

CITY OF CAMPBELL PLANNING COMMISSION

MINUTES

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7:30 P.M.

TUESDAY

MARCH 27, 2018  
CITY HALL COUNCIL CHAMBERS

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The Planning Commission meeting of March 27, 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: Cynthia L. Dodd  
Commissioner: Mike Krey  
Commissioner: Andrew Rivlin

Commissioners Absent: Commissioner: Maggie Ostrowski

Staff Present: Community Development  
Director: Paul Kermoyan  
Senior Planner: Daniel Fama  
Senior Planner: Cindy McCormick  
Senior Civil Engineer: Roger Storz  
City Attorney: William Seligmann  
Recording Secretary: Corinne Shinn

**APPROVAL OF MINUTES**

**Motion: Upon motion by Commissioner Hernandez, seconded by Commissioner Krey, the Planning Commission minutes of the meeting of March 13, 2018, were approved as presented (5-0-1; Commissioner Ostrowski was absent)**

**COMMUNICATIONS**

Director Paul Kermoyan listed the following items:

- Three letters for Agenda Item No. 3 (Carden Day School).

**AGENDA MODIFICATIONS OR POSTPONEMENTS**

None

**ORAL REQUESTS**

None

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**PUBLIC HEARINGS**

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

1. **PLN2018-15** Public Hearing to consider the application of Matt Liu for a Site and Architectural Review Permit (PLN2018-15) to allow the construction of a new 3,536 square foot single-story single-family residence with a 536 square foot detached garage on property located at **927 Emory 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: *Cindy McCormick, Senior Planner*

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

Commissioner Hernandez advised that SARC had only raised the issue of back to back bathrooms and the potential for sectioning off space to be used as a separate living space.

Planner Cindy McCormick:

- Agreed that there is an area of this home as proposed that conceivably could be converted into an accessory dwelling unit (ADU).
- Added that the lot itself is large enough to accommodate an ADU and could be applied for via a Building Permit if and/or when they decide they'd like an ADU.

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

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

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

Commissioner Hernandez said that she is in support of this project and asked staff if they recommend including a condition of approval requiring that a Building Permit be obtained if they should decide to convert space into an ADU.

Planner Cindy McCormick pointed out that the Municipal Code itself already requires a property owner to apply for a Building Permit in order to create a new ADU. However, the Planning Commission could decide to add it as a condition if they choose to do so.

Commissioner Dodd pointed out that the space in question might have a bathroom but no other facilities in there. She said she felt pretty comfortable about that.

**Motion: Upon motion of Commissioner Hernandez, seconded by Commissioner Dodd, the Planning Commission adopted Resolution No. 4433 approving a Site and Architectural Review Permit (PLN2018-15) to allow the construction of a new 3,536 square foot single-story single-family residence with a 536 square foot detached garage on property located at 927 Emory Avenue, by the following roll call vote:**

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

Director Paul Kermoyan pointed out that the concern over the potential for unpermitted conversion of space in this home into a separate ADU will be documented in the minutes for this meeting.

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

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

2. **PLN2018-15** Public Hearing to consider the application of Sundarrajan Swaminthan for a Site and Architectural Review Permit (PLN2018-15) to allow the construction of a one-story single-family residence using portions of the existing structure on property located at **1545 Theresa 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, presented the staff report.

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

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

Mr. Sundarrajan Swaminthan & Mrs. Rajeshwari Raghvraman, Applicants and Property Owners:

- Introduced themselves and made themselves available for any questions or comments.

Commissioner Hernandez advised that SARC was supportive of this proposal while encouraging a bit more landscaping be provided with the project.

Planner Daniel Fama said that a requirement for added landscaping has been added to the conditions.

Mr. Sundarrajan Swaminthan assured that they would add additional landscaping.

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

Commissioner Krey said he had no issues. This is a nice project and fits the character of its neighborhood.

