

CITY OF CAMPBELL PLANNING COMMISSION
MINUTES

7:30 P.M.

TUESDAY

AUGUST 25, 2020
REMOTE ON-LINE ZOOM MEETING

The Planning Commission meeting of August 25, 2020, was called to order at 7:30 p.m. by Chair Krey and the following proceedings were had, to wit:

ROLL CALL

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

Commissioners Absent: None

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

APPROVAL OF MINUTES

Motion: Upon motion by Commissioner Ostrowski, seconded by Commissioner Buchbinder, the Planning Commission minutes of the meeting of August 11, 2020, were approved as submitted. (7-0)

COMMUNICATIONS

None

AGENDA MODIFICATIONS OR POSTPONEMENTS

None

ORAL REQUESTS

None

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

There were none.

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

PUBLIC HEARINGS

1. **PLN-2020-70** Public Hearing to consider the application of Gary Kohlsaar for a Site and Architectural Review Permit (PLN-2020-70) to allow a façade improvement to an existing commercial building including installation of metal awnings, a new entry door and window, and replacement of decorative rock wall cladding with stucco, and associated parking lot restriping on property located at **1049 Dell 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 Krey asked if there were questions for staff.

Commissioner Buchbinder:

- Questioned if there is a reason why this building was never approved under the City.
- Added that as a result, this item ended up having to come before the Commission rather than their project being handled administratively.
- Inquired how many buildings like this one might also have this same condition of no initial City-level approvals. Is this an oversight?

Planner Daniel Fama:

- Replied that it is not an oversight.

- Explained that in order for there to be a modification, there needs to have been a previous approval for which to modify. In this situation, there was no previous application processed under Campbell jurisdiction.

Director Paul Kermoyan reminded that the Cambrian Park Area was just annexed into Campbell in 2013.

Commissioner Buchbinder:

- Raised the consideration as to whether there could be some form of “en masse” issuance of local jurisdictional approvals.
- Added that it represents an extra burden to the property owners in this area if they want to come in to update their properties.

Director Paul Kermoyan:

- Agreed with Commissioner Buchbinder that expediting permit issuance is important to businesses.
- Said that it would be possible to relook at existing permit processes rather than performing some sort of inventory of such properties.

Commissioner Buchbinder asked if this matter could be agendaized for later discussion. What would be required?

Director Paul Kermoyan:

- Said that the updating of the General Plan comes first.
- Added that following that there will need to be a comprehensive update to the Zoning Ordinance. This should be done as one bundle and not piecemeal.

Planner Daniel Fama:

- Reported that this type of research takes time.
- Advised that staff found a 1999 file although there were no City approvals associated with it. Despite that, staff relied on that file that contained a site plan with designated parking spaces that are not currently marked in place on this property.
- Stated that older City and County records are challenging. The older the permits, the more challenging and/or unlikely they are to locate.
- Concluded that trying to do such “en masse” research for an extended area would be a time-consuming endeavor.

Commissioner Hines:

- Stated that the updated General Plan will set the base and establish groundwork.
- Added that needed changes would be captured in the General Plan Update. That is the general approach moving forward.

Director Paul Kermoyan:

- Replied that is correct.
- Advised the Commission that he has created a list of the areas of interest to the Planning Commission.

Commissioner Buchbinder agreed that is an option.

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

Gary Kohlsaas, Architect:

- Expressed his appreciation to the Commission and staff for their understanding that timing is everything.
- Added that he would like to see some process streamlining occur in the future while still maintaining appropriate oversight, which is also important.
- Said that this process cost this property between five and six-months of rental income.
- Advised that this proposal before the Commission tonight is very straightforward.
- Reported that they have put stucco onto the building and propose to add metal awnings that are clean-industrial looking as appropriate for the area.
- Stated that the site changes are responding to the use, zoning and area as a whole.
- Admitted that he would want to do more of these types of projects in updating these old buildings.
- Reported that he was unaware that there was no original approval of this site.
- Said that this is a good proposal and includes the restriping of the parking lot.
- Advised that there is an existing easement to the back of the property that is not relevant anymore. They are trying to get rid of that.
- Thanked the Commission for its time and said he was available for any questions.

Commissioner Hines expressed his appreciation to Mr. Kohlsaas for his work to beautify properties in Campbell. He asked if there is a tenant lined up for this building.

Gary Kohlsaas replied that he is not sure who's lined up. It might be a contractor.

Commissioner Hines reiterated that this is a nice and attractive building. Thanked them for doing this upgrade.

Commissioner Ostrowski agreed that this is a nice upgrade that may well motivate other nearby property owners to do such upgrading as well.

