

CITY OF CAMPBELL PLANNING COMMISSION
MINUTES

7:30 P.M.

TUESDAY

SEPTEMBER 13, 2016
CITY HALL COUNCIL CHAMBERS

The Planning Commission meeting of September 13, 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:	Ron Bonhagen
	Commissioner:	JoElle Hernandez
	Commissioner:	Philip C. Reynolds, Jr.
	Commissioner:	Donald C. Young

Commissioners Absent: Commissioner: Michael L. Rich

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

APPROVAL OF MINUTES

Motion: Upon motion by Commissioner Reynolds, seconded by Commissioner Kendall, the Planning Commission minutes of the meeting of August 23, 2016, were approved as submitted. (5-0-1-1; Commissioner Rich was absent and Commissioner Hernandez abstained)

COMMUNICATIONS

Director Kermoyan listed the desk item(s):

1. Letter from Susan Landry regarding Pruneyard (Item 3)

AGENDA MODIFICATIONS OR POSTPONEMENTS

None

ORAL REQUESTS

None

CONSENT

None

DISCLOSURES

Chair Dodd asked the members if they have any disclosures regarding items on this evening's agenda.

Commissioner Young advised that he met with Dean Rubenstein with Ellis Partners regarding the Pruneyard project on June 8th.

Commissioner Hernandez advised that she attended a community meeting during the summer regarding the Pruneyard proposal and also met with Dean Rubenstein.

Commissioner Bonhagen said he too met with Ellis Partners regarding the Pruneyard project.

Commissioner Kendall said she met with Dean Rubenstein regarding the Pruneyard project.

Commissioner Reynolds said he met with representatives of Ellis Partners regarding the Pruneyard project.

Chair Dodd advised she also met in June with representatives of Ellis Partners regarding the Pruneyard.

PUBLIC HEARINGS

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

1. **PLN2016-19** Public Hearing to consider the application of Majid Saneinejad for a Planned Development Permit, Tentative Parcel Map to create two residential lots and a common lot, Tree Removal Permit to allow for the removal of one protected tree, and a Zone Change from R-M (Multi-family) to P-D (Planned Development) to allow the construction of two single family residences on property located at **1223 Walnut Drive**. Staff is recommending that a Negative Declaration be adopted for this project. Tentative City Council Meeting Date: October 18, 2016. Project Planner: Cindy McCormick, Senior Planner

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

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

- SARC reviewed this item on August 23rd and were fully supportive of this project as redesigned.

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

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

Lou Dorcich, Project Architect:

- Said he is available for any questions.
- Advised that after the previous project review that led to excellent feedback from the community and the Commission, they now have a redesigned project that fulfills all requirements that they are pleased to present.

Commissioner Hernandez asked how the common area will be maintained. Will there be an HOA?

Planner Cindy McCormick replied that Public Works will require a maintenance agreement. It was seen as a sufficient solution given the simplicity of the project with just two homes.

Commissioner Bonhagen advised that he met with this applicant prior to the first review. He asked what is now different from that initial submittal.

Lou Dorcich reminded that the previous project had three units that have been reduced down to two units. The FAR has been reduced below 50 percent. It seems to be the opinion of the community that these reductions from the original proposal help this project to create a transition into this neighborhood.

Commissioner Reynolds asked the architect to comment on the use of composition shingle roofing versus a tile roof.

Lou Dorcich said that was changed at the request of his client who feels it would be more compatible with the neighborhood since most homes on the street have composition roofing.

Audrey Kiehtreiber, Resident on Walnut & President of STACC:

- Reported that she had submitted a letter of support for this revised proposal on behalf of STACC.
- Stated that it has been a pleasure to work with Mr. Majid Saneinejad. He came to STACC Board meetings several times and understood the concerns of the neighborhood. STACC appreciates his concessions. The project is now two single-family residences with back yards. The FAR is reduced to less than 50 percent. The design now fits in well with the neighborhood.
- Said that she wished that every developer would be as willing to work with surrounding neighbors as he has been. As a result, she hopes that he might decide to build more in this neighborhood in the future.
- Added that they are aware that this is a financial project for him.
- Extended thanks to Mr. Saneinejad and the Planning Commission.
- Said that Senior Planner Cindy McCormick was very effective coordinating all the participants.

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

Commissioner Reynolds:

- Said that this was a very easy project to support.
- Added that he is impressed with the harmony between this developer and his neighbors.
- Stated that he too is relieved to see a reduction in the FAR.

Commissioner Bonhagen:

- Said that he appreciates the fact that all parties worked together.
- Stated he is supportive.

