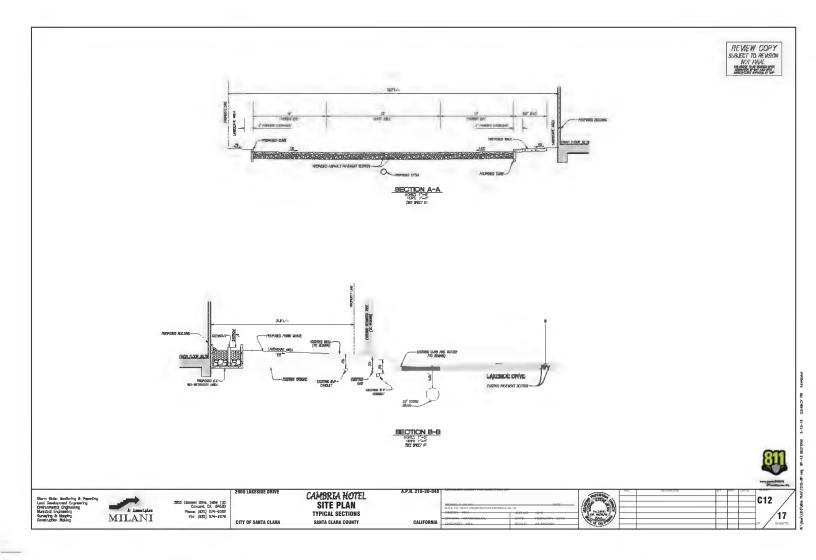


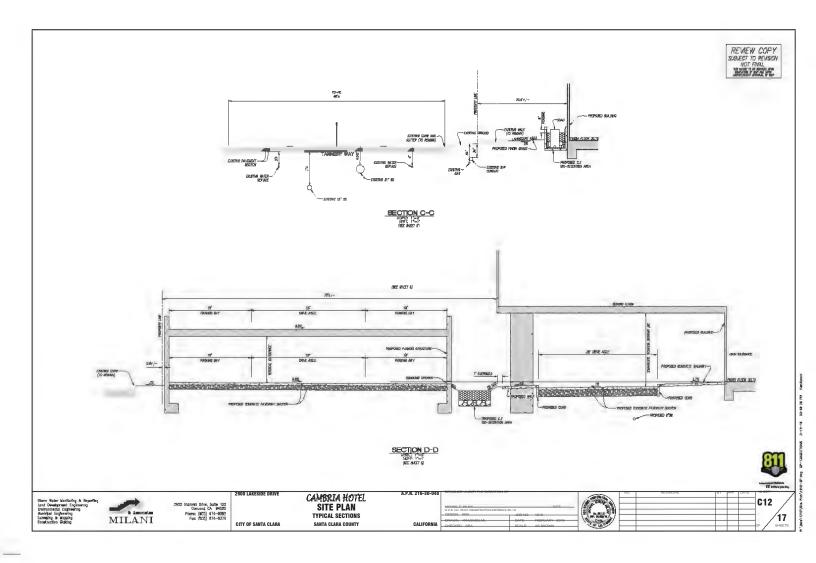


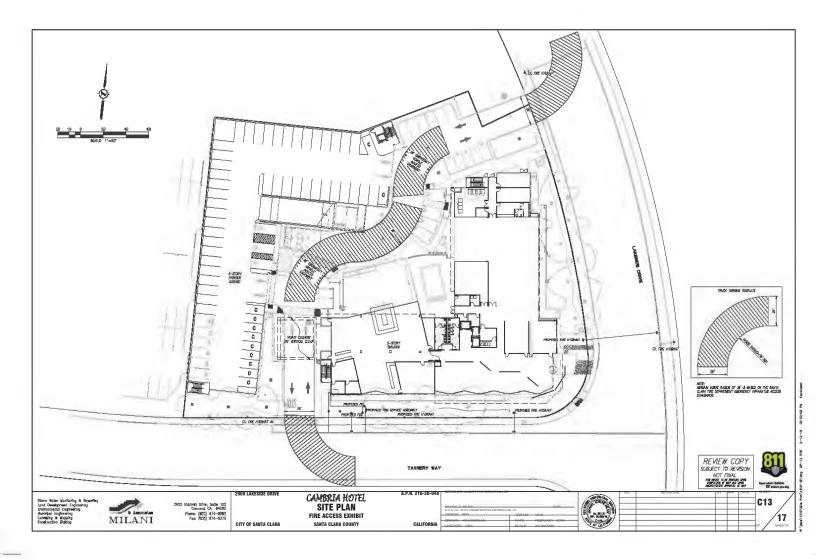


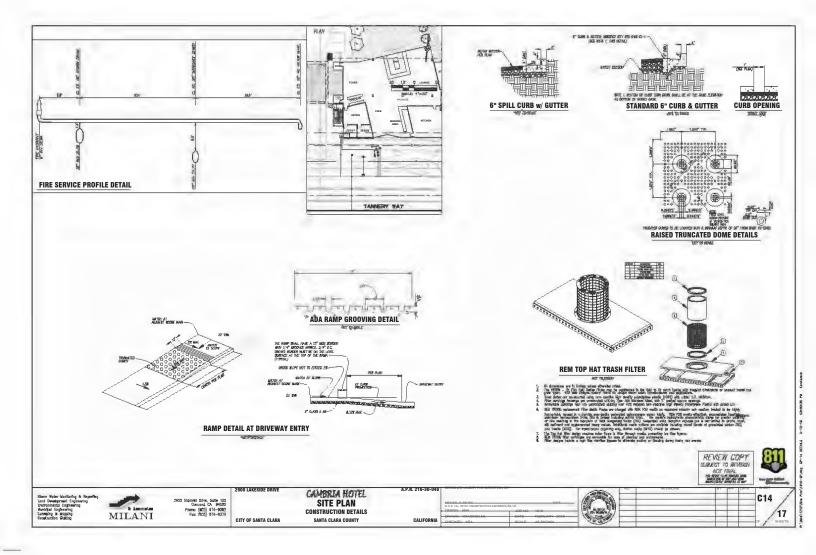


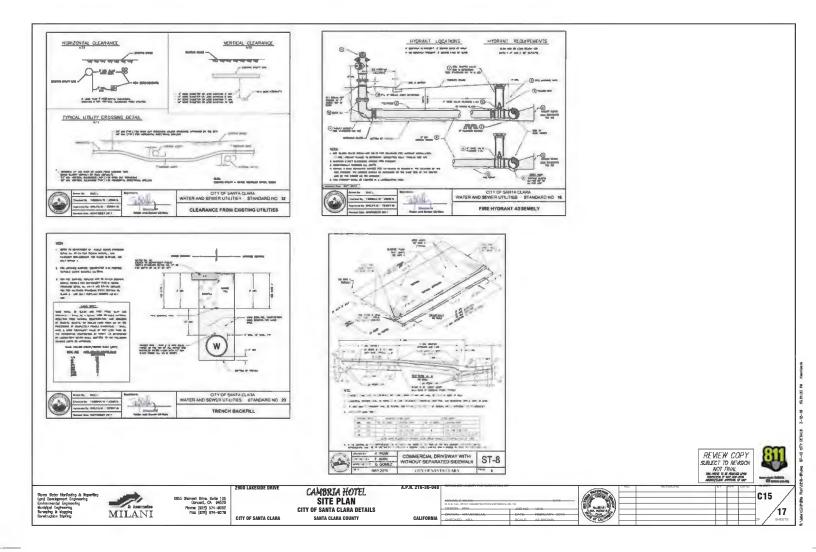


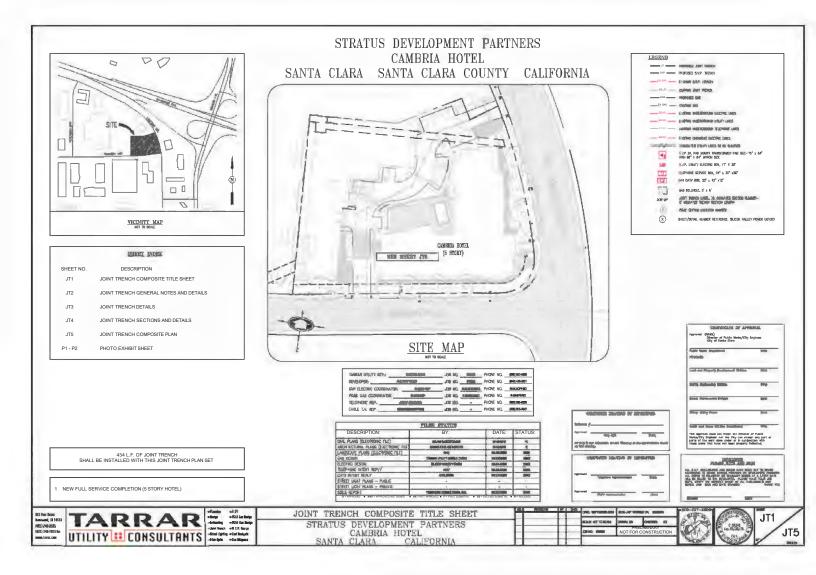


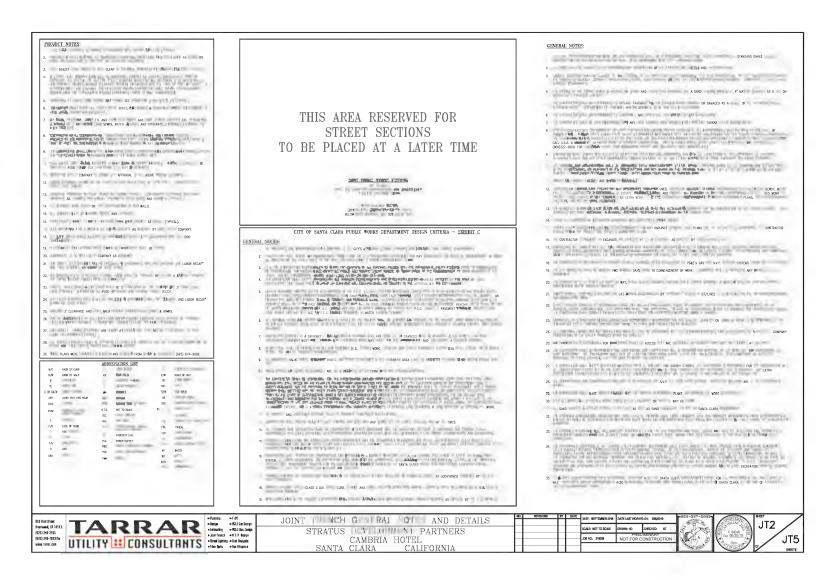


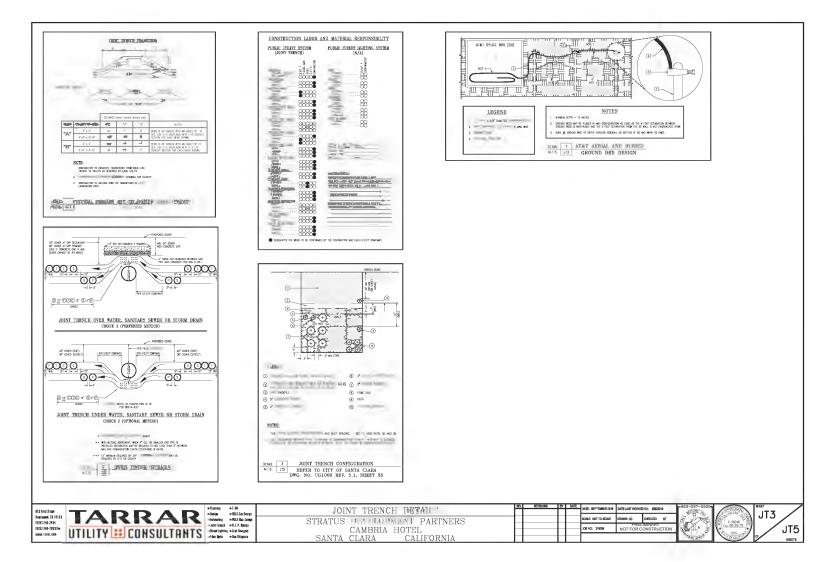


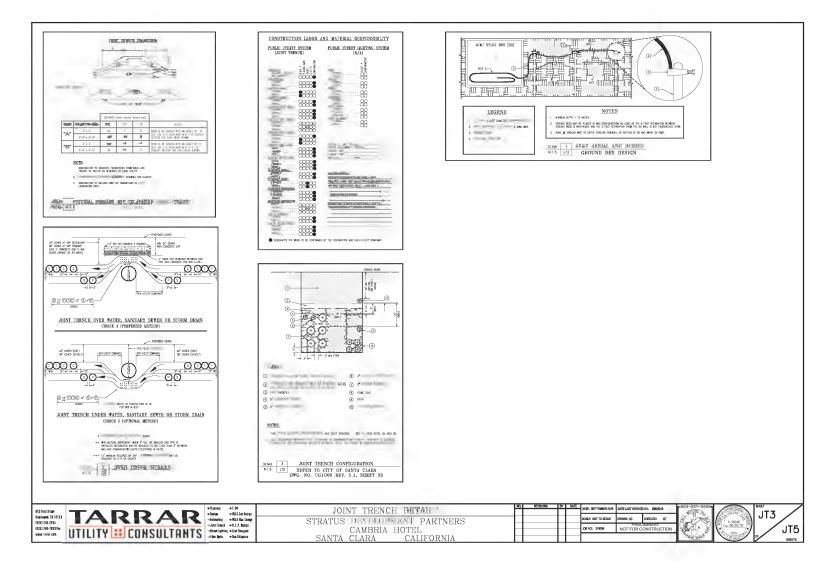


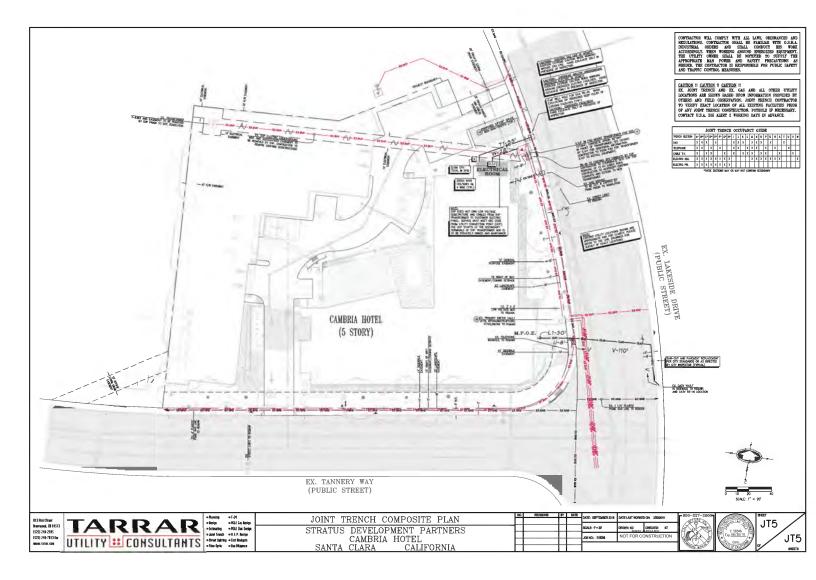


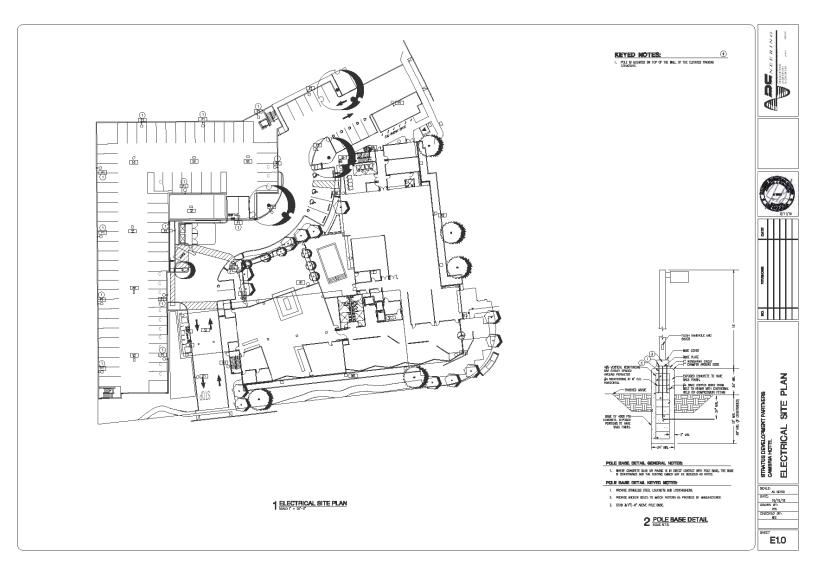


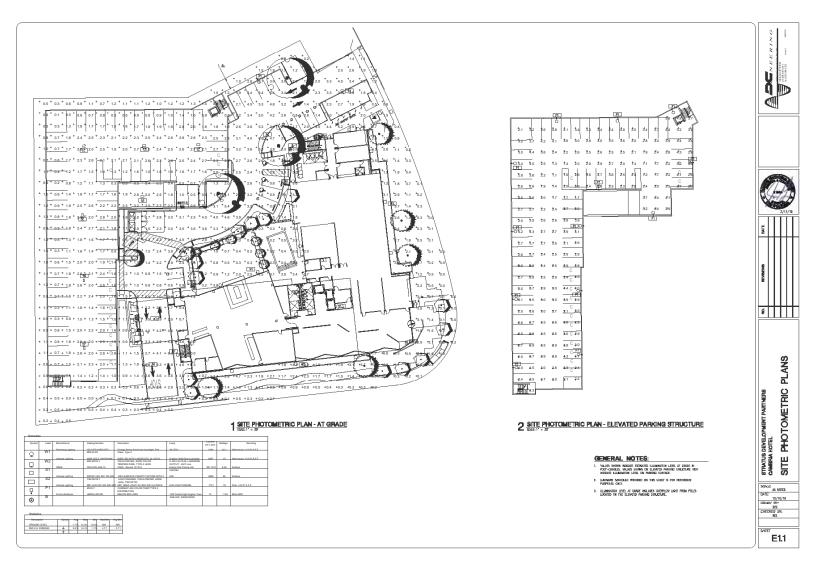


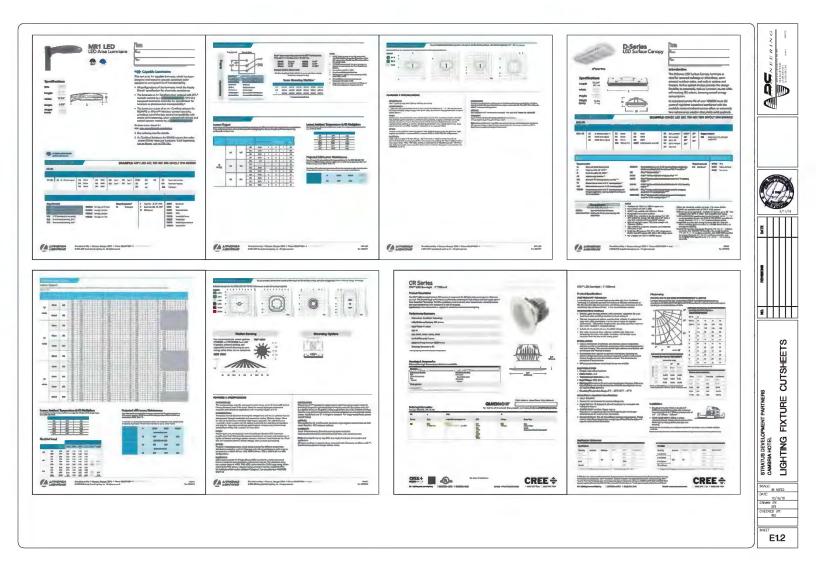


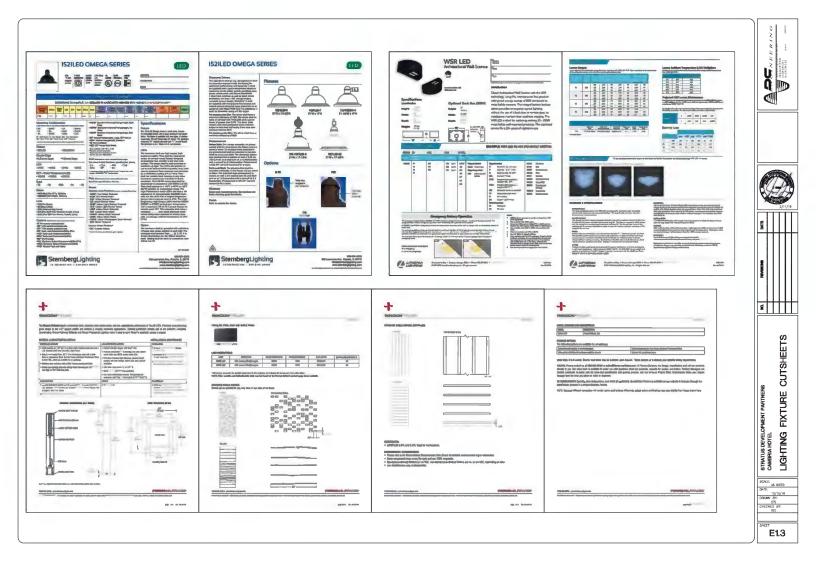












RESOLUTION NO

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, APPROVING A USE PERMIT TO ALLOW A NEW 190-ROOM HOTEL WITH ON-SITE ALCOHOL SALES (ABC LICENSE TYPE 47) FOR THE PROPERTY LOCATED AT 2900 LAKESIDE DRIVE, SANTA CLARA, CA

PLN2018-13582 (Use Permit)

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

WHEREAS, on October 17, 2018, Andrew Wood with Stratus Development Partners, LLC ("Applicant") applied for a Use Permit to allow a new hotel with 190 rooms and an onsite guest dining amenity that will sell and serve beer, wine, and distilled spirits under California Alcohol Beverage Control license type 47 for the property located at 2900 Lakeside Drive ("Project Site");

WHEREAS, the Project Site is currently zoned ML – Light Industrial and has the General Plan land use designation of Low Intensity Office / Research and Development (R&D);

