

CITY OF CAMPBELL PLANNING COMMISSION
MINUTES

7:30 P.M.

TUESDAY

JUNE 14, 2016
CITY HALL COUNCIL CHAMBERS

The Planning Commission meeting of June 14, 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: Philip C. Reynolds, Jr.
Commissioner: Michael L. Rich
Commissioner: Donald C. Young

Commissioners Absent: Commissioner: Ron Bonhagen
Commissioner: Pamela Finch

Staff Present: Community Development
Director: Paul Kermoyan
Senior Planner: Cindy McCormick
Associate Planner: Daniel Fama
Associate Planner: Stephen Rose
Acting City Attorney: Heather Lenheart
Recording Secretary: Corinne Shinn

APPROVAL OF MINUTES

Motion: Upon motion by Commissioner Young, seconded by Commissioner Rich, the Planning Commission minutes of the meeting of May 24, 2016, were approved as submitted. (5-0-2; Commissioners Bonhagen and Finch were absent)

COMMUNICATIONS

1. Photo-simulation for Item 3 – 1600 W. Campbell Avenue
2. Memo to the Commission regarding Item 5 – 16146 Mozart Avenue
3. Letter from STACC re Item 7 – Density Bonus Update

AGENDA MODIFICATIONS OR POSTPONEMENTS

Chair Dodd suggested taking the three wireless applications on the tonight's agenda first so that Commissioner Kendall can then leave for the balance of the agenda after those three public hearings are completed. Since Commissioner Reynolds must recuse from the three wireless applications there would not be a quorum available if Commissioner Kendall is not present. The Commission agreed to this change in order.

ORAL REQUESTS

None

CONSENT

There were no consent items.

DISCLOSURES

None

PUBLIC HEARINGS

Commissioner Reynolds advised the Commission that he must recuse from Agenda Items 3, 4 and 5 due to a professional conflict of interest. He left the dais and chambers.

Chair Dodd read Agenda Item No. 3 into the record as follows:

3. **PLN2016-107** Public Hearing to consider the application of Donald Bordenave for a Conditional Use Permit (PLN2016-107) to allow for a new rooftop wireless facility (Verizon) which would be concealed in four new rooftop dormers affixed to the roof of an existing cupola on property located at **1600 W. Campbell Avenue**. Staff is recommending that this item be deemed Categorical Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Stephen Rose, Associate Planner*

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

Chair Dodd asked if there were questions of staff. There were none

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

- SARC reviewed this proposal on May 24th and was basically supportive with some design modifications.

Chair Dodd opened the Public Hearing for Agenda Item No. 3.

Chad Baran, Applicant's Representative, said that he was available for any questions.

There were no questions for the applicant.

Chair Dodd closed the Public Hearing for Agenda Item No. 3.

Motion: **Upon motion of Commissioner Rich, seconded by Commissioner Young, the Planning Commission adopted Resolution No. 4297 approving a Conditional Use Permit (PLN2016-107) to allow for a new rooftop wireless facility (Verizon) which would be concealed in four new rooftop dormers affixed to the roof of an existing cupola on property located at 1600 W. Campbell Avenue, subject to the conditions of approval, by the following roll call vote:**
AYES: **Dodd, Kendall, Rich and Young**
NOES: **None**
ABSENT: **Bonhagen and Finch**
ABSTAIN: **Reynolds**

Chair Dodd advised that this action is final unless appealed in writing to the City Clerk within 10 calendar days.

Chair Dodd read Agenda Item No. 4 into the record as follows:

- 4 **PLN2015-386** Public Hearing to consider the application of Mackenzie Edwards for a Conditional Use Permit (PLN2015-386) to allow for the continued operation and expansion of an existing wireless facility (T-Mobile) installation on the roof of property located at **700 W. Hamilton Avenue**. Staff is recommending that this project be deemed Categorical Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Stephen Rose, Associate Planner*

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

Chair Dodd asked if there were questions of staff. There were none

Chair Dodd opened the Public Hearing for Agenda Item No. 4.

Chair Dodd closed the Public Hearing for Agenda Item No. 4.