Motion: **Upon motion of Commissioner Reynolds, seconded by Commissioner Kendall, the Planning Commission took the following actions for a property at 1223 Walnut Drive:**

- **Adopted Resolution No. 4325 recommending that the City Council approve a Tentative Parcel Map (PLN2016-19) to create two residential lots and one common lot;**
- **Adopted Resolution No. 4326 recommending that the City Council approve a Zoning Map Amendment (PLN2016-275) to change the zoning district designation from R-M (Multi-Family Residential) to P-D (Planned Development);**
- **Adopted Resolution No. 4327 recommending that the City Council approve a Planned Development Permit (PLN2016-276) to allow the construction of two (2) two-story detached single-family homes;**

- **Adopted Resolution No. 4328 recommending that the City Council approve a Tree Removal Permit (PLN2016-277) to allow for the removal of one protected tree; and**
- **Adopted Resolution No. 4329 recommending that the City Council adopt a Negative Declaration (PLN2016-278), subject to the conditions of approval,**

By the following roll call vote:

AYES: Bonhagen, Dodd, Hernandez, Kendall, Reynolds, and Young

NOES: None

ABSENT: Rich

ABSTAIN: None

Chair Dodd advised that this item would be considered by the City Council for final action at its meeting on October 18, 2016.

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

2. **PLN2016-263/266** Public Hearing to consider the application of Jimmy Chang for a Planned Development Permit (PLN2016-263) to allow the removal of private patio areas, alterations to existing staircases and installation of new lighting fixtures within two courtyards of an existing apartment community (dba "The Parc at Pruneyard") and a Tree Removal Permit (PLN2016-266) to allow the removal of protected trees on property located at **225 Union Avenue**. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Tentative City Council Meeting Date: October 4, 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. There were none.

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

- SARC reviewed this item on August 23rd and was supportive of this project with recommendations:
 - Consider the inclusion of patio tables. The applicant agreed to evaluate options.
 - Find ways to include bicycle parking.
 - Consider the placement of a barbecue area on the site.
 - Consider planting Eastern Rosebud trees. The applicant agreed to explore that recommendation with their Landscape Architect.

- Consider enlarging the existing trash enclosures. The current enclosure is too small to serve the current demand. Another option to enlarging the enclosures may be to increase the frequency of pickups each week.

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

Jimmy Chang, Applicant:

- Said that he would like to address four conditions.
- Stated that they were willing to explore adding more of an open space seating area. A wooden bench is what they proposed. It would be centrally located. That has been submitted to staff.
- Advised that there is open space behind the clubhouse, which is near the pool, as the space where they proposed to place tables and seating.
- Said his second issue to discuss is the condition for bike racks. While there are none currently, there exists 400 square feet per building of storage space. They are proposing to use that area for bicycle storage. They should be able to accommodate the storage of approximately 68 bicycles throughout the property.
- Stated that in regards to the tree species, he has been communicating with the project Landscape Architect and will work further with staff.
- Explained that he had surveyed the site trash enclosures. When originally constructed recycling wasn't as big as it is today. If they enlarge their trash enclosures to accommodate both trash and recycling containers, they would lose three parking spaces. Instead they have talked with Waste Management regarding more frequent pickups and/or smaller containers so all could fit within the existing enclosures.

Commissioner Hernandez asked Mr. Chang how they would deal with recycling in addition to trash.

Jimmy Chang explained that the recycling bins are currently outside the enclosure against the fence. They are not blocking any parking spaces.

Commissioner Hernandez asked Mr. Chang if he had spoken with tenants about the pending loss of private outdoor spaces.

Jimmy Chang:

- Reported that the property owner has a Resident Relations person to work with residents.
- Advised that technically there are not supposed to be any barbecue within 10 feet of a structure due to fire safety regulations.
- Added that tenants would have a better experience with a courtyard setup although perhaps not as private. The private patios ranged between 50 and 60 square feet.
- Stated that the interior courtyard will be semi-private as shared by building.

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

Commissioner Kendall said that this will be a big improvement to the center courtyard where currently there are so many stairs and dividers breaking it up. It wasn't very attractive. The site will be more beautiful when there are more plantings installed.

Commissioner Reynolds agreed with Commissioner Kendall that this proposal will beautify and improve the tenant experience. Removing the stairs is a good thing. He added that apartment complexes need to be updated periodically. He said he would support this application.

Chair Dodd said she was glad there will be bike storage provided.