WHEREAS, pursuant to Santa Clara City Code ("SCCC") Section 18.48.040(e), uses that are not permitted by right but that are appropriate for an industrial area, such as lodges and bingo halls, can be conditionally permitted in the ML zoning district, provided that the proposed use and structure would not be objectionable or detrimental to adjacent properties or to the industrial area in general by reason of traffic, parking, noise, inappropriate design or signs, if the Planning Commission approves a Use Permit;

WHEREAS, the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) per section 15332 of the CEQA Guidelines (Class 32 - In-fill Development), in that the project is consistent with the applicable general plan designation and all applicable general plan policies, which allow hotel uses north of the Caltrain corridor on sites with an FAR less than 2.0, as well as with the applicable zoning designation and regulations, which allow for a hotel in the ML zone with the approval of a use permit; the project site is less than five acres (1.96 acres) and is substantially surrounded by urban uses (a hotel, a commercial use, and two office buildings); the project site has no value as habitat for endangered species; approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be served by all required utilities and public services;

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 May 10, 2019, the notice of public hearing for the May 22, 2019 meeting date for this item was posted in three conspicuous locations within 300 feet of the Project Site and mailed to all property owners located within 500 feet of the Project Site;

WHEREAS, on May 22, 2019, the Planning Commission continued the project to the regular June 12, 2019 Planning Commission meeting to review the revised elevations and consider the Use Permit; and