Motion: Upon motion of Commissioner Young, seconded by Commissioner Rich, the Planning Commission adopted Resolution No. 4298 approving a Conditional Use Permit (PLN2015-386) to allow for the continued operation and expansion of an existing wireless facility (T-Mobile) installation on the roof of property located at 700 W. Hamilton Avenue, subject to the conditions of approval, by the following roll call vote:

AYES: Dodd, Kendall, Rich and Young
NOES: None
ABSENT: Bonhagen and Finch
ABSTAIN: Reynolds

Chair Dodd advised that this action is final unless appealed in writing to the City Clerk within 10 calendar days.

Chair Dodd read Agenda Item No. 5 into the record as follows:

5. **PLN2016-146** Public Hearing to consider the application of Annie Freeman for a Modification (PLN2016-146) to a previously approved Conditional Use Permit to allow three new antenna panels and associated equipment to be added to an existing monopole located at **16146 Mozart Avenue**. Staff is recommending that this project be deemed Categorical Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Stephen Rose, Associate Planner*

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

Chair Dodd asked if there were questions of staff. There were none.

Commissioner Kendall asked if it might be possible to ask in the future for conversion of this monopole into a monopine for aesthetic purposes.

Planner Stephen Rose replied yes but cautioned that there would be timing (and legal) challenges. There are Use Permit expiration date differences for the three wireless

providers co-locating on this site. The entitlements for all three providers would have to be in a position to concurrently expire, which is presently not the case.

Commissioner Rich asked staff to re-cap the discussion on Condition 20.

Planner Stephen Rose said that this was a modification of a previous condition of approval. Even if Condition 20 is stricken, that condition is still a part of the original permit. Staff is also recommending striking Condition 23 as well.

Commissioner Rich clarified that the original condition would still apply.

Chair Dodd opened the Public Hearing for Agenda Item No. 5.

Judith Justice, Applicant's Representative, said that she was here on behalf of Annie Freeman and is available for any questions.

Chair Dodd asked if there were any questions for the applicant. There were none.

Chair Dodd closed the Public Hearing for Agenda Item No. 5.

Motion: Upon motion of Commissioner Young, seconded by Commissioner Kendall, the Planning Commission adopted Resolution No. 4299 approving a Modification (PLN2016-146) to a previously approved Conditional Use Permit to allow three new antenna panels and associated equipment to be added to an existing monopole located at 16146 Mozart Avenue, subject to the conditions of approval but with the removal of draft conditions 8, 20 and 23, by the following roll call vote:

AYES: Dodd, Kendall, Rich and Young

NOES: None

ABSENT: Bonhagen and Finch

ABSTAIN: Reynolds

Chair Dodd advised that this action is final unless appealed in writing to the City Clerk within 10 calendar days.

Commissioner Reynolds returned to the chambers and dais following the conclusion of Item 5.

Commissioner Kendall excused herself and left for the remainder of the agenda as she is feeling unwell.

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

1. **PLN2016-91** Public Hearing to consider the application of Paul Fick for a Site and Architectural Review Permit (PLN2016-91) to allow an approximately 1,000 square-foot single-story rear addition to an existing single-family residence on property located at **363 Curtner Avenue**. Staff is recommending that this item be deemed Categorical Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Daniel Fama, Associate Planner*

Mr. Daniel Fama, Associate Planner, presented the staff report.

Chair Dodd asked if there were questions of staff. There were none

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

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

Motion: Upon motion of Commissioner Young, seconded by Commissioner Rich, the Planning Commission adopted Resolution No. 4300 approving a Site and Architectural Review Permit (PLN2016-91) to allow an approximately 1,000 square-foot single-story rear addition to an existing single-family residence on property located at 363 Curtner Avenue, subject to the conditions of approval, by the following roll call vote:

AYES: Dodd, Reynolds, Rich and Young
NOES: None
ABSENT: Bonhagen, Finch and Kendall
ABSTAIN: None

Chair Dodd advised that this action is final unless appealed in writing to the City Clerk within 10 calendar days.

Chair Dodd read Agenda Item No. 2 into the record as follows:

2. **PLN2015-338** Public Hearing to consider the application of Zack Puckett for an Administrative Planned Development Permit (PLN2015-338) with a request for an exception to a parking setback contained within the Winchester Boulevard Master Plan, to allow for the redevelopment of an existing building and site (formerly Michi Sushi) on property located at **2220 S Winchester Boulevard**. Staff is recommending that this item be deemed Categorical Exempt under CEQA. Tentative City Council Meeting Date: July 19, 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 if work was done on this site without permits.

