

CITY OF CAMPBELL PLANNING COMMISSION
MINUTES

7:30 P.M.

TUESDAY

APRIL 12, 2016
CITY HALL COUNCIL CHAMBERS

The Planning Commission meeting of April 12, 2016, was called to order at 7:30 p.m., in the Council Chambers, 70 North First Street, Campbell, California by Chair Dodd and the following proceedings were had, to wit:

ROLL CALL

Commissioners Present:	Chair:	Cynthia L. Dodd
	Vice Chair:	Yvonne Kendall
	Commissioner:	Pamela Finch
	Commissioner:	Ron Bonhagen
	Commissioner:	Philip C. Reynolds, Jr.
	Commissioner:	Donald C. Young
Commissioners Absent:	Commissioner:	Michael L. Rich
Staff Present:	Building Official:	Bill Bruckart
	Associate Planner:	Stephen Rose
	City Attorney:	William Seligmann
	Recording Secretary:	Corinne Shinn

APPROVAL OF MINUTES

Motion: Upon motion by Commissioner Kendall, seconded by Commissioner Bonhagen, the Planning Commission minutes of the meeting of March 22, 2016, were approved with corrections to page 4 (to reflect “dairy-free cheese not gluten free) and page 9 correcting the vote to include Chair Dodd and Commissioner Bonhagen as absent rather than present. (6-0-1: Commissioner Rich was absent)

COMMUNICATIONS

Two desk items were distributed relating to Agenda Item 1 (a neighbor comment letter and staff recommendation in response).

AGENDA MODIFICATIONS OR POSTPONEMENTS

None

ORAL REQUESTS

None

CONSENT

There were no consent items.

PUBLIC HEARINGS

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

1. **PLN2015-305** Public Hearing to consider the application of Mike Paydar for
PLN2015-306 Planned Development Permit (PLN2015-305) for the
PLN2015-307 approval of site configuration, architectural design and to
PLN2015-308 create lots which do not have frontage on a public street,
PLN2015-310 Tentative Subdivision Map (PLN2015-306) to create five
PLN2016-068 single family lots and one commonly owned lot, Zoning Map
Amendment (PLN2015-307) to change the zoning from R-M
(Multiple-Family Residential) to P-D (Planned Development),
Parking Modification Permit (PLN2016-68) to allow
uncovered parking in lieu of covered, and Tree Removal
Permit (PLN2015-310) to allow the removal of protected
trees on property located at **180 Redding Road**. Staff is
recommending that a Mitigated Negative Declaration be
adopted for this project. Tentative City Council Meeting
Date: May 17, 2016. Project Planner: *Stephen Rose,*
Associate Planner

Mr. Stephen Rose, Associate Planner, presented the staff report.

Chair Dodd asked if there were questions of staff.

Commissioner Young asked why the Zone Change is proposed from the current R-M to P-D. He added that it seems both would allow the same number of units on this site.

Planner Stephen Rose said that a development with a private street must be zoned P-D. The P-D zoning also allows a greater deviation in setbacks and allows larger units and FAR.

Commissioner Kendall provided the Site and Architectural Review Committee report as follows:

- Recounted that she and Commissioner Rich found that there were not many trees on this property and they were suggesting the addition of more evergreen trees to the site.
- Added that SARC wanted the applicant to find ways to better distinguish guest parking spaces from the fire turnaround area.
- Said that SARC suggested the applicant reconsider relocating the second story bedroom windows on the east elevation. Those have been relocated.
- Reported that there was concern with the proposed 59 percent FAR but also discussed the fact that even if reduced to four units, it would not be that beneficial to the site.
- Said that the five foot second story setback was of concern and now the applicant proposes to increase the second story setback by an additional three feet to a total of eight feet.

Chair Dodd opened the Public Hearing for Agenda Item No. 1.

Lieh-Ting Tung, Resident on Shelly Ave:

- Reported that his home is on the right side behind this proposed development.
- Added that the development includes the removal of all trees on the site.
- Admitted that he is worried about the root systems from these trees that already come into his backyard. He is worried about his structure and potential for termites.
- Asked that the trees be kept.
- Pointed out that Unit 5 is larger than the other four units.
- Requested that the setback to Unit 5 be moved back to 10 feet.
- Suggested that the trees be retained as they are important for the ecosystem.

Yong-Dian Jian, Resident on Shelley Ave:

- Said he has the same concerns as well as others such as loss of trees, foundation impacts and sunlight impacts.
- Pointed out that there is a lot of space in the middle of this project site and perhaps they can use that area instead to leave room for sufficient setbacks.