WHEREAS, on June 12, 2019, 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 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 Use Permit to allow a 190-room hotel with a two-level parking structure at the Project Site, as depicted on Exhibit "Development Plans," attached hereto and incorporated herein by this reference, and an onsite guest dining amenity that will sell and serve beer, wine, and distilled spirits under California Alcohol Beverage Control license type 47. 3. That based upon substantial evidence in the record of the hearing, including the facts stated in this resolution, the Planning Commission hereby finds that:

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 thatthe proposal contributes to the variety of private service uses available in the industrial area;

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 applicant supplied documentary evidence that the proposed quantity of parking would be sufficient to support the proposed use, and the project will be constructed in accordance with the California Building Code;

 The property or improvements in the neighborhood of such proposed use, in that the Project provides on-site and off-site improvements to landscaping and pedestrian pathways;

3) The general welfare of the City, in that the proposed use contributes to the variety of private service uses available in the industrial area of the City and is designed with sufficient on-site parking to support the proposed use;

C. That said use will not impair the integrity and character of the zoning district, in that the Project is designed to be compatible in scale and street frontage as the adjacent properties; and

D. That said use is in keeping with the purposes and intent of the Zoning Code, in that a non-industrial use may be conditionally permitted when the use would not be objectionable or detrimental to the adjacent properties in the Light Industrial zoning district. A hotel is a compatible and complementary use in the proposed location and will serve the general public. 4. <u>Effective date</u>. 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 JUNE,

2019, 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. Development Plans

2. Conditions of Approval

Conditions of Approval 2900 Lakeside Drive

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. The property owner, prior to permit issuance, shall participate in the City of Santa Clara Community Facilities District No. 2010-1 Future Annexation Area, as it was adopted by the Council on March 30, 2010, and in accordance with future amendments and with all other City laws and regulations.
- 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, landscaping, lighting and signage. Landscaping installation shall meet City water conservation criteria in a manner acceptable to the Director of Community Development.
- C3. Obtain required permits and inspections from the Building Official and comply with the conditions thereof. If this project involves land area of 1 acre or more, the developer shall file a Notice of Intent (NOI) with the State Water Resources Control Board prior to issuance of any building permit for grading, or construction; a copy of the NOI shall be sent to the City Building Inspection Division. A storm water pollution prevention plan is also required with the NOI.
- 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. 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.
- C6. Prior to issuance of a demolition permit, Developer/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.