Motion: Upon motion of Commissioner Reynolds, seconded by Commissioner Bonhagen, the Planning Commission took the following actions for a property at 225 Union Avenue:

1. Adopted Resolution No. 4330 recommending that the City Council approve a Planned Development Permit (PLN2016-263) to allow the removal of private patio areas, alterations to existing staircases and installation of new lighting fixtures within two courtyards of an existing apartment community (dba "The Parc at Pruneyard"); and
2. Adopted Resolution No. 4331 recommending that the City Council approve a Tree Removal Permit (PLN2016-266) to allow the removal of protected trees, subject to the conditions of approval;

By the following roll call vote:

AYES: Bonhagen, Dodd, Hernandez, Kendall, Reynolds and Young

NOES: None

ABSENT: Rich

ABSTAIN: None

Chair Dodd advised that this item would be considered by the City Council for final action at its meeting on October 4, 2016.

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

3. **PLN2016-76,77,78, 335, 357, 358** Public Hearing to consider the application of CFEP Pruneyard, LLC for a Zoning Map Amendment (PLN2015-357) to amend the Campbell Zoning Map to rezone a portion of The Pruneyard from the C-2 (General Commercial) Zoning District to the C-2-O (General Commercial / Overlay) Combining Zoning District; a Master Use Permit (PLN2015-358) to allow the construction of a 100,000 square-foot (5-story) office building, four retail buildings constituting 18,600 square-feet, a 30,000 square-foot fitness facility or a 12,000 square-foot retail/office building, expansion of the existing

parking structure (3 or 5 stories), various site improvements, alterations to existing buildings, establishment of a new land use program including specifying permitted and conditional uses, continued allowance of a shared parking program, and implementation of a transportation demand management program (TDM); a Tentative Vesting Parcel Map (PLN2015-77) to allow division of the property into three parcels; a Tree Removal Permit (PLN2015-335) to allow removal of on-site "protected" trees; a Master Sign Plan with a Freeway Oriented Sign (PLN2015-78) to allow a new comprehensive signage scheme including an increase in sign area, height, and number; and a Zoning Code Amendment (PLN2015-76) to revise various sections of the Campbell Zoning Code (Title 21 of the Campbell Municipal Code) to reference the land use program created by the Master Use Permit and to allow the signage proposed by the Master Sign Plan, for property located at **1875, 1887, 1901, 1919, 1995, & 1999 S. Bascom Avenue**. A Mitigated Negative Declaration has been prepared for this project. Tentative City Council Meeting Date: October 18, 2016. Project Planner: Daniel Fama, Senior Planner

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

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

Commissioner Kendall asked about the proposed height of the building near the portal.

Planner Daniel Fama said that staff's recommendation is a maximum of 45 feet in height.

Commissioner Kendall asked how many floors are proposed for that particular building.

Planner Daniel Fama replied, three.

Director Paul Kermoyan:

- Explained that 45 foot height number was borrowed from the East Campbell Avenue Master Plan (ECAMP) although it doesn't specifically apply to E. Campbell Avenue beyond Highway 17 through to Bascom Avenue.

Commissioner Kendall said that there is a difference between two-lane-wide roads versus four-lane-wide roads as to the maximum building height that can be supported.

Director Paul Kermoyan said that was the ECAMP methodology.

Planner Daniel Fama said that the rationale was that if a 45-foot maximum height is acceptable at the end of the ECAMP area up to Union Avenue, then it should be

equally supportable further along the road toward Bascom Avenue since the street width continues to be four lanes there.

Commissioner Hernandez clarified with staff that ECAMP extends up to Union but not beyond.

Planner Daniel Fama said that is correct on the south side of the street. It does not apply to the Pruneyard side of that street.

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

Jim Ellis, Ellis Partners, Applicant:

- Said that he is very pleased to have the Planning Commission hearing their application this evening.
- Reported that he is here with a big part of their team. He introduced the members of the team to the Commission.
- Stated that Daniel Fama did an incredible job with his presentation.
- Added that he appreciates staffs' hard work over the last 18 or 19 months.
- Said that they are excited to bring their plans for the Pruneyard.
- Advised that they have already done renovations at the hotel, which will demonstrate the level of quality work they do at their projects.
- Stated that the goal of their application is to revitalize a treasured community asset in Campbell. To enhance it. To increase the sales volume and correspondingly the City's share of tax revenues. To create a vibrant neighborhood gathering space and to accommodate pedestrians and bicyclists.
- Cautioned that Pruneyard cannot remain stagnant.