Commissioner Rivlin said that Commissioner Hernandez's SARC update was perfect. He has no added comment.

**Motion:**            **Upon motion of Commissioner Krey, seconded by Commissioner Rivlin, the Planning Commission adopted Resolution No. 4434 approving a Site and Architectural Review Permit (PLN2018-15) to allow the construction of a one-story single-family residence using portions of the existing structure on property located at 1545 Theresa Avenue, subject to the conditions of approval, by the following roll call vote:**

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

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

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

3. **PLN2015-248** Public Hearing to consider the City-initiated Revocation of the Conditional Use Permits (PLN2015-196 and PLN2015-248) due to failure to comply with the imposed conditions of approval for the Carden Day School on property located at **1980 Hamilton 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: *Daniel Fama, Senior Planner*

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

Director Paul Kermoyan:

- Stated that within the staff report for this item, staff provided an extensive list of the efforts over a decade of time.
- Said that when their CUP expired on June 30, 2016, staff didn't follow through with the revocation but rather kept working with the applicant.
- Pointed out that a CUP is a partnership between an applicant and the City. It is a relationship.
- Stated that it is unfortunate to have come to this situation. We don't want to be here.
- Added that he is looking forward to deliberations and some sort of conclusion.

Commissioner Krey said if action is not taken, they can reapply.

Planner Daniel Fama replied yes.

Director Paul Kermoyan said that is the reason to go with a "sunset" date for the CUP through this revocation.

Commissioner Krey pointed out that at some point a CUP was approved to allow 120 students at this location. Later an increase to 150 students was later granted.

Planner Daniel Fama:

- Pointed out that there are two file numbers representing two separate Use Permits. One was to allow the build out of a new permanent classroom building. Another was for the temporary use of a modular building for a prescribed period of time.
- Added that there is a long history on non-conformance with promised deadlines.

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

Timothy Lundell, Attorney for Carden Day School:

- Said he hopes that the members of the Planning Commission saw his email submitted earlier today.
- Reported that he is new to this issue and just met the School Administrator, Elizabeth Asadi, in person this evening.

- Advised that he has reviewed the PC meeting minutes for all previous meetings on the Carden Day School Use Permits.
- Admitted that it is not about making excuses at this time but rather making apologies for not meeting promises.
- Stated that graduates of Carden are exceptional students and listed several examples including one who is running for Congress. Most move on to the best high schools and colleges.
- Said that it seems that the staff recommendation requires the closure of Carden prior to the completion of their current school year.
- Stated that as of 2012, there is no reason apparent that this school couldn't have secured a five-year extension for 80 students using only the church's classrooms. That would have taken them to 2017.
- Said that Ms. Asadi's dream is to serve a larger community of students.
- Proposed an offer to have the modular removed from the property. They would pre-pay the company who owns the modular to retrieve them.
- Suggested that the CUP public hearing be postponed to allow Carden to conclude its school year and then go back to where they were in 2012.
- Reiterated his understanding that there were no unfulfilled promises for a school with 80 students using permanent classrooms.
- Said he was asking for a response that is not over-reaching.

Commissioner Rivlin asked Mr. Lundell how many properties Carden has.

Mr. Tim Lundell said he must defer to the applicant.

Commissioner Hernandez asked if a company has been located to remove the modular.

Mr. Tim Lundell replied yes. Within the next week a contract for the removal will be prepared and paid in full.

Commissioner Hernandez asked if the Church is still willing to house the Carden Day School within their permanent classroom buildings.

Mr. Tim Lundell said all they are asking for is to finish this school year with the modular classrooms, remove them after this school year ends and continue into the future with a maximum of 80 students within existing permanent classroom buildings.

Chair Rich asked Mr. Tim Lundell if he is speaking for the school.

Mr. Tim Lundell replied yes. He reminded that in his letter distributed by email earlier today he had asked for a postponement of this evening's hearing.

