

CITY OF CAMPBELL PLANNING COMMISSION
MINUTES

7:30 P.M.

TUESDAY

FEBRUARY 13, 2018
CITY HALL COUNCIL CHAMBERS

The Planning Commission meeting of February 13, 2018, was called to order at 7:30 p.m., in the Council Chambers, 70 North First Street, Campbell, California by Chair Rich and the following proceedings were had, to wit:

ROLL CALL

Commissioners Present:	Chair:	Michael L. Rich
	Vice Chair:	JoElle Hernandez
	Commissioner:	Mike Krey
	Commissioner:	Maggie Ostrowski
	Commissioner:	Andrew Rivlin

Commissioners Absent:	Commissioner:	Cynthia L. Dodd
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Staff Present:	Community Development	
	Director:	Paul Kermoyan
	Senior Planner:	Daniel Fama
	Senior Planner:	Cindy McCormick
	Associate Planner:	Stephen Rose
	Assistant Planner:	Victoria Hernandez
	City Attorney:	William Seligmann
	Recording Secretary:	Corinne Shinn

APPROVAL OF MINUTES

Motion: Upon motion by Commissioner Krey, seconded by Commissioner Ostrowski, the Planning Commission minutes of the meeting of January 23, 2018, were approved as presented (5-0-1; Commissioner Dodd was absent)

COMMUNICATIONS

Director Paul Kermoyan listed the following items:

- Two Emails regarding Agenda Item No. 1.

AGENDA MODIFICATIONS OR POSTPONEMENTS

None

ORAL REQUESTS

None

PUBLIC HEARINGS

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

1. **PLN2017-375** Public Hearing to consider a City-initiated **Zoning Code Amendment (PLN2017-375)** to amend Campbell Municipal Code Chapter 21.23 (Accessory Dwelling Units) and other sections of the Campbell Municipal Code pertaining to accessory dwelling units. Staff is recommending that this item be deemed Categorical Exempt under CEQA. Tentative City Council Meeting Date: March 20, 2018 Project Planner: *Daniel Fama, Senior Planner*

Mr. Daniel Fama, Senior Planner, presented the staff report.

Chair Rich asked if there were questions for staff.

Commissioner Krey sought verification that there are about 4,000 additional parcels that would be eligible for ADU's.

Planner Daniel Fama replied that the other residential land designations (R-D, R-2, R-3, and R-M zoned properties) could also be in consideration for an ADU.

Commissioner Krey sought verification that the parking and setback changes proposed are a mandate by the State.

Planner Daniel Fama replied correct.

Commissioner Krey asked the last time that the subject of the minimum lot size of 10,000 square feet was discussed.

Planner Daniel Fama replied during the preparation of the last Housing Element in 2014 it was considered.

Chair Rich asked how many R-1 zoned properties there are in Campbell. Also are there R-1 zoned properties that are below 6,000 square feet in size?

Planner Daniel Fama responded that usually smaller lots than 6,000 square feet are found within Planned Development zoned sites rather than R-1 (Single Family Residential).

Chair Rich clarified that the existing “structures” with potential for conversion into an ADU must have been constructed prior to January 2017. He asked if that changes if a property owner wants to build over a garage.

Planner Daniel Fama explained that an owner cannot build an ADU above a detached garage. ADU’s are limited to a single story.

Commissioner Ostrowski if an ADU is attached to the main house would a second story be possible for the ADU.

Planner Daniel Fama clarified that an attached ADU is limited to be on the ground floor of the structure.

Commissioner Ostrowski asked if an ADU could be above an attached garage.

Planner Daniel Fama replied that the Ordinance does not allow that.

Chair Rich asked Commissioner Hernandez to provide the SARC update.

