

CITY OF CAMPBELL PLANNING COMMISSION
MINUTES

7:30 P.M.

TUESDAY

OCTOBER 25, 2016
CITY HALL COUNCIL CHAMBERS

The Planning Commission meeting of October 25, 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:	JoElle Hernandez
	Commissioner:	Philip C. Reynolds, Jr.
	Commissioner:	Michael L. Rich
	Commissioner:	Donald C. Young

Commissioners Absent: None

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 Young, seconded by Commissioner Kendall, the Planning Commission minutes of the meeting of October 11, 2016, were approved as submitted. (6-0)

COMMUNICATIONS

Director Paul Kermoyan listed the communications items as follows:

- Letter from Susan Landry regarding Agenda Item. 4
- Letter from Audrey Kiehtreiber regarding Agenda Item 4.

AGENDA MODIFICATIONS OR POSTPONEMENTS

Director Paul Kermoyan advised that the applicant for Item 5 has requested a continuance to the next meeting on November 22, 2016. If the Commission elects to grant this continuance, he suggested moving Item 5 to the beginning of the agenda.

ORAL REQUESTS

None

PUBLIC HEARINGS

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

5. PLN2016-255 Public Hearing to consider the application of SINA Investments, LLC for a Conditional Use Permit (PLN2015-255) to allow a massage establishment in an existing tenant space on property located at **225 W. Hamilton 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: *Cindy McCormick, Senior Planner*

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

Motion: Upon motion of Commissioner Kendall, seconded by Commissioner Reynolds, the Planning Commission CONTINUED TO THE MEETING OF NOVEMBER 22, 2016, the consideration of a Conditional Use Permit (PLN2015-255) to allow a massage establishment in an existing tenant space on property located at 225 W. Hamilton Avenue. (6-0)

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

1. **PLN2016-237** Public Hearing to consider the application of HOMETEC Architecture for a Site and Architectural Review Permit (PLN2016-237) to allow a single-story addition to an existing single-family residence on property located at **786 Cambrian Drive**. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Daniel Fama, Senior Planner*

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

Chair Dodd asked if there were questions of staff.

Commissioner Rich asked staff to clarify that were this property not in the Cambrian 36 area it might not have to come before the Planning Commission at all.

Planner Daniel Fama said that it would depend on the size of the addition.

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

Rick Hartman, Project Architect:

- Said that this request is for a first-story addition to a single-story house on a very large property.
- Added that it is similar to others in the neighborhood.
- Stated that they are cleaning up prior additions made to the home as well as to add new space.
- Advised that the property owners are available if there are any questions for them.

Maggie Ostrowski, Property Owner:

- Stated that she is very excited about this project.
- Added that she has a couple of questions regarding the Conditions of Approval such as the requirement for the undergrounding of utilities since the pole is located diagonally across the street.

Planner Daniel Fama said that with the recent revisions to the Code pertaining to the undergrounding of utilities, this project would not require undergrounding. That condition was included in error.

Director Paul Kermoyan said that can be remedied by simply striking that condition.

Maggie Ostrowski:

- Said that another concern she has is the requirement for the installation of a new driveway per the City's standards.

- Reported that at the present time, their street has no curb, gutter or sidewalk but they have some concrete in place in the public right-of-way. Is she going to be required to remove that existing concrete? She wants to discuss that issue.

Director Paul Kermoyan suggested having the applicant continue to go through her requests and the Commission can consider them during deliberations.

Maggie Ostrowski:

- Concluded that they like to have a walkway leading from their driveway to the door as well as down to the street connecting them to the street.

Ed Dawson, Resident on Briarwood Way:

- Said that he is real excited to see this proposal. It looks nice.
- Added that he hopes the City will work with his neighbors on their driveway concerns.
- Reported that the neighbors on Briarwood are all excited about these plans.

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

Chair Dodd pointed out to staff that there are three issues raised. The first concern is the driveway.