Natasha Venzon:

- Stated that first she is here as a mother whose son was able to succeed in school due to Carden Day School.
- Identified herself as the co-founder of TeamWks.

- Advised that they have their own school at 295 Park Avenue in San Jose that was opened in August 2017. They got their location on Park Avenue approved in a short time after losing their prior location in short notice.
- Stated that one reason that Carden failed to meet its deadlines is because Elizabeth was doing everything herself.
- Announced that they are ready to take over Carden Day School. They will do everything the City asks them to do.
- Asked that the school be allowed to finish its school year.
- Said that they are ready to have the modular removed.
- Added that she has only been aware of this situation for one week after Elizabeth contacted her.

Commissioner Dodd asked Ms. Venzon if she was the owner of Carden.

Ms. Natasha Venzon said she is the owner of a school on Park Avenue in San Jose. As for the Carden Day School, they will take over ownership and management from Ms. Asadi.

Commissioner Dodd clarified that they are not now the owners of Carden Day School.

Ms. Natasha Venzon said no.

Chair Rich said there is not yet a binding contract.

Ms. Natasha Venzon reminded that they have only been talking of this for one week. There is an understanding but no documents are yet prepared.

Eric Venzon:

- Said that he serves as CEO and CFO of the company owned with his wife.
- Offered assurance that if she gives you her word she will do it.
- Advised that they operate in multiple states.
- Stated that he finds it hard to understand not allowing Carden to complete the last weeks of their school year.
- Reiterated their intentions to buy the school and continue it within the church classrooms.

Mark Knudsen:

- Stated that although affiliated with the Congregational Church as a church member and serving on the Board of Trustees, he is speaking as a private citizen.
- Recounted that the church has been on this site since 1955. A portion of the site (about an acre) has never been developed. At one point they contemplated developing that vacant portion but ultimately decided to partner with someone to have a school on the property. Their church has compatible goals with those of Carden Day School. The partnership has worked out well over the years.
- Said that it seemed that Carden was close to achieving their plan. The City, architect, general contractor and Ms. Asadi met.
- Reported that just two weeks' ago the other parties withdrew.

- Agreed that Ms. Asadi has not met the conditions but he hopes for a continuance to give her the time to pull a new plan together.
- Pointed out that a lot of effort has been put forth by all parties. She just needs a new team to pull things together.
- Concluded that he hopes the Commission will grant this extra time.

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

Director Paul Kermoyan:

- Offered to start the deliberations saying that one job of staff is to get the ball rolling.
- Stated that it is clear that displacing children is not a good thing. We agree.
- Said that we could set a revocation date to a future date.
- Added that would give time to talk with this new outfit. We've heard a lot of promises. They could file their own application.
- Reminded that the modular classrooms were put in place to use while building the new permanent building that was supposed to happen.
- Said that once the new building was built the modular were to be removed.

Commissioner Hernandez:

- Said the Commission needs to see the contract to remove those portables.
- Agreed that with just 10 to 12 weeks left in this school year, it is not good to have to shuttle these kids to a new school.
- Pointed out that this situation is not something that developed last week or last month. It's been 10 years.
- Suggested extending the CUP to allow them to finish the school year and having the applicant come forth with an executed contract to remove the portables at the next PC meeting.
- Stated she'd like to see some contract with the new folks who are going to take over.
- Said she would see the CUP end on June 15<sup>th</sup>, the end of the school year. The new group could apply for a new CUP.

Commissioner Dodd:

- Agreed that the school year needs to finish out.
- Said she'd like to hear from staff more.
- Asked whether, with an extension until June 15, 2018, it would be possible to apply for a new CUP.

Director Paul Kermoyan:

- Said that if the Commission decides to revoke the CUP with a sunset date that would be the effective date.
- Added that during the four month time period, Ms. Venson could file for a new CUP with new operating parameters such as what classrooms and specifics of operation. That new permit would be a "clean" permit.

