



**CITY OF CAMPBELL**  
**Planning Commission Minutes**

---

7:30 P.M.

TUESDAY

AUGUST 10, 2021  
REMOTE ON-LINE ZOOM MEETING

---

The Planning Commission meeting on August, 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: Maggie Ostrowski  
Vice Chair: Stuart Ching  
Commissioner: Adam Buchbinder  
Commissioner: Nick Colvill  
Commissioner: Michael Krey (arrived late/tech difficulties)  
Commissioner: Andrew Rivlin  
Commissioner: Alan Zisser

Commissioners Absent: None

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

**APPROVAL OF MINUTES**

**Motion: Upon motion by Commissioner Zisser, seconded by Commissioner Buchbinder, the Planning Commission minutes of the meeting of July 27, 2021, were approved as submitted. (6-0-1; Commissioner Krey was absent for this vote)**

## **COMMUNICATIONS/AGENDA MODIFICATIONS OR POSTPONEMENTS**

There were none.

## **ORAL REQUESTS**

There were none.

\*\*\*

## **PUBLIC HEARINGS**

Chair Ostrowski asked if there were any disclosures from members of the Commission.

Commissioner Zisser advised that the dentist requesting this CUP is his dentist.

City Attorney William Seligmann said that doesn't represent a conflict as long as there is no financial involvement in this application.

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

1. **PLN-2021-53** Public Hearing to consider the application (PLN-2021-53) of Evoco Architecture Interiors for a Conditional Use Permit to allow establishment of a dental office (medical services, clinic) within an existing office building and a Parking Modification Permit to allow a reduction to the required number of parking stalls, for property located at **399 N. 3rd Street**. 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 Rivlin asked if splitting use of floors for one business into different categories of use for parking purposes has been done before.

Planner Daniel Fama:

- Replied that it was done more in the past, usually for industrial use zoned properties.
- Added that it is less common today.
- Stated that, in this case, it is being codified as a part of the conditional use permit with language that requires the first floor never to be used for dental services. That is limited to the second floor. Having support uses on the first floor will help to ensure adequacy of parking.

Commissioner Zisser:

- Recounted his understanding that the previous tenant of this building had a contract with the previous adjacent restaurant (now closed) to use their parking given the differing peak uses for the respective uses.
- Asked if the Commission could require some kind of arrangement to get use of extra parking.

Planner Daniel Fama said there is no provision to allow parking off-site. He added that was a private parking arrangement that was not subject to any City review or approval.

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 was supportive of this request with the restriction in place for the use of the first floor as office as required in order to be able to meet required findings for support.

Commissioner Zisser:

- Pointed out that the proposal is for 18 employees. The dentist and 17 employees. That sounds like a lot especially if they are all on site at the same time.

Planner Daniel Fama said he would defer to the applicant's team to respond to Commissioner Zisser's concern.

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

Deepak Patan Kar, Applicant and Project Architect:

- Said that he is present as is his client, Dr. Loller.
- Reported that the lower (first) level of this building will be used for support spaces. The upper (second) floor is primarily dental use.
- Explained, that as to the 18 staff members, they hours are staggered. They work on different days and with different schedules.
- Added that Dr. Loller will be promoting the use of car/van pools by offering incentives to do so. She will also subsidize transit costs to encourage the use of nearby public transit options that include a VTA station about a block away.
- Advised that at the SARC meeting, they agreed to the addition of bike parking. Thus, bike racks were added to the site plan.

Commissioner Zisser sought clarification on there being an elevator to reach the second floor where the dental services will be performed.

Deepak Patan Kar replied, "That is correct."

Commissioner Zisser asked if that elevator is operating.

Deepak Patan Kar:

- Replied yes. It is a new elevator.
- Advised that previously, the second floor was accessed by stairs only.

- Stated that with their addition of an elevator, this building is fully accessible as required.

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

Chair Ostrowski asked if there was any discussion.

Commissioner Buchbinder:

- Stated that SARC appreciated the flexibility of the applicant with the uses of the first and second floor.
- Agreed that there are good public transit options available that would allow the dental staff to take advantage
- Expressed appreciation that staff found a way to make the parking to serve this use work.
- Said perhaps there is an option for shared parking with the neighboring restaurant site as they have varying hours of peak use.
- Cautioned that it is a danger to require too much parking.
- Concluded that this Parking Modification Permit is supportable.