Planner Daniel Fama:

- Said the driveway condition comes from Public Works. There's no one to respond to this requirement from Public Works this evening.
- Added that a new driveway would be required to meet City standards. That requirement is in response to their desire to have a new driveway rather than a requirement for a new driveway by Public Works.
- Clarified that the standard is not to allow improvements except for the driveway approach on public right-of-way.
- Concluded that the applicant could discuss this issue with the Public Works Department Engineers.

Chair Dodd clarified that the Commission should strike the condition for undergrounding of utilities and suggest that the applicant work with Public Works on the walkway and driveway concerns.

Director Paul Kermoyan said that the City will work with the applicant to resolve the issues of the walkway. He asked the City Attorney whether this would need to come back to the Commission if not resolved.

City Attorney William Seligmann said that an Encroachment Permit will be required to put a sidewalk within the public right-of-way.

Director Paul Kermoyan reminded that the City has been currently entering into Deferred Street Improvement Agreements for future installation.

Planner Daniel Fama:

- Said he would coordinate with the City's Senior Engineer.
- Reminded that work done within the public right-of-way is not the purview of the Planning Commission.
- Asked the City Attorney whether an Encroachment Permit was considered a ministerial process and therefore not appealable.

Chair Dodd said that Planner Daniel Fama and the applicant will work with Public Works on the driveway/walkway issues and related Encroachment Permit requirements.

Commissioner Rich said that the undergrounding concern has been addressed by striking the draft condition of approval that required it.

Commissioner Young said he agrees. He added that the findings for this project are clear and fitting.

Chair Dodd re-opened the public hearing for Agenda Item 1.

Rick Hartman, Project Architect:

- Reported that it was the Public Works Engineer that told him to remove the sidewalk and driveway. The owner wants to leave what's existing alone but it extends out 10 feet beyond the property line and into the public right-of-way.
- Reiterated that the owner wants to leave it alone.

Chair Dodd re-closed the public hearing for Agenda Item 1.

Director Paul Kermoyan:

- Pointed out that per the plan the driveway "dies" at the property line. Therefore, the site plan is not accurate.
- Added that as a result Public Works told them to remove from the plan.
- Stated that an encroachment permit is required with any alteration, modification or refinement of something that falls within the public right-of-way.
- Suggested modifying the Public Work's condition to read that if there are any private improvements within the public right-of-way an Encroachment Permit is required.

Motion: **Upon motion of Commissioner Reynolds, seconded by Commissioner Kendall, the Planning Commission adopted Resolution No. 4340 approving a Site and Architectural Review Permit (PLN2016-237) to allow a single-story addition to an existing single-family residence on property located at 786 Cambrian Drive, subject to the conditions of approval as amended:**

- **Strike condition 27 and**
 - **Add that if any sidewalk/driveway falls within the public right-of-way an encroachment permit is required;**
- by the following roll call vote:**

AYES: Dodd, Hernandez, Kendall, Reynolds, Rich and Young
NOES: None
ABSENT: None
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. **PLN2015-264/265/266**
PLN2016-260 Public Hearing to consider the application of Terry Pries for a Site and Architectural Review Permit (PLN2015-264, 265, 266) to allow the construction of three new single-family residences and a Tree Removal Permit (PLN2016-260) to allow the removal of a protected tree on property located at **738 Briarwood Way**. Staff is recommending that this item be deemed Categorically 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.

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

- SARC reviewed this proposal at its meeting of October 11, 2016, and was generally supportive of the design, color and architecture.
- Said that SARC suggested two trees per property that are complimentary to other trees in the area and that the trees are reflected in the Building submittal.
- Added that SARC suggested the inclusion of French doors in lieu of a solid side door in the garage for Unit 1 and the use of pervious pavers on all lots.

Chair Dodd asked if there were questions of staff.

Commissioner Reynolds stated for the record that he had met with the applicants for this project.

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

Rick Hartman, Project Architect:

- Said that use of a French door as the side door of a garage is not secure. It would have to be a solid door.
- Added that this door is not visible at all from the street.