Dean Rubenstein, Director of Development, Ellis Partners:

- Thanked the Commission for their time this evening.
- Said that they are thrilled to be here before the Planning Commission after two years' of effort.
- Extended specific thanks to Paul Kermoyan and Daniel Fama for their creativity and diligence throughout the process.
- Stated that there have been many meetings with staff, the Planning Commission, the City Council and community leaders. He listed a few:
 - Study Session with City Council in March 2015.
 - Planning Commission/City Council/Community leaders met in May 2015 and included neighborhood groups.
 - Reminded that the Planning Commission conducted a Study Session that started at 12:30 a.m. after a long regular meeting agenda had concluded late.
 - A second community meeting has held to receive resident feedback.
 - Meetings were held with STACC and with the Campbell Village Association.
- Said that the CEQA process took six to seven months to complete and included traffic, parking, geo-tech and architectural peer review.
- Reported that in April the final submittal was made that is before the Commission now.

- Advised that they will be working with the CERT program to make the Pruneyard a part of their emergency plan.
- Said that the primary elements of the project include pedestrian improvements both on and off-site; increasing ability to optimize the parking they have on site and supplement ADA parking; to create plazas and gathering areas.
- Pointed out that the City encourages office development.
- Explained that their proposed subdivision has its benefits for the City and offers Ellis Partners the ability to invest money in full development mode. It offers efficient financing of construction and investment.
- Estimated that this project will increase sales tax to the City by approximately \$500,000 a year.
- Stated that having CC&R's for the Pruneyard gives the City unique enforcement.
- Listed some of the associated costs of their plans for Pruneyard including about \$250,000 for streetscape improvements to help integrate the portals to the Pruneyard and \$350,000 in traffic improvements.
- Reminded that staff is recommending approval.
- Said that we are four years into an intensive redevelopment cycle and said that their proposal will offer them the flexibility to have entitlements in place and not to have to come back.
- Reminded that their original request had been for 15 year time frame. They then came back with a compromise request for 10 years. The first phase will initiate after a year; the second phase after 6 years and the last phase would be complete after 10 years.
- Stated his hope that the Planning Commission will support this request.
- Described the proposed office building as consisting of 100,000 square feet of office space, on two stories, with two parking garages.
- Cautioned that less than five-stories would not be economically feasible due to costs including the need to relocate lots of utilities.
- Said that providing a large office building is necessary to draw a large use to the site.
- Pointed out that the 75-foot height for a five-story building is consistent and appropriate in a mixed-use transitory development. It could reduce traffic impacts and create 600 jobs for Campbell.
- Assured that he hears staff's concerns about massing and its impacts on pedestrians. To help alleviate those concerns their design has the top floor set back and the first floor set back 35 feet. This new office building would be located next to existing 10 and 16-story buildings and the freeway.
- Pointed out that this is the only place in Campbell that allows a 75-foot high office building.
- Reminded that the jurisdiction of the ECAMP is west of Highway 17 while the General Plan references the Pruneyard/Dry Creek Area.
- Said that the proposed office building represents an important entry point from the portals and would be placed on what is currently a parking lot.
- Said that they were fine with either office building design option they have provided for consideration.

Melinda Ellis-Evers, Ellis Partners, Applicant:

- Said that they are proud to be the stewards of this community asset.
- Stated that they have come up with a carefully conceived plan for the Pruneyard that maintains the small-town charm of the community.
- Said that their overall goal is to retain legacy Pruneyard tenants as well as to draw exciting new tenants to the site.
- Stated that they look forward to a long relationship moving forward and for years to come.
- Advised that they would like to move as quickly as possible to realize this important project.
- Added that Ellis Partners looks forward to future ribbon cuttings and new store openings in the future.

Dan Orloff, Resident on Second Street:

- Stated that it was a privilege to be here.
- Advised that he was here 39 years ago regarding The Factory and has seen many aspects of the Pruneyard's evolution.
- Added that he is a limited partner in Camera7.
- Reported that Ellis Partners has "delivered" in other markets including Palo Alto and Jack London Square in Oakland.
- Stated that their plans for a 100,000 square foot office building are important component of their project. The site needs such a building to draw jobs to Campbell.
- Concluded that he hopes the Planning Commission supports this plan.

Steven Blachman, Owner, Trudy's Brides and Special Occasions, Pruneyard:

- Said that his family has owned and operated their business, Trudy's, at the Pruneyard for 43 years this month.
- Stated that Ellis Partners is proposing a dynamic updated and fresh new look for the center.
- Advised that Trudy's looks recently completed a major renovation on two levels. They draw customers from the entire Bay Area.
- Opined that this project will benefit the entire Campbell Community.

Mark Gunke, Resident on McBain Avenue:

- Said that he is in favor of the proposed plan.
- Reported that Ellis Partners has reached out to his neighborhood for feedback and wishes and has incorporated their suggestions into their plans.
- Stated that these improvements will have positive impacts on property values of the surrounding area and he likes that.
- Suggested the need for a larger grocery store within the center and perhaps a restaurant could once again be located on the top floor of the tallest tower that once housed Sebastian's.

