

CITY OF CAMPBELL PLANNING COMMISSION  
MINUTES

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7:30 P.M.

TUESDAY

JUNE 22, 2021  
REMOTE ON-LINE ZOOM MEETING

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The Planning Commission meeting on June 22, 2021, was called to order at 7:30 p.m. by Acting Chair Ching and the following proceedings were had, to wit:

**ROLL CALL**

Commissioners Present: Chair: Maggie Ostrowski  
Vice Chair: Stuart Ching  
Commissioner: Adam Buchbinder  
Commissioner: Nick Colvill  
Commissioner: Michael Krey  
Commissioner: Andrew Rivlin  
Commissioner: Alan Zisser

Commissioners Absent: None

Staff Present: Community Development  
Director: Rob Eastwood  
Senior Planner: Daniel Fama  
Senior Planner: Stephen Rose  
City Attorney: William Seligmann  
Recording Secretary: Corinne Shinn

**APPROVAL OF MINUTES**

**Motion: Upon motion by Commissioner Buchbinder, seconded by Commissioner Zisser, the Planning Commission minutes of the meeting of June 8, 2021, were approved with a correction to attribute the comments at the bottom of Page 6 to Chief Gary Berg rather than Commissioner Krey. (6-0-0-1; Chair Ostrowski abstained)**

**COMMUNICATIONS**

None

**AGENDA MODIFICATIONS OR POSTPONEMENTS**

None

**ORAL REQUESTS**

None

**COMMISSION DISCLOSURES**

Chair Ostrowski asked the Commission if there were any disclosures for items on tonight's meeting agenda.

There were none.

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**PUBLIC HEARINGS**

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

1. **PLN-2021-60** Public Hearing to consider the Application (PLN-2021-60) of Boulder Associate Architects for a Minor Modification to a previously approved Planned Development Permit (PD 82-04) to allow establishment of an Ambulatory Surgical Center ("medical services, clinic") with "late-night activities" (operational hours of 5:00 AM to 8:00 PM, daily), within an existing approximately 24,000 square-foot commercial building, including associated site alterations and minor architectural improvements; and a Parking Modification Permit to allow a reduction to the required number of parking stalls, for property located at **2605 S Winchester Boulevard**. 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, provided the staff report.

Chair Ostrowski asked if there were any questions for staff.

Commissioner Krey asked if there is just one tenant for the site.

Planner Daniel Fama replied yes.

Commissioner Krey asked why the Santa Barbara traffic comparison data was chosen.

Planner Daniel Fama replied that it was a comparable type of ambulatory surgery use as the applicant is proposing here. The applicant can expand on that. Commissioner Krey asked about a new utility pole.

Planner Daniel Fama clarified that the need for a new utility pole applies to the next item on tonight's agenda.

Vice Chair Ching provided the Site and Architectural Review Committee report as follows:

- SARC was supportive of this request.
- Added that SARC found that the proposed parking provision is sufficient to serve the proposed use.
- Reported that the project also includes internal bike storage.
- Explained that there was a neighbor concern raised regarding potential for noise impacts. The standard conditions on noise management are included for this use.

Commissioner Zisser asked how many staff members will be on site. When is staffing factored in in terms of parking provision?

Planner Daniel Fama:

- Advised that parking studies are done in different ways.
- Said that the number of operating/surgical rooms considers the associated staff in terms of parking.
- Pointed out that the parking information from Santa Barbara is not a City-provided study but rather was provided by the applicant.
- Stated that the parking study needs to be accepted by the Planning Commission. The PC can require the provision of an independent study if they are not satisfied with this information. Upon completion, it would be brought back.

Commissioner Buchbinder asked if there are any other such ambulatory surgical centers in Campbell. Why is there no specific parking standard for such a use?

Planner Daniel Fama:

- Replied he was not aware of any other such facility.
- Added that this use was evaluated under the general medical category but recognizing it did have a different parking demand.
- Explained that the Parking Modification Permit process allows the PC to recognize if/when standard parking requirements are excessive.

Commissioner Zisser:

- Reported that several years ago he had a procedure done at a similar ambulatory surgical center located at Bascom and Mozart.
- Said that 96 spaces versus 120 is a big number.
- Added that he hopes the owner will be able to shed some light on that concern.