Terry Pries, Applicant:

- Asked if color boards are still required by November 1st as indicated in Condition 1.
- Said that he'd like to have a two-year expiration date for this approval rather than the proposed one-year.
- Questioned the need for a pad elevation certification and asked to have that condition stricken if possible.

John Murphy, Resident on Briarwood:

- Questioned the potential duration of construction.
- Said that he would not like to see staged construction site over the course of two plus years.
- Asked if the City considers parking being impacted by this project.
- Pointed out that his property has a 40 to 50 foot length of street parking along its street frontage.
- Suggested limited construction parking on the street during the day.
- Recounted that he experienced putting up with a six-year construction project on the home next to his.
- Stated that this project is great. It looks fantastic.

Commissioner Reynolds asked Mr. Murphy if he was concerned about the two-year permit.

John Murphy said that it would be nice to make sure that the site conditions can be palatable to the neighborhood during construction.

Mike Jacoby, Resident on Flamingo:

- Advised that he owns 743 Briarwood.
- Said he asks how the project will run. There will be three new homes and one existing home torn down.
- Admitted that he is most concerned for the potential to have a stalled project and hopes there are ways to control that.
- Asked what the process is for the house being torn down.
- Questioned the phasing of the construction of the three homes and asked to be educated on how that might work.

Director Paul Kermoyan said that that staff would defer to the applicant to describe his phasing plans.

Terry Pries, Applicant:

- Assured that his request for a two-year expiration date on his approval is not to delay the actual construction of the project but rather to allow some flexibility. Each home takes between six and nine months. His plan is to start one and get it to a certain point before starting the second and again for the third.
- Advised that there is sufficient parking on each of the parcels. Each home will have two covered parking and two driveway spaces. Lot 3 will actually have room for three cars on the driveway.
- Explained that they will have screening construction fencing obscured with the green fabric to ensure the job site is obscured from view by the neighbors.

Mike Jacoby asked if he can ask the purpose for these homes.

Chair Dodd said that this would not be a part of the review process.

Mike Jacoby said that there are other lots in the immediate vicinity that are currently dilapidated. Could there be some effort for cleanup?

Chair Dodd said that the Commission's purview is just this project tonight.

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

Planner Stephen Rose:

- Advised that no color/material boards are required in addition to what has been provided by the applicant.
- Said that the standard for project approval expiration is one year from date of approval plus the 10-day appeal period.
- Added that the approval period allows an applicant to submit their construction drawings in for Building permit review and issuance.
- Said that in this case Mr. Terry Pries is asking for a maximum of two years to submit construction plans for the three homes.
- Explained that Mr. Terry Pries raised questions about the necessity for a pad certification and accordingly for a waiver of such. However, that is a standard requirement across the board in all development.
- Stated that he doesn't recommend waiving that standard.

Commissioner Hernandez asked if the house currently on the property would be demolished.

Planner Stephen Rose replied yes.

Commissioner Hernandez asked what the Code is on demolition.

Planner Stephen Rose explained that the map creating three lots was approved. Once the structure is demolished, the applicant has one year to get plans approved. If not, they would lose their vested right of a protected park fee credit and instead would have to pay new park fees.

Commissioner Hernandez asked if staff was in favor of a two-year approval.

Planner Stephen Rose said that is up to the Planning Commission to decide. There are other options available. There is always the ability to seek an extension of approval.

Commissioner Hernandez pointed out that these are larger lots in this neighborhood. Some within the community have concerns about the lot split. She said that she assumes that appropriate noticing had been done.

Commissioner Rich asked staff what a construction period might run as long as there is continuous work.

Planner Stephen Rose replied as long as there are building inspections done within each six-month period.

Commissioner Kendall asked about the parking requirement. Is this site over parked? Is the provision of parking subject to the size of home or not?

Planner Stephen Rose replied no, it is per single family residence and is not based upon actual square footage of a home.

Commissioner Reynolds asked about Condition 15A, which is the requirement for a pad elevation certification.

