



# City of Santa Clara

## Meeting Agenda

### Planning Commission

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Wednesday, October 23, 2019

6:00 PM

City Hall Council Chambers

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#### 6:00 PM REGULAR MEETING

Call to Order

Pledge of Allegiance and Statement of Values

Roll Call

#### DECLARATION OF COMMISSION PROCEDURES

#### CONTINUANCES/EXCEPTIONS

#### CONSENT CALENDAR

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

**1.A 19-884** [Planning Commission Meeting Minutes of September 25, 2019](#)

**Recommendation:** Approve the Planning Commission Minutes of the September 25, 2019 Meeting.

**1.B 19-1090** [Action on Use Permit for ABC License Type 41 for Lupita's Taqueria Restaurant at 2341 El Camino Real](#)

**Recommendation:** Adopt a resolution approving a Use Permit for the sale and consumption of beer and wine (ABC License Type 41) in the existing Lupita's Taqueria restaurant located at 2341 El Camino Real, subject to conditions of approval.

#### PUBLIC PRESENTATIONS

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

**PUBLIC HEARING**

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

- 2.     **19-821**     [Public Hearing: Action on Amendment No. 1 to Development Agreement with Innovation Commons Owner LLC \(Previously Yahoo\)](#)

**Recommendation:** Alternative 1:  
 Approve a Resolution recommending that the Council approve the First Amendment to Development Agreement between the City of Santa Clara and Innovation Commons Owner LLC.

- 3.     **19-1010**   [Public Hearing: Action on 3035 El Camino Real Residential Project](#)

**Recommendation:** Alternatives 1, 2 and 3:  
 1. Adopt a resolution to recommend the City Council adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the 3035 El Camino Real Residential Project.  
 2. Adopt a resolution to recommend the City Council approve a rezoning from Thoroughfare Commercial (CT) to Planned Development (PD) to allow development of 48 condominium units, a private street, landscaped open space, surface parking and site improvements.  
 3. Adopt a resolution to recommend the City Council approve the Tentative Subdivision Map to subdivide the existing parcel into a single-lot subdivision with 48 condominium units.

**REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:**

- 1.     Announcements/Other Items
- 2.     Architectural Committee  
*Alternate to Architectural Committee*
- 3.     Commissioner Travel and Training Reports, Requests to attend Trainings

**DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:**

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

**ADJOURNMENT:**

*The next regular scheduled meeting is on November 13, 2019 at 6:00 PM in the City Hall Council Chambers.*



# City of Santa Clara

1500 Warburton Avenue  
Santa Clara, CA 95050  
santaclaraca.gov  
@SantaClaraCity

## Agenda Report

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**19-884**

**Agenda Date: 10/23/2019**

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**SUBJECT**

Planning Commission Meeting Minutes of September 25, 2019

**RECOMMENDATION**

Approve the Planning Commission Minutes of the September 25, 2019 Meeting.



# City of Santa Clara

## Meeting Minutes

### Planning Commission

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09/25/2019

6:00 PM

City Hall Council Chambers

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#### **6:00 PM STUDY SESSION**

##### **Confirmation of a Quorum**

**Chair Becker** confirmed a quorum.

[19-1070](#)

Study Session: Ralph M. Brown Act, Due Process, and Conflicts of Interest

The Study Session was called to order at 6:07 p.m. A presentation was made by **Assistant City Attorney Alexander Abbe**.

#### **REGULAR MEETING**

##### **Call to Order**

**Chair Becker** called the meeting to order at 7:18 p.m.

##### **Pledge of Allegiance and Statement of Values**

##### **Roll Call**

**Present** 6 - Commissioner Yuki Ikezi, Commissioner Sudhanshu Jain, Vice Chair Lance Saleme, Chair Anthony Becker, Commissioner Nancy A. Biagini, and Commissioner Priya Cherukuru

**Absent** 1 - Commissioner Steve Kelly

**A motion was made by Commissioner Ikezi, seconded by Commissioner Jain to excuse Commissioner Kelly from the meeting.**

**Aye:** 6 - Commissioner Ikezi, Commissioner Jain, Vice Chair Saleme, Chair Becker, Commissioner Biagini, and Commissioner Cherukuru

**Absent:** 1 - Commissioner Kelly

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**DECLARATION OF COMMISSION PROCEDURES**

Chair Becker read the Declaration of Commission Procedures.

**CONTINUANCES/EXCEPTIONS**

None.

**CONSENT CALENDAR**

Commissioner Jain pulled Item 1.B

1.A [19-883](#) Planning Commission Meeting Minutes of August 28, 2019

**Recommendation:** Approve the Planning Commission Minutes of the August 28, 2019 Meeting.

**A motion was made by Commissioner Cherukuru, seconded by Commissioner Biagini to approve item 1.A.**

**Aye:** 6 - Commissioner Ikezi, Commissioner Jain, Vice Chair Saleme, Chair Becker, Commissioner Biagini, and Commissioner Cherukuru

**Excused:** 1 - Commissioner Kelly

1.B [19-995](#) 2020 Planning Commission Meeting Dates

**Recommendation:** Approve the 2020 Planning Commission Meeting Calendar

**Commissioner Jain requested additional information on the frequency of meetings in past years.**

**A motion was made by Commissioner Jain, seconded by Commissioner Ikezi to approve this item.**

**Aye:** 6 - Commissioner Ikezi, Commissioner Jain, Vice Chair Saleme, Chair Becker, Commissioner Biagini, and Commissioner Cherukuru

**Excused:** 1 - Commissioner Kelly

**PUBLIC PRESENTATIONS**

None.

**PUBLIC HEARING**

2. [19-1071](#) Transportation Demand Management Programs

**Elizabeth Hughes, President of TDM Specialists, Inc.** provided a presentation.

**A motion was made by Commissioner Ikezi, seconded by Commissioner Biagini to close Public Hearing.**

**Aye:** 6 - Commissioner Ikezi, Commissioner Jain, Vice Chair Saleme, Chair Becker, Commissioner Biagini, and Commissioner Cherukuru

**Excused:** 1 - Commissioner Kelly

3. [19-1069](#) Continuation of September 4, 2019 Study Session on the Zoning Code Comprehensive Update: Safe Parking, Assisted Living, and Continuation of August 20, 2019 Study Session Topics

**Principal Planner John Davidson** provided information on this item. **Planning Manager Reena Brilliot** and **Staff Liaison/Development Review Officer Gloria Sciara** answered questions and provided information.

**A motion was made by Commissioner Cherukuru, seconded by Commissioner Jain to close Public Hearing.**

**Aye:** 6 - Commissioner Ikezi, Commissioner Jain, Vice Chair Saleme, Chair Becker, Commissioner Biagini, and Commissioner Cherukuru

**Excused:** 1 - Commissioner Kelly

**A motion was made by Commissioner Ikezi, seconded by Commissioner Jain to excuse Chair Saleme from the meeting at 9:30 p.m.**

**Aye:** 6 - Commissioner Ikezi, Commissioner Jain, Vice Chair Saleme, Chair Becker, Commissioner Biagini, and Commissioner Cherukuru

**Excused:** 1 - Commissioner Kelly

4. [19-1028](#) Commissioner Request for Additional Information on Action Meeting Minutes
- A motion was made by Commissioner Ikezi, seconded by Commissioner Jain that the Commission Policies and Procedures be changed to require future meeting minutes articulate the specific changes made to conditions of approval with the item numbers.**
- An amendment was made by Commissioner Jain that minutes contain exact text that is going to the Applicant in any development approval or permit.**
- Aye:** 5 - Commissioner Ikezi, Commissioner Jain, Chair Becker, Commissioner Biagini, and Commissioner Cherukuru
- Excused:** 2 - Commissioner Kelly, and Vice Chair Saleme

**REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:**

1. Announcements/Other Items

**Chair Becker** noted that he will attend the Parade of Champions. Chair Becker also noted that he appreciates Santa Clara Weekly's reporting on the Planning Commission meeting actions.

**Commissioner Cherukuru** requested a future item that that staff address the topic of Climate Emergency Declaration by the County and how City of Santa Clara will address these issues.

**Commissioner Cherukuru** requested in the future that items such as the TDM Program be presented as a workshop.

**Commissioner Jain** noted that the City of San Jose Rules Committee approved a Reach Code to ban natural gas in new residential projects under three stories.

2. Board or Committee Assignments

3. Architectural Committee

**Chair Becker** provided updates.

4. Commissioner Travel and Training Reports, Requests to attend Trainings

**Commissioner Jain** attended a conference on Technology and Government in Sacramento.

**Chair Becker** attended the APA Conference in Santa Barbara and attended many informative sessions.

**DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:**

1. Planning Commission Budget Updates

2. Upcoming Agenda Items

**Planning Manager Reena Brilliot** announced that the October 9, 2019 Planning Commission is canceled.

3. City Council Actions

**Development Review Officer/Staff Liaison Gloria Sciara** provided updates.

**ADJOURNMENT:**

**The meeting adjourned at 10:00 p.m. The next regular scheduled meeting is on October 23, 2019.**

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

**Aye:** 5 - Commissioner Ikezi, Commissioner Jain, Chair Becker, Commissioner Biagini, and Commissioner Cherukuru

**Excused:** 2 - Commissioner Kelly, and Vice Chair Saleme



## Agenda Report

19-1090

Agenda Date: 10/23/2019

### REPORT TO PLANNING COMMISSION

#### SUBJECT

Action on Use Permit for ABC License Type 41 for Lupita's Taqueria Restaurant at 2341 El Camino Real

#### REPORT IN BRIEF

Project: Use Permit to allow on-site sale and consumption of beer and wine (ABC Type 41 License) for subject site.

Applicant: Jose Hernandez

Owner: Charles Hammers

General Plan: Community Mixed-use

Zoning: Thoroughfare Commercial (CT)

Site Area: 1,400 square foot interior tenant space

Existing Site Conditions: Existing restaurant

Surrounding Land Uses:

North: Single family residences fronting Bray Avenue

South: Commercial uses across El Camino Real

East: Commercial uses along El Camino Real

West: Commercial uses along El Camino Real

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

Staff Recommendation: Adopt the 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 and wine (ABC License Type 41) in the existing Lupita's Taqueria restaurant located at 2341 El Camino Real. The restaurant occupies a 1,400 square foot tenant space in a multi-tenant commercial building. The restaurant would not provide live entertainment as part of the regular operation. The proposed restaurant hours of operation, along with the sale and service of beer and wine, are from 10:00 a.m. to 9:00 p.m. daily.

#### DISCUSSION

*Consistency with the General Plan:*

The subject property has a General Plan designation of Community Mixed-use. This classification is intended to encourage a mix of residential and commercial uses along a major street. A broad range of retail uses are allowed, including regional shopping centers and restaurants. 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 support the continued operation of a restaurant, which is considered an active use in an existing commercial center.

**Zoning Conformance:**

Under the zoning designation for the subject site, Thoroughfare Commercial (CT), restaurant uses are allowed by right, while alcohol sales and consumption are considered conditional uses. Therefore, a Use Permit is required to establish and maintain the proposed alcohol sales and on-site consumption. The applicant has provided a letter of justification to support the Use Permit request.

Section 18.110.040 of the City Code provides the following criteria for the issuance of a Use Permit.

In order to grant any use permit, the findings of the Planning Commission shall be:

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

(b) That said use will not be detrimental to any of the following:

(1) The health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use;

(2) Property or improvements in the neighborhood of such proposed use; or

(3) The general welfare of the City;

(c) That said use will not impair the integrity and character of the zoning district; and

(d) That said use is in keeping with the purposes and intent of this title.

The Planning Commission may designate such conditions in connection with the use permit as it deems necessary to secure the purposes of this title, and may require guarantees and evidence that such conditions will be complied with by the applicant.

The Planning Commission is able to make these findings as follows. The proposed Use Permit supports the operation of a restaurant, a use consistent with General Plan policies and the intent of the CT zoning district. The proposed Use Permit will include conditions limiting the operation of the establishment so as to avoid any potential impacts. A restaurant use, including the sale of beer or wine for consumption on the premises, is consistent with the character of the El Camino Real corridor, and compatible with adjacent uses.

The leasing space is located within an existing shopping center, which provides shared parking available to all patrons visiting the shopping center. Included in the Conditions of Approval (C6) is a requirement for the Planning Commission to review the Use Permit within 12 months from the date the applicant obtains an ABC Type 41 License. After six months from obtaining the ABC license, the City will conduct an administrative review of ABC violations and police service calls and report any significant occurrences to the Planning Commission.

*Conclusion:*

The proposal is consistent with the General Plan and Zoning designations for the existing shopping center. The proposed on-site sale and consumption of beer and wine 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**

A notice of public hearing of this item was posted in three conspicuous locations within 300 feet of the project site and mailed to property owners within 300 feet of the project site. 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 and wine (ABC License Type 41) in the existing Lupita's Taqueria restaurant located at 2341 El Camino Real, subject to conditions of approval.

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

**ATTACHMENTS**

1. Statement of Justification and Plans
2. Resolution Approving a Use Permit
3. Conditions of Approval

08/16/2019

LUPITA'S TAQUERIA  
2341 EL CAMINO REAL  
SANTA CLARA, CA 95050  
408-644-8312

To whom it may concern:

Purpose for this use permit is to be able to apply for a beer and wine license.

Please note:

Lupita's is a stablished restaurant and we are **Not** making any structural changes to the exiting lay out  
We will not have live entertainment.

We are open Monday thru Sunday, with hours of operation 10AM -9PM every day, detail below

Need for a beer and wine license is to be able to increase our revenue, satisfy some of our customers,  
and because as of now on a daily basis we have groups of up to 6-8 people that come in for dinner but  
won't stay because we don't serve beer or wine.

The attached plan for your review is for the above explanation purpose only.

We are **Not** building or remodeling anything.

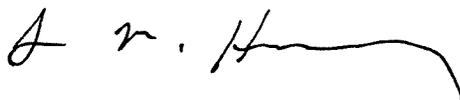
Sitting for 21 people

Hours of operations listed below,

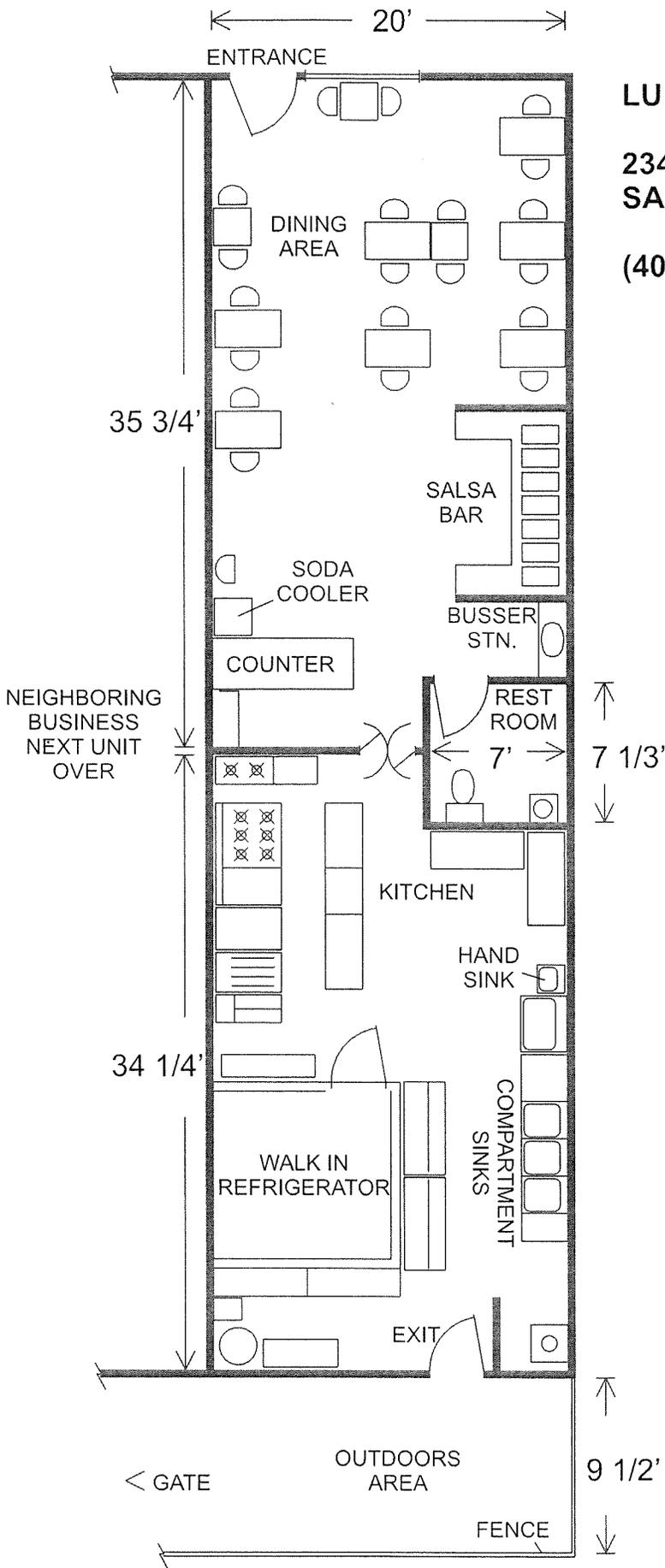
Monday 10AM-9PM  
Tuesday 10AM-9PM  
Wednesday 10AM-9PM  
Thursday 10AM-9PM  
Friday 10AM-9PM  
Saturday 10AM-9PM  
Sunday 10AM-9PM

**RECEIVED**  
AUG 16 2019  
BUILDING INSPECTION DIVISION  
CITY OF SANTA CLARA

With Regards,



Jose M Hernandez



**LUPITA'S TAQUERIA**

**2341 EL CAMINO REAL  
SANTA CLARA, CA 95050**

**(408) 216-0954**

Google Maps 2341 El Camino Real *Lupita's Taqueria*



Imagery ©2019 Google, Map data ©2019 Google 20 ft

Google Maps Lupita's Taqueria

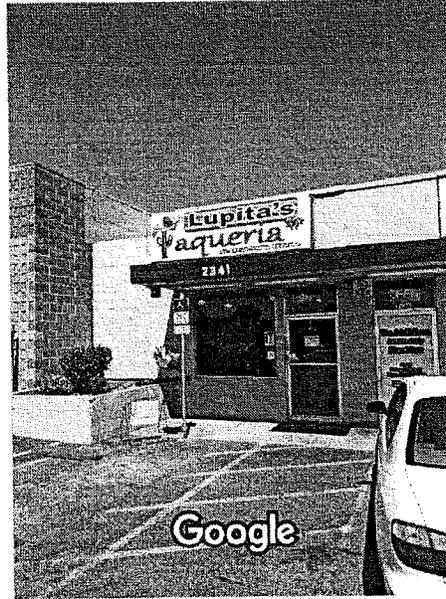


Image capture: Sep 2018 Images may be subject to copyright. ©

shiva sharma

Photo - Sep 2018



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 AND WINE (ABC LICENSE TYPE 41) AT LUPITA'S TAQUERIA RESTAURANT LOCATED AT 2341 EL CAMINO REAL, SANTA CLARA, CA**

PLN2019-14074 (Use Permit)

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

**WHEREAS**, on August 16, 2019, Jose Hernandez for Lupita's Taqueria ("Applicant") applied for a Use Permit to allow on-site sale and service of beer and wine (ABC License Type 41) in a new 1,400 square foot restaurant located at 2341 El Camino Real ("Site Location");

**WHEREAS**, the Site Location is currently zoned Thoroughfare Commercial (CT) and has the General Plan land use designation of Community Mixed-use;

**WHEREAS**, in order to implement the proposed activity, the Site Location requires a Use Permit to allow alcoholic beverage sales and consumption in conjunction with food service at the restaurant, as shown on the 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 are conditionally permitted uses in the Thoroughfare Commercial (CT) zoning district, 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 October 11, 2019, the notice of public hearing for the October 23, 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 October 23, 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 and wine at a bona fide eating place (ABC License Type 41) in the 1,400 square foot Lupita's Taqueria restaurant, is consistent with the commercial uses contemplated in the Thoroughfare Commercial zone.

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 in conjunction with food in a new commercial tenant space 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 business will comply with all City and state laws regarding the sale of alcoholic beverages;

2) 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 use 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 of alcoholic beverages 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 serve alcoholic beverages in conjunction with food, may be conditionally permitted when the use would not be objectionable or detrimental to the adjacent properties in this Thoroughfare Commercial zoning district.

4. That the Planning Commission hereby approves Use Permit PLN2019-14074 to allow on-site sale and service of beer and wine (ABC License Type 41) for Lupita's Taqueria and the authorized outdoor dining area located at 2341 El Camino Real, subject to the Conditions of Approval and plans, attached hereto and incorporated herein by this reference.

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

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 23th DAY OF OCTOBER, 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. Statement of Justification and Plans  
2. Conditions of Approval

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**Conditions of Approval**  
**2341 El Camino Real – Lupita’s Taqueria**

**GENERAL**

- G1. 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 against the City by reason of its approval of developer's project.
- G2. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.

**COMMUNITY DEVELOPMENT**

- C1. Obtain required permits and inspections from the Building Official and comply with all building code requirements and conditions thereof.
- C2. 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. On-site consumption of alcohol shall be limited to within the restaurant.
- C6. 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 41. After six months from obtaining the ABC license, the City will conduct an administrative review of any ABC violations and police service calls and report any significant occurrences to the Planning Commission.
- C7. 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 the Public Works 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 the Public Works 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 Public Works 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.

## **WATER**

W1. 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.

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## Agenda Report

19-821

Agenda Date: 10/23/2019

### REPORT TO PLANNING COMMISSION

#### SUBJECT

Public Hearing: Action on Amendment No. 1 to Development Agreement with Innovation Commons Owner LLC (Previously Yahoo)

#### BACKGROUND

In 2009, the City Council approved a Planned Development (PD) rezoning of the subject property on Democracy Way from Light Industrial (ML) to Planned Development to allow Yahoo, Inc. ("Yahoo") to construct up to 3.06 million square feet of office/R&D development. The project included a Development Agreement (DA) between the City and Yahoo to secure the development rights over a 10-year term with the vested right to develop in accordance with the permitted uses and intensity of development set forth in the approved PD. An Environmental Impact Report (EIR) was prepared and circulated in accordance with the California Environmental Quality Act (CEQA). The City Council certified the Final EIR and approved the project at a public noticed meeting in May 2010. In June 2016, Yahoo transferred all of its development rights and obligations to LeEco Real Estate Group ("LeEco"). LeEco was later acquired by the current property owner, Innovation Commons Owner LLC, which is an affiliate of Kylli, Inc., and all of the development responsibilities and obligations transferred to the current owner in June 2016. The current DA includes various performance deadlines for construction activity and is scheduled to expire in 2020 if construction has not commenced at that time. The property owner is requesting a three-year extension of each of the performance deadlines included in the DA.

In 2017, a new application that would supersede the current PD Zoning was filed to rezone the property to allow up to 6,000 residential units, 3.65 million square feet of office, 400,000 square feet of retail/community amenities, 300,000 square feet of hotel facilities and 70,000 square feet of educational facilities. The current DA will expire in May 2020. The purpose of the requested three-year extension is to maintain the existing development rights for 3.06 million square feet of office/R&D while the pending entitlements are pursued. An action to request a three-year extension does not suggest or influence support for a final decision on the pending entitlements pursued.

#### DISCUSSION

The primary issue for analysis is the project's consistency with the City's General Plan and Zoning.

##### Consistency with the General Plan

The current PD Zoning and DA were approved under the prior General Plan. The current General Plan designation of the property is High Intensity Office/R&D, which is intended for high rise or campus like developments for corporate headquarters and R&D and supporting uses. Therefore, the currently entitled 3.06 million square feet of office/R&D is consistent with the current General Plan.

The existing entitlement is also consistent with the following General Plan goals:

- 5.3.5 G1: A City that continues to be a major employment center in Silicon Valley.
- 5.3.5 G2: Sufficient industrial land that meets the demand for local employment and retains the City's economic base.
- 5.3.5-G3: Higher intensity employment centers located near major transit services and major transportation corridors to reduce vehicle miles traveled.

#### Consistency with the Planned Development Zoning

A PD Zoning was needed for the project because none of the standard zoning districts would allow the office use at the density proposed. The proposed DA extension would maintain the existing development rights consistent with the approved PD Zoning for 3.06 million square feet of office/R&D development.

#### Conclusion

The purpose of the three-year extension is to maintain the existing development rights for up to 3.06 million square feet of office/R&D development while the property owner pursues an alternative entitlement. The existing entitlement is consistent with the site's High Intensity Office/R&D GP designation. Extending the DA to 2023 will maintain development rights for a project that is consistent with the City's existing land use regulations under the current General Plan and would be considered a permitted use if proposed today with the current PD zoning in place. Extending the DA will maintain the ability to develop industrial uses on the site should the current rezoning proposal not be implemented. Limiting the term of the extension to three years will allow the City Council an opportunity to review the status of the site in the relatively near term to determine if additional extensions are warranted.

#### **ENVIRONMENTAL REVIEW**

An Addendum to the 2010 Yahoo Santa Clara Campus Final Environmental Impact Report (FEIR) for the Development Agreement extension project was prepared in accordance with the CEQA. The analysis concludes that no substantive revisions are needed to the 2010 EIR, because no new significant impacts or impacts of substantially greater severity would result from the proposed DA amendment. In addition, there have been no changes in circumstances in the project area that would result in new significant environmental impacts or substantially more severe impacts. The previous Mitigation Monitoring or Reporting Program remains in effect for the project.

#### **FISCAL IMPACT**

There is no additional cost to the City other than staff time and expense. As proposed, none of the terms of the DA would be modified except for the duration. The project would be subject to building permit and development fees in accordance with the City's Fee Schedule and be made payable at the time of building permit issuance.

Development of the project would increase property tax and other tax revenues for the City and provide additional construction and permanent jobs.

#### **COORDINATION**

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

**PUBLIC CONTACT**

On October 9, 2019, notice of the public hearing was published in the Santa Clara Weekly. On October 11, 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 1,000 feet of the project site. Notice was also mailed to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project. Planning Staff has not received public comments for this application.

**ALTERNATIVES**

1. Approve a Resolution recommending that the Council approve the First Amendment to Development Agreement between the City of Santa Clara and Innovation Commons Owner LLC.
2. Deny a Resolution recommending that the Council deny the First Amendment to the Development Agreement between the City of Santa Clara and Innovation Commons Owner LLC.

**RECOMMENDATION**

Alternative 1:

Approve a Resolution recommending that the Council approve the First Amendment to Development Agreement between the City of Santa Clara and Innovation Commons Owner LLC.

Reviewed by: Andrew Crabtree, Director of Community Development

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Addendum to the Final Environmental Impact Report
2. First Amendment to Development Agreement between the City of Santa Clara and Innovation Commons Owner LLC
3. Resolution Recommending City Council Approval of the First Amendment to Development Agreement Between the City of Santa Clara and Innovation Commons Owner LLC
4. Development Agreement Ordinance

**ADDENDUM**  
**2010 Yahoo Santa Clara Campus Project**  
**Final Environmental Impact Report**  
**City of Santa Clara**

**August 2019**

**1.1 PURPOSE OF ADDENDUM**

The California Environmental Quality Act (CEQA) recognizes that between the date an environmental document is certified and the date the project is fully implemented, one or more of the following changes may occur: 1) the project may change; 2) the environmental setting in which the project is located may change; and/or 3) previously unknown information can arise. Before proceeding with a project, CEQA requires the lead agency to evaluate these changes to determine whether or not they affect the conclusions in the environmental document, consistent with relevant case law.

In May 2010, the City of Santa Clara approved the Yahoo Santa Clara Campus project and certified the Environmental Impact Report (EIR).<sup>1</sup> Additionally, the City adopted CEQA Findings of Fact, a Statement of Overriding Consideration, and a Mitigation Monitoring and Reporting Program for the project (Resolution No. 10-7724). The approved project also included a Development Agreement between the City of Santa Clara and the project applicant. The original Development Agreement, approved on May 25, 2010, has a ten-year term (expiring in 2020), with the possibility to obtain two five-year extensions from the City (for an ultimate expiration of 2030).

Since the original approval of the project and Development Agreement in 2010, one change has been proposed by the applicant, which is to extend the assumed buildout date from 2030 to 2033. The proposed extension of the Development Agreement to 2033 is the subject of this Addendum. Because the City's decision on this change is discretionary, the City must determine whether any of the changes described in Section 15162 of the CEQA Guidelines has occurred.

The CEQA Guidelines Section 15162 states that when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of

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<sup>1</sup> State Clearinghouse Number: 2008092011

new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could have not been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measures or alternative.

The CEQA Guidelines Section 15164 states that the lead or responsible agency shall prepare an addendum to a previously certified EIR if changes or additions to the project are necessary but none of the conditions described in Section 15162 (see above) calling for preparation of a subsequent EIR have occurred.

## **1.2 PROPOSED CHANGE TO THE APPROVED PROJECT**

The approved Yahoo Santa Clara Campus Project includes the development of a 48.6-acre property with an approximately three million square-foot office/research and development/commercial campus consisting of 13 six-story buildings, three two-story commons buildings, surface parking, below grade parking, landscaping, and public and private improvements. The project includes the vacation of Democracy Way, relocation of existing utilities, installation of new facilities, and dedication of land for City construction of a substation.

The 2010 EIR analyzed the Yahoo Santa Clara Campus Project on the basis that its construction would be completed by 2030, which is consistent with the Development Agreement's original 10-year term (expiring in 2020) plus two five-year extensions (for completion of construction by 2030). The proposed project would extend the project's Development Agreement expiration date to allow completion of construction by 2033. All previously analyzed components of the project, including proposed land uses, intensity of development, and site configuration would remain the same.

## **1.3 ENVIRONMENTAL IMPACTS OF THE PROPOSED CHANGE**

The proposed time extension of the project Development Agreement would not result in a substantial change to the project's environmental impacts, mitigation measures or alternatives. The approved EIR analyzed the following potential environmental impacts for the project:

- Land Use
- Visual
- Geology and Soils
- Hydrology
- Vegetation and Wildlife
- Hazardous Materials
- Cultural Resources
- Transportation and Circulation
- Air Quality
- Noise
- Utilities
- Energy
- Public Facilities and Services

The 2019 modified project would not negatively affect the environmental impacts analyzed in the 2010 EIR because the overall development capacity of the project would remain the same and there have been no substantial changes in the existing setting that would result in new or increased significant impacts. No changes to the physical characteristics of the project, including the proposed land uses, intensity of development, and site configuration are being contemplated. The extension of the Development Agreement for an additional three years beyond what was originally analyzed will not cause any new environmental impacts or exacerbate any impacts identified in the original analysis. In fact, the proposed three-year extension of the project's EIR-assumed construction completion date could result in reduced Air Quality and Energy impacts because construction equipment, trucks, and passenger vehicles in California are expected to be cleaner and more efficient in 2033 than in 2030.

With regard to traffic, the 2010 project trips have been accounted for as part of the background conditions in subsequent development proposals, so they have been addressed relative to new development and any changes to the roadway network.

No new mitigation measures or alternatives that were rejected or unknown in 2010, and that would substantially reduce one or more significant environmental effects, have since become feasible.

Finally, no new information of substantial importance, which was not known or knowable with reasonable diligence at the time of the original analysis, reveals new impacts, an increase in the severity of identified impacts, or any new possible mitigation measures.

Because the proposed time extension does not meet any of the conditions under CEQA Guidelines Section 15162 requiring a new EIR, this Addendum has been prepared per CEQA Guidelines Section 15164.

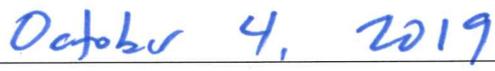
#### 1.4 CONCLUSION

Based on the above discussion, none of the criteria for preparation of a subsequent EIR under CEQA Guidelines section 15162 is implicated by a three-year extension of the project Development Agreement. An EIR Addendum has therefore been appropriately prepared, pursuant to Section 15164.

Pursuant to CEQA Guidelines Section 15164(c), this Addendum need not be circulated for public review, but will be included in the public record file for the Yahoo Santa Clara Campus Project.

Andrew Crabtree  
Director of Community Development

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Date

**RECORDING REQUESTED BY  
and When Recorded Mail To:**

City of Santa Clara  
City Clerk's Office  
1500 Warburton Avenue  
Santa Clara, California 95050

This document is exempt from payment of a  
recording fee pursuant to California  
Government Code Section 6103.

Recorder's Stamp

**FIRST AMENDMENT TO DEVELOPMENT AGREEMENT BETWEEN THE CITY OF  
SANTA CLARA AND INNOVATION COMMONS OWNER LLC**

This FIRST AMENDMENT TO DEVELOPMENT AGREEMENT (this "**First Amendment**"), dated as of \_\_\_\_\_, 2020 (the "**First Amendment Effective Date**"), is entered into by and between the CITY AND OF SANTA CLARA, a chartered California municipal corporation (the "**City**"), and INNOVATION COMMONS OWNER LLC, a Delaware limited liability company ("**Developer**"), with reference to the following facts and circumstances:

**RECITALS**

A. The City and Yahoo! Inc., a Delaware corporation ("**Yahoo**") entered into that certain Development Agreement, dated May 25, 2010, recorded June 28, 2010 as Document No. 2075596, and re-recorded October 1, 2010 as Document No. 20896671, in the Santa Clara Clerk-Recorder's Office ("**Development Agreement**"), as well as that certain Operating Memorandum between the City and Yahoo, recorded June 17, 2015 as Document No. 22989859, in the Santa Clara County Clerk-Recorder's Office, which was amended by that certain First Amendment to Operating Memorandum between City and Yahoo, recorded December 2, 2015 as Document No. 23106419, in the Santa Clara County Clerk-Recorder's Office (collectively, the "**Memoranda**"). All capitalized terms used but not defined herein shall have the meanings assigned to them in the Development Agreement.

B. On or about June 16, 2016, Yahoo and LeEco Real Estate Group, LLC, a Delaware limited liability company ("**LeEco**") entered into that certain Assignment of Development Agreement ("**Assignment**") wherein Yahoo assigned all of its rights, title and interests under the Development Agreement to LeEco and LeEco agreed to be bound by and perform all of Yahoo's obligations under the Development Agreement and Memoranda. On or about June 28, 2018, LeEco transferred all of its rights and obligations in the Development Agreement to Developer.

C. The Development Agreement authorizes the development of the Property with up to 3,060,000 square feet of office/R&D/commercial use consisting of 13 six-story buildings, three two-story commons buildings, surface parking, two levels of below-grade parking, site circulation, landscaping, and public and private improvements.

D. On or around May 10, 2010, the Santa Clara City Council (“**City Council**”) certified the Environmental Impact Report for the Yahoo Santa Clara Campus Project (“**2010 EIR**”) under the California Environmental Quality Act (“**CEQA**”), approved rezoning the Property from ML-Light Industrial to PD - Planned Development, and approved the Vesting Tentative Parcel Map for the Property. In approving the Project, the City Council adopted Resolution No. 10-7724 making findings required under CEQA, including a statement of overriding considerations and a mitigation monitoring and reporting program.

E. By this First Amendment, the Parties intend to extend the Term of the Development Agreement to facilitate the development of the Property.

F. On or about \_\_\_\_\_, the City approved an Addendum to the 2010 EIR, which determined that the Project was previously evaluated in the 2010 EIR, and no subsequent or supplemental environmental impact report is required in connection with approval of this First Amendment because: (a) there are no substantial changes to the Project which will require major revisions to the 2010 EIR; (b) no substantial changes have occurred with respect to the circumstances under which the Project is being undertaken that will require major revisions to the 2010 EIR due to new significant impacts or a substantial increase in the severity of previously identified impacts; and (c) there is no new information which was not known and could not have been known at the time the 2010 EIR was certified as complete that has become available and shows new significant impacts, an increase in the severity of a previously identified significant impact, or changes related to the feasibility of, or new mitigation measures and alternatives which would substantially reduce significant impacts and which were rejected.

G. By this First Amendment, the Parties desire to amend the Development Agreement to reflect the foregoing, in accordance with the terms set forth herein.

## AGREEMENT

**ACCORDINGLY**, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the City and Developer agree as follows:

1. **Term.** Section 1 of the Development Agreement is hereby deleted and replaced with the following:

1.1 **Duration of Term.** The term (“Term”) of this Agreement shall commence on the Effective Date set forth above, approving this Agreement, and shall continue for a period of thirteen (13) years, unless sooner terminated or extended as hereinafter provided.

1.2 **Options.** If a Certificate of Occupancy has been issued for at least fifty percent (50%) of Phase I as set forth in the Development Plan within thirteen (13) years from the Effective Date, then the Term of the Agreement shall be automatically extended by an additional five (5) years. If a Certificate of Occupancy has been issued for at least fifty percent (50%) of Phase II as set forth in the Development Plan within eighteen (18) years of the Effective Date, then the Term of the Agreement shall be extended by an additional five (5) years upon written request by the Developer. In no event shall the maximum term of this Agreement be longer than twenty-three (23) years from the Effective Date.

1.3 **Expiration.** Following expiration of the Term or any extension, or if sooner terminated, or if the requirements of Section 1.2 are not met this Agreement shall have no force and effect, subject, however, to post-termination obligations of Developer and City.

2. **Miscellaneous.**

- (a) **Incorporation.** This First Amendment constitutes a part of the Development Agreement and any reference to the Development Agreement shall be deemed to include a reference to the Development Agreement as amended by this First Amendment.
- (b) **Ratification.** To the extent of any inconsistency between this First Amendment and the Development Agreement, the provisions contained in this First Amendment shall control. As amended by this First Amendment, all terms, covenants, conditions, and provisions of the Development Agreement shall remain in full force and effect.
- (c) **Counterparts.** This First Amendment may be executed in any number of counterparts, each of which shall be an original and all of which together shall constitute one and the same document, binding on all parties hereto notwithstanding that each of the parties hereto may have signed different counterparts. Delivery of this First Amendment may be effectuated by hand delivery, mail, overnight courier, or electronic communication (including by PDF sent by electronic mail, facsimile, or similar means of electronic communication). Any electronic signatures shall have the same legal effect as manual signatures.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

IN WITNESS WHEREOF, the City and Developer have each caused this First Amendment to be duly executed on its behalf as of the First Amendment Effective Date.

**CITY OF SANTA CLARA, CALIFORNIA**  
a chartered California municipal corporation

Approved as to Form:

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BRIAN DOYLE  
City Attorney

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DEANNA J. SANTANA  
City Manager  
1500 Warburton Avenue  
Santa Clara, CA 95050  
Telephone: (408) 615-2210  
Fax: (408) 241-6771

Attest:

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NORA PIMENTAL, MMC  
Assistant City Clerk  
City of Santa Clara

**DEVELOPER:**

INNOVATION COMMONS OWNER LLC  
a Delaware limited liability company

By:           Dustin            
Name:           DUSTIN            
Title:           Secretary

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

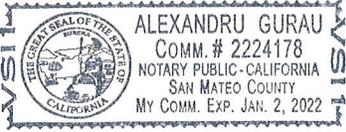
State of [ California ] )  
 ) ss.  
County of San Mateo )

On October 7, 2019, before me, Alexandru Gurau,  
a Notary Public, personally appeared Sun Ou,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are)  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Affix seal here]



Alexandru Gurau

Signature of Notary Public

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL APPROVE THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SANTA CLARA AND INNOVATION COMMONS OWNER LLC FOR THE PROPERTY LOCATED AT 5010 OLD IRONSIDES DRIVE (INCLUDING PROPERTIES ON TASMAN DRIVE, DEMOCRACY WAY, PATRICK HENRY DRIVE AND OLD IRONSIDES DRIVE), SANTA CLARA, 95054**

PLN2019-13873 (Development Agreement Amendment)

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

**WHEREAS**, the City of Santa Clara (“City”) and Yahoo!, Inc., a Delaware corporation (“Yahoo”) entered into a Development Agreement dated May 25, 2010, recorded June 28, 2010 as Document No. 2075596, and re-recorded on October 1, 2010 as Document No. 20896671 in the Official Records of Santa Clara County (the “Development Agreement”), as well as an Operating Memorandum between the City and Yahoo, recorded June 17, 2015 as Document No. 22989859, in the Santa Clara County Clerk-Recorder’s Office, which was amended by that certain First Amendment to Operating Memorandum between City and Yahoo, recorded December 2, 2015 as Document No. 23106419, in the Santa Clara County Clerk-Recorder’s Office (collectively, the “Memoranda”). The Development Agreement and Memoranda concerned that certain real property consisting of nine lots located at 5010 Old Ironsides Drive (the “Project Site”);

**WHEREAS**, the Development Agreement authorizes the development of the Project Site with up to 3.06 million square feet of office/R&D/commercial uses consisting of 13 six-story buildings, three two-story commons buildings, surface parking, two levels of below grade parking, site

circulation, landscaping, and public and private improvements (the “Project”);

**WHEREAS**, on May 10, 2010, in Resolution 10-7724, the City Council certified an Environmental Impact Report (“EIR”) for the Project;

**WHEREAS**, on or about June 16, 2016, Yahoo and LeEco Real Estate Group, LLC, a Delaware limited liability company (“LeEco”) entered into an Assignment of Development Agreement wherein Yahoo conveyed all of its rights, title and interests under the Development Agreement to LeEco and LeEco agreed to be bound by and perform all of Yahoo’s obligations under the Development Agreement and Memoranda. On or about June 28, 2018, LeEco transferred all of its rights and obligations in the Development Agreement to Innovations Commons Owner LLC, a Delaware limited liability company (“Developer”);

**WHEREAS**, Developer is the successor in interest to Yahoo under the Development Agreement;

**WHEREAS**, Section 11.1 of the Original Development Agreement provides that City and Yahoo, by mutual consent, may modify the terms of the Original Agreement;

**WHEREAS**, on May 6, 2019, Andrea Jones (“Applicant”), on behalf of Developer, applied for a “First Amendment to Development Agreement” attached hereto and incorporated herein by this reference (“Amendment No. 1”) to extend the term of the Development Agreement for three additional years, with the proposed new expiration date of the Development Agreement on May 25, 2023;

**WHEREAS**, as a result of the application for Amendment No. 1, City staff prepared an Addendum to the 2010 Final EIR for the Yahoo Santa Clara Campus Project, attached hereto and incorporated herein by this reference;

**WHEREAS**, Santa Clara City Code (SCCC) Section 17.10.130 provides for the review and recommendation of the City’s Planning Commission of all development agreements before

action is to be taken by the City Council;

**WHEREAS**, on October 9, 2019, the City published notice in the Weekly, a newspaper of general circulation, of a public hearing to be conducted before the Planning Commission on October 23, 2019 to consider the proposed Amendment No. 1;

**WHEREAS**, on October 11, 2019, the City mailed notice of the public hearing to all property owners located within 1,000 feet of the Project Site, and on October 11, 2019, the City posted notice of the public hearing in three conspicuous locations within 300 feet of the Project Site;

**WHEREAS**, on October 11, 2019, the City also mailed notice to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the Project; and

**WHEREAS**, on October 23, 2019, the Planning Commission held a duly noticed public hearing to consider Amendment No. 1, at which time the Commission received and considered all verbal and written testimony and evidence submitted.

