

CITY OF CAMPBELL PLANNING COMMISSION

MINUTES

7:30 P.M.

TUESDAY

JULY 13, 2021
REMOTE ON-LINE ZOOM MEETING

The Planning Commission meeting on July 13, 2021, was called to order at 7:30 p.m. by Chair Ostrowski and the following proceedings were had, to wit:

ROLL CALL

Commissioners Present: Chair Ostrowski: 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 Krey, seconded by Commissioner Buchbinder, the Planning Commission minutes of the meeting of June 22, 2021, were approved as submitted. (7-0)

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.

Commissioner Zisser said he visited the Marvel Cake Shop and spoke casually with staff on site but nothing pertaining to this evening's item on the agenda.

PUBLIC HEARINGS

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

1. **PLN-2021-24** Public Hearing to consider the application (PLN-2021-24) of GKW Architects, Inc. for a Site and Architectural Review Permit to allow construction of an approximately 3,000 square-foot two-story single-family dwelling, on property located at **952 Kenneth 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, provided the staff report.

Chair Ostrowski asked for the Site and Architectural Review Committee report.

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

- SARC found this proposal to be consistent with the San Tomas Area Neighborhood Plan (STANP).
- Added that the project has quality design.
- Concluded they were very supportive.

Chair Ostrowski asked if there were any questions for staff.

Commissioner Zisser pointed out that a tree to be planted along one side of the property for screening purposes is recommended as a deciduous species. Is there a reason for installing a deciduous tree that loses its leaves each year when it is intended to offer privacy screening?

Planner Daniel Fama stated that if the Commission feels that an evergreen tree is more appropriate, they can incorporate that change into the condition of approval.

Chair Ostrowski referenced page A003 of the project plans and said that it looks like a part of the roof is a façade and that the second story has vertical walls.

Planner Daniel Fama reported that in order to break up massing, dormer features are used and appear kind of popped out.

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

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

Commissioner Krey:

- Said this home does have an unusual roof.
- Added that there currently are no other two-story homes in this area.
- Said that the design is fine.
- Pointed out that there have been no objections from the neighborhood association, San Tomas Area Community Coalition (STACC).

Commissioner Buchbinder:

- Said this is a very traditional roof.
- Pointed out that the neighbors are happy with the window placement.
- Admitted he is glad to see this project include an ADU (accessory dwelling unit).

Commissioner Rivlin:

- Said that this house reflects unusual architecture.
- Added that it has been designed to the owner's liking.
- Reiterated that there is no objection from STACC (San Tomas Area Community Coalition).

Planner Daniel Fama said that there have not been letters submitted as of late from STACC.

Commissioner Rivlin said that if there are no comments that the neighborhood group supports the project.

Commissioner Colvill:

- Stated that this is his neighborhood.
- Reminded that the STANP has large and deep lots.
- Concluded that this is a nice area of Campbell for a house such as this one.

Chair Ostrowski suggested a motion.

Motion: Upon motion of Commissioner Ching, seconded by Commissioner Zisser, the Planning Commission adopted Resolution No. 4618 approving a Site and Architectural Review Permit to allow

construction of an approximately 3,000 square-foot two-story single-family dwelling, on property located at 952 Kenneth Avenue, 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.

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

2. **PLN-2020-123** Public Hearing to consider the application (PLN-2020-123) of Laura Cerda for a Modification of a Conditional Use Permit to allow the establishment of a late-night (24-hour) 'towing services' station (d.b.a. AAA Roadside Assistance) with indoor area for servicing tow trucks and a Parking Modification Permit to allow a reduction in the number of required parking spaces at **1070 Dell 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: *Stephen Rose, Senior Planner*

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

Chair Ostrowski asked if there is a SARC report.

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

- Advised that SARC was supportive of this application.
- Added that SARC had recommended additional landscaping at the front of the building which the applicant added to the plans.

Chair Ostrowski asked if there were any questions for staff.

Commissioner Buchbinder:

- Pointed out that it appears the total number of towing vehicles exceeds what could fit within this facility.
- Sought clarification that at no point all of the company's tow vehicles would be on this site.

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

Jeff Hanusin, Representing AAA NCNU:

- Explained that there is no members of the public coming to this facility.
- Advised it would just be employees.
- Added that no wrecked vehicles would be brought to this location.

Commissioner Krey asked how many employees would come to this site.

Jeff Hanusin:

- Said that when fully staffed, they would have six office workers.
- Added that there would be a maximum of 19 tow vehicles on site for maintenance.

Commissioner Krey asked whether the operators who would pick up a tow vehicle from this location would also leave their personal vehicle on site.

Jeff Hanusin replied correct.

Commissioner Rivlin asked if there would be dispatch staff as well.

Jeff Hanusin clarified that the office staff of up to six that he previously mentioned would be the staff dispatching tow vehicles. That is their long-term model.

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

Commissioner Buchbinder stated his appreciation for the extra landscaping added to the frontage by the applicant as requested by SARC.

Commissioner Krey:

- Opined that allowing for one fewer parking spaces than required is not a big deal in this situation.
- Said that he has no problems with this application.
- Concluded that this is the kind of location best suited for this use.

Motion: **Upon motion of Vice Chair Ching, seconded by Commissioner Buchbinder, the Planning Commission adopted Resolution No. 4619 approving a Modification of a Conditional Use Permit to allow the establishment of a late-night (24-hour) ‘towing services’ station (d.b.a. AAA Roadside Assistance) with indoor area for servicing tow trucks and a Parking Modification Permit to allow a reduction in the number of required parking spaces at 1070 Dell Avenue, 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.