Planner Stephen Rose said it is used to verify the appropriate height for the pad. The second check is the first floor. Waiving the first pad certification could be a problem at a later stage if the final elevation is not correct.

Director Paul Kermoyan said that the pad elevation certification occurs before framing the foundation. Without it a building can be taller than intended. The pad certification helps assure the final building height is what was approved.

Commissioner Reynolds asked what the advantage might be to the applicant to skip the condition requiring the pad certification.

Planner Stephen Rose said the cost of having it prepared.

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

Commissioner Rich:

- Said that he has no major concerns.
- Added that he is satisfied with the provision of parking.
- Stated that he saw no justification for a two-year time frame prior to submittal of construction drawings especially since an extension of approval is already possible through the Community Development Director.
- Concluded that he was fairly comfortable with what he sees.

Commissioner Reynolds:

- Concurred with Commissioner Rich.
- Said that this is a beautiful plan for beautiful houses.
- Added that he likes the layout for the houses.
- Admitted he was not a fan of flag lots but can make an exception in this case. It is a good product for that neighborhood.
- Stated that he doesn't think the two-year approval is necessary since there is already the possibility of securing an extension of approval beyond one year if it becomes necessary.

- Said that he sees the applicant's phasing as his way to protect the neighborhood from construction impacts. He is okay with the green fencing. Everything else looks good.

Motion: Upon motion of Commissioner Rich, seconded by Commissioner Reynolds, the Planning Commission took the following actions:

- Adopted Resolution No. 4341 approving a Site and Architectural Review Permit (PLN2015-264) to allow the construction of a new single-family residence on property located at 738 Briarwood Way (Lot 1), subject to the conditions of approval;
- Adopted Resolution No. 4342 approving a Site and Architectural Review Permit (PLN2015-265) to allow the construction of a new single-family residence on property located at 738 Briarwood Way (Lot 2), subject to the conditions of approval; and
- Adopted Resolution No. 4343 approving a Site and Architectural Review Permit (PLN2015-266) to allow the construction of a new single-family residence together with a Tree Removal Permit (PLN2016-26) to allow the removal of a protected oak tree on property located at 738 Briarwood Way (Lot 3 – Rear Flag), subject to the conditions of approval;

by the following roll call vote

AYES: Dodd, Hernandez, Kendall, Reynolds, Rich and Young
NOES: None
ABSENT: None
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. 3 into the record as follows:

3. **PLN2016-140** Public Hearing to consider the application of Kaiser Foundation Health Plan, Inc., for a Conditional Use Permit (PLN2016-140) to allow the establishment of a medical services clinic and pharmacy within the Vasona Technology Park (Building 'G') on property located at **250 E. Hacienda 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: Project Planner: *Daniel Fama, Senior Planner*

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

Chair Dodd asked if there were questions of staff.

Commissioner Rich asked what the full cost of the signal is given this use's fair-share contribution is established as \$75,000.

Planner Daniel Fama said that City Traffic Engineer Matthew Jue can address that.

Matthew Jue, Traffic Engineer:

- Said that the fair-share ratio is based on projected trips from this added use versus existing traffic. In this case, it represents 25 percent of the cost of the signal.

Commissioner Rich said that means the full cost of the signal will be about \$350,000.

Commissioner Hernandez asked when the signal would be constructed.

Matthew Jue replied that it is not currently funded.

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

Jo-Ann Fairbanks, Resident on Hacienda Ave:

- Stated that she is in favor of this project
- Said that it is of great benefit to the community and located in a great spot.
- Concluded that she would like to see it approved.

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

Commissioner Kendall:

- Said that she is also in favor of this project.
- Said that she likes the idea of Kaiser being here in Campbell. They are well thought of.
- Added that the Dell Avenue Area doesn't get a lot of recognition of what it does for our City.
- Reported that many friends use Kaiser and this is a convenient location for Kaiser patients.

Commissioner Rich reported that he had the opportunity to tour the facility about five or six years ago. He agreed it is an excellent location and what they are doing there is impressive and he can support this request.