**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 finds that consideration of Amendment No. 1 is based on the Addendum to the 2010 Final EIR for the Yahoo Santa Clara Campus Project. The Planning Commission has reviewed the Addendum, and based upon its independent judgment, finds that it is complete and complies in all aspects with CEQA.
3. The Planning Commission has reviewed Amendment No. 1, and based on its review finds that the Development Agreement, as amended by Amendment No. 1, complies with all requirements of Government Code section 65865.2 [entitled "Contents" (of a Development Agreement)].



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

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_ DAY OF OCTOBER, 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. First Amendment to the Development Agreement with Innovation Commons Owner LLC
2. Addendum to the 2010 Final Environmental Impact Report for the Yahoo Santa Clara Campus Project

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF SANTA CLARA, CALIFORNIA,  
APPROVING THE FIRST AMENDMENT TO THE DEVELOPMENT  
AGREEMENT BETWEEN THE CITY OF SANTA CLARA AND  
INNOVATION COMMONS OWNER LLC (PREVIOUSLY YAHOO)  
FOR THE PROPERTY LOCATED AT 5010 OLD IRONSIDES  
DRIVE, SANTA CLARA**

**[Original Ordinance No. 1858 Adopted May 11, 2010]**

**BE IT ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

**WHEREAS**, California Government Code sections 65864 through 65869.51 (collectively, the “Development Agreement Act”) authorize cities to enter into binding development agreements with owners of real property and these agreements govern the development of the property;

**WHEREAS**, the City of Santa Clara (“City”) and Yahoo!, Inc., a Delaware corporation (“Yahoo”) entered into a Development Agreement dated May 25, 2010, recorded June 28, 2010 as Document No. 2075596, and re-recorded on October 1, 2010 as Document No. 20896671 in the Official Records of Santa Clara County (the “Development Agreement”), as well as an Operating Memorandum between the City and Yahoo, recorded June 17, 2015 as Document No. 22989859, in the Santa Clara County Clerk-Recorder’s Office, which was amended by that certain First Amendment to Operating Memorandum between City and Yahoo, recorded December 2, 2015 as Document No. 23106419, in the Santa Clara County Clerk-Recorder’s Office (collectively, the “Memoranda”). The Development Agreement and Memoranda concerned that certain real property consisting of nine lots located at 5010 Old Ironsides Drive (the “Project Site”);

**WHEREAS**, the Development Agreement authorizes the development of the Project Site with up to 3.06 million square feet of office/R&D/commercial uses consisting of 13 six-story buildings, three two-story commons buildings, surface parking, two levels of below grade parking, site circulation, landscaping, and public and private improvements (the “Project”);

**WHEREAS**, on May 10, 2010, in Resolution 10-7724, the City Council certified an Environmental Impact Report (“EIR”) for the Project;

**WHEREAS**, on or about June 16, 2016, Yahoo and LeEco Real Estate Group, LLC, a Delaware limited liability company (“LeEco”) entered into an Assignment of Development Agreement wherein Yahoo conveyed all of its rights, title and interests under the Development Agreement to LeEco and LeEco agreed to be bound by and perform all of Yahoo’s obligations under the Development Agreement and Memoranda. On or about June 28, 2018, LeEco transferred all of its rights and obligations in the Development Agreement to Innovations Commons Owner LLC, a Delaware limited liability company (“Developer”);

**WHEREAS**, Developer is the successor in interest to Yahoo under the 2010 Development Agreement;

**WHEREAS**, Section 11.1 of the Original Development Agreement provides that City and Yahoo, by mutual consent, may modify the terms of the Original Agreement;

**WHEREAS**, on May 6, 2019, Andrea Jones (“Applicant”), on behalf of Developer, applied for a “First Amendment to Development Agreement” , attached hereto and incorporated herein by this reference (“Amendment No. 1”) to extend the term of the Development Agreement for three additional years, with the proposed new expiration date of the Development Agreement on May 25, 2023;

**WHEREAS**, as a result of the application for Amendment No. 1, City staff prepared an Addendum to the 2010 Final EIR for the Yahoo Santa Clara Campus Project, attached hereto and incorporated herein by this reference;

**WHEREAS**, Santa Clara City Code (SCCC) Section 17.10.130 provides for the review and recommendation of the City’s Planning Commission of all development agreements before action is to be taken by the City Council;

**WHEREAS**, on October 23, 2019, the Planning Commission conducted a duly noticed public hearing to consider Amendment No. 1, at the conclusion of which, the Planning Commission voted to recommend that the City Council approve Amendment No. 1;

**WHEREAS**, on **TBD**, the City published notice of a public hearing to be conducted on **TBD, 2020** to consider Amendment No. 1 in the Weekly, a newspaper of general circulation, and on **TBD**, the City mailed notice to all property owners located within 1,000 feet of the Project Site and posted a notice of the public hearing in three conspicuous locations within 300 feet of the Project Site;

**WHEREAS**, on **TBD**, the City also mailed notice to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the Project; and

**WHEREAS**, on **TBD, 2020**, the City Council conducted a public hearing to consider Amendment No. 1, at which time the Council received and considered all written testimony and evidence submitted.

**NOW THEREFORE, BE IT FURTHER ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

**SECTION 1:** The City Council hereby finds that all of the foregoing recitals are true and correct.

**SECTION 2:** The City Council finds that consideration of Amendment No. 1 is based on the Addendum to the 2010 Final EIR for the Yahoo Santa Clara Campus Project. The City Council has reviewed the Addendum, and based upon its independent judgment, finds that it is complete and complies in all aspects with CEQA.

**SECTION 3:** Pursuant to Government Code section 65867.5, the City Council hereby finds that the provisions of Amendment No. 1 are consistent with the General Plan, in that it would locate an industrial office campus development in proximity to workforce housing, commercial uses, services, and major transportation corridors. The General Plan's stated goals include locating higher-intensity employment centers near major transit services and major transportation corridors to reduce vehicle miles traveled and providing sufficient industrial land to meet the demand for local employment and retention of the City's economic base.

**SECTION 4:** The City Council has reviewed Amendment No. 1 and based on its review finds that the Development Agreement, as amended by Amendment No. 1, complies with all requirements of Government Code section 65865.2 [entitled "Contents" (of a Development Agreement)].

**SECTION 5:** The City Council hereby approves Amendment No. 1, substantially in the form attached hereto.

**SECTION 6:** The City Manager is hereby authorized to execute Amendment No. 1 on behalf of the City upon adoption of this Ordinance, together with such minor and clarifying changes consistent with the terms thereof as may be approved by the City Attorney prior to execution thereof. The City Manager, or designee, is also authorized and directed to take any action and execute any documents or agreements necessary to implement the Development Agreement as amended, including but not limited to conducting an annual review of compliance as specified therein.

**SECTION 7:** Except as specifically set forth herein, this ordinance suspends and supersedes all conflicting resolutions, ordinances, plans, codes, laws and regulations.

**SECTION 8:** Within ten (10) days after the City Manager executes Amendment No. 1, the City Clerk shall cause Amendment No. 1 to be recorded with the Santa Clara County recorder.

**SECTION 9:** This Ordinance shall not be codified in the Santa Clara City Code.

**SECTION 10:** Savings clause. The changes provided for in this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any right established or accruing before the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to the effective date of this ordinance. All fee schedules shall remain in force until superseded by the fee schedules adopted by the City Council.

**SECTION 11:** Effective Date. This ordinance shall take effect thirty (30) days after its final adoption; however, prior to its final adoption it shall be published in accordance with the requirements of Section 808 and 812 of “The Charter of the City of Santa Clara, California.”

**PASSED FOR THE PURPOSE OF PUBLICATION** this \_\_\_\_ day of \_\_\_\_\_, 2020, by the following vote:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED:

COUNCILORS:

ATTEST:

\_\_\_\_\_  
NORA PIMINTEL  
ASSISTANT CITY CLERK  
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Amendment No. 1 to the Development Agreement with Innovation Commons Owner LLC

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## Agenda Report

19-1010

Agenda Date: 10/23/2019

### REPORT TO PLANNING COMMISSION

#### **SUBJECT**

Public Hearing: Action on 3035 El Camino Real Residential Project

#### **EXECUTIVE SUMMARY**

The applicant, Hayden Land Company LLC, is requesting land use entitlements to allow development of a new Mixed-Use Development with up to 48 residential condominium units, including six live/work units on a 1.88-acre site at 3035 El Camino Real (currently "Wheels and Deals").

The proposed development would consist of four buildings ranging from three- to four-stories in height along with a private street and visitor parking with access from El Camino Real, private landscaped open space, and an amenity area. Consistent with the pipeline provisions of the Affordable Housing Ordinance, four of the total number units are to be provided as affordable housing units, and a 0.8 fractional unit in-lieu fee paid to the City.

The project site is located within the General Plan - El Camino Real Focus Area - a local and regional commercial and transportation corridor envisioned in the City's 2010-2035 General Plan for a mix of high intensity commercial and residential development.

#### **BACKGROUND**

The project involves a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared by the City; a Rezone from Thoroughfare Commercial (CT) to Planned Development (PD); a Tentative Subdivision Map; and Architectural Review (CEQ2018-01061, PLN2018-13265 and PLN2018-13266). These entitlements together would allow development of a 48-unit condominium development, inclusive of six live/work units. A rezoning is required to convert use of the site from commercial to residential use. The applicant has proposed a Planned Development zoning in order to establish unique development standards for the project.

#### ***Existing Site Conditions***

The project site encompasses two contiguous parcels located on the north side of El Camino Real between Calabazas Boulevard and Bowers Avenue. Surrounding land uses include one- and two-story single-family houses to the north, a single-story retail auto repair building to the east, El Camino Real and one-story retail shopping centers to the south and a retail shopping center to the west.

The project site is developed with a 5,200 square foot auto dealership building, a paved parking lot located behind a front security fence and street frontage landscaping. The site is currently occupied and used by Wheels & Deals retail vehicle consignment sales as the sole retail business on the property.

## **DISCUSSION**

The primary issues for the project are consistency with the City's General Plan, conformance with the Zoning Code for a Planned Development Zoning and quality of the project architecture and site design.

### ***General Plan Conformance***

The site is currently designated in the General Plan as Community Mixed Use within the El Camino Real Focus Area. The General Plan vision for the El Camino Real is to transform this Focus Area from a series of automobile-oriented commercial uses to a tree lined, pedestrian- and transit-oriented corridor with a mix of retail and residential uses at higher intensities of development.

To further this vision, in 2015 the City Council authorized the El Camino Real as a Priority Development Area (PDA) for the intensification of land uses along transit corridors. PDAs are locally designated areas within communities to focus compact and efficient growth and development that: 1) increases both the housing supply, including affordable housing for low-income residents and jobs within the planning area; 2) supports and increases transit ridership and thereby reducing vehicle miles traveled by PDA residents, employees and visitors; 3) promotes multi-modal connections for residents, employees and visitors within the PDA; and 4) locates key services and retail within the planning area.

In 2017, the City Council initiated preparation of a Specific Plan for the El Camino Real Focus Area to provide a more detailed level of policy and design guidance to support the successful transformation of the corridor. The Specific Plan process has been completed to the point sufficient for active development projects, consistent with prior Council discussion, to move forward in the entitlement process and to hearing for Council consideration (e.g. the majority of public outreach has been completed, a draft land use plan prepared, and right-of-way alternatives identified for environmental analysis).

A draft land use plan for the El Camino Real Specific Plan was presented at the February 5, 2019 City Council study session. The draft land use plan identifies the project site as having a proposed new General Plan designation of Medium Density Residential, which would support residential development at a density between 16 to 35 dwelling units per acre (du/ac) and 3-4 stories in height, and which would allow for commercial uses but does not require them. At the study session, the City Council was supportive of the draft land use plan as it was presented. While the Specific Plan is still under development, the project proposed - at a residential density of 26 du/ac with three- and four-story buildings - is aligned with the draft land use plan.

The proposed residential density of 26 du/ac is also consistent with the site's current General Plan designation of Community Mixed Use. The Community Mixed Use designation supports development consistent with a combination of the uses of the General Plan designations of Community Commercial and Medium Density Residential. Sites with Community Mixed Use designations support residential development between 20 to 36 du/ac. The project does not include sufficient commercial land uses to meet the minimum 0.10 floor area ratio (FAR), equivalent to 8,189 square feet, called for under the Community Mixed Use Designation. However, per General Plan policy 5.4.1-P2,

exclusively residential development is allowed within the Community Mixed Use Designation along El Camino Real.

The project includes live/work units along the El Camino Real frontage that could support commercial uses. The live/work units are designed with 35-foot depths and 12-foot ceiling heights to provide flexibility for residents of those units to utilize the units for commercial use, but the proposed zoning does not require commercial activity in the live/work units. The applicant has identified in the project statement accountants, attorneys, financial advisors, insurance agents, tech start-ups, architects, engineers, real estate services, etc. as the types of uses expected to utilize the live work spaces. The applicant's statement further notes the proposed hours of operation for commercial uses occupying the live work units would be limited to the hours between 7:00 AM and 10:00 PM, and the Homeowners Association (HOA) will be given the right to change these hours as necessary.

#### *El Camino Real Focus Area Policies*

- 5.4.1 P2 Allow new development under the Community Mixed Use designation for exclusively residential or commercial uses provided that it meets the minimum requirements for the Medium Density Residential or Community Commercial land use classifications.

The proposed project is also consistent with General Plan Policies as follows:

#### *General Land Use Policies*

- 5.3.1-P2: Encourage advance notification and neighborhood meetings to provide an opportunity for early community review of new development proposals.
- 5.3.1-P26: Support a community initiated planning process so that existing neighborhoods can participate in developing more detailed plans for street, landscape and pedestrian facility improvements.

The applicant conducted public outreach through mailings and a community meeting to involve neighboring property owners in the design of the project. Notices were mailed by the applicant to property owners within 1,000 feet of the project boundaries and interested parties.

- 5.3.1-P8: Work with property owners to improve or redevelop underutilized and vacant properties.
- 5.3.1-P9: Require that new development provide adequate public services and facilities, infrastructure, and amenities to serve the new employment or residential growth.

The project would aggregate two underutilized parcels for the construction of 48 for-sale condominium units and public and private improvements, that include private street and utilities, guest parking, and landscape recreation and open space to serve the development.

- 5.3.1-P10: Provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees and a minimum 2:1 on- or of-site replacement for trees removed as part of the proposal to help increase the urban forest and minimize the heat island effect.

The proposed development plan includes landscaping of the site and the El Camino Real street frontage with a variety of plant and tree species and would replace the two existing Japanese palm

trees at front with more than 30 new trees on site, including five new Sycamore street trees behind the street curb in the planter along El Camino Real. The project further proposes an approximately 6,750 square foot private open and amenity space at the center rear area of the site.

#### *El Camino Real Focus Area Policies*

- 5.4.1-P5: Provide appropriate transition between new development in the Focus Area and adjacent uses consistent with General Plan Transition Policies.
- 5.4.1-P6: Encourage lower profile development in area designated Community Mixed Use in order to minimize land use conflicts with existing neighborhoods.

The proposed project transitions from four-story building heights at a maximum height of 50 feet along El Camino Real, down to three-story buildings at maximum heights of 37 feet within 71 feet of the north property line which abuts single family residential rear yards on Jerald Avenue. In addition, the two Type B buildings at the rear of the project site would be set back approximately 42 feet from the north rear property line, and would be separated from the north property line by a new 6 foot wooden good neighbor fence, a three foot landscaped buffer to be planted with screening shrubs and vines, and a landscaped private driveway with visitor parking spaces arranged parallel to the north property line. The proposed 42-foot building setbacks are consistent with the transition goals and policies of the General Plan and with the draft transition policy of the El Camino Real Specific Plan, which calls for a 45-degree daylight clearance plane from the rear property line for this type of building interface.

- 5.4.1-P8: Orient ground floor retail and residential entries to the public sidewalk on El Camino Real.
- 5.4.1-P9: Residential development should include front doors, windows, stoops, porches, and bay windows or balconies along street frontages.

Building A as shown on the site plan is designed with front doors, windows and central outdoor patio facing El Camino Real. Pedestrian paths would connect the units of the three rear buildings on site to the public sidewalk on El Camino Real.

- 5.4.1-P11: Locate parking at the side or rear of parcels and active uses along street frontages.

The project design includes a single garage or covered carport space for each unit in Building A at front, and a two-car garage in either a side-by-side or front-to-back tandem configuration for the units in three buildings at the rear. Unbundled visitor and resident parking spaces are also located along the private street behind Building A and disbursed along the perimeter for improved proximity to all of the units.

- 5.4.1-P16: Facilitate the implementation of streetscape improvements consistent with those illustrated in Figures 5.4-2.

The project includes the replacement of the existing sidewalks along El Camino Real fronting the project site with a landscaped 4.5-foot park strip and sidewalk consistent with the Complete Streets design standards. Five sycamore street trees are proposed within the park strip and incorporate drought tolerant ground cover plantings.

*Other General Plan Transition Policies*

- 5.5.2-P1: Require that new development incorporate building articulation and architectural features, including front doors, windows, stoops, porches or bay windows along street frontages, to integrate new development into the existing neighborhoods.

The project incorporates offsets along the building planes and a mixture of exterior materials and architectural features to create visual breaks and interest in the design. Pedestrian paths connect the units facing El Camino Real to the public sidewalk and neighboring properties.

- 5.5.2-P3: Implement site design solutions, such as landscaping and increased building setbacks, to provide buffers between nonresidential and residential uses.
- 5.5.2-P5: Require that new development provide an appropriate transition to surrounding neighborhoods.

The project includes landscaped building setbacks at the front and rear of the site, a front patio feature on the El Camino Real frontage, and an internal private street to transition the proposed development of three- and four story buildings on the site from adjacent properties and the El Camino Real.

***Zoning Conformance for a Planned Development Zoning***

The project site consists of two parcels and one zoning designation. The two properties located at 3035 El Camino Real are zoned Thoroughfare Commercial (CT). The CT zoning designation is intended for auto-oriented uses on major commercial thoroughfares and does not allow residential uses. Development of fraternity, sorority, dormitory and boarding houses are allowed with approval of a Use Permit. As the City's existing Zoning Code does not have a zoning district that would allow a for-sale condominium development, a rezone of the project site to Planned Development is necessary to construct the project.

The proposed rezone to Planned Development would allow residential development with a live/work component and implement the General Plan vision for the El Camino Real Focus Area. The El Camino Real Focus Area discourages auto-related uses and is intended to promote a mix of residential and retail uses (either horizontal or vertical) along a tree-lined pedestrian-oriented corridor.

Chapter 18.54 of the Zoning Ordinance establishes a process and requirements for the establishment of Planned Development Zoning districts. Planned Development Zoning districts are intended to allow for creative design solutions and land uses not otherwise allowed in standard zoning districts while maintaining compatibility with the existing community and allowing for greater community ownership. The proposed Planned Development Zoning would establish standards for the new condominium development reflective of the general plan density, in a manner compatible with existing and approved land uses and development surrounding the project site.

***Site Design and Architecture***

The Planned Development Rezoning includes conceptual architectural designs that will be further refined through subsequent architectural review, should the City Council approve the Planned Development Rezoning.

The 48 condominium units would be distributed among four three- and four story buildings with a

maximum roof height of 50.1 feet at front along El Camino Real, stepping down to approximately 37 feet within 72 feet of the rear property line. Building A, fronting El Camino Real, would contain 26 units including a mix of one-and two-bedroom units along with six live/work units. The square footage of the units would range from 732 square feet to 1,571 square feet, with each unit having a dedicated one-car garage or carport space. Two of the live/work units are proposed as 1,044 square foot studio units. Each of the two Building B buildings located behind and perpendicular to Building A and El Camino Real, would contain eight units in a mix of townhouse and flat-style configuration in a combination of three- and four-bedroom units. Building C is a four-story six-unit building located behind and parallel to Building A and the El Camino Real, and would contain a mix of flats and townhouse style three-bedroom units - two units of which would be located beginning on the third floor and accessed only by a single stairwell.

Santa Clara does not have a citywide standard for floor to ceiling heights for live/work units. The Lawrence Station Area Plan has a standard requiring live/work units, which have a ground floor "work component," to have a minimum floor to ceiling height of 12 feet and room depth of 35 feet. The proposed live/work units have been designed to be consistent with the Lawrence Station Area Plan standards. The storefront glass doors and windows on the ground floor live work units and signage affixed on awnings associated with the live/work units provide differentiation of commercial uses for those residents choosing to use their live/work units for commercial activity.

Overall, the proposed building architecture for all buildings would be reflective of a modern design with flat roofs, both stucco wall siding, horizontal and vertical fiber cement panel siding, insulated vinyl windows and fiber cement trim. For Building A, where most visible along the El Camino Real, the building is proposed to be sided in a combination of stucco vertical v-groove fiber cement panel siding materials, a combination of porcelain tile and stone veneer siding materials and metal / mesh canopies for the ground floor of Building A to differentiate the commercial storefronts of the live/work units, horizontal metal guard railings for the balconies, and is proposed to have recessed windows for most windows on the El Camino Real building elevation and at building corners. If the rezoning is approved, staff will recommend that all windows on all outer perimeter sides of all buildings be redesigned as recessed windows to provide further articulation of the building walls.

### *Circulation and Parking*

The project would be accessed by one new driveway providing access from El Camino Real at the west end of the property, and a private loop street/driveway for internal circulation. The existing public improvements along El Camino Real would be replaced with a separated sidewalk that includes a landscape strip between the curb and sidewalk.

The project proposes a total of 102 parking spaces on site (an average of 2.125 spaces per unit) - 71 of which are assigned covered parking spaces. Each unit in Building A would have a minimum of one covered assigned garage or carport space, and all units in Buildings B and C would have two-car garages. For each of the two eight-unit buildings labeled as Building style "B", four of the two-car garages would be standard side-by-side garages and the other four two-car garages are designed in a tandem (one space in front of the other space) configuration. For the one Building style "C" all six of the two-car garages serving the six units in the building are designed in a tandem configuration. The proposed conditions of approval require that every garage be accessible for two-car parking at all times and that each be wired to allow for electrical vehicle charging.

The project proposes 31 uncovered parking spaces for use by visitors and residents. Four (4) of the

total 31 spaces are located by the entryway closest to El Camino Real and will be assigned to the six (6) live/work units for customer parking during business hours (7:00 a.m. -10:00 p.m.). During non-business hours these four spaces would be available to all units a general visitor parking. Staff has added a recommended condition of approval C30 to reflect this proposal and to encourage that visitors of the live/work units park on site.

The project proposes on-site parking for bicycles in the form of an enclosed room in Building A available for use by all residents that would provide Class I secured parking for 15 bicycles, and eight Class II bicycle rack spaces on site (four in front of Building A on El Camino Real, and four to the east (right) side of Building C).

### *Landscaping and Open Space*

The project would implement a landscape plan for the site and public right-of-way that includes a mixture of plant species and trees for planting the common areas and setbacks as well as the planter strips fronting the project site. The two existing Japanese palm trees to be removed with demolition of existing development on-site and replaced in excess of the 2:1 requirement with a total of more than 30 replacement trees, including five new Sycamore street along El Camino Real.

An approximately 6,750 square foot private open and amenity space is proposed at the center rear area of the site. The landscape plans for this area include a lawn “multi-use” flex play and lounge space, a picnic area with shade canopy, picnic tables and trash receptacles, as well as landscaped stormwater treatment areas serving the property.

### *Affordable Housing*

The proposed project is considered a “pipeline” project under the City’s inclusionary housing ordinance and would thus be subject to the General Plan Inclusionary Housing policy in place prior to the ordinance, which requires that private development projects with more than 10 units include 10 percent of new housing units as affordable. Consistent with the General Plan policy, the proposed project would designate four plus a 0.8 fractional in-lieu fee of the 48 units to be reserved for qualifying home buyers based on an income level at or below 100 percent of Area Median Income.

### *Construction Noise*

The project will be required to comply with the noise and dust control mitigations included in the Mitigated Negative Declaration prepared for the project. Based on complaints received by the City related to noise and dust concerns arising from other projects under construction on the El Camino Real, the proposed conditions of approval provide clarity and support enforcement to address noise or dust abatement through the construction of the project. Condition of Rezoning Approval C8 and Condition of Tentative Subdivision Map Approval C3, would limit construction hours to avoid early morning hours and reduce impacts on nearby neighbors. Condition C7 states that noise generating construction activity (e.g., demolition, heavy equipment operations, jack hammering, truck loading and unloading of construction materials) not confined within a building shall be limited to the hours of 8:00 a.m. to 6:00 p.m. Monday through Friday, 9:00 a.m. to 6:00 p.m. on Saturdays, and shall not be permitted on Sundays or holidays. Construction activity confined within the building shall be limited to 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 6:00 p.m. on Saturdays.

## **ENVIRONMENTAL REVIEW**

A Mitigated Negative Declaration (MND) was prepared for the project by the environmental consultant firm David Powers J. & Associates, Inc., in accordance with the California Environmental

Quality Act (CEQA). The MND and Notice of Availability were posted on the City's website at [www.santaclaraca.gov/ceqa](http://www.santaclaraca.gov/ceqa) and circulated for 30-day review beginning on July 16, 2019 and closed on August 15, 2019, in accordance with CEQA requirements. The Planning Department received agency comments in response to the MND from the California Department of Transportation (Caltrans), which are attached to this staff report for review. The Santa Clara Valley Transportation Authority submitted an email statement that they have no specific comments. No other public comments on the MND were received by staff. Copies of the MND are available in the Planning Division office at City Hall and on the City's website.

The MND examined environmental impacts associated with project development and identified potential air quality, biological, cultural resources, geology and soils, hazardous materials, and noise impacts that with incorporation of mitigation measures into the project would reduce all potential impacts to less than significant levels. A detailed discussion of the potential impacts and mitigation measures to be applied to the project are specified in the MND and would be implemented through project conditions of approval and the Mitigation Monitoring and Reporting Program (MMRP) for the proposed project.

### **FISCAL IMPACT**

There is no cost to the City for processing of the proposed entitlement actions other than administrative staff time and expense which are offset by permit application fees.

### **COORDINATION**

This report has been coordinated with the Finance Department and 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 [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

**Public Notices and Comments:** On October 11, 2019, the notice of public hearing for this item was posted in three conspicuous locations within 300 feet of the project site and mailed to property owners within 1,000 feet of the project site. Notice was also mailed to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project. Newspaper notice of this item was published in *The Weekly* on October 9, 2019. At the time of this staff report, one public comment has been received and is attached to this staff report for review.

### ***Public Outreach Meetings***

Two neighborhood community meetings were conducted by the Applicant - on April 11, 2018 and October 18, 2018. The first meeting was an early applicant-sponsored outreach meeting, and the second meeting was held in accordance with the City's Public Outreach Policy for Planning Applications, in order to engage neighbors in the planning process for the proposed 48-unit residential condominium development. The October 18, 2018 meeting was attended by staff and also by four residents. One resident questioned the viability of the proposed live/work space as commercial space at the October 18, 2018 meeting. Notices of both meetings were mailed by the applicant to property owners within 1,000 feet of the project boundaries and interested parties and

notice of the second meeting was also posted on the City's website.

### **ALTERNATIVES**

1. Adopt a resolution to recommend the City Council adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the 3035 El Camino Real Residential Project.
2. Adopt a resolution to recommend the City Council approve a rezoning from Thoroughfare Commercial (CT) to Planned Development (PD) to allow development of 48 condominium units, a private street, landscaped open space, surface parking and site improvements.
3. Adopt a resolution to recommend the City Council approve the Tentative Subdivision Map to subdivide the existing parcel into a single lot subdivision with 48 condominium units.
4. Recommend the City Council deny the rezoning from Thoroughfare Commercial (CT) to Planned Development (PD) to allow development of 48 condominium units, a private street, landscaped open space, surface parking and site improvements.
5. Recommend the City Council deny the Tentative Subdivision Map to subdivide the existing parcel into a single lot subdivision with 48 condominium units.

### **RECOMMENDATION**

Alternatives 1, 2 and 3:

1. Adopt a resolution to recommend the City Council adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the 3035 El Camino Real Residential Project.
2. Adopt a resolution to recommend the City Council approve a rezoning from Thoroughfare Commercial (CT) to Planned Development (PD) to allow development of 48 condominium units, a private street, landscaped open space, surface parking and site improvements.
3. Adopt a resolution to recommend the City Council approve the Tentative Subdivision Map to subdivide the existing parcel into a single-lot subdivision with 48 condominium units.

Reviewed by: Andrew Crabtree, Director of Community Development

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. Web Link to 3035 El Camino Real Residential Project MND and MMRP
2. Responses to Comments Received on the Mitigated Negative Declaration
3. Project Data
4. Resolution to Recommend that the City Council Adopt MND and MMRP
5. Resolution to Recommend that the City Council Approve PD Rezone
6. Resolution to Recommend that the City Council Approve Tentative Subdivision Map
7. Conditions of Approval for Rezoning
8. Conditions of Approval Tentative Subdivision Map
9. Applicant Statement of Justification
10. Correspondence
11. MMRP
12. Development Plans
13. Tentative Subdivision Map

**3035 El Camino Real Residential Project Mitigated Negative Declaration  
and  
Mitigation Monitoring or Reporting Program**

<http://santaclaraca.gov/Home/Components/BusinessDirectory/BusinessDirectory/337/3649>

## **Responses to Public Comments on the 3035 El Camino Real Residential Project MND**

The following are responses to written public comments submitted to the City on the 3035 El Camino Real Residential Project *Mitigated Negative Declaration* (MND). Comment letters were submitted during the document's 30-day public review period, from July 16, 2019 through August 14, 2019. One comment letter was received from the California Department of Transportation, (Caltrans), dated August 12, 2019. The letters are attached to this staff report under correspondence. This attachment iterates comments received and provides responses.

### **Responses to comments from California Department of Transportation (Caltrans) District 4, Dated August 12, 2019**

#### **Comment A-1: Landscaping**

*Per Topic 405.1 Sight Distance of the Highway Design Manual (HDM,) corner sight distance requirements as described in the HDM are not applied to urban driveways. Per Table 90.3 Large Tree Setback Requirements on Conventional Highways, large trees must be set back a minimum 18" from the face of the curb to the face of the tree trunk. Tree planting, trimming and landscape maintenance work performed within Caltrans right of way will require an encroachment permit. To view the HDM, please visit <https://dot.ca.gov/media/dot-media/programs/design/documents/hdm-complete-14dec2018.pdf>.*

**Response A-1:** Caltrans' comments on the required setback for tree planting behind curb and on the encroachment permit process requirement (applicable to tree planting, trimming and landscape maintenance work on El Camino Real) is noted. No response is required.

#### **Comment A-2: Lead Agency**

*As the Lead Agency, the City of Santa Clara is responsible for all project mitigation, including any needed improvements to the STN. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.*

**Response A-2:** Caltrans' comment on the responsibilities of the City to ensure project mitigation is acknowledged. Implementation measures and lead agency monitoring responsibilities are detailed in the Mitigation Monitoring Or Reporting Program (MMRP). No response is required.

Comment A-3: Encroachment Permit

*Please be advised that any work or traffic control that encroaches onto SR-82 requires a Caltrans-issued encroachment permit. To obtain an encroachment permit, a completed encroachment permit application, environmental documentation, six (6) sets of plans clearly indicating the State Right of Way, and six (6) copies of signed, dated and stamped (including stamp expiration date) traffic control plans must be submitted to:*

Office of Encroachment Permits, California DOT  
District 4, P.o. Box 23660  
Oakland, CA 94623-0660

*To download the permit application and obtain more information, visit:  
<https://dot.ca.gov/programs/traffic-operations/ep/applications>.*

Response A-3: Caltrans' comments on the encroachment permit process requirement (applicable to the project's utility improvement work on El Camino Real) is noted. No response is required.

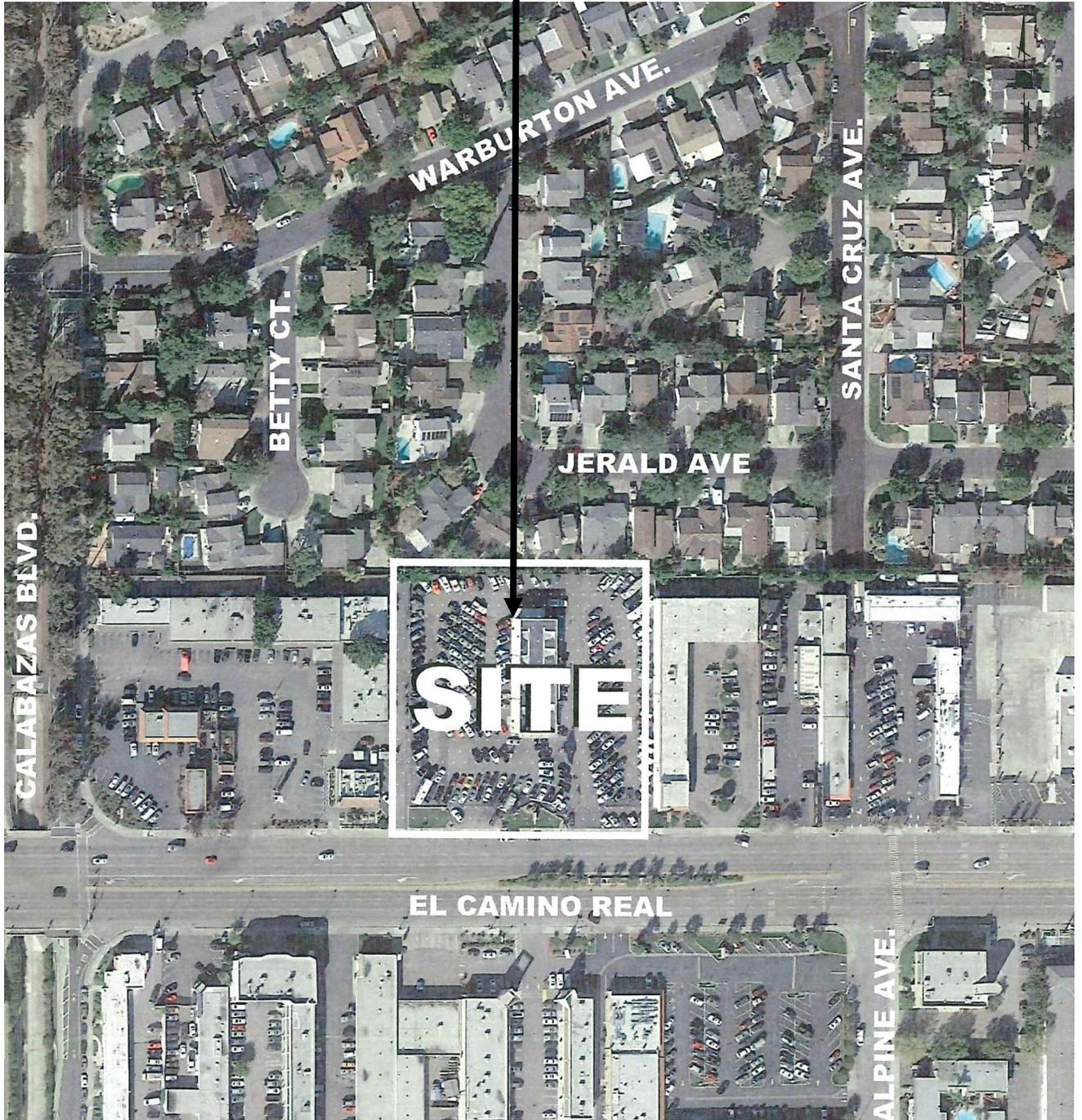
**Project Data**

**Files:** PLN2018-13265, PLN2018-13266 and CEQ2018-01061  
**Location:** 3035 El Camino Real, a 1.88 acre site consisting of two parcels (with a single Assessor's parcel number - APN: 220-32-059)  
**Applicant:** Janet Larson  
**Owner:** Hayden Land Company LLC  
**CEQA Determination:** Mitigated Negative Declaration  
**Project Planner:** Jeff Schwilk, Associate Planner

	<b>Existing</b>	<b>Proposed</b>
<b>General Plan Designation</b>	Community Mixed Use	Same
<b>Zoning District</b>	Thoroughfare Commercial (CT)	Planned Development (PD)
<b>Lot Size</b>	1.88 acres	Same
<b>Land Use</b>	Commercial and Residential	Residential
<b>Commercial Square Footage</b>	5,200 sq.ft.	8,189
<b>Residential Units</b>	0	48
<b>Private Open Space</b>	N/A	33,002 sq.ft.
<b>Stories / Total Height</b>	One-story	Three and Four-stories (up to 50 feet)
<b>Parking</b>	Surface parking lot	102 On-site parking spaces – 34 Standard two-car garages 28 Two-car tandem garages 9 Carport spaces 31 surface parking spaces

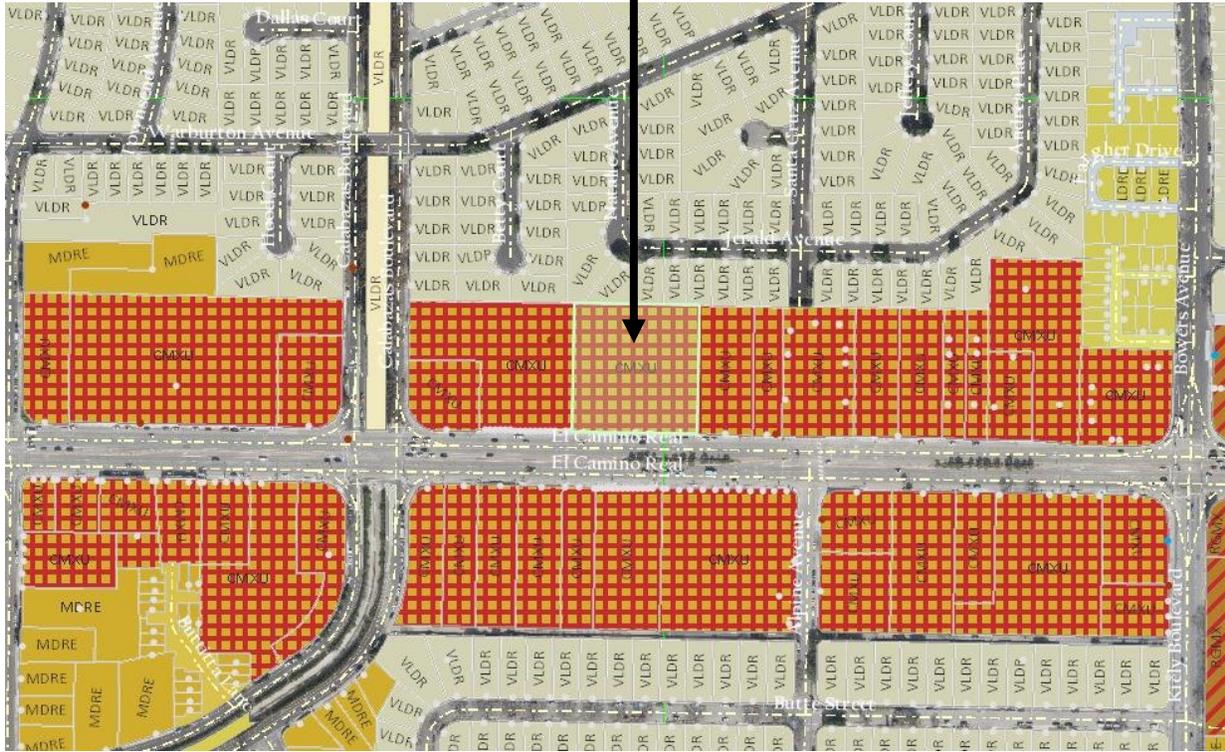
Aerial Photo View

Project Site



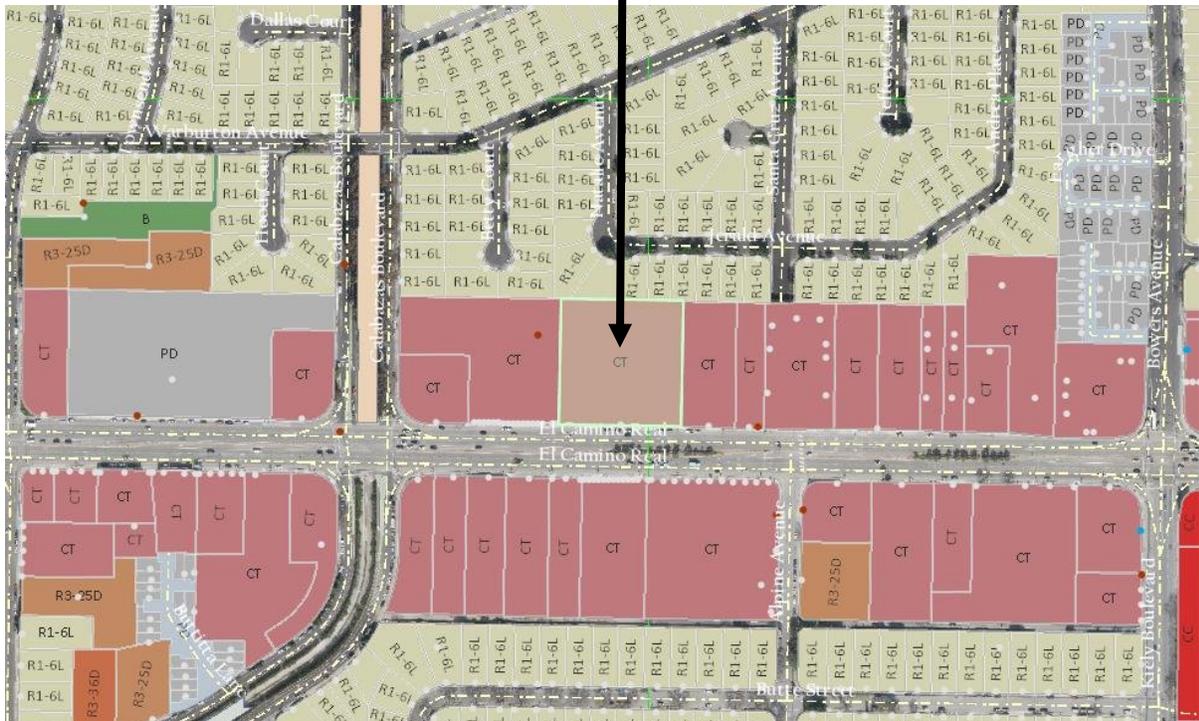
**General Plan Map**

**Project Site – Community Mixed Use**



**Zoning Map**

**Project Site – CT**



RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL ADOPT THE MITIGATED NEGATIVE DECLARATION AND THE MITIGATION MONITORING OR REPORTING PROGRAM FOR RESIDENTIAL PROJECT LOCATED AT 3035 EL CAMINO REAL, SANTA CLARA**

PLN2018-13265(Rezone)  
PLN2018-13266 (Tentative Subdivision Map)  
CEQ2018-01061 (Mitigated Negative Declaration)

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

**WHEREAS**, on May 11, 2018, Hayden Land Company LLC (“Applicant”) filed a development application for the 1.88 acre site consisting of two parcels (with a single Assessor’s Parcel Number: 220-32-059) at 3035 El Camino Real, that is currently developed with a one-story commercial building totaling 5,200 square feet, a surface parking lot and street frontage landscaping (“Project Site”);

**WHEREAS**, the Applicant applied to rezone the Project Site from Thoroughfare Commercial (CT) to Planned Development (PD) to allow a residential development consisting of 48 condominium units, including six live/work units (“Project”) as shown on the Development Plans, attached hereto and incorporated herein by this reference;

**WHEREAS**, pursuant to the California Environmental Quality Act (CEQA), and the regulations implementing the Act, specifically 14 Cal. Code of Regs § 15070, this Project was determined after an Initial Study to identify potentially significant effects on the environment which could be avoided with the implementation of mitigation measures, resulting in the drafting of a Mitigated Negative Declaration (“MND”) and Mitigation Monitoring or Reporting Program (“MMRP”);

**WHEREAS**, in conformance with CEQA, the MND was noticed and circulated for a 30-day public review period from July 16, 2019 to August 15, 2019;

**WHEREAS**, on October 11, 2019, the notice of public hearing for the October 23, 2019 Planning Commission meeting for this item was posted in multiple locations within the City limits, including three locations within 300 feet of the Project Site, and mailed to all property owners within 1,000 feet of the Project Site, according to the most recent Assessor's roll; and,

**WHEREAS**, on October 23, 2019, the Planning Commission held a duly noticed public hearing to consider the Project, MND, MMRP, and all pertinent information in the record during which the Planning Commission invited and considered any and all verbal and written testimony and evidence offered in favor of and in opposition to the Project.

