

CITY OF CAMPBELL PLANNING COMMISSION

MINUTES

7:30 P.M.

TUESDAY

APRIL 9, 2019
CITY HALL COUNCIL CHAMBERS

The Planning Commission meeting of April 9, 2019, was called to order at 7:30 p.m., in the Council Chambers, 70 North First Street, Campbell, California by Acting Chair Rivlin and the following proceedings were had, to wit:

ROLL CALL

Commissioners Present:	Acting Chair:	Andrew Rivlin
	Commissioner:	Stuart Ching
	Commissioner:	Terry Hines
	Commissioner:	Mike Krey
Commissioners Absent:	Chair:	JoElle Hernandez
	Commissioner:	Maggie Ostrowski
	Commissioner:	Michael L. Rich
Staff Present:	Community	
	Development Director:	Paul Kermoyan
	Senior Planner:	Daniel Fama
	Senior Planner:	Cindy McCormick
	Associate Planner:	Stephen Rose
	City Attorney:	William Seligmann
	Recording Secretary:	Corinne Shinn

APPROVAL OF MINUTES

Motion: Upon motion by Commissioner Krey, seconded by Commissioner Ching, the Planning Commission minutes of the meeting of March 26, 2019, were approved as submitted. (4-0-3; Chair Hernandez and Commissioners Ostrowski and Rich were absent)

COMMUNICATIONS

Director Paul Kermoyan listed the following items:

1. Email correspondence regarding Agenda Item No. 3 – Study Session on Mozart property.

AGENDA MODIFICATIONS OR POSTPONEMENTS

None

ORAL REQUESTS

None

PUBLIC HEARINGS

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

1. **PLN2017-45**
PLN2018-328 Continued Public Hearing to consider the application of Canyon Heights Academy for a Conditional Use Permit Modification with Site and Architectural Review and a Parking Modification Permit (PLN2017-45), and a Tree Removal Permit (PLN2018-328) to allow construction and use of an approximately 8,400 square-foot gymnasium building and associated site and parking improvements for an existing private school on Campbell Union School District property located at **775 Waldo Road**. Staff is recommending that this project 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.

Acting Chair Rivlin asked if there were questions for staff.

Commissioner Krey sought verification that there is no new construction as part of parking on site.

Planner Daniel Fama replied yes. They will be using existing pavement and the only changes to that would be striping.

Acting Chair Rivlin opened the Public Hearing for Agenda Item No. 1.

Jim Campagna, Representative for Canyon Heights Academy; Dr. Margaret Richardson, Principal of Canyon Heights Academy, and Brad Cox, Project Architect approached the podium together.

Dr. Margaret Richardson:

- Explained that their student body ranges in ages from 18 months to 8th Grade.
- Added that they have been at this location since 2004 but in operation since 2000.
- Stated that they currently have 330 students.
- Reported that they are known for offering strong academics and are fully accredited. They have the highest level of accreditation as is possible and have enjoyed consistent enrollment.
- Advised that they simply need more space. At present, their cafeteria is the only space they have for their larger school events. She stressed that they “really need this space.”

Brad Cox, Project Architect, said that Planner Daniel Fama gave a great overview in his report. He reiterated that while this is a fabric structure it also considered to be a permanent structure but can be removed from the site if or when necessary.

Jim Campagna reminded the Commission that they lease this site from the School District. The District’s Board prefers this type of structure in the event they ever need to reclaim the campus for public school use. Their grade schools don’t include gym structures.

Brad Cox, Project Architect:

- Said that the requested changes have been made. A tree issue has been resolved. New trees are proposed and their placement is shown in green on the plan.
- Reported that the parking provision required is 152 spaces and their current plan consists of 161 spaces. This does not include (count) any street spaces of which there are 52 street parking spaces.
- Explained that per the parking plan, the school will utilize the front parking during normal days and the back parking during large events. There is a fire truck route located at the back of the lot.
- Advised that they have provided three different color schemes for the Commission’s consideration but their preferred option matches the school’s colors.
- Concluded that he was available for any questions.

Acting Chair Rivlin said he appreciates the response the applicants have made to the feedback offered by the Planning Commission at the October 2018 public hearing. That includes the addition of a wood constructed portico for an entrance feature. He asked if the portico would be attached to the structure.