Nicky Essert, Resident on E. Campbell Avenue:

- Stated that she is a member of the Pruneyard/Dry Creek Neighborhood Association.

- Thanked Ellis Partners for their outreach efforts.
- Reported that this project has broad support in their nearby neighborhood.
- Stated concurrence with the traffic and parking issues but no one has expressed concerns about the proposed height for the office building.
- Advised that some suggest that the drive thru plaza only be available for emergency service use.
- Suggested a bike/pedestrian trail access to the Los Gatos Creek Trail.
- Reported that she has noticed improved security and grounds keeping at the Pruneyard under Ellis Partners ownership.
- Stated her support.

Cole Cameron, Resident on Herring Avenue, San Jose:

- Said he is a part of the CERT Team.
- Stated that they appreciate the outreach done by Ellis Partners.
- Explained that he has a finance background and agrees that the proposed five-story office building can benefit this community.
- Said he hopes this goes forward and thanked the Commission for their consideration.

Susan Landry, Resident on Curtner Avenue:

- Said that she is a landscape architect.
- Thanked Dean Rubenstein and Ellis Partners for their coordination with neighbors.
- Said that this project will improve the quality of the Pruneyard.
- Added that she is supportive with modifications.
- Suggested that the proposed road divides the courtyard and she would like to see the following:
 - Reduce the number of vehicular/pedestrian crossings.
 - Eliminate the vehicle road through the Plaza but retain emergency vehicle accessibility.
 - Eliminate left turns from Union and Campbell onto the site to help the flow of traffic along Campbell Avenue.
- Stated her support for a five-story office building and cautioned that allowing left turns would create traffic stacking problems.
- Thanked everyone involved and opined that this project will help Campbell and economic stability.

Carl San Miguel, Chamber of Commerce:

- Recommended approval for a 10 year build-out plan for this project.
- Said that the project would result in additional tenants bringing sales taxes into Campbell as well as increased property taxes. It is a source of funds.
- Said that he too supports the proposed five-story office building that could create 500 jobs and enhance the retail.
- Added that the five-story office building would not cast shadows or cause an increase of traffic due to access from Highway 17 and Campisi.
- Opined that this is a sound project for Campbell.
- Thanked the Commission for their consideration and support.

Jack Nybloom, Owner, Camera7 & Resident on Dillon Avenue:

- Said that there have been several owners of the Pruneyard over the last 14 years. Over the last 1.5 years, he has worked with Ellis Partners.
- Stated that they ask great questions and listen to our answers.
- Advised that there have been lots of get-togethers and Ellis Partners has a smart and thorough vision for the center. He is excited for the whole renovation plan.
- Said that as a result of his confidence in Ellis Partners' plans, he has raised capital and will reinvest in the theatre.
- Concluded by saying, "We love what they are doing!"

Dawn Anderson, Resident on Union Avenue:

- Reported that she lives a few blocks away.
- Added that she is an architect and has a few concerns.
- Said that allowing left turns into the Pruneyard so close to the portals would create problems.
- Stated that recentralizing the community space and allowing traffic through there is not conducive to pedestrian safety.
- Recommended that the developers get an accessibility review of the property.
- Advised that she goes over to Pruneyard every day.
- Thanked the Commission for its time.

Jo-Ann Fairbanks, Resident on Hacienda Avenue:

- Said that she appreciates hearing from the community about their experiences working with this developer.
- Stated that she has three areas of concern.
 - The inclusion of an overlay district.
 - The Master Use Permit concept makes her nervous. It delegates issues typically handled by the Planning Commission over to the Community Development Director. She's okay with current-Director Paul Kermoyan.
 - Admitted that the concept of a "living" document is a little scary for her.
- Said that the project completion dates also make her nervous/uncomfortable, particularly the 10 year time frame.
- Suggested that length of time could lead to a project that evolves and must be reviewed further by the Director.
- Admitted that she agrees with the staff's more conservative dates/schedule.

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

Commissioner Hernandez:

- Cautioned that she has lots of questions.
- Said that they include building usage and square footage and splitting the lot into three parcels. That raises concerns for her.
- Added that she understands that there will be general CC&R's in place governing the three parcels. However, over time, individual owners/parcels will have different goals and visions. She asked staff to confirm that future owners would have to abide.

Planner Daniel Fama replied that is correct. It is intended that the CC&R's would be all encompassing to ensure a vital single shopping commercial center.

Commissioner Hernandez asked if this Master Use Permit would supersede the Use Permits approved in the past for this center.