Planner Stephen Rose said some interior demolition work was done, a tree was removed from the site and a fence constructed. He advised that there will be a penalty imposed of about \$1,800 for the improperly removed tree.

Commissioner Young pointed out that at this time the applicants don't know what type of business will be going in here. He stressed the importance of being consistent with this site as the Commission has been with other nearby sites.

Planner Stephen Rose reported that this item is going to go to Council to ask for clarification on that issue since this is an existing developed site.

Chair asked for clarification that the Commission will be forwarding its recommendation on to Council.

Planner Stephen Rose said that exceptions to the Winchester Plan must be considered by the Council. The Council can let staff and the Commission know if they feel differently on the recommendation forwarded.

Commissioner Reynolds asked staff what the City is gaining by granting an exception.

Planner Stephen Rose said that this site is requesting a two-foot wide landscape strip between the property line and parking spaces where typically an eight-foot landscaping strip is required.

Director Paul Kermoyan:

- Replied to Commissioner Reynolds that the City is gaining a lot. This exception would move parking to the rear of the building in what is currently a fenced in area that has accumulated trash and debris.
- Advised that the new owners are eager and started work on the demolition inside without necessary permits.
- Reminded that the existing nine-stall parking spaces on site are located on the side of the building.
- Added that staff is trying to embrace the broad intention of the Winchester Plan, which allows an exception written in the plan. That becomes a question for Council. Should we vary a standard so they have more parking?

Planner Stephen Rose:

- Pointed out that the existing nine parking spaces back directly onto the public street. The revised plan will dramatically improve traffic.

Director Paul Kermoyan added that the driveway onto Winchester is already there.

Commissioner Rich asked if there would be more parking on the back.

Planner Stephen Rose said that the site is gaining three additional spaces as proposed.

Chair Dodd opened the Public Hearing for Agenda Item No. 2.

Marvin Bamburg, Project Architect:

- Said that he is here this evening for the property owners. Additionally, a representative of the owners is also here.
- Stated that the staff report was good and he has nothing to add to it.
- Reported that these owners are eager to do what is necessary to make this building happen. The plans are almost complete and they'd like to get on with it.
- Advised that it will be a shell only initially and final tenant improvements will be installed later when a specific tenant is identified.

Rodel Hubilla, Resident on Sunnyside Avenue:

- Advised that he shares a fence with this location.
- Questioned how his fence will be protected from cars.
- Expressed concern about potential noise impacts at night on his property resulting from users of the parking area.

Marvin Bamburg:

- Reported that the shared fence with Mr. Hubilla was recently replaced by his clients.
- Added that as grading and building repairs are underway, they will have to raise the site grade to manage water drainage on site and this fence will likely have to be replaced again and his clients will pay for that again and not this neighbor.

Chair Dodd closed the Public Hearing for Agenda Item No. 2.

Commissioner Reynolds:

- Said that he would support this request.
- Reminded that the goal is to keep parking on site.
- Added that this offers an opportunity to add parking and keep that parking on site.

Commissioner Rich:

- Agreed that this exception is worthwhile and he would be supportive.

Commissioner Young:

- Said that he would support this request.
- Added that it would be better aligned with the Winchester Plan.

Commissioner Reynolds:

- Said that he has heard the neighbor's concerns.

- Assured that when the specific use comes before the Commission, issues such as noise and parking will be addressed at that time.

Director Paul Kermoyan:

- Clarified that this use would require an Administrative Planned Development Permit which is managed at the staff level.
- Assured that potential for impacts would be considered under that process as well.
- Added that as for protecting the fence, there will be parking blocks put in place that would stop tires from reaching the fence.

Chair Dodd:

- Said that she appreciates watching out for the neighbors/residents in the surrounding area.
- Added that the idea with this proposal is to provide safer parking and the means to enter and exit from the site.

