



**CITY OF CAMPBELL  
Planning Commission Minutes**

7:30 P.M.

TUESDAY

March 22, 2022  
PLANNING COMMISSION MEETING

The Planning Commission meeting on Tuesday, March 22, 2022, was called to order at 7:30 p.m. in the Council Chambers of City Hall, 70 N. First Street, Campbell, CA, by Vice Chair Buchbinder and the following proceedings were had, to wit:

**ROLL CALL**

Commissioners Present:

Vice Chair:	Adam Buchbinder
Commissioner:	Matt Kamkar
Commissioner:	Michael Krey
Commissioner:	Maggie Ostrowski
Commissioner:	Andrew Rivlin
Commissioner:	Alan Zisser

Commissioners Absent: Stuart Ching

Staff Present:	Community Development
	Director: Rob Eastwood
	Senior Planner: Stephen Rose
	Senior Planner: Daniel Fama
	Associate Planner: Tracy Tam
	City Attorney: William Seligmann
	Executive Assistant: Abby Jones

**APPROVAL OF MINUTES**

**Motion:** Upon motion by Commissioner Krey, seconded by Commissioner Kamkar, the Planning Commission action minutes of the meeting of March 8, 2022, were approved as submitted. (7-0)

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

None

### **ORAL REQUESTS**

None

Vice Chair Buchbinder asked if there were any disclosures from the Commission.

There were none.

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

### **PUBLIC HEARINGS**

- 1. PLN-2021-187** Public Hearing to consider a City-initiated Zoning Code Text Amendment (PLN-2021-187) adding new Chapter 21.25 (Two-Unit Housing Developments) and Chapter 20.14 (Urban Lot Splits) to the Campbell Municipal Code to implement Senate Bill No. 9 (SB-9) and amending various other sections of the Municipal Code pertaining to the regulation of accessory dwelling units (ADUs); an Amendment to the Campbell Village Neighborhood Plan and a General Plan Amendment to the San Tomas Area Neighborhood Plan to incorporate by reference the proposed SB-9 implementation provisions. Staff is recommending that this item be deemed Statutorily Exempt under CEQA. Tentative City Council Meeting Date: May 2, 2022. Project Planner: *Daniel Fama, Senior Planner*

Senior Planner Daniel Fama, provided the staff report on the SB-9 Ordinance and Neighborhood Plan Amendments. Senior Planner Fama mentioned that under SB-9 Plan flag lots would now be allowed within Campbell Village. The Plan currently prohibits those as flag lots allow for a greater likelihood that an existing dwelling can be retained as part of a subdivision whereas a traditional land division provides a property line right down the middle which generally would require demolition of a house, allowing flag lots can further allow implementation of SB-9. The Planning Commission needs to make certain findings in order to recommend the draft ordinance and amendments to the city council. Staff does believe those findings can be found and recommends that the Planning Commission recommend that the City Council adopt the draft ordinance and the associated area plan amendments.

Vice Chair Buchbinder asked if there were any questions from the Commission.

In response to an inquiry from Commissioner Krey, Senior Planner Fama stated there are less than 30 homes within the flood zone and approximately 6 homes on the earthquake fault line. There have been no SB-9 applications and confirmed the setbacks are being measured from the wall.

Senior Planner Fama stated Objective Standards remove any discretion from the City, applicants must comply, or the application would not be approved. The City will need to work on current subjective standards found in the San Tomas Plan to make them more objective.

In response to inquiries from Commissioner Kamkar, Senior Planner Fama stated that the FAR for SB-9 units is 45%. The larger the lot the larger the home can be. Senior Planner Fama explained that building heights are still subject to the existing height maximums of the applicable zoning district which does vary a fair amount within the San Tomas area.

In response to inquiries by Commissioner Ostrowski, Senior Planner Fama replied that similarly to the Campbell Village Neighborhood plan, the R-1-8 lots have a rear setback that is the lesser of 20ft or 15% of the lot depth. Senior Planner Fama stated that the 40/60 ratio came from SB-9 and State laws. It's a very stringent requirement and does not allow a lot that is less than 40 percent of the size of the existing lot.

Director Eastwood stated that SB-9 is an exception to Campbell's existing standards. A very large lot that had a minimum lot size of 6,000 or 8,000 square feet, don't have the 40% that's required, would just go through the normal subdivision process.