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

3. **PLN-2021-74** Public Hearing to consider the application of Reza Mirzadeh for a Conditional Use Permit (PLN-2021-74) to allow beer and wine in association with an existing retail cake store/café (d.b.a. Marvel Cake) within an existing commercial tenant space located at **1614 W. Campbell Avenue** in the C-1 (Neighborhood Commercial) Zoning District. Staff is recommending that this item be deemed Categorical Exempt under CEQA. Planning Commission action final unless appealed in writing to the City Clerk within 10 calendar days. Project Planner: *Stephen Rose, Senior Planner*

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

Chair Ostrowski asked there was a SARC report for this item.

Vice Chair Ching advised that there was not a SARC report for Item 3.

Chair Ostrowski asked if there were any questions for staff.

Chair Ostrowski asked if part of the reason for this application is to allow “to go” alcohol sales.

Planner Stephen Rose replied they seek both on-site consumption as well as “to go” sales with other products sold by Marvel Cake.

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

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

Commissioner Zisser:

- Reminded that he visited this business the other day.
- Stated that it is a lovely place and totally appropriate.
- Added that it is nice to see Kirkwood Plaza doing well.
- Pointed out that Marvel Cake is very upscale. They have a separate room for seating for those staying to eat on site.
- Said this use looks great to him.
- Concluded that he would go back again, and next time buy something.

Vice Chair Ching said that this proposed use is consistent with ABC (Alcohol Beverage Control) and a great idea for Marvel Cake to add beer and wine with their other food products.

Commissioner Krey said this is within his neighborhood and is a good business for the area. Marvel Cake is well regarded amongst the neighbors. This addition of beer and wine is a good move.

Commissioner Buchbinder said that it appears that this use cannot somehow turn into a bar as the approval is primarily for a café. He stated his support.

Motion: **Upon motion of Commissioner Krey, seconded by Commissioner Rivlin the Planning Commission adopted Resolution No. 4620 approving a Conditional Use Permit (PLN-2021-74) to allow beer and wine in association with an existing retail cake store/café (d.b.a. Marvel Cake) within an existing commercial tenant space located at 1614 W. Campbell Avenue, 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.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Director Rob Eastwood provided the following information:

- Congratulated the Commission for completing three items within about 30 minutes this evening.
- Stated that he is happy to respond to any questions generated by his written Director's Report.
- Advised that a copy of the Work Plan items initially submitted by Director Kermoyan to Council, for consideration during the decision making for the FY22 Work Plan, was also sent by email to the Commissioners.
- Reported that Council only adopted one item from the list provided. That item is the ADU Amnesty Program.
- Announced the good news that staff reports would henceforth be distributed a day earlier, Wednesday. This is rather than the previous goal of Thursday that sometimes fell into Friday and as such will give the Commission one extra day to review the packet material in preparation for meetings on Tuesday.
- Pointed out that staff has done a bit of restructuring of the report format. It is subtle but streamlines the most important aspects of a project to the front of the staff report.
- Said that there have been questions as to when the City would return to in-person public meetings. The target for Council is August 3rd, which will likely be a hybrid meeting with Council and staff in the Chambers and the public continuing to participate remotely. It is thought that the public will be allowed back in City Hall in September.
- Added that the other Boards and Commissions will likely start in person in September.

- Reminded that there has been an outreach effort by the City Clerk to all the members of the Boards and Commissions.
- Reported that there are a few terms coming up at the end of August. Council will conduct interviews of interested persons and make their appointments.

Chair Ostrowski asked if there are any questions for Director Rob Eastwood.

Commissioner Buchbinder thanked Director Eastwood for his update. He clarified that some form of remote commenting would still be possible at these meetings.

Director Rob Eastwood replied yes. The public will be able to call in or attend via Zoom. There will be two queues, one in person and the other on Zoom.

Commissioner Buchbinder said that is excellent. He asked Director Eastwood about the General Plan Update status with De Novo.

Director Rob Eastwood said that the Housing Element will likely be merged with the General Plan Update. A scoping session will be held by Council on August 3rd. There are a couple of options under consideration for how to go forward.

Commissioner Buchbinder said that was also excellent. He asked if there is a staff recommendation as to when the General Plan/Housing Element could be agendaized for the Planning Commission to discuss.

Director Rob Eastwood:

- Said he has no such recommendation for a date for PC at this time.
- Stated that there are different ways of taking on projects such as these.
- Advised that there will also be the need for bigger structural updates after the General Plan is completed.
- Said that for minor changes, some proposed changes could be paired up with a project to clean something up in the Code at the same time, by reviewing an applicable project and making minor changes to the applicable Code as appropriate.

Commissioner Buchbinder asked when the ADU Amnesty Project might come up before the Planning Commission.

Director Rob Eastwood said he does not know that yet. By August he will have a better idea.

Commissioner Zisser asked if the PC return to the Council Chambers in September would include the public as well.

Commissioner Eastwood:

- Said he did not know that for sure right now. The plan for Council is to have the public at their meetings starting in September.
- Added at that same time, the public would also be allowed back at City Hall during office hours.
- Concluded that the PC should do the same as well.

Chair Ostrowski said that this has been a nice prompt meeting. She wished everyone a good evening.

ADJOURNMENT

The Planning Commission meeting adjourned at 8:17 p.m. to the next Regular Planning Commission Meeting on July 27, 2021, which will likely be conducted on Zoom.

SUBMITTED BY: _____
Corinne Shinn, Recording Secretary

APPROVED BY: _____
Maggie Ostrowski, Chair

ATTEST: _____
Rob Eastwood, Secretary