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

Motion: **Upon motion of Commissioner Ostrowski, seconded by Commissioner Hines, the Planning Commission adopted Resolution No. 4571 approving a Site and Architectural Review Permit (PLN-2020-70) to allow a façade improvement to an existing commercial building including installation of metal awnings, a new entry door and window, and replacement of decorative rock wall cladding with stucco, and associated parking lot restriping on property located at 1049 Dell Avenue, by the following roll call vote:**

AYES: **Buchbinder, Ching, Colvill, Hines. Krey, Ostrowski and Rivlin**

NOES: **None**

ABSENT: **None**

ABSTAIN: None

Chair Krey advised that the Planning Commission action is final unless appealed in writing to the City Clerk within ten calendar days.

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

2. **PLN-2020-82** Public Hearing to consider the application of David Wood for a Conditional Use Permit (PLN-2020-82) to allow a new medical service use (clinic) within an existing commercial tenant space on property located at **1760 S. Bascom Avenue, Suite 140**. 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: Project Planner: *Stephen Rose, Senior Planner*.

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

Chair Krey asked if there were questions for staff.

Commissioner Rivlin asked who created Attachment #5.

Planner Stephen Rose:

- Explained that he secured owner contact information for this property through Economic Development Analyst Michael Thomas.
- Advised that the owners provided details on the uses on site that helped develop this big-picture-view of this center.

Commissioner Hines clarified with staff that this proposed tenant space includes a portion of space once used by Ross and does not include any of the former Office Depot space.

Commissioner Buchbinder asked staff how many such medical uses there are in this area.

Planner Stephen Rose responded that there are a series of such medical uses further down Bascom Avenue closer to Valley Medical. The nearby CVS Pharmacy has a Minute Clinic. Other than that, there is nothing in the immediate area outside of those medical uses further down Bascom Avenue.

Chair Krey asked if this Use Permit will exist in perpetuity or just with this owner.

Planner Stephen Rose replied that the Use Permit runs with the land (location) for which it is approved. Other medical uses could assume this location using the approved hours of operation and maximum number of staff and employees allowed on site.

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

Scott Cheeseman, Carbon Health:

- Explained that Carbon Health provides both primary and urgent care services.
- Added that there has never been a more important time than now to provide such services.
- Reported that they offer a three to four hour wait time for an appointment. This is urgent care but not acute cases.
- Stated that the staff report was complete, and he has nothing further to add. Staff did a great job.

Chair Krey asked the Commission if they had any questions for this applicant.

Commissioner Hines asked how many other clinics they have.

Scott Cheeseman replied that they currently have 19 locations in operation in several states and there are an additional 15 in construction.

Commissioner Hines asked if they would do COVID testing.

Scott Cheeseman:

- Replied absolutely they would perform COVID testing.
- Advised that right now it takes 18 days on average for a patient to get in to see a doctor in the United States.
- Added that everyone is very busy dealing with COVID right now.

Commissioner Hines asked Mr. Cheeseman if they are just urgent care.

Scott Cheeseman said they provide both primary and urgent care.

Commissioner Hines asked whether there would be a doctor on site at all times.

Scott Cheeseman replied they have a doctor on site 7-days a week, 10-hours per day.

Commissioner Colvill asked Mr. Cheeseman when they might start offering COVID testing at this new Campbell location.

Scott Cheeseman replied that he believes it will be in First Quarter 2021. They are currently working with the Building Division on their tenant improvement plans and will open as soon as possible.

Chair Krey asked Mr. Cheeseman if his clients come to the clinic on foot or by vehicle.

Scott Cheeseman:

- Replied that how clients arrive depends upon the jurisdiction/location.
- Pointed out that their San Francisco location has no parking so that equates to clients walking in.
- Said that other locations with lots of parking tend to have lots of clients arriving by vehicles.

- Predicted that this location will likely have clients mostly arriving by vehicle. He mentioned that there are large employers nearby (right across the street) that could bring clients in by foot.

Commissioner Hines thanked Mr. Scott Cheeseman for bringing this Carbon Health clinic to Campbell.

Scott Cheeseman said he is glad to be here.

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

Commissioner Ching:

- Said he is fully in support of this use.
- Admitted that retail is changing and that has resulted in the loss of some retail stores in this center.

Commissioner Ostrowski:

- Stated her support.
- Reminded that there is currently a 30 percent vacancy rate at this center.
- Added that this clinic will provide a very positive impact on this community. Medical uses are important.

Commissioner Hine:

- Concurred with both Commissioners Ching and Ostrowski.
- Added that this particular side of the center is currently “dead”.
- Stated that there is a need for urgent care.
- Concluded that this is a perfect fit.