Brad Cox, Project Architect, replied yes.

Acting Chair Rivlin thanked the applicants for adding windows to the structure.

Commissioner Krey asked if the location of the gym is the same as it had been last time.

Brad Cox, Project Architect, replied yes.

Commissioner Krey asked what is different between now and what was seen last October (2018).

Brad Cox, Project Architect, said the parking plan.

Commissioner Hines asked staff if this structure meets Building Code requirements.

Planner Daniel Fama replied that this is considered to be a permanent structure but one that can be dismantled. He added that this structure must meet all applicable codes.

Director Paul Kermoyan said that it looks like a tent-like structure. The addition of a wood portico entry was intended to make it look more refined.

Commissioner Hines thanked the applicants for the changes made based on recommendations.

Acting Chair Rivlin asked for confirmation that the structure is 30 feet tall.

Brad Cox, Project Architect, replied correct.

Acting Chair Rivlin asked if there was anyone else wishing to speak on this project.

There were none.

Acting Chair Rivlin closed the Public Hearing for Agenda Item No. 1.

Commissioner Ching:

- Expressed his appreciation for the applicants working with staff so constructively.
- Stated that the project looks great.
- Reported that he is a "sports addict."

Commissioner Hines agreed that this looks good.

Commissioner Krey stated "ditto" and added he has no problems with this.

Acting Chair Rivlin said that parking had been an issue but that is resolved and reminded that different color schemes were provided this evening.

Planner Daniel Fama reminded that on the issue of building height the P-F (Public Facilities) zoning of this site allows for additional height with increased setback.

Acting Chair Rivlin said that he prefers the Alternate B and C color schemes.

Commissioner Hines said that they should be allowed to match their school colors.

Acting Chair Rivlin asked for a motion.

Motion: Upon motion of Commissioner Ching, seconded by Commissioner Krey, the Planning Commission took the following actions:

- Adopted Resolution No. 4489 approving a Conditional Use Permit Modification with Site and Architectural Review and a Parking Modification Permit (PLN2017-45) (PLN2018-328) to allow construction and use of an approximately 8,400 square foot gymnasium building and associate site and parking improvements for an existing private school on Campbell Union School District property; and
- Adopted Resolution No. 4490 approving a Tree Removal Permit on located at 775 Waldo Road, by the following roll call vote:

AYES: Ching, Hines, Krey and Rivlin

NOES: None

ABSENT: Hernandez, Ostrowski and Rich

ABSTAIN: None

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

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

2. **PLN2019-011**
City-Initiated
ZTA Public Hearing to consider a City-initiated Zoning Code Amendment (PLN2019-011) to amend Campbell Municipal Code ("CMC") Chapter 21.72 (Definitions) to correctly reference the term sexually oriented businesses where adult or adult oriented businesses are referenced and to amend the definition of retail stores, general merchandise, to include sexually oriented media and erotic devices in the list of merchandise, with a cross reference to an associated amendment to Chapter 5.55 which would allow such activity when certain criteria and standards are satisfied. Staff is recommending that this project be deemed Categorical Exempt under CEQA. Tentative City Council Meeting Date: May 7, 2019. Project Planner: *Stephen Rose, Associate Planner*

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

Acting Chair Rivlin asked if there were questions for staff.

Commissioner Hines asked what the impact is on the specific property (Pleasures of the Heart).

Planner Stephen Rose replied that the business could remain in operation with minor changes. They are already consistent with all requirements. It would no longer be labeled as a “sexually-oriented” business.

Commissioner Ching asked if there are any restrictions on the location of such a shop. Does this change?

Planner Stephen Rose:

- Said that it doesn't change requirements that currently limit such uses to M-1 (Light Industrial) zoned sites with a Conditional Use Permit required.
- Stated that this amendment is carving out an exception to sexually-oriented retail.
- Added that the focus of this amendment is just to Chapter 21.72. Other related issues will be considered separately by the City Council.

Director Paul Kermoyan:

- Clarified that the Planning Commission's purview is Chapter 21 of the Campbell Municipal Code. The rest of the Code is under the purview of the City Council.
- Added that this limited text amendment is “cleaning up the Code.”

Commissioner Hines suggested that this business (Pleasures of the Heart) could then move Downtown.