**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 all potentially significant environmental impacts that may directly or indirectly result from the Project would be reduced to a less-than-significant level by the mitigation measures specified in the MND and MMRP.
3. That the Planning Commission hereby finds that the MND is complete, prepared in compliance with CEQA, and represents the independent judgment of the Planning Commission.
4. That the Planning Commission hereby recommends that the City Council find that the MND and MMRP completed for this Project has been completed in compliance with CEQA, and that approval of this project as mitigated will have no significant negative impacts on the area's environmental resources, cumulative or otherwise, as the impacts as mitigated would fall within the environmental thresholds identified by CEQA.
5. That the Planning Commission hereby recommends that the City Council adopt the MND and MMRP for the Project as required by the CEQA Guidelines (14 Cal. Code of Regs. § 15074).

6. The City Council hereby designates the Planning Division of the Community Development Department as the location for the documents and other material that constitute the record of proceedings upon which this decision is based, and designates the Director of Community Development as the custodian of records.

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

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 23<sup>rd</sup> DAY OF OCTOBER, 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. Mitigated Negative Declaration (MND)  
2. Mitigation Monitoring or Reporting Program (MMRP)  
3. Development Plans

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL APPROVE A REZONING FROM THOROUGHFARE COMMERCIAL (CT) TO PLANNED DEVELOPMENT (PD) TO ALLOW A RESIDENTIAL DEVELOPMENT CONSISTING OF 48 RESIDENTIAL UNITS, INCLUDING SIX LIVE/WORK UNITS, LOCATED AT 3035 EL CAMINO REAL, SANTA CLARA**

PLN2018-13265 (Rezone)  
PLN2018-13266 (Tentative Subdivision Map)  
CEQ2018-01061 (Mitigated Negative Declaration)

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

**WHEREAS**, on May 11, 2018, Hayden Land Company LLC (“Applicant”) filed a development application for the 1.88 acre site consisting of two parcels (with a single Assessor’s Parcel Number: 220-32-059) at 3035 El Camino Real, currently developed with a one-story commercial building totaling 5,200 square feet, a surface parking lot and street frontage landscaping (“Project Site”);

**WHEREAS**, the Applicant applied to rezone the Project Site from Thoroughfare Commercial (CT) to Planned Development (PD) to allow a residential development consisting of 48 condominium units, including six live/work units (“Project”) as shown on the Development Plans, attached hereto and incorporated herein by this reference;

**WHEREAS**, in conformance with CEQA, the Mitigated Negative Declaration (MND) prepared for the Project was noticed and circulated for a 30-day public review period from July 16, 2019 to August 15, 2019;

**WHEREAS**, the MND identified potential significant impacts of Project development that with implementation of the mitigation measures identified in the Mitigation Monitoring and Reporting Program (“MMRP”) will reduce potential mitigation measures to less than significant and will be incorporated into the Project;

**WHEREAS**, Santa Clara City Code (SCCC) Section 18.112.040 provides for the review and recommendation of the City's Planning Commission of all rezoning requests before action is to be taken by the City Council;

**WHEREAS**, on October 11, 2019, the notice of public hearing for the October 23, 2019 Planning Commission meeting for this item was posted in multiple locations within the City limits, including three locations within 300 feet of the Project Site, and mailed to all property owners within 1,000 feet of the Project Site, according to the most recent Assessor's roll; and,

**WHEREAS**, on October 23, 2019, the Planning Commission held a duly noticed public hearing to consider the Project, MND, MMRP, and all pertinent information in the record during which the Planning Commission invited and considered any and all verbal and written testimony and evidence offered in favor of and in opposition to the Project.

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

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That the Planning Commission hereby recommends that the City Council rezone the Project Site from Thoroughfare Commercial (CT) to Planned Development (PD) to allow a residential development consisting of 48 condominium units, including six live/work units, as shown on the attached Development Plans and conditioned as specified in the attached Conditions of Rezoning Approval, incorporated herein by this reference.
3. Pursuant to SCCC Code Section 18.112.010, the Planning Commission determines that the following findings exist in support of the rezoning:
  - A. The existing zoning is inappropriate or inequitable, in that the existing zoning for the Project Site does not allow residential development and creation of housing opportunities reflective of the density range identified in the 2010-2035 General Plan. The Planned Development (PD) zoning would allow residential development to implement the General Plan's

vision for the El Camino Real Focus Area not currently permitted by the existing Thoroughfare Commercial (CT) zoning for the Project Site.

B. The proposed zone change will conserve property values, protect or improve the existing character and stability of the area in question, and will promote the orderly and beneficial development of such area, in that the proposal redevelops two underutilized parcels and visually improves the Project Site and surrounding neighborhood with physical and financial investment in the construction of a modern and visually aesthetic development with on-site parking, site improvements, landscaping, and streetscape enhancements.

C. The proposed zone change is required by public necessity, public convenience, or the general welfare of the City, in that the proposed zone change provides residential development contemplated by the General Plan for the El Camino Real Focus Area that is designed to activate the streetscape, is pedestrian-oriented, supports public investments in existing and planned transit service along the El Camino Real transit corridor, and provides high quality homeownership opportunities to the City's housing stock.

D. The proposed zone change would allow imaginative planning and design concepts to be utilized that would otherwise be restricted in other zoning districts in that the proposed zone change would allow flexibility in the development standards to construct for-sale condominiums that are compatible with existing and planned development within the El Camino Real Focus Area.

4. That based on the findings set forth in this resolution and the evidence in the City Staff Report, MND and MMRP, the Planning Commission hereby recommends that the City Council rezone the Project Site as set forth herein.

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

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 23<sup>rd</sup> DAY OF OCTOBER, 2019, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

Attachments Incorporated by Reference:

1. Conditions of Rezoning Approval
2. Development Plans

ATTEST: \_\_\_\_\_  
ANDREW CRABTREE  
DIRECTOR OF COMMUNITY DEVELOPMENT  
CITY OF SANTA CLARA

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE TENTATIVE SUBDIVISION MAP FOR THE PROPERTIES LOCATED AT 3035 EL CAMINO REAL, SANTA CLARA, TO SUBDIVIDE THE 1.88 ACRE PROJECT SITE INTO A SINGLE LOT WITH 48 CONDOMINIUMS**

PLN2018-13265 (Rezone)  
PLN2018-13266 (Tentative Subdivision Map)  
CEQ2018-01061 (Mitigated Negative Declaration)

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

**WHEREAS**, on May 11, 2018, Hayden Land Company LLC (“Applicant”) filed a development application for the 1.88 acre site consisting of two parcels (with a single Assessor’s Parcel Number: 220-32-059) at 3035 El Camino Real, developed with a one-story commercial building totaling 5,200 square feet, a surface parking lot and street frontage landscaping (“Project Site”);

**WHEREAS**, the Applicant has simultaneously applied to rezone the Project Site from Thoroughfare Commercial (CT) to Planned Development (PD) to allow a residential development consisting of 48 condominiums, including six live/work units (“Project”) as shown on the Development Plans, attached hereto and incorporated herein by this reference;

**WHEREAS**, pursuant to the California Environmental Quality Act (CEQA), and the regulations implementing the Act, specifically 14 Cal. Code of Regs § 15070, this Project was determined after an Initial Study to identify potentially significant effects on the environment which could be avoided with the implementation of mitigation measures, resulting in the drafting of a Mitigated Negative Declaration (“MND”) and Mitigation Monitoring and Reporting Program (“MMRP”);

**WHEREAS**, pursuant to Section 17.05.210 of the Code of the City of Santa Clara (“SCCC”), a Tentative Subdivision Map shall be required for all divisions of land into five or more parcels;

**WHEREAS**, consistent with the proposed uses under the development plan, the proposal includes the division of the site into a single lot with forty-eight (48) condominium units, as shown on Exhibit “Tentative Subdivision Map” and attached hereto by this reference;

**WHEREAS**, on February 19, 2019, the Subdivision Committee determined that the application was complete and that the Tentative Subdivision Map be reviewed by the Planning Commission and the City Council in conformance with Section 17.05.300 of the SCCC as a Tentative Subdivision Map along with the project;

**WHEREAS**, Section 17.05.300 (g) of the SCCC requires that the Planning Commission conduct a public hearing before considering the approval of a Tentative Subdivision Map for the division of land;

**WHEREAS**, notice of the public hearing on the Tentative Subdivision Map was published in *The Weekly*, a newspaper of general circulation for the City, on October 9, 2019;

**WHEREAS** notices of the public hearing on the Tentative Subdivision Map were posted in multiple locations within the City limits, including three locations within 300 feet of the Project Site, and mailed to all property owners within 1,000 feet of the property, according to the most recent Assessor’s roll;

**WHEREAS**, on October 11, 2019, the City also mailed notice to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the Project;

**WHEREAS**, before considering the Tentative Subdivision Map, the Planning Commission reviewed and considered the information contained in the MND for the Project and MMRP, and found that the mitigation measures identified and incorporated into the Project and this Tentative Subdivision Map, mitigate or avoid the significant environmental effects; and,

**WHEREAS**, the Planning Commission has reviewed the Tentative Subdivision Map and conducted a public hearing on October 23, 2019, at which time all interested parties were given

an opportunity to provide testimony and present evidence, both in support of and in opposition to the proposed Tentative Subdivision Map.

**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 this Resolution incorporates, and by this reference makes a part hereof, that certain Tentative Subdivision Map, attached hereto as Exhibit "Tentative Subdivision Map".
3. Tentative Subdivision Map Findings. Pursuant to California Government Code Sections 66426 and 66428 and SCCC Section 17.05.300(g), the Planning Commission finds and determines that:

A. The Tentative Subdivision Map is consistent with the general land uses and programs specified in the City's General Plan, in that the proposed Tentative Subdivision Map subdivides the site to allow the development of 48 ownership residential units, a private street, on-site resident and visitor parking, common landscaped areas, landscaping and site improvements compatible with neighboring residential development and existing and planned development within the El Camino Real Focus Area, subject to conditions set forth in the Conditions of Tentative Subdivision Map Approval. The project proposes a density of 26 dwelling units per acre (du/ac), consistent with the site's Community Mixed Use General Plan designation. The project is also consistent with the El Camino Real Focus Area policies.

B. The design and improvements of the proposed subdivision are consistent with the City's General Plan in that the Tentative Subdivision Map will entitle the division of the site into a single lot with forty-eight (48) condominium units at a density of 26 du/ac, within the 20 to 36 du/ac density range supported by the Community Mixed Use General Plan designation, and the project is subject to the conditions set forth in Exhibit "Conditions of Approval - Tentative Subdivision Map", attached hereto and incorporated by this reference.

C. The site is physically suitable for the proposed type of development, in that the project is designed to provide high quality housing that is designed to be consistent with the on-going and proposed development along El Camino Real. Moreover, the project is designed to retain the contextual consistency of the corridor.

D. This site is physically suitable for the proposed density of development in that the Project Site is located in an urbanized area and allows for redevelopment consistent with the height, uses and development that are existing and planned in the surrounding area.

E. The design of the subdivision and type of improvements are not likely to cause serious health problems in that the proposed residential subdivision will implement Covenants Conditions and Restrictions for operation and maintenance of the building and site improvements and does not propose the use of hazardous materials.

F. The design of the subdivision and type of improvements are not likely to cause substantial environmental damage and will not substantially or unavoidably injure fish or wildlife or their habitat in that the Project Site is located in an urbanized setting, on a previously developed site, and includes mitigation measures, as identified in the MND and MMRP, that reduce impacts to wildlife habitat to less-than-significant levels.

G. The design of the subdivision and type of improvements will not conflict with easements acquired by the public at large or use of property within the proposed subdivision, in that the project is designed to avoid encroachments and conflicts with public easements in the site design.

H. The Tentative Subdivision Map provides, to the extent feasible, for future passive or natural heating or cooling opportunities, in that it would allow flexibility in the development standards to maximize the benefits of green building standards for site and building design.

4. Based on the findings set forth in this Resolution and the evidence in the Staff Report, MND, MMRP and such other evidence as received at the public hearings on this matter before the Planning Commission, the Planning Commission hereby recommends approval of the

Tentative Subdivision Map to the City Council, substantially in the form on file as shown in the “Tentative Subdivision Map” attached hereto, subject to conditions of approval attached as “Conditions of Approval Tentative Subdivision Map”.

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

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 23rd DAY OF OCTOBER, 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. Tentative Subdivision Map  
2. Conditions of Tentative Subdivision Map Approval

## **CONDITIONS OF PD REZONING APPROVAL**

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

### **GENERAL**

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

### **ATTORNEY'S OFFICE**

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

### **COMMUNITY DEVELOPMENT**

- C1. Submit plans for final architectural review to the Planning Division for Architectural Committee review and approval prior to issuance of building permits. Said plans to include, but not be limited to: site plans, floor plans, elevations, landscaping, lighting, signage, and stormwater management plan. All windows on all outer perimeter sides of all buildings be redesigned as recessed windows to provide further articulation of the building walls.
- C2. Developer shall provide a third party verification of the final stormwater management plan for conformance with C3 Special Project requirements as a part of the civil and architectural submittal.
- C3. Submit complete landscape plans, including irrigation plan and composite utility and tree layout overlay plan, for Planning Division review and approval with installation of required landscaping prior to the issuance of occupancy and or final building permits. Landscape plan to include type and size of proposed trees. Type and size of tree replacement on project site shall be at the direction of the City Arborist and require Planning review and approval. Coordinate with the Street Department and City Arborist for the type, location, installation and maintenance of street trees fronting the project site along the public right-of-way. Installation of root barriers and super-soil may be required with the installation of trees where electric, water, and sewer utilities are in proximity.
- C4. Project site landscaping and perimeter fencing along the north property line shall be maintained by the Homeowners Association in good condition throughout the life of the Project and no trees shall be removed without City review and approval. Trees permitted by the City for removal shall be replaced at a 2:1 ratio with 24-inch box specimen tree, or equal alternative as approved by the Director of Community Development.
- C5. The front façade and elevations of the live/work units shall not be modified without approval of a Planned Development Amendment.
- C6. Minor changes to individual homes, landscaping, or other minor plan elements would be subject to Planning Division review and approval of a Minor Adjustment to an approved project, or through Architectural Review, subject to the discretion of the Director of Community Development.
- C7. Developer shall comply with all the construction and on-going mitigation measures described in the adopted Mitigation Monitoring or Reporting Program (MMRP) to the

satisfaction of the Director of Community Development. The MMRP shall be included in all construction plan sets.

- C8. Obtain required permits and inspections from the Building Official and comply with the conditions thereof. As this project involves land area of one 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 stormwater pollution prevention plan is also required with the NOI.
- C9. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved roads) shall be watered two times per day, except on days when rain occurs.
- C10. All visible mud or dirt track-out onto the adjacent public right-of-way shall be removed using wet power vacuum street sweeper at least once per day. The use of dry power sweeping shall be prohibited.
- C11. Additional dust and noise abatement measures may be on the project site at the discretion of the Community Development Director to provide additional sound attenuation and fugitive dust abatement as described in the project MMRP. This may include additional noise monitoring and installation of a temporary noise control blanket barrier, if necessary, along building facades facing construction sites if conflicts occurred which are irresolvable by proper scheduling.
- C12. The Developer shall submit a truck hauling route for demolition, soil, debris and material removal, and construction to the Director of Community Development for review and approval prior to the issuance of demolition and building permits.
- C13. Construction activity not confined within a building shall be limited to the hours of 8:00 a.m. to 6:00 p.m. weekdays, 9:00 a.m. to 6:00 p.m. on Saturdays, and not permitted on Sundays and State and federal holidays. Construction activity confined within a building shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 6:00 p.m. Saturdays, and prohibited on Sundays and State and federal holidays.
- C14. Designate a “disturbance coordinator” who would be responsible for responding to any complaints about construction noise. The applicant shall post a sign with contact information for the disturbance coordinator in a location clearly visible from the public right-of-way, for the duration of project construction. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem.
- C15. Developer shall submit to the City Covenants, Conditions and Restrictions (CC&R’s) or equivalent instrument assigning and governing perpetual maintenance of the common lot/private street in good condition for the life of the Project, prior to issuance of building permits. Said document shall be recorded along with the Title for each property with the Santa Clara County Recorder’s Office.
- C16. To ensure adequate health protection for sensitive receptors, the project shall incorporate the following measures:
  - a. Install air filtration in the dwelling units immediately adjacent to El Camino Real. Air filtration devices shall be rated MERV13 or higher. To ensure adequate health protection to sensitive receptors (i.e., residents), this ventilation system, whether mechanical or passive, all fresh air circulated into the dwelling units shall be filtered, as described above.
  - b. As part of implementing this measure, an ongoing maintenance plan for the buildings’ heating, ventilation, and air conditioning (HVAC) air filtration system shall be required.
  - c. Ensure that the use agreement, CC&R’s and other property documents: (1) require cleaning, maintenance, and monitoring of the affected buildings for air

flow leaks, (2) include assurance that new owners or tenants are provided information on the ventilation system, and (3) include provisions that fees associated with owning or leasing a unit(s) in the building include funds for cleaning, maintenance, monitoring, and replacements of the filters, as needed.

- C17. The following noise insulation features shall be incorporated into the proposed project to reduce interior noise levels to 45 dBA CNEL or less:
- a. Provide a suitable form of forced-air mechanical ventilation, as determined by the local building official, for all Building A units with south, east, or west facing façades and all Building B units with façades facing south or adjacent to the western and eastern property line, so that windows can be kept closed at the occupant's discretion to control interior noise and achieve the interior noise standards.
  - b. Preliminary calculations indicate that the residential units along the eastern, southern, and western building façades of Building A would require windows and doors with a minimum STC ratings of 28 to 30 and an adequate form of forced-air mechanical ventilation to meet the interior noise threshold of 45 dBA CNEL.
  - c. A qualified acoustical specialist shall prepare a detailed analysis of interior noise levels resulting from all exterior noise sources during the design phase pursuant to requirements set forth in the State Building Code and the California CalGreen Code. The study will review the final site plan, building elevations, and floor plans prior to construction and recommend building treatments to reduce residential interior noise levels to 45 dBA CNEL or lower. Treatments would include, but are not limited to, sound-rated windows and doors, sound-rated wall and window constructions, acoustical caulking, protected ventilation openings, etc. The specific determination of what noise insulation treatments are necessary shall be conducted on a unit-by-unit basis during final design of the project. Results of the analysis, including the description of the necessary noise control treatments, shall be submitted to the City, along with the building plans and approved design, prior to issuance of a building permit.
- C18. The Applicant shall provide not less than ten percent (10%) of the units to affordable households made available at affordable sales prices to extremely low, very low, low and/or moderate income households as long as the distribution of affordable units averages to a maximum of 100 percent Area Median Income.
- C19. The in-lieu fee amount shall be equal to the difference between the unrestricted appraised market value ("Initial Market Value") and the Affordable Sales Price of one of the BMP units at completion, multiplied by the fractional unit. The Initial Market Value of the last BMP unit sold shall be the basis for calculating the in-lieu fee to be paid by Applicant. Any in-lieu fee payment due to the City by the Applicant shall be paid prior to receipt of the occupancy certificate of the building or dwelling.
- C20. Affordable Unit shall have prices set in accordance with the City's Below Market Purchase (BMP) Program Policies and Procedures Manual (subject to updates and changes). Prior to issuance of Building Permits, the Developer shall enter into an Affordable Housing Agreement with the City that will determine the Affordable Sales Price, identify the actual unit to be sold as the Affordable Unit, and apply all terms and covenants guaranteeing the prescribed affordability, to the satisfaction of the Director of Community Development.
- C21. The Developer prepared a Transportation Demand Management (TDM) Plan to reduce vehicle trips. The development must reduce vehicle miles traveled (VMT) of residents

and employees by 20 percent, half of which (a 10 percent VMT reduction) must result from TDM measures.

- C22. Each calendar year following final occupancy of the building, an annual review of the TDM plan shall be completed by a qualified third-party consultant, and the third-party consultant shall submit the TDM annual report covering the prior calendar year to the Planning Division for review and approval on or before February 28th of each year, to the satisfaction of the Director of Community Development. The Director of Community Development shall have the authority and discretion to require modification of the TDM measures as a means to achieve the identified overall trip reduction targets. If the annual targets are being met or exceeded, the Director of Community Development would have the discretion to require less frequent annual reporting.
- C23. Garages shall be accessible for two-car covered parking and labeled as such on the building permit plans.
- C24. The CC&R's for this development shall include language that precludes exclusive storage use of the garage and obstruction of parking spaces in the garage by storage, and requires property owners to maintain garages for parking purposes.
- C25. Overhead garage storage shall be offered as a design option in each of the townhouse units.
- C26. Individual garbage and recycling containers shall be kept out of sight from the public right of way and private driveway until collection day.
- C27. Provide automatic garage door openers and roll-up garage doors.
- C28. Each garage shall be equipped with an electrical vehicle charging station.
- C29. Each townhouse-style unit shall include an electrical outlet in the front porch area.
- C30. Four (4) of the 31 on-site visitor spaces by the entryway closest to El Camino Real shall be assigned to the six (6) live/work units for customer parking during business hours (7:00 AM -10:00 PM). During non-business hours these four spaces would be available to all units a general visitor parking.
- C31. One of the 31 on-site visitor parking spaces shall be reserved for use by rideshare companies and shall be pre-wired for an electrical vehicle charging station.
- C32. Signage shall be provided in the guest parking area closest to the live/work units reserving parking for business patrons during business hours.
- C33. Except as otherwise provided below, all uses contemplated in a live/work unit shall be conducted entirely within the unit and shall be operated so as not to be objectionable or detrimental to adjoining tenants or the complex or the nearby environment generally. Permitted and Prohibited uses may include, but are not limited to the following uses or uses that are by the determination of the Zoning Administrator deemed to be similar in nature:

**Permitted Uses**

Permitted uses shall be those that are compatible with residential uses and would not be found to be objectionable or detrimental because of smoke, odor, dust, vibration, fire hazards, hazardous materials, or excessive noise, traffic or employee activity. Possible uses include:

- Home office
- Tutoring
- Cottage food operations (consistent with the California Homemade Food Act, AB 1616, and as amended)
- Esthetician
- Private music instruction (nonamplified)
- Computer programming/consulting
- Telemarketing and computer industry related activities

- Painting or sculpting arts
- Photography
- Graphic design
- Professional services/office (such as accounting, consulting, architecture, design, law, real estate)
- Storage and use of chemicals and materials in use that in the opinion of the Santa Clara Fire Department would not create adverse conditions for residents and neighboring properties.
- Limited retail sales and retail services (not including restaurants with commercial kitchens)

**Prohibited Uses**

Uses not permitted within a live/work unit include those that may result in adverse impacts on nearby tenants due to excessive client/customer visitation or product shipping/delivery or are otherwise of an automobile, medical services or manufacturing type nature. Uses that are prohibited include:

- Restaurants with commercial kitchens
- Auto repair and services
- Auto accessory sales
- Repair services (such as electronics, clock, watch, shoe, bicycle)
- Cleaning services
- Pool maintenance
- Pick-up and delivery services
- Landscape services
- Recording studio
- Animal clinic
- Health clinic
- Barber shop/beauty parlor
- Welding and open flammable related activities
- Research lab
- Cabinet making or other woodworking
- Dog grooming
- Dry cleaning
- Florist, flower arranging and plant services
- Medical or dental office
- Daycare
- Manufacturing or assembly
- Storage and use of chemicals and materials in use that in the opinion of the Santa Clara Fire Department would create adverse conditions for residents and neighboring properties.

**ENGINEERING**

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

- Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.
- E3. Existing non-standard or non-ADA compliant frontage improvements shall be replaced with current City standard frontage improvements as directed by the City Engineer or his designee.
  - 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. 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 Subdivision Map and/or issuance of building permits.
  - E6. The sanitary sewer (SS) discharge information (i.e., building use, square footage, point of connection to the public system, and 24-hour average and peak SS flow graphs for the peak day, showing average daily and peak daily SS flows) submitted by the developer was added to the City's Sanitary Sewer Hydraulic Model (SSHM) to determine if there is enough SS conveyance capacity in the SS trunk system to accommodate the proposed development. The SSHM output indicates that there should be enough SS conveyance capacity to accommodate the proposed development. The SSHM output may change based on pending development applications and future projects. The SSHM output does not guarantee or in any way reserve or hold SS conveyance capacity until developer has Final Approval for the project. For purposes of this condition, "Final Approval" shall mean the final vote of the City Council necessary for all entitlements to be approved, unless a legal challenge is brought to the Council decisions, in which case the Final Approval shall mean the final disposition of the legal challenge.
  - E7. The sanitary sewer (SS) mains proposed to be serving the site not included in the Sanitary Sewer Hydraulic Model along Santa Cruz Avenue, Jerald Avenue, Andrea Place, and Warburton Avenue were monitored in the field by the developer. The field monitoring information along with the SS discharge information submitted by the developer were analyzed by developer's Civil Engineer and determined that said SS mains currently have enough conveyance capacity to accommodate the proposed development. The Civil Engineer's results may change based on pending development applications and future projects. The Civil Engineer's results do not guarantee or in any way reserve or hold SS conveyance capacity until the Developer has final approval for the project.
  - E8. Sanitary sewer laterals shall have a 2% minimum slope from cleanout at sanitary sewer easement line to main and have a standard Y-connection. If Y-connection cannot be achieved, consider manhole with a crown-to-crown connection and stub to property line. Eastern sanitary sewer lateral connection shall have a crown-to-crown connection.
  - E9. The proposed storm drain overland release easements to be dedicated to the City along the neighboring properties from the project site to Santa Cruz Avenue must be recorded and be adequately designed to convey the 100-year storm event flow within the easements, as approved by the City, prior to releasing the Subdivision Map for recordation and subsequent issuance of building permits.
  - E10. After City Council approval of the Tentative Subdivision Map, submit 10 copies of the Subdivision Map, prepared by a Licensed Land Surveyor or a Registered Civil Engineer with Land Surveyor privileges to the Engineering Department. The submittal shall

- include a title report, closure calculations, and all appropriate fees. The City approved Subdivision Map shall be recorded by developer prior to building permit issuance.
- E11. File and record Subdivision Map for proposed development and pay all appropriate fees prior to issuance of the Building Permit.
  - E12. Obtain Council approval of a resolution ordering vacation of existing public easement(s) proposed to be abandoned, through Engineering Department, and pay all appropriate fees, prior to start of construction.
  - E13. Dedicate, as required, on-site easements for new sidewalk, sanitary sewer main, storm drain overland release, and any other new utilities by means of Subdivision Map or approved instrument at time of development.
  - E14. No storm water treatment measures shall be located within the public right-of-way, or utility easements. City will allow pervious pavers within existing 15' sanitary sewer and storm drain easements. Applicant shall execute covenant running with the land for private improvements within a public easement.
  - E15. All non-City standard improvements within sidewalk and utility easements require an easement encroachment agreement.
  - E16. City sidewalk and private concrete flatwork shall be separated by an expansion joint per City standard detail ST-17.
  - E17. Proposed trees shall be five (5) feet minimum clear of sidewalks, except at landscape strip. Provide root barrier if trees are planted such that the drip line of the mature trees covers the sidewalk. Root barriers shall be 12' long x 2' deep, and centered on trees.
  - E18. Sanitary sewer and storm drain mains and laterals shall be outside the drip line of mature trees or ten (10) feet clear of the tree trunk, whichever is greater, to the satisfaction of the Public Works Director.
  - E19. Provide loading/unloading zone on-site.
  - E20. Provide a minimum 4 Class II bicycle rack spaces at the main entrance and/or high visible areas.
  - E21. The site plan complies with the City's driveway triangle of safety requirements at all driveways. However, visual obstructions over three feet in height will not be allowed within the driver's sight triangle near driveways in order to allow an unobstructed view of oncoming traffic.
  - E22. Project shall comply with the El Camino Real Specific Plan upon adoption of the plan.
  - E23. On-street parking shall not be counted toward on-site parking requirements.
  - E24. All proposed driveways shall be ADA compliant per City Standard ST- 8.
  - E25. Driveway width shall be a minimum of 24 feet but no more than 30 feet.
  - E26. Provide 10' wide minimum separated sidewalk with 4' wide landscape strip along El Camino Real property frontage.
  - E27. Unused driveways in the public right-of-way shall be replaced with City standard curb, gutter, and sidewalk per City Standard Detail ST-12.
  - E28. Time limited parking zone along El Camino Real project frontage shall be removed with the approval of the project.
  - E29. Install "No Parking" signs along El Camino Real property frontage.
  - E30. Caltrans permit will be required for all work within the right-of-way along El Camino Real.
  - E31. Provide ADA walkway connecting the proposed buildings to public sidewalk.
  - E32. Provide ADA walkway connecting Building C to pathway on east side of property.
  - E33. A transportation impact analysis is not required as the project is not expected to generate over 100 net new AM or PM peak hour trips.

### **ELECTRICAL**

- EL1. Riser required to serve 12kV transformer and switch. Need Riser easement on residential property for utility.

- EL2. Need Bollards on backside of Vault.
- EL3. MH in driveway to be located so to only block one lane in driveway during access.
- EL4. 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.
- EL5. The Developer shall provide and install electric facilities per Santa Clara City Code chapter 17.15.210.
- EL6. Electric service shall be underground. See Electric Department Rules and Regulations for available services.
- EL7. 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.
- EL8. 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.
- EL9. 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).
- EL10. If the "legal description" (not "marketing description") of the units is condominium or apartment, then all electric meters and services disconnects shall be grouped at one location, outside of the building or in a utility room accessible directly from the outside. If they are townhomes or single-family residences, then each unit shall have it's own meter, located on the structure. A double hasp locking arrangement shall be provided on the main switchboard door(s). Utility room door(s) shall have a double hasp locking arrangement or a lock box shall be provided. Utility room door(s) shall not be alarmed.
- EL11. 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.
- EL12. 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.
- EL13. Any relocation of existing electric facilities shall be at Developer's expense.
- EL14. Electric Load Increase fees may be applicable.
- EL15. 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)).

- EL16. 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)).
- EL17. 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.
- EL18. Encroachment permits will not be signed off by Silicon Valley Power until Developers Work substructure construction drawing has been completed.
- EL19. 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.

## **WATER**

- W1. The applicant shall upgrade the existing 10" CIP pipe along El Camino Real with a new 12" DIP water main. The water main upgrade shall extend the entire length of the property's frontage.
- W2. If fire flow information is needed, applicant shall coordinate with Water Department at (408) 615-2000.
- W3. 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.
- W4. The applicant must indicate the disposition of all existing water and sewer services and mains on the plans. The applicant must properly abandon all existing services on the property that will not be used per Water & Sewer Utilities standards, and indicate existing main size, type, and connecting laterals.
- W5. The size of all proposed water and fire services shall be shown to scale. At the location where backflow prevention device located, the landscape area shall be extended a minimum 3 feet from the edge of the device.
- W6. The applicant shall submit plans showing proposed water, sanitary sewer, and fire services for each building (residential, commercial, and retail) connected to a public main in the public right-of-way to the satisfaction of the Director of Water & Sewer Utilities. Additionally, different types of water use (domestic, irrigation, fire) should be served by separate water services each separately tapped at the water main.
- W7. Approved reduced pressure detector assembly device is required for the proposed fire service. The applicant shall submit plans showing existing fire service upgrade with reduced pressure detector assembly device, as per city standard 17, to the satisfaction of the Director of Water & Sewer Utilities. Note that the city standard details can be obtained from the City of Santa Clara website under Water and Sewer Utilities Technical Documents.
- W8. 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 conservation periods, to the satisfaction of the Director of the Water and Sewer

Utilities. Decorative water features may be permanently connected to the City's recycle water supply.

- W9. Upon completion of construction and prior to the City's issuance of a Certificate of Occupancy, the applicant shall provide "as built" drawings to the satisfaction of the Director of Water and Sewer Utilities.
- W10. Prior to the issuance of Building Permits, the applicant shall provide fixture unit counts for any water services greater than 2".
- W11. Prior to issuance of Building Permits, the applicant shall provide the profile section details for utilities crossing water, sewer, or recycled water mains to ensure a 12" minimum vertical clearance is maintained.
- W12. The applicant shall submit composite utility plans showing all proposed and existing utilities (including electrical, gas, water, and sewer), building foundation, facade and landscaping (trees and shrubbery) so that the Water Department can verify conflicts for proposed water service locations. The applicant must indicate the correct pipe material and the size of existing water and sewer main(s) on the plans.
- W13. Applicant shall coordinate with Fire Department to submit hydraulic calculations for the sprinkler design and obtain an underground fire permit for the proposed fire service.
- W14. Proposed new fire hydrant shall be located in the landscape area, two feet behind the face of curb or back of walk, per City standard detail No. 18.
- W15. No structures (fencing, foundation, bio filtration swales, etc.) allowed over sanitary sewer and/or water utilities and easements.

## **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 five feet in length, and should have arm rests at both ends. If the benches are longer than five 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. Exterior stairs shall be open style whenever structurally possible. The stairs should be well lit.
- PD21. 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.

- PD22. 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).
- PD23. 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.
- PD24. 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.

## **FIRE**

- F1. Hazardous Materials Closure, Site Mitigation, Demolition Application: Prior to issuance of grading permits or any excavation of the project site, additional soil sampling will be completed prior to removal of asphalt in the area of the former structure.
- F2. Provisions shall be made for Emergency Responder Radio Coverage System (ERRCS) equipment, including but not limited to pathway survivability in accordance with Santa Clara Emergency Responder Radio Coverage System Standard.
- F3. 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.
- F4. Trees or other obstructions shall not interfere with aerial ladder access
- F5. Traffic calming devices are not permitted on any designated fire access roadway, unless approved by the Fire Prevention & Hazardous Materials Division.

## **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. 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 see-thru, 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**

- ST5. 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.
- ST6. 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.
- ST7. 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).
- ST8. 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.
- ST9. 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.
- ST10. 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](mailto: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>.
- ST11. Developer shall install an appropriate stormwater pollution prevention message such as "No Dumping – Flows to Bay" on any storm drains located on private property.
- ST12. Interior floor drains shall be plumbed to the sanitary sewer system and not connected to the City's storm drain system.
- ST13. Floor drains within trash enclosures shall be plumbed to the sanitary sewer system and not connected to the City's storm drain system.

- ST14. 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.
- ST15. 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.

### **PARKS AND RECREATION**

- PR1. This memo assumes the Project is a subdivision and the Quimby Act provisions will apply. The City will accept a fee in lieu of parkland dedication for this forty-eight unit development – the equivalent fee due is \$1,267,344.
- PR2. Any in lieu fees imposed under Chapter 17.35 shall be due and payable to the City prior to issuance of a building permit for each dwelling unit.
- PR3. A dwelling unit tax (DUT) is also due based on the number of units and additional bedrooms per City Code Chapter 3.15. The Project mix includes 2 studio units, 8 one bedroom units, 16 two bedroom units, 18 three bedroom units and 4 four bedroom units for a total DUT of \$1,040.
- PR4. Calculations may change if the number of units changes, if any areas do not conform to the Ordinance and City Code Chapter 17.35, and/or if City Council makes any changes.

## CONDITIONS OF TENTATIVE SUBDIVISION MAP APPROVAL

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

### **GENERAL**

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

### **ATTORNEY'S OFFICE**

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

### **COMMUNITY DEVELOPMENT**

- C1. Obtain required permits and inspections from the Building Official and comply with the conditions thereof. As this project involves land area of one 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 stormwater pollution prevention plan is also required with the NOI.
- C2. The Developer shall submit a truck hauling route for demolition, soil, debris and material removal, and construction to the Director of Community Development for review and approval prior to the issuance of demolition, grading and building permits.
- C3. Construction activity not confined within a building shall be limited to the hours of 8:00 a.m. to 6:00 p.m. weekdays, 9:00 a.m. to 6:00 p.m. on Saturdays, and not permitted on Sundays and State and federal holidays. Construction activity confined within a building shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 6:00 p.m. Saturdays, and prohibited on Sundays and State and federal holidays.
- C4. Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The applicant shall post a sign with contact information for the disturbance coordinator in a location clearly visible from the public right-of-way, for the duration of project construction. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem.
- C5. Developer shall submit to the City Covenants, Conditions and Restrictions (CC&R's) or equivalent instrument assigning and governing perpetual maintenance of the common lot/private street in good condition for the life of the Project, prior to issuance of building permits. Said document shall be recorded along with the Title for each property with the Santa Clara County Recorder's Office.
- C6. The Covenant, Conditions and Restrictions for this project shall include language that precludes exclusive storage use of the garage and obstruction of parking spaces in the garage by storage, and requires property owners to maintain garages for parking purposes.
- C7. The project shall comply with Conditions of Approval for the 3035 El Camino Real Project (PLN2018-13265) and with the Mitigated Negative Declaration / Mitigation Monitoring or Reporting Program (CEQ2018-01061).

## **ENGINEERING**

- E1. Obtain site clearance through Engineering Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Engineering Department at (408) 615-3000 for further information.
- E2. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be included within a Single Encroachment Permit issued by the City Engineering Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.
- E3. Existing non-standard or non-ADA compliant frontage improvements shall be replaced with current City standard frontage improvements as directed by the City Engineer or his designee.
- 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. 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 Subdivision Map and/or issuance of building permits.
- E6. The proposed storm drain overland release easements to be dedicated to the City along the neighboring properties from the project site to Santa Cruz Avenue must be recorded and be adequately designed to convey the 100-year storm event flow within the easements, as approved by the City, prior to releasing the Subdivision Map for recordation and subsequent issuance of building permits.
- E7. After City Council approval of the Tentative Subdivision Map, submit 10 copies of the Subdivision Map, prepared by a Licensed Land Surveyor or a Registered Civil Engineer with Land Surveyor privileges to the Engineering Department. The submittal shall include a title report, closure calculations, and all appropriate fees. The City approved Subdivision Map shall be recorded by developer prior to building permit issuance.
- E8. File and record Subdivision Map for proposed development and pay all appropriate fees prior to issuance of the Building Permit.
- E9. Obtain Council approval of a resolution ordering vacation of existing public easement(s) proposed to be abandoned, through Engineering Department, and pay all appropriate fees, prior to start of construction.
- E10. Dedicate, as required, on-site easements for new sidewalk, sanitary sewer main, storm drain overland release, and any other new utilities by means of Subdivision Map or approved instrument at time of development.
- E11. All non-City standard improvements within sidewalk and utility easements require an easement encroachment agreement.
- E12. City sidewalk and private concrete flatwork shall be separated by an expansion joint per City standard detail ST-17.
- E13. Proposed trees shall be five (5) feet minimum clear of sidewalks, except at landscape strip. Provide root barrier if trees are planted such that the drip line of the mature trees covers the sidewalk. Root barriers shall be 12' long x 2' deep, and centered on trees.