Motion: **Upon motion of Commissioner Rich, seconded by Commissioner Reynolds, the Planning Commission adopted Resolution No. 4301 recommending that the City Council approve an Administrative Planned Development Permit (PLN2015-338) with the request for an exception to a parking setback contained within the Winchester Boulevard Master Plan, to allow for the redevelopment of an existing building and site (formerly Michi Sushi) on property located at 2220 S Winchester Boulevard, subject to the conditions of approval, by the following roll call vote:**

AYES: **Dodd, Reynolds, Rich and Young**
NOES: **None**
ABSENT: **Bonhagen, Finch and Kendall**
ABSTAIN: **None**

Chair Dodd advised that this action is final unless appealed in writing to the City Clerk within 10 calendar days.

Chair Dodd read Agenda Item No. 6 into the record as follows:

6. **PLN2016-19** Public Hearing to consider the application of Majid Sanenejad for a Tentative Parcel Map, Zoning Map Amendment and Planned Development Permit for a three unit townhome development, and Tree removal Permit (PLN2016-19) to allow the removal of one protected tree on property located at **1223 Walnut Drive**. Staff is recommending that a Negative Declaration be adopted for this project. Tentative City Council Meeting Date: July 19, 2016. Project Planner: *Cindy McCormick, Senior Planner*

Ms. Cindy McCormick, Senior Planner, presented the staff report.

Chair Dodd asked if there were questions of staff.

Commissioner Reynolds asked if the street improvements will be required.

Planner Cindy McCormick said that this street is exempt from improvements per the San Tomas Area Neighborhood Plan but Public Works is recommending the improvements as a condition of approval with this application.

Commissioner Rich referenced the proposed FAR at 58.4 percent.

Planner Cindy McCormick:

- Reminded that at its meeting on April 26th, SARC was okay with this project's proposed three-unit density, the setbacks, architectural style and colors but asked for a decrease in FAR and an increase in landscaping.
- Stated that staff is recommending a continuance of this item and ask the applicant to return to SARC with plans that have a FAR that is at 50 percent or less.

Chair Dodd opened the Public Hearing for Agenda Item No. 6.

Lou Dorcich, Project Architect:

- Pointed out that the lot coverage is well below 40 percent.
- Added that the FAR is the only issue in discussion.
- Admitted that the reason his client wants to have three units is economic. There are fixed development costs in such a project including public improvements.
- Added that units with less than 50 percent FAR will be a tough sell.
- Assured that this plan is workable and he hopes that the Planning Commission considers it as presented.

Sreeram R. Chakrovorthy, Resident on Hacienda Avenue:

- Said that the safety of his backyard is of concern.
- Added that there is a wooden fence separately his property from this property.
- Expressed concern over the potential loss of airflow and sunlight with this project as proposed. From what he understands the maximum height of this building is proposed to be 20 feet.

David Kison, Resident on Hacienda Avenue:

- Advised that his lives directly across the street from this "eyesore".
- Reported that there are traffic issues in their neighborhood.
- Reminded that Barracuda recently tried to turn a residential lot in their neighborhood into a parking lot.
- Cautioned that if three units are allowed on this parcel there will not be enough parking to serve those units.
- Informed that they already deal with visitors to the nearby apartment complex who are parking on their street.
- Stated that this parcel needs to stay residential single-family.

Majid Sanenejad, Applicant:

- Reported that he has been working with the Planning Department over the last 16 months.
- Added that he has reduced the FAR several times.
- Said that his proposed density is allowed per the General Plan.
- Pointed out that these homes are proposed at 1,550 to 1,580 square feet, minus the garage. These are not huge homes.
- Stated that another project was developed at a 56 percent FAR nearby.

Audrey Kiehtreiber, Resident on Walnut:

- Advised that she is the President of the San Tomas Area Community Coalition (STACC).
- Added that she had met with this applicant who is a very courteous gentleman.
- Said that she also submitted a written letter on behalf of STACC in opposition of this project as currently proposed.
- Stated that this project's architect, Mr. Dorcich, is an excellent architect.
- Suggested that he needs to go back to the drawing board as this proposal is too dense.
- Reminded that this area is designed with slightly larger homes that provide a more livable environment.
- Stated that two units on this parcel would be more acceptable although they would prefer to see a single very nice home there. Three units is too cramped. The lot is too small to support three units.
- Opined that this proposal doesn't do anything for this neighborhood and would be precedent setting.
- Asked the Commission to keep to the standards of the San Tomas Area Neighborhood Plan and preserve the look and feel of this neighborhood.
- Stated that she can understand the City's need to provide housing and as such can support two units on this parcel but not three.