Planner Stephen Rose said they could locate anywhere that retail is allowed.

Commissioner Ching said that is something under separate purview of the City Council.

Planner Stephen Rose said that is correct.

Commissioner Ching asked whether, if not approved, this shop would not fall within the retail use category.

Planner Stephen Rose said that without this text amendment this business' approval would expire and have to relocate once it does expire.

Director Paul Kermoyan:

- Said that's all in Chapter 5. The Commission can forward its recommendation on to Council.
- Advised that the City Council gave staff direction to look at Pleasures of the Heart as a retail business.
- Added that they are basically a lingerie shop that sells toys.
- Stated that this text amendment is cleaning up terminology.

Acting Chair Rivlin asked if the City Council could extend the approval period for this use (Pleasures of the Heart).

Planner Stephen Rose replied in theory they could. They chose not to do so and that's why we are here reviewing this text amendment.

Commissioner Hines said that he is imagining such a business in Downtown. That is concerning.

Commissioner Krey said that the proposed language change is pretty straightforward and makes sense.

Acting Chair Rivlin opened the Public Hearing for Agenda Item No. 2.

Krystal Mangenelli, Co-Owner, Pleasures of the Heart:

- Said that their business has been in operation since 1997 and has always been in Campbell.
- Reported that a 2010 action to change zoning impacted her business and they were given a 10 year sunset date.
- Stated that the City Council is trying to find a way that Pleasures of the Heart can stay in business in Campbell.
- Stressed that they (she and her business-partner mother) want to stay in Campbell.
- Pointed out that they have been in this current location for 16 years. They have been in business together (mother-daughter business) for 20 years in Campbell.
- Advised that their merchandise includes lingerie and adult novelties.

Acting Chair Rivlin thanked Ms. Mangenelli for being a Campbell business for 20 years now.

Lacy Castellichi, Resident on Union Avenue:

- Asked how this text amendment applies to the new Pink Pantherz location.
- Admitted that she is worried about other businesses that might come into Campbell that exploit women like Pink Pantherz does.
- Reported that Pink Pantherz has young girls who are basically naked selling coffee.

Acting Chair Rivlin deferred to staff to respond.

Planner Stephen Rose replied that Council narrowly tailored staff's focus in this matter. It does not impact the operations of that café (Pink Pantherz).

Acting Chair Rivlin reiterated that the Commission's purview on this issue is narrow.

Acting Chair Rivlin closed the Public Hearing for Agenda Item No. 2.

Acting Chair Rivlin said that it seems that the text amendment before us seems very straightforward.

Commissioner Krey:

- Said that it seems there is a bigger issue here but it is not a part of this update.
- Stated that this may open up the door more widely for adult businesses by changing the terminology from adult-oriented to sexually-oriented.

Director Paul Kermoyan:

- Reminded that the only change is a clarification of #25 – Retail Store (what constitutes a retail store).
- Added that the issue raised by Ms. Lacy Castellichi is another subject.
- Pointed out that Victoria’s Secret sells lingerie.
- Said that there is a difference between a porn shop and a retail establishment. There is a difference between “seedy” establishments versus retail establishments.

Commissioner Ching said it seems that this text amendment is opening up retail shops to selling sexually-oriented items.

Director Paul Kermoyan said they are selling items.

Commissioner Hines said he agrees with the proposed wording.

Motion: **Upon motion of Commissioner Krey, seconded by Commissioner Hines, the Planning Commission adopted Resolution No. 4491 recommending that the Council adopt a Zoning Code Amendment to the Campbell Municipal Code (“CMC”) Chapter 21.72 (Definitions) to correctly reference the term sexually oriented businesses where adult or adult oriented businesses are referenced and to amend the definition of retail stores, general merchandise, to include sexually oriented media and erotic devices in the list of merchandise, with a cross reference to an associated amendment to Chapter 5.55 which would allow such activity when certain criteria and standards are satisfied, by the following roll call vote:**

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

Commissioner Krey asked if three votes is enough.

City Attorney William Seligmann advised that the vote must represent the majority of the quorum. Three votes represents a majority of the four-member quorum in attendance this evening.

Acting Chair Rivlin advised that final action on this item would be considered by the City Council at its meeting on May 7, 2019.