- E14. Sanitary sewer and storm drain mains and laterals shall be outside the drip line of mature trees or ten (10) feet clear of the tree trunk, whichever is greater, to the satisfaction of the Public Works Director.
- E15. The site plan complies with the City's driveway triangle of safety requirements at all driveways. However, visual obstructions over three feet in height will not be allowed within the driver's sight triangle near driveways in order to allow an unobstructed view of oncoming traffic.
- E16. All proposed driveways shall be ADA compliant per City Standard ST- 8.
- E17. Driveway width shall be a minimum of 24 feet but no more than 30 feet.
- E18. Provide 10' wide minimum separated sidewalk with 4' wide landscape strip along El Camino Real property frontage.
- E19. Unused driveways in the public right-of-way shall be replaced with City standard curb, gutter, and sidewalk per City Standard Detail ST-12.
- E20. Time limited parking zone along El Camino Real project frontage shall be removed with the approval of the project.
- E21. Install "No Parking" signs along El Camino Real property frontage.
- E22. Caltrans permit will be required for all work within the right-of-way along El Camino Real.

### **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 the "legal description" (not "marketing description") of the units is condominium or apartment, then all electric meters and services disconnects shall be grouped at one location, outside of the building or in a utility room accessible directly from the outside. If they are townhomes or single-family residences, then each unit shall have it's own meter, located on the structure. A double hasp locking arrangement shall be provided on the main switchboard door(s). Utility room door(s) shall have a double hasp locking arrangement or a lock box shall be provided. Utility room door(s) shall not be alarmed.
- EL8. 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.

- EL9. All trees, existing and proposed, shall be a minimum of five (5) feet from any existing or proposed Electric Department facilities. Existing trees in conflict will have to be removed. Trees shall not be planted in PUE's or electric easements.
- EL10. Any relocation of existing electric facilities shall be at Developer's expense.
- EL11. Electric Load Increase fees may be applicable.
- EL12. The developer shall provide the City, in accordance with current City standards and specifications, all trenching, backfill, resurfacing, landscaping, conduit, junction boxes, vaults, street light foundations, equipment pads and subsurface housings required for power distribution, street lighting, and signal communication systems, as required by the City in the development of frontage and on-site property. Upon completion of improvements satisfactory to the City, the City shall accept the work. Developer shall further install at his cost the service facilities, consisting of service wires, cables, conductors, and associated equipment necessary to connect a customer to the electrical supply system of and by the City. After completion of the facilities installed by developer, the City shall furnish and install all cable, switches, street lighting poles, luminaries, transformers, meters, and other equipment that it deems necessary for the betterment of the system (Santa Clara City Code chapter 17.15.210 (2)).
- EL13. Electrical improvements (including underground electrical conduits along frontage of properties) may be required if any single non-residential private improvement valued at \$200,000 or more or any series of non-residential private improvements made within a three-year period valued at \$200,000 or more (Santa Clara City Code Title 17 Appendix A (Table III)).
- EL14. 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.
- EL15. Encroachment permits will not be signed off by Silicon Valley Power until Developers Work substructure construction drawing has been completed.
- EL16. 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.

## **WATER**

- W1. The applicant must indicate the disposition of all existing water and sewer services and mains on the plans. The applicant must properly abandon all existing services on the property that will not be used per Water & Sewer Utilities standards, and indicate existing main size, type, and connecting laterals.
- W2. The size of all proposed water and fire services shall be shown to scale. At the location where backflow prevention device located, the landscape area shall be extended a minimum of three feet from the edge of the device.
- W3. Prior to the issuance of Building Permits, the applicant shall provide fixture unit counts for any water services greater than 2".
- W4. Prior to issuance of Building Permits, the applicant shall provide the profile section details for utilities crossing water, sewer, or recycled water mains to ensure a 12" minimum vertical clearance is maintained.

- W5. The applicant shall submit composite utility plans showing all proposed and existing utilities (including electrical, gas, water, and sewer), building foundation, facade and landscaping (trees and shrubbery) so that the Water Department can verify conflicts for proposed water service locations. The applicant must indicate the correct pipe material and the size of existing water and sewer main(s) on the plans.
- W6. Proposed new fire hydrant shall be located in the landscape area, two feet behind the face of curb or back of walk, per City standard detail No. 18.
- W7. No structures (fencing, foundation, bio filtration swales, etc.) allowed over sanitary sewer and/or water utilities and easements.

### **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. The installation and use of interior and exterior security cameras and recording devices is highly encouraged.

### **FIRE**

- F1. Hazardous Materials Closure, Site Mitigation, Demolition Application: Prior to issuance of grading permits or any excavation of the project site, additional soil sampling will be completed prior to removal of asphalt in the area of the former structure.

### **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.

#### **Stormwater**

- ST3. 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.
- ST4. 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.
- ST5. 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).

ST6. 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.



## PROJECT STATEMENT – 3035 EL CAMINO REAL

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***Project Highlights – June 26, 2019***

**Address:** 3035 El Camino Real, Santa Clara, CA

**Size:** 1.89 Acres

**General Plan Designation:** Community Mixed-Use (19-36 du/ac) with a commercial component.

**Current Use:** Used car sales (Wheels and Deals)

**Entitlements Requested:** Planned Development Zoning and a Tentative Tract Map

**Proposed Development:** 42 residential units, with 6 live work units (25 du/ac)

**Construction Type:** Four separate buildings, three and four stories in height, Type V – wood framed

**Previous Applications:** Preliminary Review – Project Clearance Committee and Subdivision Committee meeting November 14, 2017. Planned Development Zoning and Tentative Map – Project Clearance Committee and Subdivision Committee meetings June 5, 2018 and October 9, 2018.

**Project Applicant:** Hayden Land Company, LLC



### ***Introduction***

The Hayden Land Company envisions creating a community enhancing development project that exemplifies Santa Clara's vision of the El Camino Real as a Grand Boulevard. This project will do its part to help solve Santa Clara's (and the overall region's) need for more housing and commercial while taking into account the fabric of the existing neighborhood. The design takes into account special consideration for the single family property owners to the north of the property and to the projects overall interaction with El Camino Real. The goal is to create a great place to live and work while promoting sustainability, walkability and the use of mass transit.

Through extensive collaboration with city staff, elected officials, neighborhood groups, individual property owners and standalone community meetings, the proposed development plan has been created, submitted and revised several times for the City to review.

**The purpose of this Project Statement is to clarify the community and neighborhood benefits of the proposed development.**

### ***Location***

The site is located at 3035 El Camino Real, on the north side of the street, between Calabazas Boulevard on the west and Bowers Avenue/Kiely Boulevard on the east. To the north are five existing single family homes. The property is located mid-block. The rest of the block consists of ten additional parcels. To the west of the project site is a 2.4 acre property known as Bower's Plaza, a small retail center and automotive service center that forms the corner of the block. To the east of the project site is a 0.82 acre property: Century Automotive, an automobile repair establishment. Overall, the property is located in a desirable urban area of Silicon Valley. The neighborhood has good transportation linkages to the South Bay and Peninsula as well as the greater Bay Area and is convenient to major employment areas. Residential support services such as schools, recreational areas and shopping are considered above average, with a Walk Score of 85/100 the area is considered "Very Walkable".

### ***Feedback and Direction***

Feedback from City Staff and the community has led the overall direction of the development:

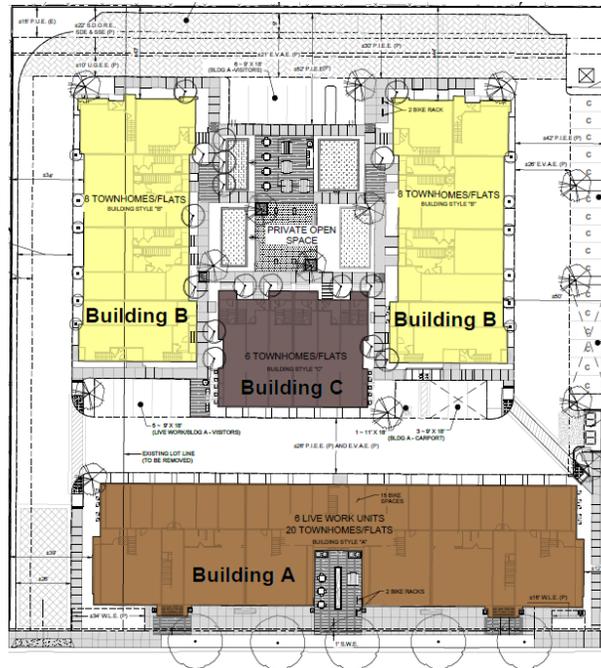
- Conform with the existing General Plan Designation.
- Participate in the El Camino Real Specific Plan vision process.
- Create an attractive mid to high density residential development.
- Include an appropriate commercial component.
- Respect the single family homeowners to the north with large setbacks and reduced building massing and height toward the northern property line. Also create architecture with limited windows and no balconies facing the northern property line that minimizes new residents "looking" into the single family rear yards.
- Limit the maximum building height to four stories to reduce the "tunnel effect" on El Camino Real.
- Create ample onsite parking to service the new development so that residents and retail users will not park on or in front of neighboring properties. The project will consist of 102 total parking spaces, of which 31 will be considered "common" spaces to be utilized by tenants, visitors, retail uses and live/work.
- Design "place making elements" incorporating open space and recreational facilities within the project to give the residents and visitors opportunity for congregation and social interaction.
- Utilize one driveway from El Camino Real into the project, and create internal roads that not only meet code requirements for fire access and trash pick-up, but also to utilize space in an efficient as possible manner to allow for a maximum amount of internal open space.
- Create 10% affordable housing utilizing an evenly distributed mix of unit sizes and unit plans.
- Pay special attention to El Camino Real street frontage. Design appropriate setbacks, landscape planters and street trees.

### ***Community Outreach***

The feedback and direction described above was collected through community outreach. The project sponsor has attended many community events including all of the El Camino Real Specific Plan workshops, the Greenbelt Alliance walking tours of El Camino Real, several Old Quad Residents Association Meetings, a Catalyze SV meeting and participated in events with the Santa Clara Chamber of Commerce. More specifically, the project sponsor hosted a community workshop on April 11, 2018 at the Maywood Room and a second community meeting on October 18, 2018 at the Machado Park Community Room. Both of these meetings were noticed to 1,000 feet of the project site with mailers. Also prior to both meetings, the project sponsor reached out to the immediate neighbors to the north of the property asking them to attend. The sponsor also walked the street on three separate occasions speaking with the neighboring property owners about the project. The second community workshop was attended by the Planning Department and met the City's community outreach policy.

### ***Proposed Project***

Through thoughtful planning, four buildings will be created for this project. Of the four buildings, there are three specific designs. We call these buildings A, B (two buildings of this type) and C.



**Figure 1 – PD Zoning Submittal Site Plan – November 2018**

### ***Building A – 4 Story – Residential with Live Work***

Building A fronts El Camino Real, and will be the key architectural feature seen by residents. The interaction between Building A and El Camino Real is extremely important. Building A is a four story 26 unit building which fronts onto and presents itself with a strong modern aesthetic to El Camino Real. This building has a mix of one and two bedroom units along with six live/work units. The square footage of these units range from 732 sf to 1,571 sf and each unit has a dedicated 1-car garage or carport. For residents' convenience and to further activate the building frontage, there are three main entry lobbies for the residents' common stair hall. There will be ample bicycle parking located near the main entrance of Building A. The strong vertical massing, contrasting rich body colors and materials, along with contemporary architectural detailing articulate and present to the public the desired urban character for this new development in Santa Clara. Four of the live work units have second stories that have single bedrooms. Two of the live work spaces have a single ground floor level, with a small sleeping area.

### ***Live Work Units***

Live work units are preferred by artists, therapists, architects and other types of creative or service –related industries. To showcase the live work units, the ground floor of the building has 12 foot tall plate heights with significant storefront glazing, doors, and signage opportunities. Live work units will have direct street front access to El Camino Real. The live work units have a depth of 35 feet and are designed with specifications from the approved Tasman East Specific Plan. The developer has worked with and for development companies that have constructed live work units in the past. Examples include Lou's Village by SummerHill in San Jose, and Lofts on the Alameda by Barry Swenson Builder in San Jose. Overall, these projects were not successful, and the lessons learned from these units will make the live work units proposed at this site successful. The types of uses expected to utilize these live work spaces could include, accountants, attorneys, financial advisors, insurance agents, tech start-ups, architects, engineers, real estate services, etc. Prohibited uses include any type of manufacturing or industrial uses, or businesses that handle toxic

chemicals. As these units do not have ventilation hoods or grease traps, traditional restaurants are not encouraged. Hours of operation will be detailed in the Covenants, Conditions and Restrictions but in general will be from 7:00 AM – 10:00 PM. The HOA will reserve the right to change these hours as necessary. The project is conforming with the acoustical study in the CEQA documentation regarding sound and vibration insulation in the units themselves. The project proposes maintaining the ground floor commercial retail along El Camino Real. The inclusion of live work units in the project balances Santa Clara's valid needs for small and medium-sized businesses that are needed to make a city work.

### ***Building A and El Camino Real***

The high speed, high traffic nature of El Camino Real suggest a deeper setback and a pedestrian-oriented building response. In order to support a safer pedestrian feel, wider sidewalks along El Camino Real are proposed. Also, a planting buffer is shown between the sidewalk and the street. This planting buffer will consist of new street trees and shrubs, as well as enhanced street lighting. Also proposed in the center of Building A along El Camino Real is a recessed plaza with hardscape elements, benches and a fountain to give pedestrians a respite from walking and biking along El Camino Real. The goal was to create a place that gives pedestrians a "break" from long stretches of El Camino Real and the traffic noise. Finally, the intent of this design to have the pedestrian experience integrate with the building in a way that not only benefits pedestrians, but activates the live work units.

### ***Building B(s) – 3 and 4 Story Residential***

Buildings B and C are oriented in a "U" shaped pattern to create a large, vibrant private open space in the center of the development. Future residents will have a private open space outside of their front doors. The two Building B's are on the east and west side of the private open space are each eight unit, four story buildings, tapering back to three stories along the northern portion of the property. These buildings are composed of a mix of townhomes and flats that range in size from approximately 1,550 sf to 2,950 sf. Each unit in Building B has a two-car garage, and three out of eight of the units in each building has complete interior ADA accessibility up to the fourth floor through use of a private elevator. A proportionate share of the affordable units will also be ADA accessible. All units have direct access from the garage to the residence, and include balconies. The exteriors of Building B continue with the strong modern aesthetics presented in Building A, but with a more residential siding material added to the skin. Particularly strong attention has been paid to the northern property line (closest to existing neighbors) of this building. The Plan 1 units (three-story townhomes) at the end of the building have been designed to limit the amount of glass area at the north side and to have the private balconies facing either the park or the loop road in order to minimize direct visual access to the rear yards of the existing residents. In addition these buildings are over 44 feet from the north property line.

### ***Building C***

The last of the four buildings is a six unit, four story Building C which sits at the south end of the private open space and near the center of the site. Like Building B, each unit has two-car garages and direct access from the garage to the residence. Building C is a mix of townhomes and flats. Each unit has three bedrooms and ranges in size from 1,573 sf to 1,928 sf. Each unit also has a private balcony facing the park or the loop road. All of the entries face onto the private open space and the building's exterior reflects complimentary modern aesthetics as in Buildings A and B. As previously detailed, building C will also have access to the "common" or "unbundled" parking spaces on-site.

### ***Parking***

The project proposes a total of 102 parking spaces, 71 of those spaces are assigned covered residents parking spaces – Building A, each unit will have a minimum of one covered space and Buildings B & C all units will have two-car garage covered spaces. In addition, the project provides 31 uncovered parking spaces for use by visitors and residents. Four (4) of the 31 spaces by the entryway closest to El Camino Real will be assigned to the six (6) live/work units for customer parking during business hours. During non-business hours the four spaces are available to all unit as visitor parking only. The project provides an average of 2.125 spaces per unit. The project is a unique high density, urban mixed-use infill project along a major transportation corridor, El Camino Real, that has great access to existing public transit and bike lanes in the immediate vicinity. We wanted to create a unique project that was not solely dependent

on the personal cars as the only means of transportation but to encourage all future residents in this project to take full advantage of public transit nearby, and other means of transportation such as bicycle and ride share. With the increased popularity of ride share such as Uber and Lyft, the demand for personal cars in more urban neighborhoods is typically lower. In addition, the project proposes 15 Class I long-term bicycle spaces, and eight short-term bicycle spaces (racks) on site which would be available free to all residents. The project proposes one parking space to be designated as “ADA” compliant. See table below

<b>Building</b>	<b>Units</b>	<b>Parking</b>
<b>Building A</b>	6	6 covered
		4 uncovered (assigned visitor spaces)
<b>Townhouse Flats</b>	20	20 covered
Total Assigned	26	30
Required Visitor-10% of 52 (26x2)		5.2, or 5 spaces
<b>Buildings B &amp; C:</b>		
Townhomes	22	44 covered
Required Visitor-10% of 44 garage spaces		4.4, or 5 spaces
<b>Subtotal covered and assigned spaces</b>		<b>84</b>
<b>Subtotal unbundled unassigned visitor and resident</b>		<b>18</b>
<b>Total Proposed On-Site Parking</b>		<b>102</b>

***Public Transportation***

The property is located in a central location in relation transportation infrastructure, making it an excellent location for higher density residential development. The project is within 3.5 miles of San Jose International Airport and has direct access Lawrence Expressway and San Thomas Expressway as well as to Highways 101 and 280. It has good access to area bus routes including #22, #522, #57 and #58 that have stops within 1-3 blocks of the project site. Both bus #522 and #22 provide direct access to the Caltrains/Acetrain station that provides train services to San Francisco, Oakland and surrounding Bay Area communities. Santa Clara is a bicycle friendly city, and the project site has an excellent connection to the class 2 bicycle lanes that run down Calabazas Boulevard (nearest cross street). Coming soon (potentially) is the El Camion Real Bus Rapid Transit (BRT) service. There is a future scheduled BRT stop at El Camion Real and Kiely Boulevard, less than ¼ miles east of the project site.

***Green Features***

Utilizing sustainable building designs and sustainable building practices make the community a better place for current and future residents. The project will incorporate the following elements:

- All garage parking spaces and covered spaces in Building A will be wired with a 240 volt connection for Electric Vehicle charging stations.
- All homes wired for rooftop solar panels
- On-site storm water bio-treatment
- ADA accessible units, parking, and path of travel
- Variety of seating options and outdoor community gathering spaces
- Shade providing and oxygen sequestering trees
- Pervious pavement
- Low flush toilets
- Native and drought tolerant plant species
- Wildlife friendly planting
- Water efficient drip irrigation system
- Low energy LED light fixtures

- Attractive “good-neighbor” fences
- Energy efficient appliances
- Insulated windows and walls
- Efficient heating and air conditioning systems
- 23 bicycle racks/lockers, 15 of which are located in a secured bicycle storage room for residents.

### ***Private Open Space***

Although Santa Clara’s Central Park is only 0.75 miles from the project, it is important for residents to have sufficient open space within the development to congregate and get to know their neighbors. Included in the development is a large open space area in the center of the project. This private (fully ADA accessible) open space will have a combination of active and passive uses. We are creating a place where residents will find peace and serenity in the midst of the hustle and bustle of El Camino Real and Silicon Valley. Through the use of a contemporary design that integrates hard and soft scape features, the open space area will have two major design elements.

1. **Family Picnic Area** – This element includes a bar-b-que, benches, picnic tables, and an arbor shade structure so that residence can enjoy outdoor cooking and eating.
2. **Flexible Lawn Space** – This open lawn area can be used for sunbathing and relaxing and a number of lawn games such as bocce ball, croquet, corn hole, birdie and volleyball.

Other features included in the Private Open Space include a mailbox structure with recycled waste receptacles, a trash receptacle, a dog waste station, integrated storm water (LID) treatment planning, and attractive site lighting. Throughout the Private Open Space will be native plants.

### ***Below Market Rate Housing***

The 3035 El Camino Real project will create below market rate housing for a community that needs affordable housing. Including below market rate housing in the project creates a better community by blending residents of different income levels. The project will be designating 10% of the units as below market rate units. These units will be geographically spread throughout the development and will also be evenly distributed by bedroom count. These units will be built to the base standard finish levels as the rest of the units in the project. Additionally, one of the Live/Work units will be designated as affordable.

### ***Summary***

The proposed project at 3035 El Camino Real is a thoughtful way to create attractive new housing and commercial, while also taking into consideration the surrounding uses and the community’s interests. The project is designed achieve the goals of the future El Camino Real Specific Plan as well as do its part to solve the regions housing crisis. Utilizing larger sidewalks, enhanced landscaping and pedestrian relief areas, while activating the street with live work units, the project is an example of how new development should interact with El Camino Real. The project will utilize sustainable building practices and design. Creating private open space with active and passive amenities for residents to congregate and positively interact makes the project a ‘livable’ community. Incorporating below market rate housing into the development will create a mixed income community of new residents and help Santa Clara meet its below market rate housing goals. The project is located in a walkable, transit friendly area and residents will be encouraged to use mass transit. By providing bicycle parking, residents will be further encouraged to get out of their cars. Through a transparent community outreach process, that will continue for the duration of the project, the development has been able to be designed to address many of the neighbors needs and concerns. While this project is not the largest project proposed along El Camino Real in Santa Clara, we hope that it could be used as a template for smaller, mid-block developments along El Camino Real.

## Jeff Schwilk

---

**From:** Joseph Gemignani <josephtheweatherman@gmail.com>  
**Sent:** Tuesday, March 26, 2019 5:21 PM  
**To:** Jeff Schwilk  
**Subject:** 3035 El Camino

Hi Jeff,

Please let the Planning Commission know that I do not like the exterior style of the building proposed on 3035 El Camino real.

It looks to boxy and modern. Thanks thought we are called Mission City. This looks more appropriate in Fremont or Daly City.

Thanks

Joseph (amateur weatherman)

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 4  
 OFFICE OF TRANSIT AND COMMUNITY PLANNING  
 P.O. BOX 23660, MS-10D  
 OAKLAND, CA 94623-0660  
 PHONE (510) 286-5528  
 TTY 711  
 www.dot.ca.gov



*Making Conservation  
 a California Way of Life.*



August 12, 2019

Jeff Schwik, Project Planner  
 City of Santa Clara  
 1500 Warburton Ave.  
 Santa Clara, CA 95050

SCH # 2019079058  
 GTS # 04-SCL-2019-00614  
 GTS ID: 16436  
 Co-Rt-Pm: SCL-82-13.62

**Project – 3035 El Camino Real Residential Project Mitigated Negative Declaration (MND)**

Dear Jeff Schwik:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for this project. In tandem with the Metropolitan Transportation Commission's (MTC) Sustainable Communities Strategy (SCS), Caltrans' mission signals our continuing approach to evaluate and mitigate impacts to the State's multimodal transportation network. Caltrans' Strategic Management Plan 2015-2020 aims, in part, to reduce Vehicle Miles Traveled (VMT) and Greenhouse Gas emissions (GHG) in alignment with state goals and policies. Our comments are based on the July 15, 2019 MND.

***Project Understanding***

The proposed project would construct a three- to four-story high mixed-use development, replacing the 5,200 square foot car dealership building on the site. The proposed development would include 42 townhouse-style condominiums, six live/work condominium units (approximately 8,190 square feet of commercial space), 27,438 square feet of private open space, and 102 parking spaces. The development would include four buildings. Regional access is provided via State Route (SR)-82 and directly along the State Transportation Network (STN.) The site is within a Priority Development Area (PDA) and is within walking distance to transit.

***Landscaping***

Per Topic 405.1 Sight Distance of the Highway Design Manual (HDM,) corner sight distance requirements as described in the HDM are not applied to urban

driveways. Per Table 902.3 Large Tree Setback Requirements on Conventional Highways, large trees must be set back a minimum 18" from the face of the curb to the face of the tree trunk. Tree planting, trimming and landscape maintenance work performed within Caltrans right of way will require an encroachment permit. To view the HDM, please visit <https://dot.ca.gov/-/media/dot-media/programs/design/documents/hdm-complete-14dec2018.pdf>.

**Lead Agency**

As the Lead Agency, the City of Santa Clara is responsible for all project mitigation, including any needed improvements to the STN. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

**Encroachment Permit**

Please be advised that any work or traffic control that encroaches onto SR-82 requires a Caltrans-issued encroachment permit. To obtain an encroachment permit, a completed encroachment permit application, environmental documentation, six (6) sets of plans clearly indicating the State Right of Way, and six (6) copies of signed, dated and stamped (include stamp expiration date) traffic control plans must be submitted to: Office of Encroachment Permits, California DOT, District 4, P.O. Box 23660, Oakland, CA 94623-0660. To download the permit application and obtain more information, visit <https://dot.ca.gov/programs/traffic-operations/ep/applications>.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Mark Leong at 510-286-1644 or [mark.leong@dot.ca.gov](mailto:mark.leong@dot.ca.gov).

Sincerely,



Wahida Rashid  
Acting District Branch Chief  
Local Development - Intergovernmental Review

c: State Clearinghouse

**Jeff Schwilk**

---

**From:** Pearse, Brent <Brent.Pearse@vta.org>  
**Sent:** Wednesday, August 21, 2019 9:59 AM  
**To:** Jeff Schwilk  
**Subject:** 3035 El Camino Real Project NOP

Jeff,

Thank you for including VTA in the distribution for the 3035 El Camino Real Project. We have no specifics comments at this time.

Regards,

**Brent Pearse** (He/Him)  
Transportation Planner  
Phone 408-546-7985  
Mobile 408-550-4559



**MITIGATION MONITORING OR REPORTING PROGRAM**

**3035 El Camino Real Residential Project**

**CITY OF SANTA CLARA**

**July 2019**

## P R E F A C E

Section 21081 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring or Reporting Program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the monitoring or reporting program is to ensure compliance with the mitigation measures during project implementation.

The Initial Study/Mitigated Negative Declaration (IS/MND) concluded that the implementation of the project could result in significant effects on the environment and mitigation measures were incorporated into the proposed project or are required as a condition of project approval. This Mitigation Monitoring or Reporting Program addresses those measures in terms of how and when they will be implemented.

This document does *not* discuss those subjects for which the IS/MND concluded that the impacts from implementation of the project would be less-than-significant.

**MITIGATION MONITORING OR REPORTING PROGRAM  
3035 EL CAMINO REAL RESIDENTIAL PROJECT**

<b>Impact</b>	<b>Mitigation</b>	<b>Timeframe for Implementation</b>	<b>Responsibility for Implementation</b>	<b>Oversight of Implementation</b>
<b>AIR QUALITY</b>				
<p><b>Impact AIR-2:</b> Construction activities would generate dust and other particulate matter that could impact adjacent residences.</p>	<p><b>MM AIR-2.1:</b> The project shall implement the following best management practices (BMPs), as recommended by BAAQMD to reduce construction fugitive dust impacts during all phases of construction:</p> <ul style="list-style-type: none"> <li>• All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.</li> <li>• All haul trucks transporting soil, sand, or other loose material off-site shall be covered.</li> <li>• All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</li> <li>• All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).</li> <li>• All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</li> <li>• Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</li> <li>• All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All</li> </ul>	<p>During construction</p>	<p>Project applicant and contractors</p>	<p>Director of Community Development</p>

**MITIGATION MONITORING OR REPORTING PROGRAM  
3035 EL CAMINO REAL RESIDENTIAL PROJECT**

<b>Impact</b>	<b>Mitigation</b>	<b>Timeframe for Implementation</b>	<b>Responsibility for Implementation</b>	<b>Oversight of Implementation</b>
	<p>equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</p> <ul style="list-style-type: none"> <li>• Post a publicly visible sign with the telephone number and person to contact at the construction firm regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District’s phone number shall also be visible to ensure compliance with applicable regulations.</li> </ul>			
<p><b>Impact AIR-3:</b> Construction activities associated with the proposed project would expose infants near the project site to temporary TAC emissions in excess of acceptable thresholds.</p>	<p><b>MM AIR-3.1:</b> The project shall develop a plan demonstrating that the off-road equipment used on-site to construct the project would achieve a fleet-wide average of at least 47 percent reduction in DPM exhaust emissions or greater. One feasible plan to achieve this reduction would include the following:</p> <ul style="list-style-type: none"> <li>• All mobile diesel-powered off-road equipment larger than 25 horsepower and operating on the site for more than two days shall meet, at a minimum, U.S. EPA particulate matter emissions standards for Tier 3 engines or equivalent.</li> <li>• All diesel-powered portable equipment (i.e., forklifts, generators, and welders), larger than 25 horsepower, operating on the site for more than two days shall meet U.S. EPA particulate matter emissions standards for Tier 3 engines or equivalent and CARB-certified Level 3 Diesel Particulate Filters or equivalent.</li> <li>• The construction contractor could use other measures to minimize construction period DPM emission to reduce the estimated cancer risk below the thresholds. The use of equipment that includes U.S. EPA particulate matter emissions standards for Tier 2 engines and CARB-certified Level 3 Diesel Particulate</li> </ul>	<p>Submit plans to City prior to demolition or grading permit.</p> <p>During construction</p>	<p>Project applicant and contractors</p>	<p>Director of Community Development</p>

**MITIGATION MONITORING OR REPORTING PROGRAM  
3035 EL CAMINO REAL RESIDENTIAL PROJECT**

<b>Impact</b>	<b>Mitigation</b>	<b>Timeframe for Implementation</b>	<b>Responsibility for Implementation</b>	<b>Oversight of Implementation</b>
	Filters or alternatively fueled equipment (i.e., non-diesel) could meet this requirement. Other measures may be the use of added exhaust devices, or a combination of measures, provided that these measures are approved by the City and demonstrated to reduce community risk impacts to less than significant.			
<b>BIOLOGICAL RESOURCES</b>				
<p><b>Impact BIO-4:</b> Construction activities associated with the proposed project could result in the loss of fertile eggs, nesting raptors or other migratory birds, or nest abandonment.</p>	<p><b>MM BIO-4.1:</b> Construction shall be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds, including most raptors in the San Francisco Bay area, extends from February through August.</p> <p><b>MM BIO-4.2:</b> If it is not possible to schedule demolition and construction between September and January, pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests would be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). During this survey, the ornithologist would inspect all trees and other possible nesting habitats immediately adjacent to the construction areas for nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with CDFW, would determine the extent of a construction-free buffer zone to be established around the nest, typically 250 feet, to ensure that raptor or migratory bird nests would not be disturbed during project construction.</p>	Prior to issuance of demolition or grading permits	Project applicant and contractors	Director of Community Development, CDFW

**MITIGATION MONITORING OR REPORTING PROGRAM  
3035 EL CAMINO REAL RESIDENTIAL PROJECT**

<b>Impact</b>	<b>Mitigation</b>	<b>Timeframe for Implementation</b>	<b>Responsibility for Implementation</b>	<b>Oversight of Implementation</b>
<b>CULTURAL RESOURCES</b>				
<p><b>Impact CUL-2:</b> Subsurface archaeological resources could be uncovered during demolition/construction of the proposed project.</p>	<p><b>MM CUL-2.1:</b> In the event that prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Director of Community Development will be notified, and the archaeologist will examine the find and make appropriate recommendations prior to issuance of building permits. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring would be submitted to the Director of Community Development.</p> <p><b>MM CUL-2.2:</b> In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped. The Santa Clara County Coroner will be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.</p> <p>The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner</p>	<p>During all phases of ground-disturbing activities</p>	<p>Project applicant and contractors</p>	<p>Community Development Director, NAHC (for human remains)</p>

**MITIGATION MONITORING OR REPORTING PROGRAM  
3035 EL CAMINO REAL RESIDENTIAL PROJECT**

<b>Impact</b>	<b>Mitigation</b>	<b>Timeframe for Implementation</b>	<b>Responsibility for Implementation</b>	<b>Oversight of Implementation</b>
	<p>or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.</p>			

**HAZARDS AND HAZARDOUS MATERIALS**

<p><b>Impact HAZ-2:</b> The surface and sub-surface soils on-site are contaminated due to Lead Based Paint and pest control (termite) spraying around the former structure. Implementation of the project could expose construction workers and future residents to Lead and DDT contamination</p>	<p><b>MM HAZ-2.1:</b> The concentrations of hazardous chemicals are likely limited to upper one or two feet of soil near the former structures. Prior to excavation of the project site, additional soil sampling will be completed prior to removal of asphalt in the area of the former structure to evaluate the distribution and magnitude of lead and total DDT concentrations.</p> <p><b>MM HAZ-2.2:</b> The additional data would be used to produce a Site Management Plan (SMP) to evaluate appropriate disposal and/or reuse options. In the event that impacted soil is identified on-site, the Director of Community Development shall be notified. Sample results shall be submitted to the Santa Clara Fire Department for review. Contaminated soil shall be handled separately from “clean” soil. Common and potentially applicable remedial measures for the impacted soil may include: 1) excavation and off-site disposal at a permitted facility; 2) the use of engineering and administrative controls, such as consolidation and capping of the soil on-site and land use covenants restricting certain activities/uses; and 3) a combination of the above. Remedial activities at the site, if warranted, would be overseen by an appropriate regulatory agency, such as the Department</p>	<p>Prior to issuance of grading permits.</p>	<p>Project Applicant</p>	<p>Community Development Director</p> <p>Santa Clara County Department of Environmental Health</p> <p>Santa Clara Fire Department</p>
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**MITIGATION MONITORING OR REPORTING PROGRAM  
3035 EL CAMINO REAL RESIDENTIAL PROJECT**

<b>Impact</b>	<b>Mitigation</b>	<b>Timeframe for Implementation</b>	<b>Responsibility for Implementation</b>	<b>Oversight of Implementation</b>
	<p>of Toxic Substances Control (DTSC) or the Santa Clara County Department of Environmental Health (SCCDEH).</p> <p><b>MM HAZ-2.3:</b> The affected soils on-site could be excavated and transported to the appropriate facility for disposal, under the oversight of SCCDEH or DTSC.</p>			
<b>HYDROLOGY AND WATER QUALITY</b>				
<p><b>Impact HYD-1:</b> The on-site well could serve as a conduit for contaminants to be released into the shallow groundwater table</p>	<p><b>MM HYD-1.1:</b> The project applicant shall obtain a permit from the Santa Clara Valley Water District to properly destroy the well prior to issuance of a grading permit.</p>	<p>Provide evidence of well destruction permit to City’s Director of Community Development, prior to issuance of grading permits.</p>	<p>Project Applicant</p>	<p>Santa Clara Valley Water District.</p>

**SOURCE:** City of Santa Clara, Draft Initial Study, 3035 El Camino Real Residential Project, July 2019.



# **3035 EL CAMINO REAL**

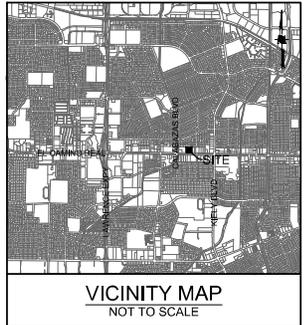
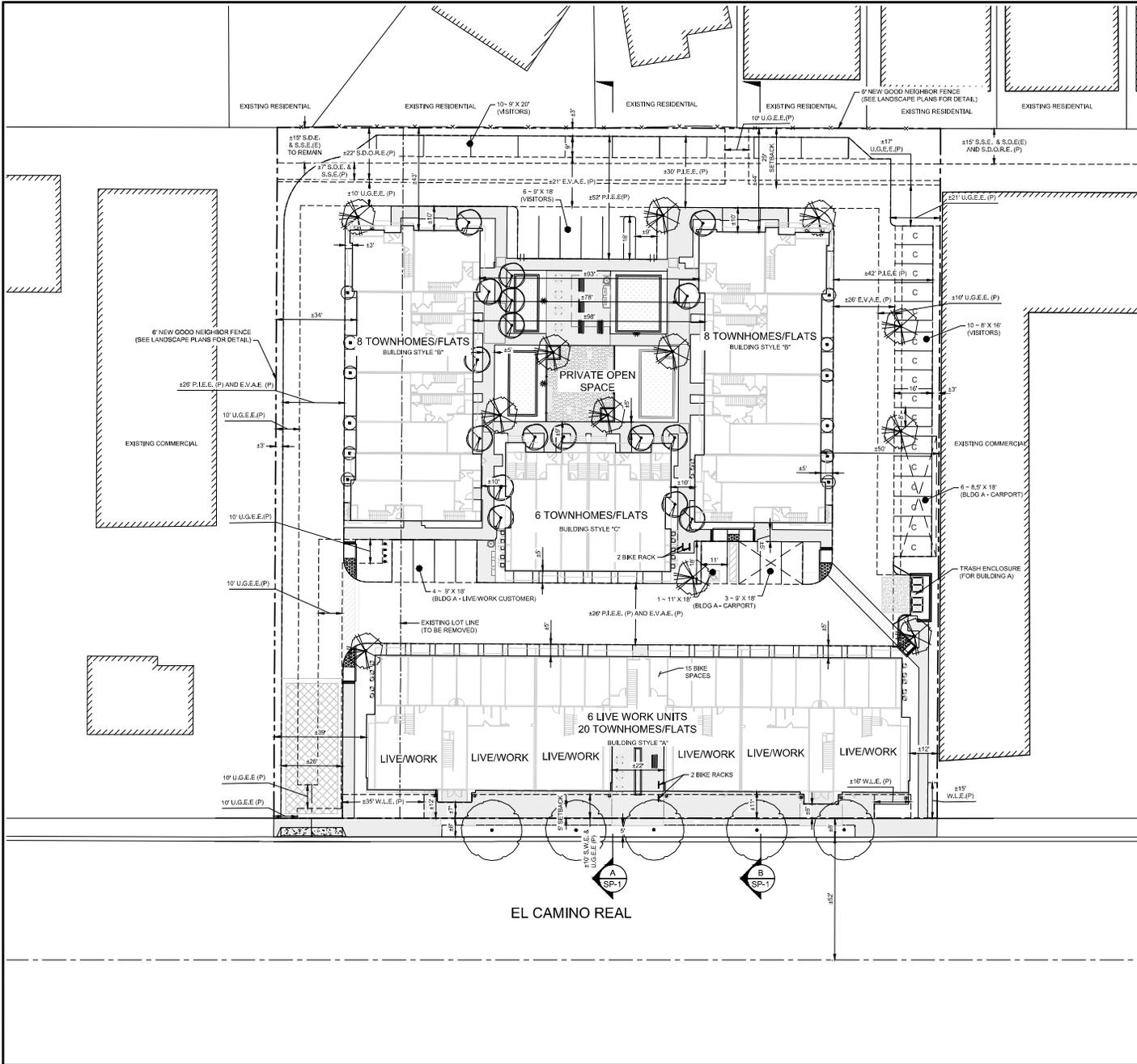
SANTA CLARA, CALIFORNIA  
JANUARY 23, 2019

HAYDEN LAND  
COMPANY LLC  
15732 LOS GATOS BLVD, SUITE 101  
LOS GATOS, CA 95032

**HMH**  
Land Use Entitlements  
Land Planning  
Landscape Architecture  
Civil Engineering  
Utility Design  
Land Surveying  
Stormwater Compliance

ARCHITECTS - PLANNERS - DESIGNERS  
**WHA.**  
ORANGE COUNTY - LOS ANGELES - BAY AREA





**LEGEND**

PROJECT BOUNDARY	---
SETBACK	---
EXISTING PROPERTY LINE	---
PROPOSED PROPERTY LINE	---
EXISTING EASEMENT	---
CENTER LINE	---
OVERHEAD LIGHT	*
COMPACT PARKING	C
EXISTING	(E)
PROPOSED	(P)
WATER LINE EASEMENT	W.L.E.
PRIVATE INGRESS/EGRESS EASEMENT	P.I.E.E.
EMERGENCY VEHICLE ACCESS EASEMENT	E.V.A.E.
UNDERGROUND ELECTRIC EASEMENT	U.G.E.E.
PUBLIC UTILITY EASEMENT	P.U.E.
STORM DRAIN OVERLAND RELEASE EASEMENT	S.D.O.R.E.
SEWALK EASEMENT	S.W.E.
STORM DRAIN EASEMENT	S.D.E.
SANITARY SEWER EASEMENT	S.S.E.