Chair Dodd said that she is very pleased and in favor of this request.

Motion: **Upon motion of Commissioner Young, seconded by Commissioner Kendall, the Planning Commission adopted Resolution No. 4344 approving a Conditional Use Permit (PLN2016-140) to allow the establishment of a medical services clinic and pharmacy within the Vasona Technology Park (Building 'G') on property located at 250 E. Hacienda Avenue,**

subject to the conditions of approval, by the following roll call vote:

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

NOES: None

ABSENT: None

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. 4 into the record as follows:

4. **PLN2015-274/275** Public Hearing to consider the application of Saul Flores for a Site and Architectural Review Permit (PLN2015-274) to allow the construction of a new office building and a Tree Removal Permit (PLN2015-275) to remove four protected Redwood trees on property located at **95 E. Hamilton Avenue**. Staff is recommending that this item be deemed Categorically Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Cindy McCormick, Senior Planner*

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

Chair Dodd asked for a SARC update.

Commissioner Kendall:

- Reported that SARC discussed trees at length. The arborist said that Trees A, B, C and D would be damaged during construction.

Planner Cindy McCormick said that the proposed replacement Italian Cypress would not grow outward and its roots grow downward.

Commissioner Reynolds:

- Asked if staff had reviewed the desk items.
- Stated that it seems that Ms. Landry knows what she's talking about regarding ADA that is contradictory to staff.

Planner Cindy McCormick advised that ADA issues are usually addressed during Building Plan Check.

Commissioner Rich asked staff if they feel that ADA issues have been adequately addressed.

Planner Cindy McCormick said she would defer to the Project Architect, who is here. She added that the City's Building Official looks at ADA compliance issues as well during plan check for Building Permits.

Commissioner Kendall:

- Pointed out that the owners of this building will be using the building and that several of them use motorcycles.

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

Bishall Dokras, Project Architect:

- Advised that he had received the comments today regarding ADA concerns.
- Added that as a result he rearranged the back area, placed the motorcycle spaces back there and moved two parking spaces to allow for the relocation of the door. They have also enlarged to a nine-foot clearance for the ADA parking spaces.

Director Paul Kermoyan said that if there is a problem with the dumpster enclosure staff will bring it back.

Commissioner Rich:

- Asked Mr. Dokras if they had given any consideration to retaining two of the redwoods located at back parking area.

Bishall Dokras, Project Architect:

- Assured that they tried to keep as many as possible but there is not a lot of clearance to keep them and still meet the required parking.
- Said that this is the best and most efficient way they could come up with.

Saul Flores, Applicant:

- Agreed that it is great to save as many trees as possible.
- Advised that these trees have grown wild. When that happens they create large raised trunk area that would create problems in getting a flat parking area and pad.
- Said he is willing to accept another species of tree if that is recommended. They have no problem changing their landscaping choices.

Susan Landry, Resident on Curtner Ave:

- Explained that she is a Landscape Architect.
- Advised that several residents had contacted her with their concerns about the proposed removal of large redwood trees from this site.
- Added that once she looked at plans she kept finding things to comment on including ADA issues.
- Stated that these redwood trees are more important than parking space depth.
- Said that she thinks that these trees can be saved and that any concerns about roots can be addressed.
- Recommended that the Commission not approve this project as it stands but rather continue it to a future meeting to allow this applicant to redesign for tree placement.

Commissioner Kendall asked which neighbors expressed concern. To the back? To one side?

Susan Landry said that it was Campbell residents but not neighbors to the site. These are people in the community that are concerned about trees coming down. These are big prominent trees. This is an overall concern for the whole City.

Audrey Kiehtreiber, Resident on Walnut:

- Said that she is the President of STACC (San Tomas Area Community Coalition).
- Advised that she was contacted by STAAC members with their concerns about this project.
- Stated that in general, this project's design is appropriate for a commercial use.
- Reported that she heard from some people who were required to retain existing trees and design around them. They complained about that.
- Suggested that there is some concern that the same care is not always applied to commercial sites such as this.
- Said that she doesn't see a need for eight motorcycle parking spaces.
- Said that this project needs to go back and make changes so it should either be denied outright or continued for redesign.