Commissioner Buchbinder added that the Campbell Surgery Center is located at 3425 S. Bascom Avenue.

Planner Daniel Fama said that part of Campbell was incorporated/annexed in 2006. The use that predates 2006 would have been approved by the County prior to it coming into Campbell.

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

Kelly Snider, Project Representative:

- Stated that she is here with Rob Gamperl and his team who are available for any questions.
- Advised that there are examples of other such facilities including 3803 S. Bascom, two additional facilities located just outside of Campbell city limits, which are at 14601 S. Bascom Avenue and 15195 National Avenue in Los Gatos.
- Said that those have 3.7 parking spaces per 1,000 square feet of space.
- Added this proposed project has 4 parking spaces per 1,000 square feet of space, which is more than the others have.
- Said she would defer any additional comments about parking to Mr. Gamperl.

Rob Gamperl, Applicant:

- Stated that Planner Daniel Fama did a great job introducing this project to the Commission.
- Said he'd like to clarify what an ASC (Ambulatory Surgical Center) "is" and "is not."
- Stated that comments by Leila Dibble have been received pertaining to noise impact concerns.
- Assured that an ASC is a non-emergency facility. Thus, there will be no ambulances arriving with sirens blaring.
- Stated that it is an appointment-only facility. He showed the site plan and pointed out that there will be five "enclosed" parking for bicycles.

Chair Ostrowski asked if there were any Commission questions for the applicant.

There were none.

Commissioner Buchbinder said his questions were answered at SARC.

Leila Dibble, Resident:

- Said that currently lighting on site shines into her home.
- Asked if there is any way to negotiate a shield of those lights or reduction.
- Added that she still has noise concerns. While, she realizes there will be no ambulances arriving using sirens, currently employees on this property hang out in the parking lot to smoke and talk loudly. There is noise associated with that activity.
- Pointed out that gardeners are on the property at 7 a.m. utilizing blowers.

Rob Gamperl, Applicant:

- Added that the existing tenant on the property will be vacating the site so it can be transferred into an ambulatory surgical center.
- Assured that they can address the lighting concerns. They are proposing a full cut-off fixture, so no overflow of light impacts the adjacent properties.

- Stated they his team will work with City staff in meeting the Code requirements.

Leila Dibble thanked Rob Gamperl very much for those assurances.

Chair Ostrowski said that in the past, downlights have been required and stuff like that.

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

Commissioner Krey:

- Stated that parking seems not to be a problem. He added that the City's current parking standards are "out of whack."
- Reiterated that for this use, enough parking is provided to support it.
- Concluded that the project is fine, and he has no issues.

Commissioner Rivlin:

- Stated his appreciation for the applicant's focus on parking and use.
- Said that this use will be compatible with the area.

Commissioner Zisser:

- Said that he appreciates the additional local parking data provided by the applicant team this evening. It makes sense.
- Admitted he is glad to hear that the proposed parking provision is in line with similar local facilities.
- Opined that this is an excellent location for an ASC (ambulatory surgical center). It fits in with Campbell where there are a lot of medically related uses including Kaiser just down the street.
- Concluded that he both likes and can support this proposal.

Commissioner Buchbinder:

- Stated his concurrence with the other Commissioners' comments.
- Added that he appreciates the applicant's justification of its proposed parking.
- Pointed out that a Parking Modification Permit is intended for extraordinary circumstances. In this circumstance, the City does not yet have a current specific parking standard for this particular use.

**Motion:**            **Upon motion of Vice Chair Ching, seconded by Commissioner Zisser, the Planning Commission adopted Resolution No. 4613 approving a Minor Modification to a previously approved Planned Development Permit (PD 82-04) to allow establishment of an Ambulatory Surgical Center ("medical services, clinic") with "late-night activities" (operational hours of 5:00 AM to 8:00 PM, daily), within an existing approximately 24,000 square-foot commercial building, including associated site alterations and minor architectural improvements; and a Parking Modification Permit to allow a reduction to the required number of parking stalls, for property located at 2605 S Winchester Boulevard, by the following roll call vote:**