**FAR FOR BUILDINGS (NET AREA):**

BUILDING A	0.55
BUILDING B	0.25
BUILDING C	0.16

**FAR FOR RETAIL SPACE** 8,189 SF

**FAR FOR SITE** 0.97

- PROPOSED SET BACKS:**
- MINIMUM PROPOSED SETBACK AT FRONT OF THE PROPERTY FROM EL CAMINO REAL TO THE BUILDING IS 5'
  - MINIMUM PROPOSED SETBACK AT REAR IS 25'

**NOTE:**  
ALL COMPACT SPACES ARE TO BE LABELED AND STRIPED AS COMPACT AND ALL VISITOR SPACES STRIPED/SIGNED AS GUEST/VISITOR



**HAYDEN LAND COMPANY LLC**  
15732 LOS GATOS BLVD, SUITE 101  
LOS GATOS, CA 95032

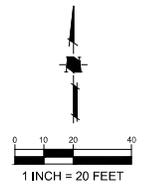
**3035 EL CAMINO REAL  
PLANNED DEVELOPMENT  
ZONING**  
SANTA CLARA, CALIFORNIA

**NOT FOR  
CONSTRUCTION**

PROJECT NO.	4768.00
CAD DWG FILE	476800P.DWG
DESIGNED BY	DJA
DRAWN BY	DJA
CHECKED BY	RM
DATE	FEBRUARY 15, 2018
SCALE	AS SHOWN
© HMH	

**CONCEPTUAL SITE  
PLAN**

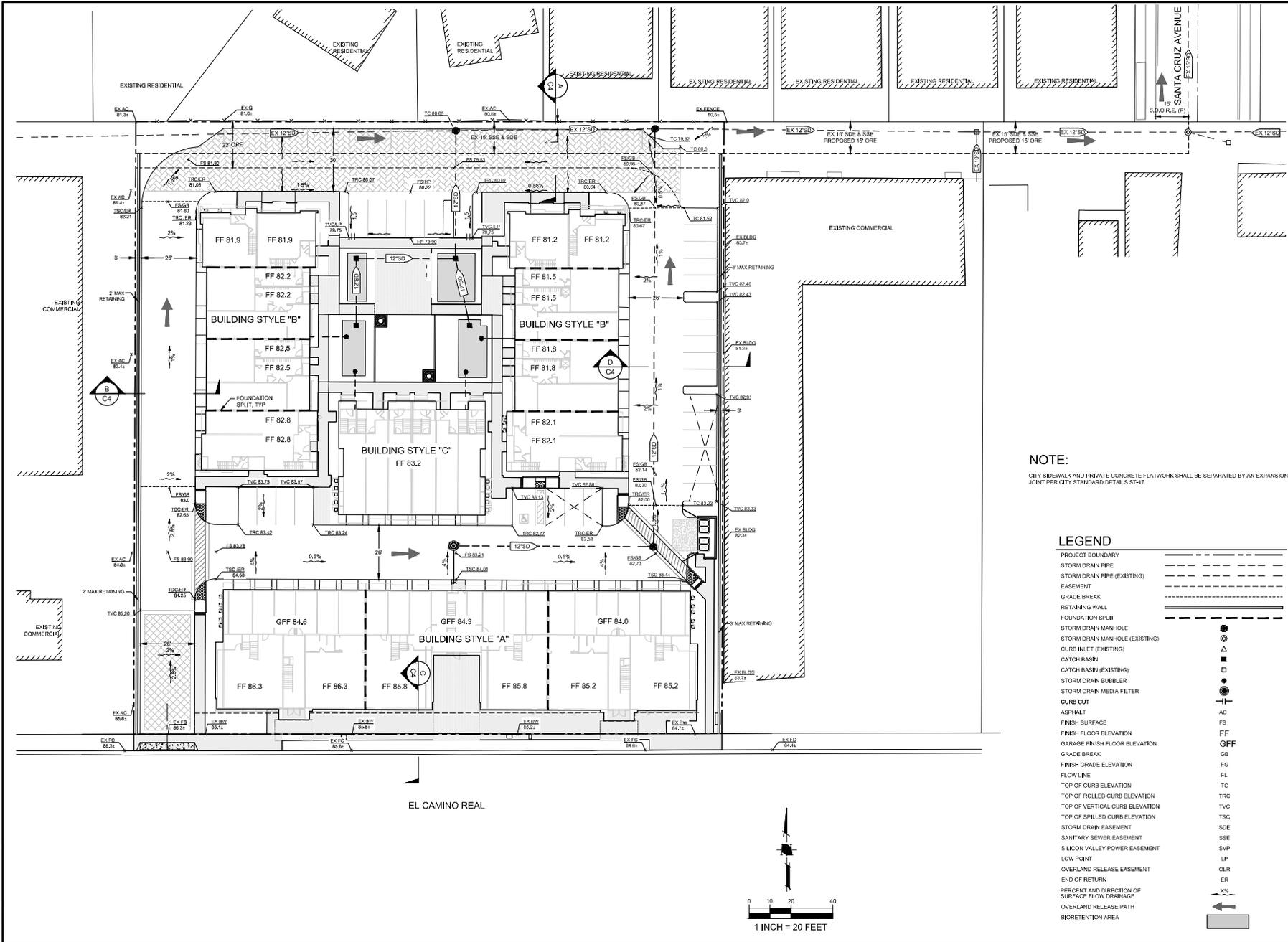
**C1**



PROJECT: 3035 EL CAMINO REAL PLANNED DEVELOPMENT ZONING

PLOTTER: 03/20/18 10:48 AM





**NOTE:**  
CITY SIDEWALK AND PRIVATE CONCRETE FLATWORK SHALL BE SEPARATED BY AN EXPANSION JOINT PER CITY STANDARD DETAILS S1-7.

LEGEND	
PROJECT BOUNDARY	---
STORM DRAIN PIPE	---
STORM DRAIN PIPE (EXISTING)	---
EASEMENT	---
GRADE BREAK	---
RETAINING WALL	---
FOUNDATION SPLIT	---
STORM DRAIN MAN-HOLE	○
STORM DRAIN MAN-HOLE (EXISTING)	○
CURB INLET (EXISTING)	○
CATCH BASIN	○
CATCH BASIN (EXISTING)	○
STORM DRAIN BUBBLES	○
STORM DRAIN MEDIA FILTER	○
CURB CUT	— —
ASPHALT	AC
FINISH SURFACE	FS
FINISH FLOOR ELEVATION	FF
GARAGE FINISH FLOOR ELEVATION	GFF
GRADE BREAK	GB
FINISH GRADE ELEVATION	FG
FLOW LINE	FL
TOP OF CURB ELEVATION	TC
TOP OF ROLLED CURB ELEVATION	TRC
TOP OF VERTICAL CURB ELEVATION	TVC
TOP OF SPILLED CURB ELEVATION	TSC
STATION STORM DRAIN EASEMENT	SDE
SANITARY SEWER EASEMENT	SSE
SILICON VALLEY POWER EASEMENT	SVP
LOW POINT	LP
OVERLAND RELEASE EASEMENT	OLR
END OF RETURN	ER
PERCENT AND DIRECTION OF SURFACE FLOW DRAINAGE	↖ 2%
OVERLAND RELEASE PATH	→
BIORETENTION AREA	■

**HMM**  
Land Use Entitlements  
Land Planning  
Landscape Architecture  
Civil Engineering  
Utility Design  
Land Surveying  
Stormwater Compliance  
1570 Oakland Road  
San Jose, CA 95131 (408) 487-2200  
HMM.com



**HAYDEN LAND COMPANY LLC**  
15732 LOS GATOS BLVD, SUITE 101  
LOS GATOS, CA 95032

**3035 EL CAMINO REAL  
PLANNED DEVELOPMENT  
ZONING**  
SANTA CLARA, CALIFORNIA

**NOT FOR  
CONSTRUCTION**

PROJECT NO.	4768.00
CAD DWG FILE:	414800P.DWG
DESIGNED BY:	SKM
DRAWN BY:	KL
CHECKED BY:	TJL
DATE:	FEBRUARY 15, 2018
SCALE:	1" = 20'
© HMM	

**CONCEPTUAL  
GRADING AND  
DRAINAGE PLAN**

**C3**

PROJECT: 3035 EL CAMINO REAL PLANNED DEVELOPMENT ZONING

PLOTTER: 24 INCH X 36 INCH



**HAYDEN LAND COMPANY LLC**  
 15732 LOS GATOS BLVD, SUITE 101  
 LOS GATOS, CA 95032

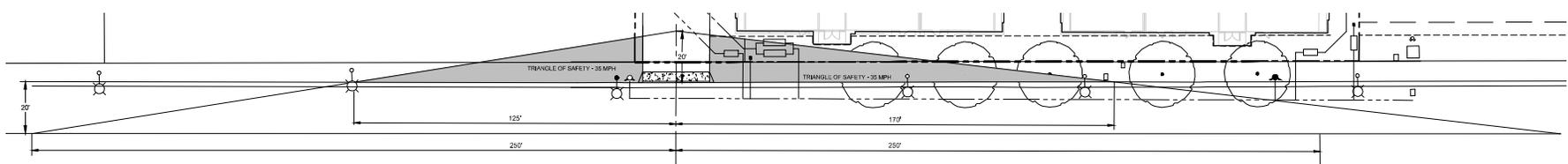
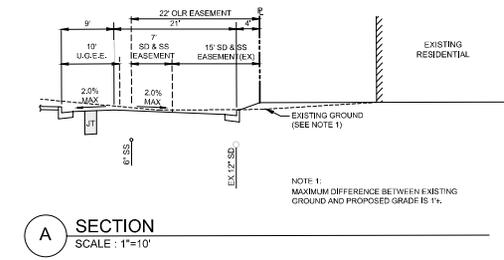
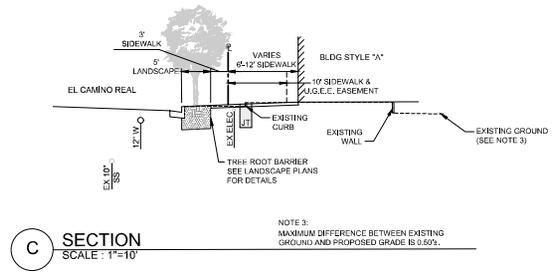
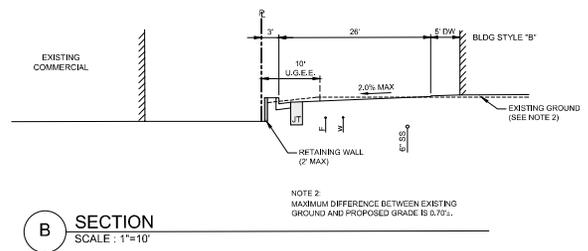
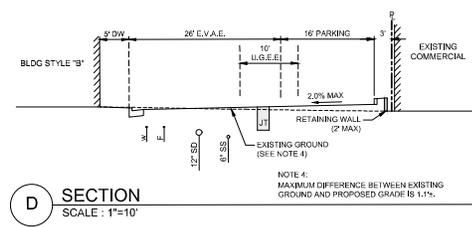
**3035 EL CAMINO REAL  
 PLANNED DEVELOPMENT  
 ZONING**  
 SANTA CLARA, CALIFORNIA

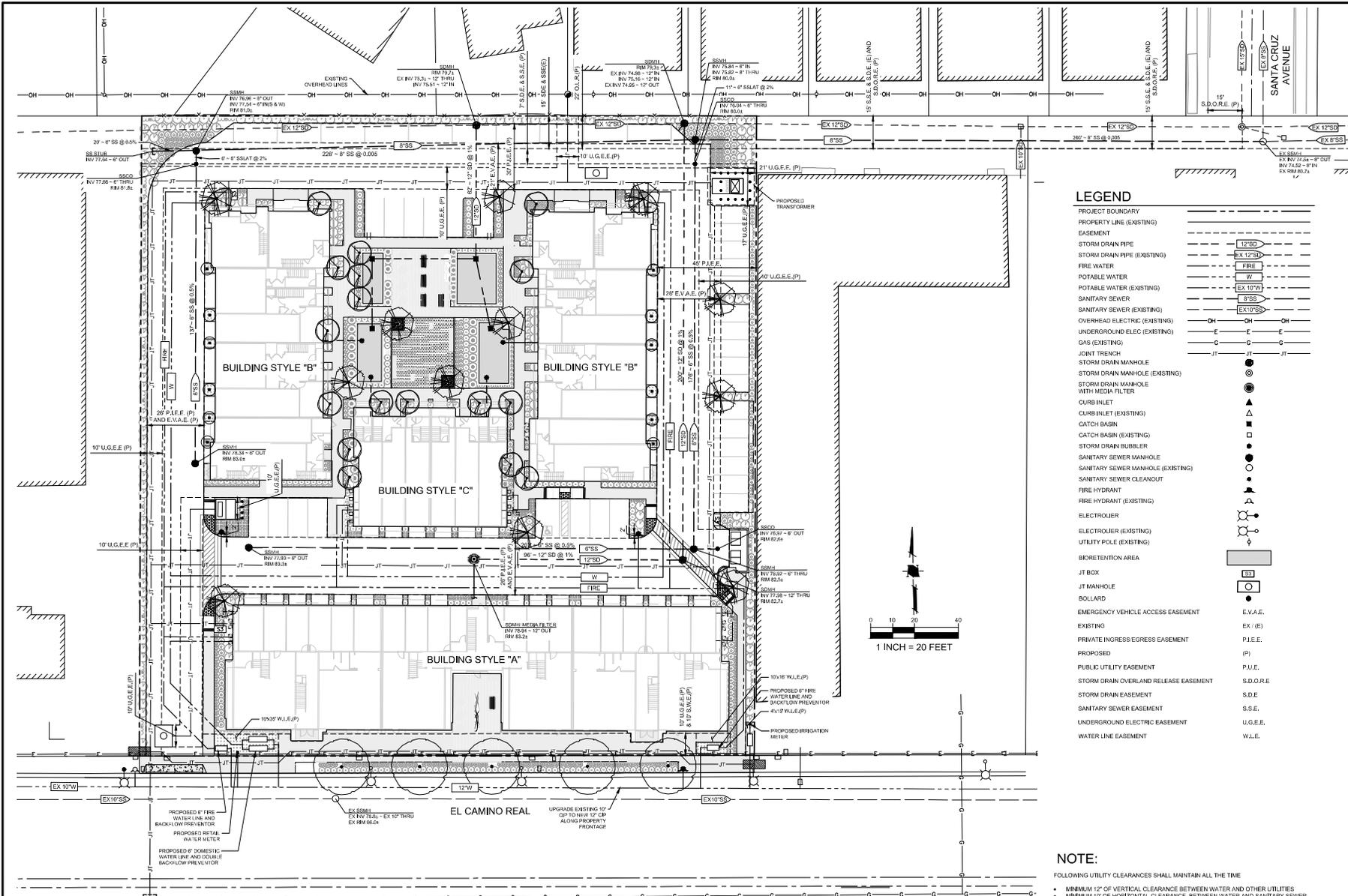
**NOT FOR  
 CONSTRUCTION**

PROJECT NO.	4768.00
CAD DWG FILE	476800P.DWG
DESIGNED BY	SHAY
DRAWN BY	KL
CHECKED BY	TL
DATE	JANUARY 23, 2018
SCALE	AS SHOWN
© HMH	

**CONCEPTUAL  
 GRADING SECTION**

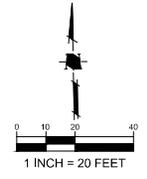
**C4**





**LEGEND**

PROJECT BOUNDARY	---
PROPERTY LINE (EXISTING)	---
EASEMENT	---
STORM DRAIN PIPE	12"SD
STORM DRAIN PIPE (EXISTING)	EX 12"SD
FIRE WATER	FIRE
POTABLE WATER	W
POTABLE WATER (EXISTING)	EX 10"W
SANITARY SEWER	8"SS
SANITARY SEWER (EXISTING)	EX 10"SS
OVERHEAD ELECTRIC (EXISTING)	OH
UNDERGROUND ELEC (EXISTING)	E
GAS (EXISTING)	G
JOINT TRENCH	JT
STORM DRAIN MANHOLE	○
STORM DRAIN MANHOLE (EXISTING)	○
STORM DRAIN MANHOLE WITH MEDIA FILTER	○
CURB INLET	○
CURB INLET (EXISTING)	○
CATCH BASIN	□
CATCH BASIN (EXISTING)	□
STORM DRAIN BUBBLER	○
SANITARY SEWER MANHOLE	○
SANITARY SEWER MANHOLE (EXISTING)	○
SANITARY SEWER CLEANOUT	○
FIRE HYDRANT	○
FIRE HYDRANT (EXISTING)	○
ELECTROLIER	○
ELECTROLIER (EXISTING)	○
UTILITY POLE (EXISTING)	○
BIORETENTION AREA	○
JT BOX	○
JT MANHOLE	○
BOLLARD	○
EMERGENCY VEHICLE ACCESS EASEMENT	E.V.A.E.
EXISTING	EX (E)
PRIVATE INGRESS/EGRESS EASEMENT	P.I.E.E.
PROPOSED	(P)
PUBLIC UTILITY EASEMENT	P.U.E.
STORM DRAIN OVERLAND RELEASE EASEMENT	S.D.O.R.E.
STORM DRAIN EASEMENT	S.D.E.
SANITARY SEWER EASEMENT	S.S.E.
UNDERGROUND ELECTRIC EASEMENT	U.G.E.E.
WATER LINE EASEMENT	W.L.E.



**NOTE:**

- FOLLOWING UTILITY CLEARANCES SHALL MAINTAIN ALL THE TIME
- MINIMUM 12" OF VERTICAL CLEARANCE BETWEEN WATER AND OTHER UTILITIES
  - MINIMUM 10" OF HORIZONTAL CLEARANCE BETWEEN WATER AND SANITARY SEWER
  - MINIMUM 10" OF HORIZONTAL CLEARANCE BETWEEN WATER AND RECYCLED WATER
  - MINIMUM 5" OF HORIZONTAL CLEARANCE BETWEEN WATER AND STORM DRAIN
  - MINIMUM 5" OF HORIZONTAL CLEARANCE BETWEEN WATER AND FIRE
  - MINIMUM 5" OF HORIZONTAL CLEARANCE BETWEEN WATER AND ABANDONED WATER SERVICES
  - MINIMUM 5" OF HORIZONTAL CLEARANCE BETWEEN WATER AND GAS UTILITIES, EDGE OF PROPOSED OR EXISTING DRIVEWAY
  - FOR SANITARY SEWER, WATER AND RECYCLED WATER MINIMUM 10" OF HORIZONTAL CLEARANCE FROM EXISTING AND PROPOSED TREES, IF INSTALLING TREE ROOT BARRIERS CLEARANCE CAN REDUCED TO 5"

**HMH**  
 Land Use Entitlements  
 Land Planning  
 Landscape Architecture  
 Civil Engineering  
 Utility Design  
 Land Surveying  
 Stormwater Compliance  
 1570 Oakland Road  
 San Jose, CA 95131  
 (408) 487-2200  
 HMB@hmi.com



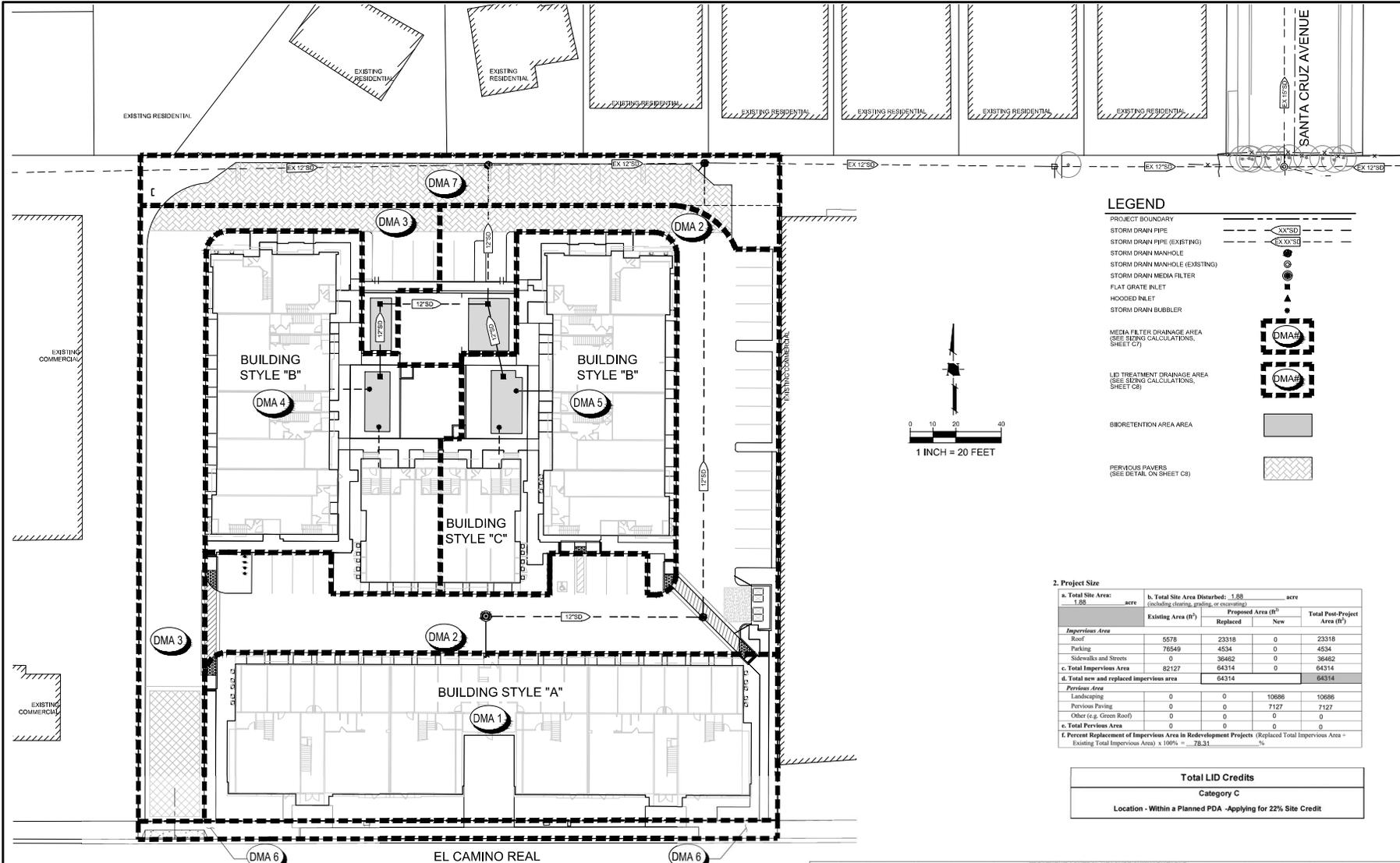
**HAYDEN LAND COMPANY LLC**  
 1732 LOS GATOS BLVD., SUITE 101  
 LOS GATOS, CA 95032

**3035 EL CAMINO REAL  
 PLANNED DEVELOPMENT  
 ZONING**  
 SANTA CLARA, CALIFORNIA

**NOT FOR CONSTRUCTION**

PROJECT NO:	474820
CAD DWG FILE:	474820/22W
DESIGNED BY:	RHW
DRAWN BY:	RHW
CHECKED BY:	TZ
DATE:	FEBRUARY 15, 2019
SCALE:	1" = 20'

**CONCEPTUAL UTILITY PLAN**



**LEGEND**

- PROJECT BOUNDARY
- STORM DRAIN PIPE
- STORM DRAIN PIPE (EXISTING)
- STORM DRAIN MANHOLE
- STORM DRAIN MANHOLE (EXISTING)
- STORM DRAIN MEDIA FILTER
- FLAT GRATE INLET
- HOODED INLET
- STORM DRAIN BUBBLER
- MEDIA FILTER DRAINAGE AREA (SEE SIZING CALCULATIONS, SHEET C7)
- LID TREATMENT DRAINAGE AREA (SEE SIZING CALCULATIONS, SHEET C5)
- BIORETENTION AREA AREA
- PERVIOUS PAVERS (SEE DETAIL ON SHEET C8)

**2. Project Size**

a. Total Site Area: 1.88 acre		b. Total Site Area Disturbed: 1.88 acre (including clearing, grading, or excavating)		
	Existing Area (ft <sup>2</sup> )	Proposed Area (ft <sup>2</sup> )	New	Total Post-Project Area (ft <sup>2</sup> )
<b>Impervious Area</b>				
Roof	5578	23318	0	23318
Parking	76549	4534	0	4534
Sidewalks and Streets	0	36462	0	36462
<b>c. Total Impervious Area</b>	<b>82127</b>	<b>64314</b>	<b>0</b>	<b>64314</b>
<b>d. Total new and replaced impervious area</b>		<b>64314</b>		<b>64314</b>
Landscaping	0	0	10686	10686
Pervious Paving	0	0	7127	7127
Other (e.g. Green Roof)	0	0	0	0
<b>e. Total Pervious Area</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>f. Percent Replacement of Impervious Area in Redevelopment Projects (Replaced Total Impervious Area ÷ Existing Total Impervious Area) x 100% = 78.31 %</b>				

**Total LID Credits**  
**Category C**  
 Location - Within a Planned PDA -Applying for 22% Site Credit

**STANDARD STORMWATER CONTROL NOTES:**

- STANDING WATER SHALL NOT REMAIN IN THE TREATMENT MEASURES FOR MORE THAN FIVE DAYS, TO PREVENT MOSQUITO GENERATION. SHOULD ANY MOSQUITO ISSUE ARISE, CONTACT THE SANTA CLARA VALLEY VECTOR CONTROL DISTRICT (DISTRICT). MOSQUITO LARVICIDES SHALL BE APPLIED ONLY WHEN ABSOLUTELY NECESSARY, AS INDICATED BY THE DISTRICT, AND THEN ONLY BY A LICENSED PROFESSIONAL OR CONTRACTOR. CONTACT INFORMATION FOR THE DISTRICT IS PROVIDED BELOW.
- DO NOT USE PESTICIDES OR OTHER CHEMICAL APPLICATIONS TO TREAT DISEASED PLANTS, CONTROL WEEDS OR REMOVED UNWANTED GROWTH. EMPLOY NON-CHEMICAL CONTROLS (BIOLOGICAL, PHYSICAL AND CULTURAL CONTROLS) TO TREAT A PEST PROBLEM. PRUNE PLANTS PROPERLY AND AT THE APPROPRIATE TIME OF YEAR. PROVIDE IRRIGATOR IRRIGATION FOR LANDSCAPE PLANTS. DO NOT OVER WATER.

**PROJECT SITE INFORMATION:**

1. SOILS TYPE: SILT LOAM
2. GROUND WATER DEPTH: UNKNOWN
3. NAME OF RECEIVING BODY: SAN THOMAS AQUINO CREEK
4. FLOOD ZONE: X
5. FLOOD ELEVATION (IF APPLICABLE): N/A

**BIORETENTION SOIL REQUIREMENTS**

- BIORETENTION SOIL MIX SHALL MEET THE REQUIREMENTS AS OUTLINED IN APPENDIX C OF THE C-3 STORM WATER HANDBOOK AND SHALL BE A MIXTURE OF FINE SAND AND COMPOST MEASURED ON A VOLUME BASIS OF 60-70% SAND AND 30-40% COMPOST. CONTRACTOR TO REFER TO APPENDIX C FOR SAND AND COMPOST MATERIAL SPECIFICATIONS. CONTRACTOR MAY OBTAIN A COPY OF THE C-3 HANDBOOK AT: [HTTP://WWW.SANJOAQUIN.GOV/INDEX.ASPX?NID=1761](http://www.sanjoaquin.gov/index.aspx?nid=1761)
- PRIOR TO ORDERING THE BIOTREATMENT SOIL MIX OR DELIVERY TO THE PROJECT SITE, CONTRACTOR SHALL PROVIDE A BIOTREATMENT SOIL MIX SPECIFICATION CHECKLIST, COMPLETED BY THE SOIL MIX SUPPLIER AND CERTIFIED TESTING LAB.

**TREATMENT CONTROL MEASURE SUMMARY TABLE**

Area	TCM #	Treatment Type	Drainage Area (s.f.)	Impervious Area (s.f.)	Previous Area (s.f.)	Area Required (s.f.)	Bioretention Area Provided (s.f.)	Bioretention Area Unfilled (s.f.)	Overflow Pipe Height (ft)	Storage Depth Required (ft)	Storage Depth Provided (ft)	# of Cratges Required	# of Cratges Provided	Media Type	Cratge Height (inches)	Location
1	1	Media Filter	18,522	17,654	868	-	-	-	-	-	-	4	4	OK-Castle Pref. Filter	18	On-site
2	2	Bioretention Area	19,548	15,296	4,262	404	409	Unfilled	12	1	1	-	-	-	-	On-site
3	3	Bioretention Area	10,354	7,576	2,778	211	211	Unfilled	12	1	1	-	-	-	-	On-site
4	4	Bioretention Area	13,744	11,242	2,502	287	289	Unfilled	12	1	1	-	-	-	-	On-site
5	5	Bioretention Area	13,778	12,556	1,222	295	311	Unfilled	12	1	1	-	-	-	-	On-site
6	N/A	Roadway Project	2,238	2,238	-	-	-	-	-	-	-	-	-	-	-	Off-Site
7	N/A	Self Treating	6,181	-	6,181	-	-	-	-	-	-	-	-	-	-	-
<b>Total:</b>			<b>84,363</b>	<b>68,550</b>	<b>17,613</b>											

**HMH**  
 Land Use Entitlements  
 Land Planning  
 Landscape Architecture  
 Civil Engineering  
 Utility Design  
 Land Surveying  
 Stormwater Compliance  
 1570 Oakland Road (408) 487-2200  
 San Jose, CA 95131 HMA@hmc.com



**HAYDEN LAND COMPANY LLC**  
 15732 LOS GATOS BLVD, SUITE 101  
 LOS GATOS, CA 95032

**3035 EL CAMINO REAL  
 PLANNED DEVELOPMENT  
 ZONING**  
 SANTA CLARA, CALIFORNIA

**NOT FOR CONSTRUCTION**

PROJECT NO: 4768.00  
 CAD DWG FILE: 476805-SW-CW.DWG  
 DESIGNED BY: KJ/RS  
 DRAWN BY: KJ  
 CHECKED BY: RS  
 DATE: FEBRUARY 15, 2018

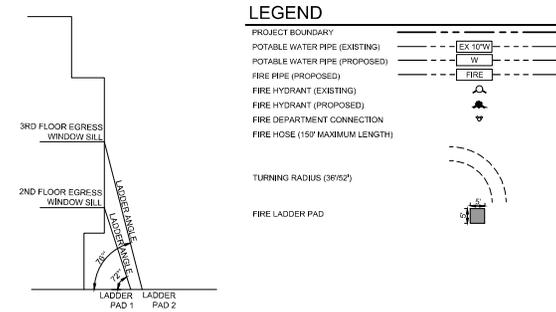
SCALE: P = 20'  
**CONCEPTUAL STORMWATER CONTROL PLAN**



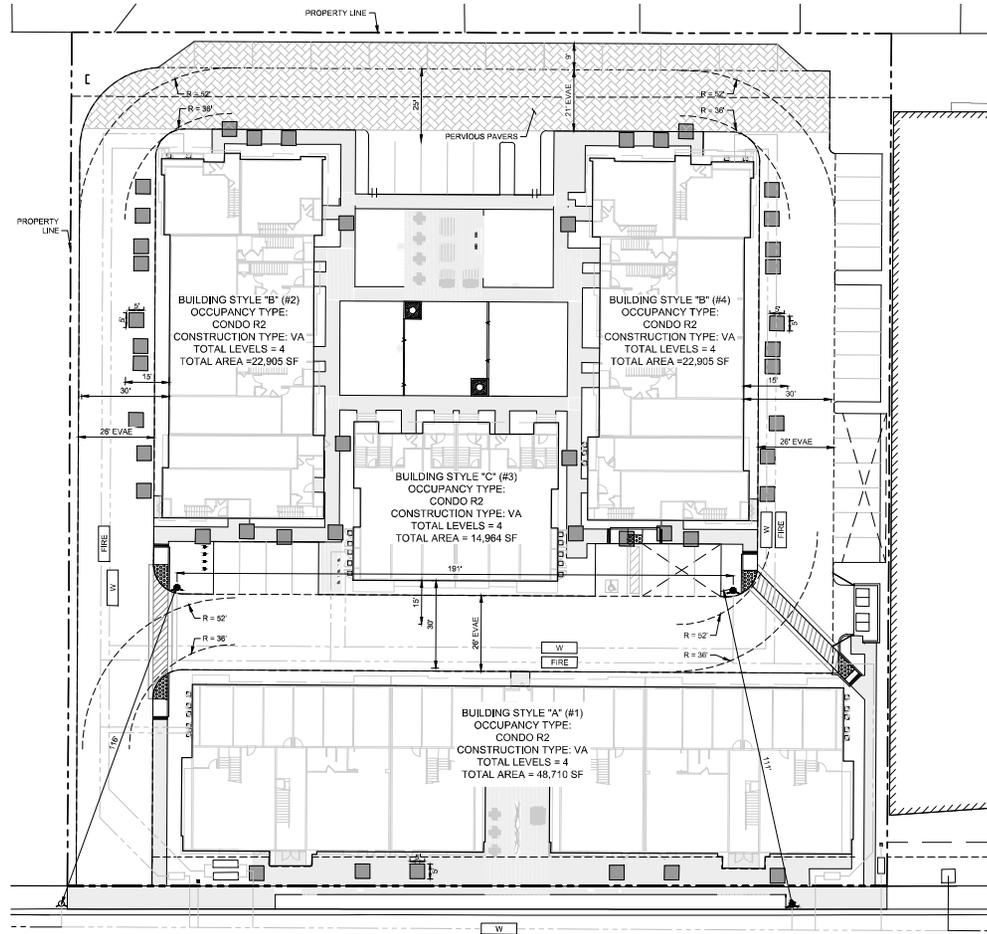


**BUILDING SUMMARY**

BUILDING	AREA (SF)	CONSTRUCTION TYPE	REQUIRED FIRE FLOW (GPM)	REQUIRED # OF FIRE HYDRANTS	REQUIRED FIRE HYDRANT SPACING	FIRE HYDRANTS PROVIDED
1	48710	VA	4,000	4	350	4
2	32905	VA	2,750	3	400	3
3	14964	VA	2,250	2	450	2
4	22905	VA	2,750	3	400	3



**LADDER PAD DIAGRAM**



**TABLE B105.1(2)**  
**REFERENCE TABLE FOR TABLES B105.1(1) AND B105.2**

**FIRE-FLOW CALCULATION AREA (square feet)**

Type IA and IB*	Type IA and IIA*	Type IV and V-A*	Type IIB and IIB*	Type V-B*	FIRE-FLOW (gallons per minute) <sup>b</sup>	FLOW DURATION (hours)
0-22,700	0-12,700	0-8,200	0-5,900	0-3,600	1,500	
22,701-30,200	12,701-17,000	8,201-10,900	5,901-7,900	3,601-4,800	1,750	
30,201-38,700	17,001-21,800	10,901-12,900	7,901-9,800	4,801-6,200	2,000	
38,701-48,900	21,801-24,700	12,901-17,400	9,801-12,800	6,201-7,700	2,250	2
48,901-59,000	24,701-33,200	17,401-21,300	12,601-15,400	7,701-9,400	2,500	
59,001-70,600	33,201-38,700	21,301-25,500	15,401-18,400	9,401-11,300	2,750	
70,601-83,700	38,701-47,100	25,501-30,100	18,401-21,800	11,301-13,400	3,000	
83,701-97,700	47,101-54,900	30,101-35,200	21,801-25,900	13,401-15,600	3,250	
97,701-112,700	54,901-63,400	35,201-40,600	25,901-29,300	15,601-18,000	3,500	3
112,701-128,700	63,401-72,400	40,601-46,400	29,301-33,500	18,001-20,600	3,750	
128,701-145,900	72,401-82,100	46,401-52,500	33,501-37,900	20,601-23,300	4,000	
145,901-164,200	82,101-92,400	52,501-59,100	37,901-42,700	23,301-26,300	4,250	
164,201-183,400	92,401-103,100	59,101-66,000	42,701-47,700	26,301-29,300	4,500	
183,401-203,700	103,101-114,800	66,001-73,300	47,701-53,000	29,301-32,600	4,750	
203,701-225,200	114,601-126,700	73,301-81,100	53,001-58,600	32,601-36,000	5,000	
225,201-247,700	126,701-139,400	81,101-89,200	58,601-65,400	36,001-39,600	5,250	
247,701-271,200	139,401-152,600	89,201-97,700	65,401-70,000	39,601-43,400	5,500	
271,201-295,900	152,601-166,500	97,701-106,500	70,001-77,000	43,401-47,400	5,750	
295,901-Greater	166,501-Greater	106,501-115,800	77,001-83,700	47,401-51,500	6,000	4
---	---	115,801-125,500	83,701-90,600	51,501-55,700	6,250	
---	---	125,501-135,500	90,601-97,900	55,701-60,000	6,500	
---	---	135,501-145,800	97,901-106,800	60,001-64,800	6,750	
---	---	145,801-156,700	106,801-112,300	64,801-69,800	7,000	
---	---	156,701-167,900	112,301-121,300	69,801-74,600	7,250	
---	---	167,901-179,400	121,301-129,600	74,601-79,800	7,500	
---	---	179,401-191,400	129,601-138,300	79,801-85,100	7,750	
---	---	191,401-Greater	138,301-Greater	85,101-Greater	8,000	

For SF: 1 square foot = 0.0929 m<sup>2</sup>; 1 gallon per minute = 3.785 L/m; 1 pound per square inch = 6.895 kPa.  
 a. Types of construction are based on the California Building Code.  
 b. Measurement at 30 psi residual pressure.

**TABLE C102.1**  
**REQUIRED NUMBER AND SPACING OF FIRE HYDRANTS**

FIRE-FLOW REQUIREMENT (gpm)	MINIMUM NUMBER OF HYDRANTS	AVERAGE SPACING BETWEEN HYDRANTS <sup>a,b,c,d,e</sup> (feet)	MAXIMUM DISTANCE FROM ANY POINT ON STREET OR ROAD FRONTAGE TO A HYDRANT <sup>f,g</sup> (feet)
1,750 or less	1	500	750
2,000-2,250	2	450	725
2,500	3	450	725
3,000	3	400	725
3,500-4,000	4	350	710
4,250-5,000	5	300	700
5,500	6	300	700
6,000	6	250	700
6,500-7,000	7	250	700
7,500 or more	8 or more <sup>g</sup>	200	700

For SF: 1 foot = 304.8 mm; 1 gallon per minute = 3.785 L/m.  
 a. Reduce by 100 feet for dead-end streets or roads.  
 b. Where streets are provided with median dividers that cannot be crossed by fire fighters pulling hose lines, or where arterial streets are provided with four or more traffic lanes and have a traffic count of more than 50,000 vehicles per day, hydrant spacing shall average 300 feet on each side of the street and be arranged on an alternating basis.  
 c. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards.  
 d. Reduce by 50 feet for dead-end streets or roads.  
 e. One hydrant for each 1,000 gallons per minute or fraction thereof.  
 f. A 50-percent spacing increase shall be permitted where the building is equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1 of the California Fire Code.  
 g. A 25-percent spacing increase shall be permitted where the building is equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.2 or 903.3.1.3 of the California Fire Code or Section 2204 of the California Residential Code.

**NOTE:**  
 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 SUBSTITUTION SUCH AS FILE, INGRESS/EGRESS EASEMENT AND/OR CITY RIGHT-OF-WAYS.