Senior Planner Fama stated that although there are some lots that are technically large enough to meet the minimum lot size, they may be too narrow to meet our current normally applicable lot width requirements.

The new lot width requirement is 25 ft. from 60 ft.

In response to inquiries from Commissioner Zisser, Senior Planner Fama stated this would allow some buildings to go outward, and allow reductions when you have a property that's up against a non-resident non-residentially zoned property.

Senior Planner Fama stated, if the Commission preferred to allow reductions or to relax the Floor Area Ratio (FAR), they could recommend that to the City Council.

Vice Chair Buchbinder opened the public hearing and asked if anyone wished to speak. Seeing no one, the public hearing was closed.

After discussion, the Planning Commission made the following motion:

**Motion:** Upon motion by Commissioner Zisser, seconded by Commissioner Krey, the Planning Commission adopted resolution 4635 recommending that the City Council adopt an ordinance to add new Chapter 21.25 (Two-Unit Housing Developments) and Chapter 20.14 (Urban Lot Splits) to the Campbell Municipal Code to implement Senate Bill No. 9 (SB-9) and amending various other sections of the Municipal Code pertaining to the regulation of accessory dwelling units (ADUs); an Amendment to the Campbell Village Neighborhood Plan and a General Plan Amendment to the San Tomas Area Neighborhood Plan to incorporate by reference the proposed SB-9 implementation provisions, including a recommendation for report back from staff six months to one year following adoption to address the status of implementation, by the following roll call vote :

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

The Commission took a brief recess at 8:58 p.m.

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

### **STUDY SESSION**

- 1. PLN-2022-11** Study Session to consider a Preliminary Application (PLN-2022-11) to review a proposed 7-story mixed-use building containing ground floor commercial uses and up to 56 residential units on upper floors located at 125 E. Campbell Avenue. Project Planner: Tracy Tam, Associate Planner

Associate Planner Tracy Tam presented a staff report stating that the purpose of this proposal is to allow early review of significant development proposals for the Planning Commission, city staff and the public. To inform the applicant of Planning Commission, city staff, or members of the public's comments, prior to the formal submittal of the application.

Associate Planner Tam highlighted the following key topics for discussion:

- Purpose of pre-application
- Project Site
- Applicant's Preliminary-Proposal (100% Affordable Project)
- Proposed Preliminary Site design and elevation
- Project Data
- General Plan
- Downtown Development Plan & Standards

- Zoning
- State Law: Senate Bill 35
- State Law: Density Bonus Law
- State Law Breakdown
- Planning Commission Focus

Associate Planner Tam stated that density should be considered with the existing residential units and even though there are some combination of market rate units currently on the site, under the provisions of state law the preliminary proposal is considered a 100% percent affordable housing project. For this preliminary application the applicant is able to use the streamlined provisions in SB-35 and use the provisions in state density bonus law.

In response to an inquiry, Associate Planner Tam stated the maximum height is 45 feet. For the state density bonus section, without using an incentive or concession a project is allowed to increase the height three additional stories or 33 feet. The developer could choose to use one of their incentives or concessions to get more height.

City Attorney Seligmann clarified that the City does have a maximum city-wide height limit that was adopted by initiative of 75 feet, however the state requirements would likely override that.

In response to an inquiry, Associate Planner Tam confirmed that the parking portion of the C-3 Zoning district code does require the project to provide 131 spaces. This is based on the number of units and the square footage of the ground floor commercial.

Associate Planner Tam stated the C-3 zoning district primarily applies to the downtown area of the city.

Vice Chair Buchbinder opened the hearing to the public and asked if anyone wished to speak.

Owner/Applicant Abbas stated he hopes to work with staff to come up with a design that is acceptable. This site is one of the housing opportunities sites. The proposed units are small and affordable. He will do a prefab design. Retail space is finished with dark wood and windows around the building.

Neil Locke, Campbell resident stated he opposes the proposed location of the 56-unit low-income development on 125 East Campbell Avenue. He stated he supports low-income housing and as a downtown Campbell homeowner, realizes how blessed his family has been to live here for 29 years, as housing in the Silicon Valley is expensive and scarce. He stated this development will go up into an area that is ill-suited for it.