Planner Daniel Fama said that rather it incorporates them into the Master Use Permit.

Commissioner Hernandez asked how the alcohol license maximums are calculated.

Planner Daniel Fama:

- Said there is no "carte blanche". It includes existing.
- Added that the Community Development Director can allow new but there is a ceiling on the maximum number.
- Stated that it would be 25 percent when the project is built out.
- Referenced page 13 that lists 25 with on-sale alcohol service and five with off-sale.

Commissioner Hernandez asked how that works if tenant spaces are split up. If some tenant spaces are split, would that allow an increase in the number of uses with alcohol service?

Planner Daniel Fama replied no. Increasing from 25 would require an amendment to this Master Use Permit that would go to the Planning Commission and then on to the City Council for review and approval.

Commissioner Hernandez:

- Said that issue comes up a lot and especially in the downtown.
- Questioned how often the closing of the special event area might occur. Would it be one weekend a month?

Planner Daniel Fama said that the closing would only be for a portion of the roadway. The parking lot and other drive aisles would remain available.

Commissioner Hernandez asked if it has been considered whether that drive could be closed permanently.

Planner Daniel Fama advised that to do so would require bringing it back to the Planning Commission and City Council.

Commissioner Hernandez:

- Stated that 10 years for completion seems a long time to her. She doesn't support that amount of time.
- Referred to the Robson project constructed on Hamilton Avenue at San Tomas Expressway (Penny Lane). That project was delayed for a number of years and everyone was shocked with what was ultimately constructed.
- Asked if the changes that can be made up to 500 square feet. Does that include adding outdoor seating?

Planner Daniel Fama said that the 500 square foot standard at Director level review is for building addition not outside uses. It involves minor changes to interior spaces to meet specific tenant needs.

Director Paul Kermoyan:

- Said that staff was conscientious about the type of authority given to staff.
- Assured that any big changes go back to the original decision makers.
- Added that the overall vision of the document contains limitations of what staff can approve.

Commissioner Kendall said she had a question for City Traffic Engineer Matthew Jue. Could he comment about the pedestrian interchange at the portals. Would a five-story building set back as proposed be of concern?

Mr. Matthew Jue, Traffic Engineer:

- Said that any pedestrians would be on the public sidewalk.
- Added that the crosswalk is signalized so there are no problems anticipated if the signals are obeyed.

Chair Dodd asked Matthew Jue about a future traffic signal at Campbell and Page. Could there be problems with turns onto Pruneyard?

Traffic Engineer Matthew Jue said that it is the right-of-way to get in.

Planner Daniel Fama said that traffic coming into Pruneyard from Union would include a relocated entrance to the underground parking.

Commissioner Bonhagen:

- Admitted that he has never noticed a problem with left turns onto the Pruneyard.
- Reported that he drives by at least three days a day.
- Said he'd like to address the proposed parcelization.
- Reminded that Ellis Partners has done this successfully before and that fact has alleviated any concerns for him.
- Said that the access to the Los Gatos Creek Train was suggested but he doesn't believe the Pruneyard property touches a point of access.

Planner Daniel Fama said that the northwest corner of the site by the parking garage does touch. However, that area was deemed an unsafe access point. Additionally, a bike lane could not be added there unless parking was lost.

Commissioner Bonhagen said that closing the traffic circle on the plaza every weekend would be "awesome". Perhaps it can start at once a month and go to weekly later.

Commissioner Kendall asked Commissioner Hernandez why she is not in favor of a 10-year approval. Their original request was for 15 years and she is quite pleased that they had condensed that time as much as they had to 10 years.

Commissioner Hernandez:

- Stated that 10 years is a very long period of time.
- Said that other things can happen based on a new Planning Commission, a new City Council, a new Community Development Director as well as a new General Plan.
- Reminded that the City has seen buildings/properties come and get approved but actual construction took a long time to occur.
- Added that oftentimes, when that building goes up its not was expected.
- Advised that she has never heard anything positive about that large white development constructed at San Tomas Expressway and Hamilton Avenue. She said that she has heard it referred to as a “prison” or a “mental hospital”.
- Reiterated that 10 years is a long time.

Commissioner Kendall:

- Advised that she is in favor of the five-story office building, Version B.
- Cautioned that Campbell needs more of a balance of jobs to residents.
- Admitted that she feels fortunate to both live and work in Campbell.
- Added that this office building can be a real architectural statement for the City. It can serve to segue between the existing tall black towers and Campbell Avenue and could draw a substantial business such as Barracuda.
- Said that she can support a 10-year phased approval timeline since it takes a long time to build big projects.
- Stated that she is also okay with parcelization.
- Added that traffic needs to go through. There are many people with mobility issues and splitting it with a road would create two shopping centers if you can't get through.
- Stated that if there should be no play structures next to the road then the play structures could be relocated elsewhere on site.