EL CAMINO REAL



**HAYDEN LAND COMPANY LLC**  
 15732 LOS GATOS BLVD, SUITE 101  
 LOS GATOS, CA 95032

**3035 EL CAMINO REAL  
 PLANNED DEVELOPMENT  
 ZONING**  
 SANTA CLARA, CALIFORNIA

NO.	DATE	DESCRIPTION

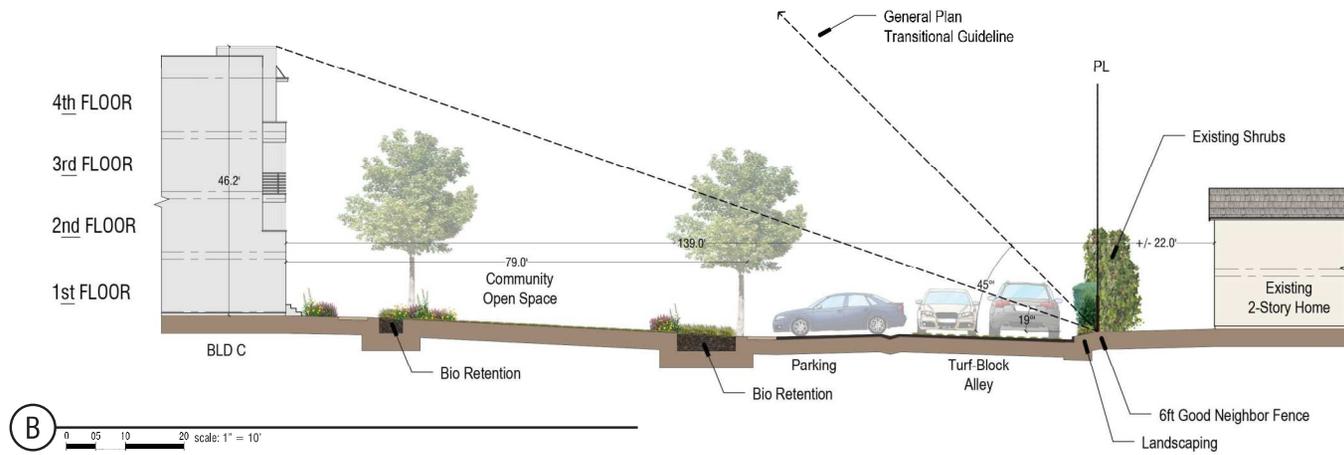
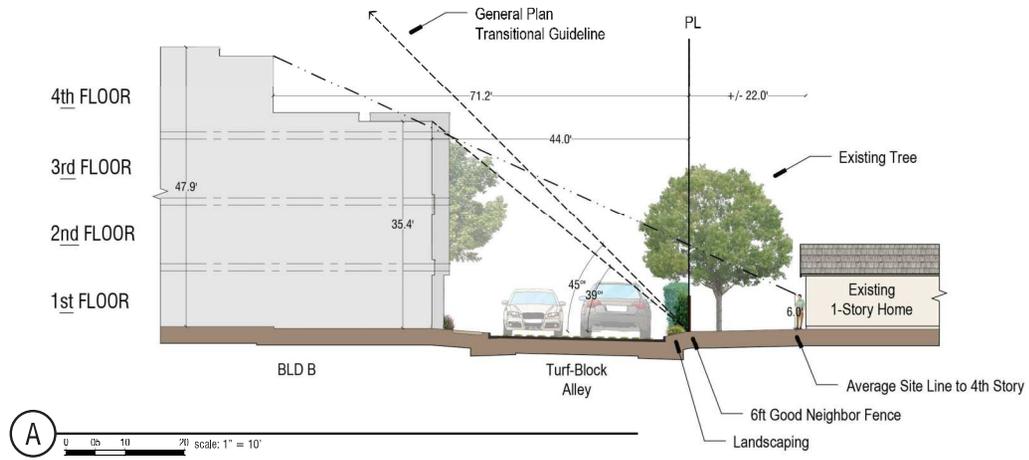
PROJECT NO: 4768.00  
 CAD DWG FILE: 476800P02.DWG  
 DESIGNED BY:  
 DRAWN BY:  
 CHECKED BY:  
 DATE: FEBRUARY 15, 2018  
 SCALE:  
 © HMM

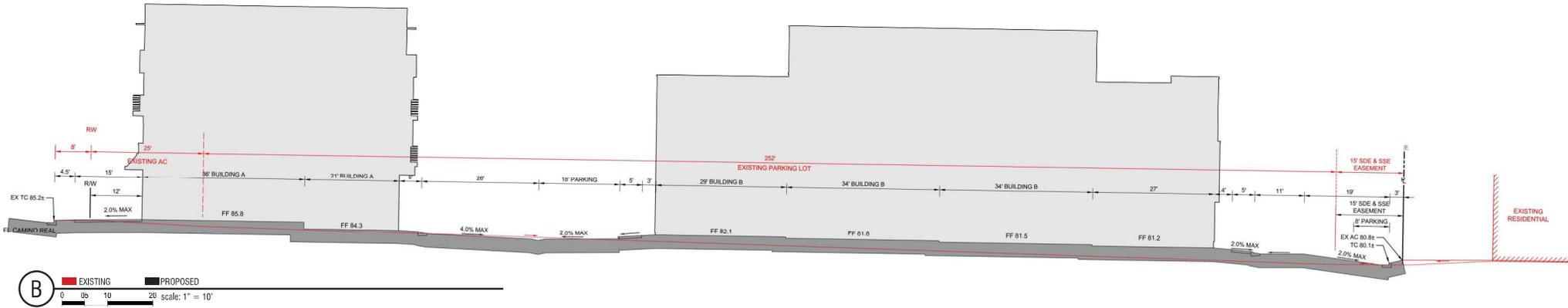
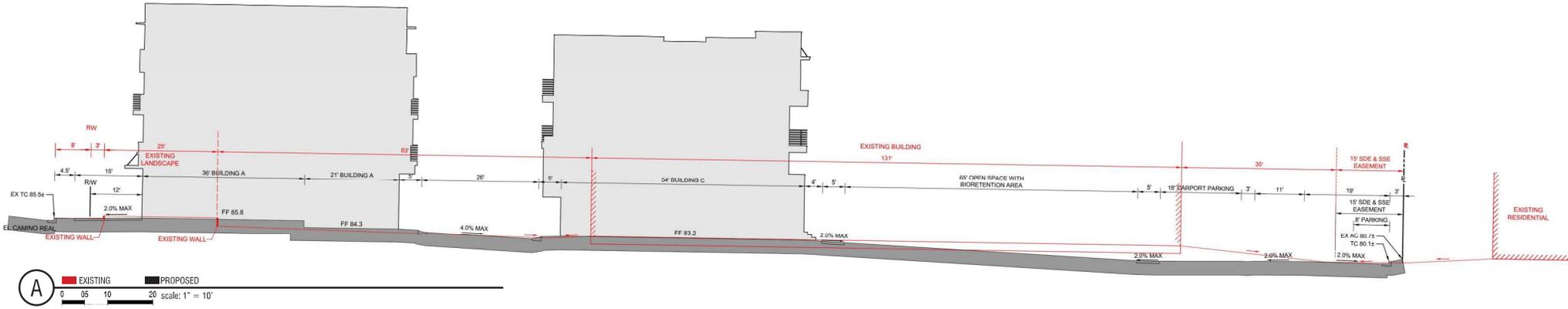


**BUILDING 'A' FRONT ELEVATION**

**SHEET INDEX**

CS	Cover Sheet and Project Data Matrix	A2.3	Building B Elevations
SP-1	Relationship to Existing Homes	A2.4	Building B Elevations
SP-2	Site Sections	A2.5	Building B Unit Plans
SP-3	Shadow Study	A2.6	Building B Unit Plans
A1.1	Building A First & Second Floor Plans	A2.7	Building B Unit Plans
A1.2	Building A Third & Fourth Floor Plans	A2.8	Building B Unit Plans
A1.3	Building A Elevations	A2.9	Building B Unit Plans
A1.4	Building A Elevations	A2.10	Building B Unit Plans
A1.5	Building A Elevations	A3.1	Building C Floor Plans
A1.6	Building A Unit Plans	A3.2	Building C Elevations
A1.7	Building A Unit Plans	A3.3	Building C Unit Plans
A1.8	Building A Unit Plans	A3.4	Building C Unit Plans
A1.9	Building A Unit Plans	A4.1	Car Ports
A1.10	Building A Unit Plans	A4.2	Trash Enclosure
A2.1	Building B First & Second Floor Plans	A5.1	Building A Perspective Views
A2.2	Building B Third & Fourth Floor Plans	A5.2	Building A Perspective Views





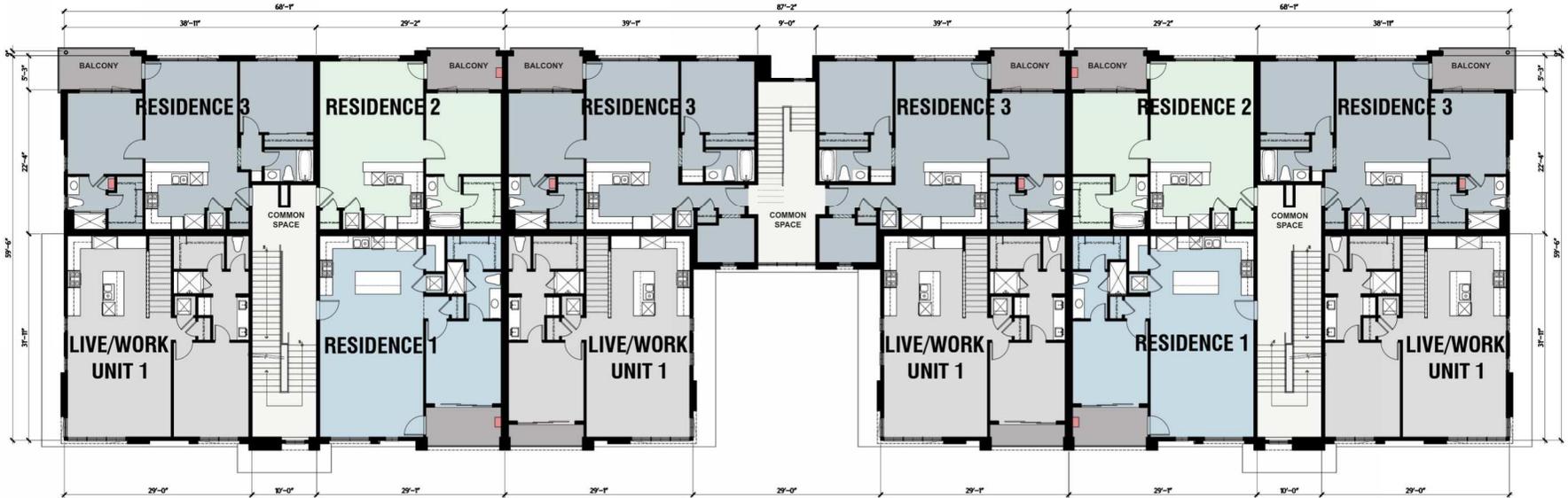


Shadow Study

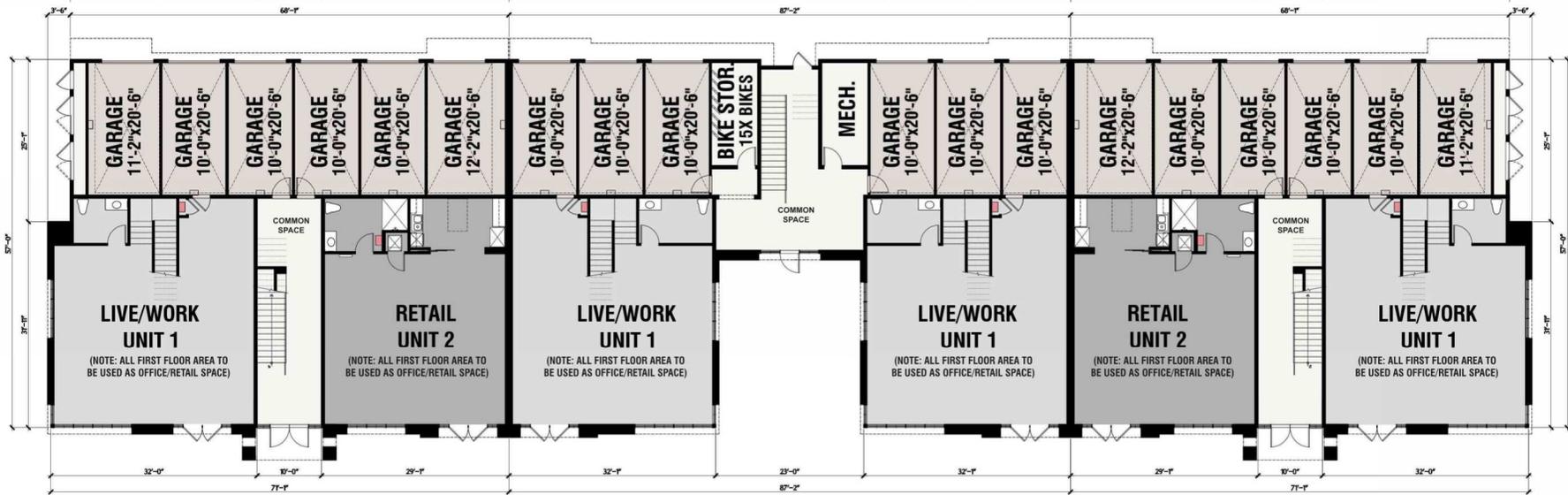
- Ⓐ Summer Solstice: June 21, 2018: 9AM, 12PM, 3PM
- Ⓑ Winter Solstice: December 21, 2018: 9AM, 12PM, 3PM



# SECOND FLOOR



# FIRST FLOOR



- LIVE / WORK UNIT 1
- RETAIL UNIT 2
- RESIDENCE 1
- RESIDENCE 2
- RESIDENCE 3
- RESIDENCE 4
- RESIDENCE 5
- RESIDENCE 6
- BALCONY
- GARAGE
- COMMON SPACE

### FLOOR PLAN SUMMARY

BLD. #	PLAN #	UNITS	BLD. #	PLAN #	UNITS
A (live/work)	1 (corner)	4	A (residential)	4	4
A (live/work)	1 (courtyard)	2	A (residential)	4 (courtyard)	2
A (live/work)	2	2	A (residential)	5	2
A (residential)	1	2	A (residential)	6	2
A (residential)	2	2	A (residential)	6 (middle)	2
A (residential)	3 (corner)	2	<b>TOTAL:</b>		<b>26 UNITS</b>
A (residential)	3 (middle)	2	<b>TOTAL GARAGE SPACES BUILDING A:</b>		<b>18</b>

- LEGEND:**
- BIKE STORAGE TOTAL COUNT: 15 VERTICAL BIKE RACKS
  - OPTIONAL ELECTRIC VEHICLE CHARGING STATION
  - WATER HEATER LOCATION

Hayden Land Company

EL CAMINO  
SANTA CLARA, CA

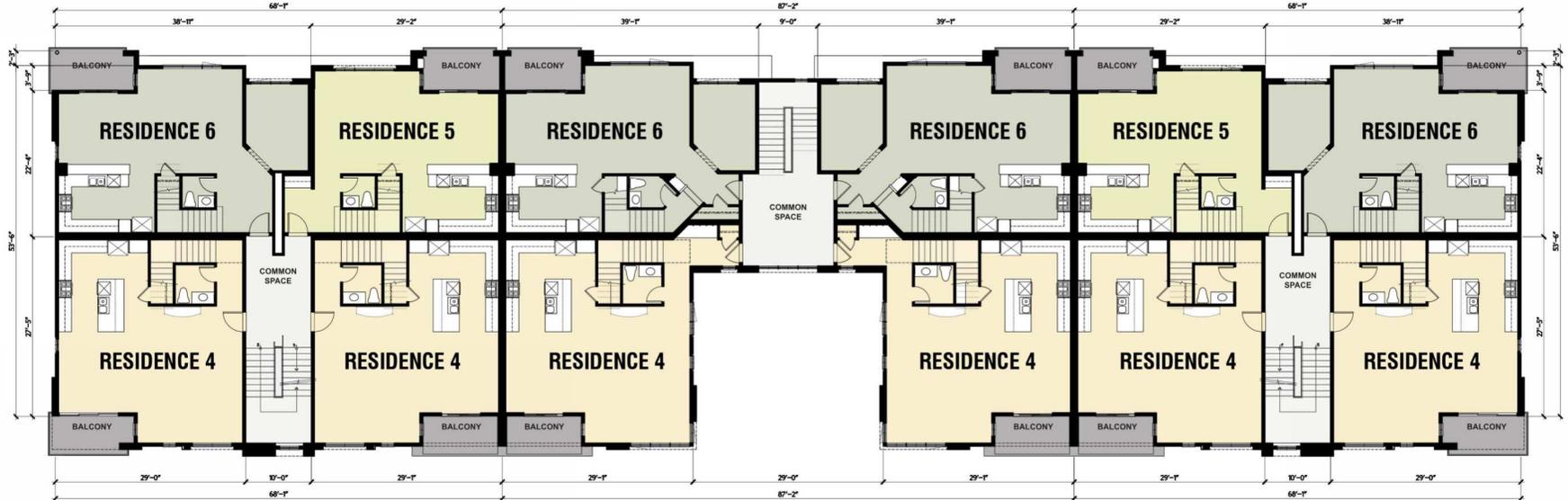
BUILDING A

A1.1





**FOURTH FLOOR**



**THIRD FLOOR**

- |  |                    |  |             |  |              |
|--|--------------------|--|-------------|--|--------------|
|  | LIVE / WORK UNIT 1 |  | RESIDENCE 3 |  | BALCONY      |
|  | RETAIL UNIT 2      |  | RESIDENCE 4 |  | GARAGE       |
|  | RESIDENCE 1        |  | RESIDENCE 5 |  | COMMON SPACE |
|  | RESIDENCE 2        |  | RESIDENCE 6 |  |              |

**LEGEND:**  
 WATER HEATER LOCATION

**Hayden Land Company**

**EL CAMINO**  
 SANTA CLARA, CA

**BUILDING A**

**A1.2**

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ARCHITECTS • PLANNERS • DESIGNERS  
**WHA.**  
 ORANGE COUNTY • LOS ANGELES • BAY AREA

**BUILDING 'A' ELEVATIONS: EXTERIOR MATERIALS:**

1. HARDIE ARTISAN V-GROOVE SIDING (7" EXPOSURE)
2. FIBER CEMENT PANEL
3. STUCCO - SAND FINISH
4. INSULATED VINYL WINDOWS W/FACTORY FINISH PAINT
5. GUARD RAIL: METAL HORIZONTAL RAILING
6. MANUFACTURED STONE VENEER (CREATIVE MINES/CRAFT-SPLIT MODULAR/TIMBERWOLF)
7. GLASS FRONT ENTRY DOOR
8. FIBERGLASS GARAGE DOOR
9. METAL / MESH CANOPY
10. FLAT ROOF
11. PORCELAIN BOARDFORM TILE W/ WALL APPLICATION (DAL TILE/ACACIA VALLEY/RIDGE)

**BUILDING 'A': PAINT LEGEND:**

MANUFACTURER: SHERWIN WILLIAMS

- |    |  |  |
|----|--|--|
| A. |  | TRIM #1 - SW 7004 SNOWBOUND            |
| B. |  | TRIM #2 - SW 7675 SEALSKIN             |
| C. |  | BODY COLOR #1 - SW 7668 MARCH WIND     |
| D. |  | BODY COLOR #2 - SW 7505 MANOR HOUSE    |
| E. |  | BODY COLOR #3 - SW 6125 CRAFT PAPER    |
| F. |  | BODY COLOR #4 - SW 6221 MOODY BLUE     |
| G. |  | BODY COLOR #5 - SW 7639 ETHEREAL MOOD  |
| H. |  | ACCENT COLOR #1 - SW 6277 SPECIAL GRAY |
| I. |  | ACCENT COLOR #2 - SW 9154 PERLE NOIR   |



**EL CAMINO ELEVATION**  
South

Hayden Land  
Company

EL CAMINO  
SANTA CLARA, CA

BUILDING A

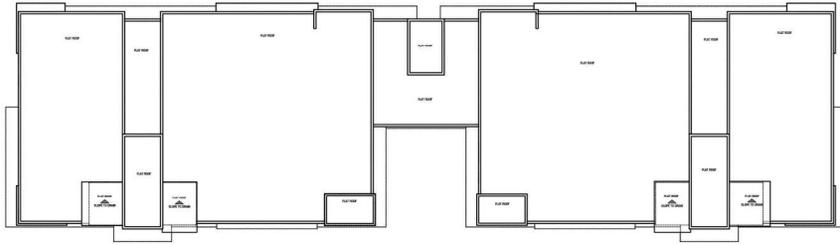
A1.3

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**WHA**  
ORANGE COUNTY • LOS ANGELES • BAY AREA



**ALLEY ELEVATION**  
North



**ROOF PLAN**



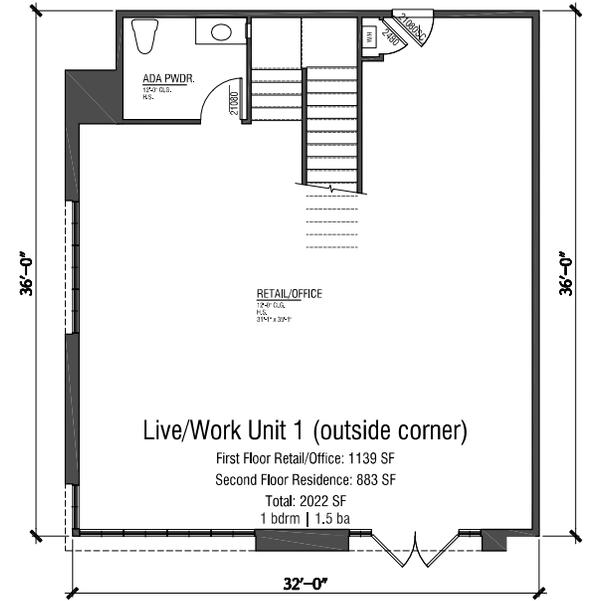
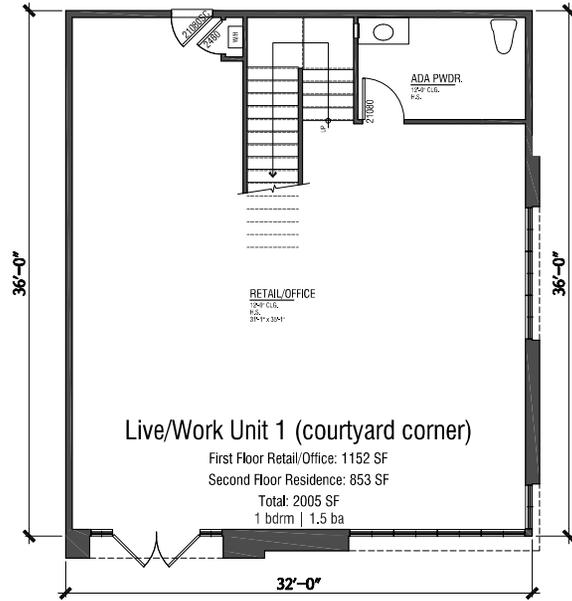
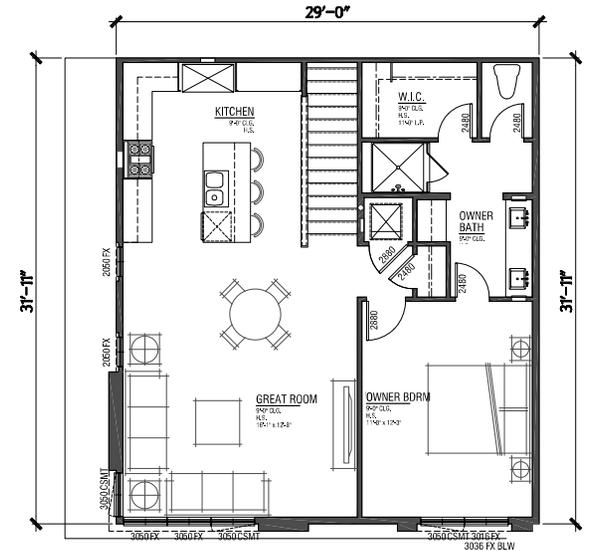
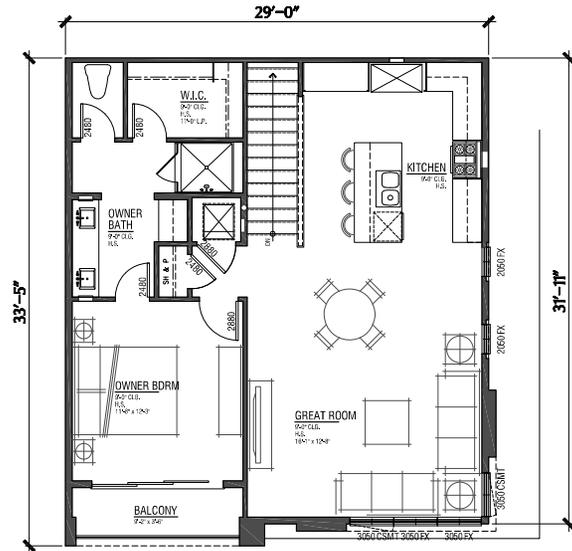
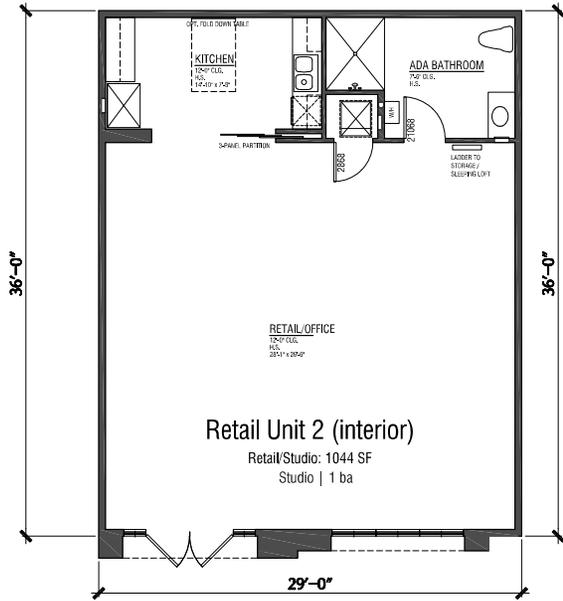
**COURTYARD ELEVATION**  
East



**LEFT ELEVATION**  
West



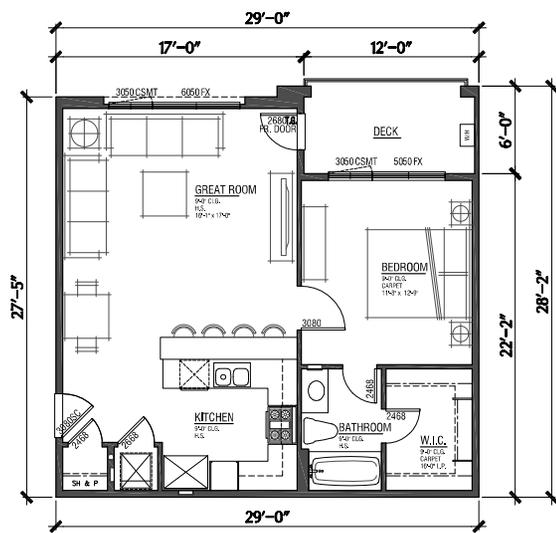
**RIGHT ELEVATION**  
East



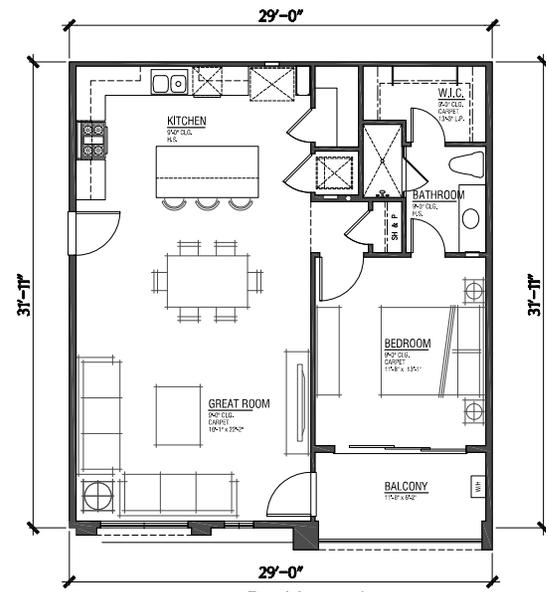
**SECOND FLOOR**

**FIRST FLOOR**

NOTE: ALL FIRST FLOOR AREA TO BE USED AS OFFICE/RETAIL



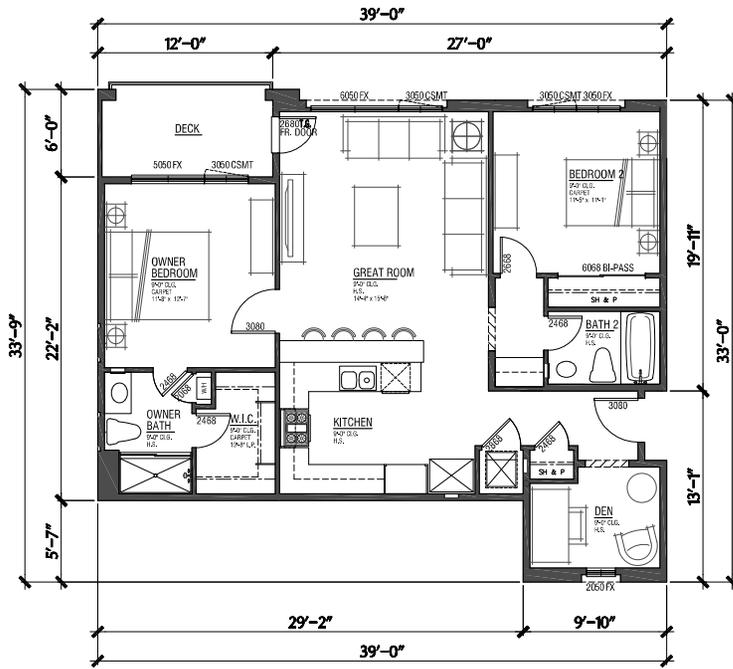
**Residence 2**  
 Total: 732 SF  
 1 bdrm | 1 ba



**Residence 1**  
 Total: 863 SF  
 1 bdrm | 1 ba

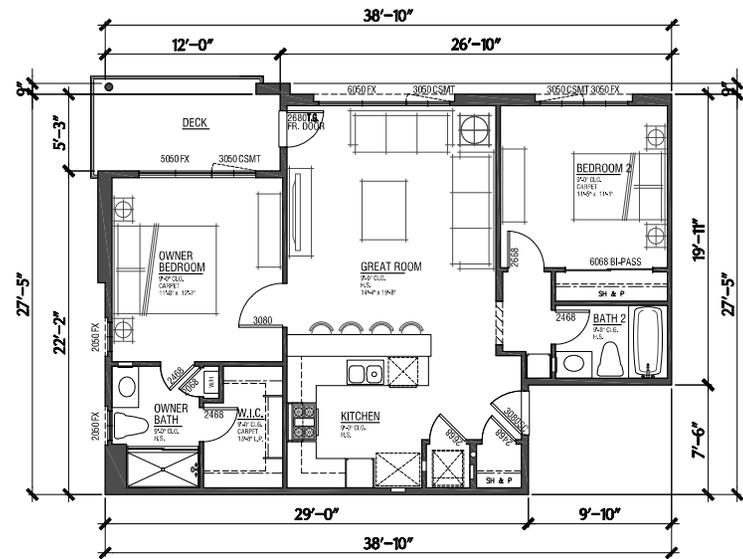
**SECOND FLOOR**

**SECOND FLOOR**



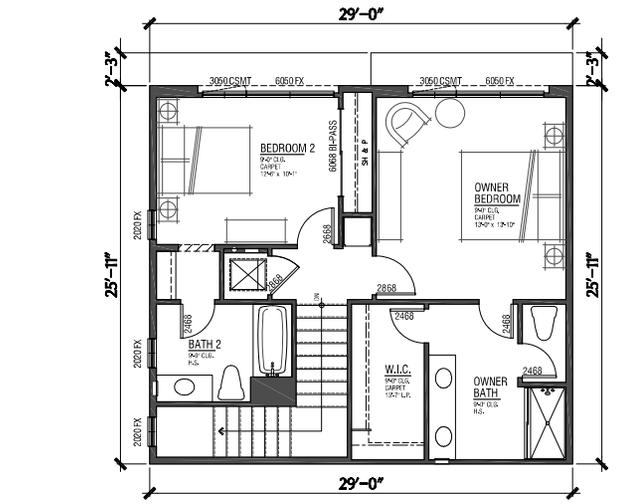
Residence 3 (interior)

Total: 1049 SF  
2 bdrm | 2 ba

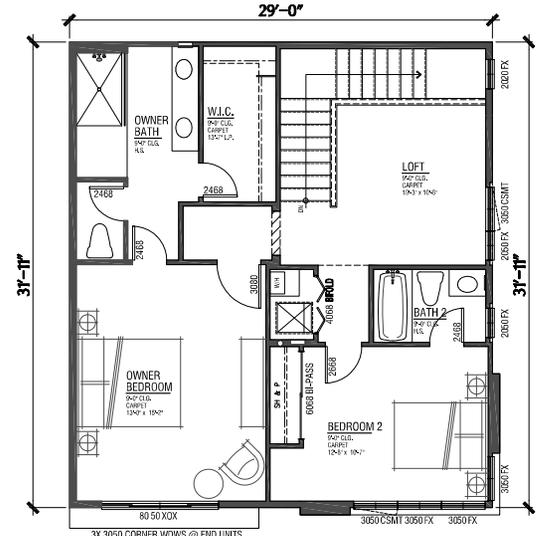


Residence 3 (corner)

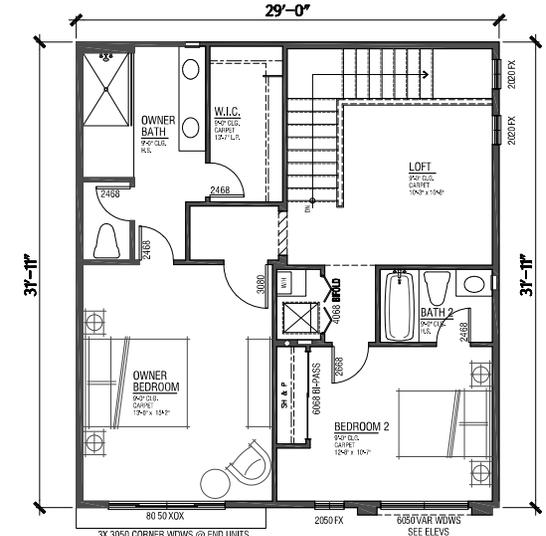
Total: 928 SF  
2 bdrm | 2 ba



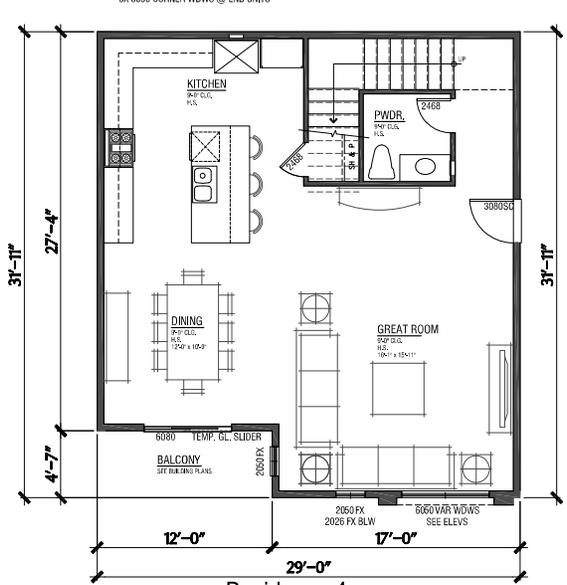
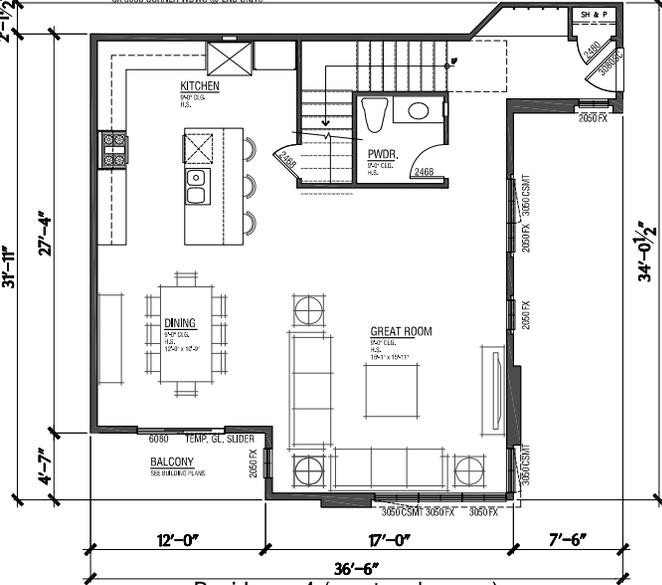
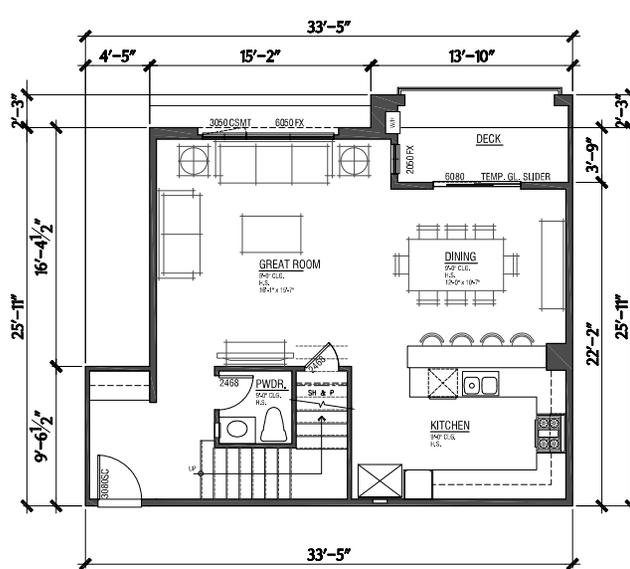
**Residence 5**  
 Entry level: 749 SF  
 Upper level: 669 SF  
 Total: 1418  
 2 bdrm | 2.5 ba



**Residence 4 (courtyard corner)**  
 Entry level: 927 SF  
 Upper level: 844 SF  
 Total: 1771 SF  
 2 bdrm | 2.5 ba | Loft

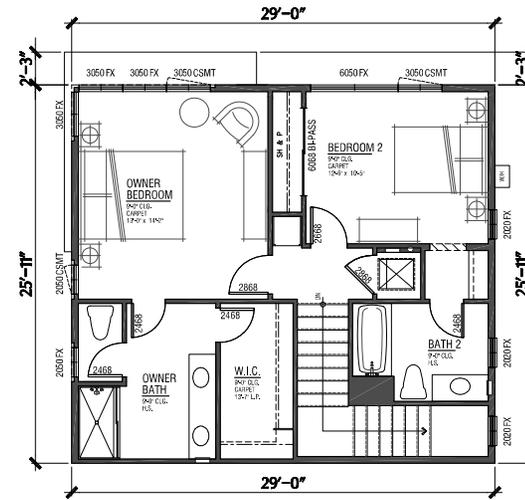
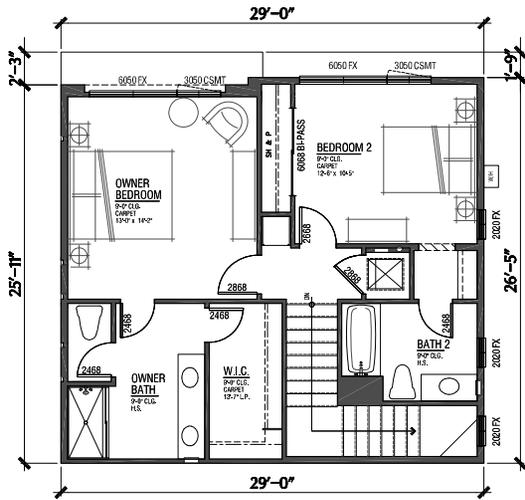


**Residence 4**  
 Entry level: 871 SF  
 Upper level: 844 SF  
 Total: 1715 SF  
 2 bdrm | 2.5 ba | Loft

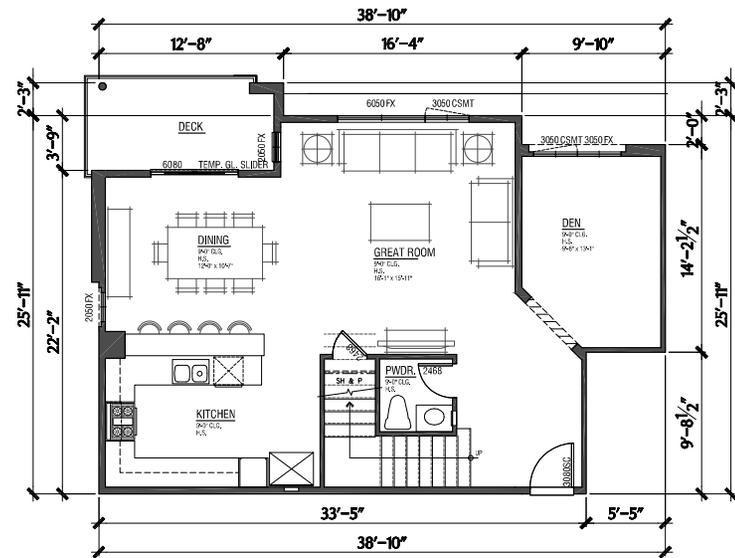
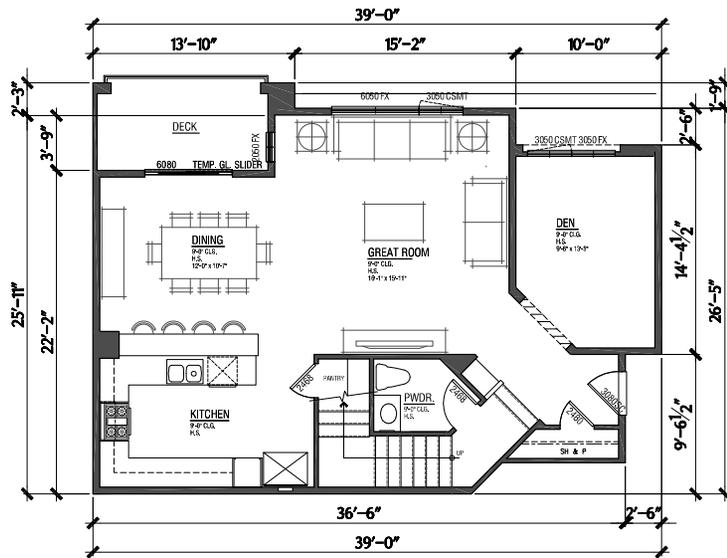


FOURTH FLOOR

THIRD FLOOR



**FOURTH FLOOR**



**THIRD FLOOR**

**Residence 6 (middle unit)**

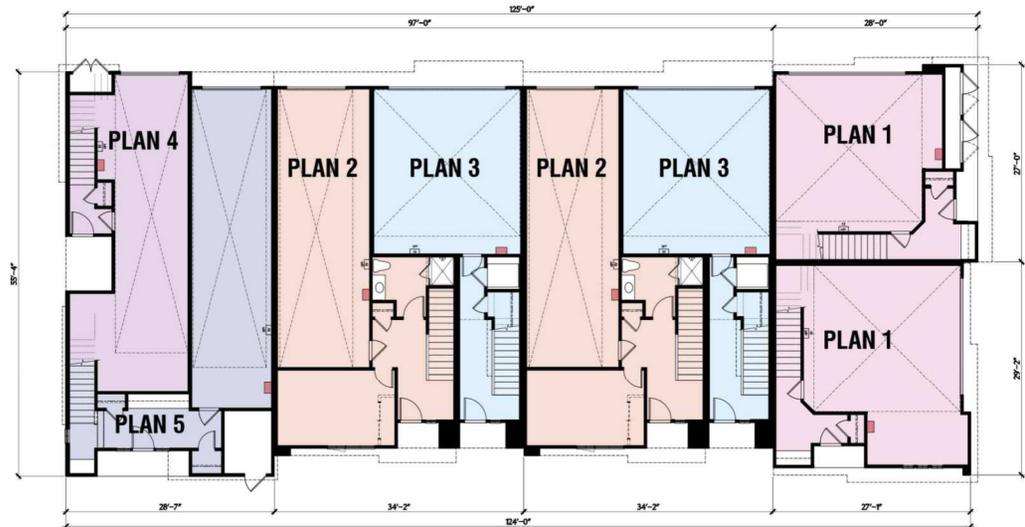
Entry level: 902 SF  
 Upper level: 669 SF  
 Total: 1571 SF  
 2 bdrm | 2.5 ba | Den

**Residence 6**

Entry level: 899 SF  
 Upper level: 669 SF  
 Total: 1568 SF  
 2 bdrm | 2.5 ba | Den