- C7. 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.
- C8. An erosion control plan shall be prepared, and copies provided to the Planning Division and 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.
- C9. The Final Storm Water Management Plan (SWMP) must be certified by a third-party consultant from SCVURPP's current list of qualified consultants. Five copies of the approval letter from the certified third-party review (wet stamped and signed) must be submitted prior to the issuance of grading or building permit.
- C10. Prior to the issuance final occupancy, the applicant shall enter into Operations and Maintenance (O&M) agreement with the City. The project operator is responsible for the operations and maintenance of the SWMP and STORMWATER BMPs consistent with the O&M agreement throughout the life of the project.
- C11. 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.
- C12. 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.
- C13. 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.
- C14. The Planning Commission shall review this Use Permit twelve (12) months from the date that applicant obtains an active Alcoholic Beverage Control (ABC) License Type 47. 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.
- C15. Developer is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.
- C16. Minor changes to the project would be subject to Planning Division review and approval prior to issuance of building permits.
- C17. All roof equipment shall be screened from public right-of-way and highway. Screening shall be designed to be architectural style and material that is compatible with the building.
- C18. 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.

C19. The sale and service of alcohol will be available with food during the hotel restaurant's operating hours between 6 a.m. to 2 a.m. daily.

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. 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. 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.
- E5. All unused existing sanitary sewer laterals are to be abandoned per City standards.
- E6. Sanitary sewer lateral shall be minimum 2% slop and be an invert to crown "Tap-Tite" connection per City standard detail.
- E7. Developer shall provide a complete storm drain study for the 10-year and 100-year storm events. The grading plans shall include the overland release for the 100-year storm event and any localized flooding areas. System improvements, if needed, will be at developer's expense.
- E8. Other storm drain mains and laterals, sanitary sewer mains and laterals shall be outside the drip line of mature trees or 10' clear of the tree trunk whichever is greater.
- E9. Provide root barriers when the drip line of the mature trees covers the sidewalk. Root barriers for sidewalk protection shall be 16' long or extend to drip line of the mature tree, whichever is greater, and be 1.5' deep, and centered on trees. Root barriers for curb and gutter protection shall be 16' long or extend to drip line of the mature tree, whichever is greater, and be 2' deep, and centered on trees.
- E10. Pay proportional share for the Lakeside pump station project. Fee is \$12,230 per acre. Total fee for 1.96 acres shall be \$23,971.
- E11. Non-standard improvements within existing and proposed easements shall require easement encroachment agreement. Obtain approval letters from all utilities prior to submitting easement
- E12. Monument signs and foundations shall be clear of all utility easements and public rightof-way.
- E13. Entire width of Tannery Way along property frontage shall require cape sealing with dig outs.
- E14. Perform pavement reconstruction along the entire width of property frontage on Lakeside Drive.
- E15. On-street parking shall not be counted toward on-site parking requirements.
- E16. All proposed on-site driveways and paths shall accommodate fire truck/engine turning template.

- E17. Show and comply City's Driveway Triangle of Safety requirement at all existing and proposed driveways
- E18. All traffic striping, messages, and symbols shall be thermoplastic.
- E19. Existing non-ADA compliant frontage shall be replaced with current City Standard frontage improvements.
- E20. All proposed walkway, sidewalk, driveways and curb ramps shall be ADA compliant.
- E21. Driveways shall be CSC ST-8 and comply with Driveway's Triangle of Safety. Sidewalk easement may be required.
- E22. Provide 7 Class I & 1 Class II bicycle parking per 30 employees (VTA Bicycle Technical Guidelines, Table 10-3)
- E23. Upgrade ADA curb ramp at the north-west corner of Tannery Way and Lakeside Drive with city standard ADA ramp.
- E24. Reduce the north-west corner curb return radii and design it to accommodate a firetruck making a right turn from Lakeside Drive to Tannery Way.
- E25. Identify on-site loading/unloading area and provide truck turning template into the driveway for on-site truck deliveries.
- E26. A trip generation analysis for the AM and PM peak hours needs to be completed for this project to determine if a traffic study would be needed for the project. Existing buildings that have been occupied within the last two years should be applied as a trip credit for the trip generation analysis.
- E27. Provide pedestrian ADA walkways from proposed building to public sidewalk and parking 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 underground. 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. 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.
- 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. If transformer pads are required, City Electric Department requires an area of 17' x 16'-2", which is clear of all utilities, trees, walls, etc. This area includes a 5'-0" area away from the actual transformer pad. This area in front of the transformer may be reduced from a 8'-0" apron to a 3'-0", providing the apron is back of a 5'-0" min. wide sidewalk. Transformer pad must be a minimum of 10'-0 from all doors and windows, and shall be located next to a level, drivable area that will support a large crane or truck.

- EL8. 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.
- EL9. Any relocation of existing electric facilities shall be at Developer's expense.
- EL10. Electric Load Increase fees may be applicable.
- EL11. 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)).
- EL12. 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)).
- EL13. Non-Utility Generator equipment shall not operate in parallel with the electric utility, unless approved and reviewed by the Electric Engineering Division. All switching operations shall be "Open-Transition-Mode", unless specifically authorized by SVP Electric Engineering Division. A Generating Facility Interconnection Application must be submitted with building permit plans. Review process may take several months depending on size and type of generator. No interconnection of a generation facility with SVP is allowed without written authorization from SVP Electric Engineering Division.
- 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. Transformers and Switch devices can only be located outdoors. These devices MAY be placed 5' from an outside building wall, provided that the building wall in that area meets specific requirements. (See UG 1000 document for specifics) EXAMPLE: If there are any doors, windows, vents, overhangs or other wall openings within 5' of the transformer, on either side, then the transformer MUST be 10' or more away from the building. These clearances are to be assumed to be clear horizontally 5' in either direction and vertically to the sky.
- EL18. 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.

