



**CITY OF CAMPBELL
Planning Commission Minutes**

7:30 P.M.

TUESDAY

February 8, 2022
PLANNING COMMISSION MEETING

The Planning Commission meeting on Tuesday, February 8, 2022, was called to order at 7:30 p.m. in the Council Chambers of City Hall, 70 N. First Street, Campbell, CA, by Chair Ching and the following proceedings were had, to wit:

ROLL CALL

Commissioners Present: Chair: Stuart Ching
Vice Chair: Adam Buchbinder
Commissioner: Matt Kamkar – Arrived Late (7:36 PM)
Commissioner: Michael Krey
Commissioner: Maggie Ostrowski
Commissioner: Andrew Rivlin
Commissioner: Alan Zisser

Commissioners Absent: None

Staff Present: Community Development
Director: Rob Eastwood
Senior Planner: Stephen Rose (Via Zoom)
City Attorney: William Seligmann
Interim Recording: Andrea Sanders
Secretary:
Exec. Assist. to the Com. Abby Jones
Development Director:

APPROVAL OF MINUTES

Commissioner Zisser clarified his statement on the minutes of January 20, 2022, referencing his comments on the East Campbell Map he expressed concerns on the second high density development in the Pruneyard.

Motion: Upon motion by Commissioner Krey, seconded by Commissioner Kamkar, the Planning Commission action minutes of the meeting of

January 20, 2021, were approved as revised. (6-0-1; Commissioner Ostrowski abstained)

COMMUNICATIONS/AGENDA MODIFICATIONS OR POSTPONEMENTS

None

ORAL REQUESTS

None

OLD BUSINESS

Chair Ching asked if there were any disclosures from the Commission.

There were none.

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

1. **PLN-2021-201** Public Hearing to consider the application of Susan Chen for a Planned Development Permit to allow the construction of four single-family homes; a Tentative Subdivision Map to allow the creation of five lots (four residential and one common lot); and a Parking Modification Permit to allow two of the required assigned parking spaces (unit specific), to be provided as guest parking spaces on property located at 1323 Elam Avenue. This application is intended to reinstate previous approvals for a Planned Development Permit (PLN2017-101), Tentative Subdivision Map (PLN2017-102), and Parking Modification Permit (PLN2017-338) which expired.

Senior Planner Rose presented staff report and described the project details with the applicant seeking a Planned Development Permit, Tentative Subdivision Map and Parking Modification Permit.

Senior Planner Rose stated the plan was previously presented to the Council in 2018 and since then the permits have expired. The applicant was required to submit new applications for reconsideration of the project.

Mr. Rose stated that there have been changes in state law which have made it difficult to deny housing projects. This project may not be denied unless in violation of an objective general plan/zoning standard or if it results in specific adverse impacts to public health and safety.

Upon previous review of the SARC, Senior Planner Rose concluded that this project will be a good fit for the area and asked that the Planning Commission recommend approval of the project to the City Council.

Chair Ching asked if there were Commission questions for staff.

In response to inquiries from Commissioner Krey, Senior Planner Rose stated that he did not think above ground utility lines were required but would follow up and confirm and that two additional parking spaces would be assigned as guest parking.

Chair Ching opened the public hearing and asked for public comment.

Susan Chen, applicant stated that project deadlines were delayed due to Covid-19 and applications had to be resubmitted.

Commissioner Kamkar asked Ms. Chen that if she had a choice to have put up more units would she have chosen that as opposed to building the 4 units.

Susan Chen replied that she wants to stay with the four units because more units would not provide a comfortable living space.

Charles Schultz, Campbell resident stated concerns with the property not being maintained. He has submitted a code enforcement case to the City regarding issues with the vacant property having garbage, vandalism, and weeds.

Cassandra Le, Campbell resident stated she will be impacted by the construction of the development and requested denial of the project, listing the following concerns: property maintenance; incomplete construction; neighborhood compatibility; strain to on-street parking; insufficient ground level screening for privacy; and the design provides unreasonable shading of existing ground-related residences.

Ms. Chen replied to the public comments stating that she hopes starting the construction will help alleviate the trash dumping. She considered neighbors when planning for this project.

Director Eastwood spoke on the code violations. He confirmed that there have been past code violations on the property but as of now there were no open code cases.

Chair Ching closed the public hearing.

Vice Chair Buchbinder reminded everyone that saying “no” to this development project is not an option at this point. Denial of the project could result in fines by the State.

City Attorney, Bill Seligmann added to Commissioner Buchbinder’s statement noting denial could have potential consequences which could lead to some kind of judicial action being taken against the City.

Vice Chair, Buchbinder stated he can understand how residents seeing an empty lot now being proposed for construction can be worrisome but articulated the homes appear nice and look to be compatible in design with the neighborhood.