**AYES:** Buchbinder, Ching, Colvill, Krey, Ostrowski, Rivlin, and Zisser  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

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

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

2. **PLN2019-39** Public Hearing to consider the application (PLN2019-39) of Gordon Wong of GKW Architects for a Planned Development Permit to allow the construction of an approximately 50-foot tall mixed-use building (15 apartment units and 2,106 square feet of ground floor commercial space) with at-grade and underground parking and associated site improvements, a Tentative Parcel Map to allow the merger of two parcels, dedication of additional public right-of-way and new public utility easements, and the abandonment of existing public utility easements, a Tree Removal Permit to allow the removal of ten (10) on-site trees, a Density Bonus to allow a reduction in required parking, and a Variance to allow the placement of a new utility pole, for property located at **2575 & 2585 S. Winchester Boulevard**. Staff is recommending that this item be deemed Categorically Exempt under CEQA. This item will be considered by the City Council for final action tentatively at its meeting of August 17, 2021. Project Planner: *Stephen Rose, Senior Planner*

Mr. Stephen Rose, Senior Planner, provided the staff report.

Chair Ostrowski asked if there were any questions for staff.

Commissioner Rivlin asked where to find the condition of approval requiring the median extension and whether Public Works would be installing it.

Planner Stephen Rose replied that while Public Works reviews and approves the plans for the median and oversees the construction and indicated the condition of approval requiring installation may be found in the draft resolution recommending approval of a Tentative Parcel Map.

Commissioner Rivlin asked staff to verify that the Variance is required solely to allow for the installation of a new power pole to serve this site. New utility poles are not allowed without issuance of a Variance.

Planner Stephen Rose replied correct.

Commissioner Krey said staff provided a “heck of a report”. He added that staff and the applicants have been working on this project for two years now. Changes have been made to the proposal based upon SARC recommendations and the City’s contracted architectural advisor’s report. Asked if there were any outstanding issues.

Planner Stephen Rose:

- Said that the architect has touched on each point raised.
- Stated that the advisor’s recommendations include bumping out portions of the building.
- Advised that the SARC, rather than follow the advisor’s recommendation, suggested the inclusion of some additional ornamentation of the building instead, including wrought iron details such as the Juliet balconies that have been incorporated.

Commissioner Krey:

- Stated that the architectural advisor prepared a great report.
- Asked about the recommendation for the removal of a couple of parking spaces. Was that addressed?

Vice Chair Ching provided the Site and Architectural Review Committee report as follows:

- Reported that SARC spent an hour going over this project.
- Added that the City’s consulting architect gave good input.
- Said that the 3-D rendering was provided.
- Stated that while there were some initial concerns, this project represents an interesting, imaginative, and sensitive development.
- Stressed the designer has created a sensitive design and was responsive to SARC.

Commissioner Krey said that while this site is not included within the Winchester Boulevard Master Plan and is far from the Downtown/Central Campbell Plan, he asks whether any consideration had been made to having no retail included on the ground floor.

Planner Stephen Rose:

- Said that the extent of such comment was the removal of one just one space not the two recommended for the creation of a trash enclosure on the ground floor.
- Clarified that the former Director determined that the General Plan Land Use Designation requires a mixed-use development.
- Indicated that the applicant originally applied just for a residential development.
- Advised that staff made them change that to a mixed-use development.
- Admitted that is one reason why this project took a couple of years.
- Reported that four of the ten trees for removal are greater than 12-inches in diameter and considered protected.
- Said that there are two thresholds, when determining tree preservation. The other applies to single-family properties proposing the removal of one is the four protected tree species, which are Cedar, Ash, Oak and Redwood. Indicated no such trees occur on the property.
- Concluded that all existing 10 trees on site will be removed. Four new trees will be planted on site.

Commissioner Krey asked the purpose of the proposed curb return between Winchester and Friar Way.

Planner Stephen Rose explained that it is a red stripe, east of the new driveway on Friar into the project site. It is to help maintain the line of sight of vehicles and pedestrians.

Commissioner Krey:

- Verified with staff that there are two driveways accessing this project site. One from Winchester and the other from Friar Way.
- Asked if it might be better if all access was from Friar.
- Added that he understands that as currently designed the two driveways lead to separate parking areas.