- EL19. SVP does not utilize any sub-surface (below grade) devices in it's system. This includes transformers, switches, etc.
- EL20. All interior meter rooms are to have direct, outside access through only ONE door. Interior electric rooms must be enclosed in a dedicated electric room and cannot be in an open warehouse or office space.
- EL21. In the case of podium-style construction, all SVP facilities and conduit systems must be located on solid ground (aka "real dirt"), and cannot be supported on parking garage ceilings or placed on top of structures.
- EL22. 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.

<u>WATER</u>

- W1. 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.
- W2. 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).
- W3. 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. Note that the site contains an existing 6" fire service and 1.5" potable water service. The recycled water main on Tannery must be shown on the plans.
- W4. Applicant shall submit plans showing proposed water, irrigation, 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. No structures (fencing, foundation, biofiltration swales, etc.) allowed over sanitary sewer and/or water utilities and easements.
- W6. Approved reduced pressure detector assembly device(s) are required on all fire services. The applicant shall submit plans showing existing and proposed fire service upgraded with reduced pressure detector assembly device, as per city standard 17, to the satisfaction of the Director of Water & Sewer Utilities.
- W7. The applicant shall coordinate with Mike Vasquez, Water Compliance Manager, for reclaimed water irrigation service. Mike may be reached at (408)-615-2006.

- W8. 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.
- W9. The Applicant to consider using a dual service for the domestic water if using a single service tap.
- W10. The applicant must indicate the pipe material and the size of existing water and sewer main(s) on the plans.
- W11. Fire Flow: If fire flow information is needed, applicant shall coordinate with the Water Department at (408)615-2000.
- W12. Fire hydrants should be located two feet behind monolithic sidewalk if sidewalk is present; two feet behind face of curb if no sidewalk/meandering sidewalk is present, per City Std Detail 18.
- W13. Water Features: Prior to issuance of Building Permits, the applicant shall submit plan details for all water features (including but not limited to fountains and ponds) designed to include provisions for operating the system without City potable water supply and capable of being physically disconnected from source of potable water supply during City declared water conservation periods, to the satisfaction of the Director of the Water & Sewer Utilities. Decorative water features may be permanently connected to the City's recycled water supply.
- W14. 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.
- W15. Prior to City's issuance of Building or Grading Permits, the applicant shall provide a dedicated water utility easement around the backflow prevention device onsite. The water utility easement for the water services and all other public water appurtenances shall be a minimum 15 feet wide and be adjacent to the public right-of-way without overlapping any public utility easement. Additionally, the applicant shall submit plans defining existing easements so Water Division can verify if there are any conflicts with proposed easements and water utilities.
- W16. The applicant shall bear the cost of any relocation or abandonment of existing Water Department facilities required for project construction to the satisfaction of the Director of Water and Sewer Utilities.
- W17. Prior to the issuance of Building Permits, the applicant shall provide documentation of water usage so the Water Division can verify the appropriate size of all proposed water meters. Please note that if the existing water services are incapable of supplying the water needs to the site, the existing services shall be abandoned and new separate dedicated water services shall be provided for each use (domestic and irrigation).

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 should be a minimum of twelve (12) inches in height for commercial or industrial buildings. Consider illuminated numbers during the hours of darkness, and in a color that is contrasting to the background material. They shall be clearly visible from the street. Where multiple units or buildings occupy the same property, each unit/building address shall be clearly visible. A monument sign, preferably at all entrances to the

property, should be prominently displayed showing all unit/building numbers, addresses, etc. A map is recommended for large complexes with multiple streets or walkways.

- PD3. In a development where there is an alley, driveway, etc. providing a rear entrance or access, the address shall be displayed to both the front and rear of the individual buildings. Where an alley, driveway, etc. provided vehicular access, address numbers shall be clearly visible from that access.
- PD4. Businesses with rear alley entrance doors shall be numbered with the same address numbers or suite numbers as the front doors. Numbers that are a minimum height of 4" are recommended.
- PD5. There shall be positioned near the entrance an illustrative diagram of the complex, which shows the location of the viewer and unit designations within the complex, including separate building designations. This diagram shall be illuminated and should be protected by vandal and weather resistant covers.
- PD6. Each distinct unit within the building shall have its address displayed on or directly above both front and rear doors.
- PD7. When there is an alley or driveway to the rear of the business or commercial establishment that provides pedestrian or vehicle access, that area should be fenced and locked after hours. A 'Knox Box' or key coded system shall be used for police and fire emergency access.
- PD8. 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.
- PD9. 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.

- PD10. Any required enclosure fencing (trash area, utility equipment, etc.) would preferably be see-thru. If for aesthetic reasons prohibit that, the fencing should have a six (6) inch opening along the bottom for clear visibility. Any gates or access doors to these enclosures should be locked.
- PD11. If the project includes any benches, these benches should not be longer than 5 feet in length, and should have arm rests at both ends. If the benches are longer than 5 feet in length, there should be a divider (arm rest or similar) in the middle of the bench in addition to the arm rests on both ends. This helps prevent unlawful lodging and/or skateboarding. Another option to benches could be cubes, knee walls, or other creative types of seating possibilities.
- PD12. The developer should install skate stoppers on any low clearance wall of 36 inches in height or lower to prevent vandalism/damage to the wall from skateboarding or similar activities. If there is outdoor seating associated with a restaurant or similar business which is near vehicle parking stalls, the outdoor space will be designed to ensure the safety of the public from possible vehicular related incidents.