Commissioner Zisser:

- Pointed out that the building is empty now.
- Stated that what is proposed here is a great long-term use. A dental practice is stable and will be around for a long time.
- Expressed his concerns for the potential of there being overflow dental customers parking within the adjacent residential neighborhood.
- Agreed that there are future options if necessary.
- Advised he is happy to hear about the elevator being added within this building.
- Concluded that this is a great opportunity for use of this site.

Chair Ostrowski:

- Expressed her appreciation for Planner Fama's parking analysis. He has demonstrated that parking on site is sufficient. There will be differing employee schedules.
- Stated that the Parking Modification Permit makes sense to her.
- Concluded that she is supportive of the staff recommendation.

Commissioner Rivlin:

- Said that while he understands the logic of the parking provision, there are 11 patient chairs depicted on the site plan.
- Suggested that could reflect a potential for there to be 11 patients with 11 staff at any given time.
- Added he too appreciates Planner Fama's analysis that he can support but it is important to make sure we are all comfortable with that.

Commissioner Krey (Joined the meeting at this juncture):

- Excused himself for arriving late but his meeting link did not arrive.
- He said he would refrain from voting on this item as he missed most of the hearing.

**Motion:** Upon motion of Vice Chair Ching, seconded by Commissioner Buchbinder, the Planning Commission adopted Resolution No. 4623 Conditional Use Permit to allow establishment of a dental office (medical services, clinic) within an existing office building and a Parking Modification Permit to allow a reduction to the required number of parking stalls, and finding the project to be Categorically Exempt under CEQA, for property located at 399 N. 3rd Street, by the following roll call vote:

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

**NOES:** None

**ABSENT:** None

**ABSTAIN:** Krey

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 oral additions to his written report as follows:

- Referred to the CalAPA Conference announcement from his written report. This conference occurs remotely September 13 to 15, 2021. He asked the members to advise Executive Assistant Corinne Shinn if they would like to be registered.
- Added that he is looking for other training opportunities and will provide information when viable options are found.
- Reported that he would be shifting the PC's meeting minutes to action minutes to follow the trend for most cities. They will be brief and include just motions, actions and votes on each item. That has become the standard and will free up the Executive Assistant for other support tasks. The meetings will continue using Zoom.
- Despite five years' work on the General Plan a change in direction is planned that includes grouping both the GP and Housing Element together with two consultant firms involved. DeNovo will continue with their efforts on the General Plan and M-Group will prepare the Housing Element concurrently. There is a State-mandated deadline for a new Housing Element to be finalized and adopted by January 2023.
- Advised that at the next Council meeting (August 17, 2021) Council will approve new contracts for De Novo and M-Group. M-Group is a local firm that did Campbell's last Housing Element.
- Stated that he wants to bring the current draft GP to the Planning Commission and Council very soon. At a later date concentration will shift to the Draft Housing Element.
- Provided a schedule as follows:
  - Bring to Draft GP to the Commission in Study Session on September 13, 2021. It will be the only item on that meeting agenda.
  - In October, receive recommended changes from Council and staff.
  - Provide draft GP to the Commission by the end of August to allow a couple of weeks for review.
- Concluded by saying he is available for any questions.

Commissioner Buchbinder thanked Director Eastwood, saying that he is looking forward to working on this and to see the draft GP. He asked if staff would provide a rubric on the requirements for what is within the PC's purview.

Director Rob Eastwood replied yes. Staff can provide a guidance document for the PC and advise on how to focus their attention.

Commissioner Buchbinder reminded that the Santa Clara County Housing Division will be meeting to discuss Campbell on August 18<sup>th</sup>.

Director Rob Eastwood:

- Advised that extensive noticing would be put out tomorrow (August 11<sup>th</sup>).
- Reported that a consultant was hired by cities of Santa Clara County that will oversee outreach and broad countywide meetings via a series of meetings. Confirmed that Campbell's session will be on August 18<sup>th</sup>. Campbell will have a breakout room.
- Assured that the PC would receive the notice as well as a wide-ranging public notification using multiple public media forums.

Commissioner Buchbinder said he is looking forward to it and asked if there is any reason why he should not attend or comment at these housing meetings.

Director Rob Eastwood replied no.

City Attorney William Seligmann added that it is important to make it clear that they are speaking for themselves and not the Commission as a whole.

\*\*\*

## **ADJOURNMENT**

The Planning Commission meeting adjourned at 8:07 p.m. to the next Regular Planning Commission Meeting on August 24, 2021, which will likely be conducted on Zoom.

PREPARED BY: Corinne Shinn, Recording Secretary