Commissioner Dodd sought clarification that the PC wouldn't need to continue if its decision is to revoke to a future date. Could we require the removal of the modular?

Director Paul Kermoyan:

- Suggested that if the PC wants to allow the new organization to submit their application, it should give them enough time to prepare their application.
- Stated that this should be an easy CUP to process.

Commissioner Dodd said that answers all of her questions.

Commissioner Rivlin asked whether this revocation would allow the portables to stay on site until the end of the school year.

Director Paul Kermoyan replied yes.

Commissioner Rivlin asked if there were any fines imposed for missing deadlines.

Planner Daniel Fama said that a cash deposit for \$20,000 was taken in. No citation was issued with a fine.

Commissioner Rivlin:

- Stated that he had no desire to remove children from their school before the school year is completed.
- Pointed out that Carden Day School has two locations, one serving children aged 2 to 4 and the other serving children aged 5 to 8. The current operator has the same ownership.
- Said that Carden Day School was not able to meet its obligations. A revocation should be effective at the end of the school year and require the portables to go away.

Commissioner Dodd said if the school year ends on June 15<sup>th</sup> the revocation date should be June 30<sup>th</sup> to give time to have the portables removed from the property.

Commissioner Krey:

- Said there is no way to stop school year with just 10 weeks left.
- Added that the revocation is closing the door on this use and opening the door for something else moving forward with fewer classes.
- Suggested allowing as much time as possible for the new CUP application preparation.

Chair Rich:

- Advised that he reached out to staff about the end date. If June 15<sup>th</sup> is the close of school year perhaps the revocation date should be June 30<sup>th</sup>.
- Pointed out that there haven't been any issues with the operation at 80 students located within the church's building confines.

Planner Daniel Fama said that they school has had more than 80 students for many years.

Chair Rich:

- Said that failure of this CUP was due to a lack of leadership.
- Added that it is important to know ones strengths and weaknesses. The school hasn't done that.
- Stated that the last minute solution offered may never reach agreement and not materialize.
- Said that he would like to see this school go back to 80 students within the permanent school buildings with the removal of the modular by the end of June.
- Pointed out that the possibility for expansion in the future is a whole new thing. The current staff doesn't have the leadership ability necessary to make it happen.

Commissioner Rivlin asked Chair Rich if he thinks a reapplication is necessary.

Chair Rich said he proposes returning to 80 students.

Commissioner Rivlin said that the school has clearly not been able to execute their expansion. It's been like a festering wound.

Commissioner Hernandez stated her support to let these CUP's expire and new management can apply for a new CUP. That's the way to go.

Commissioner Dodd:

- Said that she is looking at a way to clean it all up rather than modify these CUP's another time.
- Asked if the revocation would impact a new applicant.
- Reiterated her suggestion for an all-new CUP.

Chair Rich said that time is an issue here. He added that if this was his children's school, he would not be willing to stay in flux waiting to see if this school would be able and ready to start the next school year on time in August. He would find another school.

Commissioner Rivlin supported a new application for a new CUP.

Commissioner Krey agreed that the cleanest plan is to revoke the current CUP's effective on June 30, 2018. He asked if in fairness to the school could they apply for 80 students within the existing permanent classrooms.

Director Paul Kermoyan:

- Stated that this has been a good deliberation amongst the Commissioners.
- Agreed that the school functioned well with 80 students or less. There have been no calls for services or neighborhood complaints.
- Said that they were simply unable to adhere to the conditions imposed on them
- Said that Mr. Knudsen represents the church's board. Let them decide how operations can be accommodated.
- Suggested moving forward with the revocation. Let the CUP live until a new one is processed. That takes four to six months.

Chair Rich asked about allowing them six more months of operation while they process a new CUP.

Director Paul Kermoyan said there is no connection.

Chair Dodd supported the revocation. She asked staff if there is a way for a new CUP to be expedited.