Ali Albazani, Project Civil Engineer:

- Reported that they have switched from just partial use of pervious pavers to full use of pervious pavers. That means the drain pipes are no longer required beneath the area in which they propose to place the Italian Cypress trees.
- Added that the handicapped access issue has been fixed.

Jo-Ann Fairbanks, Resident on Hacienda Ave:

- Showed photographs of redwoods on other commercial properties in Campbell.
- Pointed out that they can thrive without impacting office buildings and parking provision.
- Supported the recommendation for redesign.
- Reminded that the General Plan charges us with the protection of mature trees. They have aesthetic value as well as helping to improve our air quality.
- Assured that protecting trees and building buildings are not mutually exclusive goals.
- Suggested sending this back for redesign in a way that protects the trees on site.
- Advised that SARC had attempted to guide the applicant in a way that allowed the trees to be preserved.

Bishall Dokras, Project Architect:

- Thanked everyone for their comments
- Agreed that there are valid ways to address issues.
- Added that they considered a few iterations of their plan to preserve trees.
- Stated that the ADA issues are a valid concern including the use of paving that makes sure everything is level. They are trying to be flexible.

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

Commissioner Reynolds:

- Said that it seems that ADA issues are usually ironed out through Building's plan check and permitting process.
- Stated that with a previous project considered this evening. three houses are being constructed on what was previously one lot. These houses were designed around the lot. However, in this case, the lot is being designed around the building.
- Said that he believes there are ways to preserve these trees. These trees may be suffering because of a lack of care. Once the site is developed, these trees could come back.
- Recounted that he learned from former Commissioner Bob Roseberry how redwoods do well in a grove-like setting.
- Suggested that the structure be designed around the lot.
- Said that Susan Landry has raised good points. We will regret it if we let these trees be cut down.
- Supported a continuance to allow the project architect to make changes.
- Added that he would be okay with reducing the number of motorcycle spaces.

Commissioner Young:

- Said that SARC considered a proposal for an empty plot of land that is adjacent to residential properties. There are challenges when placing commercial adjacent to residential uses.
- Said that Finding 9 may not be applicable since construction can harm existing trees if their drip line is disturbed during construction.
- Perhaps a reduction in parking can be considered if that could help in the retention of these trees.

Commissioner Hernandez:

- Said that this lot has been empty for a long time.
- Added that she thinks the loss of trees is troubling. Some have been lost due to drought and potentially here in this case to accommodate a new building.
- Questioned whether this can be considered a complete project that is presently here in front of the Planning Commission.
- Admitted to being uncomfortable and wants to be sure of what she is approving.
- Said that eight motorcycle spaces may be a bit much for such a small project site.
- Opined that the proposed replacement with Italian Cypress is not on the same playing field as the redwoods proposed for removal.
- Added that the replacement trees must be something that is more in line with what we are losing if these redwood trees are removed.

Commissioner Kendall:

- Agreed with Commissioner Hernandez.
- Said that it seems per the report that Tree D cannot be saved as it is right in the center of things.
- Added that if sending this back for redesign she would not insist that Trees C or D be saved.

Commissioner Rich:

- Also agreed with Commissioner Hernandez.
- Added that he'd like to see two proposals. One would include saving the trees and the other with proposed parking modifications. Let the Commission look at both options.

Director Paul Kermoyan:

- Pointed out that the trees shown by Ms. Fairbanks were planted at the time the buildings on site were constructed. As such, they adapt to the site.
- Said that this site has existing trees.
- Agreed that it is possible to work around trees.
- Suggested more than a two-week delay to allow for another Arborist Report to be prepared to determine the potential impacts of parking around these trees.
- Advised that the Coastal Redwood is not native to this Valley.
- Encouraged the Planning Commission that in order for the trees to be saved an arborist be asked to advise how to create the parking lot in a manner that does not harm those existing trees.