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

Larry Hayes, Resident on San Tomas Aquino Road, Campbell:

- Stated that he is here this evening with his wife. They are longtime Campbell residents and homeowners.
- Advised that he is here to talk about the current 10,000 square foot minimum lot size to allow an ADU.
- Admitted that they are passionate about changing that limitation.
- Recounted how he has recently become aware of a car parked with a family of four living in it for the last four weeks or so. There are six to eight RV’s parked near the Campbell Percolation Ponds. We face a terrible homeless problem throughout the entire Bay Area including Campbell. We see the homeless everywhere.
- Said that while ADU’s won’t solve the homeless problem it is one solution to the need for housing.
- Stated that “we all need to do our part.”
- Said that he believes all types of housing are needed and that he is glad that the State of California has woken up to that idea. He gave the Governor some credit for that.
- Pointed out that other nearby cities have reduced their minimum lot size for ADUs. Many have changed their ADU policies to 8,000 square foot lots and even smaller.
- Reported that Campbell has a large population of residents over the age of 65 and that group is growing.

- Advised that he is here this evening to urge the City of Campbell to reconsider reducing the minimum lot size for an ADU from the current 10,000 square feet to 8,000 square feet or less. That would help him.
- Pointed out that at some point all of us will have to decide if we can stay in our house or have to move. Campbell is a good place to live.
- Said that the potential for 1,600 additional ADU's in Campbell is a good thing that could help solve the housing demand.

Mr. Nguyen, Resident on White Oaks Road:

- Asked that the minimum lot size for an ADU be reduced so his parents can live with him in their own unit.

Joshua Rosa, Resident on Grace Avenue:

- Said that his home on Grace is technically in San Jose but he feels like a part of Campbell. His lot is 5,400 square foot.
- Explained that as a cancer survivor with a father dealing with early Alzheimer's an ADU on his property is desirable
- Pointed out that leaving the Ordinance "as is" won't add new ADU's. It doesn't ease restrictions enough to create many opportunities for more ADU's.

Shirley Chan, Resident on Theresa Avenue:

- Said that she too would like to see the minimum lot size reduced.
- Admitted that the discussion of second stories in relation to ADU's was complicated for her to understand.
- Asked Campbell to reduce the minimum lot size to accommodate an ADU as other nearby cities have done. She listed San Jose, Santa Clara, Palo Alto and Redwood City as communities who have reduce their lot size for ADU's within the past few years. Some have no minimum lot size requirement.
- Pointed out that ADU's offer room for adult children, parents, nanny's, caretakers as well as serving as an income unit.
- Called for reduction in lot size for ADU's.

Steve Bennett, Resident on E. Campbell Avenue:

- Reported that he purchased a house with an existing ADU that he thought was compliant.

Commissioner Krey asked staff how many illegal ADU's there are in the City.

Director Paul Kermoyan:

- Stated that is a Code Enforcement question. The role of Code Enforcement is to protect the public health and safety.
- Added that if the City has knowledge of an illegal unit that would be addressed.
- Pointed out that code enforcement is a reactive program rather than a pro-active. The City relies on people lodging complaints to initiate a code case and does not specifically look for illegal units.

Commissioner Krey asked whether the City doesn't see ADU's as helpful in meeting the City's allocation for new housing units.

Planner Daniel Fama:

- Stated that ADU's are not affordable units. They are desirable units but often rent for more than a comparably-sized apartment. The ADU's are not currently being deed restricted to be affordable units.

Director Paul Kermoyan:

- Stated that he has carefully listened to the concerns raised by the public speakers.
- Added that he has heard about the need to solve the homeless situation. One speaker expressed the need for housing to serve aging populations as the percentage of population over 65 years of age continues to grow larger.
- Said that some want a minimum lot is proposed at 6,800 square feet. But where do you draw the line. Someone will always have a slightly smaller property than allows an ADU.
- Another expressed concern that as drafted this ADU Ordinance is likely resulting in no more ADU's.
- Explained that the reason for lot size limits is to preserve the neighborhoods.
- Said that if the desire is to increase the availability of affordable units that is one thing. If the issue is to create supplemental income for others, that is another thing.
- Said that one possibility could be to keep the standard 10,000 square foot minimum lot size for an ADU. However it would be made possible to build an ADU on a smaller than 10,000 s.f. lot but to deed restrict the ADU to act as an affordable unit (Below Market Rate).
- Stated that there is a lot to think about and analyze.
- Pointed out that the Commission doesn't have to advance this proposed Ordinance amendment onward yet. Staff can do more research and bring additional information back to the Planning Commission.