**SECOND FLOOR**



**FIRST FLOOR**

- PLAN 1
- PLAN 2
- PLAN 3
- PLAN 4
- PLAN 5
- BALCONY

- LEGEND:**
- OPT [EV] OPTIONAL ELECTRIC VEHICLE CHARGING STATION
  - WATER HEATER LOCATION

**FLOOR PLAN SUMMARY**

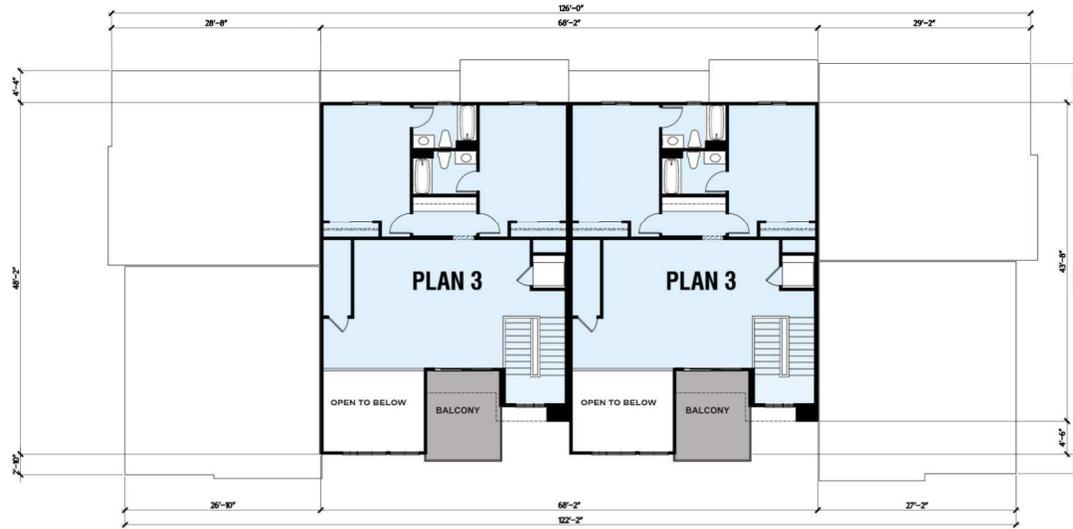
BLD. #	PLAN #	UNITS
BLD. B	1 (facing alley)	1
	1 (facing park)	1
	2	2
	2 (end)	2
	3	1
	3 (end)	1
<b>TOTAL:</b>		<b>8 UNITS</b>
<b>TOTAL GARAGE SPACES BUILDING B:</b>		<b>32 SPACES</b>

Hayden Land Company

**EL CAMINO**  
SANTA CLARA, CA

**BUILDING B** 0 2 4 6 **A2.1**





**FOURTH FLOOR**



**THIRD FLOOR**

- PLAN 1
- PLAN 2
- PLAN 3
- PLAN 4
- PLAN 5
- BALCONY

**Hayden Land  
Company**

**EL CAMINO**  
SANTA CLARA, CA

**BUILDING B**

**A2.2**

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**BUILDING 'B' ELEVATIONS: EXTERIOR MATERIALS:**

1. FIBER CEMENT SIDING
2. FIBER CEMENT TRIM
3. STUCCO - SAND FINISH
4. INSULATED VINYL WINDOWS W/FACTORY FINISH PAINT
5. GUARD RAIL: METAL HORIZONTAL RAILING
6. FIBERGLASS FRONT ENTRY DOOR
7. FIBERGLASS GARAGE DOOR
8. METAL / MESH CANOPY
9. FLAT ROOF

**BUILDING 'B': PAINT LEGEND:**

MANUFACTURER: SHERWIN WILLIAMS

- |           |  |   |
|-----------|--|---|
| <b>A.</b> |  | TRIM - SW 7004 SNOWBOUND                          |
| <b>B.</b> |  | BODY COLOR #1 - SW 6125 CRAFT PAPER               |
| <b>C.</b> |  | BODY COLOR #2 - SW 7015 REPOSE GRAY               |
| <b>D.</b> |  | BODY COLOR #3 - SW 2821 DOWNING STONE             |
| <b>E.</b> |  | BODY COLOR #4 - SW 6221 MOODY BLUE                |
| <b>F.</b> |  | ACCENT COLOR #1 - SW 2803 ROOKWOOD<br>TERRA COTTA |
| <b>G.</b> |  | ACCENT COLOR #2 - SW 9154 PERLE NOIR              |



**REAR ELEVATION**



**FRONT ELEVATION**



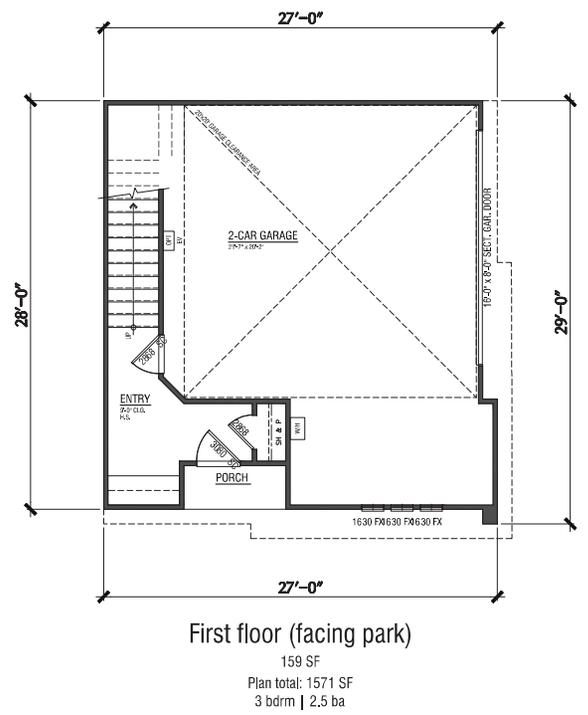
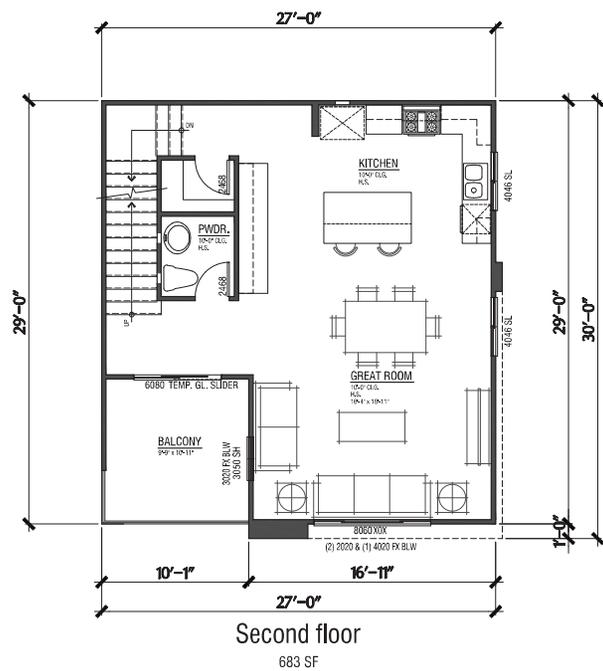
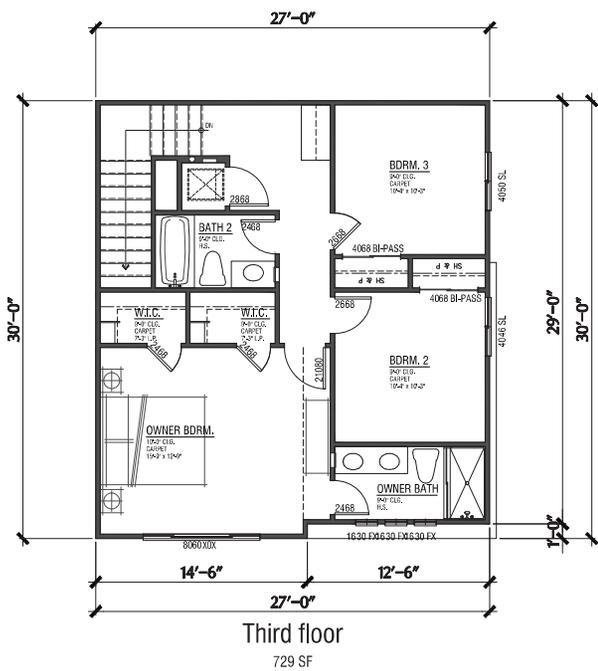
**ROOF PLAN**



**LEFT ELEVATION**



**RIGHT ELEVATION**



**PLAN 1**  
3-STORY TOWNHOMES

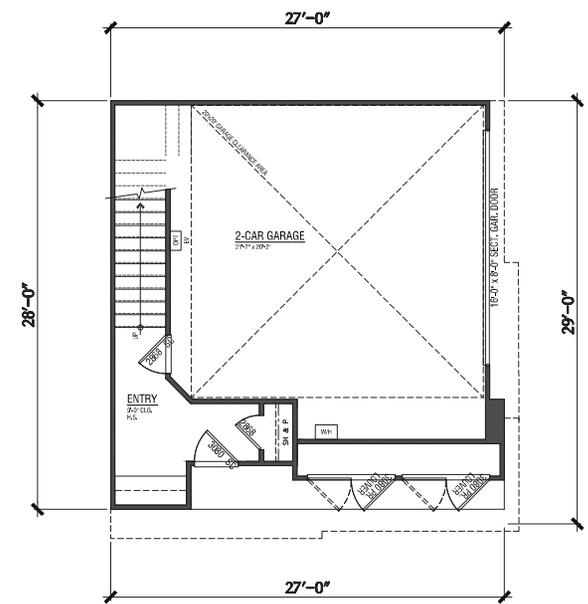
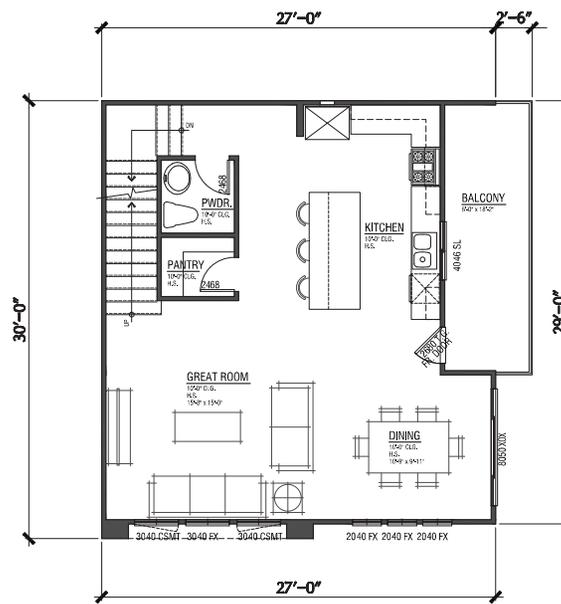
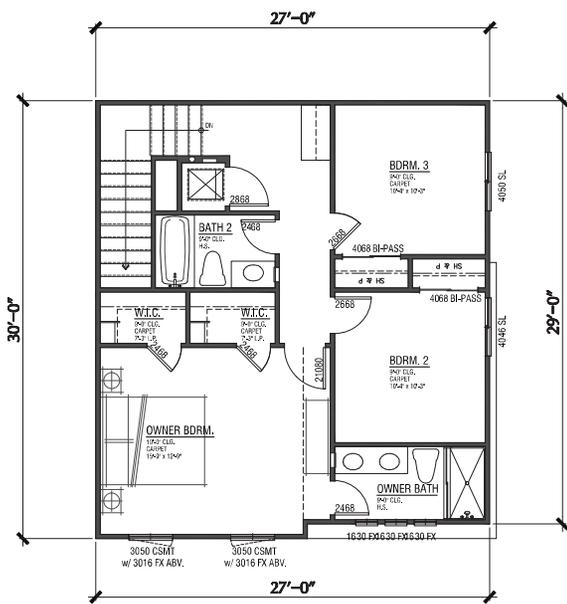
**EL CAMINO**  
SANTA CLARA, CA

Hayden Land  
Company

**BUILDING B** A2.5

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# PLAN 1

## 3-STORY TOWNHOMES

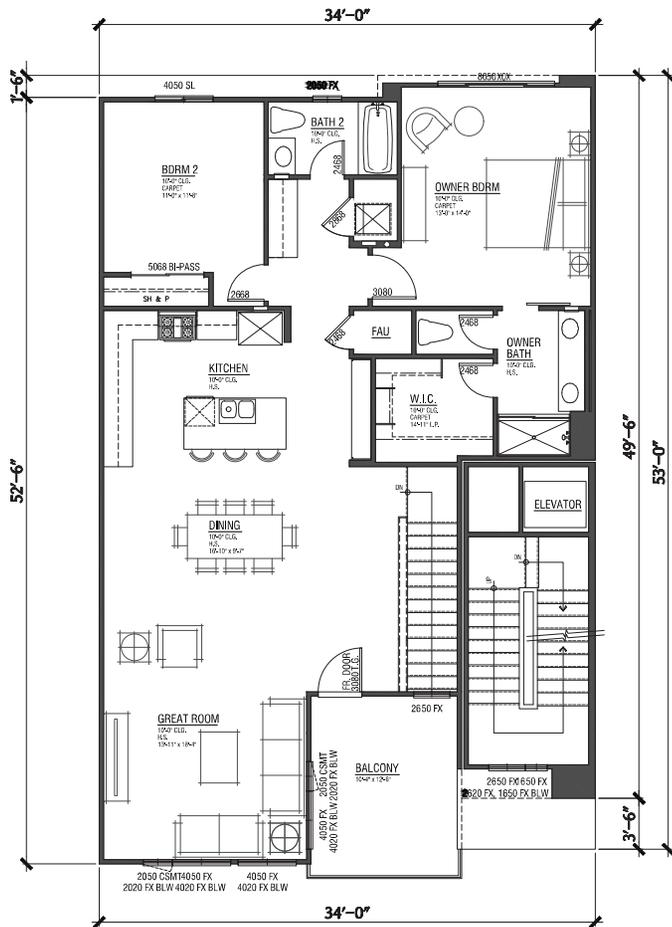
EL CAMINO  
SANTA CLARA, CA

Hayden Land  
Company

BUILDING B A2.6

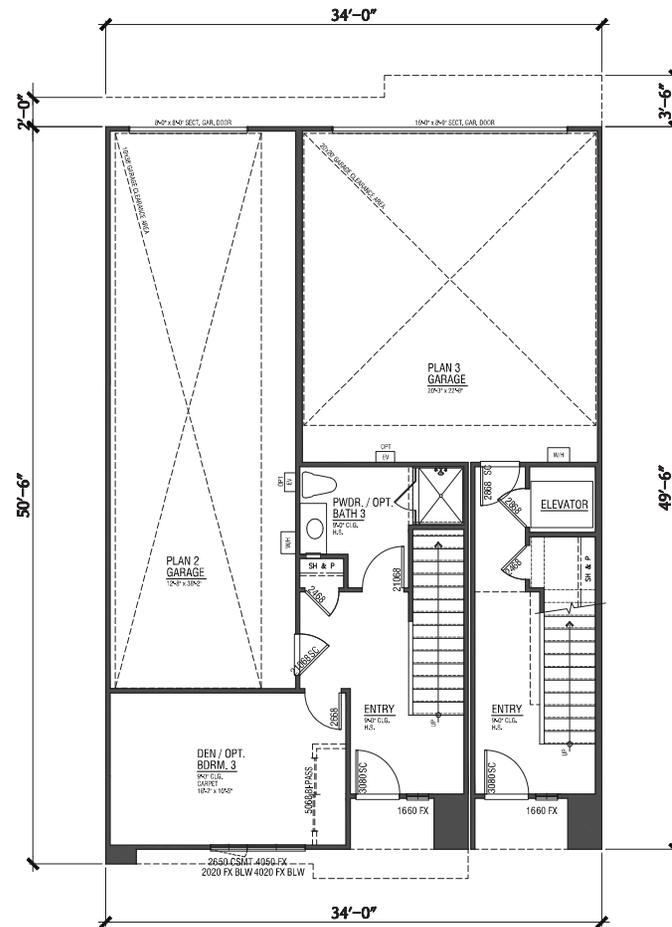
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**Plan 2**  
First Floor: 1367 SF

**Plan 3**  
First Floor: 146 SF

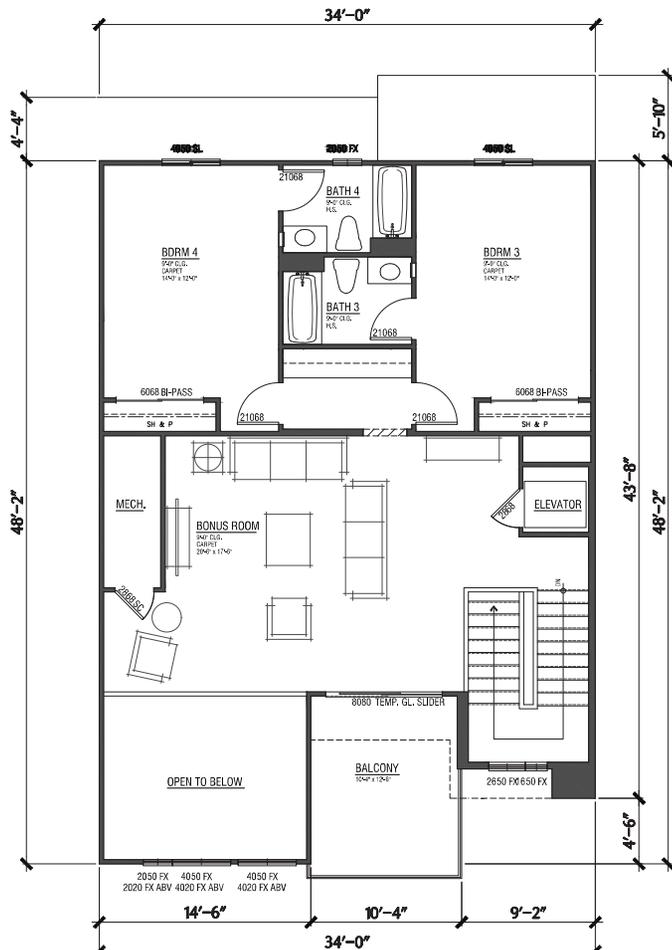


**Plan 2**  
First Floor: 428 SF  
Plan total: 1795 SF  
2 bdrm | 2.5 ba | Den |  
Opt. bdrm 3 & bath 3

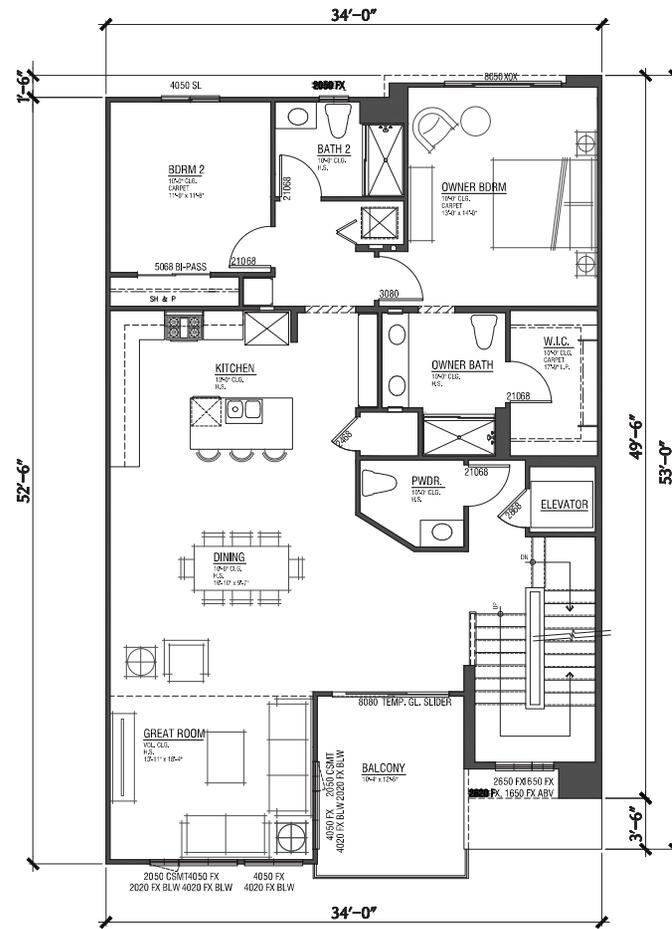
**Plan 3**  
First Floor: 207  
Plan total: 3058 SF  
4 bdrm | 4.5 ba | Bonus  
Room | Elevator

## PLANS 2 & 3 (interior)

### 4-STORY STACKED FLATS



Plan 3  
Fourth Floor: 1107 SF

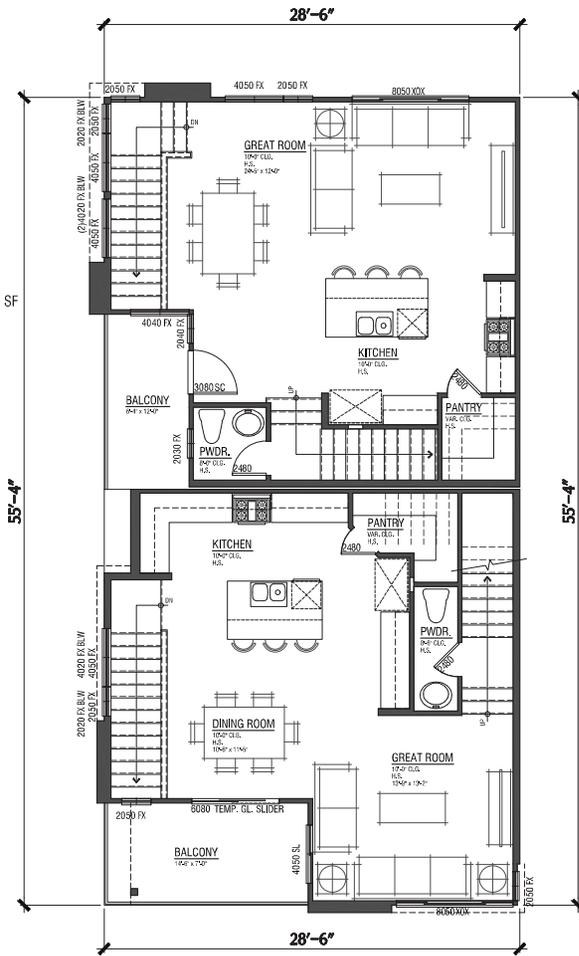


Plan 3  
Third Floor: 1598 SF

## PLANS 2 & 3 (interior)

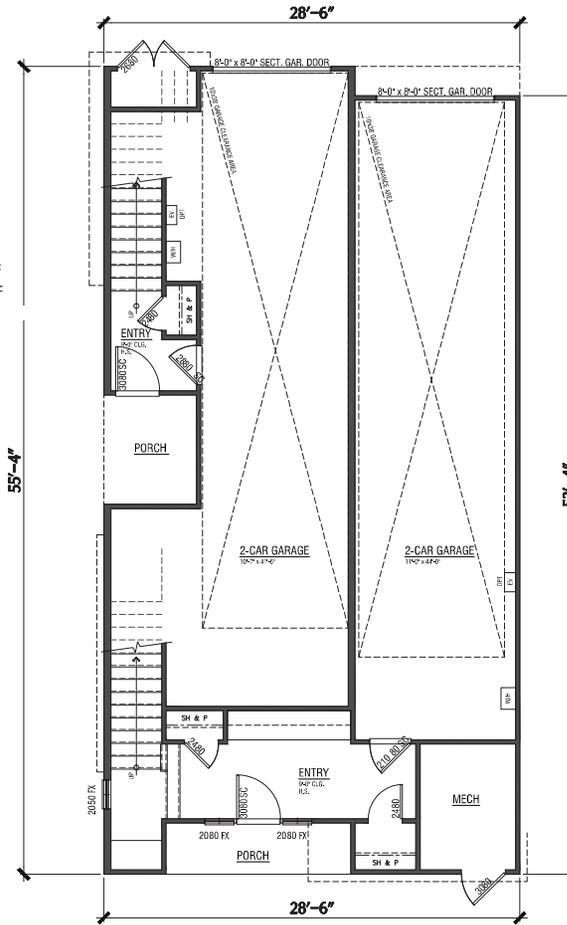
### 4-STORY STACKED FLATS

Plan 4  
Second Floor: 626 SF

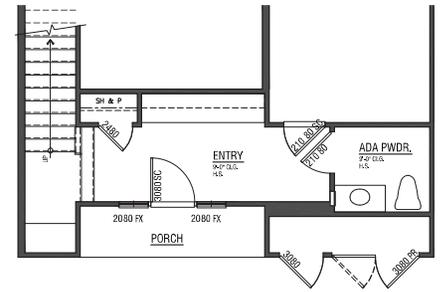


Plan 5  
Second Floor: 642 SF

Plan 4  
First Floor: 120 SF  
Plan total: 1447 SF  
3 bdrm | 2.5 ba



Plan 5  
First Floor: 242 SF  
Plan total: 1571 SF  
3 bdrm | 2.5 ba

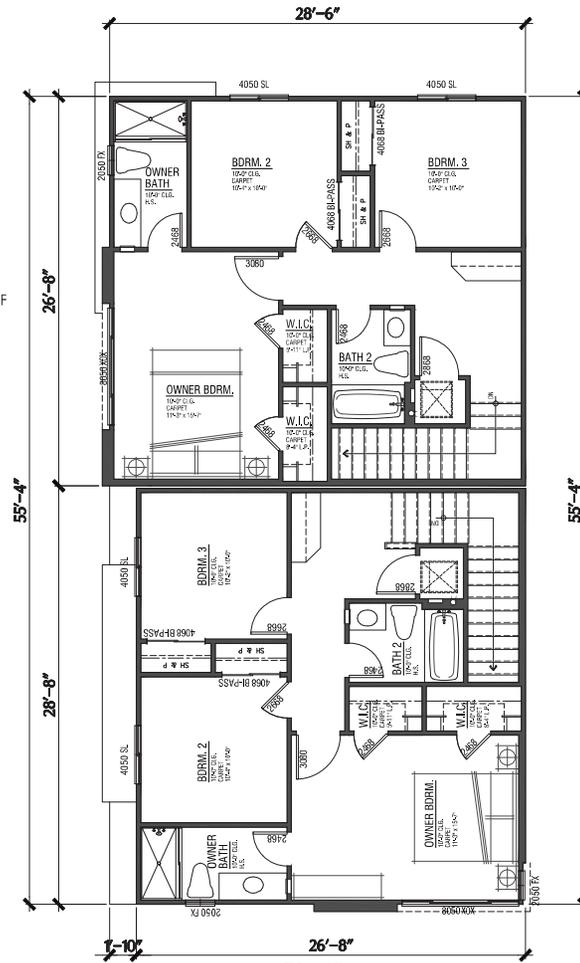


Plan 5 - ADA  
+30 SF

## PLANS 4 & 5

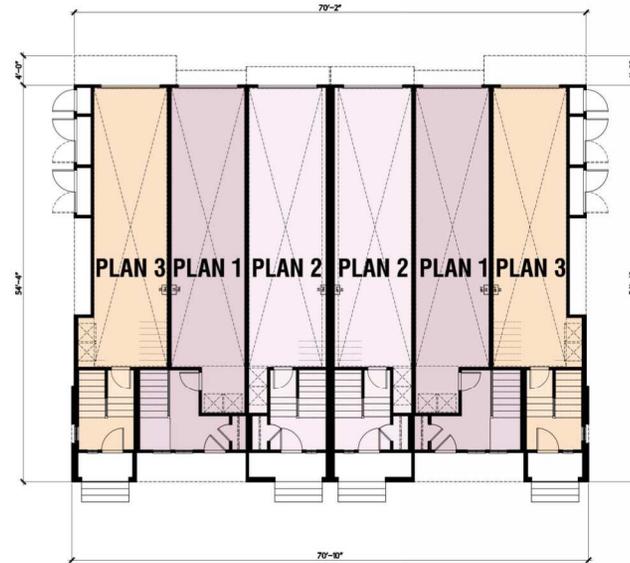
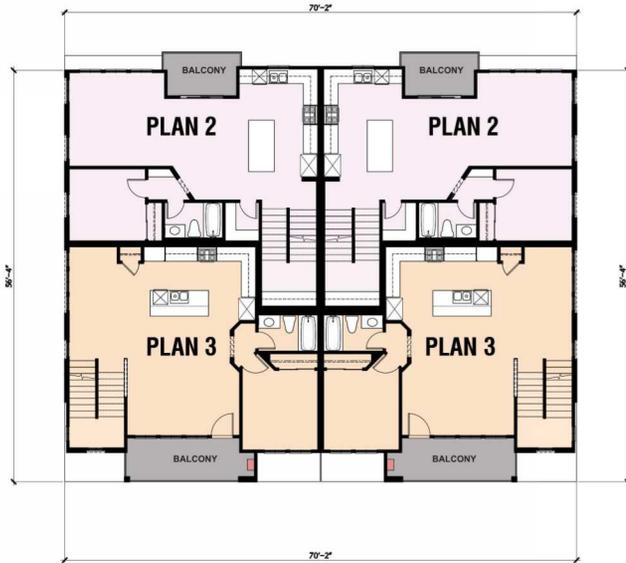
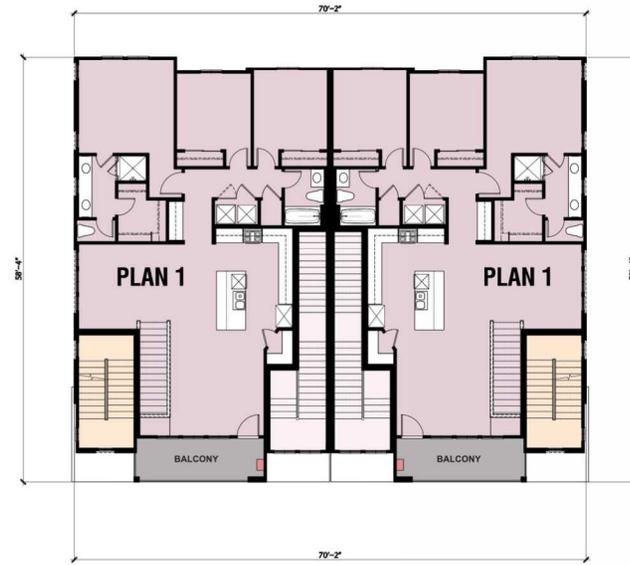
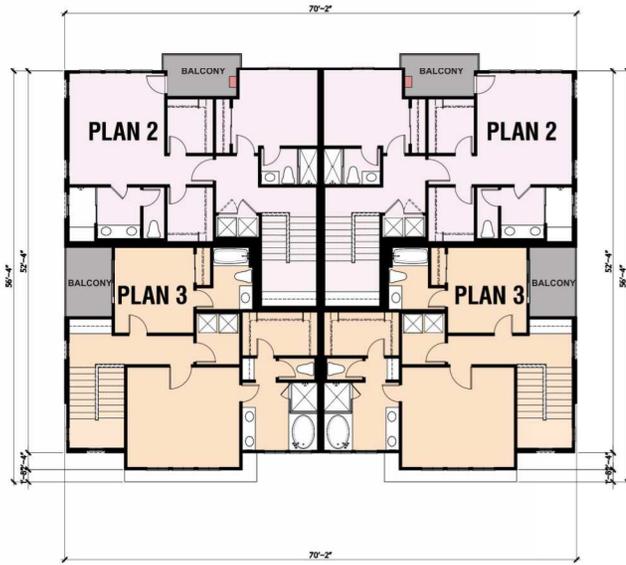
### 3-STORY TOWNHOMES

Plan 4  
First Floor: 701 SF



Plan 5  
Third Floor: 687 SF

**PLANS 4 & 5**  
3-STORY TOWNHOOMES



- PLAN 1
- PLAN 2
- PLAN 3
- BALCONY

**FLOOR PLAN SUMMARY**

BLD. #	PLAN #	UNITS.
BLD.C	1	2
	2	2
	3	2
<b>TOTAL:</b>		<b>6 UNITS</b>
<b>TOTAL GARAGE SPACES BUILDING C:</b>		<b>12 SPACES</b>

- LEGEND:**
- OPT. EV
  - OPTIONAL ELECTRIC VEHICLE CHARGING STATION
  - WATER HEATER LOCATION

Hayden Land Company

EL CAMINO  
SANTA CLARA, CA

BUILDING C

A3.1

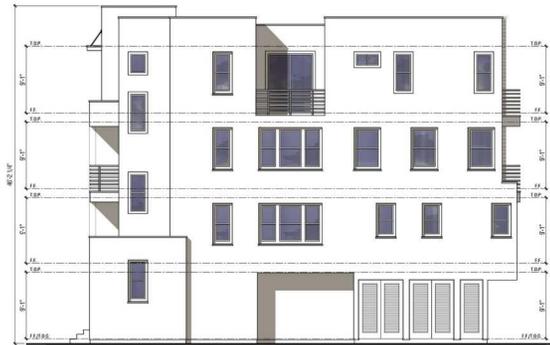
**BUILDING 'C' ELEVATIONS: EXTERIOR MATERIALS:**

1. FIBER CEMENT SIDING
2. FIBER CEMENT TRIM
3. STUCCO - SAND FINISH
4. METAL/MESH CANOPY
5. INSULATED VINYL WINDOWS W/FACTORY FINISH PAINT
6. GUARD RAILS: METAL HORIZONTAL RAILING
7. FIBERGLASS FRONT ENTRY DOOR
8. FIBERGLASS GARAGE DOOR
9. FLAT ROOF

**BUILDING 'C': PAINT LEGEND:**

MAUFACTURER: SHERWIN WILLIAMS

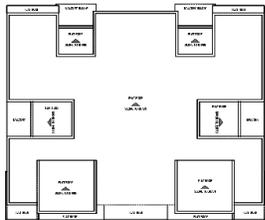
- A. TRIM - SW 7004 SNOWBOUND
- B. BODY COLOR #1 - SW 6221 MOODY BLUE
- C. BODY COLOR #2 - SW 7631 CITY LOFT
- D. BODY COLOR #3 - SW 6277 SPECIAL GRAY
- E. BODY COLOR #4 - SW 7639 ETHEREAL MOOD
- F. ACCENT COLOR #1 - SW 6131 CHAMOIS
- G. ACCENT COLOR #2 - SW 9154 PERLE NOIR



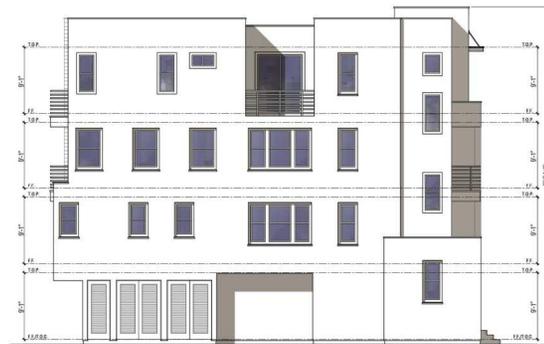
**RIGHT ELEVATION**



**REAR ELEVATION**



**ROOF PLAN**



**LEFT ELEVATION**



**FRONT ELEVATION**

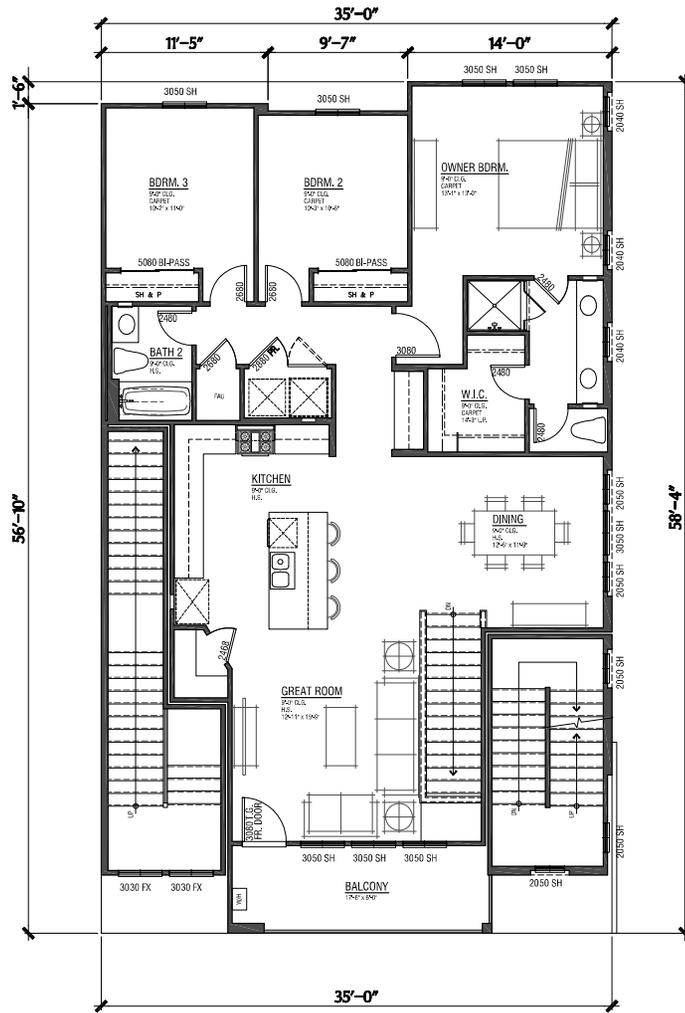
Hayden Land  
Company

EL CAMINO  
SANTA CLARA, CA

BUILDING C A3.2

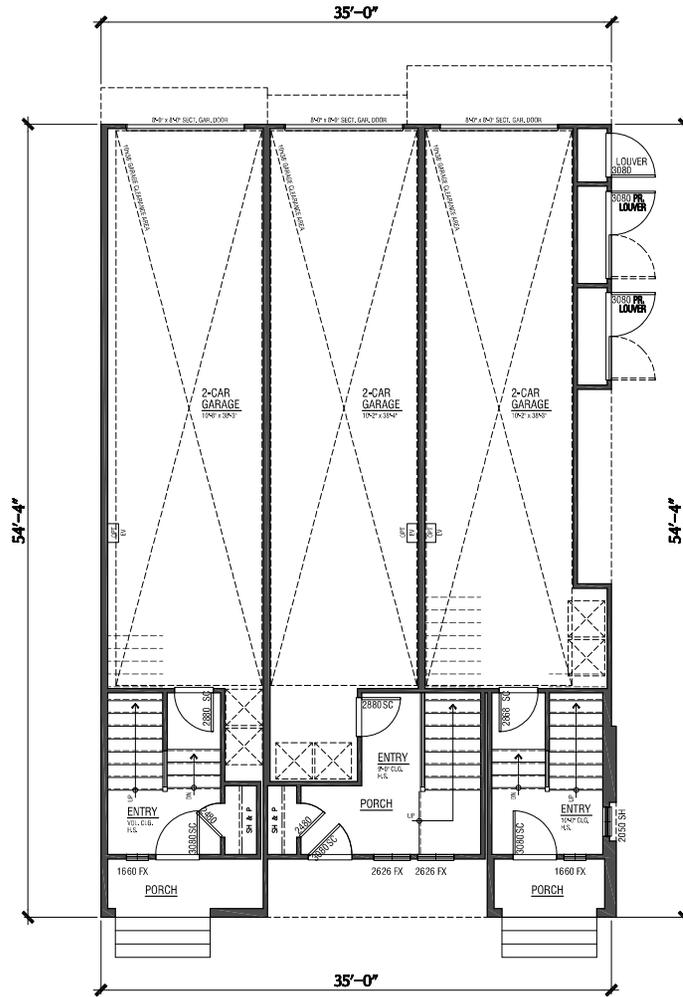
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Plan 2 Second Floor: 70 SF  
 Plan 1 Second Floor: 1437 SF  
 Plan 3 Second Floor: 140 SF

**SECOND FLOOR**



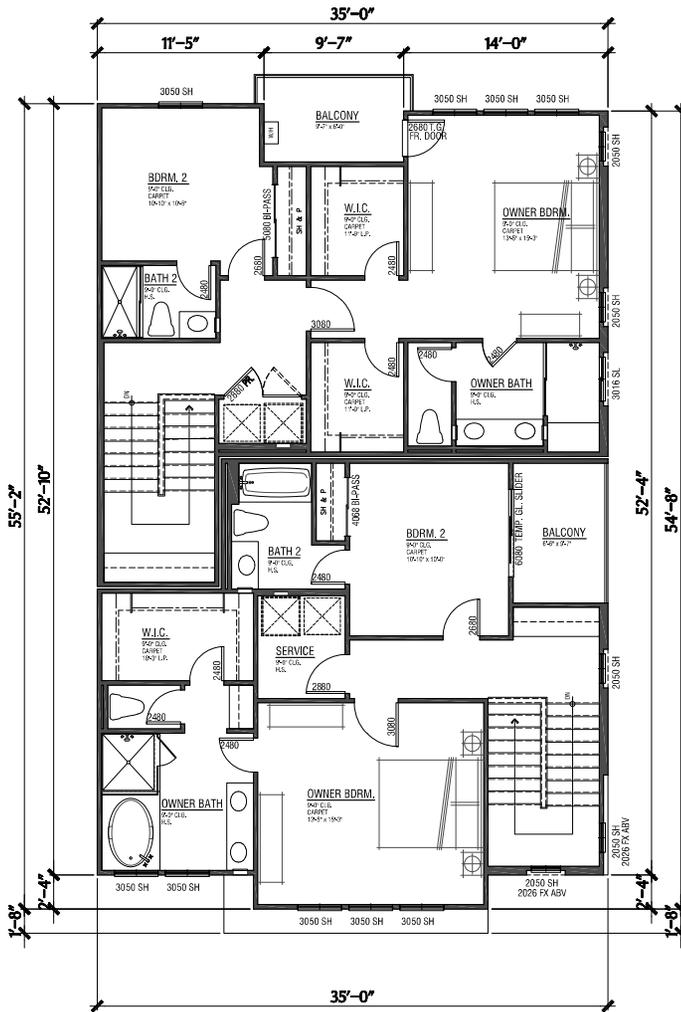
Plan 2 First Floor: 112 SF  
 Plan total: 1815 SF  
 3 bdrm | 3 ba