Chair Dodd asked if there were questions for Ms. Kiehtreiber.

Commissioner Rich asked Ms. Kiehtreiber whether it is the number of proposed units or the total FAR that are of most concern.

Audrey Kiehtreiber:

- Said that it was both number of units and livability.
- Stated that they prefer to see more livable homes.
- Advised that there are R-1-10 lots in this neighborhood that allow for desirable homes with large backyards.
- Added that two townhomes on this site would be acceptable and a better fit into the community than would be three units there.

Mitch Stermer, Resident on Walnut:

- Said that he has been a resident in the neighborhood since 1988.

- Said that he too would prefer to see a single-family residence on this lot perhaps with a secondary living unit as well.
- Pointed out that this owner is trying to maximize his profit.
- Cautioned that changing the street frontage on this parcel will also change their neighborhood. That is the reason they have the San Tomas Area Neighborhood Plan.
- Asked the Commission to do what the residents want.

Chair Dodd closed the Public Hearing for Agenda Item No. 6.

Commissioner Reynolds:

- Admitted that he is leaning to a continuance as staff has recommended.
- Added that the Commission has heard from the community and he agrees with each of them.
- Said that development is changing our environment from what brought people here in the first place. We are being asked to cram more in on each property.
- Opined that this would not be a good fit.
- Stated that he doesn't like the idea of street improvements being required and reminded that is the reason for the existence of the STANP. He wants to do his part to see that continues.
- Said that this project needs to go back to the drawing board and reduce the FAR to less than 50 percent. Perhaps they need to reduce from three to two townhome units or consider one large home with a secondary unit as well on this lot.
- Stated that he is not concerned about the potential for profit but rather with the neighborhood itself.
- Said he supports either a continuance or a denial of the existing request.

Commissioner Rich:

- Inquired of Commissioner Reynolds what he would like to see should this project be continued.
- Asked if his focus is on the number of units or the maximum FAR?
- Can he support three units if they fall within the maximum of 50 percent FAR?
- Asked what guidance he would offer to the applicant if this item should be continued?
- Stated his preference to see the FAR under and/or closer to the maximum 50 percent FAR.

Commissioner Reynolds reminded that this will ultimately be a Council decision but he prefers a reduction to two units with a maximum 50 percent FAR. That is a reasonable compromise.

Commissioner Young asked if that means that all lots in the future should only have two units and not three even if they fall within a 50 percent FAR?

Commissioner Reynolds replied that this is a single-family neighborhood.

Chair Dodd asked the Director for his comments on this.

Director Paul Kermoyan:

- Said that questioning density is a good discussion to have but this parcel is zoned differently.
- Added that reducing from three units to two units in this case would still be in compliance with the General Plan land use designation of 6-13 units per gross acre, which is the designated range for this particular property.

Commissioner Young:

- Pointed out that between Capri and Walnut there is most P-D (Planned Development) zoning.
- Said that additional information is needed to evaluate for optimum use. Maybe it's two units or maybe it's one.
- Suggested allowing staff to work further with the applicant in order to bring additional information back to the Commission.

Chair Dodd:

- Said that she understands the parking problems in this neighborhood and concerns over the long driveway proposed.
- Reminded that the underlying General Plan allows for 50 percent FAR.
- Stated that she doesn't want to impose a particular number of units for the site but rather leaves that up to staff and the architect to consider.
- Said that she is supportive of a 50 percent FAR.

Director Paul Kermoyan:

- Said that it appears there is a consensus of the Commission for a 50 percent maximum FAR.
- Pointed out that staff previously has had that conversation with the applicant.
- Asked if there is any consensus on the number of units.

Chair Dodd suggested letting them be creative.

Commissioner Rich suggested letting the FAR drive that as he is not comfortable restricting a particular number of units.