David Blinn, Campbell resident stated affordable housing is a good thing, but 7 stories is huge, there are plenty of other spaces where this can be built.

Mrs. Blinn, Campbell resident stated this is not what the downtown needs and feels the project is too big. She is not opposed to affordable housing but doesn't think this is the right area for it to happen.

Seeing no one else wishing to speak, Vice Chair Buchbinder closed the public hearing.

Commissioner Rivlin supports adding more affordable housing to Campbell and thinks the applicant is bringing a viable and beneficial project. There's an opportunity to put solar on this and provide reduced power consumption for the users of the building who are also in a situation where they'll be moderate income salaries. He would like to see a more parking.

Commissioner Zisser thanked the owner for proposing affordable housing and expressed concerns about the height. He stated support for 45 ft. Commissioner Zisser stated that he would not want a monumental building in the downtown area because it will not fit at the gateway of downtown. He loves the look and feel of the Stacks building and stated many tenants will have a car, not having more spaces will be a problem. Would like to see some level of parking. Commissioner Zisser stated He would be fearful of this project at this time due the size and suggested the owner reconsider the plan.

Commissioner Ostrowski stated this is an opportunity to provide housing and have to think about what we want. Commissioner Ostrowski proposed bike rack structures and enjoys the wood look.

Commissioner Kamkar agreed with Commissioner Ostrowski. He stated it is not easy building affordable housing especially when it's non-profit and gave suggestions giving amenities to accommodate living in a small space. Overall, he is supportive.

Commissioner Krey stated that a new housing plan and the need is for housing is crucial. Commissioner Krey felt this is the wrong place for this project. He stated concerns with the size and lack of parking.

Vice Chair Buchbinder stated the roof is a great place for a small café or bike locker. He is suggesting additional uses for space. He was supportive of the project.

Commissioner Ostrowski suggested city art that can make it a monument to the city and encourages the applicant to speak to the Civic Improvement Commission.

Vice Chair Buchbinder called a 3-minute recess at 10:46 p.m.

### **OLD BUSINESS**

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

3. **PLN-2021-12** Report regarding an update on Campbell's Plan for Housing (2023-2031 Housing Element) and overview of next steps related to public outreach and stakeholder engagement, development of goals, policies, and strategies aimed at producing, protecting, and affirmatively furthering fair housing in Campbell and addressing key housing issues facing the community. Presentation by M-Group and City Staff (Rob Eastwood and Stephen Rose).

Director Rob Eastwood gave a brief overview, gave an update on the Environmental Impact Report (EIR) and introduced Brittany Bendix with the M-group team to present.

Brittany Bendix, Planner with M-group presented the update report and outlined the 5 objectives as follows:

- Improve Housing affordability in Campbell- encourage the production of affordable housing.
- Preserve existing Housing/Affordable housing stock.
- Remove Government Constraints to Housing.
- Resilient Housing Policies
- Affirmatively Furthering Fair Housing and addressing special needs groups.

Ms. Bendix stated the process started with a base plan of 3300 units to meet required housing. In January the number increased and now there are over 131 sites. It is scheduled to return April 12 for policy recommendations. It is then scheduled for May 20 to be released to public for 30 days. From now until Jan 2023 the focus is on policy and engaging with community-based organizations.

Director Eastwood stated that there is a need to update the zoning ordinance to implement the new general plan designations . A lot of housing opportunity sites were concentrated around three light rail stations using principles existing in the General Plan and the City is working with Cal Poly on transit-oriented development vision plans for these areas.

Vice Chair Buchbinder opened the hearing and asked if anyone from the public wished to speak, seeing no one he closed the public hearing.

Director Eastwood replied to an inquiry from Vice Chair Buchbinder stating the intent was to settle most of what was proposed in the General Plan back in September. The Commission had a chance to review the plan and go to council, and the intent was to have a lot of those issues settled and then focus on the Housing Element.

Kwon Sung, M-Group representative stated that they are managing a few sites in other cities in the Bay Area.

**REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR**

**None**

**ADJOURNMENT**

The Planning Commission meeting adjourned at 11:26 p.m. to the next Regular Planning Commission Meeting on **Tuesday, April 12, 2022**, at City Hall, Council Chambers, 70 N. First Street, Campbell, CA.

PREPARED BY: Abby Jones, Executive Assistant