Commissioner Young:

- Said that in general this project is excellent.
- Stated that he does have a few comments. For example, the length of time was initially concerning. However, the fact that there are extensive public improvements and the project is specifically phased, he is no longer concerned.
- Said that he was torn about the 10 year time line but also understands the applicant has reduced from their original request for 15 years.
- Cautioned that there would be issues if they tried to do all the work proposed at once.
- Said that a great job was done on describing the plans and need for parcelization and he is comfortable with that aspect.
- Said that there is inequity between a three-story and five-story office building.
- Said that regarding the drive through from Bascom to the back, the Traffic Management Plan should tell us if it is okay to close.

Commissioner Reynolds:

- Thanked the City Council for the provision of iPads to the members of the Planning Commission. With this large 2,700+ page packet, we saved a forest.
- Thanked staff. The scope of this project required their dedication and he extends kudos for their efforts.
- Thanked Ellis Partners whose project will certainly benefit our community. The Pruneyard is an important asset to the community. The community is protective of the Pruneyard.
- Reported that he made two trips to Oakland's Jack London Square. Fifteen years ago, it was bad. There are currently seven owners of the property that comprises Jack London Square yet it is a well-blended project that appears seamless.
- Said that the track record of Ellis Partners gives him the confidence over the length of project timing as they are proposing.
- Stated that a project of this caliber needs flexibility. This is huge – big time. He will support it.
- Admitted that he understood the “why” for the requested land split as requested by Ellis Partners from day one.
- Said that he is impressed with the thought that went into the Parking Management Plan. Valet parking doesn't get any easier and their underground parking is an expensive commitment.
- Stated that he is impressed with the proposed five-story office building. It will be beautiful and bring a tremendous addition of jobs in our City. Reducing that building to three-story would be a detriment to the project.
- Added that he is comfortable with the concept of an owners' association (CC&R's).
- Said that when he heard about the idea of Pruneyard partnering with CERT he thought that it was an awesome idea. A second location for emergency response would be tremendous.
- Thanked the members of the community who attended community meetings with Ellis Partners and also came to this evening's public hearing.
- Said that he is always protective of businesses in our City. There are great businesses at the Pruneyard.
- Said that he is asking Ellis Partners to take a long hard look at the businesses there today and to protect them.
- Advised that the Pruneyard is his and his wife's go-to place when there's no parking in Downtown.
- Said that he likes the idea of an expedited process with this Master Sign Plan that gives more authority to our Community Development Director. Anytime we can streamline a process, it's a benefit to all in the long run.
- Stated that he is happy with what is being proposed. He's glad they are keeping the theaters.
- Reminded that the Director can always bring issues to the Planning Commission if he thinks it is necessary to do so.
- Concluded that he is supporting this project.

Chair Dodd:

- Agreed with Commissioners Kendall and Young about the five-story office building.
- Said that she likes a combination of the two designs. She likes the glass building but would incorporate the step-down feature of the other design.
- Added that she likes the maximum limit of 25 businesses with alcohol service.
- Said that she appreciates Pruneyard Kitchen & Bar being added to the hotel.
- Admitted that she was on the fence regarding traffic going through the Pruneyard but she likes the idea of closing down the road once a month for events.
- Stated that she is fine with the parceling proposal as she has seen it work in Palo Alto and Oakland.
- Stated that she doesn't like the 10 year time frame as she is concerned about something the Commission has already approved becoming outdated after a decade.
- Pointed out that most of the members of the community who spoke out this evening were in favor of this project.

Commissioner Hernandez:

- Reiterated her concern that a 10-year approval is a long time and should be shortened to between five and six years.
- Added that she is in favor of parcelization but on the issue of a drive through she could go either way.
- Said that she agrees with Chair Dodd about a combination building design that incorporates aspects of both designs.

Commissioner Bonhagen asked if the 10 year time frame is for the office building.

Chair Dodd reminded that the project is proposed in four phases.

Planner Daniel Fama said that the garage would be Phase 2-3 and the office building with underground parking would be Phase 4.

Commissioner Bonhagen said that it seems that everything else (outside of office building) would be completed at six years maximum.

Director Paul Kermoyan clarified 10 years. They'd have to start it within that time frame but that doesn't mean it has to be completed. It could take 12 years to complete.

Commissioner Bonhagen said he's okay with the 10 years requested.