Planner Stephen Rose:

- Responded one reason is the site constraints requiring both underground and ground parking.
- Added that the site is designed for maximum efficiency.
- Explained that the underground parking is for the provision of residential parking.
- Said that the commercial parking would be at grade and off Friar.

Chair Ostrowski asked if more trees on site would have been protected were this property zoned residential rather than mixed-use.

Planner Stephen Rose responded that none of the trees are of a protected species. They are however protected by virtue of being part of this proposed planned development.

Chair Ostrowski asked about the rooftop trees when comparing the original submittal to the updated design.

Planner Stephen Rose said that there are planter boxes proposed on the upper walkways at rear of property. They will not be trees but rather plants. He added that there is a 3-D video rendering available. Would the Commission like to see it?

Chair Ostrowski replied yes let's see it.

Planner Stephen Rose played the 3-D video for the Commission.

Commissioner Zisser:

- Said that it seems there is a three-bedroom unit but in looking at the plans he can't find a three-bedroom.
- Asked if Unit 6 is the three-bedroom unit. It looks like a two-bedroom.

Planner Stephen Rose offered to show the plans to help identify the three-bedroom unit for the Commission.

Commissioner Zisser:

- Questioned the proposed six-foot high fence at the back (west) of the project.

- Asked if that height is a required standard.
- Inquired what decides for a six-foot high fence rather than a higher fence.

Planner Stephen Rose:

- Replied that it is up to the Planning Commission to discuss that issue tonight.
- Said the six-foot fence meets City standards.
- Added that for a mixed-use development such as this one, a commercial/mixed-use development could result in additional noise or activity for which a taller fence could be supported.
- Reported that there is a masonry wall to separate this site from the adjacent auto repair center site. The wood fence separates a single-family residence from the project.

Commissioner Zisser asked the standard height for fencing and walls.

Planner Stephen Rose:

- Replied six-feet tall.
- Advised that the Commission can choose to increase the wood fence height tonight or request a masonry wall without the need for additional advertising.
- Concluded that six-foot is the standard.

Commissioner Zisser:

- Questioned the size of the studio units.
- Said that three units are under 300 square feet, actually just 265 and 261 square feet.
- Opined that is a really small living space.
- Reported that he conducted a Google search of studios and found that they typically run between 400 and 600 square feet. The average is 500 square feet or so.
- Said this is more than minimum. It's smaller than what is commonly found.
- Admitted that he would like to hear from the developer on the reason for such small studio units.

Planner Stephen Rose:

- Indicated General Plan policy encourages a mix of housing types and that small units may be considered affordable by design.
- Added that it is important to have a variety of units, but he would defer to the applicant for a response.

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

Gordon Wong, Applicant and Project Architect:

- Introduced himself as the project's architect.
- Added that he is available for any questions.
- Explained that Unit 6 is the three-bedroom unit.
- Stated that use of a wood fence is a good match between the project and the adjacent single-family residence. The wood fence constructed would be of a denser construction design to help achieve screening and privacy between the two properties.
- Discussed the studios in relation to the size of ADUs (accessory dwelling units) and JADUs (junior accessory dwelling units).

- Explained that smaller units are being requested. With smaller kitchens.
- Pointed out that one population looking for small scale housing includes people who are working a temporary contract job. Perhaps just for a year or so.
- Assured that smaller units are quite successful.
- Advised that he has a 250-square-foot JADU on one of his properties. It can be quite nice if staged and furnished well.
- Admitted that it would be important for the HOA to ensure that occupants of such a small unit don't overstock/overfill that small unit in a way that would be dangerous in terms of emergency exiting.
- Reiterated that the separation between the car repair center and this project is a masonry wall.
- Credited his wife, Jenny Wong, with creating the 3-D rendering of this project.

Chair Ostrowski:

- Stated Jenny did a nice job with that 3-D rendering of the project.
- Suggested that it might be a good idea to require such 3-D renderings with future projects as it really helps us to review projects such as this one.
- Questioned the intentions for the planter boxes depicted on the plans.

Planner Stephen Rose clarified that if the plantings appear on the approved plans, those would have to be built to plan. He suggested adding to the conditions the requirement that those planters be provided as depicted.