Plan 1 First Floor: 136 SF  
 Plan total: 1573 SF  
 3 bdrm | 2 ba

Plan 3 First Floor: 99 SF  
 Plan total: 1928 SF  
 3 bdrm | 3 ba

**FIRST FLOOR**

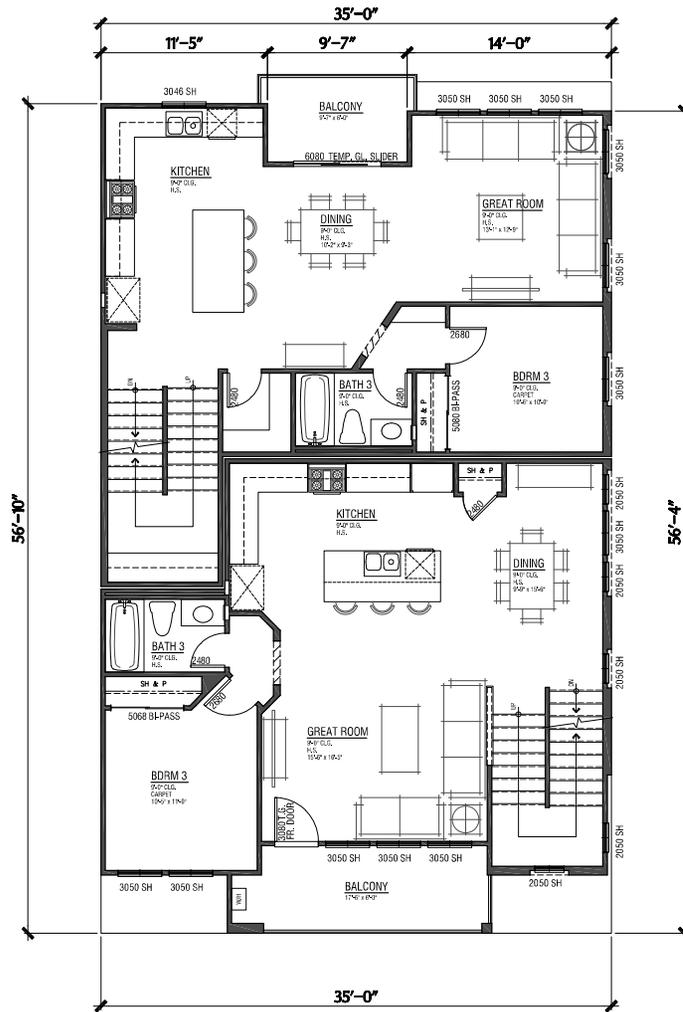
**PLANS 1-3**  
 4-STORY STACKED FLATS



Plan 2  
Fourth Floor: 764 SF

Plan 3  
Fourth Floor: 798 SF

**FOURTH FLOOR**



Plan 2  
Third Floor: 869 SF

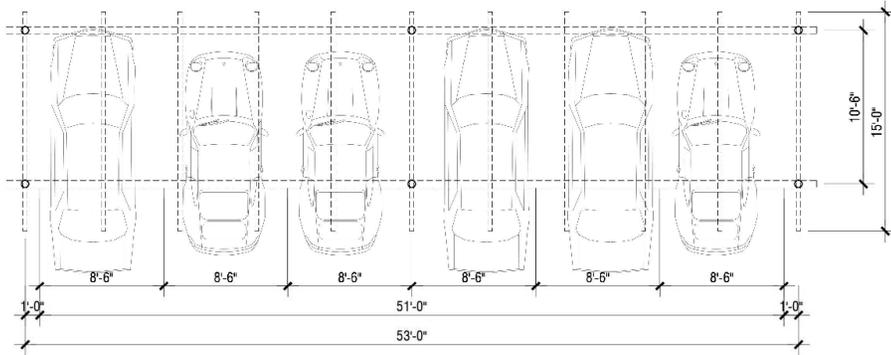
Plan 3  
Third Floor: 891 SF

**THIRD FLOOR**

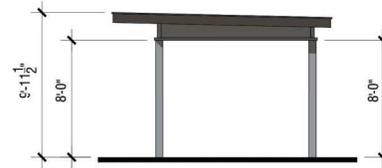
**PLANS 1-3**  
4-STORY STACKED FLATS

**CAR PORT EXTERIOR MATERIALS:**

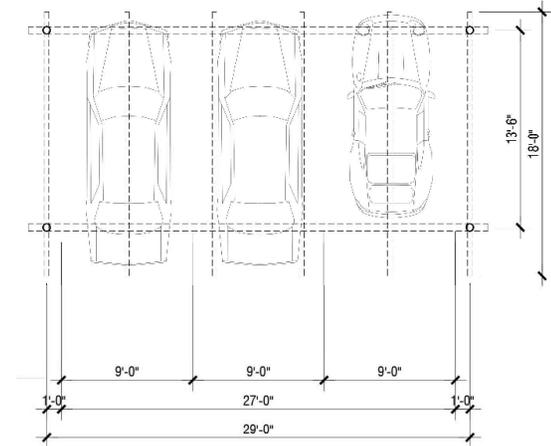
1. STEEL BEAM
2. 6X6 TUBE STEEL POST
3. FLAT SEAM METAL ROOF



**6-STALL PLAN**



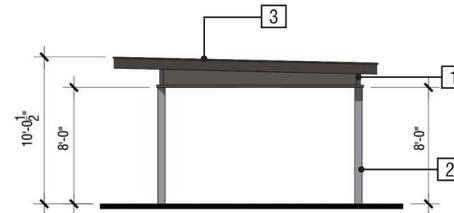
**6-STALL RIGHT ELEVATION**



**3-STALL PLAN**



**6-STALL FRONT ELEVATION**



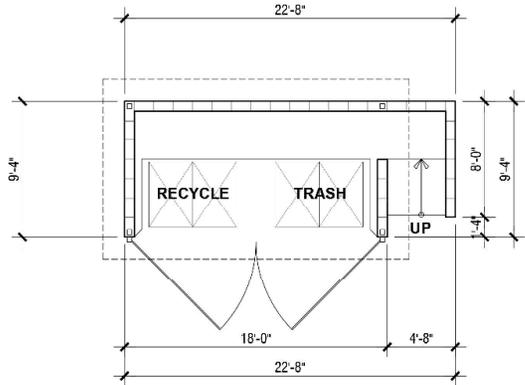
**3-STALL RIGHT ELEVATION**



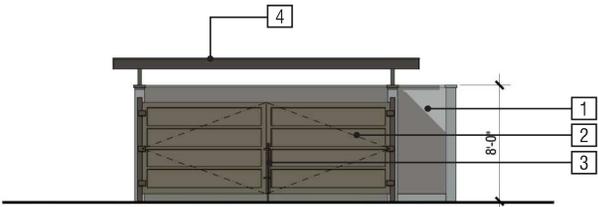
**3-STALL FRONT ELEVATION**

**TRASH ENCLOSURE EXTERIOR MATERIALS:**

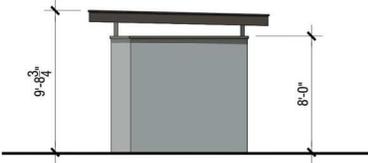
- 1. STUCCO OVER CMU
- 2. METAL DOOR
- 3. CANE BOLT
- 4. FLAT SEAM METAL ROOF



**FLOOR PLAN**



**FRONT ELEVATION**



**RIGHT ELEVATION**



**BUILDING A - PERSPECTIVE VIEW**

**EL CAMINO**

SANTA CLARA, CA

**BUILDING A**

**A5.1**

**Hayden Land  
Company**

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LEFT ELEVATION



REAR ELEVATION



FRONT ELEVATION



EL CAMINO REAL VIEW



RESIDENTIAL ENTRY



COURTYARD VIEW



CORNER CONDITION

**BUILDING A - PERSPECTIVE VIEWS**

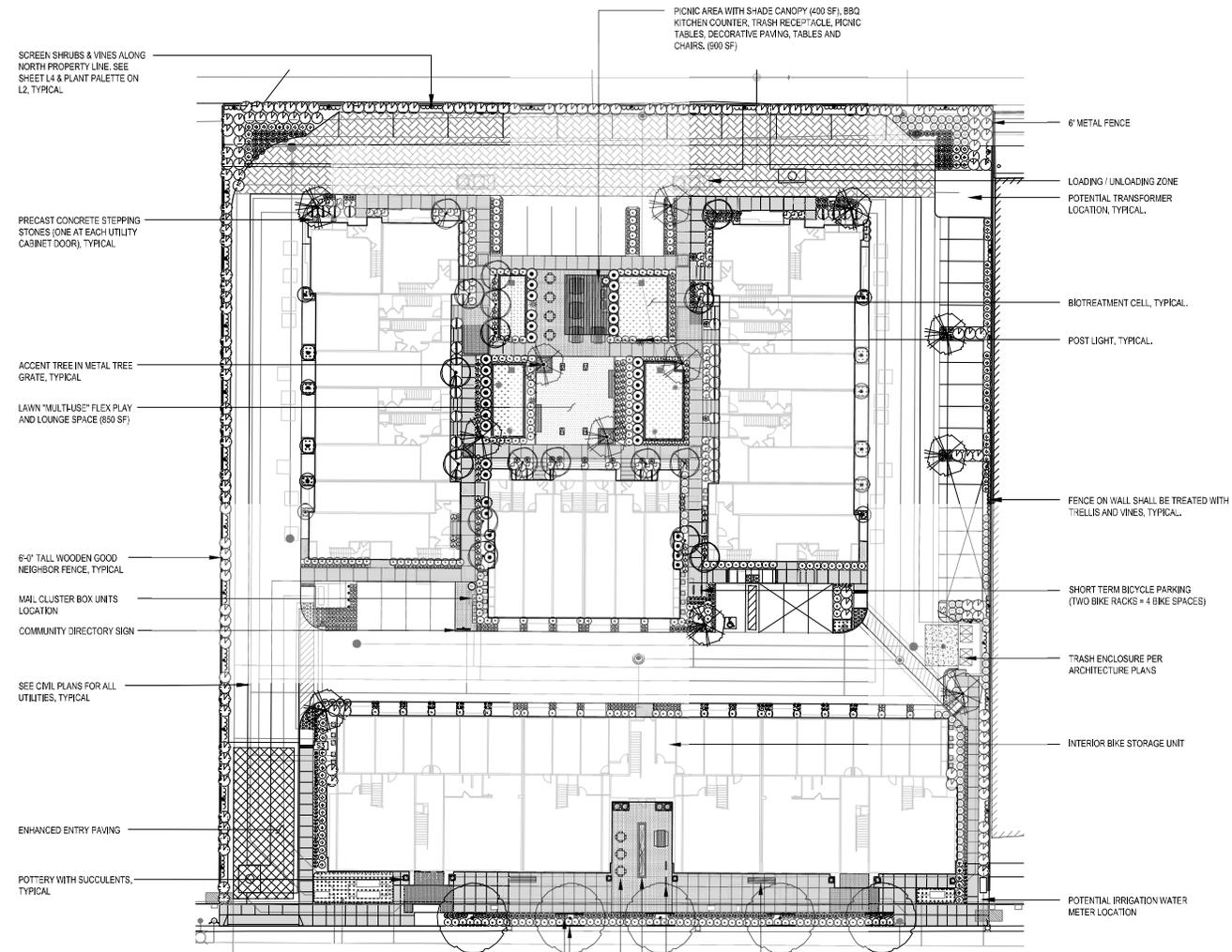


**3035 EL CAMINO REAL  
 PLANNED DEVELOPMENT  
 ZONING**  
 SANTA CLARA, CALIFORNIA

PROJECT NO: 4748.00  
 CAD DWG FILE: 474800L2.DWG  
 DESIGNED BY: EGCC  
 DRAWN BY: RT  
 CHECKED BY: JS  
 DATE: FEBRUARY 15, 2019  
 SCALE: 1" = 20'

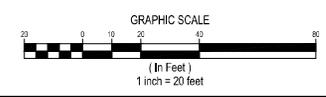
LANDSCAPE PLAN

**L1**



**EL CAMINO REAL**

- STREET TREE  
PLATANUS ACERIFOLIA 'COLUMBIA'
- ROOT BARRIER, TYPICAL.
- LIVE-WORK PLAZA (855 SF)  
WITH ASSORTED SITE FURNISHINGS.  
FURNISHING SHALL HAVE VANDAL RESISTANT FINISHES.
- BENCH WITH MULTIPLE ARM RESTS, TYPICAL.
- SHORT TERM BICYCLE PARKING (TWO BIKE RACKS = 4 BIKE SPACES)
- DECORATIVE WATER FEATURE (60 SF)  
MAXIMUM DEPTH SHALL BE 18".



DESCRIPTION	SYMBOL
PICNIC TABLE WITH BENCHES	
CAFE TABLE WITH SEATING	
BENCH	
POTTERY WITH SUCCULENTS	
CONCRETE PAVING	
INTERLOCKING PAVERS	
DROUGHT TOLERANT PLANTING WITH DRIP IRRIGATION	
BIOTREATMENT CELL PLANTING WITH DRIP IRRIGATION	
GOOD NEIGHBOR FENCE	

NOTES:  
 1. SEE SHEET L2 FOR PLANT PALETTE.  
 2. SEE SHEET L3 FOR PLANTING DETAILS.  
 3. SEE SHEETS L4 AND L5 FOR CONCEPT IMAGERY.  
 4. SEE CIVIL SHEETS FOR CURBS, RAMPS, VEHICULAR PAVING, BIOTREATMENT CELLS, AND RETAINING WALLS.

**PLANTING NOTES**

CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS, AND EQUIPMENT NECESSARY TO FURNISH AND INSTALL PLANT MATERIAL AS SHOWN ON THE DRAWINGS AND AS DESCRIBED IN THE SPECIFICATIONS.

UNLESS DESIGNATED ON THE DRAWINGS OTHERWISE, STRUCTURAL IMPROVEMENTS AND HARDSCAPE SHALL BE INSTALLED PRIOR TO PLANTING OPERATIONS.

PLANT LIST ON THE DRAWINGS SHALL BE USED AS A GUIDE ONLY. CONTRACTOR SHALL TAKEOFF AND VERIFY SIZES AND QUANTITIES BY PLAN CHECK.

A SOIL MANAGEMENT REPORT SHALL BE PROVIDED BY LANDSCAPE CONTRACTOR AFTER GRADING OPERATIONS BUT PRIOR TO PLANT INSTALLATION. SOIL AMENDMENTS SHALL BE INCORPORATED AS RECOMMENDED IN THE REPORT. PHYSICAL COPIES OF THE SOIL MANAGEMENT REPORT SHALL BE PROVIDED TO THE CLIENT, PROJECT LANDSCAPE ARCHITECT AND LOCAL AGENCY AS REQUIRED. THE SOIL MANAGEMENT REPORT SHALL CONFORM TO STATE AB1881 WATER EFFICIENT LANDSCAPE ORDINANCE (WELO) OR LOCAL AGENCY ADOPTED WELO.

SAMPLES OF FERTILIZERS, ORGANIC AMENDMENT, SOIL CONDITIONERS, AND SEED SHALL BE SUBMITTED PRIOR TO INCORPORATION. CONTRACTOR SHALL FURNISH TO THE OWNER'S AUTHORIZED REPRESENTATIVE A CERTIFICATE OF COMPLIANCE FOR SUCH FURNISHED MATERIALS.

ALL WORK ON THE IRRIGATION SYSTEM, INCLUDING HYDROSTATIC COVERAGE, AND OPERATIONAL TESTS AND THE BACKFILLING AND COMPACTION OF TRENCHES SHALL BE PERFORMED PRIOR TO PLANTING OPERATIONS.

LOCATIONS OF PLANT MATERIAL SHALL BE REVIEWED ON SITE BY THE OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO INSTALLATION.

TREES SHALL BE PLANTED NO CLOSER THAN TEN FEET (10') FROM UTILITIES.

TREES PLANTED WITHIN FIVE FEET (5') OF HARDSCAPE OR STRUCTURES SHALL BE INSTALLED WITH A ROOT BARRIER AS APPROVED BY THE LANDSCAPE ARCHITECT.

CONTRACTOR TO CONTACT CITY OF SANTA CLARA ARBORIST (IF REQUIRED) TO LOCATE STREET TREES PRIOR TO PLANTING. IF STREET TREES ARE TO BE PLANTED IN TREE WELLS, FINAL LOCATION OF TREE WELLS SHALL BE DETERMINED BY THE ARBORIST PRIOR TO INSTALLATION OF SIDEWALK.

ALL PLANTING AREAS TO RECEIVE MINIMUM 3" THICK BARK MULCH LAYER. CONTRACTOR SHALL PROVIDE SAMPLE OF BARK MULCH FOR APPROVAL. BARK MULCH SHALL BE LYNOSO SMALL FIR BARK (3/4" TO 1-1/2") OR APPROVED EQUAL.

**PROPOSED PLANT PALETTE**

PLANNING SYMBOL	BOTANICAL NAME	COMMON NAME	MINIMUM SIZE	HABIT/DESCRIPTION	SIZE/SPACING	WUCOLS
	ACER RUBRUM 'BOWHALL'	BOWHALL RED MAPLE	24" BOX	RED FALL FOLIAGE	50" TALL X 20" WIDE	MEDIUM
	ARBUTUS MARINA	MARINA STRAWBERRY TREE	15 GALLON	EVERGREEN WITH RED FRUITS	40" TALL X 30" WIDE	LOW
	CERCIS OCCIDENTALIS	WESTERN REDBUD	15 GALLON	MULTI-TRUNK, WITH PINK FLOWERS	20" TALL X 20" WIDE	LOW
	CHITALPA TASHKENTENSIS 'PINK DAWN'	PINK DAWN CHITALPA	24" BOX	PINK FLOWERS	30" TALL X 20" WIDE	LOW
	GINKGO BILOBA 'AUTUMN GOLD'	FRUITLESS MALE WADEN-HAIR TREE	24" BOX	YELLOW FALL FOLIAGE	15" TALL X 6" WIDE	MEDIUM
	JACARANDA MIMOSFOLIA	JACARANDA TREE	24" BOX	PURPLE FLOWERS	50" TALL X 30" WIDE	MEDIUM
	LAGERSTROEMIA TUSCARORA	CRAPE MYRTLE	15 GALLON	PINK FLOWERS	15" TALL X 15" WIDE	LOW
	LOROPETALUM CHINENSE	CHINESE FRINGE FLOWER	15 GALLON	PINK FLOWERS	6" TALL X 6" WIDE	MEDIUM
	MELALEUCA LINARIFOLIA	FLAXLEAF PAPER BARK	15 GALLON	WHITE FLOWERS	30" TALL X 25" WIDE	LOW
	PLATANUS ACERIFOLIA 'COLUMBIA'	COLUMBIA SYCAMORE	48" BOX	FALL COLOR	80" TALL X 20" WIDE	MEDIUM
	QUERCUS ROBUR 'FASTIGIATA'	COLUMNAR ENGLISH OAK	24" BOX	PINK FLOWERS	50" TALL X 20" WIDE	MEDIUM

**LARGE SHRUBS (BACKGROUND PLANTING)**

	COTINUS COGGYGORIA 'GOLCOIT'	GREEN SMOKE TREE	5 GALLON	FLOWERS, FALL COLORS	6" TALL X 8" WIDE	LOW
	LAURUS NOBILIS	BAY LAUREL	5 GALLON	AROMATIC	20" TALL X 10" WIDE	LOW
	LEUCADENDRON DISCOLOR	POM POM FLAME TIPS	5 GALLON	WHITE/RED FLOWERS	8" TALL X 5" WIDE	LOW
	PHORMIUM 'SEA JADE'	NEW ZEALAND FLAX	1 GALLON	MULTICOLOR FOLIAGE	6" TALL X 3" WIDE	LOW
	PITIOSPORUM TENUIFOLIUM 'MAJORIE CHANNON'	VARIEGATED KOHUIHU	5 GALLON	BLUE/GRAY FOLIAGE	12" TALL X 8" WIDE	MEDIUM
	SALVIA CLEVELANDII	CLEVELAND SAGE	1 GALLON	PURPLE FLOWERS	5" TALL X 5" WIDE	LOW
	VIBURNUM JAPONICUM	JAPANESE VIBURNUM	5 GALLON	EVERGREEN SCREEN	10" TALL X 8" WIDE	MEDIUM
	VITEX AGNUS - CASTUS	CHASTE TREE	5 GALLON	PURPLE FLOWERS	10" TALL X 8" WIDE	LOW

**MEDIUM SHRUBS (BACKGROUND PLANTING)**

	AGAVE 'BLUE FLAME'	BLUE FLAME AGAVE	5 GALLON	BLUE/GREEN FOLIAGE	3" TALL X 3" WIDE	LOW
	ANGIOZANTHOS FLAMMUS 'BIG RED'	BIG RED KANGAROO PAW	1 GALLON	RED FLOWERS	6" TALL X 3" WIDE	LOW
	ANGIOZANTHOS 'HARMONY'	LARGE YELLOW KANGAROO PAW	1 GALLON	YELLOW FLOWERS	6" TALL X 4" WIDE	LOW
	CALAMAGROSIS X ACUTIFLORA 'KARL FOERSTER'	FEATHER REED GRASS	1 GALLON	TALL GRASS	3" TALL X 3" WIDE	MEDIUM
	* CHONDROFETALUM TECTORUM 'EL CAMPO'	SMALL CAPE RUSH	1 GALLON	GRASS	3" TALL X 4" WIDE	LOW
	HESPERALOE PARVIFLORA 'PERPA'	BRAYELIGHTS RED YUCCA	5 GALLON	RED FLOWERS	5" TALL X 4" WIDE	LOW
	* JUNCUS JAVELIN	BLUE RUSH	1 GALLON	GRAY GREEN FOLIAGE	5" TALL X 2" WIDE	LOW
	LOMANDRA 'TROPIC BELLE'	TROPIC BELLE MAT RUSH	1 GALLON	MEDIUM GRASS	3" TALL X 4" WIDE	LOW
	MISCANTHUS SINENSIS 'MORNING LIGHT'	CHINESE SILVER GRASS	1 GALLON	TALL GRASS, PINK FLOWERS	6" TALL X 4" WIDE	MEDIUM

**SMALL SHRUBS (FOREGROUND PLANTING)**

	* CAREX TUMULICOLA	BERKLEY SEDGE	1 GALLON	GREEN FOLIAGE	2" TALL X 2" WIDE	LOW
	BULBINE FRUTESCENS	STALKED BULBINE	1 GALLON	YELLOW FLOWERS	2" TALL X 2" WIDE	LOW
	DIANELLA 'CASSA BLUE'	BLUE FLAX LILY	1 GALLON	BLUE FOLIAGE	2" TALL X 2" WIDE	MEDIUM
	HEUCHERA MAXIMA	ISLAND ALUM ROOT	1 GALLON	WHITE FLOWERS	3" TALL X 2" WIDE	MEDIUM
	LOMANDRA 'BREEZE'	MAT RUSH	1 GALLON	MEDIUM GRASS	3" TALL X 4" WIDE	LOW
	PHORMIUM 'FLAMINGO'	NEW ZEALAND FLAX	1 GALLON	PINK FOLIAGE	2" TALL X 2" WIDE	LOW
	SESLERIA AUTUMNALIS	AUTUMN MOOR GRASS	1 GALLON	SHORT ORNAMENTAL GRASS	2" TALL X 2" WIDE	MEDIUM
	YUCCA 'BRIGHT STAR'	BRIGHT STAR YUCCA	1 GALLON	BRIGHT GREEN FOLIAGE	2" TALL X 5" WIDE	LOW

**VINES (FOR TRELLIS AND TRASH ENCLOSURE)**

	CLYTOSTOMA CALLISTEGIOIDES	VIOLET TRUMPET VINE	1 GALLON	VIOLET FLOWERS	20" TALL X 10" WIDE	MEDIUM
	FICUS PUMILA	CREeping FIG VINE	1 GALLON	LUSH GREEN LEAVES	20" TALL X 10" WIDE	MEDIUM
	TECOMA CAPENSIS	CAPE HONEYSUCKLE	1 GALLON	ORANGE FLOWERS	20" TALL X 8" WIDE	MEDIUM
	TRACHELOSPERMUM JASMINOIDES	STAR JASMINE	1 GALLON	WHITE FRAGRANT FLOWERS	20" TALL X 10" WIDE	MEDIUM

**POTTERY**

TO BE SELECTED BY LANDSCAPE ARCHITECT

NOTES: 1. BARK MULCH: ALL PLANTER AREAS TO RECEIVE A 3" THICK LAYER OF FIR BARK MULCH.  
 2. \* DENOTES PLANTS SUITABLE FOR BIOTREATMENT CELLS.  
 3. ALL LID BIO-RETENTION AREAS SHALL RECEIVE 3" THICK LAYER OF PEBBLE/COBBLE, TYPICAL. PROVIDE SAMPLE OF STONE MIX FOR APPROVAL.



**HAYDEN LAND COMPANY LLC**  
 16732 LOS GATOS BLVD., SUITE 101  
 LOS GATOS, CA 95032

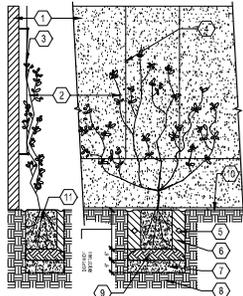
**3035 EL CAMINO REAL  
 PLANNED DEVELOPMENT  
 ZONING**  
 SANTA CLARA, CALIFORNIA

PROJECT NO:	4748.00
CAD DWG FILE:	474800CL01.DWG
DESIGNED BY:	RY
DRAWN BY:	RY
CHECKED BY:	RS
DATE:	FEBRUARY 14, 2019
SCALE:	NOT TO SCALE
© HMH	

**LANDSCAPE LEGEND,  
 PLANTING, AND  
 IRRIGATION NOTES**

**NOTES:**

1. ROOTBALL CROWN TO BE 1" ABOVE FINISH GRADE.

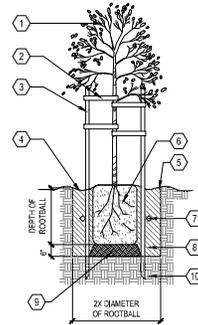
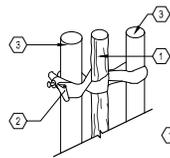
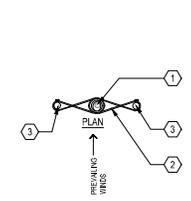


**E VINE PLANTING ON WALL**  
SCALE: 1"=1'-0"

- 1 FENCE OR WALL
- 2 VINE-SEE PLANTING PLAN FOR SIZE AND TYPE
- 3 VINE TRUNK DISCS/EPXY TO WALL TO SUPPORT PLANT BRANCHING STRUCTURE
- 4 CABLE TRELLIS SYSTEM
- 5 AGRIFORM PLANT TABLETS 2 PER 1 GALLON, 3 PER 5 AND 15 GALLON
- 6 APPROVED BACKFILL, THOROUGHLY MIXED PRIOR TO INSTALLATION
- 7 SCARIFY SOIL TO 6" DEPTH AND ADD EQUAL AMOUNT OF PREPARED SOIL AND THOROUGHLY MIX NATIVE GRADE
- 8 FOOT TAMP BASE
- 9 FINISH GRADE
- 10 ROOTBALL

**NOTES:**

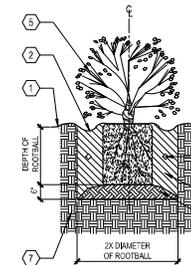
1. SEE PLANTING SPECIFICATIONS PRIOR TO INSTALLATION OF PLANT MATERIALS.
2. ROOTBALL CROWN TO EXTEND 1" ABOVE FINISH GRADE.



**C TREE STAKING (DOUBLE)**  
SCALE: N.T.S.

**NOTES:**

1. ROOTBALL CROWN TO BE 1" ABOVE FINISH GRADE.

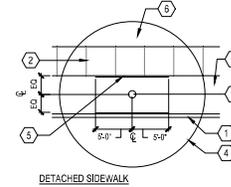


**D SHRUB PLANTING**  
SCALE: NOT TO SCALE

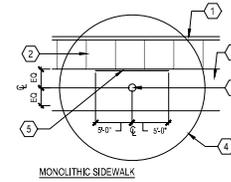
- 1 TREE-SEE PLAN FOR SIZE AND TYPE
- 2 CINCH TIE OR APPROVED EQUAL
- 3 2" DIAMETER TREATED LODGE POLE PINE STAKE PLACED ON WINDWARD SIDES OF TREE, AND OUTSIDE OF ROOTBALL.
- 4 A SHALLOW BASIN 2" DEEP SHALL BE FORMED AROUND ROOTBALL BELOW FINISH GRADE. TREES PLANTED IN TURF SHALL NOT HAVE BASINS.
- 5 FINISH GRADE
- 6 ROOTBALL
- 7 AGRIFORM PLANT TABLETS 3 PER 15 GALLON, 6 PER 24" BOX AND 8 FOR 36" BOX
- 8 APPROVED BACKFILL, THOROUGHLY MIXED PRIOR TO INSTALLATION. RIDDLE AND SETTLE PRIOR TO PLANTING TREE.
- 9 FOOT TAMP BASE
- 10 NATIVE GRADE

**NOTES:**

1. ROOT CONTROL BARRIER SHALL BE USED WHEN TREE IS LOCATED 10' OR LESS FROM WATER, STORM AND SEWER UTILITIES.
2. INSTALL AN 18" DEEP "DEEP ROOT" CONTROL BARRIER AT EDGE OF SIDEWALK.
3. INSTALL A 48" DEEP "DEEP ROOT" CONTROL BARRIER AT BACK OF CURB OR INSTALL A 36" DEEP "DEEP ROOT" CONTROL BARRIER AT BACK OF CURB WHEN WITHIN 6' FROM WATER AND SEWER LATERAL LINES.
4. NO ROOT CONTROL BARRIERS SHALL BE WITHIN 5' FROM WATER AND SEWER LINES.
5. \*DEEP ROOT PHONE NUMBER (800) 455-7668



DETACHED SIDEWALK

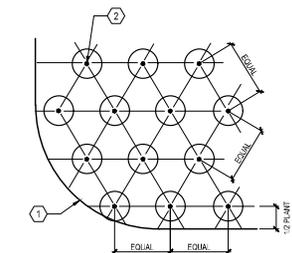


MONOLITHIC SIDEWALK

**A ROOT BARRIER**  
SCALE: NOT TO SCALE

**NOTES:**

1. ALL PLANTS TO BE PLANTED AT EQUAL SPACING "TRIANGULATED" UNLESS OTHERWISE INDICATED ON PLANS.
2. INSTALL PLANTS AS REQUIRED TO MAINTAIN SPACING AT IRREGULAR EDGES.



**B GROUND COVER PLANTING**  
SCALE: NOT TO SCALE

- 1 CURB
- 2 SIDEWALK
- 3 TREE TRUNK
- 4 TREE CANOPY
- 5 ROOT BARRIER
- 6 PLANTING AREA

**HMMH**  
Land Use Entitlements  
Land Planning  
Landscape Architecture  
Civil Engineering  
Utility Design  
Land Surveying  
Stormwater Compliance  
1570 Oakland Road  
San Jose, CA 95131 (408) 437-2200  
HMMH.com

LANDSCAPE ARCHITECT  
NO. 1200  
STATE OF CALIFORNIA

**HAYDEN LAND COMPANY LLC**  
16732 LOS GATOS BLVD. SUITE 101  
LOS GATOS, CA 95032

**3035 EL CAMINO REAL  
PLANNED DEVELOPMENT  
ZONING**  
SANTA CLARA, CALIFORNIA

PROJECT NO:	4748.00
CAD DWG FILE:	474800CL01HW
DESIGNED BY:	BS
DRAWN BY:	RY
CHECKED BY:	BS
DATE:	FEBRUARY 14, 2019
SCALE:	NOT TO SCALE

PLANTING DETAILS

**L3**



MEDIUM SHRUBS (BACKGROUND PLANTING)



STANDARD FORM PATIO TREES



FALL COLOR TREES



SMALL SHRUBS (FOREGROUND PLANTING)



VINES WITH TRELLIS



FLOWERING TREES



SCREEN SHRUB



SUCCULENTS



SYCAMORE STREET TREES



LARGE SHRUBS (BACKGROUND PLANTING)



POTTERY WITH SUCCULENTS

**HMH**  
 Land Use Entitlements  
 Land Planning  
 Landscape Architecture  
 Civil Engineering  
 Utility Design  
 Land Surveying  
 Stormwater Compliance  
 1570 Oakland Road (408) 437-2200  
 San Jose, CA 95131 hmr@a.com



**HAYDEN LAND  
 COMPANY LLC**  
 16732 LOS GATOS BLVD. SUITE 101  
 LOS GATOS, CA 95032

**3035 EL CAMINO REAL  
 PLANNED DEVELOPMENT  
 ZONING**  
 SANTA CLARA, CALIFORNIA

PROJECT NO: 4748.00  
 CAD DWG FILE: 474800L21110  
 DESIGNED BY: BG  
 DRAWN BY: RT  
 CHECKED BY: JS  
 DATE: FEBRUARY 14, 2019  
 SCALE: 1/8" = 1'-0" SCALE  
 © HMH

CONCEPT IMAGERY

L4



6' METAL FENCE



TRASH AND RECYCLING RECEPTACLES



INTERLOCKING PAVERS  
MODULAR PLANK PAVERS (3 COLORS RANDOMLY MIXED)



SHADE CANOPY



METAL TREE GRATE



DECORATIVE WATER FEATURE



BBQ KITCHEN COUNTER



WOODEN GOOD NEIGHBOR FENCE



BIKE RACKS



POST LIGHT



MAIL CLUSTER BOX UNITS WITH

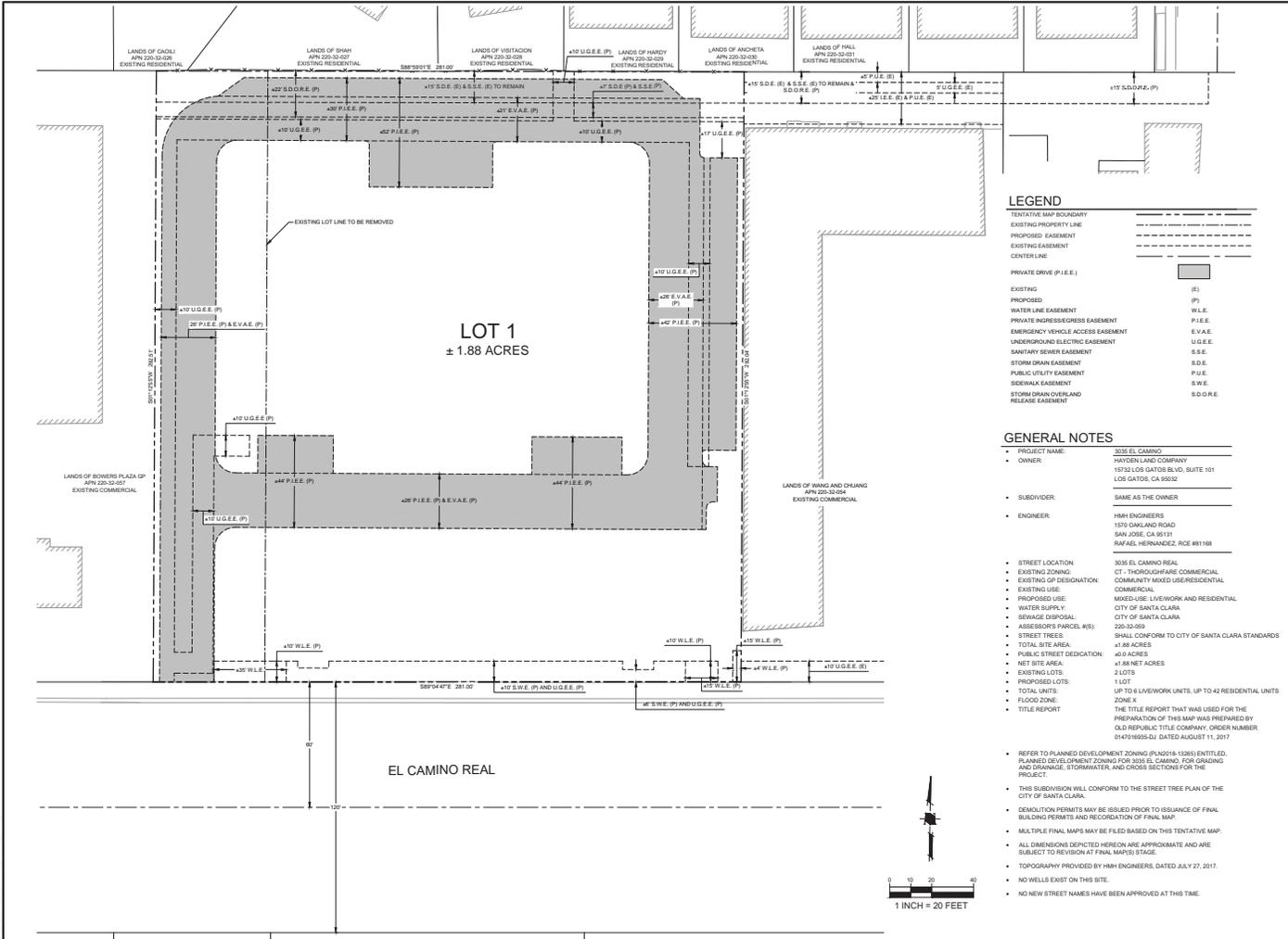


PICNIC TABLE, BENCH, TABLE AND CHAIRS



MULTI-USE FLEX SPACE

CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SANTA CLARA AND THE COUNTY OF SANTA CLARA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SANTA CLARA AND THE COUNTY OF SANTA CLARA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SANTA CLARA AND THE COUNTY OF SANTA CLARA.



**LEGEND**

TENTATIVE MAP BOUNDARY	---
EXISTING PROPERTY LINE	---
PROPOSED EASEMENT	---
EXISTING EASEMENT	---
CENTER LINE	---
PRIVATE DRIVE (P.I.E.E.)	---
EXISTING	(E)
PROPOSED	(P)
WATER LINE EASEMENT	W.L.E.
PRIVATE INGRESS/EGRESS EASEMENT	P.I.E.E.
EMERGENCY VEHICLE ACCESS EASEMENT	E.V.A.E.
UNDERGROUND ELECTRIC EASEMENT	U.G.E.E.
SANITARY SEWER EASEMENT	S.S.E.
STORM DRAIN EASEMENT	S.D.E.
PUBLIC UTILITY EASEMENT	P.U.E.
SEWER GAS EASEMENT	S.W.G.E.
STORM DRAIN OVERLAND RELEASE EASEMENT	S.D.O.R.E.

**GENERAL NOTES**

- PROJECT NAME: 3035 EL CAMINO
- OWNER: HAYDEN LAND COMPANY, 1570 LOS GATOS BLVD, SUITE 101, LOS GATOS, CA 95032
- SUBDIVIDER: SAME AS THE OWNER
- ENGINEER: HHM ENGINEERS, 1570 OAKLAND ROAD, SAN JOSE, CA 95131, RAFAEL HERNANDEZ, RCE #81188
- STREET LOCATION: 3035 EL CAMINO REAL
- EXISTING ZONING: CT - THROUGHFARE COMMERCIAL
- EXISTING GP DESIGNATION: COMMUNITY MIXED USE/RESIDENTIAL
- EXISTING USE: COMMERCIAL
- PROPOSED USE: MIXED USE: LIVEWORK AND RESIDENTIAL
- WATER SUPPLY: CITY OF SANTA CLARA
- SEWER/ESPICAL: CITY OF SANTA CLARA
- ASSESSOR'S PARCEL #S: 228-32-469
- STREET TREES: SMALL CONFORM TO CITY OF SANTA CLARA STANDARDS
- TOTAL SITE AREA: 41.88 ACRES
- PUBLIC STREET DEDICATION: 40.0 ACRES
- NET SITE AREA: 41.88 NET ACRES
- EXISTING LOTS: 2 LOTS
- PROPOSED LOTS: 1 LOT
- TOTAL UNITS: UP TO 1 LIVEWORK UNITS, UP TO 42 RESIDENTIAL UNITS
- FLOOD ZONE: ZONE X
- TITLE REPORT: THE TITLE REPORT THAT WAS USED FOR THE PREPARATION OF THIS MAP WAS PREPARED BY OLD REPUBLIC TITLE COMPANY, ORDER NUMBER 041916955-01 DATED AUGUST 11, 2017
- REFER TO PLANNED DEVELOPMENT ZONING (PD16116) 19865 ENTITLED, PLANNED DEVELOPMENT ZONING FOR 3035 EL CAMINO, FOR GRADING AND DRAINAGE, STORMWATER, AND CROSS SECTIONS FOR THE PROJECT
- THIS SUBDIVISION WILL CONFORM TO THE STREET TREE PLAN OF THE CITY OF SANTA CLARA.
- DEMOLITION PERMITS MAY BE ISSUED PRIOR TO ISSUANCE OF FINAL BUILDING PERMITS AND RECORDATION OF FINAL MAP.
- MULTIPLE FINAL MAPS MAY BE FILED BASED ON THIS TENTATIVE MAP.
- ALL DIMENSIONS DEPICTED HEREON ARE APPROXIMATE AND ARE SUBJECT TO REVISION AT FINAL MAP'S STAGE.
- TOPOGRAPHY PROVIDED BY HHM ENGINEERS, DATED JULY 27, 2017.
- NO WELLS EXIST ON THIS SITE.
- NO NEW STREET NAMES HAVE BEEN APPROVED AT THIS TIME.

**TENTATIVE TRACT MAP FOR CONDOMINIUM PURPOSES  
3035 EL CAMINO REAL  
SANTA CLARA, CA**

NO. DATE DESCRIPTION	PER CITY COMMENTS
112118	PER CITY COMMENTS
112120	PER CITY COMMENTS
115118	PER CITY COMMENTS
140618	PER CITY COMMENTS

PROJECT NO.	418718
DATE DRAFTED	4/26/2018
DESIGNED BY	DM
DRAWN BY	DM
CHECKED BY	DM
DATE	MAY 11, 2018
SCALE	AS SHOWN
BY	DM

**TENTATIVE TRACT MAP FOR CONDOMINIUM PURPOSES**