Commissioner Buchbinder:

- Concurred.
- Stated great job.
- Pointed out that this is a “first time” medical use in this center. It will be an excellent use.
- Concluded that he supports the staff recommendation to expand the hours. It is not a problem.

Motion: Upon motion of Commissioner Buchbinder, seconded by Commissioner Rivlin, the Planning Commission adopted Resolution No. 4572 approving a Conditional Use Permit (PLN-2020-82) to allow a new medical service use (clinic) within an existing commercial tenant space on property located at 1760 S. Bascom Avenue, Suite 140, with the following amendment:

- **Revise Condition 4(b) to expand operational/staff hours to 8 a.m. until 9 p.m. daily;**

by the following roll call vote:

AYES: Buchbinder, Ching, Colvill, Hines, Krey, Ostrowski and Rivlin

NOES: None
ABSENT: None
ABSTAIN: None

Chair Krey advised that the Planning Commission action is final unless appealed in writing to the City Clerk within ten calendar days.

MISCELLANEOUS ITEM(S)

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

3. Discussion on Commercial and Industrial Floor Area Ratios (FAR) standards. Presenter: Commissioner Nick Colvill

Commissioner Colvill:

- Discussed several mixed-use developments from other nearby communities (Santa Clara, San Jose, Mountain View) and showed some photographs.
- Described commercial areas as including: Commercial, Office, C-1 (Neighborhood Commercial), C-2 (General Commercial), General Office and Controlled Manufacturing and provided a table.
- Stated that he sees the benefit of changing (expanding) upon current FAR (Floor Area Ratios) restrictions.
- Compared some Controlled-Manufacturing projects in Los Gatos, Santa Clara, San Jose and Sunnyvale.
- Questioned how Los Gatos changed their zone and maximum building heights for the Netflix site.
- Pointed out that Planned Development Zoning (P-D) is the tool that Campbell uses to help facilitate a quicker approval of developers' proposals despite current zoning.
- Discussed the option of creating Area Specific Plan(s).
- Asked for feedback from the other Commissioners on these initial issues.

Chair Krey:

- Stated that Commissioner Colvill has clearly spent a lot of time and effort in developing this information. It's awesome.
- Asked what direction we should go in.

Commissioner Colvill:

- Stated his hope that his introduction would spark a fuller discussion.
- Admitted that his concern is that if not considered now, when the General Plan is adopted, we will be in the same position.
- Encouraged the consideration of how the City can develop a better environment for its property owners.
- Said this is just an open door. There is not expectation for specific action tonight but rather a discussion of ideas.

Commissioner Hines:

- Stated that Commissioner Colvill's presentation was right on. It was excellent.
- Pointed out that property managers are getting gun-shy about potential redevelopment of their older properties.
- Asked staff that FAR had been requested by the owners of the Shell Station Property at Hamilton.

Director Paul Kermoyan:

- Replied that Shell had requested a FAR higher than 1.5.
- Cautioned that the Commissioners are raising an issue that requires a policy direction.
- Added that right now the Commission is offering its respective opinions. Your wishes.
- Suggested the Commission take a step back to ask what the community wants. It has to start there with the General Plan.
- Said that until we are provided with the direction by Council that they want more growth, then changes will be made to implement that goal.
- Reiterated that it depends on where this community wants to be.
- Reminded that the draft General Plan is now on the website.
- Reported that an initial review of the Draft General Plan will come before the Planning Commission over several meetings until the Commission is ready to forward it onward to Council with its recommendation(s).
- Reminded that the General Plan is intended to reflect itself as a community vision document.

Chair Krey:

- Agreed that FAR can be a controversial issue.
- Said that more and more applications are coming in for residential, commercial or mixed-use development. All are asking for more density.
- Pointed out that we need more housing and to achieve that needed housing more density will have to be allowed.
- Added that Campbell doesn't have such large-scale sites as the examples provided by Commissioner Colvill from other local cities.

Commissioner Rivlin:

- Reminded that the City spent a fair amount of time developing the DAAP (Dell Avenue Area Plan) that was supposed to be a big-vision area plan. Ultimately the EIR was not certified and Council did not go forward with the DAAP.
- Reported he had joined this Commission following the conclusion of the DAAP effort.
- Agreed that a piecemeal plan is not the way to go to achieve holistic development.
- Said that the Director's input equates to more time to wait.
- Stated that this Commission can encourage the Council to look at this issue a little closer as it will be years before the Updated General Plan affects any zoning.

Director Paul Kermoyan:

- Reported that on September 2nd, there will be a joint session with GPAC and the City Council to discuss the General Plan draft.
- Said that Council wants to hear from each member of the GPAC as to whether their draft is one they are proud of and/or if it reflects where they wanted it to go.