Gordon Wong, Applicant and Project Architect, said it seems he would have to add them to the project.

Chair Ostrowski said what is depicted on the plans in those planters are taller trees rather than shrubs or plants.

Gordon Wong, Applicant and Project Architect said just the top floor and one level lower would be accessible for HOA maintenance of those planter boxes. The lowest level has planters in a space that is private yard space accessed only through the unit(s) themselves by their owners.

Commissioner Rivlin asked Architect Gordon Wong why the private patio space could not be constructed to the depth of the open framed area currently beyond it.

Gordon Wong relied so as not to have views into the adjacent single-family residential neighbor's yard and property.

Commissioner Rivlin asked Mr. Wong if there is a reason the solar panels are not included on the west-facing roofing.

Gordon Wong advised that their solar company said it is enough as designed to serve the whole building.

Commissioner Rivlin suggested Mr. Wong be sure that the solar system is sized properly.

Chair Ostrowski:

- Clarified that if owners chose to use the planters for a garden (vegetable or herbs) they would be responsible for the watering and maintenance of that planter.
- Compared that if the planter is planted with a tree or shrub, the HOA would maintain and water. Which is correct?

Planner Stephen Rose:

- Reiterated that the upper two levels are easily accessible for HOA maintenance. The lowest rung is only reached by going through the residential unit(s) they serve as private outdoor space.
- Suggested that one option, which has been done before, is to installed silk plants in the planters not publicly accessible. They are low maintenance and have been demonstrated to work on other project sites such as the parking garage at 675 Creekside Way.

Commissioner Buchbinder asked Architect Gordon Wong why the project didn't take advantage of the density bonus opportunities available.

Gordon Wong:

- Replied that they tried three or four massing studies for higher density with bonus(es).
- Reported that the biggest issues are parking and daylight plain.
- Said that if the density is increased, the roofline comes up substantially.

Commissioner Buchbinder asked how much parking is sought. He pointed out that with pending legislation it is likely that State law will reduce mandatory parking standards for such developments.

Planner Stephen Rose clarified that the parking for the residential component of this mixed-use development meets the minimum State-level parking standard. The most permissive standards that the State currently provides for.

Gordon Wong:

- Said that the residential parking required is 14 and they provide 18.
- Added that the commercial parking required is 24 and they provide 34. *(Editorial Comment: They are required to provide 10 commercial parking spaces and they provide 10. The project also provides six (6) additional shared parking spaces.*

Commissioner Buchbinder:

- Asked Mr. Wong, if there were no parking requirement, how many spaces would he suggest for this project.

Gordon Wong:

- Replied he would prefer less parking and more commercial space.
- Said that multiple requirements have shrunk the commercial elements.
- Added he would prefer more greenspace on the property, but maintenance may not be feasible.

Chair Ostrowski asked about the possibility of having irrigation with a timer for watering the planters.

Gordon Wong:

- Said it might be most difficult part to maintain.
- Cautioned that if the irrigation leaks it could cause damage to one or more units.

Chair Ostrowski said it seems the planters would have to be hand watered.

Gordon Wong said it is his experience that ADU tenants want vegetable gardens.

Chair Ostrowski:

- Said it seems any planters would have to be self-planted and maintained.
- Pointed out that there isn't any separation of the private space that is to serve as rear yards on the lowest residential floor.

Gordon Wong said they will be divided by lattice or some other sort of divider.

Commissioner Zisser said as currently depicted on the plans it seemed to be intended as a common space and not a private space.

Gordon Wong assured the Commission that that separation of space will be in there.

Commissioner Krey:

- Applauded the architect for the provision of the 3-D rendering.
- Stated his support for making such a rendering a requirement.
- Pointed out that the retail space totals 2,100 square feet in three tenant retail spaces.
- Asked if this area is a good location for ground floor retail.

Gordon Wong replied yes. He advised that a barbershop has inquired. It would also be a good location for a coffee shop or some other uses not requiring a grease trap.

Commissioner Krey said it seems only three new on-site trees are included.

Gordon Wong said there would be four trees including an Italian Cypress as the fourth.

Commissioner Buchbinder asked if it is possible to extend the floor. Is that reasonable?