Commissioner Reynolds:

- Said that he believes that Ellis Partners know what they are doing.
- Pointed out that this Commission is not expert on project timing and he fears the Commission could be Monday-morning quarterbacking.
- Added that Ellis Partners have put a lot of thought into what they think they can do within specific periods of time. The time allows them to deal with financing and construction/economic up or down-turns.

Commissioner Young:

- Said that he does this sort of thing for a living as well and is comfortable with what he is saying.

Commissioner Kendall asked how long it takes for a building's design to become outdated.

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

Chair Dodd asked Dean Rubenstein if Ellis Partners would consider a different timeline.

Dean Rubenstein, Ellis Partners, Applicant:

- Said they would consider it.
- Provided the example of another project where extra time was allowed and that extra time allowed the project to be completed. That one was similar to this project in terms of size and complexity.
- Pointed out that the office building within five years is only five years more than allowed by right.
- Said that logistically each project/phase takes two or three years.
- Assured that the project is phased as tightly as they really can accomplish.

Susan Landry, Resident on Cambrian Drive:

- Asked the Planning Commission to reconsider the center courtyard road going through if there will be a kid's play area there.

Dawn Anderson, Resident on Union Avenue:

- Said that Ellis Partners should take the time necessary.
- Added that existing businesses at Pruneyard must trust the developers.
- Encouraged careful and well thought out planning.
- Said that the massing of the building at the corner will break up the noise.
- Supported a step back at the ground floor for a more pedestrian engagement.

Angela Amico:

- Said that she is here representing her parents who own the 10-unit apartment building across E. Campbell Avenue from the Pruneyard adjacent to the portals.
- Questioned why Ellis Partners never reached out to them who are directly across the street to discuss their plans.

Steve Blachman, Owner of Trudy's, said that businesses survive by people seeing that they are there.

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

Planner Daniel Fama said that in regards to the design of the office building, if the Commission likes the idea of the five-story office building but with a revised design,

they should add to the conditions that this is subject to the building's design being refined in the future.

Chair Dodd asked each Commissioner to comment on the 10 year time line. She said she is feeling better about it after the discussion that has occurred.

Commissioner Bonhagen said that he likes 15 years since he's a real estate broker. However, he can agree to the compromise of 10 years. He said that while he likes the idea of greater setbacks for the ground floor he doesn't like the proposed "orange" color depicted on the drawing for Option 2.

Commissioner Hernandez:

- Said that there has been a good discussion on the issue of the 10 year approval period.
- Admitted that she can now see the benefit of allowing a 10-year time frame since construction can take time. There will be the need to move the staging area around.
- Stated she can now support up to 10 years.

Motion: Upon motion of Commissioner Kendall, seconded by Commissioner Reynolds, the Planning Commission took the following actions for properties located at 1875, 1887, 1901, 1919, 1995 & 1999 S. Bascom Avenue:

- Adopted Resolution No. 4332 recommending that the City Council adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (PLN2015-79);
- Adopted Resolution No. 4333 recommending that the City Council approve a Zoning Map Amendment (PLN2015-357);
- Adopted Resolution No. 4334 recommending that the City Council adopt an ordinance approving a Zoning Code Amendment (PLN2015-76);
- Adopted Resolution No. 4335 recommending that the City Council approve a Master Use Permit with an approval duration of ten (10) years and to allow the office building to be five (5) stories, maintaining the 75 maximum height and a future revision to the building's design with an articulated surface, plaza below, setback on top (Option 1 concept) incorporating step-backs illustrated in Option 2, as recommended by SARC and decided by the Planning Commission;
- Adopted Resolution No. 4336 recommending that the City Council approve a Vesting Tentative Parcel Map (PLN2015-77);
- Adopted Resolution No. 4337 recommending that the City Council approve a Master Sign Plan (PLN2015-78) with a free-way oriented sign and an increase to the allowable sign area, height and number; and

- **Adopted Resolution No. 4338 recommending that the City Council approve a Tree Removal Permit (PLN2015-335), subject to the conditions of approval,**

By the following roll call vote:

AYES: Bonhagen, Dodd, Hernandez, Kendall, Reynolds, and Young

NOES: None

ABSENT: Rich

ABSTAIN: None

Chair Dodd advised that this item would be considered by the City Council for final action at its meeting on October 18, 2016.

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

Director Paul Kermoyan had no additions to his written report.

ADJOURNMENT

The Planning Commission meeting adjourned at 10:40 p.m. to the next Regular Planning Commission Meeting of **September 27, 2016**.

SUBMITTED BY: _____
Corinne Shinn, Recording Secretary

APPROVED BY: _____
Cynthia Dodd, Chair

ATTEST: _____
Paul Kermoyan, Secretary