NEW BUSINESS

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

3. **PLN2019-34** Study Session (PLN2019-34) to review pre-application conceptual plans for a potential 28-unit subdivision and associated General Plan Amendment to increase the density from <6 du/ga to 6-13 du/ga, Zoning Map Amendment to change zoning from R-1-6 to Planned Development (P-D), and P-D permit for the property located at **16179 Mozart Avenue**. Staff is recommending that this is not a project subject to CEQA. Project Planner: *Cindy McCormick, Senior Planner*

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

Director Paul Kermoyan:

- Said that it is very common for a developer to take a site and want a clean slate.
- Stated that staff is suggesting the developer instead work within the existing environment and work with existing trees on the property.
- Pointed out that density can be retained while providing necessary parking simply by providing smaller units to leave more room to accommodate parking.
- Reported that the developer is currently asking for a Parking Modification Permit.
- Suggested the Commission focus on the big issues including how to justify a Parking Modification Permit.

Commissioner Hines said that the properties around this one look similar.

Planner Cindy McCormick said that the adjoining subdivision has traditional architecture.

Commissioner Hines asked if there has been any discussion about the exit off Mozart.

Planner Cindy McCormick said that can be looked at with the traffic study.

Commissioner Hines asked if there is a possible location for another exit.

Planner Cindy McCormick said that is a challenge but it can be looked at with the traffic study.

Commissioner Hines asked if right turns are the only option when coming off Mozart and onto Bascom.

Planner Cindy McCormick said that another entrance doesn't seem feasible.

Commissioner Hines said that this exit is already a problem.

Commissioner Ching asked if the proposed park would be for public use or just for residents of the development.

Planner Cindy McCormick said she would defer to the applicant but thinks it likely would be intended for use just by residents for liability concerns.

Commissioner Krey asked what represents a “small” lot.

Planner Cindy McCormick replied less than 6,000 square feet, which is a standard lot.

Acting Chair Rivlin opened the Public Hearing for Agenda Item No. 3.

Mark Robson, Applicant, Robson Homes:

- Stated that the need for housing is acute and this site offers a good opportunity to increase density and create affordable homes.
- Compared projects. If lots are a minimum of 6,000 square feet the site could accommodate 18 units. A Planned Development project could either accommodate 23 market rate units and two BMR units; or 23 market rate units with five BMR units with added density.
- Opined that small lots equate to more affordable units than do 6,000 square foot lots.
- Stated that their initial site plan includes a total of 28 units with five of them being BMR where only four are required to be.
- Suggested that having an ADU atop a detached garage offers affordable rental housing options. The income from renting out an ADU could help a property owner to offset their cost of mortgage while providing an affordable living unit.
- Advised that there would be seven additional street parking spaces along Mozart with this development. There will be public improvements along Mozart.
- Assured that he would try to save the best trees on this lot and proposes a 4,500 square foot open space on site for private use by the residents of the development.
- Pointed out that the General Plan encourages development of housing.
- Stated that having affordable units built now with the project is the best project for the City of Campbell in providing affording housing.

Commissioner Hines asked Mr. Mark Robson what he thought about the potential for access onto Bascom.

Commissioner Ching:

- Pointed out that with this initial site plan with 28 houses they have placed their proposed park at the entrance of the development.
- Expressed concern for the safety of children who would be at play there.

Mark Robson explained that a picket fence would be placed along the street frontage. He said he was considering placing a rope swing on one of the oak trees that will be within the park area. He pointed out that each home would also have their own yards as private open space.

Commissioner Ching asked whether placement of the park space elsewhere on site might be better.

Mark Robson said that the homes would have large front porches intended to encourage homeowners utilizing them and therefore creating a sense of community. No garage doors will be visible from the street. This development will be very attractive and create a nice feel of neighborhood.

Commissioner Krey asked Mr. Mark Robson if he has constructed any projects where driveways are counted to meet parking requirements.

Mark Robson replied yes. He did so early on in the late 80's.

Commissioner Krey asked Mark Robson if he would build ADU's at the beginning.

Mark Robson said they would be constructed immediately as a place for the property owner to use and/or to rent out to help cover the mortgage.

Commissioner Krey asked if there would be exterior staircases for access to the ADU's above detached garages.