Gordon Wong:

- Said that they are already right up on that setback line.
- Said that three units get the advantage of private outside space that is located right outside their dining/kitchen areas.

Planner Stephen Rose:

- Clarified that this P-D zone doesn't have specified setbacks.
- Added that if necessary, the proposed setbacks can be changed. The wall could be brought to the north.

- Advised that one unit is a BMR (below market rate). Perhaps they can reduce size or number of bedrooms.

Commissioner Buchbinder said he is hesitant to reduce living space.

Planner Stephen Rose agreed.

Commissioner Buchbinder clarified with Planner Stephen Rose that there is no set setback standard for P-D zoning.

Planner Stephen Rose:

- Replied yes
- Added that change could be made.
- Said expanding the project could occur
- Stated the PC could condition the change to the project requiring a wider second floor hallway to the satisfaction of the Community Development Director. In time to be ready for City Council in August.

Chair Ostrowski asked what shared benefit it would be if the planters are to serve as garden boxes only.

Gordon Wong said changes would have an impact on the utility easement and view of that corner.

Planner Stephen Rose said that's a fair consideration.

Gordon Wong:

- Cautioned that the view triangle could be made worse by widening the building.
- Pointed out that it is common to have different amenities.
- Stated that he wants to achieve the shortest way to egress the site possible.
- Said this is a tongue-twister of a building and site.

Commissioner Rivlin asked staff if the planters are required.

Planner Stephen Rose replied no.

Commissioner Rivlin asked how the trash collection works.

Gordon Wong:

- Explained that there are two sets of stairs and an elevator. One for residents and one for commercial.
- Added that the closest to Friar Way entrance is the easiest access per West Valley Collection and Recycling.
- Said that stair 2 is close to the residential trash enclosure.

Commissioner Zisser said the back balconies have sight lines into the neighbor's backyard.

Gordon Wong said there is a good amount of distance as currently designed to reduce that potential impact. It is a 28-foot distance.

Commissioner Zisser said he wished there had been more input by the existing adjacent residences, particularly the immediately adjacent residence.

Gordon Wong said he has spoken with all neighbors several times.

Planner Stephen Rose added that the project was publicly noticed three different times.

Commissioner Zisser asked if there could be plants against the exterior walls.

Gordon Wong replied yes.

Commissioner Buchbinder asked Mr. Wong why this project took so long.

Gordon Wong:

- Said their initial live-work project proposed for the site was not recommended at the time. They had proposed a large residential project with a courtyard in the middle, but the adjacent owner did not have positive feedback on that option.
- Stated that this is the fourth attempt. The bottom (ground) floor had to match the Winchester Boulevard Master Plan standards for commercial uses.
- Reported that this is a very awkward site with a triangular configuration. It is a complex site.

Leann Haghghi, Resident on Friar Way:

- Asked how parking along the rest of Friar Way could be controlled.
- Inquired whether there is potential for a bar to be established in one of the commercial spaces in this development.
- Questioned whether the PC could approve speed bumps. There is lots of speeding down their cull de sac.
- Reported that the house behind this development just sold on May 12<sup>th</sup>. Has the new owner been contacted?

Commissioner Buchbinder advised Ms. Haghghi that there is a neighborhood traffic calming program/process available. The City will evaluate upon request.

Leila Dibble, Resident on Friar Way:

- Said she didn't see the garbage space on the site plan.
- Asked if the garbage space is covered.
- Pointed out that this is how they get over to the Los Gatos Creek Trail.

Jenny Wong, Architect, showed the location of the garbage area on the site plan.

Leila Dibble asked about lighting impacts. She pointed out that the new single-family residential owner just paid \$1.6 million for that property.

Jenny Wong, Architect, said that all lighting for the site will be pointing downward. She added that a photometric study was prepared.

Gordon Wong, Architect, said that they would use one-foot candle at 36-inch height. Light from that will not be able to go over the fence. He assured the neighbors that they have been sensitive to that neighboring house.

Leila Dibble:

- Thanked Mr. Wong for making the sidewalk wider.
- Asked how parking on Friar can be restricted.
- Inquired when the traffic study was done. Month and year.