- PD13. All exterior doors should be adequately illuminated at all hours with their own light source.
- PD14. All construction of dwelling units shall conform to the requirements of the Uniform Building Security Code as adopted by the City of Santa Clara City Council.
- PD15. All elevators should be well lit and equipped with a security mirror to provide interior and exterior visibility prior to entry or exit.
- PD16. Consider convex mirrors for elevator cabs and at stairwell landings in order to enhance natural surveillance for the user of the elevator or stairs. It is highly desirable to design an elevator shaft and cab to be transparent, making occupants of the cab visible from the outside. All elevators should be well lit and equipped with a security mirror to provide interior & exterior visibility prior to entry or exit.
- PD17. Other line of sight obstructions (including recessed doorways, alcoves, etc.) should be avoided on building exterior walls and interior hallways.
- PD18. 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.
- PD19. The installation and use of interior and exterior security cameras and recording devices is highly encouraged.
- PD20. The parking structure/site should be equipped with a centrally located emergency panic alarm system that reports to a central office. If more than one button/call station is installed, the emergency system should always be in visual distance from another emergency call station. There should not be more than 300 feet separating each call station, which is the current industry standard.
- PD21. Exterior stairs shall be open style whenever structurally possible. The stairs should be well lit.
- PD22. "White" light meeting the IES standard should be considered. There should be no "dark" areas inside the structure.
- PD23. The interior of the parking structure should be painted a light, highly reflective color. This increases the natural lighting available and can help prevent dark areas that attract criminal activity.
- PD24. All entrances to the parking areas (structure, surface, subterranean, etc.) shall be posted with appropriate signage to discourage trespassing, unauthorized parking, etc. (See California Vehicle Code section 22658(a) for guidance).
- PD25. Alcoves and other visual obstructions that might constitute a hiding place should be eliminated whenever structurally possible. Pillars, columns, and other open construction should be considered over a solid wall design.
- PD26. Consider storage, maintenance, and trash rooms within the parking garage having doors which cannot be locked from the inside and that close and lock quickly and automatically upon exit.
- PD27. A Coded Entry System is required for police access to enclosed parking lots and gated communities. This can be accomplished with a coded key pad system or the Police Department Knox Box key system. We understand security is a prime concern for the tenants of the project, which necessitates some sort of secure building and admittance process. By having either of these secure access systems for law enforcement, it will allow us to better respond to emergency situations should they arise in the development. Examples of these systems can be reviewed at the following projects:
 - 2585 El Camino Real (Coded key pad access)
 - 3555 Monroe Street (Knox box key access)

- PD28. Public Safety Radio Systems Penetration Guidelines have been established by the city of Santa Clara Communications Department for radio signal penetration during emergencies. The developer is advised that the project may be required to install equipment for adequate radio coverage for the City Of Santa Clara Radio communications System, including but not limited to Police & Fire emergency services. The developer should contact the director of communications at (408) 615-5571. (for high rises)
- PD29. When in the opinion of the fire code official, a new structure obstructs the line of sight of emergency radio communications to existing buildings or to any other locations, the developer of the structure shall provide and install the radio retransmission equipment necessary to restore communications capabilities. The equipment shall be located in an approved space or area within the new structure.
- PD30. Applicant shall contact the Santa Clara Police Department 'Permits" unit (408-615-4868) for regulated activity special licensing requirements.
- PD31. Applicant shall contact the Santa Clara Police Department 'Intelligence" unit (408-615-4849) for Alcohol Beverage Control (ABC) licensing review.
- PD32. The business shall undergo a 6 month and 1 year review, including a check for ABC violations and police service calls.
- PD33. Applicant shall contact the Santa Clara Police Department 'Intelligence" unit (408-615-4849) for entertainment permit requirements.
- PD34. 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.
- PD35. The developer shall meet the City of Santa Clara's guidelines established for radio signal penetration, detailed in the Communications Department's Public Safety Radio System Building Penetration Guidelines. The intended use of telecommunications sites shall be clearly and accurately stated in the use permit. The signal, of whatever nature, of any communications facility or system, shall in no way whatsoever interfere with or affect any police communication or police communication system.
- PD36. Applicant shall contact the Santa Clara Police Department 'Intelligence" unit (408-615-4849) for Alcohol Beverage Control (ABC) licensing review.
- PD37. Applicant shall contact the Santa Clara Police Department 'Intelligence" unit (408-615-4849) for entertainment permit requirements.
- PD38. Applicant shall install signage to prevent theft from vehicles in the parking lots. In addition, the use of quality lighting, installation of high-quality video cameras/recorders, and license plate readers are highly encouraged to prevent thefts from vehicles.

<u>FIRE</u>

- F1. Any changes in construction type, height of building or project layout will require additional requirements and possible additional mitigations.
- F2. The FDC may be required to be relocated depending on final addressing of the hotel.
- F3. Traffic calming devices are not permitted on any designated fire access roadway, unless approved by the Fire Prevention & Hazardous Materials Division.
- F4. All Fire Department Access roadways shall be recorded as an Emergency Vehicle Access Easement (EVAE) on the final map. No other instruments will be considered as substitutions such as P.U.E, Ingress/Egress easements and/or City Right-of-Ways.

F5. Prior to issuance of a Building Permit, Steps 1 through 3 summarized below must be addressed during the planning phase of the project. The development projects Phase I and/or Phase II environmental documents will be the project guiding documents: Step 1 – Hazardous Materials Closure (HMCP): This is a permit is issued by the Santa Clara Fire Department, Fire Prevention & Hazardous Materials Division. Hazardous materials closure plans are required for businesses that used, handled or stored hazardous materials. While required prior to closing a business this is not always done by the business owner, and therefore should be part of the developers due diligence. The hazardous materials closure plans demonstrates that hazardous materials which were stored, dispensed, handled or used in the facility/business are safely transported, disposed of or reused in a manner that eliminates any threat to public health and environment.

Step 2 – Site Mitigation: Site mitigation is the cleanup or management of chemical contaminants in soil, soil vapor or groundwater. The type and extent of contamination on site(s) governs which of the regulatory agencies noted below will supervise the cleanup.

- Santa Clara Fire Department, Fire Prevention & Hazardous Materials Division (CUPA)
- Department of Toxic Substances Control (DTSC)
- State Water Resources Control Board
- Santa Clara County, Department of Environmental Health.

Step 3 – Community Development, Building Division Demolition Application: For the majority of projects within the City of Santa Clara, Steps 1 and/or 2 described above need to be completed prior to proceeding to demolition application in order to avoid permit approval delays. The purpose of a demolition permit is to ensure that the parcel is clear of debris and other health hazard material (lead, asbestos, etc.) and that the utility connections have been plugged and sealed."

- F6. Provisions shall be made for Emergency Responder Radio Coverage System (ERRCS) equipment and the Two-way Communications Systems for Elevator Landings/Areas of refuge, including but not limited to pathway survivability in accordance with Santa Clara Emergency Responder Radio Coverage System Standard.
- F7. Prior to the start of Construction, fire protection water supplies shall be installed and made serviceable prior to the time of construction or prior to combustible materials being moved onsite.
- F8. Prior to the start of Construction, a fire safety during construction and demolition plan shall be submitted to the Fire Marshal's Office for review and approval.
- F9. At time of Building Permit application provide documentation to show the minimum required fire-flow for the building based on the construction type and square footage in accordance with the California Fire Code, Appendix B, Table B105.1 can be met. A 75% reduction in fire-flow is allowed with the installation of an automatic fire sprinkler system designed in accordance with California Fire Code § B105.2. The resulting fire-flow shall not be less than 1,500 gallons per minute (or 1,000 gallons per minute for NFPA 13 fire sprinkler systems) minute for the prescribed duration.