Commissioner Young

- Referenced Finding 4, impact on surrounding area.
- Suggested a directed approach if this item is to be continued.
- Stressed the need to indicate what the Commission is asking for specifically in the motion for a continuance.

Chair Dodd:

- Said she is hearing interest in having more information about the trees.
- Reminded that the arborist report indicates one tree in good condition and others in fair condition but with signs of stress from the drought.
- Added that the "stress" will not "decrease" with construction occurring on site.
- Said it is important to determine what impacts and odds of survival there are for these trees.
- Stated that the arborist's recommendation was for removal of four and retention of two.

Commissioner Young suggested that an arborist consider if there are mitigations they can recommend.

Commissioner Rich said he would like to see this project with a parking exception.

Director Paul Kermoyan:

- Asked staff who had commissioned the original arborist report and was advised that the applicant had.
- Suggested that the Commission could request a separate independent arborist report overseen by the City.
- Reminded that this lot is vacant and these trees have adapted to this environment.
- Added that Coastal Redwoods generally prefer a wet environment.

Chair Dodd said that she didn't want to create a situation that is dangerous with construction.

Director Paul Kermoyan said that the potential for dropping limbs could be a good question to ask of an evaluating arborist.

Commissioner Kendall asked Director Paul Kermoyan if the Coastal Redwood is protected under the City's Tree Ordinance.

Director Paul Kermoyan replied yes they are since they are native to California.

Commissioner Reynolds said that who hired the arborist makes a big difference. He is looking for an arborist report that comes back with ways to save these trees. He'd like to protect these trees while allowing this applicant to build a building on site.

Chair Dodd suggested someone put forth a motion for a continuance.

Director Paul Kermoyan suggested that a continuance be made to a date uncertain to allow an arborist to conduct a focused review that considers retention techniques.

Motion: Upon motion of Commissioner Reynolds, seconded by Commissioner Hernandez, the Planning Commission CONTINUED TO A DATE UNCERTAIN the consideration of a Site and Architectural Review Permit (PLN2015-274) to allow the construction of a new office building and a Tree Removal Permit (PLN2015-275) to remove four protected Redwood trees on property located at 95 E. Hamilton Avenue. (6-0)

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

Director Paul Kermoyan provided the following additions to his written report:

- Advised that Commissioner Bonhagen has resigned from the Planning Commission.
- Reported that a new Bill was recently adopted that provides regulations for Secondary Dwelling Units. The City of Campbell needs to act before January 1st to be compliant.
- Said that staff is looking at November 14th for a special PC meeting to consider these changes.
- Asked Commissioners to let staff know if that day works with their respective calendars.
- Reported that he and Chair Dodd and Commissioner Young have just returned from the California APA Conference held in Pasadena. It was a great program offering excellent continuing education.

Chair Dodd reported that out of the 13 sessions offered, she attended 12. She found out a lot about Density Bonus as well as how to engage different parts of the

community. She said she thoroughly enjoyed this conference. She has attended the League of California Cities Conference in the past but preferred this conference. She said that members of Council would benefit as well.

Commissioner Young reported that he learned that San Diego is stricter about their Commissioners' operation. They cannot make site visits and cannot communicate with parties appearing before their Commission outside of the public hearings. He also learned gentrification issues. He went to all 13 sessions offered.

Director Paul Kermoyan advised that next year's CalAPA Conference will be held in Sacramento. He will budget for three members of the Commission to be able to attend.

ADJOURNMENT

The Planning Commission meeting adjourned at 10:05 p.m. to the next Regular Planning Commission Meeting of **November 22, 2016** (the Regular Meeting of November 8, 2016 has been cancelled).

SUBMITTED BY: _____

Corinne Shinn, Recording Secretary

APPROVED BY: _____

Cynthia Dodd, Chair

ATTEST: _____

Paul Kermoyan, Secretary