- Added that following that joint session the Council will direct staff on what comes next.
- Agreed that there are existing problems with FAR standards.
- Said that mixed-uses are higher-density and intensity.
- Stated that some will agree with the need for higher FAR's while others will say it's the worse idea.
- Reported that Costco was interested in the Fry's site, which could result in sales tax revenue of between \$1 million to \$1.5 million.
- Concluded there is a lot of interest in that area.

Commissioner Colvill:

- Asked how to do we provide better opportunity for property owners to develop in a way that works.
- Added that his own opinion is not the most important one.

Commissioner Buchbinder:

- Said that is a broader question for our City and an important one. Are we permissive? Do we deny things?
- Pointed out that Director Kermoyan has experience working with both types of cities – quite permissive or very strict.

Commissioner Hines:

- Told Commissioner Colvill that it is real change that he is proposing.
- Agreed that it is important to get those ideas into the GPAC. They want a plan that they can build upon and that gives developers the opportunity to move forward.
- Reminded that the Trojan Storage facility was pushing its FAR request.
- Stated that the draft General Plan will soon come before the PC. Perhaps the PC will only accept it by including these concerns into the GPAC and GP being solid in our approach.
- Said that there has been a lot of direction from Council and GPAC and feedback from the public. Areas of Campbell have lots of vacant and/or deteriorating lots.

Commissioner Ching:

- Extended kudo's to Commissioner Colvill on his time and work spent on this research and presentation.
- Agreed with the sentiment that we must consider from both our own standpoints as well as from a community standpoint.
- Said he would encourage the Council to send the draft General Plan forward to us. The current GP is 20 years old.
- Stated his agreement with points made both by Commissioner Colvill and Director Paul Kermoyan.

Commissioner Buchbinder:

- Agreed with Commissioner Ching's opinion that the current General Plan is showing its age and we'd like to see it updated appropriately.
- Provided a "cautionary" example from San Francisco when discretionary processing for a new use takes such a long time the tenant is lost, and the space remains vacant.
- Stated that predictable and clear zoning standards are essential.

Commissioner Ostrowski:

- Stated that Commissioner Colvill's presentation was compelling including the mixed-use and commercial-oriented examples provided.
- Agreed with Director Paul Kermoyan that we must look at what the community sees as its vision.
- Added that a big part of that is to make sure a substantial part of the community is involved.
- Said that while some may support but others may not. Each side has to take the time to participate in helping achieve change.

Commissioner Colvill:

- Pointed out that the use of Zoom helps provide accessibility to the community. It is available to the community as a whole to witness the conversation.
- Said we must make sure we don't miss current property owners/landowners who must redevelop their property or die.
- Added that it is horrible to have vacant spaces/buildings. It's unfortunate.
- Stated his appreciation for the input provided tonight from his fellow Commissioners.

Director Paul Kermoyan:

- Said he is maintaining a list of the Commission's priorities and promises to continue to update it moving forward.
- Listed the current areas of interest to include:
 - Parking Standards
 - Floor Area Ratios (FAR)
 - Site and Architectural status for old buildings without an original Campbell permit and how that impacts seeking new entitlements.
 - Accessory Dwelling Unit (ADU) Amnesty Program

Chair Krey thanked Commissioner Colvill for bringing this discussion forward.

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

Director Paul Kermoyan had no additions to his written report but was available for any questions from the Commission.

Commissioner Rivlin asked for a status on the Dell Avenue project that was approved by Council in 2019.

Director Paul Kermoyan said that construction drawings are being reviewed by Building. They are very motivated to move forward. He added that the Cresleigh Development (Campbell Ave) waited until the end of the CEQA appeal period that is in late August.

Chair Krey suggested that his fellow Commissioners watch the Council meeting when they decided on the Dell Avenue Project. They consider the project to be the exception not the standard for Dell.

Commissioner Buchbinder asked about the status update provided to Council on the Downtown Campbell street closure.

Director Paul Kermoyan:

- Referenced his written report, Item I-c.
- Said that it represented an on-going conversation after the implementation of that street closure program.
- Added it is intended to make sure what was anticipated is what actually is happening.
- Admitted that for the most part there is disappointment that it is not as impactful as had been hoped.
- Said that on September 1st, recommended new changes to the program will be discussed by Council at its meeting.
- Said that there are differing opinions between retailers and restaurants.
- Added that one potential change would be the creation of parklets and reopening the street itself.

ADJOURNMENT

The Planning Commission meeting adjourned 9:05 p.m. to the next Regular Planning Commission Meeting of **September 8, 2020**, which will be conducted on Zoom.

SUBMITTED BY:

Corinne Shinn, Recording Secretary

APPROVED BY:

Michael Krey, Chair

ATTEST:

Paul Kermoyan, Secretary