Mark Robson replied yes, they all do.

Commissioner Krey asked Mark Robson how his proposed lot size and house size compares to the homes along Beethoven.

Mark Robson said his lots would be a little smaller. As a result there will be more affordability for market rate homes. He added that he has been building detached garages for the last 20 years.

Director Paul Kermoyan:

- Clarified that the Parking Modification Permit relates to the number of spaces required.
- Added that the number of parking spaces counted for a site cannot include parking on driveways within the first 25 feet of the property. That standard cannot be deviated on.
- Elaborated that you can however deviate from the number of spaces provided as a concession per State law.

Acting Chair Rivlin asked if there was anyone else present who wished to address the Commission about this project.

Heidi Heckman, Resident on Beethoven Drive:

- Reminded that she had submitted an email to the Commission earlier today.
- Reported that Beethoven is a special community in and of itself. She has lived there for the last 12 years.
- Added that more than 30 kids play on the streets in their neighborhood. There are block parties and events for every holiday. They are a really close community.

- Stated that they are right next to the Hwy. 85 entrance. When people miss the exit they often end up driving down their street really fast.
- Advised that there are a couple of pedestrian access points to the Los Gatos Creek Trail from their neighborhood.
- Admitted that she likes Robson Homes and is just concern about density.
- Calculated that each home generally has two cars. As a family's kids grow up more cars are added per household.
- Pointed out that their street is a two lane with parking along both sides of it. There is no opportunity to bypass each other.
- Said that there is an existing impact as there is no light to assist people departing off Mozart onto Bascom.
- Added that there is a fixed median to prevent left turns off Mozart so people in the neighborhood "sneak" out to left turn onto Bascom Avenue where the kids' schools are located. This is accomplished by using the parking lot of the medical office at the corner.
- Said that those are some of the concerns of her neighborhood. Mainly traffic and egress.
- Stated that she'd like to see smaller development but this project seems great.
- Expressed appreciation for the open house conducted by Robson.
- Reiterated her desire to see the density of the project reduced.

Gabriel Gonzales, Resident on Beethoven:

- Said he too has parking concerns.
- Reported that he works for the phone company.
- Advised that he often sees people having to park far from their homes and walk in.
- Advised that half the people in the neighborhood don't park in their garages. He stated that it seems that garages tend to be used for stuff or is converted space.
- Cautioned that parking overflow will be pushed out to other people in the community.
- Stated that there is not enough parking for people who will be living there.

Mark Robson said that with a strong Homeowners' Association and effective CC&R's his projects have had good luck in restricting garages for parking of vehicles. There is a parking committee to oversee this issue as part of the HOA structure.

Gary Black, Traffic Consultant for Robson Homes:

- Informed that he went to the neighborhood to count cars.
- Reported that less than half of the street parking spaces were taken.
- Added that there will be more street parking created with this development as right now there are no curbs, gutters or sidewalks along this project site.
- Stated that most of the street parking was for the medical building at the corner.
- Said that he counted the cars leaving Mozart. Unfortunately only right turns are allowed coming out from Mozart onto Bascom.
- Said that 40 seconds was the highest time taken. From five to 10 seconds was typical. Fourteen (14) cars per hour on average.
- Concluded that this exit could accommodate ten times the traffic it currently accommodates.

Acting Chair Rivlin asked what times the exit off Mozart was monitored.

Gary Black, Traffic Engineer for Robson Homes, said it was between 7 a.m. and 9 a.m. in the morning and between 4 p.m. and 6 p.m. in the evening.

Acting Chair Rivlin asked if this development would double or triple existing traffic.

Gary Black, Traffic Engineer for Robson Homes:

- Said that 28 homes would result in 20 cars coming out in the morning or double what's going out right now.
- Stated that he observed that most of the time there were no cars there waiting to exit right from Mozart.

Commissioner Ching asked Gary Black if while conducting his traffic counts he observed what happens to those cars that exited right off Mozart onto Bascom. Did they make a U-turn to go back towards Camden or turn directly onto the Highway 85 entrance lane?

Gary Black, Traffic Engineer for Robson Homes:

- Said no he didn't note that information.
- Stated that his opinion is that cars that want to turn left onto Bascom are cutting through the medical office parking lot to do so.