Commissioner Krey said that the need for housing is a big problem and he is concerned that the consideration of reducing lot size for an ADU has not been considered since 2015.

Commissioner Ostrowski asked staff how many of the 1,680 properties, which are 10,000+ square feet parcels, currently have ADU's on them.

Planner Daniel Fama said that current count is not known.

Commissioner Rivlin asked if the information was even available.

Planner Daniel Fama said that is difficult to obtain given the 25+ year old permit software currently in use.

Chair Rich asked how many new ADU's since the Ordinance was last updated.

Planner Daniel Fama replied fewer than 10. The Housing Element referenced three to four per year.

Commissioner Hernandez reminded that currently the General Plan update is underway with the GPAC (General Plan Advisory Committee) hold meetings. She asked if discussions have been held about possibly changing the lot size for ADU's.

Director Paul Kermoyan replied that the GPAC has not talked that level of specificity but rather on broader issues of the General Plan.

Planner Daniel Fama added that the Housing Element itself is not a part of the General Plan Update.

Commissioner Hernandez:

- Agreed with Commissioner Krey that we should consider reducing the lot sizes in Campbell to allow for ADU's.
- Suggested directing staff to do some additional research to determine what that reduction in lot size might mean. It will take a concentrated effort that can't be addressed tonight. It will have to be looked at in context.

Director Paul Kermoyan said that staff can address the comments made that 10,000 square foot lot standard appears to be an arbitrary number.

Commissioner Hernandez said that she hopes it's a number that is backed up with research that we all can agree on.

Chair Rich:

- Suggested that staff provide comparisons from where we are to where we were.
- Said that the Planning Commission needs to think about what is our intent. What are we trying to accomplish?
- Added that even if the minimum lot size is reduced, some property owners will still have lots that are too small to allow an ADU.

Commissioner Rivlin:

- Said that the suggestion of a deed restriction to create BMR units is very interesting idea that he'd like to see looked into.
- Asked what if the homeowner doesn't want to deed restrict their own lot and ADU?
- Suggested that perhaps an in-lieu fee might be charged instead to put towards creation/provision of low-income housing.
- Pointed out that developers already get that opportunity so perhaps homeowners should as well.

Commissioner Ostrowski:

- Thanked all the members in the audience for attending and speaking to this issue.
- Said that lot size is still a big issue to consider.
- Agreed that there is a housing crisis here.

- Added that she can see many different situations where ADU's would be helpful. It could be kids coming home after college. It could be elder parents moving in.
- Suggested that we need to carefully consider lot size and see if that can be lowered.
- Said if there is a parcel with a smaller house on it and the homeowner desires a small ADU and the sum of both units remains low, perhaps that could be considered.
- Pointed out that it is very expensive to build and contractors are spread thin. It will take people with means, reason and motivation to build ADU's.

Chair Rich:

- Thanked those in the audience from coming this evening.
- Listed three things he'd like to see staff look into:
 1. Get the lot size standards from all cities in the County that allow for an ADU.
 2. Explore the potential to build an ADU on a second story.
 3. Separate 1,000 versus 2,000.

Director Paul Kermoyan:

- Advised that the City is trying to do Smart Growth Development.
- Asked if there is any interest in increasing density. Other communities have much higher maximum densities while Campbell's highest density allows for up to 27 units per gross acre.

City Attorney William Seligmann cautioned that discussion of density is not agendized.

Director Paul Kermoyan asked the Commission if that is something they would like staff to add to its research.

Planner Daniel Fama suggested perhaps considering further looking into parking provision. Some cities have completely eliminated parking requirements for ADU's.

Chair Rich said he thought there was enough leeway with parking.

Commissioner Ostrowski agreed.