Gordon Wong, Architect, replied it was done in 2019.

Leila Dibble clarified it was before COVID.

Gordon Wong, Architect, replied yes.

Leila Dibble:

- Asked where the median was going to be made longer. She asked if it is at San Tomas and Camden.
- Questioned why the residential units were apartments rather than condos.

Gordon Wong, Architect, said it was determined that apartments would best be served by an HOA for a building this size.

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

Chair Ostrowski suggested the Commission and staff address any unanswered questions raised during the public hearing.

Planner Stephen Rose:

- Clarified that as to the parking on Friar, it is not all parking along Friar in general.
- Stated that it is the sight line as cars are entering the site via the Friar driveway entrance. There is need to provide an adequate view angle. For that, we need a curb painted red for about 20 feet from the corner to the driveway entrance, which is immediately in front of the project site.
- Advised that an ADA accessible ramp will be installed at the corner to the driveway.
- Stated that specific commercial uses for the three first floor commercial spaces will require an Administrative Planned Development Permit.
- Added that moving forward, any change of use would also require a new Administrative Planned Development Permit for which public noticing is sent to surrounding neighbors with the opportunity to comment on the proposed use.
- Advised that the parking for the commercial space is provided at one space per 200 square feet of retail space.
- Stated that a bar requires more parking so would not be supported on this site.
- Reported that there are six shared parking spaces available on site.

- Explained that in terms of residents seeking speedbumps on their street, such inquiries would have to be considered by the Public Works Department for consideration of any traffic calming methods such as speedbumps.
- Suggested interested persons reach out to the Public Works Department to learn more.
- Clarified that the garbage area will be covered and fully enclosed.
- Clarified that the photometric plan equates to a study of impacts from lighting and addresses them. The lights on this site will be adequately down shielded and will not generate glare on adjacent properties.
- Responding to the question of timing for the traffic study for this location. It is current as of February 22, 2021 with a supplement dated March 17, 2021.

Commission Zisser asked where the median extension would be situated.

Planner Stephen Rose:

- Responded that the median extension would be from the existing conclusion and extending to the end of the property line to the north.
- Added this extension is to prevent left turns occurring onto the site across traffic on Winchester traveling toward Los Gatos.

Commissioner Buchbinder:

- Said that a lot has been done to get this project off the ground.
- Pointed out that another project, Cresleigh, was approved a long time ago and has not yet started construction.
- Stated that he is very glad something is proposed for this site that includes mixed-use. This is a very walkable site on Winchester.
- Said that he likes the planters and attempts to interface with the road (Winchester) at the front of the building where the commercial spaces will be located.

Commissioner Krey:

- Agreed that a lot of work went into developing this proposed project.
- Added that he likes the project. It is very imaginative and will look great along Winchester. It will have a positive impact on its neighborhood.
- Said he likes the inclusion of planters and the trash area is fine as is the ground floor retail space. Again, it helps create walkability.
- Advised that he likes the drawings that were included on the staff report.
- Said there is no parking issue and he is in favor of the Variance needed to allow for the new utility pole to be installed above ground.
- Opined that this is a big building (at four stories) for a fairly small site.
- Predicted that buildings are going to get more vertical moving forward.

Commissioner Zisser:

- Said that while this project is proposed as a four-story building with commercial space on the first floor, he is not convinced about the commercial aspect.
- Added that he hopes the commercial works there.
- Admitted that he would have been happy with just a residential project there.
- Stated that the proposed angled roofline works well. This is a good area for apartments. It is located close to Light Rail. It is a constrained site.

- Stated that this project will look good as seen from the street.
- Expressed concern for the potential of commercial parking overflowing into the residential neighborhood. He pointed out that there is no street parking along the Winchester frontage of this project site.
- Conclude that the applicant has done a good job and this project looks good.

Commissioner Buchbinder asked about bicycle parking.

Planner Stephen Rose advised there would be bicycle parking on the Winchester side of the project.

Chair Ostrowski:

- Reiterated her belief that the 3-D rendering was helpful in the review.
- Stated that the architects did a nice job to fit this building onto that unusually shaped lot.
- Added that the plan respects the neighbor's privacy and sight lines.
- Said that she is happy to see that the trees to be removed are not of a protected species.
- Said that the size diversity of units is a good thing. It offers different sized rentals as desired by differing tenants.
- Concluded that she is very supportive and thanked the architects.