Director Paul Kermoyan:

- Assured that his staff does a great job expediting applications.
- Stated that having a “time clock” should be the fire to get the applicant to move quickly.
- Said that he could promise that the process would be undertaken as quickly as possible. The applicant must do so too by providing the information necessary in a prompt and timely fashion.

Commissioner Rivlin pointed out that the school was allowed to increase for 80 to 120 students at the time of modular classroom expansion. The current capacity using the church permanent classrooms could not exceed 80 students.

Director Paul Kermoyan explained that the church didn’t want to relinquish any more of their rooms to Carden Day School.

Commissioner Hernandez asked if there is anything that would prevent another organization from filing for a new Use Permit for this site tomorrow, next week or next month.

City Attorney William Seligmann replied no, as long as the property owner allows the application to be submitted by signing it.

Commissioner Hernandez reiterated that anyone could file a new CUP.

Director Paul Kermoyan replied yes.

Commissioner Rivlin asked about the removal of the modular classrooms.

Chair Rich asked the average time frame for processing a CUP.

Planner Daniel Fama replied that it varies a lot. If there are no physical changes to the site it is easily accomplished within three to four months.

**Motion: Upon motion of Commissioner Hernandez, seconded by Commissioner Rivlin, the Planning Commission adopted Resolution No. 4435 approving the City-initiated Revocation of the Conditional Use Permits (PLN2015-196 and PLN2015-248) due to failure to comply with the imposed conditions of approval for the Carden Day School on property located at 1980 Hamilton Avenue, effective on June 30, 2018, with the requirement for the**

**removal of the modular classroom buildings by June 30, 2018, by the following roll call vote:**

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

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

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Chair Rich called for a 5 minute break.

Chair Rich reconvened the meeting.

### **NEW BUSINESS**

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

4. **PRE2018-03 Study Session to consider a Pre-Application (PRE2018-03) for a conceptual six-lot single-family residential subdivision on property located at 1631 Hacienda. Project Planner: *Daniel Fama, Senior Planner.***

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

Melissa Leakes, Project Representative:

- Described their project as a subdivision for six homes on a private drive. The homes would range in size from 3,400 and 3,800 square feet.
- Explained that their development approach is to look at local guidelines.
- Pointed out that they are not asking for any variances whatsoever.
- Reported that they had walked the neighborhood and town to get a feel for the community and have tried to develop architecture styles that reflects the community's values. Their homes will be well landscaped with space for gardens.
- Reiterated that they designed their site to meet all guideline standards. They are proposing a 40 percent FAR where 45 percent is allowed.
- Said that the fact that this is a flat parcel allows them to fit in six well-sized lots and homes that will be designed within the texture and context of the neighborhood.
- Assured that their project will leave this neighborhood even more beautiful and be consistent with the existing quality of the neighborhood.
- Said that in deciding on style they got a sense of what's currently being built in the city and area and settled on three architectural styles – Vineyard Farmhouse, Craftsman and Modern.
- Advised that one way they will enhance the appearance of this neighborhood is by transforming currently underutilized property.
- Added that their cul-de-sac will equate to a quiet neighborhood street with defined entranceways, natural materials and in context with the neighborhood.

Commissioner Krey asked about the undergrounding of utilities.

Melissa Leakes replied yes, their goal is to underground the utilities for their project.

Commissioner Krey asked about the potential for saving the large oak tree.

Melissa Leakes said they would try to do so.

Commissioner Hernandez questioned an elevation asking if what is depicted is a porte-cochere.

Melissa Leakes said it was actually open backyard patio area.

Commissioner Hernandez said she was okay with patio area.

Commissioner Rivlin also asked about the oak tree and the entry drive.

Melissa Leakes said that there would be parking along the drive.

Commissioner Rivlin asked if it would be defined and enhanced by landscaping.

Melissa Leakes replied yes, they would plant something to soften the appearance.

Commissioner Rivlin asked if fencing would be provided.

Melissa Leakes replied yes.