Marilyn Asplund, Resident on Shelley Ave:

- Said that her property is to the far right corner of this proposed project.
- Added that she has resided in her home there for 33 years and has enjoyed the quiet.
- Advised that she always understood that something would be built there at some point but admitted that she was shocked by the minimal 5-foot setback.
- Asked for larger setbacks as privacy will be changed if there is too close a proximity.

- Stated that while some property values increase when projects such as this go in, she believes that the value of her single-family property will likely go down as a result.
- Said that she would like to save the one tree in her yard that over the years has grown over the fence. If they remove all the portions of the tree on their side, it will die on her side as a result.
- Stated that with the inclusion of larger setbacks from property line she is prepared to welcome this new project to the neighborhood.

Commissioner Bonhagen asked Ms. Asplund if her home is close to Unit 5.

Marilyn Asplund replied yes. It is right behind.

Commissioner Bonhagen asked Ms. Asplund what setback she'd like to see beyond the already expanded setback now proposed at 8 feet.

Marilyn Asplund said that she'd like to see 10 to 12 foot setbacks with the structure moved forward on the lot.

Jo-Ann Fairbanks, Resident on Hacienda Ave:

- Advised that she is opposed to the FAR proposed on this planned development.
- Said that she is here this evening to speak on behalf of trees.
- Pointed out that 15 existing trees on site are to be removed and just one retained.
- Suggested that there are three more trees that can be preserved. Referenced the Arborist's Report, page 3, and said that trees 9, 10, 11 and 12 can be saved.
- Admitted that she disagrees with staff on some of the findings and referenced page 16, Item E.
- Said that per Attachment 10, page 2 of 2, No. 9, she doesn't believe that the finding can be made.
- Said that per Attachment 10, #13, she does believe this tree can be retained.
- Said that per Attachment 11, #3 cannot apply as there is exclusion in the Ordinance for fruit trees.

Michael Belmares, Resident on Redding Road:

- Sought clarification that the oak tree located between 180 and 190 Redding Road would not be removed.

Planner Stephen Rose replied that oak is not being removed.

Michael Balmares:

- Advised that the two tenants currently residing on this project site at 180 Redding Road are letting the weeds grow.
- Added that it would be great if those weeds could be removed.

Chair Dodd closed the Public Hearing for Agenda Item No. 1.

Commissioner Young:

- Said that there are differences between R-M and P-D zoning.
- Noted that there are a lot of P-D's being developed these days.
- Referenced Attachment 6, page 2 of 3, Item 9, which calls for a variety of residential densities.
- Pointed out that most everything else nearby is P-D and similar to what is being proposed here.
- Reminded that there are no sidewalks on this street and water pools there.
- Said that it seems that a five-unit development could be accommodated on this property with its current R-M zoning and without the need to change to a P-D zoning designation.
- Suggested that more thought is needed here. This is not a bad development. It's okay but there are some elements that still need to be worked out.

Commissioner Kendall:

- Stated her agreement with Commissioner Young.
- Added that there are a variety of residential densities.
- Said that she is uncomfortable with the 5-foot setback and feels better with it enlarged to 8 feet but a 12-foot setback there would be even better.

Commissioner Bonhagen:

- Said that the townhomes in this proposed development look like duets rather than single-family attached.

Planner Stephen Rose said that townhomes/duets are on individually-owned fee simple lots and the units share walls. A duplex has a single owner of two units.

Commissioner Bonhagen said that this is closer to a single-family home than other townhomes that are nearby. He asked if there is any way to save some more of the existing trees.

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Planner Stephen Rose:

- Said that the applicant is now proposing a three foot shift to Unit 5 to create an 8-foot wide setback. With that change perhaps the trees there could be reevaluated.
- Added that the Commission could include in its recommendations that Council consider the preservation of some more of the existing trees on site.
- Reported that if a tree is included on an approved landscape plan that offers protection for that tree in the future.

Commissioner Finch:

- Said that she agrees.
- Added that this looks like a great project.
- Stated that she appreciates the applicant's willingness to move Unit 5 further north.

- Agreed with Commission Bonhagen that these are more duet homes than a long row of attached homes.
- Stated that she would like to see more trees preserved.

Commissioner Young:

- Reminded that the zoning map shows the densities.
- Advised that the need for a private road and to incorporate a fire turnaround in the middle of this site means that there is no way to change that area of the site's use.