Motion: Upon motion of Commissioner Young, seconded by Commissioner Rich, the Planning Commission CONTINUED TO A DATE UNCERTAIN the consideration of a Tentative Parcel Map, Zoning Map Amendment and Planned Development Permit for a three unit townhome development, and Tree removal Permit (PLN2016-19) to allow the removal of one protected tree on property located at 1223 Walnut Drive, then return a revised project to SARC with an FAR of 50 percent or less. (4-0-3; Commissioners Bonhagen, Finch and Kendall were absent)

Chair Dodd read Agenda Item No. 7 into the record as follows:

7. **PLN2016-135** Public Hearing to consider the City-initiated Text Amendment (PLN2016-135) to allow minor changes to the **Density Bonus Ordinance**. Staff is recommending that this project be deemed Categorical Exempt under CEQA. Tentative City Council Meeting Date: July 19, 2016. Project Planner: *Cindy McCormick, Senior Planner*

Ms. Cindy McCormick, Senior Planner, presented the staff report.

Chair Dodd asked if there were questions of staff. She asked for an example of equity sharing.

Planner Cindy McCormick explained the process of equity sharing between the City and BMR unit owner that would occur at the time of the sale of a BRM unit. It is a somewhat complicated calculation.

Commissioner Reynolds asked who takes the loss if there is one. If a BMR unit is trashed or otherwise devalued, who takes that loss? Is it the taxpayers?

Planner Cindy McCormick explained that the needed repairs would come out of the equity. If there is zero equity and/or the house sells for less, the loss is borne by the City.

Commissioner Rich clarified with Acting City Attorney that this Text Amendment is underway to conform with State law.

Heather Lenheart, Acting City Attorney, replied correct. She added that staff has explained the proposed text amendments very well.

Planner Cindy McCormick reminded the Commission of the table item distributed this evening from the San Tomas Area Community Coalition (STACC).

Chair Dodd opened the Public Hearing for Agenda Item No. 7.

Audrey Kiehtreiber, Resident on Walnut & President of STACC:

- Advised that she generated a letter as President of STACC after having heard from a number of people who were upset that developers are being given incentives that negatively impact existing residents.
- Added that STACC is opposed to reducing the required parking for BMR units as incentives for developers.
- Reiterated the need to restrict the use of parking reductions.
- Pointed out that an "affordable" unit in a million dollar development is \$800,000. They will have cars.
- Asked that projects not be approved without adequate parking to serve them.

Commissioner Rich:

- Reminded Ms. Kiehtreiber that the text amendments being discussed this evening are to align existing Ordinances with existing State law.
- Said that as Planning Commissioners, “we all live in Campbell.”
- Suggested that the focus of energy against these issues is better directed to the State level who adopts the laws that all cities must adhere to.

Jo-Ann Fairbanks, Resident on Hacienda:

- Said that she understands State laws.
- Stated that additional terms need to be defined. For example, she’d like to see a definition for “Affordable Housing”.
- Said that she has heard that it (Affordable Housing) can be defined by a city itself.
- Admitted that some of the language in State Code particularly bothers her. State Code is taking parking out of the hands of the City.
- Suggested that a Parking Study should be initiated.
- Said that she is interested in understanding the inventory of prospective infill and transit-oriented housing sites in Campbell.
- Said that impact and spillover into surrounding neighborhoods needs to be considered.
- Suggested that the City look twice before eliminating commercial sites nestled within residential neighborhoods such as the Milk Farm located on San Tomas Aquino Road that was at one point proposed for conversion into a residential development site.
- Stated that concessions are confusing and she’d like to know more about that.
- Admitted that she is bothered by the State telling us what we are to decide.
- Concluded that this was her “feedback” to you this evening.

Planner Cindy McCormick:

- Advised that the existing Code does have a definition for “Affordable Housing” and can share it with Ms. Fairbanks and the Planning Commission. She read the formulas to the Commission.
- Added that the proposed Parking Study is a big undertaking at a large cost to the City. It is only good for seven years and then would have to be done again.

Chair Dodd closed the Public Hearing for Agenda Item No. 7.

Commissioner Reynolds:

- Admitted that mandates from the State have been bothering him for some time.
- Pointed out that transportation spending is shrinking while the requirement for local communities to increase transit-oriented housing is growing. If we want to grow housing we also need to grow transportation.
- Pointed out concerns with existing infrastructure that is deteriorating as evidenced by big sink holes cropping up in other communities.
- Questioned where in Campbell are there schools with class sizes as small as 20 as is recommended.
- Said that control is being taken away from us as decision makers. Growth needs to be done but in a balanced manner.