Commissioner Dodd asked Ms. Leakes if they are open to redoing/shifting the ADU so it faces the front street view.

Melissa Leakers replied absolutely.

Commissioner Rivlin suggested use of low-water-use plants in their landscaping plans. That sort of landscape fits with a modern architectural style.

Colleen Martell and Brian DeWitt, Residents on Littleton Place:

- Stated that they have concerns. This project is very close to them.
- Suggested that the developer move Lot 6 inward, reduce it and increase the setback. They also suggested moving Lot 2 forward.
- Asked that the quality of their neighborhood be retained.
- Expressed concerns about noise abatement and privacy.
- Reported that they have resided in their home since 1979.

Commissioner Rivlin reiterated their concerns as privacy and setbacks. Could they be more specific?

Director Paul Kermoyan advised that the fundamental thing is lot design right now. The specifics of home design come later. However, the Commission can limit height and size of proposed homes.

Chair Rich suggested keeping the size but reducing the impacts. The issues are privacy and proximity.

David Hoewisch, Resident on W. Hacienda Avenue:

- Said that his home is right across the street from the proposed site.
- Asked for clarification about what an ADU is.

Planner Daniel Fama said that an ADU is an additional living unit on one property.

David Hoewisch:

- Said that he drives from Hacienda to Winchester and to Harriet where all you see is parked cars along the street.
- Stated his hope that ample parking will be provided for these houses.

Chair Rich said that there are parking standards that they must comply with.

Planner Daniel Fama said parking would include garage space, 12 on-site guest parking spaces and use of driveways although those are not counted against the required parking per unit but are available for parking use.

David Hoewisch:

- Said that there is a beautiful oak tree. A huge branch fell off the tree, which is approximately 200 to 300 years old.
- Asked that care be taken to save this tree and consider drought-tolerant plantings beneath it.
- Recounted another such large old oak that ended up dying because of over-watering. The owner was watering the lawn that the oak tree was situated on.

Planner Daniel Fama said that an independent arborist would be retained to prepare an objective report.

David Hoewisch mentioned a huge power line that is thick and ugly and asked that the undergrounding for this project include this.

Commissioner Krey asked if it has always been like that.

David Hoewisch replied yes. He added that he has been there since 1988.

Jo Perry, Resident on Fawn Court:

- Explained that her property will back against Lots 5 and 6.
- Opined that the proposed structures seem quite tall.
- Expressed concern that such large homes will change their neighborhood. Huge tall homes don't reflect this area and she'd like to see these homes downsized.

- Said that she has been in the neighborhood for 25 years. She likes it and would like to keep it as it is.

Carla Twilleager, Resident on Fawn Drive:

- Agreed that these homes seem to be big, perhaps 500 to 700 square feet too big. And too tall.
- Stated that size is her concern.

Chair Rich restated the concerns as being height and size of the homes.

Carla Twilleager:

- Said that they are proposing two-story homes ranging between 2,800 and 2,900 square feet.
- Added that the average homes in the area are between 1,600 and 1,800 square feet.
- Stated that this lot has been clear for the last 25 years. It will be a shock when this lot is developed.

Chair Rich asked if the main concern is the height or the square footage of the homes.

Carla Twilleager replied both.

Jo-Ann Fairbanks, Resident on Hacienda Avenue:

- Agreed with the previous speakers regarding the old oak tree.
- Suggested having the City's Arborist look at it as she trusts him.
- Expressed concern about impacts from grading and water movement.
- Reported that the previous use of the property was for a flower growing business.
- Stated that the suggested architecture is massive and intruding. The second story should be smaller.
- Pointed out that the homes to the north and to the east side of the site are single-story. These new homes will look out onto the existing homes.
- Expressed concern about potential for loss of sunlight/daylight.
- Asked that the site improvements include the full curb, gutters and sidewalks on Hacienda.
- Advised that per the Code, ADU's are limited to a single-story. Inclusion of an ADU for one parcel is a great idea. It will soften the massive look of what's currently proposed.
- Reported that there is debris being stored in the front yard and she hopes it can be taken care of. That would be helpful.
- Suggested that the developer be encouraged to include green building including sustainable and green building designs and materials.