Commissioner Rivlin agreed.

Planner Daniel Fama said that the standard is one per unit. Perhaps there could be incentives to reduce the park fee (currently \$7,500) or to allow a larger FAR (floor area ratio) maximums. Or should the focus just be on lot sizes?

Commissioner Krey said the housing situation is frightening. Density is an issue that we may have to start looking at.

Director Paul Kermoyan:

- Said that staff will do so.
- Lot size is a part of the decision.

- No decision is being made tonight. Staff will bring additional info and notice it accordingly.

Commissioner Ostrowski reiterated the need for info from other nearby cities.

Motion: Upon motion of Commissioner Krey, seconded by Commissioner Rivlin, the Planning Commission CONTINUED TO A DATE UNCERTAIN a Zoning Code Amendment (PLN2017-375) to amend Campbell Municipal Code Chapter 21.23 (Accessory Dwelling Units) and other sections of the Campbell Municipal Code pertaining to accessory dwelling units, to allow staff to compile additional research information, by the following roll call vote:

AYES: Hernandez, Krey, Ostrowski, Rich and Rivlin
NOES: None
ABSENT: Dodd
ABSTAIN: None

Commissioner Ostrowski was excused for the balance of the meeting and left the dais and chambers.

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

2. **PLN2017-273** Public Hearing to consider the application of Solar Technologies for a Site and Architectural Review Permit (PLN2017-273) to allow the construction of an approximately 3,700 sq. ft. solar carport structure and associated equipment on property located at **1675 S. Winchester Boulevard**. Three Carolina Laurel Cherry trees are proposed for removal in association with the proposed solar carport structure (PLN2017-274). 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: *Victoria Hernandez, Assistant Planner*.

Ms. Victoria Hernandez, Assistant Planner, presented the staff report.

Chair Rich asked if there were questions for staff. There were none.

Chair Rich asked for the SARC report.

Commissioner Rivlin provided the Site and Architectural Review Committee report as follows:

- Reported that SARC considered this application at its meeting on January 23rd and was supportive.
- Added that the trees to be removed would be replaced elsewhere on site. The request seemed straightforward.

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

Robert Renfer:

- Said that he is a longstanding member of this Church and advised that their Pastor and other members are here this evening in support of this application.
- Pointed out that the Church has been in Campbell for 130 years.
- Added that the solar panels will help to reduce their PG&E bills and help to contribute to a better environment for the world.

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

Motion: **Upon motion of Commissioner Hernandez, seconded by Commissioner Krey, the Planning Commission adopted Resolution No. 4425 approving a Site and Architectural Review Permit (PLN2017-273) to allow the construction of an approximately 3,700 sq. ft. solar carport structure and associated equipment and an associated Tree Removal Permit (PLN2017-274) to allow the removal of three Carolina Laurel Cherry trees, subject to the conditions of approval, on property located at 1675 S. Winchester Boulevard, by the following roll call vote:**

AYES: **Hernandez, Krey, Rich and Rivlin**

NOES: **None**

ABSENT: **Dodd and Ostrowski**

ABSTAIN: **None**

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

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

3. **PLN2017-355** Public Hearing to consider the application of Renate Schulze for a General Plan/Zoning Map Amendment (PLN2017-365) to change the land use designation from Professional Office to Neighborhood Commercial for property located at **71 N. San Tomas Aquino Road**. Staff is recommending that a Mitigated Negative Declaration be adopted for this project. Tentative City Council Meeting Date: March 6, 2018 Project Planner: *Cindy McCormick, Senior Planner*.

Ms. Cindy McCormick, Senior Planner, presented the staff report.

Chair Rich asked if there were questions for staff.

Commissioner Hernandez asked if there have been interested tenants for this location.

Planner Cindy McCormick replied yes.

Commissioner Rivlin asked why the 2001 General Plan change occurred.

Planner Cindy McCormick replied in order to come into conformance with the General Plan as required.