**Motion:** Upon motion of Commissioner Krey, seconded by Commissioner Buchbinder, the Planning Commission took the following actions:

- **Adopted Resolution No. 4614 recommending that the City Council approve a Planned Development Permit; and**
- **Adopted Resolution No. 4615 recommending that the City Council approve a Tentative Parcel Map; and**
- **Adopted Resolution No. 4616 recommending that the City Council approved a Tree Removal Permit; and**
- **Adopted Resolution No. 4617 recommending that the City Council approve a Variance, for properties located at 2575 & 2585 S. Winchester Boulevard, by the following roll call vote:**

**AYES:** Buchbinder, Ching, Colvill, Krey, Ostrowski, Rivlin, and Zisser

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

Chair Ostrowski advised that this item would be considered by the City Council for final action tentatively at its meeting on August 17, 2021.

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### **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

Director Rob Eastwood provided the following information:

- Advised the Commission of Council's actions taken on June 15<sup>th</sup>:

- The Council had a strategic discussion of the General Plan update process that has been underway for five years now. It was a long discussion that ran nearly to 1 a.m. The vote was 3-2 to support the Department recommendation to finalize a scope of work and bring it before the Council in August.
- Reported that the City's Housing Element must be certified by the State at the end of 2022.
- Said that one option under consideration is to pair those two documents to work on together.
- Said that he is working with staff on restructuring PC staff reports. Included in that restructuring would be to have the facts up front and the analysis by staff after that.
- Reported that the budget was adopted at last week's Council meeting. The work plans were part of that approval.
- Offered to report back to the Commission at its next meeting as to what projects were approved as part of their work plan.
- Said that he would be looking into educational opportunities for the Planning Commission to see what is available and appropriate.
- Conclude that he is available for any questions.

Commissioner Zisser said that the Commission received their packet for tonight's meeting on Thursday. He asked if there is any way packets could be distributed sooner.

Director Rob Eastwood:

- Said the minimum distribution allowed is 72 hours in advance of meeting or three days.
- Advised he most recently came from Santa Clara County Planning Department. The reports went out a week in advance of a meeting.
- Agreed with the comments of several Commissioners that provision of 3-D renderings to the Planning Commission is a good idea.
- Said he would look into what can be done to get packets out earlier.

Commissioner Buchbinder:

- Said it had originally been scheduled for the PC to discuss housing at its meeting on June 8<sup>th</sup>.
- Added that it could not occur as planned since no viable bids were received for a consultant to take that project on as of yet.
- Asked Director Eastwood if there is a tentative date as to when work on the Housing Element update could begin.

Director Rob Eastwood:

- Said we must wait for a consultant to be selected.
- Agreed that an updated schedule for the Housing Element must be developed as well as an updated scope of work once approved by the City Council.

Commissioner Buchbinder said that he would like to propose that an amendment to the Zoning Code be agendized before the Planning Commission to develop and incorporate specific ASC (ambulatory surgical centers) parking standards into the existing parking standards.

Director Rob Eastwood:

- Reminded the PC that he has just come on board with this being his third week on the job.
- Admitted that he himself has already noticed a lot of code updates that are needed.
- Added that doing small changes one at a time is not the best way to do updates to code.
- Stated the need to look at the code holistically.
- Asked the PC to give staff a month's time to look into a viable process. Perhaps with a few updates being done in tandem and more strategically.

Commissioner Buchbinder said he looks forward to checking back on this issue in a month. He added that he has developed his own list of needed updates over the last two years and offered to share his list with Director Eastwood.

Director Rob Eastwood said he would be happy to receive that list from Commissioner Buchbinder.

**ADJOURNMENT**

The Planning Commission meeting adjourned at 10 p.m. to the next Regular Planning Commission Meeting on July 13, 2021, which will likely be conducted on Zoom.

SUBMITTED BY:

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Corinne Shinn, Recording Secretary

APPROVED BY:

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Maggie A. Ostrowski, Chair

ATTEST:

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Rob Eastwood, Secretary