Commissioner Ching pointed out that there is another similarly sized lot across the street. Was that considered if it were to be developed in a similar fashion?

Gary Black, Traffic Engineer for Robson Homes, replied no. He just considered this project.

Planner Cindy McCormick advised that someone has already been in to City Hall inquiring about the lot across the street.

Mark Robson, Applicant, said that the site can allow for 18 homes if the lots are 6,000 square foot and 25 homes if smaller lots are allowed. This is worth considering.

Commissioner Krey:

- Said that three extra BMR and ADU's would rely on breaks we give them.
- Pointed out that this is a tough location as the only way in or out is via one exit with only right-hand turns.
- Stated he can see higher density with more BMR units, which are so needed. These BMR units would belong to their homeowners.
- Stressed that parking is a big deal and that more parking is needed.

Acting Chair Rivlin suggested organizing the topics and having each Commissioner provide their input on each topic:

1. Traffic & Parking

2. Amenities – is proposed space large enough / is proposed placement best option?
3. Accessory Dwelling Units (ADU's)
4. Below Market Rate (BMR) Units
5. Trees
6. Density

Commissioner Krey:

- Stated that more parking is needed.
- Suggested marking the street on Bascom to read, "Don't Block Exit".
- Add signage to facilitate egress off Mozart onto Bascom.
- Admitted that he is leery about parking.
- Said that he likes the architecture.
- Stated that he like to see more trees protected and retained. There are some great trees there.
- Express support for density that would allow for the highest number of BMR units possible.

Commissioner Hines:

- Said that he would support the highest density for which there is no requirement for a parking exception to achieve. The State exception is fine.
- Stated that they don't need to get into a traffic study as it is obvious what the issues are.
- Suggested that there should be a thorough review of right turns onto Bascom. There must be some way to improve that turn.
- Regarding design, he said it is great and looks very presentable and workable.
- Added that he would love to live there.
- Opined that this development would generate a similar sense of community that already exists on Beethoven.
- Said that he likes the inclusion of ADU's.
- Supported the goal of saving more trees and to adding some additional trees as well. Even newer trees will look beautiful in 10 years or more.
- Stated that he supports a density that is as high as we can get including ADU and BMR units.
- Concluded that he would not support parking exception beyond that already mandated by the State.

Acting Chair Rivlin:

- Agreed that traffic and parking will be an issue.
- Stated that inclusion of BMR units is important. Providing more allows the applicant to obtain a higher density of development.
- Said that he supports the applicant's interest in placing ADU's above the detached garages.
- Asked staff if there would be a traffic study.

Planner Cindy McCormick replied yes.

Acting Chair Rivlin:

- Reminded that there is another similar property across the street that may be developed very much like this one.
- Added that the owners of the medical office may decide one day to prevent neighborhood use of their property to achieve a left turn onto Bascom Avenue.
- Suggested that Public Works provide information on what future traffic improvement plans there might be added for that area of Bascom.
- Said that the proposed architecture is charming and seems to fit the “Campbell” feel. Mr. Robson has a lot of experience and knows what works.
- Listed the last two issues as amenities and trees.
- Suggested modifying the architecture to accommodate the retention of more of the existing trees on site if possible. This might even include the consideration of relocating of some of the oaks and/or replanting additional oaks.
- Pointed out that some of the garage units offer only one covered parking space so perhaps they should consider two-car garages instead.

Commissioner Ching:

- Stated the need for traffic and parking safety.
- Expressed concern about the exiting ability onto Bascom.
- Opined that there is an existing problem there the City needs to look at.
- Reported that he saw 10 cars cut through the health center’s property in order to achieve a left-turn exit. The City should look into that no matter how many units are allowed.
- Reminded that the other site will also be developed.
- Said he was really worried about the traffic and parking on this development. What are being proposed are small parcels. Cars will be parked on driveways. Kids will play on the streets. There is a safety implication.
- Advised that he is not in favor of counting driveway space as require parking spaces.
- Admitted he’d like to see the pocket park be made larger and relocated to another part of the development. Those changes might help to keep kids from running out into the street.
- Said he has no problems with the architectural appearance of these homes.
- Pointed out that 97 percent of the protected trees on site are proposed to be cut down. That will substantially change the site.
- Reminded that a Planned Development should be special. He’d like to see more imagination on architecture and design and at least half of the existing trees on site retained. We should be challenging ourselves on how we design.
- Said that he supports ADU’s but not the proposed total of 28 units overall. He might be more in favor of up to 25 units in total.
- Stressed that safety is his major concern as well as any impacts on the surrounding environment as per the General Plan.