Commissioner Krey sought verification that the Neighborhood Residential designation allows a higher number of uses than the Professional Office designation. Do they all require a Conditional Use Permit?

Planner Cindy McCormick replied that a number of uses are permitted by right with just the requirement for a business license. There are also conditional uses that require issuance of a CUP. For example, late night operational hours require a CUP.

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

Renate Schulze, Property Owner:

- Reported that the store currently vacant has been empty for about two years.
- Said that they have been unable to rent it out.
- Asked that the Commission please support this requested change.

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

Commissioner Krey said that this site is about two-and-a-half blocks from his house and he goes to a barber in that center. He said that the vacant space doesn't seem to be big enough to bring in a disruptive use.

Commissioner Rivlin agreed and pointed out that there is a larger shopping center located just across the street.

Commissioner Hernandez agreed and said this change makes sense. She added that there is the CUP process for any uses that may cause concern.

Motion: **Upon motion of Commissioner Krey, seconded by Commissioner Rivlin, the Planning Commission adopted Resolution No. 4426 recommending that the City Council approve a General Plan/Zoning Map Amendment (PLN2017-365) to change the land use designation from Professional Office to Neighborhood Commercial for property located at 71 N. San Tomas Aquino Road, by the following roll call vote:**

AYES: **Dodd, Hernandez, Krey, Ostrowski, Rich and Rivlin**

NOES: **None**

ABSENT: **None**

ABSTAIN: **None**

Chair Rich advised that this item would be considered by the City Council at its meeting of March 6, 2018.

Chair Rich read Agenda Item No. 4 into the record as follows:

4. **PLN2017-337** Public Hearing to consider the application of Mike Hogan for a Conditional Use Permit (PLN2017-337) to allow a motor vehicle sales (retail/wholesale) establishment on property owned by James Ball, located at **125 E. Sunnyoaks Avenue, Suite 209A**, in the M-1 (Light Industrial) 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, Associate Planner.*

Mr. Stephen Rose, Associate Planner, presented the staff report.

Chair Rich asked if there were questions for staff.

Commissioner Rivlin asked if there is already another operator there.

Planner Stephen Rose replied with the addition of this one there were be three on site.

Chair Rich verified that there are two designated parking spots.

Planner Stephen Rose replied yes. The other tenants both have two each as well.

Chair Rich asked about parking for the employees of these businesses.

Planner Stephen Rose explained that there is other parking available. There is a surplus serving this site that goes above and beyond the one parking space ratio per 225 square feet of tenant space that is required.

Chair Rich opened the Public Hearing for Agenda Item No. 4.

Chair Rich closed the Public Hearing for Agenda Item No. 4.

Commissioner Hernandez said her only concerns had been storage of vehicles, washing and repairing of vehicles at this location. She's read the conditions of approval as well as the applicant's written description and those concerns have been alleviated.

Motion: Upon motion of Commissioner Rivlin, seconded by Commissioner Hernandez, the Planning Commission adopted Resolution No. 4427 approving a Conditional Use Permit (PLN2017-337) to allow a motor vehicle sales (retail/wholesale) establishment on property owned by James Ball, located at 125 E. Sunnyoaks Avenue, Suite 209A, subject to the conditions of approval, on property located at 1675 S. Winchester Boulevard, by the following roll call vote:

AYES: Hernandez, Krey, Rich and Rivlin

NOES: None
ABSENT: Dodd and Ostrowski
ABSTAIN: None

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

Chair Rich read Agenda Item No. 5 into the record as follows:

5. **PLN2017-149** Public Hearing to consider the application of Jeff Rooney for a Conditional Use Permit (PLN2017-149) to allow for the establishment of a major motor vehicle repair and maintenance facility (d.b.a. "IQ Autoworks") on property located at **805 E. McGlincy Lane** in the M-1 (Light Industrial) 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, Associate Planner.*

Mr. Stephen Rose, Associate Planner, presented the staff report.

Chair Rich asked if there were questions for staff.

Commissioner Krey asked about the requirement to keep the service bay doors closed.