Commissioner Rivlin said that solar would be something great to consider.

Chair Rich closed the public hearing for Agenda Item. 4.

Chair Rich advised that the task for the Commission at this point is to give staff direction moving forward.

Commissioner Dodd:

- Said that one house with a tower in front needs to be broken up.
- Stated that she hears what is being said about massing.
- Said that grading will be a bigger deal and drainage.
- Opined that tall homes on a court equates to a lot of height in a smaller contained area.
- Added that she likes the solar suggestion.
- Suggested having something along that long fence that is pleasing to the eye such as greenery.
- Supported an arborist report for the beautiful old oak tree.
- Stated that the homes perhaps should be brought closer to the street and further from the existing homes.
- Said that the second-story window placements should ensure privacy to the homes surrounding.
- Admitted that she would love to see something done with that big ugly cable but it is a long stretch. She would love to see it placed underground.
- Said that she would be interested in hearing what the City Engineer says about that.

Commissioner Krey:

- Seconded the points made by Commissioner Dodd.
- Stated that this site has the best old oak tree that he has seen to date on a project site. Preserving it is a big issue.
- Asked staff if the average size of a new home being constructed in Campbell is 4,000 square feet.

Planner Daniel Fama said that the newer ones especially within the San Tomas Area Neighborhood Plan (STANP) area where there are big lots.

Commissioner Hernandez:

- Said she sees “pros” and “cons” with this project. The “pros” include big lot size, the small number of proposed lots, decent setbacks and architectural styles that are generally pleasing.
- Stated the “cons” are that the homes appear massive and bulky. She’d like to see the upper story pulled in. The houses look tall.
- Suggested that the recent home design for Elam Avenue be used as a good example of what is desirable. That design was spectacular.
- Reminded that oak trees are protected and cannot be removed without a permit. She asked the applicants not to remove that or any other tree prior to review and approval.

Commissioner Rivlin said that most comments covered his issues. He supports an increase in setback for Lot 6, the inclusion of solar if possible and questions what will happen with the right-of-way.

Roger Storz, Public Works Land Development Engineer:

- Pointed out that there is existing curb, gutter and sidewalks that will be taken all the way to their most easterly property line.
- Added that as to potentially allowing a utility pole, PW will be looking for some serious documentation making the case for an unreasonable cost for full undergrounding to support not fully undergrounding.

Chair Rich:

- Thanked the applicant for bringing this project to Campbell.
- Said he appreciates the larger lot sizes but the shared driveway is located close to existing properties.
- Stated that he has no problem with the proposed size of the homes but does have privacy concerns.
- Suggested that we do what can be done to preserve the privacy of existing surrounding homes.
- Agreed that inclusion of solar is a good idea. Perhaps as an option.
- Stressed the need to save every tree possible. The applicant should take the best effort to preserve trees.
- Said that the proposed FAR is awesome.
- Reminded that the ultimate architectural designs would be brought forth to the Site and Architectural Review Committee (SARC) and from there to the Planning Commission.

Planner Daniel Fama said that the Commission has provided staff with good feedback and direction.

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### **REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR**

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

- Said that the Commission would be considering another revocation at the next meeting on April 10, 2018. It is for the Campbell Brewing Company at 200 E. Campbell Avenue.

### **ADJOURNMENT**

The Planning Commission meeting adjourned at 10:02 p.m. to the next Regular Planning Commission Meeting of **March 27, 2018**.

SUBMITTED BY:

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Corinne Shinn, Recording Secretary

APPROVED BY:

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Michael L. Rich, Chair

ATTEST:

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Paul Kermoyan, Secretary