Acting Chair Rivlin said he agreed on the issue of trees and suggested provision of a map with trees specified and offering ways to design around existing trees. He supports a maximum of 23 units rather than 25.

Ms. Heidi Heckman, Resident on Beethoven:

- Returned to the podium and reminded the Commission that the North 40 project is coming in Los Gatos just on the other side of the highway. That project will also have a significant impact on this area.
- Added that her neighborhood is seeking to secure a speed hump on their street to slow traffic down that is currently speeding down their street. Perhaps one should go on Mozart as well.

Acting Chair Rivlin suggested the addition of “No Outlet” signs and suggested to staff that Public Works be asked about that.

Director Paul Kermoyan said that he’s added that suggestion to his list.

Mark Robson, Applicant, Robson Homes:

- Advised that they would have to bring fill onto their site to cover sewage pipes. There are utility conflicts. With fill more is feasible.

Planner Cindy McCormick said that staff is encouraging the applicant to save as many trees as possible. She cautioned that the initial tree inventory indicates that many trees are not salvageable.

Commissioner Hines suggested the applicant work with the City and expressed appreciation to Mr. Robson and his team for listening to the Commission’s feedback.

Acting Chair Rivlin closed the Public Hearing for Agenda Item No. 3.

REPORT OF THE COMMUNITY DEVELOPMENT DIRECTOR

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

- Reported that Council took second reading of the Planning Commission Ordinance. Per this Ordinance any absence, excused or not, is counted.
- Added that with adoption of this Ordinance attendance at the League of California Cities Planning Commissioner Academy is mandatory for the first two years of service on the Commission. For other Commissioners attendance is voluntary.
- Stated that the City Council is really encouraging training.
- Advised that staff will continue to consider opportunities, such as when PC meeting agendas are light or empty, to instead schedule Planning 101 training sessions. CEQA is one possible future topic.

Commissioner Ching raised the issue of budget limitations.

Director Paul Kermoyan said the budget line ran out this year but for the next fiscal year, which starts on July 1st, he is requesting more funds to support this mandatory training.

Commissioner Ching asked about events that might have no cost.

Director Paul Kermoyan said that is also an option. The American Planning Association (APA) has a site. There is potential to locate a timely training video and view it together as a group.

Commissioner Hines told the other Commissioners that the LCC Conference was very good and offered a good perspective as well as the opportunity to meet other Commissioners from throughout the State.

Director Paul Kermoyan said that the California APA Conference starts this next Saturday. Senior Planner Cindy McCormick will be attending that.

Acting Chair Rivlin asked Commissioner Hines if he wanted to update the Commission on the sessions he attended in March.

Commissioner Hines said he would put together a written update as he hasn't prepared anything for tonight.

Acting Chair Rivlin asked if it would be possible for a not-so-new Commissioner to still attend the LCC training.

Director Paul Kermoyan replied yes and said it occurs each year in March. The next State APA Conference will occur in September.

Commissioner Hines said that he finds it helpful to attend with someone else the first time attending.

Acting Chair Rivlin agreed and said he attended a CalAPA Conference with Commissioner Hernandez.

Commissioner Hines asked what constitutes a new commissioner.

Director Paul Kermoyan said it is the most recently appointed.

Acting Chair Rivlin asked about scheduling the selection of a new Chair.

Director Paul Kermoyan said that Council must first accept the resignation of Chair Hernandez at its meeting on April 16th and direct the posting of this new vacancy on the Planning Commission. After that has occurred, staff will include the selection of a new Chair and Vice Chair to complete the year on the appropriate PC agenda.

ADJOURNMENT

The Planning Commission meeting adjourned at 9:37 p.m. to the next Regular Planning Commission Meeting of **April 23, 2019**.

SUBMITTED BY: _____
Corinne Shinn, Recording Secretary

APPROVED BY: _____
Andrew Rivlin, Acting Chair

ATTEST: _____
Paul Kermoyan, Secretary