Planner Stephen Rose said one condition requires the bay doors be kept closed while cars are being worked on. He referenced Condition 6-B that establishes operational hours between 7:30 a.m. and 10 p.m. (when staff can be on the premises working) and the business hours between 8 a.m. and 6 p.m. (when customers can come to the site).

Director Paul Kermoyan asked why there is a four-hour gap between the business and operational hours. Will they be working an additional four hours?

Planner Stephen Rose said that the condition needs to be modified. He mentioned that Caliber Collision nearby has operational hours to 10 p.m. but that location is not adjacent to residential properties.

Commissioner Krey asked if it is a "rule of thumb" when commercial uses are abutting residential uses.

Commissioner Hernandez asked about the proposed timing for completing the changing of the entrance driveway.

Planner Stephen Rose said it was open ended and up to the applicant. They have to choose one of two options, either to remove to spaces and eliminate one bay or to realign the driveway approach.

Commissioner Rivlin provided the Site and Architectural Review Committee report as follows:

- Reported that SARC provided guidance on fencing color and materials.
- Added that operational hours were not discussed at SARC.

Commissioner Hernandez added to the Site and Architectural Review Committee report as follows:

- Said that SARC talked quite a bit about the fencing and supported chain-link where damaged slats can be easily replaced.

Chair Rich asked about the need for fencing to act as a noise buffer.

Commissioner Hernandez said that was not as much a concern given this site is not directly by residential uses. There is another business located right behind it.

Commissioner Rivlin pointed out that the fences there now are in disrepair and need a uniform look.

Commissioner Krey asked about the proposed use of both six and eight-foot fencing.

Planner Stephen Rose said that the chain link slats have to be black. He added that condition 6 could be specific to require the work occur within a 30-day window after approval. He reminded that this is a quasi-Code Enforcement case.

Commissioner Rivlin questioned how it would be for workers to repair cars with the bay doors shut on hot days.

Planner Stephen Rose said that adequate HVAC would be necessary to heat during cold weather and cool during hot weather.

Chair Rich said he was against hours proposed but was supportive of a 30-minute buffer between operational and business hours.

Planner Stephen Rose pointed out that there have been no noise complaints about this use that has been in operation at this location since May 2017.

Director Paul Kermoyan:

- Pointed out that the M-1 (Light Industrial) zoning district is the heaviest industrial zone in the City.
- Added that this building is intended for vehicle repair.
- Stated that he finds the condition requiring the bay doors to be closed an undue hardship on this business.

- Said that while he wants to allow some flexibility, he'd prefer to reduce the hours back to more normal auto repair hours. He doesn't support work on site up to 10 p.m.
- Concluded that the proposed hours should be curtailed to more reasonable hours that are sensitive to residential nearby.
- Stated that he supports keeping the bay doors open but fewer operational hours.

Chair Rich asked the hours for other comparable businesses in this area.

Director Paul Kermoyan said that each site is different. This property is different from the Caliber Collision property. The same conditions can't always be applied to every location.

Chair Rich opened the Public Hearing for Agenda Item No. 5.

Tom Sloan, Project Architect:

- Advised that his client is fine reducing his hours to a 6 p.m. closure to customers. After 6 p.m. the bay doors would be closed to allow staff to finish up work on vehicles up to 9 p.m.
- Assured that the conditions that had raised neighbor complaints have been corrected.
- Pointed out that no one is here to object to this business and tonight a letter of support was distributed by a neighboring business owner.
- Said that they agree to the conditions of approval including the requirement to remove a service bay to relieve them of the requirement for additional parking.
- Added that a new gate will be installed immediately that is wide enough for two-way traffic.
- Stated that the rest of the conditions are perfectly acceptable including having the service doors down after 6 p.m. when they close to the public. They would like to have the ability to finish up a job after 6 p.m. if they need to in order to best serve their customers.
- Reported that fencing options were discussed. Their choice was to retain the existing chain-link fence and replacing the current obscuring slats with new black slats that interlock and leave no openings between slats.