STREETS

Solid Waste

ST1. 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/.

- ST2. For projects that involve a Rezoning, the applicant shall contact the Public Works Department, Street Maintenance Division at (408) 615-3080 to verify if the property falls within the City's exclusive franchise hauling area. If so, the applicant may be required to use the City's exclusive franchise hauler and rate structure for solid waste services.
- ST3. The applicant shall provide a site plan showing all proposed locations of solid waste containers, enclosure locations, and street/alley widths to the Public Works Department, Street Maintenance Division. All plans shall comply with the City's Development Guidelines for Solid Waste Services as specified by development type. Contact the Street Maintenance Division at (408) 615-3080 for more information.
- ST4. 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 accommodate the tallow bin(s), a separate dedicated enclosure with drainage to the sanitary sewer system shall be provided.
- ST5. Commercial, industrial, and multi-family residential buildings must have enclosures for SOLID WASTE and recycling containers. The size and shape of the enclosure(s) must be adequate to serve the estimated SOLID WASTE and recycling needs and size of the building(s) onsite, and should be designed and located on the property so as to allow ease of access by collection vehicles. As a general rule, the size of the enclosure(s) for the recycling containers should be similar to the size of the trash enclosure(s) provided onsite. Roofed enclosures with masonry walls and solid metal gates are the preferred design. Any required enclosure fencing (trash area, utility equipment, etc.) if not seethru, shall have a six (6) inch opening along the bottom for clear visibility. Any gates or access doors to these enclosures shall be locked.

Stormwater

- ST6. Prior to City's issuance of Building or Grading Permits, the applicant shall develop a Final Stormwater Management Plan and update the SCVURPPP C.3 Data Form.
- ST7. The Final Stormwater Management Plan and all associated calculations shall be reviewed and certified by a qualified 3rd party consultant from the SCVURPPP List of Qualified Consultants, and a 3rd party review letter shall be submitted with the Plan.
- ST8. For projects that disturb a land area of one acre or more, the applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board for coverage under the State Construction General Permit (Order No. 2009-0009-DWQ) prior to issuance of any building permit for grading or construction. A copy of the NOI shall be submitted to the City Building Inspection Division, along with a stormwater pollution prevention plan (SWPPP). Active projects covered under the Construction General Permit will be inspected by the City once per month during the wet season (October April).
- ST9. 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.
- ST10. During the construction phase, all stormwater control measures shall be inspected for conformance to approved plans by a qualified 3rd party consultant from the SCVURPPP List of Qualified Consultants, and a 3rd party inspection letter shall be submitted to the Public Works Department, Street Maintenance Division. Building occupancy will not be

issued until all stormwater treatment measures have been adequately inspected. For more information contact Street Maintenance at (408) 615-3080.

- ST11. The property owner shall enter into an Inspection and Maintenance (I&M) Agreement with the City for all installed stormwater treatment measures in perpetuity. Applicants should contact Karin Hickey at (408) 615-3097 or KaHickey@santaclaraca.gov for assistance completing the Agreement. For more information and to download the most recent version of the I&M Agreement, visit the City's stormwater resources website at http://santaclaraca.gov/government/departments/public-works/environmental-programs/urban-runoff-pollution-prevention/stormwater-resources.
- ST12. Developer shall install an appropriate stormwater pollution prevention message such as "No Dumping – Flows to Bay" on any storm drains located on private property.
- ST13. Interior floor drains shall be plumbed to the sanitary sewer system and not connected to the City's storm drain system.
- ST14. Floor drains within trash enclosures shall be plumbed to the sanitary sewer system and not connected to the City's storm drain system.
- ST15. All outdoor equipment and materials storage areas shall be covered and/or bermed, or otherwise designed to limit the potential for runoff to contact pollutants.
- ST16. Any site design measures used to reduce the size of stormwater treatment measures shall not be removed from the project without the corresponding resizing of the stormwater treatment measures and an amendment of the property's I&M Agreement.
- ST17. Decorative and recreational water features such as fountains, pools, and ponds shall be designed and constructed to drain to the sanitary sewer system only

HOUSING & COMMUNITY SERVICES

- H1 This Project is subject to Affordable Housing impact fees. If Project is deemed complete before February 22, 2019, the estimated fees are: 115,821 sq. ft. (proposed) 22,607 sq. ft. (existing) = 93,214 x \$1.67 = \$155,667.38. If Project is deemed complete after February 22, 2019, the estimated fees are: 115,821 sq. ft. (proposed) 22,607 sq. ft. (existing) = 93,214 x \$5.00 = \$466,070. At building permit issuance, final fees will be calculated.
- H2 Applicant shall pay impact fees prior to the receipt of the occupancy certificate of the building. Applicable fees will be determined at time of payment.



Agenda Report

19-722

Agenda Date: 6/12/2019

REPORT TO PLANNING COMMISSION

<u>SUBJECT</u>

Selection of Planning Commission Chair, Vice Chair and Secretary

EXECUTIVE SUMMARY

City commissions generally rotate the position of Chair and Vice Chair each year during the month of July. The roles of the Chair and Vice Chair are defined in the Procedures section of the City's Board, Commissions, and Committee Handbook. The Planning Commission Chair is responsible for the following duties:

- Preside at all official meetings of the City commission
- Consult with the staff liaison on the meeting agenda
- Attend City Council meetings as needed to represent the City commission
- Sign correspondence on behalf of the City commission

Responsibility of the Vice Chair:

• Substitute for the Chair as needed.

Responsibility of the Secretary:

• Read the invocation, read the agenda items into the record, conduct meeting roll call and be responsible for any updates to the Planning Commission Policies and Procedures. The Secretary will also fill in for the Commission Vice-Chair in their absence.

DISCUSSION

Suds Jain serves as the current Planning Commission Chair, and Anthony Becker serves as the current Vice Chair. Yuki Ikezi currently serves as Secretary. The Planning Commission may vote to elect a new Chair, Vice Chair, and Secretary to serve a one year term ending in June 2020. After nominations, voting and election of each officer, the new officers will assume their positions at the July 24th Planning Commission meeting.

ENVIRONMENTAL REVIEW

The action being considered 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 associated with this item aside from administrative cost and expenses.

COORDINATION

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

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email <u>clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov></u> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

There is no staff recommendation.

Reviewed by: Reena Brilliot, Planning Manager, Community Development Approved by: Gloria Sciara, Development Review Officer, Staff Liaison to the Planning Commission