Commissioner Reynolds:

- Admitted that he likes this project but is concerned about the density of this neighborhood
- Pointed out that the laws allow this sort of density.
- Said that he too likes the idea of adding 3 feet to the back setback.
- Suggested that staff see (prior to the Council hearing) if the whole project could be moved forward an additional 2 feet to allow the standard 10-foot setback.
- Said that with these densities developments are just packing them in.
- Advised that he supports forwarding this project on to Council.

Commissioner Finch:

- Stated that the amount of paving proposed for this site is of concern.
- Added that she'd like to see more landscaping placed along the fence.

Planner Stephen Rose advised that there is a very small landscaping sliver and that the proposed amount of pavement is the minimum required to provide parking and the fire turnaround.

Commissioner Finch said that she likes the use of uncovered parking versus roofed parking. She asked how wide that landscaping sliver is.

Planner Stephen Rose said it is approximately two feet wide.

Commissioner Finch said that is just wide enough for something like cypress.

Planner Stephen Rose said there is no room for trees there. It takes a four-foot area to plant a 24-inch box tree.

Commissioner Finch reiterated that she likes the project but is concerned about the paving.

Commissioner Bonhagen asked Commissioner Young if he is against supporting a zone change.

Commissioner Young said that the P-D zoning is needed to include a private road. Additional the P-D zoning allows for more density and reduced setbacks.

Commissioner Bonhagen asked Commissioner Young to clarify that he is okay with the change to P-D zoning but is concerned about the proposed FAR.

Commissioner Young replied correct.

Commissioner Kendall asked Commissioner Finch if she shares the concern regarding the amount of pavement. Would it be better if they incorporated different types of surfaces?

Commissioner Finch:

- Pointed out that there are lots of developments along Redding, Shelley and Hacienda that are solid concrete.
- Added that use of pavers are better than concrete.

Commissioner Kendall:

- Stated that there needs to be more trees on this site.
- Added that there should also be smaller buildings.
- Admitted that she is not able to make a decision tonight or it would have to be denial.

Chair Dodd:

- Pointed out that this applicant has attempted to blend the old with the new in this neighborhood.
- Reminded that the City has a certain amount of responsibility to provide housing.
- Said that more families want to move into our City.
- Stated that she likes the way these homes are set up.
- Agreed with Commission Young that there are conflicts between the two LUT's raised.
- Said that she supports this project.

City Attorney William Seligmann:

- Stated that he doesn't agree with the staff position that fruit trees depicted on a landscaping plan are protected from future removal without a permit.
- Said it is his interpretation that a fruit tree could still be removed in the future without requiring a permit.

Commissioner Bonhagen:

- Said he is in favor of the project but with a maximum FAR of 50 percent.
- Suggested that the proposed 59 percent FAR be reduced.
- Added that of the 15 trees proposed for removal, those in "fair" condition should be saved, which would be about half of them.
- Reiterated that with the extra three feet added to the back setback and a reduction in FAR to no more than 50 percent, this project can move forward.

Commissioner Young said he would encourage the Commission to consider continuing this item to allow the applicant and staff to make adjustments to the project per the recommendations made this evening.

Commissioner Reynolds asked the City Attorney if there is an established maximum FAR limit of 50 percent for a P-D zoned project. He understands that the P-D zoning allows for flexibility.

Planner Stephen Rose said that the 50 percent standard is within the existing R-M zoning. He recommended the continuance so the architect can provide a plan with smaller units.

Motion: **Upon motion of Commissioner Bonhagen, seconded by Commissioner Kendall, the Planning Commission CONTINUED TO A DATE UNCERTAIN the consideration of a Planned Development Permit (PLN2015-305) and associated applications for property located at 180 Redding Road, with the following recommended changes to the project proposal:**

- **Reduce the square footage of the units so they are at or below a 50 percent FAR;**
- **Increase setbacks,**
- **Retain more of the existing trees currently proposed for removal; and**
- **Not include any fruit trees in the approved landscape plan.**

(6-0-1; Commissioner Rich was absent)

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

Building Official Bill Bruckart had no additions to the Director’s Written Report.

ADJOURNMENT

The Planning Commission meeting adjourned at 8:31 p.m. to the next Regular Planning Commission Meeting of **April 26, 2016.**

SUBMITTED BY: _____
Corinne Shinn, Recording Secretary

APPROVED BY: _____
Cynthia Dodd, Chair

ATTEST: _____
Bill Bruckart, Acting Secretary