Chair Rich closed the Public Hearing for Agenda Item No. 5.

Commissioner Rivlin:

- Said he appreciates the applicant's proposal to remove a bay. He supports that decision.
- Said having the fence in black with inter-locking black slats makes complete sense.
- Added that the applicant had also offered additional planting on site.
- Stated that as for hours, 6 p.m. for the most part the work on autos is over. Paperwork occurring after 6 p.m. would not be intrusive. Perhaps a little light repair that doesn't include noise impacts might be supportable.

Commissioner Krey:

- Said he likes the auto repairs to stop at 6 p.m.
- Said he could support a buffer of 30 minutes additional to allow them to finish work up to 6:30 p.m.
- Admitted that he needs to see specified and set hours.

Commissioner Hernandez:

- Agreed with Commissioner Krey but pointed out that everyone has had that situation when your car is in the shop and you really needed to get it back as soon as possible.
- Said that an established operational hour range must be solid. Doors need to close by 6 p.m. and work can continue behind the closed bay doors up to 6:30 p.m. That is the best-case scenario. Wrapping up the work by 6:30 p.m.
- Added that this proposed standard is enforceable.
- Pointed out that SARC had heard that the doors would be kept closed and that made a difference in the fencing SARC could support.
- Reminded that the City's code requires for a masonry wall to help alleviate noise impacts from auto repair facilities on the surrounding area.
- Said that even tire changing is a noisy process.
- Stated that she appreciates that the owner is ready to remove a service bay to reduce the parking requirement by two spaces.

Chair Rich reiterated the proposed business hours from 8 a.m. to 6 p.m. and the proposed operational hours from 7:30 a.m. to 6:30 p.m.

Commissioner Rivlin suggested extending operational hours to 7 p.m.

Chair Rich admitted that he had been leaning toward 7 p.m. as well.

Commissioner Rivlin said he was okay with the proposed Saturday hours.

Planner Stephen Rose listed the Commissions positions on this project. There are no concerns about including Saturdays. There is support for operational hours from 7:30 a.m. to 7 p.m. and for business hours between 8 a.m. and 6 p.m. The service bays can remain open until 6 p.m. The chain link fence will be fitted with black inter-locking slats.

Commissioner Hernandez added the compliance date for Condition 6 to be 30 days after approval.

Planner Stephen Rose said that the bay doors will be closed by 6 p.m. while any additional work is occurring up to 7 p.m. when work must stop for the day.

Motion: Upon motion of Commissioner Hernandez, seconded by Commissioner Krey, the Planning Commission adopted Resolution No. 4428 approving a Conditional Use Permit (PLN2017-149) to allow for the establishment of a major motor

vehicle repair and maintenance facility (d.b.a. "IQ Autoworks") on property located at 805 E. McGlincy Lane, subject to the conditions of approval, as modified:

- Business hours between 8 a.m. and 6 p.m. (customers) from Monday through Saturday.
- Operational hours between 7:30 a.m. and 7 p.m. (employees) from Monday through Saturday.
- Fencing to be cyclone with black slats that are inter-locking.
- Remove one service bay to remove the need for two additional parking spaces.
- Allowing the bay doors to remain open during business hours (8 a.m. to 6 p.m.).

by the following roll call vote:

AYES: Hernandez, Krey, Rich and Rivlin
NOES: None
ABSENT: Dodd and Ostrowski
ABSTAIN: None

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

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

Director Paul Kermoyan provided the following additions to his written report:

- Said that he didn't have any additions to the written report.
- Advised that Commissioner Krey and he would be attending the League of California Cities Planning Commission Academy from April 4 – 6, 2018, in Monterey, CA.

ADJOURNMENT

The Planning Commission meeting adjourned at 9:40 p.m. to the next Regular Planning Commission Meeting of **February 27, 2018**.

SUBMITTED BY: _____
Corinne Shinn, Recording Secretary

APPROVED BY: _____
Michael L. Rich, Chair

ATTEST: _____
Paul Kermoyan, Secretary