Commissioner Ostrowski stated that this was previously approved, has relatively low density thinks it is a good design for compatibility to the neighborhood.

Commissioner Zisser is sympathetic with the concerns of blight it is causing in the neighborhood. He would encourage the City to have the property owner deal with the maintenance issues until construction begins. The project looks compatible to the neighborhood and feels it is a good opportunity to have a fairly low density with four units and is supportive of project.

Commissioner Rivlin commented on the parking stalls between the units are 10 ft wide and typical car is 6-7 feet wide that leaves a tight space to get through and hoped the SARC took that into consideration. Overall, he is supportive of the project and would ask staff to enforce the safety and cleanliness of the site until construction starts.

Commissioner Krey agreed with the Commissioners and is supportive of the project. He stated it is good of the neighbors to bring up the code enforcement issues, and the City should address them. The design is keeping up with the neighborhood and the parking meets the requirements.

Commissioner Kamkar is supportive of the project but asked that Code Enforcement continue to monitor the situation.

Chair Ching agreed with Commissioner Kamkar's comments. He believes it is consistent with the plans of the San Tomas area and encourages City to ensure enforcement of any Code violations before and during construction.

Motion: Upon motion by Commissioner Kamkar, seconded by Commissioner Ostrowski, the Planning Commission adopted Resolution No. 4629 approving a Planned Development Permit for the construction of four single-family homes; Resolution No. 4630 approving a Tentative Subdivision Map to allow for the creation of five lots (four-single family and once commonly owned lot); and Resolution No. 4631 approving a Parking Modification Permit to allow for two of the required assigned parking spaces (unit specific), to be provided as guest parking spaces on property located at 1323 Elam Avenue by the following roll call vote:
AYES: Rivlin, Zisser, Ostrowski, Kamkar, Krey, Buchbinder, Ching
NOES: None
ABSENT: None
ABSTAIN: None

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

Director Eastwood reported the Housing Element returned to the City Council on January 25, 2022. They agreed with the recommendations that came from the Planning Commission. This brings the housing unit number to 6,500 and staff will start preparation of the EIR process. Next steps in the housing process are discussions relating to policies, what are barriers to housing, potential housing programs, housing overlay zones, modifications to fees and inclusionary ordinances and tools to help affordable housing in

Campbell. Staff anticipates returning to the Commission and Council in April/May to start reviewing those policies.

January 18 Council reviewed the Temporary Parklet Program. Staff came back to Council with options of a permanent parklet program with some questions on design options and how they'd be constructed. The council gave favorable feedback on creating a permanent parklet program. Staff will come back in April/May with design templates on how that will look.

Director Eastwood reported that at the Tuesday, February 1st Council meeting they authorized extending the urgency ordinance for SB9 that allows time for staff to bring a permanent ordinance. Staff anticipates coming to the Planning Commission in March with the Standards. Two meetings are proposed, one study session on how to develop the Standards and then to return with a recommendation. Staff has not received any SB9 applications yet.

Director Eastwood reported the mid-year budget was adopted by Council last Tuesday, the Community Development Department requested \$600,000 to start a Comprehensive Zoning Update that should start sometime this year. Staff also has budgeted for a housing consultant to review Campbell's Housing program. The Planning Department also had authorization to hire a Planning Technician.

The Planning Department has hired Associate Planner, Tracy Tam and Assistant Planner Larissa Lomen, who will start March 7, 2022.

Director Eastwood stated as there are no upcoming items to report for the February 22 date, the Planning Commission meeting has been cancelled.

Commissioner Rivlin asked how long the EIR process is. Director Eastwood responded that typically it takes 6-9 months, and the schedule was built on having the process done by fall/winter. Next steps are to call a public scoping meeting, notice to prepare the EIR, and then community comments on what we should study.

Commissioner Zisser asked if projects submitted from the approved housing list that deviate from the anticipated densities would be handled differently from the normal process.

Director Eastwood responded that if they are relying on new general plan densities that haven't been adopted yet or if it's not a residential site or it will be converted to a residential site in the General Plan, then you can't take an action. The EIR process and the General Plan need to be updated and the zoning order needs to be effectuated so there is a waiting period.

If it's currently zoned for residential, and they're going off the density bonus provisions and meet those requirements it can be processed.

Regarding SB9 applications Commissioner Kamkar asked if there is a checklist so applicants know what they need to submit and if this was available on the City website.

Director Eastwood responded yes, as well as Council approved processing fees.

Chair Ching adjourned the meeting at 8:20 P.M.

ADJOURNMENT

The Regular Planning Commission meeting adjourned at 8:20 p.m. to the next Regular Planning Commission Meeting on Tuesday, March 8, 2022 (as the February 22, 2022, Regular PC meeting has been cancelled), at City Hall, Council Chambers, 70 N. First Street, Campbell, CA.

PREPARED BY: Andrea Sanders, Interim Recording Secretary