- Stated that he cannot say yes to this. It feels like caving in to the demands of Sacramento. He will not support this to send a message to Sacramento.

Chair Dodd asked staff what happens if the City does not update its Ordinance to comply with State laws.

Director Paul Kermoyan:

- Reminded that the action of the Planning Commission is advisory to Council.
- Advised that a Parking Study would be used to demonstrate why greater parking is needed.

Planner Cindy McCormick:

- Reported that the State law is already in effect.
- Added that this proposed Text Amendment is intended to bring the City's Code into compliance with State law.

Commissioner Young:

- Said that creative solutions regarding mass transportation are needed.
- Advised that he personally uses a lot of alternative transportation.
- Admitted that changing the culture of driving takes time.
- Stated that State law has changed and we must comply with it.
- Added that with the City's General Plan being amended perhaps it will be possible to create ways for local transportation.
- Suggested adopting this text amendment and consider other tools in the future as well.
- Said that if the Council wants to go against State law that is their prerogative.

Commissioner Rich asked Director Kermoyan if the Commission could send its message of concerns raised this evening on to Council.

Director Paul Kermoyan:

- Replied yes.
- Added that the essence of the conversation will be captured in the staff report that goes on to Council.
- Reminded that there will be the minutes of this meeting.
- Concluded that he was also confident that some members of the Council were likely watching this meeting now.
- Said that it is typical for local jurisdictions to have concerns and often ask, "How dare the State tell us how to grow."
- Cautioned that we could expose the City to litigation if we don't comply with State law.

Commissioner Rich:

- Said that he is in favor of this text amendment as he doesn't want to expose the City.
- Advised that he is a 20-plus-year Campbell resident.
- Agreed that there are quality of life issues from where it was to how it is.

- Admitted that he has concerns for his three children.
- Stated that it would be a good idea to bring the point to the attention of the State somehow.
- Added that Commissioner Reynolds has made some great points.

Chair Dodd:

- Reported that at her school they have a Walk n 'Roll to School day where students and staff walk, ride a bike, roller skate, etc., as an alternative to driving. That's the community taking charge.
- Added that she takes a few days during a school break in the spring to go to Sacramento to meet with lobbyists on issues of importance to her School District.
- Stated that she would like to see more activism from Campbell.
- Concluded that she would support this text amendment since it is law.

Commissioner Young said that Engineer to Engineer, he'd like to convince Commissioner Reynolds to support this amendment. He said that technology changes things fast and that he takes the train to work in San Francisco once a week as an effort to take advantage of alternate transportation.

Motion: Upon motion of Commissioner Young, seconded by Commissioner Rich, the Planning Commission adopted Resolution No. 4302 recommending that the City Council approve a Text Amendment (PLN2016-135) to allow minor changes to the Density Bonus Ordinance, by the following roll call vote:

AYES: Dodd, Rich and Young

NOES: Reynolds

ABSENT: Bonhagen, Finch and Kendall

ABSTAIN: None

Chair Dodd advised that this item would be considered by the City Council at its meeting on July 19, 2016.

Commissioner Reynolds suggested inviting Assemblyman Evan Low to attend the next Planning Commission meeting in order to discuss AB2101.

Director Paul Kermoyan advised that such an invitation would be more appropriately extended by the Mayor and City Manager.

Chair Dodd asked for the Commission to be kept apprised if such a meeting is to occur.

Director Paul Kermoyan said he would do so.

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

Director Paul Kermoyan added the following information to his written report:

- Advised that Council encourages training. The League of California Cities event sold out prior to any Campbell Commissioners could register.
- Reported that the American Planning Association is conducting its State Conference in Pasadena in October and he has the budget to send two members of the Planning Commission. He asked any interested members to let him know. If there are more than two interested, some form of “lottery” might be necessary to choose those to attend. Chair Dodd and Commissioner Rich both indicated an interest.

ADJOURNMENT

The Planning Commission meeting adjourned at 9:36 p.m. to the next Regular Planning Commission Meeting of **June 28, 2016**.

SUBMITTED BY: _____
Corinne Shinn, Recording Secretary

APPROVED BY: _____
Cynthia Dodd, Chair

ATTEST: _____
Paul Kermoyan, Secretary