

CITY OF CAMPBELL PLANNING COMMISSION
SPECIAL MEETING

MINUTES

7:30 P.M.

TUESDAY

NOVEMBER 17, 2016
CITY HALL COUNCIL CHAMBERS

The Planning Commission Special meeting of November 17, 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:	Michael L. Rich
	Commissioner:	Donald C. Young
Commissioners Absent:	Commissioner:	Philip C. Reynolds, Jr.
Staff Present:	Community Development	
	Director:	Paul Kermoyan
	Senior Planner:	Daniel Fama
	Acting City Attorney:	Heather Lenheart
	Recording Secretary:	Corinne Shinn

APPROVAL OF MINUTES

Motion: Upon motion by Commissioner Young, seconded by Commissioner Hernandez, the Planning Commission minutes of the meeting of October 25, 2016, were approved as submitted. (5-0-1; Commissioner Reynolds was absent)

COMMUNICATIONS

None

AGENDA MODIFICATIONS OR POSTPONEMENTS

None

ORAL REQUESTS

None

PUBLIC HEARINGS

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

1. **PLN2016-320,321** Public Hearing to consider the application of Martin East Coast Pizzeria, Inc., for a Conditional Use Permit (PLN2016-320) and a Modification (PLN2016-321) to a previously-approved Administrative Planned Development Permit (PLN2006-71) to allow beer and wine service ("liquor establishment") in conjunction with an existing restaurant (Sal's Pizza) on property located at **533 E. 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: Daniel Fama, Senior Planner

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

Chair Dodd asked if there were questions of staff.

Commissioner Kendall asked if this business is located within the same center as the pending Steak n'Shake and whether there would be alcohol service at Steak n'Shake.

Planner Daniel Fama replied that yes, it is within the same center, and no, Steak n'Shake does not have alcohol service.

Commissioner Hernandez asked if there would be an actual "sit-down bar" within this pizza establishment and whether they would be adding televisions to the restaurant.

Planner Daniel Fama replied that there is no actual bar (or bar height seating) and he was unsure on the plan for adding televisions but the applicant would be able to respond to that question.

Director Paul Kermoyan referenced Condition 3-C that stipulates that the furnishings are to be of standard height.

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

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

Commissioner Kendall:

- Said that she is in favor of this request generally. It is a good idea.
- Pointed out that it is just outside of the core Downtown Area. There are no other places serving beer and wine in the immediate vicinity.
- Added that there are a limited number of seats within this establishment and that families patronize the location.
- Concluded that adding beer and wine service with pizza is a low risk activity.

Commissioner Rich:

- Said he has similar reactions and is supportive.
- Stated that people often like to have a beer or some wine with their pizza.

Commissioner Hernandez:

- Advised that Jalisco's, which is right next door to this pizza restaurant, has general alcohol sales. She can attest as she has enjoyed a margarita there with her meal in the past.
- Added that her only question is the sufficiency of parking on site especially once Steak n'Shake opens.
- Concluded that she is generally in favor of this request.

Chair Dodd:

- Said that she appreciates the comments provided by Commissioners Kendall and Hernandez.
- Agreed that a possible impact on parking when Steak n'Shake opens is of concern.

Motion: Upon motion of Commissioner Rich, seconded by Commissioner Kendall, the Planning Commission adopted Resolution No. 4345 approving a Conditional Use Permit (PLN2016-320) and a Modification (PLN2016-321) to a previously-approved Administrative Planned Development Permit (PLN2006-71) to allow beer and wine service ("liquor establishment") in conjunction with an existing restaurant (Sal's Pizza) on property located at 533 E. Campbell Avenue., by the following roll call vote:

AYES: Dodd, Hernandez, Kendall, Rich and Young

NOES: None

ABSENT: Reynolds

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. **PLN2016-335** Public Hearing to consider a City-initiated Zoning Code Amendment (PLN2016-335) to replace Campbell Municipal Code Section 21.36.200 (Secondary dwelling units) with new Chapter 21.23 (Accessory Dwelling Units) and to amend various other sections of the Campbell Municipal Code to achieve consistency with California Senate Bill 1069 and Assembly Bill 2299 pertaining to the construction of accessory dwelling units. Staff is recommending that this item be deemed Categorical Exempt under CEQA. Tentative City Council Meeting Date: December 6, 2016. Project Planner: Daniel Fama, Senior Planner

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

Director Paul Kermoyan clarified that an internal ADU would not require fire sprinklers. He asked Planner Daniel Fama if they would be needed if there were to be a completely remodeled residence with an internal ADU.

Planner Daniel Fama replied yes.

Commissioner Rich asked if there is a minimum size for the ADU.

Planner Daniel Fama said that it is possible to go smaller than the stated 700 square feet.

Commissioner Rich asked about detached garages that cannot be altered even by adding a second floor.

Planner Daniel Fama replied correct.

Commissioner Young:

- Said that with the relaxed parking requirement it seems that people could end up parked along the street.
- Asked if the sprinkler requirements for ADU's are aligned with Fire Codes?
- Asked why short term rental of ADU's are excluded?

Planner Daniel Fama explained that the intent of this change is to help provide permanent housing stock. A short-term rental is not housing stock.

Commissioner Young asked about reducing the minimum lot size to accommodate ADU's.

Planner Daniel Fama reported that Council considered that issue when the most recent Housing Element was prepared. They considered reducing the lot size from 10,000 to 8,000 square feet. They decided against that proposal.

Director Paul Kermoyan said that the City had previously reduced the minimum lot size from 12,000 to 10,000 square feet when the State changed ADU review processing from a Conditional Use Permit process to a ministerial process through building review and permits.

Commissioner Young asked about the reference to public improvements.

Planner Daniel Fama explained that the legislations intent is that ADU's are not separate dwellings but rather ancillary use on a residential property.

Commissioner Rich asked staff to clarify the minimum lot size. Is it a State requirement or a City requirement?

Planner Daniel Fama said the minimum lot size is a City requirement. Again, it was 12,000 square feet before being reduced to 10,000 square feet minimum lot size in about 2001 when the General Plan was last updated.

Commissioner Kendall verified with staff that this doesn't change building standards.

Planner Daniel Fama assured that SDU's must still meet all Code requirements.

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

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

Commissioner Young:

- Said that with this legislation the State is easing regulatory burdens on ADU's.
- Stated that the findings are aligned.
- Concluded that there is no reason to scrutinize any further.

Commissioner Rich:

- Said that he concurs.
- Concluded that he is in favor "as is".

Commissioner Kendall:

- Agreed.

Motion: Upon motion of Commissioner Kendall, seconded by Commissioner Rich, the Planning Commission adopted Resolution No. 4346 recommending that the City Council adopt a Zoning Code Amendment (PLN2016-335) to replace Campbell Municipal Code Section 21.36.200 (Secondary dwelling units) with new Chapter 21.23 (Accessory Dwelling Units) and to amend various other sections of the Campbell Municipal Code to achieve consistency with California Senate Bill 1069 and Assembly Bill 2299 pertaining to the construction of accessory dwelling units, by the following roll call vote:

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

Chair Dodd advised that this item would be considered by the City Council at its meeting on December 6, 2016.

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

Director Paul Kermoyan added to his written report as follows:

- Said that he appreciated the Commissioners' flexibility in scheduling this special meeting on a Thursday evening.
- Reported that the next meeting would include five items and a study session on a proposed seven-lot subdivision.

ADJOURNMENT

The Planning Commission meeting adjourned at 8 p.m. to the next Regular Planning Commission Meeting of **November 22, 2016**.

SUBMITTED BY: _____
Corinne Shinn, Recording Secretary

APPROVED BY: _____
Cynthia Dodd, Chair

ATTEST: _____
Paul Kermoyan, Secretary